

ORDINANCE NO. 2023-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 25.59 ACRES, BEING OUT OF THE JOHN THOMPSON SURVEY NO. 21, ABSTRACT NO. 608, COMAL COUNTY, TEXAS, CURRENTLY ADDRESSED AT 1890 FM 1044, FROM APD (AGRICULTURAL/PRE-DEVELOPMENT DISTRICT) TO R-3H (MULTIFAMILY HIGH DENSITY DISTRICT), TH-A (TOWNHOME RESIDENTIAL DISTRICT), AND 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 R-3H (Multifamily High Density District), TH-A (Townhome Residential District), and C-1B (General Business District), the City Council has given due consideration to all components of said districts; 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 25.59 acres being out of the John Thompson Survey No. 21, Abstract No. 608, Comal County, Texas, currently addressed at 1890 FM 1044, from APD (Agricultural/Pre-development District) to R-3H (Multifamily High Density District), TH-A (Townhome Residential District), and 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 APD (Agricultural/Pre-development District) to R-3H (Multifamily High Density District), TH-A (Townhome Residential District), and C-1B (General Business District):

Approximately 25.59 acres, being out of the John Thompson Survey No. 21, Abstract No. 608, Comal County, Texas, 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THAT all other ordinances, or parts of ordinances, in conflict herewith, are hereby repealed to the extent that they are in conflict.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 October 2023.

PASSED AND APPROVED: Second reading this 13th day of November 2023.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

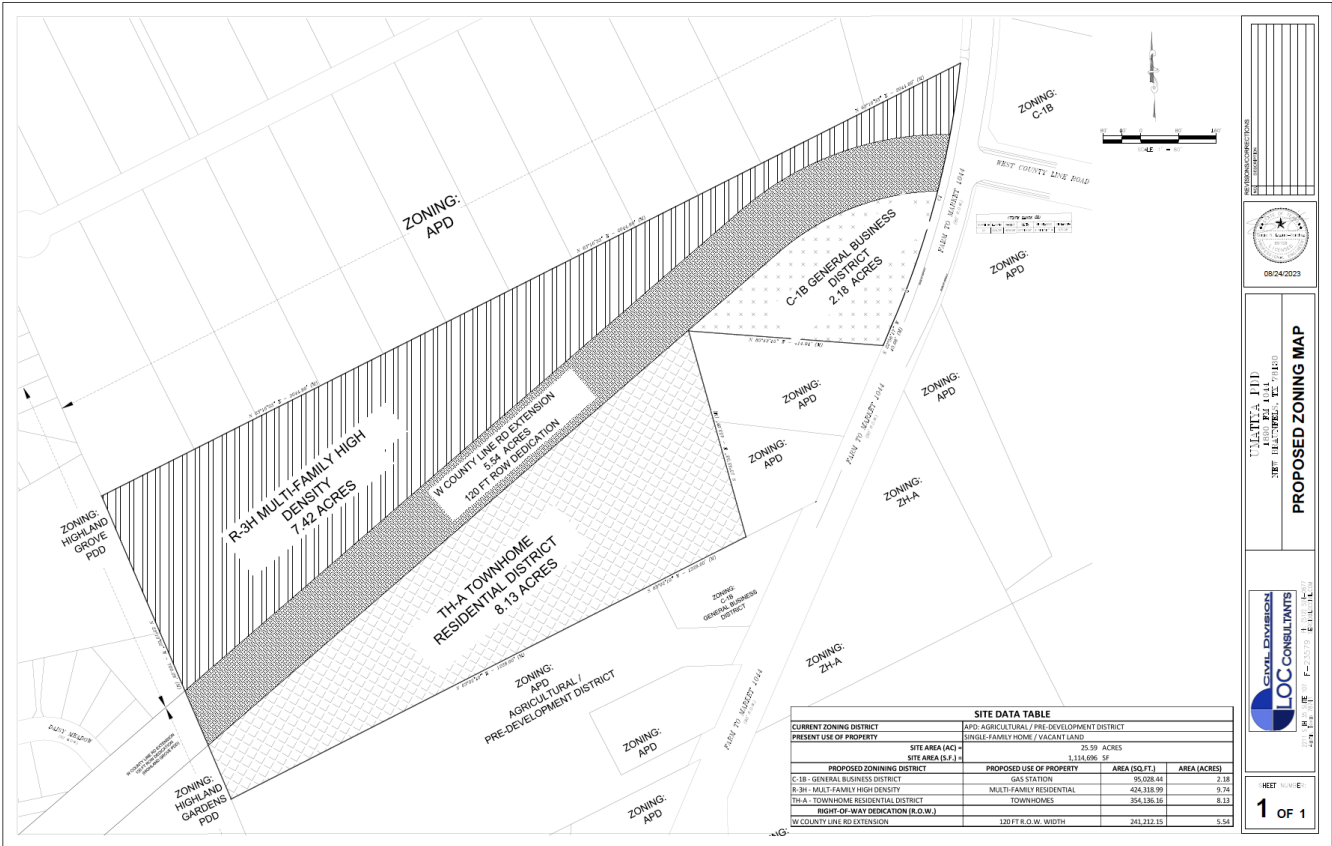
ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



