



## Planning and Zoning Commission Report ZC 11-15

The following request was considered in conjunction with Zoning Change 11-15 during a public hearing at the Planning & Zoning Commission meeting on July 14, 2015:

**ZONING CHANGE request from Mixed to Commercial, Manufactured Home Park, Neighborhood Commercial, Public and Single-Family Residential for the following properties in the UDC Rezoning Group 2B: 13327, 13328, 13354, 13368, 13369, 13379, 13434, 13435, 13439, 13440, 13441, 13480, 13481, 13482, 13489, 13491, 13492, 13493, 13494, 13495, 13496, 13497, 13498, 13499, 13500, 13501, 13502, 13503, 13504, 13505, 26353, 26354, 27904, 27905, 27906, 27907, 27909, 27910, 27911, 27924, 27925, 27926, 27927, 27928, 27929, 27935, 27936, 27937, 27938, 27981, 27982, 27983, 38241, 38248, 38370, 38376, 38380, 41508, 41511, 41515, 41517, 41518, 136715, 140138, 152273, 155393, 155400, and 155401**

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".

Public notifications were mailed to 209 property owners on July 3, 2015. Three written responses were received about the proposed zoning changes, one in favor and two in opposition. Although it did not mention a specific property, one of the individual in opposition could have been referencing the property proposed as MHP at 317 W Ireland St.

Guadalupe Cabellero, 1655 Post Rd, New Braunfels, TX 78130 – opposed  
*"There are already enough unkempt and trashy looking mobile home sites in the City of Seguin"*

Leonardo Molina Jr, 363 Hollub Ln, Seguin, TX 78155 – opposed  
*"Property ID 41515, 724 S Austin St is a single-family residential property. There are no plans to convert it into any form of commercial or recreational property. Therefor, it is requested that it be zoned as "Single-Family Residential" property. Leonardo Molina Jr. July 13, 2015*

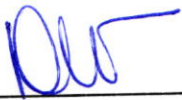
Seguin Housing Authority, 516 Jefferson Ave, Seguin, TX 78155 – in favor

There being no further questions the regular meeting was recessed and a public hearing was held. Two property owners spoke. One wanted clarification about the use of their houses in a neighborhood commercial zone. Staff informed them that use of a single-family residential structure was an allowed use in that district. The other, the property owner of the Magnolia House asked a question about the dual use of residential and commercial on a property. The UDC allows for such a situation in the Downtown Historic District with a Specific Use Permit, as long as the residential dwelling is not more

than 50% of the square footage of the commercial structure. With no other responses from the public the regular meeting reconvened for action.

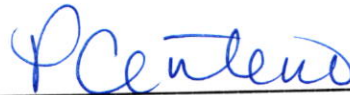
After consideration of the staff report and all information given regarding Zoning Change 11-15, the Planning and Zoning Commission voted 6-0-0, to Recommend to City Council to Approve the Zoning Change request to Commercial, Manufactured Home Park, Neighborhood Commercial, Public, and Single-Family Residential.

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



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Dora Toungate  
Planning Assistant



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ATTEST: Pamela Centeno  
Director of Planning/Codes



# City of Seguin

Planning/Codes Department  
Staff Report

**ZC 11-15**

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

**Applicant:**

City of Seguin

**Property Owner(s):**

See attached list of property ownership.

**Property Address/Location:**

Group 2B 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:**

20.89 acres

**Future Land Use Plan:**

Town Core 1, Historic City Center and Core Approach

**Notifications:**

Mailed July 3, 2015

**Comments Received:**

Update at P&Z meeting

**Staff Review:**

Helena Schaefer  
GIS Analyst  
July 8, 2015

**Attachments:**

- Group 2B 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	<b>SEE ATTACHED MAPS</b>
<b>Subject Property</b>	M	Various land uses including residential, commercial, public, and vacant.	
<b>N of Property</b>	R-1, C, P	Residential and Commercial	
<b>S of Property</b>	R-1, C, P	Residential and Commercial	
<b>E of Property</b>	R-1, C, P	Residential and Commercial	
<b>W of Property</b>	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 69 parcels in Group 2B were all zoned as Mixed.

Staff has evaluated the parcels in Group 2B 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:**

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

## PLANNING DEPARTMENT ANALYSIS

### **CASE SUMMARY:**

Group 2B 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 2B. There are 69 parcels in this group and are located around 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 69 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 2B are scattered through the downtown area of the City. Some parcels are owned by the City of Seguin (i.e., the site of the new library and areas in the floodway). The proposed zoning for the majority of these parcels will match the actual use of the property, thus avoiding non-conforming uses and structures. The recommended zoning reflects the surrounding uses or creates buffers between residential and commercial.

