



## **PLANNING & CODES**

### **Planning and Zoning Commission Report**

#### **ZC 04-24**

A request for Zoning Change 04-24 from Single Family Residential (R-1) to Neighborhood Commercial (NC) for property located at 503 S. Austin Street, Property ID 27867 was considered during a public hearing at the Planning & Zoning Commission meeting on June 11, 2024. Commissioner Pedigo recused himself from the discussion and vote.

Armando Guerrero, Planning Manager, presented the staff report. He stated that the property is located on the corner of south Austin Street and east Live Oak Street, in an established neighborhood close to the Downtown Historic District. The current zoning allows for a single-family home which can be owner occupied or rented by a single family.

The existing home was constructed in 1923 and contains a basement, an attached garage, a main floor area, and a second-floor area. The applicant purchased the property in March of 2020, and since then has performed renovations on both floors of the house.

The applicant is requesting to operate as a bed and breakfast. Code requirements would require a zoning change to Neighborhood Commercial (NC), or approval of a Specific Use Permit (SUP) to allow for bed and breakfast.

Any proposed use at this location is required to meet the development requirements of Chapter 5 of the City's UDC, Building and Fire Code for the use.

Mr. Guerrero provided the surrounding zoning and stated that the Bed and Breakfast will be residential in nature, with the owners residing in the home and renting rooms located on the second floor. He noted that the Neighborhood Commercial zoning allows for commercial uses shown in Section 3.4.3 Land use Matrix of the City's UDC.

The property is located within the Downtown Core of the City's Future Land Use Plan and Neighborhood Commercial is appropriate if consistent with the scale and form of other Downtown tracts. The property has a frontage on S. Austin and E. Live Oak. The existing access is taken from Live Oak Street. Access from Austin Street would require approval from TxDOT.

Mr. Guerrero stated that the request is consistent with the future land use plan, compatible with existing and permitted uses of surrounding properties, there are not adverse impacts on surrounding properties or natural environment, and the proposed zoning follows a logical and orderly pattern. He stated the other facts that impact public health, safety, or welfare would be parking.

The Commission discussed parking and the zoning designation if the property was sold. Staff advised that the applicant met the parking requirements through a parking lease agreement with Mr. Daniels. The parking requirements are 1 parking space per room. Staff stated that the property would require 4

parking spaces. Ms. Pedigo stated that the parking agreement is for 1 year. Staff stated that the zoning remains if the property is sold, although the SUP would be voided.

Mr. Guerrero pointed out that one letter in support and one letter in opposition were received. He stated the concerns are addition vehicles parking in front of their home, what the property is used for and if the property would be restricted to the specific type of business and if the property is sold, would the new owners be required to reapply.

The regular meeting recessed, and a public hearing was held. Ms. Pedigo, the owner, stated she was available to answer any questions.

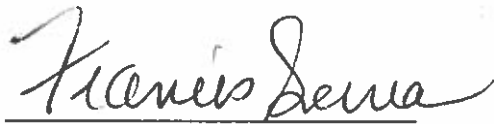
There being no responses from the public, the regular meeting was reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change (ZC 04-24), Vice-Chair Felty moved that the Planning and Zoning Commission recommend approval of the zoning change from Single Family Residential (R-1) to Neighborhood Commercial (NC) for property located at 503 S. Austin Street, Commissioner Davila seconded the motion. The following vote was recorded:

