



PLANNING & CODES

Planning and Zoning Commission Report

ZC 03-26

A request for Zoning Change 03-26 from Single-Family Residential (R-2) and Commercial (C) for a property of 15.005 acres out of an existing 30.597-acre tract of land. The 15.005-acres are along the frontage of State Hwy 46 and Jefferson Avenue is currently undeveloped and still in abstract.

Kyle Warren, Planner, presented the staff report. He stated that the case was postponed from January's Planning and Zoning Commission meeting and advised that he would be brief with the presentation.

Mr. Warren stated the 15.005-acre tract of land is located near the intersection Of Jefferson Ave and SH 46 zoned both Commercial and Single-Family Residential. The request was for Multifamily-3, High Density Multifamily for the entire 15 acres. He reminded the Commission that the maximum allowable number of units in the zoning district was 20, and that the applicant said they were only going to have 17 units per acre.

Mr. Warren reminded the Commission that the proposed use was inconsistent with both the FLUPs. Traditional Residential by maximum units allowed (20) and Commercial Corridor because Multifamily needs to be by two arterial street. He noted that the University Center FLUP was adjacent to the property, across Jefferson Avenue which is supportive of Multifamily High-Density zoning.

Mr. Warren stated that if the apartments were developed, the property would have a double-sided planting buffer of 30 feet for a three-story complex, against the single-family zoned properties to the east and south.

Mr. Warren advised the Commission that two additional letters regarding the case were received since the last meeting, one in favor with nothing noted and one in oppositions with a note of concern for an increase in crime and congestion. The previous two letters of opposition touched on potential drainage issues a new development could bring to the area.

The regular meeting recessed, and a public hearing was held. A representative of the applicant and attorney Rob Killen of Killen, Griffin & Farrimond, LLC gave a presentation on behalf of the zone change request. Mr. Killen presented his power point which touched on Traffic impact, site analysis, walkability, potential community and economic benefits, a City Grant for sidewalk infrastructure, and renderings of the project. Mr. Killen also proposed that a deed restriction would be created to put a density cap of 17 units per acre and would be recorded prior to the first city council meeting of March if the zoning change were approved.

The applicant, Karly Gast then approached the podium to answer questions from the Commission on market studies for the project concerning demand, growth patterns, and income levels. She said 255 units were being proposed for working/middle class income levels.

No more questions for the applicant were had.

Carlos Moreno from Habitat for Humanity spoke on the case, asking for support of the project as it was Habitat's land that was in question for the zone change. He said Kittle aligned with their outlook of trying to provide affordable housing for Seguin.

Elizabeth McCowan from Habitat for Humanity also came forward in support of the zoning change as would allow Habitat to fulfill their mission and vision.

Maddeline Zwicke, with Habitat for Humanity approached the Commission. Chair Patrick Felty asked her how this large multifamily development would affect the ability to build single family homes on the remaining 15 acres to the south?

Michael Taylor, also from Habitat, came to the podium to address the question. He said the mix of affordable single-family homes as well as for force apartment housing would certainly benefit Habitats goals for Seguin. He also stated that Habitat's ability to develop the site without the sale of the 15 acres in question would be very limited. He said the remaining 15 acres would be reserved for 4 acres of retail commercial and 11 acres of single-family zoning.

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

Chair Felty asked staff if the grant for sidewalks was on Ermel Street or SH 46. Jennifer Shortess, Assistant City Engineer, stated the grant is a safe route to school grant through TxDOT and the Alamo area MPO and is a concrete trail from B&B road to Kingsbury Street along SH 46. She then stated it would be in construction from 2029-2031.

After consideration of the staff report and all information given regarding Zoning Change (ZC 03-26), Vice-Chair Davala moved that the Planning and Zoning Commission recommended approval of the zoning change from Single-Family Residential (R-1) and Commercial (C) to Multifamily High-Density (MF-3) for property located near State Hwy 46 and Jefferson Ave. Commissioner Windle seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE THE ZONING CHANGE TO MULTIFAMILY HIGH DENSITY (MF-3)

MOTION PASSED

6-1-0


Francis Serna, Planning Assistant


ATTEST: Kyle Warren, Planner



PLANNING & CODES

**ZC 03-26 Staff Report
Near SE Corner of SH 46 & Jefferson Ave.
Zoning Change from R-2 & C to MF-3**

Applicant:

Kelly & Griffin & Farrimond,
PLLC for-
Kittle Property Group Inc.
10101 Reunion Place, Suite
250
San Antonio, TX 78204

Property Owner:

Hand-Up Homes LLC
311 Probandt
San Antonio, TX 78204

Property Address/Location:

SE Corner of SH 46 &
Jefferson Ave.

