

## MEMORANDUM

**To:** City of Seguin Mayor and Council Members  
Douglas Faseler, City Manager

**From:** Pamela Centeno, Director of Planning & Codes

**Through:** Rick Cortes, Assistant City Manager

**Subject:** **ZC 12-19 (4000 Block of State Hwy 46 north of Cordova Rd)  
Request to assign a zoning designation of Single Family Residential (R-1),  
Commercial (C), and Agricultural-Ranch (A-R) to the annexed area**

**Date:** June 12, 2019

The City of Seguin recently annexed approximately 104.09 acres of land located on the northeast corner of State Hwy 46 N and Cordova Rd following a request for voluntary annexation. The City of Seguin must now establish zoning designations for the property. A preliminary plat for the property has been approved for a proposed subdivision known as Lily Springs Subdivision for residential and commercial use. When establishing the initial zoning for a newly annexed property staff 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 is proposing three zoning designations: 83.66 acres proposed for single-family residential (R-1); 2.26 acres proposed for commercial (C), and approximately 18.17 acres proposed for agricultural-ranch (A-R). The 18.17 acres at the corner of SH 46 and Cordova Rd is slated for possible development as commercial or multi-family. Since these are two different zoning districts, staff is recommending a zoning of Agricultural-Ranch as the initial zoning until such time that the property owner submits a zoning change request to develop the site.

As noted during the annexation process, the plat was previously submitted to the City of New Braunfels when the property was still in their ETJ and certain development regulations are vested according to the rules in place in New Braunfels when the plat was submitted to them. This includes lot size, which would ordinarily be enforced through zoning. The typical residential lot for this development is 40' wide, which is allowed in the New Braunfels ETJ and is therefore vested. The only zoning district that allows 40' lots in Seguin is the Zero Lot Line district, which is not consistent with the proposed development. The developer is aware that 40' lots will be created as legal nonconforming lots. Per City Code, any structures built on legal nonconforming lots are required to meet the setbacks identified for the designated zoning district.

Following a public hearing, the Commission voted to recommend approval of the zoning change designation proposed by City staff. Attached please find copies of the Staff Report, the Final Report of the Commission, the Ordinance for the zoning change, and the map exhibit showing the affected area.