

**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**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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

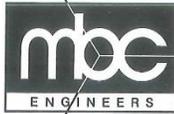
Attest:

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

1035 Central Parkway North, San Antonio, Texas 78232  
(210) 545-1122 FAX (210) 545-9302

TBPE Firm Registration #784 | TBPLS Firm Registration #10011700 | SBE Certified #214046463  
www.mbcengineers.com

## 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

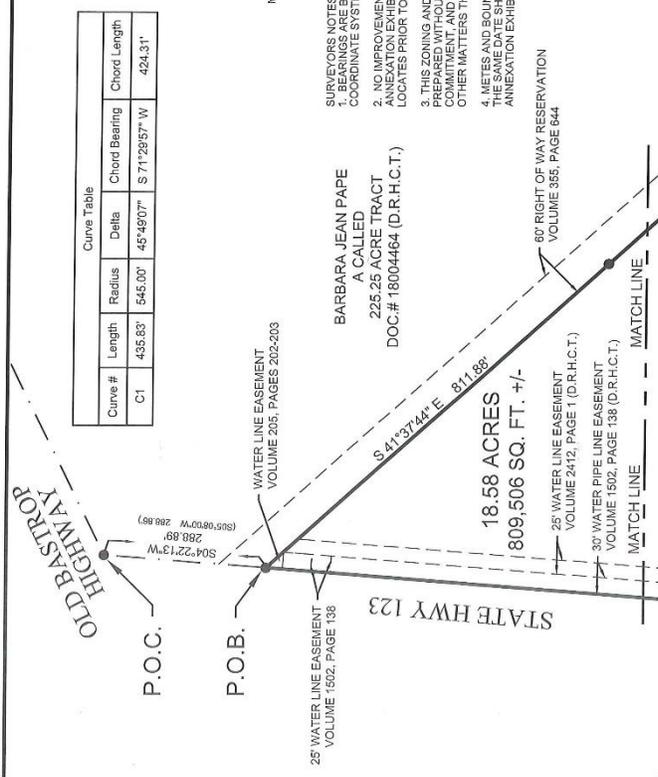


SCALE: 1" = 200'

Curve Table			
Curve #	Length	Radius	Chord Length
C1	435.63'	545.00'	424.31'

- LEGEND**
- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
  - 1/2" IRON ROD W/ CAP "MBC" SET FOUND
  - M.P. & PLAT RECORDS OF HAYS COUNTY, TEXAS
  - DEED RECORDS OF HAYS COUNTY, TEXAS
  - D.R.H.C.T.

1. SURVEYORS NOTES BASED ON TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE, NAD 83.
2. NO IMPROVEMENTS SHOWN, ZONING AND ANNEXATION SUBJECT TO LOCAL ORDINANCES FOR UTILITY LOCATES PRIOR TO CONSTRUCTION.
3. THIS ZONING AND ANNEXATION EXHIBIT WAS PREPARED FOR THE CITY OF MARCOS, TEXAS. THE CITY'S COMMITMENT, AND MAY NOT SHOW ALL EASEMENTS OR OTHER MATTERS THAT AFFECT THIS PROPERTY.
4. METES AND BOUNDS DESCRIPTION PREPARED ON THE SAME DATE SHALL ACCOMPANY THIS ZONING AND ANNEXATION EXHIBIT.



**ZONING AND ANNEXATION EXHIBIT OF**

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 OF LAND ALSO BEING OUT OF A CALLED 30.9 ACRE TRACT (TRACT 2) AS DESCRIBED IN DOCUMENT NO. 18028048, DEED RECORDS OF HAYS COUNTY, TEXAS.

JOEL C. JOHNSON  
R.P.L.S. #5578



535 Central Parkway, North  
(210) 545-1122 FAX (210) 545-6002  
FIRM REGISTRATION NUMBER:  
R.P.L.S. #1738 & 1737 P.L.S. 1011700

DATE: 12/05/2018  
JOB NO. 32486-HAYS  
SHEET 1 OF 2

