

ORDINANCE NO. 2023-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY IN CASE NO. ZC-23-02, BY REZONING APPROXIMATELY 90.00 ACRES OF LAND OUT OF THE L. GLASSGOW SURVEY NO. 14, ABSTRACT NO. 188 AND THE JOHN WILLIAMS SURVEY, ABSTRACT NO'S. 471 AND 490, IN HAYS COUNTY, TEXAS, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE W. CENTERPOINT RD. AND RANCH RD. 12 INTERSECTION, FROM "FD" FUTURE DEVELOPMENT TO "CC" COMMUNITY COMMERCIAL, OR, SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On May 23, 2023, 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 to "CC" Community Commercial for approximately 90.00 acres out of the L. Glassgow Survey, No. 14, Abstract No. 188 and the John Williams Survey, Abstract No's. 471 and 490, Hays County, Texas, generally located at the southwest corner of the W. Centerpoint Rd. and Ranch Rd. 12 intersection (the "Property"), as described in Exhibit A, attached hereto and made a part hereof for all purposes.

2. On May 23, 2023, the Planning and Zoning Commission voted 7-0 to recommend approval of the request.

3. The City Council held a public hearing on July 3, 2023, 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 Property, as described in Exhibit A from "FD" Future Development to "CC Community Commercial."

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conflict with this ordinance are repealed.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 July 3, 2023.

PASSED, APPROVED AND ADOPTED on second reading on August 1, 2023.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Samuel J. Aguirre
City Attorney

EXHIBIT A
PROPERTY DESCRIPTION

LEGAL DESCRIPTION

BEING A 90.000 ACRE TRACT OF LAND (3,920,409) OUT OF AND A PORTION OF THE L.GLASSGOW SURVEY NO. 14, ABSTRACT NO. 188, THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 471 AND THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490 IN HAYS COUNTY, TEXAS AND BEING PORTIONS OF THE 34.368 ACRE, 31.721 ACRE, 6.891 ACRE AND 94.769 ACRE TRACTS OF LAND CONVEYED TO HILL COUNTRY REAL ESTATE - SAN MARCOS, LLC IN INSTRUMENT NO. 22027640 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.); SAID 90.000 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron with BCG cap found in a southerly right-of-way line of Wonder World Drive/Ranch Road 12, a portion of which being described as a 6.4500 acre varying width right-of-way, in Volume 3100, Page 712, O.P.R.H.C.TX. , being at a common corner of the same and West Centerpoint Road, being described as a called 45.839 acre tract of land conveyed to Hays County, Texas in Volume 5310, Page 161, O.P.R.H.C.TX., being also a point in the north line of the said 34.368 acre tract;

THENCE with the northerly lines of the said 34.368 acre tract, being southerly right-of-way lines of Wonder World Drive/Ranch Road 12 and West Centerpoint Road, the following four (4) courses and distances:

1. South 61°22'58" West, a distance of 440.55 feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature;
2. with a curve turning to the right with an arc length of 245.36 feet, with a radius of 535.00 feet, with a chord bearing of South 74°31'16" West, with a chord length of 243.22 feet, to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
3. South 87°39'35" West, a distance of 3.21 feet to a 1/2-inch iron rod with "BCG" cap found;
4. with a curve turning to the left with an arc length of 32.23 feet, with a radius of 20.00 feet, with a chord bearing of South 41°29'52" West, with a chord length of 28.85 feet, to a 1/2-inch iron rod with "BCG" cap found for the **POINT OF BEGINNING** being a northerly corner of the herein described tract of land;

THENCE leaving the southerly right-of-way line of West Centerpoint Road, over and across the said 34.368 acre tract, the following four (4) courses and distances:

1. South 20°01'45" East, a distance of 111.38 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
2. South 76°22'10" East, a distance of 354.46 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
3. South 37°21'06" East, a distance of 251.83 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
4. North 43°01'57" East, a distance of 437.32 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting in the westerly right-of-way line of Wonder World Drive/Ranch Road 12, a portion of which is described as a 6.8059 acre varying width right-of-way in Volume 3197, Page 401, O.P.R.H.C.TX.;

THENCE South 19°38'26" East, with the westerly right-of-way line of Wonder World Drive/Ranch Road 12, being the easterly line of the said 34.368 acre tract, a distance of 53.51 feet to a Type II concrete highway monument with brass disk found at the most westerly common corner of the said 6.8059 acre tract and the said 6.4500 acre tract, being also the most easterly common corner of the said 34.368 acre tract and said 94.769 acre tract;

