



## **PLANNING & CODES**

### **Planning and Zoning Commission Report**

**ZC 08-18**

**ZC 09-18**

A request for Zoning Change 08-18 and 09-18 were considered during a public hearing at the Planning & Zoning Commission meeting on June 12, 2018:

**ZONING CHANGE 08-18- A request from Commercial (C) and Agricultural Ranch (A-R) to Single Family Residential (R-1) for approximately 74.41 acres situated in the M Cherino Survey, Abstract 10 on FM 20 (Property IDs 52355 and 52357).**

**ZONING CHANGE 09-18- A request from Commercial (C) to Single Family Residential (R-1) for approximately 38.961 acres situated in the M Cherino Survey, Abstract 10 on FM 20 (Property ID 52358).**

Helena Schaefer presented the staff report for ZC 08-18 and ZC 09-18. She explained that the properties were annexed in 1998 and have their original zoning from the annexation process. The properties are in agricultural ranch use and do not have structures on them, although there is a power line easement running north and south across the property for zoning change request 09-18. Both properties are being developed by the same applicant. She stated that the properties are an area of potential residential growth. Ms. Schaefer gave an overview of the surrounding properties and stated that the request is compatible with the surrounding land use and zoning. She explained that the properties fall into two future land use districts, Emergent Residential and Community Node with a majority in the Community Node District. The future land use district's intent is to define the uses at an area where major transportation corridors intersect in this case, the intersection of FM 20 and SH 123. Although, most of the properties fall in the Community Node, the proposed subdivision will not front along SH 123 Bypass; the portion of property id 52355 not being rezoned will remain as Commercial an appropriate use in the Community Node District. The portion of the property requested for a zoning change fronts FM 20, a TxDOT right-of-way. Any access to TxDOT right-of-way requires TxDOT approval. Staff recommended approval of the zoning change 08-18 and 09-18 to Single Family Residential 1, as the proposed residential development is compatible with the other proposed developments in the area, which were previously approved for residential zoning changes.

Public notifications were mailed on June 1, 2018 and published in the newspaper on May 27, 2018.

No comments were received by mail. One comment in opposition was received for ZC 08-18 and one for ZC 09-18 prior to the meeting stating that "building to close to commercial/industrial existing properties will have a negative impact on natural drainage."

Paul Landa, MTR Engineers stated he was present on behalf of the applicant and was available to answer questions. He provided answers to the Commission by stating that there will be an internal connection within both tracts. Mr. Landa stated that there are currently two watersheds on the tracts. They will coordinate drainage plans with the developer across the street in addition to providing detention as required by the City. Mr. Landa stated that they will address drainage concerns on FM 20.

The Commission expressed concerns with drainage overflow onto adjacent properties and asked staff to take drainage into consideration when reviewing the subdivision submittal.

The regular meeting was then recessed and a public hearing was held.

Cecil Schultz, 534 Crescent said he owns property to the west at 3563 Hwy 123. He stated his major concern is drainage and feels that the standards should be increased when developing the property. He said his property is flat and when it rains the water does not recede very quickly. He feels with additional roof tops the water will drain towards Hwy. 123.

Fred Keiser, 3071 Hidden Meadow stated he owns the business at 3051 Hwy. 123, Keiser Manufacturing. He explained that twenty years ago he paid to connect to sewer and the Engineer asked him for an easement. He feels that the lines will not handle additional homes. Mr. Keiser also had concerns with residential property abutting commercial property and suggested a 200' buffer between the subdivision and his property. Mr. Keiser said they have been in business for 24 years and plan to expand the facility in the future. He explained that when they developed the property they were required to get approval signatures from neighboring property owners to not be required to construct a detention pond. He also expressed concerns with drainage in the area. He felt the drainage issues will increase with additional homes and the new LCRA facility located behind his property. Mr. Keiser said they have been good neighbors. He felt that residents living adjacent to Commercial is not compatible. He is concerned that residents may complain about noise from his business. He said he is not in agreement to provide an easement to the City because it would hamper his future development. He suggested a block wall between commercial and the residential development.

There being no additional responses from the public the regular meeting reconvened.

