

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.2 OF AN ACRE, BEING OUT OF THE BUENA VISTA ADDITION SUBDIVISION, BLOCK 3, GREATER PART OF LOT 8, CURRENTLY ADDRESSED AT 265 SCHOOL AVENUE, FROM C-3 (COMMERCIAL DISTRICT) TO C-3 SUP (COMMERCIAL DISTRICT WITH SPECIAL USE PERMIT TO ALLOW 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 265 School Avenue, 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 Buena Vista Addition Subdivision, Block 3, Greater Part of Lot 8, 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. 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.

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 November 2025.

PASSED AND APPROVED: Second reading this 8th day of December, 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

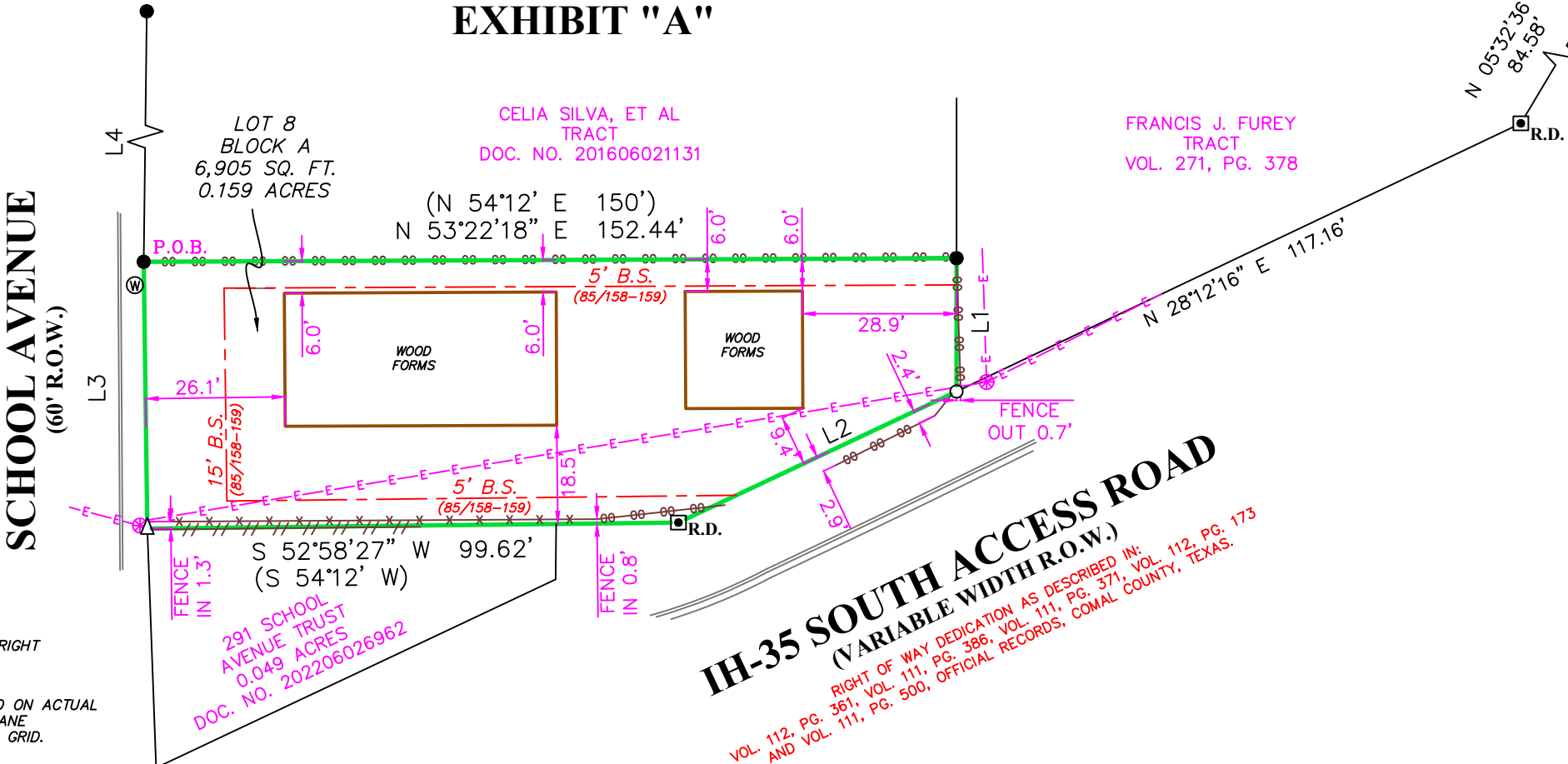
GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

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. 0445 F, which is Dated 9/2/2009. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) 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.

