



## PLANNING & CODES

### Planning and Zoning Commission Report

#### ZC 12-24

A request for Zoning Change 12-24 from Commercial (C) to Single Family Residential (R-1) for property located at 1311 Aldama St., Property ID 14416, was considered during a public hearing at the Public Planning & Zoning Commission meeting on September 10, 2024.

Melissa Zwicke presented the staff report. She stated that the property is currently zoned Commercial, and the applicant is requesting a zone change to Single Family Residential. Ms. Zwicke added that the property has the original zoning classification from the 1989 zoning process and has been used residentially since approximately 1950. Ms. Zwicke stated that the use of the existing residential structure on the lot is classified as legal non-conforming. The lots to the north are also commercially zoned, however, the use is residential, and they are classified as legal non-conforming as well. The lots to the south and east are owned by the City and considered open space. All other lots along Aldama St. are zoned single family residential. Ms. Zwicke confirmed the property is located within the Traditional Residential future land use district and it is highly supportive of single family (R-1) zoning.

There are no adverse impacts, public health, or safety concerns identified for the property. Staff did not receive any letters of opposition to the request.

The Commission did not have any questions for staff.

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

After consideration of the staff report and all information given regarding Zoning Change (ZC 12-24), Commissioner Schievelbein moved that the Planning and Zoning Commission recommend approval of the zoning change from Commercial (C) to Single Family Residential (R-1) for the property located at 1311 Aldama St. Commissioner Pedigo seconded the motion. The following vote was recorded:

**RECOMMENDATION TO APPROVE THE ZONING CHANGE TO SINGLE FAMILY RESIDENTIAL (R-1)**

**MOTION PASSED**

**8-0-1**

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

Francis Serna, Planning Assistant

A handwritten signature in blue ink that reads "Melissa Zwicke".

ATTEST: Melissa Zwicke, Planner



**PLANNING & CODES**

**ZC 12-24 Staff Report  
1311 Aldama St.  
Zoning Change from C to R-1**

**Applicant:**

J And B Commercial Properties LLC  
P.O. Box 2190  
Seguin TX 78155

**Property Owner:**

J And B Commercial Properties LLC  
P.O. Box 2190  
Seguin, TX 78155

**Property Address/Location:**

1311 Aldama St.

**Legal Description:**

LOT: 3 W PT OF BLK: ADDN: APACHE ANNEX 0.0930 AC.  
Prop ID: 14416

**Lot Size/Project Area:**

Approx. 0.0930 acres

**Future Land Use Plan:**

Traditional Residential

**Notifications:**

Mailed 8/29/2024  
Newspaper 8/25/2024

**Comments Received:**

None

**Staff Review:**

Melissa Zwicke  
Planner

**Attachments:**

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

**REQUEST:**

A Zoning Change request from Commercial to Single-Family Residential 1.

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	C	Residential dwelling
<b>N of Property</b>	C	Residential dwellings
<b>S of Property</b>	P	Vacant Lot
<b>E of Property</b>	P	Vacant Lot
<b>W of Property</b>	LI	Tyson Processing Plant

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The property, located at 1311 Aldama St. is currently zoned Commercial (C). The applicant is proposing to rezone the .09-acre lot to Single Family Residential (R-1). The property has been zoned commercial since the initial zoning in 1989.

**CRITERIA FOR ZONING CHANGE:**

**Consistency with the future land use plan** – Yes, the future land use plan classification is Traditional Residential and is highly supportive of single family (R-1) zoning.

**Compatible with existing and permitted uses of surrounding property-** Compatible, the property is adjacent to other commercially zoned lots that are also being used as single family residential and have been zoned commercial since 1989. The property backs up to open space owned by the City.

**Adverse impact on surrounding properties or natural environment** – None specifically identified.

**Proposed zoning follows a logical and orderly pattern** - This zoning change request does follow a logical pattern, as all the lots in the area are zoned Single Family Residential, except for the few commercially zoned lots that have had a single-family residential use since 1989.

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

## PLANNING DEPARTMENT ANALYSIS

### **SITE DESCRIPTION**

The property is currently zoned Commercial and is located on the south side of the 1300 Block of Aldama St., just north of W. Kingsbury St. The property has the original zoning classification from the 1989 zoning process and the use of the existing residential structure on the lot is classified as legal non-conforming. The property backs up to public zoning. The city acquired the back portion of this property and others for the Walnut Branch Drainage Project.

### **CODE REQUIREMENTS:**

According to the UDC's Section 3.4.3 Land Use Matrix, the Commercial zoning district allows for an existing single-family residential structure with a Specific Use Permit. This would be triggered if the structure was vacant for more than 6 months. However, Single-Family Residential 1 zoning does allow the use of either an existing or new single-family residential structure. Rezoning to R-1 would remove the need for an approved Specific Use Permit and allow the property owner to rebuild if the property suffers damage.

