

**ORDINANCE NO. 2021-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ADOPT A SITE PLAN AND ESTABLISH DEVELOPMENT STANDARDS FOR AN RV RESORT ON APPROXIMATELY 29 ACRES CONSISTING OF LOT 1D-R WALNUT HEIGHTS SUBDIVISION AND APPROXIMATELY 25 ACRES OUT OF THE J. M. VERAMENDI A-2 SURVEY, LOCATED IN THE 700 BLOCK OF N. WALNUT AVENUE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

**WHEREAS**, in keeping with the spirit and objectives of a Special Use Permit, the City Council has given due consideration to all components of said permit; and

**WHEREAS**, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

**WHEREAS**, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

**WHEREAS**, the property is located in an area suitable for an RV resort; and

**WHEREAS**, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan; and

**WHEREAS**, the City Council desires to grant a Type 2 Special Use Permit on approximately 29 acres in the 700 block of N. Walnut Avenue to adopt a site plan and establish development standards for an RV resort in the M-1 Light Industrial, C-1 Local Business and R-2 Single and Two-family Districts; **now, therefore;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

**SECTION 1**

**THAT** pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of

Ordinances, the Zoning Map of the City of New Braunfels is revised by adding the following tract of land as a "Type 2 Special Use Permit" for the uses and conditions herein described:

Being Lot 1D-R Walnut Heights Subdivision and approximately 25 acres out of the J. M. Veramendi A-2 Survey, located in the 700 block of N. Walnut Avenue, as depicted in Exhibit "A" and described in Exhibit "B" attached, to adopt a site plan and establish development standards for an RV resort in the M-1, C-1 and R-2 districts.

## **SECTION 2**

**THAT** the Special Use Permit be subject to the following conditions:

1. The RV resort will comply with the approved site plan (Exhibit "C" attached). Minor changes resulting from the floodplain development permit may be reviewed and approved administratively. Substantial revisions to the site plan will require approval of an amended SUP.
2. Add an explanation of what activities are restricted during the 10 pm to 6 am "quiet hours" to the list of development standards.
3. Prepare an information handout regarding flash flooding risks with an evacuation map, approved by the City's Fire Marshal's Office, to be provided to guests

## **SECTION 3**

**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

## **SECTION 4**

**THAT** if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

## **SECTION 5**

**THIS** ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

**PASSED AND APPROVED:** First reading this 28th day of June, 2021.

**PASSED AND APPROVED:** Second reading this 12th day of July, 2021.

**CITY OF NEW BRAUNFELS**

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**RUSTY BROCKMAN, Mayor**

**ATTEST:**

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**CAITLIN KROBOT**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney

**SUP21-126**  
**Type 2 Special Use Permit**  
**RV Resort**

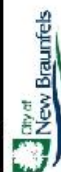


EXHIBIT "B"

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATED IN COMAL COUNTY, TEXAS, AND BEING 23.582 ACRES OF LAND OUT OF THE J. M. VERAMENDI TWO LEAGUE SURVEY, ABSTRACT NO. 1, AND ALSO BEING THE SAME TRACTS OF LAND CALLED 4.46 ACRES, RECORDED IN VOLUME 97, PAGES 452,-453, OF THE DEED RECORDS, AND A 20.0 ACRE TRACT RECORDED IN VOLUME 95, PAGES 580-581 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND IN THE SOUTH R.O.W. LINE OF MISSOURI-PACIFIC RAILROAD, SAID POINT BEING THE WEST CORNER OF ABOVE REFERENCED 4.46 ACRE TRACT, FOR THE WEST CORNER OF THIS TRACT;

THENCE NO. 67° 04' 44" E. 1613.82 FEET ALONG SAID R.O.W. LINE TO A FENCE CORNER IN SAME, SAID POINT BEING THE NORTH CORNER OF SAID 20.0 ACRE TRACT, FOR THE NORTH CORNER OF THIS TRACT;

THENCE S. 35° 48' 53" E. 514.02 FEET AND S. 35° 26' 43" E. 843.20 FEET ALONG THE NORTHEAST FENCE LIEN OF ABOVE REFERENCED 20.0 ACRE TRACT TO A POINT ON THE NORTH BANK OF COMAL CREEK FOR THE EAST CORNER OF THIS TRACT;

THENCE UPSTREAM ALONG THE MEANDER OF COMAL CREEK AS FOLLOWS:

S. 84° 18' 42" W. 236.74 FEET;  
S. 81° 31' 31" W. 30.03 FEET;  
N. 80° 14' 57" W. 186.61 FEET;  
S. 76° 14' 03" W. 22.74 FEET;  
S. 69° 06' 21" W. 38.77 FEET;  
N. 58° 47' 46" W. 17.87 FEET;  
N. 10° 07' 22" W. 81.82 FEET;  
N. 54° 47' 12" W. 464.02 FEET;  
N. 17° 48' 45" W. 85.98 FEET;  
N. 46° 13' 12" W. 200.80 FEET;  
N. 75° 17' 12" W. 101.09 FEET;  
S. 70° 11' 02" W. 420.64 FEET;  
S. 42° 03' 48" W. 328.95 FEET;  
S. 19° 47' 50" W. 109.94 FEET;  
S. 45° 31' 14" W. 119.44 FEET; TO A POINT ON THE NORTH BANK OF COMAL CREEK FOR A CORNER OF THIS TRACT;

THENCE N. 37° 23' 47" W. 580.10 FEET TO THE PLACE OF BEGINNING AND CONTAINING 23.582 ACRES OF LAND, MORE OR LESS, ACCORDING TO A SURVEY MADE ON THE GROUND IN MARCH, 1978, UNDER THE SUPERVISION OF S. CRAIG HOLLMIG, REGISTERED PROFESSIONAL ENGINEER, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES.

Filed and Recorded  
Official Public Records  
Joy Streater, County Clerk  
Comal County, Texas  
07/29/2014 01:08:24 PM  
TERRI 3 Page(s)  
201406025695



*Joy Streater*

METES AND BOUNDS DESCRIPTION  
FOR A  
0.384 acre TRACT OF LAND

Being a 0.384 acre tract of land out of the J.M. Veramendi Survey No. 1, Abstract No. 2, Comal County, Texas, being the remainder of a called 0.396 acre tract recorded in Document No. 201706031440, Official Public Records, Comal County, Texas, same being all of a called 0.4 acre tract (calculated to be 0.396 acre) described in Volume 85, Page 145, Deed Records, Comal County, Texas, Less a called 508.75 Sq. Ft. Parcel (calculated to 0.012 acre) conveyed to the City of New Braunfels in Volume 167, Page 551, Deed Records, Comal County, Texas, said 0.384 acre tract of land being more particularly described as follows:

BEGINNING at a 1/2" iron pin found for the East corner of Lot 1, Block 1, Walnut Heights, Unit 1, plat of which is recorded in Volume 5, Page 112, Map and Plat Records, Comal County, Texas and being in the Northwestern line of the herein described tract:

THENCE N 62°55'18" E, along the Northwest line of the herein described tract, a distance of 41.19 feet to an "X" cut in concrete for the North corner of the herein described tract and the West corner of said 508.75 Sq. Ft. Parcel and being the Westerly right-of-way of Walnut Avenue;

THENCE along the Northeast line of the herein described tract, common with the Southwesterly line of said 508.75 Sq. Ft. Parcel and right-of-way of Walnut Avenue the following 2 (two) calls:

1. S 27°03'35" E a distance of 70.00 feet to 1/2" iron pin (with cap stamped "HMT") set for and angle point;
2. S 34°02'04" E a distance of 45.34 feet to a 1/2" iron pin (with cap stamped "HMT") set for the East corner of the herein described tract and being the North corner of Lot 2, Block 1, of said Walnut Heights;

THENCE departing said 508.75 SF Parcel and Walnut Avenue and along the Northwest and Northeast lines of said Lot 2, the following 2 (two) calls:

1. S 62°55'35" W a distance of 150.00 feet to a PK Nail set for the South corner of the herein described tract;
2. N 27°04'02" W a distance of 115.00 feet to a 1/2" iron pin (with cap stamped "HMT") set for the West corner of the herein described tract and being a North corner of said Lot 2, Block 1, and being in the Southeast line of the aforementioned Lot 1, Block 1, Walnut Heights, from which a 1/2" iron pin found bears S 62°55'18" W a distance of 155.43 feet:

THENCE N 62°55'18" E a distance of 103.32 feet to the POINT OF BEGINNING and containing 0.384 acre of land in Comal County, Texas.

Bearings shown hereon are based on the Texas Coordinate System, South Central Zone (4204), NAD 83.

Surveyed this the 26th day of January, 2021.

Reference survey of said 0.384 acre tract of land prepared this same date.

  
Douglas B. Cottle  
Registered Professional Land Surveyor No. 6149

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Veramendi JM 0.384ac Bndy\_715 Walnut Ave\_21-0037.docx





## EXHIBIT "C"

