



**CITY OF NEW BRAUNFELS, TEXAS  
PLANNING COMMISSION MEETING**



**CITY HALL - TEJAS ROOM  
550 LANDA STREET**

**WEDNESDAY, OCTOBER 8, 2025 at 6:00 PM**

Chase Austin Taylor - Commissioner  
Randall Allsup - Commissioner  
Vicky Rudy - Commissioner  
Jessica Schaefer - Commissioner  
Chad Nolte - Commissioner

Jerry Sonier - Commissioner  
Karen Brasier - Commissioner  
Hunter Schwarz - Commissioner  
Angela Allen - Commissioner

**AGENDA- amended 10/2/2025**

**1. CALL TO ORDER**

**REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT  
EMERGENCY ON-CALL PERSONNEL.**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES**

- A) Approval of the September 3, 2025 regular meeting [25-1240](#)  
minutes.  
[September 3, 2025 Minutes](#)

**4. CITIZENS' COMMUNICATIONS**

*This time is for citizens to address the Planning Commission on any issues or items NOT on the agenda.*

**5. INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) PZ25-0333 Public hearing and recommendation to City [25-1169](#)  
Council for a proposed rezoning requested by James  
Ingalls of INK Civil, on behalf of Audrey Raley of HAW  
Properties 1863, LLC, of approximately 0.75 acres out of  
the L. Salinas Survey No. 458 Abstract No. 531, from  
APD (Agricultural Predevelopment District) to C-1A  
(Neighborhood Commercial District), currently  
addressed as 160 FM 1863  
Applicant: James Ingalls, P.E.  
Owner: HAW Properties 1863, LLC (Audrey Raley)

[City Maps](#)

[Districts Comparison Table](#)

[Subject Property Photos](#)

[Notification Map, List & Responses](#)

- B) SUP25-315 Public hearing and recommendation to City [25-1208](#)  
Council on an ordinance requested by Beverly Davidek,  
on behalf of Richard L. and JoAnn Rothfelder, to rezone  
approximately 0.4 of an acre out of the John Thompson  
Survey No. 21, Abstract 608, from R-3 (Multifamily  
District) to R-3 SUP (Multifamily District with a Special  
Use Permit to allow a Short Term Rental), currently  
addressed at 1731 Kuehler Avenue

Applicant: Beverly Davidek

Owner: JoAnn and Richard Rothfelder

[City Maps](#)

[Site Plan & Floor Plan](#)

[Subject Property Photos](#)

[Notification Map, List, and Responses](#)

## 6. **EXECUTIVE SESSION**

In accordance with the Open Meetings Act, Government Code, Ch. 551.071, the Commission may convene in a closed session to discuss with its attorney any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

## 7. **ADJOURNMENT**

### **CERTIFICATION**

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

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Board Liaison

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (830) 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.





## Planning Commission Agenda Item Report

550 Landa Street  
New Braunfels, TX

**10/8/2025**

Agenda Item No. A)

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**DRAFT - MINUTES  
OF THE NEW BRAUNFELS PLANNING COMMISSION  
REGULAR MEETING OF WEDNESDAY, SEPTEMBER 3, 2025**

**1. CALL TO ORDER**

Chair Sonier called the meeting to order at 6:00 pm.

**2. ROLL CALL**

The following Commissioners were present:

Commissioner Angela Allen

Commissioner Randall Allsup

Commissioner Karen Brasier

Commissioner Chad Nolte

Commissioner Vicky Rudy

Commissioner Jessica Schaefer

Vice-Chair Chase Taylor

Chair Jerry Sonier

The following Commissioners were absent:

Commissioner Hunter Schwarz

**3. APPROVAL OF MINUTES**

A) Approval of the August 5, 2025 regular meeting minutes.

**Motion by Commissioner Nolte, seconded by Commissioner Allsup to approve the August 5, 2025, regular meeting minutes. Motion carried unanimously (8-0-0).**

**4. CITIZENS' COMMUNICATIONS**

*This time is for citizens to address the Planning Commission on any issues or items NOT on the agenda.*

**No one spoke.**

**5. BRIEFINGS**

Legislation update from Chris Looney

**Chris Looney provided updates from the 89th Texas Legislature, specifically discussing HB 1522, SB 785, HB 2464, HB 2512, HB 24, HB 2844, SB 1008, SB 1883, SB 15, and SB 840, as well as other legislation that could potentially be considered in upcoming sessions.**

Brief discussion followed on effective dates and applicability to New Braunfels.

Chair Sonier opened public discussion on the legislative updates.

A member of the public spoke regarding HB 24.

Brief discussion followed on HB 24 and postponed items for consideration.

**6. INDIVIDUAL ITEMS FOR CONSIDERATION**

A) SUP25-233 Public hearing and recommendation to City Council to rezone approximately 0.2 acres out of City Block 2013, part of Lots 234 and 235, from C-2 (General Business District) to C-2 SUP (General Business District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed as 341 North Market Avenue.

Amanda Mushinski introduced the aforementioned item and recommended approval with the conditions listed in the staff report.

Chair Sonier asked if there were any questions for staff.

There were no questions for staff.

Chair Sonier invited the applicant to speak on the item.

The applicant was not in attendance.

Chair Sonier opened the public hearing and asked if anyone present wished to speak on the item.

No individuals spoke on the item.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further discussion or motion.

Motion by Commissioner Nolte, seconded by Commissioner Schaeffer, to recommend approval of the item to City Council. Motion carried unanimously (8-0-0).

- B) SUP25-237 Public hearing and recommendation to City Council to rezone approximately 0.3 acres out of the A M Esnaurizar Survey 1, Abstract 1, from C-3 (Commercial District) to C-3 SUP (Commercial District with a Special Use Permit to allow Short Term Rental of a residence), currently addressed as 1160 Dunlap Drive

**Amanda Mushinski introduced the aforementioned item and recommended approval with the conditions listed in the staff report.**

**Chair Sonier asked if there were any questions for staff.**

**There were no questions for staff.**

**Chair Sonier invited the applicant to speak on the item.**

**Alba Henriquez and Luciano Henriquez elaborated on the intent of the request.**

**Chair Sonier opened the public hearing and asked if anyone present wished to speak on the item.**

**No individuals spoke on the item.**

**Chair Sonier closed the public hearing.**

**Chair Sonier asked if there were any further discussion or motion.**

**Motion by Commissioner Rudy, seconded by Commissioner Nolte, to recommend approval of the item to City Council. Motion carried unanimously (8-0-0).**

- C) PZ25-0274 Public hearing and recommendation to City Council to rezone approximately 70.198 acres consisting of Lots 1A and 1B, out of the Resubdivision Plat of Lot One, River Gardens, from R-2 SUP (Single-Family and Two-Family District with a Special Use Permit allowing a facility for disabled persons) to MU-A (Low Intensity Mixed Use District), currently addressed as 740 & 750 Rusk St.

**Mary Lovell presented the aforementioned item and recommended approval with the conditions listed in the staff report.**

**Chair Sonier asked if there were any questions for staff.**

**Discussion followed on zoning requirements, use allowances, and the**

appropriateness of the requested zoning change.

Chair Sonier invited the applicant to speak on the item.

July Turner provided additional context for the request, discussing the family's vision for the development, its intended community impact, and communication with neighbors.

Discussion followed on the project's scope, intended use, and the zoning district's compatibility with the proposal.

Karen Aniol Ballenger spoke in support, emphasizing the need for community-focused developments for people with special needs.

Andrew Douglas presented conceptual plans, outlined project goals, and elaborated on the intended development.

Jeff Bly further elaborated on the request, addressed zoning challenges, presented additional conceptual plans and traffic analysis, and discussed efforts to engage with the community to address concerns.

Further discussion followed on the special needs component of the development.

Chair Sonier opened the public hearing and asked if anyone present wished to speak on the item.

Thirteen individuals spoke in favor of the item, highlighting the need for inclusive communities and support services.

Chair Sonier called a brief recess at 7:40 p.m.

Chair Sonier reconvened the meeting at 7:45 p.m.

Twelve individuals spoke in opposition, raising concerns about infrastructure, safety, and the project's scale.

Chair Sonier closed the public hearing.

Chair Sonier asked if there were any further questions or a motion.

**Discussion followed on staff's recommendation.**

**Motion by Commissioner Schaeffer, seconded by Commissioner Rudy, to recommend approval of the item to City Council.**

**Brief discussion followed on zoning allowances.**

**Motion failed due to a tied vote (4-4-0) with Commissioner Allen, Commissioner Braiser, Commissioner Nolte, and Vice-Chair Taylor in opposition.**

## **7. EXECUTIVE SESSION**

In accordance with the Open Meetings Act, Government Code, Ch. 551.071, the Commission may convene in a closed session to discuss with its attorney any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

**Did not convene and no action was taken.**

## **ADJOURNMENT**

There being no further business Chair Sonier adjourned the meeting at 8:27pm.

10/8/2025

Agenda Item No. A)

**PRESENTER:**

Applicant: James Ingalls, P.E.

