

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.2 ACRES, BEING UNICORN HEIGHTS N.W. EXTENSION, BLOCK 2, LOT 7, CURRENTLY ADDRESSED AT 1156 MAGAZINE AVE., FROM R-2 (SINGLE-FAMILY AND TWO-FAMILY DISTRICT) TO C-O (COMMERCIAL OFFICE 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 C-O (Commercial Office 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 requested rezoning is in accordance with the City's Strategic Plan;

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of approximately 0.2 acres being Unicorn Heights N.W. Extension, Block 2, currently addressed at 1156 Magazine Ave. from R-2 (Single-Family and Two-Family District) to C-O (Commercial Office 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 (Single-Family and Two-Family District) to C-O (Commercial Office District):

Approximately 0.2 acres, being Unicorn Heights N.W. Extension, Block 2, Lot 7, 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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 24th day of March, 2025.

PASSED AND APPROVED: Second reading this 14th day of April, 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

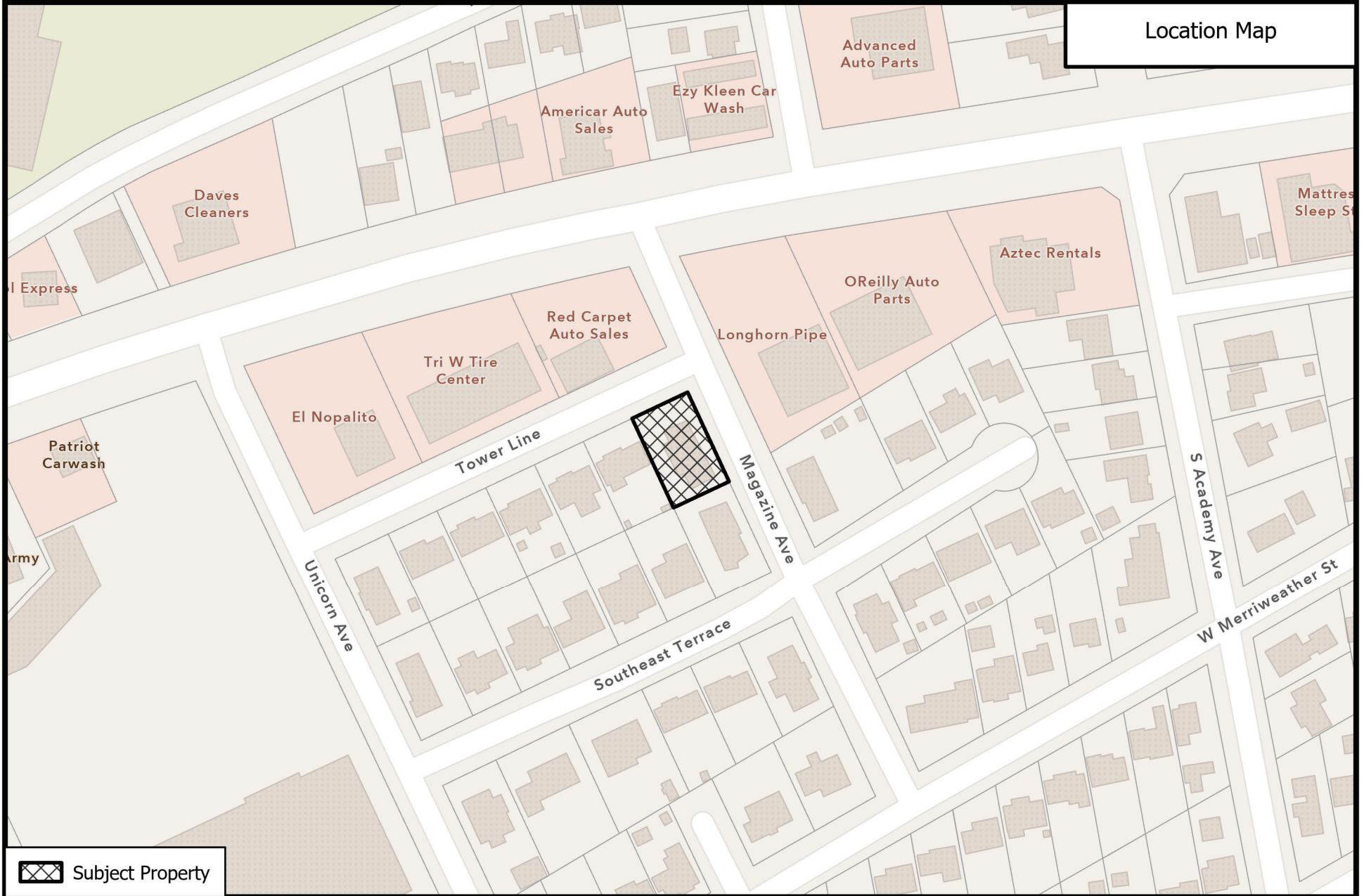
GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

