



**CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL MEETING**



**CITY HALL - COUNCIL CHAMBERS
550 LANDA STREET**

MONDAY, NOVEMBER 27, 2017 at 6:00 PM

Barron Casteel, Mayor
George Green, Councilmember (District 1)
Justin Meadows, Councilmember (District 2)
Ron Reaves, Councilmember (District 3)

Chris Monceballez, Councilmember (District 4)
Wayne Peters, Mayor Pro Tem (District 5)
Leah A. García, Councilmember (District 6)
Robert Camareno, City Manager

MISSION STATEMENT

***The City of New Braunfels will add value to our community
by planning for the future, providing quality services, encouraging
community involvement and being responsive to those we serve.***

AGENDA

CALL TO ORDER

CALL OF ROLL: City Secretary

INVOCATION: Councilmember Ron Reaves

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

**REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT
EMERGENCY ON-CALL PERSONNEL.**

PROCLAMATIONS:

- A) Giving Tuesday 2017
[Giving Tuesday 2017](#)

PRESENTATIONS:

- A) Presentation of Texas Amateur Athletic Federation local and regional Athletes of the Year.
Robin Kunkel, Recreation Manager
- B) Presentation and possible direction to Staff regarding proposed amendments to Chapter 114 of the City's Code of Ordinances regarding sidewalk cafes in the Downtown area.
Amy McWhorter, Downtown Development Coordinator
- C) Presentation and possible direction to Staff regarding River Activities revenue enhancement options and process change recommendations.
Amy Niles, River Operations Manager

1. **MINUTES**

- A) Discuss and consider approval of the minutes of the regular City Council meeting of November 13, 2017.

Patrick Aten, City Secretary

[Nov 13 minutes](#)

2. **CITIZENS' COMMUNICATIONS**

This time is for citizens to address the City Council on issues and items of concerns not on this agenda. There will be no City Council action at this time.

3. **CONSENT AGENDA**

All items listed below are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember 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.

Resolutions & Action Items

- A) Approval of ratification of payment of certain budgeted routine annual expenditures that exceed \$25,000 for fiscal year 2016-17.
Barbara Coleman, Purchasing Manager
- B) Approval of a contract with Denbow Company Inc. for roadway and utility construction services, and authorizing the City Manager to approve any change order up to the seven percent contingency amount as well as all other necessary project expenditures on Post Road.
Bryan Woods, Assistant City Manager
- C) Approval to execute a contract with SBV Architects for the design of repairs and upgrades at the Police Department for \$64,700.
Jennifer Cain, Capital Projects Manager
- D) Approval of a contract with Debra Dockery Architects for the design of repairs at the New Braunfels Regional Airport for \$24,110.
Jennifer Cain, Capital Projects Manager
- E) Approval of an addendum to a lease agreement between the City of New Braunfels and Air Methods Corporation.
Matthew Eckmann, Real Estate Manager
[Addendum to Air Methods Corporation Lease 11.08.17](#)
- F) Approval of the Construction Manager at Risk project delivery method for the New Braunfels Police Department Repairs Project to provide the best value to the City.
Jennifer Cain, Capital Projects Manager

- G) Approval of a resolution nominating Cemex Construction Materials South, LLC for designation as an Enterprise Zone Project under the State of Texas Enterprise Zone Program.

Robert Camareno, City Manager

[CEMEX TX EZ Tab 7 Nominating Resolution 10-05-17 \(002\)
enterprisezone](#)

Ordinances

(In accordance with Section 3.10 of the City Charter, a descriptive caption of each ordinance shall be read on two separate days.)

- H) Approval of the second and final reading of an ordinance to revise the school speed zones at Carl Schurz Elementary School, New Braunfels High School Ninth Grade Center, and Saints Peter and Paul Catholic School.

Garry Ford, City Engineer

[2017-11-13 Ordinance - Various School Speed Zones 1](#)
[2017-10 Sec 126-136 Redlines](#)
[Carl Schurz and 9th Grade map](#)
[Sts Peter and Paul map](#)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the appointment of members to the Bond Advisory Committee.

Robert Camareno, City Manager

[BAC members](#)

- B) Discuss and consider approval of the first reading of an ordinance revising Chapter 86-91 of the Code of Ordinances to amend fees at the Landa Park Golf Course.

Chad Donegan, Golf Manager

[FY-17-18 Rate Comparisons](#)
[New Golf Fee Ordinance Edited 11 27 17](#)

- C) Discuss and consider approval of the City of New Braunfels FY 2016-17 fourth quarter investment report.

Martie Simpson, Finance Director

[09-30-17 NB Qtrly Investment Report Signed City Council](#)

- D) Public Hearing on the 2016 Community Development Block Grant Consolidated Annual Performance and Evaluation Report.

Martie Simpson, Finance Director

- E) Public hearing and consideration of the first reading of an ordinance regarding the proposed rezoning of Lots 1 and 2, Gruene Sunday Haus Addition addressed at 1170 Old FM 306 and 1950 Hunter Road, from “R-3” Multifamily District and “C-1” Local Business District to “C-4A” Resort Commercial District.

Stacy Snell, Planning and Community Development Assistant Director

[Aerial, Regional Transportation Plan and Floodplain Map](#)

[Application](#)

[Plat of Subject Property](#)

[Zoning and Land Use Maps](#)

[Notification List, Notification Map and Responses](#)

[Photographs of Subject Property](#)

[Sec. 3.4-15 "C-4A" Resort Commercial District](#)

[C-1 & C-4A Comparison List](#)

[Excerpt from the Planning Commission Meeting Minutes of November 7, 2017](#)

[Ordinance](#)

- F) Public hearing and consideration of the first reading of an ordinance amending Ordinance No. 2016-36, the “Avery Park” Planned Development District Detail Plan, by removing 5.57 acres (Lots 43 & 44, Block A, Avery Park, Unit 1) from the “Avery Park” Planned Development District (APPD) and rezone the 5.57 acres and 21.80 acres out of the Antonio M. Esnaurizar Survey, Abstract No. 20, Guadalupe County, Texas, from “APD” Agricultural Pre-development and “C-3” Commercial District to “Avery Park 13” Planned Development District (AP13PD), adopting a Concept Plan and associated Development Standards, located north of the intersection of Avery Park Drive and State Highway 46 South.

Christopher J. Looney, Planning & Community Development Director

[Aerial and Regional Transportation Plan Map](#)

[Applications](#)

[Avery Park 13 Concept Plan and Development Standards](#)

[Proposed Avery Park 13 Exhibit Map](#)

[Informational Maps](#)

[Notification Responses](#)

[Supporting Ordinances \(Avery Park, R-1A-6.6, Planned Developments\)](#)

[Excerpt of the Planning Commission Meeting Minutes from November 7, 2017](#)

[Ordinance](#)

- G) Public hearing and consideration of the first reading of an ordinance regarding the proposed rezoning of 9.27 acres out of Lot 1, Block 1, Starlight Terrace, Unit 2, located within the Live Oak Mobile Home Community on Ashberry Avenue, from "M-1" Light Industrial District to "B-1B" Manufactured Home Park District.

Stacy Snell, Planning and Community Development Assistant Director

[Aerial, Regional Transportation Plan and Floodplain Map](#)

[Application](#)

[Survey of Subject Property](#)

[Zoning and Land Use Maps](#)

[Notification List, Notification Map and Response](#)

[Photographs of Subject Property](#)

[Sec. 3.4-6 "B-1A" Manufactured Home Park District](#)

[Excerpt from the Planning Commission Meeting Minutes of November 7, 2017](#)

[Ordinance](#)

- H) Discuss and consider approval of a waiver from the sidewalk requirement for the replat of a portion of Lots 13, 14, 18, and 19, City Block 1015, Establishing Lots 18R and 19r, City Block 1015.

Christopher Looney, Planning and Community Development Director

[Aerial and Regional Transportation Plan Map](#)

[Application](#)

[Reduced Plat](#)

[Sidewalk Exhibit](#)

[Photographs of Subject Property](#)

[Sec. 118-49 Sidewalks](#)

[Sec. 118-11 Waiver](#)

[Excerpt from Planning Commission Meeting Minutes of November 7, 2017](#)

- I) Discuss and consider approval of a contract with TI-Zack Concrete, Inc for construction services; a contract with Raba Kistner Consultants for materials testing services; and authority for the City Manager to approve any changes up to 10 percent Owner and Contractor contingencies as well as other necessary project expenditures for the Westside Pedestrian Improvement project.

Bryan Woods, Assistant City Manager

- J) Discuss and consider approval of a contract with J3 Company, Inc for construction services; a contract with Raba Kistner Consultants for materials testing services; and authority for the City Manager to approve any changes up to seven percent Owner and Contractor contingencies, as well as other necessary project expenditures for the San Antonio Street Improvements project.

Bryan Woods, Assistant City Manager

- K) Discuss and consider approval of a resolution supporting a recommendation of City of New Braunfels transportation improvement projects for the Alamo Area Metropolitan Planning Organization's Surface Transportation Program - Metropolitan Mobility call for projects for the FY 2019-2022 Transportation Improvement Program.

Garry Ford, City Engineer

[2017-11-27 Resolution - MPO 2019-2022 TIP rev 2](#)

- L) Discuss and consider possible direction to City staff regarding a City Councilmember travel policy.

Wayne Peters, Mayor Pro Tem, District 5

5. EXECUTIVE SESSIONS

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

- A) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:
- Collection action
 - National Flight Services, Inc.
- B) Deliberate and consider the purchase of, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code, including but not limited to:
- acquisition of land for city facilities
 - abandonment/exchange of public right-of-way

NOTE: The City Council reserves the right to retire into executive session concerning any of the items listed on this Agenda whenever it is considered necessary and legally justified under the Open Meetings Act (Chapter 551 of the Texas Government Code).

6. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall on November 21, 2017, at 3:00 p.m.

Patrick Aten, City Secretary

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.



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

11/27/2017

Agenda Item No. A)

City of New Braunfels



Proclamation

THE STATE OF TEXAS §

COUNTY OF COMAL §

CITY OF NEW BRAUNFELS §

WHEREAS, Giving Tuesday was established as a national day of giving on the Tuesday following Thanksgiving; and

WHEREAS, Giving Tuesday is a celebration of philanthropy and volunteerism where people give whatever they are able to give; and

WHEREAS, Giving Tuesday is a day where citizens work together to share commitments, rally for favorite causes, build a stronger community, and think about other people; and

WHEREAS, it is fitting and proper on Giving Tuesday and on every day to recognize the tremendous impact of philanthropy, volunteerism, and community service in the City of New Braunfels; and

WHEREAS, Giving Tuesday is an opportunity to encourage citizens to serve others throughout this holiday season and during other times of the year.

NOW, THEREFORE, I, BARRON CASTEEL, Mayor of the City of New Braunfels, do hereby proclaim the November 28, 2017 as

“GIVING TUESDAY”

In the City of New Braunfels, and encourage all citizens to join together to give back to the community in any way that is personally meaningful.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of New Braunfels to be affixed on this the 27th day of November, 2017.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

11/27/2017

Agenda Item No. A)

Presenter/Contact

Robin Kunkel, Recreation Manager
(830) 221-4350 - rkunkel@nbtexas.org

SUBJECT:

Presentation of Texas Amateur Athletic Federation local and regional Athletes of the Year.

BACKGROUND / RATIONALE:

Each year, the City of New Braunfels recognizes the exceptional accomplishment of athletes in our community. This year, we recognize two individuals who have excelled in their participation in programs affiliated with the Texas Amateur Athletic Federation. The TAAF Athlete of the Year program recognizes athletes based on their participation in TAAF sports, sportsmanship, attitude and effort, overall athletic participation and achievement, and special attributes or circumstances.

The 2017 Local TAAF Athletes of the Year for New Braunfels and Region 3 are:

Kaylin N. Cass & Noah Barrera

Kaylin Cass is a 12 year old 7th Grade Honor Student at New Braunfels Middle School and is a member of the Volleyball Team. She is the daughter to very proud parents Michael and Tammy Cass and has three siblings.

This is Kaylin's second year on the New Braunfels Parks and Recreation Rapids Track Program. In the 2016 Regional's she successfully placed first in the 4 x 100 Meters Relay. This year, in the 2017 Regional's, Kaylin finished 3rd Place in the 100 Meters which qualified her for state competition.

Kaylin is an avid volunteer who believes in giving back to the community. She has volunteered at Camp Agape for four years making gifts for the children who have lost loved ones, and helped organize collection efforts for those that were affected by Hurricane Harvey.

Noah Barrera is more than just a great swimmer. He started with the Dolphins swim team in 2009 at the age of six, emulating his older brother, Isaac. He shows up on time, and attends more than the recommended practices for his age group. Noah sets the example of respectfulness and is willing to listen and execute instruction with a smile on his face.

This Can-Do attitude helped him win gold in all of his events (200 Freestyle, 100 Freestyle, and 50 Butterfly) at the TAAF Region 3 Championships and earned him a trip to the State Games of Texas. Noah's performance did not disappoint. He not only brought home a gold medal, but he set a new state record for the Boys 13-14 200 Meter Freestyle this year.

Noah has worked very hard to achieve success in his sport and will continue to set his goals high. It would be hard to find a more exemplary swimmer for this year's Male TAAF Athlete of the Year Award.

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

N/A

FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

N/A

11/27/2017

Agenda Item No. B)

Presenter/Contact

*Amy McWhorter, Downtown Development Coordinator
(830) 221-4057 - amcwhorter@nbtexas.org*

SUBJECT:

Presentation and possible direction to Staff regarding proposed amendments to Chapter 114 of the City's Code of Ordinances regarding sidewalk cafes in the Downtown area.

BACKGROUND / RATIONALE:

The City of New Braunfels has begun work on Phase I of the Downtown Pedestrian Improvement Project, improving the existing sidewalks to create a continuous Americans with Disabilities Act (ADA) compliant path within Downtown. Additionally, recent administrative interpretations by the Texas Alcoholic Beverage Commission (TABC) have resulted in a need for several businesses who previously operated open sidewalk cafes to now physically restrict general access to their sidewalk café operations by barriers/fences to comply with State requirements.

To ensure these businesses can continue to operate sidewalk cafes in a manner consistent with pedestrian access requirements throughout the area, City staff and the New Braunfels Downtown Board have collaborated on draft amendments to Chapter 114 of the City's Code of Ordinances that would add standards and a permitting process for sidewalk cafes in Downtown.

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

N/A

FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends including the proposed amendments on City Council's December 11th agenda for consideration.



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

11/27/2017

Agenda Item No. C)

Presenter/Contact

*Amy Niles, River Operations Manager
(830) 221-4628 - aniles@nbtexas.org*

SUBJECT:

Presentation and possible direction to Staff regarding River Activities revenue enhancement options and process change recommendations.



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

11/27/2017

Agenda Item No. A)

Presenter/Contact

Patrick Aten, City Secretary

(830) 221-4010 - paten@nbtexas.org

SUBJECT:

Discuss and consider approval of the minutes of the regular City Council meeting of November 13, 2017.

**MINUTES
OF THE NEW BRAUNFELS CITY COUNCIL
REGULAR MEETING OF MONDAY, NOVEMBER 13, 2017**

The City Council of the City of New Braunfels, Texas, convened in Regular Session on November 13, 2017, at 6:00 p.m.

City Councilmembers present were:

Present: 6 - Mayor Barron Casteel, Councilmember George Green, Councilmember Justin Meadows, Councilmember Ron Reaves, Mayor Pro Tem Wayne Peters, and Councilmember Leah García

Absent: 1 - Councilmember Chris Monceballez

City Staff present were: City Manager Robert Camareno, City Attorney Valeria Acevedo, Assistant City Manager Kristi Aday, Assistant City Manager Bryan Woods, City Secretary Patrick Aten, Assistant City Secretary Drew Lyons, Assistant Fire Chief Patrick O'Connell, Watershed Program Manager Mark Enders, Golf Manager Chad Donegan, Parks and Recreation Director Stacey Dicke, Public Works Director Greg Malatek, and Planning and Community Development Director Chris Looney.

The meeting was called to order by Mayor Casteel in the New Braunfels City Hall Council Chambers at 6:01 p.m. Councilmember Garcia gave the invocation and Mayor Casteel led the Pledge of Allegiance and Salute to the Texas Flag.

PROCLAMATIONS:

Mayor Casteel proclaimed November 16, 2017, as World Pancreatic Cancer Day.

Mayor Casteel proclaimed November 2017 as Hospice Month.

PRESENTATIONS:

A) Hurricane Harvey response

Mayor Casteel read the aforementioned caption.

Patrick O'Connell presented information about the City's response to Hurricane Harvey.

B) Presentation and possible action regarding repairs, options, and strategies for the New Braunfels Police Department building and New Braunfels Regional Airport facilities.

Mayor Casteel read the aforementioned caption.

Bryan Woods presented the item and recommended Option B. No action was taken.

C) Update on the Dry Comal Creek/ Comal River Watershed Protection Plan and associated bacteria monitoring plan.

Mayor Casteel read the aforementioned caption.

Mark Enders presented the item.

D) Presentation and direction on proposed fee adjustments for Landa Park Golf Course at Comal Springs.

Mayor Casteel read the aforementioned caption.

Chad Donegan presented the item. No action was taken.

E) Presentation and action regarding a logo for the Das Rec, New Braunfels Recreation Center.

Mayor Casteel read the aforementioned caption.

Stacey Dicke introduced the item. Nathan Manlove presented the item.

City Council expressed interest in Option 1.

1. MINUTES

A) Discuss and consider approval of the minutes of the special City Council meeting of October 16, 2017, and the regular City Council meeting of October 23, 2017.

Mayor Casteel read the aforementioned caption.

Councilmember Green moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously.

2. CITIZENS' COMMUNICATIONS

This time is for citizens to address the City Council on issues and items of concerns not on this agenda. There will be no City Council action at this time.

Mayor Casteel read the aforementioned caption.

No one spoke.

3. CONSENT AGENDA

All items listed below are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember 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.

Resolutions & Action Items

- A) Approval of the appointment of one individual to the Building Standards Commission for a term ending October 26, 2019.
- B) Approval of an annual contract with ESO Solutions, Inc. for the provision of software for patient reporting services on behalf of the New Braunfels Fire Department, Emergency Medical Services program.
- C) Approval of the renewal of annual contracts for the following services: administrative support for Community Development Block Grants, ambulance billing and related professional services, fleet fuel services, and litter and floating vegetation removal services.
- D) Approval of the purchase of a front load garbage collection vehicle from Chastang's Bayou City Autocar and BTE Body Company Inc., through the BuyBoard and HGAC contracts.
- E) Approval of the purchase of vehicles from Bluebonnet Motors, Inc., Griffith Ford Seguin, LLC, and Caldwell County Chevrolet; and to declare replaced units as surplus.
- F) Approval of the purchase and installation of equipment for Police vehicles from GT Distributors, Inc., Applied Concepts, Inc. d/b/a Stalker Radar, Enforcement Video, LLC (WatchGuard), and the Lower Colorado River Authority via multiple cooperative contracts.
- G) Approval of an annual expenditure to Procore Technologies, Inc for Enterprise Construction software subscription FY 2017-18.
- H) Approval of the FY 2018 Street Improvement Plan.

Ordinances

(In accordance with Section 3.10 of the City Charter, a descriptive caption of each ordinance shall be read on two separate days.)

- I) Approval of the first reading of an ordinance to revise the school speed zones at Carl Schurz Elementary School, New Braunfels High School

Ninth Grade Center, and Saints Peter and Paul Catholic School.

- J) Approval of the second and final reading of an ordinance amending Code of Ordinances Chapter 126 by creating Section 126-356, prohibiting parking in spaces and areas located on private property, designated for exclusive use by vehicles that display proper placard or license plates and are used for transporting persons with disabilities, and authorizing towing enforcement.

Mayor Casteel read the aforementioned caption.

Councilmember Green moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously via roll call vote.

Executive Session

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

B. Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:

- Alta Towers, LLC v. City of New Braunfels and City of New Braunfels Zoning Board of Adjustment
- Carowest Land, Ltd. v. Yantis Company and the City of New Braunfels, (2010, 2015, and 2017 cases)
- Yantis Company vs. City of New Braunfels, et. al. (2014 case)

Without objection, Mayor Casteel read the above caption out of order.

City Council recessed into Executive Session from 7:10 p.m. until 7:38 p.m.

No vote or action was taken.

City Council reconvened into Open Session at 7:38 p.m.

No vote or action was taken.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) Discuss and consider approval of the appointment of three individuals to the Community Development Advisory Committee for terms ending December 13, 2020.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Reaves moved to appoint Harry Bowers, John Goodwin and Marc Hamilton. Councilmember Meadows seconded the motion which passed unanimously.

- B) Discuss and consider approval of the appointment of three individuals to the River Advisory Committee for terms ending December 8, 2020.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Reaves moved to appoint Dick Hillyer, Darren Hill, and Matthew Hoyt. Councilmember Green seconded the motion which passed unanimously.

- C) Discuss and consider approval of the appointment of members to the Bond Advisory Committee.

Mayor Casteel read the aforementioned caption.

Robert Camareno presented the item.

Mayor Pro Tem Peters moved to appoint Jennifer Hillyer, Dick Hillyer, Kathy Nichols, Jack Shanafelt, and Scott Haag to the Bond Advisory Committee. Councilmember Garcia seconded the motion which passed unanimously.

Mayor Pro Tem Peters moved to appoint Joe Castilleja and Alice Jewell to the Bond Advisory Committee as at-large members. Councilmember Reaves seconded the motion which passed unanimously.

The City Council opted to wait until the December 11 City Council

meeting to appoint the final member of the Bond Advisory Committee.

- D) Discuss and consider approval of a resolution to cast 456 votes toward the election of a member of the Comal Appraisal District Board of Directors.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Councilmember Green moved to allocate the City's votes evenly among the applicants. Mayor Pro Tem Peters seconded the motion which passed unanimously.

- E) Discuss and consider approval of a resolution to cast 102 votes toward the election of a member of the Guadalupe Appraisal District Board of Directors.

Mayor Casteel read the aforementioned caption.

Patrick Aten presented the item.

Mayor Pro Tem Peters moved to allocate the City's votes evenly among the applicants. Councilmember Garcia seconded the motion which passed unanimously.

- F) Discuss and consider approval of the installation of speed humps on Quail Ridge between Roadrunner Avenue and West Klein Road.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

Councilmember Reaves moved to deny the item. Councilmember Meadows seconded the motion which passed unanimously.

- G) Discuss and consider approval of a resolution for the determination of right-of-way, alignment and access of the Major Collector in the City of New Braunfels Regional Transportation Plan located between S. Solms Road, Morningside Drive, the extension of W. County Line Road and Green Valley Road.

Mayor Casteel read the aforementioned caption.

Greg Malatek presented the item.

Councilmember Green moved to approve the item. Councilmember Garcia seconded the motion which passed unanimously.

- H) Discuss and consider a request for a conditional sign permit for a pole sign at the future New Braunfels Emergency Room 24-7 facility addressed at 3221 Commercial Circle.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Donna Campbell, Tom Vo, Mike Ash, LaFawn Thompson, and Marsha Kovar spoke in favor of the motion.

Councilmember Reaves moved to approve the item with staff recommendations. Councilmember Green seconded the motion. Mayor Pro Tem Peters moved to amend the item with a 50 foot tall sign. Councilmember Garcia seconded the motion to amend which failed 4-2, with Councilmembers Green, Meadows, Reaves, and Mayor Casteel opposed. Mayor Casteel moved to amend the item with a 65 foot tall sign and only one directional sign. Also, if the business becomes something other than an emergency medical clinic, the 65 foot tall sign would be reduced to a 40 foot tall sign. Mayor Pro Tem Peters seconded the motion to amend which passed 5-1 with Councilmember Reaves opposed.

The amended main motion passed unanimously.

- I) Discuss and consider an appeal of the Non-Residential and Multifamily Design Standards for property addressed at 744 IH 35 North.

Mayor Casteel read the aforementioned caption.

Chris Looney presented the item.

Councilmember Garcia moved to deny the item. Mayor Pro Tem Peters seconded the motion which passed unanimously.

- J) Discuss and consider possible direction to staff to bring forward for Planning Commission recommendation and City Council consideration

amendments to the Zoning Ordinance, Chapter 144 of the Code of Ordinances, regarding Special Use Permits.

Mayor Casteel read the aforementioned caption.

City Council gave direction to improve the ordinances regarding special use permits, and eventually take possible changes to the Planning Commission and City Council.

- K) Discuss and consider possible direction to staff to bring forward for Planning Commission recommendation and City Council consideration amendments to the Zoning Ordinance, Chapter 144 of the Code of Ordinances, regarding changes to the “C-1A” Neighborhood Business District.

Mayor Casteel read the aforementioned caption.

City Council gave direction to improve the ordinances regarding neighborhood business districts, and eventually take possible changes to the Planning Commission and City Council.

5. EXECUTIVE SESSIONS

In accordance with Texas Government Code, Subchapter D, the City Council may convene in a closed session to discuss any of the following items; any final action or vote taken will be in public.

- A) Deliberate and consider the purchase of, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code, including but not limited to:
- acquisition of land for city facilities
- B) Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:
- Alta Towers, LLC v. City of New Braunfels and City of New Braunfels Zoning Board of Adjustment
 - Carowest Land, Ltd. v. Yantis Company and the City of New Braunfels, (2010, 2015, and 2017 cases)
 - Yantis Company vs. City of New Braunfels, et. al. (2014 case)
 - Stop the Ordinances Please, et. al. v. City of New Braunfels

· Collection action

- C) Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager in accordance with Section 551.074 of the Texas Government Code.

Mayor Casteel read the aforementioned captions except Item B.

The City Council recessed into Executive Session from 9:05 p.m. - 10:18 p.m.

No vote or action was taken.

6. **RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.**

City Council reconvened into Open Session at 10:18 p.m.

Mayor Pro Tem Peters moved to amend the City Manager's contract for a salary of \$200,000 effective November 13, 2017. Councilmember Reaves seconded the motion which passed unanimously.

The City Council meeting adjourned at 10:18 p.m.

Date Approved: November 27, 2017

Barron Casteel, Mayor

Attest:

Patrick Aten, City Secretary

11/27/2017

Agenda Item No. A)

Presenter/Contact

*Barbara Coleman, Purchasing Manager
(830) 221-4389 -bcoleman@nbtexas.org*

SUBJECT:

Approval of ratification of payment of certain budgeted routine annual expenditures that exceed \$25,000 for fiscal year 2016-17.

BACKGROUND / RATIONALE:

Per section 9.17 of the City Charter, City Council approval is required for expenditures that exceed \$25,000. Various expenditures that occur every year that are budgeted, routine, and non-controversial are presented to City Council throughout the year. In preparation of the fiscal year end close, expenditures were found to be over the \$25,000 threshold without City Council action. The purchases have met competitive purchasing requirements and funding has been allocated for all the expenditures detailed below.

The following services are recommended for ratification by City Council:

Vendor	Service	Estimated	Solicitation Source
Acushnet Company Titleist	Commercial Golf Supplies for inventory -Funding is incorporated into the Stock-inventory budget	\$90,000	Sole Source
BB Inspection Service	On-Call Support for City Inspections Over flow support -Funding is incorporated into the Appropriate operating budget	\$49,250	Best Value
Freese & Nichols Inc.	Development Review, and support For roadway impact fees (prep of ordinance Language, developer agreements and workshop presentation) -Funding is incorporated into the Appropriate operating budget	\$35,301	IDIQ NB 15-049
K. Friese & Assoc.	Development Review Assistance For Public Works-Engineering The contract supports engineering reviews of development projects within the City and ETJ. This includes public improvement plans and building permits for various development projects. The	\$145,000	IDIQ NB 17-062

comments are provided for the City to respond to the permitting party.
-Funding is incorporated into the Appropriate operating budget

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

<input checked="" type="checkbox"/>	Yes	City Plan/Council Priority:	Strategic Priorities: 9. Maintain fiscal stability of City operations
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FISCAL IMPACT:

Funding for all initiatives and expenditures above were incorporated into the appropriate FY 2016-17 departmental budgets.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of a ratification for annual expenditures greater than \$25,000 as required by City Charter and resulting from the FY 2016-17 year-end-close process.

11/27/2017

Agenda Item No. B)

Presenter/Contact

*Bryan Woods, Assistant City Manager
(830) 221-4022 - B Woods@nbtexas.org*

SUBJECT:

Approval of a contract with Denbow Company Inc. for roadway and utility construction services, and authorizing the City Manager to approve any change order up to the seven percent contingency amount as well as all other necessary project expenditures on Post Road.

BACKGROUND / RATIONALE:

The citywide street program was approved in the 2013 Bond election. Projects in this program could include: mill & overlay of pavement, curb repair/replacement, sidewalk repairs, and concrete diamonds around meter boxes and manholes. On August 28, 2017 the City Council approved a Memorandum of Understanding with New Braunfels Utilities (NBU) for the issuance of joint solicitations and administration of roadway and utilities projects.

Post Road Reconstruction Project was jointly bid with NBU and designed by Pawelek & Moy Engineering. The project includes a new water main line down Post from Gruene Road to the IH 35 Frontage Road. The road part of the work includes complete excavation of the road down, lime stabilization of subgrade, flex base, black base and an overlay from Sagebrook Drive to IH 35 Frontage Road.

The joint solicitation for Post Road was issued on October 3, 2017. A total of eight proposals were received on October 31, 2017. Each submission was scored by City and NBU staff based on cost, relevant experience, schedule, and financial capacity. The proposals received ranged in price from \$897,506 to \$1,424,285.

Based on these criteria, Denbow Company Inc. was selected as the best value bidder for both the City and NBU. Denbow submitted a bid of \$483,169 for Roadway Improvements and \$414,337 for Utility Improvements. The total for the joint improvements Project is \$897,506. The addition of contingency funding brings the amount for Roadway Improvements to \$516,990.

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

<input checked="" type="checkbox"/>	Yes	City Plan/Council Priority:	Strategic Priorities: Continue an ongoing program of infrastructure construction and maintenance.
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FISCAL IMPACT:

The 2013 bond program includes \$10 million for citywide street improvement projects that will provide funding for engineering services, construction and testing on these projects.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of a contract with Denbow Company Inc. for construction and authority for the City Manager to approve any change up to the seven percent contingency amount as well as all other necessary project expenditures on Post Road.

11/27/2017

Agenda Item No. C)

Presenter/Contact

*Jennifer Cain, Capital Projects Manager
(830) 221-4646 - Jcain@nbtexas.org*

SUBJECT:

Approval to execute a contract with SBV Architects for the design of repairs and upgrades at the Police Department for \$64,700.

BACKGROUND / RATIONALE:

In August 2017 the City Police Department and other city facilities sustained damage as a result from Hurricane Harvey. The City had a facility assessment performed on the Police Department by Facility Engineering Associates. The City has filed property claims with FEMA and its insurance carrier, TML. The claims process is lengthy due to the many Texas claims resulting from Hurricane Harvey.

Staff requested qualifications from the City's pre-qualified vendors from the IDIQ contracts. Pricing was secured from SBV as the selected vendor. The design services will include design documents, permitting, bid documents and construction administration for the exterior, and interior including the modifications at the former municipal court area and the necessary HVAC upgrades.

Staff recommends SBV Architects as the design team for this project. The estimated timeline is approximately 12 months for the design, permit/bidding and construction process. Bids for construction will be brought back to City Council for award. These tasks can be performed concurrently with the claims process.

If the City receives Claim funds from the FEMA and/or its property insurance, they will supplant the City fund balance expended.

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

<input checked="" type="checkbox"/>	Yes	City Plan/Council Priority: Strategic Priorities: Continue an ongoing program of infrastructure construction and maintenance.
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FISCAL IMPACT:

The City can support the reconstruction costs for the New Braunfels Police Department by utilizing funds designated for municipal court renovations budgeted in FY 2017/18 and fund balance for the remaining costs.

If the City receives Claim funds from the FEMA and/or its property insurance, they will supplant the City fund balance.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of a contract with SBV Architects for the design of repairs and upgrades at the Police Department for \$64,700.

11/27/2017

Agenda Item No. D)

Presenter/Contact

*Jennifer Cain, Capital Projects Manager
(830) 221-4646 - Jcain@nbtexas.org*

SUBJECT:

Approval of a contract with Debra Dockery Architects for the design of repairs at the New Braunfels Regional Airport for \$24,110.

BACKGROUND / RATIONALE:

In August 2017 the New Braunfels Regional Airport and other city facilities sustained damage as a result from Hurricane Harvey. The City had a facility assessment performed on the Airport Terminal and Control Tower buildings by Facility Engineering Associates. The City has filed property claims with FEMA and its insurance carrier, TML. The claims process is lengthy due to the many Texas claims resulting from Hurricane Harvey.

Staff requested qualifications from the City's pre-qualified vendors from the IDIQ contracts. Pricing was secured from Debra Dockery Architects as the selected vendor. The design services will include design documents, permitting, bid documents and construction administration.

Staff recommends Debra Dockery Architects as the design team for this project. The estimated timeline is approximately 9 months for the design, permit/bidding and construction process. Bids for construction will be brought back to City Council for award. These tasks can be performed concurrently with the claims process.

If the City receives Claim funds from the FEMA and/or its property insurance, they will supplant the City fund balance expended.

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

<input checked="" type="checkbox"/>	Yes	City Plan/Council Priority:	Strategic Priorities: Continue an ongoing program of infrastructure construction and maintenance
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FISCAL IMPACT:

Funds were appropriated for an airport fuel truck which will be transferred for construction repairs.

If the City receives Claim funds from the FEMA and/or its property insurance, they will supplant the City fund balance.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval to execute a contract with Debra Dockery Architects for the design of repairs to the New Braunfels Regional Airport for \$24,110.

11/27/2017

Agenda Item No. E)

Presenter/Contact

*Matthew Eckmann, Real Estate Manager
(830) 221-4089 - meckmann@nbtexas.org*

SUBJECT:

Approval of an addendum to a lease agreement between the City of New Braunfels and Air Methods Corporation.

BACKGROUND / RATIONALE:

The City of New Braunfels and Air Methods Corporation entered into a lease agreement on December 19, 2016, for Hanger 1654 located at the New Braunfels Regional Airport. Additionally, Air Methods Corporation occupies a modular building for use as crew quarters which sustained damage during Hurricane Harvey.

Air Methods Corporation has requested an addendum to their current lease to add approximately 1,440 square feet of ground lease adjacent to Hanger 1654 to accommodate a new modular building to be used as crew quarters. This modular building will be owned by Air Methods Corporation.

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

N/A		
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FISCAL IMPACT:

Air Methods Corporation currently pays a base rent of \$4,500 per month. There will be no additional rent due for the ground lease.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of this addendum.

[SIGNATURES ON FOLLOWING PAGE]

CITY OF NEW BRAUNFELS, TEXAS

ATTEST:

By: _____
Robert Camareno, City Manager

Patrick Aten, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney

AIR METHODS CORPORATION

By: _____
David Richardson, Senior Vice President

11/27/2017

Agenda Item No. F)

Presenter/Contact

*Jennifer Cain, Capital Projects Manager
(830) 221-4646 - jcain@nbtexas.org*

SUBJECT:

Approval of the Construction Manager at Risk project delivery method for the New Braunfels Police Department Repairs Project to provide the best value to the City.

BACKGROUND / RATIONALE:

Due to Hurricane Harvey, the Police Department sustained damages that require significant repairs. City staff recommends the Construction Manager at Risk delivery method (CMR) as the procurement method for the contract to construct this project.

The CMR method allows the City to evaluate the most qualified construction managers and bring them on during design process to provide the best value for the project. The evaluation of the qualifications received by City staff will be presented to City Council for direction regarding the approval of a contract for pre-construction services.

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

X	Yes	City Plan/Council Priority:	Strategic Priorities: (Infrastructure) - Continue an ongoing program of infrastructure construction and maintenance.
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FISCAL IMPACT:

The City can support the reconstruction costs for the New Braunfels Police Department by utilizing funds designated for municipal court renovations budgeted in FY 2017/18 and fund balance for the remaining costs.

If the City receives Claim funds from the FEMA and/or its property insurance, they will supplant the City fund balance.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of the Construction Manager at Risk project delivery method for the New Braunfels Police Department Repairs Project to provide the best value to the City.

11/27/2017

Agenda Item No. G)

Presenter/Contact

Robert Camareno, City Manager
(830) 221-4200 - rcamareno@nbtexas.org

SUBJECT:

Approval of a resolution nominating Cemex Construction Materials South, LLC for designation as an Enterprise Zone Project under the State of Texas Enterprise Zone Program.

BACKGROUND / RATIONALE:

CEMEX Construction Materials currently owns and operates a cement manufacturing facility located in the City of New Braunfels extra-territorial jurisdiction known as the Balcones Plant. The site includes both the Balcones Quarry, which cleans and washes the aggregates used in concrete materials as well as the Cement Plant, which pulverizes clinker, calcium sulfate and other compounds to produce portland cement. The City currently has an Industrial Development Agreement with Cemex which prohibits the City from annexing the property, and a payment-in-lieu-of-taxes from Cemex to the City.

Over the next five years, CEMEX anticipates spending in excess of \$11M on capital projects as well as retain the 255 full-time employees at its New Braunfels facility. These investments will include \$5MM in plant refurbishments along with the completion of three rocker assemblies, upgrade of the main deep bucket chain, replacement of the K2 main stack and concrete pad, north cement cooler, silo elevator belt as well as upgrading various equipment such as bucket chains, traction wheels, and sprockets. Together, the capital improvements are aimed at maintaining product quality, value, and reliability while enhancing the efficiency of manufacturing operations.

Cemex wishes to submit application to the State of Texas for designation as an enterprise project. The City has previously nominated Cemex for this designation in 2006.

Officials from Cemex and their consulting firm spearheading this nomination will be in attendance at the City Council meeting on Monday to answer questions.

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

X	12	Strategic Priorities	Work with existing entities to ensure balanced economic development
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FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of a resolution nominating Cemex Construction Materials South, LLC for designation as an Enterprise Zone Project under the State of Texas Enterprise Zone Program

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, NOMINATING CEMEX CONSTRUCTION MATERIALS SOUTH, LLC TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK FOR DESIGNATION AS AN ENTERPRISE PROJECT ("PROJECT") UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT").

WHEREAS, on May 8, 2006, the City of New Braunfels, Texas (the "City") passed Ordinance No. 2006-35 electing to participate in the Texas Enterprise Zone Program, and the local incentives available under this resolution are the same on this date as were outlined in Ordinance No. 2006-35; and

WHEREAS, the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") will consider CEMEX Construction Materials South, LLC (the "Company") as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City Council of the City of New Braunfels, Texas, desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), CEMEX Construction Materials South, LLC has applied to the City for designation as an enterprise project; and

WHEREAS, the City finds that CEMEX Construction Materials South, LLC meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. CEMEX Construction Materials South, LLC is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site within the governing body's jurisdiction located inside of an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and

3. The designation of CEMEX Construction Materials South, LLC as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that CEMEX Construction Materials South, LLC meets the criteria for tax relief and other incentives adopted by the City and nominates CEMEX Construction Materials South, LLC for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability;

WHEREAS, the City finds that it is in the best interest of the City to nominate CEMEX Construction Materials South, LLC as an enterprise project pursuant to the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. The City finds that CEMEX Construction Materials South, LLC is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act.

Section 3. The City nominates CEMEX Construction Materials South, LLC to the State of Texas for Enterprise Project status.

Section 4. The enterprise project shall take effect on the date of designation of the enterprise project by OOGEDT and terminate 5 years after the date of designation.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS on this the ___ day of November, 2017.

APPROVED:

Barron Casteel
Mayor

ATTEST:

Patrick Aten
City Secretary

APPROVED AS TO FORM:

Valeria Acevedo
City Attorney

The Texas Enterprise Zone Program (EZP) is an economic development tool for local communities to partner with the State of Texas to promote job creation and significant private investment that will assist economically distressed areas of the state. As of July 2015, the Enterprise Zone Program has accounted for 979 projects with 405,473 jobs (new and retained) and \$74.1 billion in capital investment.

Approved projects are eligible to apply for state sales and use tax refunds on qualified expenditures. The level and amount of refund is related to the capital investment and jobs created at the qualified business site. A program overview is included below. For more details visit TexasWideOpenForBusiness.com/services/incentives-financing.

Benefit

Level of Capital Investment	Maximum Number of Jobs Allocated	Maximum Potential Refund	Maximum Refund Per Job Allocation
Half Designation			
1) \$40,000 – \$399,999	10	\$25,000	\$2,500
2) \$400,000 – \$999,999	25	\$62,000	\$2,500
3) \$1,000,000 – \$4,999,999	125	\$312,500	\$2,500
4) \$5,000,000 – more	250	\$625,000	\$2,500
Enterprise Project \$5,000,000 - more	500	\$1,250,000	\$2,500
Double Jumbo Project* \$150,000,000 – 249,999,999	500	\$2,500,000	\$5,000
Triple Jumbo Project+ \$250,000,000 or more	500	\$3,750,000	\$7,500

+Must employ 500 or more to be eligible.

***Double and Triple Jumbo eligible for only new job projects.*

Eligibility

- ★ A local community must nominate a company as an Enterprise Project to be eligible for EZP.
- ★ Communities must have local incentives to offer the project for EZP qualification. Typical local incentives include tax abatement, tax increment financing, and one-stop permitting.
- ★ Communities may nominate projects for a designation period up to five years. Employment and capital investment commitments must be made and implemented within this timeframe.
- ★ Projects may be physically located in or outside of an Enterprise Zone.
 - ★ If located within a zone, the company commits that at least 25 percent of their new employees will meet economically disadvantaged, enterprise zone residence requirements, or veterans.
 - ★ If located outside of a zone, the company commits that at least 35 percent of their new employees will meet economically disadvantaged, enterprise zone residency requirements, or veterans.
- ★ Projects must meet or exceed county weekly wage averages to be eligible.

11/27/2017

Agenda Item No. H)

Presenter/Contact

Garry Ford, City Engineer
(830) 221-4020 - gford@nbtexas.org

SUBJECT:

Approval of the second and final reading of an ordinance to revise the school speed zones at Carl Schurz Elementary School, New Braunfels High School Ninth Grade Center, and Saints Peter and Paul Catholic School.

BACKGROUND / RATIONALE:

Council Districts: 5 and 6

City Council unanimously approved the first reading of an ordinance amending the school speed zones at Carl Schurz Elementary School, New Braunfels High School Ninth Grade Center, and Saints Peter and Paul Catholic School on November 13, 2017.

Staff is conducting a review of the school speed zones for the existing schools in the city. As a result of this review, changes are proposed for Carl Schurz Elementary, New Braunfels High Ninth Grade Center, and Sts. Peter and Paul Catholic School, as well as distance clarifications for Clear Springs Elementary and Oak Creek Elementary.

A school zone is a section of roadway adjacent to a school or a school crosswalk where signs designating a school are present. A school speed zone is a special reduced speed zone for schools allowed by ordinance and defined by school speed signs. Ideally, school speed zones should be kept short to enhance driver compliance. School speed zones are intended for pedestrian safety and not to facilitate vehicle movements. The Texas Manual on Uniform Traffic Control Devices (TMUTCD) provides guidance that the point of a school speed zone should be at least 200 feet in advance of a school crossing if the school speed limit is less than 30 mph.

Carl Schurz Elementary and New Braunfels High Ninth Grade Center are located adjacent to one another, with Butcher Street between the two campuses. The changes proposed for the school speed zone locations at both schools are to adjust the distance covered by the school speed zone to the school crossing locations to be consistent with the TMUTCD guidance of at least 200 feet in advance of the school crossing locations. The school speed zone locations on South Guenther Avenue, Clemens Avenue, Magazine Avenue, West Coll Street near Magazine Avenue, and West Nacogdoches Street will be extended and West Coll Street near South Guenther Avenue will be shortened so that the school speed zone begins 200 feet before the closest school crossing.

The school speed zone for Sts. Peter and Paul Catholic School will be updated to match the existing signs at the school. West Zink Street from Landa Street to its dead end will be added to the ordinance and the existing school speed zone on Castell Avenue will end at West Bridge Street

instead of extending through the parking lot of the school.

Clarifications on the distance to match the posted signs at Clear Springs Elementary and Oak Creek Elementary are also proposed at this time.

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

2006 Comprehensive Plan: Transportation Goal 21: Provide a system of convenient and safe transportation facilities through comprehensive, cooperative, and continuing transportation system planning and development.

FISCAL IMPACT:

Traffic control signs cost approximately \$150 each. Sufficient funding is available in the FY17-18 approved streets and drainage budget.

COMMITTEE RECOMMENDATION:

The Transportation and Traffic Advisory Board unanimously approved the recommendation to City Council to revise the school speed zone locations at Carl Schurz Elementary, New Braunfels High School Ninth Grade Center, and Saints Peter and Paul Catholic School, as well as distance clarifications for Clear Springs Elementary and Oak Creek Elementary on October 12, 2017.

STAFF RECOMMENDATION:

Staff recommends amending the school speed zone locations at Carl Schurz Elementary, New Braunfels High School Ninth Grade Center, and Saints Peter and Paul Catholic School, as well as distance clarifications for Clear Springs Elementary School and Oak Creek Elementary School.

ORDINANCE NO. 2017-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTION 126-136 (a) OF THE CITY OF NEW BRAUNFELS CODE OF ORDINANCES TO AMEND THE SCHOOL SPEED ZONE AT THE NEW BRAUNFELS HIGH NINTH GRADE CENTER, CARL SCHURZ ELEMENTARY, AND STS. PETER AND PAUL CATHOLIC SCHOOL.

WHEREAS, after engineering and field investigation, the City Engineer has recommended that traffic control signs be installed on certain streets, avenues, thoroughfares and boulevards within the corporate limits of the City of New Braunfels in order to protect the health, safety and welfare of the citizens.

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

I.

THAT the City of New Braunfels Code of Ordinances Section 126-136 (a) is hereby amended as follows:

- (a) No person shall drive any vehicle on the following streets within the areas designated in this subsection during the posted hours or when the school zone flashing lights are operating from 7:00 a.m. to 5:00 p.m. on each scheduled school day during every authorized school term, in excess of 20 miles per hour; and 30 miles per hour at every other time:

Guenther Avenue between Business 35 and Butcher Street;

Butcher Street between Magazine Avenue and Santa Clara Avenue;

Magazine Avenue between Butcher Street and Business 35;

Nacogdoches Street between 200 feet east of Magazine Avenue and Santa Clara Avenue;

Church Hill Drive between 116 feet southwest of the Loop 337 Frontage Road and the intersection with Broadway;

Loop 337 Frontage Road between Loop 337 and Church Hill Drive;

Oak Run Point between State Highway 46 to dead end;

Ohio Avenue between 200 feet east of Brentwood Drive and its end southwest of

Kentucky Boulevard;

Guenther Avenue between Butcher Street and 200 feet northwest of W. Coll Street;

Clemens Avenue between W. Coll Street and 200 feet northwest of W. Coll Street;

Magazine Avenue between Butcher Street and 200 feet northwest of W. Coll Street;

W. Coll Street between 200 feet northeast of Magazine Avenue and 200 feet south of S. Guenther Avenue;

Howard Street between Fredericksburg Road and 190 feet east of N. Walnut Avenue;

Fredericksburg Road between 150 feet north of Wood Road and 50 feet south of Oakcrest Drive;

Bell Street between 180 feet west of Rosemary Drive and Fredericksburg Road;

Rosemary Drive between Howard Street and Starcrest Drive;

Parkview Drive between Oakcrest Drive and Bell Street;

Avery Parkway between 570 feet south of Whispering Way and 535 feet north of Conner Drive;

Goodwin Lane between 528 feet north of Orion Drive and 530 feet north of Dove Hollow Drive;

Escarpment Oak from the intersection at Goodwin Lane southeasterly for a distance of 880 feet;

Settlers Crossing between S. Walnut Avenue and Savannah Hill Circle;

Klein Way between Klein Road and Settler's Crossing;

Hidalgo Avenue between W. San Antonio Street and Spur No. 3;

Lone Star Avenue between W. San Antonio Street and IH 35 Frontage Road;

W. San Antonio Street between Grape Avenue and Lone Star Avenue;

Zamora Street between Hidalgo Avenue and Lone Star Avenue;

Main Street between Houston Avenue and Veramendi Avenue;

Commerce Street between Houston Avenue and Veramendi Avenue;

Veramendi Avenue between Common Street and Camp Street;

Houston Avenue between Common Street and Camp Street;

Central Avenue between Common Street and Main Street and between Commerce Street and Camp Street;

W. Bridge Street between N. Seguin Avenue and Academy Avenue;
Castell Avenue between W. Mill Street and W. Bridge Street;
W. Zink Street between Landa Street and dead end;
Cross Street between Guenther Avenue and Santa Clara Avenue;
Santa Clara Avenue between Cross Street and W. San Antonio Street;
Kerlick Lane from the intersection of Mission Hills Drive easterly for a distance of 1,500 feet;
Mission Hills Drive from the intersection of Kerlick Lane southwesterly for a distance of 1,500 feet;
Old Austin Road between Loop 337 and Post Road;
Broadway between Post Road and dead end; and
Hanz Drive from the intersection of East Common Street westerly for a distance of 610 feet.

II.

THAT all provisions hereof declared to be severable and if any provisions hereof is declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which remain in full force and effect.

III.

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

IV.

This Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this the _____ day of _____,
2017.

PASSED AND APPROVED: Second reading this the _____ day of
_____, 2017.

CITY OF NEW BRAUNFELS, TEXAS

BARRON CASTEEL, MAYOR

ATTEST:

PATRICK D. ATEN CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY

Sec. 126-136. - Speed zones—Twenty miles per hour on school days—Thirty miles per hour at other times.

- (a) No person shall drive any vehicle on the following streets within the areas designated in this subsection during the posted hours or when the school zone flashing lights are operating from 7:00 a.m. to 5:00 p.m. on each scheduled school day during every authorized school term, in excess of 20 miles per hour; and 30 miles per hour at every other time:

Guenther Avenue between Business 35 and Butcher Street;

Butcher Street between Magazine Avenue and Santa Clara Avenue;

Magazine Avenue between Butcher Street and Business 35;

Nacogdoches Street between 200 feet east of Magazine Avenue and Santa Clara Avenue;

Church Hill Drive between ~~0.225/10th of a mile north of Ridgewood Avenue and one-tenth of a mile southeast of the intersection of Post Road~~ 116 feet southwest of the Loop 337 Frontage Road and the intersection with Broadway;

Loop 337 Frontage Road between Loop 337 and Church Hill Drive;

Oak Run Point between State Highway 46 to dead end;

Ohio Avenue between 200 feet east of Brentwood Drive and its end southwest of Kentucky Boulevard;

Guenther Avenue between Butcher Street and 200 feet northwest of W. Coll Street;

Clemens Avenue between W. Coll Street and 200 feet northwest of W. Coll Street;

Magazine Avenue between Butcher Street and 200 feet northwest of W. Coll Street;

W Coll Street between 200 feet northeast of Magazine Avenue and ~~Santa Clara Avenue~~ 200 feet south of S. Guenther Avenue;

Howard Street between Fredericksburg Road and 190 feet east of N. Walnut Avenue;

Fredericksburg Road between 150 feet north of Wood Road and 50 feet south of Oakcrest Drive;

Bell Street between 180 feet west of Rosemary Drive and Fredericksburg Road;

Rosemary Drive between Howard Street and Starcrest Drive;

Parkview Drive between Oakcrest Drive and Bell Street;

Avery Parkway between ~~0.4 mile~~ 570 feet south of Whispering Way and ~~0.4 mile~~ 535 feet north of Conner Drive;

Goodwin Lane between ~~0.4 mile~~ 528 feet north of Orion Drive and ~~0.4 mile~~ 530 feet north of Dove Hollow Drive;

Escarpment Oak from the intersection at Goodwin Lane southeasterly for a distance of 880 feet;

Settler's Crossing between S. Walnut Avenue and Savannah Hill Circle;

Klein Way between Klein Road and Settler's Crossing;

Hidalgo Avenue between W. San Antonio Street and Spur No. 3;

Lone Star Avenue between W. San Antonio Street and IH 35 Frontage Road;

W San Antonio Street between Grape Avenue and Lone Star Avenue;

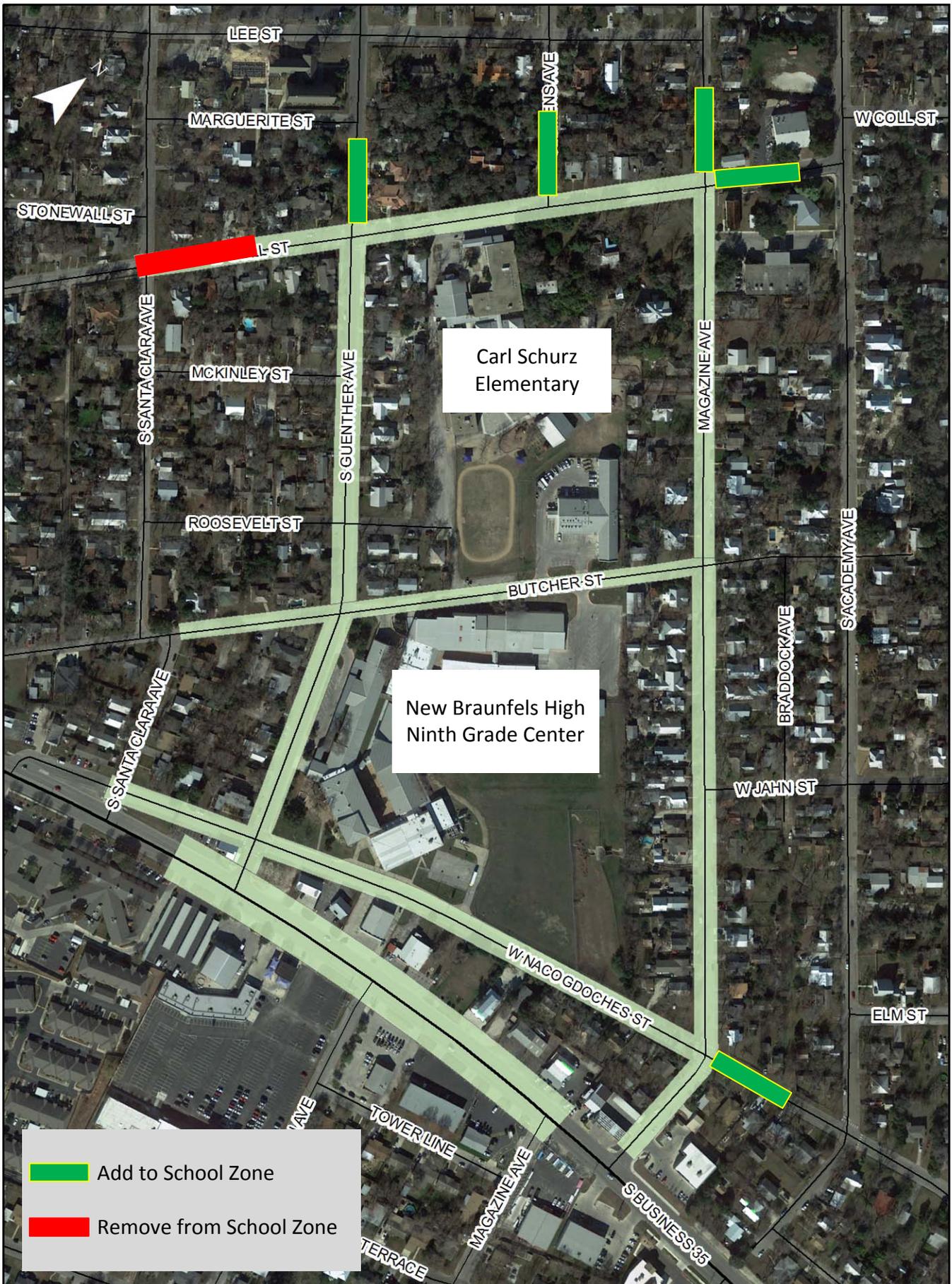
Zamora Street between Hidalgo Avenue and Lone Star Avenue;

Main Street between Houston Avenue and Veramendi Avenue;

Commerce Street between Houston Avenue and Veramendi Avenue;
Veramendi Avenue between Common Street and Camp Street;
Houston Avenue between Common Street and Camp Street;
Central Avenue between Common Street and Main Street and between Commerce Street and Camp Street;
W Bridge Street between N. Seguin Avenue and Academy Avenue;
Castell Avenue between W. Mill Street and ~~Zink Street~~W. Bridge Street;
W Zink Street between Landa Street and dead end;
Cross Street between Guenther Avenue and Santa Clara Avenue;
Santa Clara Avenue between Cross Street and W. San Antonio Street;
Kerlick Lane from the intersection of Mission Hills Drive easterly for a distance of 1,500 feet;
Mission Hills Drive from the intersection of Kerlick Lane southwesterly for a distance of 1,500 feet;
Old Austin Road between Loop 337 and Post Road;
Broadway between Post Road and dead end; and
Hanz Drive from the intersection of East Common Street westerly for a distance of 610 feet.