LINE	BEARING	DISTANCE
L1	S 36°22'40" E (S 35°48' E)	24.99'
L2	S 28°23'00" W	57.66'
L3	N 37°08'57" W (N 35°48' W)	50.04' (50')
L4	N 35°40'54" W (N 35°48' W)	149.74' (150')



NOTE:
PRIOR SURVEY (WESTAR JOB NO. 82936) WAS USED FOR REFERENCE.

NOTE:
RECORD DATA IS BASED ON TX DOT RIGHT OF WAY MAPS RECORDED AS SHOWN.

NOTE:
BEARINGS SHOWN HEREON ARE BASED ON ACTUAL GPS OBSERVATIONS, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE, GRID.

NOTE:
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: VOL. 85, PG. 158-159, DEED RECORDS, COMAL COUNTY, TEXAS.

FIRM REGISTRATION NO. 10111700

Westar Alamo

LAND SURVEYORS, LLC.

P.O. BOX 1645 BOERNE, TEXAS 78006
PHONE (210) 372-9500 FAX (210) 372-9999

- LEGEND**
- △ = CALCULATED POINT
 - = FND. 1/2" IRON ROD
 - = SET 1/2" IRON ROD CAPPED WALLS
 - ⊙ = FND. TYPE III MONUMENT
 - ⊙ = RECORD INFORMATION
 - B.S. = BUILDING SETBACK
 - R.D. = RECORD DIGNITY MONUMENT
 - ⊙ = WATER METER
 - ⊙ = OVERHEAD ELECTRIC
 - ⊙ = WIRE FENCE
 - ⊙ = WOOD FENCE
 - ⊙ = CHAIN LINK FENCE
 - ⊙ = POWER POLE
 - P.O.B. = POINT OF BEGINNING

DWG: JB/CJ RVD:MJE/CC

Property Address: 265 SCHOOL AVENUE

Property Description:

Being 0.159 acres of land, more or less, being all of Lot 8, Block 3, Buena Vista Addition, an addition to the City of New Braunfels, Comal County, Texas, according to the map or plat thereof recorded in Volume 84, Pages 180-182, Deed Records, Comal County, Texas, **SAVE AND EXCEPT** that portion conveyed to the State of Texas in a Right-of-Way Deed recorded in Volume 111, Page 371, Deed Records, Comal County, Texas, and being that same property conveyed to Wood River Homes LLC in a General Warranty Deed recorded in Document No. 202306031838, Official Public Records, Comal County, Texas; said 0.159 acres being more particularly described by metes and bounds attached hereto.

Owner: T.B.D.

TITLE COMPANY: N/A



I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual FORMS ONLY survey made on the ground under my supervision.

Mark J. Ewald

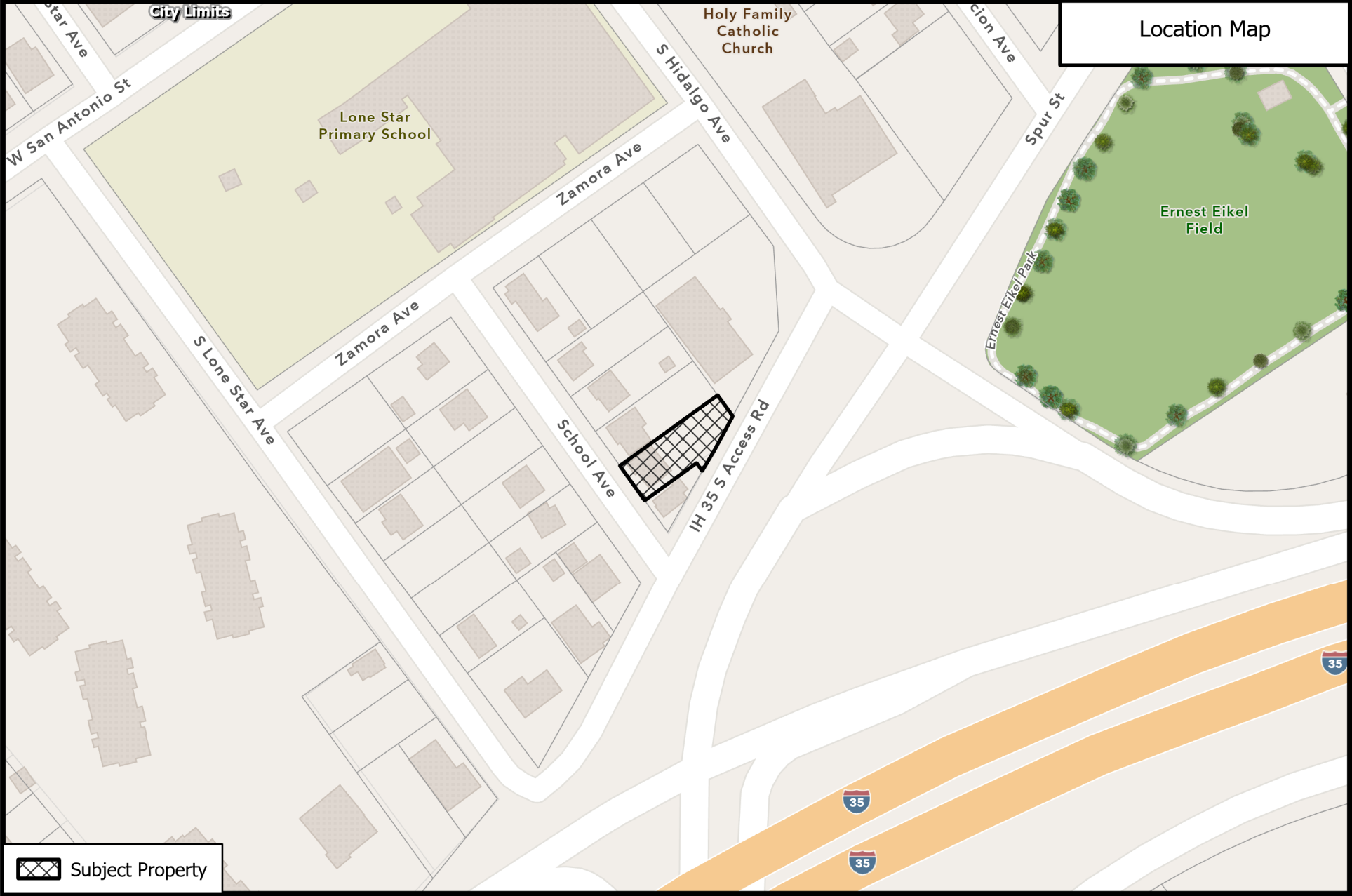
MARK J. EWALD
Registered Professional Land Surveyor
Texas Registration No. 5095

G.F. NO. N/A

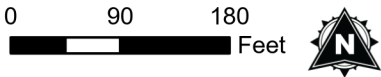
JOB NO. 126585

DATE: 7/19/2024

EXHIBIT "B"



