



Planning and Zoning Commission Report ZC 03-16

The following request was considered in conjunction with Zoning Change 03-16 during a public hearing at the Planning & Zoning Commission meeting on February 9, 2016:

ZONING CHANGE request from Office-Professional (O-P) and Retail (R) to Neighborhood Commercial (NC) for the following properties in the UDC Rezoning Group 6B: 13386, 24143, 27194, 27195, 27908, 38239, 41519, 51208, and 58238.

Helena Schaefer presented the staff report. Prior to specific zoning, staff gave a presentation about the intent of O-P and R in the old zoning ordinance and how these zoning districts were consolidated into one district, NC in the UDC. Property owners also received prior notification of the City's intent to rezone these properties; Staff requested feedback from the property owners to ensure that the appropriate zoning is proposed for the property.

Public notifications were mailed to 135 property owners on January 29, 2016. No responses were received in.

Commissioner Martinez asked about the ownership of prop id 41519, 704 S Austin St. Staff responded that they didn't have that information in front of them, but that the property owner did not reply to any correspondence. 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 03-16, the Planning and Zoning Commission voted 6-0-0, to Recommend to City Council to Approve the Zoning Change request to Neighborhood Commercial.

RECOMMENDATION TO APPROVE ZONING CHANGE TO NEIGHBORHOOD COMMERCIAL – MOTION PASSED 6-0-0

Dora Toungate
Planning Assistant

ATTEST: Pamela Centeno
Director of Planning/Codes



City of Seguin
 Planning/Codes Department
 Staff Report

ZC 03-16
UDC Rezoning for Office-Professional and
Retail
Group 6B

Applicant:

City of Seguin

Property Owner(s):

See attached list of property ownership.

Property Address/Location:

Group 6B are properties located along San Antonio, W Court, Jefferson, W Nolte, S Austin, E Donegan, S Guadalupe and SH 46S

Legal Description:

See Attached Prop. ID List

Lot Size/Project Area:

17.29 acres

Future Land Use Plan:

Historic City Center, University, Central Township, Town Core, Community Node

Notifications:

Mailed January 29, 2016

Comments Received:

Update at P&Z meeting

Staff Review:

Helena Schaefer
 GIS Analyst
 Feb 3, 2016

Attachments:

- Group 6B 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	O-P, R	Various land uses including residential, commercial, and vacant.	
N of Property			
S of Property			
E of Property			
W of Property			

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

With the adoption of the Unified Development Code, two zoning districts (Office-Professional and Retail) were consolidated into one zoning, Neighborhood Commercial. There are 38 properties that were zoned either Office-Professional or Retail. The nine parcels in Group 6b were rezoned as either Office-Professional or Retail, except for Prop ID# 51208 (which has retained its original zoning from 1989.)

Staff has evaluated the parcels in Group 6B with consideration of the current land uses, property owners' input, any previous zoning change request, 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 6B is one of five (5) areas that require rezoning due to the consolidation of the “Office-Professional” and “Retail” zoning classifications in the Unified Development Code. The case is to determine the zoning districts for Group 6B. There are (parcels in this group and are located along San Antonio Ave, W Court St, Jefferson Ave, W Nolte St, S Austin St, E Donegan St, State Hwy 46S and S Guadalupe St.

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 9 parcels were all rezoned to Office-Professional or Retail from its original zoning, except for the property along W Court. This property was originally zoned O-P during the 1989 zoning.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The properties in Group 6B are proposed as Neighborhood Commercial due to the close proximity of each parcel to a residential area and/or a “like” commercial use.

COMPREHENSIVE PLAN:

The properties are within the Historic City Center, University, Town Core, Central Township, and Community Node Districts.

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 6A are located along San Antonio Ave, W Court St Jefferson Ave, W Nolte St, S Austin St, E Donegan St, State Hwy 46S, and S Guadalupe St.

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.

