**ORDINANCE NO. 2021-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 47.7 ACRES OUT OF THE O. RUSSELL A-185 SURVEY 2, COMAL COUNTY, TEXAS, LOCATED IN THE 2200 BLOCK OF FM 1102, FROM "M-1A" LIGHT INDUSTRIAL DISTRICT TO "MU-B" HIGH INTENSITY MIXED USE DISTRICT; 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 the "MU-B" High Intensity Mixed-Use 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 47.7 acres out of the O. Russell A-185 Survey 2, located in the 2200 block of FM 1102, from "M-1A" Light Industrial District to "MU-B" High Intensity Mixed-Use 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 "M-1A" Light Industrial District to "MU-B" High Intensity Mixed-Use District:

> Approximately 47.78 acres out of the O. Russell A-485 Survey 2, Comal County, Texas, located in the 2200 block of FM 1102, 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**THAT** all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 26th day of April, 2021.

**PASSED AND APPROVED:** Second reading this 10th day of May, 2021.

**CITY OF NEW BRAUNFELS**

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**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 BOUND S DESCRIPTION

FOR TRACT 2

A 47.708 ACRE TRACT OF LAND

Being a 47.708 acre tract of land out of the Orilla Russell League No. 2, Abstract No. 485, Comal County, Texas, and being a portion of a 89.655 acre tract of land recorded in Volume 293, Page 94, of the Deed Records of Comal County, Texas, said 47 .708 acre tract of land being more particularly described as follows:

Beginning At a 1/2" iron pin found in the Southeasterly right-of-way line of F.M. 1102, for the North corner of a 1.254 acre tract of land recorded in Volume 662, Pg. 18, Official Public Records, Comal County, Texas, for the North Corner and Point of Beginning of this herein described 47.708 acre tract of land;

Thence, departing the Easterly right-of-way line of F.M. 1102, along the Northerly line of said 1.254 acre tract, and along the Southerly line of a 1.769 acre tract of land recorded in Doc. #200506019928, Official Public Records, Comal County, Texas, S 64°18'49" Ea distance of 695.75 feet to a 1/2" iron pin found in the Westerly right-of-way line of the Missouri Pacific Rail Road, for the Southerly corner of said 1.769 acre tract, for the Northeasterly corner of this herein described 47.708 acre tract of land;

Thence, along the Westerly line of said Missouri Pacific Rail Road, S 17°00'55" W a distance of 2587.00 feet to a 1/2" iron pin found for the Easterly corner of Lot 1, Coleman Industrial Park, Unit Two, recorded-in Volume 10, Pg. 42, Map and Plat Records, Comal County, Texas, for the Southerly corner of said 89.655 acre tract of land, for the Southerly corner of this herein described 47.708 acre tract of land;

Thence, along the common Line of said Lot 1, and this herein described 47.708 acre tract of land,

N 46°20'50" W a distance of 1212.56 feet to a 1/2" iron pin stamped "HMT PROP. COR." set in the Southeasterly right-of-way line of F.M. 1102, for the Northerly corner of said Lot 1, for the Westerly corner of this herein described 47.708 acre tract of land;

Thence, along the Southeasterly right-of-way line of F.M. 1102, the following calls:

N 37°34'30" Ea distance of 133.77 feet to a Tx. Dot. Type I monument found for a corner;

N 35°22'30" Ea distance of 217.11 feet to a Tx. Dot. Type II monument found for a corner;

N 31°16'05" Ea distance of 217.02 feet to a Tx. Dot. Type II monument found for a corner;

N 26°51'01" Ea distance of 216.74 feet to a Tx. Dot. Type I monument found for a corner;

N a distance of 1405.97 to to the Point of and containing 47.708 acres of land.

