



PLANNING & CODES

Planning and Zoning Commission Report ZC 05-18

A request for Zoning Change Designation 05-18 was considered during a public hearing at the Planning & Zoning Commission meeting on April 10, 2018:

ZONING CHANGE DESIGNATION TO SINGLE FAMILY RESIDENTIAL (R-1) FOR AREA 1 ANNEXED INTO THE SEGUIN CITY LIMITS, BEING APPROXIMATELY 170.68 ACRES SITUATED IN THE A MANSOLA SURVEY, AB. 29, ON FM 725 WITH PROPERTY ID NUMBERS 129486 (LOT 1, DEER MEADOW SUB.), 129487 (LOT 2, DEER MEAD SUB.), 29459 (LOT 1, KRISTINE'S CORNER SUB.), 58174, AND 58287.

Pamela Centeno presented the staff report. She stated that the City of Seguin is the applicant of the request. She explained that the property is a new annexed area into the Seguin city limits effective April 1, 2018. Ms. Centeno advised the Commission that in considering zoning designations, staff evaluates the properties for consistency with the Comprehensive Plan and any community, neighborhood, or other applicable land use and development plans; zoning should be compatible with existing and permitted use of surrounding properties, the zoning should not have an adverse impact on surrounding properties or the natural environment, zoning should result in a logical and orderly development pattern and should take into consideration public health, safety and welfare. Ms. Centeno explained that there are five properties in the area that were annexed. Three of the properties have existing single family residences fronting on FM 725. The existing structures on the three properties are grandfathered. The two larger tracts in the back are undeveloped but the property owner is proposing to subdivide the property for new development. It has been noted in emails that the property owner's intention is to make it a subdivision for manufactured housing. Ms. Centeno gave an overview of the zoning and land use of surrounding properties. She stated that property to the east is the undeveloped Sky Valley Subdivision which is zoned for a single family residential subdivision, property to the east is Vogel Elementary, and property to the south is a new single family residential development. The preliminary plat for the tract to the south of FM 725 has been approved and Unit 1 is currently under review and the construction of homes and roads are scheduled to begin later this year. The properties are located in the Riverside, Conservation, and Emergent Residential future land use districts. The Riverside District is a buffer around the Guadalupe River. She pointed out that not much of the property is located in the floodplain. She explained that one of the larger tracts is within the Conservation District due to the tree coverage. The City has a tree protection ordinance that restricts site-clearing of properties for subdivision development. The southern

portion of the area is in the Emergent Residential District, which is most consistent with the surrounding zoning districts. Residential use is the most predominant land use in these areas. All properties take access from FM 725 which is a TxDOT ROW. Ms. Centeno stated that the area is part of a growing residential area. The future development of this site should take into consideration the surrounding land uses and zoning districts. Staff recommended a zoning designation of Single Family Residential (R-1) for all five tracts located in the recently annexed area.

Pamela Centeno advised the Commission that staff provided them a letter received this afternoon from an Attorney representing the owner of the two vacant tracts. Andy Quittner, City Attorney stated that the letter received is a dispute by the property owner and is a separate issue than the zoning designation request to be considered by the Commission. He explained that the applicant submitted a application plat for single family residential and nothing was mentioned about a manufactured housing development. Mr. Quittner stated that the plat application was submitted by someone who was not the owner at the time of submittal. No owner authorization from the property owner was submitted. He pointed out that the primary concern of the Commission is the zoning designation of the property.

The regular meeting was then recessed and a public hearing was held. There being no responses from the public the regular meeting reconvened.

Public notifications were mailed on March 29, 2018 and published in the newspaper on March 25, 2018. No comments were received.

After consideration of the staff report and all information given regarding Zoning Change Designation 05-18 Commissioner Gettig moved that the Planning and Zoning Commission recommend approval to City Council of the Zoning Designation Request to Single Family Residential (R-1). Commissioner Kirchner seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE ZONING CHANGE TO SINGLE-FAMILY RESIDENTIAL-1.

