



CITY OF LEON VALLEY
PLANNING & ZONING COMMISSION
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, March 12, 2024 at 6:30 PM

AGENDA

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF ZONING COMMISSION MINUTES

1. Planning & Zoning Commission - Regular Meeting - February 27, 2024

3. NEW BUSINESS

1. Presentation, Public Hearing, Discussion, and Possible Recommendation on a Request to Rezone Approximately 27-Acres of Land From R-1 Single Family to Planned Development District (PDD) With R-6 Garden Home Based Zoning District, Being Lot 1, Block 1, CB 4430C, Good Samaritan Lodge Nursing Home Inc. Subdivision, Parcel 1, Abstract 399, CB 4429, and Parcel 11, Abstract 432, CB 4430 (unplatted), Located at 6518 Samaritan Drive, Leon Valley, Texas - M. Teague, Planning and Zoning Director
2. Presentation, Public Hearing, Discussion, and Possible Recommendation on a Request to Rezone Approximately 6-Acres of Land From R-1 (Single Family Dwelling) Zoning District to a Planned Development District (PDD), Being Parcel 46, Abstract 664, CB 4446, Lot 46A and Parcel 46C, Abstract 664, CB 4446, Located at 7201 and 7205 Huebner Road, Leon Valley, Texas - 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
MARCH 6, 2024 12:45 PM





**City of Leon Valley
PLANNING AND ZONING COMMISSION
MEETING MINUTES
6:30 PM – FEBRUARY 27, 2024
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238**

1. CALL TO ORDER AND ROLL CALL

2nd Vice-Chair Andrea Roofe called the Planning and Zoning Commission meeting to order at 6:40 PM.

PRESENT

2 nd Vice-Chair	Andrea Roofe	Place 2
Commissioner	Pat Martinez	Place 4
Chair	Cassie Rowse	Place 5 – Tardy 6:45PM
1 st Vice-Chair	Erick Matta	Place 6 – Tardy 7:48PM
Commissioner	Richard Blackmore	Place 7
Commissioner	David Perry	Place 1
Commissioner	Hilda Gomez	Place 3
2 nd Alternate	Mary Ruth Fernandez	Seated to Vote
Council Liaison	Benny Martinez	

ABSENT

1 st Alternate	Thomas Dillig	Unexcused
3 rd Alternate	Gregory Meffert	Unexcused

Also in attendance were Planning & Zoning Director Mindy Teague, Economic Development Director Roque Salinas, City Manager Dr. Crystal Caldera, City Council Member Rey Orozco, and Permit Technician Elizabeth Aguilar.

2. APPROVAL OF ZONING COMMISSION MINUTES

- 1. Planning and Zoning Commission - Regular Meeting - January 23, 2024

Commissioner Blackmore made a motion to approve the minutes as presented, which was seconded by 2nd Alternate Fernandez. The motion carried unanimously.

3. NEW BUSINESS

- 1. Presentation, Public Hearing, and Discussion, to Gain Preliminary Feedback From the Planning and Zoning Commission to Rezone an Approximately 27-Acre Tract of Land From R-1 Single Family to a Planned Development District With R-6 Garden Home District, Being Lot 1, Block 1, CB 4430C, Good Samaritan Lodge Nursing Home Inc Subdivision and Parcel 1, Abstract 399, CB 4429 and Parcel 11, Abstract 432, CB 4430 (unplatted), Located at 6518 Samaritan Drive, Leon Valley, Texas - M. Teague, Planning and Zoning Director

Planning and Zoning Director Mindy Teague presented the case information and Applicant Mr. Samir Chehade presented and a discussion was held between the Commissioners, Planning and Zoning Director Mindy Teague and Mr. Samir Chehade regarding the variance, tree replacement, traffic analysis and the second exit into a field.

Chair Catherine Rowse opened the public hearing at 7:15PM.

Residence from the area spoke, noting their concerns regarding drainage issues, traffic, wildlife, homeless, cost vs. expense, green spaces, construction disturbances, toxic waste research of the land, noise, cleanliness of the community, flooding and building less units on the land.

The following residents spoke in opposition: Monica Alcocer, Lori Bennett, Kathy Hill, Abraham Diaz, Mauricio Mendoza, Lisa Coleman, Gabriela Mendoza, Mike Mascorro,

Sandy Aguirre, Thomas Benavides, Mark Ferris, Amandine Grenier, Even Bohl, and Hugo Mendoz.

The following residents spoke in favor: None.

Chair Catherine Rowse closed the public hearing at 7:59PM.

Chair Catherine Rowse stated that the PDD meets purpose but not applicability.

- 2. Presentation, Public Hearing, and Discussion to Gain Preliminary Feedback From the Planning and Zoning Commission on a Request to Rezone an Approximately 6-Acre Parcel of Land From R-1 (Single Family Dwelling) Zoning District to a Planned Development District (PDD), Being Parcel 46, Abstract 664, CB 4446 and Lot 46A & Parcel 46C, Abstract 664, CB 4446, Located at 7201 and 7205 Huebner Road, Leon Valley, Texas - M. Teague, Planning and Zoning Director

Planning and Zoning Director Mindy Teague presented the case information and a brief discussion was held between the Commissioners, Planning and Zoning Director Mindy Teague and Applicant Jeffrey McKinny with Cude Engineering regarding the request to follow through with Phase II the same as Phase I, sidewalk and gate to Leon Valley Elementary School, the pathway being away from Huebner Road and traffic and they bought the land to meet the fire code for two exits.

Chair Catherine Rowse opened the public hearing at 8:29PM. Seeing that nobody wished to speak, Chair Catherine Rowse closed the public hearing at 8:29PM.

Chair Catherine Rowse stated that all looked good to her to move forward.

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.

Chair Catherine Rowse stated that Whataburger opened today. Earthwise is Saturday from 9am-1pm, to have an enjoyable Spring Break and the next meeting will be March 26th. Commissioner Blackmore said to make sure you go vote. Commissioner Fernandez announced the Onion House Birthday Celebration on March 16th.

5. ADJOURNMENT

Chair Rowse announced the meeting adjourned at 8:36 PM.

These minutes were approved by the Leon Valley Planning & Zoning Commission on the 12th of March 2024.

APPROVED

CATHERINE ROWSE
CHAIR

ATTEST: _____
ELIZABETH AGUILAR
PERMIT TECHNICIAN

PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: March 12, 2024

TO: Planning and Zoning Commission

FROM: Mindy Teague, Planning and Zoning Director

THROUGH: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation, Public Hearing, Discussion, and Possible Recommendation on a Request to Rezone Approximately 27-Acres of Land From R-1 Single Family to a Planned Development District (PDD) with R-6 Garden Home District Base Zoning, Being Lot 1, Block 1, CB 4430C Good Samaritan Lodge Nursing Home Inc Subdivision, Parcel 1, Abstract 399, CB 4429 and Parcel 11, Abstract 432, CB 4430, Located at 6518 Samaritan Drive, Leon Valley, Texas

PURPOSE

The purpose of this item is to request to rezone an approximately 27-acre tract of land from R-1 Single Family Dwelling District to Planned Development District (PDD) with R-6 Garden Home District base zoning, located at 6518 Samaritan Drive, for a proposed development of 166 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

The applicant is requesting one variance from the Planning and Zoning Commission:

1, Minimum Lot Width – a request to decrease the minimum R-6 lot width from 45' to 40', while keeping the minimum lot size requirement at 4,500 square feet.

While not under the purview of the Planning and Zoning Commission, the applicant will be requesting a variance from the City Council to Chapter 13 Tree Preservation.

While the lots will have the required percentage of overall landscaping and trees, the applicant intends to initially clear the property to its 1995 condition by the removal of 367 medium and 725 large trees. No heritage trees are to be removed, as there are none on the land. The applicant proposes to plant 2 – 1.5" diameter tree on each of the proposed new lots, which is required by the Zoning Code. The applicant would normally be required to pay \$112,000 in fees in lieu of planting the 1,125 required number of trees upon the start of construction; however, he intends to ask the City Council to reduce that amount to \$50,000.

The applicant will be required to plat the unplatted portion of the property and provide parkland, or fees in lieu of parkland, prior to any building construction.

Special Considerations

To meet the ingress/egress distance requirements of the Fire Code, the applicant is requesting the City provide an easement on its property at 6530 Samaritan for emergency access to the site. If the City does not agree to provide this emergency access easement, the developer will be required to fire sprinkle all homes.

