



Planning and Zoning Commission Report ZC 02-16

The following request was considered in conjunction with Zoning Change 02-16 during a public hearing at the Planning & Zoning Commission meeting on February 9, 2016:

ZONING CHANGE request from Office-Professional (O-P) and Retail (R) to Neighborhood Commercial (NC) for the following properties in the UDC Rezoning Group 6A: 16425, 51578, 59420, 59421, 127928, 127929, and 129921

Helena Schaefer presented the staff report. Prior to specific zoning, staff gave a presentation about the intent of O-P and R in the old zoning ordinance and how these two zoning districts were consolidated into one district, NC in the UDC. Property owners also received prior notification of the City's intent to rezone these properties. Staff requested feedback from the property owners to ensure that the appropriate zoning is proposed for the property.

Public notifications were mailed to 62 property owners on January 29, 2016. 1 response was received in favor.

Barbara Upper, 360 S State Hwy 123 Bypass

"This brings the property into compliance with new zoning classification"

There were no questions from the Commission. 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 02-16, the Planning and Zoning Commission voted 6-0-0, to Recommend to City Council to Approve the Zoning Change request to Neighborhood Commercial.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO NEIGHBORHOOD COMMERCIAL –
MOTION PASSED 6-0-0**

Dora Toungate
Planning Assistant

ATTEST: Pamela Centeno
Director of Planning/Codes



City of Seguin
 Planning/Codes Department
 Staff Report

ZC 02-16
UDC Rezoning for Office-Professional and
Retail
Group 6A

Applicant:

City of Seguin

Property Owner(s):

See attached list of property ownership.

Property Address/Location:

Group 6A are properties located along W Martindale, N King, E Walnut, and Eastwood Dr

Legal Description:

See Attached Prop. ID List

Lot Size/Project Area:

8.33 acres

Future Land Use Plan:

Historic City Center, Community Node

Notifications:

Mailed January 29, 2016
 Newspaper January 24, 2016

Comments Received:

Update at P&Z meeting

Staff Review:

Helena Schaefer
 GIS Analyst
 Feb 3, 2016

Attachments:

- Group 6A 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	SEE ATTACHED MAPS
Subject Property	O-P, R	Various land uses including residential, commercial, and vacant.	
N of Property			
S of Property			
E of Property			
W of Property			

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

With the adoption of the Unified Development Code, two zoning districts (Office-Professional and Retail) were consolidated into one zoning, Neighborhood Commercial. There are 38 properties that were zoned either Office-Professional or Retail. The seven parcels in Group 6A were all zoned as Office-Professional, except for Prop Id# 16425 (which was rezoned as Retail.)

Staff has evaluated the parcels in Group 6A with consideration of the current land uses, property owners' input, any previous zoning change request, 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 6A is one of five (5) areas that require rezoning due to the consolidation of the “Office-Professional” and “Retail” zoning classifications in the Unified Development Code. The case is to determine the zoning districts for Group 6A. There are 7 parcels in this group and are located along W Martindale, N King, E Walnut, and Eastwood Dr.

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 7 parcels were all rezoned to Office-Professional or Retail from its original zoning.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties in Group 6A are proposed as Neighborhood Commercial due to the close proximity of each parcel to a residential area and/or “like” commercial uses.

COMPREHENSIVE PLAN:

The properties are within the Historic City Center, and Community Node 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 City in this group.

TRAFFIC (STREET FRONTAGE & ACCESS):

The properties in Group 6A are located along W Martindale, N King, E Walnut, and Eastwood Dr.

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.

INDIVIDUAL REZONING ANALYSIS AND HISTORY:

Property ID 51578 (W Martindale@N Austin) – This is a vacant lot that was rezoned in May 1994; the request was to rezone from PD to O-P. The applicant, who was the property owner at the time, stated “No one will buy the land for building a house, and I would like to build an office building for my business.” Since that rezone, the applicant no longer owns the property and the lot hasn’t experienced any development. The properties to the immediate north and west were recently rezoned from PD to NC in 2015 during the first round of UDC rezone. Rezoning this property to NC would be appropriate and compatible due to the close proximity to the residential area.

