

ORDINANCE NO. 21-S-43

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 6.011 ACRES OF LAND TO MANUFACTURING LIGHT DISTRICT, GENERALLY LOCATED 1,300 FEET EAST OF FRISENHAHN LANE AND 450 FEET NORTH OF IH-35, ALSO KNOWN AS COMAL COUNTY PROPERTY IDENTIFICATION NUMBERS, 150166 AND 81285, BEXAR COUNTY, TEXAS.

WHEREAS, an application to rezone approximately 6.011 acres of land located 1,300 feet east of Friesenhahn Road and 450 feet north of IH-35, also known as Comal County Property Identification Numbers 150166 and 81285, and more specifically described in the Exhibit A and Exhibit B attached herein (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested zone change (the “Criteria”); and

WHEREAS, on September 22, 2021, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested rezoning; and

WHEREAS, on October 12, 2021, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:
THAT:**

Section 1. The Property as shown and more particularly described in the attached Exhibit A, is hereby zoned Manufacturing Light District (M-1).

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

Approved on first reading the 12th day of October, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 26th day of October, 2021.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary
(SEAL OF THE CITY)

PROPOSED ZONING CHANGE

Part of San Antonio One Limited Partnership,
Juan Francisco Zepeda Survey, Abstract No. 685
City of Schertz, Comal County, Texas

DESCRIPTION, of a 6.011 acre (261,818 square foot) tract of land situated in the Juan Francisco Zepeda Survey, Abstract No. 685, City of Schertz, Comal County, Texas; said tract being part of that certain tract of land described in Warranty Deed to San Antonio One Limited Partnership, recorded in Volume 803, Page 777 of the Deed Records of Comal County, Texas; said 6.011 acre tract of land being more particularly described as follows (bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas Central Zone 4203. Distances reported have been scaled by applying a computed scale factor of 1.0001557372):

BEGINNING, at a point for the southernmost southwest corner of said San Antonio One Limited Partnership tract; said point also being the northwest corner of that certain tract of land described Special Warranty Deed to DTLC Investment, LLC, recorded Document Number 202006013466, the northwest corner of Lot 1, Block 1, Lack's Subdivision, an addition to the City of Schertz, Texas according to the plat recorded in Document Number 200706013878 and being in the southeast line of that certain tract of land described in Warranty Deed with Vendor's Lien to Marcantonio Enterprises, LLC, recorded in Document Number 201106034921 all of the Official Public Records of Comal County, Texas;

THENCE, North 16 degrees, 44 minutes, 22 seconds West, along the northwest line of said San Antonio One Limited Partnership tract and the said southeast line of Marcantonio Enterprises, LLC tract, a distance of 264.67 feet;

THENCE, departing the said northwest line of San Antonio One Limited Partnership tract and the said southeast line of Marcantonio Enterprises, LLC tract, and into and across the said San Antonio One Limited Partnership tract, the following three (3) calls;

North 59 degrees, 21 minutes, 59 seconds East, a distance of 986.54 feet;

South 29 degrees, 54 minutes, 29 seconds East, a distance of 261.02 feet;

South 60 degrees, 05 minutes, 31 seconds West, a distance of 333.46 feet; said point being the north corner of said Lot 1; said point also being a south corner of said San Antonio One Limited Partnership tract;

THENCE, South 59 degrees, 21 minutes, 16 seconds West, along the northwest line of said Lack's Subdivision and a north line of said San Antonio One Limited Partnership, a distance of 713.36 feet to the **POINT OF BEGINNING**;

CONTAINING, 6.011 acres or 261,818 square feet of land, more or less.

Luis M. Gonzalez

08/18/2021

Luis M. Gonzalez
Registered Professional Land Survey No. 6793
Pacheco Koch Consulting Engineers, Inc.
7557 Rambler Road, Suite 1400, Dallas, Texas 75231
(972) 235-3031
TX Reg. Surveying Firm LS-10008000



