



**CITY OF LEON VALLEY**  
**PLANNING & ZONING COMMISSION**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, July 23, 2024 at 6:30 PM

**AGENDA**

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**1. CALL TO ORDER AND ROLL CALL**

**2. APPROVAL OF ZONING COMMISSION MINUTES**

1. Planning & Zoning Commission - Regular Meeting - June 25, 2024

**3. NEW BUSINESS**

1. Discussion and Recommendation to Fill the Vacant Seat for Commissioner 7 in Accordance with Chapter 15 Zoning, Article 15.02, Division 13 Organization and Enforcement, Sec. 15.02.721 (f) (1) of the Leon Valley Code of Ordinances - M. Teague, Planning and Zoning Director
2. Presentation, **Public Hearing**, and Possible Action to Approve a Replat of Lots 8 & 9, Block A, CB 4446 A, Linkwood Addition Subdivision, Being a 0.3444 Acre Tract of Land, Located at 7125 and 7129 Bandera Road - M. Teague, Planning and Zoning Director
3. Presentation, Public Hearing, and Discussion to Consider a Recommendation on a Request for a Specific Use Permit (SUP) on an approximately 0.3444 Acre Tract of Vacant Land, Located at 7125 and 7129 Bandera Road, Being lots 8 and 9, Block A, Linkwood Addition Subdivision, for the Construction of an Office Building- M. Teague, Director of Planning and Zoning
4. Presentation, Discussion, and Public Hearing, to Consider Recommending Approval of a Request to Rezone Approximately 32-Acres of Land From R-1 (Single Family Dwelling) and RE-1 (Residential Estate) Zoning Districts to a Planned Development District (PDD) with R-6 (Garden Home) District Base Zoning, on a 19.614 Acre Tract, Being Lots 1 and 2, Block 1, CB 4430 Grass Hill Estates Subdivision and an Unplatted 11.37 Acre Tract, Being Parcel 13, Abstract 432, CB 4430, Located in the 6500 Block of Samaritan and a Portion Surrounded by Aids, Samaritan, Grass Hill, and William Rancher Streets, Leon Valley, Texas, Being a Total of Approximately 30.984-Acres - M. Teague, Planning and Zoning Director
5. Discussion and Possible Recommendation to Amend the Leon Valley City Code of Ordinances, Chapter 15 Zoning, Article 15.02 Zoning, Division 6. Districts, Boundaries, and Use Regulations, Sec 15.02.327 - "PDD" Planned Development District - M. Teague, Planning and Zoning Director

**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**

**Executive Session.** The Planning & Zoning Commission of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as

authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

**Sec. 551.0411. MEETING NOTICE REQUIREMENTS IN CERTAIN CIRCUMSTANCES:** (a) Section does not require a governmental body that recesses an open meeting to the following regular business day to post notice of the continued meeting if the action is taken in good faith and not to circumvent this chapter. If an open meeting is continued to the following regular business day and, on that following day, the governmental body continues the meeting to another day, the governmental body must give written notice as required by this subchapter of the meeting continued to that other day.

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other City boards, commissions and/or committees may attend the open meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These members of other City boards, commissions, and/or committees may not deliberate or act on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above **NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL** was posted at the Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at . This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To plan, call (210) 684-1391, Extension 216

SAUNDRA PASSAILAIGUE, TRMC  
City Secretary  
JULY 18, 2024 4:30 PM





**City of Leon Valley  
PLANNING AND ZONING COMMISSION  
MEETING MINUTES**

**6:30 PM – JUNE 25, 2023**

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

**1. CALL TO ORDER AND ROLL CALL**

Chair Erick Matta called the Planning and Zoning Commission meeting to order at 6:30 PM.

**PRESENT**

Commissioner	David Perry	Place 1
2nd Vice Chair	Andrea Roofe	Place 2
Commissioner	Hilda Gomez	Place 3
Commissioner	Pat Martinez	Place 4
1 <sup>st</sup> Vice Chair	Mary Ruth Fernandez	Place 5
Chair	Erick Matta	Place 6
Commissioner	Richard Blackmore	Place 7
1st Alternate	Cynthia Koger	
Council Liaison	Benny Martinez	

**ABSENT**

2nd Alternate	Abraham Diaz	Excused
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Also in attendance were Economic Development Director Roque Salinas, Public Works Director Melinda Moritz, Planning and Zoning Director Mindy Teague, City Council Members Rey Orozco, Betty Heyl, and William Bradshaw, City Manager Dr. Crystal Caldera, and Permit Technician Elizabeth Aguilar.

**2. APPROVAL OF ZONING COMMISSION MINUTES**

1. Planning & Zoning Commission - Regular Meeting - May 28, 2024

Commissioner Fernandez made a motion to approve the minutes as presented, which was seconded by Commissioner Blackmore. The motion carried unanimously.

**3. NEW BUSINESS**

1. Discussion and Action - Election of Chair, Vice-Chair, and Second Vice-Chair, in Accordance with Chapter 15 Zoning, Article 15.02, Division 13 Organization and Enforcement, Sec. 15.02.721 (f) (1) of the Leon Valley Code of Ordinances - R. Salinas, Economic Development Director

Commissioner Roofe made a motion to elect Erick Matta as the Chair, which was seconded by Commissioner Martinez. Erick Matta asked for a roll vote:

Voting Yea: 1<sup>st</sup> Alternate Koger, Commissioners Perry, Matta, Roofe and Martinez

Voting Nay: Commissioners Fernandez, Gomez, and Blackmore

Erick Matta announced the motion passed.

Commissioner Blackmore made a motion to elect Commissioner Fernandez as 1<sup>st</sup> Vice-Chair, which was seconded by Commissioner Gomez.

Voting Yea: 1<sup>st</sup> Alternate Koger, Commissioners Perry, Roofe, Martinez, Fernandez, Gomez, and Blackmore

Voting Nay: Chair Matta

Erick Matta announced the motion passed.

Chair Matta made a motion to elect Commissioner Roofe as 2<sup>nd</sup> Vice-Chair, which was seconded by Commissioner Martinez. The motion passed unanimously.

2. Presentation, Public Hearing, Discussion, and Possible Recommendation to Consider a Request for a Specific Use Permit (SUP) on an Approximately 2.75 Acre Tract of Vacant Land, Located in the 5300 Block of Wurzbach Road, Being Lots 5, 24, and 25, Block 4, CB 9904, Rollingwood Ridge Subdivision, and Zoned B-3 Commercial with Commercial/Industrial Overlay Zoning, for the Construction of a "Church and Learning Center" - R. Salinas, Economic Development Director

Economic Development Director Roque Salinas presented the case information.

Chair Matta opened the public hearing at 6:45 PM. Seeing that no one wished to speak, he closed the public hearing at 6:45 PM.

2<sup>nd</sup> Vice-Chair Roofe made a motion to accept the case as presented, which was seconded by 1<sup>st</sup> Vice-Chair Fernandez. The motion carried unanimously.

Voting Yea: Chair Matta, 1<sup>st</sup> Vice-Chair Fernandez, 2<sup>nd</sup> Vice-Chair Roofe, Commissioners Perry, Gomez, Martinez, Blackmore, 1<sup>st</sup> Alternate Koger

Voting Nay: None

3. Presentation, Public Hearing, Discussion, and Possible Recommendation, to Consider a Request for a Zone Change from B-3 Commercial with the Sustainability Overlay District to B-3 Commercial Zoning District on an Approximately 1.05 Acre Tract of Vacant Land, Located in the 6400 Block of Grissom Road, Being Lot 73, CB 5784 Leon Valley Addition Glass Service Subdivision. - R. Salinas, Economic Development Director

Economic Development Director Roque Salinas presented the case information.

Chair Erick Matta opened the public hearing at 6:50 PM. Seeing that no one wished to speak, he closed the public hearing at 6:51 PM.

2<sup>nd</sup> Vice-Chair Roofe made a motion to accept the case as presented, which was seconded by Commissioner Gomez. The motion carried unanimously.

Voting Yea: Chair Matta, 1<sup>st</sup> Vice-Chair Fernandez, 2<sup>nd</sup> Vice-Chair Roofe, Commissioners Perry, Martinez, Blackmore, and 1<sup>st</sup> Alternate Koger

Voting Nay: None

4. Presentation, Public Hearing, Discussion and Recommendation, to Consider a Request for a Zone Change From R-1 (Single Family Dwelling) District with Sustainability Overlay to B-3 (Commercial) Zoning District, on an Approximately 0.4028-Acre Tract of Vacant Land, Located at 7704 and 7708 Eckhert Road, Being Lots 13 and 14, Block 1, CB 4446A, Linkwood Addition Subdivision - R. Salinas, Economic Development Director

Economic Development Director Roque Salinas presented the case information, and a brief discussion was held regarding noise levels, mechanical work, hours of operation, why the applicant chose this location for the business, concerns for future use of property if they decide to sell, spot zoning, legal aspects, and the difference between B-2 Retail zoning and B-3 zoning.

Chair Erick Matta opened the public hearing at 6:55 PM. Seeing that no one wished to speak, he closed the public hearing at 6:55 PM.

Chair Matta made a motion to recommend denial of the case presented, which was seconded by 2<sup>nd</sup> Vice-Chair Roofe.

Voting Yea: Chair Matta, 1<sup>st</sup> Vice-Chair Fernandez, 2<sup>nd</sup> Vice-Chair Roofe, Commissioners Perry, Gomez and Martinez, and 1<sup>st</sup> Alternate Koger

Voting Nay: Commissioner Blackmore

5. Project No. PZ-2024-14 - Presentation, Discussion, and Public Hearing, to Gain Preliminary Feedback on a Request to Rezone Approximately 32-Acres of Land From R-1 (Single Family Dwelling) and RE-1 (Residential Estate) Zoning Districts to a Planned Development District (PDD) with R-6 (Garden Home) District Base Zoning, on a 19.614 Acre Tract, Being Lots 1 and 2, Block 1, CB 4430 Grass Hill Estates Subdivision and an Unplatted 11.37 Acre Tract, Being Parcel 13, Abstract 432, CB 4430, Located in the 6500 Block of Samaritan and a Portion Surrounded by Aids, Samaritan, Grass Hill, and William Rancher Streets, Leon Valley, Texas, Being a Total of Approximately 30.984-Acres - M. Moritz, Public Works Director

Public Works Director Melinda Moritz presented the case information and Applicant Mr. Samir Chehade gave his presentation, and a discussion was held between the Commissioners, Public Works Director Melinda Moritz and Mr. Samir Chehade regarding lot size, amending the plans, storm water management plan, detention pond, variances, code requirements, parkway, lights, police, fire, taxes, schools.

Chair Erick Matta opened the public hearing at 7:43 PM.

Residents from the area spoke, noting their concerns regarding density, traffic, Aids Drive, trees, foundations, flooding, Master Plan, congestion, bike paths and benefits for the City.

The following spoke in opposition: Amandine Grenier, Thomas Benavides, Linda Barker, Monica Alcocer, Richard Reyes, Sharon Hendricks, Albert Alcocer, Mark Faris and Russell Hernandez

The following residents spoke in favor: Tina Chasen

Chair Erick Matta closed the public hearing at 8:11 PM. As this was presented to gather feedback, no action was taken.

- 6. Discussion and Possible Recommendation to Amend the Leon Valley City Code of Ordinances, Chapter 15 Zoning, Article 15.02 Zoning, Division 6. Districts, Boundaries, and Use Regulations, Sec 15.02.327 - "PDD" Planned Development District - M. Moritz, Public Works Director

1<sup>st</sup> Vice-Chair Fernandez made a motion to table the item to the next meeting to allow Commissioners to review the material. The motion was seconded by 2<sup>nd</sup> Vice-Chair Roofo, and it carried unanimously.

Voting Yea: Chair Matta, 1<sup>st</sup> Vice-Chair Fernandez, 2<sup>nd</sup> Vice-Chair Roofo, Commissioners Perry, Gomez, Martinez, Blackmore, and 1<sup>st</sup> Alternate Koger

Voting Nay: None

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

Blackmore asked that the City Council Members that were present for the meeting be recognized in the minutes.

**5. ADJOURNMENT**

Chair Erick Matta announced the meeting adjourned at 8:24 PM.

*These minutes were approved by the Leon Valley Planning & Zoning Commission on the 23<sup>rd</sup> of July 2024.*

APPROVED

\_\_\_\_\_  
**ERICK MATTA**  
CHAIR

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

**PLANNING AND ZONING COMMISSION COMMUNICATION**

**DATE:** July 23, 2024  
**TO:** Planning and Zoning Commission  
**FROM:** Mindy Teague, Planning & Zoning Director  
**THROUGH:** Crystal Caldera, Ph.D., City Manager

**SUBJECT:** Presentation, Public Hearing, and Possible Action to Approve a Replat of Lots 8 & 9, Block 2, CB 4446 A, Linkwood Subdivision, Being a 0.3444 Acre Tract of Land Located at 7125 and 7129 Bandra Road

**PURPOSE:**

To consider approval of a plat of Lots 8 & 9, Block A, CB 4446, Linkwood Addition Subdivision, being a 0.3444 tract of vacant land located at 7125 & 7129 Bandera Road.

The property owner is proposing to construct an office building. The owner is not requesting any variances. Per the City Engineer, the plat meets all requirements of city code.

**NOTIFICATION**

Eighteen (18) letters were sent to surrounding property owners.  
0 - Opposed  
0 – In Favor  
0 – Undeliverable

**FISCAL IMPACT:**

The applicant has paid all fees associated with this project.

**RECOMMENDATION**

Staff and the City Engineer recommend approval of this replat.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Mindy Teague, Planning and Zoning Director



# Request for a Replat Approval 7125 & 7129 Bandera Linkwood Addition Subdivision

Mindy Teague

Planning and Zoning Director

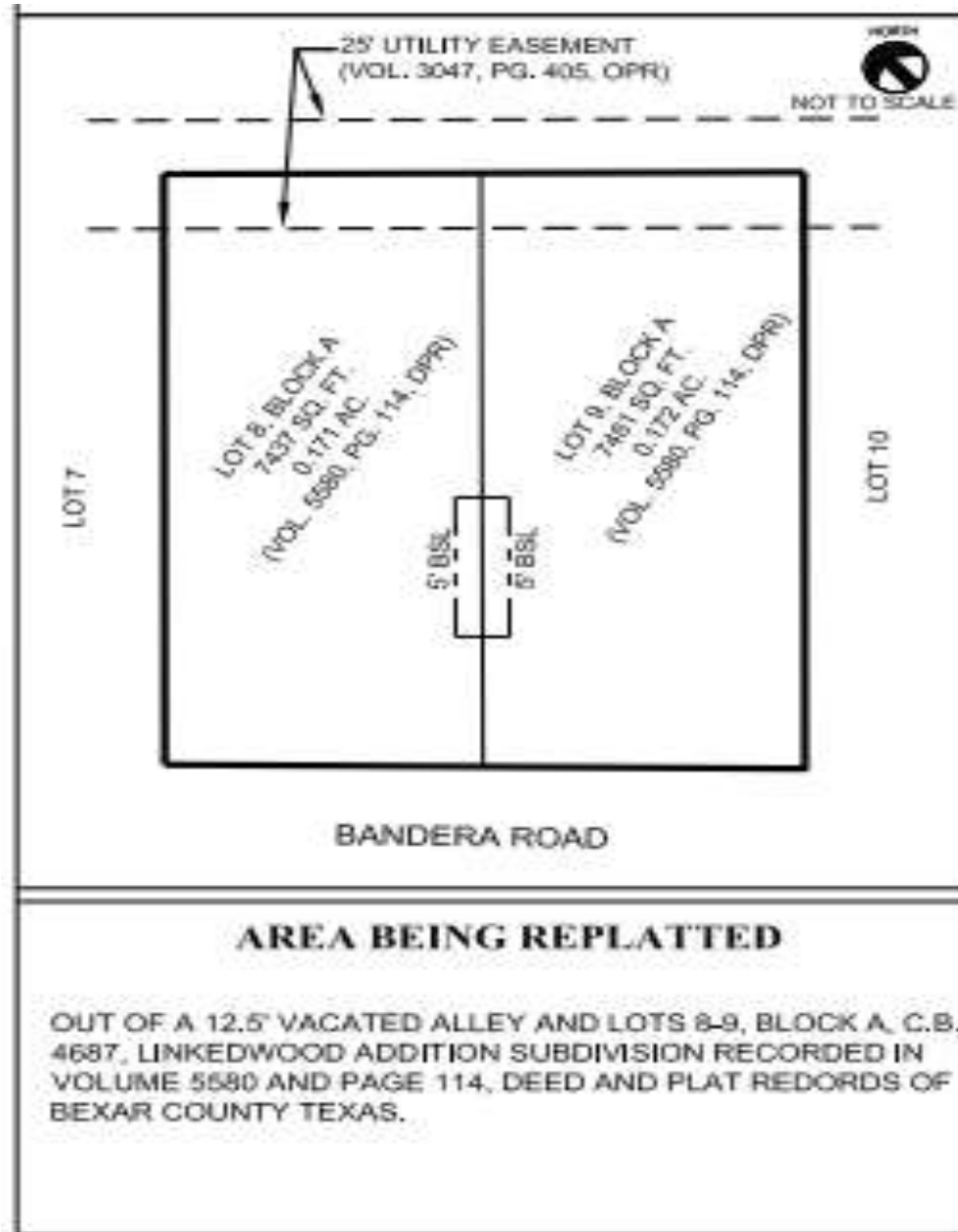
Planning and Zoning Commission Meeting

July 23, 2024

# Background

- The owner is proposing to construct a 4-unit Multi-tenant office building
- The owner is not requesting any variances at this time
- Per the City Engineer, the plat met all requirements of city code.

7125 & 7129  
Bandera Rd.



Item 2.

# 7125 & 7129 Bandera Rd



# Fiscal Impact

- The owner has paid all fees associated with the replat

# Notification

- Letters sent 18 letters
- In favor 0
- Opposed 0
- Returned 0

# Recommendation

- Staff and the City Engineer recommend approval of this replat

## PLANNING AND ZONING COMMISSION COMMUNICATION

**DATE:** July 23, 2024

**TO:** Planning and Zoning Commission

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

**THROUGH:** Crystal Caldera, Ph.D., City Manager

**SUBJECT:** Presentation, Public Hearing, and Possible Action to Recommend Approval of a Request for a Specific Use Permit (SUP) at Lots 8 & 9, Block A, CB 4446 A, Linkwood Addition Subdivision, Being a 0.3444 Acre Tract of Land, Located at 7125 and 7129 Bandera Road

### PURPOSE:

To consider recommending approval of a Specific Use Permit at Lots 8 & 9, Block A, CB 4446A, Linkwood Addition Subdivision, being a 0.3444 tract of vacant land located at 7125 & 7129 Bandra Road.

