

# Planning and Zoning Commission Report ZC 42-21

A request for Zoning Change 42-21 from Single Family Residential (R-1) to Duplex High Density (DP-2) located at the 900 Block of Country Club Drive, Property ID 57040 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on January 11, 2022.

Helena Schaefer presented the staff report. She stated that the property was annexed into the city in 1992 and zoned Pre-Development. In 2010, the property owner at the time requested a zoning change to the current zoning of R-1. She explained that the maximum number of units allowed for the DP-2 is 14 units and the possible maximum number of lots for the property is 112 units or 56 lots. She explained that the applicant is proposing 30 lots or 60 dwelling units. She added that each lot in a Duplex Zone property requires lot frontage on a public right-of-way. Therefore, public infrastructure is required to be constructed for this development including at least two public streets.

Ms. Schaefer gave a brief overview of the surrounding properties and stated that the mix of residential zonings and existing land uses, there is a degree of compatibility. The property is in the Riverside Future Land Use District with Duplex 1 being an acceptable use in this district. She explained that the restricted or not recommended density range for the district is 3.6 or more dwelling units per acre. The proposed layout with the 60 dwelling units would fall into the not recommended density range. She pointed out that there is a natural gas line running through the property near the southern boundary. The gas line must be considered with the lot layout design. She stated that there is a lot in Country Club Estates that is dedicated to this gas line.

Staff recommended approval to Duplex 2 due to the compatibility with the surrounding zoning and existing land uses.

She stated that two responses in opposition were received. The owner at 910 Country Club would like the property to remain single-family and that it was one of the reasons they bought their property. The second response from the owner at 856 St James cited "too much confusion with the present apartments and duplexes at the end of Country Club Dr. They stated there is not enough access roads for adding traffic and feels it will bring down property values."

Ms. Schaefer stated any redevelopment of the two properties will need to adhere to all applicable development standards.

Michael Schomer, CJ & Homes, stated that he owns the property, and he is proposing to development single story duplex to be compatible with the area. He said the duplexes would be like the duplexes on King St. and the duplexes at the corner of Heideke St. and Seideman St.

The regular meeting recessed, and a public hearing was held.

Jerry Mata, 236 Club View West, spoke in opposition to the request until more information is provided. He said his house abuts the proposed development and expressed concerns regarding value of the duplex, he asked if they would be low-income housing, are duplexes comparable to the property values in the area.

Jack Hamlett, 825 St. James Street stated he was present on behalf of the Country Club Homeowners Association. He spoke in opposition to the request stating concerns with increase of traffic, increase of access point through their neighborhood. He added that the HOA would prefer to keep the property as Single Family which is compatible to the neighborhood.

Donna Myers, 816 Arvin, Country Club Estates stated that she had five letters of opposition to deliver to staff. She expressed concerns regarding increase traffic, excessive speed on Country Club Drive, increase in traffic accidents, increase of noise, limited access points to the neighborhood, drainage, flooding, decrease in property values, street maintenance is an issue and limited street connectivity.

Gary Fox, 812 Club View West said his property is adjacent to the proposed development. He spoke in opposition to the request. He said his main concern is traffic and decrease of property values.

Edgar Zamora stated he owns the twenty-two acres south of the property. Mr. Zamora spoke in support of the request. He said the issues that are presented are not only from people that live in duplexes. He felt the traffic issues could be addressed by the City. He stated that people are moving to the area and duplexes are needed.

Michael Schomer advised the Commission that he lives in Country Club Estates with the HOA.

Georgia Malstem, 803 St. James spoke in opposition to the request. She stated she has lived in home for 15 years and does not see the duplex values comparable to the property values of the homes and new homes being developed in the area. She said duplexes will decrease their property values.

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

The Commission discussed the citizens' concerns. Commissioner Lievens asked about the Thoroughfare Master Plan. Commissioner Bregande felt that the applicant could have a conversation with the neighbors prior to developing the property. He stated he understood the opposition and favorable comments.

After consideration of the staff report and all information given regarding Zoning Change (ZC 42-21), Commissioner Schievelbein moved that the Planning and Zoning Commission recommended approval of the zoning change from Single Family Residential (R-1) to Duplex High Density (DP-2) for property located at the 900 Block of Country Club Drive. Commissioner DePalermo seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE THE ZONING CHANGE TO DUPLEX HIGH DENSITY (DP-2).

