



Meeting Minutes

Planning & Zoning Commission

Tuesday, April 8, 2025

5:30 PM

Council Chambers

Public

1. Call To Order

The City of Seguin Planning and Zoning Commission met in a Regular Meeting on April 8, 2025 at 5:30 p.m. at the City Council Chambers, 210 E. Gonzales Street, Seguin, Texas. Chair Felty presiding over the meeting.

2. Roll Call

Present: 8 - Vice Chair Eddie Davila, Chairperson Patrick Felty, Tomas Hernandez Jr, Joseph Pedigo, Yesenia Rizo, Kelly Schievelbein, Pete Silvius, and Wayne Windle

Absent: 1 - Bobby Jones III

3. Approval of Minutes

[25-219](#)

Approval of the Planning and Zoning Commission Minutes of the March 11, 2025 Regular Meeting.

A motion was made by Vice Chair Davila, seconded by Commissioner Hernandez, that the March 11, 2025 Planning & Zoning Commission Meeting Minutes be approved. The motion carried by the following vote:

Aye 8 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Schievelbein, Silvius, and Windle

4. Public Hearings and Action Items

a. [SUP 03-25](#)

Public hearing and possible action on a Specific Use Permit request to allow an Outdoor Entertainment Venue (Large) in a Commercial (C) zoning district for the property located at 225 N. Saunders St., Property ID: 46175, (SUP 03-25).

Shelly Jackson, Assistant Director of Planning & Codes presented the staff report. She reminded the Commission that in January the Outdoor Entertainment for Large and Small Venues was added to the Land Use Matrix. She said when NB Capital purchased the property at 225 N. Saunders in early 2024 and inherited the Outdoor Festival Permit for entertainment activities that was issued to the previous owner, The Backyard but has expired.

Ms. Jackson gave a detailed overview of the property. She explained that there are 5 indoor restrooms and hand-washing stations available during operating hours. For larger events, portable restrooms and hand-washing stations will be provided by a 3rd party. The minimum number of fixtures shall meet the requirements in the International Plumbing Code (Sec 2902). A total of 12 employees will be present during operating hours and shall have security for larger events as required by police and fire. The stage and sound projection are facing east designed to project sound away from residential properties. The applicant, NB Capital ensures that an onsite sound technician will monitor the noise levels. Per Section 46.253 of the Code of Ordinance, this property will have a maximum permissible decimal level to 85 decibels during the day and 75 at night.

Ms. Jackson gave an overview of the parking layout and requirements. She explained the number of parking spaces available, the parking lot across the street and owned by NB Capital provided approximately 41 spaces. The Guadalupe County has confirmed the parking garage and tax office parking are open to the public as well as the parking lot located on Donegan St. with a total of 251 parking spaces. She further explained that the Planning Department permitted and calculated each parking space by 4 which allows for 1168 attendees.

Ms. Jackson also gave an overview of the surrounding land uses and zoning. She said that the property is in the Downtown Core Community District which supports a mix of residential and commercial uses. The Downtown Core is designated are to occupy most of the lot to encourage density, walkability, and economic revitalization.

She advised the Commission that staff has placed conditions for the Specific Use Permit to include That this permit may be revoked if there is a breach of any of the material terms herein including, but not limited to, public disturbances, failure to maintain police protection, or failure to maintain the number of available parking spaces; This permit shall apply only to this location; This permit may not be transferred to another person or entity; The maximum number of attendees will be 1168; for an event with 1168 attendees, security will be required and will only monitor inside the fenced venue; Business Hours: Mon - Fri: 3:00pm – 11:00pm; Sat - Sun: 11am – 12:00am; The City of Seguin will allow the public parking garage, County Tax Office parking lot, and the public parking lot located on Donegan Street to count toward the parking requirements. If, at any time, Guadalupe County revokes the use of the public parking garage, county tax office parking lot, and the public parking lot located on Donegan Street for these events, additional parking plans shall be submitted to ensure adequate parking per the minimums; The required off-street parking shall be calculated as one space per 4 seats (tickets) plus 1 space per employee. Illustrations/maps of the designated parking areas for spectators shall be made available and distributed through social media, websites, etc. The maps shall be made available for each event.