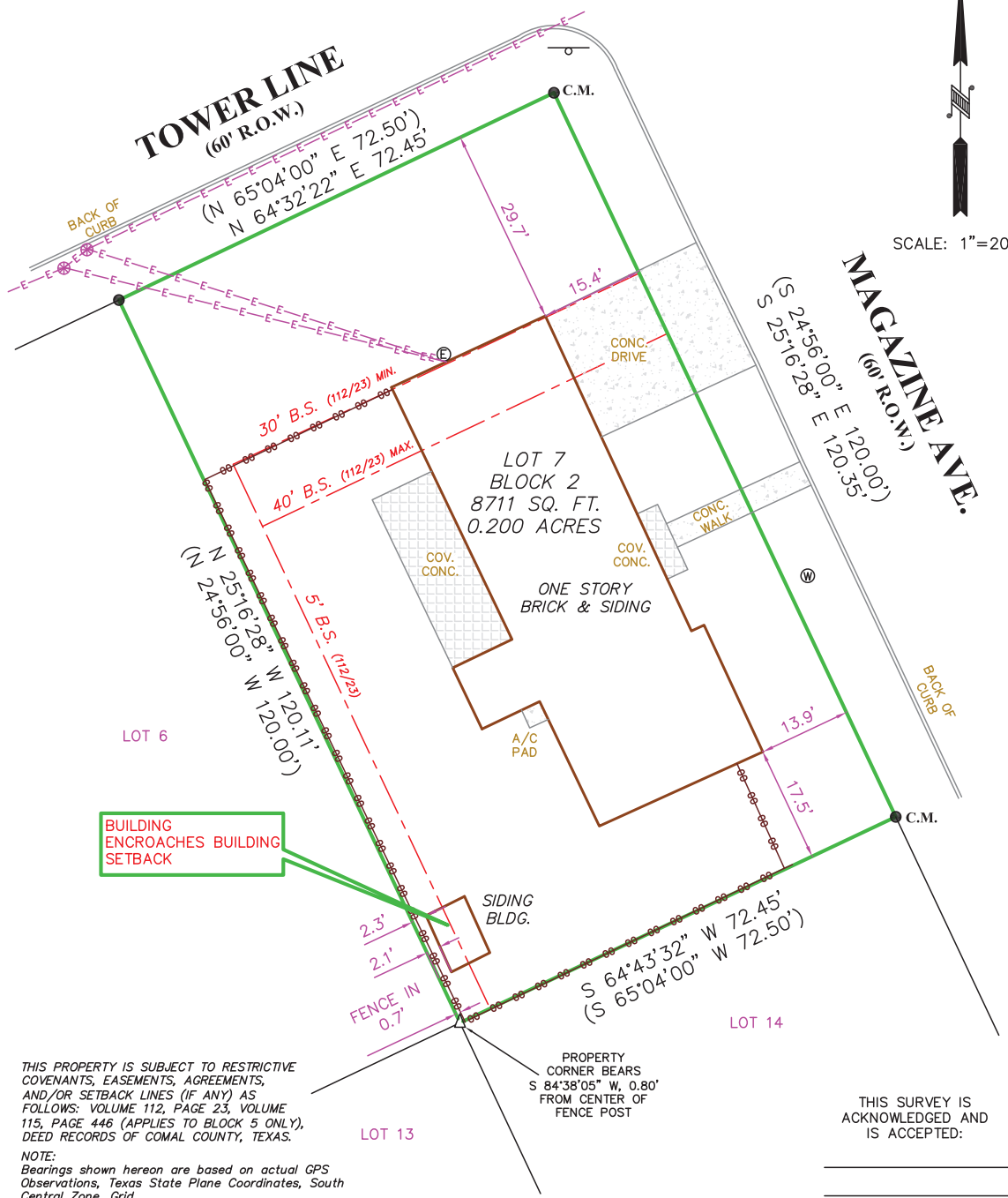
Location Map



PZ25-0021
R-2 to C-O - 1156 Magazine Ave.



EXHIBIT "B"



BUILDING ENCLOSES BUILDING SETBACK

THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: VOLUME 112, PAGE 23, VOLUME 115, PAGE 446 (APPLIES TO BLOCK 5 ONLY), DEED RECORDS OF COMAL COUNTY, TEXAS.

NOTE:
Bearings shown hereon are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.

THIS SURVEY IS ACKNOWLEDGED AND IS ACCEPTED:

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48091C, Panel No. 0455F, which is Dated 09/01/2009. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X-1. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/index.shtm>.



Property Address:
1156 MAGAZINE AVE.
Property Description:
BEING LOT 7, BLOCK 2 OF N.W. EXTENSION OF UNICORN HEIGHTS, A SUBDIVISION IN THE CITY OF NEW BRAUNSFEL, COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 122, PAGES 20-22, OF THE DEED RECORDS OF COMAL COUNTY, TEXAS.

Owner:
PROFIT SHARE INVESTMENTS, LLC.

FIRM REGISTRATION NO. 1011700

Westar Alamo
LAND SURVEYORS, LLC.
P.O. BOX 1645 BOERNE, TEXAS 78006
PHONE (210) 372-9500 FAX (210) 372-9999

LEGEND

- △ = CALCULATED POINT
- = FND 1/2" IRON ROD
- () = RECORD INFORMATION
- B.S. = BUILDING SETBACK
- R.D. = RECORD DIGNITY MONUMENT
- ⊕ = WATER METER
- ⊖ = ELECTRIC METER
- ⊙ = POWER POLE
- = SIGN
- E- = OVERHEAD ELECTRIC
- ⊕- = CHAIN LINK FENCE

DRAWN BY: RBA

I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

Mark J. Ewald

MARK J. EWALD
Registered Professional Land Surveyor
Texas Registration No. 5095