

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 6.2 ACRES, OUT OF THE FRANCIS FRY SURVEY NO. 5, ABSTRACT NO. 164 AND THE ORILLA RUSSELL SURVEY NO. 2, ABSTRACT NO. 485, ADDRESSED AT 3642 FM 306, FROM “R-1 AH” SINGLE-FAMILY RESIDENTIAL DISTRICT TO “C-1B AH” 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 AH” General Business District, the City Council has given due consideration to all components of said district; and

WHEREAS, it is the intent of the City 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; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 6.2 acres out of the Francis Fry Survey No. 5, Abstract No. 164 and the Orilla Russell Survey No. 2, Abstract No. 485, addressed at 3642 FM 306 from “R-1 AH” Single-family Residential District to “C-1B AH” General Business District; **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 described tract of land from “R-1 AH” Single-Family Residential District to “C-1B AH” General Business District:

Approximately 6.2 acres out of the Francis Fry Survey No. 5, Abstract No. 164 and the Orilla Russell Survey No. 2, Abstract No. 485, addressed at 3642 FM 306, 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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 27th day of June, 2022.

PASSED AND APPROVED: Second reading this 11th day of July, 2022.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

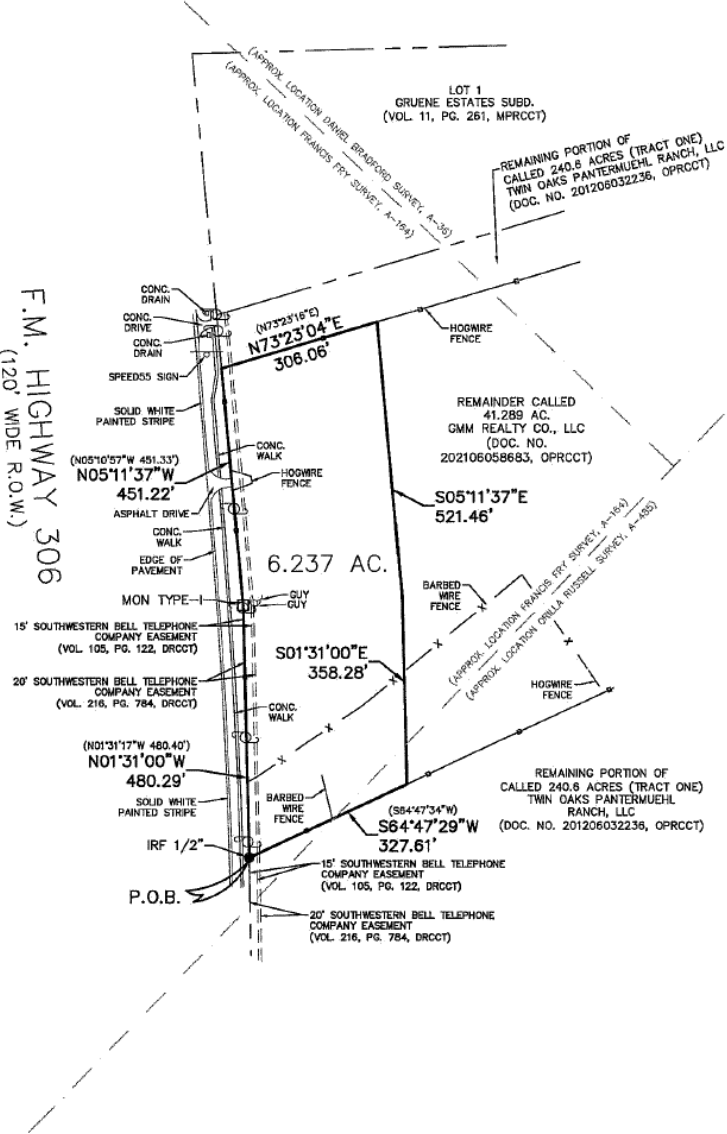


LOCATION MAP
N.T.S.



SCALE: 1"=200'

F.M. HIGHWAY 306
(120' WIDE R.O.W.)



