

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY SIX ACRES OUT OF THE WILLIAM MOCKFORD SURVEY 285, ADDRESSED AT 2850 LOOP 337, FROM “R-2” SINGLE AND TWO-FAMILY DISTRICT TO “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 “C-1B” 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 Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately six acres out of the William Mockford Survey 285, addressed at 2850 Loop 337, from “R-2” Single and Two-Family District to “C-1B” 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-2” to “C-1B” General Business District:

5.95 acres out of the William Mockford Survey 285, addressed at 2850 Loop 337, as described in Exhibit “A” and delineated in Exhibit “B” 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THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 25th day of February, 2019.

PASSED AND APPROVED: Second reading this 11th day of March, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

DESCRIPTION OF
A 1.804 ACRE TRACT



A **1.804 acre** tract of land situated in the Andres Sanchez Survey No. 286, Abstract No. 528 and the William Mockford Survey No. 285, Abstract No. 393, in the City of New Braunfels, Comal County, Texas, and being a portion of that called 6.366 acre tract of land conveyed to Richard A. Kiesling and Kimberly D. Kiesling and described in Document No. 200206031434, recorded September 20, 2002 in the Official Public Records of Comal County, Texas, (O.P.R.), said 1.804 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at $\frac{1}{2}$ " iron rod found in the northwesterly right-of-way of State Highway Loop 337 (240' R.O.W.) at the southwest corner of said 6.366 acre tract of land and the northeast corner of that called 12.500 acre tract of land conveyed to Bob R. Kiesling and Betty A. Kiesling and described in Document No. 9706001264, recorded January 16, 1997 in the O.P.R., for the southeast corner of the herein described tract of land, whence a found TXDOT Type I monument bears a chord of S 08°03'57" W, a chord length of 680.09 feet;

THENCE: N 72°30'52" W, along and with the northeasterly line of said 12.500 acre tract of land and the southwesterly line of said 6.366 acre tract of land, a distance of **300.00 feet** to a $\frac{1}{2}$ " iron rod with blue plastic cap stamped "KFW SURVEYING" set for the southwest corner of the herein described tract of land, and at the beginning of a non-tangent curve to the right, whence a $\frac{1}{2}$ " iron rod found for a common corner of said 6.366 acre and 12.500 acre tracts of land bears N 72°30'52" W, a distance of 603.02 feet;

THENCE: Over and across said 6.366 acre tract of land, and along and with and the arc of said non-tangent curve to the right being concentric with and offset 300.00 feet northwesterly from the northwesterly right-of-way of said State Highway Loop 337, having a radius of **2325.10 feet**, through a central angle of **07°31'26"**, an arc length of **302.32 feet**, and a chord bearing of **N 21°27'46" E** and a chord length of **305.11 feet** to a point in the northeasterly line of said 6.366 acre tract of land and the southwesterly line of that called 84.3 acre tract of land conveyed to Bob R. Kiesling and Betty A. Kiesling and described in Document No. 200206031433, recorded September 20, 2002 in the O.P.R., for the northwest corner of the herein described tract of land, whence a $\frac{1}{2}$ " iron rod found for a common corner of said 6.366 acre and 84.3 acre tracts of land bears N 55°59'47" W, a distance of 459.91 feet;

THENCE: S 55°59'47" E, along and with the northeasterly line of said 6.366 acre tract of land and the southwesterly line of said 84.3 acre tract of land, a distance of **304.09 feet** to a point in the northwesterly right-of-way of said State Highway Loop 337 and the beginning of a non-tangent curve to the left for the most southerly corner of said 84.3 acre tract of land, and the northeast corner of said 6.366 acre tract of land and the herein described tract of land, whence a found PK nail bears N 66°05'12" W, a distance of 0.41 foot;

THENCE: Along and with the northwesterly right-of-way of said State Highway Loop 337 and the arc of said curve to the left having a radius of **2025.10 feet**, through a central angle of **06°10'44"**, an arc length of **218.39 feet**, and a chord bearing of **S 20°49'19" W** and a chord length of **218.28 feet** to the **POINT OF BEGINNING** and containing 1.804 acres or 78,562 square feet more or less, situated in the City of New Braunfels, Comal County, Texas and being described in accordance with a survey prepared by KFW Surveying.

