



Planning and Zoning Commission Report ZC 05-20

A request for Zoning Change 05-20 was considered during a public hearing at the Virtual Planning & Zoning Commission meeting on April 14, 2020:

A Zoning Change from Single Family Residential (R-1) to Neighborhood Commercial (NC) on a request for property located at 1104 Avenue D, Property ID 41393.

Ismael Segovia presented the staff report. He stated that the applicant/property owner is operating a small neighborhood convenience store at the corner of Avenue D and Newton Avenue. He explained that the land use existed prior to the initial adoption of zoning in 1989 and is grandfathered. The proposed use is not allowed in Single Family Residential. As per the UDC's Section 3.4.3 Land Use Matrix, the Neighborhood Commercial zoning district allows retail services. Mr. Segovia explained that the properties surrounding the subject site have single-family residential structures and are zoned Single Family Residential (R-1). The request to Neighborhood Commercial is compatible with the surrounding land uses and zoning as the subject property has been providing the surrounding neighborhood with beneficial retail services and draws significant pedestrian traffic to the site. The Neighborhood Commercial zoning district has been designed to provide various types of small scale, limited impact commercial, retail, personal services, and office uses located near their primary customers. The property is located within the Historic City Center future land use district. This district's intent is to promote infill development that is compatible with the form, rhythms and character that exists. Non-residential uses should be those appropriate within a neighborhood setting, and density levels should be consistent with those found in predominantly single-family residential areas. The property has access from Avenue D and Newton Avenue. Most of the traffic coming to the site will be pedestrians from the surrounding neighborhoods. Given that the land use has been providing services to the surrounding neighborhood for years and the recommendation of the comprehensive plan, staff recommended approval of the zoning change to Neighborhood Commercial (NC).

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 05-20), Vice Chair Kirchner moved that the Planning and Zoning Commission recommend approval of the zoning change from Single Family Residential (R-1) to Neighborhood Commercial (NC) for property located at 1104 Avenue D. Commissioner Garza seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE ZONING CHANGE TO NEIGHBORHOOD COMMERCIAL (NC)

MOTION PASSED

7-0-1



Francis Serna
Planning Assistant



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



PLANNING & CODES

**ZC 05-20 Staff Report
1104 Avenue D
Zoning Change from R-1 to NC**

Applicant:

DBA Salazar Grocery & Market
1104 Avenue D.
Seguin, Texas 78155

Property Owner:

Regina Nyame
1417 Redbridge Dr.
Seguin, Texas 78155

Property Address/Location:

1104 Avenue D.

Legal Description:

Lot: 19 Blk: Add: Seligman
Prop ID: 41393

Lot Size/Project Area:

Approx. 0.1387 acres

Future Land Use Plan:

Historic City Center

Notifications:

Mailed: 4-3-2020
Newspaper: 4-3-2020

Comments Received:

Staff Review:

Ismael B. Segovia
Asst. Dir. Planning & Codes

Attachments:

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

REQUEST:

A Zoning Change request from Single-Family Residential (R-1) to Neighborhood Commercial (NC).

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	R-1	Convenience store
N of Property	R-1	Residential dwellings
S of Property	R-1	Single-family residential dwelling
E of Property	R-1	Single-family residential dwelling
W of Property	R-1	Single-family residential dwelling

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The property located at 1104 Avenue D. is currently zoned Single-Family Residential (R-1). The applicant/property owner is operating a small neighborhood convenience store at the corner of Avenue D and Newton Ave. The land use existed prior to the initial adoption of zoning in 1989 and is grandfathered. Current zoning does not allow for this proposed use, Neighborhood Commercial (NC) does. Given that the land use has been providing services to the surrounding neighborhood for years and the recommendation of the comprehensive plan, staff is recommending the zoning change to Neighborhood Commercial (NC).

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The property is currently zoned Single-Family Residential (R-1) and is a corner lot. The property owner has been operating a small neighborhood convenience store on the subject property. The property has the original zoning classification from the 1989 zoning process.

CODE REQUIREMENTS:

According to the UDC's Section 3.4.3 Land Use Matrix, the Neighborhood Commercial (NC) zoning district allows retail/services. The current zoning does not allow for retail/service land uses.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties surrounding the subject site have single-family residential structures and are zoned R-1 for single-family residential dwellings. This property is in the Historic City Center district. The request to Neighborhood Commercial (NC) would be compatible with the surrounding land uses and zoning as the subject property has been providing the surrounding neighborhood with beneficial retail services and draws significant pedestrian traffic to the site. The Neighborhood Commercial zoning district has been designed to provide various types of small scale, limited impact commercial, retail, personal services, and offices uses located in close proximity to their primary customers.

