

## Legislation Details (With Text)

<b>File #:</b>	21-285	<b>Name:</b>	
<b>Type:</b>	Recommendation	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	3/17/2021	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	4/6/2021	<b>Final action:</b>	
<b>Title:</b>	PZ21-0083 Public hearing and recommendation to City Council regarding the proposed rezoning of approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway from "M-2" Heavy Industrial District to "MU-A" Low Intensity Mixed Use District.		

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. PZ21-0083\_Aerial, 2. Land Use Maps (Zoning, Existing and Future Land Use), 3. TIA Worksheet, 4. M-2 District and MU-A District Comparison Table, 5. Notification List and Map

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**PRESENTER:**

Applicant: HMT Engineering & Surveying (Bill Ball, P.E.)

Owner: Robert Culpepper

**SUBJECT:**

PZ21-0083 Public hearing and recommendation to City Council regarding the proposed rezoning of approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway from "M-2" Heavy Industrial District to "MU-A" Low Intensity Mixed Use District.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** Council District 5

**BACKGROUND INFORMATION:**

Applicant: HMT Engineering & Surveying (Bill Ball, P.E.)  
290 S. Castell Ave., Ste. 100  
New Braunfels, TX 78130  
(830) 625-8555      plats@hmtnb.com

Owner: Robert Culpepper  
948 Broadway St.  
New Braunfels, TX 78130  
(830) 743-3058      culpepperplumbing@satx.rr.com

Staff Contact: Matt Greene

(830) 22-4053

mgreene@nbtexas.org

The subject property is located on the south side of Broadway between Rusk St. and Flushing. The property fronts Broadway, a 60-foot wide Collector, and abuts a 115-foot wide City Drainage Right-of-Way to the rear of the property, just north of the Union Pacific Railroad track. The 2.3-acre property is currently developed with a single-family home constructed in 1920 and two accessory buildings.

The owner would like to subdivide the property and keep the ability to utilize the property for residential use and is requesting a zoning change to "MU-A" Low Intensity Mixed Use District, which allows a mixture of residential and commercial uses. The MU-A District does not include the more intense manufacturing and industrial uses permitted in the current M-2 District and is intended to provide for a mixture of retail, office, and residential uses in close proximity to enable people to live, work and shop in a close location.

**Surrounding Zoning and Land Use:**

North - Across Broadway, R-3 / Single-family residences and agricultural use

South - M-2 / City Drainage Right-of-way and Union Pacific Railroad track

East - M-2 / Single-family residence

West - M-2 Single-family residence

**ISSUE:**

The proposed rezoning to "MU-A" Low Intensity Mixed Use District is consistent with the following actions from the Envision New Braunfels Comprehensive Plan:

Action 1.3: Encourage balanced and fiscally responsible land use patterns.

Action 3.2: Plan for healthy jobs/housing balance.

Action 3.3: Balance commercial centers with stable neighborhoods.

The property lies within the New Braunfels Sub Area near existing Employment, Market, Civic, Outdoor Recreation and Tourist/Entertainment Centers, and near a future Employment Center.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Approval. This area is transitioning from heavy industrial to less intense mixed use. MU-A would be consistent with the mix of commercial and residential uses in the vicinity as well as planned development nearby.

**Notification:**

Public hearing notices were sent to 11 owners of property within 200 feet. No responses have been received at this time.

**Resource Links:**

Chapter 144-3.3-12 "M-2" Heavy Industrial District, of the City's Code of Ordinances:

[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.3ZODIREPRZOPRJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIIZODI_S144-3.3ZODIREPRZOPRJU221987)

Chapter 144, Sec. 3.4-10 "MU-A" Low Intensity Mixed Use District:

[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.4ZODIREPRZOSUJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987)

Attachments:

1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. TIA Worksheet
4. M-2 District and MU-A District Comparison Table
5. Notification List and Map