



## PLANNING & CODES

### Planning and Zoning Commission Report

#### ZC 05-22

A request for Zoning Change 05-22 from Agricultural Ranch (A-R) to Commercial (C) for property located 3226 N. State Hwy. 123 Bypass, Property ID 51332, 51331, & 51246 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on April 12, 2022.

Helena Schaefer presented the staff report. She stated that the applicant would like to construct a self-storage facility on the 11.5 acre site. A storage facility is allowed in the commercial zoning district. Any outdoor storage would require the addition of an approved specific use permit.

She explained that the properties were annexed into the city in 1981 and there was no zoning. In 1989 when zoning was established city wide, the properties were zoned Pre-development. This zoning designation no longer exist with the adoption of the UDC. In 2015, the properties were rezoned to Ag-Ranch, which became the new placeholder for pre-development.

Ms. Schaefer said that the zoning change to Commercial is compatible with a majority of the zoning and uses in the area. The properties are located in the Regional Node A future land use district and commercial is an appropriate use. The properties also have two road frontages and the Hwy. 123 Bypass is a TxDOT ROW and would require approval from TX Dot for access.

In addition, any redevelopment of the three properties will need to adhere to any and all applicable development standards, to include but not limited to platting, drainage, extension of public infrastructure. She asked the Commission to also consider that any plans provided by the applicant are just proposed. Until the plans are engineered for all development standards and approved by all reviewing entities, the plans can change.

Clifton Jones, the applicant was available via zoom to answer questions.

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 Change (ZC 05-22), Commissioner Schievelbein moved that the Planning and Zoning Commission recommended approval of the zoning change to Commercial (C) for property located at 3226 N. State Hwy. 123 Bypass. Commissioner Felty seconded the motion. The following vote was recorded:

#### RECOMMENDATION TO APPROVE THE ZONING CHANGE TO COMMERCIAL (C).

**MOTION PASSED**

**6-0-0**

A handwritten signature in black ink that reads "Francis Serna".

Francis Serna, Planning Assistant

A handwritten signature in blue ink that appears to read "H. Schaefer".

ATTEST: Helena Schaefer  
Planning Supervisor



## PLANNING & CODES

ZC 05-22 Staff Report  
3226 N State Hwy 123 Bypass  
Zoning Change from A-R to C

**Applicant:**

Clifton Jones  
PO Box 5759  
Austin, TX 78763

**Property Owner:**

William & Patricia  
Funderburg  
3405 Old Seguin-Luling Rd  
Seguin, TX 78155

**Property Address/Location:**

3226 N State Hwy 123  
Bypass

**Legal Description:**

Abs: 6 Sur: H Branch 11.5 ac  
Property IDs: 51332, 51331  
& 51246

**Lot Size/Project Area:**

11.5 acres

**Future Land Use Plan:**

Regional Node A

**Notifications:**

Mailed: April 1, 2022  
Newspaper: Mar 27, 2022

**Comments Received:**

None

**Staff Review:**

Helena Schaefer  
Senior Planner

**Attachments:**

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

**REQUEST:**

A Zoning Change request from Agricultural-Ranch (A-R) to Commercial (C).

**ZONING AND LAND USE:**

|                         | Zoning | Land Use                      |
|-------------------------|--------|-------------------------------|
| <b>Subject Property</b> | A-R    | Vacant lot                    |
| <b>N of Property</b>    | LI     | Farmland                      |
| <b>S of Property</b>    | C      | Central States Manufacturing  |
| <b>E of Property</b>    | C      | Vacant lot, SH 123 Bypass ROW |
| <b>W of Property</b>    | LI     | Farmland                      |

**SUMMARY OF STAFF ANALYSIS:**

The three properties located along N State Hwy 123 Bypass and N Heideke are currently zoned Agricultural-Ranch (A-R). The applicant is proposing to rezone the 11.5 acres to Commercial (C). The proposed commercial zoning is consistent with the Future Land Use Plan; the Regional Node A recommends commercial uses. There is high degree of compatibility with existing zoning and uses; the majority of the properties fronting N State Hwy 123 Bypass have existing commercial uses and zoning.

