



Planning and Zoning Commission Report ZC 09-15

The following request was considered in conjunction with Zoning Change 09-15 during a public hearing at the Planning & Zoning Commission meeting on June 9, 2015:

ZONING CHANGE request from Pre-Development to Agricultural-Ranch, Commercial, Neighborhood Commercial, Public, Single-Family Residential and Suburban-Residential for the following properties in the UDC Rezoning Group 1B: 17250, 26012, 51161, 51164, 51181, 51246, 51270, 51300, 51302, 51326, 51327, 51331, 51332, 51419, 51450, 51506, 51509, 51510, 51515, 51516, 51567, 52359, 52360, 52361, 52382, 52383, 52470, 52471, 52472, 52473, 52483, 52490, 52530, 52544, 52545, 55296, 55297, 56435, 107050, 108020, 109977, 119935, and 145771.

Helena Schaefer presented the staff report. Prior to specific zoning, staff gave a presentation about the UDC rezoning methodology. This methodology included the 2008 Comprehensive Plan, the road system, existing use of the properties, surrounding land uses, consideration of Texas State Zoning Law, and property owner input. In regards to the last item, two Open Houses were conducted to allow property owners affected by these zoning changes to ask staff questions and provide input about their current and future use of their property. Property owners were also encouraged to set up individual meetings at City Hall or call staff if they couldn't attend one of the Open Houses. The Commissioners asked questions about the surrounding land uses and long-range design of the Comprehensive Plan, property owners' recourse for the proposed zoning, the three overlay districts in the area and its development requirements, the Guadalupe County Appraisal District's assessment of property use versus the City's concept of zoning, and Tractor Supply Co and the type of uses in Commercial zoning.

Public notifications were mailed to 86 property owners on May 29, 2015. Three written responses were received (two opposed, one in favor) of the proposed zoning changes. Staff addressed their concerns.

Leo, 122 Preston Dr, Seguin, TX - opposed

Ronnie & Gloria Bormann, 3511 N Austin, Seguin, TX – in favor

"This parcel has been in agricultural use for decades. There are 5 residences that back up to this parcel, we all would rather leave as g-ranch for now, and maybe in the future, it would sell as residential, not commercial (none of us would welcome commercial business in our back yard.)"

Mark Soward, 84 Hampton S, Seguin, TX - opposed

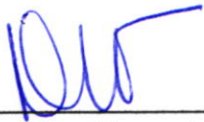
"I think certain land tracts should receive special consideration on zoning because of their proximity to other businesses or other zoned tracts that complement each other, i.e. Tractor Supply Distribution. The City obviously had no hesitation in zoning the SEDC land adjacent to mine industrial."

*I have owned this land for over 10 years and have not had a serious offer. Now you are going to limit me more by restricting future use to only commercial in an area you and SEDC have clearly designated as industrial. The Highway 123 Business North area has so much light industrial already established. This should support light industrial zoning for my acreage.
Thanks for your consideration. Mark Soward"*

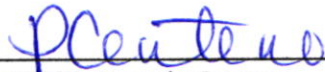
There being no further questions the regular meeting was recessed and a public hearing was held. There being no response from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change 09-15, the Planning and Zoning Commission voted 7-0-0, to Recommend to City Council to Approve the Zoning Change request to Agricultural-Ranch, Commercial, Neighborhood Commercial, Public, Single-Family Residential and Suburban-Residential.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO AGRICULTURAL-RANCH, COMMERCIAL,
NEIGHBORHOOD COMMERCIAL, PUBLIC, SINGLE-FAMILY RESIDENTIAL AND SUBURBAN-RESIDENTIAL—
MOTION PASSED 7-0-0**



Dora Toungate
Planning Assistant



ATTEST: Pamela Centeno
Director of Planning/Codes



City of Seguin

Planning/Codes Department
Staff Report

ZC 09-15

UDC Rezoning for Pre-development
Group 1B

Applicant:

City of Seguin

Property Owner(s):

See attached list of property ownership.

Property Address/Location:

Group 1B is an area north of IH 10, west of N SH 123 Bypass and east of Walnut Branch Floodplain where properties were zoned PD at the time of the original 1989 zoning or annexation.

