



# CITY OF LEON VALLEY

## NOTICE OF MEETING

Planning & Zoning

**6:30 PM – December 14, 2022**

Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238

### AGENDA

#### 1. CALL TO ORDER AND ROLL CALL

#### 2. APPROVAL OF ZONING COMMISSION MINUTES

1. Planning & Zoning Commission – Regular Meeting – November 16, 2022

#### 3. NEW BUSINESS

1. To consider a request and make a recommendation on a proposed zone change from B-1 Small Business District, with Sustainability Overlay District Zoning to R-3 Multiple Family Dwelling District on a 0.854-acre tract of land located in the 7500 block of Huebner Road, between Hoofs and Evers.
2. Discussion and Action – Recommendation to fill vacant Place 2 Commissioner's Seat - Commissioners

#### 4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF

In accordance with Section 551.0415 of the Government Code, topics discussed under this item are limited to expressions of thanks, congratulations or condolence; information regarding holiday schedules; recognition of a public official, public employee or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial or community event; and announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

#### 5. ADJOURNMENT

SAUNDRA PASSAILAIGUE, TRMC  
City Secretary  
November 30, 2022 03:15 PM





**City of Leon Valley  
PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
6:30 PM – NOVEMBER 16, 2022  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238**

## 1. CALL TO ORDER AND ROLL CALL

Chair Catherine Rowse called the Planning and Zoning Commission meeting to order at 6:38 PM.

### PRESENT

Chair	Cassie Rowse	Place 5
1st Vice Chair	Edward Alonzo	Place 1
2nd Vice Chair	Erick Matta	Place 6
Commissioner	Philip Campos	Place 3
Commissioner	Pat Martinez	Place 4
Commissioner	Richard Blackmore	Place 7
2nd Alternate	Andrea Roofe	
3rd Alternate	David Perry	
Council Liaison	Benny Martinez	Council Place 1

### ABSENT

1st Alternate Kimberly Bohl - Excused

Also in attendance were Public Works Director Melinda Moritz, and Permit Technicians Elizabeth Aguilar and Melissa Nott.

## 2. APPROVAL OF ZONING COMMISSION MINUTES

### 1. Planning & Zoning Commission - Regular Meeting - October 25, 2022

Commissioner Philip Campos made a motion to approve the minutes. The motion was seconded by Commissioner Erick Matta and the motion carried unanimously.

## 3. NEW BUSINESS

### 1. Presentation, Public Hearing, and Discussion to Consider Recommending Approval of an Ordinance Authorizing a Zoning Change From B-1 Small Business District with Sustainability Overlay District Zoning to R-3 Multi-Family Dwelling District on a 0.854-acre Tract of Land Located in the 7500 Block of Huebner Road Between Hoofs and Evers.

Staff member Melinda Moritz presented Rezone Case 2022-36, a request to rezone from B-1 Small Business District to R-3 Multi-Family District. A discussion was held on

what was allowed in each zoning district, the previous rezoning history, the use of the property, and the potential impact to the community and the environment.

Commissioner Richard Blackmore motioned to table the case to the next meeting, as the applicant was not present, and he had further questions for the applicant. The motion was seconded by 1st Vice Chair Edward Alonzo.

Voting Yea: Chair Rowse, and Commissioners Martinez, Blackmore, and Alonzo  
Voting Nay: 2nd Vice Chair Matta and Commissioner Campos

#### **4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF**

Chair Catherine Rowse wished everyone a Happy Thanksgiving.

Staff member Moritz informed the Commissioners that they would need make a recommendation for filling the newly vacated seat on the Commission and that this item would be placed on the next agenda.

#### **5. ADJOURNMENT**

Chair Catherine Rowse announced the meeting adjourned at 7:09 PM.

