

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 1.7 ACRES OUT OF THE A.M. ESNAURIZAR NO. 1, ABSTRACT NO. 1, ADDRESSED AT 586 GRANADA DRIVE FROM “R-2” SINGLE-FAMILY AND TWO-FAMILY DISTRICT TO “R-3L” MULTIFAMILY LOW DENSITY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW A ONE-FAMILY DWELLING; 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 a Special Use Permit, the City Council has given due consideration to all components of said permit; and

WHEREAS, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

WHEREAS, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

WHEREAS, the property is located in an area suitable for multifamily and a one-family dwelling; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 1.7 acres out of the A.M. Esnaurizar Survey No. 1, Abstract No. 1, addressed at 586 Granada Dr. from “R-2” Single-Family and Two-Family District to “R-3L” Multifamily Low Density District with a Special Use Permit to allow a one-family dwelling; **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 and adding a “Special Use Permit” for the uses and conditions herein described:

Approximately 1.7 acres out of the A.M. Esnaurizar Survey No. 1, Abstract No. 1, addressed at 586 Granada Drive, 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 May, 2022.

PASSED AND APPROVED: Second reading this 13th day of June, 2022.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

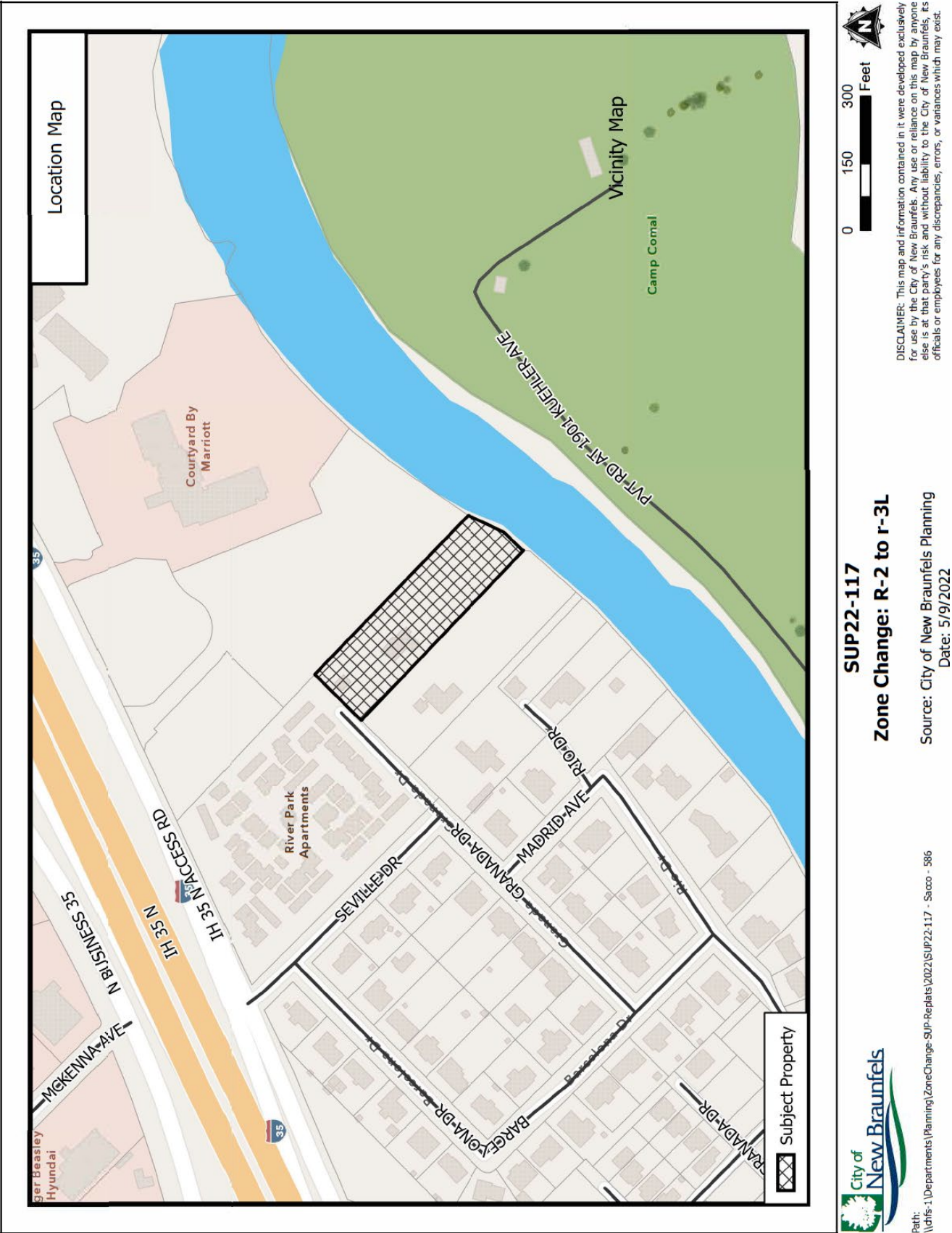
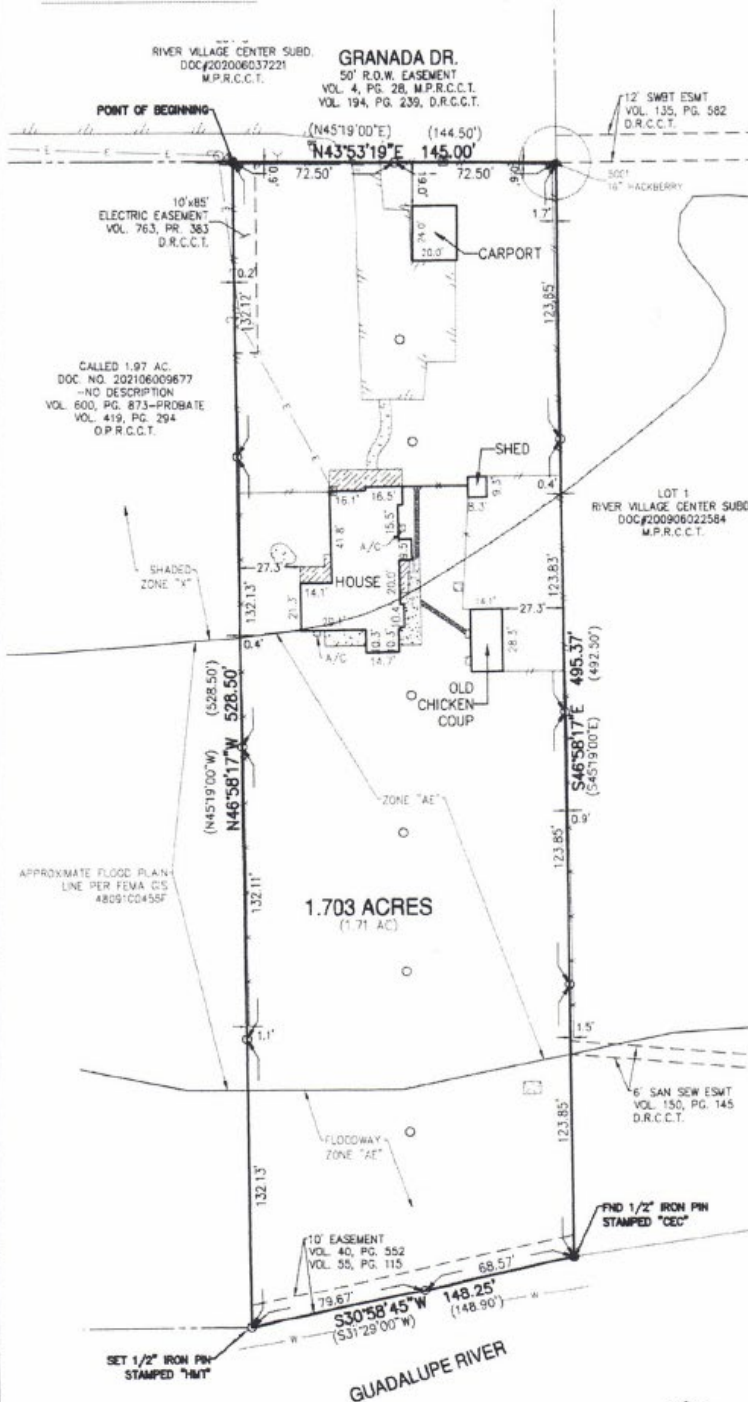


EXHIBIT "B"

1.703 ACRES OF LAND LOCATED IN THE A.M. ESNAURIZAR SURVEY NO.1, ABSTRACT NO. 1, COMAL COUNTY, TEXAS, BEING THAT SAME LAND CALLED 1.71 ACRES, RECORDED IN VOLUME 234, PAGE 410, DEED RECORDS, COMAL COUNTY, TEXAS.

The undersigned hereby acknowledge that
This survey has been reviewed and accepted.



