

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 6 ACRES, BEING BEHRENDT SUBDIVISION, LOTS 1, 2, AND 3, CURRENTLY ADDRESSED AT 1983 & 1993 POST ROAD, FROM C-3 AH (COMMERCIAL DISTRICT WITH AIRPORT HAZARD OVERLAY DISTRICT), M-1 AH (LIGHT INDUSTRIAL DISTRICT WITH AIRPORT HAZARD OVERLAY DISTRICT), AND R-2 AH (SINGLE-FAMILY AND TWO-FAMILY DISTRICT WITH AIRPORT HAZARD OVERLAY 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 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 6 acres being Behrendt Subdivision, Lots 1, 2, and 3, currently addressed at 1983 & 1993 Post Road from C-3 AH (Commercial District with Airport Hazard Overlay District), M-1 AH (Light Industrial District with Airport Hazard Overlay District), and 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 C-3 AH (Commercial District with Airport Hazard Overlay District), M-1 AH (Light Industrial District with Airport Hazard Overlay District), and 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 6 acres, being Behrendt Subdivision, Lots 1, 2, and 3, 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 22nd day of January 2024.

PASSED AND APPROVED: Second reading this 13th day of February 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

FIELD NOTE DESCRIPTION

5.864 Acre Tract / Lots 1, 2, & 3

1983 Post Road

New Braunfels, Comal County, Texas

Being a total of 5.864 acre tract situated in the Henry Foster Survey No. 42 Abstract No. 154, Comal County, Texas and also being Lots 1, 2, and 3 as described in Behrendt Subdivision in Doc# 200706029665, Map and Plat Records of Comal County, Texas and said 5.864 acre tract being further described by meets and bounds as follows;

BEGINNING: At a found $\frac{1}{2}$ " iron rod located at the most southeasterly corner of said Behrendt Subdivision, said point being the most southeasterly corner of lot 1 and said point be located on the northwest line of Post Road (a 60 foot width city street right-of-way) and also being the most southeasterly corner and the POINT OF BEGINNING of the hereinafter described 5.864 acre parcel of land;

THENCE: S54°03'08"W, a distance of 99.99 feet to a found $\frac{1}{2}$ " iron rod at the southwest corner of Lot 1 of said Behrendt Subdivision,

THENCE: S53°37'50"W, a distance of 80.16 feet to a found $\frac{1}{2}$ " iron rod at the southwest corner of Lot 2 of said Behrendt Subdivision,

THENCE: S54°00'58"W, a distance of 107.51 feet to a found $\frac{1}{2}$ " iron rod at the southeast corner of Lot 4 of said Behrendt Subdivision, and also being the most southerly corner of the herein described tract,

THENCE: N34°41'44"W a distance of 169.96 feet to a found $\frac{1}{2}$ " iron rod at the northeast corner of Lot 4 of said Behrendt Subdivision, and also being an angle point of the herein described tract,

THENCE: S53°45'19"W a distance of 68.88 feet to a found $\frac{1}{2}$ " iron rod at the northwest corner of Lot 4 of said Behrendt Subdivision,

THENCE: Along the westerly boundary line of this tract N34°45'08"W a distance of 577.25 feet to a found $\frac{1}{2}$ " iron rod at the northwest corner of Lot 3 of said Behrendt Subdivision, and also said point being the most northwesterly corner of the herein described tract,

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THENCE: Along the northerly boundary line of this tract N53°10'08"E a distance of 356.66 feet to a found ½" iron rod at the most northerly corner of Lot 3 of said Behrendt Subdivision, and also being the most northerly corner of the herein described tract,

THENCE: Along the easterly boundary line of this tract S34°46'12"E a distance of 561.20 feet to a found ½" iron rod said point being the most northerly corner of Lot 1,

THENCE: Along the easterly boundary line of this tract S34°39'08"E a distance of 190.49 feet to a found ½" iron rod at the most southeasterly corner of Lot 1 and the POINT OF BEGINNING of the heretofore described 5.864 acre tract.

* * *

October 27, 2023
Job No. 23011
HBJ/nlm

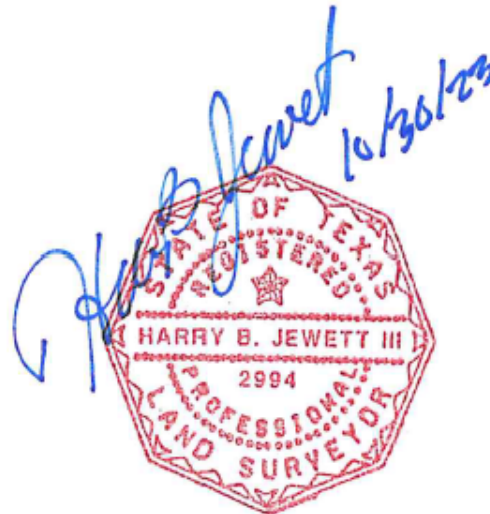


EXHIBIT "B"

