

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.21 ACRES, BEING OUT OF THE HIGHLAND PARK SUBDIVISION, BLOCK 1, LOT 17, CURRENTLY ADDRESSED AT 1668 W SAN ANTONIO ST, FROM C-3 (COMMERCIAL DISTRICT) TO C-3 SUP (COMMERCIAL DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW FOR A SHORT TERM RENTAL OF A RESIDENCE); 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 a Special Use Permit, the City Council has given due consideration to all components of said permit; and

WHEREAS, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

WHEREAS, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

WHEREAS, the property is located in an area suitable for short term rental use; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan; and

WHEREAS, the requested rezoning is in accordance with the City's Strategic Plan; and

WHEREAS, the City Council desires to grant a Special Use Permit at 1668 W San Antonio St, to allow short term rental of a residence in C-3 (Commercial 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 adding the following tract of land as a "Special Use Permit" for the uses and conditions herein described:

Being Highland Park Subdivision, Block 1, Lot 17, being as depicted on Exhibit "A" attached.

SECTION 2

THAT the Special Use Permit be subject to the following additional conditions:

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

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 24th day of February 2025.

PASSED AND APPROVED: Second reading this 10th day of March 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

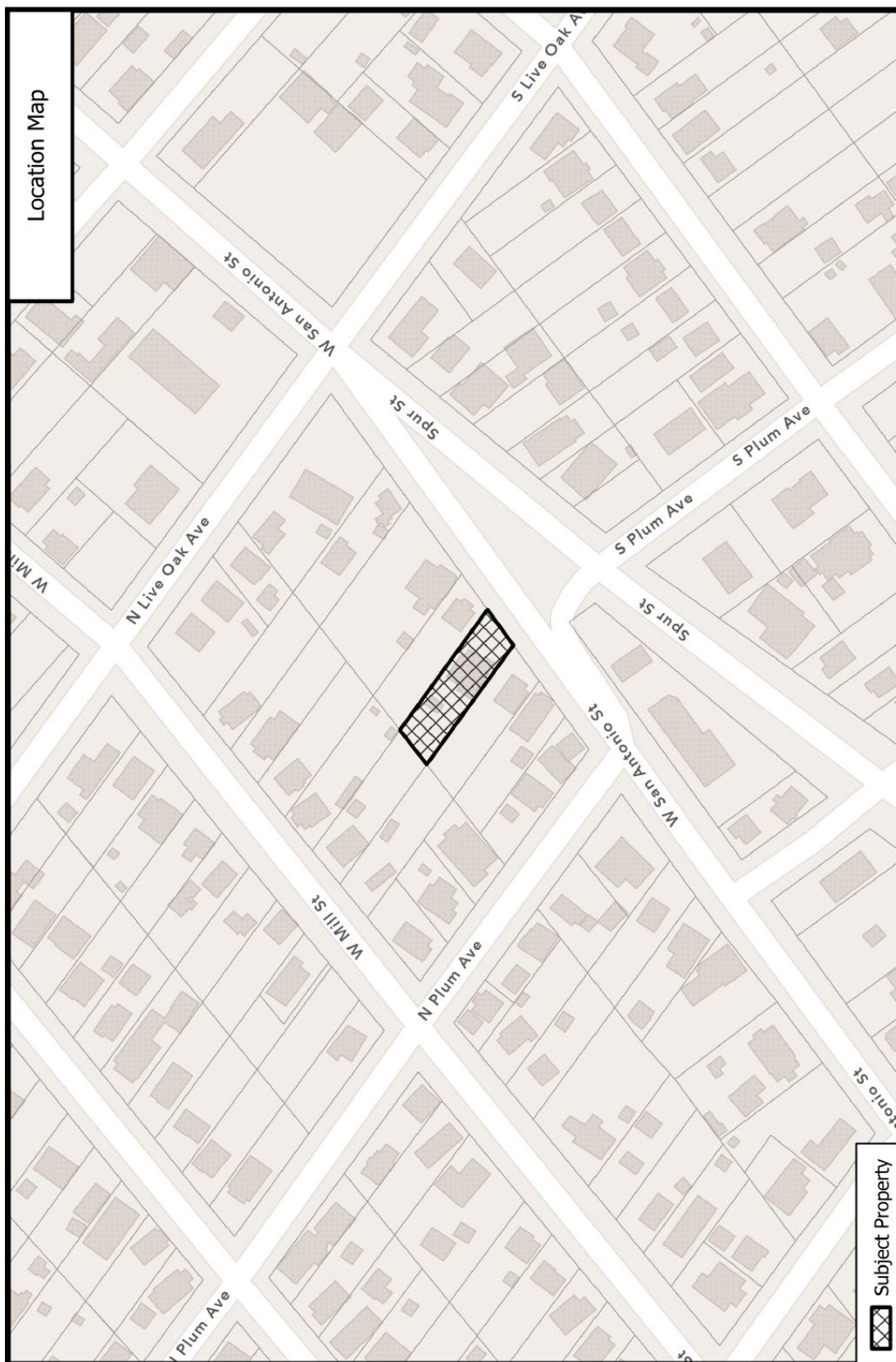
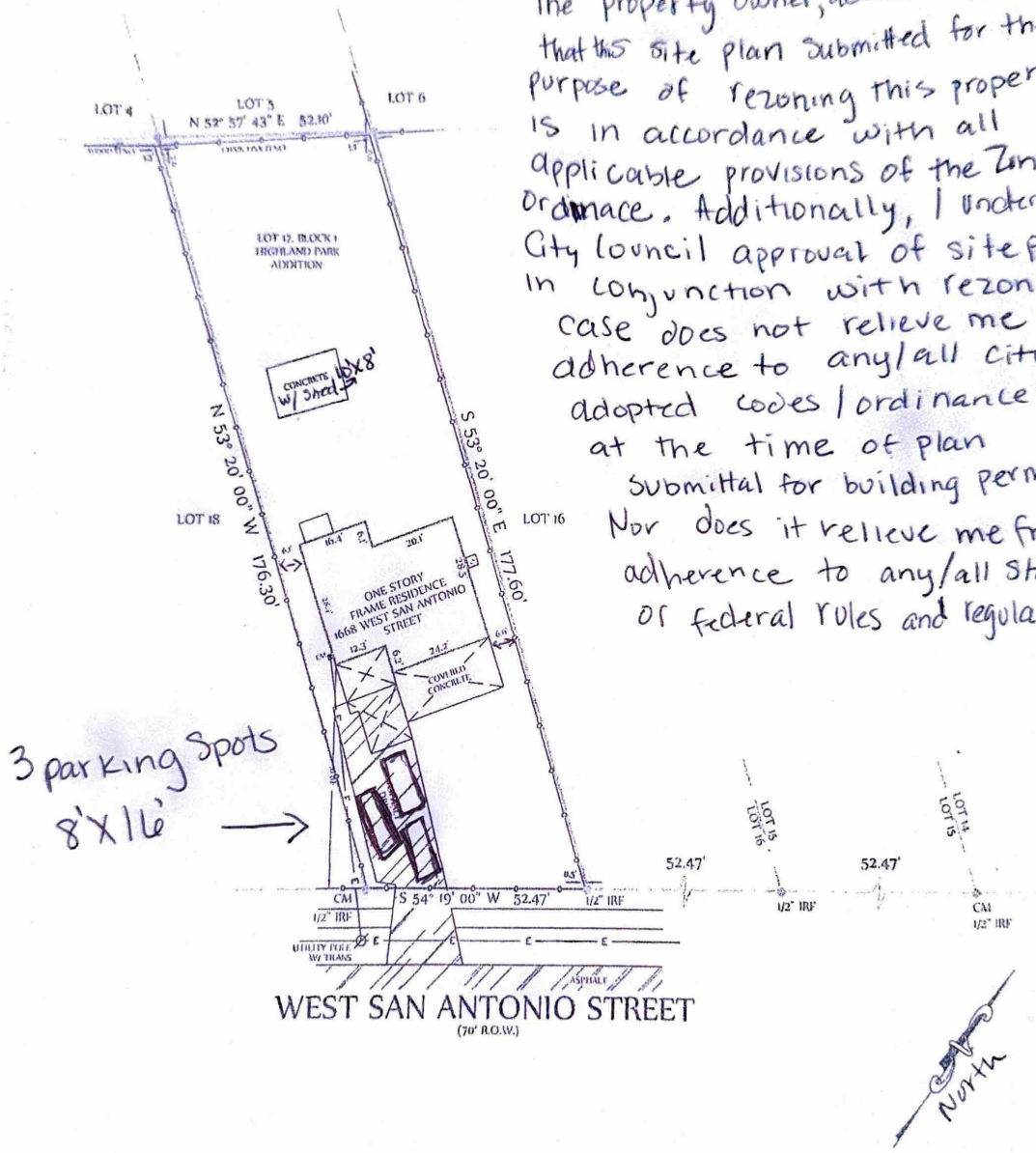


EXHIBIT "B"

I Joshua Bertolacci
 the property owner, acknowledge
 that this site plan submitted for the
 purpose of rezoning this property
 is in accordance with all
 applicable provisions of the Zoning
 Ordinance. Additionally, I understand
 City Council approval of site plan
 in conjunction with 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,

