

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 44.99 ACRES OF LAND LOCATED AT 4087 STATE HIGHWAY 21 FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “MH” MANUFACTURED HOME DISTRICT; AND INCLUDING PROCEDURAL PROVISIONS.

RECITALS:

1. On April 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 “MH” Manufactured Home District for approximately 44.99 acres of land located at 4087 State Highway 21.
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 May 19, 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 “MH” Manufactured Home 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 May 19, 2020.

PASSED, APPROVED AND ADOPTED on second reading on June 2, 2020.

Jane Hughson
Mayor

Attest:

Tammy K. Cook
Interim City Clerk

Approved:

Michael J. Cosentino
City Attorney

EXHIBIT A



RESIDENTIAL ZONING

STATE OF TEXAS - CITY OF SAN MARCOS

WHEREAS, Palace way Partners owns a 59.89ac tract of land situated in the Thomas G. McGehee survey, A-11, Hays County, Texas. Conveyed in volume 723 page 39, Plat records, Hays County, TX. Same being a tract of land described to Palaceway Partners as conveyed in Instrument number 9927062, official public records, Hays County, Texas. And being more particularly described by metes and bounds as follows: Grid north of the Texas state plane coordinate system, NAD 83, South central zone.

The proposed plat divides the property in two plats, the residential plat being 44.99 acres.

Beginning at 1/2" Iron rod with plastic cap found at southeast corner said POB-R same being southeast of Mrs. Millie Gary Et Vir to the State of Texas recorded in the public records Volume 117, Page 493. Hays County, Texas. And lying on the north Right of Way of the State Highway Number 21.

THENCE, North 50°, 26 minutes, 21.87 seconds East along the western right of way of State Highway 21. Drive a distance of 118.16 feet.

THENCE, North 45 degrees, 25 minutes and 53.13 seconds West, parallel with the adjacent gravel road said Cow Trail, drive a distance of 1,530.10 feet towards 1/2" " Iron rod with plastic cap.

THENCE, North 46 degrees, 12 minutes and 08.40 seconds East, towards the adjacent gravel road said Cow Trail, drive a distance of 175.99 feet towards 1/2" " Iron rod. Same lying on the left right of way of Cow Trial.

THENCE, North 0 degrees, 48 minutes and 43.60 seconds East, with the west right of way of said Cow Trial. Drive a distance of 886.52 feet. Same being the northwest corner of the residential parcel.

THENCE, North 46 degrees, 32 minutes and 33.95 seconds West, same being the west side of the Industrial Plat and the right edge of road of Dukes Rd, drive a distance of 1,306.58 feet to 1/2" Iron rod with plastic cap stamped "Byrn Associates". Same being the west side of the Industrial plat.

THENCE, North 53 degrees, 02 minutes and 00.38 seconds West, same being the west side of the Industrial Plat and the right edge of road of Dukes Rd, drive a distance of 224.38 feet to 1/2" Iron rod with plastic cap stamped "Trinity Companies". Same being the northwest corner of the Industrial plat.

THENCE, South 38 degrees, 05 minutes and 05.46 seconds West, of the northwest corner of the Industrial plat and the right edge of road of Dukes Rd, drive a distance of 483.82 feet to 1/2" Iron rod with plastic cap stamped "Byrn survey". And lying on the east right of way of the Harris Hill Road Sport Vehicle Track.

THENCE, South 34 degrees, 57 minutes and 58.46 seconds West, drive a distance of 438.82 feet to 1/2" Iron rod with plastic cap.

THENCE, South 46 degrees, 29 minutes and 03.48 seconds East, being the northwest corner of the proposed plat. drive a distance of 2104.26 feet to 1/2" Iron rod with plastic cap stamped "Trinity Companies.

THENCE, South 45 degrees, 26 minutes and 48.34 seconds East, being part of the left edge of road of Dukes road. Drive a distance of 1,420.16' towards POB-R, same being the west Right of Way of State Highway Number 21.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, TRINITY GROUP, does hereby present this Proposed Plat designating the herein above described property as PALACE WAY DEVELOPMENT, an addition to the City of San Marcos, Texas. Said utility easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same.


