



MEETING AGENDA
Planning & Zoning Commission
REGULAR SESSION PLANNING & ZONING COMMISSION
December 13, 2023

HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS
1400 SCHERTZ PARKWAY BUILDING #4
SCHERTZ, TEXAS 78154

CITY OF SCHERTZ CORE VALUES

Do the right thing

Do the best you can

Treat others the way you want to be treated

Work cooperatively as a team

AGENDA

WEDNESDAY, DECEMBER 13, 2023 at 6:00 p.m.

The Planning and Zoning Commission will hold the regularly scheduled meeting at 6:00p.m., Wednesday, December 13, 2023, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.

1. CALL TO ORDER

2. SEAT ALTERNATE TO ACT IF REQUIRED

3. HEARING OF RESIDENTS

This time is set aside for any person who wishes to address the Planning and Zoning Commission. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

4. CONSENT AGENDA:

A. Minutes for the November 15, 2023 Regular Meeting.

5. PUBLIC HEARING:

The Planning and Zoning Commission will hold a public hearing related to zone change requests and replats within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.

A. PLZC20230186 Hold a public hearing, consider and make a recommendation on a request to rezone approximately 1.3 acres of land from Single- Family Residential District (R-1) to General Business District (GB) generally located southeast of the intersection of Fawn Drive and FM 3009, Parcel ID: 20377 and 20378, City of Schertz, Guadalupe County, Texas.

6. WORKSHOP AND DISCUSSION:

- A. Workshop, Discussion, and Possible Action regarding the Planning and Zoning Commission Bylaws

7. REQUESTS AND ANNOUNCEMENTS:

- A. Requests by Commissioners to place items on a future Planning and Zoning Agenda
- B. Announcements by Commissioners
- City and community events attended and to be attended
 - Continuing education events attended and to be attended
- C. Announcements by City Staff.
- City and community events attended and to be attended.

8. INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION PACKETS- NO DISCUSSION TO OCCUR

- A. Current Projects and City Council Status Update

9. ADJOURNMENT OF THE REGULAR MEETING

CERTIFICATION

I, Samuel Haas, Senior Planner, of the City of Schertz, Texas, do hereby certify that the above agenda was posted on the official bulletin boards on this the 8th day of December, 2023 at 5:00 p.m., which is a place readily accessible to the public at all times and that said notice was posted in accordance with chapter 551, Texas Government Code.

Samuel Haas

Samuel Haas, Senior Planner

I certify that the attached notice and agenda of items to be considered by the Schertz Planning & Zoning Commission was removed from the official bulletin board on ____ day of _____, 2023. _____ title: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services please call 619-1030 at least 24 hours in advance of meeting.

The Planning and Zoning Commission for the City of Schertz reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

PLANNING AND ZONING COMMISSION MEETING: 12/13/2023
Agenda Item 4 A

TO: Planning and Zoning Commission
PREPARED BY: Emily Delgado, Planning Manager
SUBJECT: Minutes for the November 15, 2023 Regular Meeting.

Attachments

Minutes for the November 15, 2023 Planning and Zoning Commission Meeting

DRAFT

PLANNING AND ZONING MINUTES

November 15, 2023

The Schertz Planning and Zoning Commission convened on November 15, 2023 at 6:00 p.m. at the Municipal Complex, Council Chambers, 1400 Schertz Parkway Building #4, Schertz, Texas.

Present: Glen Outlaw, Chairman; Richard Braud, Vice Chairman; Gordon Rae, Commissioner; Judy Goldick, Commissioner; Tamara Brown, Commissioner; John Carbon, Commissioner

Absent: Roderick Hector, Commissioner; Danielle Craig, Commissioner; Patrick McMaster, Commissioner

Staff present: Lesa Wood, Director of Planning & Community Development; Brian James, Deputy City Manager; Emily Delgado, Planning Manager; Tiffany Danhof, Administrative Assistant; Ameriz Gamez, Planner; Daisy Marquez, Planner; Samuel Haas, Senior Planner

1. CALL TO ORDER

Chairman Mr. Outlaw called the meeting to order at 6:04 P.M.

2. SEAT ALTERNATE TO ACT IF REQUIRED

No one was seated as the alternate.

3. HEARING OF RESIDENTS

Residents who choose to watch the meeting via live stream, but who would like to participate in Hearing of Residents, should email their comments to the Planning Division, at planning@schertz.com by 5:00p.m. on Tuesday, November 14, so that the Planning Division may read the public comments into the record under the hearing of residents. In the body of the email please include your name, your address, phone number, agenda item number if applicable or subject of discussion, and your comments.

This time is set aside for any person who wishes to address the Planning and Zoning Commission. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

No one spoke.

4. CONSENT AGENDA:

A. Minutes for the October 25, 2023 Regular Meeting.

Motioned by Vice Chairman Richard Braud to approve, seconded by Commissioner Gordon Rae

Vote: 6 - 0 Passed

5. PUBLIC HEARING:

The Planning and Zoning Commission will hold a public hearing related to zone change requests and replats within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.

- A.** PLSPU20230206 - Hold a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 1.61 acres of land, located at the intersection of Schaefer Road and FM 1518, also known as: 11786 Schaefer Road, City of Schertz, Bexar County, Texas.

Mr. Haas and the applicant provided a presentation.

Mr. Outlaw opened the public hearing at 6:18 P.M.

Carlos Trenda-10516 Pecan Branch

Alex Smith-11708 Cypress Barn

Todd Vician-8926 Green Grant

Denise Torres-11705 Cypress Barn

Sarah Smith-11708 Cypress Barn

Diana Raina-10413 Pecan Branch

Mr. Outlaw closed the public hearing at 6:33 P.M.

Motioned by Commissioner John Carbon withdrew to approve with staff-recommended condition, seconded by Vice Chairman Richard Braud

Other: Chairman Glen Outlaw (SEATED)

Vice Chairman Richard Braud (SEATED)

Commissioner Gordon Rae (SEATED)

Commissioner Judy Goldick (SEATED)

Commissioner John Carbon (SEATED)

Commissioner Tamara Brown (SEATED)

Motioned by Commissioner John Carbon to approve the staff and commissioners' recommended conditions in addition to the conceptual site plan, seconded by Vice Chairman Richard Braud

Vote: 4 - 2 Passed

NAY: Chairman Glen Outlaw

Vice Chairman Richard Braud

- B.** PLPDD20220214 - Hold a public hearing and make a recommendation on a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.

Mr. Haas and the applicant provided a presentation.

Mr. Outlaw opened the public hearing at 7:14 P.M.

Lauren Hall- Cypress Point HOA 6020 Cypress Point

Richard Cads-5523 Cypress Point
James Bedwell-5497 Cypress Point
Brian Matthews-5036 Forest Oak Dr.
Nathan Thompson-5287 Top Ridge Lane
Steve Aune-5462 Cypress Point
Irene O'Neal-5299 Top Ridge Ln.
Jeff Baity-4646 Tall Oak
Sandra Linrode-6521 Crocket Rd.
Melissa Reyes-5384 Kingwood St.
Lenoy Woolridge-4638 Pecos Point
Sheri Thompson-5287 Top Ridge Ln.
Barbara Wright-7260 Green Valley Rd.
Richard King-1605 Swab Rd.
Lindy Wright-849 Wetz Rd. Marion, owner of property 24550 IH35
Ken Sturgis-5175 Top Ridge Rd.
Rebecca Mockerman-5222 Nature Path
Ruben Vasquez-5295 Top Ridge Ln.
Tammy Matthews-5036 Forest Oak Dr.
Ted Capra-5491 Devonwood St.
Michael Mockerman-5222 Nature Path
Robert Nash-4851 Park Leaf
Tony O'Neal-5299 Top Ridge Ln.
Grover Wright-7260 Green Valley Rd.
Mr. Outlaw closed the public hearing at 8:12 P.M.

Motioned by Vice Chairman Richard Braud to approve, seconded by Commissioner Judy Goldick

Vote: 5 - 1 Passed

NAY: Chairman Glen Outlaw

- C.** PLSPU20230153 - Hold a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Comal and Guadalupe County, Texas.

Mrs. Marquez provided a presentation.
Mr. Outlaw opened the public hearing at 9:24 P.M.
No one spoke.
Mr. Outlaw closed the public hearing at 9:24 P.M.

Motioned by Commissioner Tamara Brown to approve, seconded by Commissioner Judy Goldick

Vote: 6 - 0 Passed

- D.** PLSPU20230247 - Hold a public hearing and make a recommendation on a Specific Use Permit to allow a Truck Terminal on approximately 4 acres of land, located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, also known as Comal Property Identification Number 464879, City of Schertz, Comal County, Texas.

Mrs. Marquez provided a presentation.

Mr. Outlaw opened the public hearing at 9:35 P.M.

No one spoke.

Mr. Outlaw closed the public hearing at 9:36 P.M.

Motioned by Commissioner John Carbon to approve, seconded by Commissioner Judy Goldick

Vote: 6 - 0 Passed

6. REQUESTS AND ANNOUNCEMENTS:

- A.** Requests by Commissioners to place items on a future Planning and Zoning Agenda

There were no requests by Commissioners.

- B.** Announcements by Commissioners

- City and community events attended and to be attended
- Continuing education events attended and to be attended

There were announcements by Chairman Mr. Outlaw.

- C.** Announcements by City Staff.

- City and community events attended and to be attended.

There were no announcements by City staff.

**7. INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION PACKETS-
NO DISCUSSION TO OCCUR**

- A.** Current Projects and City Council Status Update

8. ADJOURNMENT OF THE REGULAR MEETING

Chairman Mr. Outlaw adjourned the regular meeting at 9:40 P.M.

Chairman, Planning and Zoning Commission

Recording Secretary, City of Schertz

PLANNING AND ZONING COMMISSION MEETING: 12/13/2023
Agenda Item 5 A

TO: Planning and Zoning Commission
 PREPARED BY: Ameriz Gamez, Planner
 CASE: PLZC20230186
 SUBJECT: PLZC20230186 Hold a public hearing, consider and make a recommendation on a request to rezone approximately 1.3 acres of land from Single- Family Residential District (R-1) to General Business District (GB) generally located southeast of the intersection of Fawn Drive and FM 3009, Parcel ID: 20377 and 20378, City of Schertz, Guadalupe County, Texas.

GENERAL INFORMATION:

Owner: Personal Paradise Properties , LLC
 Applicant: Yu-juen Jin

APPLICATION SUBMITTAL DATE:

Date	Application Type
November 13, 2023	Zone Change

PUBLIC NOTICE:

Eight (8) public hearing notices were mailed to the surrounding property owners within two hundred (200) feet of the subject property on November 16, 2023 with a public hearing notice to be published in the "San Antonio Express" prior to the City Council public hearing. At the time of this staff report, staff has recieved twenty-five (25) responses opposed, zero (0) responses in favor, and zero (0) responses neutral to.

ITEM SUMMARY:

The applicant is proposing to rezone approximately 1.3 acres of land generally located southeast of the intersection of Fawn Drive and FM 3009, from Single-Family Residential District (R-1) to General Business District (GB).

LAND USES AND ZONING:

	Zoning	Land Use
Existing	Single - Family Residential District (R-1)	Single Family Residential / Vacant
Proposed	General Business (GB)	Commercial Office Space

Adjacent Properties:

	Zoning	Land Use
North	Right-of-Way	Fawn Drive
South	Single-Family Residential District (R-1)	Single Family Residential
East	Right-of-Way	FM 3009
West	Single-Family Residential District (R-1)	Single Family Residential

PROPOSED ZONING:

The proposed rezone is for approximately 1.3 acres of land from Single-Family Residential District (R-1) to General Business District (GB) for proposed office space.

STAFF ANALYSIS AND RECOMMENDATION:

UDC Section 21.5.4.D Criteria for Approval

1. Whether the proposed zoning change or zoning map amendment implements the policies of the adopted Comprehensive Land Plan, including the land use classification of the property on the Future Land Use Map;

The Comprehensive Land Use Plan (CLUP) through the Future Land Use Plan designates the subject property as Single-Family Residential District. The Comprehensive Land Use Plan describes Single-Family Residential as a mix of residential uses, as well as limited commercial development to support daily activities of development, stating that commercial uses should be compatible with nearby residential areas and other uses through appropriate building height limitations and adequate buffering. Staff has concerns with the potential for higher-intensity permitted land uses within the General Business District zoning designation based on the Comprehensive Land Use Plan indicating a desire for lower intensity commercial. In evaluating the commercial zoning designations there are two lower intensity commercial zoning districts that could have been requested, Office and Professional District (OP) and Neighborhood Services District (NS). The letter of intent submitted identifies the desired land use to be "lower intensity office space, such as a dental office and real estate office". Both of the desired land uses would be allowed in the lower intensity commercial zoning districts, Office and Professional District (OP) and Neighborhood Services District (NS). Low-intensity office and professional uses should provide a transition between more intense uses and residential areas. Approving a zone change to General Business (GB) will allow for higher-intensity development in the future. Therefore, General Business would not be ideal for the surrounding property uses based on the Comprehensive Land Use Plan designation.

2. Whether the proposed zoning change or zoning map amendment promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

As part of promoting health, safety, and welfare, the City encourages the zoning to be compatible with surrounding uses to alleviate any negative impact. The Comprehensive Land Use Plan describes Single-Family Residential as a mix of residential uses, as well as limited commercial development to support daily activities of development, stating that commercial uses should be compatible with nearby residential areas and other uses through appropriate building height limitations and adequate buffering. Low-intensity office and professional uses should provide a transition between more intense uses and residential areas. The Comprehensive Land Use Plan would support the rezone to a low intensity commercial zoning designation. However, staff has reviewed additional factors and feels that this specific property is not suitable and has additional concerns about the potential for more intensive permitted uses if this were to be rezoned as a General Business District (GB). Therefore, staff does not recommend rezoning the subject property to General Business District (GB) based on the safety and general welfare of the surrounding area.

3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;

Unified Development Code Article 5 Section 21.5.8, the Permitted Use Table identifies the land uses that would be permitted on the property if the requested General Business District (GB) is approved. This includes uses such as Automobile Repair and Service Minor, Building Material and Hardware Sales, Dance Hall / Night Club, Heavy Equipment Sales, Office Showroom, Pawn Shop, and Tavern. These uses are not ideal immediately adjacent to an established Single Family Residential neighborhood. Alternatively, there are lower intensity commercial zoning designations that have more limited permitted use per the Unified Development Code. Staff reviewed the configuration of the subject property if the zoning were approved and there are concerns based on the UDC requirements for landscape, buffers, and screening. Each of these requirements would limit the amount of buildable space. Staff also has concerns that there will not be adequate room for the required parking on the site which causes an additional concern about potential parking on Fawn Drive.

4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers or other public services and utilities to the area;

To the best of staff's knowledge, this zone change should have minimal impact on the public services, to include schools, fire, police, and sanitation services. This proposed rezoning should have minimal impact on the existing

water and wastewater systems. FM 3009 is classified as a Principal Arterial and Fawn Drive is considered a Local Street-Residential. The current design of Fawn Drive as a local street- residential, in this single family residential neighborhood which was established in 1975, is not ideal for commercial traffic which could create a negative impact.

5. Whether there have been environmental and/or economical changes which warrant the requested change;
To the best of staff's knowledge there have been no environmental or economic changes which warrant the requested zone change.

6. Whether there is an error in the original zoning of the property for which a change is requested;
There was no error in the original zoning of this property.

7. Whether all of the applicant's back taxes owed to the City have been paid in full (no application will receive final approval until all back taxes are paid in full); and,
This does not impact consideration by the Planning and Zoning Commission or the first reading from City Council.

8. Whether other criteria are met, which, at the discretion of the Planning and Zoning Commission and the City Council, are deemed relevant and important in the consideration of the amendment.
The upcoming public hearing will provide a format for which the Planning and Zoning Commission can hear other potential issues and public opinion. The Commission may deem relevant and important considerations to inform their recommendation to City Council during this time.

Staff recommends denial of the proposed rezoning to General Business District (GB), based on the following: concerns regarding permitted uses within General Business District (GB) in relation to the Comprehensive Land Use Plan designation desiring limited commercial, concerns impacting the safety and welfare of the adjacent Deer Haven Subdivision, in addition to there being lower intensity commercial zoning designations than the General Business District (GB) that is being requested which would accommodate the desired land use of office.

Planning Department Recommendation	
	Approve as submitted
	Approve with conditions*
X	Denial

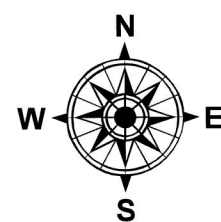
* While the Commission can impose conditions; conditions should only be imposed to meet requirements of the UDC.

COMMISSIONERS CRITERIA FOR CONSIDERATION:

The Planning and Zoning Commission is making a recommendation to City Council on the proposed zoning application. In considering action on a zoning application, the Commission should consider the criteria within UDC Article 5, Section, 21.5.4 D.