4924-21.138-Proposed Zoning Description.doc
4924-21.138-Zoning Exhibit.dwg

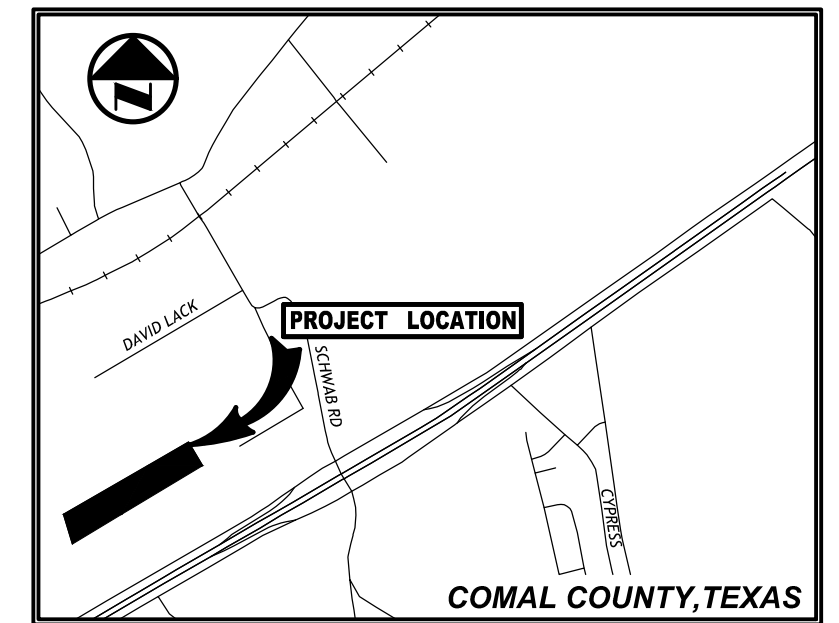
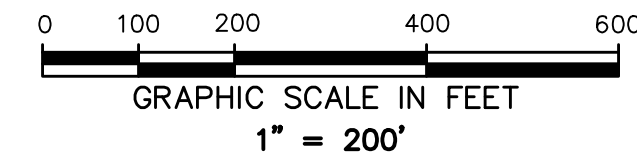
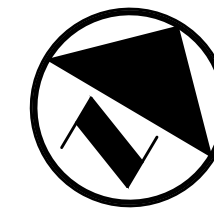
ACREAGE SUMMARY

PROPERTY NO. 4 EXISTING: 36.474 AC M-1 ZONING, 8.576 AC GB ZONING

PROPERTY NO. 4 PROPOSED: 42.485 AC M-1 ZONING, 2.565 AC GB ZONING

NOTE:
NO 100-YEAR FLOOD PLANE EXISTS ON THE PROPERTY AS DEFINED BY THE COMAL COUNTY, TEXAS COMMUNITY PANEL NUMBER 48091C0440F, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, EFFECTIVE DATE: SEPTEMBER 2, 2009

Exhibit A



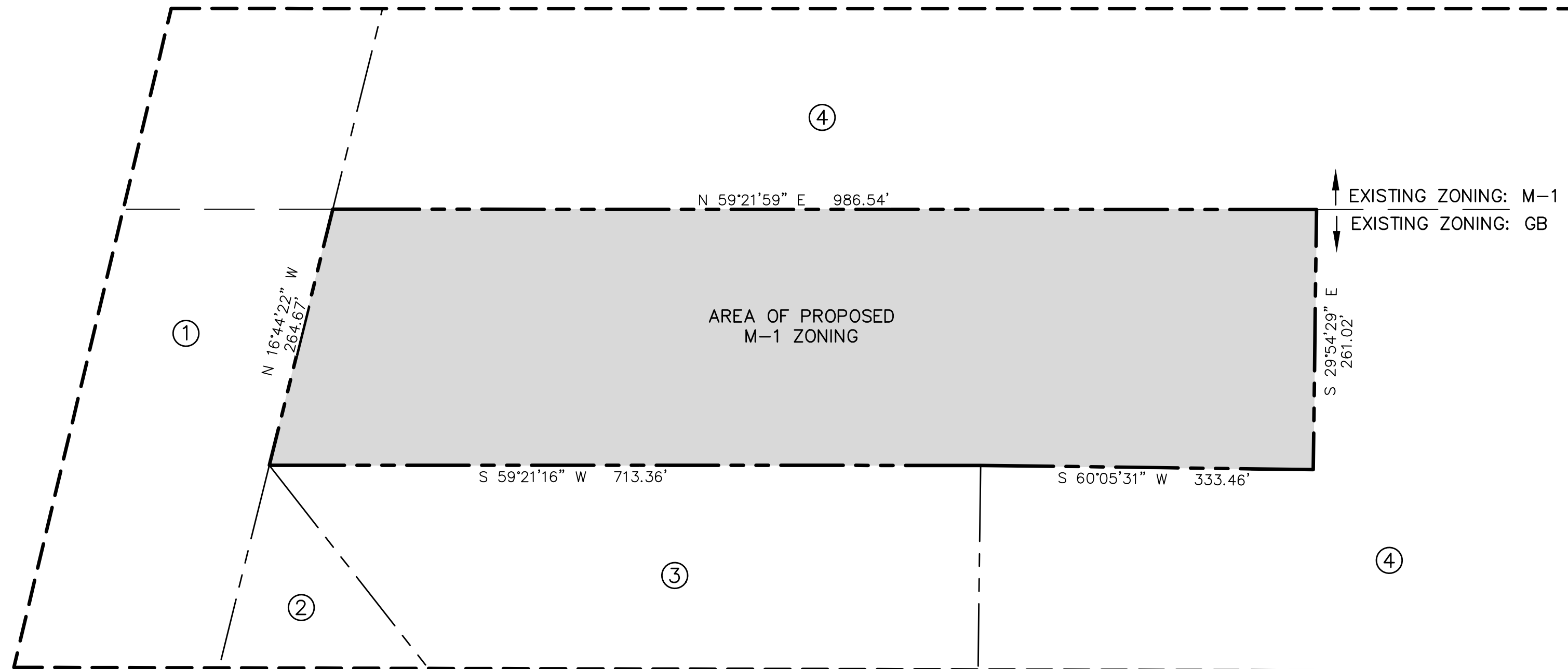
VICINITY MAP
(1"=2,000')

LEGEND

- SUBJECT PROPERTY LINE
- EXISTING ZONING LINE
- 200' NOTIFICATION BOUNDARY

AREA TO BE CHANGED FROM GB TO M-1 (6.011 ACRES)

PROPERTY NUMBER (SEE TABLE FOR ADDITIONAL INFORMATION)



OWNER:
SAN ANTONIO ONE LIMITED PARTNERSHIP
2111 WOODWARD SUITE 910
DETROIT, MICHIGAN 48201
PH: 469-877-4165
CONTACT: ALYN THOMAS

ENGINEER:
PACHECO KOCH, INC.
8701 N. MOPAC EXPRESSWAY, SUITE 320
AUSTIN, TEXAS 78759
PH: 512-485-0831
CONTACT: CLAYTON STROLLE

SURVEYOR:
PACHECO KOCH, INC.
7557 RAMBLER ROAD, SUITE 1400
DALLAS, TEXAS 75231
PH: 972-235-3031
CONTACT: LUIS M. GONZALEZ

200-FOOT NOTIFICATION AREA PROPERTY INFORMATION

PROPERTY #	LAND USE	ZONING	SUBDIVISION NAME	OWNER NAME	PROPERTY ADDRESS	PROPERTY ID	RECORDING INFORMATION
1	VACANT	M-1	N/A	MARCANRONIO ENTERPRISE, LLC	181 FRIESENHAHN SCHERTZ, TEXAS	398729	DOC. NO. 201106034921
2	VACANT	GB	N/A	DTLC INVESTMENTS, LLC	23201 IH 35 N SCHERTZ, TEXAS	81275	DOC. NO. 202006013466
3	VACANT	GB	LACK'S SUBDIVISION	PAYEZ LLC	23755 IH 35 N SCHERTZ, TEXAS	150166	DOC. NO. 201906032650
4	ACCESS ROAD & UNDEVELOPED LAND	GB	N/A	SAN ANTONIO ONE LIMITED PARTNERSHIP	NOT POSTED	81285	VOL. 803, PG. 781

PROPOSED ZONE CHANGE EXHIBIT

**J.F. ZEPEDA SURVEY-
ABSTRACT NO. 685**

PREPARED: JULY 13, 2021



DRAWN BY JAN	CHECKED BY LMG	SCALE 1"=200'	DATE JULY 2021	JOB NUMBER 4924-21.138
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