**These minutes approved by the Leon Valley Planning & Zoning Commission on the 14th of December 2022.**

APPROVED

\_\_\_\_\_  
CATHERINE ROWSE  
CHAIR

ATTEST: \_\_\_\_\_  
**ELIZABETH AGUILAR**  
PERMIT TECHNICIAN

## PLANNING AND ZONING COMMISSION STAFF REPORT

**DATE:** December 14, 2022

**TO:** Planning and Zoning Commission

**FROM:** Mindy Teague, Planning and Zoning Director

**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** To consider a request and make a recommendation of an Ordinance authorizing a zoning change from B-1 Small Business District, with SO, Sustainability Overlay District Zoning to R-3 Multi-Family Dwelling District of a 0.854-acre tract of land located in the 7500 block of Huebner Road between Hoofs and Evers.

### **PURPOSE**

A rezoning request has been received to rezone approximately 0.854 acres of land from B-1, with Sustainability Overlay District to R-3 Multiple Family Dwelling District. The parcel is located in the 7500 block of Huebner Road, between Hoofs and Evers Road and is a part of Lot 7, CB 4445L, Dirt V-Murchison-Huebner Subdivision.

### **History**

- 1985 – 6.8 acres rezoned from R-1 Single Family to B-1 Small Business
- 1991 – a request is denied to rezone 12.86 acres from B-1 Small Business to B-2 Retail
- 2013 - 1.709 acres of the lot is rezoned from B-1 Small Business with Sustainability Overlay to B-2 Retail with Sustainability Overlay
- 2017 – a request is denied to rezone this portion of the lot from B-1 with Sustainability Overlay to B-2 Retail with Sustainability Overlay

### **Surrounding Zoning**

- North - developed R-1 Single Family
- South – developed R-1 Single Family
- East – developed R-1 Single Family Dwelling
- West – developed R-6 Garden Home (Pavona Place) and developed and undeveloped B-2 Retail with Sustainability Overlay (vacant parcel, Silo Park, Church, DPS Office)

### **Master Plan**

Section 7N Canterfield Area addresses this area noting that any undeveloped land in this area should be considered for rezoning to R-1 Single Family, R-4 Townhouse, R-6 Garden House, R-7 Single Family Medium Density, and MX-1 Mixed Use zoning

The Pavona Place Section notes that this area includes several large vacant tracts with potential for increased residential development. It further states that the area also includes existing vacant areas currently zoned B-1 (Small Business) and B-2 (Retail) that are encouraged to be rezoned as R-1 (Single-Family), R-3A (Multiple-Family Retirement), or R-6 (Garden Home) and encourages any proposed commercial development to exceed open/green space requirements.

## **Zoning Regulations**

The R-3 district is composed of areas containing multiple-family dwellings. The district regulations are designed to protect the residential character of the area by prohibiting commercial and industrial activities and manufactured homes; encourage a suitable neighborhood environment; prevent overcrowding of the land by requiring certain minimum yard and other open spaces for all buildings; avoid excessive population density by requiring a certain minimum building site area for each building unit; and provide a buffer between retail and single-family dwelling areas.

The R-3 district implements the following policies of the master plan:

- Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.
- Encourage connectivity throughout the city.

Lot regulations:

- Area. Not less than 10,400 square feet for the first three (3) units and 1,200 square feet for each additional unit.
- Depth. Minimum of 120 feet.
- Floor space. Minimum of 600 square feet.
- Frontage. A minimum frontage of 95 feet is required along a public right-of-way.
- Height. A maximum of three stories is allowed in the R-3 district.
- Density. None.

Setback requirements:

- Front yard. There shall be a front yard having a minimum of 20 feet from the property line to the building structure.
- Rear yard. There shall be a rear yard having a minimum of 25 feet from the structure to the rear property line.
- Side yard. There shall be a side yard having a minimum of ten (10) feet from the structure to the side property line.
- Building distance. The required space between buildings is fifteen (15) feet. (d) Other.

Landscaping:

A total of 35% of the total overall area must be landscaped and not less than five percent (5%) of the R-3 area shall be covered by plantings and amenities other than sod, subject to the approval of the city. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended.

#### Lighting:

All outdoor lighting shall be hooded and all light emissions shielded and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40% of the distance from the front property line to the main structure.

#### Masonry required:

Multiple-family dwellings shall be constructed of masonry or similar noncombustible materials to the extent of not less than seventy-five (75) percent of overall exterior walls.