Attachments

Aerial
Public Hearing Notice Map
Exhibit
Public Hearing Notice Responses



SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

PARADISE PLAZA
(PLZC20230186)

- Highways
- Major Roads
- Minor Roads
- Freeway
- Principal Arterial
- Planned Principal Arterial
- Secondary Arterial

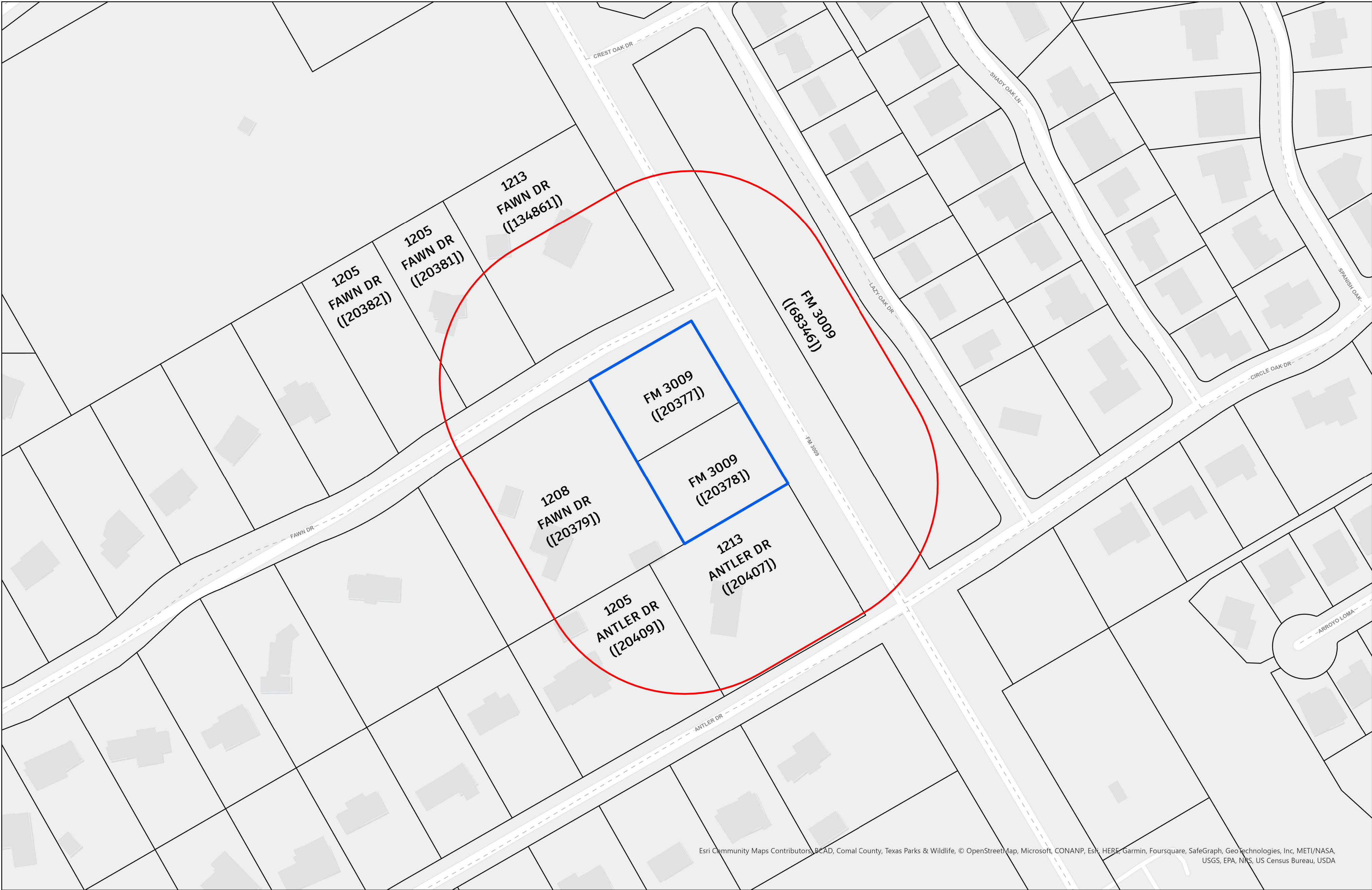
- Planned Secondary Arterial
- Secondary Rural Arterial
- Planned Secondary Rural Arterial
- Residential Collector
- Planned Residential Collector
- Planned Commercial Collector B
- Commercial Collector A
- Planned Commercial Collector A

- 1"
- 2"
- 3"
- 4"
- 6"
- 8"
- 10"
- 12"
- 16"
- 18"
- 20"
- 24"
- 30"
- 36"
- Unknown

- Schertz Gravity
- Schertz Pressure
- Neighboring Gravity
- Private Pressure
- Hydrant
- Manholes
- CCMA Lift Station
- Private Lift Station

- Schertz Lift Station
- CCMA Treatment Plant
- Schertz Treatment Plant
- Project Boundary
- County Boundaries
- Schertz Municipal Boundary
- ETJ

0 30 60 120 180
US Feet



Esri Community Maps Contributors, BCAD, Comal County, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



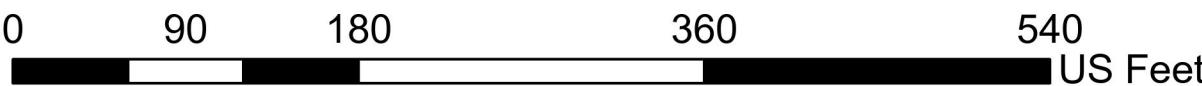
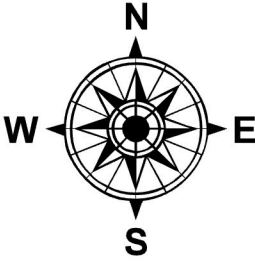
Last update: August 2, 2023
City of Schertz, GIS Specialist: Alexa Venezia Dasse, avdasse@schertz.com (210) 619-1174

The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall The City of Schertz be liable for any special, indirect, or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.

City of Schertz


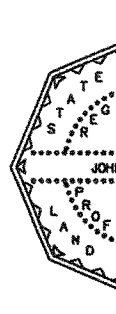
Paradise Plaza
Zoning Variance
(PLZC20230186)

 200' Buffer
 Project Area



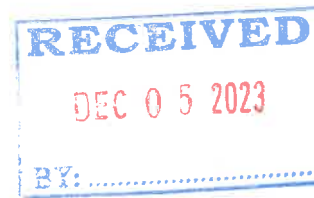


EXISTING ZONING: SINGLE FAMILY RESIDENTIAL (R-1) - 1.212 ACRES
PROPOSED ZONING: GENERAL BUSINESS DISTRICT (GB)- 1.212 ACRES

07/24/2023	
REVISED 10/24/2023	
LOT 1A & 1B FM 3009	
SCHERTZ	GUADALUPE
TEXAS	
JOB NO.: 2023-059	
ZONING EXHIBIT FOR: JIN YU-JIEN	
SHEET 1 OF 1	
	
SCALE: 1" = 60'	
LEGEND	
D.R.	- DEED RECORD
O.P.R.	- OFFICIAL PUBLIC RECORD
M.R.	- MAP RECORD
N.T.S.	- NOT TO SCALE
P.O.B.	- POINT OF BEGINNING
●	- FOUND 1/2" REBAR
○	- SET 1/2" REBAR W/ CAP STAMPED "TGD SURVEYING"
()	- UNLESS OTHERWISE NOTED - RECORD CALLS
○	- SET MAG NAIL IN CONCRETE
---	- FLOOD ZONE X
---	- FLOOD ZONE AE
	
<p>I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND BY PERSONS WORKING UNDER MY SUPERVISION.</p> <p style="text-align: center;">FIELD WORK COMPLETED ON: 07/19/23</p> <p style="text-align: center; font-size: 1.5em;">John C. DeWan</p> <p style="text-align: center;">10/24/23</p> <p>JOHN C. DEWAN DATE 10/24/2023 REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 6042</p>	
TOTAL GEO DATA SURVEYING LLC.	
<p style="text-align: center;">FIRM # 10183804 18638 FM 22502 #1802 GARDEN RIDGE, TX. 78266 (210) 455-0707 JOHNDEWAN@TOTALGEODATA.COM</p> <p><small>COPYRIGHT 2023 TOTAL GEO DATA SURVEYING, LLC. THIS SURVEY BEING PROVIDED BY TOTAL GEO DATA SURVEYING SOLELY FOR THE EXCLUSIVE USE OF THE PARTIES SHOWN HEREON AND FOR THE PURPOSES SHOWN ABOVE. THE GRAPHIC REPRESENTATION SHOWN HEREON DEPICTS CERTAIN CONDITIONS FOUND EXISTING AS OF THE DATE OF THE ACTUAL SURVEY AND IS LIMITED TO THESE CONDITIONS FOUND AT THAT TIME. NO LIENS OR INTERESTS HAVE BEEN CREATED, EXPRESSED OR IMPLIED, TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONNECTION WITH THE ORIGINAL TRANSACTION, WHICH SHALL TAKE PLACE WITHIN 6 MONTHS AFTER THE SURVEY WAS PROVIDED, EXCEPT AS AUTHORIZED BY TOTAL GEO DATA SURVEYING, LLC.</small></p>	
<p>OWNER/APPLICANT MR. YU-JIEN JIN 7815 RAMBLE RIDGE SAN ANTONIO, TX 78266 512-567-6888</p>	
<p>GUADALUPE COUNTY PROPERTY IDS: 20377 AND 20378 ZONING EXHIBIT PROPERTY IS GENERALLY LOCATED ON FM 3009 JUST SOUTHEAST OF IH-35, 1.212 ACRES, KNOWN AS LOTS 1A AND 1B (UNRECORDED SUBDIVISION) IN THE TERIBBIO HERRERA SURVEY NUMBER 68, ABSTRACT 153 SCHERTZ, GUADALUPE COUNTY, TEXAS.</p>	
<p>PREPARED: OCTOBER 24TH, 2023</p>	



COMMUNITY
SERVICE
OPPORTUNITY



PLANNING & COMMUNITY
DEVELOPMENT

NOTICE OF PUBLIC HEARING

November 16, 2023

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, December 13, 2023** at **6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make a recommendation on the following item:

PLZC20230186 – A request to rezone approximately 1.3 acres of land from Single Family Residential District (R-1) to General Business District (GB), known as Guadalupe County Property Identification Numbers 20377 and 20378, generally located southeast of the intersection of Fawn Drive and FM 3009, City of Schertz, Guadalupe County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. You may return the reply form below by mail or personal delivery to Ameriz Gamez, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail: planning@schertz.com. If you have any questions, please feel free to call Ameriz Gamez, Planner at (210) 619-1781.

Sincerely,

Ameriz Gamez
Planner

Reply Form:

City Council will have two readings on the request after the recommendation from the Planning and Zoning Commission. This form is used to calculate the protest in accordance with LGC, Local Government Code 211.006(d). **The written protest must be received by City no later than noon (central time) on the Friday before each reading by the City Council.** If the name of the person signing this form does not match the name listed as the owner on the appraisal district website, proof of ownership is required in order for this to count towards the protest.

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLZC20240001**

COMMENTS: See Attached Letter

NAME: Karen Louise Baker SIGNATURE: Karen Louise Baker
(PLEASE PRINT)

STREET ADDRESS: 1208 Fawn Dr.

DATE: 12/4/23

Karen Baker (Home Owner)
Jody Baker (Son and Future Owner)
1208 Fawn Dr. Schertz, TX 78154

Schertz Planning and Zoning Commission
1400 Schertz Pkwy, Schertz, TX 78154

December 2, 2023

I would like to take this opportunity to convey my complete disagreement with the rezoning of this subject parcel on the corner of 3009 and our Fawn Drive. This issue is of great importance to me as my family and I have the most to lose with the rezoning of this lot. We are the home directly uphill from this parcel on the same side of Fawn Drive as this planned rezoning. My family and I live in this home together with my mother who, with my father, originally purchased the home in 1972. I was born in 1974 and lived my entire childhood here. After a short stint away and with very small children of my own, I moved back to raise my family up into adulthood in this same home. I have lived here a majority of my 49 years and plan to spend the next 49 here as well. This planned rezoning would be detrimental to our futures for all the many reasons listed below.

TXDOT has stated no access from 3009 will be permitted:

General Business Zoning must be accessed from a principal transportation corridor. Without direct access to the lot from 3009, it will have to be accessed from the country lane named Fawn Drive. This is incredibly impactful to our neighborhood and our individual adjacent residential property.

Entry to Fawn Drive, while traveling South on 3009, is via a very short deceleration lane. Increased traffic turning right onto Fawn Drive is going to add to the traffic and incidents on 3009.

Exit from Fawn Drive to turn left (North) onto 3009 is already very difficult. It often requires an initial exit from Fawn Dr. into the middle turn lane of 3009 to wait for a break in traffic traveling North. Guests to our street won't know this and will back up traffic at the stop sign on Fawn Drive.

The vacant lot's access drive cannot be too near 3009 which forces it to be directly adjacent to the entry of mine and my neighbor's driveways.

Headlights of cars entering this commercial lot are going to shine right up my driveway and into our bedroom windows while cars exiting the lot will shine directly into my neighbor's home across the street.

Traffic on our country lanes will be increased:

After learning of these difficulties entering and exiting Fawn Drive, some visitors will decide to travel around our neighborhood to exit at the light on the adjacent Antler Drive.

Our country lane roads are narrow and have no sidewalks. When we walk the neighborhood, we walk on the streets. Increased traffic is going to add to the danger to do so, especially on our poorly lighted roads.

Our neighborhood has over a hundred deer which call it home. Increased traffic again is going to cause increased incidents with wildlife.

Our neighborhood was not platted with commercial zoning along 3009:

Our neighborhood is one of the original developments in Schertz. It was not planned to have commercial zoning along 3009. My home was the first home built in our neighborhood even before it was a neighborhood. It was built to face the small Farm to Market road of 3009. This means my home and all its major rooms (three bedrooms and a family room) face 3009 and also this empty lot, which could be rezoned to General Business. Please see my attached photo taken viewing the front of my home taken from this lot.

As we are up hill from this lot, our elevated perspective is going to force us to look out our bedroom windows into a lighted parking lot for this commercial lot.

The required 8' masonry fence which is to surround the parcel will do nothing to block our view of these cars as we are at such a higher elevation than the lot.

Development would require an 8' fence on all sides:

Our existing neighborhood is comprised of large lots with no fences in the front yards. The addition of this brutal and tall fence right at the entry to our neighborhood would dramatically change the open country lane aesthetic that all neighbors appreciate and respect in our area.

Flooding:

Critically important to this decision is the fact that this entire parcel is under water during even moderate rain storms. Please see attached photos taken during a normal rain just a few months ago. Any development would require for this entire parcel to be raised to prevent flooding of the development. This will inevitably push water towards the adjacent lots causing additional flooding of their homes. Water comes down Fawn Drive in the form of a river. The required 8' perimeter fence will block the flow of this water and will definitely cause adverse effects to the adjacent parcels.

General Business Zoning allows for most anything:

Even if this individual owner states he or she is going to develop one type of business, this does not mean that they couldn't sell at any time and any other type of business be built in the middle of our neighborhood.

Rezoning within our neighborhood seems to be spot zoning:

As this development will have to be accessed from Fawn Drive and all surrounding parcels will be residential zoning, this seems to lend itself to being spot zoning within the neighborhood.

Other commercial exists on 3009:

To justify rezoning, there must be a need. There are multiple existing commercial lots for sale and lease along 3009. This owner can simply go develop one of those parcels at an increased cost to his development. The reason he is attempting to rezone within our neighborhood is simple, it's cheaper for him to do this than to develop an alternate site. His financial gain will be our loss.

Loss of value of home and neighborhood:

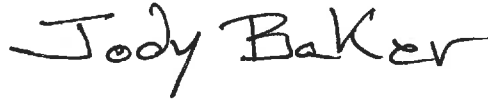
Lastly and most importantly, this development would have a dramatic impact on my property's value. I'm not interested in living next to a visually polluting commercial property and the future buyers of my home will agree and will therefore pay considerably less for my property.

The new owner of this lot is going to get rich quick if allowed to rezone and the city stands to make more money off the increased value of his land to the detriment of every other land owner in the neighborhood. Everyone in support of the rezoning of this lot stands to make money while everyone in opposition is to lose on multiple fronts. This should be a very telling fact in your decision-making process.

I appreciate your time spent reading through all my concerns.

