

Legislation Details (With Text)

File #:	17-346	Name:	
Type:	Ordinance	Status:	Passed
File created:	5/15/2017	In control:	City Council
On agenda:	6/12/2017	Final action:	6/12/2017
Title:	Discuss and consider the second and final reading of an ordinance regarding a proposed amendment to the "Reserve at Mockingbird Heights 2" Planned Development District (RMH2PD) Concept Plan on approximately 16.085 acres out of the A-608 J Thompson Survey 21, addressed at 1964 Lou Ann Drive.		

Sponsors:**Indexes:****Code sections:****Attachments:** 1. Aerial, 2. Application, 3. Current/Proposed Plans, 4. Land Use Maps, 5. Notification, 6. Planning Commisison Minutes, 7. Ordinance

Date	Ver.	Action By	Action	Result
6/12/2017	1	City Council	approved	Pass

Presenter

*Christopher J. Looney, Planning and Community Development Director
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SUBJECT:

Discuss and consider the second and final reading of an ordinance regarding a proposed amendment to the "Reserve at Mockingbird Heights 2" Planned Development District (RMH2PD) Concept Plan on approximately 16.085 acres out of the A-608 J Thompson Survey 21, addressed at 1964 Lou Ann Drive.

BACKGROUND / RATIONALE:**Case No.:** PZ-17-017**Council District:** 1

Applicant: Scanio Development (Jack Scanio)
660 Lakefront Avenue
New Braunfels, TX 78130
(210) 496-7775 Jscanio@dirdealers.com

Owner: R & V Perry Second Family Ltd.
624 S. Seguin Avenue, Suite A
New Braunfels, TX 78130
(830) 624-5272 perrychiro2k@yahoo.com

Staff Contact: Holly Mullins, Sr. Planner
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hmullins@nbtexas.org

City Council held a public hearing on May 22, 2017 and approved the first reading of the ordinance without the pedestrian connection condition recommended by the Planning Commission (6-1).

The subject property consists of approximately 16 acres of unplatted land, located west of FM 1044. The property is adjacent to Crown Ridge Subdivision to the east and the undeveloped Reserve at Mockingbird Heights Subdivision to the north.

The RMH2PD (Planned Development) zoning district was approved by City Council in December, 2016. The applicant is proposing a change to the internal street layout for the subdivision. Because the street layout is approved as part of the PD, the amended concept plan must be submitted to the Planning Commission and City Council for approval.

The current and amended street layouts are illustrated in Attachment 3. No changes to the number of residential lots or the approved Development Standards for RMH2PD are proposed. The applicant states the revised layout better accommodates the home builder's plan.

A PD concept plan establishes general guidelines for the Planned Development and will be followed by a detail plan. The Planning Commission has final approval authority of detail plans.

General Information:

Size: Approximately 16 acres

Surrounding Zoning and Land Use:

North -	R-1/ Undeveloped; approved plat for 25 residential lots
South -	APD/ Single-family residences
East -	R-1A-6.6 / Single-family residences
West -	Highland Grove PD/ Single-family residences

Comprehensive Plan/ Future Land Use Designation:

Low Density Residential

Floodplain:

No portion of the property is within the 1% annual chance flood zone (100-year floodplain).

Regional Transportation Plan:

The property has frontage on Lou Ann Drive. However, only the two larger acreage lots will have access to Lou Ann Drive. The rest of the property will be accessed from the future extension of Street "A" in the adjacent, yet to be built, Reserve at Mockingbird Heights Subdivision. A 20-foot wide emergency access drive from Lou Ann is provided to meet the secondary access requirement for subdivisions with more than 30 dwelling units. The access drive is proposed for emergency use only and will be gated where it meets the internal street. An emergency access lock (Knox box or similar) will be installed as approved by the Fire Department and Public Works Department.

The approved PD contains a looped street. The City's Solid Waste Division of the Public Works Department notes that the proposed new street configuration with cul-de-sacs will be more efficient, as City crews can access all homes with one trip through the subdivision rather than two on the

looped street. New Braunfels ISD has advised they will not be able to provide bus service into the subdivision. This determination is not due to the revised street layout, but is based on the 30-foot pavement width of typical residential streets with parking allowed on both sides, and has been applied to other subdivisions in the area. The NBISD transportation director reported buses do service Lou Ann Drive, and there are existing bus stops along FM 1044.

Improvement(s):

No existing improvements

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

Yes	City Plan/Council Priority: 2006 Comprehensive Plan <i>Pros and Cons Based on Policies Plan</i>	Pros: Object 1A: Evaluate proposed zone changes to maintain land use compatibility, as well as the integration of mixed land uses as a component of achieving better places to live. The RMH2PD has single-family residential base zoning, consistent with the Future Land Use Plan designation of "Low Density Residential" and compatible with surrounding land uses. The proposed amendment to street layout complies with the City's Platting Ordinance requirements for street design.
		Cons: None

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 (*The proposed amendment does not increase residential density or change any of the permitted uses or access points approved with the RMH2PD zoning.*);
- 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 amendment should not negatively impact public infrastructure. NBISD was notified and provided the aforementioned comments regarding bus service.*);
- How other areas designated for similar development will be affected (*There should be no negative impact on other areas designated for similar development.*);
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*Drainage and utility issues will be addressed through the platting process.*); and
- Whether the request is consistent with the Comprehensive Plan (*The proposed amendment remains consistent with the Future Land Use Plan designation of Low Density Residential.*)

COMMITTEE RECOMMENDATION:

The Planning Commission held a public hearing on May 2, 2017, and recommended approval of the requested rezoning, with a condition that pedestrian access be provided to Lou Ann Drive so children may catch the bus there rather than on FM 1044.

STAFF RECOMMENDATION:

The street configuration proposed with the concept plan amendment meets City standards for street width, cul-de-sac radius and block length, and is acceptable to the City Engineering and Solid Waste Divisions, and staff recommends approval of the requested rezoning.

Notification:

Public hearing notices were sent to 33 owners of property within 200 feet of the request. As of the date of this report preparation, the Planning Division received no responses in favor and five in objection (#10, 14, 15, 19, 22) representing 27% of the notification area.

Attachments:

1. Aerial Map
2. Application
3. Approved Concept Plan and Proposed Amendment
4. Land Use Maps
5. Notification Map and Responses
6. Planning Commission Minutes
7. Ordinance