



## **PLANNING & CODES**

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

#### **ZC 08-23**

A request for Zoning Change 08-23 from Agricultural Ranch (A-R) to Multi-Family 3 (MF-3) for a 25.064 acre tract on a property located near or at 1722 Steffens Rd., Property ID 59126, 59127 & 70071 was considered during a public hearing at the Planning & Zoning Commission meeting on March 14, 2023.

Helena Schaefer gave the staff report on this zoning change request, noting that it was just a portion of the larger 62 acre project. She mentioned that the request was for MF-3, which is the highest residential density that allows a maximum of 20 units per acre. This tract would gain access from Steffens Rd. The existing zoning and land use were repeated from the overview of the four zoning cases. The 25.064 acre tract falls into two future land use districts of Riverside and Town Corridor, with the majority of the tract being in Riverside. The acceptable residential density for this future land use district is less than 1 dwelling unit per acre. With the 25.064 acre, there is a possibility of 500 units being constructed. This would exceed the acceptable density. In terms of adverse impacts, Ms. Schaefer also mentioned that there was a small portion of this tract that does fall into the 500 yr FEMA flood zone. The current TIA study that the applicant has in for review has not been approved.

Henry Che, the applicant spoke about the larger project. He said that the apartments are needed to support the retailers that they have been talking to. Those retailers need a higher residential density base for its customers. He expressed his disappointment that the prior ZC 07-23 rezoning request wasn't approved. The Commission asked about constructing townhouses vs duplexes vs apartments. He responded it was about demographics – the high end townhouses were for one set of demographics and the apartments for a different set. They further questioned Mr. Che about his previous developments and if he has done any single-family. He replied his previous developments have been multi-family, retail and mixed uses, but none in Texas. His business model doesn't include single-family due to the economic environment.

The regular meeting recessed, and a public hearing was held. There being no responses from the public the regular meeting reconvened for action.

The Commission had further discussions about the Riverside district and the acceptable density.

After consideration of the staff report and all information given regarding Zoning Change (ZC 08-23), Commissioner Davila made a motion to recommend approval, but there was no second for the motion. Then Commissioner Schievelbein moved that the Planning and Zoning Commission recommend denial of the zoning change from Agricultural Ranch to Multi-Family 3 for the 25.064 acre tract on the property located near or at 1722 Steffens Rd. Commissioner Jones seconded the motion. The following vote was recorded:

**RECOMMENDATION TO DENY THE ZONING CHANGE TO MULTI-FAMILY 3 (MF-3)**

**MOTION PASSED**

**6-1-1**



Francis Serna, Planning Assistant



ATTEST: Helena Schaefer,  
Planner



## PLANNING & CODES

ZC 08-23 Staff Report  
1722 Steffens Rd (25.064 ac)  
Zoning Change from A-R to MF-3

**Applicant:**

Che Capital Asset Mgmt LLC  
200 Shermer Rd, Ste 206  
Northbrook, IL 60062

**Property Owner:**

Trekker, LTD  
700 E Hildenbrand, #100  
San Antonio, TX 78212

**Property Address/Location:**

1722 Steffens Rd

**Legal Description:**

A portion of Abs: 35 Sur:  
John Sowell  
Property IDs: 59126, 59127  
& 70071

**Lot Size/Project Area:**

25.064 acres

**Future Land Use Plan:**

Town Corridor & Riverside

**Notifications:**

Mailed: March 2, 2023  
Newspaper: Feb 26, 2023

**Comments Received:**

None

**Staff Review:**

Helena Schaefer  
Senior Planner

**Attachments:**

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

**REQUEST:**

A Zoning Change request from Agricultural-Ranch (A-R) to Multi-Family 3 (MF-3).

**ZONING AND LAND USE:**

	Zoning	Land Use
<b>Subject Property</b>	A-R	Former organic farm & undeveloped land
<b>N of Property</b>	A-R	Undeveloped land, Railroad ROW
<b>S of Property</b>	C, P	Vacant lot, Vet Clinic, Seguin Christian Academy
<b>E of Property</b>	A-R, P	Undeveloped land, Seguin Christian Academy
<b>W of Property</b>	C	Undeveloped land

**SUMMARY OF STAFF ANALYSIS:**

The 25.064-acre tract is located at 1722 Steffens Rd, the site of a former organic herb farm. The applicant is seeking a zoning change from Ag-Ranch to Multi-Family 3 (high density).

