

**ORDINANCE NO. 2024-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING 0.273 ACRES, BEING BEHRENDT SUBDIVISION, LOT 4, CURRENTLY ADDRESSED AT 1977 POST ROAD, FROM R-2 AH (SINGLE-FAMILY AND TWO-FAMILY DISTRICT WITH AIRPORT HAZARD OVERLAY DISTRICT) TO M-1A AH (LIGHT INDUSTRIAL DISTRICT WITH 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 M-1A AH (Light Industrial District with Airport Hazard Overlay 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 0.273 acres being Behrendt Subdivision, Lot 4, currently addressed at 1977 Post Rd from R-2 AH (Single-Family and Two-Family District with Airport Hazard Overlay District) to M-1A AH (Light Industrial District with 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 R-2 AH (Single-Family and Two-Family District with Airport Hazard Overlay District) to M-1A AH (Light Industrial District with Airport Hazard Overlay District):

Approximately 0.273 acres being Behrendt Subdivision, Lot 4, as described in Exhibit "A" and delineated 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**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 22<sup>nd</sup> day of January 2024.

**PASSED AND APPROVED:** Second reading this 13<sup>th</sup> day of February 2024.

**CITY OF NEW BRAUNFELS**

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**NEAL LINNARTZ**, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## EXHIBIT "A"

### FIELD NOTE DESCRIPTION

Lot 4 / Behrendt Subdivision

1977 Post Road

New Braunfels, Comal County, Texas

Being a 0.274 acre tract situated in the Henry Foster Survey No. 42 Abstract No. 154, Comal County, Texas and also being Lot 4 as described in Behrendt Subdivision recorded in Doc# 200706029665, Map and Plat Records of Comal County, Texas and said 0.274 acre tract being further described by meets and bounds as follows;

BEGINNING: At a found ½" iron rod located at the most southwesterly corner of said Behrendt Subdivision, said point being the most southwesterly corner of lot 4 and said point be located at the northwest line of Post Road (a 60 foot width city street right-of-way) and also being the most southwesterly corner and the POINT OF BEGINNING of the hereinafter described 0.274 acre parcel of land;

THENCE: Along the westerly boundary line of this tract N33°42'17"W a distance of 170.05 feet to a found ½" iron rod to the most northwesterly corner of the herein described tract,

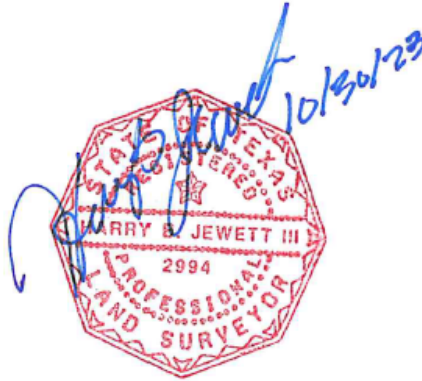
THENCE: N53°45'19"E a distance of 68.88 feet to a found ½" iron rod at the northwest corner of Lot 4, of said Behrendt Subdivision,

THENCE: S34°41'44"E a distance of 169.96 feet to a found ½" iron rod at the northeast corner of Lot 4 of said Behrendt Subdivision,

THENCE: S53°45'52"W, a distance of 71.82 feet to a found ½" iron rod to the said point being the most southwesterly corner of lot 4 and being the POINT OF BEGINNING of the heretofore described 0.274 acre tract.

\* \* \*

October 26, 2023  
Job No. 23012  
HBJ/nlm



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HARRY JEWETT ASSOCIATES

EXHIBIT "B"