Legal Description:

ABS: 11 SUR: J D CLEMENTS
30.597 ACS
Property IDs: 52779

Lot Size/Project Area:

15.005 acres out of 30.597
acres

Future Land Use Plan:

Traditional
Residential/Commercial
Corridor

Notifications:

Mailed: January 28, 2026
Newspaper: January 25,
2026

Comments Received:

3 letters in opposition

Staff Review:

Kyle Warren
Planner

Attachments:

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

REQUEST:

The applicant is requesting a zoning change from Single-Family Residential (R-2) and Commercial (C) to Multi-Family High Density (MF-3)

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	R-2/C	Undeveloped
N of Property	C/MF-1	Retail uses/apartments
S of Property	R-2	Undeveloped
E of Property	R-2	Single-family homes
W of Property	C	Retail uses

SUMMARY OF STAFF ANALYSIS:

The applicant is requesting a zoning change from Single-Family Residential (R-2) and Commercial (C) to Multi-Family High Density (MF-3) on 15.005 acres out of an existing 30.597-acre tract of land. The 15.005-acres being requested along the frontage of State Hwy 46 and Jefferson Ave. is currently undeveloped and still in abstract.

A zoning change to Multi-Family High Density (MF-3) on the 15.003-acre portion shown is not recommended in either of the Future Land Use Plans (Traditional Residential & Commercial Corridor) the property is in due to the density. To the north and northeast of the property, across Jefferson Avenue there are four multifamily properties in use around 20 acres. For all multifamily zoning, the code states "It is best to avoid more than 25 acres of contiguous land having a multifamily component." That said, the property is within walking distance of TLU and has a bus stop nearby on Jefferson Ave. to support the argument for walkability for the added density. Lastly, the adjacent multifamily zoned areas are within the University Center FLUP which is supportive of high density multifamily developments.

CRITERIA FOR ZONING CHANGE:

Consistency with the future land use plan – Inconsistent. The majority of the property is within the Traditional Residential district which states: "Multifamily homes are appropriate if contributing to district walkability and less than 12 units per acre". In this case walkability could be met with sidewalks on Jefferson Ave. and a bus stop a few blocks east. Density would not be met, however, with a maximum of 20 units an acre allowed in MF-3 zoning. The remaining area of the zone change request falls in the Commercial Corridor district, which states: "Appropriate if near intersections of two arterial (or higher classification) streets, schools, or major employers, or if focused on walkability to nearby commercial amenities." In this case the property is not fronted by two arterials, as Jefferson Ave. is only a collector.

Compatible with existing and permitted uses of surrounding property – Existing and surrounding use is Single-family zoning and use on the entire east and south sides. Multifamily zoning in the form of MF-1 is across Jefferson Ave at West Wind apartments, and MF-3 is nearby with Pecan Grove apartments, to the northeast. Commercial zoning is across SH 46 and northwest across Jefferson Ave. with uses including a tire repair shop, self-storage, and an insurance company. If approved this area can be seen as one of transition from the commercial corridor of SH 46 to the single-family residences east of the property.

Adverse impact on surrounding properties or natural environment – An increase in traffic in the area, as this is the highest density residential zoning type in Seguin.

Proposed zoning follows a logical and orderly pattern – Existing development in the area supports zoning and use. Multifamily zoning tends to fit best with other Multifamily zoning as well as commercial zoning, to allow for more area density and walkability. However, as mentioned earlier, the code does state that having more than 25 acres of contiguous multifamily use should be avoided (in this case the total would be 35 acres).

Other factors that impact public health, safety or welfare – Traffic increase due to the increase in density.

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The requested 15.005 acres is out of an existing 30.597-acre tract of land. The 30.597 acres is along the frontage of State Hwy 46 and Jefferson Ave. and is currently undeveloped and still in abstract.

