

ORDINANCE NO. 2022-

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-22-11, BY REZONING APPROXIMATELY 64.80 ACRES OF LAND LOCATED AT THE 1800 BLOCK OF CLOVIS BARKER ROAD FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “LI” LIGHT INDUSTRIAL DISTRICT; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On April 12, 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 64.80 acres of land located at the 1800 block of Clovis Barker Road (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 May 3, 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 and the recording of a duly executed restrictive covenant agreement in substantially the form in Exhibit B, attached hereto and made a part hereof, prohibiting certain waste-related services on the Property as outlined in Exhibit B.

PASSED AND APPROVED on first reading on May 3, 2022.

PASSED, APPROVED AND ADOPTED on second reading on June 7, 2022.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
Interim City Clerk

Approved:

Michael J. Cosentino
City Attorney

EXHIBIT A



WINDROSE
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DESCRIPTION OF 64.80 ACRES OR 2,822,678 SQ. FT.

A TRACT OR PARCEL CONTAINING 64.80 ACRES OR 2,822,678 SQUARE FEET OF LAND, SITUATED IN THE C. WICKSON SURVEY, ABSTRACT NO. 474 AND BARNETT O. KANE SURVEY, ABSTRACT NO. 281, HAYS COUNTY, TEXAS, BEING THE RESIDUE OF A CALLED 166.670 ACRE TRACT CONVEYED TO MCCOY FAMILY PARTNERSHIP ONE, LTD, AS RECORDED UNDER VOL. 2527, PG. 319, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY (O.P.R.H.C.), WITH SAID 64.80 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARING BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

BEGINNING AT A CAPPED 5/8 INCH IRON ROD STAMPED "PROTECH" FOUND ON THE NORTHEAST RIGHT-OF-WAY (R.O.W.) LINE OF CLOVIS BARKER ROAD (80 FEET WIDE), THE NORTHWEST LINE OF SAID 166.670 ACRE TRACT AND MARKING THE SOUTH CORNER OF LOT 1, GENLYTE INDUSTRIAL PARK, MAP OR PLAT THEREOF RECORDED UNDER VOL. 9, PG. 372, HAYS COUNTY PLAT RECORDS (H.C.P.R.), CONVEYED TO GENLYTE THOMAS GROUP LLC, AS RECORDED UNDER HAYS COUNTY CLERK'S FILE (H.C.C.F.) NO. 03012357, FOR THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 44 DEG. 40 MIN. 42 SEC. EAST, WITH THE COMMON LINE OF SAID 166.670 ACRE TRACT AND SAID LOT 1, PASSING AT A DISTANCE OF 1,530.88 FEET, A CAPPED 1/2 INCH IRON ROD STAMPED "DOUCEI" FOUND, BEARING FOR REFERENCE NORTH 17 DEG. 53 MIN. E -0.77 FEET, MARKING THE SOUTH CORNER OF A TRACT OF LAND CONVEYED TO THE CITY OF SAN MARCOS, A MUNICIPAL CORPORATION, AS RECORDED UNDER H.C.C.F. NO. 0301998, AND CONTINUING WITH THE SOUTHEAST LINE OF SAID THE CITY OF SAN MARCOS TRACT, FOR A TOTAL DISTANCE OF 1,635.92 FEET FOR THE EASTERLY SOUTHEAST CORNER OF SAID THE CITY OF SAN MARCOS TRACT, A SOUTHWEST CORNER OF A CALLED 109.42 ACRE TRACT CONVEYED TO BARRACKS EXPANSION LLC, AS RECORDED UNDER H.C.C.F. NO. 21005056, FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS FOR REFERENCE SOUTH 49 DEG. 24 MIN. EAST -0.39 FEET;

THENCE, NORTH 43 DEG. 50 MIN. 35 SEC. EAST, WITH A SOUTHEAST LINE OF SAID 109.42 ACRE TRACT, A DISTANCE OF 175.96 FEET TO THE MOST WESTERLY NORTH CORNER OF AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE, THROUGH AND ACROSS SAID 166.670 ACRE TRACT, THE FOLLOWING TWENTY-SIX (26) COURSES AND DISTANCES:

- SOUTH 48 DEG. 23 MIN. 33 SEC. EAST, A DISTANCE OF 152.38 FEET TO AN ANGLE POINT;
- SOUTH 35 DEG. 43 MIN. 14 SEC. EAST, A DISTANCE OF 121.15 FEET TO AN ANGLE POINT;
- SOUTH 46 DEG. 25 MIN. 25 SEC. EAST, A DISTANCE OF 180.91 FEET TO AN ANGLE POINT;
- SOUTH 55 DEG. 34 MIN. 28 SEC. EAST, A DISTANCE OF 115.46 FEET TO AN ANGLE POINT;
- SOUTH 55 DEG. 47 MIN. 49 SEC. EAST, A DISTANCE OF 284.57 FEET TO AN ANGLE POINT;
- SOUTH 65 DEG. 33 MIN. 08 SEC. EAST, A DISTANCE OF 241.05 FEET TO AN ANGLE POINT;
- SOUTH 69 DEG. 46 MIN. 25 SEC. EAST, A DISTANCE OF 187.64 FEET TO AN ANGLE POINT;
- SOUTH 52 DEG. 13 MIN. 11 SEC. EAST, A DISTANCE OF 88.08 FEET TO AN ANGLE POINT;
- SOUTH 50 DEG. 20 MIN. 38 SEC. WEST, A DISTANCE OF 75.04 FEET TO AN ANGLE POINT;
- SOUTH 41 DEG. 25 MIN. 59 SEC. WEST, A DISTANCE OF 65.44 FEET TO AN ANGLE POINT;
- SOUTH 32 DEG. 44 MIN. 35 SEC. WEST, A DISTANCE OF 65.72 FEET TO AN ANGLE POINT;
- SOUTH 08 DEG. 08 MIN. 13 SEC. WEST, A DISTANCE OF 73.63 FEET TO AN ANGLE POINT;
- SOUTH 01 DEG. 47 MIN. 55 SEC. WEST, A DISTANCE OF 78.40 FEET TO AN ANGLE POINT;
- SOUTH 01 DEG. 06 MIN. 50 SEC. WEST, A DISTANCE OF 254.43 FEET TO AN ANGLE POINT;
- SOUTH 27 DEG. 11 MIN. 19 SEC. WEST, A DISTANCE OF 77.86 FEET TO AN ANGLE POINT;
- SOUTH 24 DEG. 21 MIN. 59 SEC. WEST, A DISTANCE OF 256.39 FEET TO AN ANGLE POINT;
- SOUTH 24 DEG. 18 MIN. 56 SEC. WEST, A DISTANCE OF 268.49 FEET TO AN ANGLE POINT;
- SOUTH 42 DEG. 38 MIN. 00 SEC. WEST, A DISTANCE OF 52.41 FEET TO AN ANGLE POINT;
- NORTH 74 DEG. 03 MIN. 27 SEC. WEST, A DISTANCE OF 278.48 FEET TO AN ANGLE POINT;

NORTH 87 DEG. 36 MIN. 55 SEC. WEST, A DISTANCE OF 184.46 FEET TO AN ANGLE POINT;
SOUTH 73 DEG. 18 MIN. 34 SEC. WEST, A DISTANCE OF 114.09 FEET TO AN ANGLE POINT;
SOUTH 68 DEG. 12 MIN. 23 SEC. WEST, A DISTANCE OF 123.97 FEET TO AN ANGLE POINT;
SOUTH 65 DEG. 39 MIN. 55 SEC. WEST, A DISTANCE OF 212.37 FEET TO AN ANGLE POINT;
SOUTH 55 DEG. 37 MIN. 56 SEC. WEST, A DISTANCE OF 113.81 FEET TO AN ANGLE POINT;
SOUTH 50 DEG. 19 MIN. 51 SEC. WEST, A DISTANCE OF 68.69 FEET TO AN ANGLE POINT;
SOUTH 41 DEG. 48 MIN. 46 SEC. WEST, A DISTANCE OF 61.81 FEET TO THE EAST R.O.W. LINE OF SAID CLOVIS
BARKER ROAD FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 45 DEG. 50 MIN. 34 SEC. WEST, WITH THE EAST R.O.W. LINE OF SAID CLOVIS BARKER ROAD, A DISTANCE OF 1,231.83 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 64.80 ACRES OR 2,822,678 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 57259-EXHIBIT 2, PREPARED BY WINDROSE LAND SERVICES.



