



Planning and Zoning Commission Report ZC 08-15

The following request was considered in conjunction with Zoning Change 08-15 during a public hearing at the Planning & Zoning Commission meeting on June 9, 2015:

ZONING CHANGE request from Pre-Development to Agricultural-Ranch, Commercial, Light Industrial, Neighborhood Commercial, Public and Single-Family Residential for the following properties in the UDC Rezoning Group 1A: 32854, 51035, 51099, 51108, 51115, 51120, 51123, 51124, 51137 51154, 51167, 51205, 51239, 51266, 51338, 51369, 51420, 51487, 51527, 51531, 51572, 115614, 115615, 115616, 115617, and 115618

Helena Schaefer presented the staff report. Prior to specific zoning, staff gave a presentation about the UDC rezoning methodology. This methodology included the 2008 Comprehensive Plan, the road system, existing use of the properties, surrounding land uses, consideration of Texas State Zoning Law, and property owner input. In regards to the last item, two Open Houses were conducted to allow property owners affected by these zoning changes to ask staff questions and provide input about their current and future use of their property. Property owners were also encouraged to set up individual meetings at City Hall or call staff if they couldn't attend one of the Open Houses. The Commissioners asked questions about the surrounding land uses and long-range design of the Comprehensive Plan, property owners' recourse for the proposed zoning, the withdraw request of a property by the property owner, and the use of a single-family residential structure in the Neighborhood Commercial zoning.

Public notifications were mailed to 146 property owners on May 29, 2015. Two written responses were received in opposition of the proposed zoning changes. Staff addressed their concerns.

Charles & Claudia A Kruse, 11 Lori Lane, New Braunfels, TX - opposed

*"We own a property in Seguin that is a Duplex. It houses two families and nothing more. I am under the impression that the City of Seguin is either changing or re zoning properties within the City of Seguin. I want to make myself perfectly clear that if you zone 354/356 W Martindale Street as a residential property that I am for **opposed**.*

If this property were to burn down under the Zoning as residential (single family home) I would not be able to come back in and rebuild it back as a duplex (two family). Also I would not be able to get a loan because it would be zoned as a single family home.

Yes I could contact the city and jump through hoops to try to get the zoning changed but it could or could not happen. This property has been here for a really long time. It would be I feel, unfair to change it to a single family when it at present is clearly a duplex (2 family).

This property needs to be zoned for a Duplex (2 family).

Please let me know of the outcome of the zoning since we do not actually live in the City of Seguin."

James Edward Rischer, 600 Crestbend, Houston , TX - opposed
"I bought the property when it wasn't zoned and I want it to stay unzoned."

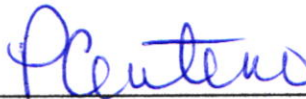
There being no further questions the regular meeting was recessed and a public hearing was held. There being no response from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change 08-15, the Planning and Zoning Commission voted 7-0-0, to Recommend to City Council to Approve the Zoning Change request to Agricultural-Ranch, Commercial, Light Industrial, Neighborhood Commercial, Public, and Single-Family Residential.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO AGRICULTURAL-RANCH, COMMERCIAL, LIGHT INDUSTRIAL, NEIGHBORHOOD COMMERCIAL, PUBLIC, AND SINGLE-FAMILY RESIDENTIAL—
MOTION PASSED 7-0-0**



Dora Toungate
Planning Assistant



ATTEST: Pamela Centeno
Director of Planning/Codes



City of Seguin

Planning/Codes Department
Staff Report

ZC 08-15

UDC Rezoning for Pre-development
Group 1A

Applicant:

City of Seguin

Property Owner(s):

See attached list of property ownership.

Property Address/Location:

Group 1A is an area south of IH 10 and north of the railroad track where properties were zoned PD at the time of the original 1989 zoning or annexation.

Legal Description:

See Attached Prop. ID List

Lot Size/Project Area:

235.1 acres

Future Land Use Plan:

Town Corridor, Regional Node A, and Central Township

Notifications:

Mailed May 29, 2015

Comments Received:

Update at P&Z meeting

Staff Review:

Helena Schaefer
GIS Analyst
June 3, 2015

Attachments:

- Group 1A 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	
Subject Property	PD	Various land uses including residential, commercial, and vacant.	SEE ATTACHED MAPS
N of Property	R-1, C, LI, ZL & I	Vacant Commercial, Industrial, Residential & Rio Nogales Plant	
S of Property	MHP,R-1,P	Commercial and Residential – Single family and Mobile Homes, Patlan Elementary School	
E of Property	C, R-1, LI, MHP & ZL	Residential, Vacant Commercial, Mobile Home Park	
W of Property	P, C, LI & ZL	Residential, Vacant LI, Patlan Elementary School	

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 28 parcels in Group 1A were all zoned as Pre-development

Staff has evaluated the parcels in Group 1A 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:

X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

PLANNING DEPARTMENT ANALYSIS

CASE SUMMARY:

Group 1A 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 1A. There are 28 parcels in this group and are located between IH 10 (to the north) and the railroad tracks (to the south). The majority of these parcels are large tracts of vacant land.

