



**Planning and Zoning Commission Report
ZC 16-19**

A request for Zoning Change 16-19 was considered during a public hearing at the Planning & Zoning Commission meeting on October 8, 2019:

A Zoning Change from Commercial (C) to Neighborhood Commercial (NC) on a request for property located at 409 N Austin St, Property ID 13525.

Ismael Segovia presented the staff report. He stated that the property is currently zoned Commercial and is being used as a Bed and Breakfast, which is allowed in this zoning district. The surrounding zoning to the south, west, and north is also zoned Commercial and to the east is Single-Family Residential 1 and Planned Unit Development (PUD). The existing land uses correspond to the surrounding zoning. He further explained the request to Neighborhood Commercial would be appropriate if the location was not in the Historic Downtown District. Neighborhood Commercial functions as a transition between Single-Family Residential 1 and Commercial zones, but not in an area where the intent is meant to be heavily commercialized, such as the Historic Downtown District. The property is also located in the Future Land Use District of Town Core 2; the intent of this district is to encourage economic revitalization and strategic development and commercial is an appropriate use. Staff is not recommending approval based on the full-scale commercial uses adjacent to the property. Commissioner Lievens asked why a rezone to Neighborhood Commercial is not recommended. It was then explained that this property is a large lot, about 0.689 acres in size. If Neighborhood Commercial was approved, the existing structure could be removed and divided into more lots where residential structures could then be built. This would conflict with the intents of both the Historic Downtown District and the Town Core 2 District. The Commission was also reminded that, in order for City Council to approve the zoning change request, a super majority will be needed.

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

After consideration of the staff report and all information given regarding Zoning Change (ZC 16-19), Commissioner Garza moved that the Planning and Zoning Commission recommend denial of the zoning change from Commercial to Neighborhood Commercial for 409 N Austin St. Commissioner DePalermo seconded the motion. The following vote was recorded:

RECOMMENDATION TO DENIAL ZONING CHANGE TO NEIGHBORHOOD COMMERCIAL (NC)

MOTION PASSED

6-0-0



Francis Serna
Planning Assistant



ATTEST: Ismael B Segovia
Asst. Director of Planning & Codes



PLANNING & CODES

**ZC 16-19 Staff Report
409 N. Austin St.
Zoning Change from C to NC**

Applicant:

Katherine Delapaz
PO Box 17023
Austin, TX 78760

Property Owner:

Katherine Delapaz
PO Box 17023
Austin, TX 78760

Property Address/Location:

409 N. Austin St.
Seguin, TX 78155

Legal Description:

LOT: A S150X200 OF BLK:215
ADDN: ACRE 0.6890 AC.

Lot Size/Project Area:

Approx. 0.689 acres

Future Land Use Plan:

Town Core 2

Notifications:

Mailed: Sept. 26, 2019
Newspaper: Sept. 22, 2019

Comments Received:

No Comments Received

Staff Review:

Ismael B. Segovia
Asst. Director

Attachments:

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

REQUEST:

A Zoning Change request from Commercial (C) to Neighborhood Commercial (NC).

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	C	Vacant Single-family Residence
N of Property	C	Office
S of Property	P	AT&T Office
E of Property	C	Medical Office
W of Property	C	Law Offices

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The property is located at 409 N. Austin Street. It is currently zoned Commercial (C) and has a single-family residential structure located on it. The structure currently serves as a bed & breakfast (B&B). B&Bs are permitted within the commercial zoning district. There are commercial businesses to the north, west and south of the property. To the east there are single-family homes in a R-1 zoning district and a Planned Unit Development (PUD). The proposed Neighborhood Commercial (NC) zoning district is intended to ensure compatibility with adjacent residential districts. NC zoning is also to act as a transitioning buffer between commercial and residential districts. In this case the subject property is primarily surrounded by full-scale commercial zoning districts. Staff does not recommend approval of the zoning change to Neighborhood Commercial (NC).

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The property is currently zoned Commercial (C). The property is currently being used for a bed & breakfast (B&B) that is permitted within the zoning district.

