

ORDINANCE NO.2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING 0.15 ACRES, BEING OUT OF THE JAHN ADDITION SUBDIVISION, NEW CITY BLOCK 1022, BLOCK 11, LOT 1, CURRENTLY ADDRESSED AT 514 S CASTELL AVE, FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO M-1 SUP (LIGHT INDUSTRIAL DISTRICT WITH A SPECIAL USE PERMIT FOR A TELECOMMUNICATIONS TOWER); 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 Telecommunications Tower; 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 514 S Castell Ave, to allow a Telecommunications Tower in the M-1 (Light Industrial 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 out of the Jahn Addition Subdivision, New City Block 1022, Block 11, Lot 1, being as depicted on Exhibit "A" attached.

SECTION 2

THAT the Special Use Permit be subject to the following conditions:

1. Landscaping and screening shall comply with the submitted plans, with the following modifications:
 - a. Replace the Live Oaks proposed along Butcher Street with ornamental tree species from the approved plant list, such as Redbud (*Cercis* spp.), Desert Willow (*Chilopsis linearis*), or Texas Mountain Laurel (*Dermatophyllum secundiflorum*).
 - b. Add evergreen shrubs as understories to the above ornamental trees. Examples of such shrubs include Texas Sage (*Leucophyllum frutescens*), Yaupon Holly (*Ilex vomitoria*), or Wax Myrtle (*Myrica cerifera*), for enhanced screening of the tower.
 - c. Plant at least two ornamental trees and two evergreen shrubs along the Castell Avenue side of the subject property, within 6 feet of the property line.
 - d. Revise tree planting details to meet ANSI standards (A300 Part 6) for staking methods and backfill material.
2. The maximum height of the monopole telecommunications tower shall be 135 feet.
3. A minimum 6-foot wide sidewalk shall be constructed along South Castell Avenue and shall be separated from the curb by at least 4 feet.
4. A minimum 4-foot wide sidewalk shall be constructed along Butcher Street.
5. The property will remain in compliance with the approved site plan and conditions imposed by City Council. Any significant changes to the site plan or conditions 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 in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 13th day of January 2025.

PASSED AND APPROVED: Second reading this 27th day of January 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

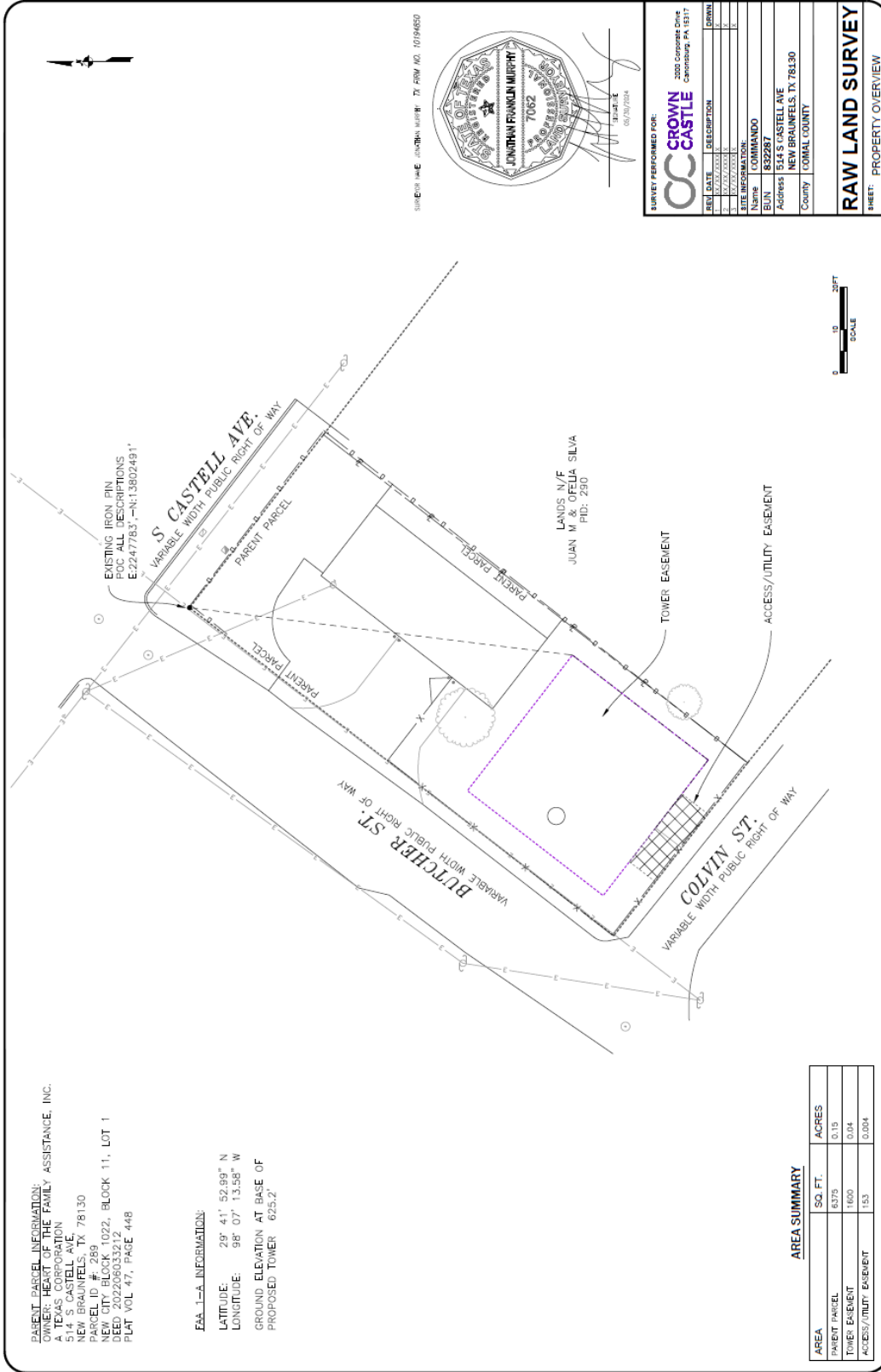
EXHIBIT "A"



