

ORDINANCE NO. 2021-79

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-21-12 BY REZONING APPROXIMATELY 363.72 ACRES OF LAND, GENERALLY LOCATED BETWEEN HARRIS HILL ROAD AND FUTURE FM 110 NORTH OF HARRIS HILL ROAD, FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “CD-3” CHARACTER DISTRICT-3, OR SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On August 24, 2021, 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 “CD-3” Character District-3 for approximately 363.72 acres of land, more or less, generally located between Harris Hill Road and future FM 110 north of Harris Hill 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 September 21, 2021 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 “CD-3” Character District-3.

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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 September 21, 2021.

PASSED, APPROVED AND ADOPTED on second reading on October 4, 2021.

Jane Hughson
Mayor

Attest:

Tammy K. Cook
Interim City Clerk

Approved:

Michael J. Cosentino
City Attorney

EXHIBIT A



FIELD NOTES FOR A 363.72 ACRE TRACT OF LAND

A **363.72 acre** tract of land, located in the J. Miner Survey, Abstract 321, the J. Veramendi Survey, Abstract 17, and the T.G. McGehee Survey, Abstract 11, Hays County, Texas, being a portion of a called 312.005 acre tract of land as described in Volume 2946, Page 47 of the Official Public Records of Hays County, Texas, all of a called 33-2/5 acre tract of land, all of a called 17.76 acre tract of land, and a portion of a called 118-1/2 acre tract of land, all being described in Volume 154, Page 504 of the Deed Records of Hays County, Texas. Said **363.72 acre** tract being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" iron rod in the apparent southeast right-of-way line of County Road 160, a.k.a. Harris Hill Road, for the southwest corner of Lot 1 of the Northpoint Section 1 Subdivision as recorded in Volume 2, Pages 251-252 of the Plat Records of Hays County, Texas, at the apparent north corner of said 33-2/5 acre tract and for the northwest corner of the tract described herein;

THENCE: S 46° 24' 00" E, departing said right-of-way line of County Road 160, a.k.a. Harris Hill, with the southwest lines of said Northpoint Section 1 Subdivision, Northpoint Section 4 Subdivision as recorded in Volume 7, Pages 289-290 of the Plat Records of Hays County, Texas, the apparent northeast lines of said 33-2/5 acre tract and said 17.76 acre tract, a distance of **2525.46 feet** to a found 1" iron pipe for the south corner of Lot 99 of said Northpoint Section 4 Subdivision, in the west line of said 118-1/2 acre tract, at the apparent east corner of said 17.76 acre tract and for an interior corner of the tract described herein;

THENCE: N 43° 13' 46" E, with the southeast line of said Northpoint Section 4 Subdivision, Northpoint Section 3 Subdivision, a plat of record in Volume 3, Pages 281-282 of the Plat Records of Hays County, Texas, and the northwest line of said 118-1/2 acre tract, a distance of **1397.62 feet** to a found 1-1/2" iron pipe for the southeast corner of Lot 1 of the Harris Hill Road Sport Vehicle Track Subdivision, a plat of record in Volume 14, Pages 42-43 of Plat Records of Hays County, Texas, for the south corner of a R.O.W. Dedication as shown on said Harris Hill Road Sport Vehicle Track Subdivision Plat, for the east corner of Lot 69 of said Northpoint Section 3 Subdivision, for the southwest corner of a called 5.058 acre tract of land as described and conveyed to Hays County of record in Volume 5158, Page 87 of the Official Public Records of Hays County, Texas, for the north corner of said 118-1/2 acre tract and the most northerly northeast corner of the tract described herein;

THENCE: S 46° 28' 36" E, with the common line between said 118-1/2 acre tract and said 5.058 acre tract, a distance of **10.95 feet** to a found ½" iron rod with an orange plastic cap stamped "McGray-McGray" for the northeast corner of a called 11.736 acre tract of land as described and conveyed to Hays County of record in Document No. 16008150 of the Official Public Records of Hays County, Texas, and for the most easterly northeast corner and a point of curvature of the tract described herein;

THENCE: Departing the northeast line of said 118-1/2 acre tract and with the westerly lines of said 11.736 acre tract, the following six (6) courses:

1. With a non-tangent curve to the left having a radius of **9110.00 feet**, an arc length of **60.14 feet**, a delta angle of **000° 22' 42"** and a chord bears, **S 33° 27' 18" W**, a distance of **60.14 feet** to a found ½" iron rod with an orange plastic cap stamped "McGray-McGray" for a point of tangency,
2. **S 33° 15' 57" W**, a distance of **948.71 feet** to a found ½" iron rod with a yellow plastic cap stamped "Byrn" for an angle,
3. **S 36° 07' 42" W**, a distance of **200.23 feet** to a found ½" iron rod with a yellow plastic cap stamped "Byrn" for an angle,
4. **S 33° 15' 57" W**, a distance of **199.98 feet** to a found ½" iron rod with a yellow plastic cap stamped "Byrn" for an angle,
5. **S 27° 33' 19" W**, a distance of **100.49 feet** to a found ½" iron rod for an angle, and

6. **S 33° 15' 57" W**, a distance of **796.45 feet** to a point in the north line of a called 100.0 acre tract of land as described in Volume 154, Page 503 of the Deed Records of Hays County, Texas, for the southwest corner of said 11.736 acre tract, the northwest corner of a called 19.083 acre tract of land as described and conveyed to Hays County of record in Document No. 17041297 of the Official Public Records of Hays County, Texas, in the southwest line of said 118-1/2 acre tract and for the most easterly southeast corner of the tract described herein;

THENCE: **N 45° 24' 57" W**, with the common line between said 100.0 acre tract and said 118-1/2 acre tract, a distance of **96.67 feet** to point for the northwest corner of said 100.0 acre tract and an interior corner of the tract described herein;

THENCE: **S 44° 07' 50" W**, with the northwest line of said 100.0 acre tract, the northwest line of a called 24.93 acre tract of land as described in Volume 4186, Page 253 of the Official Public Records of Hays County, Texas, and the southeast line of said 312.005 acre tract, a distance of **4878.64 feet** found 1-1/2" iron pipe in the northeast right-of-way line of said County Road 160, a.k.a. Harris Hill Road, for the most southerly corner of said 312.005 acre tract and the tract described herein;

THENCE: With the apparent northeast and easterly right-of-way line of Harris Hill Road and the southwest and northwest line of said 312.005 acre tract, the following three (3) courses:

1. **N 45° 55' 28" W**, a distance of **2602.87 feet** to a found 1/2" iron rod for a point of curvature,
2. With a curve to the right having a radius of **250.00 feet**, an arc length of **392.54 feet**, a delta angle of **089° 57' 48"** and a chord bears, **N 00° 52' 20" W**, a distance of **353.44 feet** to a found 1/2" iron rod for a point of non-tangency, and
3. **N 44° 07' 28" E**, a distance of **2080.16 feet** to a point for a corner;

THENCE: Departing the said right-of-way line of County Road 160, a.k.a. Harris Hill Road, into said 312.005 acre tract the following six (6) courses:

1. **S 47° 09' 19" E**, a distance of **246.49 feet** to point for an angle,
2. **S 45° 02' 17" E**, a distance of **192.37 feet** to point for an angle,
3. **S 84° 12' 31" E**, a distance of **80.01 feet** to point for an angle,
4. **N 64° 13' 40" E**, a distance of **190.38 feet** to point for an angle,
5. **N 44° 19' 19" E**, a distance of **1023.66 feet** to point for an interior corner, and
6. **N 45° 51' 06" W**, a distance of **570.51 feet** to point in the said right-of-way line of County Road 160, a.k.a. Harris Hill Road, the northwest line of said 312.005 acre tract and for an exterior corner of the tract described herein;

THENCE: With the easterly right-of-way line of said County Road 160, a.k.a. Harris Hill Road, the northwest line of said 312.005 acre tract and said 33-2/5 acre tract, the following two (2) courses:

1. **N 44° 07' 28" E**, a distance of **1180.98 feet** to a found 1/2" iron rod for an angle, and
2. **N 44° 12' 31" E**, a distance of **957.35 feet** to the **POINT OF BEGINNING** and containing **363.72 acres** of land situated in Hays County, Texas.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, South Central Zone, 4204, US Survey Foot, Grid. A survey plat was prepared by a separate document. Field work completed on January 23, 2020.