ROBERT KNESS
R.P.L.S. NO. 6486
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



02/02/2022
DATE:



NORTH
SCALE: 1" = 400'

GENERAL NOTES

1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACTS CERTIFICATE AND WOULD BE SUBJECT TO ANY AND ALL CONDITIONS OR RESTRICTIONS THAT A CURRENT TITLE REPORT OR ABSTRACTS CERTIFICATE MAY DISCLOSE.
2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE. (NAD83)
3. THIS EXHIBIT IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION.
4. THIS EXHIBIT DOES NOT IMPLY TO BE A LAND TITLE SURVEY OF THE SUBJECT PROPERTY AND IS NOT INTENDED TO BE USED FOR TITLE CONVEYANCE PURPOSES.

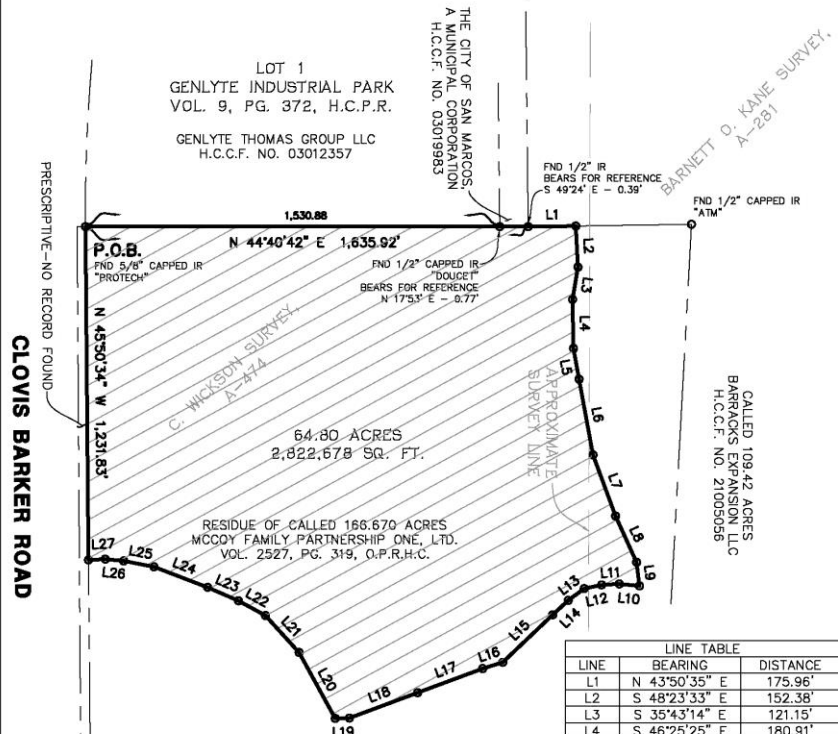


EXHIBIT OF
64.80 ACRES / 2,822,678 SQ. FT.
SITUATED IN THE
C. WICKSON SURVEY, A-474 &
BARNETT O. KANE SURVEY, A-281
HAYS COUNTY, TEXAS

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 43°50'35" E	175.96'
L2	S 48°23'33" E	152.38'
L3	S 35°43'14" E	121.15'
L4	S 46°25'25" E	180.91'
L5	S 55°34'28" E	115.46'
L6	S 55°47'49" E	284.57'
L7	S 65°33'08" E	241.05'
L8	S 69°46'25" E	187.64'
L9	S 62°13'11" E	88.08'
L10	S 50°20'38" W	75.04'
L11	S 41°25'59" W	65.44'
L12	S 32°44'35" W	65.72'
L13	S 08°08'13" W	73.63'
L14	S 01°47'55" W	78.40'
L15	S 01°06'50" W	254.43'
L16	S 27°11'19" W	77.86'
L17	S 24°21'59" W	256.39'
L18	S 24°18'56" W	268.49'
L19	S 42°38'00" W	52.41'
L20	N 74°03'27" W	278.48'
L21	N 87°36'55" W	184.46'
L22	S 73°18'34" W	114.09'
L23	S 68°12'23" W	123.97'
L24	S 65°39'55" W	212.37'
L25	S 55°37'56" W	113.81'
L26	S 50°19'51" W	68.69'
L27	S 41°48'46" W	61.81'

FIELD BY:	-	DATE:	2-02-2022
DRAWN BY:	CG	REV:	
CHECKED BY:	CC	REV:	
JOB NO.	57259-EXHIBIT 2	REV:	
SHEET 1 OF 3		REV:	

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