The property owner is proposing to construct a four-unit office building. Per the City Engineer, the Specific Use Permit (SUP), meets all requirements of the zoning code for parking, lighting, and landscaping. The applicant has submitted a Traffic Impact Analysis which indicates less than 100 peak hour trips for this use.

### HISTORY

The Linkwood Addition subdivision was platted in 1956 and the property was rezoned from R-1 Single Family Dwelling to B-2 Retail in 1978 in a city-initiated zoning case for this entire block. The property was approved for a Specific Use Permit (SUP) in 2020 with this same site plan; however the permit has expired. The owner will be required to replat the property prior to building.

### NOTIFICATION

Eighteen (18) letters were sent to surrounding property owners.

0 - Opposed

0 – In Favor

0 – Undeliverable

### FISCAL IMPACT:

The applicant has paid all fees associated with this project. The development of this property will increase ad valorem taxes.



**RECOMMENDATION**

Staff and the City Engineer recommend approval of this SUP.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

\_\_\_\_\_  
Mindy Teague, Planning and Zoning Director

# Request for a Specific Use Permit Approval 7125 & 7129 Bandera Linkwood Subdivision

Mindy Teague

Planning and Zoning Director

Planning and Zoning Commission Meeting

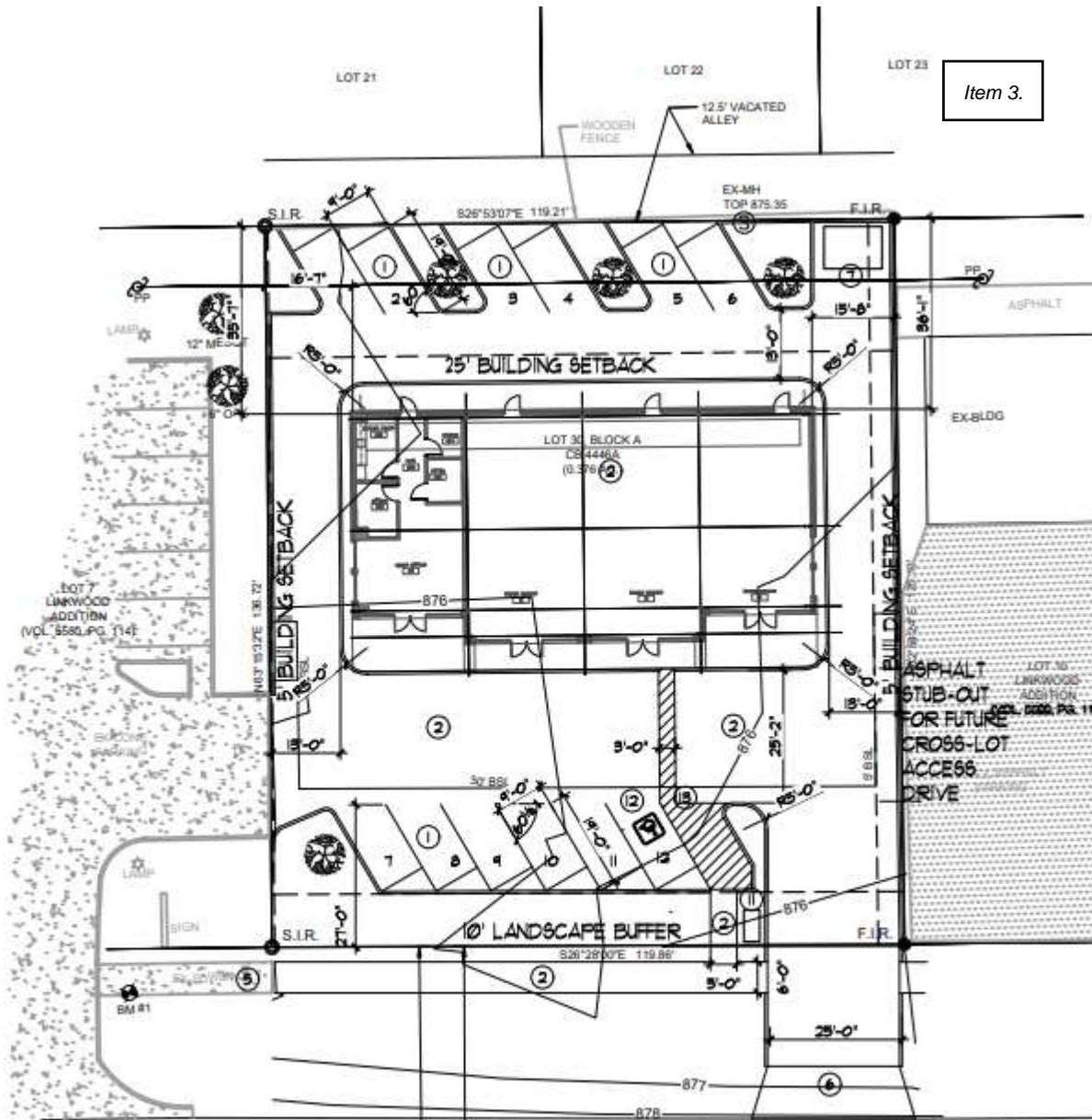
July 23, 2024

# Background

- The owner is proposing to construct a 4-unit multi-tenant office building
  - He intends to use one office as an insurance agency
- Per the City Engineer, set-backs, drainage, landscaping, trash, and parking requirements meet Leon Valley code requirements
- The property was rezoned from R-1 to B-2 in 1978 and property was approved for a SUP for this same use in 2020; however, the permit expired
- The property owner will be required to replat the property prior to building

# Site Plan 7125 & 7129 Bandera Rd.

Item 3.



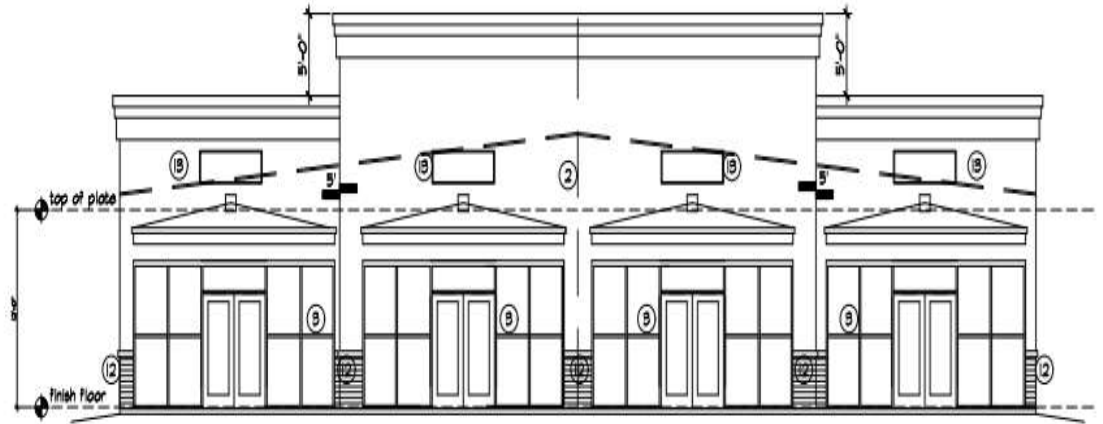
01

new work site plan

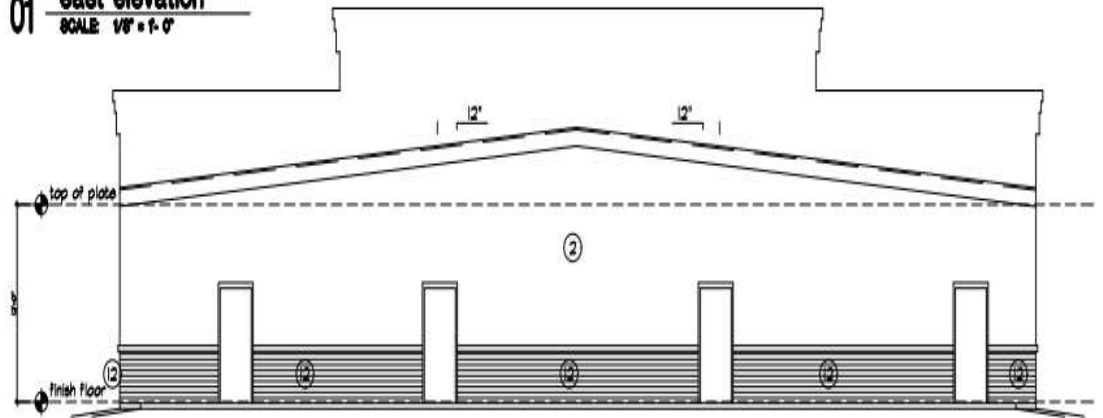
SCALE: 1" = 30'-0"



# Building Elevations 7125 & 7129 Bandera Rd.



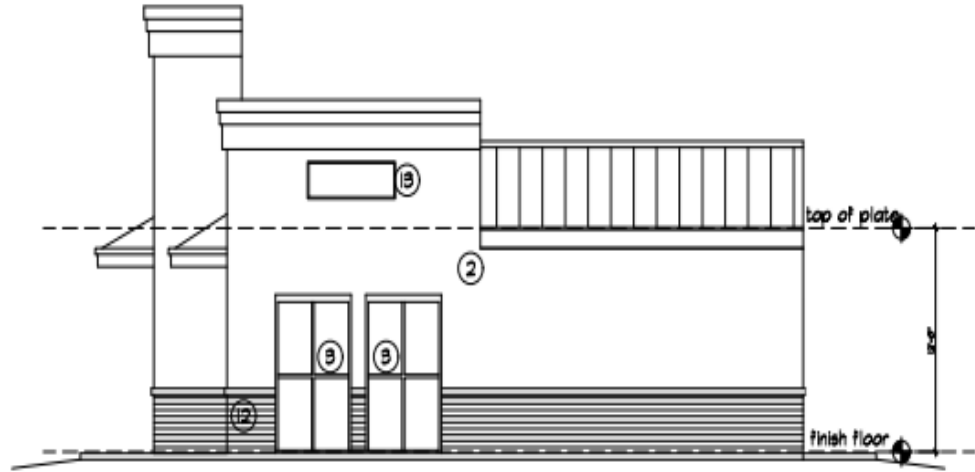
01 east elevation  
SCALE: 1/8" = 1'-0"



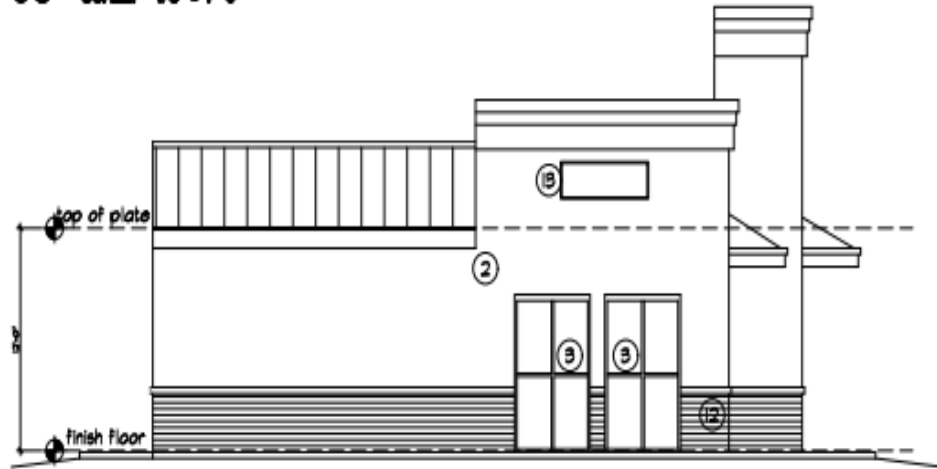
02 west elevation  
SCALE: 1/8" = 1'-0"



Building  
Elevations  
7125 & 7129  
Bandera Rd.



**03** north elevation  
SCALE: 1/8" = 1'-0"



**04** south elevation  
SCALE: 1/8" = 1'-0"

# Aerial View 7125 & 7129 Bandera Rd



# MASTER PLAN

7125 & 7129  
Bandera Rd

## LINKWOOD ADDITION

- Property consolidation of Blocks A and B is encouraged for development of B-2 (Retail) properties
- All non-residential zoning in this area shall orient and be accessible only from Bandera Road
- It is recommended that the lots fronting Bandera Road in Blocks A and B should remain B-2 (Retail); lots fronting Linkcrest Drive in Blocks A and B should remain B-2 (retail) or be rezoned to R-1 (Single-Family) or R-2 (duplex)
- It is also recommended that the Zoning Board of Adjustment consider allowing variances to the requirement for rear yard setbacks on any lot or lots, fronting Bandera Road, if warranted



# Fiscal Impact

- The owner has paid all fees associated with the specific use permit
- The construction of an office building will increase ad valorem taxes

# Recommendation

- Staff and the City Engineer recommend approval of this specific use permit

## PLANNING AND ZONING COMMISSION COMMUNICATION

**DATE:** July 23, 2024

**TO:** Planning and Zoning Commission

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

**THROUGH:** Dr. Crystal Caldera, Ph.D., City Manager

**SPONSOR(S):** N/A

**SUBJECT:** Project No. PZ-2024-14 - Presentation, Discussion, and Public Hearing, to Recommend Approval to Rezone Approximately 32-Acres of Land From R-1 (Single Family Dwelling) and RE-1 (Residential Estate) Zoning Districts to a Planned Development District (PDD) with R-6 (Garden Home) District Base Zoning, on a 19.614 Acre Tract, Being Lots 1 and 2, Block 1, CB 4430 Grass Hill Estates Subdivision and an Unplatted 11.37 Acre Tract, Being Parcel 13, Abstract 432, CB 4430, Located in the 6500 Block of Samaritan and a Portion Surrounded by Aids, Samaritan, Grass Hill, and William Rancher Streets, Leon Valley, Texas, Being a Total of Approximately 30.984-Acres

### PURPOSE

The purpose of this item is to recommend approval from the Planning and Zoning Commission on a request for rezoning approximately 31 acres of land from R-1 and RE-1 to a PDD with R-6 based zoning district. The development would have a total of 205 single family homes.

This PDD allows for flexible planning to:

1. Comply with the City Council's specific request and preference for a PDD across the Seneca West area properties.
3. Site Planning to allow for realistic future links to the adjacent properties for a potentially optimized Master Site Plan for the Seneca West properties.

### **History**

- 1971 – Area was annexed
- 1984 – Request to rezone existing Good Samaritan Nursing Home property from R-1 to B-2 (Retail) – request denied
- 1985 – Request to rezone 44 ac. from R-1 to R-6 – request denied
- 2007 – Request to rezone 68.569 acres from R-1 to R-7 (Single-Family Medium Density) – request denied
- 2007 – Residents of Seneca West petition to amend City Master Plan to remove recommendation of R-6 to only R-1 – petition approved

- 2010- Request to rezone approximately 65.704 acres from R-1 to R-6 – request denied
- 2011- The City Manager presented a TIF – proposal denied

**Variances**

Lots:

The applicant is requesting various lot widths and areas as follows:

Permitted modifications to Sec. 15.02.312 (R-6 Garden House District Zoning Ordinance) as per table below:

<b>Paragraph</b>	<b>Section 15.02.312 - R-6 Single Family Dwelling – Zoning Ordinances</b>	<b>Current R-6 Standard</b>	<b>Requested Modifications</b>
b.2	Minimum Area of Each lot	4500 SQFT	3000 SQFT
b.3	Minimum Depth	100 ft	100 ft
b.4	Minimum Floor Space	1,800 SQFT	1,350 SQFT
b.5	Minimum Frontage	45'	30'
b.6	Maximum Height	2-1/2 stories	2-1/2 stories
c.2	Minimum Rear yard setback	15 ft	10 ft
c.3	Minimum Side yard setback	5 ft	0 ft
c.3	Minimum distance between the outside walls of adjacent structures	10' ft	5 ft
c.5	Minimum Side yard setback (Corner Lot)	20 ft	5 ft

Number c.3 should have referred to c.4 Zero lot line homes – if zero lot line then the space between the lot line and the wall of the home on the adjacent lot will be no less than 5 feet.

- 144 lots would have a 30’ width and a minimum area of 3,000 square feet. Some of these lots will have an area of 3,375 square feet. These lots would be situated on the unplatted parcel behind Samaritan and Aids Drive (see Master Site Plan).
- 44 lots would have a 40’ width and a minimum area of 4,500 square feet. These lots would border Samaritan Drive (see Master Site Plan).
- 15 lots will have a 60’ width and a minimum area of 6750 square feet. These lots would be east of the drainage channel on Grass Hill Estates Lot 1, bordering William Rancher and Aids Drive (see Master Site Plan).

Streets:

Permitted Modifications to 10.02.251 (Applicable standards and specifications)

Paragraph	Section 10.02.251 – Applicable Standards	Current Standard	Requested Modifications
L.iv	Minor or Private Street <i>Minimum Right Of Way</i>	50 ft	48 ft
L.iv	Minor or Private Street <i>Minimum Pavement Width</i>	30 ft	30 ft

Tree Variance:

While the lots will have the required percentage of overall landscaping, the applicant intends to clear the properties and then mitigate by the planting of 2-1.5” diameter trees per lot (410 trees). They will also be paying fees in lieu of planting trees and constructing bike lanes, a hiking trail, and parkland.

Tree Inventory Summary

Size	# Healthy	# Exempt
Medium:	103	6
Large:	233	11
Heritage:	<u>32</u>	<u>3</u>
<i>Total</i>	368	20

The applicant will be required to provide a detailed tree inventory stating the size of each tree to be removed at the platting stage of the development. The Code states:

**“Sec. 13.02.077 - Mitigation in lieu of replacement**

(a) Money may be paid to the city instead of providing the replacement trees required by this article.

(b) This provision is limited to 25 percent of the required tree replacement, unless insufficient land area exists to plant the required total caliper width of replacement trees as defined in this section, then the "cash in lieu" amount described above may be increased up to 50 percent of the required tree replacement amount. A certified arborist shall make a written determination of the maximum total caliper width of replacement trees that may be planted on the site.

(c) Any such payments shall be deposited to the tree mitigation and replacement fund.

(d) The per-diameter-inch cash value for replacement trees and plantings is \$100.00 per caliper inch tree. The city shall maintain a record of the current cash value of replacement trees and plantings.

**Special Considerations**

A. Applicant is asking to be granted the right to modify the Master Site Plan for the purpose of increasing lot size, decreasing density, adding or modifying bike trails, or adding more green spaces.

B. Applicant is asking for approval by the Planning and Zoning Department Director for subsequent development applications or amendments as long as they do not exceed 10% of overall plan.

C. Application is requesting to be allowed to relocate Samaritan Drive along with the underlying utilities as shown on the Master Site Plan. The applicant will continue the dedication of Samaritan Drive as a public street via the plat of the property and it will connect Seneca Drive to Grass Hill Drive.

