

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 25.89 ACRES CONSISTING OF LOT 4B, BLOCK 1, MOELLER SUBDIVISION, UNIT 3, GUADALUPE COUNTY, TEXAS, ADDRESSED AT 381 W. KLEIN ROAD FROM “APD” AGRICULTURAL / PRE-DEVELOPMENT DISTRICT TO WHITE WING ENCLAVE PLANNED DEVELOPMENT DISTRICT (WWEPD); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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

WHEREAS, in keeping with the spirit and objectives of the “PDD” Planned Development District, the City Council has given due consideration to all components of said district; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the planned development is in compliance with the Future Land Use Plan; and

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of approximately 25.89 acres, consisting of Lot 4B, Block 1, Moeller Subdivision , Unit 3, addressed at 381 W. Klein Road from “APD” Agricultural / Pre-Development District to White Wing Enclave Planned Development District (WWEPD); **now, therefore;**

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

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144, of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels, is revised by changing the following described tract of land from “APD” Agricultural/Pre-Development District to White Wing Enclave Planned Development District (WWEPD):

“Lot 4B, Block 1, Moeller Subdivision, Unit 3, described in Book Volume 6 on Page 512 in the Official Public Records of Guadalupe County, Texas, addressed at 381 W. Klein Road, as delineated on Exhibit “A” attached.”

SECTION 2

THAT Exhibit "B" be adopted as the White Wing Enclave Planned Development Concept Plan.

SECTION 3

THAT Exhibit "C" be adopted as the White Wing Enclave Planned Development – Development Standards.

SECTION 4

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 5

THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 6

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

SECTION 7

THIS ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED: First Reading this the 24th day of July, 2017.

PASSED AND APPROVED: Second and Final Reading this the 14th day of August, 2017.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

X:\Planning\Ordinances\Zone Changes\2017\PZ-17-026 White Wing Enclave PD.docx

1. Flat prepared October 8, 2002, Revised October 24, 2002.
2. Reference Bearing: S 54°21'16" E
3. According to the FIRM Flood Insurance Rate Map, Community-Panel, #480266 0050 B, dated March 1, 1979, this property does not lie in Zone A.
4. This property lies in the ETJ of the City of New Braunfels.
5. 1/2" iron pins are found at all lot corners and angle points, unless otherwise noted.
6. This property lies in the New Braunfels Independent School District.
7. This property is served by the following:
 - a. Electric - Guadalupe Valley Electric
 - b. Telephone - Southwestern Bell Telephone
 - c. Water - Green Valley Water Supply
 - d. Sewer - private septic systems
8. All tracks are subject to a 10' electric easement along all sides, front and rear lines.
9. Each lot is subject to a floating 10' wide by 30' long — electric guy easement to be located by GVEC.
10. 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.
11. Contour lines shown hereon were scaled and interpolated off of a USGS Map and not from an on-the-ground survey.
12. Guadalupe County is not responsible for maintenance of sidewalks or curbs.

I (We) the undersigned owner of the land shown on this plat, and designated herein to the 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, water courses, drains, easements and public places thereon shown for the purposes and considerations therein expressed.

Before me, a Notary Public, on this day personally appeared Henry R Jahnsen, known to me to be the person whose signature and whose mark is made on the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this 15 day of November, 2002.

I (We) the undersigned owner of the land shown on this plat, and designated herein to the 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, water courses, drains, easements and public places thereon shown for the purposes and considerations therein expressed.

Delores O'Dell
Delores O'Dell 381 W. Kle
New Arrivals

Before me, a Notary Public, on this day personally appeared Michael O'Dell and Delores O'Dell, known to me to be the persons whose signatures and whose marks are made on the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 15th day of November 2002.

1

2/2/02
Date

VACATING PLAT OF LOT 4 MOELLER SUBDIVISION
UNIT THREE, RECORDED IN VOLUME 5, PAGE 141B
OF THE MAP AND PLAT RECORDS OF GUADALUPE
COUNTY, TEXAS.

322

REPLAT OF LOT 4
MOELLER SUBDIVISION

ESTABLISHING LOTS 4A & 4B
Being a 29.822 acre tract of land out of the Sarah
No. 48, Abstract No. 103, Guadalupe County, Texas.

