



Planning and Zoning Commission Report ZC 32-15

The following request was considered during a public hearing at the Planning & Zoning Commission meeting on November 10, 2015:

ZONING CHANGE request from Pre-development to Single-Family Residential 1 for the property located near FM 725@ River Oak Dr, Abstract 29, A Mansola Survey, approx. 134.68 acres out of 154.15 acres, Property ID 58165 (ZC 32-15)

Pam Centeno presented the staff report. The property is being rezoned in conjunction with the UDC Rezoning process. The rezoning of this property was originally considered during the October 13, 2015 P&Z Commission meeting; but due to public response, the City withdrew the property from the Group 5C rezone for further research and more discussion with the property owner. This property is also known as the Chaparral Golf Course.

Public notifications were mailed on October 30, 2015 to 101 property owners. One response was received stating "they bought their home because it backed onto a golf course and if the zoning passed they would move." The Chair mentioned the possibility of Agricultural-Ranch, the Commission was informed that developed land is not rezoned for Agricultural use unless the applicant specifically requests it.

There being no further questions for the applicant the regular meeting was recessed and a public hearing was held.

Diane Morris, resident of Chaparral Subdivision expressed her many concerns which included the entrances if converted to residences. She expressed her concern with the surveyors recently on site preparing for Single-Family residences, the boat ramp that is smaller and not capable of handling that many more homes, golf course access and their deeds. She addressed the floodplain stating that people would not want to pay hardly anything competing with newly built homes if they decided to sell. The type of home and quality was questioned and whether taxes will be increased or decreased. Lastly she spoke regarding the traffic and narrow roads and how the residents' current use of the Golf Course would be impacted if sold. Rev. Jimmie Flakes asked if she would prefer a Commercial or Residential area for the Golf Course, her response was "I would like for it to stay a park." She expressed that preserving nature and its beauty is important. Rev. Jimmie Flakes spoke regarding Zoning in general and the Unified Development Code that allows for restrictions and encourages beauty and conformity. Staff informed that if homes were placed it would require two access points. Staff also expressed that because it is privately owned the City cannot require owners to keep it as a "park."

Danny Darnell, property owner spoke regarding a piece of property that was sold to the Golf Course. One of the items on his contract states that there is a 60 ft. space that has to remain a green space as long as he owns his home. He said he is not for or in opposition. Drew Engelke stated that it is better than an Industrial development backing up to their homes. He also informed the public that this meeting is about a zoning issue and development would come later. Pat Darnell spoke stating that the owner's intention when opening the Golf Course was for a clubhouse. The value of the properties in the future was a concern if there is development.

A resident on River Oak spoke regarding his concern for the possibility of additional residences. He stated that in the Annexation a number of things were promised and the infrastructure of the subdivision is not prepared for more homes. He stated that it is logical for the City to move it to residences but can it handle the zoning? He spoke regarding the flooding. Pamela Centeno stated that there are drainage requirements and that the portion of the property that is in the floodway would require a study prior to developing the property. All zoning options were discussed. R-1 is consistent with the zoning in the area. All options were reviewed and Single-Family Residential was determined to be the best option.

There being no further response from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change 32-15, the Planning and Zoning Commission voted 6-0-0, to Recommend to City Council to Approve the Zoning Change request to Single-Family Residential 1.

**RECOMMENDATION TO APPROVE ZONING CHANGE FROM PRE-DEVELOPMENT TO SINGLE-FAMILY
RESIDENTIAL 1—
MOTION PASSED 6-0-0**



Dora Toungate
Planning Assistant



ATTEST: Pamela Centeno
Director of Planning/Codes



City of Seguin

Planning/Codes Department
Staff

ZC 32-15
FM 725 @ River Oak Dr.
Zoning Change PD to R-1

Report

City of Seguin

Property Owner:

Seguin GC Partners LP
605 E. Dewey Place
San Antonio, TX 78212-4012

Property Address/Location:

FM 725 @ River Oak Dr.

