

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, GRANTING A TYPE 2 SPECIAL USE PERMIT TO 1.34 ACRES CONSISTING OF LOT 1, BLOCK 1, SAM'S PLACE SUBDIVISION, COMAL COUNTY, TEXAS, TO ALLOW A MINI-STORAGE FACILITY WITH AN ON-SITE CARETAKER'S RESIDENCE IN THE "C-1B" GENERAL BUSINESS DISTRICT, ADDRESSED AT 1705 S. WALNUT AVE.; 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 City Council desires to grant a Type 2 Special Use Permit to approximately 1.34 acres consisting of Lot 1, Block 1, Sam's Place Subdivision, Comal County, Texas, to allow a mini-storage facility with an on-site caretaker's residence in the "C-1B" General Business District, addressed at 1705 S. Walnut Ave.; **now, therefore;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT pursuant to Sections 3.6-2 and 3.6-3, 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 “Special Use Permit” for the uses and conditions herein described:

“1.34 acres consisting of Lot 1, Block 1, Sam’s Place Subdivision, Comal County, Texas, addressed at 1705 S. Walnut Ave., as delineated on Exhibit ‘A’ attached.”

SECTION 2

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

1. Exhibit ‘B’ shall be the adopted Special Use Permit 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. Shade trees from the Approved Plant List (Chapter 144, Appendix A) a minimum of 3 inches in diameter (dbh) are planted no more than 25 feet apart between Buildings C, D & E and the southern property boundary.
3. Shade trees from the Approved Plant List (Chapter 144, Appendix A) a minimum of 3 inches in diameter (dbh) are planted no more than 25 feet apart between Buildings B, C & H and the northern property boundary.
4. All required landscaping must be irrigated with an automatic underground system.
5. Parkland Dedication and Development Fees are required prior to the issuance of a building permit.
6. Lighting for the County Line Memorial Trail and along the rear boundary of the property is not required but may be provided subject to review and approval of the proposed fixtures for compliance with the City’s lighting standards.

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 of same.

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

PASSED AND APPROVED: Second and Final 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

MINOR PLAT ESTABLISHING
SAM'S PLACE

BEING THE REMAINDER OF A CALLED 1.533 ACRE TRACT, RECORDED IN DOCUMENT
NUMBER 20030647080, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS

#201706013248

- PLAT NOTES:
- ALL LOTS WITHIN THE SUBDIVISION WILL BE PROVIDED WATER, SEWER AND ELECTRIC SERVICE BY NEW BRAUNFELS UTILITIES. TELEPHONE AND CABLE SERVICES FOR THE SUBDIVISION WILL BE PROVIDED BY AIRTEL COMMUNICATIONS AND/OR THE WARRIOR.
 - CONDOMINIUMS SHALL BE LOCATED IN THE CENTRAL ZONE (420' N. 1/2" SECTION 10, 10.00' DISTANCES SHOWN HEREON ARE BASED UPON SURFACE MEASUREMENTS, TO 1,000' SURFACE DISTANCES TO GRID, APPLY A CORRECTION SCALE FACTOR OF 1.0005.
 - MONUMENTS WERE FOUND OR SET AT EACH CORNER OF THE SURVEY BOUNDARY OF THE SUBDIVISION. MONUMENTS AND LOT MARKERS WILL BE SET WITH A 1/2" IRON PIN AND A 1/2" ALUMINUM ROD. THE MONUMENTS AND LOT MARKERS SHALL BE SET WITH A 1/2" IRON PIN AND A 1/2" ALUMINUM ROD. THE MONUMENTS AND LOT MARKERS SHALL BE SET WITH A 1/2" IRON PIN AND A 1/2" ALUMINUM ROD.
 - THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
 - THIS SUBDIVISION IS WITHIN THE CITY LIMITS OF NEW BRAUNFELS, TEXAS.
 - THE SUBDIVISION IS WITHIN THE NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT.
 - NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN ANY SPECIAL FLOOD HAZARD AREA. FLOODING INFORMATION FOR THE SUBDIVISION IS BASED ON THE FLOOD INSURANCE RATE MAP (FIRM) NO. 1706-0001-0001, EFFECTIVE DATE MAY 31, 2012 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
 - NO STRUCTURES, WALLS, OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE PLACED WITHIN THE SUBDIVISION. THE SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF NEW BRAUNFELS, TEXAS. THE SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF NEW BRAUNFELS, TEXAS. THE SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF NEW BRAUNFELS, TEXAS.
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- NEW BRAUNFELS UTILITIES NOTES:
- MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF ANY PORTION OF IT, INCLUDING THE EASEMENTS, SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE EASEMENT. THE EASEMENTS SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE EASEMENT. THE EASEMENTS SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE EASEMENT.
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 - DO NOT CONSIDER ANY NEW UTILITY EASEMENTS (U.E.) WITH DRAINAGE EASEMENTS (D.E.) OR MAKE CHANGES IN GRADE WITHIN THE UTILITY EASEMENTS (U.E.) WITHOUT WRITTEN APPROVAL FROM NEW BRAUNFELS UTILITIES.
 - NEW IS NOT RESPONSIBLE FOR DAMAGES TO PROPERTY IMPROVEMENTS (U.E. UTILITIES, ETC.) THAT ARE PLACED IN ANY TYPE OF UTILITY EASEMENT. TO ENSURE NO CONFLICTS EXIST WITH UTILITY INFRASTRUCTURE IN THE EASEMENT, ALL SUCH IMPROVEMENTS SHALL BE PLACED IN THE EASEMENT. THE EASEMENT SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE EASEMENT.

