



Planning and Zoning Commission Report ZC 06-16

The following request was considered in conjunction with Zoning Change 06-16 during a public hearing at the Planning & Zoning Commission meeting on March 8, 2016:

ZONING CHANGE request from Office-Professional (O-P) and Retail (R) to Agricultural-Ranch, Industrial, and Neighborhood Commercial for the following properties in the UDC Rezoning Group 7B: 51547, 51567, and 141018

Helena Schaefer presented the staff report. Prior to specific zoning, staff gave a presentation about the intent of O-P and R in the old zoning ordinance and how these two zoning districts were consolidated into one district, NC in the UDC. Although these districts were consolidated, not all properties zoned O-P and/or R translated into the new NC district. Staff provided previous zoning history for these properties, cited staff recommendations in the past, and if the intent of the proposed zoning change was ever developed. Property owners also received prior notification of the City's intent to rezone these properties; Staff requested feedback from the property owners to ensure that the appropriate zoning is proposed for the property. None of the owners for the three properties responded to Staff's letters regarding the proposed zoning changes.

Public notifications were mailed to 25 property owners on February 26, 2016. One phone call was received; the adjacent property wanted additional information and gave no opinion about the zoning changes.

There were no questions from the Commission. The regular meeting was then recessed and a public hearing was held.

Mary Alice Vega Melchor, 7 Arrowhead Bluff, Seguin TX spoke at the public hearing to inform the Commission that the existing structure is used for storage and there is no intent to develop a commercial use for the property. She stated the following in a written response:

"Our family owns a large metal building at 1728 N Guadalupe ST used as a large storage shed. It has no water or sewer connections. We store items needed for maintaining the property. (i.e., riding lawn mower, edger, lawn chairs, tables, ice chests. Items typically stored in a garage. The shed is just a big man cave!!! We would appreciate it if you would zone the property – Residential – Thank you!"

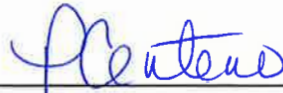
Staff reminded the Commission and the property owner that the Neighborhood Commercial allows either a residential structure or a neighborhood friendly commercial use. There being no further response from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change 06-16, the Planning and Zoning Commission voted 7-0-0, to Recommend to City Council to Approve the Zoning Change request to Neighborhood Commercial.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO AGRICULTURAL-RANCH, NEIGHBORHOOD
COMMERCIAL AND INDUSTRIAL –
MOTION PASSED 7-0-0**



Helena Schaefer
GIS Analyst



ATTEST: Pamela Centeno
Director of Planning/Codes



City of Seguin

Planning/Codes Department
Staff Report

ZC 06-16
UDC Rezoning for Office-Professional and
Retail
Group 7B

Applicant:

City of Seguin

Property Owner(s):

See attached list of property ownership.

Property Address/Location:

Group 7B are properties located along N Guadalupe and N Austin St

Legal Description:

See Attached Prop. ID List

Lot Size/Project Area:

2.23 acres

Future Land Use Plan:

Central Township, Town Corridor, and Core Approach

Notifications:

Mailed February 26, 2016
Newspaper February 21, 2016

Comments Received:

Update at P&Z meeting

Staff Review:

Helena Schaefer
GIS Analyst
March 2, 2016

Attachments:

- Group 7B Map (w/ Proposed Zoning)
- Existing Zoning Map
- Property Owner List
- Future Land Use Plan Map

REQUEST:

The City of Seguin is rezoning properties where the former zoning classifications no longer exist in the City of Seguin's Unified Development Code.

ZONING AND LAND USE:

	Zoning	Land Use	SEE ATTACHED MAPS
Subject Property	O-P, R	Various land uses including residential, commercial, and vacant.	
N of Property			
S of Property			
E of Property			
W of Property			

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

With the adoption of the Unified Development Code, two zoning districts (Office-Professional and Retail) were consolidated into one zoning, Neighborhood Commercial. There are 38 properties that were zoned either Office-Professional or Retail. The three parcels in Group 7B were zoned either Office-Professional or Retail.

Staff has evaluated the parcels in Group 7B with consideration of the current land uses, property owners' input, any previous zoning change request, physical features (such as floodplain and proximity to major roads) and the Future Land Use Plan as adopted in the 2008 Comprehensive Master Plan.

Staff recommends approval of the proposed zoning districts as depicted on the attached maps.

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

CASE SUMMARY:

Group 7B is one of six (6) areas that require rezoning due to the consolidation of the “Office-Professional” and “Retail” zoning classifications in the Unified Development Code. The case is to determine the zoning districts for Group 7B. There are three parcels in this group and are located along N Guadalupe and N Austin Streets.