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 28 parcels have not been rezoned since the original 1989 zoning or at the time of the properties’ annexation.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties in Group 1A are bounded between IH 10 and the railroad tracks. There is a variety of existing uses in this area, from single family dwellings to industrial ventures. The recommended zoning reflects the surrounding uses or creates buffers between residential and commercial.

COMPREHENSIVE PLAN:

The properties are within the Town Corridor, Regional Node A, and Central Township Districts. While the rezoning process attempted to zone the properties in accordance with these districts, there were some instances when the recommended zoning goes against the Future Land Use Plan. These are the larger tracts of land that can be developed as commercial or residential.

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. However, the area south of the Rio Nogales Power Plant would not be an ideal location for residential development.

TRAFFIC (STREET FRONTAGE & ACCESS):

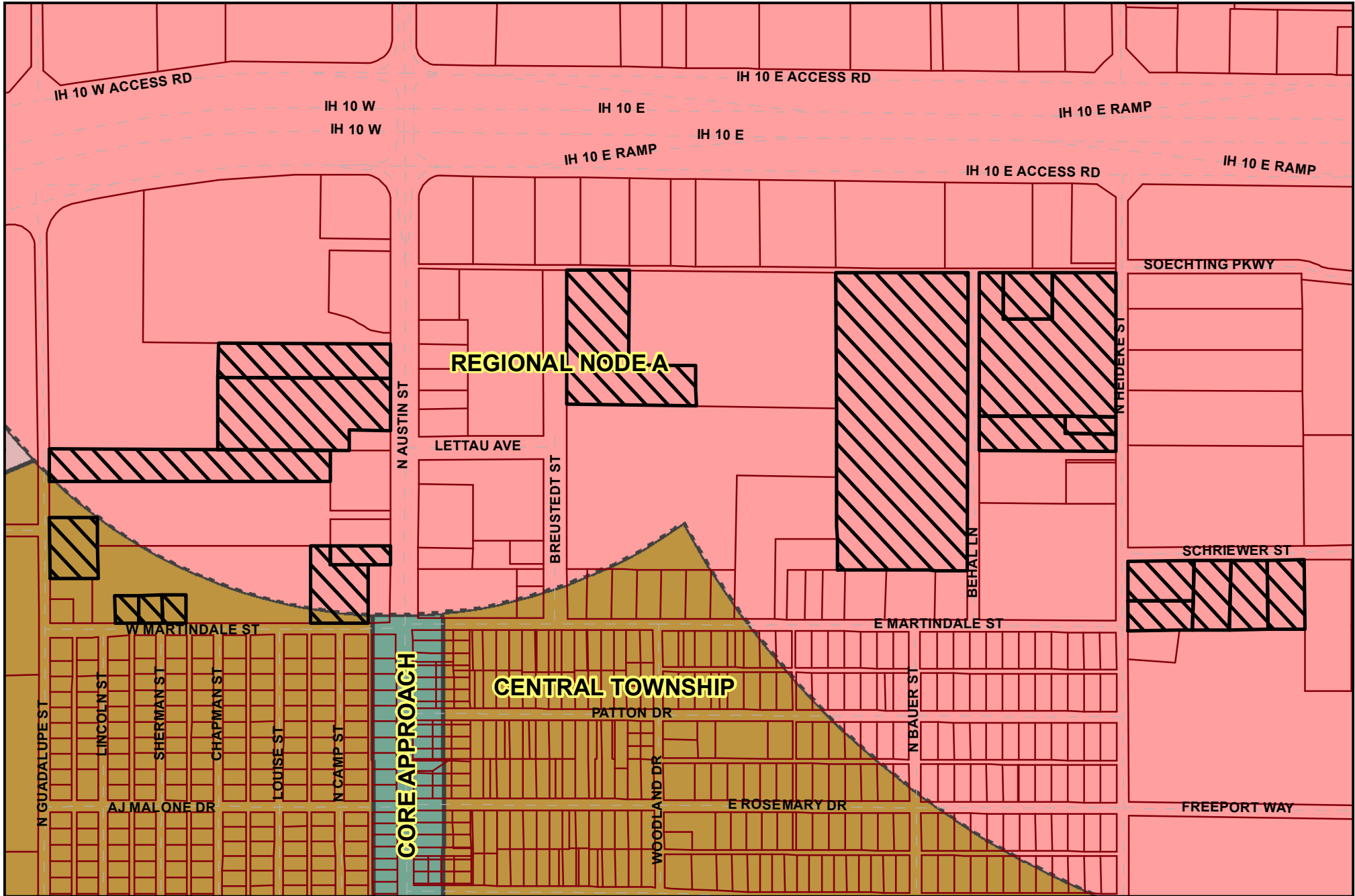
The properties in Group 1A are located along Eighth, N Guadalupe, E Martindale, N Heideke, Schriewer, and N Austin Streets.