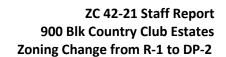
**MOTION PASSED** 

5-3-0

Francis Serna, Planning Assistant

ATTEST: Helena Schaefer

**Planning Supervisor** 





# PLANNING & CODES

# **Applicant:**

CJN Homes LLC 562 S State Hwy 123 Bypass Seguin, TX 78155

#### **Property Owner:**

Same as applicant

# **Property Address/Location:**

900 Blk of Country Club Dr

# **Legal Description:**

Abs: 23 Sur: E Gortari 8 ac Property ID: 57040

# **Lot Size/Project Area:**

8 acres

#### **Future Land Use Plan:**

Riverside

### **Notifications:**

Mailed: Dec. 23 ,2021 Newspaper: Dec. 26, 2021

#### **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 Single-Family Residential (R-1) to Duplex 2 (DP-2).

# **ZONING AND LAND USE:**

	Zoning	Land Use
Subject Property	R-1	Vacant lot
N of Property	R-1 & DP-2	Single-Family and Two-Family Residences
S of Property	R-1	Vacant lots
E of Property	R-1	Residences – Country Club Estates
W of Property	MF-1	Nob Hill Condominiums

# **SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The property located along the southern side of the 900 Blk of Country Club Dr is currently zoned Single-Family Residential 1. Staff recommends approval of the zoning change to Duplex- 2 (DP-2). A zoning change would be compatible with the future land use plan and the surrounding zoning and existing land uses.

Planning Department Recommendation:		
Х	Approve as submitted	
	Approve with conditions or revisions as noted	
	Alternative	
	Denial	

# PLANNING DEPARTMENT ANALYSIS

#### SITE DESCRIPTION

The vacant property along the southern side of the 900 Blk of Country Club is approximately 8 acres. There are currently three residential structures on the properties. 527 Prexy Dr has a single-family residential structure. The property was annexed in 1992 and zoned "Pre-Development", a zoning designation that is no longer in use. In 2010, the property owner requested a zoning change to Single-Family Residential.

# **CODE REQUIREMENTS:**

According to the UDC's Section 3.4.3 Land Use Matrix, in order to develop the properties as a duplex development, a zoning change to Duplex-2 is required. DP-2 allows the maximum number of units per acre, 14 units. The maximum number of units for these properties would be 112 units or 56 lots.

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

There is a degree of compatibility with the surrounding zoning and land uses. To the north, there are six lots zoned DP-2 and have duplexes on them. Also to the north, there are five lots zoned Single-Family Residential 1 with residential structures. To the east is Country Club Estates that is zoned Single-Family Residential 1. To the south are undeveloped lots zoned Single-Family Residential. Then to the west, there is the Nob Hill Condominiums with the MF-1 zoning. As well, there is an apartment complex across from the condos. Rezoning this property to Duplex-2 would be compatible with area.

#### **COMPREHENSIVE PLAN:**

This property is located in the Riverside future land use district. Duplex use is an acceptable use in this district.

<u>HEALTH, SAFETY, AND GENERAL WELFARE:</u> (Protection & preservation of historical, cultural, and environmental areas.) There is a large right-of-way for a natural gas line that runs through the property. Configuration of the lot layouts will need to take the right-of-way into consideration.

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

Access is taken from Country Club Dr, a city right-of-way. Streets will need to be built to City Standards to ensure that all proposed lots have access to a public right-of-way.

### **OTHER CONSIDERATIONS:**

The redevelopment of these properties will adhere to any and all pertinent development standards, to include, but not limited to platting, drainage, and off-street parking.

# **LOCATION MAP**

# ZC 42-21 900 Blk of Country Club Dr



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.

