

## **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 5.217 ACRES OF LAND, GENERALLY LOCATED WEST OF THE INTERSECTION OF OLD RANCH ROAD 12 AND CRADDOCK AVENUE, FROM “FD” FUTURE DEVELOPMENT, “CC” COMMUNITY COMMERCIAL, AND “P” PUBLIC AND INSTITUTIONAL DISTRICTS TO “SF-6” SINGLE FAMILY DISTRICT; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

### **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, “CC” Community Commercial, and “P” Public and Institutional Districts to “SF-6” Single Family District for approximately 5.217 acres of land, generally located west of the intersection of Old Ranch Road 12 and Craddock Avenue.

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, “CC” Community Commercial, and “P” Public and Institutional Districts to “SF-6” Single Family 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**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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

0.999 ACRES (43,532 S.F.)  
BENJAMIN J. WHITE SURVEY NO. 13, ABSTRACT NO. 469  
ROBERT H. WILLIAMS SURVEY NO. 12, ABSTRACT NO. 470  
HAYS COUNTY, TEXAS

### FIELD NOTES

BEING ALL OF THAT CERTAIN 0.999 ACRE (43,532 S.F.) TRACT OF LAND, SITUATED THE BENJAMIN J. WHITE SURVEY NUMBER 13, ABSTRACT NUMBER 469, & THE ROBERT H. WILLIAMS SURVEY NUMBER 12, ABSTRACT NUMBER 470, HAYS COUNTY, TEXAS, BEING ALL OF A CALLED 1.00 ACRE TRACT OF LAND CONVEYED TO THAD WHEELLOCK IN VOLUME 1453, PAGE 542, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 0.999 ACRE (43,532 S.F.) TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found at the southernmost corner of said 1.00 acre tract, being in the northwest line of Lot 24, Sendera Subdivision, recorded in Volume 6, Page 77, Plat Records of Hays County, Texas, same being at an eastern corner of a called 46.54 acre tract of land conveyed to Debra and Michael Moffitt in Volume 4252, Page 477, Official Public Records of Hays County, Texas, for the southernmost corner and the **POINT OF BEGINNING** of the herein described tract of land,


**THENCE**, along the common line of said 1.00 acre tract and said 46.54 acre tract, the following two (2) courses and distances, numbered 1 and 2,

- 1) N47°25'01"W, a distance of 172.16 feet to a 1/2 inch iron rod found at the westernmost corner of said 1.00 acre tract, being an interior corner of said 46.54 acre tract, for the westernmost corner of the herein described tract of land, and
- 2) N45°30'03"E, a distance of 257.58 feet to a calculated point at the northernmost corner of said 1.00 acre tract, being at an easternmost corner of said 46.54 acre tract, same being in the southwest line of Lot 1, R12 Plaza Subdivision, recorded in Volume 4, Page 264, Plat Records of Hays County, Texas, for the northernmost corner of the herein described tract of land,

**THENCE**, S47°21'31"E, along the southwest line of said Lot 1 and the northeast line of said 1.00 acre tract, a distance of 166.39 feet to a 1/2 inch iron rod found at the easternmost corner of said 1.00 acre tract, being in the northwest line of Lot 20, of said Sendera Subdivision, for the easternmost corner of the herein described tract of land,

**THENCE**, S44°13'10"W, along the northwest line of said Sendera Subdivision and the southeast line of said 1.00 acre tract, a distance of 257.18 feet to the **POINT OF BEGINNING** and containing 0.999 acres (43,532 S.F.) of land.

Surveyed by:

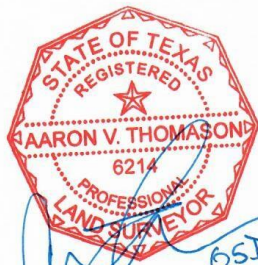
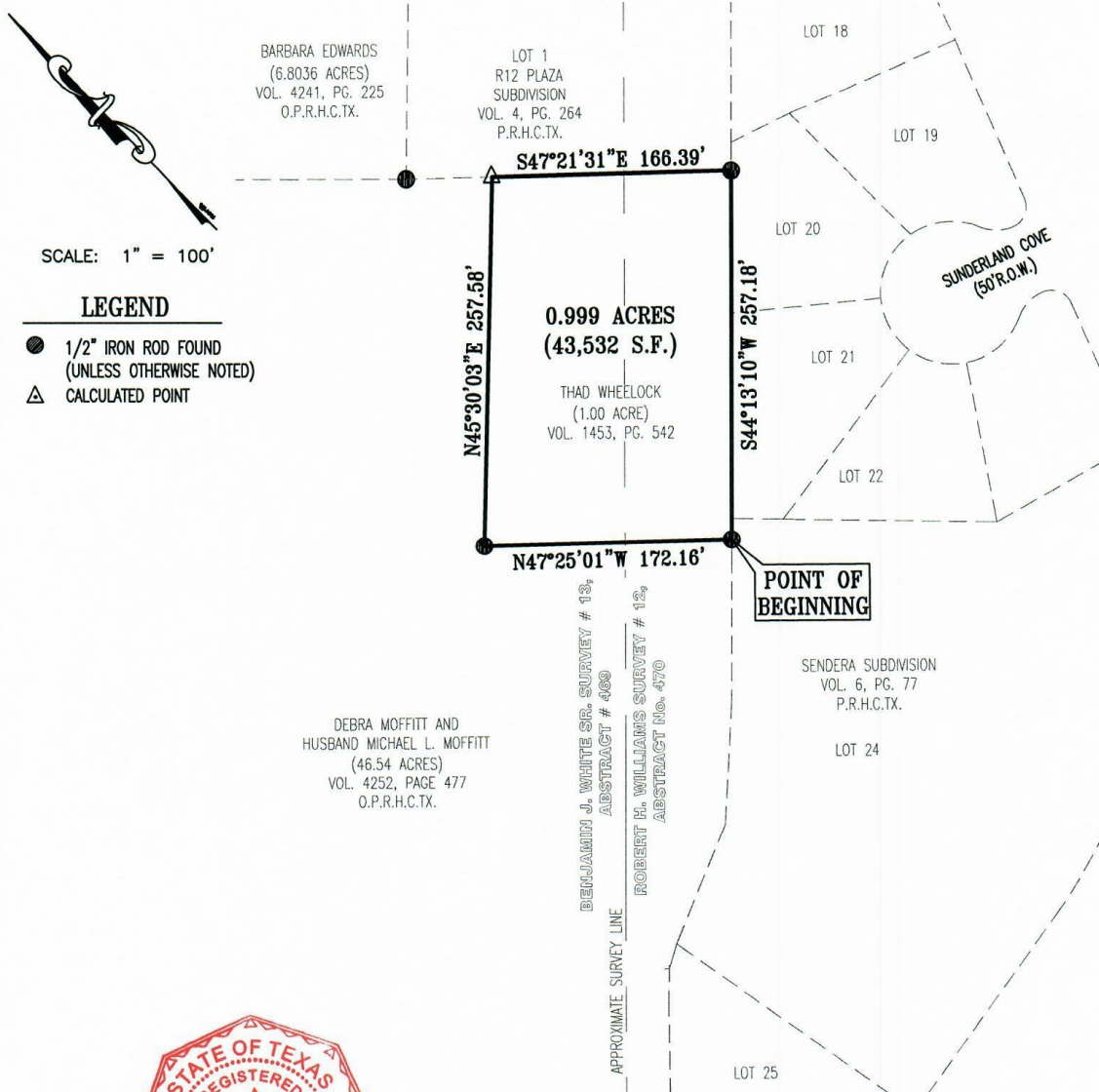
 05 DEC 2019

Aaron Thomason, R.P.L.S. NO. 6214  
**Carlson, Brigance and Doering, Inc.**  
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Austin, TX 78749  
Ph: 512-280-5160 Fax: 512-280-5165  
Aaron@cbdeng.com



BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

# SKETCH TO ACCOMPANY FIELD NOTES



BEARING BASIS: TEXAS COORDINATE SYSTEM SOUTH CENTRAL ZONE (4204), NAD83

 <b>Carlson, Brigrance &amp; Doering, Inc.</b>	
FIRM ID #E3791	REG. # 10024900
Civil Engineering 5501 West William Cannon Phone No. (512) 280-5160	Surveying Austin, Texas 78749 Fax No. (512) 280-5165

PATH:- J:\AC3D\5130\SURVEY\FN - ZONING & ANNEXATION.DWG

4.217 ACRES  
BENJAMIN J. WHITE SURVEY NO. 13, ABSTRACT NO. 469  
ROBERT H. WILLIAMS SURVEY NO. 12, ABSTRACT NO. 470  
THOMAS H.W. FORSITH SURVEY, ABSTRACT NO. 173  
ELIJAH CLARK SURVEY, ABSTRACT NO. 83  
HAYS COUNTY, TEXAS