INDIVIDUAL REZONING ANALYSIS AND HISTORY:

Property Id 24143 (704 San Antonio Ave) – This vacant lot was rezoned in February 2008 from Single-Family Residential to Commercial to construct a retail facility. Staff, at the time, was more inclined to recommend “Retail” and not “Commercial”, as the “Commercial” district has many uses that might be objectionable to the surrounding neighborhood and Ball Early Childhood School. This building is located on 6700 sq ft parcel and is currently being used for retail (Raymond’s Corner Store). For both NC and C, the minimum lot size for a corner lot is 7,500 sq ft, which this lot doesn’t meet. Given that NC uses have less intense traffic demands than C uses, Staff is recommending NC.

Property Id 51208 (1204 W Court St) – This property is located at the intersection of W Court and Fritz St and is currently housing a dog grooming service without outdoor activities. The O-P zoning was assigned during the original 1989 zoning of the City. This current use is allowed in the NC district. Staff is recommending NC as the lot is too small to develop for any intense commercial uses that are allowed in the Commercial district.

Property Id 13386 (515 E Donegan St) – This property was rezoned in October 1998 from Public and Single-Family Residential to O-P. The applicant was proposing an office building; the applicant also owns the property located at

515 E Court/514 E Donegan, which houses an existing office complex. The vacant lot has not been developed. Rezoning this property to NC would allow for the property to be developed for offices or have a single-family residential dwelling (as a single-family house is permitted in this district too.)

Property Id 27908 (304 S Camp St) – This property was rezoned in June 2007 from Mixed to O-P. The applicant was proposing to use the structure as a residence and a home occupation. The structure is currently vacant. With a proposed NC zoning, the structure can either be used as a house or a business. If converted to a business, it may have to meet certain building and fire code standards.

Property Ids 27194 & 27195 (312 S Saunders Ave/612 Jefferson) – This property was rezoned in November 1998 from Single-Family Residential to O-P for the construction of an office complex. The office complex has been constructed and is still in use. NC district does allow for this use and Staff is recommending NC. One of the buildings is currently being used by the Texas Department of Health and Human Services.

Property Id 38239 (755 S Guadalupe St) – This property was rezoned in January 1999 from Mixed to Retail. The applicant, who is no longer the property owner, wanted to operate a tire shop and requested Commercial; O-P and R didn't allow a tire shop in the old zoning ordinance. There is an existing commercial structure on the parcel, which appears to be vacant. Staff originally recommended denial of this zoning request, because most of the properties fronting S Guadalupe were rezoning to residential as part of a comprehensive zoning change request in 1998. This large zoning change was compatible with the future land use district, Historic City Center. Given the S Guadalupe Street massive rezoning, Staff is recommending NC for this property to remain compatible with the neighborhood.

Property Id 41519 (704 S Austin St) – This property was rezoned in October 2006 from Single-Family Residential to Retail. The applicant originally asked for a rezone of Commercial; the applicant, who is no longer the property owner wanted to operate an antique & collectables shop. Staff, at the time, recommended a less intense commercial use of "Retail", which would have allowed an antique shop. The structure has been used for both commercial and residential uses. Staff agrees with the past assessment of a less intrusive use of NC. The structure is currently being used a barber shop, Acapulco Barber Shop. A barber shop is allowed in the NC district

