



## **PLANNING & CODES**

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

#### **ZC 19-22**

A request for Zoning Change 19-22 from Agricultural Ranch (A-R) to Single Family Residential (R-2) for a 75.63-acre portion out of a 103.152-acre tract located at the 3500 Block of SH 46 N., Property ID 55455 was considered during a public hearing at the Planning & Zoning Commission meeting on October 11, 2022.

Armando Guerrero presented the staff report. He gave an overview of the surrounding properties stating that there are large farm tracts to the north and to the west. To the east is a new single-family residential subdivision with 250 residential lots, with home construction underway. A tract across SH 46 to the northwest is also being developed for single-family residential with 154 lots planned, but not yet under construction. He added that the area to the south is sparsely developed with two existing single-family home lots, a small RV Park, and the Living Waters Worship Center.

The zoning in the area consists of primarily commercial along the frontage to the south, public zoning for the church property with residential zoning behind the commercial zoning. The zoning to the north is commercial and single-family residential developments, with the commercial zoning concentrated near the Cordova intersection.

This property is located within two areas of the Future Land Use Plan- Town Approachway and Emergent Residential. The Town Approachway is approximately 500' deep along both sides of SH 46. Single-family residential land use is recommended within the Town Approachway with residential densities suggested with a range of 1-10 dwelling units per acre.

The back portion of the property, behind the 500' of highway frontage, is the Emergent Residential district. Residential use is predominant in this area, and a range of low to medium residential densities should exist in this district. Densities consistent with single-family residential and duplex developments ranging from 3-14 dwelling units per acre are recommended.

He stated that the property proposed for single-family residential does not front SH 46. An access point would be required through the property that is fronting SH 46. Any proposed access point from State Hwy 46 would require TxDOT approval. City review and approval would also be required for any connection to future collector road that runs through the southern portion of the property, as shown on the City's Master Throughfare Plan

The property is located outside the FEMA floodplain, but there is a tributary located along the eastern property line adjacent to the Cordova Crossing Subdivision.

Thor Thornhill spoke regarding concerns if all three items were not approved and asked what the process is to withdraw the 2 acre tract commercial zoning previously approved. He stated that most of the time one zoning does not work without all requests going forward. Pam Centeno explained the zoning change process and options to withdraw.

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

After consideration of the staff report and all information given regarding Zoning Change (ZC 19-22), Chair Gettig moved that the Planning and Zoning Commission recommended approval of the zoning change from Agricultural Ranch to Single Family Residential (R-2) for property located at the 3500 Block of SH 46 N. Commissioner Schievelbein seconded the motion. The following vote was recorded:

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

**MOTION PASSED**

**8-0-0**



Francis Serna, Planning Assistant



ATTEST: Armando Guerrero,  
Planner



## PLANNING & CODES

ZC 19-22 Staff Report  
3500 Blk of State Hwy 46 N (C)  
Zoning Change from A-R to R-2

### Applicant:

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

### Property Owner:

1 Chron 29, LLC  
130 S. Seguin Ave  
New Braunfels TX, 78130

### Property Address/Location:

3500 Blk of State Hwy 46 N

### Legal Description:

ABS: 20 SUR: AM Esnaurizar  
102.7890 ac.  
Property ID: 55455

### Lot Size/Project Area:

75.63 acres

### Future Land Use Plan:

Town Approach & Emergent  
Residential

### Notifications:

Mailed: Sep 28, 2022  
Published: Sep 25, 2022

### Comments Received:

None

### Staff Review:

Armando Guerrero  
Planner

### Attachments:

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

### REQUEST:

A zoning change request from Agricultural Ranch (A-R) to Single-Family Residential (R-2).

### ZONING AND LAND USE:

	Zoning	Land Use
<b>Subject Property</b>	A-R	Farmland
<b>N of Property</b>	OCL	Farmland
<b>S of Property</b>	R-1/ C/ P	Residential, RV Park and Church
<b>E of Property</b>	R-2	Single-Family Residential Subdivision
<b>W of Property</b>	A-R/ R-1	Farmland

### SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The applicant is requesting a zoning change to Single-Family Residential (R-2) for 75.63-acres of a 103.152-acre tract for a mixed-use development. The requested R-2 zoning will be located to the eastern portion of the tract (as shown in the provided zoning exhibit). Commercial (C) and Multi-Family High Density (MF-3) zoning are both being requested on other portions of this tract, but each is on a separate zoning change application. The proposed R-2 zoning is consistent with the zoning seen in the surrounding area and is a compatible within these two areas of the Future Land Use Plan.

