



Meeting Minutes

Planning & Zoning Commission

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Tuesday, March 12, 2024

5:30 PM

Council Chambers

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Public

1. **Call To Order**

The City of Seguin Planning and Commission met in a Regular Meeting on March 12, 2024 at 5:30 p.m. at the City Council Chambers, 210 E. Gonzales Street, Seguin, Texas. Chair DePalermo presiding over the meeting.

2. **Roll Call**

**Present:** 9 - Vice Chair Patrick Felty, Eddie Davila, Steven Berger, Chairperson Troy DePalermo, Joseph Pedigo, Bobby Jones III, Kelly Schievelbein, Yesenia Rizo, and Wayne Windle

3. **Approval of Minutes**

[24-105](#)

Approval of the Planning and Zoning Commission Minutes of the February 13, 2024 meeting.

**Indexes:**

**A motion was made by Commissioner Pedigo, seconded by Commissioner Berger, that the Minutes be approved. The motion carried by the following vote:**

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

4. **Consent Agenda**

[PC0224-0038](#)

Possible action on a request for a Final Plat for Greenspoint Heights Unit 3A, property ID: 52815 (PC-0224-0038)

**Indexes:**

**This Action Item was approved**

[PC0224-0039](#)

Possible action on a request for a final plat of Swenson Heights Subdivision, Unit 5C, Property ID(s): 55293, 55187 (PC0224-0039)

**Indexes:**

**This Action Item was approved**

[PC0224-0040](#)

Possible action on a request for a Final Plat for Greenspoint Heights Unit 3B, property ID: 52815 (PC-0224-0040)

**Indexes:**

**This Action Item was approved**

[PC0224-0042](#)

Possible action on a request for a Final Plat for Arroyo Ranch Phase IV, Property ID: 58153 (PC-0224-0042)

**Indexes:**

**A motion was made by Commissioner Schievelbein, seconded by Commissioner Rizo, that the Consent Agenda be approved. The motion carried by the following vote:**

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

## **5. Public Hearings & Action Items**

[SUP 02-24](#)

Public hearing and possible action on a request for a Specific Use Permit to allow for a stand alone parking lot in commercial zoning located at 2011 Stockdale Hwy, Property ID 56899 (SUP 02-24)

**Indexes:**

*Melissa Zwicke, Planner presented the staff report. She explained that the applicant has requested a stand-alone parking lot in a Commercial Zoned District which requires an approved Specific Use Permit. The property is .5230 acres. The parking lot will be used in conjunction with the proposed commercial venue located next door at 2015 Stockdale Hwy.*

*Staff finds that the location of the proposed parking lot meets the criteria required for the approval of a Specific Use Permit and recommends approved with the conditions that wheel stops are to be installed for every proposed parking spot, proposed parking spaces shall meet the dimensions seen in Capital Projects & Engineering's Design Standards for Off-Street Parking Requirements, no tractor-trailers or semi-trucks may be parked on the site, and the SUP will not be transferable if there is a change of ownership.*

*The proposed parking lot is compatible with the surrounding land uses and zoning in the area. Ms. Zwicke gave a brief overview of the surrounding zoning. The site is currently accessed from a shared easement filed with Guadalupe County, Volume 470, page 400.*

*Staff did not receive any notices in support or in opposition. A neighbor called stating they were not in opposition but are concerned that the road they use to access their property may get blocked with the overflow of parking.*

*The regular meeting recessed, and a public hearing was held. Billy Chambers, McQueeney, Tx stated he owns the property next door at 2007 Stockdale Hwy. He said he is not opposed to the parking lot, although the road has not been maintained and suggested road signs. He stated he was aware that TxDOT will need to be notified. Mr. Chambers stated he was also concerned about drainage. Commie Jennings explained that she will be leasing the property for a proposed wedding venue. She said they are in the process of inspections and engineering plans for parking lot but will follow all regulations necessary for the proposed project. Ms. Jennings gave a brief overview of the proposed plans for the parking lot and access. There being no responses from the public the regular meeting reconvened for action.*

**A motion was made by Commissioner Davila, seconded by Commissioner Berger, that the SUP 02-24 be approved with conditions that wheel stops are to be installed for every proposed parking spot, proposed parking spaces shall meet the dimension seen in Capital Projects & Engineering's Design Standards for Off-Street Parking Requirements, No tractor-trailers or semi-trucks may be parked on the site, and the SUP will not be transferable if there is a change of ownership. The motion carried by the following vote:**

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

#### [SUP 03-24](#)

Public hearing and possible action on a request for a Specific Use Permit to allow a dog daycare/kennel in a commercially (C) zoned district for a property located at 2881 FM 78, Property ID: 46497 (SUP 03-22)