MOTION PASSED

7-0-0



Francis Serna
Planning Assistant



ATTEST: Pamela Centeno
Director of Planning and Codes



PLANNING & CODES

**ZC 05-18 Staff Report
FM 725 – 170.68 acres
Zoning Change to R-1**

Applicant:

City of Seguin
205 N River St
Seguin, TX 78155

Property Owners:

MDG-Rio V Limited,
George Mead, Federal
National Mortgage
Association, Cirilo & Carmen
Valles

Property Address/Location:

FM 725 west of SH 46 and
FM 725 intersection

Legal Description:

Abs: 29, A Mansola Survey;
Lots 1, 2 of Deer Meadow
Subdivision; and Lot 1 of
Kristine’s Corner Subdivision

Lot Size/Project Area:

Approx. 170.68 acres +/-

Future Land Use Plan:

Emergent Residential,
Conservation, & Riverside

Notifications:

Mailed March 29, 2018
Newspaper March 25, 2018

Comments Received:

None

Staff Review:

Pamela Centeno
Director of Planning & Codes

Attachments:

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

REQUEST:

A Zoning Change designation to Single Family Residential (R-1) for a newly annexed area.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	Annexed – no zoning	Two (2) large tracts- vacant, undeveloped property Three (3) small tracts- existing residential
N of Property	Outside City Limits	Springs Hill Water Supply, Guadalupe River and Lake Placid Dam
S of Property	R-1	Arroyo Ranch Subdivision (residential development in early stages of development)
E of Property	R-1 and Public	Farm land (Undeveloped Sky Valley Subdivision) and Vogel Elementary
W of Property	Outside City Limits	Residential

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

This area is part of a growing residential area. There are two subdivisions proposed for development to the south and east of the area. The timeline for development to the east is uncertain, but the development to the south is slated to begin construction this year. Also, an existing elementary school is immediately adjacent to the largest tract in this area.

The future development of this site should take into consideration the surrounding land uses and zoning districts. Consistent with the surrounding zoning districts, staff is recommending a zoning designation of Single Family Residential (R-1) for all five tracts located in this recently annexed area.

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

Effective April 1, 2018, five properties were annexed as part of Area 1. Three of the properties have existing single-family residences. One of these lots, the westernmost lot that fronts FM 725, has more than one residence on the lot. All existing structures will be grandfathered as legal nonconforming uses. The two larger tracts are currently undeveloped, but the new property owner is proposing to subdivide the tracts into a new development. The developer has noted in previous communications with the City that his intentions are to make it a residential subdivision that allows manufactured homes.

CODE REQUIREMENTS:

In considering zoning designations, staff evaluates the properties on the following criteria:

1. The proposed zoning should be consistent with the Comprehensive Plan and any community, neighborhood, or other applicable land use and development plans;
2. The proposed zoning should be compatible with existing and permitted use of surrounding properties;
3. The proposed zoning should not have an adverse impact on surrounding properties or the natural environment;
4. The proposed zoning should result in a logical and orderly development pattern; and
5. The proposed zoning should take into consideration public health, safety, and welfare.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

This area along FM 725 is residential in nature. The areas to the west and north across the river have existing residential areas. To the east is the undeveloped Sky Valley Subdivision, which is zoned for single-family residential development. Also to the east is Vogel Elementary. To the south, and across FM 725, is the Arroyo Ranch Subdivision. This subdivision is also zoned for single-family residential development. The preliminary plat for Arroyo Ranch has been approved and Unit 1 of the subdivision is currently under review.

COMPREHENSIVE PLAN:

The properties are in the Riverside, Conservation, and Emergent Residential future land use districts.

The northern portion of the subject area is in the Riverside District due to the presence of the Guadalupe River and the importance of preventing increased flood incidences. In the Comprehensive Plan, the Riverside district was created as a buffer to the river. In viewing the FEMA floodplain maps, you will see that this section of the river floods to the north. Very little of the area is within the FEMA floodplain. In addition, this area is not adjacent to the Guadalupe River. There is a buffer of approximately 600' with the existing Springs Hill Water Supply tract north of this area.

A portion of one of the larger tracts is within the Conservation district due to the tree coverage. The City of Seguin has a tree protection ordinance that restricts site-clearing of properties for subdivision development.

