



# City of Seguin

210 E. Gonzales Street  
Seguin TX, 78155

## Meeting Minutes

### Planning & Zoning Commission

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Tuesday, November 8, 2022

5:30 PM

Council Chambers

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#### Public & Virtual

#### 1. Call To Order

The City of Seguin Planning and Zoning Commission met in a Regular Meeting on November 8, 2022 at 5:30 p.m. at the City Council Chambers, 210 E. Gonzales Street, Seguin, Texas. Chair Gettig presiding over the meeting.

#### 2. Roll Call

**Present:** 9 - Vice Chair Troy DePalermo, Kelly Schievelbein, Stephen Bregande, Patrick Felty, Chairperson Dave Gettig, Jim Lievens, Eddie Davila, Krista Moreno, and Bobby Jones III

#### 3. Approval of Minutes

[22-513](#)

Approval of the Planning and Zoning Commission Meeting Minutes of the October 11, 2022 meeting.

**Indexes:**

**A motion was made by Commissioner Lievens, seconded by Vice Chair DePalermo, that the Minutes be approved. The motion carried by the following vote:**

**Aye** 9 - Vice Chair DePalermo, Schievelbein, Bregande, Felty, Chairperson Gettig, Lievens, Davila, Moreno, and Jones III

#### 4. Consent Agenda

[PC-000115-202](#)

[2](#)

Possible Action on a request for a Final Plat for Greenspoint Heights Unit 2B, Property Id 52815 (PC-000115-2022)

**Indexes:**

**This Action Item was approved**

[PC-000116-202](#)

[2](#)

Possible Action on a request for a Final Plat for Park West Village, Property Id 66892 (PC-000116-2022)

**Indexes:**

This Action Item was approved

[PC-000118-202](#)

[2](#)

Possible Action on a request for a Final Plat for North Austin Heights, Property Ids 22490, 22491, 22493 & 22489 (PC-000118-2022)

**Indexes:**

**A motion was made by Vice Chair DePalermo, seconded by Commissioner Schievelbein, that the consent agenda be approved. The motion carried by the following vote:**

**Aye** 9 - Vice Chair DePalermo, Schievelbein, Bregande, Felty, Chairperson Gettig, Lievens, Davila, Moreno, and Jones III

## **5. Public Hearings & Action Items**

### **a. [SUP 08-22](#)**

Public hearing and possible action on a request for a Specific Use Permit to operate a transportation and equipment repair/storage on a commercially zoned property located at 3400 E. US HWY 90, Property ID: 68406, (SUP 08-22)

**Indexes:**

*Kyle Warren presented the staff report. He stated that part of the proposed SUP had previously been approved for another property owner to allow for contractor storage. The applicant is also requesting the ability to do outdoor vehicle repair at the rear of the building as well. The property is compatible with surrounding land uses and zoning. The property is located within the Regional Node Future Use and is an appropriate use.*

*Staff recommended approval of the Specific Use Permit with the conditions that a 6-foot screening fence must be installed adjacent to residential properties; they must include vegetative screening in front of the existing building closest to the front lot; and if significant changes are made to the site plan as determined by the Director of Planning & Codes, the applicant is required to return and amend the Specific Use Permit and associated Site Plan to accommodate the changes.*

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

**A motion was made by Commissioner Lievens, seconded by Commissioner Bregande, that the SUP-09-22 be approved with conditions that a 6-foot screening fence must be installed adjacent to residential properties; they must include vegetative screening in front of the existing building closest to the front lot; and if significant changes are made to the site plan as determined by the Director of Planning & Codes, the applicant is required to return and amend the Specific Use Permit and associated Site Plan to accommodate the changes. this Action Item be approved. The motion carried by the following vote:**

**Aye** 9 - Vice Chair DePalermo, Schievelbein, Bregande, Felty, Chairperson Gettig, Lievens, Davila, Moreno, and Jones III

### **b. [ZC 20-22](#)**

Public Hearing and possible action on a request for a zoning change from Agricultural-Ranch to Planned Unit Development for a 57 acre tract, located at 1722 Steffens Rd, Property Ids 59126, 59127 & 70071 (ZC 20-22)

Indexes:

*Helena Schaefer presented the staff report along with the report on the General Land Use Plan. It was explained to the Commission that a PUD zoning change request must be accompanied with a general land use plan and that Council approves the zoning change request, but the Commission is the approving body for the land use plan.*

