

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 7 ACRES, BEING OUT OF THE J THOMPSON SURVEY, ABSTRACT 608, CURRENTLY ADDRESSED AT 2911 MORNINGSIDE DR, FROM R-1 (SINGLE-FAMILY DISTRICT) TO R-1A-4 (SINGLE-FAMILY SMALL LOT RESIDENTIAL 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 R-1A-4 (Single-Family Small Lot Residential 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 7 acres being out of the J Thompson Survey 21, Abstract 608, currently addressed at 2911 Morningside Dr from R-1 (Single-Family District) to R-1A-4 (Single-Family Small Lot Residential 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-1 (Single-Family District) to R-1A-4 (Single-Family Small Lot Residential District):

Approximately 7 acres, being out of the J Thompson Survey 21, Abstract 608, as delineated on Exhibit "A" and described 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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 26th day of August 2024.

PASSED AND APPROVED: Second reading this 9th day of September 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

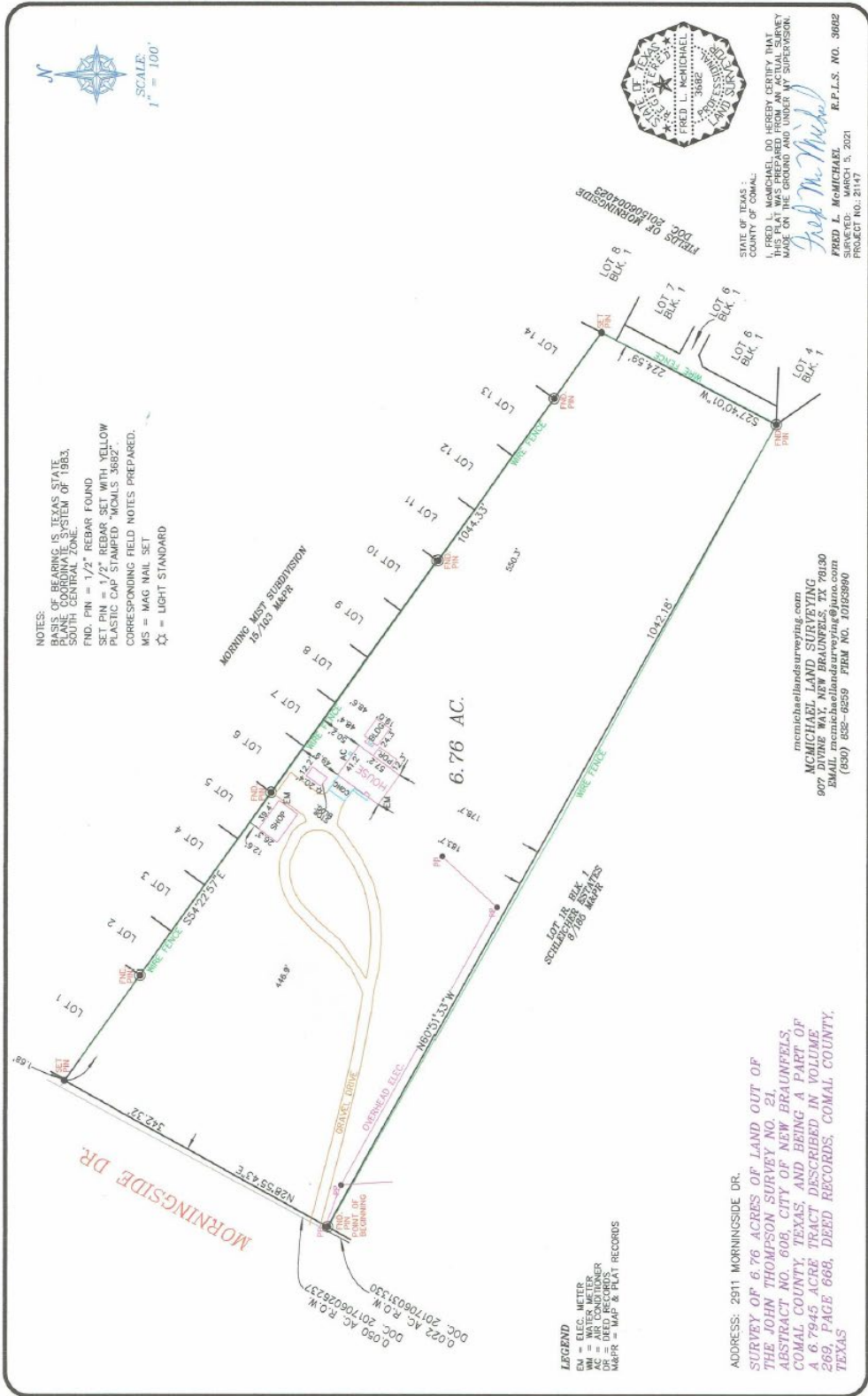
ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