The applicant is requesting that any future deviations to the plan be internally approved by the Planning and Zoning Director for subsequent development applications or amendments, as long as the deviation does not exceed 10% from the current plan. This would allow for minor deviations due to topography, drainage, etc.

Streets/Traffic Impact Analysis (TIA)

The streets are proposed to have a 50' ROW, which meets the current code. The TIA indicates a total of 116 peak hour morning trips and 165 peak hour evening trips. Both Seneca and Grass Hill roads have the capacity for this amount of traffic.

If the property remained R-1 Single Family Dwelling District, there would potentially be 104 lots. The increase in traffic impact with the additional 62 homes would be an additional 0.5 vehicles per minute on both roadways (see TIA on Page 6 of revised Proposed Project Plan).

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 zoning, the majority of the surrounding zoning is R-6. Our proposed zoning and PDD is in sync with the majority of the surrounding neighborhoods. The proposed PD district fulfills the goals and objectives of the city's long-term vision of:

- 1. Increasing its citizenship
- 2. Increasing its tax-base
- 3. Economic Development Growth
- 4. Accommodating the design and construction that adapt to Market demand and affordability in this particular area of the City
- 5. This Development will have a substantial economic impact on the City. The approximate net impact of this proposed development on the City's Property Tax budget is approximately \$325,000 annually.”

Notification

- Letters mailed 112
- Received in favor 0
- Letters received in opposition 0
- Letters undeliverable 1

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

Due to the long history of the denial of rezoning requests in this area and the fact that it has remained vacant, staff recommends approval of the rezoning and variance request. While the Master Plan does recommend R-1 Single Family Dwelling zoning, by using the PDD tools, the surrounding property owners will have a greater say in how this property and this area in general is developed.

Chapter 15 Zoning, Sec. 15.02.721 - General statutes, ordinances and rules applying to the zoning commission (q) states:

(4) Motions to recommend approval or denial of any change in a zoning district may, when appropriate, contain statements of commission findings in the following areas:

- (A) Consistency and compatibility with the master plan;
- (B) Consistency and compatibility with surrounding zoning districts;
- (C) Consistency and compatibility with site and surrounding uses;
- (D) Protection of the health, safety and welfare of the general public; and/or
- (E) Protection and preservation of the property rights of the owner(s) of all real property affected by the proposed change in zoning district(s).

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

SAMARITAN PROPERTY REVISED TREE INVENTORY AND MITIGATION PLAN

March 5, 2024



We made One Change to the original submission:

We doubled our proposed number of replacement trees from 1 x 1.5" to 2 x 1.5" trees per lot.



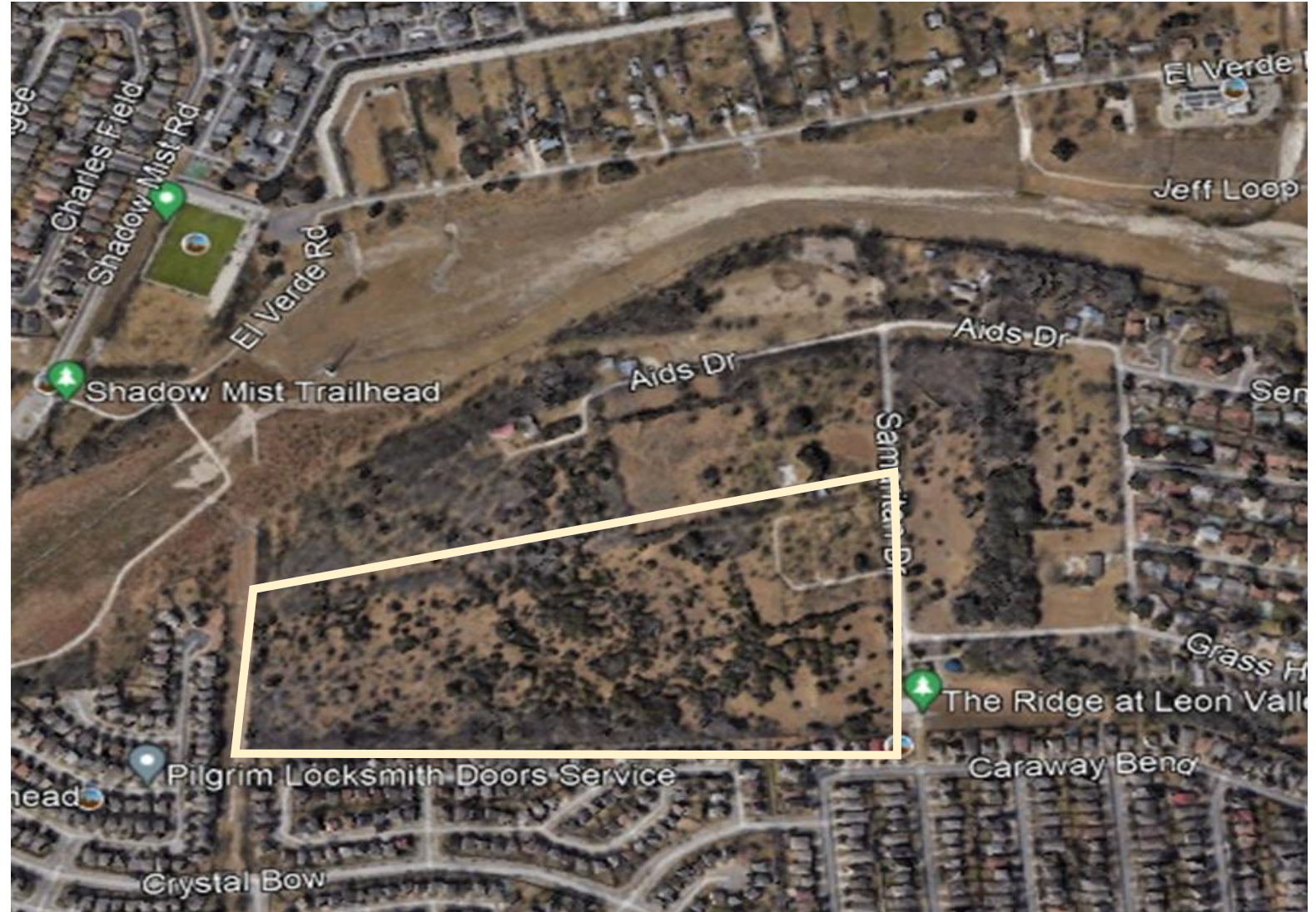
LAND HISTORY

THIS 1995 AERIAL MAP SHOWS THE PROPERTY AS FARMLAND



LAND HISTORY

CURRENT AERIAL MAP



KEY TREE STATISTICS

TREE INVENTORY SUMMARY		
SIZE	# HEALTHY	# EXEMPT
HERITAGE	6	10
LARGE	752	28
MEDIUM	367	6
TOTAL	1125	44

* EXEMPT = Diseased, Dead, or Hazardous

HERITAGE TREES		
Specie	DBH	Health
Arizona Ash	26	Hazardous
Arizona Ash	27	Hazardous
Ashe Juniper	34	
Ashe Juniper	35	
Ashe Juniper	36	
Hackberry	24	Hazardous
Hackberry	24	
Hackberry	24	
Hackberry	24	
Ligustrum	26	Dead
Ligustrum	27	Dead
Mesquite	26	Dead
Mesquite	27	Dead
Mesquite	27	Dead
Mesquite	35	Dead
Mesquite	36	Dead

DETAILED TREE INVENTORY

SPECIE	OVERALL			HERITAGE		LARGE		MEDIUM	
	TOTAL / SPECIE	HEALTHY	EXEMPT	HEALTHY	EXEMPT	HEALTHY	EXEMPT	HEALTHY	EXEMPT
Arizona Ash	4	0	4	0	2	0	2	0	0
Ashe Juniper	675	671	4	3	0	438	3	230	1
Chinaberry	8	2	6			2	6		
Crape Myrtle	4	4				4			
Elm	8	8				8			
Hackberry	290	269	21	3	1	162	15	104	5
Huisache	20	20				20			
Ligustrum	49	47	2		2	44		3	0
Mesquite	105	98	7		5	70	2	28	
Pecan	6	6				4		2	
TOTAL	1169	1125	44	6	10	752	28	367	6

