

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS APPROVING REVISIONS TO THE TOWN CREEK PLANNED DEVELOPMENT (“TCPD”) CONCEPT PLAN AND DEVELOPMENT STANDARDS, ON APPROXIMATELY 66 ACRES LOCATED AT N. ACADEMY AVENUE AND N. WALNUT AVENUE; 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 requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to approve revisions to the Town Creek Planned Development (“TCPD”) concept plan and development standards, specifically the Transect Map Exhibit B and Street Network Exhibit C contained therein, as adopted by City Council in Ordinance 2017-41; **now, therefore**;

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

SECTION 1

THAT the Transect Map Exhibit B and Street Network Exhibit C of the Town Creek Planned Development (“TCPD”) Concept Plan and Development Standards adopted by City Council in Ordinance 2017-41 are hereby revised by adopting the Concept Plan and Development Standards as attached in Exhibit “A”.

SECTION 2

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 3

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 4

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 22nd day of March, 2021.

PASSED AND APPROVED: Second reading this 12th day of April, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

Town Creek Concept Plat and Development Standards

Town Creek Planned Development District Concept Plan

Table of Contents

- I. Relation to the Development Plan**
- II. Acreage**
- III. Survey**
- IV. Land Uses**
- V. General Thoroughfare Layout**
- VI. Development Standards**
- VII. Definitions**

Exhibits

- A. Survey**
- B. Transect Map**
- C. Street Network**
- D. Street Cross-Sections**
- E. Building Type Matrix**
- F. Transect Matrix**
- G. Preferred Plant Pallet**

I. Relation to the Development Plan

Town Creek is a mixed use walk able neighborhood complementing the historic downtown of the City and is planned to be consistent with the New Braunfels Comprehensive Plan. The Town Creek Concept Plan is based on the vision created during the Community Design Charrette held June 7 -9, 2006. Town Creek finds its roots in the enduring qualities of New Braunfels —its small-town ambience, its traditional downtown and its strong heritage. Town Creek will promote walk ability, providing a range of housing opportunities, protect and enhance existing surrounding neighborhoods, promote economic growth through a positive fiscal impact, enhance the visual environment of the City, enhance the green appearance and the parks system of the City, improve connectivity, encourage use of transit and walking, link major surrounding destinations, promote a lively downtown, and expand market opportunities for the core of New Braunfels.

II. Acreage

The total Acreage of the project is 65.9 acres.

III. Survey

A survey of the project is attached hereto as Exhibit A.

IV. Land Uses

A. Relationship to Development Standards

Land Uses allowed herein shall conform to the development standards set forth in Section VI below according to the Transect Map attached hereto as Exhibit B.

B. The following residential land uses shall be allowed:

1. Single Family House (Large, Medium, Small, Cottage)
2. Multi-Unit House (2 to 6 Units)
3. Town House
4. Courtyard Apartment
5. Loft/Commercial Building
6. Live-Work

See the Building Type Matrix attached hereto as Exhibit E for complete description of these building types.

C. Total Residential Units

Total residential units shall not exceed 1,500.

D. The following non-residential uses shall be allowed in any building except Single Family Houses, Multi-Unit Houses, and Courtyard Apartments:

1. Retail services
2. Pharmacy
3. Dry cleaners
4. Retail goods sales
5. Art, antique, furniture or electronics studio (retail, repair or fabrication)
6. Restaurant, café, deli or coffee shop (beer, wine or other alcoholic beverage on premises sales shall be allowed)
7. Coffee roasting
8. Bakery
9. Beer, wine or other alcoholic beverage on premises sales
10. Movie theater
11. Performance theater
12. Museum, philanthropic, civic or governmental institutions
13. Fraternal or other private social club (beer, wine or other alcoholic beverage on premises sales shall be allowed provided that no more than 25 percent of the total floor area of any building may be utilized for the exclusive sale of alcoholic beverages)
14. Surface parking
15. Structured parking garage provided that the frontage on the ground floor addressing the primary street is not parking
16. Hotel (beer, wine or other alcoholic beverage on premises sales shall be allowed)
17. Single-room rental bed & breakfast (beer, wine or other alcoholic beverage on premises sales shall be allowed)
18. Professional offices

19. Health services office, clinic, hospital or laboratory
20. Government/civic offices
21. Transit
22. Farmer's market, parade, cultural events (requires special use permit)
23. Home occupation
24. Church or other places of worship
25. Greenhouse (e.g. – retail nursery)
26. School (public or private, any level)
27. Studio (dance, athletic, performance, etc.)
28. Indoor showroom (wholesale or retail)
29. Drive-through services (parcels adjacent to Walnut Avenue only)

E. Similar and Prohibited Uses

Uses not specifically enumerated in the Town Creek District, but are substantially similar, may be permitted upon the approval of the Planning Director, subject to appeal to the Zoning Board of Adjustment. All other uses shall be prohibited including but not limited to the following:

1. Daily house rentals
2. Vehicular services/repair
3. Heavy manufacturing
4. Drive-through services (except parcels adjacent to Walnut Avenue)
5. Warehousing
6. Automotive & machinery repair (as primary use)
7. Automotive & machinery washes
8. Automotive rental
9. Automotive sales
10. Boat sales
11. Bulk distribution centers (provided that this shall not prohibit warehouse use that is ancillary to a permitted primary use)
12. Camper sales
13. Campgrounds
14. Donation centers
15. Eating establishment with drive-through services
16. Flea markets
17. Heavy equipment sales, rental & leasing
18. Industrial building sales
19. Kennels, manufactured home sales
20. Mini warehouses
21. Portable building sales (as a primary use)
22. Recreational vehicle parks
23. Recycling centers (provided that this prohibition shall not prevent use of temporary collection and storage bins for recyclable materials generated by a permitted use during the ordinary course of business)
24. Self-Storage
25. Shooting ranges
26. Truck service or repair
27. Truck stops
28. Wholesale nurseries (as a primary use)
29. Wrecking yards

F. Outdoor Displays

Outdoor displays for non-residential uses shall be limited to no more than 50% of the building's private frontage. Displays shall be allowed with functional restrictions within the building's public frontage (i.e., the public right-of-way) by license upon the approval of the Planning Director, subject to appeal to the Zoning Board of Adjustment.

G. Café Seating

Outdoor café seating for restaurant, café, deli or coffee shop uses shall be limited to the building's private frontage unless café seating is approved by the Planning Director within the building's public frontage (i.e., the public right-of-way), subject to appeal to the Zoning Board of Adjustment.

H. Open Spaces/Parks

Town Creek shall provide (i) no less than 9.0 acres of dedicated contiguous land for the Dry Comal Creek Trail Park within the flood plain of Dry Comal Cree. Town Creek shall dedicate to the City the land for the Dry Comal Creek Trail Park. The City shall hold and maintain that park.

Town Creek shall also provide no less than 6.5 acres total (10% of the gross site area) of the following elements: community gardens, pocket parks, greens, squares, plazas and playgrounds dispersed throughout the remainder of the neighborhood. These open spaces shall be held privately for public access, unless a written request from the City is made and accepted for a particular space to be dedicated to the City. The open spaces held privately shall be maintained either by a foundation or homeowners association, or by a Special District if created by the City for the purpose of maintaining the open space.

V. General Thoroughfare Layout

A. The Street Network

The Street layout shall be based on the Street Network attached hereto as Exhibit C. Upon request by the applicant, street locations, street cross-section type and intersection design may be modified to a reasonable extent with approval of staff and without amendment to the Concept Plan or a prior Detail Plan (if applicable), in order to (i) accommodate configuration of open space, (ii) save specimen trees, (iii) maintain the integrity and vision of the charrette plan, (iv) accommodate drainage, or (v) facilitate the design of the station area if a commuter rail transit stop is implemented adjacent to Town Creek. Additional streets shall be designed and constructed according to the street cross-sections below.

All residential and commercial buildings within Phase 3 and 4 will be required to be sprinkled if a secondary means of access is not in place at the time of construction. Potential access locations include Guenther Road, Fredericksburg Road, or Paradise Alley.

1. Guenther bridge access will be required to meet all city requirements
2. Fredericksburg and Paradise Alley must have a signed access agreement with Union Pacific Railroad and all property owners involved. Improvements to Paradise Alley to facilitate access will be the responsibility of the Town Creek Development.

B. Street Cross-Sections

The "Arterial," "Collector," and "Local" Streets allowed are delineated in the respective Street Types Cross-Sections attached hereto as Exhibit D and referenced on the Master Street Network, Exhibit C. Street types and cross-sections are established herein to facilitate an integrated set of transportation choices – driving, walking, cycling and transit, as well as to form a place bounded by building facades creating "street walls."

C. Additional Streets Not Shown on General Plan

1. Based on the concept plan, additional streets shall be located so that all streets terminate at other streets unless constrained by natural or perimeter site conditions. Cul-de-sacs shall be permitted only when warranted by natural site conditions.
2. All lots regardless of use may be served by alleys. Alleys are required for all single-family houses unless the building utilizes a pull through garage.

D. Curb Return Radii

Curb return radii shall be from 10 feet to 15 feet, unless required to be larger due to public safety considerations as determined by the City Engineer for a specific location; in which case, the radius shall not exceed 25 feet.

VI. Development Standards

A. General

1. Walkability

In order to facilitate walkability and livability, all streets (excluding alleys) shall provide accessible sidewalks with "street" trees or adjacent trails, and carefully designed civic spaces such as greens, squares, plazas and trails shall be integrated within the neighborhood. Sidewalks shall have a minimum width as shown in the Street Cross Sections, Exhibit D. Furthermore, pedestrian bulbouts shall be allowed at all intersections if the bulb does not interfere with required turn lanes.

2. Subdivision Standards

The Town Creek PD shall establish the street network, street cross-section, and intersection design criteria as well as lot standards for subdivision platting within the PD area.

3. PD Standards Supersede

If conflicts arise with the New Braunfels Code of Ordinances for zoning, subdivision or other development standards, the Town Creek PD shall control unless stated otherwise herein.

B. Transect Standards and Building Types

1. The Building Types allowed are delineated in the Building Type Matrix attached hereto as Exhibit E. The development standards not contained in the Building Type Matrix are established in the Transect Matrix attached hereto as Exhibit F, including those standards for primarily non-residential buildings. The Building Type Matrix, Exhibits E, and the Transect Matrix, Exhibit F, shall be used in conjunction with the Transect Map, Exhibit B.
2. Buildings intended for all non-residential use, located T5 and T6 Zones, may be constructed with zero side and rear yards and such that the side yard requirement shall adhere to the particular build-to-line established for the street facing the side.

C. Parking Standards

1. Off-Street Parking Requirements

a. Residential

The Building Type Matrix attached hereto as Exhibit E establishes the off-street parking requirements for residential uses.

b. Non-Residential

Off-street parking requirements for all non-residential uses shall be no less than 1 space per 500 square feet of gross office or retail floor space in the T6 Zone and no less than 1 space per 333 square feet of gross office or retail floor space in all other T-Zones.

2. Off-Street Parking Location

- a. Off-street parking for uses on lots with the T4, T5, and T6 Zones shall not be located between the front of the building and the public right-of-way, except along Walnut Avenue.
- b. In the T5 and T6 Zones, surface parking lots located on the side of a building shall be configured such that the side of the parking bays closest to the street shall be screened by a wall or landscaped ornamental metal fence no less than 3 feet and no more than 4.5 feet in height or in accordance with existing ordinances.

3. On-Street Parking

As on-street parking promotes walkable mixed-use neighborhoods, including entertainment, retail, restaurants and live-work housing, subject to public safety considerations for a particular location, on-street parking shall be allowed as shown on the Street Cross Sections, Exhibit D, and will not be allowed within alleys.

4. Promotion of Neighborhood Business – Entertainment, Retail and Restaurant Uses

The number of off-street parking spaces required for neighborhood businesses, including retail services, retail goods sales; pharmacies; dry cleaners; art, antique, furniture or electronic studios (retail, repair or fabrication); restaurants, cafes, delis or coffee shops; and retail bakeries shall be waived for the first 1000 square feet of gross use space in all buildings.

5. Promotion of Live-Work

For all non-residential uses allowed, the first 500 square feet of gross use space shall be exempt from off-street parking requirements in Live-Work Units.

6. Shared Parking

Off-street parking requirements for uses permitted in the Town Creek Planned District may be reduced or waived subject to a shared parking agreement or a coordinated parking plan in accordance with the ULI Protocol, or any other accepted industry standard, and as approved by the Planning Director, subject to appeal to the Zoning Board of Adjustment.

D. Architectural Standards

1. Except for detached single family houses, an expression line shall delineate divisions between floors of all buildings, and a cornice shall delineate the tops of facades that do not utilize a pitched roof, for retail storefronts, a transom, display window area and bulkhead at the base shall be utilized.
2. Rooftop mechanical equipment shall be screened by a parapet, or by a screen on pitched roofs.

3. Ground floor retail building plate heights shall be at least 12 feet in height except for live-work units.
4. Windows shall be oriented vertically, windows on single family or townhouse residential buildings shall also utilize surrounds or shutters, as well as mullions between grouped windows.
5. Columns and piers visible from the street shall be spaced no farther apart than they are tall, unless approved in writing by the Town Creek Architectural Control Committee.
6. Transparency: Each floor of any building façade, except for houses, facing a park, plaza or street shall contain transparent windows covering from 15 percent of the façade area. In order to provide clear views of merchandise and to provide natural surveillance of exterior street spaces, the street-level floor along streets in T5 and T6 zones shall have transparent windows covering no less than 25% of the façade area.
7. Permitted finishes for commercial or mixed use buildings – At least 80% of the exterior of all new buildings (excluding doors and windows) shall be finished in one or more of the following materials:
 - a. Brick, stone, cast stone, rock, marble, granite, glass block, tile or stucco
 - b. Exterior Insulating Finishing System (EIFS) as an accent (abuse resistant EIFS shall be utilized below 8 feet above grade)
 - c. Cementitious-fiber siding (no Visible seams) with at least a 50-year warranty
 - d. Split face concrete block, poured-in-place concrete, and tilt-wall concrete (only adjacent to Walnut Street). Any use of concrete products shall have an integrated color and be textured or patterned. Tilt-wall concrete structures shall include reveals, punch-outs, or other similar surface characteristics to enhance the façade on at least 25 percent of each façade.
8. The following permitted finishes for residential buildings and live/work units shall be allowed: Cementitious-fiber siding (no visible seams); corrugated metal; brick' stone; man-made stone and stucco. The following shall be allowed up to 30% as an accent material: wood, Exterior Insulated Finishing System (EIFS) (abuse resistant EIFS below 8 feet above grade) or similar material over a cementitious base, rock, glass block and tile.
9. Architectural elements, including porches, roof overhangs, verandas, stoops, bay windows, window shutters, balconies, masonry clad chimneys, picket fences or other decorative nonopaque front-yard fence, attached pergolas or colonnades. On single-family residences, parches and at least two additional elements from the preceding list

shall be utilized. Balconies, verandas and roof overhangs may encroach beyond the build-to-line into the public sidewalk, provided the encroachment is less than 9 feet, and any support columns do not come within 4 feet of the curb or otherwise obstruct the view of drivers. Balconies, verandas, and roof overhangs shall provide at least 8 feet of clearance and shall not protrude over paved roadway. Single-family houses on corner lots shall have porches facing onto both street sides, whether two separate porches or wrap-around porch. Encroachment beyond the “build to” line where the permanent building structure, as specified above, can extend into the UE will be allowed with Town Creek Phases 1 and 2 if coordinated with NBU, but will not be allowed in subsequent phases.

10. Plate Heights for single-family residential homes shall be no less than 10 feet for the first floor and 9 feet for the second or higher floors.
11. All garage doors facing the street shall be divided into single bays separated by at least an 18-inch column.
12. All buildings shall be designed such that no mechanical equipment (HVAC, etc.), except vents or stacks, is visible from the public right-of-way or open space, whether the equipment is located on the ground, exterior walls or the roof.

E. Landscape

1. General

- a. The landscape will complement the urban design and architecture in defining the character of Town Creek. The functional role of the landscape is to identify and define view corridors and sightlines, major open spaces, pedestrian movement patterns and gathering spaces; to create and control microclimates and reduce energy consumption; to screen unsightly features; and to help provide an appropriate sense of scale for all phases of the built environment. The ecological role of the landscape is to ensure the seamless integration of the built environment into the natural environment, while minimizing impacts of development on the local ecosystem.