Owner: HAW Properties 1863, LLC (Audrey Raley)

**SUBJECT:**

**PZ25-0333** Public hearing and recommendation to City Council for a proposed rezoning requested by James Ingalls of INK Civil, on behalf of Audrey Raley of HAW Properties 1863, LLC, of approximately 0.75 acres out of the L. Salinas Survey No. 458 Abstract No. 531, from APD (Agricultural Predevelopment District) to C-1A (Neighborhood Commercial District), currently addressed as 160 FM 1863

**DEPARTMENT:** Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** 3**BACKGROUND INFORMATION:****Case Number:** PZ25-0333**Applicant:** James Ingalls, P.E, plats@ink-civil.com**Owner:** HAW Properties 1863, LLC, Audrey Raley, audreyraley@gmail.com**Staff Contact:** Mary Lovell, (830) 221-4051, mlovell@newbraunfels.gov

The subject property is located approximately 700 feet southwest of the intersection of SH 46 W and FM 1863. The immediate surrounding zoning is APD (Agricultural Predevelopment District) with R-1 (Single-Family District) located across FM 1863. Other zoning districts within 500 feet of the subject property are C-4B (Resort Facilities District) and C-1A (Neighborhood Commercial District) to the west and C-1 (Local Business District) and C-1B (General Business District) to the east.

Nearby land uses include residences, undeveloped land, a school to the west, and the Mission Valley Bowling Club to the northeast.

**ISSUE:**

The applicant requests a zoning change to allow for the proposed development of an optometry office that is currently operating in the nearby Oak Run Point Shopping Center, located on State Highway 46. Currently, the subject property is developed with a house.

**Traffic Impact Analysis (TIA):** Per adopted ordinance, if a TIA is required, it will be conducted at the Subdivision Platting and/or Building Permit stage, as applicable.

**Drainage:** Per adopted ordinance, if a drainage study is required, it will be conducted with the Public Infrastructure Construction Plan approval process and/or Building Permit stage, as applicable.

**Utilities:** As part of the routine intake review process, the water provider for the subject site, NBU (New Braunfels Utilities), reviewed the proposed zoning change request and has responded with no comments.

**COMPREHENSIVE PLAN REFERENCE:**

C-1A at this location is consistent with the following actions from Envision New Braunfels:

- **Action 1.3:** Encourage balanced and fiscally responsible land use patterns.

- **Action 1.6:** Incentivize infill development and redevelopment to take advantage of existing infrastructure.
- **Action 2.33:** Encourage vertical growth and development of key areas to take advantage of infrastructure capacity, maintain the core, and discourage sprawl.
- **Action 3.1:** Plan for a healthy jobs/ housing balance.
- **Action 3.3:** Balance commercial centers with stable neighborhoods.

**Future Land Use Plan:** The subject property is located within Hoffman Lane Sub Area, near an existing Education Center, as well as a Future Market Center expected at the corner of State Highway 46 and FM 1863.

#### STRATEGIC PLAN REFERENCE:

☒ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity  
☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

- **Economic Mobility:** Incentivize mixed-use developments and redevelopments in targeted locations to create a built environment with integrated housing, commercial centers, and opportunities for improved connectivity.
- **Economic Mobility:** Develop a cohesive framework for economic development incentives that encourage a built environment that results in enhanced walkability, mixed housing types, and the co-location of commercial and residential uses.
- **Economic Mobility:** Support Confluence, the New Braunfels Chamber of Commerce Economic Development Strategic Plan, by helping to ensure a community that supports the targeted industries and increases the diversity of job opportunities in the community.

#### FISCAL IMPACT:

The proposed rezoning request is in alignment with the following recommendations and strategies of the Land Use Fiscal Analysis:

- Provide a mix of uses and building types, heights, and sizes in a more walkable context to produce more value and fiscal productivity.
- Prioritize infill projects that add people and buildings in areas with existing infrastructure. This will increase revenue to provide service delivery without significant impacts on infrastructure costs and distribute cost burdens across more home/business owners.

#### RECOMMENDATION:

The applicant's request for rezoning to the C-1A district would allow development of commercial use that aligns with Envision New Braunfels, the Strategic Plan, and the Land Use Fiscal Analysis.

*Mailed notification as required by state statute:*

Public hearing notices were sent to owners of 4 properties within 200 feet of the request, and no opposition responses have been received by staff at the time of posting the agenda.

#### Resource Links:

- Chapter 144, Sec. 3.4-1 (APD) of the City's Code of Ordinances:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?_ga=2.151111111.151111111.151111111-151111111.151111111)
- Chapter 144, Sec. 3.4-12 (C-1A) of the City's Code of Ordinances:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?_ga=2.151111111.151111111.151111111-151111111.151111111)









Aerial Exhibit

Vicinity Map

New Braunfels

1604

Subject Property



**PZ25-0333**  
**APD to C-1A**

0 110 220  
Feet

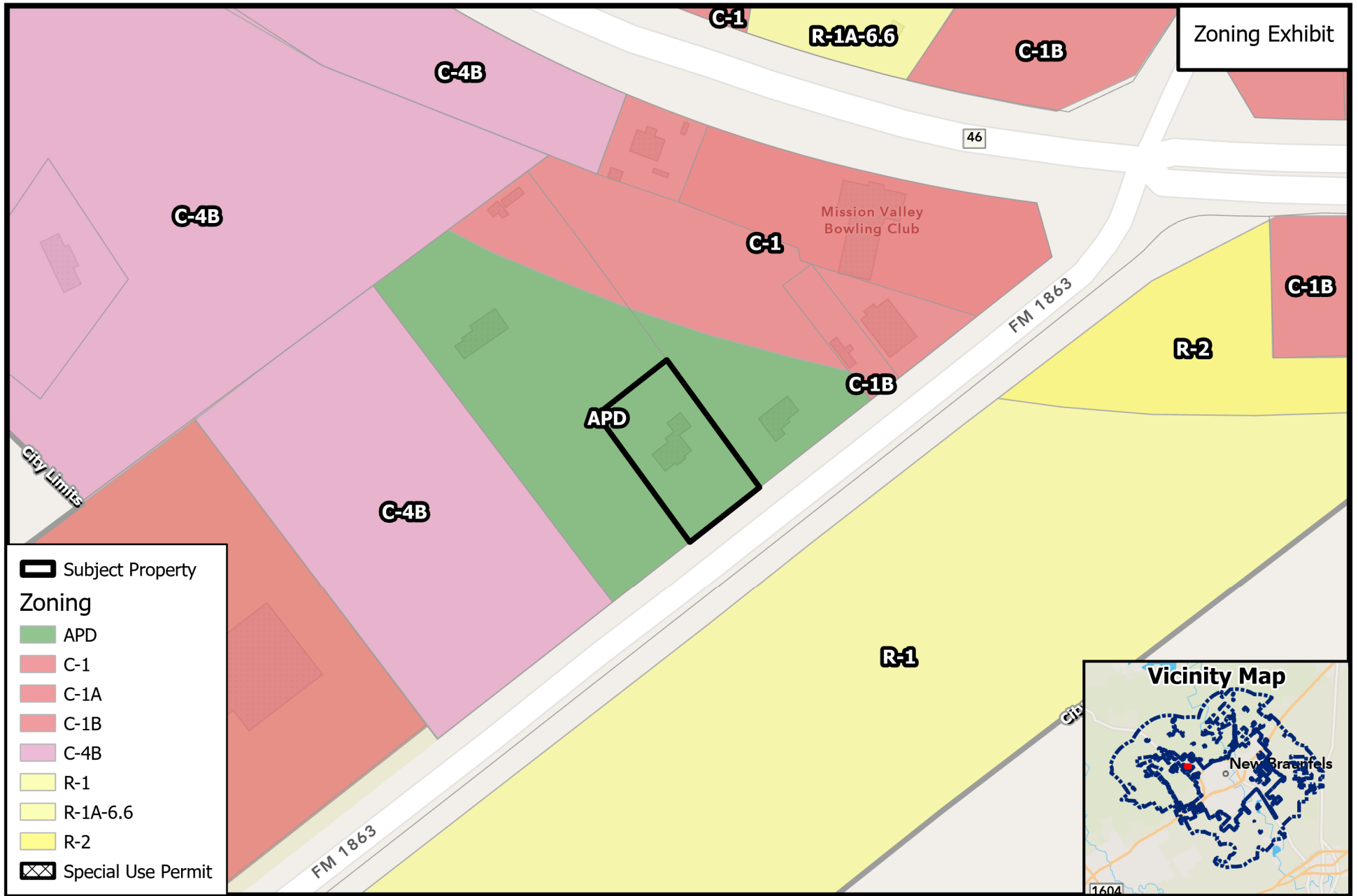


Path:  
P:\ZoneChange & SUPs\2025\PZ25-0333 - 160 FM 1863 - APD to

Source: City of New Braunfels Planning  
Date: 9/15/2025

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 officials or employees for any discrepancies, errors, or variances which may exist.





