

**ORDINANCE NO. 2024-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 82 ACRES OUT OF THE A.M. ESNAURIZAR SURVEY, ABSTRACT 20, CURRENTLY ADDRESSED AT 1280 SAENGERHALLE ROAD AND 1682 SAUR LANE, FROM APD AH (AGRICULTURAL/PRE-DEVELOPMENT AIRPORT HAZARD OVERLAY DISTRICT) TO R-3L AH (MULTIFAMILY LOW DENSITY AIRPORT HAZARD OVERLAY DISTRICT); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**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 R-3L (Multifamily Low Density 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 approximately 82 acres out of the A.M. Esnaurizar, Survey, Abstract 20, currently addressed at 1280 Saengerhalle Road and 1682 Saur Lane, from APD AH (Agricultural/Pre-Development Airport Hazard Overlay District) to R-3L AH (Multifamily Low Density Airport Hazard Overlay 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 AH (Agricultural/Pre-Development Airport Hazard Overlay District) to R-3L AH (Multifamily Low Density Airport Hazard Overlay District):

Approximately 82 acres out of the A.M. Esnaurizar, Survey, Abstract 20, as described in Exhibit "A" and delineated in the 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**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 26<sup>th</sup> day of February, 2024.

**PASSED AND APPROVED:** Second reading this 25<sup>th</sup> day of March, 2024.

**CITY OF NEW BRAUNFELS**

\_\_\_\_\_  
**NEAL LINNARTZ**, Mayor

**ATTEST:**

\_\_\_\_\_  
**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**VALERIA M. ACEVEDO**, City Attorney

METES AND BOUNDS DESCRIPTION  
FOR A 81.664 ACRE TRACT OF LAND  
EXHIBIT "A"

Being a 81.664 acre tract of land located in the A.M Esnaurizar Survey, Abstract No. 20, Guadalupe County, Texas, being all of a called 52.50 acre tract recorded in Document No. 202399002975, a portion of a called 17.08 acre tract recorded in Document No. 202399002927, and a portion of a called 22.80 acre tract recorded in Document No. 202399002929, Official Public Records, Guadalupe County, Texas, said 81.664 acre tract of land of land being more particularly described as follows:

BEGINNING at a point in the Southeast right of way line of Saengerhalle Road for the North corner of Lot 1, Block 1, Saengerhalle Estates, recorded in Volume 8, Page 451, Map and Plat Records, Guadalupe County, Texas, same point being the Southwestern corner of said 52.50 acre tract recorded in Document No. 202399002975, Official Public Records, Guadalupe County, Texas;

THENCE with the Southeast right of way line of Saengerhalle Road and the Northwest line of said 52.50 acre tract, N 45°35'28" E, a distance of 2818.70 feet to a point for the North corner of said 52.50 acre tract, same point being the West corner of a called 10.37 acre tract, recorded in Document No. 202399002975, Official Public Records, Guadalupe County, Texas, and a corner of the herein described tract;

THENCE departing the Southeast right of way line of Saengerhalle Road, with the Northeast line of said 52.50 acre tract and the Southwest line of said 10.37 acre tract, S 44°24'32" E, continuing over and across a called 17.08 acre tract recorded in Document No. 202399002927, and a called 22.80 acre tract recorded in Document No. 202399002929, Official Public Records, Guadalupe County, Texas, a distance of 1348.98 feet to a point lying in said 22.80 acre tract, for a corner of the herein described tract;

THENCE continuing over and across said 22.80 acre tract, S 00°31'26" W, a distance of 371.37 feet to a point in the Southeast line of said 22.80 acre tract, same line being the Northwest line of a called 7.855 acre tract recorded in Volume 4136, Page 489, Official Public Records, Guadalupe County, Texas, for a corner of the herein described tract;

THENCE with the South lines of said 22.80 acre tract, the Northwest line of said 7.855 acre tract, continuing with the North lines of a called 44.267 acre tract recorded in Volume 2065, Page 566, Official Public Records, Guadalupe County, Texas, the following two (2) calls:

1. S 45°28'01" W, a distance of 1359.29 feet to a point for a corner;
2. N 44°46'14" W, continuing with the Southwest line of the aforementioned 17.08 acre tract, a distance of 802.91 feet to a point in the Southeast line of the aforementioned 52.50 acre tract for the West corner of said 17.08 acre tract, a North corner of said 44.267 acre tract, and a corner of the herein described tract;

THENCE with the Southeast line of said 52.50 acre tract and the Northwest line of said 44.267 acre tract, S 45°29'32" W, a distance of 1193.83 feet to a point in the Northeast line of the remainder of a called 80.16 acre tract recorded in Document No. 202199014318, Official Public Records, Guadalupe County,

Texas, same point being the South corner of said 52.50 acre tract, for a corner of the herein described tract;

THENCE with the Southwest line of said 52.50 acre tract, the Northeast line of said 80.16 acre remainder tract, continuing with the northeast line of the aforementioned Lot 1, Block 1, Saengerhalle Estates, N 44°17'05" W, a distance of 814.00 feet to the POINT OF BEGINNING, containing 81.664 acres of land in Guadalupe 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 March 1, 2024.

Reference exhibit of said 81.664 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

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# ZONING EXHIBIT

81.664 ACRE TRACT OF LAND LOCATED IN THE A.M. ESNAURIZAR SURVEY, ABSTRACT NO. 20, GUADALUPE COUNTY, TEXAS, BEING ALL OF A CALLED 52.50 ACRE TRACT RECORDED IN DOCUMENT NO. 202399002975, A PORTION OF A CALLED 17.08 ACRE TRACT RECORDED IN DOCUMENT NO. 202399002927, AND A PORTION OF A CALLED 22.80 ACRE TRACT RECORDED IN DOCUMENT NO. 202399002929, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS.

