



Applicant:

The Brick Seguin, LLC
736 E. Kingsbury St.
Seguin, Texas 78155

Property Owner(s):

AFAB Rentals, LLC/Gordon
Allen
736 E. Kingsbury St.
Seguin, TX 78155

Property Address/Location:

736 E. Kingsbury St.

Legal Description:

Lot 1 BLK ADDN: C L HABERLE
SUBD
Property ID: 26350

Lot Size/Project Area:

0.48 acres

Future Land Use Plan:

Traditional Residential

Notifications:

Mailed: Sep 26, 2024
Published: Sept 22, 2024

Comments Received:

Staff Review:

Armando Guerrero
Planning Manager

Attachments:

- Location Map
- Zoning Map
- FLUP Map
- Letter from church
- Letter from Seguin ISD

REQUEST: A variance for onsite consumption of alcohol for a restaurant

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	C	The Brick Seguin
N of Property	R-1	Existing Residential
S of Property	C	Place of Worship
E of Property	C	Vacant Commercial Property
W of Property	C	Vacant Commercial Property

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The Brick Seguin restaurant is seeking a variance for onsite consumption of alcohol. The variance is needed as the business is located within 300 feet of a church, New Birth Pentecostal Apostolic Assembly (located at 735 E. Kingsbury), and school, Weinert Elementary (located at 1111 N. Bruns). Only a restaurant is applicable for this variance, and the business owner has sought a letter of approval from the church and school. With there being no objection from Seguin ISD or the neighboring church, staff is recommending approval of this variance.

Planning Department Recommendation:

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

SITE DESCRIPTION:

The site is The Brick Seguin restaurant located at 763 E. Kingsbury St. The structure has been the site of other restaurants and uses in years past. The Brick Seguin restaurant was issued a Certificate of Occupancy (CO) in July of 2023 to operate the drive-thru function of their restaurant only and received another CO in July of 2024 to allow for patio seating at the restaurant. The Brick Seguin Restaurant is in the process of being renovated to allow for indoor dining. The Brick Seguin restaurant would like to sell alcohol as part of their business; the sales of alcohol would not exceed 50% of the total sales.

CODE REQUIREMENTS:

According to the UDC Section 2.16 Variance for onsite consumption of alcohol, a restaurant that has less than 50% of the total gross revenue from the sale of alcohol, is eligible for a variance on the distance requirement if the nearby churches and schools are not opposed to the variance. Bars, nightclubs, and package stores are not eligible for this variance.

COMPATIBILITY WITH SURROUNDING LAND USES & ZONING:

The property is located along a major thoroughfare in the City. There are commercial uses along E Kingsbury, from other restaurants to hotels to retail/services businesses. Behind these commercial uses are residential neighborhoods, which is characteristic of Kingsbury St (both East and West).

COMPREHENSIVE PLAN:

The site is in the Traditional Residential district of the City’s Future Land Use Plan (FLUP). The FLUP recommends that neighborhood-scaled commercial services be located along the major thoroughfares to support a walkable, mixed-use environment.

HEALTH, SAFETY, AND GENERAL WELFARE: (Protection & preservation of historical, cultural, and environmental areas.)
It has not been determined that the site is of historical, cultural, or environmental significance.

TRAFFIC (STREET FRONTAGE & ACCESS):

