

Legislation Details (With Text)

File #: 21-890 **Name:**
Type: Plat **Status:** Consent Item Ready
File created: 8/27/2021 **In control:** Planning Commission
On agenda: 9/8/2021 **Final action:**
Title: WVR21-302 Discuss and consider a waiver request from Section 118-44(b) to allow block length to exceed 1,200 feet in the proposed Kohlenberg Subdivision.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Aerial, 2. Applicant's Justification Letter, 3. Block Length Exhibit, 4. Proposed Master Plan

Date	Ver.	Action By	Action	Result
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PRESENTER:

Applicant: Heartwood Development II, LLC (Paul Powell or Bryan Sims)

Owner: HKEK LLC (Kenneth Kohlenberg)

SUBJECT:

WVR21-302 Discuss and consider a waiver request from Section 118-44(b) to allow block length to exceed 1,200 feet in the proposed Kohlenberg Subdivision.

DEPARTMENT: Planning and Development Services

COUNCIL DISTRICTS IMPACTED: Outside City Limits

BACKGROUND INFORMATION:

Applicant: Heartwood Development II, LLC (Paul Powell or Bryan Sims)
45 NE Loop 410, Suite 225
San Antonio, TX, 78216
(512) 294-4146 paul@hdc-group.com

Owner: HKEK LLC (Kenneth Kohlenberg)
1492 S. State Hwy 46
New Braunfels, TX 78130
(830) 620-8944

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

The subject property consists of approximately 181 acres located at the southwest corner of the intersection of SH 46 and Weltner Road. The applicant is intending to subdivide the property into 550 residential and 2 non-residential lots.

Block Length:

The applicant is requesting a waiver from the maximum block length required for a northern portion of

the tract within the proposed 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 for this subdivision has resulted in one block exceeding the maximum block length of 1,200 feet. The block is bound by Streets “A”, “Q” and “T” and the unsubdivided Porter tract. The axis of the block runs between Streets “Q” and “T”.

The subject proposed block length is approximately 1,239 feet, exceeding the maximum block length by approximately 40 feet. The applicant states, “In addition to the frontage that the Porter tract has onto SH 46, we are providing four stubs to the tract. They also have frontage along Camp Willow Road along their entire north boundary. For these reasons, the Porter tract will have an abundance of ways to provide connectivity to their tract for future development.”

ISSUE:

Waiver criteria are provided below in Commission Findings.

Commission Findings:

The adopted Subdivision Platting Ordinance indicates the Planning Commission shall not approve/recommend approval of 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.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff does not support the block length waiver as requested since the overage is only 39 feet.

- Compliance with block length standards is important to provide for adequate access and connectivity with the continuation of development surrounding the city.
- Minimum requirements for subdivision layout and design ensure the progression of development happens in a predictable manner, allowing adjacent properties to continue the pattern. Adjusting the proposed street projections to the Porter tract so blocks not exceeding 1,200 feet has not been demonstrated as unachievable. The block between Street “Q” and SH 46 could be lengthened and bring the subject block into compliance.
- The long-term improvement of SH 46 as a Principal Arterial (up to 120 feet wide), will likely limit turning movements to and from adjacent properties. It will be critical to maximize internal connectivity to maintain long term accessibility for the future residents.
- Limiting long block lengths encourages slower vehicle speeds on internal residential roadways.
- There appears to be no topographical limitations of the subject property that would cause development

challenges and prevent adjustments to the street connections to ensure the blocks remain in compliance with the maximum length.

Resource Links:

Chapter 118-44(b) Blocks, of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH118SUPL_ARTIVDEST_S118-44BL

Attachments:

1. Aerial Map
2. Applicant's Plat Waiver Justification Letter
3. Block Length Exhibit
4. Proposed Master Plan Layout