

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.96 ACRES CONSISTING OF LOTS 8A AND 8B, BLOCK 15, RIVERCREST HEIGHTS UNIT 5-E AND LOTS 9 AND 10, BLOCK 15, RIVERCREST HEIGHTS UNIT 6, ADDRESSED AS 1265, 1267, 1269, 1271 AND 1273 E. COMMON ST., FROM “R-1” SINGLE-FAMILY DISTRICT AND “R-2A” SINGLE-FAMILY AND TWO-FAMILY DISTRICT TO “C-O” COMMERCIAL OFFICE 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-O” Commercial Office District, the City Council has given due consideration to all components of said district; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of approximately 0.96 acres consisting of Lots 8A and 8B, Block 15, Rivercrest Heights Unit 5-E and Lots 9 and 10, Block 15, Rivercrest Heights Unit 6, addressed as 1265, 1267, 1269, 1271 and 1273 E. Common St., from “R-1” Single-Family District and “R-2A” Single-Family and Two-Family District to “C-O” Commercial Office District; **now, therefore;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT Sections 1.2-1 and 1.2-2, Chapter 144, of the New Braunfels Code of Ordinances and particularly the Zoning Map of the City of New Braunfels, are amended by changing the following described tract of land from “R-1” Single-Family District and “R-2” Single-Family and Two-Family District to “C-O” Commercial Office District:

“Lots 8A and 8B, Block 15, Rivercrest Heights Unit 5-E and Lots 9 and 10,

Block 15, Rivercrest Heights Unit 6, addressed as 1265, 1267, 1269, 1271 and 1273 E. Common St., as delineated on Exhibit 'A', attached."

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 3

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 4

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 5

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 14th day of January, 2019.

PASSED AND APPROVED: Second reading this 28th day of January, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

\\chfs-1\Departments\Planning\ZoneChange-SUP-Replats\2018 cases\PZ-18-037 Common St C-O\Ordinance.docx

1944
4:20
MAY 92
ROSIE BOSENBERG
KAREN D. WOOLY

15382000

1. Flak prepared March 10, 1992.
2. Iron pin set at all corners and angle points.
Community map to the FIRM Flood Insurance Rate Map,
dated June 17, 1986, this property does not lie within Zone A.
3. Reference bearing = S 37° 5' W
4. bench mark - Brass cap set in concrete at
elevation 671.34'. From the intersection of
eastern and Common Street, proceed South-
west along eastern street to the first corner
monument located in concrete, 0.50 mile to the
east of Loop 377 edge of pavement. (BM raised)
- Reference Sectionings recorded in Volume 288,
page 608 of the Reed Records of Cowal County.
Setback line requirements may affect

SCALE: 1" = 50'



Vacating Plat of Lot 8, Block -13-
RIVERCREST HEIGHTS, Unit 5-E, as
recorded in Volume 5, Page 71 of the
Map and Plat Records of Comal County,
Texas.



RESUBDIVISION PLAT OF LOT 8A & 8B, BLOCK 15-
RIVERCREST HEIGHTS
UNIT 5-E

Being a 0.319 acre tract of land situated in the Henry Foster Survey No. 34 and being known as Lot 8, Block 15 of Rivercrest Heights, Unit 5-A, as recorded in Volume 5, Page 71 of the Map and Plat Records and also being the same tract of land described in Deed recorded in Volume 236, Pages 359-361 of the Deed Records of Comal County, Texas.

STATE OF TEXAS
COUNTY OF COMAL

THAT THE UNDERGROUND PIPELINE OF THE L.L. BROWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE VACATE-REPEAT OF LOT 8, B.L.K. 18, RIVERCREST HEIGHTS UNIT 3-BE TO THE CITY OF NEW BRUNSWICK, COUNTY OF COMAL, TEXAS, AND WHICSE MAIE BE SUBMERGED HEREIN, DO HEREBY SUBSIDISE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED THERE IS ALSO DEDICATED FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED THERE IS ALSO DEDICATED FOR UTILITY PURPOSES, AN AERIAL EASEMENT FIVE FEET ON EACH SIDE ALL EASEMENTS AND STREETS AND EXTENDED UPWARD AS REQUIRED

STATE OF TEXAS
COUNTY OF COMAL
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 11th DAY OF October
RUTH E. WIEDING

By James W. Sullivan
NOTARY PUBLIC, STATE OF TEXAS
COMMISSION EXPIRES 10.5.13


 UNIVERSIDADE DO SUL AMERICANO
 Rua Rio de Janeiro, 200 - Foz de Iguaçu
 13.120-900 - Foz de Iguaçu - Paraná - Brasil

APPROVED THIS THE _____ DAY OF _____, 19____,
BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF NEW BRUNSWICK, TEXAS

W. Vorets

DATE 26.2.95

APPROVED FOR ACCEPTANCE

DATE _____

DIRECTOR OF _____

William D. Webb
CITY ENGINEER

David H. H. H.
GENERAL MANAGER

S. CRAIG HOLLMIG, INC.
engineers - surveyors
new Braunfels, Texas



Recd. Plot of
Lot 8A, EB, Bld 15
Revised Heights
Unit 5-5 FINAL

STATE OF TEXAS
COUNTY OF COMAL

I, THE UNDERSIGNED, GRAD HOLLIS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND MADE ON THE GROUND AND THAT THE CONNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.