COMPREHENSIVE PLAN:

The property is located within the Historic City Center future land use district. This district's intent is to promote infill development that is compatible with the form, rhythms and character that exists. Single-family residential is an appropriate use for the historic homes; the primary structure was built in 1897. Non-residential uses should be those appropriate within a neighborhood setting, and density levels should be consistent with those found in predominantly single-family residential areas.

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):

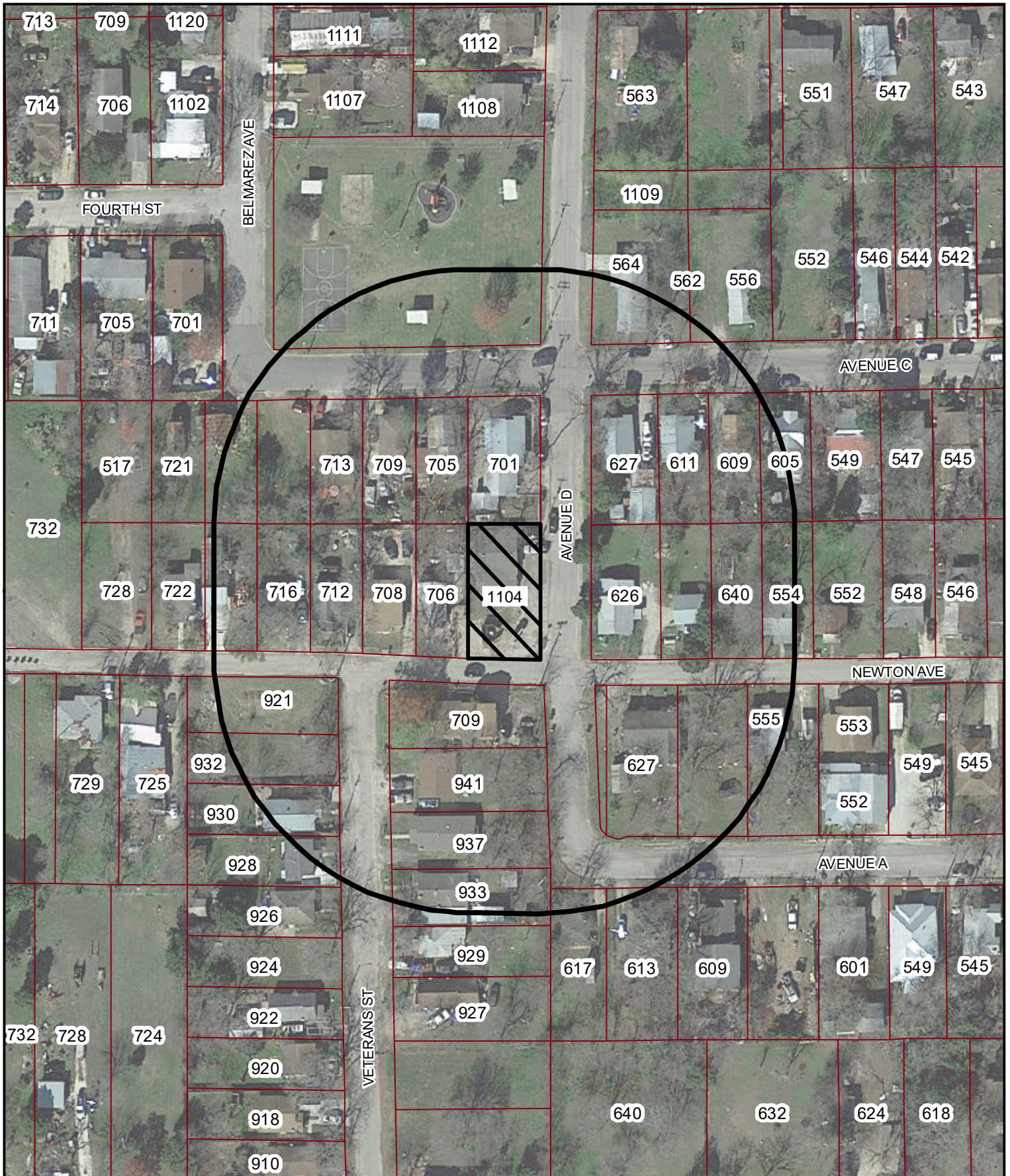
This property takes access from Avenue D and Newton Avenue. The majority of the traffic coming to the site will be pedestrians from the surrounding neighborhoods.