*She described the property, the future land use districts and the compatibility with existing land uses and zoning. Noted was the presence of the three floodzones on the property, the 500 year, 100 year and the floodway and that the eastern boundary of this property is Geronimo Creek. The proposed land uses were noted and then an analysis of those land uses to the comprehensive plan was conducted. The proposed commercial use is consistent with the Town Corridor future land use district, but there was too much proposed residential density in the Riverside future land use district. Ms. Schaefer further explained the compatibility of the existing zoning and land use. This is an undeveloped area of the City and the only compatibility is with the existing vet clinic and the proposed commercial use along the Bypass. Traffic was then discussed. Ms. Schaefer stated that there was a Traffic Impact Analysis study being reviewed by City staff but hasn't been approved. TXDOT would also have to approve this TIA.*

*The applicant, Mr. Henry Che made a presentation about the proposed development, discussing the property, the proposed land uses, the schedule of development, and the benefits to the City.*

*The Commission asked a number of questions concerning traffic, the schedule of development, drainage, and the accessibility and maneuverability through the development. They also asked about the applicant revising the area of the 500 year flood zone with a conditional letter of revision and the likelihood of the revision being approved by FEMA. There was significant discussion about Geronimo Creek and past flooding. The Commission voiced concern over the lack of specific drainage details and how to prevent additional discharge into the creek.*

*The regular meeting recessed, and a public hearing was held.*

*Dr. Randall Sullivan of Crossroads Vet Clinic (1450 E Kingsbury St) spoken about his concerns for the development. He expressed his concern about the amount traffic that could possibly be generated from the development. As he is the owner of a veterinary clinic, he has concerns about children entering onto his property. His clinic houses very large animals that could be dangerous.*

*Dr. Kay Burkman of Crossroads Vet Clinic (1450 E Kingsbury St) also spoke of her concerns. She echoed the concerns about the traffic. She also expressed what kind of retail this development would attract.*

*There being no further responses from the public the regular meeting was reconvened for action.*

**A motion was made by Chairperson Gettig, seconded by Commissioner Schievelbein, that ZC 20-22 be recommended for denial of the zoning change from Agricultural Ranch (A-R) to Planned Unit Development (PUD) for property located at 172 Steffens Dr. The motion carried by the following vote:**

**Aye** 9 - Vice Chair DePalermo, Schievelbein, Bregande, Felty, Chairperson Gettig, Lievens, Davila, Moreno, and Jones III

c. [GLUP 01-22](#)

Public Hearing and possible action on a request for a General Land Use Plan in association with a zoning change request (ZC 20-22) for a 57 acre tract located at 1722 Steffens Rd, Property Ids 59126, 59127 & 70071 (GLUP 01-22)

**Indexes:**

*The Zoning Change 20-22 and the General Land Use Plan were presented together.*

**A motion was made by Commissioner Lievens, seconded by Commissioner Moreno, that GLUP-01-22 for 1722 Steffens be denied. The motion carried by the following vote:**

**Aye** 9 - Vice Chair DePalermo, Schievelbein, Bregande, Felty, Chairperson Gettig, Lievens, Davila, Moreno, and Jones III

d. [ZC 21-22](#)

Public hearing and possible action on a request for a zoning change from Single-Family Residential (R-1) to Multi-Family Low Density (MF-1) for a property located at 517 & 523 Prexy Dr, Property ID: 51103, (ZC 21-22).

**Indexes:**

*Armando Guerrero presented the staff report. He said there are 2 residential structures on the property, a single-family residential structure, and a duplex. The UDC requires a zoning change to allow any other residential structures on the property. The MF-1 zoning allows a maximum density of 6 units per acre. He mentioned that the property has been considered for other multi-family zoning designations within this past calendar year. He added that TLU had opposition to MF-2 and MF-3 but would be in agreement to MF-1 zoning.*

*The request is compatible with surrounding land uses and zonings. The property is located within the University District of the City's Future Land Use Plan in which multi-family use is a acceptable use within the district.*

*He stated there are no health, safety or general welfare concerns identified for the properties. Access to the properties is on Prexy Dr.*

*He informed the Commission that 1 letter in opposition was received.*

*Brianna Teboe, the applicant stated that the property has two homes on it. The front house is being rented and they have not plans of changing the status of the home. She said the additional home is boarded up and they plan to fix it up. Ms. Teboe added that they have no intention of building apartments.*

