

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING A SPECIAL USE PERMIT TO ALLOW 4 DWELLING UNITS WHERE THE ZONING DISTRICT ALLOWS A MAXIMUM OF 2, IN THE “R-2 AH” SINGLE-FAMILY AND TWO-FAMILY DISTRICT WITH AIRPORT HAZARD OVERLAY, ON LOT 1 BAYSTONE SUBDIVISION, ADDRESSED AT 222 ALVES LANE; 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 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 compatible 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 multifamily use; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to grant a Type 1 Special Use Permit with development standards on Lot 1 Baystone Subdivision, addressed at 222 Alves Lane, to allow 4 dwelling units where lot area allows a maximum of 2 in the “R-2” Single-Family 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

tract of land as a “Special Use Permit” for the uses and conditions herein described:

Being Lot 1 Baystone Subdivision, addressed at 222 Alves Lane, as depicted in Exhibit “A” attached, to allow 4 dwelling units where the lot area allows a maximum of 2, in the “R-2” Single-Family and Two-Family District.

SECTION 2

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

1. Development of the site is to be in compliance with the attached development standards (Exhibit “B”).
2. Typical residential driveway access onto Alves Lane is not allowed.
3. Landscaping of all uncovered parking areas shall be in accordance with the requirements outlined in the attached development standards.
4. Any significant alterations to the attached documents will require an amendment to the SUP with a recommendation from the Planning Commission and approval by the City Council.

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 in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 24th day of January, 2022.

PASSED AND APPROVED: Second reading this 14th day of February, 2022.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

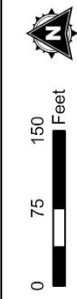
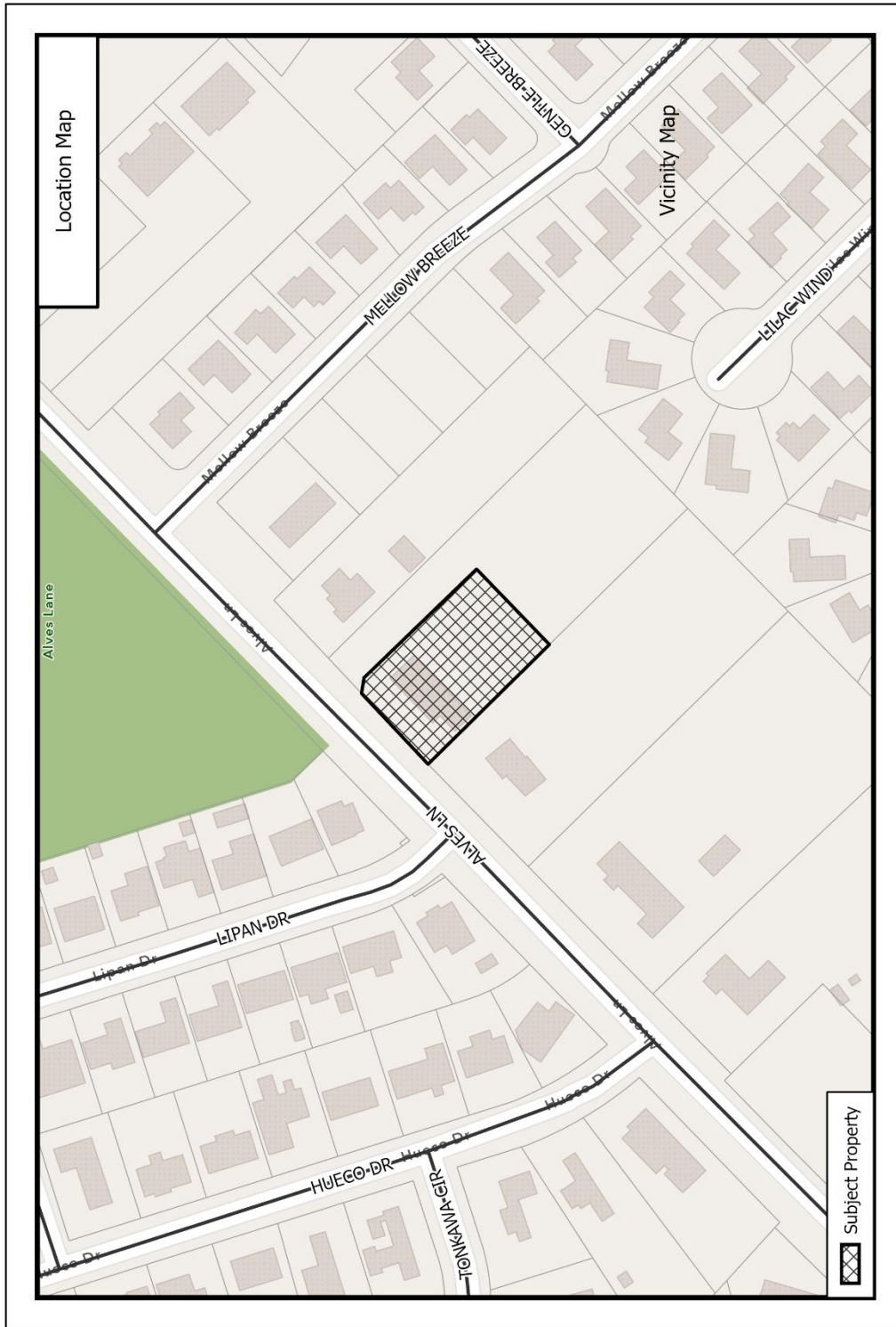
ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or variances which may exist.

SUP21-424 SUP for 4 Dwellings

Source: City of New Braunfels Planning
Date: 12/14/2021



Path: \\chfs-1\Departments\Planning\ZoneChange-SUP-Replats\2021\SUP21-424 - 222 Alves -

EXHIBIT “B”

Development Standards

Development Standards – *Fourplexes on Alves SUP.*

1. *Height.* 35 feet.
2. *Front building setback.* 25 feet.
3. *Side building setback.* 5 feet.
4. *Rear building setback.* 20 feet.
5. *Residential Buffer.*
 - a. A residential setback is not required when there are 4 units or less on the property.
 - b. A residential buffer wall is not required to be constructed when there are 4 units or less on the property.
 - c. A residential landscape buffer is not required when there are 4 units or less on the property, unless an uncovered parking area is proposed. All uncovered parking areas shall comply with the landscape buffering standards in 5.3-1b(7)(A) Parking lot Screening and Landscaping, subsections 1-5.
6. *Accessory uses.* Accessory uses such as swimming pools, tennis courts and playgrounds will not be permitted within any required yard.
7. *Lot coverage.* The combined area of all yards shall not be less than 50 percent of the total lot or tract; provided however, that in the event enclosed or covered parking is provided, the minimum total yard area requirement shall be 40 percent of the total lot or tract.
8. *Parking.*
 - a. There shall be at least two off-street parking spaces for each dwelling unit.
 - b. Detached garages/carports shall comply with the setback standards stated herein.
 - c. Driveway access onto Alves Lane shall be designed in compliance with Chapter 114 and no use of Alves Lane for maneuvering is allowed.
9. *Accessory structures.* Accessory structures other than covered parking shall comply with Sec. 144-5.4 Accessory Uses and Structures.