Legislation Details (With Text)

File #:	24-430	**Name:**	
Type:	Ordinance	**Status:**	Consent Item Ready
File created:	3/21/2024	**In control:**	City Council
On agenda:	4/8/2024	**Final action:**	
Title:	Approval of the second and final reading of an ordinance to zone approximately 59 acres out of the Francisco Rodriguez Survey 99, Abstract 484, to M-1A (Light Industrial District), currently addressed as 5467 FM 482.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. City Maps, 2. District Use Table, 3. TIA Determination Letter & Form, 4. Subject Property Photos, 5. Notification Map, List, & Responses, 6. PC Draft Minutes, 7. Draft Ordinance		

Date	Ver.	Action By	Action	Result
4/8/2024	1	City Council	approved	Pass

PRESENTER:
Christopher J. Looney, AICP Planning and Development Services Director
SUBJECT:
Approval of the second and final reading of an ordinance to zone approximately 59 acres out of the Francisco Rodriguez Survey 99, Abstract 484, to M-1A (Light Industrial District), currently addressed as 5467 FM 482.
DEPARTMENT: Planning and Development Services
COUNCIL DISTRICTS IMPACTED: N/A

BACKGROUND INFORMATION:

Case No:	PZ24-0003
Applicant:	HMT Engineering 290 S Castell Ave Ste 100 New Braunfels, TX 78130 (830) 625-8555 | plats@hmtnb.com
Owner:	New Braunfels Utilities 355 FM 306 New Braunfels, TX 78130 (830) 608-8909 | jtschoepe@nbutexas.com
Staff Contact:	Amanda Mushinski (830) 221-4056 | amushinski@newbraunfels.gov

The City Council held a public hearing on March 25, 2024, and unanimously approved the first reading of the applicant's requested zoning ordinance (7-0-0).

The subject property comprises 58.515 acres on the southeast side of FM 482, approximately 130 feet southwest of Solms Park, and shares a property line with the Magnolia Springs neighborhood to the southwest. It is linked to PZ24-0002 and has the same address, owner, and applicant. However, PZ24-0003 is presently

situated outside the city limits (ETJ) and is currently pending voluntary annexation. As a result, these cases are being treated separately.

Surrounding Zoning and Land Use:

North	Across FM 482: ETJ	Outside City Limits, Vacant Land
South	APD, C-1B SUP	Vacant Land, Snake Farm
East	Magnolia Springs PDD	Residential Neighborhood
West	ETJ	Outside City Limits, Vacant Land

ISSUE:
The applicant's proposed M-1A zoning district would allow for the intended development of the subject property with a new headquarters facility for New Braunfels Utilities (NBU). The zoning request, contingent upon annexation, seeks M-1A (Light Industrial District) to allow for an office building, maintenance building, materials yard, and training area among other facility features.

This consideration emphasizes coordinating the zoning with annexation for a straightforward development plan. M-1A would be consistent with the following actions from Envision New Braunfels:

- **Action 1.3:** Encourage balanced and fiscally responsible land use patterns.
- **Action 1.8:** Concentrate future investment in industrial and employment centers near existing and emerging hubs, such as the airport; and along existing high-capacity transportation networks, such as Interstate Highway 35.
- **Action 3.1:** Plan for healthy jobs/housing balance.

Future Land Use Plan: The subject property is located within the Oak Creek Sub Area, along a Transitional Mixed Used Corridor, near existing Tourist, Civic, Education, and Employment Centers, and near proposed Market, Civic, and Employment Centers.

FISCAL IMPACT:
N/A
RECOMMENDATION:
The proposed M-1A zoning, suited for light industrial activities, aligns with the property's location along the Transitional Mixed-Use Corridor. The surrounding zoning, including Magnolia Springs PDD, C-1B, and proposed M-1A, supports a balanced development. The property's proximity to existing and proposed centers further supports the zoning request. In summary, M-1A would match the property and surrounding context.

The Planning Commission held a public hearing on February 6, 2024, and unanimously recommended approval (7-0-0)

Mailed notification as required by state statute:
Public hearing notices were sent to owners of 42 properties within the city limits and 5 properties outside of the city limits, that are within 200 feet of the request. As of the agenda posting date, the city has received responses representing 2% in opposition.

Resource Links:

- Chapter 144, Sec. 2.1-4 (Zoning upon annexation) of the City's Code of Ordinances: <https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

- Chapter 144, Sec. 3.4-18 (M-1A) of the City's Code of Ordinances:

<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?