



Planning and Zoning Commission Report ZC 12-15

The following request was considered in conjunction with Zoning Change 12-15 during a public hearing at the Planning & Zoning Commission meeting on July 14, 2015:

ZONING CHANGE request from Mixed to Commercial, Neighborhood Commercial, Public and Single-Family Residential for the following properties in the UDC Rezoning Group 2C: 20652, 20653, 20655, 20656, 20657, 20658, 20805, 20806, 20807, 20808, 20809, 20810, 20811, 22580, 22722, 227233333, 22724, 22736, 22861, 22862, 22863, 22864, 22865, 22867, 22868, 22869, 22870, 22879, 22884, 22886, 22888, 22891, 22895, 22896, 22902, 22903, 23086, 23088, 23089, 23090, 23091, 23092, 23095, 23096, 23097, 23098, 23099, 23177, 23184, 23185, 28515, 28516, 28517, 28518, 28519, 28520, 28522, 41805, 41806, 41809, 41810, 41811, 41812, 41813, 41814, and 41815

Helena Schaefer presented the staff report. Prior to specific zoning, staff gave a presentation about the former Mixed zoning classification, non-conformities and "spot zoning". Staff reminded the Commissioners that this was another area of mixed uses, so there would single-family houses in neighborhood commercial zones.

Public notifications were mailed to 256 property owners on July 3, 2015. One written response was received in favor of the proposed zoning changes; 7 phone calls were received from adjacent property owners that had questions regarding the reason for the zoning change. Staff addressed their concerns about the elimination of the "Mixed Use" zoning designation and how it will affect their property.

Gunzlo Millett Jr, 1408 N Guadalupe St, Seguin, TX 78155
"OK WITH ME"

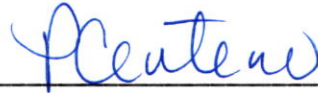
There being no further questions the regular meeting was recessed and a public hearing was held. Two property owners spoke at the public hearing. One owner, who resides on Blumberg St, wanted to know if the zoning would affect his ability to live there. His property is proposed as NC, and his house is an allowed use. The other property owner, who owns a lot on N Bowie St was concerned about the structures being grandfathered with the zoning designation of R-1. This was the property known as Fred's Garage. There being no other responses from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change 12-15, the Planning and Zoning Commission voted 6-0-0, to Recommend to City Council to Approve the Zoning Change request to Commercial, Neighborhood Commercial, Public, and Single-Family Residential.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO COMMERCIAL, NEIGHBORHOOD COMMERCIAL,
PUBLIC, AND SINGLE-FAMILY RESIDENTIAL—
MOTION PASSED 6-0-0**



Dora Toungate
Planning Assistant



ATTEST: Pamela Centeno
Director of Planning/Codes



City of Seguin

Planning/Codes Department
Staff Report

ZC 12-15

**UDC Rezoning for Pre-development
Group 2C**

Applicant:

City of Seguin

Property Owner(s):

See attached list of property ownership.

Property Address/Location:

Group 2C is an area in the center of the City where properties were zoned M during the original 1989 zoning process.

Legal Description:

See Attached Prop. ID List

Lot Size/Project Area:

10.64 acres

Future Land Use Plan:

Town Core 2, Historic City Center and Central Township

Notifications:

Mailed July 3, 2015

Comments Received:

Update at P&Z meeting

Staff Review:

Helena Schaefer
GIS Analyst
July 8, 2015

Attachments:

- Group 2C 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	SEE ATTACHED MAPS
Subject Property	M	Various land uses including residential, commercial, public, and vacant.	
N of Property	R-1, C, P	Residential and Commercial	
S of Property	R-1, C, P	Residential and Commercial	
E of Property	R-1, C, P	Residential and Commercial	
W of Property	R-1, C, P	Residential and Commercial	

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

With the adoption of the Unified Development Code, four zoning districts (Pre-development, Mixed, Townhouse, and Manufactured Home Subdivision) became obsolete. Although there were no properties zoned as Townhouse or Manufactured Home Subdivision, there are 421 properties that were zoned either Pre-development or Mixed. The 67 parcels in Group 2C were all zoned as Mixed.

Staff has evaluated the parcels in Group 2C with consideration of the current land uses, property owners' input, 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:

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

PLANNING DEPARTMENT ANALYSIS

CASE SUMMARY:

Group 2C is one of fifteen (15) areas that require rezoning due to the removal of the “Pre-development” and/or “Mixed” zoning classifications from the Unified Development Code. The case is to determine the zoning districts for Group 2C. There are 67 parcels in this group and are located northwest of the downtown area.

