



Planning and Zoning Commission Report ZC 11-16

The following request was considered in conjunction with Zoning Change 11-16 during a public hearing at the Planning & Zoning Commission meeting on May 10, 2016:

ZONING CHANGE request from Commercial, Multi-Family 1, and Single-Family Residential to Public for the following properties in and along the Walnut Branch floodway: 13397, 14189, 14274, 14276, 14277, 14278, 14279, 14280, 14281, 14282, 14283, 14284, 14285, 14286, 14287, 14288, 14317, 14319, 14344, 14345, 14349, 14357, 14358, 14359, 14360, 14361, 14362, 14363, 14364, 14365, 14366, 14412, 14415, 14417, 14419, 14420, 14421, 14423, 14426, 14431, 14432, 44631, 44649, 44651, 44654, 45471, 45552, 45561, 46198, 46320, 46335, 46337, 51146, 51147, 51148, 51155, 51156, 51219, 51220, 51273, 51285, 51286, 51294, 51295, 51525, 51579, and 139074

Helena Schaefer presented the staff report starting with the history of the Walnut Branch floodplain reconstruction by the US Army Corp of Engineers and the securing of TxDOT funding for the hike and bike trail. As some of the properties along Walnut Creek are already zoned public and have part of the trail running through them, the City is requesting a rezone to public to “clean up” the zoning for those 78 properties that have another zoning designation. The 78 properties (72 are city-owned, 6 are owned by Texas Lutheran University) are located between W New Braunfels St to the Walnut Springs Linear Park. As most of the city-owned property along the creek falls into the 100 year flood zone and/or the floodway, the trail is the best use for the property and will provide a transportation corridor for pedestrian and cycling traffic. The front 150 feet of Park West along N Vaughan Ave was also being rezoned to match the remainder of the park that was rezoned to public in October 2015. Staff also mentioned that building any vertical structures in the 100 year flood zone and the floodway would have to meet all FEMA requirements. The Citizens’ Institute on Rural Design workshop held in November 2013 was also mentioned; participants of the workshop proposed amenities along the trail to include benches, water fountains, gardens, picnic areas, and other park related items.

Public notifications were mailed to 192 property owners on April 29, 2016. One written response was received from Robin V & Dotsy Dwyer, 906 W Court St., Seguin, TX 78155

“The hike and bike trail & PARK WEST are a huge urban planning positive and anchor for this area & neighborhood. We support this endeavor to cement the “creek” connection from New Braunfels St to DOWNTOWN and the zoning change just reinforces the permanent, positive change. RD”

Staff did receive phone calls about the rezoning request, but the adjacent property owners just wanted more information and provided no opinion (in favor or oppose) to the rezoning.

The Commission asked about the six TLU properties and if the TLU property that contained the drainage structure was zoned as Public. Staff responded that they had talked to TLU about the six properties and that the intended use of those properties is compatible with Public Zoning. The regular meeting was then 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 11-16, the Planning and Zoning Commission voted 7-0-0, to Recommend to City Council to Approve the Zoning Change request to Public.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO PUBLIC –
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 11-16 Walnut Branch Hike and Bike Trail Zoning Change C, MF-1, R-1 to P

Applicant:

City of Seguin
205 N River St
Seguin, TX 78155

Property Owner:

City of Seguin/TLU
Seguin, TX 78155

Property Address/Location:

In and along the Walnut Branch Floodway from W New Braunfels Ave to Walnut Springs Park.

Legal Description:

See property id list

Lot Size/Project Area:

Approx. 18.44 acres

Future Land Use Plan:

Central Township,
University, Historic City Center, Town Core 1

Notifications:

Mailed April 29, 2016
Newspaper April 24, 2016

Comments Received:

None to date

Staff Review:

Helena Schaefer
GIS Analyst

Attachments:

- Location Maps
- Existing Zoning Map
- Future Land Use Plan Map

REQUEST:

A Zoning Change request from Commercial, Multi-Family 1, and Single-Family Residential 1 to Public.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	C, MF-1, and R-1	TXDOT Bike and Hike Trail
N of Property	Multiple zones	Residences, businesses
S of Property	Multiple zones	Residences, businesses
E of Property	Multiple zones	Residences, businesses
W of Property	Multiple zones	Residences, businesses

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The City of Seguin acquired property along the Walnut Branch floodway in order to create the 2.5 mile Texas Department of Transportation’s (TXDOT) bike and hike trail. The trail is located between W New Braunfels Ave to the Walnut Springs Linear Park. All but six properties are under ownership by the City. The other six properties belong to Texas Lutheran University. Staff recommends approval of the zoning change as the properties are used for public use.

