



Meeting Minutes

Planning & Zoning Commission

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Tuesday, January 9, 2024

5:30 PM

Council Chambers

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Public

1. **Call To Order**

The City of Seguin Planning and Zoning Commission met in a Regular Meeting on January 9, 2024 at 5:30 p.m. at the City Council Chambers, 210 E. Gonzales Street, Seguin, Texas. Chair DePalermo presiding over the meeting.

2. **Roll Call**

**Present:** 5 - Steven Berger, Eddie Davila, Troy DePalermo, Patrick Felty, and Bobby Jones III

3. **Election of Officers**

[23-550](#)

Election of Officers:

Chair  
Vice-Chair

**Indexes:**

A motion was made by Vice Chair Felty, seconded by Davila, that Troy DePalermo be elected as Planning and Zoning Commission Chair. The motion carried by the following vote:

**Aye** 5 - Berger, Davila, DePalermo, Felty, and Jones III

**Indexes:**

A motion was made by Jones III, seconded by Chairperson DePalermo, that Patrick Felty be elected as Planning and Zoning Commission Vice Chair. The motion carried by the following vote:

**Aye** 5 - Berger, Davila, DePalermo, Felty, and Jones III

4. **Approval of Minutes**

[24-015](#)

Approval of the Planning and Zoning Commission Minutes of December 12, 2023 meeting.

**Indexes:**

**A motion was made by Davila, seconded by Berger, that the Minutes be approved. The motion carried by the following vote:**

**Aye** 5 - Berger, Davila, DePalermo, Felty, and Jones III

## **5. Public Hearings and Action Items**

### **a. [SUP 01-24](#)**

Public hearing and possible action on a request for a Specific Use Permit to allow a utility facility in a Publicly (P) zoned district for a property located at the 1700 Block of Huber Road, Property ID: 158722 (SUP 01-24)

**Indexes:**

*Kyle Warren presented the staff report. He stated the request is to allow a utilities facility (Booster Pump Station) in Public zoning. The property is a vacant 6.575 acre tract at the northeast corner of New Braunfels Street and Huber Road. He gave a brief overview of the surrounding properties consisting of Public, Light Industrial, Agricultural Ranch and Commercial zoning. The property is located in the Regional Commercial District which encourages enhanced landscaping requirements and facade treatment if the development is in proximity to a major thoroughfare. The site has access to Huber Road which required city approval and IH 10 Frontage Road which will require TxDOT approval. There were no health, safety, and general welfare issues identified. Staff finds that the request meets the criteria for approval of the Specific Use Permit with the condition that an alternative landscaping plan be reviewed by the Planning Director and planting shall be required along the right of way instead of internal property lines.*

*The Commission inquired about landscaping, traffic concerns and any impacts by the IH 10 expansion. Ms. Reynolds stated that the development would not trigger additional traffic. Staff addressed landscaping requirements for the development.*

*The regular meeting recessed, and a public hearing was held. Tim Howe, Director of Water and Wastewater Utilities explained that the area is part of the Spring Hill Water transfer area. He stated that the project is a critical project for the infrastructure that is required for the City to serve the CCN. He said they are installing a fence and landscaping required. Commission Felty asked about the timeline of the project. Mr. Howe stated they will go out for bid next month and wants to begin construction by summer and completed by the first quarter of 2026. There being no additional responses from the public the regular meeting reconvened for action.*

**A motion was made by Commissioner Davila, seconded by Commissioner Berger, that SUP 01-24 be approved with the condition that an alternative landscaping plan be reviewed by the Planning Director and planting shall be required along the right of way instead of internal property lines. The motion carried by the following vote:**

**Aye** 5 - Berger, Davila, DePalermo, Felty, and Jones III

### **b. [GLUP 01-23](#)**

Public hearing and possible action on a request for a General Land Use Plan (GLUP) for a property zoned Planned Unit Development (PUD), located at State Highway 123 & Harry Miller Pass, Property ID: 116456, (GLUP 01-23)

