



**CITY OF NEW BRAUNFELS, TEXAS
PLANNING COMMISSION MEETING**



**ZOOM
550 LANDA STREET**

TUESDAY, JANUARY 5, 2021 at 6:00 PM

**To participate via zoom use the link <https://us02web.zoom.us/j/84917943395>
or call (833) 926-2300 with 84917943395.**

**Instructions for participation, use link
<http://www.nbtexas.org/2722/Planning-Commission-Online-Meeting-Guide>**

***TO PROTECT THE HEALTH OF THE PUBLIC AND LIMIT THE POTENTIAL SPREAD OF
COVID-19, NO IN-PERSON PUBLIC ACCESS TO THIS MEETING IS AVAILABLE. READ
BELOW FOR WAYS TO PARTICIPATE IN THIS MEETING.***

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AGENDA

1. CALL TO ORDER

Request all phones and other devices be turned off, except emergency on-call personnel.

2. ROLL CALL

3. APPROVAL OF MINUTES

A) Approval of the December 1, 2020 Regular Meeting Minutes.

4. IN-PERSON CITIZENS' COMMUNICATIONS IS TEMPORARILY SUSPENDED

This time is for citizens to address the Planning Commission on issues and items of concern not on this agenda. Pursuant to state statute, Planning Commission cannot discuss or take action on items not on the agenda. In lieu of in-person comments, citizens may email their comments to planning@nbtexas.org; comments will be distributed to the Planning Commissioners.

5. CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of these items unless a Planning Commissioner or citizen so requests, in which case the item will be removed from the consent agenda and considered as part of the normal order of business.

6. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Briefing on forthcoming proposed amendments to remove regulatory barriers to workforce housing.
Jean Drew, AICP, CNU-A, Senior Planner
- B) Presentation and briefing regarding proposed amendments to Chapter 66 Historic Preservation for the protection and preservation of historic trees within historic districts and historic landmarks.
Caleb Gasparek, Historic Preservation Officer
- C) PZ20-0285 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 19.735 acres out of the Orilla Russell Survey, A-485 and the Nancy Kenner Survey, A-306, Comal County, Texas, located south of the intersection of Gray Cloud Drive and Twin Dish Way, from "R-1A-6.6" Single Family District to "R-1A-5.5" Single Family District.
Owner: Milestone Conrads Development (Chesley Swann III, Vice President)
Applicant: HMT Engineering & Surveying (Stephen Hanz, COO)
- D) PZ20-0292 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 5.996 acres out of the Orilla Russell Survey No. 2, Abstract No. 485, Comal County, Texas, addressed at 689 Orion Drive, from "M-1A" Light Industrial District to "R-1A-6.6" Single-Family District.
Owner/Applicant: Robert Whipkey
- E) PZ20-0295 Public hearing and recommendation to City Council regarding proposed revisions to the Solms Landing Planned Development ("SLPD") concept plan and development standards, on approximately 98 acres out of the A M Esnaurizar A-20 Survey, addressed at 253 S. Kowald Lane.
James Mahan, Applicant/Owner
- F) SUP20-267 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow a variety of residential and non-residential development on approximately 49.5 acres out of the A-103, Sarah Dewitt Survey, addressed at 514 & 720 W. Zipp Road, from "R-1A-6.6" Single Family District to allow all uses allowed in the following zoning districts: "MU-B" High Intensity

Mixed Use, "R-1A-4" Single-Family Small Lot Residential, "ZH-A" Zero Lot Line Home and "R-2A" Single and Two-Family Residential. The applicant will request a postponement; if the Planning Commission approves the postponement, new public notice will be provided for the February 2, 2021 meeting.

Applicant: Thor Thornhill; Owner: Gregory Family Revocable Trust

- G) SUP20-284 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit on approximately 23 acres out of the A.P. Fuquay survey No. 35, Abstract No. 155, Comal County, Texas, located at the southwest corner of the intersection of E. Common Street and Old FM 306, to allow multifamily high-density residential use in the "C-1" Local Business District and "M-1" Light Industrial District.

Owner: Noland and Vera Koepp, Ltd. Partnership Applicant: HMT Engineering & Surveying (Thor Thornhill)

- H) SUP20-289 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow duplexes (two-family dwellings) or office/warehouse use in the "APD" Agricultural/Pre-Development District on approximately 0.938 acres out of the A.M. Esnaurizar Eleven League Grant, Subdivision No. 107, addressed at 187 Prairie View Road.

Applicant: Moeller & Associates (James Ingalls, P.E.) Owner: Dianna Lynn Scott

- I) SUP20-291 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow a seven-unit, townhouse style residential development on approximately 0.7 acre located at the southwestern terminus of the 2300 block of Michigan Street.

Applicant: Brian Mendez - Urban Civil; Owner: Habitat for Humanity (Crystal Moore)

- J) SUP20-298 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow outdoor music in the "C-1" Local Business District adjacent to residential use on approximately 1.2 acres consisting of Lot 5, Block 1, Rio Vista Addition, addressed at 1951 Gruene Road.

Applicant: Ross Wilkinson; Owner: Rosemary Phillips

- K) SUP20-299 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-3 Commercial District, addressed at 262 E. Nacogdoches Street.

Aurora Hayes, Owner/Applicant

- L) SUP20-300 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow an RV resort on approximately 28 acres consisting of Lot 1D-R Walnut Heights Subdivision and approximately 24 acres out of the J M Veramendi A-2 Survey, located in the 700 block of N. Walnut Avenue.

James Ingalls, Applicant

- M) Discuss and consider a recommendation to City Council regarding the removal of a segment of the Minor Arterial identified in the City of New Braunfels Regional Transportation Plan that is the future extension of County Line Road from FM 1044 to Engel Road.

Garry Ford, Jr., Assistant Public Works Director/City Engineer

- N) CS20-319 Discuss and consider a recommendation to City Council regarding a variance request to allow a proposed business, addressed at 344 Landa Street, to provide alcohol sales (wine and beer, no onsite consumption) within 300 feet of a church.

Maddison O'Kelley, Assistant Planner

- O) REP20-307 Public Hearing and consideration of the Self Subdivision, that includes a replat of Lot 1R, Schleicher Estates Subdivision, with a waiver to not extend an existing street.

Applicant: Moeller & Associates (James Ingalls, P.E.); Owner: Sandra E. Self

- P) REP20-315 Public Hearing and consideration of the Spring Valley Subdivision, Unit 1A that includes a replat of Tract 1, Anita's Acres Subdivision.

Applicant: Moeller & Associates (James Ingalls, P.E.); Owner: San Antonio 2015 LLC (David C. Frye)

- Q) PL-20-022 Consideration of the final plat for Senaido Dual Crossing Subdivision with waivers.

Applicant: Brian Mendez; Urban Civil

- R) WVR20-323 Consideration of a waiver to Section 118-45 of the Subdivision Platting Ordinance to allow a lot with no public street frontage addressed at 610 Dammann Lane.

Applicant: James Dillon

- S) CS20-0257 Public hearing and recommendation to City Council regarding a request for acceptance of 102.68 acres out of the A.M. Esnaurizar A-20 Survey into the City of New Braunfels extraterritorial jurisdiction (ETJ) located on FM 758 approximately 1,000 feet west of State Highway 123 North.

Drew Hubbard, Owners' Agent

- T) ORD20-301 Public hearing and recommendation to City Council regarding a proposed amendment to the Veramendi Development Design & Control Document.

Applicant & Developer: Peter James, Chief Executive Officer - ASA Properties

7. **STAFF REPORT**

8. **ADJOURNMENT**

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

Board Liaison

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.



Planning Commission Agenda Item Report

550 Landa Street
New Braunfels, TX

1/5/2021

Agenda Item No. A)

**Planning Commission
Regular Meeting Minutes
December 1, 2020**

Members Present

Chair Lee Edwards
Vice Chair Stanley Laskowski
Ron Reaves
Creighton Tubb
Thomas Meyer
Chad Nolte
Jerry Sonier
John Mathis

Staff Present

Christopher J. Looney, Planning Director
Stacy Snell, Planning Manager
Frank Onion, Assistant City Attorney
Jeff Jewell, Director of Economic and
Community Development
Holly Mullins, Senior Planner
Matt Greene, Planner
Matthew Simmont, Planner
Sam Hunter, Planning Technician

Members Absent

Shawn Gibson

1. The above meeting was called to order by Chair Edwards at 6:00 p.m.

2. ROLL CALL

Roll was called, and a quorum was declared.

3. APPROVAL OF MINUTES

Motion by Vice Chair Laskowski, seconded by Member Sonier, to approve the regular meeting minutes of November 4, 2020. Motion carried (7-0-1) with Chair Edwards abstaining.

4. CITIZENS COMMUNICATION

Chair Edwards stated in person communication had been temporarily suspended due to COVID-19 and encouraged the public to send their comments in emails to planning@nbtexas.org which will be distributed to the Commissioners.

5. CONSENT AGENDA

FP20-0263 Approval of the final plat for Laubach Subdivision Unit 5 with conditions.

Applicant: Tim Gorena; HMT Engineering & Surveying

FP20-0264 Approval of the final plat for Laubach Subdivision Unit 6 with conditions.

Applicant: Tim Gorena; HMT Engineering & Surveying

FP20-0265 Approval of the final plat for Solms Landing Collector, Phase 1A.

Applicant: Nick Reynolds; KFW Engineers

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to approve the consent agenda with staff recommendations. Motion carried (8-0-0).

6. ITEMS FOR CONSIDERATION

A) Presentation and discussion of Workforce Housing Advisory Committee Initiatives and work plan.

Mr. Jewell presented on the formation and progress of the Workforce Housing Action Committee, affordable housing conditions in New Braunfels, and next steps & initiatives.

Discussion followed on developer fees and code requirements.

Commissioner Reaves asked about the scope of the committee.

Discussion followed.

Discussion followed on input for potential solutions.

Maria Flasher, 622 Ridgehorn, stated her struggles with buying a home in New Braunfels.

Sandra Harrison, 2753 Ridgehorn, stated concerns with affordable housing affecting local property values.

Discussion followed.

Stephanie Kokkeby, 2750 Ridgeforest, stated she agreed with the previous comment.

Kristin York, 2757 Ridgeforest, commented on upcoming item E.

Chair Edwards stated item E will be addressed and open to public comment later on in the meeting.

Discussion followed on the previous concerns raised.

Joe Ward, 2727 Ridgearbor, asked questions on item E.

Chair Edwards asked to address Item E as the next item.

Motion by Vice Chair Laskowski, seconded by Member Nolte, to address item E as the next item in the agenda.

E) SUP20-267 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow a variety of residential and non-residential development on approximately 49.5 acres out of the A-103, Sarah Dewitt Survey, addressed at 514 & 720 W. Zipp Road, from “R-1A-6.6” Single Family District to allow all uses allowed in the following zoning districts: “MU-B” High Intensity Mixed Use, “R-1A-4” Single-Family Small Lot Residential, “ZH-A” Zero Lot Line Home and “R-2A” Single and Two-Family Residential. Applicant: Thor Thornhill; Owner: Gregory Family Revocable Trust; Case Manager: Matthew Simmont.

Mr. Simmont stated the applicant requested postponement of the item.

Discussion followed on the intent of the postponement.

Chair Edwards asked if the applicant could comment on the nature of the postponement.

Chris Krim, 290 S Castell Street, HMT, stated the applicant is asking for postponement to review comments and concerns from the public.

Discussion followed.

Motion by Commissioner Meyer, seconded by Commissioner Sonier, allow the applicant to postpone consideration of the proposed rezoning to apply a Special Use Permit to allow a variety of residential and non-residential development on approximately 49.5 acres out of the A-103, Sarah Dewitt Survey, addressed at 514 & 720 W. Zipp Road, from “R-1A-6.6” Single Family District to allow all uses allowed in the following zoning districts: “MU-B” High Intensity Mixed Use, “R-1A-4” Single-Family Small Lot Residential, “ZH-A” Zero Lot Line Home and “R-2A” Single and Two-Family Residential. Motion carried (8-0-0).

Discussion followed on the public notice.

Motion by Commissioner Meyer, seconded by Commissioner Sonier, to amend the previous motion to include the requirement of public notice for any changes made before the January 5, 2021 regular meeting. Motion carried (8-0-0).

B) PZ20-0203 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 38 acres out of Subdivision No. 112 of the A.M. Esnaurizar Eleven League Grant, located on SH 46 South, adjacent to Stonegate Subdivision, from “APD” Agricultural/Pre-Development District and “PD” Planned Development District to “ZH-A” Zero Lot Line Home District. Applicant/Owner: Rick Rodriguez, Brass Real Estate Growth Fund IV LP; Case Manager: Matt Greene.

Mr. Greene presented and recommended approval.

Chair Edwards asked if there were any questions.

Discussion followed for clarification on the current Planned Development zoning on the subject property and vehicular access into and out of the subdivision.

Discussion followed.

Commissioner Reaves asked about drainage.

Mr. Greene stated this has not been discussed at the zoning level.

Chair Edwards asked if the applicant would like to speak.

Taylor Allen, WGI Engineering, 710 W Hausman Rd, elaborated on previous discussion.

Discussion followed.

Chair Edwards opened the public hearing and asked if anyone wished to speak in favor.

Sean Smith, representing the developer, 85 NE Loop 410, stated he is able to answer any further questions from the commission.

Chair Edwards asked if anyone wanted to speak in opposition.

No one spoke.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Vice Chair Laskowski, seconded by Commissioner Tubb, to recommend approval to City Council of the proposed rezoning of approximately 38 acres out of Subdivision No. 112 of the A.M. Esnaurizar Eleven League Grant, located on SH 46 South, adjacent to Stonegate Subdivision, from “APD” Agricultural/Pre-Development District and “PD” Planned Development District to “ZH-A” Zero Lot Line Home District. Motion carried (5-3-0) with Commissioner Reaves, Commissioner Mathis, and Commissioner Meyer in opposition.

C) SUP20-254 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow a single family residential use in the “M-1” Light Industrial District on 0.22 acres out of Lots 240 and 241 NCB 2014, addressed at 394 N Market Avenue. Case Manager: Holly Mullins.

Mrs. Mullins presented and recommended approval.

Chair Edwards asked if there were any questions for staff.

Chair Edwards asked if the applicant would like to speak.

Kay Kobeski, 394 N Market Ave, stated she is present to answer any questions for staff.

Chair Edwards opened the public hearing and asked if anyone wished to speak in favor.

No one spoke.

Chair Edwards asked if anyone wanted to speak in opposition.

No one spoke.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Sonier, seconded by Commissioner Reaves, to recommend approval to City Council of the proposed rezoning to apply a Special Use Permit to allow a single family residential use in the "M-1" Light Industrial District on 0.22 acres out of Lots 240 and 241 NCB 2014, addressed at 394 N Market Avenue with staff recommendations. Motion carried (8-0-0).

D) SUP20-258 Public hearing and recommendation to City Council regarding a proposed amendment to an existing Special Use Permit for an animal shelter to allow an additional building and parking lot for the purpose of spaying and neutering dogs and cats at 3353 Morningside Drive. *Applicant/Owner: Humane Society of the New Braunfels Area (Sarah Hammond); Case Manager: Matt Greene.*

Mr. Greene presented and recommended approval of the request.

Chair Edwards asked if there were any questions for staff.

Chair Edwards opened the public hearing and asked if anyone wished to speak in favor.

No one spoke.

Chair Edwards asked if anyone wanted to speak in opposition.

No one spoke.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Reaves, seconded by Commissioner Sonier, to recommend approval to City Council of the proposed amendment to an existing Special Use Permit for an animal shelter to allow an additional building and parking lot for the purpose of spaying and neutering dogs and cats at 3353 Morningside Drive. Motion carried (8-0-0).

F) ORD19-249 Public hearing and recommendation of an ordinance amending Chapter 144, Zoning, Section 144-1.4, Definitions, to include new use terms; Sections 3.3 and 3.4 Zoning districts and regulations for property zoned prior to and subsequent to June 22, 1987, and Section 3.8, Walnut Special District, to temporarily suspend Building Design Standards; Section 4.2, Land Use Matrix,

to identify districts allowing the new uses; Section 5.1, Parking, to identify parking standards for new uses and to clarify parking requirements; Section 5.4 to clarify accessory structure requirements; and, Section 5.21, General Provisions, to clarify exceptions for front porches in yard setbacks, and to clarify rear yard requirements for lots abutting drainage easements. Case Manager: Jean Drew.

Mrs. Drew presented on the proposed code amendments.

Chair Edwards asked if there were any questions for staff.

Chair Edwards opened the public hearing and asked if anyone wished to speak in favor.

No one spoke.

Chair Edwards asked if anyone wanted to speak in opposition.

No one spoke.

Chair Edwards closed the public hearing.

Chair Edwards asked if there were any further questions or a motion.

Motion by Commissioner Sonier, seconded by Vice Chair Laskowski, to recommend approval to City Council of the proposed ordinance amending Chapter 144, Zoning, Section 144-1.4, Definitions, to include new use terms; Sections 3.3 and 3.4 Zoning districts and regulations for property zoned prior to and subsequent to June 22, 1987, and Section 3.8, Walnut Special District, to temporarily suspend Building Design Standards; Section 4.2, Land Use Matrix, to identify districts allowing the new uses; Section 5.1, Parking, to identify parking standards for new uses and to clarify parking requirements; Section 5.4 to clarify accessory structure requirements; and, Section 5.21, General Provisions, to clarify exceptions for front porches in yard setbacks, and to clarify rear yard requirements for lots abutting drainage easements. Motion carried (8-0-0).

G) WVR20-225 Consideration of a waiver to Section 118-44 of the Subdivision Platting Ordinance to allow block lengths to exceed 1,200 feet in the proposed Preserve at Elm Creek Subdivision.

Applicant: William B. Ball, P.E., HMT Engineering & Surveying; Owner: JHJ Land and Cattle Company Holdings, LLC.; Case Manager: Matthew Simmont

Mr. Simmont presented. Staff recommended approval to three of the proposed eight block waivers:

1. Two blocks adjacent to the existing Vintage Oaks at the Vineyard subdivision since the proposed development is limited to the existing street layout of the adjacent subdivided property.
2. One block adjacent FM 2722, staff recognizes TxDOT's preference of limiting the number of access points along the minor arterial.

Chair Edwards asked if there were any questions for staff.

Chair Edwards asked if the applicant would like to speak.

Bill Ball, HMT, 290 S Castell St, elaborated the nature of the request and the environmental context of the area.

Discussion followed for clarification on the requested waiver.

Chair Edwards asked if there were any further questions or a motion.

Discussion followed on the motion.

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to approve the proposed waiver to Section 118-44 of the Subdivision Platting Ordinance to allow block lengths to exceed 1,200 feet in the proposed Preserve at Elm Creek Subdivision with staff recommendations and with the condition that three (3) additional street projections to adjoining unsubdivided areas are provided with the subdivision; one within each proposed unit, for Units 2, 3 and 4. Motion carried (8-0-0).

H) WVR20-226 Consideration of a waiver to Section 118-46(s)(11) of the Subdivision Platting Ordinance to allow proposed lots to not comply with the minimum required frontage of 100 feet as required for the large lot street standard in the proposed Preserve at Elm Creek Subdivision.

Applicant: William B. Ball, P.E., HMT Engineering & Surveying; Owner: JHJ Land and Cattle Company Holdings, LLC; Case Manager: Matthew Simmont

Mr. Simmont presented and stated staff is in opposition of the request.

Chair Edwards asked if there were any questions for staff.

Discussion followed on the interaction of the applicant's previous request with item 6A.

Chair Edwards asked if the applicant would like to speak.

Bill Ball, 290 S Castell, HMT, provided clarification on the intent behind the request.

Discussion followed on stub-outs and the motion.

Chair Edwards asked if there were any further questions or a motion.

Motion by Chair Edwards, seconded by Commissioner Sonier, to approve the proposed waiver to Section 118-46(s)(11) of the Subdivision Platting Ordinance to allow proposed lots to not comply with the minimum required frontage of 100 feet as required for the large lot street standard in the proposed Preserve at Elm Creek Subdivision with the condition that the 18 lots must have a minimum of 100 feet of lot width to be measured at the 25-foot front setback (from the front property line). Motion carried (8-0-0).

I) WVR20-260 Consideration of a waiver to Section 118-46(j) of the Subdivision Platting Ordinance to not require a temporary turnaround in Heatherfield Subdivision, Unit 3.

Applicant: Tim Gorena, P.E., HMT Engineering & Surveying; Owner: Pulte Homes of Texas, LP (Sean Miller, Division Director of Land Acquisition); Case Manager: Matt Greene.

Mr. Greene presented and stated staff does not oppose approval of the request.

Chair Edwards asked if there were any questions for staff.

Motion by Vice Chair Laskowski, seconded by Commissioner Sonier, to approve the proposed waiver to Section 118-46(j) of the Subdivision Platting Ordinance to not require a temporary turnaround in Heatherfield Subdivision, Unit 3. Motion carried (8-0-0).

J) WVR20-261 Discuss and consider a recommendation to City Council regarding a request for a waiver to the Subdivision Platting Ordinance to allow payment of escrow in lieu of construction of 4-foot wide public sidewalks adjacent to West Zipp Road for Unit 1 of the Voges Subdivision.

Applicant: Tim Gorena, P.E., HMT Engineering & Surveying; Owner: Rausch Coleman Homes San Antonio, LLC; Case Manager:

Chair Edwards stated the item has been withdrawn by the applicant.

K) WVR20-262 Consideration of a waiver to Section 118-46(j) of the Subdivision Platting Ordinance to not require a temporary turnaround for August Fields Subdivision, Phase 5.

Applicant: Bill Ball, P.E., HMT Engineering & Surveying; Owner: August Fields, LP (Barth Timmerman)

Mr. Greene presented and stated staff does not oppose approval of the request.

Chair Edwards asked if there were any questions for staff.

Chair Edwards opened the item for public comment and asked if anyone wished to speak.

No one spoke.

Chair Edwards closed the public comments.

Chair Edwards asked if there were any further questions or a motion.

Motion by Vice Chair Laskowski, seconded by Commissioner Tubbs, to approve the proposed waiver to Section 118-46(j) of the Subdivision Platting Ordinance to not require a temporary turnaround for August Fields Subdivision, Phase 5 with staff recommendations. Motion carried (8-0-0).

7. STAFF REPORT

None.

8 ADJOURNMENT

There being no further business, Chair Edwards adjourned the meeting at 8:54 pm.

Chair

Date

1/5/2021

Agenda Item No. A)

Presenter/Contact

*Jean Drew, AICP, CNU-A, Senior Planner
(830) 221-4652 - jdrew@nbtexas.org*

SUBJECT:

Briefing on forthcoming proposed amendments to remove regulatory barriers to workforce housing.

BACKGROUND / RATIONALE:

At the December 2020 Planning Commission meeting, Jeff Jewell, Director of Economic and Community Development, provided a presentation on the Workforce Housing Advisory Committee's recommendations for revisions to remove regulatory barriers to workforce housing. Per Mr. Jewell's briefing, the Planning and Development Services Department has been collaborating with the team and Committee to develop draft revisions. Each month staff plans to brief the Planning Commission on a few items, outlining the potential revisions to remove regulatory barriers. After receiving input, staff will bring the draft ordinance(s) forward at subsequent meetings for public hearings and recommendation to City Council.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan Workforce Housing Study	Action 1.11: Update policies and codes to achieve development patterns that implement the goals of Envision New Braunfels. Action 3.6: Pro-actively provide a regulatory environment that remains business and resident friendly. Action 3.13 Cultivate an environment where a healthy mix of different housing products at a range of sizes, affordability's, densities, amenities and price points can be provided across the community as well as within individual developments. Action 3.16 Review and revise regulations that inadvertently inhibit creative housing options or workforce housing alternatives. Action 3.30 Adopt policies and ordinances supportive of workforce housing, creating opportunities that make investment in workforce housing more feasible for private and nonprofit developers. Workforce Housing Study Recommendations: Ensure through city zoning and other required legal entitlements related to housing construction that new types of housing products (small lot, duplex, townhome, etc.) are allowed by regulations. Create or adjust city regulations that allow for multi-unit owned/rented mix like two and three-flats where the owners earn rental income.
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1/5/2021

Agenda Item No. B)

Presenter/Contact

Caleb Gasperek, Historic Preservation Officer
(830) 221-4086 - CGasperek@nbtexas.org

SUBJECT:

Presentation and briefing regarding proposed amendments to Chapter 66 Historic Preservation for the protection and preservation of historic trees within historic districts and historic landmarks.

BACKGROUND / RATIONALE:

In the summer of 2020, City staff was approached by residents of the Sophienburg Hill Historic District and the Historic Landmark Commission (HLC) with a request to amend Chapter 66 to include guidelines and protection measures for historic and heritage trees within the City's historic districts and historic landmarks.

The City's current tree preservation ordinance only applies to commercial properties and excludes residential properties. The HLC and others have been concerned about removal of trees in various historic districts. In response, staff prepared some draft edits to the Historic Preservation Ordinance to provide protection measures for certain trees in historic districts and landmarks, while providing a framework for the removal and replacement of trees.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Action 1.11: Update policies and codes to achieve development patterns that implement the goals of this plan. Action 1.2: Create plans for neighborhoods and transitional areas to maintain quality of life. Action 2.2: Prioritize areas that are best suited for conservation and preservation. Action 2.25: Increase resources for historic preservation. Action 5.17: Review and update Tree and Landscape ordinances to ensure New Braunfels remains a green city and expands its tree canopy. Action 7.14: Increase tree canopy for increased shade to encourage walking
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FISCAL IMPACT:

The proposed draft includes a tree mitigation fund as an option which can be used to plant and maintain trees within historic districts, historic landmarks, open spaces, and city parks.

COMMITTEE RECOMMENDATION:

The draft ordinance amendments were reviewed and recommended for approval by the Historic Landmark Commission at their November meeting, and by the Parks Board (which also serves as the City's Tree Board) at their December meeting.

Section 66. Historic Preservation.

Section 66-69 Tree Preservation and Protection within Designated Historic Districts and Historic Landmarks

Section 66-69.1 Purpose

The purpose of this section is to encourage the protection of existing heritage and historic trees located within the boundaries of designated local historic districts and local historic landmarks. Trees contribute to the character of historic districts and properties, and cannot be viewed as independent entities, separate from the built environment, but as part of the collection of assets that define and characterize historic districts and historic landmarks.

Section 66-69.2 Jurisdiction

The terms and provisions of this article shall apply to all properties within designated local historic districts and designated local historic landmarks within the city limits of the City of New Braunfels.

Section 66-69.3 Definitions

For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Diameter at breast height or DBH means the diameter in inches of a tree as measured through the main trunk at four and a half feet above the ground level.

Heritage Tree means any tree that is unique to the individual historic district or landmark because of its size, age, or historic association as determined by the City Horticulturist/Arborist/Forester, Historic Preservation Officer and/or Historic Landmark Commission

Historic Tree means any tree which has reached a DBH of 35 inches or is 75 years of age or older.

Protected Tree means any tree which is found within Appendix A Approved Plant List of Section 144-5.3 Landscaping, tree preservation, public trees and screening.

Unprotected or Undesirable Tree means any tree that is found in Appendix B of Chapter 144-5.3-1 Landscaping, Tree Preservation, Public Trees, Screening, Fences, Buffering and Lighting.

Section 66-69.4 General Provisions

- (1) It shall be unlawful for any person or corporation to recklessly remove, or cause the removal of any protected or heritage tree without first submitting the appropriate application for a permit and securing approval in the form and manner specified by this chapter.
- (2) A tree removal permit is not needed if:
 - a. The heritage, protected, or historic tree(s) is diseased or sustained damage, which was not recklessly inflicted by the owner, his agents or employees, in the form of a broken trunk, broken limbs or uprooting, which creates a hazard to life or property.
 - b. The tree to be removed is an unprotected or undesirable tree as found in Appendix B of Section 144-5.3 Landscaping, tree preservation, public trees and screening

Section 66-69.5 Tree Removal Permit Approval Authority and Appeal

- (1) The Historic Landmark Commission shall have the authority to approve a tree removal permit as it pertains to this ordinance.
- (2) If a request to remove a heritage, protected, or historic tree(s) is denied by the Historic Landmark Commission, the applicant may appeal the denial to the Zoning Board of Adjustment, by filing written notice of such appeal, along with a nonrefundable fee of \$75.00, with the Planning and Development Services Department, within 60 days of the notice of denial. Hearings shall be conducted in compliance with the Texas Open Meetings Act.
- (3) The Historic Landmark Commission and the Zoning Board of Adjustment may seek the testimony of a qualified arborist. If such expert testimony is requested by the Commission, it shall be provided by the City.

Section 66-69.6 Application and Process for Tree Removal Permit

- (1) Prior to the commencement of any work that requires the removal of a heritage, protected, or historic tree, the owner/applicant shall file an application for tree removal with the Historic Preservation Office.
- (2) An application for tree removal permit must provide the following information:
 - a. The location of the tree
 - b. The diameter of the tree as measured at DBH
 - c. The approximate drip-line area of the tree
 - d. The species/common name of the tree
 - e. The reason for removal
 - f. A certified arborist report is highly recommended

In the case of a Historic Tree, a hardship must be proven for removal. Evidence of a hardship must be provided by the applicant based on the following factors:

- i. Whether there is a unique physical circumstance that requires the removal of the Historic Tree.
 - ii. Whether the preservation or mitigation of a Historic Tree unduly burdens the property.
 - iii. Whether the removal of a Historic Tree is necessary to preserve a historic dwelling, building, or other historic asset of the property or district in question.
- (3) Where practical, an application for the removal of a heritage, historic, or protected tree shall be combined with any other applications applicable to review by Chapter 66.
- (4) Upon receipt of an application to remove a heritage, protected, or historic tree the Historic Landmark Commission shall review the application at a regularly scheduled meeting within 45 days from the date the completed application is received. An application cannot be considered until it has been deemed complete by the Historic Preservation Office. The Commission has the authority to approve, deny, or approve with modifications the application, after a public hearing and testimony from the applicant and the public on the request. In the event the commission does not move to consider the application within 90 days of its receipt, the application shall be granted.
- (5) All decisions of the Commission shall be in writing and a copy shall be sent to the applicant.

Section 66-69.7 Heritage and Historic Tree Replacement

Removal of any heritage, protected, or historic tree(s) will require a tree removal permit and replacing or replanting of tree(s) on site, or within a Historic District or Historic Landmark.

- (1) As much as is feasible, replanting shall be made to restore the natural landscape of the area.
- a. Removed Protected Trees shall be replanted at a replacement ratio of one inch DBH for each one inch DBH of the removed tree.
 - b. Removed Heritage Trees shall be replanted at a replacement ratio of two inches DBH for each one inch DBH of the removed tree. Heritage trees must be of the same species or another tree species predominant in the district.
 - c. Historic Trees shall be preserved and cannot be removed unless a hardship as defined in Section 66-69.6-f is applied for and the tree removal permit is approved by the Historic Landmark Commission. In

the case of removal, Historic Trees shall be replanted at a ratio of two inches DBH for each one inch DBH of the removed tree.

- (2) Protected, heritage, or historic trees can be replanted on the subject site, within a designated historic district, or at a historic landmark as a condition of the tree removal permit approval.
- (3) Tree replacement must occur within 6 months of the removal of a protected, heritage, or historic tree. The Historic Preservation Officer may grant extensions up to 6 months at a time upon request of the property owner, for issues such as construction delays.
- (4) Replacement trees that do not survive for a period of at least 24 months shall be replaced by the original applicant for removal until they survive a 24-month period.
- (5) Tree Replacement Mitigation Fund. In the event that a heritage, protected, or historic tree cannot be replanted, a payment in lieu of replacement can be reviewed and approved by the Historic Landmark Commission. The funds shall be used for the purchasing, planting, and maintenance of trees on site, within a historic district, or within an approved location such as open space or a city park.
 - a. The amount of payment required shall be determined by the per caliper inch of tree being removed and the average cost of planting the tree as determined by the City Arborist or City Forester. A payment schedule of fees shall be published by the Parks and Recreation department every 3 years with the update of the Parks Ordinance.
 - b. Tree replacement mitigation fees shall be paid prior to the issuance of a tree removal permit.

Section 66-69.8 Penalties. The violation of any provision of this Section shall be a misdemeanor and shall be punishable, upon conviction, by a fine of not more than \$2,000.

1/5/2021

Agenda Item No. C)

Presenter/Contact*Owner: Milestone Conrads Development (Chesley Swann III, Vice President)**Applicant: HMT Engineering & Surveying (Stephen Hanz, COO)**(830) 625-8555 - plats@hmtnb.com***SUBJECT:**

PZ20-0285 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 19.735 acres out of the Orilla Russell Survey, A-485 and the Nancy Kenner Survey, A-306, Comal County, Texas, located south of the intersection of Gray Cloud Drive and Twin Dish Way, from "R-1A-6.6" Single Family District to "R-1A-5.5" Single Family District.

BACKGROUND / RATIONALE:**Case No.:** PZ20-0285**Council District:** 4

Owner: Milestone Conrads Development, Ltd. (Chesley Swann III, Vice President)
P.O. Box 6862
San Antonio, TX 78209
(210) 771-9072 - cis@me.com

Applicant: HMT Engineering & Surveying (Stephen Hanz, COO)
290 S. Castell Ave.
New Braunfels, TX 78130
(830) 625-8555 - plats@nbtexas.org

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

The subject property is comprised of approximately 19.735 acres on the north side of Conrads Lane, east of the Union Pacific Railroad tracks, and is currently zoned "R-1A-6.6" Single-Family District. It is presently undeveloped but is a part of the approved Cloud Country Subdivision master plan for single family residential lots.

The applicant indicates the intent of the rezoning is to maintain the sales price of homes within the overall subdivision; land prices have increased so 60-foot wide lots will have higher sales prices. The same request for 24.54 acres of an undeveloped portion of the subdivision was approved by City Council in May of this year.

Surrounding Zoning and Land Use:

North - Outside City Limits / Agricultural and undeveloped
 South - Across Conrads Ln., APD / Agricultural and undeveloped
 East - R-1A-5.5 and R-1A-6.6 / single-family residences
 West - Outside City Limits / Union Pacific Railroad, Ministorage and outside storage facility and single-family residences

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole *(Should the request be approved, use of the property as single-family residential will remain the same as is allowed today, but slightly denser. It would be compatible with neighboring single-family developments, and consistent with new subdivisions on the edges of the city).*
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area *(The impact on existing streets will be reviewed through the platting process. The adequacy of public facilities and utilities to serve any additional demand is evaluated by each provider. CISD and utility providers have been notified of the proposed rezoning).*
- How other areas designated for similar development will be affected *(The proposed zoning change should not negatively affect other areas designated for similar development).*
- Any other factors that will substantially affect the public health, safety, morals, or general welfare *(None identified. Drainage, utility and traffic impact will be reviewed and addressed through the platting process).*
- Whether the request is consistent with the Comprehensive Plan: See below

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels	Consistent Actions Action 1.3: Encourage balanced and fiscally responsible land use patterns. 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. Future Land Use Plan: The property lies within the Oak Creek Sub Area near existing and future Employment and Market Centers.
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FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval. Single-family residential use is already allowed on this site in an approved master plan. R-1A-5.5 would allow opportunities for lot size and housing type variety, while nearby existing and future Employment and Market Centers can accommodate future mixed use, including jobs.

Notification:

Public hearing notices were sent to 4 owners of property within 200 feet of the request. The City has

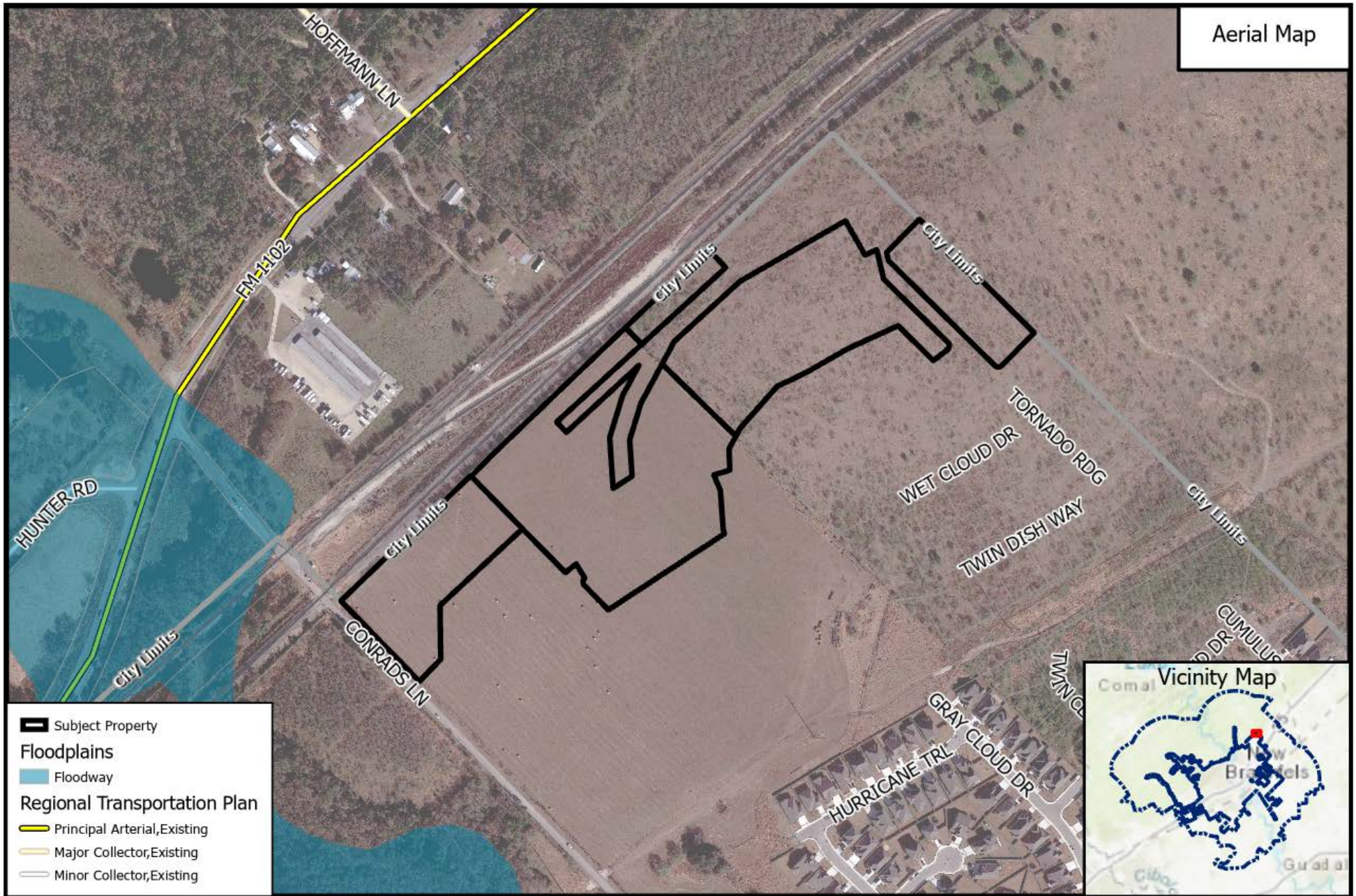
received no responses at this time.

RESOURCE LINKS:

- Chapter 144, Sec. 3.4-2 “R-1A-6.6” Single-Family District, of the City’s Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Secs. 3.4-2 “R-1A-5.5” Single-Family Residential District, of the City’s Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

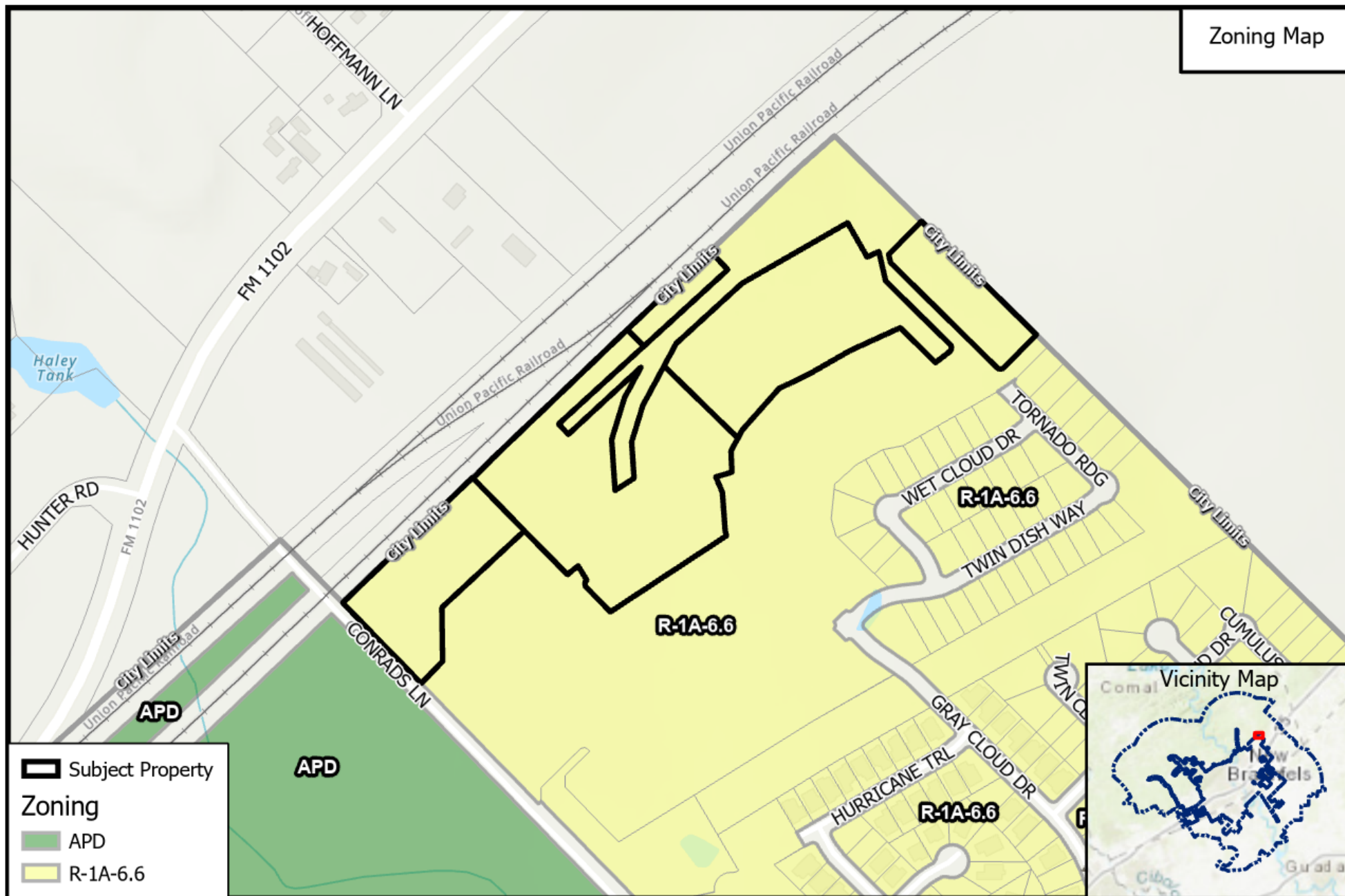
ATTACHMENTS:

1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. Notification List and Map



PZ20-0285
R-1A-6.6 to R-1A-5.5







PZ20-0285
R-1A-6.6 to R-1A-5.5



Source: City of New Braunfels Planning
 Date: 12/16/2020

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EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

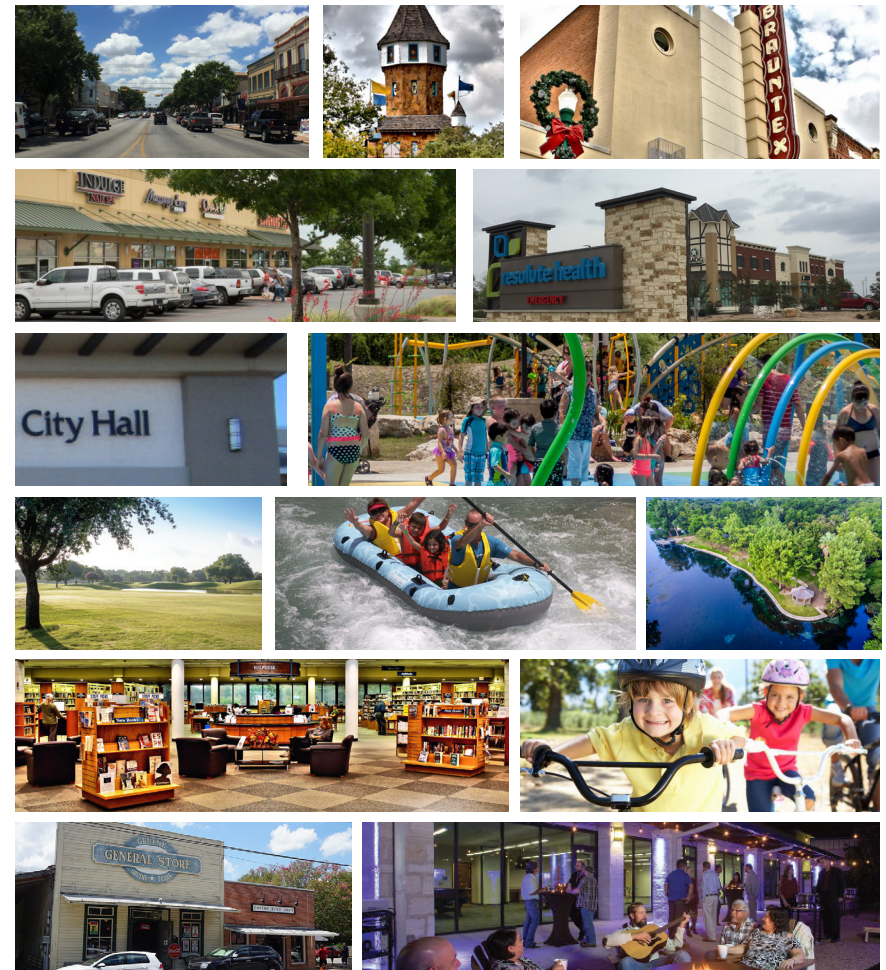
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

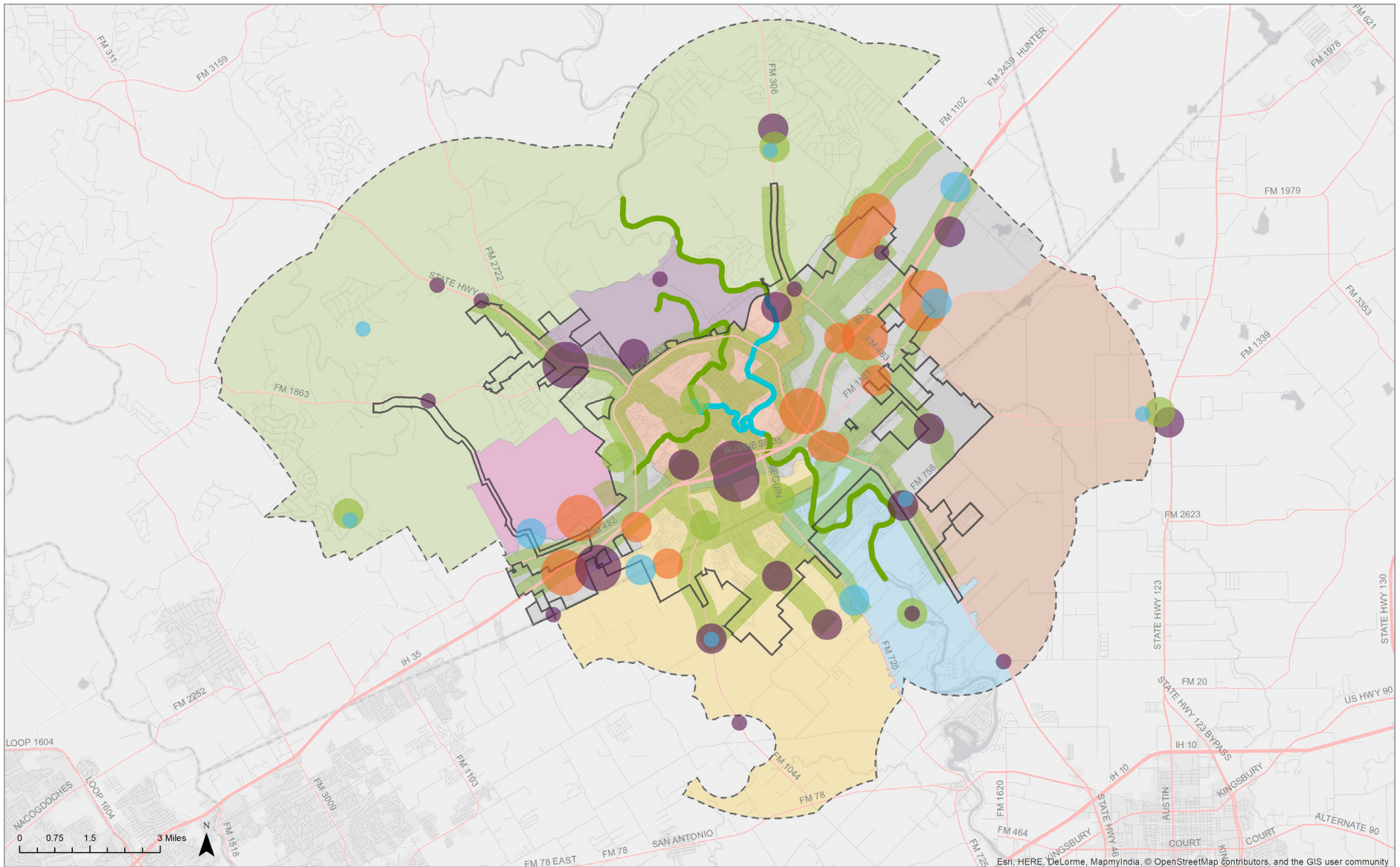
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. Preferred future growth scenario combines Scenarios A and C per recommendations of the Envision New Braunfels Steering Committee (February 2018). Exact boundaries of sub areas, centers, and corridors may be [zoomed and viewed online](#).

PLANNING COMMISSION – JANUARY 5, 2020– 6:00PM

Zoom Meeting

Applicant/Owner: HMT Engineering & Surveying

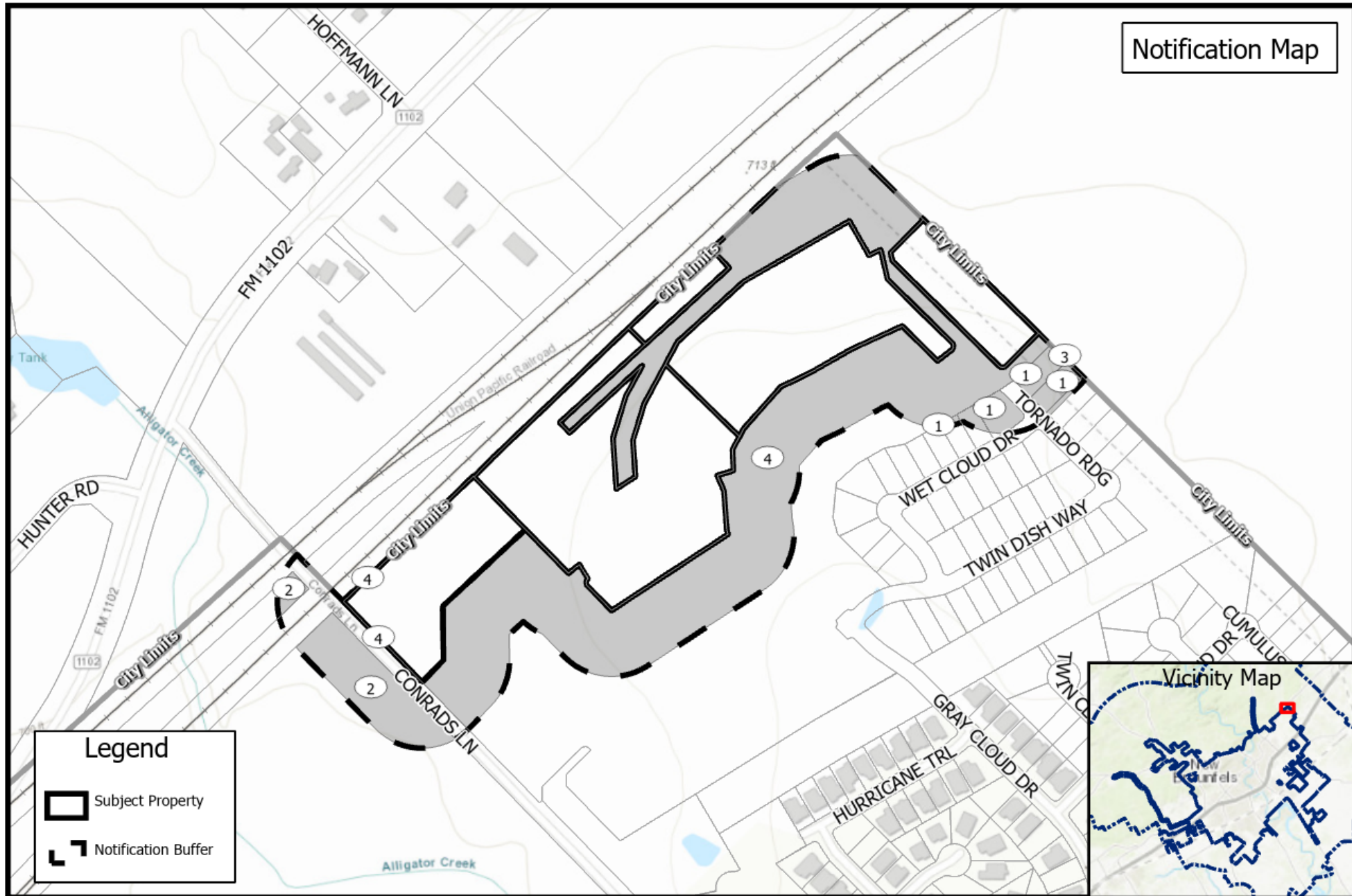
Address/Location: Approximately 19.735 acres out of the Orilla Russell Survey, A-485 and the Nancy Kenner Survey, A-306, Comal County, Texas, located south of the intersection of Gray Cloud Drive and Twin Dish Way

PROPOSED ZONE CHANGE – CASE #PZ20-0285

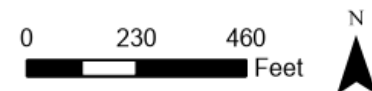
The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

1. PROPERTY OWNERS
2. RAHE LEE WAYNE
3. STATE OF TEXAS FBO PERMANENT SCHOOL FUND
4. MILESTONE CONRADS DEVELOPMENT LTD

SEE MAP



PZ20-0285
R-1A-6.6 to R-1A-5.5



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1/5/2021

Agenda Item No. D)

Presenter/Contact*Owner/Applicant: Robert Whipkey
(210) 844-6608 - rnpkeyl@gmail.com***SUBJECT:**

PZ20-0292 Public hearing and recommendation to City Council regarding a proposed rezoning of approximately 5.996 acres out of the Orilla Russell Survey No. 2, Abstract No. 485, Comal County, Texas, addressed at 689 Orion Drive, from "M-1A" Light Industrial District to "R-1A-6.6" Single-Family District.

BACKGROUND / RATIONALE:**Case No.:** PZ20-0292**Council District:** 4

Owner/Applicant: Robert Whipkey
689 Orion Drive
New Braunfels, TX 78130
(210) 844-6608 - rnpkeyl@gmail.com

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

The subject property is comprised of approximately 5.996 acres on the south side of Orion Drive between the Union Pacific Railroad tracks and Goodwin Lane. A single-family dwelling and outbuildings, constructed in 1975, are on the site.

The property was annexed into the City in 2001 and zoned "M-1A" Light Industrial District with the annexation. Single-family residential was an allowed use in the M-1A District until adoption of the updated Zoning Ordinance in 2006. M-1A allows non-residential uses such as light manufacturing, offices, personal and professional services, medical offices and clinics, mini-warehousing and studios. The current single-family residence is considered nonconforming.

Nonconforming Uses and Structures

The Zoning Ordinance states a nonconforming building shall not be permitted to be restored or used for such purpose if the building is damaged or destroyed and the expense of restoration exceeds 75% of the replacement cost of the building at the time the damage occurred. The building shall be treated as a new building and conform to all the regulations of the district in which it is located should the reconstruction cost exceed 75% of the replacement cost. The Zoning Ordinance also states nonconforming use of land may be continued, provided no such nonconforming use shall be

expanded or extended, and that if such nonconforming use of land or any portion thereof is discontinued or changed, any future use of land shall be in conformity with the provisions of the Zoning Ordinance. These rules, standard across most cities, are intended to result in conformity across the community over time.

The applicant purchased the property in 1999 and is currently in the process of refinancing. The applicant indicated their lender won't approve the refinancing until there is a guarantee the home would be allowed to be reconstructed on the property should it be destroyed. Therefore, the applicant submitted a request to rezone the subject property to R-1A-6.6 to allow the current residence to become a conforming use and structure, which the lender is requiring for the applicant to obtain approval of the refinancing application.

With R-1-A-6.6, should the property owner or a future property owner decide to pursue subdividing the property, it is large enough to allow for the subdivision and development of up to approximately 20 single-family residential lots.

Surrounding Zoning and Land Use:

North - Across Orion Dr., APD and Wasser Ranch PD / Single-family residential and undeveloped

South - APD / Single-family residences and undeveloped

East - APD and MU-B with an SUP to allow single or two-family dwellings within the first 150 of depth of the property / single-family residence and duplexes

West - M-1A with an SUP to allow a manufactured home community / Undeveloped

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole (*With recent rezoning activity in the area, the proposed zoning is compatible with zoning and uses in the immediate area which consists of a mixture of single-family residential development with varying lot sizes, duplexes and a future manufactured home community. The duplex subdivision to the east received approval of a zoning change in 2013 to MU-B with an SUP to allow single or two-family dwellings within the first 150 feet of depth of the property adjacent to Orion Drive. The 45-acre tract immediately adjacent the west boundary of the subject property received approval of an SUP earlier this year for up to 280 manufactured homes with specific development standards.*)
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*The adequacy of public facilities and utilities to serve any additional demand is evaluated by each provider. CISD and utility providers have been notified of the proposed rezoning.*)
- How other areas designated for similar development will be affected (*The proposed zoning change should not negatively affect other areas designated for similar development.*)
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*There should be no other factors that will substantially affect the public health, safety, morals, or general welfare. Drainage, utility and traffic impact issues will be reviewed and addressed through the platting process.*)
- Whether the request is consistent with the Comprehensive Plan: See below

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels	Consistent Actions Action 1.3: Encourage balanced and fiscally responsible land use patterns. 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. Future Land Use Plan: The property lies within the Oak Creek Sub Area near existing Employment, Market and Education Centers and between two future Transitional Mixed-Use Corridors and Market and Employment Centers.
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FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval. Recent rezonings in the general vicinity are transitioning this area from industrial to residential, accommodating the rapid population growth of our community. Additionally, this request will simply allow the property owner to meet the requirements of their lending institution.

Notification:

Public hearing notices were sent to 8 owners of property within 200 feet of the request. The City has received no responses at this time.

RESOURCE LINKS:

- Chapter 144, Sec. 3.4-2 "R-1A-6.6" Single-Family District, of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Secs. 3.4-18 "M1-A" Light Industrial District, of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

ATTACHMENTS:

1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. Notification List and Map

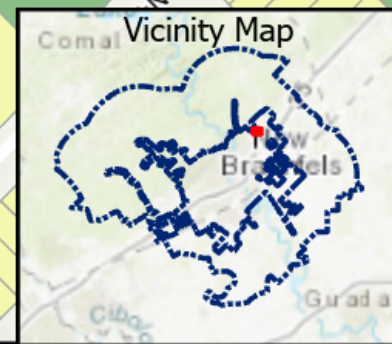
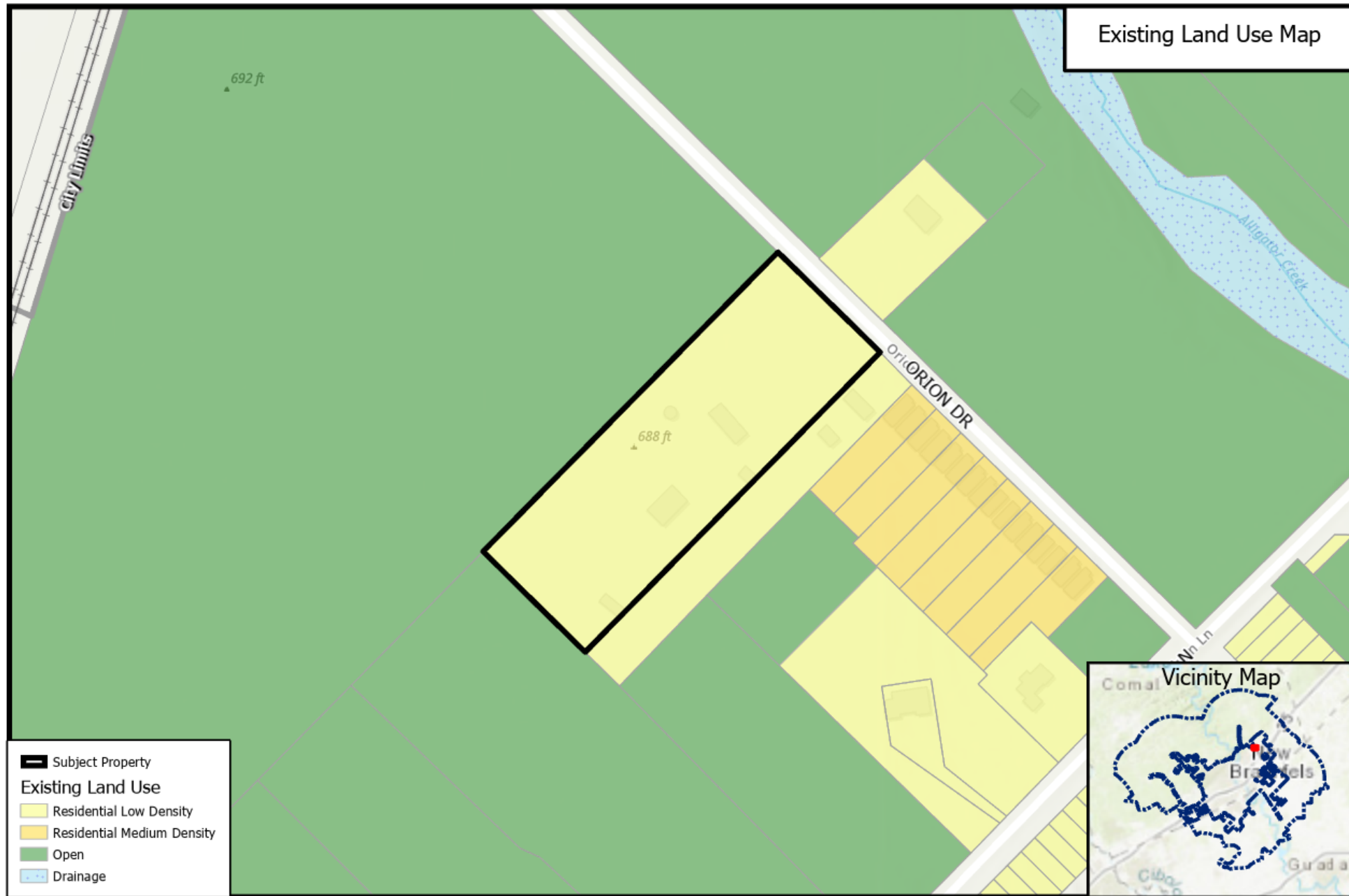


PZ20-0292
M-1A to R1-A 6.6

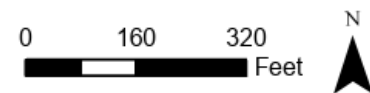


Source: City of New Braunfels Planning
 Date: 12/16/2020

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PZ20-0292
M-1A to R1-A 6.6



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SUB AREA 4

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SUB AREA 5

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SUB AREA 7

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SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.

PLANNING COMMISSION – JANUARY 5, 2020– 6:00PM

Zoom Meeting

Applicant/Owner: Robert Whipkey

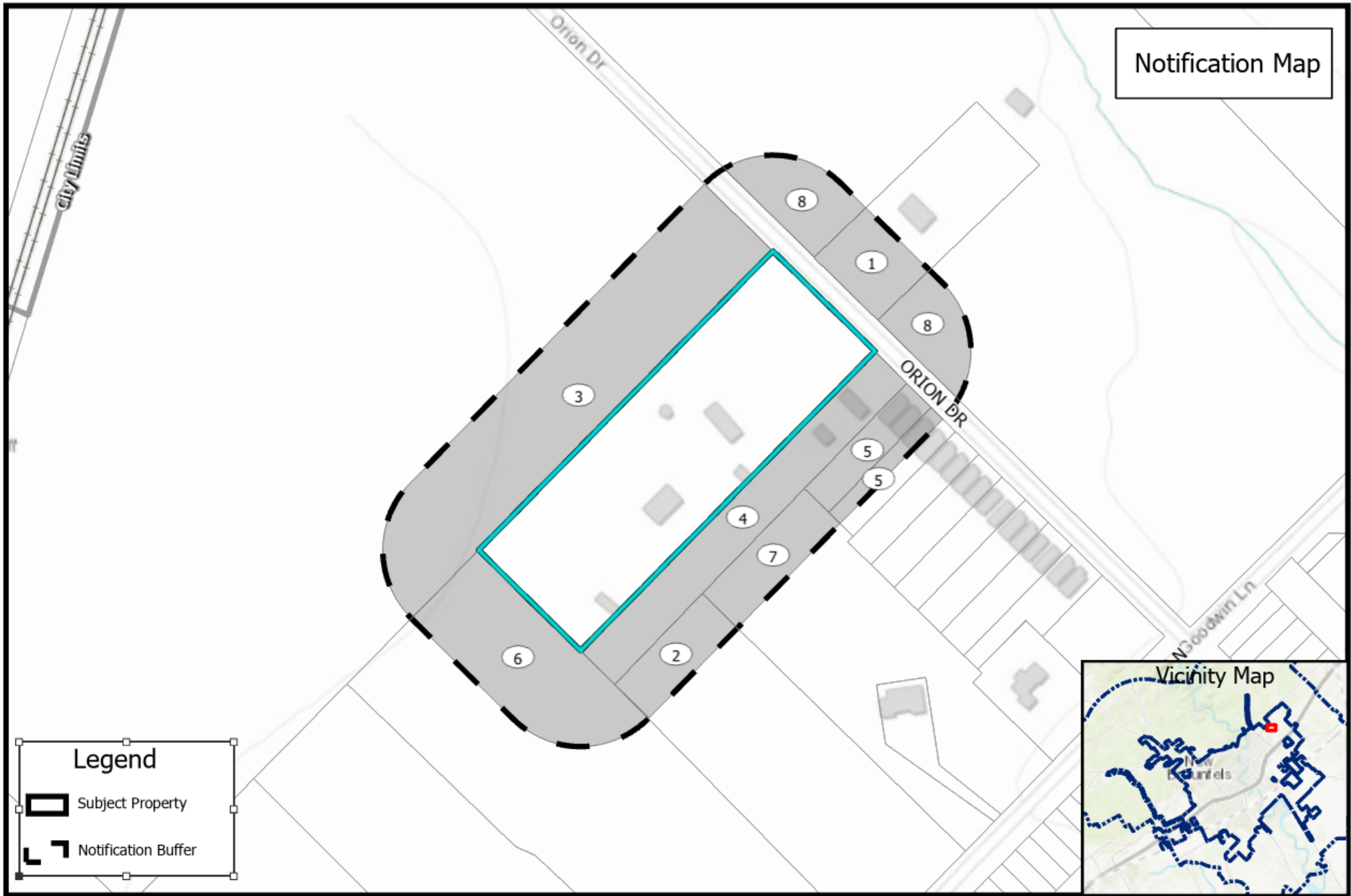
Address/Location: 689 Orion Dr.

PROPOSED ZONE CHANGE – CASE #PZ20-0292

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|--|--|
| 1. MICHIE REXFORD J & SALLY A WEITZ-MICHIE | 5. SADDLER DAVID L & CRYSTAL M SADDLER |
| 2. CASTRO ANTONIO ET AL | 6. LEHMANN LARRY W & MARY ANN |
| 3. SCHMIDT KENNETH W | 7. TARBUTTON EDWARD III |
| 4. SEBA PETER E | 8. E B INDUSTRIES |

SEE MAP



PZ20-0292
M-1A to R1-A 6.6



Source: City of New Braunfels Planning
 Date: 12/16/2020

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1/5/2021

Agenda Item No. E)

Presenter/Contact

James Mahan, Applicant/Owner
(830) 387-4110; jmahan@southtexascapital.com

SUBJECT:

PZ20-0295 Public hearing and recommendation to City Council regarding proposed revisions to the Solms Landing Planned Development ("SLPD") concept plan and development standards, on approximately 98 acres out of the A M Esnaurizar A-20 Survey, addressed at 253 S. Kowald Lane.

BACKGROUND / RATIONALE:

Case No.: PZ20-0295

Council District: 5

Applicant: James Mahan
Solms Landing Development, LLC
648 Castell Avenue
New Braunfels, TX 78130
(830) 387-4110 jmahan@southtexascapital.com

Staff Contact: Holly Mullins
(830) 221-4054 hmullins@nbtexas.org

The subject property consists of 98 acres of undeveloped land between Creekside Crossing (FM 306) and Kowald Lane. Solms Landing Planned Development ("SLPD") concept plan and development standards were approved by City Council in 2017, as a mixed-use development with a base zoning of MU-B High Intensity Mixed Use. The developer states the intent of SLPD is to bring together restaurants, shopping, lodging and a variety of residential options with open spaces that encourage internal walkability and pedestrian connection to other parts of the Creekside area. A final plat for single-family residences, Unit 1A, has been recorded, and construction of Sophie Lane, the Minor Collector, is underway.

This applicant is requesting several revisions to their Development Standards:

- Increase the maximum height of non-residential buildings from 100 feet to 120 feet. The proposed maximum height is consistent with the base MU-B zoning district, and complies with the Airport Hazard Zoning Overlay at this location.
- Revise the preferred uses in Zone 3 (approximately 10 acres) from neighborhood commercial to single-family residential to align with the recorded plat for Unit 1A.
- Increase maximum lot building coverage for residential and multifamily uses from 60% to 80% to accommodate smaller lots. The MU-B base zoning district sets a maximum building coverage of 50% (or 60% if covered parking is provided). Greater lot coverage is typical for

urban style mixed-use infill developments and the impact of increased impervious cover will be reviewed and mitigated through the platting and building permit processes.

- Add definitions for “condominium” and “detached condominium” (page 40). This refers mainly to the form of property ownership while the land use will remain multifamily residential.
- Add short-term rental of detached condominiums as an allowed use. The short-term rental of structures other than a single or two-family dwelling does not require approval of a Special Use Permit or a separate short-term rental permit. Note: property owners will need to register with the City for online payment of hotel occupancy taxes.

Proposed changes to the Concept Plan include:

Street realignment

- The original plan included a street connection to the IH-35 frontage road; however, a driveway at that location was denied by TxDOT so the street has been replaced with a “Common Space/Drainage Easement” designation. The originally planned hike and bike trail to IH-35 should remain along this common space.
- A street connection to Lot 1 Creekside Fire Station has been added as requested by the City.

Dwelling Units

- The maximum number of dwelling units, being a combination of single-family and multifamily, is increasing from 675 to 984.

Density

- The method the applicant uses for calculating residential density was changed from including only the acreage of residential areas to an overall gross density for the entire development. This changed the density figure in the Land Use Table from 15.63 units per acre to 10.04 units per acre, although the maximum number of units is increasing. The MU-B base zoning district has no maximum residential density limit.

Land Use Zones

- The area of Zone II (high density residential and neighborhood commercial) has increased and is now proposed to be more interspersed with Zone I (Vertical Mixed Use).

If these changes to the Concept Plan and Development Standards are approved, the applicant will return with a revised Detail Plan to show how the changes specifically fit into the development and promote the SLPD vision.

Surrounding Zoning and Land Use:

North - M-1A/ Commercial

South - Across Kowald, R-2, C-3/ Residential, commercial, agricultural

East - West Village PD, Creekside Wellness PD/ Single-family; commercial

West - B-1B, MU-B/ Manufactured home community, mini warehouse storage

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area and their relationship to the area and to the City as a whole (*Permitted uses in SLPD remain a mix of residential and commercial, complementing the existing development trends in the Creekside area.*);
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area. (*There do not appear to be any conflicts with these elements.*);
- How other areas designated for similar development will be affected (*The proposed uses should not impact other areas designated for similar development.*);
- Any other factors that will substantially affect the public health, safety, morals, or general welfare; (*There should be no other factors that substantially affect the public health, safety, morals or general welfare. Drainage and utility issues will be addressed through the platting process.*)
- Consistency with the Comprehensive Plan:

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Consistent Actions: Action 1.3: Encourage balanced and fiscally responsible land use patterns. Action 2.33: Encourage vertical growth and development of key areas to take advantage of infrastructure capacity, maintain the core, and discourage sprawl. Action 3.22: Encourage venues within walking distance of neighborhoods and schools. Future Land Use Plan: The subject property is located in the Oak Creek Sub Area, along a transitional mixed-use corridor, and within an existing Market Center.
--	---

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Increased housing units, vertical development and density are encouraged by the Comprehensive Plan, and facilitate workforce housing as recommended in the Workforce Housing Study. However, insufficient information was submitted with the application to allow staff the ability to thoroughly review and assess the potential impacts to adjacent properties. Specifically:

- Revisions to the Traffic Impact Analysis (TIA) resulting from the removal of the street connection to IH-35 are still being reviewed by the City's Public Works Department. Staff cannot recommend approval of the revised street layout until this is complete.
- The application does not include any information or justification for the 46% increase in maximum number of dwelling units. Increased housing units are needed in New Braunfels, however there may be impacts at this location that would encourage a lesser, or even support a greater, increase. Any justification the applicant can provide would be helpful in the assessment.

If new testimony is provided during the public hearing and the Planning Commission finds sufficient information to recommend approval of the revised Concept Plan and Development Standards to City Council, staff recommends it include the following conditions:

1. Explain specifically how all proposed changes comply with or enhance the original vision of the SLPD.
2. Final approval of the TIA.
3. Revise Detached Condominium standards (page 40) to remove specific distances between buildings and the reference to "firewall", and instead state all structures will comply with the applicable Building Code at the time of building permit application submittal. (Clarify with the City prior to development whether the condos will be constructed under the IRC or IBC.)
4. Label Zones in the Development Standards as I, II and III to match the Concept Plan.
5. Update drawings in pages 29, 30 and 31 of the Development Standards to reflect the revised Zone boundaries.

Notification:

Public hearing notices were sent to owners of 67 properties within 200 feet of the request. To date, the City has received no responses.

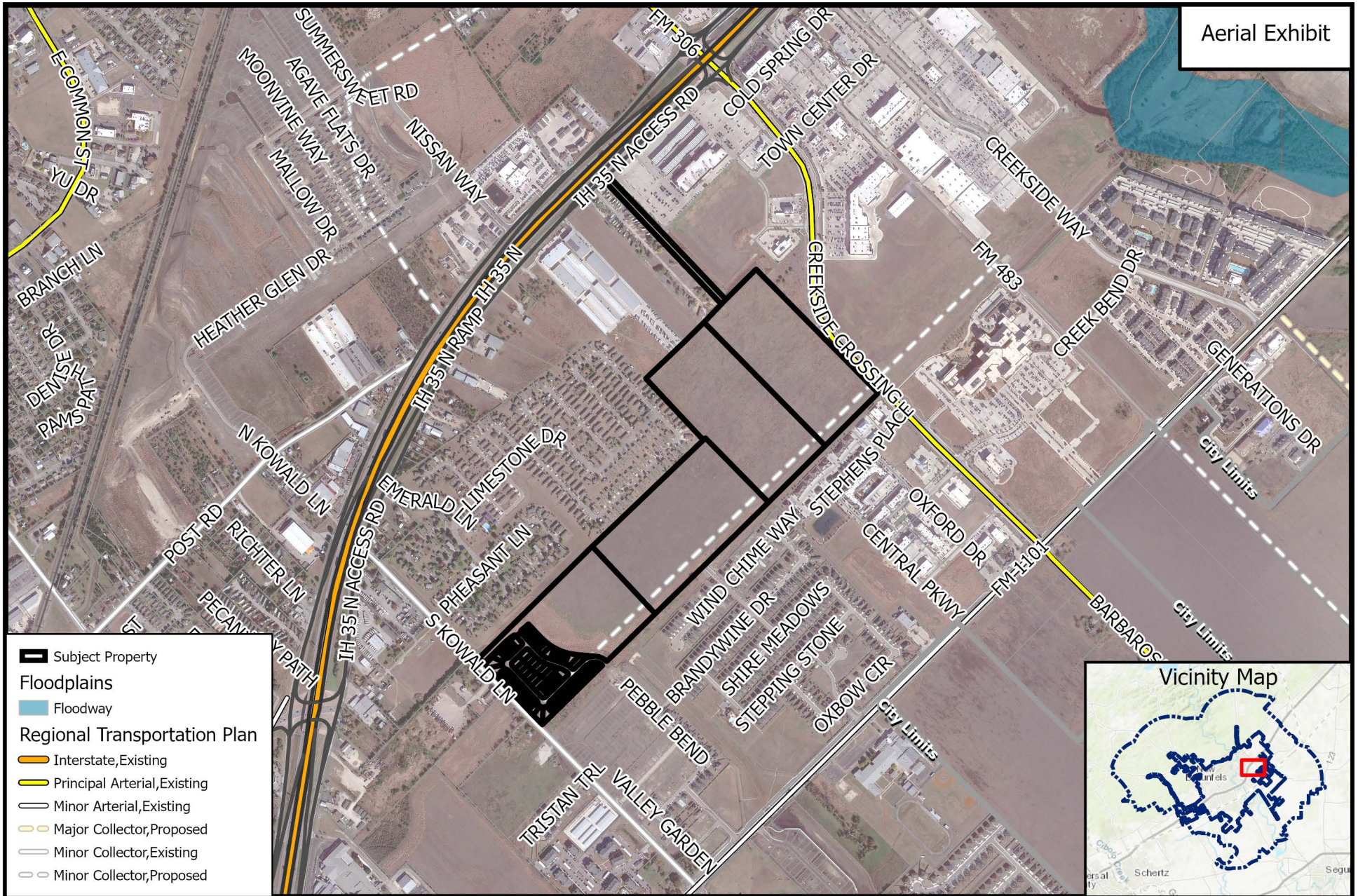
RESOURCE LINKS:

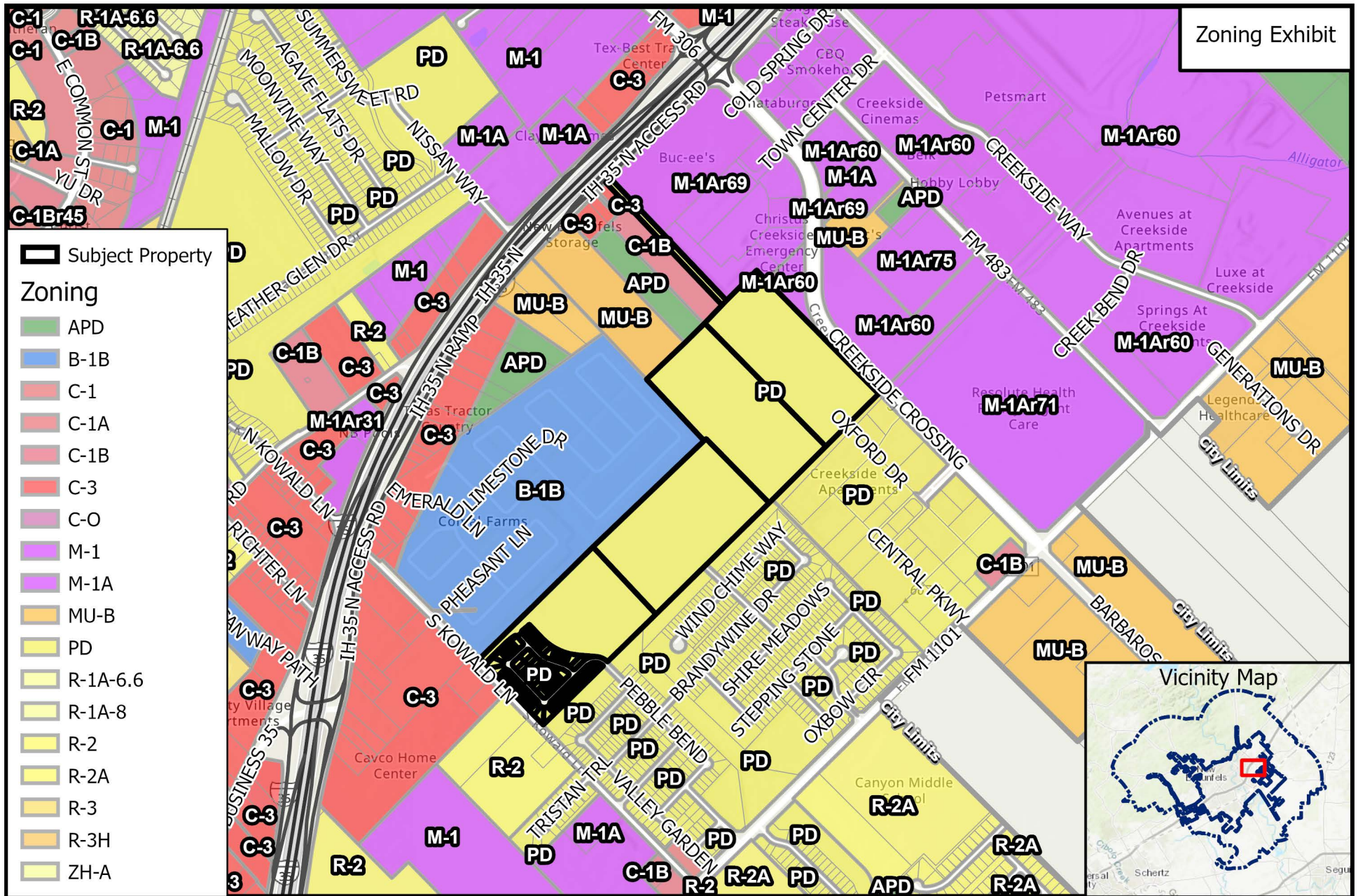
- Chapter 144, Sec. 3.5 (Planned Development Districts) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.4-11 (MU-B) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

ATTACHMENTS:

1. Aerial Map
2. Land Use Maps (Zoning, Existing, Future Land Use)
3. Proposed and Approved Concept Plans
4. Proposed Development Standards with redlines

5. Notification Map





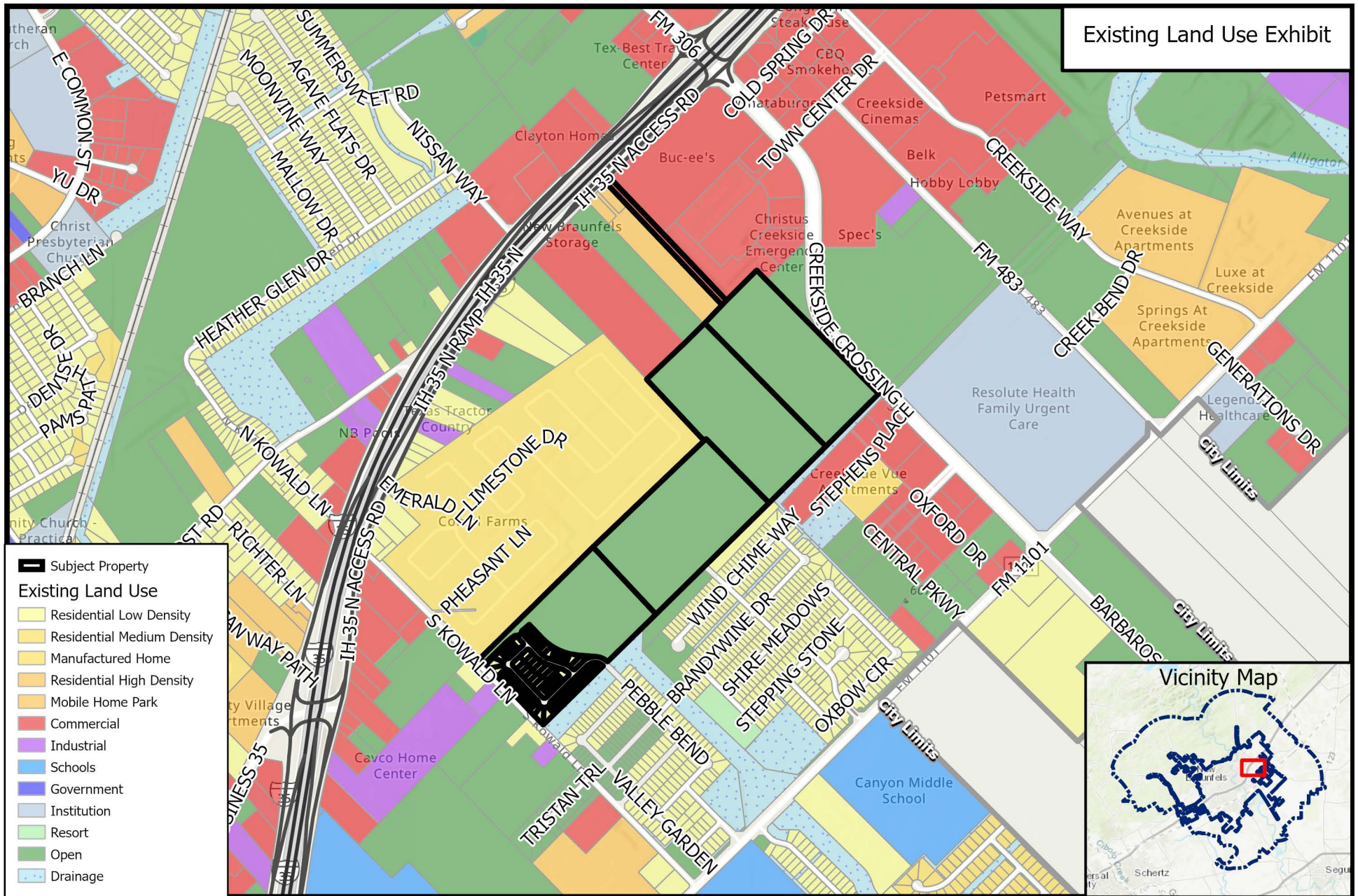
PZ20-0295
Amendment to DP

0 670 1,340
Feet



Source: City of New Braunfels Planning
Date: 12/15/2020

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by any other party is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or variances which may exist.