Location Map

Subject Property

EXHIBIT "B"



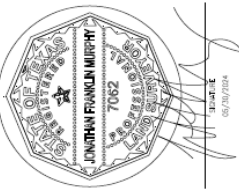
PARENT PARCEL INFORMATION:
 OWNER: HEAVY OF THE FAMILY ASSISTANCE, INC.
 A TEXAS CORPORATION
 514 S CASTELL AVE
 NEW BRAUNFELS, TX 78130
 PARCEL ID. #: 289
 NEW CITY BLOCK: 1022, BLOCK 11, LOT 1
 PLAT: 022090322
 PLAT VOL 47, PAGE 448

FAA 1-A INFORMATION:
 LATITUDE: 29° 41' 52.99" N
 LONGITUDE: 98° 07' 13.58" W
 GROUND ELEVATION AT BASE OF
 PROPOSED TOWER: 625.2'

AREA SUMMARY

AREA	SQ. FT.	ACRES
PARENT PARCEL	6375	0.15
TOWER EASEMENT	1600	0.04
ACCESS/UTILITY EASEMENT	153	0.004

DATE: 05/27/2024
 SURVEYOR: JACOB MURPHY, TX SURV. NO. 10194650



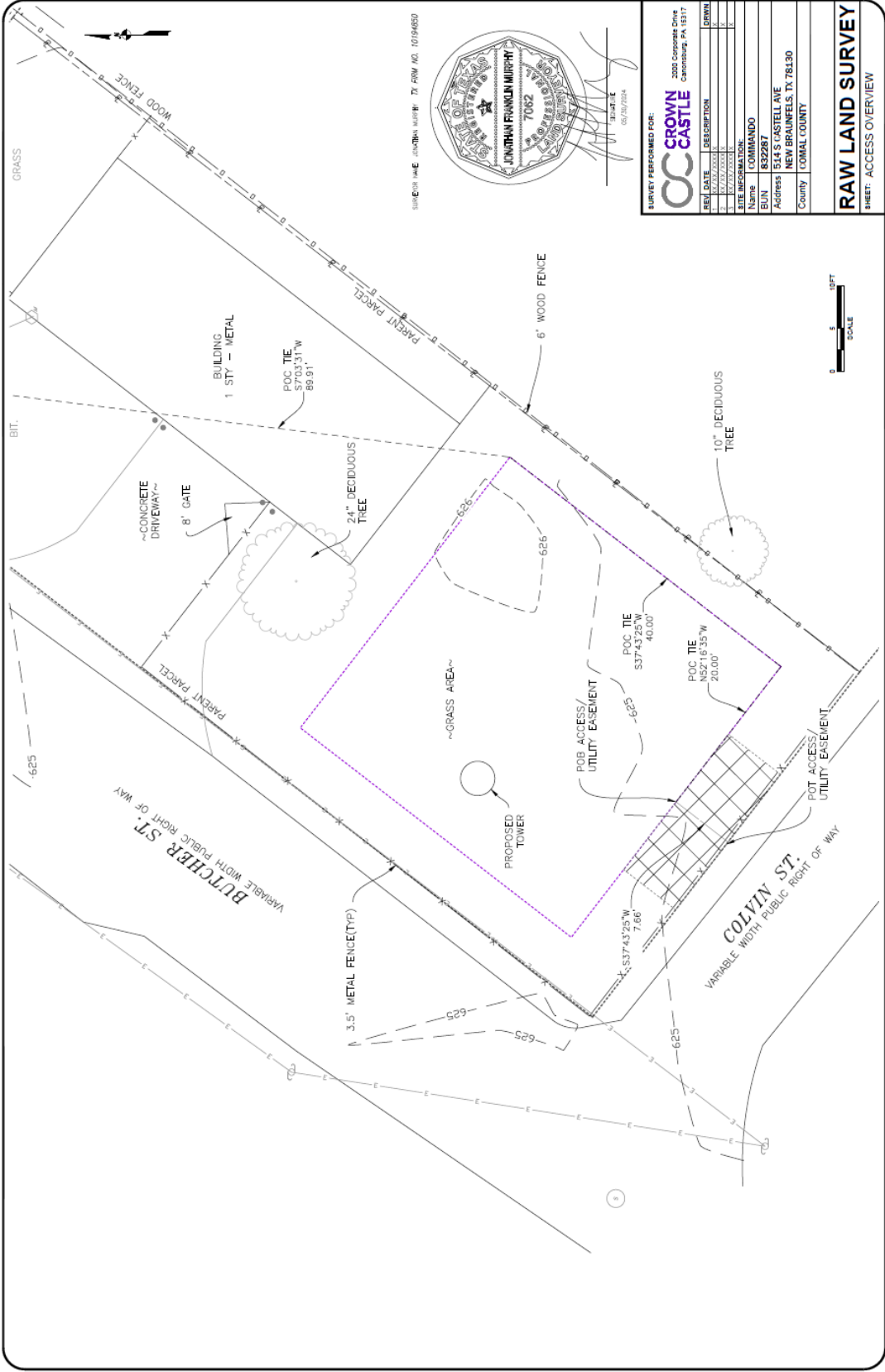
CROWN CASTLE
 2000 Commercial Center
 Carrollton, TX 75007

SURVEY PERFORMED FOR:

REV.	DATE	DESCRIPTION	DESIGNER
1	05/27/2024	RAW LAND SURVEY	JACOB MURPHY
2			
3			
4			

PROPOSED PROJECT:
 Name: COMMANDO
 BUN: 832287
 Address: 514 S CASTELL AVE
 NEW BRAUNFELS, TX 78130