SITE DATA TABLE			
CURRENT ZONING DISTRICT	APD: AGRICULTURAL / PRE-DEVELOPMENT DISTRICT		
PRESENT USE OF PROPERTY	SINGLE-FAMILY HOME / VACANT LAND		
SITE AREA (AC)		25.59	ACRES
SITE AREA (S.F.)		1,114,696	SF
PROPOSED ZONING DISTRICT	PROPOSED USE OF PROPERTY	AREA (S.F.)	AREA (ACRES)
C-1B - GENERAL BUSINESS DISTRICT	GAS STATION	95,028.44	2.18
R-3H - MULTI-FAMILY HIGH DENSITY	MULTI-FAMILY RESIDENTIAL	424,118.99	9.74
TH-A - TOWNHOME RESIDENTIAL DISTRICT	TOWNHOMES	354,156.56	8.11
RIGHT-OF-WAY DEDICATION (R.O.W.)			
W COUNTY LINE RD EXTENSION		120 FT R.O.W. WIDTH	243,212.35
			5.54

EXHIBIT "B"

LEGAL DESCRIPTION:

BEING A SURVEYED 25.590 ACRE TRACT (1,114,696 SQUARE FEET) SITUATED IN THE JOHN THOMPSON SURVEY, ABSTRACT NUMBER 21, COMAL COUNTY, TEXAS AND BEING THAT SAME CALLED 25.59 ACRE TRACT, AS DESCRIBED IN DOCUMENT NUMBER 202206010523, OF THE OFFICIAL RECORDS OF COMAL COUNTY, TEXAS (O.P.R.C.C.T.); BEARINGS, DISTANCES, AND AREA DESCRIBED HEREIN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983 (2011 ADJUSTMENT), SOUTH CENTRAL ZONE (4204), U.S. SURVEY FEET; SAID 25.590 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod (Controlling Monument) found at the southeast corner of Lot 1A, Block 2 of Schuetz Subdivision, as described in Volume 8, Page 3 of the Plat Records of Comal County, Texas, same being in the west line of Farm to Market 1044 and being the north corner of the herein described tract and being the beginning of a curve to the right, having a radius of 1870.08 feet, a delta angle of 17°45'39", and a chord which bears South 14°42'41" East, 577.38 feet;

THENCE with Farm to Market 1044 and said curve to the right, 579.70 feet, to a 1/2 inch iron rod found in the west of Farm to Market 1044, and being the end of said tangent curve;

THENCE South 22°56'17" West, 45.08 feet, continuing with Farm to Market 1044, to a 3/8 inch iron rod found in the northeast corner of a called 1.53 acre tract described in Document Number 200706035429, O.P.R.C.C.T. and being an upper southeastern corner of the herein described tract;

THENCE North 85°43'45" West, 414.94 feet, with said 1.53 acre tract to a 1/2 inch iron rod found for the northwest corner of said 1.53 acre tract and being an internal ell corner of the herein described tract;

THENCE South 15°35'53" East, with the west line of said 1.53 acre tract, at 199.09 feet passing a 1/2 inch iron rod found for the southwestern corner of said 1.53 acre tract and the northwest corner of a called 0.942 acre tract as described in Document Number 201903025658, O.P.R.C.C.T. and continuing in all 453.97 feet, to a 3/8 inch iron rod found at the southwest corner of said 0.942 acre tract, same being in the north line of Lot 1, Block 1 of Walsh Subdivision, as recorded in Document Number 201903016257, of the Plat Records of Comal County, Texas (P.R.C.C.T.) and being the lower southeastern corner of the herein described tract from which a 3/8 inch iron rod bears North 63°16'39" East, 166.21 feet;

THENCE South 63°02'10" West, 1228.60 feet, with the north line of Lot 1 and Lot 2 of Walsh Subdivision to a 3/8 inch iron rod found for the northwest corner of Lot 2, same being in the northwest line of a called 17.389 acre tract described in Document Number 202106044127, O.P.R.C.C.T. and being the south corner of the herein described tract;

THENCE North 23°10'02" West, with said 17.389 acre tract, at 246.42 feet, passing a 1/2 inch iron rod with cap found, and continuing with the northeast line of Highland Grove, Block 15, 382.51 feet and continuing in all 700.29 feet with the northeast line of Lot 906 as described in Document Number 201606012851, P.R.C.C.T. to a 3/8 inch iron rod (Controlling Monument) found in the Northeast line of said Lot 906, and being the south corner of Lot 13, Block 1 of said Schuetz Subdivision and the west corner of the herein described tract;

THENCE North 63°16'33" East, 2044.89 feet, with the south line of said Schuetz Subdivision, to the **PLACE OF BEGINNING** and containing 25.590 acres of land (1,114,696 square feet).

NOTES

- 1) Refer to the attached plat prepared of even date herewith and made in conjunction with and considered an integral part of this description.
- 2) Companion drawing is filed in the office of Tablerock Survey, LLC and further describes the reconstruction of this survey.



04/21/2023

Tablerock Survey, LLC
2204 Timberloch Place, Suite 180
The Woodlands, TX 77380
Phone: 832-415-3869
TBPELS Firm No. 10194261

Phil Hammons
Registered Professional Land Surveyor
State of Texas License No. 5840

Date