2. Trees

- a. Landscapes shall emphasize large shade tree canopy coverage, particularly in open spaces and pedestrian walks and gathering spaces such as plazas and exterior courtyards. Year-round visual interest shall be attained through the use of approved species per the Preferred Plant Pallet, Exhibit G.
- b. Trees shall be planted in a continuous strip adjacent to all public streets, spaced approximately 30 feet on center in order to create a full canopy effect at mature height. Trees shall either be planted in a green space strip no less than 5 feet in width or within an irrigated tree gate consistent with the architectural character of the campus or adjacent development. Street trees shall be located no closer than 3 feet from the back of curb. Root containment technology, as approved by the City Engineer, shall be used if the species and location pose a potential hazard to curb and sidewalk infrastructure.
- c. Trees shall be planted in a continuous pattern where feasible within all street medians.
- d. All trees shall be selected from the tree list contained in Exhibit G attached hereto.

3. Shrubs and Other Plants

- a. Shrubs shall be selected from the plant list contained in Exhibit G attached hereto.

4. Beds and Turf

- a. The use of St. Augustine turf grass shall not be permitted.
- b. Grasses and turf shall be selected from Exhibit G attached hereto.

5. Buffers and Screening

- a. Trash and dumpster screening shall be provided in accordance with Section 191.7.B of the New Braunfels Code of Ordinances.
- b. Residential Buffer between multi-family or non-residential development and single or two family development, per Section 191.7.A.5 of the New Braunfels Code of Ordinances, does not apply to the Town Creek Planned Development because adequate buffers are already accounted for in the design and added buffers would degrade the mixed-use, walkable aspects of the project.

6. Maintenance

- a. Landscapes maintenance shall be in accordance with Section 191.9 of the New Braunfels Code of Ordinances.

7. Parking

- a. A minimum of 15 square feet of landscaping per surface parking space, including tree islands, shall be provided within the paved boundaries of a surface parking lot.
- b. Any portion of each surface parking space shall be located within 60 feet of the trunk of a tree, and pavement shall not be allowed within 3 feet of the trunk of trees.
- c. The landscaped areas shall be protected by raised curbs except where wheel stops are utilized at the front of parking spaces along a landscaped median between parking bays.
- d. Landscaped islands of a minimum of 8 feet in width and extending the entire length of the parking stall shall be located at the terminus of all rows of surface parking and shall contain at least one tree consistent with Exhibit G.
- e. The requirements in this section shall be waived for structured parking and for temporary (less than one year) parking lots in undeveloped areas of the Town Creek Planned Development area.

F. Signage

1. One address number shall be attached to the building in proximity to the principal entrance or at a mailbox according to city specifications.
2. One blade sign for each business may be permanently installed perpendicular to the façade and may extend over the sidewalk with 8 feet of clearance. Such a sign shall not exceed a total of 6 square feet.
3. Signage may be lit externally only with full-spectrum source.
4. Business signs attached to buildings may be a maximum of 4'x8'. The signs may be lighted, and neon is permitted or signs within shop front windows.
5. Pole signs shall not be allowed.
6. Group signs for 2-10 businesses shall be allowed upon approval of the Planning Director, subject to appeal to the Zoning Board of Adjustment. The size of such signs shall be a maximum of 6 feet in height and 60 square feet.
7. Monument signs shall be allowed at Walnut Street, Academy Street and Fredericksburg Street at the perimeter of the district, and shall not exceed 6 feet in height and 60 square feet.
8. For Lots within Block 2 and Block 6 that front onto Walnut Street, one 64 foot blade sign is allowed with frontage on Walnut Avenue and sign must be attached to the building façade facing Walnut Avenue.

VII. Definitions

Accessory or Ancillary Building

A building that is a separate 400 to 800 square foot dwelling unit connected to the garage with cooking facilities and bathroom, but shall not require a separate water meter or additional off street parking; or a building that serves for recreation, utilities or maintenance support in a park or civic space

Blade Sign

Tenant identification sign that uses letterforms, logo, and /or graphic elements, projects at right angle from the face of the building, is located on a pier adjacent to the transom windows, and has a maximum height equal to the height of the transom windows. Blade signs can be aluminum, stainless steel, painted wood, sandblasted glass, or translucent acrylic. A blade sign identifies a tenant on a pedestrian level.

Build -to -Line

The line to which the primary building shall be constructed as opposed to a set -back line; the build -to -line is established on the applicable street type cross - section and may have a range such as " 10 to 15 feet" from the right -of -way line. A side of a building on a corner lot may encroach the build -to -line.

Full Spectrum Source

Incandescent or fluorescent lights that emit white light, as opposed to another color.

Home Occupation

A residential unit providing for a combination of uses in which home occupation activity can occur. The occupation function shall be incidental to the primary function of the building as residence. No person outside the residence may be employed unless the residence is a Live -Work unit. There shall be no exterior display, no exterior storage of materials and no other variation from the residential character of the principal building, unless the residential unit is a Live -Work Unit

Live Work Lot

Lots in T5 or T6, of the size required by the Building Type Matrix, and as specified by the owner at time of building permit.

Live Work Unit

A unit on a Live Work Lot. One upstairs residential unit and one street -level commercial unit required on each lot. Additional units on the lot may be residential or commercial, and separate entrances shall be provided for the residential and commercial components. The maximum number of units allowed on a lot is determined by the Transect Matrix Exhibit F.

Loft

A dwelling unit contained in an office, retail or other commercial building with interior entrances into the living units or common interior or exterior corridor entrances.

Off Street Parking

A requirement for parking a vehicle in a space not within the public right- off -way, and which can be satisfied with or without a covered parking space.

Pergola

An arbor or passageway of columns supporting a roof of trelliswork on which climbing plants are trained to grow.

Plate Height

The height of the horizontal member capping exterior wall studs, as measured at the bottom of the horizontal member.

Pull Through Garage

A garage set back behind a house that is either a separate structure or connected by breezeway, accessory building or ancillary building, and which is accessed by a driveway from the front address.

Raised Basement

A building level whose floor level is partly below grade, but which is much higher than usual so that its ceiling is well above ground level.

Stacked Townhouse

A townhouse with an additional living unit above.

Story

A constructed horizontal division of a building providing habitable space or structured parking. Attics (including improved attics with slanted ceilings), rooftop decks, rooftop solariums, and raised basements are not considered stories for the purposes of determining building height based on stories.

Surround

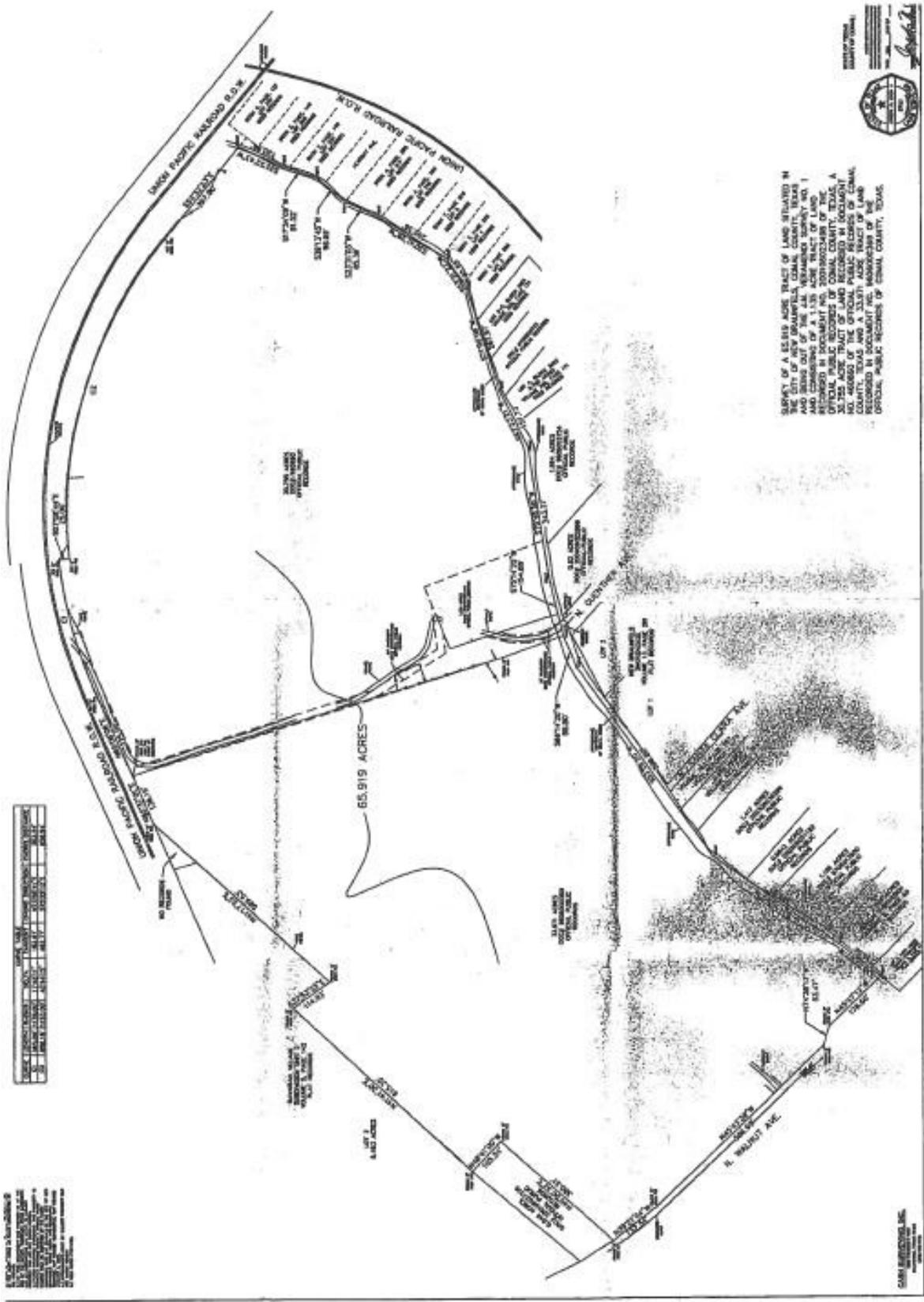
A continuous concrete, wooden, brick, or stone border around a window, door or other opening that is designed to complement the style of the building.