She stated staff received one letter in support, although did mention that sometimes the base from the music is too loud. She advised the Commission that from 2023-2024, the property has received one noise complaint. On October 27, 2024 the Police did a random reading which resulted in a 84.4 decibel level at a concert. Ms. Jackson stated that NB Capital sent an email in the morning stating that they are not requesting any change from the outdoor festival permit that was once issued.

The Commission asked if a citation was issued during the 2023-2024 time, Ms. Jackson advised that a citation was not issued. A brief discussion ensued regarding parking signs, street parking and security during the events.

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

A motion was made by Commissioner Schievelbein, seconded by Commissioner Pedigo, that the Specific Use Permit be approved with conditions recommended by staff. The motion carried by the following vote:

Aye 8 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Schievelbein, Silvius, and Windle

b. [ZC 05-25](#)

Public hearing and possible action on a request for a zoning change from Single-Family Residential (R-1) to Commercial (C) for the property located at 218 N Vaughn Ave., Property ID: 46260, (ZC 05-25)

Kyle Warren presented the staff report. He stated that the applicant is requesting the zoning change for a proposed parking lot expansion. The .26 acre tract is zoned Single Family Residential and is currently vacant. He stated that property is bordered by single family residential and adjacent to commercial zoning to the south where the Varsity Inn Bar is located. The property is located in the University Center of the Future Land Use Plan which states that consideration should be given to developing approaches that help foster a stronger "town and gown" relationship, where the University's character and culture integrate with Seguin's communities to form a mutual identity. He added that there are no health, safety and general welfare issues identified. Mr. Warren added that the zoning change is compatible with the Future Land Use Plan, and is compatible with the existing and permitted uses of surrounding properties. The proposed zoning follows a logical and order pattern being the property is adjacent to Commercial property and close to major thoroughfares. He stated that staff received one letter in support of the request.

The regular meeting recessed, and a public hearing was held. Arnold Ochoa, 1154 Sheffield Rd., stated that he was available to answer questions. The Commission asked about the currently parking situation and the need for additional parking. Mr. Ochoa stated that his customers currently park at nearby businesses. There being no additional responses from the public the regular meeting reconvened for action.

A motion was made by Commissioner Pedigo, seconded by Commissioner Schievelbein, that the Zoning Change from Single Family Residential (R-1) to Commercial (C) be recommended for approval. The motion carried by the following vote:

Aye 8 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Schievelbein, Silvius, and Windle

c. [ZC 06-25](#)

Public hearing and possible action on a request for a zone change from Suburban Residential (S-R) to Commercial (C) for the property located at 3511 N. Austin St., Property ID 191373, (ZC 06-25)

Melissa Zwicke presented the staff report. She explained that the property was rezoned to Suburban Residential in 2015 from its original zoning of Mixed Development. The property was platted in 2018 and the property meets the lot dimensions for Commercial zoning. She stated that the request is compatible with the surrounding land uses and zoning in the area. There were no health, safety, and general welfare issues identified. Ms. Zwicke added that the property is in the Local Commercial District which is intended for various neighborhood scale commercial

businesses that would support nearby residential communities.

She stated that one letter in opposition was received stating that commercial is not compatible with the area, too much traffic in the area, increase in lighting, additional impervious cover and no screening between the residential homes for privacy.

The regular meeting recessed, and a public hearing was held. Ms. Gulzar, San Antonio, TX, the applicant stated that she is proposing to build a convenient store with gas pumps to serve the surrounding community around Hwy. 123. She provided a proposed site plan to the Commission. The Commission asked if they intend to have a food establishment and if they will service trucks. Ms. Gulzar responded that they do plan to sell food and that the store will not be a truck stop.

