

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING THE “BAILEY’S POND” PLANNED DEVELOPMENT DISTRICT DETAIL PLAN AND RELATED DEVELOPMENT STANDARDS, ON APPROXIMATELY 36 ACRES OUT OF THE A. M. ESNAURIZAR A-20 SURVEY, ADDRESSED AT 1141 HIGHWAY 46 SOUTH; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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

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

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

WHEREAS, the City Council desires to amend the “Bailey’s Pond” 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 Development Standards adopted February 9, 2004 in Ordinance 2004-03 are hereby amended by adopting the Detail Plan and Development Standards described below on the following described tract of land:

Approximately 36 acres of land out of the A.M. Esnaurizar A-20 Survey, addressed at 1141 Highway 46 South, as depicted in Exhibit “A” and described in Exhibit “B”, and adopting the Amended Detail Plan and Development Standards contained in Exhibit “C”, 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THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.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 of same.

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

PASSED AND APPROVED: Second and Final Reading this the 8th day of May, 2017.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



PZ-17-007
Bailey's Pond Planned Development
Detail Plan Amendment



MDS

LAND SURVEYING COMPANY, INC.
BOUNDARY • TOPOGRAPHIC • CONSTRUCTION
8 SPENCER ROAD
BOHRNE, TEXAS 78008
PHONE: 830-816-1818
TDPLS FIRM NO. 10019600

Field Notes for a 35.805 Acres of Land

BEING 35.805 acres of land out of Subdivision No. 112 of the A.M. Esnaurizar Eleven League Grant, Guadalupe County, Texas, being out of that certain called 48.807 acre tract of land as recorded in Volume 1512, Page 790, Official Public Records of Guadalupe County, Texas, said 35.805 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" rebar found at the east corner of the called 48.807 acre tract, the south corner of a called 50.005 acre tract recorded in Volume 1129, Page 880, Official Public Records of Guadalupe County, Texas, the north corner of Saengerhalle Subdivision, Unit Two, recorded in Volume 6, Page 507, Plat Records of Guadalupe County, Texas;

THENCE, along the southeast boundary line of the called 48.807 acre tract, the northwest boundary line of Saengerhalle Subdivision, Unit Two, **South 44°50'55" West, a distance of 1061.00 feet** (South 44°52'02" West, a distance of 1061.00 feet-record), to a 1/2" rebar found at the west corner of Saengerhalle Subdivision, Unit Two, the north corner of a called 40.892 acre tract recorded in Volume 2413, Page 820, Official Public Records of Guadalupe County, Texas;

THENCE, continuing along the southeast boundary line of the called 48.807 acre tract, the northwest boundary line of the called 40.892 acre tract, **South 44°53'00" West, a distance of 681.19 feet** (South 45°23'23" West, a distance of 681.76 feet-record), to a 1/2" rebar found at the west corner of the called 40.892 acre tract, the north corner of a called 10.337 acre tract recorded in Volume 412, Page 3, Deed Records of Guadalupe County, Texas;

THENCE, continuing along the southeast boundary line of the called 48.807 acre tract, the northwest boundary line of the called 10.337 acre tract, **South 45°09'00" West, a distance of 528.07 feet** (South 45°35'36" West, a distance of 527.92 feet-record), to a 1/2" rebar found for an exterior corner of the called 48.807 acre tract, the east corner of a called 2.089 acre tract recorded in Volume 1198, Page 386, Official Public Records of Guadalupe County, Texas;

THENCE, along the common boundary line between the called 48.807 acre tract and the called 2.089 acre tract, the following courses and distances:

North 38°04'51" West, a distance of 421.04 feet (North 37°36'01" West, a distance of 421.75 feet-record), to a 1/2" rebar found for an interior corner of the called 48.807 acre tract, the north corner of the called 2.089 acre tract;

EXHIBIT "B"

