

ORDINANCE NO. 2023-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 71.8 ACRES, OUT OF THE A.M. ESNAURIZAR SURVEY, ABSTRACT 20, ADDRESSED AT 1280 SAENGERHALLE ROAD, FROM “APD” AGRICULTURAL/PRE-DEVELOPMENT DISTRICT WITH AIRPORT HAZARD OVERLAY TO “R-3L” MULTIFAMILY LOW DENSITY DISTRICT WITH AIRPORT HAZARD OVERLAY AND REZONING APPROXIMATELY 20.6 ACRES, OUT OF THE A.M. ESNAURIZAR SURVEY, ABSTRACT 20, LOCATED APPROXIMATELY 830 FEET SOUTHEAST OF THE INTERSECTION OF SAENGERHALLE ROAD AND SAUR LANE, FROM “APD” AGRICULTURAL/PRE-DEVELOPMENT DISTRICT WITH AIRPORT HAZARD OVERLAY TO “R-3H MULTIFAMILY HIGH DENSITY DISTRICT WITH AIRPORT HAZARD OVERLAY; 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-3L and R-3H Districts, 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 71.8 acres being out of the A.M. Esnaurizar Survey, Abstract 20, addressed at 1280 Saengerhalle Road from APD to R-3L and approximately 20.6 acres being out of the A.M. Esnaurizar Survey, Abstract 20, located approximately 830 feet southeast of the intersection of Saengerhalle Road and Saur Lane from APD to R-3H; 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 tracts of land from “APD” Agricultural/Pre-Development District with Airport Hazard Overlay to “R-3L” Multifamily Low Density District with Airport Hazard Overlay:

Approximately 71.8 acres, being out of the A.M. Esnaurizar Survey, Abstract 20, as delineated and described on Exhibit “A”, attached.

SECTION 2

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 tracts of land from “APD” Agricultural/Pre-Development District with Airport Hazard Overlay to “R-3H” Multifamily High Density District with Airport Hazard Overlay:

Approximately 20.6 acres, being out of the A.M. Esnaurizar Survey, Abstract 20, as delineated and described on Exhibit “B”, attached.

SECTION 3

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 4

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 5

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 April, 2023.

PASSED AND APPROVED: Second reading this 8th day of May, 2023.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

SAUR LANE
GUADALUPE COUNTY, TEXAS
71.822 ACRE TRACT

EXHIBIT "A"

BEING a 71.822 acre tract of land lying in the Antonio Maria Esnaurizar Survey, Abstract 20, Guadalupe County, Texas, being out of a tract of land described as Exhibit A, "Third Tract" in a deed to Karen Lackey, Et al and recorded in document number 202299004944, Official Public Records of Guadalupe County, Texas, same being out of a called 4.72 acre tract of land described as Exhibit "A", "Second Tract" in deed to Karen Lackey Et al and recorded in document number 202299004944, Official Public Records of Guadalupe County, Texas, same being out of a called 17.09 acre tract of land described as "1st Tract" in a deed to the Estate of George and Evelyn Kirst and recorded in volume 445, page 574, Deed Records of Guadalupe County, Texas, same also being out of a called 23.11 acre tract of land described in deed to Leona N. Schuetz and recorded in volume 531, page 565, Official Public Records of Guadalupe County, Texas, same also being out of a called 5.368 acre tract of land described in deed to Charles C. Saur and wife, Suzette K. Saur and recorded in document number 202299004945, Official Public Records of Guadalupe County, Texas, same being described by a drawing (ZONING SFR.dwg) attached to and made part hereof and more particularly described as follows:

BEGINNING at a point in the southeast right-of-way line of Saengerhalle Road (varying width right-of-way) for the west corner of the aforementioned 4.72 acre tract and the north corner of Lot 1, Block 1 of the Saengerhall Estates Subdivision as described and recorded in volume 8, page 451, Map and Plat Records of Guadalupe County, Texas, for a west corner of the herein described 71.822 acre tract;

THENCE along the southeast right-of-way line of the aforementioned Saengerhalle Road, the northwest line of the aforementioned 4.72 acre tract, the northwest line of the aforementioned "Third Tract" and the northwest line of the aforementioned 5.368 acre tract, N45°35'28"E a distance of 2,755.83 feet to a point for the north corner of the herein described 71.822 acre tract;

