



PLANNING & CODES

Planning and Zoning Commission Report ZC 25-18

A request for Zoning Change 25-18 was considered during a public hearing at the Planning & Zoning Commission meeting on November 13, 2018:

A Zoning Change from Commercial (C) to Neighborhood Commercial (NC) on a request for property located at 1315 N. San Marcos, Property ID 22391

Helena Schaefer presented the staff report. She explained that the property has the original zoning classification from the 1989 zoning process and the structure is a legal non-conforming land use. The applicant is trying to sell the property as a residential structure. Ms. Schaefer stated that Neighborhood Commercial is compatible with the surrounding zoning and land uses. Most of the property is located within the Central Township Community future land use district. The District's intent is to enhance the quality of residential developments with great diversity. Staff recommended approval of the zoning change to Neighborhood Commercial to allow the primary use of the property to be either single family or commercial. The applicant was not available for comment.

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

After consideration of the staff report and all information given regarding Zoning Change ZC 25-18 to Neighborhood Commercial, Commissioner Gettig moved that the Planning and Zoning Commission recommend approval to City Council. Commissioner Kirchner seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE ZONING CHANGE TO NEIGHBORHOOD COMMERCIAL (NC).

MOTION PASSED

7-0-0

A handwritten signature in blue ink that reads "Francis Serna".

Francis Serna
Planning Assistant

A handwritten signature in blue ink that appears to read "H. Schaefer".

ATTEST: Helena Schaefer, Sr. Planner



PLANNING & CODES

ZC 25-18 Staff Report 1315 N San Marcos St Zoning Change from C to NC

Applicant:

Always Home LLC
PO Box 828
Sequin, TX 78156

Property Owner:

Same as Applicant

Property Address/Location:

1315 N San Marcos St

Legal Description:

Lot: A-1 N Pt of, Blk: 11,
Addn: Farm, Prop ID: 59506

Lot Size/Project Area:

Approx. 0.228 acres

Future Land Use Plan:

Central Township & Core
Approach

Notifications:

Mailed Nov. 2, 2018
Newspaper Oct. 28, 2018

Comments Received:

None

Staff Review:

Helena Schaefer
Senior Planner

Attachments:

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

REQUEST:

A Zoning Change request from Commercial to Neighborhood Commercial.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	C	Residential dwelling
N of Property	R-1	Residential dwelling
S of Property	C	Tattoo business
E of Property	C	Auto Repair business
W of Property	C	Residential dwelling/Vacant lots

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The property located at 1315 N San Marcos St is currently zoned Commercial, but the existing land use is single-family residential. Staff recommends approval of the zoning change to Neighborhood Commercial in order to allow the primary use of the property to be either single-family residential or commercial. Single-Family Residential and Neighborhood Commercial uses are also compatible with the comprehensive plan. As well, there has been recent approvals of zoning change requests from Commercial to Neighborhood Commercial for the same situation.

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The property is currently zoned Commercial and is located on the north side of E Kingsbury St. According to the Guadalupe County Appraisal District, the existing structure is 1000 sq ft in size and classified as residential. The property has the original zoning classification from the 1989 zoning process and the structure is a legal non-conforming land use. The applicant is trying to sell the property as a residential structure.

CODE REQUIREMENTS:

According to the UDC's Section 3.4.3 Land Use Matrix, the Commercial zoning district allows for an existing single-family residential structure with a Specific Use Permit. This would be triggered if the structure was vacant for more than 6 months. However, the Neighborhood Commercial zoning does allow the use of either an existing or new single-family residential structure. Rezoning to Neighborhood Commercial would remove the need for an approved Specific Use Permit. Since 2017, the Commission has approved five similar zoning change requests from Commercial to Neighborhood Commercial for the use of an existing residential dwelling.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

There are properties due west and due north of this property that have single-family residential structures; the one west is also considered to be a legal non-conforming use as it is zoned Commercial. There are also businesses to the south and east of the property. Given the flexibility of Neighborhood Commercial, this zoning classification would be compatible with the surrounding zoning and existing land uses. Neighborhood Commercial would be a good transition to the businesses along E Kingsbury St and the residential neighborhoods to the north.