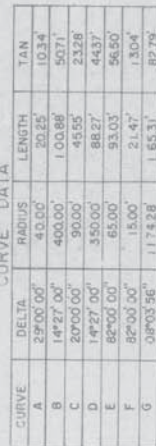
DATE OF TERMS

ROSE BOSENBURY COUNTY CLERK OF THIS COUNTY TO BE SUBSCRIBED THAT
THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS
FILED FOR RECORD IN MY OFFICE, ON THE 19th day of May, 1943, at
11:00 A.M. AND ONLY RECEIVED THE 19th day of May,
1943, at 4:20 P.M. IN THE MAP AND PLAT RECORDS OF SAID COUNTY IN BOOK
NO. 1922 AT 4:20 P.M.

NAME JOHN ON PAGE 87 EX. TESTIMONY
DATE, WITNESS BY HAND AND OFFICIAL SEAL, APRIL 19, 1943

COUNTY CLERK, COMAL COUNTY, TEXAS

EXHIBIT 'A'



Being 5.506 Acres out of the
Henry Foster Survey, Comal
County, Texas.

[illegible]

March 14, 1979

W.R. Young, Jr.

En Defense

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General D. Nichols

Planning

FILED FOR RECORD
The 19th day of March, 1919
at 8:00 o'clock A.M.
Jesse B. Tamm, Clerk
County Court, Comal County
Texas

177582

STATE DEPT.