The Commission should consider the recommendations of the Future Land Use Plan, as well as the existing land uses/zoning in the area.

**CRITERIA FOR ZONING CHANGE:**

Consistency with the future land use plan – Consistent

Compatible with existing and permitted uses of surrounding property – Multiple commercial uses and zoning along SH 123 Bypass

Adverse impact on surrounding properties or natural environment – None identified

Proposed zoning follows a logical and orderly pattern – Commercial development next to a major thoroughfare would follow a logical pattern of development.

Other factors that impact public health, safety or welfare – None identified

## PLANNING DEPARTMENT ANALYSIS

### **SITE DESCRIPTION**

The three vacant properties are approximately 11.5 acres. The properties were annexed in 1981; no zoning designation was assigned at that time as it was prior to the adoption of zoning citywide. In 1989, the three properties were zoned Pre-Development, which is no longer a zoning district. In 2015 as part of the UDC adoption, the lots were rezoned to Agricultural-Ranch, which took the place of Pre-Development. Only one of the lots housed structures at one time.

### **CODE REQUIREMENTS:**

The applicant is proposing a self-storage facility; this use is permitted on a Commercially zoned property. According to the UDC, Section 3.4.3 Land Use Matrix, to develop lots for commercial use, the property has to be zoned C. If the commercial use has any outdoor storage or display component, an approved Specific Use Permit is required.

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

As these properties are located next to the 123 Bypass, most of the properties are zoned commercial. Across the TXDOT ROW, there are vacant lots zoned commercial. To the south, it is also commercial, and the lot houses the Central States Manufacturing company. This is a manufacturing business that specializes in roofing and siding; all its manufacturing activities occur in the building. This use was approved by a limited use permit in 2015. To west and north, there is a 13 acre tract that is zoned Light Industrial and is owned by the same property owners of these three lots. This lot was rezoned in 1997 from Pre-Development to Light Industrial; this zoning change request was prior to the City's Comprehensive Plan in 2008. Regionally, the majority of the uses and zoning from IH 10 E to the junction of the Bypass and N Austin are commercial in nature.

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

No health, safety and general welfare issues have been identified.

### **COMPREHENSIVE PLAN (The Future Land Use Plan):**

The properties are located in the Regional Node A future land use district of the Comprehensive Plan. The intent of the regional nodes is to encourage development at a regional scale with an emphasis on trip reduction. Nodes are areas where regional retail and services are found with multi-family designations. Commercial is an appropriate use for this future land use district.

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

The three lots have frontage along N State Hwy 123 Bypass and N Heideke Rd. N State Hwy 123 Bypass is a TXDOT right-of-way and would require approval for access. N Heideke Rd is a City of Seguin right-of-way.

