

ORDINANCE NO. 2023-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.26 ACRES, BEING OUT OF WALNUT HILLS SUBDIVISION, LOT 1, CURRENTLY ADDRESSED AT 1417 NORTH WALNUT AVENUE, FROM R-2 (SINGLE-FAMILY AND TWO-FAMILY DISTRICT) TO C-1A (NEIGHBORHOOD BUSINESS 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-1A (Neighborhood Business 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 0.26 acres being out of Walnut Hills Subdivision, Lot 1, currently addressed at 1417 North Walnut Avenue from R-2 (Single-Family and Two-Family District) to C-1A (Neighborhood Business 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-1A (Neighborhood Business District):

Approximately 0.26 acres, being out of Walnut Hills Subdivision, Lot 1, as depicted on 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THAT all other ordinances, or parts of ordinances, in conflict herewith, are hereby repealed to the extent that they are in conflict.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 23rd day of October 2023.

PASSED AND APPROVED: Second reading this 13th day of November 2023.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

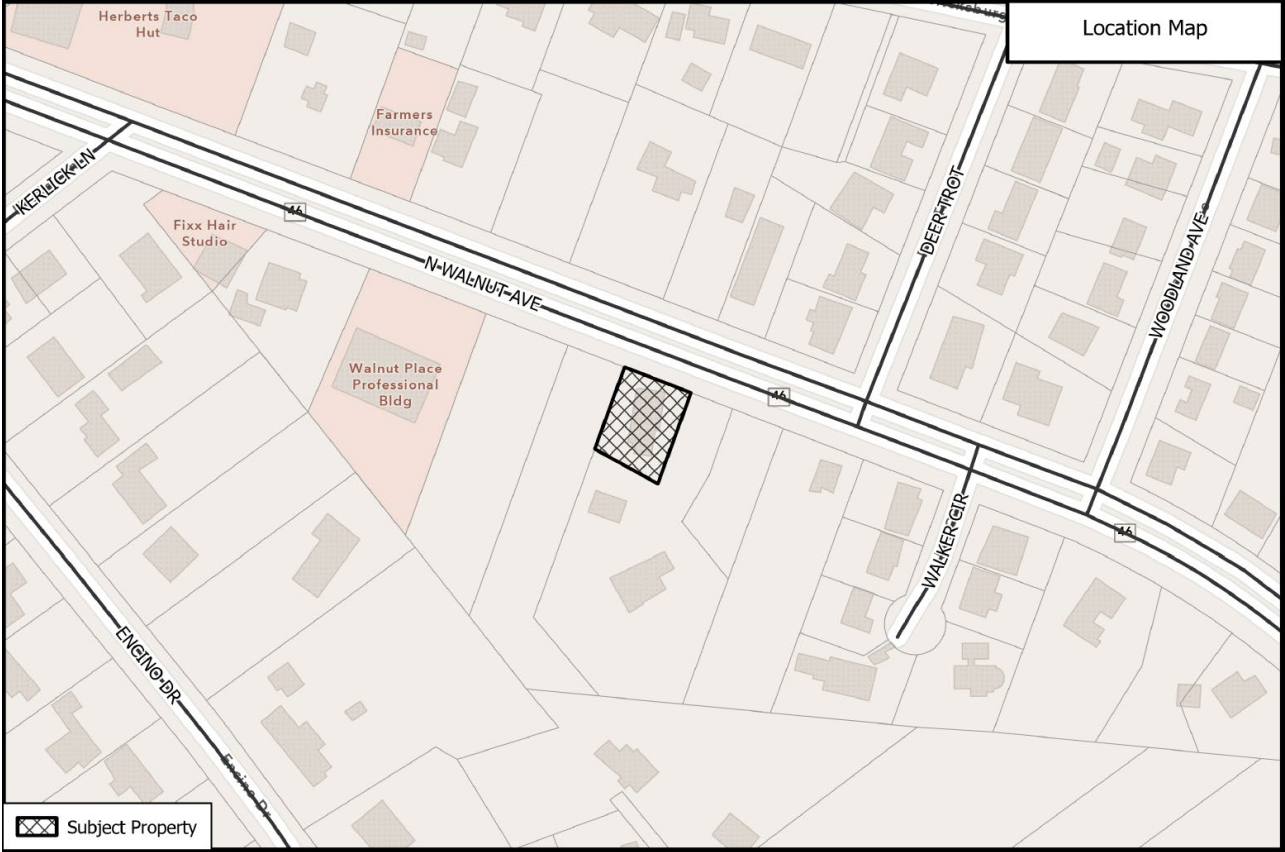


EXHIBIT "B"

I, the undersigned, hereby acknowledge that this survey has been reviewed and accepted.