Townhouse

A single - family house of two or more stories that is connected to a similar house by a common.

Unit

A residential unit.



SURVEY OF A 68,919 ACRES TRACT OF LAND SITUATED IN THE CITY OF GRANVILLE, CONAL COUNTY, TEXAS, BEING THE TRACT OF LAND DESCRIBED IN DOCUMENT NO. 20070023489 OF THE OFFICIAL PUBLIC RECORDS OF CONAL COUNTY, TEXAS, A TRACT OF LAND BEING PART OF THE TRACT OF LAND DESCRIBED IN DOCUMENT NO. 20070023489 OF CONAL COUNTY, TEXAS AND A 33,071 ACRES TRACT OF LAND RECORDED IN DOCUMENT NO. 20070023489 OF THE OFFICIAL PUBLIC RECORDS OF CONAL COUNTY, TEXAS.



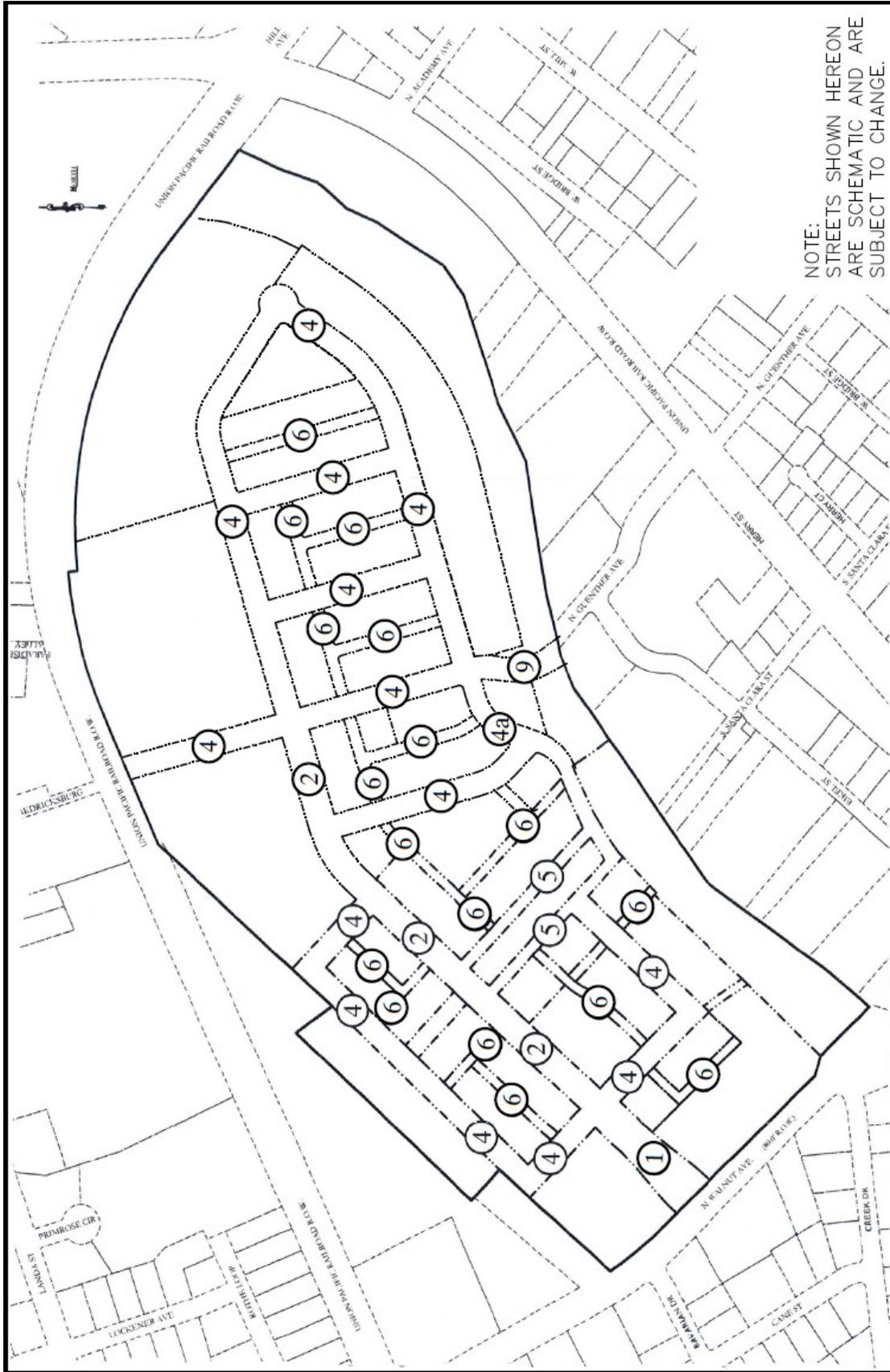
 Surveyed by: _____

SECTION	ACRES	FRAC.
36	10,000.00	1/2
35	10,000.00	1/2
34	10,000.00	1/2
33	10,000.00	1/2
32	10,000.00	1/2
31	10,000.00	1/2
30	10,000.00	1/2
29	10,000.00	1/2
28	10,000.00	1/2
27	10,000.00	1/2
26	10,000.00	1/2
25	10,000.00	1/2
24	10,000.00	1/2
23	10,000.00	1/2
22	10,000.00	1/2
21	10,000.00	1/2
20	10,000.00	1/2
19	10,000.00	1/2
18	10,000.00	1/2
17	10,000.00	1/2
16	10,000.00	1/2
15	10,000.00	1/2
14	10,000.00	1/2
13	10,000.00	1/2
12	10,000.00	1/2
11	10,000.00	1/2
10	10,000.00	1/2
9	10,000.00	1/2
8	10,000.00	1/2
7	10,000.00	1/2
6	10,000.00	1/2
5	10,000.00	1/2
4	10,000.00	1/2
3	10,000.00	1/2
2	10,000.00	1/2
1	10,000.00	1/2

GRANVILLE, TEXAS
 CONAL COUNTY, TEXAS
 SURVEYED BY: _____
 DATE: _____

GRANVILLE, TEXAS
 CONAL COUNTY, TEXAS
 SURVEYED BY: _____
 DATE: _____

EXHIBIT A



NOTE:
STREETS SHOWN HEREON
ARE SCHEMATIC AND ARE
SUBJECT TO CHANGE.

