

**ORDINANCE NO. 2025-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.4 ACRES, BEING OUT OF THE JOHN THOMPSON SURVEY NO. 21, ABSTRACT 608, CURRENTLY ADDRESSED AT 1731 KUEHLER AVENUE, FROM R-3 (MULTIFAMILY DISTRICT) TO R-3 SUP (MULTIFAMILY DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW A SHORT TERM RENTAL); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**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 1731 Kuehler 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 John Thompson Survey No. 21, Abstract 608, being as described 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 27<sup>th</sup> day of October 2025.

**PASSED AND APPROVED:** Second reading this 10<sup>th</sup> day of November 2025.

**CITY OF NEW BRAUNFELS**

\_\_\_\_\_  
**NEAL LINNARTZ**, Mayor

**ATTEST:**

\_\_\_\_\_  
**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**VALERIA M. ACEVEDO**, City Attorney

# EXHIBIT "A"

## FIELD NOTES FOR A 0.335 ACRE TRACT

Being a 0.335 acre tract of land out of the John Thompson Survey No. 21, Abstract 608, Comal County, Texas, being the same tract of land called 0.343 acres described in Volume 326, Page 627 of the Deed Records of Comal County, Texas, and all bearings referred to in this description are related to and referenced to a bearing of N 69° 00' W between monumentation found along the Northeast line of Kuehler Avenue, said 0.335 acre tract of land surveyed under the supervision of Richard A. Goodwin, RPLS #4069, S. Craig Hollmig, Inc., and being more particularly described as follows:

**BEGINNING:** At a 1/2" pipe found on the Northeast line of Kuehler Avenue, for the West corner of that certain tract called 0.913 acres described in Volume 733, Page 159 of the Official Public Records of Comal County, Texas, for the South corner of the above referenced 0.343 acre tract, for the South corner of this tract;

**THENCE:** With the Northeast line of Kuehler Avenue, N 69° 00' 00" W 65.0 feet to a 1/4" iron pin set in same, for the South corner of that certain tract called 0.78 acres recorded in Volume 274, Page 908 of the Deed Records of Comal County, Texas, for the West corner of the above referenced 0.343 acre tract, for the West corner of this tract;

**THENCE:** With the Southeast line of said 0.78 acre tract, the Northwest line of the above referenced 0.343 acre tract, N 34° 15' 00" E (record call in Volume 326, Page 627: 243.70 feet) 227.25 feet to a 60 D nail set and continuing to the water's edge a total distance of 243.53 feet for the North corner of this tract;

**THENCE:** With the water's edge of the Guadalupe River, as follows:

|                 |            |
|-----------------|------------|
| N 87° 59' 10" E | 4.31 feet  |
| S 71° 52' 08" E | 12.11 feet |
| S 28° 41' 12" E | 10.93 feet |
| S 48° 17' 33" E | 25.05 feet |
| S 42° 18' 03" E | 10.76 feet |

to the East corner of this tract, situated on the Northeastly line of said 0.913 acre tract;

**THENCE:** With the Northwest line of said 0.913 acre tract, the Southeast line of the above referenced 0.343 acre tract, S 33° 27' 00" W at 22.74 feet a 60 D nail set and continuing a total distance of 223.84 feet (record call in Volume 326, Page 627: 236.0 feet) (record call in Volume 733, Page 159: 216.77 feet) to the Point of Beginning and containing 0.335 acres of land, more or less.

Recorder's Memorandum- Comal County  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility

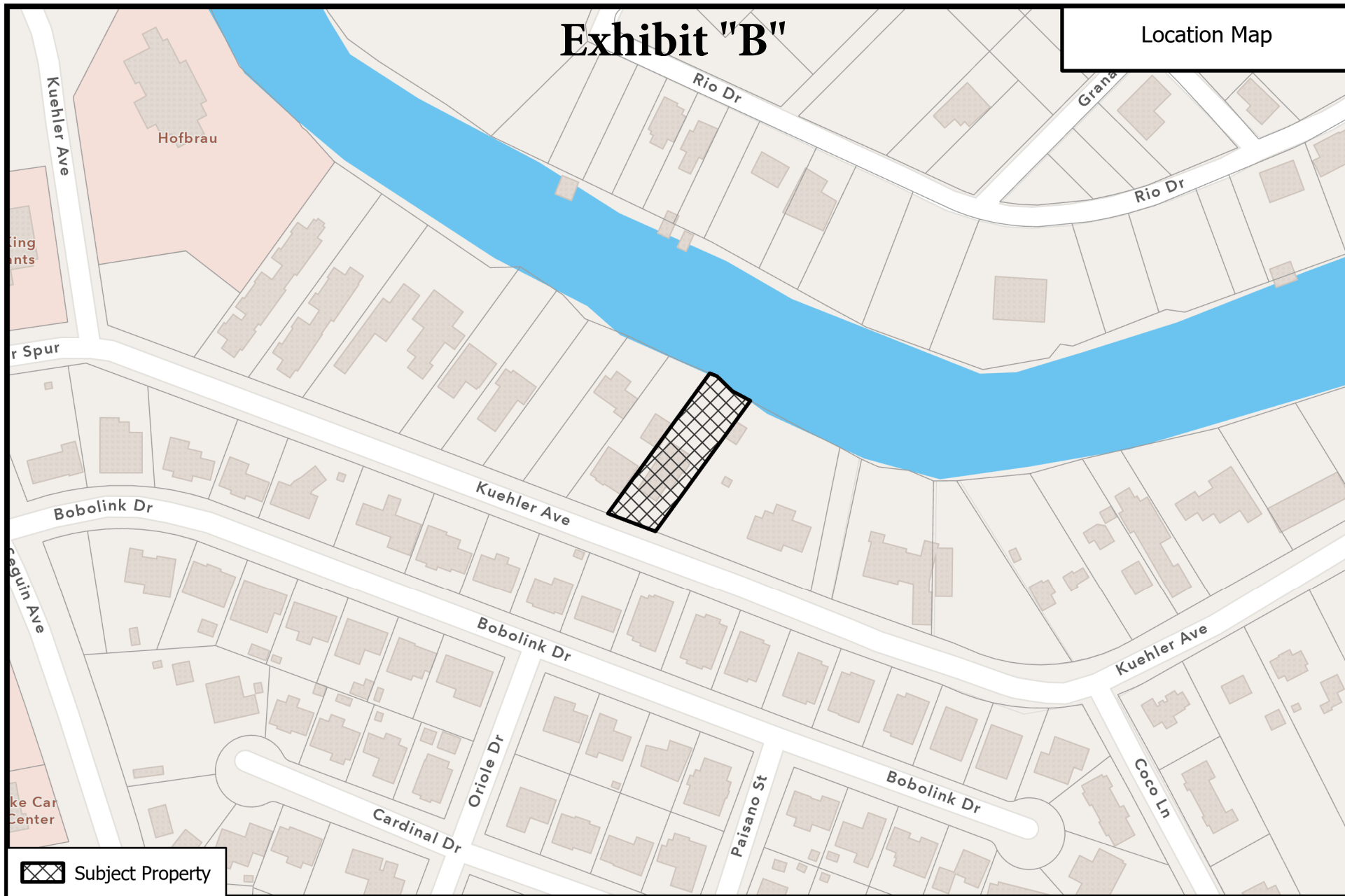
Filed and Recorded  
Official Public Records  
Joy Streater, County Clerk  
Comal County, Texas  
09/30/2011 08:07:06 AM  
JASHTW0  
201106033544



*Joy Streater*

# Exhibit "B"

Location Map



## SUP25-315 1731 Kuehler Ave - SUP for STR

0 100 200  
Feet



Path:  
\\chfs-1\Departments\Planning\ZoneChange & SUPs\2025\SUP25-315 - 1731 Kuehler Ave -

