



## PLANNING & CODES

### Planning and Zoning Commission Report ZC 40-21

A request for Zoning Change 40-21 from Agricultural Ranch (A-R) and property located in the ETJ to Single Family Residential (R-2) for 108.145 acres and Commercial (C) for 9.950 acres located at the NE Corner of SH 123 and Timmermann Road, Property ID 52517 and 52715 was considered during a public hearing at the Public and Virtual Planning & Zoning Commission meeting on December 14, 2021.

Armando Guerrero presented the staff report. He stated that the property was vacant undeveloped farmland. He pointed out that the applicant has requested that the 9.95-acre tract fronting N. SH 123 be Commercial and the remainder of the property be Single Family Residential 2.

Mr. Guerrero stated that any future development is required to follow the development standards on Chapters 4 and 5 of the UDC which include but not limited to drainage standards, wastewater requirements, detention, screening, parking.

He gave a brief overview of the surrounding properties and stated the request is compatible to the surrounding land uses and zoning. The front property is located in the Community Node District which is intended to provide commercial activity that would primarily serve the local community. The remainder of the for Single Family Residential (R-2), lies within the Emergent Residential District of the City's Future Land Use Plan and are predominately residential in use with a range of densities. Staff found that no health, safety, or environmental issues have been identified for the property. Access to the site can be made from Timmermann Road and N. SH 123.

Staff is recommending approval of the applicant's zoning change request from Agriculture Ranch (A-R) to Single-Family Residential (R-2), and Commercial (C). Both zoning change requests are compatible with the future land use plan within both of their districts. One letter in opposition was received.

The regular meeting 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 (ZC 40-21), Chair Gettig moved that the Planning and Zoning Commission recommended approval of the zoning change from Agricultural Ranch (A-R) to Single Family Residential (R-2) for 108.145 acres and Commercial (C) for 9.950 acres for property located at the NE Corner of SH 123 and Timmermann Road. Commissioner DePalermo seconded the motion. The following vote was recorded:

**RECOMMENDATION TO APPROVE THE ZONING CHANGE TO SINGLE FAMILY RESIDENTIAL (R-2) AND COMMERCIAL (C)**

**MOTION PASSED  
8-0-0**

A handwritten signature in cursive script, reading "Francis Serna".

Francis Serna, Planning Assistant

A handwritten signature in cursive script, reading "AG".

ATTEST: Armando Guerrero, Planner



## PLANNING & CODES

ZC 40-21 Staff Report  
NE Corner of SH 123 & Timmermann Rd  
Zoning Change A-R to R-2 and C

**Applicant:**

Joseph Sandoval, P.E.  
HMT Engineering and  
Surveying  
290 S. Castell Ave., Suite 100  
New Braunfels, TX 78130

**Property Owner:**

Clint L. Dietert 2013 Trust  
250 Soechting Lane  
New Braunfels, TX 78130

**Property Address/Location:**

NE Corner of SH 123 &  
Timmermann Rd

**Legal Description:**

94.95 & 23.145 acres in the  
M. Cherino Survey, Abs 10  
Property IDs: 52517 &  
52715

**Lot Size/Project Area:**

118.095 acres

**Future Land Use Plan:**

Community Node &  
Emergent Residential

**Notifications:**

Mailed: Dec 1, 2021  
Newspaper: Nov 28, 2021

**Comments Received:**

None

**Staff Review:**

Armando Guerrero  
Planner

**Attachments:**

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

**REQUEST:**

The applicant is requesting a zoning change from Agriculture Ranch (A-R) to Single-Family Residential (R-2) & Commercial (C).

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	A-R	Farmland
<b>N of Property</b>	A-R	Farmland
<b>S of Property</b>	A-R	Farmland
<b>E of Property</b>	OCL	Farmland
<b>W of Property</b>	A-R	Rural Residential/Farmland

**SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:**

The applicant is requesting a zoning change to Commercial (C) and Single-Family Residential (R-2) on the 94.95-acre portion of the property zoned Agricultural Ranch (A-R). The portion being requested for Commercial zoning will be the front two acres fronting N SH 123, the back portion will be R-2 zoning. The applicant is also requesting a zoning designation of Single-Family Residential (R-2) for the 23.15-acre portion of property directly to the east that was recently annexed.

Staff is recommending approval of the applicant's zoning change request from Agriculture Ranch (A-R) to Single-Family Residential (R-2), and Commercial (C).

A zoning change to Commercial on the front portion of the property is compatible with the future land use plan, as well as the zoning seen to the north and to the south across the highway. Single-Family Residential (R-2) zoning is compatible with the future land use plan within the two future land use plan districts.

**Planning Department Recommendation:**

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

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

This total tract of 118.095 acres is vacant undeveloped farmland, the front portion (94.95-acres) is within the city limits, the rear (23.145-acres) is within the city's ETJ.