Legal Description:

See Attached Prop. ID List

Lot Size/Project Area:

303 acres

Future Land Use Plan:

Town Corridor, Regional Node A, Central Township, and Community Node

Notifications:

Mailed May 29, 2015

Comments Received:

Updates at P&Z meeting

Staff Review:

Helena Schaefer
GIS Analyst
June 3, 2015

Attachments:

- Group 1B Map (w/ Proposed Zoning)
- Existing Zoning Map
- Property Owner List
- Future Land Use Plan Map

REQUEST:

The City of Seguin is rezoning properties where the former zoning classifications no longer exist in the City of Seguin’s Unified Development Code.

ZONING AND LAND USE:

	Zoning	Land Use	SEE ATTACHED MAPS
Subject Property	PD	Various land uses including agriculture, commercial, residential and vacant.	
N of Property	C, I, LI, A-R,C	Commercial, Rave Gears, Residential	
S of Property	C, I, LI, P, R-1	Vacant, Residential, Guadalupe Co Offices/Jail, Rave Gears	
E of Property	C	Commercial	
W of Property	P, C, LI, I	Residential, Vacant LI, Guadalupe Co Offices/Jail, Rave Gears	

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

With the adoption of the Unified Development Code, four zoning districts (Pre-development, Mixed, Townhouse, and Manufactured Home Subdivision) became obsolete. Although there were no properties zoned as Townhouse or Manufactured Home Subdivision), there are 421 properties that were zoned either Pre-development or Mixed. The 43 parcels in Group 1B were all zoned as Pre-development

Staff has evaluated the parcels in Group 1B with consideration of the current land uses, property owners’ input, physical features (such as floodplain and proximity to major roads) and the Future Land Use Plan as adopted in the 2008 Comprehensive Master Plan.

Staff recommends approval of the proposed zoning districts as depicted on the attached maps.

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

CASE SUMMARY:

Group 1B is one of fifteen (15) areas that require rezoning due to the removal of the “Pre-development” and/or “Mixed” zoning classifications from the Unified Development Code. The case is to determine the zoning districts for Group 1B. There are 43 parcels in this group and are located between IH 10 (to the south), N SH 123 Bypass (to the east) and the Walnut Branch Floodplain (to the west). The majority of these parcels are large tracts of vacant land.

CODE REQUIREMENTS:

All property within the city limits are required to have a zoning designation. According to the UDC, any property annexed will receive A-R zoning until the time that the property can be appropriately zoned. These 43 parcels have not been rezoned since the original 1989 zoning or at the time of the properties’ annexation.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties in Group 1B are bounded between IH 10, N SH 123 Bypass, and the Walnut Branch Floodplain. There is a variety of existing uses in this area, from single family dwellings to industrial ventures. The recommended zoning reflects the surrounding uses or creates buffers between residential and commercial.

COMPREHENSIVE PLAN:

The properties are within the Town Corridor, Regional Node A, Community Node, and Central Township Districts. While the rezoning process attempted to zone the properties in accordance with these districts, there were some instances when the recommended zoning goes against the Future Land Use Plan. These are the larger tracts of land that can be developed as commercial or residential.

HEALTH, SAFETY, AND GENERAL WELFARE: (Protection & preservation of historical, cultural, and environmental areas.)
No area of health, safety or historical significances has been identified by the City in this group.

TRAFFIC (STREET FRONTAGE & ACCESS):