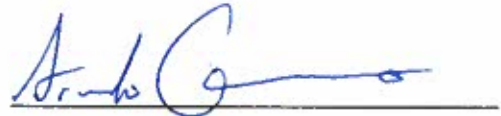
**RECOMMENDATION TO APPROVE THE ZONING CHANGE TO NEIGHBORHOOD COMMERCIAL (NC)**

**MOTION PASSED**

**8-0-0**



Francis Serna, Recording Secretary



ATTEST: Armando Guerrero,  
Planning Manager



## PLANNING & CODES

ZC 04-24 Staff Report  
503 S. Austin St.  
R-1 to NC

**Applicant:**

Joseph H & Deborah D  
Pedigo  
503 S. Austin St.  
Seguin, TX 78155

**Property Owner:**

Joseph H & Deborah D  
Pedigo  
503 S. Austin St.  
Seguin, TX 78155

**Property Address/Location:**

503 S. Austin St.  
Seguin, TX 78155

**Legal Description:**

LOT: 1 2; N 20' OF 7,8 BLK:  
135 ADDN: INNER  
Property ID: 27867

**Lot Size/Project Area:**

0.2614 Ac.

**Future Land Use Plan:**

Downtown Core

**Notifications:**

Mailed: May 30, 2024  
Newspaper: May 26, 2024

**Comments Received:**

None at time of printing

**Staff Review:**

Armando Guerrero  
Planning Manager

**Attachments:**

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

**REQUEST:**

A Zoning Change request from Single-Family Residential (R-1) to Neighborhood Commercial (NC).

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	R-1	Single family residence
<b>N of Property</b>	C	Single family residence
<b>S of Property</b>	R-1	Single family residence
<b>E of Property</b>	R-1	Single family residence
<b>W of Property</b>	P	St. James Catholic School

**SUMMARY OF STAFF ANALYSIS:**

The applicant is requesting a zoning change from Single-Family Residential (R-1) to Neighborhood Commercial (NC) to allow for a proposed Bed and Breakfast use at this location. The property owners will reside at the location while these individual rooms are rented out. The presence of the property owner on site would deter any action or behavior that would disrupt the neighbors or neighborhood. The applicant would be required to arrange for adequate parking to accommodate for the four (4) rooms that are being proposed to be rented out, the applicant would be required to ensure that the guest park in the arranged parking spaces and not along the street within the neighborhood.

**CRITERIA FOR ZONING CHANGE:**

**Consistency with the future land use plan** – Yes, Neighborhood Commercial uses encouraged within the Downtown Core.

**Compatible with existing and permitted uses of surrounding property** – Yes, proposed use would be residential.

**Adverse impact on surrounding properties or natural environment** – None specifically identified.

**Proposed zoning follows a logical and orderly pattern** – Neighborhood Commercial zoning allows for continued residential use, while allowing for low impact commercial use.

**Other factors that impact public health, safety, or welfare** – Parking.

## PLANNING DEPARTMENT ANALYSIS

### **SITE DESCRIPTION**

The existing home was constructed in 1923 and contains a basement (510sqft), attached garage (420sqft), a main floor area (2,226sqft), and a second-floor area (1,777sqft). The applicant purchased the property in March of 2020, and since then has performed renovations on both floors of the house adding additional bathrooms, kitchen, gathering/dining/sunroom area, laundry area, and a staircase to the backyard. There are four (4) rooms located on the second floor that would be rented out for the proposed bed and breakfast use.

This home is located on the corner of south Austin Street and east Live Oak Street in an established neighborhood in close to the Downtown Historic District. The current zoning of the property only allows for a single-family home, which can be owner occupied or rented by a single family.

### **CODE REQUIREMENTS:**

A zoning change to Neighborhood Commercial (NC) would allow for a bed and breakfast use at this location. The proposed bed and breakfast use would also be allowed in the current zoning of Single-Family Residential (R-1), with the approval of a Specific Use Permit (SUP).

Bed and Breakfast is defined in the Unified Development Code (UDC) as, *“an owner-occupied private home of historic interest, which offers lodging for paying guests, which may serve meals to these guests, and which allows for limited social functions as regulated by a Specific Use Permit, Limited Use Permit, or otherwise required by the UDC.”*

The proposed bed and breakfast use will be required to meet all development standards and requirements currently in place to operate at this location.

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

Neighborhood Commercial (NC) allows residential or low-impact commercial. To the north of this property is a commercially zoned property that is being utilized as a residence; to the east and south are residential homes zoned Single-Family Residential (R-1); Public (P) zoning is across South Austin Street. The site as a Bed and Breakfast would still be residential in nature, with the owners of the home residing in the home and renting rooms located on the second floor. However, the Neighborhood Commercial (NC) zoning also allows for commercial uses shown in section 3.4.3 Land Use Matrix of the City's UDC.

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

Parking would have to be addressed for any proposed use.

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

This property is located within the Downtown Core of the City's Future Land Use Plan which includes Seguin's historic center, where residential and commercial uses mix vertically and horizontally. High-density development should promote walkability to ensure pedestrian interaction with Downtown establishments along the street. Neighborhood Commercial use would be appropriate if consistent with the scale and form of other Downtown tracts.