COMPREHENSIVE PLAN:

The majority of the property is located within the Central Township Community future land use district. This district's intent is to enhance the quality of residential developments with greater diversity. Single-family residential is an appropriate use as well as low impact commercial uses; the predominant forms for this district is neighborhood oriented. The portion of the property that falls into Core Approach district doesn't have any structures on it.

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):

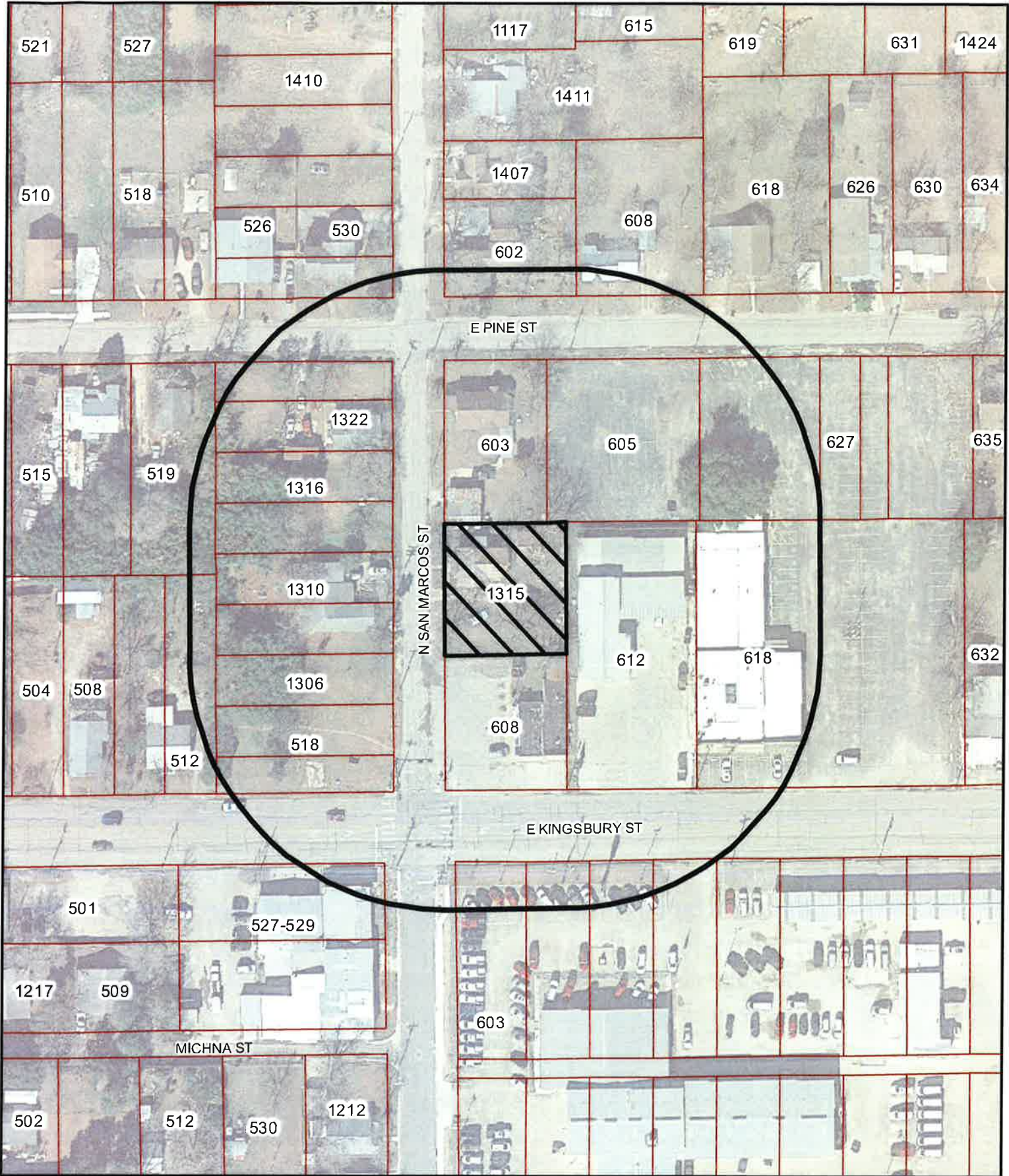
The property takes its access from N San Marcos.

