

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW A SPEECH THERAPY CLINIC IN THE "R-2" SINGLE AND TWO-FAMILY DISTRICT, ON LOT 10A, GRANDVIEW ADDITION, ADDRESSED AT 1208 N. WALNUT AVENUE STREET; 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 speech therapy clinic; and

WHEREAS, the City Council desires to grant a Type 2 Special Use Permit for Lot 10A, Grandview Addition, addressed at 1208 N. Walnut Avenue, to allow a speech therapy clinic in the "R-2" Single and Two-family 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 Lot 10A, Grandview Addition, addressed at 1208 N. Walnut Avenue, as delineated in the attached Exhibit 'A', to allow a speech therapy clinic in the "R-2" Single and Two-family District as shown on the plans contained in Exhibit 'B' attached."

SECTION 2

THAT the Special Use Permit be subject to the following additional restrictions:

1. Commercial use of the property will be limited to the area delineated by the applicant on the Buffer Plan. No expansion of the existing structure, changes to the approved site plan, or redevelopment of the remainder of the property will be permitted unless the Special Use Permit is amended through the rezoning process.
2. Office hours will be 8:00 a.m. through 6:00 p.m. Monday – Friday.
3. A paved parking area (concrete, asphalt, or alternative material approved by the City Engineer) for at least five vehicles will be provided behind the main structure.
4. Signage will be limited to one non-illuminated freestanding sign, not to exceed 12 square feet in area with a maximum height of six (6) feet.
5. A minimum six-foot tall wooden privacy fence will be installed around the perimeter of the commercial use area. Existing trees will be preserved to the extent possible during construction of the fence. A tree removal permit is required prior to removal of any protected tree within the commercial area, and replacement trees will be planted as required by the Zoning Ordinance.

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 23rd day of January, 2017.

PASSED AND APPROVED: Second Reading this the 13th day of February, 2017.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

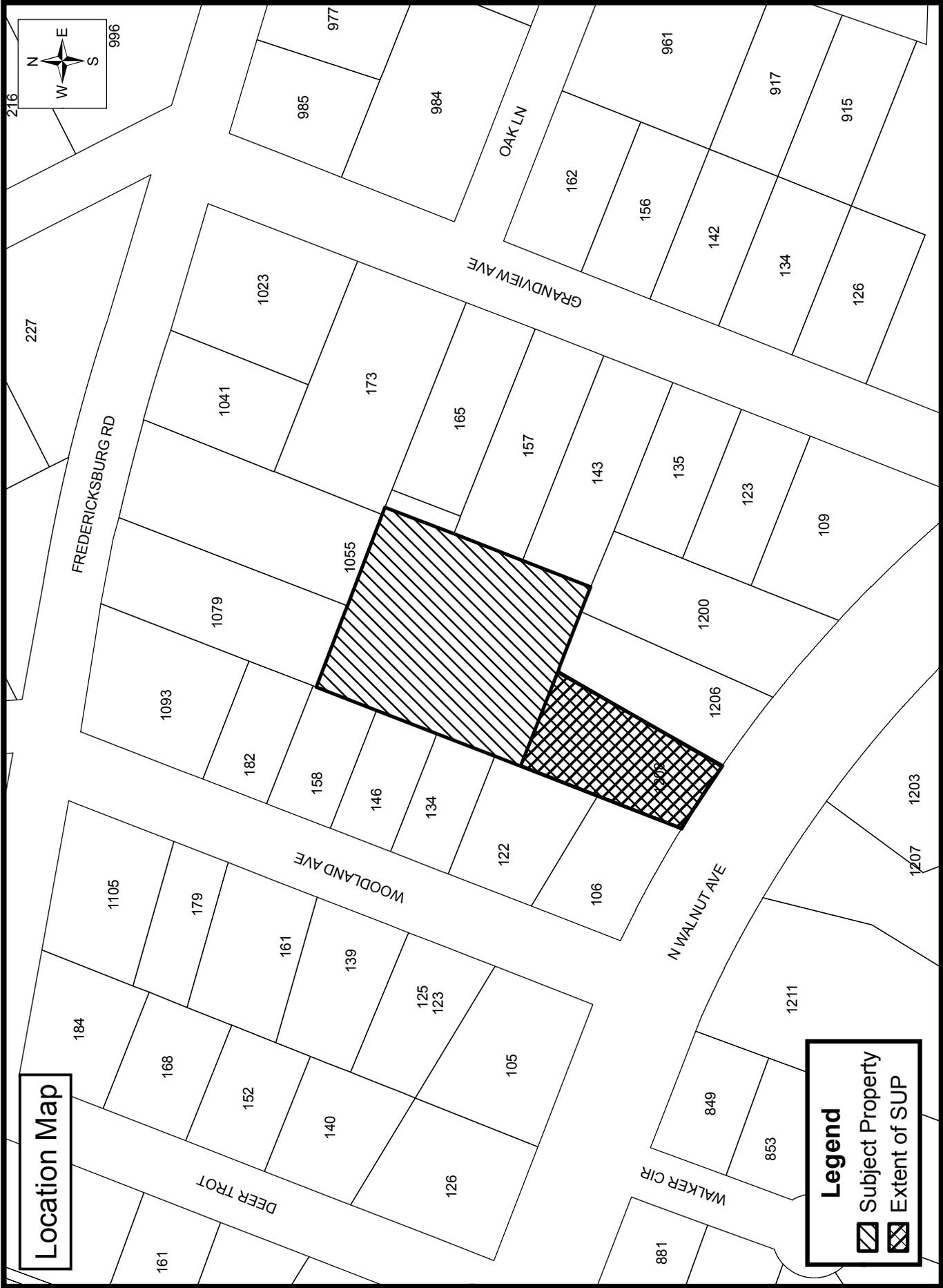
ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

