

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 5-foot wide sidewalk shall be constructed along South Castell Avenue and shall be separated from the curb by at least 3 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 27th day of January 2025.

PASSED AND APPROVED: Second reading this 10th day of February 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

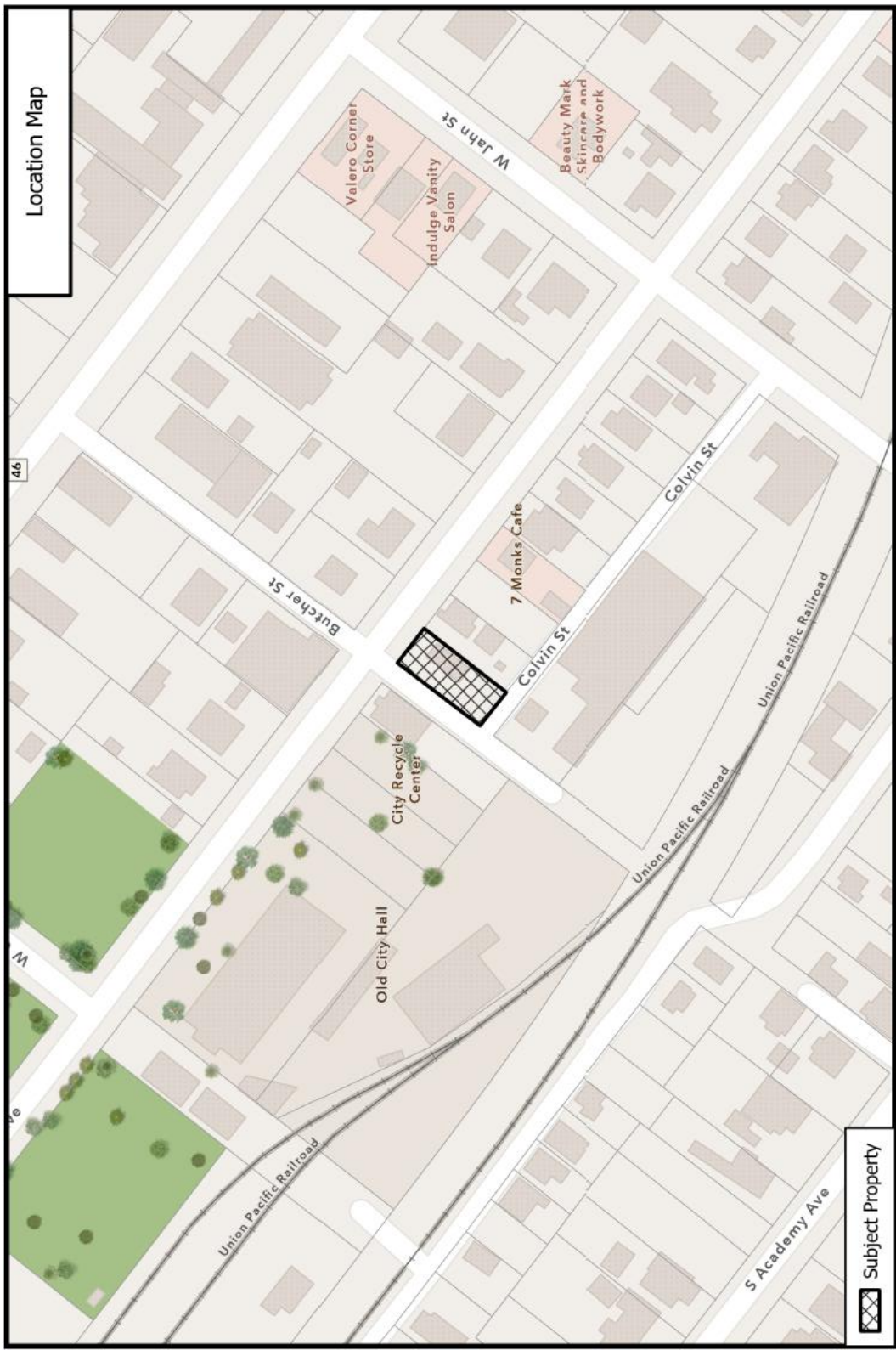
ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



Location Map

Subject Property

EXHIBIT "B"



