



## PLANNING & CODES

### Planning and Zoning Commission Report ZC 19-16

The following request was considered in conjunction with Zoning Change 19-16 during a public hearing at the Planning & Zoning Commission meeting on June 14, 2016:

**ZONING CHANGE request from Single-Family Residential to Public for the following properties in and along Walnut Branch and at the New Library: 0, 0, 13368, 13369, 27900, 151395, 152271, 153394, 154392, 154394, and 154859**

Helena Schaefer presented the staff report starting with the history of the Walnut Branch floodplain reconstruction by the US Army Corp of Engineers and the securing of TxDOT funding for the hike and bike trail. Also mentioned was the New Library on W Nolte and the need to rezone part of the site. As some of the properties are already zoned public and have part of the trail running through them or part of the library, the City is requesting a rezone to public to "clean up" the zoning for those 10 properties that have the Single-Family Residential zoning designation. The 10 properties are located between W Nolte St to S Austin St. As most of the city-owned property along the creek falls into the 100 year flood zone and/or the floodway, the trail is the best use for the property and will provide a transportation corridor for pedestrian and cycling traffic. The portion of the library that requires rezoning is in the floodway, but the new structure is not in the floodway.

Public notifications were mailed to 33 property owners on June 3, 2016. No written comments were received. The Commission had no questions for Staff. The regular meeting was then recessed and a public hearing was held.

Gustavo Cantu Jr of 330 Adams St, Seguin Texas spoke regarding the impact of the rezoning on his adjacent property. He mentioned that he was going to seek a rezoning in the future and if the City rezoned their property to public, would it affect his rezone request. Pamela Centeno replied that the rezoning to public is just a reflection of the ownership and this rezone shouldn't affect his rezone.

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 19-16, the Planning and Zoning Commission voted 5-0-1, to Recommend to City Council to Approve the Zoning Change request to Public.

#### RECOMMENDATION TO APPROVE ZONING CHANGE TO PUBLIC – MOTION PASSED 5-0-1

A handwritten signature in blue ink, appearing to read "Dora", written over a horizontal line.

Dora Toungate  
Planning Assistant

A handwritten signature in blue ink, appearing to read "P. Centeno", written over a horizontal line.

ATTEST: Pamela Centeno  
Director of Planning/Codes



**PLANNING &  
CODES**

**ZC 19-16 Staff Report  
New Library and Walnut Branch  
Zoning Change R-1 to P**

**Applicant:**

City of Seguin  
205 N River St  
Seguin, TX 78155

**Property Owner:**

City of Seguin  
Seguin, TX 78155

**Property Address/Location:**

Ten city properties between  
W Nolte and S Austin

**Legal Description:**

See property id list

**Lot Size/Project Area:**

Approx. 3.93 acres

**Future Land Use Plan:**

Historic City Center, Town  
Core 1

**Notifications:**

Mailed June 3, 2016  
Newspaper May 29, 2016

**Comments Received:**

None to date

**Staff Review:**

Helena Schaefer  
GIS Analyst

**Attachments:**

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

**REQUEST:**

A Zoning Change request from Single-Family Residential 1 to Public.

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	R-1	New Library, vacant land in the Walnut Branch Floodway
<b>N of Property</b>	P	New Library
<b>S of Property</b>	R-1, NC	Residences, vacant land
<b>E of Property</b>	P, R-1, NC	Residences, businesses, St James Church
<b>W of Property</b>	R-1	Residences

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The City of Seguin acquired property along the Walnut Branch floodway as well as property for the new library. This zoning request is for city owned properties south of W Nolte to S Austin and includes a portion of the new library and the southern portion of the TXDoT hike and bike trail; it is also part of the UDC “clean up” of zoning issues. The Staff recommends approval of the zoning change as the properties are used for public use.

**Planning Department Recommendation:**

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

## PLANNING DEPARTMENT ANALYSIS

### **SITE DESCRIPTION**

The ten properties are currently zoned Single-Family Residential. These properties are located in and along the Walnut Branch floodway. One property is part of the new library and is being rezoned to match the rest of the properties. The City purchased some of these properties in the floodway as part of the hike and bike trail, but the elevation of the creek is not favorable for the construction of a concrete pathway to Starcke Park. The TXDOT hike and bike trail ends at W Convent Street with the construction of a new pedestrian bridge.

