

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY REZONING APPROXIMATELY 56.923 ACRES OUT OF THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490, HAYS COUNTY, BEING PHASE 1, SECTION 2 OF THE LA CIMA DEVELOPMENT, GENERALLY LOCATED WEST OF THE INTERSECTION OF OLD RANCH ROAD 12 AND WONDER WORLD DRIVE, FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “SF-4.5” SINGLE FAMILY-4.5 DISTRICT; AND INCLUDING PROCEDURAL PROVISIONS.

RECITALS:

1. On January 28, 2020, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to change the zoning designation from “FD” Future Development District to “SF-4.5” Single Family-4.5 District for approximately 56.923 acres out of the John Williams Survey, Abstract 490, Hays County, Being Phase 1, Section 2 of the La Cima Development, generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive.
2. The Planning and Zoning Commission voted to recommend that the request be approved by the City Council.
3. The City Council held a public hearing on February 18, 2020 regarding the request.
4. All requirements pertaining to Zoning Map amendments have been met.
5. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The Official Zoning Map of the City is amended to rezone the tract of land described in Exhibit A, attached hereto and made a part hereof, from “FD” Future Development District to “SF-4.5” Single Family-4.5 District.

SECTION 2. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 3. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This ordinance will take effect after its passage, approval and adoption on

second reading.

PASSED AND APPROVED on first reading on February 18, 2020.

PASSED, APPROVED AND ADOPTED on second reading on March 3, 2020.

Jane Hughson
Mayor

Attest:

Tammy K. Cook
Interim City Clerk

Approved:

Michael Cosentino
City Attorney

EXHIBIT A

56.923 Acres
John Williams Survey, A-490,
Hays County, Texas

Job No. 5956-01-001
FN2327(jb)
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FIELD NOTES DESCRIPTION

DESCRIPTION OF 56.923 ACRES OF LAND IN THE JOHN WILLIAMS SURVEY, A-490, HAYS COUNTY, TEXAS, BEING A PORTION OF A CERTAIN CALLED 58.636 ACRE TRACT DESCRIBED IN THE DEED TO LCSM PH. 1-2, LLC OF RECORD IN INSTRUMENT NO. 17017222, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SIAD 58.636 ACRE TRACT BEING A PORTION OF A CERTAIN CALLED 649.592 ACRE TRACT DESCRIBED IN THE DEED TO LAZY OAKS RANCH, LP OF RECORD IN VOLUME 4877, PAGE 632, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 56.923 ACRES OF LAND AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD., BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron rod with a plastic cap stamped "BCG" set in the southeast line of the said 649.592 acre tract and the northwest line of a certain called 311.74 acre tract described in the deed to Claud Kern Wildenthal of record in Volume 1385, Page 398, Official Public Records of Hays County, Texas, for the south corner of a certain called 5.000 acre tract described in Exhibit C, reservation for exploration, exploitation and/or production of oil/gas or minerals, of record in said Volume 4877, Page 632, Official Public Records of Hays County, Texas, for a northeast corner of the said 58.636 acre tract and for a northeast corner and **POINT OF BEGINNING** of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "BCG" previously set at an angle point in the southeast line of the said 649.592 acre tract and the northwest line of the said 311.74 acre tract bears N 45°32'23" E, a distance of 836.08 feet;

THENCE S 45°32'23" W, with the southeast line of the said 58.636 acre tract and the northwest line of the said 311.74 acre tract, with the southeast line of the tract described herein, a distance of 1,011.20 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for the south corner of the said 58.636 acre tract and of the tract described herein, from which a 6-inch cedar fence post found at an angle point in the southeast line of the said 649.592 acre tract and the northwest line of the said 311.74 acre tract bears S 45°32'23" W, a distance of 5,336.80 feet;

THENCE N 08°46'59" W leaving the northwest line of the said 311.74 acre tract, crossing the said 649.592 acre tract, with the west line of the said 58.636 acre tract and of the tract described herein a distance of 269.69 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point in the west line of the tract described herein;

THENCE crossing the said 58.636 acre tract and continuing across the said 649.592 acre tract, with the west line of the tract described herein, the following eight (8) courses and distances:

1. N 00°55'44" W, a distance of 241.78 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
2. N 01°43'52" W, a distance of 88.35 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
3. N 09°27'36" W, a distance of 130.16 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
4. N 12°02'57" W, a distance of 320.26 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
5. N 24°03'48" W, a distance of 137.75 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
6. N 29°44'01" W, a distance of 172.57 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
7. N 36°16'25" W, a distance of 99.57 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point, and

8. N 43°14'53" W, a distance of 82.50 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set in the southeast right-of-way line of West Centerpoint Road, a variable-width right-of-way, called 45.839 acres and described in the street deed to Hays County, Texas, of record in Volume 5310, Page 161, Official Public Records of Hays County, Texas, for the northwest corner of the tract described herein;

