



## Planning and Zoning Commission Report ZC 05-16

The following request was considered in conjunction with Zoning Change 05-16 during a public hearing at the Planning & Zoning Commission meeting on March 8, 2016:

**ZONING CHANGE request from Office-Professional (O-P) and Retail (R) to Commercial, Multi-Family 1, Public, and Single-Family Residential 1 for the following properties in the UDC Rezoning Group 7A: 30782, 59043, 59210, 59215, 59219, 59514, 59572, 129922, 132256, and 134210.**

Helena Schaefer presented the staff report. Prior to specific zoning, staff gave a presentation about the intent of O-P and R in the old zoning ordinance and how these two zoning districts were consolidated into one district, NC in the UDC. Although these districts were consolidated, not all properties zoned O-P and/or R translated into the new NC district. Staff provided previous zoning history for these properties, cited staff recommendations in the past, and if the intent of the proposed zoning change was ever developed. Property owners also received prior notification of the City's intent to rezone these properties; Staff requested feedback from the property owners to ensure that the appropriate zoning is proposed for the property. None of the property owners for the ten properties responded to Staff's letters regarding the proposed zoning changes.

Public notifications were mailed to 42 property owners on February 26, 2016. No written responses or phone calls were received.

There were no questions from the Commission. The regular meeting was then recessed and a public hearing was held.

Dr. Mike Dwyer, one of the property owners at 1255 Ashby St expressed his concerns about the wording of the public notification and the options for the public to provide feedback. He also asked for further clarification about the property taxes and the zoning. Pamela Centeno responded that the methodology for the Appraisal District to determine property values may or may not take City's zoning into consideration. As for the public notification' wording, Staff will review the standardized language for clarity.

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

After consideration of the staff report and all information given regarding Zoning Change 05-16, the Planning and Zoning Commission voted 7-0-0, to Recommend to City Council to Approve the Zoning Change request to Commercial, Multi-Family 1, Public, and Single-Family Residential 1.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO Commercial, Multi-Family 1, Public, and  
Single-Family Residential 1-  
MOTION PASSED 7-0-0**



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Helena Schaefer  
GIS Analyst



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ATTEST: Pamela Centeno  
Director of Planning/Codes



# City of Seguin

Planning/Codes Department  
Staff Report

**ZC 05-16**  
**UDC Rezoning for Office-Professional and**  
**Retail**  
**Group 7A**

**Applicant:**

City of Seguin

**Property Owner(s):**

See attached list of property ownership.

**Property Address/Location:**

Group 7A are properties located along E Weinert , N King, E Court and Ashby St.

**Legal Description:**

See Attached Prop. ID List

**Lot Size/Project Area:**

3.5 acres

**Future Land Use Plan:**

Historic City Center,  
Community Node

**Notifications:**

Mailed February 26, 2016  
Newspaper February 21, 2016

**Comments Received:**

Update at P&Z meeting

**Staff Review:**

Helena Schaefer  
GIS Analyst  
March 2, 2016

**Attachments:**

- Group 7A Map (w/ Proposed Zoning)
- Existing Zoning Map
- Property Owner List
- Future Land Use Plan Map

**REQUEST:**

The City of Seguin is rezoning properties where the former zoning classifications no longer exist in the City of Seguin’s Unified Development Code.

**ZONING AND LAND USE:**

	Zoning	Land Use	<b>SEE ATTACHED MAPS</b>
<b>Subject Property</b>	O-P	Various land uses including residential, commercial, and vacant.	
<b>N of Property</b>			
<b>S of Property</b>			
<b>E of Property</b>			
<b>W of Property</b>			

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

With the adoption of the Unified Development Code, two zoning districts (Office-Professional and Retail) were consolidated into one zoning, Neighborhood Commercial. There are 38 properties that were zoned either Office-Professional or Retail. The ten parcels in Group 7A were all zoned as Office-Professional.

Staff has evaluated the parcels in Group 7A with consideration of the current land uses, property owners’ input, any previous zoning change request, physical features (such as floodplain and proximity to major roads) and the Future Land Use Plan as adopted in the 2008 Comprehensive Master Plan.