### **CODE REQUIREMENTS:**

According to the UDC's Section 3.2.15, properties that are developed to encourage the use of unique areas especially suited for public assembly, meetings, recreational area, schools, places of worship, and similar uses can be zoned as public. As the new library and the southern portion of the hike and bike trail are used for the general public, rezoning these properties would be applicable. As for the properties located in the floodway, these properties are not feasible for development. Since the properties are owned by the City, it would be appropriate to rezone them to public.

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

These properties run along S Goodrich and S Camp Street neighborhoods and are part of the new library and the southern portion of the hike and bike trail. As with the March request with the northern portion of the hike and bike trail to public, rezoning the parcels to public is compatible with the existing land uses and the surrounding zoning.

### **COMPREHENSIVE PLAN:**

The properties fall into several future land use districts, to include Historic City Center, and Town Core 1. Public zoning is "as of right" in all of these districts.

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

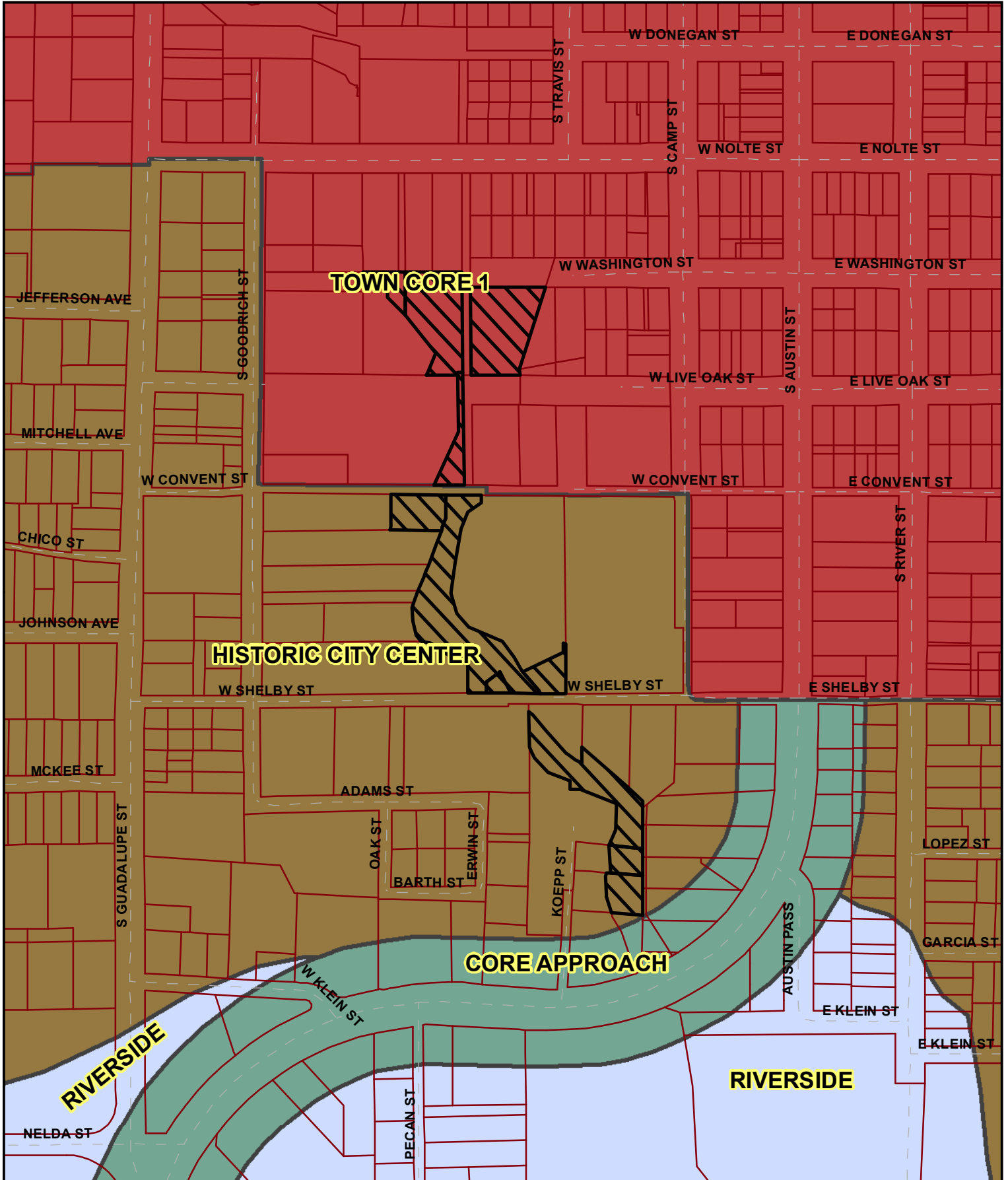
Most of these properties are located near or in the Walnut Branch floodway. Due to the close proximity of the floodway and the possibility of flooding, the majority of these properties are not developable. No permanent structures can be built in the floodway without meeting FEMA requirements.

