

The applicant is requesting to rezone the subject property to “MU-B” High Intensity Mixed Use District to allow for a flexible variety of options to facilitate re-development. While “MU-B” allows a mix of uses (see Attachment 5 for uses allowed by right), mixed-use is not required.

The “MU-B” district is intended to provide a mix of residential, retail, office and industrial uses in close proximity to one another to create opportunities for people to live, work and shop in a single location. The concept works best on larger tracts that can integrate the various uses in a cohesive, large-scale, walkable development. Adjacent properties with agricultural and low intensity uses along F.M. 1044, a Minor Arterial, have the potential to support a mixed-use area in the future.

Surrounding Zoning and Land Use:

- North - APD/ Mobile-home residences (non-conforming)
- South - APD/ Agricultural with mobile-home residences (non-conforming); Single-family residences
- East - Across FM 1044, APD/ Undeveloped
- West - APD/ Agricultural with mobile-home residences (non-conforming)

Floodplain:

No portion of the property is within the 1% annual chance flood zone.

Regional Transportation Plan:

F.M. 1044 is identified as a 120-foot wide Minor Arterial. The current right-of-way width at this location is approximately 80 feet.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Action 1.3: Encourage balanced and fiscally responsible land use patterns. Action 1.6: Incentivize infill development and redevelopment to take advantage of existing infrastructure. Action 3.3: Balance commercial centers with stable neighborhoods.
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FISCAL IMPACT:

N/A

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole (*Setbacks and buffers will facilitate compatibility with the adjacent residential use. Given the size and location of the property, it is unlikely to be used for the more intense MU-B uses such as fairgrounds, truck terminal with outside freight storage, or heliport.*);
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*The proposed zoning should not conflict with existing and proposed schools, streets, or utilities.*);
- How other areas designated for similar development will be affected (*The proposed zoning should not impact other areas designated for similar development.*);
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*There should be no other factors that will substantially affect the public health, safety,*

morals, or general welfare.); and

- Whether the request is consistent with the Comprehensive Plan (*The subject property lies within the Walnut Springs Sub Area, and along a Transitional Mixed-Use Corridor.*)

COMMITTEE RECOMMENDATION:

The Planning Commission held a public hearing on August 6, 2019 and recommended approval of the applicant's request (6-2-0) with Commissioners Meyer and Tubb in objection, and with Chair Edwards absent.

STAFF RECOMMENDATION:

The requested zoning is consistent with the Transitional Mixed-Use Corridor designation, and buffer requirements should mitigate any potential impact on adjacent residential use. Therefore, staff recommends approval.

Notification:

Public hearing notices were sent to 5 owners of property within 200 feet. The City has received two responses in objection (#1 & 4). **More than 20% of the property within 200 feet is represented by opposition, therefore, pursuant to state statute, a supermajority vote of City Council is required to approve the applicant's request.**

Attachments:

1. Aerial Map
2. Applicant request statement
3. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan)
4. Notification List, Map and Responses
5. Sec. 3.4-11 MU-B
6. Photograph
7. Draft Planning Commission Meeting Minutes
8. Ordinance