* EXEMPT = Diseased, Dead, or Hazardous

OUR PROPOSED TREE MITIGATION PLAN

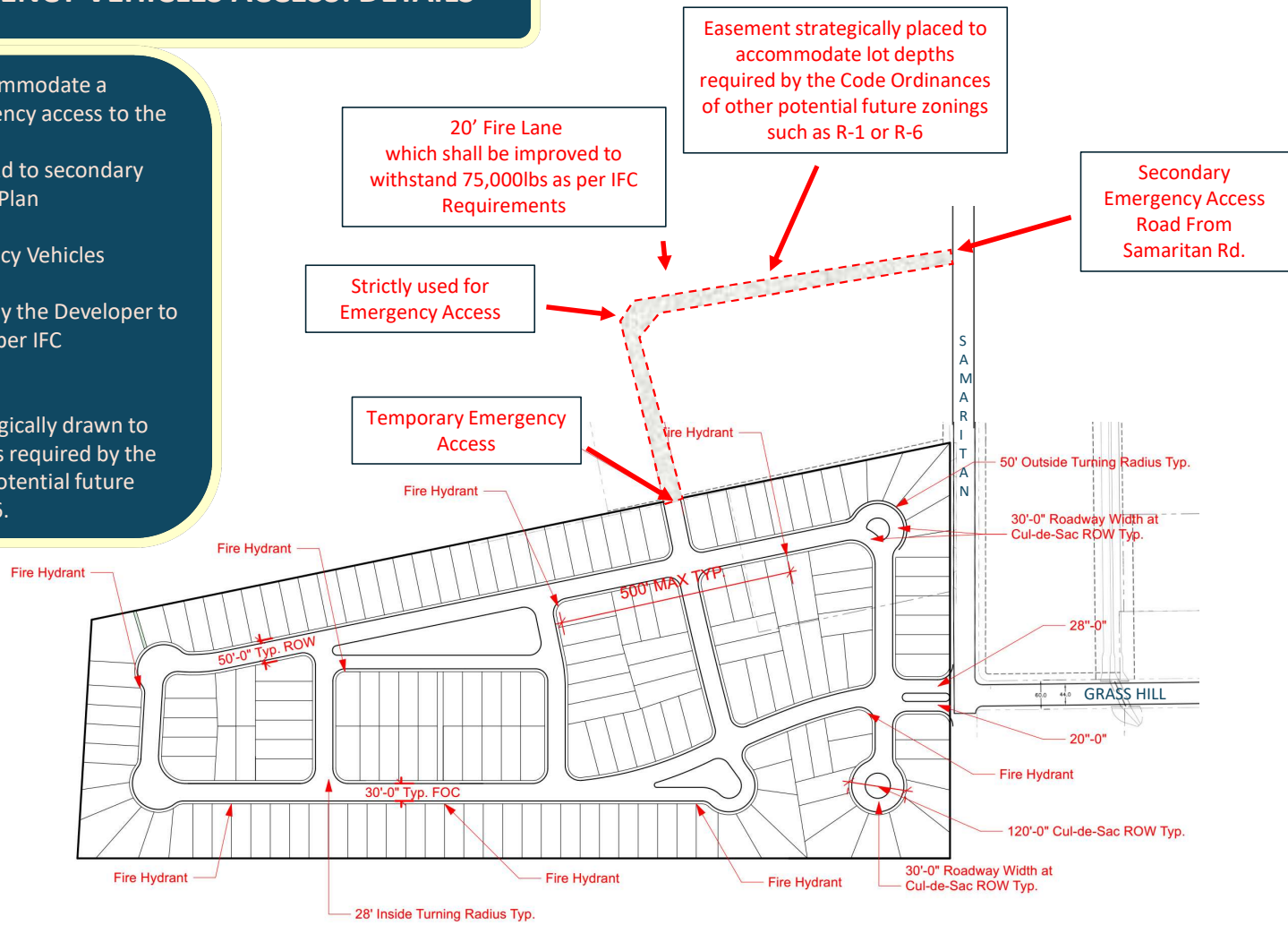
As we showed earlier, the 1995 aerial of this property shows it as bare farmland. There are not any Oak trees on this property. Most of the trees belong to invasive species.

We propose:

1. Clearing the property to its original 1995 state,
2. Plant new healthy trees: 2 x 1.5" trees per lot, and
3. Pay \$50,000 towards the Tree Preservation fund upon construction start.

SECONDARY EMERGENCY VEHICLES ACCESS: DETAILS

- Temporary Easement to accommodate a temporary secondary emergency access to the Development:
- Access from Samaritan Rd to secondary access as shown on this Plan
 - Strictly used by Emergency Vehicles
 - 20' Fire Lane improved by the Developer to withstand 75,000 lbs as per IFC requirements
 - Easement shall be strategically drawn to accommodate lot depths required by the Code of Ordinances of potential future zoning such as R-1 or R-6.





March 4, 2014

Ms. Mindy Teague and Ms. Melinda Moritz
City of Leon Valley
6400 El Verde Road
Leon Valley, Texas 78238

Re: Our **REVISED** PDD Rezoning Application for the +/- 27 Acre Tract 6000 Block of Samaritan Drive, in the Seneca West area in the City of Leon Valley. This property is also referred to as the Good Samaritan Lodge property (the "Property").

Revisions were made to the following previously submitted documents:

PREVIOUSLY SUBMITTED DOCUMENTS	REVISED OR NEW DOCUMENTS
05. 2024-02-14 - Samaritan Property - Proposed PDD Project Plan	05. 2024-03-01 - Samaritan Property - Revised PDD Project Plan
EXHIBIT C. Proposed Fire Plan	EXHIBIT C. Revised Proposed Fire Plan
	EXHIBIT G. Sec. 15.02.312 - R6 - Garden House - Modification
	EXHIBIT H. Temporary Easement over City-Owned Prop

PDD Project Plan - Samaritan Property

EXECUTIVE SUMMARY

Dear Ms. Teague and Ms. Moritz,

The Property's current zoning is R-1. We are seeking Council's approval of this proposed Planned Development District ("PDD") zoning.

LAND USE STATEMENT:



Our PDD’s zoning application is submitted requesting approval to change the Land Use of the Property from R-1 and otherwise, to be:

The Land Use of the Property shall be changed as follows:

- A. Base Zoning
The base zoning shall be changed to R-6. The use and development of the Property shall comply with the zoning requirements in Sec. 15.02.312 - R-6 Garden House District Zoning Ordinance as revised and attached to this Plan under Exhibit “G”.

- B. Supplemental Use Regulations
Additional Allowed Uses: The development of a Site Plan with approximately 166 Lots, substantially similar to the one attached as EXHIBIT B.

SUBJECTS WE ADDRESS IN OUR PDD PROJECT, INCLUDING THE COMMISSION’S AND THE NEIGHBORS’ COMMENTS FROM THE PREVIOUS P&Z COMMISSION MEETING (FEB 27):

- A. We present our proposed Tree Mitigation Plan

- B. We discuss the logic and terms of our request of a Temporary Easement on the City-Owned property allowing for a Temporary Emergency Access to the development.

- C. We explain that we are submitting our **rezoning Application in a PD format, instead of a simple R-6 zoning application**, based on Council’s preference and request. We further discuss the compliance of our Application with the PD ordinance. We seek the Commission’s support, approval, and favorable recommendation of our application. If the Commission is satisfied with the overall compliance and merits of our Application, with the exception of the PD Application Standards, we respectfully ask that the Commission grant us CONDITIONAL APPROVAL, pending Council’s approval of this deviation.

- D. We present why we believe our proposed rezoning is a good fit with the City’s long-term vision.

- E. We discuss the overall incremental impact on the neighbors from the current R-1 base zoning which allows the development of 104 residences By-Right, to our proposed R-6



base zoning which allows for 166 residences, an increment of 62 residences. We contend that an R-1 development would have a substantially similar impact of that of an R-6 development when it comes to:

- Tree preservation,
- Wildlife preservation,
- A change in the neighbors’ current lifestyle, and
- Short-term construction nuisance.