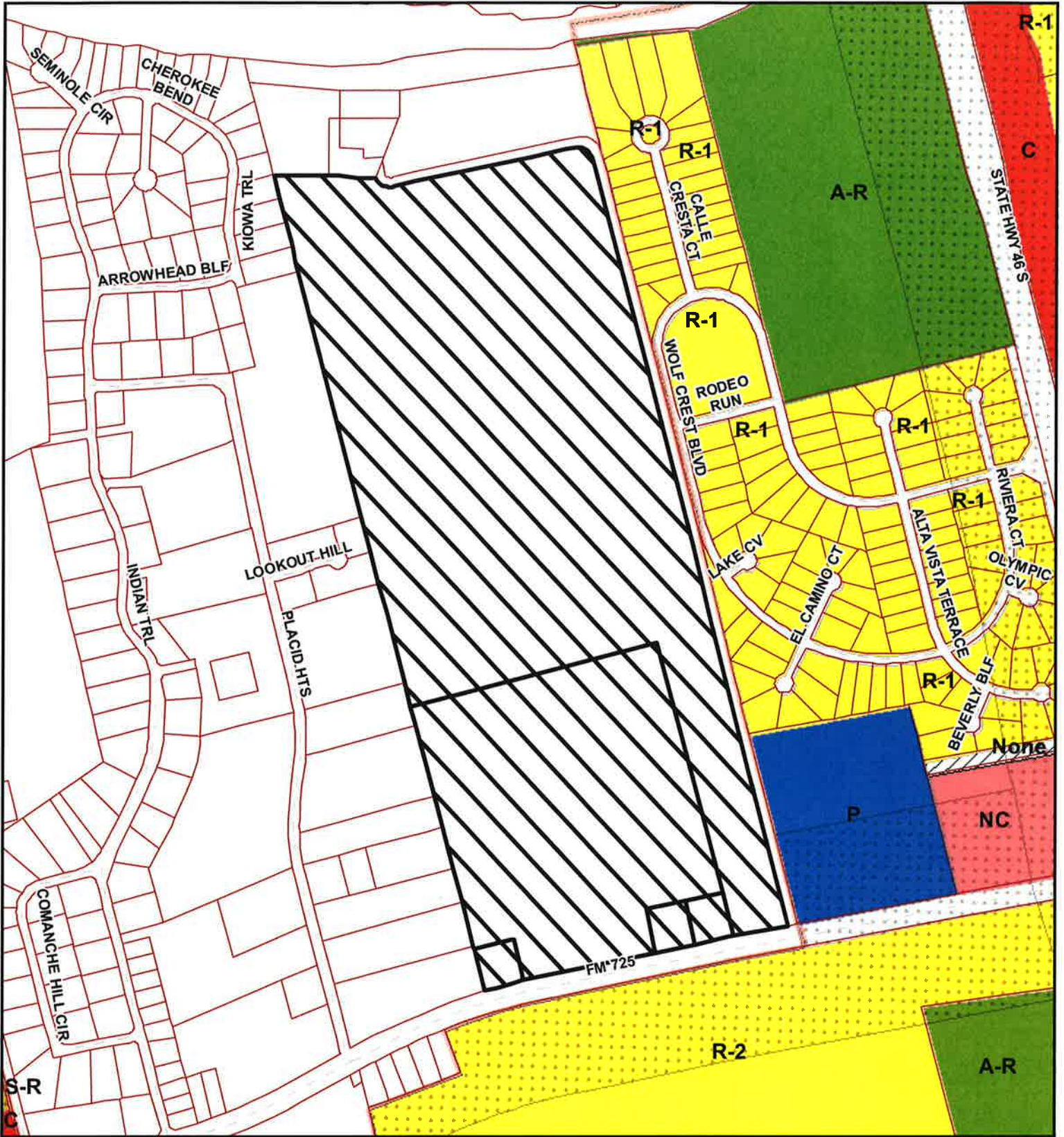
The southern portion of the area is in the Emergent Residential district, which is most consistent with the surrounding zoning districts. Residential use is the most predominant in these areas.

HEALTH, SAFETY, AND GENERAL WELFARE: (Protection & preservation of historical, cultural, and environmental areas.)

The northernmost portion of the subject area is in the FEMA floodplain. This accounts for approximately 12 acres out of the 170 acres being zoned. All development within a FEMA floodplain is subject to FEMA's regulations, as adopted by the City of Seguin.