**Traffic Impact Analysis (TIA)**

With the development of the previously approved PDD for the 27 acres at 6518 Samaritan Drive, the total for both developments would be 371 new residential homes. Numerous TIA's have been calculated for this area – all of which indicate that both Seneca and Grass Hill are more than capable of accommodating traffic from this area. All studies have been included in the attachments.

The streets that would provide access to and from this proposed subdivision would be Samaritan, Seneca, and Grass Hill. Portions of all three streets need to be reconstructed to current code standards in order to carry the number of vehicles projected. The estimated cost for reconstruction of these streets is \$3,913,400. The applicant's share of the costs for reconstruction are estimated to be \$1,389,482. This cost is separate from

the costs incurred by the developer to construct streets within the proposed subdivision. The city would be responsible for the remaining costs for reconstruction of the streets outside of the proposed subdivision.

**City Master Plan**

The current City Master Plan recommends R-1 Single Family Dwelling zoning for this area. Chapter 15 Zoning, Sec. 15.02.110 - Comprehensive planning activities states:

“The zoning administrator shall assist the planning and zoning commission in the development and implementation of the city's comprehensive master plan. There shall be no amendment made to this article which is not in compliance with the city's long-range comprehensive planning program and the city's master plan.”

However, the Code also states:

“Sec. 15.02.111 - Applicant qualifications

..... The planning and zoning commission or city council may, on its own motion, initiate proceedings to consider a change to the zoning on any property or to the regulations pertaining to property, when it finds that the public interest would be served by consideration of such a request.”

The applicant states:

“Although the current Master Plan calls for a recommended R-1 and RE-1 zoning, the majority of the surrounding zoning is R-6. The two most recent single-family developments in Leon Valley, Senna and Trilogy, as zoned as high-density communities with lot frontages under 33’ in width. Similarly, the two most recent single-family developments located in the City of San Antonio, and within 2 miles of the medical center are, follow the same high-density standards (Villamanta and Enclave at Whitby). High density developments are becoming the new norm in inner-city communities, to meet the rising demand for affordable housing. Or proposed zoning is consistent with these market demands.”

**NOTIFICATION**

Letters mailed:	33
Received in Opposition:	2
Received in Favor:	0
Returned Undeliverable:	2

**FISCAL IMPACT:**

The developer has paid all fees associated with the processing of this PDD. The development of a single-family housing subdivision will increase ad valorem and sales

taxes in the city.

**RECOMMENDATION**

Staff recommends approval of this request.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary



**ATTACHMENT**  
**To Ordinance \_\_\_\_\_**  
**Of The City of Leon Valley**

**LAUBACH AND CITY-OWNED PROPERTIES**  
**@ SENECA WEST**

**Submitted by: ONE STOP GROUP, LP**

**PLANNED DEVELOPMENT DISTRICT**  
**PROJECT PLAN**



**Approved \_\_\_\_\_, 2024**

## Article 1. GENERAL

This PDD rezoning project plan covers a number of adjacent parcels of land totalling +/- 32 acres, as defined below.

### Property Information (the “Property”):

The “Property” is defined as two adjacent parcels of land, +/- 32.93 acres of land in total, generally located in the Seneca-West area of the City of Leon Valley, TX., and described as follows:

#### Parcel #1: Description

Address: +/- 11.59 Acre Tract 5000 Block AIDS Drive, Leon Valley

Legal Description: CB 4430 P-13 abs 432y (BCAD ID 217829)

Current Owner: **GILBERT LAUBACH**  
Tract under contract by: **One Stop Group, LP**  
Current Zoning: **R-1**  
Tract: **As illustrated in Exhibit A-1 (Site Survey)**

#### Parcel #2: Description

Address: +/- 21.34 Acre Tract at 6530 Samaritan Drive, Leon Valley, Texas, 78238, AND 6503 Samaritan Drive, Leon Valley, Texas, 78238

Legal Description: CB 4430 P-15 (2.137), P-16 (6.391) & P-16A (1.0) ABS 432 (BCAD ID 217834,) AND VARIOUS OTHER PARCELS AS SHOWN IN EXHIBIT “A”

Current Owner: **CITY OF LEON VALLEY**  
Tract under contract by: **One Stop Group, LP**  
Current Zoning: **RE-1**  
Tract: **As illustrated in Exhibit A-2 (Site Survey)**

## Article 2. LAND USE

The Land Use of the Property shall be changed to:

### A. Base Zoning

Base Zoning: The base zoning for these two properties shall be changed from R-1 and RE-1 respectively, to R-6 Garden House. The use and development of the two properties shall comply with the zoning requirements in Sec. 15.02.312 - R-6 Garden House District Zoning Ordinance.

### B. Supplemental Use Regulations

Additional Allowed Uses by-right:

1. The development of the proposed Master Site Plan, as shown in EXHIBIT B.
2. The development of a Site Plan which shall comply with the all the zoning requirements in Sec. 15.02.312 (R-6 Garden House District Zoning Ordinance) and Sec. 10.02.251 (Applicable standards and specifications), with the following:
  - i. Permitted modifications to Sec. 15.02.312 (R-6 Garden House District Zoning Ordinance) as per table below:

Paragraph	Section 15.02.312 - R-6 Single Family Dwelling – Zoning Ordinances	Current R-6 Standard	Requested Modifications
b.2	Minimum Area of Each lot	4500 SQFT	3000 SQFT
b.3	Minimum Depth	100 ft	100 ft
b.4	Minimum Floor Space	1,800 SQFT	1,350 SQFT
b.5	Minimum Frontage	45'	30'
b.6	Maximum Height	2-1/2 stories	2-1/2 stories
c.2	Minimum Rear yard setback	15 ft	10 ft
c.3	Minimum Side yard setback	5 ft	0 ft
c.3	Minimum distance between the outside walls of adjacent structures	10' ft	5 ft
c.5	Minimum Side yard setback (Corner Lot)	20 ft	5 ft

ii. Restrictions:

- a. All lots situated east of the drainage canal on City Lot-1, and bordering William Rancher and Aids Drive, shall have a minimum width of 60 ft.
- b. All lots bordering Samaritan Drive shall have a minimum width of 40 ft.
- c. All other lots shall have a minimum width of 30 ft.

ii. Permitted Modifications to 10.02.251 (Applicable standards and specifications)

Paragraph	Section 10.02.251 – Applicable Standards	Current Standard	Requested Modifications
L.iv	Minor or Private Street <i>Minimum Right Of Way</i>	50 ft	48 ft
L.iv	Minor or Private Street <i>Minimum Pavement Width</i>	30 ft	30 ft

### Article 3. PROPOSED TREE MITIGATION PLAN

EXHIBIT “D” details our proposed Tree Mitigation Plan.

### Article 4. SPECIAL PROVISIONS

- A) The Applicant shall be granted the right to modify the proposed Site Plan, as currently shown in Exhibit B. Such modifications shall be allowed by-right for the sole purpose of increasing lot size, decreasing density, adding or modifying bike trails, or adding more green spaces.
- B) Any other deviations to this plan may be internally approved by the Planning and Zoning Director for subsequent development applications or amendments, if such deviation does not exceed 10% from the current plan.
- C) The relocation of Samaritan Drive and Underlying utilities:  
By approving this rezoning PDD, Council grants the Applicant the right to relocate Samaritan Drive, and the current underlying water and sewer lines, to an adjacent parcel on the subject property, as shown in the proposed Master Plan (Exhibit B).

To that effect, the Applicant shall submit a subdivision plat dedicating to the public a right-of way on the subject Property, which is not less than the current right-of-way owned by the City, described as Samaritan Drive. This dedicated right-of-way shall provide the same general purpose of connecting

Aids Drive and Grass Hill Drive., and shall retain the same name. The Applicant shall furnish a survey complete with metes and bounds description of said right-of-way, and a water and sewer plan detailing the rerouting of the current underlying utilities.

Upon the approval of said subdivision plat:

1. The Applicant shall convey the fee title of the newly dedicated right-of-way and rerouted underlying utilities to the City;
2. The City shall close and vacate the current right-of-way described as Samaritan Drive, and the underlying utilities; and
3. The City shall convey the fee title of the current right-of-way and underlying utilities to the Applicant.

#### **PURPOSE OF THIS PDD AND COMPLIANCE WITH PDD REQUIREMENTS**

This rezoning application is submitted as a PDD at Council's request. Further this PDD complies with the purpose of the PD Ordinance. It allows for:

1. Flexible planning to allow for:
  - a) Unique and well-defined parameters to best fit within an optimized Master Plan of three adjacent vacant properties totaling approximately 60 acres of land.
2. Economic Development and Growth

This PDD meets the following applicability standards:

- a. The land is located in close proximity to established residential neighborhoods where standard zoning classifications may not adequately address neighborhood concerns regarding the quality or compatibility of the adjacent development, and where it may be desirable to the neighborhood, the developer, or the city to develop and implement mutually agreed, enforceable development standards.

#### **FIT WITH THE CITY'S LONG-TERM VISION**

Although the current Master Plan calls for a recommended R-1 and RE-1 zoning, the majority of the surrounding zoning is R6. The two most recent single-family developments in Leon Valley, Senna and Trilogy, are zoned as high-density communities with lot frontages under 33' in width. Similarly, the two most recent single-family developments located in the City of San Antonio, and within 2 miles from the Medical Centre area, follow the same high-density standards (Villamanta and Enclave at Whitby). High-density developments are becoming the new norm in inner-city communities, to meet rising market demand for affordable housing. Our proposed zoning is consistent with these market demands.

Our proposed PD district rezoning will allow the City to fulfill on its top two main goals as laid out in its most recent of Strategic Plan:

1. Economic Development:
  - a) Increasing its citizenship
  - b) Increasing its tax-base
  - c) Increase business interest in the area
2. Improve Public Safety by increasing recurring yearly revenues to increase its emergency response capacity.

#### **ESTIMATED DEVELOPMENT SCHEDULE AND COMPLETION TIMETABLE**

- February 2025: Complete Platting
- August 2025: Complete Infrastructure Construction
- December 2029: Complete Home Construction of the Entire project;

Our proposed PD zoning will not permanently injure the property rights of owner(s) of all real property affected by the proposed zoning change. This request will not adversely affect the health, safety, or welfare of the general public. This rezoning request is consistent with the City's vision to grow its citizenship, increase its tax-base, and achieve long-term economic growth.

*Respectfully submitted.*  
*One Stop Group, LP*

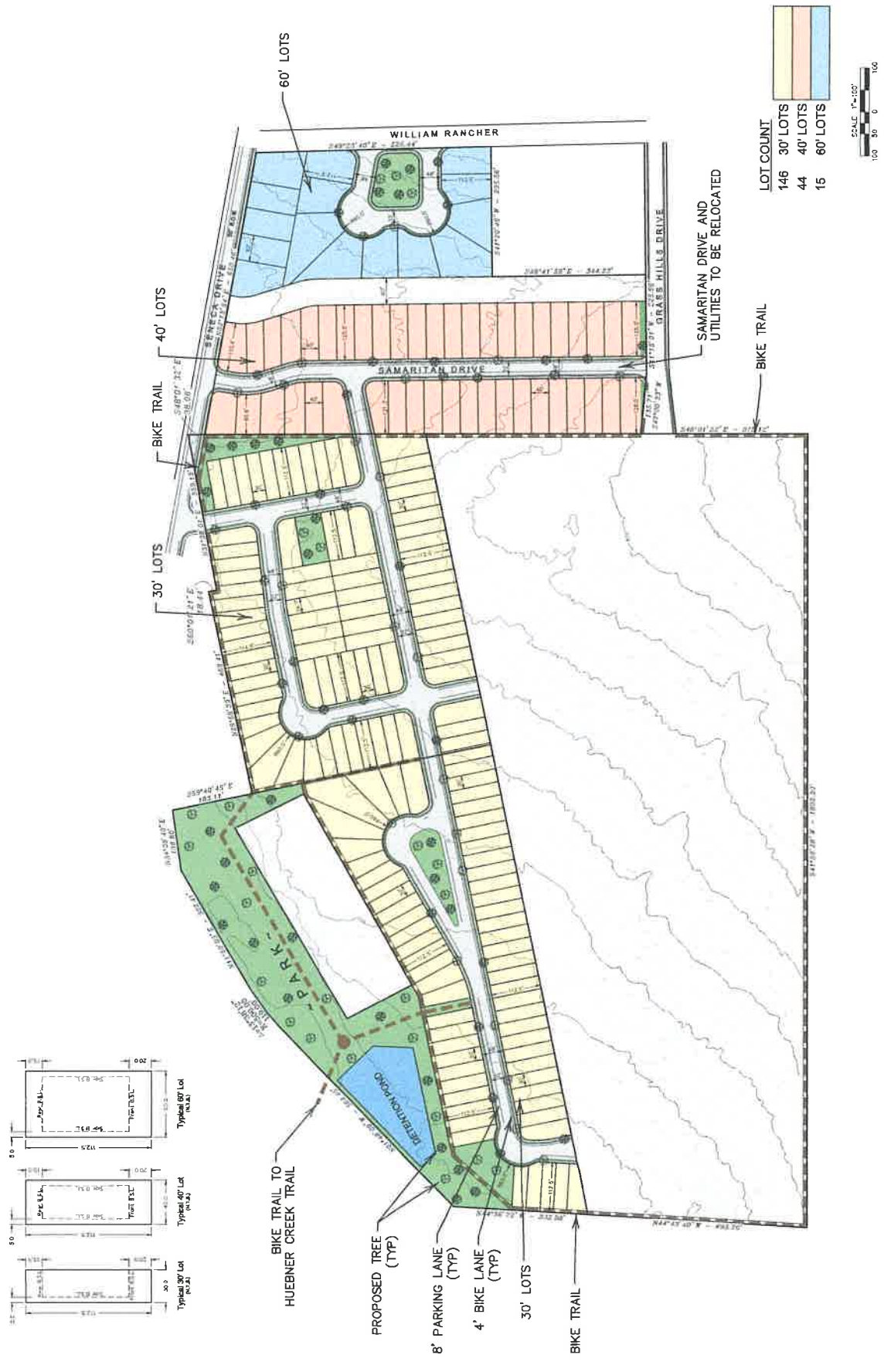
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#### **ATTACHED EXHIBITS**

This Proposed PDD Project Plan includes the following Exhibits:

- A. Site Surveys (A-1, A-2)
- B. Proposed Site Plan
- C. Proposed Fire Plan
- D. Tree Survey and proposed Mitigation Plan
- E. Traffic Impact Analysis (E-1, E-2, E-3, E-4, E-5)
- F. Land Location
- G. Letters of Authorization (G-1, G-2)
- H. Master Site Plan of all three Seneca West properties
- I. Master Fire Plan of all three Seneca West Properties

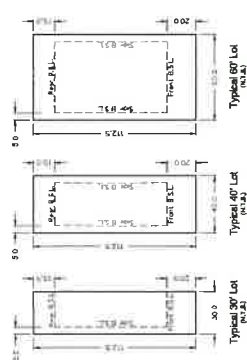




**LOT COUNT**  
 146 30' LOTS  
 44 40' LOTS  
 15 60' LOTS

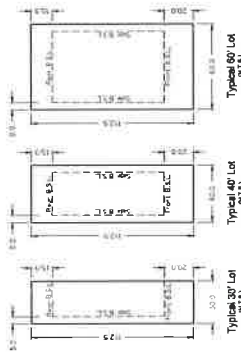
**SCALE: 1" = 100'**  
 1" 0' 30' 60' 120'

**MASTER SITE PLAN  
 PLAN 2**  
**LAUBACH+CITY PROPERTIES**  
 (# 32 ACRES)  
 JUNE 13, 2024





- FIRE PLAN NOTES:**
1. All Fire Hydrants to be spaced no more than 500' apart, measured as the hose lays.
  2. All inside corner radii of internal fire lanes to be no less than 25'.



**LOT COUNT**

146	30' LOTS
44	40' LOTS
15	60' LOTS



**FIRE PLAN  
PLAN 4**  
LAUBACH+CITY PROPERTIES  
(± 32 ACRES)  
JUNE 13, 2024

**EXHIBIT D**

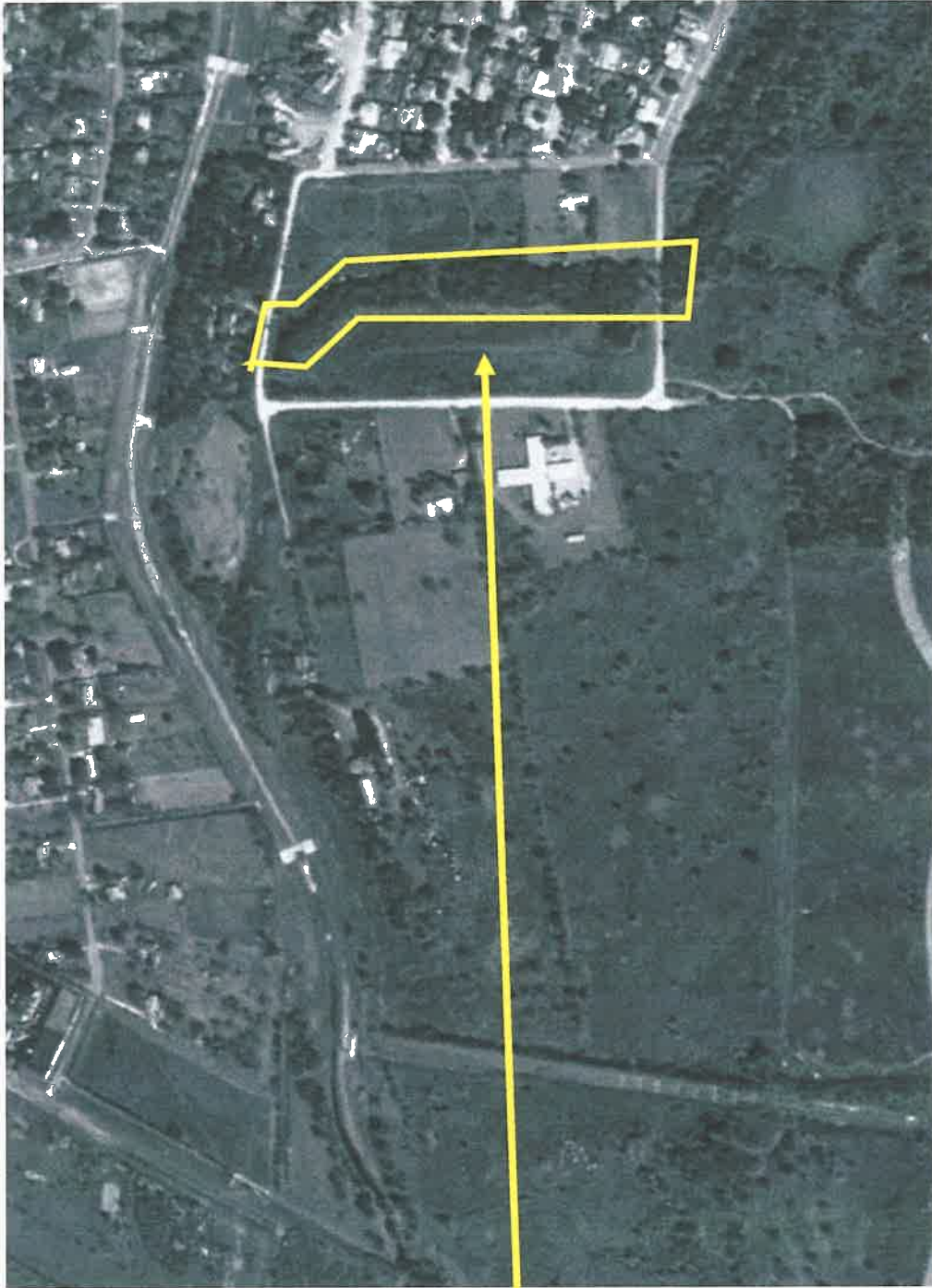


**LAUBACH AND CITY-OWNED  
SENECA WEST PROPERTIES  
TREE INVENTORY**



## 1995 AERIAL

THIS 1995 AERIAL MAP  
SHOWS THESE  
PROPERTIES AS  
FARMLAND NO TREES  
EXCEPT FOR THOSE  
TRES ARE WERE  
REMOVED WHEN  
CONSTRUCTING THE  
DRAINAGE CANAL



**2005  
AERIAL MAP**

This aerial shows that, just like Trilogy, different portions of these Seneca West properties were used as a dumping area for the neighboring construction sites. Invasive trees grew on top.