CODE REQUIREMENTS:

A zoning change to MF-3 would be required in order to construct multi-family dwelling units within this 15.003-acre portion of property. MF-3 zoning allows for a maximum of 20 dwelling units per acre, and would be required to go through the development process seen in the Unified Development Code (UDC) regarding landscaping, parking, setbacks, screening/buffering, drainage, Traffic Impact Analysis (TIA), etc.

Additional buffering distance would be required between any new multi-family development and adjacent properties that are zoned for single-family residential dwellings. Setback distance and location of tree buffer will be determined by the height of the proposed multi-family structure. Requirements, details, and illustrations can be found in the “Multi-Family Buffering” document in Chapter 5 – Site Development Process of the City’s Technical Manual.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

Existing and surrounding use is Single-family zoning and use on the entire east and south sides. Multifamily zoning in the form of MF-1 is across Jefferson Ave at West Wind apartments, and MF-3 is nearby with Pecan Grove apartments, to the northeast. Commercial zoning is across SH 46 and northwest across Jefferson Ave. with uses including a tire repair shop, self-storage, and an insurance company.

COMPREHENSIVE PLAN:

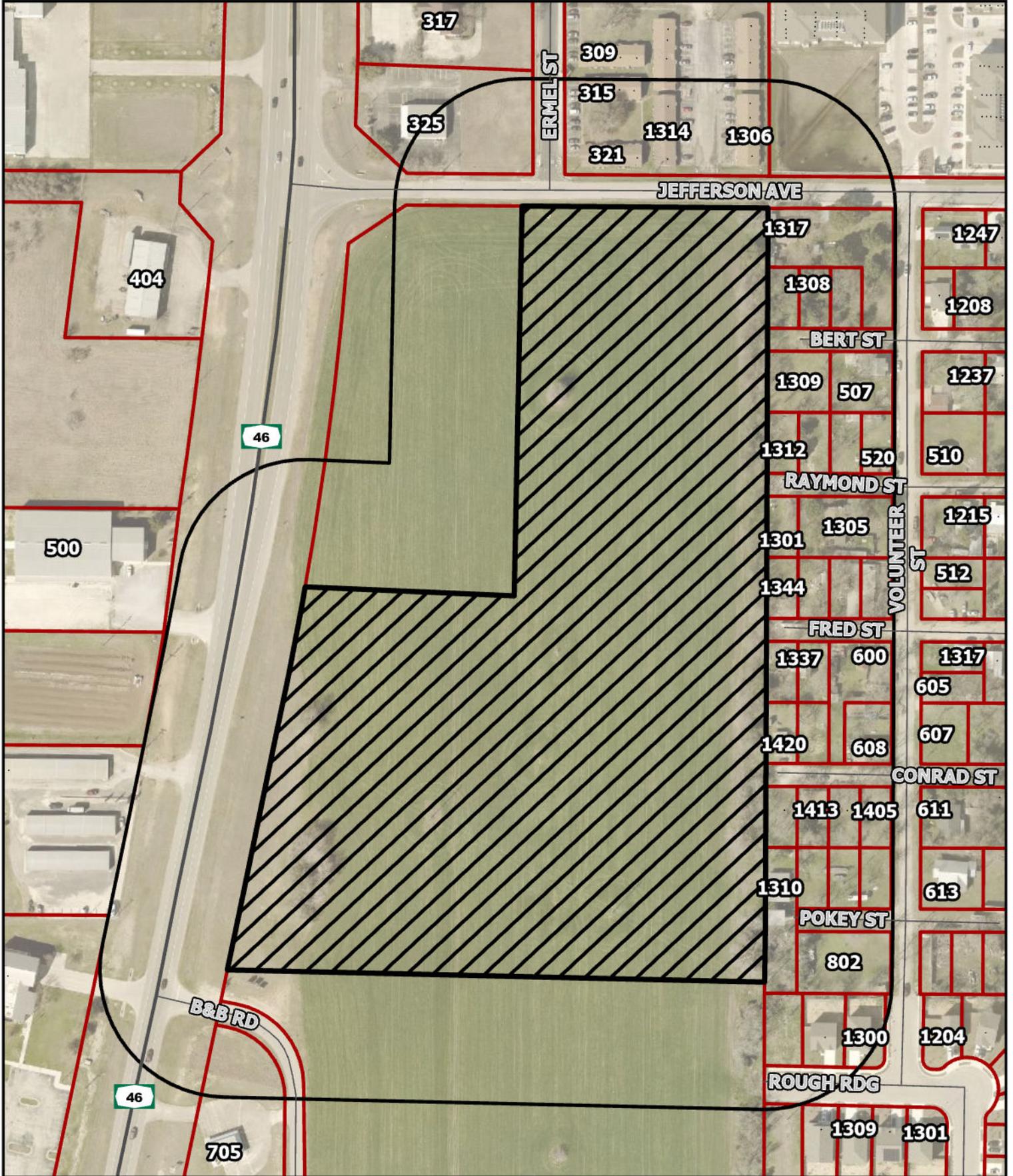
This property is located within both the Traditional Residential and Commercial Corridor FLUPs. Traditional Residential speaks to residential density stating: “Development within Suburban Residential areas should consist of low- to medium density residential homes facing local streets. Medium-density residential forms might exceed individual lot coverage, provided the overall development is consistent with the maximum allowable intensity.” Commercial Corridor FLUP states: Commercial Corridors should focus on attracting vehicular-based traffic and providing a buffer between larger thoroughfares and residential development. Limited residential development may be suitable in this classification when secondary to commercial development.

HEALTH, SAFETY, AND GENERAL WELFARE: (Protection & preservation of historical, cultural, and environmental areas.)
Traffic due to the increase in density. Traffic requirements will be determined during the TIA review of the development process.

TRAFFIC (STREET FRONTAGE & ACCESS):
This site contains street frontage off both SH 46 and Jefferson Ave.

LOCATION MAP

ZC 03-26 near SE corner of Jefferson Ave. and SH 46



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.



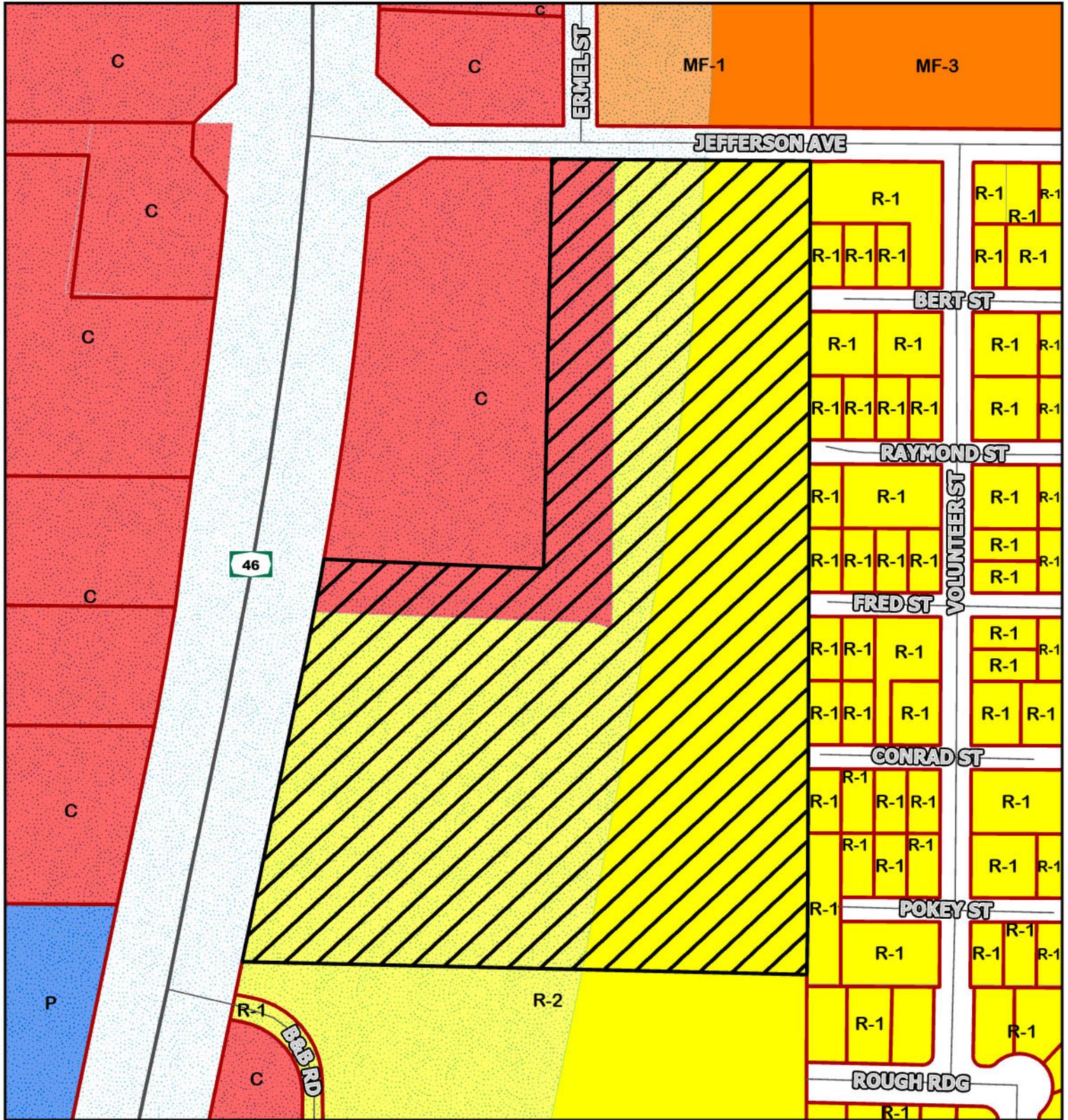
- 200' Buffer
- Parcel
- Site Location

1 inch = 200 feet

Printed: 12/11/2025

ZONING MAP

ZC 03-26 near SE corner of Jefferson Ave. and SH 46



- | | | | | |
|----------------------|--------------------------|--------------------------|-----------------------------|----------------------------|
| Agricultural - Ranch | Light Industrial | Manufactured Home Park | Single Family Residential 1 | Zero Lot Lines |
| Commercial | Manufactured-Residential | Neighborhood Commercial | Single Family Residential 2 | Corridor Overlay Districts |
| Duplex 1 | MultiFamily 1 | None | Rural Residential | ROW |
| Duplex 2 | MultiFamily 2 | Public | Suburban Residential | |
| Industrial | MultiFamily 3 | Planned Unit Development | | |

