



## PLANNING & CODES

### Planning and Zoning Commission Report ZC 03-22

A request for Zoning Change 03-22 from Agricultural Ranch (A-R) to Single Family Residential (R-2) and Commercial (C) for property located at the SE corner of State Highway 123 and Timmermann Road, Property ID 52343 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on April 12, 2022.

Armando Guerrero presented the staff report. He stated that the requested 58 acres is part of a 91-acre tract that consists of vacant farmland and two existing residential homes, which front State Hwy. 123. The homes are not included in the 58 acres that is being requested for a zoning change. The applicant requested 54.4 acres of Single Family Residential 2 zoning and 3.7 acres of Commercial Zoning at the corner of Timmermann and State Hwy 123.

The requested zoning change is compatible with the surrounding land use and zonings. The property is located in the Community Node of the City's Future Land Use Plan which allows for a range of residential densities and should provide commercial services to the residential communities that arise within the area.

A small portion of the southern part of the requested 58-acres is within an unstudied floodplain. A study of the area would be needed to determine the extent of this unknown floodplain area.

This site can be accessed from both Timmermann Rd and N State Highway 123. Any proposed access point from State Highway 123 would be subject to TxDOT review and approval.

He stated that one letter of support was received.

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

After consideration of the staff report and all information given regarding Zoning Change (ZC 03-22), Commissioner Davila 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 SE corner of State Highway 123 and Timmermann Road. Commissioner DePalermo 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**

A handwritten signature in dark ink, appearing to read "Francis Serna", written over a horizontal line.

Francis Serna, Planning Assistant

A handwritten signature in dark ink, appearing to read "Armando Guerrero", written over a horizontal line.

ATTEST: Armando Guerrero  
Planner



## PLANNING & CODES

ZC 03-22 Staff Report  
SE Corner of SH 123 & Timmermann Rd  
Zoning Change from A-R to R-2, & C

**Applicant:**

INK Civil  
Attn: James Ingalls, P.E.  
2021 SH 46 W, Ste. 105  
New Braunfels, TX 78132

**Property Owner:**

Alfredo Ortiz Jr as admin for  
the Estate of Robert J  
Morales  
814 W. Hildbrand Ave.  
San Antonio, Tx 78212

**Property Address/Location:**

SE Corner of SH 123 &  
Timmermann Rd

**Legal Description:**

ABS: 10 SUR: M CHERINO  
91.1600 AC.  
Property ID: 52343

**Lot Size/Project Area:**

58 acres

**Future Land Use Plan:**

Community Node

**Notifications:**

Mailed: April 1, 2022  
Newspaper: Mar 27, 2022

**Comments Received:**

None

**Staff Review:**

Armando Guerrero  
Planner

**Attachments:**

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

**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>	C/R-2	Farmland
<b>S of Property</b>	A-R	Residential
<b>E of Property</b>	OCL	Outside of City Limits
<b>W of Property</b>	C	Farmland

**SUMMARY OF STAFF ANALYSIS:**

The applicant is requesting a zoning change from Agricultural Ranch (A-R) to Single-Family Residential (R-2), and Commercial (C) on 58 acres of a 91.1600-acre tract of land located at the SE corner of State Hwy 123 and Timmermann Rd.

The requested (54.4-acre) zoning change to Single-Family Residential (R-2) aligns with the Future Land Use Plan and is consistent with the residential zoning and usage seen to the north and south of this property.

The proposed (3.7-acre) Commercial (C) zoning at the corner of State Hwy 123 and Timmermann Rd is consistent to what is seen along the north and south frontage of State Hwy 123.

**Criteria for Approval:**

Consistent with the future land use plan – *Consistent*

Compatible with existing and permitted uses of surrounding properties -*Yes, similar zoning is seen to the north, with commercial and residential zoning and use seen within the surrounding area.*

Adverse impact on surrounding properties or the natural environment – *Floodplain*

Proposed zoning results in a logical and orderly development pattern – *Yes, commercial development next to a major thoroughfare, with residential away or buffered off from the thoroughfare*

Other factors that impact public health, safety, or welfare – *Unstudied flood area*

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

The requested 58 acres is part of a 91-acre total tract of land that sits on vacant farmland with two existing residential homes, which are fronting State Hwy 123. These two structures are not located within the 58 acres that is being requested. Lot frontage for this proposed tract of land along State Hwy is shown at 1123 feet, and 1514 feet fronting Timmermann Rd.

### **CODE REQUIREMENTS:**

A zoning change from Agricultural Ranch (A-R) to Single-Family Residential (R-2), and Commercial (C) would be required for any proposed residential subdivision or commercial development. Any proposed development would be subject to all applicable development standards found in chapters 4 and 5 of the City's Unified Development Code, which includes but is not limited to drainage, TIA, platting, setback, parking requirements, screening/buffering, ect.

