

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING 18.1 ACRES, BEING OUT OF THE JOHN NOYES SURVEY 259, ABSTRACT 430, CURRENTLY ADDRESSED AT 5467 FM 482, FROM APD (AGRICULTURAL/PREDEVELOPMENT DISTRICT) TO M-1A (LIGHT INDUSTRIAL DISTRICT); 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, 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 18.1 acres being out of the John Noyes Survey 259, Abstract 430, currently addressed at 5467 FM 482 from APD (Agricultural/Pre-Development District) to M-1A (Light Industrial District); 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 District) to M-1A (Light Industrial District):

18.1 acres, being out of the John Noyes Survey 259, Abstract 430, as described in Exhibit "A" and delineated as "Tract 2" in 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THAT all other ordinances, or parts of ordinances, in conflict herewith, are hereby repealed to the extent that they are in conflict.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 25th day of March 2024.

PASSED AND APPROVED: Second reading this 8th day of April 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



290 S. Castell Avenue, Ste. 100
New Braunfels, TX 78130
(830) 625-8555
TBPE-FIRM F-10961
TBPLS FIRM 10153600

METES AND BOUNDS DESCRIPTION FOR A 18.100 ACRE TRACT OF LAND, "TRACT 2" EXHIBIT "A"

Being a 18.100 acre tract of land located in the John Thompson Survey No. 21, Abstract No. 608 and the John Noyes Survey No. 259, Abstract No. 430, Comal County, Texas, being a portion of a called 76.618 acre tract of land, recorded in Document No. 202306034877, Official Public Records, Comal County, Texas, said 18.100 acre tract of land being more particularly described as follows:

BEGINNING at a 1/2" iron pin with cap "HMT" in the Northwest right of way line of the Southbound Access Road of Interstate Highway 35 for the South corner of Lot 2, Collins Estates, Unit Two, recorded in Document No. 200806037311, Map and Plat Records, Comal County, Texas, same point being the Southeast corner of said 76.618 acre tract of land, recorded in Document No. 202306034877, Official Public Records, Comal County, Texas;

THENCE continuing with the Northwest right of way line of the Southbound Access Road of Interstate Highway 35 and the South line of said 76.618 acre tract, the following three (3) calls:

1. S 54°20'01" W, a distance of 211.54 feet to a point for a corner;
2. S 40°27'27" W, a distance of 103.75 feet to a point for a corner;
3. S 54°19'41" W, a distance of 577.03 feet to a point for the East corner of a called 1.000 acre tract, "Tract 1", recorded in Document No. 202306028033, Official Public Records, Comal County, Texas, same point being the Southernmost corner of said 76.618 acre tract, and a corner of the herein described tract;

THENCE departing the Northwest right of way line of the Southbound Access Road of Interstate Highway 35, continuing with the Southeast line of said 76.618 acre tract, the Northeast line of said 1.000 acre tract, and continuing with the East lines of Amending Plat of Magnolia Springs – Unit 7, recorded in Document No. 201506001741, Map and Plat Records, Comal County, Texas, the following three (3) calls:

1. N 30°17'03" W, a distance of 874.02 feet to a point for a corner;
2. N 58°53'47" E, a distance of 245.87 feet to a point for a corner;
3. N 30°22'07" W, a distance of 60.08 feet to a point in the East line of Lot 1, Block 13, Amending Plat of Magnolia Springs – Unit 7, recorded in Document No. 201506001741, Map and Plat Records, Comal County, Texas, same point lying in the West line of said 76.618 acre tract, for a corner of the herein described tract;

THENCE departing the East line of Lot 1, Block 13 and the West line of said 76.618 acre tract, continuing over and across said 76.618 acre tract, the following two (2) calls:

1. N 59°02'22" E, a distance of 676.85 feet to a point for a corner;



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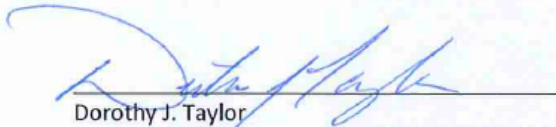
2. S 27°34'54" E, passing the West corner of Lot 3, Collins Estates, Unit Two, recorded in Document No. 200806037311, Map and Plat Records, Comal County, Texas, common with an East corner of said 76.618 acre tract, at 136.01 feet, continuing with the West line of Lot 3, the West line of Lot 2, and the East line of said 76.618 acre tract, a total distance of 838.30 feet to the POINT OF BEGINNING, containing 18.100 acres of land in Comal County, Texas.

Bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (NA2011) Epoch 2010.00.

Written January 2, 2024.

Reference exhibit of said 18.100 acre tract of land prepared this same date.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED


 Dorothy J. Taylor

Registered Professional Land Surveyor No. 6295

1-10-24

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EXHIBIT "B"

