

Legislation Details (With Text)

File #:	22-562	Name:	
Type:	Recommendation	Status:	Individual Item Ready
File created:	5/13/2022	In control:	Planning Commission
On agenda:	6/7/2022	Final action:	
Title:	PZ22-0174 Public hearing and recommendation to City Council regarding a proposed rezoning from "APD" Agricultural Predevelopment District to "C-O" Commercial Office District of approximately 25.097 acres out of the R. Ximinez Survey, Abstract No. 347, addressed at 409 Franks Road.		

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

Attachments: 1. City Maps, 2. Districts Comparison Chart, 3. TIA Determination Form & Letter, 4. Subject Property Photos, 5. Notification Map, List & Responses

Date	Ver.	Action By	Action	Result
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PRESENTER:

Applicant: James Mahan III

Owner: Ruth Franks

SUBJECT:

PZ22-0174 Public hearing and recommendation to City Council regarding the proposed rezoning from "APD" Agricultural Predevelopment District to "C-O" Commercial Office District of approximately 25.097 acres out of the R. Ximinez Survey, Abstract No. 347, addressed at 409 Franks Road.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** Council District - 1**BACKGROUND INFORMATION:**

Case #: PZ22-0174

Applicant: James Mahan III
1259 Loop 337, suite 300
New Braunfels, TX 78130
jmahan@southtexascapital.com | (830) 358-6286

Owner: Ruth M. Franks
614 C S Business IH 35, Box 244
New Braunfels, TX 78130
(512) 757-6224

Staff Contact: Laure Middleton
(830) 221-4054 | lmiddleton@nbtexas.org

The subject property is situated in Guadalupe County approximately half a mile east of the intersection of County Line Road and FM 1044 on the south side of FM 1044 abutting the Highland Gardens Planned

Development single family subdivision to the north and west.

The applicant is requesting a zoning change from “APD” Agricultural / Predevelopment District to “C-O” Commercial Office District intended to create a mixed-use district of professional offices and residential use.

Surrounding Zoning and Land Use:

North - Highland Gardens PD / undeveloped (future single family)
South - R-1A-4 / undeveloped
East - Across FM 1044, APD Agricultural / Predevelopment District / undeveloped
West - Highland Gardens PD / undeveloped (future single family)

ISSUE:

The subject property is currently improved with a several residential structures and barns. The adopted Regional Thoroughfare Plan shows the subject property is located within an area of where several future major roadways will intersect including the relocation of FM 1044 to the extension of Rueckle Road (Parkway), the current FM 1044 (Minor Arterial), the County Line Road extension (Minor Arterial), and the extension of Highland Vista (Minor Collector).

The proposed rezoning to Commercial Office is consistent with the following actions from Envision New Braunfels:

- **Action 1.3:** Encourage balanced and fiscally responsible land use patterns.
- **Action 3.1:** Plan for healthy jobs/housing balance.
- **Action 3.3:** Balance commercial centers with stable neighborhoods.

Future Land Use Plan: The property lies within the Walnut Spring Sub Area in a Transitional Mixed-Use Corridor and within the IH-35 Corridor.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

The proposed zoning of “C-O” Commercial Office District of the subject property is appropriate with the subject property’s frontage on FM 1044, its close proximity to other future major roadways around it, and the opportunity to provide a mixture of residential, professional office and service land uses to the area.

Mailed Notification pursuant to state statute:

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

Resource Links:

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

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZODI_S144-3.4ZODIREPRZOSUJU221987

Chapter 144, Sec. 3.4-17 (C-O) of the City's Code of Ordinances:

[<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZODI_S144-3.4ZODIREPRZOSUJU221987>](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZODI_S144-3.4ZODIREPRZOSUJU221987)