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

The lots to the north are commercially zoned, however, the existing residential structures on the lots are classified as legal non-conforming. The lots to the south and east are owned by the City and considered open space. All other lots along Aldama St. are zoned single family residential.

### **COMPREHENSIVE PLAN:**

The property is located within the Traditional Residential future land use district. Development within Suburban Residential areas should consist of low- to medium density residential homes facing local streets.

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

No health, safety or environmental issues have been identified for the property.

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

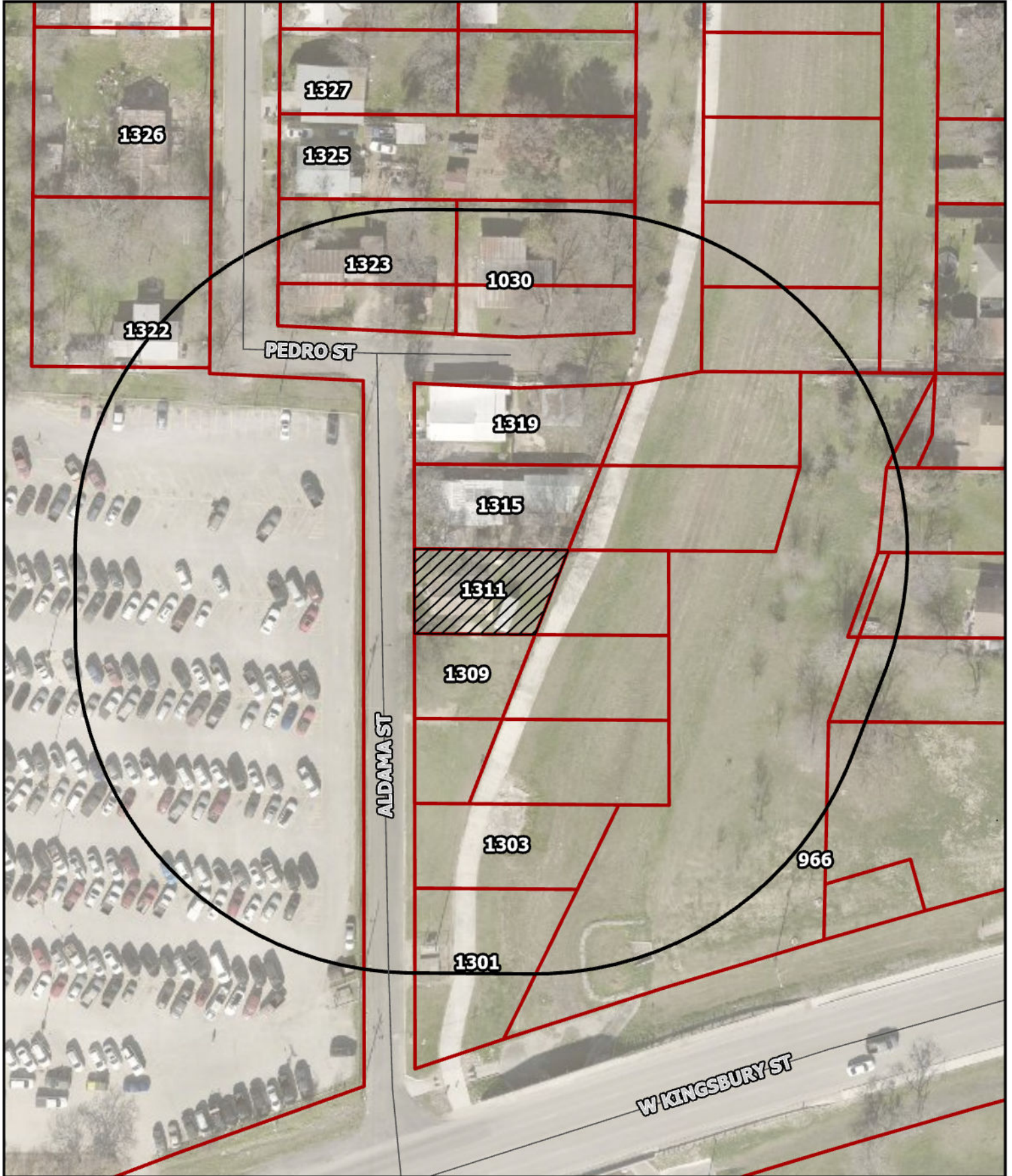
The property is accessed from Aldama St. only.