Property ID 129921 (N King@E Cedar St) – This is another vacant lot that was rezoned in November 2006 from Mixed to O-P. The applicant was proposing to develop this lot for office use. No development has occurred and the applicant is still the property owner. As part of the outreach to the property owners prior to the P&Z meetings, the property owner called to ask questions about the new zoning classification. He stated that there was a perspective client that wants to construct a dry cleaning service. This is an appropriate use for the NC district. Staff reminded him that the property would have to meet all development standards. Rezoning this property to NC would be compatible with the proposed development and given the close proximity to the residential area.

Property ID 16425 (1074 E Ireland St) – This 0.26 acre lot has a converted residential structure which is currently being used as a beauty salon. The property owner originally requested a zoning change from Mixed to Commercial in June 2001. The Planning Director at the time explained that the less intrusive “Retail” district would be a better use of this property vs the more heavy commercial uses allowed in the “Commercial” district that might be incompatible

with the nearby residential area. Given the current use of the structure, the close proximity of the residential area along E Ireland, Staff agrees with the past Staff's recommendation to keep a less intrusive, neighborhood friendly commercial use and rezone the property to NC.

Property IDs 59420 & 59421 (1342 E Walnut St) – This is the Walnut Medical Plaza. These two lots were rezoned in May 1999 from Multi-Family to O-P. The applicant sought the zoning change for a proposed medical/professional office use. One of the parcels was developed as a medical office complex. This use is allowed in the NC district. The other parcel remains vacant. With a zoning district of NC, any development allowed in this district would be compatible with the surrounding land uses (the Summer Bend apartments, The Church of Christ, and the new Walnut Grove apartments) and the existing zoning. Staff recommends NC for these two parcels.