NOTES:

1. BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983.



5131 W. SH 46
NEW BRAUNFELS, TX 78132
PH: 830.730.4449
DREW@DAMAWAY-TX.COM
TXN #10161500

ADDRESS:
F.M. HIGHWAY 306
NEW BRAUNFELS, TX 78130

DATE: JANUARY 2022 JOB: PANTERMUEHL ZONING

PRELIMINARY: THIS DOCUMENT
SHALL NOT BE RECORDED
FOR ANY PURPOSE

EXHIBIT "B"



METES AND BOUNDS DESCRIPTION FOR A 6.237 ACRE TRACT OF LAND (ZONING)

BEING a 6.237 acre tract of land situated in the Francis Fry Survey No. 5, Abstract No. 164, the Orilla Russell Survey No. 2, Abstract No. 485, in Comal County, Texas, and being part of a tract of land called 41.289 acres, as conveyed to GMM Realty Co., LLC, and recorded in Document Number 202106058683, of the Official Public Records of Comal County, Texas, said 6.237 acre tract of land being more particularly described as follows.

BEGINNING at a ½" iron pin found in the Easterly Right-of-Way (R.O.W.) line of F.M. Highway 306 (F.M. 306) (a 120' wide R.O.W.), being a Westerly corner of the remaining portion of a called 240.6 acre tract of land (called Tract One), as conveyed to Twin Oaks Pantermuehl Ranch, LLC, and recorded in Document No. 201206032236, of the Official Public Records of Comal County, Texas, and being the Southwest corner of said 41.289 acre tract of land and this herein described tract of land;

THENCE with the Easterly R.O.W. line of said F.M. 306, and with the Westerly line of said 41.289 acre tract of land, N 01° 31' 00" W, a distance of 480.29 feet to a TXDOT Type-I monument found in the Easterly R.O.W. line of said F.M. 306, and being a Westerly corner of said 41.289 acre tract of land and this herein described tract of land;

THENCE continuing with the Easterly R.O.W. line of said F.M. 306, and with the Westerly line of said 41.289 acre tract of land, N 05° 11' 37" W, a distance of 451.22 feet to a ½" iron pin with cap stamped "DAM #5348 PROP. COR." set in the Easterly R.O.W. line of said F.M. 306, being a Westerly corner of the remaining portion of said 240.6 acre tract of land, and being the Northwest corner of said 41.289 acre tract of land and this herein described tract of land;

THENCE departing the Easterly R.O.W. line of said F.M. 306, and with the common line between said 41.289 acre tract of land and the remaining portion of said 240.6 acre tract of land, N 73° 23' 04" E, a distance of 306.06 feet to a point in the common line between said 41.289 acre tract of land and the remaining portion of said 240.6 acre tract of land, and being the Northeast corner of this herein described tract of land;

THENCE departing the common line between said 41.289 acre tract of land and the remaining portion of said 240.6 acre tract of land, and across and through said 41.289 acre tract of land, S 05° 11' 37" E, a distance of 521.46 feet to a point for an Easterly corner of this herein described tract of land;

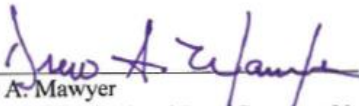
THENCE continuing across and through said 41.289 acre tract of land, S 01° 31' 00" E a distance of 358.28 feet to a point in the common line between said 41.289 acre tract of land and the remaining portion of said 240.6 acre tract of land, and being the Southeast corner of this herein described tract of land;

THENCE with the common line between said 41.289 acre tract of land and the remaining portion of said 240.6 acre tract of land, S 64° 47' 29" W, a distance of 327.61 feet to the POINT OF BEGINNING, and containing 6.237 acres of land.

Bearings based on the Texas State Plane Coordinate System, Texas South Central Zone (4204), North American Datum 1983.

"This document was prepared under 22 TAC §663.21, 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."

Exhibit prepared this the 2nd day of April, 2022.


Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. SH 46, NEW BRAUNFELS, TX 78132
P&M186-GRANZINS 306-41.289 AC ZONING-REV 040222