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 67 parcels have not been rezoned since the zoning was assigned during the 1989 original zoning process.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties in Group 2C are located to the northwest of the downtown area, along N Guadalupe and W Kingsbury streets. This is an area of mixed use, which resulted in these properties being originally zoned as “Mixed”. The proposed zoning for the majority of these parcels will match the actual use of the property, thus avoiding non-conforming uses and/or structures. The recommended zoning reflects the surrounding uses or creates buffers between residential and commercial.

COMPREHENSIVE PLAN:

The properties are within the Town Core 2, Central Township, and Historic City Center Districts. Two of these districts, the Historic City Center and Central Township, emphasize residential uses with some retail and office uses, while the Town Core 2 district focuses on more commercial uses.

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 2C are located along Belmarez Ave, N Guadalupe St, Blumberg St, W Humphreys St, Ball St, W Cedar St, Pitts St, and Rhone St.

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.

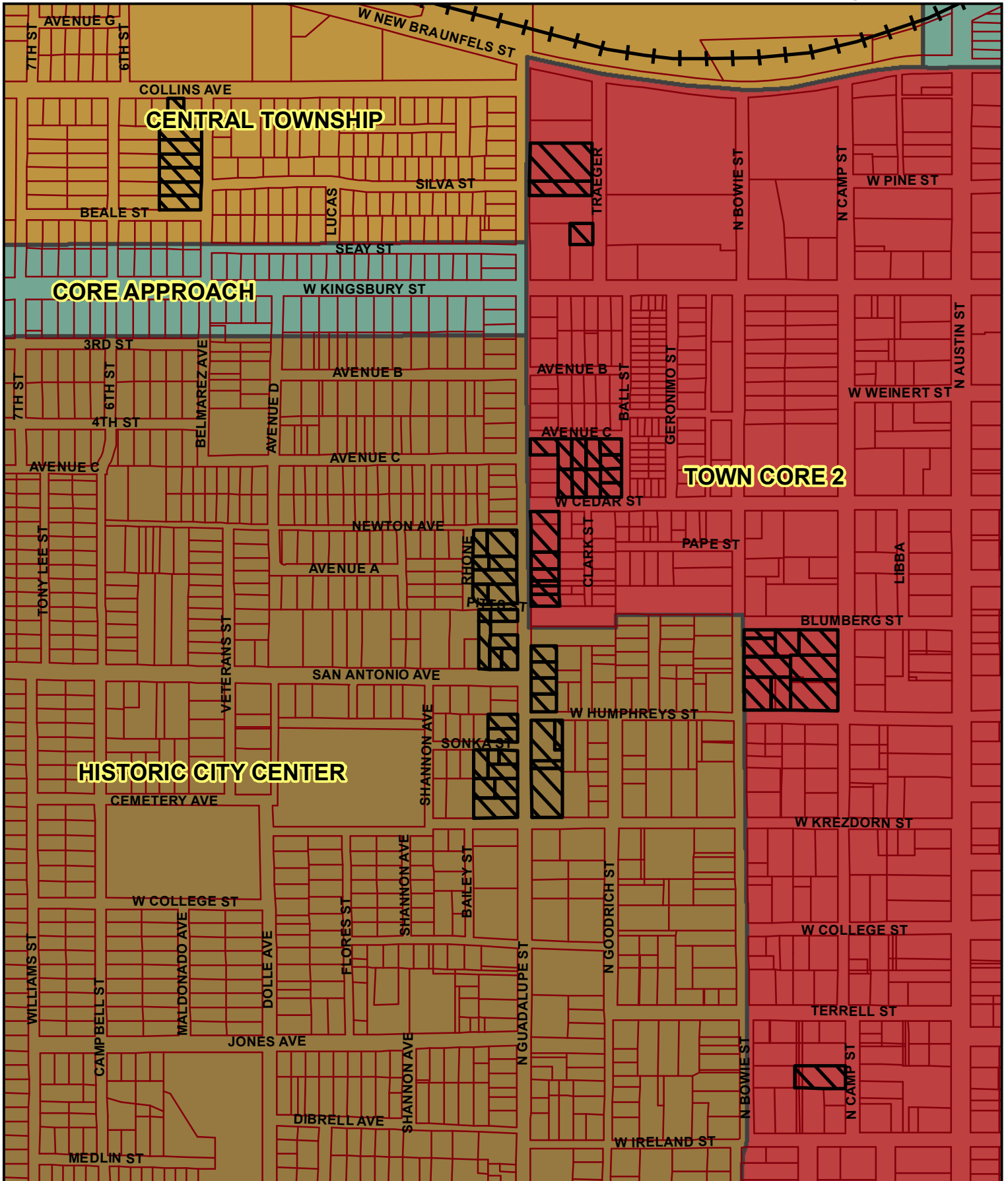
OTHER:

As a courtesy, a UDC rezoning packet was mailed to the affected property owners. The packet included maps, land use matrix, lot standards, and frequently asked questions on the UDC and related rezoning issues. The property owners were asked for their input in the rezoning process in regards to the property’s existing use and future plans. The property owners were also invited to one of two open houses, held on May 16 and May 22.

