

Started: 5:51 p.m.

Ended: 6:09 p.m.

Item #1.3

Rezoning:

**A 19.06 acre tract of land, more or less,
being the South 19.06 acres of Lot 28-12,
West Addition to Sharyland of Porciones 53-57
AO-I to P
Vanguard Academy, Inc.
c/o Dr. Narcisco Garcia**

Ms. De Luna went over the write-up stating the subject site is located approximately 1,028' south of E. Mile 2 Road along the west side of Stewart Road.

SURROUNDING ZONES:	N:	R-1A	– Large Lot Single Family
	E:	R-1A	– Large Lot Single Family
	W:	AO-I	– Agricultural Open Interim
	S:	AO-I	– Agricultural Open Interim

EXISTING LAND USES:	N:	Single Family Home
	E:	Single Family Home
	W:	Vacant
	S:	Single Family Home
	Site:	Vacant

FLUM: Lower Density Residential (LDA)

REVIEW COMMENTS: This item was previously considered on December 24, 2022 by the City Council and it was denied due to the substantial amount of opposition to the P (Public) zone. During that meeting the residents submitted a petition reflecting 49% opposition. The concerns expressed in the petition refer to being in contravention to the City's purpose in establishing zone districts, the current road that will be used for ingress and egress is not designated to sustain additional heavy traffic and subsequent congestion, and would further complicate the drainage issues.

Staff notes that schools have been allowed in Agricultural, and Single-Family Residential zones in the past. On August 13, 2012, City Council created a new zone which requires all public facilities such as City, County, Federal buildings, Churches and Schools to fall within this zone. Vanguard wishes to comply with this new zoning requirement. The school use is exactly what the P zone is intended to regulate.

The applicant submitted a traffic count for Stewart Road and a site plan showing compliance with all the required setbacks, two entrances to the school off of Stewart Road.

In regards to schools, Former Attorney General, Greg Abbott explained that a home rule city "may enforce its reasonable land development regulations and ordinances against an independent school district for the purpose of aesthetics and the maintenance of property values.

RECOMMENDATION: Staff seeks direction.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mrs. Ridolfo who resides at 2907 N. Stewart stated she was opposed to the request. her main concerns were traffic, Stewart road being narrow, no sidewalks in the area, drainage issues, dip on street, and the construction of the school.

Mr. Julio Cerda who resides at 2800 N. Stewart Road stated he was opposed to the request. His main concerns were the (P) zone not being consistent to the area, the Future Land Use Map, and major financial issues. He mentioned this property should be R-1A.

Mr. Juan Rosel who resides at 1608 Pebble Drive stated he was opposed to the request. His main concerns drainage, home investments, and traffic.

Mr. Miguel Martinez the architect for the school was present. He stated the design for the school would be made to comply with all city requirements and codes. He added they did a traffic study within a 1 mile radius and it complied. He mentioned the school would be for about 800 students.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Alaniz moved to close the hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Mrs. Austin asked where would be the 5-12 graders.

Mr. Martinez stated some buildings would be 2 floors.

Chairwoman Izaguirre asked if the traffic study was complying with city requirements.

Ms. De Luna stated the study was done for Stewart Road. She added it also has to be done for 2 Mile Road. She added the current traffic study showed it would alleviate traffic.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to the deny the rezoning. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.