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The properties are currently zoned Commercial, Multi-Family 1 and Single-Family Residential. These properties are located in and along the Walnut Branch floodway and have a 2.5 mile concrete trail running between W New Braunfels Ave and Walnut Springs Park. The intent of the trail is to connect the park system. This rezone includes 68 properties; all but six properties belong to the City of Seguin. The other six properties belong to Texas Lutheran University and are located along Prexy Dr. The city owned properties were acquired to create the trail. As well, part of Park West and Walnut Spring Park are being rezoned to match the rest of the parks.

CODE REQUIREMENTS:

According to the UDC's Section 3.2.15, properties that are develop to encourage the use of unique areas especially suited for public assembly, meetings, recreational area, schools, places of worship, and similar uses can be zoned as public. As this trail is used for the general public for connectivity of the city from north and south via the park system, rezoning these properties would be applicable.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The majority of these properties run through neighborhoods. As the intent of the trail is to provide a safe path through the city and especially to the parks, rezoning the parcels to public is compatible with the existing land uses and the surrounding zoning.

COMPREHENSIVE PLAN:

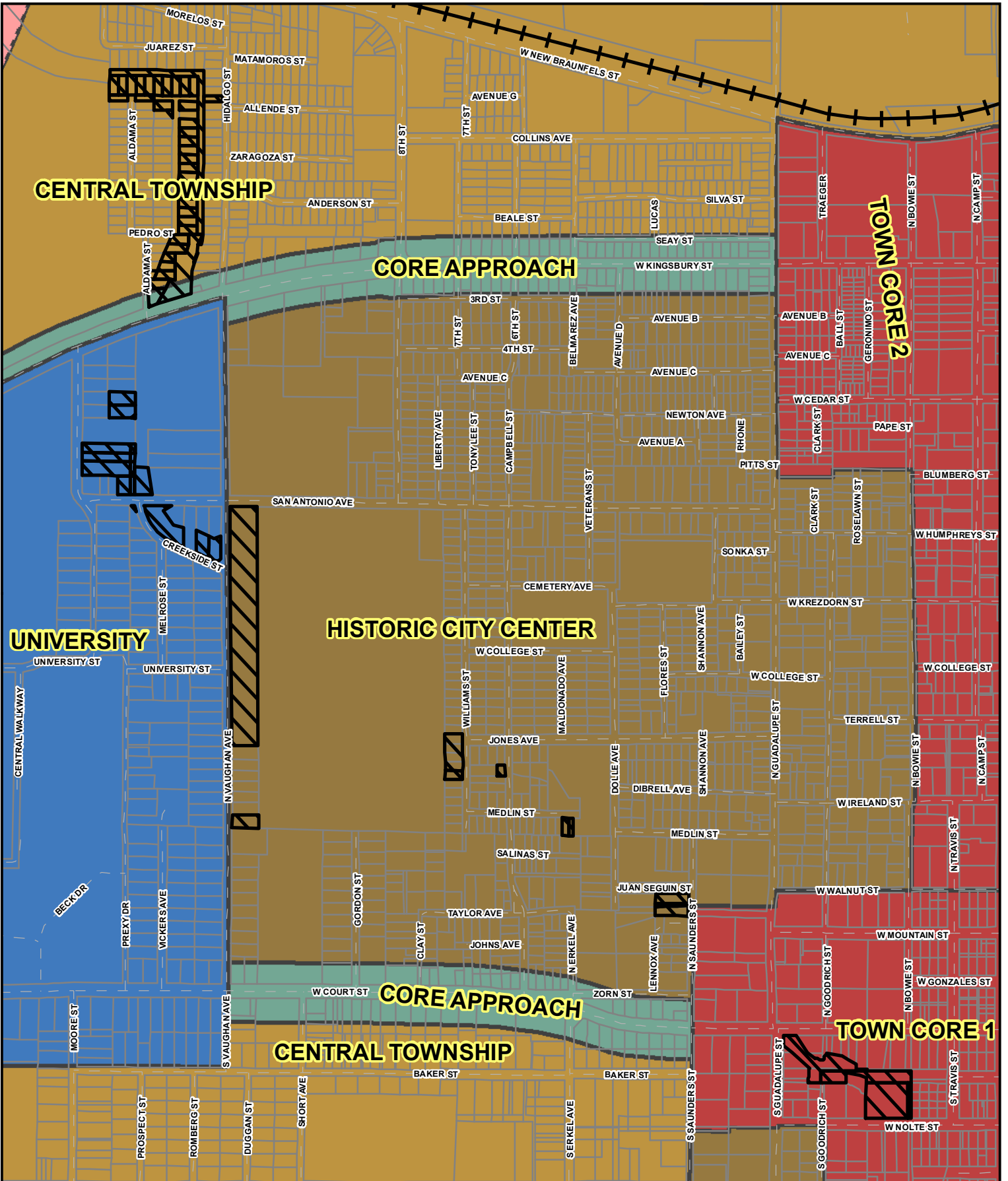
The properties fall into several future land use districts, to include Central Township, University, Historic City Center, and Town Core 1. Public zoning is "as of right" in all of these districts.

