Legislation Text

File #: 24-439, **Version:** 1

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Approval of the second and final reading of an ordinance to rezone 18.1 acres out of the John Noyes Survey 259, Abstract 430, from APD (Agricultural/Pre-Development District) to M-1A (Light Industrial District), currently addressed as 5467 FM 482.

DEPARTMENT: Planning and Development Services

COUNCIL DISTRICTS IMPACTED: 1

BACKGROUND INFORMATION:

Case No: PZ24-0002

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 rezoning ordinance (7-0-0).

The subject 18.1-acre tract is located on the northwest side of the IH 35 South Access Road, approximately 200 feet northeast of the intersection of the access road and Marigold Way. It shares a property line with the Magnolia Springs neighborhood to the southwest.

The subject property is linked to PZ24-0003 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 treated separately. The applicant is requesting a change in zoning from APD (Agricultural/Pre-Development District) to M-1A (Light Industrial District).

Surrounding Zoning and Land Use:

North	Magnolia Springs PDD & ETJ (pending annexation)	Single-family residences and outside city limits
South	Across IH 35: M-1, M-1A & APD	Single-Family Residences and Multifamily
East	C-1B	Automotive Companies and Snake Farm
West	Magnolia Springs PDD	Single-family Neighborhood

ISSUE:

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 (IH 35), 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 (assembling, fabrication, distribution, warehousing, research and development, wholesaling, and service), aligns with the property's location along IH-35. The surrounding zoning, including Magnolia Springs PDD, M-1, and M-1A, supports a balanced development pattern. The property's proximity to existing and proposed centers further supports the zoning change. 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 26 properties 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. 3.4-1 (APD) 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?