The Commission discussed citizen concerns and requested that staff take the concerns into consideration when reviewing the proposed subdivision.

After consideration of the staff report and all information given regarding Zoning Change 08-18 Commissioner Leos-Smith moved that the Planning and Zoning Commission recommend to City Council approval of the Zoning Change Request to Single Family Residential 1. Commissioner Gettig seconded the motion. The following vote was recorded:

**RECOMMENDATION TO APPROVE ZONING CHANGE TO SINGLE FAMILY RESIDENTIAL 1**

**MOTION PASSED**

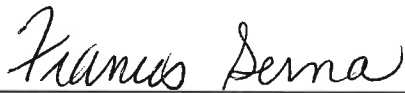
**5-0-0**

After consideration of the staff report and all information given regarding Zoning Change 09-18 Commissioner Kirchner moved that the Planning and Zoning Commission recommend to City Council approval of the Zoning Change Request to Single Family Residential 1. Commissioner Leos-Smith seconded the motion. The following vote was recorded:

**RECOMMENDATION TO APPROVE ZONING CHANGE TO SINGLE FAMILY RESIDENTIAL 1**

**MOTION PASSED**

**5-0-0**



Francis Serna  
Planning Assistant



ATTEST: Helena Schaefer, Senior Planner



## PLANNING & CODES

**Applicant:**

Harry Hausman  
15720 Bandera, Ste 103  
Helotes, TX 78203

**Property Owner:**

Louis P Wahl Jr  
802 E College St  
Seguin, TX 78155

**Property Address/Location:**

200 Blk of FM 20

**Legal Description:**

Abs: 10 Sur: M Cherino  
74.41 acres Property ID  
52355 & 52357

**Lot Size/Project Area:**

Approx. 74.41 acres

**Future Land Use Plan:**

Emergent Residential &  
Community Node

**Notifications:**

Mailed June 1, 2018  
Newspaper May 27, 2018

**Comments Received:**

None

**Staff Review:**

Helena Schaefer  
Senior Planner

**Attachments:**

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

**ZC 08-18 Staff Report****FM 20 – 74.41 acres****Zoning Change A-R & C to R-1****REQUEST:**

A Zoning Change request to Single Family Residential – 1 for a proposed subdivision.

**ZONING AND LAND USE:**

|                         | Zoning  | Land Use               |
|-------------------------|---------|------------------------|
| <b>Subject Property</b> | A-R & C | Farm land              |
| <b>N of Property</b>    | R-2     | Farm land              |
| <b>S of Property</b>    | C       | Farm land              |
| <b>E of Property</b>    | A-R     | Farm land w/ residence |
| <b>W of Property</b>    | C & R-1 | Businesses, Residences |

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The properties are located near the SE corner of State Hwy 123N and FM 20. This is an area of growth with several proposed residential developments. Staff recommends approval of the zoning change to Single-Family Residential-1, as the proposed residential development is compatible with the other proposed developments in the area, which were previously approved for residential zoning changes.

**Planning Department Recommendation:**

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

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

The two properties were annexed back in 1998 and have their original zoning from the annexation process. The properties are in agricultural-ranch use and have no structures located on them.

### **CODE REQUIREMENTS:**

To use this 74.41 acres as a residential development, a zoning change from agricultural-ranch to single-family residential is necessary.

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

Currently these properties are being used for agricultural activities. However, this is also an area of potential residential growth. To the north along State Hwy 123 N, a duplex development is currently being constructed. To the east, there is a proposed single-family residential development (Navarro Oaks) along E Martindale Rd. To the north across FM 20, the recently annexed property was zoned Single-Family Residential for a proposed subdivision (Moreno).

