

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW PROFESSIONAL OFFICES, AN ADDITION TO A THRIFT STORE BUILDING AND ASSOCIATED PARKING IN THE “R-2” SINGLE AND TWO-FAMILY DISTRICT, ADDRESSED AT 617 NORTH WALNUT AVENUE AND 6, 8, 10 AND 12 CANE 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 City Council desires to grant a Type 2 Special Use Permit for property addressed at 617 North Walnut Avenue and 6, 8, 10 and 12 Cane Street, to allow professional offices, an addition to a thrift store building and associated parking 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 2, Tri County Subdivision and the west 130 feet of Lots 6 and 7, Block 4, Bavarian Village Subdivision, addressed at 617 North Walnut Avenue and 6, 8, 10 and 12 Cane Street, as delineated in the attached Exhibit ‘A’, to allow professional offices, an addition to a thrift store building and associated parking in the “R-2” Single and Two-Family District.”

SECTION 2

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

1. The property will remain in compliance with the approved site plan in attached Exhibit 'B'. Any significant changes to the site plan will require a revision to the SUP.

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 25th day of March, 2019.

PASSED AND APPROVED: Second Reading this the 8th day of April, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

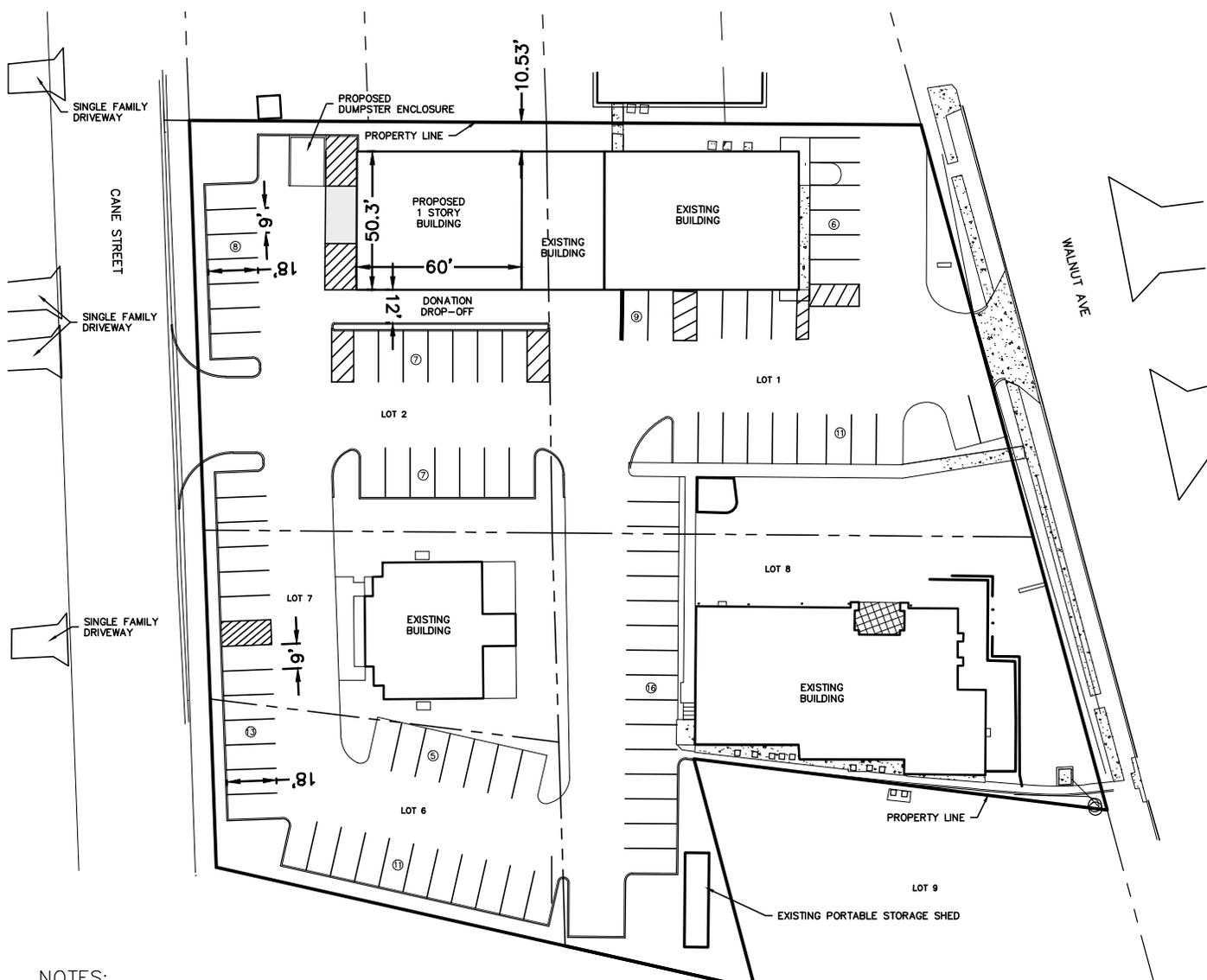
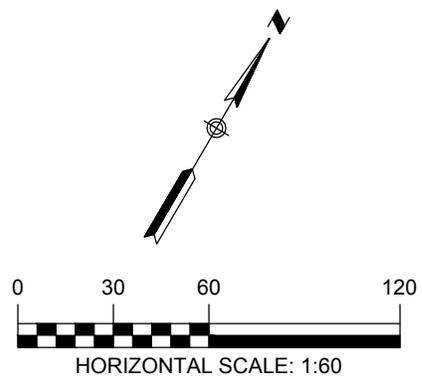
ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXISTING RETAIL	5,000 SF
PROPOSED RETAIL	3,000 SF
TOAL RETAIL	8,000 SF
EXISTING PROFESSIONAL OFFICES	10,000 SF
TOTAL OFFICE	10,000 SF
REQUIRED PARKING RETAIL (1 SPACE PER 200 SF)	40 SPACES
REQUIRED PARKING OFFICE (1 SPACE PER 300 SF)	33 SPACES
TOTAL PARKING TO REQUIRED	73 SPACES
EXISTING PARKING	74 SPACES
ADDITIONAL PARKING	19 SPACES
TOTAL PARKING PROVIDED	93 SPACES



NOTES:
 A MINIMUM 10' BUILDING SETBACK WILL BE PROVIDED ALONG THE NORTHERN PROPERTY LINE

TYPE 2 SUP SITE PLAN

Drawing Name: W:\Projects\003 - Cgm & Associates_Craig Messouh\003.014 - Hope Hospice SUP\Sup\Type 2 SUP Site Plan.dwg User: hamathm Feb 14, 2019 - 4:23pm



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EXHIBIT 'B'