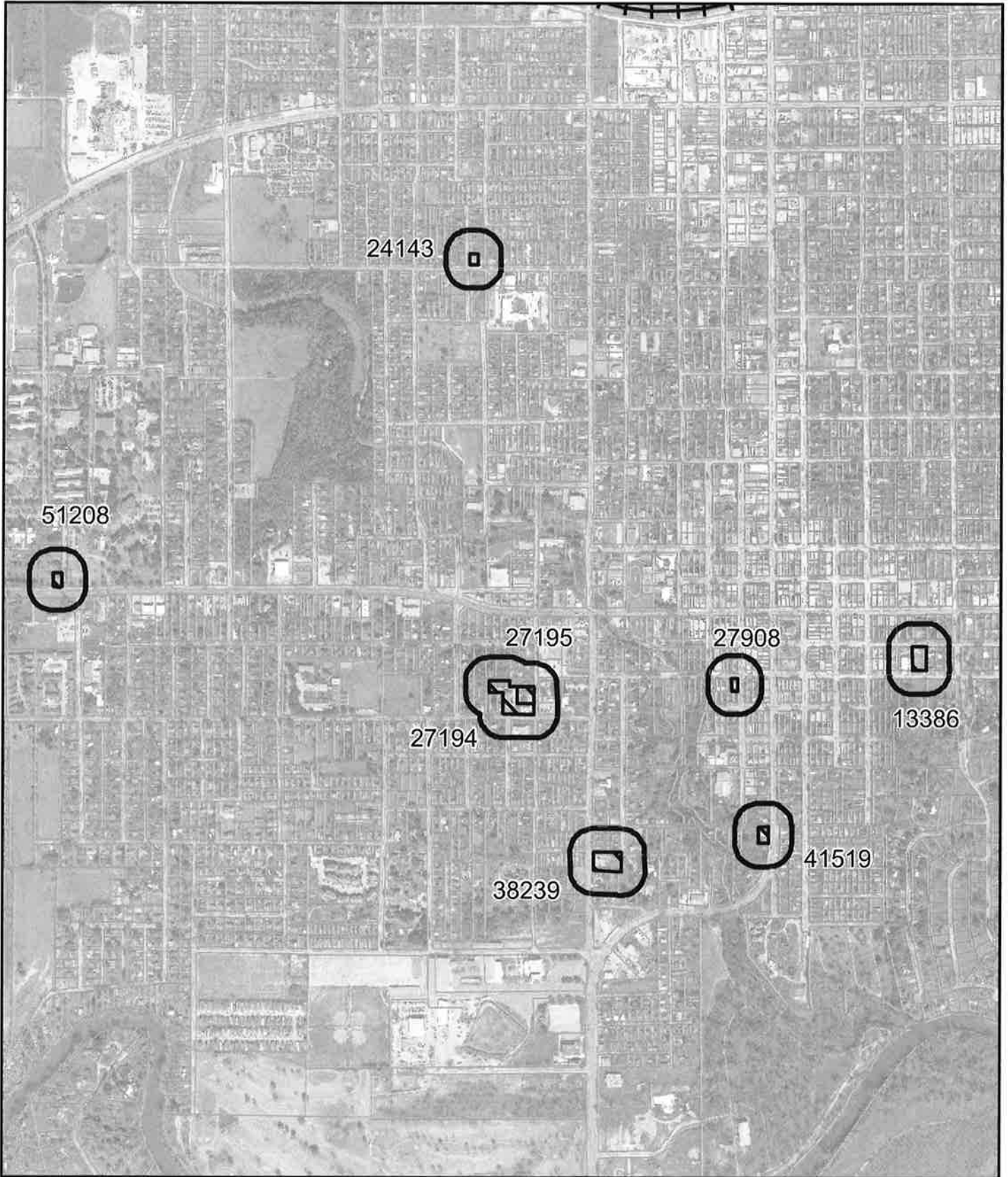
Property Id 58238 (SH 46S@FM 725) – This property was rezoned as part of the annexation process in 2001. The City proposed the corner lot for Retail, as the property owner at the time requested. The vacant lot is located in the Community Node future land use district; this district allows both NC and Commercial "as of right". Staff is recommending Neighborhood Commercial.

Property List for ZC 03-16

Property ID	Physical Address	Zoning
13386	515 E DONEGAN ST	NC
24143	704 SAN ANTONIO AVE	NC
27194	312 S SAUNDERS AVE	NC
27195	612 JEFFERSON AVE	NC
27908	304 S CAMP ST	NC
38239	755 S GUADALUPE ST	NC
41519	704 S AUSTIN ST	NC
51208	1204 W COURT ST	NC
58238	SH 46S@FM 725	NC