**PZ25-0333**  
**APD to C-1A**

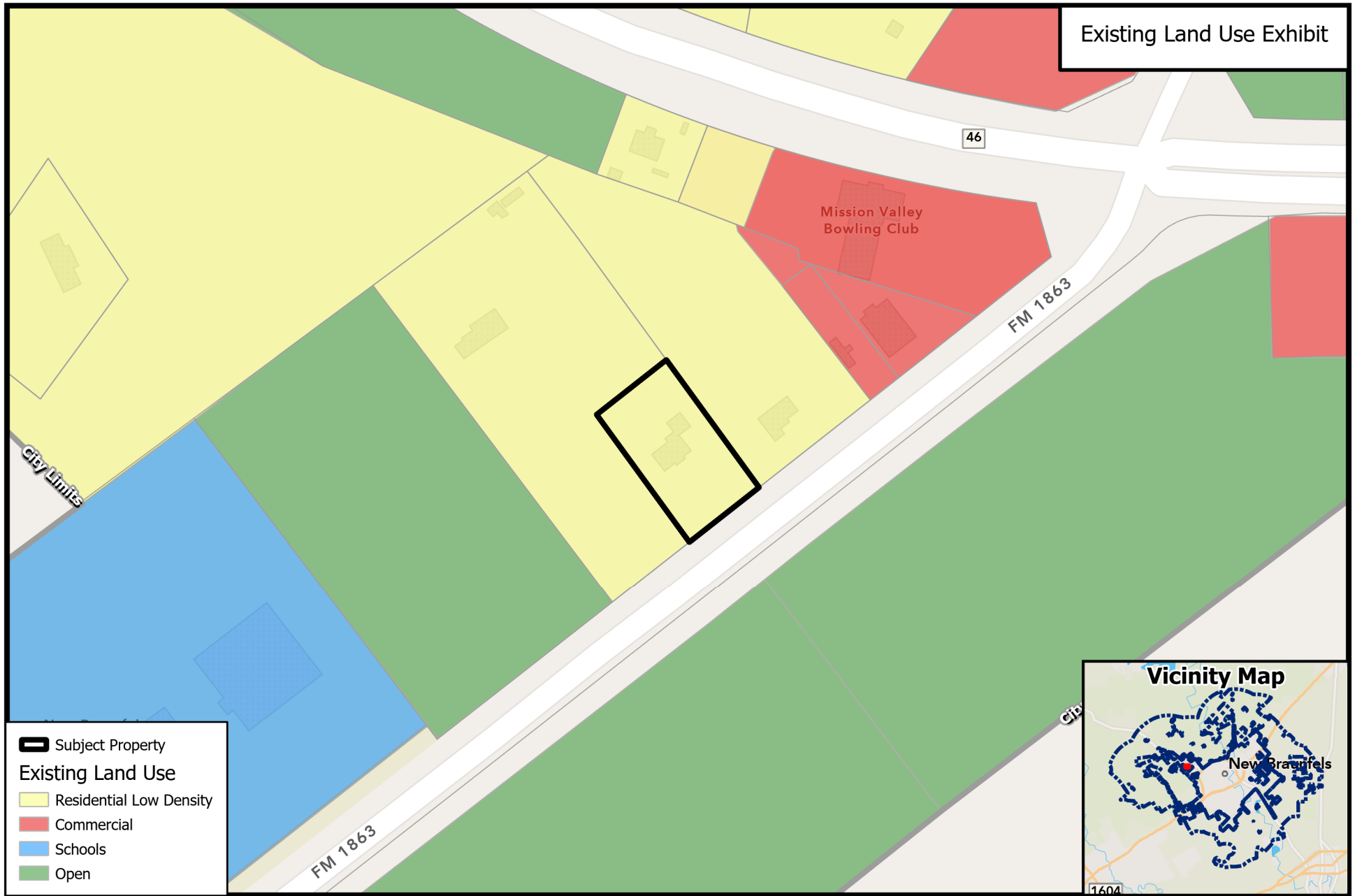
0 110 220  
 Feet








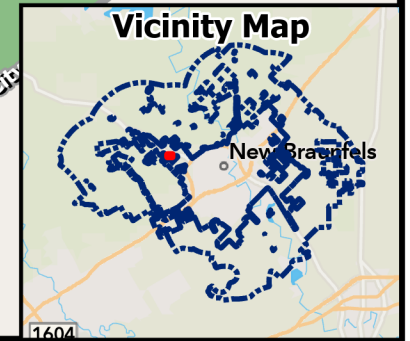
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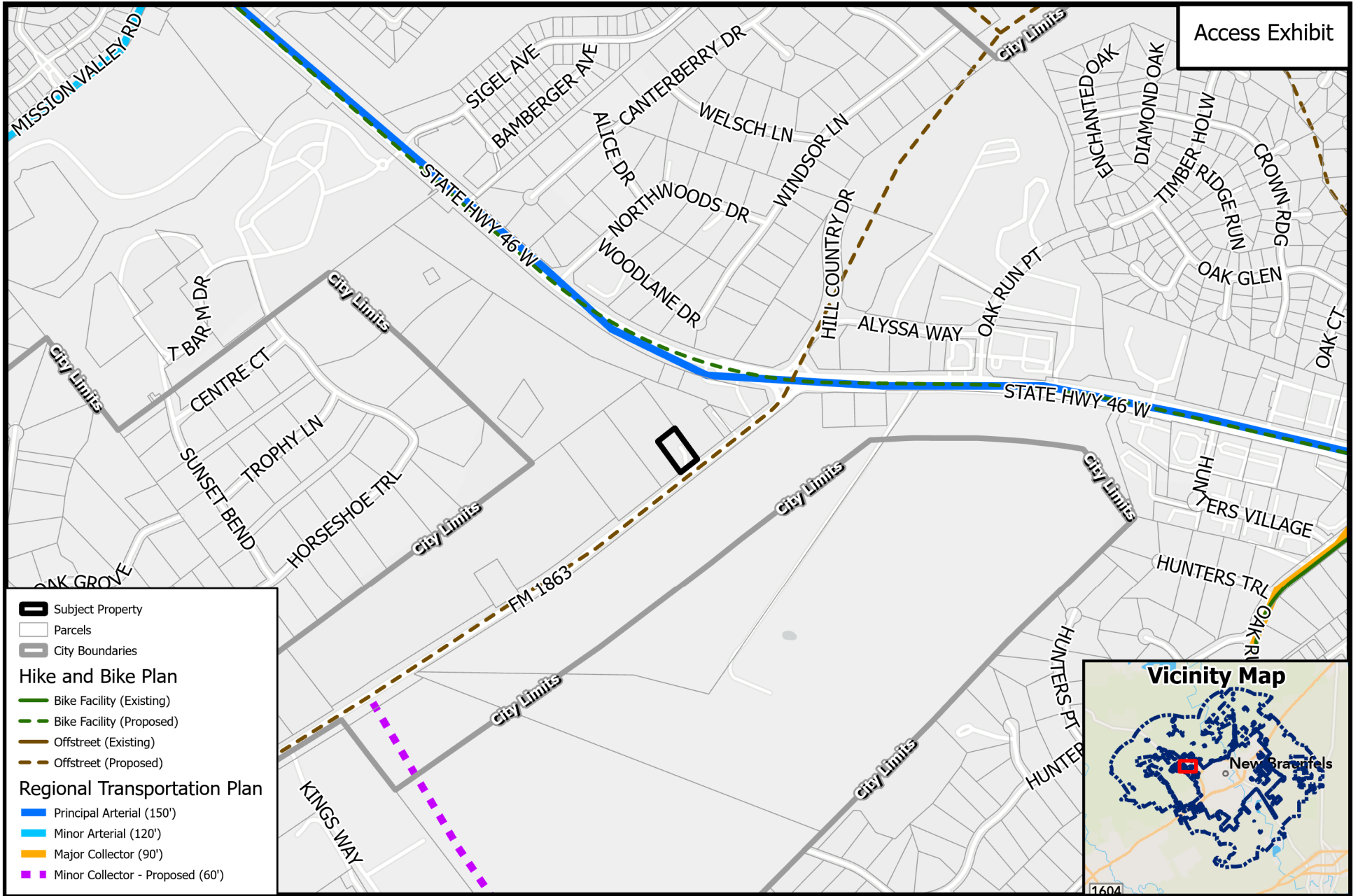
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-  Subject Property
- Existing Land Use**
-  Residential Low Density
-  Commercial
-  Schools
-  Open





Land Use	Existing	Proposed
	APD	C-1A
Accessory building/structure (see section 144-5.4)	P	P
Accessory dwelling (one accessory dwelling per lot)	P	
Accounting, auditing, bookkeeping, and tax preparations		P
Acid manufacture		
Adult day care (no overnight stay)		P
Adult day care (with overnight stay)		P
Aircraft support and related services		
Airport		
All-terrain vehicle (ATV) dealer/sales		
Ambulance service (private)		
Amphitheaters (outdoor live performances)		
Amusement devices/arcade (four or more devices)		P
Amusement services or venues (indoors) (see section 144-5.13)		
Amusement services or venues (outdoors)		
Animal grooming shop		P
Answering and message services		P
Antique shop		P
Appliance repair		P
Archery range		
Armed services recruiting center		P
Art dealer/gallery		P
Artist or artisans studio		P
Assembly/exhibition hall or areas		
Assisted living facility/retirement home		P
Athletic fields		
Auction sales (non-vehicle)		
Auto body repair, garages (see section 144-5.11)		
Auto glass repair/tinting (see section 144-5.11)		
Auto interior shop/upholstery (see section 144-5.11)		
Auto leasing		P
Auto muffler shop (see section 144-5.11)		
Auto or trailer sales rooms or yards (see section 144-5.12)		
Auto or truck sales rooms or yards—Primarily new (see section 144-5.12)		
Auto paint shop		
Auto repair as an accessory use to retail sales		
Auto repair garage (general) (see section 144-5.11)		
Auto supply store for new and factory rebuilt parts		P
Auto tire repair/sales (indoor)		P
Auto wrecking yards		
Automobile driving school (including defensive driving)		
Bakery (retail)		P
Bank, savings and loan, or credit union		P
Bar/tavern (no outdoor music)		P
Bar/tavern		
Barber/beauty college (barber or cosmetology school or college)		
Barns and farm equipment storage (related to agricultural uses)	P	P
Battery charging station		P
Bed and breakfast inn (see section 144-5.6)		P