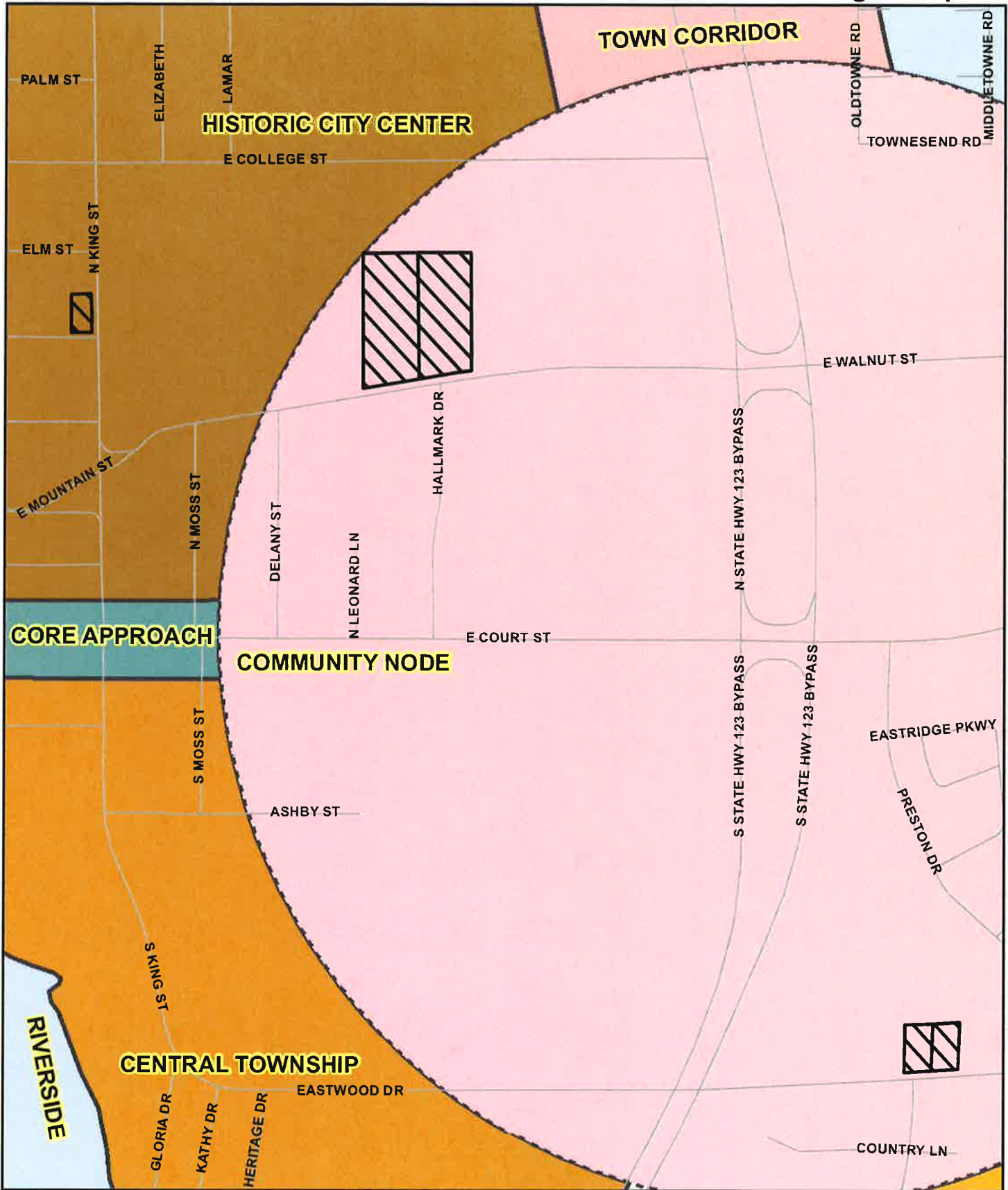
Property IDs 127928 & 127929 (1460 Eastwood Dr) – These two lots were rezoned in February 2006 from Light Industrial to O-P. This request was a downzoning issue, but Staff, at the time, found that the existing LI zoning could have a negative impact on the surrounding residential areas (Countryside Addition, The Willows, and Sagewood Park East subdivisions). The applicant was proposing to build a dentist office, which has been constructed – Seguin Smiles. This is an appropriate use for the NC district and “fits” in with the surrounding land uses.

Property List for ZC 02-16

Property ID	Physical Address	Zoning
16425	1074 E IRELAND ST	NC
51578	W MARTINDALE ST@N AUSTIN	NC
59420	1342 E WALNUT ST	NC
59421	1342 E WALNUT ST	NC
127928	1460 EASTWOOD DR	NC
127929	1460 EASTWOOD DR	NC
129921	N KING@E CEDAR ST	NC

FUTURE LAND USE MAP

ZC 02-16:UDC Rezoning Group 6A



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.