PZ20-0295
Amendment to DP



EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

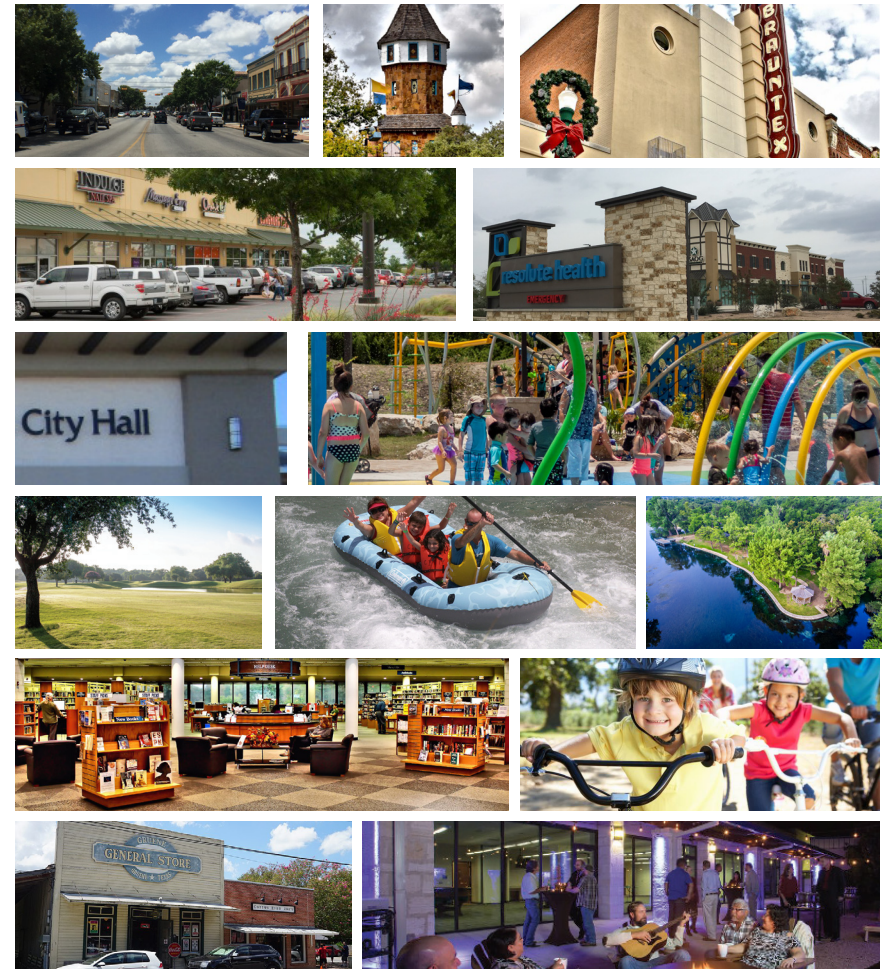
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.

GENERAL NOTES

1. THE PROPOSED LAND USE WITHIN THIS CONCEPT PLAN IS A MIXED USED DEVELOPMENT INCLUDING COMMERCIAL, MULTI-FAMILY, AND HIGH DENSITY RESIDENTIAL.
2. THIS CONCEPT PLAN PROPOSES A 60' RIGHT-OF-WAY MINOR COLLECTOR WITH MULTIFAMILY/COMMERCIAL USE TO CONFORM TO THE NEW BRAUNFELS 2012 REGIONAL TRANSPORTATION PLAN. ALL STREETS OUTSIDE OF THE MINOR COLLECTOR WILL BE THE TYPICAL 50' RIGHT-OF-WAY RESIDENTIAL COLLECTOR / NO PARKING UNLESS OTHERWISE SHOWN.
3. ALL PUBLIC STREETS WILL BE CONSTRUCTED TO THE CITY OF NEW BRAUNFELS DESIGN STANDARDS.
4. ELECTRIC AND UTILITY EASEMENT LOCATIONS WILL BE DETERMINED DURING THE ENGINEERING DESIGN PHASE OF THE PROJECT. EASEMENTS WILL BE RECORDED WITH THE FINAL PLAT FOR EACH LOT.



LOCATION MAP
N.T.S.

KFW
ENGINEERS + SURVEYING
10000 Highway 28251
Phone #: (210) 979-8444 • Fax #: (210) 979-8441
TBPE Firm #: 9513 • TBPE S Firm #: 1012300

ISSUE DATE

REVISIONS

**SOLMS LANDING - CONCEPT PLAN
PLANNED DEVELOPMENT DISTRICT
NEW BRAUNFELS, TX.**

JOB NO. 583-01-01

DATE: DECEMBER 2016

DRAWN: NR CHECKED: BW

SHEET NUMBER:

PDD

LEGEND

- = BOUNDARY
- = MU-B ZONE I
- = MU-B ZONE II
- = MU-B ZONE III
- = COMMON SPACE / DRAINAGE EASEMENT / DETENTION BASIN
- = DRAINAGE RIGHT-OF-WAY
- = SURROUNDING ZONING
- = SURROUNDING LAND USE
- = EXISTING SEWER LINE
- = EXISTING SEWER MANHOLE
- = EXISTING WATER MAIN
- = EXISTING GAS MAIN
- = EXISTING FIRE HYDRANT
- = EXISTING OVERHEAD UTILITY
- = EXISTING OVERHEAD ELECTRIC
- = EXISTING 2' CONTOURS

R-2

AGRICULTURAL

EX 10" SS

EX 10" W

G

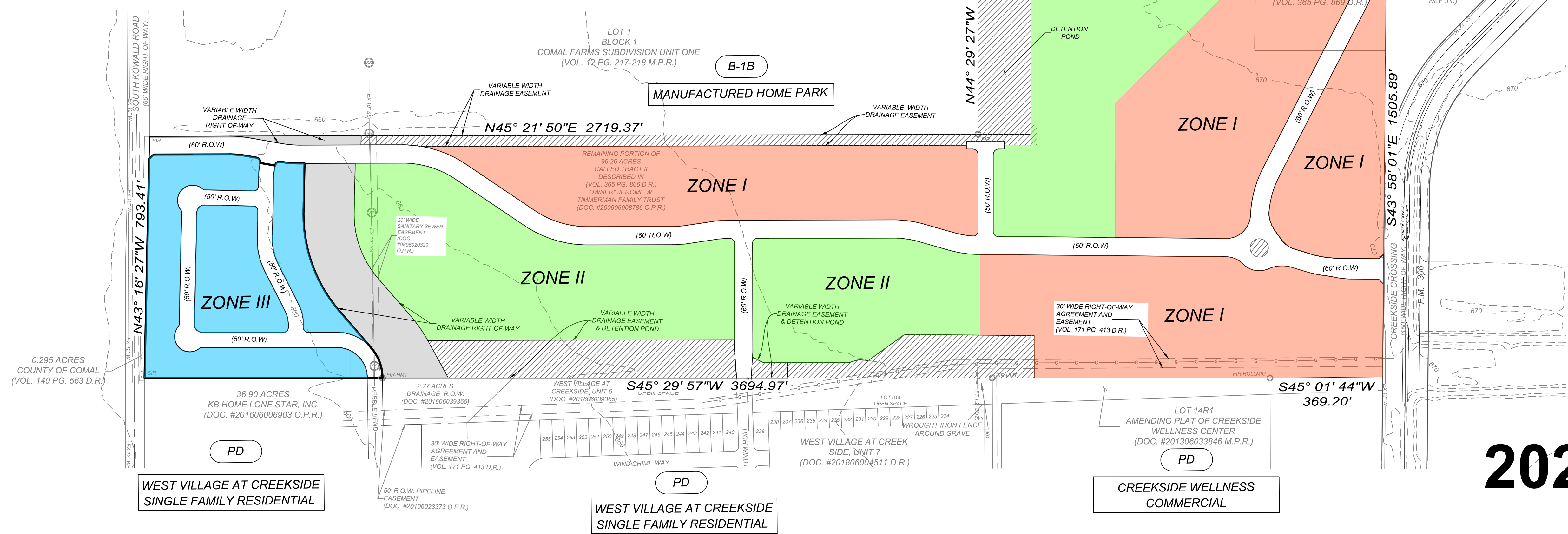
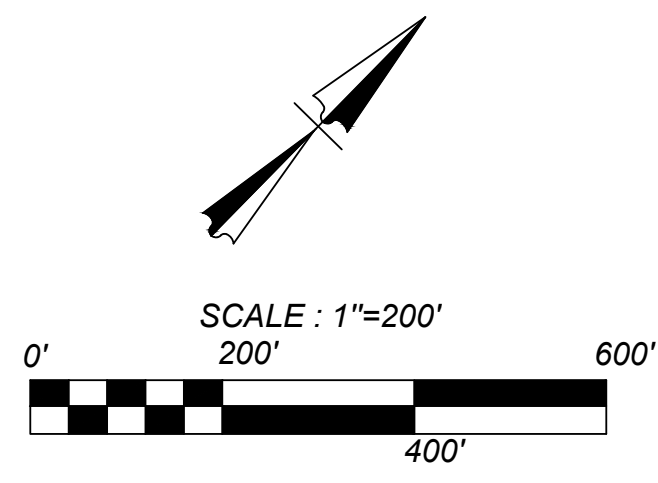
OHU

OHE

672

LAND USE	ACRES	DWELLING UNITS	REQUIRED PARKLAND DEDICATION	DENSITY (DWELLING UNITS/ACRE)
DRAINAGE/Common AREA	12.070	-	-	-
UNIT 1A - SINGLE FAMILY RESIDENTIAL	9.850	60	0.4	6.09
COMMERCIAL	17.990	-	-	-
HIGH DENSITY RESIDENTIAL	10.920	110	0.73	10.07 *
MIXED USE (COMMERCIAL & MULTI-FAMILY)	24.570	472	3.15	19.21 *
MULTI-FAMILY	11.270	342	2.28	30.35 *
DRAINAGE R.O.W.	3.280	-	-	-
PUBLIC R.O.W. (STREETS)	8.020	-	-	-
TOTAL =	97.97	984	6.56	10.04

* NOTE: INDIVIDUAL DENSITY REPRESENTED ABOVE IS CALCULATED BASED ON THE OVERALL COMBINED ACREAGE FOR EACH GENERAL LAND USE, AND IS NOT INTENDED TO BE THE MAXIMUM DENSITY FOR EACH MULTI-FAMILY AND/OR HIGH DENSITY RESIDENTIAL PARCEL. MAXIMUM DENSITY FOR EACH MULTI-FAMILY AND/OR HIGH DENSITY RESIDENTIAL PARCEL SHALL BE BASED ON THE ZONING STANDARDS AND GUIDELINES FOR THE SOLMS LANDING PLANNED DEVELOPMENT DISTRICT.



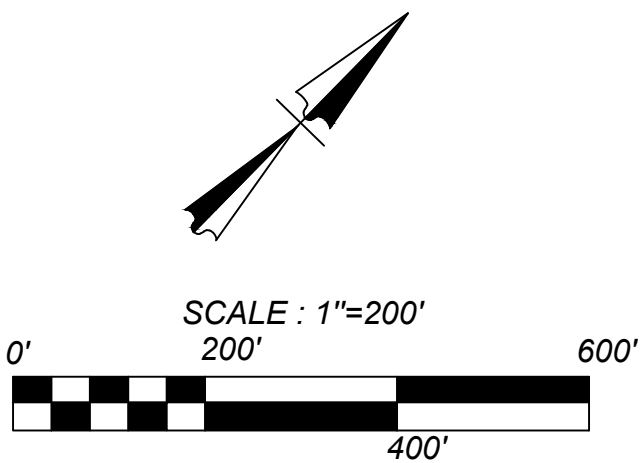
OWNER/DEVELOPER:
SOLMS LANDING, LLC
648 S CASTELL AVE
NEW BRAUNFELS, TX
PHONE: (830) 387-4110

ENGINEER:
KFW ENGINEERS
3421 PAESANOS PKWY, STE. 200
SAN ANTONIO, TX 78231
PHONE: (210) 979-8444
FAX: (210) 979-8441

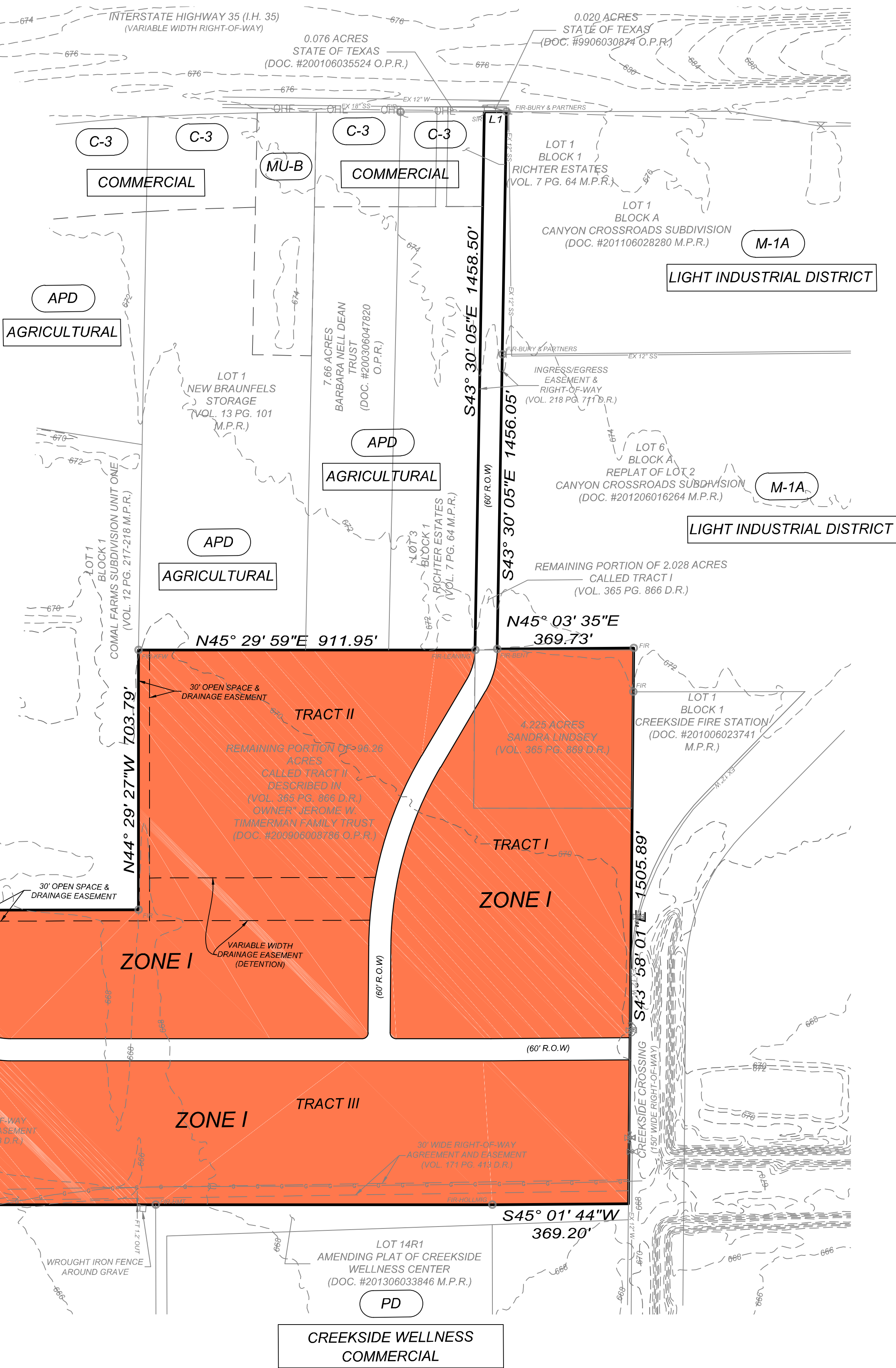
2020

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File: C:\projects\583-01-01\Design\PDD\CONCEPT PLAN\CD_5830104.dwg

- GENERAL NOTES
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LAND USE	ACRES	DWELLING UNITS	PARKLAND DEDICATION	DENSITY (DWELLING UNITS/ACRE)
DRAINAGE/OPEN SPACE	7.996	-	-	-
PUBLIC FACILITY	3.685	-	-	-
COMMERCIAL	30.905	-	-	-
MIXED USE (COMMERCIAL & HIGH DENSITY RESIDENTIAL)	16.69	150	1.00	8.99
MIXED USE (COMMERCIAL & MULTI-FAMILY)	26.497	525	3.50	19.81
DRAINAGE R.O.W.	2.295	-	-	-
PUBLIC R.O.W. (STREETS)	9.902	-	-	-
TOTAL =	97.97	675	4.50	15.63



LEGEND

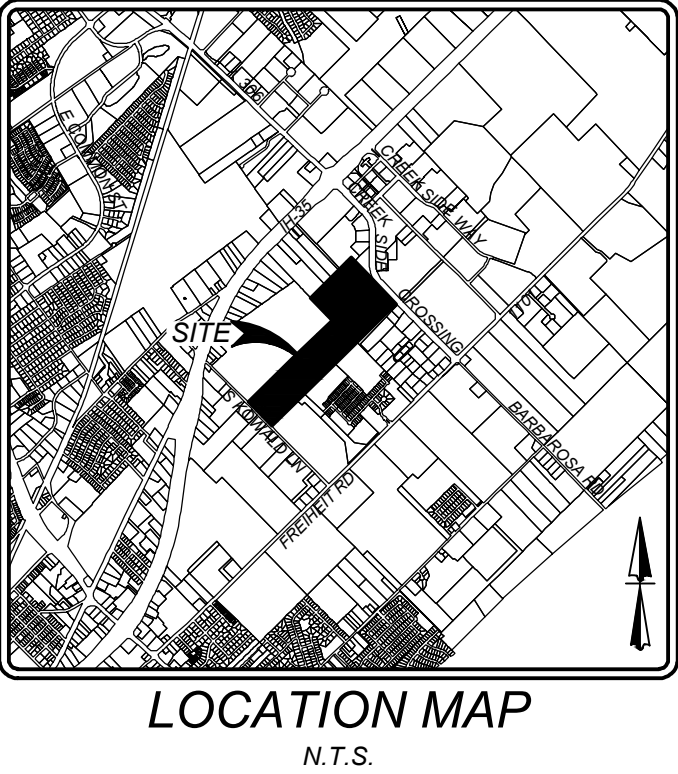
- [Orange Box] = MU-B ZONE I
- [Green Box] = MU-B ZONE II
- [Blue Box] = MU-B ZONE III
- [Arrow] = PROJECTED RIGHT-OF-WAY
- [R-2] = SURROUNDING ZONING
- [Agricultural Label] = SURROUNDING LAND USE
- [Line with SS] = EXISTING SEWER LINE
- [Line with SS] = EXISTING SEWER MANHOLE
- [Line with W] = EXISTING WATER MAIN
- [Line with G] = EXISTING GAS MAIN
- [Line with Fire Hydrant] = EXISTING FIRE HYDRANT
- [Line with OHU] = EXISTING OVERHEAD UTILITY
- [Line with OHE] = EXISTING OVERHEAD ELECTRIC
- [Line with 672] = EXISTING 2' CONTOURS

Line Table		
LINE #	LENGTH	DIRECTION
L1	60.01'	N45°22'17"E

OWNER/DEVELOPER:
SOLMS LANDING, LLC
648 S CASTELL AVE
NEW BRAUNFELS, TX
PHONE: (830) 387-4110

ENGINEER:
KFW ENGINEERS
3421 PAESANOS PKWY, STE. 200
SAN ANTONIO, TX 78231
PHONE: (210) 979-8444
FAX: (210) 979-8441

2017



CONCEPT PLAN - SOLMS LANDING
PLANNED DEVELOPMENT DISTRICT
NEW BRAUNFELS, TX.

JOB NO. 583-01-01
DATE: DECEMBER 2016
DRAWN: NR CHECKED: BW
SHEET NUMBER:

PDD



SOLMS LANDING
NEW BRAUNFELS, TX

Planned Development District

Zoning Standards and Guidelines

12/22/2020

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Buildings and Peripheral Sites	page	11
Open Space Design	page	22
Zone Specific Standards and Guidelines	page	29



THE VISION OF SOLMS LANDING

VISION

Solms Landing, named after the founder of New Braunfels, Prince Carl of Solms-Braunfels, will integrate the cultural history of New Braunfels into a modern mixed use development.

Spanning 98 acres the development will bring together a variety of local and national cuisines, a boutique hotel, upscale shopping, and a variety of high end living options. Centered around a proposed park, the development will provide guests and residents walkability to a variety of dining, shopping and entertainment options.

Residents of Solms Landing will have the ability to choose between ownership and leasing. Through a variety of living options such as high end Townhomes, Loft style apartments and multifamily above retail, Solms Landing will provide a solution to residents searching for an urban style living option within the Texas Hill Country.

Solms Landing aims to maintain the cultural appeal of New Braunfels that has made the city a top destination for growing families and retirees alike. The project will establish architectural standards to ensure a uniform design throughout the development as well as integrate over 1.5 miles of biking and walking trails that take you through the history and heritage of New Braunfels from its beginning.

Once fully developed, Solms Landing will be a \$250 Million development featuring a variety of high end shopping, national and local restaurants, luxury apartments and townhomes and a variety of greenspace and parks.

INTENT & GENERAL DEVELOPMENT PRINCIPLES

INTRODUCTION

To ensure that Solms Landing remains a cohesive development of consistently high quality, Solms Landing Development has carefully created Architectural Design Guidelines that provide a design framework for businesses and residences that will be a part of this wonderful new addition to the City of New Braunfels.

The Architectural Design Guidelines are not always absolute or prescriptive and they encourage design creativity and diversity within a range of styles. Their fundamental intent is to maintain an environment of uncompromising quality while empowering owners to create custom designs reflective of their individual tastes and that can satisfy their functional requirements.

GENERAL DEVELOPMENT PRICIPLES

The Solms Landing plan envisions a vibrant urban district that builds on the area's history and character and compliments the adjacent Creekside Shopping Center, Resolute Hospital Facility and numerous established businesses in the adjacent area. Walkability to and from the "Landing" and the surrounding shopping areas is a key element in the master plan.

This document includes a comprehensive set of development standards and guidelines that include the following:

- Buildings and Sites – Addresses the height, orientation, and facade design of buildings and parking facilities.
- Streetscapes – Includes standards and guidelines for the design of public sidewalks and waterfront walkways.
- Private Parks and Plazas – Provides basic standards and guidelines for the design of pocket parks, community parks, urban plazas and other gathering spaces.

INTENT & GENERAL DEVELOPMENT PRINCIPLES

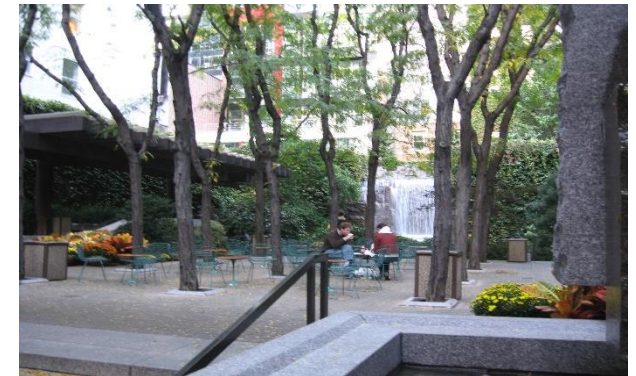
ARCHITECTURAL DESIGN CONCEPT

The existing character of the land is one of history; one that is intrinsically connected to the movement of settlers to the area, of their German homeland and their connection to the rivers that brought so much to their community.

This movement in time shall be an important part of the overall design. By linking pockets of green space along a spine of water (in this case, pocket-parks connected by a drainage features and bio-swales) developers are creating a metaphor of the community that is historically and currently linked by the rivers, the Comal and the Guadalupe.



Photographs depict guidelines & are only intended to help the user visualize guiding principles



INTENT & GENERAL DEVELOPMENT PRINCIPLES

ARCHITECTURAL DESIGN CONCEPT CONT.

Links such as this, certainly have their place in history. A prime example in today's world is the Las Ramblas in Barcelona, where the whole day can be spent lounging in outdoor cafes, watching people, buying flowers, viewing artwork and enjoying friends and family.

Design elements shall be a mixture locally found materials, such as limestone and wood, but they shall be used as accents on a modern form. The developers are seeking to create a re-interpretation of the forms the original German settlers used (and remembered from their homeland such fatchwork); a fresh new upscale look using familiar components.

The application of these materials, forms and spaces shall be assembled with the intent of creating a development that represents quality, integrity, history and education; a space that is a destination for visitors, a place to live, a place to work, a place to walk, and overall, a place that the entire community can be proud of.



INTENT & GENERAL DEVELOPMENT PRINCIPLES

RELATIONSHIP TO OTHER REGULATORY DOCUMENTS

The Solms Landing Planned Development District is a mixed use development with a base zoning of “MU-B high intensity mixed use district” under Chapter 144 of the city of New Braunfels Zoning Ordinance. The goal of this document is to minimize references to external documents and as a result the base line MUB zoning and all amendments have been attached to this document in Appendix 1.

Pertinent sections of the MUB guidelines have been adopted as a foundation to these development standards. In order to insure the quality of Solms Landing additional restrictions and standards have been outlined in the following document. Whenever there appears to be a conflict between the Solms Landing PDD and the base zoning, the requirements specifically set forth in this document shall prevail unless otherwise stated.

THE PDD IN THE CONTEXT OF THE CITY OF NEW BRAUNFELS

The proposed Solms Landing PDD is a roughly 98 acre master planned mixed use development located east of IH-35, adjacent to the Creekside Village development and directly across FM 306 from the Town Center at Creekside.

The development is within walking distance to Resolute Hospital and within a 5 minute drive to a number of other key employers such as Rush Enterprises, Comal ISD, and the recently announced CGT. Important uses within the area include elementary, middle and a high school as well as the New Braunfels Regional Airport and Central Texas Technology Center.

INTENT & GENERAL DEVELOPMENT PRINCIPLES

RELATIONSHIP TO 2006 COMPREHENSIVE PLAN

Solms Landing will incorporate many of the goals set out by the city of New Braunfels under the 2006 Comprehensive Plan. Some of these goals include but are not limited to the following:

- Goal 2 is to encourage the mixing of land uses which is the fundamental vision for Solms Landing. By incorporating a variety of uses into an integrated development Solms Landing will create the sense of community and place the city is looking for
- Goal 3 is to encourage innovative designs such as cluster developments. Solms Landing will be a high density development that encourages vertical rather than horizontal development allowing for green space and interconnectivity of hike and bike trails
- Goal 9 asks for better regulation of non residential developments. The guidelines set forth in this document call for a higher level of standards and development guidelines than what is required under current city zoning
- Goal 14 discusses the need for additional trails and greenbelts throughout the city. Not only will Solms Landing have trails throughout the development but it will also connect to hike and bike trails planned along FM 1101 and currently in use at Resolute Health
- Goal 25 encourages pedestrian and bike transportation throughout the community. Solms Landing will accomplish this by being a walkable community and by incorporating a variety of walking and biking trails throughout the development and to adjoining properties
- Goal 36 and 39 will be addressed by creating a mixed use development not currently offered in the Texas Hill Country. This will act as a complimentary development to the product offerings already available at Creekside allowing for new tenants and businesses to come to the area
- Goal 44 will be addressed by creating a development with a variety of shopping, dining and entertainment options that cater to a variety of age groups including kids, young adults, and retirees.
- Goal 80 will be addressed by creating a set of pocket parks where local art and cultural references can be displayed. The team at Solms Landing will look to work with Parks and Rec as well as the New Braunfels Art Commission to implement these designs

DEVELOPMENT REVIEW PROCESS

PROJECTS SUBJECT TO REVIEW

All construction projects within the development with the exception of interior construction are subject to review by the Architectural Review (AR) team that includes the POA Board and other Developer members. All buildings, streets and public spaces are also subject to review, and all should reflect exceptional design quality. The AR shall review all projects that require interpretation or discretionary judgment with respect to the project's compliance with standards and guidelines.

EXCEPTIONAL DESIGN

The AR team may recommend for approval, buildings of exceptional design that do not comply with certain standards and guidelines provided that the buildings conform to the Intent and General Development Principles. Parks, plazas, sidewalks, paths, and other publicly accessible spaces should also reflect exceptional design quality and are subject to compliance with the Development Standards and Guidelines.

CONCEPTUAL PHASE DISCUSSION

One of the most important roles of the AR team is to provide informal guidance to developers of significant projects during the conceptual design phase. These discussions take place during calls and work sessions, and provide an opportunity for early AR input that should facilitate timely design review and approval of the final design phase. All private developers of significant projects are encouraged to present their conceptual plans to the AR team for review.



BUILDINGS AND PERIPHERAL SITES

INTENT AND PRINCIPLES

INTRODUCTION

This section includes development standards and guidelines related to the orientation and configuration of buildings and building sites. The form and scale of a building is one of the most important factors in the creation of a viable mixed use development. The purpose of these standards is to ensure high quality, sustainable development that adapts to changing conditions over time. The following principles provide the basis for the development standards and guidelines.

- Design all sites and buildings, and the lower floors of buildings in particular, so that they promote pedestrian activity and provide an active, continuous pedestrian-oriented street edge along public sidewalks.
- Design buildings and sites to provide visual variety and enhance the overall sense of place.
- Regulate building heights and orientation so as to protect and enhance views to and from established landmarks, natural features and skylines.
- Choose exterior building materials that are important to shaping a coherent urban form. In addition to visual attractiveness, exterior building materials serve as the primary form of the interior space of the building.
- Ensure the building facades visible from public spaces contribute to an attractive streetscape and skyline.
- Locate surface parking, individual garages and parking garages to reduce their visual impact.

BUILDINGS

VERTICAL MIXED USE OVERLAY (VMU)

The purpose of a vertical mixed use (VMU) overlay is designed to allow the development of vertical mixed use (VMU) buildings. Vertical mixed use elements will be incorporated throughout the development.

A VMU building will meet the following requirements:

- A use on the ground floor must be different from a use on an upper floor.
- The second floor may be designed to have the same use as the ground floor so long as there is at least one more floor above the second floor that has a different use from the first two floors.
- At least one of the floors shall contain residential dwelling units or office space.

Ground-Floor Commercial Uses Allowed:

- Any commercial uses allowed in the base zoning district within proposed PDD may be allowed at the ground-floor level in VMU buildings.

Compatibility and Neighborhood Standards:

- All VMU buildings will conform to the standards of the base zoning



BUILDINGS

STANDARDS FOR BUILDING PRESENTATION TO STREETS AND GREENSPACE FRONTAGE

- Building Orientation – Orient all future development to the street or greenspace.
- Ground Floor Residential Frontages – Ground floor residential uses shall provide a clear delineation between public and private space through the use of a patio, landscaped yard, or raised landing. Such delineation shall not conflict with any pertinent accessibility requirements.

AWNINGS, GALLERIES, ARCADES AND BALCONIES

- Guideline for Awnings, Galleries and Arcades – Awnings, galleries or arcades are encouraged for all ground floor commercial uses so as to provide pedestrian protection and visual interest.
- Gallery and Arcade Width Standard – Galleries and arcades shall be a minimum of 6 feet in width.
- Balcony Guideline – Balconies are encouraged and should be designed as an integral part of the building and should not appear to have been tacked-on to the exterior.

BUILDINGS

ROOF GUIDELINES

- Parapet roofs or low-sloped roofs are preferred.
- Pitched roofs with slopes greater than 6:12 are primarily for residential and multifamily applications
- Utilizing rooftops for restaurants, bars, amenities, and gardens is allowable.

MECHANICAL EQUIPMENT STANDARDS

- Exhaust / venting, trash containers and noise-generating mechanical systems shall not be placed adjacent to the walkway in a manner that diminishes the comfort of pedestrians.
- Ventilation devices shall not be located in the pedestrian zone.

SCREENING STANDARDS

- Mechanical Equipment and Dumpsters whether located on the ground or rooftop shall be screened from public view.

WINDOWS AND OPENINGS

- Ground floor restaurants, bars and retail are encouraged to have windows and doors that can be opened to provide direct access to the sidewalk or public space.

BUILDINGS

FLOOR HEIGHT STANDARDS

Ground Floors of Nonresidential Buildings- Minimum 12 feet, measured floor to floor

Ground Floors of Residential Buildings- Minimum 8 feet measured floor to ceiling

Upper Floors All Buildings- Minimum 8 feet measured floor to ceiling. Parking structures are exempt from this requirement

HEIGHT STANDARDS

Unless otherwise stated in Zone specific standards, the height requirements will be as follows:

- Non-Residential uses- 120 feet
- Multi Family Dwellings- 100 feet
- Townhomes- 30 feet
- Zero Lot Line Homes- 30 feet



BUILDINGS

Maximum Building Coverage

- Building Coverage ratio for non-residential uses is not to exceed 80%
- Building Coverage ratio for residential uses is not to exceed 60%

Maximum Floor to Area Ratio for Non-Residential Uses

- Maximum floor to area ratio is not to exceed 5 : 1

Minimum Parking Standards

- Parking ratios will adhere to city guidelines dependent upon end use tenant mix based on requirements laid out in Section 5.1-3 of Planning's Zoning Ordinance
- Solms Landing will incorporate a variety of end users in an integrated mixed use development. As a result a variety parking elements will be incorporated such as street parking, shared parking lots, designated parking and potential parking structures

PERIPHERAL SITES

INTRODUCTION

Residents and visitors of Solms Landing will experience the first high density mixed use development in the Texas Hill Country. Solms Landing foresees a network of pocket parks each incorporating an element of New Braunfels heritage, gathering spaces, and walking trails throughout the 98 acres. These trails will connect to existing walking and biking trails in the area resulting in a wide variety of options for users. The development of the parks and open spaces will be based on the following principles:

- Connect green spaces to establish an unified network of pocket parks, green spaces and walking trails
- Include elements that cater to a variety of age groups including young children, teens and the elderly



PERIPHERAL SITES

GREENSPACE EXPERIENCE PRINCIPLES

- Build a distinctive and diverse network of public spaces and environments that avoid long uninterrupted monotonous designs. Include both formal and informal spaces and their neighborhood connectors to reflect or complement the adjoining neighborhoods. Ensure comfort during hot weather with trees and other provisions for shade, water fountains, benches and areas for rest. Ensure that buildings and other components of the built environment frame and complement greenspaces and public spaces. Ensure a sustainable, clean and easily maintained environment Incorporate public art into the street and adjacent realm.

PEDESTRIAN GUIDELINES

- Pedestrian passages should be attractive, safe and inviting to encourage use.
- Outdoor dining is encouraged
- Secondary storefront entrances are encouraged

PARKING GUIDELINES

- Shared, structured parking facilities are strongly encouraged

Low Impact Development

DESIGN PRINCIPLES

- One of the priorities of Solms Landing, a high density mixed use development, is to implement a “Low Impact Development” throughout the site by creating gathering spaces and “pervious” walkability through contiguous trails, pocket parks and strategically placed open spaces. The use of these gathering spaces will help create the vision of a Vibrant Urban District while addressing the walkability to and from the “Landing” and the surrounding shopping areas.

POCKET PARKS

- The pocket parks shall be designed to incorporate rain gardens by the use of “disconnection” of impervious surfaces and building downspouts to direct rainwater runoff through vegetated strips/areas. This will allow the low to moderate storm events to percolate through the engineered or natural in-situ soils prior to the runoff becoming concentrated. By providing the use of pocket parks and rain gardens, this practice will help reduce the total runoff volume (generated by the increase in impervious cover) by decreasing the time of concentration and promoting runoff infiltration. Having these areas will also promote a plant-based filtration that will help remove pollutants conveyed through surface runoff; therefore, enhancing the water quality aspect of the proposed development as well.

PARKING GUIDELINES

- In addition to providing the pervious trails and walkways; landscaped parking lot islands, planting beds, and vegetated filter strips will also be provided throughout various areas to enhance the overall “beautification” of this development. The planting beds and/or vegetated filter strips will also serve as a landscape buffer between the parking lots and “business development” areas. The overall use of the landscape buffers will greatly help in the reduction of impervious cover as well.

Low Impact Development

SIDEWALKS AND TRAILS

- While concrete sidewalks are a common means of walkability and will be provided adjacent to the proposed streets and buildings within this development, it is the intention to also create a “pervious” means of walkability throughout various areas complimenting the proposed walkways and trails. By using pavers or pavestones in lieu of concrete, the openings or spacing of the pavers will encourage infiltration.

DRAINAGE AND DETENTION

- Due to the natural / existing conditions of this site, a large low in the topography conveys sizeable upstream and offsite drainage areas through the current property. To continue the natural drainage paths of this site, this development will preserve the natural low and will maintain a vegetated design for the newly constructed channels. Limiting the use of impervious improvements within these areas will help maintain the natural filtration and pollutant removal.
- As an aspect and importance of major developments, this development will provide vegetated detention facilities to help alleviate the increase of peak runoff volumes due to the increase in impervious cover of the site. Not only will the detention facilities help mitigate the increase in runoff volumes, it will also provide a detention time for the overall site runoff. This detention time will encourage the removal of pollutants by sedimentation and infiltration through the soils; therefore, again promoting the water quality aspect of the proposed development as well.



OPEN SPACE DESIGN

OPEN SPACE DESIGN

INTRODUCTION

An integrated, high-quality, public realm will be one of the crucial elements to Solms Landing's success. The public walkways along streets and green space will be the public space most often utilized by residents, workers, and visitors. The standards and guidelines in this section are intended to create a vision for furnishing the public spaces while allowing for creativity and flexibility.

- Incorporate a variety of walkways that are integrated throughout the development
- Select furniture and fixtures that match the design and aesthetic of the project
- Design amenities that reflect the time and culture of the era being represented and respect the local history
- Select lighting systems that represent the overall design and feel of the project



OPEN SPACE DESIGN

Elements of a Streetscape

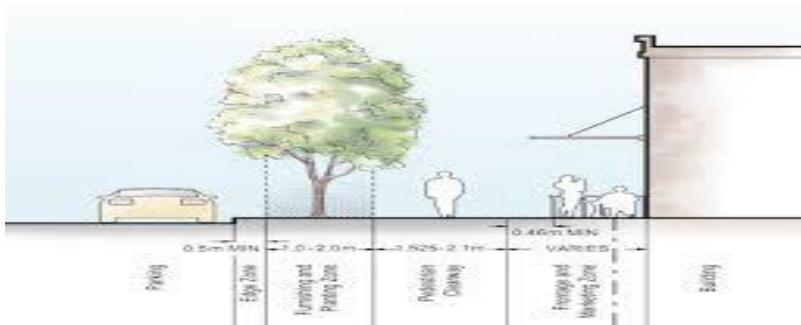
The Frontage Zone is located directly next to buildings, walls or property lines fronting a street or peripheral site. This area usually includes items such as:

- Greenery
- Benches
- Outdoor retail or dining seating

The Pedestrian Walkway serves as the space utilized for walking and should be kept clear of items such as benches or greenery. Zone should be able to accommodate all types of mobility including wheelchair access.

The Furnishing Zone is located between the Pedestrian Walkway and areas designated for parking. This zone will be utilized items such as the following:

- Utility Poles
- Bikes and News Racks
- Street Trees
- Waste receptacles



OPEN SPACE DESIGN

WALKWAY OBJECTIVES

- Focus pedestrian circulation at the street level.
- Use sidewalks and streets as a linear park system.

STREETSCAPE FURNISHINGS STANDARDS

- Permanent elements shall NOT be located in the Pedestrian Way.
- Benches shall be compatible with other benches along a block
- Benches shall be constructed of a durable material.
- Other streetscape furnishings such as bike racks, trash cans and other movable objects shall be compatible with existing furnishing along the block.

GREENWAY STANDARD

- A continuous walkway or public use area shall be located along the greenway.
- Ornamentation should be minimized so as to reduce distractions of views and vistas.



OPEN SPACE FURNISHINGS

LANDSCAPE Developments that are set back from the street shall incorporate landscaping such as bushes, flowers and other plantings.

- Durability of materials at street level are important.
- Therefor, pots and planters shall be of 50% clay, concrete, ceramic, resin or masonry materials.
- Potted plants shall be compatible in scale and design with the immediate surrounding area.
- Pots shall not interfere with the pedestrian way.

GREENWAY TREE STANDARDS *(Note: Ideally all trees should be planted between November and February).*

- Street trees can be either deciduous or evergreen, but must be approved beforehand by the AR Team.
- Irrigation shall be provided to ensure the life of the tree.
- Trees shall be a minimum of 2" caliper.

ACCEPTABLE TREES AND BUSHES

- Refer to the City of New Braunfels' Zoning Ordinance Section 5.2 for acceptable trees and bushes.

OPEN SPACE FURNISHINGS

LIGHTING STANDARDS

- Pedestrian lights shall be spaced a maximum of 60 feet apart in the urban greenway areas.
- Pedestrian lights shall be made of steel, aluminum, or any other material that is proven to be equally durable, cost effective and easy to maintain.
- Pedestrian light poles shall provide easy serviceability, maintenance and replacement.
- Light source height shall not exceed 16 feet above grade.

BOLLARD STANDARDS

- Concealed mounting.
- 24" to 30" in height.
- Compatible with other street scape features.
- Removable bollards shall be provided where necessary for emergency / service functions.

PAVING MATERIAL STANDARDS

Paving materials shall be easy to maintain, attractive and sustainable. The materials shall not detract from the primary purpose of the space. Appropriate materials include the following:

- Concrete / Pervious Concrete
- Crushed stone meeting TDLR requirements- only allowed on trails within the private property and not authorized for public sidewalks or for parking without approval from the City Engineer pursuant to Section 5.1-1 of the Zoning Ordinance.
- Masonry Pavers
- Composite Decking
- Any other similarly primary material that meets and is in compliance with City Design Standards

OPEN SPACE FURNISHINGS

PUBLIC ART GUIDELINES

- Developers are encouraged to integrate art into the design process for buildings and adjoining greenway features.
- The City of New Braunfels' Arts Commission may assist with identifying appropriate artists and / or advise on processes for projects.
- Pocket parks will be preferred location to incorporate art and cultural aspects
- Utilizing historical and cultural aspects of New Braunfels into the artistic aspects will be encouraged





ZONE SPECIFIC STANDARDS AND GUIDELINES

ZONE 1

Zone 1 within Solms Landing will be the preferred zone for Vertical Mixed Use. This zone will incorporate a variety of uses including but not limited to retail shopping and dining, flex office space, a boutique hotel, and national tenant retail. In addition to the standard requirements previously laid out in these guidelines the following standards will apply:

- Development shall include layering of building heights and styles increasing in height as development moves away from the public right-of-way. Styles of buildings shall vary in design elements, scale, height, building orientation and features to prevent a monotone feel
- Provide connectivity to existing walking trails on adjacent properties at Creekside, Resolute Health, and Creekside Village
- Create a balance between height and density of vertical mixed use and greenspace
- Encourage structured parking where economically feasible
- Create a park space where visitors and residents can gather for events such as festivals, artisan fairs, and concerts

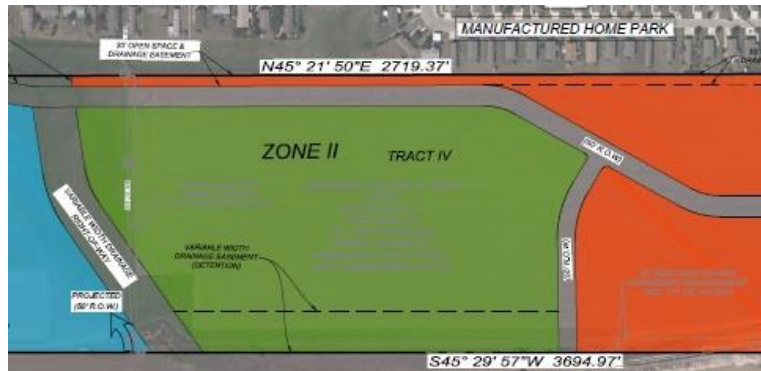


ZONE SPECIFIC STANDARDS AND GUIDELINES

ZONE 2

Zone 2 within Solms Landing will be the preferred zone for high density residential. In addition to height density residential this zone will look to incorporate neighborhood retail, zero lot line residential, and elements of greenspace and parks. In addition to the standard requirements previously laid out in these guidelines the following standards will apply:

- Maximum height for Non-Residential is 120- and for Multi Family is 100 feet
- Create integrated network of trails and pocket parks between Zones 1 and 3
- Provide connectivity to existing bike and walking trails in West Village at Creekside and new trails planned on FM 1101
- Create connector road to West Village at Creekside via planned right of ways

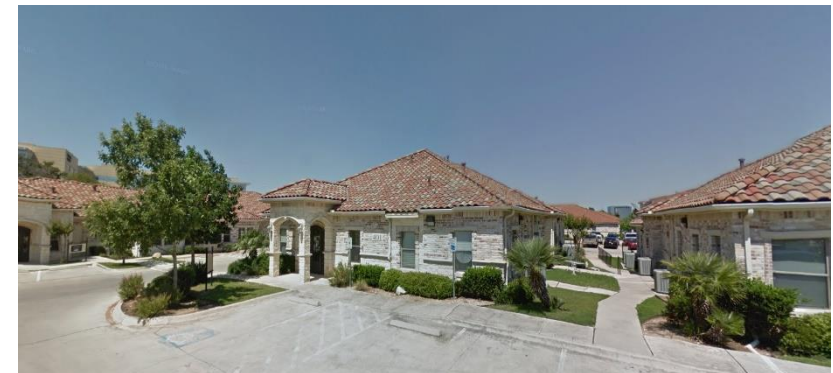
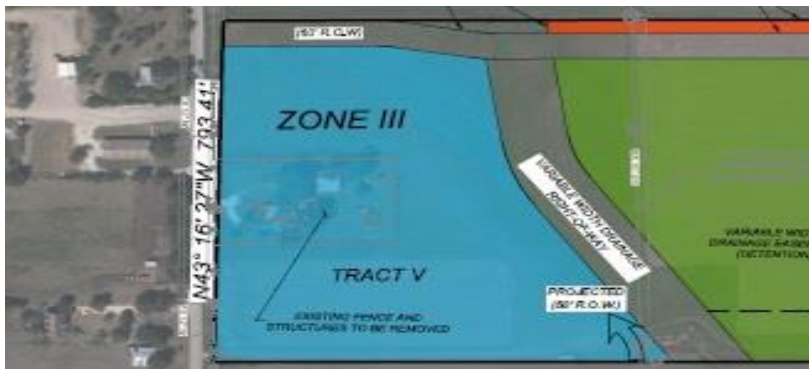


ZONE SPECIFIC STANDARDS AND GUIDELINES

ZONE 3

Zone 3 within Solms Landing will be the preferred zone for single family residential. This zone will incorporate a for sale living option that is integrated into the overall development via trails and sidewalk. These modern farmhouses will provide the ability for patrons to live in the development but still have a n degree of privacy should they not want to live in one of the more integrated options. In addition to the standard requirements previously laid out in these guidelines the following standards will apply:

- Maximum height for Non-Residential is 120- and for Multi Family is 100 feet
- Create integrated network of trails and pocket parks in coordination with Zone 2
- Provide connectivity to existing bike and walking trails in West Village at Creekside and new trails planned on FM 1101
- Create connector road to West Village at Creekside via planned right of ways



APPENDIX 1

MU-B" high intensity mixed use district.

Purpose. The MU-B High Intensity Mixed Use District is intended to provide for a mixture of more intense retail, office, and industrial uses in close proximity to enable people to live, work and shop in a single location. Bed-and-breakfast establishments could also be located in this district. Pedestrian walkways and open areas are desired in order to promote a pedestrian-friendly environment.

Authorized uses. Uses permitted by right shall be those set forth in the Land Use Matrix in Section 4 of this Chapter. The allowed uses in the district, which are intended to be identical with those listed in the Land Use Matrix, are as follows

(1) Uses permitted by right:	Multifamily (apartments/condominiums – at least five units)
Residential uses:	Residential use in buildings with the following non-residential
Accessory building/structure	uses
Bed and breakfast inn (see Sec. 5.6)	Townhouse (at least five lots)
Boardinghouse/lodging house	Zero lot line / patio homes
Community home (see definition)	
Dormitory (in which individual rooms are for rental)	
Hospice	

APPENDIX 1 CONT.

Non-residential uses:

Accounting, auditing, bookkeeping, and tax preparations
Adult day care (no overnight stay)
Adult day care (with overnight stay)
Ambulance service (private)
Amphitheater
Amusement devices/arcade (four or more devices)
Amusement services or venues (indoors) (see Sec. 5.13)
Amusement services or venues (outdoors)
Animal grooming shop
Answering and message services
Antique shop
Armed services recruiting center
Art dealer / gallery
Artist or artisan's studio
Assembly/exhibition hall or areas
Assisted living facility / retirement home
Athletic fields
Bakery (retail)
Bank, savings and loan, or credit union
Bar/Tavern
Barber/beauty College (barber or cosmetology school or college)
Barber/beauty shop, haircutting (non-college)
Battery charging station

Bicycle sales and/or repair
Billiard / pool facility
Bio-medical facilities
Book binding
Book store
Bowling alley/center (see Sec. 5.13)
Bus passenger stations
Cafeteria / café / delicatessen
Campers' supplies

APPENDIX 1 CONT.

Non-residential uses:

Child day care / children's nursery (business)
Church/place of religious assembly
Civic/conference center and facilities
Clinic (dental)
Clinic (emergency care)
Clinic (medical)
Club (private)
Coffee shop
Commercial amusement concessions and facilities
Communication equipment - installation and/or repair
Computer and electronic sales
Computer repair
Confectionery store (retail)
Consignment shop
Convenience store with or without fuel sales
Country club (private)
Credit agency
Curio shops
Custom work shops
Dance hall / dancing facility (see Sec. 5.13)
Day camp
Department store
Drapery shop / blind shop

Driving range
Drug sales/pharmacy
Electronic assembly/high tech manufacturing
Fair ground
Farmers market (produce market - wholesale)
Fire Station
Florist
Food or grocery store with or without fuel sales
Food processing (no outside public consumption)
Fraternal organization/civic club (private club)
Frozen food storage for individual or family use
Furniture sales (indoor)
Golf course (public or private)
Golf course (miniature)
Governmental building or use with no outside storage
Handicraft shop

APPENDIX 1 CONT.

Non-residential uses:

Hardware store
Health club (physical fitness; indoors only)
Heating and air-conditioning sales / services
Home repair and yard equipment retail and rental outlets
Hospital, general (acute care/chronic care)
Hospital, rehabilitation
Hotel/motel
Hotels/motels - extended stay (residence hotels)
Ice delivery stations (for storage and sale of ice at retail only)
Kiosk (providing a retail service)
Laboratory equipment manufacturing
Laundromat and laundry pickup stations
Leather products manufacturing
Limousine / taxi service
Market (public, flea)
Martial arts school
Medical supplies and equipment
Microbrewery (onsite manufacturing and sales)
Motion picture studio, commercial film
Motion picture Theater (indoors)
Motion picture Theater (outdoors, drive-in)
Museum
Needlework shop
Nursing/convalescent home/sanitarium
Offices, brokerage services
Offices, business or professional
Offices, computer programming and data processing
Offices, consulting
Offices, engineering, architecture, surveying or similar

Offices, health services
Offices, insurance agency
Offices, legal services - including court reporting
Offices, medical offices
Offices, real estate
Offices, security/commodity brokers, dealers, exchanges and financial services
Park and/or playground (private or public)
Parking lots (for passenger car only) (not as incidental to the main use)
Parking structure / public garage
Pet shop / supplies (10,000 sq. ft. or less)
Pet store (more than 10,000 sq. ft.)
Photo engraving plant
Photographic printing/duplicating/copy shop or printing shop
Photographic studio (no sale of cameras or supplies)
Photographic supply

APPENDIX 1 CONT.

Non-residential uses:

Public recreation/services building for public park/playground areas

Publishing/printing company (e.g., newspaper)

Radio/television shop, electronics, computer repair

Rappelling facilities

Recreation buildings (public or private)

Recycling kiosk

Refreshment/beverage stand

Research lab (non-hazardous)

Restaurant with drive through

Restaurant/prepared food sales

Retail store and shopping center

Retirement home/home for the aged

Rodeo grounds

School, K-12 (public or private)

School, vocational (business/commercial trade)

Security monitoring company

Security systems Installation Company

Shopping center

Specialty shops in support of project guests and tourists

Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)

Tailor shop

Tattoo or body piercing studio

Telemarketing agency

Telephone exchange (office and other structures)

Tennis court (commercial)

Theater (non-motion picture; live drama)

Travel agency

University or college (public or private)

Upholstery shop (non-auto)

Used or second hand merchandise/furniture store

Veterinary hospital with or without outside animal runs or kennels) with the exception that outdoor kennels may not be used between the hours of 9:00 p.m. and 7:00 a.m. and are prohibited adjacent to residential

Video rental / sales

Waterfront amusement facilities – swimming / wading pools /bathhouses

Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system

Wholesale sales offices and sample rooms

Woodworking shop (ornamental)

Any comparable business or use not included in or excluded from any other district described herein.

APPENDIX 1

(2) Conflict. In the event of conflict between the uses listed in the Land Use Matrix and those listed in Subsection (1), the uses listed in this subsection shall be deemed those authorized in the district.

(b) Maximum height, minimum area and setback requirements:

- (1) Non-residential uses.
 - (i) Height. 120 Feet
 - (ii) Front building setback. No front building setback required.
 - (iii) Side building setback. No side building setback is required.
 - (iv) Rear building setback. Five feet minimum with an additional two feet required for each story above 24 feet, up to a maximum setback of 25 feet; there shall be no encroachment or overhangs into this required rear building setback.
 - (v) Residential setback. Where a non-residential building or a multifamily development of more than three units abuts a one or two family use or zoning district, the setback from the residential property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.
 - (vi) Minimum lot area. The minimum internal lot area shall be 6,000 square feet or 7,000 square feet for a corner lot.
 - (viii) Minimum lot frontage: 60 feet.
 - (ix) Lot depth. 100 feet.
 - (x) Parking. See Section 5.1 for other permitted uses' parking.
- (2) Multifamily dwellings.
 - (i) Height. 100 Feet
 - (ii) Front building setbacks. 25 feet.
 - (iii) Rear building setback. 25 feet.
 - (iv) Side building setback. A side building setback of 20 feet shall be provided. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street where the rear lot lines of the corner lots coincide with the rear lot lines of the adjacent lots. Buildings on corner lots shall have 25-foot side building setbacks adjacent to the street where the rear lines of the corner lots coincide with the side lot lines of the adjacent lots.

APPENDIX 1

- (v) Garage setback. Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See Illustration 8 in Sec. 5.1-1)
- (vi) Parking and accessory uses. Parking may encroach into the interior side and rear building setback as long as a solid screening fence or wall of six to eight feet in height is erected along the interior side and rear property lines. Accessory uses such as swimming pools, tennis courts and playgrounds will not be permitted within any required yard.
- (vii) Width of lot. The minimum width of an interior lot shall be 60 feet and the minimum width of a corner lot shall be 70 feet.
- (viii) Density. No maximum.
- (ix) Lot area 20,000 square feet.
- (x) Lot coverage. The combined area of all yards shall not be less than 20 percent of the total lot or tract
- (xi) Distance between structures. There shall be a minimum of 10 feet between structures side by side; a minimum of 20 feet between structures side by front or rear; a minimum of 40 feet between structures front to front; a minimum of 20 feet between structures backing rear to rear, and a minimum of 20' between structures front to rear.
- (xiii) Lot depth. 100 feet.
- (xiv) Parking.

For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:

- 1. One-bedroom apartment or unit . . . 1 1/2 spaces
 - 2. Two-bedroom apartment or unit . . . 2 spaces
 - 3. Each Additional bedroom . . . 1/2 space
 - 4. Each dwelling unit provided exclusively for low income elderly occupancy . . . 3/4 space ("Low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)
- (xv) When lots are adjacent to drainage ways or easements that cannot be developed and are at least 25 feet wide, there will be a 5-foot side and rear setback.

APPENDIX 1

An addition to this Multifamily dwelling:

2.1) Condominiums - means a form of real property with portions of the real property designated for separate ownership or occupancy, and the remainder of the real property designated for common ownership or occupancy solely by the owners of the portions. Real property is a condominium only if one or more of the common elements are directly owned in undivided interests by the unit owners. Real property is not a condominium if all of the common elements are owned by a legal entity separate from the unit owners, such as a corporation, even if the separate legal entity is owned by the unit owners.

(i) Detached Condominiums.

Detached condominiums shall be grouped in pods of no less than 2 and no greater than 10. These pods are not required to be attached but instead can be grouped together. Each building pod shall be at least 20 feet from any other pod group, measured from the nearest point of their foundation.

Distance between structures. There shall be a minimum of 7 feet between structures side by side; a minimum of 7 feet between structures side by front or rear; a minimum of 14 feet between structures front to front; a minimum of 9 feet between structures backing rear to rear, and a minimum of 20' between structures front to rear.

- (i) In the event that the distance between two structures is less than 10 feet, a firewall will be required on the walls adjacent to the areas where the distance is less than 10 feet.

Accessory buildings shall be a minimum of 8 feet from condominium structures.

Detached condominiums shall be permitted the use of short term rentals.

Each detached condominium will be allowed 1 accessory building.

APPENDIX 1

(3) Townhouses.

- (i) Height. 30 feet
- (ii) Front building setback. 10 feet. If front entry garages/carports are provided, a minimum front yard of 20 feet shall be provided to the garage/carport.
- (iii) Side building setback. No side building setbacks are required for interior lots except the minimum distance between two building groups shall be 20 feet and the minimum distance between a building group and any abutting subdivision boundary or zoning district boundary line shall be 20 feet. Buildings on corner lots shall have 15-foot side building setbacks adjacent to the street, except where the rear lot line of a corner lot coincides with a side lot line of an adjacent lot, then 25-foot minimum side yards adjacent to the street shall be provided.
- (iv) Garage setback. Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed.
- (v) Rear building setback. No building shall be constructed closer than ten feet from the rear property line. If the rear of the lots abut any other residential zoning district, the rear building setback shall have a minimum depth of 20 feet.
- (vi) Width of lot. Interior lots shall have a minimum width of 25 feet. Corner lots shall have a minimum width of 40 feet except where the rear lot line of a corner lot coincides with a side lot line of an adjacent lot, then the corner lot shall have a minimum width of 50 feet.
- (vii) Lot depth. 100 feet.
- (viii) Lot area per family. 2,500 square feet.
- (ix) Common open space. A minimum of 250 square feet of common open space per lot shall be provided within the townhouse project. In computing the required common open space, individually owned townhouse lots, required front, rear, or side setbacks, streets, alleys, or public rights-of-way of any kind, vehicular drives, parking areas, service drives, or utility easements containing or permitting overhead pole carried service shall not be included. Drainage easements and detention ponds may be used in computing common open space.
- (x) Building group. There shall be no less than five lots. There shall be no less than two nor more than eight individual dwelling units in each building or dwelling group. Each building group shall be at least 20 feet from any other building group, measured from the nearest points of their foundations. Each building or building group shall be at least 20 feet from any subdivision or zoning district boundary line. (xi) Accessory buildings. Any detached accessory buildings permitted, except carports open on at least two sides, shall be set at least three feet away from the side lot line unless their walls are equal in fire resistance to the common walls of the main structure. Detached carports, open on at least two sides, may be built to the property line with no common wall required. Rear building setback for an accessory building shall be three feet. Any accessory building permitted in district "R-1" shall be permitted in district "TH."
- (xii) Parking. There shall be at least two off-street parking spaces for each townhouse.

APPENDIX 1

(4) Zero lot line / patio homes.

- (i) Height. 30 feet.
- (ii) Front building setback. 10 feet. If front entry garages/carports are provided, a minimum front yard of 20 feet shall be provide to the garage/carport.
- (iii) Side building setback. There shall be no side building setback required on one side of the lot and a minimum of 10 feet in the opposite side yard. If the side of the lot abuts any other residential zoning district, that side building setback shall have a minimum of ten feet. The dwelling on the “no side building setback required” side may be off-set from the property line by no more than one foot. **Patio homes may have the option to be built with 5 foot setbacks on each side in which case homes will be built on lots with 5-foot wide interior side setbacks.**
- (iv) Corner lots. Buildings on corner lots shall provide a minimum exterior side building setback of 10 feet. If entry to a garage/carport is provided on the exterior side, a minimum yard of 20 feet shall be provided to the garage/carport.
- (v) Rear building setback. If rear entry garages/carports are provided from an alley, the rear building setback shall have a minimum depth of 20 feet. If no alley is provided and garage/carport entries are from the front, the rear building setback shall have a minimum depth of 10 feet. If the rear of the lots abut any other residential zoning district, the rear building setback shall have a minimum depth of 20 feet.
- (vi) Width of lot. 35 feet.
- (vii) Lot area. 3000 square feet.
- (viii) Lot depth. 80 feet.
- (ix) Minimum area zoned. Not less than three lots with common side lot lines will be zoned for zero lot line homes. When facing on the same street within the same block, mixing of ZH structures and other residential structures will not be allowed. However, this does not preclude other residential uses on one side of a street with ZH uses on the opposite side of the street within the same block or different blocks.
- (x) Zero lot line wall. No door or window openings shall be built into the side wall facing the zero lot line except those that are more than three feet from the property line and screened by a masonry wall at least eight feet in height so that the opening(s) is not visible from the adjoining property. (See Illustration 3, “ZH-A”district)
- (xi) Maintenance, drainage and overhang easement. A maintenance, drainage and overhang easement of five feet shall be provided on each lot that is adjacent to a lot with a zero setback allowance. This easement shall be for the purpose of maintaining the wall and foundation that is adjacent to one side property line to provide for proper maintenance and drainage.
- (xii) Overhang. Eaves and gutters may overhang the zero lot line side of the lot by no more than 18 inches. If there is an overhang over the lot line, a gutter is required such that roof runoff shall not be deposited over the lot line onto adjoining property.
- (xiii) Parking. There shall be at least two off-street parking spaces for each zero lot line home. See Section 5.1 for other permitted uses’ parking.

APPENDIX 1

(5) Additional Standards- Whenever there appears to be a conflict between the Solms Landing PDD and the base zoning, the requirements specifically set forth in this document shall prevail unless otherwise stated.

- (i) Design-
 - The AR team may recommend for approval, buildings of exceptional design that do not comply with certain standards and guidelines provided that the buildings conform to the Intent and General Development Principles.
 - Design all sites and buildings, and the lower floors of buildings in particular, so that they promote pedestrian activity and provide an active, continuous pedestrian-oriented street edge along public sidewalks.
 - Design buildings and sites to provide visual variety and enhance the overall sense of place.
 - Regulate building heights and orientation so as to protect and enhance views to and from established landmarks, natural features and skylines.
 - Choose Primary Materials in compliance with Section 5.22-4 of the New Braunfels standards that are important to shaping a coherent urban form. In addition to visual attractiveness, exterior building materials serve as the primary form of the interior space of the building.
 - Ensure the building facades visible from public spaces contribute to an attractive streetscape and skyline.
 - Locate surface parking, individual garages and parking garages to reduce their visual impact.
- (ii) Vertical Mixed Use-
 - A use on the ground floor must be different from a use on an upper floor.
 - The second floor may be designed to have the same use as the ground floor so long as there is at least one more floor above the second floor that has a different use from the first two floors.
 - At least one of the floors shall contain residential dwelling units or office space.
 - Any commercial uses allowed in the base zoning district within proposed PDD may be allowed at the ground-floor level in VMU buildings.
 - All VMU buildings will conform to the standards of the base zoning

APPENDIX 1

- (iii) Building Standards-
 - Galleries and arcades shall be a minimum of 6 feet in width
 - Utilizing rooftops for restaurants, bars, amenities, and gardens is allowable.
 - Exhaust / venting, trash containers and noise-generating mechanical systems shall not be placed adjacent to the walkway in a manner that diminishes the comfort of pedestrians.
 - Ventilation devices shall not be located in the pedestrian zone.
 - Mechanical Equipment and Dumpsters whether located on the ground or rooftop shall be screened from public view.
 - Ground Floors of Nonresidential Buildings- Minimum 12 feet, measured floor to floor
 - Ground Floors of Residential Buildings- Minimum 8 feet measured floor to ceiling
 - Upper Floors All Buildings- Minimum 8 feet measured floor to ceiling. Parking structures are exempt from this requirement
 - Unless otherwise stated in Zone specific standards, the height requirements will be as follows:
 - **Non-Residential uses- 120 feet**
 - Multi Family Dwellings- 100 feet
 - Townhomes- 30 feet
 - Zero Lot Line Homes- 30 feet
 - **Building Coverage ratio for non-residential uses is not to exceed 80%**
 - **Building Coverage ratio for residential uses is not to exceed 80%**
 - Maximum floor to area ratio is not to exceed 5: 1
 - Impervious coverage will not have a limit and can be engineered for up to 100%
- (iv) Greenspace Standard-
 - A continuous walkway or public use area shall be located along the greenway.
 - Connect green spaces to establish an unified network of pocket parks, green spaces and walking trails

APPENDIX 1

- (v) Landscaping
 - Developments that are set back from the street shall incorporate landscaping such as bushes, flowers and other plantings.
 - Pots and planters shall be of 50% clay, concrete, ceramic, resin or masonry materials.
 - Irrigation shall be provided to ensure the life of the tree.
 - Trees shall be a minimum of 2" caliper.
 - Refer to the City of New Braunfels' Zoning Ordinance Section 5.2 for acceptable trees and bushes.
- (vi) Lighting Standards
 - Pedestrian lights shall be spaced a maximum of 60 feet apart in the urban greenway areas.
 - Pedestrian lights shall be made of steel, aluminum, or any other material that is proven to be equally durable, cost effective and easy to maintain.
 - Pedestrian light poles shall provide easy serviceability, maintenance and replacement.
 - Light source height shall not exceed 16 feet above grade.
- (vii) Bollard Standards
 - Concealed mounting.
 - 24" to 30" in height.
 - Removable bollards shall be provided where necessary for emergency / service functions.
- (viii) Paving Materials- Paving materials shall be easy to maintain, attractive and sustainable. The materials shall not detract from the primary purpose of the space. Appropriate materials include the following:
 - Concrete / Pervious Concrete
 - Crushed stone meeting TDLR requirements- only allowed on trails within the private property and not authorized for public sidewalks or for parking without approval from the City Engineer pursuant to Section 5.1-1 of the Zoning Ordinance.
 - Masonry Pavers
 - Composite Decking
 - Any other similarly primary material that meets and is in compliance with City Design Standards

APPENDIX 1

- (ix) Residential Standards-
 - Ground floor residential uses shall provide a clear delineation between public and private space through the use of a patio, landscaped yard, or raised landing. Such delineation shall not conflict with any pertinent accessibility requirements
 - Zero lot line homes and townhomes will be designed with front porch configurations that front onto a private or public street or onto a pedestrian open space with a pedestrian walkway.
- (x) Parking Standards-
 - Parking ratios will adhere to city guidelines dependent upon end use tenant mix based on requirements laid out in Section 5.1-3 of Planning's Zoning Ordinance
 - Parking lots shall provide cross access across property lines to adjacent parking lots to encourage internal circulation and reducing on street conflicts. This cross access can be utilized to meet minimum city parking requirements through a cross access agreement
 - Landscaped parking lot islands, planting beds, and vegetated filter strips will be provided throughout various areas to enhance the overall "beautification" of this development.
 - Planting beds and/or vegetated filter strips will serve as a landscape buffer between the parking lots and "business development" areas
- (xi) Zone 1
 - Development shall include layering of building heights and styles increasing in height as development moves away from the public right-of-way. Styles of buildings shall vary in design elements, scale, height, building orientation and features to prevent a monotone feel
 - Maximum height for Non-Residential is 120- and for Multi Family is 100 feet
- (xii) Zone 2
 - Maximum height for Non-Residential is 120- and for Multi Family is 100 feet
- (xiii) Zone 3
 - Maximum height for Non-Residential is 120- and for Multi Family is 100 feet

PLANNING COMMISSION – JANUARY 5, 2020– 6:00PM

Zoom Meeting

Applicant/Owner: James Mahan, Solms Landing Development, LLC.

Address/Location: Approximately 98 acres addressed at 253 S. Kowald Lane

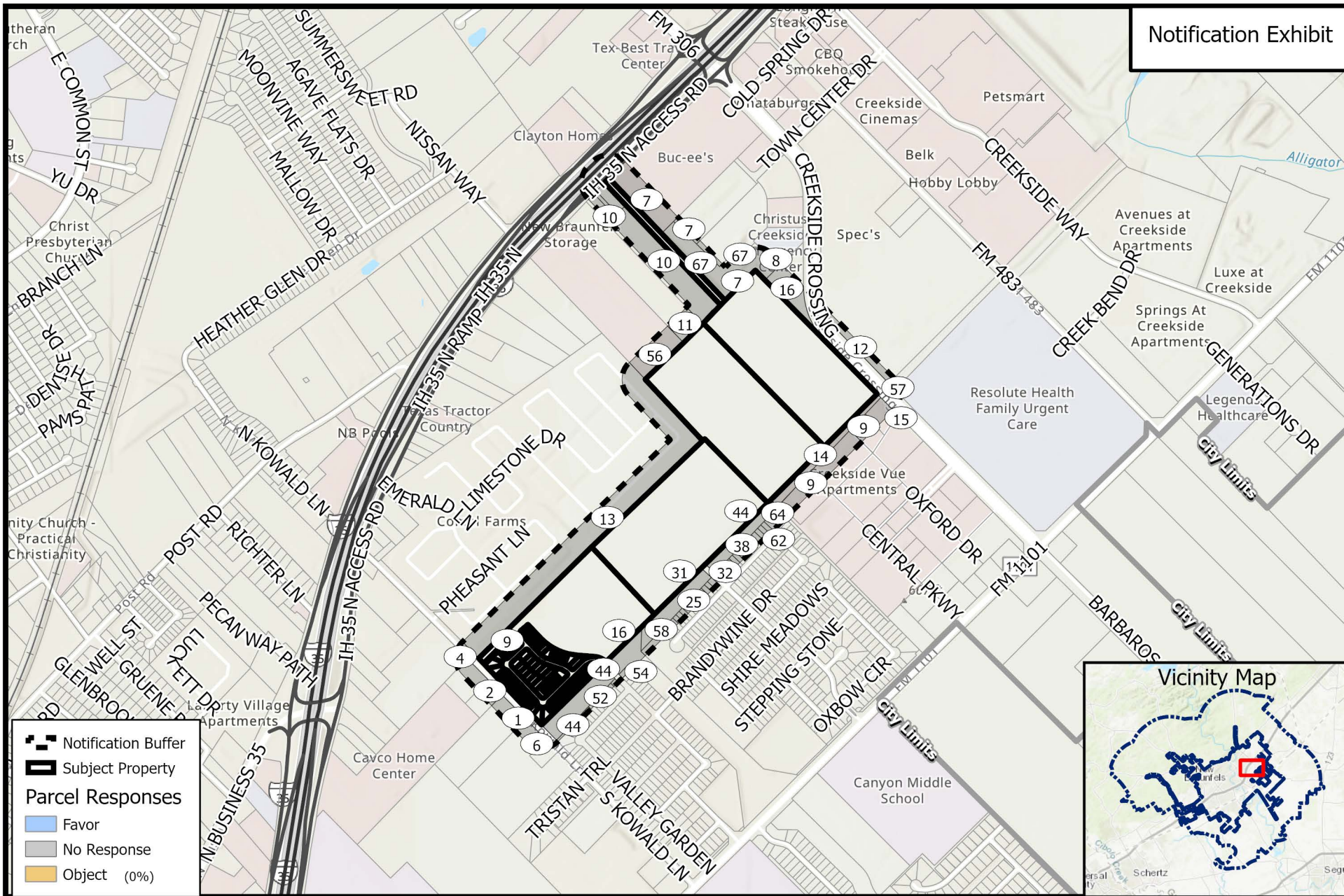
PROPOSED ZONE CHANGE – CASE #PZ20-0295

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

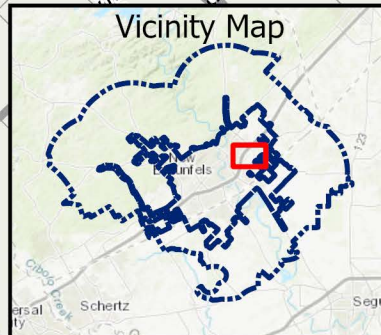
- | | |
|---|--|
| 1. HALL JULIE L ET AL | 21. COLES PROPERTIES LTD |
| 2. WETZ WILLIAM & BILLY WARD | 22. BRYANT MATTHEW W |
| 3. WARD BILLY & WETZ WILLIAM N | 23. HERZOG DEREK S & SARAH R |
| 4. J E PROPERTIES LP | 24. SCHRAMM MICHAEL II |
| 5. ENTERPRISE TEXAS PIPELINE LP | 25. CASON LAYCE |
| 6. PRADE CONNIE A | 26. BROWN DAMIAN |
| 7. BUC EES LTD & TURNER FAMILY PRTNRSH LP | 27. JONES KATHLYN E & JOHN E |
| 8. MCKEE RICHARD W RVCBL TRST 5-03-1994 | 28. BECERRA JOSE & MARCELA |
| 9. PROPERTY OWNERS | 29. BLANKENSHIP KATE E & BRODY |
| 10. RBNT INVESTMENTS LLC | 30. CEH RANDI L & STEVE J |
| 11. DEAN BARBARA NELL | 31. WEST VILLAGE AT CREEKSIDE (NB) HOA INC |
| 12. A L 95 CREEKSIDE TOWN CENTER LP | 32. GENNUSA CHESKA & ANTHONY |
| 13. CP COMAL FARMS LTD PRTNRSH | 33. HERNANDEZ LORI A & ATILANO JR |
| 14. CWC306 MASTER COMMUNITY INC | 34. CRUZ STEPHANIE L & STEVE |
| 15. BENGALI MONIS 3 LLC | 35. K I RANDY & GEORGINA |
| 16. NEW BRAUNFELS CITY OF | 36. PERNICANO KEVIN & PATRICIA |
| 17. BENNETT TAYLOR & THOMAS | 37. GOMEZ JULIAN V III |
| 18. HERNANDEZ ANDREA | 38. FLORES RENE & LILIANA D |
| 19. GUTIERREZ KELSEY M | 39. EPPERSON ZACHARY S |
| 20. PIERCE ADRIENNE E | 40. GUERRERO LUIS DE LEON |

- | | |
|---------------------------------------|--|
| 41. BRADLEY ERIK P & LEAH R | 55. DAILEY HAROLD G JR & MARY K |
| 42. GOMEZ ENRIQUE G & OLGA D G MAXIMO | 56. NEW BRAUNFELS STORAGE LTD |
| 43. EICKHOFF SABRINA & BRANDON FULLER | 57. CENTRAL TEXAS CORRIDOR HOSPITAL CO LLC |
| 44. KB HOME LONE STAR INC | 58. HICKSON ASHLEE |
| 45. GARCIA VANESSA M & JUAN A JR | 59. PADRON LALO & ALMA |
| 46. BOYD KAITLIN N & CALEB A MOLENDIA | 60. STINDT TROY E JR & HEATHER M |
| 47. MARMOLEJO ANISSA | 61. WILBURN RAY A JR & ASHLEY N |
| 48. KINGSBERY JENI M | 62. ESCOBEDO BERNARDO A & BRIANA |
| 49. COUGHENOUR GERALD W & SHIRLEY | 63. BYLER KASEY T & CHELSEA T |
| 50. JENKINS SANDRA K | 64. PORTER BRIAN L & DANA R |
| 51. GOULDING PETER | 65. BOSH JARRID N |
| 52. WILLIAMSON MERLE K & CHRISTINE M | 66. RODGERS MATTHEW A & CATHERINE E |
| 53. RAMZINSKI SHARLA & JOSHUA | 67. BLAKE AT NEW BRAUNFELS LLC |
| 54. REEDER THOMAS P & DEBORA L | |

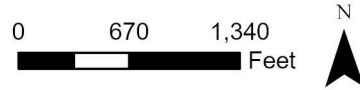
SEE MAP



Notification Exhibit



PZ20-0295
Amendment to DP



Path: \\chfs-1\Departments\Planning\ZoneChange-SUP-Replats\2020\PZ20-0295 - Solms Landing

Source: City of New Braunfels Planning
Date: 12/15/2020

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by any other party is at that party's risk and without liability to the City of New Braunfels. The City of New Braunfels and its officials or employees are not responsible for any discrepancies, errors, or variances which may exist.

1/5/2021

Agenda Item No. F)

Presenter/Contact

*Applicant: Thor Thornhill; Owner: Gregory Family Revocable Trust
(830) 625-8555 / plats@hmtnb.com*

SUBJECT:

SUP20-267 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow a variety of residential and non-residential development on approximately 49.5 acres out of the A-103, Sarah Dewitt Survey, addressed at 514 & 720 W. Zipp Road, from "R-1A-6.6" Single Family District to allow all uses allowed in the following zoning districts: "MU-B" High Intensity Mixed Use, "R-1A-4" Single-Family Small Lot Residential, "ZH-A" Zero Lot Line Home and "R-2A" Single and Two-Family Residential. **The applicant will request a postponement; if the Planning Commission approves the postponement, new public notice will be provided for the February 2, 2021 meeting.**

BACKGROUND / RATIONALE:

Case No.: SUP20-267

Council District: 2

Applicant: Thor Thornhill
HMT Engineering & Surveying
290 S. Castell Avenue, Suite 100
New Braunfels, TX 78130
(830) 625-8555
plats@hmtnb.com

Owner: Gregory Family Revocable Trust
Rosemarie L. Gregory
436 Lakeview Boulevard
New Braunfels, TX 78130

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

Consideration of this request was postponed upon request of the applicant during the December 1, 2020 Planning Commission meeting. Upon further review, the applicant requested the public hearing and consideration of this rezoning be scheduled for the February 2, 2021 Planning Commission meeting. The schedule adjustment will allow additional time for the preparation and review of proposed development standards prior the public hearing. All owners of property within 200 feet of the subject property have been notified of the requested schedule and will receive a new public notice with updated information on the rezoning request for the February meeting if the postponement request is approved by the Planning Commission.