THENCE leaving the southeast right-of-way line of the aforementioned Saengerhalle Road and the northwest line of the aforementioned 5.368 acre tract, S44°30'28"E a distance of 809.34 feet to a point in the southeast line of the aforementioned "Third Tract" and the northwest line of the aforementioned 17.09 acre tract for an angle corner of the herein described 71.822 acre tract;

THENCE along the southeast line of the aforementioned "Third Tract" and the northwest line of the aforementioned 17.09 acre tract, S45°29'32"W a distance of 451.44 feet to a point for an interior corner of the herein described 71.822 acre tract;

THENCE leaving the southeast line of the aforementioned "Third Tract" and the northwest line of the aforementioned 17.09 acre tract, S44°30'28"E a distance of 802.52 feet to a point in the southeast line of the aforementioned 23.11 acre tract and the northwest line of a called 7.855 acre tract of land described in deed to Gerald N Timmermann and recorded in volume 4136, page 491, Official Public Records of Guadalupe County, Texas, for the east corner of the herein described 71.822 acre tract;

**SAUR LANE
GUADALUPE COUNTY, TEXAS
71.822 ACRE TRACT**

THENCE along the southeast line of the aforementioned 23.11 acre tract, the northwest line of the aforementioned 7.855 acre tract and a northwest line of a called 44.267 acre tract of land described as Exhibit "A" in deed to Gerald N. Timmermann and recorded in volume 2065, page 566, Official Public Records of Guadalupe County, Texas, S45°28'01"W a distance of 1,108.14 feet to a point for the south corner of said 23.11 acre tract, an interior corner of said 44.267 acre tract and a south corner of the herein described 71.822 acre tract;

THENCE along the southwest line of the aforementioned 23.11 acre tract, the southwest line of the aforementioned 17.09 acre tract and a northeast line of the aforementioned 44.267 acre tract, N44°46'14"W a distance of 803.02 feet to a point in the southeast line of the aforementioned "Third Tract" for the west corner of said 17.09 acre tract, an interior corner of the said 44.267 acre tract and an interior corner of the herein described 71.822 acre tract;

THENCE along the southeast line of the aforementioned "Third Tract", the southeast line of the aforementioned 4.72 acre tract and a northwest line of the aforementioned 44.267 acre tract, S45°29'32"W a distance of 1,193.99 feet to a point in the southwest line of said 44.267 acre tract and the northeast line of a called 80.16 acre tract of land described as Exhibit "A" in deed to SA Love Boat Captain, LLC, a Texas Limited Liability Company and recorded in document number 202199014318, Official Public Records of Guadalupe County, Texas, for the south corner of said 4.72 acre tract and the south corner of the herein described 71.822 acre tract;

SAUR LANE
GUADALUPE COUNTY, TEXAS
71.822 ACRE TRACT

THENCE along the southwest line of the aforementioned 4.72 acre tract, the northeast line of the aforementioned 80.16 acre tract, a northeast line of a called 46.01 acre tract of land described as Exhibit "A" in deed to Continental Homes of Texas, L.P., a Texas Limited Partnership and recorded in document number 202199014362, Official Public Records of Guadalupe County, Texas, the northeast line of Lot 100, Block 1 a HOA Drainage Lot of the aforementioned Saengerhall Estates Subdivision and the northeast line of the aforementioned Lot 1, Block 1 of said Saengerhall Estates Subdivision, N44°24'27"W a distance of 814.11 feet to the **PLACE OF BEGINNING** and containing 71.822 acres of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(2011), South Central Zone.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

THE STATE OF TEXAS X
 X **KNOWN TO ALL MEN BY THESE PRESENTS:**
COUNTY OF BEXAR X

I, Darryl Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by a public records research made under my direction and supervision in February 2023.

Date 15 day of FEBRUARY 2023 A.D.





