



## PLANNING & CODES

### Planning and Zoning Commission Report

#### ZC 06-25

A request for Zoning Change 06-25 from Suburban Residential (SR) to Commercial (C) for property located at 3511 N. Austin St., was considered during a public hearing at the Public Planning & Zoning Commission meeting on April 8, 2025.

Melissa Zwicke presented the staff report. She stated the property is currently Suburban Residential. The applicant is proposing to rezone the lot to Commercial (C). With the approval of the zone change, the applicant is proposing the development of a convenience store and gas station. The property is lot 1 of Bypass North Subdivision, platted 08/10/2018. The lot dimensions meet the minimum requirements for Commercial zoning. The lot frontage is 255.71' and the lot depth is 170.65'. The minimum lot frontage requirement for Commercial zoning is 50' and the minimum lot depth is 100'.

Ms. Zwicke added the surrounding uses are both commercial and residential. The properties directly to the north and northeast are commercially zoned and operated. Lot 2 of Bypass North as well as the parcels to the west are zoned Multifamily and both will operate apartment complexes. The properties located south are zoned suburban residential and have single family homes on them.

Ms. Zwicke noted the property is in the Local Commercial District of the Future Land Use Plan. The Local Commercial District is intended for various neighborhood-scale commercial businesses that support nearby residential communities.

Ms. Zwicke stated the property does meet the criteria for zoning change. Local Commercial is supportive of neighborhood-scale commercial businesses that support nearby residential communities. This is a mixed-use area, and a commercially zoned property with a convenience store and gas station would support nearby residents. A convenience store/gas station is a permissible use in commercial zoning and would provide a service to the families and businesses in the area.

Staff received 1 letter of opposition to the request. The property owner that sent the letter feels that commercial zoning would not be compatible with the area, and it would generate more traffic on an already busy street. The property owner also has concerns about excessive lighting coming from a convenience store.

The regular meeting recessed, and a public hearing was held. The applicant spoke about rezoning the property to commercial to better serve the community in the area. They have an existing convenience store in Seguin off HWY 123 Bypass. The Commission asked if it would be a convenience store with gas and food services. They also asked if this included 18 wheelers. The applicant said the establishment will be one building with sections for food and the convenience store. The applicant confirmed there will be no 18 wheelers. The applicant presented the Commission with a retail analysis of this location.

Property owner, Carlos Gutierrez, who lives at 3429 N. Austin St. spoke about concerns of compatibility, excess traffic, bright lights, and privacy.

There being no additional responses from the public, the regular meeting reconvened for action.

The Commission expressed their concern for the property owners in the area that have been affected by the large apartment complexes. Even though the zone change is compatible with the FLUP they want to stay cognizant of the residents' concerns.

After consideration of the staff report and all the information given regarding Zoning Change (ZC 06-25), Vice Chair Davila moved that the Planning and Zoning Commission recommend approval of the zoning change from Suburban Residential (SR) to Commercial (C) for the property located at 3511 N. Austin Street. Commissioner Pedigo seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE THE ZONING CHANGE TO COMMERCIAL (C)

MOTION PASSED

7-1-0

A handwritten signature in black ink, reading "Francis Serna", written over a horizontal line.

Francis Serna, Planning Assistant

A handwritten signature in blue ink, reading "Melissa Zwicke", written over a horizontal line.

ATTEST: Melissa Zwicke, Planner



## PLANNING & CODES

ZC 06-25 Staff Report  
3511 N. Austin St.  
S-R to C

**Applicant:**

BMM Partners LLC  
6162 Akin Elm  
San Antonio, TX 7826

**Property Owner:**

Gulzar Malik

**Property Address/Location:**

6162 Akin Elm  
San Antonio, TX 7826

**Legal Description:**

Bypass Noth Lot # 1  
1.053 ACS  
Property ID: 191373

**Lot Size/Project Area:**

1.053 AC.

**Future Land Use Plan:**

Local Commercial

**Notifications:**

Mailed: March 26, 2025  
Newspaper: March 23, 2025

**Comments Received:**

None at publication

**Staff Review:**

Melissa Zwicke  
Planner

**Attachments:**

- Location Map
- Existing Zoning Map
- Future Land Use Plan Map

**REQUEST:**

A Zoning Change request from Suburban Residential (S-R) to Commercial (C).