## CURRENT AERIAL MAP

The City-owned and Laubach properties have a substantially lesser concentration of trees as compared to the Samaritan property



THE VAST  
MAJORITY OF  
THESE TREES WERE  
CLEARED BY THE  
CITY WHEN  
CONSTRUCTING  
THE DRAINAGE  
CANAL

## DEFINITION OF “INVASIVE SPECIES” (ACCORDING TO NATIONAL GEOGRAPHIC)

### **Invasive Species**

An invasive species is an organism that is not indigenous, or native, to a particular area. Invasive species can cause great economic and environmental harm to the new area.

## DEFINITION OF “TREE PRESERVATION”

A “TREE PRESERVATION PLAN”, ALSO REFERRED TO AS “TREE CONSERVATION PLAN”  
GENERALLY INCLUDES THREE COMMON STRATEGIES:

1. **CONSERVATION OF NATIVE TREE SPECIES**
2. **PROTECTING NATIVE TREES SPECIES BY REMOVING DISEASED OR DEAD TREES, AS WELL AS INVASIVE TREE SPECIES IN THEIR VICINITY.**
3. **PLANTING NEW NATIVE TREES**

# TREE SPECIES NATIVE TO SAN ANTONIO

Common Name	Scientific Name	Foliage	Mature Height	Mature Spread	Setback	Comments
Anaqua	<i>Ehretia anacua</i>	Semi-evergreen	Medium	35 feet +	20 feet	Prefers shade; moist soils; clusters of white flowers in spring and yellow-orange fruit in summer; attracts birds. Also known as Sandpaper Tree.
Ebony, Texas	<i>Pinus strobus</i> flexilis	Evergreen	Medium	35 feet +	20 feet	Moderate growing native; very drought tolerant. Showy, fragrant white flower; attractive seeds of fruit eaten by wildlife.
Cypress, Arizona	<i>Cupressus arizonica</i>	Evergreen	Medium	15 feet +	15 feet	Fast growing; full sun, well drained soils; conical form; blue-gray foliage color; tolerant of dry conditions.
Cypress, Montezuma	<i>Taxodium mucronatum</i>	Semi-evergreen	Large	40 feet +	25 feet	Fast growing; conical form as young; leathery foliage.
Elm, Cedar	<i>Ulmus crassifolia</i>	Deciduous	Large	30 feet +	20 feet	Moderate growing; bright green new foliage in spring; yellow fall color; adaptable to a wide range of sites.
Maple, Urvalde Bigtooth	<i>Acer grandidentatum</i>	Deciduous	Medium	30 feet +	20 feet	Moderate growing; fall color; requires well drained soils; protect from afternoon sun to reduce leaf scorch.
Oak, Bur	<i>Quercus macrocarpa</i>	Deciduous	Large	45 feet +	25 feet	Prefers deep and well-drained soil; golf ball sized acorns may be of concern.
Oak, Chinquapin	<i>Quercus muhlenbergi</i>	Deciduous	Medium	45 feet +	25 feet	Prefers well drained soils, round-topped, with lance-shape foliage and attractive light-colored bark; wildlife food source; highly palatable acorns.
Oak, Lazy	<i>Quercus laevis</i>	Deciduous	Medium	30 feet	10-15 feet	Moderate growing; blue-gray foliage and usually yellow fall color. Rated as a "Texas SuperStar" by the Texas Cooperative Extension Service.
Oak, Live	<i>Quercus virginiana</i> var. <i>laevis</i>	Semi-evergreen	Large	45 feet +	25 feet	Can be moderate growing with appropriate care; spreading canopy. Caution: Must always paint wounds to prevent Oak Wilt disease.
Oak, Mexican White Live	<i>Quercus polymorpha</i>	Semi-evergreen	Large	35 feet +	25 feet	Fast growing with appropriate care; moderate acorn producer. Few, if any, pest problems.
Oak, Texas Red	<i>Quercus buckleyi</i>	Deciduous	Large	35 feet +	25 feet	Fast growing; "oak leaf" characteristic; fall color; good shade tree; requires minimal pruning.
Palm, Texas Sabal	<i>Sabal texana</i>	Evergreen	Medium	15 feet	15 feet	Only palm tree native to Texas; cold-tolerant; large blue-green, fan-shaped leaves.
Peccan	<i>Carya ilicoides</i>	Deciduous	Large	45 feet +	25 feet	State Tree; requires plenty of room and deep soil; prone to limb breakage and pest infestations.
Sycamore, Mexican	<i>Platanus mexicana</i>	Deciduous	Large	45 feet +	25 feet	Fast growing; resistant to insects; attractive foliage and minimal pruning.
Walnut, Texas	<i>Juglans microcarpa</i>	Deciduous	Medium	30 feet	15 feet	Moderate growing; small version of Black Walnut.
Anacacho Orchid Tree	<i>Bauhinia congesta</i>	Deciduous	Small	10 feet	5 feet	Does best in full sun; fragrant white flower clusters in spring.
Anacahuite/Wild Olive	<i>Cordia alliodora</i>	Evergreen	Small	10 feet	5 feet	Large white flowers most of summer; pale yellow fruit; cold sensitive but will re-sprout quickly. Also known as Mexican Olive.
Buckeye, Mexican	<i>Aegle marmelos</i>	Deciduous	Small	10 feet	5 feet	Understory or full sun; pink spring flowers; yellow fall foliage.
Condalia, Bluewood	<i>Condalia hookeri</i>	Evergreen	Small	10 feet	5 feet	Very drought tolerant; sun-sheds; fruit well-liked by wildlife.
Crape/Crape Myrtle	<i>Lagerstroemia indica</i>	Deciduous	Small	5-20 feet	5 feet	Non-native well adapted to our region; choice of flower colors from white to purple; some varieties can grow to medium height range.
Desert Willow	<i>Chilopsis linearis</i>	Deciduous	Small	15 feet	5 feet	Fast growing; very drought tolerant; large white, pink or purple trumpet-shaped flowers; attract hummingbirds, butterflies and bumblebees.
Eve's Necklace	<i>Sophora affinis</i>	Deciduous	Small	18 feet	5 feet	Deciduous cousin to Texas mountain-laurel; pink flower clusters (late spring) form chains of black beans (resemble appearance) in late summer and fall.
Holly, Yaupon	<i>Ilex vomitoria</i>	Deciduous	Small	10 feet	5 feet	Sun or shade; red berries (females only); evergreen foliage; provides food & shelter for birds.
Jerusalem Thorn/Rubra	<i>Parkinsonia aculeata</i>	Deciduous	Small	15 feet	10 feet	Fast growing; drought tolerant; drooping panicles of yellow flowers through summer; green twigs and branches.
Perashmon, Texas	<i>Diospyros mexicana</i>	Deciduous	Small	12 feet	5 feet	Slow growing; edible fruit matures to a dark black in late summer and fall; great wildlife food source but can be a problem.
Plum, Mexican	<i>Prunus mexicana</i>	Deciduous	Small	25 feet	5 feet	Prefers well-drained soils; dappled sunlight; showy white flowers in early spring; tart and edible fruit; good for wildlife.
Redbud, Mexican or Texas	<i>Cercis canadensis</i> var. <i>mexicana</i> or <i>lanceata</i>	Deciduous	Small	12 feet	5 feet	Pink-red blossoms in early spring; yellow fall foliage; glossy and waxy leaves; more drought tolerant than Eastern species. Note: Do not select Eastern spec.
Texas Mountain Laurel	<i>Sophora secundiflora</i>	Evergreen	Small	18 feet	5 feet	Fragrant, purple clusters in early spring. Very drought tolerant. Caution: Fruit is poisonous when chewed.
Viburnum, Rusty Blackhaw	<i>Viburnum rufidulum</i>	Deciduous	Small	18 feet	5 feet	Partial sun or shade; early spring bloomer with white flowers; red berries turn black in fall; good fall leaf color.



# TREE SPECIES NATIVE TO SAN ANTONIO

Common Name	Scientific Name	Foliage	Mature Height*	Mature Spread	Setback	Comments
Anaqua	<i>Ehretia aneca</i>	Semi-evergreen	Medium	35 feet +	20 feet	Prefers shade; moist soils; clusters of white flowers in spring and yellow-orange fruit in summer; attracts birds. Also known as Sandpaper Tree.
Ebony, Texas	<i>Pithecellobium flexicaulis</i>	Evergreen	Medium	35 feet +	20 feet	Moderate growing native; very drought tolerant. Showy, fragrant, white flower; attractive seeds of fruit eaten by wildlife.
Cypress, Arizona	<i>Cupressus arizonica</i>	Evergreen	Medium	15 feet +	15 feet	Fast growing; full sun, well drained soils; conical form; blue-gray foliage color; tolerant of dry conditions.
Cypress, Montezuma	<i>Taxodium mucronatum</i>	Semi-evergreen	Large	40 feet +	25 feet	Fast growing; conical form as young; leathery foliage.
Elm, Cedar	<i>Ulmus crassifolia</i>	Deciduous	Large	30 feet +	20 feet	Moderate growing; bright green new foliage in spring, yellow fall color; adaptable to a wide range of sites.
Maple, Uvalde Bigtooth	<i>Acer grandidentatum</i>	Deciduous	Medium	30 feet +	20 feet	Moderate growing; fall color; requires well drained soils; protect from afternoon sun to reduce leaf scorch
Oak, Bur	<i>Quercus macrocarpa</i>	Deciduous	Large	45 feet +	25 feet	Prefers deep and well-drained soil; golf ball sized acorns may be of concern.
Oak, Chinlepin	<i>Quercus muhlenbergi</i>	Deciduous	Medium	45 feet +	25 feet	Prefers well drained soils; round-topped, with lance-shape foliage and attractive light-colored bark; wildlife food source; highly palatable acorns.
Oak, Lazy	<i>Quercus laevis</i>	Deciduous	Medium	30 feet	10-15 feet	Moderate growing; blue-gray foliage and usually yellow fall color. Rated as a "Texas SuperStar" by the Texas Cooperative Extension Service.
Oak, Live	<i>Quercus virginiana</i> var. <i>laeformis</i>	Semi-evergreen	Large	45 feet +	25 feet	Can be moderate growing with appropriate care; spreading canopy. Caution: Must always paint wounds to prevent Oak Wilt disease.
Oak, Mexican White Live	<i>Quercus polymorpha</i>	Semi-evergreen	Large	35 feet +	25 feet	Fast growing with appropriate care, moderate acorn producer. Few, if any, pest problems.
Oak, Texas Red	<i>Quercus buckleyi</i>	Deciduous	Large	35 feet +	25 feet	Fast growing; "oak leaf" characteristic; fall color; good shade tree; requires minimal pruning.
Palm, Texas Sabal	<i>Sabal texana</i>	Evergreen	Medium	15 feet	15 feet	Only palm tree native to Texas; cold-tolerant; large blue-green, fan-shaped leaves.
Pecan	<i>Carya illinoensis</i>	Deciduous	Large	45 feet +	25 feet	State Tree; requires plenty of room and deep soil; prone to limb breakage and pest infestations.
Sycamore, Mexican	<i>Platanus mexicana</i>	Deciduous	Large	45 feet +	25 feet	Fast growing; resistant to insects; attractive foliage and minimal pruning
Walnut, Texas	<i>Juglans microcarpa</i>	Deciduous	Medium	30 feet	15 feet	Moderate growing, small version of Black Walnut.
Anacacho Orchid Tree	<i>Bauhinia congesta</i>	Deciduous	Small	10 feet	5 feet	Does best in full sun; fragrant white flower clusters in spring
Anacahuat/Wild Olive	<i>Cordia alliodora</i>	Evergreen	Small	10 feet	5 feet	Large white flowers most of summer; pale yellow fruit; cold sensitive but will re-sprout quickly. Also known as Mexican Olive
Buckeye, Mexican	<i>Unguisia speciosa</i>	Deciduous	Small	10 feet	5 feet	Understory or full sun; pink spring flowers; yellow fall foliage.
Condalia, Bluewood	<i>Condalia hookeri</i>	Evergreen	Small	10 feet	5 feet	Very drought tolerant; sun-shade; fruit well-liked by wildlife
Crape/Crepe Myrtle	<i>Lagerstroemia Indica</i>	Deciduous	Small	5-20 feet	5 feet	Non-native well adapted to our region; choice of flower colors from white to purple; some varieties can grow to medium height range.
Desert Willow	<i>Chilopsis linearis</i>	Deciduous	Small	15 feet	5 feet	Fast growing; very drought tolerant; large white, pink or purple trumpet-shaped flowers; attract hummingbirds, butterflies and bumblebees.
Eve's Necklace	<i>Sophora affinis</i>	Deciduous	Small	18 feet	5 feet	Deciduous cousin to Texas mountain-laurel; pink flower clusters (late spring) form chains of black beans (nectar appearance) in late summer and fall.
Holly, Possumhaw	<i>Ilex decidua</i>	Deciduous	Small	10 feet	5 feet	Sun or shade; red berries (females only); evergreen foliage; provides food & shelter for birds.
Holly, Yaupon	<i>Ilex vomitoria</i>	Evergreen	Small	10 feet	5 feet	Sun or shade; red berries (females only); evergreen foliage; provides food & shelter for birds.
Jerusalem Thorn/Retama	<i>Parkinsonia aculeata</i>	Deciduous	Small	15 feet	10 feet	Fast growing; drought tolerant; drooping panicles of yellow flowers through summer; green twigs and branches.
Perisperm, Texas	<i>Diospyros mexicana</i>	Deciduous	Small	12 feet	5 feet	Slow growing; edible fruit matures to a dark black in late summer and fall; great wildlife food source but can be a problem.
Plum, Mexican	<i>Prunus mexicana</i>	Deciduous	Small	25 feet	5 feet	Prefers well-drained soils; dappled sunlight; showy white flowers in early spring; tart and edible fruit; good for wildlife.
Redbud, Mexican or Texas	<i>Cercis canadensis</i> var. <i>mexicana</i> or <i>lanceola</i>	Deciduous	Small	12 feet	5 feet	Pink-red blossoms in early spring; yellow fall foliage; glossy and waxy leaves; more drought tolerant than Eastern species. Note: Do not select Eastern species.
Texas Mountain Laurel	<i>Sophora secundiflora</i>	Evergreen	Small	18 feet	5 feet	Fragrant, purple clusters in early spring. Very drought tolerant. Caution: Fruit is poisonous when chewed
Viburnum, Rusty Blackhaw	<i>Viburnum rufidulum</i>	Deciduous	Small	18 feet	5 feet	Partial sun or shade; early spring bloomer with white flowers; red berries turn black in fall; good fall leaf color.

