

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 8.4 ACRES, BEING OUT OF THE JOHN THOMPSON SURVEY NO. 21, ABSTRACT 608, CURRENTLY ADDRESSED AT 3119 IH 35 S, FROM R-2 (SINGLE-FAMILY AND TWO-FAMILY DISTRICT) TO C-1B (GENERAL 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-1B (General 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 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 8.4 acres being out of the John Thompson Survey No. 21, Abstract 608, currently addressed at 3119 IH 35 S from R-2 (Single-Family and Two-Family District) to C-1B (General 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-1B (General Business District):

Approximately 8.4 acres, being out of the John Thompson Survey No. 21, Abstract 608, 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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 24th day of March, 2025.

PASSED AND APPROVED: Second reading this 14th day of April, 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

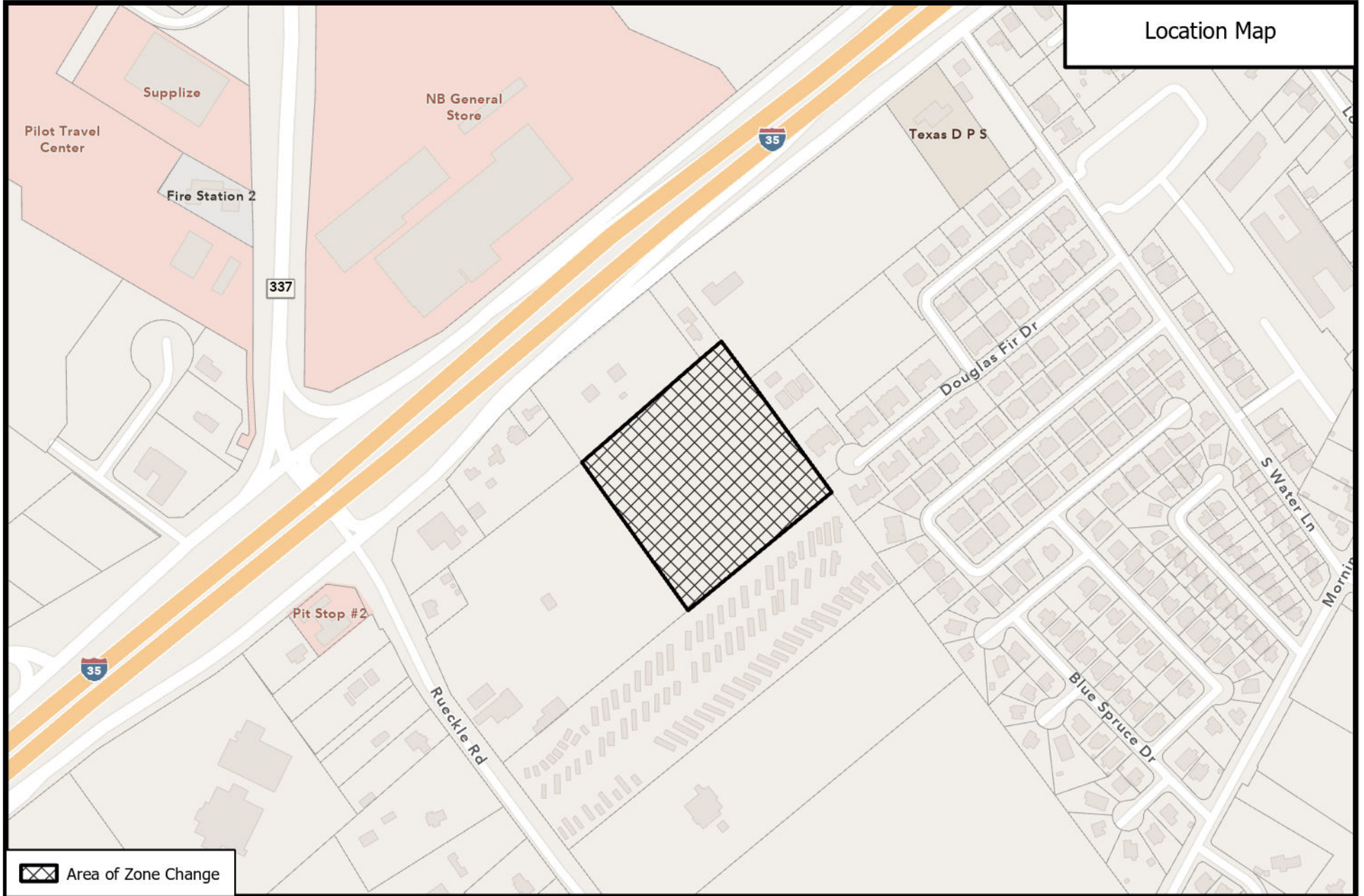
GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

