



PLANNING & CODES

ZC 27-16 Staff Report Windwood Estates Subdivision Zoning Change R-1 to R-R

Applicant:

City of Seguin
205 N River St
Seguin, TX 78155

Property Owner:

See list

Property Address/Location:

Windwood Estates
Subdivision

Legal Description:

Lot 1 thru 43, Windwood
Estates Addition

Lot Size/Project Area:

Approx. 78.33 acres

Future Land Use Plan:

Emergent Residential and
Riverside

Notifications:

Mailed Oct. 28, 2016
Newspaper Oct. 23, 2016

Comments Received:

None, as of Nov 2, 2016

Staff Review:

Helena Schaefer
GIS Analyst

Attachments:

- Location Map
- Existing Zoning Map
- Future Land Use Plan Map
- Property ID List

REQUEST:

A Zoning Change request from Single-Family Residential to Rural-Residential

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	R-1	Residences
N of Property	A-R	Farmland
S of Property	R-1	Residences
E of Property	A-R	Farmland
W of Property	No zoning – ETJ	Residences

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The City of Seguin is in the process of “cleaning up” zoning issues; it has been brought to staff’s attention areas in the City where the zoning doesn’t best serve the properties. The 43 lots in the Windwood Estates subdivision is currently zoned Single-Family Residential. The subdivision created large residential lots that are oversized for the current zoning. A rezoning to Rural Residential is a better fit to the subdivision and preserves the characteristics that were intended for the neighborhood. The Staff recommends approval of the zoning change to Rural Residential.

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The 43 lot subdivision of Windwood Estates was platted in 1984. At the time of the platting, the subdivision was out of the City Limits. The plat was recorded with "Building Restrictions and Reservations"; this document outlined covenants that "constituting a general plan for the orderly development..." It was annexed in 2006 and zoned Single-Family Residential.

CODE REQUIREMENTS:

According to the UDC's Section 3.2.2, the Rural Residential zoning district provides "area for large-lot residential homes sites, on land that has minimal farming or ranching value, that create country living in a rural atmosphere ... and provide an appropriate transition from urban development to agricultural areas." As these properties are large in size, it would be appropriate to rezone them to Rural Residential.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

These properties are located at the western extent of the City Limits. This is an area of farmland and residential uses. The zoning of Rural Residential is compatible with these existing uses. This is also an area of high residential development.

COMPREHENSIVE PLAN:

The properties fall into two future land use districts, Riverside and Emergent Residential; the majority of the lots fall in the Riverside district. Rural Residential is "as of right" in the Riverside FLUP district. This district encourages low density development as stresses incurred along the river can increase flooding and pollutants due to surface runoff.

HEALTH, SAFETY, AND GENERAL WELFARE: (Protection & preservation of historical, cultural, and environmental areas.)
No health, safety or environmental issues have been identified for these properties.

TRAFFIC (STREET FRONTAGE & ACCESS):

These properties front two streets, Rudeloff Rd and Windwood Cir. Five of the lots front Rudeloff Rd; the remaining lots front Windwood Circle, a loop with only one access point.

COMPARISON OF RURAL RESIDENTIAL AND WINDWOOD ESTATES COVENANTS:

From the UDC Section 3.6.2 Standards – Residential Districts.

Lot size – 43,560 sq ft or 1 acre

Lot frontage – 150 feet

Lot depth – 200 feet

Setbacks – front – 40 feet, side – 20 feet, side corner – 25 feet, rear – 20 feet

