

ORDINANCE NO. 2026-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.2 ACRES, BEING OUT OF THE CITY BLOCK SUBDIVISION 5068, LOT 5, CURRENTLY ADDRESSED AT 226 NORTH LIBERTY AVENUE, FROM R-3 (MULTIFAMILY DISTRICT) TO R-3 SUP (MULTIFAMILY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW 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 226 North Liberty Avenue, to allow short term rental of a residence in the R-3 (Multifamily 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 5068, Lot 5, 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 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



SUP26-069 226 N Liberty Ave - SUP for STR

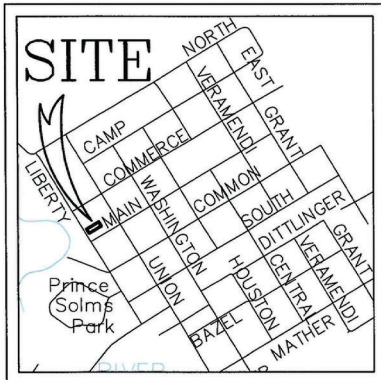
0 80 160
Feet



Path:
L:\Boards and Commissions\ZoneChange & SUPs\2026\SUP26-069 - 226 N Liberty Ave -

Source: City of New Braunfels Planning
Date: 4/6/2026

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.



LOCATION MAP
N.T.S.