**TREE INVENTORY: 93% OF TREES ARE INVASIVE – ONLY 7% NATIVE TREES (22)**

SPECIE	TOTAL / SPECIE	OVERALL			Invasive	% of total	HERITAGE		LARGE		MEDIUM	
		HEALTHY	EXEMPT	EXEMPT			HEALTHY	EXEMPT	HEALTHY	EXEMPT		
Arizona Ash	3	0	1	1	1%	1		2	1	0	0	
Ashe Juniper	142	138	4	Y	39%	1	1	90	2	51	1	
Cedar	18	14	4	Y	5%	8	1	4	0	5	1	
Chinaberry	7	4	3	Y	2%	2		7	2	3	1	
Live Oak	13	12	1		4%	2		9	1	2	0	
Elm	3	3			1%	0		3		0		
Hackberry	83	79	4	Y	23%	4		47	2	32	2	
Ligustrum	41	39	2	Y	11%	5		33	1	3	1	
Mesquite	49	47	2	Y	14%	5	1	36	2	7	0	
Pecan	6	6			2%	4		2		0		
<b>TOTAL</b>	<b>365</b>	<b>342</b>	<b>21</b>		<b>100%</b>	<b>32</b>	<b>3</b>	<b>233</b>	<b>11</b>	<b>103</b>	<b>6</b>	

NATIVE	7%
INVASIVE	93%

\* EXEMPT = Diseased, Dead, or Hazardous

## KEY STATISTICS

TREE INVENTORY SUMMARY		
SIZE	# HEALTHY	# EXEMPT
HERITAGE	32	3
LARGE	233	11
MEDIUM	103	6
<b>TOTAL</b>	<b>342</b>	<b>21</b>

NATIVE	INVASIVE
22	343

\* EXEMPT = Diseased, Dead, or Hazardous

HERITAGE TREES			
Specie	DBH	Health	INVASIVE
Arizona Ash	24		Y
Ashe Juniper	66		Y
Ashe Juniper	22	Dead	Y
Cedar	48		Y
Cedar	48		Y
Cedar	43		Y
Cedar	42		Y
Cedar	36		Y
Cedar	30		Y
Cedar	28		Y
Cedar	24	Dead	Y
Cedar	24		Y
Chinaberry	27		Y
Chinaberry	24		Y
Hackberry	31		Y
Hackberry	28		Y
Hackberry	24		Y
Hackberry	24		Y
Ligustrum	35		Y
Ligustrum	27		Y
Ligustrum	27		Y
Ligustrum	25		Y
Ligustrum	24		Y
Live oak	45		
Live oak	24		
Mesquite	27		Y
Mesquite	34		Y
Mesquite	34	Dead	Y
Mesquite	30		Y
Mesquite	28		Y
Mesquite	24		Y
Pecan	45		
Pecan	30		
Pecan	28		
Pecan	25		

PRESERVING AND DEDICATING 4+ ACRES OF OUR LAND TO BE ADDED TO ADJACENT  
NATURAL AREA BORDERING HUEBNER, TOTAL 6+ ACRES OF BEAUTIFULLY TREED NATURAL  
PARKLAND BY THE CREEK



## TREE PRESERVATION FEES

**WE RESPECTFULLY CHALLENGE THE IDEA OF CHARGING AN “IN-LIEU”  
TREE PRESERVATION FEE FOR THE REMOVAL OF INVASIVE TREES!**

**TO THE CONTRARY, WE CONTEND THAT THE REMOVAL OF THESE  
INVASIVE TREES IS INDEED AN ACTION TOWARDS TREE PRESERVATION  
THAT WOULD NORMALLY BE PAID FOR FROM TREE PRESERVATION  
FUNDS.**

## OUR PROPOSED TREE MITIGATION PLAN

1. **Dedicate 4+ acres of treed park space**
2. **Remove all diseased and invasive trees**
3. **Plant over 270 x 1.5” native trees**
  1. TWO new 1.5” native trees per lot, on all lots with 40’ frontage or wider
  2. ONE new 1.5” native tree per lot, on all lots with a frontage narrower than 40’
4. **Cap the “in-lieu tree preservation fees” at \$25,000.**

(This fee, added to the \$100K+ currently calculated by the City for the Samaritan property, and our Group’s sales commission refund of \$60,000 to the City as part of the purchase of the property, makes for a very significant contribution to the tree preservation fund)

# EXHIBIT E-1

## TRAFFIC IMPACT ANALYSIS SENECA WEST AREA – 205 NEW HOMES

In this PDD application, we rely on four previous TIA's conducted for this Seneca Area, by Mr. Joe Nix, Traffic Engineer. Mr. Nix has conducted 4 different TIA's for these Seneca West properties starting back in 2007:

1. 2007 - TIA commissioned by the City for 359 homes – ATTACHED AS EXHIBIT E-2
2. 2007 - TIA commissioned by the City for 275 homes - ATTACHED AS EXHIBIT E-3
3. 2024-01-31 – TIA commissioned by our Group for 314 homes – ATTACHED AS EXHIBIT E-4
4. 2024-02-22 – TIA commissioned by our Group for 166 homes – ATTACHED AS EXHIBIT E-5

In his recent 2024-01-31 TIA for the development of 314 new homes, here are excerpts form his TIA showing Mr. Nix' calculations:

### EXCERPT START

#### TRIP GENERATION

**Table 1. Trip Generation for proposed development with 314 Lots**

TRIP GENERATION						
ITE Code	Weekday 24 Hours		Weekday AM Peak		Weekday PM Peak	
	<b>Single-Family Detached Housing</b>					
Rate / Unit	9.43		0.70		0.94	
Units	314		314		314	
Trips	2961		220		295	
% Enter/Exit	50%	50%	25%	75%	63%	37%
# Enter/Exit	1480	1481	55	165	186	109

Source: ITE Trip Generation Manual, Eleventh Edition, web-based

#### TRIP DISTRIBUTION

Trip distribution for trips generated by the proposed development would be onto Seneca Drive and onto Grass Hill Drive. Due to the accessibility of Seneca Drive at Bandera Road, and the nature of the roadway, 75% of the trips would be expected to use Seneca Drive and 25% use Grass Hill Drive. Table 2 indicates the trip distribution to Bandera Road via Seneca Drive and Grass Hill Drive.

# EXHIBIT E-1

**Table 2. Trip Distribution for proposed development with 314 Lots**

TRIP DISTRIBUTION					
Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	41	124	140	82
Grass Hill Drive	25%	14	41	47	27

Mr. Nix' conclusion and Analysis was:

*“Seneca drive and Grass Hill Drive can easily accommodate the additional traffic expected to be generated by the proposed development with as many as 314 lots. The additional traffic on Grass Hill Drive would be an average of less than one vehicle per minute. The traffic movements entering and exiting Grass Hill Drive at Bander Road. During the morning peak period on Seneca Drive, the anticipated additional traffic load would be an average of two vehicles approaching the signalized intersection. During the evening., the average number of vehicles entering Seneca Drive from Bandera Road would be just more than 2 vehicles per minute.”*

**EXCERPT END**

We rely on Mr. Nix' most recent traffic analysis of this particular area, his calculations methods, and the *ITE TRIP GENERATION MANUAL , Eleventh Edition*. The Trip Generation and Trip Distribution calculations for 205 new homes are as follows:

**Table 1. Trip Generation for proposed development (205 lots)**

TRIP GENERATION						
ITE Code	Weekday 24 Hours		Weekday AM Peak		Weekday PM Peak	
	<b>Single-Family Detached Housing</b>					
Rate / Unit	9.43		0.7		0.94	
Units	205		205		205	
Trips	1933		144		193	
% Enter/Exit	50%	50%	25%	75%	63%	37%
# Enter/Exit	967	967	36	108	121	71

*Calculated as per ITE TRIP GENERATION MANUAL , Eleventh Edition*



# EXHIBIT E-1

**Table 1. Trip Distribution for proposed development with 205 Lots**

TRIP DISTRIBUTION					
Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
<b>Seneca Drive</b>	75%	27	81	91	53
<b>Grass Hill Drive</b>	25%	9	27	30	18

*Calculated as per ITE TRIP GENERATION MANUAL , Eleventh Edition*

We believe these numbers to be correct. We also believe that Mr. Nix conclusion in January of this year, which is consistent with all his TIA conclusions since 2007, also remains true today. We look forward to the City Engineer's validation and comments.

Prepared For:

One Stop Group  
12042 Blanco Road, Suite 305  
San Antonio, Texas

**TRAFFIC IMPACT STUDY - Updated**



**Seneca West - 60 Acres  
William Rancher Estates  
County Block 4430  
Leon Valley, Texas**



01/31/2024

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**TIA Report - Updated**  
**Seneca West – 60 Acres**  
**William Rancher Estates**  
**County Block 4430**  
**Leon Valley, Texas**

Prepared By:  
**JNIX TRAFFIC STUDIES**  
**12518 PRIMA VISTA**  
**SAN ANTONIO, TEXAS**

Prepared For:  
**ONE STOP GROUP**  
**12042 BLANCO ROAD, SUITE 305**  
**SAN ANTONIO, TEXAS 78216**

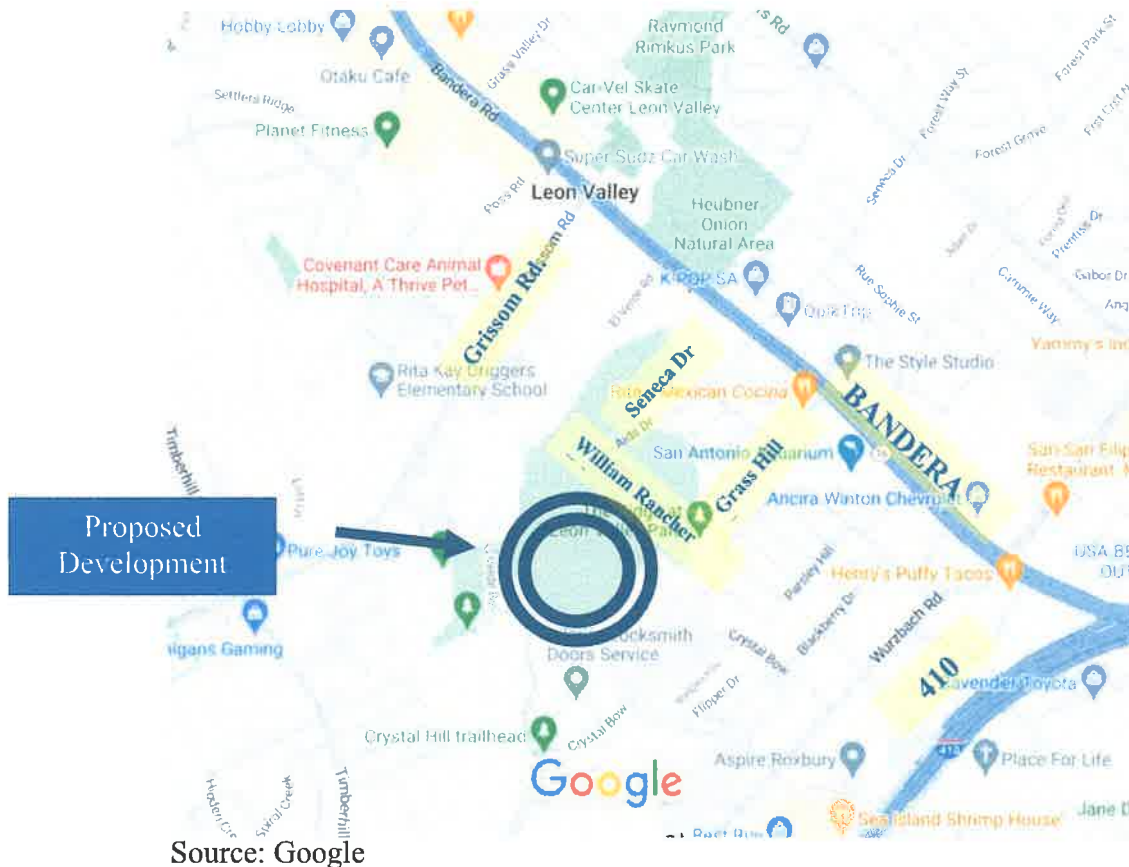


January 2024

**TRAFFIC IMPACT ANALYSIS-Update**  
**Proposed Seneca West Development**  
**William Rancher Estates**  
**County Block 4430**

**PROJECT SCOPE**

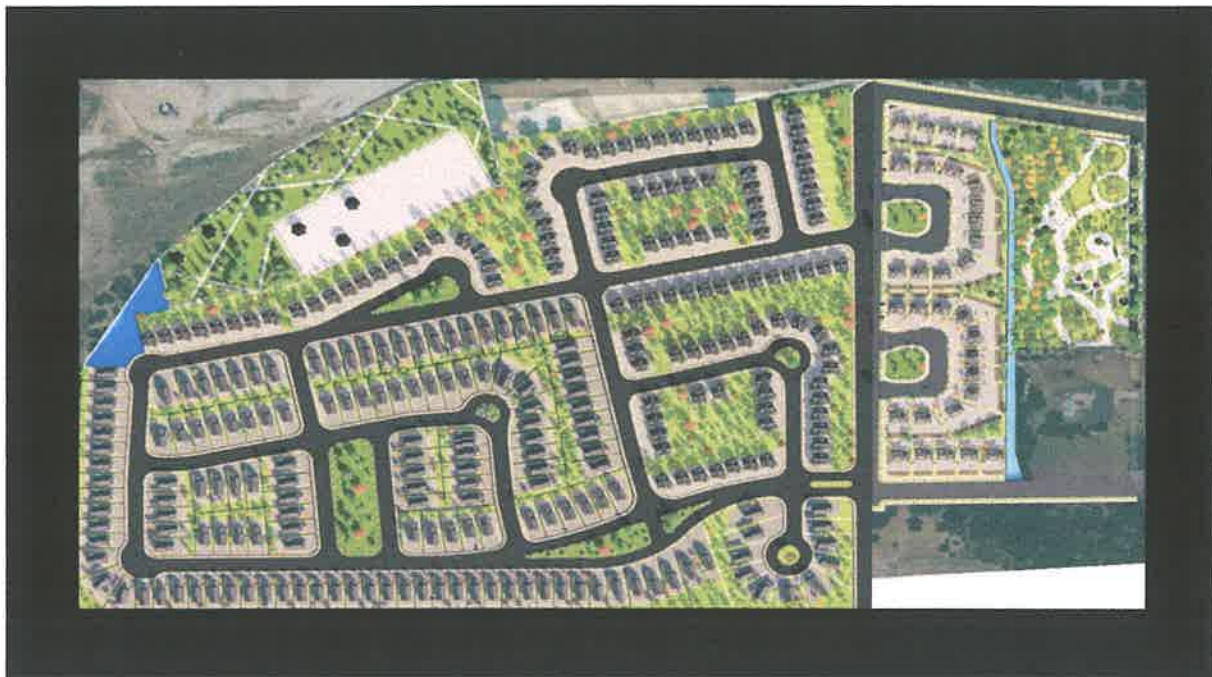
As requested by One Stop Group, a Traffic Impact Analysis (TIA) report has been prepared for the proposed rezoning and development of up to a maximum of 60 acres of land from RE-1 and R-1 single-family districts to R-6 Garden Home district. The 60 acres are located west of William Rancher Rd. as shown in Figure 1 below. This report is an update of the Traffic Impact Analysis report prepared in 2007 labelled as Enclave on Huebner Creek, at the request of the City of Leon Valley for a potential rezoning of these same 60 acres to an R-6 district.



**Figure 1. Location Map of proposed development**

## PROJECT DESCRIPTION

The proposed development encompasses approximately 60 acres located west of William Rancher Road, within the city of Leon Valley. The new development, if constructed on all 60 acres, is proposed to consist of as many as 314 single family residential homes. (The Enclave on Huebner Creek was proposed to consist of as many as 275 single family residences.) The development would be accessed by two streets onto Bandera Road: Seneca Drive and Grass Hill Drive. The proposed conceptual plan for the development is shown in Figure 2 and is attached.



**Figure 2. Conceptual Plan for the Proposed Development**

## STUDY AND SURROUNDING AREA

The study area around the proposed development would generally be within a one-quarter mile radius of the property. The developed properties within and near the study area are the Seneca Estates residential neighborhood, being between the 60 acres and Bandera Road, The Ridge at Leon Creek, and the Villas at Ingram Hills, being south of the 60 acres. A branch of the Leon Creek separates the 60 acres from the residential area north of the Creek. The Seneca Estates neighborhood would be the only area impacted by the development. The attached aerial photo exhibit and the Bexar Appraisal Map exhibit illustrate the properties near the 60 acres.

## EXISTING ROADWAYS

The existing roadways that would potentially be directly impacted by the proposed development include Seneca Drive, Grass Hill Drive, Aids Drive, and Samaritan Drive.

**Seneca Drive** is a neighborhood collector street serving the residential area West of Bandera Road. Seneca Drive extends west of Bandera Rd to William Rancher Road. Seneca Dr. extends east, across Bandera Road, to Evers Road. The intersection of Seneca Drive and Bandera Road is controlled by a traffic signal. No residential homes front Seneca Drive east of Pickering Drive.



**Figure 3. Seneca Drive, westbound at William Rancher Road**

**Grass Hill Drive** serves as a residential collector street extending from Bandera Road to Samaritan Drive. Grass Hill Drive does not extend east across Bandera Road. There has not been a median opening along Bandera Road for Grass Hill Drive; nor is a median opening planned in the future. The residential homes along the south side of Grass Hill Drive between William Rancher Road and Bandera Road front the residential collector street. Grass Hill Drive will lead to and end at the main entrance of the proposed development.



**Figure 4. Grass Hill Drive, westbound at William Rancher Road**

**Aids Drive** is a narrow, two-lane, uncurbed roadway extending west of William Rancher Road, dead ending approximately 700 feet west of Samaritan Drive. Aids Drive is proposed to be improved and be aligned with Seneca drive with the development of the 60 acres.



**Figure 5. Aids Drive, eastbound at William Rancher Road**

**Samaritan Drive** is a two-lane, uncurbed roadway connecting Aids Drive and Grass Hill Drive. It will be used as one of two access roads for the proposed development, along with Grass Hill Drive.



**Figure 6. Samaritan Drive, northbound**

## TRIP GENERATION

**Table 1. Trip Generation for proposed development with 314 Lots**

TRIP GENERATION						
ITE Code	Weekday 24 Hours		Weekday AM Peak		Weekday PM Peak	
<b>210</b>	<b>Single-Family Detached Housing</b>					
<b>Rate / Unit</b>	9.43		0.70		0.94	
<b>Units</b>	314		314		314	
<b>Trips</b>	2961		220		295	
<b>% Enter/Exit</b>	50%	50%	25%	75%	63%	37%
<b># Enter/Exit</b>	1480	1481	55	165	186	109

Source: *ITE Trip Generation Manual, Eleventh Edition, web-based*

## TRIP DISTRIBUTION

Trip distribution for trips generated by the proposed development would be onto Seneca Drive and onto Grass Hill Drive. Due to the accessibility of Seneca Drive at Bandera Road, and the nature of the roadway, 75% of the trips would be expected to use Seneca Drive and 25% use Grass Hill Drive. Table 2 indicates the trip distribution to Bandera Road via Seneca Drive and Grass Hill Drive.

**Table 2. Trip Distribution for proposed development with 314 Lots**

TRIP DISTRIBUTION					
Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	41	124	140	82
Grass Hill Drive	25%	14	41	47	27

## ANALYSIS

Seneca drive and Grass Hill Drive can easily accommodate the additional traffic expected to be generated by the proposed development with as many as 314 lots. The additional traffic on Grass Hill Drive would be an average of less than one vehicle per minute. The traffic movements entering and exiting Grass Hill Drive at Bander Road. During the morning peak period on Seneca Drive, the anticipated additional traffic load would be an average of two vehicles approaching the signalized intersection. During the evening., the average number of vehicles entering Seneca Drive from Bandera Road would be just more than 2 vehicles per minute.

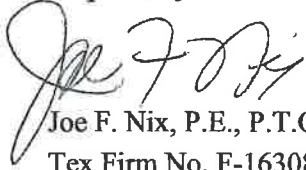


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## CONCLUSION

The change in the levels-of-service of the two streets at Bandera Road would be insignificant with the addition of the anticipated traffic from 314 new homes in the proposed development.



