



Planning and Zoning Commission Report ZC 07-15

The following request was considered during a public hearing at the Planning & Zoning Commission meeting on May 12, 2015:

ZONING CHANGE request from Commercial to Single-Family Residential for the property located at 1062 Tabernacle St, approx. 0.1453 acres, Property ID 38456 (ZC 07-15)

Helena Schaefer presented the staff report. The applicant is proposing to rezone the property to use the existing structure as a residential dwelling. Notifications were mailed on May 1, 2015 and published on April 26, 2015 with two comments received in favor of the zoning change. Staff is recommending approval of the Zoning Change from Commercial to Single-Family Residential. Staff finds this request to be compatible with the existing uses and the Comprehensive Plan's Future Land Use Plan and cites the difficulty of redeveloping the property for commercial use due to the lot size and off-street parking requirements.

Jay Crowell, agent for the applicant was present to answer questions. The Commission asked questions pertaining to the commercial structure next door and the houses located to the west.

There being no further questions for the applicant the regular meeting was recessed and a public hearing was held. There being no response from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change 07-15, the Planning and Zoning Commission voted 7-0-0, to Recommend to City Council to Approve the Zoning Change request to Single-Family Residential.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO SINGLE-FAMILY RESIDENTIAL—
MOTION PASSED 7-0-0**

Dora Toungate
Planning Assistant

ATTEST: Pamela Centeno
Director of Planning/Codes



City of Seguin

Planning/Codes Department
Staff Report

ZC 07-15
1062 Tabernacle St.
Zoning Change

Applicant:

Rugged Outdoor Computing
LLC
999 S. Shady Grove Rd.
Memphis, TN 38120

Property Owner(s):

Rugged Outdoor Computing,
LLC
999 S. Shady Grove Rd., Suite
103
Memphis, TN 38120

Property Address/Location:

1062 Tabernacle St.

Legal Description:

Lot: 52.5 X 166.4, Blk: 63,
River Addition, Property ID
38456

Lot Size/Project Area:

Lot – approx. 0.1453 acres

Future Land Use Plan:

Central Township

Notifications:

- Mailed: May 1, 2015
- Published: April 26, 2015

Comments Received:

1 Comment – In Favor

Staff Review:

Helena Schaefer
GIS Analyst

Attachments:

- Location Map
- Zoning Map
- FLUP Map

REQUEST: A Zoning Change request from Commercial to Residential.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	C	Vacant House
N of Property	C	Commercial
S of Property	R-1/M	Residential
E of Property	C	Commercial
W of Property	C	Residential

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

Although a Specific Use Permit can be obtained to use this structure as a residence, it doesn't transfer with the property and stay with the property owner. A zoning change would "stay with the property". Given the surrounding residential uses, the difficulty to develop this property as a commercial site, the lot size, and the Central Township district's expression of neighborhoods, Staff is recommending the zoning change from C to R-1.

Planning Department Recommendation:

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

CODE REQUIREMENTS:

In order to use this non-conforming structure as a residence, a zoning change must be acquired for the property. Although the property is currently zoned as Commercial, it would be difficult to develop this site as a business. The site is 0.145 acres or 6239 square feet, which is just 239 square feet over the minimum lot size of 6000 square feet. A R-1, Single Family Residential zoned property requires just 5000 square feet.

SITE DESCRIPTION:

The property was zoned Commercial with the original adoption of the Zoning Map in 1989. The house was existing when zoning was established. Since the house was vacant for a long period of time, the nonconforming use of the structure expired. In order to use the structure as a residence, a zoning change can be sought or a Specific Use Permit can be obtained. A Specific Use Permit was approved during the March 2015 Planning & Zoning Meeting by the potential buyer, ATW Investments. However

this buyer is no longer purchasing the property. A Specific Use Permit does not run with the property, but with the applicant.

COMPATIBILITY WITH SURROUNDING LAND USES & ZONING:

The property is located behind commercial development but is adjacent to other residences on Tabernacle Street.

COMPREHENSIVE PLAN:

The site is located in the Central Township; this district is neighborhood oriented with medium residential densities. Single-Family Residential land uses are recommended in this district. Commercial use would be subject to review and not necessarily an appropriate use in Central Township.

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

It has not been determined that the site is of historical, cultural, or environmental significance.

TRAFFIC (STREET FRONTAGE & ACCESS):

The site is accessed from Tabernacle Street.