LOCATION MAP

ZC 03-16: UDC Rezoning Group 6B



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



200' Notification Buffer



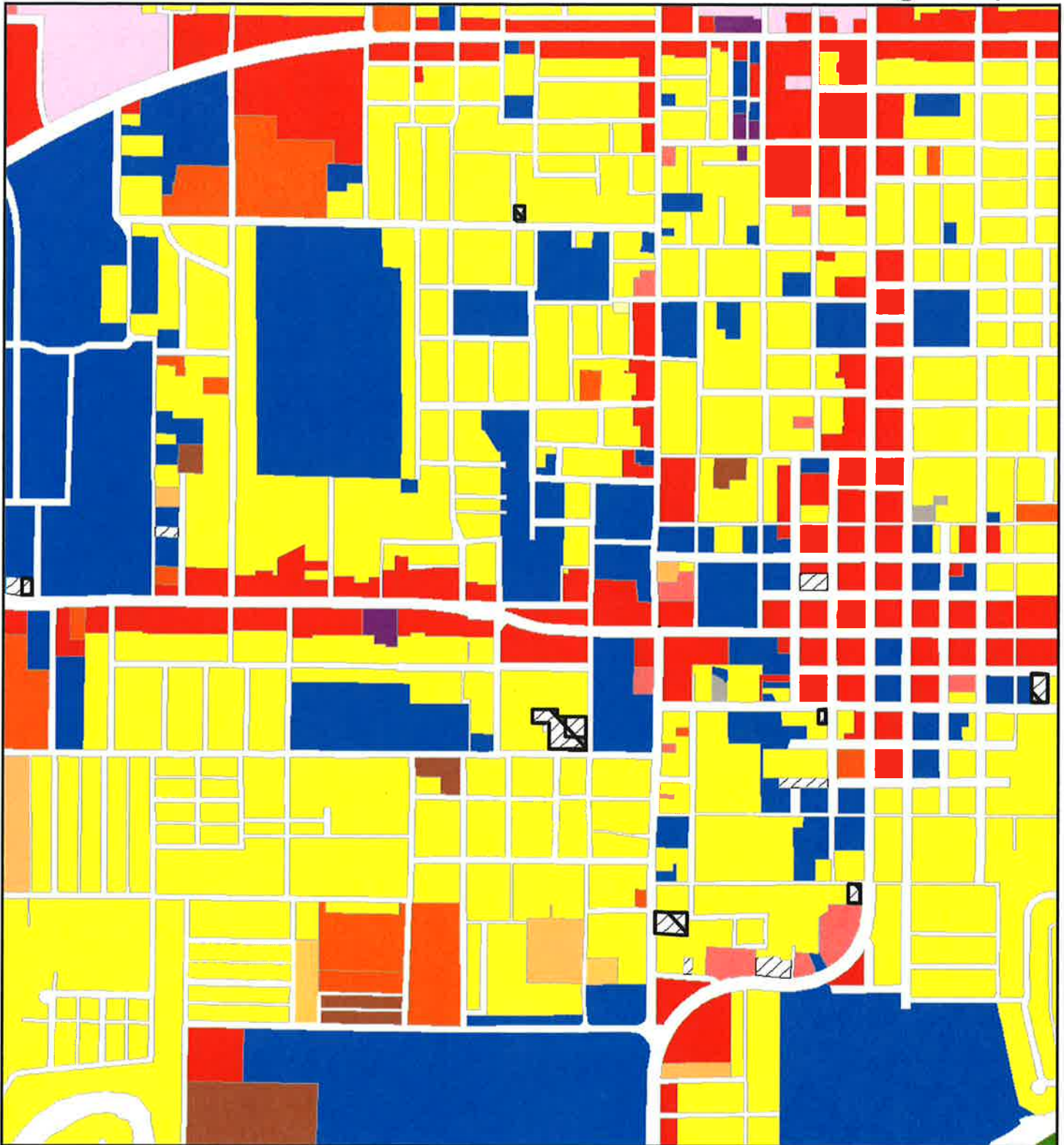
Lot Lines

1 inch = 1,083 feet

Printed: 1/20/2016

ZONING MAP

ZC 03-16A: UDC Rezoning Group 6B



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

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.



