



Meeting Minutes

Planning & Zoning Commission

Tuesday, September 10, 2024

5:30 PM

Council Chambers

Public

1. **Call To Order**

The City of Seguin Planning and Zoning Commission met in Regular Meeting on September 10, 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:** 9 - Vice Chair Patrick Felty, Eddie Davila, Steven Berger, Chairperson Troy DePalermo, Joseph Pedigo, Bobby Jones III, Kelly Schievelbein, Yesenia Rizo, and Wayne Windle

3. **Approval of Minutes**

4. [24-452](#)

Approval of the Planning and Zoning Commission Minutes of the August 13, 2024 Regular Meeting.

**Indexes:**

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

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

4. **Consent Agenda**

[PC-0824-0056](#)

Possible Action on a request for a Final Plat for Hwy 123 Subdivision, Property Id 52689 (PC-0824-0056)

**Indexes:**

**This Action Item was approved**

[PC0824-0057](#)

Possible action on a request fir a Final Plat for Swenson Heights, Unit 5D, Property ID: 55293, 55187 (PC0824-0057)

**Indexes:**

This Action Item was approved

[PC-0824-0059](#)

Possible Action on a request for a Final Plat for JBB Properties Subdivision, Property Ids 52802 and 120617 (PC-0824-0059)

Indexes:

**A motion was made by Commissioner Pedigo, seconded by Commissioner Berger, that the consent agenda be approved. The motion carried by the following vote:**

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

**5. Public Hearings and Action Items**

**a. [ZC 12-24](#)**

Public hearing and possible action on a request for a zoning change from Commercial (C) to Single-Family Residential (R-1) for the property located at 1311 Aldama St., Property ID: 14416, (ZC 12-24)

Indexes:

*Melissa Zwicke presented the staff report. She stated that the property has its original zoning classification from the 1989 zoning process. The property has been used as a single family residence and is a legal non-conforming use. The request to rezone the property to Single Family Residential will allow the current use. The surrounding properties are also zoned commercial, however, are also residences that are legal non-conforming as well. In addition, the properties to the south and east are open space and owned by the City.*

*The property is located in the Traditional Residential Future Land Use District and is highly supportive of single family zoning. Ms. Zwicke stated that no health, safety, or general welfare issues were identified. Staff finds that the property meets the criteria for a zoning change.*

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

**A motion was made by Commissioner Schievelbein, seconded by Commissioner Pedigo, that the zoning change to Single Family Residential be recommended for approval. The motion carried by the following vote:**

**Aye** 8 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, and Windle

**Abstain** 1 - Rizo

**b. [24-449](#)**

Public hearing and possible action on amendments to the City of Seguin's Unified Development Code Section 3.4.3 Land Use Matrix, to add "Outdoor Concert Venue (Large and Small)" as a new use, and Chapter 7 (Definitions), to add "Outdoor Concert Venue (Large and Small)" into the definition section.

Indexes:

*Armando Guerrero presented the proposed amendments to the Unified Development*

Code Section 3.4.3 Land Use Matrix to include Outdoor Concert Venue and proposed amendments to Chapter 7, Definitions to also include Outdoor Concert Venue. Staff proposed Outdoor Concert Venue Small- in which there are less than 150 occupants and Outdoor Concert Venue Large- which there are 150 or more occupants. Mr. Guerrero stated that the amendments are being proposed so uses do not create adverse impact on adjacent properties. Outdoor Concert Venues shall only be permitted in Commercial and Light Industrial zoning. He stated that an approved Specific Use Permit (SUP) shall be required for an Outdoor Concert Venue that is defined as Large per the definition in Chapter 7. The SUP process will allow property owners within 200' of the proposed site the opportunity to voice any concerns to the Commission, and also allow the Commission to include additional requirements to protect the surrounding properties. He added that a SUP would not be required for small outdoor concert venues. Mr. Guerrero stated that the proposed amendments are to account for the growing popularity of live entertainment and concert events. Staff feels that addressing size requirements and requiring specific use permits is for the protection of the residents, attendees, venue workers, and first responders who will be attending, working, or servicing the event.