Staff recommends approval of the proposed zoning districts as depicted on the attached maps.

**Planning Department Recommendation:**

<b>X</b>	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

## PLANNING DEPARTMENT ANALYSIS

### **CASE SUMMARY:**

Group 7A is one of six (6) areas that require rezoning due to the consolidation of the “Office-Professional” and “Retail” zoning classifications in the Unified Development Code. The case is to determine the zoning districts for Group 7A. There are 10 parcels in this group and are located along E Weinert, N King, E Court and Ashby Streets.

### **CODE REQUIREMENTS:**

All property within the city limits are required to have a zoning designation. According to the UDC, any property annexed will receive A-R zoning until the time that the property can be appropriately zoned. These 10 parcels were all rezoned to Office-Professional from its original zoning.

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

The properties in Group 7A are proposed as Public, Multi-Family 1, Commercial, and Single-Family Residential 1 (at not necessary to Neighborhood Commercial) due to the close proximity of each parcel to a residential area and/or “like” commercial uses.

### **COMPREHENSIVE PLAN:**

The properties are within the Historic City Center, and Community Node Districts.

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

No area of health, safety or historical significances has been identified by the City in this group.

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

The properties in Group 7A are located along E Weinert, N King, E Court, and Ashby streets.

### **PARKING:**

Off-street parking shall be provided in accordance with Section 5.3 of the Unified Development Code, which identifies specific parking requirements for different land uses and zoning districts.

### **INDIVIDUAL REZONING ANALYSIS AND HISTORY:**

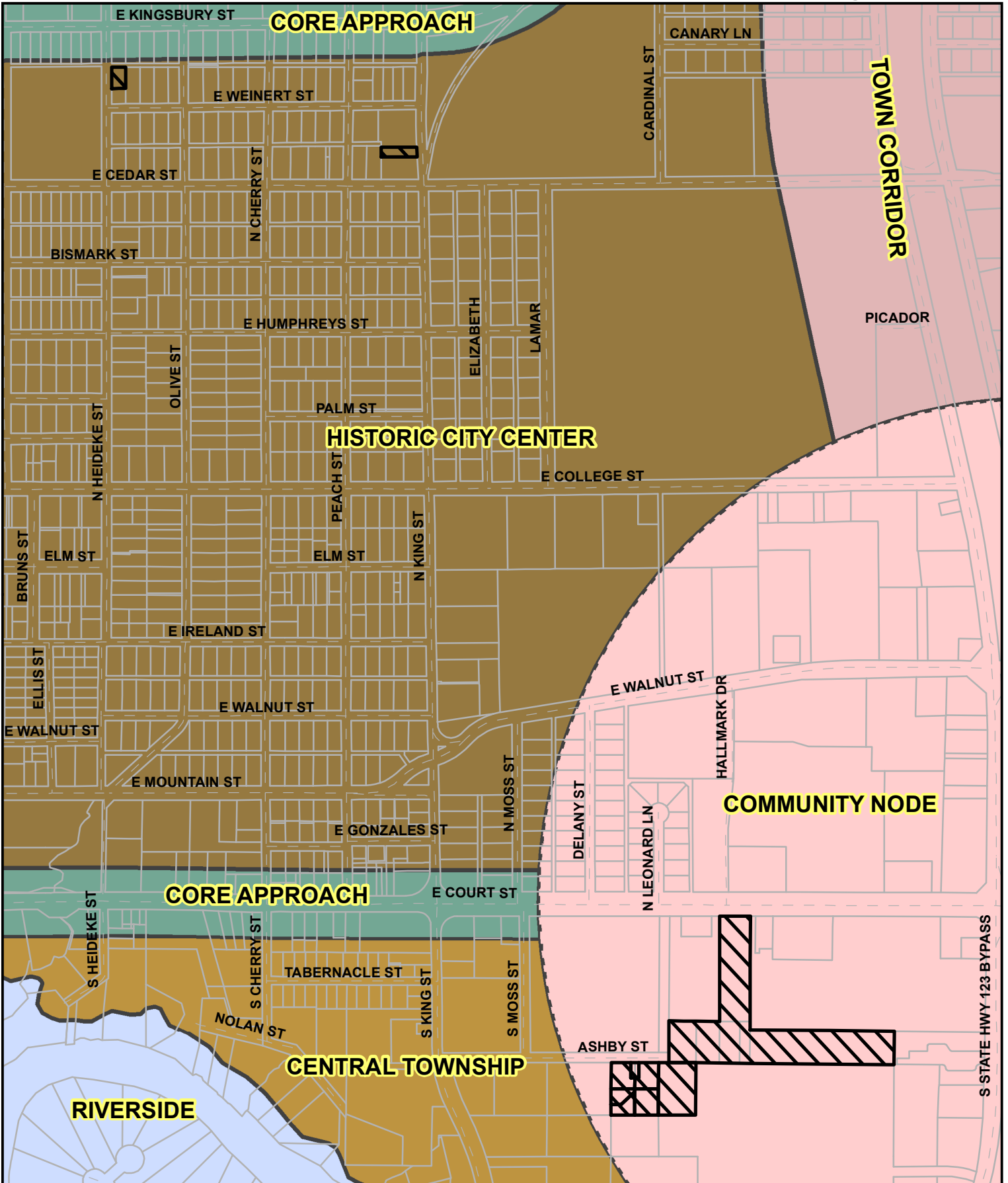
**Property ID 30782 (904 E Weinert St)** – The back portion of this residential lot was rezoned in August 2002 by the applicant, which is the current owner. The applicant wanted to operate a beauty salon from a structure in the back yard. Staff, at the time of this rezone, felt the use could be potentially harmonious, but there was public opposition to the use (as it is adjacent to Weinert Elementary School). An off-street parking plan and a code compliance was required before the salon could be opened if the zoning change was approved by City Council. Staff is recommending that the back portion be rezoned to Single-Family Residential 1 as the beauty salon was never opened. A code compliance was conducted in 2003, but no permits were never issued for the property. As well, Staff never received an off-street parking plan.