With much appreciation,

Jody Baker



With the support of my mother and the owner of this home

Karen Baker



VIEW OF FRONT OF MY HOME
FROM VACANT LOT

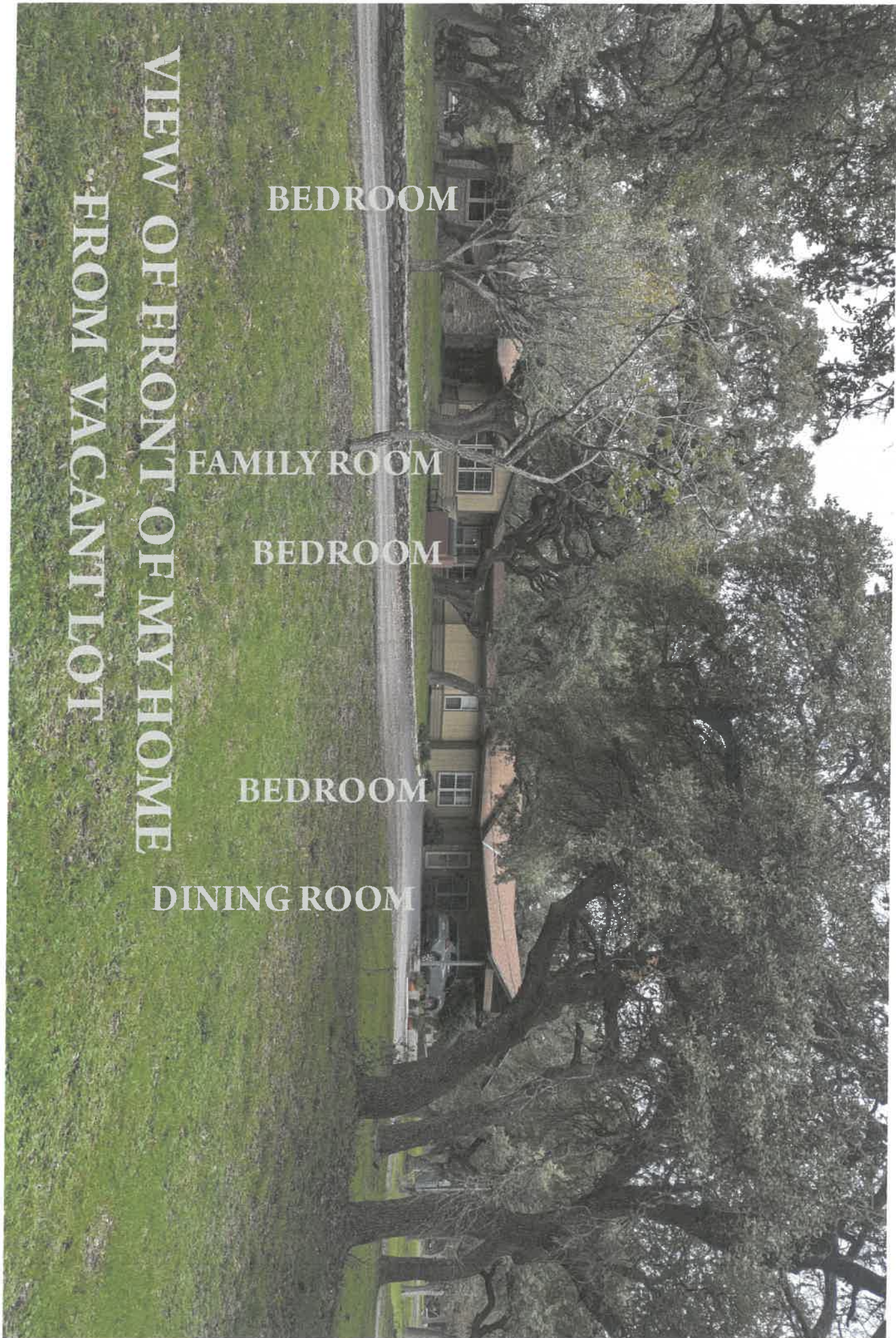
BEDROOM

FAMILY ROOM

BEDROOM

BEDROOM

DINING ROOM



Taken May 16, 2023



3009

My
Lot

Fawn Dr



3009

Fawn
Drive

River From
Up Fawn. Dr.

My
Driveway

Taken May 16, 2023

3009



My Lot

3009



My Lot

NOTICE OF PUBLIC HEARING

November 16, 2023

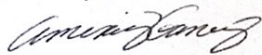
Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, December 13, 2023 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make a recommendation on the following item:

PLZC20230186 – A request to rezone approximately 1.3 acres of land from Single Family Residential District (R-1) to General Business District (GB), known as Guadalupe County Property Identification Numbers 20377 and 20378, generally located southeast of the intersection of Fawn Drive and FM 3009, City of Schertz, Guadalupe County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. You may return the reply form below by mail or personal delivery to Ameriz Gamez, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail: planning@schertz.com. If you have any questions, please feel free to call Ameriz Gamez, Planner at (210) 619-1781.

Sincerely,

Ameriz Gamez
Planner

Reply Form:

City Council will have two readings on the request after the recommendation from the Planning and Zoning Commission. This form is used to calculate the protest in accordance with LGC, Local Government Code 211.006(d). **The written protest must be received by City no later than noon (central time) on the Friday before each reading by the City Council.** If the name of the person signing this form does not match the name listed as the owner on the appraisal district website, proof of ownership is required in order for this to count towards the protest.

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLZC20240001**COMMENTS: This is not beneficial in any way to current homeownersincrease noise, traffic and decreased overall quality of life.NAME: Dr. Veronica CardenasSIGNATURE J. Cardenas

(PLEASE PRINT)

STREET ADDRESS: 1205 Antler Dr. Schertz, TX, 78154DATE: 11/20/2023

From: Richard Cervantes
Sent: Thursday, December 7, 2023 6:09 PM
To: planning@schertz.com
Subject: Proposed Zoning Change from 1(R1) to GB

Dear Mayor and Council Members:

We Richard and Marilyn Cervantes have been residents of Deer Haven since 1998 and reside at 1016 Fawn. The proposed/pending zoning change is of serious concern and therefore, oppose the change for the following reasons:

1. Rezoning to General Business would allow many different types of businesses; some of which would create noise and increased traffic. Some of these GB would not be conducive so close to a housing neighborhood.
2. Deer Haven homes have been here since the 70's and the housing was not set off as far from FM3009 like the newer neighborhoods. New business will tightly encroach the first house on Fawn and Antler creating more noise and traffic for their homes.
3. In 2018 this same rezoning was attempted and failed.
4. The top of Fawn and Antler are virtually the same elevation as HEB. When it rains, it all comes down the hills very quickly flooding the proposed zoning change area and both properties on the left and right at 3009.. Even at our 1016 address which is mid way down the hill water floods our yard followed by dirt and debris.
5. We understand there will not be an entry from 3009 and that the entry would be onto Fawn Drive. This creates a major traffic problem. As of now, trying to enter 3009 from Fawn is difficult and dangerous. At present, the traffic from the HEB traffic light builds up speed and in many cases go over 45mph making it difficult and dangerous to turn left and even right. Any new business customers will have the same issue entering FM3009 In addition, once they discover the light on Antler, the neighborhood will increase in traffic.
6. Traffic on Fawn and Antler is of great danger concern. We have children riding bikes, joggers, dog walking and our elderly walking for exercise. Our speed limit is currently 20MPH. Speed is a current concern as many abuse the speed limit and it will get worse with enhanced traffic. Our area is very nice with large lots and remains desired by many. To add increased traffic from General Business drivers is a dangerous outcome. Our streets were purposely designed years ago. They do not accommodate two cars passing each other and our residents have become accustomed to our courteous ways of yielding. We are a unique neighborhood and it would be a shame to change its beauty with General Business in the

front. Perhaps we could find another use for it in another way. Park, greenbelt, add a Deer Haven sign.

7. Adding to the beauty of Deer Haven are our deer. We have many bucks, does and babies running unafraid. They are special and sometimes a nuisance when they eat our plants, but we love them and they love us. More traffic also endangers our deer!

8. We've also heard concerns that we don't want our FM3009 to become another Pat Booker Road. Schertz is really special!

We feel that the neighborhood's overall concerns relating to rezoning would create a huge safety and noise concern. Please consider our concerns as you make your decisions.

Respectfully,

Richard and Marilyn Cervantes
1016 Fawn Drive

From: Christina Cox
Sent: Tuesday, December 5, 2023 7:35 PM
To: planning@schertz.com
Subject: Christina Cox

1105 Fawn Dr.. we oppose the rezoning of our subdivision to commercial property in the entry and exit of our subdivision Deer Haven .. Thank you ! Christina Sent from my iPhone

From: ~ ~ ~
Sent: Thursday, December 7, 2023 8:20 PM
To: planning@schertz.com
Subject: Fawn Dr Rezoning protest

I Leon Deollos and Virginia Deollos want it known that we do not want rezoning to be approved for Fawn Dr. When we moved to 1013 Fawn Dr because of the quiet and peaceful nature of the neighborhood, we had no idea that the neighborhood was going to change and disrupt our peace and quiet. Please do not approve this rezoning thank you for hearing our voice Leon and Virginia Deollos

Deer Haven

Oppose the rezoning in Deer Haven

PLZC20230186

Our family of 4 moved into Deer Haven in 1972. Choosing Deer Haven over a similar larger neighborhood, Garden Ridge, for several reasons. Deer Haven is a small neighborhood located just off 3009, quiet, isolated, gorgeous large oak tree filled lots with only 3 streets in a Rural Route area (at the time). Children could play outside, and on the streets safely, we were just a few miles away from Schertz, but still close enough to Wuest Grocery, Sipple

Hardware, the schools and Schertz in general. 51 years later, and 5 great grandchildren added to the family, 3009 is a bustling 5 lane road with a multitude of different small businesses to choose from. In the summers growing up, I remember all the wildlife surrounding us, humming birds, rabbits, bees getting nectar, deer roaming the neighborhood. Seeing a fox running around every now and then, the hoot of two owls talking to each other or enjoying the lizards, squirrels, and the birds moving about. Playing baseball and kickball in the large front yards of our friends. Climbing trees and riding our bikes without having to worry about traffic. One of us would see a car coming up the street and would yell "CAR" and we all would stand at the side of the road while Mrs. Wills, Mr. Dietz or whomever would drive by and wave. The people in our neighborhood were and still are living in a world all our own.

To this day our grandchildren LOVE to be in Deer Haven and watch the deer with their newborn fawns on their wobbly legs stand for the first time and watch them running and jumping with each other playing without worry of being hurt. We, like the deer, have spent generations having our children, grandchildren, and great grandchildren here in this neighborhood. Turning off 3009 to Fawn Dr. or Antler Dr. your entire being changes.... It's a calm, peaceful tranquil transition from all the business, traffic lights, vehicles and the sounds and smells of that. You get into Deer Haven and that's exactly what it is a Haven made for man and wildlife. The deer have had to take refuge in Deer Haven, due to the demolition of their wooded habitat for new construction along 3009 between IH 35 to FM 78.

You don't just cut up a perfect homestead and habitat and not expect some sort of blowback. It WILL change Deer Haven, but it won't change that there is another business in Schertz if the business is a mile down the street on an already zoned commercial property. We care about our neighborhood, we don't want someone to build a commercial building and business and change everything it stands for, just for the sake of making more \$\$\$\$\$. Rezoning will change Deer Haven, it will then entice and enable more commercial businesses to attempt to steal away our little piece of Heaven, our Haven, one house at a time. That dream will be gone forever, and we can't get it back.

Whoever owns that property can find another spot of commercial real estate along 3009 that is already zoned for their needs.

Respectfully,

Kelly C Weikert Estrada

Faye E. Jones/ JD Jones

1104 Fawn Dr.

Resident of Schertz, TX since 1970

From: Rosebud Geiger
Sent: Monday, December 4, 2023 7:36 PM
To: Ameriz Gamez
Subject: Deer Haven PLZC20230186

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms Gamez

I am reaching out for your help regarding a proposed zoning change for Deer Haven.

There is a proposal to turn 2 empty lots at the entrance of Fawn Drive from residential to business. Not only will this spoil the look of our neighborhood, but there are also many other concerns to consider:

- Increased traffic within our small neighborhood – we are only 3 country lanes.
- Safety concerns as many of the residents walk our neighborhood – both the senior citizens and the young families with children and pets.
- The loss of beautiful trees, many are “Heritage Trees”.
- Flooding issues – that parcel of land floods with every rainfall.
- Diminished value of our properties
- If this were to pass would other residents close to FM 3009 sell their properties to commercial as well?

While many other neighborhoods along FM 3009 have commercial in front of them – it was planned for that and there was space to allow for it. Deer Haven literally sits along FM 3009. I grew up in Deer Haven and still live in Schertz to this day. My parents bought a home in Deer Haven in good faith that we would always be a residential slice of heaven!

It was suggested we reach out to you so that is what I am doing. Any help or guidance would be greatly appreciated.

We are called Deer Haven for a reason! Thank you for your time.

Sincerely,

Rosebud Geiger

From: Rosemary Geiger
Sent: Tuesday, December 5, 2023 10:24 AM
To: Ameriz Gamez
Subject: PLZC20230186

Dear Ms.Gamez -

I am writing to you on behalf of the purposed zoning change for the entry to Deer Haven - the 2 lots off of Fawn Drive.

Deer Haven is one of the oldest subdivisions in the Schertz area and my family has lived here for over 50 years. My husband and I purchase here because of the charm of this unique neighborhood. With the proposals of these zoning changes all of that will be lost. Not only will this spoil the look of our neighborhood but it will also lower the property values of all the homes in this special place we call home.

As you drive up and down FM3009 you can see that other subdivisions were planned with commercial property in front, Deer Haven was not.

It was suggested that I voice my concerns to our city government so that is what I am doing. Any help would be greatly appreciated.

Thank you,

Rosemary Geiger
1100 Fawn Dr.

From: Russell Goldberg
Sent: Wednesday, December 6, 2023 7:54 PM
To: planning@schertz.com
Subject: Concerns Regarding Rezoning Request PLZC20230186

Dear Members of the Planning and Zoning Commission,

We are writing to express our concerns and opposition to the proposed rezoning request (PLZC20230186) to convert approximately 1.3 acres of land from Single Family Residential District (R-1) to General Business District (GB). As residents in close proximity to the proposed rezoning area, we are deeply invested in maintaining the existing residential character of our community.

While we understand the need for development and progress, we believe that preserving the current residential zoning is crucial for several reasons. Our neighborhood has thrived as a peaceful and family-oriented residential area, and commercial rezoning could have significant negative impacts on our community's well-being and quality of life.

Here are some specific reasons for our opposition to the proposed rezoning:

1. **Traffic Congestion:** The conversion to a General Business District may lead to increased traffic in our residential streets. This could create safety concerns for pedestrians, especially children, and disrupt the peaceful flow of our neighborhood.
2. **Noise and Pollution:** Commercial developments often bring increased noise levels and environmental pollution. This would be detrimental to the tranquility and clean air we currently enjoy in our residential area.
3. **Property Values:** There is a potential risk of decreased property values for nearby homes if the rezoning leads to the development of commercial properties. This could have a lasting impact on the financial well-being of the residents.
4. **Community Character:** Our neighborhood has a unique and cherished character that is primarily residential. Introducing commercial elements may compromise the close-knit and family-friendly atmosphere that defines our community.

We kindly request the Planning and Zoning Commission to consider the long-term effects on the residents and the neighborhood before making a decision. We urge you to preserve the existing residential zoning and explore alternative solutions that align with the community's best interests.

Thank you for your attention to this matter. We trust that you will carefully consider the perspectives of the residents as you evaluate the rezoning request.

Sincerely,

Russell and Rebekah Goldberg
1121 Fawn Dr
Schertz, TX 78154

From: Ameriz Gamez
Sent: Friday, December 8, 2023 11:26 AM
To: J Graves; planning@schertz.com
Subject: RE: Rezoning of lot on Fawn Drive

Good Morning,

Please have this email serve as confirmation that I have received your opposition to PLZC20230186. A copy of this email will be provided to the Planning and Zoning Commissioners in their agenda packet.

Thank you,
Ameriz Gamez
Planner
Planning & Community Development
City of Schertz
1400 Schertz Parkway Bldg. 1
Schertz, TX. 78154
210-619-1781
Schertz.com

-----Original Message-----

From: J Graves
Sent: Friday, December 8, 2023 10:49 AM
To: planning@schertz.com
Subject: Rezoning of lot on Fawn Drive

Good morning,

We would like express our opposition to the first lot on Fawn Drive being rezoned. We dealt with this a few years back and we were very grateful when your committee rejected it. Nothing has changed that would make it a better idea this time around. We would appreciate the same action this time around.

Our neighborhood would be changed for the worse were this property allowed to be rezoned. We are are very narrow street with no sidewalks. Our street cannot handle the increased traffic that a commercial business would bring. You can barely access 3009 during high traffic times as it is.

We also feel it would bring our property value down. It seems that only one property owner would benefit from the rezoning and the rest of the homeowners would be negatively impacted.

We would appreciate you not allowing someone who doesn't live in our neighborhood, to ruin it for the rest of us.

Thank you for your service to our community and the city of Schertz as a whole!

Mike and Jennifer Graves
913 Fawn Dr.

Sent from my iPad

MYRTLE HILD
1017 FAWN DRIVE
SCHERTZ, TEXAS

STANLEY "Sonny" Hild
"DECEASED"

BOUGHT PROPERTY, CLEARED THE LOT
AND BUILT THE HOUSE
GOT MARRIED IN 1980
LIVED HERE SINCE THEN
THE ENTRANCE WAS ON A GRAVEL ROAD
OUR HOUSE WAS THE FIFTH HOUSE IN THE
SUBVISION

THE SUBDIVISION HAS GROWN A LOT.
NEEDS SIDEWALKS AND WIDER ROADS SO
2 VEHICLES CAN TRAVEL SIDE BY SIDE
AND CHILDREN CAN BE ABLE TO WALK
SAFELY ON THE STREET.

I OPPOSE THE IDEA OF BUILDING A
BUSINESS ON THE CURRENT PROPERTY
AT THE BOTTOM PIECE OF PROPERTY ON
FAWN DRIVE. NOT SAFE • TOO MUCH

BACK UP FOR SAFETY OF OUR CHILDREN
AND ELDERS.