OTHER CONSIDERATIONS:

As always, development standards and adopted codes will be considered in the redevelopment of this property, to include building and fire codes, sidewalks, and off-street parking.

LOCATION MAP

ZC 05-20: 1104 Avenue D



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



200' Notification Buffer

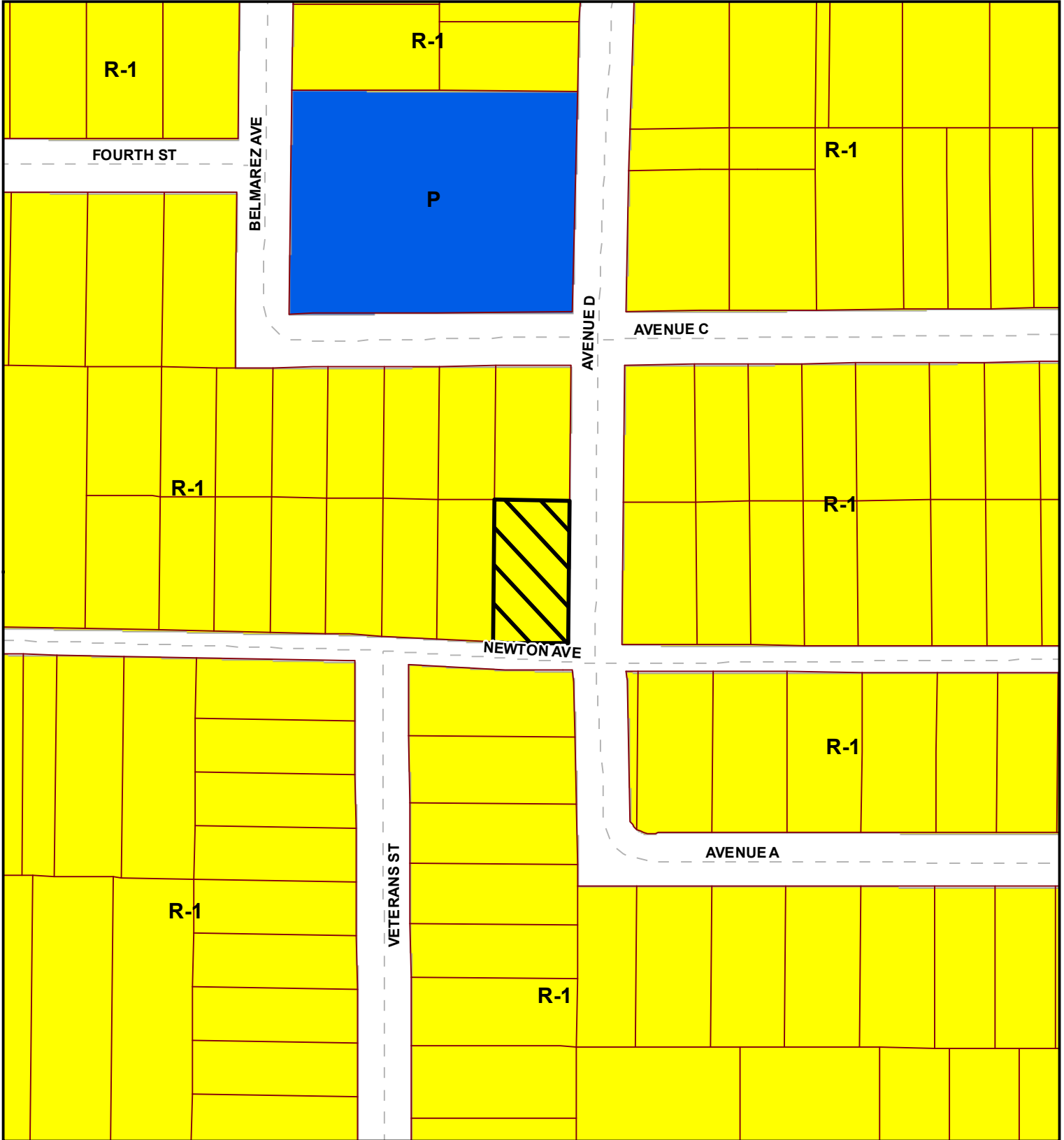
Lot Lines

1 inch = 100 feet

Printed: 3/17/2020

ZONING MAP

ZC 05-20: 1104 Avenue D