The approximately 50-acre tract is located south of the intersection of S. Walnut Avenue and W. Klein Road. The subject property is approximately 871 feet wide and extends southeast to W. Zipp Road. A portion of the property is currently improved with two single-family residences with most of the property being undeveloped. The proposed Type 1 Special Use Permit (SUP) would allow for a wide variety of residential and non-residential development to occur on the property.

Development of the property will include the extension of S. Walnut Avenue, a Principal Arterial on the City's thoroughfare plan (up to 120' of right-of-way), along the northeastern boundary of the property.

The applicant has indicated the intent of this request is to bring together an assortment of compatible commercial and residential uses to take advantage of the arterial intersection.

Surrounding Zoning and Land Use:

North - Across W. Klein Rd., C-1B & APD / Single family residence and undeveloped
South - Across W. Zipp Rd., Outside City Limits / Single family residences
East - APD / Single family residences
West - R-1A-6.6 / Ridgemont Subdivision - single family residences

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole (*MU-B zoning is appropriate for the portion of the subject property along W. Klein Rd., a Minor Arterial and S. Walnut Ave., a Principal Arterial. MU-B as a base zoning district adjacent to this key intersection creates opportunities for encouraged mixed-use and density which is generally compatible with the expanding neighborhood of residential and educational use, near an Existing Education Center and within an existing Employment Center and Future Market Center. In addition, the flexibility to utilize a variety of low to medium density residential districts on the balance of the property can complement the existing development trends of the area.*)
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*NBISD was sent notice of this request. The adequacy of public facilities and utilities to serve the property is evaluated by each provider at the platting and permitting stages.*);
- How other areas designated for similar development will be affected (*The proposed zoning change should not impact other areas designated for similar development.*);
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*None identified. Drainage, utility and traffic impact issues will be reviewed and addressed through the platting process.*); and
- Whether the request is consistent with the Comprehensive Plan: *see below*

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Action 1.3: Encourage balanced and fiscally responsible land use patterns. 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 3.22: Encourage venues within walking distance of neighborhoods and schools. Future Land Use Plan: The property is situated in the Walnut Springs Sub-Area, at an intersection of two Transitional Mixed-Use Corridors, is within an Existing Employment Center, near an Existing Education Center, and within a Future Market Center.
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FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff concurs with the applicant's request to postpone to the February 2, 2021 Planning Commission meeting. This will allow all sides, including the public, time to submit/review the updated request.

RESOURCE LINKS:

- Chapter 144, Section 3.4-2. *"R-1A-4" Single-Family Small Lot Residential District* of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

Chapter 144, Section 3.4-3. *"R-2A" Single-Family and Two-Family District* of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

- Chapter 144, Section 3.4-9. *"ZH-A" Zero Lot Line Home District* of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

- Chapter 144, Section 3.4-11. *"MU-B" High Intensity Mixed Use District* of the City's Code of Ordinances:

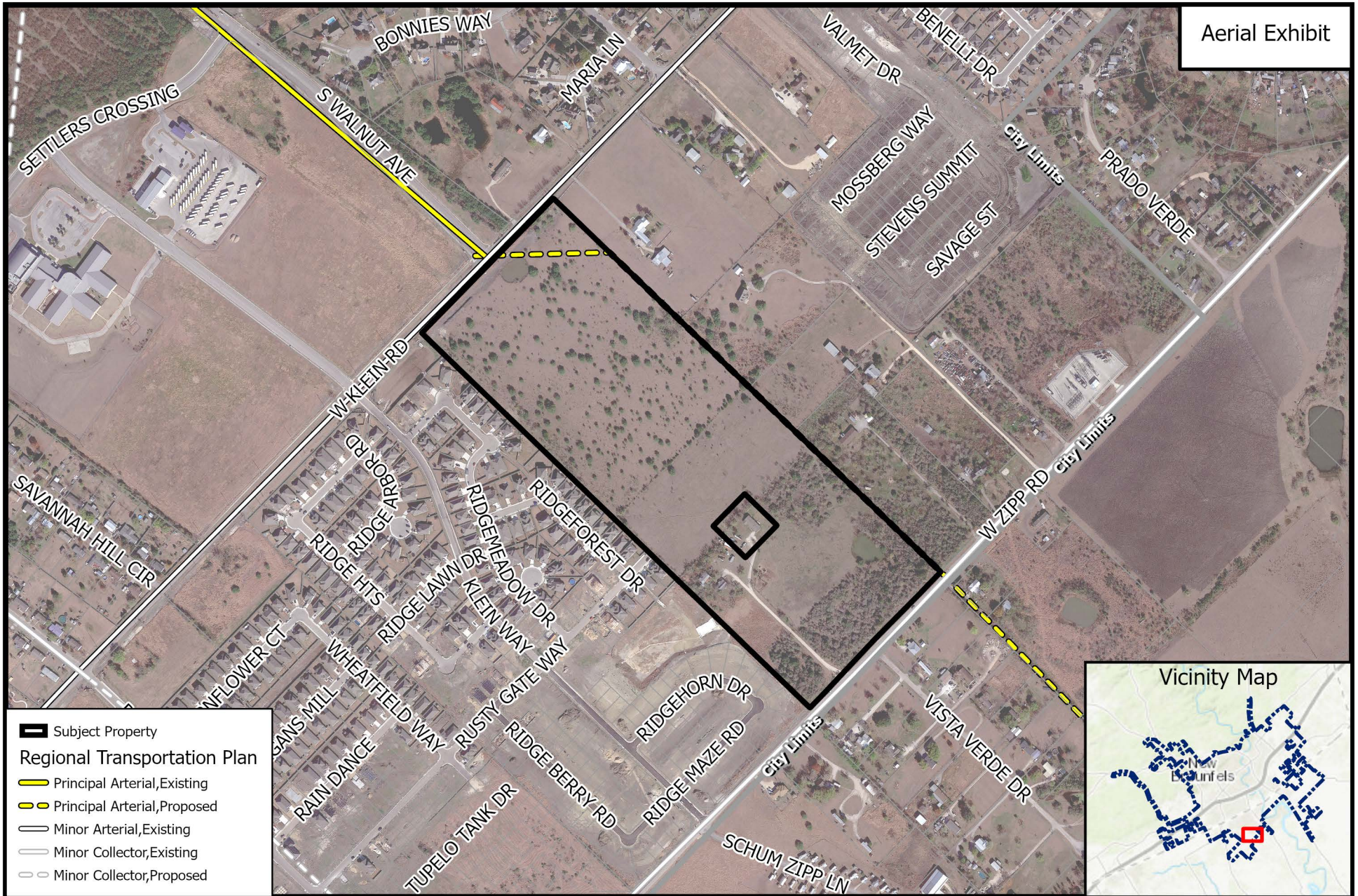
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

- Chapter 144, Section 3.6 (SUP) of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

ATTACHMENTS:

1. Aerial Map
2. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan)
3. Notification List and Map

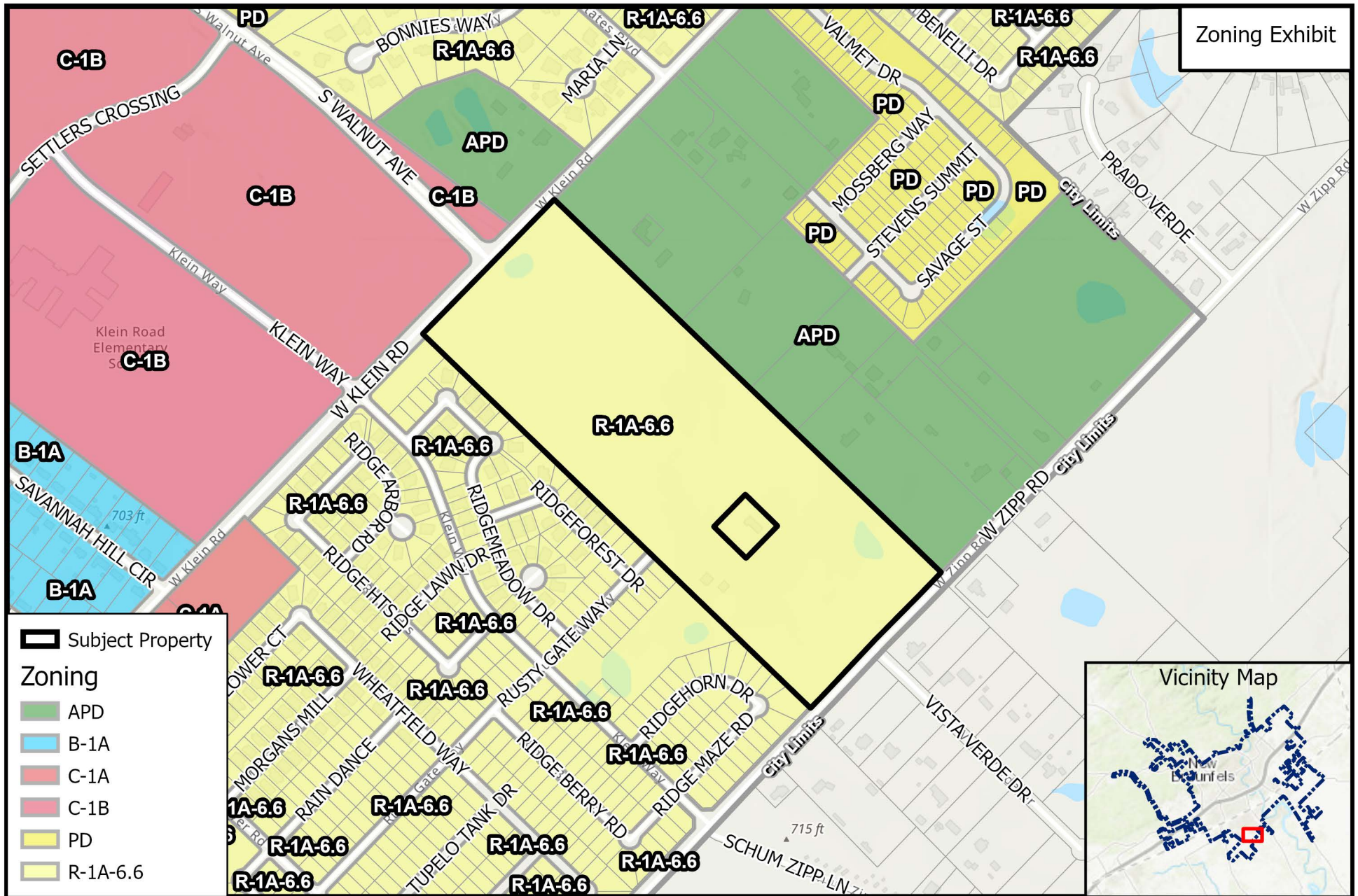


SUP20-267

SUP to allow mixed-use and residential development

0 350 700 Feet



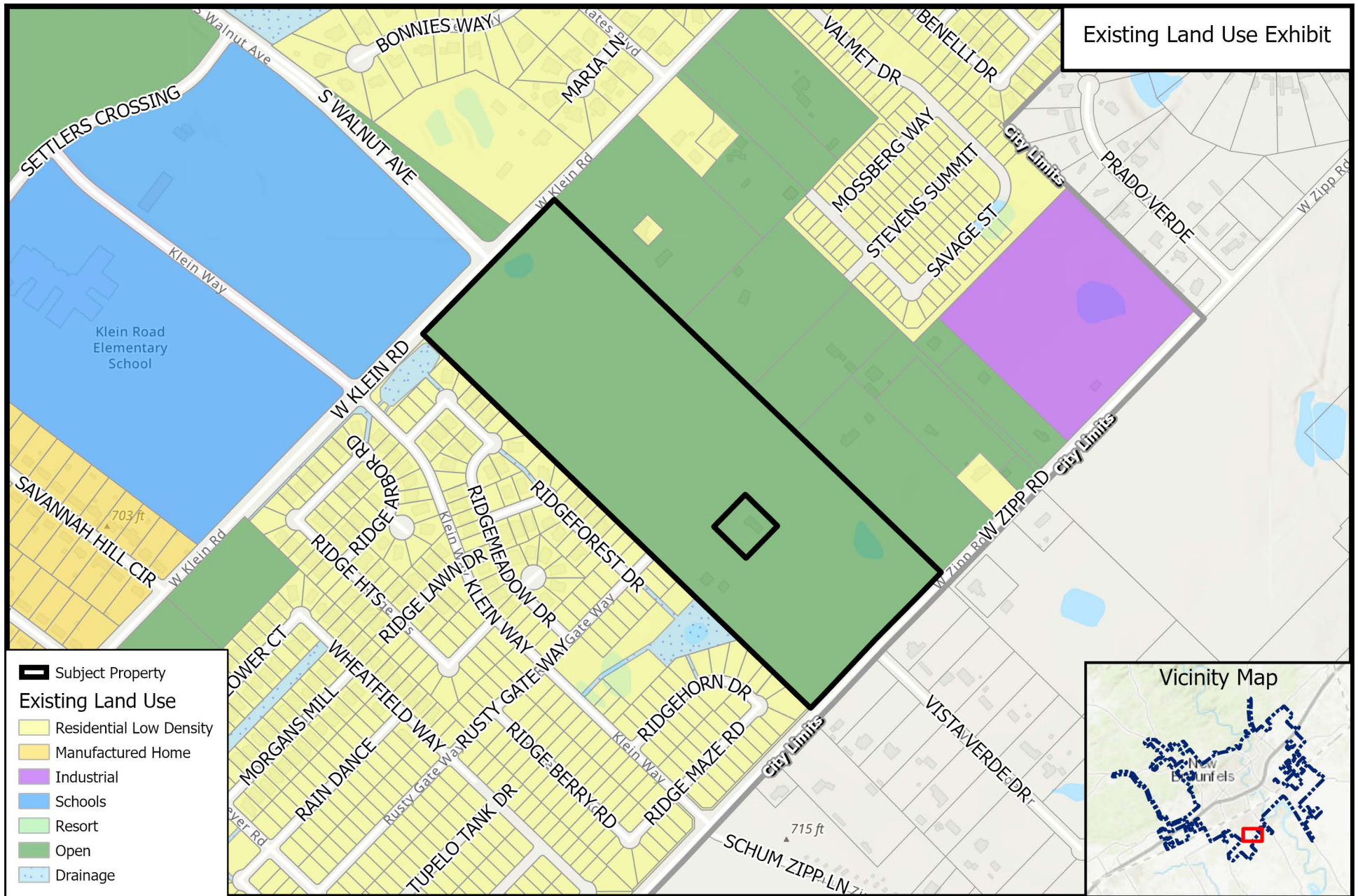


SUP20-267

SUP to allow mixed-use and residential development

0 350 700 Feet





SUP20-267

SUP to allow mixed-use and residential development

0 350 700 Feet



EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.

PLANNING COMMISSION – DECEMBER 1, 2020– 6:00PM

Zoom Webinar

Applicant/Owner: HMT Engineering & Surveying

Address/Location: 614 & 720 W Zipp Rd

PROPOSED SPECIAL USE PERMIT – CASE #SUP20-267

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|--|---|
| 1. ELLIS BRENDA | 21. MELVIN LISA D |
| 2. KRETZMEIER PAUL H | 22. SOLIS HECTOR JR & CLAUDIA R |
| 3. SCRIBNER TERI | 23. NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT |
| 4. ZAVALA JUAN F & LINDA S | 24. KOKKEBY SEAN & STEPHANIE |
| 5. HAMBRICK GRACE | 25. PROFFITT ROBERT S & JENNIFER M |
| 6. SCHOENHERR DUANE & GLORIA | 26. CAVAZOS JESUS ELI & MELISSA DENISE |
| 7. WILLIAMS JASON & DANNALYN | 27. KLEIN JANET WALL |
| 8. MASON JERMAINE S & TONYA S | 28. GUILLEN KRISTEN |
| 9. YANEZ ROBERT JR & KELLI-ANNE P BARROW | 29. HAHN AARON |
| 10. AMESCUA KRISTIN M & CODY J YORK | 30. MARES EILEEN R |
| 11. HARRISON MATTHEW T & SANDRA V | 31. RIDGEMONT HOME OWNERS ASSOCIATION INC |
| 12. YOUNG GLEN & JAMIE | 32. ROBLES TOM R & PAULA MERRILL ROBLES |
| 13. CRISSY ANGELA G & JOANN M HOLLIDAY | 33. GUERRA-TREVINO NORMA & RUBEN TREVINO |
| 14. WOLF ANDREW S & DALLAS | 34. SCOTT RANDY J & LISA M |
| 15. PULTE HOMES OF TEXAS LP | 35. BRAY DEBORAH E |
| 16. Property Owner | 36. PRIORITY RELOCATION COMPANY LLC |
| 17. MOLO CHRISTOPHER M & DAWN LANTERO | 37. CANTON CHRISTOPHER MICHAEL & JYOTI KAY CANTON |
| 18. BUSHBY FRANCIS RUSSELL & SYLVIA LEA | 38. ESCOBAR DANIEL SANTOS |
| 19. MOORE ROBERT EUGENE & MONICA C | 39. STEVENSON RICHARD ROY & LAUREN MAE |
| 20. WARD LEE ALAN & KIMBERLEY MARIE | 40. STONE GREG |

41. GUNN BARBARA

44. RUNDELL BRENDON M & LOURDES

42. RITSON BARBARA S & GREGG E

45. RAYGOZA BRENDAN C

43. RODRIGUEZ ROBERT LEE & NAISHCA MARIE MOODY

46. DAVIS MEGAN L & TEXAS J

SEE NOTIFICATION MAP



1/5/2021

Agenda Item No. G)

Presenter/Contact

Owner: Noland and Vera Koepp, Ltd. Partnership Applicant: HMT Engineering & Surveying (Thor Thornhill)
(830) 625-8555 - plats@hmtnb.com

SUBJECT:

SUP20-284 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit on approximately 23 acres out of the A.P. Fuquay survey No. 35, Abstract No. 155, Comal County, Texas, located at the southwest corner of the intersection of E. Common Street and Old FM 306, to allow multifamily high-density residential use in the "C-1" Local Business District and "M-1" Light Industrial District.

BACKGROUND / RATIONALE:

Case No.: SUP20-284

Council District: 4

Owner: Noland and Vera Koepp, Ltd. Partnership
2755 Hunter Rd.
New Braunfels, TX 78132
(830) 608-4658 - debbie@fapcollc.com

Applicant: HMT Engineering & Surveying (Thor Thornhill)
290 S. Castell Ave.
New Braunfels, TX 78130
(830) 625-8555 - plats@hmtnb.com

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

The subject property is comprised of approximately 23 acres on the southwest corner of the intersection of E. Common Street and Old FM 306 and is currently unimproved and utilized for agricultural purposes. The applicant is requesting approval of a Special Use Permit (SUP) to allow development of multifamily high-density residential use, at up to 24 units per acre. If approved, it would be appropriate for multifamily at this location to adhere to the multifamily development standards of the R-3H District.

Surrounding Zoning and Land Use:

North - M-1 and across Old FM 306, M-1 / Agricultural and across Old FM 306, multifamily development and a bank

South - Across E. Common St., R-3L, ZHA and “Vineyard at Gruene” Planned Development District / Multifamily development and single-family residences
 East - M-1 and across unimproved Waterway Lane, M-1 and C-1 / NBU utility lot and across unimproved Waterway Lane, retail and office development, a rehabilitation hospital, a 55+ multifamily development, a senior assisted living facility and an undeveloped lot
 West - Across E. Common St., C-1A / Undeveloped agricultural land

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole *(The proposed multifamily use is consistent with the mixture of zoning districts and multifamily/commercial uses in the area and has direct access to Common Street, a Principal Arterial. The inclusion of appropriate supporting non-residential uses within the proposed project will provide flexibility for the long-term success of the site.)*
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area *(The adequacy of public facilities and utilities to serve the additional demand is evaluated by each provider. CISD has been notified of the request. Traffic signal improvements at the intersection of E. Common Street and Old FM 306 currently are in final engineering design as part of the Roadway Impact Fee program. However, construction funding has not yet been identified and timing of the project is unknown at this time. Development of the subject property will require a TIA which will determine if any improvements are required to be made by the developer to accommodate traffic associated with the proposed multifamily development.)*
- How other areas designated for similar development will be affected *(The proposed land use should not negatively impact other areas designated for similar development when developed in compliance with proposed conditions and current development standards.)*
- Any other factors that will substantially affect the public health, safety, morals, or general welfare *(None identified. Drainage, utility and traffic impact will be reviewed and addressed through the platting and permitting processes.)*
- Whether the request is consistent with the Comprehensive Plan: See below

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels	<u>Consistent Actions:</u> Action 1.3: Encourage balanced and fiscally responsible land use patterns. Action 3.1: Plan for healthy jobs/housing balance. <u>Conflicting Actions:</u> Action 3.18: Encourage multifamily to disperse throughout the community rather than to congregate in masse. Future Land Use Plan: The property lies within the New Braunfels Sub Area near Existing Employment, Market, Tourist/Entertainment and Education Centers and in the vicinity of proposed Future Market Centers along a Transitional Mixed-Use Corridor.
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FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval. Multifamily would be compatible and consistent with development and zoning in the surrounding area, with the following conditions:

1. Site development must adhere to the multifamily development standards of the "R-3H" Multifamily High-Density zoning district.
2. The multifamily use/development authorized by this SUP shall include non-residential uses as authorized by the City's definition as amended from time to time.

Notification:

Public hearing notices were sent to 14 owners of property within 200 feet of the request. The City has received no responses at this time.

RESOURCE LINKS:

- Chapter 144, Sec. 3.3-7 "C-1" Local Business District:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.3-11 "M-1" Light Industrial District:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.6 Special Use Permits of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Secs. 3.4-5 "R-3H" Multifamily High Density District of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

ATTACHMENTS:

1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. Notification List and Map



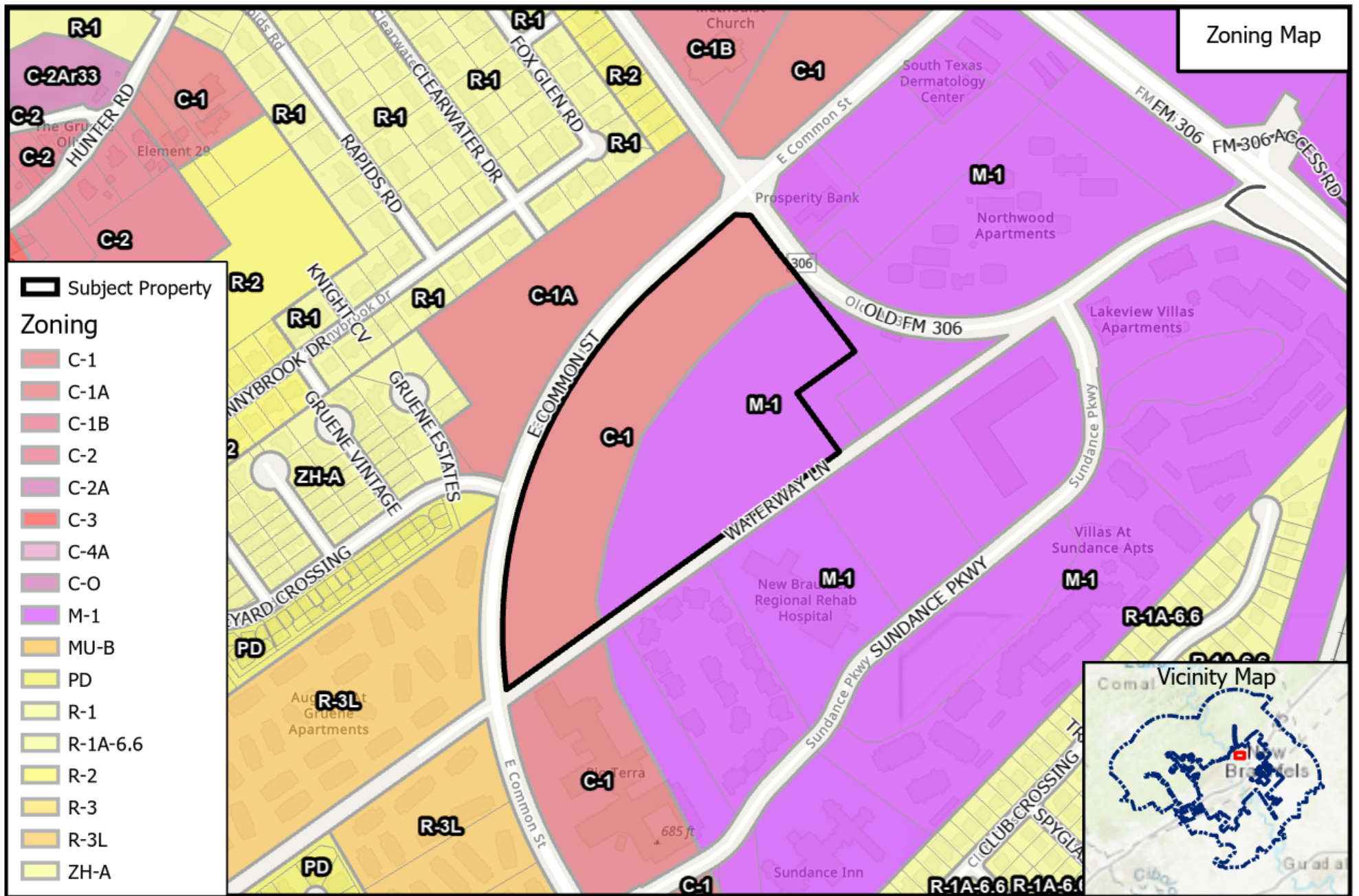
SUP20-284

SUP to allow for high density multi-family

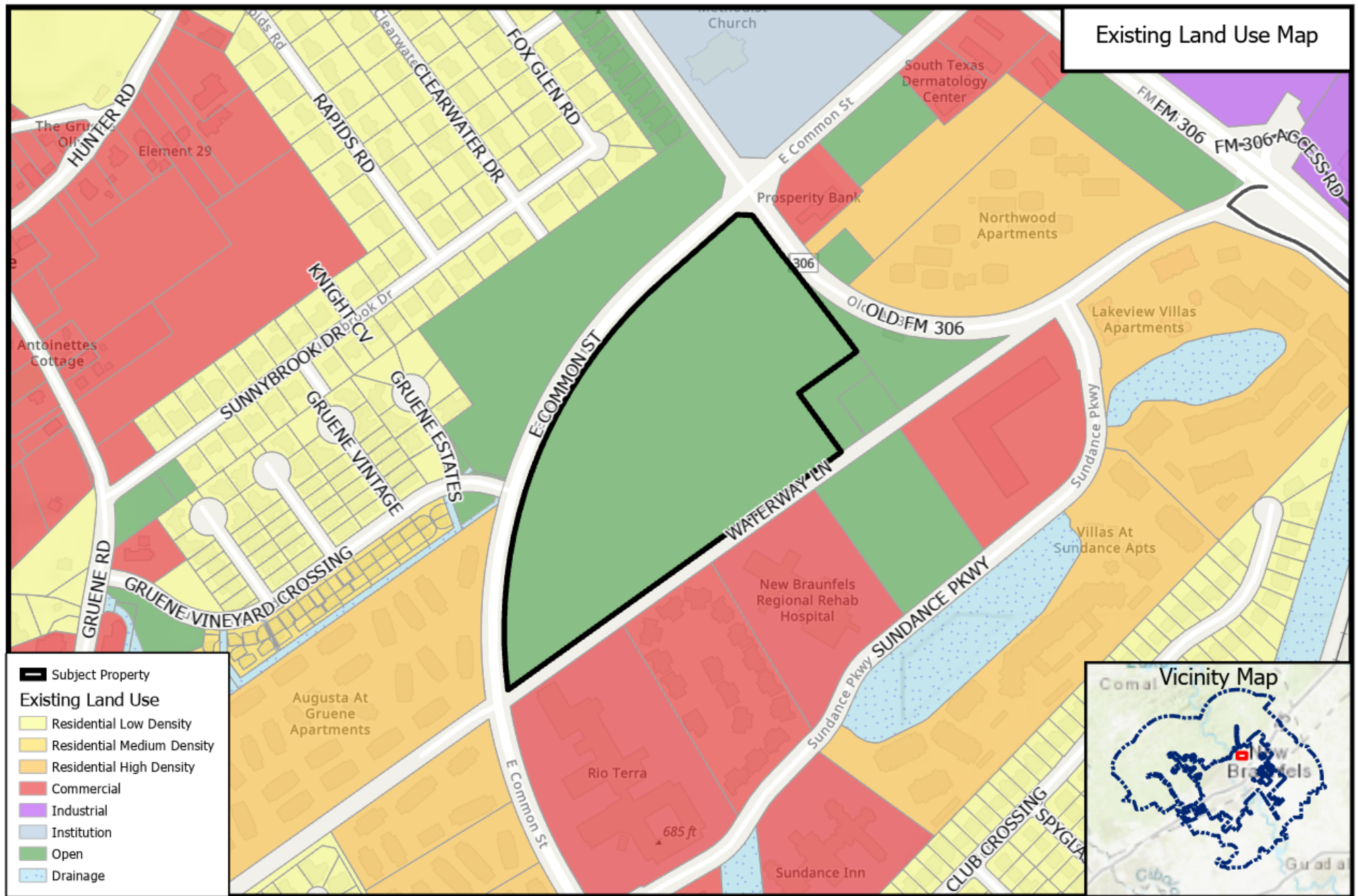


Source: City of New Braunfels Planning
Date: 12/16/2020

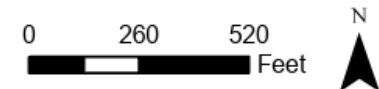
DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by any other party is at that party's risk and without liability to the City of New Braunfels. The City of New Braunfels and its officials or employees are not responsible for any discrepancies, errors, or variances which may appear on this map.



SUP20-284
SUP to allow for high density multi-family



SUP20-284
SUP to allow for high density multi-family



EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

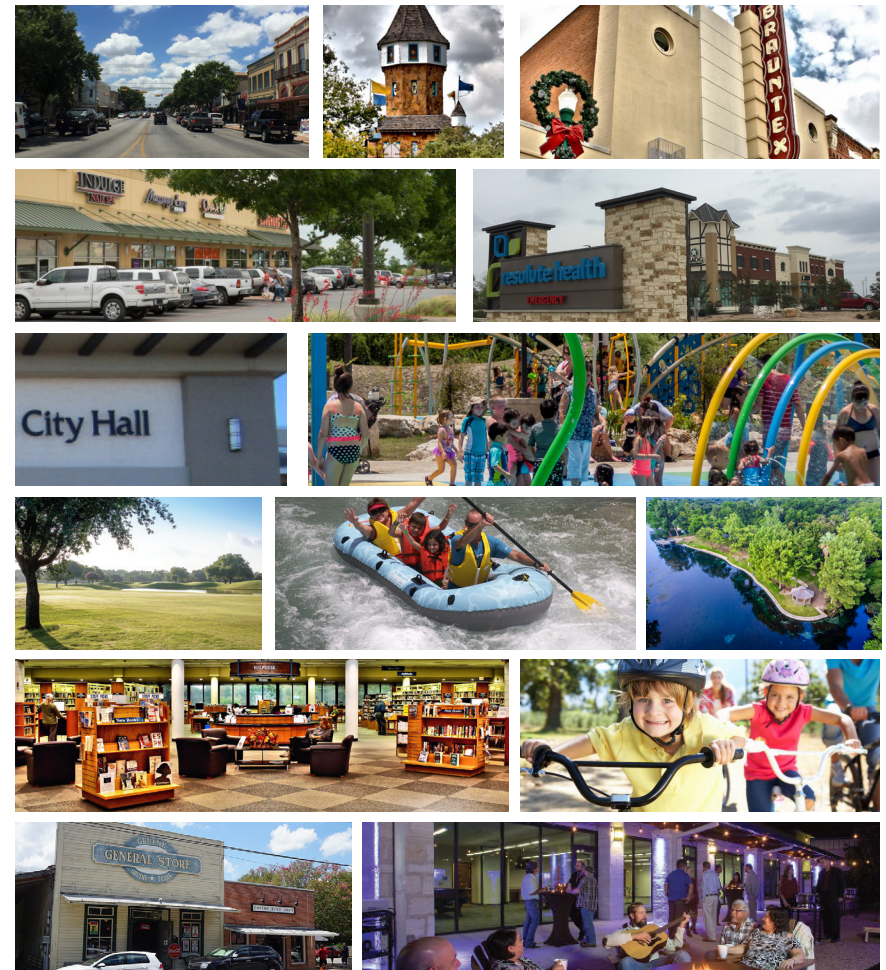
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.

PLANNING COMMISSION – JANUARY 5, 2020– 6:00PM

Zoom Meeting

Applicant/Owner: Robert Whipkey

Address/Location: 689 Orion Dr.

PROPOSED ZONE CHANGE – CASE #PZ20-0292

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|--|--|
| 1. MICHIE REXFORD J & SALLY A WEITZ-MICHIE | 5. SADDLER DAVID L & CRYSTAL M SADDLER |
| 2. CASTRO ANTONIO ET AL | 6. LEHMANN LARRY W & MARY ANN |
| 3. SCHMIDT KENNETH W | 7. TARBUTTON EDWARD III |
| 4. SEBA PETER E | 8. E B INDUSTRIES |

SEE MAP

1/5/2021

Agenda Item No. H)

Presenter/Contact

*Applicant: Moeller & Associates (James Ingalls, P.E.) Owner: Dianna Lynn Scott
(830) 358-7127 - jamesingalls@ma-tx.com*

SUBJECT:

SUP20-289 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow duplexes (two-family dwellings) or office/warehouse use in the "APD" Agricultural/Pre-Development District on approximately 0.938 acres out of the A.M. Esnaurizar Eleven League Grant, Subdivision No. 107, addressed at 187 Prairie View Road.

BACKGROUND / RATIONALE:

Case No.: SUP20-289

Council District: 2

Applicant: Moeller & Associates (James Ingalls, P.E.)
2021 SH 46 W, Ste. 105
New Braunfels, TX 78132
(830) 358-7127 - jamesingalls@ma-tx.com

Owner: Dianna Lynn Scott
187 Prairie View
New Braunfels, TX 78130
(830) 660-4328

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

The subject property is comprised of 0.938 of an acre (40,859 sq. ft.) on the west side of the terminus of Prairie View Lane, a local street off State Highway 46 East and is developed with a single-family residence constructed in 1960. Prairie View Lane is a narrow roadway approximately 1,200 feet in length to its dead-end without a turn-around that serves primarily large lot single family residences with some undeveloped parcels used for agricultural purposes. A commercial property fronts State Highway 46 East at the entrance to the neighborhood, and a plumbing contractor's office approved through a Special Use Permit (SUP) in 2013 lies in the middle of the block on the south side of Prairie View Lane.

The applicant recently applied to rezone the property to "C-2A" Central Business District. That request was denied by City Council in November 2020. The applicant is now seeking an SUP for either

duplexes or office/warehouse use, which are the owner's desired options for use of the property.

If approved for duplexes, it would be appropriate for development to adhere to the development standards for two-family dwellings in the "R-2A" Single-Family and Two-Family District. For R-2A, the minimum lot width required for a duplex lot is 60 feet. The subject property is approximately 180 feet wide at the 25-foot front setback, which would allow for subdivision of the property into a maximum of 3 duplex lots (6 dwelling units total).

If approved for office/warehouse use, it would be appropriate for the commercial use of the property to adhere to the development standards for commercial development in the "C-1B" General Business District.

Surrounding Zoning and Land Use:

North - APD / Single-family residence and undeveloped property

South - APD / Single-family residence

East - Across Prairie View Ln., APD / Agricultural

West - R-1A-6.6 / Single-Family Homes and Drainage Easement

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole (*The immediate area is dominated by residential and agricultural uses and Prairie View Lane is a Local Street with approximately 16 to 18 feet of pavement width. Duplex development would blend with the existing uses and proposed elementary school in the area. The existing area and roadway are not ideal for commercial development or traffic.*)
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*The adequacy of public facilities and utilities to serve the additional demand is evaluated by each provider. CISD has been notified of the request and has a new elementary school planned on the 50-acre tract across the street from the subject property that will be accessed from SH 46.*)
- How other areas designated for similar development will be affected (*Duplexes should not negatively affect the area. The proposed office/warehouse use would allow non-residential use within a primarily low-density residential neighborhood.*)
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*The duplex use should not have any negative effects. The office/warehouse use would be required to adhere to residential buffer and landscaping standards, but would increase commercial traffic onto a residential street. Drainage, utility and traffic impact will be reviewed and addressed through the platting and permitting processes.*)
- Whether the request is consistent with the Comprehensive Plan: See below

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Workforce Housing Study 2018	Conflicting Actions pertaining to office/warehouse use: Action 1.3: Encourage balanced and fiscally responsible land use patterns. Action 3.3: Balance commercial centers with stable neighborhoods. Consistent Actions pertaining to duplex use: Action 1.3: Encourage balanced and fiscally responsible land use patterns. 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. Future Land Use Plan: The property lies within the Oak Creek Sub Area near Existing and Future Civic and Market Centers to the southeast at the intersection of SH 46 and FM 758. Workforce Housing Study Recommendations: Ensure through city zoning and other required legal entitlements related to housing construction that new types of housing products (small lot, duplex, townhome, etc.) are allowed by regulations. Create or adjust city regulations that allow for multi-unit owned/rented mix like two and three-flats where the owners earn rental income.
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FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of the SUP request to allow duplexes on the subject property with the condition that the development adhere to the to the “R-2A” Single-Family and Two-Family duplex development standards, as the use is compatible with the existing low-density development in the immediate area and would be in accordance with Envision New Braunfels and the 2018 Workforce Housing Study.

Staff recommends denial of the request for office/warehouse use. The subject property is located on a Local Street in a residential neighborhood. Office/warehouse use would not be compatible with the surrounding zoning and land uses and would have a negative impact on neighbors.

Should the Planning Commission choose to recommend approval of the SUP request for office/warehouse use, staff recommends a Type 2 Special Use Permit adopting the site plan and the condition the development adhere to all non-residential development standards as required by the Zoning Ordinance for C-1B, General Business District.

Notification:

Public hearing notices were sent to 12 owners of property within 200 feet of the request. The City has received no responses at this time.

RESOURCE LINKS:

- Chapter 144, Sec. 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?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?_ga=2.151111111.151111111.151111111-151111111.151111111)

-
- Chapter 144, Secs. 3.6 Special Use Permits of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
 - Chapter 144, Secs. 3.4-3 "R-2A" Single-Family and Two-Family District of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
 - Chapter 144, Secs. 3.4-13 "C-1B" General Business District of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

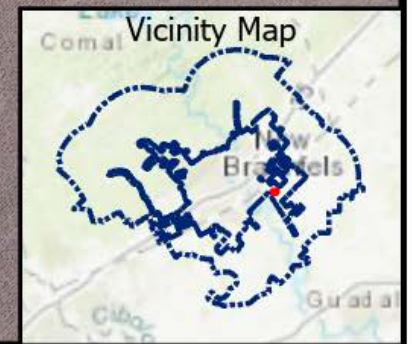
ATTACHMENTS:

1. Aerial Map
2. Land Use Maps (Zoning, Existing and Future Land Use)
3. Notification List and Map
4. Example Office/Warehouse Site Plan or if we include this one we should show the duplex one too. As examples only, not guaranteed to be in compliance with city standards.



Aerial Map

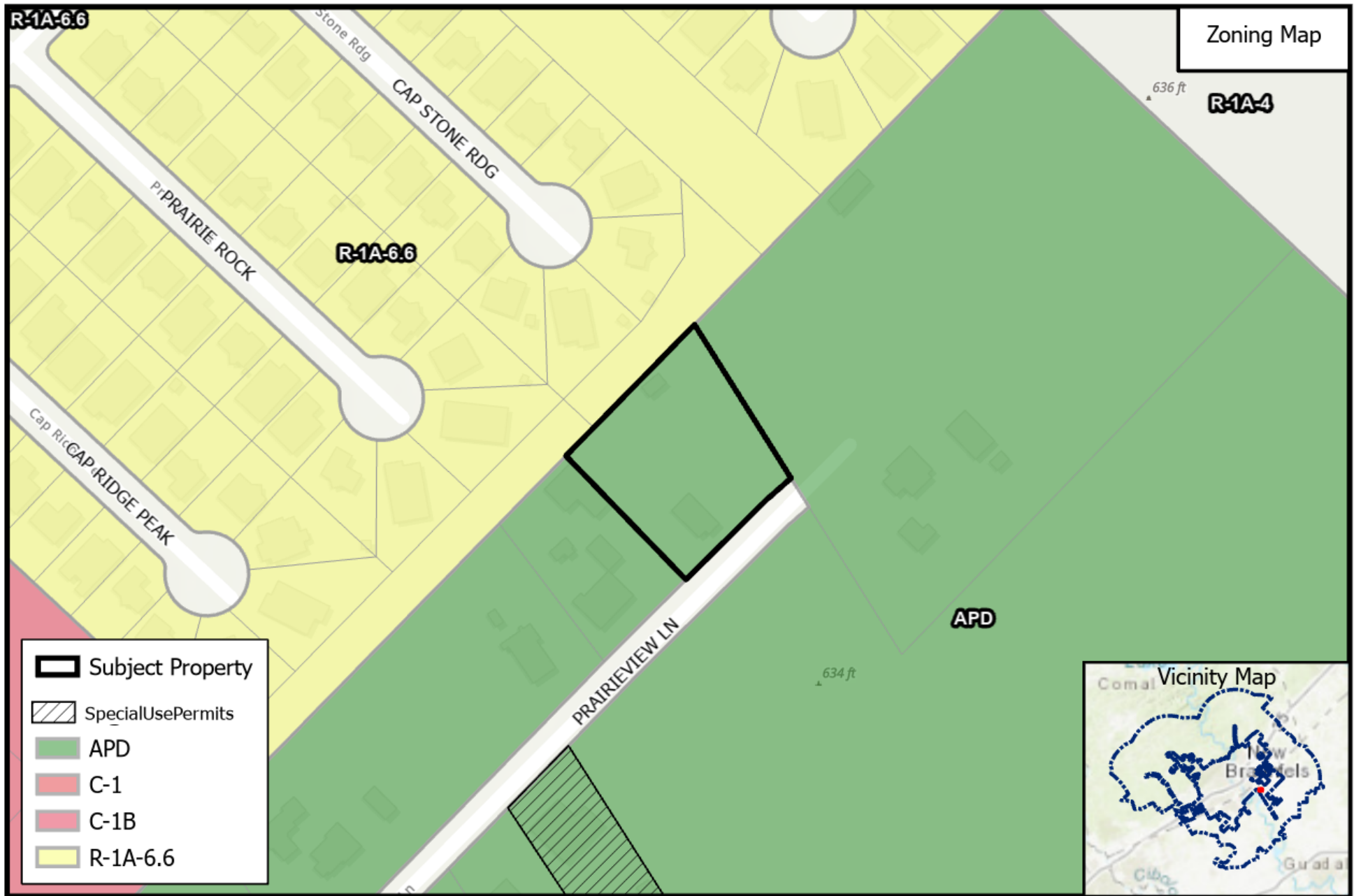
 Subject Property



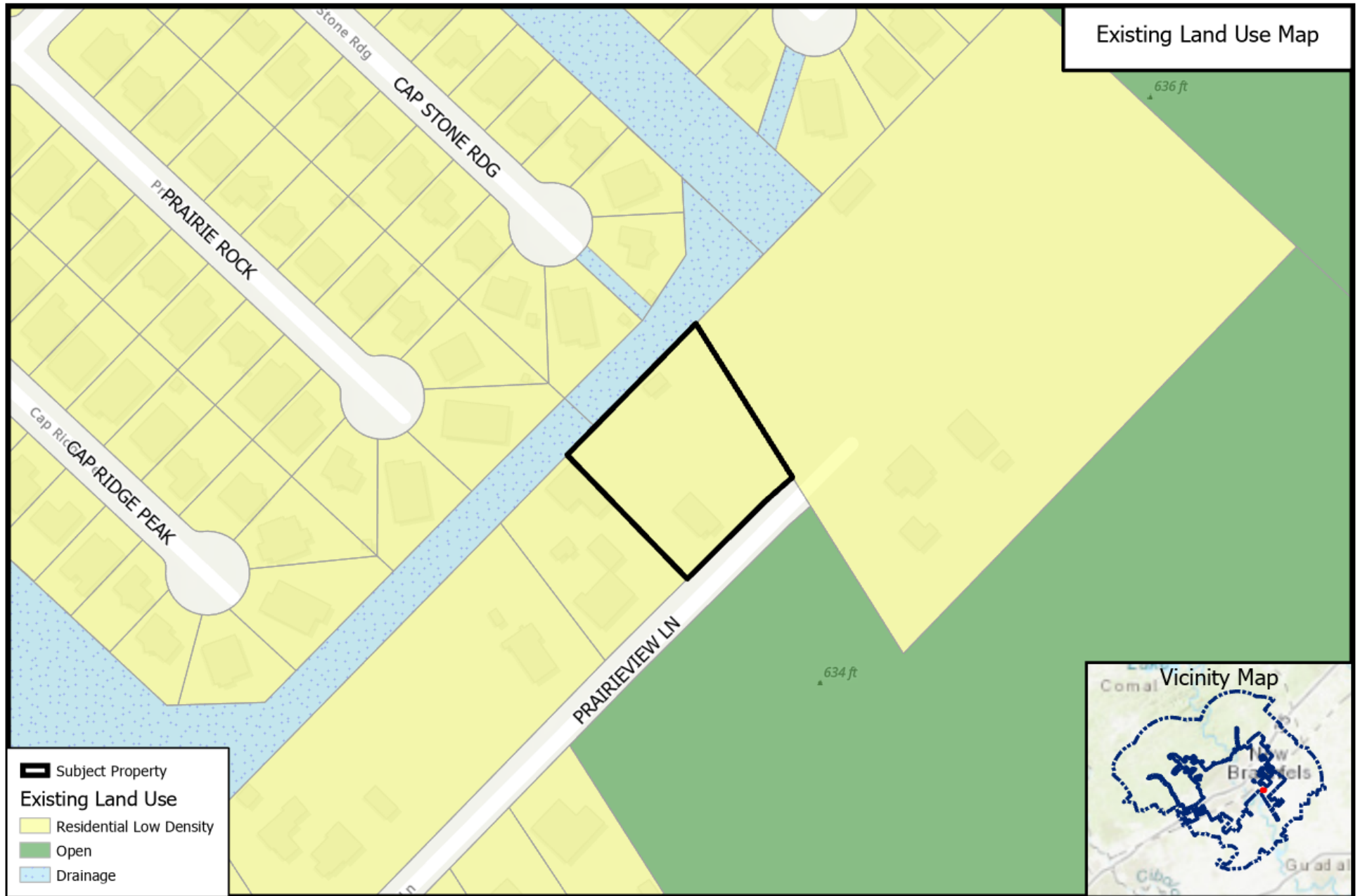
SUP20-289

SUP to allow for duplex or office warehouse

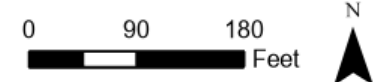




SUP20-289
SUP to allow for duplex or office warehouse



SUP20-289
SUP to allow for duplex or office warehouse



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EMPLOYMENT CENTER

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MARKET CENTER

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Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

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OUTDOOR RECREATION CENTER

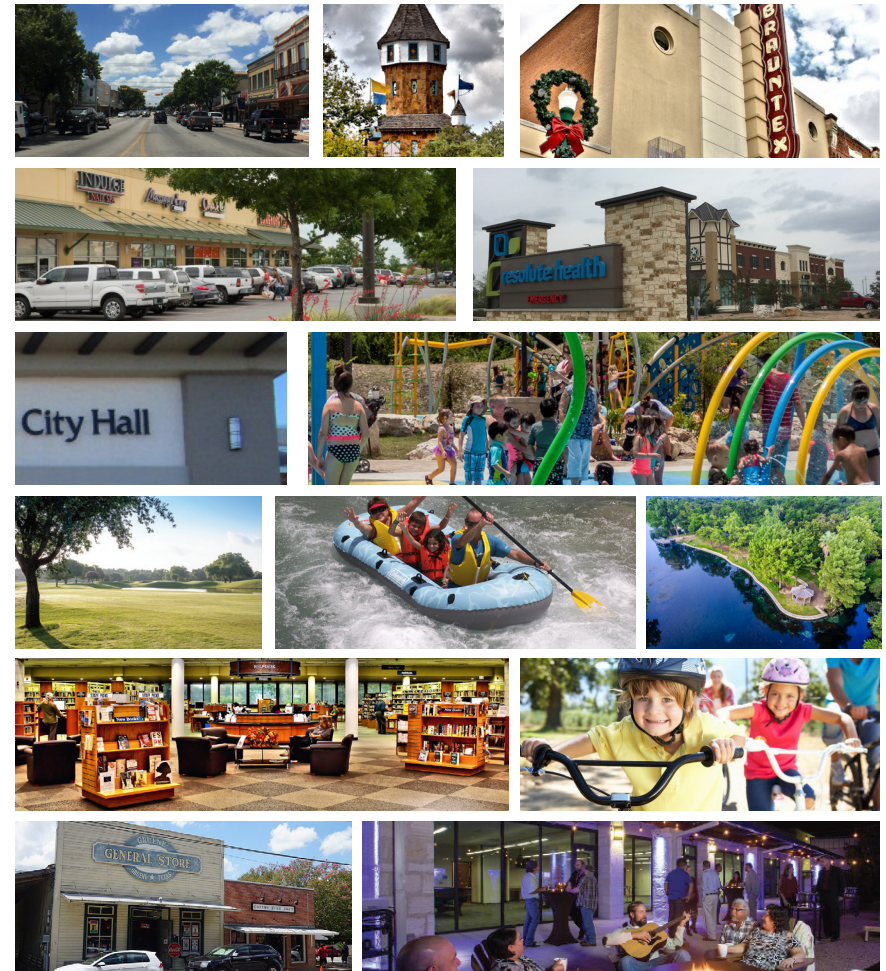
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TOURIST/ENTERTAINMENT CENTER

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FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

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SUB AREA 1

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SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

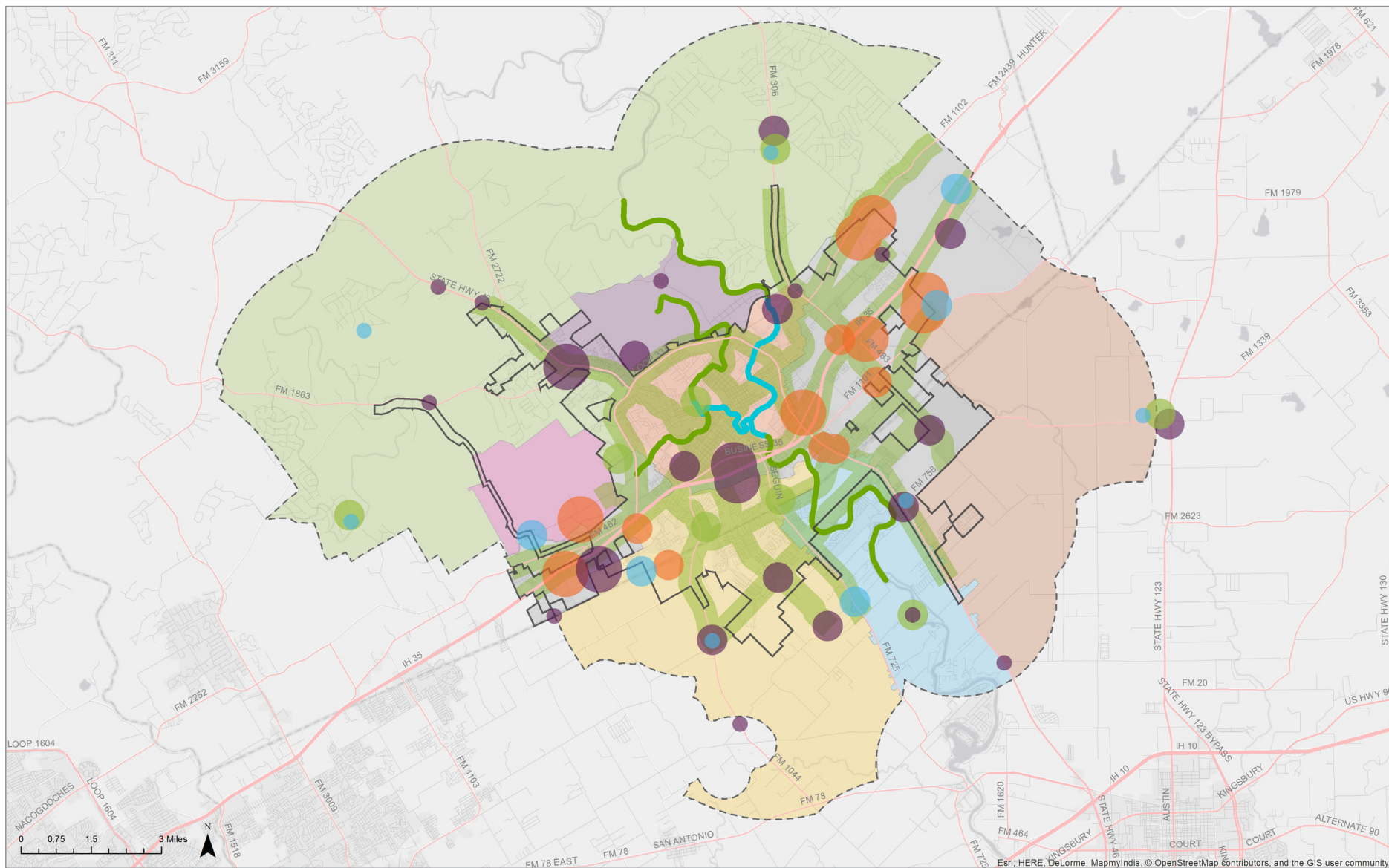
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. Preferred future growth scenario combines Scenarios A and C per recommendations of the Envision New Braunfels Steering Committee (February 2018). Exact boundaries of sub areas, centers, and corridors may be [zoomed and viewed online](#).

PLANNING COMMISSION – JANUARY 5, 2020– 6:00PM

Zoom Meeting

Applicant/Owner: Moeller and Associates, agent for Dianna Lynn Scott, owner

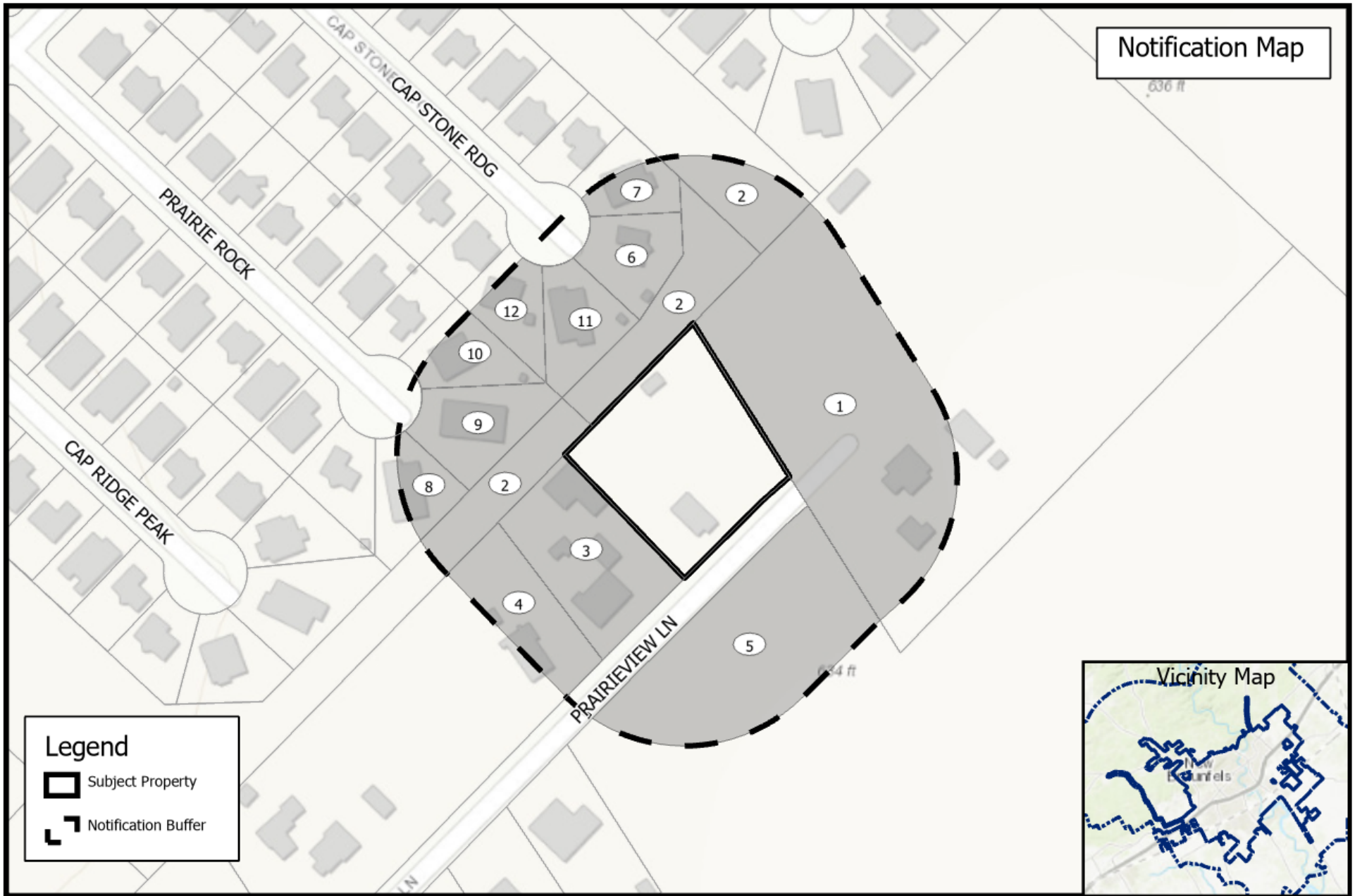
Address/Location: 187 Prairie View Road (approximately 0.9379 acres out of the A.M. Esnaurizar Eleven League Grant, Subdivision No. 107)

PROPOSED SPECIAL USE PERMIT – CASE #SUP20-289

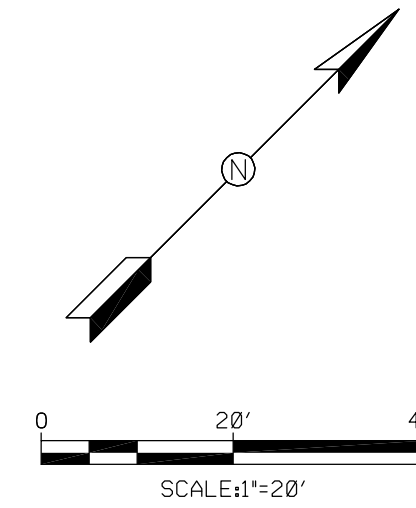
The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|---|--|
| 1. KRUEGER RONALD DALE ETAL | 7. MENDEZ DANIEL & ANGELA GUADIAN-MENDEZ |
| 2. CAPROCK ASSOCIATION INC | 8. SANDERS JONATHAN CHRISTOPHER & TAWNIA |
| 3. MITCHAN CAROLYN LYND | 9. PRYOR DENNIS C & ROSEANNE E BARRY-PRYOR |
| 4. PIETSCH ARLEN W & J E | 10. GOMEZ JOSE & MARTHA HERRERA |
| 5. COMAL INDEPENDENT SCHOOL DISTRICT | 11. DENTON SIMON |
| 6. LOBASSO AMANDA LAUREN & ANDREW CHRISTOPHER | 12. SCHMIDT DARRYL W |

SEE MAP



187 PRAIRIE VIEW LANE



PARKING COUNT

NOTE: MAXIMUM BUILDING ENVELOPE IS THE AREA WITHIN THE BUILDING SETBACKS

THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR WILL AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE INCURRED BY THEIR FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES, STRUCTURES OR FACILITIES. CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES 24-HOURS PRIOR TO COMMENCING CONSTRUCTION.



1/5/2021

Agenda Item No. I)

Presenter/Contact

*Applicant: Brian Mendez - Urban Civil; Owner: Habitat for Humanity (Crystal Moore)
(830) 606-3913 / bmendez@urbancivil.com*

SUBJECT:

SUP20-291 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow a seven-unit, townhouse style residential development on approximately 0.7 acre located at the southwestern terminus of the 2300 block of Michigan Street.

BACKGROUND / RATIONALE:

Case No.: SUP20-291

Council District: 4

Applicant:

Brian Mendez

Urban Civil
190 S. Seguin Ave.
New Braunfels, TX 78130
(830) 606-3913
bmendez@urbancivil.com

Owner:

Comal County Habitat for Humanity

(Crystal Moore)
1269 Industrial Drive
New Braunfels, TX 78130
(830) 625-4025
crystal@comalhabitat.org

Staff Contact:

Matthew Simmont, AICP
(830) 221-4058
msimmont@nbtexas.org

The approximately 0.7 of an acre vacant, unplatted tract has frontage at the dead end of Michigan Street, adjacent to the Union Pacific Railroad tracks. The property was rezoned to ZH-A in 2018 to allow for residential development more consistent with the surrounding residential community. The adjacent neighborhood is zoned M-1 Light Industrial District where the average lot size on this block is about 5,000 square feet.

The proposed Type 2 Special Use Permit (SUP) would allow for proposed infill development to construct 7 new single-family dwelling units on the property. As shown on the submitted site plan, the applicant intends to plat the property into 9 lots with Lots 1-7 each containing a single-family dwelling, and Lots 8 & 9 to be improved with parking (15 proposed spaces) and detention facilities. The residential lots (Lots 1-7) are not proposed to have street frontage; access to Michigan Street will be

guaranteed through common Lots 8 & 9. The project will also require the applicant to dedicate and construct an extension of Michigan Street to include a compliant turnaround that will accommodate service and emergency vehicles.

The applicant has indicated the intent of the submitted design of this request is to allow for a development that will offer new opportunities for affordable home ownership in the neighborhood.

The SUP process provides an opportunity for site-specific consideration of certain uses or activities that might otherwise be incompatible with adjacent uses or existing land use patterns. SUPs can be approved with conditions to achieve compatibility and protect neighboring properties.

Surrounding Zoning and Land Use:

North -	Across railroad, M-1/ Manufactured home park
South -	M-1/ Single-family residences
East -	M-1/ Single-family residences
West -	M-1/ Single-family residences

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area, and their relationship to the area and to the City as a whole (*The proposed small-lot residential use is appropriate and compatible for this area.*)
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*NBISD was sent notice of this request. The adequacy of public facilities and utilities to serve the property is evaluated by each provider at the platting and permitting stages.*);
- How other areas designated for similar development will be affected (*The proposed zoning change should not impact other areas designated for similar development.*);
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*None identified. Drainage, utility and traffic impact issues will be reviewed and addressed through the platting process. The proposed turnaround on Michigan Street will improve access for emergency and service vehicles on this block.*); and
- Whether the request is consistent with the Comprehensive Plan: *see below*

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

<p>City Plan/Council Priority: Envision New Braunfels Comprehensive Plan Workforce Housing Study</p>	<p>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 3.30: 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 Plan: The property is situated in the Oak Creek Sub-Area and near an intersection of two Transitional Mixed-Use Corridors. Ensure through city zoning and other required legal entitlements related to housing construction that new types of housing products (small-lot, duplex, townhome, etc.) are allowed by regulations. Create or adjust city regulations that allow for multi-unit owned/rented mix like two and three-flats where the owners earn rental income.</p>
---	--

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Small-lot, townhouse style development would be appropriate at this location for the following reasons:

1. The property is surrounded on three sides by existing, stable single-family residential use on small lots, many of which are less than 5,000 square feet. The proposed development will make efficient use of this property with a residential infill development that will extend Michigan Street and provide a code compliant turnaround.
2. The proposed development will provide sufficient off-street parking and detention facilities to serve the residential use of the property.

Therefore, staff recommends approval. The proposed development addresses several Comprehensive Plan priorities, Workforce Housing Study goals, and is appropriately planned to be compatible with existing adjacent land uses. The SUP process allows the establishment of specific development standards for the uses allowed on the property to ensure compatible and orderly development. To that end, staff's recommendation of approval includes the following conditions:

1. Correct the Michigan Street labeling on the site plan.
2. Correct the directional orientation of the north arrow on the site plan.
3. To address adjacent privacy concerns, no second story access/doorways are permitted along the northeast facing elevation of proposed Lots 2-7. In addition, second story windows along the northeast facing elevation of proposed Lots 2-7 shall be non-transparent. Transparent clerestory windows are allowed.
4. Four-foot-wide sidewalks shall be constructed along both sides of Michigan Street and shall be within the right of way or contained within a pedestrian access easement to allow public access along the roadway.
5. The identified chain link fence facing Michigan Avenue shall be a maximum of four and one-

-
- half feet in height and remain a minimum of 50% open.
6. Development is to be permitted in substantial compliance with the approved site plan, Exhibit 'B'. All remaining site development standards as required by Chapter 144, City of New Braunfels Code of Ordinances remain in effect.
 7. An off-site parking agreement shall be approved and maintained to guarantee resident access to the proposed shared parking area ensuring they meet the minimum number of parking spaces required for each dwelling unit.
 8. A homeowner's association shall be established to own and maintain Lots 8 & 9.
 9. An updated master plan reflecting the approved site plan must be submitted with the final plat application.

Notification:

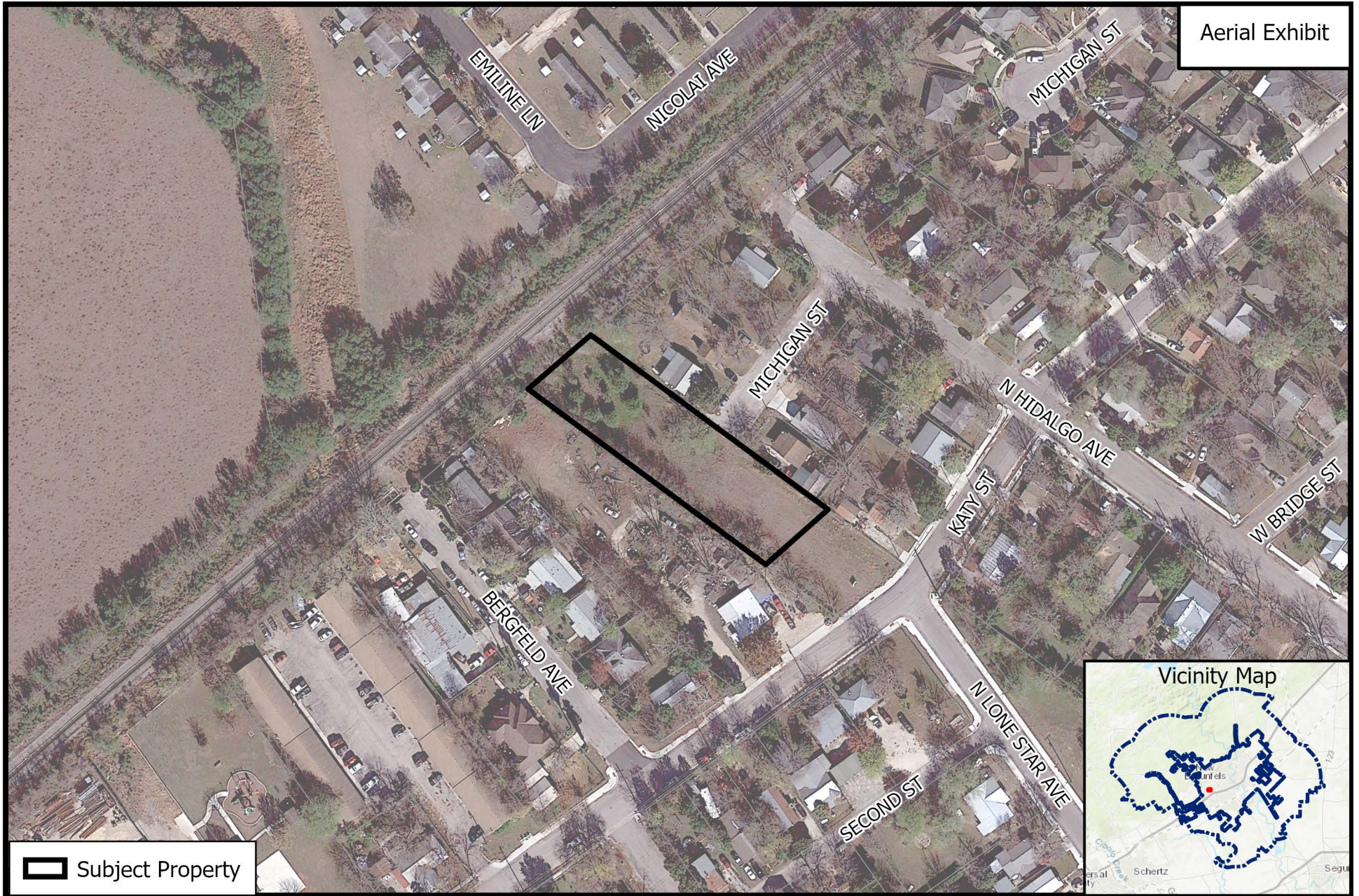
Public hearing notices were sent to 27 owners of property within 200 feet. The City has received no responses in favor and 2 in objection (# 8 & 25).

RESOURCE LINKS:

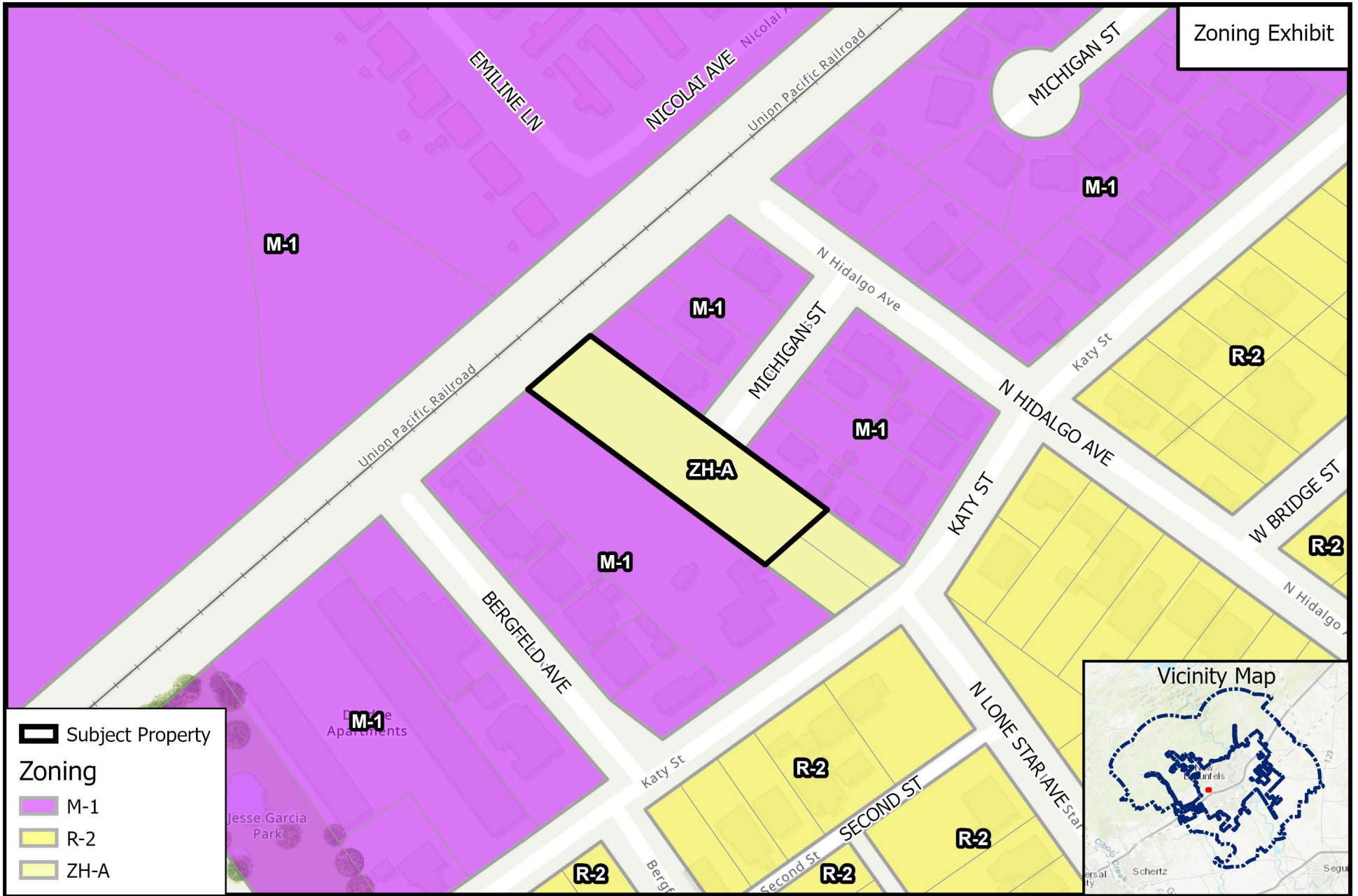
- Chapter 144, Section 3.4-9. *"ZH-A" Zero Lot Line Home District* of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Section 3.6 (SUP) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

ATTACHMENTS:

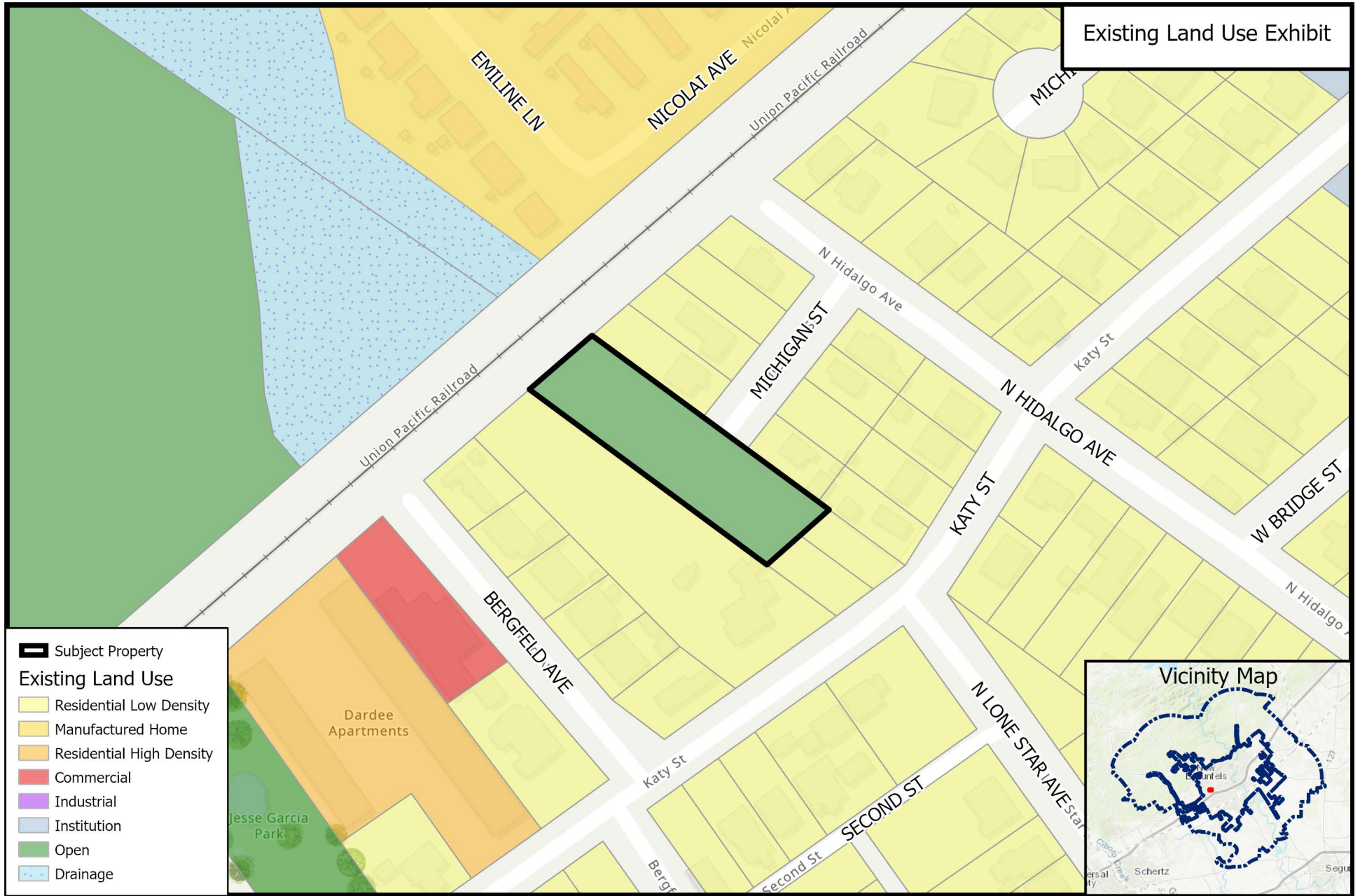
1. Aerial Map
2. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan)
3. Proposed Site Plan
4. Preliminary Building Plan
5. Notification List, Map and Responses



SUP20-291
SUP to allow for residential development



SUP20-291
SUP to allow for residential development



SUP20-291
SUP to allow for residential development

EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

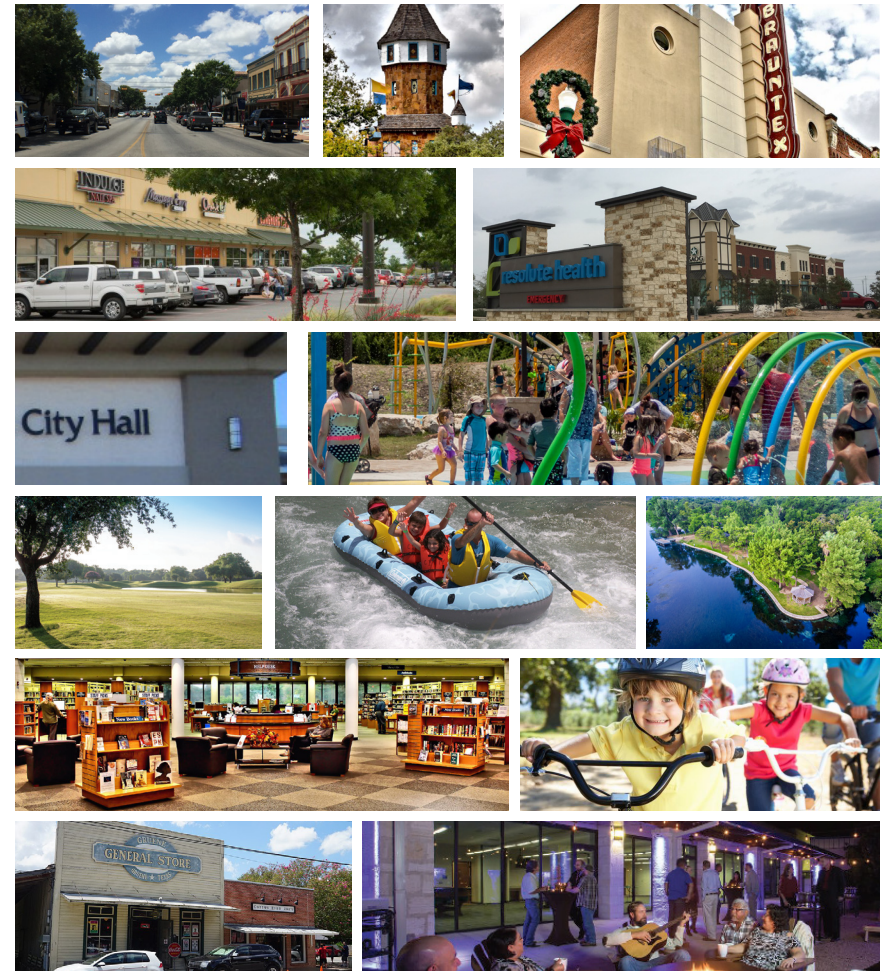
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

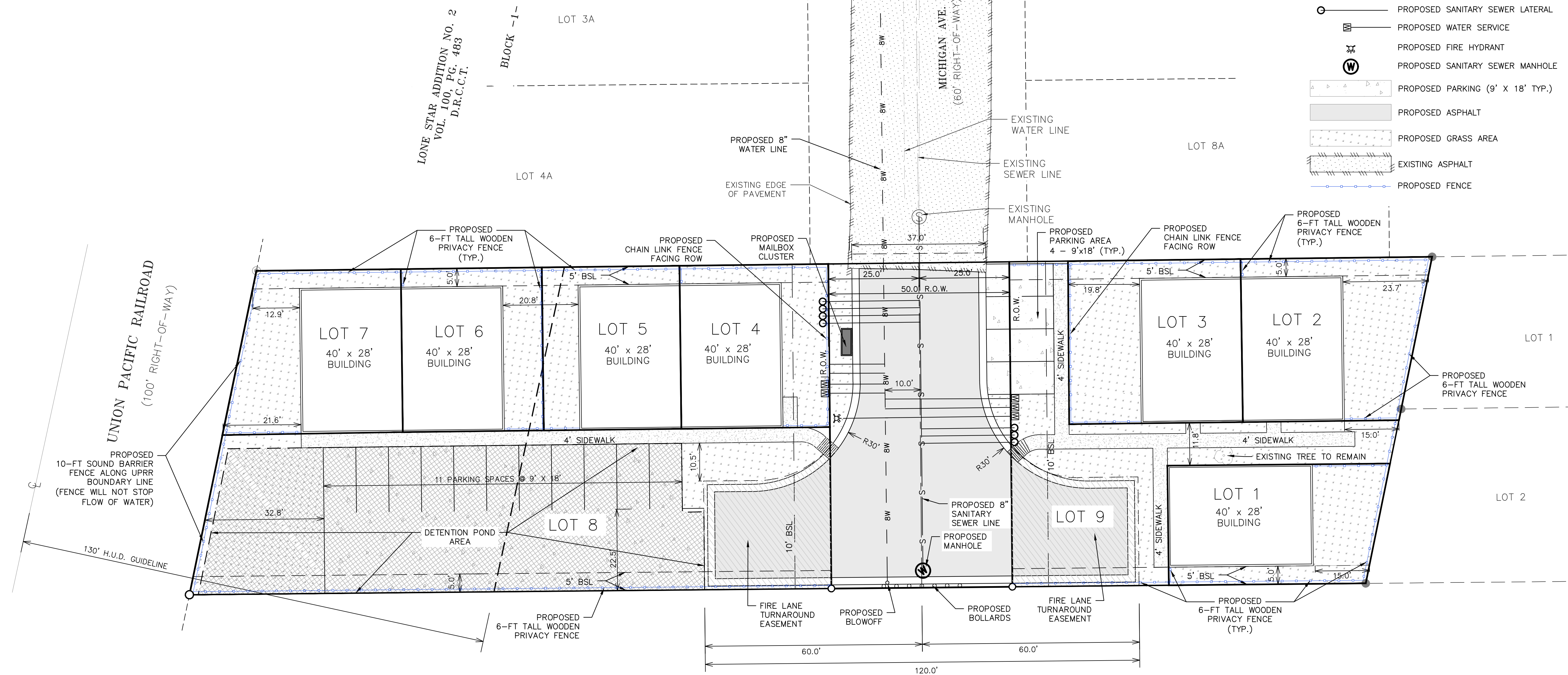
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

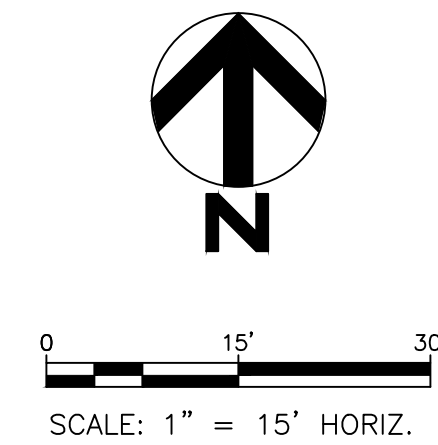
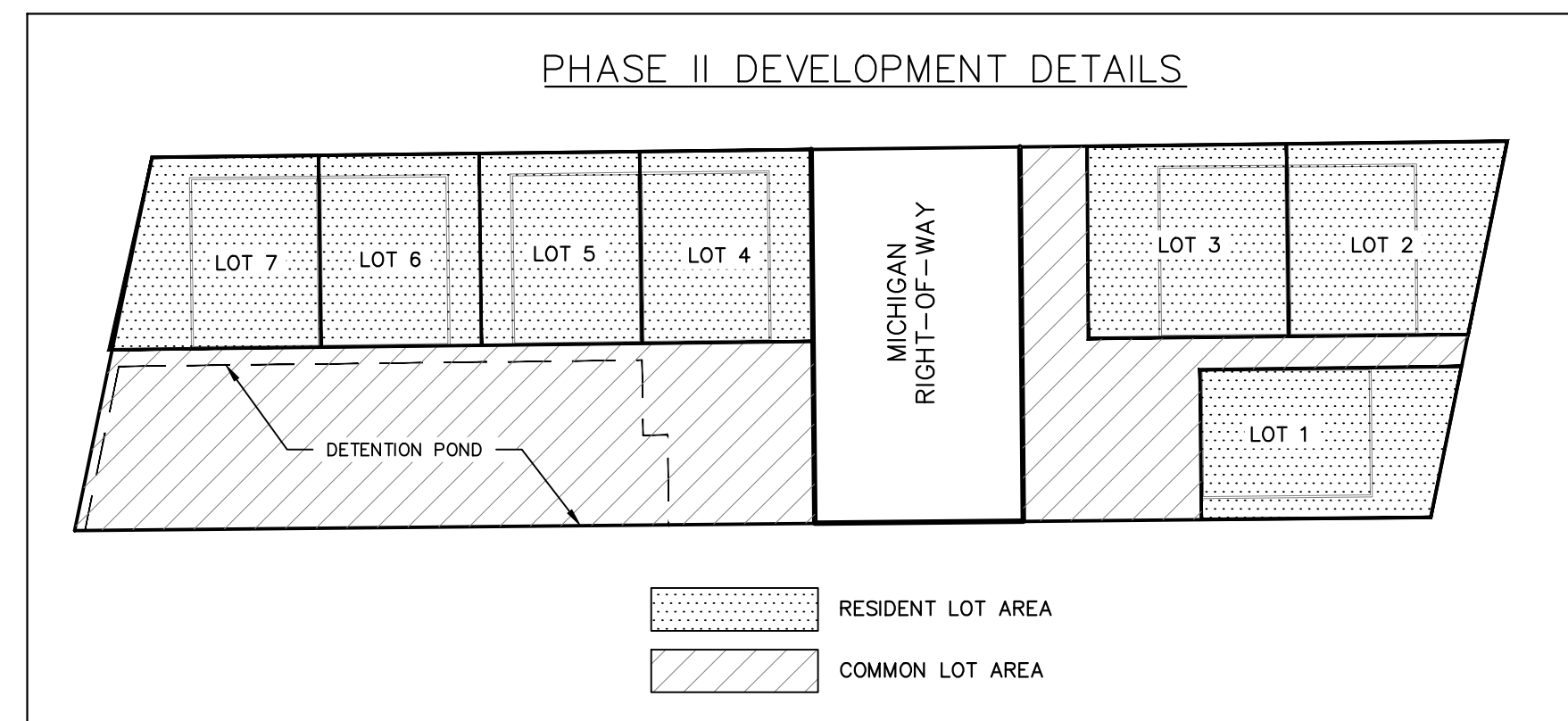
Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.