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

**A motion was made by Commissioner Schievelbein, seconded by Commissioner Davila, that ZC 2122 from Single Family Residential (R-1) to Multi Family Low Density (MF-2) be recommended for approval. The motion carried by the following vote:**

**Excused** 1 - Moreno

**Aye** 8 - Vice Chair DePalermo, Schievelbein, Bregande, Felty, Chairperson Gettig, Lievens, Davila, and Jones III

e. [22-516](#)

Public Hearing and possible action on amendments to the City of Seguin's Unified Development Code (UDC), Section 5.6 Screening, Subdivision Perimeter Walls

**Indexes:**

*Pamela Centeno presented a copy of the original ordinance as approved and adopted by City Council on May 24, 2022, and the amendments to the UDC, Section 5.6 Screening, Subdivision Perimeter Walls. She said based on the input staff received at the previous two meeting, City staff drafted amendment to the previously approved ordinance of UDC, Section 5.6. Screening, Subdivision Perimeter Walls. She stated that the amendments to the Ordinance, if adopted, would provide options for the required perimeter fences/walls based on the adjacent road classification. The table included different options for the height of the wall/fence, building materials, and amount & type of landscaping, and buffer widths.*

*The Commission and staff discussed the standards for any residential or open space lots that abut a collector or higher classification roadway and requirements to provide a perimeter fence/wall and buffer per the schedule in Section 5.6.16.*

*The regular meeting recessed, and a public hearing was held.*

*Chad Schmidt, Kingfish Development made recommendations to change the 8' wall to 6' when a buffer exceeds over 60'; limit the irrigation requirement to a one-year temporary irrigation due to irrigation being expensive; allow fence Crete; and allow trees in the drainage easements when they do not impede the flow of drainage.*

*There being no additional responses from the public the regular meeting reconvened for action.*

*The Commission briefly discussed the recommendations.*

**A motion was made by Commissioner Felty, seconded by Commissioner Schievelbein, that the amendments to the Seguin Unified Development Code, Section 5.6. Perimeter Walls be recommended for approval with the changes to the 60' & over buffer from the Minimum fence/wall height to 6' and removing composite materials. The motion carried by the following vote:**

**Excused** 1 - Moreno

**Aye** 8 - Vice Chair DePalermo, Schievelbein, Bregande, Felty, Chairperson Gettig, Lievens, Davila, and Jones III

## 6. **Public Hearings & Discussion**

a. [22-511](#)

Discussion on potential various amendments to UDC Chapter 4.

Subdivisions to increase flood hazard protections for existing and future residential property owners.

**Indexes:**

*Melissa Reynolds, Director of Engineering advised the Commission that staff is proposing various amendment to UDC Chapter 4 Subdivision to increase flood protections for existing and future residential property owners. The proposed amendments are consistent with area standards and provide increased standards and requirements for floodplain protection and flood hazard mitigation.*

*She stated that the proposed amendments were for discussion in hopes of getting feedback. Ms. Reynolds presented the proposed amendments to the UDC. The Commission agreed the amendments were necessary. She said the amendments will be placed on a future agenda for a recommendation by the Commission and action by City Council.*

**b. [22-509](#)**

Discussion on possible amendments to the City of Seguin's Unified Development Code, Section 2.1.3 Development Process

**Indexes:**

*Helena Schaefer advised the Commission that staff is proposing to amend the UDC, Section 2.1.3 Development Process. She presented the current flow of the development process. She stated that not all development and/or redevelopment go through each process. Ms. Schaefer also presented the proposed amendments to the development process. Annexation concurrent with zoning, Development Studies concurrent with Concept Plan, Preliminary Plat, Public Infrastructure, Final Plat and then Site Plan with Building Permit. She said the Public Infrastructure is replacing the subdivision construction plan and refers to on-site and off-site infrastructure construction plans. Staff also proposed an additional step, Preliminary Plat. Ms. Schaefer explained that the preliminary plat will be submitted for only the phase proposed for construction, and not the entire phased development. Lot dimensions and standards, along with all necessary easements will be approved prior to the submittal of the infrastructure plans.*

*She advised that the proposed amendments were discussion and feedback. Staff will refine the process and bring back to the Commission for action.*

*The Commission briefly discussed the new process.*

**7. Adjournment**

There being no further discussion before the Planning and Zoning Commission, the meeting was adjourned at 7:46 p.m.

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Dave Gettig, Chair  
Planning & Zoning Commission

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Francis Serna  
Recording Secretary