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	S-R	Single-family home
<b>N of Property</b>	C	Welding Services
<b>S of Property</b>	MF-3	Apartment Complex
<b>E of Property</b>	C	Mechanical Shop
<b>W of Property</b>	MF-3	Farmland

**SUMMARY OF STAFF ANALYSIS:**

The property, located at 3511 N. Austin St., is currently zoned Suburban Residential. The applicant is proposing to rezone the lot to Commercial (C). With the approval of the zone change, the applicant plans to move forward with plans for a convenience store and gas station.

**CRITERIA FOR ZONING CHANGE:**

**Consistency with the future land use plan** –This property is in the Local Commercial district. Local Commercial is supportive of neighborhood-scale commercial businesses that support nearby residential communities.

**Compatible with existing and permitted uses of surrounding property-** There are commercial properties to the north and northeast of this location. The property is adjacent to one existing apartment complex and one apartment complex that is in the development stage.

**Adverse impact on surrounding properties or natural environment** – No adverse impact on surrounding properties or natural environment were identified.

**Proposed zoning follows a logical and orderly pattern** – The Commercial District is the primary commercial and service zoning district of the community. A convenience store/gas station is a permissible use in commercial zoning and would provide a service to the families and businesses in the area.

**Other factors that impact public health, safety, or welfare** – None identified.

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

This site was zoned Suburban Residential (S-R) in 2015 (ZC 09-15) from its original zoning of Mixed Development. It is lot 1 of Bypass North Subdivision, platted 08/10/2018. The lot dimensions meet the minimum requirements for Commercial zoning. The lot frontage is 255.71' and the lot depth is 170.65'. The minimum lot frontage requirement for Commercial zoning is 50' and the minimum lot depth is 100'.

### **CODE REQUIREMENTS:**

According to the UDC Section 3.4.3 Land Use Matrix, Suburban Residential zoning significantly limits anything other than new and existing single-family dwellings. To allow for a convenience store/gas station the property would need to be zoned Commercial.

### **COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:**

The surrounding uses are both commercial and residential. The properties directly to the north and northeast are commercially zoned and operated. Lot 2 of Bypass North as well as the parcels to the west are zoned Multifamily and both will operate apartment complexes. The properties located south are zoned suburban residential and have single family homes on them.

### **HEALTH, SAFETY, AND GENERAL WELFARE:** (Protection & preservation of historical, cultural, and environmental areas.)

No health, safety and general welfare issues have been identified.

### **COMPREHENSIVE PLAN (The Future Land Use Plan):**

The property is in the Local Commercial District of the Future Land Use Plan. The Local Commercial District is intended for various neighborhood-scale commercial businesses that support nearby residential communities. Commercial uses should be appropriate in scale and centered on local thoroughfare intersections to offer day-to-to-day services for surrounding residents,

### **TRAFFIC (STREET FRONTAGE & ACCESS):**

The lot has a frontage and access on N. Austin St., a TxDOT road.

LOCATION MAP

ZC 06-25 3511 N. Austin St.