Darryl L. Zercher
Registered Professional Land Surveyor
No. 5609 - State of Texas

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

EXHIBIT "A"

SAUR LANE

PARCEL ACROSS THE LANDS OF CHARLES C. SAUR AND WIFE, SUZETTE K. SAUR, KAREN LACKEY ET AL, THE ESTATE OF GEORGE AND EVELYN KIRST AND LEONA N. SCHUETZ CONTAINING 71.822 ACRES

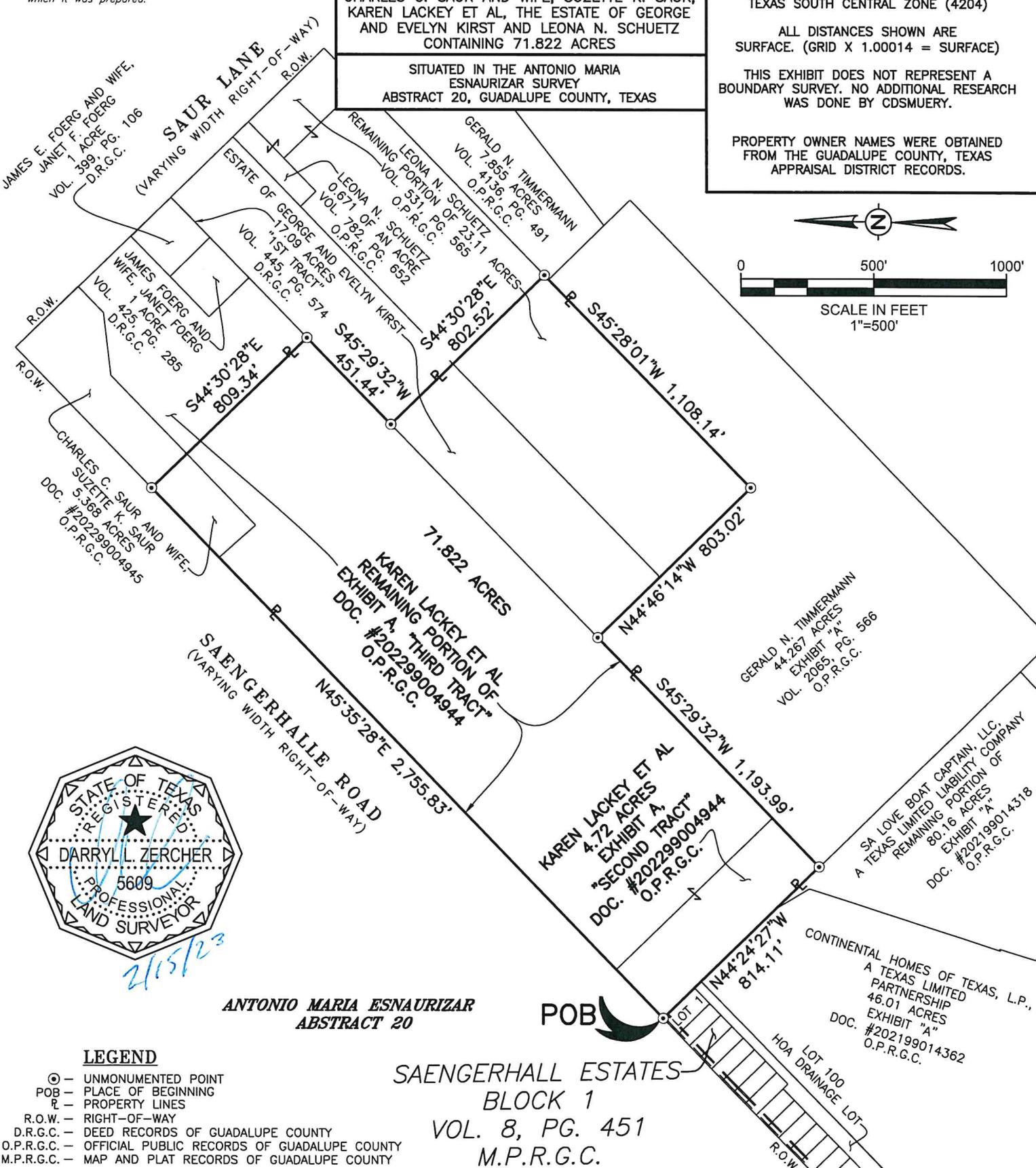
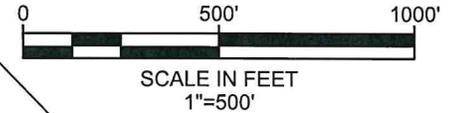
SITUATED IN THE ANTONIO MARIA ESNAURIZAR SURVEY ABSTRACT 20, GUADALUPE COUNTY, TEXAS