From: Bobby Jones ·
Sent: Tuesday, December 5, 2023 9:37 PM
To: planning@schertz.com
Subject: Pending Zoning Change PLZC20230186

Dear Commission:

I am **strongly opposed** to the subject zoning change at the corner of FM 3009 and Fawn Dr in the Deer Haven subdivision for the following reasons:

- It would serve only one property owner's interest while being a great disservice to all eighty other property owners in Deer Haven.
 - Property Values would see a negative impact
 - We undoubtedly would see an increase in traffic if the only Entrance/Exit choice would be on Fawn Dr. as presented in the 2018 rezoning effort.
 - Streets in Deer Haven are not typical city streets. They are narrow and curvy with many mature trees in close proximity to the road and a sizable heard of deer constantly moving back and forth across them. They are not designed per the UDC for such zoning.
 - Increase in traffic typically means an increase in crime.
 - It is not within the considerations and expectations we had when deciding to purchase property there.
- The property in question is a very low lying area that has seen flooding before. Building to provide something suitable for General Business would result in increased displacement and speed of runoff waters and likely cause damage downstream.
- A lesser zoning change proposal was submitted in 2018 and was not approved.
- Unified Development Code, Article 5, Sec 21.5.6, Statement of Purpose and Intent for Nonresidential Districts says in part ".....located on appropriatelydesigned sites along principal transportation corridors". If entrance/exit cannot be made on FM 3009 and would use fawn Dr. instead, it should not be considered to be on a principal transportation corridor.
- Also in Sec. 21.5.6 is the description for Neighborhood Services District (NS) and General Business (GB). NS approves less intrusive uses than GB and suggests they be in 1 to 3 acres sites. In reading that section I think one reasonably comes away believing the intent of the UDC was to require more property than the 1.3 acres for GB activities.

Thank you so much for your service to the community, your careful consideration and hopefully rejection of this matter.

Sincerely,

Bobby Jones
1101 Fawn Dr
Schertz, TX 78154

From: Barbara Gonzales
Sent: Thursday, December 7, 2023 4:08 PM
To: planning@schertz.com
Subject: PLZC20230186 Deerhaven Estates: Opposition Notice to GB

Follow Up Flag: Follow up
Flag Status: Flagged

I (Barbara Mansfield Gonzales) am the owner of 1012 Antler Drive, 1.3 acres. My family has lived in this house since Memorial Day, 1969, with documents signed in June, 1969.

Deerhaven Estates has lots of an acre or more. Deerhaven Estates was an unincorporated area that was annexed to the City of Schertz as a residential only area. You can find that information probably in the 1970's, because we went off well water that smelled of sulphur to government paid for city water. Mayor Baldwin found that government program so that we did not have to pay water connection fees.

1-That lot in question was one lot. Now you have it marked as two. There was no consultation or research to keep that from happening, since Deerhaven Estates was platted with an acre or more than an acre lot size. The Beck family has been owners of that lot and has been unfortunately unsuccessful in using it due to the fact that it floods.

The land is low because it is part of a creek bed. The creek runs across FM 3009 into the park area. A great oak was to be preserved when 3009 was widened from two lanes, but destroyed when it was bulldozed on the sly. So trees were removed that would have controlled flooding. The creek bed area extends from the lot across Fawn from 20377 and 20378, through to an area including the two lots on either side of Antler Drive that border FM 3009.

Construction that does not permit water flow through this creek bed will affect all the Deerhaven Estates properties bordering on FM3009. The owner of the lot across Fawn will have INCREASED FLOODING. All the lots bordering FM3009 flood now. The DRAINAGE PIPES are NOT EFFECTIVE NOW.

2-Before Mayor Baldwin passed away in 2009, Antler, Deer Run, and Fawn were rebuilt. At that time, it was agreed after meetings with the city that the streets would stay the same width, like a COUNTRY LANE, with FLAT CURBS to allow passage of emergency vehicles. Deerhaven Estates does not have the ROAD INFRASTRUCTURE to support traffic coming from the traffic light at Antler and FM3009, through our narrow streets. It took us 30 years to get that traffic light because we do not have through streets to the Carolina Crossing subdivisions.

If we could not get out onto FM3009 due to the increased 18 wheeler traffic, how are we supposed to handle our traffic from this neighborhood?

3-Before the sidewalk was built on FM3009, high schoolers would cut across at night through Deerhaven Estates because there are no fences around the separate properties. We should not have to BUILD FENCES to accommodate that lot use. We are still wary since the greenbelt between Carolina Crossing that extends through the water easement between Deerhaven Estates and Savannah is still open to foot traffic at all hours. (Savannah owners mow that area because it is part of their lot.)

Just since August, 2023, we have had four car breakins, one truck theft, and one unauthorized soliciting trespass on Antler. Why increase traffic through our area? You know that traffic will not be able to exit Fawn onto FM3009 and so traffic will intrude on our peace and quiet.

I was opposed to NS zoning in 2018 and am now opposed to GB zoning for that property. This is a residential area. What happened to NS? Why is the city exposing us to GB?

From: Lisa Marcheschi ·
Sent: Thursday, December 7, 2023 9:20 PM
To: planning@schertz.com
Subject: RE: OBJECTION to Re-Zoning Request: PLZC20230186

Dear Planning & Zoning Committee,

This email is from:
Marcenia Cherry and
Lisa Cherry Marcheschi
1105 Fawn Drive
Schertz, TX 78154

We are devastated that we are once again facing a request for rezoning part of our beautiful neighborhood, Deer Haven, from residential to commercial. This is an action that we ardently OPPOSE!

We grew as a family in this neighborhood and have been a part of the continuing changes for more than 50 years. We remember moving to Deer Haven when there was almost no commercial development along FM 3009. This area seemed so remote and the stars at night hung so low you could practically touch them. The beauty and peacefulness of our neighborhood was unequalled in Schertz then just like it is now. Commercial development has taken a toll along FM 3009 systematically destroying the quaint country road that it once was. This request to put commercial development at our Deer Haven entrance now is simply going beyond what is needed or desired.

When you pass the entrances to our neighborhood on FM 3009, you almost don't even notice that there are homes tucked behind the beautiful trees. This has essentially protected our homes as a sanctuary since most people don't even see our small oasis of rural peace. There is no longer a sign at our entrances but there are simply streetlights. Our homes are very different from other neighborhoods in the Schertz community with our home styles being varied and unique on large lots preserving many legacy trees. Our properties are not "cookie cutter" homes and each expresses character with elegance. So many of our neighbors have owned their homes for decades, raised their children and now those adult children have purchased the homes creating generational homesteads.

Our neighborhood is home to white-tailed deer that number more than 50 in this particular herd. We also have foxes, racoons, squirrels, rodents, rabbits, possums, feral cats, ring-tailed cats, skunks, red-tailed hawks, owls, Mexican ducks, hummingbirds, cardinals, and many more species. All of these animals experience the same sense of "this is MY home" that we humans do in our neighborhood called Deer Haven. Our neighborhood is like walking around in a park that's actually a nature preserve. The two lots in question for the rezoning actually are one of the main lounging areas where the deer make their bed at night and rest in the heat of the day. The herd actually will bed down throughout Deer Haven and there are clear trails where they trek the entire neighborhood seeking their favorite nibbles or their next resting place. This herd has consistently birthed healthy fawns every year perpetuating the legacy of this area being a haven for deer. Many residents feed them and provide water especially during times of drought.

We can't imagine having to fight any kind of commercial traffic to enter one of the most peaceful places on the planet: our neighborhood. We know that none of the residents in Deer Haven ever expected to

have to drive through a commercial area or parking lot to access their quiet place to live nor did they expect to endure commercial traffic throughout this residential area. This will severely impact our home values now and for the future homeowners, the general ambiance of our entire neighborhood will be sacrificed. This doesn't just affect the houses immediately bordering the property in question. Rezoning to commercial will drastically affect the environment, ambiance, and deer habitat that we purchased our homes to enjoy. The street names, Fawn, Antler and Deer Run all testify to the original vision of establishing this neighborhood as a Deer Haven. We believe that re-zoning any part of Deer Haven for any type of commercial use will destroy the sanctity of our homes and the habitat for our deer herd.

Please do not allow commercial development at the entrance to our lovely neighborhood.

Respectfully,

Marcenia Cherry and

Lisa Cherry Marcheschi

From: William Marciniak < >
Sent: Thursday, December 7, 2023 1:11 PM
To: planning@schertz.com; Ameriz Gamez

To. Planning & Community Development
Submission to our opposition to PLZC20230189.

Ameriz Gamez
1400 Schertz Parkway
Schertz, Texas 78154

Dear Mr. Brown

My wife and I have been homeowners and taxpayers in Schertz for 42 years at our current address .
We oppose the potential rezoning of 1 lot out of 80 in Deer Haven from residential to commercial for the following reasons.

1. Deer Haven was built as a residential community up to FM 3009. There were no setbacks for commercial use unlike communities like Savanna Square. The zoning and intended use have always been residential. The lot in question should then remain residential.
2. Allowing commercial construction would reduce property values for 75+ long-time families for the benefit of a single investment company.
3. TxDot would not allow entrance directly from 3009 to the property. Traffic would be directed to Fawn Drive. Both streets are dead ends with the only exit on to 3009.
4. Fawn Drive and Antler Drive are narrow streets. Increased traffic would cause accidents.
5. There is a drainage issue with that lot that would need to be considered.
6. Seems to me that the city would receive very little value to the detriment of the Deer Haven families.
7. If this investment company really wants to build a commercial property on 3009, there are numerous commercial sites available.

We are a community that has supported Schertz for over 50 years, and paid millions of dollars in taxes. The 75+ families that live here would like your consideration and support.

Thank You

William Marciniak
908 Antler Drive
Since May 1982

Deborah Marciniak
1200 Antler Drive and 908 Antler Drive
Since July 1970

William J Marciniak

From: Kerstan Marquez
Sent: Monday, December 4, 2023 5:24 PM
To: planning@schertz.com
Subject: PLZC20240001 Reply

Dear Schertz Planning,

I would like to inform you that I am OPPOSED to the request PLZC20240001.

In Deer Haven the residential streets are country lanes without sidewalks and by adding commercial traffic, it would be too dangerous for children and families enjoying the outdoors. Also, the traffic exiting Fawn Drive to FM3009 is already extremely dangerous during rush hour. Then add someone not familiar with the area and disaster will happen, it's not if, but when... Thank you for your time . Please feel free to reach out to me if you have any questions or concerns.

--

Regards,
Kerstan Marquez
1000 Fawn Dr.
Schertz, TX 78154

From: Vicki
Sent: Thursday, December 7, 2023 9:19 AM
To: planning@schertz.com
Subject: Deer Haven Neighborhood

Follow Up Flag: Follow up
Flag Status: Flagged

> Good morning,

>

> My name is Victoria Marquez and I live at 1000 Fawn Dr in Deer Haven.

>

> First, let me applaud you for representing our community. It's a very proud feeling to represent. For me, I represented the Air Force as a Federal Agent. I continue my service as an Investigative Analyst for the Internal Revenue Service, Criminal Investigations Division.

>

> I would like to give my opinion on the rezoning of the 2 plots of land on Fawn Dr and 3009, which I am adamantly against.

>

> First, the issue of safety is at risk for our residents. We have several elderly people who love to walk the neighborhood. We have children who love to run around on the properties and ride their bikes. Having others from the community coming into our neighborhood is not a good idea. Even now, we have others speeding through our neighborhood. I also have a major concern about any criminal activity that any business would bring to our neighborhood. With easy access to 3009 and IH-35, I believe the attraction of criminal activity would increase.

>

> Our street is for Deer Haven residents and not ideal for commercial traffic. We don't even have regulation-size streets. Any changes to the street would take away from the neighborhood appeal and would have an adverse impact on those of us who live on Fawn Drive. TXDOT has already stated that they would not allow access from 3009 so do we have to be inconvenienced by this rezoning?

>

> Why does the land need to be rezoned? There is a large group of buildings just up the street with Kellum Medical that could offer any business lease space. Other empty business offices in Schertz could house the business. Why would you want to destroy a neighborhood for a building to be constructed with all the requirements for fences, parking, walls, and landscaping, taking more than half of the area?

>

> Our neighborhood is called Deer Haven for a reason. We have well over 300 deer in the area, not to mention foxes, coyotes, and other small animals that will have less land to relax and be safe.

>

> You may believe you will get a larger tax income from this General business but what will happen when over 80 property owners protest for lower taxes because this business has lowered our property values?

>

> The last point I have is that our neighborhood has been in Schertz before the 1970s. Deer Haven should be classified as a historical area, not a place where a new business is going to be constructed.

>

> I hope I have provided the points that will have you voting no for the rezoning. I look forward to the next city election as well.

>

> Thank you,
> Victoria Marquez
> 1000 Fawn Dr.
>
>
>
>

From: Karen Morales ·
Sent: Thursday, December 7, 2023 11:48 AM
To: planning@schertz.com
Cc: Ralph Gutierrez; Mark Davis; Michelle Watson; Paul Macaluso; Michael Dahle; Robert Westbrook; Allison Heyward; Tim Brown
Subject: Case # PLZC20230186

12/6/2023

City of Schertz
1400 Schertz Parkway
Schertz, TX 78154

Planning Division planning@Schertz.com
Planning & Zoning Commission
Attention Commissioners:
G. Outlaw, R. Braud, T. Brown, G. Rae, J. Goldick, R. Hector, J. Carbon, P. McMaster, and D. Craig

Karen Mayers-Morales and Frank Morales
1109 Antler Drive
Schertz, TX 78154

Subject: Case # PLZC20230186
Rezoning Proposal of 2 vacant parcels in Deer Haven from Single Family Residential (R1) to
General Business District (GB) ID #20377 and ID #20378 Deer Haven

Commissioners:

We have been residents and registered voters of Deer Haven at 1109 Antler Drive in Schertz for over 19 years, and the property owner for 17 years. Prior to our ownership, this home was owned and occupied by Karen's parents for over 31 years. We plan to continue to make this our permanent home due to Deer Haven's unique qualities and the many happy memories we have shared here with 4 generations of our family.

We are strongly opposed to the rezoning of the two parcels of Deer Haven from R-1 to GB as follows:

GB is not an appropriate designated classification to put into a Residential Neighborhood.

GB zones are along principal transportation corridors. TxDot will not allow direct access to these parcels from FM 3009, please reference case #ZC2017016.

This will then route the business traffic into a residential neighborhood via Fawn Drive and Antler Drive causing serious safety issues for residents of Deer Haven. There is no traffic control light at Fawn Drive and FM 3009, there is one at Antler Drive and FM 3009. Most residents access the traffic control light on Antler Drive for safe exit of the

neighborhood, and the potential business traffic will as well. These are the only two entrances and exits from Deer Haven, they are not thoroughfares. They are both country style roads, narrow, deteriorated asphalt chip seal and cracks, with no sidewalks that dead end and only connect via Deer Run. Deer Haven's residential roads were not designed or intended to be used by commercial business traffic. Residents exercise, walk their pets and our neighborhood children play on these 3 streets. In addition, the neighborhood has an ever present population of deer roaming the properties and the streets. Adding potential business traffic to this neighborhood is a serious safety concern.

GB zoning requirements include specific building setbacks, landscape buffers, and masonry walls to screen a commercial business from surrounding residential homes. This would restrict the building and necessary parking substantially. Any overflow parking would be on Fawn Drive, a narrow dead end residential street with private driveways and no sidewalks for foot traffic.

The two parcels requesting a zone change, along with adjacent properties, have a long standing issue with flooding during heavy rains, specifically after FM 3009 was elevated during the widening and lane expansion phase. Adding a business building and the required infrastructure would only exacerbate the problem for the adjacent homeowners that would require major engineering plans and construction to correct.

The two parcels have beautiful mature oak trees in both the protected class and heritage class designations of the tree preservation and mitigation (section 21.9.9) of the UDC. In fact all of the properties in Deer Haven do. They are part of the beauty of the neighborhood, and why Deer Haven is actively sought after by home buyers and should not be allowed to be removed in mass for a commercial business.

A commercial building, retail business, service establishment or general business of any kind on these parcels would substantially and negatively impact the charm, uniqueness, and quality of life for those living in Deer Haven. The homes in the neighborhood of Deer Haven continue to be highly sought after by families wishing to live in Schertz. The homes are more valuable year after year thus increasing the tax value for our city, school, and county. There are 80 homes whose value would undeniably decrease with a commercial business of any kind on these parcels. Eighty homes decreasing in value versus 1 general business tax revenue is not a good value proposition for the city. Furthermore, we can think of no business that would meet a need for Deer Haven or the entire community of Schertz if these parcels are zoned General Business District.

As you are aware, a previous request was made to rezone these 2 parcels in the past (reference ZC2017-016) and staff recommended denial of the proposed rezoning. We believe all of the reasons stated at that time are still relevant.

We respectfully ask that this rezone request be denied, and hope that a permanent solution for appropriate use of this property be agreed upon.

Sincerely,

Karen Mayers-Morales Frank Morales

CC: Schertz City Council

From: Marty
Sent: Saturday, December 2, 2023 5:27 PM
To: planning@schertz.com
Subject: zoning case # PLZC20230186

Planning and zoning Commission
2023
1400 Schertz Parkway, Bldg. 4
Schertz, TX 78154

December 2,

This letter is address to Schertz planning and zoning commission concerning the rezoning of the two properties on IH3009 between Fawn Dr. and Antler Dr.

