



**PLANNING & CODES**

**ZC 02-18 Staff Report  
309 N Milam/411 E Walnut St  
Zoning Change from C and R-1 to NC**

**Applicant:**

Milam Springs LLC  
117 Hampton Dr W  
Seguin, TX 78155

**Property Owner:**

Same as applicant

**Property Address/Location:**

309 N Milam St & 411 E  
Walnut St

**Legal Description:**

Lot: 1, 2 & N 80' of 3 Blk:  
201 Addn: Inner, Prop ID:  
28173 & 28175

**Lot Size/Project Area:**

Approx. 0.326 acres

**Future Land Use Plan:**

Historic City Center

**Notifications:**

Mailed March 2, 2018  
Newspaper Feb 25, 2018

**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 and Single Family Residential 1 to Neighborhood Commercial.

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	C & R-1	Business and vacant lot
<b>N of Property</b>	P	Business
<b>S of Property</b>	R-1	Business
<b>E of Property</b>	R-1	Residences
<b>W of Property</b>	C	Multi-family structure

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The property located at 309 N Milam St is currently zoned Commercial and the vacant lot at 411 E Walnut St is zoned Single-Family Residential 1. The property owner is proposing to operate an accounting office with parking lot. Staff recommends approval of the zoning change to Neighborhood Commercial as the proposed use is an appropriate use for this zoning district; the proposed use is compatible with the neighborhood and surrounding uses and generates minimal traffic.

**Planning Department Recommendation:**

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

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

The two properties are currently zoned Commercial and Single-Family Residential 1. The property at 309 N Milam St houses a converted residential structure, which has been used for both commercial and residential uses; the property at 411 E Walnut St is a vacant lot. The properties retain the original zoning from 1989. The property owner would like to use the structure as an accountant office and to develop the vacant lot as a parking lot. The only parking for the structure is within the N Milam St right-of-way.

### **CODE REQUIREMENTS:**

According to the UDC's Section 3.4.3 Land Use Matrix, the Commercial zoning district allows the 309 N Milam property to be used as an office. However, the Single-Family Residential 1 zoning does not allow the 411 E Walnut property to be used as a parking lot. The Neighborhood Commercial zoning also does not allow for a standalone parking lot. The property owner is proposing to replat the two properties into one, so the parking lot would be located on the same lot as the structure.

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

The two properties are located in a neighborhood, but is surrounded by non-residential uses to the north and south. The structures to the north and the south are businesses. To the west is an eight unit apartment complex, a multi-family use. To the east are single-family residences, which are also zoned as Single-Family Residential. An office use would be compatible with the surrounding uses and zoning.

### **COMPREHENSIVE PLAN:**

The property is located within the Historic City Center. This future land district is characterized as the historic residential fabric of the City. Any non-residential uses should be those appropriate for a neighborhood setting. Neighborhood Commercial uses are those commercial activities that have little to no impact on traffic and low customer flow. An accountant office is one of those activities that fits this description.

