

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 19.735 ACRES OUT OF THE ORILLA RUSSELL SURVEY, A-485 AND THE NANCY KENNER SURVEY, A-306, COMAL COUNTY, TEXAS, LOCATED SOUTH OF THE INTERSECTION OF GRAY CLOUD DRIVE AND TWIN DISH WAY, FROM “R-1A-6.6” SINGLE-FAMILY DISTRICT TO “R-1A-5.5” SINGLE-FAMILY RESIDENTIAL 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 “R-1A-5.5” Single-Family Residential 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 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 19.735 acres, out of the Orilla Russell Survey, A-485 and the Nancy Kenner Survey, A-306, Comal County, Texas, located south of the intersection of Gray Cloud Drive and Twin Dish Way, from “R-1A-6.6” Single-Family District to “R-1A-5.5” Single-Family Residential 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-1A-6.6” Single-Family District to “R-1A-5.5” Single-Family Residential District:

Approximately 19.735 acres out of the Orilla Russell Survey, A-485 and the Nancy Kenner Survey, A-306, Comal County, Texas, located south of the intersection of Gray Cloud Drive and Twin Dish Way, located on State Highway 46 South, 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THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 January, 2021.

PASSED AND APPROVED: Second reading this 8th day of February, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

LEGAL DESCRIPTION OF 19.735 ACRES

METES AND BOUNDS DESCRIPTION FOR A 1.739 ACRE TRACT OF LAND EXHIBIT A – FOR ZONING

Being a 1.739 acre tract of land located in the Nancy Kenner Survey, Abstract 306, Comal County, Texas, being the same tract called 1.739 acres, recorded in Document No. 202006051851, Official Public Records, Comal County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING for reference at a 1/2" iron rod with cap stamped "4233" found in the Southeast Right of Way line of the Union Pacific Railroad Line for the West corner of a called 236.822 acre tract recorded on Document No. 200606053121, Official Public Records, Comal County, Texas, and the north corner of 33.110 acre tract recorded in Document No. 201906041434, Official Public Records, Comal County, Texas;

THENCE departing the Southeast Right of Way line of the Union Pacific Railroad Line, with the Southwest line of said 236.822 acre tract and the northeast line of said 33.110 acre tract, S 45°23'36" E, a distance of 367.13 feet to the POINT OF BEGINNING of the herein described tract;

THENCE with the southwest line of said 236.822 acre tract, S 45°23'36" E, a distance of 490.00 feet to a point being a corner of said 33.110 acre tract, for a corner of the herein described tract, from which a 1/2" iron rod with cap stamped "HMT" found for the easternmost corner of said 33.110 acre tract bears S 45°23'36" E, a distance of 50.00 feet;

THENCE with the common line of said 33.110 acre tract, the following five calls:

- 1) S 44°36'21" W, a distance of 140.00 feet to a point for a corner and the beginning of a curve to the right;
- 2) Along a curve to the right, having a radius of 15.00 feet, an arc length of 23.56 feet, and a chord bearing S 89°36'21" W, a distance of 21.21 feet to a point for a corner;
- 3) N 45°23'39" W, a distance of 453.51 feet to a point for a corner;
- 4) N 13°03'48" W, a distance of 25.43 feet to a point for a corner;
- 5) N 44°36'21" E, a distance of 141.40 feet to the POINT OF BEGINNING and containing 1.739 acres of land in Comal County, Texas.

Bearings shown hereon are based on the Texas Coordinate System, South Central Zone (4204), NAD 83.

Written November 27th, 2020.

FOR ZONING PURPOSES ONLY.

EXHIBIT "A" (PAGE 1)

METES AND BOUNDS DESCRIPTION
FOR A 17.996 ACRE TRACT OF LAND
EXHIBIT A - FOR ZONING

Being a 17.996 acre tract of land located in the Orilla Russell Survey, Abstract No. 485, and the Nancy Kenner Survey, Abstract No. 306, Comal County, Texas, being part of a called 33.110 acre tract, recorded in Document No. 201906041434, Official Public Records, Comal County, Texas, and all of a called 14.031 acre tract, called Tract "A", recorded in Document No. 202006051851, Official Public Records, Comal County, Texas, said 17.996 acre tract of land being more particularly described as follows:

BEGINNING at a found 1/2" iron pin with cap "Kolodzie" in the Southeast right of way line of the Union Pacific Railroad, the Northeast right of way line of Conrads Lane, same point being the Western corner of the aforementioned 33.110 acre tract, recorded in Document No. 201906041434, Official Public Records, Comal County, Texas;

