

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING SECTION 4.5.2.1(B)(2) OF THE CITY'S DEVELOPMENT CODE TO ESTABLISH THE "OLD AFRICAN AMERICAN BAPTIST CHURCH" LOCATED AT 219 WEST MLK DRIVE AS A LOCAL HISTORIC LANDMARK; AND INCLUDING PROCEDURAL PROVISIONS.

RECITALS:

- 1.** On September 6, 2018, the Historic Preservation Commission voted to recommend local historic landmark designation for the "Old African American Baptist Church" located at 219 West MLK Drive.
- 2.** On October 9, 2018, the City Planning and Zoning Commission considered the recommendation of the Historic Preservation Commission and also voted to recommend that such building be designated and established as a local historic landmark.
- 3.** Following a public hearing, and considering the recommendations of the Historic Preservation Commission and the Planning and Zoning Commission, the City Council wishes to designate and establish the "Old African American Baptist Church" as a local historic landmark under applicable provisions of the City's Development Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Section 4.5.2.1(B)(2) of the City's Development Code, Subpart B of the San Marcos City Code, is amended to designate and establish the "Old African American Baptist Church" located at 219 West MLK Drive as a local historic landmark as follows (underlining indicates added text):

- 2.** The following local Historic landmarks are established within the City limits:
 - a.** The Oak Heights Live Oak Tree located in the 500 Block of Franklin Drive.
 - b.** The Charles S. Cock House located at 400 E. Hopkins Street.
 - c.** The Merriman Cabin located at 150 C.M. Allen Parkway.
 - d.** The Dunbar School located at 801 Endicott Street.
 - e.** The Old Fish Hatchery located at 204 C.M. Allen Parkway.
 - f.** The Commemorative Air Force Hangar located at 2249 Airport Drive.
 - g.** The Civil Air Patrol Building A located at 1945 Airport Drive.

h. Graham Tower located at 1921 Airport Drive.

i. The Old African American Church located at 219 West MLK Drive.

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 resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This ordinance will take effect upon its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on November 7, 2018.

PASSED, APPROVED AND ADOPTED on second reading November 20, 2018.

John Thomaides
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael J. Cosentino
City Attorney