Carlos Gutierrez, 3424 N. Austin stated that there is already too much traffic on Austin Street. He stated that the traffic backs up and they have problems with getting out of his driveway. He said there are a lot of 18 wheelers that drive Austin St. and is concerned with additional accidents. Mr. Gutierrez added that the apartment complex does have not screening and that the headlights go directly into his home and backyard. He said the fencing is not sufficient. There being no additional responses from the public the regular meeting reconvened for action.

Commissioner Silvius expressed concerns with the impacts of the homes in the area and that they have valid concerns. The Commission briefly discussed the compatibility with the Future Land Use Plan.

A motion was made by Vice Chair Davila, seconded by Commissioner Pedigo, that the zoning change from Suburban Residential to Commercial be recommended for approval. The motion carried by the following vote:

Nay 1 - Silvius

Aye 7 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Schievelbein, and Windle

d. [ZC 07-25](#)

Public hearing and possible action on a request for a zoning change from Single Family Residential (R-1) to Neighborhood Commercial (NC) for the property located at 902 N. Austin St., Property ID 22854, (ZC 07-25)

Melissa Zwicke presented the staff report. She gave a detailed history of the property. She stated that as of 1962, the house is a recorded Texas Historic Landmark and in 1970 the house was placed on the National Register of Historic Places. Ms. Zwicke stated in order for the applicant to use the property for a real estate office a zoning to Neighborhood Commercial is necessary. Ms. Zwicke gave an overview of the structures located on the property. She touched on the zoning and land use for the surrounding properties. She said that the request to Neighborhood Commercial is compatible with the surrounding uses and zoning. The property is located in the Downtown Core District which encourages low density residential uses and low impact commercial uses. She pointed out that properties with a Recorded Texas Historic Landmark (RTHL) designation receive some legal protection from inappropriate additions or alterations. Property owners are required to notify the Texas Historic Commission in advance of altering the exterior of the building or structure designated as an RTHL. Alterations done without approval to RTHL properties may result in the removal of the designation and marker. She stated no adverse impacts on surrounding properties or natural environment were identified. The proposed zoning allows for continued residential use, while also allowing various types of small scale, limited

impact commercial, retail, personal services and office use. Additional parking will be required if the property goes to a commercial use. Ms. Zwicke added that one letter in opposition was received stating there are already too many people in the area.

The regular meeting recessed, and a public hearing was held. Celena Ross, Real Estate Agent and applicant stated she was available to answer questions. She said the two story building in inhabitable and would need to be taken down. She gave a brief overview of the current buildings and pointed out which building would be used as a real estate office. She added that she would like to keep the Historic Designation of the property and add the historical marker. She has been in contact with the Historic Preservation Commission. Ms. Ross advised the Commission that she has served on the Main Street Advisory Board and likes to improve historic buildings. There being no additional responses from the public the regular meeting reconvened for action.

A motion was made by Vice Chair Davila, seconded by Commissioner Schievelbein, that the Zoning Change from Single Family Residential to Neighborhood Commercial be recommended for approval. The motion carried by the following vote:

Aye 8 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Schievelbein, Silvius, and Windle

e. [ZC 08-25](#)

Public hearing and possible action on a request for a zoning change from Public (P) to Multi-Family Low Density (MF-1) for the property located at the 700 block of Jefferson Ave., Property ID: 108755 (ZC 08-25)

Kyle Warren presented the staff report. He reminded the Commission that the applicant came before the Commission at the February meeting with a MF-2 zoning request which was denied. He said the applicant withdrew the request prior to going to City Council and is now requesting MF-1 low density zoning for the property located at the 700 Block of Jefferson Ave. The property is adjacent to Jefferson Elementary which is zoned Public, single family zoning, and a manufactured home park across the street. He explained that multi family zoning would require additional buffering between adjacent single family zoned properties. The setback distance and location of tree buffer will be determined by the height of the proposed multi family structure. Mr. Warren added that Multi-Family 1 allows for a maximum of 6 units per acre although for this project a maximum of 15 units could potentially be built.