**FIELD NOTES**

BEING ALL OF THAT CERTAIN 4.217 ACRE TRACT OF LAND, SITUATED IN THE BENJAMIN J. WHITE SURVEY NUMBER 13, ABSTRACT NUMBER 469, THE ROBERT H. WILLIAMS SURVEY NUMBER 12, ABSTRACT NUMBER 470, THE THOMAS H. W. FORSITH SURVEY, ABSTRACT NO. 173, AND THE ELIJAH CLARK SURVEY, ABSTRACT NUMBER 83, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 0.224 ACRE TRACT OF LAND (TRACT 2) CONVEYED TO KALI KATE SERVICES, INC. IN DOCUMENT NUMBER 20000174, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND A PORTION OF LOT 1, R12 PLAZA SUBDIVISION, RECORDED IN VOLUME 4, PAGE 264, PLAT RECORDS OF HAYS COUNTY, TEXAS, SAID 4.217 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found at the northwest corner of said 0.224 acre tract, being at a northeast corner of a called 2.768 acre tract of land conveyed to Texas State University at San Marcos in Volume 1019, Page 516, Official Public Records of Hays County, Texas, same being at a point of beginning of a curve to the left in the south right-of-way line of Old Ranch Road 12 (100' R.O.W.), for a northwest corner and the **POINT OF BEGINNING** of the herein described tract of land,

**THENCE**, with the common boundary line of said Old Ranch Road 12 and said 0.224 acre tract, the following two (2) courses and distance numbered 1 and 2,

- 1) Along said curve to the left, having a radius of 3869.99 feet, an arc length of 100.25 feet, and a chord that bears S80°10'37"E, a distance of 100.25 feet to a TXDOT concrete highway monument,
- 2) S81°15'08"E, a distance of 19.78 feet to a calculated point at the northeast corner of a called 0.031 acre tract of land conveyed to All J. Investments, Ltd. in Volume 1743, Page 223, Official Public Records of Hays County, Texas, being in the north line of said 0.224 acre tract, for a northeast corner of the herein described tract of land,

**THENCE**, with the west line of said 0.031 acre tract, the west line of a called 0.231 acre tract of land conveyed to All J. Investments, Ltd. in Volume 1743, Page 223, Official Public Records of Hays County, Texas, over and across said 0.224 acre tract of land, and over and across said Lot 1, the following three (3) courses and distances, numbered 1 through 3,

- 1) S53°43'33"W, a distance of 42.16 feet to a calculated point at a western corner of said 0.031 acre tract, and
- 2) S08°20'41"W, a distance of 34.76 feet to a calculated point at the beginning of a curve to the right, and
- 3) Along said curve to the right, having a radius of 330.00, an arc length of 207.85 feet, and a chord that bears S26°23'17"W, a distance of 204.43 feet to a 1/2 inch iron rod found at a south corner of said 0.231 acre tract of land, being in the northwest line of Lot 1A, Lot 1-A R 12 Plaza Subdivision, a subdivision recorded in Volume 6, Page 354, Plat Records of Hays County, Texas, for an interior corner of the herein described tract of land,

**THENCE**, S44°25'54"W, with the northwest line of said Lot 1-A, and over and across said Lot 1, a distance of 3.04 feet to a 1/2 inch iron rod found at the westernmost corner of said Lot 1-A, for an interior corner of the herein described tract of land,

**THENCE**, S45°36'28"E, with the southwest line of said Lot 1-A and over and across said Lot 1, a distance of 160.00 feet to a 1/2 inch iron rod found at the southernmost corner of said Lot 1-A, being in the southeast line of said Lot 1, same being in the northwest line of Lot 10, Sendera Subdivision, a subdivision recorded in Volume 6, Page 77, Plat Records of Hays County, Texas, for an eastern corner of the herein described tract of land,

4.217 ACRES  
BENJAMIN J. WHITE SURVEY NO. 13, ABSTRACT NO. 469  
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THOMAS H.W. FORSITH SURVEY, ABSTRACT NO. 173  
ELIJAH CLARK SURVEY, ABSTRACT NO. 83  
HAYS COUNTY, TEXAS

**THENCE**, with the southeast line of said Lot 1 and the northwest line of said Sendera Subdivision, the following seven (7) courses and distances, numbered 1 through 7,

- 1) S44°19'24"W, a distance of 65.04 feet to a 1/2 inch iron rod found for corner,
- 2) S44°26'40"W, a distance of 224.88 feet to a 1/2 inch iron rod found for corner,
- 3) S44°09'10"W, a distance of 74.89 feet to a 1/2 inch iron rod found for corner,
- 4) S44°42'57"W, a distance of 74.98 feet to a 1/2 inch iron rod found for corner,
- 5) S45°16'00"W, a distance of 74.92 feet to a 1/2 inch iron rod found for corner,
- 6) S44°18'32"W, a distance of 211.90 feet to a 1/2 inch iron rod found for corner, and
- 7) S44°13'10"W, a distance of 20.05 feet to a 1/2 inch iron rod found at the southernmost corner of said Lot 1, being in the northwest line of Lot 20, said Sendera Subdivision, and being at the easternmost corner of a called 1.00 acre tract of land (Tract 3) conveyed to Kali Kate Services, Inc. in Document Number 20000174, Official Public Records of Hays County, Texas, for the southernmost corner of the herein described tract of land,