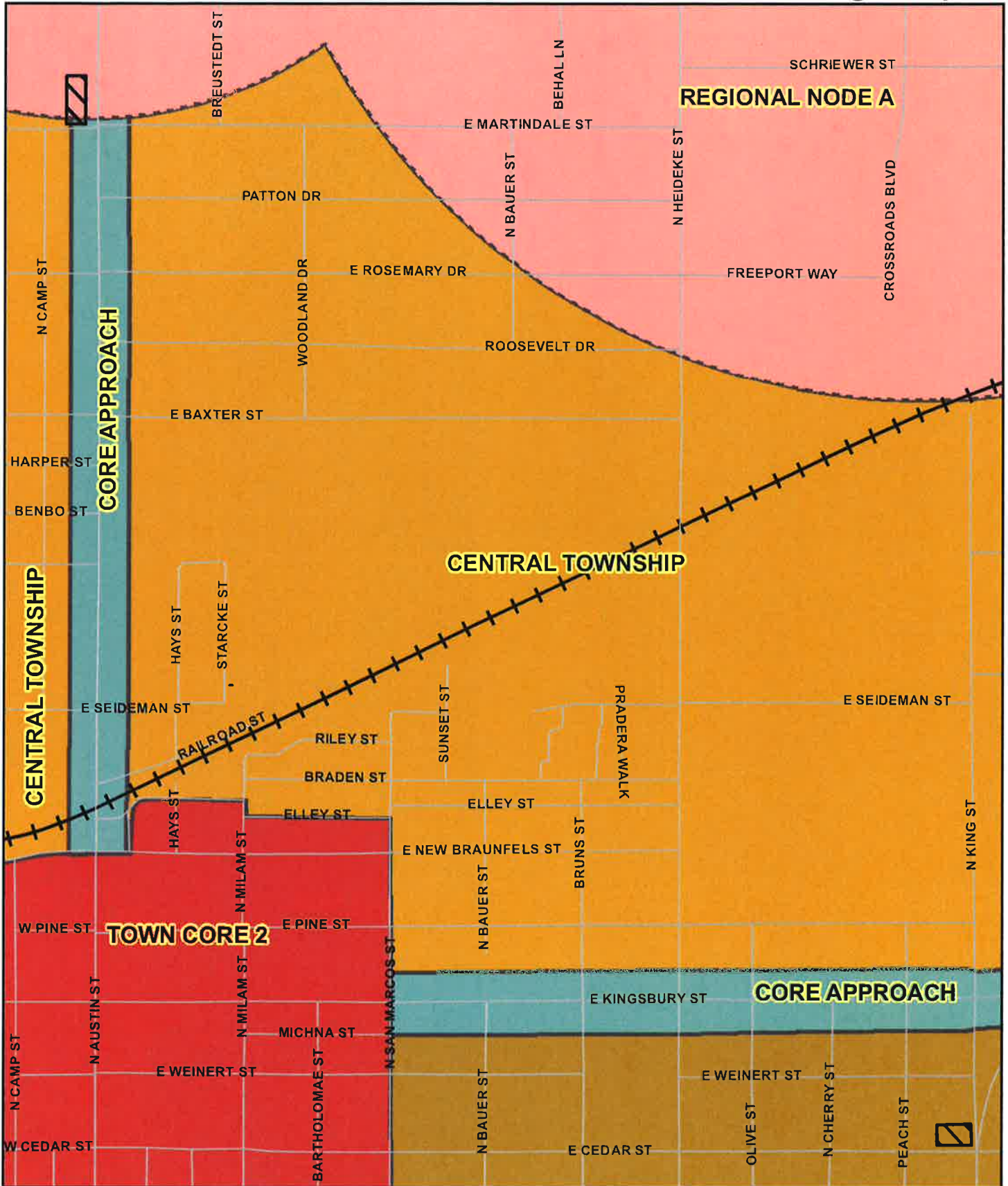
Site Location

1 inch = 550 feet

Printed: 12/17/2015

FUTURE LAND USE MAP