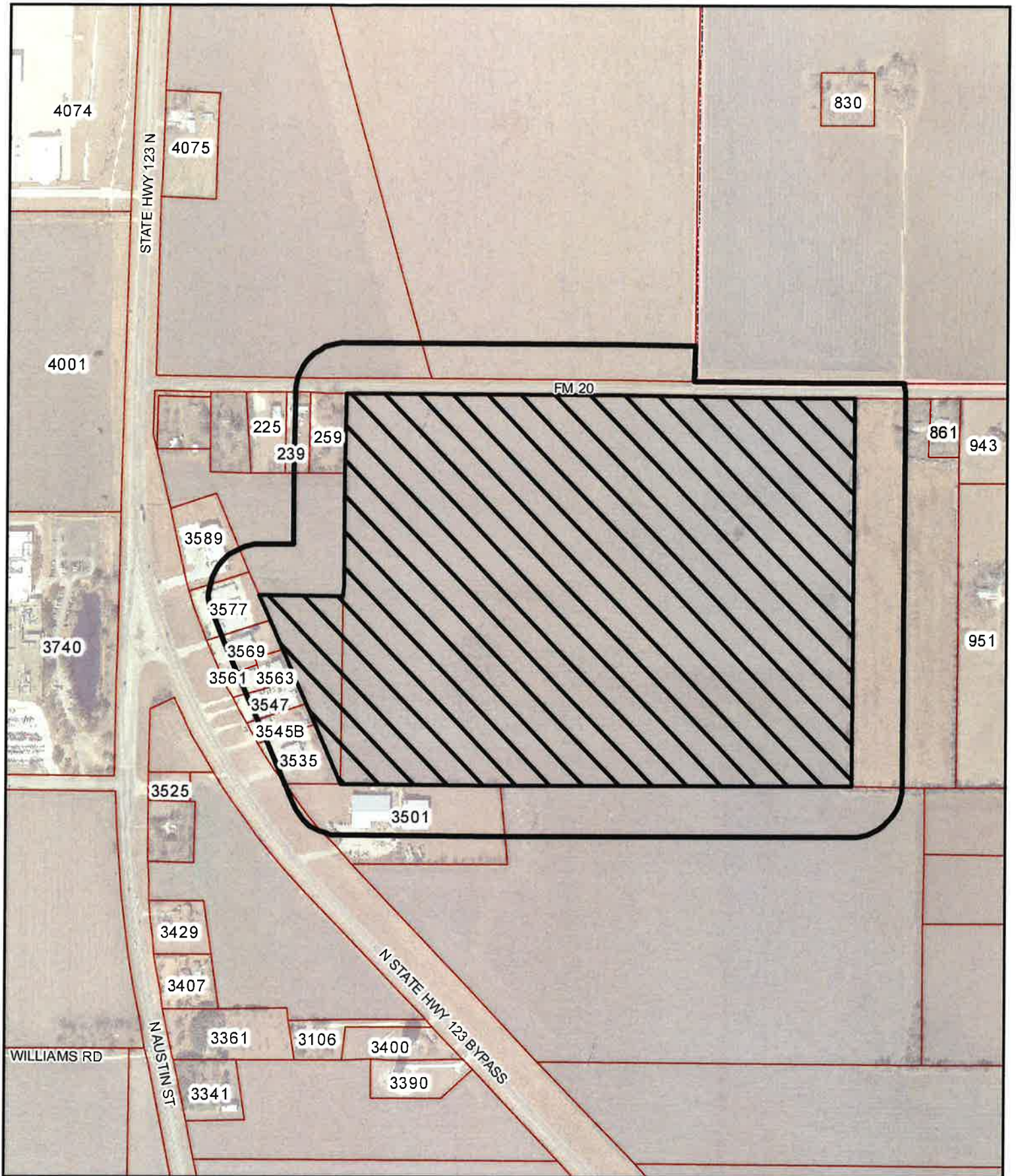
### **COMPREHENSIVE PLAN:**

The two properties fall into two future land use districts, Emergent Residential and Community Node. The majority of the area is located in the Community Node. This future land use district's intent is to define the uses at an area where major transportation corridors intersect; in this case, the intersection of FM 20 and SH 123. The dominant use in this district is commercial and the dominant use in the Emergent Residential is residential. Although the majority of the properties fall into the Community Node, the proposed subdivision will not front along SH 123 Bypass; the portion of property Id 52355 (5.26 acres) not being rezoned will remain as Commercial, an appropriate use in the Community Node district.