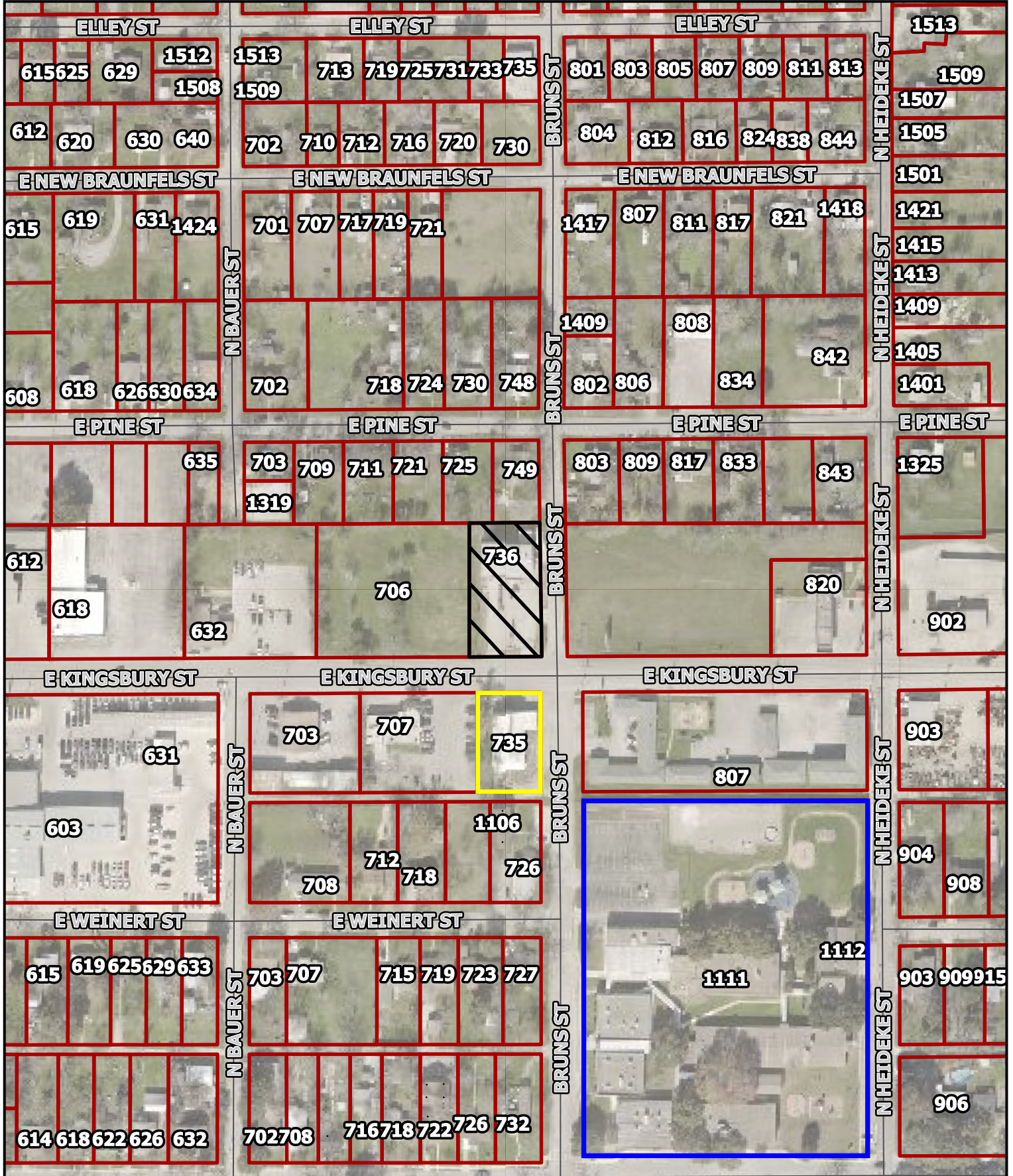
The site is accessed from E Kingsbury St., and Bruns St.

OTHER CONSIDERATIONS:

One of the requirements for the variance is to obtain a letter from the church or school which the business is located within 300 feet. New Birth Pentecostal Apostolic Assembly church and Weinert Elementary are both located near the restaurant. The applicant has provided letters from the school and church stating no opposition to the restaurant wanting to sell alcohol. The Planning Commission may also impose additional conditions to this variance request if they see fit.

LOCATION MAP



AVAR 01-24 736 E. Kingsbury St.