NOTES:
 BASIS OF BEARING IS TEXAS STATE
 PLANE COORDINATE SYSTEM OF 1983,
 ZONE 14N
 END. PIN = 1/2" REBAR FOUND
 WITH YELLOW PLASTIC CAP STAMPED "MCAL 16827"
 CORRESPONDING FIELD NOTES PREPARED.
 MS = MAG NAIL SET
 ☆ = LIGHT STANDARD

STATE OF TEXAS,
 COUNTY OF COMAL,
 THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY
 MADE ON THE GROUND AND UNDER MY SUPERVISION.
 FRED L. McMICHAEL, R.P.L.S. NO. 3862
 SURVEYED: MARCH 5, 2021
 PROJECT NO.: 2117

memichaelandsurveying.com
 MEMICHAEL@MEMICHAELANDSURVEYING.COM
 907 DIVINE WAY, NEW BRAUNFELS, TX 78130
 EMAIL: memichaelandsurveying@juno.com
 (830) 852-8259 FIRM NO. 10183980

ADDRESS: 2911 MORNINGSIDE DR.
 SURVEY OF 6.76 ACRES OF LAND OUT OF
 THE JOHN THOMPSON SURVEY NO. 21,
 ABSTRACT NO. 608, CITY OF NEW BRAUNFELS,
 COMAL COUNTY, TEXAS, AND BEING A PART OF
 A 6.7945 ACRE TRACT DESCRIBED IN VOLUME
 269, PAGE 668, DEED RECORDS, COMAL COUNTY,
 TEXAS

LEGEND
 EM = ELEC. METER
 WM = WATER METER
 DR = DEED RECORDS
 MAPR = MAP & PLAT RECORDS

EXHIBIT "B"

Date: March 8, 2021
Project: 21147FN

6.76 Ac.

Field notes describing 6.76 acres of land out of the John Thompson Survey No. 21, Abstract No. 608, City of New Braunfels, Comal County, Texas, being a part of a 6.7945 acre tract described in Volume 269, Page 668, Deed Records, Comal County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the intersection of the southwest line of the 6.7945 acre tract with the southeast line of Morningside Drive for the west corner of this tract

THENCE N 28°55'43"E, 342.32 feet with the southeast line of Morningside Drive and the southeast line of a 0.050 acre tract conveyed for right of way for Morningside Drive in Document No. 201706026237, Official Records, Comal County, Texas to a 1/2" rebar with a yellow plastic cap stamped "MCMLS 3682" set in the northeast line of the 6.7945 acre tract for the north corner of this tract;

THENCE S 54°22'57"E, at 1.68 feet passing the west corner of Lot 1, Morning Mist Subdivision, City of New Braunfels, Comal County, Texas, plat recorded in Volume 15, Page 103, Map and Plat Records, Comal County, Texas in all 1044.33 feet with the northeast line of the 6.7945 acre tract and the southwest lines of Lots 1-14, Morning Mist Subdivision to a 1/2" rebar with a yellow plastic cap stamped "MCMLS 3682" set for the east corner of the 6.7945 acre tract and this tract and the south corner of Lot 14, Morning Mist Subdivision;

THENCE S 27°40'01"W, 224.59 feet with the northwest lines of Lots 8 and 6, Block 1, Fields of Morningside, recorded in Document No. 201506004023, Official Records, Comal County, Texas to a 1/2" rebar found for the south corner of the 6.7945 acre tract and this tract and a corner of said Lot 1R, Block 1, Schleicher Estates recorded in Volume 8, Page 185, Map and Plat Records, Comal County, Texas;

THENCE N 60°51'33"W, 1042.18 feet with the southwest line of the 6.7945 acre tract and the northeast line of Lot 1R to the POINT OF BEGINNING and containing 6.76 acres of land according to a survey made by McMichael Land Surveying on March 5, 2021 under my supervision.

Bearing reference is Texas State Plane Coord. System
Corresponding plat prepared.
21147FN.doc



Fred L. McMichael
Fred L. McMichael, R.P.L.S. No. 3682

**Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
03/23/2021 02:10:08 PM
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202106015148**

 *Bobbie Koepf*