Prepared by:  
  
Joe F. Nix, P.E., P.T.O.E.  
Tex Firm No. F-16308

### Attachments:

EXHIBIT A: AERIAL PHOTO OF THE SURROUNDING AREA

EXHIBIT B: BEXAR APPRAISAL MAP OF THE SURROUNDING AREA

EXHIBIT C: SENECA WEST CONCEPTUAL PLAN

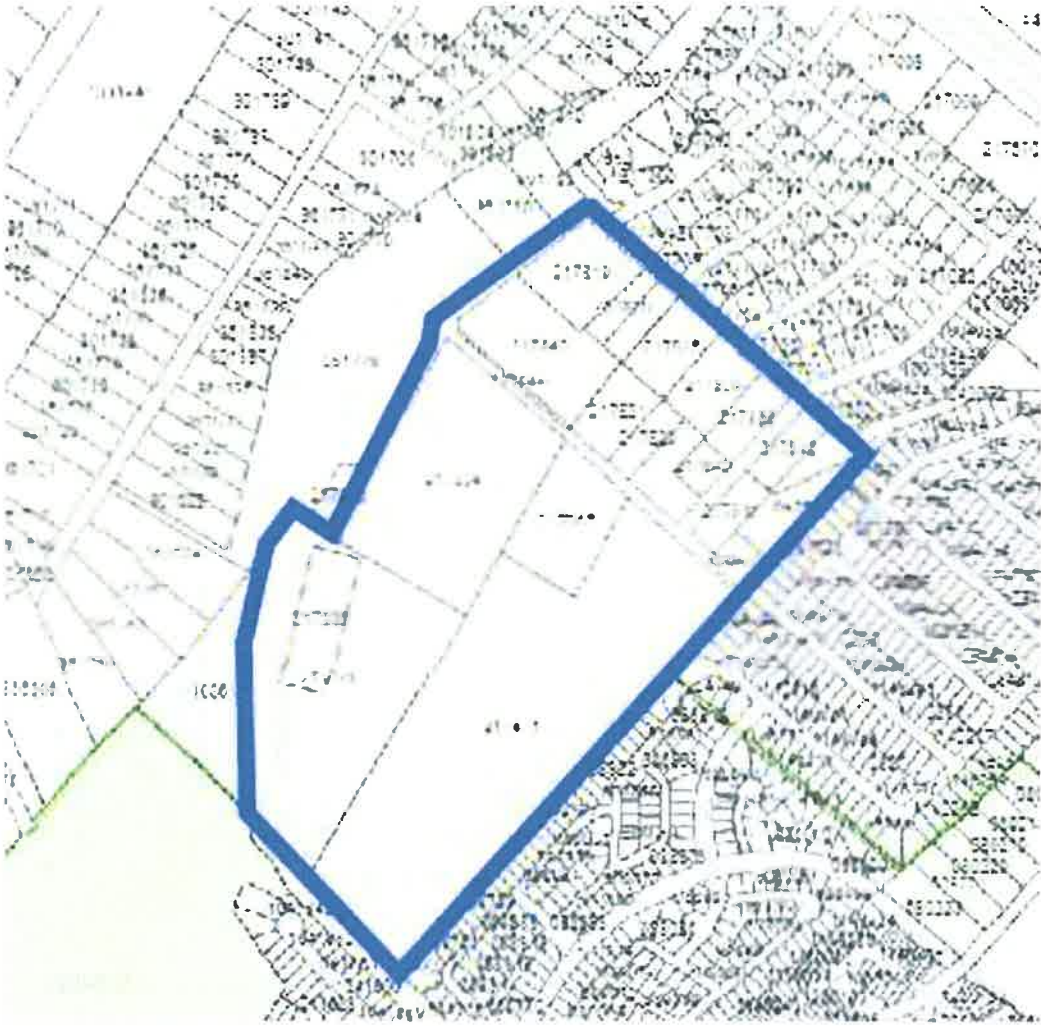
**EXHIBIT A**

**AERIAL PHOTO OF THE SURROUNDING AREA**



**EXHIBIT B**

**BEXAR APPRAISAL MAP OF THE SURROUNDING AREA**



**EXHIBIT C**

**SENECA WEST CONCEPTUAL PLAN**



Prepared For:

One Stop Group  
12042 Blanco Road, Suite 305  
San Antonio, Texas

**TRAFFIC IMPACT STUDY**



**Seneca West - 27 Acres  
William Rancher Estates  
County Block 4430  
Leon Valley, Texas**



*Joe F. Nix*  
02/22/2024

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Prepared For:  
**City of Leon Valley**  
**6400 El Verde Road**  
**Leon Valley, Texas 78238**

**TIA Report**  
**Seneca West – 27 Acres**  
**GOOD SAMARITAN PROPERTY**  
**County Block 4430**



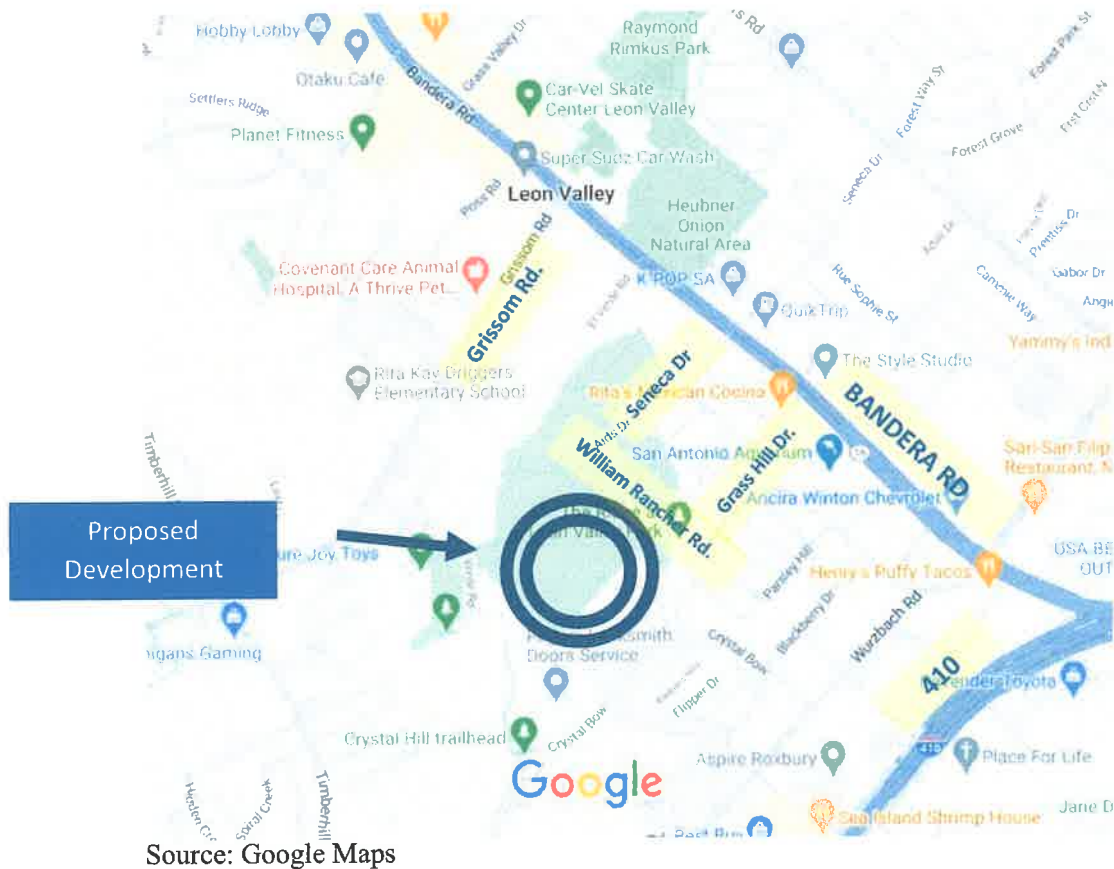
February 2024

TRAFFIC IMPACT ANALYSIS  
PROPOSED DEVELOPMENT AT SENECA WEST

**TRAFFIC IMPACT ANALYSIS**  
Proposed Seneca West Development  
**GOOD SAMARITAN PROPERTY**  
27 ACRES  
County Block 4430

**PROJECT SCOPE**

As requested by the City of Leon Valley, a Traffic Impact Analysis (TIA) report has been prepared for the proposed rezoning and development of up to a maximum of 27 acres of land from R-1 single-family districts to R-6 Garden Home district. These 27 acres are located west of William Rancher Road as shown in figure 1 below.



**Figure 1. Location Map of proposed development**

TRAFFIC IMPACT ANALYSIS  
PROPOSED DEVELOPMENT AT SENECA WEST

## PROJECT DESCRIPTION

The proposed development encompasses approximately 27 acres located West of William Rancher Road within the City of Leon Valley. The new development, if constructed on all 27 acres, is proposed to consist of no more than 166 single family residential homes. The development would be accessed by two streets onto Bandera Road: Seneca Drive and Grass Hill Drive. The proposed conceptual plan for the development is shown in figure 2 and is attached.



**Figure 2. Conceptual Plan for the Proposed Development**

## STUDY AND SURROUNDING AREA

The study area around the proposed development would generally be within a one-quarter mile radius of the property. The developed properties within and near the study area are the Seneca Estates residential neighborhood between the 27 acres and Bandera Road, The Ridge at Leon Creek, and the Villas at Ingram Hills south of the 27 acres. A branch of the Leon Creek separates the 27 acres from the residential area north of the Creek. The Seneca Estates neighborhood would be the only area impacted by the development. The attached aerial photo exhibit and the Bexar Appraisal Map exhibit illustrate the properties near the 27 acres.

## EXISTING ROADWAYS

The existing roadways that would potentially be directly impacted by the proposed development include Seneca Drive, Grass Hill Drive, Aids Drive, and Samaritan Drive.



TRAFFIC IMPACT ANALYSIS  
PROPOSED DEVELOPMENT AT SENECA WEST

**Seneca Drive** is a neighborhood collector street serving the residential area West of Bandera Road. Seneca Drive extends west of Bandera Rd to William Rancher Road. Seneca Dr. extends east, across Bandera Road, to Evers Road. The intersection of Seneca Drive and Bandera Road is controlled by a traffic signal. No residential homes front Seneca Drive east of Pickering Drive.



**Figure 3. Seneca Drive, westbound at William Rancher Road**

**Grass Hill Drive** serves as a residential collector street extending from Bandera Road to Samaritan Drive. Grass Hill Drive does not extend east across Bandera Road. There has not been a median opening along Bandera Road for Grass Hill Drive; nor is a median opening planned in the future. The residential homes along the south side of Grass Hill Drive between William Rancher Road and Bandera Road front the residential collector street. Grass Hill Drive will lead to and end at the main entrance of the proposed development.



**Figure 4. Grass Hill Drive, westbound at William Rancher Road**

TRAFFIC IMPACT ANALYSIS  
PROPOSED DEVELOPMENT AT SENECA WEST

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**Aids Drive** is a narrow, two-lane, uncurbed roadway extending west of William Rancher Road, dead ending approximately 700 feet west of Samaritan Drive. Aids Drive is proposed to be improved and be aligned with Seneca drive with the development of the 27 acres.



**Figure 5. Aids Drive, eastbound at William Rancher Road**

**Samaritan Drive** is a two-lane, uncurbed roadway connecting Aids Drive and Grass Hill Drive. It will be used as one of two access road for the proposed development, along with Grass Hill Drive.



**Figure 6. Samaritan Drive, northbound**

## TRIP GENERATION

**Table 1. Trip Generation for proposed development (166 lots)**

TRIP GENERATION						
ITE Code	Weekday 24 Hours		Weekday AM Peak		Weekday PM Peak	
<b>210</b>	<b>Single-Family Detached Housing</b>					
<b>Rate / Unit</b>	9.43		0.7		0.94	
<b>Units</b>	166		166		166	
<b>Trips</b>	1565		116		156	
<b>% Enter/Exit</b>	50%	50%	25%	75%	63%	37%
<b># Enter/Exit</b>	783	783	29	87	98	58

Source: ITE Trip Generation Manual, Eleventh Edition

## TRIP DISTRIBUTION

Trip distribution for trips generated by the proposed development would be onto Seneca Drive and onto Grass Hill Drive. Due to the accessibility of Seneca Drive at Bandera Road, and the nature of the roadway, 75% of the trips would be expected to use Seneca Drive and 25% use Grass Hill Drive. Table 2 indicates the trip distribution to Bandera Road via Seneca Drive and Grass Hill Drive. The attached trip distribution exhibit illustrates the anticipated trip distribution at each of the access streets to the development.

**Table 2. Trip Distribution for proposed development with 166 Lots**

TRIP DISTRIBUTION					
Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	22	65	74	43
Grass Hill Drive	25%	7	22	24	15

## ANALYSIS


Seneca Drive and Grass Hill Drive can easily accommodate the additional traffic expected to be generated by the proposed development with as many as 166 lots. The additional traffic on Seneca Drive would be an average of less than one vehicle per signal cycle. The additional traffic on Grass Hill Drive would be an average of much less than one vehicle per minute. The traffic movements entering and exiting Grass Hill Drive at Bander Road. During the morning peak period on Seneca Drive, the anticipated additional traffic load would be an average of one vehicle per minute approaching the signalized intersection. During the evening., the average number of vehicles entering Seneca Drive from Bandera Road would be just more than 1 vehicle per minute.

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## CONCLUSION

The change in the levels-of-service of the two streets at Bandera Road would be insignificant with the addition of the anticipated traffic from 166 new homes in the proposed development.



Prepared by:  
  
Joe F. Nix, P.E., P.T.O.E.  
Tex Firm No. F-16308

**Attachments:**

- EXHIBIT A: AERIAL PHOTO OF THE SURROUNDING AREA
- EXHIBIT B: BEXAR APPRAISAL MAP OF THE SURROUNDING AREA
- EXHIBIT C: GOOD SAMARITAN CONCEPTUAL PLAN

**EXHIBIT A**

**AERIAL PHOTO OF THE SURROUNDING AREA**



**EXHIBIT B**

**BEXAR APPRAISAL MAP OF THE SURROUNDING AREA**



**EXHIBIT C**

**GOOD SAMARITAN CONCEPTUAL PLAN**



# EXHIBIT F

# LOCATION







EXHIBIT G-1

Letter of Authorization

Date: 6/7/24

TO: City of Leon Valley, 6400 El Verde Road, Leon Valley, Texas 78238

This letter authorizes: One Stop Group, LP, its Agent, or its Assignee

Applicant First and Last Name

To submit an application for:  Rezoning  Specific-Use-Permit  Platting

Legal Description: 6503 Samaritan Drive, Leon Valley, Texas, 78238, (CB 4430 P-15: 2.137 acres, P-16: 6.391 acres & P-16A: 1.0 acre, ABS432), And Various Parcels located William Rancher, Grass Hill, Samaritan, and Aids Drive BCAD Parcel Identification No.'s 217816, 217817, 217818, 217819, 217820, 217281, 217838, 217840 and 217843

BCAD Property ID: 21.34 Acre Tract at 6140 William Ranch Rd

Address (if assigned): \_\_\_\_\_

The CITY OF LEON VALLEY, the owner(s) of the aforementioned property, authorize the submitted request to be reviewed, presented to the Planning and Zoning Commission and City Council and, if approved, process such request as applicable.

Sincerely,

Property Owner's Signature  
CITY OF LEON VALLEY  
Printed Name of Property Owner  
6400 El Verde Road,  
Address  
Leon Valley, Texas 78238  
City, State, Zip Code

STATE OF TEXAS }  
COUNTY OF BEXAR }

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day Crystal Caldera, City Mayor personally appeared and is known to me to be the person whose signature is subscribed to the foregoing instrument.

GIVEN UNDER MY HAND and SEAL OF OFFICE this the 7<sup>th</sup> day of June, A.D. 2024



Saundra Passailaigue  
Notary Public, Bexar County, Texas

My Commission Expires: 11-17-2026



EXHIBIT G-2

Letter of Authorization

Date: \_\_\_\_\_

TO: City of Leon Valley, 6400 El Verde Road, Leon Valley, Texas 78238

This letter authorizes: One Stop Group, LP, its Agent, or its Assignee

Applicant First and Last Name

To submit an application for:  Rezoning  Specific Use Permit  Platting

At: Lot(s) \_\_\_\_\_ Block P-13 CB 4430 Subdivision (ABS 432)

Address (if assigned): BCAD Property ID 217829 - AIDS DR - MAPSCO: 80A4

I, GILBERT LAUBACH, the owner(s) of the aforementioned property, authorize the submitted request to be reviewed, presented to the Planning and Zoning Commission and City Council and, if approved, process such request as applicable.

Sincerely,

Gilbert Laubach

Property Owner's Signature

GILBERT LAUBACH

Printed Name of Property Owner

PO BOX 26

Address

BOERNE, TX, 78006-0026

City, State, Zip Code

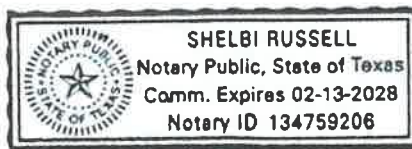
STATE OF TEXAS }  
COUNTY OF ~~BEXAR~~ } SP  
Hendall

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day Gilbert Laubach personally appeared and is known to me to be the person whose signature is subscribed to the foregoing instrument.

GIVEN UNDER MY HAND and SEAL OF OFFICE this the 1 day of May, A.D. 2024

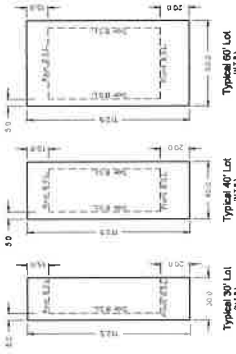
Shelbi Russell  
Notary Public, Bexar County, Texas

My Commission Expires: 04/13/2028



# MASTER SITE PLAN - ALL THREE SENECA WEST PROPERTIES

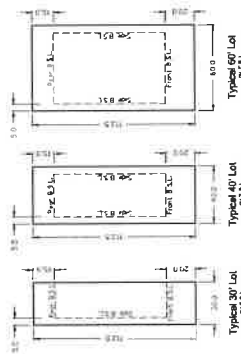
# EXHIBIT H



## MASTER SITE PLAN PLAN 3

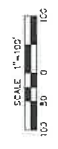
SAMARITAN+LAUBACH+CITY PROPERTIES  
(± 60 ACRES)  
JUNE 13, 2024

**FIRE PLAN NOTES:**  
 1. All Fire Hydrants to be spaced no more than 500' apart, measured as the hose lays.  
 2. All inside corner radii of internal fire lanes to be no less than 25'.