## SURVEY NOTES:

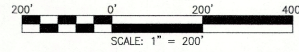
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DEPICT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

NO ATTEMPT HAS BEEN MADE TO LOCATE ANY IMPROVEMENTS, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.

BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (NA2011) EPOCH 2010.00.

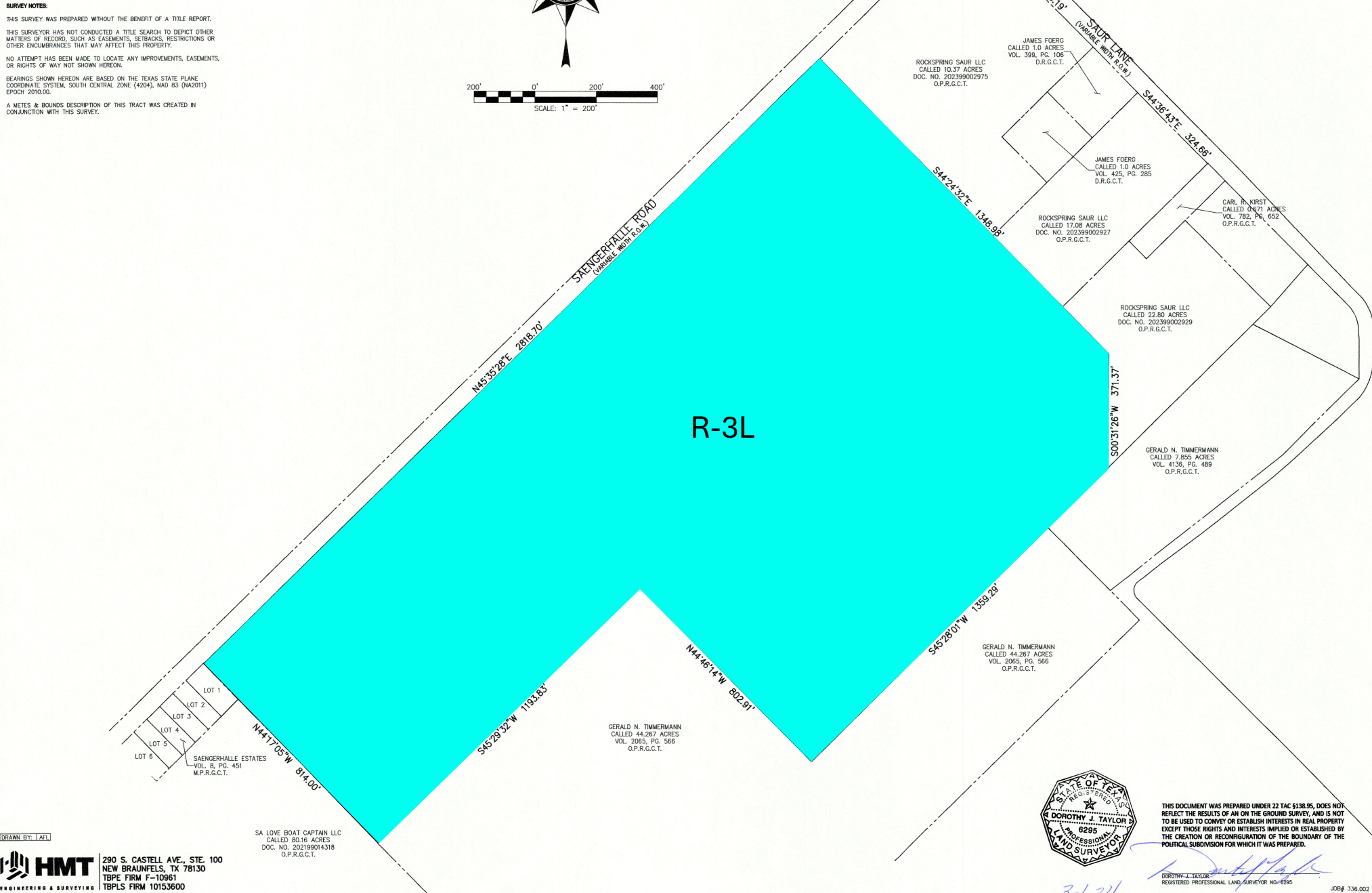
A METES & BOUNDS DESCRIPTION OF THIS TRACT WAS CREATED IN CONJUNCTION WITH THIS SURVEY.



## Exhibit "B"

### LEGEND:

R.O.W. = RIGHT-OF-WAY  
( ) = RECORD CALLS  
O.P.R.G.C.T. = OFFICIAL PUBLIC RECORDS,  
GUADALUPE COUNTY, TEXAS  
M.P.R.G.C.T. = MAP & PLAT RECORDS,  
GUADALUPE COUNTY, TEXAS  
D.R.G.C.T. = DEED RECORDS,  
GUADALUPE COUNTY, TEXAS



[DRAWN BY: JRL]

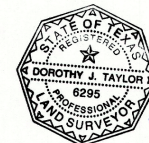


290 S. CASTELL AVE., STE. 100  
NEW BRAUNFELS, TX 78130  
TBPE FIRM F-10961  
TBPLS FIRM 10153600

SA LOVE BOAT CAPTAIN LLC  
CALLED 80.16 ACRES  
DOC. NO. 202199014318  
O.P.R.G.C.T.

GERALD N. TIMMERMANN  
CALLED 44.267 ACRES  
VOL. 2065, PG. 566  
O.P.R.G.C.T.

GERALD N. TIMMERMANN  
CALLED 44.267 ACRES  
VOL. 2065, PG. 566  
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DOROTHY J. TAYLOR  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295

JOB# 336.002  
336.002 - ZONING EXHIBIT