Source: City of New Braunfels Planning  
Date: 10/7/2025

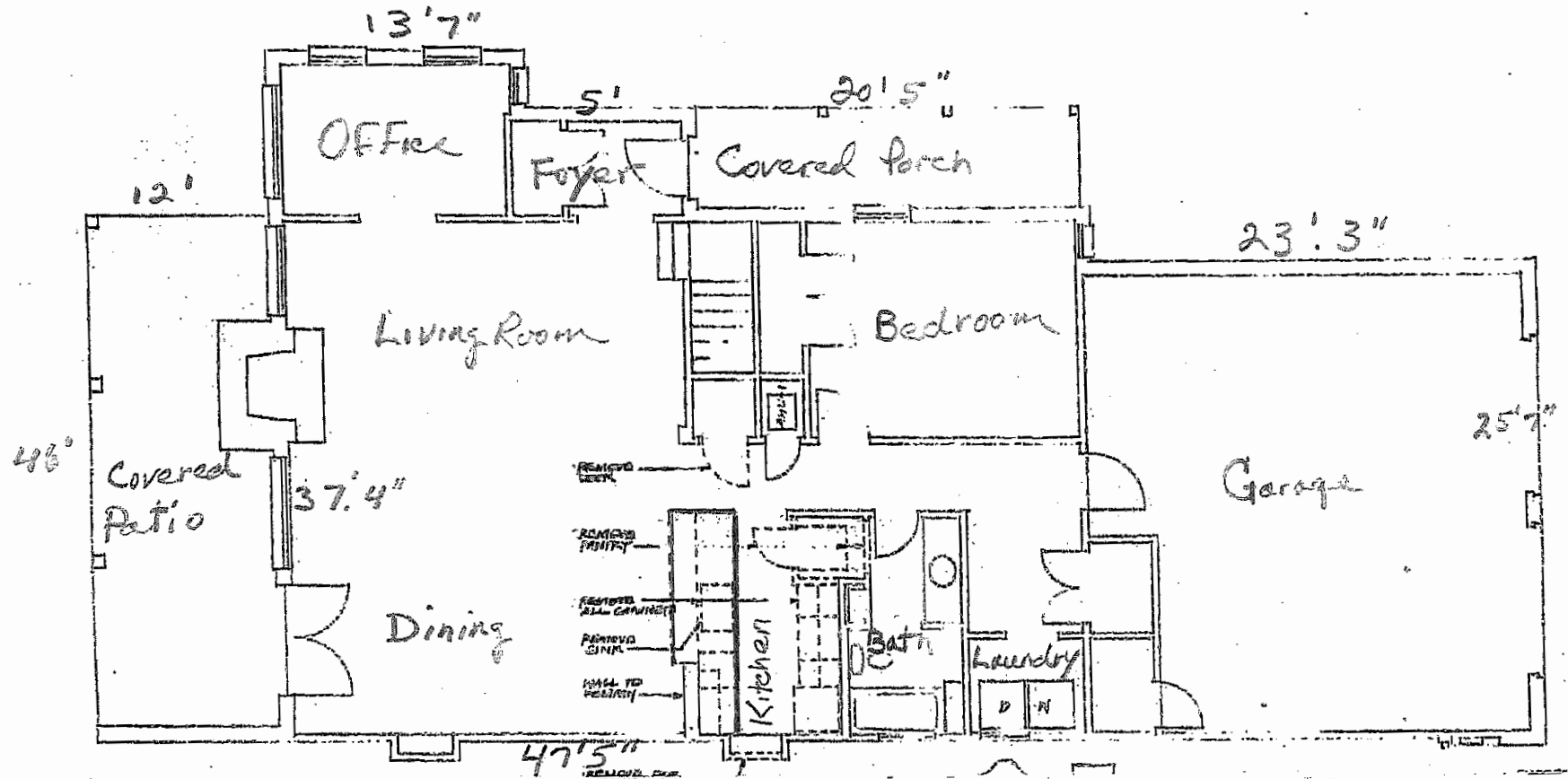
DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or variances which may exist.

[illegible]

There are 7 off-street 9'x20' parking spaces, 2 in the garage and 5 in the driveway. In addition, there is space for 2 additional vehicles to park on the asphalt between the driveway and Kuehler Avenue (or 3 if you block the mailbox). The length of the driveway is 48'. The width of the driveway close to the garage is 28'. The width of the driveway close to the street is 19'. The asphalt between the driveway and the street is 63'x13'.

# Exhibit "D"

## FIRST Floor



# SECOND FLOOR

