



PLANNING & CODES

**Planning and Zoning Commission Report
ZC 21-19**

A request for Zoning Change 21-19 was considered during a public hearing at the Planning & Zoning Commission meeting on December 10, 2019:

A Zoning Change from Commercial (C) to Neighborhood Commercial (NC) on a request for property located 1069 E. Walnut, Property ID 33970

Helena Schaefer, Senior Planner gave an overview of the staff report. She stated that staff recommends approval of the zoning change to Neighborhood Commercial in order to allow the primary use of the property to be either single-family residential or neighborhood commercial. She explained that the lot size is not compatible with redeveloping the property for a Commercial use. Single-Family Residential and Neighborhood Commercial uses are also compatible with the comprehensive plan. Staff finds the rezoning request to Neighborhood Commercial is an appropriate use.

The regular meeting was then recessed, and a public hearing was held. There being no responses from the public the regular meeting reconvened.

After consideration of the staff report and all information given regarding Zoning Change (ZC 21-19), Commissioner Lievens moved that the Planning and Zoning Commission recommend approval of the zoning change from Commercial to Neighborhood Commercial. Commissioner Spahn seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE ZONING CHANGE TO NEIGHBORHOOD COMMERCIAL (NC)

MOTION PASSED

9 -0-0

A handwritten signature in black ink, appearing to read "H. Schaefer", written over a horizontal line.

ATTEST: Helena Schaefer
Senior Planner

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

Francis Serna
Planning Assistant



PLANNING & CODES

**ZC 21-19 Staff Report
1069 E Walnut St
Zoning Change from C to NC**

Applicant:

Seguin First Home LP
PO Box 828
Seguin, TX 78156

Property Owner:

Same as Applicant

Property Address/Location:

1069 E Walnut St

Legal Description:

Lot: 7, Blk: 440, Addn:
Morningside, Prop ID: 33970

Lot Size/Project Area:

Approx. 0.2411 acres

Future Land Use Plan:

Historic City Center

Notifications:

Mailed Nov 27, 2019
Newspaper Dec 1, 2019

Comments Received:

None

Staff Review:

Helena Schaefer
Senior Planner

Attachments:

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

REQUEST:

A Zoning Change request from Commercial to Neighborhood Commercial.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	C	Residential dwelling
N of Property	C	Residential dwelling
S of Property	C	Parking lot
E of Property	C	Hair Salon/Residential dwelling
W of Property	R-1	Residential dwelling

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The property located at 1069 E Walnut St is currently zoned Commercial, but the existing land use is single-family residential. Staff recommends approval of the zoning change to Neighborhood Commercial in order to allow the primary use of the property to be either single-family residential or neighborhood commercial. The lot size is not compatible with redeveloping the property for a Commercial use. Single-Family Residential and Neighborhood Commercial uses are also compatible with the comprehensive plan. Considering that the property takes access from Walnut St and is adjacent to the residential neighborhood to the west, Staff finds this rezoning request to NC is appropriate.

Planning Department Recommendation:

X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The property is currently zoned Commercial and is located on the south side of E Walnut St and two lots in from N King St. According to the Guadalupe County Appraisal District, the existing structure is 1579 sq ft in size with several porches and classified as residential. The property has the original zoning classification from the 1989 zoning process and the structure is a legal non-conforming land use.

CODE REQUIREMENTS:

According to the UDC's Section 3.4.3 Land Use Matrix, the Commercial zoning district allows for an existing single-family residential structure with a Specific Use Permit. This would be triggered if the structure was vacant for more than 6 months. However, the Neighborhood Commercial zoning does allow the use of either an existing or new single-family residential structure. Rezoning to Neighborhood Commercial would remove the need for an approved Specific Use Permit. Since 2018, the Commission has approved a number of similar zoning change requests from Commercial to Neighborhood Commercial for the use of an existing residential dwelling. However, there has also been a number of SUPs approved for similar situations. Those properties, which directly front a major transportation corridor, are better suited to be remain commercially zoned.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties to the north and east of the property have single-family residential structures; these properties are zoned Commercial with a grandfathered residential structure. The property to the east also houses a hair salon. The parking lot for the salon hair is located just south of 1069 E Walnut. To the west, the property is zoned Single-Family Residential 1 with a single-family residential structure. Given the flexibility of Neighborhood Commercial, this zoning classification would be compatible with the surrounding zoning and existing land uses.

COMPREHENSIVE PLAN:

The property is located within the Historic City Center future land use district. This district's intent is to promote infill development that is compatible with the form, rhythms, and character that exists. Single-family residential is an appropriate use as well as low impact commercial uses; Neighborhood Commercial is compatible with the Comprehensive Plan.

