

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 38 ACRES, BEING OUT OF THE R PEREZ SURVEY 28, ABSTRACT 460, AND THE J STARK SURVEY 277, ABSTRACT 530, LOCATED NORTHWEST OF THE PROPERTY CURRENTLY ADDRESSED AT 2815 STATE HIGHWAY 46 WEST, FROM R-1 (SINGLE FAMILY DISTRICT) AND APD (AGRICULTURAL/PRE-DEVELOPMENT DISTRICT) TO R-1A-6.6 (SINGLE FAMILY 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-6.6 (Single Family 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 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 38 acres being out of the R Perez Survey 28, Abstract 460, and the J Stark Survey 277, Abstract 530, located northwest of the property currently addressed at 2815 State Highway 46 West from R-1 (Single Family District) and APD (Agricultural/Pre-Development District) to R-1A-6.6 (Single Family 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) and APD (Agricultural/Pre-Development District) to R-1A-6.6 (Single Family Residential District):

Approximately 38 acres, being out of the R Perez Survey 28, Abstract 460, and the J Stark Survey 277, Abstract 530, 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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 23rd day of March 2026.

PASSED AND APPROVED: Second reading this 13th day of April 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



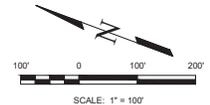
LOCATION MAP
NOT TO SCALE

- NOTES**
1. BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (ADN), NAD 83 (2011). ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES USING A COMBINED SCALE FACTOR OF 1.00017.
 2. SETBACKS OR EASEMENTS PER RESTRICTIONS OR ZONING MAY EXIST.
 3. THE FIELD WORK WAS COMPLETED ON MARCH 19, 2025.
 4. BY GRAPHICAL PLOTTING ONLY, THE TRACT SHOWN HEREON LIES WITHIN ZONE "D" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, AS SHOWN ON MAP NO. ABR5303-0485 DATED SEPTEMBER 2, 2009, FOR COMAL COUNTY, TEXAS AND INCORPORATED AREAS. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

- LEGEND**
- POB = POINT OF BEGINNING
 - OPR = OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
 - PR = PLAT RECORDS OF COMAL COUNTY, TEXAS
 - VOL = VOLUME
 - PG = PAGE
 - DOC = DOCUMENT
 - SET 1/2" IRON ROD WITH "CULDE" CAP
 - = FOUND AS NOTED
 - ⊕ = FIRE HYDRANT
 - ⊖ = WATER VALVE
 - ⊙ = STORM MANHOLE
 - ⊕ = SANITARY MANHOLE
 - ⊕ = UTILITY POLE
 - ⊕ = GUY ANCHOR
 - ⊕ = SIGN

