



PLANNING & CODES

Planning and Zoning Commission Report ZC 20-20

A request for Zoning Designation ZC 20-20 was considered during a public hearing at the Planning & Zoning Commission meeting on December 8, 2020.

A Zoning Designation to Single Family Residential 2 (R-2) and Commercial (C) for property located at the 3600 Block situated southwest of Hwy 46 and Three Oaks intersection. Property ID 55488.

Ismael Segovia presented the staff report. He explained that the applicant has requested a zoning designation of Single-family residential (R-2) and Commercial (C) for a 50.24-acre tract of land located at the southwest corner of Hwy 46 and Three Oaks intersection. The property owner has requested voluntary annexation and the first reading was held at the December 1, 2020 City Council meeting. The second reading will be held on the January 5, 2021 City Council meeting. The initial zoning of a property following voluntary annexation is established as Agricultural Ranch.

Mr. Segovia explained that the area is of high growth with several single-family residential subdivisions. The area from Hwy 46 along Cordova Rd. to Huber Rd., are five residential subdivisions either being proposed, in review or in construction with an approximate total of 1,479 residential lots. In June of 2019, the City annexed both Waters Edge and Lily Springs which are single-family residential developments within immediate proximity to the subject property. The Lily Springs subdivision includes a 2.26 acre portion of land zoned commercial. When establishing the initial zoning for a newly annexed property, the City of Seguin considers several factors including the existing land uses in the area, the property owners' input regarding future development, and the surrounding zoning designations.

The property has frontage on State Hwy 46, a TXDOT right-of-way. Development of this property will require access approval from the state agency. The property also fronts Three Oaks Rd. Access approval for Three Oaks Road will be required from the City of Seguin.

Taking into consideration all these factors, staff supports the two zoning designations of Single-family Residential (R-2) and Commercial (C) as requested by the applicant.

Mr. Segovia read a letter received by staff in opposition to the request.

Wayne Flores, KFW Engineers representing the owners asked the Commission for their support and was available to answer questions.

Doug Faseler stated that the proposed subdivision will include 154 residential 60' wide lots which are currently in demand.

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 Designation (ZC 20-20), Chair Gettig moved that the Planning and Zoning Commission recommend approval of the zoning designation to Single Family Residential 2 (R-2) and Commercial (C) for property located at the 3600 Block situated southwest of Hwy 46 and Three Oaks intersection. Vice-Chair Kirchner seconded the motion. The following vote was recorded:

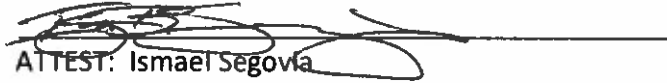
RECOMMENDATION TO APPROVE ZONING DESIGNATION TO SINGLE FAMILY RESIDENTIAL 2 (R-2) AND COMMERCIAL (C)

MOTION PASSED

9-0-0



Francis Serna
Planning Assistant



ATTEST: Ismael Segovia
Assistant Director of Planning & Codes



PLANNING & CODES

ZC 20-20 Staff Report Southwest of Hwy 46 and Three Oaks Intersection (Vol Annexation) Zoning Designation to R-2 & Commercial

REQUEST:

A Zoning Designation request to Single Family Residential (R-2) for a proposed residential subdivision.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	No zoning – not annexed yet	Farm land
N of Property	R-1	Single-family residential
S of Property	A-R	Farm land
E of Property	ETJ – No zoning	Farm land
W of Property	ETJ – No zoning	Single-family residential

Applicant:

Burt Wellmann, PE
KFW Engineers
162 West Mill Street
New Braunfels, TX 78130

Property Owner:

Paula Jones McHale & Lisa Jones
4102 Galicia Drive
Austin, TX 78459

Property Address/Location:

South of Hwy 46 and Three Oaks intersection

Legal Description:

Abs: 20 Sur: A.M. Esnaurizar
45.639 Ac.
Prop Ids 55488

Lot Size/Project Area:

Approx. 50.24 acres

Future Land Use Plan:

Riverside & Town Approach

Notifications:

Mailed: 11-23-2020
Newspaper: 11-23-2020

Comments Received:

One received 12/04/20- opposed.
See attached.