- (b) Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not to exceed \$200.00.

(Code 1961, § 23-110.1; Ord. No. 94-26, § 23.110.1(b), (c), 6-13-94; Ord. No. 95-33, § I, 10-9-95; Ord. No. 96-21, § I, 4-8-96; Ord. No. 97-37, § I, 11-24-97; Ord. No. 2001-57, § I, 10-22-01; Ord. No. 2007-66, § I, 8-27-07; Ord. No. 2008-59, § I, 8-25-08; Ord. No. 2008-63, § I, 9-22-08; Ord. No. 2009-08, § I, 2-23-09; 2009-10, § I, 3-9-09; Ord. No. 2009-31, § I, 5-26-09; Ord. No. 2009-66, § I, 9-28-09; Ord. No. 2010-48, § I, 7-26-10; Ord. No. 2011-73, § I, 10-10-11; Ord. No. 2013-55, § I, 9-9-13; Ord. No. 2013-56, § I, 9-9-13; Ord. No. 2015-15, § I, 3-9-15; Ord. No. 2016-72, § I, 11-28-16; Ord. No. 2017-03, § I, 1-9-17; Ord. No. 2017-10, § I, 1-23-17; Ord. No. 2017-16, § I, 2-13-17)



Proposed Changes to School Speed Zones at
 Carl Schurz Elementary and New Braunfels High Ninth Grade Center



Proposed Changes to School Speed Zone at Sts. Peter and Paul Catholic School

11/27/2017

Agenda Item No. A)

Presenter/Contact

Robert Camareno, City Manager
(830) 221-4280 - rcamareno@nbtexas.org

SUBJECT:

Discuss and consider approval of the appointment of members to the Bond Advisory Committee.

BACKGROUND / RATIONALE:

City Council formed a Bond Advisory Committee made up of 24 members. As of November 13th, the membership is comprised of:

- Chair (non-voting): Ray Still
- City Council Districts:
 - Mayor: Wes Studdard
 - District 1: Teresa Hendon
 - District 2: Garry Montgomery
 - District 3: Larry Hammonds
 - District 4: Jan Morton
 - District 5: Bob Gray
 - District 6: Jennifer Hillyer
- Chamber of Commerce: Brandon Dietert
- City Boards/Commissions -
 - Downtown Board: Shane Hines
 - Library Advisory Board: Amy Stone
 - NBIDC Board: Stuart Hansmann
 - NBU Board: Atanacio Campos
 - Parks & Recreation Advisory Board: John Mathis
 - Planning Commission: Cory Elrod
 - River Advisory Committee: Dick Hillyer
 - Watershed Advisory Committee: Stephen Hanz
 - Historic Landmark Commission: _____ (Kathy Nichols resigned)
 - Arts Commission: Dee Buck
- Comal County: Scott Haag
- Guadalupe County: Jack Shanafelt
- At-large: Joe Castilleja
- At-large: Alice Jewell
- At-large: _____

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

N/A

FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends the appointment of the final member to the Bond Advisory Committee.

Bond Advisory Committee			
Entity	Name	Occupation	Council District
Chair	Ray Still	pastor	District 3
Mayor	Wes Studdard	business	-
District 1	Teresa Hendon	law enforcement	-
District 2	Garry Montgomery	engineer	-
District 3	Larry Hammonds	finance	-
District 4	Jan Kotylo Morton	director	-
District 5	Bob Gray	business	-
District 6	Jennifer Hillyer	nurse	-
Chamber of Commerce Chair	Brandon Dietert	business	ETJ
Downtown Board	Shane Hines	sales	District 1
Library Advisory Board	Amy Stone	engineer	District 3
NBIDC Board	Stuart Hansmann	construction	District 6
NBU Board	Atanacio Campos	attorney	District 3
Parks & Rec Advisory Board	John Mathis	health care	District 4
Planning Commission	Cory Elrod	real estate	District 4
River Advisory Committee	Dick Hillyer	business	District 5
Watershed Advisory Committee	Stephen Hanz	engineer	District 3
Historic Landmark Commission	Kathy Nichols	director	District 5
Arts Commission	Dee Buck	artist	ETJ
at-large	Joe Castilleja	finance	District 2
at-large	Alice Jewell	CEO	District 1
at-large			
Guadalupe County Commissioners Court	Jack Shanafelt	-	Seguin ETJ
Comal County Commissioners Court	Scott Haag	-	District 1

11/27/2017

Agenda Item No. B)

Presenter/Contact

Chad Donegan, Golf Manager
(830) 221-4343 - cdonegan@nbtexas.org

SUBJECT:

Discuss and consider approval of the first reading of an ordinance revising Chapter 86-91 of the Code of Ordinances to amend fees at the Landa Park Golf Course.

BACKGROUND / RATIONALE:

The current fees for the Landa Park Golf Course have been in effect since the post renovation re-opening in 2014.

Based on a study completed by Mr. Jim Keegan, Golf Convergence, green fees and memberships are recommended to be raised slightly (average 5% increase). Also recommended is the elimination of the "Go Play Card" and implementing a single rate for all players. It is believed that by offering one single rate, the fee structure will be less confusing to the public and will attract additional players from the region.

Proposed fees are as follows (includes cart unless noted otherwise)

Fee Type	Proposed Fee	Current Fee	Amount of Increase
Daily M-F, w/cart	\$45.00	\$42.50/\$55.00	\$2.50
Daily M-F, Senior w/cart	\$39.00	\$36.50/\$49.00	\$2.50
Weekend w/cart	\$49.00	\$46.50/\$59.00	\$2.50
Twilight w/cart	\$35.00	\$32.50/\$39.00	\$2.50
Daily M-F, Junior (no cart)	\$10.50	\$10.00	\$.50
Weekend, Junior (no cart)	\$13.00	\$12.00	\$1.00
Annual Membership	\$1890.00	\$1800.00	\$90.00
Annual Spouse	\$945.00	\$900.00	\$45.00
Annual Membership, Jr.	\$210.00	\$200.00	\$10.00
Seasonal Membership	\$840.00	\$800.00	\$40.00
Monthly Membership	\$230.00	\$220.00	\$10.00
Annual Cart	\$900.00	\$900.00	No Change
Annual Trail	\$400.00	\$400.00	No Change

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

X	Yes	City Plan/Council Priority	Strategic Priorities: Effective Management: Update user fees.
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FISCAL IMPACT:

The proposed fee increases are expected to generate additional revenue by attracting more regional players.

COMMITTEE RECOMMENDATION:

The Golf Advisory Committee voted to recommend these fees to City Council at their October 10, 2017 meeting by a vote of 6-0-1.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed golf fees to be effective January 1, 2018.

Landa Park Golf Course
 FY 2017-2018 Rate Comparison
 Rates Include Cart Fee

These are posted rates and DO NOT include any specials running

	LPGC	The Bandit	Olympia Hills	Starcke Park
Weekend	\$ 59.00	\$ 69.00 \$ 74.00	\$ 56.95	\$ 37.00
Weekend Member	\$ 46.50	(Fri-Sun) (Saturday)	\$ 42.95	
Weekday	\$ 55.00	\$ 49.00	\$ 44.95	\$ 34.00
Weekday Member	\$ 42.50		\$ 30.95	
Weekday Senior	\$ 49.00	\$ 37.00	\$ 33.95 \$ 38.95	\$ 30.00
Weekday Senior Member	\$ 36.50	(M-Th)	(Mon-Fri) (Sat-Sun)	
Twilight	\$ 39.00	\$ 39.00 \$ 49.00	\$ 39.95 \$ 45.95	\$ 24.00
Twilight Member	\$ 32.50	(M-Th) (Fri-Sun)	\$ 26.95 \$ 33.95	
Junior Weekend	\$ 20.00	\$ 30.00	\$ 26.95	\$ 25.50
Junior Weekday	\$ 22.00	\$ 20.00	\$ 20.95	\$ 24.00
Annual Adult	\$ 1,800.00	\$4000 initiation fee		\$ 650.00 \$ 550.00
Annual Spouse	\$ 900.00	\$225/month single		\$ 100.00
Annual Junior	\$ 200.00	\$315/month/family		
4-Month	\$ 800.00	\$12.50 cart fee/round		
1-Month	\$ 220.00			
Annual Trail	\$ 400.00			
Annual Cart	\$ 900.00			
	Tax Included	Plus Tax	Plus Tax	Cash Only CC +2%
		Weekend @ \$69 is Fri and Sun \$74 is Saturday \$49 Twilight is Fri-Sun	UC Residents= Member	Only City of Seguin residents can get annual pass Punch Passes are available \$3 or \$5 surcharges for annual rounds

ORDINANCE NO. 2017 - ____

AN ORDINANCE OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTION 86-91 “GOLF COURSE FEES;” REPEALING ALL LAWS IN CONFLICT; PROVIDING A SAVINGS CLAUSE AND SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted golf course fees that have not been increased since 2014; and

WHEREAS, an increase is necessary to sufficiently cover expenses related to the operations and maintenance of the renovated golf course, and City Council finds the staff’s recommendation both reasonable and necessary.

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

SECTION 1: The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2: That Section 86-91 “Golf Course Fees,” of the New Braunfels Code of Ordinances shall be amended to hereinafter read as follows:

Section 86-91 Golf Course Fees

- (a) *Definitions.* The following definitions shall apply to this section:
1. *New Braunfels Resident.* Any person whose permanent domicile is within the city limits of New Braunfels.
 2. *Junior.* Any person 18 years of age or younger, currently enrolled in high school or below. A junior under the age of 12 must be accompanied by an adult while the starter is on duty on weekends and holidays.
 3. *Senior.* Any person who is 60 years of age or older.
 4. ~~*Club Card.* A non-refundable annual membership card allowing the card holder to a discounted rate for green fees, available to New Braunfels residents and members of any Landa Park Golf League/Association.~~
 5. *Nine hole fee.* Paid by persons wishing to play nine holes of golf. On Saturdays, Sundays and holidays the nine hole rate is only available during the first two hours of play.
- (b) The following schedule of fees shall be paid by the patrons of Landa Park municipal golf course in the city. All fees shall be available to support the operating and capital expenditures and transfers of the Golf Course Enterprise Fund. The Parks and Recreation Director, or designee, may negotiate rates for golf course special events and promotions.

(1) Daily Green Fees with cart:

Golf course green fees for persons 18 years of age or older (non-refundable).

Weekends and Holidays: \$49.00

Weekdays: \$45.00

Twilight Fee/9 Hole: ~~\$29.00~~ **\$35.00**

~~(2) **Club Card Membership Holder Daily Fees:**~~

~~Golf course green fees for persons with Club Card Membership (non-refundable).~~

~~Weekends and Holidays: \$36.50~~

~~Weekdays: \$32.50~~

~~Twilight Fee/9 Hole: \$22.50~~

(3) Junior Fees: (cart not included)

Golf course green fees for persons in the classification of junior (non-refundable).

Weekends and Holidays ~~\$12.00~~ **\$13.00**

Weekdays: ~~\$10.00~~ **\$10.50**

(4) Senior Fees:

Golf course green fees for persons 60 years of age or older (non-refundable).

Weekdays: \$39.00

~~(5) **Annual Club Card Fees:**~~

~~Annual Club Card entitles holder to "club card rate" on daily green fees. Annual Club Card is available at no charge to residents of New Braunfels, or members of any Landa Park Golf Association/League. Annual Club Card is valid for 365 days from date of purchase (non-refundable).~~

~~Annual Club Card Fee Rate: \$70.00~~

~~New Braunfels Residents and Members of Landa Park Golf Association/League, free~~

(6) Annual Membership Fees:

Annual Membership (non-refundable), entitles that person to unlimited green fees for 365 days from date of purchase.

Annual Membership Rate: ~~\$2040.00~~ **\$2130.00** (if paid monthly)

Annual Membership Rate: ~~\$1800.00~~ **\$1890.00** (if paid in advance)

Spouse of Annual Member Rate: 50% discount

Junior Annual Membership Rate: ~~\$200.00~~ **\$210.00** (Junior Annual Membership fees may be paid in installments as defined by city staff)

(7) Seasonal Membership Fees:

Seasonal Membership entitles player to unlimited green fees for 120 days from date of purchase (non-refundable).

Seasonal Membership Rate: \$800.00 **\$840.00**

(8) Monthly Membership Fees:

Monthly Membership entitles player to unlimited green fees for 30 days from date of purchase (non-refundable).

Monthly Membership Rate: ~~\$220.00~~ **\$230.00**

(9) Annual Cart Fee:

Annual cart fee is per player and entitles player to unlimited carts for 365 days from date of purchase (non-refundable).

Annual Cart Fee (per player): \$1,020.00

Annual Cart Fee (per player): \$900.00 (if paid in advance)

(10) Annual Private Cart Trail Fee:

This fee is for use of a private golf cart by the owner of the private cart, the owner's spouse or qualified junior and up to one additional rider (limited to a total of two riders), authorized by owner. Fee is valid for 365 days from date of purchase (non-refundable).

Annual Private Cart Trail Fee: \$400

Private carts are subject to approval for safety purposes and liability issues by the golf course manager or his appointed agent(s). The owners of powered golf carts shall be fully responsible for the safety and liability of occupants and the safe operation of their powered golf carts and shall be responsible for ensuring that their golf carts are maintained and operated in accordance with their golf cart operation/instruction manual while on Landa Park municipal golf course property.

(11) Minors less than 16 years of age shall not operate golf carts on Landa Park municipal golf course property.

(12) All members and coaches of any authorized New Braunfels School District or other Comal County school golfing team may play on weekdays after 2:30 p.m. at no charge. The following limit will apply to golf coaches and players:

Limit of two golf coaches per school. Junior high school teams are limited to 15 players per school at any one time.

(13) Each golf course green fee shall entitle payee to play a maximum of 18 holes of golf on the date paid. Additional payment of green fees shall be required if more than 18 holes of golf are to be played on weekends and holidays.

SECTION 3: All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only. 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 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 5: In accordance with the provisions of Section 3.10 of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

SECTION 6: This Ordinance shall become adopted and effective upon its final reading and must be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this ____ day of _____, 2017.

PASSED AND APPROVED: Second reading this ____ day of _____, 2017.

CITY OF NEW BRAUNFELS, TEXAS

BARRON CASTEEL, Mayor

ATTEST:

Patrick D. Aten, City Secretary

APPROVED AS TO FORM:

Valeria M. Acevedo, City Attorney

11/27/2017

Agenda Item No. C)

Presenter/Contact

Martie Simpson, Finance Director
(830) 221-4385 - msimpson@nbtexas.org

SUBJECT:

Discuss and consider approval of the City of New Braunfels FY 2016-17 fourth quarter investment report.

BACKGROUND / RATIONALE:

State of Texas statutes require quarterly investment reports be presented to the governing body of a municipality. In addition, the Investment Policy adopted annually by the City Council requires quarterly reporting to the City Council. Attached for Council consideration is the FY 2016-17 fourth quarter investment report to meet these statutory requirements. As of September 30, 2017, the City had \$91,822,460 (market value) invested in different investment instruments including cash, as shown below. The portfolio decreased by \$8,547,971 in the fourth fiscal quarter. This was due to the maturity of a Federal Agency Security, debt service payments, as well as covering fourth quarter expenses.

Amount Invested
(Dollars in millions)

Investment Type:

Federal Agency Coupon Securities	\$9
Money Market/Cash	\$13
Pools	\$70

Weighted Average Maturity of Portfolio	12 days
Weighted Average Yield for Portfolio	.88%
Earned Income QTR	\$202,348
Earned Income YTD	\$576,706

For the fourth quarter, the weighted average yield on the City's investments was .88 percent, an increase of .13 when compared to the third quarter of FY 2016-17 earnings of .75 percent. This improvement was due to a slight increase in average interest rates on TexPool investments. The City had earnings of \$576,706 in FY 2016-17.

The weighted average maturity of the City's portfolio decreased in comparison to the third quarter of FY 2016-17 due to the maturity of one of the Federal Agency Securities in July, 2017. Every effort continues to be made to maintain the City's liquidity for payment of expenditures while maximizing interest earnings in this continued very low interest rate market.

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

<input checked="" type="checkbox"/>	Yes	City Plan/ Council Priority:	Strategic Priorities: 8 - Maintain fiscal stability of City operations
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FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of the attached investment report.

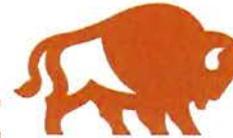


Quarterly Investment Report

For the Period Ended

September 30, 2017

FirstSouthwest
AssetManagement
A Hilltop Holdings Company.

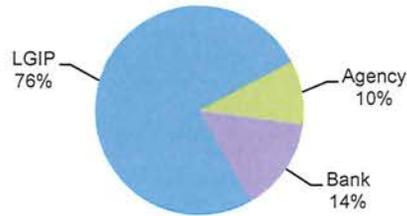


Total Portfolio Summary

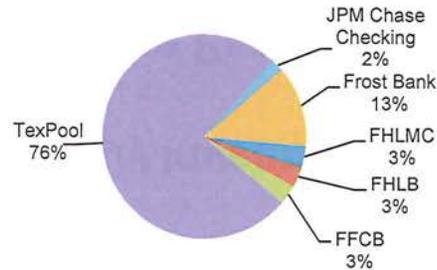
	Current Period 9/30/2017	Prior Period 6/30/2017	Change From Prior
Par Value	\$91,853,819	\$100,428,562	(\$8,574,743)
Book Value	\$91,822,035	\$100,371,875	(\$8,549,840)
Market Value	\$91,822,460	\$100,370,431	(\$8,547,971)
Market Value%	100.00%	100.00%	0.00%
Weighted Average Maturity - Days	12 days	20 days	(8)
Weighted Average Yield	0.88%	0.75%	0.13%
Earned Income	\$202,348	\$171,552	\$30,796
Earned Income - Year-to-Date	\$576,706	\$374,358	\$202,348

Portfolio Composition

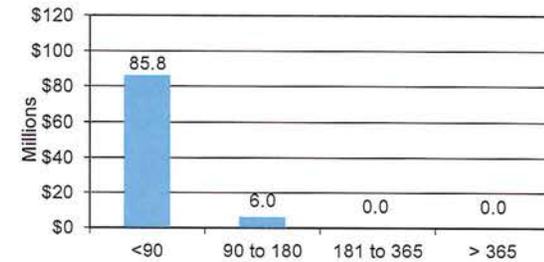
By Security Type



By Issuer



By Maturity



This quarterly investment report is in compliance with the investment policy and strategy as established by the City and the Public Funds Investment Act (Chapter 2256, Texas Government Code).

Prepared by:



City of New Braunfels
 Martie Simpson, Finance Director



City of New Braunfels
 Robert Camareno, City Manager



City of New Braunfels
Portfolio Summary
 As of 9/30/2017

Investments By Type	Par Value	Market Value	Book Value	% of Portfolio	Days to Maturity	Yield to Maturity
Federal Agency	\$9,000,000.00	\$8,968,641.00	\$8,968,216.68	9.8%	115	1.101%
Bank	\$13,372,365.43	\$13,372,365.43	\$13,372,365.43	14.6%	1	0.000%
LGIP	\$69,481,453.10	\$69,481,453.10	\$69,481,453.10	75.7%	1	1.015%
US Treasury	\$0.00	\$0.00	\$0.00	0.0%	0	0.000%
Grand Total	\$91,853,818.53	\$91,822,459.53	\$91,822,035.21	100.0%	12	0.876%

Investments By Issuer	Par Value	Market Value	Book Value	% of Portfolio	Days to Maturity	Yield to Maturity
FFCB	\$3,000,000.00	\$2,984,187.00	\$2,983,815.00	3.2%	167	1.181%
FHLB	\$3,000,000.00	\$2,988,621.00	\$2,988,736.68	3.3%	125	1.098%
FHLMC	\$3,000,000.00	\$2,995,833.00	\$2,995,665.00	3.3%	52	1.025%
JPM Chase Checking	\$1,812,078.12	\$1,812,078.12	\$1,812,078.12	2.0%	1	0.000%
Frost Bank	\$11,560,287.31	\$11,560,287.31	\$11,560,287.31	12.6%	1	0.000%
TexPool	\$69,481,453.10	\$69,481,453.10	\$69,481,453.10	75.7%	1	1.015%
US Treasury	\$0.00	\$0.00	\$0.00	0.0%	0	0.000%
Grand Total	\$91,853,818.53	\$91,822,459.53	\$91,822,035.21	100.0%	12	0.876%

11/27/2017

Agenda Item No. D)

Presenter/Contact

Martie Simpson, Finance Director
(830) 221-4385 - msimpson@nbtexas.org

SUBJECT:

Public Hearing on the 2016 Community Development Block Grant Consolidated Annual Performance and Evaluation Report.

BACKGROUND / RATIONALE:

The Consolidated Annual Performance and Evaluation Report (CAPER) is an annual report required by the U.S. Department of Housing and Urban Development (HUD). The report for Program Year (PY) 2016 identifies the level of progress and accomplishments during the past program year in meeting the priorities, goals and objectives of the Consolidated Plan prepared in 2015. The Consolidated Plan is a five-year strategic planning document, and this CAPER completes the 2016 program year of the 2015-2019 Consolidated Plan.

To receive HUD entitlement funds, the City annually submits a one-year Action Plan, including proposed projects and federal certifications. The Action Plan is developed in accordance with the City's Citizen Participation Plan. After submission, projects are implemented in accordance with the approved one-year budget and certifications. The CAPER is submitted to HUD after a fifteen-day review period.

The CAPER also reflects information regarding expenditures. For program year 2016, \$379,104 in housing and community development funding was received from the Community Development Block Grant (CDBG) Program.

A public hearing on the CAPER is required by HUD before submission. The full draft report is available for review at the City Secretary's Office during the fifteen-day comment period beginning November 22, 2017. The final CAPER will be delivered to HUD no later than December 30, 2017. It is due to HUD no later than 90 days after the close of the program year (September 30, 2017).

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

<input checked="" type="checkbox"/>	Yes	City Plan/Council Priority	<u>Strategic Priorities:</u> Implement comprehensive programs to address quality-of-life issues identified in the community needs assessment, especially as it pertains to youth.
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FISCAL IMPACT:

No fiscal impact to the City.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

This is a public hearing. No action is required.

11/27/2017

Agenda Item No. E)

Presenter

Stacy Snell, Planning and Community Development Assistant Director
ssnell@nbtexas.org

SUBJECT:

Public hearing and consideration of the first reading of an ordinance regarding the proposed rezoning of Lots 1 and 2, Gruene Sunday Haus Addition addressed at 1170 Old FM 306 and 1950 Hunter Road, from "R-3" Multifamily District and "C-1" Local Business District to "C-4A" Resort Commercial District.

BACKGROUND / RATIONALE:

Case No.: PZ-17-042

Council District: 4

Owner/Applicant: Gruene Cottages, LLC (Cecil Eager)
791 Edgewater Terrace
New Braunfels, TX 78130
(830) 832-5814

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

The subject property is located at the southeast corner of the intersection of Old FM 306 and Hunter Road, is zoned R-3 and C-1 and is comprised of 2.79 acres. The subject property consists of two lots improved with a single-family dwelling with 2 attached guest homes, 6 detached cottages and several amenity buildings and structures constructed between 1993 and 2003. The property is utilized for vacation rentals.

The applicant acquired the property in 2010, and though the existing structures and use of the property comply with the R-3 and C-1 regulations, the applicant is requesting a zoning change to "C-4A" Resort Commercial District to consolidate the property into one zoning district that would be appropriate for the existing use and allow for possible future expansion.

The "C-4A" district is intended to serve tourists, vacationing public, conference center attendees, sports related programs and support service facilities including garden office, retail and specialty shops (see Attachment 9 for list of permitted uses).

General Information:

Size: = 2.79 acres

Surrounding Zoning and Land Use:

North - Across Hunter Rd., C-1Br37 / undeveloped land

South - C-1A / Storage facility

East - C-1 and SUP / Convenience store with fuel sales and SUP for Christmas tree sales

West - Across Old FM 306, R-2 / Two-unit town homes

Comprehensive Plan/ Future Land Use Designation:

Commercial

Floodplain:

No portion of the property is in a Special Flood Hazard Area Zone A.

Regional Transportation Plan:

Hunter Road and Old FM 306 are both designated as 60-foot wide Minor Collectors on the 2012 Regional Transportation Plan. Both roadways have current right-of-way widths meeting the minimum standard for a Minor Collector.

Improvement(s):

A single-family dwelling with 2 attached guest homes, 6 detached cottages and several amenity buildings and structures

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 subject property is located near the intersection of FM 306 and Hunter Road, which is the primary entry into Gruene for those from out of town, and is located on a block with mixed commercial and multifamily zoning districts and various commercial uses. The proposed zoning is also complimentary to the existing use of the property as vacation rentals/cabins.*);
- 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 (*There should be no negative effects on other properties in the area designated for similar development as development of these properties will be required to follow the City's development standards.*)
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*None; development of the property will be in compliance with the City's development standards.*) and
- Whether the request is consistent with the Comprehensive Plan. (*The proposed zoning and existing use of the property are consistent with the Future Land Use designation of the subject site as Commercial.*)

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

√	Yes	<p>City Plan/Council Priority: 2006 Comprehensive Plan <i>Pros and Cons Based on Policies Plan</i></p>	<p>Pros: Goal 1: Objective 1B: <i>Utilize existing land use inventory and official zoning district map to identify parcels that are legally developed with a use that is more or less intensive than the permitted uses in the zoning district in which they are located and consider proposed zone changes as appropriate. One of the purposes of the C-4A district is for property to be developed as resort commercial intended to serve tourists and the vacationing public, which is the current land use of the property.</i> Goal 1: Objective 1C: <i>Consider rezoning, as necessary, to ensure existing and future land use compatibility. C-4A would be compatible with the C-1B, C-1, C-1A and R-3 zoned properties located on the same block as the subject property. Old FM 306 separates the subject property from residential uses.</i> Cons: None.</p>
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FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

The Planning Commission held a public hearing on November 7, 2017. After hearing testimony from concerned owners of nearby property, the Planning Commission discussed the option of rezoning only Lot 1 (the interior lot) and leaving Lot 2 (the corner across from the townhome residents) as R-3. The applicant did not object to amending his application to request the rezoning of only Lot 1 to C-4A and leave Lot 2 zoned R-3. The Planning Commission recommended approval of the zoning change of Lot 1 only from R-3 and C-1 to C-4A, and keeping Lot 2 as R-3 (3-2-0), with Commissioners Bearden and Hoyt opposed, Chair Elrod recused and Commissioners Laskowski and Sonier were absent.

STAFF RECOMMENDATION:

Staff recommends approval as the proposed rezoning is compatible with surrounding zoning and land uses on the same block, is consistent with the Future Land Use Plan, is consistent with the existing use of the property, and the property's proximity to Gruene.

Notification:

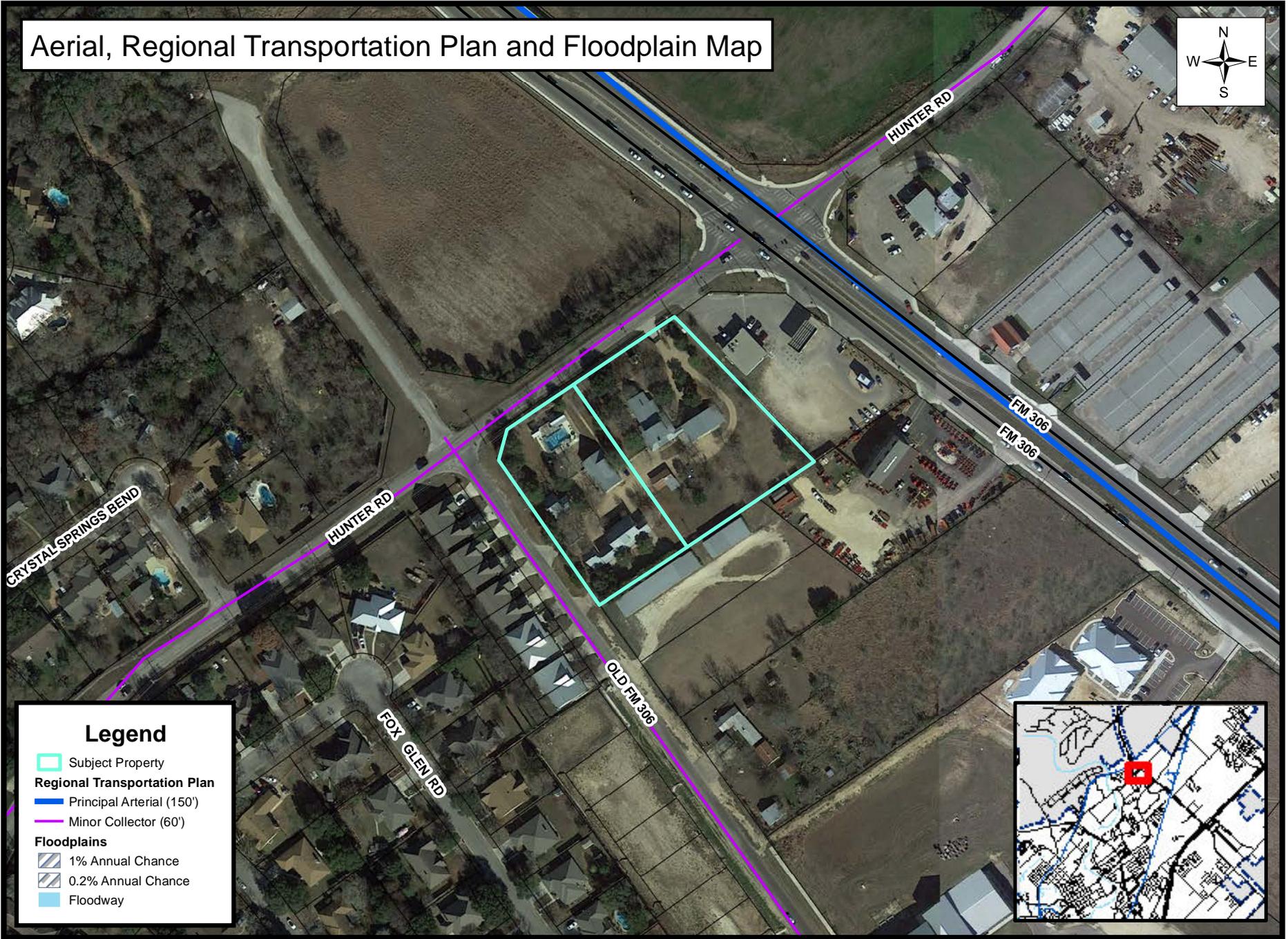
Public hearing notices were sent to 20 owners of property within 200 feet of the subject property. The Planning Division has received two responses in favor (#'s 5 and 18) and none opposed.

ATTACHMENTS:

1. Aerial, Regional Transportation Plan and Floodplain Map
2. Application
3. Plat of Subject Property
4. Zoning and Land Use Maps
5. Notification List, Notification Map and Responses
6. Photographs

-
7. Sec. 3.4-15 "C-4A" Resort Commercial District
 8. Use comparison chart for C-4A and C-1
 9. Excerpt from the Planning Commission Meeting Minutes of November 7, 2017
 10. Ordinance

Aerial, Regional Transportation Plan and Floodplain Map



Legend

- Subject Property
- Regional Transportation Plan**
 - Principal Arterial (150')
 - Minor Collector (60')
- Floodplains**
 - 1% Annual Chance
 - 0.2% Annual Chance
 - Floodway

ATTACHMENT 1

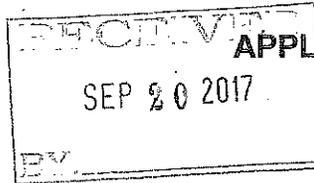


PZ-17-042
1770 Old FM 306 and 1950 Hunter Rd
R-3 and C-1 to C-4A

Map Created 7/25/17



PLANNING



APPLICATION FOR A ZONING CHANGE

Planning and Community Development
550 Landa Street, New Braunfels, TX 78130
(830) 221-4050
www.nbtexas.org

Case Number: PZ-17-042

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: CECIL EAGER
Mailing Address: 791 Edgewater Terr New Braunfels TX 78130
Telephone: Fax: 830.629-7375 Mobile: 830.832.5814
Email: Cecile@GrueneMansionInn.com

2. Property Address/Location: 1950 Hunter Rd & 1170 Old FM 306 Rd NB 78130

3. Legal Description: GRUENE SUNDAY HAUS ADDITION

Name of Subdivision:

Lot(s): 1 and 2 Block(s): FUGWAY SURVEY No. 35 Acreage: 2.79

4. Existing Use of Property: OVERNIGHT LODGING

5. Proposed Use of Property (attach additional or supporting information if necessary): SAME USE

6. Zoning Change Request: Current Zoning: R3 and C1 Proposed Zoning: C-4A

For "PDD Planned Development District", check if: Concept Plan OR Detail Plan

7. Reason for request (please explain in detail and attach additional pages if needed):

CONSOLIDATE ZONING INTO ONE CATEGORY AND TO APPROPRIATE ZONING FOR CURRENT USAGE FOR POSSIBLE EXPANSION

8. COUNTY: COMAL GUADALUPE - SCHOOL DIST: CISD NBISD OTHER

9. REQUIRED ATTACHMENTS:

- Metes and bounds description and survey if property is not platted.
3 TIA worksheets and 2 Traffic Impact Analysis if required.
Location in 100-year floodplain: Please provide a map of the floodplain overlaying the property proposed for zoning or, at a minimum, a copy of the proper FEMA flood map, with panel number.
Map of property in relation to City limits/major roadways or surrounding area.
If requesting a Planned Development (PD), applicant must provide 17 development standards on the detail plan and/or provide the standards in a separate document as described in the Zoning Ordinance, Section 3.5; Provide 17 copies of the standards and Concept plan (1":200') for distribution; 4 copies of the survey (1":200') (if preparing revisions to existing Planned Development (PD) please provide one legible 11x17).
Copy of deed showing current ownership.
Mailed notification x 2.15 each = 45.15 pd
Newspaper Notice 115.00 each
Future Land Use Plan Update \$500.00

The undersigned hereby requests rezoning of the above described property as indicated.

9-20-17

Date

Cecil Eager

Cecil Eager owner

Signature of Owner(s)/Agent

Print Name & Title

For Office Use Only

Fee Received By: Amount: \$1680.00 Receipt No.: 242820
Date Received: 9-20-17 Zoning signs issued: 3 Date: 9/26/17 No.: 3
Cash/Check Number: 5933 Case Number: PZ-17-042

STATE OF TEXAS*
COUNTY OF COMAL*

I the undersigned owners of the land shown on this plat, and designated herein as the GRUENE SUNDAY HAUS ADDITION subdivision to the City of New Braunfels, County of Comal Texas, and whose names are subscribed hereto, do hereby subdivide such property and dedicate to the use of the public all streets, alleys, parks, drains, easements, and public places shown for the purposes and considerations therein expressed.

Larry W. Waldrip
Larry W. Waldrip
1950 Hunter Rd.
New Braunfels, TX 78130

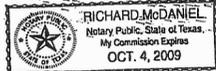
GRUENE PROPERTY PARTNERS, LTD.,
a Texas limited partnership
By GRUENE SUNDAY HAUS, LLC,
a Texas limited liability company, General Partner

Larry W. Waldrip
Larry W. Waldrip, President
1950 Hunter Rd.
New Braunfels, TX 78130

STATE OF TEXAS*
COUNTY OF COMAL*

This instrument was acknowledged before me, the undersigned authority, on this the 10 day of February, 2009 by Larry W. Waldrip, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Richard McDaniel
Notary Public,
Richard McDaniel



APPROVED FOR ACCEPTANCE:

Shelley 2/29/09
Director of Planning Date

Jan C. Kiser 2-12-09
City Engineer Date

Al Johnson 2/19/09
New Braunfels Utilities Date

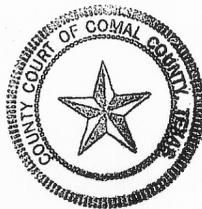
Michelle 2/24/09
Date

STATE OF TEXAS*
COUNTY OF COMAL*

I, Joy Streater, do hereby certify that the foregoing instrument was filed for record in the Map and Plat Records, Doc# 200906007105 of Comal County on the 2 day of March, 2009, at 11:00 a.m. Witness my hand official seal, this the 2 day of March, 2009.

County Clerk, Comal County, Texas

Joy Streater
Deputy



KNOW ALL MEN BY THESE PRESENTS:

I, the undersigned Kelly Kilber, 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.

Kelly Kilber
Kelly Kilber
Registered Professional Land Surveyor No. 2219
PRO-TECH ENGINEERING GROUP, Inc.
100 E. San Antonio St., Suite 100
San Marcos, Texas 78666

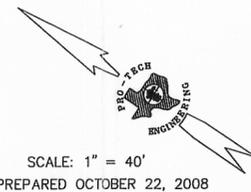


GRUENE SUNDAY HAUS ADDITION

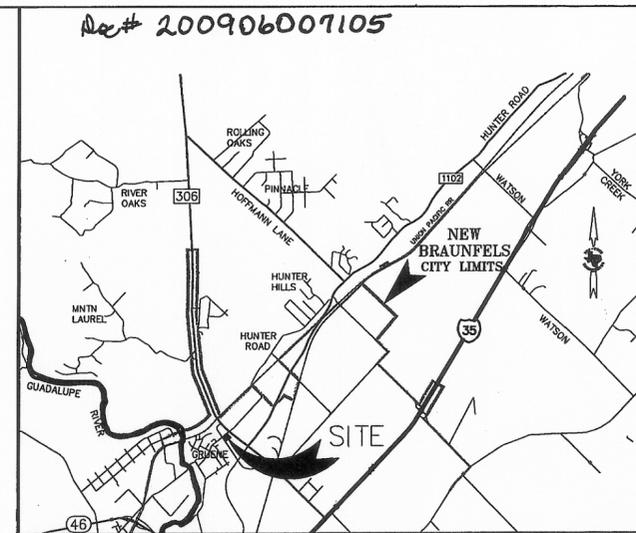
BEING 2.79 ACRES OF LAND IN THE
A.P. FUQUAY SURVEY NO. 35
CITY OF NEW BRAUNFELS
COMAL COUNTY, TEXAS
2 LOTS

FINAL

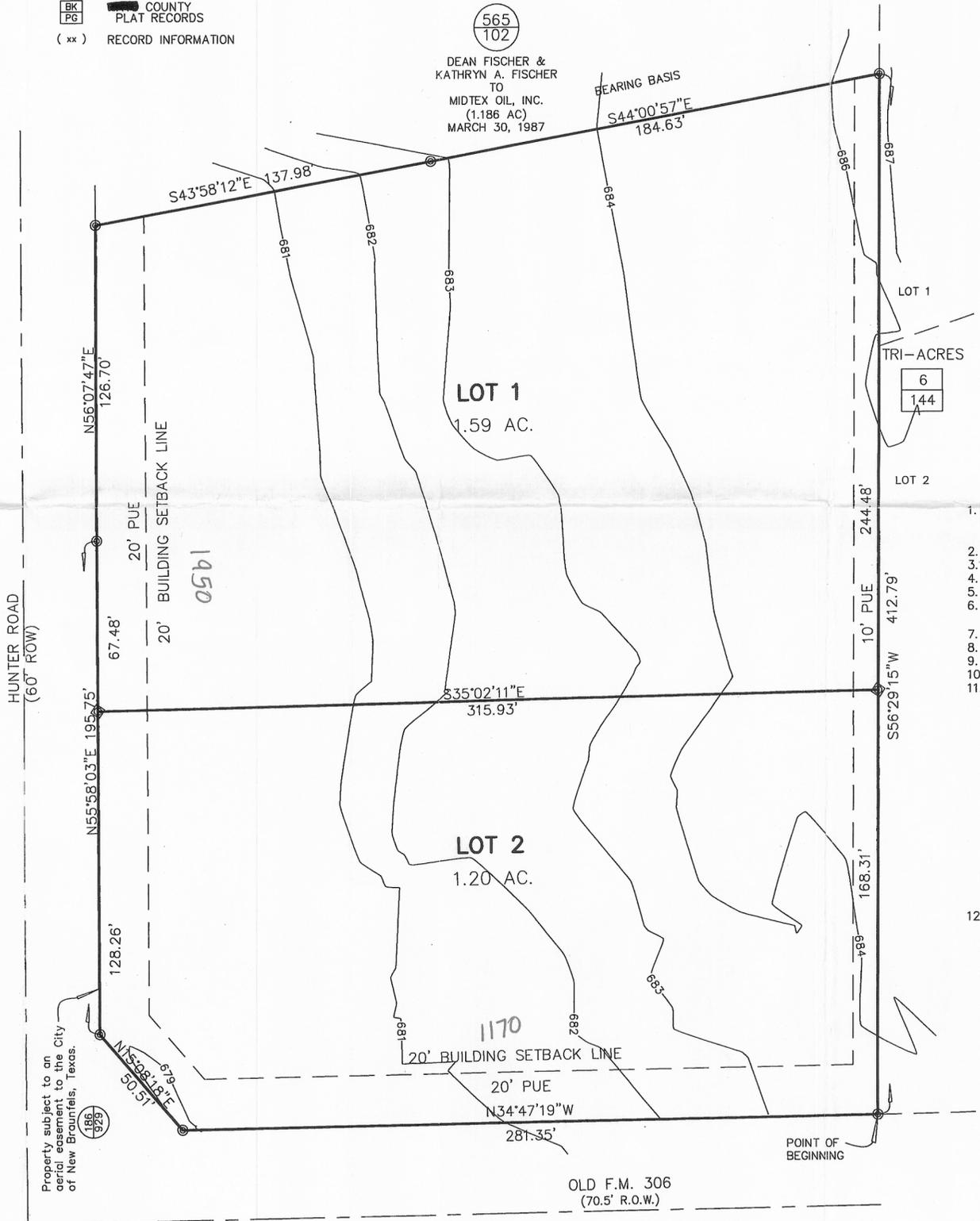
- LEGEND:**
- ⊙ IRON STAKE FOUND
 - ⊠ ALUMINUM CAPPED IRON STAKE SET
 - TXDOT CONCRETE MONUMENT FOUND
 - FENCE POST
 - x- FENCE
 - ⊙ VOL PG COUNTY DEED RECORDS
 - ⊙ BK PG COUNTY PLAT RECORDS
 - (xx) RECORD INFORMATION



SCALE: 1" = 40'
PREPARED OCTOBER 22, 2008



VICINITY MAP
N.T.S.



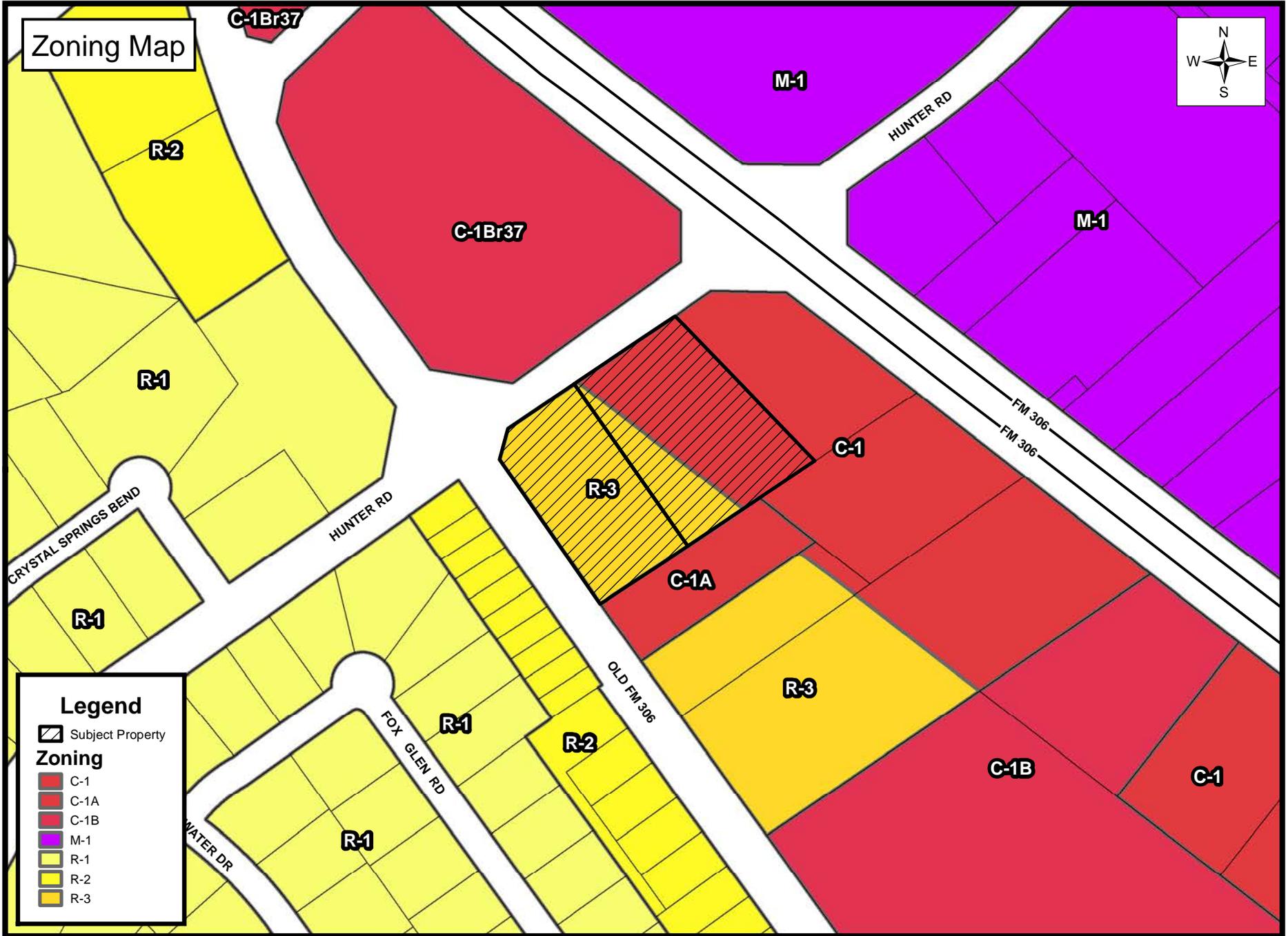
1. No portion of this subdivision has been designated as being in a special flood hazard area, as delineated on the Flood Insurance Rate Map (FIRM) Panel No. 485493 007 E, dated January 5, 2006, for the city of New Braunfels, Comal County, Texas.
2. This subdivision lies within the Transition Zone of the Edwards Aquifer.
3. This subdivision lies within New Braunfels City Limits.
4. All drainage and utility easements are public unless otherwise noted.
5. This subdivision lies within the Comal Independent School District.
6. Six foot sidewalks will be constructed on Hunter Road and Old FM 306 by the owner/developer at the time a building permit is issued.
7. This subdivision is provided electricity by NBU.
8. Telephone service provided by AT & T.
9. Water & wastewater services provided by NBU.
10. Improvements exist on these lots which are not shown on this survey.
11. 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 easements, must not endanger or interfere with rights granted by the easements to New Braunfels Utilities, its successors and assigns, and shall be subject to applicable permit requirements of the City of New Braunfels or any 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-foot wide service easement to the dwelling along the service line to the service entrance. The 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 yard. Each tract is subject to a floating Guy Wire easement and its dimensions shall be determined by the need of the utilities.
12. Contours shown hereon from on the ground survey by Pro-Tech Engineering Group.



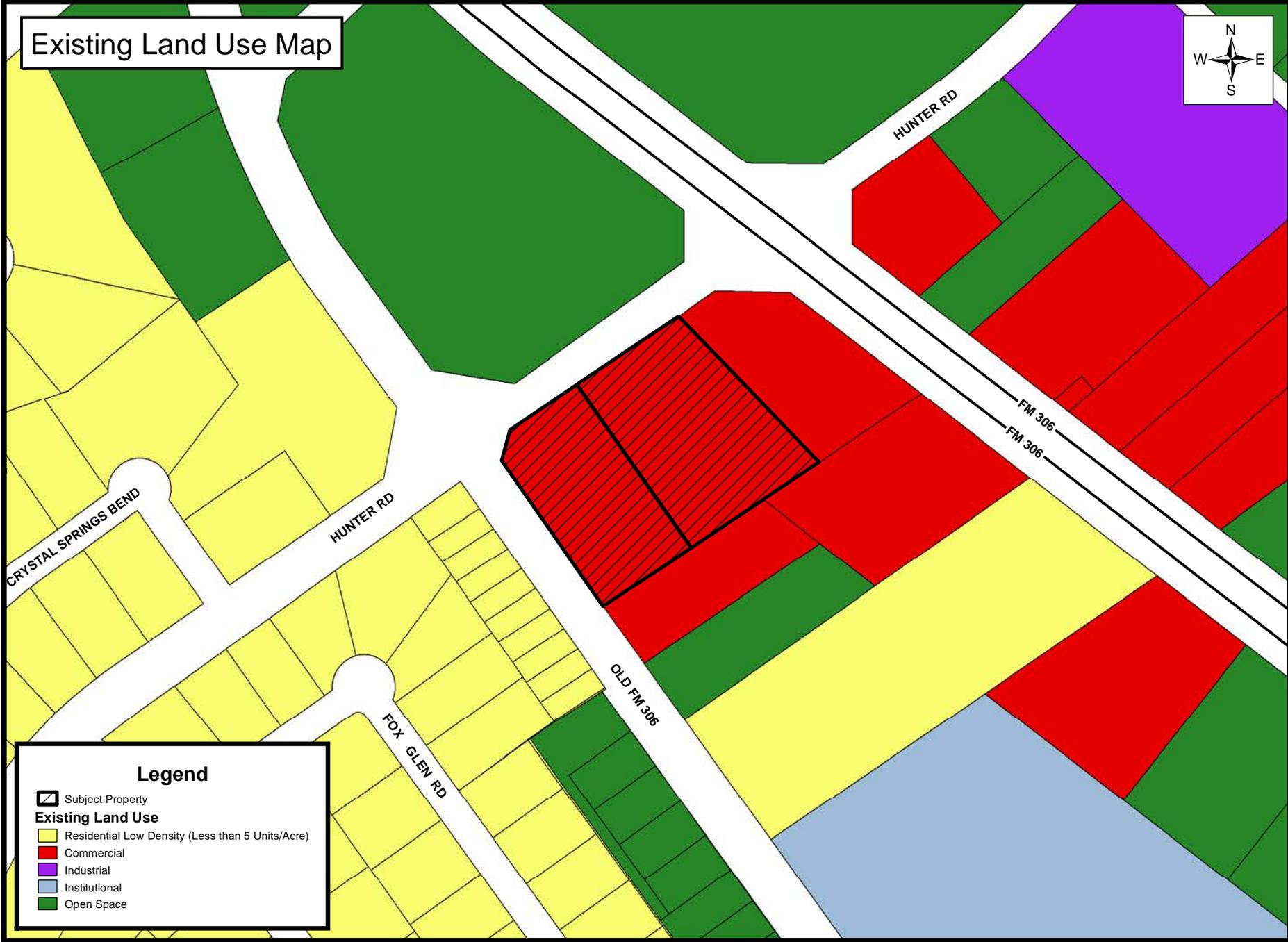
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

PLAN 5587

EO 14829



Existing Land Use Map



Legend

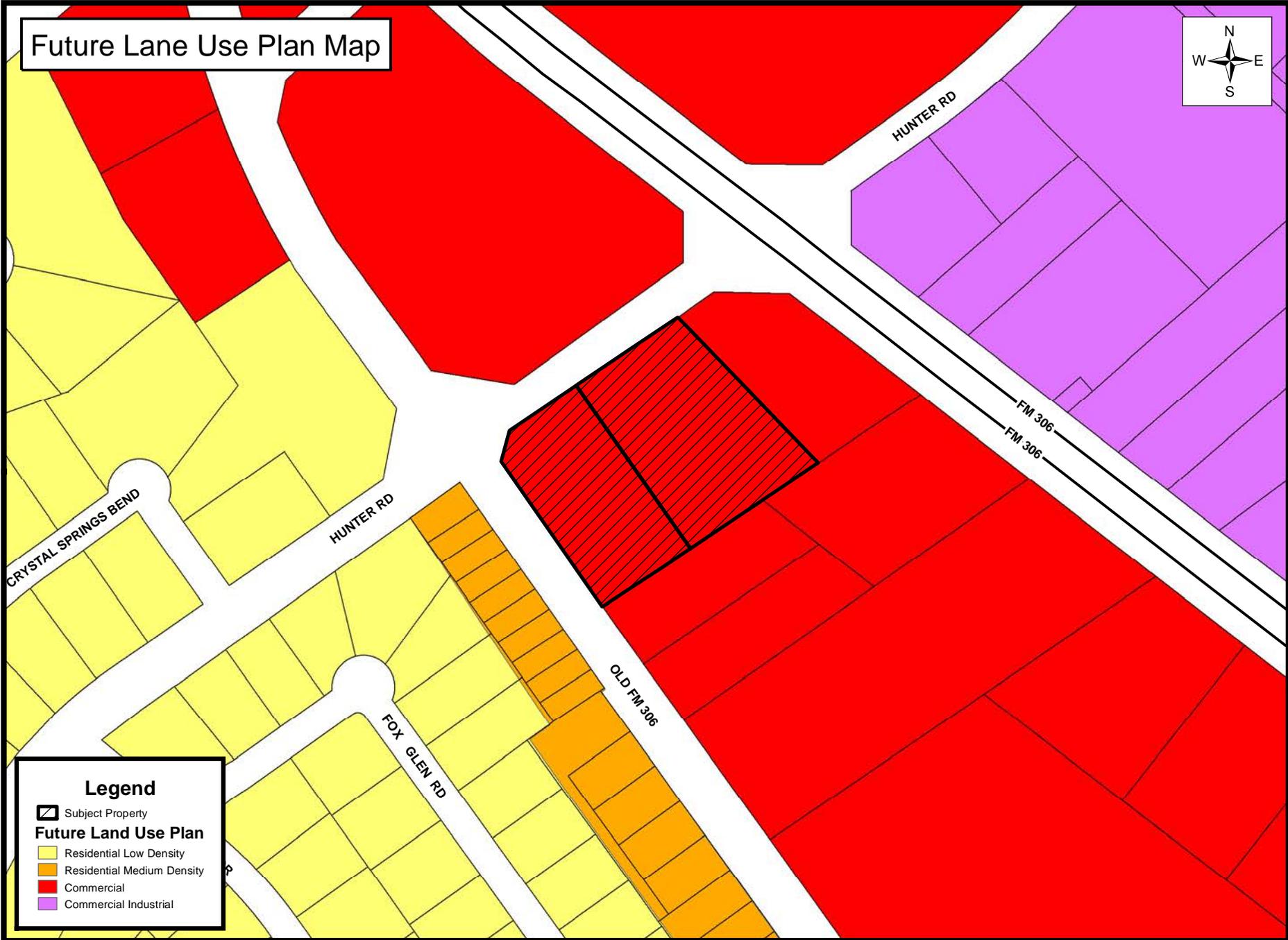
- Subject Property
- Existing Land Use**
- Residential Low Density (Less than 5 Units/Acre)
- Commercial
- Industrial
- Institutional
- Open Space



PZ-17-042
1770 Old FM 306 and 1950 Hunter Rd
R-3 and C-1 to C-4A

Map Created 7/25/17

Future Lane Use Plan Map



Legend

- Subject Property
- Future Land Use Plan**
- Residential Low Density
- Residential Medium Density
- Commercial
- Commercial Industrial



PZ-17-042
1770 Old FM 306 and 1950 Hunter Rd
R-3 and C-1 to C-4A

Map Created 7/25/17

PLANNING COMMISSION – November 7, 2017 – 6:00PM

New Braunfels Municipal Building, Council Chambers

Applicant: Cecil Eager

Property Location: Lots 1 and 2, Gruene Sunday Haus Addition, located at 1170 Old FM
306 and 1950 Hunter Road

PROPOSED REZONING – CASE #PZ17-042

The circled numbers on the map correspond to the property owners listed below. All information is from the Comal Appraisal District Records. The property under consideration is marked as "SUBJECT".