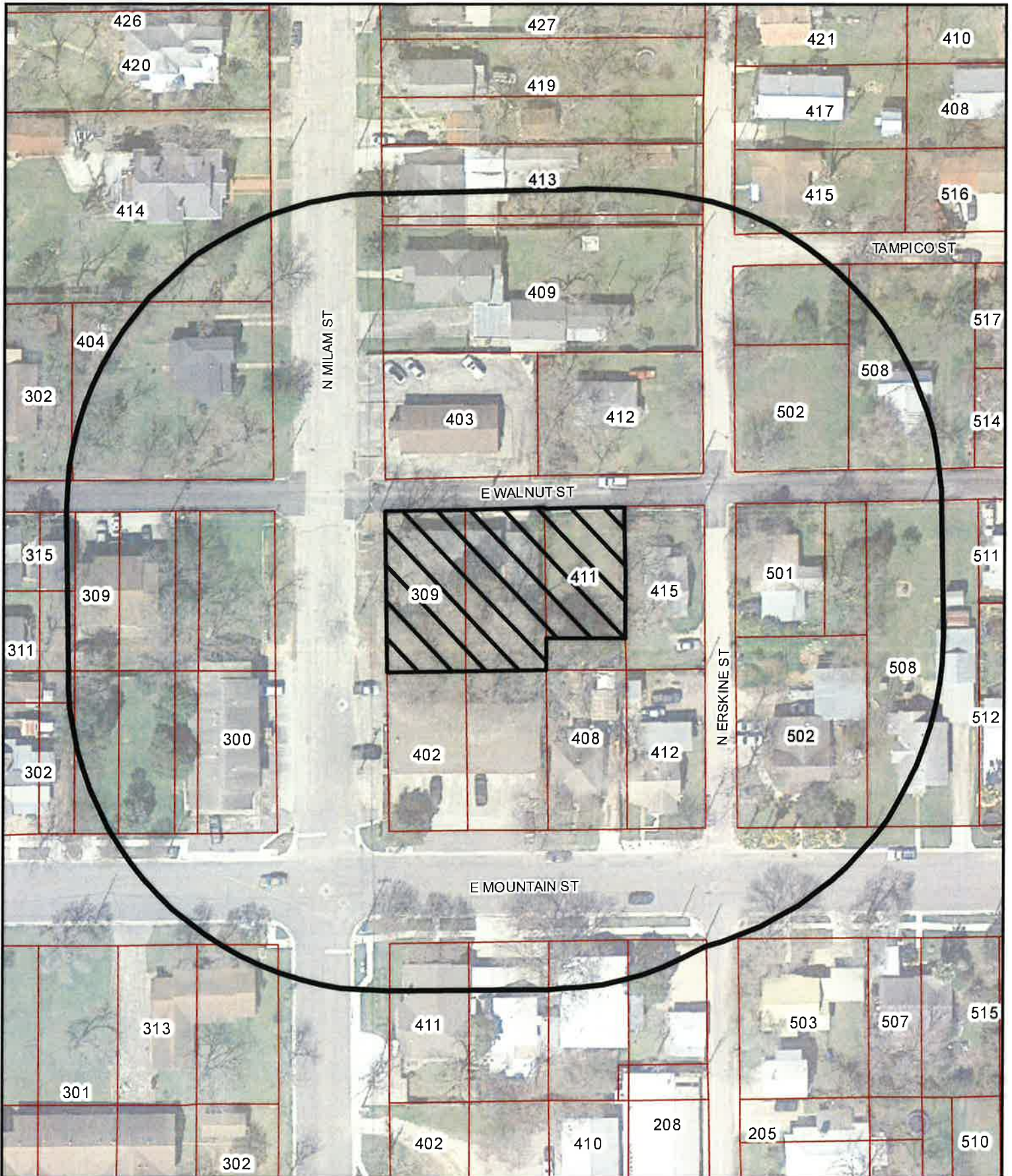
**HEALTH, SAFETY, AND GENERAL WELFARE:** (Protection & preservation of historical, cultural, and environmental areas.)  
No health, safety or environmental issues have been identified for these properties.

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





The property at 309 N Milam fronts M Milam and the property at 411 E Walnut takes access from E Walnut. There is some existing parking along Milam.

