



## **PLANNING & CODES**

### **Planning and Zoning Commission Report**

#### **ZC 08-25**

A Zone Change request from Public (P) to Multifamily-1 (MF-1) was heard Tuesday April 8<sup>th</sup>, 2025, as ZC 08-25. Kyle Warren, Planner, presented the case. He stated this case was a similar request to the case denied at the February meeting (ZC 01-25).

Mr. Warren stated the property, located at the 700 Blk of Jefferson Ave, is currently zoned Public (P). The property is vacant. It consists of 1 lot for a total area of 2.53 acres. The applicant wishes to rezone this property to construct an apartment complex. This use is not permissible in Public zoning.

He then stated the property is bordered by Single-Family zoning to the north with homes on the lots, Manufactured Home Park zoning to the south, Public zoning to the west (Jefferson Elementary), and Public zoning to the east (Single family home) and has frontage on Jefferson Ave. The property would also be required to provide a landscape buffer between the adjacent properties if zoned to multifamily zoning, at time of siteplan.

Mr. Warren elaborated on the Future Land Use Plan, Traditional Residential which the property is in. He stated that Development within Traditional Residential areas should consist of low- to medium density residential homes facing local streets. Neighborhoods are encouraged to have individuality within the guidelines of the regulations. Different housing types may be integrated to encourage various ownership opportunities.

Mr. Warren then listed the Criteria for the zoning change-  
Consistency with the future land use plan –Consistent. New residential development within this FLUP should be evaluated site by site to prevent incompatible scaling and density (maximum of 12 DUA). Development within Traditional Residential areas should consist of low- to medium density residential homes facing local streets. (MF-1 zoning has a maximum of 6 units per acre)

Compatible with existing and permitted uses of surrounding property – This portion of Jefferson Avenue is primarily residential in nature with uses ranging from single-family housing, a manufactured home park, an elementary school, and park space (Veterans Park). It is not uncommon to see lower density multifamily mixed in with these uses. Multifamily developments can also promote walkability in neighborhoods near schools and other local amenities.

Adverse impact on surrounding properties or natural environment – Higher volumes of traffic on Jefferson Ave. due to the increase in density.

Proposed zoning follows a logical and orderly pattern – Multifamily-1 zoning in this area (traditional residential) can work with single family zoning if the development is integrated well with the surrounding homes. Public zoning is also adjacent to the property in the form of a school, multifamily zoning would add walkability to the area.

Other factors that impact public health, safety, or welfare – potential increase of traffic flow on Jefferson Ave.

Mr. Warren finished his presentation noting that there were four letters received in opposition to the zone change, noting that noise, increased traffic, lack of adequate sidewalks, potential increase in crime, and the likelihood of property value decline were all reasons for opposition.

The regular meeting recessed, and a public hearing was held. The applicant Mitchell James came forward to speak on the case. He stated that he understood the concerns of the public from the denial of the last zone change he attempted. This was his reasoning to try with a lower density Multifamily zoning. He also stated that Kyle Warren had also helped him understand why the lower density multifamily would be a better fit in this scenario.

After Mr. James spoke, a Ms. Susan Gerth spoke on the case stating she lived in a quiet neighborhood and did not want any apartments built at the location in question.

Following Ms. Gerth, a Mr. Franklin Hayes came forward to speak and stated the zoning change would bring more transient people to Seguin, and that his neighborhood was already having trouble with drug addicts and crime, and that project would only bring more of the like to the area.

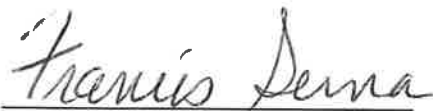
The regular meeting was reconvened for action. After consideration of the staff report and all information given regarding Zoning Change (ZC 08-25), Commissioner Kelly Schievelbein moved that the Planning and Zoning Commission recommended denial of the zoning change from Public (P) to Multi-family 1 Residential (MF-1) at 700 blk. Of Jefferson Ave. A second to this motion did not happen and after some discussion on the case that rentals could occur in single family zoning as well, Commissioner Pete Silvas motioned to approve. Commissioner Joe Pedigo seconded the motion.