From the Windwood Estates Building Restrictions and Reservation

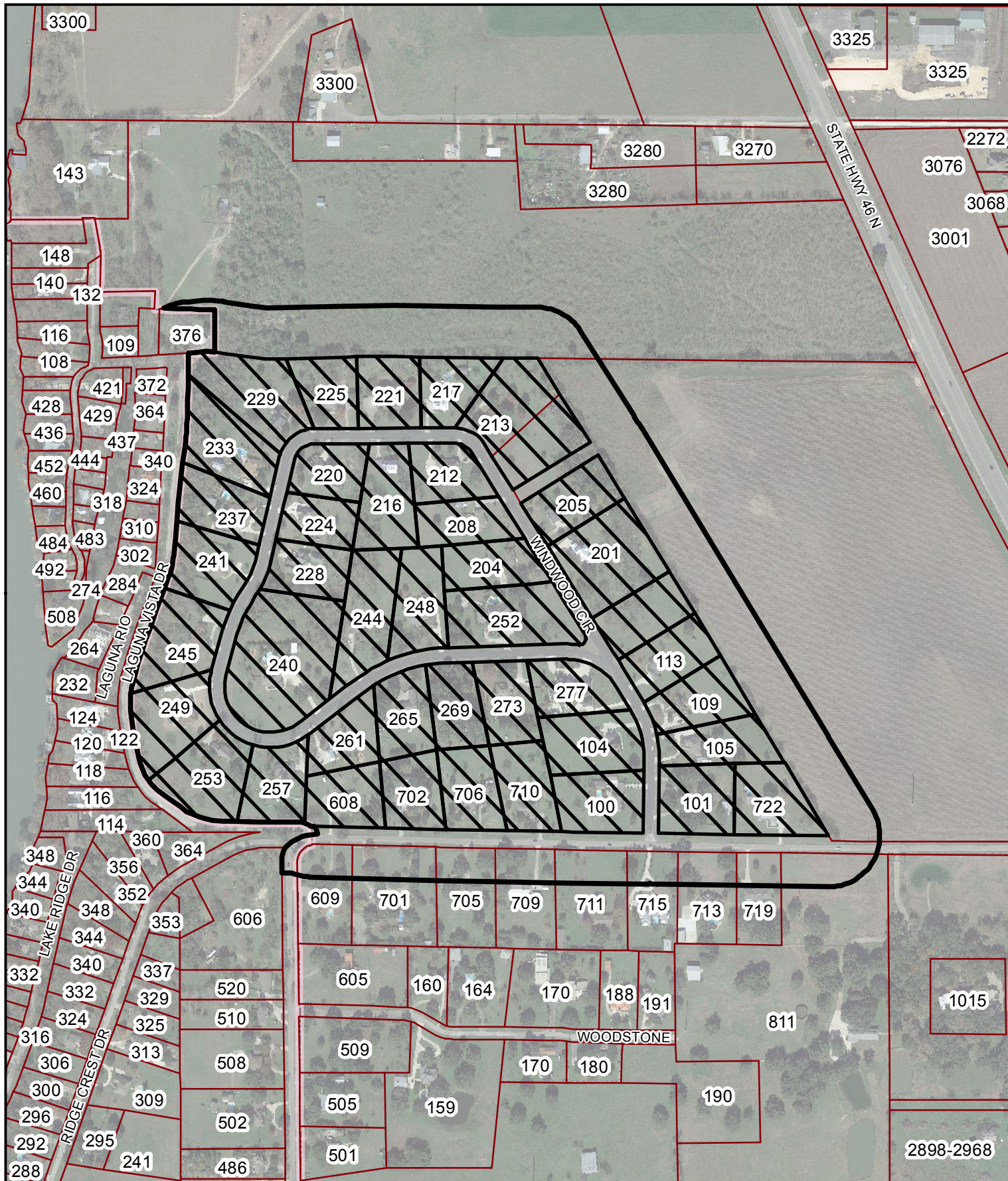
5. Building Location - No residence can be located within 40 feet of a property line

15. Resubdivision – No lot can be resubdivided without Architectural Control Committee approval for a period of thirty years from date hereof.

Currently, the lots in this subdivision meet all the standards and dimensions of Rural Residential and Single-Family Residential. If the zoning remains Single-Family Residential, the lots can eventually be subdivided into smaller lots and thus changing the original intent of the subdivision. As the plat was recorded in 1984 and now in the city, the 30 year moratorium on subdividing is over. Rural Residential zoning is closer in comparison to the covenants than Single-Family Residential.