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.



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

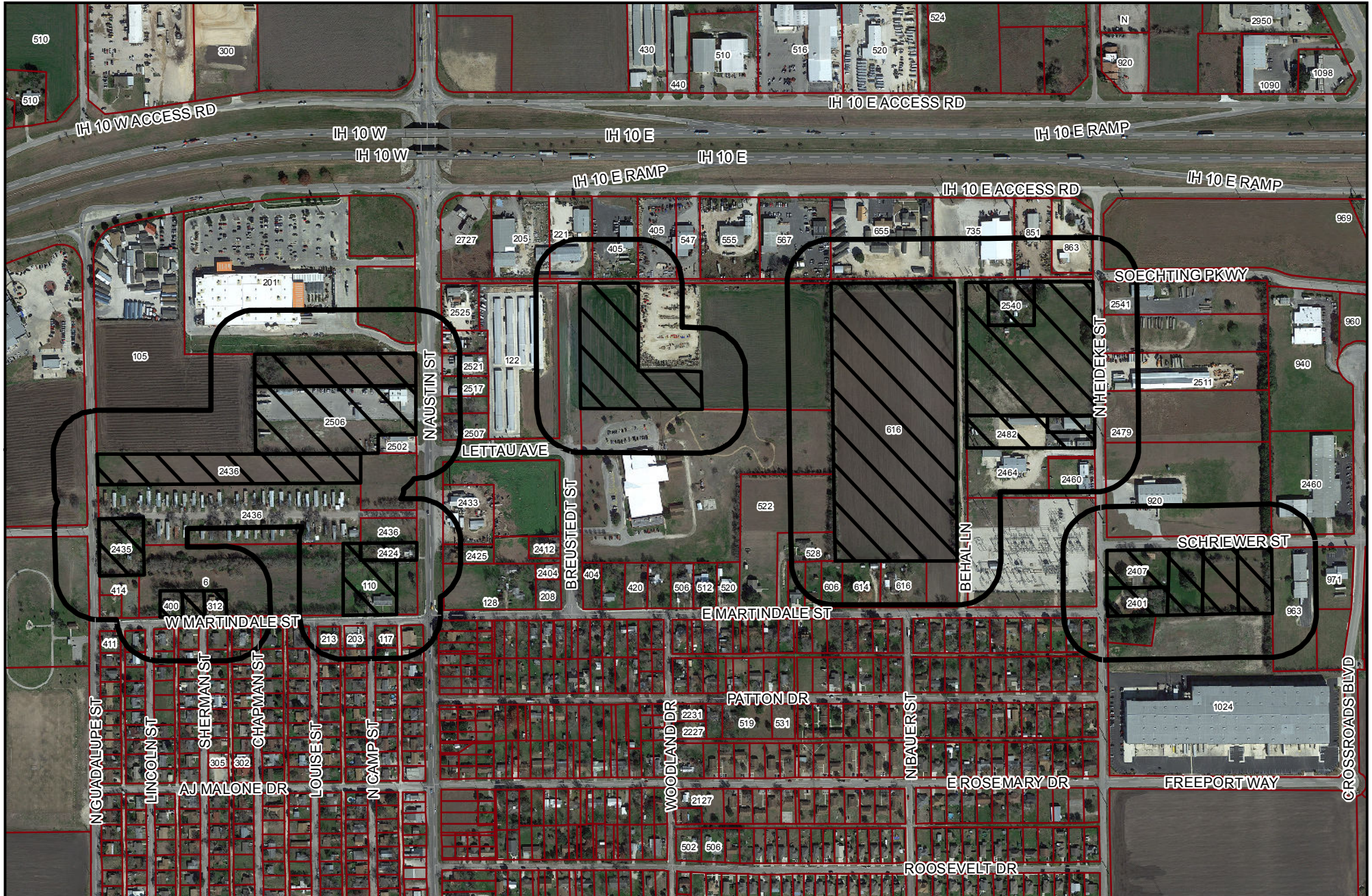
Lot Lines

1 inch = 550 feet

Printed: 5/8/2015

LOCATION MAP

ZC 08-15: UDC Rezoning Group 1A