South 34°27'59" West, a distance of 238.07 feet (South 35°05'15" West, a distance of 238.05 feet-record), to a 1/2" rebar found for an interior corner of the called 48.807 acre tract, the west corner of the called 2.089 acre tract, said point being an exterior corner of the tract herein described;

THENCE, crossing the called 48.807 acre tract, with a south boundary line of the tract herein described, North 42°29'04" West, a distance of 155.06 feet (no record), to a 1/2" rebar found for an interior corner in the northwest boundary line of the called 48.807 acre tract, the south corner of a called 2.000 acre tract recorded in Volume 4084, Page 334, Official Public Records of Guadalupe County, Texas;

THENCE, along the northwest boundary line of the called 48.807 acre tract, the southeast boundary line of the called 2.000 acre tract, North 53°16'49" East, a distance of 299.92 feet (North 53°49'37" East, a distance of 299.85 feet-record), to a 1/2" rebar found at the east corner of the called 2.000 acre tract, an interior corner of the called 48.807 acre tract;

THENCE, continuing along the northwest boundary line of the called 48.807 acre tract, the southeast boundary line of the called 2.000 acre tract, North 32°38'32" West, a distance of 123.55 feet (North 32°05'58" West, a distance of 123.52 feet-record), to a 1/2" rebar found at the south corner of a Cemetery Tract recorded in Volume 33, Page 10 and Volume 82, Page 131, Deed Records of Guadalupe County, Texas, said point being an exterior corner of the called 48.807 acre tract;

THENCE, continuing along the northwest boundary line of the called 48.807 acre tract, the southeast boundary line of the Cemetery Tract, North 55°37'13" East, a distance of 125.00 feet (North 56°04'40" East, a distance of 124.89 feet-record), to a 1/2" rebar found at the east corner of the Cemetery Tract, an interior corner of the called 48.807 acre tract;

THENCE, continuing along the northwest boundary line of the called 48.807 acre tract, the northeast boundary line of the Cemetery Tract, North 32°43'18" West, a distance of 182.45 feet (North 32°09'10" West, a distance of 182.31 feet-record), to a 1/2" rebar found at the north corner of the Cemetery Tract, being in the southeast boundary line of Stone Gate Subdivision, Unit 3, recorded in Volume 6, Page 289, Plat Records of Guadalupe County, Texas, said point being an exterior corner of the called 48.807 acre tract;

THENCE, continuing along the northwest boundary line of the called 48.807 acre tract, the southeast boundary line of Stone Gate Subdivision, Unit 3, North 48°31'15" East, a distance of 431.09 (North 48°31'15" East, a distance of 431.09 feet-record), to a 1/2" rebar found at the east corner of Stone Gate Subdivision, Unit 3, the south corner of Stone Gate Subdivision, Unit 4, recorded in Volume 6, Page 339, Plat Records of Guadalupe County, Texas;

THENCE, continuing along the northwest boundary line of the called 48.807 acre tract, the southeast boundary line of Stone Gate Subdivision, Unit 4, North 48°27'56" East, a distance of 1525.36 (North 48°27'56" East, a distance of 1525.36 feet-record), to a 1/2" rebar found at the east corner of Stone Gate Subdivision, Unit 4, being in the southwest boundary line of the aforementioned called 50.005 acre tract, said point being the north corner of the called 48.807 acre;

THENCE, along the northeast boundary line of the called 48.807 acre tract, the southwest boundary line of the called 50.005 acre tract, South 45°48'29" East, a distance of 640.68 (South 45°18'56" East, a

distance of 641.15 feet-record), to the **POINT OF BEGINNING** and containing 35.805 acres of land, more or less.

Note: This description is based on an on the ground survey performed on 12-15-2014. The bearings are based the Texas State Plane Coordinate System, South Central Zone, NAD 83 (96).



David M. Klein
Registered Professional Land Surveyor
No. 5528
Job # 14-156-01
Date: 12-15-2015