NOT TO SCALE

REVISED: MAR 3, 2021

SHT: 1 OF 1

290 S. CASTELL AVE.,
STE 100
NEW BRAUNFELS, TX
78130
TBPE FIRM F-10961
TBPLS FIRM 10153600

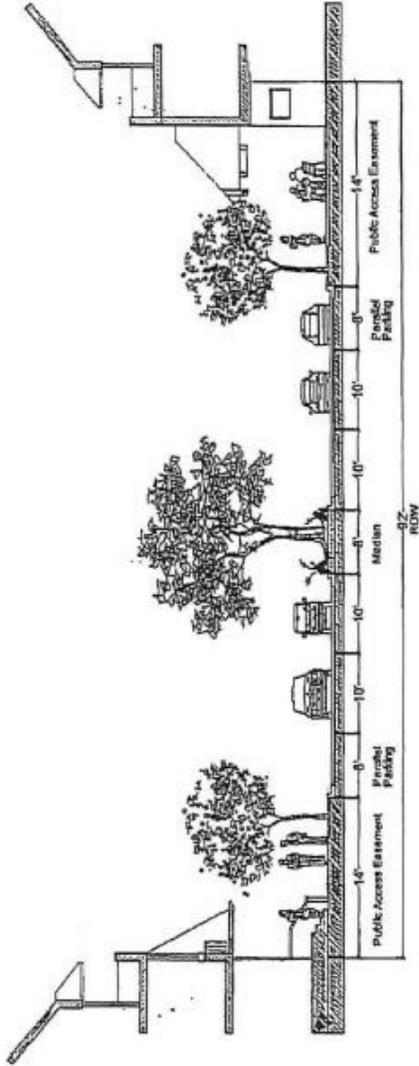


ENGINEERING & SURVEYING

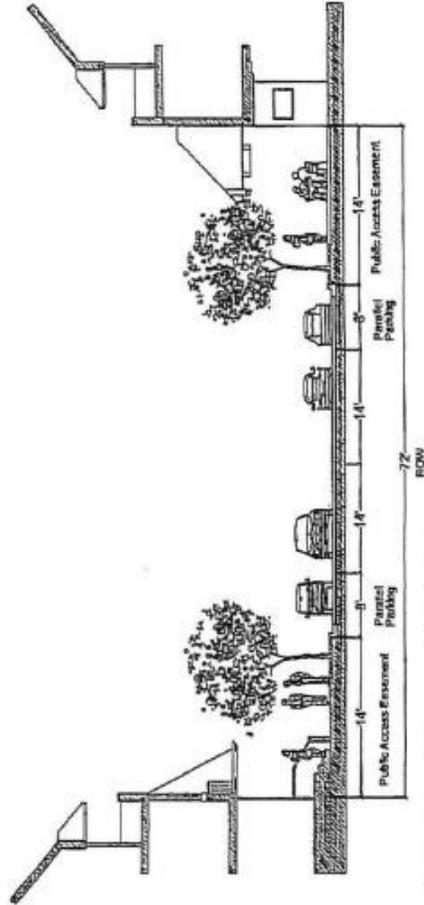
EXHIBIT C
MASTER STREET
NETWORK
(AMENDED)



NEW BRAUNFELS, TEXAS



① Boulevard (Commercial Collector)



② Boulevard (Commercial Collector)



EXHIBIT D
STREET CROSS
SECTIONS
(AMENDED)

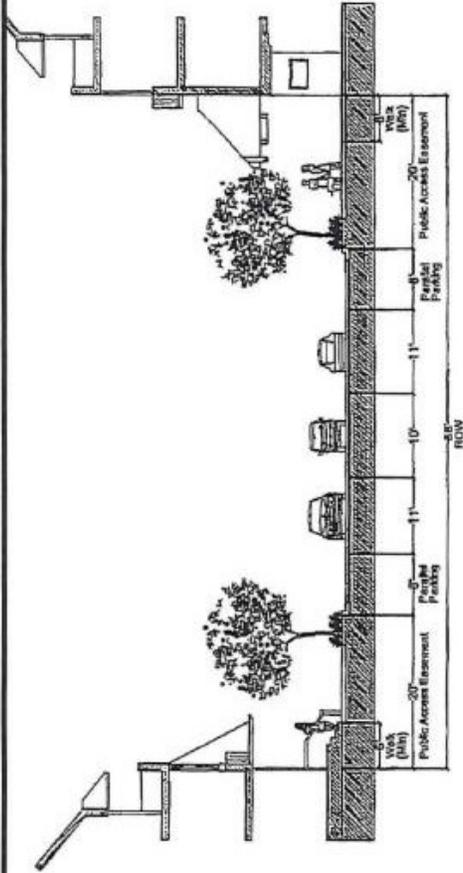


410 N. SEGUIN AVE.
 NEW BRAUNFELS,
 TEXAS, 78130
 PH: (830)625-8555
 FAX: (830)625-8556
 www.HMTNB.com
 TYPE FIRM F-10961

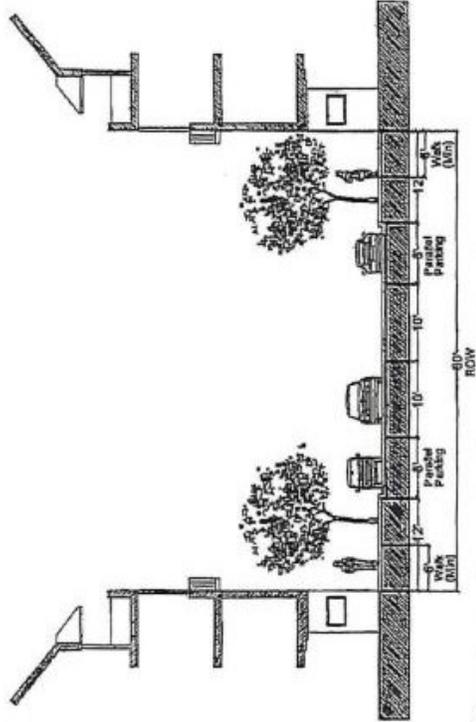
NOT TO SCALE

REVISED: FEB 21, 2017

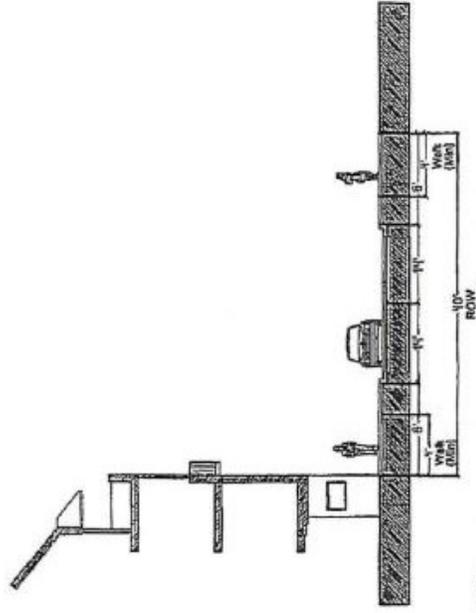
SHT: 1 OF 4



③ Town Center Streets (Commercial Collector)

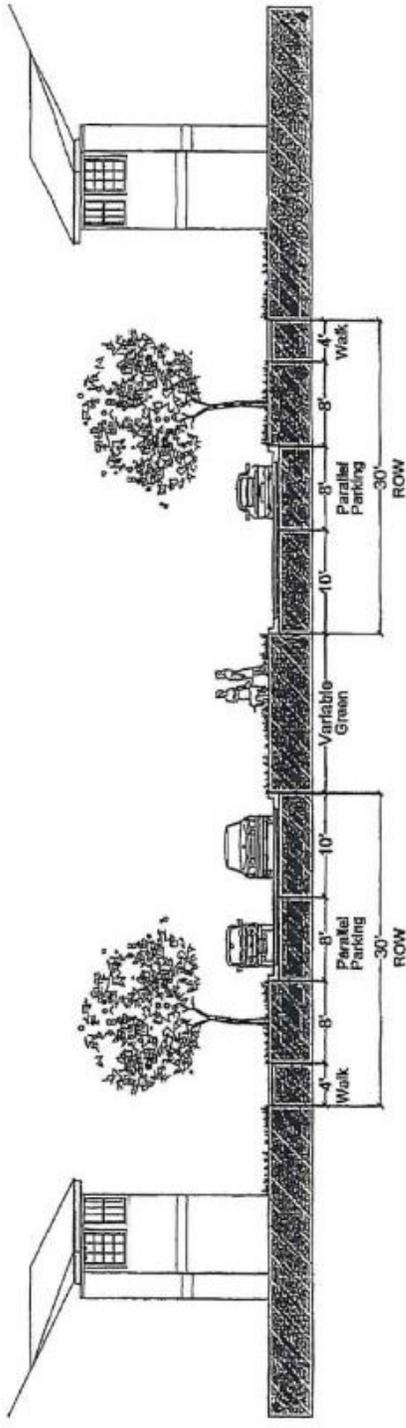


④ Neighborhood Connector (Commercial Collector)