We are vehemently opposed to rezoning this property for commercial use.

This is one of the first established neighborhoods in Schertz with 1–2-acre wooded lots. We do not have two-lane streets, but more of a one lane country paved road. The increase in traffic would be devastating and frankly not feasible.

We have no sidewalks, so this endangers not only pedestrians but also the children in the neighborhood who ride their bikes and walk to school. There are young families with small children who live only 3 houses from the entrance to a business on Fawn and Antler.

Light and noise pollution to those households that border the property. I also have questions about the easement requirements for this property.

This property should be turned **permanently into a greenbelt** by the city and **common sense** should be the leading argument for this proposal.

Regards,

Tim and Marty Morgan

1116 Fawn Drive

From: David & Monica Silva [t](#)
Sent: Monday, December 4, 2023 3:22 PM
To: planning@schertz.com; Emily Delgado; Samuel Haas
Cc: Monica Silva
Subject: PLZC20230186 zoning opposition

Good afternoon Planning and Zoning Commission,

We David & Monica Silva, residing at 1117 Fawn Drive in Schertz are writing to submit our opposition to the rezoning of lots-property 20377 & 20378.

This rezoning would allow a business to be considered which would create a domino effect of unfavorable events as follows:

1. Create a very hazardous unsafe environment for elderly residents walking and families walking or riding bikes with their children and pets. Current 45 plus mph traffic on Roy Richard would be required to halt and turn into an unknowing 20 mph residential speed limit change
2. Would increase traffic on an already congested and dangerous intersection which is already difficult enough to get in and out of especially for EMS, fire, etc during emergencies as there is no outlet at end of streets
3. Businesses would create excessive noise to a quiet residential area.
4. Will Ordinances be implemented to avoid
 - noise, odor, smoke, dust, light, glare, and electrical interference are not noticeable to the neighbors.
5. A business could also Create or expose residents to environmental hazards. Most businesses on Roy Richard Drive do not have home so close in proximity as the homes on Fawn Drive and Antler Drive.
6. Is the City of Schertz ready to agree put forth funding to repair our street with increased traffic should zoning be approved? A business would require widening or straightening of streets, water or sewer line projects, or any other public works projects (e.g. installation or improvement of storm drains, water lines, sewer lines, etc.) on our narrow street with currently no drains?

As the appraisal value of both lots combined are a mere \$65k, We recommend the lots in question be purchased by the City as an investment for the community to preserve green space or utilize for a community garden, dog park, kids park, in an already calm and beautiful residential environment.

Please find it in your hearts to Do what is and feels right. Thank you so much for considering our request.

Happy Holidays!
Respectfully
The Silva's

SCHERTZ

COMMUNITY
SERVICE
OPPORTUNITY

November 16, 2023

NOTICE OF PUBLIC HEARING

PLANNING & COMMUNITY
DEVELOPMENT

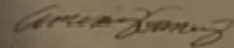
Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, December 13, 2023 at 6:00 p.m., located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make a recommendation on the following item:

PLZC20230186 – A request to rezone approximately 1.3 acres of land from Single Family Residential District (R-1) to General Business District (GB), known as Guadalupe County Property Identification Numbers 20377 and 20378, generally located southeast of the intersection of Fawn Drive and FM 3009, City of Schertz, Guadalupe County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. You may return the reply form below by mail or personal delivery to Ameriz Gamez, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail: planning@schertz.com. If you have any questions, please feel free to call Ameriz Gamez, Planner at (210) 619-1781.

Sincerely,



Ameriz Gamez
Planner

Reply Form:

City Council will have two readings on the request after the recommendation from the Planning and Zoning Commission. This form is used to calculate the protest in accordance with LGC, Local Government Code 211.006(d). **The written protest must be received by City no later than noon (central time) on the Friday before each reading by the City Council.** If the name of the person signing this form does not match the name listed as the owner on the appraisal district website, proof of ownership is required in order for this to count towards the protest.

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for PLZC20240001

COMMENTS:

NAME: David & Monica Silva SIGNATURE: David Silva
(PLEASE PRINT) Monica M. Silva

STREET ADDRESS: 1117 Fawn Drive

DATE: 11/29/2023

Sent from my iPhone

From:
Sent: Wednesday, December 6, 2023 9:12 PM
To: planning@schertz.com
Cc: Leslie Gabelmann
Subject: Deer Haven, PLZC20230186

Dear Members of the Planning and Zoning Committee,

We are writing in opposition to the proposed rezoning of the lot located southeast of the intersection of Fawn Drive and FM 3009 from R1 to GB. Our family has resided at 1020 Fawn Drive since 1972. Our primary concerns are as follows:

Increased traffic on neighborhood streets. It is our understanding that any traffic to a business located on this lot would not have access onto FM 3009 but would instead enter and exit via Fawn Drive. In order to exit at a protected light, traffic would need to travel through the neighborhood to the traffic signal at Antler Drive and FM 3009. This traffic pattern would create a safety issue as many residents walk in the neighborhood and there are no sidewalks for pedestrian use. An additional safety concern arises from the fact that there are some stretches of the streets that do not easily accommodate two-way traffic. Wear and tear and additional maintenance of the streets should also be considered.

Dangerous entrance to subdivision. As it currently stands, the turn onto Fawn Drive is already difficult to negotiate. The addition of traffic coming into and out of a business at this location would worsen an already dangerous situation.

Improper drainage of the lot. This lot has a history of flooding. We fear efforts to correct the drainage to allow for development could potentially divert excess water to surrounding properties and FM 3009.

Rezoning was previously not recommended by Schertz city employees. In 2018 City of Schertz employees recommended against allowing rezoning from R1 to NS for numerous reasons. One reason is because Fawn Drive is a residential street and not a "collector" or "minor arterial" which are the roadways that generally accommodate business traffic. An additional reason was that after the required setbacks, screening, and landscaping to be "properly buffered" there was a question as to whether or not the lot could accommodate a building and parking. Additional concerns were also addressed by the city employees. It is our belief that the only thing that has changed in the five years since the city addressed this possible rezoning is that the concerns have only become more valid.

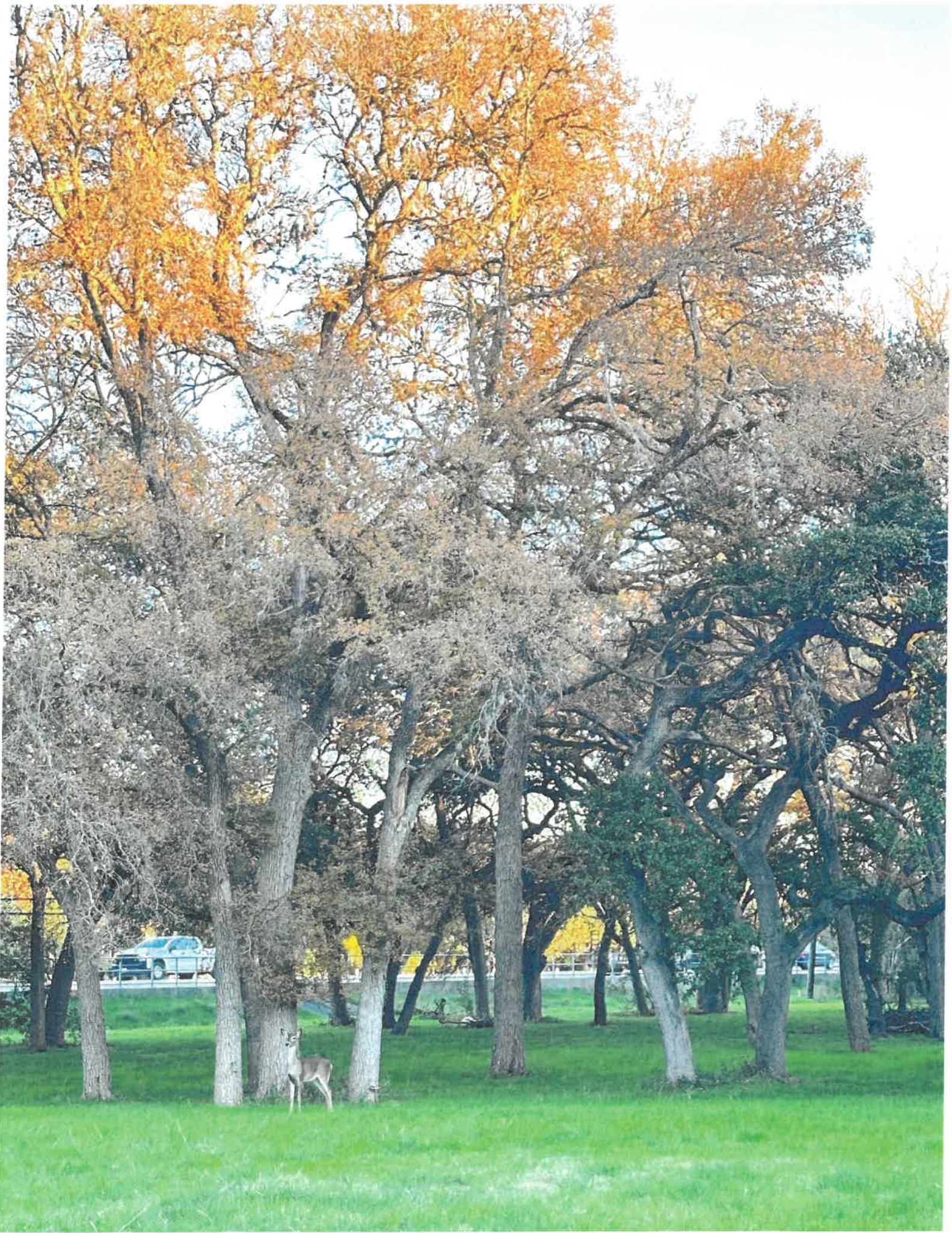
We appreciate your time and service to the City of Schertz and the residents of Deer Haven.

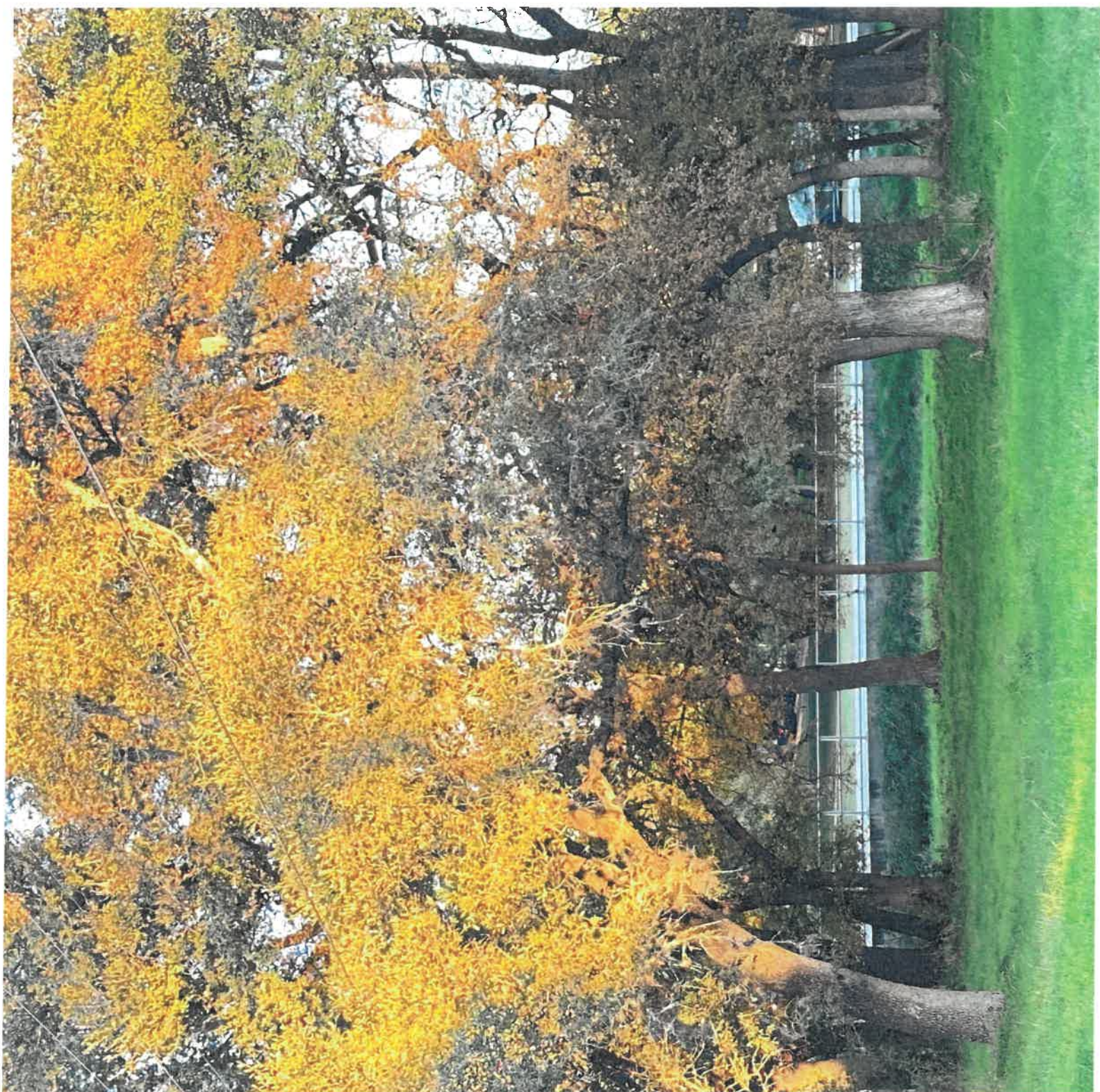
Sincerely,

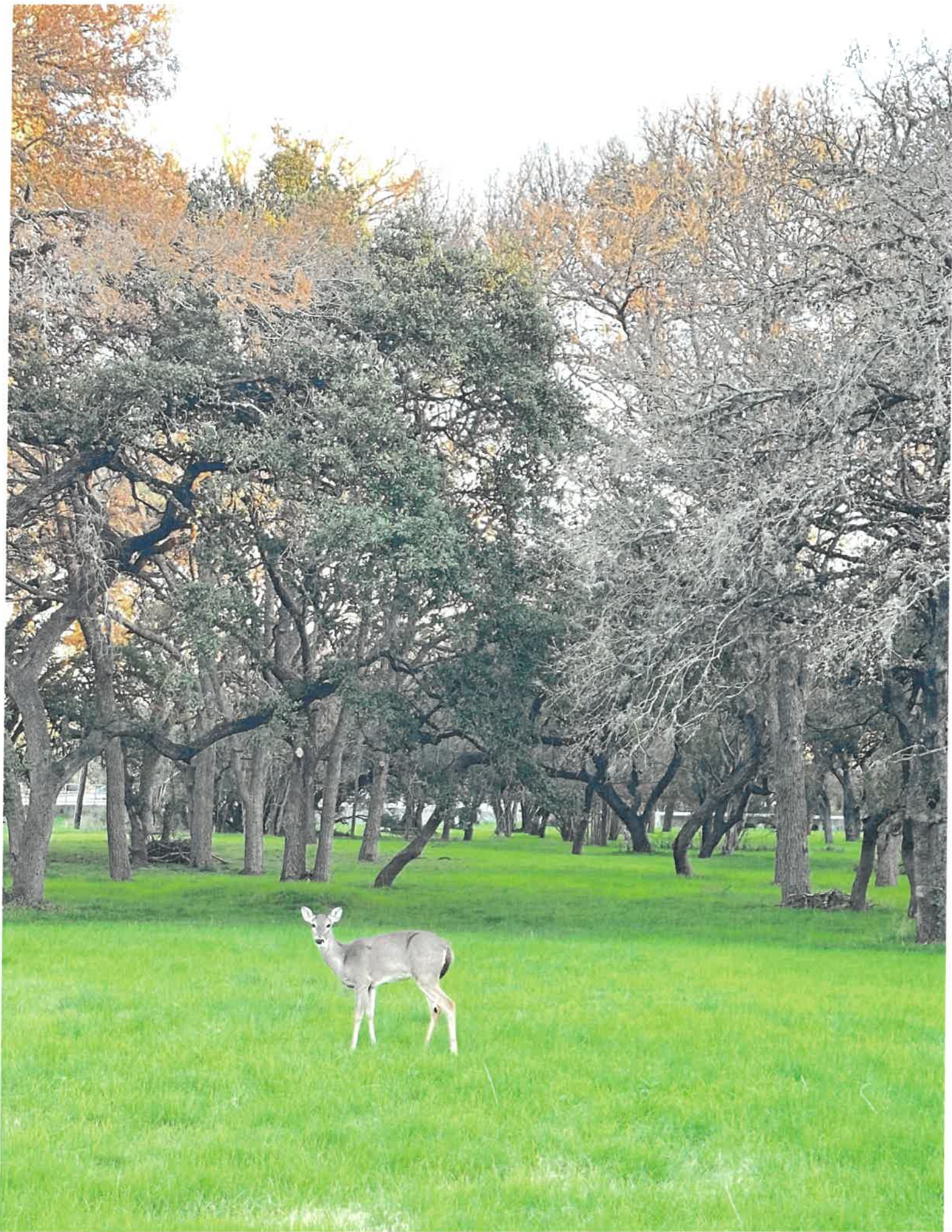
Linda Duffield, Deer Haven resident

Leslie Duffield Gabelmann, POA for Linda Duffield

Melissa Duffield Smith, Alternate POA for Linda Duffield







From:
Sent: Tuesday, December 5, 2023 5:10 PM
To: planning@schertz.com
Subject: Proposed zoning change for lot # 20377 & #20378

Dear honored members of our Schertz planning and zoning committee;

I am writing to express my opposition to the proposed zoning change of 1.3 acres of land in my neighborhood, Deer Haven, from R-1 to General Business District. My husband and I have owned our home and lived at 1016 Antler Drive since 1982. We have weathered many changes to our neighborhood and community in the past forty one years. Deer Haven has stood the test of time. It has remained a unique and charming neighborhood with its large, tree covered 3/4 acre or larger yards.