TRAFFIC (STREET FRONTAGE & ACCESS):

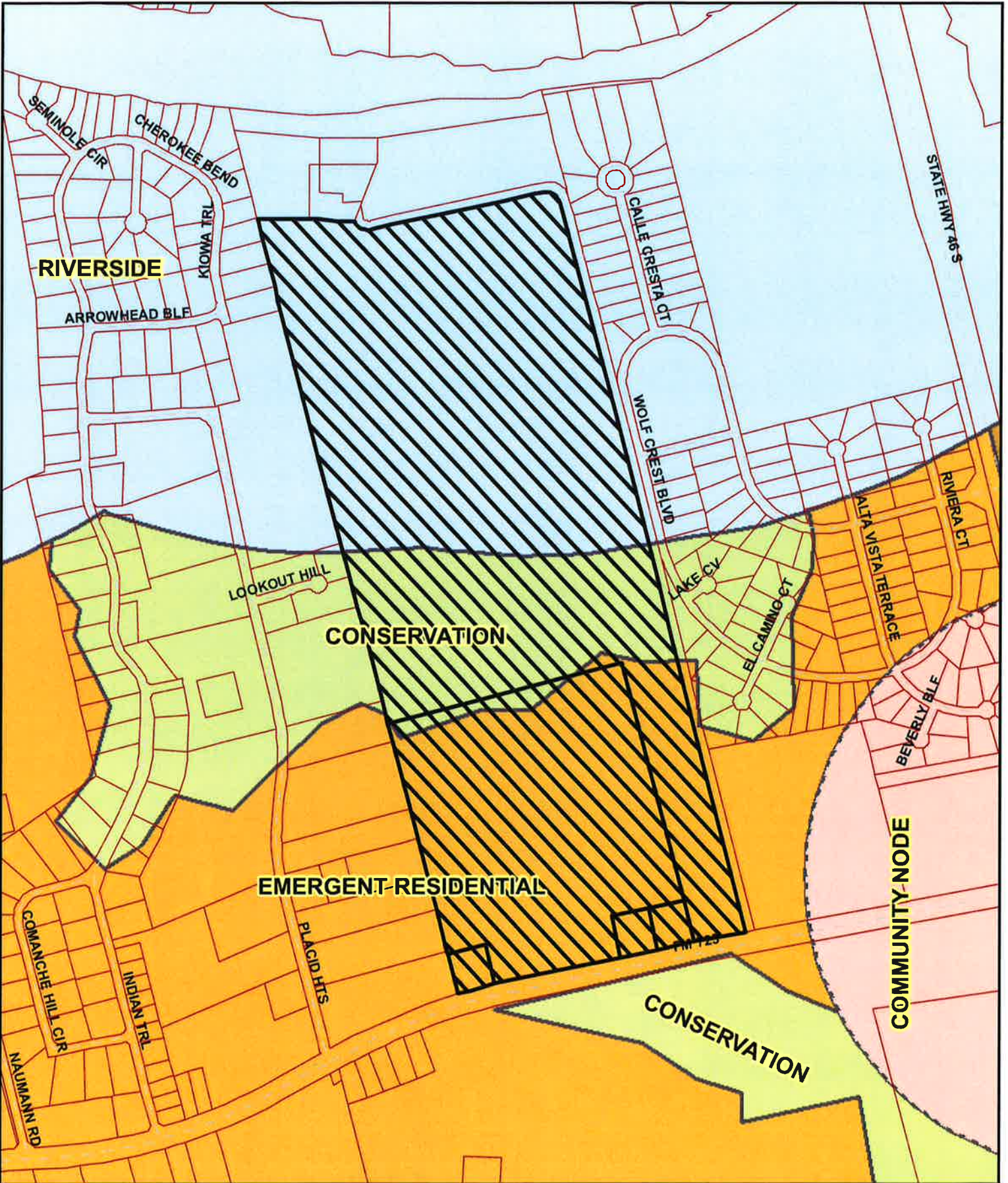
All properties take access from FM 725.



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

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 = 700 feet
		Lot Lines	Printed: 3/13/2018



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  Site Location
 Lot Lines

1 inch = 700 feet
Printed: 3/13/2018