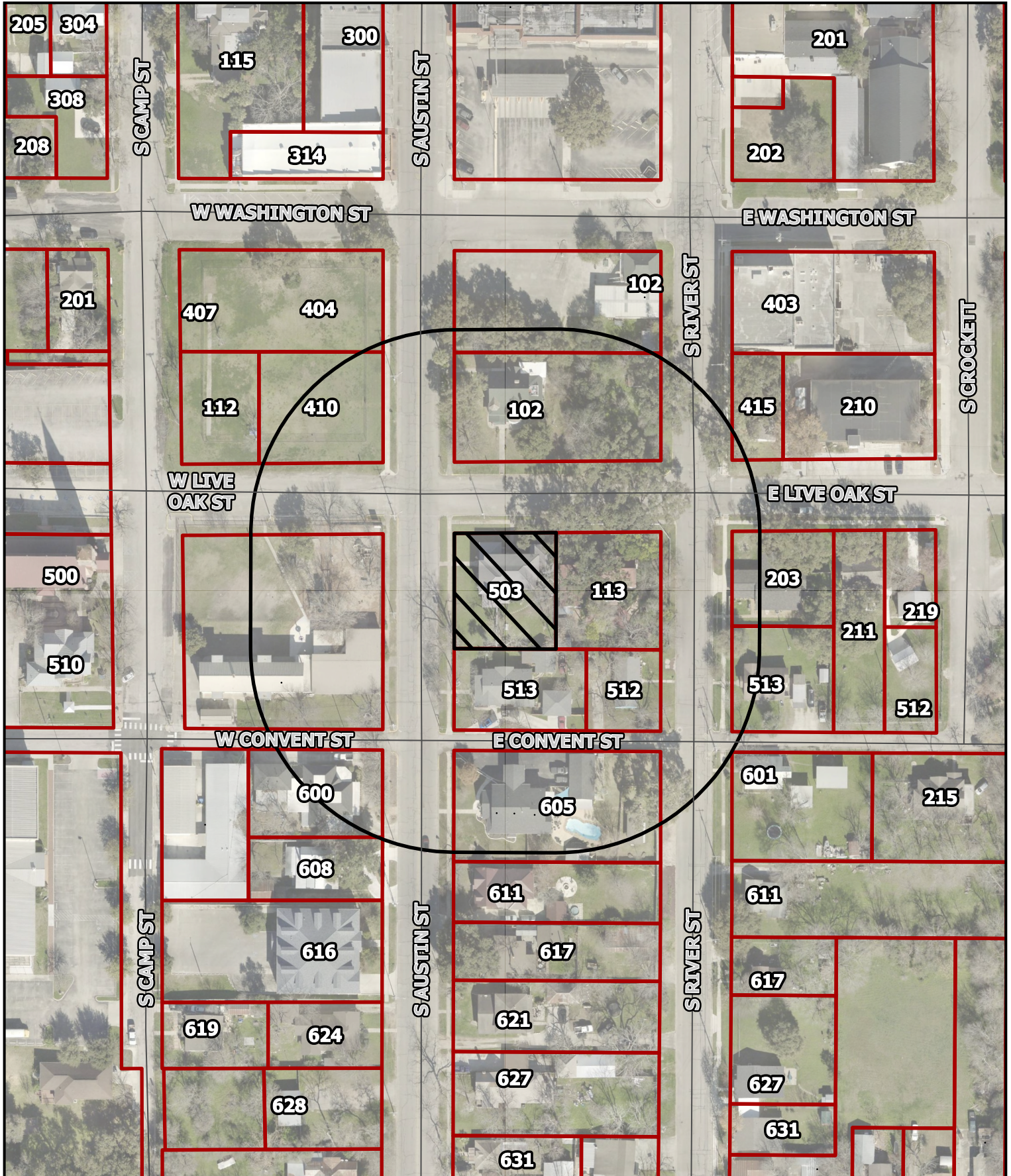
### **TRAFFIC (STREET FRONTAGE & ACCESS):**

This property contains frontage along South Austin St and East Live Oak St. Existing access is taken from Live Oak St. Any proposed driveway access along South Austin St. would require permitting and approval through TxDOT.