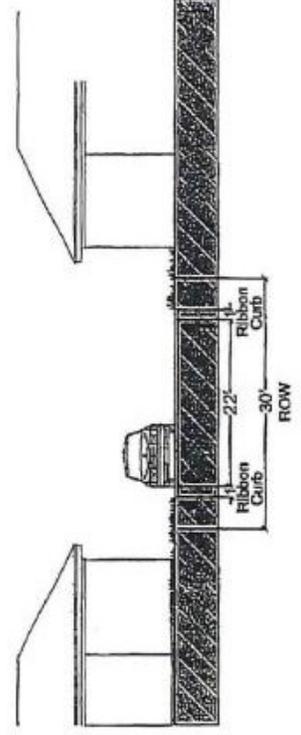


④ Neighborhood Connector (Commercial Collector)

 <p>TOWN CREEK NEW BRAUNFELS, TEXAS</p>	<p>EXHIBIT D STREET CROSS SECTIONS (AMENDED)</p>	 <p>HMT ENGINEERING & SURVEYING</p>	<p>NOT TO SCALE</p> <p>REVISED: APR 18, 2017</p> <p>410 N. SEGUIN AVE. NEW BRAUNFELS, TEXAS, 78130 PH: (830)625-8555 FAX: (830)625-8556 www.HMTNB.com TBE FIRM F-10961</p> <p>SHT: 2 OF 4</p>
---	--	--	---



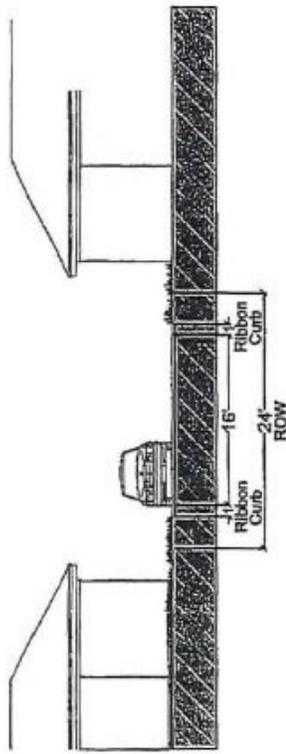
⑤ Lane (One Way Paired)



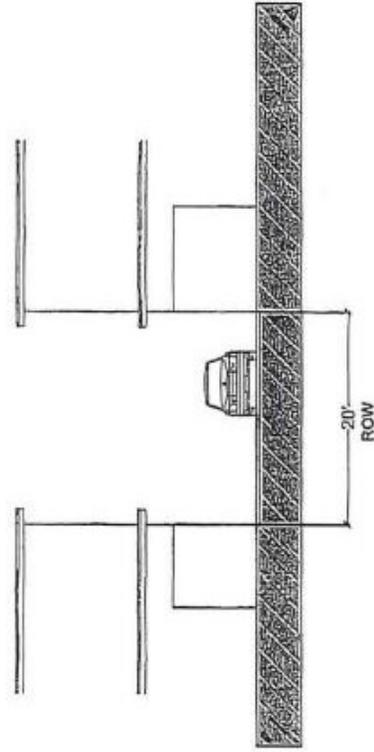
⑥ Alley (Alley - Residential)

 <p>TOWN CREEK NEW BRAUNFELS, TEXAS</p>	<p>EXHIBIT D STREET CROSS SECTIONS (AMENDED)</p>	 <p>HMT ENGINEERING & SURVEYING</p>	<p>NOT TO SCALE</p> <p>REVISED: FEB 21, 2017</p> <p>SHT: 3 OF 4</p>
---	--	---	---

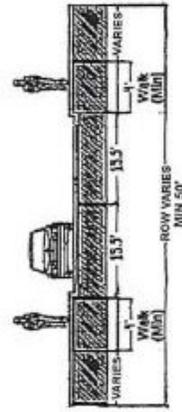
410 N. SEGUIN AVE.
NEW BRAUNFELS,
TEXAS, 78130
PH: (830)625-8555
FAX: (830)625-8556
www.HMTNB.com
TBPE FIRM F-10961



⑦ Alley (Alley - Residential)



⑧ Alley (Alley - Commercial)



⑨ Local Street

TOWN CREEK
NEW BRAUNFELS, TEXAS

EXHIBIT D
STREET CROSS
SECTIONS
(AMENDED)

HMT
ENGINEERING & SURVEYING

410 N. SEGUIN AVE.
NEW BRAUNFELS,
TEXAS, 78130
PH: (830)625-8555
FAX: (830)625-8556
www.HMTNB.com
TBPE FIRM F-10961

NOT TO SCALE
REVISED: APR 18, 2017
SHT: 4 OF 4

Exhibit E

Building Types
Town Creek PD

Types	Lot Width Minimum (W)	Lot Depth Minimum (D)	Setback Line (BTL)	Minimum Side Yard (Y)	Minimum Rear Yard	Minimum Lot Area	Allowed Tracked Zones	Covered Parking (P)	Off-Street Parking & Storage Minimum For Dwelling Unit	Accessory Building	Prototypical Building Configurations
Large House	50'	100'		5'	5'	6000'	T3, R	2	A, P(4)		
Medium House	30'-35'	50'		3'	5'	4500'	T3, T4, R	2	A, P(4)		
Small House	40'-45'	50'	0'-4'	0'	5'	3200'	T3, T4, T5, T6, R	2	A, P(4)		
Cottage	30'-35'	50'	0'-4'	0'	5'	1800'	T3, T4, T5, T6, R	2	A, P(4)		
Multi-Unit House (7)	80'-100'	100'		5'	5'	6000'	T4, T5, T6, A	1.5	A, P(4)		
Townhouse or Stacked Townhouse	20'-30'	50'	See Forward Matrix (Exhibit F) for Build to Line Standards	0'	0'	1800'	T4, T5, T6, A	2	A, H		
Courtyard Apartment (8)	150'	100'		0'	0'	10,000'	T4, T5, A	1	H		
Low Commercial Building (10)(11)	100'	100'		0'	0'	10,000'	T3, T5, A	1	H		
Live-Work (17)	30'-30'	50'		0'	0'	1000'	T5, T6, A	1	A, H		

A-Allowed H-Not Allowed R-Required

Explanatory Regulations:

- (1) For attached buildings, side yard minimum requirement shall apply to exterior side of center lots only; for side of buildings on corner lots, the side yard requirement may adhere to the particular build-to-line established for the street facing the site.
- (2) An enclosed garage or a carport shall be constructed of same material as main residential structure.
Rear-loaded garages may be attached at side property line. Carports shall not be allowed for front-loaded parking.
"Put-through" garages shall be allowed if the front facade of the garage is set back behind the rear facade of the house.
Covered breezeways connecting the garage and the house shall be allowed.
with only up to 150 square feet constructed to create air-conditioned space.
- (3) Accessory units above the garage shall be required for all single family houses on corner lots.
- (4) Accessory unit is a separate 400 to 800 square foot dwelling unit connected to or above the garage with cooking facilities and bathroom, but shall not require a separate water meter or additional off street parking.
- (5) Side yard 4', but it can be waived up to 0' if the lot distance between buildings is at least 5'.
- (6) Side yard 3', but it can be waived up to 0' if the lot distance between buildings is at least 6'.
- (7) 2 to 8 units shall be allowed; the design of the building shall make the multi-unit structure appear as a large single family house.
- (8) Courtyards shall face street and provide at least 100 square feet of courtyard space per unit.
- (9) All Non-residential Uses shall be allowed on any floor.
- (10) Structured Parking shall be allowed within the building if enclosed on at least 3 sides on the ground floor.
- (11) Non-residential uses allowed on ground floor-level with separate outside entrances for residential and non-residential uses.