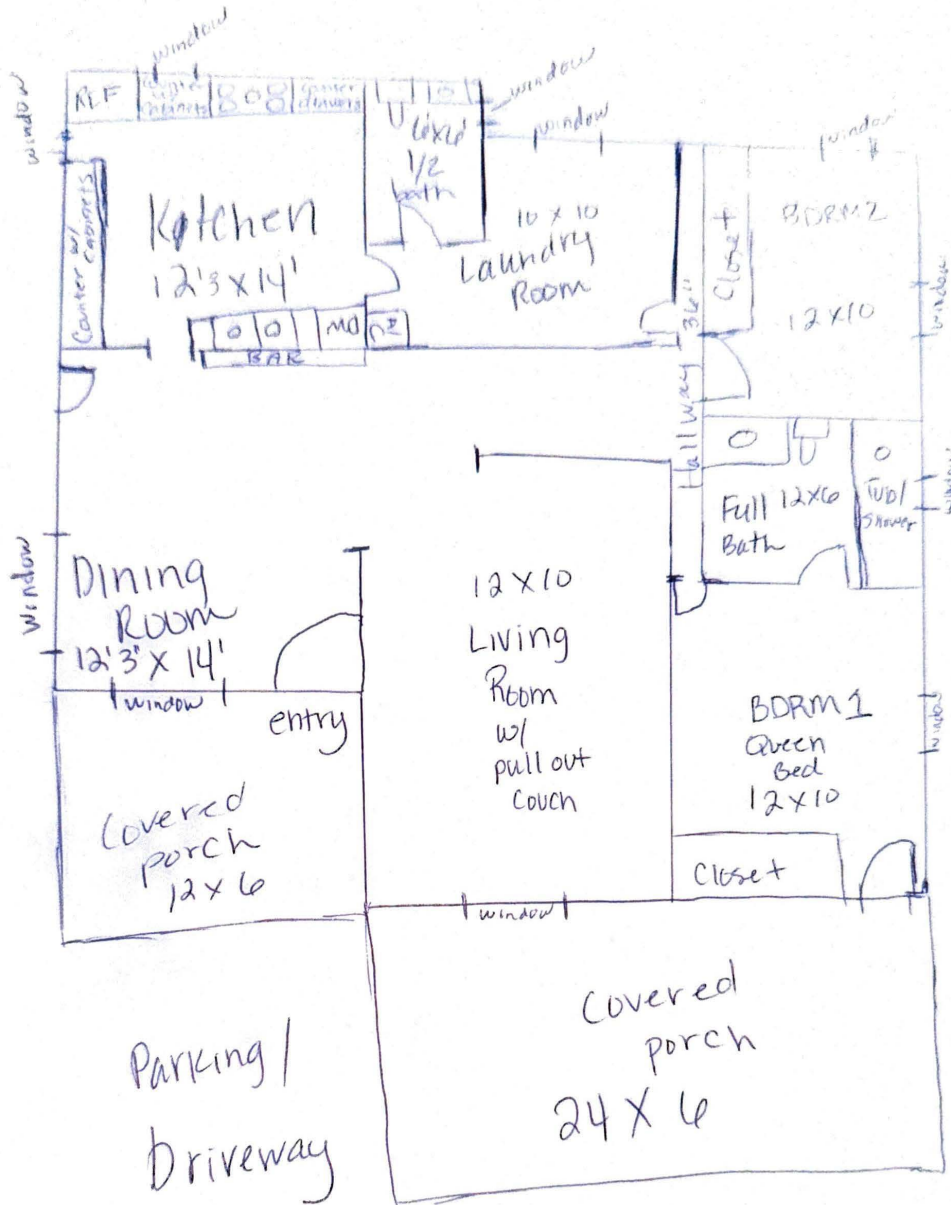


NOTES:
 ALL BEARINGS SHOWN HEREON ARE BASED ON THE RECORDED PLAT.

LEGAL DESCRIPTION:
 LOT 9, BLOCK 1, HIGHLAND PARK ADDITION, AN ADDITION TO THE CITY OF NEW BRUNNELS, COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 23, PAGE 440, DEED RECORDS, COMAL COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:
 THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION, THAT THE SURVEY REFLECTS A TRUE AND CORRECT REPRESENTATION AS TO THE DIMENSIONS AND CALLS OF PROPERTY LINES, LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN. THE SUBJECT PROPERTY DOES NOT APPEAR TO BE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND HAS A ZONE "X" RATING AS SHOWN BY THE MAP. THE SURVEYOR HAS REVIEWED THE PLAT AND THE RECORDS THEREOF AND HAS FOUND THEM TO BE CORRECT AND COMPLETE.

EXHIBIT "C"



Floor Plan