### CRITERIA FOR ZONING CHANGE:

**Consistency with the future land use plan** – Consistent

**Compatible with existing and permitted uses of surrounding property** – Similar uses within the area

**Adverse impact on surrounding properties or natural environment** – None identified

**Proposed zoning follows a logical and orderly pattern** – Yes, residential zoning can be seen within the area along State Hwy 46

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

## **SITE DESCRIPTION:**

This 103.152-acre tract is comprised of vacant farmland on the east side of State Hwy 46 in between Rudeloff and Cordova roads. The property is currently zoned Agricultural Ranch (A-R), which is designated for farming, ranching, and related activities. There are two small residential lots fronting SH 46 under separate ownership that are not part of this zoning proposal.

## **CODE REQUIREMENTS:**

A zoning change to residential would be required for any proposed residential development. The proposed 75.63 acres of R-2 zoning would be subject to all rules and requirements seen in chapters 4 and 5 (drainage, TIA, screening, buffering, setbacks, impervious cover, landscaping, ect.) of City's Unified Development Code (UDC).

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

### ***Existing & Developing Land Uses:***

- North & West: The property is located along an area of SH 46 that is mostly undeveloped, with large farm tracts to the north and to the west.
- East & Northeast: To the east of the tract is a new single-family residential subdivision with 250 residential lots. Home construction is underway. A tract across SH 46 to the northwest is also being developed for single-family residential with 154 lots planned, though homes are not yet under construction.
- South: The area immediately to the south is sparsely developed with two existing single-family home lots, a small RV Park, and the Living Waters Worship Center. Some commercial development has occurred along the SH 46 frontage, but the majority of the area remains undeveloped.

### ***Surrounding Zoning Districts:***

- SH 46 Frontage Extending South: The frontage along SH 46 directly to the south is zoned commercial, with the exception of public zoning where the church property is located. Commercial zoning continues south along the SH 46 frontage approaching IH-10 with an area of existing light industrial development near the Interstate.
- SH 46 Frontage Extending North: The frontage to the north is zoned for commercial and single-family residential developments. The commercial zoning is concentrated near the Cordova intersection.
- Farmland to the North & West: The 140-acre tract to the north is outside the city limits and is therefore not subject to zoning. The undeveloped 62-acre farm tract to the west is zoned accordingly as Agricultural Ranch.

### ***Compatibility with the proposed Single-Family Residential:***

- Single-Family Residential (R-2): Many of the tracts proposed for residential subdivisions to the north have a significant portion of the SH 46 frontage designated for commercial land uses; but extending north traveling away from the developed areas of Seguin, some of the single-family residential is directly adjacent to SH 46. All of the single-family residential tracts to the south, however, have a buffer of commercial zoning along the highway.

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

The primary function of the Future Land Use Plan is to materialize community vision relating to land use, while providing a policy guide that will inform and direct future zoning actions. The Future Land Use Plan is drafted based on the input provided by citizens to facilitate the City Council's proceedings in zoning decisions.

This property is located within two areas of the Future Land Use Plan- **Town Approachway** and **Emergent Residential**.

- Town Approachway: The Town Approachway is approximately 500' deep along both sides of SH 46. Single-family residential land uses is a recommended within the Town Approachway with residential densities suggested with a range of 1-10 dwelling units per acre.
- Emergent Residential: The back portion of the property, behind the 500' of highway frontage, is within the Emergent Residential district. Residential use is predominant in this area, and a range of low to medium

residential densities should exist in this district. Densities consistent with single-family residential and duplex developments ranging from 3-14 dwelling units per acre are recommended.