Town Creek Transect Zoning

T-Zone:	T1	T3	T4	T5	T6
Standard:	Green Space	Residential	Residential	Vertical mixed use	Vertical mixed use
Build-to-Line	n/a	10 to 30 feet	5 to 20 feet	0 to 15 feet	0 to 15 feet
Building Height	1 story max for ancillary buildings	2 story (max.)	1 to 3 stories	2 (min.) to 4 (max.)	2 (min.) to 5 (max.)
Maximum Floor to Area Ratio (non-res.)	n/a	1.5	3.0	4.0	5.0
Maximum Lot Coverage	n/a	70%	80%	100%	100%
Parking -- Minimum Off-Street per 1000 sq. ft (non-res.)	n/a	3.0	3.0	3.0	2.0
Maximum Residential Density per acre	n/a	20 units	30 units	40 units	60 units

ALLOWED USES IN TOWN CREEK

The permitted uses within Town Creek were chosen for their neighborhood and pedestrian-friendly character. Here are the permitted uses within Town Creek:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. retail services 2. pharmacy 3. dry cleaners 4. retail goods sales 5. art, antique, furniture or electronics studio (retail) 6. restaurant, café, deli or coffee shop 7. coffee roasting 8. bakery 9. beer, wine or other alcoholic beverage on premises sales 10. movie theater 11. performance theater 12. museum, philanthropic, civic or governmental institutions 13. fraternal or other private social club | <ol style="list-style-type: none"> 14. surface parking 15. structured parking garage 16. hotel 17. single-room rental bed & breakfast 18. professional offices 19. health services office, clinic, hospital or laboratory 20. government/civic offices 21. transit 22. farmer's market, cultural events (special permit) 23. home occupation 24. church or other places of worship 25. greenhouse (e.g. – retail nursery) 26. school (public or private, any level) 27. studio (dance, athletic, performance, etc.) |
|---|---|

Town Creek New Braunfels, Texas

EXHIBIT G – Preferred Plant Pallet

		T1	T2	T3	T4	T5	T6	Street
Shade Trees:								
Bigtooth Maple	<i>Acer grandidentatum</i>		x	x	x	x	x	x
River Birch	<i>Betula nigra</i>	x	x	x	x			x
Osage Orange	<i>Bois d'arc</i>		x	x	x	x		
Pecan	<i>Carya illinoensis</i>	x	x	x	x			
Texas Ash	<i>Fraxinus texensis</i>	x	x	x	x	x		
Arizona Walnut	<i>Juglans major</i>	x	x	x	x			
Black Walnut	<i>Juglans nigra</i>	x	x	x	x			
Magnolia	<i>Magnolia grandiflora</i>	x	x	x	x	x		
Texas Pistache	<i>Pistacia texana</i>	x	x	x	x			
Texas Sycamore	<i>Platanus occidentalis</i>		x	x	x	x		
Cottonwood	<i>Populus deltoides</i>	x	x	x				
Candy's Oak	<i>Quercas canbyi</i>							
Burr Oak	<i>Quercas macrocarpa</i>	x	x	x	x	x	x	x
Chinquapin Oak	<i>Quercas muhlenbergii</i>	x	x	x	x	x	x	x
Mexican White Oak	<i>Quercas polymorpha</i>	x	x	x	x	x	x	x
Shin Oak	<i>Quercas mohriana</i>	x	x	x	x	x		
Shumard Red Oak	<i>Quercas shumardii</i>			x	x			
Texas Red Oak	<i>Quercas texana</i>			x	x			
Live Oak	<i>Quercas virginiana</i>			x	x	x	x	x
Western Soapberry	<i>Sapindus drummondii</i>				x	x	x	
Montezuma Cypress	<i>Taxodium mucronatum</i>	x	x	x				
American Elm	<i>Ulmus americana</i>	x	x	x	x	x	x	x
Cedar Elm	<i>Ulmus crassifolia</i>	x	x	x	x	x	x	x
Lacebark Elm	<i>Ulmus parvifolia</i>		x	x	x	x	x	x
Drake Elm	<i>Ulmus parvifolia "Drake"</i>			x	x	x	x	x
Lacey Oak	<i>Quercas glaucoides</i>	x	x	x	x	x	x	x
Bald Cypress	<i>Taxodium distichum</i>	x	x	x	x			
Ornamental Trees:								
Guajillo	<i>Acacia berlandieri</i>	x	x	x	x			
Roemer's Acacia	<i>Acacia roemeriana</i>	x	x	x	x			
Wright Acacia	<i>Acacia wrightii</i>	x	x	x	x			
Texas Madrone	<i>Arbutulus xalapensis</i>	x	x	x				
Anacacho Orchid Tree	<i>Bauhinia congesta</i>	x	x	x				
Paloverde Tree	<i>Cercidium macrum</i>	x	x					
Texas Redbud	<i>Cercis canadensis 'texana'</i>	x	x	x	x	x	x	x
Desert Willow	<i>Chilopsis linearis</i>	x	x	x	x	x	x	x
Condalia	<i>Condalia hookeri</i>	x	x	x	x			
Smoke Tree	<i>Gontinus obovatus</i>	x	x	x	x			
Wild Olive	<i>Cordia boissieri</i>	x	x	x	x			
Roughleaf Dogwood	<i>Cornus drummondii</i>		x	x	x	x	x	x
American Smoketree	<i>Cotinius obovatus</i>	x	x	x				
Texas Persimmon	<i>Diospyros texana</i>	x	x	x				
Sandpaper Tree	<i>Ehretia anacua</i>	x	x	x				
Kidneywood	<i>Eysenhardtia texana</i>	x	x	x	x			

Soapbush	<i>Guajacum angustifolium</i>	x	x	x				
Witch Hazel	<i>Hamamelis virginiana</i>	x	x	x				
Possumhaw Holly	<i>Ilex decidua</i>	x	x	x	x	x	x	
Yaupon Holly	<i>Ilex vomitoria</i>	x	x	x	x	x	x	
Little Texas Walnut	<i>Juglans microcarpa</i>	x	x	x				
Coyotillo	<i>Karwinskia humboldtiana</i>	x	x	x				
Crepe Myrtle	<i>Lagerstroemia indica</i>		x	x	x	x	x	x
Golden Leadball Tree	<i>Leucaena retusa</i>	x	x	x	x	x		
Blanco Crabapple	<i>Malus ioensis var. texana</i>	x	x	x	x	x	x	
Wax Myrtle	<i>Myrica cerifera</i>		x	x	x	x	x	x
Arroyo Sweetwood	<i>Myrospermum sousanum</i>	x	x	x	x			
Retama	<i>Parkinsonia aculeate</i>	x	x					
Cherry Laurel	<i>Prunus caroliniana</i>		x	x	x	x	x	
Mexican Plum	<i>Prunus mexicana</i>	x	x	x	x	x	x	x
Chokeberry	<i>Prunus virginiana</i>	x	x	x				
Carolina Buckthorn	<i>Rhamnus Carolingian</i>	x	x	x	x	x		
Lanceleaf Sumac	<i>Rhus lanceolata</i>	x	x	x	x			
Evergreen Sumac	<i>Rhus virens</i>	x	x	x				
Weeping Willow	<i>Salix babylonica*</i>			x	x	x		
Eve's Necklace	<i>Sophora affinis</i>	x	x	x	x	x	x	
Texas Mountain Laurel	<i>Sophora secundiflora</i>	x	x	x	x	x	x	x
Mexican Buckeye	<i>Ungnadia speciosa</i>	x	x	x	x	x	x	x
Rusty Blackhaw Viburnum	<i>Viburnum rufidulum</i>	x	x	x	x			
Vitex	<i>Vitex agnus-castus</i>		x	x	x	x	x	
Toothache Tree	<i>Zanthoxylum hirtum</i>	x	x	x				
Shrubs:								
Glossy Abelia	<i>Abelia grandiflora</i>			x	x	x	x	
Flame Acanthus	<i>Anisacanthus quadrifidus 'wrightii'</i>	x	x	x	x	x	x	
Agarita	<i>Berberis trifoliata</i>	x	x	x				
Bougainvillea	<i>Biuganvillea spp.</i>				x	x	x	
Butterfly Bush	<i>Buddleia spp.</i>		x	x	x	x		
American Beautyberry	<i>Callicarpa americana</i>	x	x	x	x	x	x	
Bottlebrush	<i>Callistemon citrinus</i>	x	x	x	x	x	x	
Chile Pequin	<i>Capsicum annuum 'aviculare'</i>	x	x	x	x			
Candlestick Tree	<i>Cassia alata</i>		x	x	x			
Bird of Paradise	<i>Ceaselpinia gilliesi</i>				x	x	x	
Pride of Barbados	<i>Ceaselpinia pulcherrima</i>	x	x	x	x	x		
Snakewood	<i>Colubrina texensis</i>	x	x	x				
Cotoneaster	<i>Cotoneaster spp.</i>	x	x	x	x	x	x	
Crinum Lily	<i>Crinum spp.</i>			x	x	x	x	
Cigar Plant	<i>Cuphea spp.</i>	x	x	x	x	x	x	
Black Dalea	<i>Dalea frutescens</i>	x	x	x	x	x	x	
Sotol	<i>Dasyllirion spp.</i>	x	x	x				
Silverberry	<i>Eleagnus pungens</i>				x	x		
Eleagnus	<i>Eleagnus spp.</i>				x	x	x	
Coral Bean	<i>Erythia cisti-galli</i>	x	x	x	x	x	x	
Coralbean	<i>Erythrina herbacea</i>	x	x	x	x	x	x	
Texas Elbow Bush	<i>Foresteria pubeseeds</i>	x	x	x	x	x		
Silk Tassel	<i>Garrya ovata</i>	x	x	x	x	x	x	
Red Yucca	<i>Hesperaloe parvifolia</i>	x	x	x	x			