The proposed zoning change would increase the value of one lot in our neighborhood while working to the detriment of all the some 70 other lots in our beautiful neighborhood. Any increase in tax revenue for the city that might occur from granting this zoning change will surely be offset from the loss of income from property protest from residents of Deer Haven that will result in loss of revenue for the city.

In addition this lot on Fawn Drive that is requesting the zoning change is in the flood way. Having lived here for forty one years, I can assure you that even after the drainage improvements put in by the city, that lot is subject to extreme flooding. If developed, the proposed lot will have to be built up considerably. Where will the resulting drainage go? How will this drainage affect our neighbors? What will the city do to protect our citizens? Our neighborhood was very negatively affected by a previous zoning change when the Savannah Square development was allowed a zoning change. The flooding from that development eventually cost the city of Schertz somewhere over a million dollars in mitigation fees when citizens affected sought legal recourse. The property in question should be greenbelted as similar property in Greenshire and Oak Forrest is. The only reason it is not greenbelted is because our neighborhood was platted before this practice became standard practice.

Tex Dot will not allow a curb cut on 3009 for this property. If this lot that is part of our R-1 neighborhood is allowed to be developed into a general business commercial property, then all of the traffic that frequents it will have to enter the business via Fawn Drive. They will most likely exit said business by traveling through our neighborhood by traveling up Fawn, across Deer Run, and down Antler to access the traffic light to enter 3009. Our streets are charming, narrow, country lanes with no sidewalks. Children play in the street and pedestrians walk in the street. As the name of our neighborhood suggests, Deer Haven, we have a large population of deer and wildlife that inhabit our neighborhood. This increased traffic will probably result in loss of life and injury to the wildlife and could potentially injure pedestrians or children on the roads. The increased traffic will most definitely have a negative impact on our neighborhood.

Additionally, the proposed lot is literally covered in both protected and heritage trees. Whoever would develop this lot would have to spend exorbitant sums to mitigate the tree loss. In fact I would like to suggest that if this property is going to be rezoned that the city consider an environmental preserve designation which seems much more appropriate than a general business as this lot is covered with trees, deer, other wildlife and prone to flooding. I am attaching pictures of the lot to my letter. Please note the deer and trees.

I thank you for reading my letter and listening to my concerns. Deer Haven and its residents have played an integral role in the history and shaping of this community. We have a high

number of original owners and homes that have passed to the once children that grew up in this neighborhood and then as adults moved back into their childhood home to raise their own family in this neighborhood. Deer Haven is a unique and beautiful area with intrinsic value. It is woven into the very fabric of the history of Schertz. I will close with the words of John Prine, one of the foremost songwriters of our times. Please don't pave paradise and put up a parking lot.

Thank you for your service to our community and careful consideration in this matter.

Respectfully,
Dana Sommers
Sent from Yahoo Mail for iPhone

From:
Sent: Wednesday, December 6, 2023 10:29 AM
To: planning@schertz.com
Cc:
Subject: Reference PLZC 20230186 Rezoning Deer Haven

Follow Up Flag: Follow up

Flag Status: Flagged

The City of Schertz appears to be using Flood Map information dated May 2, 2007 from the Federal Emergency Management Agency (FEMA) which became effective on November 2, 2007 in determining rezoning of the two residential lots located at the bottom of Antler and Fawn Dr.

FEMA is required to update flood maps every five years.

If a map is not assessed within the five-year window, the level of flood risk is considered “unknown.” The two lots in question are currently located in a Zone X area and should be classified as UNKNOWN area IAW FEMA.

Inaccurate and out-of-date flood maps put communities at risk. Climate change impacts, like rising sea levels and more intense rain storms, also influence flood risk. A recent investigation by the Department of Homeland Security’s Inspector General revealed that [58% of all FEMA flood maps are considered inaccurate or out-of-date](#).

FEMA must reassess flood maps regularly because flood risks are not static. Flood risks change over time due to a variety of factors, like changing land use patterns, Climate change impacts, and more intense rain storms (May 2023 Deer Haven received 2” of rain in 30 minutes) .

In my opinion, any construction, be it residential or commercial, should not be allowed until Flood Maps are updated. Any efforts to raise the grade of these two sites to allow for construction of any sort, would have a serious impact on the existing homes located left, right, and possibly to the rear. The lot located at the bottom of Antler (1013) already has elevated their outside AC unit because of ongoing/existing flooding.

In closing, I would also like to point out that the streets in Deer Haven have no sidewalks, so everyone walks in the streets. The possible introduction of any commercial traffic could have a serious impact to the safety of all residents.

Sincerely,

Joseph H Tavernier, SGM (Retired USA)

913 Antler

Schertz, TX 78154

From: Linda Warren
Sent: Thursday, December 7, 2023 10:40 AM
To: planning@schertz.com
Subject: Zoning Change

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing to express my opposition to the rezoning of the property at Fawn Dr and FM 3009 I am a long time resident of Deer Haven. Primarily, I do not think that the streets can accommodate the increased traffic that will result from this rezoning Thank you for your consideration Linda Warren

From: Amy White
Sent: Wednesday, December 6, 2023 8:55 AM
To: planning@schertz.com
Subject: PLZC20230186: Deer Haven Subdivision

Dear P&Z Commission Members,

In 1976, my parents, Ervin and Linda Jupe, built a home at 909 Antler Drive in Deer Haven Subdivision. This is where I grew up from the ages of 2 to 18 years. After graduating from Clemens, sadly my parents sold my childhood home. To say the least, I was devastated. In the years after they sold it, I graduated college, got a teaching job, got married, bought and sold two houses, and had three children of my own. In 2012, my childhood home on Antler went up for sale, and my husband and I gladly bought it back. We have now lived here 11 years. This neighborhood is truly a gem tucked away with gorgeous trees and an abundance of beautiful deer. Even though our streets do not have sidewalks, we enjoy seeing our neighbors walking and children riding their bikes. We have very little traffic and crime, and we truly love our neighborhood. It has often been compared to Garden Ridge because you really can't find anything like it anywhere else in Schertz.

The reason we are writing this letter is to voice our opposition to the rezoning of the two empty lots on Fawn Drive. Currently, they are zoned residential, and we would like for them to stay that way. We need to preserve these lots as this neighborhood was not designed to host any kind of commercial businesses. Please consider the impact it will have on us homeowners.

- Increase in traffic which poses a safety issue to all who live and drive in this neighborhood.
- Difficulty exiting Fawn which will increase traffic flow to drive up Fawn, cross Deer Run, and drive down Antler to catch the light.
- Increase in congestion on 3009.
- Neighbors on Fawn who live directly behind these lots (the Bakers) will be facing a masonry wall.
- Parking on narrow streets. (Our streets are not the same width as Savannah Drive and Woodland Oaks Drive which have commercial properties at their entrances; therefore this is another reason why it is unsafe for our residents).
- Flooding already occurs on both streets near 3009. How will a business built there help this situation?
- A business built at our entrance will alter the aesthetics and decrease our property values while the owner of these two lots seeks to make a significant financial gain.

Please vote against the rezoning and help the Deer Haven residents preserve what little nature we have left in Schertz. We already have empty office buildings in the area and an increase in fatalities on FM 3009. Do we really want to add more?

Thank you,
David and Amy White
909 Antler Drive
Schertz, TX 78154

Reference PLZC20230186

PLANNING AND ZONING COMMISSION MEETING: 12/13/2023
Agenda Item 6 A

TO: Planning and Zoning Commission
PREPARED BY: Emily Delgado, Planning Manager
SUBJECT: Workshop, Discussion, and Possible Action regarding the Planning and Zoning Commission Bylaws

BACKGROUND

At the October 25, 2023 Planning and Zoning Commission meeting, a workshop and discussion was held in relation to the Planning and Zoning Commission bylaws. The majority of the discussion was based on bylaw language which states "When a Commission Member has no legal obligation to abstain from voting, the Commission Member is prohibited from casting a vote of abstention and must cast an "aye or yes" vote or "nay or no" vote. This language was discussed as being unclear when in practice the abstention vote, when not legally required, is counted as a no vote. The Commission requested that staff review and provide modified language to ensure clarity.

Staff reviewed the City Council Rules of Conduct and Procedure in relation to how City Council views non legally obligated abstentions. From that review, staff is proposing to modify the Planning and Zoning Commission bylaws to be consistent with the language in the City Council rules and procedures. The following updated bylaw language is proposed:

When a Commission Member has no legal obligation to abstain from voting, then an abstention shall be recorded in the minutes as an abstention and shall procedurally be treated as a "no" vote.

The proposed language clearly identifies that if an abstention vote is made without a legal obligation that it will be treated as if the Commissioner voted "no".

At the October 11, 2023 Planning and Zoning Commission meeting, staff presented a proposed Unified Development Code (UDC) amendment based on House Bill (HB) 3699 which provided provisions that gives the governing municipal body of Schertz the option to give administrative approval authority to staff in relation to subdivision plats. The proposed UDC amendment would grant staff the authority to approve subdivision plats. This proposed UDC amendment would modify the type of items that will be heard by the Planning and Zoning Commission to the following:

- The Commission would make recommendations on the following:
 - Amendments to the Comprehensive Land Plan
 - Zone Change Requests
 - Specific Use Permit Requests
 - UDC Amendments and establishing or amending a zoning district
 - Development Agreements as set forth in the LGC and UDC
- If forwarded by the City Manager or his/her designee, the Planning and Zoning Commission would act on the following:
 - Subdivision Master Plans,
 - Site Plan,
 - Plats to include: Preliminary Plat, Final Plat, Amending Plat, Minor Plat, Replat,
- Waivers related to Article 12, Subdivisions
- Appeals to Staff Determinations

At the October 11, 2023 Planning and Zoning Commission meeting a public hearing was held and a unanimous recommendation of approval for the UDC amendment was provided.

At the November 14, 2023 City Council meeting, Ordinance 23-S-29 was presented which if approved would amend the UDC in relation to administrative approval authority to staff in relation to subdivision plats. At this City Council meeting, a public hearing was held and City Council unanimously approved the first reading of the Ordinance. The final reading of this Ordinance is scheduled for the December 5th City Council meeting and if approved the updated UDC language and approval authority of subdivision plats will be modified effective the final reading.

Based on the proposed UDC amendment, if approved, no longer requiring subdivision plats (preliminary, final or replats) to be heard by the Planning and Zoning Commission, the necessity for two meetings per month has been reviewed. Based on research completed on the Planning and Zoning Commission agendas for the last several years along with surrounding cities meeting scheduled, staff is recommending that the bylaws be modified to reduce the regularly scheduled meetings to one (1) meeting per month. This would be consistent with the City of Cibola, New Braunfels, Seguin, Selma, and Universal City all of which only meet once per month. In reviewing the previous years (2021, 2022, 2023) Planning and Zoning Commission agendas between 7 and 10 meetings each year have either been cancelled due to no agenda items or have only had plats listed for action.

By having the only Planning and Zoning Commission meeting, which staff recommends being the first Wednesday of the month, the applicant can assume that their item will be through both readings at City Council the following month, based on a typical meeting and process schedule. If the Planning and Zoning Commission meeting is scheduled for a different week, the applicant will no longer have a clear expectation of when their item would be heard by City Council. Additionally, if the Planning and Zoning Commission meeting is later in the month it could add an additional month onto the overall project timeline for final approval by City Council. By having one (1) Planning and Zoning Commission meeting a month staff can create a calendar for the year which would identify which Planning and Zoning Commission meeting and associated City Council meetings and application would be on. This will assist applicants in knowing the timeline for their application and when to expect deadlines for their project. Staff feels this is an added benefit for the applicants and will add transparency on when items will be heard by the Commission and City Council which will also assist interested residents for a specific project.

Staff recommends amending the bylaws as follows:

Meetings shall generally be held on the first Wednesday of the month. Meetings will be cancelled if there are no items to be considered. The meeting schedule may be adjusted to account for holidays.

Based on added clarity for the Planning and Zoning Commissioners, staff recommends approval of amending the bylaws in relation to abstention votes. Additionally, based on the reduction in cases to be heard by the Commission, consistency with surround municipalities, and added clarity for the applicants and residents in relation to project public hearing schedules, staff recommends approval of amending the bylaws to have one (1) Planning and Zoning Commission meeting a month, and for the meeting to be scheduled the first Wednesday of the month.

Attachments

Res. No21-R-28- Currently Adopted P&Z Bylaws

Proposed P&Z Bylaws- Redlines

Proposed P&Z Bylaws- Clean Version

RESOLUTION NO. 21-R-28

**A RESOLUTION OF THE CITY COUNCIL OF SCHERTZ, TEXAS AUTHORIZING
THE REVISED BYLAWS OF THE PLANNING AND ZONING COMMISSION, AND
OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the Planning and Zoning Commission of the City of Schertz (the “City”) has recommended that the City approve the revised Bylaws, herein as “Exhibit A” of the Planning and Zoning Commission; and

WHEREAS, the City Council has determined that it is in the best interest of the City to approve the revised Bylaws of the Planning and Zoning Commission

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:
THAT:**

Section 1. The City Council hereby authorizes the revised bylaws of the Planning and Zoning Commission.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

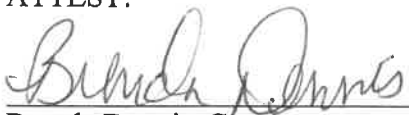
Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 6th day of April, 2021.



Ralph Gutierrez, Mayor

ATTEST:



Brenda Dennis, City Secretary
(SEAL OF THE CITY)



Planning and Zoning Commission Bylaws

Section 1 – Purpose

The Planning and Zoning Commission shall:

- A. Review and approve or make recommendations on applications as set forth in the City of Schertz Unified Development Code.
- B. Make recommendations regarding the implementation of the City's Comprehensive Plan.

Section 2 – Membership and Officers

- A. The Planning and Zoning Commission shall be composed of seven (7) members and two (2) additional members who shall serve as alternates. The alternates will not be seated unless one of the regular members is not in attendance at the start of the meeting. If seated, an alternate shall serve in place of the regular member even if the regular member arrives late. Four (4) members shall make a quorum.
- B. Commissioners shall reside within the corporate limits of the City.
- C. Commissioners shall serve two (2) year staggered terms with the terms of 3 Commissioners and the alternate expiring in odd numbered years and 4 Commissioners expiring in even numbered years.
- D. Terms shall expire on May 31.
- E. The Commission shall hold elections for a chair who shall serve as the presiding officer and vice chair at the first meeting in August of each year. Special elections shall be held as needed if the chair or vice chair's membership ends during their term.

Section 3 – Meetings

- A. Meetings shall generally be held on the second and fourth Wednesdays of the month. Meetings will be cancelled if there are no items to be considered. The meeting schedule may be adjusted to account for holidays.
- B. Special meetings may be called as needed.
- C. The Commission may establish committees as needed.
- D. Meetings shall comply with the Texas Government Code Chapter 551 (Texas Open Meetings Act).
- E. Each meeting shall provide for citizens to be heard generally as per City Council meetings.

CITIZENS' RIGHTS

- 1 Addressing the Commission. Any person desiring to address the Commission by oral communication shall first secure the permission of the presiding officer.
- 2 Manner of Addressing the Commission – Time Limit. Each person addressing the Commission shall speak at the podium into the microphone (or at another designated location), shall give his/her name and address in an audible tone of voice

for the record, and, unless further time is granted by the Commission, shall, subject to Section E4 below, limit his/her remarks to three (3) minutes or less. All remarks shall be addressed to the Commission as a body, and not to any individual member thereof. No person, other than members of the Commission or City staff (when requested by the presiding officer) and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Commission, unless requested or approved by the presiding officer. No questions shall be asked of the Commission members, except through the presiding officer. Responses to questions may be limited as required by State law.