CODE REQUIREMENTS:

According to the UDC's Section 3.4.3 Land Use Matrix, the Commercial zoning district allows for an existing single-family residential structure with a Specific Use Permit. This would be triggered if the structure was vacant for more than 6 months. However, the Neighborhood Commercial zoning does allow the use of either an existing or new single-family residential structure. Rezoning to Neighborhood Commercial would remove the need for an approved Specific Use Permit.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties to the north, west and south of the property are all commercially zoned and are being used for commercial purposes. The properties to the east are single-family homes in a R-1 zoning district and a Planned Unit Development (PUD). Neighborhood Commercial (NC) zoning districts are normally used to transition from residential land uses to commercial land uses. The location of the subject property would not be functioning as a transition or a buffer between residential uses and commercial. The lot is located within the Historic Downtown District which is composed primarily of commercial land uses. The rezoning of Neighborhood Commercial to this area would permit the introduction of single-family residential dwellings to a heavily commercialized corridor which could then lead to a contrast between single-family dwelling and commercial businesses in things such as traffic generation and business hours.

COMPREHENSIVE PLAN:

The property is located within the Town Core 2. The intent of this district is to encourage economic revitalization and strategic development. The areas within the Town Core should significantly enhance the character and role of the approach and point of arrival to downtown. Acceptable uses within the Town Core include retail, office, institutional, conservation and residential uses.

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

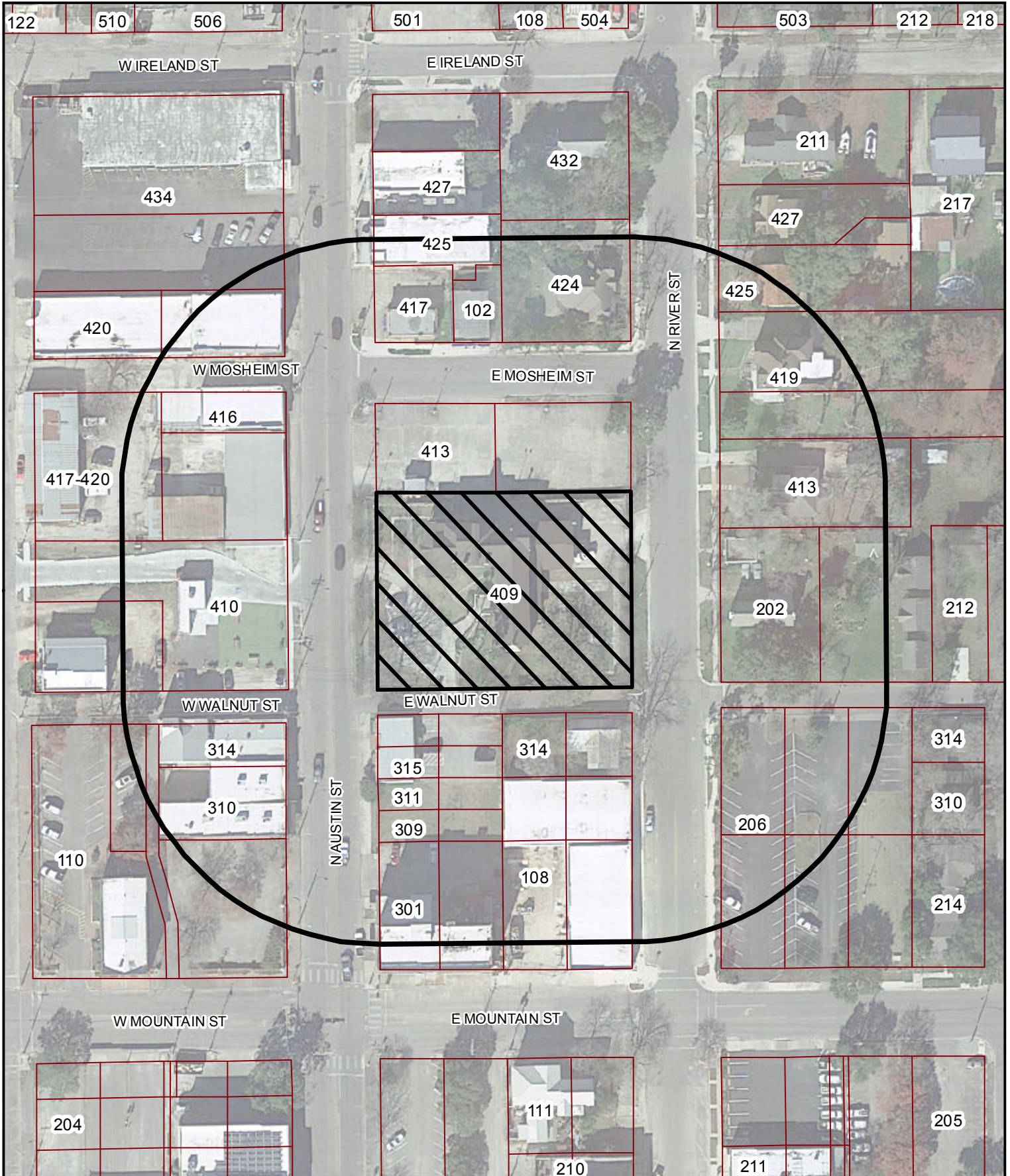
No health, safety or environmental issues have been identified for these properties.