PARKING:

Parking for two vehicles, as required, is existing at the residence. If this property was developed as Commercial and depending on the type of business, it would be difficult to meet the parking requirements.

LOCATION MAP

ZC 07-15: 1062 Tabernacle St



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Site Location



200' Notification Buffer



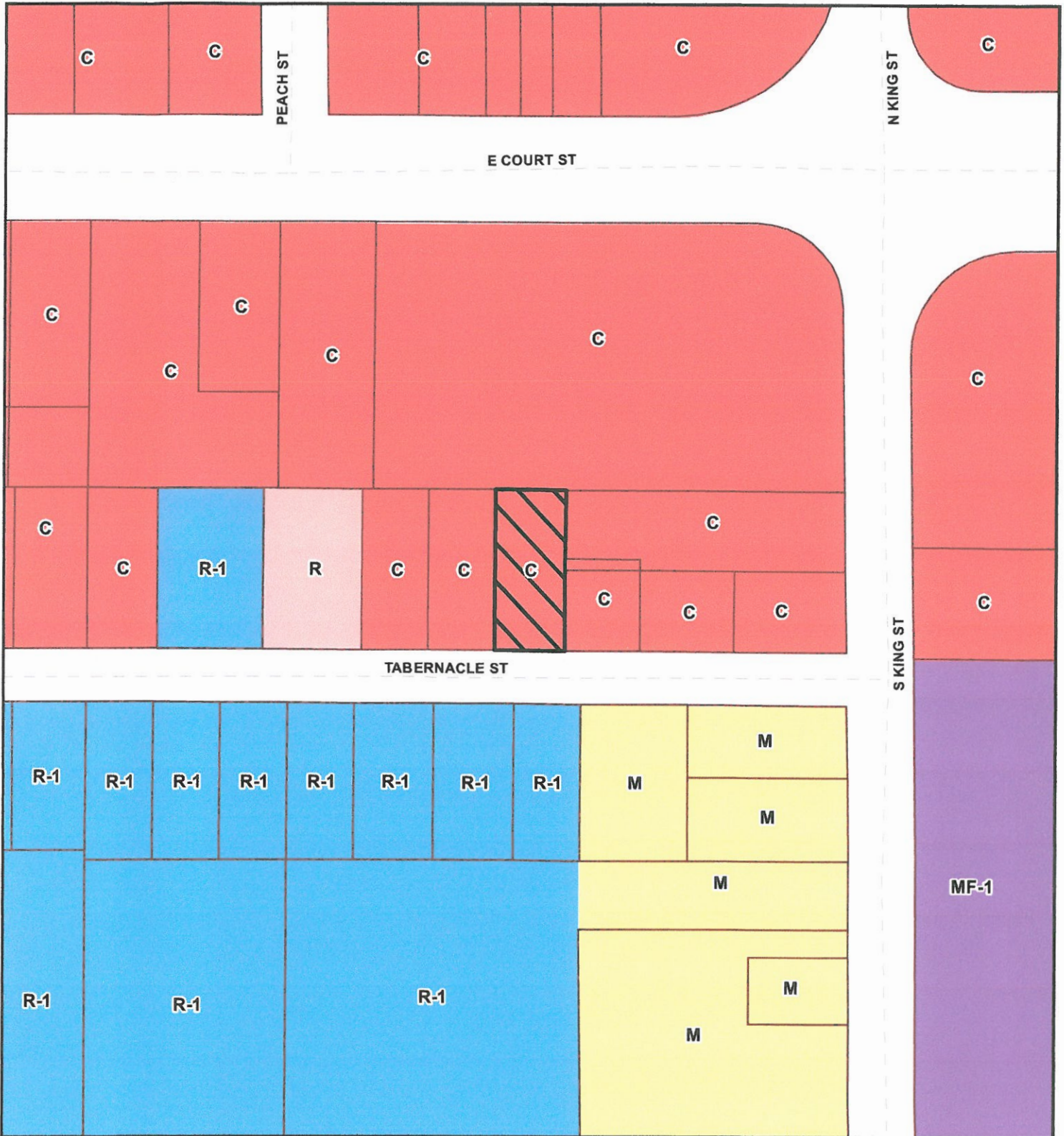
Lot Lines

1 inch = 100 feet

Printed: 4/16/2015

ZONING MAP

ZC 07-15: 1062 Tabernacle St



- | | | | |
|-------------------------|-------------------------------|---------------------------------------|------------------------------|
| O-P Office Professional | R-1 Single-Family Residential | MHP Manufactured Home Park | PD Pre-Development |
| R Retail | ZL Zero Lot Line | MHS Manufactured Home Subdivision | M Mixed Use |
| C Commercial | MF-1, MF-2, MF-3 Multi-Family | M-R Manufactured Home and Residential | PUD Planned Unit Development |
| P Public | DP-1, DP-2 Duplex | A-R Agricultural Ranch | LI Light Industrial |
| | | | I Industrial |