The following vote was recorded:

**RECOMMENDATION TO APPROVE THE ZONING CHANGE TO MULTIFAMILY-1**

**MOTION PASSED**

**7-1-0**



Francis Serna, Planning Assistant

  
ATTEST: Kyle Warren, Planner



## PLANNING & CODES

ZC 08-25 Staff Report  
700 Blk of Jefferson Ave.  
Zoning Change P to MF-1

**Applicant:**

Big Rock PM  
503 N Austin St.  
Seguin, TX 78155

**Property Owner:**

Flat Toob LLC  
503 N Austin St.  
Seguin, TX 78155

**Property Address/Location:**

700 Blk of Jefferson Ave.

**Legal Description:**

JEFFERSON AVENUE, LOT 1  
2.530 AC.  
Property ID: 108755

**Lot Size/Project Area:**

2.53 acres

**Future Land Use Plan:**

Traditional Residential

**Notifications:**

Mailed: March 26, 2025  
Newspaper: March 23, 2025

**Comments Received:**

None at publication

**Staff Review:**

Kyle Warren  
Planner

**Attachments:**

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

**REQUEST:**

The applicant is requesting a zoning change from Public (P) to Multi-Family Low Density (MF-1).

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	P	Vacant
<b>N of Property</b>	R-1	Residential Homes
<b>S of Property</b>	MHP	Manufacture Home Park
<b>E of Property</b>	P	Singel Family Home
<b>W of Property</b>	CP	Elementary School

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The applicant is requesting a zoning change from Public (P) to Multi-Family Low Density (MF-1) on 2.53-acre located on the 700 Blk of Jefferson Ave., for proposed multi-family development.

A zoning change to Multi-Family Low Density (MF-1) on this 2.53-acre tract would be compatible with the Future Land Use Plan (FLUP) if the development consists of low- to medium density residential dwellings that are within 5-12 Dwelling Units per Acre (DUA), to better fit with the surrounding single-family residences.

The FLUP states that new residential development within this area should be evaluated site by site to prevent incompatible scaling and density, and that different housing types encourage various ownership opportunities.

**CRITERIA FOR ZONING CHANGE:**

**Consistency with the future land use plan** – Yes, if compatible in scale with adjacent homes, focused on walkability, and less than 12 DUA.

**Compatible with existing and permitted uses of surrounding property** – Yes, residential uses can be seen to the north with single family homes, and to the south, across Jefferson Ave. in the form of a manufactured home park.

**Adverse impact on surrounding properties or natural environment** – Increase in traffic due to added density.

**Proposed zoning follows a logical and orderly pattern** – Multifamily-1 zoning in this area (traditional residential) can work with single family zoning if the development is integrated well with the surrounding homes. Public zoning is also adjacent to the property in the form of a school. Multifamily zoning would add walkability to the area.

**Other factors that impact public health, safety or welfare** – No others specifically identified.

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

This 2.53-acre property has contained its original zoning of Public (P) since 1989. It is vacant and contains no buildings or structures. The property is adjacent to Public zoned lots to the east (single family home) and west (Jefferson Elementary School), as well as single family residential properties to the north. Across Jefferson Avenue to the south there is a manufactured home park.

### **CODE REQUIREMENTS:**

To develop the tract for multi-family use a zoning change would be required. Multi-family zoning would require additional buffering between adjacent residential properties that are zoned for single-family residential. Setback distance and location of tree buffer will be determined by the height of the proposed multi-family structures. Requirements, details, and illustrations can be found in the “Multi-Family Buffering” document in Chapter 5 – Site Development Process of the City’s Technical Manual. Multi-Family Medium Density (MF-1) allows for a maximum of 6 units per acre. For this project in particular a maximum of 15 units could potentially be built.

Any proposed development would be required to go through the city’s development process (zoning, platting, site plan review, and building permit), for approval on access, drainage requirements, landscaping, buffering requirements, building placement, traffic, and parking requirements.

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

This portion of Jefferson Avenue is primarily residential in nature with uses ranging from single-family housing, a manufactured home park, an elementary school, and park space (Veterans Park). It is not uncommon to see lower density multifamily mixed in with the aforementioned uses. Multifamily developments can also promote walkability in neighborhoods near schools and other local amenities.

