



PLANNING & CODES

Planning and Zoning Commission Report ZC 07-20

A request for Zoning Change 07-20 was considered during a public hearing at the Virtual Planning & Zoning Commission meeting on May 12, 2020:

A Zoning Change from Multi-Family 3 (MF-3) and Single Family Residential (R-1) to Commercial (C) on a request for property located at SH 123 Bypass and Harry Miller Pass, Property ID 19568.

Ismael Segovia presented the staff report. He stated that the subject property is currently vacant. The applicant is seeking the zoning change in order to provide land for commercial uses along Hwy 123 Bypass such as a climate-controlled storage facility, office space, retail business space, car wash and warehouse facility.

Mr. Segovia gave a brief overview of the surrounding properties. The placement of commercial land uses at the subject property can be beneficial to the nearby residential developments by providing a location for supportive services. The proposed zoning change is compatible with the surrounding land uses and zoning districts. He stated that the property is in the Emergent Residential District which is intended to promote a place for a variety of standard residential development forms with more emphasis on environmental enrichment. All other acceptable uses should be expressed in a manner complementary to the residential uses. He explained that a proposed multi-family and/or non-residential development will require a site plan for review in order to ensure that the proposed placement of such uses complement the surrounding uses.

Mr. Segovia stated that staff received one letter in opposition. Staff recommends approval of the zoning change to Commercial (C), as the proposed zoning is compatible with the existing zoning in the area.

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

The Commission discussed access to and from the property.

After consideration of the staff report and all information given regarding Zoning Change (ZC 07-20), Commissioner Lievens moved that the Planning and Zoning Commission recommend approval of the zoning change from Multi-Family 3 (MF-3) and Single Family Residential (R-1) to Commercial (C) for property located at SH 123 Bypass and Harry Miller Pass. Vice Chair Kirchner seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE ZONING CHANGE TO COMMERCIAL (C)

MOTION PASSED

8-0-0



Francis Serna
Planning Assistant



ATTEST: Ismael B Segovia

Asst. Director of Planning & Codes



PLANNING & CODES

Applicant:

Triple M Development Corp.
184 Wampum Way
Seguin, TX 78155

Property Owner:

Triple M Development Corp.
184 Wampum Way
Seguin, TX 78155

Property Address/Location:

123 Bypass and Harry Miller
Pass
Seguin, TX 78155
PID: 19568

Legal Description:

Countryside #2 (The) 11.17
AC; Countryside #2 (The)
0.6506 AC

Lot Size/Project Area:

Approx. 11.8206 acres

Future Land Use Plan:

Emergent Residential

Notifications:

Mailed: May 1, 2020
Newspaper: May 1, 2020

Comments Received:**Staff Review:**

Ismael Segovia
Asst. Dir. Planning & Codes

Attachments:

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

ZC 07-2020 Staff Report
Hwy 123 Bypass and Harry Miller Pass.
11.82 acres
Zoning Change MF-3/R-1 to C

REQUEST:

A Zoning Change request from Multi-Family -3 (MF-3) and Single Family Residential – 1 (R-1) to Commercial (C).

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	MF-3 and R-1	Vacant
N of Property	R-1 and MF-1	Assisted Living Facility
S of Property	PUD	Vacant
E of Property	MF-3 & P	Multi-family residential & Koennecke Elementary School
W of Property	A-R	Agricultural land

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The applicant is seeking the rezoning of property located northeast of the intersection of Harry Miller Pass and State Highway 123 Bypass. The subject property is currently vacant. Applicant is seeking the zoning change in order to provide land for commercial uses along Hwy 123 Bypass. Staff recommends approval of the zoning change to Commercial (C), as the proposed zoning is compatible with the existing zoning in the area.