The Commission should consider the recommendations of the Future Land Use Plan, as well as the existing land uses/zoning in the area and any possible adverse impacts that would be created with development.

**CRITERIA FOR ZONING CHANGE:**

Consistency with the future land use plan – Not consistent.

Compatible with existing and permitted uses of surrounding property – There is existing commercial and public zoning (private school)

Adverse impact on surrounding properties or natural environment – Small portion in the 500 year FEMA floodplain

Proposed zoning follows a logical and orderly pattern – Multi-family use develops along major transportation corridors and areas of commercial use, close to areas of amenities, schools and employment.

Other factors that impact public health, safety or welfare – None identified.

## **PLANNING DEPARTMENT ANALYSIS**

### **SITE DESCRIPTION**

The 25.064-acre tract is part of the larger 62-acre property addressed at 1722 Steffens Rd. The property was the site of a former organic herb farm.

### **CODE REQUIREMENTS:**

In order to develop this portion as multi-family, the property must be rezoned to one of the three multi-family zoning classes (based on density). The request for this 25.064-acre tract is for MF-3, which is the high density. This zoning allows 20 units per acre. There is a potential of 501 units based on the acreage.

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

The northeast corner of State Hwy 123 Bypass North and US Hwy 90 E is mostly undeveloped. On the north side of US Hwy 90 E, there is a vet clinic zoned commercial and the Seguin Christian Academy zoned public. There is a residential use south of US Hwy 90 E. To the north of the properties, there is the railroad right-of-way. To the west is the Bypass right-of-way. On the hard corner of the Bypass and US Hwy 90 E, the property is slated for a convenience store and is in the review process for the site and building plan; it is zoned commercial. Directly across US Hwy 90E is undeveloped land with commercial and multi-family zoning. There are a few residential structures further east along US Hwy 90 E.

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

A small portion of the proposed rezone area is located in the 500 year FEMA floodplain.

### **COMPREHENSIVE PLAN (The Future Land Use Plan):**

These three properties fall into two future land use districts, Town Corridor and Riverside. The intent of the Town Corridor district is to regulate the traffic volumes that are generated by development between the node districts. The intent of the Riverside district is to establish a zone where the riverine landscape is preserved with appropriate development and includes the Guadalupe River and the Geronimo Creek. The majority of the 25.064 acres fall into the Riverside future land use district. As stated in the Comprehensive Plan, "designation of appropriate uses adjacent to and in proximity to the River (as well as Walnut Creek and Geronimo Creek) will be important in preservation of the health of the river and the riparian corridor through which it flows." Multi-family uses are not appropriate in this district. The acceptable residential density rate is less than 1 dwelling unit per acre.

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

Looking at the larger 62 acres, there is direct access to Steffens Rd, a City of Seguin right-of-way and the western property line fronts the 123 Bypass. Any access onto E Kingsbury and/or 123 Bypass would require approval from TXDOT. There is a Traffic Impact Analysis study for the entire 62 acres in the review process.