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

Most of these properties do not front a street as they are part of the floodway. Four of the properties front the W Convent and W Shelby right-of-way, but there are no paved streets.

# FUTURE LAND USE MAP

# ZC 19-16: City Properties W Nolte to S Austin



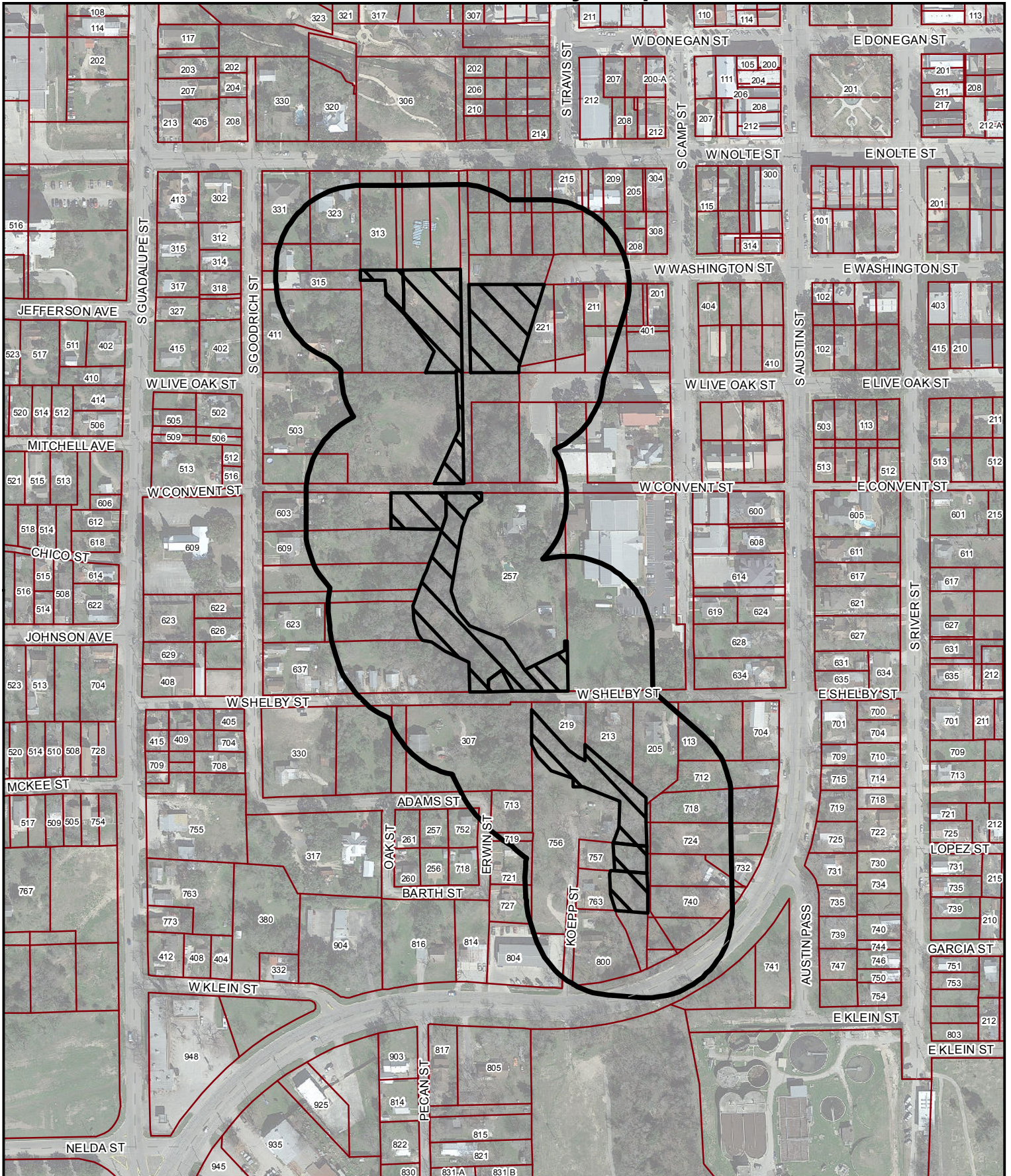
This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for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