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 applicant. However, most of these properties are located near or in the Walnut Branch floodway. Due to the close proximity of the floodway and the possibility of flooding, the trail is a good use of these properties. No permanent structures can be built in the floodway without meeting FEMA requirements.

TRAFFIC (STREET FRONTAGE & ACCESS):

As the properties fall across the city, the parcels front a number of streets.



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Site Location



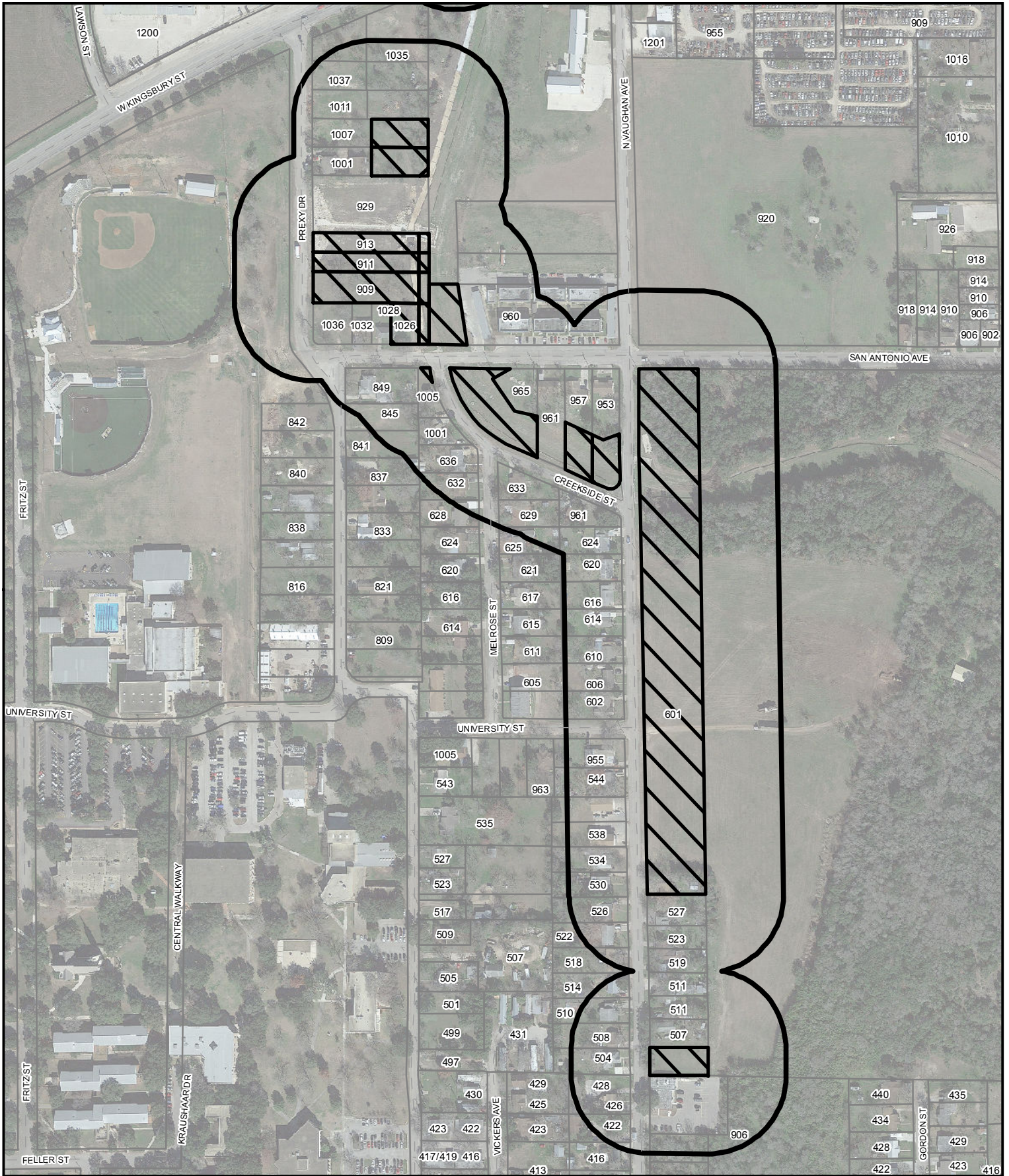
Lot Lines

1 inch = 715 feet

Printed: 3/16/2016

LOCATION MAP

ZC 11-16: Walnut Branch Hike/Bike Trail



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Site Location



200' Notification Buffer

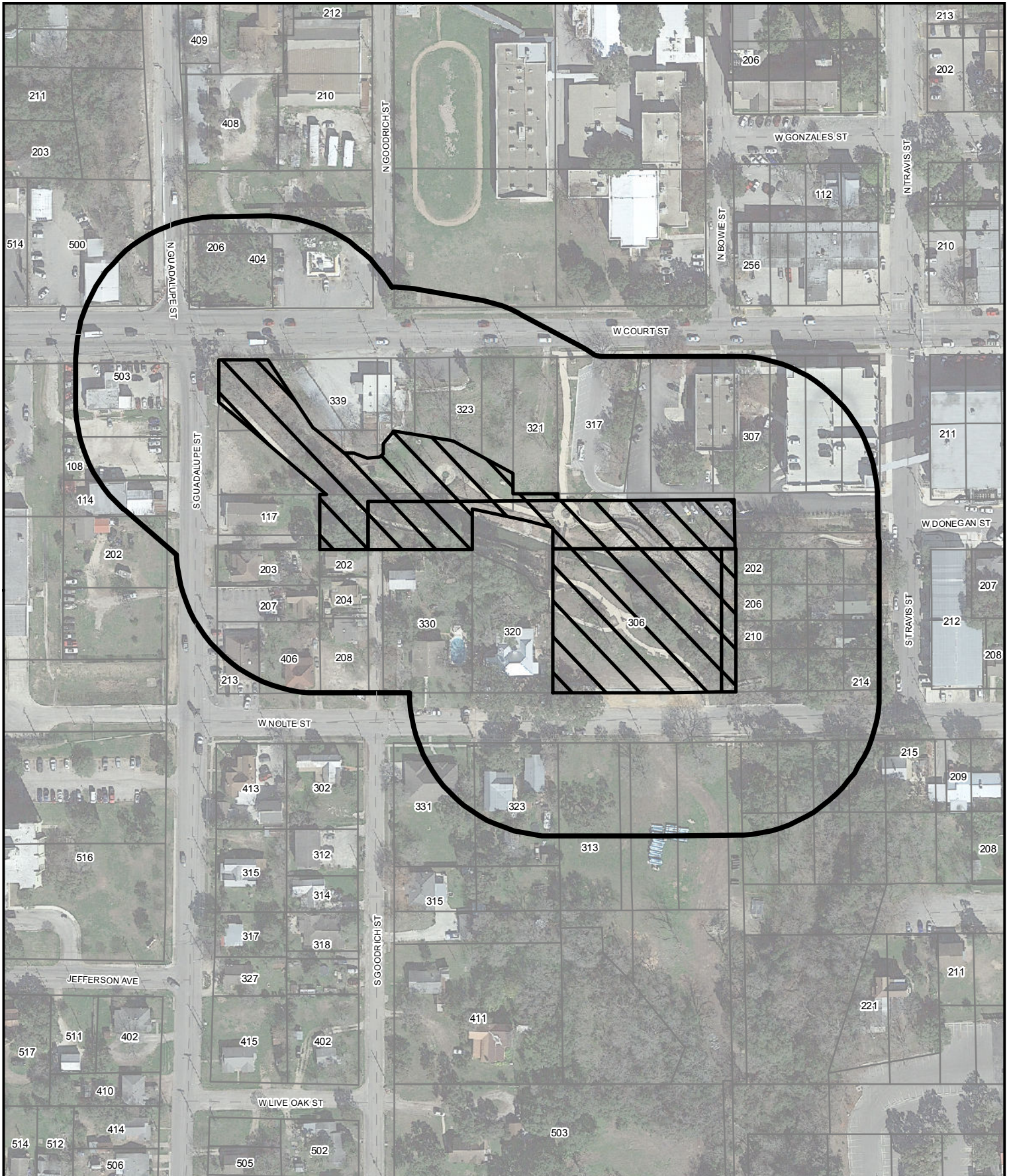
Lot Lines

1 inch = 325 feet

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LOCATION MAP

ZC 11-16: Walnut Branch Hike/Bike Trail