THENCE departing the Northeast right of way line of Conrads Lane, with the Southeast right of way line of the Union Pacific Railroad, the following two (2) calls:

1. N 46°16'07" E, a distance of 1193.42 feet to a found 3" pipe post for a corner;
2. N 46°30'13" E, a distance of 349.68 feet to a point for a North corner of the aforementioned 14.031 acre tract, same point being a North corner of said 33.110 acre tract, and a Northern corner of the4 herein described tract;

THENCE departing the Southeast right of way line of the Union Pacific Railroad, with the common boundary line between said 14.031 acre tract and 33.110 acre tract, the following forty (40) calls:

1. S 43°21'09" E, a distance of 77.03 feet to a point for a corner;
2. S 47°36'10" W, a distance of 694.35 feet to a point for a corner;
3. S 42°42'14" E, a distance of 42.95 feet to a point for a corner;
4. N 47°17'46" E, a distance of 299.70 feet to a point for a corner;
5. S 28°17'20" W, a distance of 104.82 feet to a point for a corner;
6. S 17°05'17" W, a distance of 132.68 feet to a point for a corner;
7. S 03°52'52" E, a distance of 154.79 feet to a point for a corner;
8. N 56°46'10" E, a distance of 68.84 feet to a point for a corner;
9. N 03°52'52" W, a distance of 109.80 feet to a point for a corner;
10. N 17°03'43" E, a distance of 115.85 feet to a point for a corner;
11. N 28°17'20" E, a distance of 213.72 feet to a point for a corner;
12. N 47°36'10" E, a distance of 270.78 feet to a point for a corner;
13. N 60°09'22" E, a distance of 368.60 feet to a point for a corner;
14. S 29°49'10" E, a distance of 119.60 feet to a point for a corner;
15. N 65°18'58" E, a distance of 39.09 feet to a point for a corner
16. S 13°03'48" E, a distance of 91.52 feet to a point for a corner;
17. S 45°23'39" E, a distance of 273.94 feet to a point for a corner and the beginning of a curve to the right;

EXHIBIT "A" (PAGE 2)

18. Along a curve to the right, having a radius of 15.00 feet, an arc length of 23.56 feet, and a chord bearing S 00°23'39" E, a distance of 21.21 feet to a point for a corner;
19. S 44°36'21" W, a distance of 4.40 feet to a point for a corner and the beginning of a curve to the right;
20. Along a curve to the right, having a radius of 175.00 feet, an arc length of 47.57 feet, and a chord bearing S 52°23'36" W, a distance of 47.42 feet;
21. S 60°10'50" W, a distance of 3.75 feet to a point for a corner;
22. N 45°23'39" W, a distance of 150.45 feet to a point for a corner;
23. S 65°30'32" W, a distance of 167.67 feet to a point for a corner;
24. S 60°10'50" W, a distance of 144.11 feet to a point for a corner;
25. S 64°20'09" W, a distance of 99.72 feet to a point for a corner;
26. S 41°34'50" W, a distance of 167.87 feet to a point for a corner;
27. S 28°17'20" W, a distance of 72.56 feet to a point for a corner;
28. S 02°17'24" E, a distance of 64.26 feet to a point for a corner and the beginning of a curve to the left;
29. Along a curve to the left, having a radius of 225.00 feet, an arc length of 51.10 feet, and a chord bearing S 73°00'11" W, a distance of 50.99 feet;
30. S 23°30'11" E, a distance of 50.00 feet to a point for a corner;
31. S 04°08'36" E, a distance of 117.96 feet to a point for a corner;
32. S 13°58'37" E, a distance of 15.26 feet to a point for a corner;
33. S 56°46'10" W, a distance of 420.95 feet to a point for a corner;
34. N 44°21'10" W, a distance of 104.07 feet to a point for a corner and the beginning of a curve to the right;
35. Along a curve to the right, having a radius of 15.00 feet, an arc length of 26.47 feet, and a chord bearing N 06°12'30" E, a distance of 23.17 feet to a point for a corner;
36. N 33°13'50" W, a distance of 50.00 feet to a point;
37. S 56°46'10" W, a distance of 3.39 feet to a point for a corner and the beginning of a curve to the left;
38. Along a curve to the left, having a radius of 150.00 feet, an arc length of 29.09 feet, and a chord bearing S 51°12'51" W, a distance of 29.04 feet to a point for a corner;
39. S 45°39'31" W, a distance of 9.82 feet to a point for a corner;
40. N 44°19'51" W, a distance of 130.00 feet to a point in the Southwest line of the aforementioned 14.031 acre tract, same point lying in an interior line of the aforementioned 33.110 acre tract, for a corner of the herein described tract;