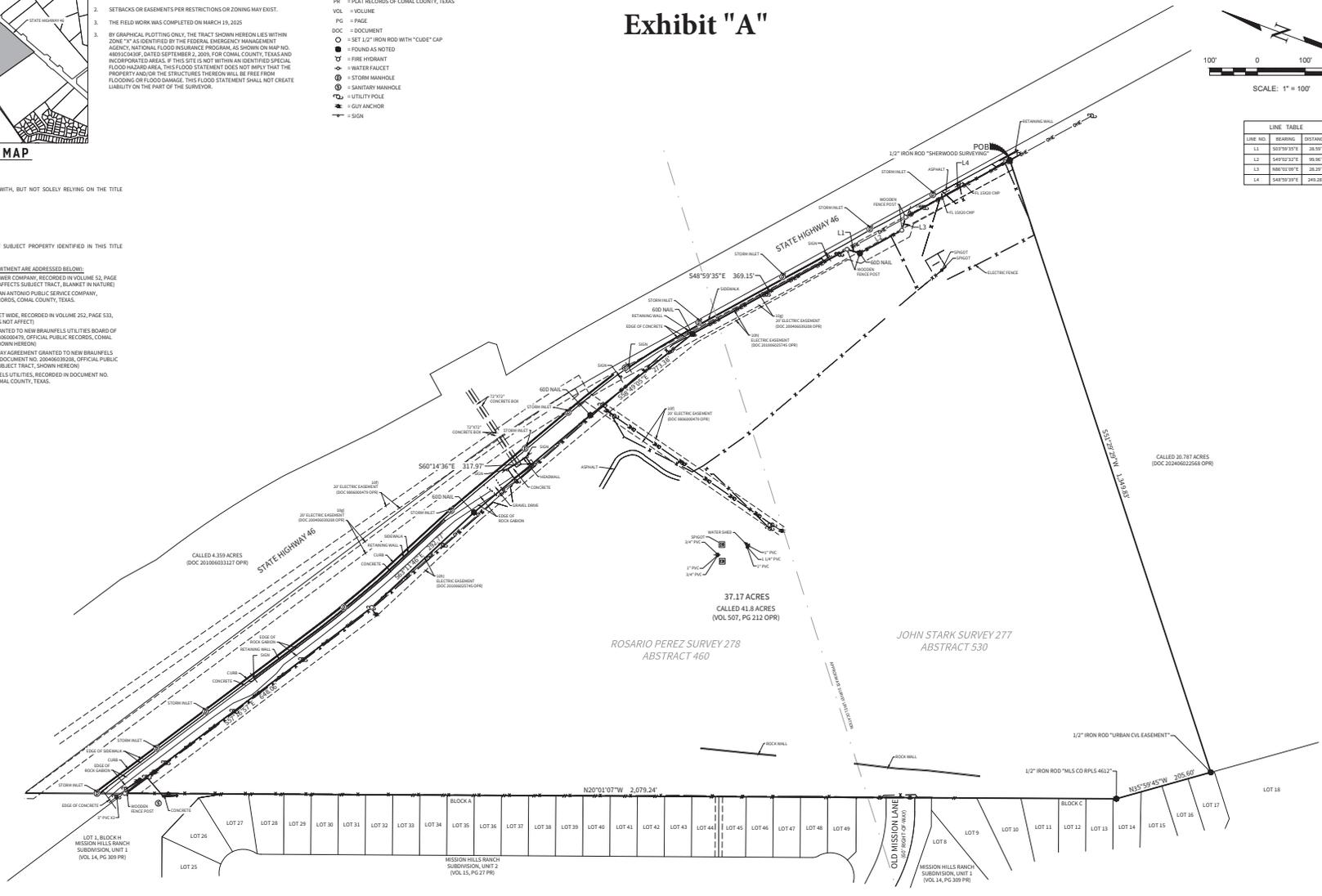
- LINE LEGEND**
- x — = BARBED WIRE FENCE
 - // — = WOOD FENCE

Exhibit "A"



LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	S47°39'37"E	28.50'
L2	S47°39'37"E	28.50'
L3	N88°16'57"E	28.23'
L4	S48°39'37"E	398.28'

- REFERENCES:**
THIS SURVEY WAS PREPARED IN CONJUNCTION WITH, BUT NOT SOLELY RELYING ON THE TITLE COMMITMENT LISTED BELOW.
- TITLE COMMITMENT:**
ALAMO TITLE INSURANCE
E.P. # 25-66070
DATE ISSUED: FEBRUARY 12, 2025
EFFECTIVE DATE: FEBRUARY 4, 2025
- ONLY THOSE MATTERS AFFECTING THE AREA OF SUBJECT PROPERTY IDENTIFIED IN THIS TITLE COMMITMENT ARE SHOWN.
- SCHEDULE B (ONLY THOSE MATTERS IN TITLE COMMITMENT ARE ADDRESSED BELOW):**
- 101 EASEMENT AND RIGHT GRANTED TO COMAL POWER COMPANY, RECORDED BY VOLUME 51, PAGE 525, DEED RECORDS, COMAL COUNTY, TEXAS. (AFFECTS SUBJECT TRACT, BLANKET IN NATURE)
 - 102 EASEMENT AND RIGHT OF WAY GRANTED TO SAN ANTONIO PUBLIC SERVICE COMPANY, RECORDED IN VOLUME 72, PAGE 293, DEED RECORDS, COMAL COUNTY, TEXAS. (DOES NOT AFFECT)
 - 103 PRIVATE EASEMENT AND RIGHT OF WAY, 30 FEET WIDE, RECORDED IN VOLUME 252, PAGE 532, DEED RECORDS, COMAL COUNTY, TEXAS. (DOES NOT AFFECT)
 - 104 ELECTRIC LINE RIGHT-OF-WAY AGREEMENT GRANTED TO NEW BRAUNFELS UTILITIES BOARD OF TRUSTEES, RECORDED IN DOCUMENT NO. 20060600479, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS. (AFFECTS SUBJECT TRACT, SHOWN HEREON)
 - 105 EXCLUSIVE ELECTRIC POWER LINE RIGHT-OF-WAY AGREEMENT GRANTED TO NEW BRAUNFELS UTILITIES BOARD OF TRUSTEES, RECORDED IN DOCUMENT NO. 20040639208, OFFICIAL PUBLIC RECORDS, BEAR COUNTY, TEXAS. (AFFECTS SUBJECT TRACT, SHOWN HEREON)
 - 106 EXCLUSIVE ELECTRIC POWER LINE RIGHT-OF-WAY AGREEMENT GRANTED TO NEW BRAUNFELS UTILITIES BOARD OF TRUSTEES, RECORDED IN DOCUMENT NO. 20040639208, OFFICIAL PUBLIC RECORDS, BEAR COUNTY, TEXAS. (AFFECTS SUBJECT TRACT, SHOWN HEREON)
 - 107 UTILITY EASEMENT GRANTED TO NEW BRAUNFELS UTILITIES, RECORDED IN DOCUMENT NO. 20040639208, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS. (AFFECTS SUBJECT TRACT, SHOWN HEREON)



LAND TITLE SURVEY

37.17 ACRES OF LAND LOCATED IN THE JOHN STARK SURVEY 277, ABSTRACT 530, COMAL COUNTY, TEXAS, AND THE ROSARIO PEREZ SURVEY 278, ABSTRACT 460, COMAL COUNTY, TEXAS, AND BEING OUT OF A CALLED 41.8 ACRE TRACT RECORDED IN VOLUME 507, PAGE 212 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS

DATE	03-24-2025
PROJECT NO.	04428.000
DRAWN BY	DB
CHECKED BY	CW
REVISIONS	1. 2. 3. 4. 5. 6. 7. 8.