- | | | | |
|-----|-----------------------------|-----|-------------------------------|
| 1. | Drastata, David & Jody | 11. | Keahey, Joe |
| 2. | Harkey, Michelle & Walton | 12. | Dawley, James & Leslie |
| 3. | Carroll, Joe & Jeanette | 13. | Dawley, James & Leslie |
| 4. | Dobbs, Ronald & Gayle | 14. | Gruene Residential Realty LLC |
| 5. | Chadwell, Charles & Barbara | 15. | Stewart, Doris Alston |
| 6. | Freunden, Kimberly | 16. | Bellaire Financial Inc. |
| 7. | Vallejo, Diane | 17. | Guenther, Sharon |
| 8. | Cranford, John | 18. | River Forest Properties LLC |
| 9. | Williams, Paul | 19. | Cole Kanz Land & Cattle LLC |
| 10. | Parrigin, Thomas & Julie | 20. | Midtex Oil Inc. |
| 21. | | | |

SEE MAP

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ17-042 (Eager) MG)

Date Sent: 10/20/17

I DO NOT OBJECT: *

Name: BARBARA AND CHARLES CHADWELL

I favor: ~~NO~~ OVER

Address: 1268 FOX GLEN ROAD

Property number on map: 5

I object: _____
(State reason for objection)

Comments: (Use additional sheets if necessary)

1. I HOPE THERE IS NO REGULAR ENTRANCE OFF OF HUNTER ROAD, WHICH ALONG THAT ROAD TRAFFIC BACKS UP 6 TO 10 CARS AND SOMETIMES BLOCKS TRAFFIC OFF OF OLD FM 306.
2. I HOPE PARKING PLANS WILL BE CAREFULLY REVIEWED AND APPROVED ONLY AFTER A 3RD PARTY REVIEWER AGREES

Signature: Barbara and Charles H. Chadwell III

OVER

OCT 25 2017

- f Bar
- 1 I AM AWARE A HUGE PARKING GARAGE COULD GO THERE IN 10 YEARS.
 - 2 THERE MAYBE A NEED FOR A TRAFFIC LIGHT IN 5 YEARS.
 - 3 OLD FM 306 WILL BE REBUILT WITH CURBS, TURNING LANES, ETC IN 3 YEARS.
 - 4 STORM DRAINS WILL BE NEEDED SOON.

YOUR OPINION MATTERS - DETACH AND RETURN

RECEIVED
NOV 01 2017

Case: #PZ17-042 (Eager) MG)

Date Sent: 10/20/17

Name: Paul Ringmacher [River Forest Prop]

I favor:

Address: 1182 / 1312 old FM 306

Property number on map: 18

I object: _____
(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: 





Subject

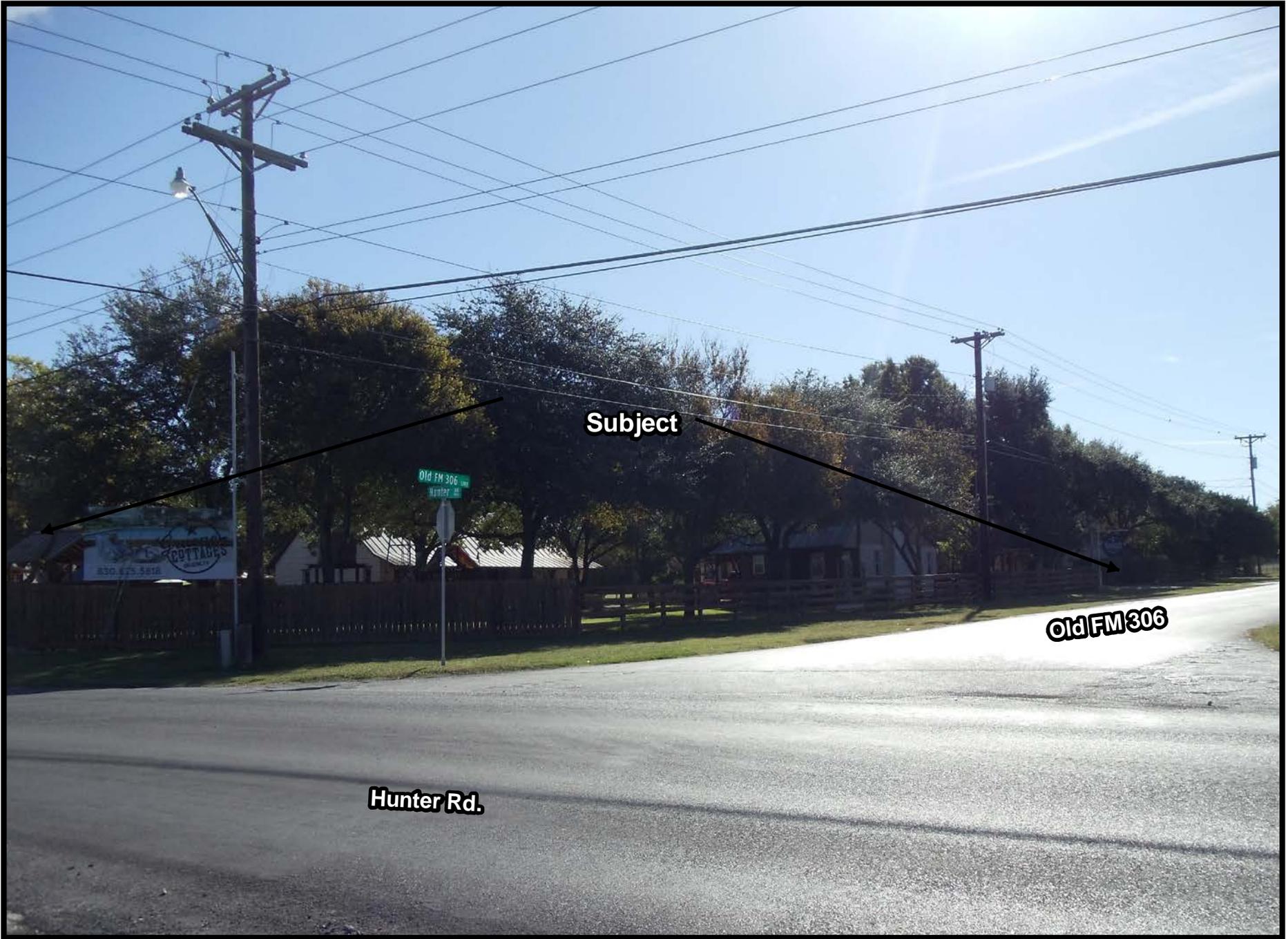
Hunter Rd.

Old FM 306

PZ-17-042

**1770 Old FM 306 and 1950 Hunter Rd
R-3 and C-1 to C-4A**

Photograph taken 10/25/17



Subject

Hunter Rd.

Old FM 306

3.4-15 "C-4A" resort commercial district.

Purpose. This zoning classification is intended to be developed as resort commercial property with the purpose to serve tourists, vacationing public, conference center attendees, sports related programs and support service facilities including garden office, retail and specialty shops. The following regulations shall apply in all "C-4A" districts:

(a) *Authorized uses.* Uses permitted by right and by special use permit 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:*

Residential uses:

- Accessory building/structure
- Bed and breakfast inn (see Sec. 5.6)
- Boardinghouse/lodging house
- Cabin or cottage, either separate or connected, for rental to tourists or vacationers
- Campground
- Community home (see definition)
- Dormitory (in which individual rooms are for rental)
- Multifamily (apartments/condominiums)
- Rental or occupancy for less than one month (see Sec. 5.17)
- Residential use in buildings with the following non-residential uses

Non-residential uses:

- Accounting, auditing, bookkeeping, and tax preparations
- Adult day care (no overnight stay)
- Adult day care (with overnight stay)
- All terrain vehicle (ATV) dealer / sales
- 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
- Archery range
- Armed services recruiting center
- Art dealer / gallery
- Artist or artisan's studio
- Assembly/exhibition hall or areas
- Athletic fields
- Bakery (retail)
- Bank, savings and loan, or credit union
- Bar/Tavern (with no outdoor music)
- Barber/beauty shop, haircutting (non-college)
- Barns and farm equipment storage (related to agricultural uses)
- Bicycle sales and/or repair
- Billiard/pool facility
- Bingo facility
- Book store
- Bowling alley/center (see Sec. 5.13)
- Cafeteria / café / delicatessen
- Campers' supplies
- Car wash (self service; automated)
- Car wash, full service (detail shop)

Caterer
Check cashing service
Church/place of religious assembly
Civic/conference center and facilities
Club (private)
Coffee shop
Commercial amusement concessions and facilities
Computer repair
Confectionery store (retail)
Contractor's temporary on-site construction office (only with permit from Building Official; see Sec. 5.10)
Convenience store with or without fuel sales
Country club (private)
Credit agency
Curio shops
Dance hall/dancing facility
Day camp
Driving range
Drug sales/pharmacy
Electrical repair shop
Fair ground
Farms, general (crops) (see Chapter 6, Municipal Code and Sec. 5.9)
Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.9)
Filling station (fuel tanks must be below ground)
Florist
Food or grocery store with or without fuel sales
Fraternal organization/civic club (private club)
Garden shops and greenhouses
Golf course
Golf course (miniature)
Governmental building or use
Greenhouse (commercial)
Handicraft shop
Health club (physical fitness; indoors only)
Hotel/motel
Hotels/motels - extended stay (residence hotels)
Kiosk (providing a retail service)
Laundromat and laundry pickup stations
Laundry/dry cleaning (drop off/pick up)
Laundry/washateria (self serve)
Limousine / taxi service
Locksmith
Martial arts school
Micro brewery (onsite manufacturing and/or sales)
Motion picture studio, commercial film
Motion picture theater (indoors)
Motion picture theater (outdoors, drive-in)
Museum
Needlework shop
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
 Pawn shop
 Personal watercraft sales (primarily new / repair)
 Photographic studio (no sale of cameras or supplies)
 Photographic supply
 Plant nursery (growing for commercial purposes with retail sales on site)
 Public recreation/services building for public park/playground areas
 Quick lube/oil change/minor inspection
 Radio/television shop, electronics, computer repair
 Rappelling facilities
 Recreation buildings (private)
 Recreation buildings (public)
 Refreshment/beverage stand
 Restaurant
 Restaurant/prepared food sales
 Retail store and shopping center
 Rodeo grounds
 RV park
 RV/travel trailer sales
 School, K-12 (public or private)
 Security monitoring company
 Shoe repair shops
 Specialty shops in support of project guests and tourists
 Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)
 Tailor shop (see home occupation)
 Tattoo or body piercing studio
 Telemarketing agency
 Tennis court (commercial)
 Theater (non-motion picture; live drama)
 Tool rental (indoor storage only)
 Travel agency
 University or college (public or private)
 Video rental / sales
 Waterfront amusement facilities - berthing facilities sales and rentals
 Waterfront amusement facilities - boat fuel storage / dispensing facilities
 Waterfront amusement facilities - boat landing piers / launching ramps
 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

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

(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.* 75 feet.
 - (ii) *Front building setback.* 25 feet.
 - (iii) *Side building setback.* No side building setback is required except that where a side line of a lot in this district abuts upon the side line of a lot in any residential zone, a side building setback of not less than six feet shall be provided.
 - (iv) *Rear building setback.* 20 feet.
 - (v) *Residential setback.* Effective November 8, 2006, where a non-residential building abuts a one or two family use or zoning district, the setback from the one or two family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.
 - (vi) *Width of lot.* The minimum width of an interior lot shall be 60 feet and the minimum width of a corner lot shall be 72 feet.
 - (vii) *Lot depth.* 100 feet.
 - (viii) *Parking.* See Sec. 5.1.
- (2) Cabins and cottages (separate or connected).
- (i) *Height.* 75 feet.
 - (ii) *Front building setback.* 25 feet.
 - (iii) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. 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.
 - (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. (See Illustration 8 in Sec. 5.1-1)
 - (v) *Rear building setback.* 20 feet.
 - (vi) *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.
 - (vii) *Sanitary facilities.* Each rental unit shall be provided with an individual enclosed space for sanitation, accessible from within the living unit, in which shall be located a water closet furnished with cold water, and a lavatory and bathtub or shower furnished with hot and cold water.
 - (viii) *Lot depth.* 100 feet.
 - (ix) *Parking.*
 - 1. One-bedroom unit . . . 1 1/2 spaces
 - 2. Two-bedroom unit . . . 2 spaces

3. Each additional bedroom . . . 1/2 space

(3) Multifamily dwellings.

- (i) *Height.* 45 feet; 60 feet when a pitched roof is used (minimum 4:12 slope).
- (ii) *Front building setback.* 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.
- (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) *Residential setback.* Effective November 8, 2006, where a multifamily dwelling abuts a one or two family use or zoning district, the setback from the one or two family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.
- (vii) *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.
- (viii) *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.
- (ix) *Density.* 24 units per acre.
- (x) *Lot area.* 20,000 square feet.
- (xi) *Lot coverage.* The combined area of all yards shall not be less than 50 percent of the total lot or tract; provided however, that in the event enclosed or covered parking is provided, the minimum total yard area requirement shall be 40 percent of the total lot or tract.
- (xii) *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. (See Illustration 1)
- (xiii) *Access to an arterial roadway or state highway required.* Developments in this district must have direct access to either an arterial roadway or state highway.
- (xiv) *Lot depth.* 100 feet.
- (xv) *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.)

See Section 5.1 for other permitted uses' parking.

Comparison of Permitted Uses	C-1	C-4A
Accessory building	P	P
Accessory dwelling	P	
Accounting, auditing, bookkeeping, and tax preparations	P	P
Adult day care (no overnight stay)		P
Adult day care (with overnight stay)	P	P
Aircraft support and related services	P	
All terrain vehicle (ATV) dealer		P
Amphitheaters (outdoor live performances)	P	P
Amusement devices/ arcade (4 or more devices)		P
Amusement services or venues (indoors)		P
Amusement services or venues (outdoors)		P
Animal grooming		P
Answering and message services	P	P
Antique shop	P	P
Appliance repair	P	
Archery range	P	P
Armed services recruiting center		P
Art dealer / gallery	P	P
Artist studio	P	P
Assembly/exhibition hall or areas	P	P
Athletic fields	P	P
Automobile driving school (including defensive driving)	P	
Bakery (retail)		P
Bank, savings & loan, credit union		P
Bar/Tavern (no outdoor music)	P	P
Bar/Tavern	P	P
Barber/beauty school or college	P	
Barber/beauty shop (non-college)	P	P
Barns and farm equipment storage		P
Battery charging station	P	
Bed and breakfast inn	P	P
Bicycle sales/repair	P	P
Billiard / pool facility	P	P
Bingo facility		P
Bio-medical facilities	P	
Boarding house/ lodging house		P
Book store		P
Bottling or distribution plant	P	
Bowling alley/center		P
Brewery/distillery and manufacture of alcohol	P	
Cabin or cottage (rental)		P
Cabin or cottage (rental for more than 30 days)		P
Cafeteria / café / delicatessen		P
Campers' supplies		P
Car wash (self service; automated)		P
Car wash, full service (detail shop)		P

Carpenter, cabinet, or pattern shops	P	
Carpet cleaning establishments	P	
Caterer		P
Check cashing service		P
Church/place of religious assembly		P
Cider mills	P	
Civic/conference center and facilities	P	P
Clinic (emergency)	P	
Clinic (medical)	P	
Club (private)		P
Coffee shop		P
Cold storage plant	P	
Commercial amusement concessions and facilities	P	P
Communication equipment - installation and/or repair	P	
Community building (associated with residential uses)	P	
Community home (see definition)	P	P
Computer and electronic sales	P	
Computer repair		P
Concrete or asphalt mixing plants - temporary	P	
Confectionery store	P	P
Consignment shop	P	
Contractor's office, with outside storage including vehicles	P	
Contractor's temporary on-site construction office	P	P
Convenience store with fuel sales		P
Convenience store without fuel sales		P
Cotton ginning or baling works	P	
Country club (private)	P	P
Credit agency		P
Curio shops	P	P
Custom work shops	P	
Dance hall facility	P	P
Day camp		P
Department store	P	
Dormitory (in which individual rooms are rented)	P	P
Driving range	P	P
Drug store/pharmacy	P	P
Electrical generating plant	P	
Electrical repair shop	P	P
Electroplating works	P	
Engine/motor repair or re-manufacturing	P	
Exterminator service	P	
Fair ground		P
Family home adult care	P	
Family home child care	P	
Farms, crop		P
Farms, livestock/ranch		P
Filling station (tanks below ground)		P

Florist	P	P
Food or grocery store with fuel sales	P	P
Food or grocery store without fuel sales	P	P
Food processing (no outside public consumption)	P	
Forge (hand)	P	
Forge (power)	P	
Fraternal organization/civic club (private club)		P
Freight terminal, truck (all storage of freight enclosed)	P	
Frozen food storage for individual or family use	P	
Furniture manufacture	P	
Furniture sales (indoor)	P	
Garden shops and greenhouses		P
Golf course (public or private)		P
Golf course (miniature)	P	P
Governmental building or use with no outside storage		P
Greenhouse (commercial)	P	P
Handicraft shop	P	P
Hay, grain, feed sales (wholesale)	P	
Health club (physical fitness; indoors only)		P
Heavy load (farm) vehicle sales/repair	P	
Hides/skins (tanning)	P	
Home occupation	P	
Home repair and yard equipment retail and rental outlets	P	
Hospital, general	P	
Hospital, rehabilitation	P	
Hotel/motel	P	P
Hotel/motel - extended stay		P
HUD-code manufactured home	P	
Kiosk (providing a retail service)		P
Laboratory equipment manufacturing	P	
Laundromat and laundry pickup stations		P
Laundry, commercial (w/o self serve)	P	
Laundry/dry cleaning (drop off/pick up)	P	P
Laundry/washateria (self serve)	P	P
Lawnmower sales and/or repair	P	
Leather products manufacturing	P	
Light manufacturing	P	
Limousine / taxi service		P
Livestock sales/auction	P	
Locksmith		P
Maintenance/janitorial service	P	
Manufactured home sales	P	
Manufacturing processes not listed	P	
Market (public, flea)	P	
Martial arts school	P	P
Micro brewery (onsite mfg. or sales)		P
Mini-warehouse/self storage (no boat, RV storage)	P	

Motion picture studio, commercial film		P
Motion picture theater (indoors)		P
Motion picture theater (outdoors, drive-in)		P
Multifamily (apartments/condominiums)		P
Museum		P
Needlework shop		P
Offices, brokerage services	P	P
Offices, business or professional		P
Offices, computer programming and data processing	P	P
Offices, consulting		P
Offices, engineering, architecture, surveying, etc		P
Offices, health services	P	P
Offices, insurance agency		P
Offices, legal services - including court reporting		P
Offices, medical offices	P	P
Offices, real estate	P	P
Offices, brokers, dealers, exchanges and financial services		P
Park/playground (private and public)	P	P
Parking lots (passenger cars only, not incidental to main use)	P	P
Parking structure / public garage		P
Pawn shop	P	P
Personal watercraft sales (primarily new / repair)		P
Pet shop / supplies (less than 10,000 sf)	P	
Pet store (over 10,000 sf)	P	
Photo engraving plant	P	
Photographic printing/copy or print shop	P	
Photographic studio (no sale of cameras or supplies)	P	P
Photographic supply	P	P
Plant nursery (no retail sales)	P	
Plant nursery (retail sales/outdoor storage)	P	P
Plastic products molding/reshaping	P	
Plumbing shop	P	
Portable building sales	P	
Poultry killing or dressing (commercial)	P	
Public recreation/services building for park/playground areas	P	P
Quick lube/oil change/minor inspection		P
Radio/TV shop, electronics, computer repair		P
Rappelling facilities	P	P
Recreation buildings (private)	P	P
Recreation buildings (public)		P
Recycling kiosk	P	
Refreshment/beverage stand		P
Rental or occupancy for less than one month	P	P
Residential use in buildings with non-residential uses permitted in the district		P
Restaurant/prepared food sales		P
Restaurant with drive through service	P	P
Retail store/shopping center (50,000 sf or less)	P	P

Retail store/shopping center (more than 50,000 sf)	P	P
Retirement home/home for the aged	P	
Rodeo grounds	P	P
RV park		P
RV/travel trailer sales	P	P
School, K-12 public or private		P
Security monitoring company (no outside storage or installation)	P	P
Shoe repair shops	P	P
Single family industrialized home (see Sec. 5.8)	P	
Specialty shops in support of project guests and tourists		P
Stables (as a business)	P	
Stables (private, accessory use)	P	
Storage - exterior storage for boats and RVs	P	P
Storage in bulk	P	
Studio for radio or television - without tower	P	
Studios (art, dance, music, drama, photo, interior decorating, etc.)	P	P
Tailor shop (see home occupation)	P	P
Tattoo or body piercing studio	P	P
Taxidermist	P	
Telemarketing agency		P
Tennis court (commercial)		P
Theater (non-motion picture; live drama)		P
Tool rental	P	P
Townhouse (attached)	P	
Transfer station (refuse/pick-up)	P	
Travel agency		P
University or college	P	P
Veterinary hospital (no outside runs or kennels)	P	
Video rental / sales		P
Waterfront amusement - berthing facilities sales and rentals		P
Waterfront amusement - boat fuel storage/ dispensing facilities		P
Waterfront amusement - boat landing piers/ launching ramps		P
Waterfront amusement - swimming pools/ bathhouses		P
Water storage, wells and pumping stations part of a public system		P
Wire or rod mills	P	
Woodworking shop	P	

Draft Minutes for the November 7, 2017 Planning Commission Regular Meeting

PZ-17-042 Public hearing and recommendation to City Council regarding the proposed rezoning of Lots 1 and 2, Gruene Sunday Haus Addition addressed at 1170 Old FM 306 and 1950 Hunter Road, from “R-3” Multifamily District and “C-1” Local Business District to “C-4A” Resort Commercial District.

(Applicant: Cecil Eager; Case Manager: M. Greene)

Mr. Greene presented the Staff report and recommended approval.

Vice Chair Edwards asked if anyone wished to speak in favor.

Cecil Eager, 791 Edgewater Terrace, stated he was the owner of the property. He stated he wished to continue developing the remaining portion of the land, and believed the requested zoning would be appropriate.

Vice Chair Edwards asked if anyone wished to speak in opposition.

John Cranford, 1285 Old FM 306, stated he wished to speak in opposition. He stated the current development of the property was quiet and serene in nature, but expressed concerns regarding the non-residential uses allowed by “C-4A”.

Kimberly Frenden, 1289 Old FM 306, stated she wish to speak in opposition. She provided a history of the development in the area. She expressed concerns regarding property values. She expressed concerns regarding the non-residential uses allowed by “C-4A”.

Motion by Commissioner Hoyt, seconded by Commissioner Tubb, to close the public hearing. The motion carried (5-0-0).

Discussion followed regarding the new uses that would be permitted as a “C-4A” Resort Commercial District.

Vice Chair Edwards noted that short term rentals would be allowed by right in the “C-4A”, therefore the existing cottages would become a conforming use.

Discussion followed regarding a special use permit, rather than a rezoning on the subject property.

Discussion followed regarding the existing commercial uses in the surrounding area.

Commissioner Bearden inquired to the intent of the rezoning request.

Mr. Eager stated the zoning was not consistent across the two lots, and he wished to develop the remaining land. He stated he did not intend to develop any of the undesirable uses stated by those in opposition, he explained that his intent was to develop more overnight rentals.

Discussion followed regarding special use permits.

Commissioner Bearden inquired if Mr. Eager would consider only rezoning the lot that has both the “R-3” and “C-1” zoning, closest to FM 306.

Discussion followed regarding the concerns of the future non-residential uses if Mr. Eager sold the property.

Vice Chair Edwards inquired if multiple uses could be granted with a special use permit.

Mrs. Snell answered.

Discussion followed regarding the special use permit process.

Commissioner Bearden suggested only rezoning the lot closed to FM 306.

Discussion followed.

Commissioner Hoyt suggested replatting the lot closest to FM 306 and applying the "C-4A" zoning to that replatted lot.

Discussion followed regarding transitional zoning and applicability of a special use permit.

Mr. Eager suggested Gruene Sunday Haus Lot 2 remain zoned "R-3", and rezone Gruene Sunday Haus Lot 1 to be rezoned to "C-4A".

Motion by Commissioner Hoyt, seconded by Commissioner Nolte, to re-open the public hearing. The motion carried (5-0-0).

Vice Chair Edwards reiterated the proposal from Mr. Eager, stating the land use buffer for the homes on Old FM 306 could be the lot remaining "R-3".

Discussion followed.

John Cranford, 1285 Old FM 306, stated he wished to speak in opposition again. He expressed concerns regarding the non-residential uses allowed by "C-4A". He stated he was concerned regarding access to the Lot 1.

Commissioner Hoyt inquired if there was access to the property off Hunter Road.

Mr. Cranford stated there was.

Discussion followed regarding ingress and egress of the subject property.

Mr. Cranford stated the applicant should get a special use permit rather than a rezoning.

Kimberly Frenden, 1289 Old FM 306, stated she wish to speak in opposition again. She expressed a concern regarding the potential of an RV park being developed on the subject property.

Discussion followed.

Motion by Commissioner Bearden, seconded by Commissioner Tubb, to close the public hearing. The motion carried (5-0-0).

Commissioner Bearden stated his support of utilizing a special use permit.

Discussion followed regarding rezoning only Lot 1.

Motion by Commissioner Nolte, seconded by Commissioner Tubb, to recommend approval to City Council regarding the proposed rezoning of Lot 1, Gruene Sunday Haus Addition addressed at 1950 Hunter Road, from "R-3" Multifamily District and "C-1" Local Business District to "C-4A" Resort Commercial District, with Staff recommendations. Motion carried, with Commissioners Bearden and Hoyt in opposition (3-2-0).

Chair Elrod returned at 7:58 p.m.

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 1.6 ACRES, LOT 1, GRUENE SUNDAY HAUS ADDITION, ADDRESSED AS 1950 HUNTER ROAD FROM “R-3” MULTIFAMILY DISTRICT AND “C-1” LOCAL BUSINESS DISTRICT TO “C-4A” RESORT COMMERCIAL DISTRICT; 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 “C-4A” Resort Commercial 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 City Council desires to amend the Zoning Map by changing the zoning of Lot 1, Gruene Sunday Haus Addition, addressed as 1950 Hunter Road, from "R-3" Multifamily District and “C-1” Local Business District to "C-4A" Resort Commercial District; **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 "R-3" Multifamily District and “C-1” Local Business District to "C-4A" Resort Commercial District:

“Approximately 1.6 acres, Lot 1, Gruene Sunday Haus Addition, addressed as 1950 Hunter Road, as delineated on Exhibit “A” attached.”

SECTION 2

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 3

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

SECTION 4

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

SECTION 5

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

PASSED AND APPROVED: First reading this 27th day of November, 2017.

PASSED AND APPROVED: Second reading this 11th day of December, 2017.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

STATE OF TEXAS
COUNTY OF COMAL

I, the undersigned owners of the land shown on this plot, and designated herein as the GRUENE SUNDAY HAUS ADDITION subdivision to the City of New Braunfels, County of Comal Texas, and whose names are subscribed hereto, do hereby subdivide such property and dedicate to the use of the public all streets, alleys, parks, drains, easements, and public places shown for the purposes and considerations therein expressed.

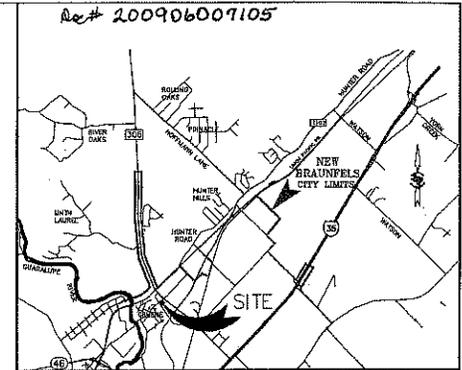
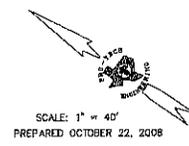
[Signature]
Larry W. Waldrip
1950 Hunter Rd.
New Braunfels, TX 78130

GRUENE PROPERTY PARTNERS, LTD.,
a Texas limited partnership
By GRUENE SUNDAY HAUS, L.L.C.,
a Texas limited liability company, General Partner

[Signature]
Larry W. Waldrip, President
1950 Hunter Rd.
New Braunfels, TX 78130

GRUENE SUNDAY HAUS ADDITION
BEING 2.79 ACRES OF LAND IN THE
A.P. FUQUAY SURVEY NO. 35
CITY OF NEW BRAUNFELS
COMAL COUNTY, TEXAS
2 LOTS

- LEGEND:**
- ⊙ IRON STAKE FOUND
 - ALUMINUM CAPPED IRON STAKE SET
 - ▣ TYPED CONCRETE MONUMENT FOUND
 - FENCE POST
 - FENCE
 - ▨ COUNTY DEED RECORDS
 - ▩ COUNTY PLAT RECORDS
 - (***) RECORD INFORMATION



VICINITY MAP
N.T.S.

STATE OF TEXAS
COUNTY OF COMAL

This instrument was acknowledged before me, the undersigned authority, on this the 10 day of February, 2009 by Larry W. Waldrip, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

[Signature]
Notary Public,
Richard McDaniel



APPROVED FOR ACCEPTANCE

[Signature] 2/29/09
City of Planning Date

[Signature] 2-12-09
City Engineer Date

[Signature] 2/19/09
New Braunfels Utilities Date

[Signature] 2/24/08

STATE OF TEXAS
COUNTY OF COMAL

I, Jay Streeter, do hereby certify that the foregoing instrument was filed for record in the West and Plat Records, Deed Department of Comal County on this 10 day of March, 2009, at New Braunfels. Witness my hand and official seal, this the 10 day of March, 2009.

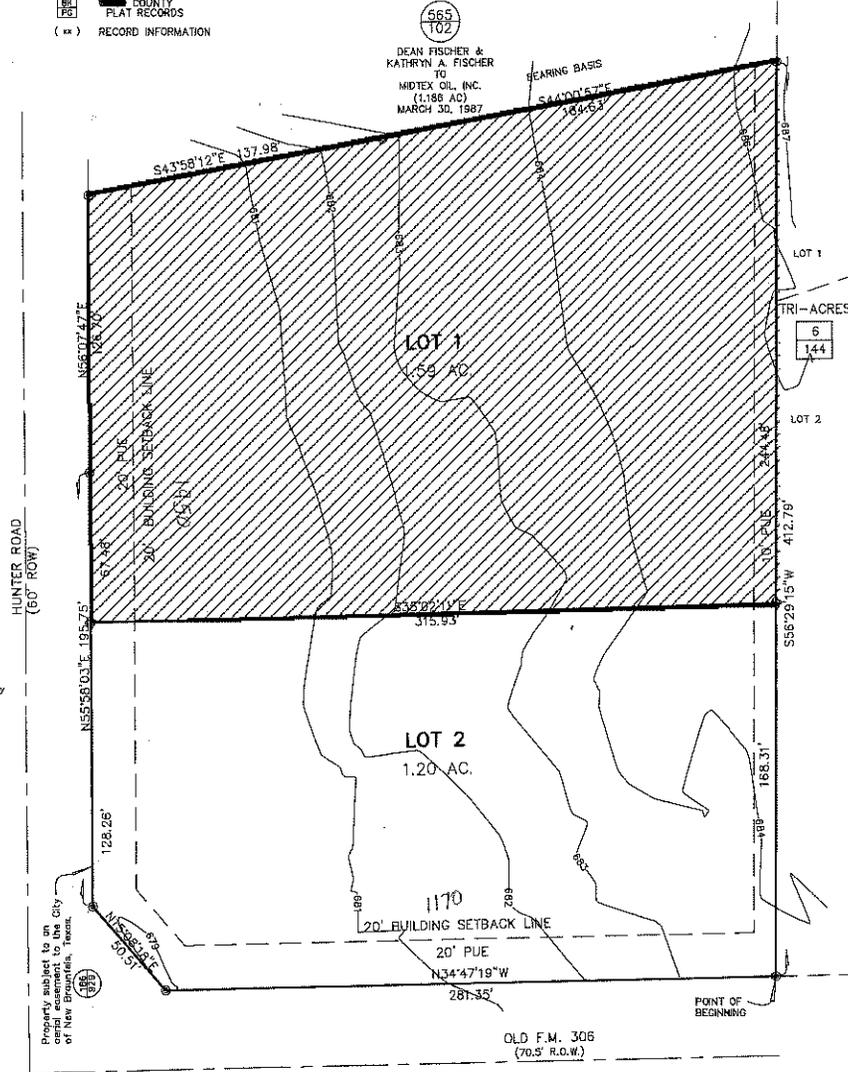
County Clerk, Comal County, Texas
[Signature]
Deputy



KNOW ALL MEN BY THESE PRESENTS:

I, the undersigned Kelly Kilber, a registered Professional Land Surveyor in the State of Texas hereby certify that this plot 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.

[Signature]
Kelly Kilber
Registered Professional Land Surveyor No. 2219
PRO-TECH ENGINEERING GROUP, Inc.
100 E. San Antonio St., Suite 100
San Marcos, Texas 78668



= SUBJECT

1. No portion of this subdivision has been designated as being in a special flood hazard area, as delineated on the Flood Insurance Rate Map (FIRM) Panel No. 485493 007 E, dated January 5, 2006, for the city of New Braunfels, Comal County, Texas.
2. This subdivision lies within the Transition Zone of the Edwards Aquifer.
3. This subdivision lies within New Braunfels City Limits.
4. All drainage and utility easements are public unless otherwise noted.
5. This subdivision lies within the Comal Independent School District.
6. Six foot sidewalks will be constructed on Hunter Road and Old Fm 306 by the owner/developer at the time a building permit is issued.
7. This subdivision is provided electricity by NBU.
8. Telephone service provided by AT & T.
9. Water & wastewater services provided by NBU.
10. Improvements exist on these lots which are not shown on this survey.
11. 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 easements, must not endanger or interfere with rights granted by the easements to New Braunfels Utilities, its successors and assigns, and shall be subject to applicable permit requirements of the City of New Braunfels or any 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-foot wide service easement to the dwelling along the service line to the service entrance. The 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 yard. Each tract is subject to a floating Guy Wire easement and its dimensions shall be determined by the need of the Utilities.
12. Contours shown hereon from on the ground survey by Pro-Tech Engineering Group.

EXHIBIT 'A'

PLAN 5587

EO 14829



PRO-TECH
ENGINEERING GROUP
INCORPORATED
100 E. San Antonio St., Suite 100
San Marcos, TX 78668
(512) 353-3335

11/27/2017

Agenda Item No. F)

Presenter

*Christopher J. Looney, Planning & Community Development Director
(830) 221-4055 - clooney@nbtexas.org*

SUBJECT:

Public hearing and consideration of the first reading of an ordinance amending Ordinance No. 2016-36, the "Avery Park" Planned Development District Detail Plan, by removing 5.57 acres (Lots 43 & 44, Block A, Avery Park, Unit 1) from the "Avery Park" Planned Development District (APPD) and rezone the 5.57 acres and 21.80 acres out of the Antonio M. Esnaurizar Survey, Abstract No. 20, Guadalupe County, Texas, from "APD" Agricultural Pre-development and "C-3" Commercial District to "Avery Park 13" Planned Development District (AP13PD), adopting a Concept Plan and associated Development Standards, located north of the intersection of Avery Park Drive and State Highway 46 South.

BACKGROUND / RATIONALE:

Case No.: PZ-17-040 and PZ-17-043

Council District: 2

Owners: N.B. Avery Park Homeowners Association, Inc.
c/o Goodwin Management Inc.,
P.O. Box 203310
Austin, TX 78720

Barbara P. Whites
2163 Hwy 46 S.
New Braunfels, TX 78132

Applicant: DR Horton (Ryan Day)
210 W. Hutchison Street
San Marcus, TX 78666
(512) 805-3617

Agent: HMT Engineering & Surveying
Chris Van Heerde, P.E.
410 N. Seguin Ave.
San Antonio, TX 78210
(830) 625-8555

Staff Contact: Matthew Simmont, Planner
(830) 221-4058

The approximately 228-acre Avery Park subdivision is located north and east of the intersection of Avery Parkway and State Highway 46 South and is zoned “Avery Park” Planned Development District (APPD). The property was rezoned to APPD from APD and C-3 in 2005. A master plan for the subdivision was approved in 2004 and plats for all 12 Units have been approved and recorded. Home construction is complete or underway for most of the recorded units.

The applicant is proposing to amend the APPD by removing 5.57 acres of open/green space/drainage/utilities (Lots 43 & 44, Block A, Avery Park Unit 1 - Attachment 4) and incorporate it into a proposed new adjacent PD “Avery Park 13.” When the APPD was originally created in 2005, the developer did not identify open space/park areas in their development standards as required amenities.

The applicant proposes to combine the two open/green space lots (5.57 acres) with the 21.8 acres situated immediately to the north and create a new development as an extension of Avery Park, but to be zoned “Avery Park 13” Planned Development District (AP13PD) with up to 90 residential lots. AP13PD is proposed to take access from Avery Parkway through the existing Avery Park Subdivision, and a future extension of an internal local street into the adjacent undeveloped property further to the north. The proposed concept plan does not illustrate an internal local and collector street network (Attachment 3); but, the applicant has provided an exhibit (Attachment 4) that shows internal streets. The applicant has, however, indicated this exhibit is for illustrative purposes only and does not want it included as part of the ordinance adopting the PD. The applicant has indicated AP13PD would not have direct access to State Highway 46. (Attachment 7)

The base zoning for the proposed AP13PD is “R-1A6.6” Single Family District. The proposed development standards of AP13PD are similar to the existing APPD, but with smaller lots and reduced setbacks. A comparison between the R-1-A-6.6, APPD, and the proposed AP13PD is provided in the table below:

Standard	AP13PD	APPD	R-1A-6.6
Permitted Uses	Single Family Residential	Single Family Residential	Single Family Residential
Min. Lot Area	5,000 sf	6,000 sf	6,600 sf
Min. Lot Depth	100 ft	120 ft	100 ft
Min. Lot Width (interior)	50 ft interior; 60 ft corner	50 ft interior; 60 ft corner	60 ft interior; 70 ft corner
Min. Front Setback	20 ft	20 ft	25 ft
Min. Rear Setback	10 ft	20 ft	20 ft
Min. Side Setback	5 ft interior; 15 ft or 20ft corner	6 ft interior; 15 ft or 20 corner	5 ft interior; 15 ft or 25 corner
Max Building Height	35 ft	35 ft	35 ft
Min. Parking	4 spaces, including garage	2 spaces	2 spaces

Min. Landscaping	2 shade trees	N/A	N/A
Min. Fence	Cap & rail fencing and masonry columns adjacent to Avery Parkway & SH-46	N/A	N/A

General Information:

PDs:

A planned development district is a free-standing zoning district designed to provide for the development of land as an integral unit for single or mixed uses in accordance with a City Council approved plan that may vary from the established regulations of other zoning districts. The purpose for such a district is to insure compliance with good zoning practices while allowing certain desirable departures from the strict provisions of specific zoning classifications.

Size:

Amending APPD = 227.8 acres; containing 861 lots
 Proposed AP13PD = Approximately 27.4 acres

Surrounding Zoning and Land Use for AP13PD:

North - APD/ Agricultural
 East - APPD/ single family subdivision
 South - R-2A and Outside City Limits/ Agricultural
 West - Across SH 46, C-3 Commercial/ single family residence and vacant storage building (part of the Elley Lane Master Plan)

Comprehensive Plan/ Future Land Use Designation:

Low Density Residential and Commercial. If the proposed rezoning is approved, Staff recommends a concurrent Future Land Use Plan amendment to change the Commercial future land use designation to Residential Low Density.

Floodplain:

No portion of the property is located within the 1% annual chance flood zone.

Regional Transportation Plan:

Avery Ranch Drive is designated as a 60-foot wide Minor Collector on the City's Regional Transportation Plan and there is a current right-of-way width of 50 feet. The development is not required to dedicate any further right-of-way for Avery Ranch Drive under the current approved master plan; however, should there be any significant future revisions to the master plan, the master plan would be considered a new application and must comply with the Regional Transportation Plan which will require an additional 10 feet of right-of-way dedication.

Hike and Bike Trails Plan:

The proposed PD Concept Plan is in compliance with the City's Hike and Bike Trails Plan as there are no existing or proposed trails on or adjacent to the property.

Parkland Dedication:

APPD was not subject to the Parkland Dedication and Development Ordinance as the master plan was approved prior to adoption of the ordinance. Therefore, APPD did not include specific park or

open space requirements.

The proposed AP13PD is subject to the current Parkland Dedication and Development ordinance which requires land dedication and park land fee requirements. The proposed AP13PD land use table includes drainage, open space and park as one use, but does not identify any specific areas for parkland dedication or improvements or how much of this general land use category will be encumbered with drainage improvements.

The project narrative identifies a pavilion and proposed dog park which as currently proposed do not satisfy the ordinance requirements for credit. Open space for drainage is not an acceptable form of park land dedication unless it includes a specific park improvement such as a 10-foot to 12-foot wide concrete trail or other acceptable form approved by the Parks and Recreation Department.

Based on the maximum proposed dwelling units (90) the ordinance requires 0.6 acres, but the City cannot accept less than two (2) acres for a park land credit. Therefore, to meet or exceed the ordinance requirements, the developer must set aside at least 2 acres of park land, build four (4) park improvements, and invest an amount equal to the park development fees. The best option to satisfy the park land requirements might be for the developer to pay fees-in-lieu ($\$100 * 90 = \$9,000$) in addition to the development fees ($\$500 * 90 = \$45,000$) for a total of $\$54,000$. They would need to satisfy the ordinance requirements prior to recording any final plat.

Improvement(s):

Avery Park is improved with single family dwellings and is approximately 80% built out. The proposed AP13PD property includes an existing NBU lift station, a single-family dwelling, agricultural buildings, agricultural land and an earthen drainage channel.

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 (*There will be no changes in the current uses permitted in the APPD and the uses proposed in the AP13PD are similar to those of Avery Park.*);
- 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 proposed PD amendment and new PD should not conflict with the existing and proposed streets, water supply, sanitary sewer and other utilities in the area. The adequacy of public facilities and utilities to serve the additional demand is evaluated by each provider. CISD and utility providers have been notified of the proposal.*);
- How other areas designated for similar development will be affected (*Continued suburban style single-family detached residential development of the large vacant tracts along State Highway 46 will contribute to utility demands and increased traffic as future residents travel to goods and services. The new comprehensive plan will need to revisit the large areas currently designated for low density residential.*);
- 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.*); and
- Whether the request is consistent with the Comprehensive Plan (*The proposed zoning is consistent with the Future Land Use Plan designation of Low Density Residential and with*

several objectives of the Comprehensive Plan, except for the portion of the proposed AP13PD currently designated as "Commercial" adjacent to SH 46.)

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

	Yes	<p>City Plan/Council Priority: 2006 Comprehensive Plan <i>Pros and Cons Based on Policies Plan</i></p>	<p>Pros: Objective 1A: Evaluate proposed zone changes to maintain land use compatibility, as well as the integration of mixed land uses as a component of achieving better places to live. The subject properties are in an area being developed with single family residences. Goal 1C: Consider rezoning, as necessary, to ensure existing and future land use compatibility. The proposed APPD amendment and AP13PD are compatible with the existing development and PD development standards. Cons: Goal 2: Encourage the mixing of land uses to create a sense of community in the neighborhoods. Objective 2B: Enable residents to live within walking or a short commuting distance from their work, school, and shopping. Approximately 14 acres of the land within the proposed AP13PD is located outside the drainage area and identified as Commercial on the Future Land Use Plan. Part of the subject property could be utilized to provide neighborhood goods and services; thereby, reducing congestion. Objective 1A: Evaluate proposed zone changes to maintain land use compatibility, as well as the integration of mixed land uses as a component of achieving better places to live. Excessive residential without corresponding nodes of commercial is contributing to traffic congestion along the Hwy 46 corridor as residents maneuver the area seeking out goods and services.</p>
--	-----	---	---

FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

The Planning Commission held a public hearing on November 7, 2017 and recommended approval of the requested rezoning (5-0-0), with Commissioners Laskowski, Sonier and Tubb absent.

STAFF RECOMMENDATION:

Approval of:

The amendment to APPD to remove and rezone Lots 43 & 44, Block A, Avery Park Unit 1, to AP13PD.

Approval of:

The rezoning of 27.4 acres from C-3 and APD to AP13PD with the following conditions:

1. No access to SH 46 (further conditioned upon number 2 below);

-
2. Incorporate an internal street layout into the PD that illustrates a second connection (stub-out) to vacant property to the north;
 3. Meet the parkland ordinance requirements as stated in the specific section above; and
 4. Include a Future Land Use Plan amendment from “Commercial to “Residential Low Density”, which would occur with the second reading of the rezoning ordinance. While neighborhood commercial internal to the development would provide community amenities and reduce traffic, this amendment would make the proposed use consistent with the plan, and would offer opportunities for staggered commercial development at nodes along SH 46 as opposed to strip commercialization as currently depicted on the Future Land Use Plan.

Notification:

Public hearing notices were sent to 706 owners of property within 200 feet of both rezoning cases.

PZ-17-040 (Avery Park 13 PD):

Staff has received no responses in favor or opposed.

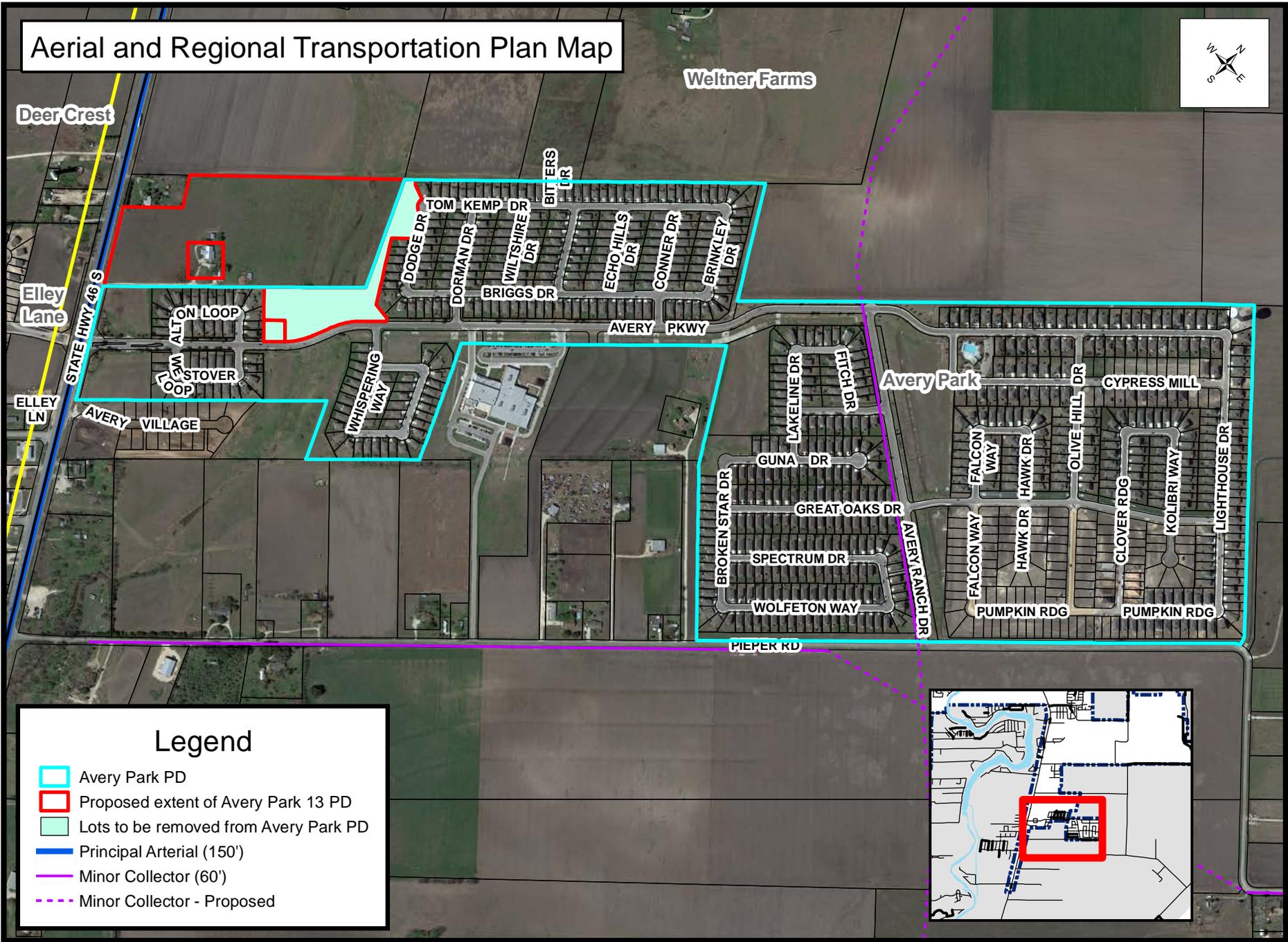
PZ-17-043 (Avery Park PD Detail Plan Amendment):

Staff has received 9 responses from within the subdivision opposed and 5 in favor.

Attachments:

1. Aerial, Regional Transportation Plan and Floodplain Map
2. Applications
3. Proposed Avery Park 13 PD Concept Plan and Development Standards
4. Proposed Avery Park 13 Exhibit Map
5. Informational Maps
6. Notification Responses
7. Supporting Ordinances (Avery Park, R-1A-6.6, Planned Development Districts)
8. Excerpt of the Planning Commission Meeting Minutes from November 7, 2017
9. Ordinance

Aerial and Regional Transportation Plan Map



Legend

- Avery Park PD
- Proposed extent of Avery Park 13 PD
- Lots to be removed from Avery Park PD
- Principal Arterial (150')
- Minor Collector (60')
- Minor Collector - Proposed



RECEIVED
SEP 27 2017

APPLICATION FOR A ZONING CHANGE

Planning and Community Development
550 Landa Street, New Braunfels, TX 78130
(830) 221-4050
www.nbtexas.org

Case Number: P2-17-040

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: DR Horton, Ryan Day

Mailing Address: 210 W. Hutchison Street, San Marcos, TX 78666

Telephone: (512)805.3617

Fax: _____

Mobile: _____

Email: rday@drhorton.com

2. Property Address/Location: Near Intersection of Hwy 46 and Avery Pkwy

3. Legal Description: ABS: 20 SUR: A M ESNAURIZAR

Name of Subdivision: _____

Lot(s): _____ Block(s): _____ Acreage: 21.87

4. Existing Use of Property: Open with one residence

5. Proposed Use of Property (attach additional or supporting information if necessary): _____

Low Density Residential

6. Zoning Change Request: Current Zoning: C-3 and APD Proposed Zoning: PDD

For "PDD Planned Development District", check if: Concept Plan OR Detail Plan

7. Reason for request (please explain in detail and attach additional pages if needed): _____

To develop a low density residential subdivision

8. COUNTY: COMAL GUADALUPE - SCHOOL DIST: CISD NBISD OTHER _____

9. REQUIRED ATTACHMENTS:

- _____ Metes and bounds description and survey if property is not platted.
- _____ 3 TIA worksheets and 2 Traffic Impact Analysis if required.
- _____ Location in 100-year floodplain: Please provide a map of the floodplain overlaying the property proposed for zoning or, at a minimum, a copy of the proper FEMA flood map, with panel number. (Current floodplain maps are those most recently adopted by the City Council.)
- _____ Map of property in relation to City limits/major roadways or surrounding area.
- _____ If requesting a Planned Development (PD), applicant must provide 17 development standards on the detail plan and/or provide the standards in a separate document as described in the Zoning Ordinance, Section 3.5; Provide 17 copies of the standards and Concept plan (1":200') for distribution; 4 copies of the survey (1":200') (if preparing revisions to existing Planned Development (PD) please provide one legible 11x17).
- _____ Copy of deed showing current ownership.
- _____ Mailed notification _____ x 2.15 each = _____
- _____ Newspaper Notice 115.00 each
- _____ Future Land Use Plan Update \$500.00

The undersigned hereby requests rezoning of the above described property as indicated.