 Site Location  
 Lot Lines

1 inch = 300 feet  
 Printed: 5/9/2016

# LOCATION MAP

# ZC 19-16: City Properties W Nolte to S Austin



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Site Location



200' Notification Buffer

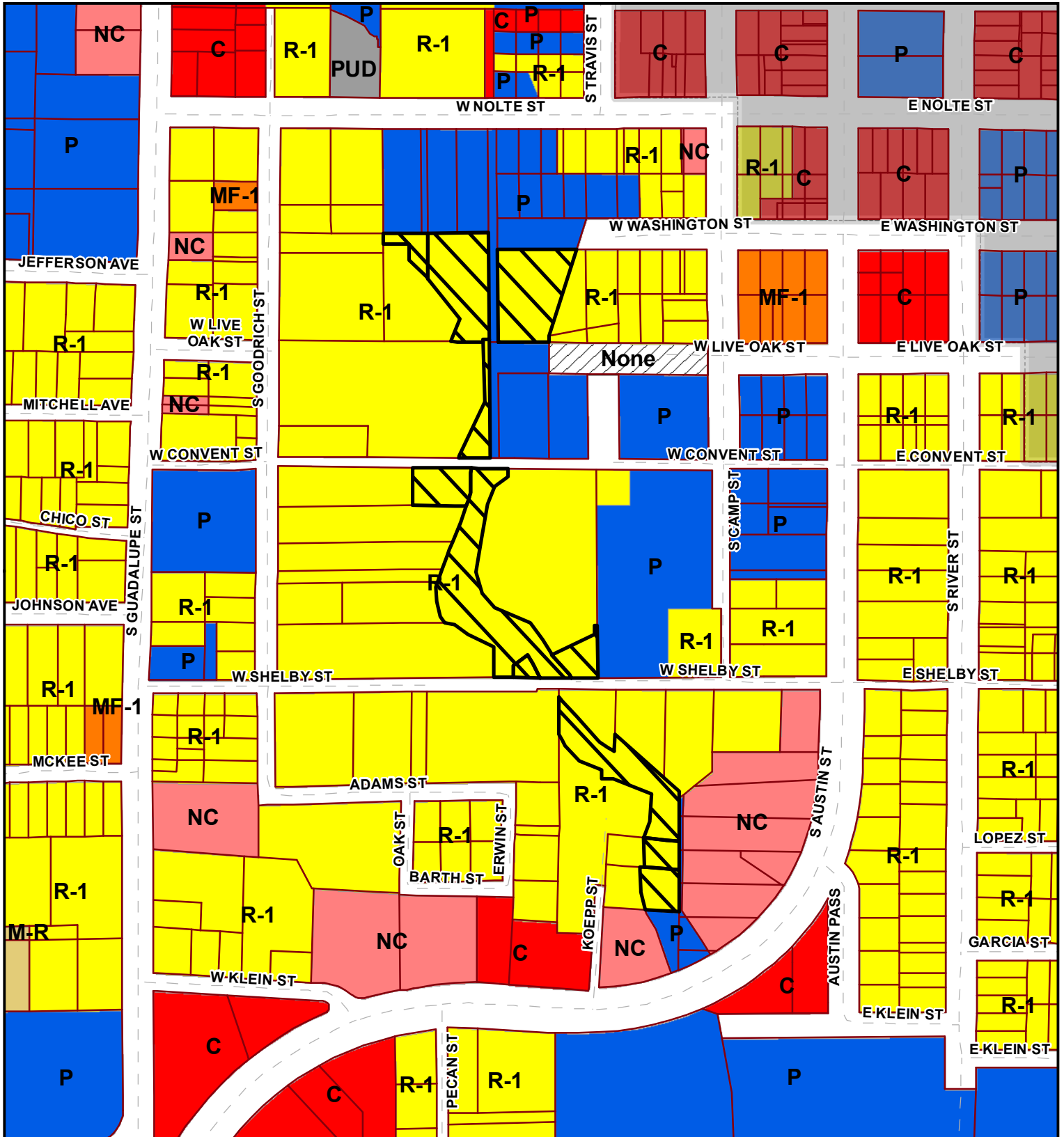
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# ZONING MAP

# ZC 19-16: City Properties W Nolte to S Austin



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