

**ORDINANCE NO. 2021-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING APPROVAL OF A TYPE 1 SPECIAL USE PERMIT ALLOWING DUPLEXES IN THE “APD” AGRICULTURAL/PRE-DEVELOPMENT DISTRICT ON APPROXIMATELY 0.938 ACRES OUT OF THE A.M. ESNAURIZAR ELEVEN LEAGUE GRANT, SUBDIVISION NO. 107, GUADALUPE COUNTY, TEXAS, ADDRESSED AT 187 PRAIRIE VIEW LANE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**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 a Special Use Permit, the City Council has given due consideration to all components of said permit; and

**WHEREAS**, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

**WHEREAS**, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

**WHEREAS**, the property is located in an area suitable for the proposed use; and

**WHEREAS**, the City Council desires to grant approval of a Type 1 Special Use Permit allowing duplexes in the “APD” Agricultural/Pre-Development District on approximately 0.938 acres of land out of the A.M. Esnaurizar Eleven League Grant, Subdivision No. 107, Guadalupe County, Texas, addressed at 187 Prairie View Lane.

**WHEREAS**, the request is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; **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 adding the following

tract of land as a “Type 1 Special Use Permit” for the uses and conditions herein described:

Being approximately 0.938 acres of land out of the A.M. Esnaurizar Eleven League Grant, Subdivision No. 107, Guadalupe County, Texas, addressed at 187 Prairie View Lane, as described in Exhibit “A” and delineated in Exhibit “B”, to allow duplexes in the “APD” Agricultural/Pre-Development District.

**SECTION 2**

**THAT** the Special Use Permit be subject to the following condition:

- 1. Site development for duplex use must adhere to the “R-2A” Single-Family and Two-Family duplex development standards.

**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:**

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**CAITLIN KROBOT**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney



METES AND BOUNDS DESCRIPTION  
FOR A  
0.9379 ACRE TRACT OF LAND  
"ZONING"

Being that certain 0.9379 acres of land out of the A.M. Esnaurizar Eleven League Grant Subdivision No. 107 in Guadalupe County, Texas, and being that same tract of land as described in Volume 1495 Page 762 of the Official Public Records of Guadalupe County, Texas, and said 0.9379 of an acre tract of land being described as follows:

BEGINNING at a point in the Northwest line of Subdivision No. 107 of the AM. Esnaurizar Eleven League Grant, and being in the Southeasterly line of Lot 66, Cap Rock Unit Two as recorded in Volume 7, Page 339 of the Map and Plat Records of Guadalupe County, Texas, and being the Westerly corner of a 6.2 acre tract of land as described in Volume 1909 Page 455 of the Official Public Records; said point being located N 46° 00' E. 1248 feet from the intersection of the Northwest line of said Subdivision No. 107 and the Northeast line of State Highway No. 46;

THENCE departing said Lot 66, and with the Southwest line of said 6.2 acres tract of land, S 32° 24' E, 208.00 feet to a point for the East corner of this tract, and being in the Northwest line of Prairie View Lane;

THENCE S. 46° 00' W, with the Northwest line of said Prairie View Lane and Southeast line of this 0.9379 acre tract of land, 183.00 feet to a point for the East corner of a 0.973 of an acre tract conveyed to Lawrence Mitchan and wife in Volume 2296, Page 791 of the Official Public Records of Guadalupe County, Texas;

THENCE N. 42° 04' 54" W., with the Northeast line of said 0.973 acre tract, a total distance of 203.87 feet to a point in the Southeast line of Lot 66 Cap Rock Unit One as recorded in Volume 7 Page 270-271 of the Map and Plat Records of Guadalupe County, Texas, and being the Northwest corner of this tract of land;

THENCE N 46°00' E, with the Southeast line of said Lot 66, the Northwesterly line of said 0.9379 acre tract of land, 218.00 feet to the PLACE OF BEGINNING, and containing this 0.9379 of an acre of land.

"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 the Deed recorded in Volume 2640 Page 1495 of the Official Records of Guadalupe County, Texas.

