

ORDINANCE NO. 2023-89

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 13 ACRES, BEING OUT OF THE A. M. ESNAURIZAR SURVEY, ABSTRACT 20, CURRENTLY ADDRESSED AT 1807 FM 758, FROM APD AH (AGRICULTURE/PREDEVELOPMENT DISTRICT WITH AIRPORT OVERLAY) TO C-1A AH (NEIGHBORHOOD BUSINESS DISTRICT WITH AIRPORT OVERLAY); 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), the City Council has given due consideration to all components of said district; and

WHEREAS, the rezoning complies with the Future Land Use Plan; 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;

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of approximately 13 acres being out of A. M. Esnaurizar Survey, Abstract 20, currently addressed at 1807 FM 758 from APD AH (Agricultural/Predevelopment District with Airport Overlay) to C-1A AH (Neighborhood Business District with Airport Overlay); and

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 tract of land from APD AH (Agricultural/Predevelopment District with Airport Overlay) to C-1A AH (Neighborhood Business District with Airport Overlay):

Approximately 13 acres, being out of A. M. Esnaurizar Survey, Abstract 20, as delineated in Exhibit "A" and described in Exhibit "B", attached.

SECTION 2

THAT all other ordinances, or parts of ordinances, in conflict herewith, are hereby repealed to the extent that they are in conflict.

SECTION 3

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 4

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 November 2023.

PASSED AND APPROVED: Second reading this 11th day of December 2023.

CITY OF NEW BRAUNFELS


NEAL LINNARTZ, Mayor

ATTEST:


GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:


VALERIA M. ACEVEDO, City Attorney

EXHIBIT "B"

Real property located in Guadalupe County, Texas, described
follows:

701
794
Being 12.500 acres of land out of Subdivision No. 69 of the A. M. Esnaurizar Eleven League Grant, Guadalupe County, Texas, and being 12.500 acres of land out of that certain 25.00 acre tract of land conveyed by Gus R. Kanz, et ux, to George W. Hayslip, Jr., et ux, by deed dated July 29, 1973, and recorded in Vol. 471, Page 628, of the Deed Records of Guadalupe County, Texas, and described more particularly by metes and bounds as follows:

Vol. BEGINNING at a 2" iron pipe found in the Northwest line of Sub-
division No. 69 of the A. M. Esnaurizar Eleven League Grant, Guadalupe County, Texas, set for the West corner of the above described 25.00 acre tract, for the west corner of the 12.500 acre tract;

THENCE with the Northwest line of the Subdivision No. 69, the north-
west line of the said 25.00 acre tract, N. 46 deg. 07' E. 403.43 feet to an iron pin set for the west corner of a 12.500 acre tract, for the north corner of this 12.500 acre tract;

THENCE with the Southwest line of the said second 12.500 acre tract, S. 44 deg. 04' E. 1,349.24 feet to an iron pin in the northwest line of F.M. Road 758, set for the south corner of the second said 12.500 acre tract, for the east corner of this tract;

THENCE with the Northwest line of F. M. Road 758, S. 45 deg. 58' W. 402.43 to a 2" iron pipe found, set for the south corner of the said 25.000 acre tract, for the south corner of this tract;

THENCE with the Southwest line of the said 25.000 acre tract, 44 deg. 04' W. 1,350.3 feet to the PLACE OF BEGINNING.