

## Legislation Details (With Text)

<b>File #:</b>	22-835	<b>Name:</b>	
<b>Type:</b>	Report	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	7/7/2022	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	8/2/2022	<b>Final action:</b>	
<b>Title:</b>	CS22-0263 Discuss and consider an appeal of Sec. 144-5.22-3(c)(1) and Sec. 144-5.22-3(c)(2) Non-Residential and Multifamily Design Standards for vertical and horizontal building articulation requirements for a proposed food manufacturing facility with warehouse and office use in the "M-1" Light Industrial District, addressed at 1286 River Road.		

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

**Attachments:** 1. Aerial Map, 2. Application with Reason for Request, 3. Facade Elevation Drawing, 4. Site Plan, 5. Tree Exhibit, 6. Subject Property Photos

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

Applicant: Blieders Creek LLC; Texas Tito's

**SUBJECT:**

CS22-0263 Discuss and consider an appeal of Sec. 144-5.22-3(c)(1) and Sec. 144-5.22-3(c)(2) Non-Residential and Multifamily Design Standards for vertical and horizontal building articulation requirements for a proposed food manufacturing facility with warehouse and office use in the "M-1" Light Industrial District, addressed at 1286 River Road.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** 4

**BACKGROUND INFORMATION:**

Case #: CS22-0263

Applicant: Bleiders Creek LLC  
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The subject property is approximately 10 acres of undeveloped land and is located at 1286 River Road, approximately 300 feet south of the River Road and Loop 337 intersection. The property is within the River Road Commercial subdivision and is zoned "M-1" Light Industrial District. River Road is designated as an

existing Minor Arterial on the city's Thoroughfare Plan and is used heavily to move vehicles between the center of the city and Loop 337. Therefore, River Road is a highly visible thoroughfare for tourist and visitor traffic.

The applicant is proposing to improve the property with a food manufacturing facility that will include space for manufacturing, warehousing and an office. The proposed structure is proposed to be of tilt wall concrete construction for each façade.

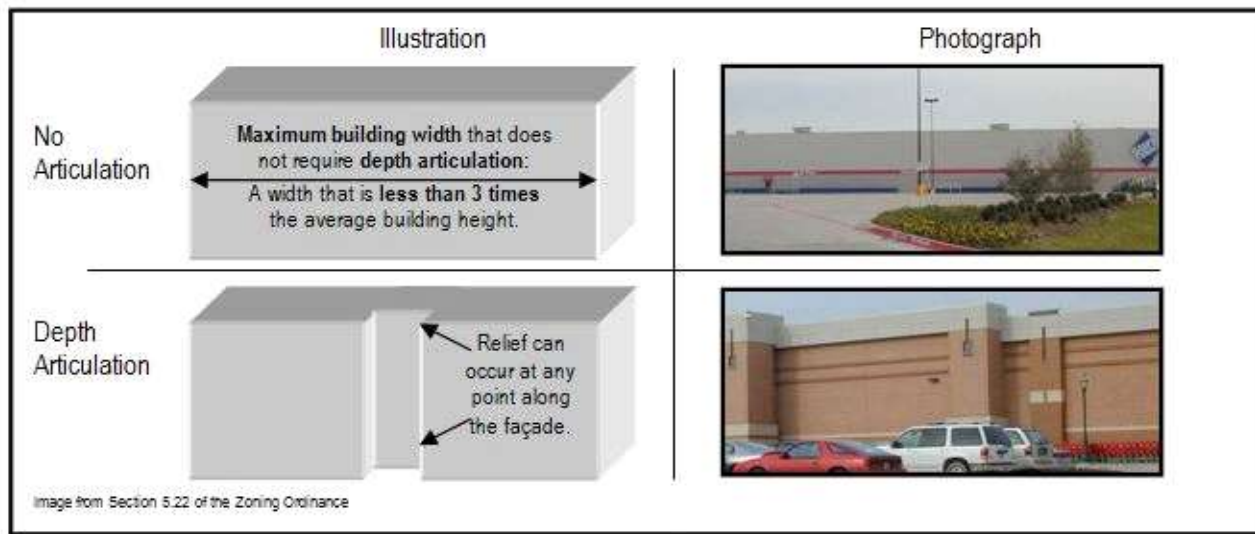
**ISSUE:**

Section 5.22 of the Zoning Ordinance requires all non-residential buildings adjacent to or fronting a public roadway, public park or residential zoning district to comply with the building design standards. Design standards are intended to provide visual interest in the façade design of non-residential and multi-family buildings to create human scale and an attractive community. To achieve this, the city's standards include a formula for vertical and horizontal articulation (façade offsets and building elevation changes) on the façade facing the street. The formula is triggered when the width of the street facing façade exceeds three times the building height.

The applicant is requesting an appeal of the building design standards to allow the west facade of the new building that faces River Road to not provide vertical or horizontal articulation.

