

**ORDINANCE NO. 2023-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 16.064 ACRES, BEING WITHIN THE VERAMENDI PROJECT ON LOT 1, BLOCK 1 OF THE VERAMENDI 1-1 SUBDIVISION, CURRENTLY ADDRESSED AT 2290 OAK RUN PARKWAY, WITH A SPECIAL USE PERMIT TO ALLOW FIVE (5) PORTABLE CLASSROOM BUILDINGS; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**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 Veramendi Project, the City Council has given due consideration to all components of said district; and

**WHEREAS**, the rezoning is in compliance with the Future Land Use Plan; 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 Zoning Map by changing the zoning of approximately 16.064 acres being Lot 1, Block 1, Veramendi 1-1 Subdivision, addressed at 2290 Oak Run Parkway to apply a Special Use Permit to allow five (5) portable classroom buildings; 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 to allow five (5) portable classroom building 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 Special Use Permit at 2290 Oak Run Parkway, to allow five (5) portable classroom buildings; **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 rezoning the following tract of land and designating said property with a "Special Use Permit" for five (5) portable classroom buildings with conditions herein described:

Approximately 16.064 acres, being Lot 1, Block 1, Veramendi1-1 Subdivision, as delineated on Exhibit "A".

## **SECTION 2**

**THAT** the Special Use Permit be subject to attached Site Plan, Exhibit "B", and the following additional restrictions:

1. Portable classroom buildings are temporary and are to be removed when use ends, not to exceed a period of five years.

## **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 28<sup>th</sup> day of August, 2023.

**PASSED AND APPROVED:** Second reading this 11<sup>th</sup> day of September, 2023.

**CITY OF NEW BRAUNFELS**

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**NEAL LINNARTZ**, Mayor

**ATTEST:**

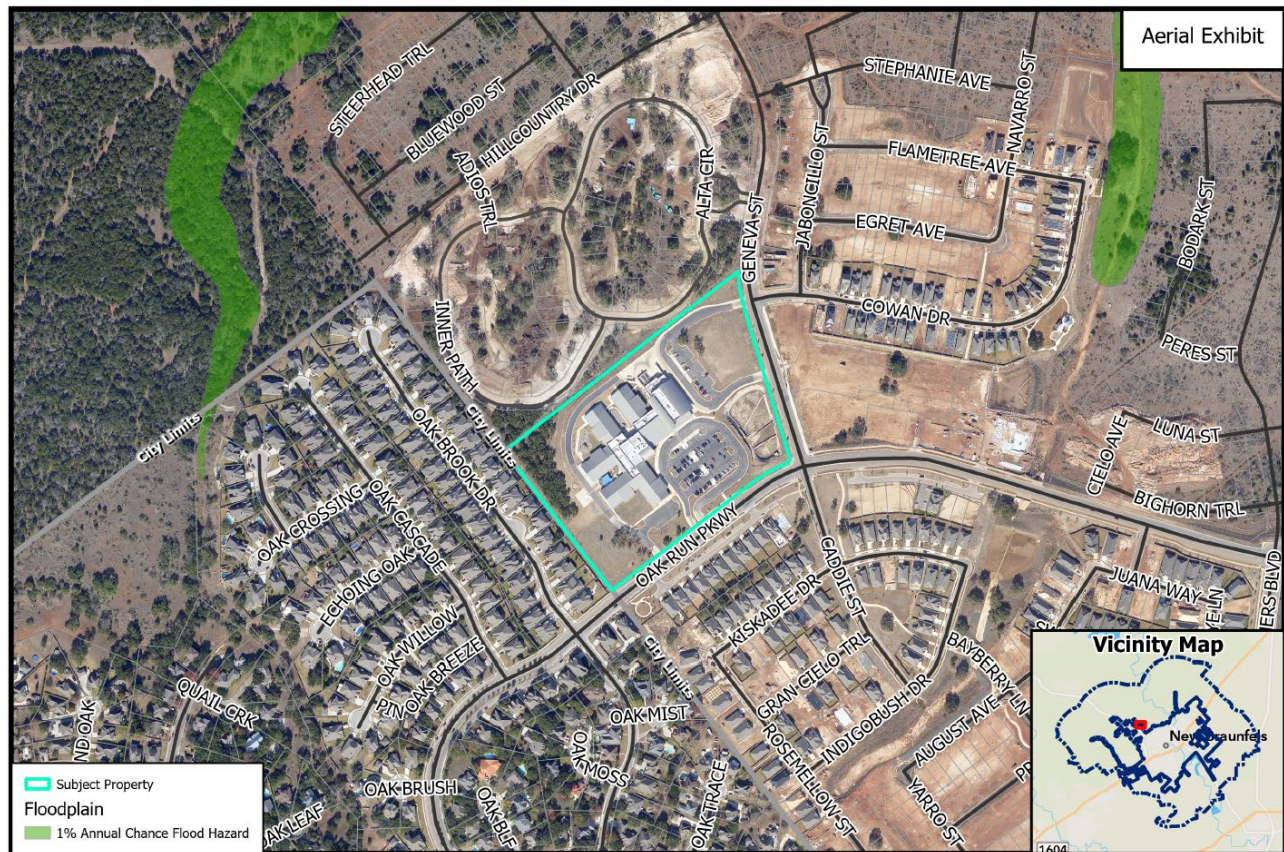
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**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney

**EXHIBIT "A"**



**EXHIBIT “B”**

