

ORDINANCE NO. 2014- 53

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS AMENDING THE "CREEKSIDE WELLNESS CENTER" PLANNED DEVELOPMENT DISTRICT CONCEPT 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 "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 development standards for the Creekside Wellness Center Planned Development District Concept Plan; **now, therefore,**

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

SECTION 1

THAT the development standards for the Concept Plan adopted October 11, 2010, Ordinance Number 2010-69, are hereby amended by adopting the following described Concept Plan and related development standards:

"Being 53.448 acres known as the Creekside Wellness Center Subdivision located on FM 306 as delineated on Exhibit 'A' and related development standards in 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THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.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.

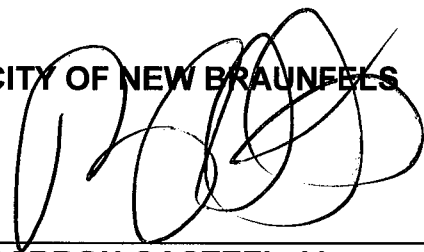
SECTION 5

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

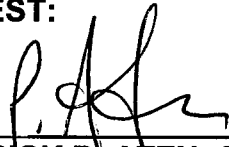
PASSED AND APPROVED: First Reading this the 28th day of July, 2014.

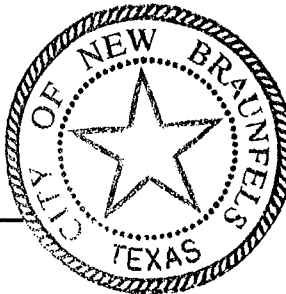
PASSED AND APPROVED: Second and Final Reading this the 11th day of August, 2014.

CITY OF NEW BRAUNFELS


BARRON CASTEEL, Mayor

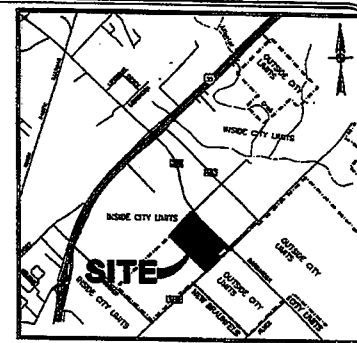
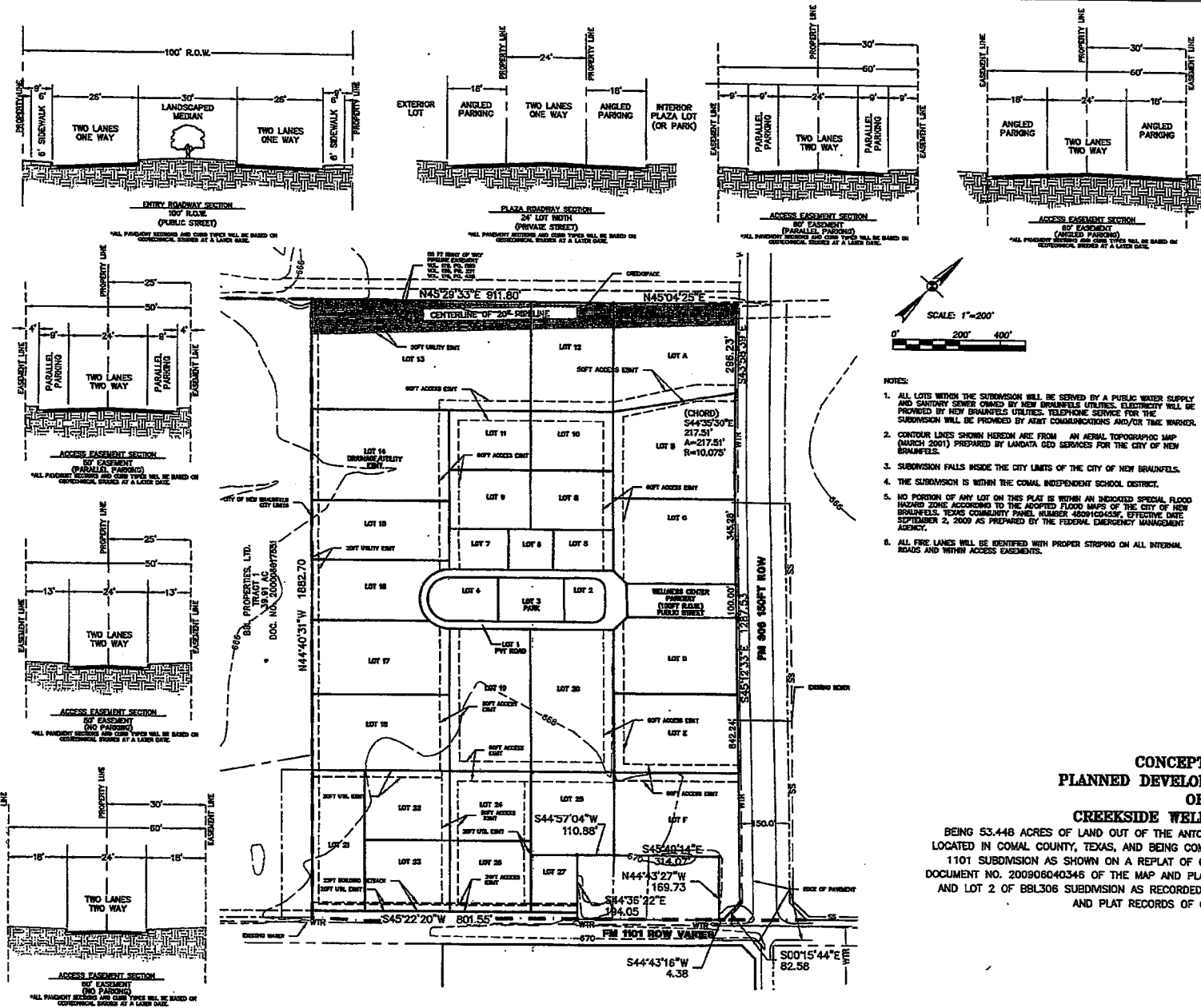
ATTEST:


PATRICK D. ATEN, City Secretary



APPROVED AS TO FORM:


VALERIA M. ACEVEDO, City Attorney



LOCATION MAP
SCALE: NTS

- LEGEND:
- P.O.B. = POINT OF BEGINNING
 - R.O.W. = RIGHT-OF-WAY
 - B.L. = BUILDING SETBACK LINE
 - U.E. = UTILITY EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - O = 1/2" IRON PINS SET
 - = IRON PINS FOUND (UNLESS OTHERWISE NOTED)
 - = CITY LIMITS LINE

- NOTES:
- ALL LOTS WITHIN THE SUBDIVISION WILL BE SERVED BY A PUBLIC WATER SUPPLY AND SANITARY SEWER OWNED BY NEW BRAUNFELS UTILITIES. ELECTRICITY WILL BE PROVIDED BY NEW BRAUNFELS UTILITIES. TELEPHONE SERVICE FOR THE SUBDIVISION WILL BE PROVIDED BY AT&T COMMUNICATIONS AND/OR TIME WARNER.
 - CONTOUR LINES SHOWN HEREIN ARE FROM AN AERIAL TOPOGRAPHIC MAP (MARCH 2001) PREPARED BY LANDATA GEO SERVICES FOR THE CITY OF NEW BRAUNFELS.
 - SUBDIVISION FALLS INSIDE THE CITY LIMITS OF THE CITY OF NEW BRAUNFELS.
 - THE SUBDIVISION IS WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.
 - NO PORTION OF ANY LOT ON THIS PLAN IS WITHIN AN INDICATED SPECIAL FLOOD HAZARD ZONE ACCORDING TO THE ADOPTED FLOOD MAPS OF THE CITY OF NEW BRAUNFELS, TEXAS COMMUNITY PANEL NUMBER 40091004359, EFFECTIVE DATE SEPTEMBER 2, 2009 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
 - ALL FIRE LINES WILL BE IDENTIFIED WITH PROPER STRIPING ON ALL INTERNAL ROADS AND WITHIN ACCESS EASEMENTS.

CONCEPT PLAN PLANNED DEVELOPMENT DISTRICT OF CREEKSIDE WELLNESS CENTER

BEING 53.448 ACRES OF LAND OUT OF THE ANTONIO MARIA ESNAURIZAR ELEVEN LEAGUE GRANT, LOCATED IN COMAL COUNTY, TEXAS, AND BEING COMPRISED OF LOT 3A, LOT 3B, LOT 3C, CREEKSIDE 1101 SUBDIVISION AS SHOWN ON A REPLAT OF CREEKSIDE 1101 SUBDIVISION AS RECORDED IN DOCUMENT NO. 200906040346 OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS AND LOT 1 AND LOT 2 OF BBL306 SUBDIVISION AS RECORDED IN DOCUMENT NO. 201006027205 OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS.

RECEIVED
AUG 24 2010
BY: *Revised*

HMT
HOLLING & MOLLER ENGINEERS
410 N. SEGUN AVE.
NEW BRAUNFELS,
TEXAS 78130
WWW.HMTNS.COM
TYPE: PDS 5-0001
PNS021025-0001
PAR030125-0001
DATE: AUGUST 25, 2010 JOB NO. VNR0004

Concept Plan – “Revised” Narrative
Planned Development District
Project Name: Creekside Wellness Center

August 19, 2010

May 19, 2014 Revised – item f. (3)

Shannon Mattingly

Director of Planning & Development

City of New Braunfels

This Concept 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.

