

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 18.5 ACRES OF LAND GENERALLY LOCATED NORTH OF THE INTERSECTION OF HIGHWAY 123 AND MONTEREY OAK DRIVE, FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “CD-4” CHARACTER DISTRICT 4; AND INCLUDING PROCEDURAL PROVISIONS.

RECITALS:

1. On February 25, 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 “CD-4” Character District 4 for approximately 18.5 acres of land generally located north of the intersection of Highway 123 and Monterey Oak Drive.
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 March 17, 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 “CD-4” Character District 4.

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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 17, 2020.

PASSED, APPROVED AND ADOPTED on second reading on April 7, 2020.

Jane Hughson
Mayor

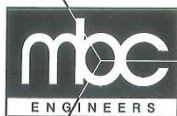
Attest:

Tammy K. Cook
Interim City Clerk

Approved:

Michael J. Cosentino
City Attorney

EXHIBIT A



MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS

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TBPE Firm Registration #784 | TBPLS Firm Registration #10011700 | SBE Certified #214046463
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METES AND BOUNDS DESCRIPTION TO ACCOMPANY ZONING AND ANNEXATION EXHIBIT

BEING 18.58 ACRES (809,506 SQUARE FEET +/-) TRACT OF LAND SITUATED IN THE J.F. GEISTER SURVEY NO. 6 AND IN THE J.F. GEISTER SURVEY NO. 7, IN THE CITY OF SAN MARCOS, HAYS COUNTY, TEXAS, SAID 18.58 ACRE TRACT ALSO BEING OUT OF A CALLED 30.9 ACRE TRACT (TRACT 2) AS DESCRIBED IN DOCUMENT NO. 18028048, DEED RECORDS OF HAYS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

COMMENCING at a 1/2-inch Iron Rod found on the East Right-of-Way line of State Highway 123 and the Southeast Right-of-Way line of Old-Bastrop Highway and marking the Westernmost corner of a called 225.25 Acre Tract as described in deed recorded in Document number 18004464, of the Deed records of Hays County, Texas;

THENCE S 04° 22' 13" W a distance of 288.89 feet, along and with the East Right-of-Way line of said State highway 123 to a 1/2-Inch Iron Rod Found at the **POINT OF BEGINNING**;

THENCE S 41° 37' 44" E a distance of 811.88 feet, along and with the West line of said 225.25 Acre Tract and with the East line of this tract to a Fence Post Found;

THENCE S 41° 49' 45" E a distance of 440.41 feet, continuing along and with said 225.55 Acre Tract to a 1/2-Inch Iron Rod with cap "BYRN" Found and marking the Westernmost corner of a called 100 Acre Tract as described in deed recorded in Document number 18028048 of the Deed records of Hays County, Texas;

THENCE S 42° 05' 52" E a distance of 54.41 feet along and with the West line of said 100 Acre tract, to a 1/2-Inch Iron Rod with cap "MBC" Set;

THENCE S 48° 35' 24" W a distance of 607.78 feet departing the West line of said 100 Acre tract, into and across said 30.9 Acre tract to a 1/2-Inch Iron Rod with cap "MBC" Set at the point of curvature of a curve to the right;

THENCE along and with said curve to the right having the following parameters: Radius = 545.00 feet, Arc length = 435.83 feet, Chord Bearing = S 71° 29' 57" W and Chord Distance = 424.31 feet to a 1/2-Inch Iron Rod with cap "MBC" Set;

THENCE N 85° 35' 29" W a distance of 127.50 feet to a 1/2-Inch Iron Rod with cap "MBC" Set on the East Right-of-Way line of said State Highway 123;

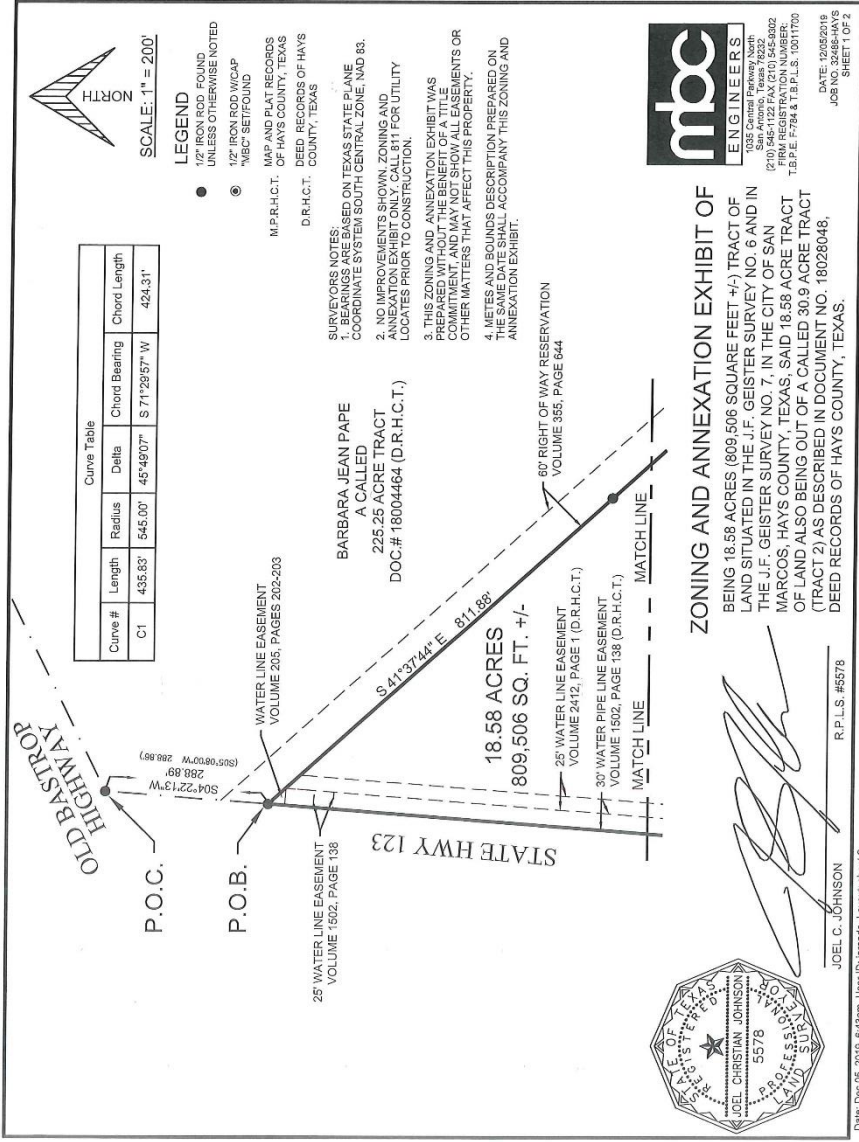
THENCE N 04° 24' 31" E a distance of 1506.69 feet along and with the East Right-of-Way line of said State Highway 123 to the **POINT OF BEGINNING** and containing 18.58 acres, more or less as surveyed by Macina, Bose, Copeland, and Associates, Inc.

