

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS GRANTING A SPECIAL USE PERMIT TO ALLOW MULTIFAMILY (THREE RESIDENTIAL UNITS) ON ONE LOT IN THE "R-2" SINGLE AND TWO-FAMILY DISTRICT ON LOT 14, CITY BLOCK 3001, ADDRESSED AT 509 W. MILL STREET; 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 also 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 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 multifamily use; and

WHEREAS, the City Council desires to grant a Type 1 Special Use Permit for Lot 14, City Block 3001, addressed at 509 W. Mill Street, to allow multifamily (three residential units) on one lot in the "R-2" Single and Two-family 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 described tract of land as a "Type 1 Special Use Permit" for the uses and conditions herein described:

"Being Lot 14, City Block 3001, addressed at 509 W. Mill Street, as delineated in the attached Exhibit 'A', to allow multifamily (three residential units) on one lot in the "R-2" Single and Two-family District."

SECTION 2

THAT the Special Use Permit be subject to the following additional restrictions:

1. The current parking configuration will be maintained.
2. A masonry wall and tree buffer are not required along the adjacent residential use.
3. The one-bedroom units will be contractually limited to one vehicle each and the two-bedroom unit will be contractually limited to a maximum of two vehicles.

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 of same.

PASSED AND APPROVED: First Reading this the 25th day of June, 2018.

PASSED AND APPROVED: Second Reading this the 9th day of July, 2018.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



PZ-18-013
509 W. Mill Street
Special Use Permit

