

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING LOTS 2 AND 3, COUNTRY MEADOWS SUBDIVISION, ADDRESSED AT 2254 AND 2316 FM 725, FROM “R-1” SINGLE FAMILY DISTRICT AND “APD” AGRICULTURAL/PRE-DEVELOPMENT DISTRICT TO “C-1A” NEIGHBORHOOD BUSINESS DISTRICT AND “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-1A” Neighborhood Business District and the “C-O” Commercial Office District, the City Council has given due consideration to all components of said districts; 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 Lots 2 and 3, Country Meadows Subdivision, addressed at 2254 and 2316 FM 725, from “R-1” Single Family District and “APD” Agricultural/Pre-Development District to “C-1A” Neighborhood Business District and “C-O” Commercial Office 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 tracts of land from “R-1” Single Family District to “C-1A” Neighborhood Business District:

2.925 acres out of Lot 2, Country Meadows Subdivision, addressed at 2254 FM 725 IH-35, and 3.302 acres out of Lot 3, Country Meadows Subdivision, addressed at 2316 FM 725, as delineated on Exhibit “A” and described in Exhibit “B” attached.

SECTION 2

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 tracts of land from "R-1" Single Family District and "APD" Agricultural/Pre-Development District to "C-O" Commercial Office District:

7.115 acres out of Lot 2, Country Meadows Subdivision, addressed at 2254 FM 725 IH-35, and 8.236 acres out of Lot 3, Country Meadows Subdivision, addressed at 2316 FM 725, as delineated on Exhibit "A" and described in Exhibit "C" attached.

SECTION 3

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 4

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 5

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 6

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:

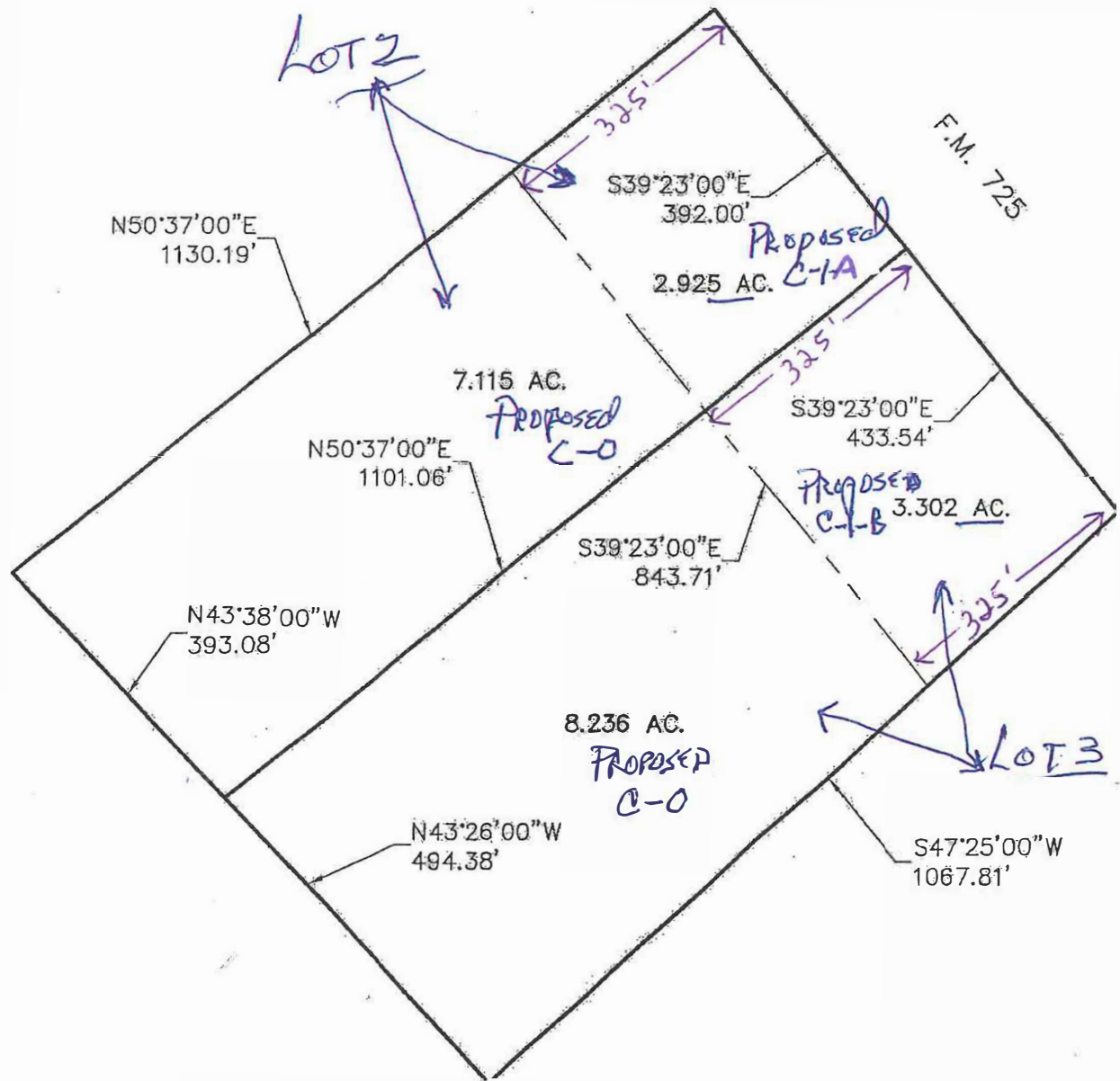
PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