F. We analyse the **overall Traffic Impact on the Neighbors**. For that purpose, we have commissioned an additional Trip Distribution calculation based on the 11th edition of the ITE Trip Generation Manual for 104 residences. We quantified the incremental traffic impact of an R-6 development (166 residences) over that of an R-1 development (104 Residences) as follows:

Increment in Trip Distribution from 104 Residences to 166 Residences

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	8	24	28	16
Grass Hill Drive	25%	3	8	9	5

Calculated as per ITE TRIP GENERATION MANUAL, Eleventh Edition

We demonstrate with certainty that the Trip Distribution increment translates into an insignificant increase of less than 0.5 vehicles per minute on both roads with a 60’ Right of Way each.

G. **We present our projected development schedule** showing a projected project completion date of December 2029.

INCLUDED IN THIS APPLICATION:

1. Complete and notarized Rezoning Application
2. Complete and notarized Mailing List of Property Owners within 200ft of Property
3. Complete and notarized Landowner’s Authorization Letter
4. Our Revised PDD Project Plan,
5. Attached EXHIBITS:
 - A. Site survey



-
- B. Proposed Site Plan
 - C. Our Revised Proposed Fire Plan
 - D. Detailed Tree Survey and proposed Mitigation Plan
 - E. Traffic Impact Analysis
 - F. Land Location
 - G. Sec. 15.02.312 - R6 - Garden House - One Modification (NEW EXHIBIT)
 - H. Temporary Easement over City-Owned Property (NEW EXHIBIT)

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.

Sincerely,

A handwritten signature in blue ink, appearing to be "S. Chade", is written over a horizontal line.

BY: _____

Samir Chehade
Managing Partner
One Stop Group, LP

EXHIBIT __
To Ordinance _____
Of The City of Leon Valley

SAMARITAN PROPERTY DEVELOPMENT
@ SENECA WEST

Submitted by: ONE STOP GROUP

**PLANNED DEVELOPMENT DISTRICT
PROPOSED PROJECT PLAN**



Approved _____, 2024

Article 1. GENERAL

The property is a +/- 27-Acre tract generally Located in the Seneca West area, 6000 Block Samaritan Drive, in the City of Leon Valley.

Property Information (the “Property”):

- Address: **+/- 27 Acre Tract 6000 Block Samaritan Drive, Leon Valley**
- Legal Description: **CB 4430C BLK 1 LOT 1 GOOD SAMARITAN LODGE NURSING HOME INC (+/- 3 Ac) CB 4429 P-1 ABS 399 CB 4430 P-1 ABS 432 (+/- 24.27 Ac)**
- Current Owner: **Good Samaritan Lodge and Nursing Home Inc**
- Tract under contract by: **One Stop Group, LP**
- Current Zoning: **R-1**
- Tract: **As illustrated in Exhibit A (Site Survey)**

Article 2. LAND USE

The Land Use of the Property shall be changed as follows:

- A. Base Zoning
The base zoning shall be changed to R-6. The use and development of the Property shall comply with the zoning requirements in Sec. 15.02.312 - R-6 Garden House District Zoning Ordinance as revised and attached to this Plan under Exhibit “H”.
- B. Supplemental Use Regulations
Additional Allowed Uses: The development of a Site Plan with approximately 166 Lots, substantially similar to the one attached as EXHIBIT B.

Article 3. TREE MITIGATION PLAN

Exhibit D details our proposed Tree Mitigation Plan, including the planting of new healthy trees, a minimum of 1 x 1.5" trees per lot. Further, a \$50,000 fee shall be paid towards the Tree Preservation Fund upon the start of construction.

Article 4. SPECIAL PROVISIONS

A) A Temporary Emergency Access to the property from the adjacent City-owned property:

The City shall grant a Temporary Easement on the adjacent City-owned property, described as BCAD Property ID 217834 (the "Temporary Easement"), to accommodate a Temporary Emergency Access to the development, through an agreement between the City and the Developer which includes the following terms:

- The Temporary Easement shall stretch from Samaritan Rd to the Temporary Emergency Access to the development as shown in EXHIBIT "H";
- It shall be strictly used by Emergency Vehicles;
- It shall accommodate a 20' Fire Lane which shall be improved by the Developer, and shall withstand 75,000 lbs as per IFC requirements;
- It shall be strategically drawn to accommodate lot depths required by the Code of Ordinances of potential future zoning such as R-1 or R-6; And
- It shall expire upon the completion of a new development on this City-owned property, and upon this Temporary Easement turning into a permanent street linking the two developments.

The granting of this Temporary Easement is in line with Section 2 the City Code of Ordinances Sec 10.02.251, Applicable Standards and Specifications. It states:

(2.B) **Relation to adjoining street system.** Where necessary to the neighborhood pattern, existing streets in adjoining areas shall be continued and shall be at least as wide as such existing streets and in alignment therewith.

(2.C) **Projection of streets.** Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such unsubdivided areas.

B) Deviation to this Plan:

As per standard practice and Code requirements, a deviation 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.

Article 5. RELEVANT TO THIS PROJECT PLAN

A. PURPOSE OF THIS PDD AND COMPLIANCE WITH THE PD ORDINANCE

This rezoning application is submitted in a PD format instead of a standard R-6 rezoning application to comply with City Council's expressed request for a PDD rezoning across all three Seneca West Property. This approach ensures that the Developer is committed to an agreed upon Site Plan that is consistent with Council's vision for all three properties and provides further assurances to the City and the neighbors. This will not otherwise be achieved with a standard R-6 rezoning application.

As to the strict and literal compliance of this PDD with the PD Ordinance:

This PDD complies with the Purpose of the PD Ordinance. It allows for:

1. Flexible planning to allow for:
 - a) Realistic future links and an optimized Master Site Plan for future development of the two adjacent properties.
 - b) An additional Emergency Access for greater safety of the future residents of this development. development
2. Economic Development and Growth

This PDD arguably meets the following Applicability Standard:

"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. “

B. FIT WITH THE CITY’S LONG-TERM VISION

Although the current Master Plan calls for a recommended R-1 zoning, the majority of the surrounding zoning is R6. Our proposed zoning and PDD is in line with the majority of the surrounding neighborhoods.

Our proposed PD district fulfills the goals and objectives of the City's long-term vision of:

1. Increasing its citizenship
2. Increasing its tax-base
3. Economic Development Growth
4. Accommodating the design and construction that adapt to Market demand and affordability in this particular area of the City
5. This Development will have a substantial economic impact on the City

The approximate **net impact** of this proposed development on the City’s Property Tax budget is approximately **\$325,000 annually.**

C. OVERALL INCREMENTAL IMPACT OF R-6 BASE ZONING VS. THE CURRENT R-1 BASE ZONING FOR THE NEIGHBORS

The current R-1 base zoning of this property allows the development of approximately 104 residences, By-Right. An R-1 development would have a substantially similar impact of that of an R-6 development when it comes to:

- Tree preservation,
- Wildlife preservation,
- A change in the neighbors’ current lifestyle, and
- Short-term construction nuisance.

The main incremental impact of an R-6 development is the increment in traffic caused by the development of approximately 166 residences (R-6) as compared to 104 residences (R-1), an increment of 62 additional residences.

D. INCREMENTAL TRAFFIC IMPACT OF AN R-6 DEVELOPMENT OVER THAT OF AN R-1 DEVELOPMENT

The incremental Traffic Impact of this PDD rezoning over the current zoning is equivalent to that of an additional 62-residence development. The Code does not require a TIA for this size development for its negligible influence, even on streets narrower than Seneca Dr. and Grass Hill, each with 40’ width curb to curb. Below are three tables quantifying this increment in traffic.

Table 1 below details the Traffic Distribution for 104 lots:

Table 1. Trip Distribution for proposed development with 104 Lots

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	14	41	46	27
Grass Hill Drive	25%	5	14	15	9

Calculated as per ITE TRIP GENERATION MANUAL, Eleventh Edition

Table 2 below details the Traffic Distribution for 166 lots:

Table 2. Trip Distribution for proposed development with 166 Lots

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	22	65	74	43
Grass Hill Drive	25%	7	22	25	14

Calculated as per ITE TRIP GENERATION MANUAL , Eleventh Edition

Table 3 below details the increment in Traffic Distribution from 104 to 166 lots:

Table 3. Increment in Trip Distribution from 104 lots to 166 lots

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	8	24	28	16
Grass Hill Drive	25%	3	8	9	5

Calculated as per ITE TRIP GENERATION MANUAL, Eleventh Edition

This Trip Distribution increment translates into an insignificant increase of less than 0.5 vehicles per minute on both roads with a 60’ Right of Way each.