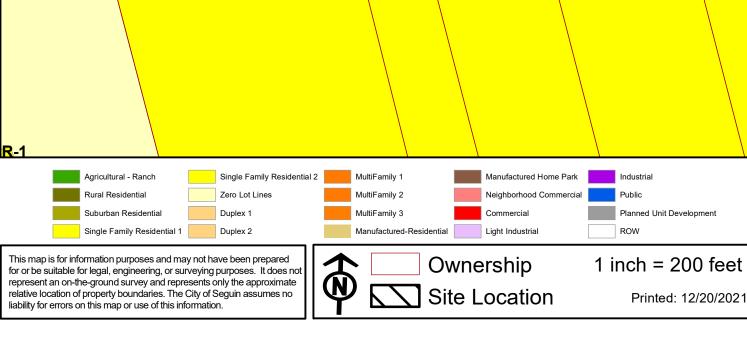


Lot Lines

Site Location



200' Notification Buffer 1 inch = 200 feet Printed: 12/20/2021



CENTRAL TOWNSHIP

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1 inch = 200 feet

Printed: 12/20/2021

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# **REPLY**

Re	: 900 Block of Country Club	Dr.
	Property ID 57040	RECEIVE.
	(ZC 42-21)	JAN 0 7 2022
	3	VAIL 0 # 2022
		BY:
Name: John & Bre	nda Adcock	
Mailing Address: 856	Saint James, Se	guin TX 78155
Phone No.:		J
Physical Address of property (if d	lifferent from the mailing):	
If "In Favor" or "Opposed" pleas	se explain why in space allot	tted below:
In Favor		
Opposed		
Reasons and/or comments	Too much confu	sion with
the present ap	artments & duple	xes of
	ntry Club Drive.	
access roads	for adding tr	affic-Ialso
feel it will	oring down pro	perty values.

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# **REPLY**

Re: 900 Block of Country Club Dr.

**Property ID 57040** 

RECEIVED

(ZC 42-21)	JAN 1 Ů 2022
	BY:
Name: Jonathan De Ladurantey	
Mailing Address: 1009 E. Bowio St. Apl A, L	uling, TX 78649
Phone No.:	
Physical Address of property (if different from the mailing):  910 Count Cy Club, Stavin, TX	
If "In Favor" or "Opposed" please explain why in space allotte	d below:
In Favor	
Opposed V	
Reasons and/or comments Please, Keep this 3.  Residential that's what we bough  property were in the first place	nale Family
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# REPLY

Re: 900 Block of Country Club Dr. Property ID 57040 (ZC 42-21)



Name: PATRICIA L. DRISCOLL	
Mailing Address: 218 CLUB VIEW ORST, SEGUIN, TX	1812
Phone No.:	-
Physical Address of property (if different from the mailing):	
If "In Favor" or "Opposed" please explain why in space allotted below:	-
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Opposed X	
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#### REPLY

Re: 900 Block of Country Club Dr. Property ID 57040 (ZC 42-21)



Name: Steven & Donna Myers	10.000
Name: Steven & Donna Myers  Mailing Address: 816, Arvin	
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	
Reasons and/or comments	_

# Reasons for opposing the "duplex high density" rezoning of Property ID 57040 (ZC 42-21): RECEIVED

 Increased Traffic Into and Out of the Area Currently, the traffic running from the west end of Country Club Drive from the golf course entrance to the east end at Guadalupe River Drive is a problem. There are already numerous apartment and duplexes at the west end of Country Club Drive contributing to the volume of vehicles that travel Country Club Drive.

The vehicles coming from the west end tend to exceed the speed limit. And the curve in this street makes it a very dangerous one to speed on. There have been 10 accidents in the last 10 years causing significant damage to the fences and homes along Country Club Drive. In addition, these vehicles drive with loud mufflers and music blaring, so it is very disturbing to those homes backing up to Country Club Drive.

Also, there are limited routes for traffic to enter/exit this area: Sutherland Springs Road and Guadalupe River Road to River Oaks. Both routes are prone to flooding making egress into and out of the area difficult during heavy rains. The Guadalupe River - River Oaks route is anything but convenient; therefore, the only reasonable route to get into or out of town, is Sutherland Springs Road. The intersection at Sutherland Springs Road and Austin Street (Hwy 123) is a very unique and often confusing one. There is no traffic light—only a stop sign. The stop sign has been run over countless times in the last 10 years. There is only one lane at the intersection, i.e., no left turn lane and no officially sanctioned right turn lane, causing traffic to back up.

It has been said that Country Club Drive will one day be extended through the existing golf course property to provide another route out of this area. It is unknown when this extension might be completed, but if it is years after the addition of 60 more residences (30 duplexes) it will be too late to avoid the additional traffic issues.