Mr. Warren stated that the proposed zoning is compatible with the with the surrounding land use and zoning. Multifamily developments can promote walk ability in neighborhoods near school and other local amenities. The property is in the Traditional Residential District where development should consist of low-to medium density residential homes facing local streets. Different housing types may be integrated to encourage various ownership opportunities. The increase of traffic and no sidewalks could be seen as an adverse impact on surrounding properties or the natural environment. He added that no public health, safety and welfare issues were identified.

Staff received 4 letters in opposition with concerns of increase in traffic, increase in noise, decrease in property values, a proposed plan not available, compatibility, crime, and higher volume of transient people who are not invested in the neighborhood.

The regular meeting recessed, and a public hearing was held. Mitchell James, 503 N. Austin St. stated he was available to answer questions. He said he heard the feedback from the Commission and the concerns of the residences. He added that concerns would be addressed during the Site Plan and Building Permit process. Mr.

James said that the proposed development will feel like a single family home development. He said he plans to develop single family detached homes and the only way he can develop this type of home it would require the MF1 zoning. He stated he does not plan on developing multi story homes. He feels that the new quality homes will increase property values and is supportive of the FLUP. The Commission asked if they would be rentals. Mr. James stated the development is a build to rent community. The Commission and the applicant discussed the number of homes and square footage.

Susan Gerth, 767 Baker, said she has resided in her home for 44 years and has always been a quiet clean neighborhood. She expressed concerns with apartments in a residential area, noise, and safety of children with the increase of traffic. She asked the Commission to preserve the neighborhood.

Franklin Hayes, 308 S. Erkel stated he is opposed to the request. He felt that if the developers do not live near or adjacent to the apartments they will not be affected by the transient people who rent in the neighborhood. He said rental properties have brought many problems to the neighborhood. He is opposed to the request.

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

Commissioner Silvius said he is sensitive to the concerns of the residents and how it affects them. He added that the challenge is that they make sure the density is preserved. He said he understand that the proposed plan would not increase density as if it were a single family zoning. He added that since there is no way to increase the requirements to preserve less density he finds it supportive.

A motion was made by Commissioner Silvius, seconded by Commission Pedigo, that the zoning change from Public (P) to Multi-Family 1 (MF-1) be recommended for approval. The motion carried by the following vote:

Nay 1 - Schievelbein

Aye 7 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Silvius, and Windle

f. [ZC 09-25](#)

Public hearing and possible action on a request for a zone change from Duplex High Density (DP-2) to Commercial (C) for property located on W. Court St., Property ID 52986, (ZC 09-25)

Melissa Zwicke presented the staff report. She said the applicant is proposing to develop a commercial office park. She stated the property was zoned at annexation as Commercial and granted a zoning change in 2015 to Duplex High Density. The site is more than 300 feet from the nearest sewer main. The use of on-site sewage facilities in developments is prohibited within the city but may be permitted on existing lots where no main exists within 300 feet. She added that septic systems are being considered for the commercial development. This commercial development would be required to follow all applicable development standards. Such as parking, drainage, landscaping, sidewalks, and screening. All of which would be addressed during the site plan review.

Ms. Zwicke said that the property is in the Commercial Corridor and Suburban Residential District of the Future Land Use Plan (FLUP). She added that Suburban Residential does support Neighborhood Commercial if compatible in scale with

adjacent homes but does not support large scale Regional Commercial uses. Mc. Zwicke stated that health, safety, and general welfare are a concern as Commercial businesses could potentially create an increase in traffic in a residential area. Also, being near a school, this would have a negative impact on the safety and welfare of the school children, many of whom walk to and from school. She explained that Commercial zoning is appropriate in the Commercial Corridor. However, much of the property is in the Suburban Residential District of the FLUP. Suburban Residential supports Neighborhood Commercial if compatible in scale with adjacent homes but does not support large scale Regional Commercial uses. This area of W. Court St. is mainly residential in use. The property is adjacent to unincorporated county properties that are currently single family in nature, and some are being used agriculturally. The property is diagonal from A.J. Briesemeister Middle School, right outside of the school zone. The vast majority of commercially zoned and used properties are on the corner of W. Court St. and Hwy 46 S. and further down HWY 46 S. She added that a large-scale commercial business(s) would increase traffic in an area that is mostly residential in use. Also, whether it be one business or multiple, they tend to generate additional trash which could negatively affect the properties on both sides of this parcel, being that they are used agriculturally for hay production. The proposed zoning follows the zoning pattern along the front portion of the property and is partially in the Commercial Corridor of the FLUP. However, many Neighborhood Commercial and Commercial properties in the area have a residential use. A large-scale commercial business(s) could potentially create an increase in traffic in this mainly residential area. Also, being near a school would have a negative impact on the safety and welfare of the school children.

