

ORDINANCE NO. 2023-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.38 ACRES, BEING OUT OF NEW CITY BLOCK 4071, SCHNEIDER ADDITION, LOTS 7 & 8, CURRENTLY ADDRESSED AT 605 SOUTH SANTA CLARA AVENUE, FROM SND-1 (SPECIAL NEIGHBORHOOD DISTRICT) TO R-3L (MULTIFAMILY LOW-DENSITY 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-3L (Multifamily Low-Density 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 0.38 acres being out of New City Block 4071, Schneider Addition, Lots 7 & 8, currently addressed at 605 South Santa Clara Avenue from SND-1 (Special Neighborhood District-1) to R-3L (Multifamily Low-Density 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 SND-1 (Special Neighborhood District-1) to R-3L (Multifamily Low-Density District):

Approximately 0.38 acres being out of New City Block 4071, Schneider Addition, Lots 7 & 8, as delineated in 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THAT all other ordinances, or parts of ordinances, in conflict herewith, are hereby repealed to the extent that they are in conflict.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 27th day of November 2023.

PASSED AND APPROVED: Second reading this 11th day of December 2023.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

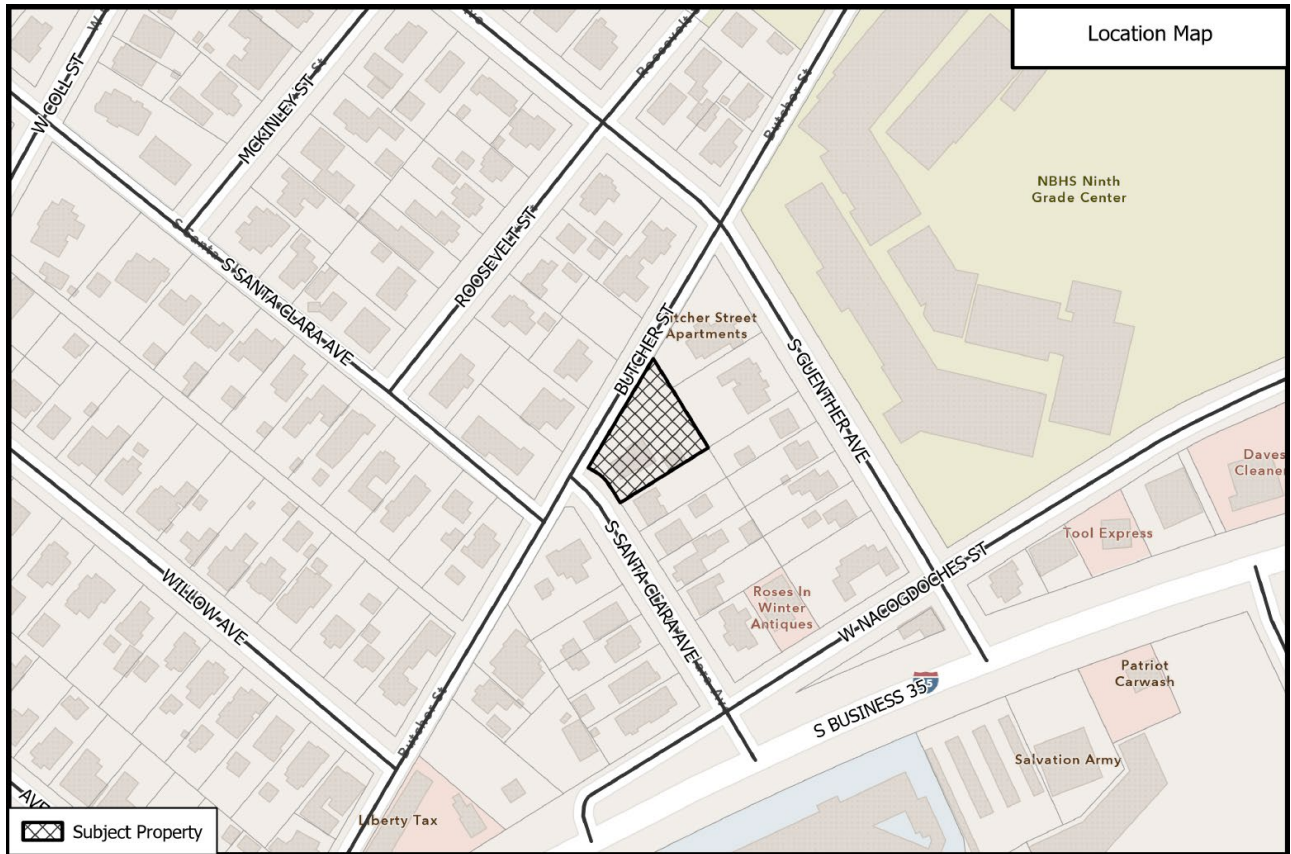


EXHIBIT "B"



ZONING DESCRIPTION FOR A 0.3831 ACRE TRACT

A **0.3831 acre** tract of land situated in the Juan Martin de Veramendi Survey, Abstract 2, City of New Braunfels, Comal County, Texas, and being all of Lot 7 and Lot 8, N.C.B. 4071, of the Schneider Addition, recorded in Volume 82, Page 55, Map Public Records (M.P.R.), Comal County, Texas, as conveyed to Matthew T. Goles recorded in Document Number 201806025809 Official Public Records (O.P.R.) of Comal County, Texas, said 0.3831 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a $\frac{1}{2}$ " iron rod found at the intersection of the southeasterly Right-of-Way (ROW) of Butcher Street, (variable R.O.W.) and the northeasterly ROW of S. Santa Clara Avenue (60' R.O.W.), for the western corner of this tract;

THENCE: N 30°40'51" E, along and with the southerly right-of-way of Butcher Street and the northwesterly boundary of this tract, a distance of **169.01 feet** to a $\frac{1}{2}$ " iron rod found for the northern corner of this tract;

THENCE: S 32°03'47" E, along and with the northeasterly boundary of this tract, a distance of **149.88 feet** for the southern corner of this tract;

THENCE: S 58°00'26" W, along the southeasterly boundary of this tract, a distance of **150.19 feet** to the southern corner of this tract;

THENCE: N 32°06'41" W, along the southwesterly boundary of this tract, a distance of **72.29 feet**, to the **POINT OF BEGINNING** of the tract described herein.

NOTE: This document was prepared under 22 TAC §663.21, and reflects the results of an on the ground survey performed by CED Engineers and Surveying, but 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.

Job No.: 21-192
Prepared by: KFW Surveying
Date: October 23, 2023
File: S:\Draw 2021\21-192-605 Santa Clara -Civil Design\DOCS\21-015 0.3831 AC ZONING 102325