### **OTHER CONSIDERATIONS:**

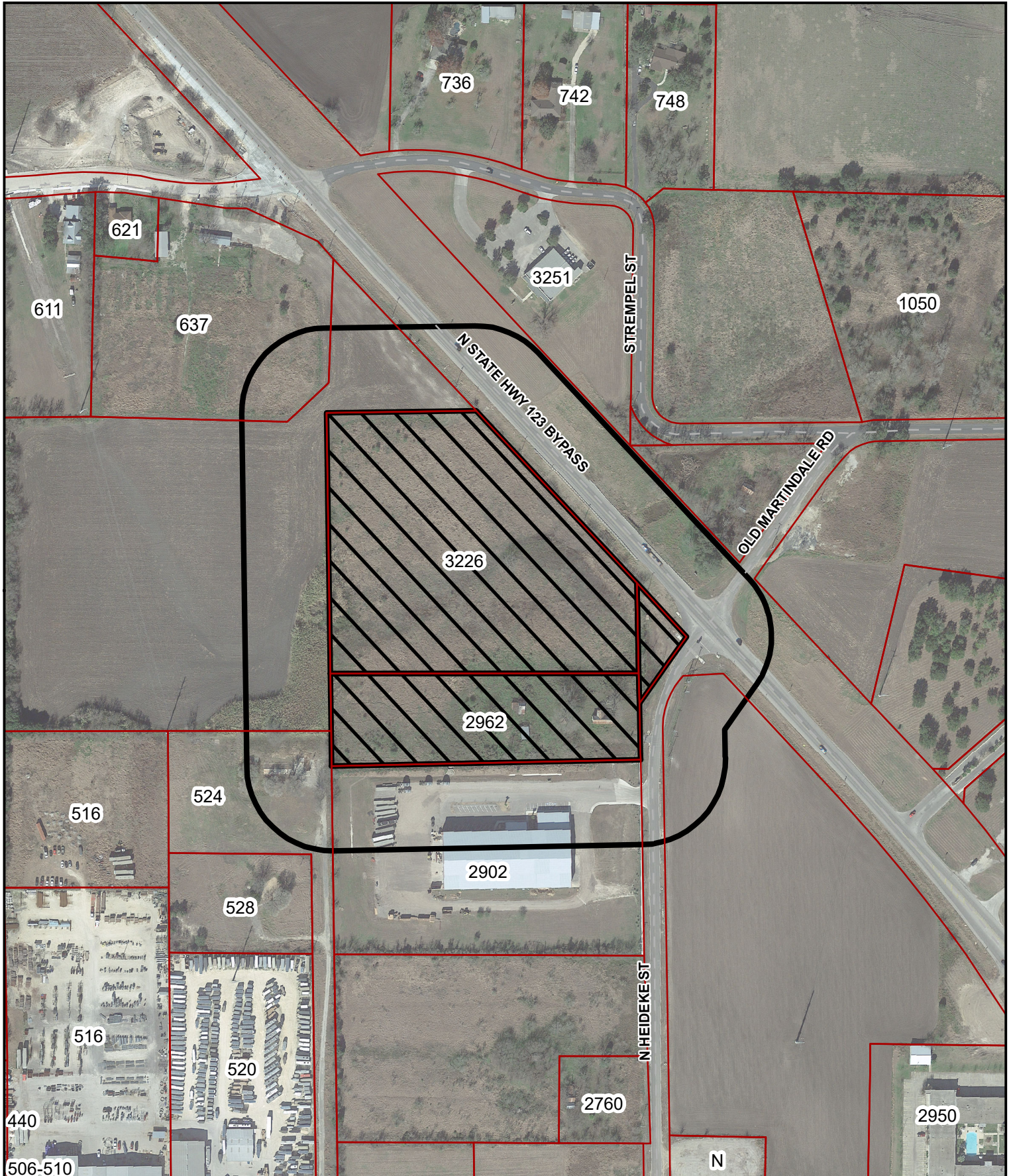
As always, development of vacant land will be required to follow all development standards, to include, but not limited to platting, drainage, landscaping, etc.

The Commission should also take into consideration that any plans provided by the applicant are just proposed. Until the plans are engineer-designed and approved by all reviewing entities, these plans can change.