#### Parking:

A minimum of one (1) space for each one-bedroom unit, two (2) spaces for each two-bedroom unit and one (1) space for each additional unit shall be provided.

#### Storage:

Outside storage is not allowed in the R-3 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. Items to be stored must be completely contained in either the apartment units, garages or accessory buildings.

#### Notification

Sixteen (16) letters were sent to surrounding property owners. As of this writing , Staff has not received any letters either in favor or in opposition, and none have been returned undeliverable.

#### **SEE LEON VALLEY**

*Social Equity* - Approval of this request would allow for the development of the property for multiple-family use, which would be consistent and compatible with existing surrounding uses.

*Economic Development* – The development of this property would increase the city's ad valorem and sales tax revenues.

*Environmental Stewardship* – Any structures built on this parcel would be required to conform to the 2021 International Energy Code.

**FISCAL IMPACT:**

This zone change may produce additional ad-valorem revenue on this property

**STRATEGIC GOALS**

Goal # 1 - Economic Development · Objective F – Promote Leon Valley

**RECOMMENDATION**

After careful review, Staff has no objection to this request.

# Rezoning Request PZ-2022-36 0 Huebner Road

Melinda Moritz  
Public Works Director  
Planning and Zoning Meeting  
December 14, 2022



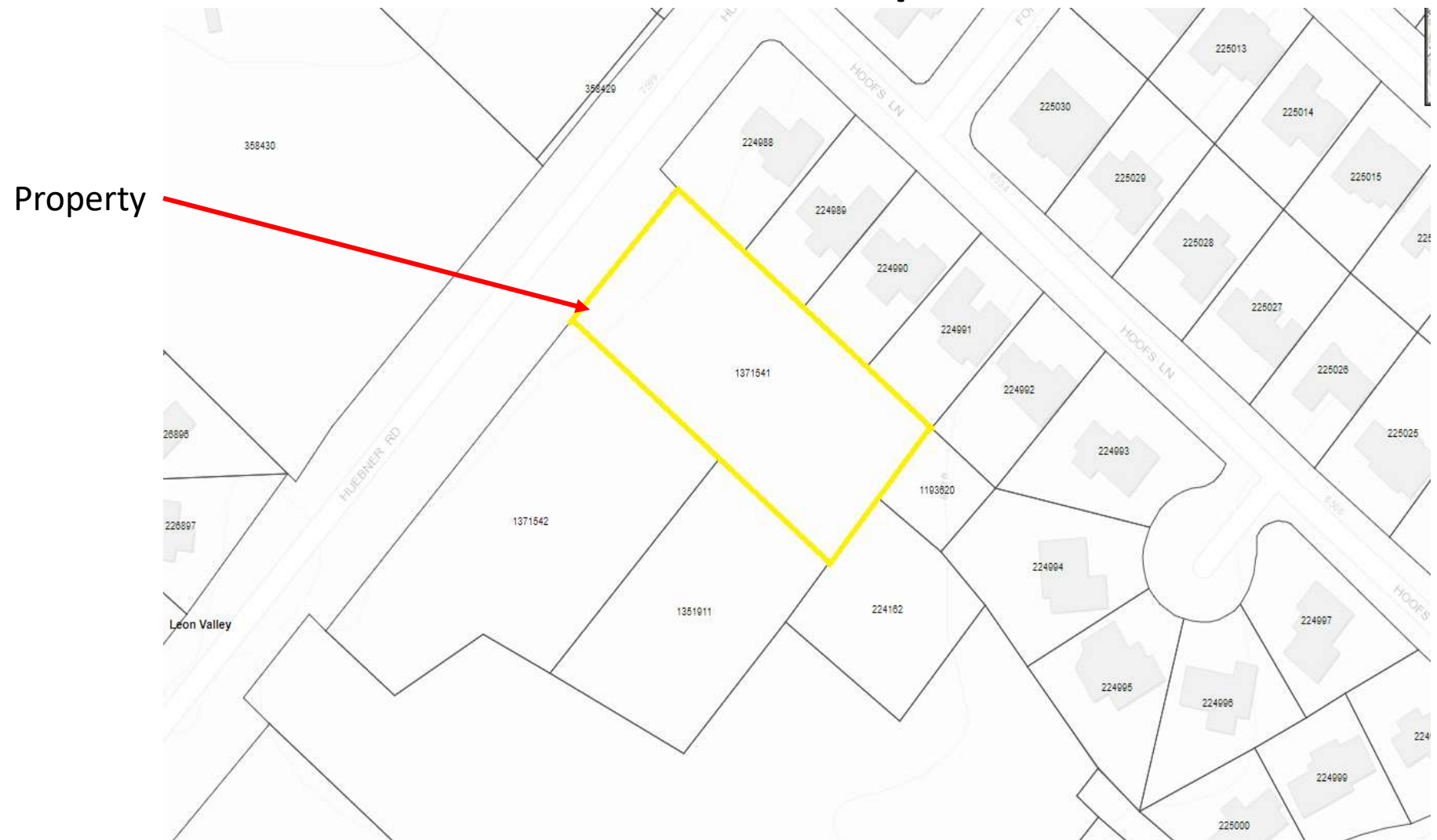
# Summary

- Question
  - The Commission is being asked to consider a recommendation of an Ordinance authorizing a zoning change from B-1 Small Business with Sustainability Overlay (SO) District to R-3 Multiple Family Dwelling District on an approximately 0.854-acre tract of land, being the north 133.20 feet of Lot 7, CB 4445L, Dirt V-Murchison-Huebner Subdivision
  - Located on Huebner Road between Hoofs and Evers Road, adjacent to the silos
- Options
  1. Approval as requested
  2. Approve R-3 with SO requirement
  3. Denial

# Request

- To rezone approximately 0.854 acres of land out of Lot 7 CB 4445L, Dirt V–Murchison-Huebner Subdivision
- From B-1 Small Business with SO to R-3 Multiple Family Dwelling zoning, with no SO
- Tract is located in the 7500 block of Huebner Road (adjacent to the silos) and is currently not properly platted