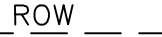


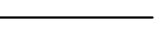



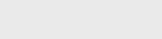
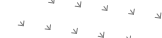
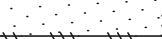






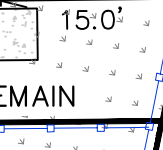
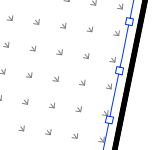

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



THE ROSALES FAMILY TRUST
1.07 ACRES
DOC. NO. 200106021840
O.P.R.C.C.T.



- | | |
|---|---|
|  | 1/2" INCH IRON ROD SET WITH ORANGE PLASTIC CAP "URBAN CIVIL" |
|  | 1/2" INCH IRON ROD FOUND |
|  | 1/2" INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "HMT." |
|  | 1/2" INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "4907" |
|  | EXISTING MANHOLE |
|  | EXISTING POWER POLE |
|  | EXISTING CONTOUR |
|  | EXISTING EDGE OF PAVEMENT |
|  | EXISTING TREE |
|  | PROPOSED LOT LINE/BOUNDARY LINE |
|  | PROPOSED UTILITY EASEMENTS |
|  | PROPOSED RIGHT-OF-WAY |
|  | EXISTING RIGHT-OF-WAY AND PROPERTY LINE |
|  | PROPOSED WATER LINE |
|  | PROPOSED SANITARY SEWER |
|  | PROPOSED CURB AND GUTTER |
|  | PROPOSED SANITARY SEWER LATERAL |
|  | PROPOSED WATER SERVICE |
|  | PROPOSED FIRE HYDRANT |
|  | PROPOSED SANITARY SEWER MANHOLE |
|  | PROPOSED PARKING (9' x 18' TYP.) |
|  | PROPOSED ASPHALT |
|  | PROPOSED GRASS AREA |
|  | EXISTING ASPHALT |
|  | PROPOSED FENCE |

SITE PLAN

HABITAT FOR HUMANITY - PHASE II
NEW BRAUNFELS, TEXAS

DRAWN BY: EGM	REVISONS	
	DATE	DESCRIPTION
CHECKED BY: SH		
DATE: MARCH 2020		
JOB NO.: 2002.06		

09

GENERAL NOTES:

1. PRIOR TO THE COMMENCEMENT OF ANY WORK, THE CONTRACTOR SHALL CAREFULLY STUDY THE CONTRACT DOCUMENTS AND ALL EXISTING ON-SITE CONDITIONS. THE CONTRACTOR SHALL REPORT TO KOKANEE SOLUTIONS ANY ERRORS, INCONSISTENCIES OR OMISSIONS PRIOR TO THE COMMENCEMENT OF ANY WORK IN QUESTION.

2. REPORT ALL DISCREPANCIES, ERRORS, OR OMISSIONS IN THE DOCUMENTS TO KOKANEE SOLUTIONS OR BUILDER PRIOR TO THE ORDERING OF ANY MATERIALS AND/OR COMMENCEMENT OF CONSTRUCTION.

3. ALL WORK SHALL BE PERFORMED AND COMPLETED IN STRICT COMPLIANCE WITH ALL APPLICABLE CODES AND/OR REGULATIONS HAVING JURISDICTION OVER THE WORK AND SHALL BE PERFORMED IN A GOOD WORKMANSHIP LIKE MANNER IN ACCORDANCE WITH ACCEPTED TRADE STANDARDS BY EXPERIENCED CRAFTSMEN SKILLED IN THEIR RESPECTIVE TRADES.

4. THESE DRAWINGS INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF THE DESIGN CONCEPT, THE DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS. AS SCOPE DOCUMENTS, THESE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE PROJECT. THE GENERAL CONTRACTOR SHALL FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND TIMELY COMPLETION OF THE WORK.

5. GENERAL CONTRACTOR ACCEPTS FULL RESPONSIBILITY FOR PLANS SHOULD ANY CHANGES BE MADE TO THESE PLANS BY THE GENERAL CONTRACTOR OR ANY OF THEIR REPRESENTATIVES.

6. FINAL SELECTIONS FOR ALL FINISHES, FINISH MATERIALS, COLORS, TEXTURES, ETC. SHALL BE MADE BY THE OWNER.

7. DOOR AND WINDOW ROUGH OPENINGS SHALL BE SUCH THAT OUTSIDE EDGES OF ADJACENT DOOR, WINDOW, AND TRANSOM TRIM IS ALIGNED, UNLESS NOTED OTHERWISE. INSTALL DOORS AND WINDOWS PER MANUFACTURER'S INSTRUCTIONS.

8. WINDOW SIZES GIVEN ARE APPROXIMATE UNIT SIZES. VERIFY ACTUAL SIZES AND ROUGH OPENING REQUIREMENTS WITH WINDOW MANUFACTURER.

9. PROVIDE ATTIC VENTING AS REQUIRED BY LOCAL CODES.

10. TEMPERED GLASS SHALL BE USED AT WINDOWS ABOVE BATHS, SHOWERS, ANY WINDOWS IN DOORS, ANY WINDOWS WITHIN 24" OF DOORS, AND AT ALL WINDOWS GREATER THE 9 SQUARE FEET THAT ARE WITHIN 18" OF THE FLOOR.

11. ALL ANGLED WALLS 45° UNLESS OTHERWISE NOTED.

12. DO NOT SCALE DRAWINGS. USE WRITTEN DIMENSIONS ONLY. PLEASE REPORT ERRORS OR QUESTIONS TO KOKANEE SOLUTIONS FOR CLARIFICATION.

13. MECHANICAL, ELECTRICAL AND PLUMBING SHOWN ON THE PLAN ARE SCHEMATIC AND INDICATE INTENT AND SCOPE OF WORK ONLY. EACH SUBCONTRACTOR IS RESPONSIBLE FOR INSTALLING EQUIPMENT WHICH MEETS ALL APPLICABLE CODES.

14. ALL DIMENSIONS ARE TO FACE OF FRAME UNLESS NOTED OTHERWISE.

15. ALL UNBRACED STUD WALLS IN EXCESS OF 11'-0" TALL WILL BE MIN. OF 2X6 CONSTRUCTION UNLESS OTHERWISE NOTED. ALL OTHER WOOD STUD WALLS WILL BE 2X4 CONSTRUCTION UNLESS NOTED OTHERWISE.

16. PROVIDE SOUND ATTENUATING BATTS AROUND ALL BATHROOMS AND MECHANICAL EQUIPMENT SPACES, TYPICAL.

17. VERIFY AND COORDINATE ALL HVAC AND PLUMBING VENTS, DUCTS AND REGISTERS WITH STRUCTURAL DRAWINGS AND NOTES PRIOR TO CONSTRUCTION.

18. ALL ELEVATION PLATE HEIGHTS INDICATED ARE NOMINAL DIMENSIONS.

19. DOOR LOCATIONS - UNLESS NOTED OTHERWISE, PLACE DOORS 6" FROM ADJACENT WALL OR IN CENTER OF TWO ADJACENT WALLS SUCH AS IN A HALLWAY.

20. VERIFY FINAL SLAB DROPS WITH FINAL FLOOR MATERIAL SELECTIONS BY OWNER.

21. FINAL WINDOW SIZES MAY VARY WITH MANUFACTURER CHOSEN. IF WINDOW SIZE CHANGES MORE THAN 4" , PLEASE NOTIFY KOKANEE SOLUTIONS FOR CONFIRMATION OF SIZE FOR DESIGN INTENT.

22. ROOF VENT- PLACE ALL VERTICAL PIPES TO REAR OF BUILDING WHERE POSSIBLE.

23. ROOF OVERHANGS- ALL ROOF OVERHANGS ARE MEASURED FROM THE OUTSIDE FACE OF FRAMING STUDS.

24. DOORS FROM THE GARAGE INTO THE RESIDENCE SHALL BE EITHER 1 3/8" SOLID WOOD, 1 3/8" SOLID STEEL, 1 3/8" HONEYCOMB STEEL, OR 20 MINUTE FIRE RATED.

25. GARAGES WITH HABITABLE ROOMS ABOVE MUST USE 5/8" TYPE X GYPSUM BOARD OR EQUIVALENT TO SEPARATE ALL HABITABLE SPACES.

26. WHEN PLAN INCLUDES ELEVATOR, BUILDER TO VERIFY ALL SPECIFICATIONS INC. ELECTRICAL, PHONE, AND PIT REQUIREMENTS WITH THE MANUFACTURER.

27. WINDOW SIZES SHOWN AT EGRESS AREAS MEET GENERAL EGRESS REQUIREMENTS, HOWEVER BUILDER TO VERIFY WITH INDIVIDUAL MANUFACTURER.

28. EXTERIOR PLASTER- INSTALL PER LOCAL CODES- THIS SHALL INCLUDE CONTROL JOINTS AS PER ASTM C1063 AND WEEP SCREEDS PER ASTM C926.

29. ATTIC ACCESS- PROVIDE MINIMUM 22" X 30" ACCESS AS NOTED AND WHERE REQUIRED BY CODE.

30. FOR ALL CITY OF AUSTIN PERMITTED PROJECTS ONE FIRST FLOOR POWDER OR BATH MUST HAVE MINIMUM 30" CLEAR OPENINGS AND BLOCKING AT WALLS FOR FUTURE HAND RAILS.

31. DROP INDICATORS ARE FROM CONCRETE TO CONCRETE UNLESS DOORS SWING TOWARDS THE OUTSIDE. THEN 1 1/2" DROP MAXIMUM FINISH TO FINISH.

SQUARE FOOTAGE (SINGLE UNIT)	
MAIN LEVEL LIVING	1056 SF
UPPER LEVEL LIVING	520
TOTAL LIVABLE	1576 SF
COVERED FRONT PORCH SLAB	64 SF
TOTAL SLAB	1120 SF
TOTAL COVERED	1640 SF
UNCOVERED REAR STOOP	16 SF
MOTOR COURT SLAB	TBD SF
WALKWAY SLABS	TBD SF
AC UNIT/ GD SLAB	TBD SF
DRIVEWAY(TO PROP. LINE)	TBD± SF
ACTUAL FLATWORK WILL VARY DEPENDANT TO SITE CONDITIONS	

ABBREVIATIONS

AFF Above Finish Floor
Addn. Additional
A.H.U. Air Handling Unit
Alum. Aluminum
Approx. Approximate
Arch. Architect, Architectural

Bm. Beam
Brig. Bearing
Blkg. Blocking
Bd. Board
Bldg. Building
B.L. Building Line
B.O.B. Bottom of Beam
B.O.S. Bottom of Steel

Cab. Cabinet
Cant. Cantilever
Cpt. Carpet
Clg. Ceiling
C.L. Ceiling
C.T. Ceramic Tile
Clo. Closet
Col. Column
Conc. Concrete
C.M.U. Concrete Masonry Unit
C.J. Control Joint
Cont. Continuous

Det. Detail
Dia. Diameter
Dim. Dimension
DBL. Double
Dn. Down
D.S. Downspout
Dwg. Drawing
DR Dryer
D.W. Dishwasher

Ea. Each
E.J. Expansion Joint
Elec. Electrical
Elev. Elevation
Equip. Equipment
Exist. Existing
Ex. Expansion
Ext. Extension
Exh. Exhaust fan

F.A.R Framing As Required
FL.D. Floor Drain
Fdn. Foundation
Fin. Finish
Fkt. Fixture
Flex. Flexible
Flr. Floor
Ftg. footing
Furr. Furring
F.D. Furr Down
F.V. Field verify
F.F. Finish floor

Ga. Gauge
Galv. Galvanized
Gen. General
Gl. Glass, glazing
Gyp. Gypsum

H.B. Hose Bib
H.C. Hollow Core
Hdw. Hardware
Hd. Head
Horiz. Horizontal
Ht. Height
H.H. Head height

I.M. Ice Maker
I.D. Inside Diameter
Insul. Insulation

Jst. Joist
Jnt. Joint

Lam. Laminate
Lav. Lavatory
Lt. Light
Lins. Linens

Manf. Manufacturer
Mas. Masonry
Max. Maximum
M.C. Medicine Cabinet
Matl. Material
Mech. Mechanical
Mtl. Metal
Mfr. Manufacturer
Micro. Microwave
M.W. Microwave
Min. Minimum
Mir. Mirror
Misc. Miscellaneous
M.O. Masonry opening
Mtd. Mounted

N.I.C. Not Included
Nom. Nominal

O.C. On Center
O.D. Outside Diameter
Off. Office
Opng. Opening
Opp. Opposite
O.T.O. Out to Out

Pc. Piece
PDR. Powder
PL. Plate
P.Lam. Plastic Laminate
Plmg. Plumbing
Pnlg. Paneling
Pnt. Paint
P.T. Pressure Treated
P.V.C. Polyvinyl Chloride

Q.T. Quarry tile
Qtr. Quarter

R. Radius, Riser
R.D. Roof Drain
Re: Refer
Ref. Reference
Refr. Refrigerator
Reinf. Reinforce
Reqd. Required
Rm. Room
R.O. Rough opening
R.H. Ridge Height

S.C. Solid Core
Sched. Schedule
Sect. Section
Sht. Sheet
Shtg. Sheathing
Sim. Similar
Spec. Specifications
S.S. Stainless steel
Std. Standard
Stl. Steel
Struct. Structural
Susp. Suspended

Tele. Telephone
Temp. Tempered
Thld. Threshold
Toil. Toilet
Typ. Typical
T.O.B. Top of Beam
T.O.W. Top of Wall
T.O.S. Top of Steel

U.N.O. Unless Noted Otherwise
Util. Utility

W.I.C. Walk In Closet
W/ With
Wd. Wood
Wind. Window
W Washer
W.H. Water Heater
W.R. Water Resistant
W.W.M. Welded wire Mesh

1R/1S 1 Rod 1shelf
2R/2S 2 Rod 2shelves
1R/2S 1 Rod 2shelves

To the best of my knowledge these plans are drawn to comply with owner's and/ or builder's specifications and any changes made on them after prints are made will be done at the owner's and / or builder's expense and responsibility. The contractor shall verify all dimensions and enclosed drawing. KOKANEE SOLUTIONS, LLC is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible thereafter.

HOMEOWNER & CONTRACTOR: TO VERIFY ALL DIMENSIONS, STRUCTURAL DETAILS, AND BUILDING CODES, AND GRADE REQUIREMENTS.

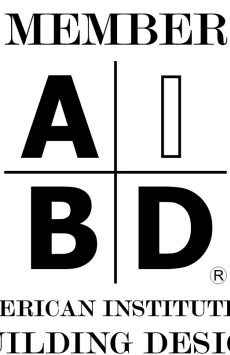
Effective September 1, 2016, the state of Texas will adopt 2015 IRC, Chapter 11 of the Energy Efficiency Code. Contractor and Homeowner to confirm compliance in the prescribed requirements. Please review at:

Link to Chapter 11:

<http://codes.iccsafe.org/app/book/content/2015-I-Codes/2015%20IRC%20HTML/Chapter%2011.html>

Link to the Legislation, Texas House Bill 1736:

<http://www.capitol.state.tx.us/BillLookup/Text.aspx?LegSess=84R&Bill=HB1736>



LAYOUT PAGE TABLE	
LABEL	TITLE
A0	PROJECT OVERVIEW
A1	PLOT PLAN
A2	FLOOR PLAN
A3	EXTERIOR ELEVATIONS
A3.1	EXTERIOR ELEVATIONS
A4	INTERIOR ELEVATIONS
A5	FOUNDATION PLAN
A6	ROOF PLAN
A7.2	ROOF FRAMING
E1	ELECTRICAL

APPROVAL			
HOMEOWNER SIGNATURE	DATE	HOMEOWNER SIGNATURE	DATE
CONTRACTOR SIGNATURE	DATE		



REVISION TABLE	
NUMBER	DATE

NEW PROJECT FOR:
COMAL COUNTY HABITAT FOR HUMANITY
LOT 1 & 6 MICHIGAN STREET
NEW BRAUNFELS, TX 78130

PROJECT #: 20-022_DLR FP1



DRAWINGS PROVIDED BY:
KOKANEE SOLUTIONS, LLC
421 S. SEGUN AVE SUITE A
NEW BRAUNFELS, TX 78130
830.481.4025 www.kcsotexas.com

DATE:

9/21/2020

SCALE:

1/4" = 1' UNO

SHEET:

A0
Project Overview

NOTES:

- ACTUAL FLATWORK WILL VARY DEPENDANT TO SITE CONDITIONS
-VERIFY GRADES & LANDSCAPE

[illegible]

NEW PROJECT FOR:

COMAL COUNTY HABITAT FOR HUMANITY
LOT 7 & 6 MICHIGAN STREET
NEW BRAUNFELS, TX 78130

PROJECT #: 20-
022_DLDR
FP1



DRAWINGS PROVIDED BY:

KOKANEE SOLUTIONS, LLC
421 S. SEGUN AVE SUITE A
NEW BRAUNFELS, TX 78130
830.481.9025 www.KoSoTexas.com

DATE:

4/21/2020

SCALE:

$$1/4'' = 1' \text{ UNO}$$

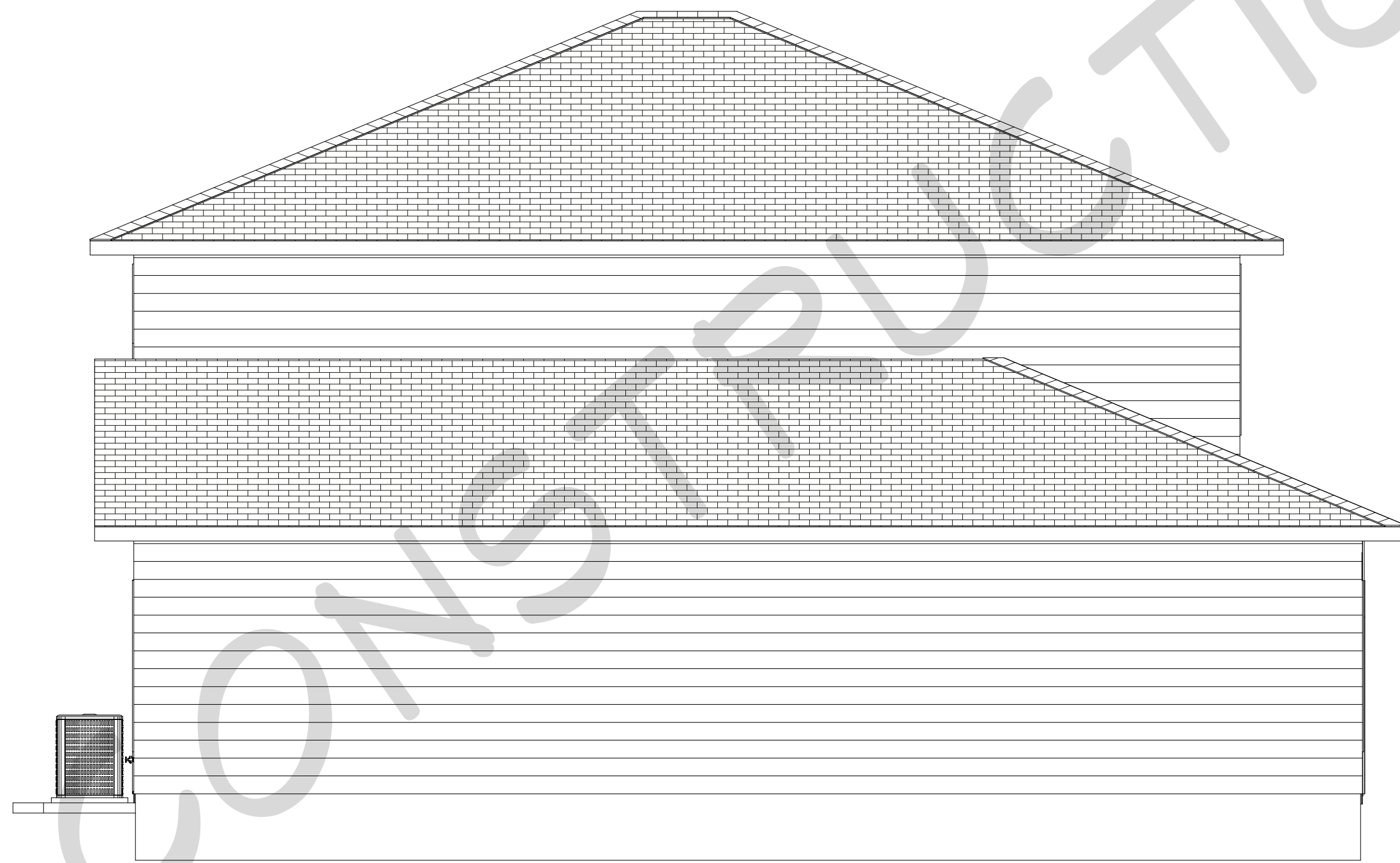
SHEET:

A1

ot Plan



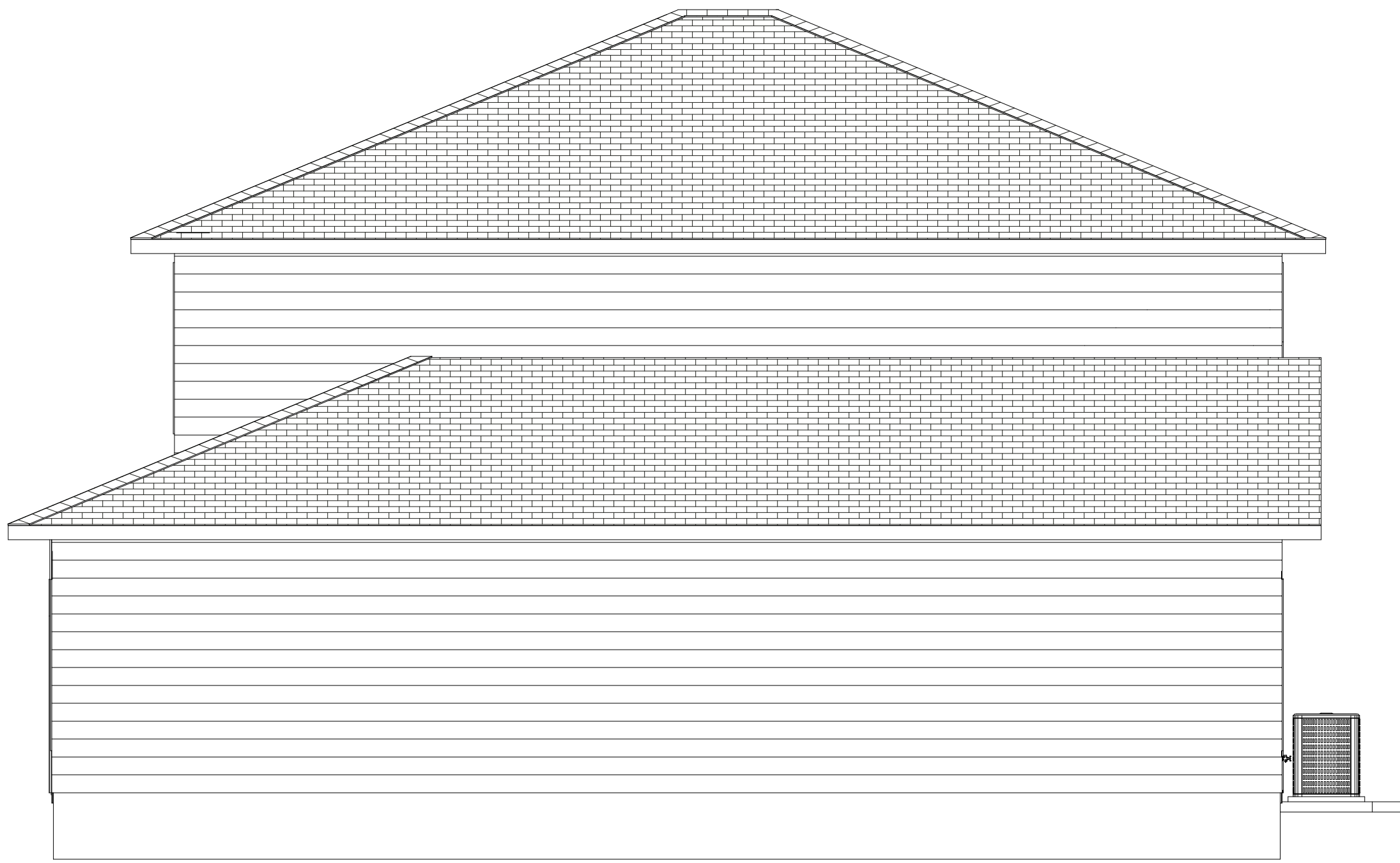
1
A3 FRONT ELEVATION
1/4" = 1'



3
A3 LEFT ELEVATION
1/4" = 1'



2
A3 REAR ELEVATION
1/4" = 1'



4
A3 RIGHT ELEVATION
1/4" = 1'



REVISION TABLE		DESCRIPTION
NUMBER	DATE	REVISION

NEW PROJECT FOR:
COMAL COUNTY HABITAT FOR HUMANITY
LOT 1 & 6 MICHIGAN STREET
NEW BRAUNFELS, TX 78130

PROJECT #: 20-022_DLR
FP1



DRAWINGS PROVIDED BY:
KOKANEE SOLUTIONS, LLC
421 S. SEGUN AVE SUITE A
NEW BRAUNFELS, TX 78130
830.481.4025 www.kcsotexas.com

DATE:

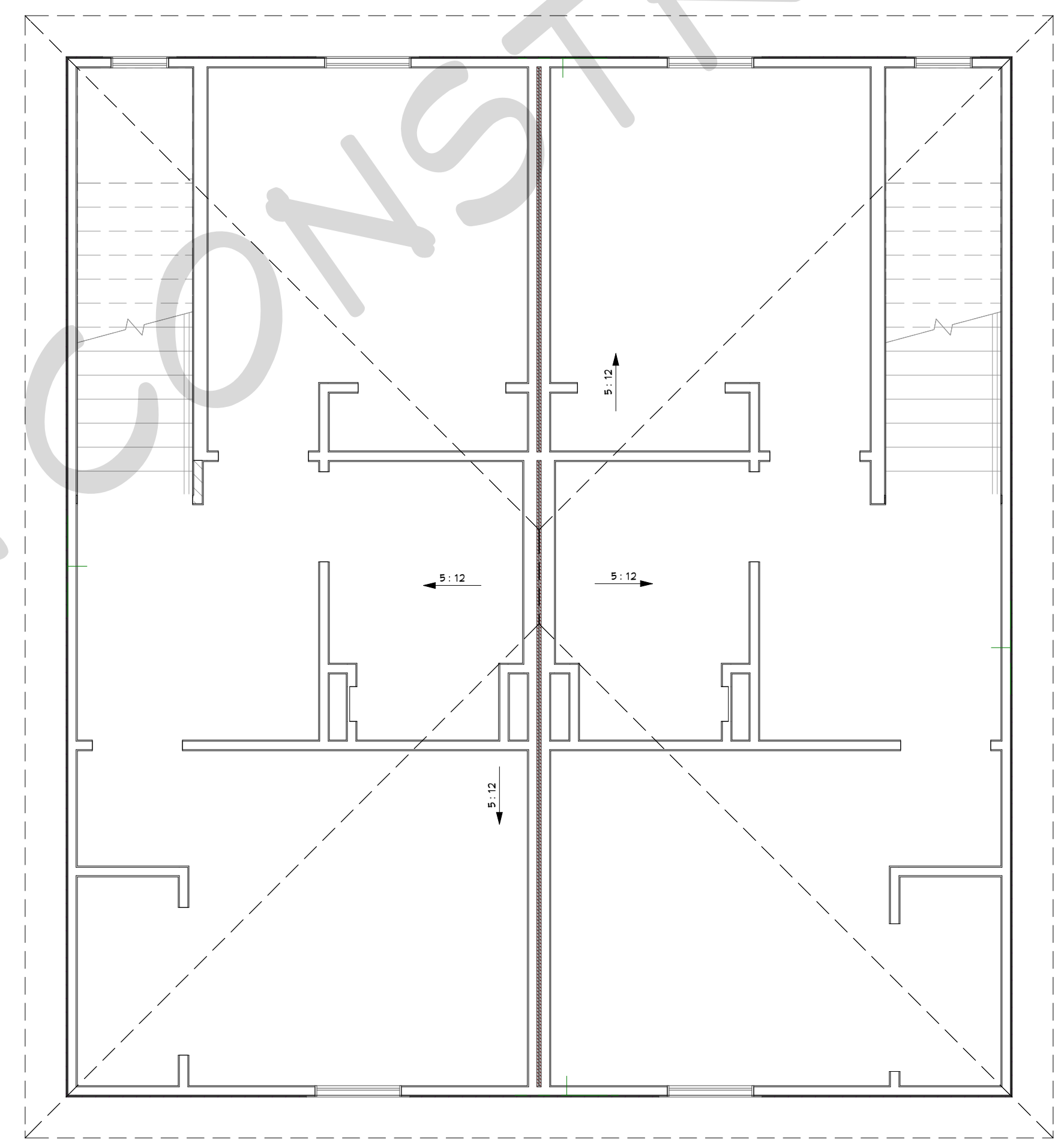
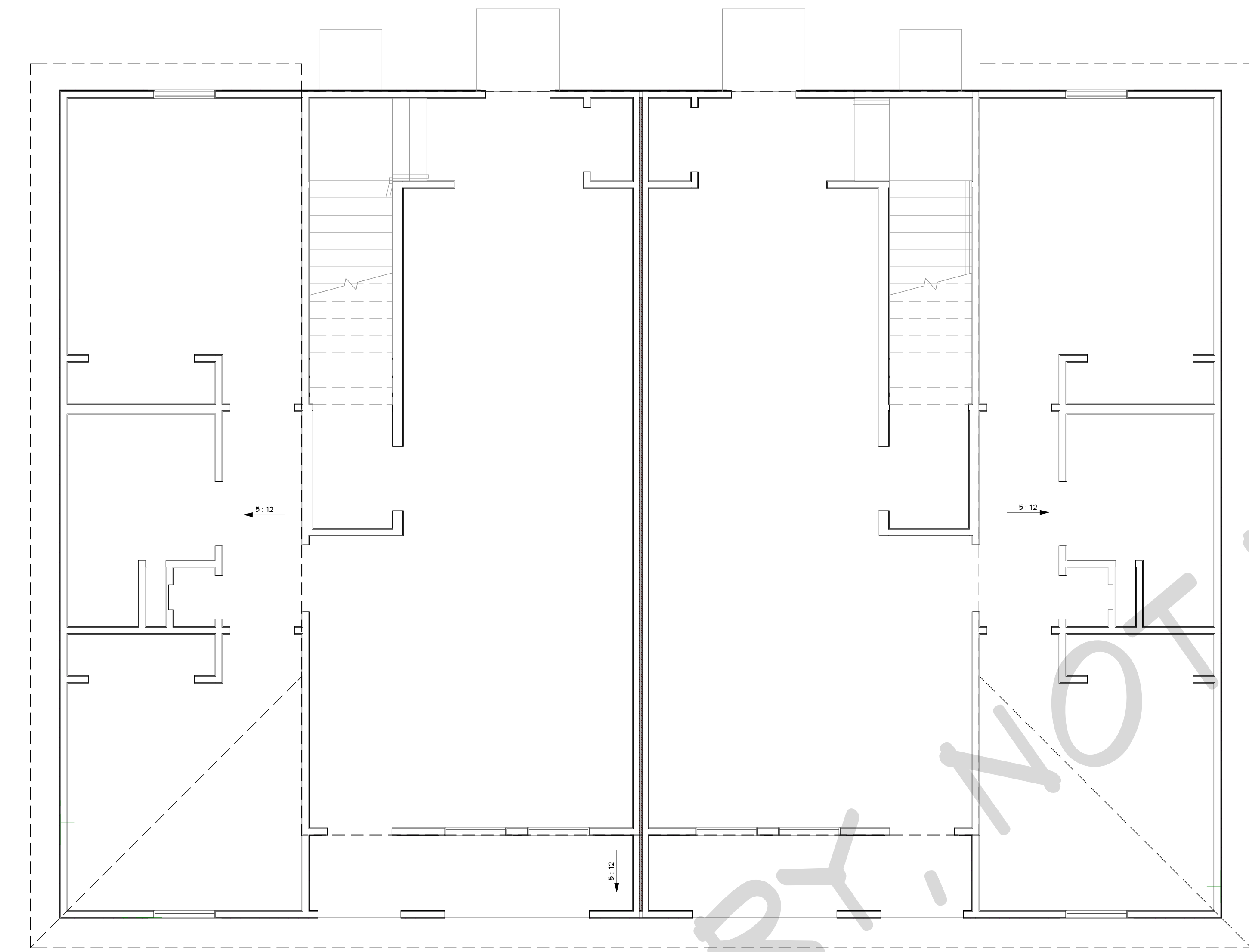
9/21/2020

SCALE:

1/4" = 1' UNO

SHEET:

A3
Exterior Elevations



MATERIAL	QUANTITY	UOM
1/2" DRYWALL	TBD	SF
5/8" DRYWALL	TBD	SF
CARPET	TBD	SF
TILE	TBD	SF
WOOD FLOOR	TBD	SF
SIDING-LAP	TBD	SF
SIDING-S&B	TBD	SF
ROOFING	TBD	SF
SOFFIT	TBD	SF



KOKANEE SOLUTIONS
Custom Home Design

NUMBER	DATE	REVISION	DESCRIPTION

NEW PROJECT FOR:

COMAL COUNTY HABITAT FOR HUMANITY
LOT 1 & 6 MICHIGAN STREET
NEW BRAUNFELS, TX 78130

PROJECT #:

20-022_DLDR
FP1



Comal County
Habitat
for Humanity

DRAWINGS PROVIDED BY:

KOKANEE SOLUTIONS, LLC
421 S. SEGUN AVE SUITE A
NEW BRAUNFELS, TX 78130
830-481-1025 www.kcsotexas.com

DATE:

9/21/2020

SCALE:

1/4" = 1' UNO

SHEET:

A6
Roof Plan

PLANNING COMMISSION – JANUARY 5, 2021– 6:00PM

Zoom Meeting

Applicant/Owner: Habitat for Humanity

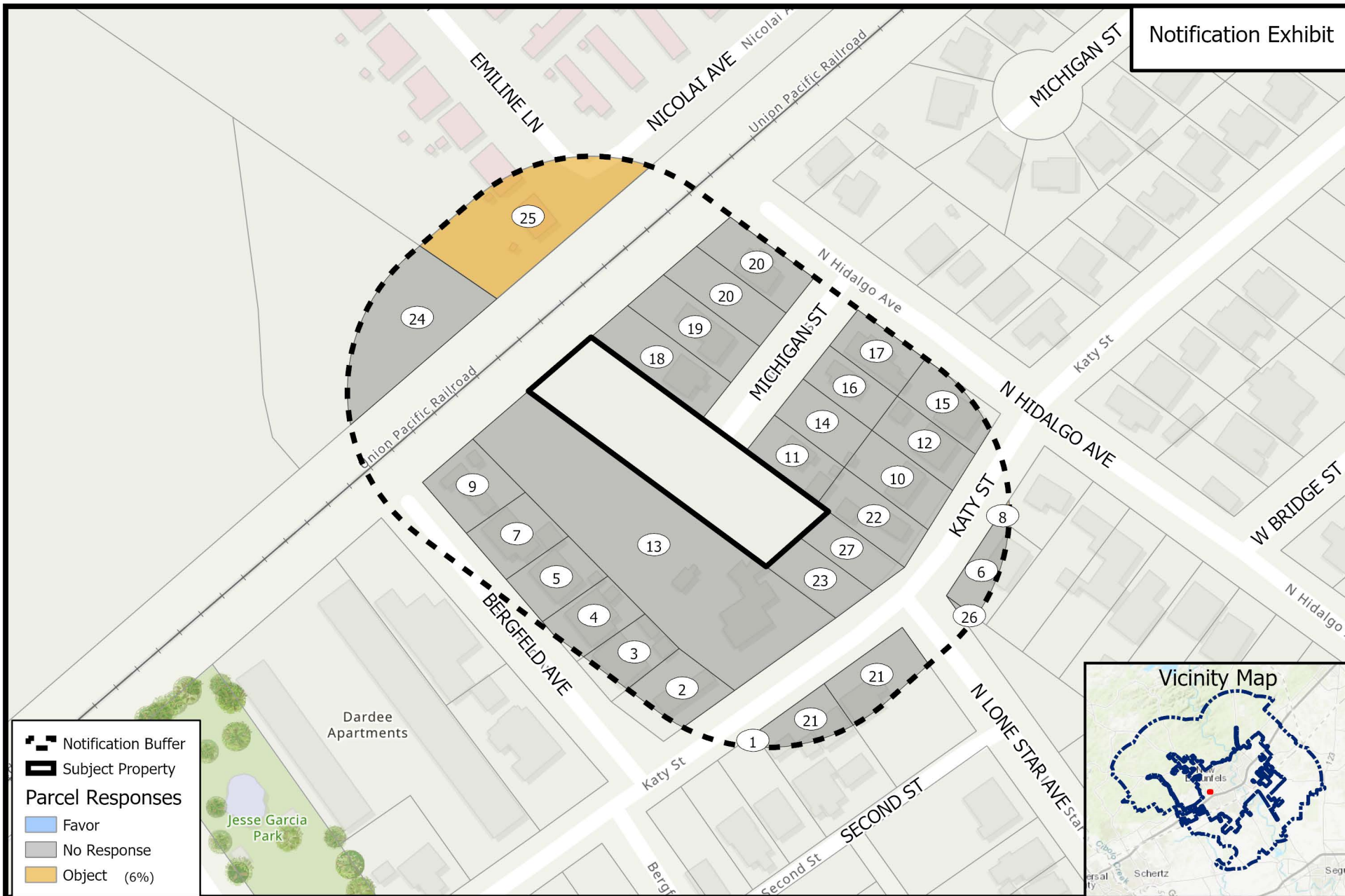
Address/Location: Southwest of the 2300 block of Michigan Street

PROPOSED SPECIAL USE PERMIT – CASE #SUP20-291

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|---|---------------------------------------|
| 1. MILLETT CAROLE FAYE | 15. GARZA ARTURO & BELIA |
| 2. HERRERA JESUS & NORMA C | 16. GOMEZ MIGUEL & EDITH |
| 3. VALENCIA MARIA H | 17. YANEZ JESSE & MARTA |
| 4. LAGUNAS LYDIA | 18. MILLETT DOLORES ESTATE OF |
| 5. CANALES CHRISTOPHER J L & XIOLA R HUIZAR-CANALES | 19. KASBERG RANDY |
| 6. DELACERDA CARLOS & ESMERALDA | 20. GONZALEZ BALTAZAR T |
| 7. RODRIGUEZ GEORGE & NORA | 21. MARTINEZ RAFAEL L |
| 8. SANDOVAL PILAR | 22. RODRIGUEZ SANTOS III & GRISELDA |
| 9. SANTELLAN SANDY & SANTIAGA | 23. GUTIERREZ STEPHENIE |
| 10. RODRIGUEZ SANTOS III | 24. NEW BRAUNFELS CITY OF |
| 11. MEDINA MARGARITA | 25. BAVARIAN VILLAGE INC |
| 12. LOPEZ TERESA | 26. CAG ESSENTIALS LLC |
| 13. ROSALES FAMILY TRUST | 27. COMAL COUNTY HABITAT FOR HUMANITY |
| 14. CHAPA MARTHA | |

SEE MAP



SUP20-291

SUP to allow for residential development



0 80 160 Feet



Source: City of New Braunfels Planning
Date: 12/29/2020

DISCLAIMER: This map and information contained in it were developed for use by the City of New Braunfels. Any use or reliance on this map by else is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or variances which may exist.

YOUR OPINION MATTERS - DETACH AND RETURN

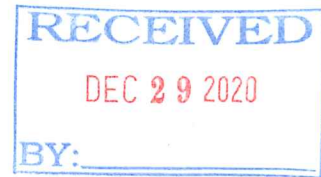
Case: #SUP20-291 ms

Name: Pilar B Sandoval Jr.Address: 389 N HIDALGO AVEProperty number on map: 8

I favor: _____

I object: NO (State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: Pilar B. Sandoval

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-291 ms

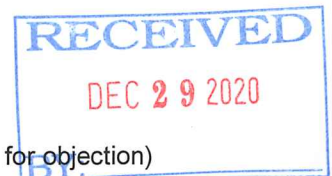
Name: Barbera WrobelAddress: Bavian Village IncProperty number on map: 25

I favor: _____

I object: X (State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: Project for a 7 unit is in a area where there are only single family homes. This project would look out of place and tower over all the other homes 3 houses could be built on this lot and blend in with the neighbor. They need to rethink their plan.
Barbera Wrobel



1/5/2021

Agenda Item No. J)

Presenter/Contact

*Applicant: Ross Wilkinson; Owner: Rosemary Phillips
(830) 625-8555 / plats@hmtnb.com*

SUBJECT:

SUP20-298 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow outdoor music in the "C-1" Local Business District adjacent to residential use on approximately 1.2 acres consisting of Lot 5, Block 1, Rio Vista Addition, addressed at 1951 Gruene Road.

BACKGROUND / RATIONALE:

Case No.: SUP20-298

Council District: 4

Applicant:

Ross Wilkenson, Managing Member
Roger Rocket Real Estate LLC
422 Elmwood Drive
New Braunfels, TX 78130
(713) 446-9793
rfwilkinson@gmail.com

Owner:

Rosemary R.C. Nunez (Phillips)
1951 Gruene Road
New Braunfels, TX 78130

Staff Contact:

Matthew Simmont, AICP
(830) 221-4058
msimmont@nbtexas.org

The 1.185-acre subject property is located south of Loop 337 on the east side of Gruene Road. The site is developed with a 1,216 square foot residential structure that was constructed in 1968. The applicant would like to convert the house to commercial restaurant use and is requesting approval of a Special Use Permit (SUP) to allow the potential future restaurant to have live outdoor music.

Their plan is to extend a covered outdoor patio from the rear of the building. The conceptual site plan shows a total of 20 tables arranged with six tables within the enclosed dining room and restaurant, nine tables under the covered patio, and five open air tables with space for live music performances.

To protect the quality and enjoyment of private residential property, Section 5.3-4 of the City's Zoning Ordinance prohibits outdoor music when adjacent to single-family residential and duplex zoning and land uses. The subject property is adjacent to single-family residential uses to the south and east. In addition, the site is adjacent to the 124-unit Ranch at the Guadalupe apartment

complex that was constructed in 2017.

Neighboring C-1 zoned property to the south with frontage on Gruene Road is developed with similar era single-family homes on large lots that were platted as the Rio Vista Addition in 1934. The surrounding neighborhood is well-established and stable. Property to the east is also part of the Rio Vista Addition. This area is zoned R-2 (Single-family and Two-family) and is developed with single-family homes. Property to the north is zoned C-1 and developed with a large apartment complex.

While the Zoning Ordinance includes the aforementioned residential protection provision, the purpose of the SUP process is to provide an opportunity for site-specific consideration of certain uses or activities that might otherwise be incompatible with adjacent uses or existing land use patterns. SUPs can be approved with conditions to achieve compatibility and protect neighboring properties.

Surrounding Zoning and Land Use:

North - C-1 / Multifamily

South - C-1 / Single-family and two-family dwellings

East - R-2 / Single-family and two-family dwellings

West - Across Gruene Road and Union Pacific Railroad, M-1 / Commercial and agricultural

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted use will be appropriate in the immediate area and the relationship of the use to the surrounding area and to the City as a whole. *(The subject property is at the perimeter of an established residential area of single-family homes, apartment dwellers, and rural residential properties. Without sound mitigation measures, allowing outdoor music could introduce an incompatible land use to adjacent residents. The site appears capable of accommodating the required number of parking spaces. Parking, landscaping, and other site development standards will be reviewed for compliance during site plan review of the necessary commercial permit.)*
- Whether the zoning change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area. *(The proposed use does not appear to conflict with any of these elements. Although, site utility upgrades may be identified during the house conversion and site plan process.)*
- How other areas designated for similar development will be affected. *(Allowing outdoor music would not likely affect nearby areas designated for similar development.)*
- Any other factors that will substantially affect the public health, safety, morals, or general welfare. *(The use of outdoor music could negatively impact the health and general welfare of the public in neighboring residential areas.)*
- Whether the request is consistent with the Comprehensive Plan: *see below*

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Action 3.3: Balance commercial centers with stable neighborhoods. Action 3.6: Proactively provide a regulatory environment that remains business and resident friendly. Future Land Use Plan: The property is situated in the New Braunfels Sub-Area and along a Transitional Mixed-Use Corridor.
--	--

FISCAL IMPACT:

1. If approved, the City's Code Compliance Division might be called to enforce compliance with the SUP, which may have a financial impact on the Division's budget and resources.
2. If approved, the City's Police Department might be called to investigate noise complaints associated with the City's Noise Ordinance (Section 82-9), which may have a financial impact on the Department's budget and resources.

STAFF RECOMMENDATION:

Outdoor live music appears inappropriate at this location for the following reasons:

1. The property is surrounded on three sides by existing, stable residential uses. The conceptual site plan shows the music stage oriented toward the apartment complex. Given the difficulty of controlling noise trespass, it is assumed that the use will create a nuisance for surrounding single-family and multifamily residents.
2. The applicant has not yet provided information regarding noise mitigation, or specific measures to minimize disruptions to neighbors. Per Section 82-9 of the City's Code of Ordinances, the maximum decibel level permissible for any type of sound emitted from a property that is located within 100 feet of a residential district is 85 decibels between 10:00 AM to 10:00 PM and 75 decibels at all other times.

Therefore, staff recommends denial. However, if Planning Commission is inclined to recommend approval, staff recommends the SUP include conditions. Examples of noise mitigation measures that have been suggested for similar projects and appropriate for consideration at this location include:

1. Require an acoustic shell for the stage that directs sound away from residences.
2. Set a size limit for the stage.
3. Limit live music to acoustic performances.
4. Limit performance hours.
5. Limit the days of the week that performances occur.
6. Specify rules for playing recorded music through outdoor speakers.
7. Increase site screening and landscaping requirements.
8. Require onsite monitoring and record keeping of decibel levels by the business owner.

Notification:

Public hearing notices were sent to 10 owners of property within 200 feet. The City has received no responses in favor and seven responses in objection (# 1, 2, 3, 4, 6, 7, 8) to the request. Opposition represents more than 20% of the notification area. Pursuant to state statute, a $\frac{3}{4}$ majority of City Council (6 votes) will be required for approval of the applicant's request unless that opposition changes. Staff received an additional 2 written responses from outside the 200-foot notification area.

RESOURCE LINKS:

- Chapter 82, Section 9. *Noise Regulations* of the City's Code of Ordinances:

[https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH82OFMIPR_S82-Chapter 144, Section 3.3-7. "C-1" Local Business District](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_CH82OFMIPR_S82-Chapter%20144_Section%203.3-7) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

- Chapter 144, Section 3.6 (SUP) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

-
- Chapter 144, Section 5.3-4 *Additional Residential Buffering Requirements* of the City's Code of Ordinances:

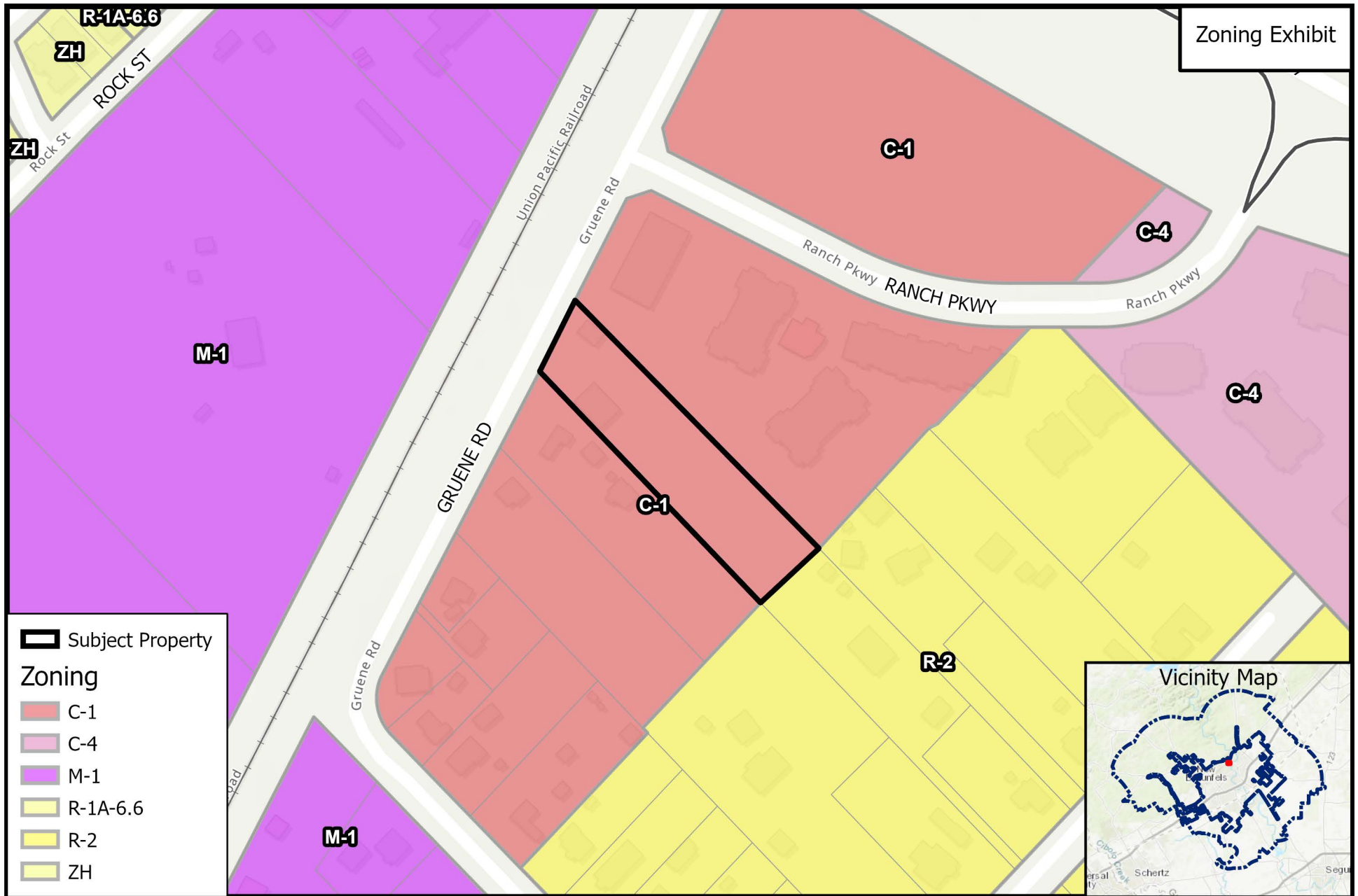
<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

ATTACHMENTS:

1. Aerial Map
2. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan)
3. Request Letter and Conceptual Site Plan
4. Notification List, Map and Responses

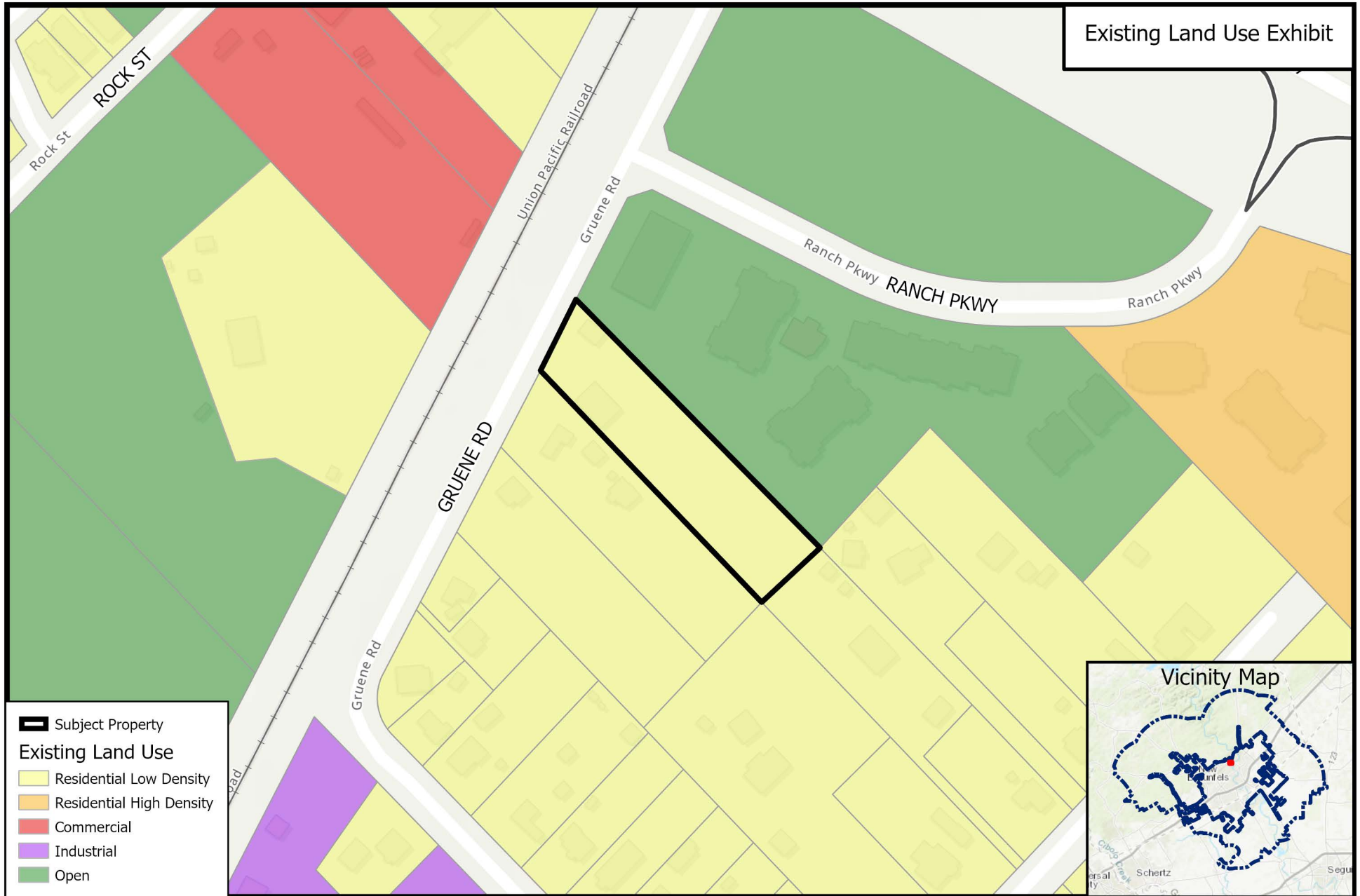


SUP20-298
SUP to allow for live music



SUP20-298 **SUP to allow for live music**





SUP20-298
SUP to allow for live music

EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



THE LYONS GROUP

November 29, 2020

City of New Braunfels
Building, Planning & Zoning
550 Landa Street
New Braunfels, Texas 78130

Re: 1951 Gruene Road, Zoned C-1
Special Use Permit Application

On behalf of my client Ross Wilkinson, Managing Member of Roger Rocket Real Estate LLC, please find attached the Special Use Permit (SUP) Application and attachments for filing with the City Building, Planning & Zoning and appropriate fees.

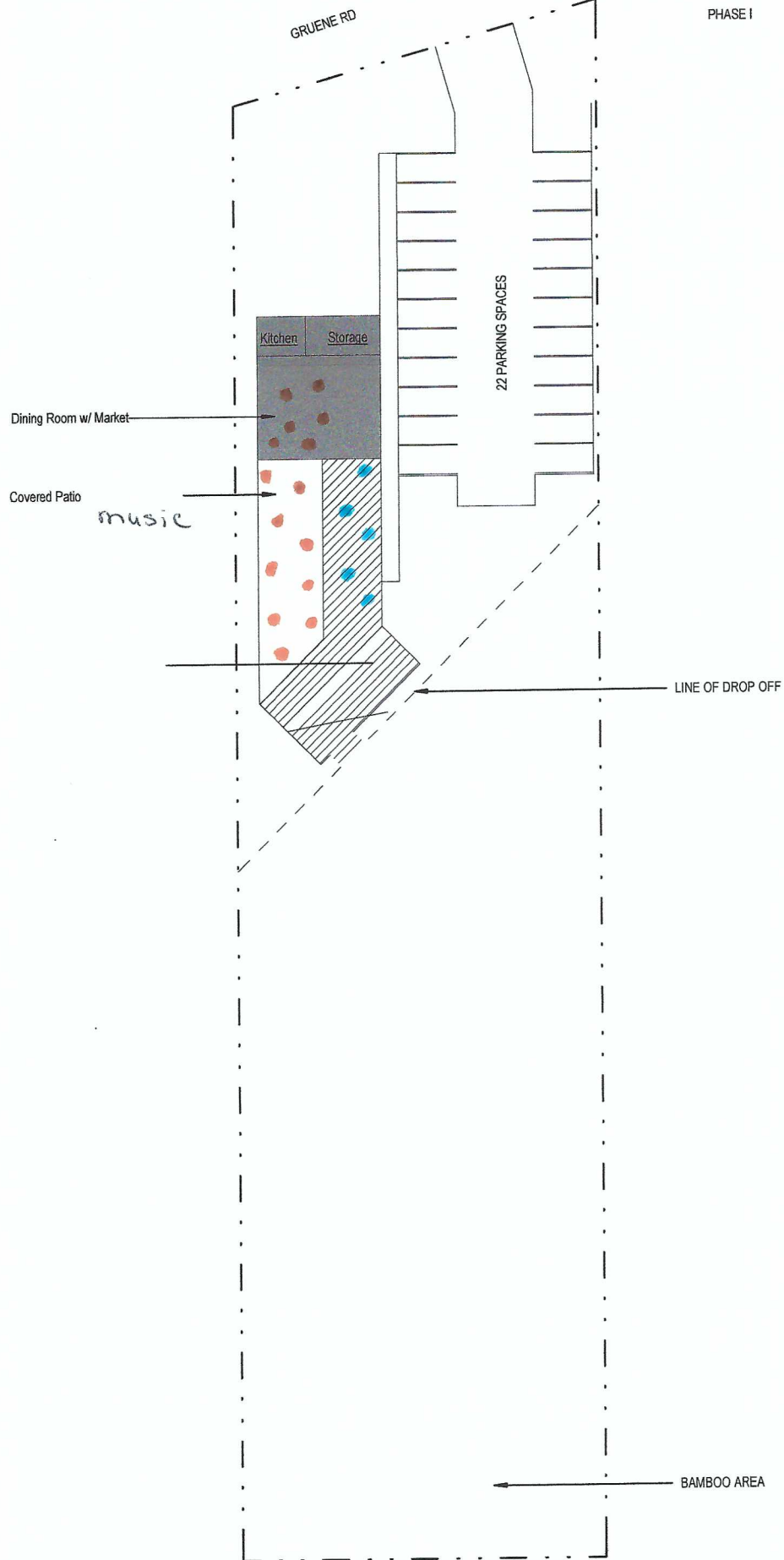
The purpose of this application is for the approval and acceptance by the Board and City Council for live music on the patio of his "to be built" restaurant at 1951 Gruene Road.

If you have any questions, comments or corrections please contact me at your earliest possible opportunity at the phone number listed below.

Thank you for your attention and cooperation in this matter.

Sincerely,

Michelle Lyons
/ml
attachments



PLANNING COMMISSION – JANUARY 5, 2021– 6:00PM

Zoom Meeting

Applicant: Ross Wilkenson – Roger Rocket Real Estate, LLC

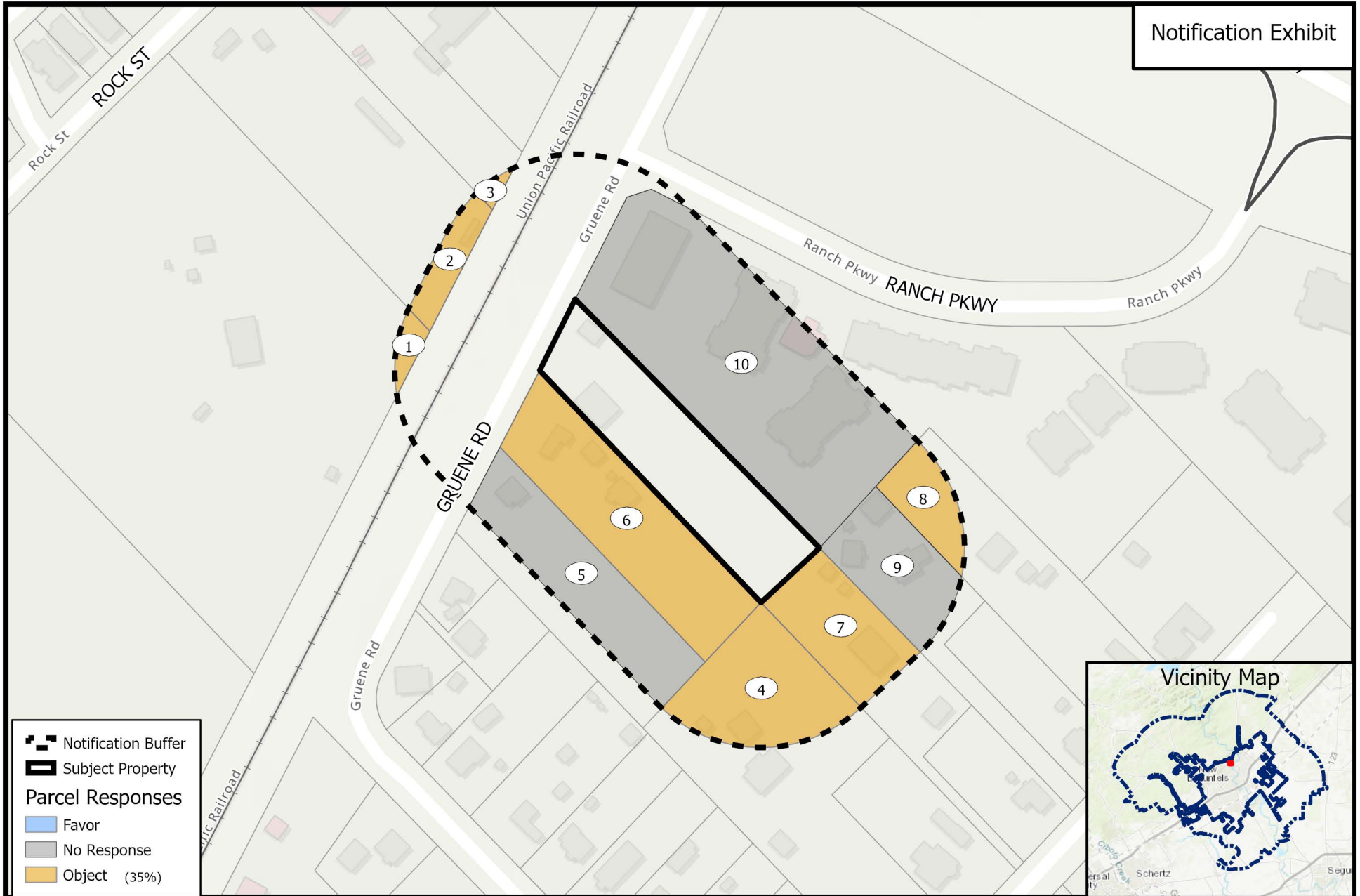
Address/Location: 1951 Gruene Road (see included map)

PROPOSED SPECIAL USE PERMIT – CASE #SUP20-298

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|---|--------------------------------|
| 1. JOLLY WILLIAM E | 6. SPARKMAN FAMILY RVCBL TRST |
| 2. REICHERT KENNETH & MARINDA RVCBL LVNG TRST | 7. SHARP SYDNEY C |
| 3. PALM MARTIN W & DIANE | 8. GRAVES SUSANN D |
| 4. GUERRERO OMAR D & CECILIA | 9. ROOM 8 LLC |
| 5. GARZA MAURO JR | 10. LODGE AT THE GUADALUPE LLC |

SEE MAP



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-298 ms

Name: Bill Jolly

Address: 1958 Gruene Rd 78130

Property number on map: 1

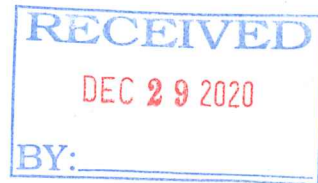
I favor: _____

I object: ☒ (State reason for objection)

Comments: (Use additional sheets if necessary)

concerned with NOISE, traffic,

Signature: _____



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-298 ms

Name: Kenneth & Miranda Reicher

Address: 1950 Gruene Rd. NBTX

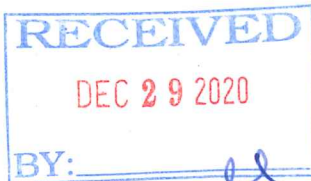
Property number on map: 2

I favor: _____

I object: ☒ (State reason for objection)

Comments: (Use additional sheets if necessary)

(Gary Kraft)



Signature: _____

I sleep during the Day
I have health Issues.
I object to the noise

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-298 ms

Name: Martin Palmy

Address: 768 Rock Street

Property number on map: 3

I favor: _____

I object: ☒ (State reason for objection)

Comments: (Use additional sheets if necessary)

opposed to Music & Noise near my Home

Signature: _____



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-298 ms

Name: Omar & Cecilia Guerrero

Address: 825 E Torrey ST.

Property number on map: 4

I favor: _____

I object: ☒ (State reason for objection)

Comments: (Use additional sheets if necessary)

See Letter

We object to the sound of constant music in our neighborhood without the right to turn the music off at any given moment.

In support of our neighbor Beth Sparkman who is ill and needs constant rest & sleep.



Signature: Cecilia Guerrero

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-298 ms

Name: BETH SPARKMAN

Address: 1959 Gruene Rd

Property number on map: Lot #4 Block #1

#6 Rio Vista addition

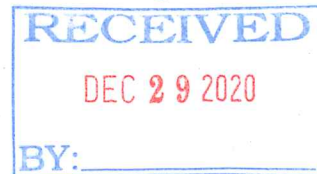
I favor: _____

I object: ☒ (State reason for objection)

Comments: (Use additional sheets if necessary)

I am next door and do not want the noise

Signature: Beth Sparkman



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-298 ms

Name: Sydney C. Sharp

Address: 845 E Torrey St.

Property number on map: 7

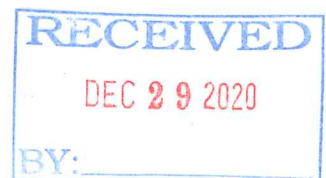
I favor: _____

I object: ☒ (State reason for objection)

Comments: (Use additional sheets if necessary)

no outdoor music in our residential neighborhood. I have renters directly behind the property who would be directly affected. The festaurant is welcome.

Signature: Sydney Sharp



YOUR OPINION MATTERS - DETACH AND RETURN

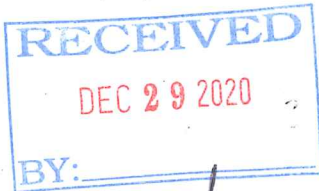
Case: #SUP20-298 ms

Name: Susann Graves
Address: 875 E. Torrey St.
Property number on map: 8

I favor: _____

I object: ☒ (State reason for objection)

Comments: (Use additional sheets if necessary)

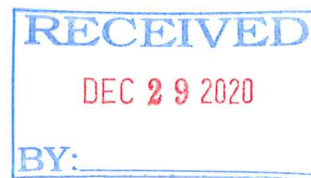


Signature: _____

Susann Graves

My family has owned this property since 1968 and purchased because of the dead end street and quiet neighborhood. Would not want loud music at night. This would also make it difficult to rent the property!

Omar D and Cecilia Guerrero
825 East Torrey Street
New Braunfels, Texas 78130
(830)221-8600



#4

December 26, 2020

City of New Braunfels
Building, Planning and Zoning Division
c/o Matthew Simmont
550 Landa Street
New Braunfels, Texas 78130

Re: 1951 Gruene Road, Zoned C-1
Special Use Permit Application
Case: # SUP20-298 ms

On behalf of myself and the neighborhood members listed below, in the Rio Vista Subdivision, and affected surrounding neighborhood, we adamantly object to an issuance of a Special Use Permit to **Ross Wilkenson, Managing Member of Rocket Real Estate LLC, agent for Rosemary Philips, owner.**

We oppose the issuance of a Special Use Permit to allow **Outdoor Music** in or around our neighborhood.

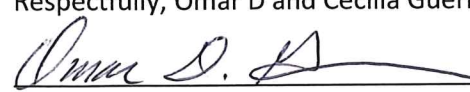
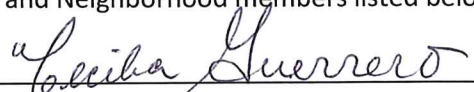
The reason for this objection is that we do not want the constant sound of music in our neighborhood without the right to turn it off at any moment.

We purchased our property with much thought and methodical planning as to the future of our lives in our forever home. We researched to make sure that we lived near all the amenities of the city but were not IN the city, as to not have to deal with the noise and sounds that come with city living.

We understand the need for expansion, and we want to support all small businesses, especially during this critical time, but we do not want any additional noise in our neighborhood.

Thank you for understanding.

Respectfully, Omar D and Cecilia Guerrero and Neighborhood members listed below.

  Dec. 26, 2020
Omar D and Cecilia Guerrero -Property number: Lot 10 A, Block 1, Rio Vista Addition

Continued Page 2

Page 2

William E Jolly-

1958 Gruene Rd 78130
210-888-9289

Kenneth and Miranda Reicher-

1950 GROENE RD.
830-302-0044

Martin and Diane Palm-

mwpalm 830-832-3328

768 Rock St, NB TX / Map # 3

Mauro Jr. Garza-

Sparkman Family Trust-

Beth Sparkman - 210 355 1877
lot #4 Rio Vista Addition Block #1

Sydney C Sharp-

Sydney Sharp 291 E. Lincoln St., NB 78130 (979) 676-0202

Susan D, Graves

Susann Graves, owner 875 E. Torrey St.
Madison Johnson (830) 624-5889 opposed to live music
would create difficulty
sleeping for my children

Room 8 LLC

Lodge At the Guadalupe LLC

— Leroy E. Zimmerman Jr. 784 Rock St. 830-302-9451

— Martin Rene Arango (512) 665-0995 845 E Torrey St.
* WE OPPOSE THE CONSTANT NOISE FROM LIVE MUSIC IN OUR RESIDENTIAL AREA.— MELVIN NORTE, JR 830 624 0243 849 E. Torrey St.
ESTER NORTE
— NO LIVE MUSIC IN RESIDENTIAL AREA

— Don Robert Cass

881 E. Torrey 830 221 5170

donrobertcass@gmail.com Please No Loud Music.

page 2

Pg 3

Uma Lisa Tamez

830 237 30 83

524 Rock Street

bluntzer2000@yahoo.com

No loud music please

Dana D Tamez

210 3878539

524 Rock St.

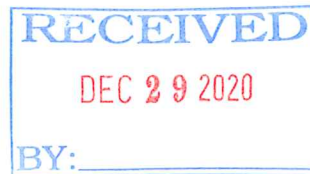
dtamez@pasate.com

Restaurant OK - no loud music on patio

Sodalis Senior Living
550 Rock Street
Diane Lewis Exec. Director
830-624-7703Alice Williams
806 E. TORREY
830-660-0558

December 28, 2020

City of New Braunfels
Planning Commission
Case #SUP20-298 ms – 1951 Gruene RD
Public Hearing Date: January 5, 2021



#8

To Whom It May Concern:

I object to the request for a special use permit to allow outdoor music in the C-1 Local Business District and adjacent to residential use.

I own the property shown as property #8 on your map. My parents purchased this 1-1/3 acres of land in 1968 when my father was transferred from Beeville, TX, where he worked with Southwestern Bell, to fill an opening in New Braunfels. They loved the size of the lot and the quiet, peaceful neighborhood. The dead end street was a real plus. My mother passed in 1995 and after my father passed in 2009, I inherited the property and have maintained ever since. I rent out the house in front part of property and I use the workshop in the back portion of the property. When I go to the workshop in the back of my property, I enjoy the peace and quiet and would hate to lose that to loud music at all hours. My current renter is a nurse who works at night and has 3 young children. As you know music echoes and would disturb her as she tries to sleep during the day and would disturb her children at night. Having this noise would definitely be a deterrent to future renters. If the quietness of this area is lost with loud music, renters will not want to stay long or not rent in this area at all, causing hardships for all affected landlords. Then there is the issue of trying to sell property. A home purchase is the most important purchase that people make and I truly feel the loud music at all hours would keep away potential buyers, also causing a hardship for the owners trying to sell. So many people will be seriously affected by this noise – for various medical reasons, there are owners who can't sleep at night, but only during the day, so the music during day will affect them too.

I have been told by others in this vicinity, that they can hear the music coming from Harley Davidson dealership across Loop 337 and Gruene Hall which is further away!! Can you even imagine how loud this music will be for all surrounding neighbors even past the 200 feet you indicated on the map. Many of which have owned and lived in their homes for many, many years. Their daily lives will change forever.

I respectfully ask that you please deny this special use permit request to allow outdoor music in the C-1 Local Business District and adjacent to residential use.

Sincerely,

Susann Graves
Property #8

Responses received from outside of the 200-foot Notification Area.

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-298 ms

Name: Alice Williams

I favor: _____

Address: 806 E. Torrey

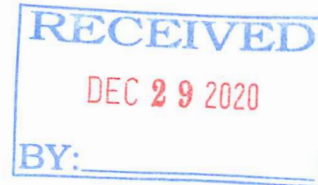
I object: ☒ (State reason for objection)

Property number on map: _____

Comments: (Use additional sheets if necessary)

I don't want the noise.

Signature: Alice Williams



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #SUP20-298 ms

Name: Anna Lisa + Daniel Tang

I favor: _____

Address: 524 Rock Street

I object: ☒ (State reason for objection)

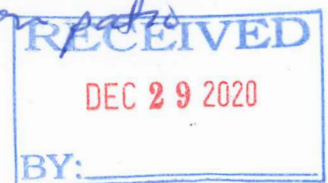
Property number on map: not on the map but nearby

Comments: (Use additional sheets if necessary)

Restaurant O.K
No loud music
on patio

Signature: _____

Anna Lisa Tang
Daniel D. Tang



1/5/2021

Agenda Item No. K)

Presenter/Contact*Aurora Hayes, Owner/Applicant*
(713) 416-6640; hayesa73@sbcglobal.net**SUBJECT:**

SUP20-299 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-3 Commercial District, addressed at 262 E. Nacogdoches Street.

BACKGROUND / RATIONALE:**Case No.:** SUP20-299**Council District:** 5**Applicant/Owner:** Aurora Hayes
11030 Endicott Lane
Houston, TX 77035
(713) 416-6640
hayesa73@sbcglobal.net**Staff Contact:** Holly Mullins
(830) 221-4054
hmullins@nbtexas.org

The subject property is located two blocks east of Seguin Avenue, between Business 35 and the railroad tracks, and is zoned C-3 Commercial District. The property contains an 830 square foot residence with detached garage.

The applicant is requesting a Special Use Permit (SUP) to allow short term rental (STR) of the property. The house has 2 bedrooms and 1 bath. Per the Zoning Ordinance, maximum occupancy of an STR with one bathroom is limited to 5 occupants.

The minimum off-street parking requirement for this proposed STR is 2 spaces, or one per sleeping room. The existing 90-foot long driveway can accommodate at least three cars. The Zoning Ordinance requires all parking areas to be paved with concrete, asphalt, or an alternative approved by the City Engineer. It appears the driveway may have been paved at one time, but there is little asphalt remaining today. The applicant states the driveway is so compacted that it is "essentially paved" and there is no present tracking of material into the right-of-way. She is requesting a code deviation as part of the SUP to not be required to repave the existing drive and increase impervious cover so close to the river.

Section 144-5.1 of the Zoning Ordinance requires all off-street parking areas to be properly graded for drainage; surfaced with concrete, asphaltic concrete, or asphalt; and maintained in good condition, free of weeds, dust, trash and debris. To address varying development, geologic and geographic situations, the City Engineer, at his or her discretion, may allow the use of substitute materials, such as paverstone or permeable pavement.