This Replat of Lot 4, Moeller Subdivision Unit Three has been submitted to and approved by Guadalupe Valley Electric Cooperative, Inc. for Easements.

Agent
Zandra Young
Cuadalupe Valley Electric Coop., Inc.

I, Lizette Garcia, 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 4th day of December, A.D. 2002, at 1:20 P.m. and duly recorded the 4th day of December, A.D. 2002, at 1:20 P.m. in the Map and Plat Records of said County, in Book 6 on page 513 Volume 6.

In Testimony whereof, witness my hand and official seal of office
this 4th day of December, A.D. 2002.

County Clerk, Guadalupe County, Texas

Carol Jaroszewski
Dem/ny

02672

EXHIBIT "A"

NEW BRAUNFELS, TEXAS
CONCEPT PLAN

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800

"THIS DOCUMENT IS
RELEASED FOR REVIEW
PURPOSES" UNDER THE
AUTHORIZATION OF
JON D. ADAME,
P.E. #82567.

[illegible]

DEVELOPMENT STANDARDS NOTES

MAXIMUM BUILDING HEIGHT = 35' (2 STORY)

LAND					
PHASE	ACRES	OPEN SPACE/ DRAINAGE	PARK (AC)	ROW DEDICATION	RESIDENTIAL
ENCLAVE	25.91	3.22	1.55	0.14	21.00
TOTAL				LOT DENSITY	
560' ±50' FRONTS		# OF LOTS			
35' (86%)		109		4.2	
74' (86%)					

TYPICAL STREET SECTION - 50' R.O.W. (LOCAL)

