

Legislation Details (With Text)

File #:	21-640	Name:	
Type:	Recommendation	Status:	Individual Item Ready
File created:	6/23/2021	In control:	Planning Commission
On agenda:	7/6/2021	Final action:	
Title:	PZ21-0198 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 2.0 acres out of the Orilla Russell Survey No. 2, A-485 addressed at 696 Orion Drive, from "APD AH" Agricultural/Pre-Development Airport Hazard Overlay District to "ZH-A AH" Zero Lot Line Home Airport Hazard Overlay District.		

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

Attachments: 1. Aerial, 2. Land Use Maps, 3. District Comparison Chart, 4. TIA Worksheet, 5. Notification List, Map and Responses

Date	Ver.	Action By	Action	Result
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PRESENTER:

Applicant: James Ingalls, P.E., Ink Civil

Owner: Rexford & Sally Michie

SUBJECT:

PZ21-0198 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 2.0 acres out of the Orilla Russell Survey No. 2, A-485 addressed at 696 Orion Drive, from "APD AH" Agricultural/Pre-Development Airport Hazard Overlay District to "ZH-A AH" Zero Lot Line Home Airport Hazard Overlay District.

DEPARTMENT: Planning and Development Services

COUNCIL DISTRICTS IMPACTED: 4

BACKGROUND INFORMATION:

Applicant: Ink Civil (James Ingalls, P.E.)
2021 SH 46W, Ste. 105
New Braunfels, TX 78132
(830) 358-7127 jamesingalls@ink-civil.com

Owner: Rexford & Sally Michie
696 Orion Drive
New Braunfels, TX 78130
(830) 730-6427 wrecksmick@outlook.com

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

The 2-acre tract is located approximately 920 feet north of the intersection of Goodwin Lane and Orion Drive. The subject property is developed with a single-family residence.

The applicant is requesting a change of the base zoning district from “APD” Agricultural/Pre-Development to “ZH-A” Zero Lot Line Home District. A district comparison chart (attached) shows the proposed zoning will allow for the development of a residential subdivision.

Surrounding Zoning and Land Use:

North - ZH-A / Undeveloped
South - ZH-A / Undeveloped
East - ZH-A / Undeveloped
West - Across Orion Drive, R-1A-6.6 / Single family residence

ISSUE:

The current APD zoning district is intended for newly annexed areas, agricultural, farm and ranch uses and for areas where development is premature because a lack of utilities, capacity, or service, or where ultimate use has not been determined.

The proposed ZH-A district is intended for development of detached single-family residences on minimum 4,000 square-foot lots. Homes may be constructed with typical 5-foot wide setbacks, or located closer to one side property line to maximize the usable yard on the other side (garden/patio homes).

This property is located within the Transition Zone and the Horizontal Zone of the Airport Hazard Overlay for building height. The ZH-A zoning district allows a maximum building height of 35 feet, which is not further restricted by the Airport Overlay Zones.

The proposed rezoning is consistent with the following actions from Envision New Braunfels and the Workforce Housing Study:

- *Action 1.3:* Encourage balanced and fiscally responsible land use patterns.
- *Action 3.13:* Cultivate an environment where a healthy mix of different housing products at a range of sizes, affordability, densities, amenities and price points can be provided across the community as well as within individual developments.
- *Workforce Housing Study Recommendation:* Ensure through city zoning and other required legal entitlements related to housing construction that new types of housing products (small lot, duplex, townhome, etc.) are allowed by regulations.

The property is situated in the Oak Creek Sub-Area, in close proximity to Employment, Market and Education Centers.

The permitted uses within the proposed zoning district create opportunities for encouraged housing variety and density which is generally compatible with the expanding neighborhood of residential use.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Approval. The applicants’ proposal to create a single-family residential development is consistent with ongoing development in the area and is supported by the Envision New Braunfels Comprehensive Plan and Workforce Housing Study.

Notification:

Public hearing notices were sent to owners of 5 properties within 200 feet of the request. No responses have

been received at this time.

Resource Links:

Chapter 144, Section 3.4-1. (APD) of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987

- Chapter 144, Section 3.4-9. (ZH-A) of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987

Attachments:

1. Aerial Map
2. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan)
3. District Comparison Chart
4. Traffic Impact Analysis (TIA) Worksheet
5. Notification List, Map and Responses