**LOT COUNT**

146	30' LOTS
219	40' LOTS
15	60' LOTS



**MASTER FIRE PLAN**  
**PLAN 5**  
 SAMARITAN+LAUBACH+CITY PROPERTIES  
 (± 60 ACRES)  
 JUNE 13, 2024

PZ-2024-14

Planned Development District (PDD)  
with R-6 Garden Home Zoning  
6530 Samaritan / Grass Hill Estates

Mindy Teague

Planning & Zoning Director

7/23/2024

# Purpose

- Request to Rezone Approximately 32-Acres of Land From R-1 (Single Family Dwelling) and RE-1 (Residential Estate) Zoning Districts to a Planned Development District (PDD) with R-6 (Garden Home) District Base Zoning
- Approx. 30.984 acres
  - 19.614-acre vacant tract, Lots 1 and 2, Block 1, CB 4430 Grass Hill Estates Subdivision
  - 11.37-acre vacant tract, P-13, ABS 432, CB 4430,
  - Located along Aids, Samaritan, Grass Hill, & William Rancher Streets

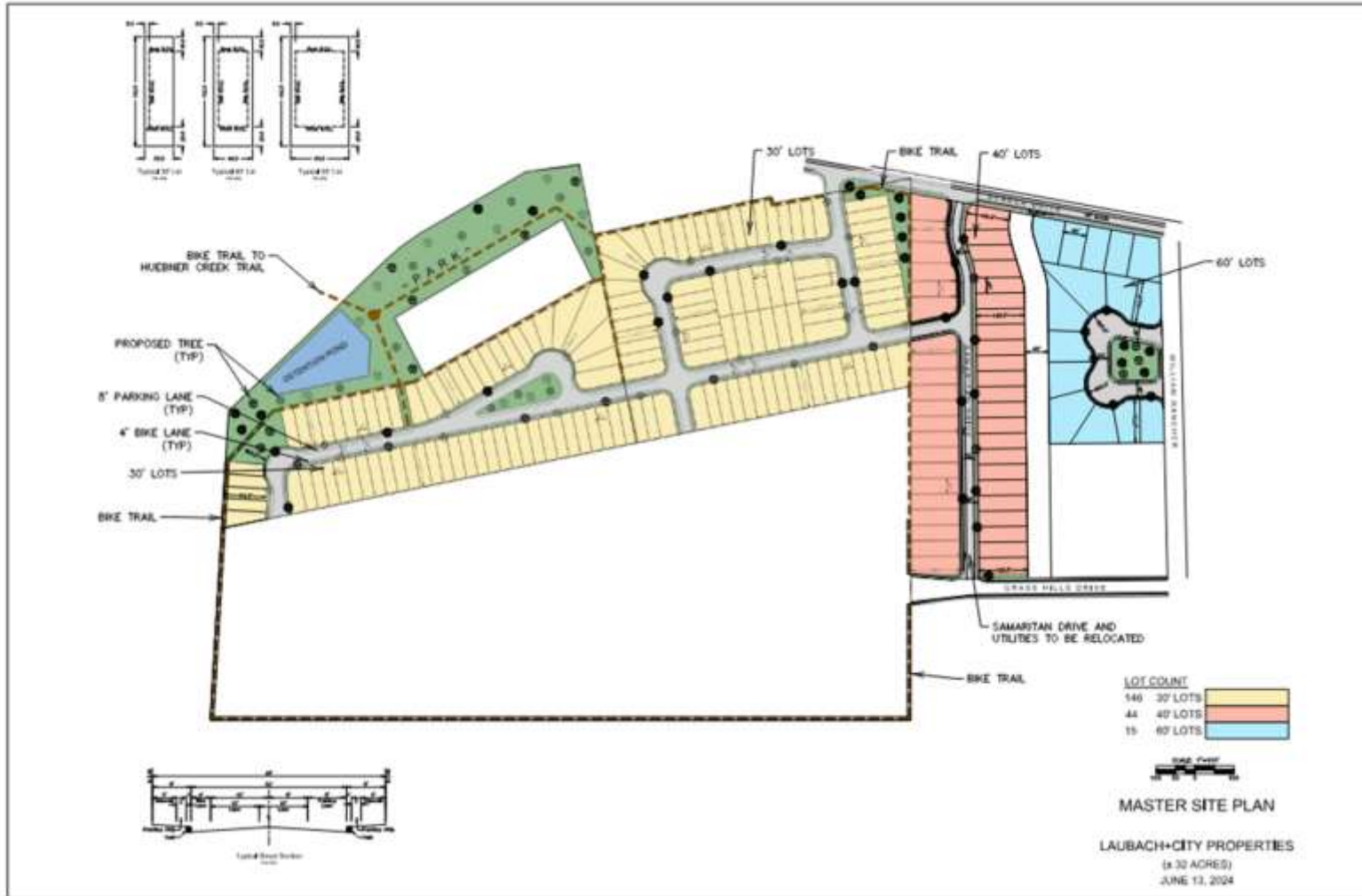


# Purpose

- A request for rezoning approximately 31 acres of land from R-1 and RE-1 to a PDD with R-6 based zoning district
- Development would have 144-30' wide, 46-40' wide, and 15-60' wide lots, for a total of 205 single family homes



# Site Plan



# History

- 1971 – Area was annexed
- 1984 – Request to rezone existing Good Samaritan Nursing Home property from R-1 to B-2 (Retail) – request denied
- 1985 – Request to rezone 44 ac. from R-1 to R-6 – request denied
- 2007 – Request to rezone 68.569 acres from R-1 to R-7 (Single-Family Medium Density) – request denied

# History / TIA

- 2007 – Residents of Seneca West petition to amend City Master Plan to remove recommendation of R-6 to only R-1 – petition approved
- 2010- Request to rezone approximately 65.704 acres from R-1 to R-6 – request denied
- 2011- The City Manager presented a TIF – proposal denied

# Variance Requests

Item 4.

Permitted modifications to Sec. 15.02.312 (R-6 Garden House District Zoning Ordinance) as per table below:

Paragraph	Section 15.02.312 - R-6 Single Family Dwelling – Zoning Ordinances	Current R-6 Standard	Requested Modifications
b.2	Minimum Area of Each lot	4500 SQFT	3000 SQFT
b.3	Minimum Depth	100 ft	100 ft
b.4	Minimum Floor Space	1,800 SQFT	1,350 SQFT
b.5	Minimum Frontage	45'	30'
b.6	Maximum Height	2-1/2 stories	2-1/2 stories
c.2	Minimum Rear yard setback	15 ft	10 ft
c.3	Minimum Side yard setback	5 ft	0 ft
c.3	Minimum distance between the outside walls of adjacent structures	10' ft	5 ft
c.5	Minimum Side yard setback (Corner Lot)	20 ft	5 ft

Number c.3 should have referred to c.4  
Zero lot line homes – if zero lot line then the space between the lot line and the wall of the home on the adjacent lot will be no less than 5 feet.

# Variances - Lots

- 144 lots would have a 30' width and a minimum area of 3,000 square feet
  - Some of these lots will have an area of 3,375 square feet
  - Lots would be situated on the unplatted parcel behind Samaritan and Aids Drive
- 44 lots would have a 40' width and a minimum area of 4,500 square feet
  - Lots would border Samaritan Drive
- 15 lots will have a 60' width and a minimum area of 6,750 square feet
  - Lots would be east of the drainage channel on Grass Hill Estates Lot 1, bordering William Rancher and Aids Drive

# Variations – Streets

## Permitted Modifications to 10.02.251 (Applicable standards and specifications)

Paragraph	Section 10.02.251 – Applicable Standards	Current Standard	Requested Modifications
L.iv	Minor or Private Street <i>Minimum Right Of Way</i>	50 ft	48 ft
L.iv	Minor or Private Street <i>Minimum Pavement Width</i>	30 ft	30 ft

# Variations - Trees

- Lots will have the required percentage of overall landscaping
- Applicant intends to clear the properties and then mitigate by the planting of 2-1.5" diameter trees per lot (410 trees)
- Applicant will also be paying fees in lieu of planting trees, and constructing bike lanes, a hiking trail, and dedicating parkland

# Variations - Trees

- Tree Inventory Summary

Size	# Healthy	# Exempt
Medium:	103	6
Large:	233	11
Heritage:	32	3
Total	368	20



# Master Site Plan

Item 4.

MASTER PLAN OF ALL THREE SENECA WEST PROPERTIES - +/- 60 ACRES

EXHIBIT J



MASTER SITE PLAN

# Traffic Impact Analysis

- With the development of the previously approved PDD for the 27 acres at 6518 Samaritan Drive, the total for both developments would be 371 new residential homes
- Numerous TIA's have been calculated for this area – all of which indicate that both Seneca and Grass Hill are more than capable of accommodating traffic from this area

# Streets

- Access to & from proposed subdivision would be Samaritan, Seneca, & Grass Hill
- Portions of all three streets need reconstruction to current standards to carry the number of vehicles projected
- Estimated cost for reconstruction of these streets is \$3,913,400
- Applicant's share of the costs for reconstruction are estimated to be \$1,389,482
- This is in addition to the costs for developing streets inside the subdivision

# Master Plan, Section 11N Seneca West

- The Seneca West area remains largely unplatted and undeveloped
- Some platting occurred in 1972, and the future land use for the area consists of Single-Family low-density housing and Garden House Uses
- Land use for Seneca Estates Units 3 and 3B are established neighborhoods & should be maintained as residential areas
- Undeveloped tracts should be zoned R-1 (Single Family)

# Master Plan, Section 11N Seneca West

- Consolidation of properties west of Seneca East subdivision is recommended to coordinate the development of property and utilities
- Existing zoning south of Grass Hill Drive should remain R-6 (Garden House)

# Notification

- Letter mailed 33
- Received in favor 2
- Received in opposition 0
- Received undeliverable 2

# Fiscal Impact

- The owner has paid all fees associated with this application
- The development of this area will generate both ad valorem and sales tax revenues

# Recommendation

- Staff recommends approval of the proposed PDD



**PLANNING AND ZONING COMMISSION COMMUNICATION**

**DATE:** July 23, 2024  
**TO:** Planning and Zoning Commission  
**FROM:** Mindy Teague, Planning and Zoning Director  
**THROUGH:** Crystal Caldera, Ph.D., City Manager

**SUBJECT:** Discussion and Possible Recommendation to Amend the Leon Valley City Code of Ordinances, Chapter 15 Zoning, Article 15.02 Zoning, Division 6. Districts, Boundaries, and Use Regulations, Sec. 15.02.327 - "PD" Planned Development District

**PURPOSE:**

To consider recommendations for amending the Zoning Code to further define how the Planned Development District (PDD) zoning designation may be used. There have been some concerns that the district is being used to circumvent the Board of Adjustment variance process, as appeals to the regulations in the zoning code are typically based on a hardship of the land and appeals to the Board of Adjustment are presented at a district court and not to the City Council. Attached to this item are the Leon Valley PDD regulations, the City of San Antonio Planned Unit Development regulations, and a copy of the meaning of the zoning district designations in San Antonio.

The Chair of the Planning and Zoning Commission will take the lead on this discussion.

**FISCAL IMPACT:**

Not applicable.

**RECOMMENDATION**

Staff recommends amending the Code to include some of the verbiage from the San Antonio regulations, but allowing the district to be used for residential purposes when the applicant proposes a unique and clearly different design for a project.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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### Sec. 15.02.327 "PD" planned development district

- (a) *Purpose.* The purpose of a planned development ("PD") zoning district is to facilitate a specific development project, in accordance with a PD project plan, that may include uses, regulations and other requirements that vary from the provisions of other zoning districts. PD districts are intended to generally implement the following:
- (1) Flexible and creative planning;
  - (2) The goals, objectives, and maps of the city's comprehensive plan, including but not limited to, the city's future land use plan;
  - (3) Economic development;
  - (4) Compatibility of land uses;
  - (5) Innovative planning concepts;
  - (6) Higher quality development for the community than would result from the use of the city's standard zoning districts; and
  - (7) Expansion of uses with buildings constructed prior to the adoption of the sustainability overlay district on December 1, 2009, that may be difficult to re-purpose.
- (b) *Applicability.* A PD district shall only be established in one or more of the following circumstances:
- (1) The land is proposed for development as a mixed-use development. **or a traditional neighborhood development** requiring more flexible and innovative design standards;
  - (2) The land is located in close proximity to established residential neighborhoods where standard zoning classifications may not adequately address neighborhood concerns regarding the quality or compatibility of the adjacent development, and where it may be desirable to the neighborhood, the developer, or the city to develop and implement mutually agreed, enforceable development standards;
  - (3) The land serves as transition between different and seemingly incompatible land uses;
  - (4) The land, or adjacent property that would be impacted by the development of the land, has sensitive or unique environmental features requiring a more flexible approach to zoning and clustering of uses, or special design standards, in order to afford the best possible protection of the unique qualities of the site or the adjacent property;
  - (5) To provide for the expansion of a lawfully operating nonconforming uses under the conditions that follow:
    - (A) Prior to December 1, 2009, the lawfully operating nonconforming use was both:
      - (i) Fully conforming with the then applicable zoning regulations;
      - (ii) Located within an existing development or building(s), which were specifically designed, both functionally and aesthetically, for its presently legally nonconforming use; and
      - (iii) Rezoning the land on which the lawfully operating nonconforming use operates to a standard zoning district or classification, which would allow the expansion of the nonconforming use as a matter of right, may cause the zoning district designation of the land to be determined to be incompatible with the surrounding uses and zoning districts.
- (c) *Nature of the district.* Each PD district shall be unique and tailored to the specific site and proposed development project. Each PD district shall be governed by "base zoning" comprised of a zoning district specified within section 15.02.301 of this chapter 15 ~~and any additional overlay districts if appropriate~~. Each

PD district shall also be governed by a PD project plan, as well as any other items specific to the ordinance adopting the PD district as specified in section 15.02.327(d) below.

- (d) *Items specific to the ordinance.* The adopting ordinance establishing a PD district shall set forth the following:
- (1) *Base zoning district.* The adopting ordinance shall specify a base zoning district by which use and development standards shall be applied to subsequent development permits for land within the PD district; unless specifically excepted according to the provisions of this section. The base zoning district specified shall conform to the provisions of the city's comprehensive master plan, including the city's future land use plan.
  - (2) *Permitted or prohibited uses.*
    - (A) The adopting ordinance shall specify any uses not allowed in the base zoning district ~~and applicable overlay districts~~ that shall be permitted in the PD district, provided that such uses do not conflict with any provisions of the city's comprehensive plan.
    - (B) The adopting ordinance shall specify any uses permitted in the base district ~~and any uses permitted in the applicable overlay districts~~ that shall be prohibited in the PD district.
  - (3) *Development standards.*
    - (A) The adopting ordinance shall specify any supplemental design or development standards not required by the base zoning district that shall be applied to subsequent development permits for land within the PD district.
    - (B) The adopting ordinance shall specify any development standards required by the base zoning district ~~and applicable overlay districts~~ that shall be varied for subsequent development permits for land within the PD district.
    - (C) Standards that may be varied include but are not limited to the following:
      - (i) Residential density.
      - (ii) Building setbacks.
      - (iii) Building height.
      - (iv) Lot coverage.
      - (v) Parking and access.
      - (vi) Landscaping and buffering.
      - (vii) Streetscape design.
      - (viii) Architecture.
    - (D) Varied standards may increase or decrease the requirements otherwise applicable to particular uses.
    - (E) Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD district regulations, shall be considered standards that apply to subsequent development applications.
  - (4) *PD project plan.* No PD district may be established without approval of a project plan, containing the documents and minimum information specified in section 15.02.327(e) below.
  - (5) *Additional items.* The adopting ordinance may also specify the following if necessary:
    - (A) Required dedications of land or public improvements;

- (B) A phasing schedule for the project, where applicable, setting forth the dates for submittal of site development plans and the timing of performance by the developer for dedications of land or public improvements and satisfaction of any conditions in relation to the phasing of development, where applicable;
  - (C) Any variations from the city's subdivision or utilities standards pertaining to provision of roadway and drainage facilities provided such variance is justified by a city approved traffic impact study, drainage study, or other type of applicable engineering study, which may be required as a prerequisite for approving a PD district. Otherwise, all facilities or improvements within public rights-of-way shall be provided in accordance with design standards set forth within the city subdivision regulations;
  - (D) Identification of the levels of the deviation allowed between the PD project plan and subsequent development applications that may be approved by the planning and zoning director; and
  - (E) Such additional conditions as are established by the council to assure that the PD district is consistent with the city's comprehensive plan.
- (e) *PD project plan requirements.* No PD district may be established without approval of a PD project plan. The PD project plan shall be adopted with the ordinance establishing the PD district and shall be construed in conjunction with the authorized uses and development standards set forth within the PD district.
- (1) *Required documents.* The following documents shall be required to be included in a PD project plan. For smaller projects the following documents may be combined into one or more documents at the discretion of the planning and zoning director.
    - (A) Land use plan.
    - (B) Site plan.
    - (C) Landscape plan.
    - (D) Traffic impact analysis (TIA).
    - (E) Drainage analysis.
  - (2) *Additional documents.* Additional documents may be required to be submitted as part of a PD project plan, including but not limited to the following.
    - (A) Building elevations.
    - (B) Parking plan.
    - (C) Signage plan.
    - (D) Phasing plan.
    - (E) Site or building material specifications.
  - (3) *Form of documents.* All required and additional documents shall be in be fully dimensioned and drawn to scale.- digital format.
  - (4) *Content of documents.* Required PD project plan documents shall include but not be limited to the existing and proposed site features such as the following:
    - (A) Topography.
    - (B) Floodplain information.
    - (C) Adjacent properties.
    - (D) Ingress/egress.

- (E) Existing buildings.
  - (F) Parking and loading bays.
  - (G) Landscaping.
  - (H) Large tree groupings.
  - (I) Fire lanes and hydrants.
  - (J) Trash receptacle locations.
  - (K) Lots.
  - ~~(L) Building materials.~~
  - ~~(M) Facade features.~~
  - (N) Street rights-of-way, curblines, widths, and street names.
  - (O) Screening fences or walls.
- (5) *Consistency required.* All development applications within the PD district shall be consistent with the incorporated PD project plan. Failure of a subsequent development application to conform to the approved PD project plan for the PD district shall result in denial of the application unless the PD district regulations are first amended through incorporation of a PD project plan with which the development application is consistent. The degree of conformity required between the project plan and subsequent development applications shall be set forth in the adopting ordinance.
- (6) *Location and arrangement of uses.* The location and arrangement of all authorized uses in the PD district shall be consistent with the PD project plan approved with the PD district.
- (7) *Deviations from approved PD project plan.*
- (A) *Minor deviations.* In determining whether development applications are consistent with the PD project plan, minor deviations from the PD project plan may be approved by the planning and zoning director. Unless otherwise specified in the adopting ordinance, minor deviations are limited to the following:
    - (i) Corrections in spelling, distances, and other labeling that does not affect the overall development concept.
    - (ii) Change in building layout, when shown, that is less than a ten percent increase in size.
    - (iii) Changes in the proposed property lines internal to the PD district, as long as the originally approved district boundaries are not altered.
    - (iv) Changes in parking layouts as long as the number of required spaces is not decreased, and the general original design is maintained.
  - (B) *Major deviations from the approved PD project plan.* All major deviations from the approved PD project plan shall be submitted to the planning and zoning commission for recommendation and city council for approval as an amendment to the PD district.
- (f) *Procedures for establishment.*
- (1) *Steps for approval.* The review process for a PD district application shall include but not be limited to the following steps:
    - (A) Pre-application conference;
    - (B) Application submittal;

- (C) Project plan review by the planning and zoning director or designees;
  - (D) Preliminary feedback from the planning and zoning commission;
  - (E) Recommendation from the planning and zoning commission;
  - (F) Final approval from city council.
- (2) *Application requirements.* No application for a PD district shall be accepted by the city until the following items have been submitted to the city by the applicant.
- (A) A completed city zone change application, including all requirements as stated on the application form;
  - (B) A statement from the property owner giving authorization to the applicant to file the request for rezoning shall be required as part of the rezoning application, if necessary;
  - (C) A legal description of the property under consideration;
  - (D) A PD project plan;
  - (E) A description of any uses and development standards requested to be modified or varied from those in the base zoning district, as well as the purpose of the variation (i.e., why they are necessary);
  - (F) A description of how the proposed PD district fulfills the goals and objectives of the city's adopted comprehensive plan or any other formally adopted city planning document;
  - (G) A development schedule outlining a timetable for completion of the entire project;
  - (H) A copy of all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the PD district and any of its common areas, if applicable;
  - (I) The required application fee.
- (g) *Criteria for approval of PD districts.* No PD district shall be established which does not meet all of the following criteria:
- (1) The land covered by the proposed PD district fits one or more of the special circumstances warranting a PD district classification;
  - (2) The proposed PD district furthers the policies of the city's adopted comprehensive plan (as amended) and other formally adopted city planning documents;
  - (3) The proposed PD district demonstrates a more superior development than could be achieved through standard zoning classifications;
  - (4) The proposed PD district demonstrates the resolution of compatibility issues with surrounding development;
  - (5) The proposed and the configuration of uses depicted in the PD project plan are compatible with existing and planned adjoining uses;
  - (6) The proposed PD district demonstrates consistency with adopted public facilities plans, including those related to water, wastewater, transportation, drainage, and other public facilities; and
  - (7) The proposed PD district **(if a mixed-use or traditional neighborhood project)** demonstrates the provision of open space and recreational amenities within the development that provides for a superior living environment and enhanced recreational opportunities for residents of the district and for the public generally.