THENCE with the westerly right-of-way line of Wonder World Drive being easterly line of the said 94.769 acre tract, the following three (3) courses and distances;

1. South 19°37'17" East, a distance of 167.08 feet to a 60d nail found ;
2. South 43°01'57" West, a distance of 174.50 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
3. South 19°37'17" East, a distance of 95.72 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;

THENCE leaving the westerly right-of-way line of Wonder World Drive being easterly line of the said 94.769 acre tract, over and across the said 94.769 acre tract, the following seven (7) courses and distances:

1. South 43°01'57" West, a distance of 451.63 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
2. South 39°37'12" East, a distance of 342.64 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
3. South 28°33'03" East, a distance of 232.44 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
4. South 07°53'56" East, a distance of 230.00 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
5. South 58°03'44" West, a distance of 371.90 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
6. South 15°21'24" West, a distance of 408.72 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting;
7. South 13°42'28" East, a distance of 782.77 feet to a 1/2-inch iron rod with "BCG" cap to be set with Final Platting in the common line of the said 94.769 acre tract and the remainder of a 114.00 acre tract of land conveyed to Marion H. Wills in Volume 1658, Page 162, O.P.R.H.C.TX., same being South 37°37'55" West, a distance of 1049.50 feet from a 1/2-inch iron rod found at an angle point in west line of the said 114.00 acre tract., being the most easterly corner of the said 94.769 acre tract, and most southerly corner of the 17.45 acre tract of land conveyed to Marion H. Wills in Volume 2530, Page 720, O.P.R.H.C.TX.;

THENCE with the easterly lines of the said 94.769 acre tract, being in part, westerly lines of the remainder of the said 114.00 acre tract and a called 3.00 acre tract of land conveyed to Catherine Wonderly and Curtis Wonderly in Volume 2109, Page 386, O.P.R.H.C.TX. the following two (2) courses and distances:

1. South 37°37'55" West, a distance of 291.32 feet to a 1/2-inch iron rod found;
2. South 04°55'35" East, a distance of 310.95 feet to a 1/2-inch iron rod with "BCG" cap to set with Final Platting in the west line of the said 3.00 acre tract, for the southeast corner of the herein described tract of land, from which a 1/2-inch iron rod found in the north line of a called 326.30 acre tract of land conveyed to the City of San Marcos in Volume 1922, Page 338, O.P.R.H.C.TX. at the most southerly common corner of the said 114.00 acre tract and the said 94.769 acre tract, bears South 04°55'35" East, a distance of 809.54 feet;

THENCE leaving the east line of the said 94.769 acre tract, in part, being the west line of the said 3.00 acre tract, over and across the said 94.769 acre tract, the said 31.721 acre tract and the said 34.368 acre tract, the following eight (8) courses and distances:

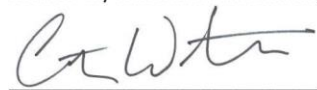
1. North 88°23'17" West, a distance of 454.99 feet to a 1/2-inch iron rod with "BCG" cap to set with Final Platting;
2. North 41°24'15" West, a distance of 955.59 feet to a 1/2-inch iron rod with "BCG" cap to set with Final Platting;
3. North 23°15'18" West, a distance of 1147.06 feet to a 1/2-inch iron rod with "BCG" cap to set with Final Platting;
4. North 18°43'35" East, a distance of 397.66 feet to a 1/2-inch iron rod with "BCG" cap to set with Final Platting;
5. North 50°22'47" East, a distance of 891.84 feet to a 1/2-inch iron rod with "BCG" cap to set with Final Platting;
6. North 10°15'01" West, a distance of 206.33 feet to a 1/2-inch iron rod with "BCG" cap to set with Final Platting;
7. North 30°42'48" East, a distance of 444.76 feet to a 1/2-inch iron rod with "BCG" cap to set with Final Platting;
8. North, a distance of 97.49 feet to a 1/2-inch iron rod with "BCG" cap found on the southerly right-of-way line of West Centerpoint Road, being the southerly line of the said 45.839 acre tract, being also northerly line of the said 34.368 acre tract, for a northerly corner of the herein described tract of land;

THENCE North 89°31'27" East, a distance of 50.14 feet to the **POINT OF BEGINNING** and containing 90.000 acres of land, more or less, within these metes and bounds.