**Horizontal Articulation - providing required offsets. Section 5.22-3(c)(1).**

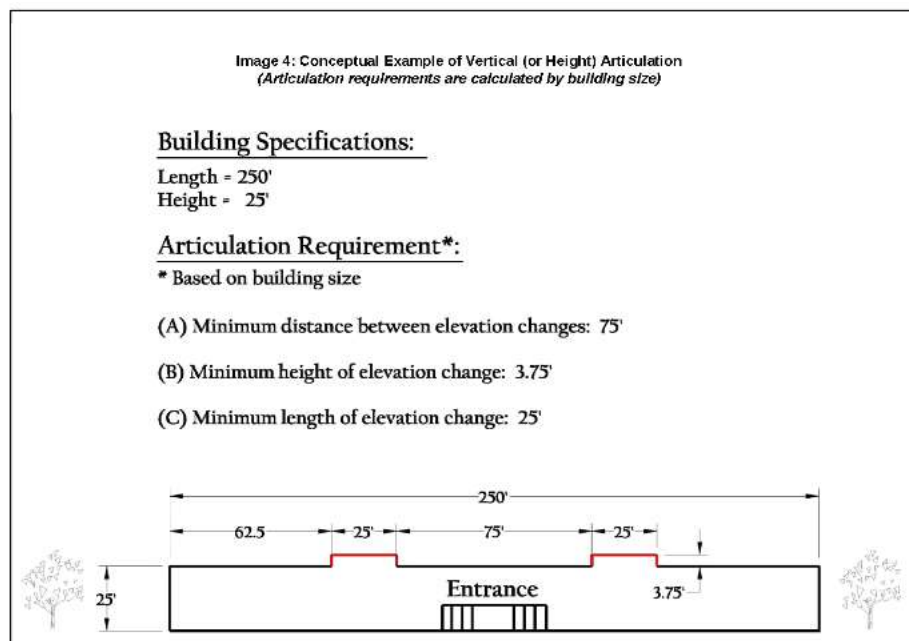
- The width of the west façade of the proposed building, facing River Road, is 150 feet with an average height of 34 feet. According to the design standards, no portion of the façade shall extend for more than three times the average height ( $34' \times 3' = 102'$ ) without depth articulation (a change in the depth of the wall; in or out). To meet the design standards, there would need to be:
  - One horizontal offset (relief, in or out from the façade) at least 5.1 feet deep (15 percent of the average building height);
  - That that extends at least 15 feet in length;
  - Located or positioned on the façade so that no segment of the façade would extend for more than 102 feet without a 5.1-foot deep offset.
- The offset could be an inset or a protrusion as depicted in the following illustration.



- The west façade of the proposed building does not meet the horizontal standard since the building provides no horizontal articulation offset (see Attachment “Façade Elevation Drawing”).

**Vertical Articulation - providing required changes in elevation. Section 5.22-3(c)(2).**

- According to the design standards no wall shall extend for more than three times its average height (34' X 3 = 102 feet) without a change in elevation (the top of the wall or the roofline). To meet the design standards there would need to be:
  - One change in elevation of the façade of at least 5.1 feet (15 percent of the average building height);
  - That that extends at least 15 feet in length;
  - So that no portion of the façade would extend for more than 102 feet without an elevation change.
- The elevation change would be calculated as depicted in the following illustration.



- The west façade of the proposed building does not meet the vertical standard since the building does not provide any elevation changes (see Attachment 4) and extends for a length of 150 feet.

The applicant cites two reasons for the request to waive the minimum articulation requirements within their application:

- There is an existing tree buffer which the applicant intends to maintain between River Road and the subject west façade of the building. The applicant states the preservation of the tree buffer reduces the need to provide articulation requirements.
- Eliminating the requirement to provide wall relief will allow the facility to have straight walls, which reduces the likelihood of pests being able to harbor within the food manufacturing facility.

The existing tree buffer (see Attachment “Tree Exhibit”) is composed of 11 tree species ranging from 8” in diameter to 21” in diameter. One tree, a 10” Hackberry, is not considered a protected tree species and can be removed without any replacement trees required to be planted. The trees are clustered in two locations and do not create a continuous visual buffer between the right-of-way and the subject property (see Attachment “Subject Property Photos”). Also, many of the existing trees seen in the site photos are located within dedicated right-of-way which are likely to be lost with future improvements to River Road.

The Planning Commission has the authority for a final decision for appeals to the Non-Residential and Multifamily Standards requirements in the Zoning Ordinance. In making a decision, the Planning Commission may consider the following options:

- Approval as requested;
- Approval with conditions;
- Denial.

#### FISCAL IMPACT:

N/A.

## RECOMMENDATION:

Staff can support the approval of the design appeal with conditions specified below. River Road is a highly visible thoroughfare with tourist traffic that create an impression when entering the city and the aesthetic makeup of buildings along River Road should be taken into consideration for this reason. The existing trees between the subject property and right-of-way will not create an adequate visual buffer between the proposed structure and River Road. Therefore, staff proposes following two options as conditions of approval:

### Option 1

1. A minimum of one additional tree and four shrubs for every 25 feet (or portion thereof) of the 150-foot building facade facing River Road (6 trees and 24 shrubs) from the approved plant list (zoning ordinance: chapter 144).
2. The above requirements shall be planted within 20 feet of the building facade.
3. Trees and shrubs shall be evenly spaced along the subject façade to avoid clustering.
4. All new trees shall be provided with a permeable surface of 60 square feet per tree under the drip line. All planting areas shall be a minimum of five feet in width.

### Option 2

1. Provide an appropriate wall mural based on New Braunfels history and/or Titos history that encumbers a minimum width of 40 feet on the River Road facing façade. Positioned on the 150-foot façade so that no more than 102 feet of the façade is outside the mural.

### Resource Links:

- Chapter 144, Sec. 4-5.22 Non- Residential and Multifamily Design Standards of the City's Code of Ordinances:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)