Land Use	Existing	Proposed
	APD	C-1A
Bicycle sales and/or repair		P
Billiard/pool facility		
Bingo facility		P
Bio-medical facilities		
Blacksmith or wagon shops		
Blooming or rolling mills		
Boarding house/lodging house		
Book binding		P
Book store		P
Bottling or distribution plants (milk)		
Bottling works		
Bowling alley/center (see section 144-5.13)		
Breweries/distilleries and manufacture of alcohol and alcoholic beverages		
Broadcast station (with tower) (see section 144-5.7)		
Bulk storage of gasoline, petroleum products, liquefied petroleum and flammable liquids (see section 5.27)		
Bus barns or lots		
Bus passenger stations		
Cabin or cottage (rental)		
Cabin or cottage (rental for more than 30 days)		
Cafeteria/cafe/delicatessen		P
Campers' supplies		P
Campgrounds		
Canning/preserving factories		
Car wash (self-service; automated)		
Car wash, full service (detail shop)		
Carpenter, cabinet, or pattern shops		
Carpet cleaning establishments		
Caterer		P
Cement, lime, gypsum or plaster of Paris manufacture		
Cemetery and/or mausoleum	P	P
Check cashing service		P
Chemical laboratories (e.g., ammonia, bleaching powder)		
Chemical laboratories (not producing noxious fumes or odors)		
Child day care/children's nursery (business)		P
Church/place of religious assembly	P	P
Cider mills		
Civic/conference center and facilities		
Cleaning, pressing and dyeing (non-explosive fluids used)		P
Clinic (dental)		P
Clinic (emergency care)		P
Clinic (medical)		P
Club (private)		
Coffee shop		P
Cold storage plant		
Commercial amusement concessions and facilities		
Communication equipment—Installation and/or repair		P
Community building (associated with residential uses)		

Land Use	Existing	Proposed
	APD	C-1A
Community home (see definition)	P	P
Computer and electronic sales		P
Computer repair		P
Concrete or asphalt mixing plants—Permanent		
Concrete or asphalt mixing plants—Temporary		
Confectionery store (retail)		P
Consignment shop		P
Contractor's office/sales, with outside storage including vehicles		
Contractor's temporary on-site construction office	P	P
Convenience store with gas sales		
Convenience store without gas sales		P
Cotton ginning or baling works		
Country club (private)	P	
Credit agency		P
Crematorium		
Curio shops		P
Custom work shops		P
Dance hall/dancing facility (see section 144-5.13)		
Day camp		
Department store		P
Distillation of bones		
Dormitory (in which individual rooms are for rental)		
Drapery shop/blind shop		P
Driving range		
Drug store/pharmacy		P
Duplex/two-family/duplex condominiums		
Electrical generating plant		
Electrical repair shop		P
Electrical substation		P
Electronic assembly/high tech manufacturing		
Electroplating works		
Enameling works		
Engine repair/motor manufacturing re-manufacturing and/or repair		
Explosives manufacture or storage		
Exterminator service		
Fairground		
Family home adult care	P	
Family home child care	P	
Farmers market (produce market—wholesale)	P	
Farms, general (crops) (see chapter 6 and section 144-5.9)	P	P
Farms, general (livestock/ranch) (see chapter 6 and section 144-5.9)	P	P
Feed and grain store		
Fertilizer manufacture and storage		
Filling station (gasoline tanks must be below the ground)		
Florist		P
Flour mills, feed mills, and grain processing	P	
Food or grocery store with gasoline sales		
Food or grocery store without gasoline sales		P



Land Use	Existing	Proposed
	APD	C-1A
Food processing (no outside public consumption)		
Forge (hand)		
Forge (power)		
Fraternal organization/civic club (private club)		
Freight terminal, rail/truck (when any storage of freight is wholly outside an enclosed building)		
Freight terminal, truck (all storage of freight in an enclosed building)		
Frozen food storage for individual or family use		P
Funeral home/mortuary		
Furniture manufacture		
Furniture sales (indoor)		
Galvanizing works		
Garbage, offal or dead animal reduction or dumping		
Garden shops and greenhouses		P
Gas manufacture		
Gas or oil wells		
Golf course (public or private)	P	P
Golf course (miniature)		
Government building or use with no outside storage (outside storage allowed in M-2 and M-2A)	P	P
Grain elevator	P	
Greenhouse (commercial)		P
Handicraft shop		P
Hardware store		P
Hay, grain, and/or feed sales (wholesale)	P	
Health club (physical fitness; indoors only)		P
Heating and air-conditioning sales/services		P
Heavy load (farm) vehicle sales/repair (see section 144-5.14)		
Heavy manufacturing		
Heliport		
Hides/skins (tanning)		
Home occupation (see section 144-5.5)	P	
Home repair and yard equipment retail and rental outlets		
Hospice		P
Hospital, general (acute care/chronic care)		
Hospital, rehabilitation		P
Hotel/motel		
Hotels/motels—Extended stay (residence hotels)		
Ice delivery stations (for storage and sale of ice at retail only)		
Ice plants		
Indoor or covered sports facility		
Industrial laundries		
Iron and steel manufacture		
Junkyards, including storage, sorting, baling or processing of rags		
Kiosk (providing a retail service)		P
Laboratory equipment manufacturing		
Laundromat and laundry pickup stations		P
Laundry, commercial (without self-serve)		
Laundry/dry cleaning (drop off/pick up)		P
Laundry/washateria (self-serve)		P

Land Use	Existing	Proposed
	APD	C-1A
Lawnmower sales and/or repair		P
Leather products manufacturing		
Light manufacturing		
Limousine/taxi service		
Livestock sales/auction	P	
Locksmith		P
Lumber mill		
Lumberyard (see section 144-5.15)		
Lumberyard or building material sales (see section 144-5.15)		
Machine shop		
Maintenance/janitorial service		
Major appliance sales (indoor)		
Manufacture of carbon batteries		
Manufacture of paint, lacquer, oil, turpentine, varnish, enamel, etc.		
Manufacture of rubber, glucose, or dextrin		
Manufactured home—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home park—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home subdivision—HUD Code compliant (see Texas Occupations Code ch. 1201)		
Manufactured home sales		
Manufacturing and processes		
Manufacturing processes not listed		
Market (public, flea)		
Martial arts school		P
Meat or fish packing/storage plants		
Medical supplies and equipment		
Metal fabrication shop		
Micro brewery (onsite mfg. and/or sales)		
Micro distillery (onsite mfg. and/or sales)		P
Mini-warehouse/self-storage units (no boat and RV storage permitted)		
Mini-warehouse/self-storage units with outside boat and RV storage		
Monument, gravestone, or marble works (manufacture)		
Motion picture studio, commercial film		
Motion picture theater (indoors)		
Motion picture theater (outdoors, drive-in)		
Motorcycle dealer (primarily new/repair)		
Moving storage company		
Moving, transfer, or storage plant		
Multifamily (apartments/condominiums)		
Museum		P
Natural resource extraction and mining		
Needlework shop		P
Nonbulk storage of gasoline, petroleum products and liquefied petroleum		
Nursing/convalescent home/sanitarium		P
Offices, brokerage services		P
Offices, business or professional		P
Offices, computer programming and data processing		P
Offices, consulting		P
Offices, engineering, architecture, surveying or similar		P

Land Use	Existing	Proposed
	APD	C-1A
Offices, health services		P
Offices, insurance agency		P
Offices, legal services, including court reporting		P
Offices, medical offices		P
Offices, real estate		P
Offices, security/commodity brokers, dealers, exchanges and financial services		P
Oil compounding and barreling plants		
One-family dwelling, detached	P	
Outside storage (as primary use)		
Paint manufacturing		
Paper or pulp manufacture		
Park and/or playground (private and public)	P	P
Parking lots (for passenger car only) (not as incidental to the main use)		P
Parking structure/public garage		P
Pawn shop		P
Personal services		P
Personal watercraft sales (primarily new/repair)		
Pet shop/supplies (less than 10,000 sq. ft.)		P
Pet store (over 10,000 sq. ft.)		
Petroleum or its products (refining of)		
Photo engraving plant		
Photographic printing/duplicating/copy shop or printing shop		P
Photographic studio (no sale of cameras or supplies)		P
Photographic supply		P
Plant nursery (no retail sales on site)	P	P
Plant nursery (retail sales/outdoor storage)		P
Plastic products molding/reshaping		
Plumbing shop		
Portable building sales		
Poultry killing or dressing for commercial purposes		
Propane sales (retail)		
Public recreation/services building for public park/playground areas		P
Publishing/printing company (e.g., newspaper)		
Quick lube/oil change/minor inspection		P
Radio/television shop, electronics, computer repair		P
Railroad roundhouses or shops		
Rappelling facilities		
Recreation buildings (private)		P
Recreation buildings (public)	P	P
Recycling kiosk		P
Refreshment/beverage stand		P
Rental or occupancy for less than one month (see section 144-5.17)		
Research lab (non-hazardous)		
Residential use in buildings with non-residential uses permitted in the district		
Restaurant/prepared food sales		P
Restaurant with drive-through service		P
Retail store and shopping center without drive-through service (50,000 sq. ft. bldg. or less)		P
Retail store and shopping center with drive-through service (50,000 sq. ft. bldg. or less)		P