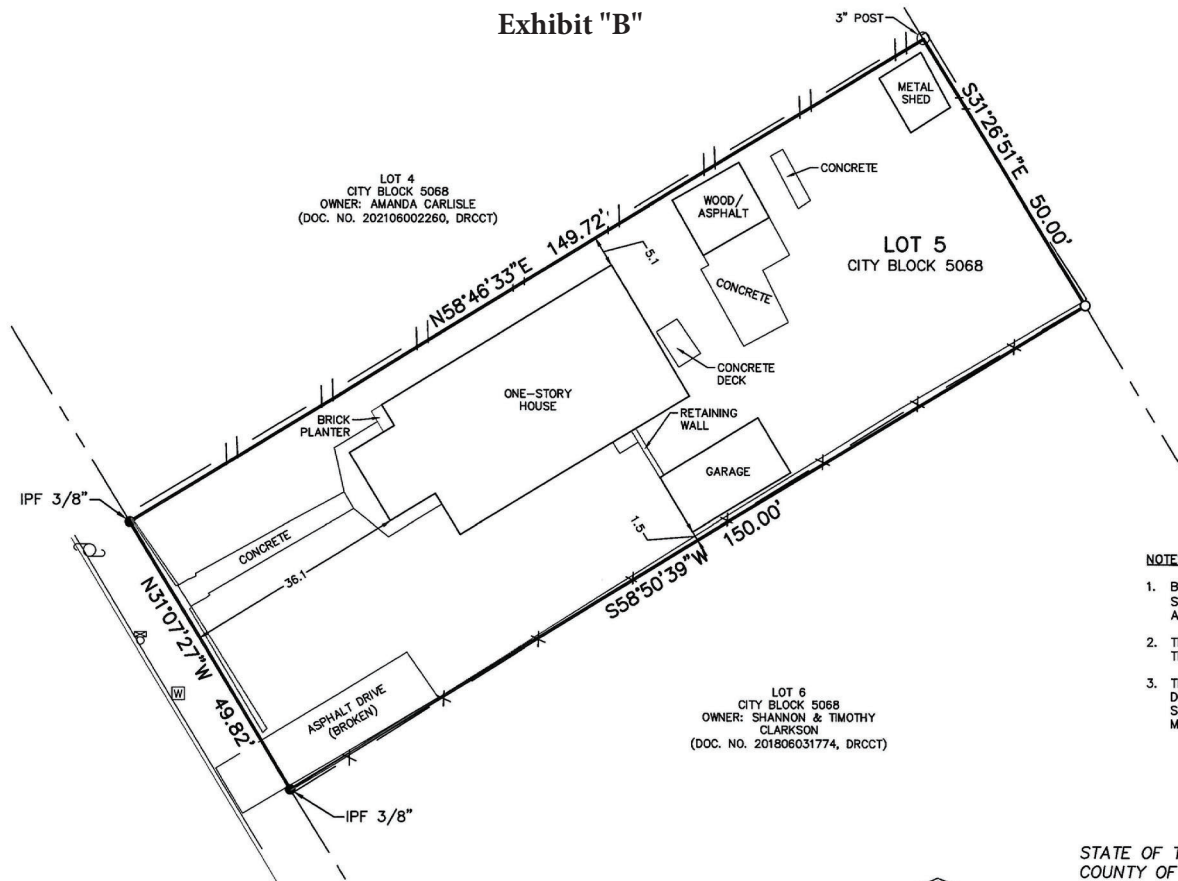


SCALE: 1"=20'

AS-BUILT SURVEY

BEING LOT 5, NEW CITY BLOCK 5068, SUBDIVISION NAME, SOUTHWEST ADDITION TO NEW BRAUNFELS, SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 29, PAGES 258-260, CONVEYED TO MASON KAI, LLC IN DOCUMENT NO. 202306019069, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

Exhibit "B"



LEGEND:

- O = (IPS) SET 1/2" IRON PIN W/ PLASTIC CAP STAMPED "DAM #5348 PROP. COR." UNLESS OTHERWISE NOTED
- = (IPF) FOUND 1/2" IRON PIN UNLESS OTHERWISE NOTED
- () = RECORD INFORMATION
- DRCCT = DEED RECORDS OF COMAL COUNTY, TEXAS
- OPRCCT = OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
- R.O.W. = RIGHT-OF-WAY
- ⊕ = POWER POLE
- ⊞ = WATER METER
- ⊞ = MAILBOX

NOTES:

1. BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
3. THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DEPICT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

STATE OF TEXAS
COUNTY OF COMAL

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION

THIS 31 DAY OF JANUARY 2025

Drew A. Mawyer
DREW A. MAWYER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5348



5151 W. SH 46
NEW BRAUNFELS, TX 78132
PH: 830.730.4449
DREW@DAM-TX.COM
FIRM #10191500

ADDRESS:
226 LIBERTY
NEW BRAUNFELS, TX 78130

DATE: JANUARY 2025 JOB: MIS976

Exhibit "C"

I Brett Baer, 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.

Existing 1 Story Residence
3 Bedrooms ~ 1128 SF

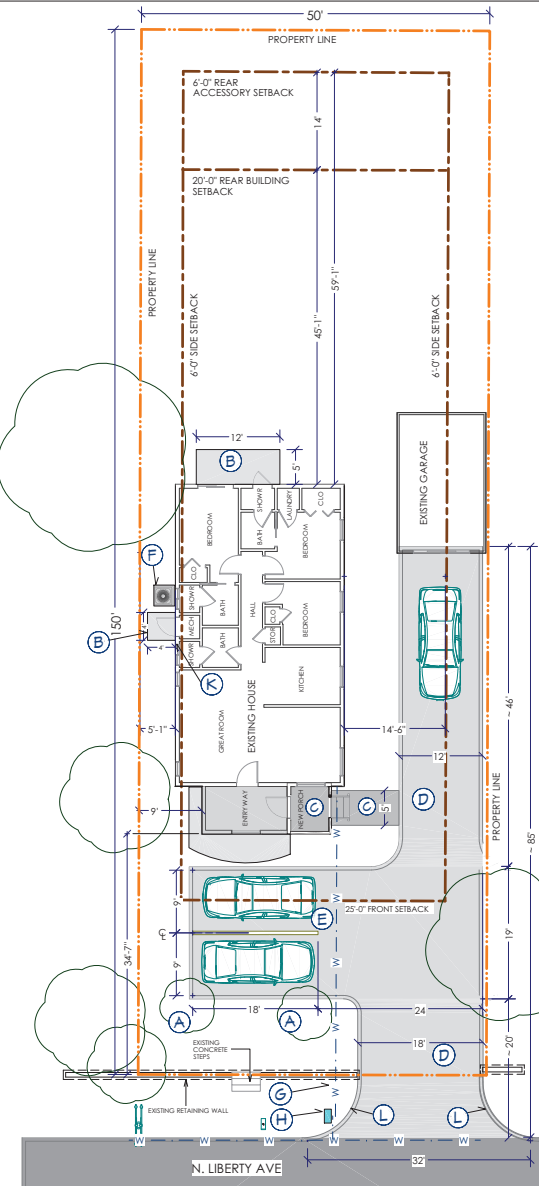
PROPOSED SITE PLAN:

- A - New Oak Tress
- B - New Landings
- C - New Porch, Stairs & Sidewalk
- D - New Driveway with 6" Curb
- E - New Parking with 6" Curb
- F - New AC Pad
- G - Water Line
- H - New Traffic Resistant Water Meter Box and Lid
- J - All Drives to be Concrete
- K - 8x16 Air Flow Vents (Typ 5)
- L - Buildup Driveway Apron Retaining Walls

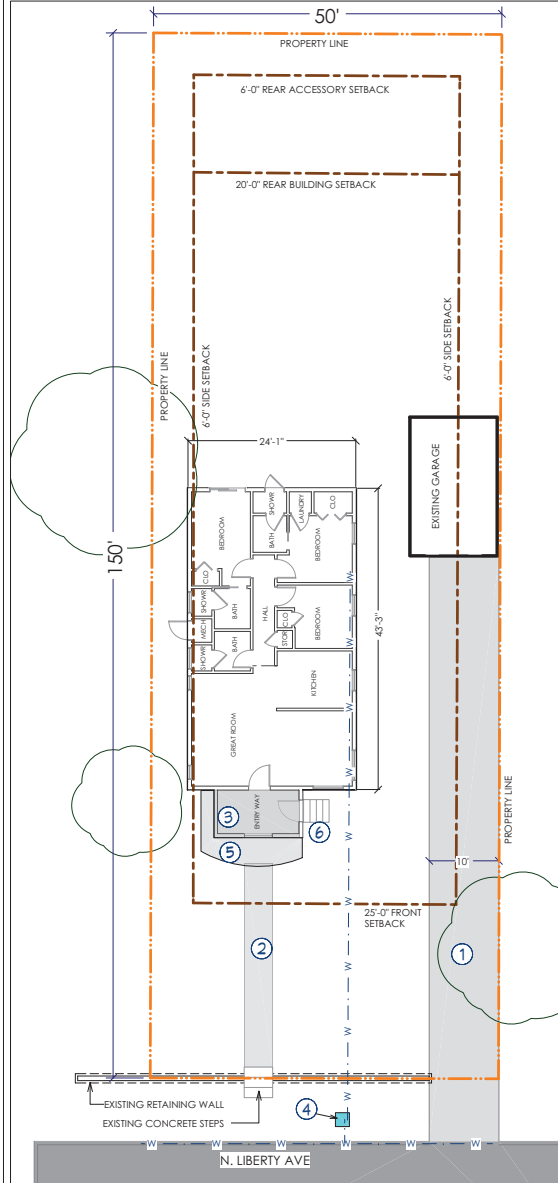
EXISTING SITE PLAN:

- 1 - 10' Asphalt Driveway
- 2 - Concrete Sidewalk
- 3 - Entry Way
- 4 - Water Meter and Line
- 5 - Front Concrete Slab
- 6 - Concrete Steps

PARKING CALCULATION TABLE		
# of Sleeping Rooms	Cars / Sleeping	Total Cars Req'd
3	1	3