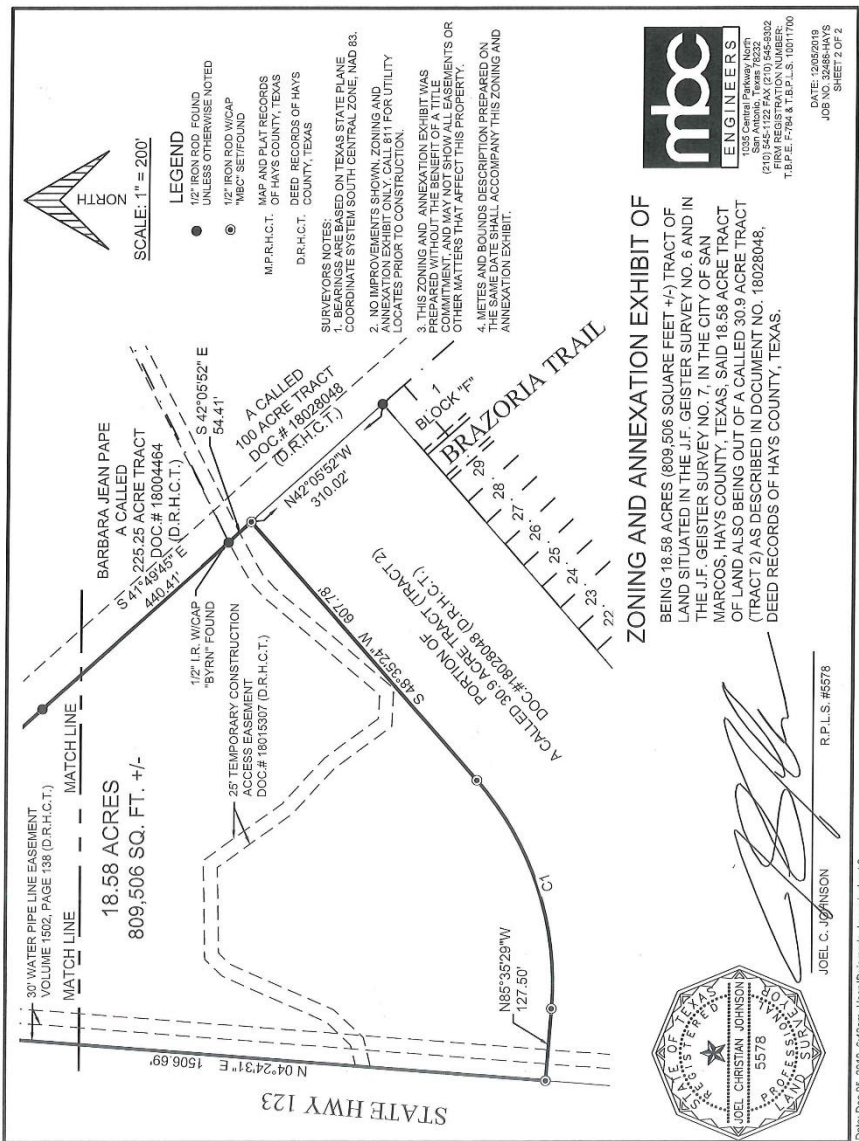
Note: A Survey Sketch that is made a part hereof and shall accompany this instrument.


Joel Christian Johnson, R.P.L.S.
TBPLS Firm Registration 10011700

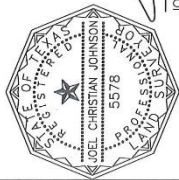


Date: December 04, 2019
Job No: 32486-HAYS





ZONING AND ANNEXATION EXHIBIT OF
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[Signature]
JOEL C. JOHNSON
R.P.L.S. #5578

Date: 12/26/2018 User: DJJaranda Layout: sheet 2
File: P:\Projects\2018\Verano\Drawings\18028048-TRACT 1-30.96.dwg Layout name: sheet 2
SHEET 2 OF 2