



## PLANNING & CODES

### Planning and Zoning Commission Report ZC 34-21

A request for Zoning Designation 34-21 (P) for property located 2161 Manor Drive, Property ID 50514 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on December 14, 2021.

Helena Schaefer presented the staff report. She stated that the city is requesting a zoning designation for the property located 2161 Manor Dr. The 64 plus acres was recently annexed into the city limits.

She explained that the initial zoning designation for newly annexed properties is Agricultural -Ranch unless another zoning designation is requested. In this case, the property owner does want Agricultural-Ranch. Ms. Schaefer said that the property is in violation of a 2012 signed development agreement in which the violation triggered the voluntary annexation. A RV sales and service operation is currently being managed on the property. She explained that a development agreement between the City and the property owner states that no development, unless agricultural in nature, can be conducted on the property or it will not be annexed. Staff met with the current property owner several times to discuss any proposed uses. The owner is operating the business on this property until he can develop a site on IH 10 W (outside the city limits). Once the business is moved to the new location, the owner would like to use the property for horses.

The request to Agricultural Ranch is compatible with the surrounding land uses and zoning. The property is located in two future land use districts, Town Approach and Riverside. The majority of the property falls into the Riverside district. Agricultural Ranch is an appropriate use in this district. Also, the property falls into two FEMA flood zones, the 100 year and 500-year flood zone. Any development in the 100-year zone must meet FEMA requirements, therefore agricultural ranch is an appropriate zoning.

Staff recommended approval to Agricultural Ranch for the zoning designation of the 64-acre tract.

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

After consideration of the staff report and all information given regarding Zoning Designation (ZC 34-21), Chair Gettig moved that the Planning and Zoning Commission recommended approval of the zoning designation from Agricultural Ranch (A-R) for property located at the 2161 Manor Drive. Commissioner Spahn seconded the motion. The following vote was recorded:

#### RECOMMENDATION TO APPROVE THE ZONING DESIGNATION TO AGRICULTURAL RANCH (A-R)

  
Francis Serna, Planning Assistant

**MOTION PASSED**  
**8-0-0**

  
ATTEST: Helena Schaefer,  
Planning Supervisor



## PLANNING & CODES

ZC 34-21 Staff Report

2161 Manor Dr

Zoning Designation: Ag-Ranch (AR)

**Applicant:**

City of Seguin  
205 N River St  
Seguin, TX 78156

**Property Owner:**

Benjamin Notgrass Holdings  
LLC  
436 Roadrunner Ave  
New Braunfels, TX 78130

**Property Address/Location:**

2161 Manor Dr

**Legal Description:**

Abs: 6 Sur: Isaac Baker 64.32  
ac  
Property ID: 50514

**Lot Size/Project Area:**

64.32 acres

**Future Land Use Plan:**

Town Approach and  
Riverside

**Notifications:**

Mailed: Nov. 24 ,2021  
Newspaper: Nov. 28, 2021

**Comments Received:**

None

**Staff Review:**

Helena Schaefer  
Senior Planner

**Attachments:**

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

**REQUEST:**

A Zoning Designation request to Agricultural-Ranch (A-R)

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	R-1/OCL	Ranch land
<b>N of Property</b>	R-1	Residence
<b>S of Property</b>	OCL	Residences
<b>E of Property</b>	OCL	Residences
<b>W of Property</b>	OCL	Residences

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The property recently went through the voluntary annexation process due to a violation of a signed development agreement. The front 1.6 acres (where the existing residential structure is located) is currently in the city and is zoned Single-Family Residential -1. Due to the location of the 100 year flood zone on the majority of the property, Agricultural-Ranch is an appropriate zoning. Staff is recommending the zoning designation of A-R for the entirety of the property.

**Planning Department Recommendation:**

<b>X</b>	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

In 2012, the City offered a development agreement to the former property owners in lieu of annexation as prescribed by the State of Texas Local Government Code, Sections 43.035 and 212.172. The homestead was annexed in 2013 as it was not under an agricultural exemption; only properties greater than 10 acres with agricultural exemption are required the offer of a development agreement. A development agreement basically “keeps” a property out of the city as long as the property is not developed. The property was sold in 2018 and the former property owner notified the City of its sale. Staff has met with the current property owner about developing this property. In late 2020, the City was alerted that the property was being used for a business, a RV sales and repair shop. This use is a clear violation of the 2012 signed development agreement and triggers voluntary annexation. The annexation will have an effective date of December 17, 2021. Once the property is officially zoned, the process of resolving the zoning violation will begin.