① PROPOSED SITE PLAN
1/8 IN = 1 FT



② EXISTING SITE PLAN
1/8 in = 1 ft



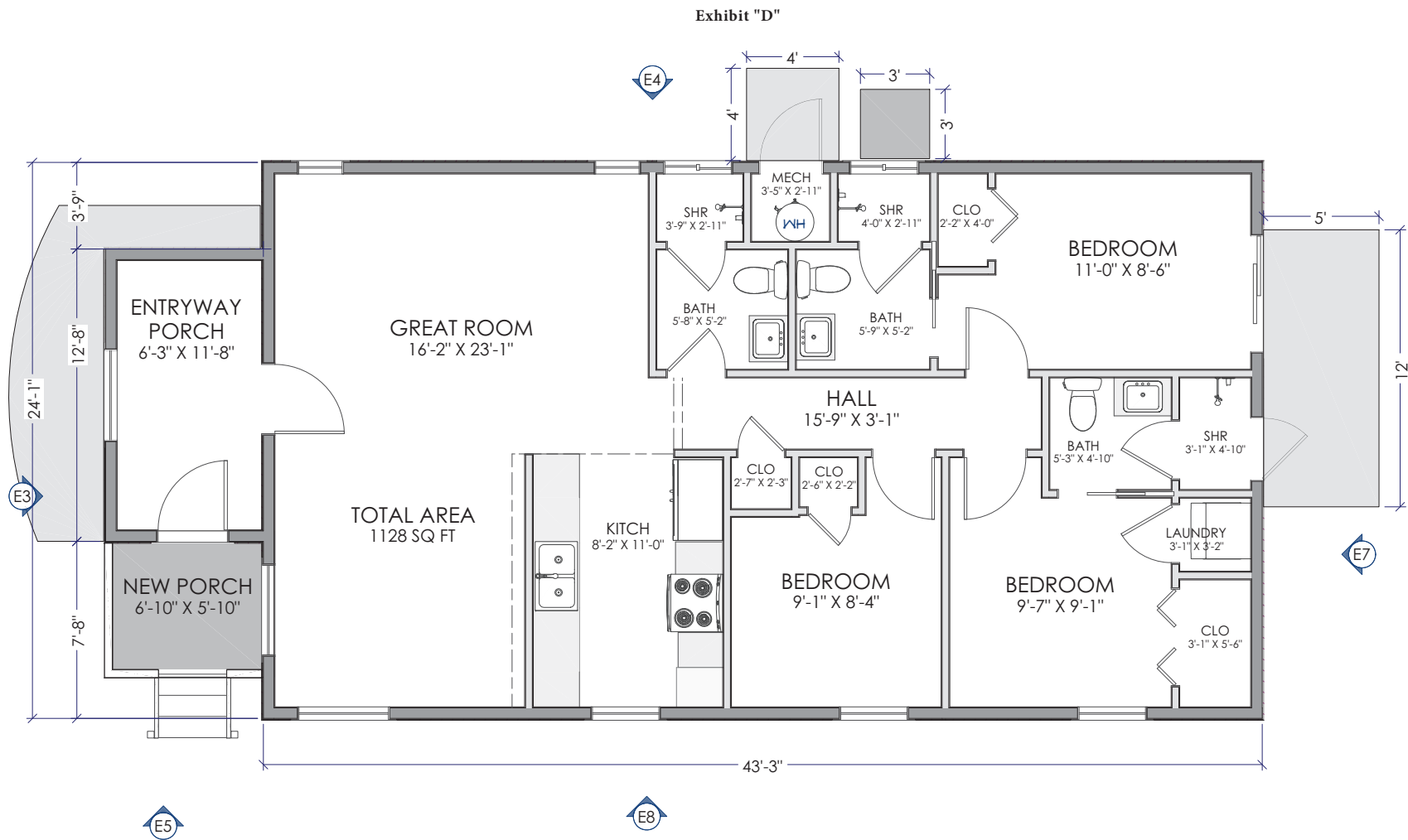
REVISION TABLE		
NUMBER	DATE	REVISION BY DESCRIPTION



226 N. LIBERTY AVE -
REMODEL & RENOVATION
NEW BRAUNFELS, TX 78130

MARK STUART ARCHITECT
605 RIDGECLIFF DRIVE
NEW BRAUNFELS, TX 78130
PHONE: 830-557-4444
Mark@MStuartArchitect.com

DATE:
3/2/2026
SCALE:
SHEET:
3



① **FLOOR PLAN**
1/2 in = 1 ft



REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION



226 N. LIBERTY AVE -
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4