8/23/17
Date

Ryan Day
Print Name & Title

[Signature]
Signature of Owner(s)/Agent

For Office Use Only

Fee Received By: MG Amount: _____ Receipt No.: _____

Date Received: 9.27.17 Zoning signs issued: _____ Date: _____ No.: _____

Cash/Check Number: _____ Case Number: P2-17-040



PLANNING

SEP 27 2017

APPLICATION FOR A ZONING CHANGE

Planning and Community Development
550 Landa Street, New Braunfels, TX 78130
(830) 221-4050
www.nbtexas.org

Case Number: P2-17-043

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: DR Horton, Ryan Day

Mailing Address: 210 W. Hutchison Street, San Marcos, TX 78666

Telephone: (512)805.3617 **Fax:** _____ **Mobile:** _____

Email: rday@drhorton.com

2. **Property Address/Location:** along Dodge Drive and Avery Parkway

3. **Legal Description:** BEING LOTS 43 & 44, BLOCK A, AVERY PARK SUBDIVISION, UNIT 1

Name of Subdivision: AVERY PARK SUBDIVISION

Lot(s): 43 AND 44 **Block(s):** A **Acreeage:** 5.57

4. **Existing Use of Property:** Open and Drainage

5. **Proposed Use of Property (attach additional or supporting information if necessary):** _____

Low Density Residential and drainage area

6. **Zoning Change Request: Current Zoning:** PDD **Proposed Zoning:** PDD

For "PDD Planned Development District", check if: Concept Plan **OR Detail Plan**

7. **Reason for request (please explain in detail and attach additional pages if needed):** _____

To be removed from existing Avery Park PD and put into Avery Park 13 PD

8. **COUNTY:** COMAL GUADALUPE - **SCHOOL DIST:** CISD NBISD OTHER _____

9. **REQUIRED ATTACHMENTS:**

- _____ Metes and bounds description and survey if property is not platted.
- _____ 3 TIA worksheets and 2 Traffic Impact Analysis if required.
- _____ Location in 100-year floodplain: Please provide a map of the floodplain overlaying the property proposed for zoning or, at a minimum, a copy of the proper FEMA flood map, with panel number. (Current floodplain maps are those most recently adopted by the City Council.)
- _____ Map of property in relation to City limits/major roadways or surrounding area.
- _____ If requesting a Planned Development (PD), applicant must provide 17 development standards on the detail plan and/or provide the standards in a separate document as described in the Zoning Ordinance, Section 3.5; Provide 17 copies of the standards and Concept plan (1":200') for distribution; 4 copies of the survey (1":200') (if preparing revisions to existing Planned Development (PD) please provide one legible 11x17).
- _____ Copy of deed showing current ownership.
- _____ Mailed notification _____ x 2.15 each = _____
- _____ Newspaper Notice 115.00 each
- _____ Future Land Use Plan Update \$500.00

The undersigned hereby requests rezoning of the above described property as indicated.

9/27/17

Date

Ryan Day

Print Name & Title

[Signature]
Signature of Owner(s)/Agent

For Office Use Only

Fee Received By: [Signature] Amount: \$1,200.00 Receipt No.: 242835

Date Received: 9-27-17 Zoning signs issued: _____ Date: _____ No.: _____

Cash/Check Number: 0270 Case Number: P2-17-043

AVERY PARK 13, PDD CONCEPT PLAN

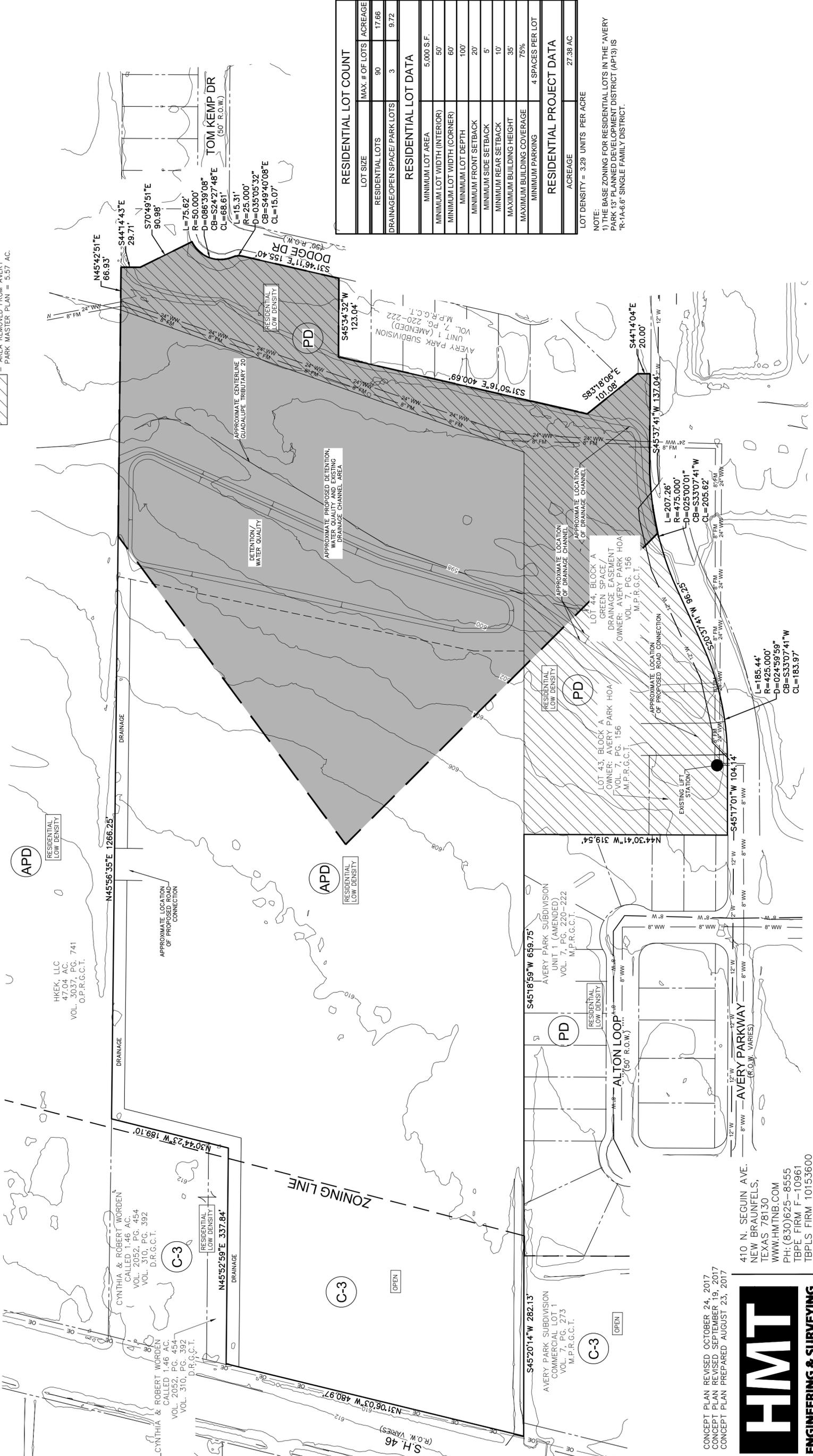
27.38 ACRES OF LAND OUT OF THE ANTONIO M. ESNAURIZAR SURVEY, ABSTRACT 20, LOCATED IN GUADALUPE COUNTY, TEXAS, BEING PART OF A CALLED 141.19 ACRE TRACT CONVEYED IN A DEED FROM CHARLES DAUER SR., ET UX TO WATER DAUER, DATED APRIL 13, 1921, RECORDED IN VOLUME 61, PAGE 487, DEED RECORDS, GUADALUPE COUNTY; AND LOT 44, BLOCK A, AVERY PARK SUBDIVISION UNIT 1, RECORDED IN VOLUME 7, PAGE 156, MAP AND PLAT RECORDS, GUADALUPE COUNTY, TEXAS.

SCALE: 1"=100'

- LEGEND:**
- 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
 - D.R.G.C.T. = DEED RECORDS, GUADALUPE COUNTY, TEXAS
 - XX" W = EXISTING WATER LINE
 - XX" WW = EXISTING SEWER LINE
 - XX" FM = EXISTING FIRE MAIN
 - OE = OVERHEAD ELECTRIC
 - XX = EXISTING ZONING TYPE
 - XXXXX = LANDUSE

- [Hatched Box] = AIRPORT OVERLAY DISTRICT APPROACH 3 ZONE = 10.71 AC.
- [Hatched Box] = AREA REMOVED FROM AVERY PARK MASTER PLAN = 5.57 AC.

SITE
LOCATION MAP
NOT TO SCALE



RESIDENTIAL LOT COUNT	
LOT SIZE	MAX. # OF LOTS / ACREAGE
RESIDENTIAL LOTS	90 / 17.66
DRAINAGE/OPEN SPACE/PARK LOTS	3 / 9.72
RESIDENTIAL LOT DATA	
MINIMUM LOT AREA	5,000 S.F.
MINIMUM LOT WIDTH (INTERIOR)	50'
MINIMUM LOT WIDTH (CORNER)	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT SETBACK	20'
MINIMUM SIDE SETBACK	5'
MINIMUM REAR SETBACK	10'
MAXIMUM BUILDING HEIGHT	35'
MINIMUM BUILDING COVERAGE	75%
MINIMUM PARKING	4 SPACES PER LOT
RESIDENTIAL PROJECT DATA	
ACREAGE	27.38 AC
LOT DENSITY	3.29 UNITS PER ACRE

NOTE:
1) THE BASE ZONING FOR RESIDENTIAL LOTS IN THE 'AVERY PARK 13' PLANNED DEVELOPMENT DISTRICT (AP13) IS 'R-1A-6.8' SINGLE FAMILY DISTRICT.

CONCEPT PLAN REVISED OCTOBER 24, 2017
CONCEPT PLAN REVISED SEPTEMBER 19, 2017
CONCEPT PLAN PREPARED AUGUST 23, 2017

HMT

ENGINEERING & SURVEYING

410 N. SEGUIN AVE.
NEW BRAUNFELS,
TEXAS 78130
WWW.HMTNB.COM
PH: (830)625-8555
TBPE FIRM F-10961
TBPLS FIRM 10153600

Avery Park 13 Planned Development District **Development Standards**

Avery Park is an approximate 853 lot subdivision that has been a very successful and loved planned development by our city and the residents that live there. It has great amenities, lots of open spaces, and even a great school within the project. This planned development district (PDD) for the Avery Park 13 PDD subdivision will be a 27.38 acre site with no more than 90 lots adjacent to this subdivision. The entry to the Avery Park 13 PDD subdivision will be off of Avery Parkway within the existing Avery Park subdivision. The base zoning for the proposed district is R-1A-6.6 to allow for a single family residential community. The variations from the R-1A-6.6 zoning are: lot size of 50', front setback of 20', and a minimum area of 5,000 square feet. These variations keep this tract consistent with the adjacent Avery Park subdivision standards. This PDD zoning also restricts density to 3.29 lots per acre average over the 27.38 acres, which makes this development consistent with typical R1-A-6.6 zoning w/60' lot widths. The Airport Overlay District Approach 3 Zone covers 10.71 acres of the property mainly over the drainage and detention areas. The remaining portion will not exceed the residential density of 6 dwelling units per acre per the density limitations required in the Code of Ordinances. A minimum of 15% of the tract will remain open space for drainage and for a pavilion and dog park for residents to enjoy. The pavilion will be similar in size and scope to the pavilion in Augustus Pass (Dean Subdivision). The Dog Park will be approximately 2,000 square feet and will be completely fenced in with obstacle courses, park benches, trees, landscaping & irrigation on a portion of the park.

In relation to the City's plans for growth and development, this Planned Development District meets several of the Goals and Objectives. The Avery Park 13 PDD subdivision is surrounded by open land on the west and northwest sides and a residential subdivision on the south and east sides. The Future Land Use plan calls for the site use as Residential Low Density and Commercial Use. The site lends itself to development as Residential Use; therefore, changing the Future Land Use Plan. The lot density on the rear of the property matches what we propose with this PDD. As New Braunfels continues to grow, we wish to meet the housing needs of its families and individuals. This location and lot size is by far the most highly demanded product for New Braunfels citizens, and it's location on Hwy 46 in between Seguin and New Braunfels helps provide an affordable housing option that is extremely needed.

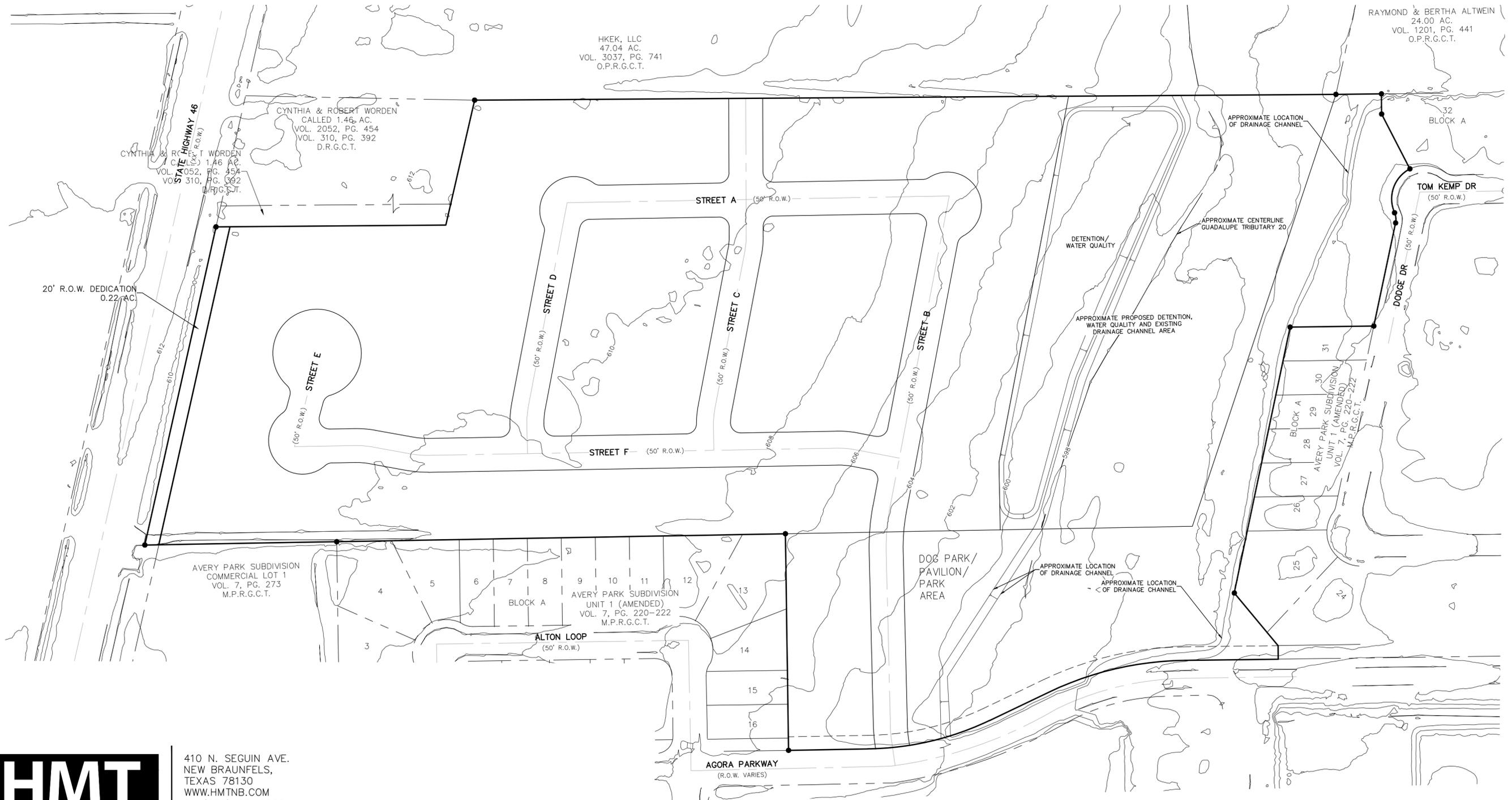
RESIDENTIAL DEVELOPMENT STANDARDS

Land Use	Single – Family Residential
Base Zoning	R-1A-6.6
Total Number of Acres	27.38 acres
Maximum Density	3.29 Lots/Acre
Minimum Lot Width	50 Ft. (Interior lot size), 60 Ft. (Corner lot)
Minimum Lot Depth	100 Ft.
Minimum Lot Area	5,000 S.F.
Minimum Lot Frontage	36 Ft. (for Cul-de-Sac and Knuckle lots) 50 Ft. (for Interior lots)
Front Setback Minimum:	20 Ft.
Rear Setback Minimum:	10 Ft.
Side Setback Minimum	<p><u>Internal Lots</u> - 5 Ft.</p> <p><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 line of the adjacent lot is 15 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 line of the adjacent lot is 20 feet. Otherwise, the internal side setback of corner lots is 5 feet.</p> <p><u>Garage Setback</u> - 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 shall be at least 20 feet long.</p>
Maximum Bldg. Height:	35 Ft.
Maximum Bldg. Coverage	75%
Utilities	All New Utilities will be underground
Minimum Parking	4 parking spots per lot (includes 2 car garage)
Amenities	<p>Pavilion meeting space</p> <p>Dog Park</p> <p>Cap & rail fencing and masonry columns adjacent to Avery Parkway & SH-46</p>
Landscaping Requirements	2 shade trees from Appendix A per lot

AVERY PARK 13 EXHIBIT



SCALE: 1" = 100'

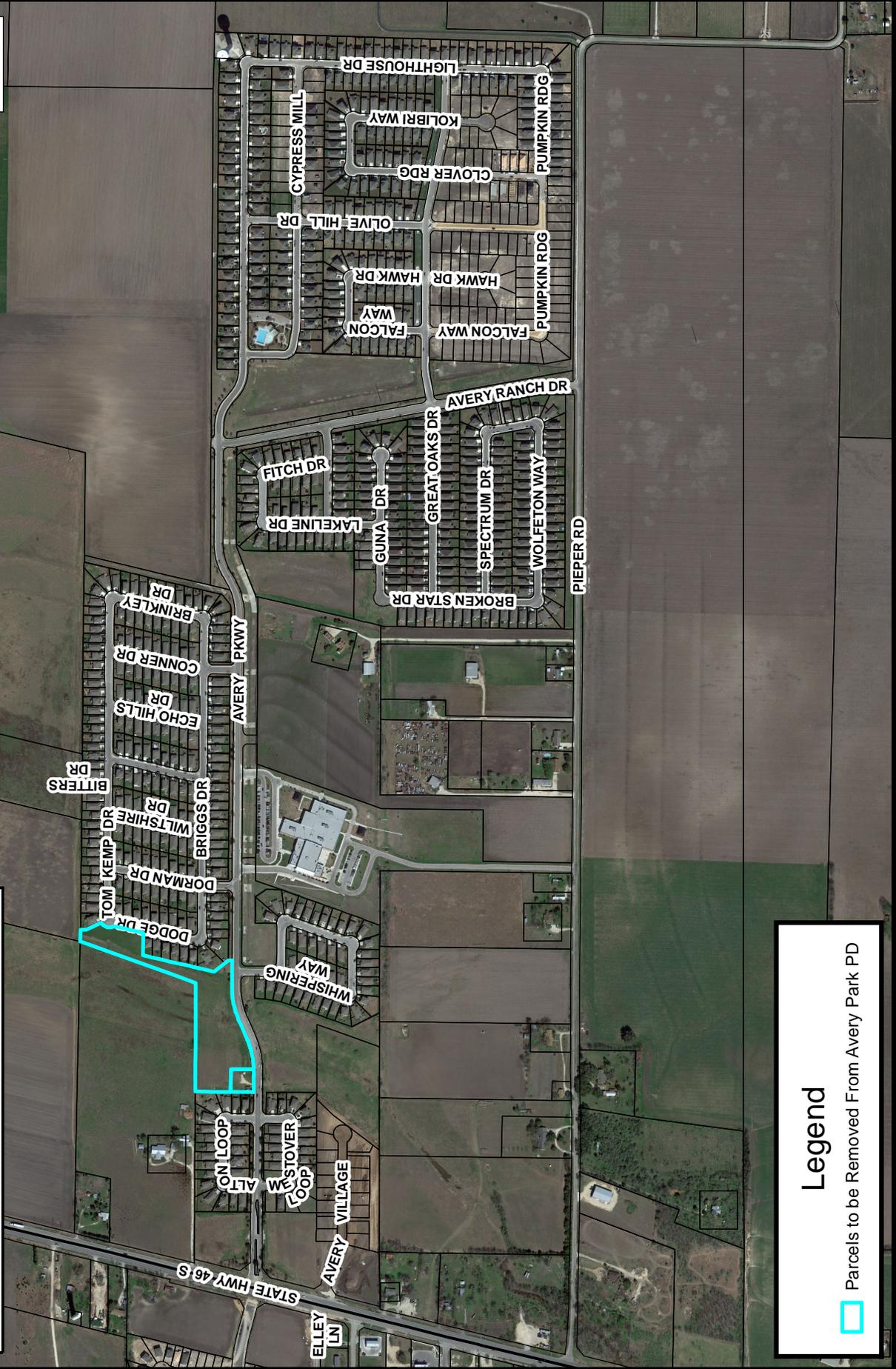


Drawing Name: N:_Projects\031 - DR Horton\031.042 - White Tract\Platting\Avery Park 13 EXHIBIT.dwg User: kellyk Oct 26, 2017 - 10:47am



410 N. SEGUIN AVE.
 NEW BRAUNFELS,
 TEXAS 78130
 WWW.HMTNB.COM
 PH: (830)625-8555
 TBPE FIRM F-10961
 TBPLS FIRM 10153600

Area Proposed to be Removed
From Avery Park PD Detail Plan



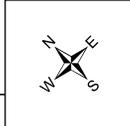
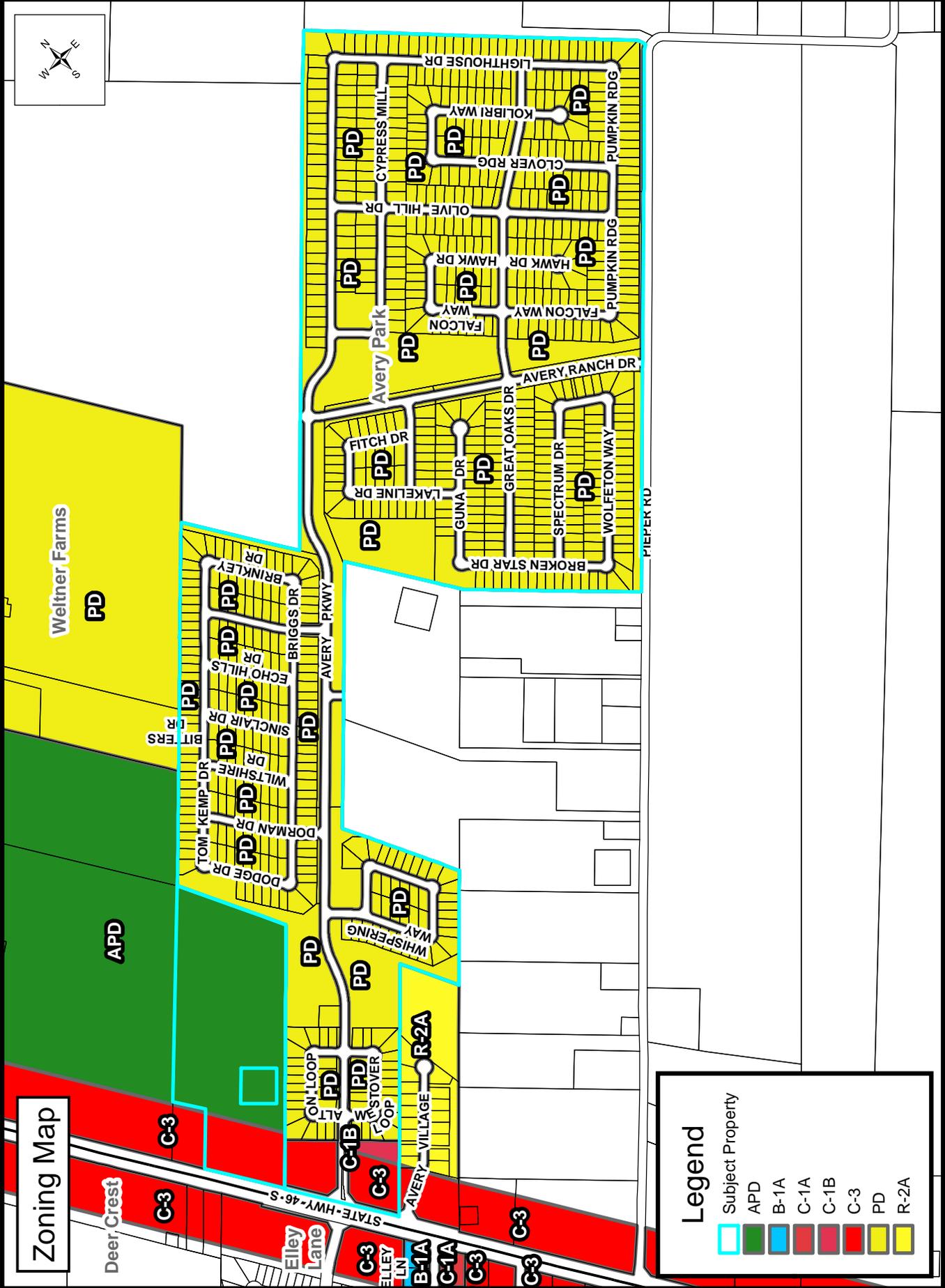
Legend

 Parcels to be Removed From Avery Park PD



PZ-17-043 Avery Park Planned Development District Plan Amendment

Map Created 10/19/17



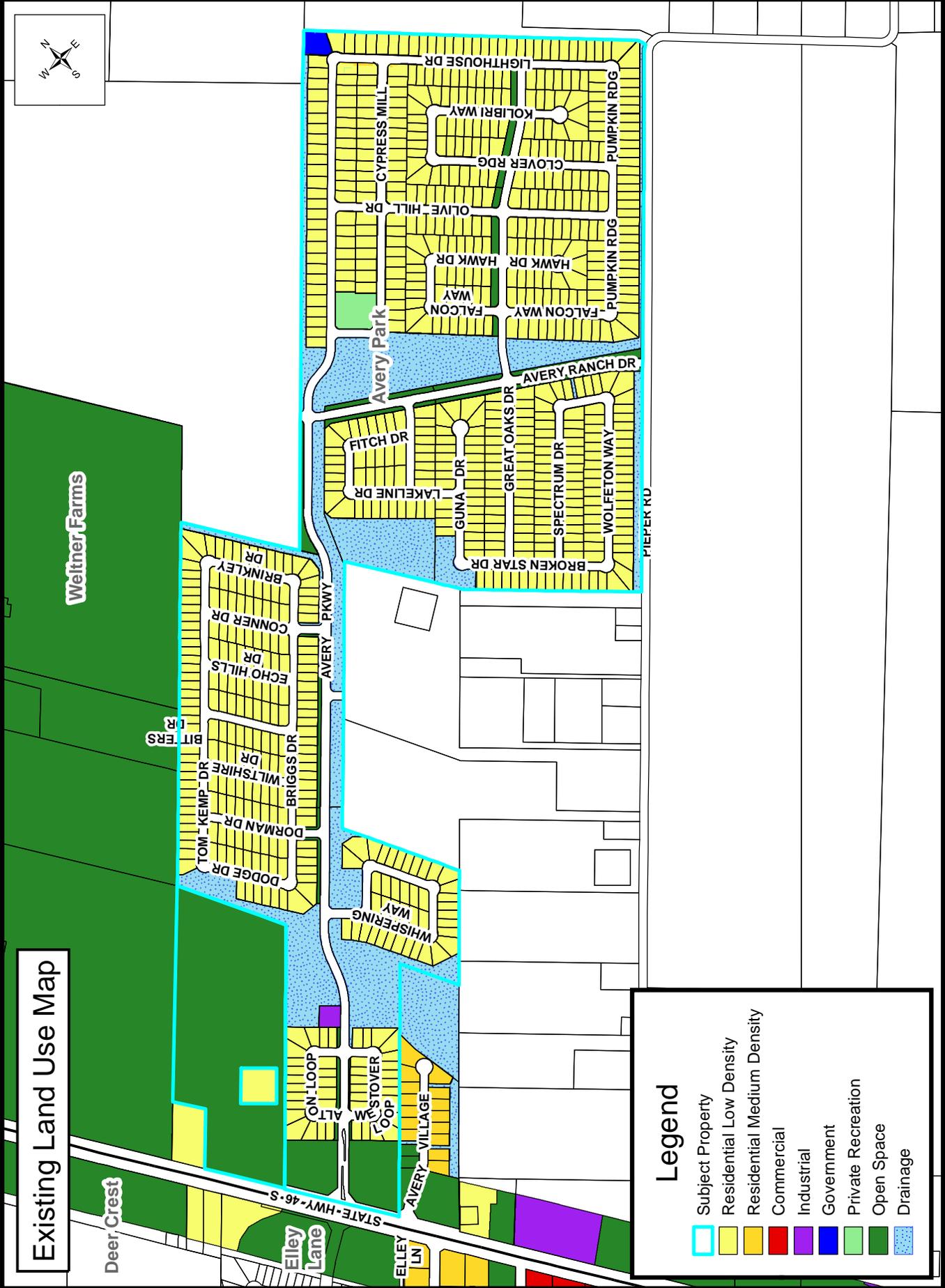
Legend

	Subject Property
	APD
	B-1A
	C-1A
	C-1B
	C-3
	PD
	R-2A

PZ-17-040 & PZ-17-043
Avery Park Planned Development District
Plan Amendment



Existing Land Use Map

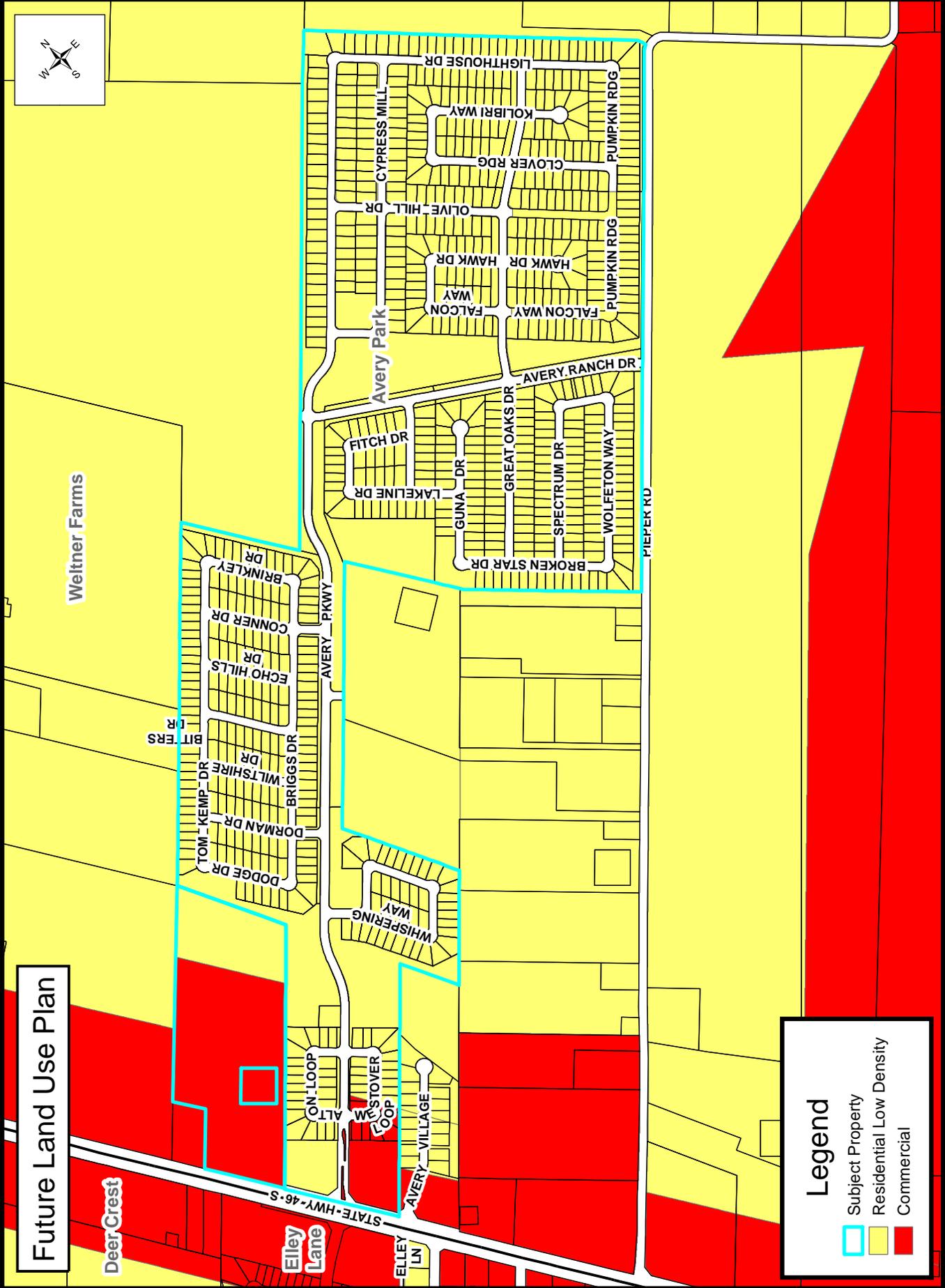


Legend

- Subject Property
- Residential Low Density
- Residential Medium Density
- Commercial
- Industrial
- Government
- Private Recreation
- Open Space
- Drainage

PZ-17-040 & PZ-17-040 Avery Park Planned Development District Plan Amendment





Future Land Use Plan

Deer Crest

Elley Lane

Weltner Farms

Legend

- Subject Property
- Residential Low Density
- Commercial

PZ-17-040 & PZ-17-043
 Avery Park Planned Development District
 Plan Amendment



PLANNING COMMISSION – November 7, 2017 – 6:00PM

New Braunfels City Hall, Council Chambers

Owners: Barbara P. Whites and NB Avery Park Homeowners Association LLC

Applicant: DR Horton, Ryan Day

Property Location: 27.38 acre tract out of the A-20, A M Esnaurizar Survey, addressed at 2163 & 2171 State Highway 46 South, 313 Avery Parkway and 2106 Dodge Drive.

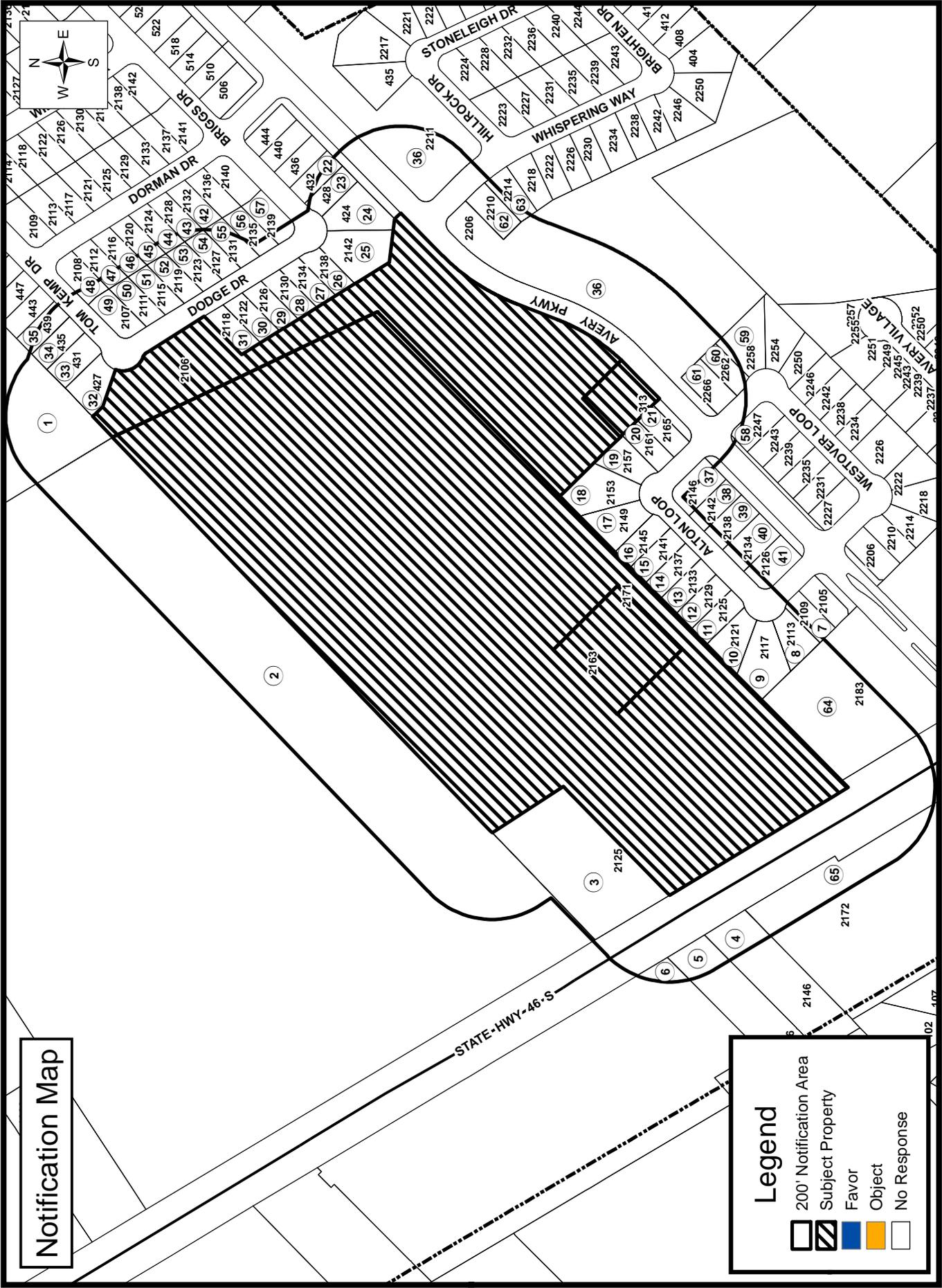
Proposed Zone Change – Case #PZ-17-040

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

- | | |
|--|---|
| 1. Altwein Raymond A & Bertha L | 34. Glass Cynthia Aileen |
| 2. Hkek Llc | 35. Hoffman John |
| 3. Worden Cynthia Schaefer & Robert Scott Worden | 36. N B Avery Park Homeowners Association Inc |
| 4. Carrillo Salome Rodriguez | 37. Tscheulin John & Annette |
| 5. Cornelius John Scott | 38. Mikaelian Maria |
| 6. Vogel Keith A & Colleen Vogel Sanford & Peggy Lynn | 39. Collins Keith A & Barbara Lynn |
| 7. Benn Sherri | 40. Rubey Matthew J & Lisa S |
| 8. Pendlebury Daniel E & Josie O | 41. Paniagua Eva |
| 9. Goss Vivian | 42. Basham Zackary & Kristine J Pieters |
| 10. Naylor Candace | 43. Glendenning Susan |
| 11. Ramirez Roberto & Rosemary Sanchez Ramirez | 44. Janca Robert John Trustee |
| 12. Bowen Guy R | 45. Smith Christopher P |
| 13. Goodall Randall R & Donna | 46. Aguilar Ruben & Isabel |
| 14. Corbin Jennifer Gwen | 47. Resident |
| 15. Nagy Karen L | 48. Benavidez Jerry J |
| 16. Benavidez Emma | 49. Perez Sarita & Marco |
| 17. West Lisa K | 50. Werth Stephanie & Cody |
| 18. Billingsley Angela Christine & Charles Casey Billi | 51. Pastrano Betty |
| 19. Felderhoff Jeff J | 52. Brenner Richard K |
| 20. Anderson Rosina | 53. Ramos Michele & Gardner Brent Talk |
| 21. Yockey Glenn P & Regina M | 54. Fambrough John A & Betty H |
| 22. Ray Alyssa & Garrett | 55. Romeo Homes Texas Llc |
| 23. Rodgers William Ray & Tina M | 56. Ramirez Adolfo & Blanca |
| 24. Ibach Nancy | 57. Douglass Marques P & Nicole M |
| 25. Simmons Sy A & Jennifer L Tenpas | 58. Young Rachelle Kay |
| 26. Self Gregory & Stefanie | 59. Garrison Jeremiah & James Hicks |
| 27. Coburn Michael & Crystal | 60. Schmitt Gary & Linda |
| 28. Weinheimer Cody | 61. Hecker Robert |
| 29. Thornton Yvonne Cerda | 62. Dorrestijn Robert W & Heather V |
| 30. Slate Ashley | 63. Edwards Daniel A & Kristin |
| 31. Dipollino John & Marylou | 64. Pieper Road Ltd |
| 32. Quijano Carmen | 65. NB Criest Investments Incorp'd |
| 33. Card Po Chu | |

SEE MAP ON REVERSE

Notification Map



Legend

-  200' Notification Area
-  Subject Property
-  Favor
-  Object
-  No Response

PZ-17-040
Avery Park 13
APD/C-3 to PD



Notificati	Owner_Name	Owner_Ad_1	Owner_Ad_2	Owner_Ad_3	Owner_Ad	Owner_Ad_5
1	CONTINENTAL HOMES OF TEXAS LP	210 W HUTCHISON ST		SAN MARCOS	TX	78666
2	N B AVERY PARK HOMEOWNERS ASSOCIATION INC	C/O GOODWIN MANAGEMENT INC	PO BOX 20331	AUSTIN	TX	78720
3	NB AVERY PARK HOMEOWNERS ASSOCIATION INC	300 E SONTERRA BLVD STE 250		SAN ANTONIO	TX	78258
4	PIEPER ROAD LTD	421 S SEGUIN AVE		NEW BRAUNFELS	TX	78130
5	ROMEO HOMES TEXAS LLC	103 FOULK ROAD	SUITE 900	WILMINGTON	DE	19803
6	BRANDES RICHARD & LYNDA	921 SUNSHADOW DR		NEW BRAUNFELS	TX	78130
7	BENN SHERRI	2109 ALTON LOOP		NEW BRAUNFELS	TX	78130
8	PENDLEBURY DANIEL E & JOSIE O	2113 ALTON LOOP		NEW BRAUNFELS	TX	78130
9	GOSS VIVIAN	2117 ALTON LOOP		NEW BRAUNFELS	TX	78130
10	NAYLOR CANDACE	535 WEIDNER		SPRING BRANCH	TX	78070
11	RAMIREZ ROBERTO & ROSEMARY SANCHEZ RAMIREZ	2125 ALTON LOOP		NEW BRAUNFELS	TX	78130
12	BOWEN GUY R	2129 ALTON LOOP		NEW BRAUNFELS	TX	78130
13	GOODALL RANDALL R & DONNA	2133 ALTON LOOP		NEW BRAUNFELS	TX	78130
14	CORBIN JENNIFER GWEN	2137 ALTON LOOP		NEW BRAUNFELS	TX	78130
15	NAGY KAREN L	1488 JORDAN CROSSING		NEW BRAUNFELS	TX	78130
16	BENAVIDEZ EMMA	2145 ALTON LOOP		NEW BRAUNFELS	TX	78130
17	WEST LISA K	2149 ALTON LOOP		NEW BRAUNFELS	TX	78130
18	BILLINGSLEY ANGELA CHRISTINE & CHARLES CASEY BILLI	2153 ALTON LOOP		NEW BRAUNFELS	TX	78130
19	FELDERHOFF JEFF J	502 MOONLIGHT CIRCLE		NEW BRAUNFELS	TX	78132
20	ANDERSON ROSINA	2161 ALTON LOOP		NEW BRAUNFELS	TX	78130
21	YOCKEY GLENN P & REGINA M	2165 ALTON LOOP		NEW BRAUNFELS	TX	78130
22	VIGIL LISA MARIE	444 BRIGGS DR		NEW BRAUNFELS	TX	78130
23	NICHOLS SEAN & JENNIFER	440 BRIGGS DR		NEW BRAUNFELS	TX	78130
24	AHRENS HEATHER	1153 LEGACY DR		NEW BRAUNFELS	TX	78130
25	RAY ALYSSA & GARRETT	432 BRIGGS DR		NEW BRAUNFELS	TX	78130
26	RODGERS WILLIAM RAY & TINA M	428 BRIGGS DR		NEW BRAUNFELS	TX	78130
27	IBACH NANCY	424 BRIGGS DR		NEW BRAUNFELS	TX	78130
28	SIMMONS SY A & JENNIFER L TENPAS	2142 DODGE DR		NEW BRAUNFELS	TX	78130
29	SELF GREGORY & STEFANIE	2138 DODGE DR		NEW BRAUNFELS	TX	78130
30	COBURN MICHAEL & CRYSTAL	2134 DODGE DR		NEW BRAUNFELS	TX	78130
31	WEINHEIMER CODY	2130 DODGE DR		NEW BRAUNFELS	TX	78130
32	THORNTON YVONNE CERDA	2126 DODGE DRIVE		NEW BRAUNFELS	TX	78130
33	SLATE ASHLEY	2122 DODGE DR		NEW BRAUNFELS	TX	78130
34	DIPOLLINO JOHN & MARYLOU	2118 DODGE DR		NEW BRAUNFELS	TX	78130
35	QUIJANO CARMEN	427 TOM KEMP		NEW BRAUNFELS	TX	78130
36	CARD PO CHU	431 TOM KEMP DR		NEW BRAUNFELS	TX	78130
37	GLASS CYNTHIA AILEEN	P O BOX 328		MCQUEENEY	TX	78123
38	HOFFMAN JOHN	439 TOM KEMP		NEW BRAUNFELS	TX	78130
39	MORROW RONNIE LEO & JULIE ANN	443 TOM KEMP DR		NEW BRAUNFELS	TX	78130
40	KNOWLES STANFORD C & MARIA C	447 TOM KEMP DRIVE		NEW BRAUNFELS	TX	78130
41	RODRIGUEZ JODI M & JASON P	505 TOM KEMP DR		NEW BRAUNFELS	TX	78130
42	BARROW THOMAS J & TRICIA A	509 TOM KEMP DR		NEW BRAUNFELS	TX	78130
43	MERCER MICHAEL D	513 TOM KEMP DR		NEW BRAUNFELS	TX	78130
44	TSCHEULIN JOHN & ANNETTE	2146 ALTON LOOP		NEW BRAUNFELS	TX	78130
45	MIKAELIAN MARIA	2142 ALTON LOOP		NEW BRAUNFELS	TX	78130
46	COLLINS KEITH A & BARBARA LYNN	2138 ALTON LOOP		NEW BRAUNFELS	TX	78130
47	RUBEY MATTHEW J & LISA S	2134 ALTON LOOP		NEW BRAUNFELS	TX	78130
48	PANIAGUA EVA	2126 ALTON LOOP		NEW BRAUNFELS	TX	78130
49	WELCH CHARLES DWAYNE & ASHTON WHITNEY	2140 DORMAN DRIVE		NEW BRAUNFELS	TX	78130
50	WAGNER RACHELLE RENEE & DAVID MICHAEL	2136 DORMAN DR		NEW BRAUNFELS	TX	78130
51	BASHAM ZACKARY & KRISTINE J PIETERS	2132 DORMAN DR		NEW BRAUNFELS	TX	78130
52	GLENDEENING SUSAN	2128 DORMAN DR		NEW BRAUNFELS	TX	78130
53	JANCA ROBERT JOHN TRUSTEE	1301 FM 2722		NEW BRAUNFELS	TX	78132
54	SMITH CHRISTOPHER P	2120 DORMAN DR		NEW BRAUNFELS	TX	78130
55	AGUILAR RUBEN & ISABEL	2116 DORMAN DR		NEW BRAUNFELS	TX	78130
57	BENAVIDEZ JERRY J	111 SUNCREST DR		NEW BRAUNFELS	TX	78132
58	PEREZ SARITA & MARCO	2107 DODGE DR		NEW BRAUNFELS	TX	78130
59	WERTH STEPHANIE & CODY	2111 DODGE DR		NEW BRAUNFELS	TX	78130
60	PASTRANO BETTY	2115 DODGE DRIVE		NEW BRAUNFELS	TX	78130
61	BRENNER RICHARD K	2119 DODGE DR		NEW BRAUNFELS	TX	78130
62	RAMOS MICHELE & GARDNER BRENT TALK	2123 DODGE DR		NEW BRAUNFELS	TX	78130
63	FAMBROUGH JOHN A & BETTY H	2 SIERRA DR		NEW BRAUNFELS	TX	78130
64	RAMIREZ ADOLFO & BLANCA	2135 DODGE DR		NEW BRAUNFELS	TX	78130
65	DOUGLASS MARQUES P & NICOLE M	2139 DODGE DR		NEW BRAUNFELS	TX	78130
66	MURPHY CHRISTOPHER WILLIAM & JULIE A	2109 DORMAN DR		NEW BRAUNFELS	TX	78130
67	JOHNSON KENNETH H & LIN Z	1337 WINDING WAY		NEW BRAUNFELS	TX	78132
68	RAMIREZ BETTY J	2117 DORMAN DR		NEW BRAUNFELS	TX	78130
69	CHURCHMAN MARLENE	2121 DORMAN DR		NEW BRAUNFELS	TX	78130
70	RODRIGUEZ MOCTEZUMA & SARA GUTIERREZ	2125 DORMAN DR		NEW BRAUNFELS	TX	78130
71	JENKINS MICHELLE C	2129 DORMAN DR		NEW BRAUNFELS	TX	78130
72	RODRIGUEZ PETER G & SONIA E MORENO	2133 DORMAN DR		NEW BRAUNFELS	TX	78130
73	KANAS PROPERTIES LLC	325 CAMBRIDGE DR		NEW BRAUNFELS	TX	78130
75	KILLINGSWORTH HAZEL	510 BRIGGS DR		NEW BRAUNFELS	TX	78130
76	TREJO SALVADOR G & ADELA G	506 BRIGGS DR		NEW BRAUNFELS	TX	78130
77	ROBERT JOHN G & JULIE	25923 NATIONAL PLUM		SAN ANTONIO	TX	78261
78	BONILLA DANIEL	2235 WESTOVER LOOP		NEW BRAUNFELS	TX	78130
79	BRUNS CLAYTON & MARIA DORA	2239 WESTOVER LOOP		NEW BRAUNFELS	TX	78130
80	BRAUN JAMES H	2243 WESTOVER LOOP		NEW BRAUNFELS	TX	78130
81	YOUNG RACHELLE KAY	2247 WESTOVER LOOP		NEW BRAUNFELS	TX	78130
82	CADY CRAIG D & CLAIRE C	2234 WESTOVER LOOP		NEW BRAUNFELS	TX	78130

