

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THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.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:



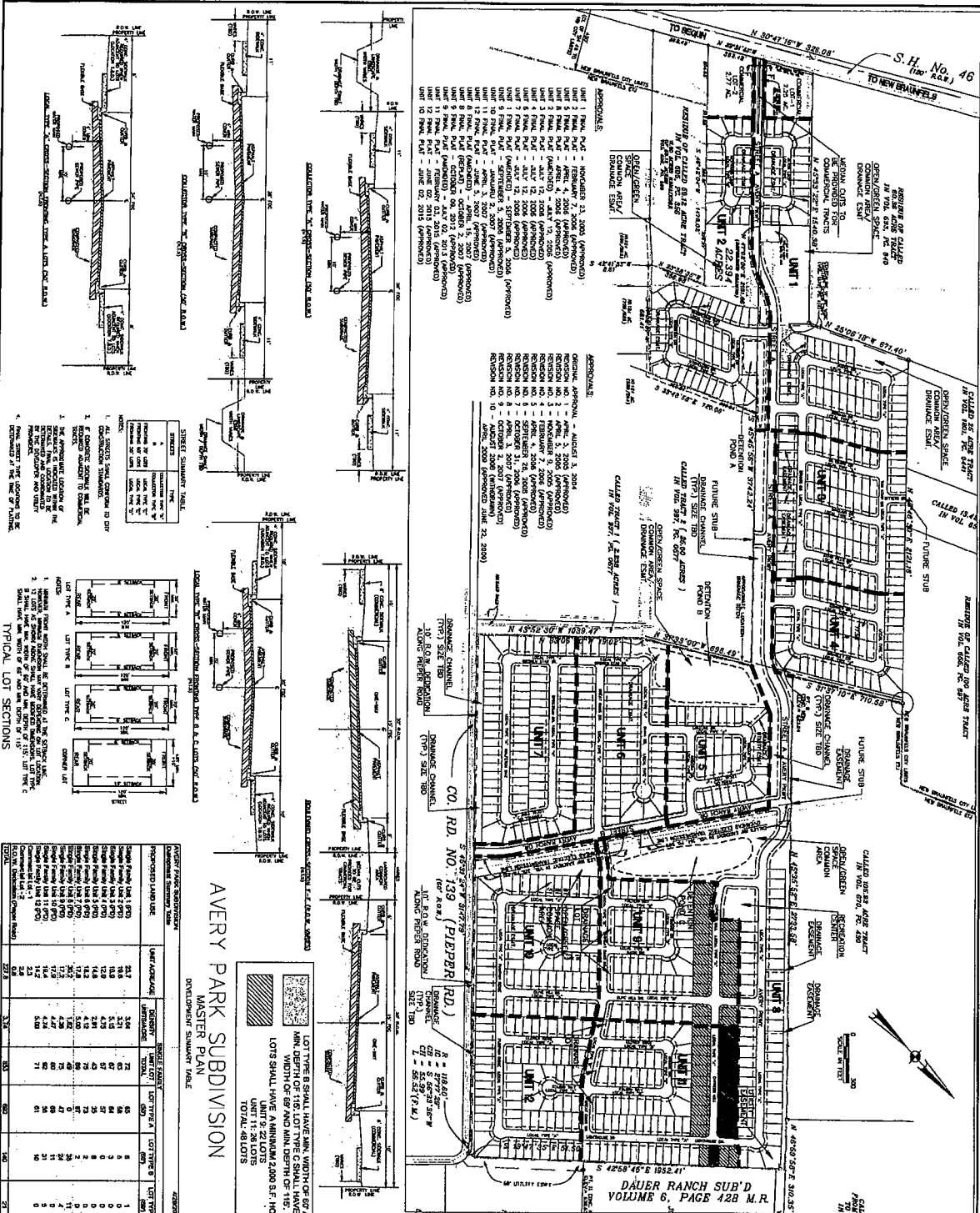
PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:



VALERIA M. ACEVEDO, City Attorney



[illegible]

AVERY PARK SUBDIVISION
MASTER PLAN




LOTS SHALL HAVE A MINIMUM 2,000 S.F. HOME
 LOT TYPE B SHALL HAVE MIN. WIDTH OF 60' AND
 MIN. DEPTH OF 115'. LOT TYPE C SHALL HAVE MIN.
 WIDTH OF 60' AND MIN. DEPTH OF 115'.

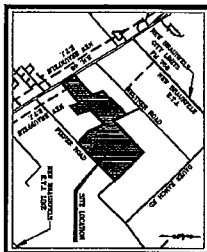
UNITS 9, 22 LOTS
 UNIT 11, 28 LOTS
 TOTAL 48 LOTS

GENERAL NOTES

- [illegible]

CONTINENTAL HOMES OF TEXAS, L.P.
210 WEST HUTCHINSON ST.
SAN MARCOS, TX. 78666

ENGINEER:
KIELEY-HORN AND ASSOCIATES, INC.
610 NW LOOP 410
SAN ANTONIO, TEXAS 78216



No.	Date	Revisions	App.
Δ	04/29/78	REVISED LIST OF MEMBERS	
Δ	05/05/78	REVISED UNITS 8-13 LIST SIZES	
Δ	10/02/77	REVISED TO REFLECT THE BOUNDARY CHANGE OF THE 10TH DISTRICT	
Δ	04/02/77	REVISED TO REFLECT THE ADDITION OF THE RECREATION CENTER IN UNIT 9	
Δ	10/21/76	REVISED TO REFLECT THE ADDITION OF THE RECREATION CENTER IN UNIT 9	
Δ	06/29/76	REVISED TO REFLECT CHANGES TO LOT 10 IN LANE 10, R. 10, AND L. 11	
Δ	04/04/76	ADDED UNIT 10 TO 10 COLONY NOTES	
Δ	03/29/76	REVISED TO REFLECT CHANGES TO UNIT PARADES	
Δ	11/02/75	REVISED TO REFLECT CHANGES TO UNIT PARADES IN UNITS 1-4, AND 8-11	
Δ	03/29/75	REVISED TO REFLECT CITY CHANGES REVEALED UNIT PARADES	
Δ	03/20/75	REVISED TO REFLECT ADDITIONAL LANE	

SHEET 1 OF 1	Scale:	1"=300'
	Designed by:	SJF
	Drawn by:	HC
	Checked by:	JDC
	Date:	JUNE 29, 2015
	Project No.	068517050

DETAIL PLAN

**AVERY PARK
SUBDIVISION
NEW BRAUNFELS, TEXAS**

Kimley»Horn

EXHIBIT "A"

**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.