Legal Description:

Abstract 29, A Mansola
Survey, Property ID 58165

Lot Size/Project Area:

Approx 134.68 acres out of
154.15 acres

Future Land Use Plan:

Community Node, Central
Township, Riverside

Notifications:

Mailed October 30, 2015
Newspaper: October 25, 2105

Comments Received:

None to date

Staff Review:

Pamela Centeno
Director of Planning

Attachments:

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

REQUEST:

A Zoning Change request from Pre-Development to Single-Family Residential.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	PD	Golf Course
N of Property	R-1	Residences
S of Property	R-1	Residences
E of Property	R-1, PUD, MF-1, MF-3	Apartment Complex/Vacant Land/Residences
W of Property	R-1	Residences/Vacant Land

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. The majority of the existing golf course located at FM 725 and River Oak Drive is zoned Pre-Development. Small portions along the boundary of the course are zoned Zero Lot Line, Multi-Family 3, and Single-Family Residential following requests by the owner in 2008 and 2009. The intent of these changes was to develop residential neighborhoods within the golf course as is seen with many other golf course developments that have become very popular.

Since Pre-Development is no longer a zoning district, the City of Seguin must rezone the part of the property zoned PD. Considering the Future Land Use Map, the surrounding zoning districts, and the surrounding land uses, staff finds that a zoning of R-1 is most appropriate for this property and strongly recommends approval to R-1. This does not mean that the property will be redeveloped, but it prevents it from being developed commercially which is not compatible with the surrounding properties.

Planning Department Recommendation:

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

	Denial
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PLANNING DEPARTMENT ANALYSIS

CODE REQUIREMENTS:

The golf course was existing when the City of Seguin annexed the property in 1992. It has remained a golf course since that time and is a legal non-conforming use. In the Land Use Matrix, outdoor amusement facilities are allowed in Neighborhood Commercial and Commercial with Specific Use Permits or in Industrial-zoned districts. Given the proximity of this course to established residential neighborhoods, commercial or industrial districts are not appropriate. A public golf course would be allowed in a Public-zoned district, but this is a privately-owned golf course therefore it would not qualify for public zoning.

COMPREHENSIVE PLAN:

The future land use map identifies the area within the Riverside, Central Township, and Community Node. The Riverside and Central Township districts recommend residential land uses. The Community Node recommends commercial land uses. Most of the area surrounding the golf course is zoned Single-Family Residential.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The majority of the properties surrounding the golf course are zoned R-1. Besides these single-family neighborhoods, the only other land uses surrounding the golf course are multi-family developments. The Future Land Use Map recommends commercial or residential, with stronger support for residential. Given the surrounding land uses, staff finds that residential is more appropriate than commercial in this area.