**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 portion of the property requested for the zoning change fronts FM 20, a TxDOT right-of-way. Any access to these right-of-way requires TxDOT approval.



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Site Location



200' Notification Buffer



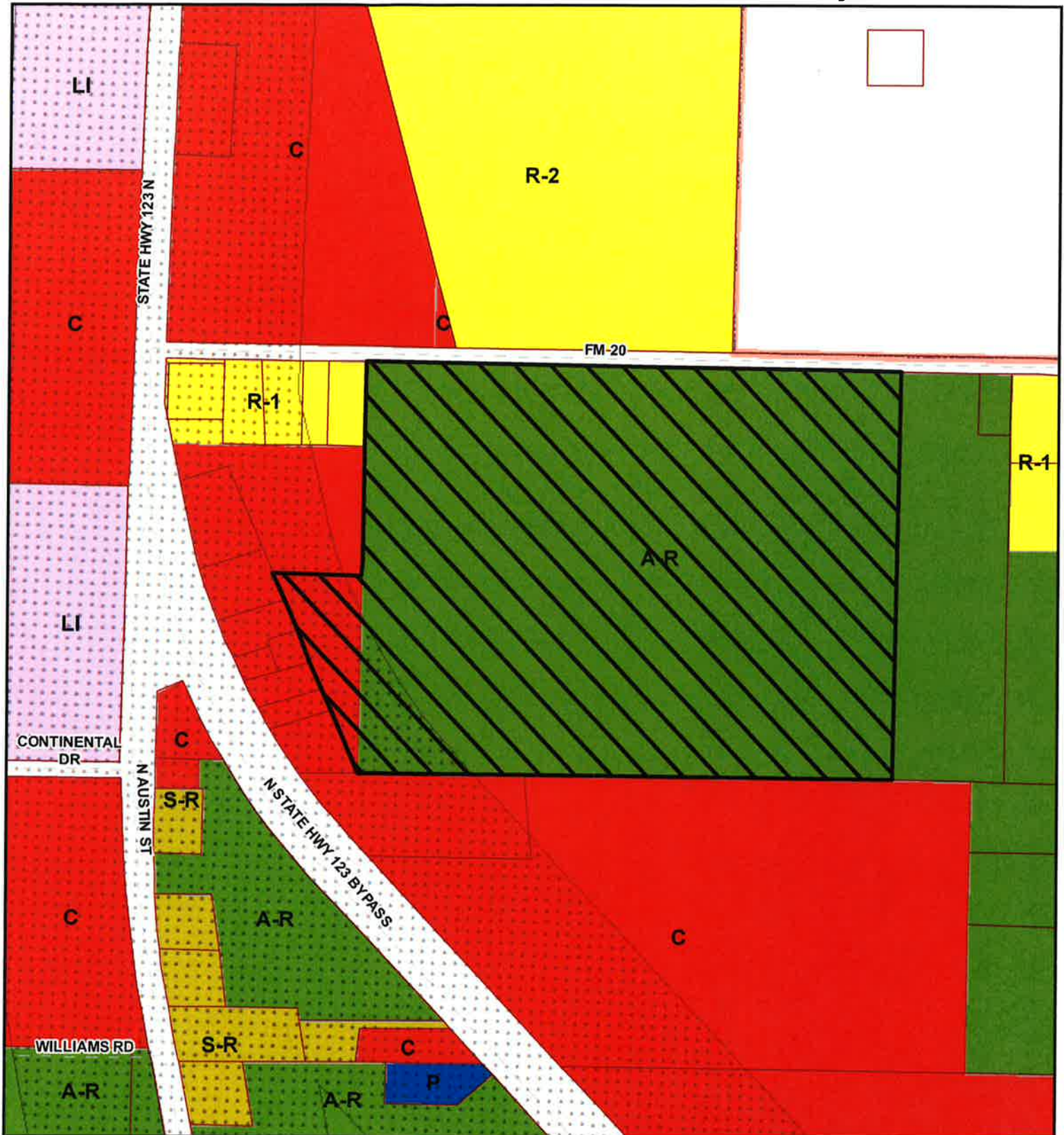
Lot Lines

1 inch = 500 feet

Printed: 5/11/2018

# ZONING MAP

ZC 08-18: Hwy 123 N & FM 20



