

## Legislation Text

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File #: 19-707, Version: 1

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## Presenter

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**SUBJECT:**

Public hearing and first reading of an ordinance regarding the proposed rezoning of 7.2 acres addressed at 144 Rueckle Road, from "C-1B" General Business District to "M-2A" Heavy Industrial District.

**BACKGROUND / RATIONALE:**

**Case No.:** PZ19-0229

**Council District:** 1

**Applicant:** HMT Engineering & Surveying  
290 S. Castell Ave., Suite 100  
New Braunfels, Texas 78130  
(830) 625-8555  
plats@hmtnb.com

**Property Owner:** Char Mar Limited Partnership  
Maurice Fischer  
P.O. Box 310339  
New Braunfels, TX 78131  
(830) 625-4214

**Staff Contact:** Matthew Simmont  
(830) 221-4058  
msimmont@nbtexas.org

The approximately 7-acre subject property is located on the west side of Rueckle Road, approximately 1,000 feet southeast of its intersection with IH 35, across the street from Hill Country RV Resort. The property is currently developed with a single-family residence, barn and a truck parking/outdoor storage area.

The subject property is the northern portion of a 15-acre parcel, with the balance of the property currently zoned "M-2A" Heavy Industrial District. The applicant is requesting this rezoning to facilitate new development and to provide consistent zoning on the parcel.

***Surrounding Zoning and Land Use:***

North - C-1B and APD/ Single-family residence and World Car automobile sales

South - M-2A/ Single-family residence and undeveloped

East - Across Rueckle Road, C-3/ Hill Country RV Resort

West - M-2A/ Undeveloped

*Regional Transportation Plan:*

Rueckle Road is identified as a 200-foot wide Parkway. The current right-of-way width at this location is approximately 80 feet.

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

<p><b>City Plan/Council Priority:</b> Envision New Braunfels Comprehensive Plan</p>	<p><b>Action 1.3:</b> Encourage balanced and fiscally responsible land use patterns. <b>Action 1.6:</b> Incentivize infill development and redevelopment to take advantage of existing infrastructure. <b>Action 1.8:</b> 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 IH-35.</p>
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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 (*While some of the permitted uses in M-2A may not be compatible with adjacent residential uses, setbacks and buffers will be required where adjacent to residences.*);
- 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 in the area.*);
- How other areas designated for similar development will be affected (*The proposed zoning should complement 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, an Employment Center, and near a Transitional Mixed-Use Corridor (IH 35).*)

**COMMITTEE RECOMMENDATION:**

The Planning Commission held a public hearing on September 4, 2019 and recommended approval of the applicant’s request (9-0-0)

**STAFF RECOMMENDATION:**

The requested zoning is consistent with Actions in Envision New Braunfels, and buffer requirements should mitigate potential impacts on adjacent residential use. Therefore, staff recommends approval of the applicant’s request.

**Notification:**

Public hearing notices were sent to 12 owners of property within 200 feet. The City has received one response in objection (#4).

**Attachments:**

1. Aerial Map
2. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan)
3. Notification Map and Responses
4. Sec. 3.4-19 M-2A
5. Photograph
6. Draft Planning Commission Meeting Minutes
7. Ordinance