EXHIBIT 'A'

SCALE: 1"=50'

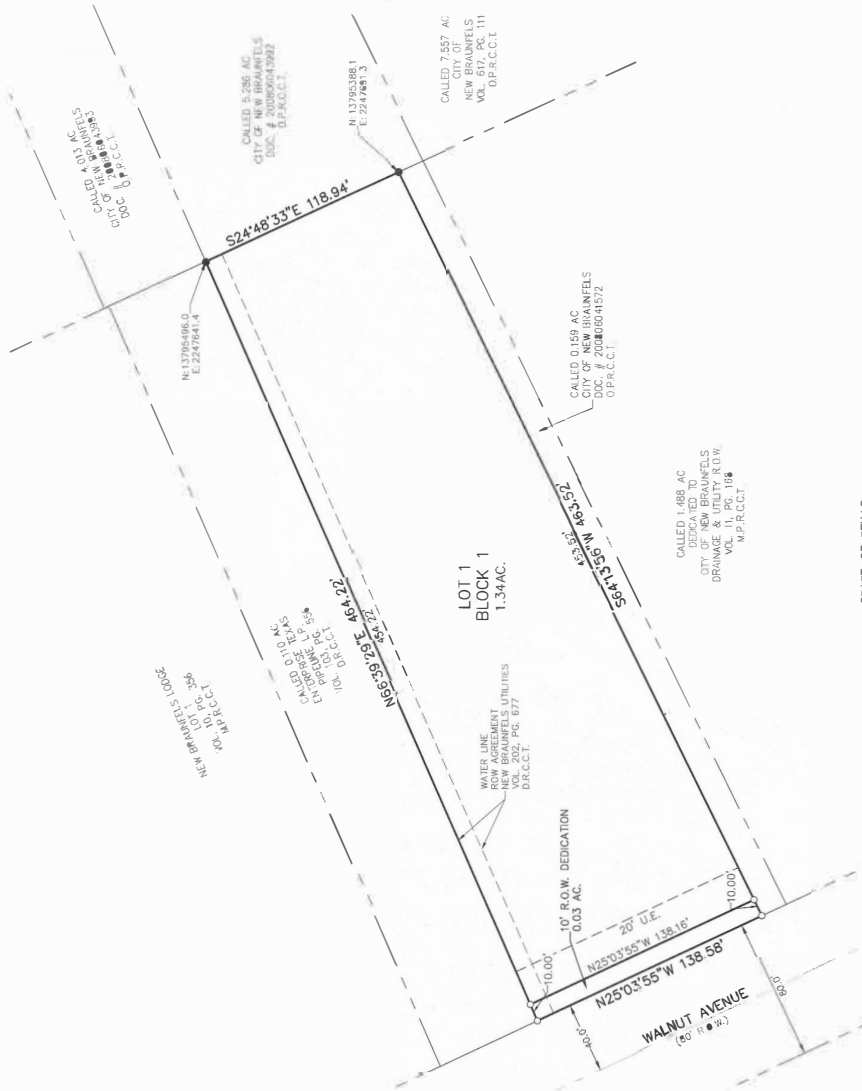
- LEGEND:
- = 1/2" IRON PIN
 - = SET 1/2" IRON PIN W/ PLASTIC CAP STAMPED "HMT"
 - ROW = RIGHT-OF-WAY
 - U.E. = UTILITY EASEMENT
 - D.R.C.C.T. = DEED RECORDS
 - M.P.R.C.C.T. = COMAL COUNTY, TEXAS
 - O.P.R.C.C.T. = COMAL COUNTY, TEXAS
 - O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS

410 N. SEQUIN AVE.
NEW BRAUNFELS,
TEXAS 78130
WWW.HMTB.COM
PH: (830) 625-8555
TBE: FRM F-10961
TBE: FRM 10153600

HMT
ENGINEERING & SURVEYING



LOCATION MAP
NOT TO SCALE



KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED, MARK F. CONLAN, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IS TRUE AND CORRECTLY MADE ON THE GROUND UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

MARK F. CONLAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6342
410 N. SEQUIN AVE., NEW BRAUNFELS, TEXAS 78130



APPROVED FOR ACCEPTANCE

DATE 3-2-17

DATE 2-24-17

DATE 2/16/2017

DATE 2/16/2017

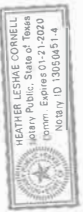
DATE 2/16/2017

STATE OF TEXAS
COUNTY OF COMAL

DO HEREBY CERTIFY THAT THE FOREGOING PLAT IS TRUE AND CORRECTLY MADE ON THE GROUND UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

WITNESS MY HAND AND OFFICIAL SEAL THIS THE 14 DAY OF March, 2017.

STATE CLERK, COMAL COUNTY, TEXAS
Deputy



WALNUT MINI STORAGE — TYPE 2 SPECIAL USE PERMIT



- LEGEND**
- EXISTING CONTOURS
 - B.L. BUILDING SETBACK LINE
 - U.E. UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT
 - FIRE LANE STRIPING
 - PROPERTY LINE
 - CONCRETE
 - TUBULAR STEEL FENCE



NEW BRAUNFELS LODGE
VOL. 10, PG. 256
M.P.F.A.C.C.T.

CALLED 4.03.18 AC
CITY OF NEW BRAUNFELS
VOL. 10, PG. 256
M.P.F.A.C.C.T.

CALLED 4.03.18 AC
CITY OF NEW BRAUNFELS
VOL. 10, PG. 256
M.P.F.A.C.C.T.

CALLED 7.25.17 AC
CITY OF NEW BRAUNFELS
VOL. 8, PG. 111
M.P.F.A.C.C.T.

