



## **PLANNING & CODES**

### **Planning and Zoning Commission Report ZC 01-22**

A request for Zoning Change 01-22 from Agricultural Ranch (A-R) to Single Family Residential (R-2) and Commercial (C) for property located at the SH 46 and Jefferson Avenue, Property ID 52779 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on February 8, 2022.

Helena Schaefer presented the staff report. She explained that the request is a split zoning request to Single Family Residential 2 and Commercial. The property is vacant and zoned pre-development in 1989 and with the adoption of the UDC and re-organization of the zoning district was zoned to agricultural ranch in 2015.

Ms. Schaefer gave a brief overview of the surrounding properties and stated that with the existing zoning and land uses in the area, there is a great degree of compatibility with the proposed zoning change request. The property is located in the Central Township Future Land Use District with the intent to enhance the quality of residential developments with diversity. Ms. Schaefer stated that there are some undeveloped properties along Jefferson and Burgess which are appropriate for residential. However, some large tract fronting SH 46 S would not be appropriate for residential. Commercial zoning in the Central Township District is subject to review and should be located primarily along the frontage of major roads.

Ms. Schaefer gave a brief overview of the zoning change request in 2021 in which the Commission recommended approval to City Council. The applicant withdrew their request prior to City Council. She showed comparisons of the zoning change requests. The 2021 applicant was requesting more commercial, and the proposed commercial zoning extended all the way to B&B Road. She stated that the differences were the amount of commercial and the configuration.

She explained that the property has three possible right-of-ways to take access from – State Hwy 46 S, Jefferson Ave and B&B Road. The applicant will be required to get approval from TxDOT for access on Hwy. 46S. She mentioned that there is a proposed collector in the Thoroughfare Plan that will need to be configured into the street layout, as well as making connections with existing streets in the neighborhood to the east and south. One connection will need to be made to the Volunteer St. neighborhood and one to the Walnut Bend neighborhood.

Ms. Schaefer added that noise and highway traffic can pose a potential nuisance and safety concern for any single-family residential directly adjacent to SH 46. A buffer and/or sound barrier is recommended and may be required between the residential lot and the highway. Any redevelopment of the two properties will need to adhere to any and all applicable development standards.

Madeline Zwicke, Executive Director for Guadalupe Habitat for Humanity gave a presentation on who they are and what they do. She asked the Commission for their support.

Michael Taylor, Habitat for Humanity gave a presentation on the proposed plan layout for the residential and commercial zoning. He responded to Commissioner Felty stating they plans on 10 houses a year, beginning with infrastructure with small units, possibly 15 the following year. Mr. Taylor stated they plan to do the infrastructure

in phases. He indicated that there will be 119 homes in the proposed layout.

Commissioner Kirchner inquired about entrance to the development and if a park was planned. Mr. Taylor stated that they will work with staff on entrances and amenities for the proposed development.

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

Carlos Moreno, Seguin, Texas, Steering Committee Member with Habitat for Humanity stated that the merge with San Antonio is great for the Seguin community. He spoke in support of the request.

Father Stevens Shortess, Steering Committee Member with Habitat spoke in support of the request.

Kendra Pacheco, 913 Harry Miller Pass, Seguin, Tx, Steering Committee Member with Habitat of Humanity spoke in support of the request.

Dan Davis, 2890 Coral Sky, Seguin, Steering Committee Member spoke in support of the request.

John Arnold, 301 E. Langley, Cibolo, Tx, Steering Committee Member and Board Member for Habitat of San Antonio spoke in support of the request.