SCALE: 1"=200'



5151 W. SH 46
NEW BRAUNFELS, TX 78132
PH: 830.730.4449
dram@dam-lls.com
PMA #10181500

DATE: XXXXX 2018 JOB XXXXX

PROPOSED ZONING EXHIBIT

EXHIBIT 'A'



METES AND BOUNDS DESCRIPTION
FOR A
3.302 ACRE TRACT OF LAND
"ZONING"

Being 3.302 acres of land situated in New Braunfels, Guadalupe County, Texas, being a portion of Lot 3, Country Meadows Subdivision, as recorded in Volume 4, Page 38, of the Map and Plat Records of Guadalupe County, Texas, as conveyed to Michael B. Smithers, and recorded in Volume 4200, Page 326, of the Official Public Records of Guadalupe County, Texas, and said 3.302 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Southwesterly Right-of-Way (R.O.W.) line of F.M. 725, being the most Northerly corner of said Lot 3, same being the most Easterly corner of Lot 2, of said Country Meadows Subdivision, as conveyed to the Sandra Neuse Living Trust, and recorded in Document No. 201899013646, of the Official Public Records of Guadalupe County, Texas, and being the most Northerly corner of this herein described tract of land;

THENCE with the Southwesterly R.O.W. line of said F.M. 725, and with the Northeasterly line of said Lot 2, S 39° 23' 00" E, a distance of 433.54 feet to a point for a corner in the Southwesterly R.O.W. line of said F.M. 725, being the most Easterly corner of said Lot 3, the most Northerly corner of Lot 4, of said Country Meadows Subdivision, as conveyed to Verdelle Y. Gramley, and recorded in Volume 2406, Page 206, of the Official Public Records of Guadalupe County, Texas, and being the most Easterly corner of this herein described tract of land;

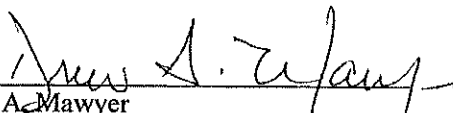
THENCE departing the Southwesterly R.O.W. line of said F.M. 725, and with the common line between said Lots 3 and 4, S 47° 25' 00" W, a distance of 325.51 feet to a point for a corner in the common line between said Lots 3 and 4, and being the most Southerly corner of this herein described tract of land;

THENCE departing the common line between said Lots 3 and 4, and across and through said Lot 3, N 39° 23' 00" W, a distance of 451.71 feet to a point in the common line between said Lots 2 and 3, and being the most Westerly corner of this herein described tract of land;

THENCE with the common line between said Lots 2 and 3, N 50° 37' 00" E, a distance of 325.00 feet to the POINT OF BEGINNING, and containing 3.302 acres of land, more or less.

"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."

Bearings based on Volume 4, Page 38, of the Map and Plat Records of Guadalupe County, Texas.


Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. State Highway, New Braunfels, TX 78132
LEG003- FM 725- ZONING- NE TRACT- 100518





METES AND BOUNDS DESCRIPTION
FOR A
2.925 ACRE TRACT OF LAND
"ZONING"

Being 2.925 acres of land situated in New Braunfels, Guadalupe County, Texas, being a portion of Lot 2, Country Meadows Subdivision, as recorded in Volume 4, Page 38, of the Map and Plat Records of Guadalupe County, Texas, as conveyed to the Sandra Neuse Living Trust, and recorded in Document No. 201899013646, of the Official Public Records of Guadalupe County, Texas, and said 2.925 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Southwesterly Right-of-Way (R.O.W.) line of F.M. 725, being the most Northerly corner of said Lot 2, same being the most Easterly corner of Lot 1, of said Country Meadows Subdivision, as conveyed to Celebrate Life Church, Inc., and recorded in Volume 2458, Page 251, of the Official Public Records of Guadalupe County, Texas, and being the most Northerly corner of this herein described tract of land;

THENCE with the Southwesterly R.O.W. line of said F.M. 725, and with the Northeasterly line of said Lot 2, S 39° 23' 00" E, a distance of 392.00 feet to a point for a corner in the Southwesterly R.O.W. line of said F.M. 725, being the most Easterly corner of said Lot 2, the most Northerly corner of Lot 3, of said Country Meadows Subdivision, as conveyed to Michael B. Smithers, and recorded in Volume 4200, Page 326, of the Official Public Records of Guadalupe County, Texas and being a Northeasterly corner of this herein described tract of land;

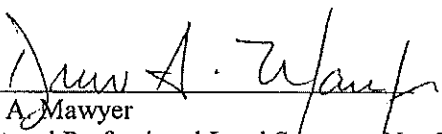
THENCE departing the Southwesterly R.O.W. line of said F.M. 725, and with the common line between said Lots 2 and 3, S 50° 37' 00" W, a distance of 325.00 feet to a point for a corner in the common line between said Lots 2 and 3, and being the most Southerly corner of this herein described tract of land;

THENCE departing the common line between said Lots 2 and 3, and across and through said Lot 2, N 39° 23' 00" W, a distance of 392.00 feet to a point in the common line between said Lots 1 and 2, and being the most Westerly corner of this herein described tract of land;

THENCE with the common line between said Lots 1 and 2, N 50° 37' 00" E, a distance of 325.00 feet to the POINT OF BEGINNING, and containing 2.925 acres of land, more or less.

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LEG003- FM 725- ZONING- NW TRACT- 100518





METES AND BOUNDS DESCRIPTION
FOR A
8.236 ACRE TRACT OF LAND
"ZONING"

Being 8.236 acres of land situated in New Braunfels, Guadalupe County, Texas, being a portion of Lot 3, Country Meadows Subdivision, as recorded in Volume 4, Page 38, of the Map and Plat Records of Guadalupe County, Texas, as conveyed to Michael B. Smithers, and recorded in Volume 4200, Page 326, of the Official Public Records of Guadalupe County, Texas, and said 8.236 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a point in the Southwesterly Right-of-Way (R.O.W.) line of F.M. 725, being the most Easterly corner of said Lot 3, and being the most Northerly corner of Lot 4, of said Country Meadows Subdivision, as conveyed to Verdelle Y. Gramley, and recorded in Volume 2406, Page 206, of the Official Public Records of Guadalupe County, Texas;

THENCE departing the Southwesterly R.O.W. line of said F.M. 725, and with the common line between said Lots 3 and 4, S 47° 25' 00" W, a distance of 325.51 feet to a point in the common line between said Lots 3 and 4, and being the most Easterly corner of this herein described tract of land and the POINT OF BEGINNING;

THENCE continuing with the common line between said Lots 3 and 4, S 47° 25' 00" W, a distance of 742.30 feet to a point for the most Southerly corner of said Lot 3, the most Westerly corner of said Lot 4, being in the Northeasterly line of a 20' Drainage and Utility Easement, as shown on Dove Crossing Subdivision, Unit 2 plat, and recorded in Volume 6, Page 436, of the Map and Plat Records of Guadalupe County, Texas, and being the most Southerly corner of this herein described tract of land;