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Site Location



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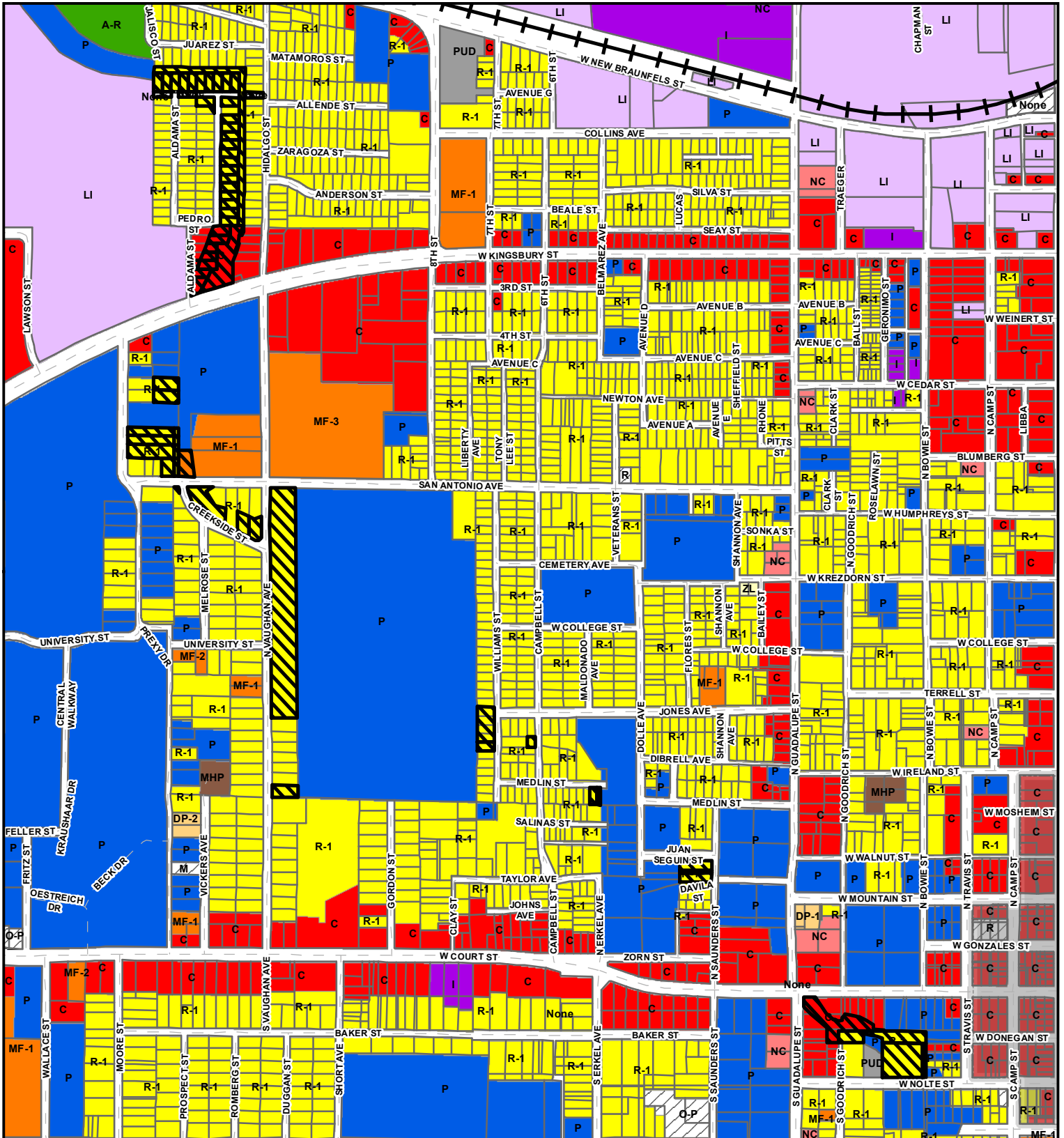
Lot Lines

1 inch = 177 feet

Printed: 3/16/2016

ZONING MAP

ZC 11-16: Walnut Branch Hike/Bike Trail



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

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Site Location



Lot Lines

1 inch = 782 feet

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