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



200' Notification Buffer

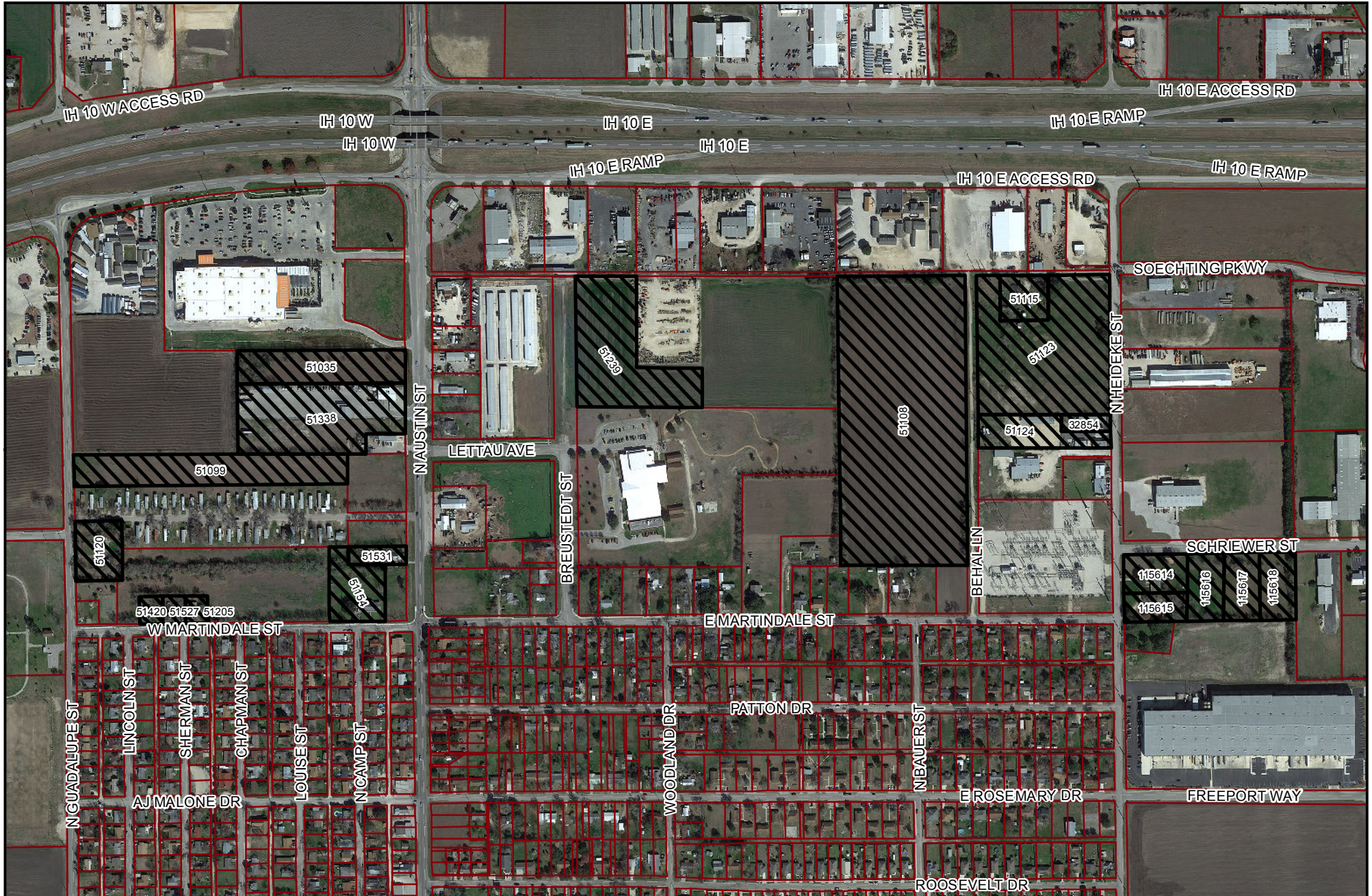
Lot Lines

1 inch = 600 feet

Printed: 5/8/2015

NOTIFICATION MAP

ZC 08-15: UDC Rezoning Group 1A East



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