|                               |                              |                            |                              |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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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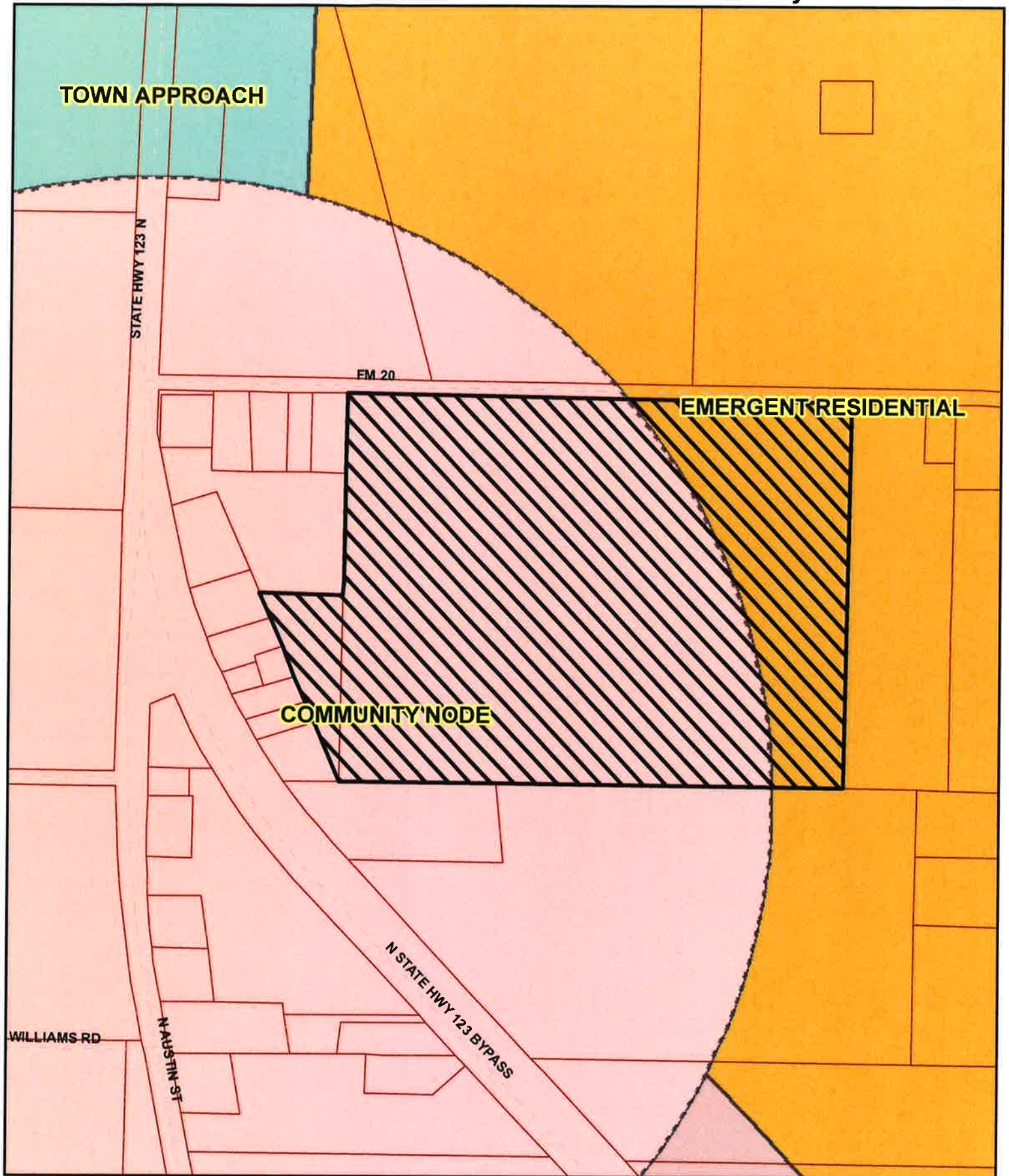
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**Site Location**



**Lot Lines**

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