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

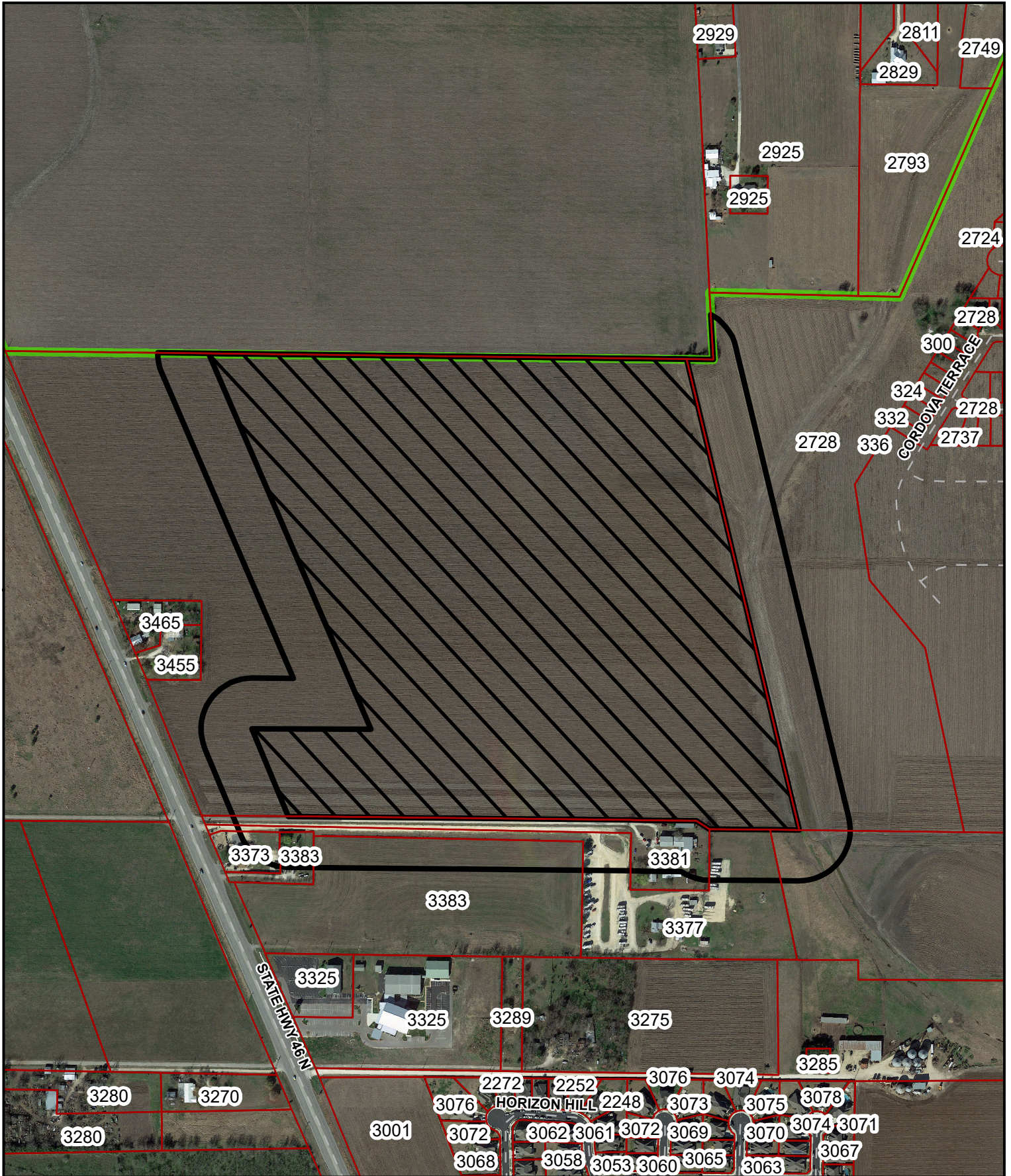
This entire tract as a whole fronts State Hwy 46, however the portion being requested for R-2 zoning does not front any portion of State Hwy 46, an access point would be needed through the other portion that is fronting State Hwy 46. Any proposed access point from State Hwy 46 would require review and approval by TxDOT. City review and approval would also be required for any connection to future collector road that runs through the southern portion of this property, as shown on the City's Master Throughfare Plan

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

The property is located outside the FEMA floodplain, but there is a tributary located along the eastern property line adjacent to the Cordova Crossing Subdivision.