STATE OF TEXAS
COUNTY OF BEAR

TO: ALICE SCHWANZ, KB HOME LONE STAR INC., ALAMO TITLE INSURANCE

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 3A, CONDITION 2, LAND TITLE SURVEY.

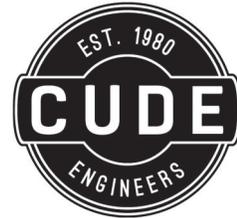
Chris Walterscheid
CHRIS WALTERSCHEID
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6180
CWALTERSCHEID@CUDEENGINEERS.COM



V-1

REPRODUCTION OF THE ORIGINAL SIGNED AND SEALED PLAN AND/OR ELECTRONIC MEDIA MAY HAVE BEEN INADVERTENTLY ALTERED. CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE SCALE OF THE DOCUMENT AND CONTACTING CUDE ENGINEERS TO VERIFY DISCREPANCIES FROM 1 TO CORRECTED.

Exhibit "B"



LEGAL DESCRIPTION 37.17 ACRES OF LAND

37.17 ACRES OF LAND LOCATED IN THE JOHN STARK SURVEY 277, ABSTRACT 530, COMAL COUNTY, TEXAS AND THE ROSARIO PEREZ SURVEY 278, ABSTRACT 460, COMAL COUNTY, TEXAS, AND BEING OUT OF A CALLED 41.8 ACRE TRACT RECORDED IN VOLUME 507, PAGE 212 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS; SAID 37.17 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2" IRON ROD WITH "SHERWOOD SURVEYING" CAP IN THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 46, FOR THE NORTH CORNER OF A CALLED 20.787 ACRE TRACT RECORDED IN DOCUMENT 202406022568 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, THE EAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, S 51°29'29" W, ALONG AND WITH THE NORTHWEST LINE OF SAID 20.787 ACRE TRACT, A DISTANCE OF 1,349.83 FEET TO A FOUND 1/2" IRON ROD WITH "URBAN CVL EASEMENT" CAP IN THE NORTHEAST LINE OF BLOCK C OF MISSION HILLS RANCH SUBDIVISION, UNIT 1 RECORDED IN VOLUME 14, PAGE 309 OF THE PLAT RECORDS OF COMAL COUNTY, TEXAS;

THENCE, ALONG AND WITH THE NORTHEAST LINE OF SAID BLOCK C, THE NORTHEAST LINE OF BLOCK A OF MISSION HILLS RANCH SUBDIVISION, UNIT 2 RECORDED IN VOLUME 15, PAGE 27 OF THE PLAT RECORDS OF COMAL COUNTY, TEXAS, THE NORTHEAST LINE OF BLOCK H OF SAID MISSION HILLS RANCH SUBDIVISION, UNIT 1, THE FOLLOWING TWO (2) COURSES:

- 1) N 35°59'45" W, A DISTANCE OF 205.60 FEET TO A FOUND 1/2" IRON ROD WITH "MLS CO RPLS 4612" CAP;
- 2) N 20°01'07" W, A DISTANCE OF 2,079.24 FEET TO A SET 1/2" IRON ROD WITH "CUDE" CAP IN THE SAID SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 46, FOR A NORTHEAST CORNER OF SAID MISSION HILLS RANCH SUBDIVISION, UNIT 1 AND THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG AND WITH SAID SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 46, THE FOLLOWING NINE (9) COURSES:

- 1) S 57°16'57" E, A DISTANCE OF 648.06 FEET TO A SET 1/2" IRON ROD WITH "CUDE" CAP;
- 2) S 63°11'46" E, A DISTANCE OF 292.77 FEET TO A FOUND 60D NAIL;
- 3) S 60°14'36" E, A DISTANCE OF 317.97 FEET TO A FOUND 60D NAIL;
- 4) S 58°49'05" E, A DISTANCE OF 273.38 FEET TO A FOUND 60D NAIL;
- 5) S 48°59'35" E, A DISTANCE OF 369.15 FEET TO A SET 1/2" IRON ROD WITH "CUDE" CAP;
- 6) S 03°59'35" E, A DISTANCE OF 28.59 FEET TO A FOUND 60D NAIL;
- 7) S 49°02'32" E, A DISTANCE OF 99.96 FEET TO A SET 1/2" IRON ROD WITH "CUDE" CAP;
- 8) N 86°01'09" E, A DISTANCE OF 28.29 FEET TO A SET 1/2" IRON ROD WITH "CUDE" CAP;
- 9) S 48°59'39" E, A DISTANCE OF 249.28 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 37.17 ACRES OF LAND, MORE OR LESS.

Chris Walterscheidt 03/24/2025

CHRIS WALTERSCHEIDT
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6180
CUDE ENGINEERS JOB NO. 04428.000

