

Legislation Text

File #: 21-306, **Version:** 1

PRESENTER:

Applicant: Bettersworth & Associates (Ken Reininger, R.P.L.S.)

Owner: FFS Investments No. 13, Ltd. (Mike Casey)

SUBJECT:

WVR21-098, WVR21-099 and WVR21-100 Discuss and consider waiver requests Section 118-44(b) to allow block length to exceed 1,200 feet; Section 118-46(s)(11) to allow lots with less than 100' of street frontage for the one-family large lot residential Local street section; and, Section 18-46(j) to not require temporary turnarounds in the proposed Barbarosa Pass, Unit 2 Subdivision.

DEPARTMENT: Planning and Development Services

COUNCIL DISTRICTS IMPACTED: N/A

BACKGROUND INFORMATION:

Applicant: Bettersworth & Associates (Ken Reininger, R.P.L.S.)
111 East Mountain Street
Seguin, TX, 78155
(830) 379-5552 ken@bettersworthassoc.com

Owner: FFS Investments No. 13, Ltd. (Mike Casey)
407 Julie rivers Drive, Suite 100
Sugar Land, TX 77478
(281) 702-2610 mcasey@forestltd.com

Staff Contact: Matt Greene
(830) 221-4053 mgreent@nbtexas.org

The subject property consists of 90.431 acres located on the south side of FM 758 and approximately 475 east of Huber Road in the City's ETJ in Guadalupe County. The applicant is proposing to subdivide the property into 63 residential lots, each being a minimum of 1-acre in size.

Block Length:

The applicant is requesting a waiver to block length for two different street sections within the proposed subdivision.

A block is "a unit of land bounded by streets, other transportation or utility rights-of-way, parks, streams, waterways, or any other barrier to the continuity of development." The length of a block is measured along the

axis of the block. The proposed layout of blocks for this subdivision resulted in two blocks exceeding the maximum block length of 1,200 feet.

Block 1:

The applicant is requesting a block length waiver for Block 1 located on the southside of Lands End. This block consists of 7 residential lots and 1 drainage/detention lot and all residential lots on this block have a street frontage between 166 feet and 210 feet and are all over 1-acre in area. The proposed block length is 1,368.47 feet, exceeding the maximum block length of 1,200 feet by 168.47 feet. The applicant states the land behind the 7 residential lots within the subdivision boundary is planned for a detention pond and the adjacent property to the south is platted lot and providing a break in the block length would result in a dead-end street.

Block 2:

The applicant is also requesting a block length waiver to Block 2 on the west side of Coastal Trail. This block consists of 12 residential lots which all have a minimum street frontage of 158 feet and are all over 1-acre in area. The proposed block length is 1,856.63 feet, exceeding the maximum block length of 1,200 feet by 656.63 feet. The applicant states the subdivision is bound to the west by platted lots and a street stub to break up the block length would result in a dead-end street.

Lot width for one-family large lot residential Local street section:

The applicant is requesting a waiver to the minimum street frontage requirement of 100 feet for lots adjacent to a one-family large lot residential Local street section.

Streets qualifying as a one-family large lot residential Local street must have lots with a minimum of 100 feet of lot frontage and meet the following minimum requirements:

- A. Right-of-way width (min.): 60 feet.
- B. Pavement width (min.): 24 feet.
- C. Centerline radius (min.): 125 feet
- D. Tangent between reverse curves (min): 50 feet.
- E. Minimum grade: ½ percent.
- F. Maximum grade: 12 percent.
- G. Design speed: 20 miles per hour.
- H. Sidewalks: not required.
- I. Parking allowed: No.
- J. Average daily traffic: Less than 1,000.

The applicant is requesting a waiver for proposed Lots 5, 6 and 7, Block 2 to have less than 100 feet of frontage. These lots are located on the knuckle at the intersection of Coastal Trail and Prairie Breeze. Lot 5 has 81.81 feet of frontage; Lot 6 has 61.20 feet of frontage; and Lot 7 has 83.82 feet of frontage. The applicant states the reduced lot frontage is a result of the curvature of the road for the knuckle at the intersection of the two streets.

Temporary turnaround:

The applicant is requesting a waiver to not require temporary turnarounds at the terminus of two street stubs.

Wheat Patch:

The applicant is requesting a waiver to not provide a temporary turnaround at the east end of Wheat Patch. The street stub is approximately 306 linear feet in length, abutting a single residential lot and 40-foot wide drainage easement on both sides of the street. The applicant states the developer does not own the adjacent tract, making it difficult to acquire a temporary turnaround and that there are no residential lots fronting the street stub; Lot 9, Block 4 and Lot 1, Block 5 have access to Harvest Way.

Lands End:

The applicant is requesting a waiver to not provide a temporary turnaround at the east end of Lands End. The street stub is approximately 307 linear feet in length, abutting a single residential lot and 40-foot wide drainage easement to the north and two residential lots and a drainage easement to the south. The applicant states the developer does not own the adjacent tract, making it difficult to acquire a temporary turnaround. Lot 5, Block 5 has frontage on Harvest Way and does not require access from Lands End; Lot 6, Block 1 has approximately 75 feet of frontage on Lands End that is not part of the street stub; and the only access to Lot 7, Block 1 is from the street stub.

ISSUE:

Waiver criteria are provided below in Commission Findings. In considering these waiver requests, the Planning Commission may vote on each request individually.

Commission Findings:

The adopted Subdivision Platting Ordinance indicates the Planning Commission shall not approve/recommend approval of a waiver unless it makes findings based upon the evidence presented to it in each specific case that:

1. Granting the waiver will not be detrimental to the public safety, health or welfare, and will not be injurious to other property or to the owners of other property, and the waiver will not prevent the orderly subdivision of other property in the vicinity.
2. Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; or an alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein; and
3. The waiver will not in any manner vary the provisions of the Zoning Ordinance or other ordinance(s) of the City.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Block Length:

Staff acknowledges the limitations of the property to provide breaks in block length with additional street stubs as the adjacent properties are already platted and does not oppose approval of the waiver request for the two block lengths in this large lot one-family large lot residential subdivision.

Lot width for one-family large lot residential Local street section:

Staff does not oppose the waiver to the lot width for the three irregular shaped lots located on the street knuckle, as radial lots typically have reduced street frontages and the remainder of the street design requirements will be met.

Temporary turnarounds:

Staff does oppose the waiver request to not provide a temporary turnarounds at the street stubs on Wheat Patch and Lands End as the City very recently adopted an amendment to the Subdivision Platting Ordinance regarding the temporary turnaround requirement, which is less restrictive than the previous requirement, after extensive staff evaluation and consideration.

Resource Links:

Chapter 118-44(b) Blocks, of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH118SUPL_ARTIVDEST_S118-44BL

Chapter 118-46(s)(11) Streets, Local Street, One-Family Large Lot Residential, of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH118SUPL_ARTIVDEST_S118-46ST

Chapter 118-46(j) Streets, Temporary Turnarounds, of the City's Code of Ordinances

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH118SUPL_ARTIVDEST_S118-46ST

Attachments:

1. Aerial Map
2. Applicant's Plat Waiver Justification Letters
3. Waiver Exhibit