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

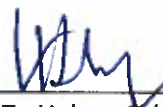
After consideration of the staff report and all information given regarding Zoning Change (ZC 01-22), Commissioner Schievelbein moved that the Planning and Zoning Commission recommended approval of the zoning change to Single Family Residential (R-2) and Commercial (C) for property located at the Hwy. 46 and Jefferson Avenue. Commissioner Lievens seconded the motion. The following vote was recorded:

**RECOMMENDATION TO APPROVE THE ZONING CHANGE TO SINGLE FAMILY RESIDENTIAL (R-2) AND COMMERCIAL (C).**

**MOTION PASSED**

**6-0-0**

  
Francis Serna, Planning Assistant

  
ATTEST: Helena Schaefer  
Planning Supervisor



## PLANNING & CODES

ZC 01-22 Staff Report  
SH 46 & Jefferson Ave  
Zoning Change from A-R to R-2 & C

**Applicant:**

Michael Taylor  
Habitat for Humanity  
311 Probandt  
San Antonio, TX 78204

**Property Owner:**

Baker Living Trust  
6526 Radley Dr  
Spring, TX 77379

**Property Address/Location:**

SE corner of State Hwy 46 S  
& Jefferson Ave

**Legal Description:**

Abs: 11 Sur: JD Clements  
31.314 ac  
Property ID: 52779

**Lot Size/Project Area:**

31.314 acres

**Future Land Use Plan:**

Central Township

**Notifications:**

Mailed: Jan. 28, 2022  
Newspaper: Jan. 29, 2022

**Comments Received:**

None

**Staff Review:**

Helena Schaefer  
Senior Planner

**Attachments:**

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

**REQUEST:**

A Zoning Change request from Agricultural-Ranch (A-R) to Single-Family Residential (R-2) and Commercial (C).

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	A-R	Farmland
<b>N of Property</b>	MF-1 & C	West Wind Apartments & Farm Bureau
<b>S of Property</b>	R-1	B&B Subdivision
<b>E of Property</b>	R-1	Single-Family Residences
<b>W of Property</b>	C	Businesses & SH 46 ROW

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The property located on the southeast corner of State Hwy 46 S and Jefferson Ave is currently zoned Ag-Ranch. A similar zoning change request occurred in June 2021, with commercial fronting State Hwy 46 S and single-family residential zoning behind it.

The proposed single-family residential and commercial land uses are consistent with the Future Land Use Plan. The proposed single-family residential zoning is compatible with the existing and new residential neighborhoods to the south and east. Commercial zoning along the SH 46 frontage is consistent with the commercial frontage along SH 46 and compatible with the public zoning also located along the frontage.

Single-family zoning directly adjacent to the SH 46 corridor, however, is not consistent with the existing commercial zoning along the majority of SH 46. In June 2021, staff made a recommendation to approve the proposed split zoning because the proposed commercial zoning extended the length of the highway frontage. City staff had strongly encouraged the previous applicant to extend the commercial zoning along the frontage to limit the number of houses that back up directly to the major arterial and to encourage walkable access to more commercial services and amenities for the new and existing residential neighborhoods.

The Commission should consider the recommendations of the Future Land Use Plan as well as the compatibility and consistency with the land uses/zoning designations in the area when considering this request. The Commission should also consider the need for affordable owner-occupied housing in Seguin near existing amenities and services.

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

The property on the southeast corner of State Hwy 46 S and Jefferson is currently being used for agricultural purposes. During the 1989 zoning process, the property was zoned Pre-Development. With the adoption of the UDC and the reclassification of the zoning districts, Pre-Development was removed from the City's zoning classification system. In 2015, the City rezoned the property to A-R. A-R took the place of Pre-Development. In 2021, another applicant sought a similar split zoning change for this property. The Planning and Zoning Commission recommended approval of the split zoning to City Council on June 8, 2021. The item was withdrawn from the Council's July 6, 2021 agenda. The 2021 applicant proposed 8 acres of commercial zoning, extending from Jefferson Ave to B&B Road. The current applicant is proposing less commercial zoning that doesn't extend along the State Hwy 46 frontage.

### **CODE REQUIREMENTS:**

According to the UDC's Section 3.4.3 Land Use Matrix– commercial uses, like retail and service are not allowed in the A-R zone and only one Single-Family Residential structure is allowed per lot.

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

To the east and south, there is Single-Family Residential zoning with an established neighborhood along Volunteer St and a new neighborhood in home construction (B&B Subdivision). To the north there is commercial zoning (Guadalupe County Farm Bureau office) and Multi-Family 1 (West Wind Apartments). To the west is the State Hwy 46 right-of-way and there are multiple businesses on the west side of the highway, to include Lippe Tire Center, Menn & Associates Offices and a self-storage facility.

There is a high degree of compatibility with the proposed Single-Family Residential zoning and the existing residential zoning and land uses to the east. There is also a degree of compatibility with the proposed commercial zoning and those existing commercial uses that extend along State Hwy 46 S. Single-family zoning directly adjacent to the SH 46 corridor, however, is not consistent with the existing commercial zoning along the majority of SH 46.

### **COMPREHENSIVE PLAN (The Future Land Use Plan):**

This property is in the Central Township future land use district. These are existing pockets of development within the center community areas. Some of these areas remain largely undeveloped and will therefore experience new growth in the years to come. The intent of this district is to enhance the quality of residential developments with diversity.

This pocket of development within the district is bound by Court Street, SH 46, Austin Street, and the river. The district only extends to the frontage of the higher traffic roads along the undeveloped area of SH 46. The rest of the district consists mostly of residential development.

Single-Family Residential is an appropriate use for this district, with recommended densities of 4+ units per acre. Commercial use is subject to review and should be located primarily along the frontages of major roadways. Any proposed commercial uses should be complementary to the adjacent residential areas.

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

Access is taken from Jefferson Ave and B&B Road, both city streets and State Hwy 46 S, a TXDOT right-of-way. The applicant will have to work with TXDOT for access onto State Hwy 46 S. There is also a proposed collector in the Master Thoroughfare Plan that will need to be incorporated into the street layout, as well as making connections to existing and new neighborhoods to the east and south.