### **OTHER CONSIDERATIONS:**

The current residential use of this property is regarded as a legal non-conformity. Commercial zoning does not permit new single-family residential structures and requires a Specific Use Permit for an existing structure vacant for more than 6 months. If the structure is damaged or destroyed to an extent of 50% or more of its assessed valuation, it cannot be rebuilt without a rezoning. Also, financial institutions may hesitate to provide residential loans for commercial zoned properties and insurance companies may not provide coverage.

# LOCATION MAP

# ZC 12-24 1311 Aldama St.



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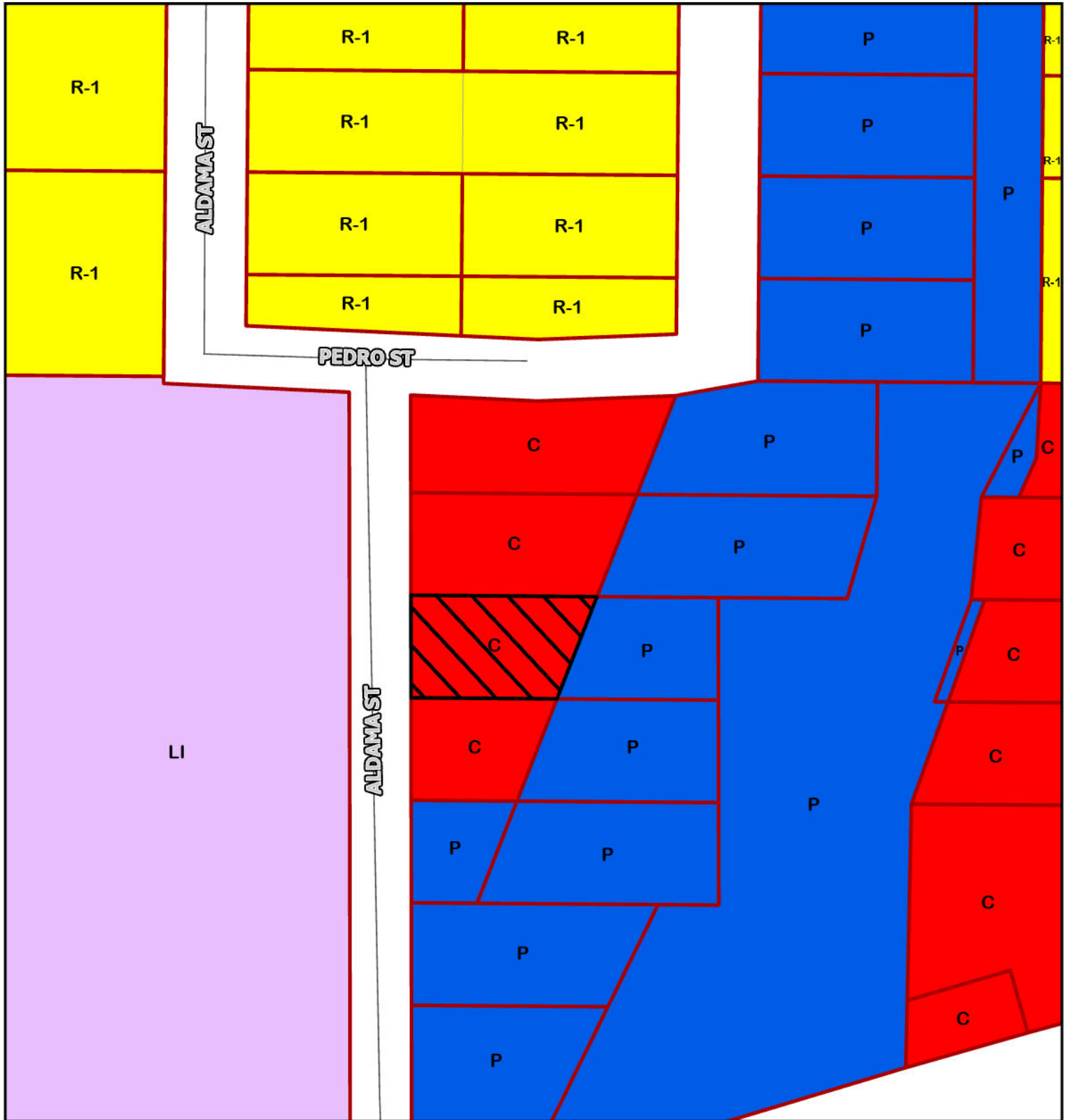
-  Site Location
-  200' Buffer

1 inch = 75 feet

Printed: 8/7/2024

# ZONING MAP

ZC 12-24 Aldama St.



