

SEGUIN
TEXAS
PLANNING & CODES

Planning and Zoning Commission Report

ZC 04-23

A request for Zoning Change 04-23 from Single Family Residential (R-1) to Commercial (C) for property located at 816 W. Court St., Property ID 46235 was considered during a public hearing at the Planning & Zoning Commission meeting on March 14, 2023.

Kyle Warren presented the staff report. He stated that the property has split zoning, the front of the property is zoned commercial and the back of the property is zoned single family residential. The property has its original zoning classification from 1989. The property is located in the Historic City Center which is not in support of commercial, although the property has been used as commercial. The zoning request is compatible with the surrounding properties. No factors that impact public health, safety and welfare were identified. There were no comments received. Mr. Warren mentioned that the use is grandfathered, and the applicant is requesting to come into compliance to protect his repair shop in case of a natural disaster were to happen, he could rebuild as required.

Julio Rodriguez, 816 W Court Street stated he purchased the property on November 10, 2022. He said he has been providing vehicle repair service for approximately 15 years at 816 W. Court. He said that the body shop has been in existence for 50 years. Mr. Rodriguez is requesting the zoning change to come into compliance with the use of the property. He added that he has been paying commercial taxes on the property.

Scott Brown, General Manager stated that when the property was purchased with the assumption that it was zoned commercial. He stated that they are trying to stay in compliance to city codes and have never been cited.

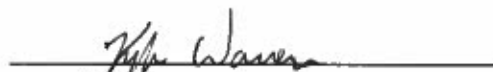
The regular meeting recessed, and a public hearing was held. There being no additional responses from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change (ZC 04-23), Vice-Chair Felty moved that the Planning and Zoning Commission recommended approval of the zoning change from Single Family Residential (R-1) to Commercial (C) for property located at 816 W. Court St., Commissioner Davila seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE THE ZONING CHANGE TO COMMERCIAL (C)


Francis Serna, Planning Assistant

MOTION PASSED
9-0-0


ATTEST: Kyle Warren, Planner



PLANNING & CODES

**ZC 04-23 Staff Report
816 W. Court Street
R-1 to C**

Applicant:

Jose Rodriguez
816 W Court Street
Seguin, TX 78155

Property Owner:

J & A COLLISION CENTER
INC

Property Address/Location:

816 Court Street

Legal Description:

LOT: 150 X 270 BLK: 1057
ADDN: WEST
Property ID: 46235

Lot Size/Project Area:

0.417 Ac. (zoning)

Future Land Use Plan:

City Center

Notifications:

Mailed: 03/02/2023
Newspaper: 02/26/2023

Comments Received:

None

Staff Review:

Kyle Warren
Planner

Attachments:

- Location Map
- Existing Zoning Map
- Future Land Use Plan Map

REQUEST:

A Zoning Change request from Single Family Residential (R-1) to Commercial (C).

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	R-1	Car repair/ Body shop
N of Property	R-1	Single family residence
S of Property	C	Vacant lot (previous car sales lot)
E of Property	R-1	Single family residence/ Vacant lot
W of Property	C/R-1	Car sales lot

SUMMARY OF STAFF ANALYSIS:

The property, currently located near the intersection of Gordon and Court Streets, has been a auto body shop for over 50 years and was originally part of the Ford dealership that used to be in the location. The use of the property predates Seguin’s original city-wide zoning adopted in 1989. Mr. Rodriguez is requesting this zone change so the use matches the zoning and to preserve the right to rebuild if any damages are incurred to his property.

CRITERIA FOR ZONING CHANGE:

Consistency with the future land use plan – Inconsistent, the future land use plan has the location as City Center where commercial zoning is not preferred.

Compatible with existing and permitted uses of surrounding property – There are commercial uses directly adjacent with this lot; a car dealership is across Gordon Street to the west and the rest of the lot to the south is commercially zoned and was previously a used car sales lot.

Adverse impact on surrounding properties or natural environment – This use has been in operation for years. After checking with city code enforcement other than the one outstanding case, there have been no complaints or issues with this property.

Proposed zoning follows a logical and orderly pattern – Commercial zoning is logical at this location as the use already fits the zoning type and the property to the west and south has been commercially zoned since Seguin’s initial zoning. Despite there being adjacent residential, the use is nearly as old as the neighborhood and has been operating as such for years.

Other factors that impact public health, safety or welfare – None identified.

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

This site has its original zoning designation of R-1 from the first city zoning. Despite the R-1 zoning type the use has been an auto service center since the early 90's. The lot that the auto repair center is on also has split zoning, as the southern 2/3rds is zoned commercial.

