

## Legislation Details (With Text)

**File #:** 20-266 **Name:**

**Type:** Plat **Status:** Individual Item Ready

**File created:** 3/26/2020 **In control:** Planning Commission

**On agenda:** 4/7/2020 **Final action:**

**Title:** Consideration of a waiver to Section 118-44 of the Subdivision Platting Ordinance to allow block length to exceed 1,200 feet in the proposed Lark Canyon Subdivision.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Aerial Map, 2. Block Length Exhibit, 3. Letter of Justification, 4. Area Contours

Date	Ver.	Action By	Action	Result
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## Contact

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**SUBJECT:**

Consideration of a waiver to Section 118-44 of the Subdivision Platting Ordinance to allow block length to exceed 1,200 feet in the proposed Lark Canyon Subdivision.

**Plat Information:****Engineer/****Applicant:**

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**Description:** Proposed mixed-use subdivision consisting of 254 single-family lots; 100 multifamily units; and commercial use on 72.48 acres

**Background:**

The proposed Lark Canyon Subdivision is located between Loop 337 and Westpointe Drive, near the Westpointe development, and within the Edwards Aquifer Recharge Zone. The majority of the property is currently outside the city limits, but completely surrounded by the City of New Braunfels. The property owner has not requested to be annexed. The applicant is requesting consideration of this block length waiver request prior to submittal of any subdivision applications as it has a direct bearing on the design and layout of the subdivision.

A block is “a unit of land bounded by streets, other transportation or utility rights-of-way, parks, streams, waterways, or any other barrier to the continuity of development.” The length of a block is measured along the axis of the block. The proposed layout of blocks has resulted in two blocks exceeding the maximum block length of 1,200 feet.

The southwestern portion of the subject property is traversed by a large canyon with an elevation change of approximately 110 feet across most of the property. The applicant is proposing to develop around the canyon, preserving the steepest areas as a common area lot for drainage and open space (see attached).

This natural barrier, combined with existing development on the north and south sides of the property that did not provide for street connections to the subject property, has resulted in the three proposed blocks that exceed the maximum 1,200 feet in length. Block “A” on the attached is 1,800 feet long, and Block “B” is approximately 2,400 feet, and Block “C” is 1,850 feet.

The applicant states the intent of the proposed block layout is to minimize changes to the natural drainage and topography of the area where possible and to mitigate the impact in these environmentally sensitive areas. The waiver criteria are provided below in Commission Findings.

#### **Transportation:**

##### **Regional Transportation Plan:**

Loop 337 is indicated on the Regional Transportation Plan as an Expressway, 200 to 300 feet in width. A street connection to Loop 337 would resolve the Block C length issue; however, a driveway for the retail development immediately north of this project prevents TxDOT approval of another access point due to the design of Loop 337 improvements in the area.

##### **Street Projections:**

The Subdivision Platting Ordinance requires projection of streets into adjacent, unsubdivided land for future connection. Only the land to the west of Lark Canyon is unsubdivided and a street projection is shown on that side. The property is owned by NBU. A street projection is indicated into Mission Hill Apartments on the north, although it is unlikely that connection will be made as the apartments are already developed. Another projection is proposed to the south to an undeveloped tract in the Estates at Stone Crossing. The developer is working with Estates at Stone Crossing to determine if a connection is feasible. The need for temporary turnarounds on these street stubs will be reviewed with the plat.

#### **Commission Findings:**

The Planning Commission shall not approve a waiver unless it makes findings based upon the evidence presented to it in each specific case that:

1. Granting the waiver will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver will not prevent the orderly subdivision of other property in the vicinity;
2. Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; or an alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein; and
3. The waiver will not in any manner vary the provisions of the Zoning Ordinance or other ordinance(s) of the City.

#### **Staff Recommendation:**

Staff acknowledges the development challenges created by the canyon and the surrounding development pattern make connectivity difficult in this environmentally sensitive area over the recharge zone, and recommends approval of the requested block length waiver. Requirements for secondary access to all areas of the proposed development still apply and will be reviewed with the master plan and final plats.

Approval of the waiver, or a redesign to address block length, is required before the necessary Letters of Certification may be issued and the proposed master plan can be submitted for review and approval.

#### **Attachments:**

1. Aerial Map
2. Block Length Exhibit

3. Letter of Justification
4. Area Contours