ZC 02-16:UDC Rezoning Group 6A



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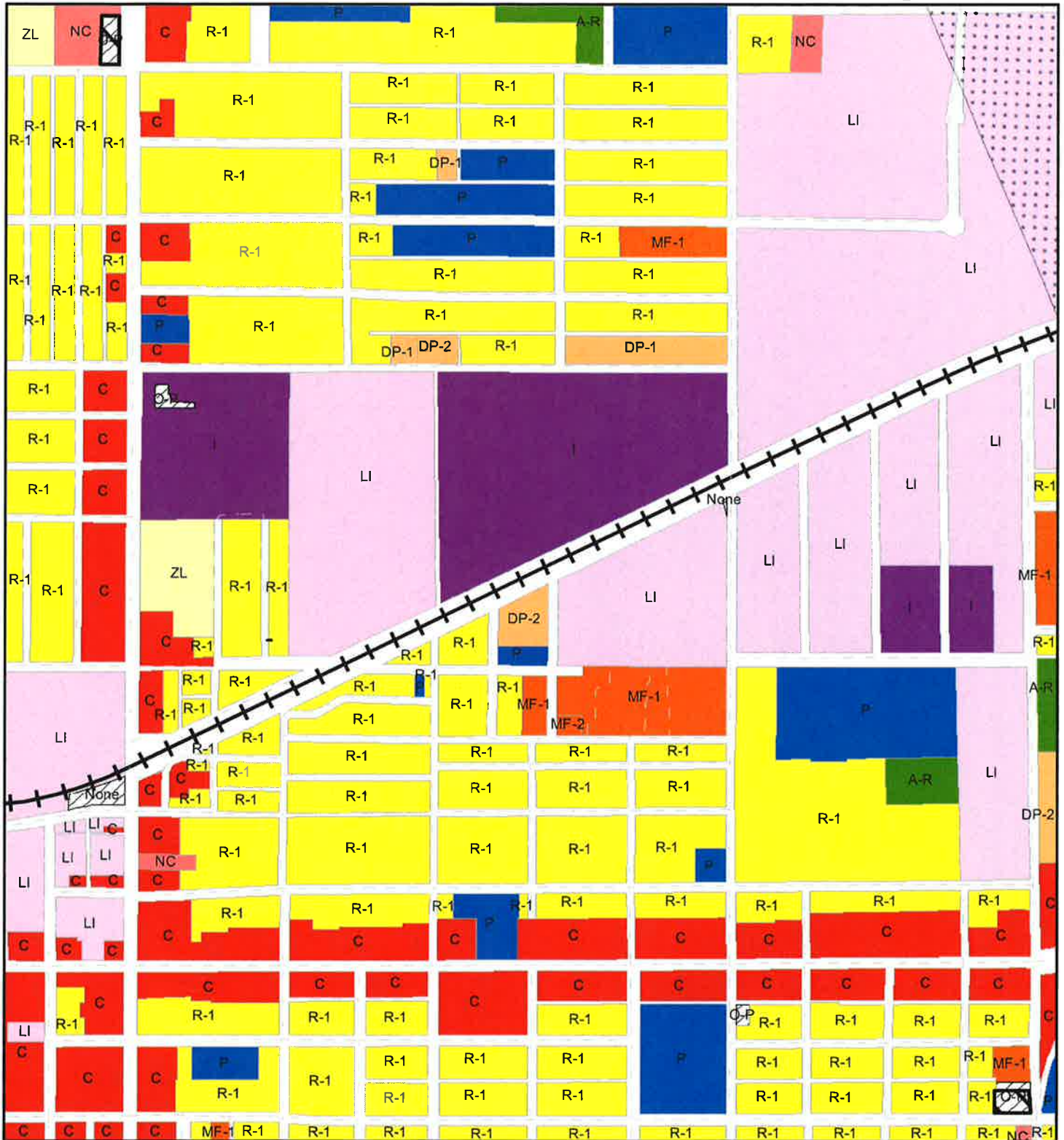
Site Location