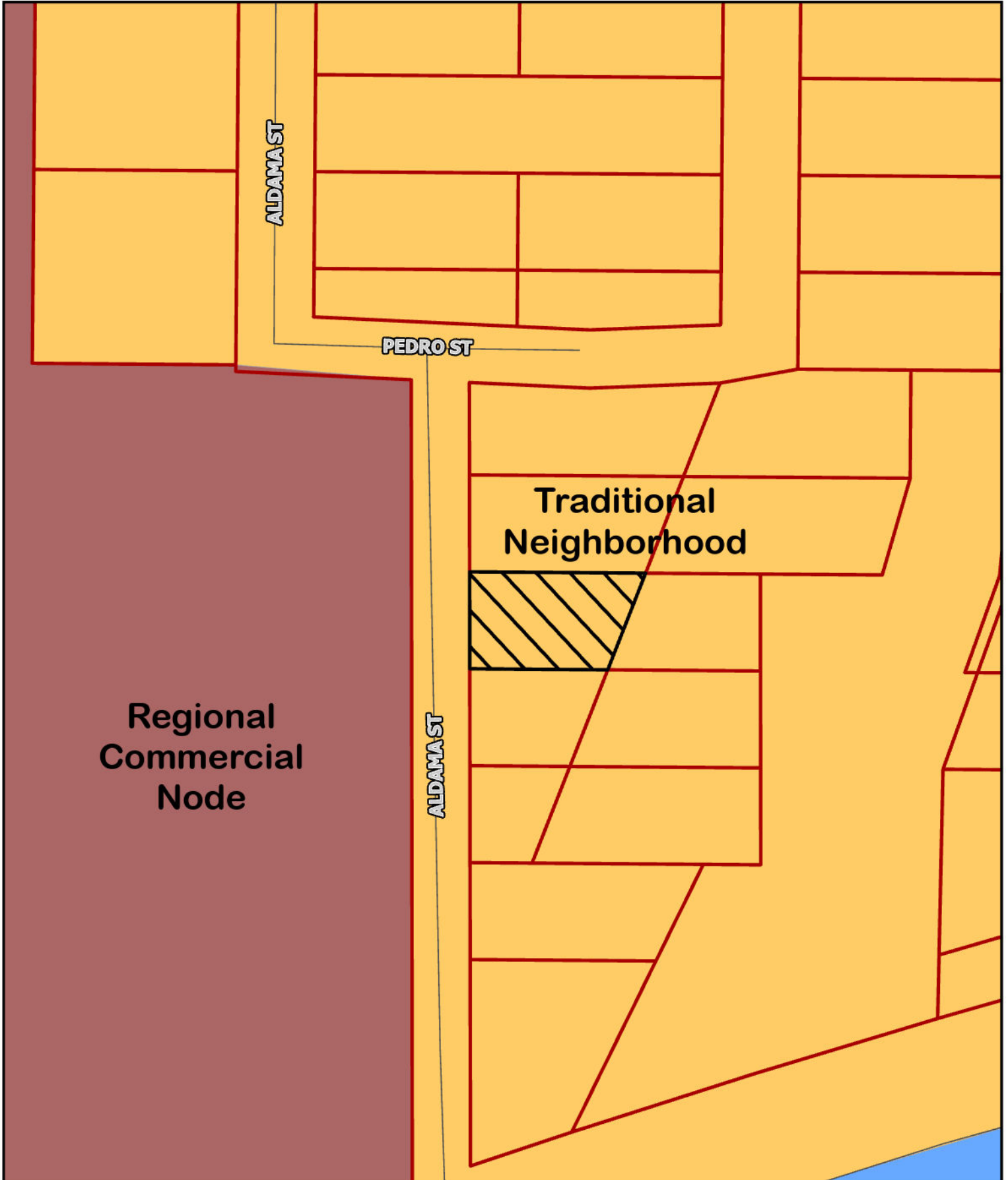
- |                      |                          |                          |                             |                              |
|----------------------|--------------------------|--------------------------|-----------------------------|------------------------------|
| Agricultural - Ranch | Light Industrial         | Manufactured Home Park   | Single Family Residential 1 | Zero Lot Lines               |
| Commercial           | Manufactured-Residential | Neighborhood Commercial  | Single Family Residential 2 | Corridor Overlay Districts   |
| Duplex 1             | MultiFamily 1            | None                     | Rural Residential           | Downtown Historical District |
| Duplex 2             | MultiFamily 2            | Public                   | ROW                         |                              |
| Industrial           | MultiFamily 3            | Planned Unit Development | Suburban Residential        |                              |

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Site Location  
 Parcel

1 inch = 65 feet

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**Site Location**



**Parcel**

1 inch = 65 feet

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