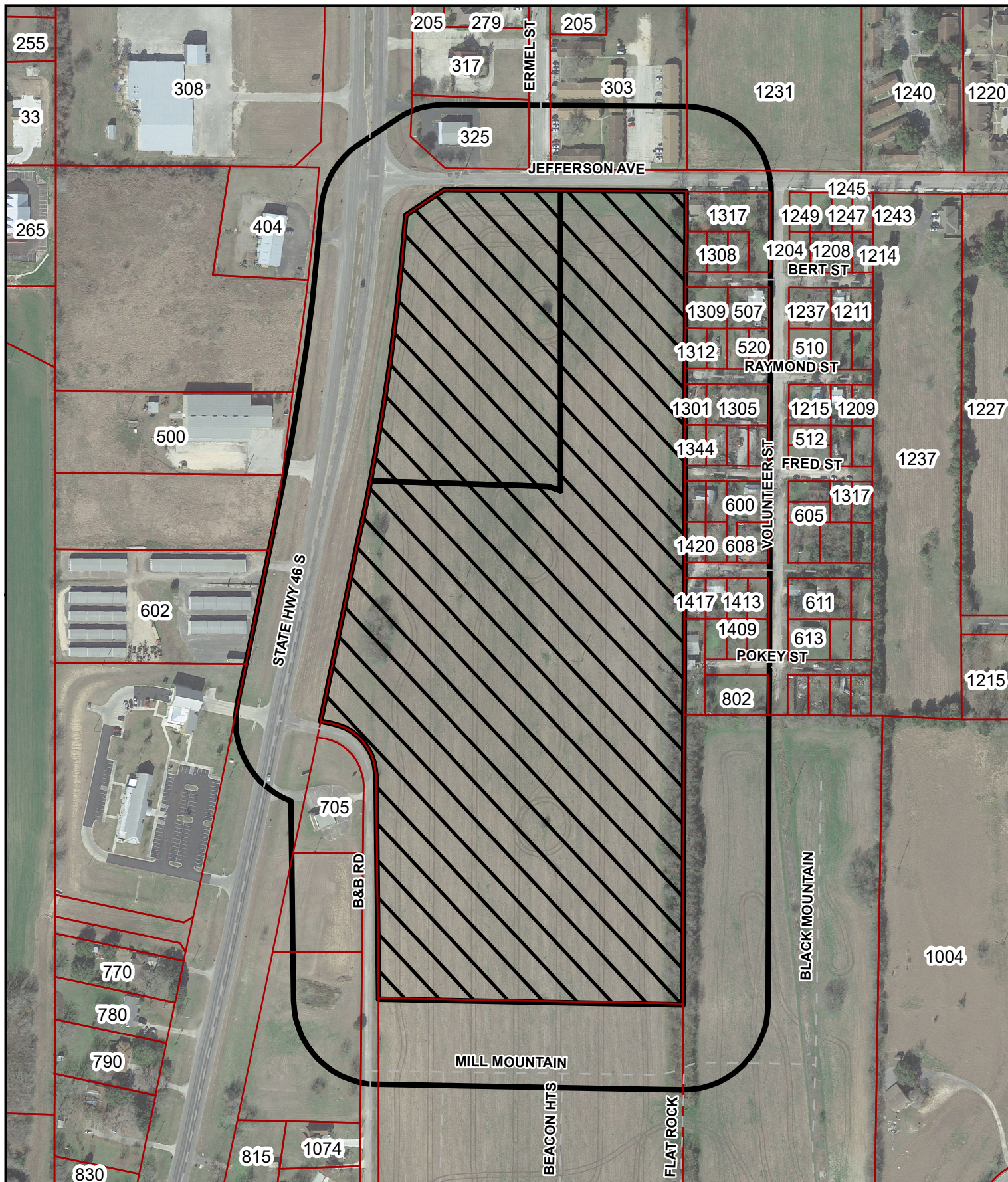
### **HEALTH, SAFETY, AND GENERAL WELFARE:** (Protection & preservation of historical, cultural, and environmental areas.)

Noise and highway traffic pose a potential nuisance and safety concern for single-family residential directly adjacent to SH 46 as proposed. A buffer and/or sound barrier is recommended and may be required between the residential lots and the highway.