And street maintenance is also an issue. Sutherland Springs Road and Guadalupe River Drive are not the best kept streets in the city. They already require frequent patching.

Doubling the number of homes (from single family residential to duplex high density) will likely double the number of vehicles that will be traveling in and out of our area which in turn increases accidents, worsens the bottleneck at the intersection of Sutherland Springs Road and Austin Street, and causes more wear and tear of these older streets.

#### 2. Property Values

The subdivision adjacent to the east side of the 8-acre tract is Country Club Estates which is one of the few in Seguin with homes exceeding the city's median price and size. It is also one of the few subdivisions with an active homeowners' association devoted to keeping the neighborhood looking nice. Our subdivision has a new section under construction of 28 homes selling for around \$325,000 to \$350,000. It would seem advantageous and, in the city's best interest, to preserve this neighborhood. The best chance of preserving the surrounding property values is to leave the adjacent property zoned as single-family residential.

#### 3. Drainage

Changing the zoning from single family residential to duplex high density would seem to reduce the permeable/pervious ground space of this 8-acre tract. The city evidently had concerns about flooding and water issues in this area, because it required our subdivision's new section to include a huge drainage easement feature (.391 acre 8' hole) and two very large green spaces (30' x 433' and 30' x 108'). It would seem that if flooding is a big enough concern to require these extra-large drainage elements in our subdivision that the city would be concerned about adding more rooftops to the adjacent area.

#### 4. Connecting Streets

It is unknown whether there are plans to construct a street (for example, extending Club View South) to allow traffic to flow from the duplex development through our single-family residential subdivision, but such an action would have the most negative impact of all. Vehicles driving through our quiet subdivision would definitely lower the attractiveness of our subdivision and reduce the market value of our homes.

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# REPLY

Re: 900 Block of Country Club Dr. RECEIVED
Property ID 57040
(ZC 42-21)

JAN 1 1 2022

ву:....

Name: Gay's Fan Fox	
Name: Gary's Fan Fox  Mailing Address: TIZ Club ViewWest	
Phone No.:	
Physical Address of property (if different from the mailing):	
If "In Favor" or "Opposed" please explain why in space allotted below:	
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Opposed V	
Reasons and/or comments We prachased out house in 1999, religing on this text to vewain single-family residen The re-zoning will likely hofor property to be vade	tial
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will lessen property values in our neighborhood.

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# REPLY

Re: 900 Block of Country Club DrRECEIVED
Property ID 57040

(ZC 42-21)

JAN 1 1 2022

BY:

	ВҮ:
Name: <u>Gail Streun</u>	
Mailing Address: 822 Arvin 5+	
Phone No.:	
Physical Address of property (if different from the mailing 5 a.m. e	ng):
If "In Favor" or "Opposed" please explain why in space	ce allotted below:
In Favor	<u>: #</u>
Opposed	
Reasons and/or comments	

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# REPLY

	0 Block of Country Club Property ID 57040	RECEIVED
	(ZC 42-21)	JAN 1 1 2022
		BY:
Name: David AND Jul	ry Snith	
Mailing Address: 209 Club	View East	
Phone No.: _		
Physical Address of property (if differ	rent from the mailing):	
If "In Favor" or "Opposed" please ex	kplain why in space allo	otted below:
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# REPLY

Re: 900 Block of Country Club Dr. Property ID 57040 (7C 42-21)

	(50 12 21)	JAN 1 1 2022	
Name: Joe P. /		ВҮ:	
Mailing Address: 8325	AINT JAMES	st.	
Phone No.:			©.
Physical Address of property (if diffe	erent from the mailing):		
If "In Favor" or "Opposed" please of the In Favor Opposed	explain why in space allotted	d below:	
Reasons and/or comments Mi and lower value Country Club drive with hiffic	e is already	properties. I overloaded	ffic

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#### REPLY

Re: 900 Block of Country Club Dr. Property ID 57040 (ZC 42-21)

JAN 1 1 2022

Name:	
Physical Address of property (if different from the mailing):	
If "In Favor" or "Opposed" please explain why in space allotted be In Favor	low:
Opposed X	
Reasons and/or comments Property values,  traffic, noise	