**Indexes:**

Armando Guerrero presented the staff report. He stated that the General Land Use Plan (GLUP) is for a 6.817 undeveloped acre tract containing a Planned Unit Development (PUD) zoning. He explained that the property was approved for a PUD and a GLUP in 2019. The approved GLUP of 2019 never moved forward and since has expired. He referred to Section 3.2.18 c. stating "if no construction has commenced or not use established within two years from the approval of the GLUP, the GLUP shall lapse and be of no further effect. He explained that the Code requires approval of a GLUP for any proposed development within a PUD zoning. The GLUP will dictate land use and development standards for any proposed development within a PUD zoning. The request is compatible with the surrounding residential and multi-family land uses and zoning. The property is located in the Commercial Corridor of the City's FLUP and should contain enhanced development standards, such as landscaping requirements and facade treatments, and should be required to promote high quality commercial developments. He stated that the property will take access from Harry Miller Pass and require approval from city staff. Staff recommended approval of the request. The plan submitted identifies uses, standards, and requirements for the proposed development that would allow staff to enforce during the review process. The applicant also noted that development requirements not specifically identified in the GLUP shall adhere to MF-2 zoning and development requirements in the Unified Development Code (UDC). One letter of opposition was received, noting that they were unaware of the proposed plan and that the city needs more residential housing due to growth.

The regular meeting recessed, and a public hearing was held. Mr. & Mrs. Beck, 904 Harry Miller Pass expressed concerns regarding safety and traffic. They stated that there is a need for a traffic light at Hwy. 123 and Harry Miller Pass and more lighting for pedestrian traffic. Courtney King, stated her property is adjacent to the proposed development and has concerns regarding a decrease in property values and safety concerns. She also had concerns with the multi family units being too close and will be able to look into the residential properties. Ms. King stated she is in opposition of the request. Richard Hendrix, Civil Engineer on the project was available to answer questions.

The Commission asked about a proposed site plan, gates to the development, lighting, fencing, buffering and stop light on Hwy. 123 and Harry Miller Pass.

Mr. Hendrix gave a brief explanation of the development stating they will conform to the city standards regarding their concerns and that only single family homes will be development adjacent to current single family home to the South of the property. He stated the proposed development will be built to rent single family homes and maintained by one person, similar to a apartment complex.

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

**A motion was made by Vice Chair Felty, seconded by Commissioner Davila, that GLUP 01-23 be approved. The motion carried by the following vote:**

**Aye** 5 - Berger, Davila, DePalermo, Felty, and Jones III

**c. [24-020](#)**

Public Hearing and possible action on amendments to the City of Seguin's Unified Development Code (UDC) Section 3.2.18. Planning (Planned) Unit Development (PUD) & UDC Sections 1.2.1 & 1.2.2 Officials- Authority and

responsibilities, to update the PUD requirements and the General Land Use Plan (GLUP) approval process

**Indexes:**

*Pamela Centeno presented the proposed amendments to the Unified Development Code Section 3.2.18, Planned Unit Development (PUD) and Sections 1.2.1 and 1.2.2 as they relate to the Authority and responsibilities, to update the PUD requirements and the GLUP approval process. She explained a PUD and GLUP. She said that the language in the code is confusing to applicants because the GLUP does not follow the same process as a zoning change. She stated that a PUD cannot function without a GLUP. Ms. Centeno stated that the biggest proposed amendment is for the GLUP to mimic the zoning change approval process. The Planning Commission will make a recommendation to the City Council and the City Council will be the deciding I. She said that Section 3.2.18 B is being removed due to the section not being part of the zoning regulations. The section is part of the Development Regulations and Subdivision Chapter that covers the zoning regulations. The other proposed amendments include changing the approval process, recommendation to City Council and minor edits. She added that the Commission could consider recommending staff to mimic the regulation that is currently in the ordinance that says if the Planning and Zoning Commission recommends denying the General Land Use Plan that the Council vote would require a super majority to overturn their recommendation. The Commission and staff briefly discussed minor changes approved by the Planning and Codes Director. The Commission asked about transfer of ownership. Ms. Centeno stated that the GLUP transfers to the new owner and the GLUP does have an expiration date.*

*The Commission asked a series of questions on the clarification of minor changes approved by the Director, transfer of ownership, and expiration date of a GLUP. The Commission and staff discussed adding language regarding super majority vote at Council to mimic the zoning change approval process.*

**A motion was made by Vice Chair Felty, seconded by Commissioner Davila, that the UDC Amendments to Section 1.2 and 3.2.18 be recommended for approval and include that a super majority vote at Council is required to overturn the Planning & Zoning Commission recommendation. The motion carried by the following vote:**

**Aye** 5 - Berger, Davila, DePalermo, Felty, and Jones III

## **6. Adjournment**

**There being no further discussion before the Planning and Zoning Commission, the meeting adjourned at 6:17 p.m.**

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**Troy DePalermo, Chair**  
**Planning & Zoning Commission**

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**Francis Serna**  
**Recording Secretary**