



## PLANNING & CODES

### Planning and Zoning Commission Report ZC 32-21

A request for Zoning Change 32-21 from Single-Family Residential (R-1) to Commercial (C) for two properties located at the 1207 N. Austin Street, Property ID 23122 and 23125 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on December 14, 2021.

Helena Schaefer presented the staff report. She said the property is known as the Weinert House and is comprised on two parcels totaling 1.6 acres. The two properties have gone through the rezoning process three times prior to the current request. Ms. Schaefer gave a brief overview of the previous zoning changes. She explained that the current owner would like to rezone the properties to Commercial to develop the properties as a "resort". The main structure, along with the addition of "tiny homes" would function similarly to a hotel.

Ms. Schaefer identified the surrounding properties and advised that given the properties have been rezoned several times between commercial and R-1 and bring rezoned to commercial is compatible with the existing zoning and land uses.

The property is located on the outer portion of the Town Core area. Commercial use being an acceptable use within this district, especially since it fronts a major thoroughfare in the city. The Weinert House is a historical home in the City of Seguin, although it doesn't have a State of Texas historical designation from the Texas Historic Commission.

Staff is recommending approval of the properties to Commercial given the compatibility of the existing zoning and land uses, the appropriateness of the future land use plan, and the multiple rezoning.

Any redevelopment of this property is required to meet all applicable development standards.

Harrison Wood, the applicant stated he was available to answer questions via zoom.

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

After consideration of the staff report and all information given regarding Zoning Change (ZC 32-21), Commissioner Jefferson moved that the Planning and Zoning Commission recommended approval of the zoning change from Single Family Residential (R-1) to Commercial (C) for property located at 1207 N. Austin Street. Commissioner Spahn seconded the motion. The following vote was recorded:

#### RECOMMENDATION TO APPROVE THE ZONING CHANGE TO COMMERCIAL (C)

**MOTION PASSED**

**8-0-0**

A handwritten signature in black ink, appearing to read "Francis Serna", written over a horizontal line.

Francis Serna, Planning Assistant

A handwritten signature in black ink, appearing to read "H. Schaefer", written over a horizontal line.

ATTEST: Helena Schaefer  
Planning Supervisor



## PLANNING & CODES

ZC 32-21 Staff Report  
1207 N Austin St  
Zoning Change from R-1 to C

**Applicant:**

Harrison L Wood  
106 E Court St  
Seguin, TX 78156

**Property Owner:**

Same as applicant

**Property Address/Location:**

1207 N Austin St

**Legal Description:**

Lot: 2 SW 188x210 of & 2SE  
COR 156x167 Blk: 291 Addn:  
Farm 1.6 Ac.  
Property ID: 23122 & 23125

**Lot Size/Project Area:**

1.6 acres

**Future Land Use Plan:**

Town Core 2

**Notifications:**

Mailed: Nov. 24 ,2021  
Newspaper: Nov. 28, 2021

**Comments Received:**

None

**Staff Review:**

Helena Schaefer  
Senior Planner

**Attachments:**

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

**REQUEST:**

A Zoning Change request from Single-Family Residential (R-1) to Commercial (C).

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	R-1	Weinert House
<b>N of Property</b>	C	Valero Convenience Store
<b>S of Property</b>	C	Town & County Auto Offices
<b>E of Property</b>	R-1	Residence
<b>W of Property</b>	C	Residence/Used Auto Sales

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The property located at 1207 N Austin St and the adjoining lot are currently zoned Single-Family Residential 1 and is better known as the Weinert House. The properties have had several zoning change requests in the past, Commercial being one of them. Given that the properties have been zoned commercial in the past, Staff recommends approval of the zoning change to Commercial (C). A zoning change would be compatible with the proposed use, past uses, and the future land use plan.

**Planning Department Recommendation:**

<b>X</b>	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

The property, which is best known as the “Weinert House” is currently zoned Single-Family Residential and the new owner would like to develop the property as a short term vacation rental with “tiny homes” on the adjacent lot. Both properties are being rezoned. It has been used in the past as a Bed & Breakfast, so the proposed use is not a new use. The properties were originally zoned Commercial in 1989 and has undergone three previous zoning change request. In 2007, it was rezoned to Single-Family Residential as a private residential structure. Then in 2012, a new owner requested to go back to Commercial in order to operate a food establishment along with a Bed & Breakfast. The last zoning change occurred in 2014 to go back to Single-Family Residential. This will be the fourth zoning change request for the properties.

### **CODE REQUIREMENTS:**

According to the UDC’s Section 3.4.3 Land Use Matrix, a hotel/motel is allowed in Commercial zoning. With the addition of the “tiny homes” on the property, the proposed use is very similar to a hotel. A zoning change to Commercial is required.

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

The area to the north of these properties is zoned Commercial and houses the Valero convenience store. The area to the east is zoned Single-Family Residential and the use is residential. Across N Austin St to the west, the properties are zoned Commercial with a residential property (with a food establishment operation) and an used auto sales. Across E Weinert St, the zoning is commercial and houses the new offices for Town and County Auto repair shop. Given that these properties have been zoned several times between Single-Family Residential and Commercial, going back to Commercial makes it compatible with the existing land uses and zoning.

### **COMPREHENSIVE PLAN:**

This property is located on the outer portion of the Town Core area. Commercial use is an acceptable use in this district.

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

The Weinert House is a historical landmark in Seguin. It was built in 1895 and was the residence of F C Weinert. There is a local marker recognizing its historical significance to Seguin. It has not been designated as a historic site by the Texas Historic Commission.

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

This driveway for this property is on E Weinert St.

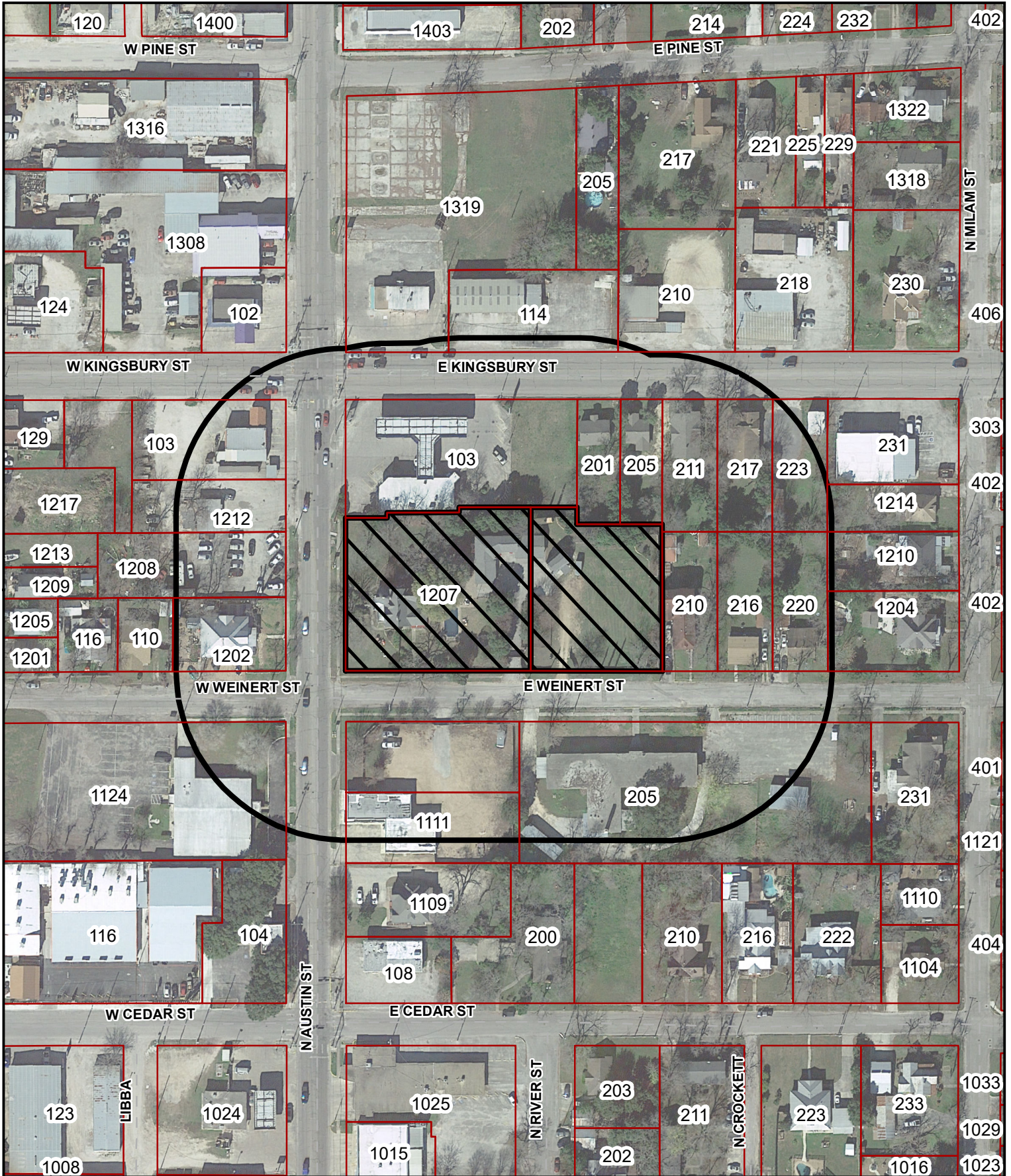
### **OTHER CONSIDERATIONS:**

The redevelopment of these properties will adhere to any and all pertinent development standards, to include, but not limited to off-street parking.



# LOCATION MAP

ZC 32-21 1207 N. Austin St



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Lot Lines



200' Notification Buffer

1 inch = 150 feet

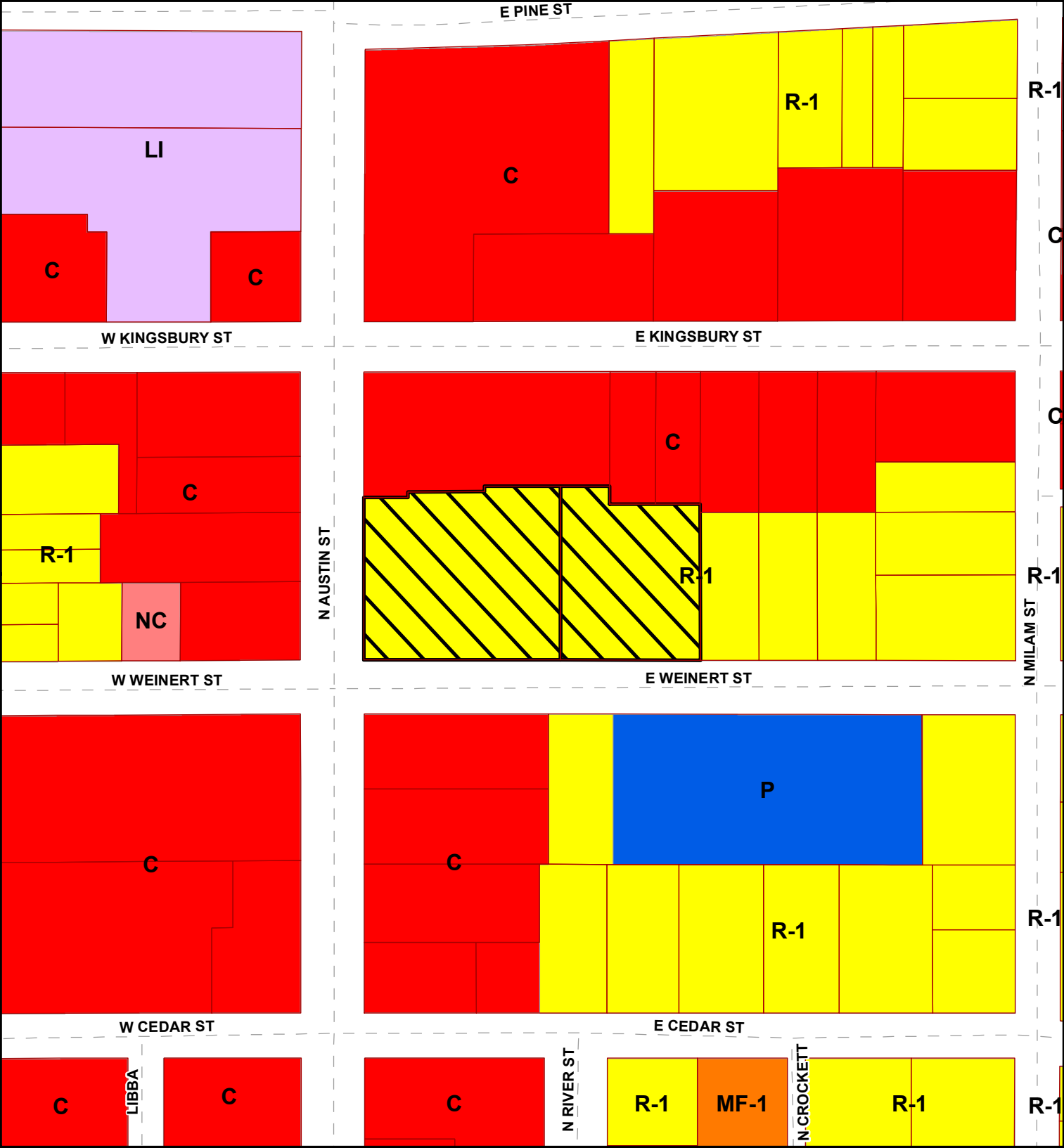
Printed: 11/15/2021

Site Location



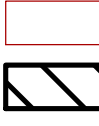
ZONING MAP

ZC 32-21 1207 N. Austin St



Agricultural - Ranch	Single Family Residential 2	MultiFamily 1	Manufactured Home Park	Industrial
Rural Residential	Zero Lot Lines	MultiFamily 2	Neighborhood Commercial	Public
Suburban Residential	Duplex 1	MultiFamily 3	Commercial	Planned Unit Development
Single Family Residential 1	Duplex 2	Manufactured-Residential	Light Industrial	ROW