- 3 Personal and Slanderous Remarks. Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous, either while addressing the Commission or otherwise while in attendance at a Commission meeting, may be requested to leave the meeting, if after receiving a warning from the presiding officer a person persists in disturbing the meeting, and may be removed from the meeting if necessary for the conduct of the remainder of the meeting.
- 4 Public Hearings. After being recognized by the presiding officer, interested persons, or their authorized representatives, may address the Commission with respect to the subject matter of a public hearing being conducted. The presiding officer may establish procedures at a public hearing to limit the amount of time (which, unless modified by the presiding officer, shall be as set forth in Section E2 above) interested persons may speak, subject to the Commission members' right to appeal the presiding officer's ruling pursuant to Section F6. Subject to modification by the presiding officer, and subject to the Commission members' right of appeal pursuant to Section F6, the normal order of a public hearing is as follows: (i) the opening of the hearing and the establishment, if any, of a modified public hearing procedure by the presiding officer; (ii) address to the Commission by any interested person(s); (iii) discussion by the presiding officer and Commission members, including requests for information from City staff or any person(s) who addressed the Commission; and (iv) action by the Commission, if any is posted on the agenda relating to the hearing.
- 5 Written Communications. Interested persons, or their authorized representatives, may address the Commission by written communication in regard to any matter concerning the City's business or over which the Commission has control at any time by direct mail or by addressing the City Secretary, who shall, on the request of the writer, distribute copies to the Commission members.
- 6 Hearing of Residents. There shall be included on the agenda of each Planning and Zoning Commission meeting an item labeled "Hearing of Residents". After being recognized by the presiding officer, members of the public (giving precedence to residents of the City) may address the Commission on items on or not on the agenda at that time, providing they have completed the "Hearing of Residents" form, unless authorized by the presiding officer. The form shall be made available to persons wishing to address the Commission prior to the calling of the meeting to order and

such completed form shall be made available to the presiding officer prior to the calling of the meeting to order. The persons signed up for "Hearing of Residents" must speak during the "Hearing of Residents" portion of the meeting. Commission members and members of City staff may not discuss unposted items nor take any action thereon other than to (1) make a statement of factual information, (2) make a statement of existing City policy, or (3) discuss placing the item on a future agenda. Persons speaking shall be subject to the time limits set forth in Section E2, unless otherwise authorized by the presiding officer.

F. Motions and Meeting Procedures are as follows:

1. Motions. A Commission member, after he/she obtains the floor, or the presiding officer may make a motion on the particular subject of discussion or a procedural point as permitted. A "Second" to the motion, if required, must be made by a Commission member who did not make the motion within a reasonable but brief time period. The presiding officer may not "Second" a motion. A motion or a "Second" merely implies that the maker of the motion and the person who "Seconds" agree that the motion should come before the meeting and not that he/she necessarily favors the motion. Without a "Second", if required, the motion dies. If a motion is made to conditionally approve, deny, recommend conditional approval or recommend denial of an agenda item, the Commission member must also state the reasons for conditional approval, denial, recommend conditional approval or recommend denial, and provide a citation to the regulation, ordinance, and/or law as required by the Unified Development Code.
2. Debate. Debate, if permitted, must be limited to the merits of the issue under discussion as stated by the presiding officer.
3. Motion Procedures. There are twelve (12) types of motions in three (3) categories: Meeting Conduct Motions (4 types), Disposition Motions (7 types), and Main Motions (1 type)*. When any motion is pending, any motion listed above it on the chart below is in order; those below it are out of order.

Section 9.3 through 9.14 are included by permission of Donald A. Tortorice, The Moder Rules of Order, ABA Publishing, 2nd Edition

Motion	May Interrupt Speaker	Second Required	Debatable	Amendable	Resolved by Chair No Vote	Affirmative Vote by 4 members	2/3 Vote
Meeting Conduct Motions							
point of privilege	yes	no	no	no	yes	no	no
point of procedure or order	yes	no	no	no	yes	no	no
to appeal a ruling	no	yes	yes	no	no	yes	no
to recess	no	yes	yes	yes	no	yes	no
Disposition Motions							
to withdraw	yes	no	no	no	yes	no	no
to postpone	no	yes	yes	yes	no	yes	no
to refer	no	yes	yes	yes	no	yes	no
to amend	no	yes	yes	yes	no	yes	no
to limit or close debate or "call the question"	no	yes	yes	yes	no	no	yes
to extend debate	no	yes	yes	yes	no	yes	no
to count the vote	no	yes	no	no	no**	no	no
Main Motions							
to reconsider	yes	yes	if original motion was debatable	no	no	yes	no
to rescind	no	yes	yes	yes	no	no	yes
to take action	no	yes	yes	yes	no	Yes***	no

** Mandatory if seconded; no vote required
*** Unless not allowed

- 4 Point of Privilege. A point of privilege, sometimes called a point of personal privilege, is a communication from a Commission member to the presiding officer, drawing urgent attention to a need for personal accommodation. For example, the point may relate to an inability to see or hear, a matter of comfort, a matter of requested convenience, or an overlooked right of privilege that should have been accorded to the Commission member(s). In essence, it is a call to the presiding officer for the purpose of assuring a Commission member's convenient and appropriate participation in the meeting. Because of its urgent nature, a point of privilege can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, it cannot be debated or amended, and no vote is required.
- 5 Point of Procedure or Order. A point of procedure, sometimes called a point of order, is a question addressed to the presiding officer, no seconding is required, and either inquiring into the manner of conducting business or raising a question about the propriety of a particular procedure. It is simply an inquiry and is resolved by correction or clarification by the presiding officer. A point of procedure can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, a second is not required, and it cannot be debated or amended, and no vote is taken.
- 6 To Appeal a Ruling. Decisions or rulings of the presiding officer are final on questions of procedure, except that any ruling by the presiding officer's ruling can be appealed to a vote of the Commission. Whenever a Commission member questions the appropriateness or essential fairness of the presiding officer, that member can appeal the ruling to a vote of the meeting. If, however, a motion is out of order as a matter of law (not a proper subject of the meeting, improper notice given, etc.), the presiding officer's ruling cannot be appealed. A motion to appeal cannot interrupt a speaker. To prevent frivolous appeals, a second is required. The motion is subject to debate (which should be brief) and, by its nature, is not amendable. To overrule a procedural decision of the presiding officer, an affirmative vote of four (4) Commission members is required.
- 7 To Recess. A motion to recess requests a brief interruption of the meeting's business, usually so that an ancillary matter can be addressed, or simply to provide a needed break. Unless stated in the motion, the period of recess is decided by the presiding officer. If necessary, a recess can extend the meeting from one day to another, subject to State law. The motion cannot interrupt a speaker, and a second is required. It is debatable, it can be amended, and an affirmative vote of four (4) Commission members is required.
- 8 To Withdraw. Only the maker of the motion can make a motion to withdraw it. It is essentially a communication to the presiding officer that the maker is withdrawing his/her proposal. This is the maker's privilege; thus, it does not require a second. Because the withdrawal motion obviates discussion, it can interrupt a speaker. In addition, because another Commission member later can make a similar motion, a withdrawal motion is not subject to debate, amendment,

or vote. The presiding officer should simply state that the motion is withdrawn, and the meeting should proceed with a new treatment of the issue at hand—or a new issue.

- 9 To Postpone or Extend. These motions may arise from a need for further information, a matter of convenience, or for any other reason that will enable the Commission to deal with the issue more effectively during the same meeting or at a later time. Unless otherwise specifically provided in the motion itself, a postponed or extension motion can be renewed at a later appropriate time during the meeting or, if properly posted, at a later meeting. This motion cannot interrupt a speaker. It requires a second, it is debatable, and it is amendable (particularly as to postponement, timing), and an affirmative vote of four (4) Commission members is required.
- 10 To Refer. A motion to refer is typically used to submit an issue to a committee, usually for study leading to a subsequent recommendation. Because it ordinarily disposes the motion for purposes of the current meeting, a motion to refer is subject to the same rules that apply to a main motion. (See Section F14). This motion cannot interrupt a speaker, and a second is required. It is debatable and amendable, and an affirmative vote of-four (4) Commission members is required.
- 11 To Amend. A motion to amend proposes a change in the wording of a motion then under consideration. When a motion to amend is pending and an amendment to the amendment is proposed, the presiding officer should focus discussion on the latest amendment, resolve that question, then proceed to the first amendment before continuing discussion on the main motion. Votes on amendments are thus in reverse order of the sequence in which they are proposed. A motion to amend cannot interrupt a speaker. It requires a second, and it is debatable and amendable. An affirmative vote of four (4) Commission members is required for approval of the amendment. Note that State law may restrict amendments to proposals that are required to be set forth in the notice of the meeting.
- 12 To Limit or Close Debate or “Call the Question”. Because the extent to which an issue is discussed rests primarily with discretion of the presiding officer, it is the presiding officer who carries the burden of ensuring that adequate time and discussion are given to differing points of view. A motion to limit or close debate is therefore an overruling of the presiding officer’s determination. A motion to close debate is the same as a motion to “call the question”. Because this motion affects the most fundamental right of any Commission member, the right to speak one’s views, it is the only procedural motion that requires an affirmative vote of two-thirds of participants voting.
- 13 To Count the Vote. A motion to count the vote should be limited to those circumstances where the convenient hearing of “yeas” and “nays” cannot clearly resolve the issue. It represents the right of a Commission member to have a vote demonstrated by count. That count can be directed by the presiding officer either as a showing of hands or a standing of voting members while the vote is recorded.

Upon completion of the count, the presiding officer announces the result—and final disposition of the issue voted upon. This motion cannot interrupt a speaker. It requires a second; it is neither debatable nor amendable; and, because of the importance of the matter, it should be considered mandatory; thus, no vote is required.

- 14 Motion to Reconsider. Allows a main motion to be brought back before the Commission for consideration. May be made only at the meeting at which the vote to be reconsidered was taken. It may be made by any member of the Commission. Any Commission member may second it. It can be made while any other question is pending, even if another member has the floor. It requires a majority vote to pass. A motion may only be reconsidered twice. If the reconsideration is moved while another subject is before the Commission, it cannot interrupt the pending business, but, as soon as the pending business has been disposed of the motion has the preference over all other main motions and general business of the agenda. In such a case the presiding officer does not state the question on the reconsideration until the immediately pending business is completed.
- 15 Motion to Rescind. The motion to rescind is a main motion without any privilege, may only be made when there is nothing else before the Commission and must be made at the same meeting at which the subject matter of the motion was considered, and it requires a two-thirds vote of the commission members. It cannot be made if a motion to reconsider has been previously made. The motion to rescind can be applied to votes on all main motions with the following exceptions: votes cannot be rescinded after something has been done as a result of that vote that the Commission cannot undo; or, where a resignation has been acted upon, or one has been appointed to, or expelled from, a committee or office, and was present or was officially notified. In the case of expulsion, the only way to reverse the action afterwards is to restore the person to the committee or office, which requires the same preliminary steps and vote as is required for the original appointment.
- 16 To Take Action; Main Motions. Main motions state proposed policy or action on a substantive issue being considered by the Commission. As such, the motion is an initial call to take particular action. Although lowest in precedence among all motions, main motions are clearly the most important: through their content, the business decisions of the Commission are determined. A main motion can be made only when a prior main motion has been disposed of. It cannot interrupt a speaker; a second is required; it is debatable and amendable; and an affirmative vote of four (4) Commission members is required unless a greater vote is prescribed by the Charter or State law.

17 Effect of Abstentions; action on required Abstentions; Effect of non-required Abstentions. The following rules shall apply when a Commission Member abstains from voting on an item:

a. When the Commission Member is Legally Obligated to Abstain from Voting.

When a Commission Member is legally obligated to abstain from voting pursuant to Texas Local Government Code Chapter 171, a local ordinance or the City Charter then the Commission Member shall leave the dais and exit City Council Chambers until such time as the debate and vote on the item has been concluded. Staff shall record that the Commission Member left the room and abstained from the vote in the official minutes and there shall be no other effect.

b. When the Commission Member Has No Legal Obligation to Abstain from Voting.

When a Commission Member has no legal obligation to abstain from voting, the Commission Member is prohibited from casting a vote of abstention and must cast an “aye or yes” vote or “nay or no” vote.

PROPOSED REDLINES

Planning and Zoning Commission Bylaws

Section 1- Purpose

The Planning and Zoning Commission shall:

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- A. Meetings shall generally be held on ~~the first Wednesday of the month~~ ~~second and fourth Wednesdays of the month~~. Meetings will be cancelled if there are no items to be considered. The meeting schedule may be adjusted to account for holidays.
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PROPOSED REDLINES

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PROPOSED REDLINES

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PROPOSED REDLINES

Motion	May Interrupt Speaker	Second Required	Debatable	Amendable	Resolved by Chair No Vote	Affirmative Vote by 4 members	2/3 Vote
Meeting Conduct Motions							
point of privilege	yes	no	no	no	yes	no	no
point of procedure or order	yes	no	no	no	yes	no	no
to appeal a ruling	no	yes	yes	no	no	yes	no
to recess	no	yes	yes	yes	no	yes	no
Disposition Motions							
to withdraw	yes	no	no	no	yes	no	no
to postpone	no	yes	yes	yes	no	yes	no
to refer	no	yes	yes	yes	no	yes	no
to amend	no	yes	yes	yes	no	yes	no
to limit or close debate or "call the question"	no	yes	yes	yes	no	no	yes
to extend debate	no	yes	yes	yes	no	yes	no
to count the vote	no	yes	no	no	no**	no	no
Main Motions							
to reconsider	yes	yes	if original motion was debatable	no	no	yes	no
to rescind	no	yes	yes	yes	no	no	yes
to take action	no	yes	yes	yes	no	Yes***	no

**

Mandatory if seconded; no vote required
Unless not allowed

PROPOSED REDLINES

- 4 Point of Privilege. A point of privilege, sometimes called a point of personal privilege, is a communication from a Commission member to the presiding officer, drawing urgent attention to a need for personal accommodation. For example, the point may relate to an inability to see or hear, a matter of comfort, a matter of requested convenience, or an overlooked right of privilege that should have been accorded to the Commission member(s). In essence, it is a call to the presiding officer for the purpose of assuring a Commission member's convenient and appropriate participation in the meeting. Because of its urgent nature, a point of privilege can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, it cannot be debated or amended, and no vote is required.
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- 6 To Appeal a Ruling. Decisions or rulings of the presiding officer are final on questions of procedure, except that any ruling by the presiding officer's ruling can be appealed to a vote of the Commission. Whenever a Commission member questions the appropriateness or essential fairness of the presiding officer, that member can appeal the ruling to a vote of the meeting. If, however, a motion is out of order as a matter of law (not a proper subject of the meeting, improper notice given, etc.), the presiding officer's ruling cannot be appealed. A motion to appeal cannot interrupt a speaker. To prevent frivolous appeals, a second is required. The motion is subject to debate (which should be brief) and, by its nature, is not amendable. To overrule a procedural decision of the presiding officer, an affirmative vote of four (4) Commission members is required.
- 7 To Recess. A motion to recess requests a brief interruption of the meeting's business, usually so that an ancillary matter can be addressed, or simply to provide a needed break. Unless stated in the motion, the period of recess is decided by the presiding officer. If necessary, a recess can extend the meeting from one day to another, subject to State law. The motion cannot interrupt a speaker, and a second is required. It is debatable, it can be amended, and an affirmative vote of four (4) Commission members is required.
- 8 To Withdraw. Only the maker of the motion can make a motion to withdraw it. It is essentially a communication to the presiding officer that the maker is withdrawing his/her proposal. This is the maker's privilege; thus, it does not require a second. Because the withdrawal motion obviates discussion, it can interrupt a speaker. In addition, because another Commission member later can make a similar motion, a withdrawal motion is not subject to debate, amendment,

PROPOSED REDLINES

or vote. The presiding officer should simply state that the motion is withdrawn, and the meeting should proceed with a new treatment of the issue at hand--or a new issue.

- 9 To Postpone or Extend. These motions may arise from a need for further information, a matter of convenience, or for any other reason that will enable the Commission to deal with the issue more effectively during the same meeting or at a later time. Unless otherwise specifically provided in the motion itself, a postponed or extension motion can be renewed at a later appropriate time during the meeting or, if properly posted, at a later meeting. This motion cannot interrupt a speaker. It requires a second, it is debatable, and it is amendable (particularly as to postponement, timing), and an affirmative vote of four (4) Commission members is required.
- 10 To Refer. A motion to refer is typically used to submit an issue to a committee, usually for study leading to a subsequent recommendation. Because it ordinarily disposes the motion for purposes of the current meeting, a motion to refer is subject to the same rules that apply to a main motion. (See Section FI4). This motion cannot interrupt a speaker, and a second is required. It is debatable and amendable, and an affirmative vote of-four (4) Commission members is required.
- 11 To Amend. A motion to amend proposes a change in the wording of a motion then under consideration. When a motion to amend is pending and an amendment to the amendment is proposed, the presiding officer should focus discussion on the latest amendment, resolve that question, then proceed to the first amendment before continuing discussion on the main motion. Votes on amendments are thus in reverse order of the sequence in which they are proposed. A motion to amend cannot interrupt a speaker. It requires a second, and it is debatable and amendable. An affirmative vote of four (4) Commission members is required for approval of the amendment. Note that State law may restrict amendments to proposals that are required to be set forth in the notice of the meeting.
- 12 To Limit or Close Debate or "Call the Question". Because the extent to which an issue is discussed rests primarily with discretion of the presiding officer, it is the presiding officer who carries the burden of ensuring that adequate time and discussion are given to differing points of view. A motion to limit or close debate is therefore an overruling of the presiding officer's determination. A motion to close debate is the same as a motion to "call the question". Because this motion affects the most fundamental right of any Commission member, the right to speak one's views, it is the only procedural motion that requires an affirmative vote of two-thirds of participants voting.
- 13 To Count the Vote. A motion to count the vote should be limited to those circumstances where the convenient hearing of "yeas" and "nays" cannot clearly resolve the issue. It represents the right of a Commission member to have a vote demonstrated by count. That count can be directed by the presiding officer either as a showing of hands or a standing of voting members while the vote is recorded.