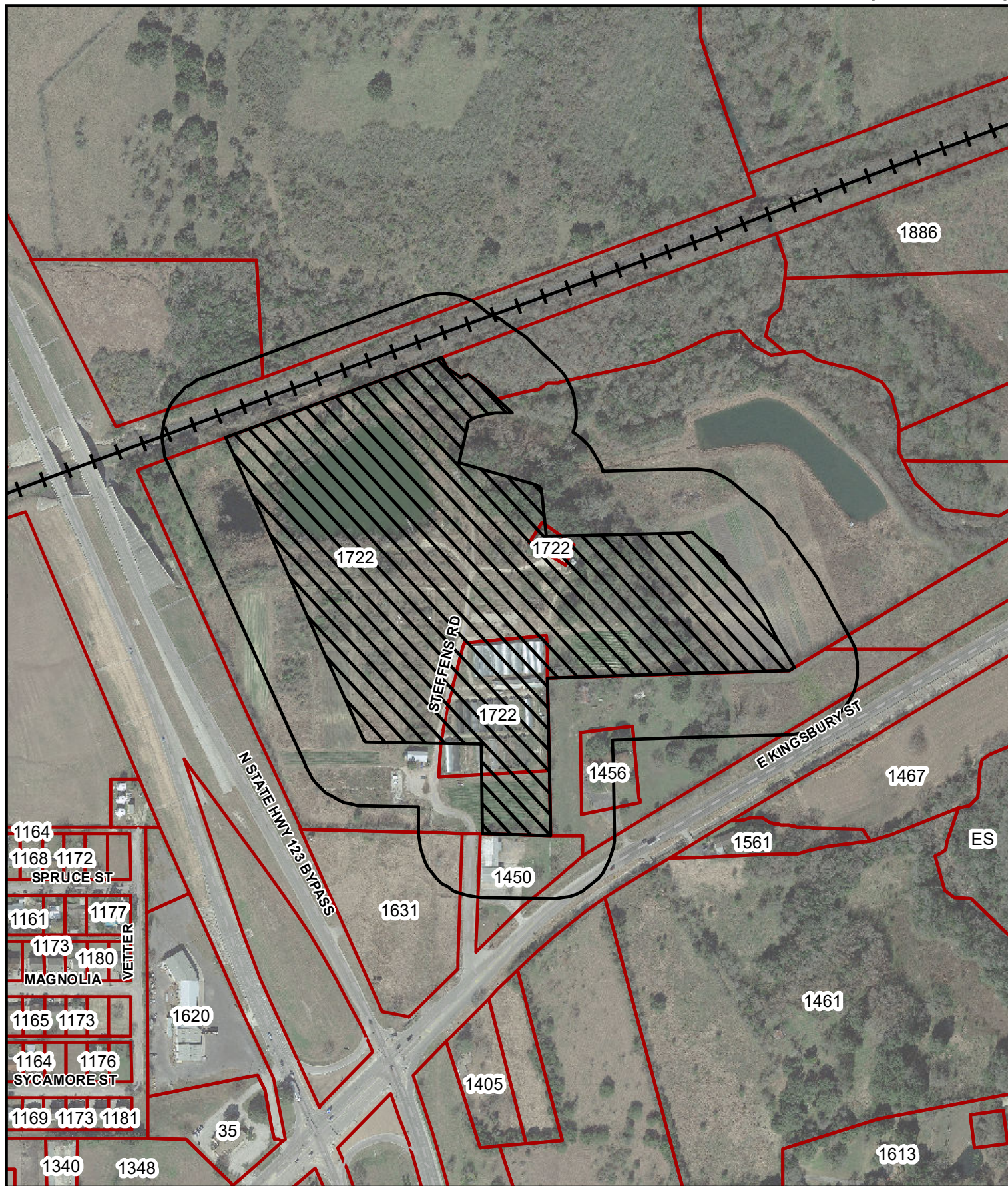
### **OTHER CONSIDERATIONS:**

As always, development of vacant land will be required to follow all development standards, to include, but not limited to platting, drainage, landscaping, public improvements (utility extension), etc.



# LOCATION MAP

ZC08-23 1722 Steffens (25.064 ac)