LOCATION MAP

ZC 27-16: Windwood Estates



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Site Location



200' Notification Buffer

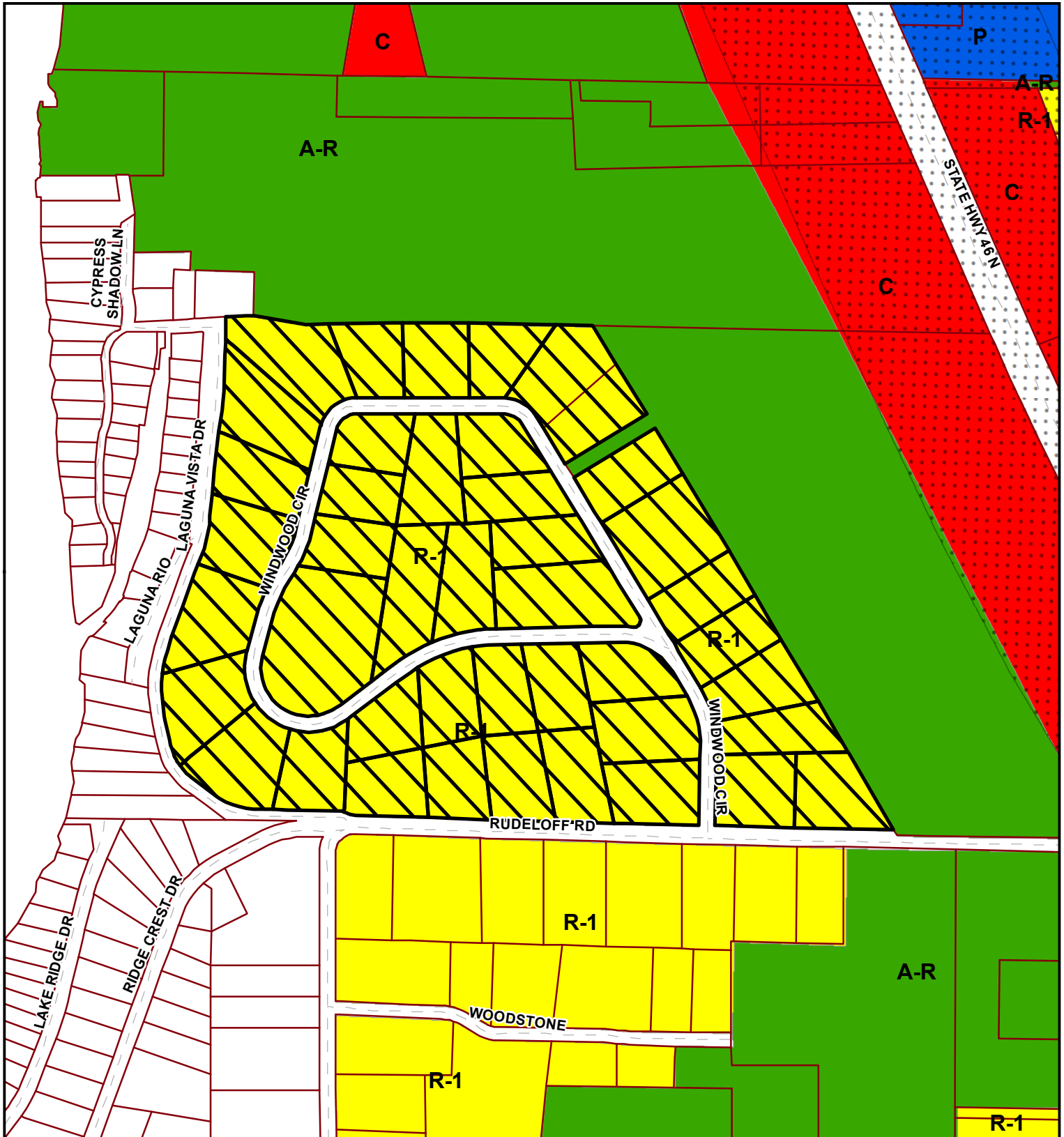
1 inch = 500 feet

Printed: 10/24/2016

Lot Lines

ZONING MAP

ZC 27-16: Windwood Estates



A-R Agricultural Ranch

R-R Rural Residential

S-R Suburban Residential

R-1 Single Family Residential

ZL Zero Lot Lines

DP-1,2 Duplex

MF-1,2,3 Multi-Family

M-R Manufactured Residential

MHP Manufactured Home Park

NC Neighborhood Commercial

C Commercial

LI Light Industrial

I Industrial

P Public

PUD Planned Unit

Development

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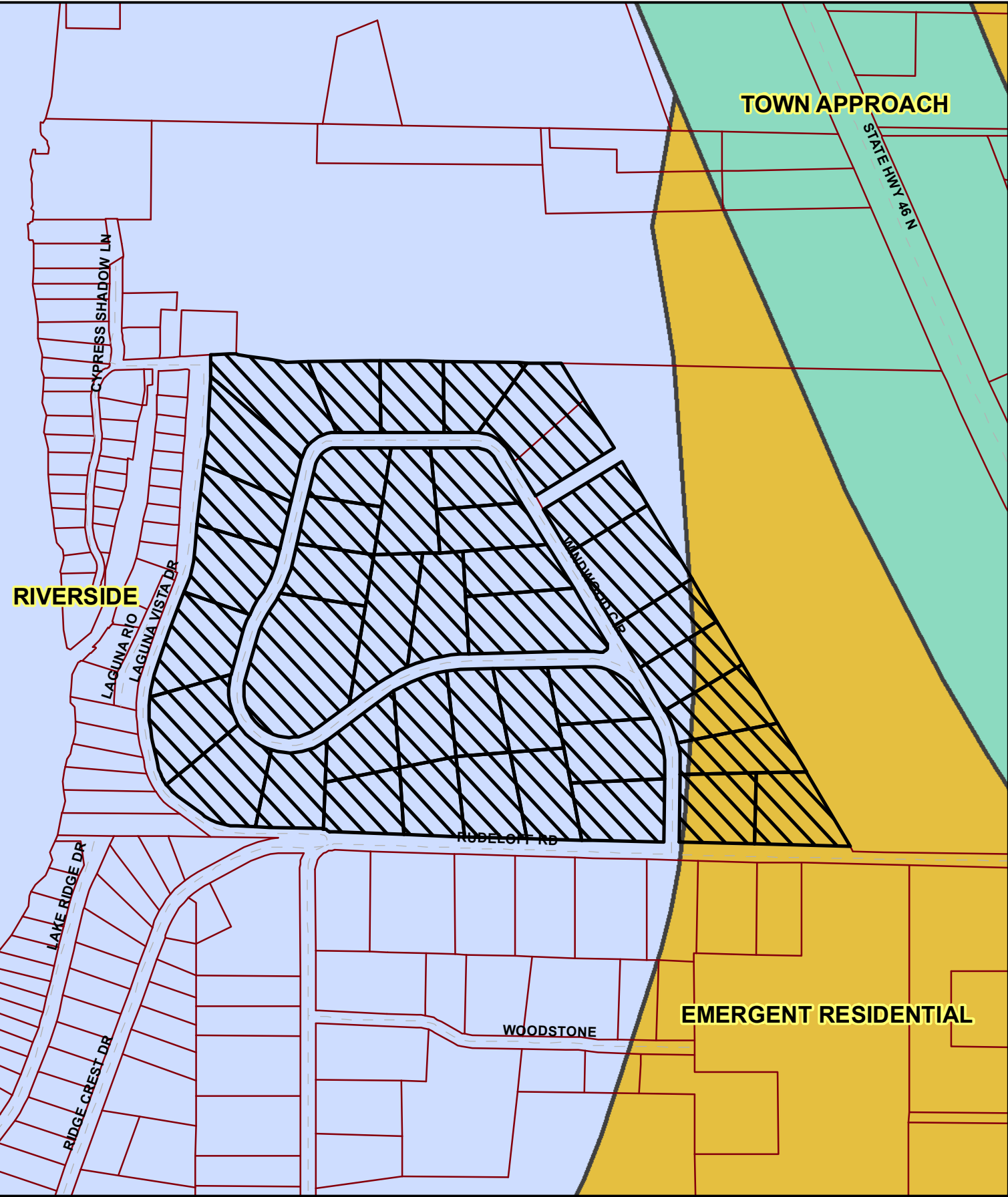
Site Location



Lot Lines

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Printed: 10/19/2016



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Site Location



Lot Lines

1 inch = 500 feet
Printed: 10/19/2016



Planning and Zoning Commission Report ZC 27-16

A request for Zoning Change 27-16 was considered during a public hearing at the Planning & Zoning Commission meeting on November 8, 2016:

ZONING CHANGE request from Single-Family Residential to Rural Residential for the 43 lots located in the Windwood Estates Subdivision

Helena Schaefer presented the staff report re-iterating that this zoning change request is still part of the UDC "clean up" zoning process. The Windwood Estates Subdivision was platted in 1984 prior to being annexed in 2006. During the annexation process, the 43 lots were zoned Single-Family Residential, despite being large lots surrounded by farmland and other large residential properties. Staff researched the covenants that were recorded with the plat and discovered that Rural Residential was a better fit for the subdivision than the Single-Family Residential zoning district. Staff showed the differences between Single-Family Residential 1 and Rural-Residential