

## Legislation Details (With Text)

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<b>File #:</b>	22-590	<b>Name:</b>	
<b>Type:</b>	Recommendation	<b>Status:</b>	Passed
<b>File created:</b>	5/24/2022	<b>In control:</b>	City Council
<b>On agenda:</b>	6/13/2022	<b>Final action:</b>	6/13/2022

**Title:** Approval of the second and final reading of an ordinance regarding a proposed rezoning from “R-2” Single and Two-Family District to “R-3L” Multifamily Low-Density District with a Special Use Permit to allow a one-family dwelling on approximately 1.7 acres, addressed at 586 Granada Drive.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. City Maps, 2. District Comparison Table, 3. TIA Form & Determination Letter, 4. Subject Property Photos, 5. Notification Map, List & Response, 6. PC Draft Minutes, 7. Ordinance

Date	Ver.	Action By	Action	Result
6/13/2022	1	City Council	approved	Pass

**PRESENTER:**

Christopher J. Looney, AICP, Planning & Development Services Director

**SUBJECT:**

Approval of the second and final reading of an ordinance regarding a proposed rezoning from “R-2” Single and Two-Family District to “R-3L” Multifamily Low-Density District with a Special Use Permit to allow a one-family dwelling on approximately 1.7 acres, addressed at 586 Granada Drive.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** 5

**BACKGROUND INFORMATION:**

Case #: SUP22-117

Applicant/

Owners: Rebecca and Mark Sacco  
1026 Lehman Street  
Houston, TX 77018  
(713) 205-0851  
msacco@mmsadvisory.com

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

**City Council held a public hearing on May 23, 2022 and unanimously approved the first reading of the ordinance for the applicant’s requested rezoning (7-0-0).**

The 1.7-acre subject property is located approximately 300 feet east of the intersection of Granada and Seville Drives. The site has frontage along the Guadalupe River with access to Granada Drive through a platted access easement across the adjacent apartment complex property. The home on the site was constructed in 1946. The

applicant's request for R-3L with a Special Use Permit (SUP) for one single-family residence is their first step toward a request for a second SUP to use the house as a short term rental (STR).

*Surrounding Zoning and Land Use:*

North - C-3 / River Park Apartments

South - Across Guadalupe River frontage, R-2 / Camp Comal sports fields

East - C-4 / Undeveloped

West - R-2 / Single-family residence

**ISSUE:**

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

- *Action 1.3* Encourage balanced and fiscally responsible land use patterns.
- *Action 1.6* Incentivize infill development and redevelopment to take advantage of existing infrastructure.
- *Action 3.1* Plan for healthy jobs/housing balance.
- *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.
- *Action 3.15* Incentivize home development that is affordable and close to schools, jobs and transportation.
- *Action 3.16* Review and revise regulations that inadvertently inhibit creative housing options or workforce housing alternatives.
- *Action 3.18* Encourage multifamily to disperse throughout the community rather than congregate en masse.
- *Action 3.30* Encourage and incentivize workforce/affordable housing to attract new workforce entrants and young families.
- *Action 3.31* Adopt policies and ordinances supportive of workforce housing, creating opportunities that make investment in workforce housing more feasible for private and nonprofit developers.

The property lies within the Oak Creek Sub Area near Existing Market, Employment, and Outdoor Recreation Centers and is in proximity to a Future Employment Center. It lies along the Guadalupe River Recreational Corridor and near a Transitional Mixed-Use Corridor (IH-35).

Residential buffer standards in the Zoning Ordinance help to ensure proper measures are in place to protect public health, safety and neighboring properties. The desired STR use of the property will be completed by way of a two-step SUP approval process; an initial requested zoning change of the R-2 base zoning to a district that allows for ease of application and consideration of an STR. If rezoned to the R-3L district, the property owner will then finalize his request (step two) to be considered for the Special Use Permit allowing for STR use of the property.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Approval.

The Planning Commission held a public hearing on May 11, 2022 and recommended approval (5-1) with Commissioner Laskowski in objection and Commissioners Sonier, Tubb and Anderson-Vie absent.

*Mailed notification as required by state statute:*

Public hearing notices were sent to owners of 6 properties within 200 feet of the request. The City has received no responses in objection and one in favor, #2.

Resource Links:

- Chapter 144, Section 3.3-2. “*R-2*” *Single-Family and Two-Family District* of the City’s Code of Ordinances:  
<[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH144ZO\\_ARTIIIZODI\\_S144-3.3ZODIREPRZOPRJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987)>
- Chapter 144, Section 3.4-4. “*R-3L*” *Multifamily Low Density District* 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)>
- Chapter 144, Section 3.6 *Special Use Permits* of the City’s Code of Ordinances:  
<[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH144ZO\\_ARTIIIZODI\\_S144-3.6SPUSPE](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIZODI_S144-3.6SPUSPE)>