BEARING BASIS: GRID NORTH
 COORDINATE SYSTEM: TEXAS STATE PLANE,
 NAD 1983(2011), EPOCH:2010
 TEXAS SOUTH CENTRAL ZONE (4204)

ALL DISTANCES SHOWN ARE SURFACE. (GRID X 1.00014 = SURFACE)

THIS EXHIBIT DOES NOT REPRESENT A BOUNDARY SURVEY. NO ADDITIONAL RESEARCH WAS DONE BY CDSMUERY.

PROPERTY OWNER NAMES WERE OBTAINED FROM THE GUADALUPE COUNTY, TEXAS APPRAISAL DISTRICT RECORDS.



ANTONIO MARIA ESNAURIZAR
 ABSTRACT 20



SAENGERHALL ESTATES
 BLOCK 1
 VOL. 8, PG. 451
 M.P.R.G.C.

LEGEND

- ⊙ - UNMONUMENTED POINT
- POB - PLACE OF BEGINNING
- - PROPERTY LINES
- R.O.W. - RIGHT-OF-WAY
- D.R.G.C. - DEED RECORDS OF GUADALUPE COUNTY
- O.P.R.G.C. - OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY
- M.P.R.G.C. - MAP AND PLAT RECORDS OF GUADALUPE COUNTY

DRAWN BY: M. CAMACHO	DATE: 02-15-2023
DRAWING NAME: ZONING SFR.dwa	

**SAUR LANE
GUADALUPE COUNTY, TEXAS
20.580 ACRE TRACT**

EXHIBIT “B”

BEING a 20.580 acre tract of land lying in the Antonio Maria Esnaurizar Survey, Abstract 20, Guadalupe County, Texas, being out of a tract of land described as Exhibit A, “Third Tract” in a deed to Karen Lackey, Et al and recorded in document number 202299004944, Official Public Records of Guadalupe County, Texas, same being out of a called 5.368 acre tract of land described in deed to Charles C. Saur and wife, Suzette K. Saur and recorded in document number 202299004945, Official Public Records of Guadalupe County, Texas, same being out of a called 17.09 acre tract of land described as “1st Tract” in a deed to the Estate of George and Evelyn Kirst and recorded in volume 445, page 574, Deed Records of Guadalupe County, Texas, same also being out of a called 23.11 acre tract of land described in deed to Leona N. Schuetz and recorded in volume 531, page 565, Official Public Records of Guadalupe County, Texas, same being described by a drawing (ZONING MF.dwg) attached to and made part hereof and more particularly described as follows:

BEGINNING at a point in the southwest right-of-way line of Saur Lane (varying width right-of-way) for the east corner of the aforementioned 17.09 acre tract and the north corner of a called 0.671 of an acre tract of land described in deed to Leona N. Schuetz and recorded in volume 782, page 652, Official Public Records of Guadalupe County, Texas;

THENCE leaving the southwest right-of-way line of the aforementioned Saur Lane, along the southeast line of the aforementioned 17.09 acre tract and the northwest line of the aforementioned 0.671 of an acre tract, S45°29’56”W a distance of 360.43 feet to a point for the west corner of 0.671 of an acre tract and an interior corner of the herein described 20.580 acre tract;

THENCE leaving the southeast line of the aforementioned 17.09 acre tract, along the southwest line of the aforementioned 0.671 of an acre tract, S44°33’17”E a distance of 81.52 feet to a point for the south corner of said 0.671 of an acre tract and an interior corner of the herein described 20.580 acre tract;

THENCE leaving the southwest line of the aforementioned 0.671 of an acre tract, along the southeast line of said 0.671 of an acre tract, N45°17’44”E a distance of 178.54 feet to a point for an angle corner of the herein described 20.580 acre tract;