TRAFFIC (STREET FRONTAGE & ACCESS):

The property has double frontage on North Austin Street and North River Street. Access is provided from both streets and they are both City rights-of-way.

LOCATION MAP

ZC 16-19: 409 N Austin St



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Site Location



200' Notification Buffer

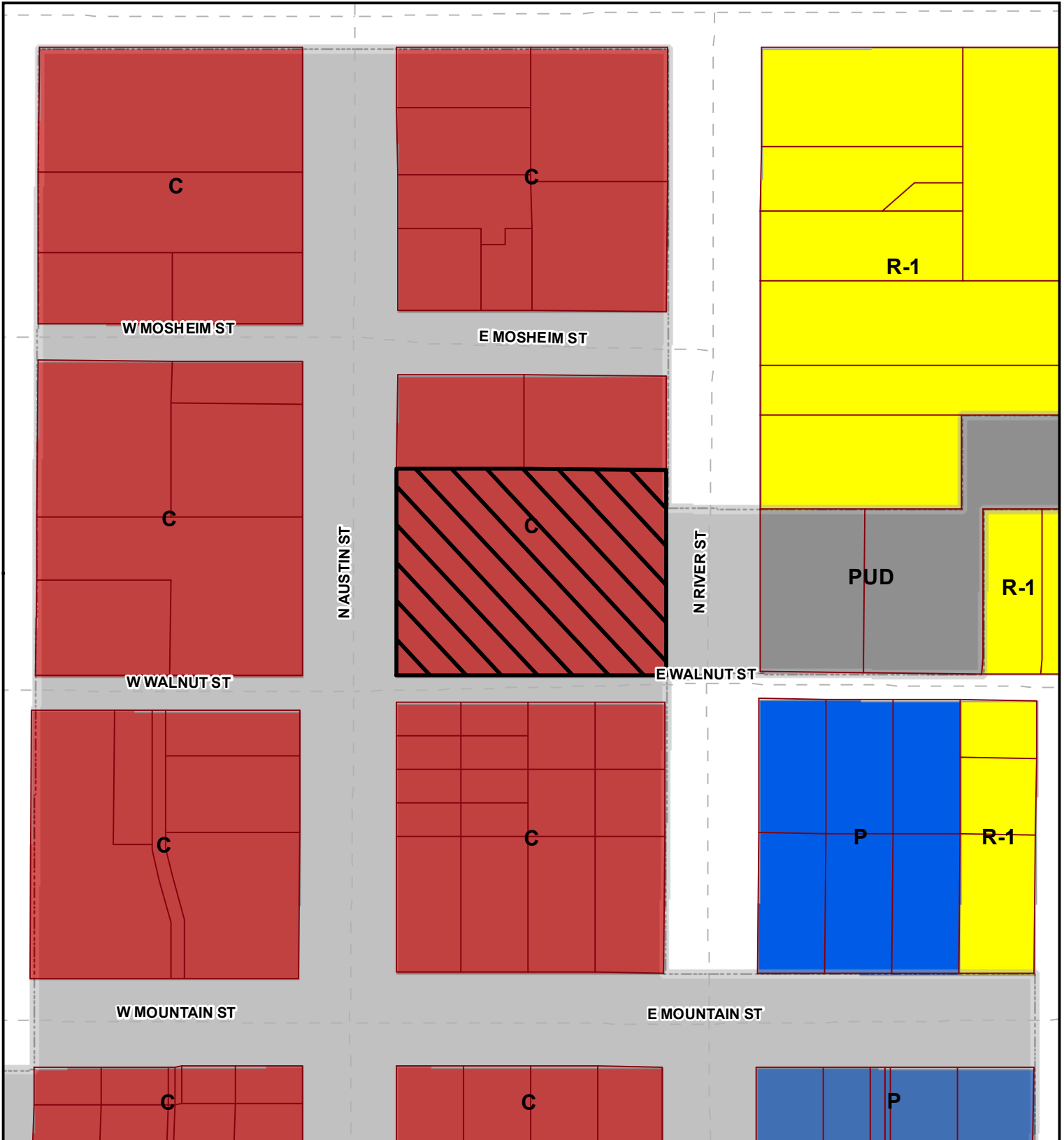
Lot Lines