Job No.:	18-129
Prepared by:	KFW Surveying
Date:	December 14, 2018
File:	S:\Draw 2018\18-129 Abiso New Braunfels\DOCS\18-129 Abiso 1.804 ACRES description TCP 121226.doc



EXHIBIT "A"

DESCRIPTION OF
A 4.147 ACRE TRACT



A **4.147 acre** tract of land situated in the Andres Sanchez Survey No. 286, Abstract No. 528 and the William Mockford Survey No. 285, Abstract No. 393, in the City of New Braunfels, Comal County, Texas, and being a portion of that called 84.3 acre tract of land conveyed to Bob R. Kiesling and Betty A. Kiesling and described in Document No. 200206031433, recorded September 20, 2002 in the Official Public Records of Comal County, Texas, (O.P.R.), said 4.147 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at $\frac{1}{2}$ " iron rod with blue plastic cap stamped "KFW SURVEYING" set at the intersection of the southwesterly right-of-way of Oak Run Parkway (92' wide R.O.W) as described in WESTPOINTE SUBDIVISION UNIT 1, a subdivision of record in Document No. 200906014170, Map and Plat Records of Comal County, Texas (M.P.R.) with the northwesterly right-of-way of State Highway Loop 337 (240' wide R.O.W.) for the most easterly corner of said 84.3 acre tract of land and the herein described tract of land, whence a $\frac{1}{2}$ " iron rod found for the most easterly corner of Lot 1, Block 1, WESTPOINTE SUBDIVISION UNIT 1 bears N 55°59'11"W, a distance of 740.88 feet, thence N 51°25'00" E, a distance of 0.59 foot, and being at the beginning of a curve to the left;

THENCE: Along and with the northwesterly right-of-way of said State Highway Loop 337 and the arc of said curve to the left having a radius of **2025.10 feet**, through a central angle of **17°02'37"**, an arc length of **602.40 feet**, and a chord bearing of **S 32°25'59" W** and a chord length of **600.18 feet** to the northeast corner of that called 6.366 acre tract of land conveyed to Richard A. Kiesling and Kimberly D. Kiesling and described in Document No. 200206031434, recorded September 20, 2002 in the O.P.R., for the southeast corner of said 84.3 acre tract of land and the herein described tract of land, whence a found PK nail bears N 66°05'12" W, a distance of 0.41 foot;