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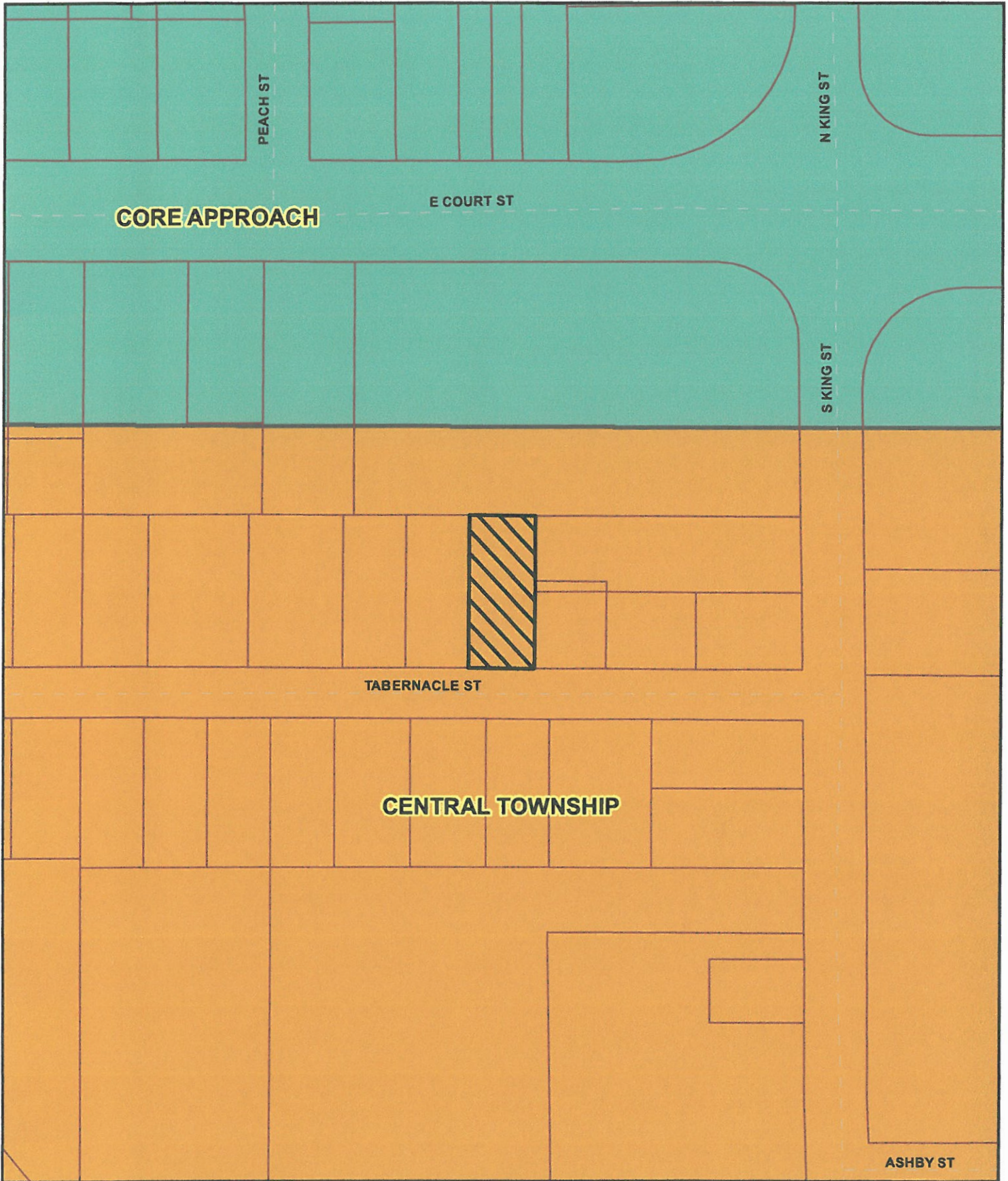
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FUTURE LAND USE MAP

ZC 07-15: 1062 Tabernacle St



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Site Location



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