

## Legislation Text

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**File #:** 19-191, **Version:** 1

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Presenter

*Christopher J. Looney, Planning and Community Development Director*  
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**SUBJECT:**

Public hearing and first reading of an ordinance regarding the proposed rezoning of approximately 19 acres out of the J Thompson Survey 21 A-608, located at the terminus of Courtyard Drive, from "R-2" Single and Two-family District and "C-1" Local Business District to "M-1A" Light Industrial District.

**BACKGROUND / RATIONALE:**

**Case No.:** PZ-19-001

**Council District:** 6

**Applicant/Owner:** Hollmig Family Partnership  
130 S. Seguin Avenue, Suite 100  
New Braunfels, TX 78130  
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**Staff Contact:** Holly Mullins  
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The vacant subject property comprises 19.05 acres behind the commercial frontage along the east side of Seguin Avenue (a.k.a. FM 725). It lies beyond the terminus of Courtyard Drive, approximately one-quarter mile south of IH-35. The majority of the property is currently zoned R-2 (Single and Two-family District), with smaller areas of C-1 (Local Business) and M-1A (Light Industrial) Districts (see Attachment 2).

The applicant is requesting M-1A on the entire tract. This will provide uniform zoning and development standards on the property to facilitate future development. The applicant has not indicated specific plans for the property but is working with New Braunfels Utilities (NBU) to provide access to the Kuehler Avenue wastewater treatment plant. Current access to that plant is available only through a residential area.

The M-1A district is intended primarily for light manufacturing and fabrication, warehousing, and research and development that do not typically depend on frequent customer visits.

**General Information:**

*Surrounding Zoning and Land Use:*

North - Across drainage channel (North Trib), R-2/ Single-family residences  
South - M-2/ Undeveloped, drainage channel (South Trib)  
East - Across Coco Lane, R-2/ Undeveloped; NBU wastewater treatment facility  
West - C-1 and M-1A/ Manufacturing and wholesale: Church; Bank

***Floodplain:***

The subject property lies between the North and South Tributary drainage areas. A portion of the property is within the 1% annual chance flood zone and floodway of the North Tributary.

***Determination Factors:***

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole (*M-1A zoning allows most general commercial uses permitted in C-1B as well as office/warehouse, light manufacturing, and multifamily residential. It is separated from the adjacent residential neighborhood by the North Tributary drainage easement (over 100 feet in width) which provides a natural buffer. The proposed zoning would serve as a transition between residential zoning to the north, commercial zoning to the west, and the existing M-2 Heavy Industrial zoning to the south.*);
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*The requested zoning should not conflict with existing and proposed schools. The adequacy of public facilities and utilities to serve the property is evaluated by each provider at the platting and permitting stages.*);
- How other areas designated for similar development will be affected (*The proposed zoning would add to the inventory of Light Industrial zoning in the vicinity and the City overall.*);
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*There should be no other factors that will substantially affect the public health, safety, morals, or general welfare. Drainage, utilities and traffic impact will be reviewed and addressed through the platting and permitting processes.*); and
- Whether the request is consistent with the Comprehensive Plan (*The subject property is located in the Walnut Springs Sub Area, partially within a Transitional Mixed-Use Corridor and near existing Market, Employment and Outdoor Recreation Centers. The proposed zoning would steer industrial and employment uses toward high capacity transportation networks while maintaining balance with existing neighborhoods.*)

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

<b>City Plan/Council Priority:</b> Envision New Braunfels	<b>Action 1.3:</b> Encourage balanced and fiscally responsible land use patterns. <b>Action 1.8:</b> Concentrate future investment in industrial and employment centers near existing and emerging hubs and along existing high capacity transportation networks such as Interstate Highway 35. <b>Action 3.3:</b> Balance commercial centers with stable neighborhoods.
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**FISCAL IMPACT:**

N/A

**COMMITTEE RECOMMENDATION:**

The Planning Commission held a public hearing on March 5, 2019 and voted unanimously to recommend approval of the request. (9-0-0)

**STAFF RECOMMENDATION:**

The subject property is within one-quarter mile of IH-35 with access to FM 725. New development on this site would be able to utilize Courtyard Drive for access to major roads and not require access through residential areas. Access to and development of the property is impacted by the floodplain and floodway of the North Tributary and must meet all requirements of the City's floodplain development ordinances. For this reason, the area may not be suitable for residences as allowed under the current R-2 zoning. M-1A would provide a transition from the more intense adjacent M-2 to the south, and the North Tributary would serve as a natural buffer between the subject property and the existing residential neighborhood. Therefore, staff recommends approval.

**Notification:**

Public hearing notices were sent to 37 owners of property within 200 feet of the request. The City has received two responses in favor (#2, 36) and two in objection (#9, 10).

**Attachments:**

1. Aerial Map
2. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan)
3. Notification Map and Responses
4. Sec. 3.4-18 M-1A
5. Photograph
6. Draft Planning Commission Minutes
7. Ordinance