

Legislation Details (With Text)

File #:	22-740	Name:	
Type:	Recommendation	Status:	Individual Item Ready
File created:	6/17/2022	In control:	Planning Commission
On agenda:	7/5/2022	Final action:	
Title:	SUP22-224 Public hearing and recommendation to City Council regarding a proposed rezoning to a Special Use Permit to allow duplexes on approximately 5 acres out of the O Russell Survey-2, Abstract 485, addressed at 2841 Goodwin Lane.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. City Maps, 2. Proposed lot layout, 3. TIA Form & Determination Letter, 4. Subject Property Photos, 5. Notification Map, List, and Responses		
Date	Ver.	Action By	Action
			Result

PRESENTER:

Applicant: Jeffrey Henry
Owner: Edward Tarbutton

SUBJECT:

SUP22-224 Public hearing and recommendation to City Council regarding a proposed rezoning to a Special Use Permit to allow duplexes on approximately 5 acres out of the O Russell Survey-2, Abstract 485, addressed at 2841 Goodwin Lane.

DEPARTMENT: Planning and Development Services

COUNCIL DISTRICTS IMPACTED: 4

BACKGROUND INFORMATION:

Case No.: SUP22-224

Applicant: Jeffrey Henry
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210-415-0088 | mjhomeconsultants@gmail.com

Owner: Edward Tarbutton
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Staff Contact: Maddison O'Kelley

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The subject 5-acre property is located on the north side of Goodwin Lane, approximately 350 feet west of Orion Drive and approximately $\frac{3}{4}$ of a mile north of FM 306. The applicant is requesting a Type 2 Special Use Permit (SUP) to allow the construction of 19 duplexes on 19 individual lots (38 dwelling units total). The SUP is necessary because the “C-1A” Neighborhood Commercial base zoning district does not allow duplexes as an allowed residential land use.

The property is located within the Outer Precision Approach Zone of the Airport Hazard Overlay for building height. This overlay does not impact the proposed development.

Surrounding Zoning and Land Use:

North - APD / Single-Family Dwelling

South - Across Goodwin Lane, Z-HA / Single-family dwellings (Creekside Farms)

East - APD & MU-B SUP / Single-Family Dwelling and Duplexes

West - APD / Undeveloped

ISSUE:

Most of the surrounding property on Goodwin Lane is currently being developed as low-density residential use, such as the Creekside Farms and Wasser Ranch subdivisions which are currently under construction and the adjacent Goodwin Tract master plan, approved in 2021.

The proposed SUP meets all Zoning Ordinance requirements, and is consistent with the following actions from Envision New Braunfels:

- Action 1.3: Encourage balanced and fiscally responsible land use patterns.
- Action 2.1: Sustain community livability for all ages and economic backgrounds.
- 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 3.30: 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.
- Future Land Use: The property is situated within the Oak Creek Sub-Area, near a transitional mixed-use corridor, and is in close proximity to Existing Education and Civic Centers.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approval. Staff recommends approval of the SUP to allow the duplex development. The duplex land use is

consistent with low-density residential development occurring in the immediate area. Staff's recommendation includes the following conditions based upon existing development standards:

1. Development of the site is to be in harmony with the attached lot layout.
2. Any significant alterations to the attached documents will require an amendment to the SUP with a recommendation from the Planning Commission and approval by the City Council.
3. Development of the site is to be in compliance with the following development standards from the R-2A, Two Family District.
 - a. *Height.* 35 feet maximum.
 - b. *Front building setback.* 25 feet minimum.
 - c. *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Buildings on corner lots shall have 15-foot side building setbacks
 - d. *Garage setback.* Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed.
 - e. *Rear building setback.* 20 feet.
 - f. *Width of lot.* The minimum width of an interior lot shall be 60 feet and the minimum width of a corner lot shall be 70 feet.
 - g. *Lot area.* Not less than 8,000 square feet for an interior lot and 8,500 square feet for a corner lot.
 - h. *Lot depth.* 100 feet.
 - i. *Parking.* Two off-street parking spaces shall be provided for each two-family dwelling unit. See [section 144-5.1 <https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTVDEST_S144-5.1PALOSTVECI>](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTVDEST_S144-5.1PALOSTVECI) for other permitted uses' parking.

Notification:

Public hearing notices were sent to 12 owners of property within 200 feet of the request. To date, the city has received no responses.

Resource Links:

- Chapter 144, Sec. 3.4-12 (C-1A) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTVDEST_S144-5.1PALOSTVECI
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTVDEST_S144-5.1PALOSTVECI