1 inch = 667 feet

Printed: 12/17/2015

ZONING MAP

ZC 02-16: UDC Rezoning Group 6A



- | | | | |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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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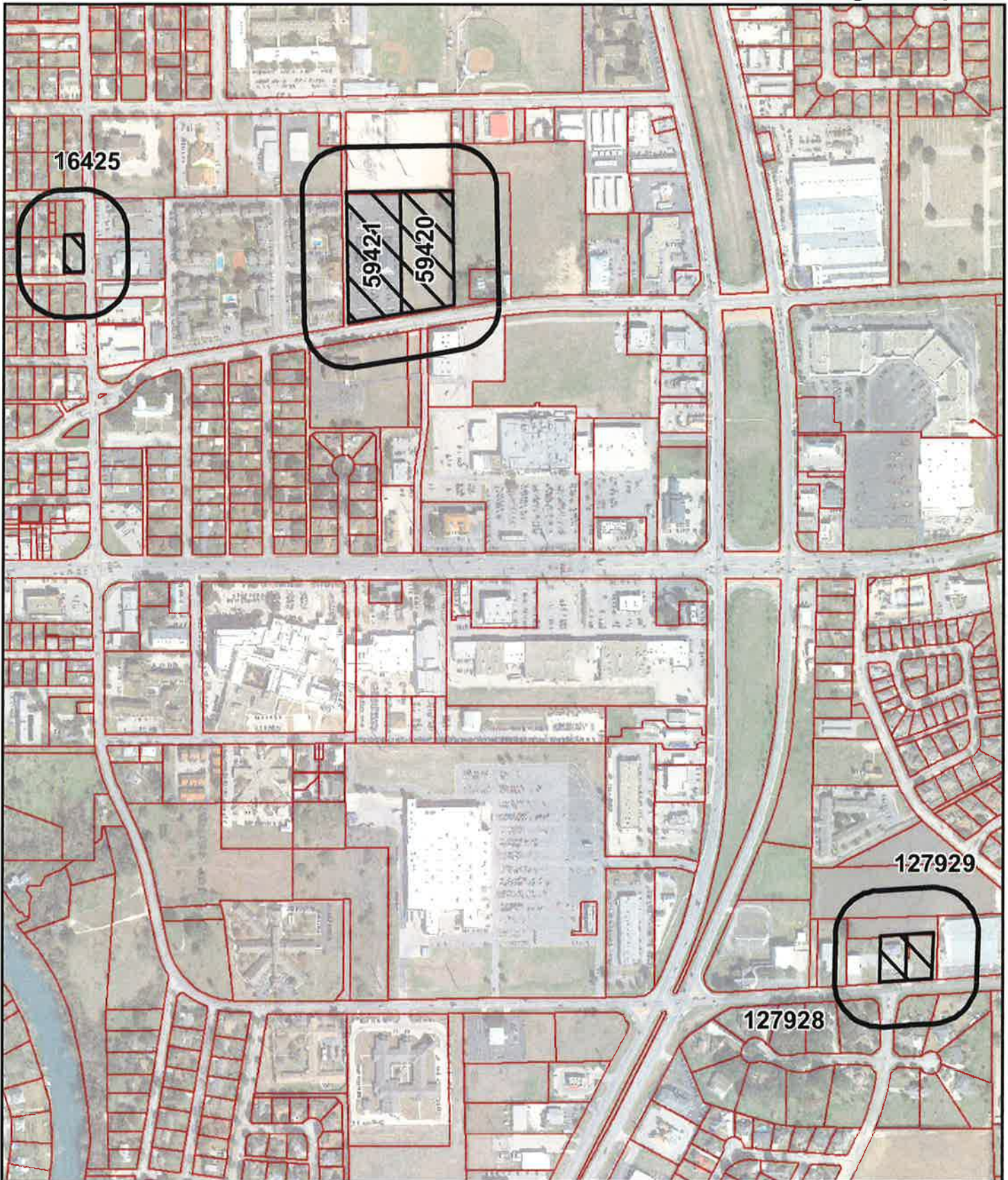
Site Location