# LOCATION MAP

## ZC 01-22 SW Corner of Jefferson & SH 46 S



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 = 300 feet

Printed: 1/11/2022

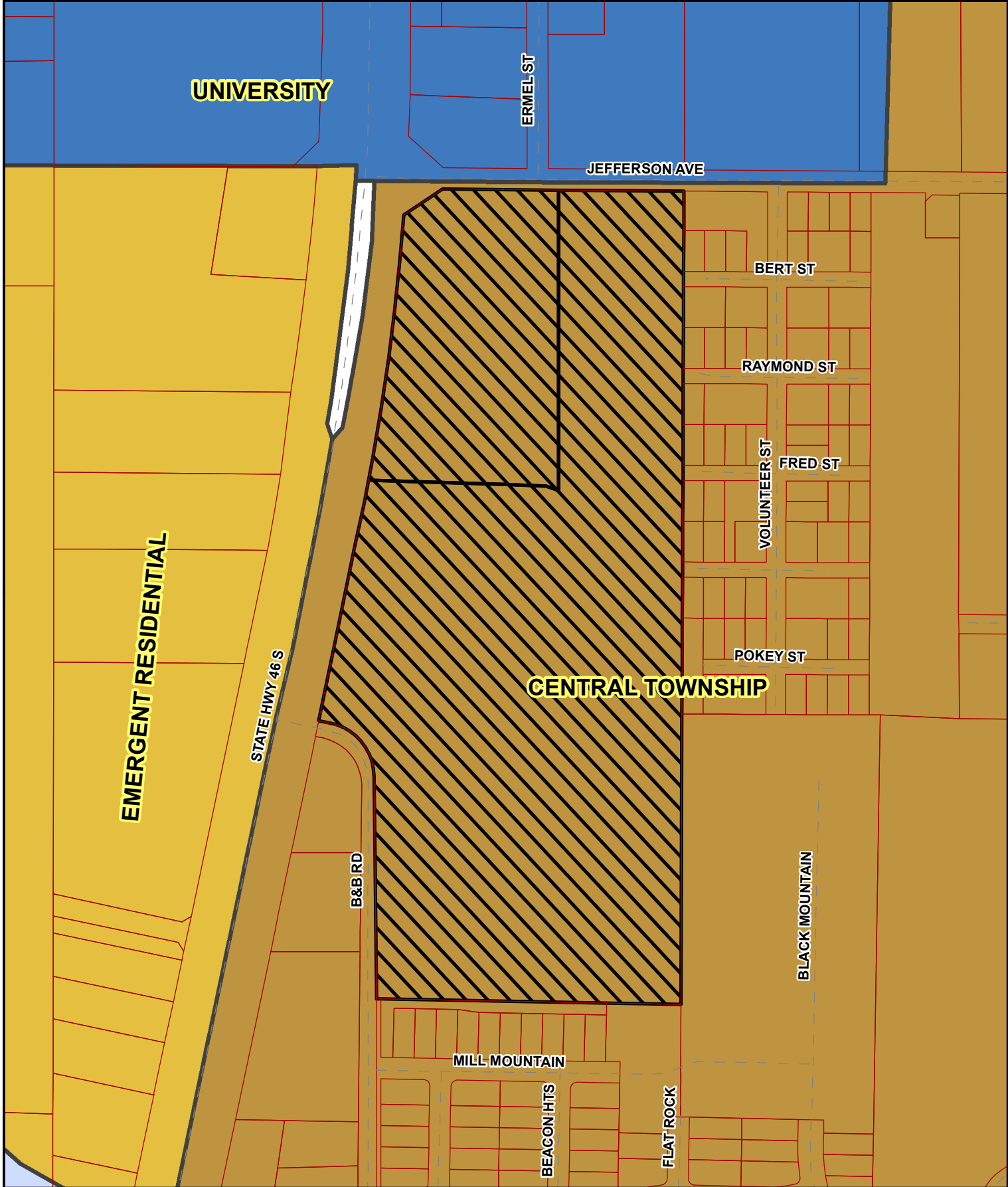


	Agricultural - Ranch		Single Family Residential 2		MultiFamily 1		Manufactured Home Park		Industrial
	Rural Residential		Zero Lot Lines		MultiFamily 2		Neighborhood Commercial		Public
	Suburban Residential		Duplex 1		MultiFamily 3		Commercial		Planned Unit Development
	Single Family Residential 1		Duplex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

