

## **ORDINANCE NO. 2021-77**

**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-21-16 BY REZONING APPROXIMATELY 22.58 ACRES OF LAND, GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE WONDER WORLD DRIVE AND HIGHWAY 123 INTERSECTION, FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “EC” EMPLOYMENT CENTER DISTRICT, 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 “EC” Employment Center District for approximately 22.58 acres of land, generally located at the northwest corner of the Wonder World Drive and Highway 123 intersection (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 “EC” Employment Center 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**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 September 21, 2021.

**PASSED, APPROVED AND ADOPTED** on second reading on October 19, 2021.

Jane Hughson  
Mayor

Attest:

Tammy K. Cook  
Interim City Clerk

Approved:

Michael J. Cosentino  
City Attorney

## EXHIBIT A



290 S. Castell Avenue, Ste. 100  
New Braunfels, TX 78130  
(830) 625-8555  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

### METES AND BOUNDS DESCRIPTION FOR A 22.588 ACRE TRACT OF LAND

Being a 22.588 acre tract located in the Barnett O. Kane Survey, A-281 and the Juan Martin Veramendi Survey, A – 17, Hays County, being a part of that same land described as a 1.19 acre tract and part of a called 27.11 acre tract, described in Volume 3114, Page 883 of the Hays County Deed Records. Said 22.588 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod with cap "HMT" set in the North margin of Wonderworld Drive for the Southwest corner of said 1.19 acre tract and the common corner of a 10' right of way dedication adjacent to Lot 1, Mockingbird Hill Annex No. 1 Revised Subdivision, recorded in Document No. 3060944 of the Hays County Deed Records;

THENCE with the Northwest line of said 1.19 acre tract the following four courses:

1. With the Southeast line of said Mockingbird Hill Annex No. 1 Lot, North 44°24'21"East, at a distance of 10 feet passing a ½" iron rod for the Southeast corner of said Lot 1 and continuing in all a total distance of 275.07 feet to a ½" iron rod with cap "HMT" set;
2. With said Mockingbird Hill Annex No. 1 and continuing with the Southwest line of Lot 1, Block A, Mocking Bird Hill Annex No. 2, a subdivision recorded in Volume 2, Page 179 of the Hays County Map Records, also continuing with the Southwest line of Suncrest Lane (60' right of way) dedicated in said subdivision, North 44°27'12"East, a distance of 579.37 feet to a ½" iron rod found for the Southeast corner of said Suncrest Lane and the Southwest corner of Lot 2, Central Texas Medical Center Business Park, a subdivision recorded in Volume 10, Page 100, Hays County Map Records;
3. Thence with the Southeast line of said Lot 2, North 44°19'03"East, a distance of 396.09 feet to a ½" iron rod found for the common of said Lot 2 and Lot 1 of the same subdivision;
4. Thence with the Southeast line of said Lot 1, North 43°51'57"East, a distance of 284.40 feet to a ½" iron rod found for in the North line of said 1.19 acre tract for the Northwest corner of a called 5.716 acre tract, conveyed to the State of Texas for right of way widening for State Highway 123, recorded in Volume 4893, Page 1-9, Hays County Deed Records;

THENCE with the West line of said 5.716 acre right of way taking for the new West line of State Highway 123 and into and across said 1.19 acre tract and said 27.11 acre tract, the following four courses:

1. South 04°23'56"West, a distance of 246.85 feet to a ½" iron rod with cap "HMT" set;
2. South 04°22'40"West, a distance of 900.12 feet to a ½" iron rod found;
3. South 04°23'04"West, a distance of 817.23 feet to a ½" iron rod with cap "HMT" set;

4. South 71°06'28"West, a distance of 52.20 feet to a ½" iron rod found for the Southwest corner of said 5.716 acre tract at the intersection of State Highway 123 and Wonderworld Drive, lying in the South line of said 27.11 acre tract;

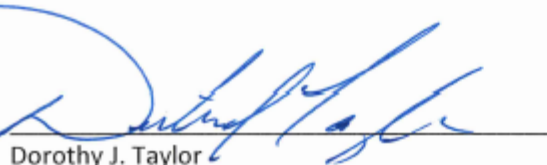
THENCE with the Southwest line of said 27.11 acre tract and said 1.19 acre tract, along the Northeast line of Wonderworld Drive, the following three courses:

1. North 42°05'27"West, a distance of 244.75 feet to a TxDOT concrete monument found;
2. Along a curve to the left with a radius of 3869.72 feet, arc length of 251.07 feet, and a chord bearing and distance of North 44°15'48"West a distance of 251.02 feet to a TxDOT concrete monument found;
3. North 45°58'23"West, a distance of 741.66 feet to the POINT OF BEGINNING and containing a 22.588 acre tract in Hays County, Texas.

Bearings are based upon the Texas State Plane Coordinate System, South Central Zone (4204) NAD 1983.