For this area, spot zoning (or the rezoning of a property that benefits a specific tract of land with a use classification that is less restrictive than provided by the original zoning ordinance) was a heavily weighed consideration for the proposed zoning. Staff has determined that the proposed zoning for this area is not in violation of Texas Local Government Code.

FUTURE LAND USE MAP

ZC 12-15: UDC Rezoning Group 2C



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



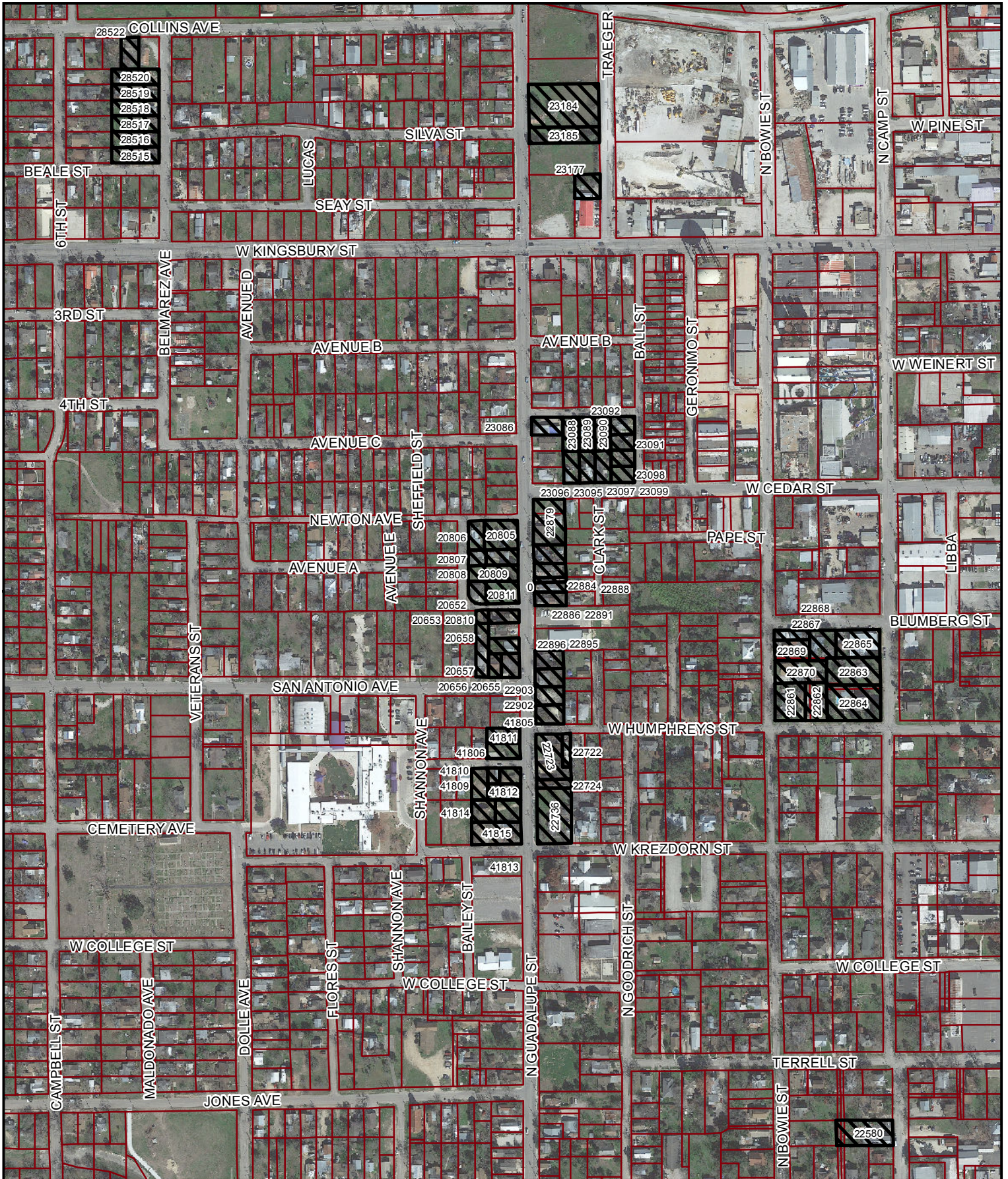