1 inch = 683 feet

Printed: 12/17/2015

LOCATION MAP

ZC 02-16: UDC Rezoning Group 6A



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Site Location



200' Notification Buffer



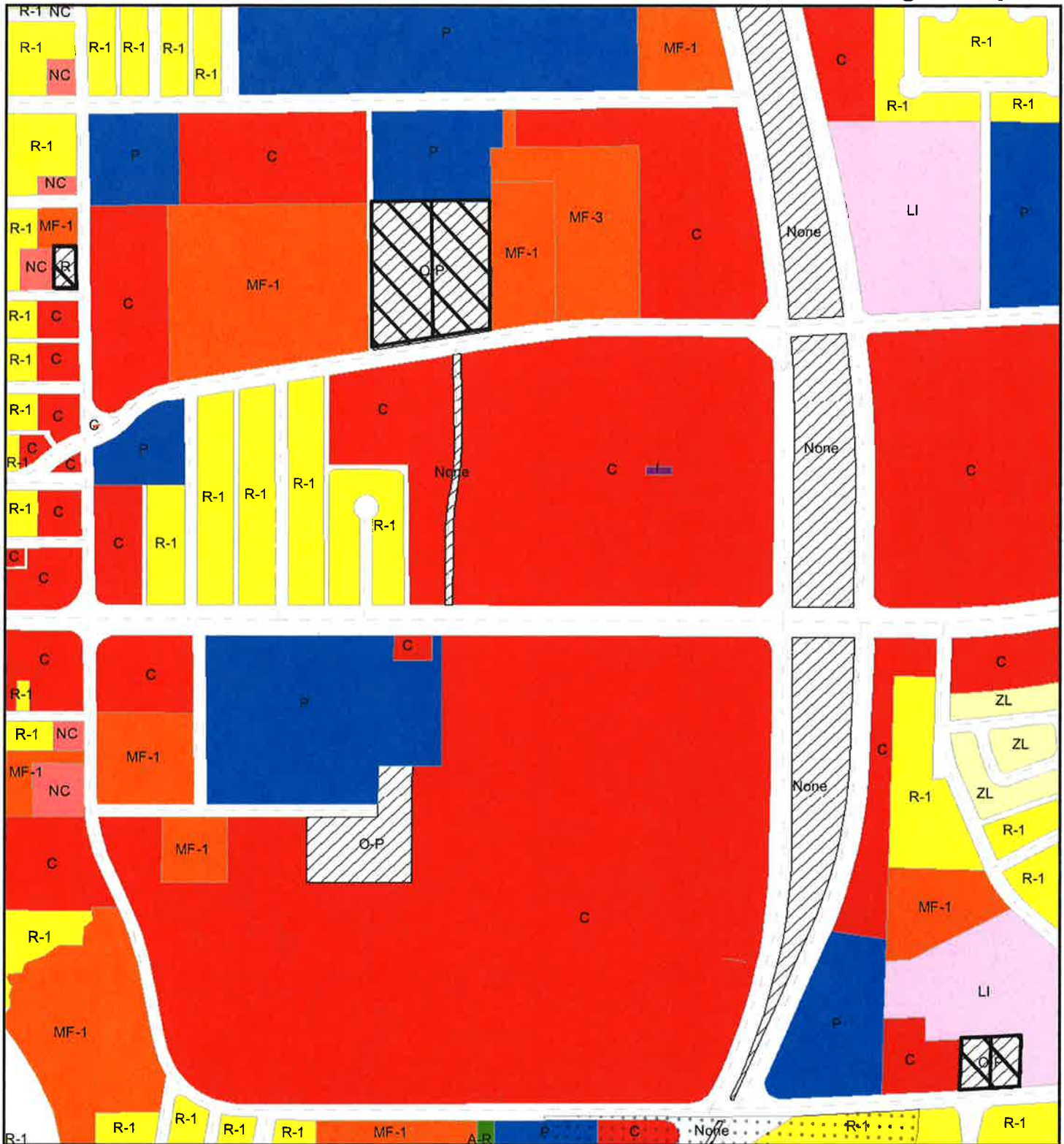
Lot Lines

1 inch = 567 feet

Printed: 1/20/2016

ZONING MAP

ZC 02-16: UDC Rezoning Group 6A