CODE REQUIREMENTS:

The applicant wishes to zone his property so the use matches the zoning and to preserve the right to rebuild if any damages are incurred to his property.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The Surrounding uses are both commercial and residential. The remaining southern 2/3rds of the lot has been commercially zoned since the first city wide zoning. Since a majority of the surrounding land use has been commercial auto sales for as long as the repair shop has been in use, there is existing compatibility.

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

No health, safety and general welfare issues have been identified.

COMPREHENSIVE PLAN (The Future Land Use Plan):

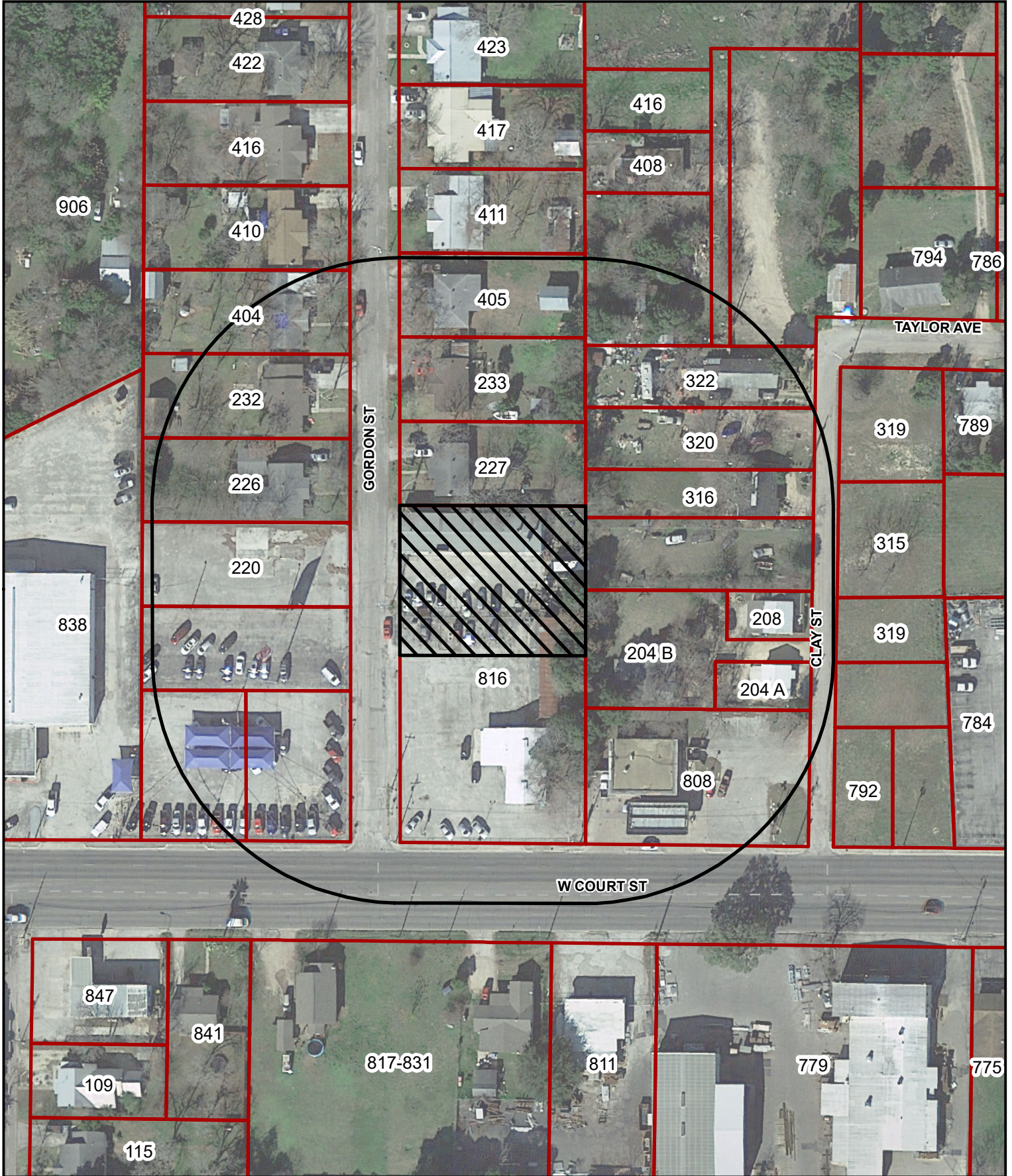
The property is in the City Center future land use district of the Comprehensive Plan, which does not recommend commercial zoning. The intent of this district is to promote infill development that is compatible with the form, rhythms, and character that exists.