Bearings are based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

## EXHIBIT “A”

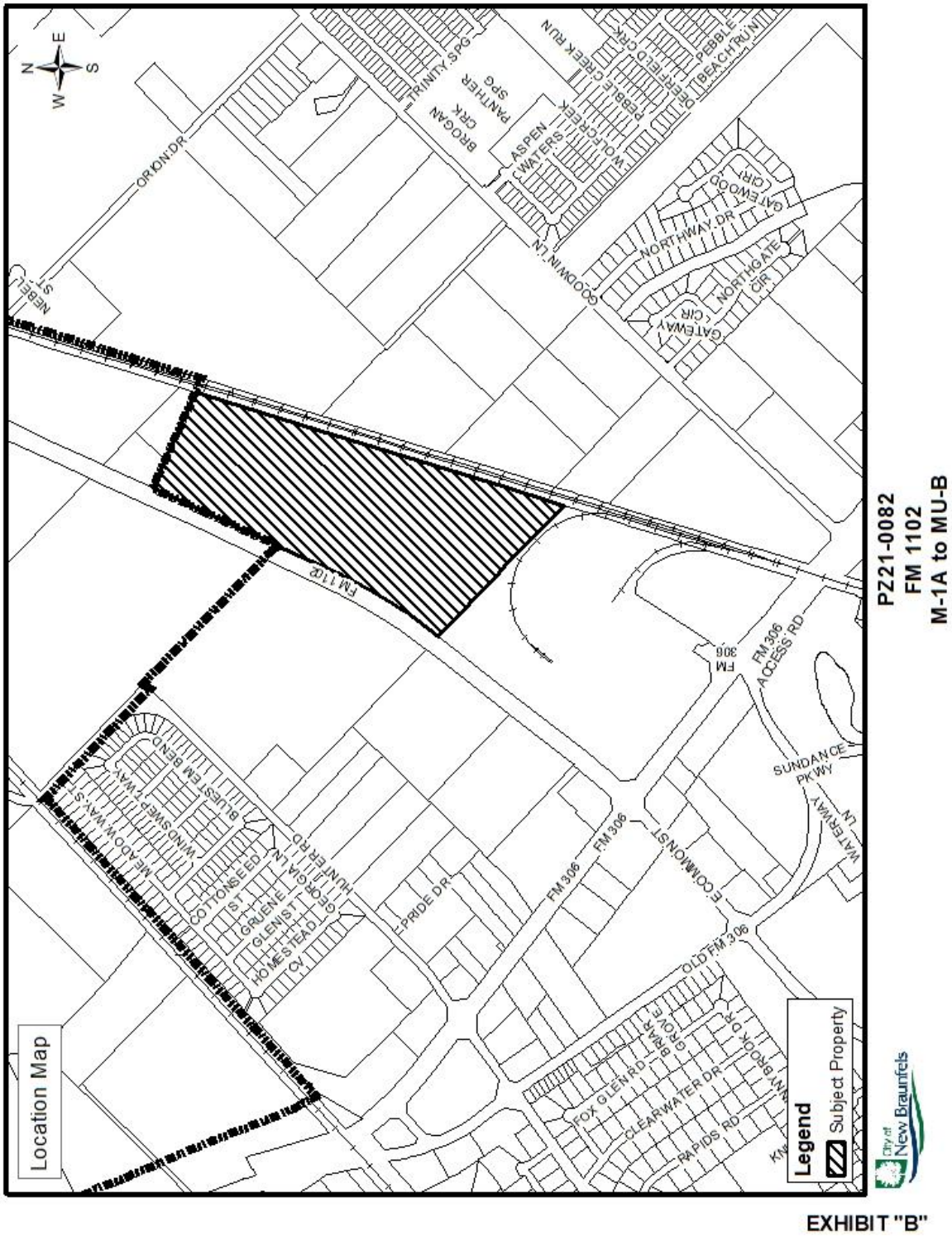

Location Map
Legend
Subject Property
PZ21-0082
FM 1102
M-1A to MU-B
EXHIBIT "B"
City of New Braunfels
FM 1102
FM 306
FM 306 ACCESS RD
SUNDANCE PKWY
WATERWAY LN
E COMMON ST
OLD FM 306
PRIDE DR
ORION DR
NEBEL ST
GOODWIN LN
NORTHWAY DR
NORTHGATE CIR
GATEWAY CIR
GATEWOOD CIR
ASPEN WATERS
TRINITY SPG
BROGAN CRK
PANTHER SPG
WOLF CREEK
PEBBLE BEACH RUN
MEADOWWAY ST
WINDSWEPT WAY
BLUEST EM BEND
COTTONSEED TRL
GRUENE GLEN
GLENISTER RD
HOMESTEAD LN
HUNTER RD
FOX GLEN RD
BRIAR GROVE
CLEARWATER DR
RAPIDS RD

**EXHIBIT "B"**