Staff Review:

Ismael B. Segovia
Asst. Director

Attachments:

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

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The 50.24-acre property is located south of Three Oaks Rd. and west of Hwy 46. The property owner is currently requesting voluntary annexation with the first reading occurring at the City Council December 1, 2020 meeting and the second reading on January 5, 2021. The owner is requesting Single-Family Residential 2 (R-2) and Commercial (C) zoning for the property.

Based on the patterns of growth along State Hwy 46 North and properties that are zoned for single-family and commercial, staff is recommending approval of the zoning designations to Single-Family Residential 2 (R-2) and Commercial (C).

Planning Department Recommendation:

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

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION

The 50.24 acres is currently being used for agricultural-ranch uses. The property is currently going through the annexation process at the request of the current property owners.

CODE REQUIREMENTS:

The initial zoning of a property following voluntary annexation is established as Agricultural Ranch unless the property owner or the City makes a specific request. In this case, the current property owner is requesting a zoning designation of Single-Family Residential (R-2) and Commercial (C). The second readings of both the zoning designation and the voluntary annexation will occur at the City Council's January 5, 2021 meeting.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

This is an area of high growth with a number of single-family residential subdivisions. In the area from Hwy 46 along Cordova Rd. to Huber Rd., there are five residential subdivisions either being proposed, in review or in construction with an approximate total of 1,479 residential lots. The main existing land use is agricultural in nature with the Waters Edge Subdivision located to the north; to the east most of these properties are outside the city limits and in the City's ETJ. In June of 2019, the City annexed both Waters Edge and Lily Springs which are single-family residential developments within immediate proximity to the subject property. The Lily Springs subdivision includes a 2.26 acre portion of land zoned commercial. When establishing the initial zoning for a newly annexed property, the City of Seguin considers a number of factors including the existing land uses in the area, the property owners' input regarding future development, and the surrounding zoning designations. Taking into consideration all of these factors, staff supports the two zoning designations of Single-family Residential (R-2) and Commercial (C) as requested by the applicant.

COMPREHENSIVE PLAN:

This property is located at the southwest corner of the State Hwy 46 and Three Oaks Rd. intersection. The existing land use is ag/farmland. The single-family residential lots to the west of the subject property are outside the city limits and within the New Braunfels ETJ. This area has seen recent growth in residential development. Properties that front SH 46, however, commonly reserve a portion of the highway frontage for commercial development. In addition, the parcel located north of this property has also been annexed and has recently been approved for Single-Family Residential (R-1) and Commercial (C).

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

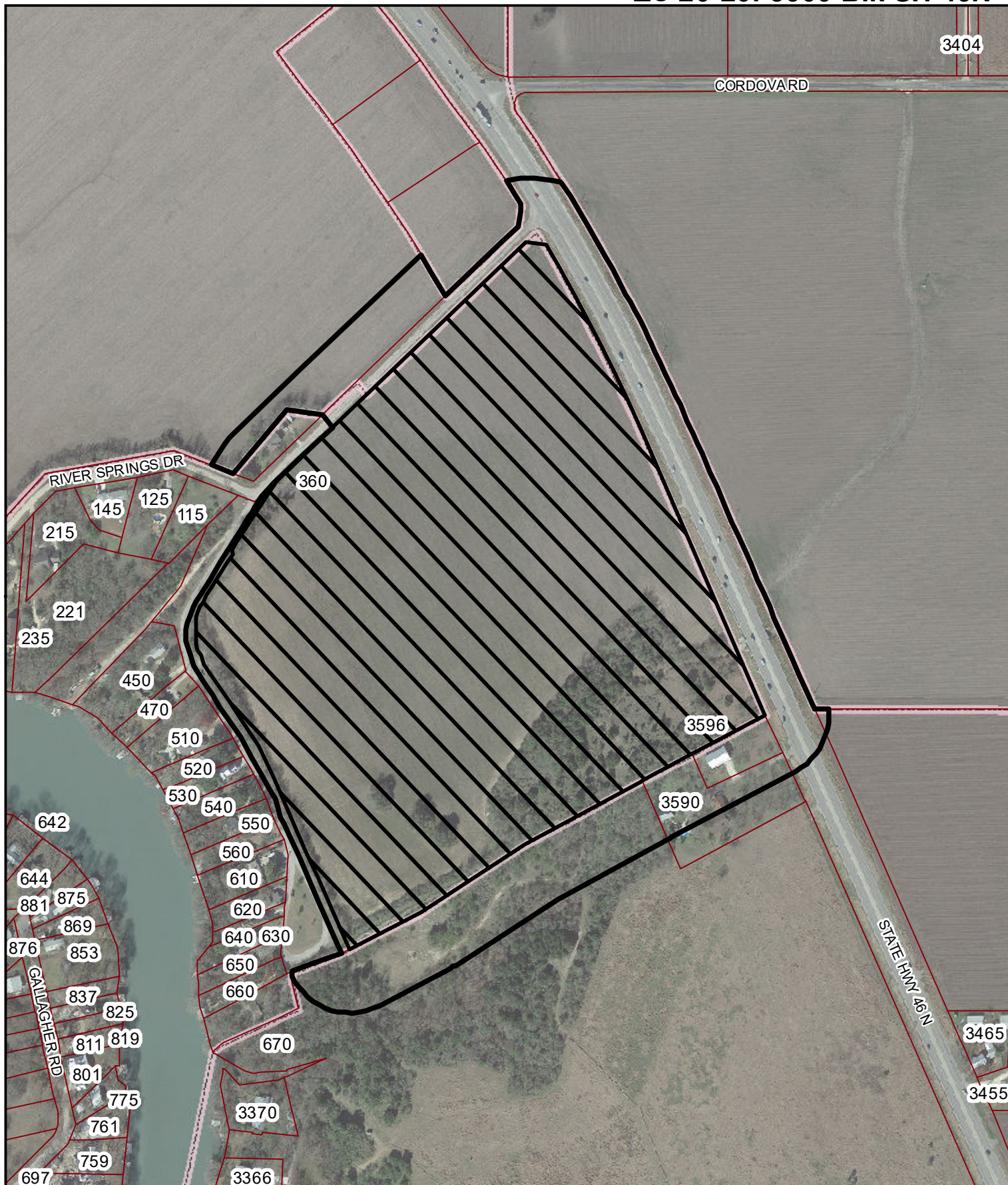
The development of the property will be required to follow the City of Seguin's ordinances, which includes stormwater and drainage standards. The subject parcel is located outside the FEMA floodplain.

TRAFFIC (STREET FRONTAGE & ACCESS):

The property has frontage on State Hwy 46, a TXDOT right-of-way. Development of this property will require access approval from the state agency. The property also fronts Three Oaks Rd. Access approval for Three Oaks Rd will be required from the City of Seguin.

LOCATION MAP

ZC 20-20: 3600 Blk SH 46N



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



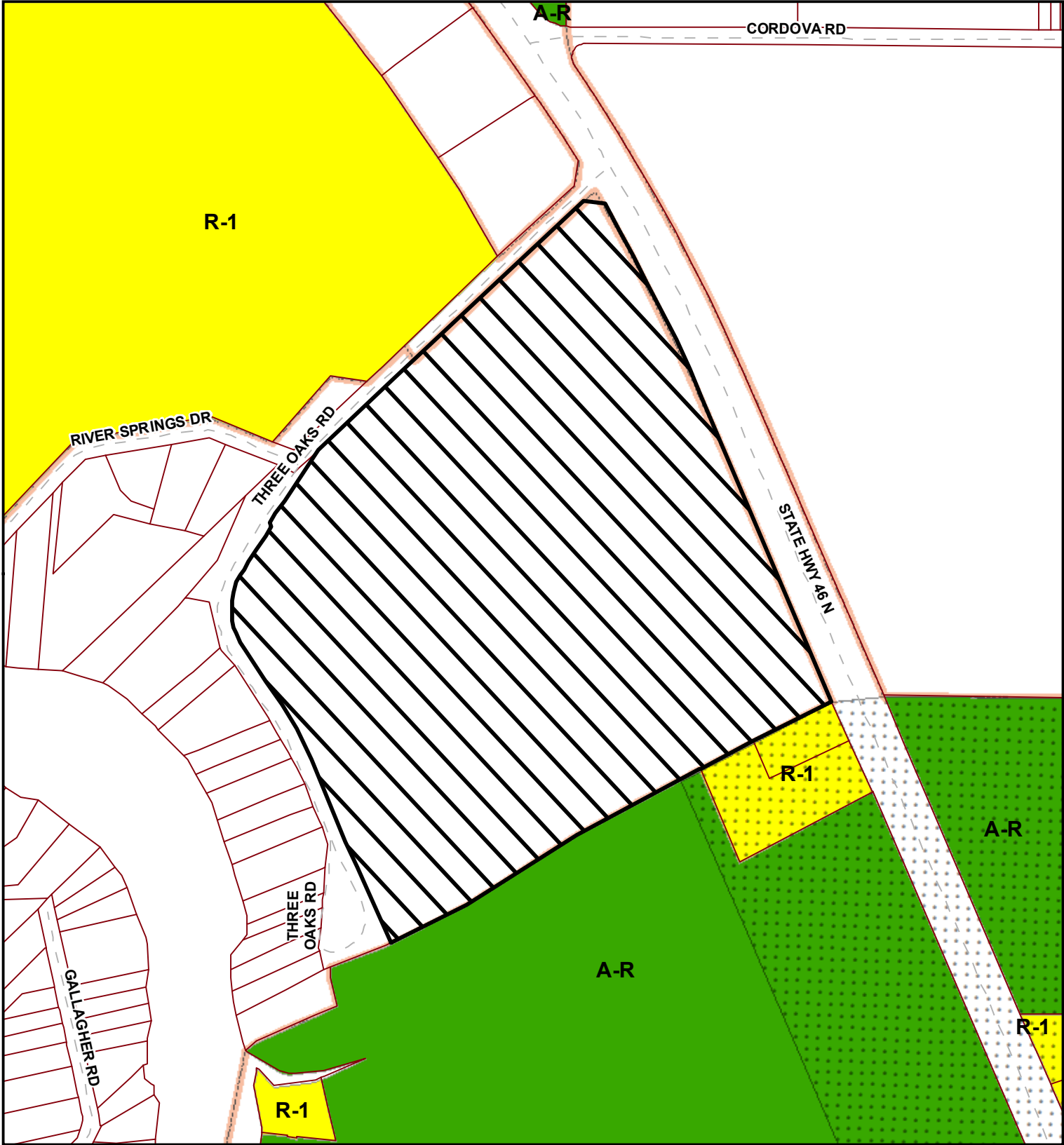
200' Notification Buffer