83	LIPPE JONATHAN & ERIN JOINT LIVING TRUST	2238 WESTOVER LOOP	NEW BRAUNFELS	TX	78130
84	CONCANNON VICKI	2242 WESTOVER LOOP	NEW BRAUNFELS	TX	78130
85	STONECIPHER BRIAN D	2246 WESTOVER LOOP	NEW BRAUNFELS	TX	78130
86	MCCULLOCH JOHN	2250 WESTOVER LOOP	NEW BRAUNFELS	TX	78130
87	VANDERLIN JEFFREY J & DAWN E	2254 WESTOVER LOOP	NEW BRAUNFELS	TX	78130
88	GARRISON JEREMIAH & JAMES HICKS	2258 WESTOVER LOOP	NEW BRAUNFELS	TX	78130
89	SCHMITT GARY & LINDA	2017 WARWICK PLACE	NEW BRAUNFELS	TX	78130
90	HECKER ROBERT	2266 WESTOVER LOOP	NEW BRAUNFELS	TX	78130
91	DORRESTIJN ROBERT W & HEATHER V	1927 CLUB CROSSING	NEW BRAUNFELS	TX	78130
92	EDWARDS DANIEL A & KRISTIN	339 S GILBERT AVE	NEW BRAUNFELS	TX	78130
93	ZAMORA ISRAEL & EDGAR ZAMORA	2218 WHISPERING WAY	NEW BRAUNFELS	TX	78130
94	ZAMORA EDGAR	535 FERRYBOAT LN	NEW BRAUNFELS	TX	78130
95	MOORE LARRY & LINDA F	2226 WHISPERING WAY	NEW BRAUNFELS	TX	78130
96	NUNEZ JOSE A	2230 WHISPERING WAY	NEW BRAUNFELS	TX	78130
97	LIVELY MITCHELL WILLIS III	2234 WHISPERING WAY	NEW BRAUNFELS	TX	78130
98	PADILLA DONNA M & PETE C	2238 WHISPERING WAY	NEW BRAUNFELS	TX	78130
99	WENCE ARIEL J & CHRISTINA M	2242 WHISPERING WAY	NEW BRAUNFELS	TX	78130
100	ANDERSON JERRY D JR	2246 WHISPERING WAY	NEW BRAUNFELS	TX	78130
101	OESTREICH SANDRA BIRK	2250 WHISPERING WAY	NEW BRAUNFELS	TX	78130
102	PEREZ EMETERIO	404 BRIGHTEN DR	NEW BRAUNFELS	TX	78130
103	BUPP ANN & LONNIE E CHUNN	210 LEE BARTON DR #308	AUSTIN	TX	78704
104	ESPINOSA PAULINE A & ALAN	13042 SCARBOROUGH AVE	CHINO	CA	91710
105	RADTKE THERESA RHEA & JEROME	3410 PURGATORY	NEW BRAUNFELS	TX	78130
106	FABIAN ERIC	420 BRIGHTEN DRIVE	NEW BRAUNFELS	TX	78130
107	BATEY MARY ALICE	424 BRIGHTEN DRIVE	NEW BRAUNFELS	TX	78130
108	KANAS PROPERTIES LLC	325 CAMBRIDGE DR	NEW BRAUNFELS	TX	78130
109	WHITE TIM	PO BOX 312640	NEW BRAUNFELS	TX	78131
110	SCHMITT GARY & LINDA	2249 STONELEIGH DRIVE	NEW BRAUNFELS	TX	78130
111	DRUMGOOLE WADE & MARILYN	2245 STONELEIGH DR	NEW BRAUNFELS	TX	78130
112	TOWERY WILLIAM O	2241 STONELEIGH DR	NEW BRAUNFELS	TX	78130
113	SUMNER DAVID A & APRIL	24162 THORNHILL RD	ORANGE	VA	22960
114	REYES JAVIER	2233 STONELEIGH DRIVE	NEW BRAUNFELS	TX	78130
115	HILLERT JOHN	2229 STONELEIGH DR	NEW BRAUNFELS	TX	78130
116	WEIST MIKA & RICHARD	2225 STONELEIGH DRIVE	NEW BRAUNFELS	TX	78130
117	MIRELES SERGIO & BETH A	2221 STONELEIGH DRIVE	NEW BRAUNFELS	TX	78130
118	HOTCHKISS ANDREW & SANDRA	2217 STONELEIGH DRIVE	NEW BRAUNFELS	TX	78130
119	ALCORTA MICHAEL A & JENNIFER	435 HILLROCK DR	NEW BRAUNFELS	TX	78130
120	CASTLE WALKER LLC	947 JANET DR	CANYON LAKE	TX	78133
121	MERINO MARINA	1778 JACOBS COURT	NEW BRAUNFELS	TX	78130
122	JUNGMANN RUSSELL	2231 WHISPERING WAY	NEW BRAUNFELS	TX	78130
123	ADAMS REBECCA LEE & VERNON RAY ADAMS	2235 WHISPERING WAY	NEW BRAUNFELS	TX	78130
124	POULTER RICHARD W & ELIZABETH MELINDA	2239 WHISPERING WAY	NEW BRAUNFELS	TX	78130
125	FREUDENBERG MARTHA V	2243 WHISPERING WAY	NEW BRAUNFELS	TX	78130
126	LEE MICHAEL K & ALLISON M	2244 STONELEIGH DRIVE	NEW BRAUNFELS	TX	78155
127	CUNNINGHAM TINA	2240 STONELEIGH DR	NEW BRAUNFELS	TX	78130
128	ABLES LESLIE	2236 STONELEIGH DR	NEW BRAUNFELS	TX	78130
129	YI PAUL M	515 S FIGUEROA STREET	SUITE 1250 LOS ANGELES	CA	90071
130	ANDERSON NOLAN B & HEATHER DANIELLE	2228 STONELEIGH DR	NEW BRAUNFELS	TX	78130
131	RIORDAN STEPHEN A & SUSAN T	615 LAKE PLACID DR	SEGUIN	TX	78155
132	CRYDER ELIZABETH REVOCABLE LIVING TRUST	7320 OFFATS PT CIRCLE	GALVESTON	TX	77551
133	MARTINEZ ELOY P & ANGIE M	2235 FITCH DRIVE	NEW BRAUNFELS	TX	78130
134	RICCITELLI RICHARD P & ROXANNA LEBRON	2231 FITCH DR	NEW BRAUNFELS	TX	78130
135	GANNINGER DANIEL & LISBETH	2227 FITCH DR	NEW BRAUNFELS	TX	78130
136	GEFFRE JOHN V	2223 FITCH DR	NEW BRAUNFELS	TX	78130
137	SMITH JOAN E	2219 FITCH DR	NEW BRAUNFELS	TX	78130
138	ORTIZ SARAH	1103 PELICAN PLACE	NEW BRAUNFELS	TX	78130
139	VELKY SALLY	773 TOMAH DR	NEW BRAUNFELS	TX	78130
140	MCDANIEL RAMONA D & MARTIN K	769 TOMAH DR	NEW BRAUNFELS	TX	78130
141	AMH 2015-2 BORROWER LLC	30601 AGOURA RD STE 200	AGOURA HILLS	CA	91301
142	MARTINEZ JAIIME NORE & MEGAN KAY	761 TOMAH DR	NEW BRAUNFELS	TX	78130
143	HAMMONDS CYNTHIA FAYE	757 TOMAH DR	NEW BRAUNFELS	TX	78130
144	EMICH HORST A & ROSE	5625 WEGNER RD	NEW BRAUNFELS	TX	78132
145	WILEY CHRISTOPHER J & RACHEL A	749 TOMAH DR	NEW BRAUNFELS	TX	78130
146	GREGORY JAY M & SUSANNE E	2210 LAKELINE DR	NEW BRAUNFELS	TX	78130
147	DAVISSON DUSTIN & AMBER MICHELLE	2214 LAKELINE DR	NEW BRAUNFELS	TX	78130
148	FLORES LOUIS A SR & ROSANTINA	2218 LAKELINE DR	NEW BRAUNFELS	TX	78130
149	STARR MICHAEL & JESSICA	2222 LAKELINE DRIVE	NEW BRAUNFELS	TX	78130
150	AMERICAN HOMES 4 RENT	PO BOX 95997	LAS VEGAS	NV	89193
151	DEAN NICOLE & KENNETH	2230 LAKELINE DR	NEW BRAUNFELS	TX	78130
152	DOHERTY CYNTHIA MARIE	2234 LAKELINE DR	NEW BRAUNFELS	TX	78130
153	BURNS W J JR & PAMELA JO TRUSTEES	1559 GOLDENSAGE DR	SEGUIN	TX	78155
154	WALKER STEVE	3121 CAMERON RIVER	SCHERTZ	TX	78108
155	CARPENTER DAVID A & STACEY K	1560 CASTLEWAY RD	NEW BRAUNFELS	TX	78132
156	KANA NARCY	1063 IH 35 N	NEW BRAUNFELS	TX	78130
157	SULLIVAN TODD & STEPHANIE	2232 FITCH DR	NEW BRAUNFELS	TX	78130
158	CLARK JOSH	2228 FITCH DR	NEW BRAUNFELS	TX	78130
159	MILLS MATTHEW R	2224 FITCH DR	NEW BRAUNFELS	TX	78130
160	LANDRUM JIMMY & RHONDA	2220 FITCH DRIVE	NEW BRAUNFELS	TX	78130
161	BENITES JOEL	2217 LAKELINE DR	NEW BRAUNFELS	TX	78130
162	2221 LAKE LINE DR	964 FALLEN OAK	NEW BRAUNFELS	TX	78132
163	REDDING SARA M & RONNIE J JR	2225 LAKELINE DR	NEW BRAUNFELS	TX	78130

164	TYSINGER VERNON & RITA	2229 LAKELINE DR	NEW BRAUNFELS	TX	78130
165	OSORIA MARCOS & LORI	2233 LAKELINE DR	NEW BRAUNFELS	TX	78130
166	MANGELS CHRISTOPHER CARL & SUZANNE	750 ANDORA DR	NEW BRAUNFELS	TX	78130
167	PATEL MITESH & RAXA	754 ANDORA DRIVE	NEW BRAUNFELS	TX	78130
168	KAUSER FAZAL BAKHSH & QAMAR	758 ANDORA DR	NEW BRAUNFELS	TX	78130
169	VINCENT JENNA MARIE	762 ANDORA DR	NEW BRAUNFELS	TX	78130
170	VAN HILSEN MICAH C & KALI	766 ANDORA DRIVE	NEW BRAUNFELS	TX	78130
171	PARKER SUSAN	770 ANDORA DR	NEW BRAUNFELS	TX	78130
172	LEE LARRY & SHERRY JUNG	9 SWEETGRASS LN	ROLLING HILLS ESTATES	CA	90274
173	REA NADINE	778 ANDORA DRIVE	NEW BRAUNFELS	TX	78130
174	GONZALES LISA AURORA	782 ANDORA DRIVE	NEW BRAUNFELS	TX	78130
175	JIANG DENG	4604 NORTH ST STE 120	NACOGDOCHES	TX	75965
176	BURCHETT SETH	835 AVERY PKWY	NEW BRAUNFELS	TX	78130
177	GUALANDRI TOBY A & BRENDA J	839 AVERY PKWY	NEW BRAUNFELS	TX	78130
178	RODRIGUEZ STEPHANIE & MARK LOPEZ	843 AVERY PKWY	NEW BRAUNFELS	TX	78130
179	STEWART DENNIS R & DINA M	847 AVERY PKWY	NEW BRAUNFELS	TX	78130
180	RUAN MIGUEL & ROSALINA	851 AVERY PKWY	NEW BRAUNFELS	TX	78130
181	MCCARLEY SHARON I	855 AVERY PKWY	NEW BRAUNFELS	TX	78132
182	SCOTT GINA K & JOSHUA S	859 AVERY PKWY	NEW BRAUNFELS	TX	78130
183	SNEED MICHAEL	863 AVERY PKWY	NEW BRAUNFELS	TX	78130
184	BURDITT STEVEN L	2652 POPLAR GROVE LANE	SCHERTZ	TX	78154
185	FORD CURTIS R & ANNA M GOMES-FORD	871 AVERY PKWY	NEW BRAUNFELS	TX	78130
186	FRAPRIE MARK RAYMOND	2310 WILLOW ARBOR	SAN MARCOS	TX	78666
187	SOLIZ KATHERINE ANN	879 AVERY PARKWAY	NEW BRAUNFELS	TX	78130
188	TEJADA GUILLERMO ALBERTO & VERONICA	1011 RIVERS PEAK	CANYON LAKE	TX	78133
189	BUCHANAN MELISSA R	907 AVERY PARKWAY	NEW BRAUNFELS	TX	78130
190	HAINES RUSSELL D	911 AVERY PKWY	NEW BRAUNFELS	TX	78130
191	ABBOTT CRAIG & LISA	915 AVERY PKWY	NEW BRAUNFELS	TX	78130
192	SAILORS NATALIE	919 AVERY PARKWAY	NEW BRAUNFELS	TN	78130
193	SERIES 3 LLC	PO BOX 4936	KANEOHE	HI	96744
194	CROSS KIMBERLY KAYE	927 AVERY PKWY	NEW BRAUNFELS	TX	78130
195	PRATT JOHN MICHAEL & MICHELLE	931 AVERY PKWY	NEW BRAUNFELS	TX	78130
196	MARTINEZ MARCOS & WENDI KAYE	935 AVERY PARKWAY	NEW BRAUNFELS	TX	78130
197	GUILLOT MICHAEL E	939 AVERY PKWY	NEW BRAUNFELS	TX	78130
198	CURLEY PATRICK C & MICHELLE M	943 AVERY PKWY	NEW BRAUNFELS	TX	78130
199	JURADO CARLOS R	947 AVERY PKWY	NEW BRAUNFELS	TX	78130
200	GIORDANO ELIZABETH GAIL	951 AVERY PKWY	NEW BRAUNFELS	TX	78130
201	BACH JOHN W & SANDRA G	955 AVERY PKWY	NEW BRAUNFELS	TX	78130
202	HAGERTY DENISE E	2209 LIGHTHOUSE DR	NEW BRAUNFELS	TX	78130
203	MEYER ROBERT L & MONIKA H	2213 LIGHTHOUSE	NEW BRAUNFELS	TX	78130
204	DE LEON RODNEY R	852 AVERY PKWY	NEW BRAUNFELS	TX	78130
205	O'NEILL ME LINDA	856 AVERY PKWY	NEW BRAUNFELS	TX	78130
206	KAHANEK JEFFREY	860 AVERY PARKWAY	NEW BRAUNFELS	TX	78130
207	BAGNALL WOODROW WILSON III & CINDY MARIE	864 AVERY PARKWAY	NEW BRAUNFELS	TX	78130
208	WALKER JOSEPH LAYNE	868 AVERY PARKWAY	NEW BRAUNFELS	TX	78130
209	LOCKWOOD FAMILY TRUST	872 AVERY PKWY	NEW BRAUNFELS	TX	78130
210	VON GRUENIGEN GERALD L JR & KENDRA A	878 AVERY PKWY	NEW BRAUNFELS	TX	78130
211	FARIAS FELIX & PENNY	906 AVERY PKWY	NEW BRAUNFELS	TX	78130
212	WILSON TOBY LEVI	910 AVERY PKWY	NEW BRAUNFELS	TX	78130
213	HESS CHAD ALLEN	914 AVERY PARKWAY	NEW BRAUNFELS	TX	78130
214	HODGES WILLIAM JR & ELIZABETH	918 AVERY PKWY	NEW BRAUNFELS	TX	78130
215	HIJAZI SAMER & MARIAM	922 AVERY PKWY	NEW BRAUNFELS	TX	78130
217	CHRISTIAN TERRYLL L REVOCABLE LIVING TRUST	930 N AVERY PARKWAY	NEW BRAUNFELS	TX	78130
218	BAKER VALERIE J & JENINE M SANTINO	934 AVERY PKWY	NEW BRAUNFELS	TX	78130
219	DANIEL MEEKA N	938 AVERY PKWY	NEW BRAUNFELS	TX	78130
220	GRANTHAM KENNETH & DOMINIQUE MARTIN	942 AVERY PKWY	NEW BRAUNFELS	TX	78130
221	SNEED ROBERT JAMES & PATRICIA FAY	946 AVERY PKWY	NEW BRAUNFELS	TX	78130
222	PIZZI RYAN CRISTOPHER & JULIA DONOVAN LARA	950 AVERY PKWY	NEW BRAUNFELS	TX	78130
223	KRUG TYLER & SUNNYE	954 AVERY PARKWAY	NEW BRAUNFELS	TX	78130
224	MASSEY JOHN	2226 WESTOVER LOOP	NEW BRAUNFELS	TX	78130
225	VILLAGOMEZ JOSE	2410 DOVE CROSSING DR	NEW BRAUNFELS	TX	78130
226	ROTHROCK LAURA & JACOB GALLEGOS	518 BRIGGS DRIVE	NEW BRAUNFELS	TX	78130
227	STEWART JOHN P	522 BRIGGS DR	NEW BRAUNFELS	TX	78130
228	NAJERA DAWN & LUIS TREJO	526 BRIGGS DRIVE	NEW BRAUNFELS	TX	78130
229	COMSTOCK PRESTON	530 BRIGGS DR	NEW BRAUNFELS	TX	78130
230	LICKVAR JOHN ROBERT & RUTH ELLEN REVOCABLE LIVING	2645 LAKEVIEW DR	CANYON LAKE	TX	78133
231	SHERRILL ALBERT T & LYNETTE L	1386 INDIAN RIDGE	NEW BRAUNFELS	TX	78132
232	WORTHY LYNETTE	542 BRIGGS DR	NEW BRAUNFELS	TX	78130
233	BACKES NICOLE BEAU	546 BRIGGS DR	NEW BRAUNFELS	TX	78130
234	DAMUTH ROSE	550 BRIGGS DR	NEW BRAUNFELS	TX	78130
235	RUTHERFORD COLTON LEE	554 BRIGGS DR	NEW BRAUNFELS	TX	78130
236	DEEGAN-ROJO ELIZABETH M	1610 SUNBLOSSOM CIR	NEW BRAUNFELS	TX	78130
237	HARRIS LEONARD STEVEN & VICTORIA J	562 BRIGGS DR	NEW BRAUNFELS	TX	78130
238	STEARNS JULIE R & JOHN W	125 REGENT PASS	NEW BRAUNFELS	TX	78132
239	OATES VALERIE J	570 BRIGGS DR	NEW BRAUNFELS	TX	78130
240	MULLINS MICHAEL ANTHONY & LACI BROOKE	574 BRIGGS DR	NEW BRAUNFELS	TX	78130
241	ANGEL SLATE A	578 BRIGGS DR	NEW BRAUNFELS	TX	78130
242	TOMLINSON SLOAN M	2142 WILTSHIRE DRIVE	NEW BRAUNFELS	TX	78130
243	RUST LYNN & MARK	2138 WILTSHIRE DR	NEW BRAUNFELS	TX	78130
244	BRIGGS CHAD	107 ESCONDIDO	SEGUIN	TX	78155
245	OLIVER RANDY LEE JR & LEONDRA	2130 WILTSHIRE DR	NEW BRAUNFELS	TX	78130

246 WINCHESTER FRANK & NANCY	229 LONE TREE	BOERNE	TX	78006
247 VAZQUEZ LUIS E RAMIREZ	2122 WILTSHIRE DR	NEW BRAUNFELS	TX	78130
248 SANCHEZ JACKIE YVETTE & LUIS ARMANDO FUENTES	2118 WILTSHIRE DRIVE	NEW BRAUNFELS	TX	78130
249 KIDD LELAND B	2114 WILLSHIRE	NEW BRAUNFELS	TX	78130
250 YBARRA ROY & SANDRA VALENZUELA	2110 WILTSHIRE	NEW BRAUNFELS	TX	78130
252 JETTON SHANNON	PO BOX 123	JUNCTION	TX	76849
253 NEW BRAUNFELS MUFFLER & HITCH CENTER LLC	10921 DEDEKE DR	NEW BRAUNFELS	TX	78132
254 VARGA JOSEPH III & KARISSA	529 TOM KEMP DR	NEW BRAUNFELS	TX	78130
255 SCHLAMEUS SUSAN	533 TOM KEMP DR	NEW BRAUNFELS	TX	78130
256 FRIEND MICHAEL H	10915 ROCKY TRL	SAN ANTONIO	TX	78249
257 MARTIN SEDLEY H JR & JULIA C	P O BOX 92	LEESVILLE	TX	78122
258 JAROSZEWSKI NICHOLAS A	611 TOM KEMP DR	NEW BRAUNFELS	TX	78130
260 GUERIN HOLLY S	619 TOM KEMP DR	NEW BRAUNFELS	TX	78130
261 MCCLEESE SAM	1035 W JOHNSON	ARANSAS PASS	TX	78336
262 BURROWS STEVE	1710 CACTUS BLUFF	SAN ANTONIO	TX	78258
263 AMERICAN HOMES 4 RENT PROPERTIES EIGHT LLC	30601 AGOURA RD STE 200	AGOURA HILLS	CA	91301
265 MONTEMAYOR MARIO R	639 TOM KEMP DRIVE	NEW BRAUNFELS	TX	78130
266 DAIGLE KATHY L	P O BOX 310948	NEW BRAUNFELS	TX	78131
267 SILVER DATE PALM PROPERTIES LLC	1756 OAKMONT CIR	NEW BRAUNFELS	TX	78130
268 FLORES JOSEPH	2119 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
269 JONES JUSTIN B & CAMERON E	2123 ECHO HILLS	NEW BRAUNFELS	TX	78130
270 GAVIGAN CHRISTOPHER P & LAURA P	2127 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
271 STEARNS JULIE R & JOHN W	125 REGENT PASS	NEW BRAUNFELS	TX	78132
272 MORENO CHRISTOPHER M & CINDY L	2135 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
273 FRICKE MARY S	2139 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
274 CARSON MICHAEL R JR & KAYGAN J MONTERASTELLI	2143 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
275 MANDUJANO JUAN P & NANCY A	2147 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
276 FLORES ROGELIO	2143 WILTSHIRE DR	NEW BRAUNFELS	TX	78130
277 BARRIENTEZ AMANDA M	2139 WILTSHIRE DR	NEW BRAUNFELS	TX	78130
278 AMH 2015-1 BORROWER LLC	30601 AGOURA ROAD SUITE 200	AGOURA HILLS	CA	91301
279 OLSON TYLER S	2131 WILTSHIRE S	NEW BRAUNFELS	TX	78130
280 EBERT GEBHARD & MARY T	2127 WILTSHIRE DR	NEW BRANFELS	TX	78155
281 STEVENSON RICHARD ROY & DIANE MARY STEVENSON	2123 WILTSHIRE DRIVE	NEW BRAUNFELS	TX	78130
282 FORSHAGE LORI LYNN	2119 WILTSHIRE DR	NEW BRAUNFELS	TX	78130
283 WHITE PAMELA	2115 WILTSHIRE DR	NEW BRAUNFELS	TX	78130
284 ATZENHOFFER SUSAN & JASON	2111 WILTSHIRE DR	NEW BRAUNFELS	TX	78130
285 RAMIREZ STEVEN JR	2112 SINCLAIR DR	NEW BRAUNFELS	TX	78130
286 POLYTEX PROPERTIES LLC- SERIES C	221 TROPHY PASS	AUSTIN	TX	78748
287 BITTNER SAVANNAH LYNDSEY	2120 SINCLAIR	NEW BRAUNFELS	TX	78130
288 PEDRAZA TRINO & SEPHRA	2124 SINCLAIR DR	NEW BRAUNFELS	TX	78130
289 GUNTER DREW	2128 SINCLAIR DR	NEW BRAUNFELS	TX	78130
290 VILLA DALIA C	2132 SINCLAIR DR	NEW BRAUNFELS	TX	78130
291 DIETRICH RICHARD A	2136 SINCLAIR DR	NEW BRAUNFELS	TX	78130
292 SAMAAAN EMAD M & NEAMA ABDEL MALIK	2140 SINCLAIR DRIVE	NEW BRAUNFELS	TX	78130
293 GOMEZ CHERYL D & GREGORY C	2144 SINCLAIR DR	NEW BRAUNFELS	TX	78130
294 BURDITT MOMOKO	1101 VICKI LYNN DR	SCHERTZ	TX	78154
295 STROUPE JUSTIN & CHRISTINE J	2141 SINCLAIR DR	NEW BRAUNFELS	TX	78130
296 AMH 2015-2 BORROWER LLC	30601 AGOURA RD STE 200	AGOURA HILLS	CA	91301
297 ISAAC JOSEPH JR & STEPHANIE L	2133 SINCLAIR DR	NEW BRAUNFELS	TX	78130
298 VILLARREAL PAUL	2129 SINCLAIR DR	NEW BRAUNFELS	TX	78130
299 VASQUEZ STEVEN CHRISTOPHER	2125 SINCLAIR DR	NEW BRAUNFELS	TX	78130
300 KIESLING BOB R	348 E SAN ANTONIO ST	NEW BRAUNFELS	TX	78130
301 PERRY MELANIE R	2117 SINCLAIR DR	NEW BRAUNFELS	TX	78130
302 DIAZ WILLIAM VANCE JR & WHITNEY PAIGE DOUGLAS-DIA	2113 SINCLAIR DR	NEW BRAUNFELS	TX	78130
303 SABEDRA JOE D SR & VERONICA	2114 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
304 LUNA GINA	2118 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
305 TOW DONNA	2122 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
306 ELIZARDO TONYA R & CHRIS A	2126 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
307 HAYES MARIE L	2130 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
308 DONOHOE BRANDON LEE & STEPHANIE NICOLE	2134 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
309 BAUMGARTEL MICHAEL P & WREN A	2138 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
310 PETERSON JEREMY & MICHELLE	2142 ECHO HILL DR	NEW BRAUNFELS	TX	78130
311 GESSNER MELVIN A & JUDY L	2146 ECHO HILLS DR	NEW BRAUNFELS	TX	78130
312 TORRES SILVESTRE C	582 BRIGGS DR	NEW BRAUNFELS	TX	78130
313 SEALEY JOE HOMER & ANGELA REYES SEALEY	586 BRIGGS DR	NEW BRAUNFELS	TX	78130
315 STUDDARD WESLEY ROBERT	640 HUNTERS WAY	NEW BRAUNFELS	TX	78132
316 WESTMORELAND FRANCES F	2140 CONNER DR	NEW BRAUNFELS	TX	78130
317 SHAY CLAYTON KENNEDY 2012 TRUST	4823 WHIRLWIND ST	SAN ANTONIO	TX	78217
318 RUST ANDREW PHILLIP	2132 CONNER DR	NEW BRAUNFELS	TX	78130
319 BREAZEALE JOANNA ROSE	2128 CONNER DR	NEW BRAUNFELS	TX	78130
320 STAI JACOB B & ALISHA M	2124 CONNER DR	NEW BRAUNFELS	TX	78130
321 WACLAWCZYK ALVIN J	2120 CONNER DR	NEW BRAUNFELS	TX	78130
322 FORBUS NOEMI DEL BOSQUE	2116 CONNER DR	NEW BRAUNFELS	TX	78130
323 WHEELER KARA & CLIFFORD	647 TOM KEMP DR	NEW BRAUNFELS	TX	78130
324 LEWIS RANDALL H & DESTINY H	651 TOM KEMP DR	NEW BRAUNFELS	TX	78130
325 WOLTER JESICA L & MORGAN B	655 TOM KEMP DR	NEW BRAUNFELS	TX	78130
326 STUART MICHAEL L	659 TOM KEMP DR	NEW BRAUNFELS	TX	78130
327 GRANZIN DEREK & ALEXIS ELLIS	663 TOM KEMP DR	NEW BRAUNFELS	TX	78130
328 LANGLAND ANTON L & CATHERINE P	667 TOM KEMP DR	NEW BRAUNFELS	TX	78130
329 MCGRAW CHERYAL & DUSTIN WORKMAN	671 TOM KEMP DR	NEW BRAUNFELS	TX	78130
331 BOULTINGHOUSE STONEY L & SANDRA MICHELLE	679 TOM KEMP DR	NEW BRAUNFELS	TX	78130

332 NEW START ASSET MANAGEMENT LLC	1319 CEDAR ELM	NEW BRAUNFELS	TX	78130
333 BINFORD BETTY JO & GREGORY M	2111 BRINKLEY DR	NEW BRAUNFELS	TX	78130
334 FLORES AUDREY N & JAIME A LEDESMA	2115 BRINKLEY DRIVE	NEW BRAUNFELS	TX	78130
335 SPIERING RANDOLPH & LORRIE MANGUS-SPIERING	2119 BRINKLEY DR	NEW BRAUNFELS	TX	78130
337 GATES KELLI L	2127 BRINKLEY DR	NEW BRAUNFELS	TX	78130
338 TIMMERMANN MARK DANIEL & PAMELA SUE	2131 BRINKLEY DR	NEW BRAUNFELS	TX	78130
339 724 PROPERTIES LLC	27807 BOGEN	NEW BRAUNFELS	TX	78132
340 FRANKLIN KIMBERLY D	2139 BRINKLEY DR	NEW BRAUNFELS	TX	78130
341 PENA JOHN JEFFREY & ASHLI RENEE HERNANDEZ	2143 BRINKLEY DR	NEW BRAUNFELS	TX	78130
342 BENCUYA POLA	14793 VICKERY AVE	SARATOGA	CA	95070
343 KENNEDY ARTHUR & HELEN	2151 BRINKLEY DR	NEW BRAUNFELS	TX	78130
344 CHIDSTER RONNIE JOE	2155 BRINKLEY DR	NEW BRAUNFELS	TX	78130
345 BALDERAZ AMANDA MARIE	624 BRIGGS	NEW BRAUNFELS	TX	78130
346 MATTIX JOEL ROBERT	620 BRIGGS DR	NEW BRAUNFELS	TX	78130
347 BASSETT JEFFREY M	616 BRIGGS DRIVE	NW BRAUNFELS	TX	78130
348 MCCLUNG MICHAEL EDWARD & JACQUELINE J	612 BRIGGS DR	NEW BRAUNFELS	TX	78130
349 RICHTER JAMES BRET & LATOSHA	608 BRIGGS DR	NEW BRAUNFELS	TX	78130
350 SILVER DATE PALM PROPERTIES LLC	1756 OAKMONT CIR	NEW BRAUNFELS	TX	78130
352 MUSICK BRIAN	2145 CONNER DR	NEW BRAUNFELS	TX	78130
353 WILLIAMS-ISLER NATHANIEL J & MICHELLE D	2141 CONNER DR	NEW BRAUNFELS	TX	78130
354 STUDDARD WESLEY ROBERT	640 HUNTERS WAY	NEW BRAUNFELS	TX	78132
355 BRUNNER KENNETH RICHARD JR & LOUISE A NIKEL-BRUNNE	2133 CONNER DR	NEW BRAUNFELS	TX	78130
356 HATTAWAY MICHAEL DENNIS & DEBRA	1471 JANETS WAY	NEW BRAUNFELS	TX	78130
357 EVANS HAROLD & SHERYL	8302 HIGH OAK DR	AUSTIN	TX	78758
358 GARZA JOHN	2121 CONNER DR	NEW BRAUNFELS	TX	78130
359 STANTON VANESSA & MITCHELL LEE	2117 CONNER DR	NEW BRAUNFELS	TX	78130
360 HINOJOSA ANTHONY	2118 BRINKLEY DR	NEW BRAUNFELS	TX	78130
361 HIGGINBOTHAM HEITH L	2122 BRINKLEY DRIVE	NEW BRAUNFELS	TX	78130
362 CARDENAS LYNDONA	2126 BRINKLEY DR	NEW BRAUNFELS	TX	78130
363 BARBOZA JAMES & CAMILLA MAURITZ	1073 CLYDE ST	SAN MARCOS	TX	78666
364 THOMAS KEITH W & PAMELA R	2134 BRINKLEY DR	NEW BRAUNFELS	TX	78130
365 LOMAS TONY JR	2138 BRINKLEY DR	NEW BRAUNFELS	TX	78130
366 TREJO JOVITA C	2142 BRINKLEY DR	NEW BRAUNFELS	TX	78130
367 PASQUA GEOFFREY	PO BOX 17289	SAN DIEGO	CA	92177
368 FREEMAN BRANT D & LINDA L	2150 BRINKLEY DR	NEW BRAUNFELS	TX	78130
369 JOHNSON JASON ALAN	2264 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
370 HEIMAN JUSTIN RAY & COURTNEY VICTORIA	2260 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
371 VADEN STEPHEN & AMANDA	2256 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
372 OTT RONNIE L	2252 BROKEN STAR DRIVE	NEW BRAUNFELS	TX	78130
374 PAINTER MICHAEL A	2244 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
375 SANDERSON SHANE	2240 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
376 KNACK SCOTT T & LORNA S POPE	731 GUNA DR	NEW BRAUNFELS	TX	78130
377 HOLMES DIANE F REVOCABLE TRUST	735 GUNA DR	NEW BRAUNFELS	TX	78130
378 MARSTELLER SHAWNA K	739 GUNA DR	NEW BRAUNFELS	TX	78130
379 JASSO JUAN & CONSUELO T	743 GUNA DR	NEW BRAUNFELS	TX	78130
380 KELLEY WES	751 GUNA DR	NEW BRAUNFELS	TX	78130
381 ALBRECHT GREG	755 GUNA DR	NEW BRAUNFELS	TX	78130
382 LAECHELIN ANTHONY & HEATHER LARSON	759 GUNA DR	NEW BRAUNFELS	TX	78130
383 BOAL OMPIGA	763 GUNN DR	NEW BRAUNFELS	TX	78130
384 GARNER ANDREW KENDRICK JR & KIMBERLY GOODWIN GARNE	767 GUNA DR	NEW BRAUNFELS	TX	78130
385 MCPHIE IRENE	304 CIMARRON DR	FLORESVILLE	TX	78114
386 COLEMAN DONALD W JR	775 GUNA DR	NEW BRAUNFELS	TX	78130
387 PRESCOTT DUSTIN	779 GUNA DR	NEW BRAUNFELS	TX	78130
388 LINDIG SHELLY A	783 GUNA DRIVE	NEW BRAUNFELS	TX	78130
390 COLEMAN DONALD W SR & DIANA	780 GUNA DR	NEW BRAUNFELS	TX	78130
391 SAN LUIS-DAVIS RHODA	776 GUNA DRIVE	NEW BRAUNFELS	TX	78130
392 SIEMERS LAUREL B	772 GUNA DRIVE	NEW BRAUNFELS	TX	78130
393 SWIHART MARI	768 GUNA DR	NEW BRAUNFELS	TX	78130
394 OZUNA RANDOLPH L & IRENE S	764 GUNA DR	NEW BRAUNFELS	TX	78130
396 ENGLER DANIEL LANCE & RHONDA LEE ANN	756 GUNA DR	NEW BRAUNFELS	TX	78130
397 RODRIGUEZ LAURA GARZA & JAMIE R	752 GUNA DR	NEW BRAUNFELS	TX	78130
398 PETERSON BRIAN WESLEY & NATASHA JANE	748 GUNA DR	NEW BRAUNFELS	TX	78130
400 PENA MICHELLE L	740 GUNA DR	NEW BRAUNFELS	TX	78130
401 AHRENS HEATHER C	1153 LEGACY DR	NEW BRAUNFELS	TX	78130
402 SCOTT DEVYNN	732 GUNA DR	NEW BRAUNFELS	TX	78130
403 LARA ORLANDO & MARY LOU	728 GUNA DR	NEW BRAUNFELS	TX	78130
404 TIMMONS JARED	724 GUNA DR	NEW BRAUNFELS	TX	78155
405 YOUNGBLOOD MITCHELL S	720 GUNA DR	NEW BRAUNFELS	TX	78130
406 SMITH JONATHAN V & MAIADA J	721 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
407 JOHNSON JACK P II	725 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
408 PRINCE CHARLES J II	729 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
409 WESTERN STAR HOLDINGS LLC	PO BOX 6423	AUSTIN	TX	78762
410 GONZALES TREJO & SILVIA H	22634 PARK RD	TOMBALL	TX	77377
411 ZEES ANGELS ONE LLC	2548 RIO CORDILLERA	BOERNE	TX	78006
412 CROCKETT CHRISTOPHER DAVID	745 GREAT OAKS	NEW BRAUNFELS	TX	78130
413 SPARKS DAVID B & SHANNON MARIE	749 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
414 CUMMING STEPHEN	1179 NIKETTE WAY	SAN JOSE	CA	95120
415 GRIMMER CAMERON	757 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
416 HARRIS KEVIN JOHN	761 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
417 SMITH TIMOTHY	765 GREAT OAKS	NEW BRAUNFELS	TX	78130
418 DOMINGUEZ FELIPE & MIGUEL A	769 GREAT OAK DRIVE	NEW BRAUNFELS	TX	78130

419 BONEN NORMAN & MELLISA T	4890 COYOTE CANYON RD	SN LUIS OBISP	CA	93401
420 MARCHESIELLO ANTHONY & CYNTHIA LEA	9511 MERCADO DR	LAGRANGE	TX	95329
421 ESPARZA MEGAN BROOKE & JUAN	781 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
422 FONDA CHRISTOPHER R & AUBREY NICOLE PLATT	785 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
423 VANOVER BRYCE RAY II & LAURA M	15300 HICKORY ST	SPRING LAKE	MI	49456
424 MEDRANO JOE	262 LOS PADRES DR	OCEANSIDE	CA	92058
425 KESHESHIAN ILET	1274 HIDDEN CAVE DR	NEW BRAUNFELS	TX	78132
426 EVANS-FORD SHARON L	726 GREAT OAKS DRIVE	NEW BRAUNFELS	TX	78130
427 HERBERT US REAL ESTATE CORP	6265 INDIAN SPRINGS RD	LOOMIS	CA	95650
428 ADDINGTON JASON	734 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
429 JENKINS LAQUANDA & JAMES E	738 GREAT OAKS	NEW BRAUNFELS	TX	78130
430 CZAJKOWSKI RICHARD	409 BLACKBUCK RIDGE	NEW BRAUNFELS	TX	78132
431 RUSSELL JOHN & TRACI CANTON RUSSELL	746 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
432 VITAL EDGAR	750 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
433 SLATTER DONNIE LEE JR & SHANA	754 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
434 BELDEN JOSEPH DAVIS	758 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
435 WALTER JOSHUA LEE	762 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
436 HAYS JOAN MANAGEMENT TRUST	244 DEERTRAIL DR	SAN MARCOS	TX	78666
437 CANTY HENRY L & CRISTINA C	770 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
438 BAKER LORI M	774 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
439 KAVERENGE FAUSTO K & JOYCE H	778 GREAT OKAS DR	NEW BRAUNFELS	TX	78130
440 REESE STEVEN JAMES & NICOLE LEA	782 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
441 SCHMITT GARY & LINDA	2017 WARWICK PL	NEW BRAUNFELS	TX	78130
442 MARINO JAMIE L & JAMES PATRICK	790 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
443 GOMEZ DIEGO	794 GREAT OAKS DR	NEW BRAUNFELS	TX	78130
444 BLAZON LIMITED LP	15423 IH-10 WEST	SAN ANTONIO	TX	78249
445 AINO SAN ANTONIO LLC	103 FOULK ROAD	SUITE 900 WILMINGTON	DE	19803
446 MONCADA MELINDA & MEREHILDO GARZA	706 E ALABAMA AVENUE	SWEETWATER	TX	79556
447 COLDEWAY KYLE	735 SPECTRUM DR	NEW BRAUNFELS	TX	78130
448 AMERSON SHAWN EVERETT & KRISTIN M	739 SPECTRUM DRIVE	NEW BRAUNFELS	TX	78130
449 SEELY REVOCABLE LIVING TRUST DTD NOV 15, 1990	2619 KOELN ST	NEW BRAUNFELS	TX	78132
450 SECRETARY OF VETERANS AFFAIRS	LOAN GUARANTY SERVICE	3401 WEST ENI NASHVILLE	TN	37203
451 FLORES CHRISTOPHER & LAUREN JUSTINE	751 SPECTRUM DRIVE	NEW BRAUNFELS	TX	78130
452 ADNEY BRADLEY STEVEN	755 SPECTRUM DR	NEW BRAUNFELS	TX	78130
453 DE LA CRUZ DENISE A	759 SPECTRUM DRIVE	NEW BRAUNFELS	TX	78130
454 EASTER JASON	763 SPECTRUM DR	NEW BRAUNFELS	TX	78130
455 GUERRA DAVID ALEXANDER & IRENE ANGELITA VILLANUEVA	767 SPECTRUM DR	NEW BRAUNFELS	TX	78130
456 PEACE JOHN E & CALAH I	771 SPECTRUM DR	NEW BRAUNFELS	TX	78130
457 GRIFFIN PROPERTIES TEXAS 1 LLC	14773 VIA BETTONA	SAN DIEGO	CA	92127
458 HELBING GENE F & SUSAN D	779 SPECTRUM DR	NEW BRAUNFELS	TX	78130
459 WALLACE MICHAEL A	783 SPECTRUM DR	NEW BRAUNFELS	TX	78130
460 LANE EMILY E	787 SPECTRUM DR	NEW BRAUNFELS	TX	78130
461 ROSAS MANUEL JR & DOLORES	791 SPECTRUM DR	NEW BRAUNFELS	TX	78130
462 SECRETARY OF HOUSING URBAN DEVELOPMENT	451 7TH ST SW	WASHINGTON	DC	20410
463 DIMICELLI BRYCE AUSTIN	2277 FERNHILL DR	NEW BRAUNFELS	TX	78130
464 CLARK WENDY	2281 FERNHILL DR	NEW BRAUNFELS	TX	78130
465 MALDONADO JAVIER & MARTINA	2285 FERNHILL DR	NEW BRAUNFELS	TX	78130
466 BOREN RUSSELL A	2289 FERN HILL DR	NEW BRAUNFELS	TX	78130
467 SOTO MARIO LUIS JR	2293 FERNHILL DR	NEW BRAUNFELS	TX	78130
468 SCAMARDO JUSTIN & SAMANTHA	2297 FERNHILL DR	NEW BRAUNFELS	TX	78130
469 RIDER TODD	802 WOLFETON WAY	NEW BRAUNFELS	TX	78130
470 DE LA GARZA EDWARD & NEOMI	798 WOLFETON WAY	NEW BRAUNFELS	TX	78130
471 PRATT GEORGE MILLER JR	794 WOLFETON WAY	NEW BRAUNFELS	TX	78130
472 STAUTZENBERGER BLAKE ROBERT	790 WOLFETON WAY	NEW BRAUNFELS	TX	78130
473 KENDRICK AARON K	786 WOLFETON WAY	NEW BRAUNFELS	TX	78130
474 PELZEL KERIA J & TRAVIS J	782 WOLFETON WAY	NEW BRAUNFELS	TX	78130
475 HERZOG COOPER	778 WOLFETON WAY	NEW BRAUNFELS	TX	78130
476 MARTINEZ RANGEL SR & ANGELICA M	770 WOLFETON WAY	NEW BRAUNFELS	TX	78130
477 RAMON ANDREW J & JUSTINE N	766 WOLFETON WAY	NEW BRAUNFELS	TX	78130
478 SANCHEZ MICHAEL BRANDON & FRANCES O SANDOVAL	762 WOLFETON WAY	NEW BRAUNFELS	TX	78130
479 DESPAULT TASHA A & FRANK R VILLA	758 WOLFETON WAY	NEW BRAUNFELS	TX	78130
480 JUAREZ BRANDI L & GEORGE A JUAREZ	754 WOLFETON WAY	NEW BRAUNFELS	TX	78130
481 NAVARRO CAROLINA & ERIC BELETZ	750 WOLFETON WAY	NEW BRAUNFELS	TX	78130
482 MARTINEZ ENRIQUE	746 WOLFETON WAY	NEW BRAUNFELS	TX	78130
483 MOORE STEPHANIE R & MATTHEW R	742 WOLFETON WAY	NEW BRAUNFELS	TX	78130
485 WOOD RANDALL E & SHELIA MATTOX	734 WOLFETON WAY	NEW BRAUNFELS	TX	78130
486 REMMLER CHERYL J	730 WOLFETON WAY	NEW BRAUNFELS	TX	78130
487 GOEDE MELISSA ANNE & KURTIS JOHN ALLEN	726 WOLFETON WAY	NEW BRAUNFELS	TX	78130
488 GARCIA CELESTINO JR	722 WOLFETON WAY	NEW BRAUNFELS	TX	78130
489 SYLVESTER JOHN M & SHELBY J	2300 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
490 WEBSTER RUSTON P & ASHLEY M	2296 BROKEN STAR DRIVE	NEW BRAUNFELS	TX	78130
491 GARCIA ONOFRE MANUEL & JESSICA ANN	2292 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
492 SCHROEDER THERON J & ANGELA G	2288 BROKEN STAR	NEW BRAUNFELS	TX	78130
493 RODRIGUEZ ROYCE ANDREW	2284 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
494 STEIN SARAH	2280 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
495 CARDENAS ANDREW JOSEPH	2276 BROKEN STAR DRIVE	NEW BRAUNFELS	TX	78130
496 BLAZON LIMITED LP	15423 IH-10 WEST	SAN ANTONIO	TX	78249
497 HEAD SCOTT & AMY	2268 BROKEN STAR DR	NEW BRAUNFELS	TX	78130
498 BAER MARK A & TIFFANY K	724 SPECTRUM DR	NEW BRAUNFELS	TX	78130
499 MENCHACA JIMMIE M & BLANCA	728 SPECTRUM DRIVE	NEW BRAUNFELS	TX	78130
500 AINO SAN ANTONIO LLC	103 FOULK ROAD	SUITE 900 WILMINGTON	DE	19803

501 PICKETT MELISSA & STEPHEN C	736 SPECTRUM DRIVE	NEW BRAUNFELS	TX	78130
502 LENDERMAN STEPHANIE	740 SPECTRUM DR	NEW BRAUNFELS	TX	78130
503 GOODSELL JASON E	744 SPECTRUM DR	NEW BRAUNFELS	TX	78130
504 HATTAWAY MICHAEL D & DEBRA A	1471 JANETS WAY	NEW BRAUNFELS	TX	78130
505 SMITH JOANNE M	752 SPECTRUM DR	NEW BRAUNFELS	TX	78130
506 WACLAWCZYK CLARA REHFELD	756 SPECTRUM DRIVE	NEW BRAUNFELS	TX	78130
507 ANGLIN JAMES & ROBBYE	760 SPECTRUM DR	NEW BRAUNFELS	TX	78130
508 NOBLE JAQUELINE SHAYNE & BRETT JOHN NOBLE	764 SPECTRUM DR	NEW BRAUNFELS	TX	78130
509 LEMONS CHRISTOPHER MICHAEL	768 SPECTRUM DR	NEW BRAUNFELS	TX	78130
510 PEYTON DAVID	772 SPECTRUM DR	NEW BRAUNFELS	TX	78130
511 LOPEZ VALENTIN JR & DEBRA ANN	776 SPECTRUM DR	NEW BRAUNFELS	TX	78130
512 MIRONE THOMAS J & ANNA ESTRADA MIRONE	780 SPECTRUM DR	NEW BRAUNFELS	TX	78130
513 BORRESEN HELEN M	784 SPECTRUM DR	NEW BRAUNFELS	TX	78130
514 RAMIREZ MAURICIO G III	788 SPECTRUM DR	NEW BRAUNFELS	TX	78130
515 KRUEGER CARL ERNEST JR & CAROL J	789 WOLFETON WAY	NEW BRAUNFELS	TX	78130
516 SNODY MORGAN TAYLOR	785 WOLFINGTON WAY	NEW BRAUNFELS	TX	78130
517 NIXON JOHN L JR	781 WOLFETON WAY	NEW BRAUNFELS	TX	78130
518 MARVIN MARC J	777 WOLFETON WAY	NEW BRAUNFELS	TX	78130
519 VARGAS JANICE L	1476 JORDAN CROSSING	NEW BRAUNFELS	TX	78130
520 BARRON ROBERT J & CYNTHIA Y	11549 LAKE ERIE DR	EL PASO	TX	79936
521 TRAYNOR RAYMOND S & KATRIN	5181 AVENIDA PLAYA CANCUN	SAN DIEGO	CA	92124
522 MORTENSON BRYAN KEITH & CHRISTINA D	757 WOLFETON WAY	NEW BRAUNFELS	TX	78130
523 CHAVEZ JENNIFER L & CHARLES A CHAVEZ	753 WOLFETON WAY	NEW BRAUNFELS	TX	78130
524 KALUNZY JOHNATHAN MICHAEL	749 WOLFETON WAY	NEW BRAUNFELS	TX	78130
525 GLOVER RYAN A	745 WOLFETON WAY	NEW BRAUNFELS	TX	78130
526 MATTHEWS MICKI E	741 WOLFETON WAY	NEW BRAUNFELS	TX	78130
527 CASAREZ ROBERTO C & BRITTANY	733 WOLFETON WAY	NEW BRAUNFELS	TX	78130
529 SCOTT CHRISTOPHER M	725 WOLFETON WAY	NEW BRAUNFELS	TX	78130
530 KUNZ TYLER & LACEY	853 CYPRESS MILL	NEW BRAUNFELS	TX	78130
531 SIMMONS KELVIN & JAIME	857 CYPRESS MILL	NEW BRAUNFELS	TX	78130
532 WINTER KELLIE	861 CYPRESS MILL	NEW BRAUNFELS	TX	78130
533 BRANDENBURGER COREY J & MELISSA J	865 CYPRESS MILL	NEW BRAUNFELS	TX	78130
534 EKENSTAM ROBERT J & NANCY	869 CYPRESS MILL	NEW BRAUNFELS	TX	78130
535 MANNING SANDRA K	873 CYPRESS MILL	NEW BRAUNFELS	TX	78130
536 JENKINS DAVID JOHN JR & TERRI	877 CYPRESS MILL	NEW BRAUNFELS	TX	78130
537 CANTU CYNTHIA & JOSEPH	2225 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
538 MARINERO RICARDO D & JESSICA N MILLER	2229 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
539 LUNA SANTIAGO D	2233 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
540 AYALA MARISELA & AMBER MARIE PHARRIS AYALA	2237 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
541 HIGHTOWER NORMA I REVOCABLE TRUST	2241 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
542 SMITH KAMRON L	2245 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
543 DOWNS SAMUEL DACE MILLS & CARMEN MARIA MARTIN	2249 OLIVE HILL DRIVE	NEW BRAUNFELS	TX	78130
544 CASTILLO ALFREDO & LAURA	2253 OLIVE HILL DRIVE	NEW BRAUNFELS	TX	78130
545 HEIM WILLIAM C	2257 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
546 CILIBRAISE DEREK & LINDA KAY BROCK	2258 FALCON WAY	NEW BRAUNFELS	TX	78130
547 GILMORE RONNIE W & TAMMY D	2254 FALCON WAY	NEW BRAUNFELS	TX	78130
548 PATTERSON GENE A JR & JAIME D SANSTRA	2250 FALCON WAY	NEW BRAUNFELS	TX	78130
549 MATHEWS STEVEN E	2246 FALCON WAY	NEW BRAUNFELS	TX	78130
550 LEIJA ALEXANDRIA & ALBERTO M	2242 FALCON WAY	NEW BRAUNFELS	TX	78130
551 HEAVRIN KATIE	2238 FALCON WAY	NEW BRAUNFELS	TX	78130
552 CRAIN BRYAN DAVID & NATASHA ROXANNE TRUST	1407 KALLINS ST	TUSTIN	CA	92782
553 JUDD BRYAN	2228 FALCON WAY	NEW BRAUNFELS	TX	78130
554 RAMOS BRUNO	840 FOXFIRE DRIVE	NEW BRAUNFELS	TX	78130
555 VAINUKU SIOSAIA M & ANDREA M SILVA	844 FOXFIRE DRIVE	NEW BRAUNFELS	TX	78130
556 STADION HOMES	4145 POWELL RD	POWELL	OH	43065
557 TENNANT CASEY & TORI M	852 FOXFIRE DRIVE	NEW BRAUNFELS	TX	78130
558 GILMET MINDY J & ERIC S	856 FOXFIRE DRIVE	NEW BRAUNFELS	TX	78130
559 TILGHMAN STEPHEN	860 FOXFIRE DR	NEWBRAUNFELS	TX	78130
560 MARYMONT III PROPERTIES LLC	1801 BERRYHILL DRIVE	CHINO HILLS	CA	91709
561 RHOADS JON K & EMILY A	868 FOXFIRE DRIVE	NEW BRAUNFELS	TX	78130
562 FERRIER YVONNE	2231 HAWK DRIVE	NEW BRAUNFELS	TX	78130
563 SCHRUPP JOSEPH A	2235 HAWK DR	NEW BRAUNFELS	TX	78130
564 VILLAGOMEZ RAMON RICO & BRENDA VILLAGOMEZ	2239 HAWK DR	NEW BRAUNFELS	TX	78130
565 RODRIGUEZ CHRISTOPHER & TISHANDA L ALEY	2243 HAWK DRIVE	NEW BRAUNFELS	TX	78130
566 SAUCEDA JERRY & ABIGAIL	2247 HAWK DR	NEW BRAUNFELS	TX	78130
567 SKAIFE MICHAEL T & BROOK L	2251 HAWK DR	NEW BRAUNFELS	TX	78130
568 WOODS HELEN G	2255 HAWK DR	NEW BRAUNFELS	TX	78130
569 STOCKTON RYAN K & RACHEL L KIEL	2258 OLIVE HILL DRIVE	NEW BRAUNFELS	TX	78130
570 CASTRO MICHAEL A & DEBBIE A	2254 OLIVE HILL DRIVE	NEW BRAUNFELS	TX	78130
571 MEINHART LOUIS & TIFFANY	2250 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
572 COKER JOHN W	2246 OLIVE HILL DRIVE	NEW BRAUNFELS	TX	78130
574 MCNABB MATTHEW T	9898 COLONNADE BLVD APT 4106	SAN ANTONIO	TX	78230
575 BRAUN CHRISTOPHER J & HOLLY N	2234 OLIVE HILL DR	NEW BRAUNFELS	TX	78130
576 PETERSON MEGAN	2230 OLIVE HILL DRIVE	NEW BRAUNFELS	TX	78130
577 RHOADS JON DAVID & SARA S	2226 OLIVE HILL DRIVE	NEW BRAUNFELS	TX	78130
578 ENGBERG THOMAS & ERIN C	878 CYPRESS MILL	NEW BRAUNFELS	TX	78130
579 HICKS WILLIAM	874 CYPRESS MILL	NEW BRAUNFELS	TX	78130
580 PAVIA JOHNNY M & YOLANDA O	870 CYPRESS MILL	NEW BRAUNFELS	TX	78130
581 EGAN BRIAN	866 CYPRESS MILL	NEW BRAUNFELS	TX	78130
582 FRAPRIE MARK	2310 WILLOW ARBOR	SAN MARCOS	TX	78666
583 AGUILAR ROBERTO	858 CYPRESS MILL	NEW BRAUNFELS	TX	78130