# LOCATION MAP

ZC 04-24 503 S. 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
- 200' Buffer
- Parcel

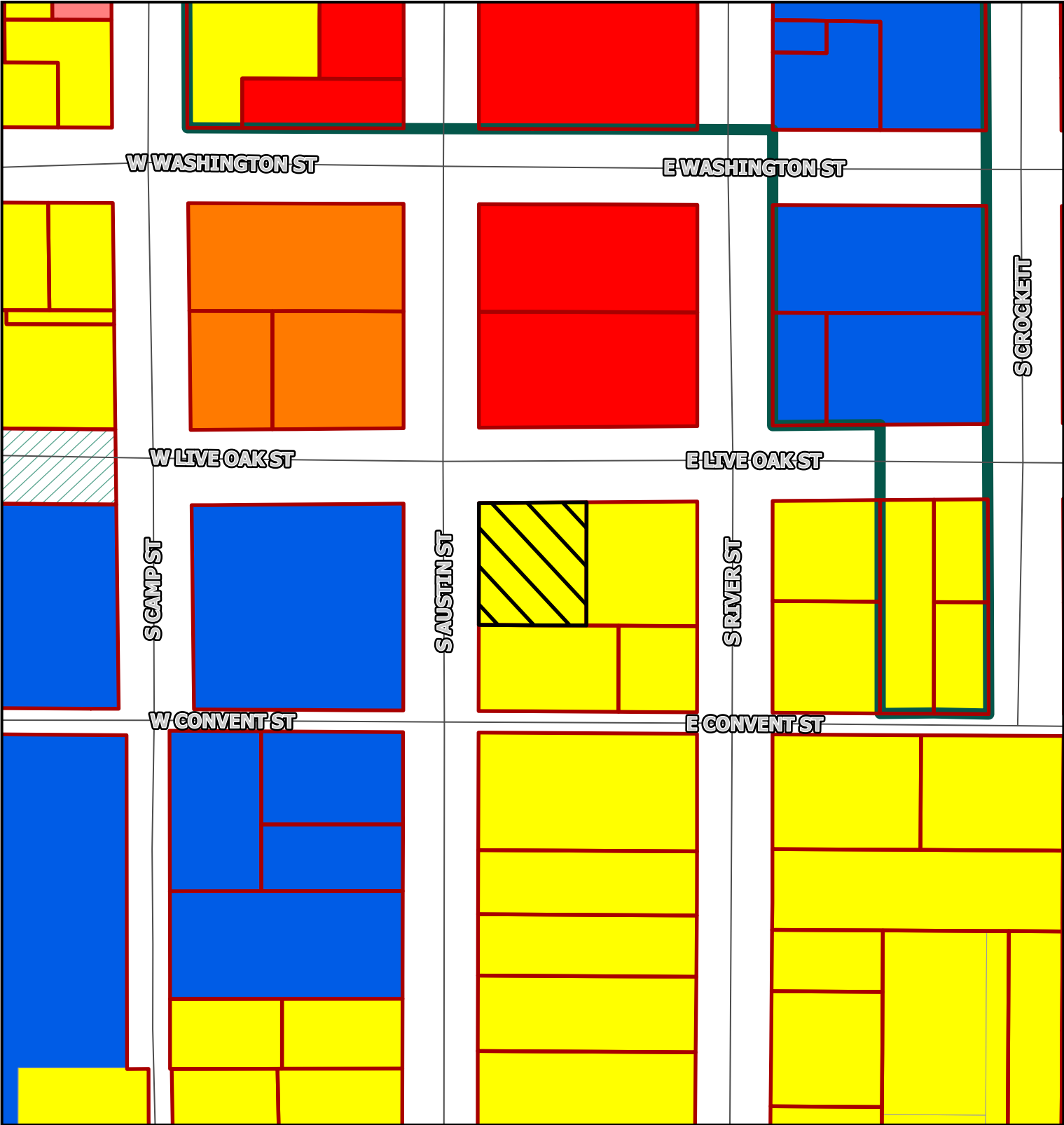
1 inch = 125 feet

Printed: 5/3/2024



ZONING MAP

ZC 04-24 503 S. 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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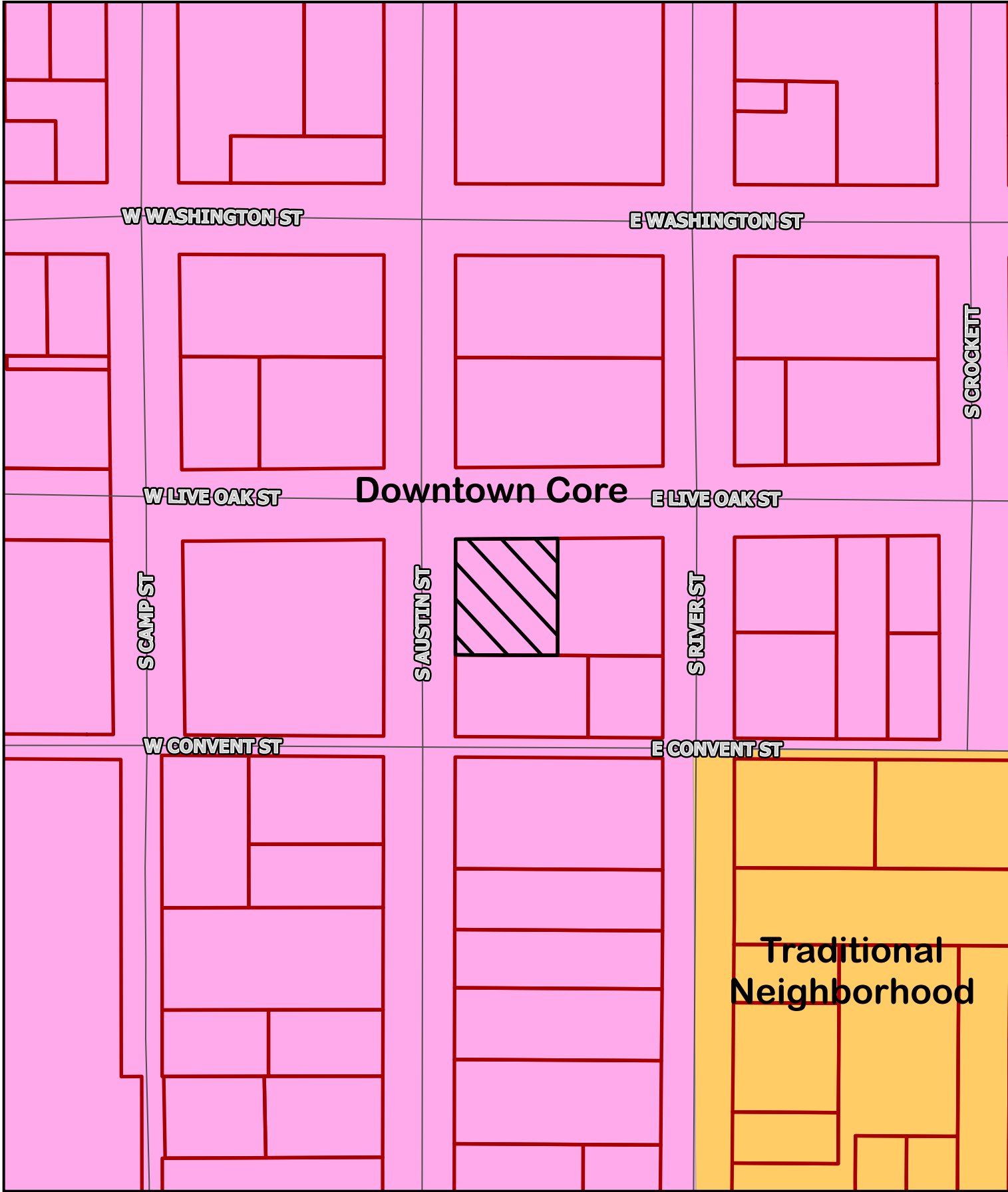
Site Location



Parcel

1 inch = 125 feet

Printed: 4/11/2024



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Site Location



Parcel

1 inch = 125 feet

Printed: 4/11/2024

## Proposed Rezoning

Joseph "Joe" H. Pedigo, III and Deborah "Debbie D. Pedigo requests zoning change from Residential (R-1) to Neighborhood Commercial (NC). Joe and Debbie Pedigo are to use the second floor for short-term rental. The first floor and cellar/basement will be Joe and Debbie's residence.