# LOCATION MAP

ZC 05-22 3226 N. State Hwy 123



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Lot Lines



Site Location



200' Notification Buffer

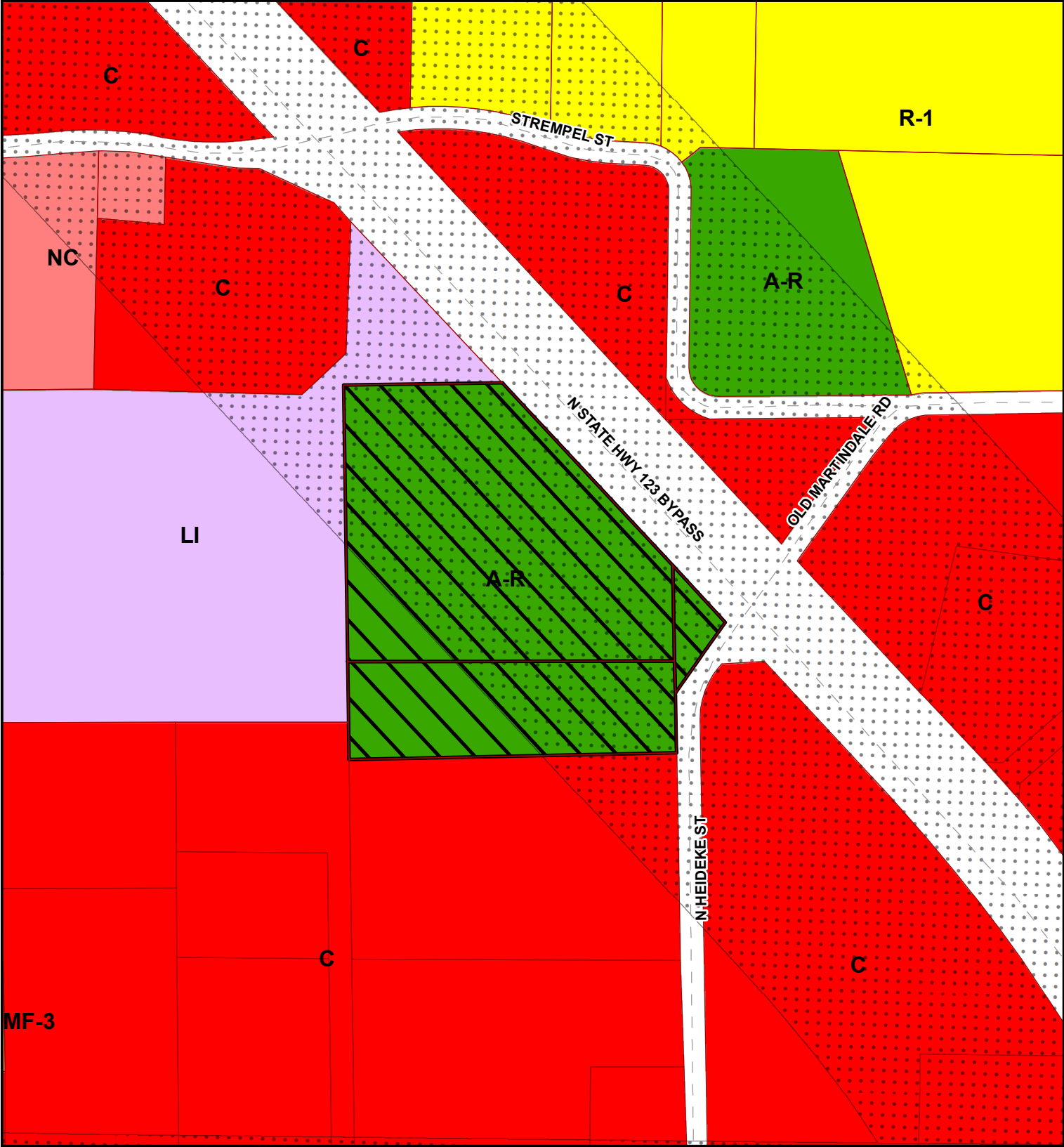
1 inch = 300 feet





















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ZONING MAP

ZC 05-22 3226 N. State Hwy 123



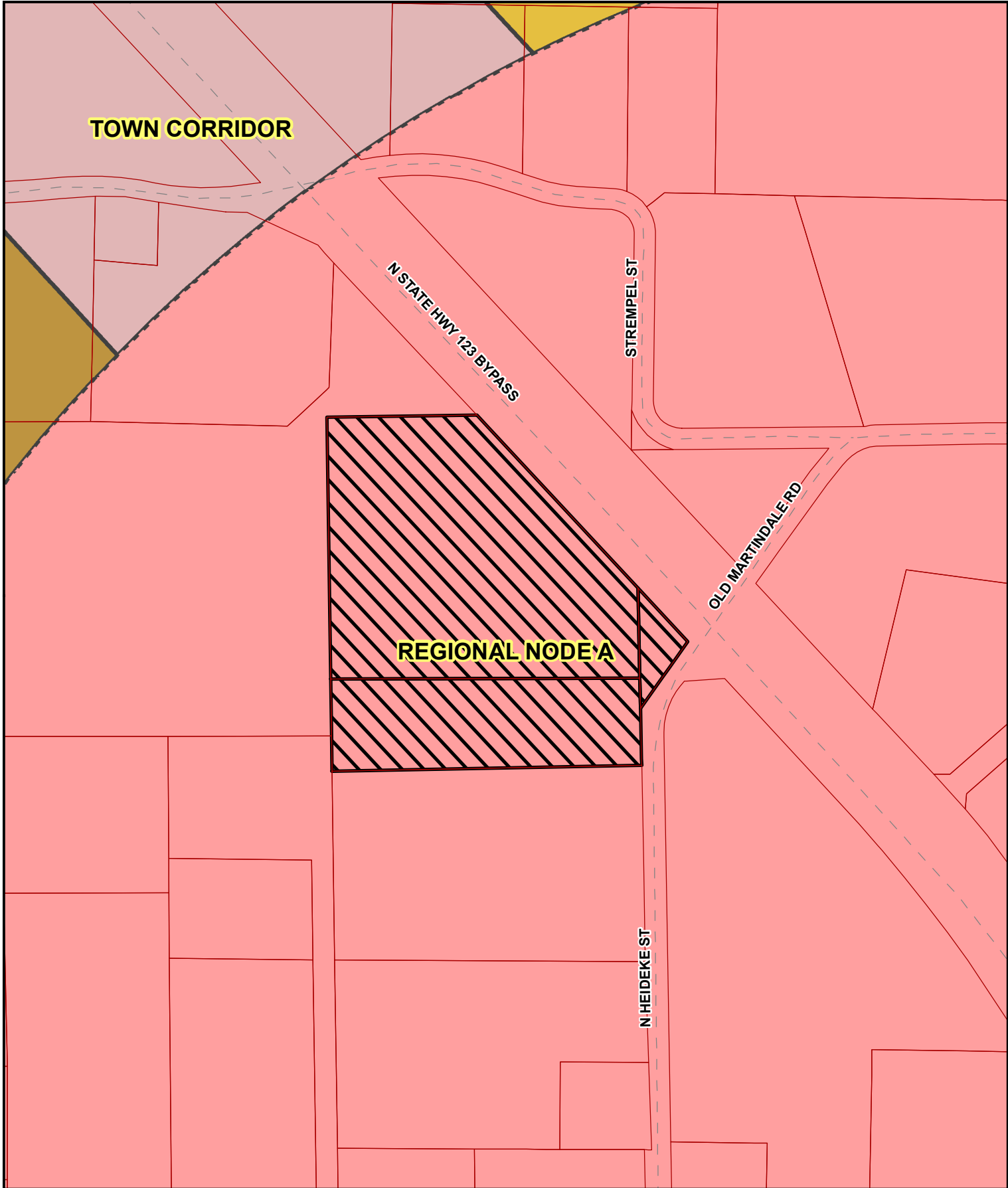
|   |   |  |  |  |
|---|---|--|--|--|
|  Agricultural - Ranch        |  Single Family Residential 2 |  MultiFamily 1            |  Manufactured Home Park  |  Industrial               |
|  Rural Residential           |  Zero Lot Lines              |  MultiFamily 2            |  Neighborhood Commercial |  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 = 300 feet

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Ownership

Site Location

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