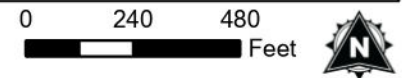
VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

Location Map



PZ25-0019
R-2 to C-1B





WINDROSE
LAND SURVEYING | PLATTING

**DESCRIPTION OF
8.351 ACRES OR 363,748 SQ. FT.**

A TRACT OR PARCEL CONTAINING 8.351 ACRES OR 363,748 SQUARE FEET OF LAND, SITUATED IN THE JOHN THOMPSON SURVEY NO. 21, ABSTRACT NO. 608, COMAL COUNTY, TEXAS, BEING A PORTION OF A CALLED 11.272 ACRE TRACT OF LAND, DESCRIBED IN DEED TO BALOUS T. MILLER AND JULIE MILLER, AS RECORDED IN DOCUMENT (DOC.) NUMBER (NO.) 202006036539, OFFICIAL PUBLIC RECORDS COMAL COUNTY TEXAS, (O.P.R.C.C.T.), WITH SAID 8.351 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL (4204):

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A CALLED 1.950 ACRE TRACT, DESCRIBED IN DEED TO JUNIPER VENTURE OF TEXAS, LLC., BEING AN ANGLE POINT OF SAID 11.272 ACRE TRACT, BEING THE NORTH CORNER OF LOT 1, BLOCK 1, OF THE YOGI BEAR JELLYSTONE PARK, MAP OR PLAT THEREOF RECORDED IN VOLUME 7, PAGE 191 OF THE PLAT RECORDS OF COMAL COUNTY, TEXAS (P.R.C.C.T.), AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 46 DEG. 34 MIN. 14 SEC. EAST, THROUGH AND ACROSS SAID 11.272 ACRE TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF A CALLED 0.434 OF AN ACRE TRACT, DESCRIBED IN DEED TO JUSTIN L. MCCELVEY, AS RECORDED IN DOC. NO. 202406029549, O.P.R.C.C.T., BEING AN INTERIOR CORNER OF SAID 11.272 ACRE TRACT, AND BEING AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 54 DEG. 12 MIN. 27 SEC. EAST, CONTINUING WITH THE COMMON LINE OF SAID 0.434 OF AN ACRE TRACT AND SAID 11.272 ACRE TRACT, A DISTANCE OF 82.28 FEET TO A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF A CALLED 8.079 ACRE TRACT, DESCRIBED IN DEED TO RAMON A. VITULLI III, AS RECORDED IN DOC. NO. 202306035891, O.P.R.C.C.T., BEING THE SOUTHEAST CORNER OF SAID 0.434 OF AN ACRE TRACT, AND BEING THE MOST EASTERLY NORTHEAST CORNER OF SAID 11.272 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 36 DEG. 07 MIN. 55 SEC. EAST, WITH THE COMMON LINE OF SAID 8.079 ACRE TRACT AND OF SAID 11.272 ACRE TRACT, A DISTANCE OF 181.59 FEET TO A 3/8 INCH IRON ROD FOUND FOR THE SOUTH CORNER OF SAID 8.079 ACRE TRACT, BEING THE NORTHWEST CORNER OF LOT 12, BLOCK 5, EVERGREEN VILLAGE UNIT 1A, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 321, P.R.C.C.T., AND BEING AN ANGLE POINT OF SAID 11.272 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 35 DEG. 26 MIN. 28 SEC. EAST, WITH THE COMMON LINE OF SAID 11.272 ACRE TRACT AND OF LOTS 12, 11, AND 10, BLOCK 5, OF SAID EVERGREEN VILLAGE UNIT 1A, A DISTANCE OF 443.76 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF LOT 2, BLOCK 1, OF SAID YOGI BEAR JELLYSTONE PARK SUBDIVISION, BEING THE SOUTHEAST CORNER OF SAID 11.272 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 51 DEG. 21 MIN. 20 SEC. WEST, WITH THE COMMON LINE OF SAID 11.272 ACRE TRACT AND OF SAID LOT 2, A DISTANCE OF 595.68 FEET TO A MAG NAIL WITH SHINER FOUND FOR THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, OF SAID YOGI BEAR JELLYSTONE PARK SUBDIVISION, BEING THE SOUTHWEST CORNER OF SAID 11.272 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 35 DEG. 40 MIN. 02 SEC. WEST, WITH THE COMMON LINE OF SAID 11.272 ACRE TRACT AND OF SAID LOT 1, A DISTANCE OF 586.19 FEET TO THE **POINT OF BEGINNING**, AND CONTAINING 8.351 ACRES OR 363,748 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 60241, PREPARED BY WINDROSE LAND SERVICES.