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

No health, safety or environmental issues have been identified for these properties.

TRAFFIC (STREET FRONTAGE & ACCESS):

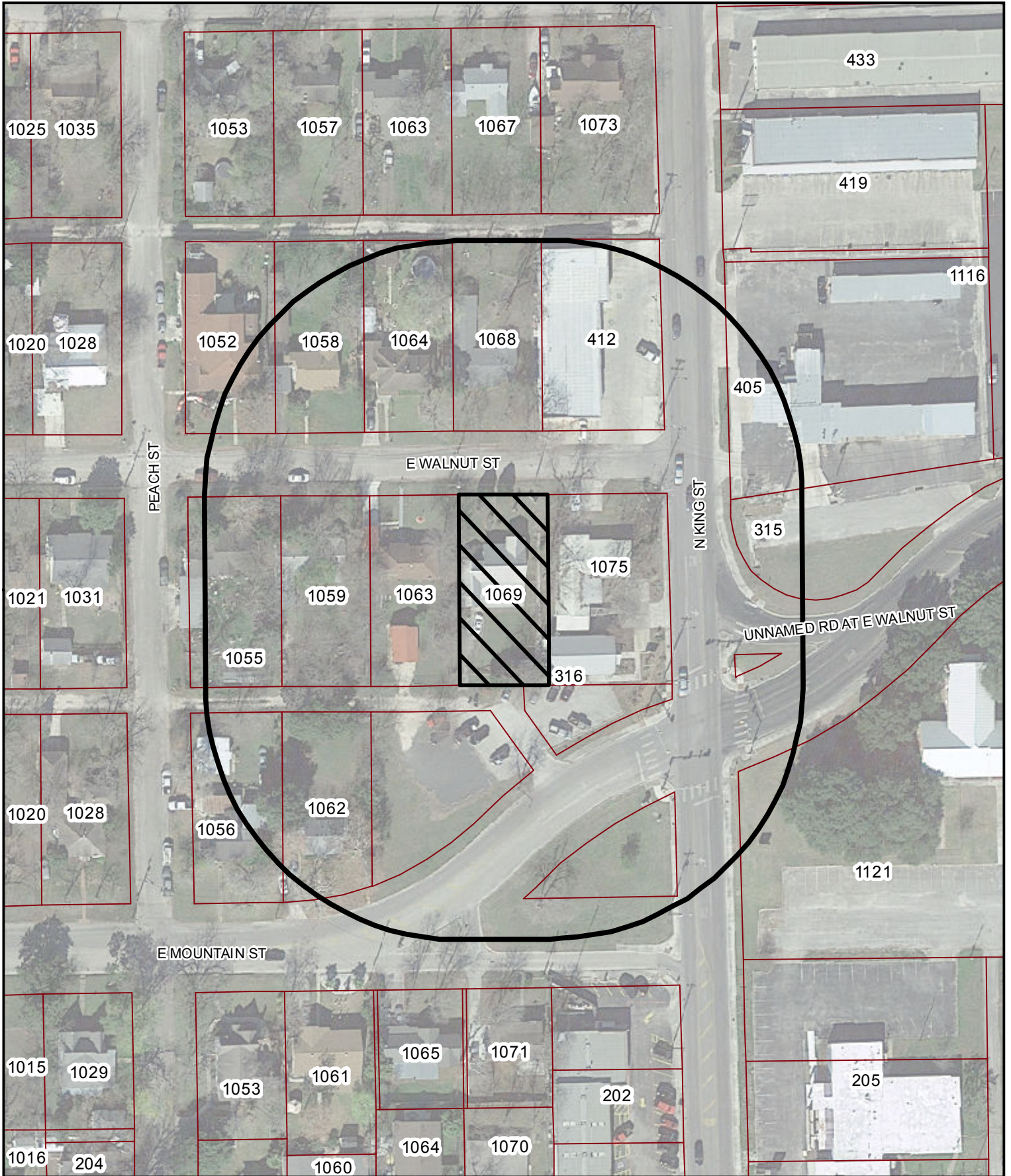
This property takes access from E Walnut St. The property backs up to an alleyway.

OTHER CONSIDERATIONS:

The current residential use of this property is regarded as a legal non-conformity. Commercial zoning does not permit new single-family residential structures and requires a Specific Use Permit for an existing structure vacant for more than 6 months. If the structure is damaged or destroyed to an extent of 50% or more of its assessed valuation, it cannot be rebuilt without a rezoning.