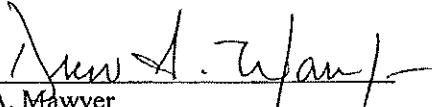
THENCE with the Southwesterly line of said Lot 3, the Northeasterly line of said Drainage and Utility Easement, N 43° 26' 00" W, a distance of 494.38 feet to a point in the Northeasterly line of said Drainage and Utility Easement, being the most Westerly corner of said Lot 3, the most Southerly corner of Lot 2, of said Country Meadows Subdivision, as conveyed to the Sandra Neuse Living Trust, and recorded in Document No. 201899013646, of the Official Public Records of Guadalupe County, Texas, and being the most Westerly corner of this herein described tract of land;

THENCE departing the Northeasterly line of said Drainage and Utility Easement, and with the common line between said Lots 2 and 3, N 50° 37' 00" E, a distance of 776.06 feet to a point in the common line between said Lots 2 and 3, and being the most Northerly corner of this herein described tract of land;

THENCE departing the common line between said Lots 2 and 3, and across and through said Lot 3, S 39° 23' 00" E, a distance of 451.71 feet to the POINT OF BEGINNING, and containing 8.236 acres of land, more or less.

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LEG003- FM 725- ZONING- SE TRACT- 100518





METES AND BOUNDS DESCRIPTION
FOR A
7.115 ACRE TRACT OF LAND
"ZONING"

Being 7.115 acres of land situated in New Braunfels, Guadalupe County, Texas, being a portion of Lot 2, Country Meadows Subdivision, as recorded in Volume 4, Page 38, of the Map and Plat Records of Guadalupe County, Texas, as conveyed to the Sandra Neuse Living Trust, and recorded in Document No. 201899013646, of the Official Public Records of Guadalupe County, Texas, and said 7.115 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a point in the Southwesterly Right-of-Way (R.O.W.) line of F.M. 725, being the most Northerly corner of said Lot 2, and being the most Easterly corner of Lot 1, of said Country Meadows Subdivision, as conveyed to Celebrate Life Church, Inc., and recorded in Volume 2458, Page 251, of the Official Public Records of Guadalupe County, Texas;

THENCE departing the Southwesterly R.O.W. line of said F.M. 725, and with the common line between said Lots 1 and 2, S 50° 37' 00" W, a distance of 325.00 feet to a point in the common line between said Lots 1 and 2, and being the most Northerly corner of this herein described tract of land and the POINT OF BEGINNING;

THENCE departing the common line between said Lots 1 and 2, and across and through said Lot 2, S 39° 23' 00" E, a distance of 392.00 feet to a point in the Southeasterly line of said Lot 2, being in the Northwesterly line of Lot 3, of said Country Meadows Subdivision, as conveyed to Michael B. Smithers, and recorded in Volume 4200, Page 326, of the Official Public Records of Guadalupe County, Texas, and being the most Easterly corner of this herein described tract of land;

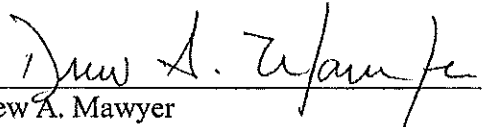
THENCE with the common line between said Lots 2 and 3, S 50° 37' 00" W, a distance of 776.06 feet to a point for the most Southerly corner of said Lot 2, the most Westerly corner of said Lot 3, being in the Northeasterly line of a 20' Drainage and Utility Easement, as shown on Dove Crossing Subdivision, Unit 3C plat, and recorded in Volume 6, Page 487, of the Map and Plat Records of Guadalupe County, Texas, and being the most Southerly corner of this herein described tract of land;

THENCE with the Northeasterly line of said Drainage and Utility Easement, and with the Southwesterly line of said Lot 2, N 43° 38' 00" W, a distance of 393.08 feet to a point in the Northeasterly line of said Drainage and Utility Easement, being the most Southerly corner of aforementioned Lot 1, and being the most Westerly corner of said Lot 2 and this herein described tract of land;

THENCE departing the Northeasterly line of said Drainage and Utility Easement, and with the common line between said Lots 1 and 2, N 50° 37' 00" E, a distance of 805.19 feet to the POINT OF BEGINNING, and containing 7.115 acres of land, more or less.

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