

ORDINANCE NO. 2023-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING 2.62 ACRES OUT OF THE A.M. ESNAURIZAR SURVEY, ABSTRACT NO. 1, BEING PART OF LOT 1B, BLOCK 1 OF EAST HANSMANN SUBDIVISION, ADDRESSED AT 3206 IH 35 N, FROM “APD” AGRICULTURAL/PRE-DEVELOPMENT DISTRICT WITH AIRPORT HAZARD OVERLAY AND “M-1” LIGHT INDUSTRIAL DISTRICT WITH AIRPORT HAZARD OVERLAY TO “M-1A” LIGHT INDUSTRIAL DISTRICT WITH AIRPORT HAZARD OVERLAY; 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 “M-1A” Light Industrial District with Airport Hazard Overlay, 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 requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan;

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of 2.62 acres out of the A.M. Esnaurizar Survey, Abstract No. 1, being part of Lot 1B, Block 1 of East Hansmann Subdivision, addressed at 3206 IH 35 N from “APD” Agricultural/Pre-Development with Airport Hazard Overlay and “M-1” Light Industrial District with Airport Hazard Overlay to “M-1A” Light Industrial District with Airport Hazard Overlay; and

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 rezoning the following tract of land from “APD” Agricultural/Pre-Development with Airport Hazard Overlay and “M-1” Light Industrial District with Airport Hazard Overlay to “M-1A” Light Industrial District with Airport Hazard Overlay:

2.62 acres out of the A.M. Esnaurizar Survey, Abstract No. 1, being part of Lot 1B, Block 1, of East Hansmann Subdivision, as described in Exhibit “A” and delineated on Exhibit “B”, attached.

SECTION 2

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 3

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 4

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 24th day of July, 2023.

PASSED AND APPROVED: Second reading this 14th day of August, 2023.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



June 29, 2023

**REZONING APPLICATION
CITY OF NEW BRAUNFELS
COMAL COUNTY, TEXAS**

**METES AND BOUNDS DESCRIPTION FOR
2.62 ACRES OF LAND
A.M. ESNAURIZAR SURVEY, ABSTRACT No. 1
COMAL COUNTY, TEXAS**

BEING 2.62 acres of land situated in the A.M. Esnaurizar Survey, Abstract 1, of Comal County, Texas and being a part of that certain Lot 1B, Block 1, of East Hansmann Subdivision, as described in a deed, recorded in Document Number 200706023124 of the Deed Records of Comal County, Texas, and as shown on a plat, recorded in Volume 11, Page 181, of the Plat Records of Comal County, Texas, said 2.62 acre tract to be more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 Inch Iron Rod (found), capped marked "4233" for the northwest corner of the herein described 2.62 acre tract of land, same being the northwest corner of the above referenced Lot 1B, also being the northeast corner of Lot 1A of said East Hansmann Subdivision, and being located in the south right-of-way of North Interstate Highway 35;

THENCE North 45°28'08" East, for a distance of 260.64 feet, to a 1/2 inch iron rod (found), capped marked "Tri-Tech Surveying" for the northeast corner of the herein described 2.62 acre tract of land, same being the northeast corner of the above mentioned Lot 1B, also being a northwest corner of that certain called 40.37 acre tract of land, as described in a deed, recorded in Document Number 202206025070, and being located in the south right-of-way of the above mentioned Interstate Highway 35;

THENCE South 41°04'13" East, for a distance of 453.96 feet, to a point for corner, for the southeast corner of the herein described 2.62 acre tract of land, same being located on the northeast boundary line of said Lot 1B, and being located on a southwest boundary line of the above mentioned 40.37 acre tract of land;

THENCE South 47°24'10" West, for a distance of 248.40 feet, to a point for corner, for the southwest corner of the herein described 2.62 acre tract of land, same being located on the southwest boundary line of said Lot 1B, and being located on the northeast boundary line of the above mentioned Lot 1A;

THENCE North 42°35'50" West, for a distance of 445.00 feet, back to the place of beginning and containing 2.62 acres of land.

Bearings, distances, and coordinates are based on the Texas Coordinate System, South Central Zone, North American Datum of 1983 and were derived from GPS observations using the Leica GNSS Network and OPUS solutions. The values were collected in the North America Datum of 1983 (2011) using Geoid 12-B.

I, R. L. McCrary, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from a survey made on the ground under my supervision during the 8th day of December, 2022.

GIVEN UNDER MY HAND AND SEAL, this the 29th day of June, 2023.