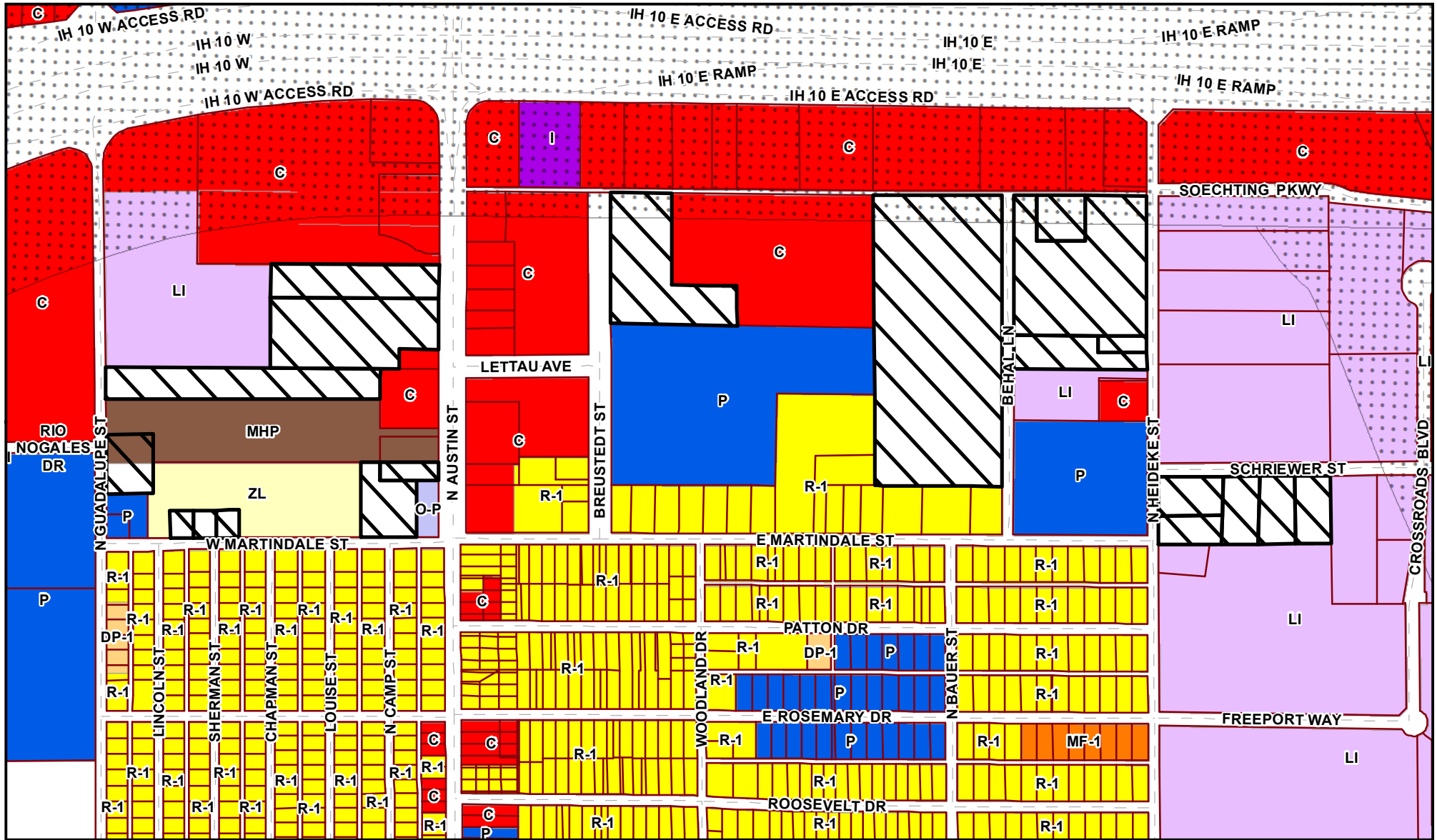
Lot Lines

1 inch = 577 feet

Printed: 5/19/2015

ZONING MAP

ZC 08-15: UDC Rezoning Group 1A



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

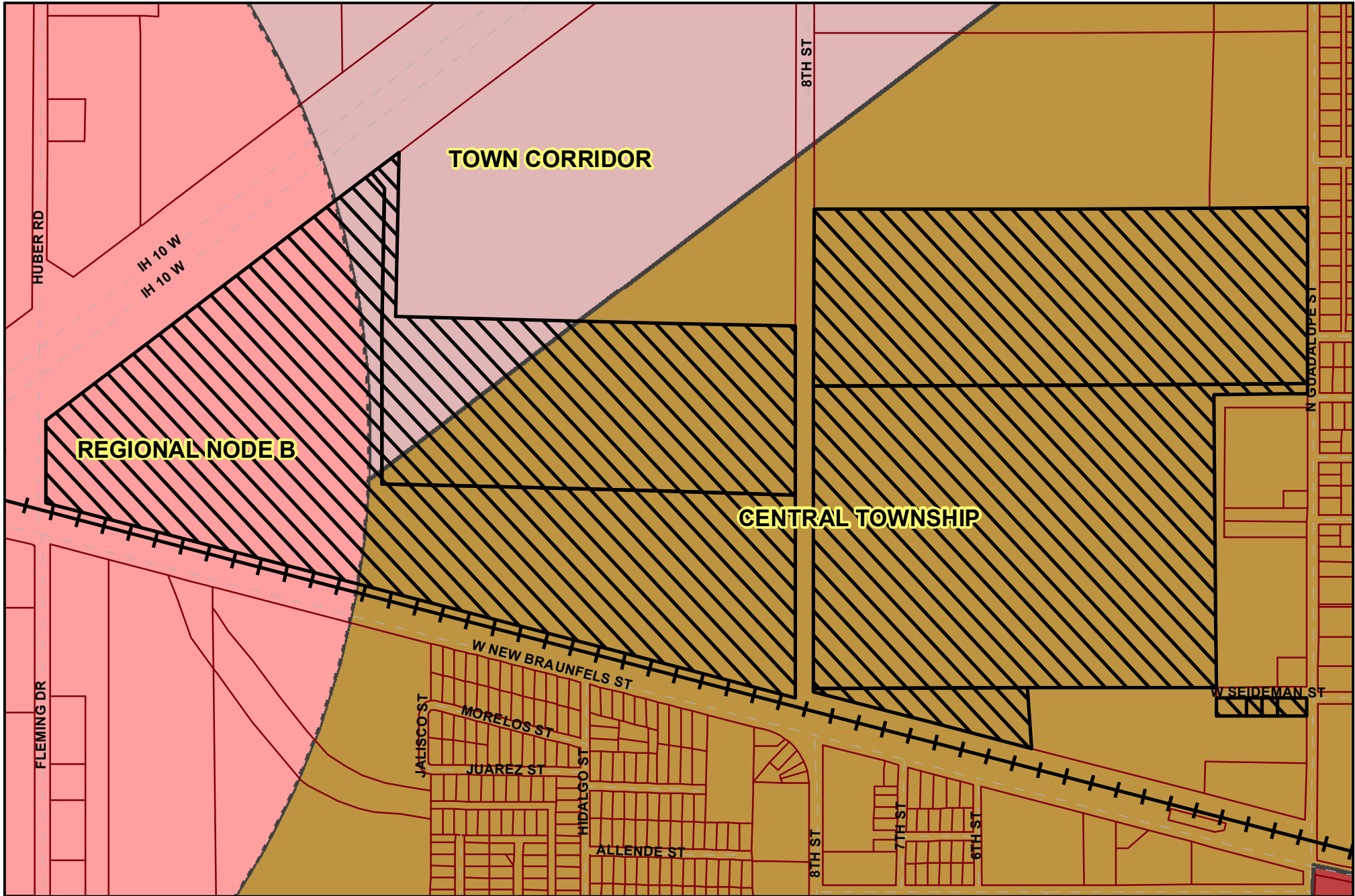
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