Recently, City Council has approved two short-term rental SUPs with deviations to the paving requirement. One was required to construct a concrete approach from the street pavement to the property line; the other was allowed to maintain an existing rock area adjacent to the concrete driveway for overflow parking and maneuvering.

If the SUP zoning is approved, a separate short-term rental permit is also required.

Surrounding Zoning and Land Use:

North - Across Nacogdoches Street, C-3/ Single-family residence

South - C-3/ Single-family residence

East - C-3/ Single-family residence

West - C-3/ Single-family residence

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area and their relationship to the area and to the City as a whole (*The site is centrally located within a short drive to many visitor attractions, and in an area containing a mix of residential and commercial uses, including two existing STRs.*);
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*There do not appear to be any conflicts with these elements.*);
- How other areas designated for similar development will be affected (*The proposed use should not impact other areas designated for similar development.*);
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*Short term rental standards help to ensure proper measures are in place to protect public health, safety and neighboring properties.*); and
- Whether the request is consistent with the Comprehensive Plan.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envisions New Braunfels Comprehensive Plan	Action 1.3 Encourage balanced and fiscally responsible land use patterns. Action 1.14 Ensure regulations do not unintentionally inhibit the provision of a variety of flexible and innovative lodging options and attractions. Future Land Use: The property is situated within the New Braunfels Sub-Area, in close proximity to a Recreational River Corridor and Existing Tourist/Entertainment, and Outdoor Recreation Centers.
---	--

FISCAL IMPACT:

If approved, the property will be subject to local and state hotel occupancy tax (HOT).

STAFF RECOMMENDATION:

Approval in accordance with the ordinance requirements, including the following conditions:

1. The residential character of the property must be maintained.
2. Off-street parking for at least two cars (9' x 36') will be paved with asphalt, concrete, or other material approved by the City Engineer, and the driveway approach paved with concrete per City standards.
3. The property will remain in compliance with the approved site plan. Any significant changes to the site plan will require a revision to the SUP.
4. Occupancy is limited to a maximum of 5 guests.
5. All other standards of the Zoning Ordinance will also be met.

Notification:

Public hearing notices were sent to 15 owners of property within 200 feet of the request. To date, the City has received no responses.

RESOURCE LINKS:

- Chapter 144, Sec. 3.3-7 (C-1) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_C H144ZO_ARTIIIIZODI_S144-3.3ZODIREPRZOPRJU221987
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_C H144ZO_ARTIIIIZODI_S144-3.6SPUSPE
- Chapter 144, Sec. 5.17 (Short-term Rental) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_C H144ZO_ARTVDEST_S144-5.17SHTEREOC

ATTACHMENTS:

1. Aerial Map
2. Application, Site Plan and Floor Plan
3. Land Use Maps (Zoning, Existing, Future Land Use, Short Term Rental)
4. Notification Map
5. Photograph



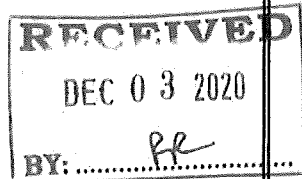
SUP20-299
SUP to allow for short term rental



Planning & Community Development Department
Planning Division
550 Landa St. New Braunfels, TX 78130
(830) 221-4050 www.nbtexas.org

CC/Cash/Check No.: 122
Case No.: SUP20-299
Amount Recd. \$ 1,565.00
Receipt No.: 24562

Submittal date - office use only



Special Use Permit for Short Term Rental Application

Any application that is missing information will be considered incomplete and will not be processed.

1. Applicant - If owner(s), so state; If agent or other type of relationship, a letter of authorization must be furnished from owner(s) at the time submitted.

Name: Aurora Hayes
Mailing Address: 11030 Endicott Lane
Telephone: _____ Fax: _____ Mobile: 713-416-6640
Email: hayesa73@sbcglobal.net

2. Property Address/Location: 262 E. Nacogdoches New Braunfels 78130

3. Legal Description:
Name of Subdivision: New Khueker Addition
Lot(s): 5 Block(s): 1050 Acreage: 0.1915

4. Existing Use of Property: Residential / Personal A1

5. Current Zoning: C3 Commercial / Residential

*Please note Short Term Rentals are prohibited in the following residential districts, & a Special Use Permit could not be requested:

- R-1 • ZH • TH • R-1A-43.5 • R-1A-8 • R-2A • B-1B
- R-2 • ZH-A • B-1 • R-1A-12 • R-1A-6.6 • B-1A • TH-A

6. Proposed Special Use Permit*: Type 1 _____ OR Type 2 ☒ ✓
*see page 4 for Information regarding Type 1 and Type 2 Special Use Permits

7. Explain how the proposed Short-Term Rental use will be well suited for the neighborhood (attach additional or supporting information if necessary): Having a short-term Rental use will allow more visitors to enjoy what New Braunfels has to offer. This will bring in more revenue for the city through surrounding businesses - (ie restaurants, shops, tubing, farmer's market, movie theatre, etc.)

1 CAR GARAGE
12 ft. wide x 20.3 ft.
long

BACK
DOOR

From the fence to the side of the driveway it is
25 ft. wide. Plenty of room for 2 cars side by
side

BEDROOM

KITCHEN

DINING

ONE FLOOR-HOUSE
IS 830.06 Sq.Ft.

BATHROOM

DRIVEWAY IS FILLED IN FOR
BETTER VIEW

IT IS 16 ft. wide and 93 ft.
long from the pole to the
garage doors.

Plenty of space for the
required amount of 3 vehicles

LIVING ROOM ALL OPEN
CONCEPT

BEDROOM

34.3'

FRONT
DOOR

FRONT PORCH

12'

December 23, 2020

1. Paved by definition is- A piece of ground covered with concrete, asphalt, stones, or bricks. (my driveway has a base of bulk all purpose sand, covered with pavestone specifically crushed blue stone that has been seasoned for decades therefore by definition it is a paved driveway.
2. Although it APPEARS there is no currently pavement/surface, if you would do further inspection, then it will no longer appear to be unpaved. You will find that it is indeed paved.
3. After the conclusion of further inspection, it will be apparent that it is a hard surface IE a road or a driveway.
4. Based on the facts that I have stated, I know that you will agree that my home at 262 E Nacogdoches is in full compliance.

Pavement by definition-

: **material (such as stone, tar, or concrete)** that is used to form the **hard surface of a road, driveway, etc.** : the hard surface of a road, driveway, etc.

See the full definition for paving in the English Language Learners Dictionary

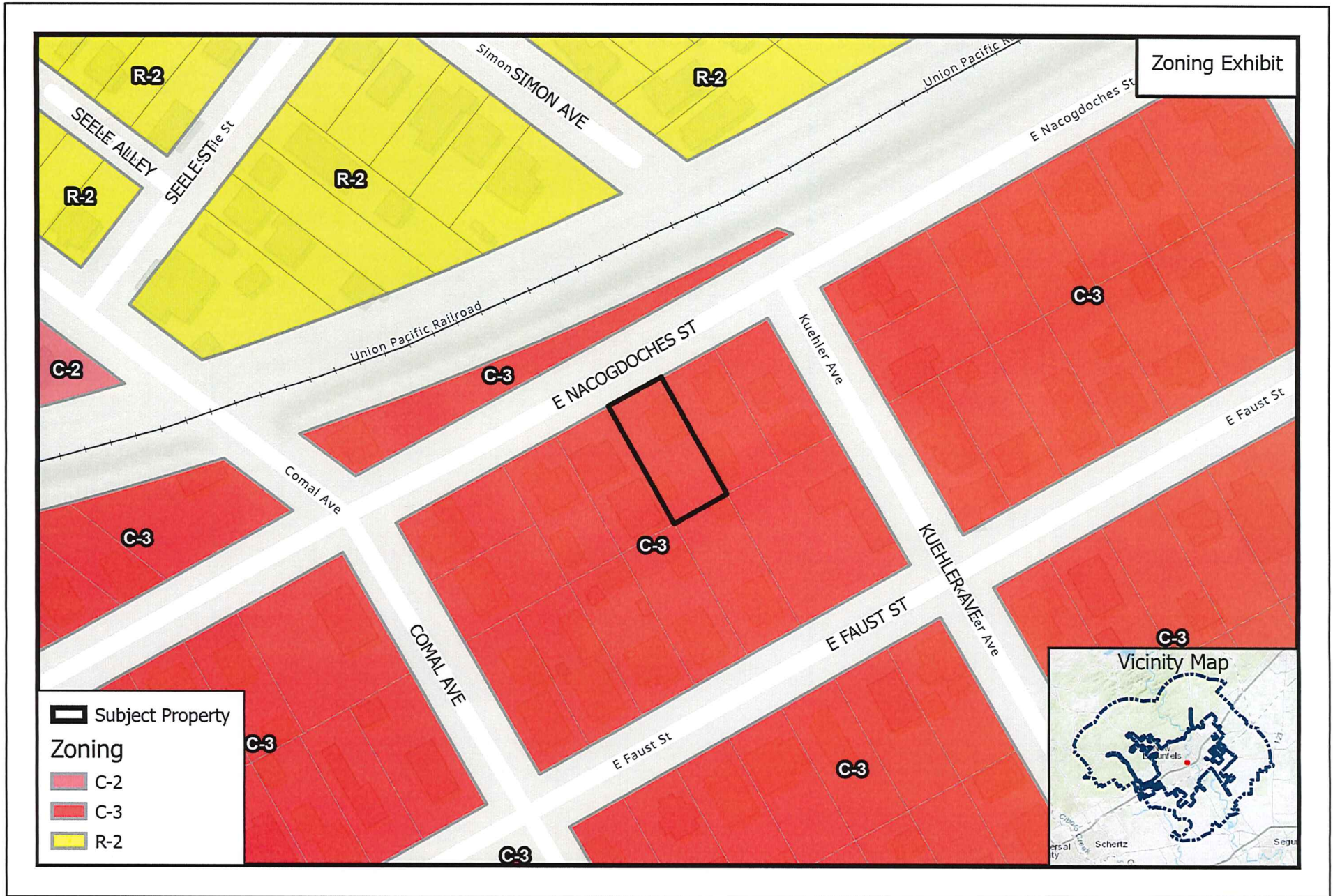
[Paving | Definition of Paving by Merriam-Webster](#)



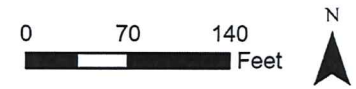
www.merriam-webster.com/dictionary/paving

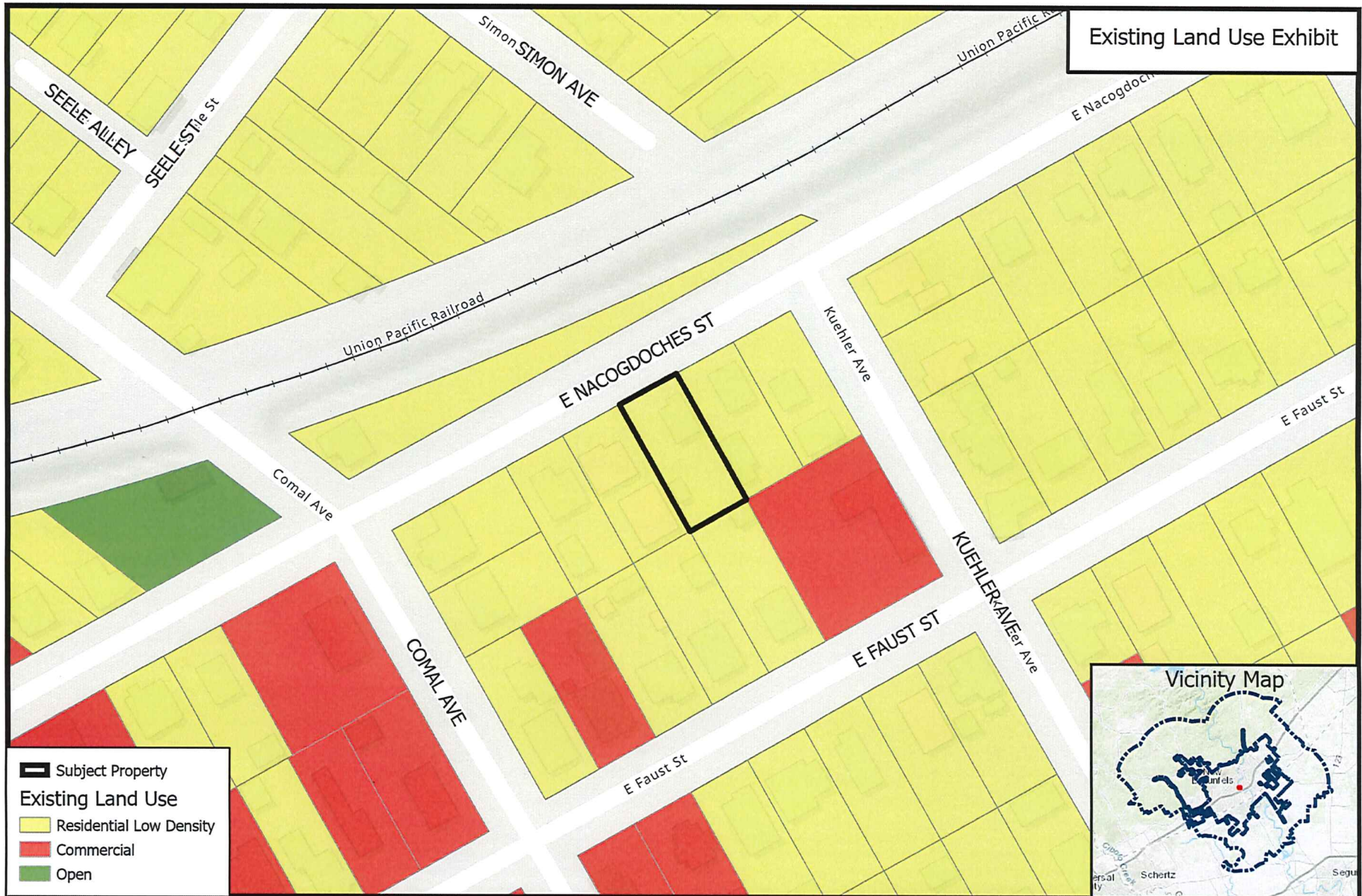
Happy Holidays!

Aurora Hayes

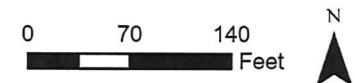


SUP20-299
SUP to allow for short term rental





SUP20-299
SUP to allow for short term rental



Path: \\chfs-1\Departments\Planning\ZoneChange-SUP-Replats\2020\SUP20-299 - 262 E

Source: City of New Braunfels Planning
 Date: 12/16/2020

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or variances which may exist.

EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

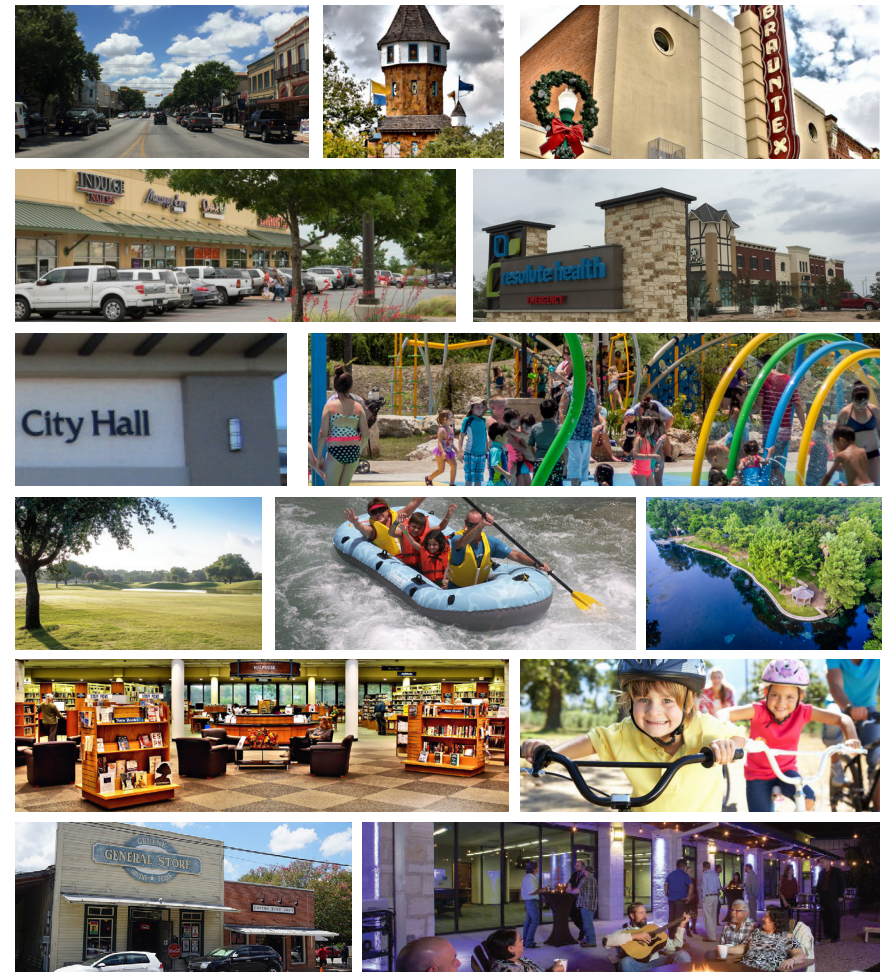
Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.



FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.

PLANNING COMMISSION – JANUARY 5, 2021– 6:00PM

Zoom Meeting

Applicant/Owner: Aurora Hayes

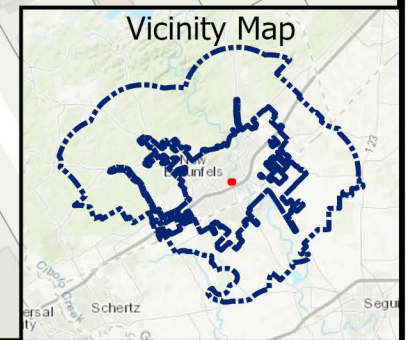
Address/Location: 262 E. Nacogdoches Street

PROPOSED SPECIAL USE PERMIT – CASE #SUP20-299

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|---|-------------------------------|
| 1. YOUNG RICHARD & KATIE | 9. VALDERRAMA CATHY L H |
| 2. LOPEZ FRANCES | 10. WIRT KEVIN S & KELLE P |
| 3. DOYLE FRANCIS W & MARGARET J RVCBL LVNG TRST | 11. DERKACZ PROPERTIES LLC |
| 4. SAENZ DIANA | 12. CASTILLO OSCAR & MARTHA O |
| 5. PANOZZO DARRELL | 13. SILVA LUCAS M & MARIA M |
| 6. BYRD ANDREA L | 14. COLEMAN DOROTHY E |
| 7. RICHTER RENATE E | 15. MEZA CLARA |
| 8. GRIMM DORIS M | |

SEE MAP





Subject Property



Driveway

1/5/2021

Agenda Item No. L)

Presenter/Contact*James Ingalls, Applicant*
(830) 358-7127; jamesingalls@ma-tx.com**SUBJECT:**

SUP20-300 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow an RV resort on approximately 28 acres consisting of Lot 1D-R Walnut Heights Subdivision and approximately 24 acres out of the J M Veramendi A-2 Survey, located in the 700 block of N. Walnut Avenue.

BACKGROUND / RATIONALE:**Case No.:** SUP20-300**Council District:** 1

Applicant: James Ingalls, PE
Moeller & Associates
2021 SH 46 West, Suite 105
New Braunfels, TX 78132
(830) 358-7127 jamesingalls@ma-tx.com

Owner: Gary Henry
Liberty Partnership Ltd.
600 N. Hickory Avenue
New Braunfels, TX 78130

Staff Contact: Holly Mullins
(830) 221-4054 hmullins@nbtexas.org

The subject property is located west of N. Walnut Avenue, between the two sets of Union Pacific railroad tracks. It consists of approximately 28 acres, zoned as follows:

- 18.5 acres zoned M-1 Light Industrial (unplatted);
- 5 acres zoned R-2 Single and Two-family (unplatted); and
- 4.43 acres of C-1 Local Business District (Lot 1D-R Walnut Heights)

Over 50% of the property (approximately 16 acres) is located within the Dry Comal Creek floodway and/or 1% annual chance floodplain.

The Special Use Permit (SUP) request was originally submitted as a Type 2 SUP with a site plan for the resort. Staff did not have sufficient information to fully evaluate the feasibility of the site plan as it relates to the floodplain, access, and other concerns. Providing this information will require a drainage study which is an additional expense for the applicant without knowing if the use itself would

be acceptable at this location.

Therefore, it is recommended by staff for the request to be split into two SUP requests. This initial request is being submitted as a Type 1 SUP to allow the proposed use of the property as an RV park. If an RV Park is found to generally be acceptable at this location, staff recommends a condition the applicant submit a follow-up Type 2 application with a detailed site plan and complete information for it to be further evaluated for safety in the flood zones.

Considerations unique to this property:

- Platted Lot 1D-R has two points of access from Walnut Avenue: one is adjacent to the railroad right-of-way where a raised median prohibits left turns into or out of the property; and, the other is a 60-foot wide shared access driveway with the medical office on Lot 1C. (The applicant intends to utilize only the shared access drive. This will be reviewed with the Type 2 SUP application.)
- The unplatted portion of the property currently has access only from the terminus of Bavarian Drive. (The applicant intends to create a gated emergency-only access at this point. This will be reviewed with the Type 2 SUP application.)
- The site is situated between Dry Comal Creek and the railroad tracks, with approximately 12 acres located outside the floodplain, limiting development options.
- Dry Comal Creek is known as a flash flood area where at times there is little advance warning of rising water. Other RV Parks in the community that are in or near floodways incorporate formal emergency evacuation plans.
- Another SUP request for an RV park within the City limits (FM 306/Hunter Road) met with substantial neighborhood objection, as did a previous SUP request on a portion of the subject property for a dance hall.)
- Because most of the property sits over 750 feet from Walnut Avenue, it may not be well-suited for retail and other commercial uses where high visibility is important. Likewise, the flood prone areas make most of the property unsuitable for permanent residential or commercial structures.

Surrounding Zoning and Land Use:

North - Across railroad, M-1, R-3/ Commercial, Multifamily

South - R-2, R-3, C-1 / Multifamily, Single-family residences

East - Across Walnut, M-1/ Commercial

West - M-1/ Undeveloped

Determination Factors:

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area and their relationship to the area and to the City as a whole *(The site takes access from a Principal Arterial, Walnut Avenue. The proposed RV park provides a use where the few permanent structures can be located outside of the floodway/floodplain while allowing development of the remainder of the property. If the use is approved, specific details of the site plan will be reviewed for appropriateness and compliance with City codes and development standards. Approval of the Type 1 SUP does not guarantee approval of the second Type 2 SUP, as the second SUP is specific to the site development and related impacts on the surrounding property and community.);*

- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area. *(There do not appear to be any conflicts of the use with these elements. Site development impacts will be reviewed with the Type 2 SUP, if submitted.);*
- How other areas designated for similar development will be affected *(The proposed use should not impact other areas designated for similar development.);*
- Any other factors that will substantially affect the public health, safety, morals, or general welfare; *(Floodplain and drainage issues, as well as access, will be specifically addressed with the site plan as part of the Type 2 SUP to follow if the proposed use is approved with the Type 1 SUP.)*
- Consistency with the Comprehensive Plan:

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Consistent Actions: Action 1.3: Encourage balanced and fiscally responsible land use patterns. Action 1.6: Incentivize infill development and redevelopment to take advantage of existing infrastructure. Action 1.14: Ensure regulations do not unintentionally inhibit the provision of a variety of flexible and innovative lodging options and attractions. Future Land Use: The property is situated within the New Braunfels Sub-Area, along a Mixed-Use Transitional Corridor.
--	--

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval of the proposed use as a Type 1 SUP with the following conditions:

- A Type 2 SUP application with detailed site plan addressing all City code requirements including but not limited to access, drainage, and flooding emergencies.
- Any proposed deviations to the code must be submitted and approved prior to issuance of permits or development of the subject property as an RV park.

Notification:

Public hearing notices were sent to owners of 43 properties within 200 feet of the request. To date, the City has received no responses.

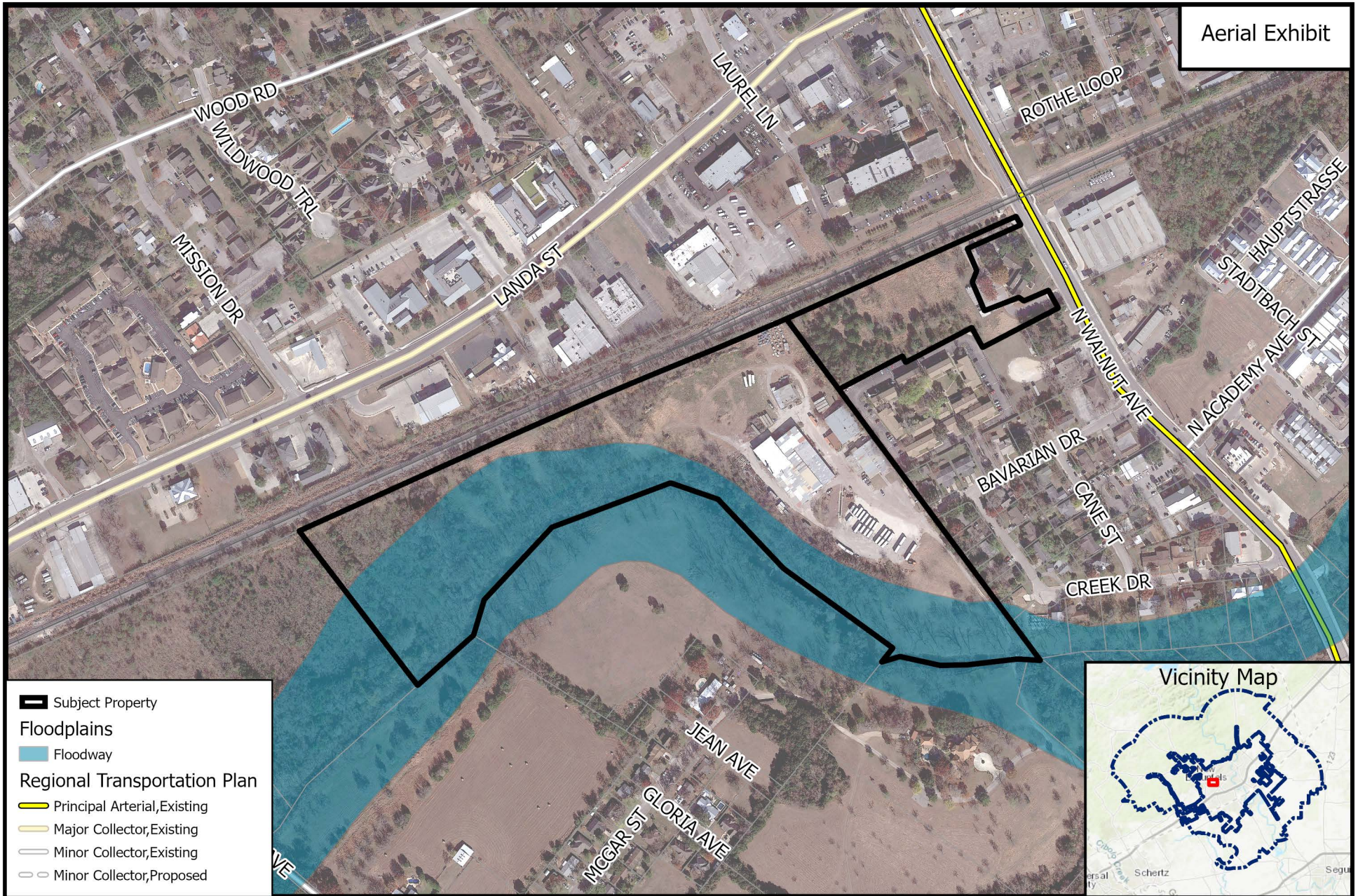
RESOURCE LINKS:

- Chapter 144, Sec. 3.3-2 (R-2), Sec. 3.3-7 (C-1) and Sec. 3.3-11 (M-1) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:
https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

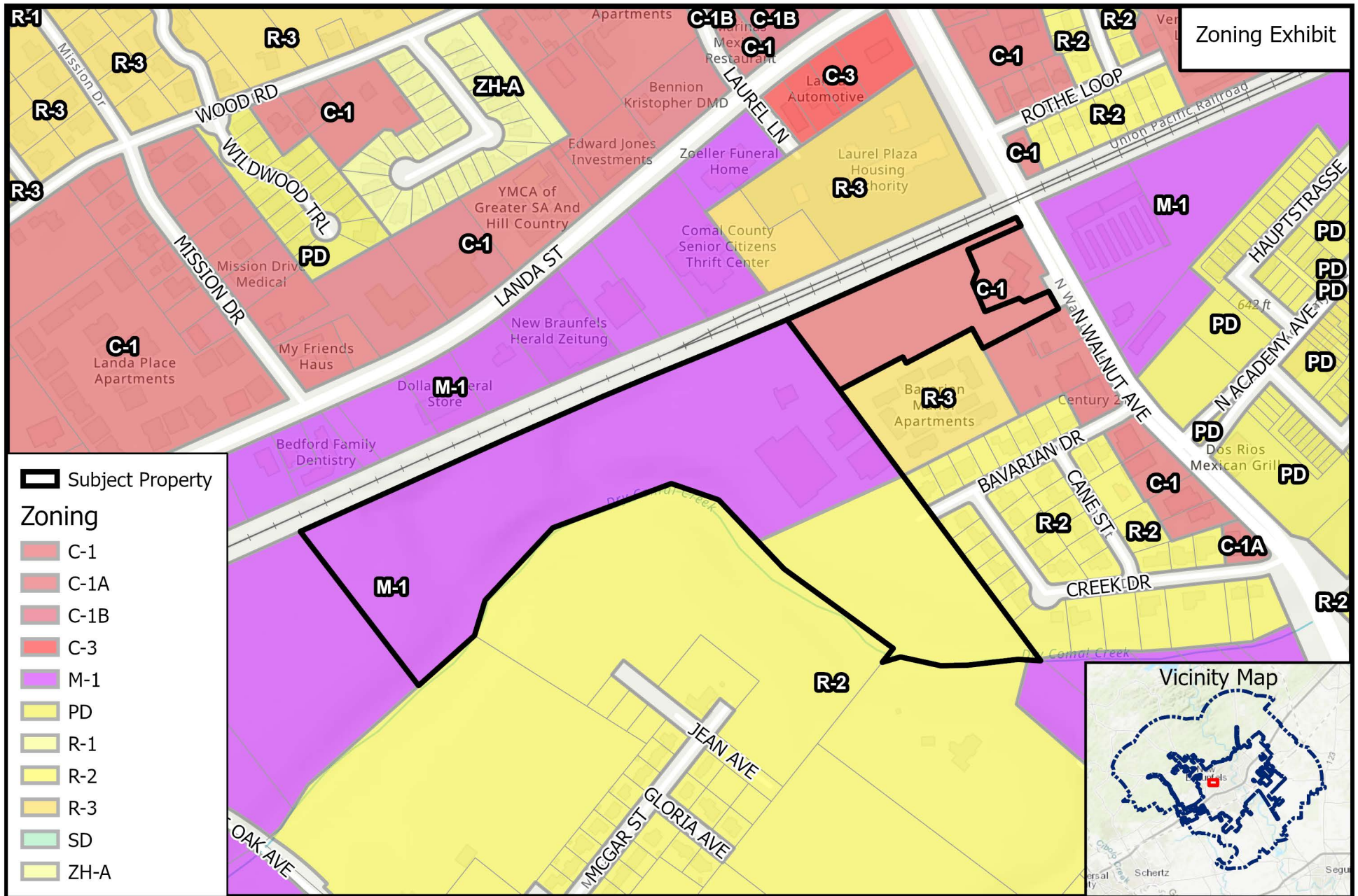
ATTACHMENTS:

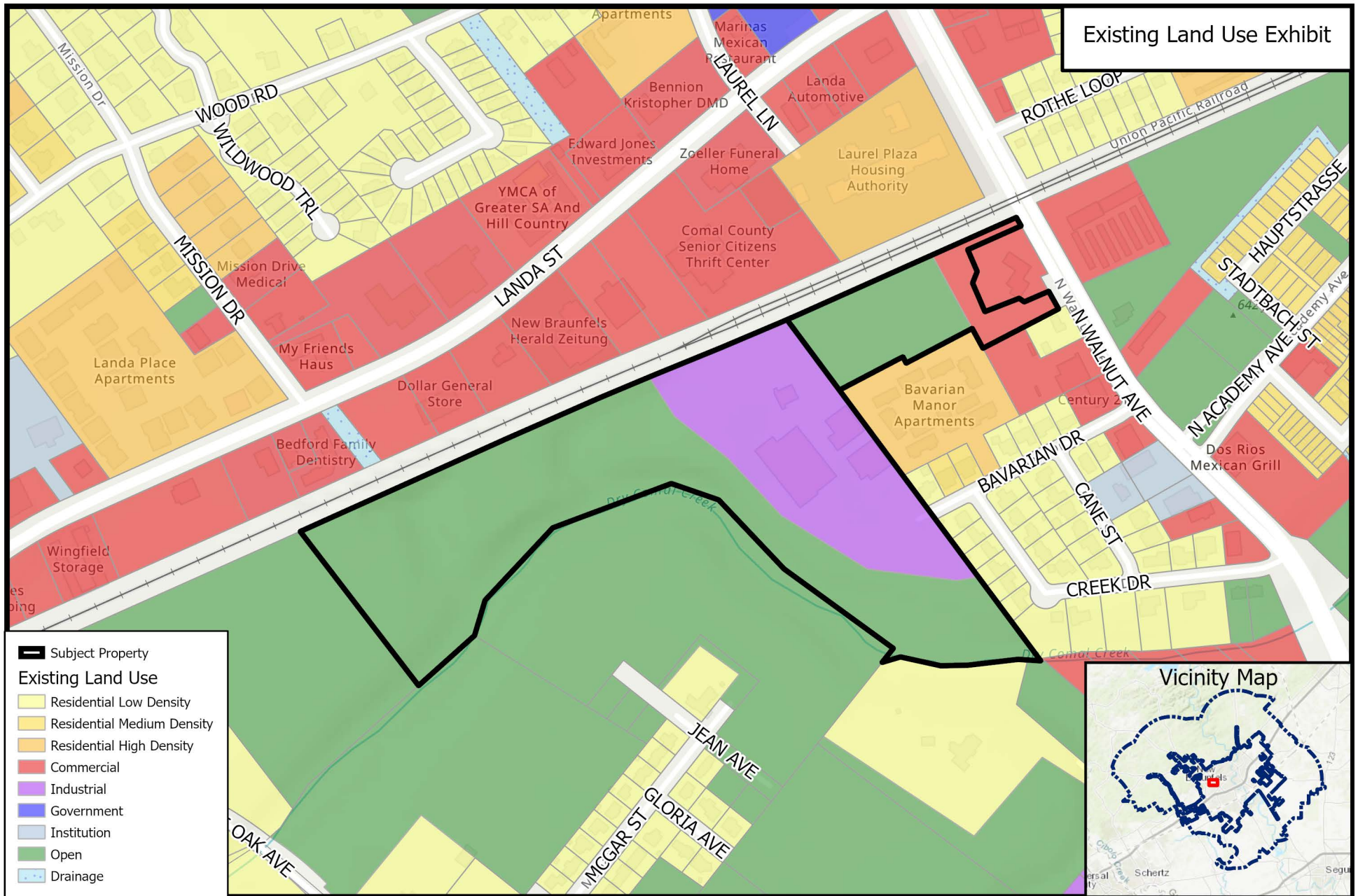
1. Aerial Map
2. Land Use Maps (Zoning, Existing, Future Land Use, Short Term Rental)

3. Notification Map



SUP20-300
SUP to allow for an RV resort





SUP20-300
SUP to allow for an RV resort

0 240 480
Feet



EXISTING CENTERS

Centers are the middle, core or heart of an area. It is a point of activity and vitality. Centers come in many sizes and have different purposes or activities within. They may have endangered species habitat or aquifer recharge areas that require additional standards and consideration relating to future growth. It is envisioned that all centers be walkable, connected, and have a mix of uses. These centers must provide adequate infrastructure to support the commercial development present especially mobility and access for pedestrians, bicycles, vehicles and transit. Given the mixed-use nature of these centers, parking should be shared and not detract from the aesthetic of the area.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

MEDICAL CENTER

Medical Centers are mixed-use areas centered around a medical destination such as a hospital or clinic.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers center around a public or private outdoor destination such as Landa Lake.

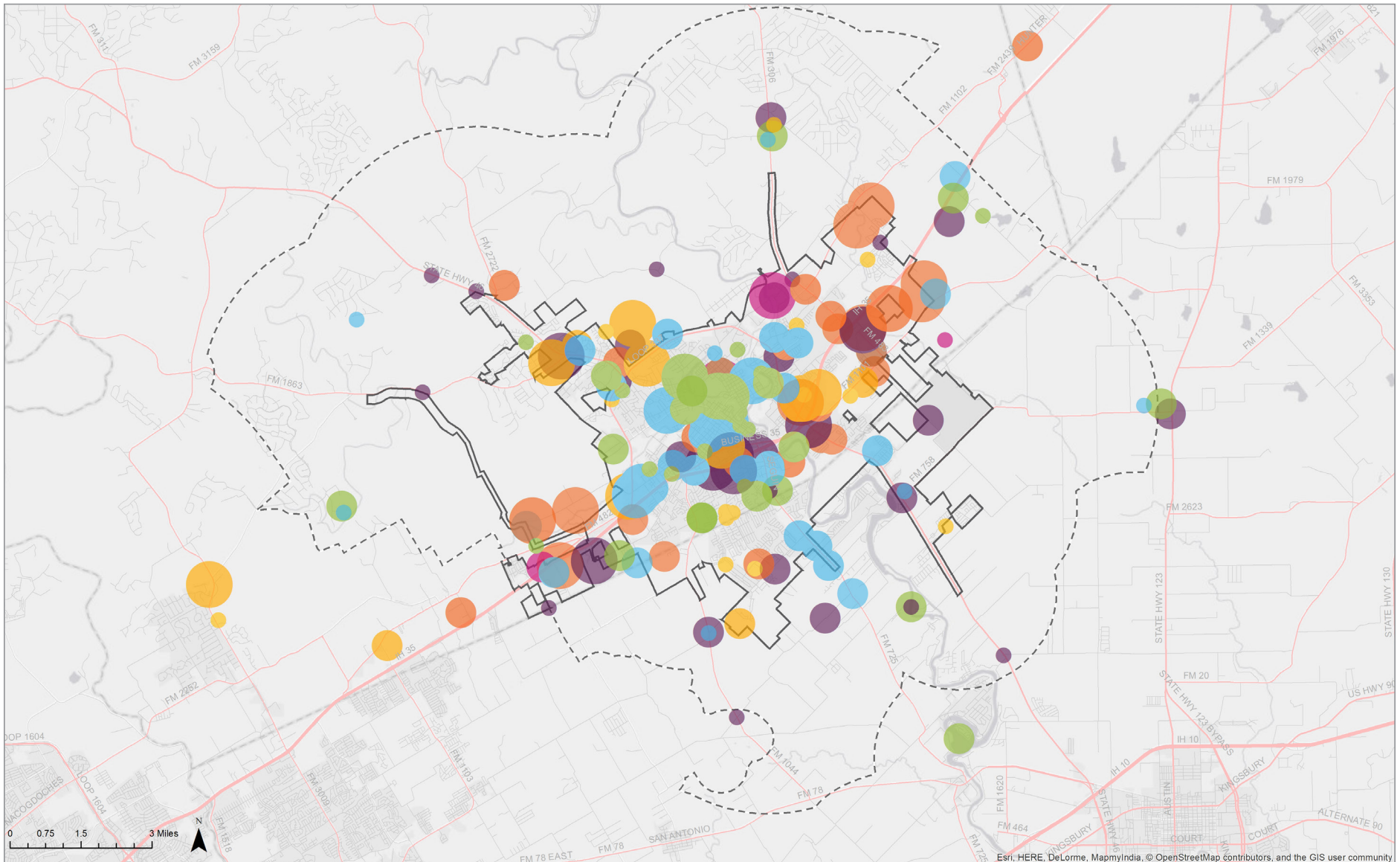
EDUCATION CENTER

Education Centers are mixed-use areas centered around an educational destination such as a K-12 school or university/college.

TOURIST/ENTERTAINMENT CENTER

Tourist/Entertainment Centers are mixed-use areas around an entertainment venue such as Gruene Hall or a tourist destination such as the Tube Chute.





The location of existing centers was determined through the analysis of previous studies and background documents, windshield surveys, and reviewed by City staff, Steering Committee members, and Plan Element Advisory Group members during a public workshop.

FUTURE LAND USE PLAN

A future land use plan is how land is envisioned to be. It establishes priorities for more detailed plans (sub area plans) and for detailed topical plans (such as parks and open spaces, trails and roads). It cannot be interpreted without the goals and actions of Envision New Braunfels.

TRANSITIONAL MIXED-USE CORRIDOR

Transitional Mixed-Use Corridors express an aspiration to retrofit existing auto-dominated retail corridors with a mix of uses and a variety of travel modes over time.

OUTDOOR RECREATION CENTER

Outdoor Recreation Centers are centered around a public or private outdoor destination like Fischer Park.

EMPLOYMENT CENTER

Employment Centers are mixed-use areas centered around office or industrial uses that can support significant employment.

MARKET CENTER

Market Centers are mixed-use areas anchored by a retail destination where surrounding residents go to get daily goods and services.

CIVIC CENTER

Civic Centers are mixed-use areas centered around a civic destination such as City Hall, a library or a recreation center.

SUB AREA 1

Sub Area 1 includes the Downtown, Gruene and the Mid-Century or older neighborhoods that surround them. It is home to the natural springs and headwaters of flowing rivers that have attracted New Braunfelsers to the town for centuries.

SUB AREA 2

Sub Area 2 refers to the neighborhoods and residential enclaves that have grown alongside the Hill Country landscape.

SUB AREA 3

Sub Area 3 includes a planned community offering a diversity of housing, distinct community centers and preserved Hill Country landscape features.

SUB AREA 4

At the heart of Sub Area 4 is Fischer Park. Proximity to IH-35, downtown and neighboring communities like McQueeney makes this area highly desirable and accessible.

SUB AREA 5

Sub Area 5 bridges together many communities east of IH-35. It includes the scenic landscape along both banks of the Guadalupe River between Highway 46 and FM 725.

SUB AREA 6

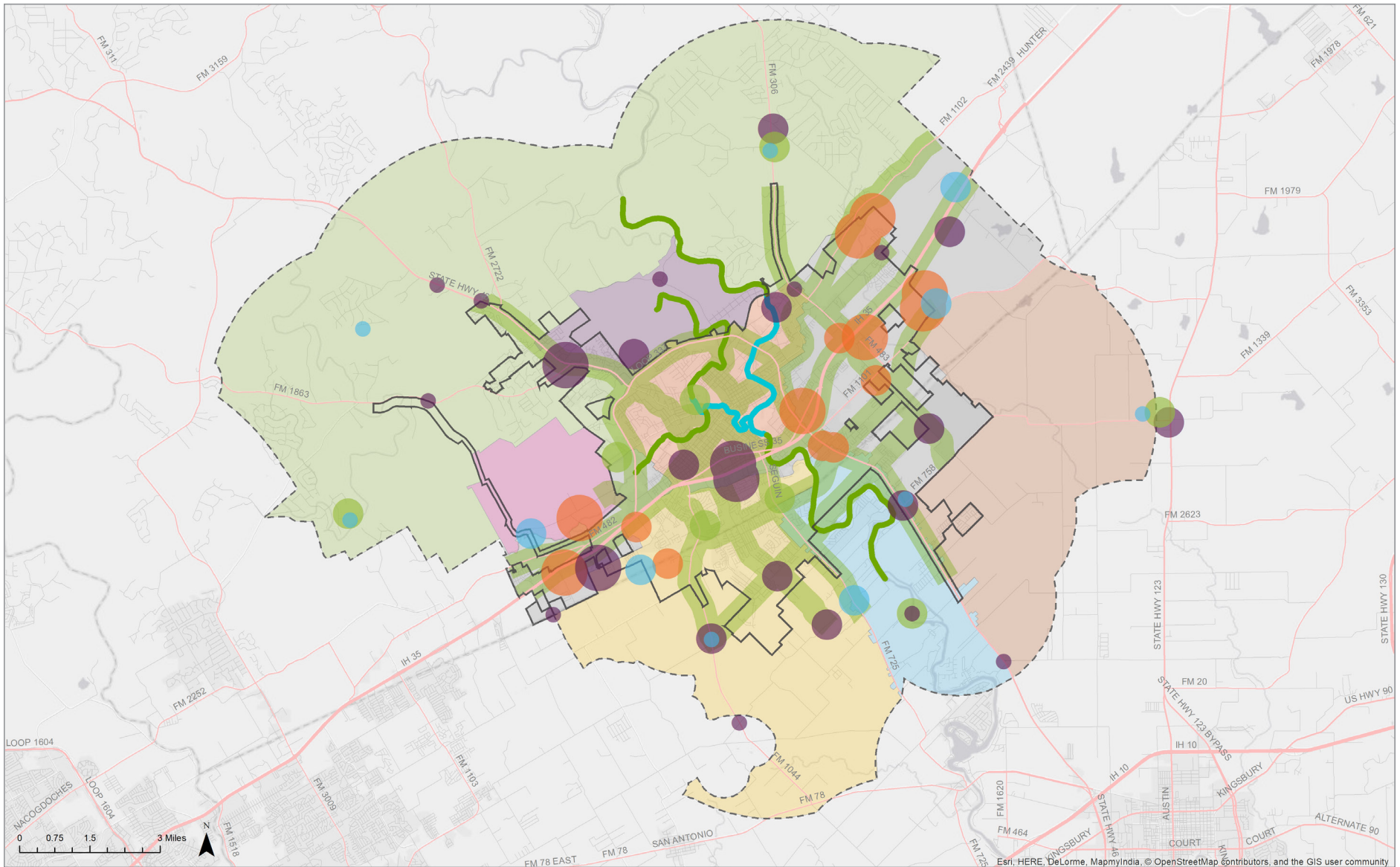
Sub Area 6 expresses an aspiration for conservation communities focused around maintaining and enhancing ecological integrity while allowing some level of development to occur.

SUB AREA 7

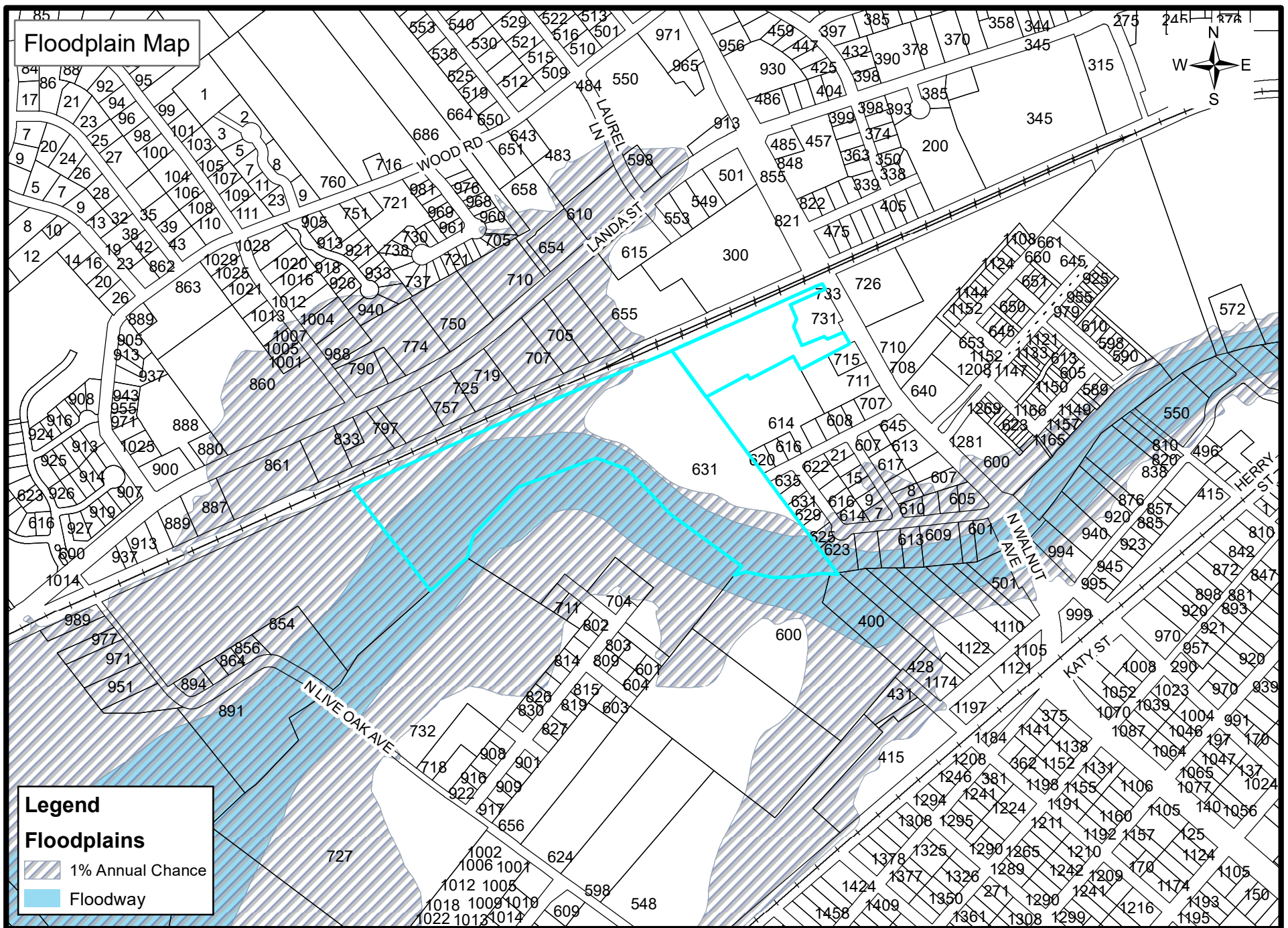
Sub Area 7 includes parts of the city currently being mined for natural resources. These sites may become parks and open space, mixed-use communities or new commercial or entertainment areas in the future.

SUB AREA 8

This fast-growing Sub Area includes many neighborhoods offering affordable places for young families to live.



A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. Preferred future growth scenario combines Scenarios A and C per recommendations of the Envision New Braunfels Steering Committee (February 2018). Exact boundaries of sub areas, centers, and corridors may be [zoomed and viewed online](#).



PLANNING COMMISSION – JANUARY 5, 2020– 6:00PM

Zoom Meeting

Applicant/Owner: James Ingalls

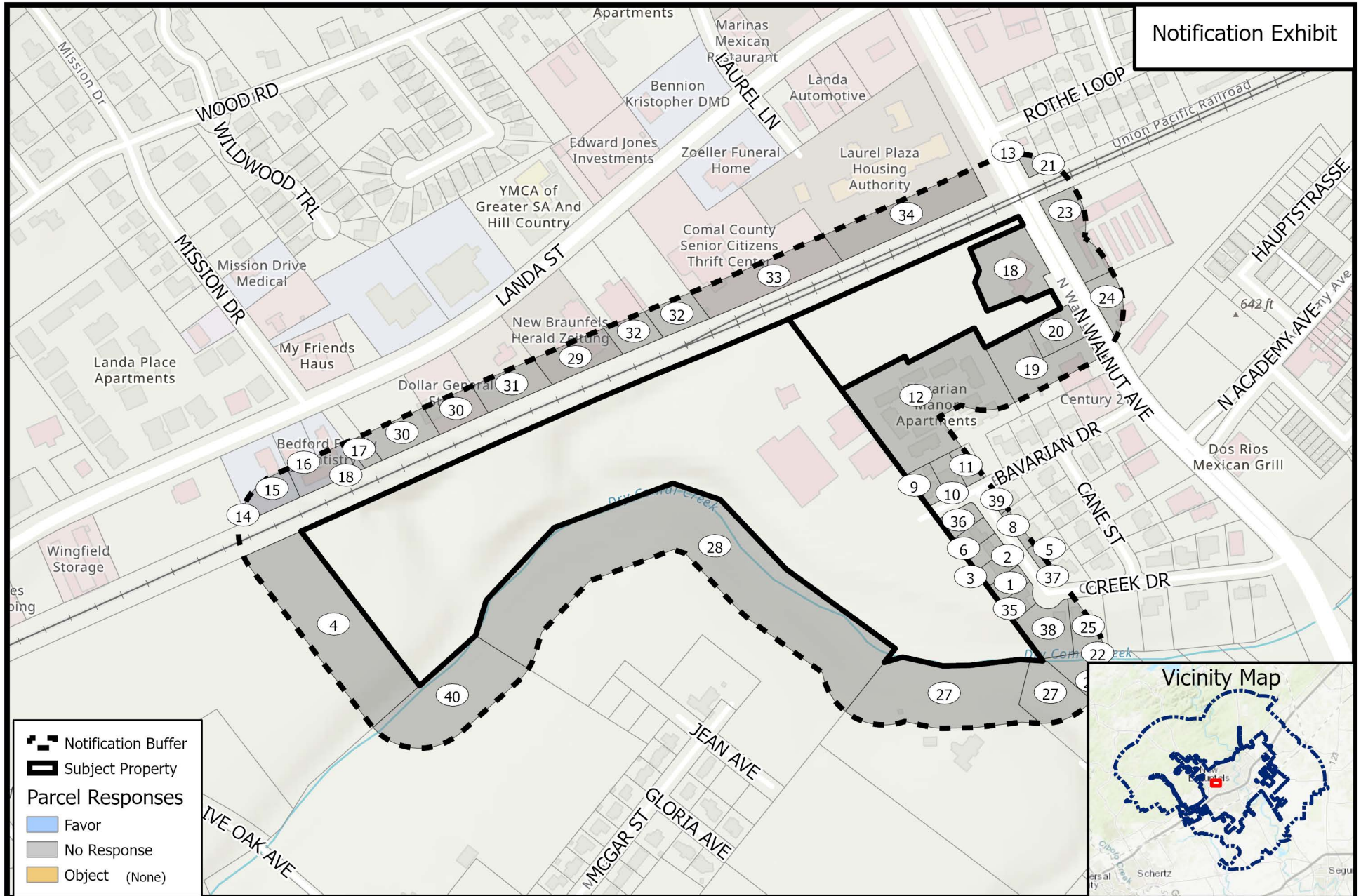
Address/Location: Approximately 28 acres in the 700 block of N. Walnut Avenue (see exhibit)

PROPOSED SPECIAL USE PERMIT – CASE #SUP20-300

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|------------------------------------|---|
| 1. ARREDONDO GLORIA & ROBERTO | 22. HANSMANN ROY L ET AL |
| 2. ELIAS JESUS | 23. SYDENSTRICKER DELORES JEAN |
| 3. SODDERS PROPERTIES LLC | 24. CLASSEN WAYNE |
| 4. TRISTAN BRANDON & CLAUDIA | 25. TALCOTT THOMAS L & CATHY C |
| 5. DEAN BARBARA H | 26. SCHRIEWER PROPERTIES LLC |
| 6. THOMAS MARILYN | 27. WALNUT CENTRE LLC |
| 7. PITTMAN JEANETTE | 28. WILLEFORD DWAYNE S |
| 8. WOOLSEY ASHLEY N | 29. NB 24 HOUR CLUB |
| 9. DUNLAP RUTH K | 30. HENRY GARY L & JANA G |
| 10. RENEAU SHAWN M | 31. RIEDEL BRANDON & AMBER H |
| 11. RENEAU NATHAN | 32. 7075PLS LP |
| 12. T G 104 INC | 33. ARC DGNBFTX001 LLC |
| 13. NEWMAN JOEL | 34. SOGGY PESO INVESTMENTS LLC |
| 14. AGARITA PROPERTIES LTD | 35. JLFH INVESTMENTS LLC |
| 15. GATHANY FAMILY LTD PARTNERSHIP | 36. COMAL COUNTY SENIOR CITIZENS FOUNDATION |
| 16. KNEUPER S J & R R LIVING TRUST | 37. HOUSING AUTHORITY OF CITY OF N B |
| 17. NEW BRAUNFELS CITY OF | 38. RECTOR ROBERT J & SARAH |
| 18. BEDFORD DONALD B ET AL | 39. JENNY COX III LP |
| 19. MORRISON RON & CAROLYN C | 40. CINOTTO DAVID J & CHRISTINA M |
| 20. PUREBRAUN LLC | 41. CRUZ J REFUGIO |
| 21. STAR PARTNERSHIP | 42. WOOLSEY JULIE R |
| | 43. PFEFFER SHANE D & SHEILA M |

SEE MAP



1/5/2021

Agenda Item No. M)

Presenter/Contact

*Garry Ford, Jr., Assistant Public Works Director/City Engineer
(830) 221-4020 - gford@nbtexas.org*

SUBJECT:

Discuss and consider a recommendation to City Council regarding the removal of a segment of the Minor Arterial identified in the City of New Braunfels Regional Transportation Plan that is the future extension of County Line Road from FM 1044 to Engel Road.

BACKGROUND / RATIONALE:

The City of New Braunfels received an Application for Regional Transportation Plan Amendment requesting removal of a segment of the Minor Arterial in the Regional Transportation Plan (RTP) that is the future extension of County Line Road from FM 1044 to Engel Road. The application included a subdivision site plan for the "1845 Subdivision" that is noncompliant with the City's subdivision regulations.

The County Line Road Minor Arterial thoroughfare runs south of and parallel to IH 35 from Engel Road north to Barbarosa Road. Existing segments include County Line Road from FM 1044 to south of the Guadalupe River and Alves Lane from State Highway 46 to Barbarosa Road. The current right-of-way dedication requirement for a Minor Arterial is 120 feet and the developer may be required to construct two lanes if supported by a traffic impact analysis (TIA).

The RTP is the City's adopted plan for guiding thoroughfare system improvements, including the existing and planned extension of city streets and highways. The thoroughfare system is comprised of existing and planned interstates, expressways, parkways, arterials, and collectors which require wider or new rights-of-way. The primary objective of the RTP is to ensure the dedication of adequate right-of-way on appropriate alignments and of enough width to serve existing and future transportation needs. The Texas Local Government Code allows the City to require development plans and subdivision plats to conform to the general plan for current and future roadways.

City staff communicated the Minor Arterial thoroughfare requirements with the property owner through predevelopment meetings, traffic impact analysis scoping meeting, and a meeting with the property owners, their attorneys, and City staff and Counsel. In March 2020, New Braunfels Utilities (NBU) notified the City that they received a request for electric service design and that subdivision layout was inconsistent with the City's RTP. The City and NBU informed the property owner that the subdivision site plan was noncompliant with the city's subdivision regulations and could not be accepted.

In addition to the request to remove the Minor Arterial thoroughfare, the City received a request to conduct a rough proportionality analysis for the proposed subdivision. The analysis was completed in accordance with State Law and concluded that the proposed development is roughly proportionate

based on the noncompliant subdivision site plan and TIA. The rough proportionality analysis may be updated based on a compliant site plan that considers the future thoroughfare.

City staff reviewed the request based on the thoroughfare connection, current and future transportation mobility needs, and compliance of the Minor Arterial thoroughfare with nearby developments. As previously stated, the subject Minor Arterial thoroughfare is parallel to IH 35 and is critical for mobility south of the highway. The thoroughfare has been on the plan since at least 2005 and provides a connection to the future Parkway between IH 35 and FM 1044. FM 1044 currently ends at the IH 35 northbound frontage road which is a limitation of the existing arterial.

The Capital-Alamo Connections Study, a TxDOT initiated a study to develop bi-regional strategies to enhance mobility within the greater Austin-San Antonio region, identified the limited availability of alternatives to IH 35 and designating, prioritizing, and coordinating arterial improvements in regional and local thoroughfare plans as a key strategy to address future mobility needs. Furthermore, the study indicated that a most trips are for local travel and the completion of the County Line Road extension from FM 1044 to Engel Road will improve mobility.

The master planned developments of Highland Grove, Highland Gardens, Morningside Hills, and Morningside Trails have provided the right-of-way dedication for the Minor Arterial between FM 1044 and Engel Road. Morningside Hills is planned to have a segment of the arterial constructed to serve the development and Highland Grove has also provided the right-of-way dedication for the future Parkway that will connect to Rueckle Road and IH 35.

Removal of a segment of the Minor Arterial that is the future extension of County Line Road south of FM 1044 is not recommended. The removal will create a gap between FM 1044 and Highland Gardens with no other alternative to make the roadway connection. Thoroughfares on the RTP represent a generalized location and can be refined to meet local site conditions. Modifications to the site plan, zoning, and other adjustments to the roadway network, drainage facilities, intersections, and access will allow for various development scenarios. City staff is willing to work with the property owner to fully develop the site and meet the City's development and transportation requirements.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

Envision New Braunfels Comprehensive Plan	ACTION 7.50 [POLICY]	Ensure the thoroughfare plan includes and ordinances require adequate dedication and reservation of right-of-way for future roadways.
Envision New Braunfels Comprehensive Plan	ACTION 7.53 [PLAN INITIATIVE]	Upgrade existing arterials and major collectors and identify new alignments to create a network of expressway or parkway functional classification roadways. Create a plan by 2020; complete construction by 2040.

Envision New Braunfels Comprehensive Plan	ACTION 7.56 [PROJECT]	Identify missing linkages across town that create barriers to efficient mobility (e.g. the Town Creek neighborhood connections to Downtown and Landa Street, Guadalupe River crossings southwest of Cypress Bend Park and another on the east side of IH-35, parallel routes to Hwy 46 South, etc); implement a plan to construct.
Envision New Braunfels Comprehensive Plan	ACTION 7.59 [PLAN INITIATIVE]	Address future infrastructure needs when roadways are built by planning for infrastructure not necessarily needed at the present, but what will be needed in the future.

FISCAL IMPACT:

The fiscal impact is unknown.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff does not recommend removal of a segment of the Minor Arterial identified in the City of New Braunfels Regional Transportation Plan that is the future extension of County Line Road from FM 1044 to Engel Road.



APPLICATION FOR REGIONAL TRANSPORTATION PLAN AMENDMENT

Planning and Community Development
550 Landa Street, New Braunfels TX 78130
Phone: (830) 221-4050

Case No. AMD 20-243

FEE: \$927

(\$900 application fee + \$27 technology fee (3%))

Owner: Michael C. Kramm, Kelvin Henry Kramm, Corrie Lea Fey

Address: PO Box 785, Marble Falls, TX 78654

Telephone: (512) 644-7889 Email: mkramm60@gmail.com



Applicant: Michael C. Kramm, Kelvin Henry Kramm, Corrie Lea Fey

Address: PO Box 785, Marble Falls, TX 78654

Telephone: (512) 644-7889 Email: mkramm60@gmail.com

Amendment Request: ☐ Classification ☐ Realignment ☒ Removal ☐ Right-of-way ☐ Other

Road Segment (road name with the beginning and ending of the segment based upon cross streets):
West County Line Road from FM 1044 to FM 725

Proposed Amendment: Remove the proposed thoroughfare from our property.

SUBMITTAL REQUIREMENTS

All submittal items below must be submitted for application to be accepted for processing.
One hard copy and one pdf copy each on flash drive/disc.

- ☐ Letter detailing the logic and rationale for the request
- ☐ Exhibit, to scale, showing road segment
- ☐ Traffic Impact Analysis (TIA) Worksheet and TIA Report (if associated with a master plan or plat permit application) as specified in City of New Braunfels Code of Ordinances Sec. 114-99 and 118-46.
- ☐ Exhibit, to scale, showing proposed amendment (realignment, removal and/or right-of-way)
- ☐ \$927 fee (\$900 application fee + \$27 technology fee (3%))

Signed: Corrie Lea Fey
Michael C. Kramm
Michael C. Kramm

Owner/Applicant

Date: 10-16-2020

Amendment Process:

1. Review by City Departments
2. Coordination with local agencies and Texas Department of Transportation (if necessary)
3. Finalization of staff recommendation
4. Planning Commission makes recommendation to City Council
5. City Council makes final decision through resolution

OFFICE USE ONLY

Date complete application received: 10/27/20 Received by: Sam H.

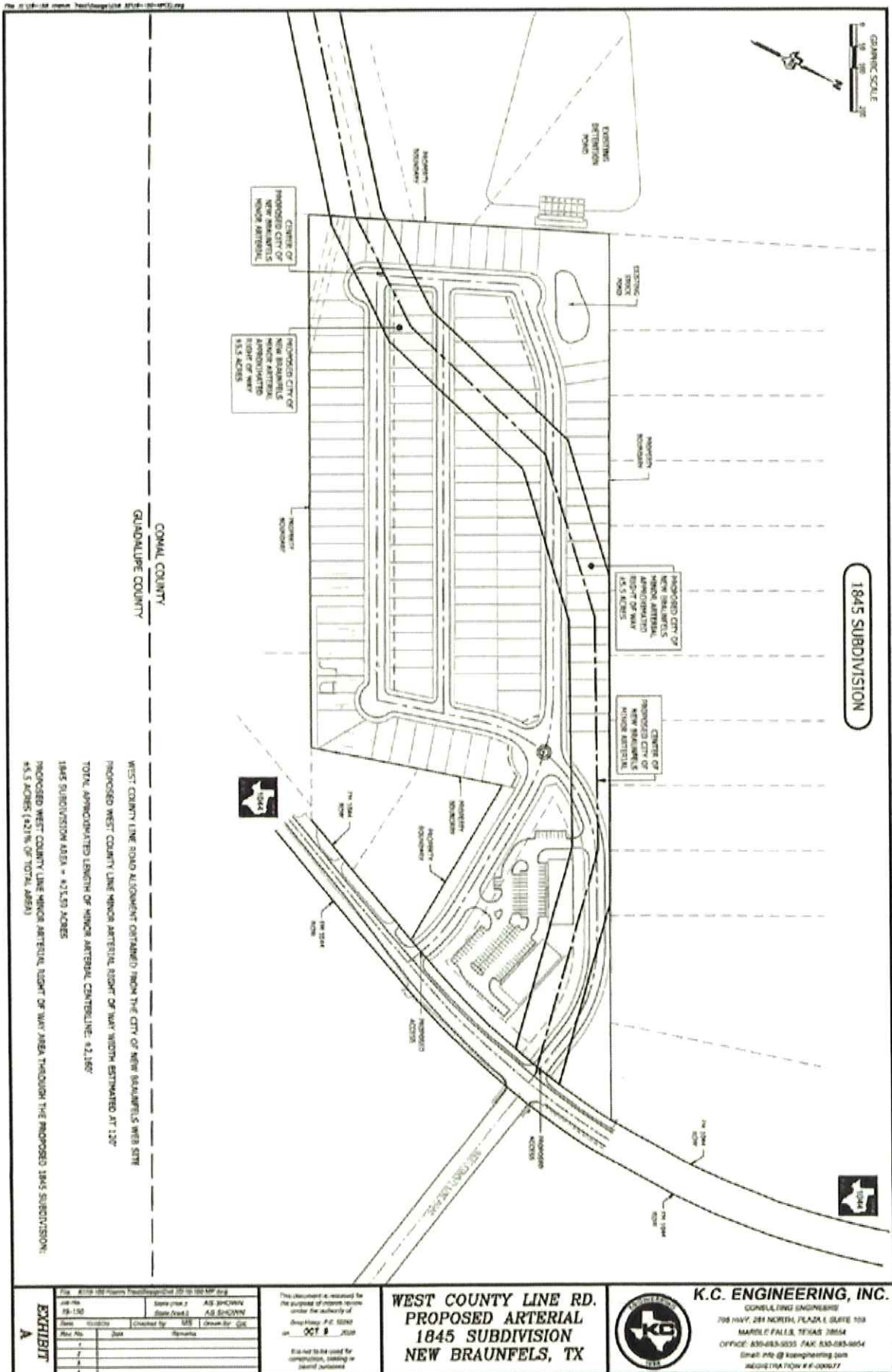
Southwest Appraisal Group
Real Estate Appraisers and Consultants

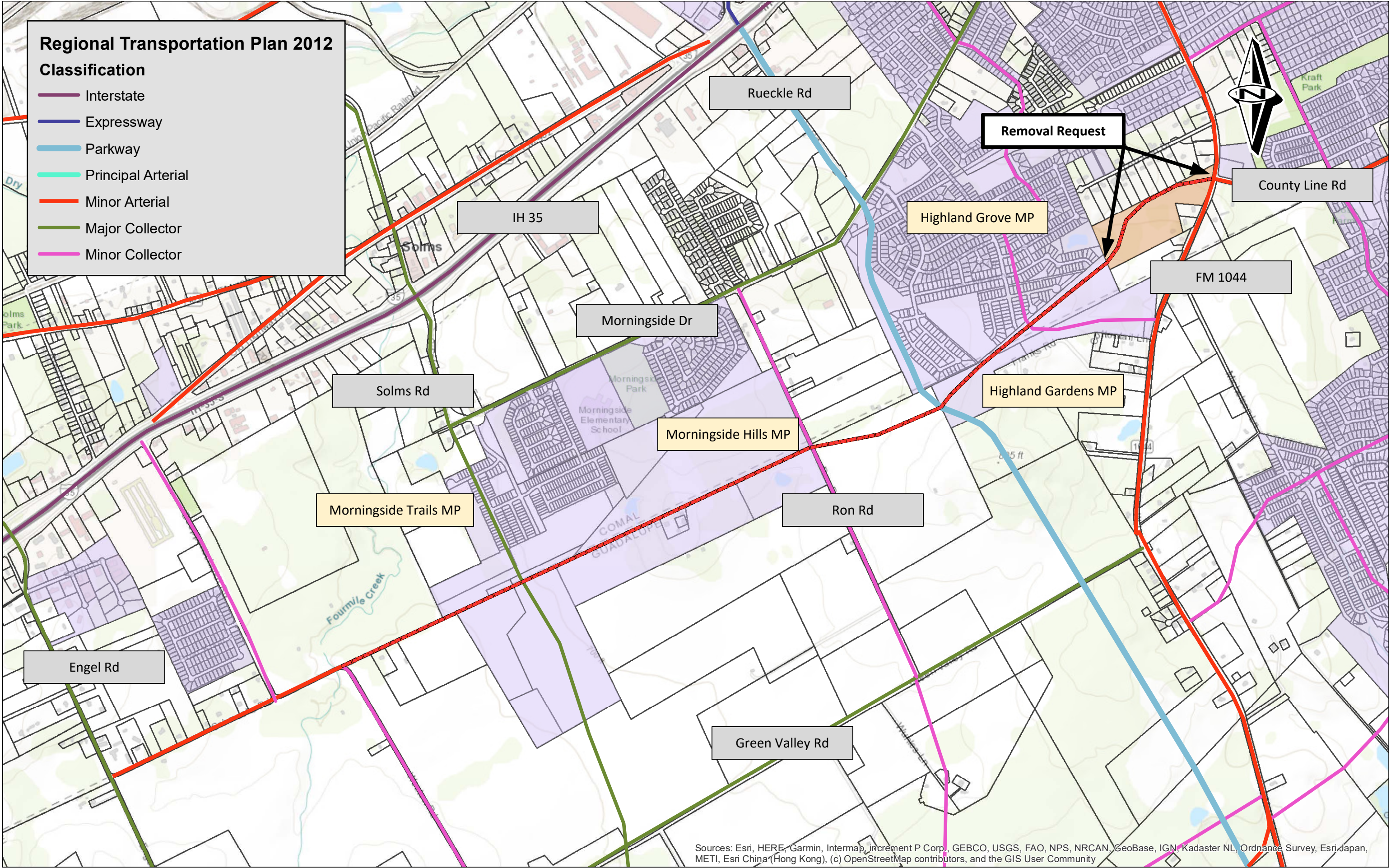
Aerial



1890 FM 1044- NB (180427)

7





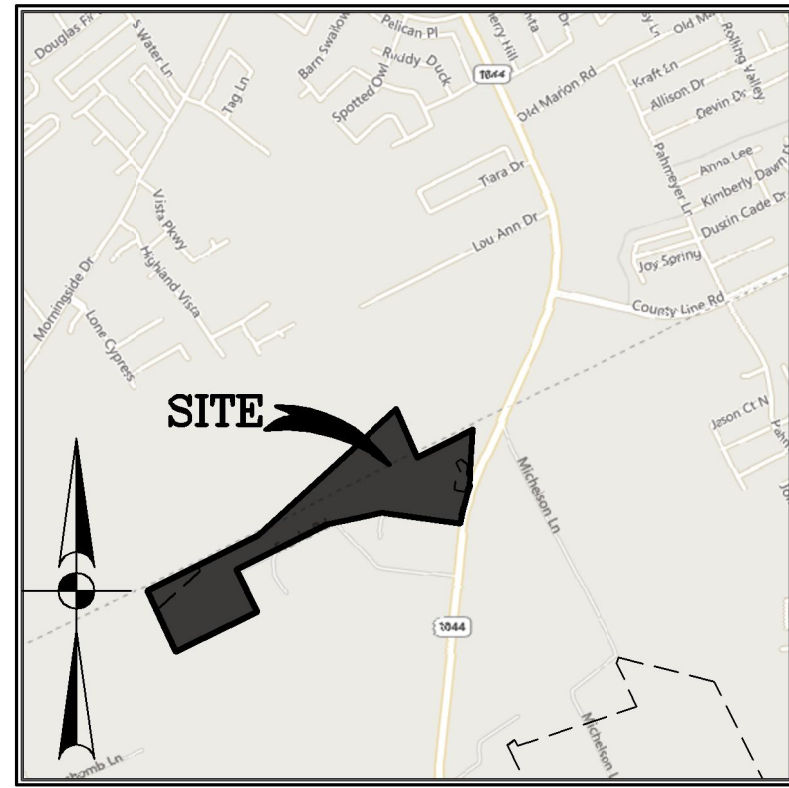
1. THE PROPOSED USE OF THE SUBDIVISION IS FOR SINGLE FAMILY RESIDENTIAL.
2. THE PROPERTY IS INSIDE THE CITY LIMITS OF NEW BRAUNFELS.
3. THE UNIT NUMBERS SHOWN REPRESENT THE ORDER IN WHICH THE UNITS WILL BE DEVELOPED AND PLATTED.
4. 'S' SIDEWALKS WILL BE CONSTRUCTED FOR THIS DEVELOPMENT AT THE BACK OF CURB.
5. ALL STREETS WILL BE DEDICATED AS PUBLIC RIGHT OF WAYS.
6. ALL STREETS ARE PROPOSED TO BE OF A LOCAL AND COLLECTOR TYPE FUNCTIONAL CLASSIFICATION.
7. THE LOTS DESIGNATED AS OPEN SPACE (O.S.) WILL NOT BE AVAILABLE FOR RESIDENTIAL USE. THESE LOTS WILL BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
8. NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN THE EXISTING SPECIAL FLOOD HAZARD ZONE A, 100-YEAR FLOOD FLOODING, AS DEFINED BY THE GUADALUPE COUNTY, TEXAS COMMUNITY MAP NUMBER 48187C0095F, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, EFFECTIVE DATE NOVEMBER 2, 2007 AND AS DEFINED BY THE COMAL COUNTY, TEXAS COMMUNITY MAP NUMBER 48091C0445F, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, EFFECTIVE DATE SEPTEMBER 2, 2009.
9. THE PROPERTY IS NOT LOCATED OVER THE EDWARDS AQUIFER ZONE.
10. ALL LOTS WITHIN THE SUBDIVISION WILL BE SERVED BY A PUBLIC WATER, SEWER, AND ELECTRIC SERVICE BY NEW BRAUNFELS UTILITIES (NBU).
11. ALL OPEN SPACE AREAS CAN BE USED FOR DRAINAGE CONVEYANCE. ALL DRAINAGE AREAS LOCATED WITHIN OPEN SPACE AREAS WILL BE DESIGNATED BY EASEMENT DURING THE PLATTING PROCESS.
12. ALL STREETS WILL HAVE CURB AND GUTTER AND WILL PROVIDE STORMWATER CAPACITY PER CITY OF NEW BRAUNFELS DRAINAGE REQUIREMENTS.
13. THE ENTIRE SUBDIVISION FALLS WITHIN COMAL INDEPENDENT SCHOOL DISTRICT.
14. THIS SUBDIVISION IS SUBJECT TO THE CITY OF NEW BRAUNFELS PARK LAND DEDICATION AND DEVELOPMENT ORDINANCE.
15. THIS PROPERTY IS CURRENTLY ZONED "HIGHLAND GARDENS" PLANNED DEVELOPMENT DISTRICT AND IS SUBJECT TO THE DEVELOPMENT STANDARDS ADOPTED WITH CITY ORDINANCE NO. 2018-XXX.
16. CONTOURS SHOWN ARE BASED ON THE CITY OF NEW BRAUNFELS AND BASED ON TOPOGRAPHIC SURVEY PROVIDED BY TNRS DATED 2011.
17. THE HIGHLAND GARDENS SUBDIVISION WILL HAVE A NEIGHBORHOOD PARK AND AMENITY CENTER THAT WILL BE OWNED AND MAINTAINED BY THE P.O.A. THE AMENITY CENTER AND PARK AREA WILL BE IN THE LOCATION SHOWN ON THE APPROVED MASTER PLAN.
18. THE HIGHLAND GARDENS DETENTION POND CLOSEST TO FM 1044 WILL BE DESIGNED TO REDUCE THE PEAK STORM WATER DISCHARGE FLOW RATE. FOR THE 2-YEAR, 5-YEAR, 10-YEAR, 25-YEAR, 50-YEAR AND 100-YEAR STORM EVENTS, BY GREATER THAN OR EQUAL TO 10% BELOW THE CALCULATED EXISTING PEAK STORM WATER FLOW RATE, BASED ON THE RAINFALL INTENSITIES IN THE CITY OF NEW BRAUNFELS DRAINAGE AND EROSION CONTROL DESIGN MANUAL. AT THE TIME OF APPROVAL OF THE "HIGHLAND GARDENS" PLANNED DEVELOPMENT DISTRICT.
19. NO DWELLING UNITS OR HABITABLE STRUCTURES WILL BE CONSTRUCTED WITHIN AN APPROXIMATE OFFSET OF 75 FEET BOTH SIDES OF THE EXISTING AIRSTRIP CENTERLINE.

