

MEMORANDUM

To: City of Seguin Mayor and Council Members
Douglas Faseler, City Manager

From: Pamela Centeno, Director of Planning & Codes

Through: Rick Cortes, Assistant City Manager

Subject: **ZC 16-19 (409 N. Austin Street)**
Zoning Change from Commercial to Neighborhood Commercial

Date: October 29, 2019

A request has been made to rezone the property located at 409 N. Austin Street, which is the site of a Bed & Breakfast known as the Olivia Mansion (formerly known as the Mosheim Mansion). The property is zoned Commercial and is located within the Downtown Historic District. The owner has the property listed for sale and would like to make it available for residential use for interested buyers by rezoning it to Neighborhood Commercial. The Neighborhood Commercial zoning district allows use of a property for a single-family residence or a neighborhood-friendly commercial use.

The City's zoning regulations allow a more suitable option for this property in which a Specific Use Permit can be obtained to allow the use of an existing house as a residence in a Commercial zoning district. The adjacent zoning districts and land uses to the north, south, and west are commercial. Staff finds that Commercial zoning is the most appropriate zoning for this property. As noted, future use of the existing structure as a residence can be obtained with the approval of a Specific Use Permit. A Specific Use Permit can be issued with conditions to ensure that the character and integrity of the Downtown Historic District is upheld and that the use of this property as a residence remains compatible with the surrounding commercial uses.

Staff presented their recommendation to deny the zoning change to the Planning and Zoning Commission at their regular meeting on October 8, 2019. A public hearing was held with no response from the public. The Commission voted to recommend denial of the zoning change request to Neighborhood Commercial. Attached please find copies of the Staff Report, the Final Report of the Commission, and the map exhibit showing the affected area. Also attached is a copy of the Zoning Ordinance for the request being considered. A vote of 3/4 of the members of City Council is required to overrule the Planning and Zoning Commission's recommendation for denial.