

Legislation Text

File #: 21-442, **Version:** 1

PRESENTER:

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

SUBJECT:

Approval of the second and final reading of an ordinance regarding a proposed rezoning of approximately 2.3 acres out of the H. Foster Survey No. 34, Abstract No. 154, Comal County, Texas, addressed at 948 Broadway from "M-2" Heavy Industrial District to "MU-A" Low Intensity Mixed Use District.

DEPARTMENT: Planning and Development Services

COUNCIL DISTRICTS IMPACTED: Council District 5

BACKGROUND INFORMATION:

Applicant: HMT Engineering & Surveying (Bill Ball, P.E.)
290 S. Castell Avenue, Ste. 100
New Braunfels, TX 78130
(830) 625-8555 plats@hmtnb.com

Owner: Robert Culpepper
948 Broadway St.
New Braunfels, TX 78130
(830) 743-3058 culpepperplumbing@satx.rr.com

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

City Council held a public hearing on April 26, 2021 and unanimously approved the first reading of the applicant's requested rezoning ordinance (7-0-0).

The subject property is located on the south side of Broadway between Rusk St. and Flushing. The property fronts Broadway, a 60-foot wide Collector, and abuts a 115-foot wide City drainage right-of-way to the rear of the property, just north of the Union Pacific Railroad track. The 2.3-acre property is currently developed with a single-family home constructed in 1920 and two accessory buildings.

The owner would like to subdivide the property and keep the ability to utilize the property for residential and is requesting a zoning change to "MU-A" Low Intensity Mixed Use District, which allows a mixture of residential and commercial uses. The MU-A District does not include the more intense manufacturing and industrial uses permitted in the current M-2 District and is intended to provide for a mixture of retail, service, office, and residential uses in close proximity to enable people to live, work and shop in a close location.

Surrounding Zoning and Land Use:

North - Across Broadway, R-3 / Single-family residences and agricultural use

South - M-2 / City Drainage Right-of-way and Union Pacific Railroad track

East - M-2 / Single-family residence

West - M-2 / single-family residence

ISSUE:

The proposed rezoning to "MU-A" Low Intensity Mixed Use District is consistent with the following actions from Envision New Braunfels:

Action 1.3: Encourage balanced and fiscally responsible land use patterns.

Action 3.2: Plan for healthy jobs/housing balance.

Action 3.3: Balance commercial centers with stable neighborhoods.

The property lies within the New Braunfels Sub Area near existing Employment, Market, Civic, Outdoor Recreation and Tourist/Entertainment Centers, and near a future Employment Center.

FISCAL IMPACT:

N/A

RECOMMENDATION:

The Planning Commission held a public hearing on April 6, 2021 and unanimously recommended approval (6-0 -0, with Commissioners Sonier, Tubb and Mathis absent).

Staff recommends approval as this area is transitioning from heavy industrial to less intense mixed use. MU-A would be consistent with the mix of commercial and residential uses in the vicinity as well as planned development nearby.

Notification:

Public hearing notices were sent to 11 owners of property within 200 feet. One response has been received in favor from property owner #4 and none opposed.

Resource Links:

Chapter 144-3.3-12 "M-2" Heavy Industrial District, of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIII_ZODI_S144-3.3ZODIREPRZOPRJU221987

Chapter 144, Sec. 3.4-10 "MU-A" Low Intensity Mixed Use District:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH144ZO_ARTIII_ZODI_S144-3.4ZODIREPRZOSUJU221987

Attachments:

1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. TIA Worksheet
4. M-2 District and MU-A District Comparison Table
5. Notification List and Map
6. Excerpt of minutes from the April 6, 2021 Planning Commission regular meeting

7. Ordinance