**THENCE**, N47°21'31"E, along the southwest line of said Lot 1, the northeast line of said 1.00 acre tract, and the northeast line of a called 56.6098 acre tract of land (Tract 1) conveyed to Kali Kate Services, Inc. in Document Number 20000174, Official Public Records of Hays County, Texas, a distance of 226.19 feet to a 1/2 inch iron rod in the northeast line of said 46.54 acre tract, being at the westernmost corner of said Lot 1, same being at the southernmost corner of a called 6.8036 acre tract of land conveyed to Barbara Edwards in Volume 4241, Page 225, Official Public Records of Hays County, Texas,

**THENCE**, N44°55'26"E, with the northwest line of said Lot 1 and the southeast line of said 6.8036 acre tract, passing the easternmost corner of said 6.8036 acre tract and the southernmost corner and continuing for a total distance of 756.72 feet to a 1/2 inch iron rod found at the beginning of a curve to the left, being at the westernmost corner of the aforementioned 0.224 acre tract of land, for a northwestern corner of the herein described tract of land,

**THENCE**, with the common line of said 2.768 acre tract and said 0.224 acre tract, the following three (3) courses and distances, numbered 1 through 3,

- 1) Along said curve to the left, having a radius of 270.00 feet, an arc length of 169.93 feet, and a chord that bears N26°24'25"E, a distance of 167.14 feet to a cotton spindle found in asphalt,
- 2) N08°21'13"E, a distance of 36.49 feet to a cotton spindle found in asphalt, and
- 3) N36°00'29"W, a distance of 42.88 feet to the **POINT OF BEGINNING**, and containing 4.217 acres of land.

Surveyed by:

  
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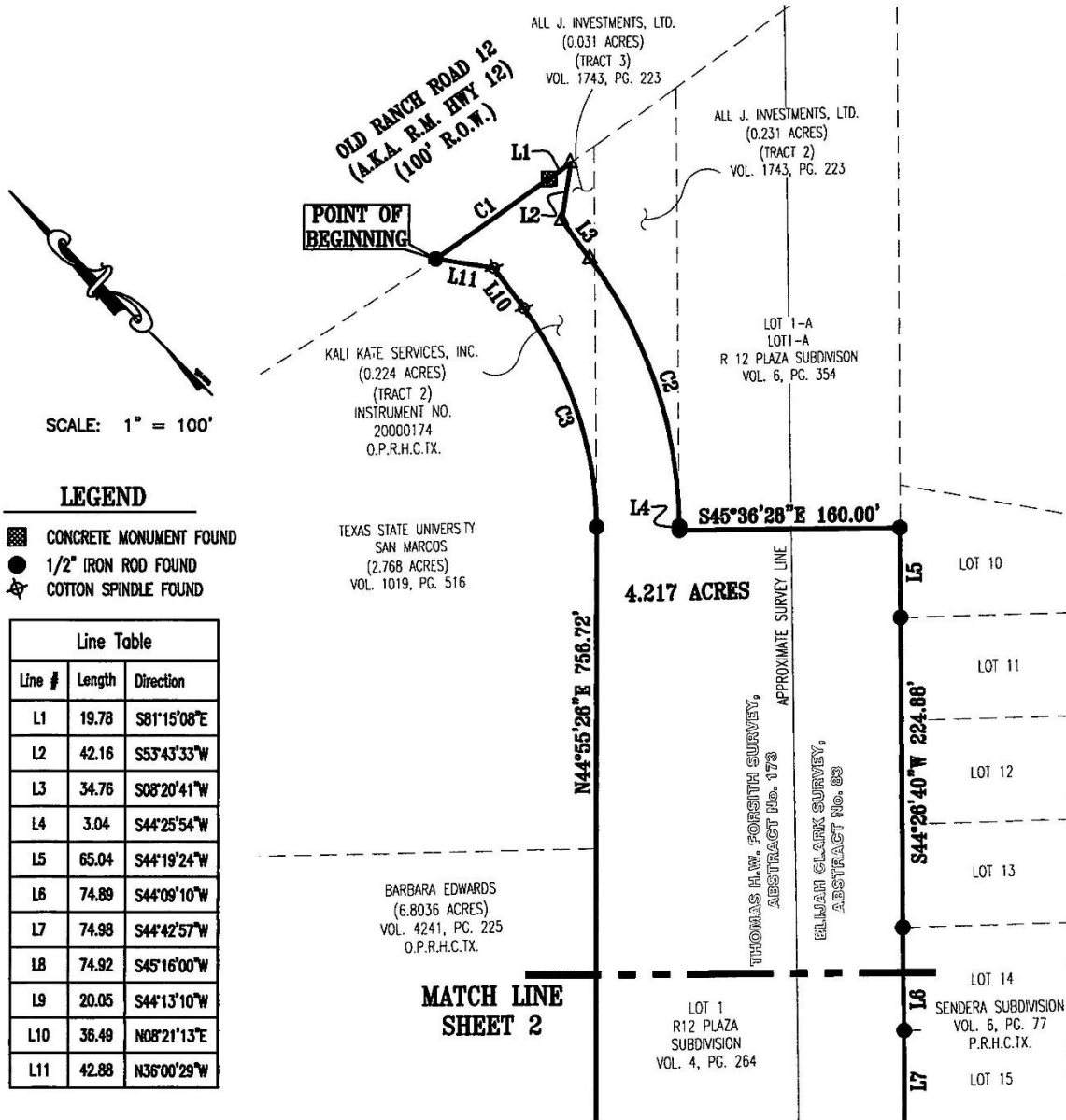


BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

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# SKETCH TO ACCOMPANY FIELD NOTES



BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

**Carlson, Brigrance & Doering, Inc.**

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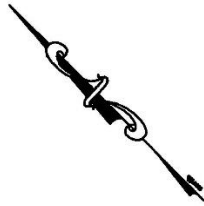
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Surveying Austin, Texas 78749 Fax No. (512) 280-5165

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# SKETCH TO ACCOMPANY FIELD NOTES

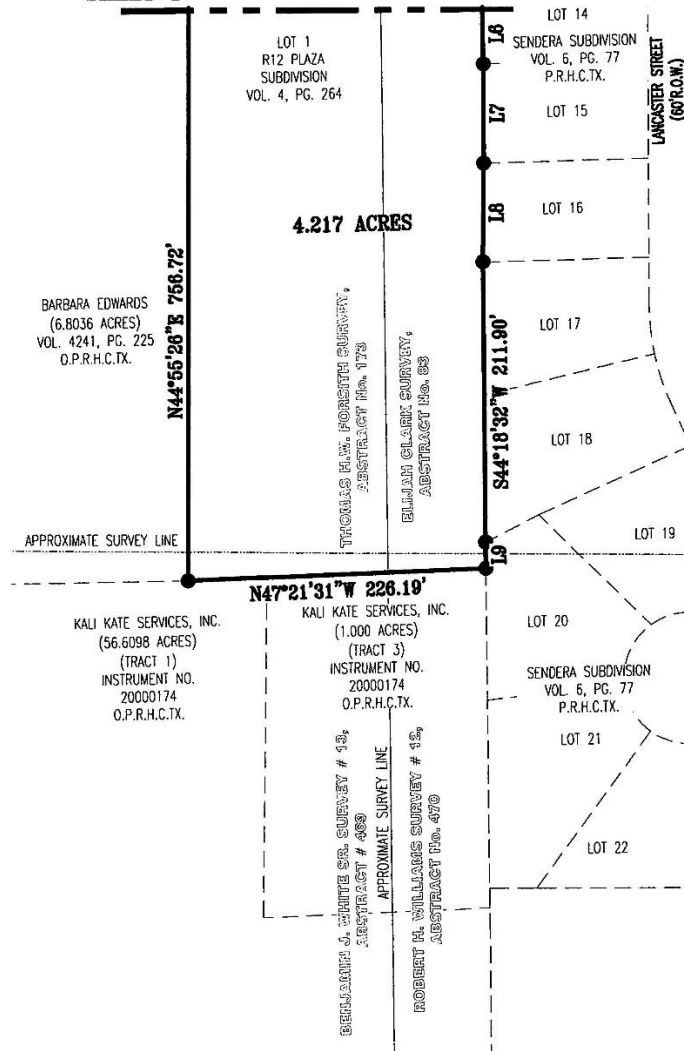
MATCH LINE  
SHEET 1



SCALE: 1" = 100'

## LEGEND

- CONCRETE MONUMENT FOUND
- 1/2" IRON ROD FOUND
- ⚓ COTTON SPINDLE FOUND



SHEET 2 OF 2

BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

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