Notes:

1. Bearing basis is Texas Coordinate System, South Central Zone, NAD83.
2. Distances shown hereon are based on surface measurements, to convert surface distances to grid, multiply by the combined scale factor.
3. The combined scale factor for this project is 0.999875.

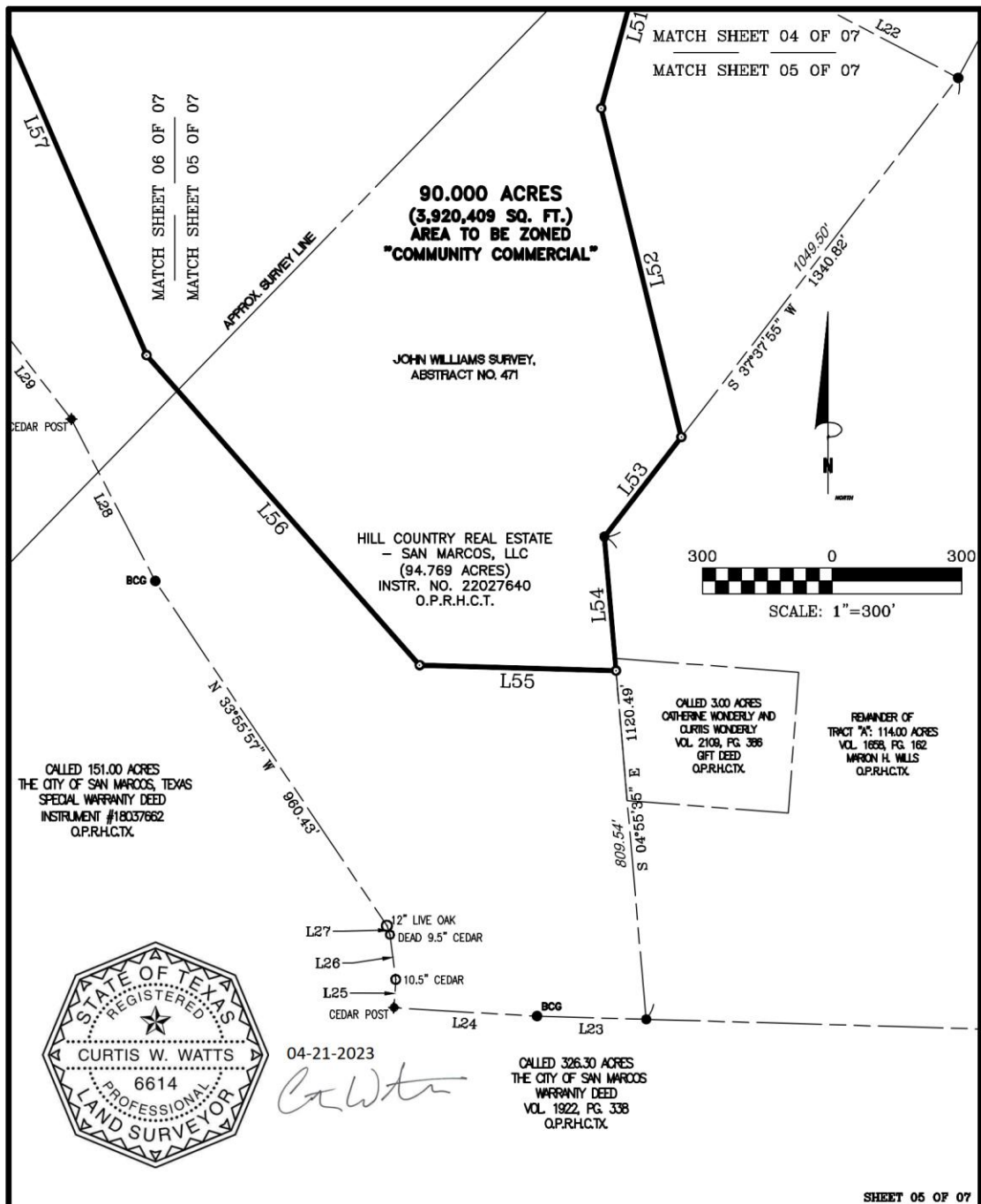
Witness my hand and seal at Austin, Travis County, Texas, on this 21st day of April 2023 A.D.