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

1960-1961, and 1962-1963. In 1964-1965, 1966-1967, and 1968-1969, the number of birds was 10, 12, and 14, respectively. In 1970-1971, 1971-1972, and 1972-1973, the number of birds was 15, 16, and 17, respectively. In 1974-1975, 1975-1976, and 1976-1977, the number of birds was 18, 19, and 20, respectively. In 1978-1979, 1979-1980, and 1980-1981, the number of birds was 21, 22, and 23, respectively. In 1982-1983, 1983-1984, and 1984-1985, the number of birds was 24, 25, and 26, respectively. In 1986-1987, 1987-1988, and 1988-1989, the number of birds was 27, 28, and 29, respectively. In 1990-1991, 1991-1992, and 1992-1993, the number of birds was 30, 31, and 32, respectively. In 1994-1995, 1995-1996, and 1996-1997, the number of birds was 33, 34, and 35, respectively. In 1998-1999, 1999-2000, and 2000-2001, the number of birds was 36, 37, and 38, respectively. In 2002-2003, 2003-2004, and 2004-2005, the number of birds was 39, 40, and 41, respectively. In 2006-2007, 2007-2008, and 2008-2009, the number of birds was 42, 43, and 44, respectively. In 2010-2011, 2011-2012, and 2012-2013, the number of birds was 45, 46, and 47, respectively. In 2014-2015, 2015-2016, and 2016-2017, the number of birds was 48, 49, and 50, respectively. In 2018-2019, 2019-2020, and 2020-2021, the number of birds was 51, 52, and 53, respectively. In 2022-2023, 2023-2024, and 2024-2025, the number of birds was 54, 55, and 56, respectively. In 2026-2027, 2027-2028, and 2028-2029, the number of birds was 57, 58, and 59, respectively. In 2030-2031, 2031-2032, and 2032-2033, the number of birds was 60, 61, and 62, respectively. In 2034-2035, 2035-2036, and 2036-2037, the number of birds was 63, 64, and 65, respectively. In 2038-2039, 2039-2040, and 2040-2041, the number of birds was 66, 67, and 68, respectively. In 2042-2043, 2043-2044, and 2044-2045, the number of birds was 69, 70, and 71, respectively. In 2046-2047, 2047-2048, and 2048-2049, the number of birds was 72, 73, and 74, respectively. In 2050-2051, 2051-2052, and 2052-2053, the number of birds was 75, 76, and 77, respectively. In 2054-2055, 2055-2056, and 2056-2057, the number of birds was 78, 79, and 80, respectively. In 2058-2059, 2059-2060, and 2060-2061, the number of birds was 81, 82, and 83, respectively. In 2062-2063, 2063-2064, and 2064-2065, the number of birds was 84, 85, and 86, respectively. In 2066-2067, 2067-2068, and 2068-2069, the number of birds was 87, 88, and 89, respectively. In 2070-2071, 2071-2072, and 2072-2073, the number of birds was 90, 91, and 92, respectively. In 2074-2075, 2075-2076, and 2076-2077, the number of birds was 93, 94, and 95, respectively. In 2078-2079, 2079-2080, and 2080-2081, the number of birds was 96, 97, and 98, respectively. In 2082-2083, 2083-2084, and 2084-2085, the number of birds was 99, 100, and 101, respectively. In 2086-2087, 2087-2088, and 2088-2089, the number of birds was 102, 103, and 104, respectively. In 2090-2091, 2091-2092, and 2092-2093, the number of birds was 105, 106, and 107, respectively. In 2094-2095, 2095-2096, and 2096-2097, the number of birds was 108, 109, and 110, respectively. In 2098-2099, 2099-2100, and 2100-2101, the number of birds was 111, 112, and 113, respectively. In 2102-2103, 2103-2104, and 2104-2105, the number of birds was 114, 115, and 116, respectively. In 2106-2107, 2107-2108, and 2108-2109, the number of birds was 117, 118, and 119, respectively. In 2110-2111, 2111-2112, and 2112-2113, the number of birds was 120, 121, and 122, respectively. In 2114-2115, 2115-2116, and 2116-2117, the number of birds was 123, 124, and 125, respectively. In 2118-2119, 2119-2120, and 2120-2121, the number of birds was 126, 127, and 128, respectively. In 2122-2123, 2123-2124, and 2124-2125, the number of birds was 129, 130, and 131, respectively. In 2126-2127, 2127-2128, and 2128-2129, the number of birds was 132, 133, and 134, respectively. In 2130-2131, 2131-2132, and 2132-2133, the number of birds was 135, 136, and 137, respectively. In 2134-2135, 2135-2136, and 2136-2137, the number of birds was 138, 139, and 140, respectively. In 2138-2139, 2139-2140, and 2140-2141, the number of birds was 141, 142, and 143, respectively. In 2142-2143, 2143-2144, and 2144-2145, the number of birds was 144, 145, and 146, respectively. In 2146-2147, 2147-2148, and 2148-2149, the number of birds was 147, 148, and 149, respectively. In 2150-2151, 2151-2152, and 2152-2153, the number of birds was 150, 151, and 152, respectively. In 2154-2155, 2155-2156, and 2156-2157, the number of birds was 153, 154, and 155, respectively. In 2158-2159, 2159-2160, and 2160-2161, the number of birds was 156, 157, and 158, respectively. In 2162-2163, 2163-2164, and 2164-2165, the number of birds was 159, 160, and 161, respectively. In 2166-2167, 2167-2168, and 2168-2169, the number of birds was 162, 163, and 164, respectively. In 2170-2171, 2171-2172, and 2172-2173, the number of birds was 165, 166, and 167, respectively. In 2174-2175, 2175-2176, and 2176-2177, the number of birds was 168, 169, and 170, respectively. In 2178-2179, 2179-2180, and 2180-2181, the number of birds was 171, 172, and 173, respectively. In 2182-2183, 2183-2184, and 2184-2185, the number of birds was 174, 175, and 176, respectively. In 2186-2187, 2187-2188, and 2188-2189, the number of birds was 177, 178, and 179, respectively. In 2190-2191, 2191-2192, and 2192-2193, the number of birds was 180, 181, and 182, respectively. In 2194-2195, 2195-2196, and 2196-2197, the number of birds was 183, 184, and 185, respectively. In 2198-2199, 2199-2200, and 2200-2201, the number of birds was 186, 187, and 188, respectively. In 2202-2203, 2203-2204, and 2204-2205, the number of birds was 189, 190, and 191, respectively. In 2206-2207, 2207-2208, and 2208-2209, the number of birds was 192, 193, and 194, respectively. In 2210-2211, 2211-2212, and 2212-2213, the number of birds was 195, 196, and 197, respectively. In 2214-2215, 2215-2216, and 2216-2217, the number of birds was 198, 199, and 200, respectively. In 2218-2219, 2219-2220, and 2220-2221, the number of birds was 201, 202, and 203, respectively. In 2222-2223, 2223-2224, and 2224-2225, the number of birds was 204, 205, and 206, respectively. In 2226-2227, 2227-2228, and 2228-2229, the number of birds was 207, 208, and 209, respectively. In 2230-2231, 2231-2232, and 2232-2233, the number of birds was 210, 211, and 212, respectively. In 2234-2235, 2235-2236, and 2236-2237, the number of birds was 213, 214, and 215, respectively. In 2238-2239, 2239-2240, and 2240-2241, the number of birds was 216, 217, and 218, respectively. In 2242-2243, 2243-2244, and 2244-2245, the number of birds was 219, 220, and 221, respectively. In 2246-2247, 2247-2248, and 2248-2249, the number of birds was 222, 223, and 224, respectively. In 2250-2251, 2251-2252, and 2252-2253, the number of birds was 2