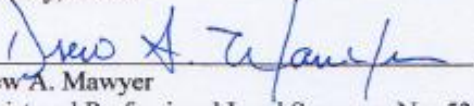
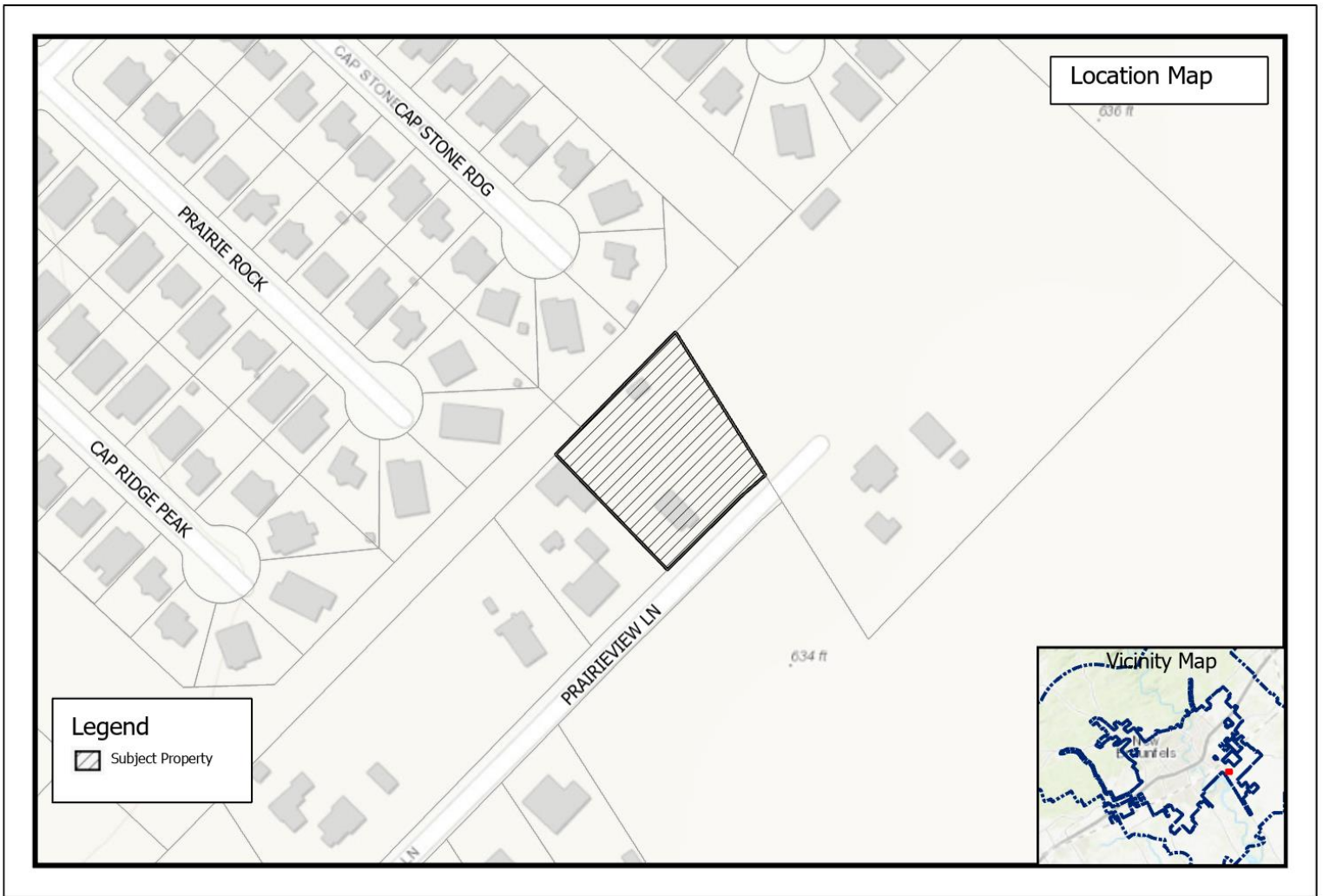
  
Drew A. Mawyer  
Registered Professional Land Surveyor No. 5348  
TBPLS Firm Registration #10191500  
5151 W SH 46, New Braunfels, Texas, 78132  
MOE402-0.9379 Ac- 082820



EXHIBIT "A"



**SUP20-289**  
**SUP to allow duplexes in APD**



Path: \\file-04\Users\$\Planning\mgreene\Desktop\Temp Files\Prairie View Ln SUP Ord

Source: City of New Braunfels Planning  
 Date: 1/6/2021

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or variances which may exist.