TRAFFIC (STREET FRONTAGE & ACCESS):

The lot has a frontage on both Gordon Street, a city street, and Court Street, an arterial. The only access point is from Gordon Street to the body shop.

LOCATION MAP

ZC04-23 816 W. Court (.417 ac)



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 Site Location

 200' Notification Buffer

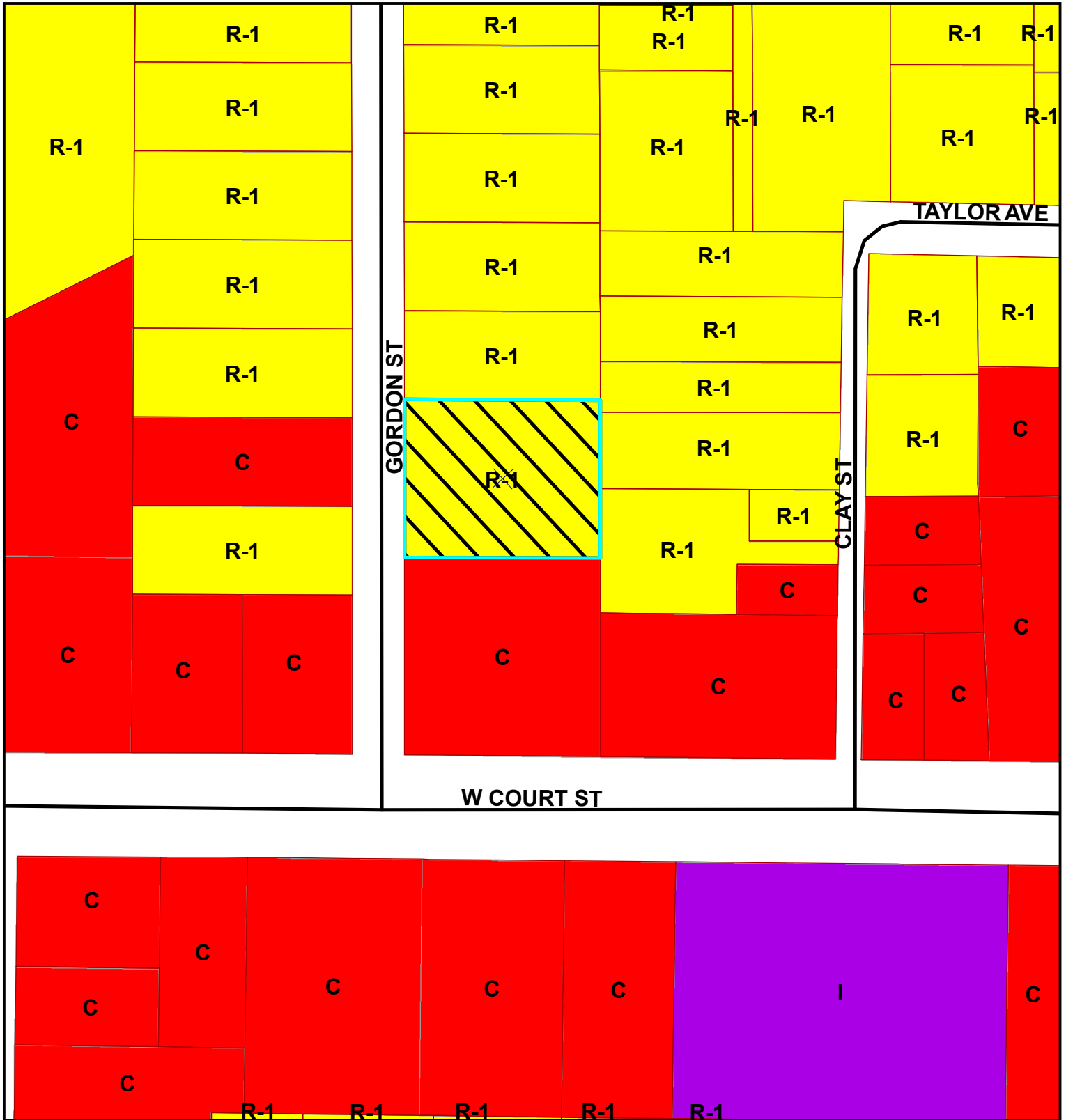
 Lot Lines

1 inch = 103 feet

Printed: 2/21/2023

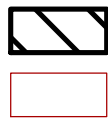
ZONING MAP

ZC04-23 816 W. Court (.417 ac)