Land Use	Existing	Proposed
	APD	C-1A
Retail store and shopping center (more than 50,000 sq. ft. bldg.)		
Retirement home/home for the aged		P
Rock crushers and rock quarries		
Rodeo grounds	P	
RV park		
RV/travel trailer sales		
Sand/gravel sales (storage or sales)		
School, K-12 public or private	P	P
School, vocational (business/commercial trade)		P
Security monitoring company (no outside storage or installation)		P
Security systems installation company		P
Sexually oriented business (see chapter 18)		
Sheet metal shop		
Shoe repair shops		P
Shooting gallery—Indoor (see section 144-5.13)		
Shooting range—Outdoor (see section 144-5.13)		
Shopping center		P
Sign manufacturing/painting plant		
Single-family industrialized home (see section 144-5.8)	P	
Smelting of tin, copper, zinc or iron ores		
Specialty shops in support of project guests and tourists		P
Stables (as a business) (see chapter 6)	P	
Stables (private, accessory use) (see chapter 6)	P	
Steel furnaces		
Stockyards or slaughtering		
Stone/clay/glass manufacturing		
Storage—Exterior storage for boats and recreational vehicles		
Storage in bulk		
Structural iron or pipe works		
Studio for radio or television, without tower (see zoning district for tower authorization)		
Studios (art, dance, music, drama, reducing, photo, interior decorating, etc.)		P
Sugar refineries		
Tailor shop (see home occupation)		P
Tar distillation or manufacture		
Tattoo or body piercing studio		
Taxidermist		
Telecommunications towers/antennas (see section 144-5.7)		
Telemarketing agency		P
Telephone exchange buildings (office only)		P
Tennis court (commercial)		
Theater (non-motion picture; live drama)		P
Tire sales (outdoors)		
Tool rental		P
Townhouse (attached)		
Transfer station (refuse/pick-up)		
Travel agency		P
Truck or transit terminal		
Truck stop		

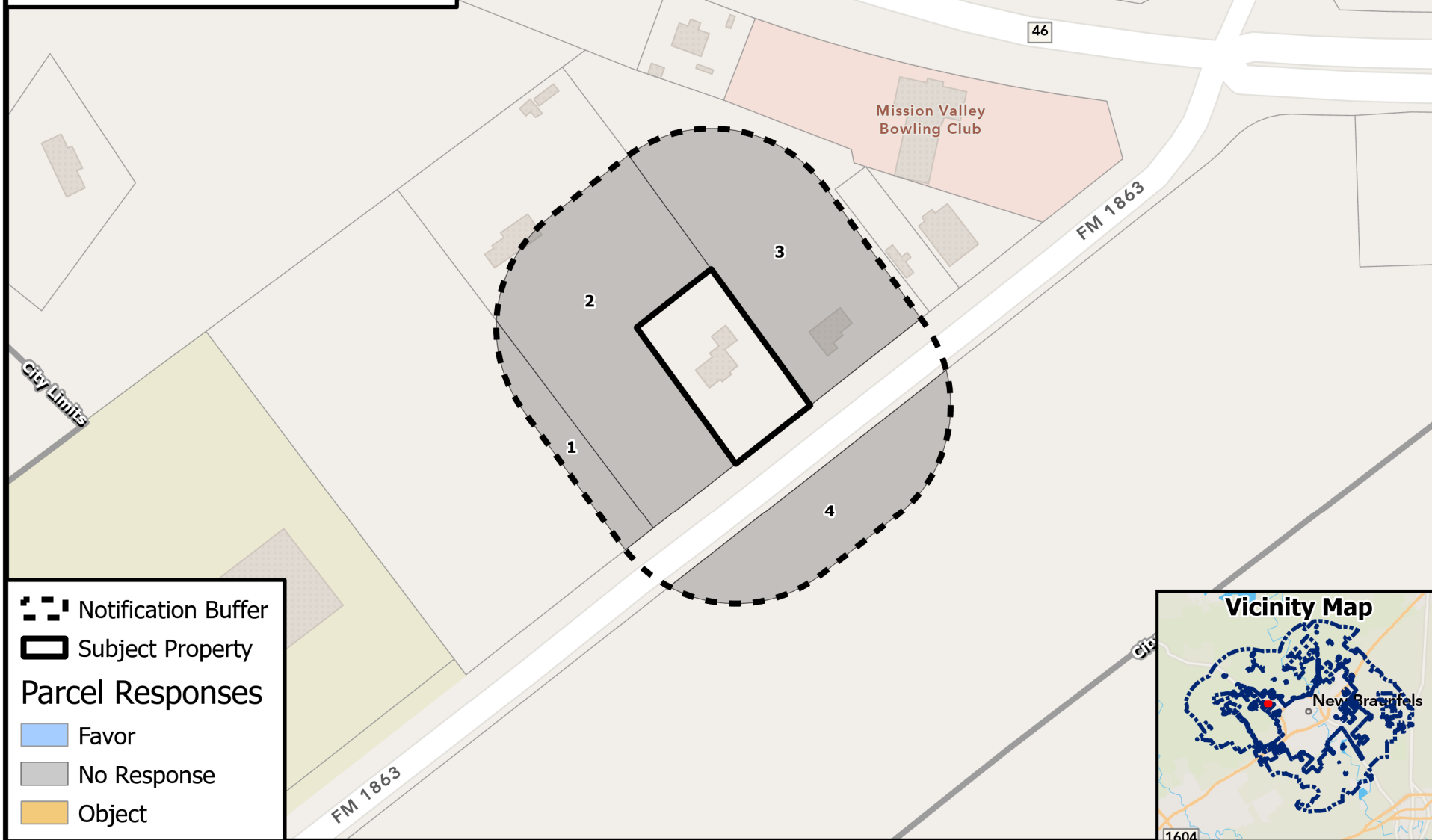
Land Use	Existing	Proposed
	APD	C-1A
Tuber entrance and takeout facilities (see section 144-5.13)		
University or college (public or private)		P
Upholstery shop (non-auto)		
Used or second hand merchandise/furniture store		
Vacuum cleaner sales and repair		P
Vehicle storage facility		
Veterinary hospital (no outside animal runs or kennels)		P
Veterinary hospital (with outdoor animal runs or kennels that may not be used between the hours of 9:00 p.m. and 7:00 a.m.)		
Video rental/sales		P
Warehouse/office and storage/distribution center		
Waterfront amusement facilities—Berthing facilities sales and rentals		
Waterfront amusement facilities—Boat fuel storage/dispensing facilities		
Waterfront amusement facilities—Boat landing piers/launching ramps		
Waterfront amusement facilities—Swimming/wading pools/bathhouses		
Water storage (surface, underground or overhead), water wells and pumping stations that are part of a public or municipal system	P	P
Welding shop		
Wholesale sales offices and sample rooms		
Wire or rod mills		
Wood distillation plants (charcoal, tar, turpentine, etc.)		
Woodworking shop (ornamental)		P
Wool scouring		
Zero lot line/patio homes		



160 FM 1863

1

Property Owner - Refer to Property Number on Postcard. Numbers may shift due to real estate transactions from the initial notification.



**PLANNING COMMISSION – October 8, 2025– 6:00PM**

City Hall Council Chambers

**Applicant:** James Ingalls, P.E.

**Address/Location:** 160 FM 1863

**Case # PZ25-0333**

The numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- |                                    |  |
|------------------------------------|--|
| 1. CENTER FOR CHRISTIAN GROWTH INC | 3. TRAILBLAZER MANAGEMENT LTD                  |
| 2. PARKER HELEN K A                | 4. SINGLETON SANDRA D & DWAYNE G<br>DISCHINGER |

**SEE MAP**



10/8/2025

Agenda Item No. B)

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**PRESENTER:**

Applicant: Beverly Davidek

Owner: JoAnn and Richard Rothfelder

**SUBJECT:**

**SUP25-315** Public hearing and recommendation to City Council on an ordinance requested by Beverly Davidek, on behalf of Richard L. and JoAnn Rothfelder, to rezone approximately 0.4 of an acre out of the John Thompson Survey No. 21, Abstract 608, from R-3 (Multifamily District) to R-3 SUP (Multifamily District with a Special Use Permit to allow a Short Term Rental), currently addressed at 1731 Kuehler Avenue

**DEPARTMENT:** Neighborhood and Community Planning**COUNCIL DISTRICTS IMPACTED:** 6**BACKGROUND INFORMATION:****Case No:** SUP25-315**Applicant:**

Beverly Davidek

830-515-5854 | beverly@davideklaw.com

**Owner:**

JoAnn Rothfelder | jarothfelder@gmail.com

**Owner:**

Richard L. Rothfelder

713-962-6300 | rrothfelder@rothfelderfalick.com

**Staff Contact:**

Amanda Mushinski, AICP, CNU-A

(830) 221-4056 | amushinski@newbraunfels.gov

The ~0.4-acre property is located on the northeast side of Kuehler Avenue, approximately 1000 feet southwest of the intersection of Kuehler Spur and South Seguin Avenue, and is situated along the Guadalupe River. It is bordered by R-3 and R-2 zoning. Adjacent land uses are residential.

The 1970s residence is roughly 1947 square feet with 4 bedrooms and 3 bathrooms. Per the Zoning Ordinance, the maximum occupancy of an STR with 4 bedrooms and 3 bathrooms is 10 occupants, and the minimum off-street parking is 4 spaces. There is sufficient room to accommodate the minimum parking requirements.

