

## Legislation Details (With Text)

<b>File #:</b>	21-994	<b>Name:</b>	
<b>Type:</b>	Recommendation	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	9/22/2021	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	10/6/2021	<b>Final action:</b>	
<b>Title:</b>	PZ21-0322 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 6,600 square feet (0.15 acre) consisting of Lot 36, Block 1, Green Valley Estates Subdivision, addressed at 138 E. Green Valley, from "B-1" Conventional and Mobile Home District to "C-O" Commercial Office District.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Aerial, 2. Land Use Maps, 3. Zoning District Comparison, 4. TIA Worksheet, 5. Notification List, Map and Responses		

Date	Ver.	Action By	Action	Result
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**PRESENTER:**

Applicant/Owners: Gilbert &amp; Angelita Morales

**SUBJECT:**

PZ21-0322 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 6,600 square feet (0.15 acre) consisting of Lot 36, Block 1, Green Valley Estates Subdivision, addressed at 138 E. Green Valley, from "B-1" Conventional and Mobile Home District to "C-O" Commercial Office District.

**DEPARTMENT:** Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** 6**BACKGROUND INFORMATION:**

Case #: PZ21-0322

## Applicant/

Owners: Gilbert and Angelita Morales  
138 E. Green Valley  
New Braunfels, TX 78130  
(830) 837-4876 gnamor@satx.rr.com

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

The approximately 6,600 square foot (0.15-acre) lot is located on E. Green Valley approximately 50 feet west of its intersection with Melody Lane and 500feet from S. Seguin Ave. The property is currently improved with a manufactured home that was built in 1971.

The applicant's proposed zone change would allow for a subsequent Special Use Permit request to be

considered for the intended short term rental of the subject property.

The applicant has indicated the zone change request will provide additional options related to challenges with management of the property.

*Surrounding Zoning and Land Use:*

North - B-1 / Drainage channel for regional stormwater (City of New Braunfels property)

South - Across E. Green Valley, C-O / Stained glass & art gallery

East - B-1 / Single-family residence

West - B-1 / Single-family residence

**ISSUE:**

The subject property is currently zoned B-1; a zoning district that is intended for the development of single-family, duplex and multifamily residential development.

The proposed C-O district is intended to be utilized to create a mixed use district of professional offices and residential use. The applicant is intending to rezone the property to allow for the application and consideration of short term rental. If the proposed rezoning is approved, the existing manufactured home use of the property will become non-conforming which will require the proposed future Special Use Permit to include a manufactured home in addition to its use as a short term rental.

The proposed rezoning does not appear to be consistent with actions from Envision New Braunfels.

The property is situated in the Walnut Springs Sub-Area, within a Transitional Mixed-Use Corridor and Existing Civic and Market Centers.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Denial. The subject property is within an established residential community and the introduction of newly allowed uses to this property could be a disruption and negatively impact surrounding residents.

*Notification as required by state statute:*

Public hearing notices were sent to owners of 16 properties within 200 feet of the request. No responses have been received at this time.

**Resource Links:**

- Chapter 144, Section 3.3-4. “B-1” Conventional and Mobile Home District of the City’s Code of Ordinances:

[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOOOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.3ZODIREPRZOPRJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOOR_CH144ZO_ARTIIIIZODI_S144-3.3ZODIREPRZOPRJU221987)

- Chapter 144, Section 3.4-17. “C-O” Commercial Office District 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](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