**Property ID 129922 (1220 N King)** – Due to mapping error, this parcel was inadvertently zoned to O-P as part of ZC 26-06. This property is part of the apartment complex, Heritage House, to the north and should be rezoned as MF-1.

**Property IDs 59210, 59215, 59219, 59514, 59572, and 59043 (1225 Ashby St)** – This is a medical office complex, which houses a number of doctors’ offices and the Southern Cross Ambulance Service office. The property owner of all six parcels applied for a zoning change from O-P to C in 1989. The zoning change request was denied due to public opposition; a number of area doctors argued that this area behind the hospital was better suited for office-professional uses. Staff recommends Commercial for these six parcels; the existing use is allowed in this zoning district. As well, there are few low-density residential structures in the area;

**Property IDs 132256 (1339 E Court St)** – The eastern portion of the Guadalupe Regional Medical Center complex went through a rezoning change request in 1989; this property was not part of the hospital at the time. The request was denied, and was in conjunction with the other denied zoning change request in the area. As this parcel is now part of the hospital, Staff is recommending the property be rezoned to public. This would zone the entire hospital complex as “public”.

**Property ID 132256 (Ashby@SH 123 Bypass S)** –The parcel is the back lot of Walmart, located between Ashby St and SH 123 Bypass S. Prior to Walmart acquiring this parcel, the property owner at the time, requested a rezone from O-P to C. This request was denied, just like the other zoning change request in close proximity. As this parcel is now part of the Walmart property, Staff is recommending rezoning it to Commercial.