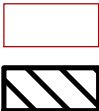
10

## Site Location

Printed: 1/11/2022



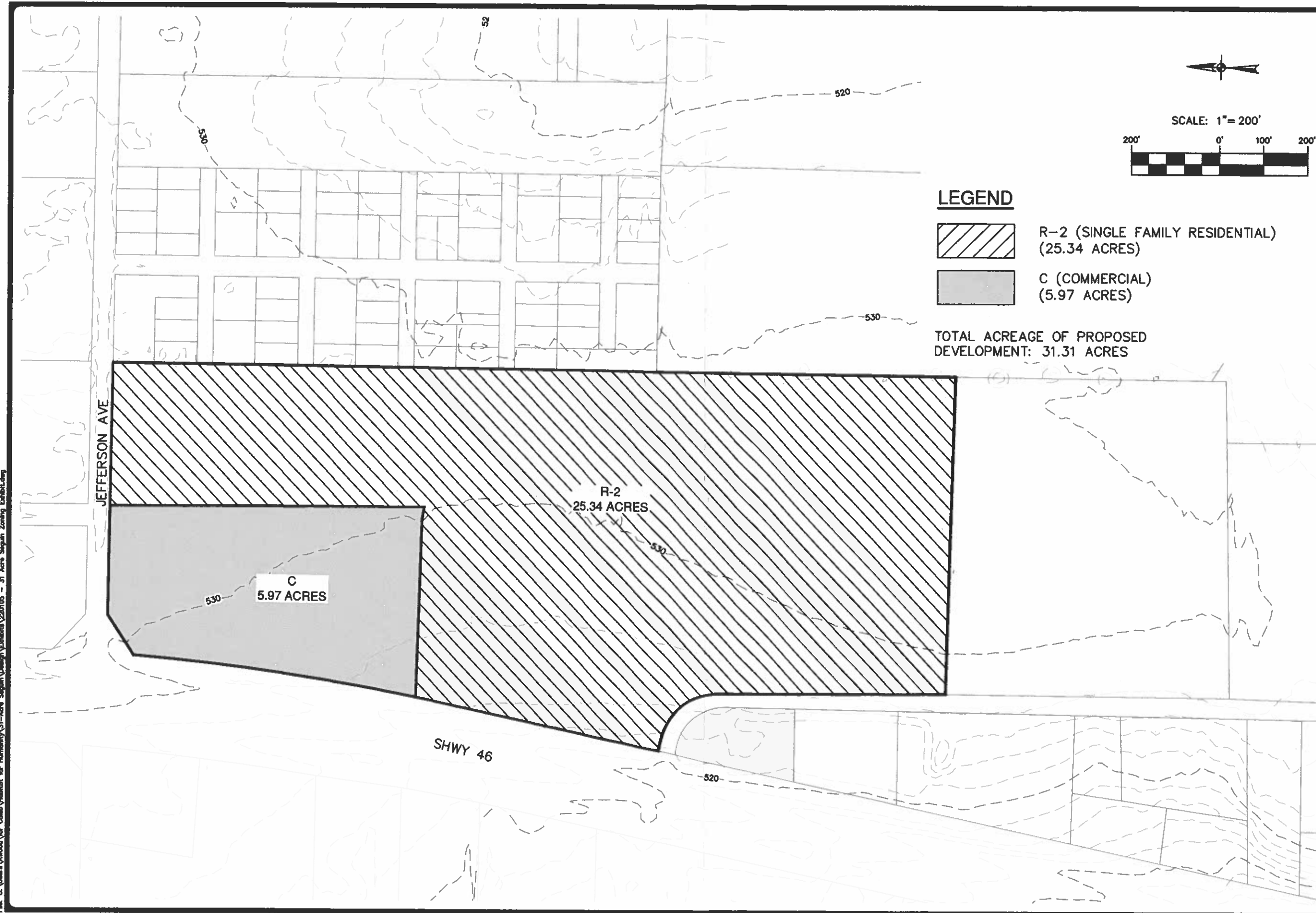
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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



Ownership  
Site Location

1 inch = 300 feet  
Printed: 1/11/2022

D:\proj\31-Acre Seguin\31-Acre Seguin\Design\Exhibits\220105 - 31 Acre Seguin Zoning Exhibit.dwg  
Date: Jan 04, 2022, 10:50am User ID: RChadwick  
File: 31-Acre Seguin\31-Acre Seguin\Design\Exhibits\220105 - 31 Acre Seguin Zoning Exhibit.dwg



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.875.8800  
TEXAS ENGINEERING FIRM #170 | TEXAS SURVEYING FIRM #10028600

## 31 ACRE SEGUIN TRACT

SEGUIN, TEXAS

ZONING EXHIBIT

JOB NO. -  
DATE JANUARY 2022  
DESIGNER AW  
CHECKED CC  
DRAWN RC  
SHEET 1 of 1