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

Site Location

1 inch = 600 feet

Lot Lines

Printed: 5/19/2015



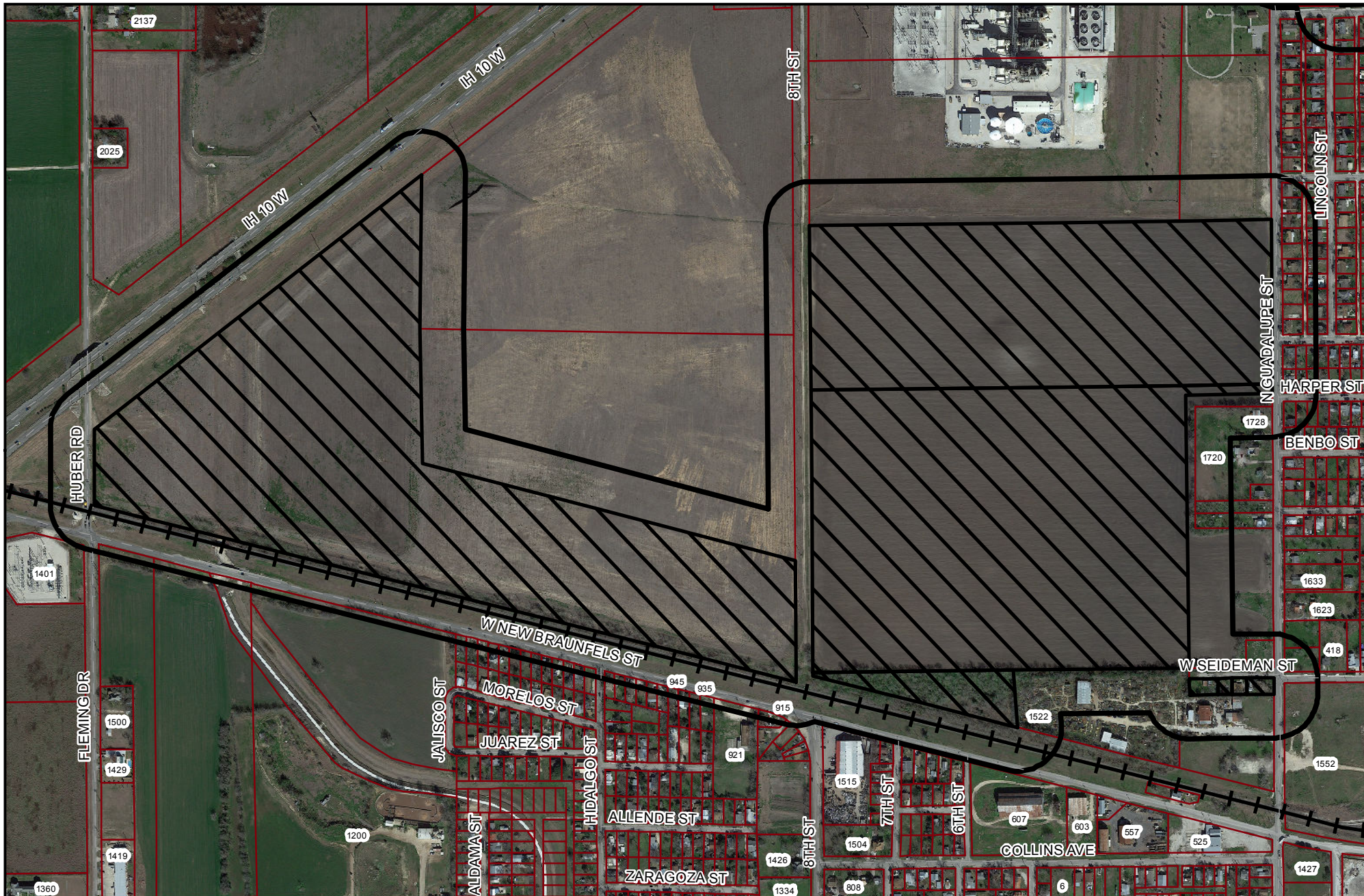
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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