**_____
VALERIA M. ACEVEDO, City Attorney**

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Location Map

Legend

-  Subject Property
-  Extent of SUP

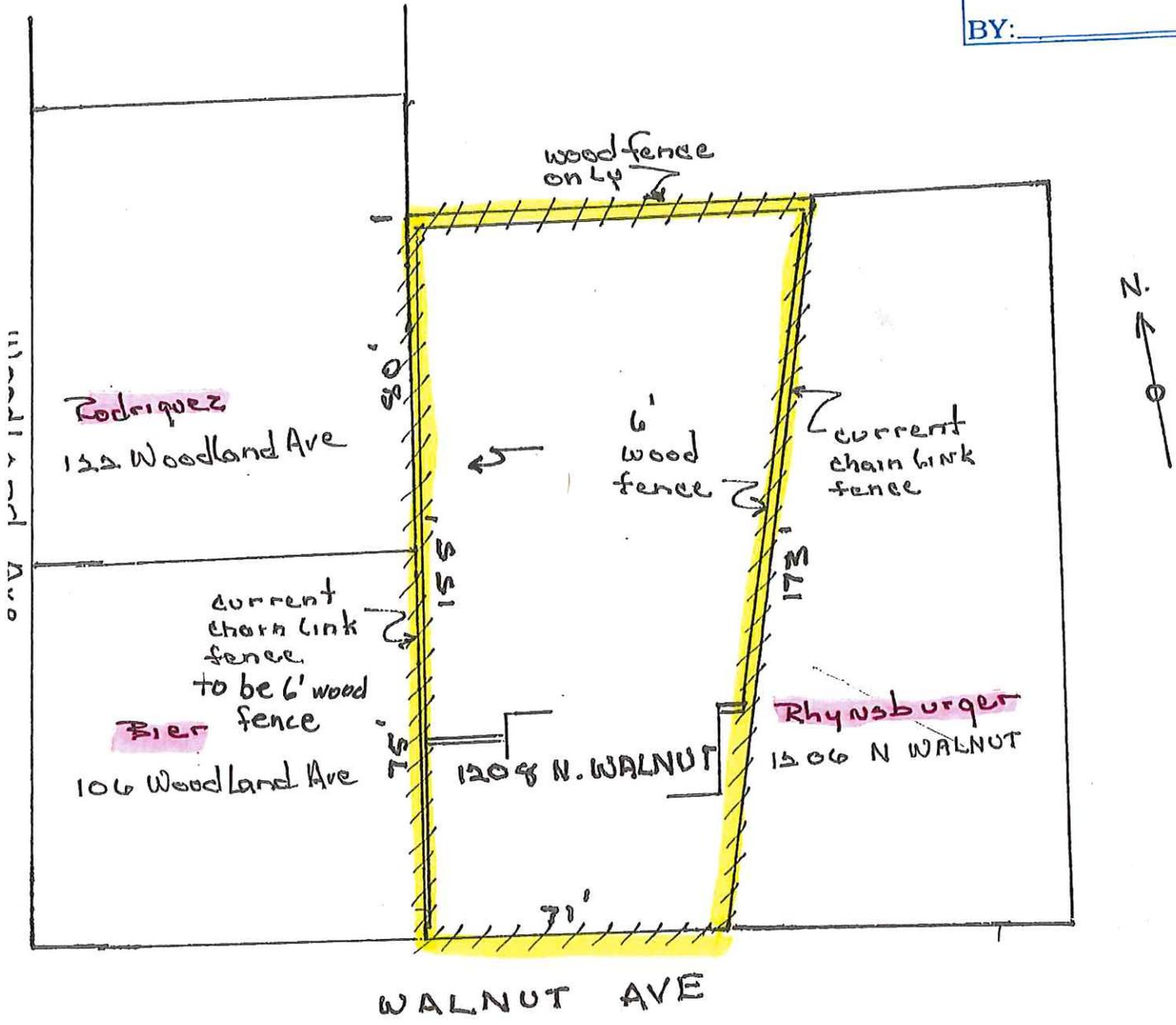
Map Created 12/8/16

PZ-16-059
1208 N. Walnut Avenue
Special Use Permit

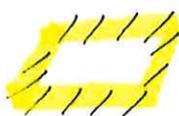


1208 N. Walnut Ave
Buffer Plan

RECEIVED
NOV 02 2016
BY: _____



Note: Rodriguez, Bier and Rhynsburger
approve a 6' wood fence.

 Extent of commercial use

4-ft

1'-0.00"
12.00in

Crossroad Therapy Clinic

3-ft

1040 N. Walnut Ave

(800) -

HOURS: 8am to 6pm

1'-00in
1'-00in

3ft.

3'-0.00"
36.00in