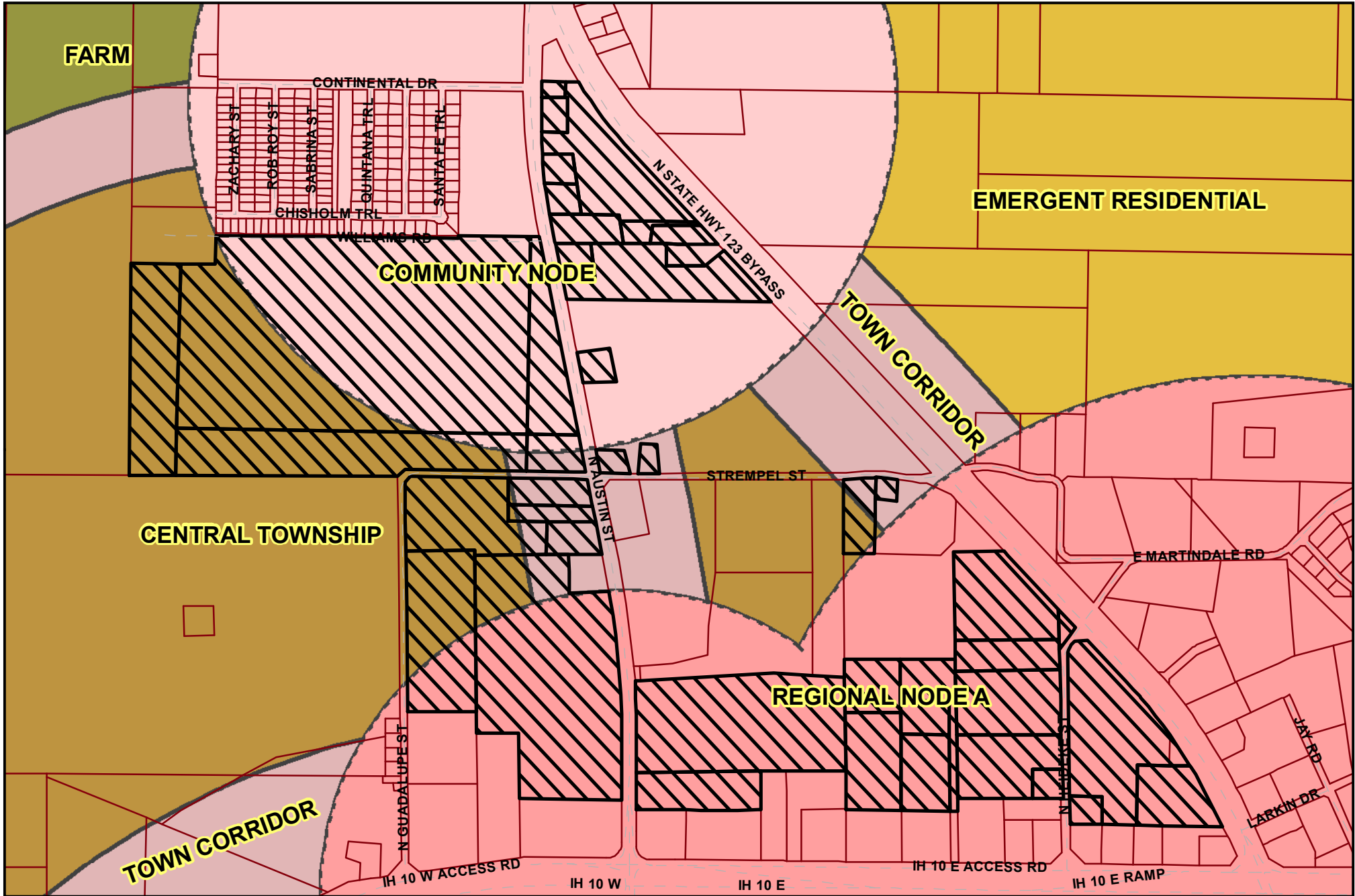
The properties in Group 1B are located along N Austin Street, N Heideke Street, N State Hwy 123 Bypass, Stremple St, and N Guadalupe Street.

PARKING:




Off-street parking shall be provided in accordance with Section 5.3 of the Unified Development Code, which identifies specific parking requirements for different land uses and zoning districts.

OTHER:

As a courtesy, a UDC rezoning packet was mailed to the affected property owners. The packet included maps, land use matrix, lot standards, and frequently asked questions on the UDC and related rezoning issues. The property owners were asked for their input in the rezoning process in regards to the property’s existing use and future plans. The property owners were also invited to one of two open houses, held on May 16 and May 22.