1 inch = 550 feet
Printed: 6/4/2015





Site Location
Lot Lines

LOCATION MAP

ZC 08-15: UDC Rezoning Group 1A



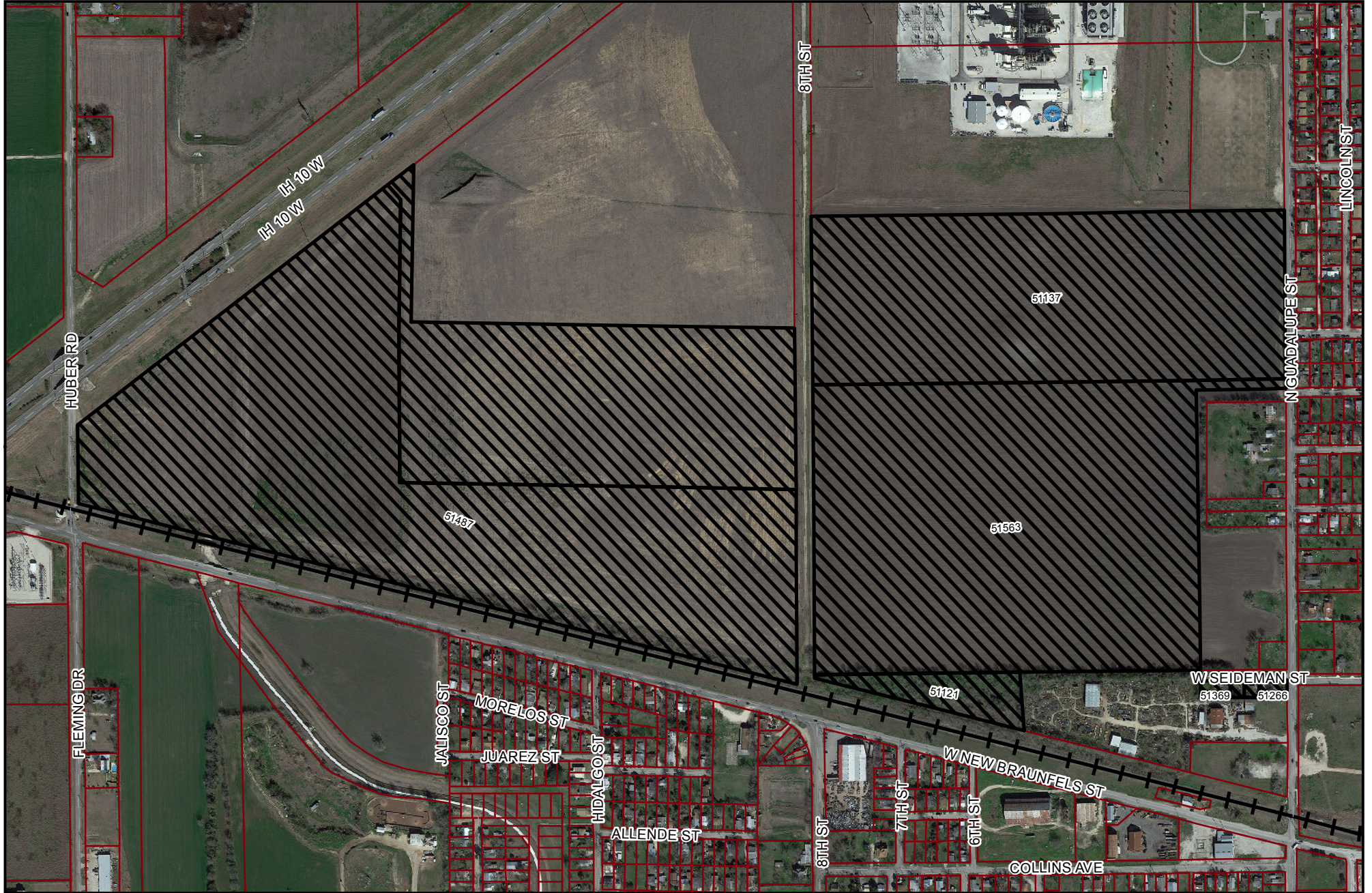
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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