OTHER CONSIDERATIONS:





The current residential use of this property is regarded as a legal non-conformity. Commercial zoning does not permit new single-family residential structures and requires a Specific Use Permit for an existing structure vacant for more than 6 months. If the structure is damaged or destroyed to an extent of 50% or more of its assessed valuation, it cannot be rebuilt without a rezoning. As well, financial institutions may hesitate to provide residential loans for commercial zoned properties and insurance companies may not provide coverage.

LOCATION MAP

ZC 25-18: 1315 N San Marcos 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

200' Notification Buffer

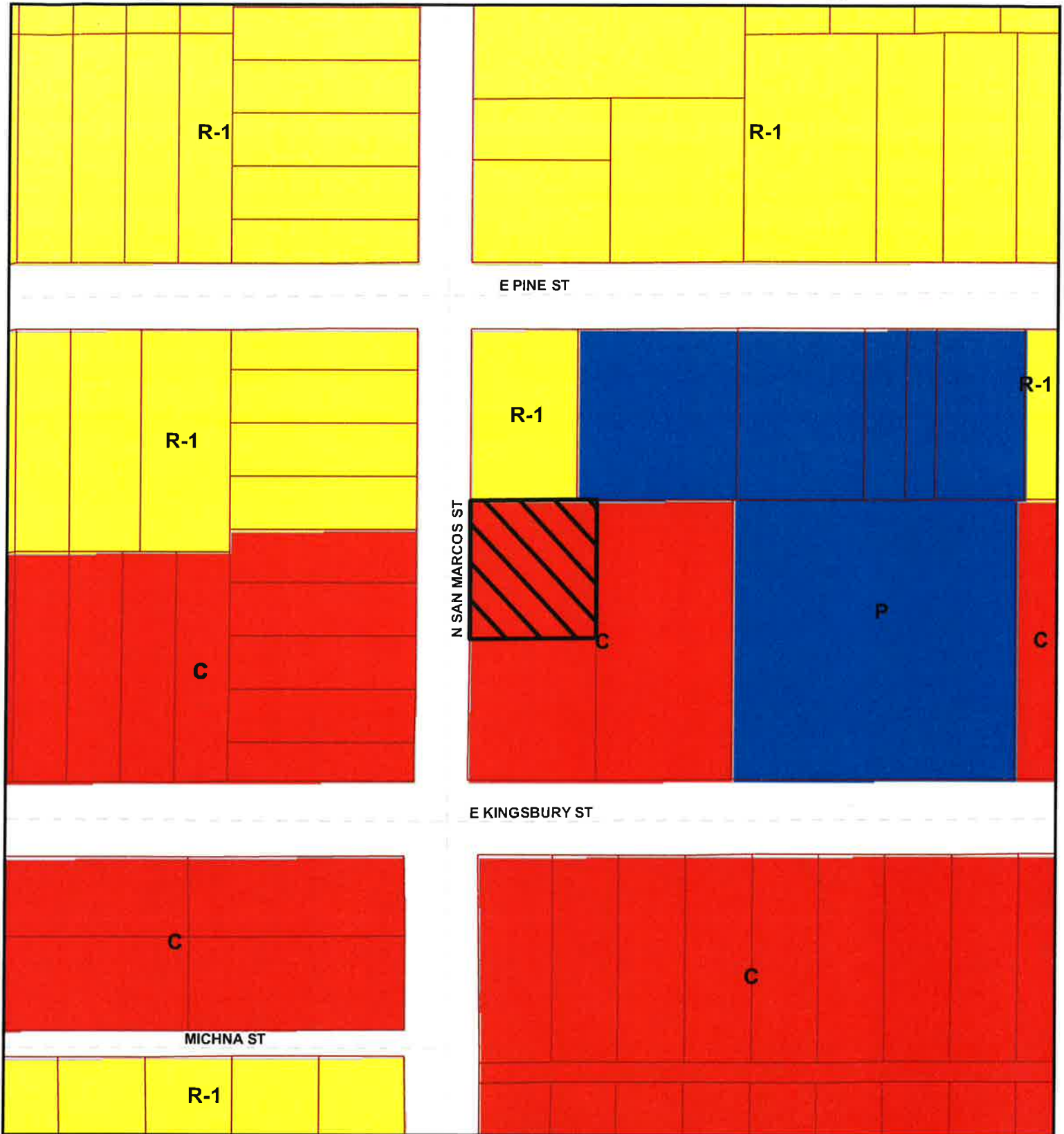
Lot Lines

1 inch = 100 feet

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ZONING MAP

ZC 25-18: 1315 N San Marcos St



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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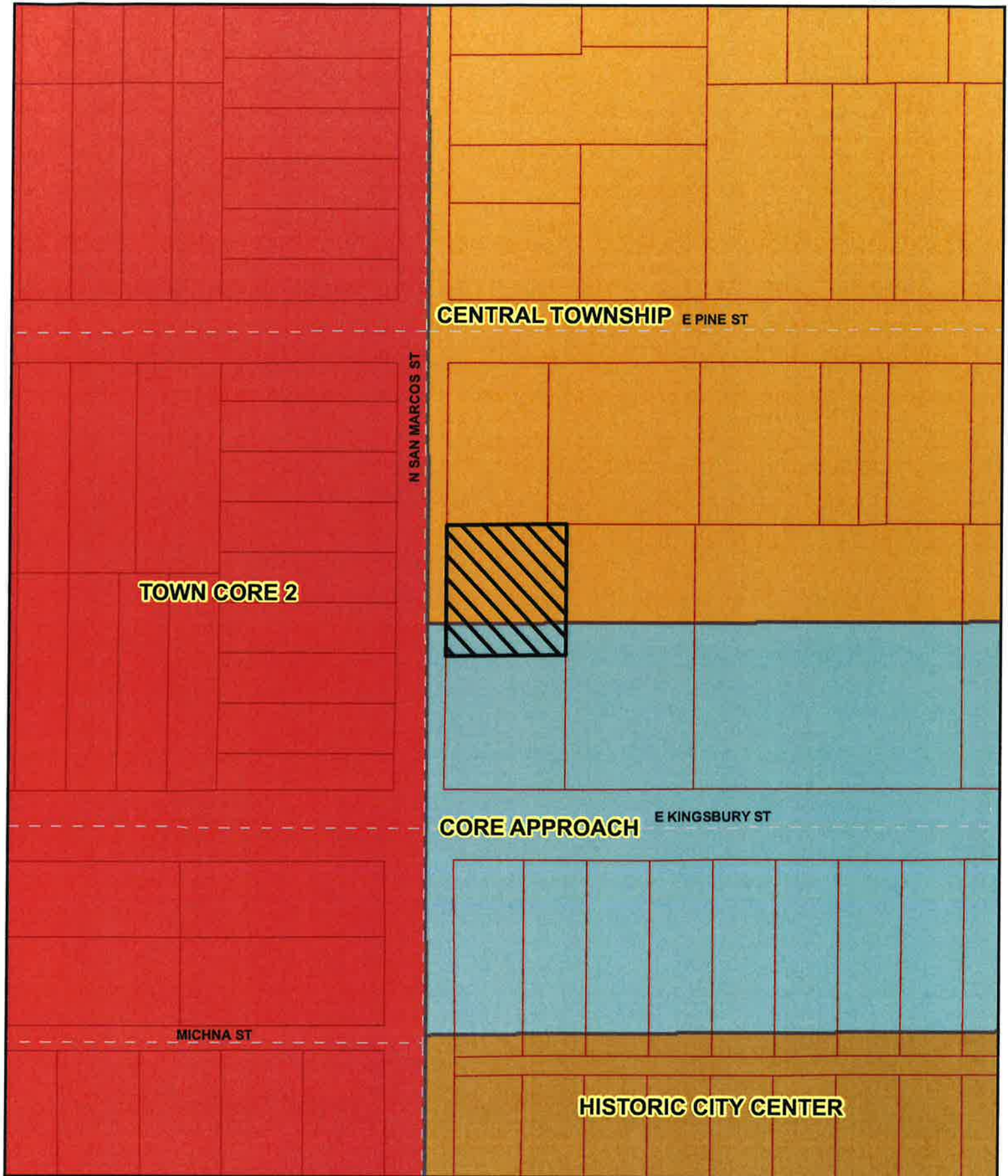
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FUTURE LAND USE MAP

ZC 25-18: 1315 N San Marcos St



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