### **CODE REQUIREMENTS:**

According to the UDC’s Section 2.2.4 Annexation Process, initial zoning for newly annexed properties is established as Agricultural-Ranch unless a specific request is made.

### **COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:**

The area to the north of the property is zoned Single-Family Residential 1 and belongs to the Lake Placid Homeowners Association. The areas to the east, south and west are outside the city limits and the use is residential. As A-R is the initial, default zoning for annexation, the zoning to A-R would be compatible with the surrounding land uses.

### **COMPREHENSIVE PLAN:**

This property is located in two future land use districts, Town Approach and Riverside. The majority of the property is located in the Riverside district, which also coincides with the flood zone. Agricultural and Ranch activities are acceptable uses in this district.

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

The property is located in the 100 year and 500 year flood zones. Any structures placed in the 100 year flood zone must adhere to any applicable FEMA standards.

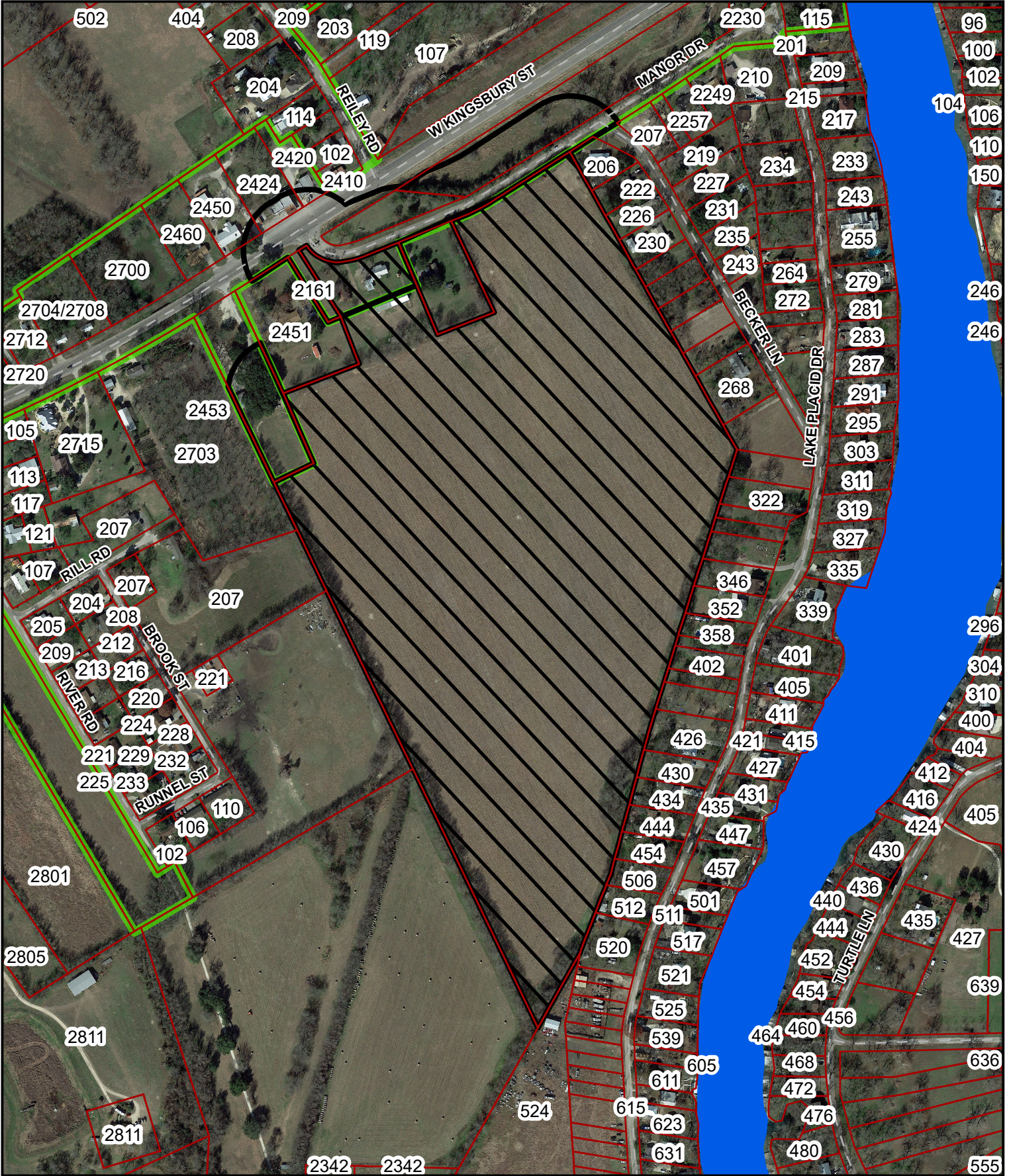
### **TRAFFIC (STREET FRONTAGE & ACCESS):**

Access is taken from Manor Dr, a city right-of-way.