THENCE departing the Southwest line of said 14.031 acre tract, over and across said 33.110 acre tract, the following three (3) calls:

1. S 45°39'31" W, a distance of 333.70 feet to a point for a corner;
2. S 02°58'35" W, a distance of 165.71 feet to a point for a corner;
3. S 45°43'40" W, a distance of 92.07 feet to a point in the Northeast right of way line of Conrads Lane, same point lying in the Southwest line of said 33.110 acre tract, for a Southern corner of the herein described tract;

THENCE with the Northeast right of way line of Conrads Lane and the the Southwest line of said 33.110 acre tract, the following two (2) calls:

EXHIBIT "A" (PAGE 3)

1. N 44°16'20" W, a distance of 340.10 feet to a found 1/2" iron pin for a corner;
2. N 44°00'58" W, a distance of 59.32 feet to the POINT OF BEGINNING, containing 17.996 acres of land in Comal County, Texas.

Bearings shown hereon are based on the Texas Coordinate System, South Central Zone (4204), NAD 83.

Written November 27th, 2020.

FOR ZONING PURPOSES ONLY.

EXHIBIT "A" (PAGE 4)

1.739 ACRES OF LAND LOCATED IN THE NANCY KENNER SURVEY, A-306, COMAL COUNTY, TEXAS, BEING THE SAME TRACT CALLED 1.739 ACRES, RECORDED IN DOCUMENT NO. 202005051851, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

DOI: 10.1002/for



CURVE #	LEN (M)	R-1.5	H-3.0	E-1.5	H-3.0
C6	23.56	15.00	50072.39'E		21.21
C9	47.57	175.00	55072.33"W		47.42
C10	51.10	235.00	533300.1"W		50.99
C11	26.47	15.00	N6072.30'E		23.17
C12	29.09	150.00	S5172.31"W		29.04
C13	23.56	15.00			21.21