CODE REQUIREMENTS:

All property within the city limits are required to have a zoning designation. According to the UDC, any property annexed will receive A-R zoning until the time that the property can be appropriately zoned. These three parcels were all rezoned to Office-Professional or Retail from its original zoning.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties in Group 7B are proposed as Agricultural-Ranch, Neighborhood Commercial, and Industrial due to the close proximity of each parcel to a residential area and/or “like” commercial uses.

COMPREHENSIVE PLAN:

The properties are within the Central Township, Town Corridor, and Core Approach.

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

No area of health, safety or historical significances has been identified by the City in this group.

TRAFFIC (STREET FRONTAGE & ACCESS):

The properties in Group 7B are located along N Guadalupe and N Austin Streets.

PARKING:

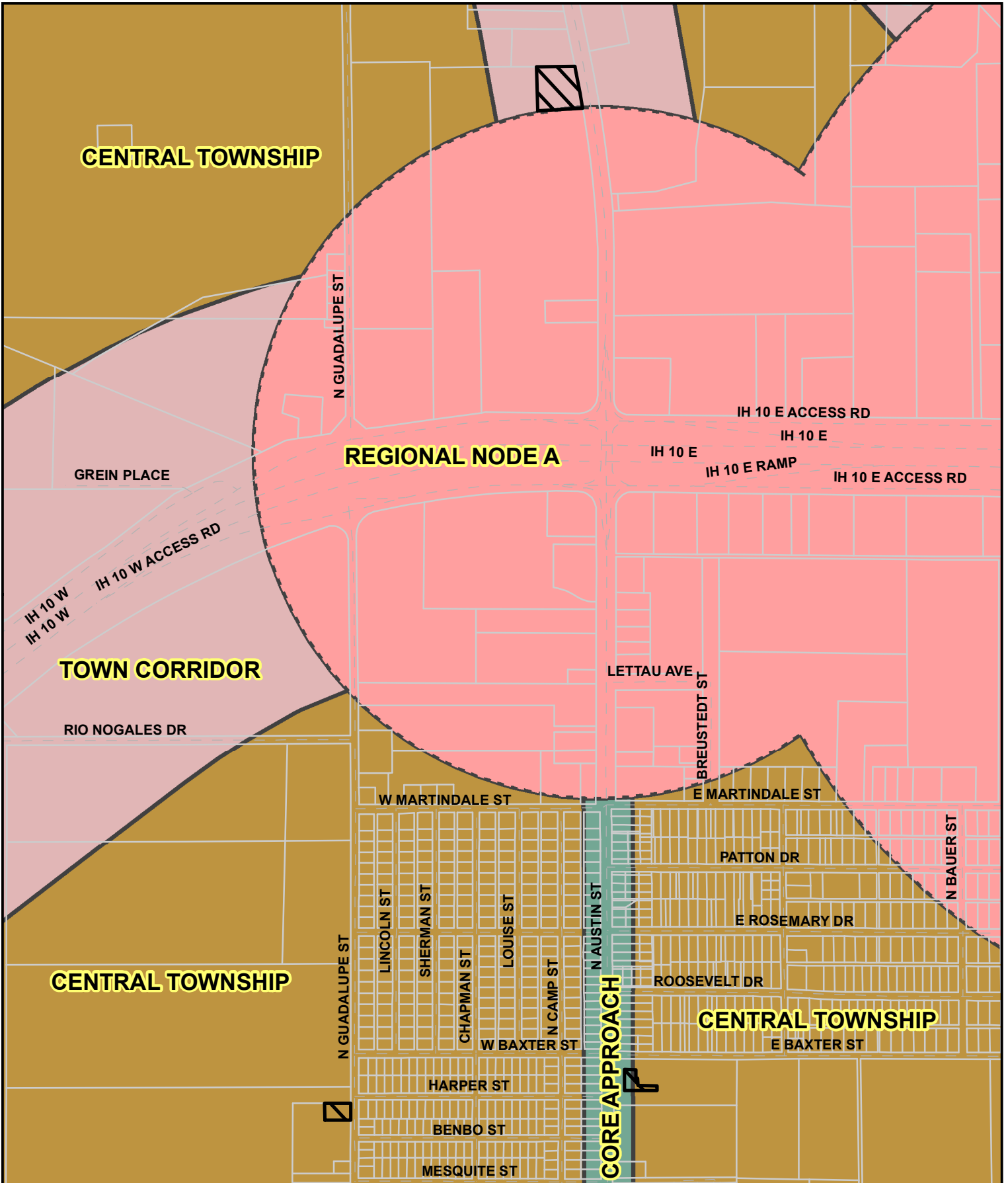
Off-street parking shall be provided in accordance with Section 5.3 of the Unified Development Code, which identifies specific parking requirements for different land uses and zoning districts.