### **COMPREHENSIVE PLAN:**

New residential development within this FLUP district (Traditional Residential) should be evaluated site by site to prevent incompatible scaling and density. Development within Traditional Residential areas should consist of low- to medium density residential homes facing local streets. Neighborhoods are encouraged to have individuality within the guidelines of the regulations. Different housing types may be integrated to encourage various ownership opportunities.

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

There is a likelihood of higher volumes of traffic on Jefferson Ave. due to the increase in density.

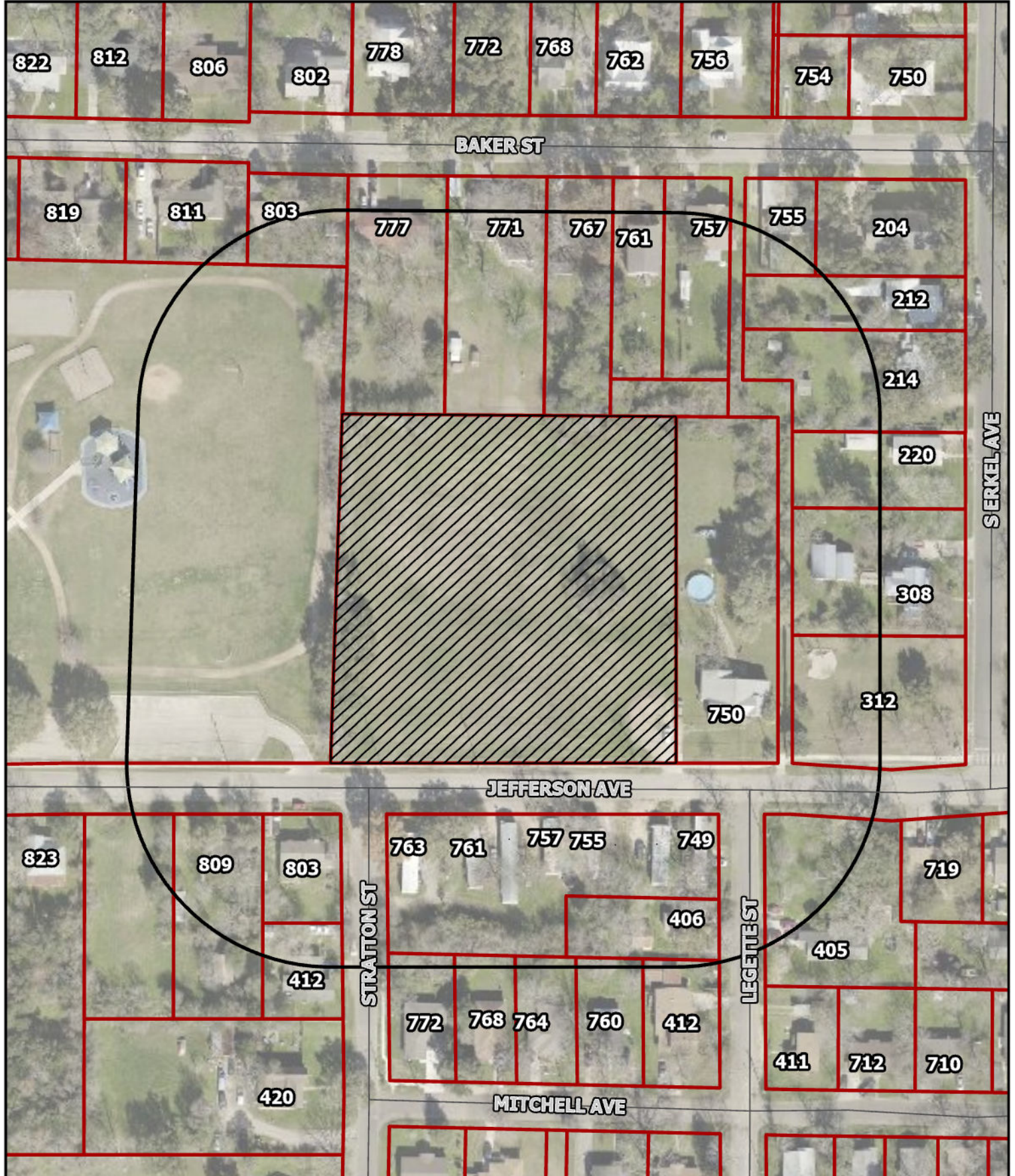
### **TRAFFIC (STREET FRONTAGE & ACCESS):**

This site can be accessed from its 340-foot frontage along Jefferson Ave. subject to driveway spacing requirements found in Seguin’s Technical Manual under Road Adequacy & Access Technical Guidance.