- | | | | | |
|----------------------|-----------------------------|--------------------------|-------------------------|--------------------------|
| Site Location | Single Family Residential 1 | MultiFamily 1 | Neighborhood Commercial | Planned Unit Development |
| Streets | Single Family Residential 2 | MultiFamily 2 | Commercial | ROW |
| Agricultural - Ranch | Zero Lot Lines | MultiFamily 3 | Light Industrial | |
| Rural Residential | Duplex 1 | Manufactured-Residential | Industrial | |
| Suburban Residential | Duplex 2 | Manufactured Home Park | Public | |

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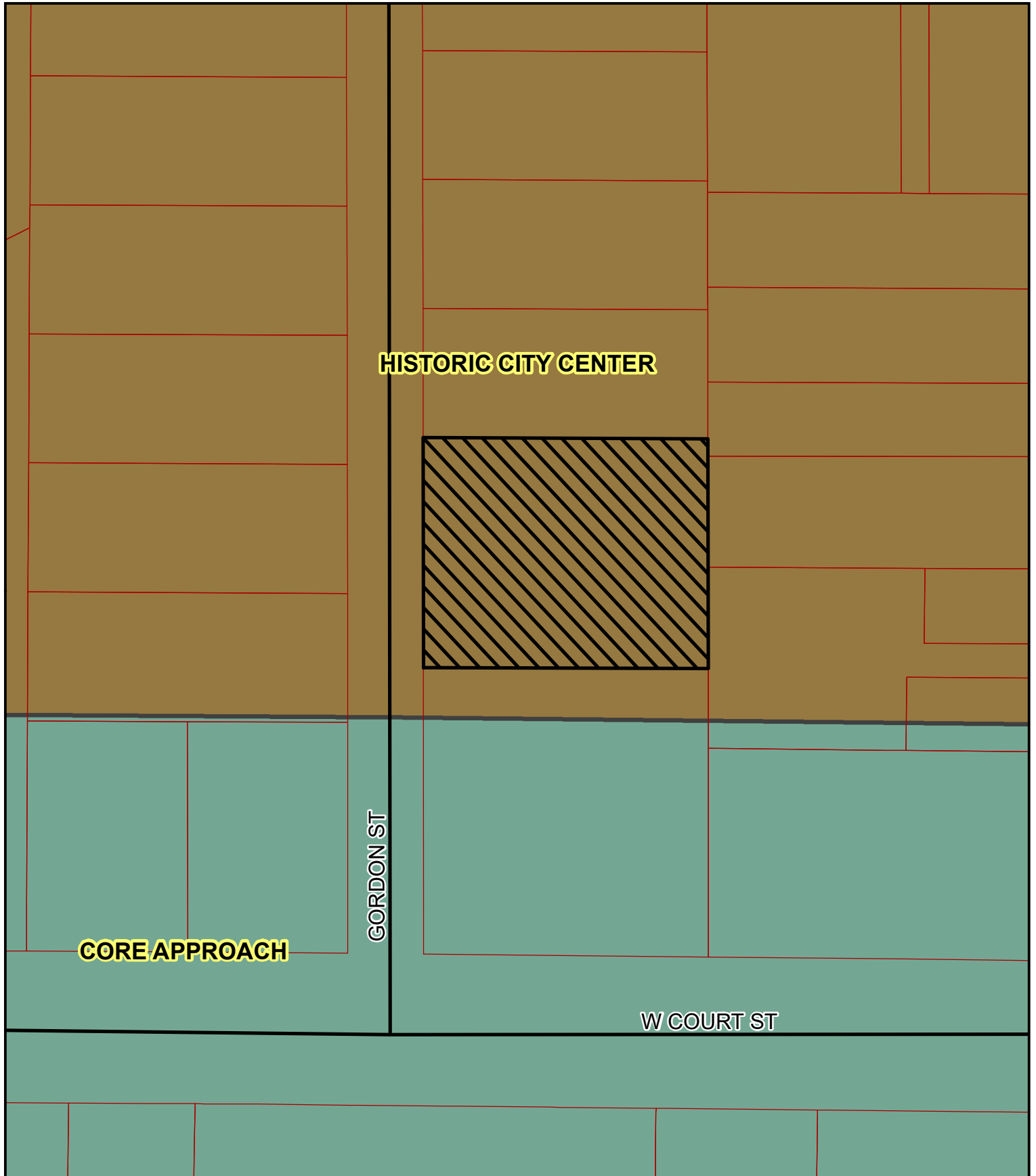
Site Location



Parcels

1 inch = 103 feet

Printed: 2/21/2023



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Site Location



Ownership

1 inch = 69 feet

Printed: 2/21/2023