Dr. David L. Joyner, P.E
TX Firm 12656

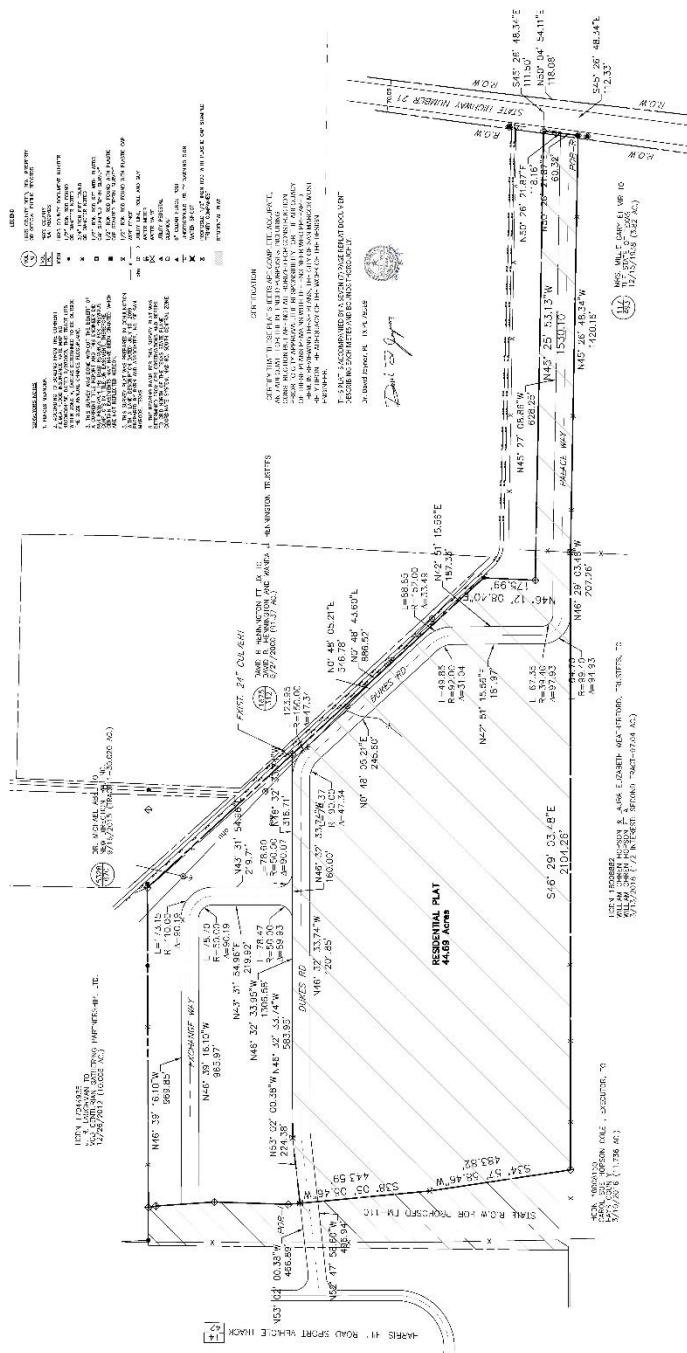


TRINITY GROUP

A Real Estate Development Service Company

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838 Meyer Rd., NB, TX 78638-1503 • Ph. 830.303.3283
In Austin 512.807.7310 • Eagle Ford 830.303.3283
Houston 713.574.1949 • San Antonio 210.209.9976
www.trinitycompanies.biz



- LEGEND**
- 1. 100' WIDE EASEMENT FOR ROAD
 - 2. 10' WIDE EASEMENT FOR UTILITY
 - 3. 10' WIDE EASEMENT FOR DRAINAGE
 - 4. 10' WIDE EASEMENT FOR DRAINAGE
 - 5. 10' WIDE EASEMENT FOR DRAINAGE
 - 6. 10' WIDE EASEMENT FOR DRAINAGE
 - 7. 10' WIDE EASEMENT FOR DRAINAGE
 - 8. 10' WIDE EASEMENT FOR DRAINAGE
 - 9. 10' WIDE EASEMENT FOR DRAINAGE
 - 10. 10' WIDE EASEMENT FOR DRAINAGE

CERTIFICATION

I, the undersigned, being a duly qualified and licensed Surveyor in the State of North Carolina, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my records, and that the same has been compared with the original and found to be correct.

[Signature]

NOTARY PUBLIC

		PALACE WAY DEVELOPMENT 4087 ST. HIGHWAY 21 28800, NC 28385	
PROPOSED PLAT FOR RESIDENTIAL DEVELOPMENT		TRINITY GROUP A TRINITY COMPANY 10000 W. 10TH AVENUE, SUITE 100 DENVER, CO 80202	
PROJECT NO. 12146	DATE 11/11/2010	SHEET NO. C-02	SCALE 1" = 200'
DESIGNED BY T. J. HARRIS	CHECKED BY T. J. HARRIS	APPROVED BY T. J. HARRIS	DATE 11/11/2010