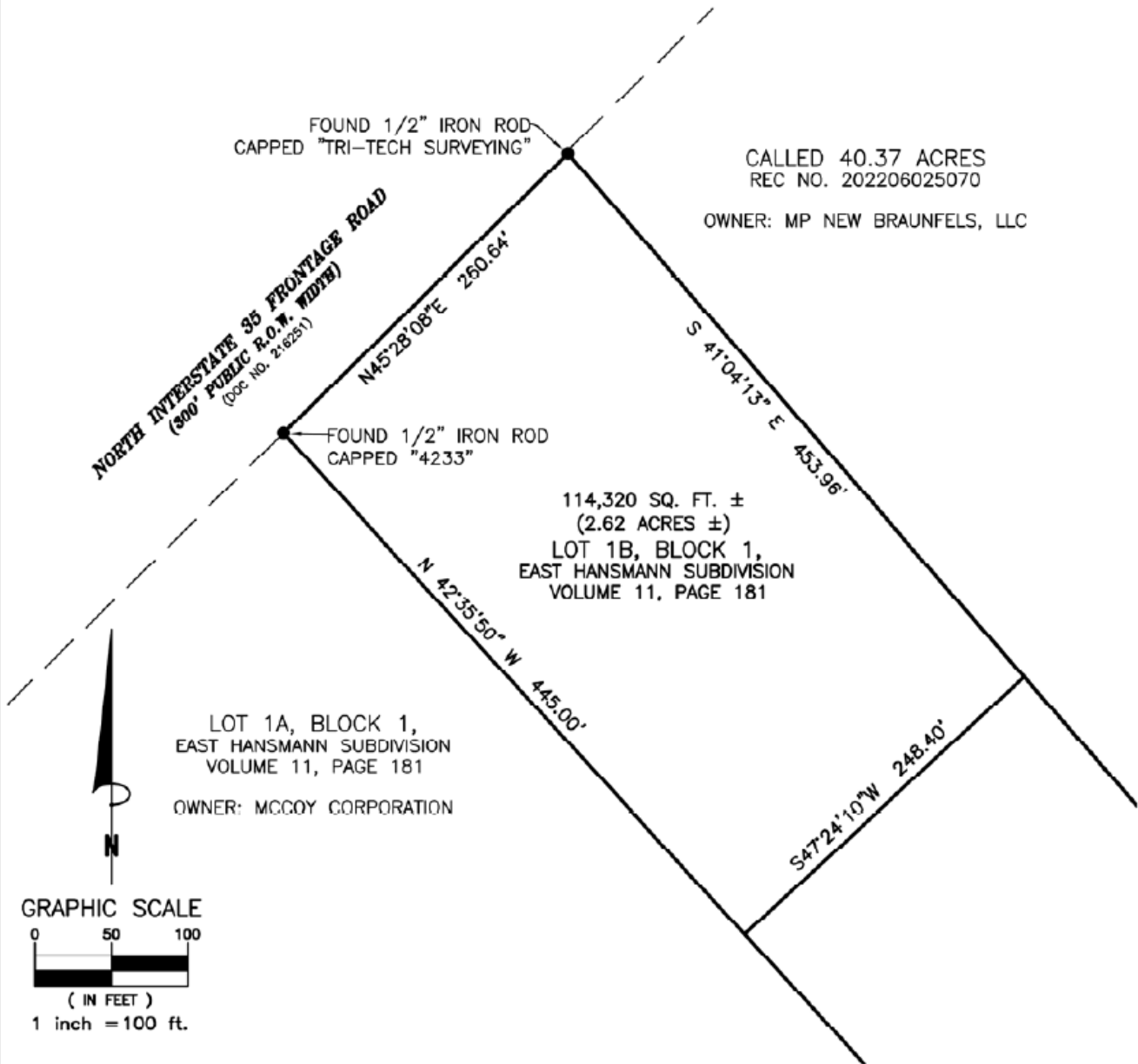


R. L. McCrary
Registered Professional
Land Surveyor No. 5384
For and behalf of Clark Land Surveying, Inc.



EXHIBIT "B"

EXHIBIT B
REZONE APPLICATION



I R.L. MCCRARY, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY
CERTIFY THIS PLAT TO REFLECT AN ACTUAL SURVEY MADE ON THE
GROUND UNDER MY DIRECT SUPERVISION DURING THE 8TH DAY OF
DECEMBER 2023.

BEARINGS, DISTANCES, AND COORDINATES ARE BASED ON THE
TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204),
NORTH AMERICAN DATUM OF 1983. PROJECT WAS DERIVED
FROM GPS OBSERVATIONS USING THE LEICA GNSS NETWORK OR
FROM OPUS SOLUTIONS. THE VALUES WERE COLLECTED IN
NAD83 (2011 GEOID 12B).

NOTE:
This EXHIBIT does not
represent a monumented
land survey, and is only
intended to depict the
attached LEGAL DESCRIPTION.

BY: *R. L. McCrary*
R.L. MCCRARY
REGISTERED PROFESSIONAL
LAND SURVEYOR
STATE OF TEXAS No. 5384



AMC
SURVEYING

13621 HWY. 110 S
TYLER, TX. 75707
(903) 939-8860
FIRM ID 10122800

Project No: 223012	Drawn: WMP Check: RLM	Date: 6/29/2023 Sheet 1 of 1
-----------------------	--------------------------	---------------------------------