## LOCATION MAP

**ZC 34-21 2161 Manor Dr**



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## Lot Lines

## Site Location



## 200' Notification Buffer

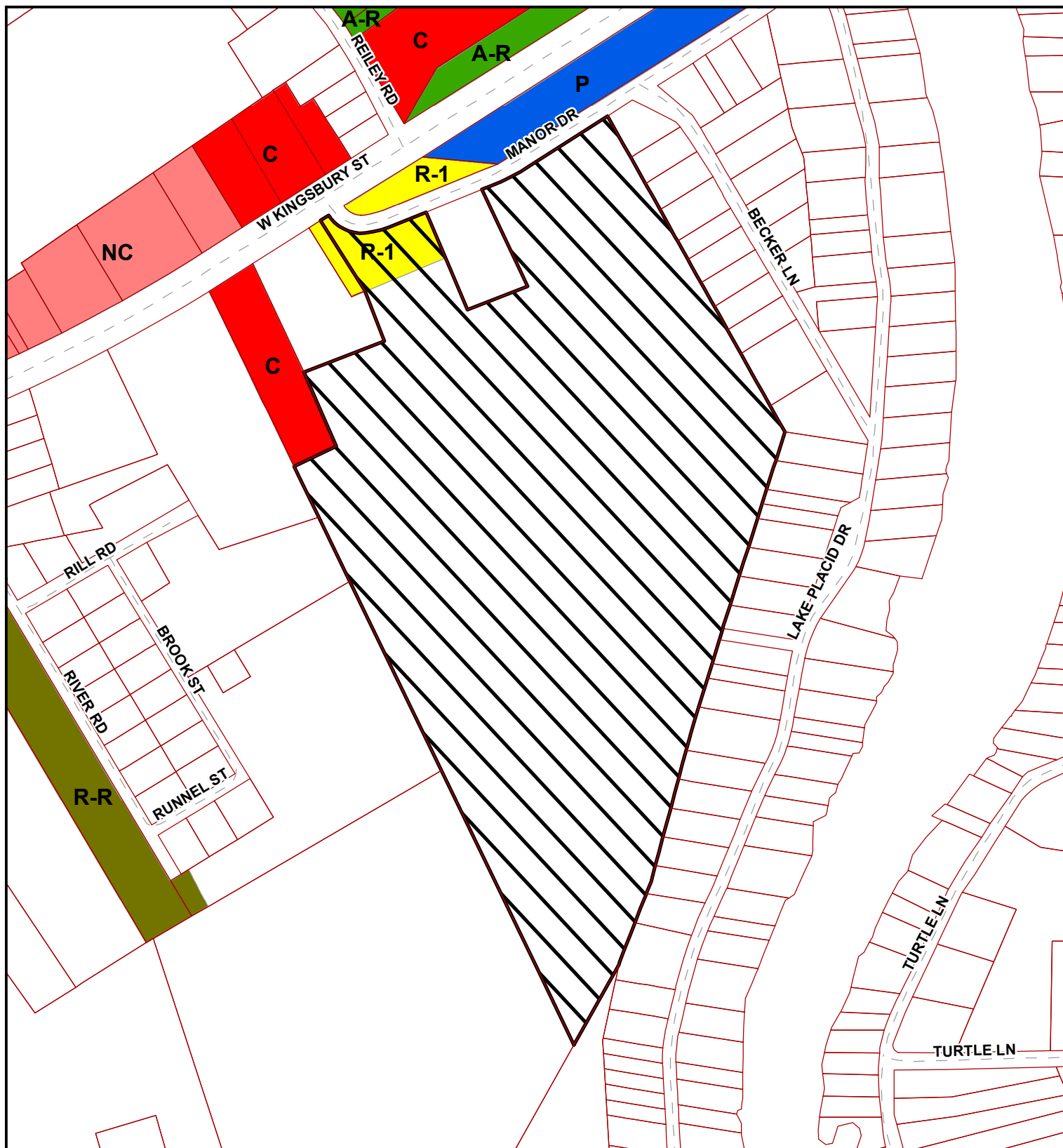
1 inch = 450 feet





















Printed: 11/17/2021





# ZONING MAP

**ZC 34-21 2161 Manor Dr**



	Agricultural - Ranch		Single Family Residential 2		MultiFamily 1		Manufactured Home Park		Industrial
	Rural Residential		Zero Lot Lines		MultiFamily 2		Neighborhood Commercial		Public
	Suburban Residential		Duplex 1		MultiFamily 3		Commercial		Planned Unit Development
	Single Family Residential 1		Duplex 2		Manufactured-Residential		Light Industrial		ROW