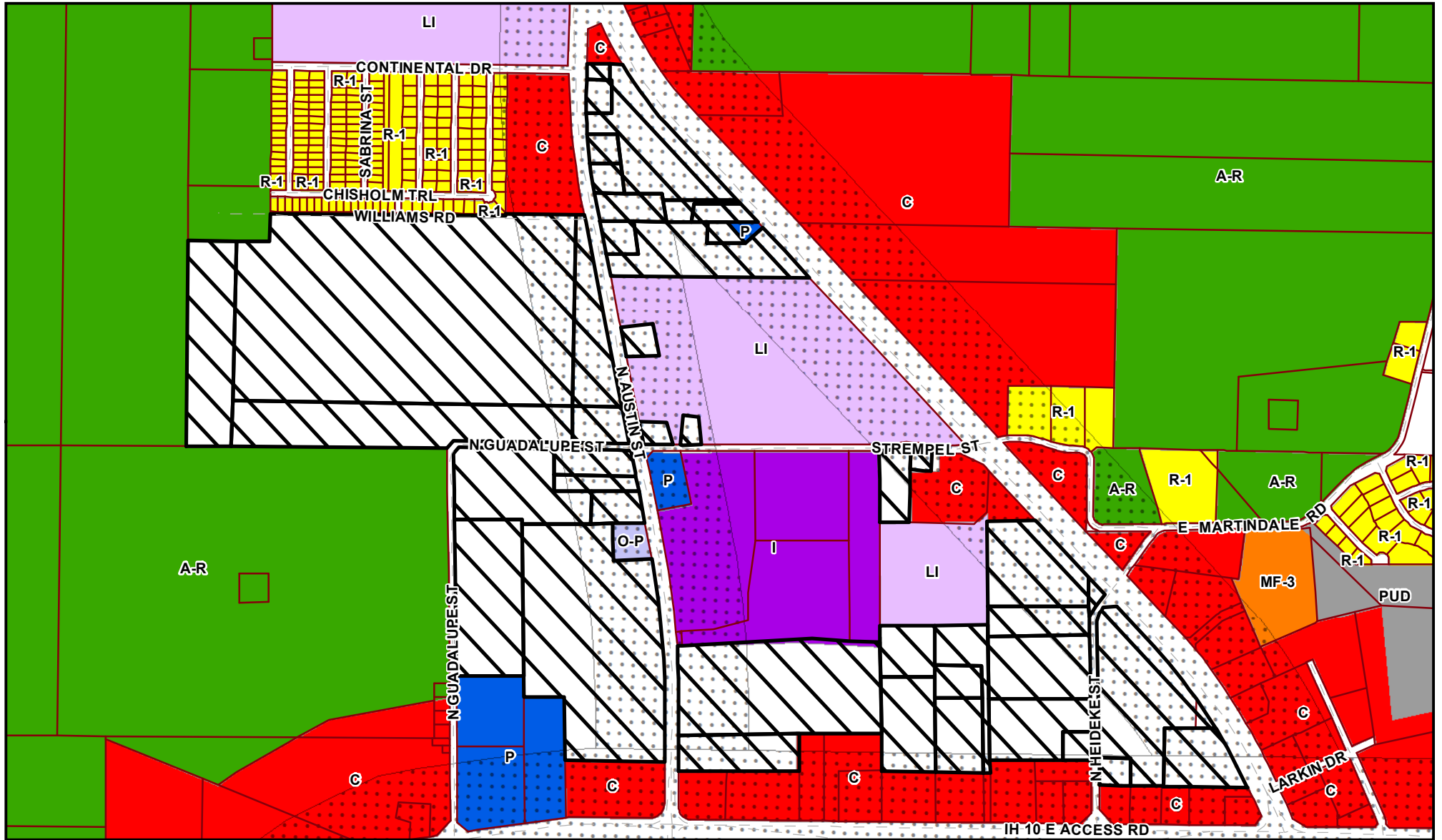


This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for errors on this map or use of this information.

	 Site Location	1 inch = 900 feet
	 Lot Lines	Printed: 5/19/2015

ZONING MAP

ZC 09-15: UDC Rezoning Group 1B



- | | | | |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| A-R Agricultural Ranch | ZL Zero Lot Lines | MHP Manufactured Home Park | I Industrial |
| R-R Rural Residential | DP-1,2 Duplex | NC Neighborhood Commercial | P Public |
| S-R Suburban Residential | MF-1,2,3 Multi-Family | C Commercial | PUD Planned Unit Development |
| R-1 Single Family Residential | M-R Manufactured Residential | LI Light Industrial | |

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Site Location

1 inch = 988 feet

Printed: 5/19/2015

Lot Lines