# LOCATION MAP

ZC 08-25 700 Bk of JEFFERSON AVE.



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 = 125 feet

Printed: 3/14/2025



# ZONING MAP

ZC 08-25 700 BIK of JEFFERSON AVE.



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	

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.



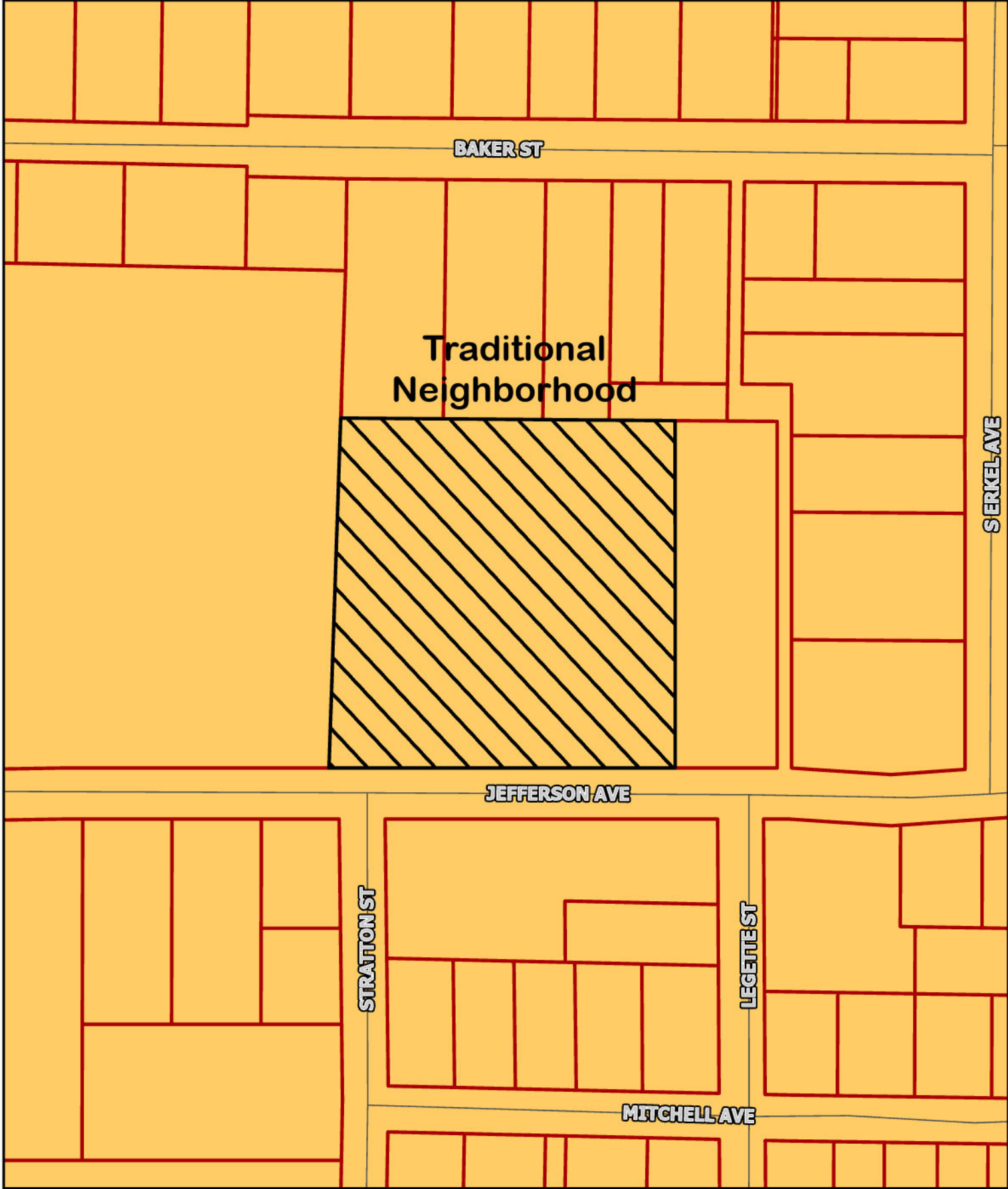
Site Location



Parcel

1 inch = 125 feet

Printed: 3/14/2025



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



Parcel

1 inch = 125 feet

Printed: 3/14/2025

To be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

**RECEIVED**  
4-2-25

Via Email

AG

**REPLY**

700 Block of Jefferson Ave.  
Property ID 108755  
(ZC 08-25)

Name: LISA And FRANKLIN HAYES

Mailing Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Physical Address of property (if different from the mailing):

308 South EXCEL AVE, SEGUIN, TX 78155

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor \_\_\_\_\_

Opposed ☒

Reasons and/or comments FROM PAST EXPERIENCE, WE HAVE OBSERVED THAT  
Adding 5 APARTMENTS to a RESIDENTIAL Neighborhood LEADS to the following  
negative impacts: 1. Higher crime 2. Higher proportion of transient people  
not invested in the long term quality of the neighborhood 3. Decreased property  
VALUES 4. Increased noise, 5. Increased vehicular traffic, 6. Increased foot  
TRAFFIC on surrounding sidewalks. We feel the requested zoning change  
to MF-1 will negatively impact our quality of life and neighborhood  
stability



To be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

### REPLY

700 Block of Jefferson Ave.  
Property ID 108755  
(ZC 08-25)

Name: Beldie Mae McKinney Trustee & Hwy 123 Byp Site 183

Mailing Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Physical Address of property (if different from the mailing):

771 Baker St Seguin Texas 78155

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor \_\_\_\_\_

Opposed X