#### Indexes:

*Kyle Warren, Planner presented the staff report. He stated that the request for SUP is for a dog boarding and dog daycare facility in a commercial zoned district. The location was formerly operated by Mutt Hutt a similar use. The property is 1.42 acre parcel that was annexed in 2002 with commercial use being the initial zoning. He stated that the request is consistent with the surrounding uses and zoning. No health, safety and general welfare issues were identified. Mr. Warren presented the hours of operation and number of employees. He gave a brief overview of the Site Plan. An approved SUP is required to allow the proposed use. Staff recommended approval of the SUP with conditions that the applicant shall be held to the presented site plan and times of operation (7AM-7PM, 7 days a week), and if the property's tenant moves operations elsewhere or the operation ceases for more than six months, the Specific Use Permit will be voided at that time.*

*The regular meeting recessed, and a public hearing was held. Ward Conover, 175 Oak Springs Dr., property owner, stated he was available to answer questions. There being no responses from the public the regular meeting reconvened for action.*

**A motion was made by Commissioner Davila, seconded by Commissioner Berger, that SUP 03-24 be approved with conditions that the applicant shall be held to the presented site plan and times of operation (7AM-7PM, 7 days a week), and if the property's tenant moves operations elsewhere or the operation ceases for more than six months, the Specific Use Permit will be voided at that time. The motion carried by the following vote:**

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

#### [ZC 02-24](#)

Public hearing and possible action on a zone change request from Public (P) to Single-Family Residential (R-1) for a property located at 735 Beale Street, property ID: 28513 (ZC 02-24)

**Indexes:**

*Kyle Warren presented the staff report. He stated the property had been zoned public since the initial city zoning of 1989. He stated that the owner wanted to go forward with a zone change to bring back the lost grandfathered use of the existing single-family home on the lot.*

*The property is surrounded by single family residential, public, and commercial zoning types. The property is in the Traditional Neighborhood of the FLUP which supports single family zoning. The access to the property is on Beale Street, a city street. No health, safety or general welfare issues were identified.*

*Mr. Warren stated that the request is consistent with the FLUP and follows a logical and orderly pattern with surrounding properties being zoned R-1 single family residential as well.*

*No public comment letters received in favor or against.*

*Commissioner Felty asked why the property had been zoned public originally. Kyle Warren stated that he was unsure why it was initially zoned this way, other than the fact the property was adjacent to a church that was also publicly zoned.*

*The regular meeting recessed, and a public hearing was held. There being no response from the public the regular meeting convened for action.*

**A motion was made by Commissioner Schievelbein, seconded by Commissioner Jones III, that the zoning change from Public (P) to Single Family Residential (R-1) be recommended for approval. The motion carried by the following vote:**

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

**24-138**

Public hearing and possible action on amendments to the City of Seguin's Unified Development Code Sections 3.4.3 Land Use Matrix, 3.5 Limited Uses, and Chapter 7 Definitions - Kyle Kramm, Main Street & CVB Director/HPO.

**Indexes:**

*Kyle Kramm, Main Street and CVB Director presented the amendments to the Unified Development Code regarding Vape and CBD Shops. He stated staff is recommending that vape shops and CBD shops be allowed in downtown with a limited use permit and that the permit have set distance requirements of being at least 300 feet (door to door) from another CBD shop, vape shop, church, and school. He explained the distance will allow these uses within downtown historic district but keep from taking up an entire block. In addition, he stated that UDC will need to define what a vape shop and CBD shop are. Mr. Kramm told the Commission that the Main Street Advisory Board recommended the definition being "a retail establishment that specializes in the sale of electronic cigarettes, e-cigs, vapes, e-hookahs, vape pens, electronic nicotine delivery systems, products containing tetrahydrocannabinol (THC), and paraphernalia for the consumption of productions containing THC. This would allow retailers to carry one line of CBD lotions or gummies without being called a CBD shop and having to get the limited use permit. He added that the Main Street Advisory Board recommended*

*approval of the regulations for vape and CBD shops in downtown at its December meeting. After Planning and Zoning Commission approval, the regulations for vape and CBD shops will go before the City Council for approval.*

*The Commission discussion and touched on all aspects of the proposed amendments.*

*The Commission recommended adding distance requirements of 300 feet from daycare and parks to the recommendations by the Main Street Advisory Board.*

*The Commission also recommended approval of the definitions of what a vape shop and CBD shop recommended by the Main Street Advisory Board. The Commission recommended approval of the amendments to the Land Use Matrix.*

*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 Commissioner Berger, that the amendments to Sections 3.4.3 Land Use Matrix and Section 3.5 Limited Uses, and Chapter 7 Definitions be recommended for approval. The motion carried by the following vote:**

**Aye** 9 - Vice Chair Felty, Davila, Berger, Chairperson DePalermo, Pedigo, Jones III, Schievelbein, Rizo, and Windle

## **6. Adjournment**

**There being no further discussion before the Planning and Zoning Commission, the meeting adjourned at 6:36 p.m.**

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**Troy DePalermo, Chair**  
**Planning & Zoning Commission**

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**Armando Guerrero for Francis Serna**  
**Recording Secretary**