

Legislation Text

File #: 21-526, **Version:** 1

PRESENTER:

Applicant: Ink Civil (James Ingalls, P.E.)

Owner: EB Industries (Richard Byrd)

SUBJECT:

WVR21-153 Discuss and consider a waiver request from Section 118-44(b) to allow block length to exceed 1,200 feet in the proposed Goodwin Tract Subdivision.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** 4**BACKGROUND INFORMATION:**

Applicant: Ink Civil (James Ingalls, P.E.)
2021 SH 46W, Ste. 105
New Braunfels, TX, 78132
(830) 358-7127 jamesingalls@ink-civil.com

Owner: EB Industries (Richard Byrd)
(251) 510-1118 rbyrd@aspengroverrealty.com

Staff Contact: Matthew Simmont
(830) 221-4058 msimmont@nbtexas.org

The subject property consists of approximately 68 acres located north of the intersection of Goodwin Lane and Orion Drive. The applicant is intending to subdivide the property into approximately 340 residential lots.

Block Length:

The applicant is requesting a waiver from the maximum block length required for a northeastern portion of the tract 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 one block exceeding the maximum block length of 1,200 feet.

The subject proposed block length is approximately 3,300 feet, exceeding the maximum block length by 2,100 feet. The applicant states the property is adjacent to the existing Wasser Ranch Subdivision that does not provide any street stubs to allow for connection. In addition, the northeastern portion of the property is partially bound by floodplain.

ISSUE:

Waiver criteria are provided below in Commission Findings.

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:

Staff acknowledges the limitations of the property to provide breaks in block length with additional street stubs as much of the adjacent property is already platted and the floodway is considered a barrier to the continuity of development. While it appears the subdivision could be designed with cul-de-sacs to break up the blocks, that development style has drawbacks of its own, including hindering walkability. Therefore, staff does not oppose the waiver request for the proposed block length for this single-family residential subdivision.

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

Attachments:

1. Aerial Map
2. Applicant's Plat Waiver Justification Letter
3. Proposed Master Plan and Waiver Exhibit