**ISSUE:**

Short-term rental standards in the Zoning Ordinance help to ensure proper measures are in place to protect public health, safety, and neighboring properties. If this rezoning request is approved, the registration of the short-term rental and online payment of hotel occupancy taxes are required. Also, the project must comply with

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all other City Code standards.

There are currently 7 approved short term rental SUPs within one-half mile of the subject property, 4 of which are active.

### COMPREHENSIVE PLAN REFERENCE:

The applicant's request is consistent with the following actions from Envision New Braunfels:

- **Action 1.3:** Encourage balanced and fiscally responsible land-use patterns.
- **Action 1.14:** Ensure regulations do not unintentionally inhibit the provisions of a variety of flexible and innovative lodging options and attractions.

**Future Land Use Plan:** The subject property is located within the Oak Creek Sub Area, along the Recreational River Corridor, near existing Market, Outdoor Recreation, Civic, and Employment Centers.

### STRATEGIC PLAN REFERENCE:

☒ Economic Mobility ☐ Enhanced Connectivity ☐ Community Identity

☐ Organizational Excellence ☐ Community Well-Being ☐ N/A

- Incentivize mixed-use developments and redevelopments in targeted locations to create a built environment with integrated housing, commercial centers, and opportunities for improved connectivity.

### FISCAL IMPACT:

The rezoning request is in alignment with the following recommendations and strategies of the Land Use Fiscal Analysis:

- Provide a mix of uses and building types, heights, and sizes in a more walkable context to produce more value and fiscal productivity.
- Mix of uses (residential and short-term rental) developed on a single parcel of land increases revenue to cover costs of services.

If approved, the property will be subject to local and state hotel occupancy tax (HOT).

### RECOMMENDATION:

If approved, staff recommends the following conditions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan and floor plan. Any significant changes to the site plan or floor plan will require a revision to the SUP.

Code of Ordinances Sec. 144-2.1 *Changes and Zoning Amendments:*

(b) *Considerations for approving or denying a zoning change.* In making a determination regarding a requested zoning change, the planning commission and the city council shall consider the following factors:

- (1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole;
- (2) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;
- (3) How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved;
- (4) Any other factors that will substantially affect the public health, safety, morals, or general welfare; and
- (5) Whether the request is consistent with the comprehensive plan.

*Mailed notification as required by state statute:*

Public hearing notices were sent to owners of 18 properties within 200 feet of the request. As of the date this

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agenda was posted, the city has received no responses.

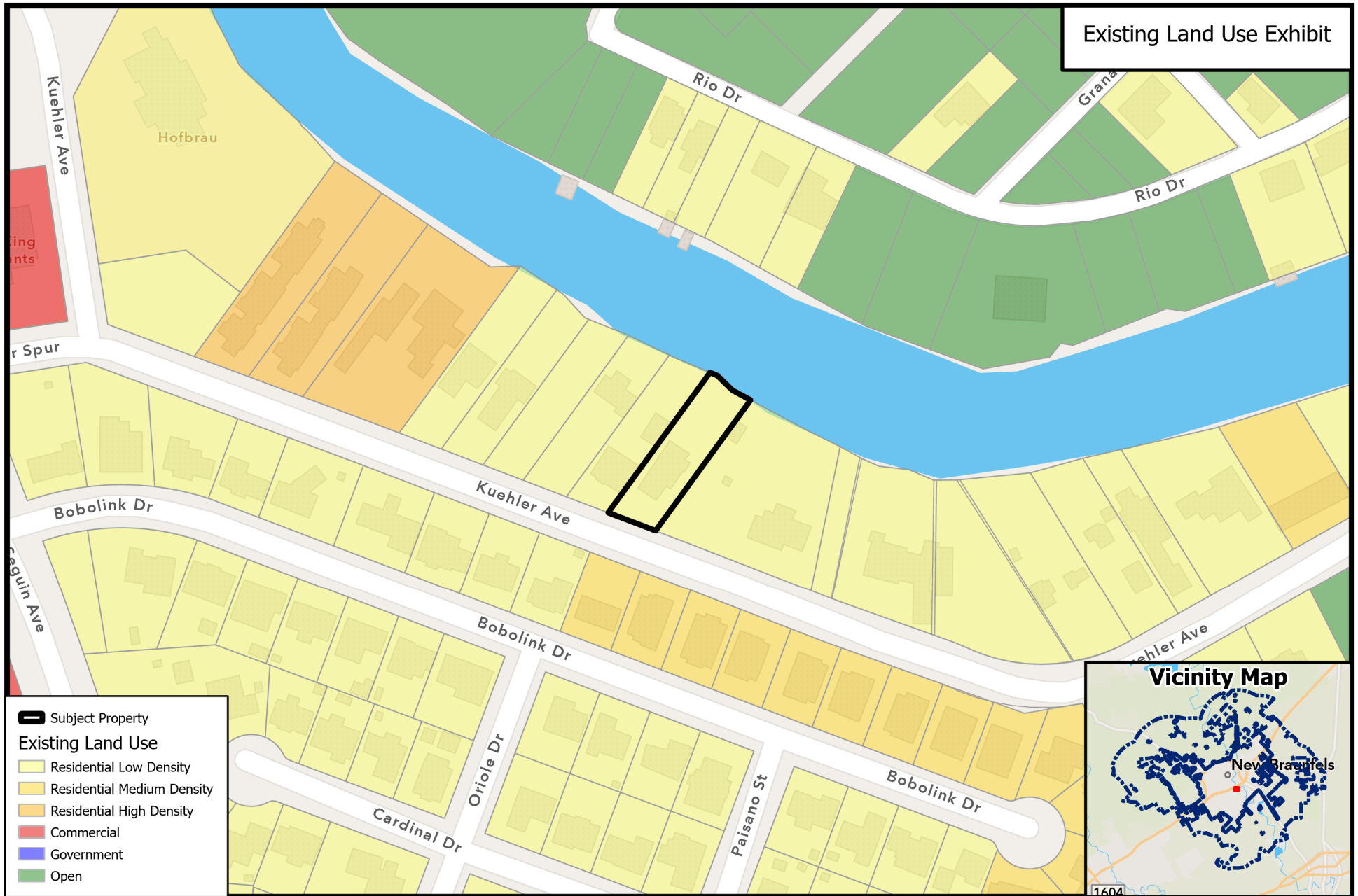
Resource Links:

- Chapter 144, Sec. 3.3-3 (R-3) of the City's Code of Ordinances:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)
- Chapter 144, Sec. 5.17 (Short-term Rental) of the City's Code of Ordinances:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?<https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?)









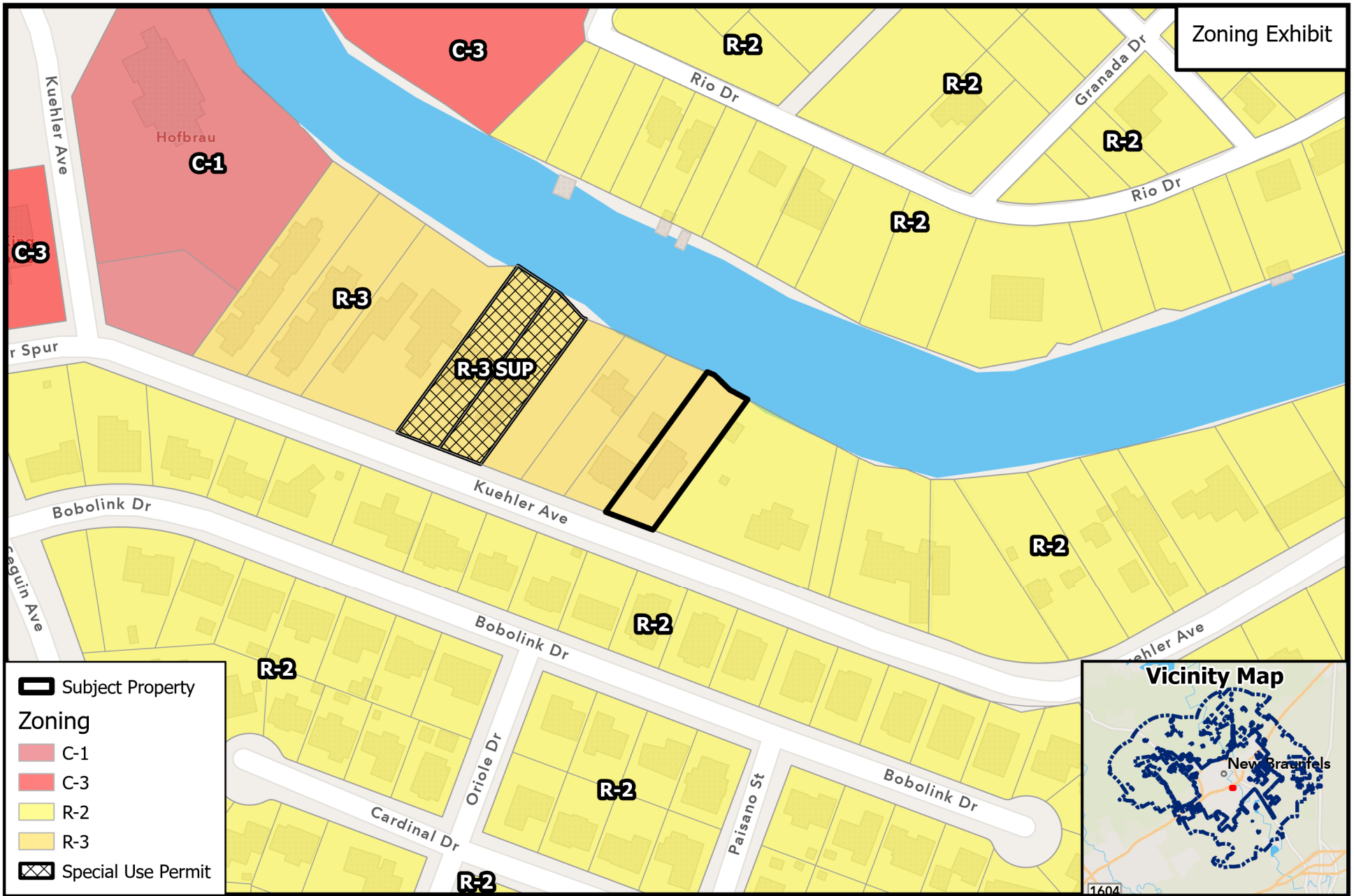
**SUP25-315**  
**1731 Kuehler Ave - SUP for STR**



Path: P:\ZoneChange & SUPs\2025\SUP25-315 - 1731 Kuehler Ave - SUP for

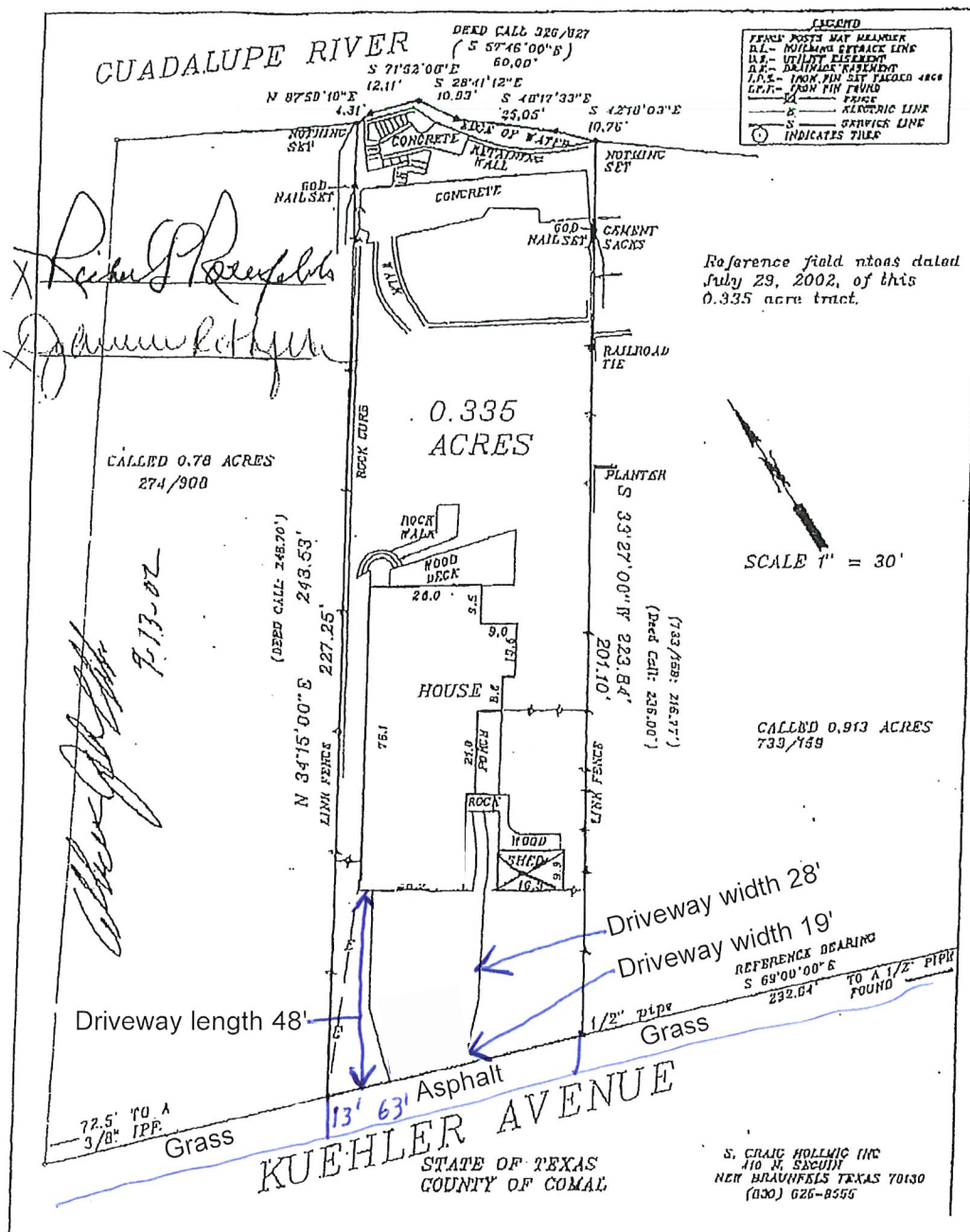
Source: City of New Braunfels Planning  
 Date: 9/17/2025

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 officials or employees for any discrepancies, errors, or variances which may exist.







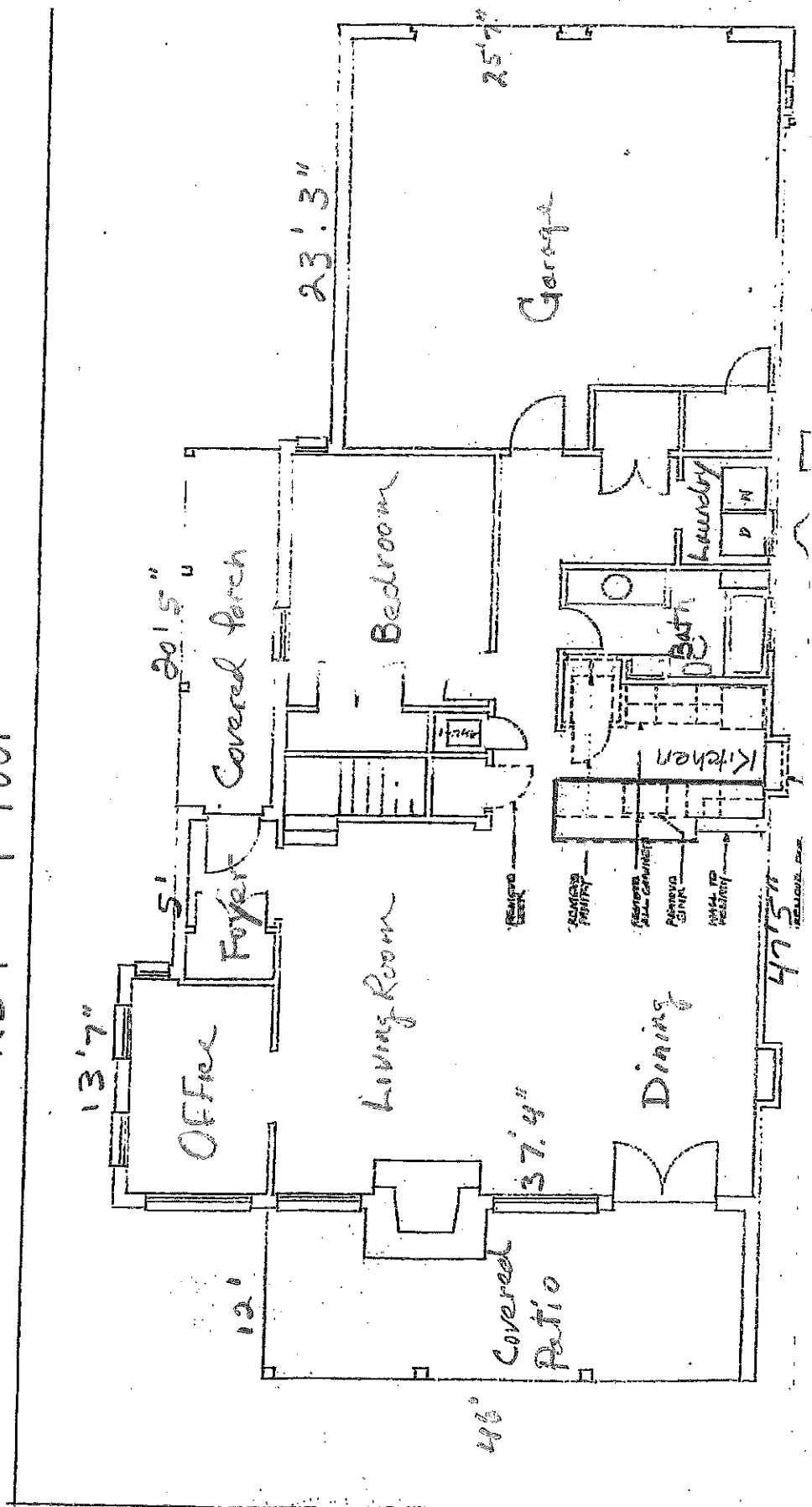


I, Richard L. Rothfelder, the property owner, acknowledge that this site plan submitted for the purposes of rezoning this property is in accordance with all applicable provisions of the Zoning Ordinance. Additionally, I understand that City Council approval of this site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes/Ordinances at the time of plan submittal for building permits. Nor does it relieve me from adherence to any/all state or federal rules and regulations.