However, this increment in density also results in:

- An increment in annual property tax revenues of approximately \$120,000, and
- It reduces the Average Sale Price per residence to an affordable level for the target demographic, and as it compares to that of the surrounding neighborhoods.

E. ESTIMATED DEVELOPMENT SCHEDULE AND COMPLETION TIMETABLE

- December 2024: Complete Platting
- August 2025: Complete Infrastructure Construction
- December 2029: Complete Home Construction of the Entire project; approximately 36 homes per year absorption – Project completion.

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

ATTACHED EXHIBITS

This Proposed PDD Project Plan includes the following Exhibits:

- A. Property Site Survey
- B. Proposed Site Plan
- C. Revised Proposed Fire Plan
- D. Detailed Tree Survey and proposed Mitigation Plan
- E. Traffic Impact Analysis
- F. Land Location
- G. Sec. 15.02.312 - R6 - Garden House - One Modification
- H. Temporary Easement over City-Owned Prop

EXHIBIT G

Summary of Requested Revisions to Sec. 15.02.312 – R6 Garden House District:

Paragraph	Section 15.02.312 - R-6 Single Family Dwelling – Zoning Ordinances	Current R-6 Standard	Requested Revision
b.5	Minimum Frontage	45ft	40ft

Text highlighted in yellow.

Sec. 15.02.312 "R-6" garden house district

- (a) *Purpose and description.* The R-6 district is composed mainly of areas containing single-family dwellings. The R-6 district regulations implement the policies of the master plan by 1) protecting the residential character of the areas by prohibiting commercial and industrial activities, apartments, two-family dwellings and manufactured homes; 2) encouraging a suitable neighborhood environment; 3) preserving the openness of the area by requiring that certain minimum yard and area standard requirements be met, however, with greater density being permitted than in the R-1 district.
- (b) *Lot regulations.*
- (1) *Area of total development.* Not less than three lots with common side lot lines will be zoned for "R-6" garden house. When facing on the same street within the same block, "R-1" single-family dwellings and "R-6" garden houses will not be mixed. However, this does not preclude "R-1" on one side of a street with an "R-6" on the opposite side of the street within the same block or different blocks.
 - (2) *Area of each lot.* 4,500 square feet.
 - (3) *Depth.* A minimum of 100 feet.
 - (4) *Floor space.* There shall be a heated living area in each garden house of not less than the following: one story - 1,000 square feet; two story - 1,400 square feet; two and one-half story - 1,800 square feet. When "R-6" is mixed with "R-1" in the same subdivision, the average heated living area of "R-6" housing shall be at least 75 percent of the average size of the "R-1" structures, but in no event shall the minimum square footage be less than as described above.
 - (5) **Frontage. A minimum of 40 feet on a public right-of-way is required.**
 - (6) *Height.* A maximum of 2-1/2 stories is allowed.
- (c) *Setback requirements.*
- (1) *Front yard.* There shall be a front yard having a minimum depth of 20 feet, except as hereinafter provided.
 - (2) *Rear yard.* There shall be a rear yard having a minimum depth of 15 feet except where the garage is entered from the rear in which case the minimum rear yard shall be 25 feet exclusive of the area used as a garage. Total square footage of accessory buildings exclusive of a detached garage shall not exceed 150 square feet.

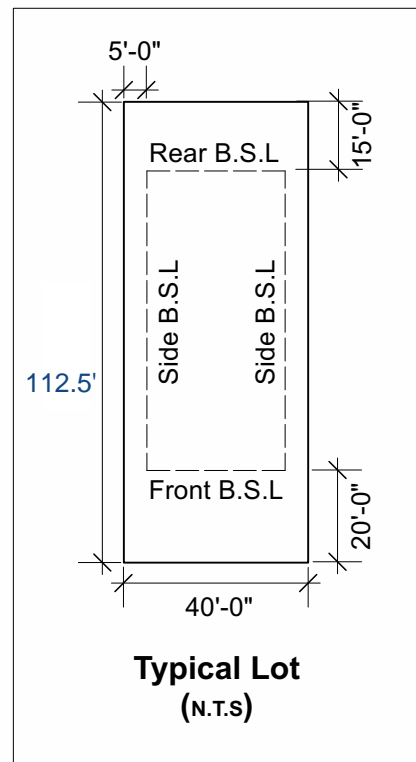
-
- (3) *Side yard.* There shall be a side yard on each side of all lots of not less than five feet, except on corner lots on which external side yard shall not be less than ten feet. Alternatively, one side yard may be reduced to zero feet provided the other side yard is increased to ten feet. However, in no event shall the outside walls of a structure be closer than ten feet to the outside walls of a structure built on an adjacent lot.
- (4) *Zero lot line exterior wall.* When a structure is built with a side yard of zero feet, no windows or doors will be built into an exterior side wall so situated. In addition, a six-foot privacy fence will be constructed and maintained by the owner from the rear-most point of such an exterior wall to the rear lot line of the property.
- (5) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.
- (6) *Double frontage.* Where lots front upon two parallel streets or front upon two streets that do not intersect at the boundaries of the lot, a rear yard shall be provided on the street side equal to the front yard.
- (7) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.
- (d) *Other.*
- (1) *Accessory building.* Shall be allowed, but shall be located no closer than five feet from any property line, and must be located in the rear yard. In no case shall an accessory building occupy more than 20 percent of the total open space in the rear yard.
- (2) *Landscaping.* A total of 35 percent of street yard area must be landscaped. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended.
- (3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.
- (4) *Masonry required.* Garden houses shall be constructed of masonry or other similar noncombustible materials to the extent of not less than 75 percent of overall exterior walls.
- (5) *Nonconforming dwellings.* The provisions above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.
- (6) *Parking.* A total of two off-street parking spaces shall be provided.
- (7) *Public facilities.* "R-6" garden houses are permitted only on lots that are connected to the city's water and public sewage disposal system and must conform to the regulations in article 10.02 (subdivision ordinance).
- (8) *Storage.* Outside storage is not allowed in the R-6 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. Items to be stored shall be completely contained in either the main structure, garage or an accessory building.

Figure 7 (R-6 Garden Home)