She told the Commission that one letter of opposition was received indicating they do not want a parking lot adjacent to their property and one letter in support was received indicating they would rather have a development with less traffic and quiet.

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

James Ingalls, Ink Civil gave a brief overview of the development.

Diana Ball, 1713 Westview, asked about the extension of the road.

Yvonne DeLaRosa, spoke on behalf of 1717 & 1734 Westview stating they are opposed to the zoning change due to the close vicinity to the school and all the residents on Westview. She said the proposed zoning change is not good for the neighborhood. She pointed out that they she has been in the neighborhood since 1979. They do not want the trash and other issues that come with a commercial development adjacent to the properties. She asked the Commission to consider the what is being proposed adjacent to a neighborhood and across from a school.

Craig Gabriel, 1726 Westview said his property abutts the proposed development. He said when it rains, there are issues with flooding on the property and drains to the property line. He felt that the proposed development should two egress and ingress to the property. He reiterated the others speakers concerning traffic, trash, noise, children safety and septic use for the property. He stated he is not in support of the request.

Paul Kalkwarf, 1714 Westview stated his property is on the side of the proposed detention pond. He expressed concerns with draining and flooding of the property. There being no additional responses from the public the regular meeting reconvened for action.

The Commission briefly discussed compatibility, flooding and the number of possible parking spaces.

A motion was made by Commissioner Schievelbein, seconded by Commissioner Pedigo, that the zoning change from Duplex High Density 2 to Commercial be recommended for denial. The motion carried by the following vote:

Nay 3 - Hernandez, Pedigo, and Windle

Aye 5 - Vice Chair Davila, Chairperson Felty, Rizo, Schievelbein, and Silvius

g. [ZC 10-25](#)

Public hearing and possible action on a request for a zoning change from Commercial (C) to Single-Family Residential (R-1) for the property located at 1022 Tabernacle St., Property ID: 38451, (ZC 10-25).

Armando Guerrero presented the staff report. He said the property has contained its original zoning since the adoption of zoning in 1989. The existing residential structure was construction in 1968. He explained that due to the site being vacant and abandoned for a continuous period of more than six month, the site has lost its non-conforming status and must be brought into compliance. Being in compliance will require a zoning change or an approved Specific Use Permit. He continued to say that the proposed use of single family residential would be compatible with the surrounding land use and zoning along Tabernacle St. He added that hte property is located in the Traditional Residential District and single family home use is an appropriate use within the District. He stated that one letter in support was received by staff.

The regular meeting recessed, and a public hearing was held. Ron Barden of New Braunfels stated he purchased the house to remodel and either sell or rent. There being no additional responses from the public the regular meeting reconvened for action.

A motion was made by Vice Chair Davila, seconded by Commissioner Rizo, that this Action Item be approved. The motion carried by the following vote:

Aye 8 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Schievelbein, Silvius, and Windle

h. [ZC 11-25](#)

Public hearing and possible action on a request for a zoning change from Agricultural Ranch (A-R) and Single-Family Residential (R-2) to Commercial (C) for the property located at the SE Corner of State Hwy 123 & Timmermann Rd., Property ID(s): 52343 & 172675, (ZC 11-25)

Armando Guerrero, Planning Manager presented the staff report. He explained that the requested 19.9 acres sits on vacant farmland and contains frontage along State Hwy 123 and Timmermann Rd., and that the requested Commercial (C) zoning would span the entire 1773 feet of frontage along State Hwy 123, and contain 358 feet of frontage along Timmermann Rd. He added that any proposed commercial use or development at the location, are required to adhere to all development standards found in Chapter 5 of the City's Unified Development Code (UDC).