[Signature]

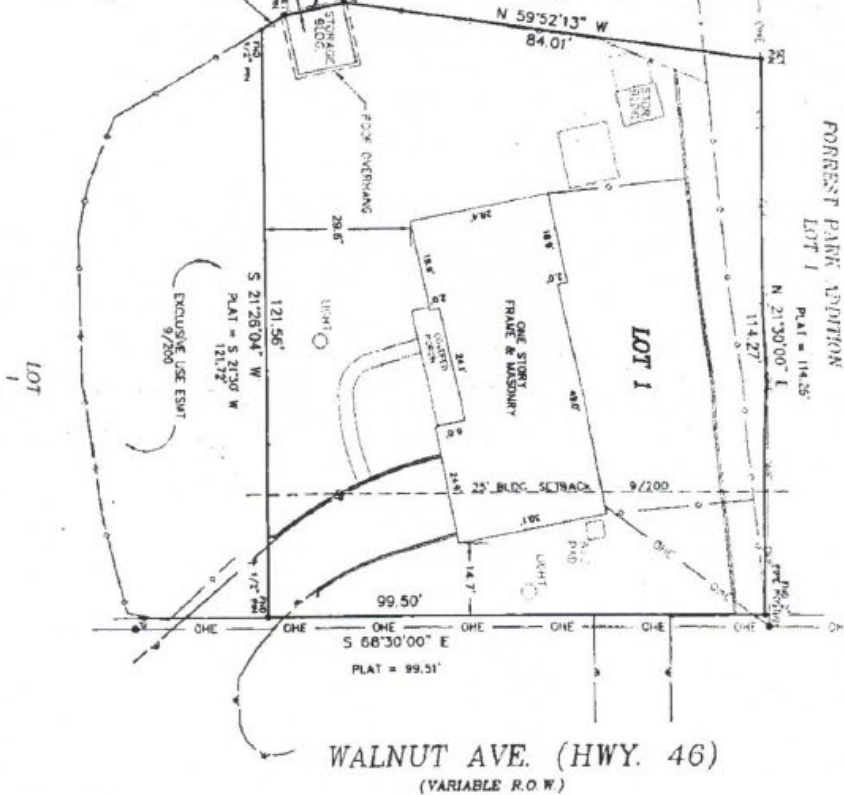
NOTE:
BASIS OF BEARING IS NORTH, PROPERTY LINE
OF THE SUBJECT TRACT, BEING FOUND
MONUMENTED ON THE GROUND.
ALL SET PINS ARE 1/2" RIGID
WITH A YELLOW PLASTIC CAP,
STAMPED TOWN ENG. INC.

NOTES:
ACCORDING TO THE FIRE FLOOD INSURANCE
MAP, COMMUNITY MAP, PLAT 1, 1986, C.
D. 1986, THE SUBJECT PROPERTY
DOES NOT LIE IN ZONE A.
THERE IS DESIGNATED FOR UTILITY PURPOSES,
AN AGRAL EASEMENT FIVE FEET ON EACH
SIDE OF ALL EASEMENTS AND SHEETS
AND EXTENDED UPWARD AS REQUIRED.
THIS ABOVE INFORMATION WAS TAKEN
FROM THE SUBDIVISION PLAT, 9/200

1417 N. WALNUT AVENUE
PLAT SHORTHOT:
SURVEY OF LOT 1, WALNUT HILLS
SUBDIVISION, PLAT RECORDED IN
VOLUME 9, PAGE 200, DEED AND
PLAT RECORDS, CONAL COUNTY,
TEXAS.



FORD ENGINEERING INC.
ENGINEERING • SURVEYING • PLANNING
10007 WEE DRIVE, SUITE 104, SAN ANTONIO, TEXAS 78217 (710) 580-4177



WALNUT AVE. (HWY. 46)
(VARIABLE R.O.W.)



SCALE:
1" = 20'

NOTES:
PROPERTY IS SUBJECT TO EASEMENT IN
FAVOR OF CONAL POWER COMPANY RECORDED
IN VOL. 51, PAGE 418-419 AND VOL. 52,
PAGE 460-462, CONAL COUNTY, TEXAS.
DEED RECORDS.
PROPERTY IS SUBJECT TO EASEMENT IN
FAVOR OF SAN ANTONIO PUBLIC SERVICE,
RECORDED IN VOL. 70, PAGE 39-40,
CONAL COUNTY, TEXAS DEED RECORDS.

LEGEND:
— CHAIN LINK FENCE
— WOOD FENCE
— BARBED WIRE FENCE
— ONE = OVERHEAD ELECTRICAL
— CONCRETE
— PAVED DRIVE

STATE OF TEXAS,
COUNTY OF DEKALB:
I, AUBREY C. HOLLAND DO HEREBY CERTIFY THAT
THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY
MADE ON THE GROUND BY ME OR WORKING UNDER MY
SUPERVISION.

AUBREY C. HOLLAND
REGISTERED SURVEYOR
PROJECT NO. 2021320
M.F. FILE NO. 6493