### **CODE REQUIREMENTS:**

A zoning change from Agriculture Ranch (A-R) to Commercial (C) would be required for any commercial development within the requested front two (2) acres. Single-Family Residential (R-2) zoning would also be required for the remainder of the tract zoned Agriculture Ranch (A-R) for any proposed residential subdivision development, and a zoning designation to Single-Family Residential (R-2) would also be required for the portion that is not within the city limits.

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

This property is currently surrounded by agriculture ranch farmland to the north, south and west. Commercial zoning similar to what is being requested on the front portion can be seen to the north of this property, as well as to the south on the opposite side of Highway 123. The remainder of the property will be zoned as Single-Family Residential (R-2)

### **COMPREHENSIVE PLAN:**

This property is located within the Community Node and Emergent Residential of the city's future land use plan. Emergent Residential districts are predominantly residential in use with a range of residential densities. Uses in this district should be complimentary to residential use. The Community Node districts intent is to provide commercial activity that primarily serves the local community. This node also allows for a range of residential density.

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

No health, safety, or environmental issues have been identified for this property.

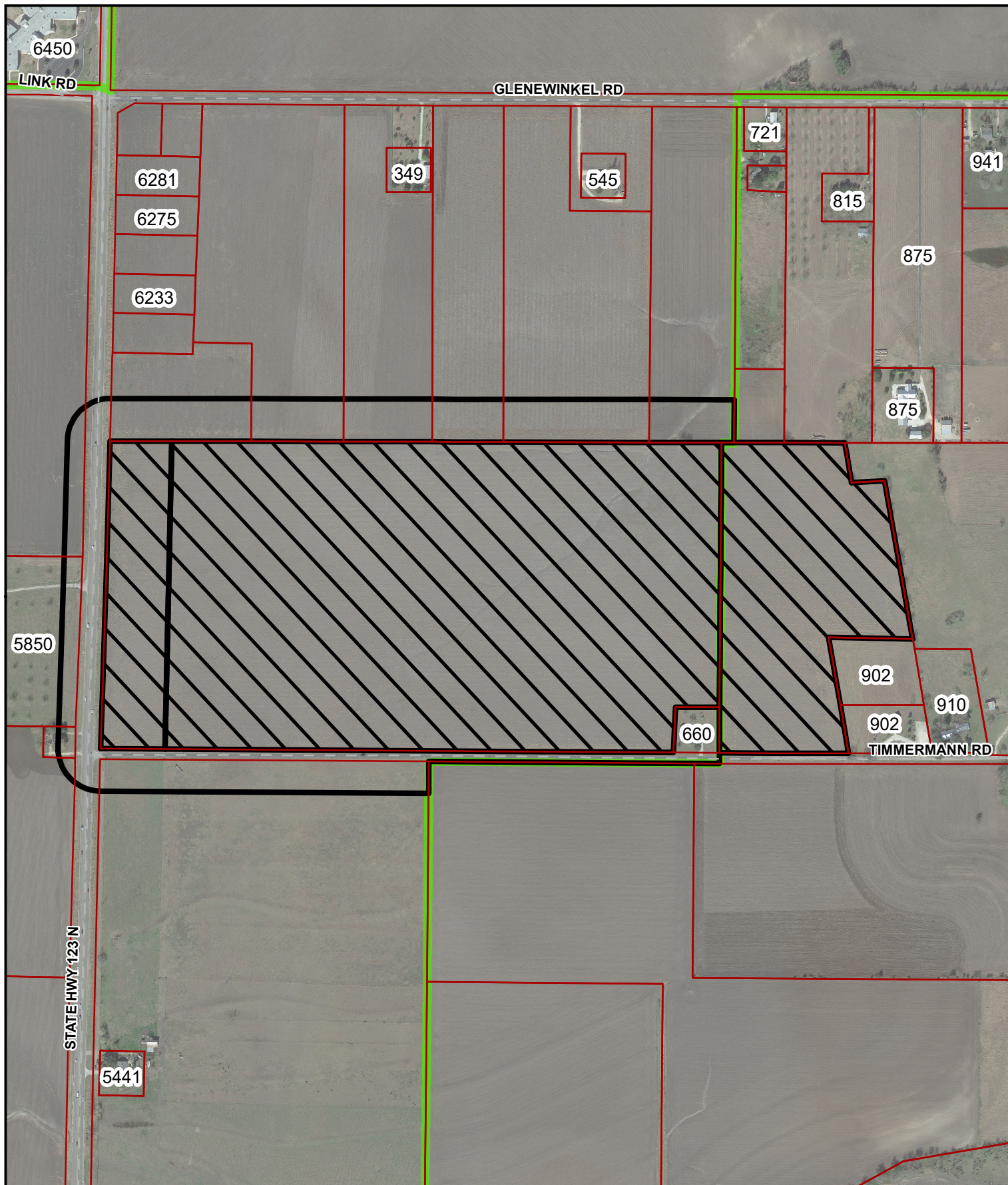
### **TRAFFIC (STREET FRONTAGE & ACCESS):**

This site can be accessed from both Timmermann Rd and N State Highway 123.



