

## Legislation Details (With Text)

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<b>File #:</b>	21-1277	<b>Name:</b>	
<b>Type:</b>	Recommendation	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	11/18/2021	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	12/7/2021	<b>Final action:</b>	
<b>Title:</b>	PZ21-0382 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 "R-1A-6.6" Single Family District.		

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

**Attachments:** 1. Aerial Map, 2. Land Use Maps (Zoning, Existing and Future Land Use), 3. M-2 District and R-1A-6.6 District Comparison Table, 4. TIA Worksheet, 5. Photographs, 6. Notification List and Map

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

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

Owner: Robert Culpepper

**SUBJECT:**

PZ21-0382 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 "R-1A-6.6" Single Family 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 Avenue, 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) 221-4053      mgreene@nbtexas.org

The subject property is located on the south side of Broadway between Rusk Street 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 applicant applied for a zone change from “M-2” Heavy Industrial District to “MU-A” Low Intensity Mixed -Use District earlier this year and the request was denied in May by City Council at the second reading of the ordinance.

The owner is seeking approval of the rezoning to R-1A-6.6 with the intention of recording a final plat of 4 lots for single-family residential use which was approved in May.

**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 “R-1A-6.6” Single-Family District is consistent with the following actions from Envision New Braunfels:

- Action 1.3: Encourage balanced and fiscally responsible land use patterns.
- 1.6 Incentivize infill development and redevelopment to take advantage of existing infrastructure
- 2.1 Sustain community livability for all ages and economic backgrounds.
- 3.15 Incentivize home development that is affordable and close to schools, jobs and transportation.

Future Land Use Plan: 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. The requested R-1A-6.6 zoning is consistent with the existing residential development along Broadway and is supported by the Envision New Braunfels Comprehensive Plan.

Mailed Notification pursuant to state statute:

Public hearing notices were mailed to 11 owners of property within 200 feet of the subject property. To date, no responses have been received.

**Resource Links:**

Section 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\\_ARTIIIZODI\\_S144-3.3ZODIREPRZOPRJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987)

Section 144-3.4-2 “R-1A-6.6” Single-Family District, of the City’s Code of Ordinances:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH144ZO\\_ARTIIIZODI\\_S144-3.4ZODIREPRZOSUJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIIIZODI_S144-3.4ZODIREPRZOSUJU221987)

Attachments:

- Aerial Map
- Land Use Maps (Zoning, Existing and Future Land Use)
- M-2 District and R-1A-6.6 District Comparison Table
- TIA Worksheet
- Photographs of Subject Property
- Notification List and Map