

ORDINANCE NO. 2022-21

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-22-06 BY REZONING APPROXIMATELY 1.11 ACRES OF LAND LOCATED AT 1850 OLD RANCH ROAD 12 FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “LI” LIGHT INDUSTRIAL DISTRICT, OR, SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On February 8, 2022, 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 “LI” Light Industrial District for approximately 1.11 acres of land located 1850 Old Ranch Road 12 (the “Property”), as described in Exhibit A, attached hereto and made a part hereof for all purposes.

2. The Planning and Zoning Commission approved a recommendation to the City Council regarding the request.

3. The City Council held a public hearing on March 1, 2022, 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 District to “LI” Light Industrial 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 March 1, 2022.

PASSED, APPROVED AND ADOPTED on second reading on March 23, 2022.

Jane Hughson
Mayor

Attest:

Tammy K. Cook
City Clerk

Approved:

Michael J. Cosentino
City Attorney

EXHIBIT A

FIELD NOTE DESCRIPTION FOR A 1.11 ACRE TRACT OF LAND, SITUATED IN HAYS COUNTY, TEXAS:

BEING A 1.11 ACRE TRACT OF LAND OUT OF THE T.H.W. FORSYTH SURVEY, ABSTRACT NO. 173, CONVEYED BY WARRANTY DEED WITH VENDOR'S LIEN TO HOLMAN-FARRAR, LLC., RECORDED IN DOCUMENT NO. 18022900 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found, lying in the north right-of-way line of Old Ranch Road 12, a public road, marking the southwest corner of a 50 foot right-of-way easement recorded in Volume 1277, Page 71 of the Official Public Records of Hays County, Texas, for the south corner of this tract;

THENCE, North $61^{\circ}43'36''$ West, a distance of 111.62 feet, to a magnail found in concrete, lying in the north right-of-way line of said Old Ranch Road 12, at the point-of-curvature of a curve to the right, for an angle corner of this tract;

THENCE, along said curve to the right, an arc length of 43.97 feet, said curve having radius of 29.19 feet, a chord which bears North $18^{\circ}04'44''$ West, for a distance of 39.93 feet to a 1/2" iron rod lying in the southeast line of a 50 foot access easement recorded in Volume 309, Page 533 and Volume 308, Page 670 of the Official Public Records of Hays County, Texas, at the point-of-tangency of said curve, for the west corner of this tract;

THENCE, North $25^{\circ}13'17''$ East, a distance of 318.53 feet, along the east line of said 50 foot access easement, common with the northwest line of this tract, to a 1/2" iron rod found, marking the west corner of a 0.94 acre tract of land conveyed by Deed to Herman and Adelina Flores, recorded in Document No. 00116610 of the Official Public Records of Hays County, Texas, for the north corner of this tract;

THENCE, South $64^{\circ}47'07''$ East, a distance of 138.39 feet, along the southwest line of said 0.94 acre tract, common with the northeast line of this tract, to a 1/2" iron rod found, lying in the northwest line of said 50 foot right-of-way easement, marking the south corner of said 0.94 acre tract, for the east corner of this tract;

THENCE, South $25^{\circ}08'50''$ West, a distance of 353.56 feet, along the northwest line of said 50 foot right-of-way easement, common with the southeast line of this tract, to the POINT OF BEGINNING, containing 1.11 acres of land, more or less.

George E. Lucas
Registered Professional Land Surveyor No. 4160
Celco Surveying, Firm Registration No. 10193975
2205 Stonecrest Path
New Braunfels, Texas 78130
Date: June 21, 2021

