

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS ZONING APPROXIMATELY 59 ACRES, BEING OUT OF THE FRANCISCO RODRIGUEZ SURVEY 99, ABSTRACT 484, CURRENTLY ADDRESSED AT 5467 FM 482, TO M-1A (LIGHT INDUSTRIAL 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 M-1A (Light Industrial District), the City Council has given due consideration to all components of said district; and

WHEREAS, the zoning 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 zoning 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 59 acres being out of the Francisco Rodriguez Survey 99, Abstract 484, currently addressed at 5467 FM 482 to M-1A (Light Industrial 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 zoning the following tract of land to M-1A (Light Industrial District):

Approximately 59 acres, being out of the Francisco Rodriguez Survey 99, Abstract 484, as described in 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THAT all other ordinances, or parts of ordinances, in conflict herewith, are hereby repealed to the extent that they are in conflict.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 25th day of March 2024.

PASSED AND APPROVED: Second reading this 8th day of April 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



EXHIBIT "A"
290 S. Castell Avenue, Ste. 100
New Braunfels, TX 78130
(830) 625-8555
TBPE-FIRM F-10961
TBPLS FIRM 10153600

**METES AND BOUNDS DESCRIPTION
FOR A 58.515 ACRE TRACT OF LAND, "TRACT 1"
EXHIBIT "A"**

Being a 58.515 acre tract of land located in the John Thompson Survey No. 21, Abstract No. 608, the Francisco Rodriguez Survey No. 99, Abstract No. 484 and the John Noyes Survey No. 259, Abstract No. 430, Comal County, Texas, being a portion of a called 76.618 acre tract of land, recorded in Document No. 202306034877, Official Public Records, Comal County, Texas, said 58.515 acre tract of land being more particularly described as follows:

BEGINNING at a 4" metal fence corner post in the South right of way line of F.M. 482 for the North corner of a called 5.709 acre tract of land recorded in Volume 661, Page 668, Official Public Records, Comal County, Texas, same point being the Northwestern corner of said 76.618 acre tract of land, recorded in Document No. 202306034877, Official Public Records, Comal County, Texas;

THENCE continuing with the South right of way line of F.M. 482 and the North line of said 76.618 acre tract, the following five (5) calls:

1. N 68°57'02" E, a distance of 787.09 feet to a point for a corner;
2. N 68°14'59" E, a distance of 270.82 feet to a point for a corner, and the beginning of a curve;
3. Along the arc of a curve to the right, having a radius of 1105.90 feet, an arc length of 353.18 feet, and a chord bearing and distance of N 77°24'44" E, 351.69 feet to a point for a corner;
4. N 86°34'02" E, a distance of 175.32 feet to a point for a corner, and the beginning of a curve;
5. Along the arc of a curve to the left, having a radius of 1472.70 feet, an arc length of 31.45 feet, and a chord bearing and distance of N 85°42'08" E, 31.45 feet to a point for the North corner of said 76.618 acre tract, and the North corner of the herein described tract;

THENCE departing the South right of way line of F.M. 482, with the East lines of said 76.618 acre tract and the Southwest line of the replat of Lot 7, Collins Estates, Unit Two, into Lot 7A, recorded in Document No. 201106024283, Map and Plat Records, Comal County, Texas, continuing with the West lines of Lot 6 and the Northwest line of Lot 3, Collins Estates, Unit Two, recorded in Document No. 200806037311, Map and Plat Records, Comal County, Texas, the following two (2) calls:

1. S 23°20'29" E, a distance of 1473.45 feet to a point for a corner;
2. S 49°53'25" W, a distance of 723.88 feet to a point for the West corner of said Lot 3, same point being an East corner of said 76.618 acre tract, and a corner of the herein described tract;

THENCE departing the West corner of Lot 3 in the East line of said 76.618 acre tract, continuing over and across said 76.618 acre tract, the following two (2) calls:

1. N 27°34'54" W, a distance of 136.01 feet to a point for a corner;
2. S 59°02'22" W, a distance of 676.85 feet to a point in the East line of Lot 1, Block 13, Amending Plat of Magnolia Springs – Unit 7, recorded in Document No. 201506001741, Map and Plat Records, Comal County, Texas, same point lying in the West line of said 76.618 acre tract, for a corner of the herein described tract;

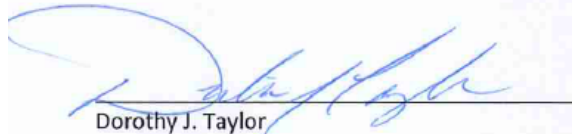
THENCE with the West line of said 76.618 acre tract, the East line of said Amending Plat of Magnolia Springs – Unit 7, continuing with the East line of Magnolia Springs – Unit 4, recorded in Document No. 201406009692, Map and Plat Records, Comal County, Texas, and the East line of the aforementioned 5.709 acre tract, N 30°22'07" W, a distance of 1824.67 feet to the POINT OF BEGINNING, containing 58.515 acres of land in Comal County, Texas.

Bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (NA2011) Epoch 2010.00.

Written January 2, 2024.

Reference exhibit of said 58.515 acre tract of land prepared this same date.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §138.95, 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



Dorothy J. Taylor
Registered Professional Land Surveyor No. 6295

1-10-24

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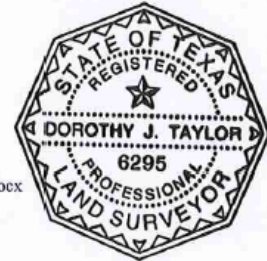


EXHIBIT "B"