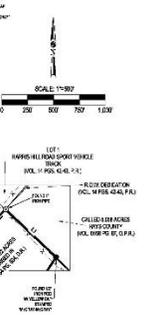
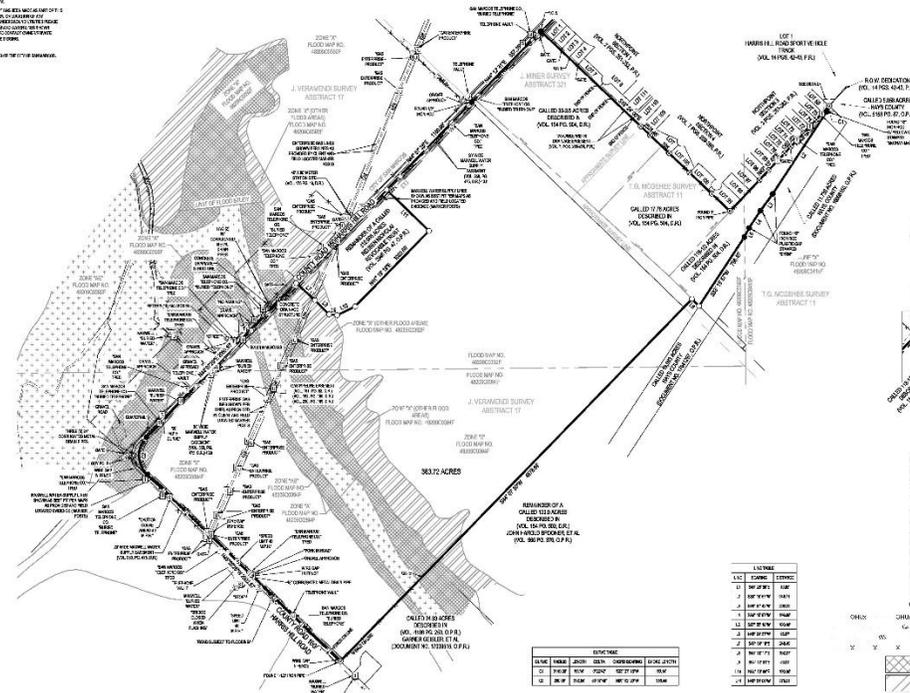
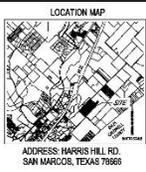


Job # 20-4003 363.72 Acres

Date: May 27, 2021

NOTES:
 1. THIS SURVEY IS BASED ON THE DATA PROVIDED BY THE CLIENT AND THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY.
 2. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY.
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SURVEY OF
 A 303.72 ACRE TRACT OF LAND OUT OF THE J. MINER SURVEY, ABSTRACT 221, AND THE T.G. MOORE SURVEY, ABSTRACT 11, HAYS COUNTY, TEXAS AND BEING ALL OF A CALLED 20.25 ACRE TRACT OF LAND, ALL OF A CALLED 12.19 ACRE TRACT OF LAND, AND A PORTION OF A CALLED 154.50 ACRE TRACT OF LAND, ALL AS DESCRIBED IN VOLUME 104, PAGE 254 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS



- LEGEND**
- PAK POINT OF BEGINNING
 - POINT
 - P.O.B. FOR 75 ACRES
 - P.O.B. FOR 100 ACRES
 - P.O.B. FOR 150 ACRES
 - P.O.B. FOR 200 ACRES
 - P.O.B. FOR 250 ACRES
 - P.O.B. FOR 300 ACRES
 - P.O.B. FOR 350 ACRES
 - P.O.B. FOR 400 ACRES
 - P.O.B. FOR 450 ACRES
 - P.O.B. FOR 500 ACRES
 - P.O.B. FOR 550 ACRES
 - P.O.B. FOR 600 ACRES
 - P.O.B. FOR 650 ACRES
 - P.O.B. FOR 700 ACRES
 - P.O.B. FOR 750 ACRES
 - P.O.B. FOR 800 ACRES
 - P.O.B. FOR 850 ACRES
 - P.O.B. FOR 900 ACRES
 - P.O.B. FOR 950 ACRES
 - P.O.B. FOR 1000 ACRES

DATE	TIME	WIND	TEMP	BAROMETER	RAIN	MOON	PHASE
10	10:00	SE	75	30.00	0.00	☾	WAXING
11	10:00	SE	75	30.00	0.00	☾	WAXING
12	10:00	SE	75	30.00	0.00	☾	WAXING