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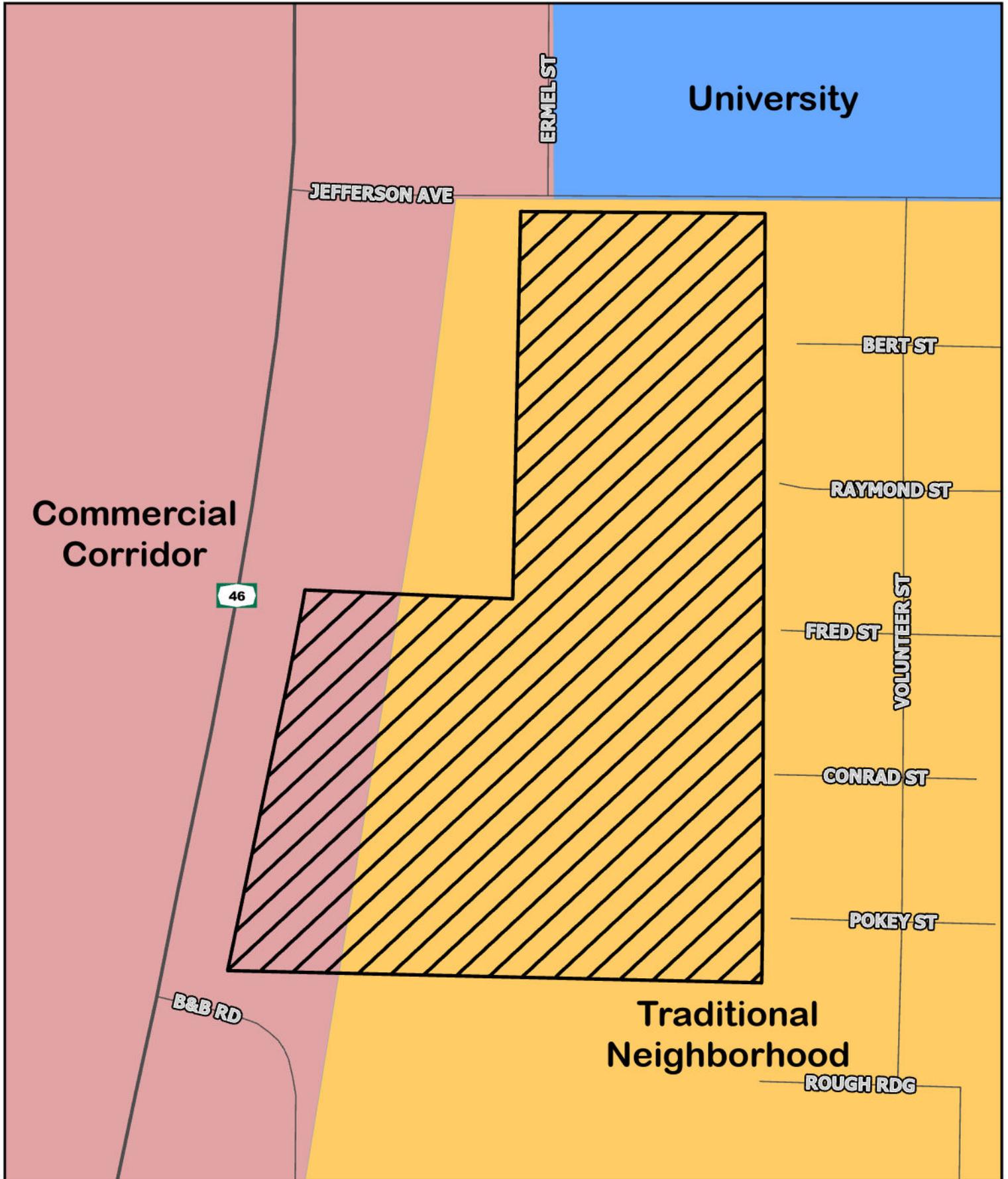
Site Location
 Parcel

1 inch = 200 feet

Printed: 1/2/2026

FUTURE LAND USE MAP

ZC 03-26 near SE corner of Jefferson Ave. and SH 46



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Site Location



Parcel

1 inch = 200 feet

Printed: 1/2/2026

kw

To be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

REPLY
Near the SE Corner of Hwy. 46 and Jefferson Ave.
Property ID 52779
(ZC 03-26)

Name: Arlene V. Harris

Mailing Address: _____

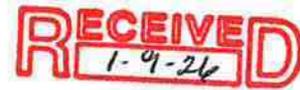
Phone No.: _____

Physical Address of property (if different from the mailing):
520 Volunteer St

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor _____

Opposed



Reasons and/or comments _____

rw

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REPLY
Near the SE Corner of Hwy. 46 and Jefferson Ave.
Property ID 52779
(ZC 03-26)

Name: Frutoso + Susan Baldevas

Mailing Address: _____

Phone No.: _____

Physical Address of property (if different from the mailing):
Same

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor _____

Opposed



Reasons and/or comments We are opposed because ever since the Pecan Grove Apts. were built, our house and yard floods every time it rains. The retention pond is and drainage are inadequate.

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REPLY

Near the SE Corner of Hwy. 46 and Jefferson Ave.

Property ID 52779

(ZC 03-26)

RECEIVED
2.4.26

Name: Chris Hampe

Mailing Address: _____

Phone No.: _____

Physical Address of property (if different from the mailing):
507 Volunteer

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor _____

Opposed

Reasons and/or comments _____

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REPLY
Near the SE Corner of Hwy. 46 and Jefferson Ave.
Property ID 52779
(ZC 03-26)



Name: Cone BioProducts of Seguin, LLC

Mailing Address: _____

Phone No.: _____

Physical Address of property (if different from the mailing):

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor

Opposed

Reasons and/or comments We are opposed to Multi-Family High Density zoning for Property ID 52779. We believe that this should be zoned Commercial for security and safety reasons.