

## Legislation Text

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**File #:** 21-1295, **Version:** 1

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**PRESENTER:**

Applicant: Keystone National Group, Inc., agent - Josh Neill

Owners: Mary Ann &amp; Larry Lehmann and LaVaine &amp; Barbara Kester

**SUBJECT:**

SUP21-383 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 27.4 acres, addressed at 2725, 2753 and 2793 Goodwin Lane, from “M-1A” Light Industrial District and “APD” Agricultural/Pre-Development District to “C-1A” Neighborhood Business District with a Special Use Permit to allow the development of multiple dwelling units in a townhouse style configuration.

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

Case #: SUP21-0383

Applicant: Keystone National Group, Inc.  
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Owners:	Mary Ann & Larry Lehmann	LaVaine & Barbara Kester
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	New Braunfels, TX 78130	New Braunfels, TX 78130
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Staff Contact: Matthew Simmont  
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The approximately 27.4 acre subject property consists of three contiguous tracts of land located northwest of the intersection of Goodwin Lane and Aspen Waters. Two of the tracts are currently improved with one single-family residence each.

The applicant is requesting approval of a zone change to C-1A to be combined with a Type 2 Special Use Permit (SUP), with a site plan, to allow development of multiple single family residential dwelling units in a townhouse style configuration with development standards consistent with those of the “R-3L” Multifamily Low Density District.

The property is located within the Outer Precision Approach Zone of the Airport Hazard Overlay for building height. This overlay does not impact the proposed development.

*Surrounding Zoning and Land Use:*

North - M-1A with SUP for mobile home park / Mobile home park under construction  
South - Across Goodwin Lane, ZH-A / Creekside Farms Subdivision under construction  
East - APD / Single-family residences and undeveloped  
West - M-1A / Undeveloped

**ISSUE:**

The Zoning Ordinance defines “a building or portion thereof, arranged, intended, or designed for occupancy by three or more families, being separate quarters and living independently of each other or three or more dwelling units on a single lot or parcel, whether attached or detached” as multifamily regardless of building type or site design. A change of the base zoning district to “C-1A” Neighborhood Business District would allow for a variety of office, business and professional services, and light retail and commercial uses to serve adjacent neighborhoods to be constructed on the property with development and/or redevelopment of the site if the SUP was not utilized.

The applicant’s proposed project is the development of clustered residential dwelling units (maximum of 10 units per building) at a maximum density of 12 units per acre. The applicant is requesting an SUP in lieu of requesting a change in the base zoning district to “R-3L” Multifamily Low Density District to allow a site plan and development standards to control the form and layout of the development.

The proposed neighborhood will include amenities and open common areas for recreation. Two points of access are proposed to be located along Goodwin Lane. Amenities will include a club house with pool, 2 dog parks, BBQ picnic areas and a covered trellis.

The proposed zone change to C-1A with a SUP for low density residential use with a maximum density of 12 units per acre (maximum of 320 dwelling units) is consistent with the following actions from Envision New Braunfels:

- Action 1.3: Encourage balanced and fiscally responsible land use patterns.
- Action 2.1: Sustain community livability for all ages and economic backgrounds.
- Action 3.1: Plan for healthy jobs/housing balance.
- Action 3.13: Cultivate an environment where a healthy mix of different housing products at a range of sizes, affordability, densities, amenities and price points can be provided across the community as well as within individual developments.
- Action 3.15: Incentivize home development that is affordable and close to schools, jobs and transportation.
- Action 3.16: Review and revise regulations that inadvertently inhibit creative housing options or workforce housing alternatives.
- Action 3.18: Encourage multifamily to disperse throughout the community rather than congregate en masse.
- Action 3.30: Encourage and incentivize workforce/affordable housing to attract new workforce entrants and young families.
- Action 3.31: Adopt policies and ordinances supportive of workforce housing, creating opportunities that make investment in workforce housing more feasible for private and nonprofit developers.
- Future Land Use: The property is located within the Oak Creek Sub-Area and along a transitional mixed-use corridor. It is in close proximity to existing and future market centers, and several education centers.

**FISCAL IMPACT:**

N/A

**RECOMMENDATION:**

Staff recommends approval of the requested zone change and the Type 2 Special Use Permit with the conditions outlined below. The proposed C-1A zoning district is appropriate as a transitional district between the existing adjacent M-1A zoning and variety of single-family development in the area. The proposed SUP with a site plan layout for multiple dwelling units on one lot in a townhouse style development is compatible with ongoing low density residential development in the area and has frontage on a Minor Arterial roadway.

Recommended conditions:

1. An automatic exemption from the residential masonry wall buffer requirement is not granted with this Special Use Permit. The applicant and adjacent property owner(s) must submit the residential Buffer Wall Objection Application for administrative approval if an alternative fence or wall is desired to be constructed adjacent to the residential property line to the northeast.
2. Development of the site is to be in compliance with the attached site plan and development standards. Any significant alterations to the attached documents will require an amendment to the SUP with a recommendation from the Planning Commission and approval by the City Council

*Mailed notification as required by state statute:*

Public hearing notices were sent to owners of 9 properties within 200 feet of the request. The City has received no responses from owners of property within the notification area.

Resource Links:

- Chapter 144, Section 3.4-1. “APD” Agricultural/Pre-Development District of the City’s Code of Ordinances:  
<[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.4ZODIREPRZOSUJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987)>
- Chapter 144, Section 3.4-12. “C-1A” Neighborhood Business District of the City’s Code of Ordinances:  
<[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.4ZODIREPRZOSUJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987)>
- Chapter 144, Section 3.4-18. “M-1A” Light Industrial District of the City’s Code of Ordinances:  
<[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.4ZODIREPRZOSUJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.4ZODIREPRZOSUJU221987)>
- Chapter 144, Section 3.6 Special Use Permits of the City’s Code of Ordinances:  
<[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOR\\_CH144ZO\\_ARTIIIIZODI\\_S144-3.6SPUSPE](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOR_CH144ZO_ARTIIIIZODI_S144-3.6SPUSPE)>

Attachments:

1. Aerial Map
2. Request Letter
3. Site Plan and Development Standards
4. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan)
5. District Comparison Chart
6. Traffic Impact Analysis (TIA) Worksheet

7. Notification List, Map and Responses
8. Photographs