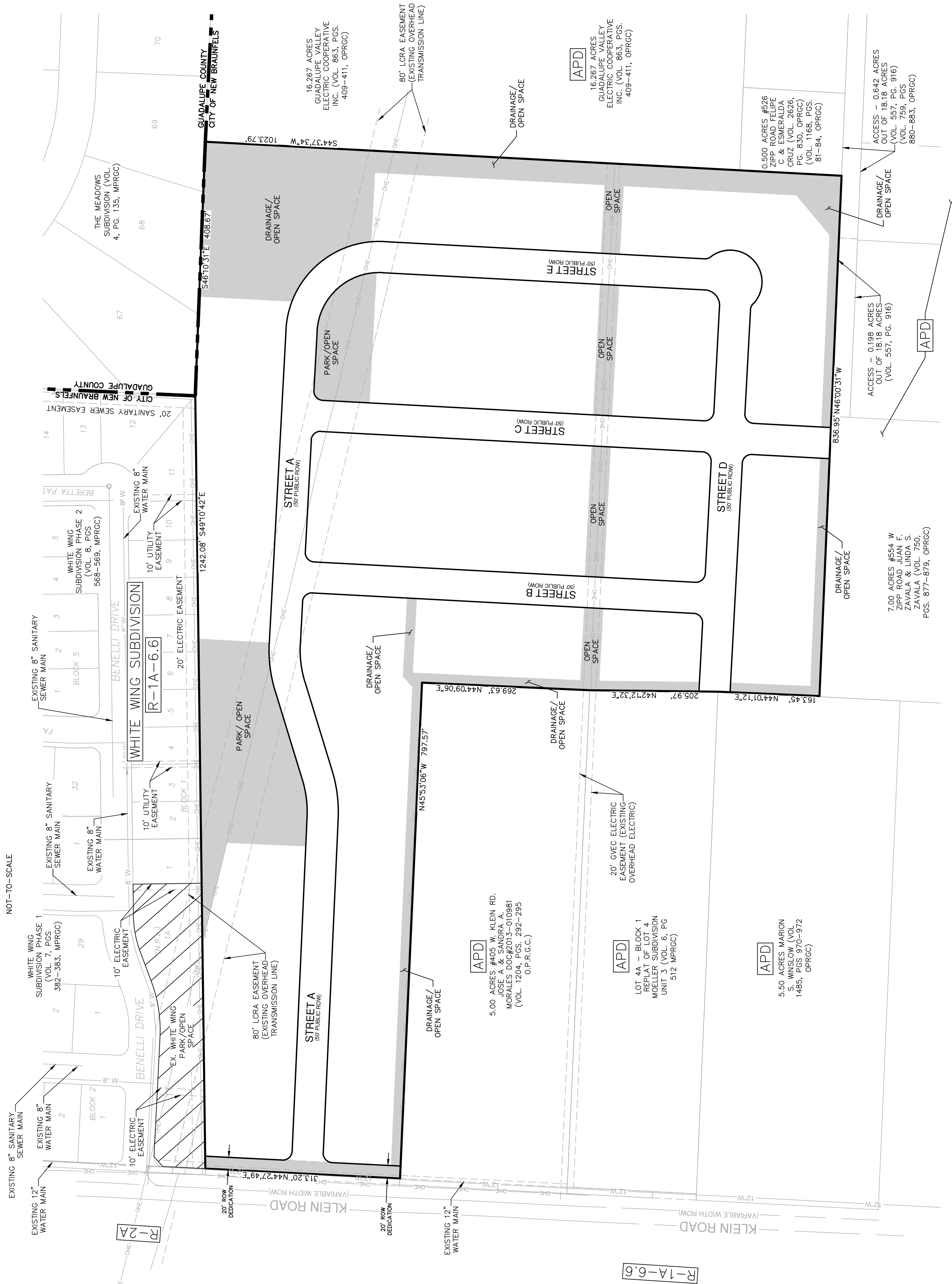
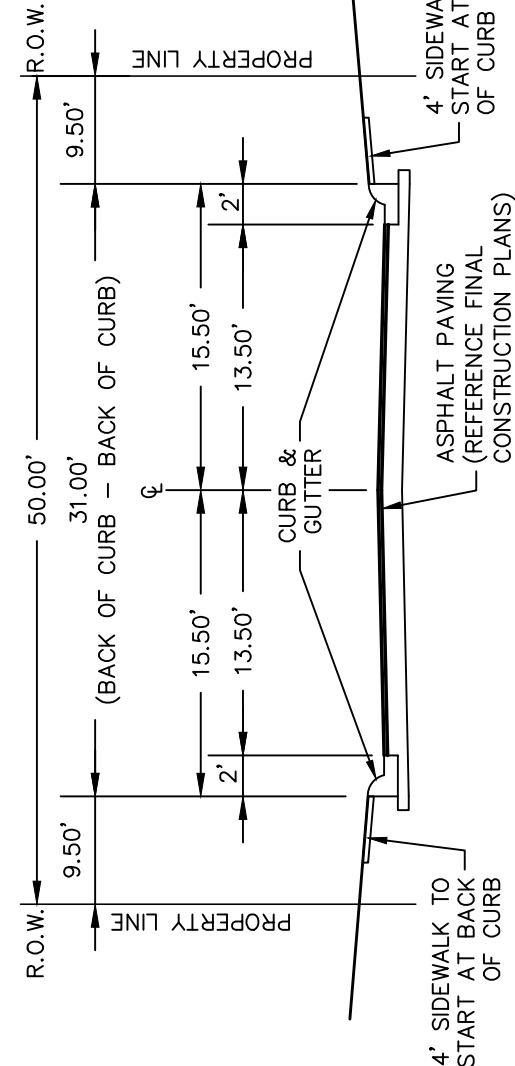
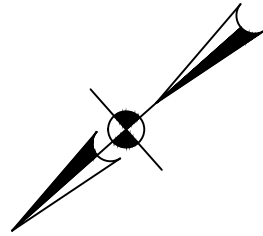


EXHIBIT "B"

LOCATION MAP

NOT-TO-SCALE



SCALE: 1" = 100'

0' 100' 200' 300'

NOTES:

1. THIS PROPERTY IS CURRENTLY ZONED AS APO.
2. INTERIOR RESIDENTIAL LOTS SHALL HAVE A FRONT BUILDING SETBACK LINE OF 20'. A REAR BUILDING SETBACK LINE OF 15', AND A SIDE BUILDING SETBACK LINE OF 5' PER ZONING WITHIN THIS PLANNED DEVELOPMENT DISTRICT.
3. THERE SHALL BE A SIDE YARD ON EACH OF A BUILDING NOT LESS THAN FIVE FEET IN WIDTH. THE SETBACK LINE OF THE BUILDING SHALL BE THE SETBACK LINE OF THE LOT LINES OF THE ADJACENT LOTS. BUILDINGS ON CORNER LOTS SHALL HAVE 20-FOOT SIDE YARDS ADJACENT TO THE STREET WHERE THE REAR LOT LINES OF THE CORNER LOTS COINCIDE WITH THE SIDE LOT LINES OF THE ADJACENT LOTS.
4. ALL STREETS ARE PROPOSED TO BE OF A LOCAL TYPE FUNCTIONAL CLASSIFICATION.
5. ALL STREETS WILL HAVE CURB AND GUTTER, AND WILL PROVIDE STORMWATER CAPACITY PER CITY OF NEW BRAUNFELS DRAINAGE REQUIREMENTS.
6. ALL STANDARD CURB AND GUTTER WILL PROVIDE STORMWATER CAPACITY PER CITY OF NEW BRAUNFELS DRAINAGE REQUIREMENTS.
7. DRAINAGE AND UTILITY EASEMENTS SHALL BE DETERMINED AND DEDICATED AT THE SUBMITTAL OF THE SUBDIVISION PLAN.
8. ALL OPEN SPACES CAN ALSO BE USED FOR DRAINAGE CONVEYANCE.
9. DRAINAGE EASEMENTS, PARKS AND OPEN SPACES SHALL BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION (HOA).
10. THIS PROPERTY LIES IN THE NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT.
11. THIS PROPERTY WILL BE SERVED BY THE FOLLOWING UTILITIES:
 - a. GREEN VALLEY SPECIAL UTILITY DISTRICT (GVUSD) (WATER).
 - b. GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) (SEWER).
 - c. GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC. (GVEC).
12. d.AT&T
13. e.CHARTER COMMUNICATIONS.
14. THIS SUBDIVISION IS SUBJECT TO THE CITY OF NEW BRAUNFELS PARK LAND DEDICATION AND DEVELOPMENT ORDINANCE.
15. A 4' CRUSHED GRANITE TRAIL FOR RECREATIONAL USE WILL BE INSTALLED WITHIN THE LARGER PARK/OPEN SPACE ADJACENT TO THE COMMON BOUNDARY OF THE WHITE WING SUBDIVISION.
16. IN ADDITION TO THE CRUSHED GRANITE TRAIL THE DEVELOPER WILL INSTALL A PLAYSPACE STRUCTURE.
17. NOTE: THAT THE LARGER PARK/OPEN SPACE ADJACENT TO THE WHITE WING SUBDIVISION HAS BEEN EXTENDED TO PROVIDE CONNECTION TO THE EXISTING WHITE WING SUBDIVISION'S OPEN SPACE AREA.
18. THE DEVELOPER PLANS TO EXTEND THE CRUSHED GRANITE TRAIL THROUGH THE EXISTING WHITE WING OPEN SPACE TO PROVIDE PEDESTRIAN ACCESS TO THE SIDEWALK ROAD TRAIL NETWORK.
19. THIS WILL ALSO SERVE AS A CONNECTION TO THE FUTURE KLEIN ROAD TRAIL NETWORK.
20. SIDEWALKS WILL BE CONSTRUCTED ALONG THE KLEIN RD FRONTAGE AND WITHIN THIS DEVELOPMENT.
21. THIS PROPERTY DOES NOT LIE OVER THE RECHARGE ZONE OF THE EDWARDS AQUIFER.
22. REFERENCED PROPERTY DOES NOT LIE WITHIN THE FLOOD HAZARD ZONE AS DEFINED BY THE TEXAS DEPARTMENT OF TRANSPORTATION COUNTY, TEXAS; COMMUNITY PANEL NUMBER 4818700197, DATED NOVEMBER 2, 2007.
23. THE ZONING OF THE PROPERTY IS "WHITE WING ENCLAVE PLANNED DEVELOPMENT DISTRICT".
24. LOTS ABUTTING THE EXISTING WHITE WING SUBDIVISION (PHASE 1 & 2) WILL HAVE 60' MIN FRONT LOT WIDTHS.