Lot Lines

1 inch = 450 feet

Printed: 6/16/2015

NOTIFICATION MAP

ZC 12-15: UDC Rezoning Group 2C



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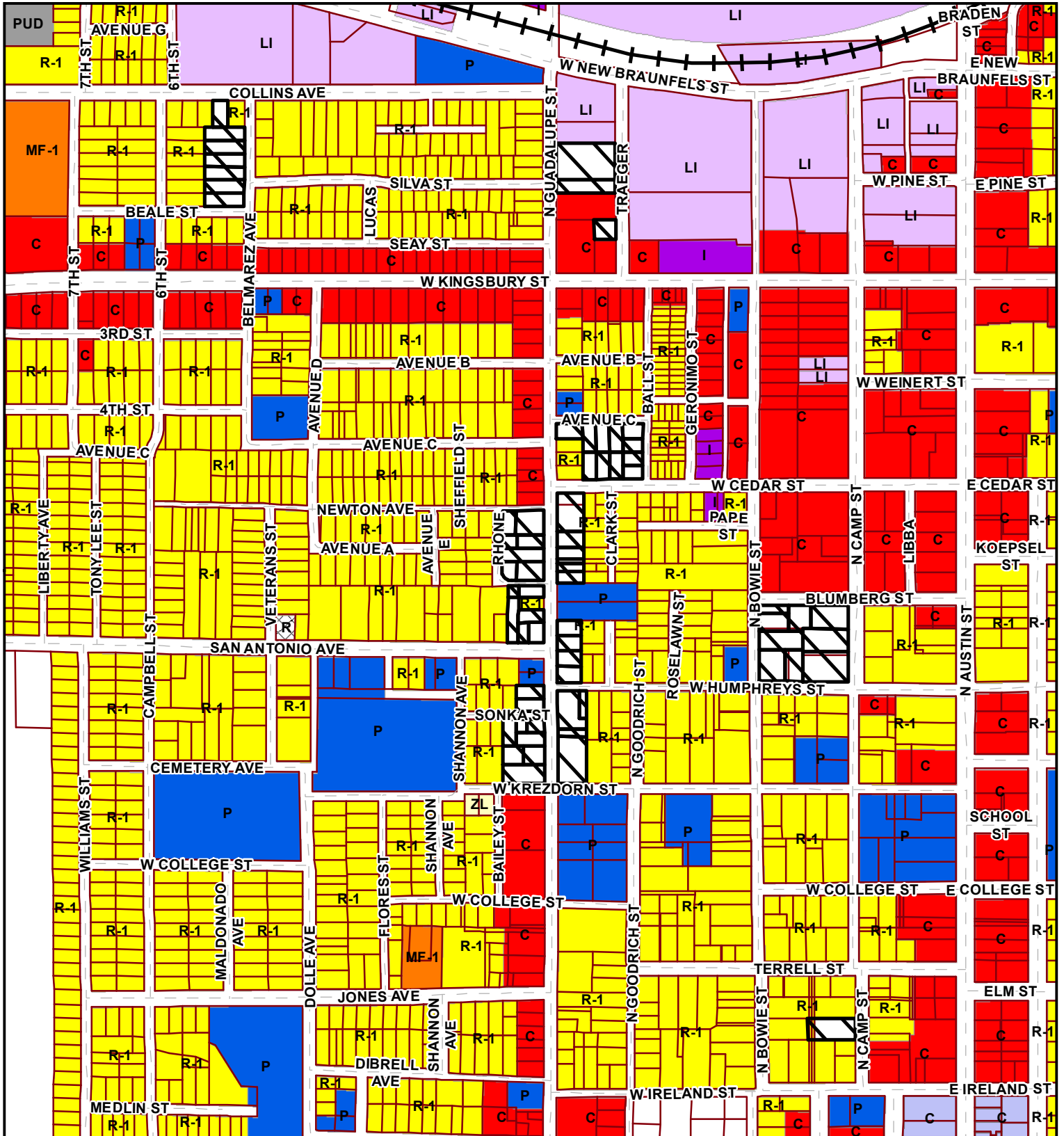
Lot Lines

1 inch = 400 feet

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ZONING MAP

ZC 12-15: UDC Rezoning Group 2C



- | | | | |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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 = 500 feet

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