04-21-2023

Curtis Wayne Watts Texas
Registered Professional Land Surveyor #6614

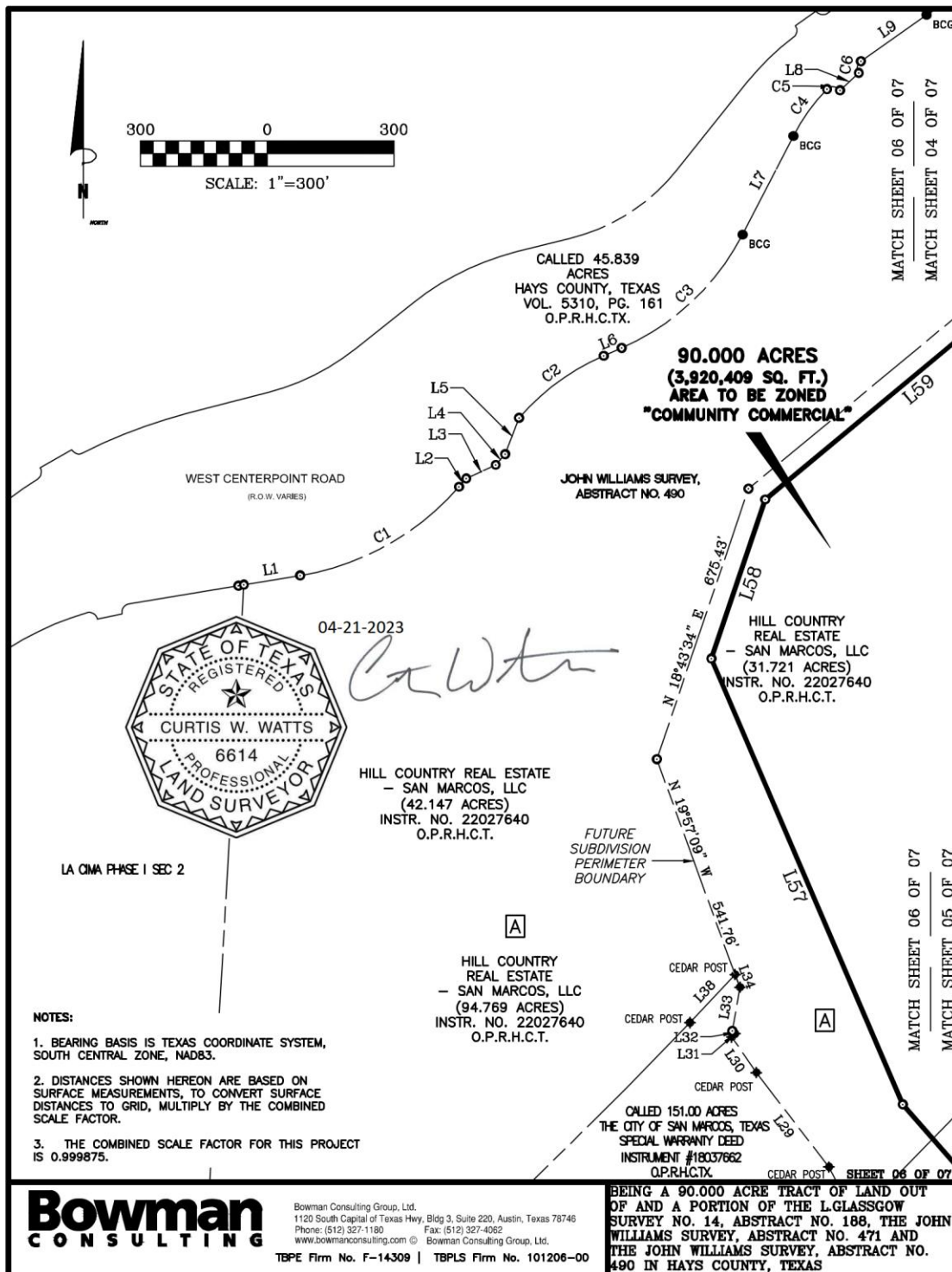




Bowman CONSULTING

BEING A 90.000 ACRE TRACT OF LAND OUT OF AND A PORTION OF THE L.G.LASSGOW SURVEY NO. 14, ABSTRACT NO. 188, THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 471 AND THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490 IN HAYS COUNTY, TEXAS

FILE: P:\070454 - Hill Country Group\070454-01-001 (SUR) - Dark Monday\Survey\Working\070454-01-001-ZD-90.000 AC SURFACE.dwg
DATE: Apr 21, 2023-11:21am