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-  Site Location
-  200' Buffer
-  Parcel

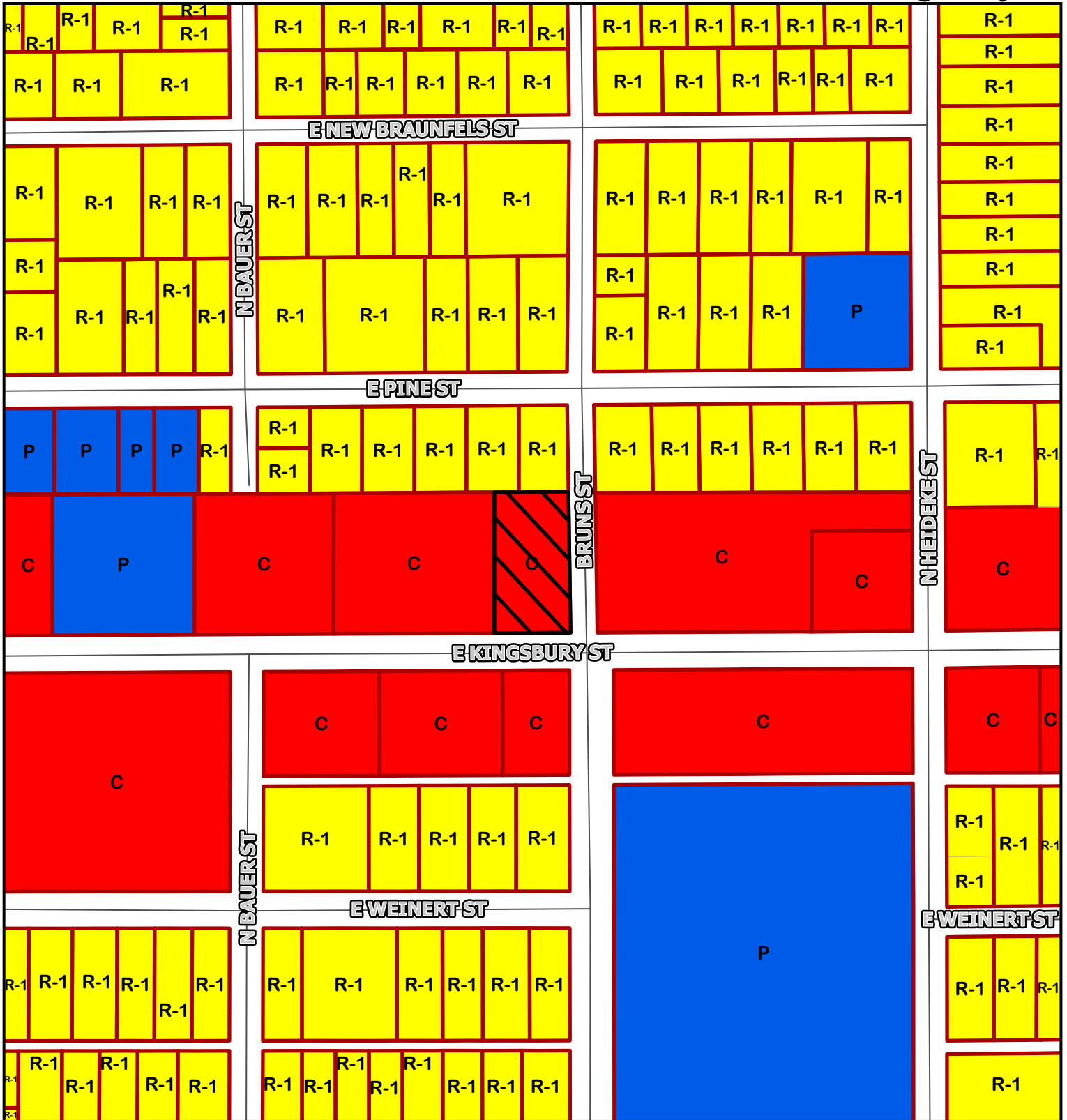
-  Place of worship
-  School

1 inch = 200 feet

Printed: 9/23/2024

ZONING MAP

AVAR 01-24 736 E. Kingsbury 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