



PLANNING & CODES

Planning and Zoning Commission Report ZC 21-16

A request for Zoning Change 21-16 was considered during a public hearing at the Planning & Zoning Commission meeting on July 12, 2016:

ZONING CHANGE request from Public to Commercial for a portion of the property located at 1231 E Kingsbury St.

Helena Schaefer presented the staff report starting with the zoning change history of the site. The property was originally zoned Commercial in 1989. In 1990, the building was rezoned to public to allow the Seguin ISD to operate a temporary elementary school. It was then rezoned back to Commercial in 1991. Two years later, the entire property except for building area that houses Arlan's Market was rezoned back to public and then Seguin ISD purchased the property for its district offices. This rezone request is for a portion of the parking lot (approximately 1.9 acres); this is the section of the parking lot that serves Arlan's customers. Staff also mentioned that there was a proposal to place a drive-thru coffee shop on this area of rezone.

Public notifications were mailed to 8 property owners on July 1, 2016. One comment was received.

Mickey and Celina Ross, 150 Lakeside Dr

"There is so much commercial property near 1231 E Kingsbury St. that we do not feel our property will be affected. Good Luck!"

The Commission questioned the exact location of the area of the rezone request and the ownership. Staff replied that the area of rezone was the north parking area to the grassy area near E Kingsbury St. The property was purchased by the SISD in 1993. There being no more questions for Staff, The Commission had questions for the applicant.

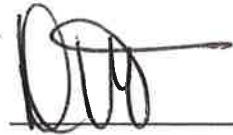
The representatives for Seguin ISD, spoke about the need for the rezone stating that the proposed coffee shop is just a proposal with nothing finalized. Commissioner Flakes asked if this rezone would impact the goals and future intentions of the district. Mr. Pizana responded that this rezone area is the designated parking area for Arlan's customers. Commissioner Raetzsch asked about any traffic impacts from the rezone. The applicant replied that there should be no more impact on the flow of traffic as vehicles have two ways to access this property, off of E Kingsbury and Cardinal. A follow-up question about the safety of the high school students crossing the parking lot was asked. Ms. Legore said that this has always been a concern and the district has been working on the issue. The Commission also asked about any liability. The applicant responded that their lease agreement has built-in clauses on liability. That is why the loading docks for Arlan's are included in the area of rezone. There being no other questions for the applicant, the regular meeting was then recessed and a public hearing was held.

Fred Corpening, a representative of "On the Grind", a drive-thru coffee shop spoke before the Commission to express his interest in this zoning request. He indicated that this business has three successful locations in New Braunfels and is very interested in placing a location in Seguin. He replied that this property would be a great location.

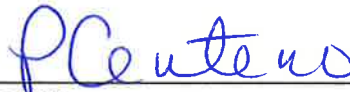
There being no more response from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change 21-16, the Planning and Zoning Commission voted 8-0-0, to Recommend to City Council to Approve the Zoning Change request to Public.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO PUBLIC –
MOTION PASSED 8-0-0**



Dora Toungate
Planning Assistant



ATTEST: Pamela Centeno
Director of Planning/Codes

**ZC 21-16 Staff Report
1231 E Kingsbury St
Zoning Change from P to C**

REQUEST: A Zoning Change request from Public to Commercial.

Applicant:

Seguin Independent School
District
1221 E Kingsbury St
Seguin, Texas 78155

Property Owner(s):

Same as Applicant

Property Address/Location:

1231 E Kingsbury St

Legal Description:

Abs 35 John Sowell Survey
17.8240 AC School Portion

Lot Size/Project Area:

1.9 acre out of 17.8240 acres

Future Land Use Plan:

Core Approach and Historic
City Center

Notifications:

- Mailed: July 1, 2016
- Published: July 26, 2016

Comments Received:

None as of July 8, 2016

Staff Review:

Pamela Centeno,
Director of Planning/Codes

Attachments:

- Location Map
- Zoning Map
- FLUP Map

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	P	SISD Offices/Arlan's Market
N of Property	C	Businesses
S of Property	C/R-1	Seguin High School/Residences
E of Property	P/R-1	First Baptist Church/Residences
W of Property	C	Green space between King and Access Rd to E Kingsbury

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The parking area next to Arlan's Market located at 1231 E Kingsbury is requesting a zoning change to Commercial. As the intent use of the parking area is for the retail business and the proposed use for a drive-thru coffee shop, it would be appropriate to rezone this area to Commercial.

Planning Department Recommendation:

X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

CODE REQUIREMENTS:

According to the UDC Land Use Matrix, all retail/service uses are not permitted on a Public zoned property. In order to operate retail or service based venture, a zoning change to Commercial is required.