Planning Department Recommendation:

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

SITE DESCRIPTION

The proposed zoning change is for two properties. One property is zoned MF-3 and the second property is zoned R-1. Applicant is proposing uses such as climatized storage facility, office space, retail business space, car wash and warehouse facility. A rezoning of the subject property to commercial would permit the applicant to construct any use permitted within the commercial zoning district as outlined in the Unified Development Code (UDC) Chapter 3, Section 3.4, Subsection 3.4.3 Land Use Matrix.

CODE REQUIREMENTS:

The applicant is requesting to change the existing MF-3 and R-1 zoning to Commercial. The total property size is approximately 11.82 acres in size. In considering zoning designations, staff evaluates the properties on the following criteria:

1. The proposed zoning should be consistent with the Comprehensive Plan and any community, neighborhood, or other applicable land use and development plans;
2. The proposed zoning should be compatible with existing and permitted use of surrounding properties;
3. The proposed zoning should not have an adverse impact on surrounding properties or the natural environment;
4. The proposed zoning should result in a logical and orderly development pattern; and
5. The proposed zoning should take into consideration public health, safety, and welfare.

Once rezoned, any use permitted under the Commercial zoning district may be located at the site only after following the development processes (example: Site Plan Permit, Specific Use Permits, Limited Use Permits) as required by the Unified Development Code (UDC) and the approval of all required building permits.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

Immediately to the east there is an existing multi-family development and an elementary school. The property to the south is zoned for a PUD and is currently vacant. The property to the west is zoned for agricultural-ranch and is being used for agricultural uses and is separate from the subject property by State Hwy 123 Bypass. The property to the north is zoned MF-1 with an assisted living facility existing on the site. The property is also along State Hwy 123 Bypass which is a major commercial corridor through the city. The placement of commercial land uses at the subject property can be beneficial to the nearby residential developments by providing a location for supportive services such as offices and retail/service/employment sites. This proposed zoning change is consistent with the surrounding zoning districts.

COMPREHENSIVE PLAN:

The property falls into the future land use district of Emergent Residential. This future land use district's intent is to promote a place for a variety of standard residential development forms with more emphasis on environmental enrichment. All other acceptable uses should be expressed in a manner complementary to the residential uses.

Any proposed multi-family and/or non-residential development will be required to submit a site plan for review in order to ensure that the proposed placement of such uses are complementary to the surrounding uses.

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 subject properties have access from Harry Miller Pass (local residential collector), Hwy 123 Bypass and Joe Carrillo St. (local residential collector). The applicant will need to coordinate with TxDOT for access to Hwy 123 Bypass.

MAY 07 2020

In order to be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

REPLY

Re: State Highway 123 Bypass & Harry Miller Pass, Property ID 119569 & 19568
ZC 07-20

Name: Scott and Jennifer Burgess

Mailing Address: 638 Topaz Ave

Phone No.: [REDACTED]

Physical Address of property (if different from the mailing):

If "In Favor" or "Opposed" please explain why in space allotted below:

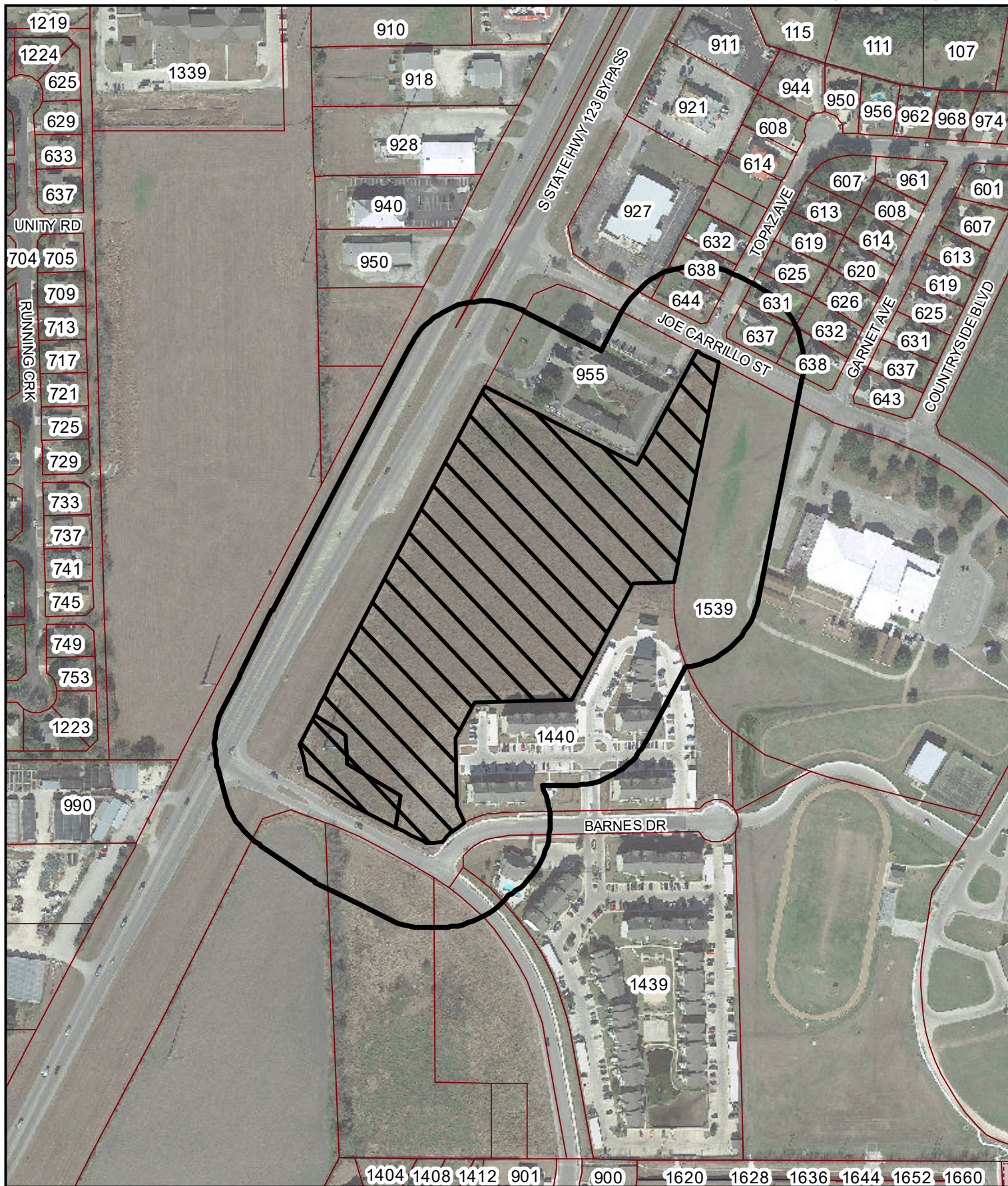
In Favor ☐

Opposed ☒

Reasons and/or comments We live near here and have for 15 years. The land wanting to be rezoned is between 2 neighborhoods and should have to stay residential, to keep those families in a neighborhood environment.