### History of the house:

The house was built in 1924 by John Vivroux, original owner of Vivroux Hardware, Vivroux Toys, and multiple retail shops in Seguin. The original structure was approximately 2200 sq ft. The residence is two stories and a cellar/basement.

The house had extensive remodeling and add on of approximately 2000 sq ft about 1944 on both floors.

The add-on on the first floor was:

- Kitchen
- Two Bathrooms
- Gathering/Dining Room
- Laundry Area
- Close-off of portico

The add-on on the second floor was:

- Kitchen
- Two Bathrooms
- Gathering/Sun Room
- Laundry Room
- Staircase to backyard

Note, in 1944 a kitchen and laundry room were created on both floors. The upstairs was used to rent, while the Vivroux/Traeger family lived on the first floor. An oddity of the upstairs is the locks were on the outside of the door for the owners on the first floor to have access – not the tenant. Another oddity is upstairs rooms had multiple doors leading from one room to another in a circle. The tenants were to go up and down the back stairs. There was a shared kitchen and two bathrooms for the tenants.

A story of a Colonel from Randolph Air Force Base that rented a room on the second floor for several years. Over the years, many people have shared that they lived on the second floor with Marie Traeger Heil lived on the first floor.

### Renovated house:

Joe and Debbie Pedigo lovingly renovated the entire house from a disaster to a splendid honor of the protégé of Frank Lloyd Wright that originally designed the house. Joe and Debbie had to correct the flow of the house removing 22 doors. The house is now setup with access from the Live Oak door (as well as the back staircase). There are four rooms closed off with their own unique space. The tenants will share the two bathrooms and kitchenette. The upstairs is limited to small occupancy of less than 12 people – 4 families.

### Current Neighborhood Zoning:

The current neighborhood zoning is mixed: Commercial, Multi-Family, Public Use, and Residential. See Exhibit Two.

- North lot across the street is Danny Daniels house, 100% Commercial.
- West lot across the street is St James Catholic Church, 100% Public Use.
- East and South lots is 100% Residential.

### Parking:

There is ample parking on Live Oak Street. We will not allow parking on Austin Street. With four families at the maximum, the maximum vehicles will be four. City of Seguin has a long-term expectation of changing the street parking to 2-lane parallel parking. See Exhibit One.



**Seguin's Future Growth:**

With Wells Fargo Bank changes, Pedigo house will be directly affected as the project is two blocks from the home. Pedigo home as a short-term rental will enhance the future use of the Wells Fargo project. Luxurious short-term rental in downtown Seguin is minimal. Pedigo home will enhance City of Seguin's plans to attract people to the downtown area, especially tourists. There are multiple short-term rentals throughout Seguin area, but limited in the downtown area. Pedigo home will be an enhancement for the Seguin Event Center as it does not currently have short-term accommodations.

**Impervious Land Coverage:**

Will not change. There are no stormwater issues as the house is not going to expand from current footprint.

**Neighboring Families:**

Neighboring families are aware that the Pedigo's will have an exclusive, limited use and controlled short-term rental. There are been no concerns addressed.

**Controlled Noise:**

Pedigo house will be the residence for Joe and Debbie Pedigo on the first floor. Pedigo house will have controlled noise and access.

In order to be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

### REPLY

ZC 04-24

503 S. Austin St.

Property ID 27867

Name: Bono Norma Jean Colunga

Mailing Address \_\_\_\_\_

Phone No.: \_\_\_\_\_

Physical Address of property (if different from the mailing):  
\_\_\_\_\_

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor \_\_\_\_\_

Opposed ☒

*Reid*

JUN 07 2024

Reasons and/or comments \_\_\_\_\_

- 1) Additional vehicles parking in front of our home?
- 2) What will the property be used for?
- 3) Will the property be restricted to a specific type of business?
- 4) When property is sold/inherited will the business type be removed again?

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**REPLY**

**ZC 04-24  
503 S. Austin St.  
Property ID 27867**

Name: REKLAW Properties [JACK WALKER]

Mailing Address: \_\_\_\_\_

Phone No.: 4 \_\_\_\_\_

Physical Address of property (if different from the mailing):  
\_\_\_\_\_

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor ☒

Opposed ☐

*Rec'd*  
**JUN 07 2024**

Reasons and/or comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_