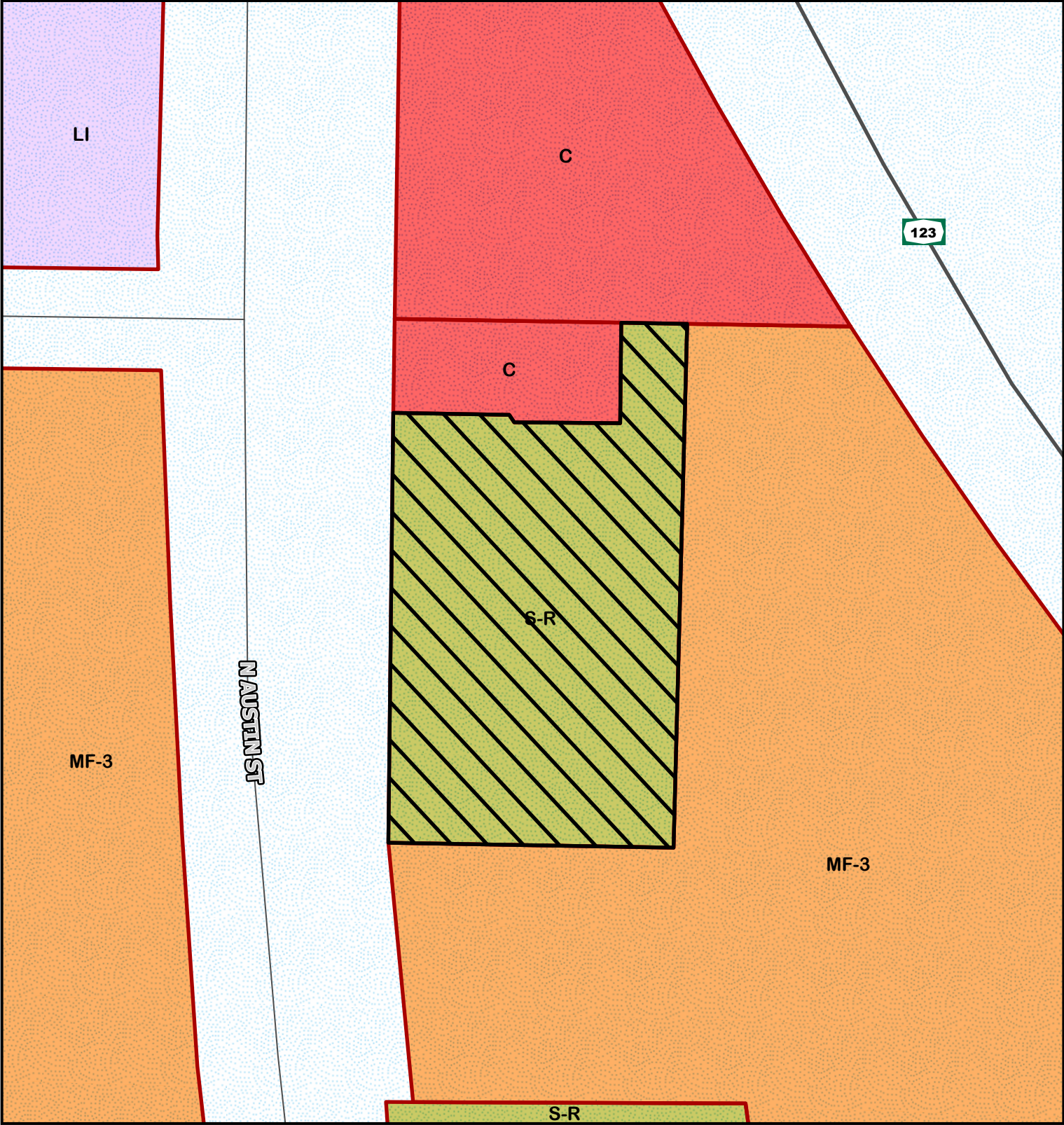
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for errors on this map or use of this information.

 Site Location

1 inch = 125 feet  
Printed: 3/14/2025

ZONING MAP

VAR 06-25 3511 N. AUSTIN St.



- |                      |                          |                          |                             |                              |
|----------------------|--------------------------|--------------------------|-----------------------------|------------------------------|
| Agricultural - Ranch | Light Industrial         | Manufactured Home Park   | Single Family Residential 1 | Zero Lot Lines               |
| Commercial           | Manufactured-Residential | Neighborhood Commercial  | Single Family Residential 2 | Corridor Overlay Districts   |
| Duplex 1             | MultiFamily 1            | None                     | Rural Residential           | Downtown Historical District |
| Duplex 2             | MultiFamily 2            | Public                   | ROW                         |                              |
| Industrial           | MultiFamily 3            | Planned Unit Development | Suburban Residential        |                              |