LOCATION MAP

ZC 07-20: 900 Blk S State Hwy 123 Bypass



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



200' Notification Buffer



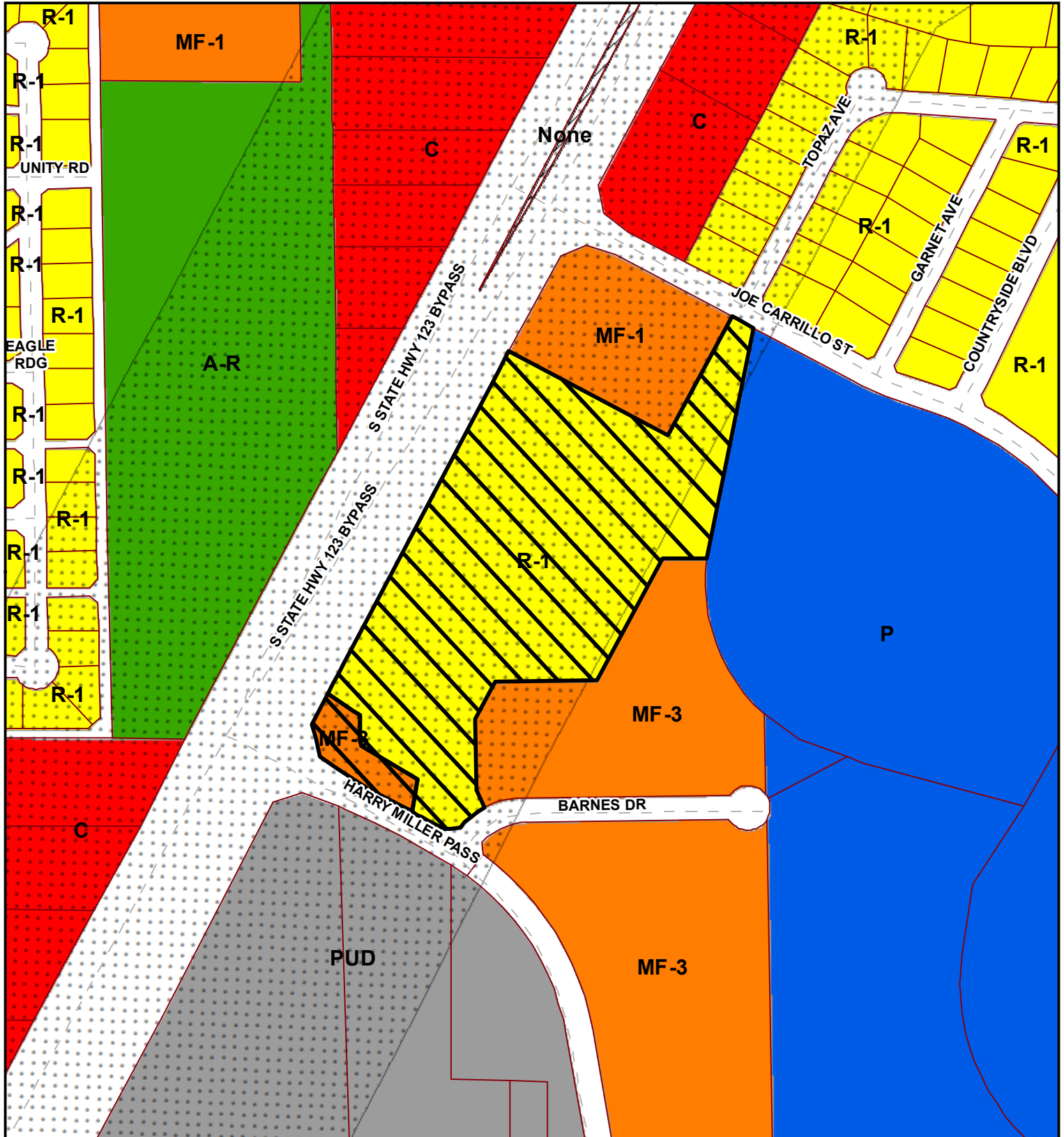
Lot Lines

1 inch = 300 feet

Printed: 4/20/2020

ZONING MAP

ZC 07-20: 900 Blk S State Hwy 123 Bypass



A-R Agricultural Ranch

R-R Rural Residential

S-R Suburban Residential

R-1 Single Family Residential