Lot Lines

1 inch = 400 feet

Printed: 11/10/2020



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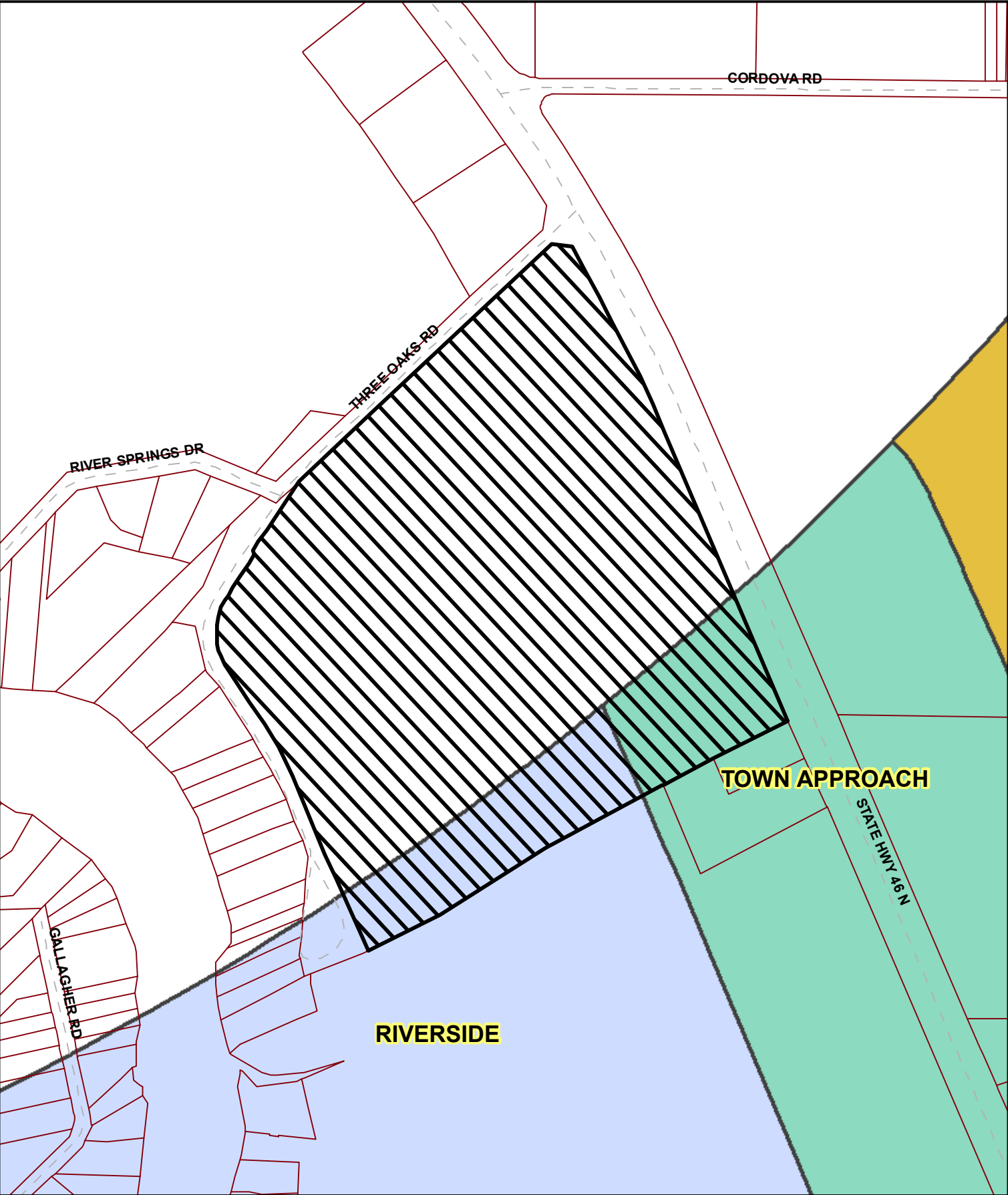