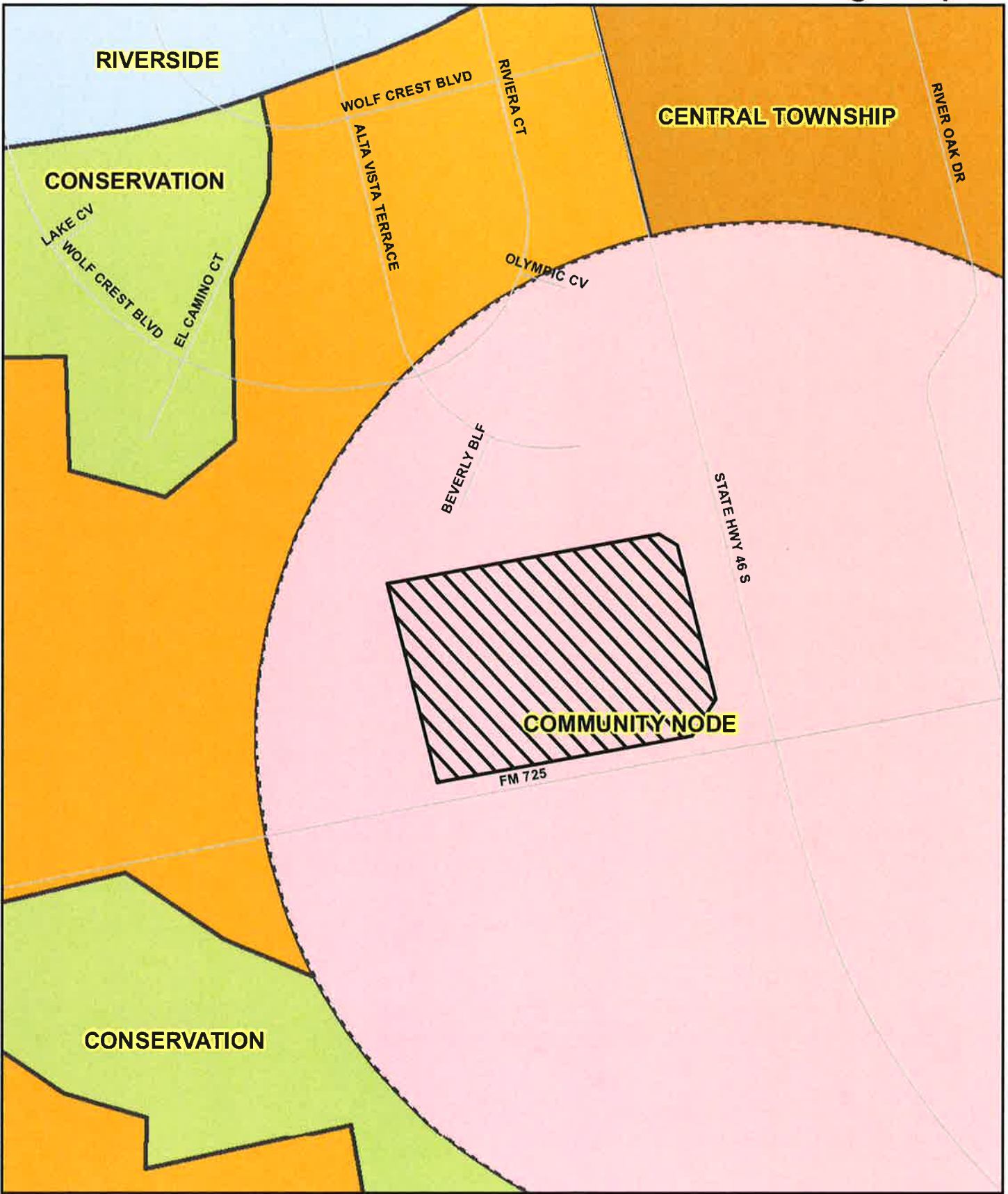
Site Location

1 inch = 974 feet

Printed: 12/18/2015

FUTURE LAND USE MAP

ZC 03-16: UDC Rezoning Group 6B



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.