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

Commercial and R-2 zoning can be seen to the north, the property to the east is vacant farmland that is not within the City limits, commercial and agricultural ranch zoning to the south, and commercial zoning to the west fronting State Hwy 123.

Existing zoning within this area has commercial zoning along the frontage of State Hwy 123, with residential usage behind it. The property directly to the north of this went through a similar zoning change request for a proposed subdivision development, the applicant requested commercial zoning for the portion of the property fronting State Hwy 123, and R-2 zoning for the remainder of the property. Similar commercial zoning can be seen to across State Hwy 123 to the west and of this property. This pattern of commercial frontage can be seen as far south as Kingsbury St, and as far north as Navarro high school.

With the recent growth of residential development occurring within the area, adequate commercial zoning should be available to serve the existing, and future residents within that area.

### **COMPREHENSIVE PLAN:**

This property is located within the Community Node of the City's Future Land Use Plan. This node allows for a range of residential density, and should provide commercial services, such as grocery stores, clinics, and office space to the new pockets of residential communities that arise within the area. With commercial development at critical areas, a concentration of value is created, enhancing the appeal of these areas for desirable development.

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

A portion of the southern part of the requested 58-acres is within a floodplain that has not been studied.

A study of the area would be needed to determine the extent of this unknown floodplain area.

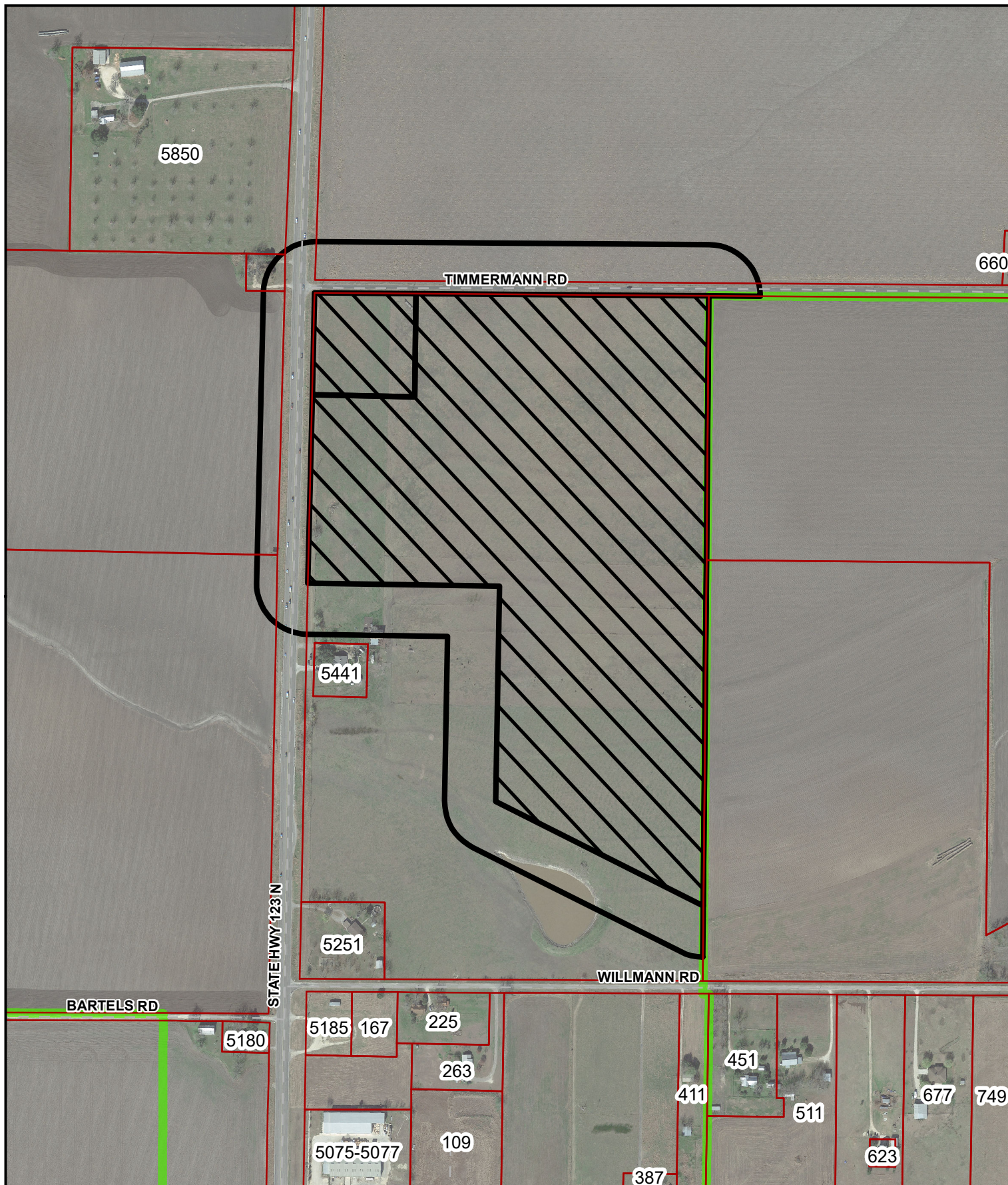
### **TRAFFIC (STREET FRONTAGE & ACCESS):**

This site can be accessed from both Timmermann Rd and N State Highway 123. Any proposed access point from State Highway 123 would be subject to TxDOT review and approval.