# BCAD Map





# Aerial View



# History

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and developed and undeveloped B-2 Retail with  
Sustainability Overlay
  - vacant parcel, Silo Park, Church, DPS Office



# Zoning Map



# B-1 Uses vs R-3 Uses

- B-1
  - Antique store
  - Beauty shop
  - Church
  - Clinic, medical or dental
  - Drugstore
  - Dry cleaning
  - Entertainment – indoor/outdoor
  - Grocery store
  - Hobby store
  - **Inn**
  - Office
  - **Townhouse, loft, live-work**
  - Restaurant
  - Salon
  - Studio for fine arts
- R-3
  - Apartments



# Master Plan

- Canterfield Area addresses this area noting that undeveloped land in this area should be considered for rezoning to R-1 Single Family, R-4 Townhouse, R-6 Garden House, R-7 Single Family Medium Density, and MX-1 Mixed Use zoning
- Pavona Place notes that this area includes several large vacant tracts with potential for increased residential development.
- It further states that the area also includes existing vacant areas currently zoned B-1 (Small Business) and B-2 (Retail) that are encouraged to be rezoned as R-1 (Single-Family), R-3A (Multiple-Family Retirement), or R-6 (Garden Home)
- It is also encouraged that any proposed commercial development exceeds open/green space requirements

*Item 2.*



# Notification Process

- 16 Letters Sent
- 0 In Favor
- 1 In Opposition
- 0 Undeliverable

# Fiscal Impact

- The approval of this zone change request will produce additional ad-valorem revenue on this property

# Recommendation

- After careful review, Staff recommends approving the request, but adding the Sustainability Overlay District
  - This revision will limit the height of any structures to 45 feet or 2 ½ stories, as the buildings will be within 100 feet of a residential district (Hoofs Lane)
- Applicant has no objection to this change

# S.E.E. Statement

Social Equity: Approval of this request would allow for the development of the property for multiple-family use, which would be consistent and compatible with existing surrounding uses.

Economic Development: Tenants in a multiple family zoning district would likely shop locally and generate more sales tax revenue

Environmental Stewardship: Any structures built on this property would have to conform to the 2021 International Energy Code