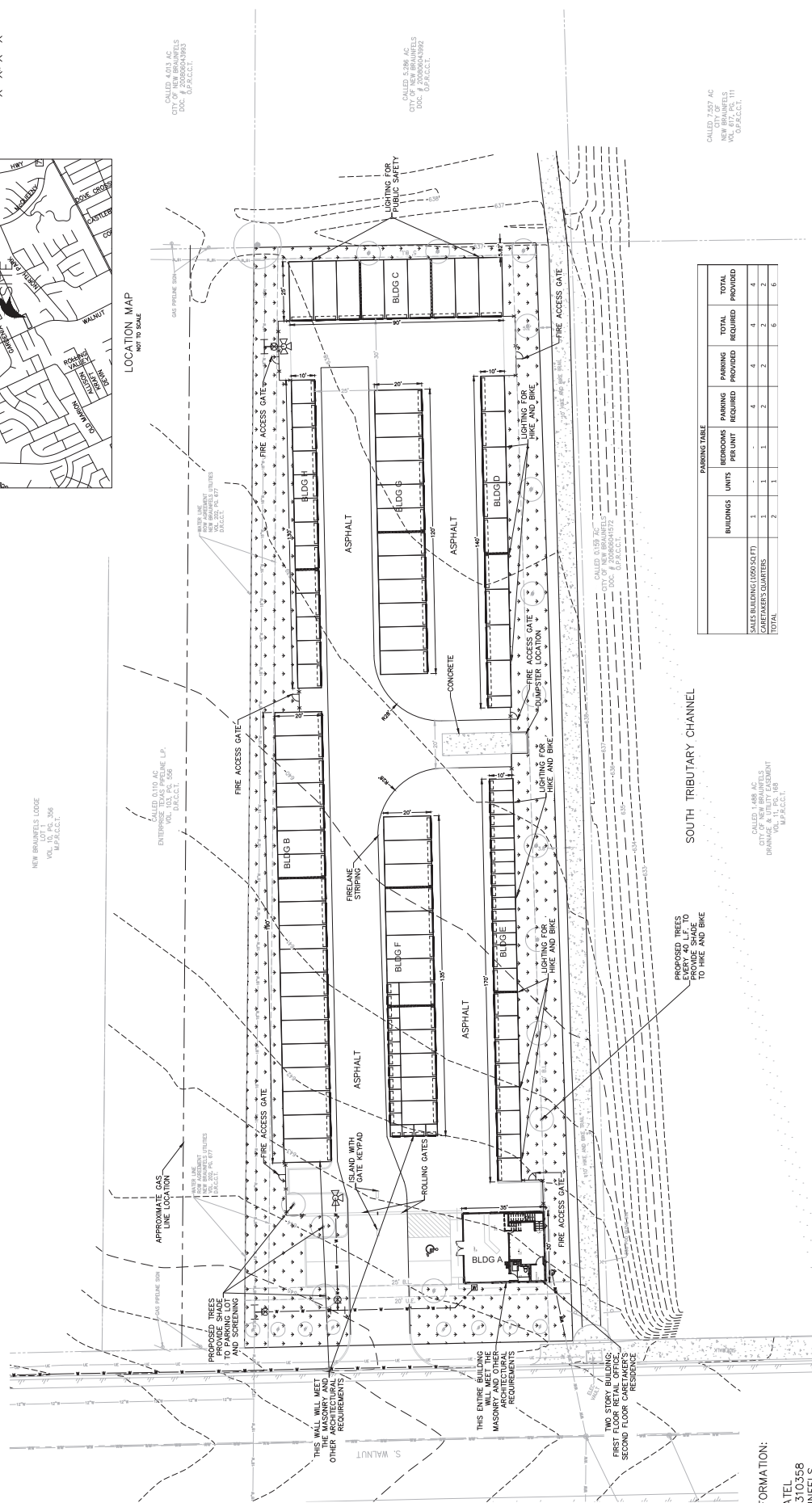
CLIENT INFORMATION:

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NEW BRAUNFELS,
TEXAS, 78131
+1 830-708-1030
BADAMPISTA@YAHOO.COM

AGENT:
410 N. SEQUIN AVE.
NEW BRAUNFELS,
TEXAS 78130
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PH: (830)825-8555



EXHIBIT 'B'



PARKING TABLE

BUILDINGS	UNITS	BEDROOMS PER UNIT	PARKING REQUIRED	PARKING PROVIDED	TOTAL REQUIRED	TOTAL PROVIDED
SALES BUILDING (1000 SQ FT)	1	1	1	1	1	1
CHALET/STAY QUARTERS	1	1	2	2	2	2
TOTAL	2	1	3	3	3	3

SOUTH TRIBUTARY CHANNEL

CALLED 1.4.08 AC
CITY OF NEW BRAUNFELS
DRAINAGE & UTILITY EASEMENT
VOL. 10, PG. 160
M.P.F.A.C.C.T.

THIS WALL WILL MEET THE WASHINGTON STATE ARCHITECTURAL REQUIREMENTS

THIS ENTIRE BUILDING WILL MEET THE WASHINGTON STATE ARCHITECTURAL REQUIREMENTS

TWO STORY BUILDING FIRST FLOOR RETAIL OFFICE SECOND FLOOR GARAGE RESIDENCE

PROPOSED TREES EXISTING TO PROVIDE SHADE TO FIRE AND BIKE