THENCE continuing across the said 649.592 acre tract, with the southeast right-of-way line of said West Centerpoint Road, with the northwest line the said 58.636 acre tract and of the tract described herein, the following twenty (20) courses and distances:

1. N 13°47'53" E, a distance of 162.99 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of non-tangent curvature,
2. with the arc of a curve to the left, having a radius of 1,015.00 feet, an arc length of 55.59 feet, and a chord which bears N 39°06'44" E, a distance of 55.58 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of reverse-curvature,
3. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 29.76 feet, and a chord which bears N 80°10'00" E, a distance of 27.09 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
4. N 36°21'31" E, a distance of 60.12 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of non-tangent curvature,
5. with the arc of a non-tangent curve to the right, having a radius of 20.00 feet, an arc length of 31.61 feet, and a chord which bears N 11°56'15" W, a distance of 28.42 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency,
6. N 33°20'06" E, a distance of 34.25 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
7. N 41°29'53" E, a distance of 22.65 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-curvature,
8. with the arc of a non-tangent curve to the left, having a radius of 250.00 feet, an arc length of 89.33 feet, and a chord which bears N 31°15'40" E, a distance of 88.86 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency,
9. N 33°20'06" E, a distance of 323.11 feet to a ½-inch iron rod with plastic cap stamped "BCG" set for a point-of-curvature,
10. with the arc of a curve to the left, having a radius of 1,535.00 feet, an arc length of 269.37 feet, and a chord which bears N 28°18'28" E, a distance of 269.02 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency,
11. N 23°16'50" E, a distance of 106.62 feet to a ½-inch iron rod with a plastic cap stamped "BCG" previously set for a point-of-curvature,
12. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 31.42 feet, and a chord which bears N 68°16'50" E, a distance of 28.28 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
13. N 23°16'50" E, a distance of 60.00 feet a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of non-tangent curvature,
14. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 31.42 feet, and a chord which bears N 21°43'10" W, a distance of 28.28 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency,

15. N 23°16'50" E, a distance of 140.14 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-curvature,
16. with the arc of a curve to the right, having a radius of 715.00 feet, an arc length of 632.32 feet, and a chord which bears N 48°36'56" E, a distance of 611.91 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of compound-curvature,
17. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 32.85 feet, and a chord which bears S 59°00'02" E, a distance of 29.28 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for an angle point,
18. N 77°50'53" E, a distance of 60.00 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point of non-tangent curvature,
19. with the arc of a curve to the right, having a radius of 20.00 feet, an arc length of 32.32 feet, and a chord which bears N 34°20'37" E, a distance of 28.92 feet to a ½-inch iron rod with plastic cap stamped "BCG" previously set for a point-of-tangency, and
20. N 80°38'20" E, a distance of 262.13 feet to a ½-inch iron rod with plastic cap stamped "BCG" set for the northerly northeast corner of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "BCG" previously set for the northeast corner of the said 58.636 acre tract bears N 80°38'20" E, a distance of 13.06 feet;

THENCE leaving the southeast right-of-way line of said West Centerpoint Road and crossing the said 58.636 acre tract, with the east line of the tract described herein, the following five (5) courses and distances:

1. S 03°11'10" W, a distance of 1,461.22 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point,
2. S 13°10'56" W, a distance of 91.81 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point,
3. S 22°56'08" W, a distance of 39.67 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point,
4. S 22°14'34" W, a distance of 53.71 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for an angle point, and
5. S 22°05'52" W, a distance of 63.16 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set in the north line of the said 5.000 acre tract, same being an angle point in the east line of the tract described herein;

THENCE continuing across the said 649.592 acre tract, with the north and west lines of the said 5.000 acre tract, with a southeast and northeast line of the said 58.636 acre tract and of the tract described herein, the following two (2) courses and distances:

1. S 45°32'23" W, a distance of 663.91 feet to a ½-inch iron rod with a plastic cap stamped "BCG" set for the west corner of the said 5.000 acre tract, same being a re-entrant corner of the tract described herein, and
2. S 44°27'37" E, a distance of 400.00 feet to the **POINT OF BEGINNING** and containing 56.923 acres of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

BOWMAN WORD FILE: FN2327(jb)
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56.923 Acres
John Williams Survey, A-490,
Hays County, Texas

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FN2327(jb)
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THE STATE OF TEXAS
COUNTY OF TRAVIS

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KNOW ALL MEN BY THESE PRESENTS

That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a series of surveys made on the ground during the months of December 2013 through December 2019, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on this 30th day of December 2019 A.D.

Bowman Consulting Group, Ltd.
Austin, Texas 78746



John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas

