

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.25 ACRES, BEING OUT OF THE CITY BLOCK SUBDIVISION 1073, LOT 11, CURRENTLY ADDRESSED AT 182 PERRYMAN STREET, 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 182 Perryman Street, to allow short term rental of a residence in the 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 out of the City Block Subdivision 1073, Lot 11, being as depicted on Exhibit "A" and described on Exhibit "B" 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 "C" and floor plan Exhibit "D". Any significant changes to the site plan will require a revision to the SUP through the rezoning process.
3. A paved driveway with three paved parking spaces must be available for use prior to the issuance of a Short-Term Rental Permit. **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 April 2026.

PASSED AND APPROVED: Second reading this 11th day of May 2026.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

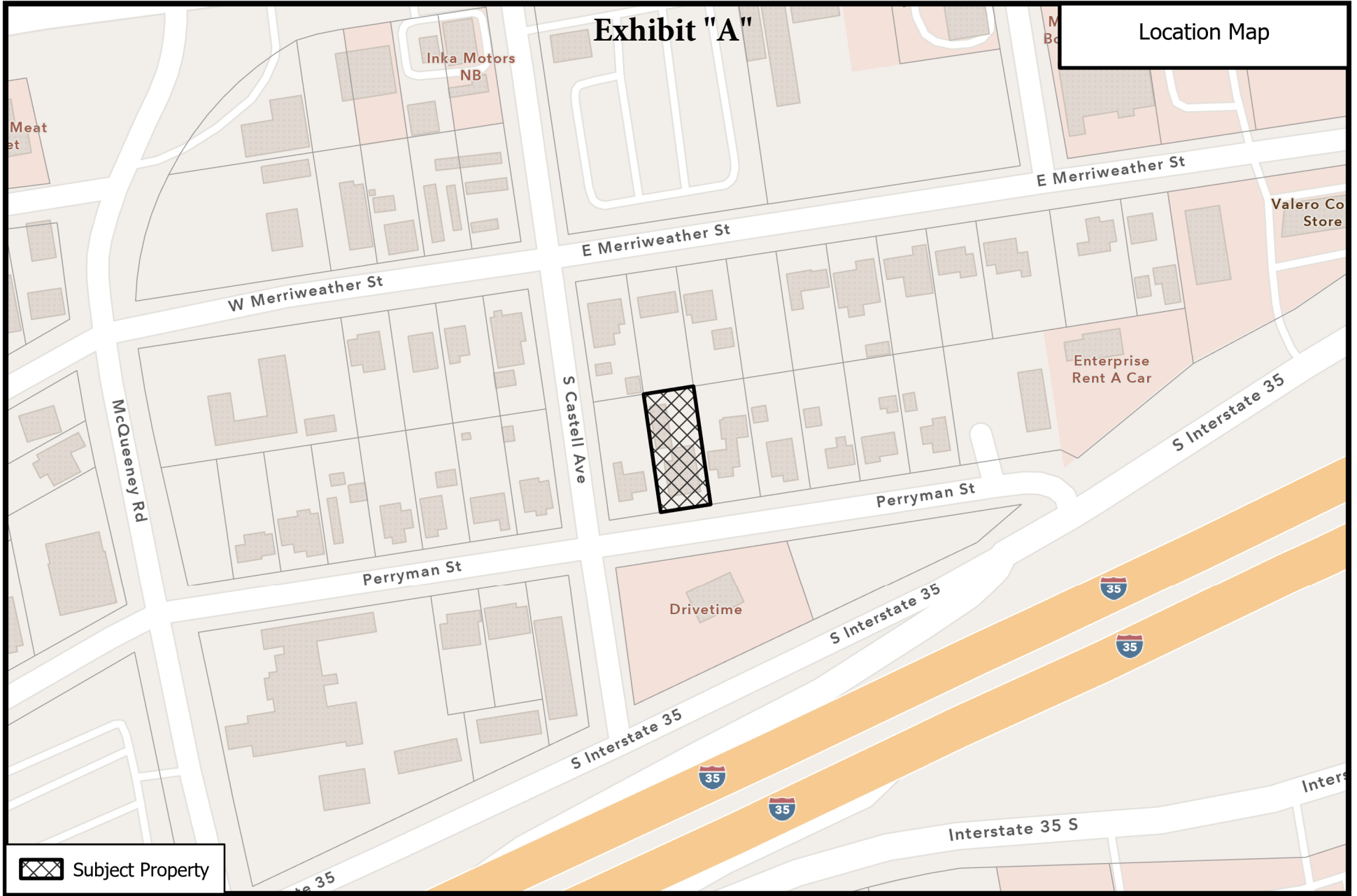
GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

Exhibit "A"

Location Map



SUP26-061 182 Perryman St - SUP for STR



Exhibit "B"

METES AND BOUNDS

Being 0.2178 acres of land, more or less, situated in the John Thompson Survey No. 21, Abstract 608, Comal County, Texas and being out of that same property described in a Revocable Transfer on Death Deed recorded in Document No. 202006010617, Official Public Records, Comal County, Texas, said 0.2178 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the southeast corner of this 0.2178 acres, same being the southwest corner of B&W NB, LLC., Tract 6 (Document No. 202306000622), and on the North Right-of-Way line of Perryman Street, same also being the **POINT OF BEGINNING**;


THENCE along the North Right-of-Way line of said Perryman Street, South 81 degrees 03 minutes 13 seconds West (called South 81 degrees 43 minutes West), a distance of 63.34 feet (called 63.33 feet) to a 1/2 inch iron rod found for the southwest corner of this 0.2178 acres, same being the southeast corner of Frank Witting, 0.218 acres (Document No. 202506007063);

THENCE along the line common to this 0.2178 acres and said Witting 0.218 acres, North 08 degrees 53 minutes 21 seconds West (called North 08 degrees 17 minutes West), a distance of 149.93 feet (called 150 feet) to a 1/2 inch iron rod found for the northwest corner of this 0.2178 acres, same being the northeast corner of said Witting 0.218 acres, and the southeast corner of Lot 1, Block 1072, Highway Addition (Volume 71, Page 535), same also being the southwest corner of Lot 2 of said Highway Addition;

THENCE along the line common to this 0.2178 acres and said Lot 2, North 81 degrees 22 minutes 35 seconds East (called North 81 degrees 43 minutes East), a distance of 63.34 feet (called 63.33 feet) to a point for the northeast corner of this 0.2178 acres, same being the southeast corner of said Lot 2, and the southwest corner of Lot 3 of said Highway Addition, same also being the northwest corner of said Tract 6;

THENCE along the line common to this 0.2178 acres and said Tract 6, South 08 degrees 53 minutes 21 seconds East (called South 08 degrees 17 minutes East), at a distance of 149.57 feet (called 150 feet) to the **POINT OF BEGINNING**, and containing 0.2178 acres of land, more or less.

I hereby certify that these field notes, prepared from an actual survey made on the ground and under my supervision, are true and correct to the best of my knowledge and belief. A survey plat of the above described tract, prepared this day, is hereby attached to and made a part hereof. Bearings shown hereon are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.

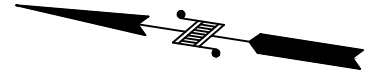

Derrick L. Mayfield
Registered Professional Land Surveyor
Texas Registration No. 6456
October 3, 2025



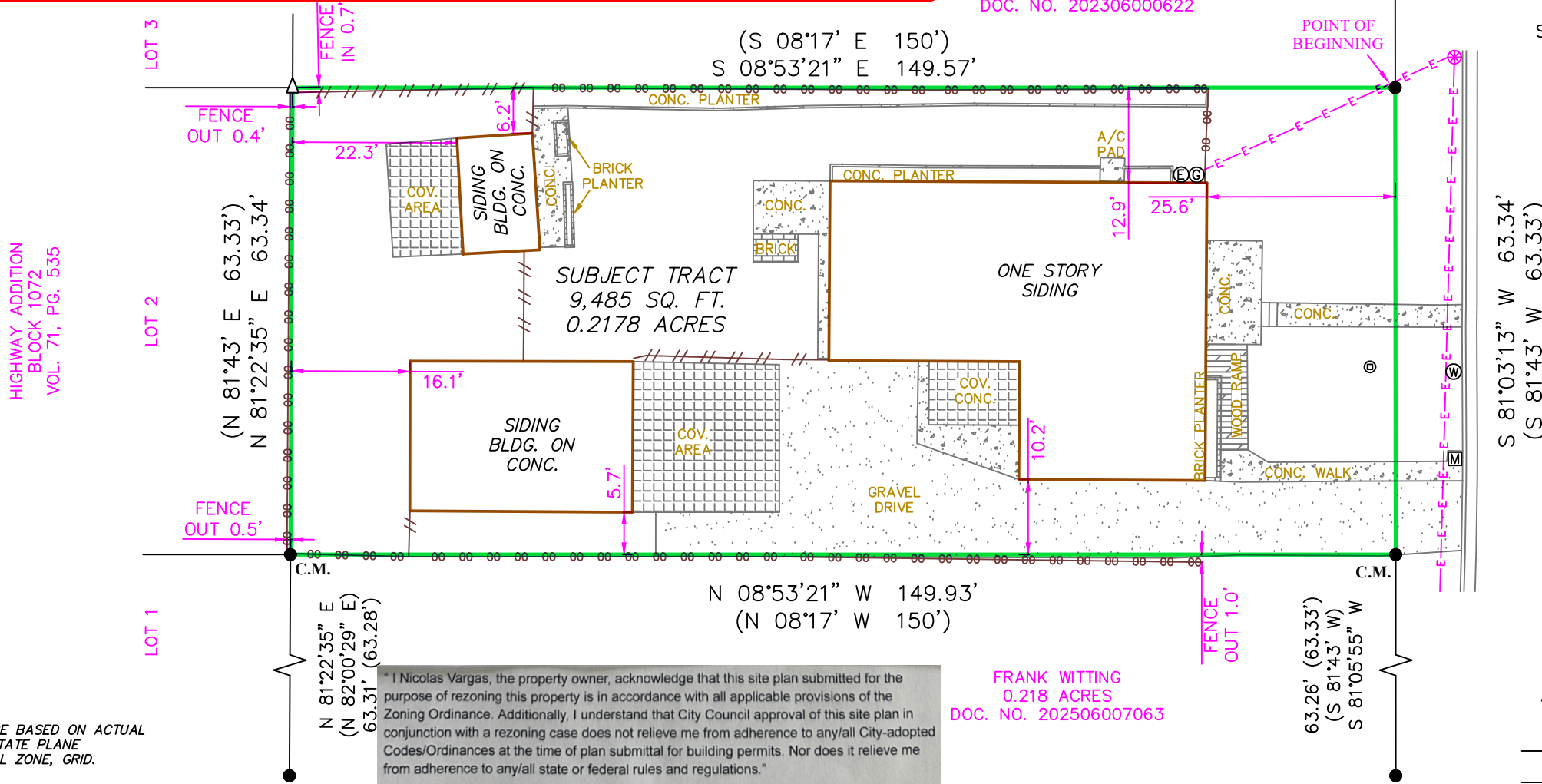
FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48091C, Panel No. 0455 G, which is Dated 5/8/2024. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) SHD, X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <https://msc.fema.gov/portal>.

Exhibit "C"

B&W NB, LLC.
TRACT 6
DOC. NO. 202306000622



SCALE: 1"=20'



NOTE:
BEARINGS SHOWN HEREON ARE BASED ON ACTUAL GPS OBSERVATIONS, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE, GRID.
NOTE:
NO RESTRICTIVE COVENANTS OF RECORD WERE FOUND.

"I Nicolas Vargas, 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 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."

FRANK WITTING
0.218 ACRES
DOC. NO. 202506007063

THIS SURVEY IS
ACKNOWLEDGED AND
IS ACCEPTED:

FIRM REGISTRATION NO. 1011700

Westar Alamo
LAND SURVEYORS, LLC.
P.O. BOX 1645 BOERNE, TEXAS 78006
PHONE (210) 372-9500 FAX (210) 372-9999

LEGEND

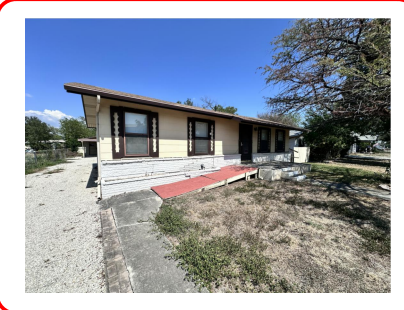
- △ = CALCULATED POINT
- = FOUND 1/2" IRON ROD
- = RECORD INFORMATION
- C.M. = CONTROLLING MONUMENT
- ⊕ = POWER POLE
- ⊙ = ELECTRIC METER
- ⊖ = OVERHEAD ELECTRIC
- ⊗ = GAS METER
- ⊕ = WATER METER
- ⊙ = CLEANOUT
- ⊙ = MAILBOX
- ⊙ = CHAIN LINK FENCE
- ⊙ = WOOD FENCE

DWG: AV RVD: DLM

Property Address:
182 PERRYMAN STREET

Property Description:
Being 0.2178 acres of land, more or less, situated in the John Thompson Survey No. 21, Abstract 608, Comal County, Texas and being out of that same property described in a Revocable Transfer on Death Deed recorded in Document No. 202006010617, Official Public Records, Comal County, Texas, said 0.2178 acres being more particularly described by metes and bounds attached hereto:

Owner:
NICOLAS VARGAS



I, DERRICK L. MAYFIELD, Registered Professional Land Surveyor, State of Texas, certify that the above plat represents an actual survey made on the ground under my supervision, and that my professional opinion is that there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, except as may appear herein, to the best of my knowledge and belief.

Derrick L. Mayfield

DERRICK L. MAYFIELD
Registered Professional Land Surveyor
Texas Registration No. 6456

G.F. NO. 7258-25LLC-TX

JOB NO. 133358

TITLE COMPANY: CLOSED TITLE

DATE: 10/3/2025

Exhibit "D"