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**

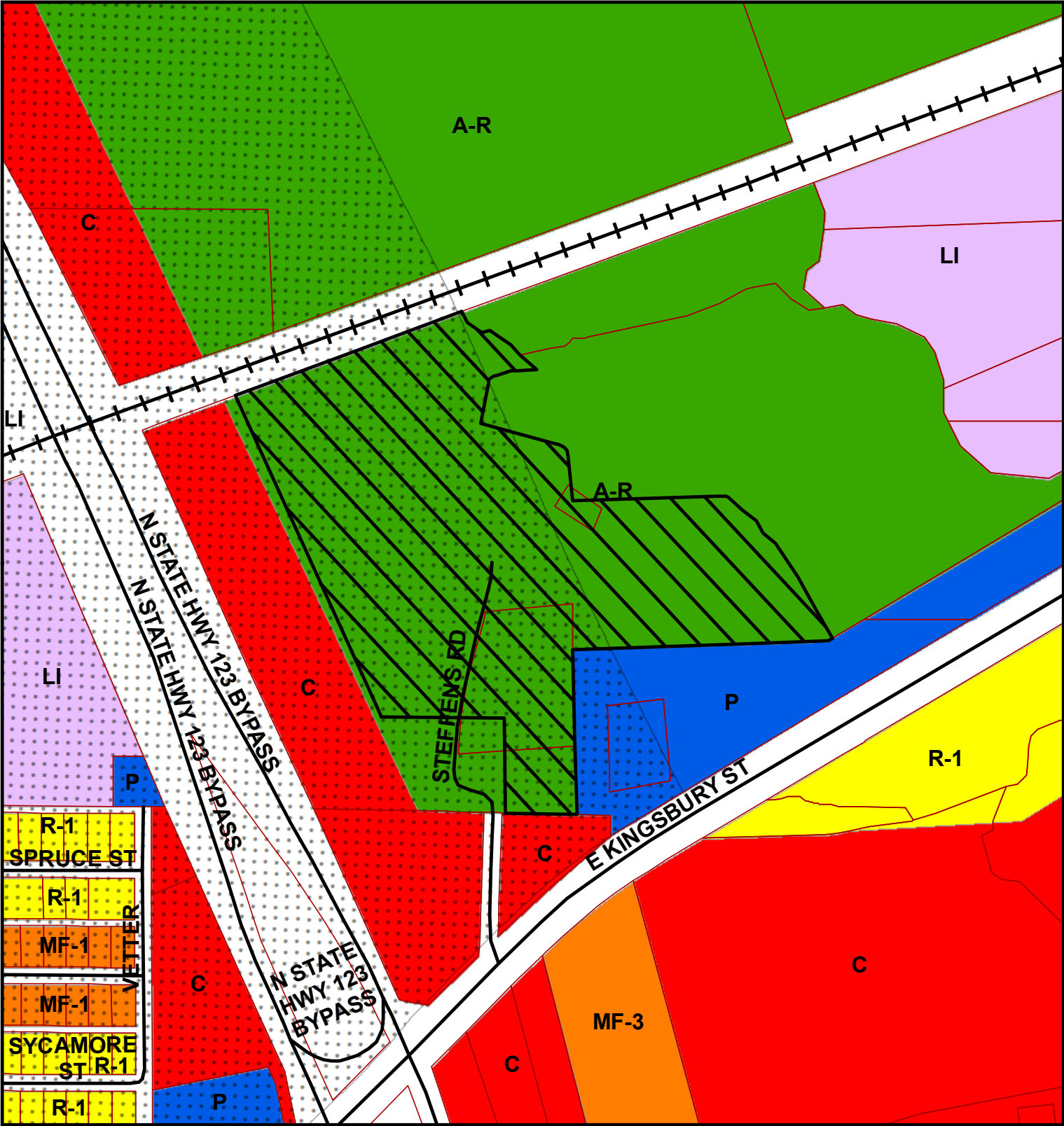
1 inch = 400 feet

Printed: 2/9/2023



ZONING MAP

ZC08-23 1722 Steffens (25.064 ac)