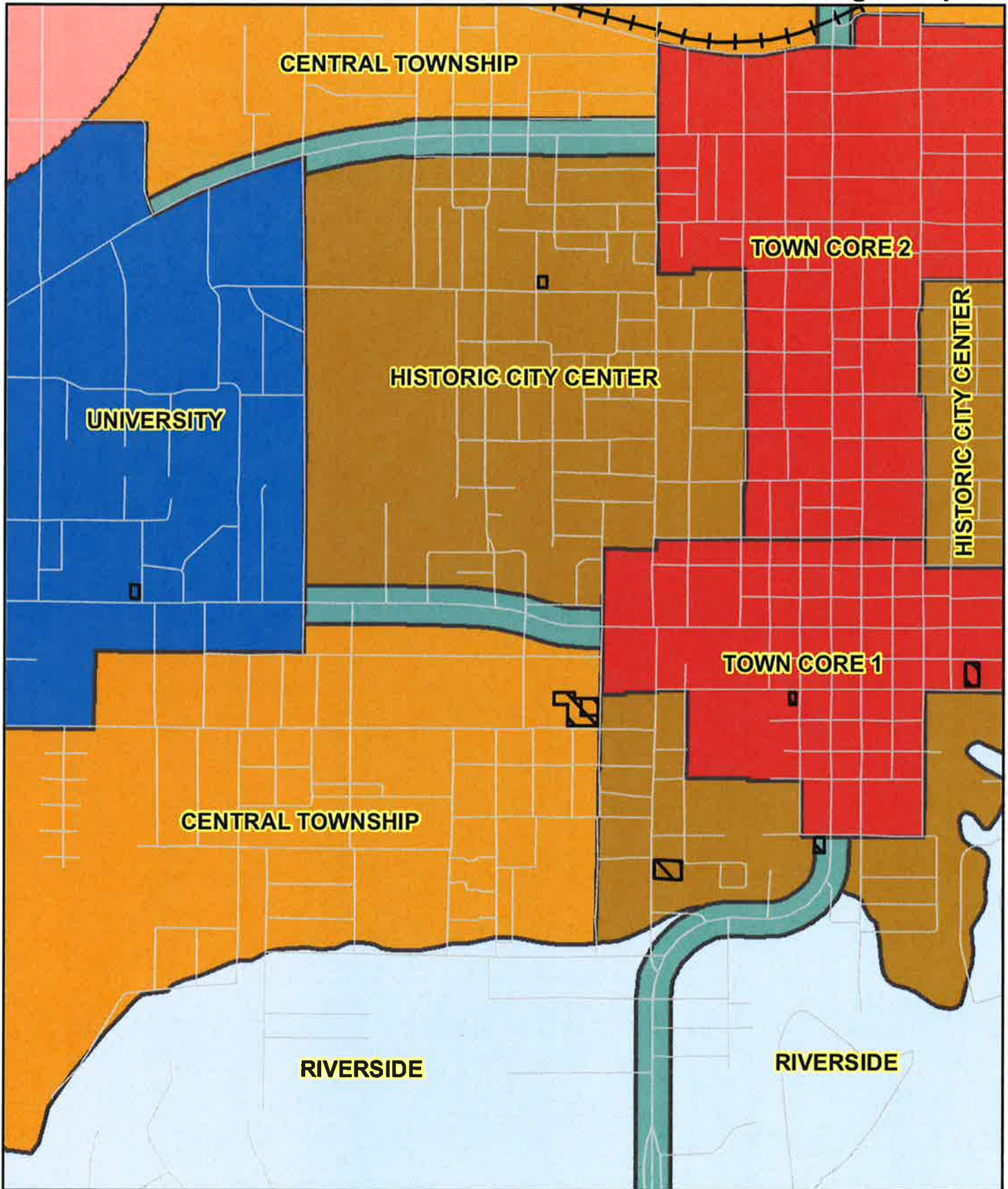
Site Location

1 inch = 400 feet

Printed: 12/18/2015

FUTURE LAND USE MAP

ZC 03-16: UDC Rezoning Group 6B



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.