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

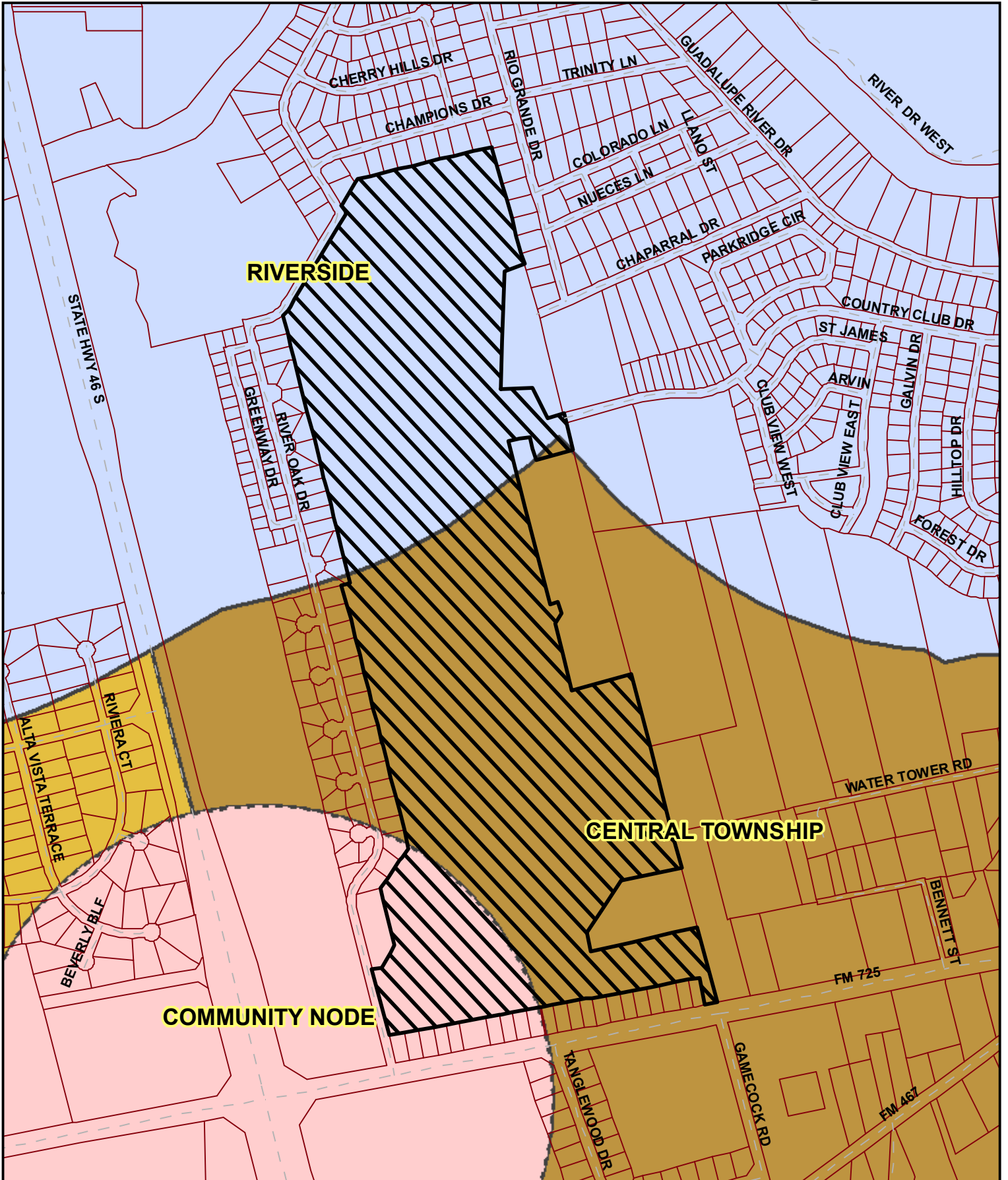
Portions of this property are within the FEMA floodplain. Strict adherence of the City's and FEMA's regulations for development in floodplains will be required for any new development or redevelopment on this property.

TRAFFIC (STREET FRONTAGE & ACCESS):

This property has direct access to a number of existing public streets: River Oak Drive, Chapparral Drive, Country Club Drive, and FM 725.

OTHER CONSIDERATIONS:

Leaving this property zoned Pre-development is not an option. While the surrounding residents would prefer that the golf course remain in its current use, zoning the property for the current use would result in a commercial or industrial-zoned district. This would open the door to many uses that would be disruptive to the existing residential neighborhoods in this area. As stated at the October Planning and Zoning Commission meeting, the golf course is a legal non-conforming use that is allowed even when the zoning district changes. Given the decision between residential and commercial, staff finds that residential is more appropriate.



