

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING A SPECIAL USE PERMIT TO ALLOW 75 DWELLING UNITS WHERE LOT AREA ALLOWS A MAXIMUM OF 64, THROUGH THE CONVERSION OF EXISTING HOTEL GUESTROOMS INTO STUDIO APARTMENTS IN THE “C-3” COMMERCIAL DISTRICT, ON LOTS 3C AND 3D, JM SUBDIVISION, ADDRESSED AT 1533 IH-35 NORTH; 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 2 Special Use Permit with site plan on Lots 3C and 3D, JM Subdivision, addressed at 2533 IH-35 North, to allow 75 dwelling units where lot area allows a maximum of 64, through the conversion of existing hotel guestroom unto studio apartments in the “C-3” Commercial 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 Lots 3C and 3D, JM Subdivision, addressed at 1533 IH-35 North, as depicted in Exhibit "A" attached, to allow 75 dwelling units where lot area allows a maximum of 64, through the conversion of hotel guestrooms into studio apartments in the "C-3" Commercial District.

SECTION 2

THAT the property will remain in compliance with the approved site plan illustrated in Exhibit "B" attached. Any significant changes to the site plan will require a revision to the Special Use Permit.

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 22nd day of November, 2021.

PASSED AND APPROVED: Second reading this 13th day of December, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

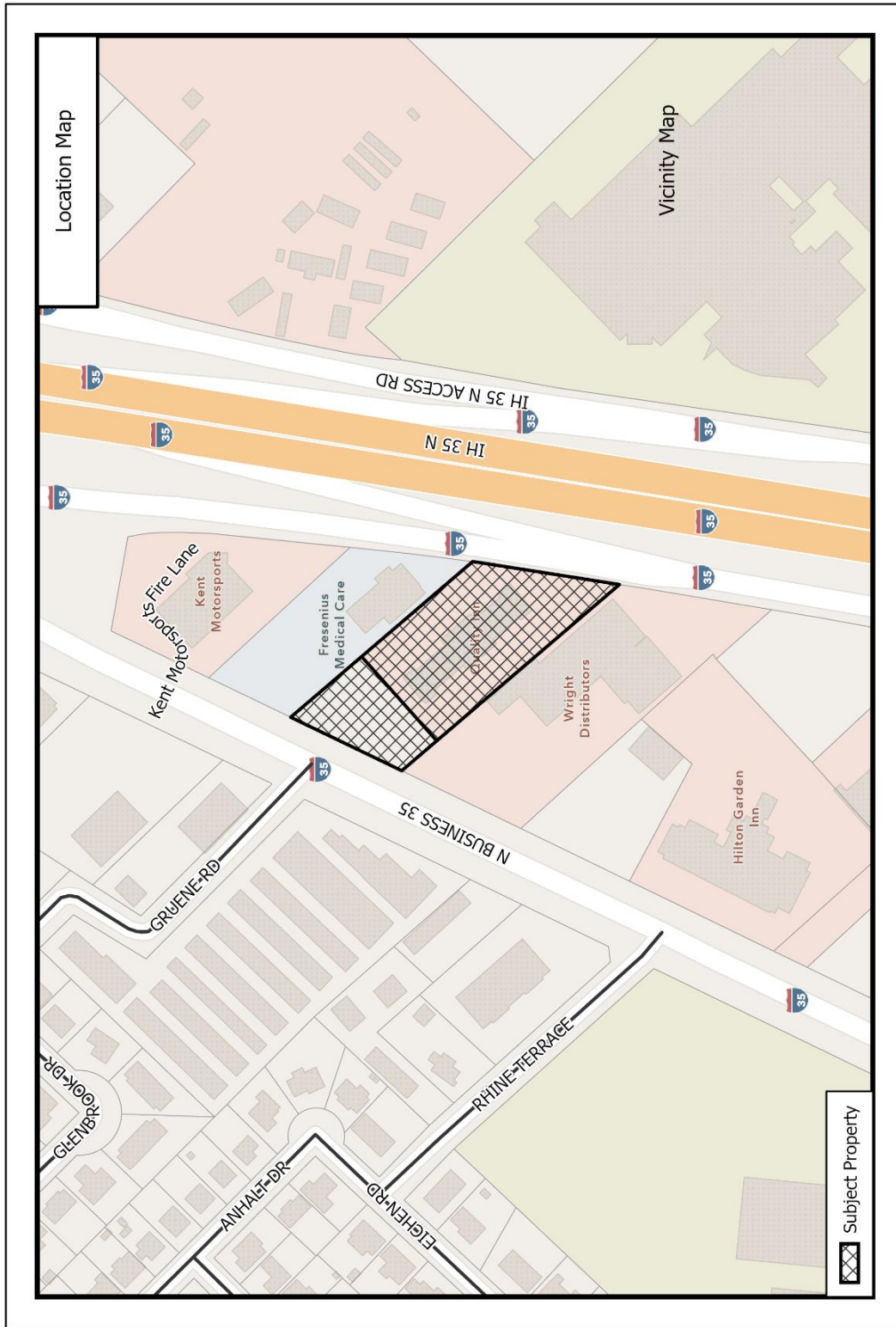
ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



SUP21-318

Special Use Permit request for increased density

Path: \\cbs-1\Departments\Planning\ZoneChange-SUP-Replats\2021\SUP21-318 - 1533 IH 35 N -

Source: City of New Braunfels Planning
Date: 9/17/2021

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.

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