RELATION TO COMPREHENSIVE PLAN NOTE:

THE PROPOSED R-1A-6.6 PD DISTRICT TO ALLOW FOR 50' WIDE LOTS ZONING IS A SINGLE FAMILY RESIDENTIAL DISTRICT, CONSISTENT WITH THE FUTURE LAND USE PLAN DESIGNATION OF "LOW DENSITY RESIDENTIAL" AND COMPATIBLE WITH SURROUNDING LAND USES. THE PROPOSED ZONING IS CONSISTENT WITH THE EXISTING AND DEVELOPING NEIGHBORHOODS IN THE AREA.

CIVIL ENGINEER/DESIGNER
PAPE-DAWSON ENGINEERS
ALLEN HOOVER, P.E.
2000 NW LOOP 410
SAN ANTONIO, TEXAS 78227
(210) 375-9000
AHOOVER@PAPE-DAWSON.COM

OWNER/DEVELOPER

NB 2016, LLC
JOHN MABERRY
4058 NORTH COLLEGE AVE. STE. 300, BOX 9
FAYETTEVILLE, ARKANSAS 72703
(479)455-9090

DEVELOPMENT STANDARDS

Utilities:	All New Utilities will be underground.
Amenities:	Open Space, Parks, Trails, Playscape.
Sidewalk along Klein Road:	Approximately 234 Linear Feet
Internal Sidewalk:	Approximately 8,097 Linear Feet A 4' wide crushed granite trail for recreational use will be installed within the larger park/open space designated on this plan. The Developer also plans to extend this trail to provide pedestrian access to the sidewalk along Benelli drive.
Connectivity:	The Entrance will be off Klein Road. A stub out street will be provided to undeveloped property to the East. This stub out could provide future connectivity to the Walnut Road extension.
Minimum Living Area (per house):	1100 Square Feet
Minimum Garage Size:	2 Cars
Exterior Masonry Requirements:	All houses will be constructed with front and side elevations 100% masonry on the first floor. Masonry products shall include hard fired brick, stone, decorative concrete block, concrete pre-cast or tilt wall panel, three step hard coat stucco, fiber cement, glass blocks, or tiles.
House Elevations (exterior façade):	Homebuyers will have their choice of multi-dimensional exterior elevations that offer architectural styling, varied roof lines, and attention to detail. The home designs were designed to appeal to the residents in this area and what they expect in a new home. This neighborhood will feel like a community.
Elevation Conflict:	Each home must have a different elevation from the home on either side of it and directly across the street.
Minimum Landscaping Requirements:	Planting of two – 1.5" Caliper Trees, 100% coverage with sod, mulch or crushed granite, plant and shrub package installation all front yards, optional upgraded xeriscape landscape package will be offered.
Land Use:	Single-Family Residential Lots abutting the existing White Wing Subdivision (Phases 1 & 2), will have 60' min. front lot widths.
Base Zoning:	R-1A-6.6

Maximum Total Number of Acres:	25.91 Acres
Open Space/Drainage Acreage:	Approximately 3.22 acres
Park Acreage:	Approximately 1.55 acres
Residential Acreage:	Approximately 21.00 acres
R.O.W. Dedication Acreage:	Approximately 0.14 acres
Maximum Total Lots per Acre	4.2
Maximum Number of Total Lots:	109 (35 w/ 60' min. Fronts) (74 w/ 50' min. Fronts)
Minimum Lot Width At Front Setback Line:	50 Feet
Minimum Lot Depth:	105 Feet
Minimum Lot Area:	5,250 Sq. Ft. interior. 5,775 Sq. Ft corner
Front Setback Minimum:	20 Feet
Rear Setback Minimum:	15 Feet
Side Setback Minimum:	<u>Internal Lots</u> – 5 Feet <u>Corner Lots</u> – The minimum side setback adjacent to the street for corner lots where the rear lines of the corner lot coincides with the rear lot of the adjacent lot is 10 feet. The minimum side setback adjacent to the street for corner lots where the rear line of the corner lot coincides with the side lot of the adjacent lot is 20 feet. Otherwise, the internal side setback for the corner lots is 5 feet. <u>Garage Setbacks</u> – Where a driveway is located in front of the garage, the garage shall have a setback 20 feet from the right-of-way or the driveway shall be at least 20 feet long.
Maximum Building Height:	35 Feet (2-Story)