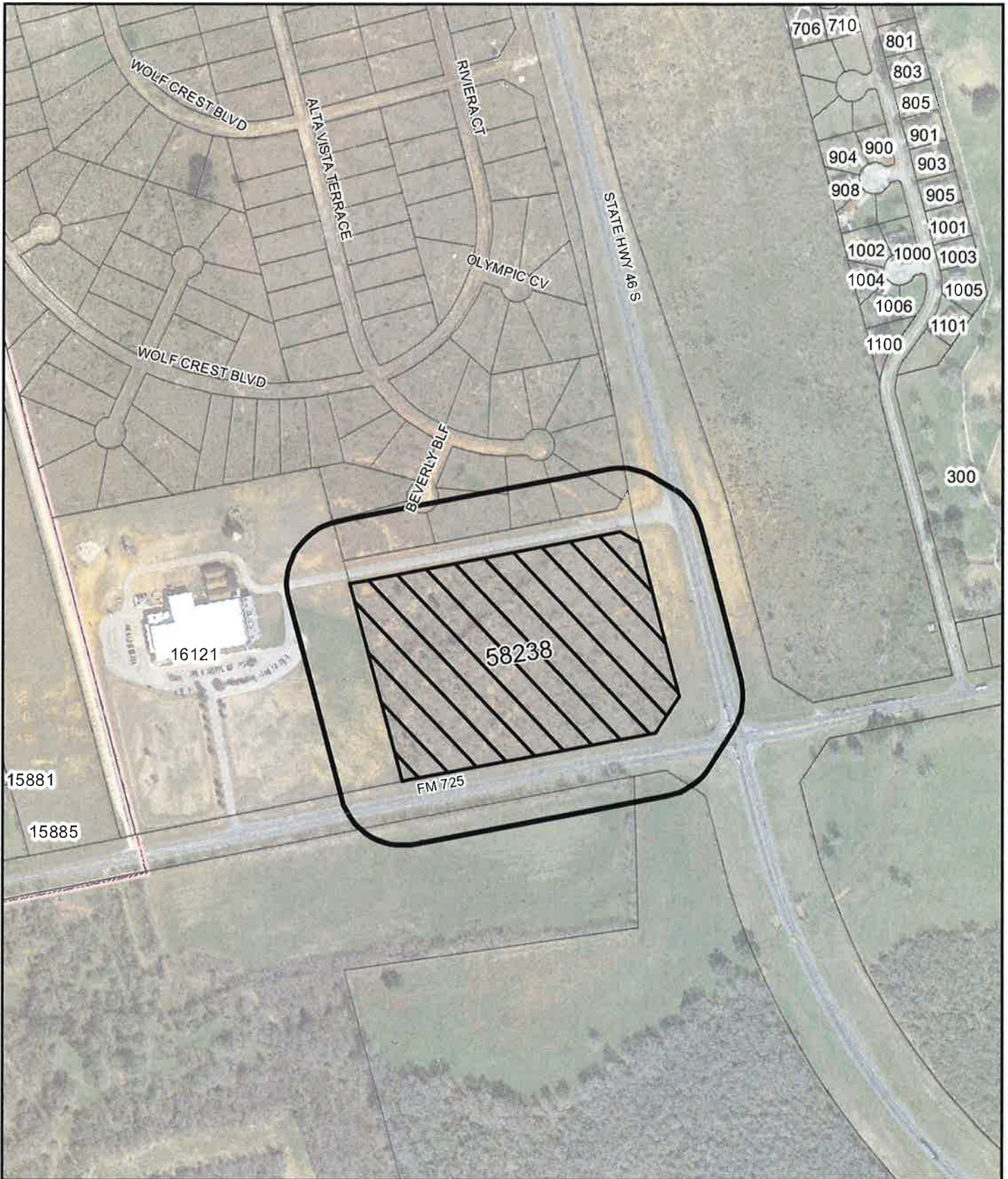
Site Location

1 inch = 1,115 feet

Printed: 12/18/2015

LOCATION MAP

ZC 03-16: UDC Rezoning Group 6B



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



200' Notification Buffer



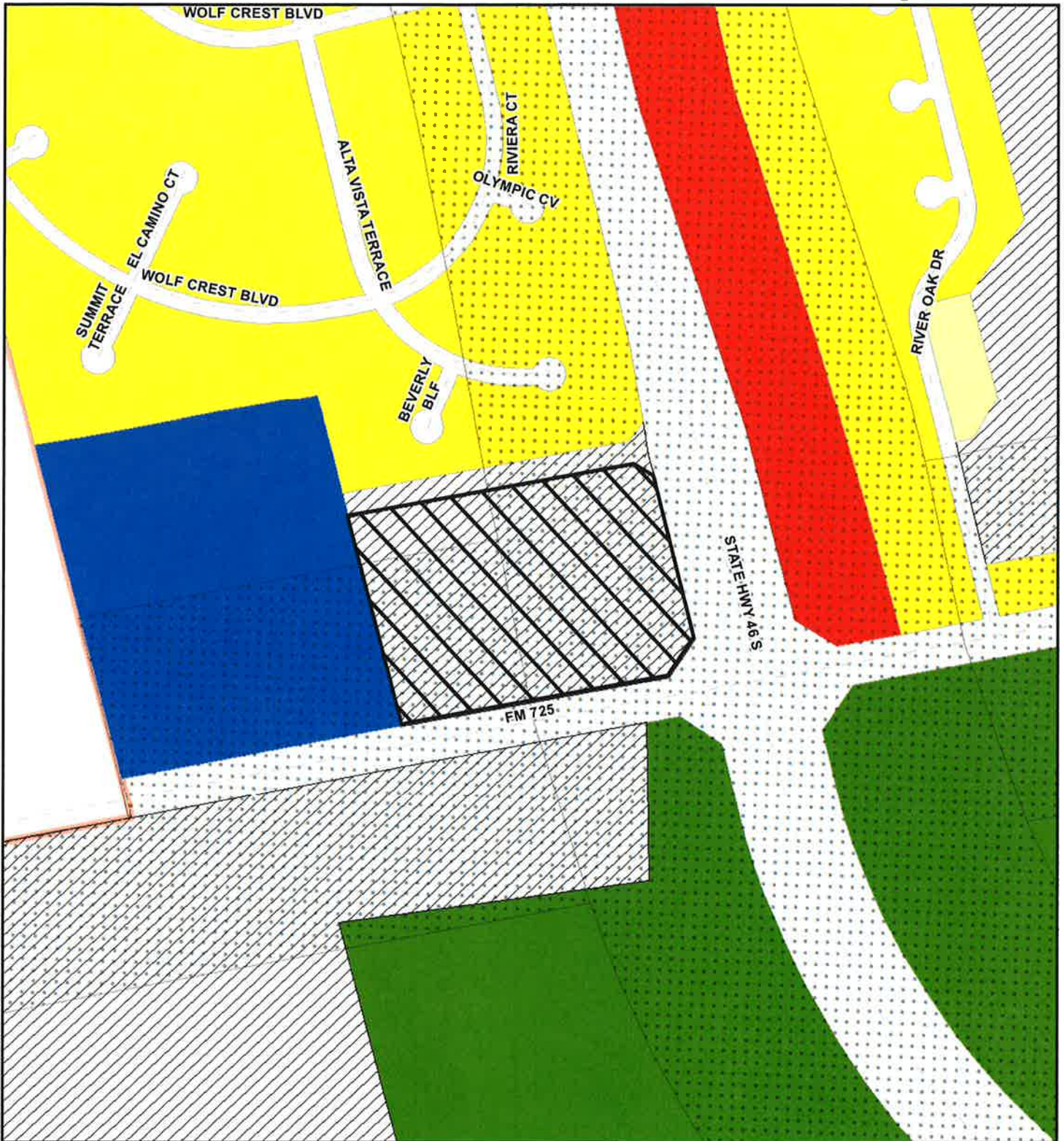
Lot Lines

1 inch = 400 feet

Printed: 1/20/2016

ZONING MAP

ZC 03-16B: UDC Rezoning Group 6B



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	

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 = 400 feet
Printed: 12/18/2015