LOT SUMMARY			
UNIT	RESIDENTIAL	DETENTION/OPEN SPACE	TOTAL
UNIT 1	57 LOTS	6 LOTS	63
UNIT 2	64 LOTS	5 LOTS	69
UNIT 3	39 LOTS	2 LOTS	41
TOTAL	160	13	173

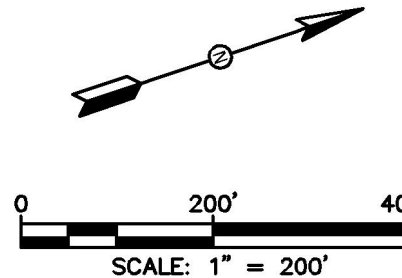
OWNER/DEVELOPER:
DIRT DEALERS XII, LTD
JACK SCANIO
660 LAKEFRONT AVE
NEW BRAUNFELS, TX 78130
(210) 496-7775

ENGINEER/SURVEYOR:
MOELLER & ASSOCIATES
JAMES INGALLS, P.E. - ENGINEER
2021 SH 46W, STE 105,
NEW BRAUNFELS, TX. 78130
(830) 358-7127

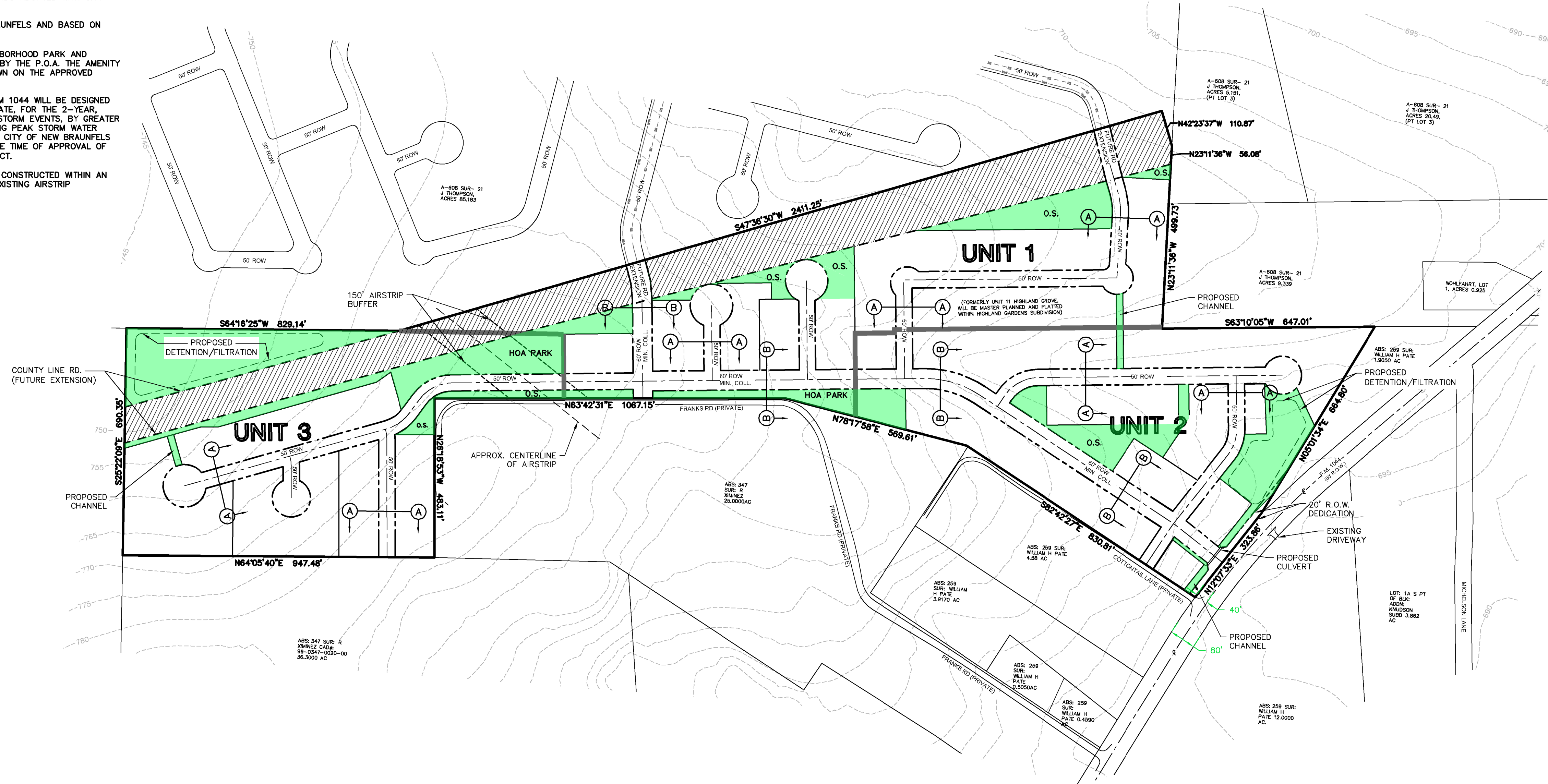
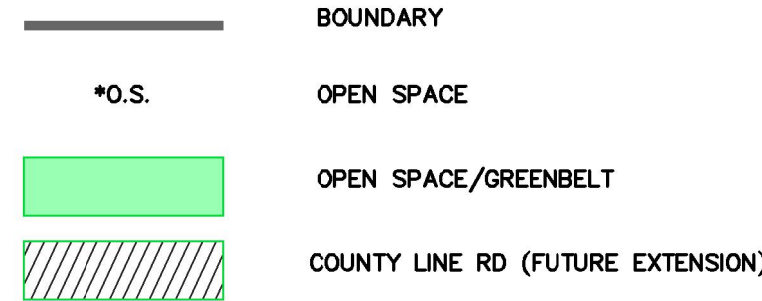
D.A. MAWYER LAND SURVEYING, INC.
DREW MAWYER, R.P.L.S. - SURVEYOR
132 CADDELL LANE
NEW BRAUNFELS, TEXAS 78130
(210) 325-0858



LOCATION MAP
SCALE: 1"=2,000'



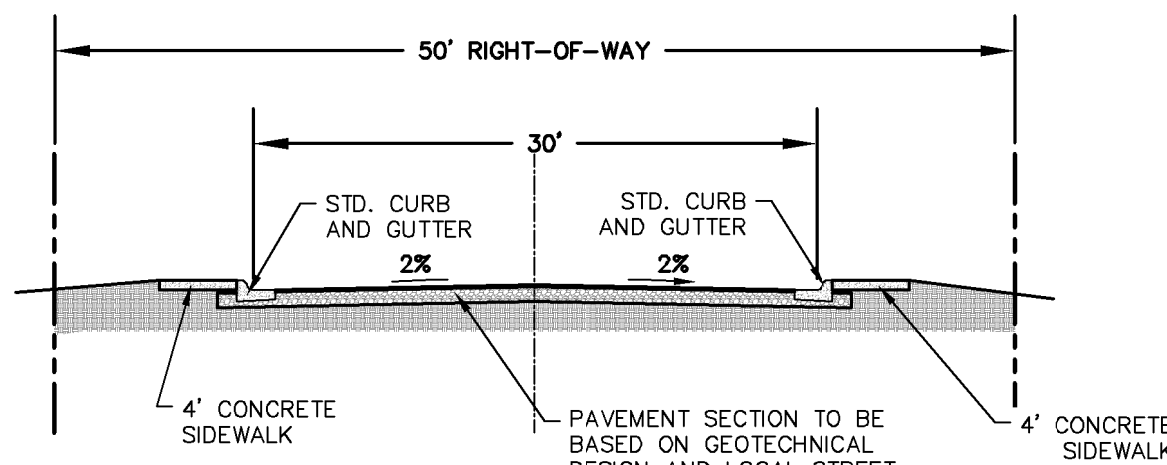
LEGEND



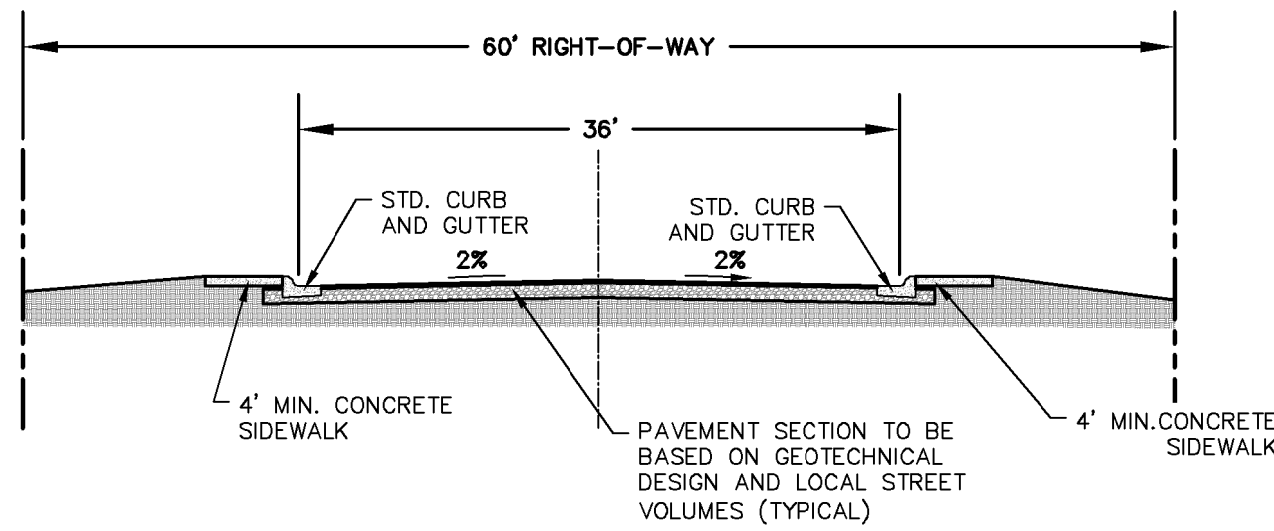
ACREAGE SUMMARY (APPROX.)

RESIDENTIAL LOTS AND STREETS:	39.04 ACRES
*OPEN SPACE (OS)/GREENBELT	<u>16.44 ACRES</u>
TOTAL ACREAGE:	55.48 ACRES
RESIDENTIAL LOT DENSITY (160 MAX/55.48):	2.88 LOTS/ACRE

*ALL LOTS LABELED AS OPEN SPACE (O.S.) ON THIS PLAN SHALL BE OWNED & MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION



A 30' STANDARD STREET SECTION Scale:



VOLUMES (TYPICAL)

36' STANDARD STREET SECTION

811.
Know what's below.
Call before you dig.

THIS DOCUMENT IS
RELEASED FOR THE
PURPOSE OF INTERIM
REVIEW UNDER THE
AUTHORITY OF JAMES I.
INGALLS, PE. 107416 IS ON
December 19, 2017. IT IS TO
BE USED FOR BIDDING AND
PERMITTING PURPOSES
ONLY. NOT TO BE USED FOR
CONSTRUCTION.

[illegible]

**MOELLER
& ASSOCIATES**
Engineering Solutions

2021 W SH46, STE 105, NEW BRAUNFELS, TX. 78132
PH: 830-358-7127 www.mg-tx.com
TRADE FIRM E-13351

MASTER PLAN

HIGHLAND GARDENS
SUBDIVISION
NEW BRAUNFELS, TEXAS

SHEET
MP-1
OF 1

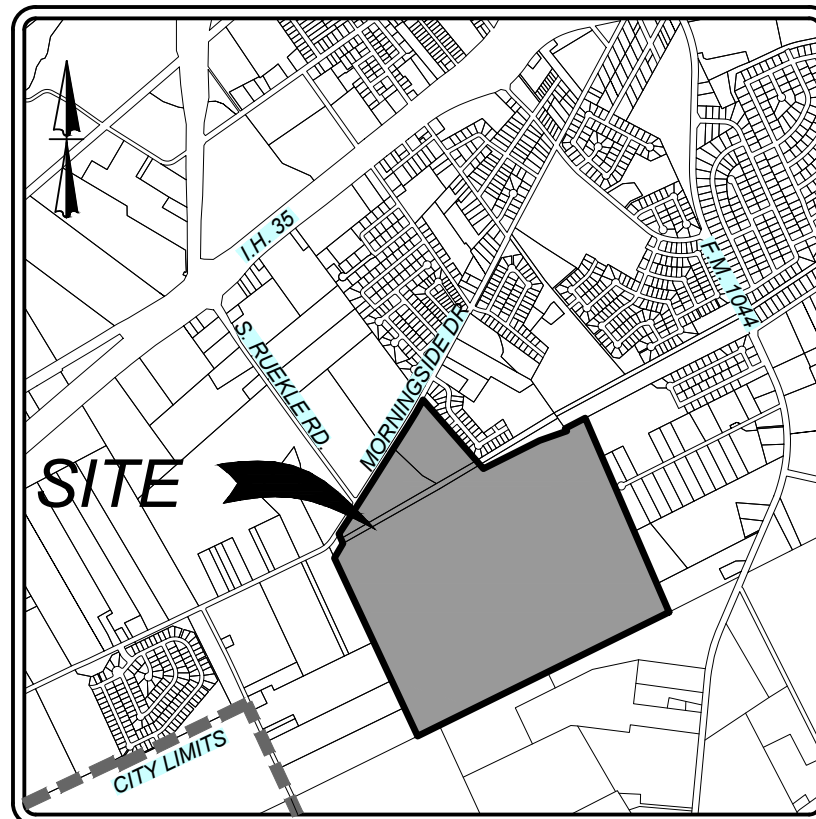
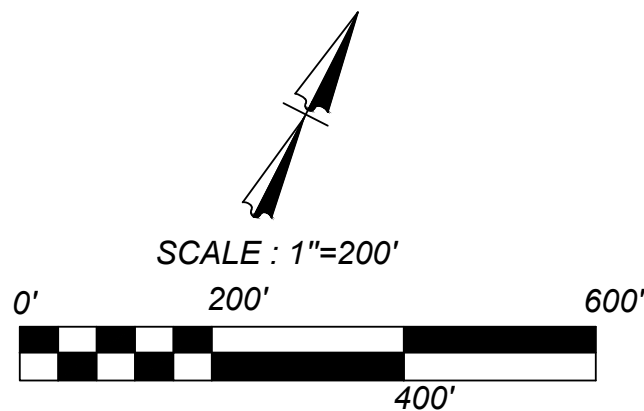
LINE TABLE		
LINE	LENGTH	BEARING
L1	33.42	S41°28'21"E
L2	74.87	S41°08'42"E
L3	100.33	S41°05'10"E
L4	81.90	S40°31'47"E
L5	49.83	S40°59'38"E
L6	72.18	S41°02'06"E
L7	59.83	S41°22'25"E
L8	60.15	S41°02'13"E
L9	59.61	S41°16'02"E
L10	60.18	S40°37'28"E
L11	119.93	S41°10'34"E
L12	60.57	S41°32'42"E
L13	181.70	S58°06'08"W
L14	71.57	S41°44'26"E
L15	36.79	N34°32'59"W
L16	83.31	N25°39'20"W
L17	19.93	S25°27'08"E
L18	191.68	N58°06'08"E

NOTE:
UTILITIES SHOWN ALONG MORNING SIDE ARE
SHOWN FOR GRAPHICAL PURPOSES ONLY
AND ARE NOT BASED ON FIELD LOCATIONS.

LAND USE DENSITY TABLE				
UNITS	AREA (ACRES)	DWELLING UNITS	PARK/OPEN SPACE (ACRES)	DENSITY (DWELLING UNITS/ACRES)
1	46.28	143	9.58	3.09
2	13.86	47	4.84	3.39
3	20.49	81	0.00	3.95
4A	16.47	65	4.03	3.95
4B	17.70	78	1.34	4.41
5	8.13	37	0.00	4.55
6	7.49	13	4.80	1.74
7A	17.17	60	0.23	3.49
8	16.93	75	1.42	4.43
9	14.36	66	0.63	4.60
10	32.22	65	7.71	2.02
11	17.82	39	5.06	2.19
TOTAL	228.92	769	39.64	3.36

LEGEND

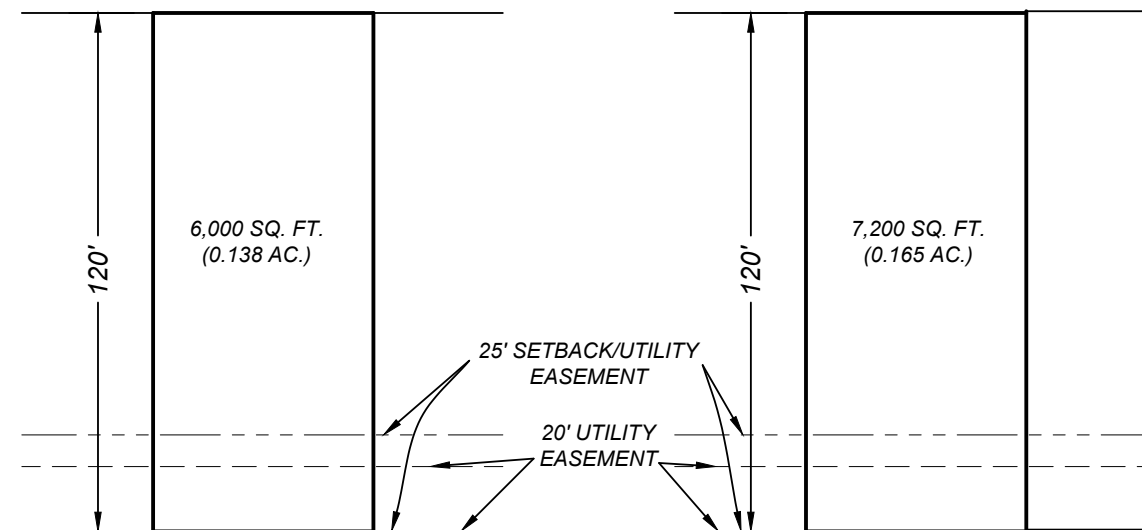
- = BOUNDARY
- - - = PHASING LIMITS
- = 10' CONTOURS
- = OPEN SPACE
- R-2 = SURROUNDING ZONING



LOCATION MAP
NOT-TO-SCALE

OWNER/DEVELOPER:
VELMA DEVELOPMENT, LLC.
1202 W. BITTERS RD.
BLDG. 1 SUITE 1200
SAN ANTONIO, TX 78216
PHONE: (727) 734-8700
FAX: (727) 734-8772

ENGINEER:
KFW ENGINEERS
3421 PAESANOS PKWY, SUITE 200
SAN ANTONIO, TX 78231
PHONE: (210) 979-8444
FAX: (210) 979-8441



TYPICAL INTERIOR 50' X
120' LOT SIZE
*SEE NOTES

TYPICAL INTERIOR 60' X
120' LOT SIZE
*SEE NOTES

NEW BRAUNFELS UTILITIES NOTES:

- MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT, OR PORTION OF IT, INCLUDING LANDSCAPING OR DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE TERMS AND CONDITIONS IN THE EASEMENT. MUST NOT ENDANGER OR INTERFERE WITH THE RIGHTS GRANTED BY THE EASEMENT TO NEW BRAUNFELS UTILITIES. ITS SUCCESSORS AND ASSIGNS, AND SHALL BE SUBJECT TO APPLICABLE PERMIT REQUIREMENTS OF THE CITY OF NEW BRAUNFELS OR ANY OTHER GOVERNING BODY. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENTS WITH THE UTILITIES TO UTILIZE THE EASEMENT, OR ANY PART OF IT.
- UTILITIES WILL POSSESS A 5-FOOT WIDE SERVICE EASEMENT TO THE BUILDING STRUCTURE ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS EASEMENT WILL VARY DEPENDING UPON LOCATION OF BUILDING STRUCTURE AND SERVICE.
- UTILITIES SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCED AREA.
- EACH LOT MUST HAVE ITS OWN WATER AND SEWER SERVICE AT THE OWNER/DEVELOPERS EXPENSE.
- EACH TRACT IS SUBJECT TO FLOATING GUY WIRE EASEMENT(S) AND ITS DIMENSIONS SHALL BE DETERMINED BY THE NEED OF THE UTILITIES.
- DO NOT COMBINE ANY NEW UTILITY EASEMENTS (UE) WITH DRAINAGE EASEMENTS (DE) OR MAKE CHANGES IN GRADE WITHIN THE UTILITY EASEMENTS (UE) WITHOUT WRITTEN APPROVAL FROM NEW BRAUNFELS UTILITIES.
- A 10' WIDE NON-EXCLUSIVE UTILITY EASEMENT SHALL BE ESTABLISHED ALONG FM1044 AT THE TIME OF PLATTING.
- A 25' WIDE EXCLUSIVE NBU UTILITY EASEMENT SHALL BE ESTABLISHED ALONG FM 1044 AND SHALL BE RECORDED SEPARATELY AND SHOWN ON THE PROPOSED PLAT.

GENERAL NOTES

- THE PROPOSED LAND USE WITHIN THIS MASTER PLAN IS FOR SINGLE FAMILY RESIDENTIAL. THIS MASTER PLAN IS WITHIN A PLANNED DEVELOPMENT DISTRICT ZONING APPROVED BY THE CITY COUNCIL ON MARCH 21, 2017 AND IS SUBJECT TO THE RESTRICTIONS CONTAINED THEREIN.
- A 20' PUBLIC UTILITY EASEMENT (P.U.E.) WILL BE DEDICATED ADJACENT TO ALL STREET RIGHT OF WAYS.
- NO PORTION OF THIS SITE IS LOCATED WITHIN THE 100-YR FLOOD PLAIN AS DESIGNATED ON COMMUNITY PANEL 48091C0445 F, DATED: SEPTEMBER 2, 2009.
- A HOMEOWNERS ASSOCIATION WILL BE CREATED DURING ENGINEERING DESIGN PHASE OF THE PROJECT.
- THIS PROPERTY WILL BE SERVED BY THE FOLLOWING:
NEW BRAUNFELS UTILITIES - WATER, SEWER, AND ELECTRIC
AT&T PHONE SERVICE
TIME WARNER CABLE TV
- RESIDENTIAL DEVELOPMENT STANDARDS AS PER NEW BRAUNFELS MUNICIPAL CODE SECTION 3.5-5(f):
a. MINIMUM LOT AREA = 6,000 S.F. AND 7,200 S.F.
b. MINIMUM LOT WIDTH AND DEPTH = 50' (WIDTH) X 120' (DEPTH) & 60' (WIDTH) X 120' (DEPTH) - REGULAR LOTS
35' (WIDTH) X AVERAGE OF 120' (DEPTH) - IRREGULAR LOTS
*AT SETBACK, ALL IRREGULAR LOTS HAVE WIDTH OF 50'
c. MINIMUM FRONT, SIDE, AND REAR SETBACKS:
FRONT = 25'
REAR = 20'
SIDE = 5'
FOR CORNER LOTS, THE SIDE SETBACK IS EITHER 15' OR 25' DEPENDING ON THE ORIENTATION OF ADJACENT LOTS.
*IF THE REAR LOT LINE OF THE CORNER LOT SHARES A SIDE LOT LINE WITH THE ADJACENT LOT, THE SIDE SETBACK SHALL BE CONSISTENT WITH THE ADJACENT LOTS FRONT SETBACK, THEREFORE, 25' IF THE REAR LOT LINE OF THE CORNER LOT SHARES A REAR LOT LINE WITH THE ADJACENT LOT, THEN THE SIDE SETBACK IS 15'.
d. MAXIMUM HEIGHT OF BUILDINGS: 35'
e. MAXIMUM BUILDING COVERAGE: 50%
f. MAXIMUM FLOOR TO AREA RATIOS FOR NON-RESIDENTIAL USE: N/A
g. MINIMUM PARKING STANDARDS FOR EACH GENERAL LAND USE: RESIDENTIAL - 2 CARS/LOT
- REFERENCE PROPERTY LIES WITHIN THE COMAL COUNTY INDEPENDENT SCHOOL DISTRICT.
- ALL STREETS ARE TYPICAL 50' RIGHT-OF-WAY UNLESS OTHERWISE SHOWN.
- IN LIEU OF CONSTRUCTION OF COUNTY LINE ROAD, THE ESTIMATED COSTS OF SUCH CONSTRUCTION SHALL BE INSTEAD APPLIED TO OFFSITE IMPROVEMENTS, DETERMINED AT THE COMPLETION OF THE TRAFFIC IMPACT ANALYSIS AND UNDER THE CONSTRUCTION AND FINANCING GUIDELINES APPLICABLE TO SUCH OFFSITE IMPROVEMENTS, THROUGH A DEVELOPMENT AGREEMENT APPROVED BY CITY COUNCIL BEFORE APPROVAL OF FINAL PLAT.
- FUTURE DEVELOPMENT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS, AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.
- SIDE ENTRY GARAGES MUST HAVE A MINIMUM SETBACK OF 20' FROM THE CORNER SIDE LOT LINE.

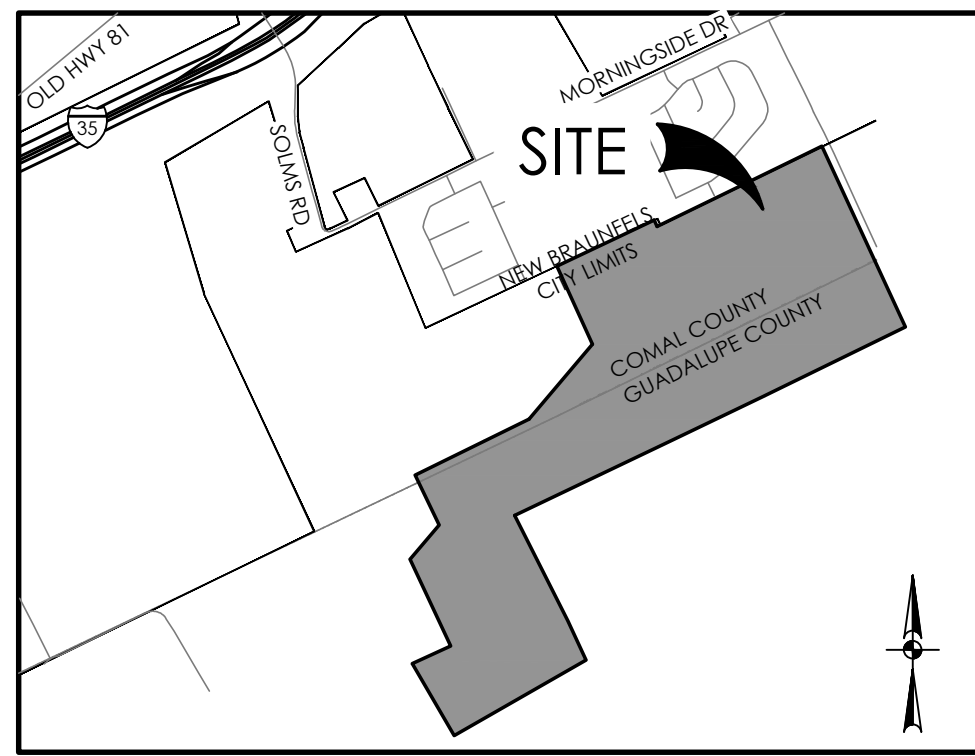
* INDICATES GENERAL LOCATION OF SECONDARY ACCESS FOR FIRE PROTECTION. FINAL LOCATION, SIZE, & SPECIFICATION TO BE DETERMINED DURING PLATTING OF THAT PHASE.

MASTER PLAN AMENDMENT HIGHLAND GROVE PLANNED DEVELOPMENT DISTRICT NEW BRAUNFELS, TX

JOB NO. 205-05-00
DATE: DECEMBER, 2016
DRAWN: JA CHECKED: BL
SHEET NUMBER:

MP-1

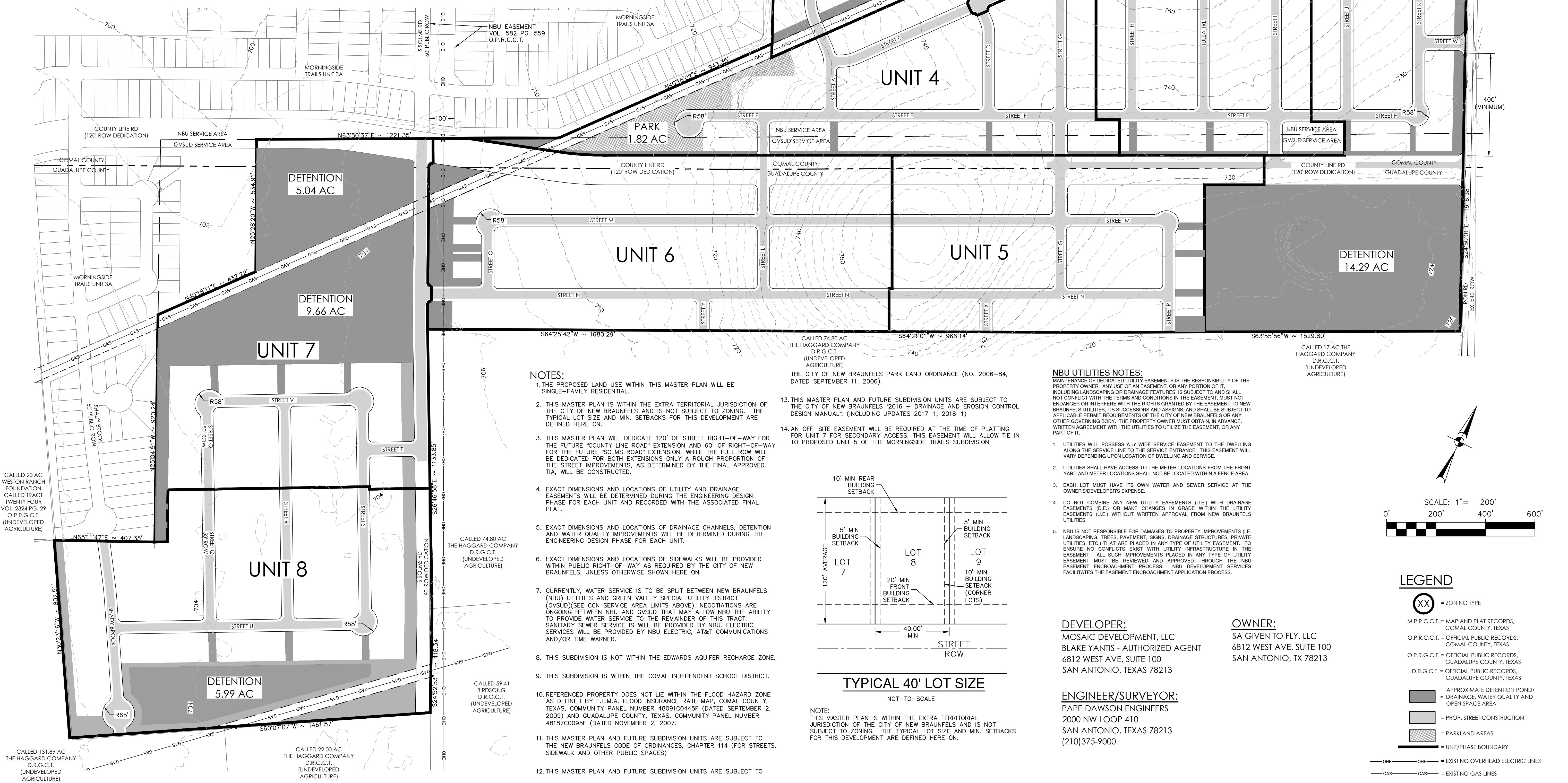
MORNINGSIDE HILLS SUBDIVISION - MASTER PLAN



LOCATION MAP
NOT-TO-SCALE

LOT SUMMARY			
SUBDIVISION	ACREAGE	LAND USE	# OF RESIDENTIAL LOTS
UNIT 1	35.97	SINGLE FAMILY	112
UNIT 2	20.14	SINGLE FAMILY	150
UNIT 3	20.53	SINGLE FAMILY	88
UNIT 4	24.09	SINGLE FAMILY	125
UNIT 5	21.60	SINGLE FAMILY	116
UNIT 6	30.92	SINGLE FAMILY	164
UNIT 7	30.22	SINGLE FAMILY	127
UNIT 8	30.79	SINGLE FAMILY	148
TOTAL AC./LOTS	214.26		1030

LOT DENSITY = 4.80 UNITS PER ACRES (RESIDENTIAL)



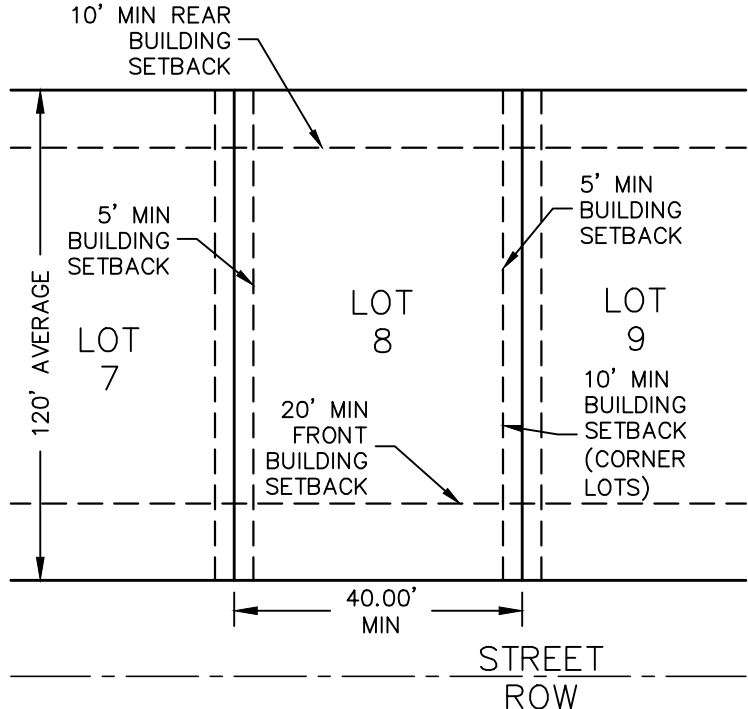
NOTES:

1. THE PROPOSED LAND USE WITHIN THIS MASTER PLAN WILL BE SINGLE-FAMILY RESIDENTIAL.
2. THIS MASTER PLAN IS WITHIN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF NEW BRAUNFELS AND IS NOT SUBJECT TO ZONING. THE TYPICAL LOT SIZE AND MIN. SETBACKS FOR THIS DEVELOPMENT ARE DEFINED HERE ON.
3. THIS MASTER PLAN WILL DEDICATE 120' OF STREET RIGHT-OF-WAY FOR THE FUTURE 'COUNTY LINE ROAD' EXTENSION AND 60' OF RIGHT-OF-WAY FOR THE FUTURE 'SOLAS ROAD' EXTENSION. WHILE THE FULL ROW WILL BE DEDICATED FOR BOTH EXTENSIONS ONLY A ROUGH PROPORTION OF THE STREET IMPROVEMENTS, AS DETERMINED BY THE FINAL APPROVED TIA, WILL BE CONSTRUCTED.
4. EXACT DIMENSIONS AND LOCATIONS OF UTILITY AND DRAINAGE EASEMENTS WILL BE DETERMINED DURING THE ENGINEERING DESIGN PHASE FOR EACH UNIT AND RECORDED WITH THE ASSOCIATED FINAL PLAT.
5. EXACT DIMENSIONS AND LOCATIONS OF DRAINAGE CHANNELS, DETENTION AND WATER QUALITY IMPROVEMENTS WILL BE DETERMINED DURING THE ENGINEERING DESIGN PHASE FOR EACH UNIT.
6. EXACT DIMENSIONS AND LOCATIONS OF SIDEWALKS WILL BE PROVIDED WITHIN PUBLIC RIGHT-OF-WAY AS REQUIRED BY THE CITY OF NEW BRAUNFELS, UNLESS OTHERWISE SHOWN HERE ON.
7. CURRENTLY, WATER SERVICE IS TO BE SPLIT BETWEEN NEW BRAUNFELS (NBU) UTILITIES AND GREEN VALLEY SPECIAL UTILITY DISTRICT (GVSD)(SEE CCN SERVICE AREA LIMITS ABOVE). NEGOTIATIONS ARE ONGOING BETWEEN NBU AND GVSD THAT MAY ALLOW NBU THE ABILITY TO PROVIDE WATER SERVICE TO THE REMAINDER OF THIS TRACT. SANITARY SEWER SERVICE IS WILL BE PROVIDED BY NBU. ELECTRIC SERVICES WILL BE PROVIDED BY NBU ELECTRIC, AT&T COMMUNICATIONS AND/OR TIME WARNER.
8. THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
9. THIS SUBDIVISION IS WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.
10. REFERENCED PROPERTY DOES NOT LIE WITHIN THE FLOOD HAZARD ZONE AS DEFINED BY F.E.M.A. FLOOD INSURANCE RATE MAP, COMAL COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48091C0445F (DATED SEPTEMBER 2, 2009) AND GUADALUPE COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48187C0095F (DATED NOVEMBER 2, 2007).
11. THIS MASTER PLAN AND FUTURE SUBDIVISION UNITS ARE SUBJECT TO THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 114 (FOR STREETS, SIDEWALK AND OTHER PUBLIC SPACES)
12. THIS MASTER PLAN AND FUTURE SUBDIVISION UNITS ARE SUBJECT TO

THE CITY OF NEW BRAUNFELS PARK LAND ORDINANCE (NO. 2006-84, DATED SEPTEMBER 11, 2006).

NBU UTILITIES NOTES:

- MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT OR ANY PORTION OF IT INCLUDING LANDSCAPING OR DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE TERMS AND CONDITIONS IN THE EASEMENT. MUST NOT ENDANGER OR INTERFERE WITH THE RIGHTS GRANTED BY THE EASEMENT TO NEW BRAUNFELS UTILITIES, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE SUBJECT TO APPLICABLE PERMIT REQUIREMENTS OF THE CITY OF NEW BRAUNFELS OR ANY OTHER GOVERNING BODY. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE UTILITIES TO UTILIZE THE EASEMENT, OR ANY PART OF IT.
1. UTILITIES WILL POSSESS A 5' WIDE SERVICE EASEMENT TO THE DWELLING ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS EASEMENT WILL VARY DEPENDING UPON LOCATION OF DWELLING AND SERVICE.
 2. UTILITIES SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCE AREA.
 3. EACH LOT MUST HAVE ITS OWN WATER AND SEWER SERVICE AT THE OWNERS/DEVELOPERS EXPENSE.
 4. DO NOT COMBINE ANY NEW UTILITY EASEMENTS (I.E.) WITH DRAINAGE EASEMENTS (I.E.) OR MAKE CHANGES IN GRADE WITHIN THE UTILITY EASEMENTS (I.E.) WITHOUT WRITTEN APPROVAL FROM NEW BRAUNFELS UTILITIES.
 5. NBU IS NOT RESPONSIBLE FOR DAMAGES TO PROPERTY IMPROVEMENTS (I.E. LANDSCAPING, TREES, PAVEMENT, SIGNS, DRAINAGE STRUCTURES, PRIVATE UTILITIES, ETC.) THAT ARE PLACED IN ANY TYPE OF UTILITY EASEMENT. TO ENSURE NO CONFLICTS EXIST WITH UTILITY INFRASTRUCTURE IN THE EASEMENT, ALL SUCH IMPROVEMENTS PLACED IN ANY TYPE OF UTILITY EASEMENT MUST BE REVIEWED AND APPROVED THROUGH THE NBU EASEMENT ENCROACHMENT PROCESS. NBU DEVELOPMENT SERVICES FACILITATES THE EASEMENT ENCROACHMENT APPLICATION PROCESS.



TYPICAL 40' LOT SIZE

NOT-TO-SCALE

NOTE: THIS MASTER PLAN IS WITHIN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF NEW BRAUNFELS AND IS NOT SUBJECT TO ZONING. THE TYPICAL LOT SIZE AND MIN. SETBACKS FOR THIS DEVELOPMENT ARE DEFINED HERE ON.

DEVELOPER:

MOSAIC DEVELOPMENT, LLC
BLAKE YANTIS - AUTHORIZED AGENT
6812 WEST AVE, SUITE 100
SAN ANTONIO, TEXAS 78213

OWNER:

SA GIVEN TO FLY, LLC
6812 WEST AVE, SUITE 100
SAN ANTONIO, TX 78213

ENGINEER/SURVEYOR:

PAPE-DAWSON ENGINEERS
2000 NW LOOP 410
SAN ANTONIO, TEXAS 78213
(210)375-9000

LEGEND

- (XX) = ZONING TYPE
- M.P.R.C.C.T. = MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS
O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS
O.P.R.G.C.T. = OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS
D.R.G.C.T. = OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS
- APPROXIMATE DETENTION POND/
= DRAINAGE, WATER QUALITY AND
OPEN SPACE AREA
- = PROP. STREET CONSTRUCTION
- = PARKLAND AREAS
- = UNIT/PHASE BOUNDARY
- OHE — OHE — = EXISTING OVERHEAD ELECTRIC LINES
— GAS — GAS — = EXISTING GAS LINES

NO.	REVISION	DATE
1	TIA. REVISION TO INCLUDE NOV. 2019	NOV. 2019
A. PORTION OF COUNTY LINE RD. CONSTRUCTION.		

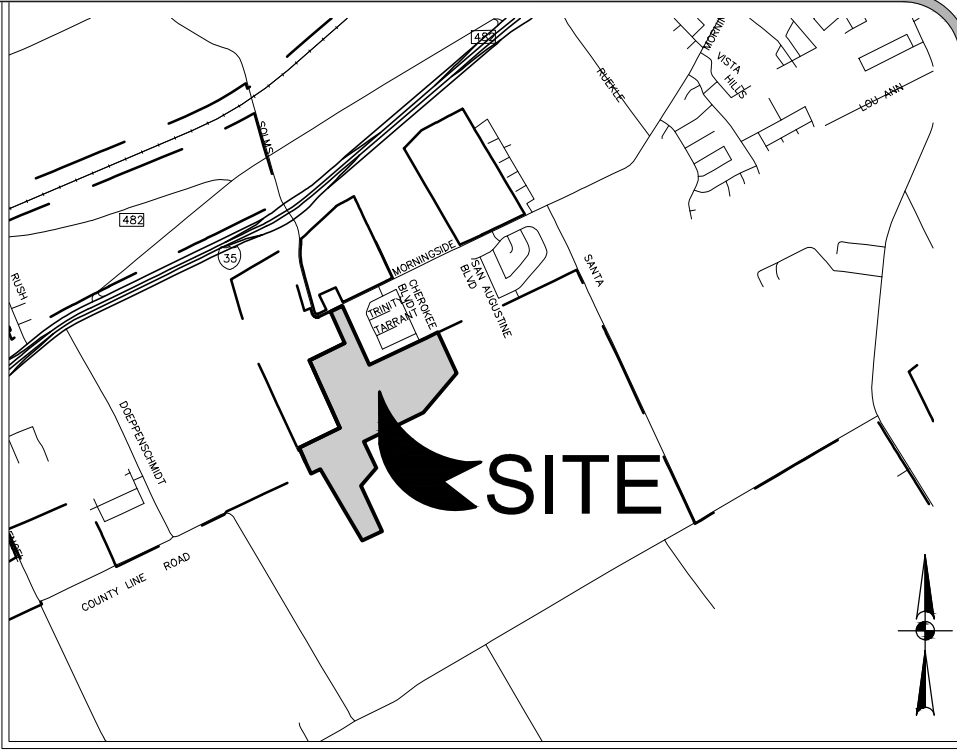
"THIS DOCUMENT IS RELEASED FOR REVIEW PURPOSES" UNDER THE AUTHORIZATION OF
JON ADAME,
P.E. #82567.

PAPE-DAWSON ENGINEERS
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TYPE FIRM REGISTRATION #270 | TBPUS FIRM REGISTRATION #10028890

MORNINGSIDE HILLS
NEW BRAUNFELS, TEXAS
MASTER PLAN

PLAT NO.	-
JOB NO.	11451-20
DATE	FEBRUARY 2020
DESIGNER	WB
CHECKED	AH
DRAWN	WB
SHEET	EX. 1

MASTER PLAN FOR
MORNINGSIDE TRAILS SUBDIVISION



LOCATION MAP
SCALE: NTS

- NOTES:
1. ALL LOTS WITHIN THE SUBDIVISION WILL BE PROVIDED WATER AND SEWER SERVICE BY NEW BRAUNFELS UTILITIES. ELECTRIC SERVICES WILL BE PROVIDED BY NEW BRAUNFELS UTILITIES. TELEPHONE AND CABLE SERVICES WILL BE PROVIDED BY AT&T COMMUNICATIONS AND/OR SPECTRUM.
 2. THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
 3. THIS SUBDIVISION IS WITHIN THE EXTRATERRITORIAL JURISDICTION LIMITS OF NEW BRAUNFELS, TEXAS.
 4. THE SUBDIVISION IS WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.
 5. NO PART OF THIS SUBDIVISION IS IN THE FLOODPLAIN.
 6. FUTURE DEVELOPMENT WITHIN THIS MASTER PLAN IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.
 7. THIS SUBDIVISION IS SUBJECT TO THE CITY OF NEW BRAUNFELS PARK LAND DEDICATION AND ORDINANCE. AT SUCH TIME THAT ADDITIONAL DWELLING UNITS ARE CONSTRUCTED, THE OWNER OF THE LOT SHALL CONTACT THE CITY AND COMPLY WITH THE ORDINANCE FOR EACH NEW DWELLING UNIT.
 8. 4' SIDEWALKS WILL BE CONSTRUCTED ADJACENT TO BACK OF CURB PER CITY STANDARDS BY THE OWNER AT THE TIME OF HOME CONSTRUCTION ALONG ALL INTERNAL STREETS AND SIDEWALKS FOR NON-RESIDENTIAL LOTS WILL BE CONSTRUCTED ADJACENT TO BACK OF CURB PER CITY STANDARDS BY THE DEVELOPER AT THE TIME OF DEVELOPMENT. 6' SIDEWALKS WILL BE CONSTRUCTED ALONG THE 60' RIGHT-OF-WAY COLLECTOR ROAD ADJACENT TO THE COMMERCIAL TRACT. A 4' SIDEWALK WILL BE CONSTRUCTED ALONG THE 60' RIGHT-OF-WAY COLLECTOR ROAD ADJACENT TO RESIDENTIAL LOTS. THE SIDEWALK ALONG MORNINGSIDE DRIVE WILL BE CONSTRUCTED BY THE CITY OF NEW BRAUNFELS AT THE TIME OF THE SOLMS RD/MORNINGSIDE DR/RUECKLE RD RECONSTRUCTION PROJECT.
 9. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983, GRID. DISTANCES SHOWN HEREON ARE BASED UPON SURFACE MEASUREMENTS. TO CONVERT SURFACE DISTANCES TO GRID, APPLY A COMBINED SCALE FACTOR OF 1.00015.
 10. CONTOUR LINES SHOWN HEREON WERE SCALED AND INTERPOLATED FROM COMAL COUNTY GIS CONTOURS.
 11. TRAFFIC CALMING MEASURES TO BE INCORPORATED ALONG

NEW BRAUNFELS UTILITIES NOTES:

- MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT, OR ANY PORTION OF IT, INCLUDING LANDSCAPING OR DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE TERMS AND CONDITIONS IN THE EASEMENT. MUST NOT ENDANGER OR INTERFERE WITH THE RIGHTS GRANTED BY THE EASEMENT TO NEW BRAUNFELS UTILITIES, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE SUBJECT TO APPLICABLE PERMIT REQUIREMENTS OF THE CITY OF NEW BRAUNFELS OR ANY OTHER GOVERNING BODY. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE UTILITIES TO UTILIZE THE EASEMENT, OR ANY PART OF IT.
- UTILITIES WILL POSSESS A 5' WIDE SERVICE EASEMENT TO THE DWELLING ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS EASEMENT WILL VARY DEPENDING UPON LOCATION OF DWELLING AND SERVICE.
- UTILITIES SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCED AREA.
- EACH LOT MUST HAVE ITS OWN WATER AND SEWER SERVICE AT THE OWNER'S/DEVELOPER'S EXPENSE.
- DO NOT COMBINE ANY NEW UTILITY EASEMENTS (U.E.) WITH DRAINAGE EASEMENTS (D.E.) OR MAKE CHANGES IN GRADE WITHIN THE UTILITY EASEMENTS (U.E.) WITHOUT WRITTEN APPROVAL FROM NEW BRAUNFELS UTILITIES.
- EACH TRACT IS SUBJECT TO FLOATING GUY WIRE EASEMENT(S) AND ITS DIMENSIONS SHALL BE DETERMINED BY THE NEED OF THE UTILITIES.

OWNERS:
FAIR OAKS MOSAIC TBY, LLC
TOM YANTIS - AUTHORIZED AGENT
1802 NW MILITARY DR., SUITE 100
SAN ANTONIO, TEXAS 78213

SA SCARECROW, LLC
TOM YANTIS - AUTHORIZED AGENT
1802 NW MILITARY DR., SUITE 100
SAN ANTONIO, TEXAS 78213

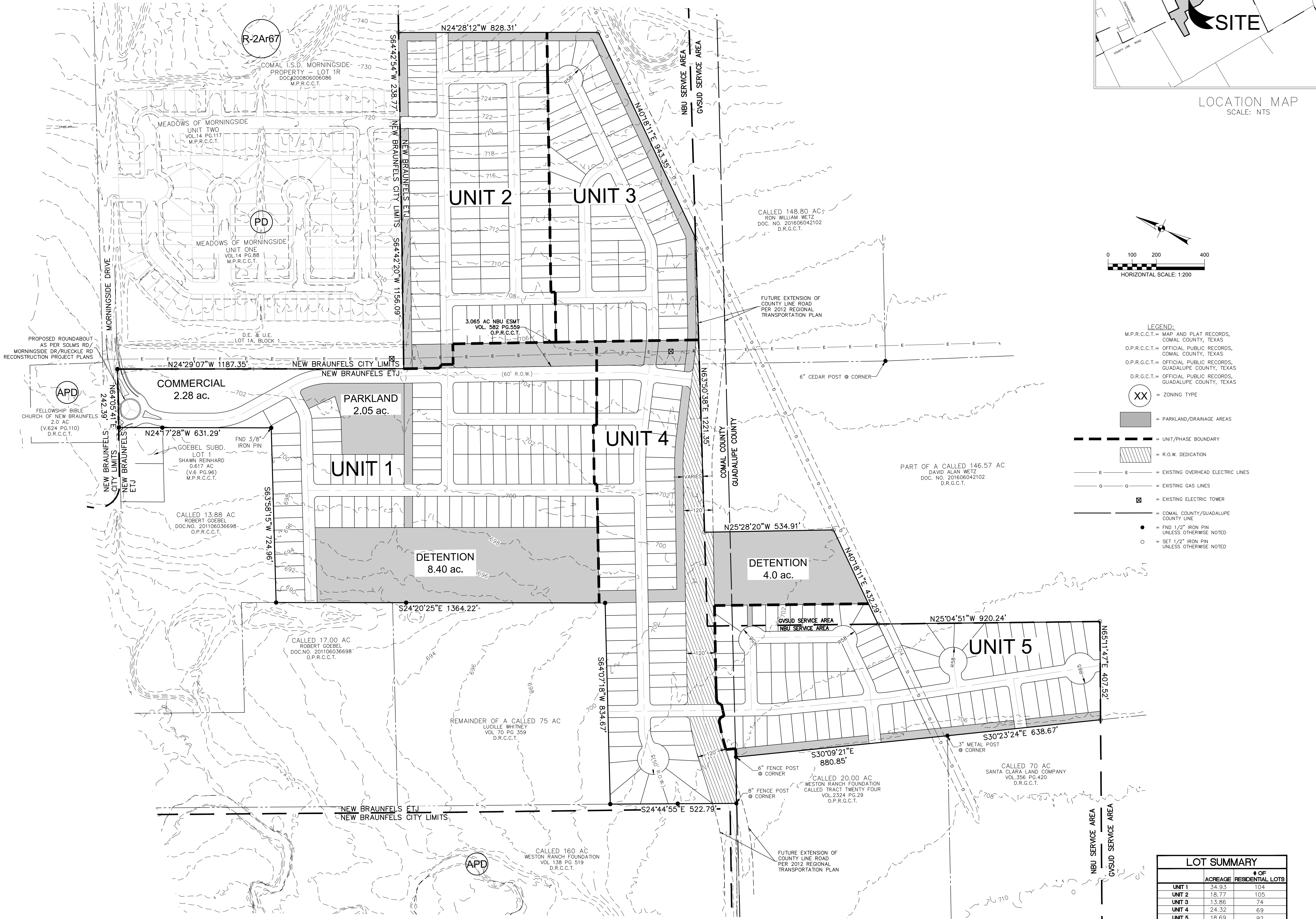
DEVELOPER:
MOSAIC LAND DEVELOPMENT
TOM YANTIS - AUTHORIZED AGENT
1802 NW MILITARY DR., SUITE 100
SAN ANTONIO, TEXAS 78213

ENGINEER/SURVEYOR:
HMT ENGINEERING AND SURVEYING
410 N. SEQUIN AVE.
NEW BRAUNFELS, TX 78130
PH: (830) 625-8555

PREPARED DATE OCTOBER 27, 2016
REVISED DATE NOVEMBER 22, 2016
REVISED DATE DECEMBER 28, 2016



410 N. SEQUIN AVE.
NEW BRAUNFELS,
TEXAS 78130
WWW.HMTNB.COM
PH: (830) 625-8555
TBPE FIRM F-10961
TBPLS FIRM 10153600



- LEGEND:**
- M.P.R.C.C.T. = MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS
 - O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS
 - O.P.R.G.C.T. = OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS
 - D.R.G.C.T. = OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS
 - XX = ZONING TYPE
 - = PARKLAND/DRAINAGE AREAS
 - = UNIT/PHASE BOUNDARY
 - = R.O.W. DEDICATION
 - = EXISTING OVERHEAD ELECTRIC LINES
 - = EXISTING GAS LINES
 - = EXISTING ELECTRIC TOWER
 - = COMAL COUNTY/GUADALUPE COUNTY LINE
 - = FND 1/2" IRON PIN UNLESS OTHERWISE NOTED
 - = SET 1/2" IRON PIN UNLESS OTHERWISE NOTED

LOT SUMMARY		
	ACREAGE	# OF RESIDENTIAL LOTS
UNIT 1	34.93	104
UNIT 2	18.77	105
UNIT 3	13.86	74
UNIT 4	24.32	69
UNIT 5	18.69	92
TOTAL AC./LOTS	110.57	444

LOT DENSITY = 4.01 UNITS PER ACRE (RESIDENTIAL)

1/5/2021

Agenda Item No. N)

Presenter/Contact

Maddison O'Kelley, Assistant Planner
(830) 221-4056 - mokelley@nbtexas.org

SUBJECT:

CS20-319 Discuss and consider a recommendation to City Council regarding a variance request to allow a proposed business, addressed at 344 Landa Street, to provide alcohol sales (wine and beer, no onsite consumption) within 300 feet of a church.

BACKGROUND / RATIONALE:

The subject property is located on Landa street and is zoned "C-1" Local Business District. There is an existing 800 square foot commercial structure on the property that was constructed in 2009. The applicant is proposing to occupy the existing building and open a retail cheese shop with beer and wine sales. In a letter provided to staff, the applicant states there will be no liquor sold, nor consumption of any alcoholic beverages on the property. The applicable Texas Alcoholic Beverage Commission (TABC) permit type for this business is considered a "Wine and Beer Retailer's Off-Premise Permit (BQ)" under which all alcoholic products must be sold in their unbroken original containers and no on-premise consumption is permitted. The proposed use is considered a retail land use under New Braunfels' Zoning Ordinance and is permitted within the "C-1" zoning district.

Title 4, Chapter 109, Subchapter C, Section 109.33(a)(1) of the Texas Local Government Code (TxLGC) states cities may enact regulations prohibiting the sale of alcoholic beverages within a specified distance of protected land uses such as churches, schools, and hospitals. There are different distance requirements dependent on the type of protected use.

In 2012, City Council adopted amendments to the Zoning Ordinance to establish Sec. 144-5.18 Sale of Alcoholic Beverages. The ordinance mirrored the authorized distance requirements set forth in Section 109.33 of the Texas Local Government Code. Sec. 144-5.1.8 states "a place of business where alcoholic beverages are sold shall be prohibited within 300 feet of a church, private or public school, daycare center or child-care facility or public hospital. The measurement of this distance shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections."

The front door of the subject structure is measured as 187.47 feet from the front door of the River City Vineyard Community Church, addressed at 358 Landa Street. This distance was measured from the front door of each structure to their respective front property lines and along Landa Street, as required by the Zoning Ordinance. Therefore, the proposed business is not permitted to sell wine and beer, because it is within 300 feet of a church.

The applicant is requesting a variance to allow the sale of alcohol at the subject property. Section 109.33(e) of the same subchapter of the Local Government Code states the governing board of a city

or town that has enacted required distances between businesses that sell alcohol and protected uses may also allow variances to the regulations, if the governing body determines that enforcement of the regulation in a particular instance is:

- not in the best interest of the public;
- constitutes waste or inefficient use of land or other resources;
- creates an undue hardship on an applicant for a license or permit;
- does not serve its intended purpose, is not effective or necessary;
- or for any other reason the governing board, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

Because the TxLGC authorizes the governing body of a city to grant a variance to this requirement, the City Council is the authorized body to approve or deny the request.

Surrounding Zoning and Land Use:

North - R-1/ Single-Family Residence

South - Across Landa Street, C-1 / Government Recreation Building

East - C-1A/ Commercial

West - C-1/ Commercial

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Consistent Actions: Action 1.3: Encourage balanced and fiscally responsible land use patterns. Action 1.6: Incentivize infill development and redevelopment to take advantage of existing infrastructure. Action 3.6: Pro actively provide a regulatory environment that remains business and resident friendly. Future Land Use: The property is situated within the New Braunfels Sub-Area. It is located within <i>Existing</i> Civic, Market, Employment, Education, Tourist/Entertainment, Outdoor Recreation, and Medical Centers and in <i>Planned</i> Civic, Education, and Outdoor Recreation Centers.
--	--

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

N/A

Notification:

Public hearing notices were sent to owners of 17 properties within 200 feet of the request, including the property owner of the protected use. To date, the City has received no responses.

RESOURCE LINKS:

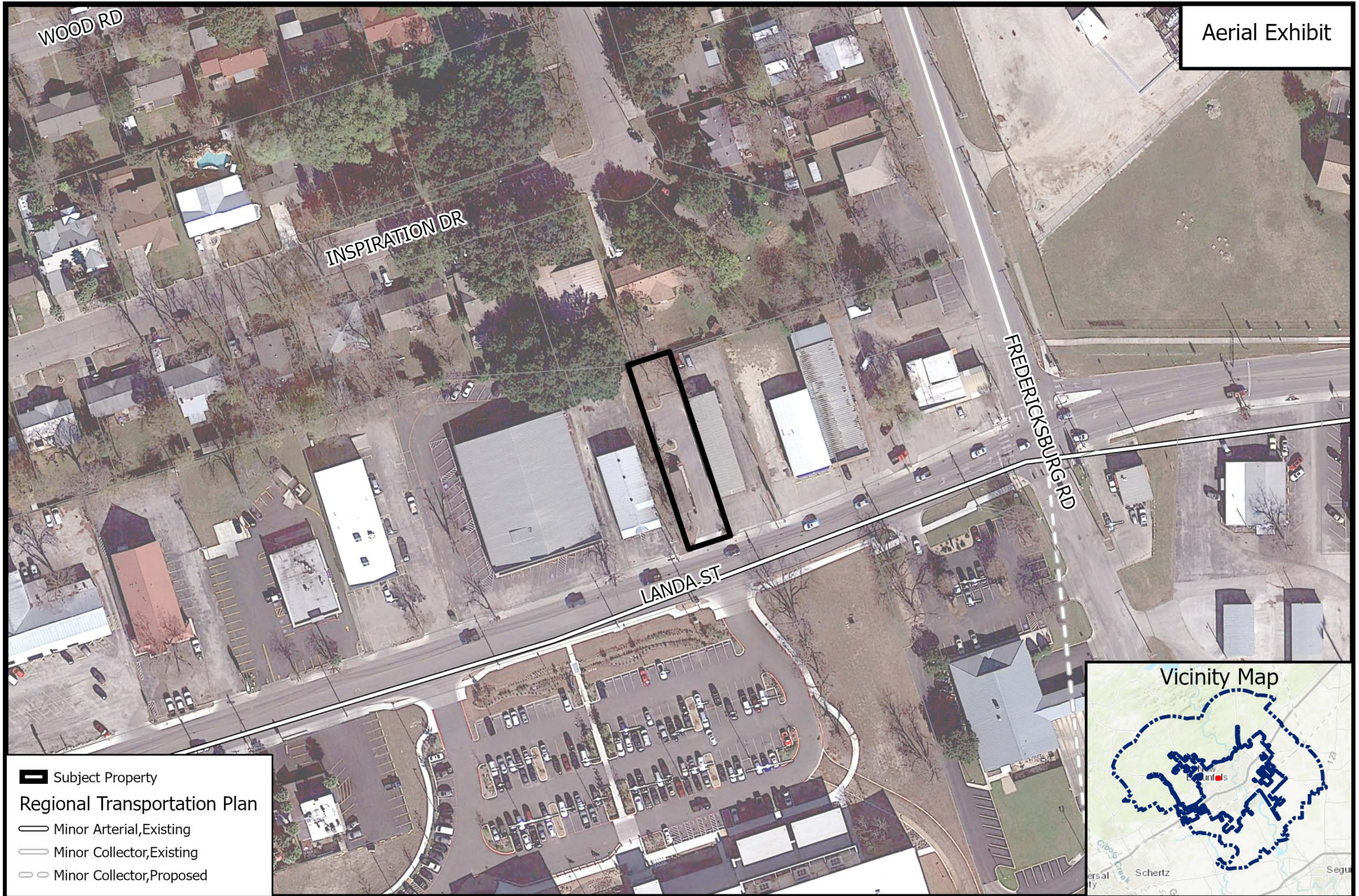
- Chapter 144, Sec. 3.3-7 (C-1) of the City's Code of Ordinances:
[https://gismaps.nbtexas.org/ZoningOrdinance/Sec. 3.3-7 C-1 \(2012\).pdf](https://gismaps.nbtexas.org/ZoningOrdinance/Sec. 3.3-7 C-1 (2012).pdf)
- Sec. 144-5.18 Sale of Alcoholic Beverages of the City's Code of Ordinances:

https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?

- Texas Local Government Code, Title 4, Chapter 109 (Alcoholic Beverage Code)
<https://statutes.capitol.texas.gov/Docs/AL/htm/AL.109.htm>

ATTACHMENTS:

1. Aerial Map
2. Map Exhibit of Distance to Church
3. Applicant Request Letter
4. Notification Map



Aerial Exhibit

Vicinity Map

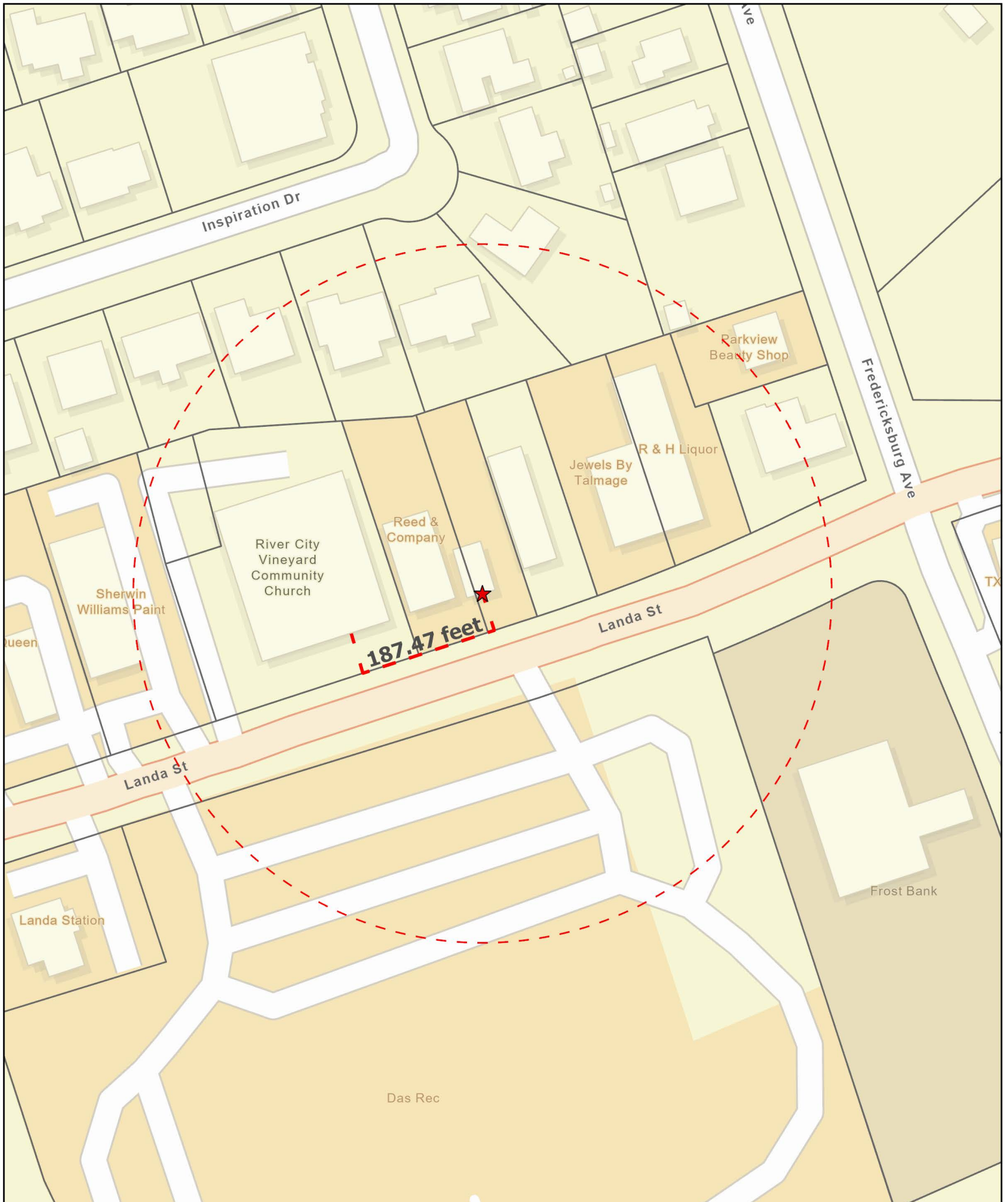


CS20-319

Variance to Allow Alcohol Sales Near Protected Use

0 75 150
Feet





Robert Pineda
344 Landa St.
New Braunfels, TX 78130

December 12, 2020

Ms. Caitlin Krobot
City Secretary
550 Landa Street
New Braunfels, TX 78130

Re: Sale of Alcoholic Beverage Distance Limitation Variance.

Dear Ms. Krobot,

As stated in Title 4, Subchapter C, Section 109.33(e), I would like to request a variance to the distance limitation in 109.33(a)(1) for my business's property located at 344 Landa St., New Braunfels, Texas, 78130.

My rationale for this is based on the following;

1. The sale of wine and beer is integral to the success of our new business's plan. Eliminating the potential revenue from these sales would be an undue hardship to our small business.
2. Our business is intending to apply for the TABC Wine and Beer Off-Premise Permit. There will be no liquor sold, nor consumption of any alcoholic beverages on our property.
3. A liquor store is within the same 300ft distance to the church. I am aware that this liquor store may be grandfathered from section 144-5.18, however I do not feel as though the sale of wine and beer from our business at this location will have a negative impact on the health, safety, or welfare of the surrounding community.

If you have any questions or concerns to my request, please feel free to contact me. I can be reached anytime by the information provided below.

Thank you for your time and consideration,

Robert Pineda

Robert "Bob" Pineda

Cell: (512)-300-1215

Email: bobby.pineda09@gmail.com

CC: Christopher Looney, Director of Planning and Development Services,
City of New Braunfels, Texas.

PLANNING COMMISSION – JANUARY 5TH, 2021– 6:00PM

Zoom Webinar

Applicant/Owner: Robert Pineda

Address/Location: 344 Landa Street

CASE #CS20-319

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- | | |
|---------------------------------|---------------------------------|
| 1. 352 LANDA LLC | 9. COUSER JACQUELYN SAHM |
| 2. KEB ENTERPRISES LLC | 10. VALENTINE ENTERTAINMENT LLC |
| 3. KRAFT DENNIS N & JUDY | 11. S2 VENTURES LLC |
| 4. SCHORN JEROME G & HELEN M | 12. FUENTES OLGA I VEGA |
| 5. HULL HENRY A & LINDA | 13. COCHRAN AMANDA |
| 6. EARTH PROPERTIES LLC | 14. NEW BRAUNFELS CITY OF |
| 7. MCCRARY BILLY D & TERRI W | 15. KEER COMMERCIAL LLC |
| 8. FERRELL CHARLES FAMILY TRUST | 16. FROST NATIONAL BANK |

SEE NOTIFICATION MAP

DETACH & RETURN THIS PORTION IF YOU WISH TO SUBMIT WRITTEN COMMENT

Case: CS20-319 (Pineda) MO

Name: Judy Kraft
Address: 343 Inspiration Drive
Circled property number from map: #3

Comments: (Use additional sheets if necessary)

Signature: Judy Kraft

I favor: _____

I object: ☒ ☒
(State reason for objection)

R+H Liquor is
right there

Traffic exiting





CS20-319

Variance to Allow Alcohol Sales Near Protected Use



0 75 150
Feet



1/5/2021

Agenda Item No. O)

Presenter/Contact*Applicant: Moeller & Associates (James Ingalls, P.E.); Owner: Sandra E. Self***SUBJECT:**

REP20-307 Public Hearing and consideration of the Self Subdivision, that includes a replat of Lot 1R, Schleicher Estates Subdivision, with a waiver to not extend an existing street.

Plat Information:**Case #:** REP20-307

Owner: Sandra E. Self
2919 Morningside Drive
New Braunfels, TX 78130
sandyss345@gmail.com

Applicant: James Ingalls, P.E.
Moeller & Associates
2021 SH 46W, Ste. 05
New Braunfels, TX 78132\
(830) 358-7127
jamesingalls@ma-tx.com

Case Manager: Matthew Simmont
(830) 221-4058
msimmont@nbtexas.org

Description: Replat to incorporate a portion of an existing lot into adjacent tract for conveyance and future development.

Waiver: To the required continuation of an existing street.

Background:

The subject property consists of one platted lot (5.7 acres) that is located at 2919 Morningside Drive and an additional approximately 10.7 acres of property in-between the Vista Hills and Fields of Morningside Subdivisions. The proposed 16.412-acre replat will adjust the boundary of the existing platted lot and allow for the sale, replat and development of the balance of the property.

The subject property is zoned R-1, R-1A-4 and R-1A-5.5, Single Family Zoning Districts. The replatting of property with single family zoning requires a public hearing for the replat.

Drainage:

The City's Public Works Department reviewed project drainage with the approved letter of

certification as required by Section 118-51.e of the Subdivision Platting Ordinance and in accordance with Chapter 143 Municipal Drainage Utility Systems, and the Drainage and Erosion Control and Design Manual (DECDM).

No portion of the property is located within the 1% annual chance floodplain.

Extension of Infrastructure:

Section 118-46(c) of the Platting Ordinance requires existing streets to be continued where necessary to the neighborhood pattern to allow for the progress of expected development. The plat is proposing to create one lot that does not provide for the completion of Vista Parkway. **The developer is requesting a waiver to the required continuation of an existing street** to allow for the desired partitioning and sale of the subject property. Once divided, the owner intends to transfer proposed Lot 2 that will be subsequently replatted and developed for small-lot residential use. Upon replatting of Lot 2, the Platting Ordinance requirements of Section 118-46(c) will be met.

Staff is not opposed to the waiver request as it is temporary and will facilitate the legal transfer of ownership and allow the subsequent single-family residential development that is consistent with the recently approved zoning change. Approval is recommended with the condition that no building permit is to be issued until such time that Lot 2 has been replatted to include the extension of public infrastructure as required by adopted City ordinances. The waiver criteria are provided below in Commission Findings.

Commission Findings:

The Planning Commission can approve a waiver if it makes findings based upon the evidence presented to it by the applicant 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.

Utilities:

Water and electric service are currently provided by New Braunfels Utilities (NBU) to Lot 1. Private onsite sanitary sewage facilities (OSSF) are also in place and servicing Lot 1. Water, wastewater and electric service will be required to be extended with the replat and development of Lot 2. All required public utilities are available to proposed lots within this subdivision. Utility easements are indicated on the plat as required by the utility provider.

Transportation:

Regional Transportation Plan:

The property has frontage along Morningside Drive which is designated as a Major Collector that requires a minimum right-of-way width of 90 feet. Additional right-of-way is being dedicated with this replat along Morningside Drive.

Hike and Bike Trail Plan:

This plat is in compliance with the City's Hike and Bike Trails Plan and no right-of-way dedication or hike and bike trail construction is required as there are no proposed trails within or adjacent to this subdivision on the City's Hike and Bike Trails Plan.

Sidewalks:

Sidewalks are being constructed with the Morningside Drive City Capital Improvements Project.

Roadway Impact Fees:

This subdivision is subject to Roadway Impact Fees and is hereby assessed the fees for Service Area 5 with the approval of this plat. The Impact Fees will be collected at the time of building permit as indicated in the then current fee schedule for the intended use.

Parkland Dedication and Development:

This subdivision is subject to the City's 2018 Parkland Dedication and Development Ordinance. The development will be required to pay parkland dedication and development prior to the development of Lot 2.

Notification:

Public hearing notices were sent to 2 owners of property within 200 feet of the request. The City has received no responses.

Staff Recommendation:

To meet the requirements of the City's Subdivision Platting Ordinance and other adopted codes, the applicant's final plat must comply with the conditions noted below. Staff recommends approval of the proposed replat with the waiver and the following Conditions of Approval:

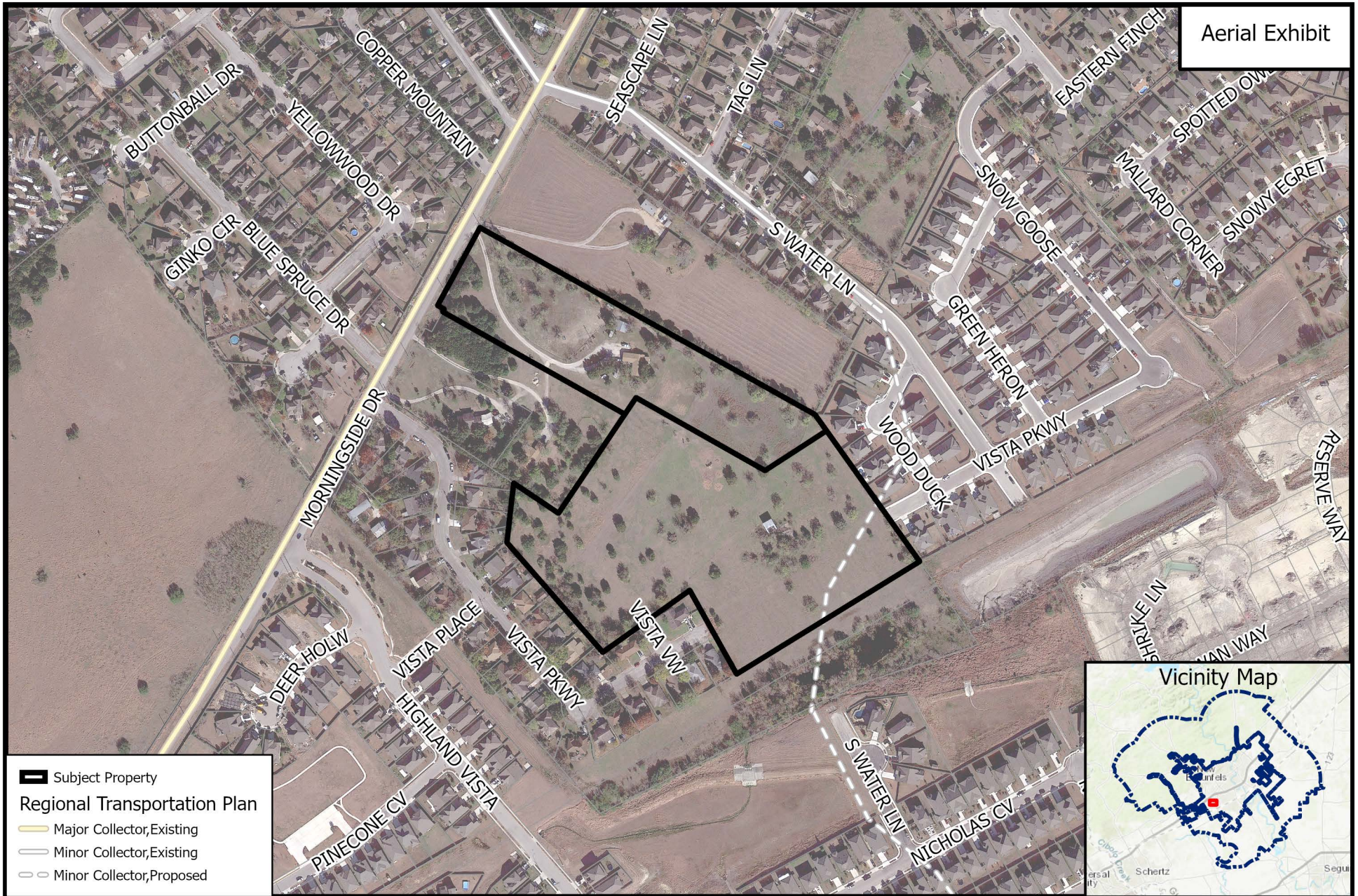
1. No building permit is to be issued for proposed Lot 2 until it has been replatted to include the extension of public infrastructure. Revise Note 5 to reflect only one buildable lot (Lot 1) and that Lot 2 must be replatted to extend public infrastructure, including the roadway. (NBCO 118-46(c)).
2. Revise Note 6 to reflect only one buildable lot (NBCO 118-60).
3. Remove the linework showing the previous boundary of Lot 1R, Schleicher Estates from the replat (NBCO 118-21(c)).
4. Add a sidewalk note to the plat (NBCO 118-49(d)).
5. Add a purpose for replat statement (NBCO 118-34(k)).
6. Add a block number to the plat (NBCO 118-29(b)).
7. A final digital plat must be submitted when proceeding with recordation, format must be in: NBCO Sec. 118-21(c)
 - a. NAD 1983 State Plane Texas South Central FIPS 4204 (US Survey feet).
 - b. Grid scale.
 - c. All x-referenced files must not be in blocks.
 - d. Dwg format 2013 version or later.

Approval Compliance:

To obtain approval of the final plat, the applicant must submit to the City a revised final plat and a written response that satisfies each condition of approval prior to expiration of the plat (Sec. 118-32 (k)). In accordance with Chapter 212, Texas Local Government Code, the City will determine the final plat approved if the response adequately addresses each Condition of Approval.

Attachments:

1. Aerial Map
2. Replat
3. Waiver Request
4. Notification List and Map



REP20-307 Replat Self Subdivision

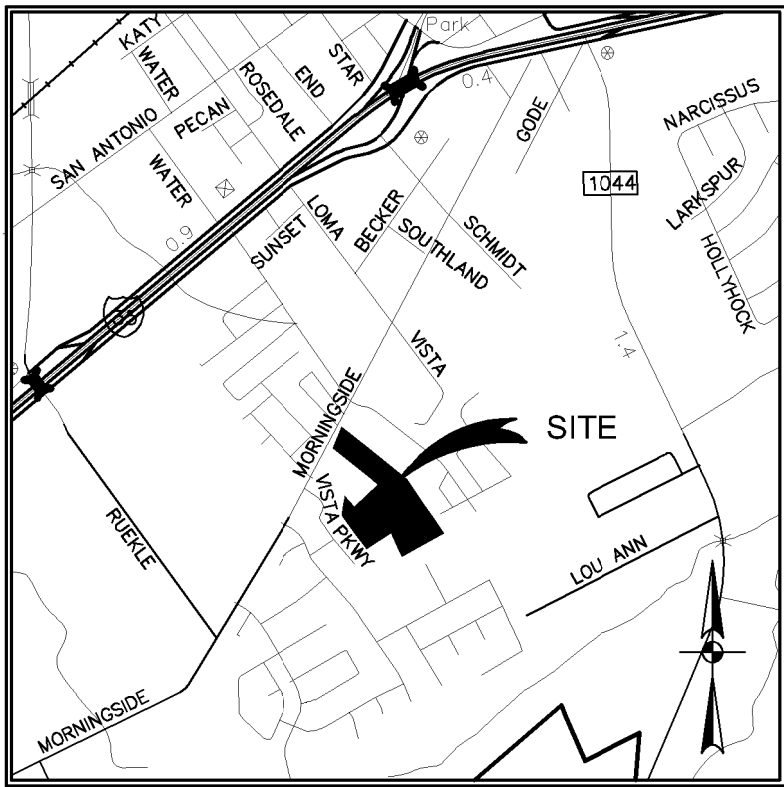
Drawing Name: N:\Projects\SCAN011 Self Tract\Planning\Plotting\Self Tract Plot - 2 lots.dwg User: jamesingalls Dec 10, 2020 - 11:22am



AREA BEING REPLATTED
SCALE: 1"=300'

REPLAT ESTABLISHING
SELF SUBDIVISION

BEING ALL OF 12.098 ACRE TRACT OF LAND SITUATED IN THE JOHN THOMPSON SURVEY NO. 21, IN COMAL COUNTY, TEXAS AND BEING OUT OF A CALLED 19.6752 ACRE TRACT OF LAND (TRACT 1), AS CONVEYED TO SANDRA E. SELF, AND RECORD IN VOLUME 969, PAGE 293, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS. AND BEING ALL OF 4.314 ACRE TRACT OF LAND SITUATED IN THE JOHN THOMPSON SURVEY NO. 21, IN COMAL COUNTY, TEXAS, AND BEING OF OF LOT 1R BLOCK 1, SCHLEICHER ESTATES SUBDIVISION, A SUBDIVISION IN COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORD IN VOLUME 8, PAGE 185, OF THE TEXAS MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS.



LOCATION MAP
SCALE: 1"=2,000'

NOTES:

1. THE SUBDIVISION IS WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.
2. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE IN GRID BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983, DISTANCES SHOWN HEREON ARE SURFACE USING COMBINED SCALE FACTOR OF 1.00015.
3. MONUMENTS WERE FOUND OR SET AT EACH CORNER OF THE SURVEY BOUNDARY OF THE SUBDIVISION. MONUMENTS AND MARKERS WILL BE SET WITH 1/2" IRON PIN WITH PLASTIC CAP STAMPED "DAM #5348 PROP. COR." IMMEDIATELY AFTER COMPLETION OF UTILITY INSTALLATION AND STREET CONSTRUCTION UNLESS NOTED OTHERWISE.
4. THE PROPOSED USE OF THE SUBDIVISION IS FOR SINGLE FAMILY RESIDENTIAL.
5. SELF SUBDIVISION, ESTABLISHING A TOTAL OF 2 LOTS, WITH 2 BEING BUILDABLE.
6. THIS SUBDIVISION IS SUBJECT TO THE 2018 CITY OF NEW BRAUNFELS PARK LAND AND DEDICATION ORDINANCE. THIS PLAT IS APPROVED FOR 1 DWELLING UNIT PER BUILDABLE LOT WITH A MAXIMUM OF 2 BUILDABLE LOTS. AT SUCH TIME THAT ADDITIONAL DWELLING UNITS ARE CONSTRUCTED; THE OWNER OF THE LOT SHALL CONTACT THE CITY AND COMPLY WITH THE ORDINANCE FOR EACH DWELLING UNIT.
7. THE ELEVATION OF THE LOWEST FLOOR SHALL BE AT LEAST 10 INCHES ABOVE THE FINISHED GRADE OF THE SURROUNDING GROUND, WHICH SHALL BE SLOPED IN A FASHION SO AS TO DIRECT STORMWATER AWAY FROM THE STRUCTURE. PROPERTIES ADJACENT TO STORMWATER CONVEYANCE STRUCTURES MUST HAVE A FLOOR SLAB ELEVATION OR BOTTOM OF FLOOR JOISTS A MINIMUM OF ONE FOOT ABOVE THE 100-YEAR WATER FLOW ELEVATION IN THE STRUCTURE. DRIVEWAYS SERVING HOUSES ON THE DOWNHILL SIDE OF THE STREET SHALL HAVE A PROPERLY SIZED CROSS SWALE PREVENTING RUNOFF FROM ENTERING THE GARAGE AND SHALL PREVENT WATER FROM LEAVING THE STREET.
8. NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN THE EXISTING SPECIAL FLOOD HAZARD ZONE A, 100-YEAR FLOOD BOUNDARY, AS DEFINED BY THE GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 46091C0445F, REVISED NOVEMBER 02, 2009 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
9. FUTURE DEVELOPMENT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS, AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.
10. ANY DRIVEWAY CONSTRUCTION ON COUNTY ROADS WITHIN THE UNINCORPORATED AREAS OF COMAL COUNTY MUST BE PERMITTED BY THE COMAL COUNTY ROAD DEPARTMENT.
11. NO PORTION OF THIS PROPERTY IS WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.

NEW BRAUNFELS UTILITIES NOTES:

1. MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT, OR ANY PORTION OF IT, INCLUDING LANDSCAPING OR DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE TERMS AND CONDITIONS IN THE EASEMENT, MUST NOT ENDANGER OR INTERFERE WITH THE RIGHTS GRANTED BY THE EASEMENT TO NEW BRAUNFELS UTILITIES, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE SUBJECT TO APPLICABLE PERMIT REQUIREMENTS OF THE CITY OF NEW BRAUNFELS OR ANY OTHER GOVERNING BODY. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE UTILITIES TO UTILIZE THE EASEMENT, OR ANY PART OF IT.
2. UTILITIES WILL POSSESS A 5' WIDE SERVICE EASEMENT TO THE BUILDING STRUCTURE ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS EASEMENT WILL VARY DEPENDING UPON LOCATION OF DWELLING AND SERVICE.
3. UTILITIES SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCED AREA.
4. EACH LOT MUST HAVE ITS OWN WATER AND SEWER SERVICE AT THE OWNER'S/DEVELOPER'S EXPENSE.
5. DO NOT COMBINE ANY NEW UTILITY EASEMENTS (U.E.) WITH DRAINAGE EASEMENTS (D.E.) OR MAKE CHANGES IN GRADE WITHIN THE UTILITY EASEMENTS (U.E.) WITHOUT WRITTEN APPROVAL FROM NEW BRAUNFELS UTILITIES.