### **COMPREHENSIVE PLAN:**

The properties are within the Town Core 1, Historic City Center, and Core Approach Districts. One of these districts, the Historic City Center, emphasize residential uses with some retail and office uses, while the Town Core 1 and Core Approach districts focuses on more commercial uses. The properties that front S Austin St and fall in the Core Approach district are proposed as Neighborhood Commercial. As well, some properties along Guadalupe St (north and south) are proposed for Neighborhood Commercial, which are in the Town Core 1 district.

### **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 2B are located along Austin St, Guadalupe St, S Crockett St, Washington St, Nolte St, N Bowie St, and W Ireland 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.

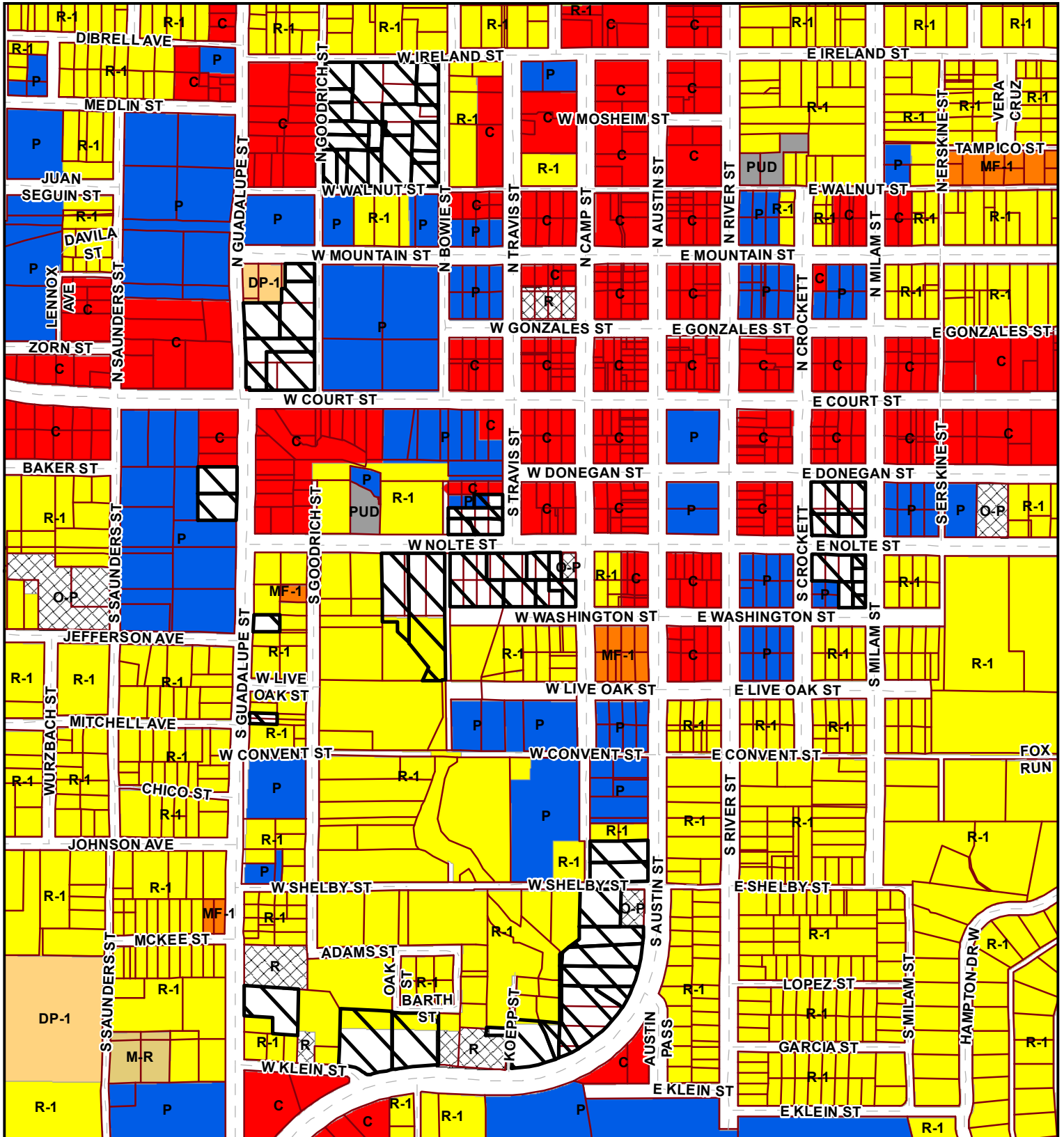
For this area, spot zoning (or the rezoning of a property that benefits a specific tract of land with a use classification that is less restrictive than provided by the original zoning ordinance) was a heavily weighed consideration for the proposed zoning. Staff has determined that the proposed zoning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





# ZONING MAP

# ZC 11-15: UDC Rezoning Group 2B



- |                               |                              |                            |                              |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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        |                              |

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 = 500 feet

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