

Zoning Request

ZC-21-16

SH 123 & Wonder World.

Northwest Corner



Summary

Request:	"FD" Future Development to "EC" Employment Center		
Applicant:	HMT Engineering 290 S Castell Ave Ste 100 New Braunfels, TX 78130	Property Owner:	Danny Gribbon 290 S Castell Ave Ste 100 New Braunfels, TX 78130

Notification

Application:	8/6/2021	Neighborhood Meeting:	N/A
Published:	8/8/2021	# of Participants	N/A
Posted:	8/6/2021	Personal:	8/6/2021
Response:	None as of the date of this report		

Property Description

Legal Description:	22.58 acres out of the Barnett O. Kane Survey, Abstract No. 281 and the JM Veramendi Survey, Abstract No. 17		
Location:	Northwest corner of the SH 123 and Wonder World Dr. intersection		
Acreage:	22.58 acres	PDD/DA/Other:	N/A
Existing Zoning:	Future Development (FD)	Proposed Zoning:	Commercial District (CM)
Existing Use:	Vacant	Proposed Use:	Fast Food, Office, C. Store w/Car Wash, Hotel
Existing Occupancy:	N/A	Occupancy:	N/A
Preferred Scenario:	Medium Intensity Zone - Medical District	Proposed Designation:	Same
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Available	Floodplain:	No
Historic Designation:	N/A	My Historic SMTX Resources Survey	No

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	NC and OP	Vacant	Medium Intensity - Medical District
South of Property:	MF-24	Riverstone Apartments	Medium Intensity - Medical District
East of Property:	FD	SH 123	Medium Intensity - Medical District
West of Property:	MF-24 & P	Brookdale Senior Living Apartments	Medium Intensity - Medical District

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Staff Recommendation

<u>X</u>	Approval as Submitted		Alternate Approval		Denial
Staff: Will Rugeley, AICP					
Title: Planner			Date: 8/19/2021		

Commission Recommendation

<u>X</u>	Approval as Submitted		Approval with Conditions / Alternate		Denial
Speakers in favor or opposed: 1. In Favor: (0) 2. In Opposition: (0) Recommendation from the Planning and Zoning Commission Meeting held August 24, 2021: A motion was made by Commissioner Kelsey, seconded by Commissioner Costilla, to approve ZC-21-16. The motion carried 8-0. <ul style="list-style-type: none">For: (8) Chairperson Garber, Commissioner Agnew, Commissioner Costilla, Commissioner McCarty, Commissioner Moore, Commissioner Rand, Commissioner Spell, and Commissioner Sambrano.Against: (0)Absent: (0) Discussion Topics: P&Z noted the site currently sells fireworks and discussed that with zoning approval the sale of fireworks would subsequently be prohibited. They then wanted to ensure that the adjacent Hwy 123 right-of-way would also be annexed into the City, and it will. Finally, P&Z did not believe truck stops at any location nor hotel/motel in certain locations, specifically adjacent to the senior living apartments, is desirable and therefore they suggested that Council limit the location of those uses.					

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History

N/A.

Additional Analysis

The request for EC is designated as 'NP' Not Preferred within Medium or High Intensity Zones on the Preferred Scenario Map. However, EC is intended to serve as a commercial gateway which takes advantage of proximity to major roadways, like Wonder World Dr and Hwy 123. Because EC should be applied along highway corridors, the quality and aesthetics of new development is very important. Accordingly, Live/Work, Mixed Use Shopfronts, and General Commercial building types are allowed at a maximum 4 stories and 62'.

Additionally, the property is near the City's medical district which corresponds with its Preferred Scenario Map designation of Medium Intensity – Medical District and its proposed uses would complement the medical industry. Its restaurant uses would offer dining options to its daytime population, its hotel use would provide additional lodging choices to hospital visitors, and its office uses would afford brick-and-mortar opportunities to the medical community.

Comments from Other Departments

Police	No Comment
Fire	No Comment
Public Services	No Comment
Engineering	No Comment

Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map <i>Medium Intensity Zones are intended for residential and commercial growth.</i>
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area <i>Studies were not complete at the time of this request.</i>
		<u>N/A</u>	Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect
<u>X</u>			Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses shall be appropriate in the immediate area of the land to be reclassified

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
		<u>X</u>	Whether the proposed zoning will reinforce the existing or planned character of the area <i>The proposed uses neither compliment nor conflict with existing uses in the nearby vicinity.</i>
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district <i>The site is contiguous with 2 major arterial roads and the proposed uses are car dependent.</i>
<u>X</u>			Whether there are substantial reasons why the property cannot be used according to the existing zoning <i>FD uses are limited and not ideal when considering the property's location.</i>
<u>X</u>			Whether there is a need for the proposed use at the proposed location <i>The Comprehensive Plan identifies this area for future growth and expansion.</i>
<u>X</u>			Whether the City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, public safety, and emergency services, while maintaining sufficient levels of service to existing development
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property
		<u>N/A</u>	For requests to a Neighborhood Density District, whether the proposed amendment complies with the compatibility of uses and density in Section 4.1.2.5
<u>X</u>			The impact the proposed amendment has with regard to the natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management
		<u>X</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare