

ORDINANCE NO.2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 2 ACRES OUT OF CITY BLOCK 3022, FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO M-1 SUP (LIGHT INDUSTRIAL DISTRICT WITH A SPECIAL USE PERMIT FOR ONE RESIDENCE WITH AN ALLOWANCE FOR SHORT TERM RENTAL), CURRENTLY ADDRESSED AT 474 NORTH GUENTHER AVENUE; 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 one residence with an allowance for short term rental; 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 474 North Guenther Avenue, to allow one residence with an allowance for short term rental in the M-1 (Light Industrial 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 approximately 2 acres out of the City Block 3022 and being as delineated on Exhibit "A" and depicted on Exhibit "B" attached.

SECTION 2

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

1. Submit a registration application for short-term rental and meet all requirements set forth in Sec. 144-5.17, Short term rental or occupancy.
2. A maximum of one (1) single-family dwelling may be permitted on the subject property. Construction of the dwelling must be in compliance with the development standards of the "R-1A-6.6" Single-Family District.

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, 2026.

PASSED AND APPROVED: Second reading this 10th day of August, 2026.

CITY OF NEW BRAUNFELS

MICHAEL FRENCH, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

City Attorney's Office

**JOHN WILLIAM ADAM TURNER
COMAL COUNTY, TEXAS
1.867 ACRE TRACT**

EXHIBIT "A"

BEING a 1.867 acre tract (81,315 square feet) of land lying in the Juan Martin De Veramendi Survey, Abstract 2, Comal County, Texas, same being all of a called 1.964 acres tract of land as described and recorded in Document 9606015754, Official Public Records of Comal County, Texas, same also being described by a drawing (1.867 Acres.dwg dated April 21, 2026) attached to and made part hereof and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found (Northing: 13,803,149.97, Easting: 2,244,325.81) in the northwest line of the Union Pacific 100 foot wide Railroad Right of Way and the northwest line of a 15 foot wide access easement as described and recorded in Volume 88, Page 54, Deed Records of Comal County, Texas, the south corner of a 0.48 of an acre of land as described and recorded in Document 202106023690, Official Public records of Comal County, Texas, the east corner of the aforementioned 1.964 acre tract, and the herein described 1.867 acre tract;

THENCE along northwest right-of-way line of the aforementioned railroad right-of-way and the 15 foot wide easement, and the southeast line of the aforementioned 1.964 acre tract, S49°16'33"W a distance of 216.63 feet (Record- S49°44'00"W 216.59") to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for the south corner of said 1.964 acre tract, the east corner of a 0.558 of an acre tract of land as described and recorded in Volume 13, Page 281, Map and Plat Records of Comal County, Texas, and the south corner of the herein described 1.867 acre tract;

THENCE leaving the said railroad right of way line and along the northeast line of the aforementioned 0.558 of an acre tract and the southwest line of the aforementioned 1.964 acre tract, N49°55'46"W a distance of 240.04 feet (Record- N49°28'19"W 240.00') to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX." for the north corner of said 0.558 of an acre tract, the east corner of a 0.838 of an acre tract of land as described and recorded in Document 202406001670, Official Public records of Comal County, Texas, an angle point of said 1.964 acre tract and the herein described 1.867 acre tract;

THENCE continuing along the northeast line of the aforementioned 0.838 of an acre tract of land and the southwest line of the aforementioned 1.964 acre tract, N48°58'59"W a distance of 168.86 (Record- N49°28'19 187.41') to a spike found in the south bank of Comal Creek and for a north corner of said 0.838 of an acre tract, and the here in described 1.867 acre tract;

THENCE along the meanders of the south bank of Comal Creek the following four (4) courses:

N71°14'41"E a distance of 59.97 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX."

N75°38'23"E a distance of 74.64 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX."

N86°19'23"E a distance of 80.32 feet to a 1/2" iron rod set with plastic cap stamped "CDS/MUERY S.A. TX."

**JOHN WILLIAM ADAM TURNER
COMAL COUNTY, TEXAS
1.867 ACRE TRACT**

N64°31'32"E a distance of 95.66 feet to a 1/2" iron rod found with plastic cap on the south bank of Comal Creek and in the northeast line of the aforementioned 1.964 acre tract, the west corner of the aforementioned 0.48 of an acre tract and the north corner of the herein described 1.867 acre tract;

THENCE leaving the south bank of Comal Creek and along the northeast line of the aforementioned 1.964 acre tract and the southwest line of the aforementioned 0.48 of an acre tract, S40°48'24"E a distance of 274.92 feet (Record- S40°00'00"E 288.06') to the **PLACE OF BEGINNING** and containing 1.867 acres of land.

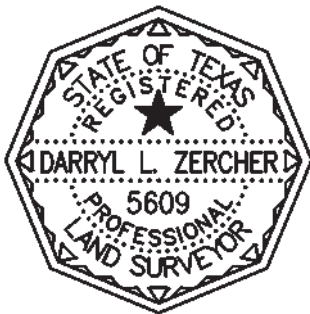
Monumentation shown hereon will be set upon acceptance of this document and right of entry has been granted to CDSmuery.

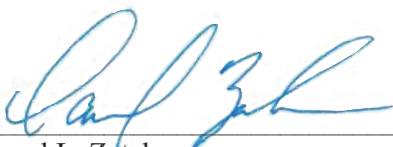
The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(2011), South Central Zone. All distances are surface, (Grid X 1.00014 = Surface).
U.S. Survey Feet

THE STATE OF TEXAS X
 X **KNOWN TO ALL MEN BY THESE PRESENTS:**
COUNTY OF BEXAR X

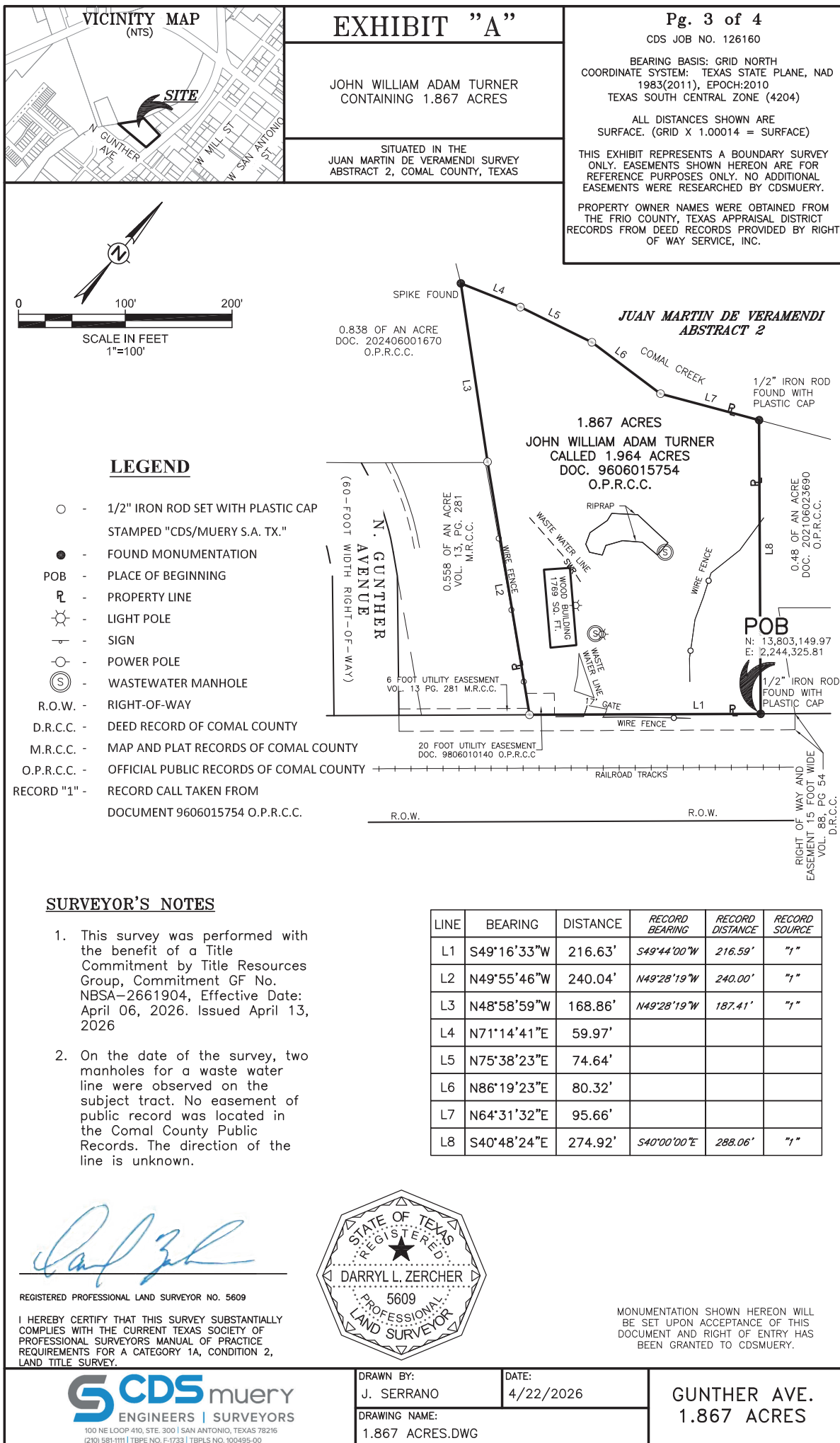
I, Darryl L. Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by an on the ground survey made under my direction and supervision in March to April 2026.

Date 22 day of April 2026 A.D.





Darryl L. Zercher
Registered Professional Land Surveyor
No. 5609 - State of Texas



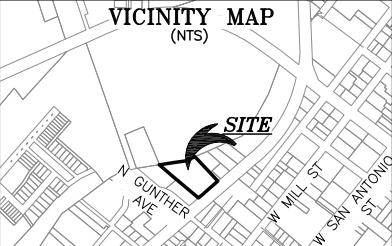
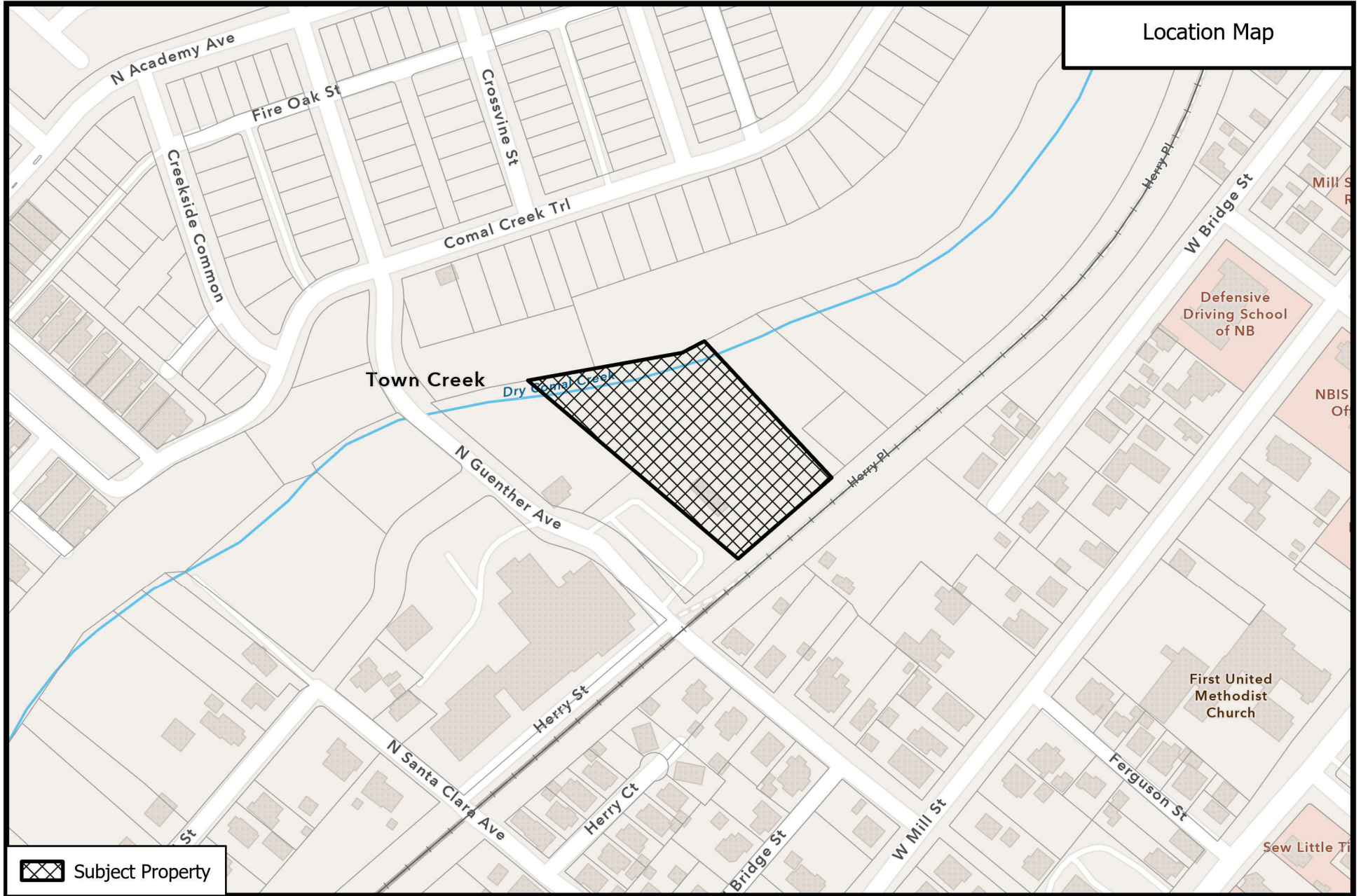
	EXHIBIT "A"		Pg. 4 of 4 CDS JOB NO. 126160
	JOHN WILLIAM ADAM TURNER CONTAINING 1.867 ACRES		BEARING BASIS: GRID NORTH COORDINATE SYSTEM: TEXAS STATE PLANE, NAD 1983(2011), EPOCH:2010 TEXAS SOUTH CENTRAL ZONE (4204)
	SITUATED IN THE JUAN MARTIN DE VERAMENDI SURVEY ABSTRACT 2, COMAL COUNTY, TEXAS		ALL DISTANCES SHOWN ARE SURFACE. (GRID X 1.00014 = SURFACE) THIS EXHIBIT REPRESENTS A BOUNDARY SURVEY ONLY. EASEMENTS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY. NO ADDITIONAL EASEMENTS WERE RESEARCHED BY CDSMUERY. PROPERTY OWNER NAMES WERE OBTAINED FROM THE FRIO COUNTY, TEXAS APPRAISAL DISTRICT RECORDS FROM DEED RECORDS PROVIDED BY RIGHT OF WAY SERVICE, INC.
<u>1.964 ACRES GF No NBSA-2661904</u> <u>TITLE COMMITMENT NOTES (SCHEDULE B ITEM # 10):</u> a.) New Braufels Utilities Doc. 9806010140 O.P.R.C.C. Affects this tract— Shown hereon b.) CDS Muery has no knowledge of any grants, exceptions or reservation of coal, lignite, oil, gas and other mineral, together with all rights, privileges, and immunities relating thereto appearing in the public records whether listed in Schedule B or not. there may be leases, grants exceptions or reservations that are not listed. c.) CDS Muery has no knowledge of any leases, grants, exceptions, or reservations of the geothermal energy and associated resources below the surface of the land, together with all rights, privileges, and immunities relating thereto, appearing in the public records, whether they are listed in Schedule B or not, as provided by Sect. 2703.056(a) of the Texas Insurance Code. d.) CDS Muery has no knowledge of any Rights of Parties in Possession. (Owner Policy) e.) CDS Muery has no knowledge of any visible and apparent easement, either public or private, located on or across the land, the existence of which is not disclosed by the Public Records as herein defined, unless noted hereon. f.) CDS Muery has no knowledge of any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land, unless noted hereon.			
 100 NE LOOP 410, STE. 300 SAN ANTONIO, TEXAS 78216 (210) 581-1111 TBPE NO. F-1733 TBPLS NO. 100495-00		DRAWN BY: J. SERRANO	DATE: 4/22/2026
		DRAWING NAME: 1.867 ACRES.DWG	GUNTHER AVE. 1.867 ACRES

EXHIBIT "B"



SUP26-206

M-1 to M-1 SUP for One Residence with allowance for a Short Term Rental

0 130 260 Feet



Path: L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-206 - 474 N Guenther Ave -

Source: City of New Braunfels Planning
Date: 7/7/2026

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