

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 7.6 ACRES OUT OF THE A. M. ESNAURIZAR A-1 SURVEY, COMAL COUNTY, TEXAS, ADDRESSED AT 2100 IH-35 NORTH, FROM “APD” AGRICULTURAL/PRE-DEVELOPMENT DISTRICT AND “C-3” COMMERCIAL DISTRICT TO “C1-B” 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 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 7.6 acres out of the A. M. Esnaurizar A-1 Survey, addressed at 2100 IH-35 North, from “APD” Agricultural/Pre-Development District and “C-3” Commercial 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 “APD” and “C-3” Districts to “C-1B” General Business, Airport Hazard Overlay District:

Approximately 7.6 acres out of the A. M. Esnaurizar A-1 Survey, Comal County, Texas, addressed at 2100 IH-35 North, 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THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 27th day of September, 2021.

PASSED AND APPROVED: Second reading this 11th day of October, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

Exhibit "A"

Metes & Bounds Description for 7.6 acres at 2100 IH-35 North

GRANTOR HAS GRANTED, TRANSFERRED, and CONVEYED, and by these presents does GRANT, TRANSFER and CONVEY unto the said Grantee, the interest of the BARBARA NELL DEAN TRUST, as created under the will of Annie Rose Henze, in and to the following described property commonly known as 2100 IH 35 East, New Braunfels, Texas, to-wit:

Beginning at a stake in the Southeast line of the said Albert Soeffje tract of 154 acres, set N. 45° 45' E, 453.6 feet from it's Southwest corner, for the East corner of a tract of 7.65 acres conveyed by Jeff Soeffje et. al. to Lottie Soeffje Wersterfer and for the South corner of this tract;

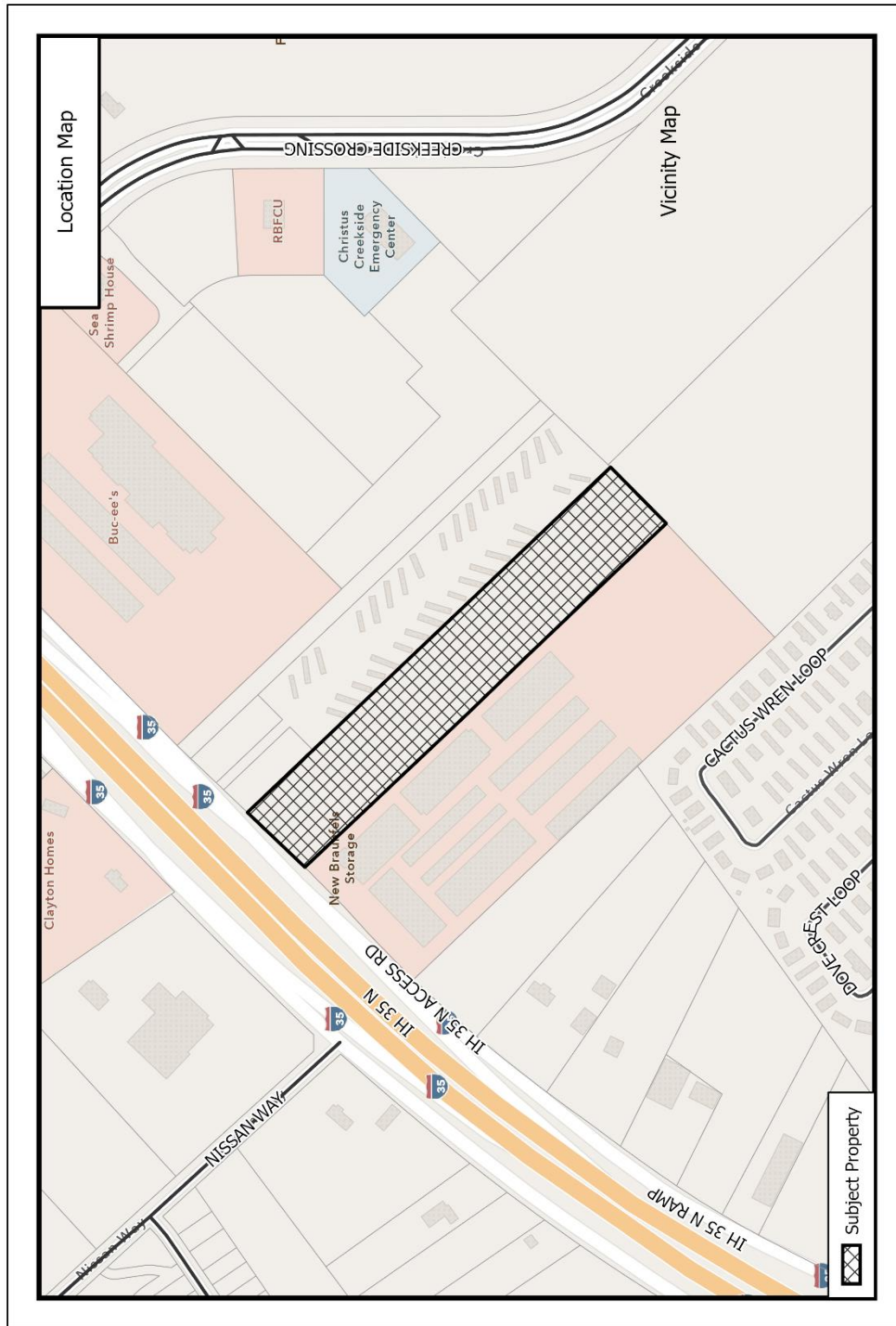
Thence, with the Northeast line of said Lottie Soeffje Wersterfer tract, N. 43° 06' W, 1471 feet to a stake in the Southeast line of U.S. Interstate Highway No. 35 (formerly U.S. 81) for West corner;

Thence, with the Southeast line of said highway, N. 45° 40' E, 227.7 feet to a stake set for West corner of a tract of 7.66 acres conveyed by Jeff Soeffje et al to Minnie Soeffje Pasquale and for North corner of this tract;

Thence, with the Southwest line of said Minnie Soeffje Pasquale tract of 7.66 acres, S. 43° 03' E, 1471.4 feet to a stake in the Southeast line of said Albert Soeffje tract of 154 acres;

Thence, with the Southeast line of said Albert Soeffje tract, S. 45° 45' W, 226.5 feet to the place of beginning, containing 7.66 acres.

EXHIBIT "B"



PZ21-0268
C-3 and APD to C-1B

Source: City of New Braunfels Planning
 Date: 9/8/2021



Path: \\cfrs-1\Departments\Planning\ZoneChange-Sup-Replat\2021\PZ21-0268 - 2100 N IH-35 -

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.