- LEGEND:
- = FND 1/2" IRON PIN UNLESS OTHERWISE NOTED
 - = SET 1/2" IRON PIN w/ B.L.
 - B.L. = BUILDING SETBACK LINE
 - U.E. = UTILITY EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - R.O.W. = RIGHT-OF-WAY
 - () = RECORD CALLS
 - M.P.R.C.C.T. = MAP & PLAT RECORDS OF COMAL COUNTY, TEXAS
 - O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
 - D.R.C.C.T. = DEED RECORDS OF COMAL COUNTY, TEXAS
 - ⊠ = WATER METER
 - ⊠ = TELEPHONE PEDESTAL
 - ⊠ = ELECTRIC METER
 - ⊠ = MAILBOX
 - ⊠ = POWER POLE
 - ⊠ = GUY ANCHOR
 - E — = OVERHEAD ELECTRIC
 - H — = HOG WIRE FENCE
 - W — = WOOD FENCE
 - A — = EDGE OF ASPHALT
 - W — = EDGE OF WATER
 - C — = CONCRETE
 - D — = WOOD DECK
 - P — = PAVERS

TITLE COMMITMENT:
NEW BRAUNFELS TITLE COMPANY
OF # AHT-2071-2021
EFFECTIVE DATE: 02/22/2021

SCHEDULE B

1. SCHEDULE B IS HEREBY DELETED

10f) GUADALUPE WATER POWER COMPANY EASEMENT RECORDED IN VOLUME 40, PAGE 552, DEED RECORDS, COMAL COUNTY, TEXAS - SHOWN HEREON.

10g) TEXAS POWER CORPORATION EASEMENT RECORDED IN VOLUME 55, PAGE 115, DEED RECORDS, COMAL COUNTY, TEXAS - SHOWN HEREON.

10h) CITY OF NEW BRAUNFELS EASEMENT RECORDED IN VOLUME 58, PAGE 400 AND VOLUME 58, PAGE 403, DEED RECORDS, COMAL COUNTY, TEXAS - CANNOT BE LOCATED AS DESCRIBED.

10i) NEW BRAUNFELS UTILITIES ELECTRIC RIGHT-OF-WAY AGREEMENT RECORDED IN VOLUME 763, PAGE 393, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS - SHOWN HEREON.

SURVEY NOTES

BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.

A METES & BOUNDS DESCRIPTION OF THIS TRACT WAS CREATED IN CONJUNCTION WITH THIS SURVEY.

FENCES SHOWN HEREON ARE GRAPHIC ONLY, WITH DIMENSIONAL TIES SHOWN AT SPECIFIC LOCATIONS WHERE THEY WERE PHYSICALLY MEASURED. THE FENCE LINE MAY MEANDER BETWEEN SAID MEASURED LOCATIONS. THE DIMENSIONS SHOWING THE DISTANCE BETWEEN THE FENCE AND THE PROPERTY LINE ALSO INDICATES WHICH SIDE OF THE PROPERTY LINE THE FENCE IS ON.

TREE SYMBOLS SHOWN HEREON ONLY REPRESENT THE LOCATION OF THE TREE. THE ACTUAL DRIP-LINE OF THE TREE(S) ARE NOT REPRESENTED ON THIS SURVEY. TREES LOCATED BY SURVEY CREW, NOT ARBORIST.

ACCORDING TO MAP NO. 4809/0455F OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR COMAL COUNTY, DATED 09/02/2009 THE SUBJECT TRACT IS SITUATED WITHIN:

① ZONE AE DESCRIBED AS A SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT (100-YEAR FLOOD) WITH BASE FLOOD ELEVATIONS DETERMINED @ FLOODWAY AREAS IN ZONE AE DEFINED AS THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENTS SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS @ SHADED ZONE X DEFINED AS AREAS OF THE 0.2% ANNUAL CHANCE FLOOD (500-YEAR FLOOD); AREAS OF 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD) WITH AVERAGE DEPTHS OF LESS THAN ONE FOOT OR WITH DRAINAGE AREAS LESS THAN ONE SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

THE LOCATION OF THE FLOOD ZONE LINES SHOWN HEREON WERE DETERMINED BY OVERLAYING COMAL COUNTY FEMA GIS FOR SAID FIRM MAP. THE ACTUAL LOCATION AS DETERMINED BY ELEVATION CONTOURS MAY DIFFER. HMT ASSUMES NO LIABILITY AS TO THE ACCURACY OF THE LOCATION OF THE FLOOD ZONE LINES.

586 GRANADA
NEW BRAUNFELS, TEXAS

THIS SURVEY IS CERTIFIED TO:
MARK SACCO AND NEW
BRAUNFELS TITLE COMPANY-MAIN

DRAWN BY J.C.
FIELD CREW: RP



290 S. CASTELL AVE., STE. 100
NEW BRAUNFELS, TX 78130
TBEF FIRM F-10961
TBEPLS FIRM 10153600



I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT ALL OBSERVABLE EVIDENCE OF EASEMENTS ON THE GROUND ARE SHOWN AND ALL OBSERVABLE EVIDENCE OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES ARE SHOWN.

THIS 15TH DAY OF MARCH, 2021
REVISED: 03-25-2021 ABSTRACT NO.

DOUGLAS B. COTTE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6149