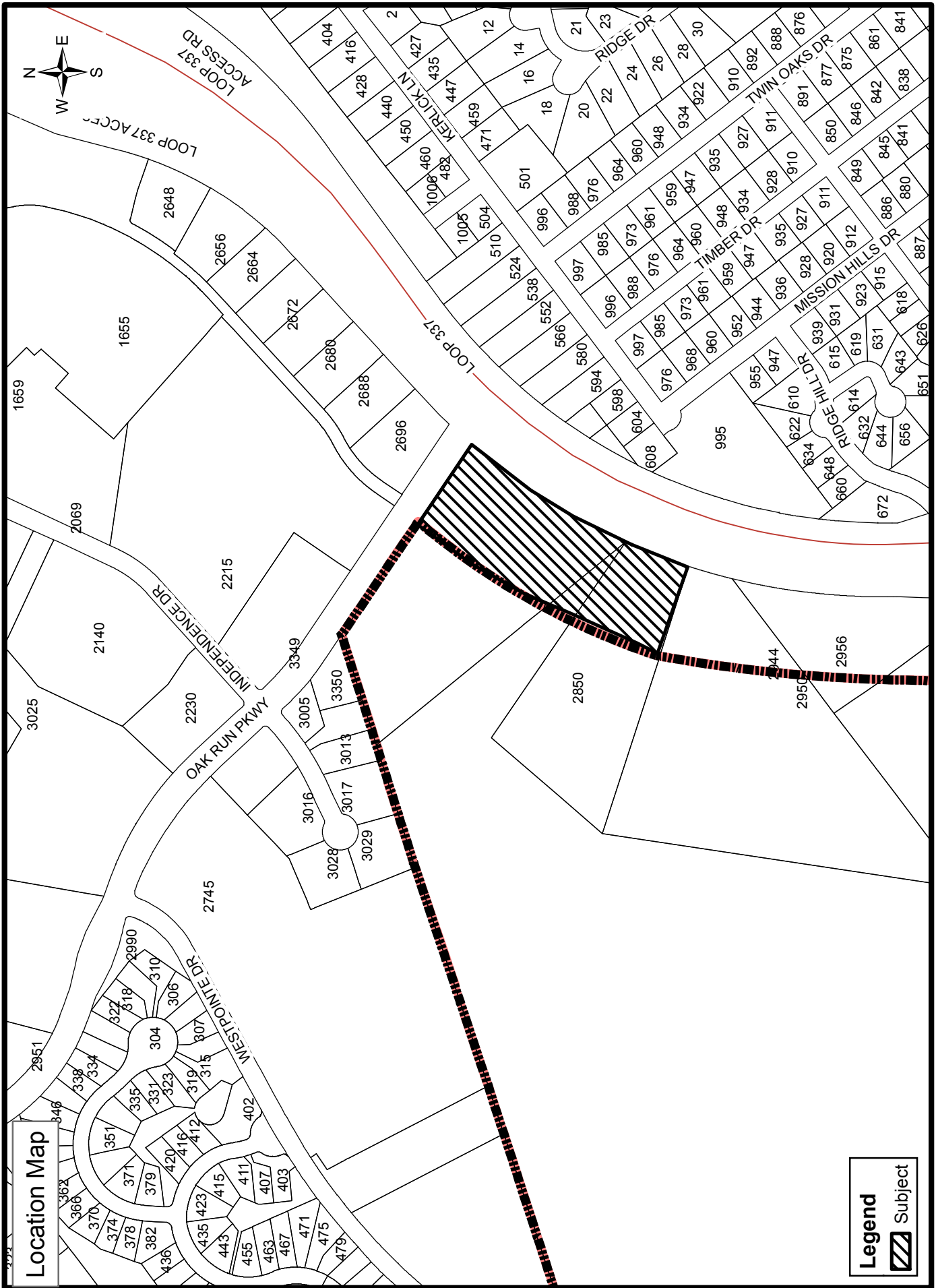
THENCE: N 55°59'47" W, along and with the northeasterly line of said 6.366 acre tract of land and the southwesterly line of said 84.3 acre tract of land, a distance of **304.09 feet** to the southwest corner of the herein described tract of land, and at the beginning of a non-tangent curve to the right, whence a $\frac{1}{2}$ " iron rod found for a common corner of said 6.366 acre and 84.3 acre tracts of land bears N 55°59'47" W, a distance of 459.91 feet;

THENCE: Over and across said 84.3 acre tract of land, and along and with and the arc of said non-tangent curve to the right being concentric with and offset 300.00 feet northwesterly from the northwesterly right-of-way of said State Highway Loop 337, having a radius of **2325.10 feet**, through a central angle of **14°49'52"**, an arc length of **601.86 feet**, and a chord bearing of **N 32°38'25" E** and a chord length of **600.18 feet** to a $\frac{1}{2}$ " iron rod with blue plastic cap stamped "KFW SURVEYING" set in the southwesterly right-of-way of said Oak Run parkway for the most northerly corner of the herein described tract of land;

THENCE: S 55° 59' 11" E, along and with the southwesterly right-of-way of said Oak Run Parkway and the northeasterly line of said 84.3 acre tract of land, a distance of **301.93 feet** to the **POINT OF BEGINNING** and containing 4.147 acres or 180,632 square feet more or less, situated in the City of New Braunfels, Comal County, Texas and being described in accordance with a survey prepared by KFW Surveying.



Job No.:	18-129
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File:	S:\Draw 2018\18-129 Abiso New Braunfels\DOCS\18-129 Abiso 4.147 ACRES description TCP 121418.doc



PZ-18-049
2850 Loop 337
R-2 to C-1B