BU # 832287
COMMANO
 514 S CASTELL AVE
 NEW BRAUNFELS, TX 78130
 PROPOSED 135' MONOPOLE

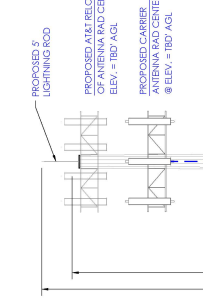
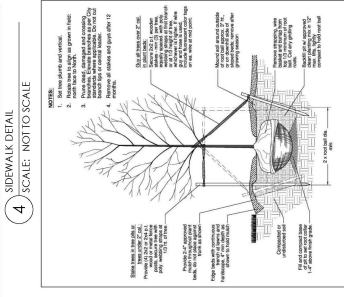
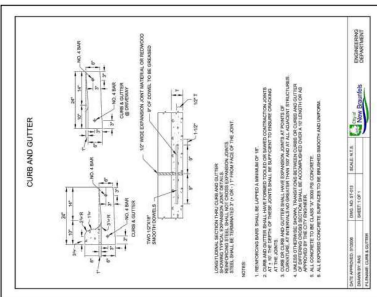
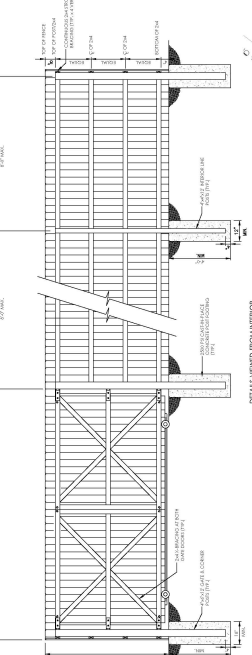
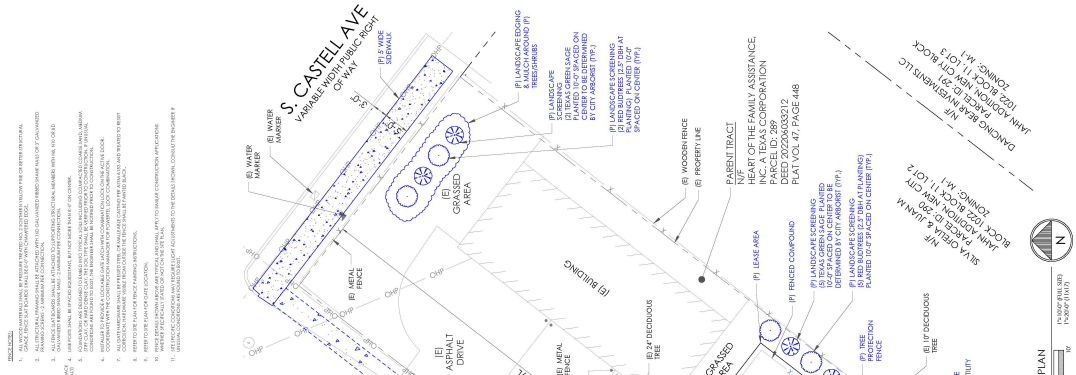
REV	DATE	BY	DESCRIPTION	DATE	BY
A	08/21/2024	DA	PRELIMINARY	DA	
B	09/19/2024	DA	ADDRESSED COMMENTS	DA	
C	09/19/2024	DA	RHL LID	DA	
D	09/20/2024	DA	PRELIMINARY COMMENTS	DA	
E	10/14/2024	DA	COMPARISON WITH PLAN	DA	
F	10/22/2024	DA	REL. COMMENTS (S) (T) (H) (A)	DA	

ISSUED FOR: [REDACTED]

PLEASE REVIEW THE COMMENTS AND CONCURRENCE WITH THIS PLAN SUBMITTED ON THE APPROXIMATE DATE OF THE COMMENTS AND CONCURRENCE. THE APPROXIMATE DATE OF THE COMMENTS AND CONCURRENCE IS INDICATED IN THE COMMENTS AND CONCURRENCE. APPROVAL OF THIS PLAN IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER. APPROVAL OF THIS PLAN IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE CITY ATTORNEY. APPROVAL OF THIS PLAN IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE CITY ATTORNEY. APPROVAL OF THIS PLAN IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE CITY ATTORNEY.

Sarah E Owens
 SIGNATURE

SHEET NUMBER: **Z-1**
 REVISION: **4**



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