ZL Zero Lot Lines

DP-1,2 Duplex

MF-1,2,3 Multi-Family

M-R Manufactured Residential

MHP Manufactured Home Park

NC Neighborhood Commercial

C Commercial

LI Light Industrial

I Industrial

P Public

PUD Planned Unit
Development

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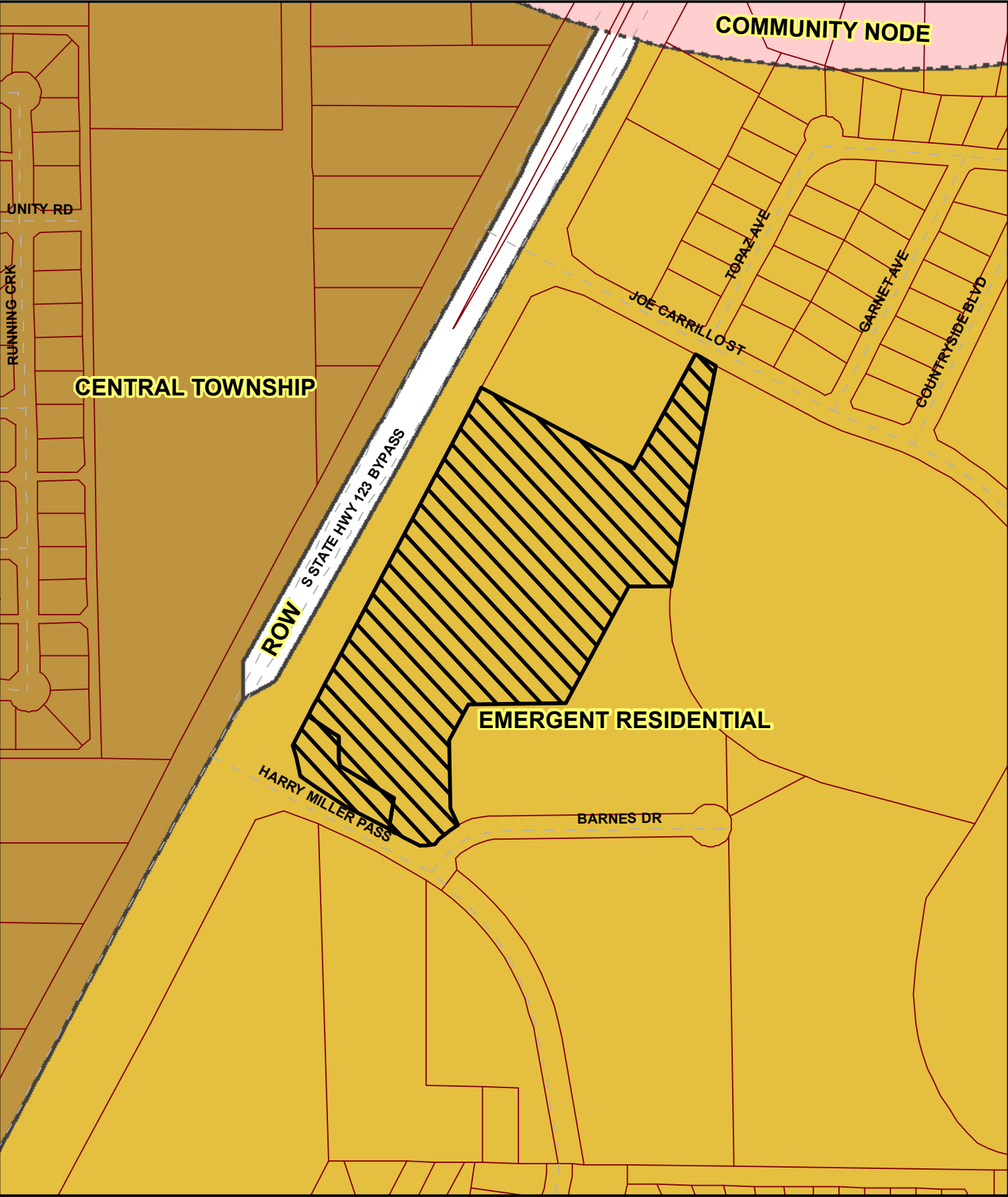
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