Texas Star Hibiscus	<i>Hibiscus coccineus</i>			x	x	x	x	
Burford Holly	<i>Ilex cornuta 'Burfordii'</i>					x	x	x
Primrose Jasmine	<i>Jasminum mesneyi</i>			x	x	x	x	
Dwarf Crepe Myrtle	<i>Lagerstroemia indica</i>			x	x	x	x	
Texas Sage	<i>Leucophyllum frutescens</i>	x	x	x	x	x	x	
Green Cloud Sage	<i>Leucophyllum frutescens 'green cloud'</i>			x	x	x	x	
Silverado Sage	<i>Leucophyllum frutescens 'silverado'</i>		x	x	x	x	x	
White Honeysuckle	<i>Lonicera albiflora var. albiflora</i>	x	x	x	x	x	x	
Barbados Cherry	<i>Malpighia glabra</i>	x	x	x	x	x	x	
Turk's Cap	<i>Malvaviscus drummondii</i>	x	x	x	x	x	x	
Dwarf Wax Myrtle	<i>Myrica pusilla</i>	x	x	x	x	x	x	
Nandina	<i>Nandina domestica</i>					x	x	x
Oleander	<i>Nerium oleander</i>			x	x	x	x	
Nolina	<i>Nolina texana</i>	x	x	x	x			
Prickly Pear	<i>Opuntia engelmannii 'lindheimeri'</i>	x	x	x				
Pavonia	<i>Pavonia lasiopetala</i>	x	x	x	x	x	x	
Texas Mock Orange	<i>Philadelphus texensis</i>	x	x	x	x	x	x	
Yew	<i>Podocarpus macrophyllum</i>		x	x	x	x		
Mexican Oregano	<i>Polioanthes longiflora</i>	x	x	x	x	x	x	
Pyracantha	<i>Pyracantha spp.</i>	x	x	x				
Indian Hawthorne	<i>Raphiolepis indica</i>					x	x	x
Aromatic Sumac	<i>Rhus aromatica</i>	x	x	x	x			
Smooth Sumac	<i>Rhus glabra</i>	x	x	x	x	x	x	
Evergreen Sumac	<i>Rhus virens</i>	x	x	x	x			
Rosemary	<i>Rosmarinus officinalis</i>	x	x	x	x	x	x	
Trailing Rosemary	<i>Rosmarinus prostrata</i>	x	x	x	x	x	x	
Dwarf palmetto	<i>Sabal minor</i>	x	x	x	x	x	x	
Autumn Sage	<i>Salvia greggii</i>	x	x	x	x	x	x	
Elderberry	<i>Samucus canadensis</i>	x	x	x	x	x	x	
Coralberry	<i>Symphoricarpos orbiculatus</i>	x	x	x	x	x	x	
Blackhaw Viburnum	<i>Viburnum prunifolium</i>					x	x	x
Buckley Yucca	<i>Yucca constricta</i>	x	x	x	x			
Twisted-Leaf Yucca	<i>Yucca rupicola</i>	x	x	x	x			
Softleaf Yucca	<i>Yucca rupicola</i>	x	x	x				
Spanish Dagger	<i>Yucca spp.</i>	x	x	x				
Ornamental Grasses:								
Western Wheatgrass	<i>Agropyron smithii</i>	x	x	x	x			
Big Bluestem	<i>Andropogon gerardi</i>	x	x	x	x	x		
Brushy Bluestem	<i>Andropogon glomeratus</i>	x	x	x	x	x		
Sideoats Grama	<i>Bouteloua curtipendula</i>	x	x	x	x	x	x	
Inland Seoats	<i>Chasmanthium latifolium</i>	x	x	x	x	x	x	
Umbrella Grass	<i>Cyperus alternifolius</i>		x	x	x	x	x	
Sugarcane Plume Grass	<i>Erianthus giganteus</i>	x	x	x	x	x	x	
Curly Mesquite	<i>Hilaria belangeri</i>	x	x	x				
Monky Grass	<i>Liriope muscari</i>					x	x	x
Miscanthus	<i>Miscanthus spp.</i>					x	x	x
Ear Muhly	<i>Muhlenbergia arenacea</i>	x	x	x	x	x		
Gulf Muhly	<i>Muhlenbergia capillaris</i>	x	x	x	x	x	x	
Lindhiemer Muhly	<i>Muhlenbergia lindheimeri</i>	x	x	x	x	x	x	
Weeping Muhly	<i>Muhlenbergii duboides</i>	x	x	x	x	x	x	

Seep Muhly	<i>Muhlenbergii reverchonii</i>	x	x	x	x	x		
Deer Muhly	<i>Muhlenbergii rigens</i>	x	x	x	x	x	x	
Beargrass	<i>Nolina spp.</i>	x	x	x	x	x	x	
Switchgrass	<i>Panicum virgatum</i>	x	x	x	x	x	x	
Little Bluestem	<i>Schizachyium scoparium</i>	x	x	x	x	x	x	
Green Lily	<i>Schoenocaulon texanum</i>		x	x	x	x		
Indiangrass	<i>Sorghastrum nutans</i>	x	x	x	x	x		
Mexican Feathergrass	<i>Stipa tenuissima</i>	x	x	x	x	x	x	
Eastern Grama Grass	<i>Tripsacum dactyloides</i>	x	x	x	x	x	x	
Vines:								
Crossvine	<i>Bignonia capreolata</i>	x	x	x	x	x	x	
Trumpet Vine	<i>Campsis radicans</i>	x	x	x	x	x	x	
Carolina jessamine	<i>Gelsemium sempervirens</i>	x	x	x	x	x	x	
English Ivy	<i>Hedera helix</i>				x	x	x	
Morning Glory	<i>Ipomoea spp.</i>	x	x	x	x	x	x	
Coral Honeysuckle	<i>Lonicera sempervirens</i>	x	x	x	x	x	x	
Virginia Creeper	<i>Parthenocissus quinquefolia</i>	x	x	x	x	x		
Boston Ivy	<i>Parthenocissus tricuspidata</i>				x	x	x	
Passionflower	<i>Passiflora alata caerulea</i>			x	x	x	x	
Cypress Vine	<i>Quamoclit pennata</i>		x	x	x			
Lady Banksia Rose	<i>Rosa banksiae 'Lutea'</i>				x	x	x	
Santolina	<i>Santolina virens</i>				x	x	x	
Dwarf periwinkle	<i>Vinca major</i>	x	x	x	x	x	x	
Texas Wisteria	<i>Wisteria macrostachya</i>	x	x	x	x	x	x	
Turf Grasses:								
Buffalograss	<i>Buchloe dactyloides</i>	x	x	x	x	x	x	
Bermuda Grass	<i>Cynodon dactylon</i>	x	x	x	x	x	x	
Zoysiagrass	<i>Zoysia spp.</i>	x	x	x	x	x	x	