 Site Location
  200' Notification Buffer
 Lot Lines

1 inch = 600 feet
Printed: 5/29/2015

NOTIFICATION MAP

ZC 08-15: UDC Rezoning Group 1A West



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



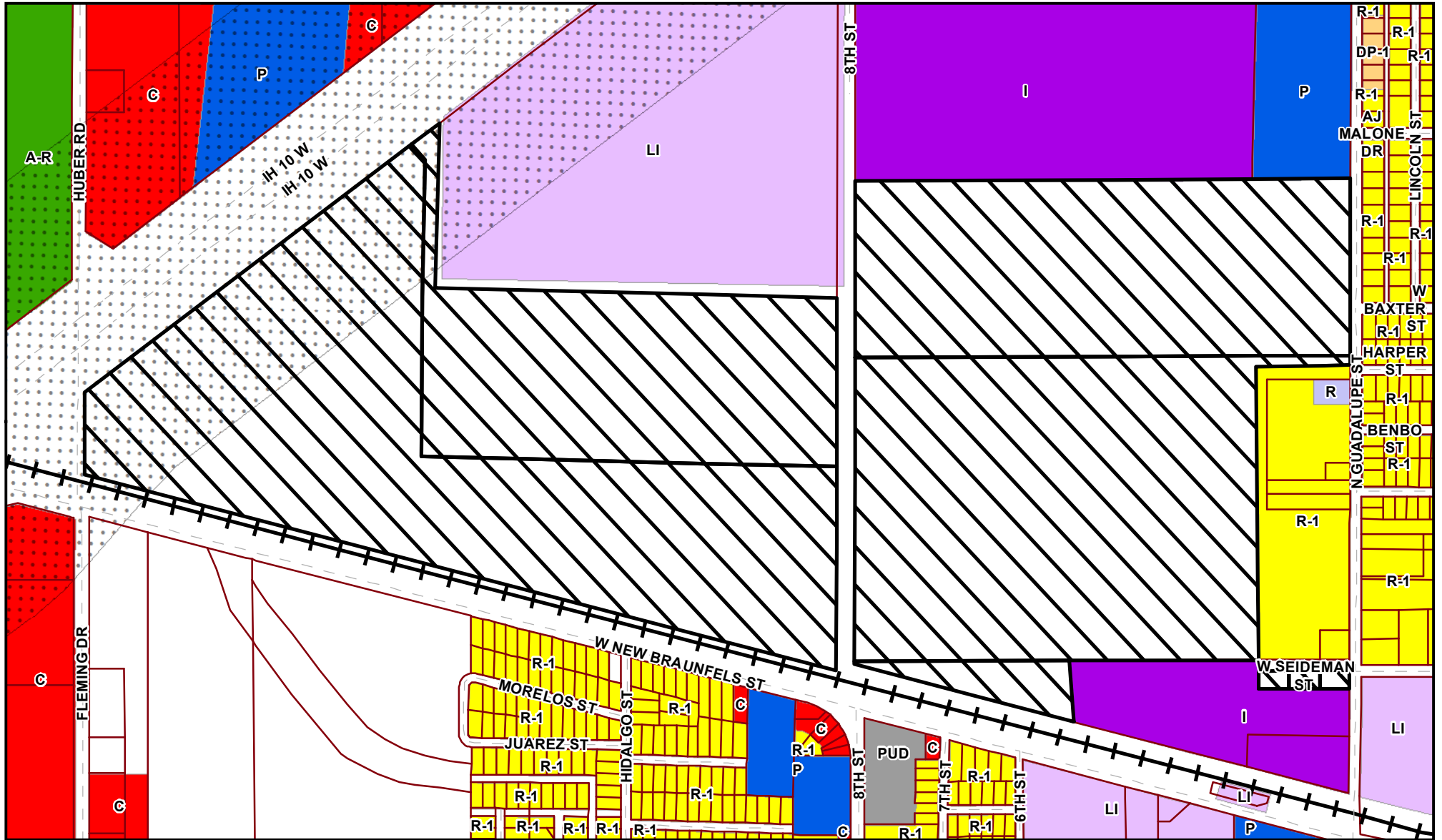
Lot Lines

1 inch = 584 feet

Printed: 6/4/2015

ZONING MAP

ZC 08-15: UDC Rezoning Group 1A



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

1 inch = 584 feet

Lot Lines

Printed: 6/4/2015