The name of the Project is – Creekside Wellness Center.

The Project is being jointly planned for development by Creekside 1101, Ltd., and its Purchaser the Verde Group, LLC., (Lots A – F) and by FM 1101 Creekside BBL, Ltd. (Lots 1- 27) as reflected on the drawing of the Concept Plan attached to the Application.

The base zoning district is – MU-B - “High Intensity Mixed Use District”, which is the current zoning for Lots 1-27 and will be the base zoning district for Lots A-F as a result of the proposed rezoning.

Concept Plan requirements:

- a. Relation to the comprehensive plan. The planned Development District is currently zoned MU-B and M-1A (r-71), and is located in the immediate vicinity of a proposed Regional Hospital and Medical Campus, and is therefore consistent with the plan and the base zoning districts.
- b. Acreage. The total acreage within the proposed zoning district is 53.448 acres.
- c. Survey. A metes and bounds description of the boundaries of the district is attached as part of the Application.
- d. Land Uses. The land uses will be those permitted uses in the base zoning district – MU-B
- e. General thoroughfare layout. The general thoroughfare layout is attached. The district will consist of both public and private streets, as well as, shared access easements for both vehicle and pedestrian traffic, designed to promote a pedestrian-friendly environment.
- f. Development Standards. Development standards will be consistent with the base zoning district except as noted herein and as shown on the Concept Plan submitted with the Application:
 - (1) Minimum Lot Area – same as base zone district
 - (2) Minimum Lot Width and Depth – same as base zone district
 - (3) Minimum Front, Side, and Rear Building Setback Areas – same as base zone district, except that the rear setback for internal lots (those lots that do not back up to property located outside of the Creekside Wellness Center Planned Development District) shall be zero. Setbacks will be measured from the boundary of the Private Street or Access Easement within each subject lot. (underlined added as of May 19, 2014 after meeting with City Staff)
 - (4) Maximum Height of Buildings – same as base zone district

- (5) Maximum Building Coverage – same as base zone district, except that Lot Coverage for Multi-Family dwellings is modified as provided in item 4 below
- (6) Maximum density – same as base zone district
- (7) Minimum parking standards for each general land use – same as base zone districts – with exception of Shared Parking requirements modified as identified above in item 2 below
- (8) Deviations from other development standards are listed as items 1, 2, 3 and 4 below, and are shown on the Concept Plan.

g. Existing Conditions. Shown on the Concept Plan submitted with the Application.

Deviations from current ordinances and current development standards:

1. Private Streets and Access Easements:

Private Streets and Access Easements will be (1) designed and built to provide a pedestrian friendly environment in accordance with the guidelines shown on the Concept Plan, (2) governed by a Master Community Covenant administered by a Property Owners Association, and (3) maintained by a Property Association. Throat length standards as provided in Chapter 114 of the Code of Ordinances of the City of New Braunfels will apply to the Private Streets and Access Easements. Private Streets and Access Easements may provide for Shared Parking. Private Streets and Access Easements will also serve as drainage, water, sewer, electric, telephone, cable TV, gas, and other public utility easements. Private Streets and Access Easements may also provide for parking, landscaping and pedestrian sidewalks and walk-ways. Fire Lanes will be marked.

2. Shared Parking:

Required parking may be shared in accordance with the permitted uses and no deviation in the number of parking spaces per permitted use is requested. However, the parking requirements may be "shared" (shared parking) upon an applicant-submitted parking study demonstrating that the required parking is available. The required shared parking may be shared beyond lot lines. Shared parking may be located around the Plaza/Park area, along Access Easements and Private Streets, and within designated lots.

3. Sidewalks:

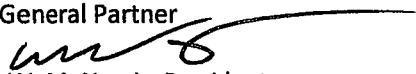
Sidewalks and pedestrian walk-ways will be designed and built to provide a pedestrian friendly environment in accordance with an "alternative pedestrian access plan" and guidelines to be shown on the Detail Plan.

4. Lot Coverage for Multi-Family dwellings:

For calculating the maximum lot coverage ratio for Multi-Family dwellings, Community Common Areas, such as the Plaza/Park area, the area around the Wet Pond, and Green/Open Space within the district may be used and considered.

Respectfully Submitted,

Creekside 1101, Ltd.
By: Norris Realty of Canyon Lake, Inc.
Its General Partner


By: W. M. Norris, President

FM 1101 Creekside BBL Investments, Ltd.
By: FM 1101 Creekside BBL-MJ, LLC
Its General Partner


By: W. M. Norris, Manager