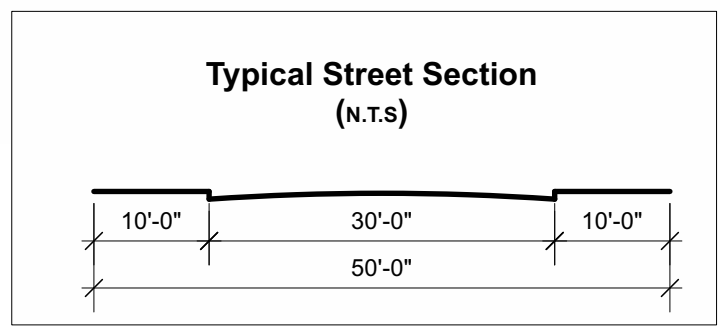
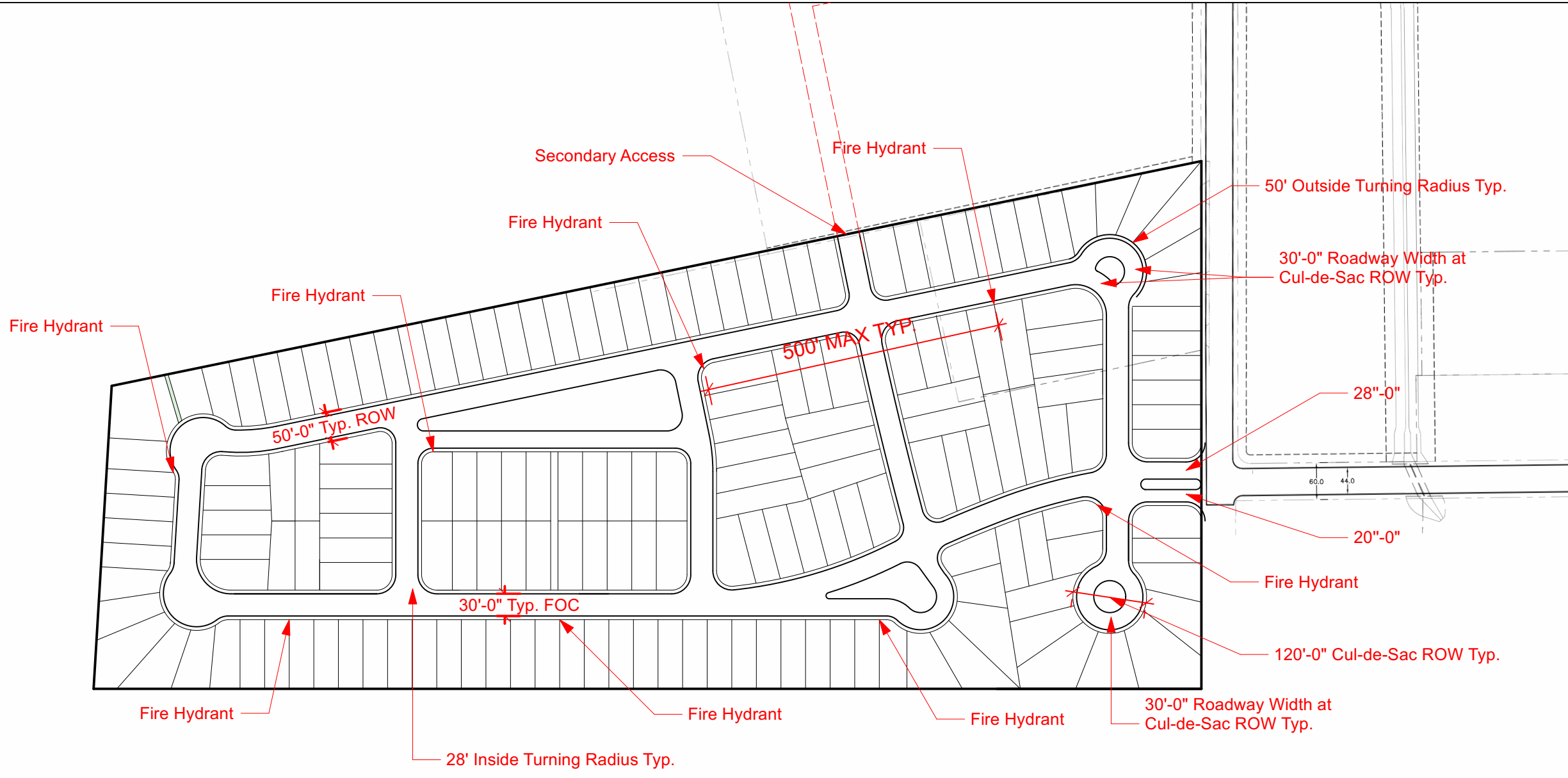


(1972 Code, sec. 30.612; 2008 Code, sec. 14.02.312)





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 nto be no less than 25'.



PZ-2024-6
Rezone - PDD
6518 Samaritan

Mindy Teague
Planning & Zoning Director
Planning & Zoning Meeting
March 12, 2024

Purpose

- To conduct a public hearing & make a recommendation on a request to rezone approximately 27 acres of land from R-1 Single Family Dwelling District to Planned Development District (PDD) with R-6 Garden Home as the base zoning district
- The property is located at 6518 Samaritan Drive and is partially platted

Background

- 1971 – Area was annexed
- 1984 – Request to rezone from R-1 to B-2 (retail) - denied
- 1985 – Request to rezone from R-1 to R-6 - denied
- 2007 – Residents petition to amend City Master Plan to remove R-6 & recommend only R-1 - approved

Background

- 2010 – Request to rezone from R-1 to R-6 – denied
- 2011 – City Manager proposed a Tax Increment Financing District (TIF) – denied
 - TIF - local taxing bodies make joint investment in development of an area, intent is for any short-term gains to be reinvested & leveraged so that all taxing bodies receive larger future financial gains - funds are from future tax revenues, not otherwise expected to occur

Variations

- The applicant is requesting one variance from the Zoning Code:
- R-6 Minimum Lot Width – decrease minimum lot width from 45' to 40' - lots will conform to minimum lot size of 4,500 sq. ft.
- The applicant will be requesting a variance from the City Council to Chapter 13 Tree Preservation
 - The applicant intends to ask City Council to reduce the \$112,000 tree mitigation fee to \$50,000

Special Considerations

- To meet the ingress/egress distance of the Fire Code, the applicant is requesting the City provide an emergency access only easement at 6530 Samaritan
- The applicant is also requesting that any future deviations to the plan be internally approved as long as the deviation does not exceed 10 percent of approved plan

Traffic Impact Analysis (TIA)

- Internal streets are proposed to have a 50' ROW, which meets code
 - Grass Hill, Samaritan, Aids, and William Rancher do not
- TIA indicates development will create additional 116 peak hour morning trips & 156 peak hour evening trips along Seneca and Grass Hill
 - 75% would use Seneca Drive and 25% would use Grass Hill Drive
- Both Seneca and Grass Hill roadways (above William Rancher) are capable of supporting traffic increase

Traffic Impact Analysis (TIA)

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

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

Source: *ITE Trip Generation Manual, Eleventh Edition*

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

Traffic Impact Analysis (TIA)

- Property is currently zoned R-1 and if developed would have approximately 104 lots – increase by zone change is 62 lots
- Results in an additional 0.5 vehicles per minute on both roadways

Traffic Impact Analysis (TIA)

Table 1. Trip Distribution for proposed development with 104 Lots

Street		AM Direction		PM Direction	
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Seneca Drive	75%	14	41	46	27
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City Master Plan

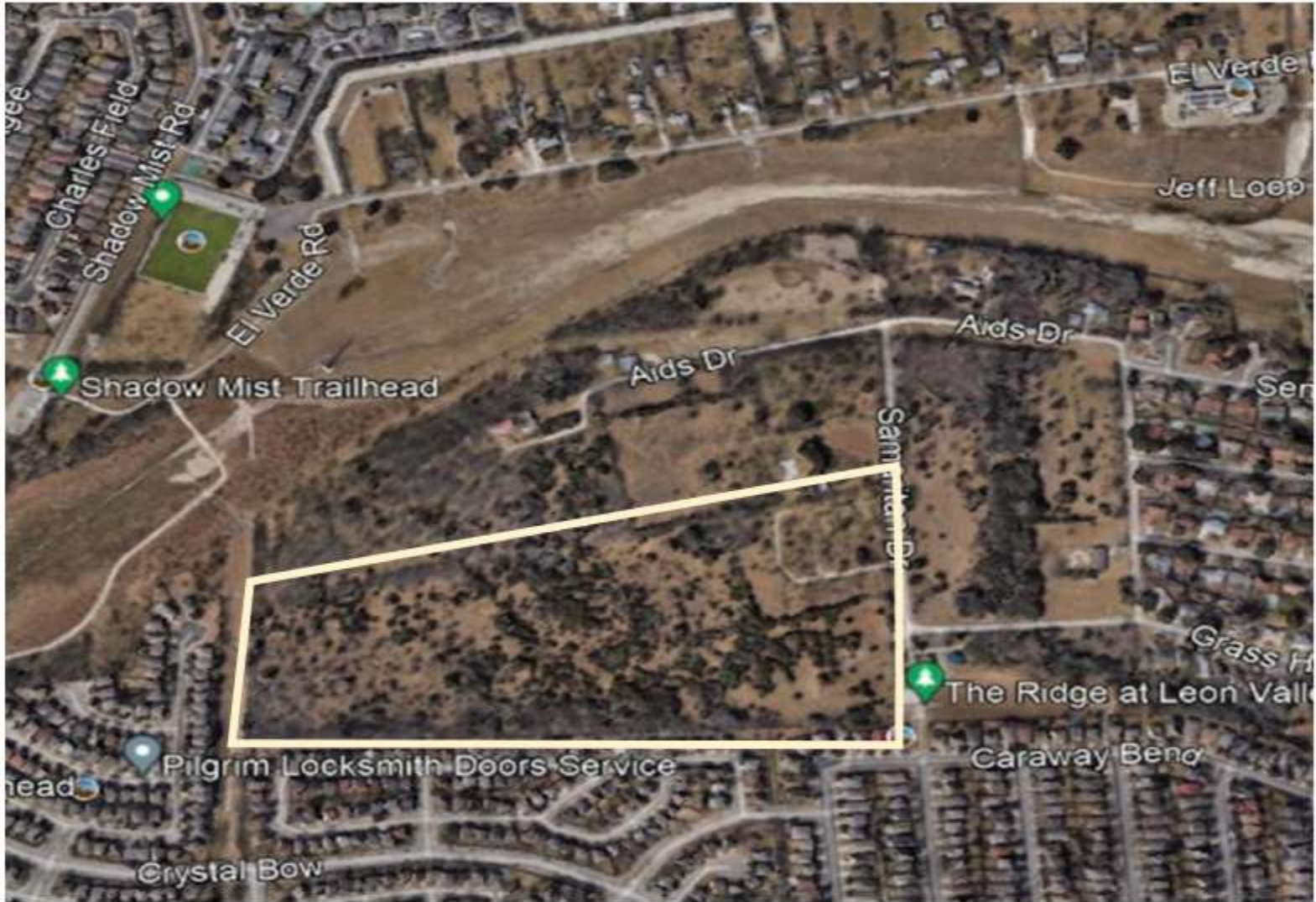
- The current plan recommends R-1 for this area
- The code states: The planning and zoning commission or city council may initiate proceedings to consider a change to the zoning on any property
- The applicant states: The majority of the surrounding zoning is R-6. Our proposed zoning and PDD is in sync with the surrounding neighborhoods