LOCATION MAP

ZC 21-19: 1069 E Walnut 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



200' Notification Buffer

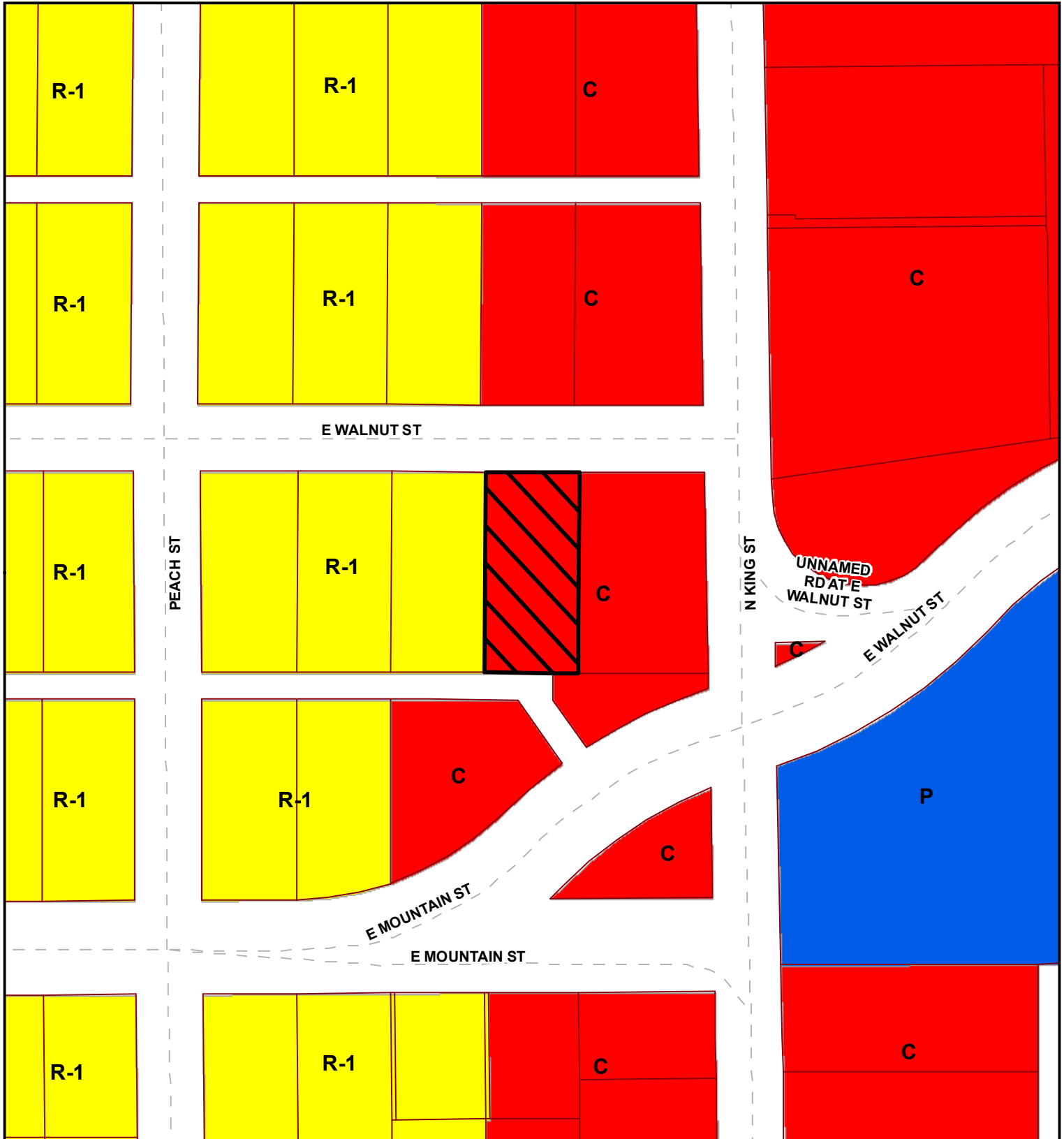
Lot Lines

1 inch = 100 feet

Printed: 11/13/2019

ZONING MAP

ZC 21-19: 1069 E Walnut St



- | | | | |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| A-R Agricultural Ranch | ZL Zero Lot Lines | MHP Manufactured Home Park | I Industrial |
| R-R Rural Residential | DP-1,2 Duplex | NC Neighborhood Commercial | P Public |
| S-R Suburban Residential | MF-1,2,3 Multi-Family | C Commercial | PUD Planned Unit Development |
| R-1 Single Family Residential | M-R Manufactured Residential | LI Light Industrial | |

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	 Site Location	1 inch = 100 feet
	 Lot Lines	Printed: 11/13/2019