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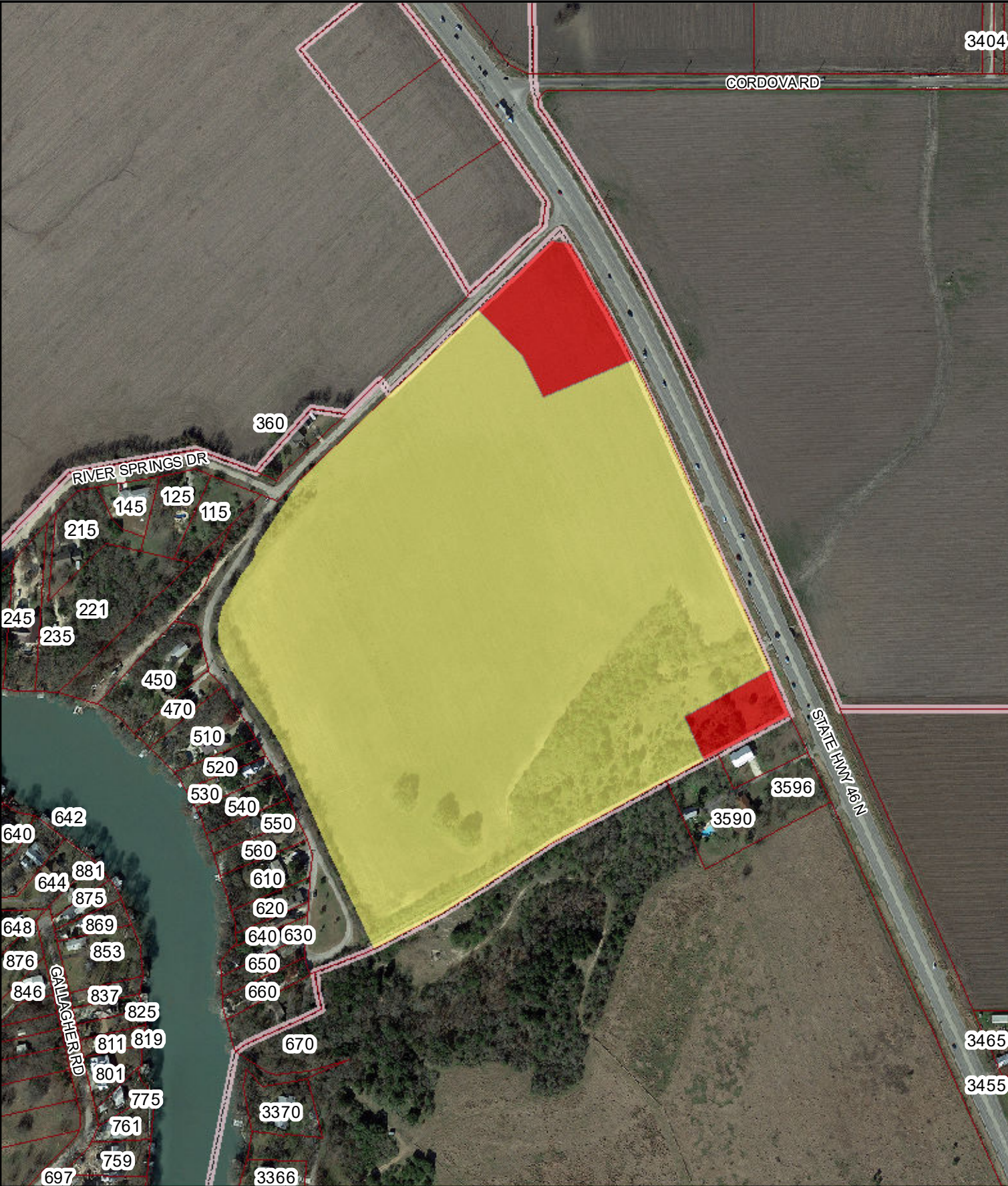
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R-2

Commercial

1 inch = 400 feet
Printed: 11/10/2020

In order to be on record, this form may be filled out and mailed to the Planning and Zoning Department, City of Seguin, P. O. Box 591, Seguin, Texas 78156.

Please be advised that under the Open Records Act, Public Information is Available to All Members of the Public. Section 552.023 of the Government Code provides that a governmental body may not deny access to information to the person, or the person's representative, to whom the information relates. Public information includes correspondence, comments relevant to public issues and other information received from the public regardless of the medium in which it is received, collected or retained.

REPLY

Re: **3600 Block of SH 46 N, Property ID 55488**

(ZC 20-20)

DEC 04 2020

Rec'd 4:45pm

Name: Jane R. Hill

Mailing Address: 3590 N. State Hwy 46, Seguin, Tx

Phone No.: _____

Physical Address of property (if different from the mailing):

same as above

If "In Favor" or "Opposed" please explain why in space allotted below:

In Favor _____

Opposed X

Reasons and/or comments see attached →

Reasons and/or comments for **opposition** to zoning change:

I am opposed to the zoning change.

The property adjoins my north property line. The property described for rezoning change is an "eco sensitive area" and a natural drainage for the cultivated fields upstream.

If subdivided (rezoned) a natural spring, trees, shrubs, grasses, and wildlife will be negatively impacted. The rainwater from the adjoining fields will cause extensive erosion to the property as it travels downstream and empties into the Guadalupe River (Lake McQueeney).

I implore you not to disturb this eco sensitive area, the natural springs, the grassland, and the wildlife and keep the zoning as unimproved natural land.

Guadalupe County Planning and Codes should save this eco sensitive area and not disturb it!

Janet R. Ydell
3590 N. State Hwy 46
Sequin, TX 78555