1 inch = 100 feet

Printed: 8/28/2019

ZONING MAP

ZC 16-19: 409 N Austin St



- | | | | |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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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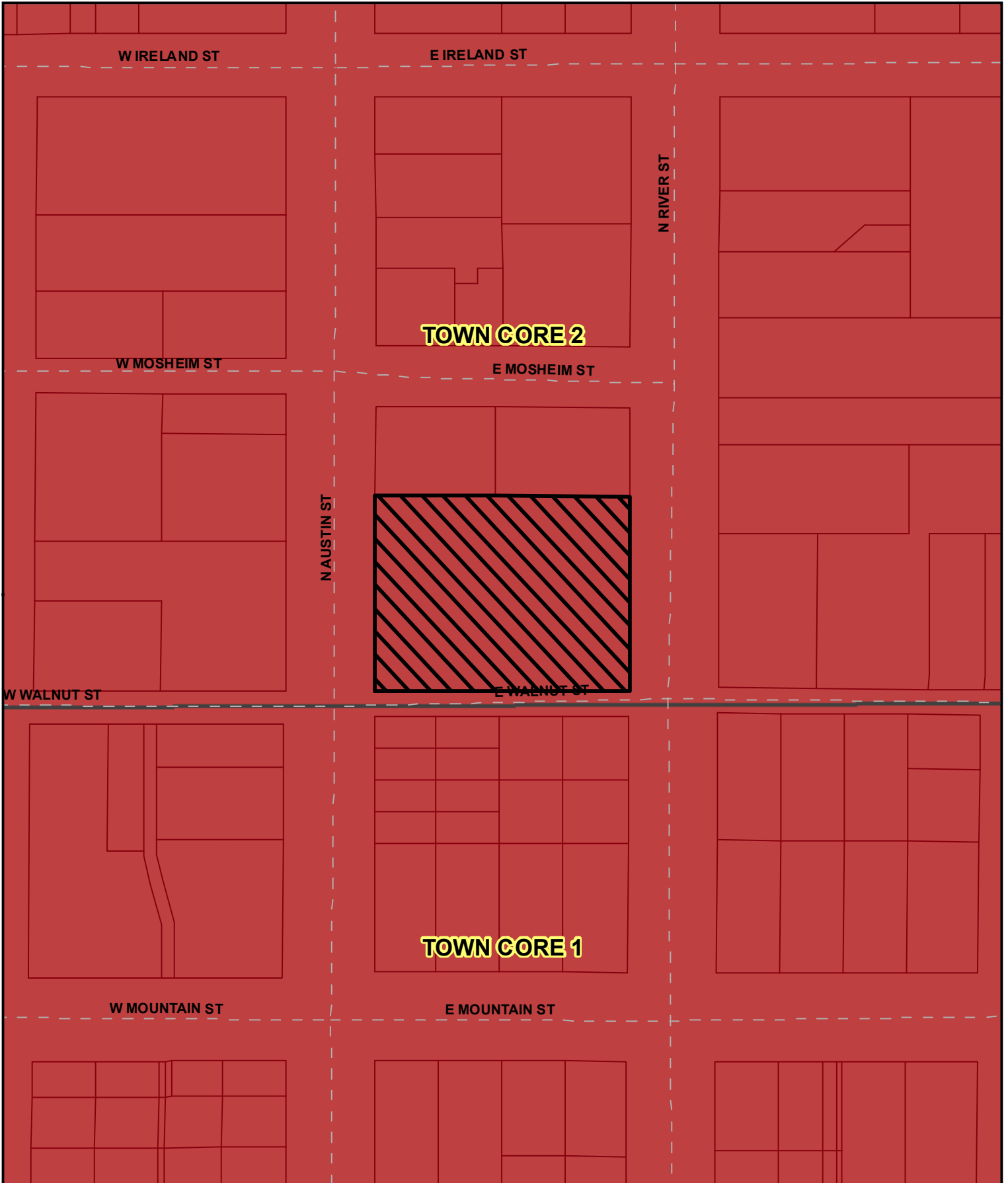
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	 Lot Lines	Printed: 8/28/2019