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- (h) *Conditions for approval.* The city council may impose such conditions to the PD district regulations and project plan as are necessary to assure that the purpose of the PD district is implemented.
- (i) *Subsequent development applications.* The development standards for a PD district shall be applied to the authorized uses through a plat, site development plan, general site plan, or other development applications as set forth in the adopting ordinance.
- (j) *Documentation of PD districts.* All PD districts approved after adoption of this Code section, as may be amended, shall be prefixed by a "PD" designation and assigned a unique identification number (e.g., PD-1, PD-2, PD-3, and so on), and shall also be shown on the zoning map.
- (k) *Expiration of a planned development district.*
- (1) Except for the base zoning, ~~including any applicable overlay districts established by a PD district ordinance,~~ all provisions of PD district, including the project plan, shall initially be valid for a period of 24 months.
  - (2) If a building permit has not been issued or construction begun on the detail plan within the 24 months, the PD district shall automatically expire and no longer be valid, and the zoning of the property shall automatically convert to the base zoning specified.
  - (3) The city council may, prior to the 24-month expiration, for good cause shown, extend for up to 24 additional months; during which time all provisions of the original PD district ordinance may remain valid. Only one extension may be granted.
  - (4) Following both the issuance and commencement of progress pursuant to the adopted PD project plan, all provisions of the PD district shall remain effective without expiration.



**STATEMENT OF PURPOSE**

The "PUD" planned unit development district is established for the following purposes:

- To provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties.
- To encourage the preservation and enhancement of natural amenities and cultural resources; to protect the natural features of a site that relate to its topography, shape and size; and to provide for a minimum amount of open space.
- To provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure.
- To encourage infill projects and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography.
- To allow for private streets and gated entrances for new subdivisions.

(a) Applicability and Evaluation Criteria. This section shall apply to all planned unit development districts established prior to January 1, 2016. Planned unit development districts established subsequent to January 1, 2016, shall comply with [section 35-344.02](#) of this chapter. In order to foster the attractiveness of a planned unit development and its surrounding neighborhoods and thereby preserve property values, and in order to provide an efficient road and utility network, ensure the movement of traffic, implement comprehensive planning, and better serve the public health, safety, and general welfare, the following criteria shall be utilized by the planning commission in reviewing PUD plans. These criteria shall neither be regarded as inflexible requirements, nor are they intended to discourage creativity or innovation.

- (1) Insofar as practicable, the landscape shall be preserved in its natural state by minimizing tree and soil removal.
- (2) Proposed buildings shall be sited harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings.
- (3) With respect to vehicular and pedestrian circulation and parking, special attention shall be given to the location and number of access points to public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and the arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed structures and neighboring properties.
- (4) Private streets and gates shall conform to article V of this chapter.
- (5) Planned unit developments in the ETJ shall comply with the provisions contained in this section with the exception of subsections (c) related to density,

(d) related to height and yard requirements, and (j) related to PUD plans. In addition, planned unit developments in the ETJ are exempt from the zoning procedures contained in this section.

(6) The description "planned unit development" or "PUD" shall be prominently indicated in the subdivision plat name.

(b) Minimum Size. There is no minimum size for a planned unit development.

(c) Permitted Uses and Density.

**(1) Uses.** A planned unit development may include residential, commercial, and industrial uses; cluster housing; common areas; unusual arrangements of structures on-site; or other combinations of structures and uses that depart from standard development. The uses permitted in a "PUD" are those designated in the approved PUD plan. Density limits are used to determine the maximum number of permitted dwelling units.

Planned unit developments containing one (1) single zoning district shall be annotated with the zoning district (PUD "RE," PUD "R-20," etc.) and may be developed to the density indicated in the maximum density table in subsection (2) below.

Planned unit developments which contain more than one (1) zoning district shall have each zoning district annotated as (PUD "RE," PUD "R-20," etc.) and each individual district may be developed to the density indicated in the maximum density table in subsection (2) below.

(2) Density Table. The PUD plan shall divide the PUD into land use categories and shall indicate the uses permitted in each category. For residential land use categories, the maximum number of dwelling units permitted per acre for each land use category is as follows:

Land Category	Use	Maximum Density
"RE"		1
"R-20"		2
"R-6"		5
"RM-6"		5
"R-5"		6
"RM-5"		6
"R-4"		7

"R-3"	10
"RM-4"	7
"MF-18"	18
"MF-25"	25
"MF-33"	33
"MF-40"	40
"MF-50"	50
"MF-65"	65

Total allowable density is calculated by multiplying the amount of net usable acres times the appropriate number above. Floodplains (100-year), steep slopes, non-buildable areas and existing easements are not used to determine net acreage.

Example: On a twelve (12) acre tract with one and one-half (1½) acres of unusable space, with an "R-6" zoning district. Usable acreage ten and one-half (10½) times table number (5) allows fifty-two and one-half (52½) units. The maximum number of units that may be built may not be further increased by using the provisions of division 6 flexible zoning of this article.

(3) Attached Dwelling Units. Dwelling units may be attached in all PUD districts except for land use categories designated "RE" and "R-20."

(4) Lots. There is no minimum area requirement for lots and lots need not front onto a street. Lot boundaries may coincide with structure boundaries except where perimeter lot setbacks are required.

(d) Height and Yard Requirements.

(1) Height Limitation. The maximum height of structures shall be as prescribed below; however, any portion of a structure may exceed this limit provided such portion is set back from the side and rear lot lines, or setbacks if required, one (1) foot for each two (2) feet of height in excess of the maximum building height. Distance credit shall be permitted for space occupied by structures of conforming height extending from the lot lines or setbacks as applicable.

Structures devoted to the following uses:	Shall be restricted to the following height:
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Dwelling, one family; Dwelling, single-family; Duplex; Dwelling, one-family attached; Dwelling, single-family detached; Dwelling, two-family (duplex); Dwelling, two-family attached; Dwelling, three-family (triplex); Dwelling, four-family (quadraplexes)	35 ft
Multi-Family not exceeding 25 units/acre	45
Multi-Family not exceeding 33 units/acre	60
Multi-Family not exceeding 40 units/acre	84
Multi-Family not exceeding 65 units/acre	—
Commercial Buildings, except as otherwise listed below	35
Malls, shopping centers, or collection of shops - regional center (enclosed mall with two (2) or more anchors) or super regional center (similar to regional, but with three (3) or more anchors)	45
Light Industrial uses (uses permitted in the "L" district)	35
General Industrial uses (uses permitted in the "I-1" and "MI-1" districts)	60
Mixed use buildings may be as tall as allowed by the most intense use included in the structure pursuant to this table	

(2) Fences.

A. Along collector and arterial streets, fences or walls within a PUD may extend to a height of eight (8) feet subject to the clear vision area requirements for fences in [section 35-514](#).

B. No such fence or wall, or portion thereof, shall exceed one hundred (100) horizontal feet in length unless one (1) of the following architectural features visible from the paved surface of the street is provided as part of the fence:

1. A column or pillar; or
2. Articulation of the surface plane wall by incorporating plane projections or recesses having a depth of at least one (1) foot and extending a horizontal distance not less than three (3) or more than twenty (20) feet.

C. The provisions of subsection B., above, shall not apply to a fence or wall constructed of brick, masonry, or wrought iron consisting of at least fifty (50) percent open voids. The square footage of the fence shall be measured by taking the total square footage of an area defined by the length of the fence and its average height. The percentage of open voids shall then be derived

by dividing the total square footage of the open voids by the total square footage of the area calculated above and multiplying this figure by one hundred (100). The fence's framing (the vertical posts supporting the fence from the ground and no more than three (3) horizontal cross bars between the posts, or brick or stone pillars) shall not be included in the calculation of the total square footage, provided the framing posts and cross bars do not exceed a four-inch width and the posts are spaced at least eight (8) feet apart.

(e) Required Setbacks.

(1) Residential Including Multi-Family Uses. Required PUD perimeter setbacks shall be twenty (20) feet.

(2) Nonresidential Uses. Required PUD perimeter setbacks shall be the same as for the applicable zoning district which the nonresidential use would be allowed in if it were not a PUD.

The PUD perimeter setback lines shall be indicated on the PUD plan prior to receiving approval of the PUD plan. The planning commission may approve lesser setbacks after considering physical features such as the location of trees, waterways, steep slopes, easements, other buffers and/or compatibility of the PUD with adjacent land uses provided such setbacks meet the requirements of the current adopted International Building Code.

No setbacks are required for residential or nonresidential interior lots provided the requirements of the currently adopted International Building Code or the International Residential Code are met. Provisions of subsection [35-373\(c\)](#) zero lot line development do not apply in a PUD.

(3) If access to a garage is provided from the front or side of a lot, then the garage shall maintain a setback as indicated in subsection [35-516\(g\)](#) of this chapter.

(f) Infrastructure Requirements.

(1) Streets and Sidewalks. Streets within a PUD may be public or private. Vehicular circulation may also be provided by internal private drives. Private drives must meet the requirements for fire lanes as per the International Fire Code Appendix D for width, lengths turnarounds, and parking requirements whether for a commercial or residential base zoning. A building permit must be obtained for private drives and would include site plan review and inspection for flatwork/civil work within the public ROW. However, the planning commission may require dedication and construction of public streets through or into a PUD through the platting process. Public or private streets shall conform to the transportation standards of this chapter (see [section 35-506](#) of this chapter).

(2) Utilities. All utility systems shall comply with the utilities standards of this chapter. Water and sanitary sewer systems within a PUD may be publicly or privately owned; however, the maintenance of private systems shall be the responsibility of the PUD community association. Public utility systems shall be approved by the applicable agency or city department.

(3) Easements. Publicly owned and/or maintained utilities shall be placed in public streets or easements which are a minimum of sixteen (16) feet in width unless a narrower width is approved by the applicable utility. Dead-end easements shall not be permitted unless a city approved vehicular turnaround is provided at the end of each such easement.

(4) Garbage Collection. If in the opinion of the solid waste management director, private streets in a PUD are arranged so that garbage may be collected without creating a safety hazard, the city will collect the garbage provided proper indemnification is received from the community association or individual property owners. Garbage collection locations shall be subject to the approval of the solid waste management director. In the event the city does not collect garbage within a PUD, all units within the PUD may be exempted from payment of garbage fees upon furnishing of evidence ensuring acceptable removal of all garbage and refuse by private means. To receive such an exemption, a written application must be submitted to and approved by the finance director.

(g) Parks/Open Space.

(1) Residential. Each residential PUD plan shall provide for a minimum amount of parks/open space as required by the parks/open space standards (35-503) of this chapter. Residential PUDs may not use a fee in lieu of for meeting parks/open space requirements.

(2) Commercial. All commercial and industrial PUDs will contain a minimum of twenty (20) percent of park/open space.

(3) Mixed-Use. Mixed-use developments shall be divided into separate residential and commercial areas which must separately meet the requirements of this paragraph and subsection 35-344(c)(2). Mixed use buildings that include residential use shall meet the residential requirements of this subsection.

(4) Reduction in Parks/Open Space. At its discretion, the planning commission may approve a decrease in the amount of required parks/open space when the PUD plan includes unique design features or amenities which achieve an especially attractive and desirable development such as, but not limited to, terraces, sculpture, water features, preservation and enhancement of unusual natural features, or landscape sculpture (areas which are intensely landscaped).

(h) Parking Requirements. Off-street parking and truck loading facilities shall be provided in accordance with the parking standards of this chapter. Parking shall be prohibited on

any private street or private drive, excluding driveways on interior lots less than twenty-eight (28) feet in width, and if utilized on streets twenty-eight (28) feet or wider, the parking must be clearly distinguishable from the movement lanes.

(i) Common Areas and Facilities. Provisions shall be made for a property owners' association that is designated as the representative of the owners of property in a residential subdivision. The property owners' association shall have the direct responsibility to provide for the operation and maintenance of all common areas and facilities, including private streets and sidewalks, which are a part of the PUD. The applicant shall submit the dedicatory instrument(s) covering the establishment, maintenance, and operation of a residential subdivision. The dedicatory instrument(s) shall establish a plan for the use and permanent maintenance of the common areas/facilities and demonstrate that the property owners' association is self-perpetuating and adequately funded by regular assessment and/or special assessment to accomplish its purposes. The dedicatory instrument(s) shall include provisions that provide the city with permission for access at any time without liability when on official business, and further, to permit the city to remove obstructions if necessary for emergency vehicle access and assess the cost of removal to the owner of the obstruction.

"Property owners' association" means an incorporated or unincorporated association that;

- A. Is designated as the representative of the owners of property in a residential subdivision;
- B. Has a membership primarily consisting of the owners of property covered by the dedicatory instrument for the residential subdivision; and
- C. Manages or regulates the residential subdivision for the benefit of the owners of property in the subdivision.

"Dedicatory instrument" means each governing instrument covering the establishment, maintenance, and operation of a residential subdivision. The term includes restrictions or other similar instruments that subject property to restrictive covenants, bylaws, or similar instruments governing the administration or operation of a property owners' association; allow for properly adopted rules and regulations of the property owners' association; and authorize enactment of lawful amendments to the covenants, bylaws, rules, or regulations.

"Property owners' association" means the designated representative of the owners of property in a subdivision and may be referred to as a "homeowners association," "community association," "civic association," "civic club," "association," "committee," or similar term contained in the dedicatory instrument.

"Regular assessment" means an assessment, a charge, a fee, or dues that each owner of property within a residential subdivision is required to pay to the property owners' association on a regular basis and that is designated for use by the property owners'

association for the benefit of the residential subdivision as provided by the dedicatory instrument.

"Special assessment" means an assessment, a charge, a fee, or dues, other than a regular assessment, that each owner of property within a residential subdivision is required to pay to the property owners' association, according to the procedures required by the dedicatory instrument, for:

- A. Defraying, in whole or part, the cost whether incurred before or after the assessment, of any construction or reconstruction, unexpected repair, or replacement of a capital improvement in common areas owned by the property owners' association, including the necessary fixtures and personal property related to the common areas;
- B. Maintenance and improvement of common areas owned by the property owners' association; or
- C. Other purposes of the property owners' association as stated in its articles of incorporation or the dedicatory instrument for the residential subdivision.

(j) PUD Plan. After the PUD zoning is granted, a PUD plan shall be submitted to and approved by the planning commission prior to approval of any plats or the issuance of any building permits or certificates of occupancy. The PUD plan shall incorporate any conditions imposed with the granting of the PUD zoning.

(1) Public Hearing. Upon submission of the PUD plan, the director of development services shall distribute copies to appropriate city departments and agencies for review. Upon receipt of all required items and reviews, the director of development services shall schedule a public hearing by the planning commission on the proposed plan and shall provide written notice of the hearing to the owners of real property lying within two hundred (200) feet of the PUD boundaries. The notice shall be mailed at least ten (10) days prior to the public hearing date.

(2) Plan Approval. After the public hearing the commission may approve the plan as submitted, amend and approve the plan as amended, or disapprove the plan. If approved, the plan with any amendments shall be signed by the chairman and secretary of the commission. A copy of the approved PUD plan shall be distributed to the development services director and other appropriate departments/agencies for use in issuing permits.

(3) Amendments. Amendments for any PUD plan shall be consistent with subsection (k) below.

(k) Amendments. Amendments may be classified as minor or major in accordance with the following:



(1) Minor amendments to the previously approved PUD plan may be made without requiring resubmission of the entire application. For purposes of this subsection, "minor amendments" are amendments which:

- A. Permit equal or fewer dwelling units, floor area, lot coverage or impervious surface than that requested on the original application;
- B. Reduce the impact of the development; or
- C. Reduce the amount of land involved from that indicated in the notices of the hearing.
- D. A minor amendment shall not, in any case, permit:
  - i. An increase in the overall density of the PUD by more than ten (10) percent;
  - ii. A different land use than that requested in the original or amended PUD plan;
  - iii. A larger land area than indicated in the original or amended PUD plan.
- E. A minor amendment shall not reduce or eliminate conditions adopted in this chapter or otherwise adopted by city council ordinance or planning commission approval for a PUD approval.

(2) Amendments not classified as minor amendments above shall be classified as major amendments and shall require resubmission of the application to the planning commission.

(3) Major amendments shall be considered by the planning commission following the same procedure required for the initial approval of the plan, including payment of the plan review fee.

(l) Time Limit.

(1) Applications. The director of development services shall provide a written response indicating whether the planned unit development application is complete within five (5) working days after submittal. The applicant shall file a written response to any staff comments or resolve outstanding issues prior to final approval of completeness. This response shall occur within thirty (30) days of the notification date of staff comments unless a time extension is requested and granted in writing. The maximum limit on an extension is six (6) months from the original staff comment date. The appellate agency for purposes of completeness review shall be the planning commission.

PUD plan application approval shall expire and shall be void for all purposes if a PUD plan is not approved in accordance with this chapter within two (2) years from

the date of acceptance of the complete application. Upon expiration of the PUD plan application, a new PUD plan number, application, and fee shall be required when PUD plan approval is still sought.

(2) PUD Approval and Completion. A PUD plan, deemed complete and approved, shall remain valid for a period of six (6) years from the date of the last recorded plat or the date of planning commission approval if no plats are recorded. Time extensions for up to one (1) year may be granted by the planning commission if it finds that additional time is warranted. Failure to initiate development within the approved time period shall void the approved PUD plan and no building permits or utility connections shall be issued until a new application and plan have been submitted and approved.

(3) Amendments. An approved/completed PUD may be amended in the future subject to any applicable criteria or requirements of this chapter.