SITE DESCRIPTION:

The site for the rezoning request is approximately 1.9 acres of the Seguin Independent School District offices' 17.8240 acres, located in the 1200 block of E Kingsbury St. This property has undergone several zoning changes. Initially the property was zoned Commercial during the 1989 zoning process. In 1990, Seguin ISD requested a zoning change to Public for the majority of building, which was once the Oak Park Mall. The school district needed a place for a temporary elementary school and wanted to lease the vacant building for a one year time period; a bond election passed in 1989, which allowed for renovations to existing school facilities. In 1991, the same area (the 93,262 sq ft of the 112,536 sq ft building) was rezoned back to Commercial; this time, the request came from the property owner. During the first zoning change request, Wuest's Inc expressed concern about the rezone to Public; the concern was based on the difficulty to re-develop this property as commercial if it was zoned Public. The zoning change back to Commercial was approved. Two year later, the entire parcel except for 43, 560 sq ft of the building was rezoned to Public. This 1993 zoning request was asked by the property owner, DAG Management, Inc. The property was then sold to the school district later that year and is currently housing the school district's offices. It is currently proposed that the parking area north of Arlan's Market will be a site of a drive thru coffee shop, a possible commercial pad site.

COMPATIBILITY WITH SURROUNDING LAND USES & ZONING:

The property is located within both commercial and residential area which consists of single-family land uses. There are commercial uses along E Kingsbury; behind the Seguin ISD offices, there are residential properties with a mix of public uses (Seguin High School and churches). As the parking area for Arlan's is the area of the rezoning request, it would be appropriate to change the zoning to Commercial. This area is in close proximity to E Kingsbury St.

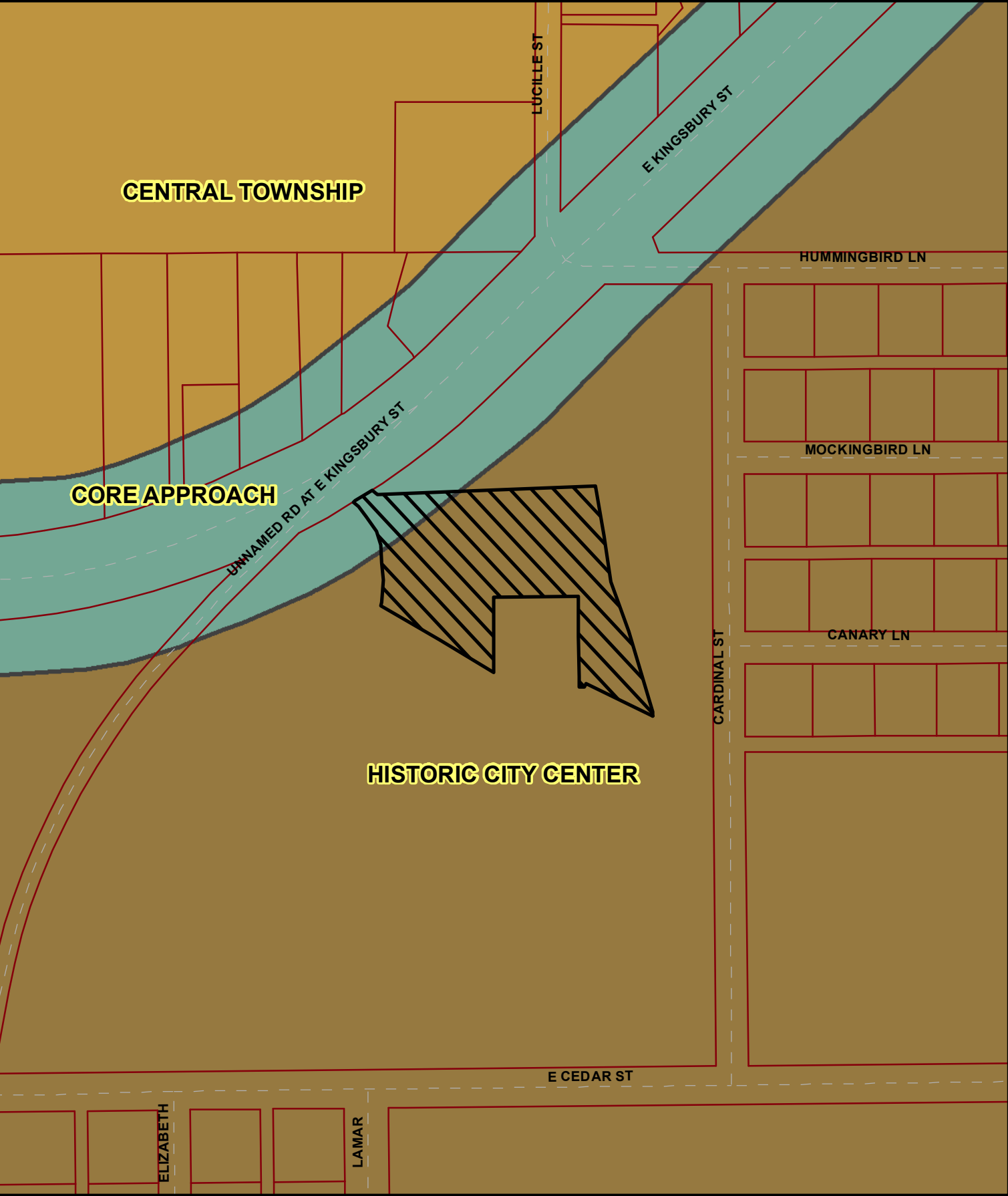
COMPREHENSIVE PLAN:

The site is located in the Core Approach and Historic City Center Districts. Commercial is a recommended land uses in the Core Approach district. In the Historic City Center, Commercial is not an appropriate use. However, the access to the area of rezoning (the Arlan's parking lot) is thru the Core Approach District, and Arlan's was zoned prior to the Comprehensive Plan.

HEALTH, SAFETY, AND GENERAL WELFARE: (Protection & preservation of historical, cultural, and environmental areas.)
It has not been determined that the site is of historical, cultural, or environmental significance.

TRAFFIC (STREET FRONTAGE & ACCESS):

The site is accessed from E Kingsbury St.



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.



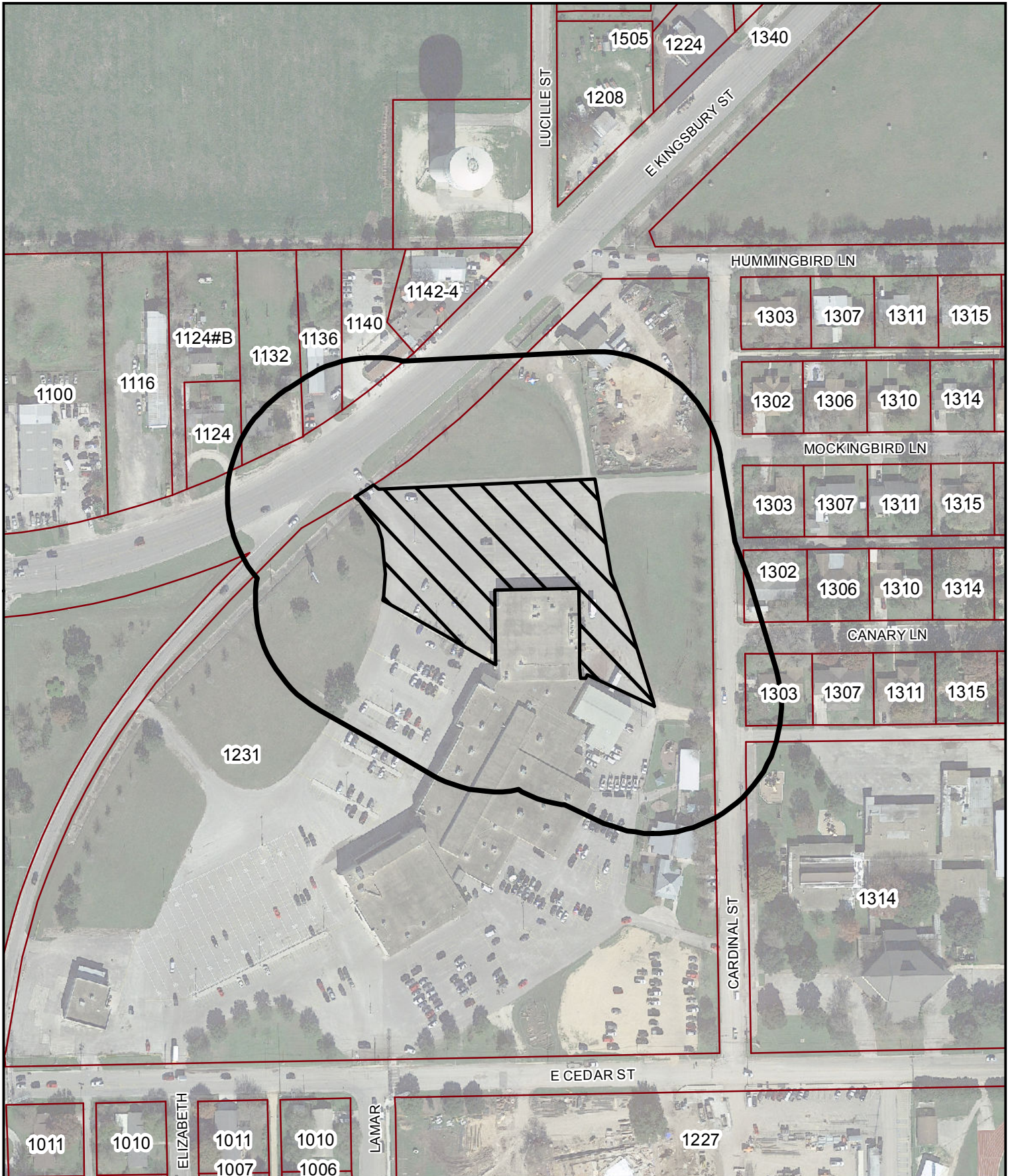
Site Location

Lot Lines

1 inch = 200 feet
Printed: 6/20/2016

LOCATION MAP

ZC 21-16: 1231 E Kingsbury St



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Site Location



200' Notification Buffer



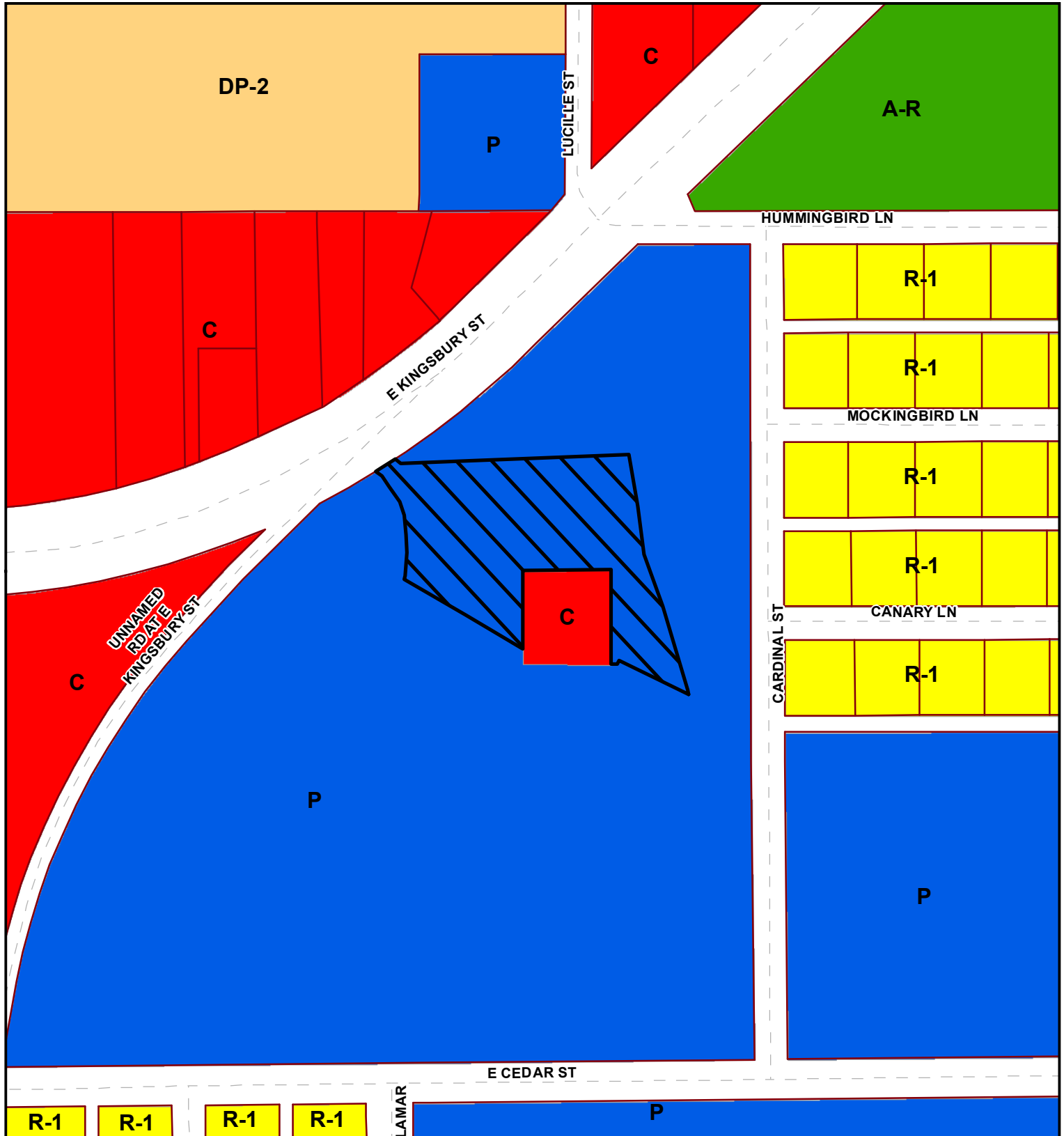
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ZONING MAP

ZC 21-16: 1231 E Kingsbury St



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

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