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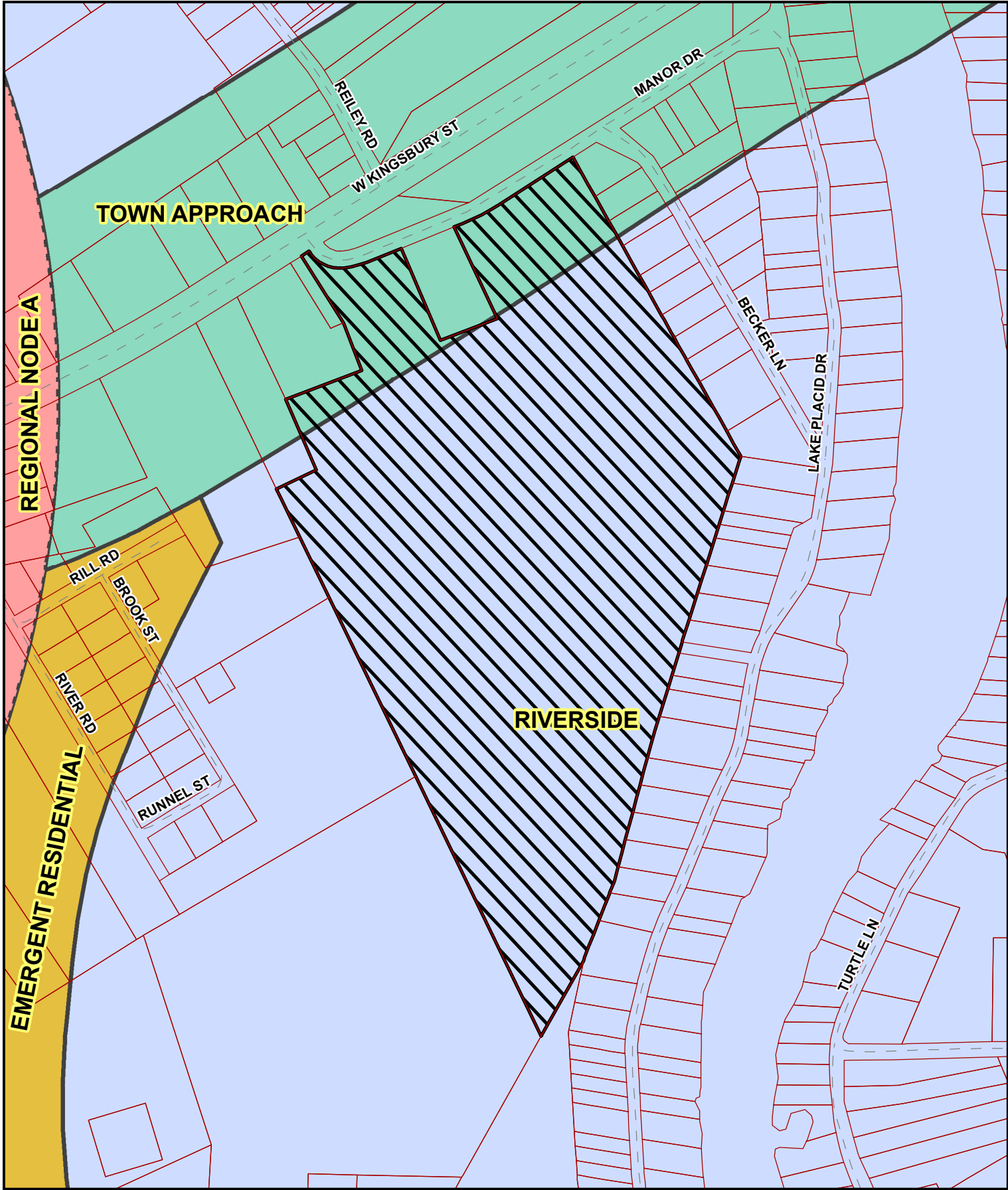



## Ownership

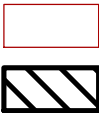
## Site Location

1 inch = 450 feet

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Ownership



Site Location

1 inch = 450 feet

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