# LOCATION MAP

ZC 19-22 3500 Blk of State Hwy 46 N (C)



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



Site Location



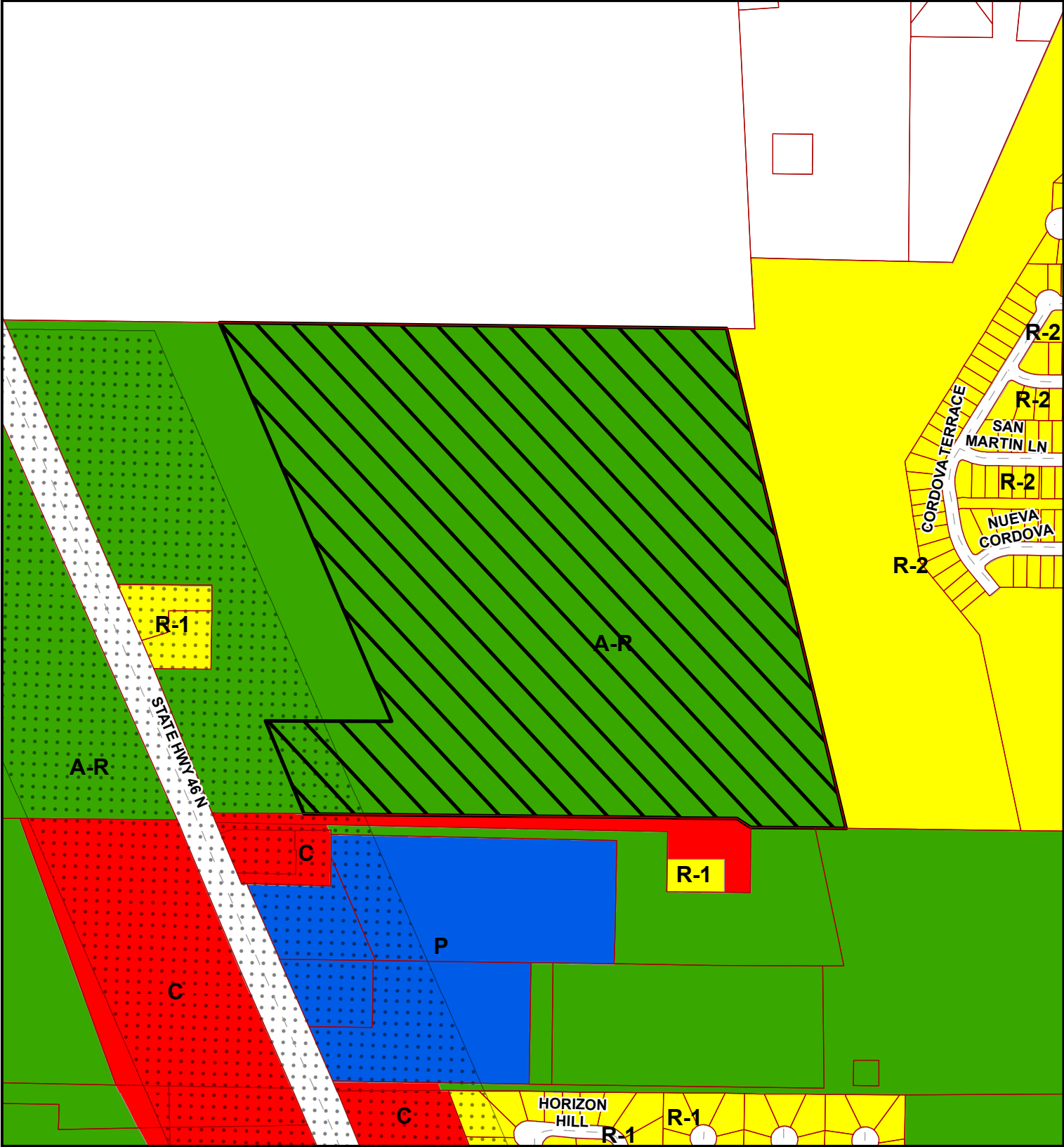
200' Notification Buffer

1 inch = 500 feet

Printed: 9/29/2022

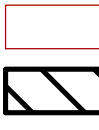
ZONING MAP

ZC 19-22 3500 Blk of State Hwy 46 N (C)