584 BANTIS DARREN & SHAWNA	854 CYPRESS MILL	NEW BRAUNFELS	TX	78130
585 HENDERSON JANICE M	850 CYPRESS MILL	NEW BRAUNFELS	TX	78130
586 BRACE THOMAS J & JOY M	846 CYPRESS MILL	NEW BRAUNFELS	TX	78130
587 WIEDNER MICHAEL JOHN	842 CYPRESS MILL	NEW BRAUNFELS	TX	78130
589 PEREZ CHRISTELLA	2257 FALCON WAY	NEW BRAUNFELS	TX	78130
590 DUNN MELANIE	2253 FALCON WAY	NEW BRAUNFELS	TX	78130
591 WOODY ROBIN R	2249 FALCON WAY	NEW BRAUNFELS	TX	78130
592 CASTILLEJA JENNIFER & JACOB	2245 FALCON WAY	NEW BRAUNFELS	TX	78130
593 QUINTANILLA ROEL PEREZ	2241 FALCON WAY	NEW BRAUNFELS	TX	78130
594 AKIN TED D	2237 FLACON WAY	NEW BRAUNFELS	TX	78130
595 VOIGT DALE S & YESENIA A	2236 HAWK DR	NEW BRAUNFELS	TX	78130
596 MARYMONT III PROPERTIES LLC	1801 BERRYHILL DRIVE	CHINO HILLS	CA	91709
597 SPARKS RYAN C & JENNIFER L	2244 HAWK DR	NEW BRAUNFELS	TX	78130
598 STAMPLEY JONATHAN & AMBER	2248 HAWK DR	NEW BRAUNFELS	TX	78130
599 MORENO LEEJAY	1037 BRIDLEWOOD	NEW BRAUNFELS	TX	78132
600 THANE JOSEPH E & GAYLA F	2256 HAWK DR	NEW BRAUNFELS	TX	78130
601 GONZALEZ EDELMIRO JR	2263 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
602 MCGOWAN NICHOLAS ALLEN & CRYSTAL LEE	2259 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
603 CROUCH NIKKI	2255 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
604 BATOT ASHLYN	2251 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
605 EDGETT AMOS C & AMANDA M	2247 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
606 MCCLELLAN MARK A & ANN-BOBBIE	2243 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
607 SIMS JONATHAN & JENNIFER	2239 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
608 NOYES JONATHAN	2242 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
609 ZADROZNY ZYGMUNT & HELENA	2246 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
610 BOSKO JULIANNE M	2250 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
611 ALLGOOD STEPHANIE	2254 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
612 ALBRECHT RANDY D & ASHLEY A LAMBECK	2258 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
613 RODRIGUEZ ALYSSA M & JAMES A	2262 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
614 WILDER LENNIE & RONDA	2266 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
615 PRADO LUCIO D JR & KIMBERLY G	2270 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
616 SAMANIEGO DEBBIE E	953 CYPRESS MILL	NEW BRAUNFELS	TX	78130
617 VINCENT DALE C JR	2262 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
618 VELA GINA L & RICARDO F	519 PENSTEMON TRAIL	SAN ANTONIO	TX	78256
619 HELMKE SHANNON	2254 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
620 FRAPRIE MARK & PAMELA FRAPRIE-IRA	17171 PARK ROW STE 100	HOUSTON	TX	77084
621 ROSENBERGER JUSTIN R & JACQUELYN C	2246 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
622 ULLOA LUIS M IV	2242 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
623 WELDON-CARON RACHAEL	2238 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
624 BALDERAZ ROBERT T & JULIETA E	2234 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
625 HESTER CASEY W	915 MIRAGE DR	NEW BRAUNFELS	TX	78130
626 CROWDER JEREMY D & SARAH	919 MIRAGE DRIVE	NEW BRAUNFELS	TX	78130
627 LUGO ESTEBAN	923 MIRAGE DRIVE	NEW BRAUNFELS	TX	78130
628 BOYD AARON S & JESSICA N	927 MIRAGE DR	NEW BRAUNFELS	TX	78130
629 LUCKEMEYER EMMA LOUISE	931 MIRAGE DRIVE	NEW BRAUNFELS	TX	78130
630 HARRIS TERRY	935 MIRAGE DRIVE	NEW BRAUNFELS	TX	78130
631 LABARBERA DANIEL & ALEJANDRA C LABARERA	939 MIRAGE DR	NEW BRAUNFELS	TX	78130
632 POINDEXTER KENNETH & AINSLIE	2233 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
633 MELCHOR SANDRA	2237 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
634 NUNEZ RUBEN A	2241 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
635 STEFINSKY GREGORY P & MANDY M STEFINSKY	2245 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
636 FERREIRA MICHAEL & ANA LAURA NUNEZ	2249 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
637 SERRANO MANUEL E & ELIZABETH V	2253 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
638 GOAD BRENDA K	2257 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
639 ARMENDARIZ JOE & SUSAN	2261 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
640 SMITH JERRY II & SHERIE M	2265 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
641 CHIVINGTON EDWARD C & MARGIE R	2269 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
642 JUAREZ FEHREN B	2280 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
643 FERGUSON BRUCE & LEATRICE	2276 LIGHTHOUSE DR	NEW BRAUNFELS	TX	78130
644 TOMLINSON TALIA N	2272 LIGHTHOUSE DR	NEW BRAUNFELS	TX	78130
645 VELAZQUEZ-CRESPO CARLOS M & CLARA L DEL BOSQUE	2268 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
646 STARR MATHEW J	2264 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
647 CRANK KASEY T	2260 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
648 MALLORY JESSE W & ROSE E	2256 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
649 HARRINGTON PATRICK G	2252 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
650 MENDOZA FERNANDO	2248 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
652 KILBRIDE DANIEL	2240 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
653 FERNEYHOUGH JAMES T & WEN Z	521 TORREY PINES	CIBOLO	TX	78108
654 SCHMIDT JEREMY M & BRANDI M KNOX	936 CYPRESS MILL	NEW BRAUNFELS	TX	78130
655 PARREIRA ERNEST ANTHONY	932 CYPRESS MILL	NEW BRAUNFELS	TX	78130
656 WAXLER TRAVIS W	924 CYPRESS MILL	NEW BRAUNFELS	TX	78130
657 SIEBENEICHER JAMES B	920 CYPRESS MILL	NEW BRAUNFELS	TX	78130
658 ERWIN LYLE L & NICOLE J	2217 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
659 EFFENGER PAMELA R	2221 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
660 KIMBLE ROBERT & MARION	2225 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
661 SLAFKA DEREK & AMBER	2233 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
662 SANCHEZ MATTHEW R & AMANDA M	2237 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
663 ALONZO-CLIFTON NANCY	2241 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
664 SCHEIBE BEVERLY	2245 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
665 TORRES BRANDON L & PAMELA B TORRES	2249 LIGHTHOUSE DR	NEW BRAUNFELS	TX	78130
666 HINOJOSA VIVIAN	2253 LIGHTHOUSE DR	NEW BRAUNFELS	TX	78130

667 BAROS AARON W	2257 LIGHTHOUSE DEIVE	NEW BRAUNFELS	TX	78130
668 PEREZ PATRICIA	2261 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
669 FLUITT MARTIN	2265 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
670 CHARTIER JASON & COURTNEY D DAY	2269 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
671 STALEY ZACHERY	2273 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
672 ESPINOZA FELIPE B JR	2277 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
673 JOHNSON JACOB J & JESSISA	2281 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
674 STANLEY TRENT K	2285 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
675 NEWMAN ADRIANE	2302 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
676 BARLOR JASSICA	2298 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
677 WAGNER AMBER L	2290 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
678 FRANCIS KATHLEEN	2286 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
679 CANYON JOSEPH C	2289 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
680 NANCE CONNIE Y	2293 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
681 MENDEZ MOISES	2297 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
682 MONTEMAYOR MARIO E	2301 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
683 HAUPERT ZACHARY S & RACHELLE R	2305 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
684 DORER ANDREW L & KAITLIN M PARKER	2309 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
685 MANN RANDY D JR & TIFFANY R	2313 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
686 HUMPHREY JOHN S & MONICA A	2317 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
687 GRACE RONALD S	2321 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
688 DAVLIN WILLIAM C	2325 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
689 WARREN DEREK & MEGAN	2329 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
690 NOUSIAINEN TIMOTHY	970 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
691 BRADLEY SEAN M	966 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
692 ROCHOW CATHY J	962 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
693 ANGELLO VINCENT & BRITTANY BURRUS	958 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
694 BOND ERIC & STACEY D ROE	954 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
695 CONTINENTAL HOMES OF TEXAS LP	210 W HUTCHISON ST	SAN MARCOS	TX	78666
696 TANNER ZAKARY LYNVLE & RAYVEN TERESA ESTRADA &	946 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
697 SMITH GARY D & MARCIA C	5640 COPPER CREEK	NEW BRAUNFELS	TX	78132
698 MILSTEAD PATRICIA	934 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
699 MACLEOD BRIAN D	930 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
700 MORRIS NICHOLLE E	926 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
701 BLACKWELL BILLY JACKSON	922 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
702 KUSMIERZ ASHLEY & JOHN W JR	2292 LIGHTHOUSE DR	NEW BRAUNFELS	TX	78130
703 GOETZ DAVID C & LESA M	2296 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
704 GAIDRICH BROOKE J & TREVOR S HUMPHREY	2300 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
705 WHIDDEN CHASE A	2304 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
706 HARRIS LEE D & JEAN L	2312 LIGHTHOUSE DRIVE	NEW BRAUNFELS	TX	78130
707 BURRER MATTHEW R	967 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
708 DAVIS GLENN A & COLLEEN R	959 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
709 GLASSCOCK LORIE L & DANNY T	955 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
710 SPALDING TODD M	951 PUMPKIN RIDGE	NEW BRAUNFELS	TX	78130
711 DEAN HOPE E	2516 FAYETTE DR	NEW BRAUNFELS	TX	78130
712 DELGADO ILIANA MARIE	2303 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
713 STEPHENS TRACY L & ANDREA L	2299 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
714 MENDOZA LAURA SANTILLAN	2295 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
715 OLIVER AMANDA R & DUSTIN I	2291 CLOVER RIDGE	NEW BRAUNFELS	TX	78130
716 BREWER JUSTIN L	2285 KOLIBRI WAY	NEW BRAUNFELS	TX	78130
800 NB CRIEST INVESTMENTS INCORP'D	12114 WATERWAY RIDGE	SAN ANTONIO	TX	78249
800 NB CRIEST INVESTMENTS INCORP'D	12114 WATERWAY RIDGE	SAN ANTONIO	TX	78249
801 ALTWEIN RAYMOND A & BERTHA L	1472 WELTNER RD	NEW BRAUNFELS	TX	78130
802 WHITES BARBARA P	2163 HWY 46 S	NEW BRAUNFELS	TX	78130
803 WHITES BARBARA P	2163 HWY 46 S	NEW BRAUNFELS	TX	78130
804 NOLTE LAND & DEV CO	175 N MARKET	NEW BRAUNFELS	TX	78130
805 WELTNER LAND VENTURES LLC	18618 TUSCANY STONE DR STE 210	SAN ANTONIO	TX	78258
806 HKEK LLC	C/O KENNETH KOHLENBERG	1942 STATE HV NEW BRAUNFELS	TX	78130

Notification Map



Legend

-  Subject Property
-  200' Notification Area
-  Favor
-  Object
-  No Response



PZ-17-043 Avery Park Planned Development District Plan Amendment

Map Created 10/19/17

YOUR OPINION MATTERS - DETACH AND RETURN

RECEIVED
NOV - 2 2017
BY: _____

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: Gene & Susan Helbing

I favor: _____

Address that you own within/adjacent to Avery Park: 779 Spectrum Drive

I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

the pool is overloaded now. More houses; you need another pool; or HOA fees should be reduced!

Signature: Susan Helbing

YOUR OPINION MATTERS - DETACH AND RETURN

RECEIVED
NOV 01 2017
BY: _____

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: Terry L. Christian Revocable Living Trust

I favor: _____

Address that you own within/adjacent to Avery Park: 930 Avery Parkway

I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

① The land area is too small to create 85 new lots.
② The area to be rezoned collects run off from rainwater.
③ Eighty-five new families plus the development in the area will over crowd Crystal Springs Elem. School.

Signature: Terry L. Christian

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: Woodrow Bagnall

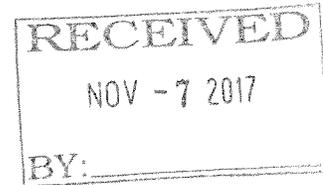
I favor: X

Address that you own within/adjacent to Avery Park: 864 Avery PKWY

I object: _____

(State reason for objection)

Comments: (Use additional sheets if necessary)

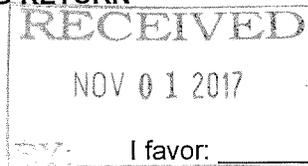


Signature: Woodrow Bagnall

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: Donald W. Coleman Jr.



Address that you own within/adjacent to Avery Park: 775 Guna Drive

I favor: _____

New Braunfels, Texas 78130

I object: ✓

(State reason for objection)

Comments: (Use additional sheets if necessary)

Signature: [Signature] 10/28/2017

please see attached paper. thank you

10/28/2017

Moving into Avery Park almost 4 years ago. It isn't what the builder DR Horton portrays it to be. The development is huge and we have a school. Smack dab in the middle with way too much traffic. DR Horton has squeezed way too many homes into this area too close together. We have a constant flow of traffic. From the builder, contractors and home owners. Coming in and going out and especially in the morning. We have kids going to school that walk or ride bikes. Cars flying through that don't pay attention. To the school zone or even the police. That are there trying to watch the kids and control traffic. We have a "new" traffic light in front of the development. It's there for the cars coming and going on 35. Adding the Texaco and what looks to be a few stores. Will only bring down the value of my home. It will also not help sell anymore houses. Who wants to live in a development with stores in front of it. Not to mention that it will bring crime into the development. DR Horton is one of the dirtiest builders. We have builders trash all over the place. Especially in the last section that ends up. Going into the over flow areas. We have a mowing company hired by the HOA. That will not pick anything up and they mow over top of it. It looks real good to a potential buyer looking for a home. We have contractors hired by DR Horton. That eat and throw the trash all over. They also drink beer and throw the beer cans. All over in the area where the building is still going on. I walk in the morning and see this all the time. Cars speed through the pool area not good by any means. (over)

I am amazed that nobody has gotten hit yet especially the kids. We have hardly no speed limit signs. Even in the new section how that didn't happen gets me. The section I live in is a bit older. We have only 2 stop signs. One is on Andora Drive and the other is on Greater Oaks. Yet the entire new section has nothing but stop signs. I would love to know why. The contractor's hired by DR Horton use the developments entrance. To bring in work trucks, dump trucks, trailers and what not. I see it in the morning and they speed also. DR Horton has signs up telling these contractor's. To access Piper Road but only some do. The roads are getting used and are messed up. From too much use by none home owners. I have seen it all since moving in. I have to be honest and say. Allowing DR Horton to build another 100 homes is a mistake. The development is too packed. I am also concerned that if there. Where ever an emergency and everyone had to leave. How would we all get out from already being too packed in. I appreciate being given the chance to express my concerns.

Thank You,

Donald W. Coleman Jr.
7775 Gana Drive
New Braunfels, Texas
78130

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: Daniel & Rhonda Engler

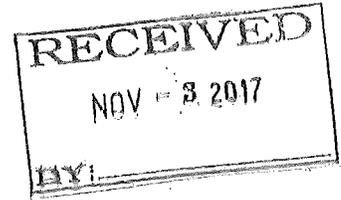
Address that you own within/adjacent to Avery Park: 756 Guna Drive

Comments: (Use additional sheets if necessary)

Signature: Mrs Daniel Engler

I favor: _____

I object: X
(State reason for objection)



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: WES STUDDARD

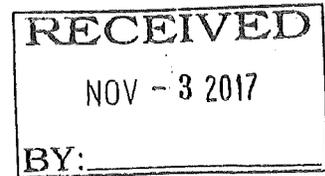
Address that you own within/adjacent to Avery Park: 2144 CONNER

Comments: (Use additional sheets if necessary)

Signature: Wes Studdard

I favor: ✓

I object: _____
(State reason for objection)



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: WES STUDDARD

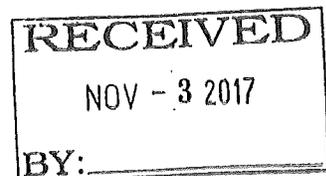
Address that you own within/adjacent to Avery Park: 2137 CONNER

Comments: (Use additional sheets if necessary)

Signature: Wes Studdard

I favor: ✓

I object: _____
(State reason for objection)



YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: DONALD W COLEMAN SR.
Address that you own
within/adjacent to Avery Park: 780 GUNA DR

RECEIVED
NOV 03 2017
I favor: _____
BY: _____

I object: ~~___~~

(State reason for objection)

Comments: (Use additional sheets if necessary)

TOO MANY HOUSES AND CARS FOR THIS ONE INTERSECTION LEADING
TO AVERY PARK AND THE SCHOOL CAUSING A HIGH VOLUME OF TRAFFIC
THANK YOU

Signature: Donald W Coleman Sr

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: FRANCES F. WESTMORELAND
Address that you own
within/adjacent to Avery Park: 2140 CONNER DR

I favor: X

I object: _____

(State reason for objection)

Comments: (Use additional sheets if necessary)

RECEIVED
NOV 06 2017
BY: _____

Signature: Frances F. Westmoreland

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: DAVID GOETZ
Address that you own
within/adjacent to Avery Park: 2296 LIGHTHOUSE DR

I favor: _____

I object: X

(State reason for objection)

Comments: (Use additional sheets if necessary)

CONCERNED WITH ADDITIONAL TRAFFIC ON AVERY PARKWAY

RECEIVED
NOV 06 2017
BY: _____

Signature: David Goetz

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: Kathleen Francis

I favor:

Address that you own
within/adjacent to Avery Park: 2286 Clover Ridge
New Braunfels TX
78130

I object:
(State reason for objection)

Comments: (Use additional sheets if necessary)

RECEIVED
NOV 06 2017
BY: _____

Signature: Kathleen Francis

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: TERRI JENKINS

I favor:

Address that you own
within/adjacent to Avery Park: 877 Cypress Mill

I object:
(State reason for objection)

Comments: (Use additional sheets if necessary)

RECEIVED
NOV 06 2017
BY: _____

Signature: Terri Jenkins

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

Name: RANDALL BORRESEN

I favor:

Address that you own
within/adjacent to Avery Park: 784 SPECTRUM DRIVE

I object:
(State reason for objection)

Comments: (Use additional sheets if necessary)

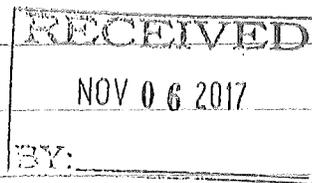
RECEIVED
NOV 09 2017
BY: _____

PARK IS OVER SOLD AS IS, FOR FACILITIES.
STOP FEEDING HORTON'S GREED. GREEN ZONE
NEEDED.

Signature: Randall Borresen

From: Terri Jenkins
877 Cypress Mill

NB Planning Division
APP D - Lots 43 + 44



I feel this community is already large enough. It is unclear from the maps that I received if the wetlands that are currently in place to route storm water will remain or if they will eventually be turned into part of the housing development. The wetlands need to stay. Will homes be built on the back side of Dodge Drive?

My no vote is due to a lot of frustration with the current HOA. I have contacted them numerous times about violations & never hear back as to whether action has been taken or not. Adding more homes will only add to this frustration.

What are my concerns?

- 1.) Owners with more than 2 dogs
- 2.) Owners who leave their dogs out 24/7. These dogs bark for extended time 5-15 mins at a time. No one is there to correct them. When asked to quiet them; I get push back. I am told I have to deal with them. I can't enjoy my yard when their dogs are barking everytime I go outside.
- 3.) Dog poop not being picked up & no place to deposit dog poop once it is p/o. The trash can

by the pool has become a designated deposit place. We need dog waste stations throughout the development. HOA has said they are too expensive!! Owners need to be held accountable for not p/u poop.

4.) Dog & cat owners that allow their pets to roam free. Animal control can not get here quick enough to talk to the owners before they return home.

More home owners will or could make this situation worse.

What I would support is more green space for kids to play in or a place they can ride their bikes safely. Right now they are using the streets & it is hard to see them when cars are parked on the streets, especially by the pool. A place to let dogs run here would also be nice, the dog parks are not always a friendly place for some dogs.

The pool area should be enlarged or another pool / Community Center be considered. The pool is crowded during the summer & taken over by kids. More residents will make the pool less attractive to adults as the kids jump & splash without regard to other pool users.

Parents do not correct behavior or the kids are being supervised by teens.

More people will only make the community larger & profit the builder. The losers are the wildlife & farm land that has been used to produce food for farm animals, farm owners & us the consumer once it has been harvested. If you keep destroying the farm land how or where are we going to get the food to eat? Where will all the wild life go? Have you not been paying attention to the plight of the honey bee? If the farm land keeps disappearing so will the ability to pollinate future crops. No Crops no food, No food for livestock, no food for humans.

although I appose this rezoning. I know that the developer will get their way & the landscape will become just more homes, concrete & asphalt. Too bad!



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

NOTICE OF PUBLIC HEARING

The New Braunfels Planning Commission will hold a public hearing at the request of **HMT Engineering and Surveying, agent for NB Avery Park Homeowners Association LLC**, to consider a rezoning for the property described below.

Property: Avery Park Planned Development (AVPD)

Request: The proposed zoning change will remove two lots (Lots 43 & 44, Unit 1, shown on the included map) from AVPD so that they may be rezoned with the creation of a new subdivision – Avery Park 13 Planned Development District. The newly proposed residential subdivision will take access from Avery Parkway through Lot 44, creating new lots (approximately 85) that will be consistent with the existing Avery Park development.

Because your property is located within Avery Park or within 200 feet of the request, State law requires that we notify you of the public hearing. **However, the zoning of your property will not be affected.** The public hearing process allows an opportunity to provide comments on the request. This aids the Commission in making a recommendation to City Council.

Public hearings for this request are scheduled before the Planning Commission on **Tuesday, November 7, 2017**, and tentatively before City Council on **Monday, November 27, 2017**. Both meetings begin at 6:00 p.m. in the **City Hall Council Chambers, 550 Landa Street** and are open to the public. To submit written comments complete the information below, including your signature, and return to:

Mail: City of New Braunfels
Planning Commission
550 Landa Street
New Braunfels, TX 78130

Email: planning@nbtexas.org

If you have questions, please call the Planning Division at (830) 221-4050

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ-17-043 (AP amendment) ms
Date Sent: 10/24/17

RECEIVED
NOV 08 2017

Name: TOWERY WILLIAM O
2241 STONELEIGH DR
Address that you own within/adjacent to Ave: NEW BRAUNFELS, TX 78130

I favor: _____

I object:

(State reason for objection)

Comments: (Use additional sheets if necessary)

The proposed local access road is in a flood zone, as is half of the proposed new division! Clear Springs school is already over crowded + D.B. Horton wants to add to that?!!

Signature: *Wm O. TOWERY*

PLEASE NOTE:

Typical procedure for discussion during public hearings is as follows:

1. Order of Speakers: First - Applicant or representative of applicant
Second - Persons favoring the request
Third - Persons opposing the request
2. The Commission Chair may set a time limit for speakers.
3. Speakers should be brief and to the point. Avoid repetition and redundancy.
4. The Commission, through the Chair, may suspend, interrupt, or alter the proceedings.

The Planning Commission makes a recommendation to the City Council.

It is the Council that actually approves or denies a requested change in use or zoning.

According to Sec. 2.1-3 (b) of the Zoning Ordinance, if written protest against a proposed zoning change has been filed with the Planning Department, signed and acknowledged, by the owners of 20% or more of either the area of the land included in the proposed change or of property within 200 feet of it, the zoning change will require a three-fourths (3/4) vote of all the members of the City Council to become effective. In computing the percentage of land area, the area of streets and alleys shall be included.

Please contact the Planning Department for more information
(830) 221-4050

Cont. - D.B. Horton continues to ignore both the ^{overcrowding} at Clear Springs Elem AS well AS the increased traffic that all the newly completed homes have added to, badly, community & HOA owned structures such as the fences, pool facilities, green spaces ("parks") do not receive required or adequate maintenance, week & months after being reported; we do not need or want more structures that will be ignored once they start to deteriorate!
No more development here in Avery Park until these issues are addressed and fixed!

ORDINANCE NO. 2016- 36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING THE "AVERY PARK" PLANNED DEVELOPMENT DISTRICT DETAIL PLAN AND RELATED DEVELOPMENT STANDARDS; 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 "PD" 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 City Council desires to amend the "Avery Park" Planned Development District Detail Plan and related Development Standards; **now, therefore**,

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

SECTION 1

THAT the Detail Plan and related Development Standards adopted July 11, 2005, Ordinance Number 2005-55, and amended June 22, 2009, Ordinance Number 2009-39, are hereby replaced with the following:

"Avery Park Subdivision Amended Detail Plan, attached as Exhibit 'A' and the Amended Development Standards attached as Exhibit 'B'. The sole purpose of this amendment is to revise the lot dimensional requirements for Unit 11, Block B, Lots 3 through 13 and Block E, Lot 34."

SECTION 2

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 3

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

SECTION 4

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

SECTION 5

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

PASSED AND APPROVED: First Reading this the 27th day of June, 2016.

PASSED AND APPROVED: Second and Final Reading this the 11th day of July, 2016.

CITY OF NEW BRAUNFELS



BARRON CASTEEL, Mayor

ATTEST:



PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:



VALERIA M. ACEVEDO, City Attorney



**Avery Park Subdivision
Planned Development
Development Standards**

April 2016

1. Subdivision Name and Acreage

Avery Park Subdivision, 227.8 acres

2. Proposed Land Use

The proposed use is for Single Family Residential with a density of 3.74 units per acre. Common Areas for Open Space, Greenbelt, Drainage, and/or Ponds have been designated within each unit. A Recreation Center has been provided in Unit 8. A 100 ft. LCRA electric transmission easement crosses the property.

AVERY PARK SUBDIVISION		5/27/2016				
Development Summary Table						
PROPOSED LAND USE	UNIT ACREAGE	SINGLE FAMILY				
		DENSITY UNITS/ACRE	UNIT LOT TOTAL	LOT TYPE A (50')	LOT TYPE B (60')	LOT TYPE C (70')
Single Family Unit 1 (PD)	23.7	3.04	72	65	6	1
Single Family Unit 2 (PD)	19.6	3.21	63	58	5	0
Single Family Unit 3 (PD)	16.9	5.15	87	84	3	0
Single Family Unit 4 (PD)	12.0	4.75	57	57	0	0
Single Family Unit 5 (PD)	14.8	2.91	43	35	8	0
Single Family Unit 6 (PD)	18.2	4.12	75	73	2	0
Single Family Unit 7 (PD)	17.8	5.00	89	87	2	0
Single Family Unit 8 (PD)	30.2	1.62	49	0	38	11
Single Family Unit 9 (PD)	17.2	4.36	75	47	24	4
Single Family Unit 10 (PD)	17.9	4.47	80	69	11	0
Single Family Unit 11 (PD)	19.4	4.74	92	56	31	5
Single Family Unit 12 (PD)	14.2	5.00	71	61	10	0
Commercial Lot - 1	2.3					
Commercial Lot - 2	2.8					
R.O.W. Dedication (Pieper Road)	0.8					
TOTAL	227.8	3.74	853	692	140	21

3. Traffic and Transportation

The proposed streets depicted on the Master Plan are consistent with the City's Thoroughfare Master Plan.

Street B serves as a collector as provided on the Thoroughfare Plan. No residential driveway access will be provided on Streets A and B and no parking will be permitted on Streets A and B.

Median cuts will be provided on Street A for access to commercial properties.

EXHIBIT "B"

4. Residential Development Standards

The general development standards are as follows:

- a) Building Height – The main building shall not exceed 35 feet and shall not exceed 2 ½ stories in height.
- b) Typical Lot Dimensions
 - i) Lot Type A: 50' x 120'
 - ii) Lot Type B: 60' x 120'
 - iii) Lot Type C: 70' x 120'
 - iv) Corner Lot: add 10' to above widths
- c) Minimum Building Setbacks
 - i) Front: 20 Feet
 - ii) Side: 6 Feet
 - iii) Rear: 20 Feet
 - iv) Street Side Yard: 15 feet; 20 Feet if side garage access is desired
- d) Block B, Lots 3 -13 & Block E, Lot 34 located in Unit 11 have minimum lot width of 60' for Type B Lots and 69' for Type C Lots. Block B, Lots 3 -13 & Block E, Lot 34 located in Unit 11 have minimum lot depth of 115'.

5. Open Space

Greenbelt and Open Spaces are shown on the Detail Plan as common Areas or Drainage Easements and will be maintained by the Homeowners Association. The Common Areas will be located, constructed, and maintained to preserve the natural character of the land. The landscaped common area located on Street A will be maintained by the HOA. The Recreation Center and facilities will be maintained by the HOA.

6. Sidewalks

Sidewalks will be constructed in accordance with the lot types as follows:

- a) Lot Type A: 4' sidewalks
- b) Lot Type B: 4' sidewalks
- c) Street A 6' sidewalks required adjacent to commercial tracts on both sides
4' sidewalks required on both side of the street adjacent to residential areas up to the local type B street of Unit 1C
- d) Street B 4' sidewalks on both sides of the street
- e) Sidewalk locations will be coordinated with NBU prior to the approval of the construction plan

7. Fences

Fences shall be constructed no more than eight (8) feet in height.

3.4-2. "R-1A-6.6" single-family district.

Purpose. The R-1A-6.6 single-family district is intended for development of primarily detached, single-family residences and customary accessory uses on lots of at least 6,600 square feet in size. The following regulations shall apply in all "R-1A-6.6" districts:

"R-1A" district. The district called "R-1A" shall be renamed and shown on the zoning map as "R-1A-6.6".

- (a) *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:*

Residential uses:

- Accessory building/structure
- Accessory dwelling (one accessory dwelling per lot, no kitchen)
- Community home (see definition)
- Family home adult care
- Family home child care
- Home Occupation (See Sec. 5.5)
- One family dwelling, detached
- Single family industrialized home (see Sec. 5.8)

Non-residential uses:

- Barns and farm equipment storage (related to agricultural uses)
- Church/place of religious assembly
- Community building (associated with residential uses)
- Contractor's temporary on-site construction office (with permit from Building Official; Sec 5.10)
- Farms, general (crops) (see Chapter 6, Municipal Code and Sec. 5.9)
- Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.9)
- Golf course, public or private
- Governmental building or use with no outside storage
- Park and/or playground (public)
- Public recreation/services building for public park/playground areas
- Recreation buildings (public)
- School, K-12 (public or private)
- Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system

- (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) *Height and area requirements:*

(1) Residential uses.

- (i) *Height.* 35 feet.
- (ii) *Front building setback.* 25 feet.
- (iii) *Side building setbacks.* There shall be a side building setback on each side of a building not less than five feet in width. 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.

- (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. (See Illustration 8 in Sec. 5.1-1)
 - (v) *Rear building setback.* 20 feet.
 - (vi) *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.
 - (vii) *Lot area per family.* Every single-family dwelling hereafter erected or altered shall provide a lot area of not less than 6,600 square feet per dwelling for interior lots, and 7,000 square feet per dwelling for corner lots, provided that where a lot has less area than herein required and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling. Where public or community sewer is not available and in use, for the disposal of all sanitary sewage, each lot shall provide not less than one half acre per dwelling unit not located over the recharge zone and one acre per dwelling unit located over the recharge zone.
 - (viii) *Lot depth.* 100 feet.
 - (ix) *Parking.* Two off-street parking spaces shall be provided for each one-family detached dwelling. See Section 5.1 for other permitted uses' parking.
- (2) Non-residential uses.
- (i) *Height.* 35 feet.
 - (ii) *Front building setback.* 25 feet.
 - (iii) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. Where any building abuts a property with a one or two family use, the setback from the one or two family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.
 - (iv) *Corner lots.* 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. Where a minimum 25-foot setback is required, a canopy at least eight feet in height, attached to the main building, may be built within 15 feet of the property line so long as such construction will not obstruct the vision of vehicular or pedestrian traffic.
 - (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) *Rear building setback.* 20 feet.
 - (vii) *Width of lot.* 60 feet.
 - (viii) *Lot depth.* 100 feet.
 - (ix) *Parking.* See Section 5.1 for permitted uses' parking.

3.5. *Planned Development Districts.*

3.5-1. *Purpose:* The planned development district is a free-standing district designed to provide for the development of land as an integral unit for single or mixed uses in accordance with a plan that may vary from the established regulations of other zoning districts. It is the intent in such a district to insure compliance with good zoning practices while allowing certain desirable departures from the strict provisions of specific zoning classifications.

3.5-2. *Application:* An application for a planned development district shall be processed in accordance with this Chapter. A pre-planning conference is required between the applicant and the Planning Director prior to the actual filing of the application.

3.5-3. *Base District.* A base zoning district shall be specified. The regulations in the base zoning district shall control unless specifically stated otherwise in the PD.

3.5-4. *District plans and requirements:* There are two types of plans that may be used in the planned development process. The general purpose and use of each plan is described as follows:

(a) *Concept plan.* This plan is intended to be used as the first step in the planned development process. It establishes the most general guidelines for the district by identifying the land use types, development standards, approximate road locations and project boundaries and illustrates the integration of these elements into a master plan for the whole district.

(b) *Detail plan.* The detail plan is the final step of the planned development process. It contains the details of development for the property. For smaller tracts or where final development plans are otherwise known, the detail plan may be used to establish the district and be the only required step in the planned development process.

3.5-5. *Concept plan requirements:* Said concept plan shall include the following:

(a) *Relation to the comprehensive plan.* A general statement setting forth how the proposed district will relate to the city's comprehensive plan and the degree to which it is or is not consistent with that plan and the proposed base zoning district.

(b) *Acreage.* The total acreage within the proposed district.

(c) *Survey.* An accurate survey of the boundaries of the district.

(d) *Land uses.* Proposed general land uses and the acreage for each use, including open space. For residential development, the total number of units and the number of units per acre.

(e) *General thoroughfare layout.* Proposed streets, as a minimum to arterial street level. (Showing collector and local streets is optional.)

(f) *Development standards.* Development standards, if different from the base zoning district, for each proposed land use, as follows:

(1) Minimum lot area.

(2) Minimum lot width and depth.

(3) Minimum front, side, and rear building setback areas.

(4) Maximum height of buildings.

(5) Maximum building coverage.

(6) Maximum floor to area ratios for nonresidential uses.

(7) Minimum parking standards for each general land use.

(8) Other standards as deemed appropriate.

(g) *Existing conditions.* On a scaled map sufficient to determine detail, the following shall be shown for the area within the proposed district.

(1) Topographic contours of ten feet or less.

- (2) Existing streets.
- (3) Existing 100-year floodplain, floodway and major drainage ways.
- (4) City limits and E.T.J. boundaries.
- (5) Zoning districts within and adjacent to the proposed district.
- (6) Land use.
- (7) Utilities, including water, wastewater and electric lines.

3.5-6. *Detail plan requirements:* The application for a planned development district shall include a detail plan consistent with the concept plan. Said detail plan shall include the following:

- (a) *Acreage.* The acreage in the plan as shown by a survey, certified by a registered surveyor.
- (b) *Land uses.* Permitted uses, specified in detail, and the acreage for each use.
- (c) *Off-site information.* Adjacent or surrounding land uses, zoning, streets, drainage facilities and other existing or proposed off-site improvements, as specified by the department, sufficient to demonstrate the relationship and compatibility of the district to the surrounding properties, uses, and facilities.
- (d) *Traffic and transportation.* The location and size of all streets, alleys, parking lots and parking spaces, loading areas or other areas to be used for vehicular traffic; the proposed access and connection to existing or proposed streets adjacent to the district; and the traffic generated by the proposed uses.
- (e) *Buildings.* The locations, maximum height, maximum floor area and minimum setbacks for all nonresidential buildings.
- (f) *Residential development.* The numbers, location, and dimensions of the lots, the minimum setbacks, the number of dwelling units, and number of units per acre (density).
- (g) *Water and drainage.* The location of all creeks, ponds, lakes, floodplains or other water retention or major drainage facilities and improvements.
- (h) *Utilities.* The location and route of all major sewer, water, or electrical lines and facilities necessary to serve the district.
- (i) *Open space.* The approximate location and size of greenbelt, open, common, or recreation areas, the proposed use of such areas, and whether they are to be for public or private use.
- (j) *Sidewalks and bike paths.* Sidewalks or other improved ways for pedestrian or bicycle use.
- (k) If multifamily or non-residential development, a landscape plan.

A detailed plan, with all of the information required of a concept plan, may be submitted in lieu of a concept plan.

3.5-7. *Phasing schedule:* PD districts larger than 350 acres shall provide a phasing schedule depicting the different construction phases.

3.5-8. *Approval of district:* The City Council may, after receiving a recommendation from the Planning Commission, approve by Ordinance the creation of a district based upon a concept plan or a detail plan. The approved plan shall be made part of the ordinance establishing the district. Upon approval said change shall be indicated on the zoning maps of the city.

The development standards and requirements including, but not limited to, maximum height, lot width, lot depth, floor area, lot area, setbacks and maximum off-street parking and loading requirements for uses proposed shall be established for each planned development district based upon the particular merits of the development design and layout. Such standards and requirements shall comply with or

be more restrictive than the standards established in the base zoning district for the specific type uses allowed in the district, except that modifications in these regulations may be granted if it shall be found that such modifications are in the public interest, are in harmony with the purposes of this Chapter and will not adversely affect nearby properties.

3.5-9. *Planning Commission approval of detail plan:* The Planning Commission is authorized to approve a detail plan or the amendment of a detail plan for property for which a concept plan has been approved by the City Council. If the City Council initially approved a detail plan in establishing the district, the detail plan may only be amended by the City Council. The approved detail plan shall be permanently filed in the Planning Department. The Planning Commission shall approve the detail plan if it finds that:

- (a) *Compliance.* The plan complies with the concept plan approved for that property and the standards and conditions of the PD district;
- (b) *Compatibility.* The plan provides for a compatible arrangement of buildings and land uses and would not adversely affect adjoining neighborhood or properties outside the plan; and
- (c) *Circulation of vehicular traffic.* The plan provides for the adequate and safe circulation of vehicular traffic.

If no detail plan has been approved for the property within ten years of the date of approval of a concept plan, the detail plan must be approved by the City Council, after receiving a recommendation from the Planning Commission, after notice and hearing.

3.5-10. *Expiration of detail plan:* A detail plan shall be valid for five years from the date of its approval. If a building permit has not been issued or construction begun on the detail plan within the five years, the detail plan shall automatically expire and no longer be valid. The Planning Commission may, prior to expiration of the detail plan, for good cause shown, extend for up to 24 months the time for which the detail plan is valid.

3.5-11. *Appeals from Planning Commission action:* If the Planning Commission disapproves a detail plan over which it has final approval authority, or imposes conditions, or refuses to grant an extension of time for which a detail plan is valid, the applicant may appeal the decision to the City Council by filing a written request with the Planning Director within ten days of the decision.

3.5-12. *Changes in detail plan:* Changes in the detail plan shall be considered the same as changes in the zoning ordinance and shall be processed as required in Section 2.3. Those changes which do not alter the basic relationship of the proposed development to adjacent property and which do not alter the uses permitted or increase the density, floor area ratio, height, or coverage of the site, or which do not decrease the off-street parking ratio or reduce the yards provided at the boundary of the site, as indicated on the approved detail plan, may be authorized by the Planning Director. Any applicant may appeal the decision of the Planning Director to the Planning Commission for review and decision as to whether an amendment to the Planned Development District ordinance shall be required.

3.5-13. *Minimum development size:* The total initial development of any Planned Development District shall not be less than two acres for nonresidential developments and five acres for residential developments.

3.5-14. *Deviation from code standards:* The City Council may approve a PD concept plan with deviations from any provision in the Code of Ordinances. Such deviations shall be listed or shown as part of the Ordinance that approves the concept plan.

Draft Minutes for the November 7, 2017 Planning Commission Regular Meeting

PZ-17-040 & PZ-17-043: Public hearing and recommendation to City Council regarding a requested amendment to Ordinance No. 2016-36, the “Avery Park” Planned Development District Detail Plan, to remove Lots 43 & 44, Unit 1 from the “Avery Park” Planned Development District (HGPD) and rezone Lots 43 & 44 and 27.80 acres out of the Antonio M. Esnaurizar Survey, Abstract No. 20, Guadalupe County, Texas, to “Avery Park 13” Planned Development District (AP13PD), adopting a Concept Plan and associated Development Standards, located north of the intersection of Avery Park Drive and State Highway 46 South.

(Applicant: HMT; Case Manager: M. Simmont)

Mr. Simmont presented the Staff report and Staff recommends the following:

Approval of:

The amendment to Ordinance No. 2016-36, the “Avery Park” Planned Development District Concept Plan to remove and rezone Lots 43 & 44, Block A, Avery Park Unit 1, from “Avery Park” Planned Development District to “Avery Park 13” Planned Development District.

Approval of:

The rezoning of 27.38 acres from C-3 and APD to “Avery Park 13” Planned Development District with a Concept Plan and Development Standards with the following conditions:

1. Access to SH 46 is prohibited.
2. Incorporate the street layout into the Concept Plan.
3. Provide more than the minimum park ordinance improvements.

Approval of:

A Future Land Use Plan amendment of the proposed Avery Park 13 PD adjacent to SH 46 from “Commercial” to “Residential Low Density”, which would occur with the second reading of the ordinance. This amendment would be consistent with the proposed use of the property and would offer opportunities for staggered development along Arterials as opposed to strip commercialization as currently depicted on the Future Land Use Plan. The Commercial strip illustrated along SH 46 is not of sufficient depth to provide meaningful non-residential development opportunities to serve this side of the community.

Vice Chair Edwards inquired if traffic control measures would be implemented.

Mr. Simmont said yes.

Chair Elrod asked if anyone wished to speak in favor.

Chris van Heerde, with HMT Engineering, stated he would be speaking on behalf of the developers. He requested a change to the second requirement to incorporate the street layout into the Concept Plan.

Discussion followed regarding the Staff recommendation.

He stated the development would include parks amenities, such as a dog park.

Chair Elrod asked if anyone wished to speak in opposition.

No one spoke.

Motion by Vice Chair Edwards, seconded by Commissioner Bearden, to close the public hearing. The motion carried (5-0-0).

Motion by Vice Chair Edwards, seconded by Commissioner Nolte, to recommend approval to City Council regarding a requested amendment to Ordinance No. 2016-36, the “Avery Park” Planned Development District Detail Plan, to remove Lots 43 & 44, Unit 1 from the “Avery Park” Planned Development District

(HGPD) and rezone Lots 43 & 44 and 27.80 acres out of the Antonio M. Esnaurizar Survey, Abstract No. 20, Guadalupe County, Texas, to "Avery Park 13" Planned Development District (AP13PD), adopting a Concept Plan and associated Development Standards, located north of the intersection of Avery Park Drive and State Highway 46 South, with Staff recommendations. Motion carried (5-0-0).

DRAFT

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING ORDINANCE NO. 2016-36, THE “AVERY PARK” PLANNED DEVELOPMENT DISTRICT DETAIL PLAN, BY REMOVING 5.57 ACRES (LOTS 43 & 44, BLOCK A, AVERY PARK UNIT 1), FROM THE “AVERY PARK” PLANNED DEVELOPMENT DISTRICT (APPD) AND REZONE THE 5.57 ACRES AND 21.8 ACRES OUT OF THE ANTONIO M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, GUADALUPE COUNTY, TEXAS, FROM “APD” AGRICULTURAL / PRE DEVELOPMENT DISTRICT AND “C-3” COMMERCIAL DISTRICT TO “AVERY PARK 13” PLANNED DEVELOPMENT DISTRICT (AP13PD), ADOPTING A CONCEPT PLAN AND ASSOCIATED DEVELOPMENT STANDARDS; 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 “PD” Planned Development District, the City Council has given due consideration to all components of said districts; and

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

WHEREAS, the City Council desires to amend the “Avery Park” Planned Development District Detail Plan, by removing 5.57 acres (Lots 43 & 44, Block A, Avery Park Unit 1), from “Avery Park” Planned Development District and rezone said 5.57 acres from “Avery Park” Planned Development District and 21.8 acres out of the Antonio M. Esnaurizar Survey, Abstract No. 20, Guadalupe County, Texas, from “APD” Agricultural/Pre Development District and “C-3” Commercial District to “Avery Park 13” Planned Development District (AP13PD), adopting a Concept Plan and associated Development Standards; **now, therefore**,

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

SECTION 1

THAT the “Avery Park” Planned Development District Detail Plan adopted July 11, 2016, Ordinance Number 2016-36, is hereby amended by removing 5.57 acres (Lots 43 & 44, Block A, Avery Park Unit 1), from the “Avery Park” Planned Development District.

SECTION 2

THAT Exhibit ‘A’ remains the effective “Avery Park” Planned Development District Development Standards.

SECTION 3

THAT Sections 1.2-1 and 1.2-2, Chapter 144, of the New Braunfels Code of Ordinances and particularly the Zoning Map of the City of New Braunfels, are amended by changing the following described tracts of land from “Avery Park” Planned Development District, “APD” Agricultural / Pre-Development and “C-3” Commercial District to “Avery Park 13” Planned Development District (AV13PD):

“Being approximately 21.8 acres out of the Antonio M. Esnaurizar Survey, Abstract No. 20, Guadalupe County, Texas, and (5.57 acres) Lots 43 & 44, Block A, Avery Park Subdivision, Unit 1, as delineated on Exhibit ‘B’ attached.”

SECTION 4

THAT Exhibit ‘C’ be adopted as the Avery Park 13 Planned Development District Concept Plan.

SECTION 5

THAT Exhibit ‘D’ be adopted as the Avery Park 13 Planned Development District Development Standards.

SECTION 6

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 7

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

SECTION 8

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 8

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

PASSED AND APPROVED: First Reading this the 27nd day of November, 2017.

PASSED AND APPROVED: Second and Final Reading this the 11th day of December, 2017.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

**Avery Park Subdivision
Planned Development
Development Standards**

April 2016

1. Subdivision Name and Acreage

Avery Park Subdivision, 227.8 acres

2. Proposed Land Use

The proposed use is for Single Family Residential with a density of 3.74 units per acre. Common Areas for Open Space, Greenbelt, Drainage, and/or Ponds have been designated within each unit. A Recreation Center has been provided in Unit 8. A 100 ft. LCRA electric transmission easement crosses the property.

AVERY PARK SUBDIVISION		5/27/2016				
Development Summary Table						
PROPOSED LAND USE	UNIT ACREAGE	SINGLE FAMILY				
		DENSITY UNITS/ACRE	UNIT LOT TOTAL	LOT TYPE A (50')	LOT TYPE B (60')	LOT TYPE C (69')
Single Family Unit 1 (PD)	23.7	3.04	72	65	6	1
Single Family Unit 2 (PD)	19.6	3.21	63	58	5	0
Single Family Unit 3 (PD)	16.9	5.15	87	84	3	0
Single Family Unit 4 (PD)	12.0	4.75	57	57	0	0
Single Family Unit 5 (PD)	14.8	2.91	43	35	8	0
Single Family Unit 6 (PD)	18.2	4.12	75	73	2	0
Single Family Unit 7 (PD)	17.8	5.00	89	87	2	0
Single Family Unit 8 (PD)	30.2	1.62	49	0	38	11
Single Family Unit 9 (PD)	17.2	4.36	75	47	24	4
Single Family Unit 10 (PD)	17.9	4.47	80	69	11	0
Single Family Unit 11 (PD)	19.4	4.74	92	56	31	5
Single Family Unit 12 (PD)	14.2	5.00	71	61	10	0
Commercial Lot - 1	2.3					
Commercial Lot - 2	2.8					
R.O.W. Dedication (Pieper Road)	0.8					
TOTAL	227.8	3.74	853	692	140	21

3. Traffic and Transportation

The proposed streets depicted on the Master Plan are consistent with the City's Thoroughfare Master Plan.

Street B serves as a collector as provided on the Thoroughfare Plan. No residential driveway access will be provided on Streets A and B and no parking will be permitted on Streets A and B.

Median cuts will be provided on Street A for access to commercial properties.

4. Residential Development Standards

The general development standards are as follows:

a) Building Height – The main building shall not exceed 35 feet and shall not exceed 2 ½ stories in height.

b) Typical Lot Dimensions

- i) Lot Type A: 50' x 115'
- ii) Lot Type B: 60' x 115'
- iii) Lot Type C: 69' x 115'
- iv) Corner Lot: add 10' to above widths

c) Minimum Building Setbacks

- i) Front: 20 Feet
- ii) Side: 6 Feet
- iii) Rear: 20 Feet
- iv) Street Side Yard: 15 feet; 20 Feet if side garage access is desired

d) Block B, Lots 3 -13 & Block E, Lot 34 located in Unit 11 have minimum lot width of 60' for Type B Lots and 69' for Type C Lots. Block B, Lots 3 -13 & Block E, Lot 34 located in Unit 11 have minimum lot depth of 115'.

5. Open Space

Greenbelt and Open Spaces are shown on the Detail Plan as common Areas or Drainage Easements and will be maintained by the Homeowners Association. The Common Areas will be located, constructed, and maintained to preserve the natural character of the land. The landscaped common area located on Street A will be maintained by the HOA. The Recreation Center and facilities will be maintained by the HOA.

6. Sidewalks

Sidewalks will be constructed in accordance with the lot types as follows:

- a) Lot Type A: 4' sidewalks
- b) Lot Type B: 4' sidewalks
- c) Street A 6' sidewalks required adjacent to commercial tracts on both sides
4' sidewalks required on both side of the street adjacent to residential areas up to the local type B street of Unit 1C
- d) Street B 4' sidewalks on both sides of the street
- e) Sidewalk locations will be coordinated with NBU prior to the approval of the construction plan

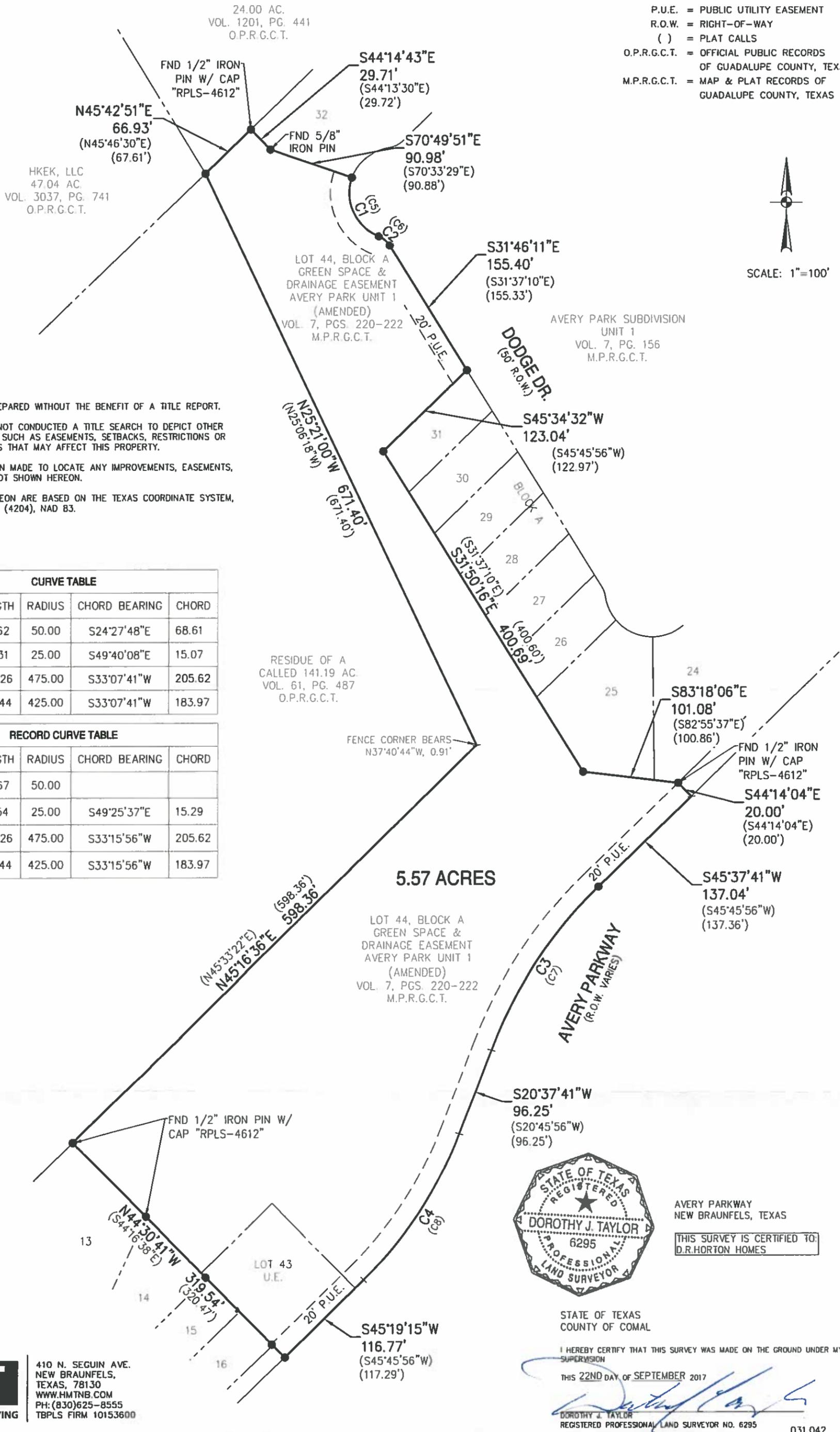
7. Fences

Fences shall be constructed no more than eight (8) feet in height.

BEING LOTS 43 & 44, BLOCK A, AVERY PARK SUBDIVISION, UNIT 1,
RECORDED IN VOLUME 7, PAGES 220-222, MAP AND PLAT RECORDS,
GUADALUPE COUNTY, TEXAS.

LEGEND:

- = FND 5/8" IRON PIN W/ CAP "GDM INC" UNLESS OTHERWISE NOTED
- B.L. = BUILDING SETBACK LINE
- P.U.E. = PUBLIC UTILITY EASEMENT
- R.O.W. = RIGHT-OF-WAY
- () = PLAT CALLS
- O.P.R.G.C.T. = OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
- M.P.R.G.C.T. = MAP & PLAT RECORDS OF GUADALUPE COUNTY, TEXAS



THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DEPICT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.
NO ATTEMPT HAS BEEN MADE TO LOCATE ANY IMPROVEMENTS, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.
BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	75.62	50.00	S24°27'48"E	68.61
C2	15.31	25.00	S49°40'08"E	15.07
C3	207.26	475.00	S33°07'41"W	205.62
C4	185.44	425.00	S33°07'41"W	183.97

RECORD CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD
(C5)	76.67	50.00		
(C6)	15.54	25.00	S49°25'37"E	15.29
(C7)	207.26	475.00	S33°15'56"W	205.62
(C8)	185.44	425.00	S33°15'56"W	183.97



AVERY PARKWAY
NEW BRAUNFELS, TEXAS
THIS SURVEY IS CERTIFIED TO:
D.R.HORTON HOMES

STATE OF TEXAS
COUNTY OF COMAL

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION

THIS 22ND DAY OF SEPTEMBER 2017

DOROTHY J. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295



410 N. SEGUIN AVE.
NEW BRAUNFELS,
TEXAS, 78130
WWW.HMTNB.COM
PH: (830)625-8555
TBPLS FIRM 10153600

21.808 ACRES OF LAND, LOCATED IN THE ANTONIO M. ESNAURIZAR SURVEY, A - 20, GUADALUPE COUNTY, TEXAS.
 BEING PART OF THAT SAME LAND CONVEYED IN DEED FROM CHARLES DAUR SR. TO WALTER DAUER, AS 141.19 ACRES, RECORDED IN VOLUME 61, PAGE 487, DEED RECORDS OF GUADALUPE COUNTY, TEXAS.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DEPICT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

NO ATTEMPT HAS BEEN MADE TO LOCATE ANY IMPROVEMENTS, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.

BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.