Reasons and/or comments <sup>①</sup> At the last zoning for this property, the developers did not have a plan for this property. They had no idea. They could go up 4 to 5 stories. <sup>②</sup> Community of single family houses. A big apartment development does not fit into the design of the area. <sup>③</sup> With rental <sup>property</sup> comes congestion. Lots of people in each unit with 5 or 6 cars. The area is already congested with the school. <sup>④</sup> Peaceful single family environment will change if an apartment complex, busy with many people and traffic is built.

To be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

### REPLY

**RECEIVED**  
4-2-25

AG

700 Block of Jefferson Ave.  
Property ID 108755  
(ZC 08-25)

Name: Susan Gerth

Mailing Address: 767 Baker

Phone No.: \_\_\_\_\_

Physical Address of property (if different from the mailing):  
\_\_\_\_\_

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor \_\_\_\_\_  
Opposed ☒ ① No plans have been shown to residents. How tall will they be in a single family housing area?

Reasons and/or comments ② With out plans—the builders could go 4 stories up. They could go wild.

③ Apartments contain more people than single family homes - Congestion! Already a busy area

④ Tall apartments will not fit into the physical character of this neighborhood.

⑤ Real estate value will go down as due to congestion of people and lack of a peaceful environment - cars, motorcycles, trucks, people coming and going

To be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

**REPLY**

700 Block of Jefferson Ave.  
Property ID 108755  
(ZC 08-25)



Name: Ann Warfield

Mailing Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Physical Address of property (if different from the mailing):  
\_\_\_\_\_

**If "In Favor" or "Opposed" please explain why in space allotted below:**

In Favor

Opposed X

Reasons and/or comments See attached letter



Dear City:

What part of **NO** do you not understand?! No apartment behind Baker St. We are an older, quieter, retired neighborhood. We don't want thousands of cars racing down our street, noise, pollution and more crime brought to the west side.

Even ~~thou~~ as you ask us what we want you will not hear our answer even if we scream No. So this is just a formatio<sup>n</sup> game we go thru.

The answer from Baker St will always Be No!!

Sincerely  
Ann Warfield