# LOCATION MAP

ZC 03-22 SE Corner of SH 123 & Timmermann Rd



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Lot Lines



Site Location



200' Notification Buffer

1 inch = 500 feet

Printed: 3/4/2022



ZONING MAP

ZC 03-22 SE Corner of SH 123 & Timmermann Rd



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

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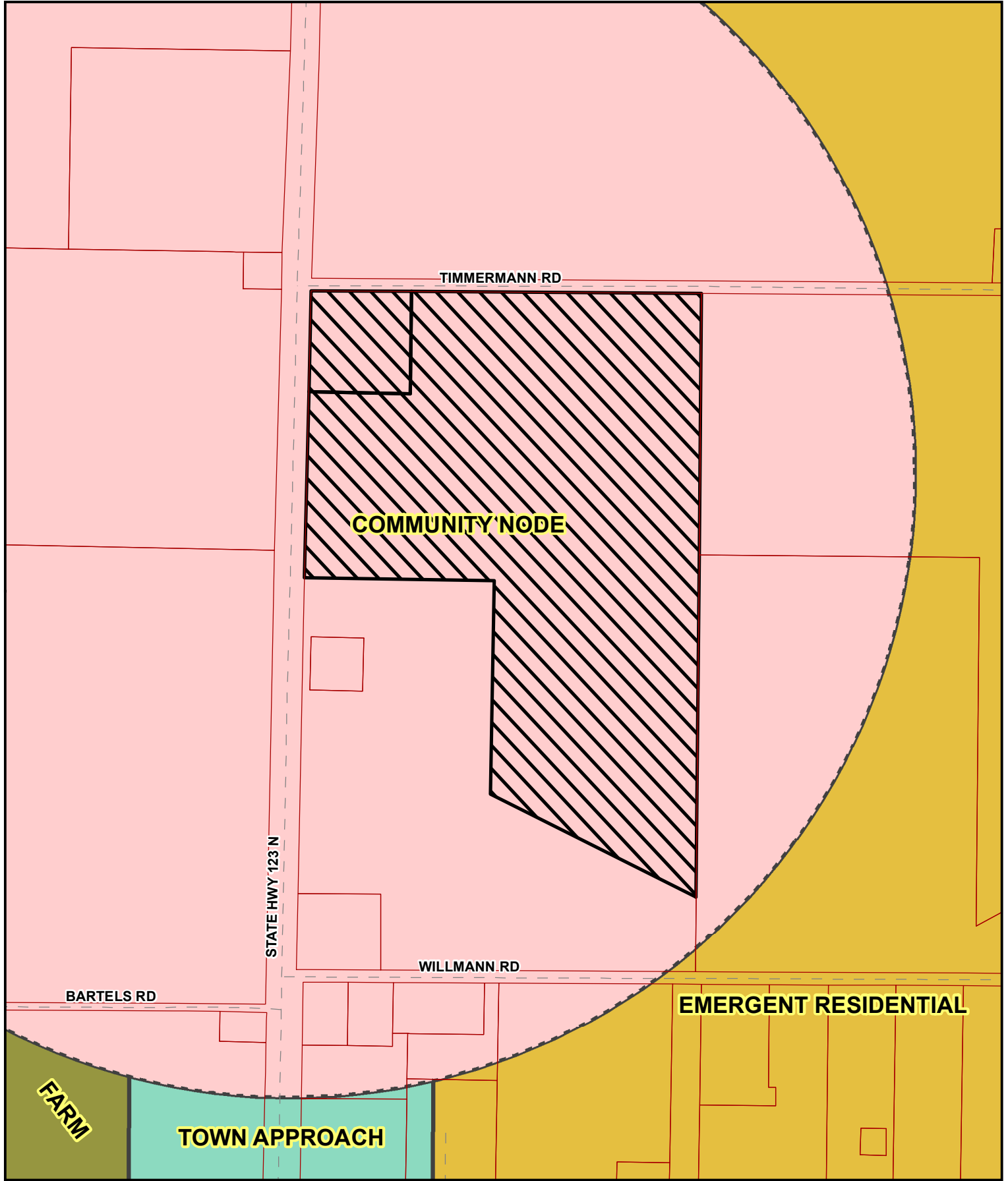
Ownership

Site Location

1 inch = 500 feet

Printed: 3/4/2022

FUTURE LAND USE MAP ZC 03-22 SE Corner of SH 123 & Timmermann Rd



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Ownership

Site Location

1 inch = 500 feet

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