SUP25-368 265 School Ave - SUP for STR

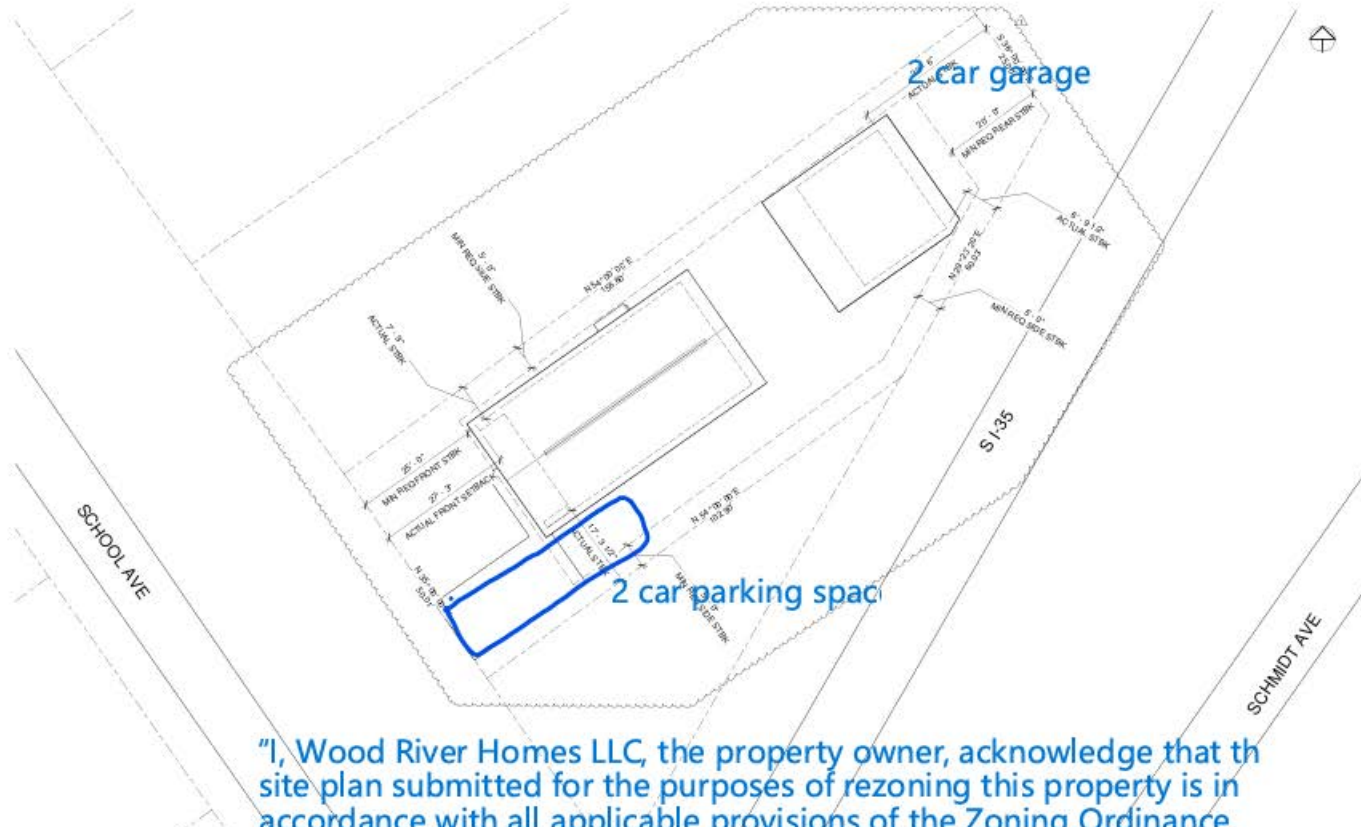


Path: \\chfs-1\Departments\Planning\ZoneChange & SUPs\2025\SUP25-368 - 265 School Ave -

Source: City of New Braunfels Planning
Date: 10/31/2025

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

EXHIBIT "C"



- NOTE:
1. GENERAL CONTRACTOR TO VERIFY PROPERTY LINES AND BUILDING SETBACKS TO CONFORM TO CURRENT CITY OF NEW BRAUNFELS ZONING REQUIREMENTS.
 2. VERIFY EXISTING MATURE TREES AND SALVAGE ANY NOT WITHIN BUILDING FOOTPRINT.
 3. GC TO VERIFY LOCATION OF CITY UTILITIES IN FIELD.

SITE PLAN LEGEND

PROPERTY LINE	---
RECD SETBACK MIN	---
ACTUAL SETBACK	---
NORTH ARROW	↑

"I, Wood River Homes LLC, the property owner, acknowledge that the 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 adhering to any/all City-adopted Codes/Ordinances at the time of plan submission for building permits. Nor does it relieve me from adherence to any/all state or federal rules and regulations."

1. SITE PLAN
1" = 10'-0"



Consultant:
Address:
Phone:
Fax:
e-mail:

Consultant:
Address:
Phone:
Fax:
e-mail:

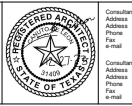
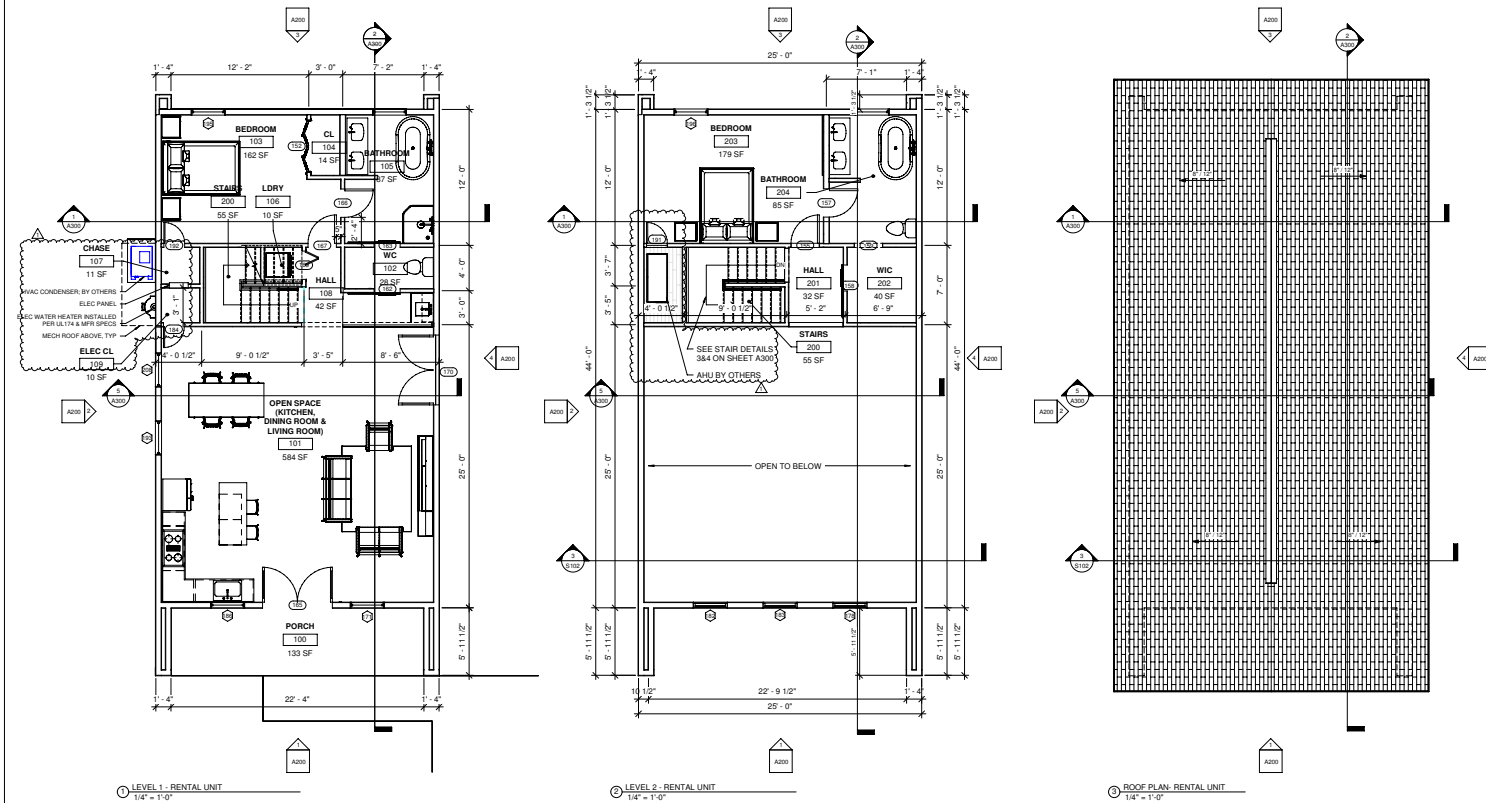
JOE RIOS
SCHOOL AVE RENTAL
265 School Ave
New Braunfels, TX 78130

SITE PLAN
Project number 223033
Date 02.02.2024
Drawn by JGR
Checked by CdL

C101
Scale As indicated

EXHIBIT "D"

PERMIT SET



Consultant
Address
Phone
Fax
e-mail

Consultant
Address
Phone
Fax
e-mail

Consultant
Address
Phone
Fax
e-mail

No.	Description	Date
1	REVISION	02/02/2024

JOE RIOS
SCHOOL AVE RENTAL
265 School Ave
New Braunfels, TX 78130

FLOOR PLAN - RENTAL UNIT	
Project number	223033
Date	02.02.2024
Drawn by	JGR
Checked by	CdL
Scale 1/4" = 1'-0"	

1/4" = 1'-0"