THENCE leaving the southeast line of the aforementioned 0.671 of an acre tract, S44°36’28” E a distance of 396.51 feet to a point in the southeast line of the aforementioned 23.11 acre tract and the northwest line of a called 1.485 acre tract of land described as “Tract II” in a deed to Gerald N. Timmermann and recorded in volume 625, page 583, Deed Records of Guadalupe County, Texas, for the east corner of the herein described 20.580 acre tract;

THENCE along the southeast line of the aforementioned 23.11 acre tract, the northwest line of the aforementioned 1.485 acre tract and the northwest line of a called 7.855 acre tract of land described in deed to Gerald N Timmermann and recorded in volume 4136, page 491, Official Public Records of Guadalupe County, Texas, S45°28’01”W a distance of 1,000.14 feet to a point for the south corner of the herein described 20.580 acre tract;

**SAUR LANE
GUADALUPE COUNTY, TEXAS
20.580 ACRE TRACT**

THENCE leaving the southeast line of the aforementioned 23.11 acre tract and the northwest line of the aforementioned 7.855 acre tract, N44°30'28"W a distance of 802.52 feet to a point in the northwest line of the aforementioned 17.09 acre tract and the southeast line of a tract of land described as Exhibit A, "Third Tract" in a deed to Karen Lackey, Et Al and recorded in document number 202299004944, Official Public Records of Guadalupe County, Texas, for an angle corner of the herein described 20.580 acre tract;

THENCE along the northwest line of the aforementioned 17.09 acre tract and the southeast line of the aforementioned "Third Tract", N45°29'32"E a distance of 451.44 feet to a point for an interior corner of the herein described 20.580 acre tract;

THENCE leaving the northwest line of the aforementioned 17.09 acre tract and the southeast line of the aforementioned "Third Tract", N44°30'28"W a distance of 809.34 feet to a point in the southeast right-of-way line of Saengerhalle Road (varying width right-of-way) and the northwest line of the aforementioned 5.368 acre tract for the west corner of the herein described 20.580 acre tract;

THENCE along the southeast right-of-way line of the aforementioned Saengerhalle Road and the northwest line of the aforementioned 5.368 acre tract, N45°35'28"E a distance of 60.00 feet to a point for an angle corner of the herein described 20.580 acre tract;

THENCE leaving the southeast right-of-way line of the aforementioned Saengerhalle Road and the northwest line of the aforementioned 5.368 acre tract, S44°45'47"E a distance of 809.25 feet to a point in the northwest line of the aforementioned 17.09 acre tract and the southeast line of the aforementioned "Third Tract" for an interior corner of the herein described 20.580 acre tract;

THENCE along the northwest line of the aforementioned 17.09 acre tract, the southeast line of the aforementioned "Third Tract", the southeast line of a called 1 acre tract of land described in deed to James Foerg and wife, Janet Foerg and recorded in volume 425, page 285, Deed Records of Guadalupe County, Texas, and the southeast line of a called 1 acre tract of land described in deed to James E. Foerg and wife, Janet F. Foerg and recorded in volume 399, page 106, Deed Records of Guadalupe County, Texas, N45°29'32"E a distance of 665.64 feet to a point in the southwest right-of-way line of the aforementioned Saur Lane for the north corner of the herein described 20.580 acre tract;

SAUR LANE
GUADALUPE COUNTY, TEXAS
20.580 ACRE TRACT

THENCE along the southwest right-of-way line of the aforementioned Saur Lane, S44°36'43"E a distance of 324.71 feet to the **PLACE OF BEGINNING** and containing 20.580 acres of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(2011), South Central Zone.

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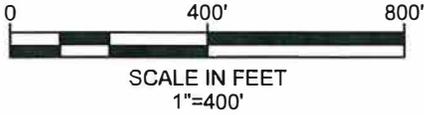
I, Darryl Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by public records research made under my direction and supervision in February 2023.

Date 15 day of FEBRUARY 2023 A.D.





