

**ORDINANCE NO. 2020-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING LOTS 1 AND 5, BLOCK 1, FREIHEIT SUBDIVISION, UNIT 1, ADDRESSED AT 672 AND 690 SOUTH KOWALD LANE, FROM “M-1A” LIGHT INDUSTRIAL DISTRICT TO “C-1B” GENERAL BUSINESS 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 “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 Lots 1 and 5, Block 1, Freiheit Subdivision, Unit One, from “M-1A” Light Industrial 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 “M-1A” to “C-1B” General Business District:

Lots 1 & 5, Block 1, Freiheit Subdivision, Unit 1, addressed at 672 and 690 South Kowald Lane, as delineated in Exhibit “A” 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**THAT** all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 July, 2020.

**PASSED AND APPROVED:** Second reading this 10th day of August, 2020.

**CITY OF NEW BRAUNFELS**

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**RUSTY BROCKMAN**, Mayor

**ATTEST:**

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**Andrew A. Lyons III**, Assistant City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney

# FREIHEIT SUBDIVISION

140243

FILED FOR RECORD

This is a plat of land in the County of Comal, State of Texas, containing 14.75 acres, more or less, and is hereby approved by the City Council of the City of New Braunfels, Texas, on the 18th day of June, 1975.

Irene S. Nuhn, County Clerk, Comal County, Texas

Being a subdivision of 6.6039 acres of land out of the A.M. Esnauz survey subdivision 3, Comal County, Texas

Being a partial subdivision of that certain 114.53 acre tract of land conveyed by Caroline Hank to Monroe Hank et ux, by deed dated October 25, 1949 and recorded in volume 92, pages 127-128 of the Deed Records of Comal County, Texas.

STATE OF TEXAS  
COUNTY OF COMAL: The owner of the land shown on this plat and whose name is subscribed hereto, and in person or through a duly authorized agent, acknowledged that this plat was made from an actual survey and dedicated to the use of the public FOREVER all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purposes and considerations therein expressed. There is also dedicated for utilities an aerial easement 5 feet on each side of all streets and easements, and extending upward as required.

Monroe Hank  
Monroe Hank, Owner

STATE OF TEXAS  
COUNTY OF COMAL: Before me, the undersigned authority on this day personally appeared Monroe Hank, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 18 day of June, A.D., 1975.

Phyllis Peterson  
Notary Public, Comal County, Texas.

STATE OF TEXAS  
COUNTY OF KENDALL: I hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Dan B. Bunker  
Dan B. Bunker, P.E.

Sworn to and subscribed before me this the 20th day of June, A.D., 1975.

Irene S. Nuhn  
County Clerk, Comal County, Texas.

By: Shirley A. Stalling Secretary

STATE OF TEXAS  
COUNTY OF COMAL: I, Irene S. Nuhn, County Clerk of said county, do hereby certify that the foregoing instruments of writing with its certificate of authentication was filed for record in my office on the 18th day of June, A.D., 1975 at 4:40 P.M., duly recorded the 2nd day of July, A.D., 1975 at 2:00 P.M., in the Map and Plat Records of Comal County, Texas, in Volume 5 on page 47 in testimony whereof witness my hand and official seal of office this the 3rd day of July, A.D., 1975.

Irene S. Nuhn  
Irene S. Nuhn, County Clerk, Comal County, Texas.

THIS PLAT WAS APPROVED BY THE CITY PLANNING AND ZONING COMMISSION July 1, 1975 AND IS HEREBY APPROVED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS.

DATE July 2, 1975 Eugene Schmitt CITY MANAGER.

ATTEST: Barbara Laster CITY SECRETARY

APPROVED: W.R. Yelley, Jr.  
W.R. Yelley, Jr.  
City Engineer  
City of New Braunfels, Texas.

FREIHEIT SUBDIVISION

UNIT ONE FILE COPY

EXHIBIT "A"