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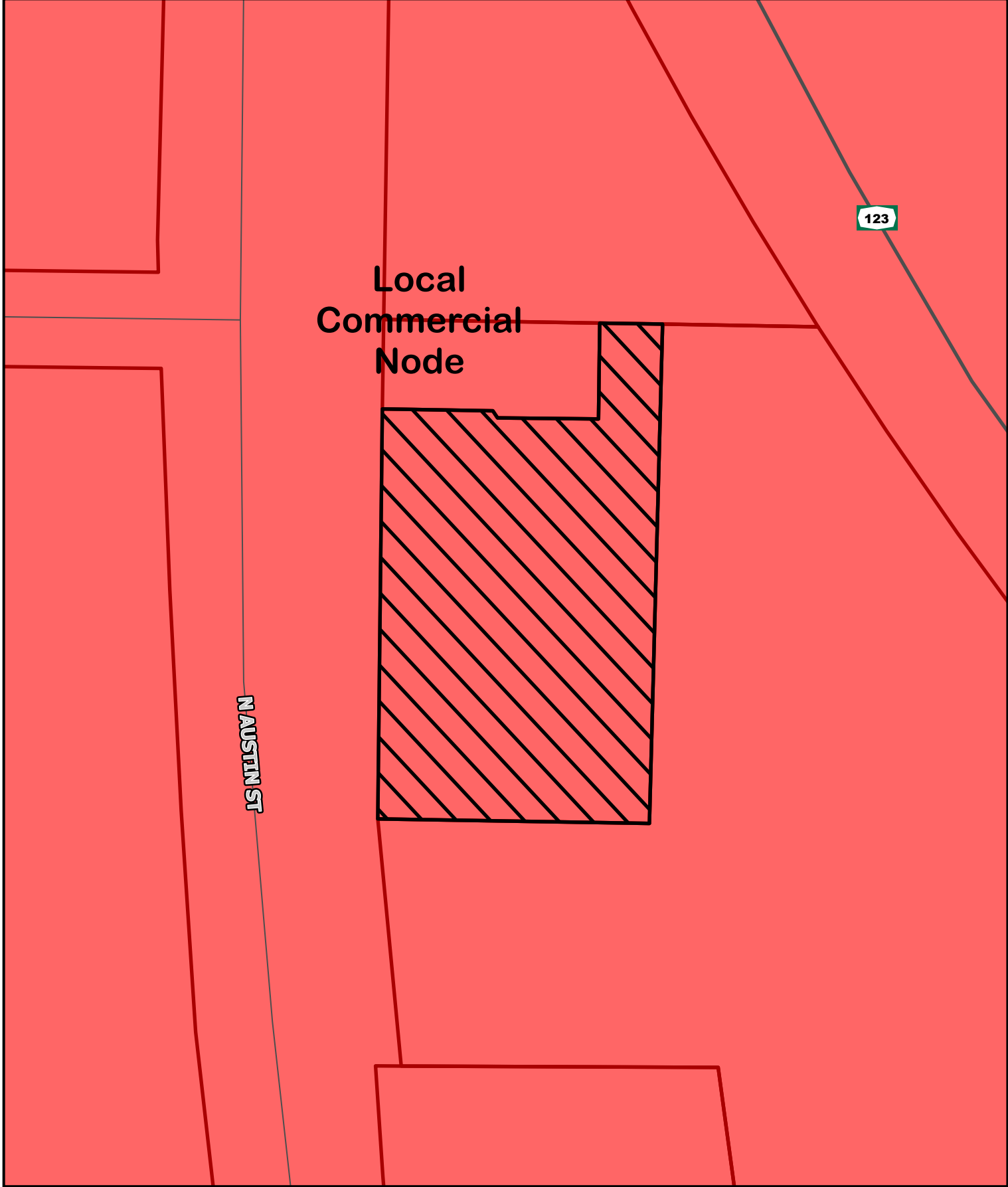
Site Location



Parcel

1 inch = 80 feet

Printed: 3/31/2025



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Site Location



Parcel

1 inch = 80 feet

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