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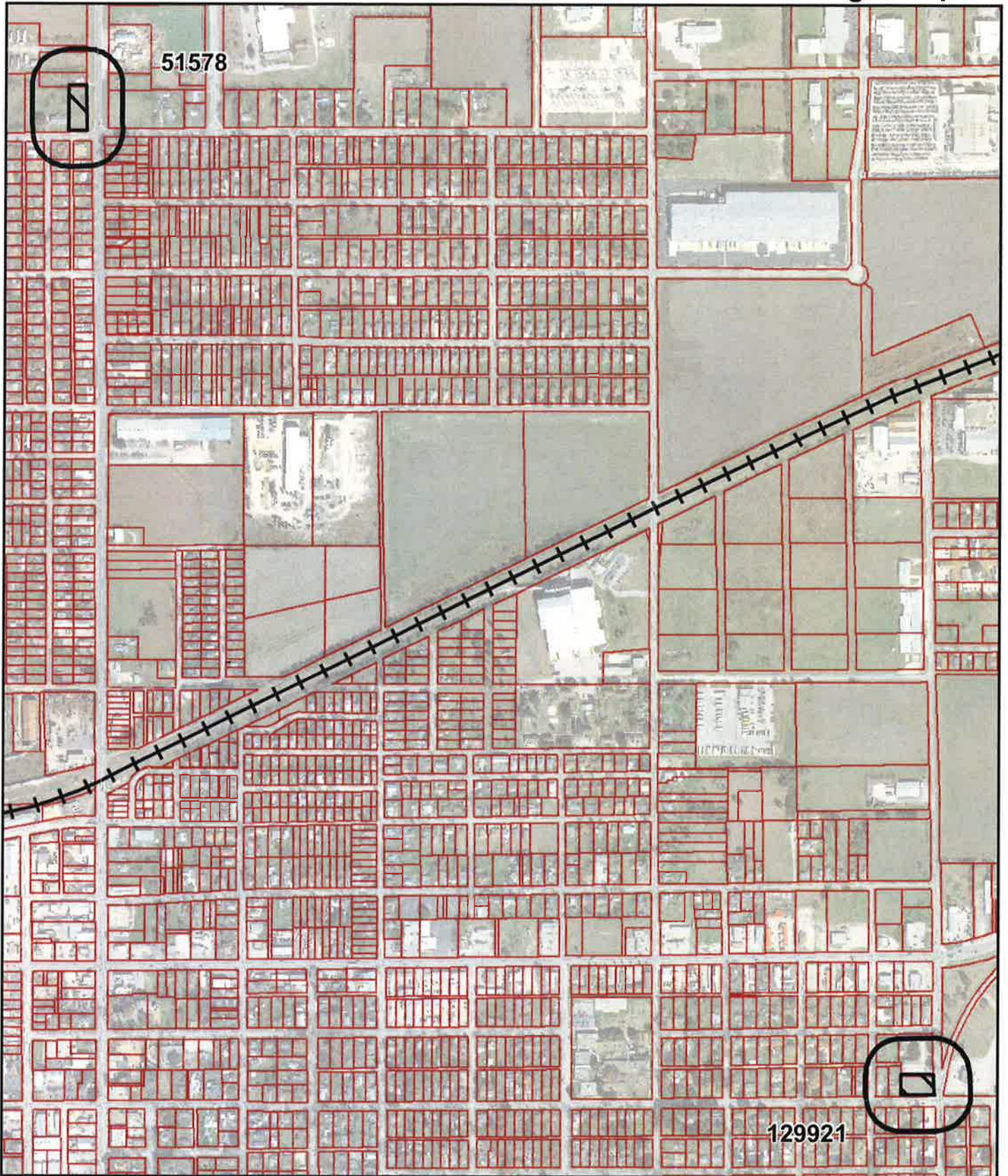

Site Location

1 inch = 533 feet

Printed: 12/17/2015

LOCATION MAP

ZC 02-16: UDC Rezoning Group 6A



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Site Location



200' Notification Buffer



Lot Lines

1 inch = 700 feet

Printed: 1/20/2016