PROPOSED REDLINES

Upon completion of the count, the presiding officer announces the result-and final disposition of the issue voted upon. This motion cannot interrupt a speaker. It requires a second; it is neither debatable nor amendable; and, because of the importance of the matter, it should be considered mandatory; thus, no vote is required.

- 14 Motion to Reconsider. Allows a main motion to be brought back before the Commission for consideration. May be made only at the meeting at which the vote to be reconsidered was taken. It may be made by any member of the Commission. Any Commission member may second it. It can be made while any other question is pending, even if another member has the floor. It requires a majority vote to pass. A motion may only be reconsidered twice. If the reconsideration is moved while another subject is before the Commission, it cannot interrupt the pending business, but, as soon as the pending business has been disposed of the motion has the preference over all other main motions and general business of the agenda. In such a case the presiding officer does not state the question on the reconsideration until the immediately pending business is completed.
- 15 Motion to Rescind. The motion to rescind is a main motion without any privilege, may only be made when there is nothing else before the Commission and must be made at the same meeting at which the subject matter of the motion was considered, and it requires a two-thirds vote of the commission members. It cannot be made if a motion to reconsider has been previously made. The motion to rescind can be applied to votes on all main motions with the following exceptions: votes cannot be rescinded after something has been done as a result of that vote that the Commission cannot undo; or, where a resignation has been acted upon, or one has been appointed to, or expelled from, a committee or office, and was present or was officially notified. In the case of expulsion, the only way to reverse the action afterwards is to restore the person to the committee or office, which requires the same preliminary steps and vote as is required for the original appointment.
- 16 To Take Action: Main Motions. Main motions state proposed policy or action on a substantive issue being considered by the Commission. As such, the motion is an initial call to take particular action. Although lowest in precedence among all motions, main motions are clearly the most important: through their content, the business decisions of the Commission are determined. A main motion can be made only when a prior main motion has been disposed of. It cannot interrupt a speaker; a second is required; it is debatable and amendable; and an affirmative vote of four (4) Commission members is required unless a greater vote is prescribed by the Charter or State law.

PROPOSED REDLINES

17 Effect of Abstentions; action on required Abstentions; Effect of non-required Abstentions. The following rules shall apply when a Commission Member abstains from voting on an item:

a. When the Commission Member is Legally Obligated to Abstain from Voting.

When a Commission Member is legally obligated to abstain from voting pursuant to Texas Local Government Code Chapter 171, a local ordinance or the City Charter then the Commission Member shall leave the dais and exit City Council Chambers until such time as the debate and vote on the item has been concluded. Staff shall record that the Commission Member left the room and abstained from the vote in the official minutes and there shall be no other effect.

b. When the Commission Member Has No Legal Obligation to Abstain from Voting.

When a Commission Member has no legal obligation to abstain from voting, then an abstention shall be recorded in the minutes as an abstention and shall procedurally be treated as a “no” vote. ~~the Commission Member is prohibited from casting a vote of abstention and must cast an "aye or yes" vote or "nay or no" vote.~~

Planning and Zoning Commission Bylaws

Section 1- Purpose

The Planning and Zoning Commission shall:

- A. Review and approve or make recommendations on applications as set forth in the City of Schertz Unified Development Code.
- B. Make recommendations regarding the implementation of the City's Comprehensive Plan.

Section 2 - Membership and Officers

- A. The Planning and Zoning Commission shall be composed of seven (7) members and two (2) additional members who shall serve as alternates. The alternates will not be seated unless one of the regular members is not in attendance at the start of the meeting. If seated, an alternate shall serve in place of the regular member even if the regular member arrives late. Four (4) members shall make a quorum.
- B. Commissioners shall reside within the corporate limits of the City.
- C. Commissioners shall serve two (2) year staggered terms with the terms of 3 Commissioners and the alternate expiring in odd numbered years and 4 Commissioners expiring in even numbered years.
- D. Terms shall expire on May 31.
- E. The Commission shall hold elections for a chair who shall serve as the presiding officer and vice chair at the first meeting in August of each year. Special elections shall be held as needed if the chair or vice chair's membership ends during their term.

Section 3 - Meetings

- A. Meetings shall generally be held on the first Wednesday of the month. Meetings will be cancelled if there are no items to be considered. The meeting schedule may be adjusted to account for holidays.
- B. Special meetings may be called as needed.
- C. The Commission may establish committees as needed.
- D. Meetings shall comply with the Texas Government Code Chapter 551 (Texas Open Meetings Act).
- E. Each meeting shall provide for citizens to be heard generally as per City Council meetings.

CITIZENS' RIGHTS

- 1 Addressing the Commission. Any person desiring to address the Commission by oral communication shall first secure the permission of the presiding officer.
- 2 Manner of Addressing the Commission - Time Limit. Each person addressing the Commission shall speak at the podium into the microphone (or at another designated location), shall give his/her name and address in an audible tone of voice

for the record, and, unless further time is granted by the Commission, shall, subject to Section E4 below, limit his/her remarks to three (3) minutes or less. All remarks shall be addressed to the Commission as a body, and not to any individual member thereof. No person, other than members of the Commission or City staff (when requested by the presiding officer) and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Commission, unless requested or approved by the presiding officer. No questions shall be asked of the Commission members, except through the presiding officer. Responses to questions may be limited as required by State law.

- 3 Personal and Slandorous Remarks. Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous, either while addressing the Commission or otherwise while in attendance at a Commission meeting, may be requested to leave the meeting, if after receiving a warning from the presiding officer a person persists in disturbing the meeting, and may be removed from the meeting if necessary for the conduct of the remainder of the meeting.
- 4 Public Hearings. After being recognized by the presiding officer, interested persons, or their authorized representatives, may address the Commission with respect to the subject matter of a public hearing being conducted. The presiding officer may establish procedures at a public hearing to limit the amount of time (which, unless modified by the presiding officer, shall be as set forth in Section E2 above) interested persons may speak, subject to the Commission members' right to appeal the presiding officer's ruling pursuant to Section F6. Subject to modification by the presiding officer, and subject to the Commission members' right of appeal pursuant to Section F6, the normal order of a public hearing is as follows: (i) the opening of the hearing and the establishment, if any, of a modified public hearing procedure by the presiding officer; (ii) address to the Commission by any interested person(s); (iii) discussion by the presiding officer and Commission members, including requests for information from City staff or any person(s) who addressed the Commission; and (iv) action by the Commission, if any is posted on the agenda relating to the hearing.
- 5 Written Communications. Interested persons, or their authorized representatives, may address the Commission by written communication in regard to any matter concerning the City's business or over which the Commission has control at any time by direct mail or by addressing the City Secretary, who shall, on the request of the writer, distribute copies to the Commission members.
- 6 Hearing of Residents. There shall be included on the agenda of each Planning and Zoning Commission meeting an item labeled "Hearing of Residents". After being recognized by the presiding officer, members of the public (giving precedence to residents of the City) may address the Commission on items on or not on the agenda at that time, providing they have completed the "Hearing of Residents" form, unless authorized by the presiding officer. The form shall be made available to persons wishing to address the Commission prior to the calling of the meeting to order and

such completed form shall be made available to the presiding officer prior to the calling of the meeting to order. The persons signed up for "Hearing of Residents" must speak during the "Hearing of Residents" portion of the meeting. Commission members and members of City staff may not discuss unposted items nor take any action thereon other than to (1) make a statement of factual information, (2) make a statement of existing City policy, or (3) discuss placing the item on a future agenda. Persons speaking shall be subject to the time limits set forth in Section E2, unless otherwise authorized by the presiding officer.

F. Motions and Meeting Procedures are as follows:

1. Motions. A Commission member, after he/she obtains the floor, or the presiding officer may make a motion on the particular subject of discussion or a procedural point as permitted. A "Second" to the motion, if required, must be made by a Commission member who did not make the motion within a reasonable but brief time period. The presiding officer may not "Second" a motion. A motion or a "Second" merely implies that the maker of the motion and the person who "Seconds" agree that the motion should come before the meeting and not that he/she necessarily favors the motion. Without a "Second", if required, the motion dies. If a motion is made to conditionally approve, deny, recommend conditional approval or recommend denial of an agenda item, the Commission member must also state the reasons for conditional approval, denial, recommend conditional approval or recommend denial, and provide a citation to the regulation, ordinance, and/or law as required by the Unified Development Code.
2. Debate. Debate, if permitted, must be limited to the merits of the issue under discussion as stated by the presiding officer.
3. Motion Procedures. There are twelve (12) types of motions in three (3) categories: Meeting Conduct Motions (4 types), Disposition Motions (7 types), and Main Motions (1 type)*. When any motion is pending, any motion listed above it on the chart below is in order; those below it are out of order.

Section 9.3 through 9.14 are included by permission of Donald A. Tortorice, The Moder Rule Order, ABA Publishing, 2nd Edition

Motion	May Interrupt Speaker	Second Required	Debatable	Amendable	Resolved by Chair No Vote	Affirmative Vote by 4 members	2/3 Vote
Meeting Conduct Motions							
point of privilege	yes	no	no	no	yes	no	no
point of procedure or order	yes	no	no	no	yes	no	no
to appeal a ruling	no	yes	yes	no	no	yes	no
to recess	no	yes	yes	yes	no	yes	no
Disposition Motions							
to withdraw	yes	no	no	no	yes	no	no
to postpone	no	yes	yes	yes	no	yes	no
to refer	no	yes	yes	yes	no	yes	no
to amend	no	yes	yes	yes	no	yes	no
to limit or close debate or "call the question"	no	yes	yes	yes	no	no	yes
to extend debate	no	yes	yes	yes	no	yes	no
to count the vote	no	yes	no	no	no**	no	no
Main Motions							
to reconsider	yes	yes	if original motion was debatable	no	no	yes	no
to rescind	no	yes	yes	yes	no	no	yes
to take action	no	yes	yes	yes	no	Yes***	no

** Mandatory if seconded; no vote required
 *** Unless not allowed

- 4 Point of Privilege. A point of privilege, sometimes called a point of personal privilege, is a communication from a Commission member to the presiding officer, drawing urgent attention to a need for personal accommodation. For example, the point may relate to an inability to see or hear, a matter of comfort, a matter of requested convenience, or an overlooked right of privilege that should have been accorded to the Commission member(s). In essence, it is a call to the presiding officer for the purpose of assuring a Commission member's convenient and appropriate participation in the meeting. Because of its urgent nature, a point of privilege can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, it cannot be debated or amended, and no vote is required.
- 5 Point of Procedure or Order. A point of procedure, sometimes called a point of order, is a question addressed to the presiding officer, no seconding is required, and either inquiring into the manner of conducting business or raising a question about the propriety of a particular procedure. It is simply an inquiry and is resolved by correction or clarification by the presiding officer. A point of procedure can interrupt a speaker. Because it is addressed to the attention of and action by the presiding officer, a second is not required, and it cannot be debated or amended, and no vote is taken.
- 6 To Appeal a Ruling. Decisions or rulings of the presiding officer are final on questions of procedure, except that any ruling by the presiding officer's ruling can be appealed to a vote of the Commission. Whenever a Commission member questions the appropriateness or essential fairness of the presiding officer, that member can appeal the ruling to a vote of the meeting. If, however, a motion is out of order as a matter of law (not a proper subject of the meeting, improper notice given, etc.), the presiding officer's ruling cannot be appealed. A motion to appeal cannot interrupt a speaker. To prevent frivolous appeals, a second is required. The motion is subject to debate (which should be brief) and, by its nature, is not amendable. To overrule a procedural decision of the presiding officer, an affirmative vote of four (4) Commission members is required.
- 7 To Recess. A motion to recess requests a brief interruption of the meeting's business, usually so that an ancillary matter can be addressed, or simply to provide a needed break. Unless stated in the motion, the period of recess is decided by the presiding officer. If necessary, a recess can extend the meeting from one day to another, subject to State law. The motion cannot interrupt a speaker, and a second is required. It is debatable, it can be amended, and an affirmative vote of four (4) Commission members is required.
- 8 To Withdraw. Only the maker of the motion can make a motion to withdraw it. It is essentially a communication to the presiding officer that the maker is withdrawing his/her proposal. This is the maker's privilege; thus, it does not require a second. Because the withdrawal motion obviates discussion, it can interrupt a speaker. In addition, because another Commission member later can make a similar motion, a withdrawal motion is not subject to debate, amendment,

or vote. The presiding officer should simply state that the motion is withdrawn, and the meeting should proceed with a new treatment of the issue at hand--or a new issue.

- 9 To Postpone or Extend. These motions may arise from a need for further information, a matter of convenience, or for any other reason that will enable the Commission to deal with the issue more effectively during the same meeting or at a later time. Unless otherwise specifically provided in the motion itself, a postponed or extension motion can be renewed at a later appropriate time during the meeting or, if properly posted, at a later meeting. This motion cannot interrupt a speaker. It requires a second, it is debatable, and it is amendable (particularly as to postponement, timing), and an affirmative vote of four (4) Commission members is required.
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- 15 Motion to Rescind. The motion to rescind is a main motion without any privilege, may only be made when there is nothing else before the Commission and must be made at the same meeting at which the subject matter of the motion was considered, and it requires a two-thirds vote of the commission members. It cannot be made if a motion to reconsider has been previously made. The motion to rescind can be applied to votes on all main motions with the following exceptions: votes cannot be rescinded after something has been done as a result of that vote that the Commission cannot undo; or, where a resignation has been acted upon, or one has been appointed to, or expelled from, a committee or office, and was present or was officially notified. In the case of expulsion, the only way to reverse the action afterwards is to restore the person to the committee or office, which requires the same preliminary steps and vote as is required for the original appointment.
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When a Commission Member has no legal obligation to abstain from voting, then an abstention shall be recorded in the minutes as an abstention and shall procedurally be treated as a “no” vote.

PLANNING AND ZONING COMMISSION MEETING: 12/13/2023
Agenda Item 8 A

TO: Planning and Zoning Commission
PREPARED BY: Emily Delgado, Planning Manager
SUBJECT: Current Projects and City Council Status Update

BACKGROUND

DEVELOPMENT INFORMATION

The following is being provided for information purposes only so that the Planning and Zoning Commission is aware of the current status of new site plan applications, status of applications heard by the Commission and recommended for final action by the City Council, and the status of administratively approved applications.

NEW SITE PLAN APPLICATIONS: There were no development applications submitted between November 7, 2023, and December 8, 2023.

CITY COUNCIL RESULTS: The following development applications were recommended for final action to the City Council:

- **Ord. 23-S-24** – Conduct a public hearing and consider rezone of approximately 2.1 acres of land from Neighborhood Services District (NS) & Planned Development District (PDD) to Planned Development District (PDD), known as Guadalupe County Parcel ID 31970, 31971, 31972, 31973, 31980, 31981, 31982, 31983, generally located northwest of the intersection between Schertz Parkway and Wiederstein Road, City of Schertz, Guadalupe County, Texas.
 - Recommended for approval at the September 27, 2023 P&Z Meeting (7-0)
 - Approved via first reading at the October 17, 2023 CC Meeting (7-0)
 - Approved via first reading at the November 14, 2023 CC Meeting.
- **Ord. 23-S-78**– Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5, Section 21.5.4 Zoning Change/Zoning Map Amendment
 - Recommended for approval, with changes at the September 27, 2023 P&Z Meeting (7-0)
 - Approved via first reading at the October 17, 2023 CC Meeting (7-0)
 - Approved via final reading at the November 14, 2023 CC Meeting.
- **Ord. 23-S-29** - Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 3 Boards, Commissions, and Committees and Article 12 Subdivisions.
 - Recommend for approval at the October 11, 2023 P&Z Meeting (6-0)
 - Approved via first reading at the November 14, 2023 CC meeting
 - Approved via final reading at the December 5, 2023 CC meeting
- **Ord. 23-S-32** – Conduct a public hearing and consider a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Guadalupe and Comal County, Texas.
 - Recommended for approval with conditions at the November 15, 2023 P&Z Meeting (6-0)
 - Scheduled for first reading at the December 19, 2023 CC Meeting
- **Ord. 23-S-33** – Conduct a public hearing and consider a request for a Specific Use Permit to allow a truck terminal on approximately 4 acres of land located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, also known as Comal Property Identification Number 464879, City of Schertz,

Comal County, Texas.

- Recommended for approval with conditions at the November 15, 2023 P&Z Meeting (6-0)
- Scheduled for first reading at the December 19, 2023 CC Meeting
- **Ord. 23-S-34** – Conduct a public hearing and consider a Specific Use Permit to allow a convenience store with gas pumps on approximately 1.61 acres of land, located at the intersection of Schaefer Road and FM 1518, also known as: 11786 Schaefer Road, City of Schertz, Bexar County, Texas.
 - Recommended for approval with conditions at the November 15, 2023 P&Z Meeting (4-2)
 - Scheduled for first reading at the December 19, 2023 CC Meeting
- **Ord. 23-S-35** - Conduct a public hearing and consider a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.
 - Recommend for approval at the November 15, 2023 P&Z Meeting (5-1)
 - Tentatively scheduled for the January 9, 2024 CC meeting

ADMINISTRATIVELY APPROVED PROJECTS:

- There were no administratively approved projects between November 7, 2023, and December 8, 2023.
-