Notification

- 112 Letters were sent out
 - 0 - In favor
 - 1 - Opposed
 - 1 - Undeliverable

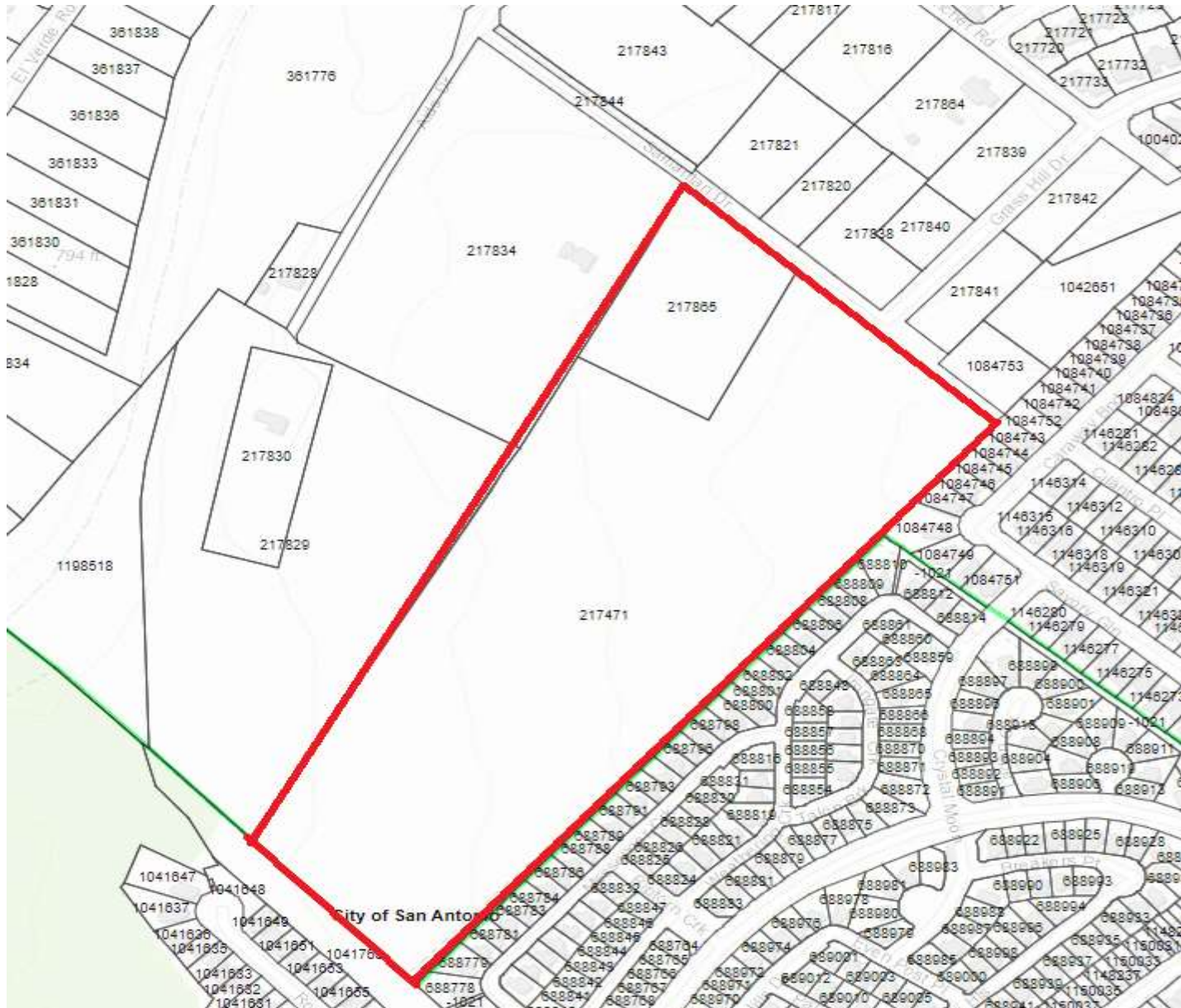
Aerial View

Item 1.



Location Map

Item 1.



Fiscal Impact

- All fees associated with this rezone request have been paid
- The development of a single-family subdivision will increase ad valorem and sales tax in the city

Recommendation

- Due to the history of rezoning requests and the fact that the property has remained vacant, staff recommends approval of the rezoning and variance request

PLANNING AND ZONING COMMISSION COMMUNICATION

DATE: March 12, 2024

TO: Planning and Zoning Commission

FROM: Mindy Teague, Planning and Zoning Director

THROUGH: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation, Public Hearing, Discussion, and Possible Recommendation to Consider a Request to Rezone Approximately 6-Acres of Land From R-1 (Single Family Dwelling) Zoning District to a Planned Development District (PDD) with R-6 Garden Home District Base Zoning, Being Lot 46A, P-46, and P-46C, CB 4446, Located at 7201 and 7205 Huebner Road, Leon Valley, Texas

PURPOSE

The purpose of this item is to consider and make a recommendation on a request to rezone an approximately 6-acre parcel of land from R-1 to PDD with R-6 Base Zoning at 7201 and 7205 Huebner Road.

History

This parcel was owned and occupied prior to the City being incorporated as the Poss Family Homestead and has been zoned as R-1 since its incorporation into the city limits.

The owner of the adjacent 10-acre subdivision (Poss Landing) is in the process of constructing a PDD single family home subdivision, but the ingress/egress requirements in the Fire Code required that the developer either provide secondary ingress/egress or fire sprinkle all homes. After investigating the costs for fire sprinkling, the developer decided to purchase this adjacent lot and develop it as Phase II of what was Poss Landing (the subdivision has since changed the name to Senna Phase I). This will not only provide the necessary second access point for the Senna I project, it will also provide the required ingress/egress to this property.

City Master Plan

The City Master Plan, Huebner Road Corridor 5CC states:

The Huebner Road Corridor area of land is primarily Single-Family Dwelling, Multiple Family Retirement Dwelling, and Garden House Dwelling Uses with some Small Business and Retail Uses. The land use in this area encourages all of the vacant areas located on the east side of Huebner Road across from the Elementary School be zoned R-1 (Single-Family). R-3A (Multiple-Family Retirement Dwelling) and R-6 (Garden House) should be considered as alternatives. Vacant areas zoned B-2 (Retail) should be rezoned

to R-1 (Single family), R-3A (Multiple-Family Retirement Dwelling), R-6 (Garden House), R-7 (Single Family Medium Density), and MX-1 (Mixed Use).

The proposed zoning is in compliance with the Master Plan recommendations.

Variances

The developer is requesting to match the first phase of the development with a lot size reduced to 3,010 square feet, a lot frontage of 35 feet, and have a 16’ front setback, 3’ side setback, and 10’ rear setback. The development will consist of 49 homes. The developer will be planting 2 trees on each lot.

Streets/Traffic Impact Analysis (TIA)

Internal street right-of-way is proposed at 38’ with 28’ of asphalt. The TIA indicates 49 peak hour trips.

Notification

Notification letters mailed	12
Received in favor	0
Received in opposition	0
Returned undeliverable	1

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.