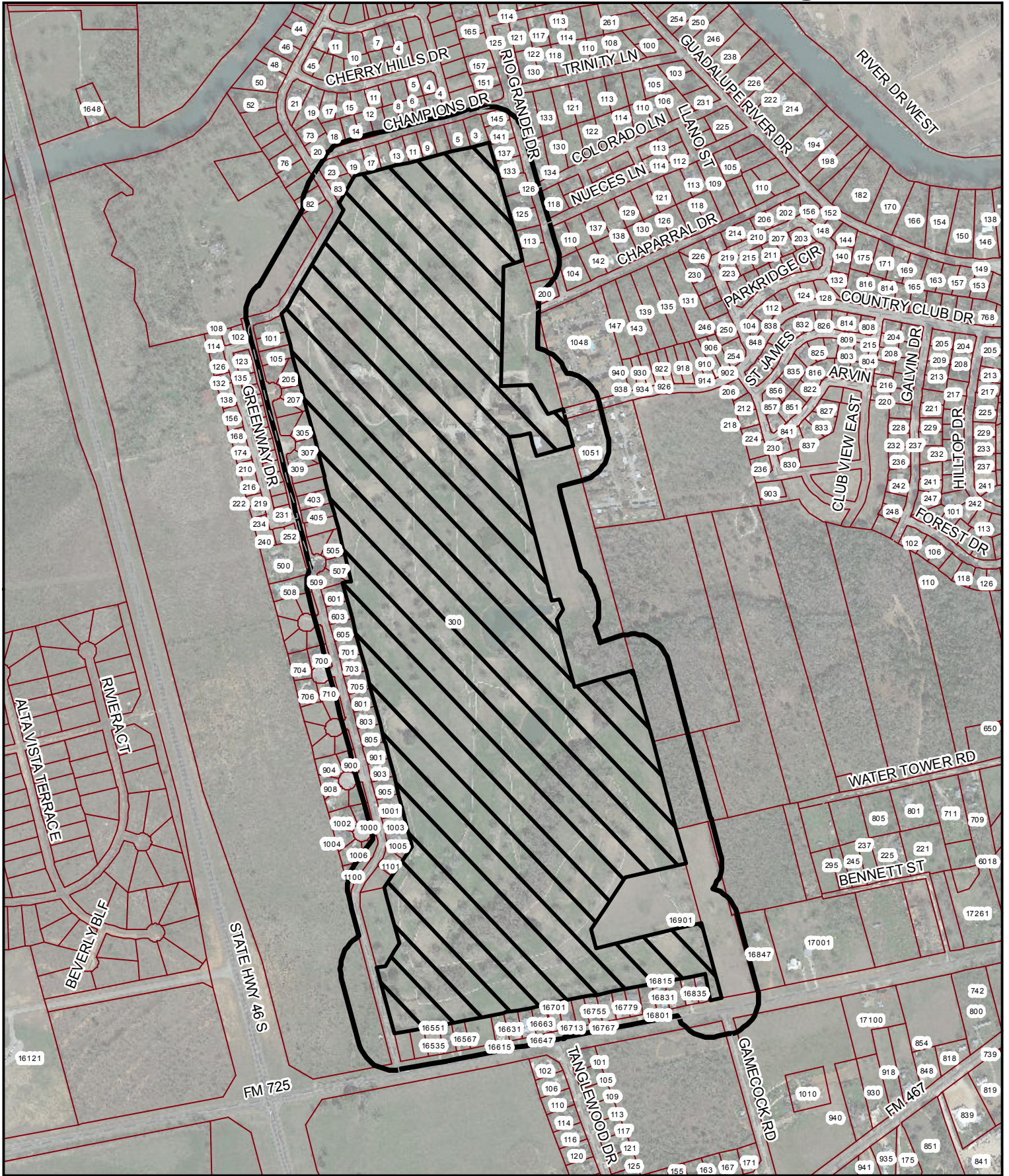
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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