 County: COMAL COUNTY

RAW LAND SURVEY
 SHEET: PROPERTY OVERVIEW



GRASS
WOOD FENCE
BIT.

BUTCHER ST.
VARIABLE WIDTH PUBLIC RIGHT OF WAY

3.5' METAL FENCE (TYP)

~GRASS AREA~

PROPOSED TOWER

POB ACCESS/
UTILITY EASEMENT

POB TIE
S37°43'25"W
40.00'

POC TIE
N52°16'35"W
20.00'

POT ACCESS/
UTILITY EASEMENT

COLVIN ST.
VARIABLE WIDTH PUBLIC RIGHT OF WAY



GRASS
WOOD FENCE

PARENT PARCEL

POC TIE
S7°03'31"W
88.91'

BUILDING
1 STY - METAL

~CONCRETE
DRIVEWAY~

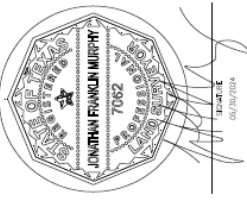
8' GATE

24" DECIDUOUS
TREE

6" WOOD FENCE

10" DECIDUOUS
TREE

STATE OF TEXAS
JONATHAN FRANKLIN MURPHY
7062
REGISTERED SURVEYOR



SURVEY PERFORMED FOR:

CROWN CASTLE
2000 Corporate Drive
Cantonburg, PA 15117

LINE	DATE	DESCRIPTION	DEPTH
1	7/27/2023		0'
2	7/27/2023		0'
3	7/27/2023		0'

DATE INFORMATION:

Name: COMMANDO
 BUN: B32287
 Address: 514 S CASTELL AVE
 NEW BRAUNFELS, TX 78130
 County: COMAL COUNTY

RAW LAND SURVEY
SHEET: ACCESS OVERVIEW