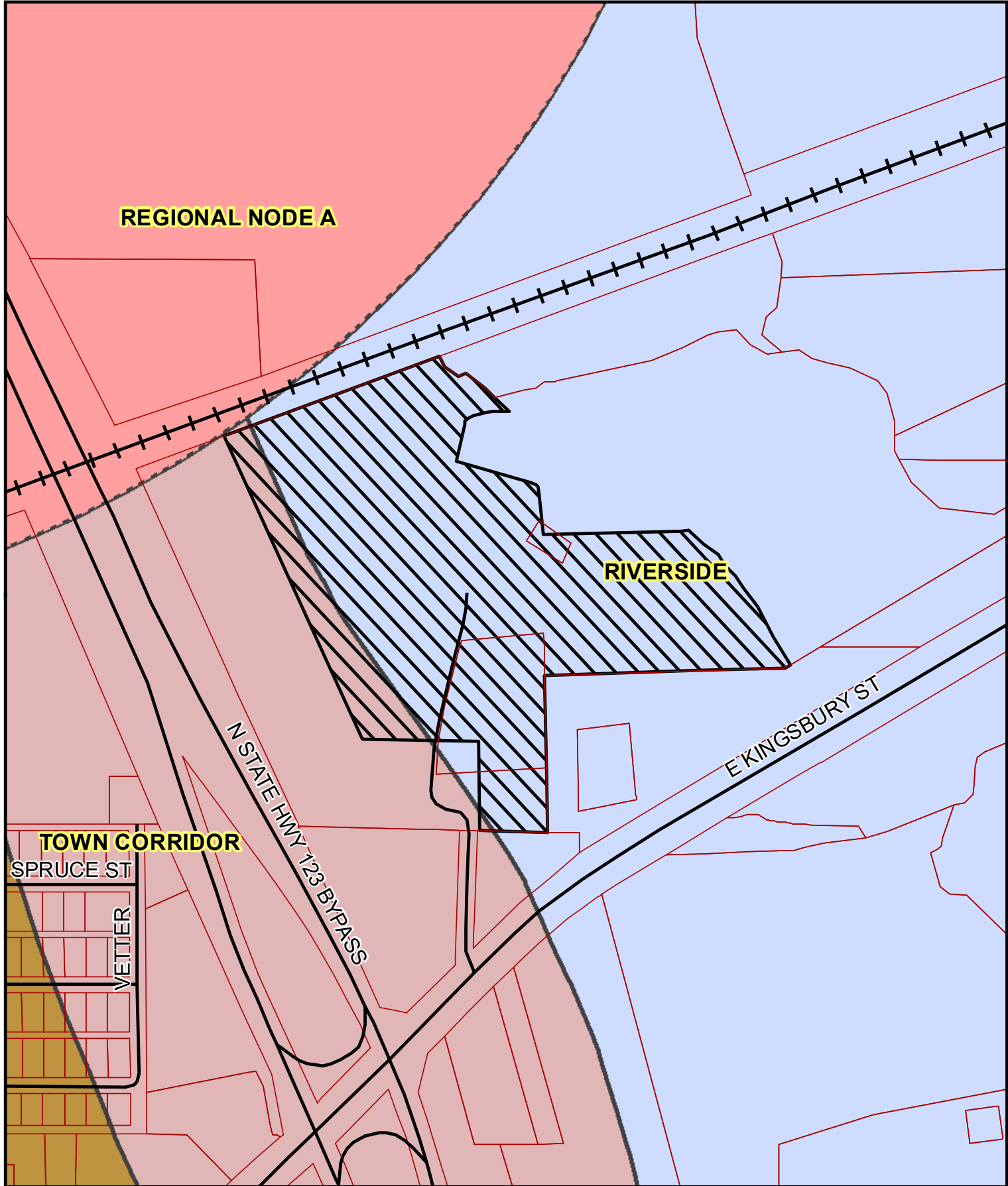



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Site Location

Parcels

1 inch = 400 feet  
Printed: 2/9/2023



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Ownership

Site Location

1 inch = 400 feet  
Printed: 2/9/2023

Map showing the location of the 57.46 Acre Tract (Document Number: 202199011527 O.P.R.) relative to surrounding infrastructure and land parcels.

- 57.46 Acre Tract (Document Number: 202199011527 O.P.R.)**: The central shaded area.
- Union Pacific Railroad**: Located to the north of the tract.
- State Highway 123 Bypass (400' R.O.W.)**: Located to the west of the tract.
- Steffens Rd.**: Located to the southwest of the tract.
- Lot 1**: Located to the southwest of the tract.
- 1.34 Ac Tract**: Located to the southwest of the tract.
- 12.276 Ac Tract**: Located to the south of the tract.
- Geronimo Creek**: Located to the east of the tract.
- U.S. Highway 90 (Variable Width R.O.W.)**: Located to the south of the tract.
- SITE**: Indicated by an arrow pointing to the 57.46 Acre Tract.
- North Arrow**: Located in the top right corner.