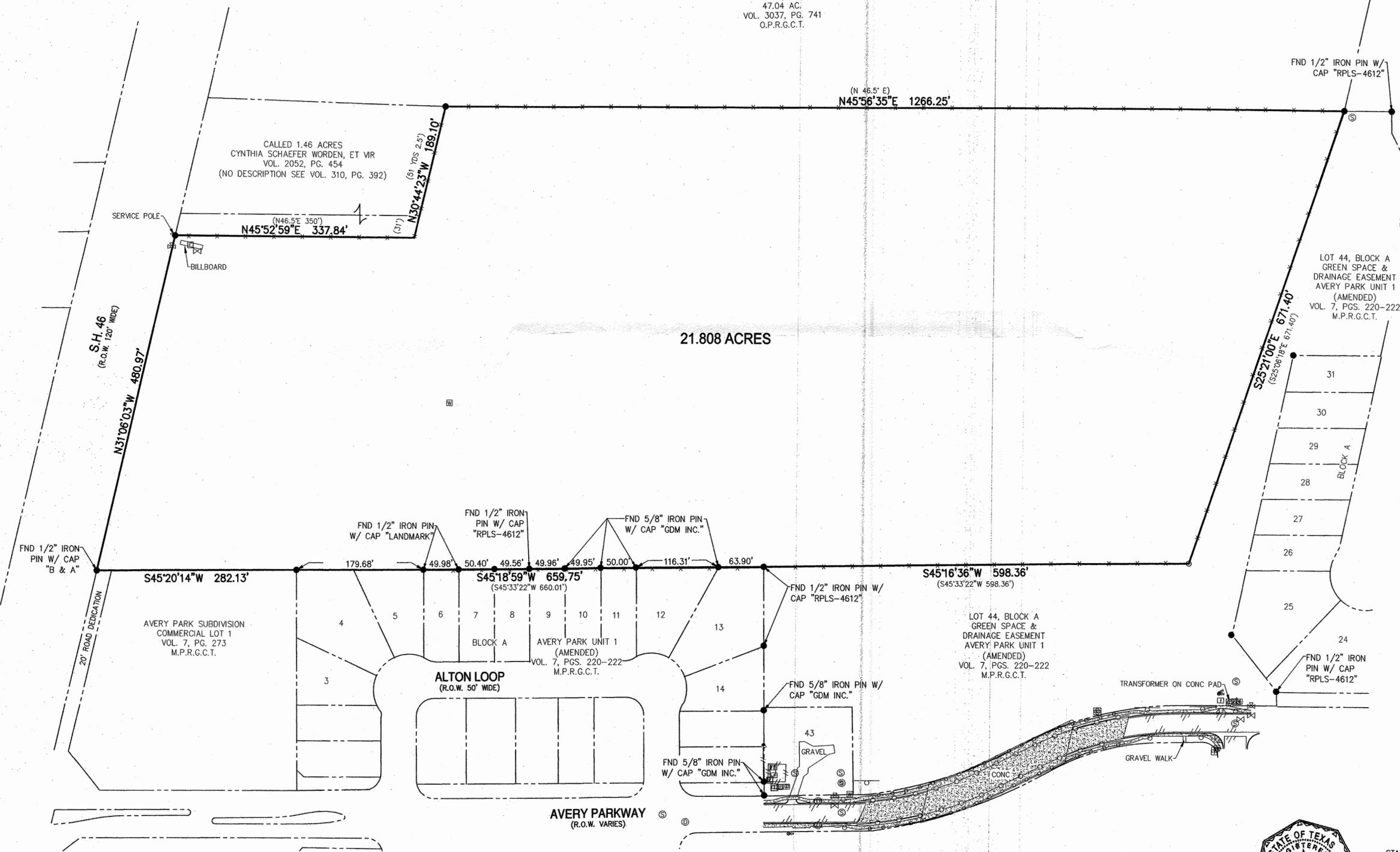
FENCES SHOWN HEREON ARE GRAPHIC ONLY, WITH DIMENSIONAL TIES SHOWN AT SPECIFIC LOCATIONS WHERE THEY WERE PHYSICALLY MEASURED. THE FENCE LINE MAY MEANDER BETWEEN SAID MEASURED LOCATIONS. THE DIMENSIONS SHOWING THE DISTANCE BETWEEN THE FENCE AND THE PROPERTY LINE ALSO INDICATES WHICH SIDE OF THE PROPERTY LINE THE FENCE IS ON.

A METES & BOUNDS DESCRIPTION OF THIS TRACT WAS CREATED IN CONJUNCTION WITH THIS SURVEY.

SCALE: 1"=100'

HKEK, LLC
 47.04 AC.
 VOL. 3037, PG. 741
 O.P.R.G.C.T.

- LEGEND:**
- = FND 1/2" IRON PIN UNLESS OTHERWISE NOTED
 - = SET 1/2" IRON PIN W/ PLASTIC CAP STAMPED "HMT"
 - B.L. = BUILDING SETBACK LINE
 - U.E. = UTILITY EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - R.O.W. = RIGHT-OF-WAY
 - () = PLAT CALLS
 - O.P.R.G.C.T. = OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
 - M.P.R.G.C.T. = MAP & PLAT RECORDS OF GUADALUPE COUNTY, TEXAS
 - E — = OVERHEAD ELECTRIC
 - X — = BARBED WIRE FENCE
 - // — = WOOD FENCE
 - / / — = EDGE OF ASPHALT
 - ⊠ = TELEPHONE VAULT
 - ⊞ = TRANSFORMER
 - ⊞ = WATER METER
 - ⊞ = ELECTRIC JUNCTION BOX
 - ⊞ = WATER VALVE
 - ⊞ = CLEAN OUT
 - ⊞ = FIRE HYDRANT
 - ⊞ = SIGN
 - ⊞ = SANITARY SEWER MANHOLE
 - ⊞ = STORM DRAIN MANHOLE
 - ⊞ = IRRIGATION CONTROL VALVE
 - ○ — = HAND RAIL
 - □ — = GUARD RAIL



2163 HWY 46
 NEW BRAUNFELS, TEXAS

THIS SURVEY IS CERTIFIED TO:
 D.R. HORTON HOMES



STATE OF TEXAS
 COUNTY OF COMAL

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION

THIS 14 DAY OF SEPTEMBER 2017

DOROTHY J. TAYLOR
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295

Avery Park 13 Planned Development District **Development Standards**

Avery Park is an approximate 853 lot subdivision that has been a very successful and loved planned development by our city and the residents that live there. It has great amenities, lots of open spaces, and even a great school within the project. This planned development district (PDD) for the Avery Park 13 PDD subdivision will be a 27.38 acre site with no more than 90 lots adjacent to this subdivision. The entry to the Avery Park 13 PDD subdivision will be off of Avery Parkway within the existing Avery Park subdivision. The base zoning for the proposed district is R-1A-6.6 to allow for a single family residential community. The variations from the R-1A-6.6 zoning are: lot size of 50', front setback of 20', and a minimum area of 5,000 square feet. These variations keep this tract consistent with the adjacent Avery Park subdivision standards. This PDD zoning also restricts density to 3.29 lots per acre average over the 27.38 acres, which makes this development consistent with typical R1-A-6.6 zoning w/60' lot widths. The Airport Overlay District Approach 3 Zone covers 10.71 acres of the property mainly over the drainage and detention areas. The remaining portion will not exceed the residential density of 6 dwelling units per acre per the density limitations required in the Code of Ordinances. A minimum of 15% of the tract will remain open space for drainage and for a pavilion and dog park for residents to enjoy. The pavilion will be similar in size and scope to the pavilion in Augustus Pass (Dean Subdivision). The Dog Park will be approximately 2,000 square feet and will be completely fenced in with obstacle courses, park benches, trees, landscaping & irrigation on a portion of the park.

In relation to the City's plans for growth and development, this Planned Development District meets several of the Goals and Objectives. The Avery Park 13 PDD subdivision is surrounded by open land on the west and northwest sides and a residential subdivision on the south and east sides. The Future Land Use plan calls for the site use as Residential Low Density and Commercial Use. The site lends itself to development as Residential Use; therefore, changing the Future Land Use Plan. The lot density on the rear of the property matches what we propose with this PDD. As New Braunfels continues to grow, we wish to meet the housing needs of its families and individuals. This location and lot size is by far the most highly demanded product for New Braunfels citizens, and it's location on Hwy 46 in between Seguin and New Braunfels helps provide an affordable housing option that is extremely needed.

EXHIBIT 'D'

RESIDENTIAL DEVELOPMENT STANDARDS

Land Use	Single – Family Residential
Base Zoning	R-1A-6.6
Total Number of Acres	27.38 acres
Maximum Density	3.29 Lots/Acre
Minimum Lot Width	50 Ft. (Interior lot size), 60 Ft. (Corner lot)
Minimum Lot Depth	100 Ft.
Minimum Lot Area	5,000 S.F.
Minimum Lot Frontage	36 Ft. (for Cul-de-Sac and Knuckle lots) 50 Ft. (for Interior lots)
Front Setback Minimum:	20 Ft.
Rear Setback Minimum:	10 Ft.
Side Setback Minimum	<p><u>Internal Lots</u> - 5 Ft.</p> <p><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 line of the adjacent lot is 15 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 line of the adjacent lot is 20 feet. Otherwise, the internal side setback of corner lots is 5 feet.</p> <p><u>Garage Setback</u> - 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 shall be at least 20 feet long.</p>
Maximum Bldg. Height:	35 Ft.
Maximum Bldg. Coverage	75%
Utilities	All New Utilities will be underground
Minimum Parking	4 parking spots per lot (includes 2 car garage)
Amenities	<p>Pavilion meeting space</p> <p>Dog Park</p> <p>Cap & rail fencing and masonry columns adjacent to Avery Parkway & SH-46</p>
Landscaping Requirements	2 shade trees from Appendix A per lot

11/27/2017

Agenda Item No. G)

Presenter

Stacy Snell, Planning and Community Development Assistant Director
ssnell@nbtexas.org

SUBJECT:

Public hearing and consideration of the first reading of an ordinance regarding the proposed rezoning of 9.27 acres out of Lot 1, Block 1, Starlight Terrace, Unit 2, located within the Live Oak Mobile Home Community on Ashberry Avenue, from "M-1" Light Industrial District to "B-1B" Manufactured Home Park District.

BACKGROUND / RATIONALE:

Case No.: PZ-17-044

Council District: 1

Owner/Applicant: Bavarian Village, Inc. (Barbara Wrobel)
1021 Ashberry Avenue
New Braunfels, TX 78130
(210) 771-6291

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

The subject property comprises 9.27 acres on Ashberry Avenue within the Live Oak Mobile Home Community on Live Oak Avenue, is zoned M-1 and is currently undeveloped. The Live Oak Mobile Home Community consists of a total of approximately 67 acres with the 9.27-acre subject parcel as the last remaining parcel within the neighborhood to be developed.

New Braunfels' Zoning Ordinance permits HUD Code manufactured home parks only in the "B-1B" Manufactured Home Park zoning district. Prior to the 2012 Zoning Ordinance amendment, HUD Code manufactured or mobile home parks were allowed in the "M-1" Light Industrial zoning district. The existing neighborhood has been developed in phases in compliance with the pre-2012 Zoning Ordinance standards.

An overall site plan encompassing the entire 67 acres was never processed for approval, which is why the 9.27 acre parcel is subject to the regulations in place today. Therefore, the owner of the Live Oak Mobile Home Community is requesting a zoning change from M-1 to B-1B to allow development of manufactured home sites to complete the community. Other options for the applicant include application for a Special Use Permit (SUP) to allow the manufactured homes in the M-1 District; or, an application for a Special Exception to expand a non-conforming use, which is decided by the

Zoning Board of Adjustment.

The "B-1B" Manufactured Home Park District is intended to recognize that certain areas of the City are suitable for manufactured home parks on a single tract of land under one ownership wherein spaces are leased for the placement of manufactured homes. On-site amenities such as recreation and green areas, vehicle parking and storage areas should be provided (see Attachment 9 for list of permitted uses).

Floodplain:

The entire subject property is in Special Flood Hazard Area Zone AE (100-year floodplain). Any habitable structures built/placed within the 100-year floodplain are required to have the lowest habitable floor of the structure elevated a minimum of 2 feet above the 100-year Base Flood Elevation (BFE). The BFE for the site is approximately 641.5 feet with site elevation contours ranging between 634 feet and 639 feet above mean sea level (msl), which would result in a 4.5-foot to 9.5-foot elevation increase.

All mechanical, electrical and plumbing equipment must also be elevated a minimum of 2 feet above the BFE, or be designed to be flood resistant. All structures are required to be constructed and anchored to prevent flotation, collapse or lateral movement of the structure resulting from the hydrodynamic and hydrostatic loads, including the effect of buoyancy. Additionally, the development will have to demonstrate there will be zero impact upstream or downstream. **Regardless of the zoning of the property, building permits will not be issued until and unless these mitigation measures are undertaken.**

General Information:

Size: = 9.27 acres

Surrounding Zoning and Land Use:

North - M-1 / Single family home and agricultural

South - M-1 / Mobile home park (manufactured home residences and storage buildings)

East - Across Ashberry Ave., M-1 / Mobile home park (manufactured home residences and amenity center)

West - M-1 / Undeveloped

Comprehensive Plan/ Future Land Use Designation:

Low Density Residential

Regional Transportation Plan:

There are no proposed thoroughfares within or adjacent to the subject property.

Improvement(s):

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 subject property is located within the boundaries of the existing mobile home park and is compatible with the surrounding uses; however, the*

property is also located within the 1% chance annual flood zone. Although residential uses are permitted within the 1% chance annual flood zone when in compliance with the requirements of Chapter 58, Floods, the placement of residential structures within the 1% annual chance flood zone is discouraged.);

- *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 (There should be no negative effects on other properties in the area designated for similar development as development of these properties will be required to follow the City's development standards.)*
- *Any other factors that will substantially affect the public health, safety, morals, or general welfare (None; development of the property will be in compliance with development requirements.) and*
- *Whether the request is consistent with the Comprehensive Plan. (While the density of the requested zoning district is consistent with Low Density Residential, the Future Land Use Plan also has a land use category of Manufactured Homes. Therefore, the proposed zoning district is not consistent with the Future Land Use Plan. If the rezoning is approved, Staff recommends a concurrent Future Land Use Plan amendment to Manufactured Homes with the second and final reading of the ordinance by City Council.)*

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

√	Yes	<p>City Plan/Council Priority: 2006 Comprehensive Plan Pros and Cons Based on Policies Plan</p>	<p>Pros: Goal 1: Objective 1A: <i>Evaluate proposed zone changes to maintain land use compatibility, as well as the integration of mixed land uses as a component of achieving better places to live.</i> The proposed use of the subject property is consistent with the existing use of the remainder of the development within the neighborhood. Goal 17: Objective C: <i>Consider innovative site built homes and manufactured housing as potential sources of low and moderate income housing.</i> Approximately 63 manufactured home sites are proposed to be developed on the property. Cons: Goal 13: Objective D: <i>Acquire or set aside as much land as possible Along the Guadalupe and Comal Rivers, and creeks within the 100-year flood plain and develop that land as greenbelts for public attraction.</i> The entire subject property is within the 100-year floodplain and is requested to be developed with residences. Goal 33: Objective B: <i>Regulate development within tributary watersheds that affect the 100-year floodplain to maintain the regulatory floodway and restrict filling and encroachment within the floodplain.</i> The entire subject property is located within the 100-year floodplain. Development of the subject property must comply with the Flood Damage Prevention Ordinance (Chapter 58) (see Floodplain section above)</p>
---	-----	--	--

FISCAL IMPACT:
N/A

COMMITTEE RECOMMENDATION:

The Planning Commission held a public hearing on November 7, 2017, and recommended approval of the request (7-0-0), with Commissioners Laskowsky and Sonier absent.

STAFF RECOMMENDATION:

Staff recommends approval of the request, as B-1B is compatible with surrounding land uses, while M-1 is less compatible; and it addresses objectives of the Comprehensive Plan. Development within the floodplain is allowed when constructed in accordance with the standards of Chapter 58, Floods. If development does not comply, building permits cannot be issued, regardless of the zoning of the property. Staff also recommends a concurrent Future Land Use Plan amendment from Low Density Residential to Manufactured Homes with the second and final reading of the rezoning ordinance.

Notification:

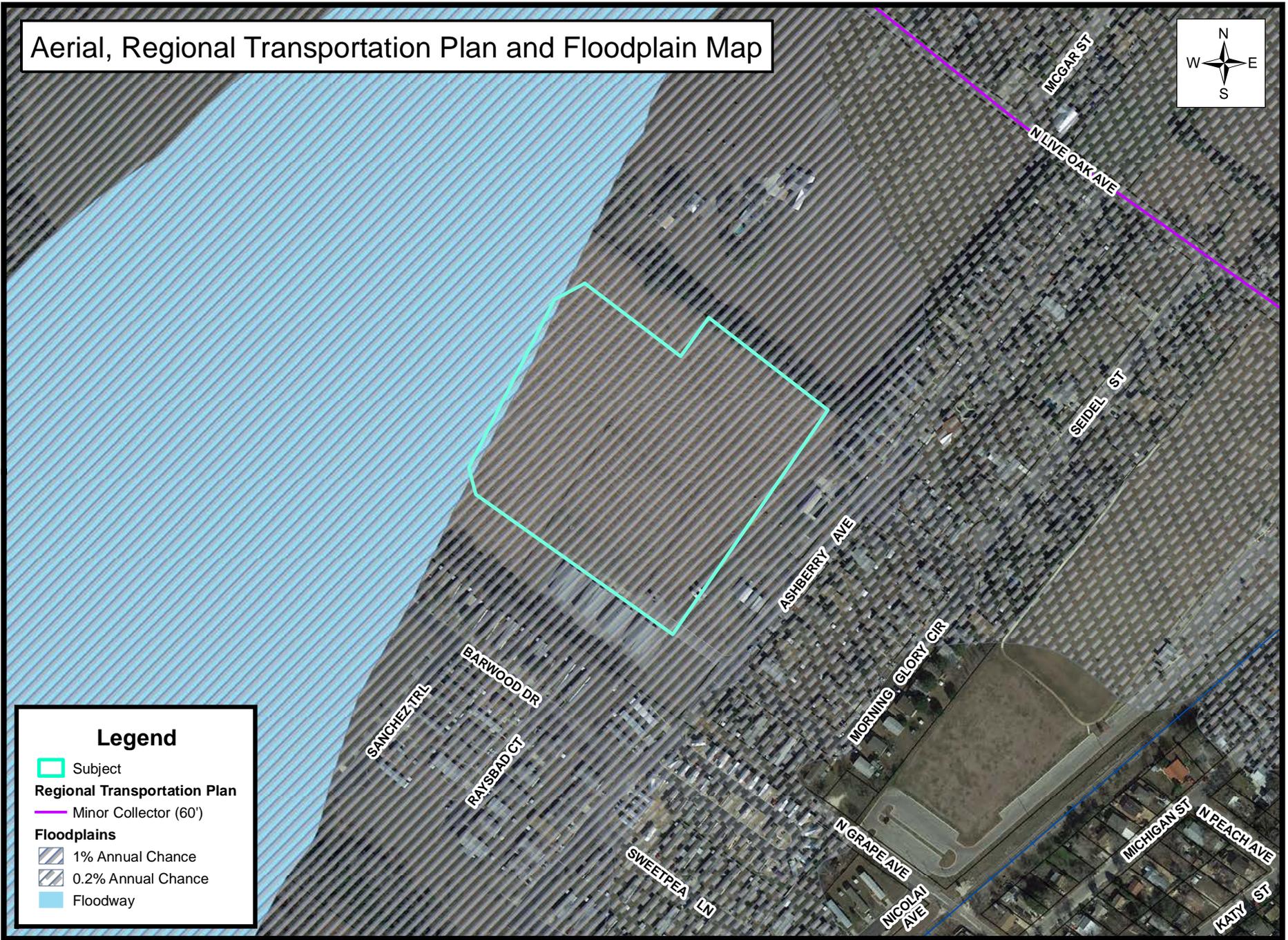
Public hearing notices were sent to 2 owners of property within 200 feet of the subject property. The Planning Division has received no responses in favor and one opposed (#2). Opposition represents 21% of the notification area. With objection in excess of 20%, a ¾ majority of City Council (6 votes) is

required for approval of the rezoning request.

ATTACHMENTS:

1. Aerial, Regional Transportation Plan and Floodplain Map
2. Application
3. Survey of Subject Property
4. Zoning and Land Use Maps
5. Notification List, Notification Map and Response
6. Photographs of Subject Property
7. Sec. 3.4-7 "B-1B" Manufactured Home Park District
8. Excerpt from the Planning Commission Meeting Minutes of November 7, 2017
9. Ordinance

Aerial, Regional Transportation Plan and Floodplain Map



Legend

- Subject
- Regional Transportation Plan**
 - Minor Collector (60')
- Floodplains**
 - 1% Annual Chance
 - 0.2% Annual Chance
 - Floodway



PLANNING

APPLICATION FOR A ZONING CHANGE

Planning and Community Development
550 Landa Street, New Braunfels, TX 78130
(830) 221-4050
www.nbtexas.org

Case Number: P2-17-044

SEP 27 2017

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: Barbara Wrobel

Mailing Address: 1021 Ashberry Avenue, New Braunfels, TX 78130

Telephone: 210.771.6291 Fax: _____ Mobile: _____

Email: barb@texrentals.com

2. Property Address/Location: 1021 Ashberry Avenue

3. Legal Description: STARLIGHT TERRACE 2, BLOCK 1, LOT 1

Name of Subdivision: Starlight Terrace 2

Lot(s): 1 Block(s): 1 Acreage: 9.27

4. Existing Use of Property: Open and Storage Warehouses

5. Proposed Use of Property (attach additional or supporting information if necessary): Mobile Home Development

6. Zoning Change Request: Current Zoning: M-1 Proposed Zoning: B1-B

For "PDD Planned Development District", check if: Concept Plan OR Detail Plan

7. Reason for request (please explain in detail and attach additional pages if needed): A Mobile Home

Development is not allowed in the current zoning. Adjoining property use is mobile homes, this will be consistent with the surrounding area.

8. COUNTY: COMAL GUADALUPE - SCHOOL DIST: CISD NBISD OTHER _____

9. REQUIRED ATTACHMENTS:

- Metes and bounds description and survey if property is not platted.
- 3 TIA worksheets and 2 Traffic Impact Analysis if required.
- Location in 100-year floodplain: Please provide a map of the floodplain overlaying the property proposed for zoning or, at a minimum, a copy of the proper FEMA flood map, with panel number. (Current floodplain maps are those most recently adopted by the City Council.)
- Map of property in relation to City limits/major roadways or surrounding area.
- If requesting a Planned Development (PD), applicant must provide 17 development standards on the detail plan and/or provide the standards in a separate document as described in the Zoning Ordinance, Section 3.5; Provide 17 copies of the standards and Concept plan (1":200') for distribution; 4 copies of the survey (1":200') (if preparing revisions to existing Planned Development (PD) please provide one legible 11x17).
- Copy of deed showing current ownership.
- Mailed notification _____ x 2.15 each = _____
- Newspaper Notice 115.00 each
- Future Land Use Plan Update \$500.00

The undersigned hereby requests rezoning of the above described property as indicated.

Barbara Wrobel / owner
Signature of Owner(s)/Agent

9/7/17
Date
Barbara D. Wrobel / owner
Print Name & Title

For Office Use Only			
Fee Received By: <u>mg</u>	Amount: <u>680.00</u>	Receipt No.: <u>242833</u>	
Date Received: <u>9-27-17</u>	Zoning signs issued: _____	Date: _____	No.: _____
Cash/Check Number: <u>11254</u>	Case Number: <u>P2-17-044</u>		

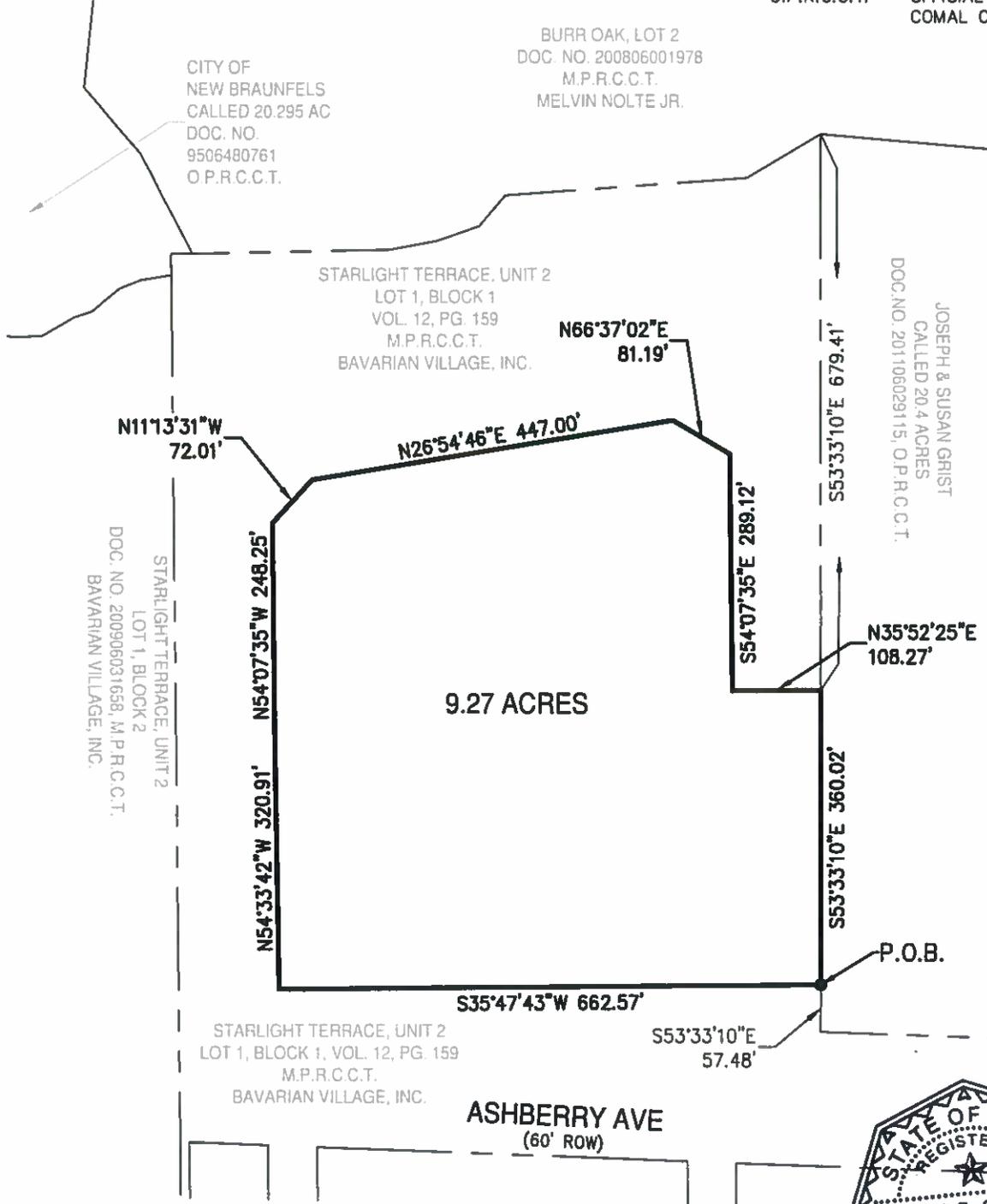
BEING A 9.27 ACRE TRACT OF LAND OUT OF LOT, BLOCK 1, STARLIGHT TERRACE, UNIT 2, PLAT OF WHICH IS RECORDED IN VOLUME 12, PAGE 159, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS.



SCALE: 1"=200'

LEGEND:

- P.O.B. = POINT OF BEGINNING
- R.O.W. = RIGHT-OF-WAY
- 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



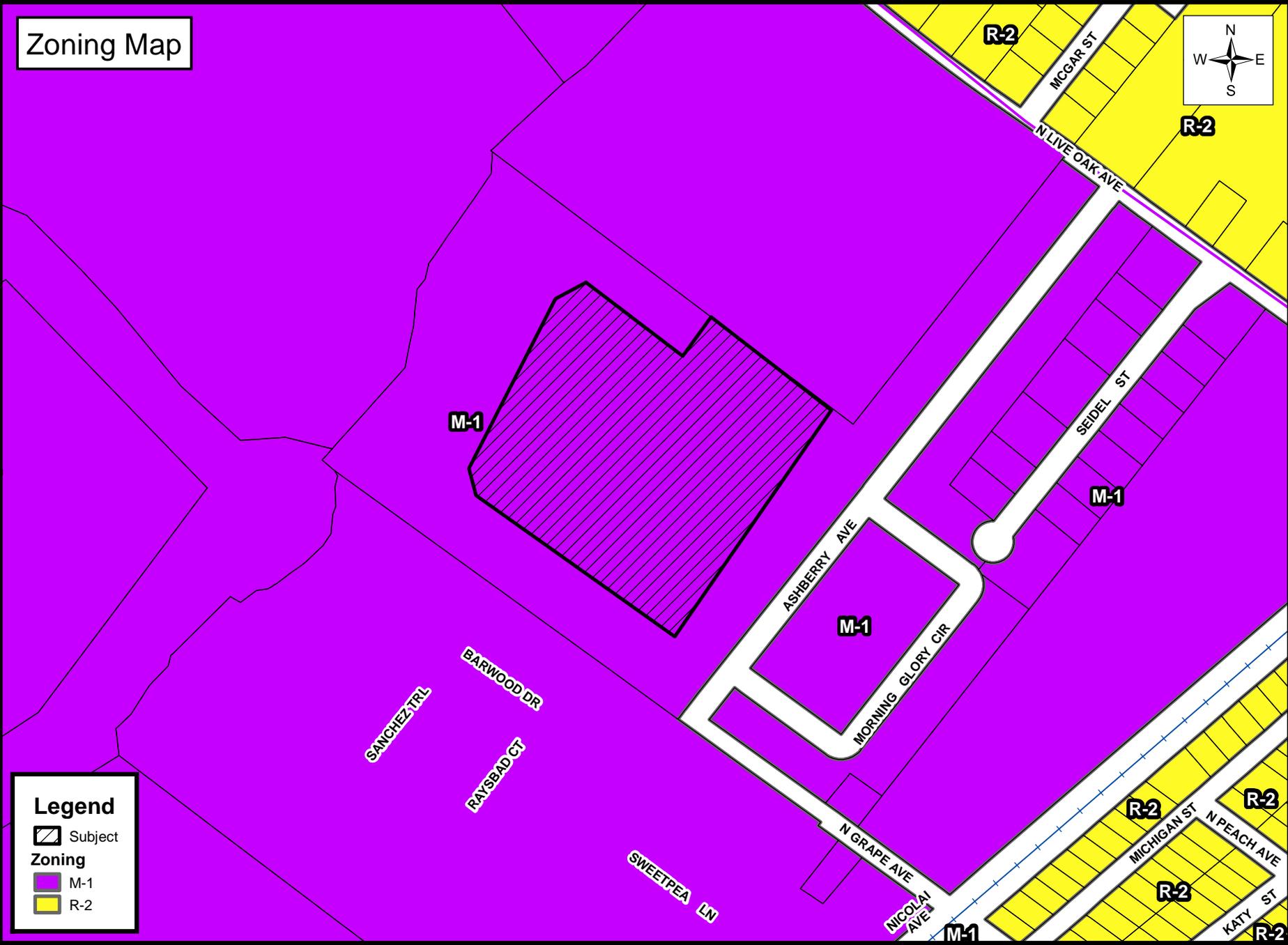
Drawing Name: s:\Projects\055 - Barbara Hines\055.DWG - Ashberry Avenue Trable Home S\ial\Printing\Long Change\Labels\SURVEY Dwg01.dwg User: hshyt Date: 08/18/2017 7:43am



410 N. SEGUIN AVE.
 NEW BRAUNFELS,
 TEXAS, 78130
 WWW.HMTNB.COM
 PH: (830)625-8555
 TBPLS FIRM 10153600



Zoning Map



Legend

- Subject
- Zoning**
- M-1
- R-2

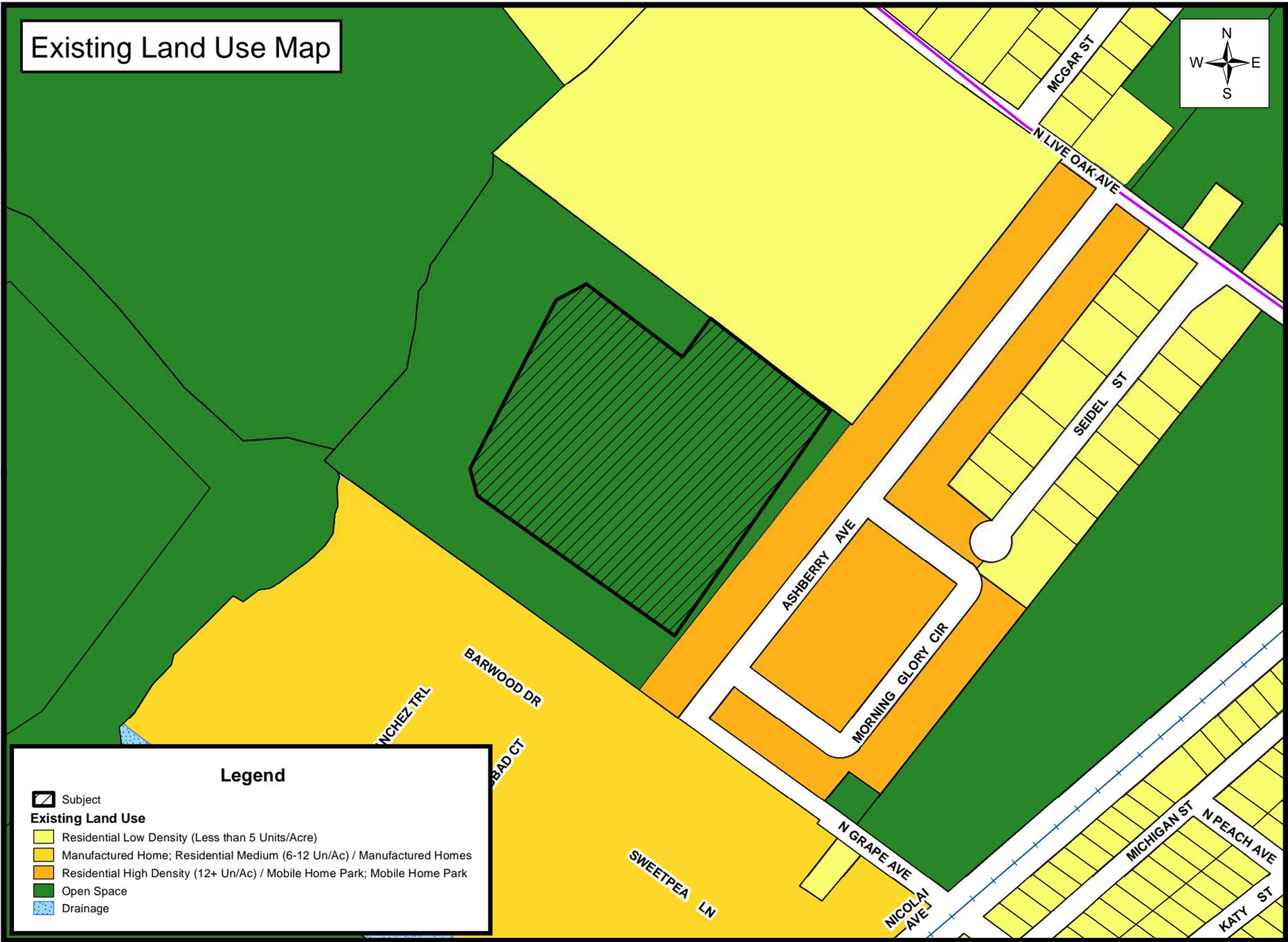
ATTACHMENT 4



PZ-17-044
Live Oak Mobile Home Community
M-1 to B-1B

Map Created 10/20/17

Existing Land Use Map



Legend

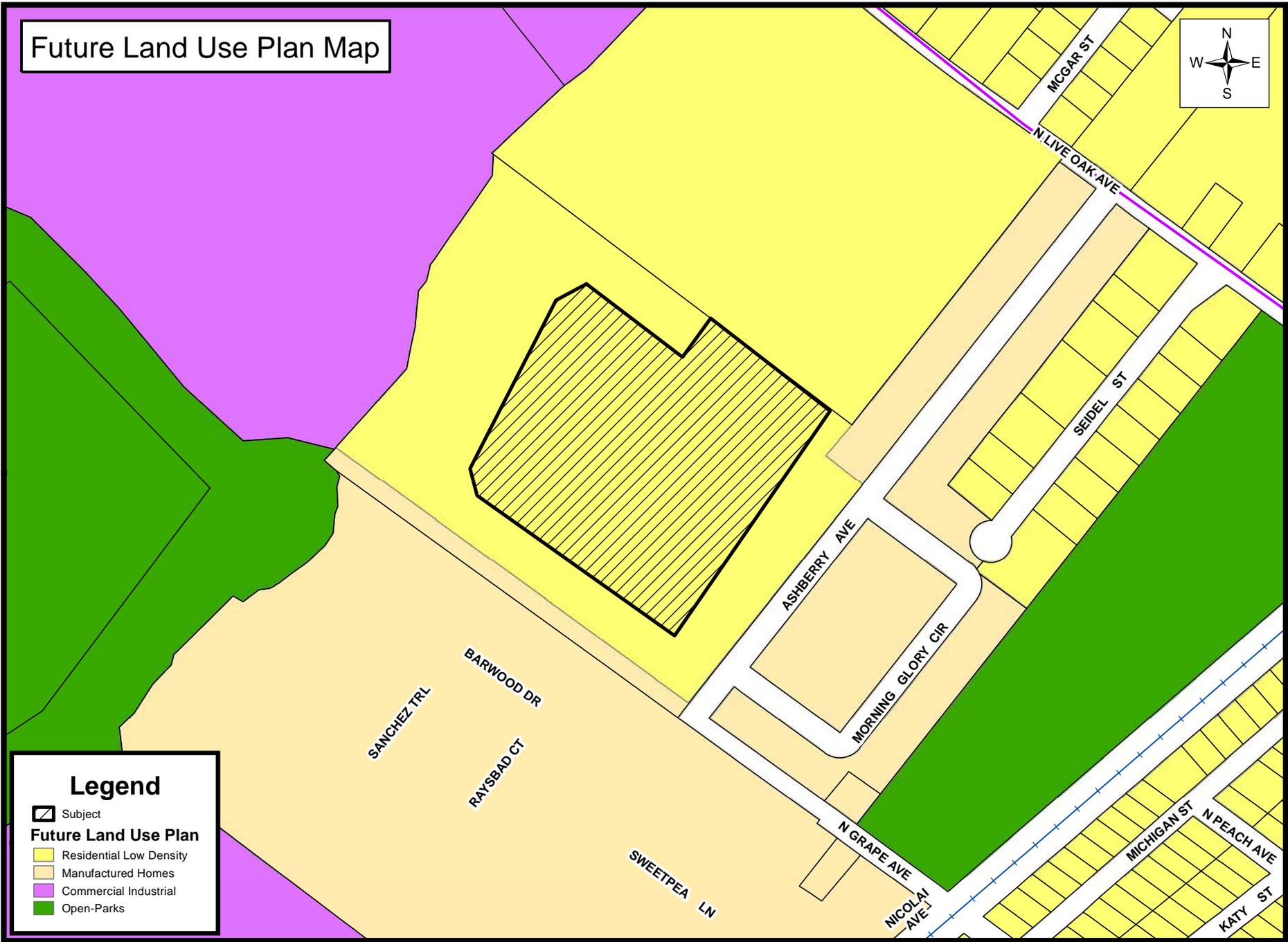
- Subject
- Existing Land Use**
- Residential Low Density (Less than 5 Units/Acre)
- Manufactured Home; Residential Medium (6-12 Un/Ac) / Manufactured Homes
- Residential High Density (12+ Un/Ac) / Mobile Home Park; Mobile Home Park
- Open Space
- Drainage



PZ-17-044
Live Oak Mobile Home Community
M-1 to B-1B

Map Created 10/20/17

Future Land Use Plan Map



Legend

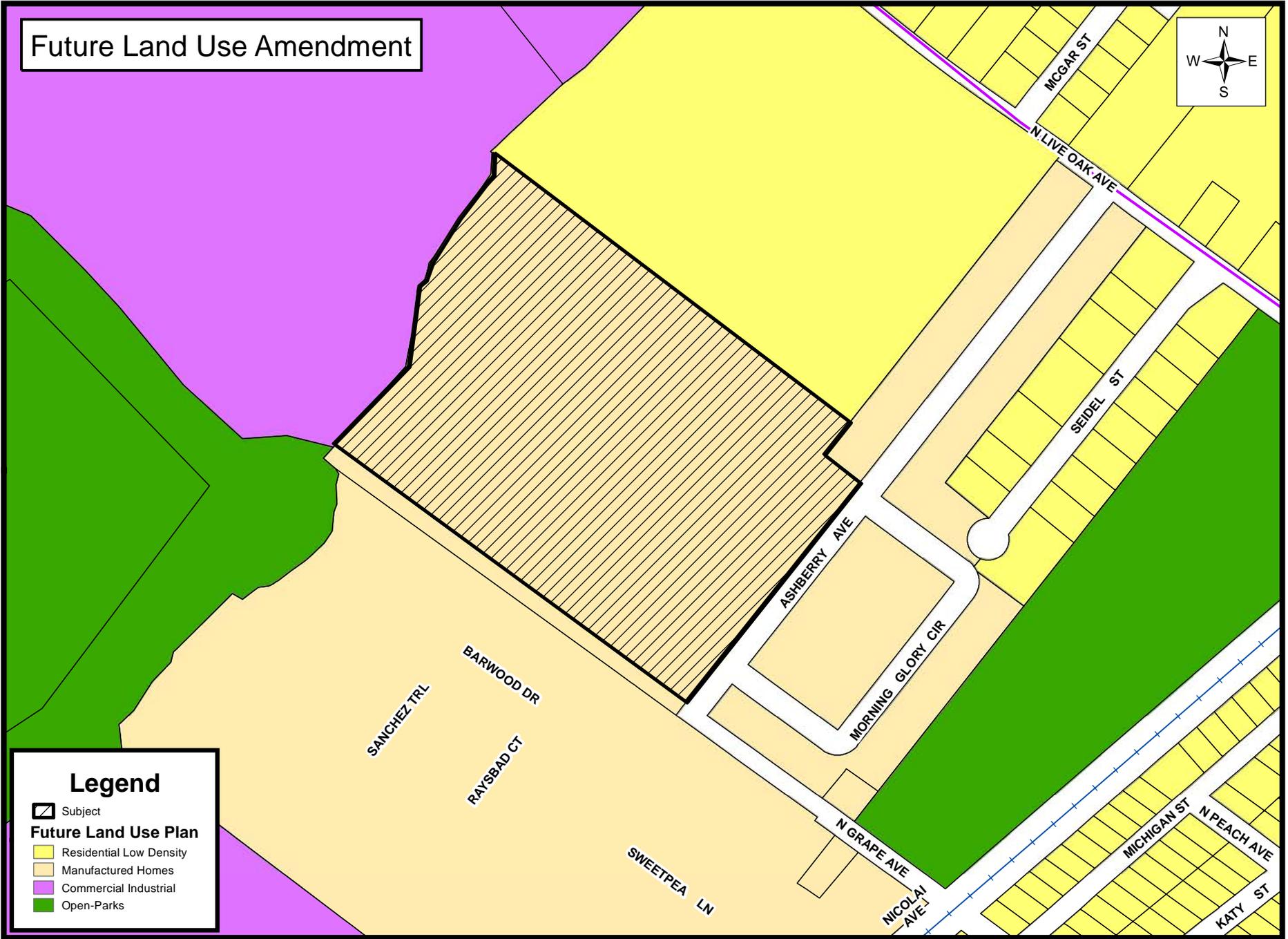
- Subject
- Future Land Use Plan**
- Residential Low Density
- Manufactured Homes
- Commercial Industrial
- Open-Parks



PZ-17-044
Live Oak Mobile Home Community
M-1 to B-1B

Map Created 10/20/17

Future Land Use Amendment



Legend

- Subject
- Future Land Use Plan**
- Residential Low Density
- Manufactured Homes
- Commercial Industrial
- Open-Parks



PZ-17-044
Live Oak Mobile Home Community
M-1 to B-1B

Map Created 10/20/17

PLANNING COMMISSION – November 7, 2017 – 6:00PM

New Braunfels Municipal Building, Council Chambers

Applicant: Barbara Wrobel for Bavarian Village Inc.

Property Location: 9.27 acres out of Lot 1, Block 1, Starlight Terrace, Unit 2, located in the Live Oak Mobile Home Community on Ashbury Avenue

PROPOSED REZONING – CASE #PZ17-044

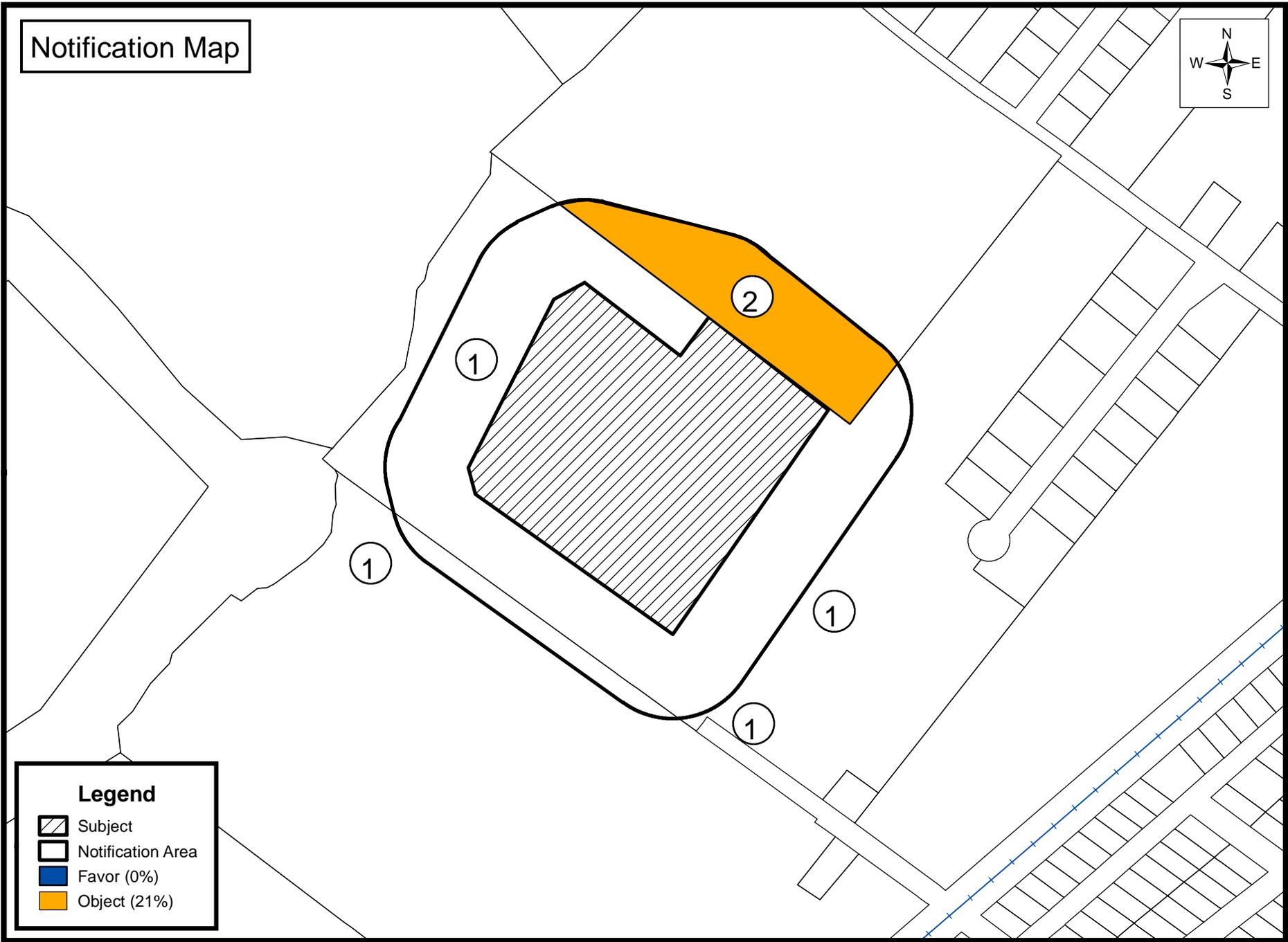
The circled numbers on the map correspond to the property owners listed below. All information is from the Comal Appraisal District Records. The property under consideration is marked as "SUBJECT".

1. Bavarian Village Inc

2. Grist, Joseph & Susan

SEE MAP

Notification Map



Legend

- Subject
- Notification Area
- Favor (0%)
- Object (21%)

YOUR OPINION MATTERS - DETACH AND RETURN

Case: #PZ17-044 (Wrobel) MG
Date Sent: 10/23/17

Name: Joseph C Grist / Susan Weber Grist I favor: _____

Address: 727 N. LIME OAK AVE

Property number on map: _____

I object: /
(State reason for objection)

Comments: (Use additional sheets if necessary)

RECEIVED
OCT 27 2017
BY: _____

Signature: [Handwritten Signature]
Susan Weber Grist

October 26, 2017

City of New Braunfels
Planning Commission
550 Landa Street
New Braunfels, TX 78130

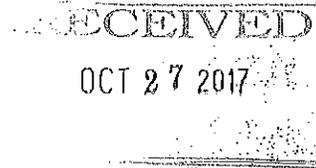
Ref: Rezoning of property

Dear Planning Commission:

We received your undated letter notifying us of a public hearing at the request of Barbara Wrobel for Bavarian Village Inc., owner of the Live Oak Street manufactured housing community. You have the planned public hearing before the Planning Commission for Tuesday November 7, 2017 and a subsequent public hearing before City Council on Monday November 27, 2017 and provided us with an opportunity to respond to this proposed zone change. According to the map you have provided us, we are the only property owners that will be notified and affected by this zone change. There have been no signs posted as required in the City Code, Sec. 144.2.1; subsection 2.1-2 giving notice of the proposed zone change.

Please accept this response as our protest against the requested change initiated by Barbara Wrobel to expand her trailer park over her requested 9 acres bordering our property. Our property has been in my family since my grandfather; Dr. Carl Wille bought it in 1948. We grew up on N. Live Oak Ave. when it was a dirt road and only 5 houses and have seen not only this city but our tiny street grow into several neighborhoods including Barbara Wrobel's trailer park. We have worked hard to maintain our property and build our home. We have invested a great deal of time and money in sprigging our fields and maintaining a productive harvest of hay. As I recall she bought her current property in the mid to late 1990's, according to her, sight unseen during the time of the savings and loan failures as a resolution trust purchase. Our parents and none of the other neighbors on Live Oak Ave, McGar Street or Seidel Street were ever notified of Barbara and Rueben Wrobel's intentions to build a multi-unit manufactured housing community. No one was ever given an opportunity to express their concerns of having a densely populated development next door.

Her property borders two sides of our property and she has no screening or buffer barrier. We have had many, many issues with her residents in those trailers including trespassing onto our property, throwing trash into our fields, setting one of our hay bales on fire, unacceptable noise level from parties, gun shots being fired and shooting fireworks off into our fields. There have been many times when stray pets are running loose on our property as well as numerous occasions of her cows getting out and trampling down our sprigged hay fields. This usually involves the police in getting the cows off our property. Statistics show that trailer parks are notorious for crime. I have first hand knowledge of



this. My mother who lives across the street from us had her front door kicked in and her house robbed by two thieves living in one of her trailers. The police were able to track down the two thieves in one of her trailers and found much of my mother's stolen property in that trailer. This just gives you a small picture of the trailer park community that she wants to expand. The transient nature of her residents means there are different neighbors every 6 months. Let me just say, we have never trespassed onto her property.

With her wanting to expand with more trailers and more storage buildings, she disrupts traffic on N. Live Oak bringing those trailers in. She or her property manager drive their cars across the street, blocking the street while she maneuvers one of those trailers into her community. I have witnessed this myself being blocked by her while I'm trying to get to work. No police around to supervise any traffic causing everyone to turn around due to her callous disregard of all of us traveling on N. Live Oak Ave. She brings those trailers across the Katy Street tracks ripping out the dividing cones every time. We just spoke with a person who was assessing the damage this last week at the Katy railroad track crossing and told us that Barbara Wrobel does this each time she brings in one of her trailers. Why is she allowed to do that? Aren't those cones there for safety for the rest of us? Since she has never lived in her own trailer park, she told us this herself, she doesn't understand the consequences of her actions and how it effects the people who have lived here for years.

Putting those trailers behind our property allows an opportunity for more crime, more noise, more traffic and takes away what green space is left. Allowing her to construct impervious surfaces for her expansion is only going to add to the flooding problem we already experience. Since we were born and raised in New Braunfels and lived on N. Live Oak Ave. all of our lives, we went through the 1972 flood, the 1998 flood and countless other floods and know first hand that building impervious surfaces upstream floods residents down stream. We are down stream. During our many high water events in the past, that part of her property is subject to dangerous flooding. Our safety could be detrimentally impacted by this increase of impervious surfaces with her building streets, and expanding her trailer park.

After many months and years of planning, we've just settled with the City of New Braunfels in moving forward with the construction of a new bridge, across the low water crossing at the N. Live Oak and the Dry Comal Creek which borders the front of our property. This is part of the Katy Live Oak Ave drainage project. This project is only a few weeks away from starting construction and N. Live Oak Ave. will be closed off not allowing traffic through. We are already being inconvenienced by the closing of the street when trailers are being brought in or out. Not only will Barbara Wrobel be adding more traffic, she will be blocking N. Live Oak to the Katy tracks for the residents on N. Live Oak and all the residents of McGar and Seidel streets as well. We already have a concern with only having one way out in an emergency with the beginning of this project and with a train possibly blocking our exit, she would compromise the safety of all of us.

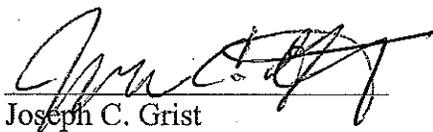
According to the City Ordinance Code (201.33), 8 trailers are allowed on one acre. That means she will be allowed to bring in 72 more trailers, more noise,

and more traffic detrimentally impacting an already overcrowded high traffic tiny street. With the soccer field traffic and people parking in the street during those games there are many times when we are unable to drive on our own street within a reasonable period of time due to the high traffic.

We were not allowed to have an opinion in the 1990's when she constructed the manufactured housing complex nor do we get to have an opinion on how many trailers she keeps putting in her "community". We never receive any notice when she blocks our street for more than an hour bringing her trailers in. We are now speaking out. We have been more than patient and cooperative with Barbara Wrobel. We are vehemently against her bringing more trailers in and building more storage units.

