

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW A MANUFACTURED HOME COMMUNITY IN THE "M-1A" LIGHT INDUSTRIAL DISTRICT, ON 45 ACRES OUT OF THE ORILLA RUSSELL LEAGUE SURVEY, NO. 2, ABSTRACT NO. 485, LOCATED ON THE SOUTH SIDE OF ORION DRIVE AND EAST OF THE UNION PACIFIC RAIL ROAD; 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 a Special Use Permit, the City Council has given due consideration to all components of said permit; and

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

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

WHEREAS, the property is located in an area suitable for a manufactured home community; and

WHEREAS, the City Council desires to grant a Type 2 Special Use Permit for 45 acres out of the Orilla Russell League Survey, No .2, Abstract No. 485, located on the south side of Orion Drive and east of the Union Pacific Rail Road, to allow a manufactured home community in the "M-1A" Light Industrial 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 adding the following described tract of land as a "Special Use Permit" for the uses and conditions herein described:

"Being 45 acres out of the Orilla Russell League Survey, No. 2, Abstract No. 485, located on the south side of Orion Drive and east of the Union Pacific Rail Road, as delineated in the attached Exhibit 'A', to allow a manufactured home community in the "M -1A" Light Industrial District

SECTION 2

THAT the Special Use Permit be subject the site plan and restrictions stipulated in Exhibit 'A'.

SECTION 3

THAT the Special Use Permit be subject the development standards of Appendix B – Mobile Home Communities, of the City of New Braunfels Code of Ordinances.

SECTION 4

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 5

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 6

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

PASSED AND APPROVED: First Reading this the 23rd day of September 2019.

PASSED AND APPROVED: Second Reading this the 14th day of October 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

THIS DOCUMENT IS
RELEASED FOR THE
PURPOSE OF INTERIM
REVIEW UNDER THE
AUTHORITY OF JAMES
GALLS, PE. 107416 O
y 22, 2019. IT IS TO B
ED FOR BIDDING AN
MITTING PURPOSES
Y. NOT TO BE USED I
CONSTRUCTION.

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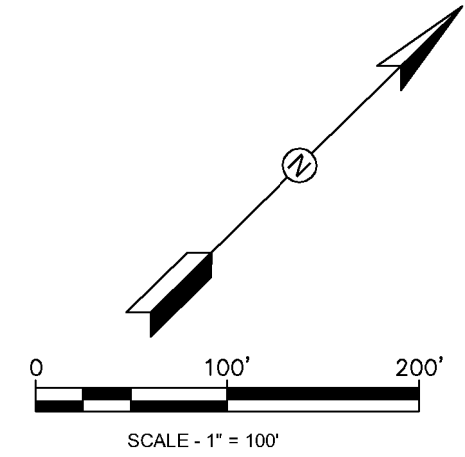
MULLER
& ASSOCIATES
Engineering Solutions

2021 W SH46, STE 105, NEW BRAUNFELS, TX. 78132
DIAL 870 768 7402

SPECIAL USE PERMIT TYPE 2

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ET
1
OF 1



LEGEND

GREENSPACE/DRAINAGE AREAS

EXHIBIT 'A' SITE PLAN

- ## DEVELOPMENT STANDARDS
- NOTES:
1. MAXIMUM 280 HOMESITES
 2. THE DEVELOPER WILL WIDEN OF ORION DR TO A MINIMUM 24FT PAVEMENT WIDTH FROM GOODWIN LN TO SECOND DEVELOPMENT ENTRY.
 3. INTERNAL DRIVES ARE PRIVATE AND MAINTAINED BY DEVELOPMENT
 4. AMENITY CENTER AND CLUBHOUSE CONSTRUCTED IN FIRST DEVELOPMENT PHASE
 5. SINGLE OWNER – YES! COMMUNITIES
 6. NO RV'S OR BOATS ALLOWED TO BE PARKED AT THE HOMESITE OR ON THE STREET
 7. DESIGNATED PARKING AREA FOR RV, VEHICLE, AND BOAT STORAGE
 8. NO ON-STREET PARKING ALLOWED
 9. CONCRETE SIDEWALKS AND HOMESITE DRIVES THROUGHOUT NEIGHBORHOOD
 10. ALL INTERNAL DRIVES, UTILITIES, AND DRAINAGE IMPROVEMENTS WILL BE CONSTRUCTED AT ONE TIME IN THE INITIAL PHASE. HOMES WILL BE PHASED IN SIMILAR TO A STANDARD RESIDENTIAL DEVELOPMENT CONSTRUCTION TIMING.

RV/BOAT STORAGE
SITE IF USED
(HOMESITES WOULD
BE REMOVED)

REMAINDER OF
50.6 AC TRACT

AMENITY
LOT &
CLUBHOUSE
1.00 AC

ORION DR

1159' TO GOODWIN DR.

BERG ELIZABETH
+/- 2.0 ACRES

KESTER LAVINE A & BARBARA A
+/- 8.004 ACRES

LEHMAN, LARRY & MARY ANN
+/-10 AC

WHIPKEY ROBERT D & PAULA J
+/- 5.996 ACRES

KOONTZ MCCOMBS 1 LTD
 NEW BRAUNFELS DISTRIBUTION CENTER
 LOT 7 +/- 11.9 ACRES

KOONTZ MCCOMBS 1 LTD
 NEW BRAUNFELS DISTRIBUTION CENTER
 LOT 5 +/- 8.47 ACRES

UTILITY & DRAINAGE
EASEMENTS TO SITE
(THIS AREA WILL NOT
BE UTILIZED FOR
VEHICULAR ACCESS)