- | | | | |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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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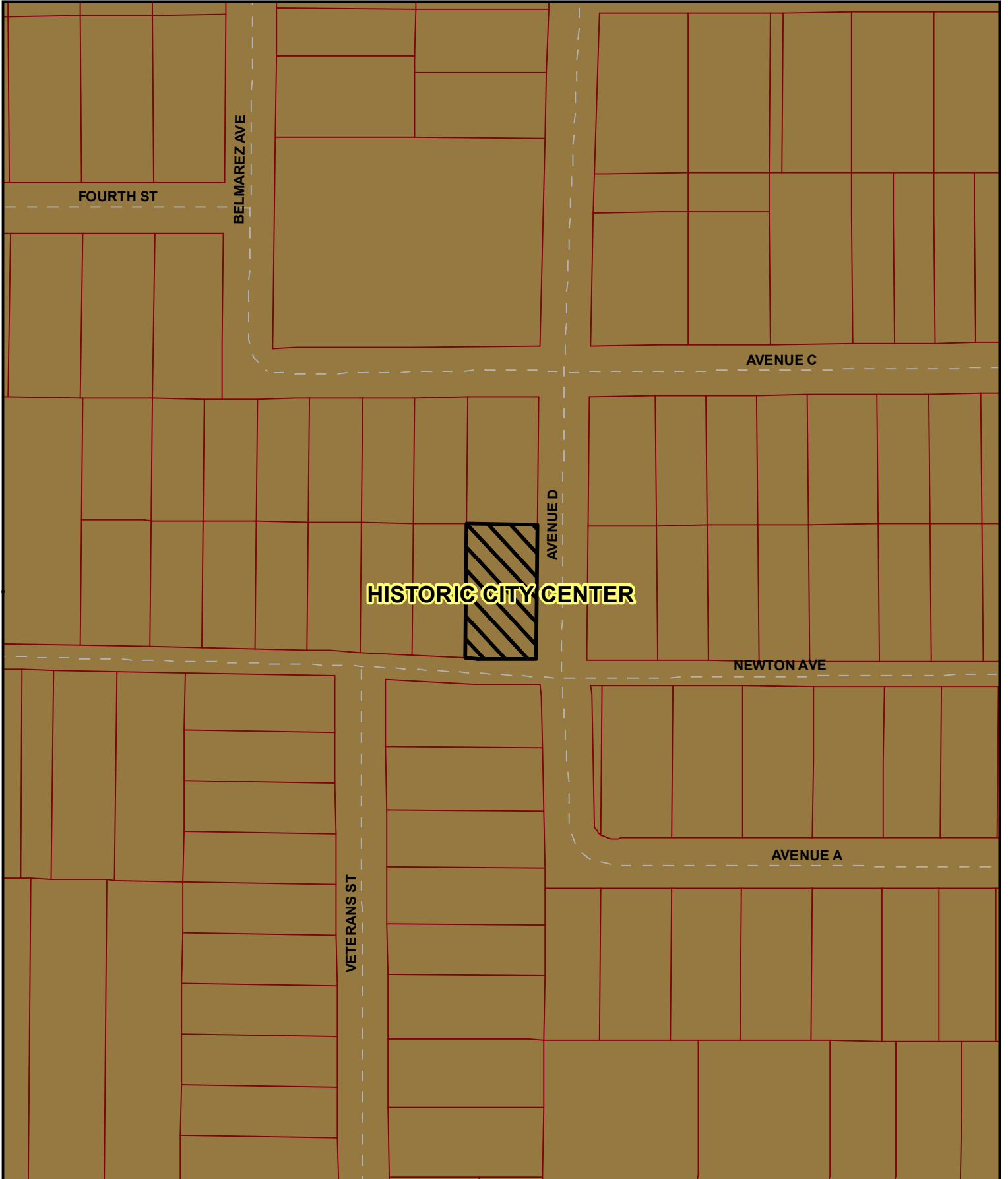
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FUTURE LAND USE MAP

ZC 05-20: 1104 Avenue D



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Site Location



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