Surveyed this the 1st day of July, 2020.

Reference survey of said 22.588 acre tract of land prepared this same date.



Dorothy J. Taylor

Registered Professional Land Surveyor No.6295

7-7-20



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23.863 ACRES OF LAND LOCATED IN THE BARNETT C. GARDNER SURVEY, ABSTRACT NO. 281 AND THE JAL. HARMING SURVEY, ABSTRACT NO. 11, IN HAYS COUNTY, TEXAS, BEING PART OF A CALLED 1.18 ACRE TRACT AND A 27.11 ACRE TRACT RECORDED IN VOLUME 374, PAGE 882, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

ADDITIONAL INFORMATION REQUESTED IN ANSWER 7

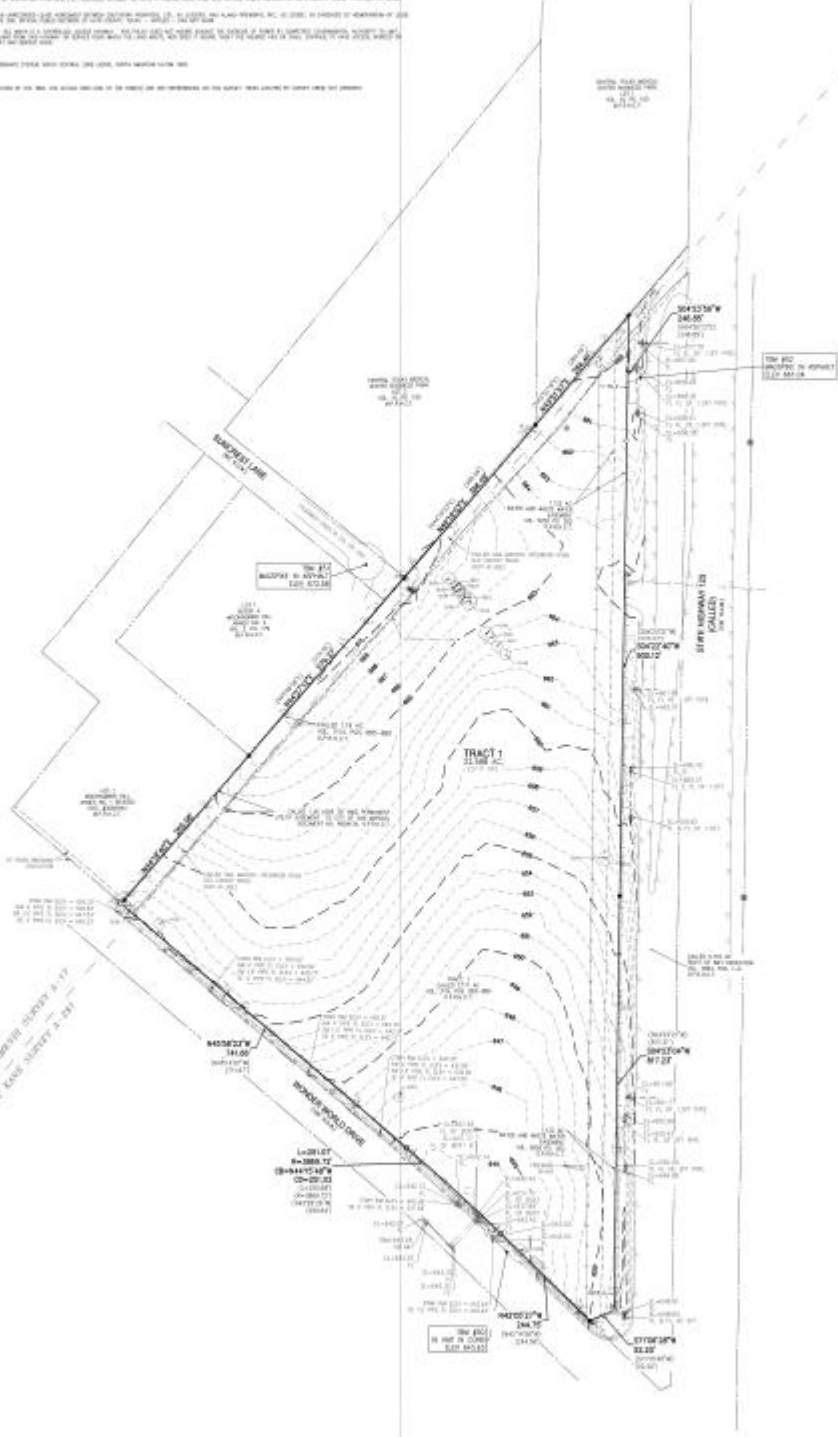
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1. The report contains information on which the Commission has based its conclusions. The report contains information on the basis of which the Commission has concluded that the information is reliable. The Commission has concluded that the information is reliable on the basis of the following factors:

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