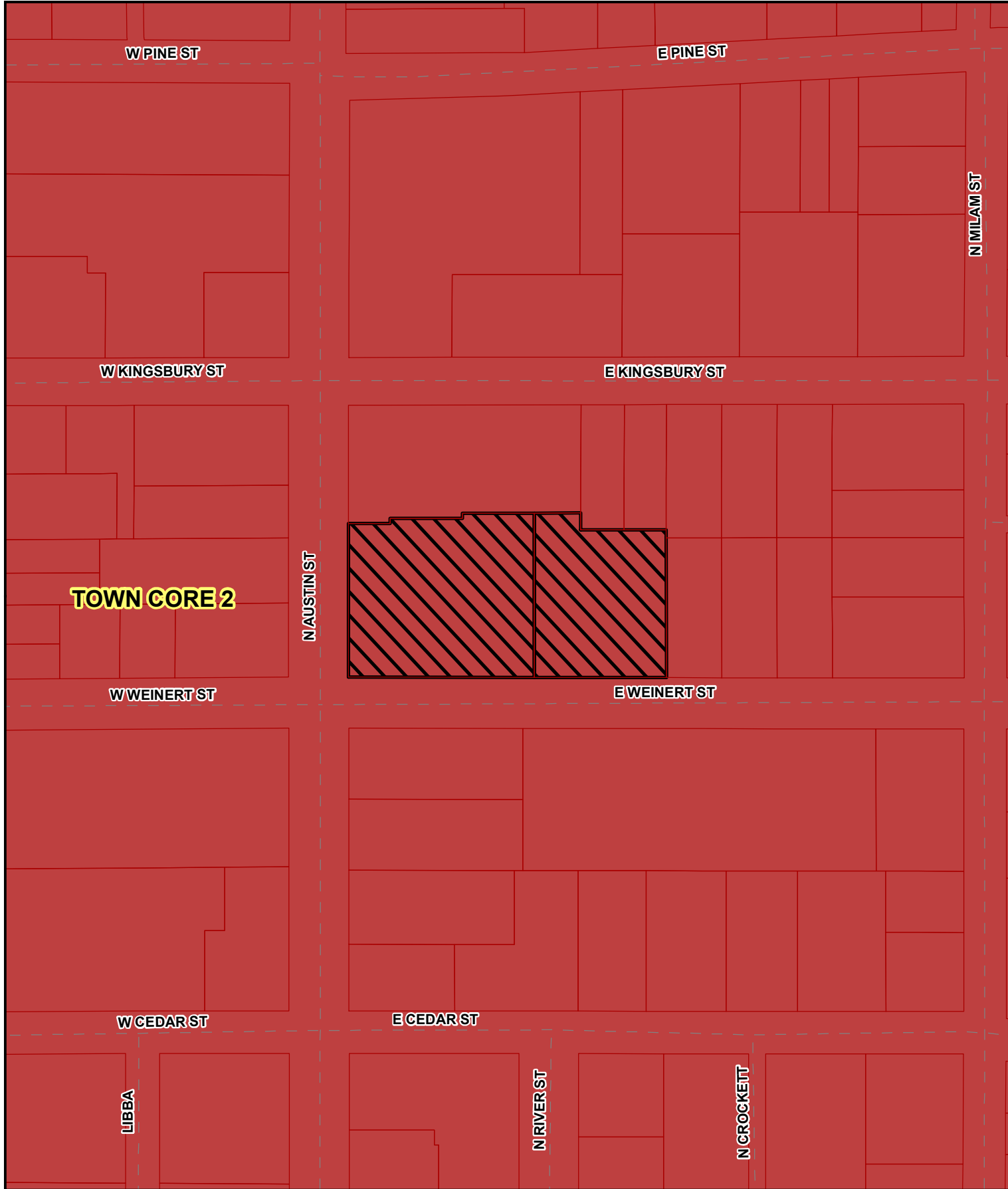
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Ownership  
Site Location

1 inch = 150 feet

Printed: 11/15/2021



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Ownership

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