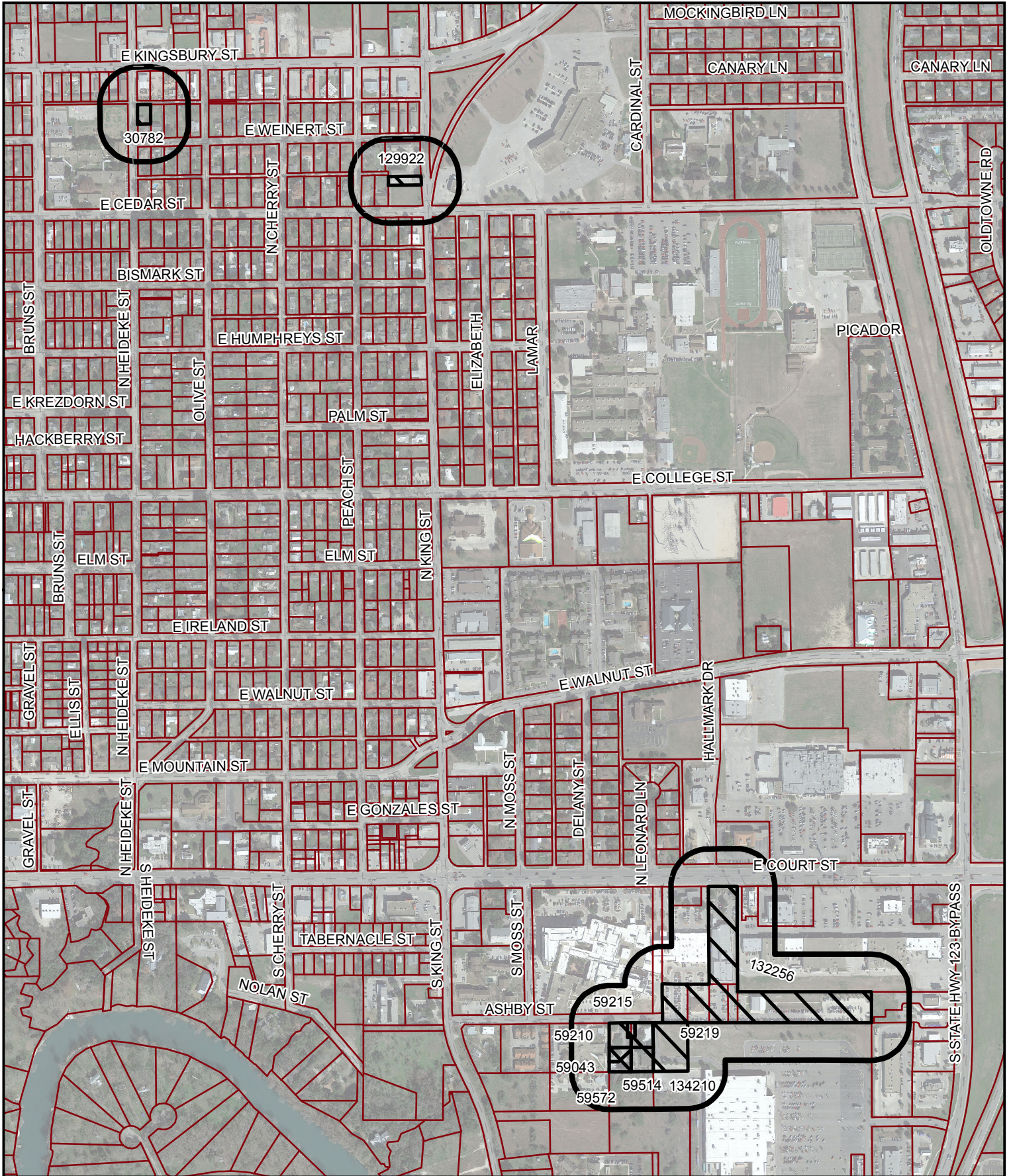
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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