The Commission discussed and asked about venues currently hosting concerts such as the fairgrounds, traffic control, safety issues, the inclusion or exclusion of the Downtown District, the wording for the small and large outdoor concert venue and what number would be appropriate for each. Commissioner Felty stated that the wording should be changed from "in which there are less than 150 occupants" to "which the max occupancy is less than 150." The occupancy of the venue area was also discussed and noted that the occupancy would be for the outdoor area of the venue. Commissioner Jones asked about businesses that currently host outdoor events. Mr. Guerrero stated that businesses over the 150 outdoor occupancy would require an approved SUP. He added that the SUP's can be tailored to the specific venue and that the concert is a component to the business. He advised the Commission that the length of the SUP is determined by the Commission and can also be transferred to the new owners if the Commission prefers. A business can get a SUP for the entirety of the business or can be limited at the discretion of the Commission. The Commission asked what was the intent of the amendments.

Pam Centeno stated that the intent of the amendments is to protect the neighborhoods in which the businesses occur. She said that staff is not trying to make it difficult for businesses to operate but to protect the property owners in the nearby areas. She explained that the SUP is a one time permit that can be transferred. She stated that the Commission will approve the SUP and are allowed to place conditions. Mrs. Centeno stated that the noise is not the main issue, parking is the main concern for very large concerts. She explained the difference between an Outdoor Festival Permit and a Specific Use Permit. The Commission discussed small and large venues and SUP options. The Commission asked staff to research what other cities of similar size regarding their process, number of occupants and regulations.

The regular meeting recessed, and a public hearing was held. Suzanne Wynn, 425 Alta Vista Terrace stated that the City Attorney should be involved in writing the Ordinance and that public hearings should be held for public comment. She said she has lived in areas where outdoor venues were located and the music was very loud. There being no additional responses from the public the regular meeting reconvened for action.

**A motion was made by Commissioner Davila, seconded by Commissioner Pedigo, that the item be postponed to the October 8, 2024 Planning and Zoning Commission meeting. The motion carried by the following vote:**

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

c. [24-450](#)

Public hearing and possible action on amendments to the City of Seguin's Unified Development Code Sections 1.2.2, 1.4, 2.9, 2.9.1, 2.9.2, 2.9.11, and Chapter 7 (Definitions) to amend the delegation of plat approval responsibility as allowed by Chapter 212 of the Local Government Code.

**Indexes:**

*Armando Guerrero presented the proposed amendments. He explained that the proposed amendments would delegate the approval responsibility of Final Plats. He pointed out that the State Law, Chapter 212 of the Local Government Code has changed to allow city staff to approve final plats. The proposed amendment would allow final plats to be approved administratively and would not require approval from the Planning and Zoning Commission. All plats are still required to abide by the UDC and Technical Manual. The approval of the UDC Amendment would allow submittal of Final Plat would be consistent with the minor plat submittal and would have a more streamlined process for applicants, and allow staff to process and review more efficiently.*

*Pamela Centeno stated that the change is due to the State Law changing the delegation to approval final plats. She stated that staff has discussed the changes with management and the change would allow all plats to follow the same process. She added that all regulations would still require approval from the Commission. She explained that if a plat that meets all regulations, the Commission is required to approve the plat. She further explained state law concerning plat review process and conditional approval of plats. Ms. Centeno explained that submittal of final plats required submitting on a certain date due to the 30 day review timeline. She added that the proposed amendment would eliminate the final plat submittal date, which would begin the review process sooner. Commissioner Rizo stated that the proposed amendments would allow the review process of final plat to be complete sooner. Commissioner Windle felt the proposed amendments would save time for the developers. Commissioner Felty stated he would be more comfortable with citizens having the opportunity for public comments on final plats. Pamela Centeno explained different options for final plat being approved by the Commission and other final plat being approved administratively based on number of lots.*

*The regular meeting recessed, and a public hearing was held. Suzanne Wynn, 425 Alta Vista Terrace spoke in opposition of the proposed amendment stating that there should be public input. There being no additional responses from the public the regular meeting reconvened for action.*

*The Commission felt that final plats will fewer lots should be administratively approved so that the applicant would not have to wait of full month for approval. Mrs. Centeno mentioned plats with new roads to be considered by the Planning Commission.*

*The Commission suggested postponing the agenda to the October 8, 2024 meeting to allow staff to research other cities on how they process final plats.*

**A motion was made by Vice Chair Felty, seconded by Commissioner Davila, that the Item be postponed to the October 8, 2024 Planning and Zoning Commission meeting to allow staff to provide additional options of which Final Plats would be considered for approval by the Commission. The motion carried**

by the following vote:

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

**6. Adjournment**

There being no further discussion before the Planning and Zoning Commission, the meeting adjourned at 6:49 p.m.

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Troy DePalermo, Chair  
Planning and Zoning Commission

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Francis Serna  
Recording Secretary