

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 2.26 ACRES, COMPRISED OF LOTS 8 AND 9, SEIDELS SUBDIVISION, ADDRESSED AT 1133 STATE HIGHWAY 46, FROM "R-2" SINGLE AND TWO-FAMILY DISTRICT TO "C-1A" NEIGHBORHOOD BUSINESS DISTRICT; AND GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW A COMMERCIAL CONTRACTOR'S OFFICE WITH OUTDOOR STORAGE; 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 the "C-1A" Neighborhood Business District, 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 2.26 acres comprised of Lots 8 and 9, Seidels Subdivision, addressed at 1133 State Highway 46, from "R-2" Single and Two-Family District to "C-1A" Neighborhood Business District; and

WHEREAS, the City Council recognizes that granting a Special Use permit for a commercial contractor's office with outdoor storage 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 Council to ensure 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 property is located in an area suitable for the proposed uses; and

WHEREAS, the City Council desires to grant a “Type 2 Special Use Permit” to allow a contractor’s office with outdoor storage on Lots 8 and 9, Seidels Subdivision, addressed at 1133 State Highway 46; **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 changing the following described tract of land from “R-2” Single and Two-Family District to “C-1A” Neighborhood Business District and designating said property with a Type 2 Special Use Permit (SUP) to allow a contractor’s office with outdoor storage:

“Approximately 2.26 acres comprised of Lots 8 and 9, Seidels Subdivision, addressed at 1133 State Highway 46, as delineated on Exhibit ‘A’ attached.”

SECTION 2

THAT the “Type 2 Special Use Permit” be subject to the following additional restrictions:

1. Exhibit ‘B’ shall be considered the adopted site plan. Any significant alterations to the site plan will require approval of an amendment to the “Type 2 Special Use Permit” by City Council.
2. The residential buffer wall will be 8 feet in height.

SECTION 3

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 4

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 5

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 6

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 8th day of January, 2018.

PASSED AND APPROVED: Second reading this 22nd day of January, 2018.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

Location Map

Map showing the location of the subject property (hatched area) relative to surrounding streets and lots.

Streets: Stone Way, Stone Trl, Stone Holw, Stone Gate Dr, State Hwy 46 S.

Adjacent Lots (Approximate Numbers):

- Top Left: 1062, 1066, 1070, 1074, 1077, 1081, 1085, 1089, 1090, 1082, 1086, 1065, 1069, 1066, 1070, 1074, 1078, 1073, 1077, 1058, 1055, 1052, 1049, 1046, 1043, 1040, 1037, 1034, 1031, 1028, 1025, 1022, 1019, 1016, 1013, 1010, 1007, 1004, 1001, 998, 995, 992, 989, 986, 983, 980, 977, 974, 971, 968, 965, 962, 959, 956, 953, 950, 947, 944, 941, 938, 935, 932, 929, 926, 923, 920, 917, 914, 911, 908, 905, 902, 899, 896, 893, 890, 887, 884, 881, 878, 875, 872, 869, 866, 863, 860, 857, 854, 851, 848, 845, 842, 839, 836, 833, 830, 827, 824, 821, 818, 815, 812, 809, 806, 803, 800, 797, 794, 791, 788, 785, 782, 779, 776, 773, 770, 767, 764, 761, 758, 755, 752, 749, 746, 743, 740, 737, 734, 731, 728, 725, 722, 719, 716, 713, 710, 707, 704, 701, 698, 695, 692, 689, 686, 683, 680, 677, 674, 671, 668, 665, 662, 659, 656, 653, 650, 647, 644, 641, 638, 635, 632, 629, 626, 623, 620, 617, 614, 611, 608, 605, 602, 599, 596, 593, 590, 587, 584, 581, 578, 575, 572, 569, 566, 563, 560, 557, 554, 551, 548, 545, 542, 539, 536, 533, 530, 527, 524, 521, 518, 515, 512, 509, 506, 503, 500, 497, 494, 491, 488, 485, 482, 479, 476, 473, 470, 467, 464, 461, 458, 455, 452, 449, 446, 443, 440, 437, 434, 431, 428, 425, 422, 419, 416, 413, 410, 407, 404, 401, 398, 395, 392, 389, 386, 383, 380, 377, 374, 371, 368, 365, 362, 359, 356, 353, 350, 347, 344, 341, 338, 335, 332, 329, 326, 323, 320, 317, 314, 311, 308, 305, 302, 299, 296, 293, 290, 287, 284, 281, 278, 275, 272, 269, 266, 263, 260, 257, 254, 251, 248, 245, 242, 239, 236, 233, 230, 227, 224, 221, 218, 215, 212, 209, 206, 203, 200, 197, 194, 191, 188, 185, 182, 179, 176, 173, 170, 167, 164, 161, 158, 155, 152, 149, 146, 143, 140, 137, 134, 131, 128, 125, 122, 119, 116, 113, 110, 107, 104, 101, 98, 95, 92, 89, 86, 83, 80, 77, 74, 71, 68, 65, 62, 59, 56, 53, 50, 47, 44, 41, 38, 35, 32, 29, 26, 23, 20, 17, 14, 11, 8, 5, 2, 1.