As your letter states, "According to Sec. 2.1-3(b) of the Zoning Ordinance, if a protest against such proposed zoning or zoning change has been filed with the Planning Department, duly signed and acknowledged by the owners of 20% or more, either of the area of the land included in such a proposed change or those owners of property immediately adjacent to the subject property and extending 200 feet therefrom, such zoning change shall not become effective except by a three-fourths (3/4) vote of all the members of the City Council. In computing the percentage of land area, the area of streets and alleys shall be included." This is known as the 20% rule. We are the only property owners adjacent to the subject property. Therefore, we are owners of 100% of the proposed property change and according to this ordinance; the zoning change shall not take place except by vote of City Council.

Sincerely



Joseph C. Grist



Susan Weber Grist





Subject

Ashberry Ave.

3.4-6 "B-1A" conventional and manufactured home district.

Purpose. This district is to recognize that certain areas of the city are suitable for a mixture of single-family dwelling units, manufactured homes, and mobile homes, and to provide adequate space and site diversification for residential purposes designed to accommodate the peculiarities and design criteria of manufactured homes, along with single-family residences. The following regulations shall apply in all "B-1A" districts:

(a) *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:*

Residential uses:

Accessory building/structure

Community home (see definition)

Duplex / two-family / duplex condominiums

Home Occupation (see Sec. 5.5)

HUD code-manufactured home / mobile homes, after a permit is obtained from the building inspector to permit removal of wheels or transporting device and attaching the home to a permanent foundation on the ground, which home shall thereafter be regarded as a permanent structure and shall meet all applicable codes and Chapters.

HUD code-manufactured home subdivision

One family dwelling, detached

Single family industrialized home (Sec. 5.8 does not apply)

Non-residential uses:

Barns and farm equipment storage (related to agricultural uses)

Church/place of religious assembly

Community building (associated with residential uses)

Contractor's temporary on-site construction office (only with permit from Building Official; see Sec. 5.10)

Farms, general (crops) (see Chapter 6, Municipal Code and Sec. 5.9)

Farms, general (livestock/ranch) (see Chapter 6, Municipal Code and Sec. 5.9)

Golf course (public or private)

Governmental building or use with no outside storage

Park and/or playground (public or private)

Public recreation/services building for public park/playground areas

Recreation buildings (public)

recycling kiosk

Retirement home/home for the aged

School, K-12 (public or private)

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

(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) *Height.* 35 feet.

(2) *Front building setback.* 25 feet.

- (3) *Side building setback.* There shall be a side building setback on each side of a building not less than five feet in width. 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.
- (4) *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)
- (5) *Rear building setback.* 20 feet.
- (6) *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.
- (7) *Lot area per family.* Every single-family dwelling hereafter erected or altered shall have a lot area of not less than 6,600 square feet per family for interior lots, and 7,000 square feet per family for corner lots. Two-family dwellings (duplexes) hereafter erected or altered shall have a lot area of not less than 8,000 square feet for an interior lot and 8,500 square feet for a corner lot. Where a public or community sewer is not available and in use for the disposal of all sanitary sewage, each lot shall provide not less than one half acre and one acre on the Edwards Aquifer Recharge Zone.
- (8) *Parking.* See Section 5.1 for other permitted uses' parking.

Draft Minutes for the November 7, 2017 Planning Commission Regular Meeting

PZ-17-044: Public hearing and recommendation to City Council regarding the proposed rezoning of 9.27 acres out of Lot 1, Block 1, Starlight Terrace, Unit 2, located within the Live Oak Mobile Home Community on Ashberry Avenue, from “M-1” Light Industrial District to “B-1B” Manufactured Home Park District.

(Applicant: Barbara Wrobel; Case Manager: M. Greene)

Mr. Greene presented the Staff report and recommended approval.

Mr. Greene indicated the percentage in objection exceeded 20%, therefore a super-majority was required for approval at City Council.

Chair Elrod asked if anyone wished to speak in favor.

Chris Van Heerde, with HMT Engineering, stated he would be speaking on behalf of the developer. He presented photos of the existing mobile home community on the property. He described the photos of the amenities for the neighborhood and mobile homes located in the flood plain. He stated the mobile home community provided attractive and affordable housing options. He stated the subject property would be developed with the same level of care and concern as the existing development had been. He stated they were working on a flood study for the property due to the location in the floodplain, and that the developer had previous experience with building within the floodplain

Chair Elrod asked if anyone wished to speak in opposition.

Joe and Susan Grist, 727 N. Live Oak Avenue, wished to speak in opposition. They stated they were the area listed as opposition in the report. They described their experience as neighbors with the existing mobile home community, both negative and positive. They explained their main concern was flooding and developing more impervious surfaces in the floodplain. They expressed concerns regarding the proposed density. They explained the construction would be occurring at the same time as a new bridge is proposed to be built over the nearby railroad crossing, therefore posing traffic hazards in the case of an emergency.

Motion by Vice Chair Edwards, seconded by Commissioner Hoyt, to close the public hearing. The motion carried (5-0-0).

Vice Chair Edwards inquired to the required elevation for the mobile homes proposed in the floodplain.

Mr. Van Heerde answered in the area by the Dry Comal Creek the required elevation increase would be approximately 5 feet.

Discussion followed.

Motion by Vice Chair Edwards, seconded by Commissioner Hoyt, to recommend approval to City Council regarding the proposed rezoning of 9.27 acres out of Lot 1, Block 1, Starlight Terrace, Unit 2, located within the Live Oak Mobile Home Community on Ashberry Avenue, from “M-1” Light Industrial District to “B-1B” Manufactured Home Park District, with Staff recommendations. Motion carried (5-0-0).

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING 9.27 ACRES OUT OF LOT 1, BLOCK 1, STARLIGHT TERRACE, UNIT 2, LOCATED WITHIN THE LIVE OAK MOBILE HOME COMMUNITY ON ASHBERRY AVENUE, FROM "M-1" LIGHT INDUSTRIAL DISTRICT TO "B-1B" MANUFACTURED HOME PARK DISTRICT; 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 "B-1B" manufactured Home Park 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 City Council desires to amend the Zoning Map by changing the zoning of 9.27 acres out of Lot 1, Block 1, Starlight Terrace, Unit 2, located within the Live Oak Mobile Home Community on Ashberry Avenue, from "M-1" Light Industrial District to "B-1B" Manufactured Home Park District; **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 "M-1" Light Industrial District to "B-1B" Manufactured Home Park District:

"9.27 acres out of Lot 1, Block 1, Starlight Terrace, Unit 2, located within the Live Oak Mobile Home Community on Ashberry Avenue, as described in Exhibit 'A' and delineated on Exhibit 'B' attached."

SECTION 2

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 3

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

SECTION 4

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

SECTION 5

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

PASSED AND APPROVED: First reading this 27th day of November, 2017.

PASSED AND APPROVED: Second reading this 11th day of December, 2017.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



410 N. Seguin Ave.
New Braunfels, TX 78130
HMTNB.COM
830.625.8555 • FAX:830.625.8556
TBPLS FIRM 10153600



**METES AND BOUNDS DESCRIPTION
FOR A
9.27 ACRE TRACT OF LAND**

Being a 9.27 acre tract of land out of Lot 1, Block 1, Starlight Terrace, Unit 2, plat of which is recorded in Volume 12, Page 159, Map and Plat Records, Comal County, Texas, said 9.27 acre tract of land being more particularly described as follows:

BEGINNING at a point in a Northeasterly line of said Lot 1, from which an interior corner of said Lot 1 bears, S 53°33'10" E a distance of 57.48 feet;

THENCE through said Lot 1 the following eight (8) calls:

1. S 35°47'43" W a distance of 662.57 feet to a point for a corner;
2. N 54°33'42" W a distance of 320.91 feet to a point for a corner;
3. N 54°07'35" W a distance of 248.25 feet to a point for a corner;
4. N 11°13'31" W a distance of 72.01 feet to a point for a corner;
5. N 26°54'46" E a distance of 447.00 feet to a point for a corner;
6. N 66°37'02" E a distance of 81.19 feet to a point for a corner;
7. S 54°07'35" E a distance of 289.12 feet to a point for a corner;
8. N 35°52'25" E a distance of 108.27 feet to a point for a corner in the Northeasterly line of said Lot 1, from which a Northwesterly corner of said Lot 1 bears N 53°33'10" W a distance of 679.41 feet;

THENCE along the Northeasterly line of said Lot 1, S 53°33'10" E a distance of 360.02 feet to the POINT OF BEGINNING and containing 9.27 acres of land in Comal County, Texas.

Bearings are based upon the Texas Coordinate System, South Central Zone, NAD 83.

Prepared this the 14th day of September, 2017.

Mark F. Conlan
Registered Professional Land Surveyor No. 6342



N:_Projects\055 - Barbara Wrobel\055.004 - Ashberry Avenue Mobile Home Sites
\CDs\Exhibits\Zoning M&B.docx

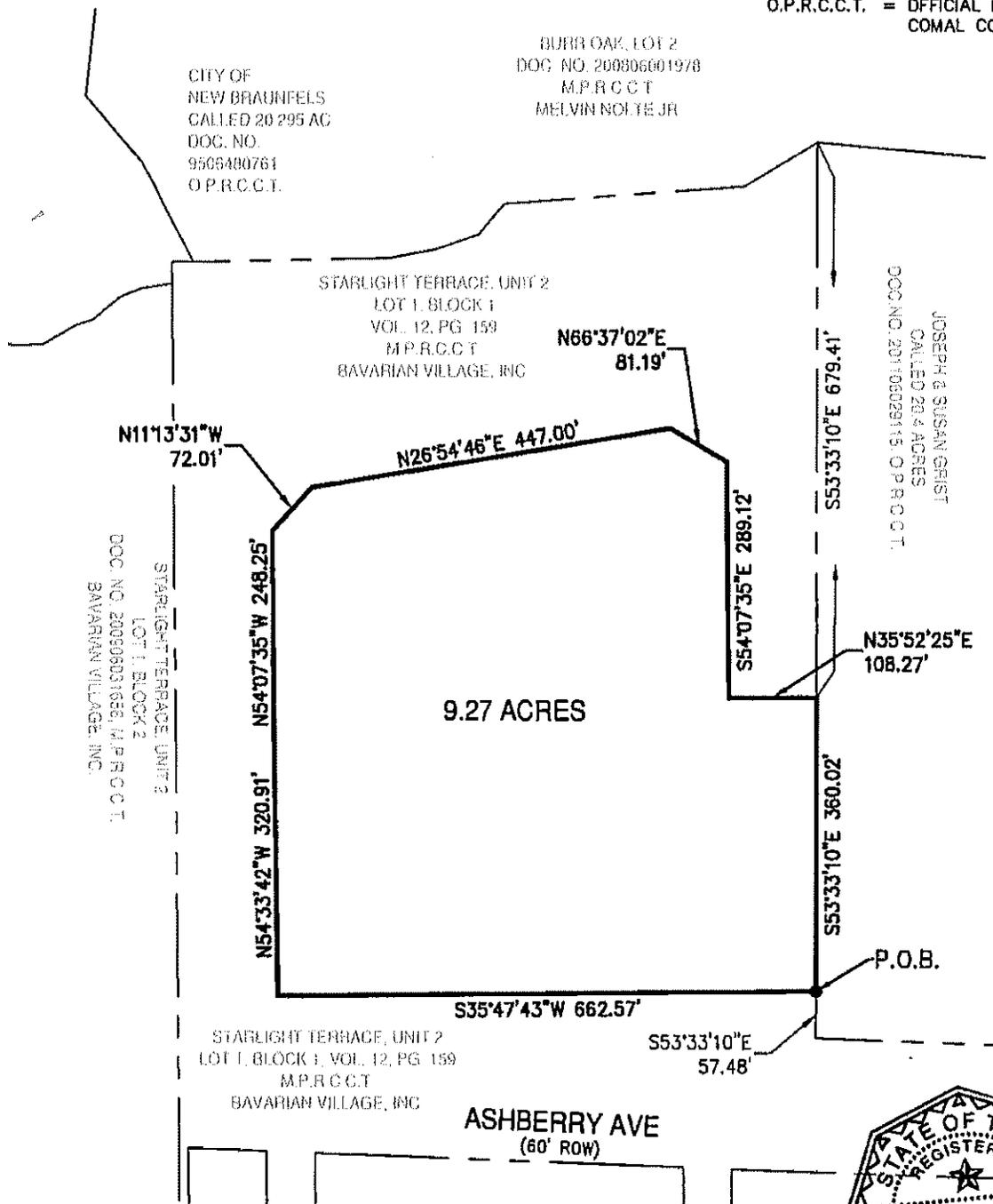
BEING A 9.27 ACRE TRACT OF LAND OUT OF LOT, BLOCK 1, STARLIGHT TERRACE, UNIT 2, PLAT OF WHICH IS RECORDED IN VOLUME 12, PAGE 159, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS.



SCALE: 1"=200'

LEGEND:

- P.O.B. = POINT OF BEGINNING
- R.O.W. = RIGHT-OF-WAY
- 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



CITY OF NEW BRAUNFELS CALLED 20 295 AC DOC. NO. 9505400761 O.P.R.C.C.T.

BURR OAK, LOT 2 DOC. NO. 200806001978 M.P.R.C.C.T. MELVIN NOLTE JR

STARLIGHT TERRACE, UNIT 2 LOT 1, BLOCK 1 VOL. 12, PG. 159 M.P.R.C.C.T. BAVARIAN VILLAGE, INC

JOSEPH & SUSAN GRIST CALLED 20.4 ACRES DOC. NO. 201105029115, O.P.R.C.C.T.

STARLIGHT TERRACE, UNIT 2 LOT 1, BLOCK 2 DOC. NO. 200906031666, M.P.R.C.C.T. BAVARIAN VILLAGE, INC.

9.27 ACRES

STARLIGHT TERRACE, UNIT 2 LOT 1, BLOCK 1, VOL. 12, PG. 159 M.P.R.C.C.T. BAVARIAN VILLAGE, INC

ASHBERRY AVE (60' ROW)



Drawing Name: X:\Projects\025 - Bowers Brown\025104 - Ashberry Avenue Mobile Home Site\Printing\ zoning Change\025104\BURY CHART.dwg User: hshy Date: 10/19/2012 7:45am



410 N. SEGUIN AVE.
 NEW BRAUNFELS,
 TEXAS, 78130
 WWW.HMTNB.COM
 PH: (830)625-8555
 TBPLS FIRM 10153600

EXHIBIT 'B'

11/27/2017

Agenda Item No. H)

Presenter

*Christopher Looney, Planning and Community Development Director
clooney@nbtexas.org*

SUBJECT:

Discuss and consider approval of a waiver from the sidewalk requirement for the replat of a portion of Lots 13, 14, 18, and 19, City Block 1015, Establishing Lots 18R and 19r, City Block 1015.

BACKGROUND / RATIONALE:

Case No.: PL-17-120

Council District: 6

Owners/Applicants: Brewer Investment Properties (Jesse W. Brewer)
475 S. Academy
New Braunfels, TX 78130

Surveyor: HMT Engineering & Surveying (Mark Conlan, RPLS)
410 N. Seguin Ave.
New Braunfels, TX 78130
(830) 625-8555

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

The subject property consists of 0.33 of an acre zoned "SND-1" Special Neighborhood District-1, and is within the Sophienburg Hill Historic District. The property is a double frontage parcel with frontage on both S. Academy Avenue and Hill Avenue and is improved with a single family residence facing S. Academy Avenue. This home was constructed in 1937 and was designated a Historic Landmark in 2014.

Section 118-49 of New Braunfels' Platting Ordinance requires the installation of a 4-foot wide sidewalk at the time of individual residential lot improvement. The applicant is requesting a waiver from this requirement adjacent to both Hill and Academy Avenues. He cites there are no sidewalks within the existing neighborhood or general area. The nearest sidewalks are approximately 490 feet away on Academy Avenue in front of the Sophienburg Museum, and 495 feet away on Castell Avenue at the intersection with Butcher Street (Attachment 6).

On November 7, 2017, the Planning Commission approved the applicant's replat of this tract and recommended approval of this waiver request. In considering this waiver request, the Planning

Commission had three options:

1. To deny the waiver and require the sidewalk construction at the time of new development on the property;
2. To recommend the applicant escrow the estimated amount of the sidewalk for construction by the City at a later date; or
3. To recommend waiving the sidewalk requirement.

The Platting Ordinance authorizes waivers to be approved when an undue hardship will result from strict compliance with a provision of 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 is secured. A waiver may not be approved unless it is found 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:

√	No	<i>City Plan/Council Priority: 2006 Comprehensive Plan Pros and Cons Based on Policies Plan</i>	<i>Pros: None. Cons: Goal 25B-6 Sidewalks should be provided for all new development, offset from street wherever possible. The Comprehensive Plan encourages sidewalk construction.</i>
---	----	---	--

FISCAL IMPACT:

Cost of sidewalk construction may be at the City's expense in the future if the waiver is granted.

COMMITTEE RECOMMENDATION:

The Planning Commission voted to recommend waiving the sidewalk requirement (6-0-0) with Commissioners Laskowski and Sonier absent.

STAFF RECOMMENDATION:

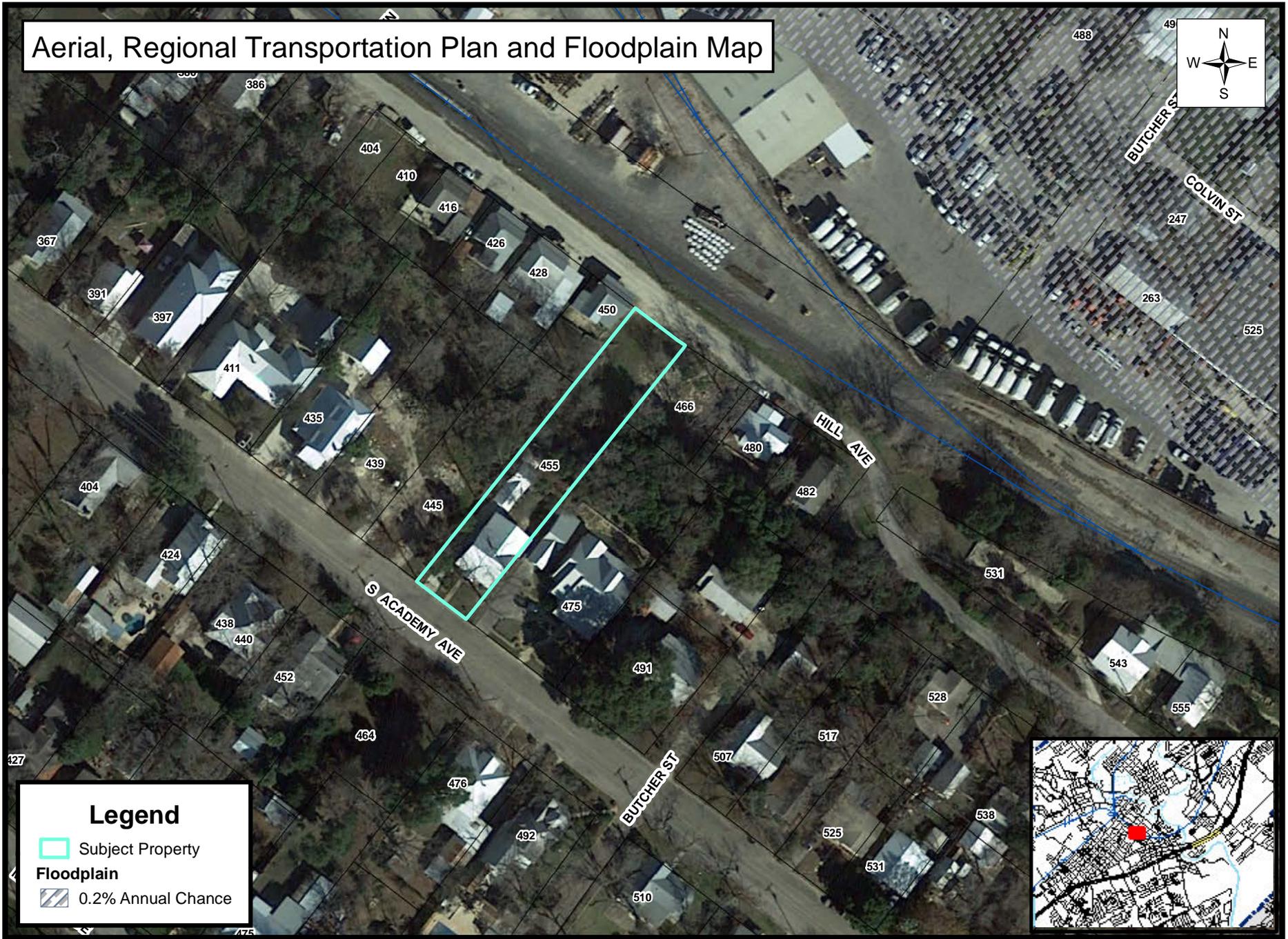
Sidewalk connectivity is important for safe mobility as well as for community health. The surrounding area is a residential neighborhood and sidewalks will facilitate safe and convenient pedestrian mobility. Therefore, staff recommends denial of the request in order to have the sidewalk network be constructed in this established historic neighborhood over time.

ATTACHMENTS:

1. Aerial and Regional Transportation Plan Map
2. Application
3. Reduced Plat
4. Sidewalk Exhibit

-
5. Photographs of Subject Property
 6. Section 118-49 Sidewalks
 7. Section 118-11 Waiver
 8. Excerpt from Planning Commission Meeting Minutes of November 7, 2017

Aerial, Regional Transportation Plan and Floodplain Map



ATTACHMENT 1



PL-17-120
Replat of a portion of Lots 13,14,18 & 19, City Block 1015
Final Plat

Map Created 10/19/17



PLANNING

APPLICATION FOR LAND SUBDIVISION (PLAT)

Planning and Community Development
550 Landa Street, New Braunfels TX 78130
(830) 221-4050
www.nbtexas.org



Case No.: PL-17-120

CHECK ONE: [] Master Plan [] Prelim./Final Plat [] Prelim. Plat [] Final Plat [x] Replat [] Amended [] Minor

1. PROPOSED SUBDIVISION NAME: City Block 1015 UNIT NO.:

LOCATION DESCRIPTION / NEAREST INTERSECTION:

ACREAGE: 0.330 NO. OF LOTS - EXISTING: 1 PROPOSED: 2

REASON(S) FOR PLATTING/REPLATTING: Practical Utilization of Property

2. OWNER/APPLICANT*: Jesse W. Brewer

(* If applicant is person other than owner, a letter of authorization must be provided from owner.)

ADDRESS: 495 So Academy

TELEPHONE: 830-625-5358 MOBILE: 830-832-0679

EMAIL: SNJBREW@SATX.ER.COM

3. LICENSED ENGINEER/SURVEYOR: HMT Engr. & Surveying

MAILING ADDRESS: 410 No Semin Ave N.B. TX 78130

TELEPHONE: 830-625-8555 MOBILE:

EMAIL: plats@hmtab.com

4. LIST ANY VARIANCES / WAIVERS REQUESTED (\$150-\$300 EACH): Sidewalk Waiver

REASON FOR REQUEST (LIST ANY HARDSHIPS): PRACTICAL APPLICATIONS

5. PRESENT USE OF THE PROPERTY: Residential CURRENT ZONING: SMD-1

6. CITY LIMITS: [x] IN [] OUT - COUNTY: [x] COMAL [] GUADALUPE - SCHOOL DIST: [] CISD [x] NBISD []

7. IS ANY PART OF THE PROPERTY IN A FLOODPLAIN? [] YES [x] NO (specify)

8. DOES PLAT FALL IN THE BOUNDARY FOR: [x] NBU [] GVEC [] AT&T [] OTHER: [] TXDOT ROAD

9. Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary prior to filing of said plat with the County Clerk's office.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

- [x] Completed application, including signature of owner/applicant and signed waiver.
[] Fee (see reverse)
[x] 3 copies of TIA worksheets, reviewed by City Engineer, and appropriate Level TIA if required. HMT
[x] Copy of deed showing current ownership.
[x] 17 copies of the plat, collated and folded so that the subdivision name is visible. HMT
[x] 5 copies of Preliminary utilities plan including wastewater and water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants. HMT
[x] 2 copies of the preliminary drainage plan HMT
[x] Current deed restrictions for Vacating Plats, Replats, and Townhouse and Zero Lot Line Subdivisions. N/A
[x] Survey showing any existing structures on the subject property. HMT
[] List of approved street names by the appropriate county. WILL ST N/A
[] Mailed notification x 2.15 each = - residential replat
[] Newspaper Notice 115.00 each - residential replat Side walk waiver \$300

I agree to comply with all platting and subdivision requirements of the City of New Braunfels. I understand that the plat will NOT be forwarded to the Planning Commission unless staff comments are satisfactorily addressed by the plat correction due date. I voluntarily waive my right to request a certificate stating the date the plat was filed and that the Planning Commission failed to act on the plat within thirty days. I do not object to consideration of the plat on 11/2/17 (date of Planning Commission meeting). This waiver expires after 11/2/17 (date of Planning Commission meeting). (The waiver statement above is not applicable to Minor Plats.)

Date

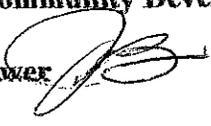
Signature of Owner/Applicant

Jesse W. Brewer
Print Name & Title

*If applicant is person other than owner, a letter of authorization must be provided from owner. Signature indicates authorization for

October 12, 2017

To: City of New Braunfels
Planning and Community Development Dept.

From: J. W. "Jay" Brewer 

Re: 455 Academy - Replat to Establish Lots 18R and 19R

Subj.: Sidewalk Waiver Request

The request for a "sidewalk waiver" for this re-plat initiative was filed on September 26th, 2017. The waiver request was accompanied by check number 1316 which included the \$300. sidewalk waiver request fee as well as other fees associated with the replat. The request for waiver centers around the nature of this very old and quite unique residential section of Hill St. situated between Garden and Jahn. As this neighborhood currently exists, it is neither practical nor justifiable to consider the addition of sidewalks and on a mid to long term planning horizon there would be little consideration given to any economic development investment.

There are an estimated 20 homes on the street in the area of this re-plat that are built on lots that range in width from approximately 29' to 60' and depths of just 83' to 87'. This portion of Hill Ave. is very narrow with widths of about 17' to 20' with homes on one side -- and the railroad tracks closely positioned on the other. Several of these homes are built very close to the street with porches as close as two feet from the edge of the street and several about 5' to 7' from the edge of the street. (See attached photo copies) The street is not really even wide enough in some places to safely accommodate two way traffic. Sidewalks just do seem to be a useful, practical or prudent expenditure with little or not practical way to consider the addition of such. And the addition of sidewalks in this area would clearly have an adverse affect on a number of homeowners and would represent considerable disruption to their properties and their lives. Further, less than 200' "up the hill" the street makes a sharp turn where other properties would be affected by the addition of sidewalks and the cost to add those would escalate considerably.

The nature of this re-plat request does not include any future plan to add a residential structure, or a structure of any type, but merely to re-position this portion of an existing lot to represent a viable option for any future consideration -- where currently, under SND-1 zoning requirements, this portion is of no practical use.

Thank you for your consideration of the request.

Contact Information: snjbrew@satx.rr.com

830-832-0679





UNION PACIFIC RAILROAD R.O.W.

PART OF LOT 13
NCB 1015
ERASTO SALAZAR
DOC. NO. 200407171
O.P.R.C.C.T.

PARTS OF LOTS 14, 15, 19,
& 20, NCB 1015
JESSE & SUSAN BREWER
DOC. NO. 200606028793
O.P.R.C.C.T.

ACADEMY HILL
DOC. NO. 201606019888
M.P.R.C.C.T.

SCALE: 1"=100'

EXISTING

BEING THE SOUTHEAST PORTION OF LOTS 13 AND 18, AND THE NORTHWEST PORTION OF LOTS 14 AND 19 IN NEW CITY BLOCK 1015, PLAT OF WHICH IS RECORDED IN VOLUME 1, PAGE 9, DEED RECORDS, COMAL COUNTY, TEXAS.

PLAT NOTES:

1. ALL LOTS WITHIN THE SUBDIVISION WILL BE PROVIDED WATER, SEWER AND ELECTRIC SERVICE BY NEW BRAUNFELS UTILITIES. TELEPHONE AND CABLE SERVICES FOR THE SUBDIVISION WILL BE PROVIDED BY AT&T COMMUNICATIONS AND/OR SPECTRUM.
2. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4264), NORTH AMERICAN DATUM 1983. GRID DISTANCES SHOWN HEREON ARE BASED UPON SURFACE MEASUREMENTS. TO CONVERT SURFACE DISTANCES TO GRID, APPLY A CORRECTION SCALE FACTOR OF 1.00019.
3. 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.
4. THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
5. THIS SUBDIVISION IS WITHIN THE CITY LIMITS OF NEW BRAUNFELS, TEXAS.
6. THIS SUBDIVISION IS WITHIN THE NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT.
7. NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN ANY SPECIAL FLOOD HAZARD AREA (FLOOD 1R, FLOOD), AS DETERMINED BY THE COMAL COUNTY, TEXAS, FLOOD INSURANCE RATE MAP NUMBER A00140489, EFFECTIVE DATE, SEPTEMBER 2, 2008 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
8. 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.
9. FUTURE DEVELOPMENT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS AND OTHER PUBLIC SPACES) OF THE NEW BRAUNFELS CODE OF ORDINANCES.
10. 4' SIDEWALKS WILL BE CONSTRUCTED PER CITY STANDARDS ALONGSIDE AND ADJACENT TO THE CURB OF ACADEMY AVE AND HILL AVE BY THE OWNER AT THE TIME OF DEVELOPMENT. SIDEWALK REQUIREMENT TO BE WAIVED PER CITY COUNCIL APPROVAL, DATED _____ IN LIEU OF SIDEWALK CONSTRUCTION.
11. 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 DRAINWAYS SERVING HOUSES ON THE DOWNHILL SIDE OF THE STREET SHALL HAVE A PROPERLY SIZED CROSS-SHAPE PREVENTING RUNOFF FROM ENTERING THE GARAGE AND SHALL PREVENT WATER FROM LEAVING THE STREET.

1. SUBJECT TO THE CITY OF NEW BRAUNFELS PARK LAND DEDICATION AND CE, AT SUCH TIME THAT ANY NEW DWELLING UNITS ARE NEAR OF THE LOT(S) SHALL CONTACT THE CITY AND COMPLY WITH THE DWELLING UNIT.

BUILDABLE RESIDENTIAL LOTS. ALL LOTS MEET THE MINIMUM SQUARE FEET REQUIREMENT AND VARIANCE REQUEST NEW BRAUNFELS ZONING BOARD OF ADJUSTMENTS.

SE PRESENTS:

IRK F. CONLAN, A REGISTERED PROFESSIONAL SURVEYOR, STATE OF TEXAS, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY PERSONAL SUPERVISION AND THAT THE CORNER MONUMENTS WERE SET BY MY SUPERVISION. DOCUMENT SHALL NOT BE FOR ANY PURPOSE.

IAL LAND SURVEYOR NO. 5342
W BRAUNFELS, TEXAS 78130

1/24, 2017
1/28/27, 2017

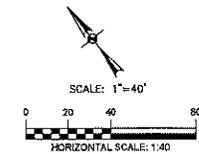
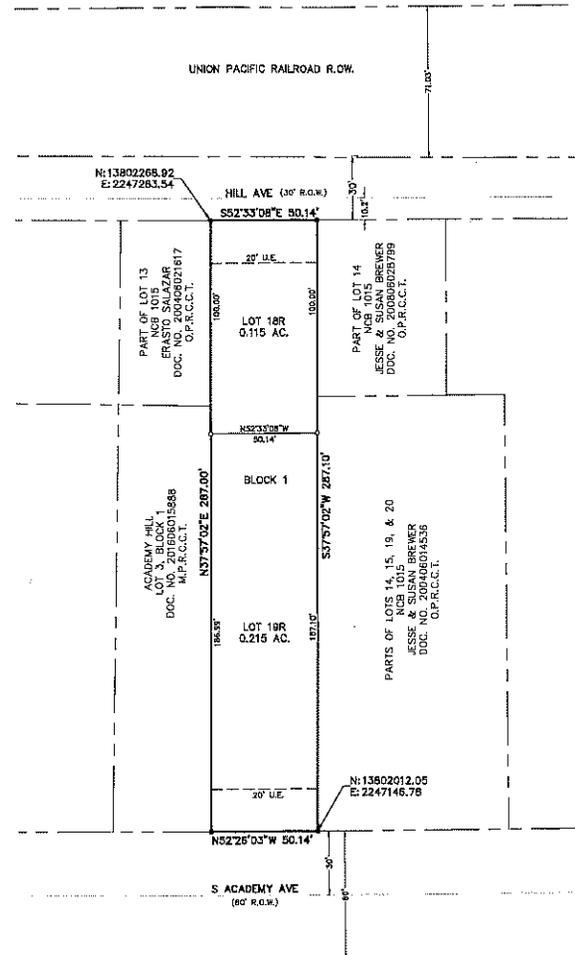


410 N. SEQUIN AVE.
NEW BRAUNFELS,
TEXAS 78130
WWW.HMTNS.COM
PH: (830)625-8555
TBPE FIRM F-10961
TBPLS FIRM 10153600

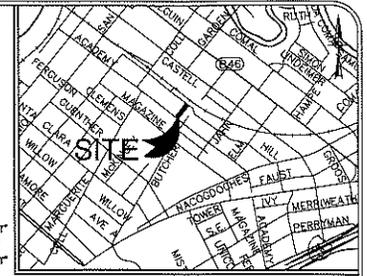
FINAL PLAT OF THE REPLAT OF A PORTION OF LOTS 13, 14, 18
& 19, CITY BLOCK 1015 ESTABLISHING
LOTS 18R & 19R, CITY BLOCK 1015

BEING 0.330 OF AN ACRE OF LAND, BEING THE SOUTHEAST PORTION OF LOTS 13 AND 18, AND THE NORTHWEST PORTION OF LOTS 14 AND 19 IN NEW CITY BLOCK 1015, PLAT OF WHICH IS RECORDED IN VOLUME 1, PAGE 9, DEED RECORDS, COMAL COUNTY, TEXAS, ALSO BEING ALL OF A CALLED 0.330 ACRE TRACT DESCRIBED IN DOCUMENT NO. 201406014582, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

THE PURPOSE OF THE REPLAT IS TO DIVIDE THE ORIGINAL LOT INTO TWO LOTS.



- LEGEND:
- = FND 1/2" IRON PIN W/ PLASTIC CAP STAMPED "HMT" (UNLESS NOTED OTHERWISE)
 - = SET 1/2" IRON PIN W/ PLASTIC CAP STAMPED "HMT"
 - B.L. = BUILDING SETBACK LINE
 - U.E. = UTILITY EASEMENT
 - R.O.W. = RIGHT-OF-WAY
 - = OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS



LOCATION MAP
NOT TO SCALE

STATE OF TEXAS
COUNTY OF COMAL

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS FINAL PLAT OF THE REPLAT OF A PORTION OF LOTS 13, 14, 18 & 19, CITY BLOCK 1015 ESTABLISHING LOTS 18R & 19R, CITY BLOCK 1015, A 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.

BREWER INVESTMENT PROPERTIES
JESSE W. BREWER
475 S ACADEMY AVENUE
NEW BRAUNFELS, TEXAS 78130

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: _____

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 PLAY RECORDS, DOC# _____ OF COMAL COUNTY ON THE _____ DAY OF _____, 20____ AT _____.

WITNESS MY HAND AND OFFICIAL SEAL, THIS THE _____ DAY OF _____, 20____

COUNTY CLERK, COMAL COUNTY, TEXAS

DEPUTY _____

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 OF 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 DWELLING 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.

-19\Plat\2017-18-Regist NCB 1015 Lot 13-14-18-19.dwg User: wjfk Oct 18, 2017 5:25pm

ATTACHMENT 3

Sidewalk Exhibit



Legend

-  Subject Property
-  Existing Sidewalks

ATTACHMENT 4



PL-17-120
Replat of a portion of Lots 13,14,18 & 19, City Block 1015
Final Plat

Map Created 10/19/17





PL-17-120
Replat of a portion of Lots 13,14,18 & 19, City Block 1015
Final Plat

Sec. 118-49. Sidewalks.

- a. *Requirement for installation.* Sidewalks shall be required, unless an exception is granted by the Planning Commission, in accordance with the following:
 1. On the subdivision or development side or sides of all major thoroughfares or arterial streets as indicated on the City's Thoroughfare Plan, or a major thoroughfare as determined by the Planning Commission, and on perimeter streets.
 2. On both sides of a street that serves as a local or collector street, except (i) no sidewalks are required along a local residential large-lot street section, as shown in this Chapter, where there is no parking on the street and where each lot has at least 100 feet of frontage, (ii) when a alternative pedestrian access plan is approved by the Planning Commission, and (iii) when an exception is granted by the Planning Commission.
 3. As deemed necessary by the Planning Commission in any area based on uniformity along the street and conformity with the surrounding area.
- b. *Installation.* Sidewalks shall be installed at the street front of lots, along the street side of corner lots, and as required on perimeter streets. Sidewalks shall be constructed in accordance with City standards and specifications at such time as the lot is improved unless otherwise determined by the Planning Commission. For instance, where there would be no building improvement to the area adjacent to the sidewalk.
- c. *Escrow.* With regard to sidewalks on perimeter streets, the Planning Commission, upon request of the applicant, may allow the applicant to deposit in escrow the cost of sidewalks, as approved by the City Engineer, for installation of sidewalks at a later date. The escrow money or letter of credit shall be deposited with the City prior to filing of the final plat.
- d. *Plat note.* A plat note shall be placed on the final plat indicating that sidewalks were required, upon which streets sidewalks were required and who is responsible for installation.
- e. *Location of Sidewalks.*
 1. Sidewalks shall usually be constructed in the right-of-way of the adjacent street, but may be in easements as approved by the Planning Commission. For instance, along TxDOT ROW where future improvements would damage the sidewalk or where the walk is not adjacent to a street.
 2. Sidewalks adjacent to single family or two family lots, along a local street, shall be placed in the right-of-way at least three feet from the curb or adjacent to the curb.
 3. All sidewalks adjacent to collector streets, arterial streets, or TxDOT highways shall be separated by at least 4 feet from the curb or edge of the shoulder.
- f. *Pedestrian and bikeways.* Pedestrian and bikeways, six feet in width, located in the right-of-way or in a public access easement, shall be dedicated and constructed where deemed necessary by the Planning Commission, to provide circulation or access to schools, playgrounds, parks, shopping centers, arterial streets and community facilities, or to provide pedestrian circulation within the subdivision. For instance, the Commission may require such pedestrian or bikeways between lots at the end of culs-de-sac. Pedestrian and bikeways shall be constructed by the developer with a surface approved by the Planning Commission. Such pedestrian and bikeways may be required along perimeter streets.
- g. *Sidewalk widths* shall be as follows:
 1. Along one or two family lots: four feet.
 2. Along multifamily or non-residential lots: six feet.

3. In front of a commercial or multifamily building(s) where there is less than a 10 foot building setback: 10 feet.
-
- h. *Alternate pedestrian access plan.* Rather than requiring sidewalks on both sides of all streets within a subdivision, or along a perimeter street, the applicant may present for Commission approval an alternate plan showing pedestrian access within and to destinations outside the subdivision such as schools and shopping. Such a plan might provide for no sidewalks on cul-de-sac bubbles, on both sides of all streets, or where the street was wider than the minimum standards.

Sec. 118-11. Waiver

- a. General. Where the Planning Commission finds that undue hardships will result from strict compliance with a certain provision(s) of this Ordinance, or where the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve a waiver from any portion of these regulations so that substantial justice may be done and the public interest is secured, provided that the waiver shall not have the effect of nullifying the intent and purpose of these regulations, and further provided that the Planning Commission shall not approve a waiver unless it shall make 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;
 3. The waiver will not in any manner vary the provisions of the Zoning Ordinance or other ordinance(s) of the City.
- b. Zoning Variance. If a zoning variance is requested on a particular parcel of property, then it may be decided concurrently with the submittal and consideration of any request for a waiver from any provision of this Chapter.
- c. Zoning District Change. The Commission may consider a Master Plan or any type of plat simultaneously with a zoning district change application and may condition approval of a Master Plan or any type of plat upon final City Council approval of the zoning district change that would cause the Master Plan or plat to be consistent with the zoning.
- d. Conditions. In approving a waiver from any provision of this Chapter, the Planning Commission may require such conditions as will secure substantially the purposes described in this Chapter.
- e. Procedures:
 1. A petition for a waiver shall be submitted in writing to the Planning Department by the property owner or agent before the plat is submitted for the consideration of the Planning Commission. The petition for a waiver can be submitted with the application at any time before the "plat corrections due date" provided for on the approved Commission meeting calendar. The petition shall explain the purpose of the waiver, state fully the grounds for the waiver, and all of the facts relied upon by the petitioner.
 2. Waivers may be approved, disapproved or approved with conditions by the Planning Commission. All waivers for sidewalks approved and approved with conditions, including the approval of the escrowing funds for the construction of sidewalks on perimeter streets to be built at a later date as prescribed in section 118-49(c), will be forwarded to City Council for final approval.
 3. The findings of the Planning Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Planning Commission meeting at which a waiver is considered, approved or disapproved.

Draft Minutes for the November 7, 2017 Planning Commission Regular Meeting

PL-17-120: Public hearing and consideration of the replat of a portion of Lots 13, 14, 18 and 19, City Block 1015, Establishing Lots 18R and 19r, City Block 1015, with a waiver.

(Applicant: HMT; Case Manager: M. Greene)

Waiver: 1. To not require the construction of public sidewalks.

Mr. Greene presented the Staff report and recommended approval with the following requirements:

1. City and TxDOT review and approval of the TIA. Any required mitigation may necessitate changes to the approved final plat.
2. Determination from the Parks and Recreation Department regarding parkland dedication and development, and payment of applicable fees.
3. Approval of construction plans for public improvements.
4. Remove "or sufficient marker due to terrain" from Note 2 regarding monuments.
5. Approval of the Utility Service Agreement by NBU.

Mr. Greene stated Staff did not support the waiver request.

Commissioner Bearden inquired to the setbacks of the residential homes on Hill Avenue.

Mr. Greene responded approximately as little as 2 feet.

Discussion followed regarding Hill Avenue.

Chair Elrod asked if anyone wished to speak in favor.

Jay Brewer, 475 S. Academy Avenue, stated he was the owner of the subject property. He explained the reasoning for their request to replat the property. He stated there was no plans at that time to develop the lot with frontage on Hill Avenue. He stated it would not set a precedent for the street, citing the variation of lot sizes and widths in that area. He explained the road did not have a consistent width. He stated the installation of sidewalks on Hill Avenue as it existed would not be practical. He stated the proposed South Castell Avenue Master Plan proposed to extend Hill Avenue, therefore it would be redeveloped in the future.

Chair Elrod asked if anyone wished to speak in opposition.

No one spoke.

Motion by Vice Chair Edwards, seconded by Commissioner Bearden, to close the public hearing. The motion carried (6-0-0).

Motion by Commissioner Bearden, seconded by Commissioner Hoyt, to approve the replat of a portion of Lots 13, 14, 18 and 19, City Block 1015, Establishing Lots 18R and 19r, City Block 1015, with Staff recommendations and waiver. Motion carried (6-0-0).

11/27/2017

Agenda Item No. I)

Presenter/Contact

*Bryan Woods, Assistant City Manager
(830) 221-4022 - bwoods@nbtexas.org*

SUBJECT:

Discuss and consider approval of a contract with TI-Zack Concrete, Inc for construction services; a contract with Raba Kistner Consultants for materials testing services; and authority for the City Manager to approve any changes up to 10 percent Owner and Contractor contingencies as well as other necessary project expenditures for the Westside Pedestrian Improvement project.

BACKGROUND / RATIONALE:

In 2015, The Alamo Area Metropolitan Planning Organization issued a call for Transportation Alternatives Program (TAP) funded projects including on- and off-road pedestrian and bicycle infrastructure projects for improving non-driver access to public transportation and enhanced mobility throughout the community. In February 2016, City Council approved a resolution for the City to enter into a Local Project Advance Funding Agreement (LPAFA) with the Texas Department of Transportation (TXDOT) for the development, design and construction of sidewalk improvements, pedestrian ramps, crosswalks, and signage in various locations near Lone Star Elementary.

A Competitive Sealed Proposal (CSP) was released by the City on October 6, 2017 to multiple bidders and then opened and read aloud on November 6, 2017 at 3:00pm. Three proposals were received by the closing date from: TI-Zack Concrete; EZ-Bel Construction; and Meyers Concrete. TI-Zack Concrete was the apparent low bidder and submitted their bid in the amount of \$1,198,631.39. As part of the LPAFA, which is written as a reimbursement agreement, the cost participation breakdown requires that the City pay for all construction costs up-front but shall be able to submit for a reimbursement of funds of up to 80% of the total construction costs, but not to exceed \$973,452, which is the Federal Government's *maximum* cost participation. The City, then, is responsible for 20% of construction costs, which at this time is approximately \$239,726.28 (plus overruns) of the base bid. A review and reference check has been conducted of the low bid submittal and has been found to be satisfactory with no exceptions. Staff recommends awarding the project to TI-Zack Concrete.

In addition to the City's cost participation portion of the base contract, included is a ten percent project contingency (\$119,863.14) and materials testing Raba Kistner Consultants (\$20,106.00) for a total, after reimbursement, \$379,695.42.

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

X	Yes	City Plan/Council Priority	Strategic Priorities: Continue an ongoing program of infrastructure construction and maintenance
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FISCAL IMPACT:

Sufficient funds will be available to award the contract, contingency and materials testing as described above upon approval by City Council from the following funding sources which total \$1,382,371.00: 2007, 2008, 2011, 2012, 2013 Certificates of Obligation, as well as 2015 Tax Note.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Contingent upon TXDOT review and approval, staff recommends approval of a contract with TI-Zack Concrete, Inc for construction services; a contract with Raba Kistner Consultants for materials testing services; and authority for the City Manager to approve any changes up to ten percent Owner and Contractor contingencies as well as other necessary project expenditures for the Westside Pedestrian Improvement project.

11/27/2017

Agenda Item No. J)

Presenter/Contact

*Bryan Woods, Assistant City Manager
(830) 221-4022- bwoods@nbtexas.org*

SUBJECT:

Discuss and consider approval of a contract with J3 Company, Inc for construction services; a contract with Raba Kistner Consultants for materials testing services; and authority for the City Manager to approve any changes up to seven percent Owner and Contractor contingencies, as well as other necessary project expenditures for the San Antonio Street Improvements project.

BACKGROUND / RATIONALE:

As part of the 2013 Bond Program, multiple streets throughout the City were assessed and approved to be included into the Proposition 1 City-Wide Street Improvements plan. Projects in this program could include: mill & overlay of pavement, curb repair/replacement, sidewalk repairs, and concrete diamonds around meter boxes and manholes.

A Competitive Sealed Proposal (CSP) was released by the City on October 6, 2017 and a total of six bids were received and read aloud on November 6, 2017 at City Hall. An internal review was completed on each of the submissions and they were each scored based on the cost, relevant experience, schedule and financial capacity. Based on this criteria, J3 Company, Inc with the low bid of \$1,757,254.19, was found to be satisfactory with no-exceptions taken regarding their formal bid submittal.

In addition to the base bid approval, also included for approval is a seven percent project contingency of \$123,007.79 and materials testing services in the amount of \$28,580.00, for a total of \$1,908,841.98.

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

<input checked="" type="checkbox"/>	Yes	City Plan/Council Priority	Strategic Priorities: Continue an ongoing program of infrastructure construction and maintenance
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FISCAL IMPACT:

Sufficient funds will be available to award the contract, contingency and materials testing as described above upon approval by City Council from the Prop I 2013 Bond Program which includes \$10 million for the City-Wide Street Improvement projects.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of a contract with J3 Company, Inc for construction services; a contract with Raba Kistner Consultants for materials testing services; and authority for the City Manager to approve any changes up to seven percent Owner and Contractor contingencies as well as other necessary project expenditures for the San Antonio Street Improvement project.

11/27/2017

Agenda Item No. K)

Presenter/Contact

Garry Ford, City Engineer
(830) 221-4020 - gford@nbtexas.org

SUBJECT:

Discuss and consider approval of a resolution supporting a recommendation of City of New Braunfels transportation improvement projects for the Alamo Area Metropolitan Planning Organization's Surface Transportation Program - Metropolitan Mobility call for projects for the FY 2019-2022 Transportation Improvement Program.

BACKGROUND / RATIONALE:

The Alamo Area Metropolitan Planning Organization (MPO) has issued an agency call for Surface Transportation Program, Metropolitan Mobility (STP-MM) funded projects in support of the development of the FY 2019-2022 Transportation Improvement Program. STP-MM is a reimbursable federal funding program and all applicable federal rules apply. Contingent upon the availability of federal funding, the estimated STP-MM amount available for this program call is \$150-170 million.

The MPO will accept submittals for the construction of additional lane capacity; bicycle and pedestrian improvements; major planning studies; operational and safety improvements; and transit passenger facilities. Projects would be programmed to let to contract in years 2019 through 2024. Commitment of all project development costs and local match is required by the implementing agency which includes a minimum 20% local match for the construction cost and 100% of project development costs including engineering, environmental, right-of-way, construction management and project administration. Although the MPO makes funding decisions associated with STP-MM funds, the Texas Department of Transportation (TxDOT) is the federally designated pass-through agency for this funding source. Entities awarded funding will enter into agreements with TxDOT and TxDOT will charge a fee for review of all aspects of the project(s).

Projects submitted for funding consideration must have a minimum construction cost of \$1,000,000 and must be on functionally classified roads and in areas that are open to the public. Project submittals and commitment of local match are due to the MPO on December 4, 2017. Projects will be selected by the MPO's Transportation Policy Board based on agency priorities, public input, project readiness and technical score.

Below are the proposed projects, type of project and implementing agency staff identified for MPO's STP-MM call for projects:

1. Loop 337 Overpass at River Road, Additional Lane Capacity, TxDOT
2. Advance Traffic Signal Management, Operational and Safety Improvements, TxDOT and City of New Braunfels
3. Klein Road between Walnut Ave and FM 725, Additional Lane Capacity, City of New Braunfels

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4. FM 725/Seguin Ave at IH 35, Operational and Safety Improvements, TxDOT
 5. FM 1101 between FM 306 to Kohlenberg Road, Additional Lane Capacity, TxDOT
 6. Dry Comal Creek Trail between Walnut Ave and Landa Street, Bicycle and Pedestrian improvements, City of New Braunfels

The proposed projects are listed in staff priority. Preliminary engineering assessments are underway to determine the scope of the projects, construction estimates and project development costs for City of New Braunfels local match and project development cost estimates. The estimated project development and construction costs and identification of potential matching funds will be presented to City Council on November 27, 2017 for approval and commitment of local match.

The projects on the State Highway System have been coordinated with TxDOT who is preparing the application and project development and construction costs.

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

City Plan/Council Priority: 2006 Comprehensive Plan, Transportation Goal 21: Provide a system of convenient and safe transportation facilities through comprehensive, cooperative and continuing transportation system planning and development.

FISCAL IMPACT:

The STP-MM program is a reimbursable federal funding program and the City is responsible for the minimum 20% local match for the construction cost and 100% of project development costs for City of New Braunfels projects.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends the six projects identified and prioritized in this report and resolution.

RESOLUTION NO. 2017-____

A RESOLUTION SUPPORTING A CITY OF NEW BRAUNFELS RECOMMENDATION FOR TRANSPORTATION IMPROVEMENT PROJECTS FOR THE ALAMO AREA METROPOLITAN PLANNING ORGANIZATION'S SURFACE TRANSPORTATION PROGRAM – METROPOLITAN MOBILITY CALL FOR PROJECTS FOR THE FY 2019-2022 TRANSPORTATION IMPROVEMENT PROGRAM.

WHEREAS, the Alamo Area Metropolitan Organization has issued a call for Surface Transportation Program – Metropolitan Mobility program funded projects for the FY 2019-2022 Transportation Improvement Program; and

WHEREAS, the Alamo Area Metropolitan Organization has requested the City of New Braunfels provide input for proposed transportation improvement projects within New Braunfels; and

WHEREAS, the City of New Braunfels will submit transportation projects on the State Highway System to the Texas Department of Transportation for consideration for the 2019-2022 Transportation Improvement Program; and

WHEREAS, the City of New Braunfels will submit transportation projects on the City of New Braunfels Transportation System to the Alamo Area Metropolitan Planning Organization for the 2019-2022 Transportation Improvement Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

THAT, the City of New Braunfels recommends the roadway improvement projects as indicated in Exhibit “A” which is attached hereto.

PASSED, ADOPTED AND APPROVED this 27th day of November, 2017.

City of New Braunfels, Texas

BARRON CASTEEL, Mayor

Attest:

PATRICK D. ATEN, City Secretary

EXHIBIT “A”

Transportation Improvement Projects for the Alamo Area Metropolitan Planning Organization FY 2019-2022 Transportation Improvement Program as Recommended by City of New Braunfels City Council on November 27, 2017

Priority	Roadway	Limits	Description	Sponsoring Agency
1	Loop 337	River Road	Loop 337 Overpass at River Road	TxDOT
2	Citywide	City Traffic Signals	Advanced Traffic Management System for traffic signals operated and maintained by the City to include communications, traffic hardware and software	City of New Braunfels/ TxDOT *To be coordinated with TxDOT on final project submittal and sponsoring agency
3	Klein Rd	FM 725 – Walnut Ave	Improve to 3 lanes with left/right turn lanes, sidewalks and drainage/signal improvements	City of New Braunfels
4	IH 35	FM 725	Operational improvements at the FM 725 interchange	TxDOT
5	FM 1101	FM 306 – Kohlenberg Rd	Improve to 3 lanes with left/right turn lanes and sidewalks	TxDOT
6	Dry Comal Creek Trail	Walnut Ave – Landa St	Construct shared-use path along Dry Comal Creek	City of New Braunfels

11/27/2017

Agenda Item No. L)

Presenter/Contact

Wayne Peters, Mayor Pro Tem, District 5
wpeters@nbtexas.org

SUBJECT:

Discuss and consider possible direction to City staff regarding a City Councilmember travel policy.

BACKGROUND / RATIONALE:

This item was placed on the agenda by Mayor Pro Tem Peters.

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

N/A

FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

N/A

11/27/2017

Agenda Item No. A)

Deliberate pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct in accordance with Section 551.071, of the Texas Government Code, specifically:

- Collection action
- National Flight Services, Inc.



City Council Agenda Item Report

550 Landa Street
New Braunfels, TX

11/27/2017

Agenda Item No. B)

Deliberate and consider the purchase of, exchange, lease or value of real property, in accordance with Section 551.072, of the Texas Government Code, including but not limited to:

- acquisition of land for city facilities
- abandonment/exchange of public right-of-way