**57.46 ACRE TRACT**  
(DOCUMENT NUMBER:  
202199011527 O.P.R.)

**25.064 Ac. TRACT**

**12.276 Ac. TRACT**  
(DOCUMENT NUMBER:  
20214021731 O.P.R.)

**1.34 ACRE TRACT**  
(VOL. 1219, PG. 579 O.P.R.)

**STEFFENS RD.**  
(55' R.O.W.)

**LOCATION MAP**  
N.T.S.

**PROPERTY LINE**

**PROPERTY LINE**

**PROPERTY LINE**

**STEFFENS SUBDIVISION LOT 1**  
(DOCUMENT NUMBER:  
20178506 O.P.R.)

**N 25° 37' 27" W**  
**525' 37' 27" E**  
**1044.43'**

**N68° 32' 51"E**  
**665.95'**

**S27° 51' 47"E**  
**35.67'**

**N70° 09' 28"E**  
**24.83'**

**S60° 33' 05"E**  
**73.51'**

**S50° 05' 30"W**  
**30.12'**

**S11° 16' 15"W**  
**129.25'**

**S72° 18' 03"E**  
**256.93'**

**S56° 42' 02"E**  
**52.77'**

**S54° 04' 33"E**  
**46.48'**

**S28° 43' 12"E**  
**65.41'**

**S84° 47' 50"W**  
**45.94'**

**S78° 12' 08"W**  
**62.59'**

**S02° 57' 09"E**  
**156.94'**

**N87° 02' 51"E**  
**469.58'**

**S52° 09' 17"E**  
**56.56'**

**N40° 23' 18"W**  
**124.68'**

**S87° 02' 51"W**  
**759.99'**

**S32° 03' 19"E**  
**290.90'**

**N02° 39' 34"W**  
**300.32'**

**S89° 59' 15"W**  
**303.71'**

**S02° 39' 34"E**  
**489.05'**

**S89° 59' 15"W**  
**222.35'**

**ZONING CASE  
EXHIBIT "A"**



## Field Note Description of a Zoning Parcel 25.064 Acres

STATE OF TEXAS  
COUNTY OF GUADALUPE

Being a 25.064 acre parcel of land out of the Benjamin Fuqua Survey, Abstract 131, the John Sowell Survey, Abstract 35, the John Sowell, Sr. Survey, Abstract 287, City of Seguin. Guadalupe County, Texas and being out of that 57.46 acre tract of land described in a deed in the Official Public Records of Guadalupe County, Texas in Document No. 202199011527 and being more particularly described by metes and bounds as follows:

**BEGINNING** at the most northeast corner of Steffens Road; Steffens Subdivision as recorded in Volume 7, Page 20 of the map records of Guadalupe County, Texas. Steffens Road is a 55 foot wide public right-of-way that is located north of Hwy 90 that dead ends into the 57.46 acre property;

THENCE, N 02°39'34" W for a distance of 300.32 to a point for corner;

THENCE, S 89°59'15" W for a distance of 303.71 feet to a point for corner;

THENCE, N 25°37'27" W for a distance of 1,044.43 feet to a point for corner;

THENCE, N 68°32'51" E for a distance of 665.95 feet to a point for corner;

THENCE, S 27°51'47" E for a distance of 35.67 feet to a point for corner;

THENCE, S 56°42'02" E for a distance of 52.77 feet to a point for angle;

THENCE, N 70°09'28" E for a distance of 24.85 to a point for angle;

THENCE, S 60°33'05" W for a distance of 73.51 feet to a point for angle;

THENCE, S 54°04'33" E for a distance of 46.48 feet to a point for angle

THENCE, S 28°43'12" E for a distance of 65.41 to a point for corner;

THENCE, S 84°47'50" W for a distance of 45.94 feet to a point for angle;

THENCE, S 78°12'08" W for a distance of 62.59 feet to a point for angle;

THENCE, S 50°05'30" W for a distance of 30.12 to a point for angle;

THENCE, S 11°16'15" W for a distance of 129.25 feet to a point for corner;

THENCE, S 72°18'03" E for a distance of 256.93 feet to a point for corner;

THENCE, S 02°57'09" E for a distance of 156.94 feet to a point for corner;

THENCE, N 87°02'51" E for a distance of 469.58 feet to a point for angle;

THENCE, S 52°09'17" E for a distance of 56.56 feet to a point for angle;

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Engineers • Planners

HARRY JEWETT ASSOCIATES

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THENCE, S 40°23'18" E for a distance of 124.68 feet to a point for angle;

THENCE, S 32°03'19" E for a distance of 290.90 feet to a point for corner;

THENCE, S 87°02'51" W for a distance of 759.99 feet to a point for corner;

THENCE, S 02°39'34" E for a distance of 489.05 feet to a point for corner, said corner being the **POINT OF BEGINNING** of the heretofore described 25.064 acre parcel.

• • •

HJA  
Job No. 23002  
February 13, 2023