# LOCATION MAP

ZC 40-21 NE Corner of SH 123 & Timmermann Rd



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.



Lot Lines



200' Notification Buffer

1 inch = 600 feet



Site Location

Printed: 11/30/2021



ZONING MAP

ZC 40-21 NE Corner of SH 123 & Timmermann Rd



Agricultural - Ranch	Single Family Residential 2	MultiFamily 1	Manufactured Home Park	Industrial
Rural Residential	Zero Lot Lines	MultiFamily 2	Neighborhood Commercial	Public
Suburban Residential	Duplex 1	MultiFamily 3	Commercial	Planned Unit Development
Single Family Residential 1	Duplex 2	Manufactured-Residential	Light Industrial	ROW

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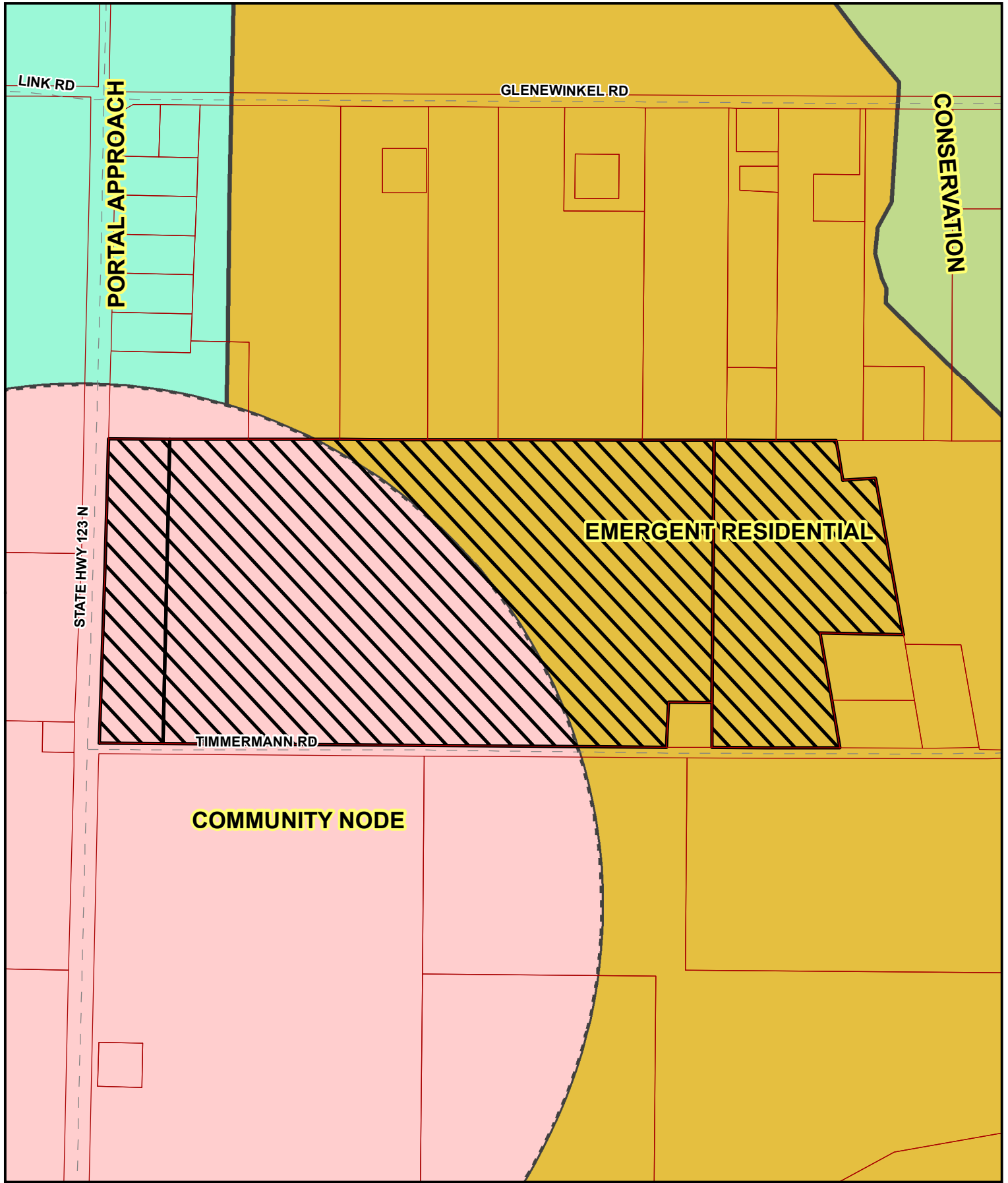
Ownership

Site Location


1 inch = 600 feet

Printed: 11/30/2021

FUTURE LAND USE MAP ZC 40-21 NE Corner of SH 123 & Timmermann Rd



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Ownership

Site Location

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