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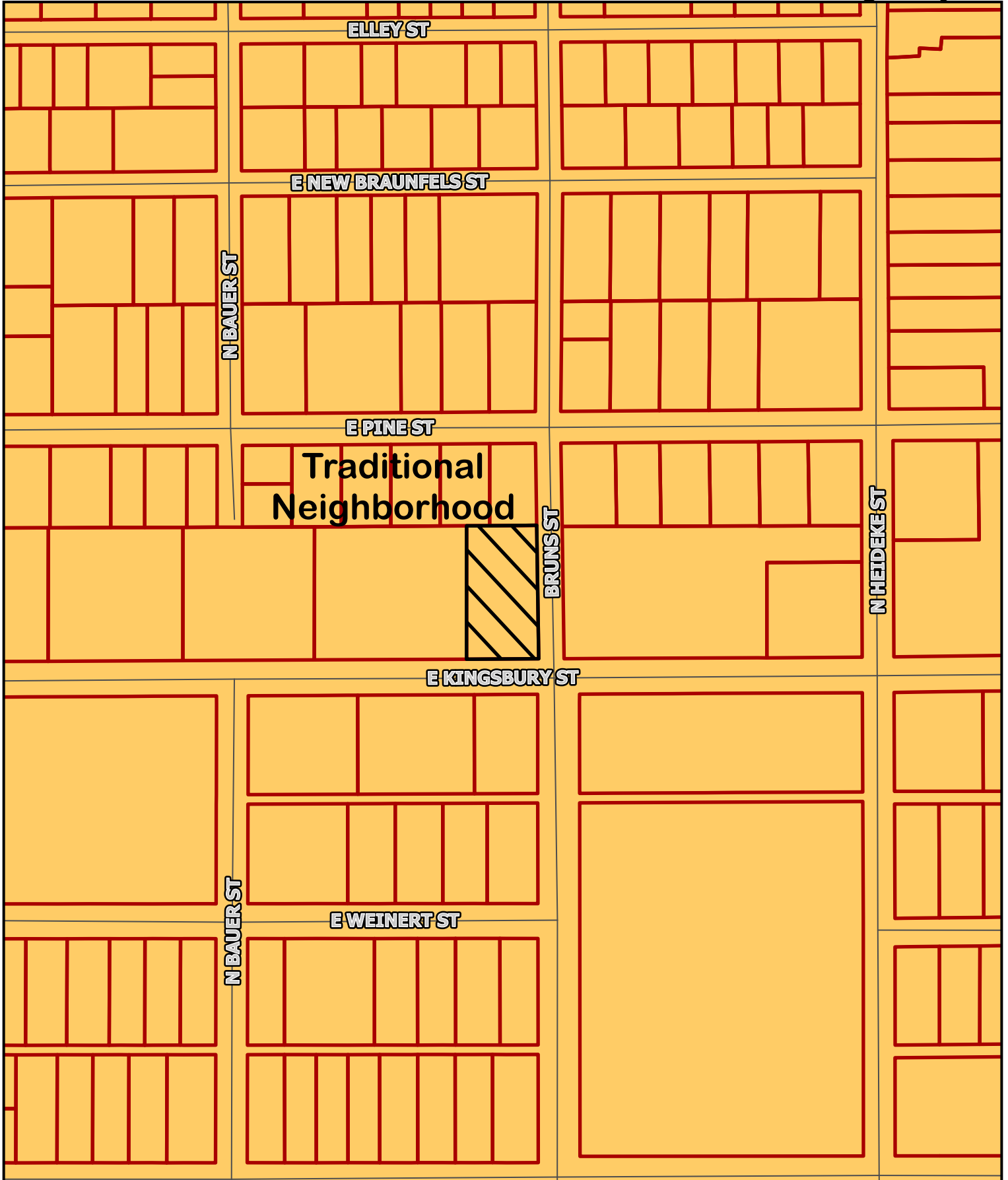
Parcel

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FUTURE LAND USE MAP

AVAR 01-24 736 E. Kingsbury St.



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Site Location



Parcel

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