Legend:

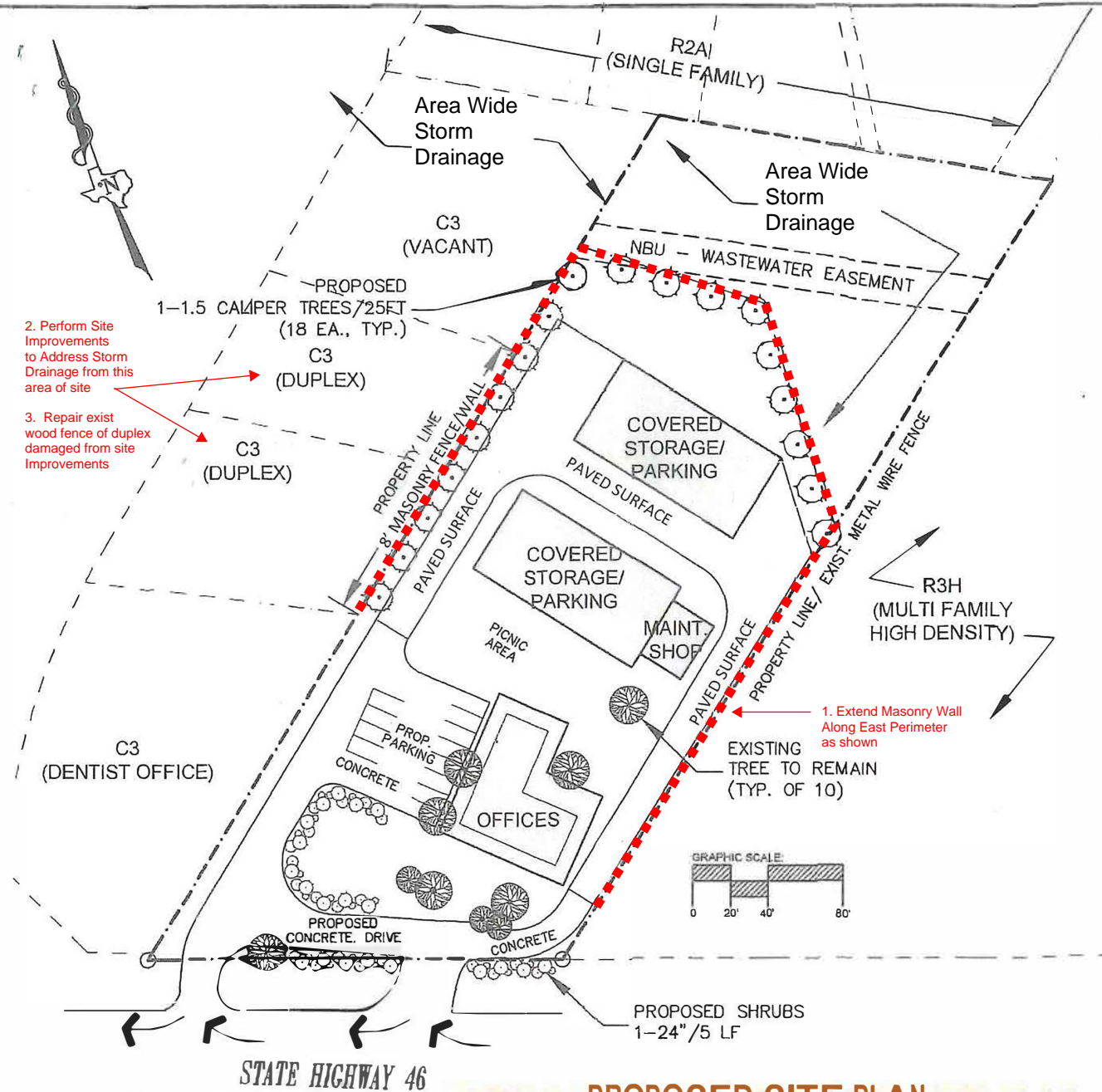
- Subject Property (Hatched area)

 Subject Property



SUP AGREED STIPULATIONS

1. Build Masonry Wall on all Three Sides of the site as shown.
2. Perform Drainage Report and Implement Storm Drainage Improvements per Civil Engineer.
3. Repair Section of Duplex Fence Damaged as a result of site improvements



PROPOSED SITE PLAN

24/7 DESIGN



ARCHITECTURE & PLANNING

1133 HIGHWAY 46
NEW BRAUNFELS, TEXAS

ARCHITECT:
MARK A. STUART
605 Ridgcliff Drive, New Braunfels, Texas 78132, USA
Tel: (830) 557-4444

SITE PLAN
PROPOSED IMPROVEMENTS

DATE:
08/22/2017

DRAWN BY:
AS

CHECKED BY:
MS

CHECKED BY:

REV.:

REV. DATE:

SHEET:

SCALE:
1"=80'-0"

NOTES: PLAT AMENDMENT REQUIRED TO COMBINE
2 LOTS INTO 1.

A1