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

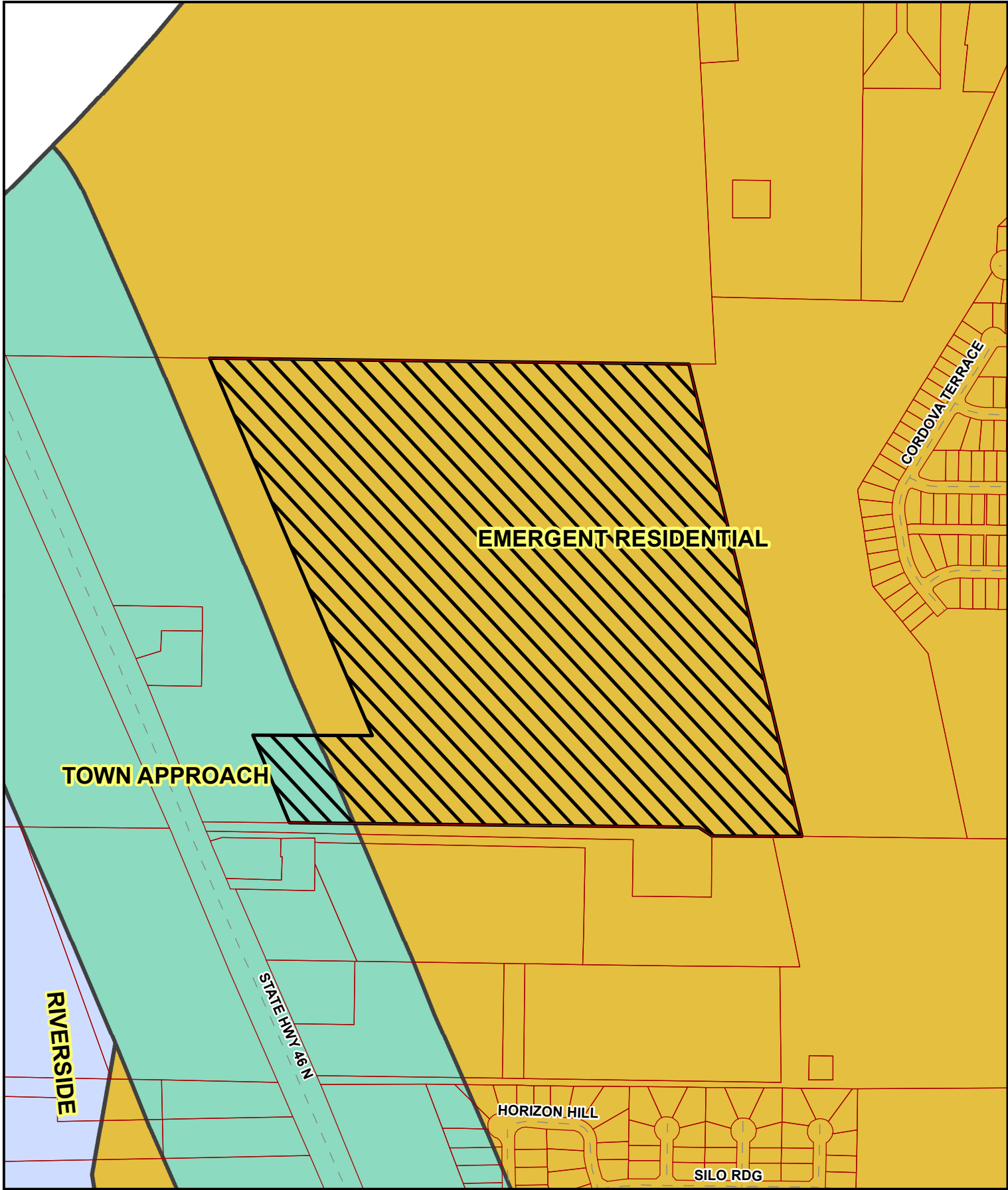
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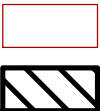
Ownership  
Site Location

1 inch = 500 feet

Printed: 9/29/2022



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Ownership



Site Location

1 inch = 500 feet

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