Darryl L. Zercher
Registered Professional Land Surveyor
No. 5609 - State of Texas



LEGEND

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- D.R.G.C. - DEED RECORDS OF GUADALUPE COUNTY
- O.P.R.G.C. - OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY

EXHIBIT "B"

SAUR LANE

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 CONTAINING 20.580 ACRES

SITUATED IN THE ANTONIO MARIA
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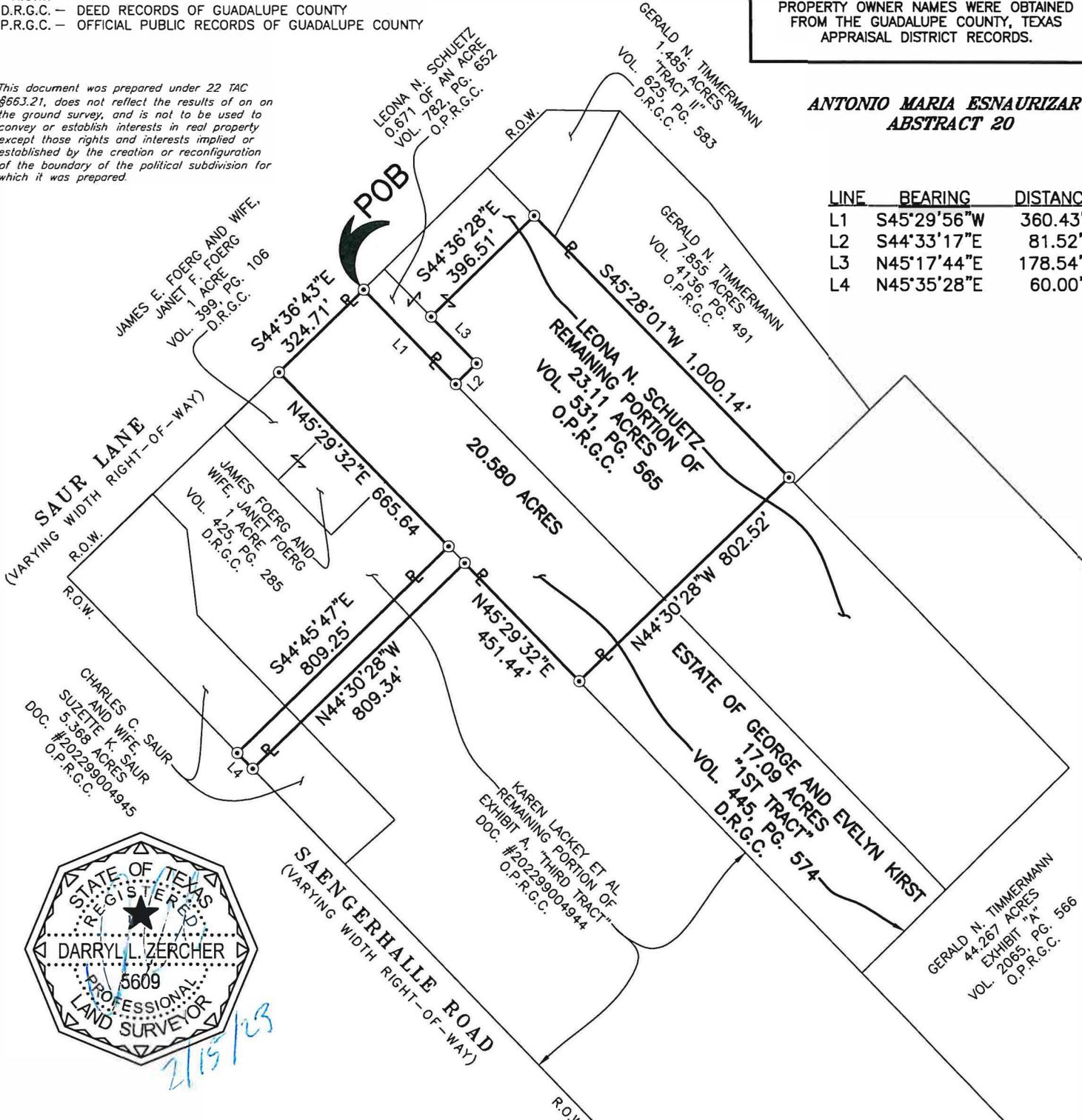
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**ANTONIO MARIA ESNAURIZAR
 ABSTRACT 20**

LINE	BEARING	DISTANCE
L1	S45°29'56"W	360.43'
L2	S44°33'17"E	81.52'
L3	N45°17'44"E	178.54'
L4	N45°35'28"E	60.00'



2/15/23