Chapter 15 Zoning, Sec. 15.02.721 - General statutes, ordinances and rules applying to the zoning commission (q) states:

(4) Motions to recommend approval or denial of any change in a zoning district may, when appropriate, contain statements of commission findings in the following areas:

- (A) Consistency and compatibility with the master plan;
- (B) Consistency and compatibility with surrounding zoning districts;
- (C) Consistency and compatibility with site and surrounding uses;

(D)Protection of the health, safety and welfare of the general public; and/or

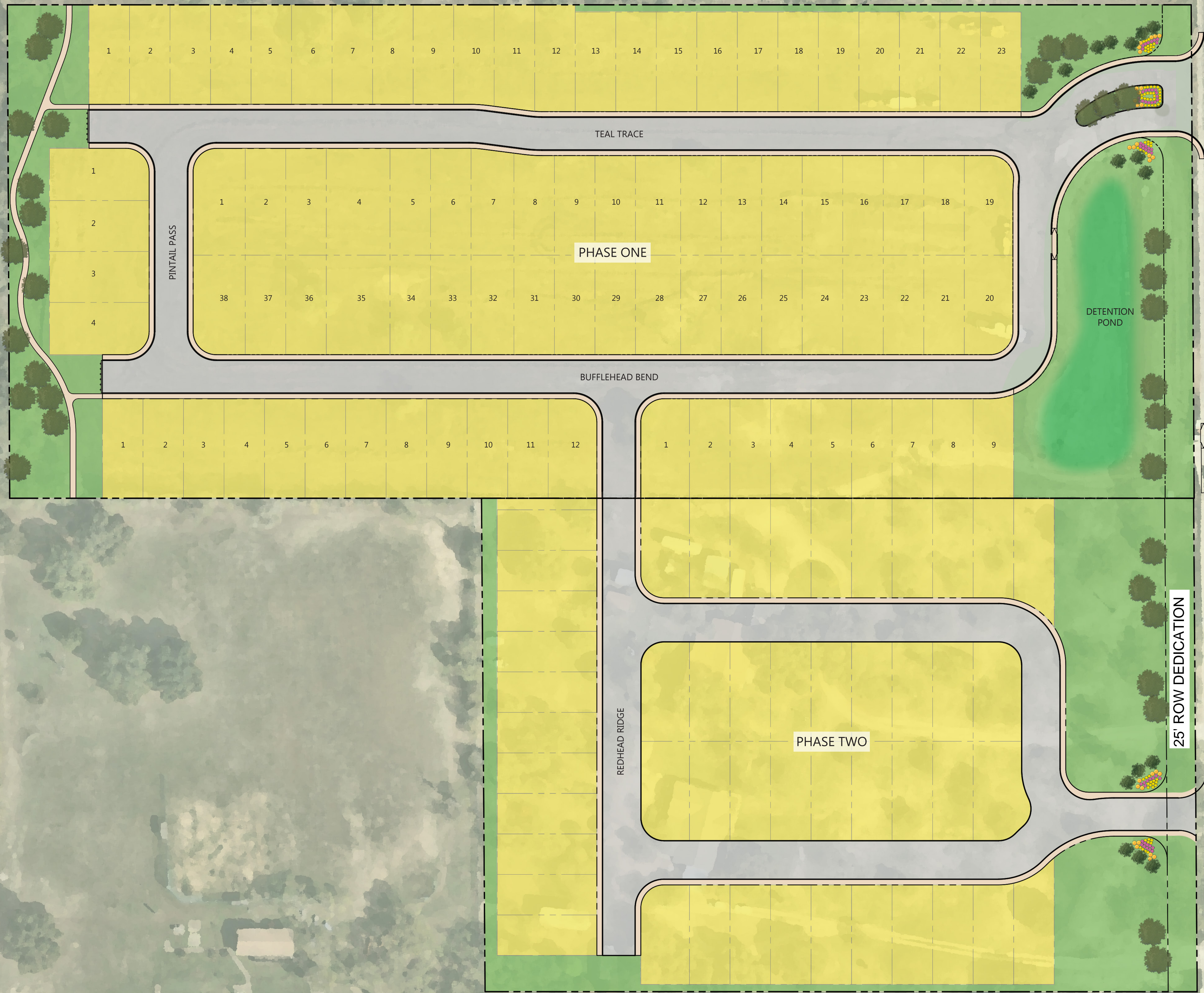
(E) Protection and preservation of the property rights of the owner(s) of all real property affected by the proposed change in zoning district(s).

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

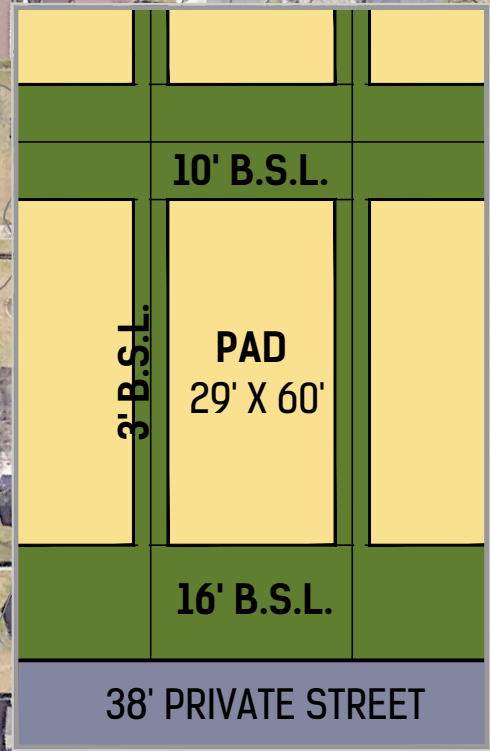


SENNA



LOT SUMMARY	
LOT COUNT	ACRES
49	6.0 Ac.

LOT DETAIL
35' X 86'



38' PRIVATE STREET

16' B.S.L.

PAD
29' X 60'

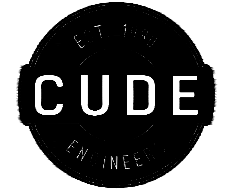
10' B.S.L.

3' B.S.L.

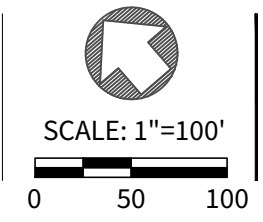
POSS LANDING - PHASE 2 / R1 SITE PLAN

LEON VALLEY, TEXAS

JANUARY 2024



CUDE ENGINEERS
4122 Pond Hill Road, Suite 101
San Antonio, Texas 78231
P:(210) 681.2951 F:(210)523.7112



PZ-2024-2
Rezone - PDD
7201 & 7205 Huebner

Mindy Teague
Planning & Zoning Director
Planning & Zoning Meeting
March 12, 2024

Purpose

- This is a request to rezone approximately 6 acres of land at 7201 and 7205 Huebner Road from R-1 Single Family Dwelling District to Planned Development District with RT-6 Garden Home base zoning
- Property will have to be platted and conform to all stormwater regulations prior to being issued any building permits

Background

- Parcels were owned/occupied prior to the City being incorporated, as the Poss Family Homestead
- The owner of the adjacent 10-acre subdivision (former Poss Landing) is in the process of constructing PDD/R-6 based single family homes
- Ingress/egress requirements in the Fire Code required that the developer either provide secondary ingress/egress or fire sprinkle all homes in that development
- After investigating costs, developer decided to purchase adjacent lot & develop as Phase II (the original subdivision has since changed name to Senna Phase I)
- This not only provides the necessary second access point for the Senna I project, but will also provide the required ingress/egress to the subject property

Purpose

- The Master Plan, Huebner Road Corridor 5CC states:
 - The land use in this area encourages all the vacant areas located on the east side of Huebner Road across the school be zoned R-1, with R-3A and R-6 considered as alternatives
- The developer is requesting to match the first phase of the development with a lot size of 3,010 square feet, frontage of 35 ft, 16 ft front set back, 3 ft side set back & 10 ft rear set back
- Development will consist of a total of 49 lots with two trees per lot
- TIA indicates 49 peak hour trips

Site Plan

Item 2.



POSS LANDING - PHASE 2 / R1 SITE PLAN

LEON VALLEY, TEXAS

JANUARY 2024



SCALE: 1"=100'



Notification

- 12 Letters were sent out
 1. 0 – In favor
 2. 0 - Opposed
 3. 1 - Undeliverable

Fiscal Impact

- All fees associated with this rezone request have been paid
- The development of a single-family subdivision will increase ad valorem and sales tax in the city

Recommendation

- Staff recommends approval of this request