LINE TABLE			IN TABLE		
U-E *	E-T *	LE-TM	U-E *	E-T *	LE-TM
L.1	46.9429	1.723	L.1	46.9729	14.13
L.2	46.9429	2.61	L.2	46.9729	3.537
L.3	46.9429	3.497	L.3	46.9729	7.558
L.4	46.9429	4.384	L.4	46.9729	8.445
L.5	46.9429	5.271	L.5	46.9729	9.332
L.6	46.9429	6.158	L.6	46.9729	11.158
L.7	46.9429	7.045	L.7	46.9729	12.045
L.8	46.9429	7.932	L.8	46.9729	12.932
L.9	46.9429	8.819	L.9	46.9729	13.819
L.10	46.9429	9.706	L.10	46.9729	14.706
L.11	46.9429	10.593	L.11	46.9729	15.593
L.12	46.9429	11.480	L.12	46.9729	16.480
L.13	46.9429	12.367	L.13	46.9729	17.367
L.14	46.9429	13.254	L.14	46.9729	18.254
L.15	46.9429	14.141	L.15	46.9729	19.141
L.16	46.9429	15.028	L.16	46.9729	20.028
L.17	46.9429	15.915	L.17	46.9729	20.915
L.18	46.9429	16.802	L.18	46.9729	21.802
L.19	46.9429	17.689	L.19	46.9729	22.689
L.20	46.9429	18.576	L.20	46.9729	23.576
L.21	46.9429	19.463	L.21	46.9729	24.463
L.22	46.9429	20.350	L.22	46.9729	25.350
L.23	46.9429	21.237	L.23	46.9729	26.237
L.24	46.9429	22.124	L.24	46.9729	27.124
L.25	46.9429	23.011	L.25	46.9729	28.011
L.26	46.9429	23.898	L.26	46.9729	28.898
L.27	46.9429	24.785	L.27	46.9729	29.785
L.28	46.9429	25.672	L.28	46.9729	30.672
L.29	46.9429	26.559	L.29	46.9729	31.559
L.30	46.9429	27.446	L.30	46.9729	32.446
L.31	46.9429	28.333	L.31	46.9729	33.333
L.32	46.9429	29.220	L.32	46.9729	34.220
L.33	46.9429	30.107	L.33	46.9729	35.107
L.34	46.9429	30.994	L.34	46.9729	36.094
L.35	46.9429	31.881	L.35	46.9729	36.981
L.36	46.9429	32.768	L.36	46.9729	37.868
L.37	46.9429	33.655	L.37	46.9729	38.755
L.38	46.9429	34.542	L.38	46.9729	39.642
L.39	46.9429	35.429	L.39	46.9729	40.529
L.40	46.9429	36.316	L.40	46.9729	41.416
L.41	46.9429	37.203	L.41	46.9729	42.303
L.42	46.9429	38.090	L.42	46.9729	43.190
L.43	46.9429	38.977	L.43	46.9729	44.077
L.44	46.9429	39.864	L.44	46.9729	44.964
L.45	46.9429	40.751	L.45	46.9729	45.851
L.46	46.9429	41.638	L.46	46.9729	46.738
L.47	46.9429	42.525	L.47	46.9729	47.625
L.48	46.9429	43.412	L.48	46.9729	48.512
L.49	46.9429	44.299	L.49	46.9729	49.400
L.50	46.9429	45.186	L.50	46.9729	50.286
L.51	46.9429	46.073	L.51	46.9729	51.173
L.52	46.9429	46.960	L.52	46.9729	52.060
L.53	46.9429	47.847	L.53	46.9729	52.947
L.54	46.9429	48.734	L.54	46.9729	53.834
L.55	46.9429	49.621	L.55	46.9729	54.721
L.56	46.9429	50.508	L.56	46.9729	55.608
L.57	46.9429	51.395	L.57	46.9729	56.495
L.58	46.9429	52.282	L.58	46.9729	57.382
L.59	46.9429	53.169	L.59	46.9729	58.269
L.60	46.9429	54.056	L.60	46.9729	59.156
L.61	46.9429	54.943	L.61	46.9729	60.043
L.62	46.9429	55.830	L.62	46.9729	60.930
L.63	46.9429	56.717	L.63	46.9729	61.817
L.64	46.9429	57.604	L.64	46.9729	62.704
L.65	46.9429	58.491	L.65	46.9729	63.591
L.66	46.9429	59.378	L.66	46.9729	64.478
L.67	46.9429	60.265	L.67	46.9729	65.365
L.68	46.9429	61.152	L.68	46.9729	66.252
L.69	46.9429	62.039	L.69	46.9729	67.139
L.70	46.9429	62.926	L.70	46.9729	68.026
L.71	46.9429	63.813	L.71	46.9729	68.913
L.72	46.9429	64.700	L.72	46.9729	69.800
L.73	46.9429	65.587	L.73	46.9729	70.687
L.74	46.9429	66.474	L.74	46.9729	71.574
L.75	46.9429	67.361	L.75	46.9729	72.461
L.76	46.9429	68.248	L.76	46.9729	73.348
L.77	46.9429	69.135	L.77	46.9729	74.235
L.78	46.9429	70.022	L.78	46.9729	75.122
L.79	46.9429	70.909	L.79	46.9729	76.009
L.80	46.9429	71.796	L.80	46.9729	76.896
L.81	46.9429	72.683	L.81	46.9729	77.783
L.82	46.9429	73.570	L.82	46.9729	78.670
L.83	46.9429	74.457	L.83	46.9729	79.557
L.84	46.9429	75.344	L.84	46.9729	80.444
L.85	46.9429	76.231	L.85	46.9729	81.331
L.86	46.9429	77.118	L.86	46.9729	82.218
L.87	46.9429	78.005	L.87	46.9729	83.105
L.88	46.9429	78.892	L.88	46.9729	83.992
L.89	46.9429	79.779	L.89	46.9729	84.879
L.90	46.9429	80.666	L.90	46.9729	85.766
L.91	46.9429	81.553	L.91	46.9729	86.653
L.92	46.9429	82.440	L.92	46.9729	87.540
L.93	46.9429	83.327	L.93	46.9729	88.427
L.94	46.9429	84.214	L.94	46.9729	89.314
L.95	46.9429	85.101	L.95	46.9729	90.201
L.96	46.9429	85.988	L.96	46.9729	91.088
L.97	46.9429	86.875	L.97	46.9729	91.975
L.98	46.9429	87.762	L.98	46.9729	92.862
L.99	46.9429	88.649	L.99	46.9729	93.749
L.100	46.9429	89.536	L.100	46.9729	94.636

290 S. CASTELL AVE., STE. 100
NEW BRAUNFELS, TX 78130
TELEPHONE 714-10961
TELEFAX 714-10153600