

## 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 13-19 (3900 Block of State Hwy 46, north of Three Oaks Rd)**  
**Request to assign a zoning designation of Single Family Residential (R-1)**  
**and Commercial (C) to the annexed area**

**Date:** July 30, 2019

The City of Seguin recently annexed approximately 79.427 acres of land located on the northwest corner of State Hwy 46 N and Three Oaks Rd following a request for voluntary annexation. The City of Seguin must now establish zoning designations for the property. 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 Commercial zoning along the SH 46 frontage and Single-Family Residential (R-1) for the remainder of the property.

As noted during the annexation process, a Master Plan 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 plan was submitted to them. This includes lot size, which would ordinarily be enforced through zoning. The typical residential lot on the Master Plan submitted to New Braunfels is 45' wide, which is allowed in the New Braunfels ETJ and is therefore vested. The only zoning district that allows 45' lots in Seguin is the Zero Lot Line district, which is not consistent with the proposed development. The developer is aware that 45' 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.