 Site Location  
 Lot Lines





1 inch = 627 feet  
 Printed: 2/12/2016

# LOCATION MAP

# ZC 05-16: UDC Rezoning Group 7A

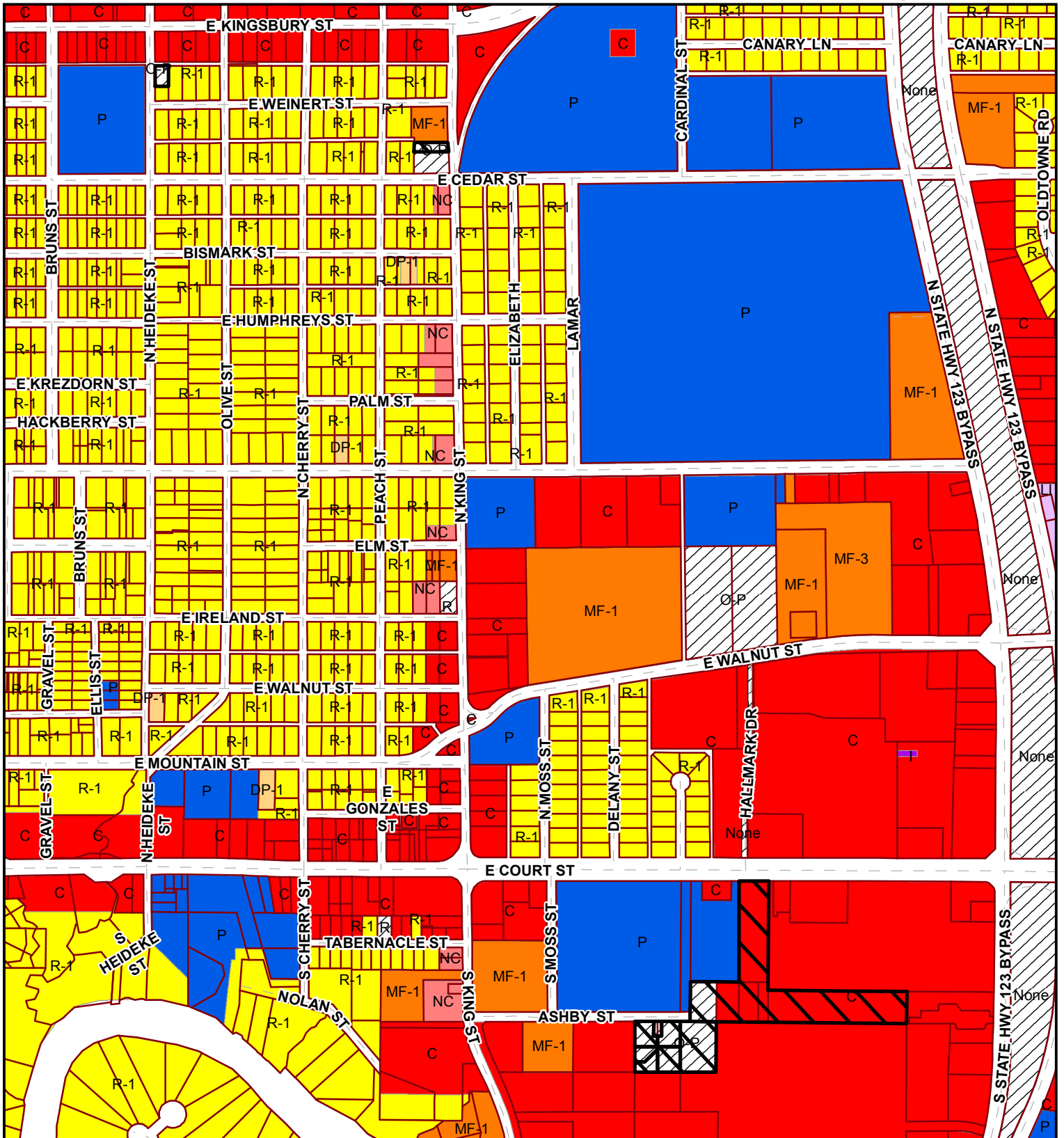


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			<b>Site Location</b>	<b>200' Notification Buffer</b>
		<b>Lot Lines</b>		
				<b>1 inch = 677 feet</b> <b>Printed: 2/12/2016</b>

# ZONING MAP

# ZC 05-16: UDC Rezoning Group 7A



- |                               |                              |                            |                              |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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



Lot Lines

1 inch = 687 feet

Printed: 2/12/2016