 Site Location
 Lot Lines

1 inch = 700 feet
 Printed: 10/20/2015

LOCATION MAP

ZC 32-15: FM 725@River Oaks Dr



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Site Location



200' Notification Buffer

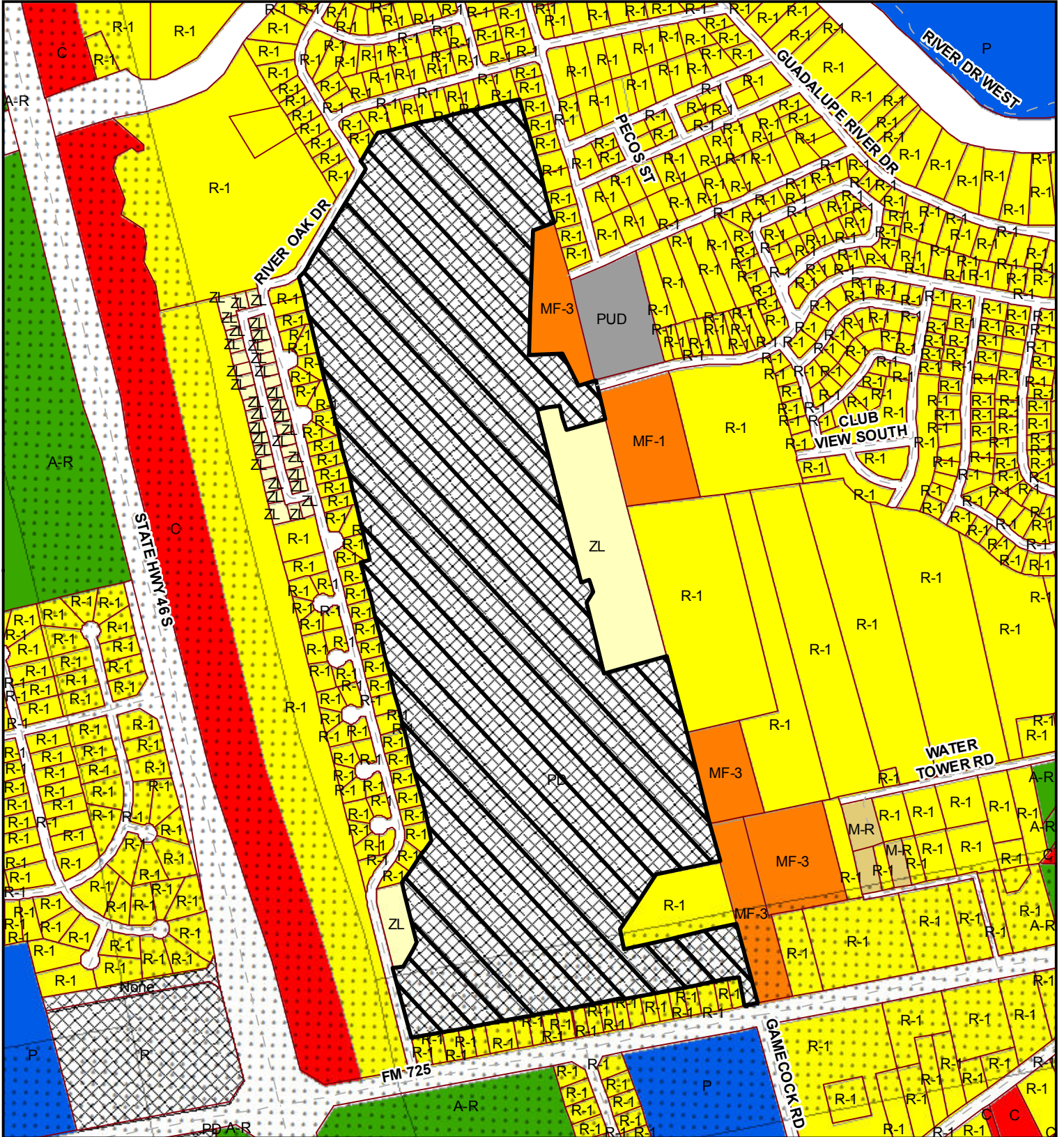
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ZONING MAP

ZC 32-15: FM 725@River Oaks Dr



- | | | | |
|-------------------------------|------------------------------|----------------------------|------------------------------|
| 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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