STATE OF TEXAS
COUNTY OF COMAL

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE SELF SUBDIVISION TO THE CITY OF NEW BRAUNFELS, COUNTY OF COMAL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

OWNER:
DIRT DEALERS
C/O JACK SCANIO
18618 TUSCANY STONE, #210
SAN ANTONIO, TX 78258

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____DAY OF _____, 20____.

BY _____

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: _____

KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED, DREW A. MAWYER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND MADE ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

DREW A. MAWYER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5348
D.A. MAWYER LAND SURVEYING
5151 W. SH46
NEW BRAUNFELS, TEXAS 78132
FIRM #10191500

MOELLER
& ASSOCIATES
Engineering Solutions

2021 SH 46W, Ste. 105
New Braunfels, TX 78132
ph: (830) 358-7127
www.ma-tx.com TBPE FIRM F-13351

LEGEND:
P.O.B. = POINT OF BEGINNING
B.L. = BUILDING SETBACK LINE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
R.O.W. = RIGHT-OF-WAY
O.S. = OPEN SPACE LOT
PAGE MATCH LINE
1/2" IRON PIN SET
IRON PIN FOUND
TXDOT MONUMENT FOUND

APPROVED THIS THE _____ DAY OF _____, 20____ BY THE
PLANNING COMMISSION OF THE CITY OF NEW BRAUNFELS, TEXAS.

CHAIRMAN _____

APPROVED FOR ACCEPTANCE

DATE _____ PLANNING DIRECTOR _____

DATE _____ CITY ENGINEER _____

DATE _____ NEW BRAUNFELS UTILITIES _____

STATE OF TEXAS
COUNTY OF COMAL

I, _____, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WAS
FILED FOR RECORD IN THE MAP AND PLAT RECORDS, DOC# _____ OF
COMAL COUNTY ON THE _____ DAY OF _____, 20____, AT _____ M.
WITNESS MY HAND OFFICIAL SEAL, THIS THE _____ DAY OF _____, A.D. 20____.

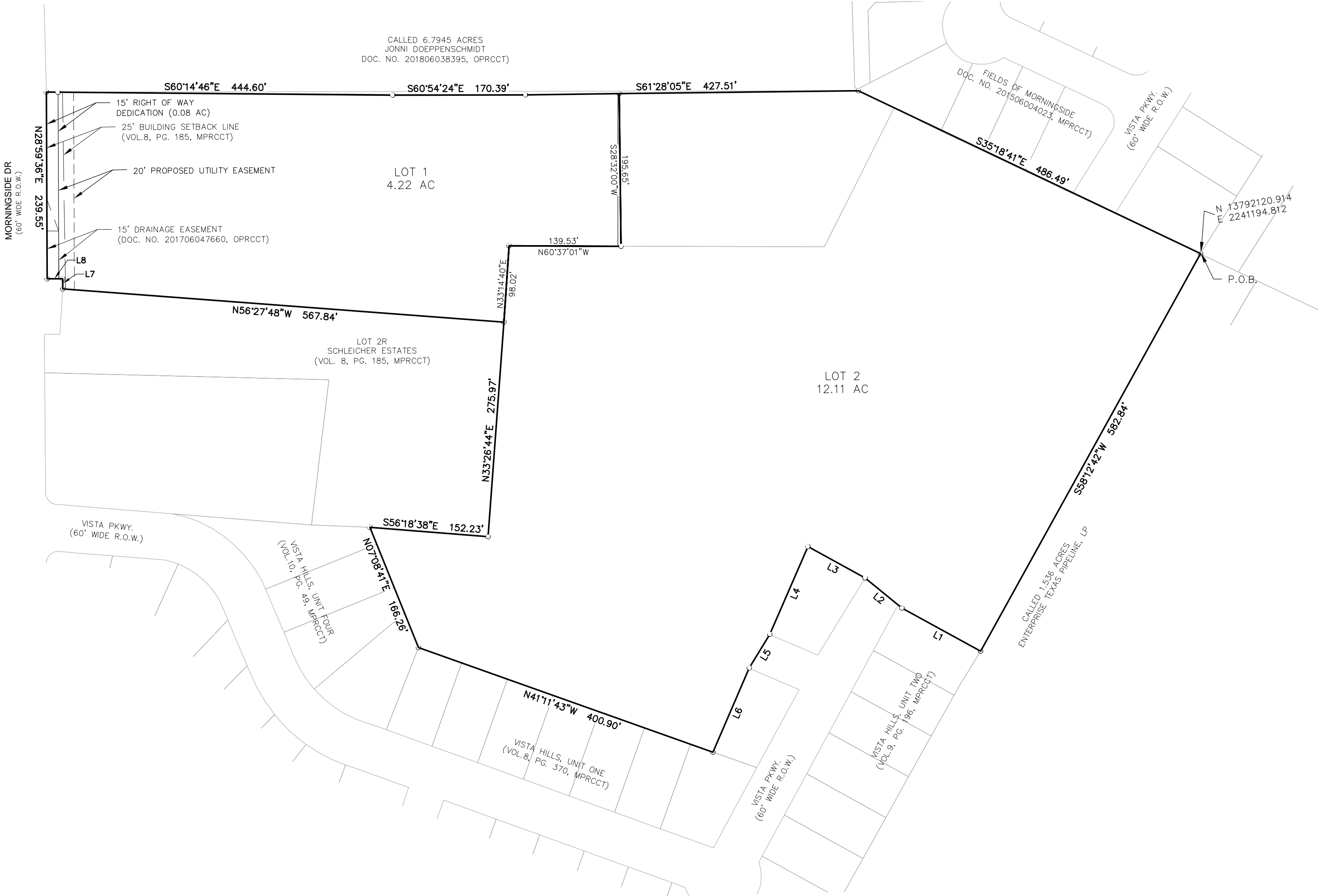
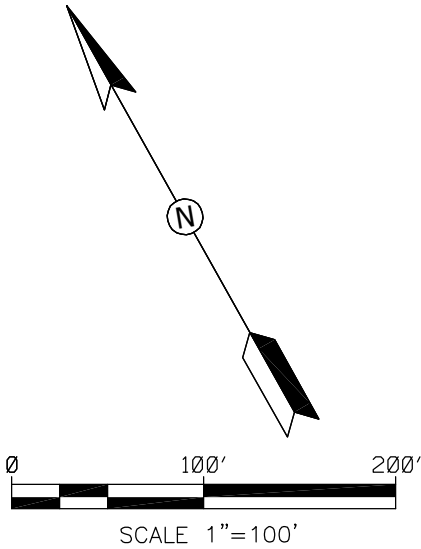
COUNTY CLERK, COMAL COUNTY, TEXAS

DEPUTY _____

REPLAT ESTABLISHING
SELF SUBDIVISION

BEING ALL OF 12.098 ACRE TRACT OF LAND SITUATED IN THE JOHN THOMPSON SURVEY NO. 21, IN COMAL COUNTY, TEXAS AND BEING OUT OF A CALLED 19.6752 ACRE TRACT OF LAND (TRACT 1), AS CONVEYED TO SANDRA E. SELF, AND RECORD IN VOLUME 969, PAGE 293, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS. AND BEING ALL OF 4.314 ACRE TRACT OF LAND SITUATED IN THE JOHN THOMPSON SURVEY NO. 21, IN COMAL COUNTY, TEXAS, AND BEING OF LOT 1R BLOCK 1, SCHLEICHER ESTATES SUBDIVISION, A SUBDIVISION IN COMAL COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORD IN VOLUME 8, PAGE 185, OF THE TEXAS MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS.

LINE TABLE		
LINE	LENGTH	BEARING
L1	115.00'	S32°09'53"E
L2	61.22'	S21°16'41"E
L3	83.83'	S32°09'53"E
L4	122.52'	S52°39'48"W
L5	50.49'	N60°41'09"E
L6	117.97'	N52°39'44"E
L7	13.12'	N28°59'36"E
L8	20.00'	N61°00'24"W



Drawing Name: N:\Projects\SCAN011 Self Tract\Planning\Plating\Self Tract Plot - 2 lots.dwg User: JamesIngalls Dec 10, 2020 - 11:23am

M

MOELLER
& ASSOCIATES
Engineering Solutions

2021 SH 46W, Ste. 105
New Braunfels, TX 78132
p h : (8 3 0) 3 5 8 - 7 1 2 7
www.ma-tx.com TBPE FIRM F-13351

- LEGEND:
- P.O.B. = POINT OF BEGINNING
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 - R.O.W. = RIGHT-OF-WAY
 - O.S. = OPEN SPACE LOT
 - = PAGE MATCH LINE
 - = 1/2" IRON PIN SET
 - = IRON PIN FOUND
 - = TXDOT MONUMENT FOUND



October 29, 2020

Planning Department
City of New Braunfels
550 Landa Street
New Braunfels, TX 78130

Self Subdivision Minor Final Plat

The intent of this letter is to request an exemption from plat code section 118-46 part C.

This subdivision is located at 2919 Morningside Dr. New Braunfels, TX 78130. We are submitting a minor final plat for a portion of the 19.6752 Acres owned by Sandra Self (Vol. 969, PG. 293, OPRCCT) and a portion of lot 1R, Block 1, of Schleicher Estates Subdivision (Vol. 8, PG. 185, MPRCCT). This subdivision is located within the city limits of New Braunfels and is zoned as R-1A-5.5 and R-1A-4.

The purpose of this plat is to revise a lot line between two existing lots. The current owner of the property is wanting to revise this lot line in order to allow for full transfer of the portion of the property that will be subsequently replatted and developed for small-lot residential use (see attached preliminary plat for the final intent of Lot 2). When Lot 2 is platted again the requirements of plat code 118-46 part C will be met.

If you need additional information or have any questions, please do not hesitate to contact myself or Jeff Moeller, P.E.

Sincerely,

A handwritten signature in blue ink, reading 'James Ingalls'.

James Ingalls, P.E.

PLANNING COMMISSION – JANUARY 5, 2021– 6:00PM

Zoom Meeting

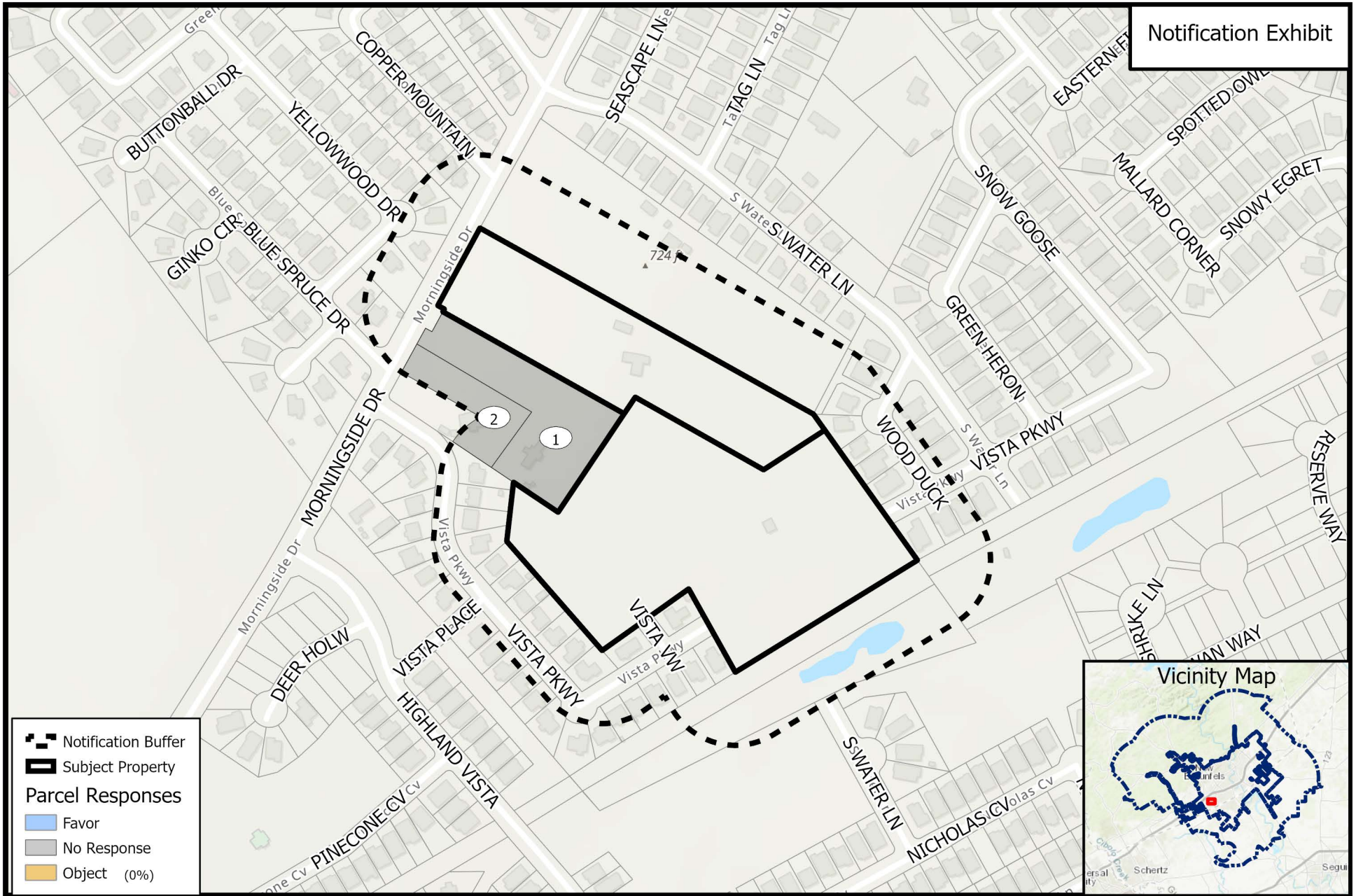
Applicant/Owner: Moeller & Associates (James Ingalls)/Sandra Self

Address/Location: 2919 Morningside Drive and in-between Vista Hills and Fields of Morningside

PROPOSED REPLAT – CASE #REP20-307

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

1. SCHLEICHER GAYLE E
2. MARES JOHNNY A & BRENDA L



1/5/2021

Agenda Item No. P)

Presenter/Contact*Applicant: Moeller & Associates (James Ingalls, P.E.); Owner: San Antonio 2015 LLC (David C. Frye)***SUBJECT:**

REP20-315 Public Hearing and consideration of the Spring Valley Subdivision, Unit 1A that includes a replat of Tract 1, Anita's Acres Subdivision.

Plat Information:**Case #:** REP20-315**Owner:** San Antonio 2015 LLC - Rausch Coleman
David C. Frye
4058 North College Ave. Suite 300
Fayetteville, AR 72703
david.frye@rch.com**Applicant:** James Ingalls, P.E.
Moeller & Associates
2021 SH 46W, Ste. 05
New Braunfels, TX 78132\
(830) 358-7127
jamesingalls@ma-tx.com**Case Manager:** Matthew Simmont
(830) 221-4058
msimmont@nbtexas.org**Description:** 23.734 acre tract to be platted establishing 72 residential lots, two common lots and four non-buildable (drainage) lots.**Background:**

The subject property is located on the south side of Alves Lane, east of Whisperwind and Stone Gate Subdivisions, and north of Saengerhalle Subdivision. Approximately 10.5 acres of the property is within the city limits with the balance of the subdivision (approximately 13.2 acres) lying outside city limits, within the ETJ.

The proposed plat will establish 18 duplex-residential lots, 54 single-family residential lots and 3 lots for common/drainage area as the first phase of a 60-acre, 4 phase master plan. The replatting of property with single family zoning requires a public hearing for the replat.

Drainage:

The City's Public Works Department has reviewed and approved final project drainage with the construction plans as required by Section 118-51.e of the Subdivision Platting Ordinance and in accordance with Chapter 143 Municipal Drainage Utility Systems, and the Drainage and Erosion Control and Design Manual (DECDM).

No portion of the property is located within the 1% annual chance floodplain.

Utilities:

Electric, water and wastewater services will be provided by New Braunfels Utilities (NBU). Utility easements will be provided as requested by NBU. Utilities will be extended as part of this development pursuant to the approved construction plans.

Transportation:

Regional Transportation Plan:

The project is proposing dedication of right-of-way along Alves Lane in compliance with the width requirements for the Minor Arterial. The project will also extend Stone Gate Drive, a Minor Collector providing additional access to the property.

Hike and Bike Trail Plan:

This plat is in compliance with the City's Hike and Bike Trails Plan with construction of a section of the trail along Fischer Way that continues southeast along a drainage lot.

Sidewalks:

Four-foot wide sidewalks will be constructed on both sides of all internal streets at the time of development by the developer/homebuilder to create a continuous and connected pedestrian system. Sidewalks along Alves Lane have been installed with the reconstruction of the roadway.

Roadway Impact Fees:

The portion of this subdivision located within the city limits is subject to Roadway Impact Fees and is hereby assessed the fees for Service Area 6 with the approval of this plat. The Impact Fees will be collected at the time of building permit as indicated in the then current fee schedule for the intended use.

Parkland Dedication and Development:

This subdivision is subject to the City's 2006 Parkland Dedication and Development Ordinance. A private neighborhood park is proposed to be developed within Unit 1B of the subdivision that will serve the Spring Valley neighborhood. The development is required to pay parkland dedication and development fees for the proposed residential lots prior to plat recordation. In-lieu fees must be paid and eligibility for reimbursement will be determined when amenities are complete.

Notification:

Public hearing notices were sent to 1 owner of property within 200 feet of the request. The City has not received a response.

Staff Recommendation:

To meet the requirements of the City's Subdivision Platting Ordinance and other adopted codes, the applicant's final plat must comply with the conditions noted below. Staff recommends approval of the proposed final plat with the following Conditions of Approval:

-
1. The sanitary sewer easement that crosses Lots 1 and 2, Block 5 must be abandoned (NBCO 118-21(c)).
 2. Easements for the proposed temporary turnarounds must be recorded by separate instrument and noted on the plat (NBCO118-46(j)).
 3. Update Note 3.2 to include Lots 1-9, Block 5 for Stone Gate Dr to be constructed by the developer (NBCO 118-49(d)).
 4. Remove note 21 as contours are not shown and not to be included on final plats (NBCO 118-21(c)).
 5. A final digital plat must be submitted when proceeding with recordation, format must be in: (NBCO Sec. 118-21(c))
 - a. NAD 1983 State Plane Texas South Central FIPS 4204 (US Survey feet).
 - b. Grid scale.
 - c. All x-referenced files must not be in blocks.
 - d. Dwg format 2013 version or later.

Approval Compliance:

To obtain approval of the final plat, the applicant must submit to the City a revised final plat and a written response that satisfies each condition of approval prior to expiration of the plat (Sec. 118-32 (k)). In accordance with Chapter 212, Texas Local Government Code, the City will determine the final plat approved if the response adequately addresses each Condition of Approval.

Attachments:

1. Aerial Map
2. Final Plat
3. Notification List and Map



Drawing Name: N:\Projects\M05A001 Travelstead Tract\Planning\Plotting\Unit 1A\Spring Valley Unit 1A Plat.DWG User: StevenGarcia Dec 07, 2020 - 10:43am

STATE OF TEXAS
COUNTY OF COMAL
I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS SPRING VALLEY SUBDIVISION UNIT 1A, TO THE CITY OF NEW BRAUNFELS, COUNTY OF COMAL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

OWNER:
RAUSCH COLEMAN
C/O DAVID C. FRYE
4058 N. COLLEGE AVE SUITE 300
FAYETTEVILLE AR, 72703

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____DAY OF _____20____,

BY _____,

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: _____.

STATE OF TEXAS
COUNTY OF GUADALUPE

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS SPRING VALLEY SUBDIVISION UNIT 1A, TO THE CITY OF NEW BRAUNFELS, COUNTY OF GUADALUPE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

OWNER:
RAUSCH COLEMAN
C/O DAVID C. FRYE
4058 N. COLLEGE AVE SUITE 300
FAYETTEVILLE AR, 72703

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____DAY OF _____20____,

BY _____,

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: _____.

KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED, DREW A. MAWYER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND MADE ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

DREW A. MAWYER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5348
D.A. MAWYER LAND SURVEYING
5151 W. SH46
NEW BRAUNFELS, TEXAS 78132
FIRM #10191500



2021 SH 46W, Ste. 105
New Braunfels, TX 78132
ph: (830) 358-7127
www.ma-tx.com TBPE FIRM F-13351

LEGEND:
P.O.B. = POINT OF BEGINNING
B.L. = BUILDING SETBACK LINE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
R.O.W. = RIGHT-OF-WAY
O.S. = OPEN SPACE LOT
D.L. = DRAINAGE LOT
— = PAGE MATCH LINE
○ = 1/2" IRON PIN SET
● = IRON PIN FOUND

FINAL PLAT ESTABLISHING SPRING VALLEY SUBDIVISION UNIT 1A

BEING 23.734 ACRES, AND INCLUDING ALL OF 9.992 ACRES OF LAND, BEING A REPLAT OF TRACT 1, ANITA'S ACRES SUBDIVISION, A SUBDIVISION SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, AND RECORDED IN VOLUME 5, PAGE 58, OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS, AND BEING 13.742 ACRES OF LAND OUT OF A 50.005 ACRE TRACT OF LAND, BEING APPROXIMATELY 36.681 ACRES OUT OF SUBDIVISION NO. 64, OF THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, IN GUADALUPE COUNTY, TEXAS, AND APPROXIMATELY 13.324 ACRES OUT OF SUBDIVISION NO. 64, OF THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 1, IN COMAL COUNTY, TEXAS, AND BEING ALL OF A CALLED 20.0237 ACRE TRACT OF LAND DESCRIBED IN VOLUME 451, PAGES 250-255, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, AND ALL OF A CALLED 30.0 ACRE TRACT OF LAND DESCRIBED IN VOLUME 740, PAGES 47-49, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS

NOTES:

- ALL LOTS WITHIN THE SUBDIVISION WILL BE PROVIDED WATER, SEWER, AND ELECTRIC BY NEW BRAUNFELS UTILITIES.
- ALL STREETS ARE PROPOSED TO BE OF A LOCAL TYPE FUNCTIONAL CLASSIFICATION WITH 50 FOOT RIGHT-OF-WAYS UNLESS NOTED OTHERWISE. STONEGATE DR IS A MINOR COLLECTOR AND HAS A 60 FOOT RIGHT-OF-WAY.
- SIDEWALK NOTES:
 - FOUR (4) FOOT WIDE SIDEWALKS WILL BE CONSTRUCTED BY THE HOME BUILDER PER CITY STANDARDS AT THE TIME OF BUILDING CONSTRUCTION, UNLESS OTHERWISE NOTED ON THE PLAT, ALONG:
-FISHER WAY, JENNIFER CV, THEA CV, AND GRACIE WAY
 - FOUR (4) FOOT WIDE SIDEWALKS WILL BE CONSTRUCTED BY THE DEVELOPER PER CITY STANDARDS AT THE TIME OF SUBDIVISION STREET CONSTRUCTION ALONG:
-FISHER WAY - LOT 900 AND LOT 901 BLOCK 1; 900 BLOCK 10
-STONE GATE DR -LOT 900 AND LOT 902 BLOCK 1; LOT 900 AND LOT 901 BLOCK 2; LOT 900 BLOCK 10
-THEA COVE - LOT 900 BLOCK 2
 - SIX (6) FOOT WIDE SIDEWALKS WILL BE CONSTRUCTED ALONG ALVES LANE WITH THE ALVES LANE CAPITAL IMPROVEMENTS PROJECT.
 - TEN (10) FOOT WIDE HIKE AND BIKE TRAIL WILL BE CONSTRUCTED BY THE DEVELOPER PER CITY STANDARDS AT THE TIME OF STREET CONSTRUCTION WITH A CONNECTION TO ALVES LANE. THE TRAIL WILL BE CONSTRUCTED ALONG THE SOUTHWESTERN SIDE OF FISHER WAY CROSSING AT THE INTERSECTION OF FISHER WAY AND STONE GATE DR.

- LOT 900 BLOCK 1 IS A COMMON AREA LOT. LOT 900 BLOCK 2 IS AN HOA LOT. LOT 901 BLOCK 1, LOT 902 BLOCK 1, LOT 902 BLOCK 2 AND LOT 900 BLOCK 10 ARE DRAINAGE LOTS AND ARE NON-BUILDABLE LOTS. THESE LOTS WILL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION, THEIR SUCCESSOR'S OR ASSIGNS, AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF NEW BRAUNFELS, COMAL COUNTY, OR GUADALUPE COUNTY.
- THE SUBDIVISION IS WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.
- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE IN GRID BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983. DISTANCES SHOWN HEREON ARE SURFACE USING COMBINED SCALE FACTOR OF 1.00015.

- MONUMENTS WERE FOUND OR SET AT EACH CORNER OF THE SURVEY BOUNDARY OF THE SUBDIVISION. MONUMENTS AND MARKERS WILL BE SET WITH 1/2" IRON PIN WITH PLASTIC CAP STAMPED "DAM #5348 PROP. COR." IMMEDIATELY AFTER COMPLETION OF UTILITY INSTALLATION AND STREET CONSTRUCTION UNLESS NOTED OTHERWISE.

- SPRING VALLEY SUBDIVISION UNIT 1A, DOES FALL WITHIN BOTH THE CITY LIMITS OF THE CITY OF NEW BRAUNFELS AND THE ETJ.

- THE PROPOSED USE OF THE SUBDIVISION IS FOR RESIDENTIAL.

- SPRING VALLEY SUBDIVISION UNIT 1A, ESTABLISHING A TOTAL OF 78 LOTS, WITH 72 BEING BUILDABLE.

- THIS SUBDIVISION IS SUBJECT TO THE 2006 CITY OF NEW BRAUNFELS PARK LAND DEDICATION AND DEVELOPMENT ORDINANCE. THIS PLAT IS APPROVED FOR 90 DWELLING UNITS WITH A MAXIMUM OF 72 BUILDABLE LOTS. AT SUCH TIME THAT ADDITIONAL DWELLING UNITS ARE CONSTRUCTED, THE OWNER OF THE LOT SHALL CONTACT THE CITY AND COMPLY WITH THE ORDINANCE FOR EACH DWELLING UNIT.

- NO STRUCTURES, WALLS OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS OR DRAINAGE ROW SHOWN ON THIS PLAT, NO LANDSCAPING, FENCES, OR OTHER TYPE OF MODIFICATIONS WHICH ALTER THE CROSS SECTIONS OF THE DRAINAGE EASEMENTS OR DRAINAGE ROW OR DECREASES THE HYDRAULIC CAPACITY OF THE EASEMENT OR ROW, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER. THE CITY OF NEW BRAUNFELS, COMAL COUNTY AND GUADALUPE COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTORS ADJACENT PROPERTY TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS OR DRAINAGE ROW AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS OR DRAINAGE ROW.

- THE ELEVATION OF THE LOWEST FLOOR SHALL BE AT LEAST 10 INCHES ABOVE THE FINISHED GRADE OF THE SURROUNDING GROUND, WHICH SHALL BE SLOPED IN A FASHION SO AS TO DIRECT STORMWATER AWAY FROM THE STRUCTURE. PROPERTIES ADJACENT TO STORMWATER CONVEYANCE STRUCTURES MUST HAVE A FLOOR SLAB ELEVATION OR BOTTOM OF FLOOR JOISTS A MINIMUM OF ONE FOOT ABOVE THE 100-YEAR WATER FLOW ELEVATION IN THE STRUCTURE. DRIVEWAYS SERVING HOUSES ON THE DOWNHILL SIDE OF THE STREET SHALL HAVE A PROPERLY SIZED CROSS SWALE PREVENTING RUNOFF FROM ENTERING THE GARAGE AND SHALL PREVENT WATER FROM LEAVING THE STREET.

- NO STRUCTURES IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC WATER AND SEWER SYSTEM WHICH HAS BEEN APPROVED BY NEW BRAUNFELS UTILITIES.

- MAINTENANCE OF DRAINAGE EASEMENT DESIGNATED WITHIN A LOT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION.

- NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN THE EXISTING SPECIAL FLOOD HAZARD ZONE A, 100-YEAR FLOOD BOUNDARY, AS DEFINED BY THE GUADALUPE COUNTY, TEXAS COMMUNITY PANEL NUMBER 48091C0455F, REVISED NOVEMBER 02, 2007 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

- EACH LOT OWNER SHALL BE RESPONSIBLE FOR VERIFYING THE DEPTH OF THE SEWER SERVICE STUB OUT AND DETERMINING THE MINIMUM SERVICEABLE FINISH FLOOR ELEVATION.

- FUTURE DEVELOPMENT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS, AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.

- NO PORTION OF THIS PROPERTY IS WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.

- PERMANENT WATER QUALITY CONTROLS ARE REQUIRED FOR THIS SUBDIVISION PLAT IN ACCORDANCE WITH THE CITY OF NEW BRAUNFELS DRAINAGE AND EROSION CONTROL DESIGN MANUAL.

- 2' CONTOURS ARE SOURCED FROM THE CITY OF NEW BRAUNFELS LIDAR GIS DATABASE AND ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1988.

- THIS SUBDIVISION IS SUBJECT TO THE AIRPORT HAZARD ZONING STANDARDS AND REGULATIONS.

- ANY DRIVEWAY CONSTRUCTION ON COUNTY ROADS WITHIN THE UNINCORPORATED AREAS OF GUADALUPE COUNTY MUST BE PERMITTED BY THE GUADALUPE COUNTY ROAD DEPARTMENT.

- 1' NON-ACCESS EASEMENT PROVIDED ALONG THE REAR LOT BOUNDARY OF LOTS 1-9, BLOCK 5.

NEW BRAUNFELS UTILITIES NOTES:

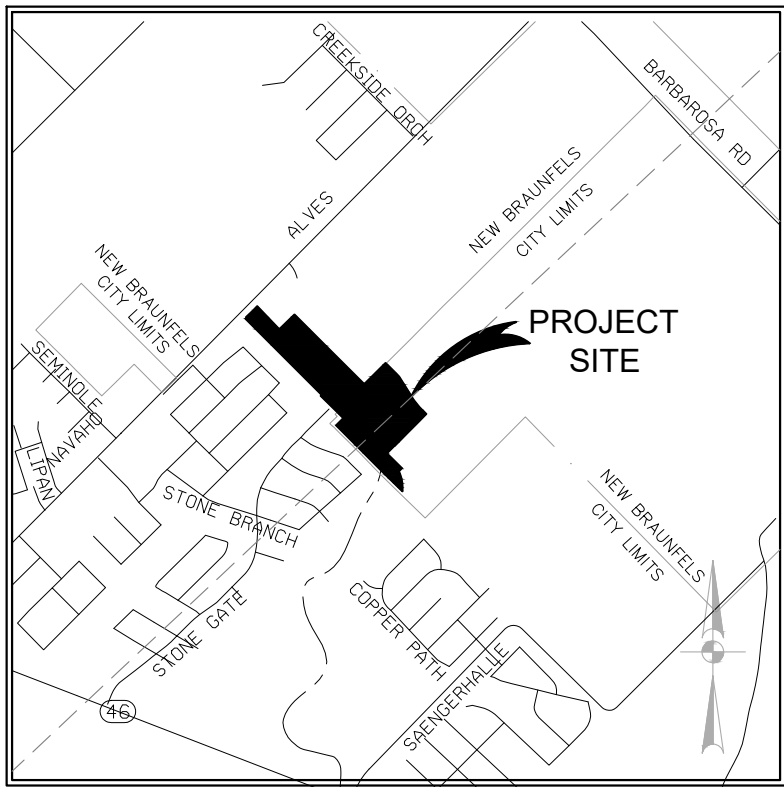
- MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT, OR ANY PORTION OF IT, INCLUDING LANDSCAPING OR DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE TERMS AND CONDITIONS IN THE EASEMENT, MUST NOT ENDANGER OR INTERFERE WITH THE RIGHTS GRANTED BY THE EASEMENT TO NEW BRAUNFELS UTILITIES, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE SUBJECT TO APPLICABLE PERMIT REQUIREMENTS OF THE CITY OF NEW BRAUNFELS OR ANY OTHER GOVERNING BODY. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE UTILITIES TO UTILIZE THE EASEMENT, OR ANY PART OF IT.

- UTILITIES WILL POSSESS A 5' WIDE SERVICE EASEMENT TO THE BUILDING STRUCTURE ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS EASEMENT WILL VARY DEPENDING UPON LOCATION OF DWELLING AND SERVICE.

- UTILITIES SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCED AREA.

- EACH LOT MUST HAVE ITS OWN WATER AND SEWER SERVICE AT THE OWNER'S/DEVELOPER'S EXPENSE.

- DO NOT COMBINE ANY NEW UTILITY EASEMENTS (U.E.) WITH DRAINAGE EASEMENTS (D.E.) OR MAKE CHANGES IN GRADE WITHIN THE UTILITY EASEMENTS (U.E.) WITHOUT WRITTEN APPROVAL FROM NEW BRAUNFELS UTILITIES.



LOCATION MAP

SCALE: 1"=2,000'

APPROVED THIS THE ____ DAY OF _____, 20____ BY THE
PLANNING COMMISSION OF THE CITY OF NEW BRAUNFELS, TEXAS.

CHAIRMAN _____

APPROVED FOR ACCEPTANCE

DATE _____ PLANNING DIRECTOR _____

DATE _____ CITY ENGINEER _____

DATE _____ NEW BRAUNFELS UTILITIES _____

STATE OF TEXAS
COUNTY OF COMAL

I, _____ DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT
WAS FILED FOR RECORD IN THE MAP AND PLAT RECORDS, DOCUMENT NO. _____
OF COMAL COUNTY THE ____ DAY OF _____, 20____, AT _____
M. AND DULY RECORDED THE ____ DAY OF _____, A.D. 20____, AT _____ M.
IN THE MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS IN VOLUME
PAGE ____ IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF
OFFICE, THIS THE ____ DAY OF _____, A.D. 20____.

COUNTY CLERK, COMAL COUNTY, TEXAS

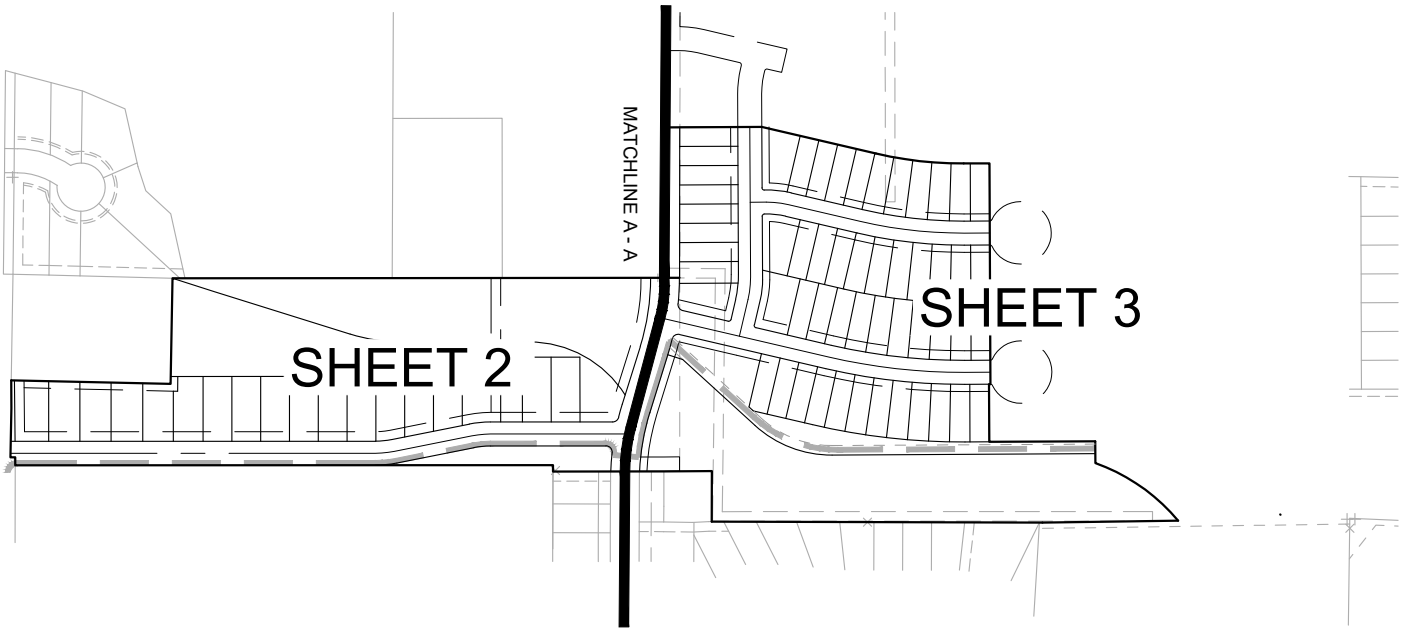
DEPUTY

STATE OF TEXAS
COUNTY OF GUADALUPE

I, _____ COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT
THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS
FILED FOR RECORD IN MY OFFICE, ON THE ____ DAY OF _____, A.D. 20____, AT _____
M. AND DULY RECORDED THE ____ DAY OF _____, A.D. 20____, AT _____ M.
IN THE MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS IN VOLUME
PAGE ____ IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF
OFFICE, THIS THE ____ DAY OF _____, A.D. 20____.

COUNTY CLERK, GUADALUPE COUNTY, TEXAS

DEPUTY



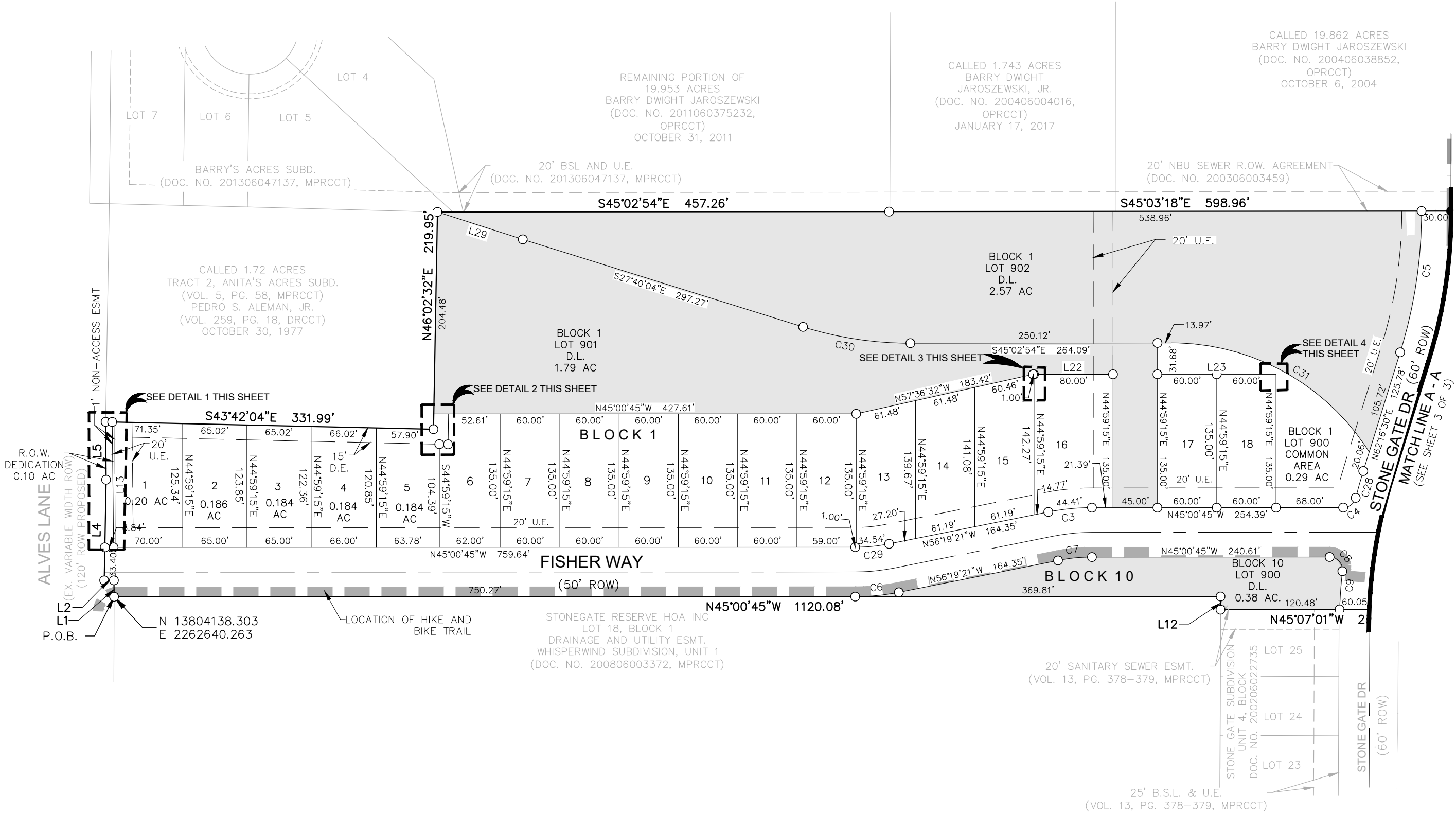
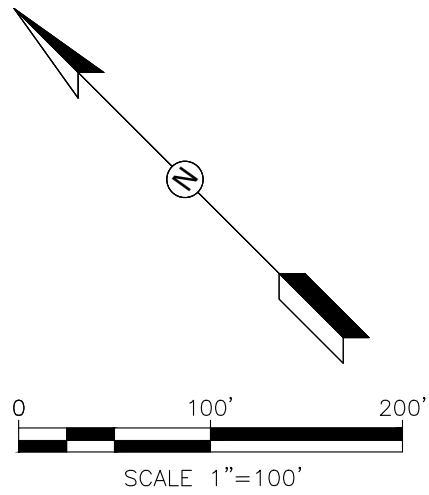
INDEX MAP DETAIL

SCALE: 1" = 400'

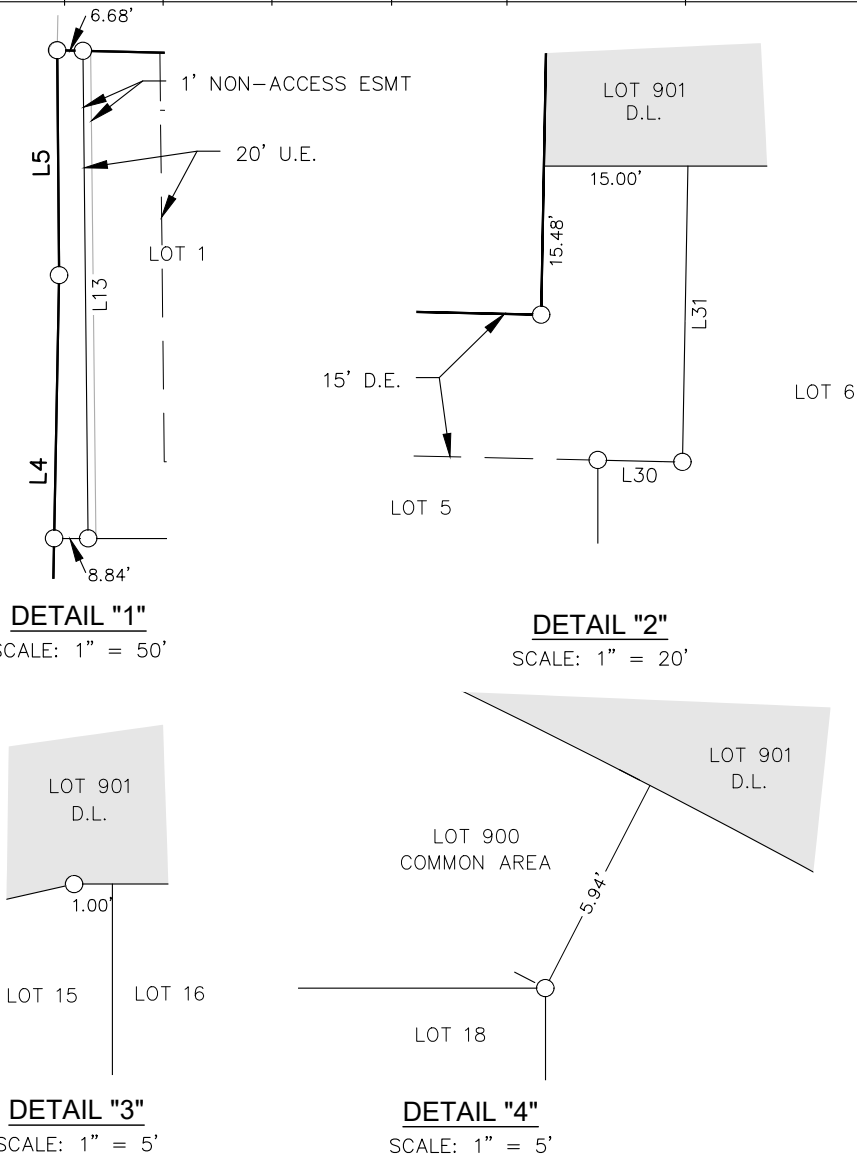
LINE TABLE		
LINE	LENGTH	BEARING
L1	16.62'	N44°23'14"E
L2	9.83'	S45°04'02"E
L3	219.95'	N46°02'32"E
L4	101.98'	N46°04'46"E
L5	58.56'	N44°31'41"E
L6	53.42'	S45°15'22"E
L7	3.00'	S45°15'22"E
L8	120.00'	N44°44'38"E
L9	45.31'	S44°44'38"W
L10	105.33'	N45°13'26"E
L11	99.87'	S45°24'12"E
L12	13.27'	N45°01'03"E
L13	126.98'	N44°23'14"E
L14	42.86'	N58°08'02"E
L15	126.72'	N44°44'38"E
L16	53.42'	N45°15'22"W
L17	53.42'	N45°15'22"W
L18	54.60'	N58°08'02"E
L19	53.42'	N45°15'22"W
L20	50.42'	N45°15'22"W
L21	50.42'	S45°15'22"E
L22	81.00'	N45°00'45"W
L23	120.00'	N45°00'45"W
L24	126.88'	S31°51'58"E
L25	96.58'	N31°51'58"W
L26	48.12'	N45°07'01"W
L27	29.98'	S45°03'02"W
L28	32.52'	N27°16'14"W
L29	90.74'	N27°11'39"W
L30	8.83'	N43°42'04"W
L31	30.82'	S46°02'32"W

FINAL PLAT ESTABLISHING
SPRING VALLEY SUBDIVISION UNIT 1A

BEING 23.734 ACRES, AND INCLUDING ALL OF 9.992 ACRES OF LAND, BEING A REPLAT OF TRACT 1, ANITA'S ACRES SUBDIVISION, A SUBDIVISION SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, AND RECORDED IN VOLUME 5, PAGE 58, OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS, AND BEING 13.742 ACRES OF LAND OUT OF A 50.005 ACRE TRACT OF LAND, BEING APPROXIMATELY 36.681 ACRES OUT OF SUBDIVISION NO. 64, OF THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, IN GUADALUPE COUNTY, TEXAS, AND APPROXIMATELY 13.324 ACRES OUT OF SUBDIVISION NO. 64, OF THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 1, IN COMAL COUNTY, TEXAS, AND BEING ALL OF A CALLED 20.0237 ACRE TRACT OF LAND DESCRIBED IN VOLUME 451, PAGES 250-255, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, AND ALL OF A CALLED 30.0 ACRE TRACT OF LAND DESCRIBED IN VOLUME 740, PAGES 47-49, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	212.60'	397.00'	30°40'56"	108.91'	210.06'	N10°11'04"W
C2	184.63'	790.00'	13°23'25"	92.74'	184.21'	S38°33'40"E
C3	44.41'	225.00'	11°18'36"	22.28'	44.34'	N50°40'03"W
C4	17.18'	13.00'	75°42'58"	10.10'	15.96'	N82°52'14"W
C5	145.18'	480.00'	17°19'48"	73.15'	144.63'	N53°36'36"E
C6	44.41'	225.00'	11°18'36"	22.28'	44.34'	N50°40'03"W
C7	34.54'	175.00'	11°18'36"	17.33'	34.49'	N50°40'03"W
C8	21.84'	13.00'	96°16'28"	14.51'	19.36'	N03°07'29"E
C9	38.74'	540.00'	4°06'38"	19.38'	38.73'	N49°12'24"E
C10	124.32'	480.00'	14°50'24"	62.51'	123.98'	S54°51'18"W
C11	20.31'	13.00'	89°30'44"	12.89'	18.31'	N76°37'20"W
C12	292.13'	1250.00'	13°23'25"	146.73'	291.46'	N38°33'40"W
C13	280.44'	1200.00'	13°23'25"	140.86'	279.81'	N38°33'40"W
C14	7.85'	5.00'	90°00'00"	5.00'	7.07'	N13°08'02"E
C15	40.90'	175.00'	13°23'25"	20.54'	40.81'	N51°26'20"E
C16	7.75'	5.00'	88°47'13"	4.90'	7.00'	N89°08'14"E
C17	44.60'	175.00'	14°36'12"	22.42'	44.48'	N39°10'04"W
C18	224.35'	960.00'	13°23'25"	112.69'	223.84'	N38°33'40"W
C19	212.67'	910.00'	13°23'25"	106.82'	212.19'	N38°33'40"W
C20	56.10'	225.00'	14°17'13"	28.20'	55.96'	N39°00'34"W
C21	7.93'	5.00'	90°53'48"	5.08'	7.13'	N00°42'16"W
C22	52.58'	225.00'	13°23'25"	26.41'	52.46'	N51°26'20"E
C23	7.85'	5.00'	90°00'00"	5.00'	7.07'	N76°51'58"W
C24	18.74'	13.00'	82°35'34"	11.42'	17.16'	N09°25'49"E
C25	54.45'	540.00'	5°46'39"	27.25'	54.43'	N47°50'17"E
C26	320.17'	1370.00'	13°23'25"	160.82'	319.44'	N38°33'40"W
C27	252.40'	1080.00'	13°23'25"	126.78'	251.83'	N38°33'40"W
C28	28.31'	540.00'	3°00'14"	14.16'	28.31'	N60°46'23"E
C29	34.54'	175.00'	11°18'36"	17.33'	34.49'	N50°40'03"W
C30	110.27'	363.50'	17°22'50"	55.56'	109.85'	S36°21'29"E
C31	238.76'	236.50'	57°50'40"	130.67'	228.75'	N16°07'34"W
C32	176.28'	236.50'	42°42'26"	92.46'	172.23'	S23°57'40"E



- LEGEND:
- P.O.B. = POINT OF BEGINNING
 - B.L. = BUILDING SETBACK LINE
 - D.E. = DRAINAGE EASEMENT
 - U.E. = UTILITY EASEMENT
 - R.O.W. = RIGHT-OF-WAY
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 - = PAGE MATCH LINE
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 - +— = IRON PIN FOUND
 - X— = TXDOT MONUMENT FOUND
 - — — = EXISTING EASEMENT LINE
 - — — = NEW BRAUNFELS CITY LIMITS/ETJ
 - — — = COUNTY LINE
 - — — = HIKE AND BIKE TRAIL LOCATION
 - — — = DRAINAGE LOT

THE PURPOSE OF THIS REPLAT IS:
SUBDIVIDE INTO SMALLER RESIDENTIAL LOTS FOR INDIVIDUAL SALE.

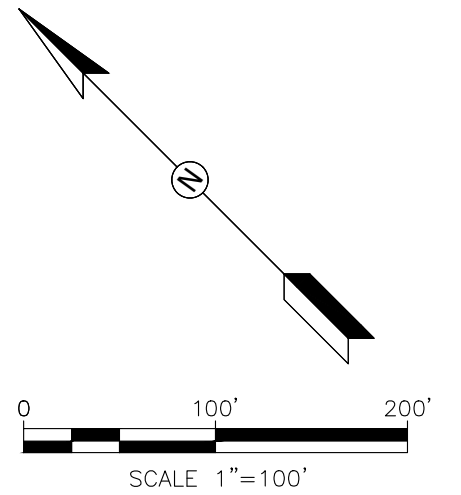
AREA TO BE REPLATTED - EXISING TRACT 1, ANITA'S ACRES SUBD.

SCALE: 1" = 200'

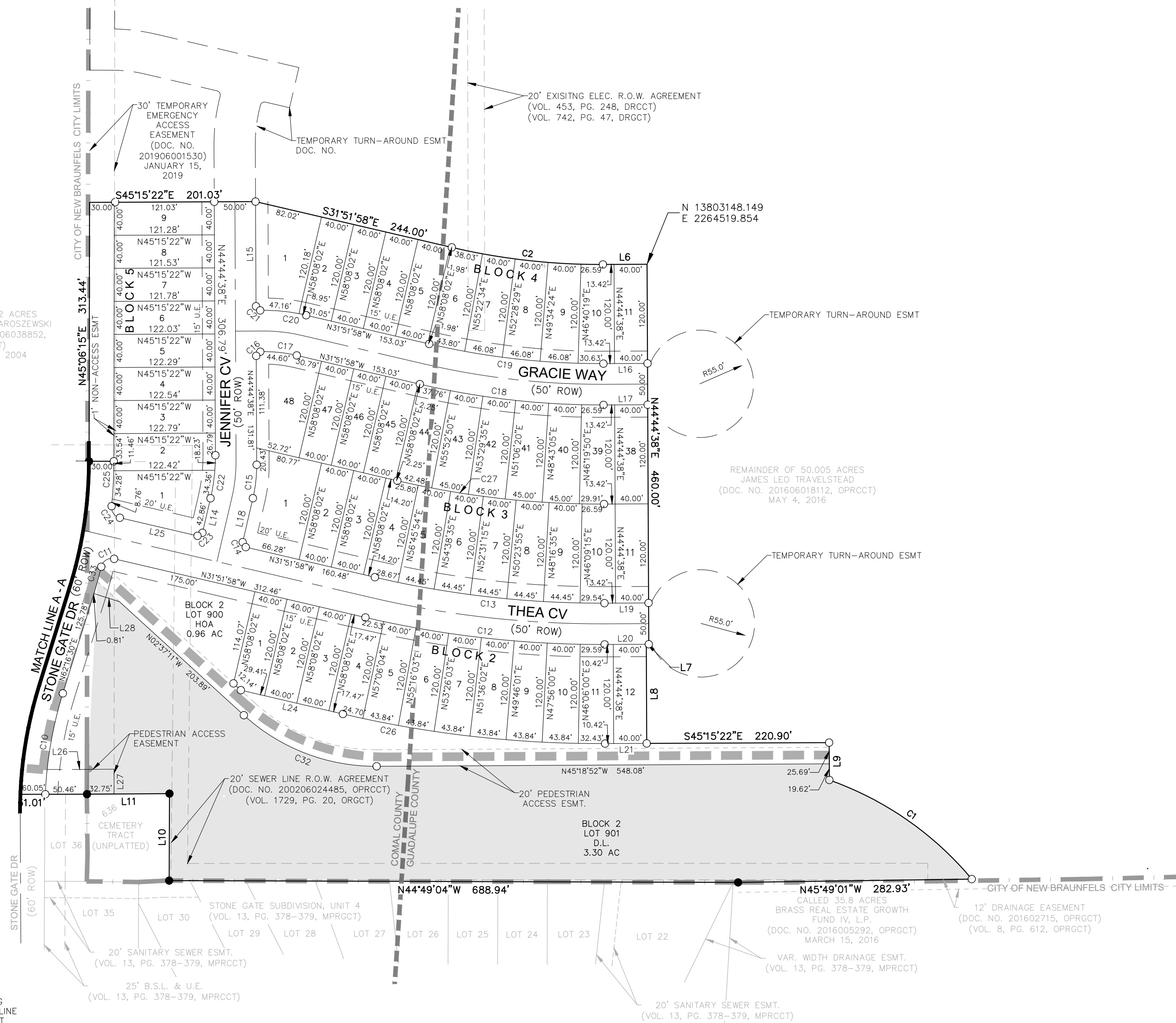
MOELLER & ASSOCIATES
Engineering Solutions
2021 SH 46W, Ste. 105
New Braunfels, TX 78132
ph: (830) 358-7127
www.ma-tx.com TBPE FIRM F-13351

FINAL PLAT ESTABLISHING SPRING VALLEY SUBDIVISION UNIT 1A

BEING 23.734 ACRES, AND INCLUDING ALL OF 9.992 ACRES OF LAND, BEING A REPLAT OF TRACT 1, ANITA'S ACRES SUBDIVISION, A SUBDIVISION SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, AND RECORDED IN VOLUME 5, PAGE 58, OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS, AND BEING 13.742 ACRES OF LAND OUT OF A 50.005 ACRE TRACT OF LAND, BEING APPROXIMATELY 36.681 ACRES OUT OF SUBDIVISION NO. 64, OF THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, IN GUADALUPE COUNTY, TEXAS, AND APPROXIMATELY 13.324 ACRES OUT OF SUBDIVISION NO. 64, OF THE A. M. ESNAURIZAR SURVEY, ABSTRACT NO. 1, IN COMAL COUNTY, TEXAS, AND BEING ALL OF A CALLED 20.0237 ACRE TRACT OF LAND DESCRIBED IN VOLUME 451, PAGES 250-255, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, AND ALL OF A CALLED 30.0 ACRE TRACT OF LAND DESCRIBED IN VOLUME 740, PAGES 47-49, OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS



CALLLED 19.862 ACRES
BARRY DWIGHT JAROSZEWSKI
(DOC. NO. 200406038852,
OPRCCT)
OCTOBER 6, 2004



LEGEND:	
P.O.B.	= POINT OF BEGINNING
B.L.	= BUILDING SETBACK LINE
D.E.	= DRAINAGE EASEMENT
U.E.	= UTILITY EASEMENT
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O.S.	= OPEN SPACE LOT
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---	= COUNTY LINE
---	= HIKE AND BIKE TRAIL LOCATION
---	= DRAINAGE LOT

MOELLER & ASSOCIATES
Engineering Solutions

2021 SH 46W, Ste. 105
New Braunfels, TX 78132
ph: (830) 358-7127
www.ma-tx.com TBPE FIRM F-13351

PLANNING COMMISSION – JANUARY 5, 2020– 6:00PM

Zoom Meeting

Applicant/Owner: Moeller & Associates (James Ingalls, P.E.), agent for San Antonio 2015 LLC (David C. Frye)

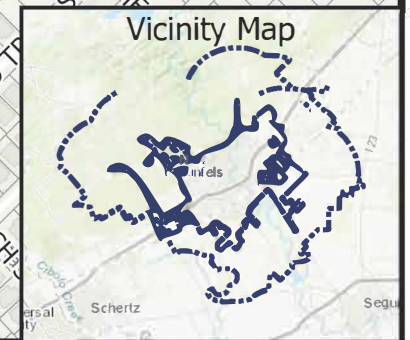
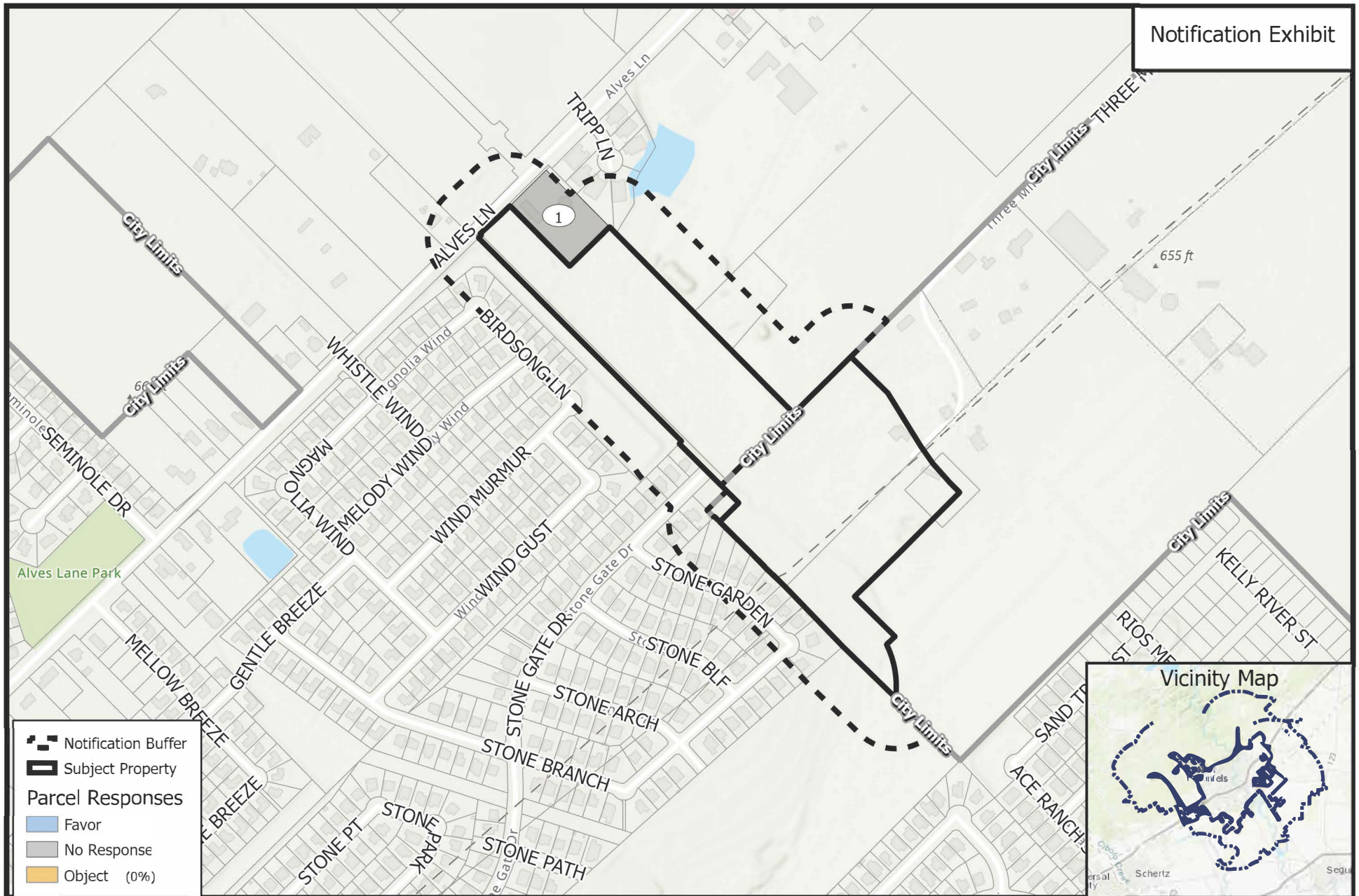
Address/Location: Tract 1, Anita's Acres Subdivision

PROPOSED REPLAT – CASE #REP20-315

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as "Subject Property".

1. ALEMAN PEDRO S JR & ROSA

SEE MAP



1/5/2021

Agenda Item No. Q)

Contact

Applicant: Brian Mendez; Urban Civil
(830) 606-3913 - bmendez@urbancivil.com

SUBJECT:

PL-20-022 Consideration of the final plat for Senaido Dual Crossing Subdivision with waivers.

Plat Information:**Case #:** PL-20-022

Owner: Senaido Rodriguez, Sr. Senaido Rodriguez, Jr.
1617 Michigan Street 1886 W. Mill Street
New Braunfels, TX 78130 New Braunfels, TX 78130

Ron & Clare Carrillo
P.O. Box 690483
San Antonio, TX 78269

Engineer: Scott Horowitz, P.E.
Urban Civil
190 S. Seguin Avenue
New Braunfels, TX 78130
(830) 606-3913 shorowitz@urbancivil.com

Case Manager: Holly Mullins
(830) 221-4054 hmullins@nbtexas.org

Description: 3 residential lots on 6.4 acres

Waivers: 1) To not require connection to the sanitary sewer system
2) To not require cul-de-sacs
3) To not require sidewalks

Background:

The subject property is located along IH-35 South between Old Highway 81 and Rusch Lane. An area approximately 100 feet deep along the frontage road is within the City limits, with the remainder in the ETJ in Comal County. The land is currently undeveloped, and this plat proposes three residential lots on a total of 6.4 acres.

Note: the portion of proposed Lot 1 within the City limits is zoned M-1, which does not allow residential use. If residential development is planned, it will either need to be located outside the City

limits or the property rezoned to an appropriate district.

Drainage:

The Public Works Department reviewed preliminary drainage with the approved Letter of Certification required by Section 118-51e of the Platting Ordinance and in accordance with the requirements of Chapter 143 Municipal Drainage Utility Systems, and the Drainage and Erosion Control and Design Manual. No portion of this unit is located within the 1% annual chance flood zone.

Utilities:

Water and electric services are being provided by New Braunfels Utilities (NBU).

The applicant requests a waiver to Section 118-51(c) which states: Connection with the sanitary sewer system shall be required except where the planning commission determines that such connection will require unreasonable expenditure, when compared with other methods of sewage disposal. NBU reviewed the request and determined extending sewer lines to this location would require installation of a pump station at the property owners' expense, and that the expense could be considered unreasonable for three residential lots. Therefore, NBU does not oppose the use of an individual onsite septic facility for each lot. The City of New Braunfels Neighborhood Services Division and the Comal County Engineers Office have also reviewed the request for three septic systems and agree.

Waiver criteria are provided below in Commission Findings.

Transportation:

Regional Transportation Plan:

The plat is in compliance with the City's Regional Transportation Plan. No additional right-of-way dedication is required along IH-35.

The applicant requests a waiver to Section 118-46 to not require construction of a cul-de-sac at the end of Jarrett Street and Louella Drive. These are existing dead-end streets which are prohibited by Section 118-46. Development of the subject property is required to either extend the right-of-way to adjacent unplatted property, or construct a cul-de-sac. In this case, adjacent land to the east of the subject property is already platted so extension of the two streets to the opposite property line is not required. An extension and/or cul-de-sac would enable the platting of multiple lots, each with frontage on public right-of-way. However, the applicant states the property owners have no desire to further subdivide the property. They contend platting a single lot at the end of each street does not justify the dedication of right-of-way and construction of a cul-de-sac to City standards..

To address the existing dead-end streets and facilitate emergency and service vehicles, the applicant is proposing a driveway connection between Jarratt Street and Louella Drive. This connection will not be public right-of-way but will be constructed to meet Fire Code standards for heavy vehicles and must be placed within a cross access easement.

Hike and Bike:

The subdivision is in compliance with the City's Trails Plan.

Sidewalks:

Four-foot wide sidewalks are required along the IH-35 frontage road, and along the portions of Jarratt Street and Louella Drive adjacent to the subject property, to be constructed at the time of development. **The applicant requests a waiver to Section 118-49 to not require sidewalk construction.**

The applicant states a sidewalk along the IH-35 frontage road could potentially endanger pedestrians as there is no continuous sidewalk system. TxDOT has no improvement projects that include sidewalks in this area planned within the next 10 years; therefore, having the applicant escrow the cost of sidewalk construction for use in the future is not feasible. Staff recommends the sidewalk along IH-35 be constructed by the developer/property owner at the time of development on Lot 1.

Jarratt Street and Louella Drive end at the proposed subdivision and do not provide further connectivity for vehicles or pedestrians. The only right-of-way adjacent to Lots 2 and 3 will be on either side of the driveway (potentially 10 feet on each side). Because of the importance of sidewalks to the public, the City would typically recommend the developer construct sidewalks or escrow funds for future construction. However, staff does not oppose the waiver for Jarratt Street and Louella Drive due to the limited length of sidewalk that would be constructed on either side of the driveway, and the fact that no road improvement projects with sidewalks are likely in the next ten years to justify an escrow of funds.

The Subdivision Platting Ordinance authorizes waivers to be granted when an undue hardship will result from strict compliance with the ordinance, or where the purpose of the regulation may be served to a greater extent by an alternative proposal, so that substantial justice may be done, and the public interest secured.

In considering this waiver request, the Planning Commission has these options:

1. Recommend approval of the waiver so that sidewalk construction is not required along any or all of the three streets - Louella Drive, Jarratt Street, and IH-35;
2. Deny the waiver request in whole or in part, and require sidewalk construction along any or all of the streets at the time of development.

Sidewalk waiver requests recommended for approval or approval with conditions (e. g. escrow) by the Planning Commission will be forwarded to City Council for final consideration.

Roadway Impact Fees:

Only the portion of Lot 1 within the City limits is subject to Roadway Impact Fees for Service Area 4. Roadway Impact Fees are assessed with approval of this final plat and payable at the time of building permit for development within the City limits.

Parkland Dedication and Development:

The subdivision is subject to the 2018 Parkland Dedication and Development Ordinance. To comply with the ordinance, the developer must pay a fee of \$1,736 per dwelling unit (x3 = \$5,208) prior to recording the final plat. If more than one dwelling unit is constructed on each lot, the property owner must notify the City and comply with the ordinance for each additional unit.

Commission Findings:

The Planning Commission shall not approve 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.

Staff Recommendation:

To meet the requirements of the City's Subdivision Platting Ordinance and other adopted codes, the applicant's final plat must comply with the conditions noted below. Staff recommends approval of the proposed final plat **with waivers to allow on-site septic facilities for the three lots; to not require cul-de-sac construction; and to not construct sidewalks along Jarratt Street and Louella Drive; without a waiver to sidewalk construction along IH-35**, and with the following Conditions of Approval:

1. Add a plat note stating a minimum 4-foot wide sidewalk will be constructed per City standards along IH-35 by the developer/property owner at the time of development on Lot 1. (NBCO 118-49)
2. Provide a cross access easement on Lots 2 and 3 to accommodate the driveway connection between Jarratt Street and Louella Drive, and construct the connection to meet Fire Department standards prior to recording the plat. (NBCO 118-46)
3. Add a plat note describing the 50'x60' ingress/egress easement on Lot 3, its purpose and who it benefits. Remove "proposed". (NBCO 118-24)
4. Indicate the 80' channel easement that currently exists on Lot 1. (NBCO 118-24)
5. Provide a description of the dashed line on Russell Subdivision Lot 3 that ends at the subject property. (NBCO 118-24)
6. Remove building setbacks from the final plat. (NBCO 118-24)
7. Remove contour note from Page 2. (NBCO 118-24)
8. The Tracts Being Platted drawing is not required and may be removed, or correct the acreage for proposed Lot 1. (NBCO 118-29)
9. Remove "Approved this the ___ day of ___, 2020..." from underneath "Approved for Acceptance." (NBCO 118-30)
10. Provide right-of-way width for IH-35, Louella Drive and Jarratt Street. (NBCO 118-24)
11. Revise Note 3 to state: "No portion of any lot on this plat is within an indicated special flood hazard zone according to the adopted flood maps of the City of New Braunfels" with FIRM panel and date. (NBCO 118-30)
12. Add plat note: The elevation of the lowest floor shall be elevated 10 inches above the finished grade of the surrounding ground as prescribed in the building regulations and Code of Ordinances. Finished grades shall be sloped to direct stormwater away from the structure. (NBCO 118-30)
13. Provide an exhibit showing how fire hydrants are tying into the existing waterline system and approval from NBU that fire flow will meet requirements. (NBCO 118-43).
14. Add a 20' wide utility easement fronting IH-35. (NBCO 118-48)
15. The outer boundary does not qualify as an accurate boundary. An accurate boundary is required for the plat. (NBCO 118-29b)

-
16. Add bearings and distances to the outer boundary. (NBCO 118-24)
 17. Update the coordinates to grid state plane. (NBCO 118-21)

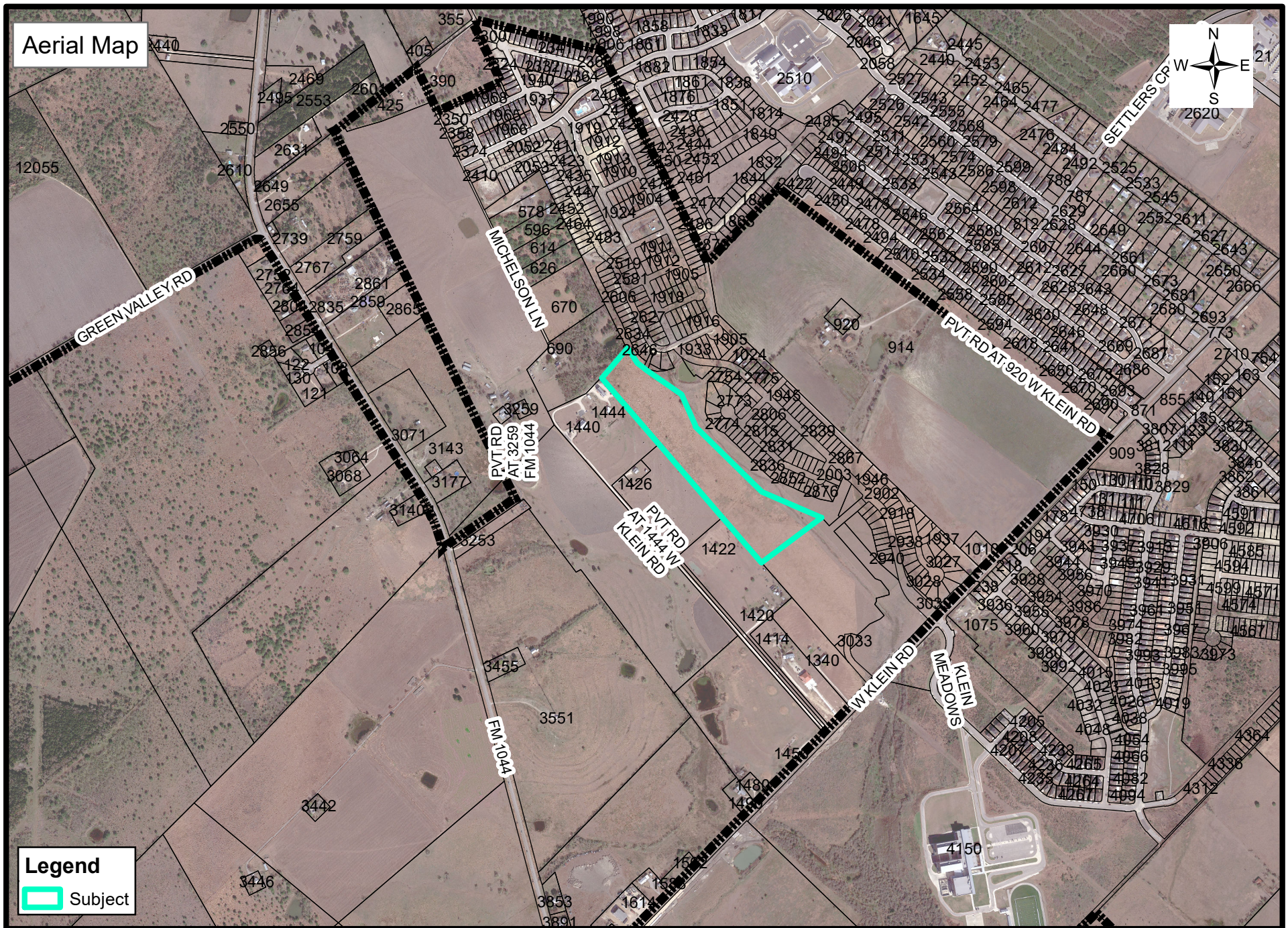
Approval Compliance:

To obtain approval of the final plat, the applicant must submit to the City a revised final plat and a written response that satisfies each condition of approval prior to expiration of the plat (Sec. 118-32 (k)). In accordance with Chapter 212, Texas Local Government Code, the City will determine the final plat approved if the response adequately addresses each Condition of Approval.


Attachments:

1. Aerial Map
2. Final Plat
3. Waiver Requests
4. Turnaround Exhibit

Aerial Map



Legend

 Subject



PL20-0264
Laubach Subdivision Unit 6
Final Plat

Drawing Name: T:\337 - Lennar Homes\005 - Laubach Unit 6\Plat\Laubach Unit 6 Plat.dwg User: kellyk Oct 29, 2020 - 4:43pm

PLAT NOTES:

- ALL LOTS WITHIN THE SUBDIVISION WILL BE PROVIDED WATER SERVICES BY GREEN VALLEY SPECIAL UTILITY DISTRICT (GVSUD). SEWER SERVICES WILL BE PROVIDED BY GUADALUPE-BLANCO RIVER AUTHORITY (GBRA). ELECTRIC SERVICES WILL BE PROVIDED BY GUADALUPE VALLEY ELECTRIC COOPERATIVE (GVEC). TELEPHONE AND CABLE SERVICES FOR THE SUBDIVISION WILL BE PROVIDED BY AT&T COMMUNICATIONS AND/OR SPECTRUM.
- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983. GRID. DISTANCES SHOWN HEREON ARE BASED UPON SURFACE MEASUREMENTS. TO CONVERT SURFACE DISTANCES TO GRID, APPLY A COMBINED SCALE FACTOR OF 1.00015.
- MONUMENTS WERE FOUND OR SET AT EACH CORNER OF THE SURVEY BOUNDARY OF THE SUBDIVISION. MONUMENTS AND LOT MARKERS WILL BE SET WITH 1/2" IRON PINS WITH PLASTIC CAP STAMPED "HMT" IMMEDIATELY AFTER COMPLETION OF UTILITY INSTALLATION AND STREET CONSTRUCTION UNLESS NOTED OTHERWISE.
- THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
- THIS SUBDIVISION IS WITHIN THE EXTRATERRITORIAL JURISDICTION LIMITS OF THE CITY LIMITS OF NEW BRAUNFELS, TEXAS.
- THIS SUBDIVISION IS WITHIN THE NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT.
- NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN ANY SPECIAL FLOOD HAZARD AREA (100 YR. FLOOD), AS DEFINED BY THE GUADALUPE COUNTY, TEXAS, FLOOD INSURANCE RATE MAP NUMBER 48187C0095F AND 48187C0115F, EFFECTIVE DATE SEPTEMBER 2, 2009 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- NO STRUCTURES, WALLS OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING, FENCES, OR OTHER TYPE OF MODIFICATIONS WHICH ALTER THE CROSS SECTIONS OF THE DRAINAGE EASEMENTS OR DECREASE THE HYDRAULIC CAPACITY OF THE EASEMENT, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER. THE CITY OF NEW BRAUNFELS SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.
- FUTURE DEVELOPMENT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.
- FOUR (4) FOOT WIDE SIDEWALKS WILL BE CONSTRUCTED PER CITY STANDARDS ADJACENT TO THE CURB BY THE DEVELOPER AT THE TIME OF STREET CONSTRUCTION ALONG:
 - GREEN FINCH - LOT 904, BLOCK 22; LOTS 905 AND 909, BLOCK 25.
 - WHITE WAGTAIL - LOT 905, BLOCK 22 AND LOT 906, BLOCK 24.
 - SONG SPARROW - LOT 907, BLOCK 25; LOT 908, BLOCK 25; AND LOT 909, BLOCK 25.
- FOUR (4) FOOT WIDE SIDEWALKS WILL BE CONSTRUCTED PER CITY STANDARDS ADJACENT TO THE CURB BY THE HOME BUILDER AT THE TIME OF BUILDING CONSTRUCTION ALONG:
 - GREEN FINCH, WHITE WAGTAIL AND SONG SPARROW.
- THE ELEVATION OF THE LOWEST FLOOR OF A STRUCTURE SHALL BE AT LEAST 10 INCHES ABOVE THE FINISHED GRADE OF THE SURROUNDING GROUND, WHICH SHALL BE SLOPED IN A FASHION SO AS TO DIRECT STORMWATER AWAY FROM THE STRUCTURE. PROPERTIES ADJACENT TO STORMWATER CONVEYANCE STRUCTURES MUST HAVE A FLOOR SLAB ELEVATION OR BOTTOM OF FLOOR JOISTS A MINIMUM OF ONE FOOT ABOVE THE 100-YEAR WATER FLOW ELEVATION IN THE STRUCTURE. DRIVEWAYS SERVING HOUSES ON THE DOWNHILL SIDE OF THE STREET SHALL HAVE A PROPERLY SIZED CROSS SWALE PREVENTING RUNOFF FROM ENTERING THE GARAGE AND SHALL PREVENT WATER FROM LEAVING THE STREET.
- THIS SUBDIVISION IS SUBJECT TO THE 2006 CITY OF NEW BRAUNFELS PARK LAND DEDICATION AND DEVELOPMENT ORDINANCE. THIS PLAT IS APPROVED FOR ONE DWELLING UNIT(S) PER BUILDABLE LOT WITH A MAXIMUM OF 83 BUILDABLE LOTS. AT SUCH TIME THAT ADDITIONAL DWELLING UNITS ARE CONSTRUCTED, THE OWNER OF THE LOT(S) SHALL NOTIFY THE CITY AND COMPLY WITH THE ORDINANCE FOR EACH DWELLING UNIT.
- ALL DRAINAGE EASEMENTS WITHIN THE LOTS WILL BE OWNED AND MAINTAINED BY PROPERTY OWNER.
- PERMANENT WATER QUALITY CONTROLS ARE REQUIRED FOR THIS SUBDIVISION PLAT IN ACCORDANCE WITH THE CITY OF NEW BRAUNFELS DRAINAGE AND EROSION CONTROL DESIGN MANUAL.
- TEMPORARY HAMMERHEAD EASEMENT AT THE END OF SONG SPARROW AND WITHIN LOTS 906, BLOCK 24 (DRAINAGE), 907, BLOCK 24 (ACCESS & MAINTENANCE) AND 908, BLOCK 25 (DRAINAGE) WILL BE ABANDONED AND REMOVED UPON CONNECTION TO FUTURE DEVELOPMENT OF ADJACENT PROPERTY.

KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED DOROTHY J. TAYLOR, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND MADE ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

DOROTHY J. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295
290 S. CASTELL AVE., SUITE 100, NEW BRAUNFELS, TEXAS 78130

PLAT PREPARED NOVEMBER 2, 2020



290 S. CASTELL AVE., STE. 100
NEW BRAUNFELS, TX 78130
TBPE FIRM F-10961
TBPLS FIRM 10153600

FINAL PLAT ESTABLISHING
LAUBACH SUBDIVISION, UNIT 6

BEING A 17.99 ACRE TRACT OF LAND SITUATED IN THE SARAH DEWITT SURVEY NO. 48, ABSTRACT NO. 103, AND THE WILLIAM H. PATE SURVEY NO. 22, ABSTRACT NO. 259, GUADALUPE COUNTY, TEXAS. BEING A PORTION OF A 150.073 ACRE TRACT, RECORDED IN DOCUMENT NO. 2015025182, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS.

GBRA NOTES:

- GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) HAS EXISTING EASEMENTS IN THE AREAS DESIGNATED ON THIS PLAT. GBRA RIGHTS TO THE EXISTING EASEMENTS SHALL BE PRESERVED AND THIS PLAT SHALL NOT NEGATE THOSE RIGHTS IN ANY WAY.
- GBRA IS HEREBY DEDICATED THE EASEMENTS AND RIGHT-OF-WAYS IN THE AREAS DESIGNATED ON THIS PLAT AS ACCESS ROADWAYS FOR THE PURPOSE OF UTILIZING, INSPECTING, MAINTAINING, REPAIRING, AND RECONSTRUCTING ACCESS ROADWAYS TO GBRA FACILITIES.
- TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, GBRA SHALL HAVE THE RIGHT TO REMOVE SAID LANDS OF ALL TREES OR PARTS THEREOF OR ANY OTHER OBSTRUCTION WHICH MAY ENDANGER OR INTERFERE WITH MAINTENANCE OF GBRA FACILITIES AND ACCESS ROADWAY.
- OTHER UTILITIES, STRUCTURES, GRADING, DRAINAGE, DETENTION/RETENTION PONDS, LANDSCAPING, TREES, ROADS, PARKING LOTS, FENCES, WALLS, CONSTRUCTION OF ANY TYPE, OR ANY OTHER IMPROVEMENTS OR OBSTRUCTIONS, ARE NOT ALLOWED WITHIN GBRA EASEMENTS.
- DESIGNS FOR ANY PROPOSED ALTERATIONS OR CROSSINGS OF GBRA EASEMENTS MUST BE APPROVED IN WRITING BY GBRA AND THE INSTALLATION OF SUCH MUST BE INSPECTED AND APPROVED BY GBRA.
- MAINTENANCE OF EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNERS.
- THE PROPERTY OWNER MUST INSTALL 16 FOOT GATES IN ANY FENCES THAT CROSS GBRA UTILITIES; GATES MUST BE CENTERED ACROSS GBRA UTILITIES.

GVSUD NOTES:

EASEMENT CERTIFICATE
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO GREEN VALLEY SPECIAL UTILITY DISTRICT OF MARION, TEXAS, ITS SUCCESSORS AND ASSIGNS, A PERPETUAL EASEMENT WIT THE RIGHT TO ERECT, CONSTRUCT, INSTALL AND LAY OVER AND ACROSS THOSE AREAS MARKED AS "WATERLINE EASEMENT" AND IN ALL STREETS AND BYWAYS, SUCH PIPELINES, SERVICE LINES, WATER METERS, AND OTHER WATER SYSTEM APPURTENANCES AS IT REQUIRES, TOGETHER WIT THE RIGHT OF INGRESS AND EGRESS, THE RIGHT TO REMOVE FROM SAID LAND ALL TREES, SHRUBS, GRASSES, PAVEMENTS, FENCES, STRUCTURES, IMPROVEMENTS OR OTHER OBSTRUCTIONS WHICH MAY INTERFERE WITH THE FACILITY OR THE ACCESS THERETO. IT IS AGREED AND UNDERSTOOD THAT NO BUILDING, CONCRETE SLAB OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS. NO OTHER UTILITY LINES MAY BE LOCATED WITHIN 36" PARALLEL TO WATER LINES.

ANY MONETARY LOSS TO GREEN VALLEY SUD RESULTING FROM MODIFICATIONS REQUIRED OF UTILITY EQUIPMENT LOCATED WITHIN SAID EASEMENTS DUE TO GRADE CHANGE OR GROUND ELEVATION ALTERATION SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS. UPON ENTERING IN AND UPON SAID EASEMENT, THE DISTRICT WILL ENDEAVOR TO RESTORE THE LAND SURFACE TO A USEABLE CONDITION BUT IS NOT OBLIGATED TO RESTORE IT TO A PRE-EXISTING CONDITION.

THE EASEMENT CONVEYED HEREIN WAS OBTAINED OR IMPROVED THROUGH FEDERAL FINANCIAL ASSISTANCE. THIS EASEMENT IS SUBJECT TO THE PROVISION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AND THE REGULATION ISSUED PURSUANT THERETO FOR SO LONG AS THE EASEMENT CONTINUES TO BE USED FOR THE SAME OR SIMILAR PURPOSE FOR WHICH FINANCIAL ASSISTANCE WAS EXTENDED OR FOR AS LONG AS THE GRANTEE OWNS IT, WHICHEVER IS LONGER.

STATE OF TEXAS
COUNTY OF GUADALUPE

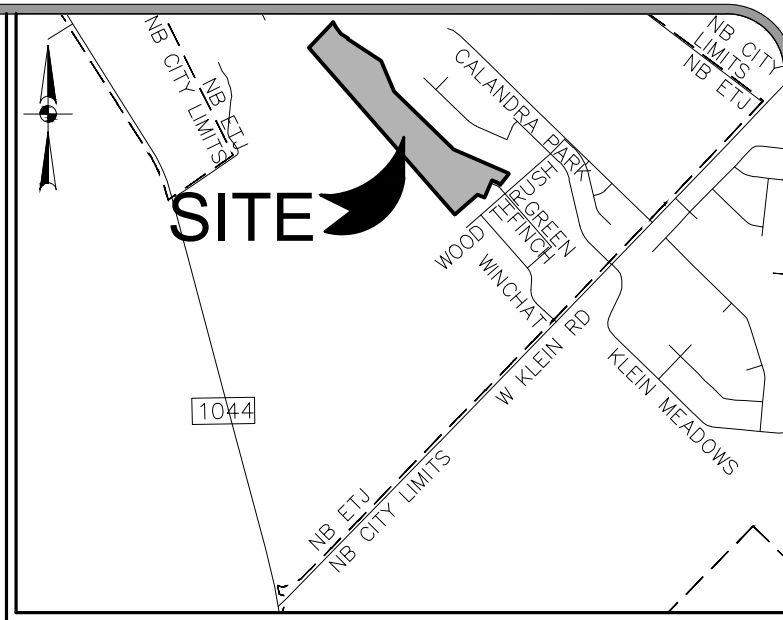
I (WE) THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE LAUBACH SUBDIVISION, UNIT 6 A SUBDIVISION TO THE CITY OF NEW BRAUNFELS, COUNTY OF GUADALUPE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

LAUBACH PARTNERS, LLC
BY: RICHARD MOTT - AUTHORIZED AGENT
16350 BLANCO ROAD, SUITE 114
SAN ANTONIO, TX 78232

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____,
BY _____

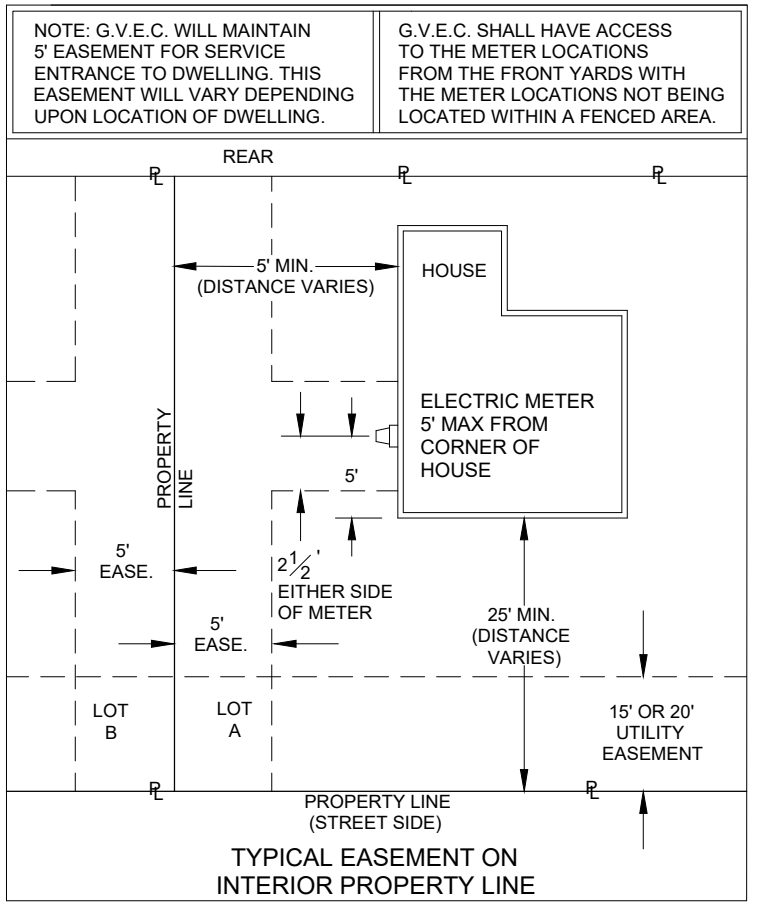
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: _____



LOCATION MAP
NOT TO SCALE

GVEC NOTES:

- GVEC WILL POSSESS A 5-FOOT WIDE EASEMENT TO THE SERVICE METER LOCATION. EASEMENT TO FOLLOW SERVICE LINE AND WILL VARY DEPENDING ON LOCATION OF BUILDING OR STRUCTURE.
- GVEC SHALL HAVE ACCESS TO METER LOCATIONS FROM THE FRONT YARD WITH THE LOCATION NOT BEING WITHIN A FENCED AREA.
- ANY EASEMENT DESIGNATED AS A GVEC 20'x20' UTILITY EASEMENT SHALL REMAIN OPEN FOR ACCESS AT ALL TIMES AND SHALL NOT BE WITHIN A FENCED AREA.
- ALL UTILITY EASEMENTS ARE FOR THE CONSTRUCTION, MAINTENANCE (INCLUDING BUT NOT LIMITED TO REMOVAL OF TREES AND OTHER OBSTRUCTIONS), READING OF METERS, AND REPAIR OF ALL OVERHEAD AND UNDERGROUND UTILITIES.



APPROVED THIS THE _____ DAY OF _____, 20____,
BY THE PLANNING COMMISSION OF THE CITY OF NEW
BRAUNFELS, TEXAS.

CHAIRMAN

APPROVED FOR ACCEPTANCE

DATE _____ PLANNING DIRECTOR _____
DATE _____ CITY ENGINEER _____

STATE OF TEXAS
COUNTY OF GUADALUPE

COUNTY CLERK, GUADALUPE COUNTY, TEXAS

DEPUTY

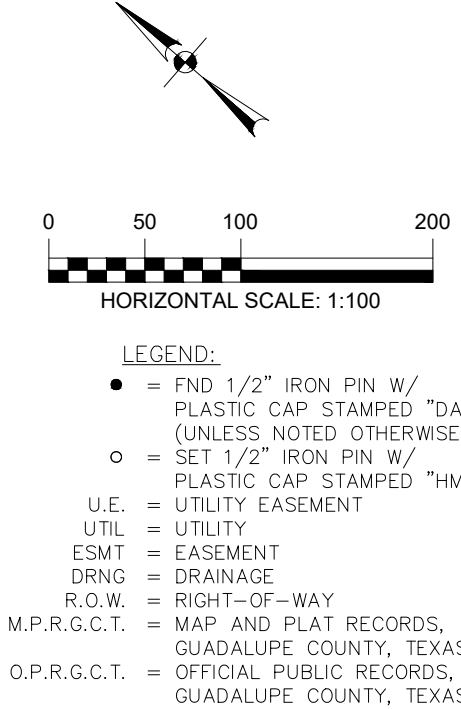
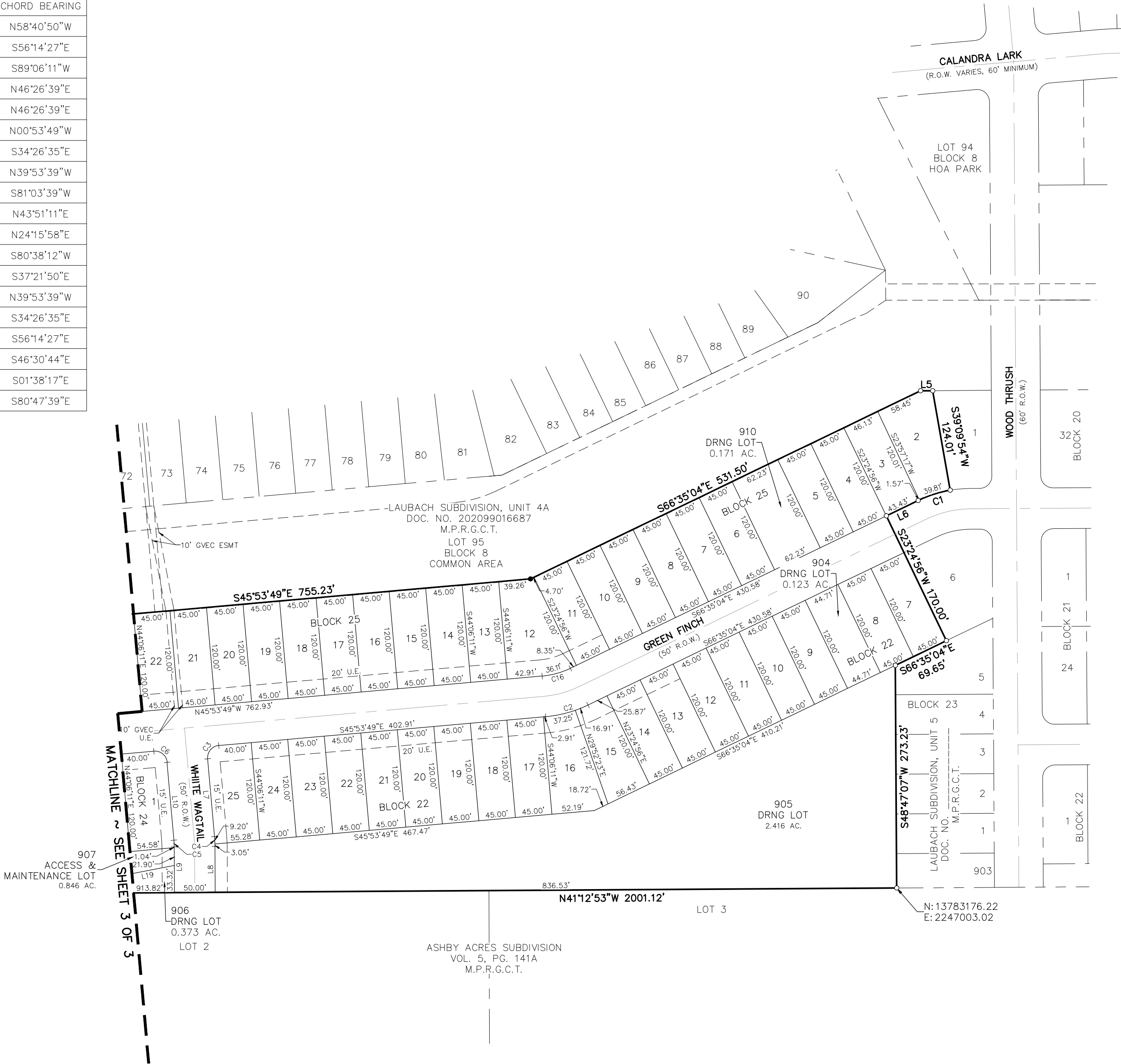
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FINAL PLAT ESTABLISHING
LAUBACH SUBDIVISION, UNIT 6

BEING A 17.99 ACRE TRACT OF LAND SITUATED IN THE SARAH DEWITT SURVEY NO. 48, ABSTRACT NO. 103, AND THE WILLIAM H. PATE SURVEY NO. 22, ABSTRACT NO. 259, GUADALUPE COUNTY, TEXAS. BEING A PORTION OF A 150.073 ACRE TRACT, RECORDED IN DOCUMENT NO. 2015025182, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	41.38'	150.00'	015°48'28"	20.82'	41.25'	N58°40'50"W
C2	54.16'	150.00'	020°41'15"	27.38'	53.87'	S56°14'27"E
C3	23.56'	15.00'	090°00'00"	15.00'	21.21'	S89°06'11"W
C4	12.26'	150.00'	004°40'56"	6.13'	12.25'	N46°26'39"E
C5	8.17'	100.00'	004°40'56"	4.09'	8.17'	N46°26'39"E
C6	23.56'	15.00'	090°00'00"	15.00'	21.21'	N00°53'49"W
C7	59.97'	150.00'	022°54'28"	30.39'	59.57'	S34°26'35"E
C8	59.01'	100.00'	033°48'37"	30.39'	58.16'	N39°53'39"W
C9	22.06'	15.00'	084°16'48"	13.57'	20.13'	S81°03'39"W
C10	25.83'	150.00'	009°51'52"	12.94'	25.79'	N43°51'11"E
C11	11.64'	15.07'	044°15'42"	6.13'	11.36'	N24°15'58"E
C12	142.13'	50.00'	162°52'10"	331.97'	98.88'	S80°38'12"W
C13	10.18'	15.00'	038°52'15"	5.29'	9.98'	S37°21'50"E
C14	88.51'	150.00'	033°48'37"	45.59'	87.24'	N39°53'39"W
C15	39.98'	100.00'	022°54'28"	20.26'	39.72'	S34°26'35"E
C16	36.11'	100.00'	020°41'15"	18.25'	35.91'	S56°14'27"E
C17	55.48'	300.00'	010°35'42"	27.82'	55.40'	S46°30'44"E
C18	38.68'	28.00'	079°09'12"	23.14'	35.68'	S01°38'17"E
C19	38.68'	28.00'	079°09'31"	23.15'	35.68'	S80°47'39"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	54.26'	S27°38'46"E
L2	72.97'	S37°49'53"E
L3	73.60'	S56°30'51"E
L4	6.55'	S30°13'56"W
L5	14.79'	S41°16'56"E
L6	43.43'	S66°35'04"E
L7	95.80'	N44°06'11"E
L8	56.26'	N48°47'07"E
L9	56.26'	S48°47'07"W
L10	95.80'	S44°06'11"W
L11	54.20'	S37°44'15"E
L12	97.09'	N80°06'43"E
L18	39.37'	N41°12'53"W
L19	61.24'	S51°48'35"E
L20	27.00'	S41°12'33"E
L22	19.00'	S41°12'33"E
L23	20.00'	S48°46'57"W
L24	20.00'	N48°46'57"E
L25	19.00'	S41°12'53"E



- LEGEND:
- = FND 1/2" IRON PIN W/ PLASTIC CAP STAMPED "DAM" (UNLESS NOTED OTHERWISE)
 - = SET 1/2" IRON PIN W/ PLASTIC CAP STAMPED "HMT"
 - U.E. = UTILITY EASEMENT
 - UTIL = UTILITY
 - ESMT = EASEMENT
 - DRNG = DRAINAGE
 - R.O.W. = RIGHT-OF-WAY
 - M.P.R.G.C.T. = MAP AND PLAT RECORDS, GUADALUPE COUNTY, TEXAS
 - O.P.R.G.C.T. = OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS

PLAT PREPARED NOVEMBER 2, 2020

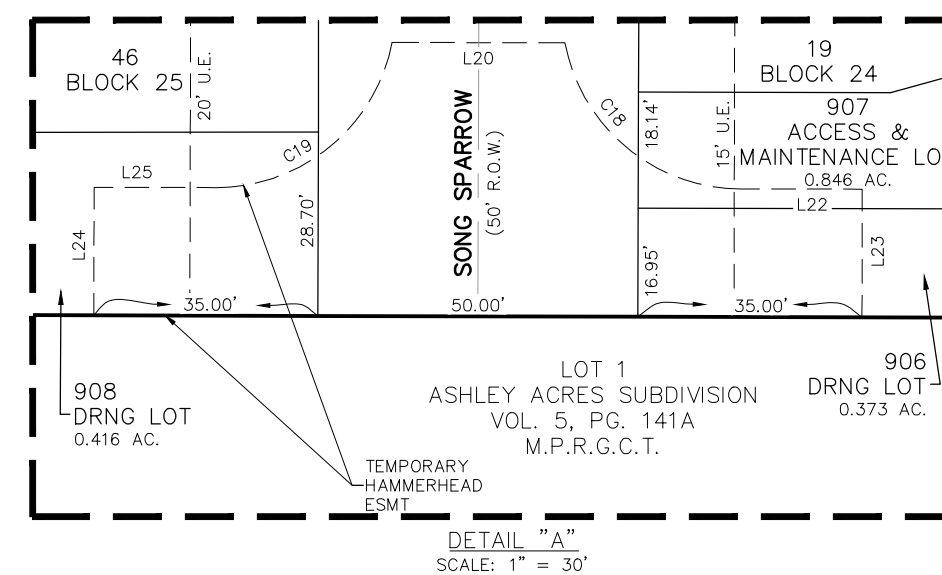


290 S. CASTELL AVE., STE. 100
NEW BRAUNFELS, TX 78130
TBPE FIRM F-10961
TBPLS FIRM 10153600

BEING A 17.99 ACRE TRACT OF LAND SITUATED IN THE SARAH DEWITT SURVEY NO. 48,
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GUADALUPE COUNTY, TEXAS. BEING A PORTION OF A 150.073 ACRE TRACT, RECORDED
IN DOCUMENT NO. 2015025182, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY,
TEXAS.

LEGEND:

- = FND 1/2" IRON PIN W/
PLASTIC CAP STAMPED "DAM"
(UNLESS NOTED OTHERWISE)
- = SET 1/2" IRON PIN W/
PLASTIC CAP STAMPED "HMT"
- U.E. = UTILITY EASEMENT
- O.S. = OPEN SPACE
- UTIL = UTILITY
- ESMT = EASEMENT
- DRNG = DRAINAGE
- R.O.W. = RIGHT-OF-WAY
- M.P.R.G.C.T. = MAP AND PLAT RECORDS,
GUADALUPE COUNTY, TEXAS
- O.P.R.G.C.T. = OFFICIAL PUBLIC RECORDS,
GUADALUPE COUNTY, TEXAS



HMT
ENGINEERING & SURVEYING

SEE SHEET 2 OF 3 FOR
CURVE AND LINE TABLES

URBANCIVIL™

November 19, 2020

Engineering Department
City of New Braunfels
550 Landa Street
New Braunfels, TX 78130
(830) 221-4050

RE: Senaido Dual Crossing Subdivision LOC20-0023

To whom it may concern:

We are submitting a final plat for submittal. The existing tracts being platted have existing road frontage. There are no public improvements needed. We are submitting the following waiver requests for the Senaido Dual Crossing Subdivision.

-Waiver to Sec. 118-49.-Sidewalks. There are no existing sidewalks in the subdivision. Adding sidewalks to the proposed lots is not sensible currently.

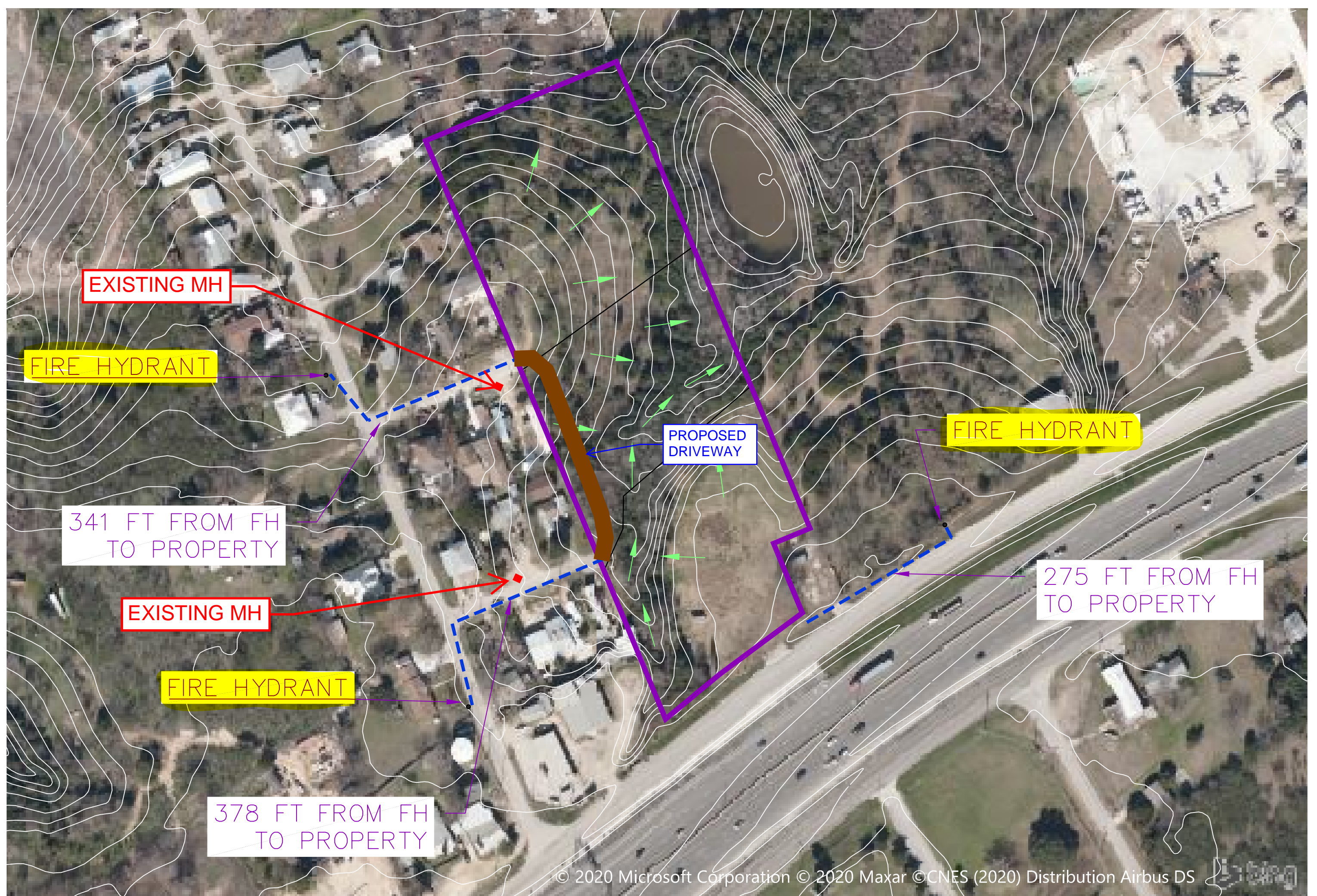
-Waiver to Sec. 118-51-Water, sewer, and drainage facilities. The proposed lots 2 and 3 are outside the city limits, and lot 1 is partially in the city limits. Sanitary sewer lines would need to be extended for tie-in and a pump station would be needed. An onsite septic facility would be more feasible for the proposed lot. NBU has reviewed the site and existing utilities in the area and do agree with this conclusion.

Please do not hesitate to contact me should you have any questions regarding this application submittal, or if additional information is needed.

Sincerely,



Brian Mendez
Urban Civil



1/5/2021

Agenda Item No. R)

Contact

Applicant: James Dillon
(830) 608-4851 - jmdillon75@gmail.com

SUBJECT:

WVR20-323 Consideration of a waiver to Section 118-45 of the Subdivision Platting Ordinance to allow a lot with no public street frontage addressed at 610 Dammann Lane.

Plat Information:

Owner/Applicant: James Dillon
610 Dammann Lane
New Braunfels, TX 78130
(830) 608-4851
jmdillon75@gmail.com

Staff Contact: Holly Mullins
(830) 221-4054
hmullins@nbtexas.org

Description: 2 proposed residential lots on 57 acres

Background:

The subject property is a 57-acre family tract in the City's Extraterritorial Jurisdiction (ETJ) of Guadalupe County. The applicant currently owns one acre out of the tract, and is being gifted an additional 14 acres which he will combine into a 15-acre lot.

Subdividing his acreage out of the larger tract does not meet an exemption from platting because the property currently has no street frontage.

Street Frontage/Access:

The applicant is requesting a waiver to Section 118-45b of the Subdivision Platting Ordinance to allow potentially two lots with no dedicated street frontage. He states the intent is simply to continue the residential use of family land, and to allow his residence to be documented on a separate lot.

The nearest public street is Altwein Lane, approximately 0.8 miles from the property. Access to the property is taken from Altwein Lane via Dammann Lane, a private road, and then by a recorded access easement across private property (which is also owned by the family).

If the waiver is approved, he will proceed with platting. The proposed plat may include two separate lots (the 15-acre tract and the approximately 42 remaining acres), or a master plan may be submitted

for the entire 57 acres with one 15-acre final plat.

Either way, this waiver request is to allow up to two lots to be accessed by easement with no street frontage. If further subdivision occurs in the future, access will need to be reviewed again at that time.

The property is currently owned as two separate tracts. The applicant is not proposing to increase the number of tracts, just adjust their sizes. Approval of the waiver will allow legal lots to be platted, and therefore staff does not oppose the request.

Commission Findings:

The Planning Commission shall not approve 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.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Action 6.4: Consider how each new development project impacts the transportation system and ensure appropriate mitigation is implemented.
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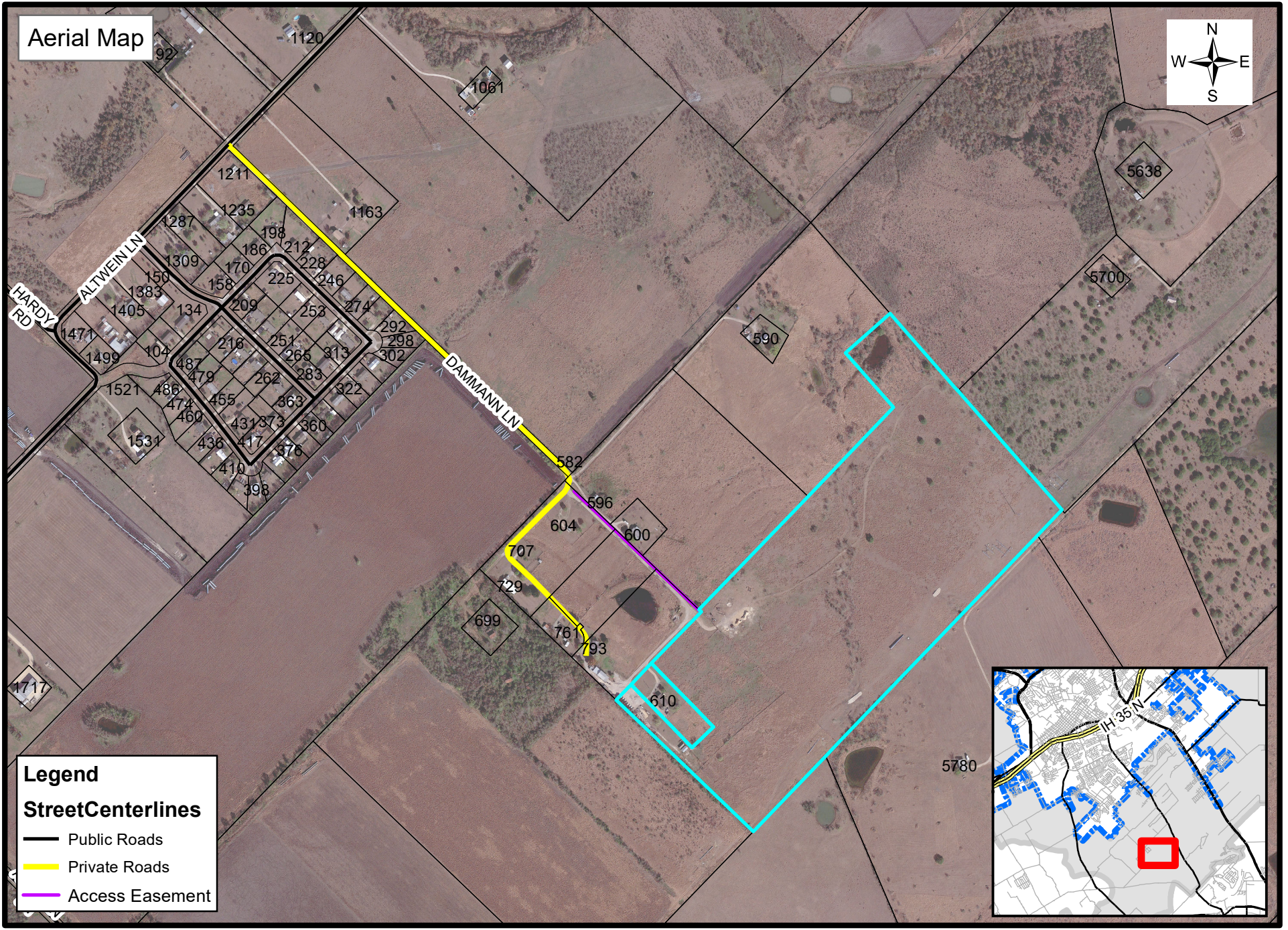
Staff Recommendation:

Approval.

Attachments:

1. Aerial Map
2. Applicant's Waiver Justification
3. Plat Proposal and Access Exhibit
4. Recorded Access Easement

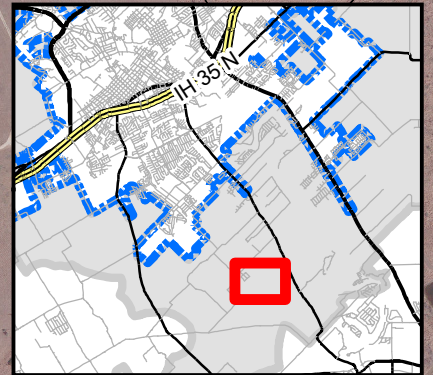
Aerial Map



Legend

StreetCenterlines

- Public Roads
- Private Roads
- Access Easement



ATTACHMENT 1



WVR20-323 Plat Waiver - Street Frontage 610 Dammann Lane

Plat Waiver Justification

Suzanne Forrest, James & Vanessa Dillon are seeking a plat waiver for a dividing a parcel of land (PID 60123). PID 60123 is owned by Suzanne Forrest, James Dillon's mother, and totals approximately fifty-six acres. Suzanne Forrest would like to gift deed approximately fourteen acres from PID 60123 to her son, James Dillon. This +/- 14 acres, once deeded to the Dillons, will surround the one-acre lot that the Dillons currently own (PID 60124). (***See attached document entitled Schematic of Plat Layout***).

Specifically, we are seeking relief from Chapter 118-45 (b) *Each lot shall front onto a dedicated, improved public street unless platted as an approved private street subdivision.*

From the boundary of the referenced property it is +/- .8 miles to a public road (Altwein Lane). The route from the referenced property to Altwein Lane is first via recorded easement, then by private road (Dammann Lane). ***See attached document entitled Access to Property***

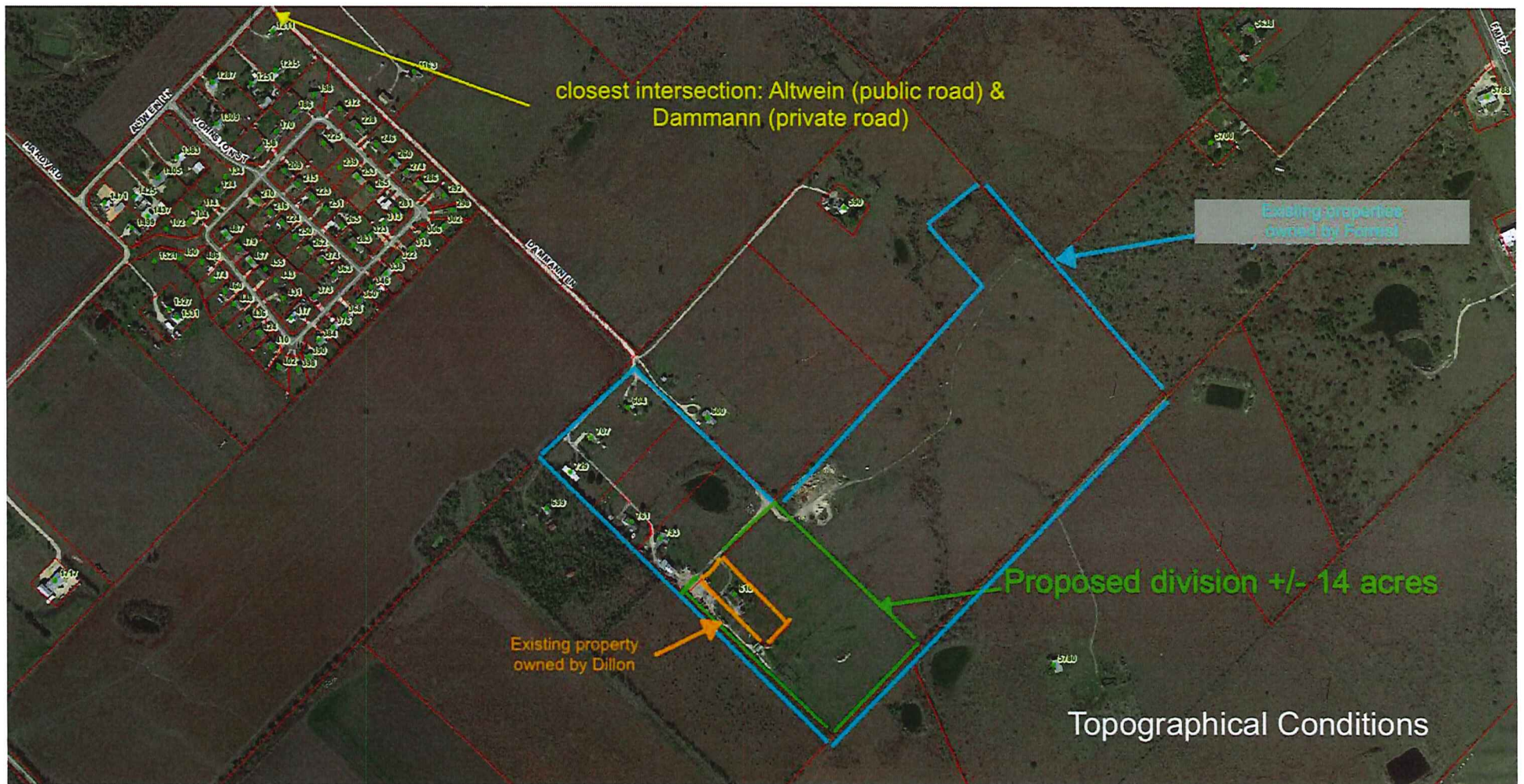
This division of property meets the conditions for a plat waiver under Chapter 118 (Subdivision Platting) of the New Braunfels, Texas, Code of Ordinances. The waiver is requested under Section 118-11A (General) as follows:

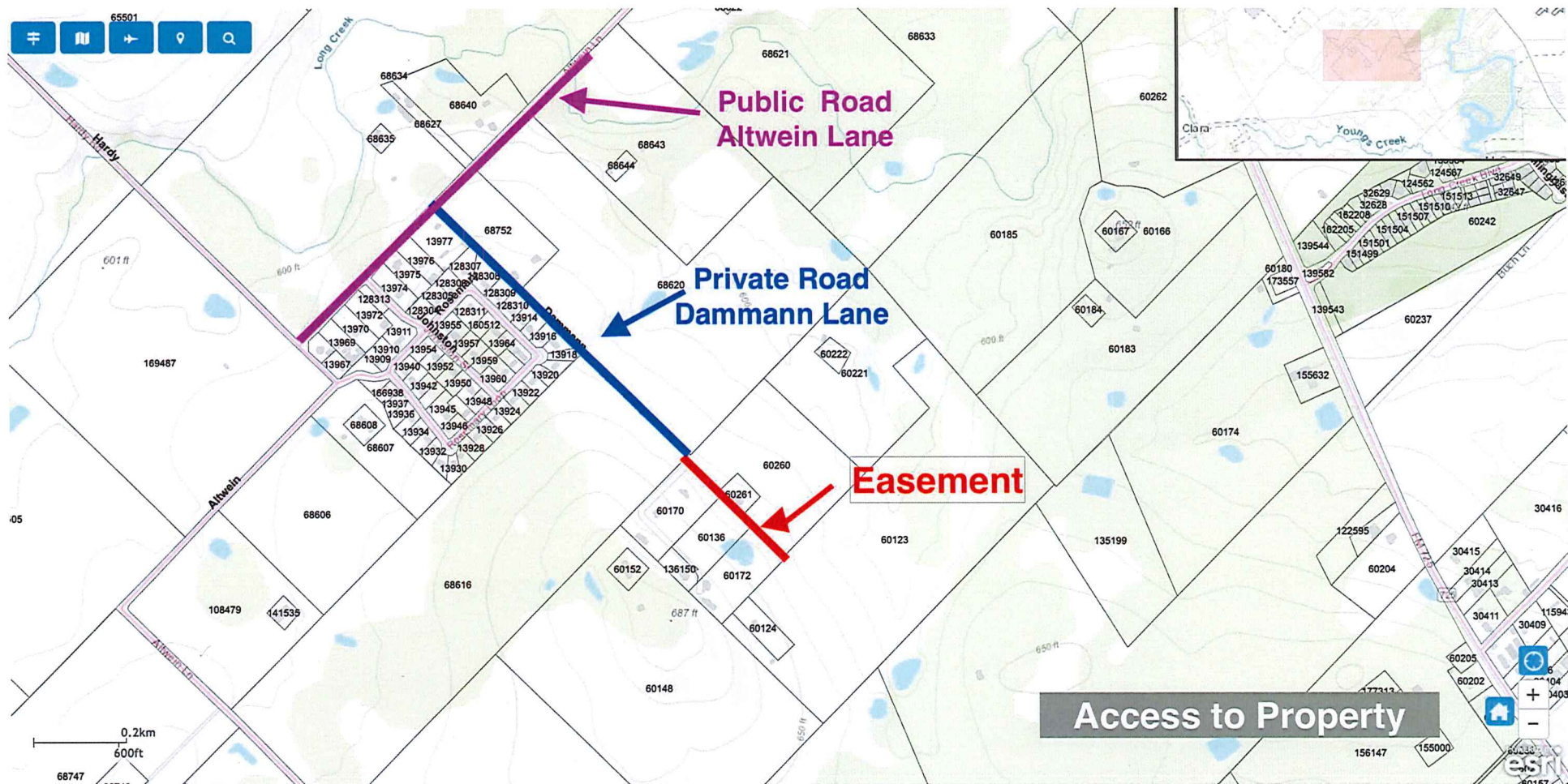
The location and division of the referenced property creates an undue hardship should platting the land for division be required. The Forrests own several tracts of land adjacent to each other, none of which are accessible via public road. The Forrests / Dillons offer the following factual and ample statements in response to the requirements of the stated code:

a(1): The proposed waiver will not be injurious to other properties or property owners in the vicinity nor will it affect the subdivision of other properties in the area. The Forrests / Dillons are not creating, or attempting to create, a "subdivision" in the common sense of the word (ie multiple dwellings with separate owners). They are simply attempting to continue the use of family land as it was intended when purchased by the Forrests. Once the 14 +/- acres are deeded to the Dillons, the Dillons intend to build a single-family residence for their personal use and intend the property and improvements to be inherited by the Dillon descendants. The gifting of land to a family member for a single-family residence in no way impacts the landowners surrounding the tract of land in question.

a(2) The physical surroundings, shape and/or topographical conditions of the property renders it impossible to meet the 36' (residential) or 60' (non-residential) of public road frontage requirement referenced in Sec. 118-45 (b). The lack of public ingress/egress, with exception of a private road and an existing easement into the property, constitutes a particular hardship distinguished from a mere inconvenience. As you can see in the attachment entitled ***Topographical Conditions***, there is no public road that provides public frontage to any of the Forrest / Dillon properties, including the property under discussion (PID 60123). This is a unique access situation that is unlikely to change.

a(3) The waiver will not in any manner vary the zoning ordinance of the city.





110318461.6m

Betty B. Fitzgerald et al to Thomas M. Barker et ux

RIGHT-OF-WAY EASEMENT

THE STATE OF TEXAS §

COUNTY OF GUADALUPE §

KNOW ALL MEN BY THESE PRESENTS:

That BETTY B. FITZGERALD and TOMMIE J. HUDSON, of the City of Seguin and State of Texas, hereinafter called grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable consideration to the undersigned paid by THOMAS M. BARKER and wife, MELANIE K. BARKER, Rt. 4, Box 188A, Seguin, Guadalupe County, Texas 78155, hereinafter called grantees, their heirs and assigns, an easement and right-of-way upon and across the following described property of grantor:

BEING a 4.475 acre tract of land out of the Wm. Bracken Survey, Guadalupe County, Texas, and a 0.700 of an acre road easement, out of that certain 13.424 acre tract of land conveyed by Velma Laverne West et al to Tommie J. Hudson et al, by deed dated January 12, 1978, and recorded in Volume 549 on pages 361-365 of the Deed Records of Guadalupe County, Texas, and described more particularly by metes and bounds as follows:

BEGINNING at an iron pipe found, set for the South corner of the above described 13.424 acre tract, for the South corner of the herein described 4.475 acre tract;

THENCE with the fence, the Southwest line of the said 13.424 acre tract, N 44° 38' W 305.61 feet to an iron pin set for the West corner of this tract;

THENCE N 45° 34' E, at 114.8 feet the South corner of a 0.700 of an acre road easement, at 164.8 feet the East corner of the said 0.700 of an acre road easement, in all a total distance of 637.8 feet to an iron pin in the fence, the Northeast line of the said 13.424 acre tract, set for the North corner of this tract;

THENCE with the fence, the Northeast line of the said 13.424 acre tract, S 44° 38' E 305.61 feet to an iron pin found, set for the East corner of the said 13.424 acre tract, for the East corner of this tract;

THENCE with the fence, the Southeast line of the said 13.424 acre tract, S 45° 34' W 637.8 feet to the place of beginning, according to a survey made on the ground under the supervision of William J. Kolodzie, R.P.S. 1462, on August 25, 1978.

Said easement and right-of-way shall be 30 feet in width, lying next to, adjoining, following, and continuing parallel with the northeast property line of the herein described property for a distance of 305.61 feet.

The right-of-way, easement, rights, and privileges shall be used only for the purpose of providing pedestrian and vehicular ingress and egress across the herein described property to the real property consisting of 57.01 acres of land described in warranty deed of even date herewith from David T. Abraham et ux to Thomas M. Barker et ux, said deed filed for record in the office of the County Clerk of Guadalupe County, Texas, under Clerk's File No. 4835 (said 57.01 acre tract being that tract called 57.0 acres in conveyance from the Veterans Land Board of Texas to David T. Abraham by Contract of Sale and Purchase recorded in Volume 357 at page 594 of the Deed Records of said county).

The easement, rights, and privileges herein granted are subject to all easements, mineral leases, surface leases, rights-of-way, and all similar rights and privileges presently existing and grantor reserves and retains the right to convey similar or dissimilar rights and easements to such other persons as grantor may deem proper.

Grantees shall have the right to cut and trim trees and shrubbery which may encroach upon the easement area herein conveyed, and grantees shall dispose of all cuttings and trimmings either by piling and burning within the easement area or by loading and hauling away from the premises.

Grantor retains, reserves, and shall continue to enjoy the use of the surface of such property for any and all purposes which do not interfere with and prevent the use by grantees of the within easement.

Grantees shall indemnify and hold harmless the grantor of and from all suits, claims, demands, and actions of any kind by reason of this easement or the use thereof resulting to any person, property, or domestic livestock, and grantor shall not be

liable for injury or damage to persons or property happening in or about said premises, and grantees agree to indemnify and save harmless grantor from any liability therefor; and the grantees shall indemnify and hold harmless the grantor of and from any and all damages or liability for anything arising from or out of the condition of the premises or the occupancy thereof by the grantees.

EXECUTED this 4th day of October, 1983.

Betty B. Fitzgerald
Betty B. Fitzgerald

Tommie J. Hudson
Tommie J. Hudson

THE STATE OF TEXAS

S

COUNTY OF Comal

S

This instrument was acknowledged before me on the 4th day of October, 1983, by BETTY B. FITZGERALD.

Julius Garcia
Notary Public in and for
the State of Texas

My Commission expires: 4-7-84

THE STATE OF TEXAS

S

COUNTY OF Comal

S

This instrument was acknowledged before me on the 4th day of October, 1983, by TOMMIE J. HUDSON.

Julius Garcia
Notary Public in and for
the State of Texas

My Commission expires: 4-7-84

RECORDED IN OFFICIAL RECORDS
VOL. <u>686</u> PAGE <u>843-45</u>
<u>Filed Oct. 7 at 4:18 PM</u>
RECORDING DATE
OCT 10 1983
<u>Cecil E. Schup</u>
COUNTY CLERK, GUADALUPE COUNTY

1/5/2021

Agenda Item No. S)

Presenter/Contact

Drew Hubbard, Owners' Agent
(817) 454-6683 - drew@pinnacleoversight.com

SUBJECT:

CS20-0257 Public hearing and recommendation to City Council regarding a request for acceptance of 102.68 acres out of the A.M. Esnaurizar A-20 Survey into the City of New Braunfels extraterritorial jurisdiction (ETJ) located on FM 758 approximately 1,000 feet west of State Highway 123 North.

BACKGROUND / RATIONALE:

Case No.: CS20-0257

Owner:	Barry & Joan Jaroszewski 10370 N. State Highway 123 Seguin, TX 78155 (830) 743-2642	ACEM Investments LLC Rebecca Jaroszewski 425 Plane Lane Marion, TX 78124
---------------	--	---

Applicant: Pinnacle Oversight, LLC - Drew Hubbard
1286 River Road
New Braunfels, TX 78130
(817) 454-6683 drew@pinnacleoversight.com

Staff Contact: Holly Mullins
(830) 221-4054 hmullins@nbtexas.org

The subject properties are located along FM 758 and straddle the boundary line between the City of New Braunfels ETJ and that of the City of Seguin's. Both properties are located within the "secondary acceptance" area as mutually agreed upon by both cities in the Interlocal Cooperation Agreement of December, 2018.

The City of Seguin has released the property from their ETJ and the property owners are requesting the entire 102.68 acres be added to the City of New Braunfels ETJ. This will simplify the development review process for a proposed residential subdivision and allow it to be reviewed and approved in its entirety by the City of New Braunfels.

FISCAL IMPACT:

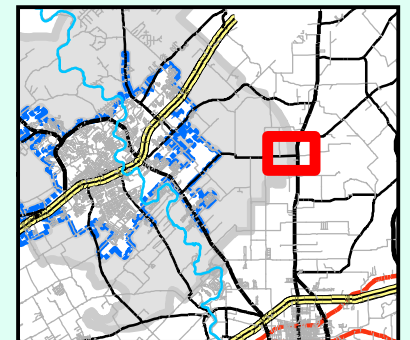
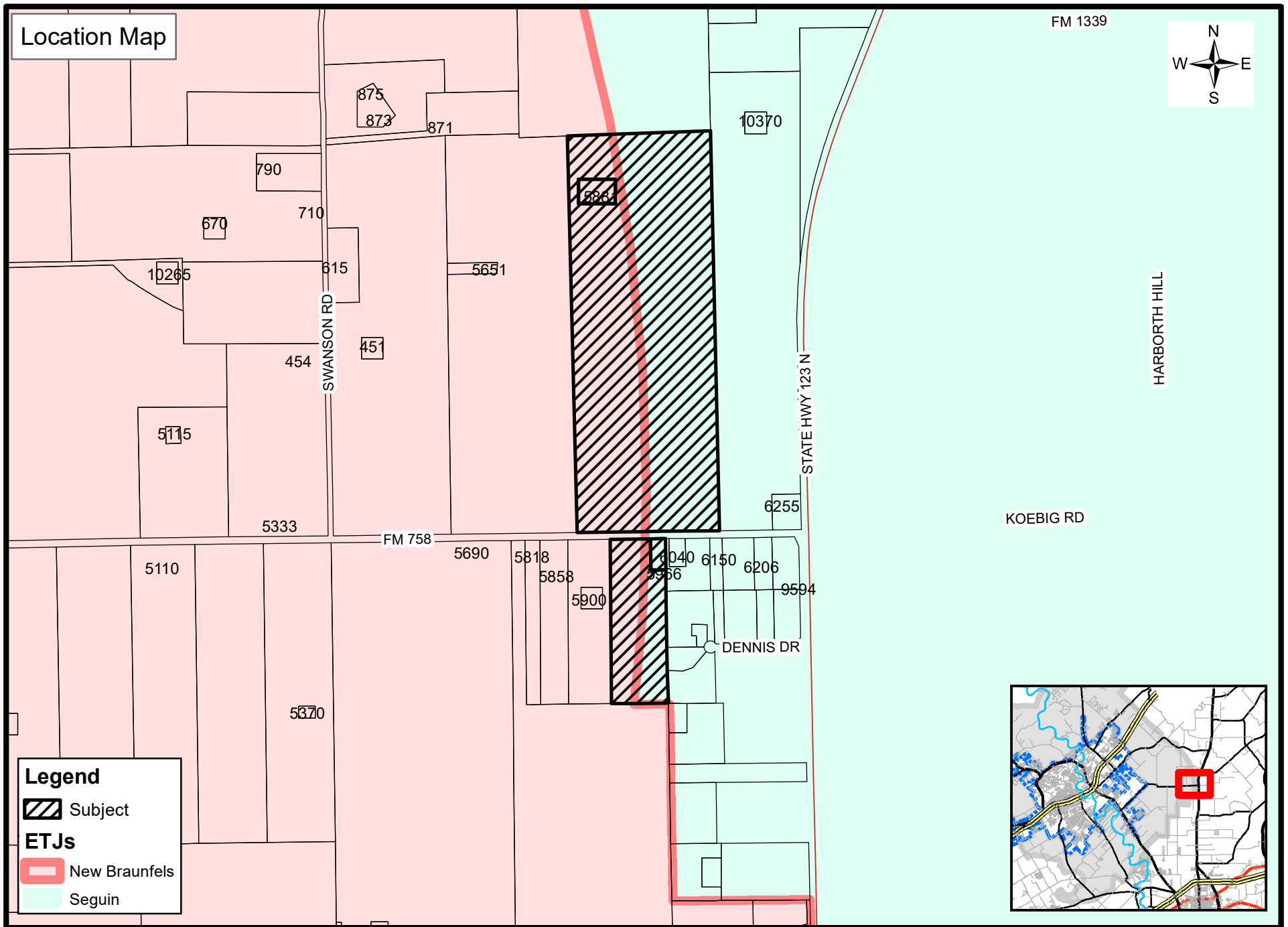
Limited to application of ordinances applicable in the ETJ.

STAFF RECOMMENDATION:

Acceptance of the property to facilitate streamlined development services for the property owners.

ATTACHMENTS:

- Location Map
- Request Letter and Seguin Release



October 22, 20

City of New Braunfels
Planning and Community Development Department
550 Landa Street
New Braunfels, TX 78130

Re: Inclusion in New Braunfels Extraterritorial Jurisdiction

Dean Mr. Looney,

I write to formally request the City of New Braunfels to immediately extend their extraterritorial jurisdiction boundary to include my entire 82.68 acres tract described below and shown on the Exhibit "A" attached.

It appears that my property is split between the City of Seguin's ETJ and the City of New Braunfels's ETJ; however, all 82.68 acres will be included in the New Braunfels ETJ after the "secondary exchange" noted in the approved Interlocal Cooperation Agreement Setting Boundary and Extraterritorial Jurisdiction agreement between the City of New Braunfels and the City of Seguin.

82.43 Acres:

Property ID: 56313

Legal Description: **ABS: 20 SUR: A M ESNAURIZAR 82.4300 AC.**

Geographic ID: **2G0020-0000-84100-0-00**

.25 Acres:

Property ID: 56314

Legal Description: **ABS: 20 SUR: A M ESNAURIZAR 0.2500AC**

Geographic ID: **2G0020-0000-84110-0-00**

Thank you in advanced.

Respectfully,

Barry Jaroszewski

A handwritten signature in black ink, appearing to be 'Barry Jaroszewski', written over a horizontal line.

October 23, 2020

City of New Braunfels
Planning and Community Development Department
550 Landa St.
New Braunfels, TX 78130

Re: Inclusion in New Braunfels Extraterritorial Jurisdiction

Mr. Looney,

I write to formally request the City of New Braunfels to immediately extend their extraterritorial jurisdiction boundary to include my 20 acres of land described below and shown on the Exhibit "A" attached.

All 20 acres are set to be included in the New Braunfels ETJ after the "secondary exchange" noted in the approved Interlocal Cooperation Agreement Setting Boundary and Extraterritorial Jurisdiction agreement between the City of New Braunfels and the City of Seguin.

19 Acres:

Property ID: 55547

Legal Description: ABS: 20 SUR: A M ESNAURIZAR 19.0000 AC.

Geographic ID: 2G0020-0000-41710-0-00

1 Acre:

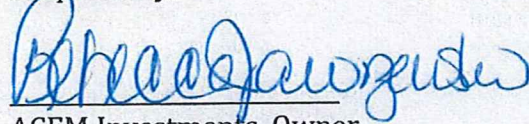
Property ID: 55548

Legal Description: ABS: 20 SUR: ESNAURIZAR A M 1.0000AC

Geographic ID: 2G0020-0000-41720-0-00

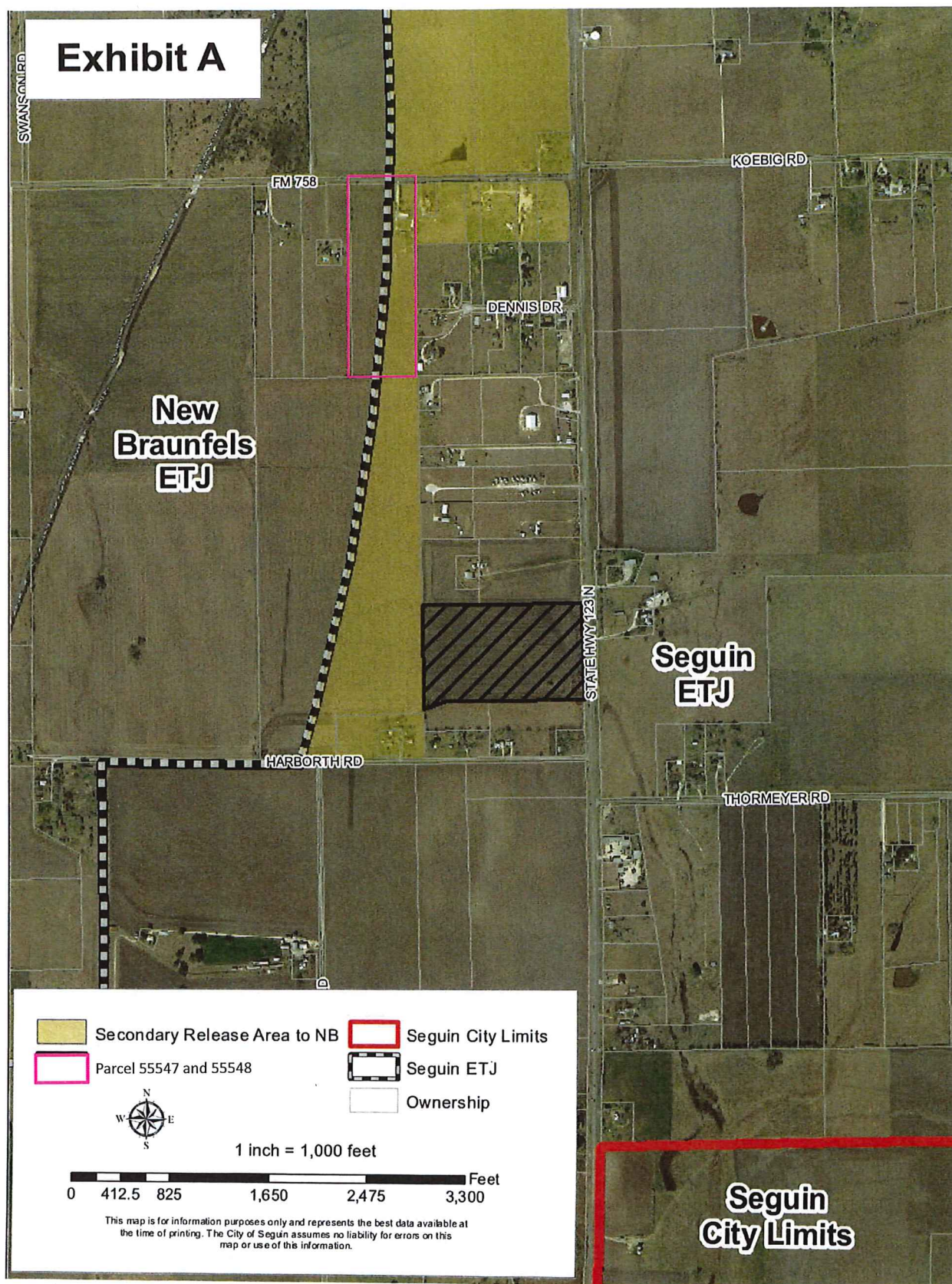
Thank you in advanced.

Respectfully,



ACEM Investments, Owner

Exhibit A





PLANNING & CODES

December 11, 2020

City of New Braunfels
555 Landa St.
New Braunfels, TX 78130

To Whom it May Concern:

The Seguin City Council entered into an Interlocal Cooperation Agreement with the City of New Braunfels in December 2018 to define a portion of the boundary of the Extraterritorial Jurisdiction (ETJ) between the two cities. As part of the agreement, a "Secondary Release Area" was established in which properties would be automatically released to New Braunfels at such time that the properties can be included within the City of New Braunfels' ETJ.

The property owners of four tracts within the "Secondary Release Area" have formally requested voluntary inclusion into the New Braunfels ETJ. The parcels are as follows:

19 ACRES:

Property ID: 55547; Geographic ID: 2G0020-0000-41710-0-00

1 ACRE:

Property ID: 55548; Geographic ID: 2G0020-0000-41720-0-00

82.43 ACRES:

Property ID: 56313; Geographic ID: 2G0020-0000-84100-0-00

0.25 ACRES:

Property ID: 56314; Geographic ID: 2G0020-0000-84110-0-00

Upon the request of the property owners the City of Seguin formally releases these four parcels from its ETJ automatically and immediately upon the City of New Braunfels' acceptance of the properties into their ETJ. No further action from the Seguin City Council is required.

Sincerely,

Pamela Centeno
Director of Planning & Codes
City of Seguin

1/5/2021

Agenda Item No. T)

Presenter/Contact

*Applicant & Developer: Peter James, Chief Executive Officer - ASA Properties
(832) 515-6578 / peter@asaproperties.us.com*

SUBJECT:

ORD20-301 Public hearing and recommendation to City Council regarding a proposed amendment to the Veramendi Development Design & Control Document.

BACKGROUND / RATIONALE:

Case No.: ORD20-301

Council District: Outside City Limits

**Developer &
Applicant:**

Peter James, Chief Executive Officer

ASA Properties
387 W. Mill Street
New Braunfels, TX 78130
(832) 515-6587
peter@asaproperties.us.com

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

The Veramendi master planned community encompasses over 2,400 acres within the Comal County Water Improvement District #1. A Development Agreement for the Veramendi project (Word-Borchers Ranch Joint Venture) was approved by the New Braunfels City Council in February 2013. The Development Agreement and its Exhibits contain documents that set the regulatory framework, timeframes and development standards for future development on the Veramendi property.

Pursuant to the Veramendi Development Agreement, the Development & Design Control Document (DDCD) has been approved to establish principles, objectives, standards and procedures for design and development at Veramendi. The idea was for a development pattern that borrowed more from New Urbanist styles than post World War II suburban sprawl styles.

The applicant is seeking to revise the DDCD to increase the maximum length allowed for alleys and service drives to add flexibility for neighborhood layouts. The applicant is currently designing a neighborhood with alley access lots and a shared common green at the front which provides housing type variety while preserving a significant stand of highly valued oak trees. However, the existing alley length development standard would limit this design at this location.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Word-Borchers Ranch Joint Venture Development Agreement Envision New Braunfels Comprehensive Plan	Allow for advancement of the Veramendi project in accordance with the Development Agreement. Action 3.16: Review and revise regulations that inadvertently inhibit creative housing options or workforce housing alternatives.
--	---

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Approval. The DDCCD's current alley standard limits the flexibility originally intended for Veramendi. The applicant's proposed revisions to the design standards for alleys and service drives are in compliance with the Guiding Principles, would encourage and allow creative flexibility for alleys which provide additional connections and mobility options, and will meet the spirit and intent of Veramendi for improved and innovative neighborhoods.

Notification:

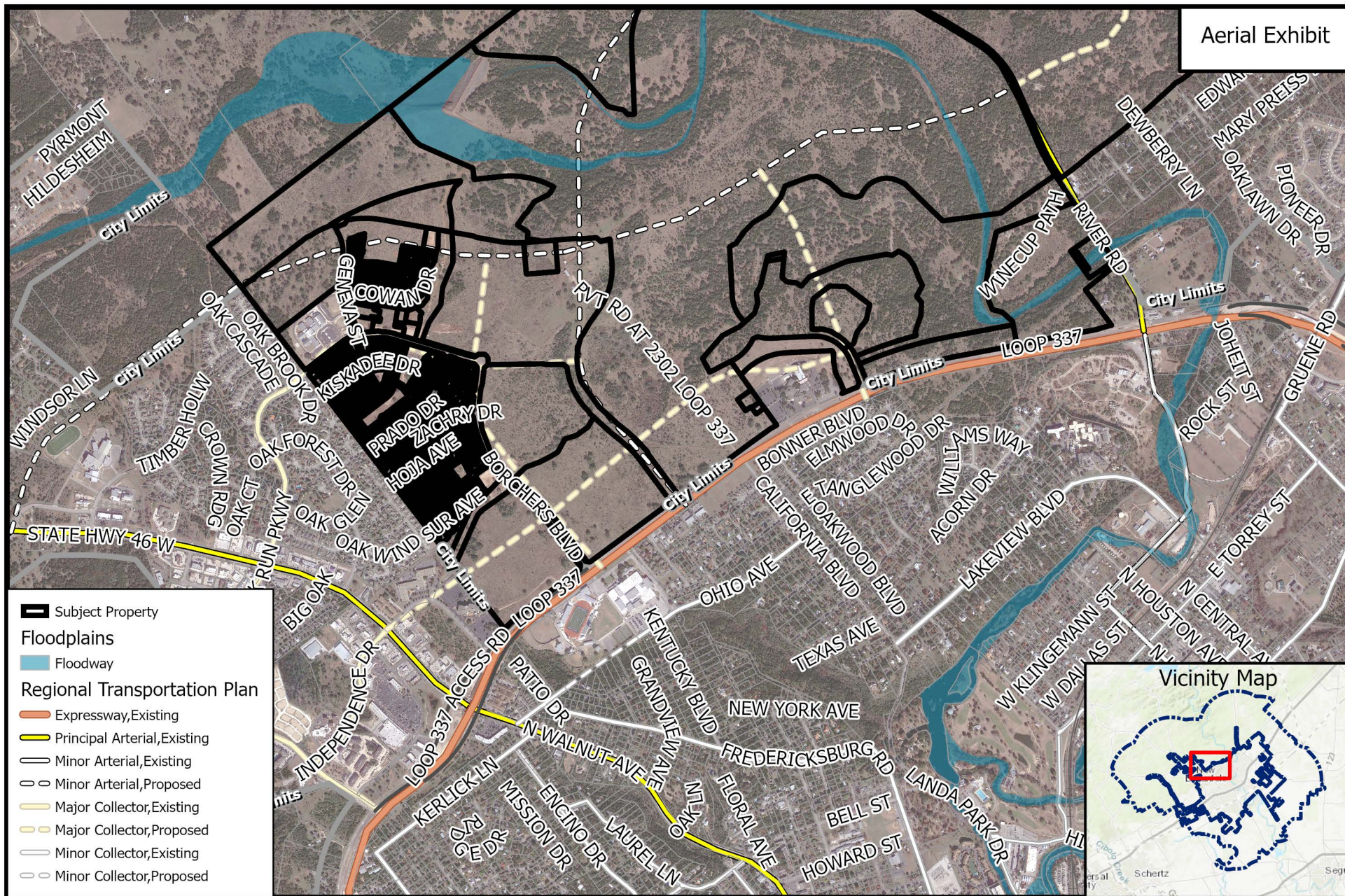
Public hearing notices were sent to 95 owners of property within 200 feet. The City has received no responses.

RESOURCE LINKS:

- Veramendi Development Agreement and Development & Design Control Document (DDCD): <https://www.nbtexas.org/DocumentCenter/View/17409/DDCD-v31-FINAL-low-res>

ATTACHMENTS:

1. Aerial Map
2. Applicant's Summary and Proposed Changes to the DDCCD
3. Notification List, Map and Responses





November 25, 2020

Mr. Christopher J. Looney
Director Planning & Community Development
City of New Braunfels
550 Landa Street
New Braunfels, Texas 78130

Via: Delivery

Dear Chris,

VERAMENDI DEVELOPMENT & DESIGN CONTROL CODUMENT (DDCD)
REQUEST FOR AMENDMENT

We submit this request to amend the Veramendi Development & Design Control Document (DDCD).

Included with this request:

- Written response explaining the proposed amendments.
- Proposed amendment as redline of current DDCCD Page 108

We trust this information is sufficient to allow for your review and subsequent approval of this request to amend the Veramendi DDCCD.

If you require any additional information, please contact us at (832) 515.6578 or emily.lane@asaproperties.us.com.

Sincerely,
ASA PROPERTIES

Peter James
Chief Executive Officer

VERAMENDI DEVELOPMENT & DESIGN CONTROL DOCUMENT: REQUEST FOR AMENDMENT

1.1 BACKGROUND

The Veramendi Development & Design Control Document (DDCD) is Exhibit E of the Development Agreement and was first approved by City Council on April 22, 2013.

In the most recent submittal, an area of land is being platted that contains a significant stand of high valued oak trees. In order to save, highlight, and incorporate these trees into the subdivision design, an alley has been proposed as access for a row of lots along a block with a length of approximately 550 feet. This exceeds the DDCD minimum standard creating an undue burden on the potential of the property. If not amended, this would not only make the opportunity infeasible for this product and design, but also eliminate these substantial trees. This current requirement discards a creative solution for this and future layouts and waives the universally desired enhanced streetscape that comes with alley loaded product. Within this amendment, we, in working with City Staff, are proposing that the maximum length of an alley be increased to 750 feet to match the requirement set forth in the DDCD for local street block length.

1.2 PROPOSED AMENDMENT

<i>Section 14.3.7 Alleys and Service Drives</i>
Summary of Proposed Amendment: 1.3 Alleys and service drives shall not exceed 750 ft. in length without providing access at the midsection of the alley to a public street.
Response: This proposed maximum length will be inline with the requirement set forth in the City Code and will allow for more variety and creative product design in lot layout, tree preservation, and final constructed experience of the development.

14.3.7 Alleys and Service Drives

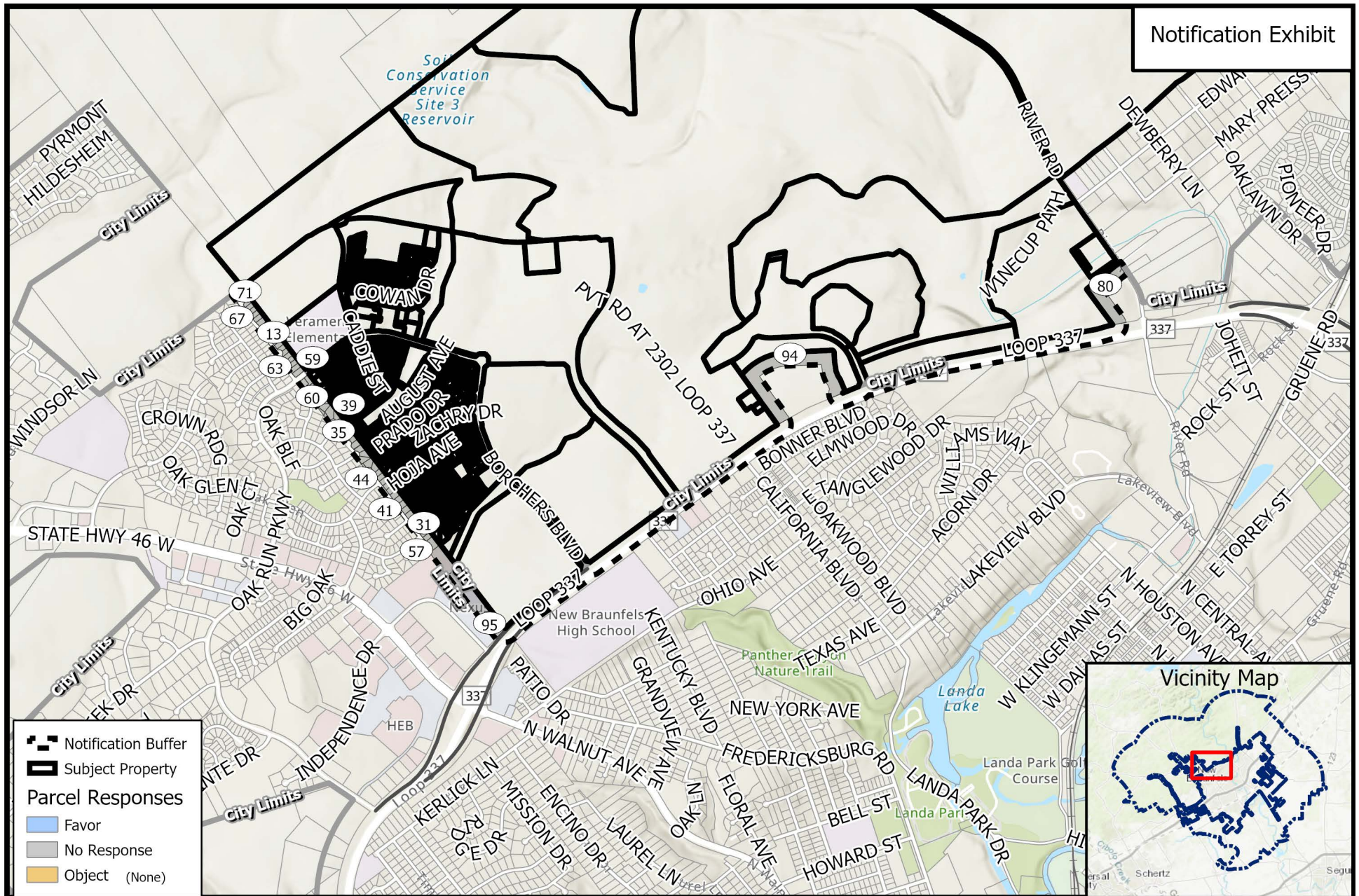
MINIMUM DEVELOPMENT STANDARD		ALTERNATIVE DEVELOPMENT STANDARD GUIDANCE
General	<p>1.1 Any lot may be accessed by an alley or service drive. Alleys shall be identified as public or private on the Plat. If designated as a private alley, the following shall be added as a Plat Note: "All private alleys shall be maintained the HOA or POA".</p> <p>1.2 Alley pavement and ROW widths shall comply with Section 14.3.5, Development Standard 13.1. For the purpose of this Development Standard, service drives shall comply with the pavement and ROW widths required for an alley.</p> <p>1.3 Alleys and service drives shall not exceed <u>450-750</u> ft. in length without providing access at the midsection of the alley to a public street.</p> <p>1.4 Where two alleys or utility easements intersect or turn at a right angle, a cut off or corner clip of not less than 10 ft. from the normal intersection of the lot line or easement boundary line shall be provided along each lot line or easement boundary line.</p>	<p>Guiding Principle Objectives: 3.2 VI, VII; 7.2 I. Code Purpose: 13.2 I, II, III.</p>

14.3.8 Accessways

MINIMUM DEVELOPMENT STANDARD		ALTERNATIVE DEVELOPMENT STANDARD GUIDANCE
General	<p>1.1 Accessways shall be consistent with an approved Sector Plan.</p> <p>1.2 Where additional accessways are required at the plat stage, such accessways shall comply with Section 13.3.5.</p>	<p>Guiding Principle Objectives: 3.2 II, VI. Code Purpose: 13.2 I, II, III.</p>

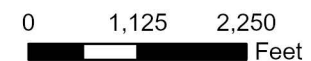
14.3.9 Utility Easements

MINIMUM DEVELOPMENT STANDARD		ALTERNATIVE DEVELOPMENT STANDARD GUIDANCE
Location & Design	<p>1.1 The location and design specification of utility easements shall be consistent with an approved Sector Plan.</p> <p>1.2 Where additional easements are required at the plat stage, such easements shall comply with Section 1.1.1.</p>	<p>Guiding Principle Objectives: 8.2 I, II. Code Purpose: 13.2 I, II, III.</p>



ORD20-301

Update to the Veramendi Development Design and Control Document



PLANNING COMMISSION – JANUARY 5, 2021– 6:00PM

Zoom Meeting

PROPOSED AMENDMENT – CASE #ORD20-301

The circled numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as "Subject Property".

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| 1. BLUM DEE | 49. NOWAK RAYMOND A & LINDA E |
| 2. PRIBYL JO ANN H | 50. BYNUM HOWARD D & VICKIE S |
| 3. LIGHTSEY JEFFREY L & MOLLY B | 51. BRAWNER THOMAS F |
| 4. RANSLEBEN MARY K & DWAYNE A | 52. WELCH SCOTT M & JANE |
| 5. HARRISON MATTHEW R & SHERRY G | 53. SAMPSON STEPHEN M & LINDA J |
| 6. PERRO DONALD A & JO ANN M | 54. STAPLETON THOMAS M & MARTHA L |
| 7. BROWN TOMMY A & LINDA | 55. MCCALL BARRY |
| 8. RADFORD BRANDON D & AMANDA | 56. OAKRUN PROPERTY OWNERS ASSOCIATION |
| 9. PORTER CHARLES T & KAREN K | 57. STARNES JESSICA & JASON |
| 10. COLLINS CRAIG E & STACEE R | 58. GRACE JAMES & KATHRYN RVCBL TRST ET AL |
| 11. RHODES PATRICK D & KATHERINE A | 59. WITHERELL ALLEN D & COURTNEY F |
| 12. ONEAL-MELLEN PATRICIA A & JAMES E MELLEN | 60. MONK JOHN A & MARY L |
| 13. PATEL SUNITBHAI A & BHAVINIBEN S | 61. WHITE MELISSA |
| 14. MOORE GERARD G & TRAYCE B | 62. OLSON JOHN D & KRISTI J SIMMONS |
| 15. GARNER TODD L & CARI A | 63. MONKS CORY & SARAH |
| 16. SMALLWOOD ROBERT A & CHRISTINE B | 64. DAVEY PETER F & TERESA A |
| 17. PRENAVO SCOTT A & AMY M | 65. HARRELL MICHAEL S & JULIANNE P |
| 18. JACKSON TRAMELL & TARNISHA | 66. JOHNSON-CHILCOTE JUDY RVCBL LVNG TRST |
| 19. GOERGES EDWARD A & DIANNE S | 67. MELANSON FAMILY TRUST 1-08-2018 |
| 20. MEASELLS MICHAEL M & MARIANNA C | 68. POOL LANCE R & STEPHANIE A |
| 21. KENNEY ERNEST & KATHERINE M | 69. ALLEN AMY & GARY |
| 22. HARRIS RANDALL W | 70. CHRISTIAN MARK W & KIMBERLY J |
| 23. HOLUB GARY G & LEIGH A | 71. DRUMMER CORINNE C |
| 24. HAAS WILLIAM N & VICKI L GRAY | 72. PLOCICA TIMOTHY J & THERESA F |
| 25. BERGER DAVID C | 73. MEJIAS CARLOS E & WANDA N |
| 26. PROPERTY OWNER | 74. BORNMANN DIANE |
| 27. LEVETT L MARTIN & SHARON A | 75. DALE THOMAS D & CLARA J |
| 28. RICKS FLETCHER W & MARY R | 76. VILLARREAL ALBERT & REBECCA M |
| 29. FIGUEROA ARTURO G III & REBECA M | 77. DIRBA JOHN & ERICA |
| 30. TOMLINSON MARK R | 78. TOLLE CAROL |
| 31. FUSSELL JOSHUA S & DESIREE N | 79. COSTELLO JOSEPH M & CONNIE S |
| 32. KUPFERNAGEL ALAN W & SUZANNE E | 80. BEYER JEFFREY S & MELODIE A |
| 33. HAAS ROBERT N & RANDI G H | 81. GREGG JASON G & TARA |
| 34. BEASLEY DEBBIE | 82. DUNKLE CHRISTOPHER & ANGELA |
| 35. PENNYPACKER-TUCKER DEBORAH A LIVING TRUST | 83. SCHUMUCKER CHRISTOPHER J |
| 36. NAJAR JACK C | 84. HILL JAMES W & REBECCA L |
| 37. JIMENEZ RUDY | 85. NEW BRAUNFELS SERVICE CENTER LTD |
| 38. SMITH KENNETH D | 86. FOGERTY MICHAEL & SUSAN M |
| 39. ELSWICK ROBERT | 87. BRAWNER DONALD L & KARAN D |
| 40. RAINEY MONTY L & DENISE M | 88. PEREZ MARTY LESLIE M & EMILIO MARTY |
| 41. DARRYL STARR | 89. HARRIS JAMES R & JANET |
| 42. HOLTZ KIMBERLY R | 90. ELMORE COREY & LINDSAY |
| 43. PARKS PATRICIA JANE | 91. ONTIVEROS LUIS & SYLVIA |
| 44. BACHER BYRON L & JULIE | 92. STREET BARRY J SR & BLANCHE C |
| 45. PRESLEY ROBERT K & JUDITH A | 93. HARRIS STEVE L & TERESA |
| 46. STROUT ROBERT E & SUSAN J | 94. OAKWOOD BAPTIST CHURCH OF NB |
| 47. DAVIS ZACHARY & MEGAL PAL | 95. NEW BRAUNFELS OFFICE LTD |
| 48. MIKA MARTIN T & ANNA | |