INDIVIDUAL REZONING ANALYSIS AND HISTORY:

Property ID 51567 (2900 block of N Austin St) – This acre and a half was rezoned in February 2001. The applicant indicated that they wanted to develop this portion as an office complex. The applicant was not the property owner, but the property owner at that time is still the property owner. The office complex was never built and remains in farmland use. Rezoning this property to A-R would be appropriate as that is how the land is currently being used and A-R is the zoning equivalent to pre-development.

Property ID 51547 (1728 N Guadalupe St) – This parcel currently houses a non-residential structure. In September 1998, the applicant, which is still the property owner, wanted to operate a welding shop. The request was from Pre-development to C. Staff at the time, recommended denial of this zoning change request due to adverse impacts on the immediate residential properties. However, as other rezones in the area has occurred and the presence of a non-residential structure on-site, it is not reasonable to rezone this property to residential. Rezoning this property to NC would be more compatible with the current structure, the existing uses (power plant and the Niagara bottling plant) and given the close proximity to the residential area.

Property ID 141018 (1903 N Austin St) – In September 2007, the property owner requested a zoning change for part of the structure at 1903 N Austin St. The applicant wanted to rent out part of the building to a tenant that did not conduct activities related to the industrial field, so 8,846 square feet was rezoned from I to O-P. As this is a secondary use, and not the primary use, rezoning part of the building is no longer necessary. Staff is recommending that the portion of the property be rezoned back to Industrial.



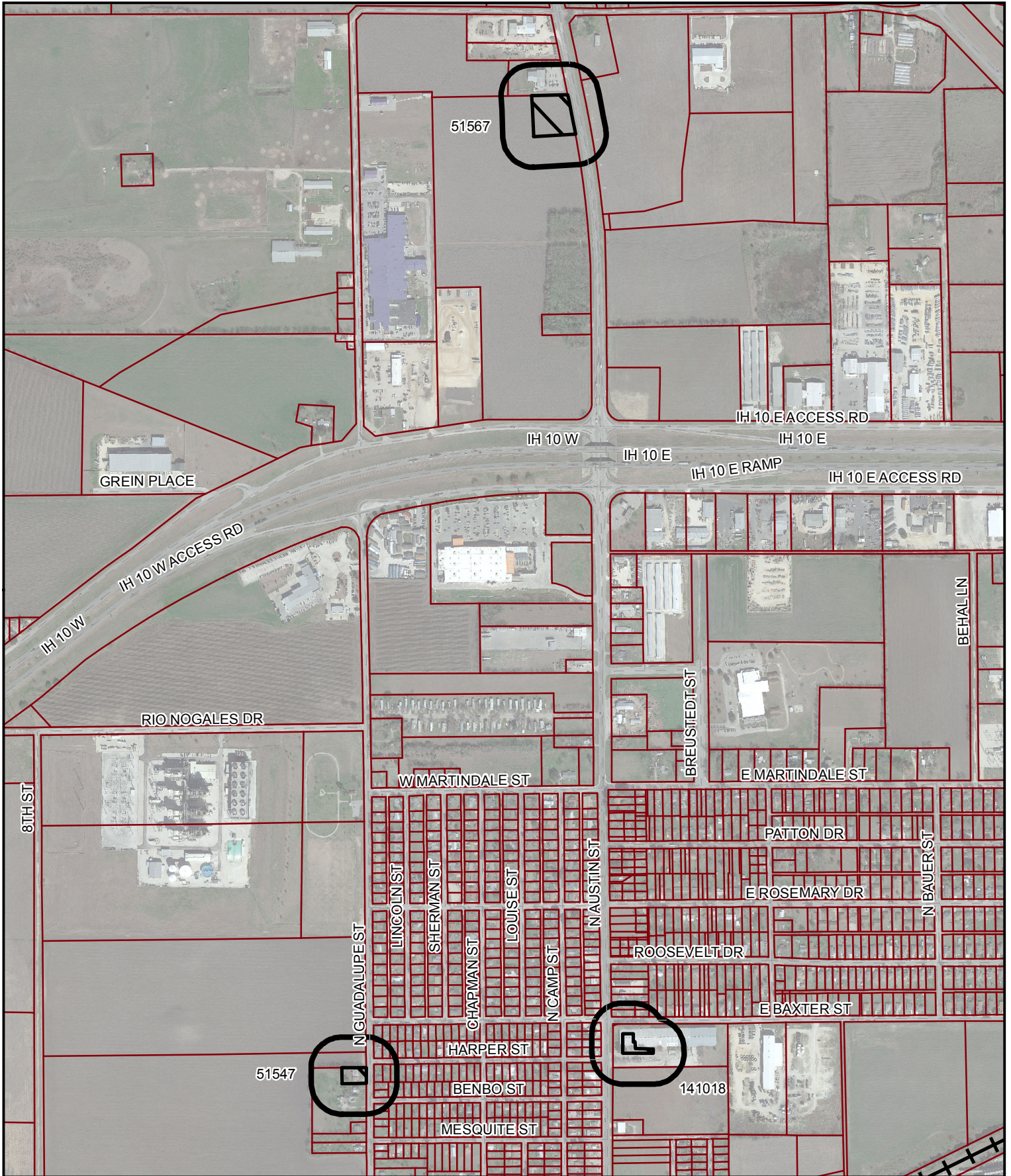
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for errors on this map or use of this information.


 Site Location
 Lot Lines

1 inch = 776 feet
 Printed: 2/12/2016

LOCATION MAP

ZC 06-16: UDC Rezoning Group 7B

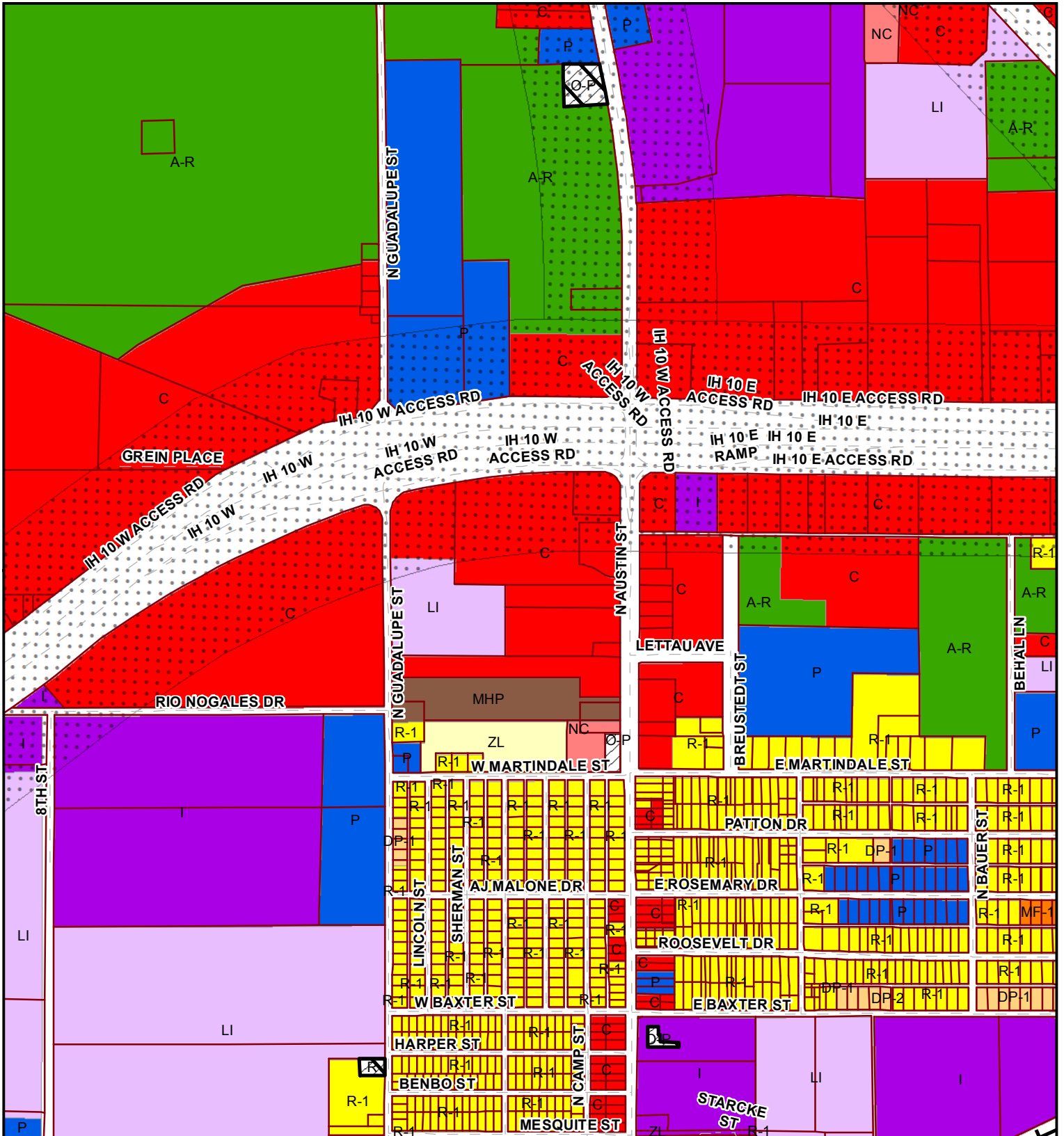


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		Site Location		200' Notification Buffer
		Lot Lines		
				1 inch = 830 feet
				Printed: 2/12/2016


ZONING MAP


ZC 06-16: UDC Rezoning Group 7B




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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Site Location



Lot Lines

1 inch = 851 feet

Printed: 2/26/2016