Mr. Guerrero provided the surrounding zoning and land use within the area and pointed out the existing pattern of commercial zoning along the frontage of State Hwy 123. He

informed the Commission of a similar zoning change for a property to the north of this location, and pointed out the property's location within the Commercial Corridor of the city's Future Land Use Plan.

Mr. Guerrero added that the access points for the tract and that TxDOT would be the approving body for any proposed access off of State Hwy 123. The city would review and approve any proposed access from Timmerman Rd.

He stated that 3 letters of opposition were received, stating concerns over traffic, safety, compatibility, amenities, water availability, and increase in student population for Navarro. He added that a phone call from NISD was received inquiring more information about the request.

The regular meeting recessed, and a public hearing was held. James Ingalls, Ink Civil gave a brief overview of the site. There being no additional responses from the public the regular meeting reconvened for action.

The Commission briefly discussed concerns with the tax revenue with the Commercial zoned properties. The Commission also inquired about the water source for the development.

A motion was made by Commissioner Schievelbein, seconded by Commissioner Windle, that the zoning change from Single Family Residential 2 (R-2) to Commercial (C) be recommended for approval. The motion carried by the following vote:

Aye 8 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Schievelbein, Silvius, and Windle

i. [ZC 12-25](#)

Public hearing and possible action on a request for a zoning change from Single-Family Residential (R-2) to Multi-Family High Density (MF-3) for the property located at the SE Corner of State Hwy 123 & Timmermann Rd., Property ID: 52343, (ZC 12-25).

Armando Guerrero, Planning Manager presented the staff report. He explained that the requested 9.9 acres is vacant farmland and contains 382' of lot frontage along long Timmermann Rd. and contains a depth of 1132'. A zoning change from Single-Family Residential (R-2) to Multi-Family High Density (MF-3) will be required for any proposed multi-family development. All development standards found in Chapter 5 of the City's UDC are required to be followed.

Mr. Guerrero gave an overview of the surrounding zoning and stated that the request is compatible with the surrounding land uses and zoning in the area. He advised the Commission that the property to the north went through a similar zoning change in August of 2023 for a proposed commercial/multi-family/subdivision development. He gave an overview of the approved zoning change in 2023. He said the property is located within the Commercial Corridor and Suburban Residential districts of the City's Future Land Use Plan. Multi-family use is acceptable in the Commercial Corridor district if near intersections of two arterial or higher classification, streets, schools, or major employers, or if focused on walkability to nearby commercial amenities.

He stated that State Hwy 123 is classified as a Major Arterial and Timmermann Rd. contains a right-of-way width of a typical residential street. Commercial zoning can be seen along the frontage of State Hwy 123 that has not yet been developed. The

proposed master trail route that is planned along this portion of State Hwy 123 will be constructed when the commercial development occurs. The trail route will increase walkability within this area and to the new Navarro high school that is currently under construction across State Hwy 123, which can serve as a major employer for this area. He added that the site property can be accessed from both Timmermann Rd and N State Highway 123. Any proposed cross access points from adjacent tracts will required review and approval from the city and to be dedicated during the platting process.

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

A motion was made by Commissioner Windle, seconded by Vice Chair Davila, that the zoning change from Single Family Residential 2 (R-2) to Multi Family High Density 3 (MF-3) be recommended for approval. The motion carried by the following vote:

Aye 8 - Vice Chair Davila, Chairperson Felty, Hernandez, Pedigo, Rizo, Schievelbein, Silvius, and Windle

5. Adjourn

There being no further discussion before the Planning and Zoning Commission, the meeting adjourned at 7:42 p.m.

Patrick Felty, Chair
Planning & Zoning Commission

Francis Serna
Recording Secretary