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 80°38'20" E	135.06'
L2	N 41°02'43" E	25.98'
L3	N 65°11'33" E	77.25'
L4	N 41°02'43" E	33.26'
L5	N 20°59'57" E	92.20'
L6	N 66°27'44" E	46.30'
L7	N 27°17'24" E	262.04'
L8	N 47°11'53" E	60.61'
L9	N 54°59'28" E	190.21'
L10	N 87°39'35" E	103.15'
L11	N 87°39'35" E	17.34'
L12	N 61°22'58" E	440.55'
L13	N 87°39'35" E	3.21'
L14	N 89°31'27" E	50.14'
L15	N 77°54'50" E	41.30'
L16	S 19°38'27" E	222.38'
L17	S 19°37'17" E	167.08'
L18	S 43°01'57" W	174.50'
L19	S 19°37'17" E	291.06'
L20	N 43°01'57" E	174.50'
L21	S 32°24'03" W	648.97'

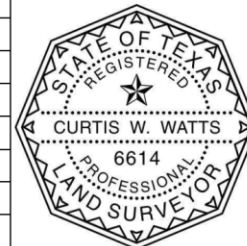
LINE TABLE		
LINE #	BEARING	DISTANCE
L22	S 62°24'22" E	392.10'
L23	N 88°23'17" W	252.71'
L24	N 86°36'50" W	331.41'
L25	N 03°30'38" E	65.87'
L26	N 07°18'58" W	104.18'
L27	N 19°13'11" W	21.88'
L28	N 27°27'35" W	422.53'
L29	N 37°34'51" W	281.91'
L30	N 34°40'21" W	102.30'
L31	N 47°12'38" E	11.01'
L32	N 44°17'57" W	9.44'
L33	N 10°02'03" E	104.63'
L34	N 21°28'49" W	32.52'
L36	N 09°56'45" W	232.63'
L37	N 30°44'43" E	581.34'
L38	S 43°09'44" W	155.92'
L40	S 20°01'45" E	111.38'
L41	S 76°22'10" E	354.46'
L42	S 37°21'06" E	251.83'
L43	N 43°01'57" E	437.32'
L44	S 19°38'26" E	53.51'

LINE TABLE		
LINE #	BEARING	DISTANCE
L45	S 19°37'17" E	95.72'
L46	S 43°01'57" W	451.63'
L47	S 39°37'12" E	342.64'
L48	S 28°33'03" E	232.44'
L49	S 07°53'56" E	230.00'
L50	S 58°03'44" W	371.90'
L51	S 15°21'24" W	408.72'
L52	S 13°42'28" E	762.77'
L53	S 37°37'55" W	291.32'
L54	S 04°55'35" E	310.95'
L55	N 88°23'17" W	454.99'
L56	N 41°24'15" W	955.59'
L57	N 23°15'18" W	1147.06'
L58	N 18°43'35" E	397.66'
L59	N 50°22'47" E	891.84'
L60	N 10°15'01" W	206.33'
L61	N 30°42'48" E	444.76'
L62	N 00°00'00" W	97.49'
L63	S 50°22'47" W	807.44'

Curtis W. Watts

CURVE TABLE				
CURVE #	RADIUS	ARC DISTANCE	CHORD BEARING	CHORD DISTANCE
C1	635.00'	438.81'	N 60°50'32" E	430.13'
C2	565.00'	250.53'	N 53°45'34" E	248.48'
C3	585.00'	399.96'	N 46°52'34" E	392.21'
C4	465.00'	136.70'	N 35°42'42" E	136.21'
C5	20.00'	35.33'	S 85°15'25" E	30.91'
C6	20.00'	31.29'	N 10°10'19" E	28.19'
C7	665.00'	379.17'	N 71°19'32" E	374.05'
C8	20.00'	30.60'	S 48°30'55" E	27.70'
C9	535.00'	245.36'	N 74°31'16" E	243.22'
C10	20.00'	32.23'	N 41°29'52" E	28.85'
C11	1809.86'	235.36'	S 23°21'07" E	235.21'

04-21-2023



SHEET 7 OF 7

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
1120 South Capital of Texas Hwy, Bldg 3, Suite 220, Austin, Texas 78746
Phone: (512) 327-1180 Fax: (512) 327-4062
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.
TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

BEING A 90.000 ACRE TRACT OF LAND OUT
OF AND A PORTION OF THE LGLASSGOW
SURVEY NO. 14, ABSTRACT NO. 188, THE JOHN
WILLIAMS SURVEY, ABSTRACT NO. 471 AND
THE JOHN WILLIAMS SURVEY, ABSTRACT NO.
490 IN HAYS COUNTY, TEXAS