# LOCATION MAP

# ZC 02-18: 309 N Milam/411 E Walnut

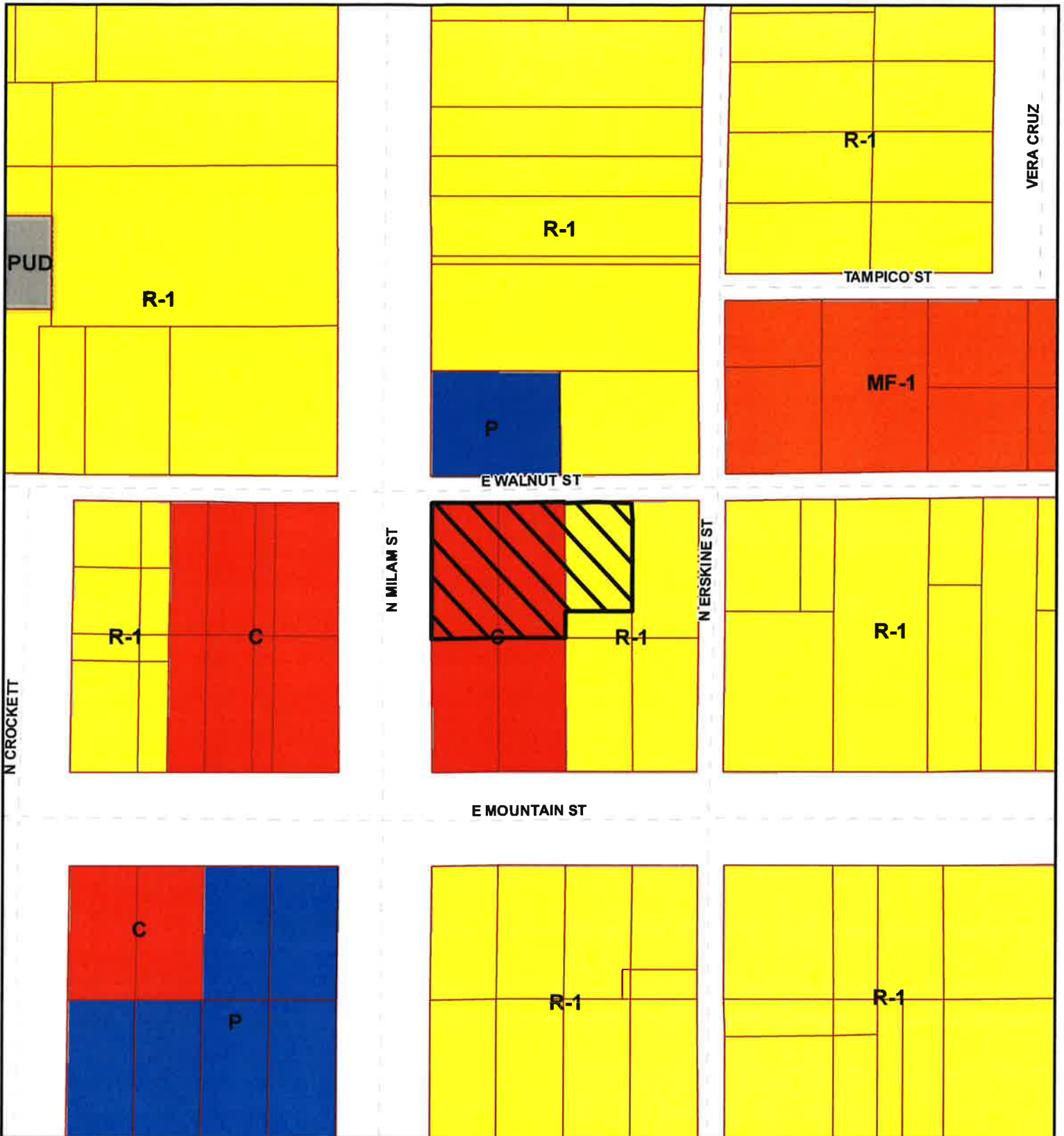


This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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

  Site Location  200' Notification Buffer  
 Lot Lines  
1 inch = 80 feet  
Printed: 2/12/2018

# ZONING MAP

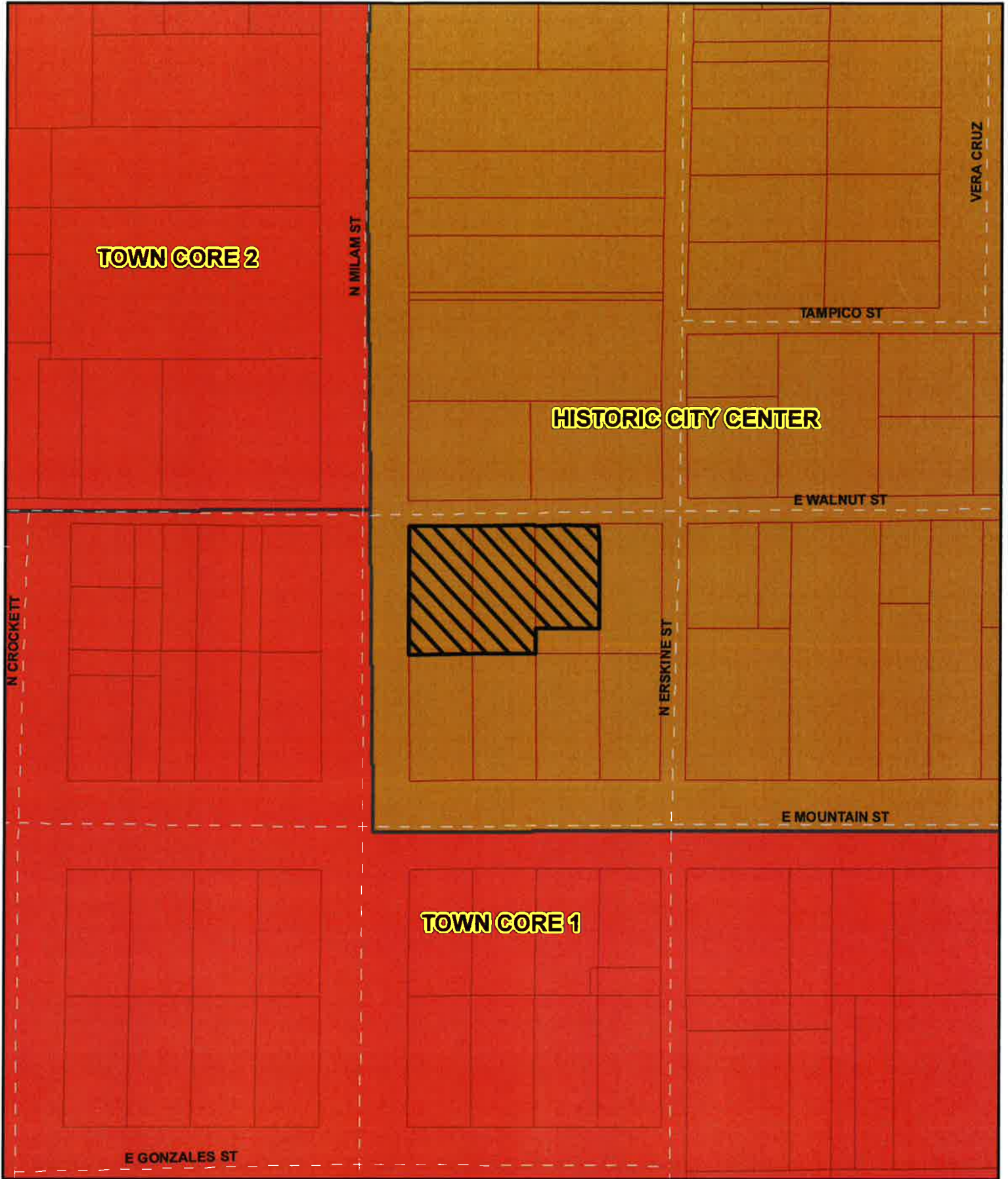
# ZC 02-18: 309 N Milam/411 E Walnut



- |                               |                              |                            |                              |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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: 2/12/2018



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 **Site Location**  
 **Lot Lines**

1 inch = 100 feet  
 Printed: 2/12/2018

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**

Re: **309 N. Milam -Property ID 28173 and 411 E. Walnut -  
Property ID 28175 (ZC 02-18)**

Name: Milam Springs, LLC

Mailing Address: PO Box 647 Seguin, TX 78156-0647

Phone No.: 830 379-6619

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 THIS REZONING WILL ALLOW  
FOR THE ORDERLY DEVELOPMENT OF THE  
PROPERTY AS A PROFESSIONAL OFFICE  
BUILDING THAT WILL BE AN ASSET TO  
THE SURROUNDING AREA.

**RECEIVED**  
MAR 08 2018  
BY: \_\_\_\_\_



## PLANNING & CODES

### **Planning and Zoning Commission Report ZC 02-18**

A request for Zoning Change 02-18 was considered during a public hearing at the Planning & Zoning Commission meeting on March 13, 2018:

**ZONING CHANGE request from Commercial (C) and Single Family Residential (R-1) to Neighborhood Commercial for property located at 309 N. Milam and 411 E. Walnut.**

Commissioners Engelke and Kirchner abstained from Item #4 (ZC 02-18)

Helena Schaefer presented the staff report. She explained that the property at 309 N. Milam Street is a converted residential structure, which has been used for both commercial and residential. The property at 411 E. Walnut is a vacant lot. Both properties retain the original zoning since 1989. The property owner would like to use the structure as an accountant office and to develop the vacant lot as a parking lot. Ms. Schaefer explained that the Single Family Residential zoning does not allow a parking lot. The property owner is proposing to replat the two properties into one which allows a parking lot. The proposed zoning is compatible with surrounding land uses and zoning in the area. The property is located within the Historic City Center. Any non-residential uses should be those appropriate for a neighborhood setting. She explained that Neighborhood Commercial uses are commercial activities that have little to no impact on traffic and low customer flow. An accountant office fits the description and is compatible with the neighborhood. There are no health, safety and general welfare concerns. She pointed out that there is some existing parking along Milan. Staff recommended approval of the zoning change to Neighborhood Commercial as the proposed use is an appropriate use for the zoning district; the proposed use is compatible with the neighborhood and surrounding uses and will generate minimal traffic.

Eric Vordenbaum, the applicant stated he was available to answer questions.

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

Commissioner Leos-Smith inquired about parking. Ms. Centeno stated that the property is grandfathered with existing parking and the vacant lot will be used for additional parking.

Public notifications were mailed on March 2, 2018 and published in the newspaper on February 25, 2018. No comments were received.

After consideration of the staff report and all information given regarding Zoning Change 02-18 Commissioner Gettig moved that the Planning and Zoning Commission recommend approval to City Council of the Zoning Change Request to Neighborhood Commercial. Commissioner Spahn seconded the motion. The following vote was recorded:

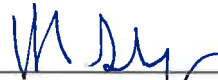
**RECOMMENDATION TO APPROVE ZONING CHANGE TO NEIGHBORHOOD COMMERCIAL**

**MOTION PASSED**

**5-0-0**



Francis Serna  
Planning Assistant



ATTEST: Helena Schaefer  
Senior Planner