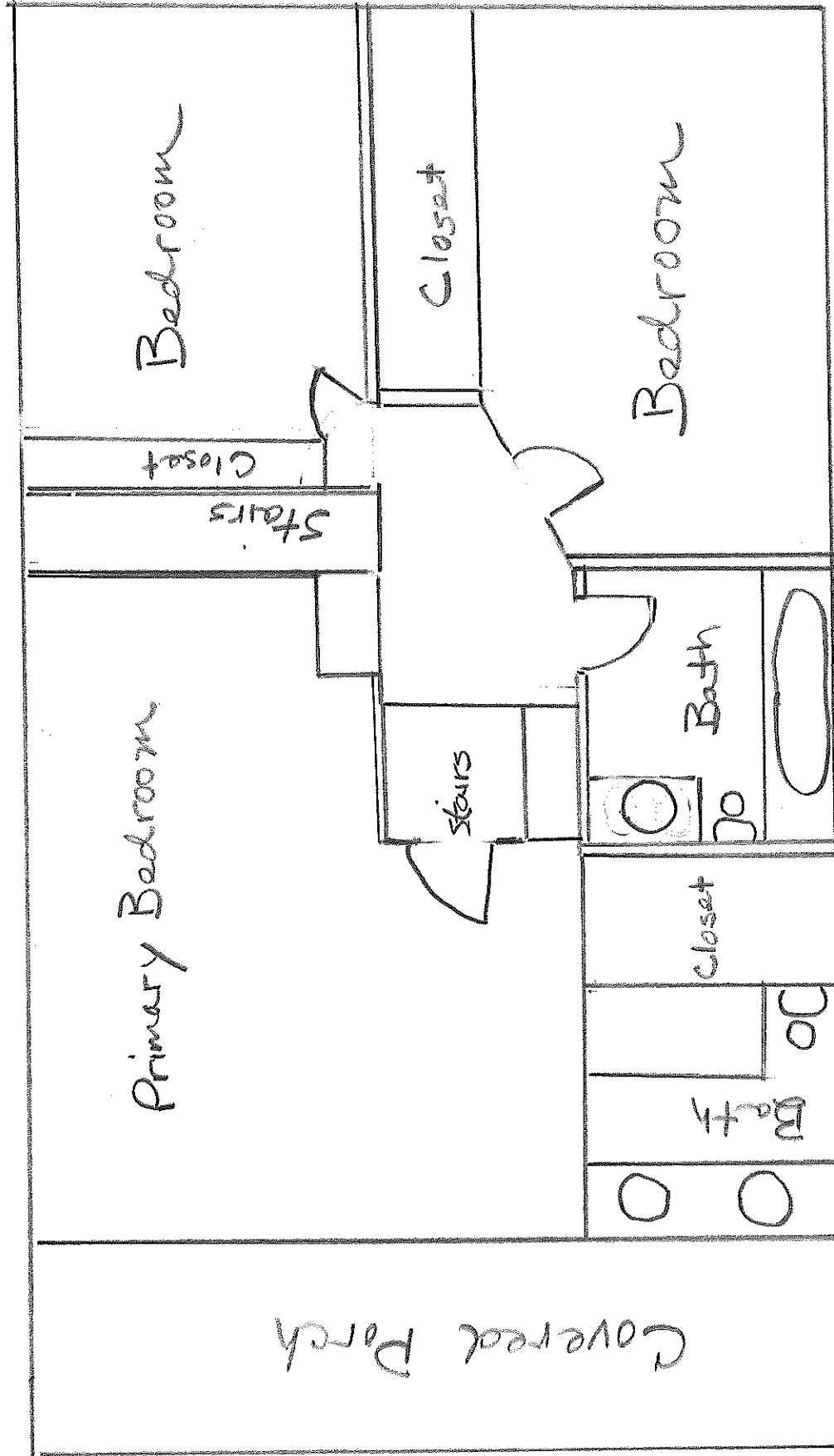
There are 7 off-street 9'x20' parking spaces, 2 in the garage and 5 in the driveway. In addition, there is space for 2 additional vehicles to park on the asphalt between the driveway and Kuehler Avenue (or 3 if you block the mailbox). The length of the driveway is 48'. The width of the driveway close to the garage is 28'. The width of the driveway close to the street is 19'. The asphalt between the driveway and the street is 63'x13'.



# FIRST Floor

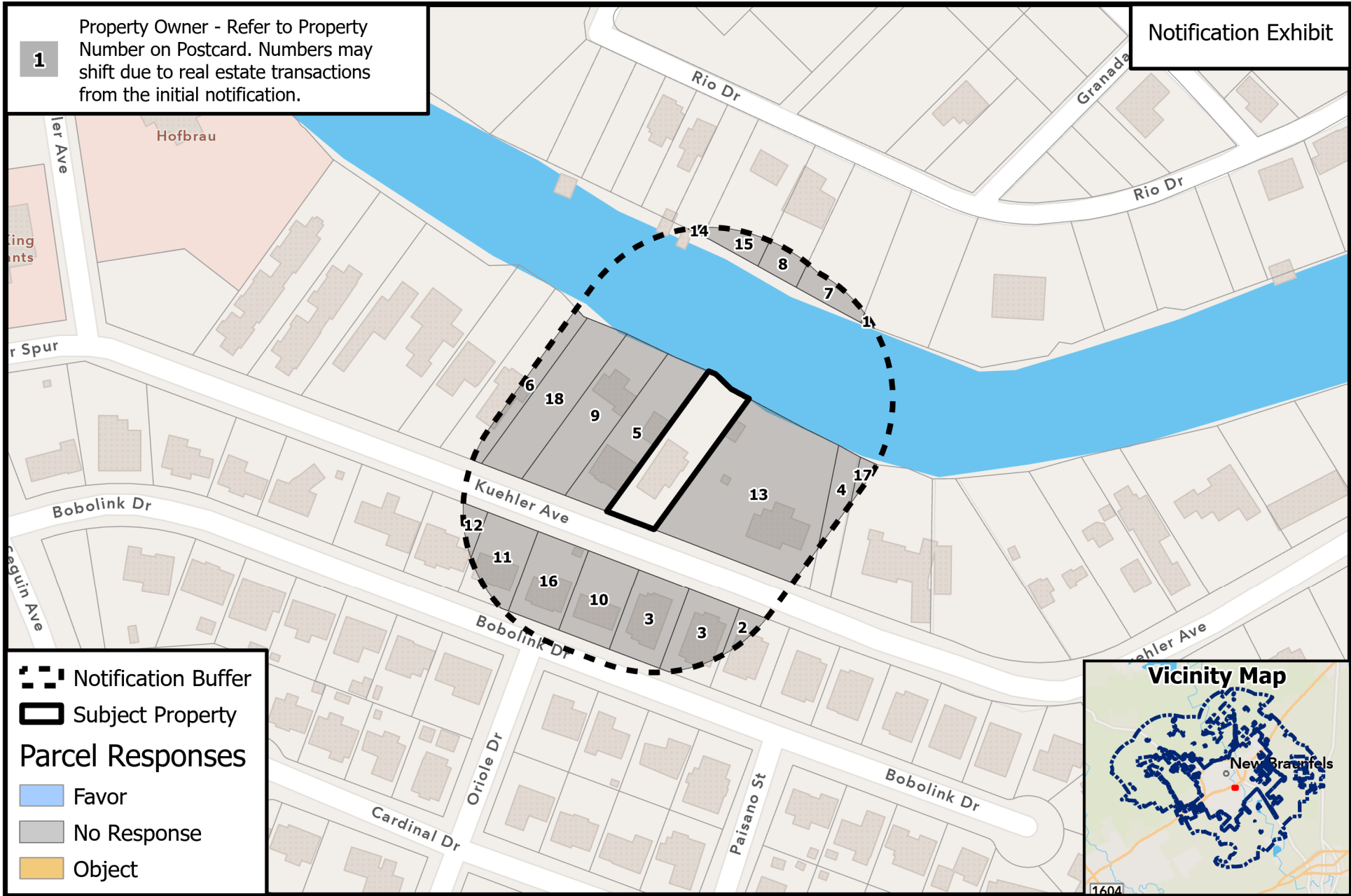


# SECOND FLOOR





**1731 Kuehler Ave**



**PLANNING COMMISSION – October 8, 2025 – 6:00PM**

City Hall Council Chambers

**Applicant:** Beverly Davidek

**Address/Location:** 1731 Kuehler Ave

**SUP25-315**

The numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as “Subject Property”.

- |                                  |                                       |
|----------------------------------|---------------------------------------|
| 1. NCC FINANCIAL LLC             | 11. SAWYER THERESA A & LEMAN P        |
| 2. CALTE PROPERTIES LLC          | 12. TUCH JAMES RAY & PAT              |
| 3. BRAZLE MARGARET L             | 13. STIPANOVICH WILLIAM & TERRY RVCBL |
| 4. NEW BRAUNFELS CITY OF         | TRST                                  |
| 5. ADAMS JENNIFER A              | 14. MELSHA JAMES                      |
| 6. BEAH LLC                      | 15. LAY ENTERPRISE LLC                |
| 7. OLD FOSSIL JOINT VENTURE LLC  | 16. FOERSTER BARBARA L                |
| 8. BARTOLO DEBORAH K             | 17. KING RONALD B & CYNTHIA S         |
| 9. HILDEBRAND EDWARD E & JOYCE E | 18. COLE RICHARD P & CATHERINE F      |
| 10. MORALES ANDREW & ASHLEY      |                                       |

**SEE MAP**