and how Rural-Residential matches closer to the lot size and dimensions of the subdivision. Rural-Residential would not allow for the majority of the lots in this neighborhood to be subdivided, as all the lots are larger than one acre (the minimum lot size for Rural-Residential is one acre). The covenants from 1984 called out a 30 year time period to limit resubdivision. Staff also indicated that all the lots in this subdivision would be conforming to the lot dimensions and standards of Rural-Residential.

Public notifications were mailed to 52 property owners on October 28, 2016. No written comments were received, but staff received numerous phone calls from the Windwood Estates residences. Each caller voiced a positive response to the proposed zoning change.

Commissioner Jackel asked about the limitation of subdividing and if the time period had expired. Staff, which was also acting as the Applicant, indicated that the subdivision was created in 1984 and that the 30 year time period expired in 2014. Rezoning to Rural-Residential would uphold this covenant. The Commission had no further questions. The regular meeting was then recessed and a public hearing was held.

Tom Townley of 104 Windwood Estates spoke during the public hearing. He wanted to voice that he was in favor of the zoning change and applauded "an example of something good that the City is doing."

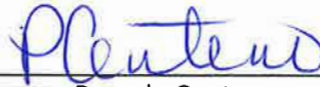
There being no further response from the public the regular meeting reconvened for action.

After consideration of the staff report and all information given regarding Zoning Change 27-16, the Planning and Zoning Commission voted 5-0-0, to Recommend to City Council to Approve the Zoning Change request to Rural Residential.

**RECOMMENDATION TO APPROVE ZONING CHANGE TO RURAL RESIDENTIAL –
MOTION PASSED 5-0-0**



Dora Toungate
Planning Assistant



ATTEST: Pamela Centeno
Director of Planning/Codes