

ORDINANCE NO. 23-S-12

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR OPERATION OF A CONVENIENCE STORE WITH GAS PUMPS ON APPROXIMATELY 4.2 ACRES OF LAND, LOCATED AT THE INTERSECTION OF NORTH GRAYTOWN ROAD & IH 10, ADDRESS: 11185 IH 10 E, ALSO KNOW AS BEXAR COUNTY PROPERTY ID: 619232, CITY OF SCHERTZ, BEXAR COUNTY, TEXAS.

WHEREAS, an application for a Specific Use Permit to allow for an operation of a convenience store with gas pumps on approximately 4.2 acres of land, located at the intersection of North Graytown Road & IH 10, address: 11185 IH 10 E, 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 Specific Use Permit (the “Criteria”); and

WHEREAS, on May 10, 2023, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested Specific Use Permit; and

WHEREAS, on June 6, 2023, 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.

NOW THEREFORE, BE IT RESOLVED 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 and Exhibit B, is hereby approved to allow a convenience store with gas pumps conditioned upon the following occurring:

a) A building permit is approved within two years of the adoption of the Specific Use Permit Ordinance

Section 2. 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 3. 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and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.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 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 8. 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.

PASSED ON FIRST READING, the ____ day of _____ 2023.

PASSED, APPROVED and ADOPTED ON SECOND READING, the ____ day of _____ 2023.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"
Property Description

Exhibit "A"

TEMPORARY BENCHMARK (TBM)

A FOUND "DISC" APPROX. 10 FEET IN A SOUTHWESTERLY DIRECTION FROM THE CORNER POINT NEAR A POWER POLE AT THE INTERSECTION OF THE EAST LINE OF GRAYTOWN ROAD AND THE NORTHERLY LINE OF I-10 FRONTAGE ROAD. (NAVD=606.52' (NAVD 88, 2001 ADJ.)

BENCHMARK

THIS TOPOGRAPHIC SURVEY HAS BEEN REFERENCED TO BEAR COUNTY GEOIDAL REFERENCE MARK NO: 2807 HAVING GRID COORDINATES OF:

N: 1372034.499
E: 2715609.631, 43' (NAVD88, 2001 ADJ.)

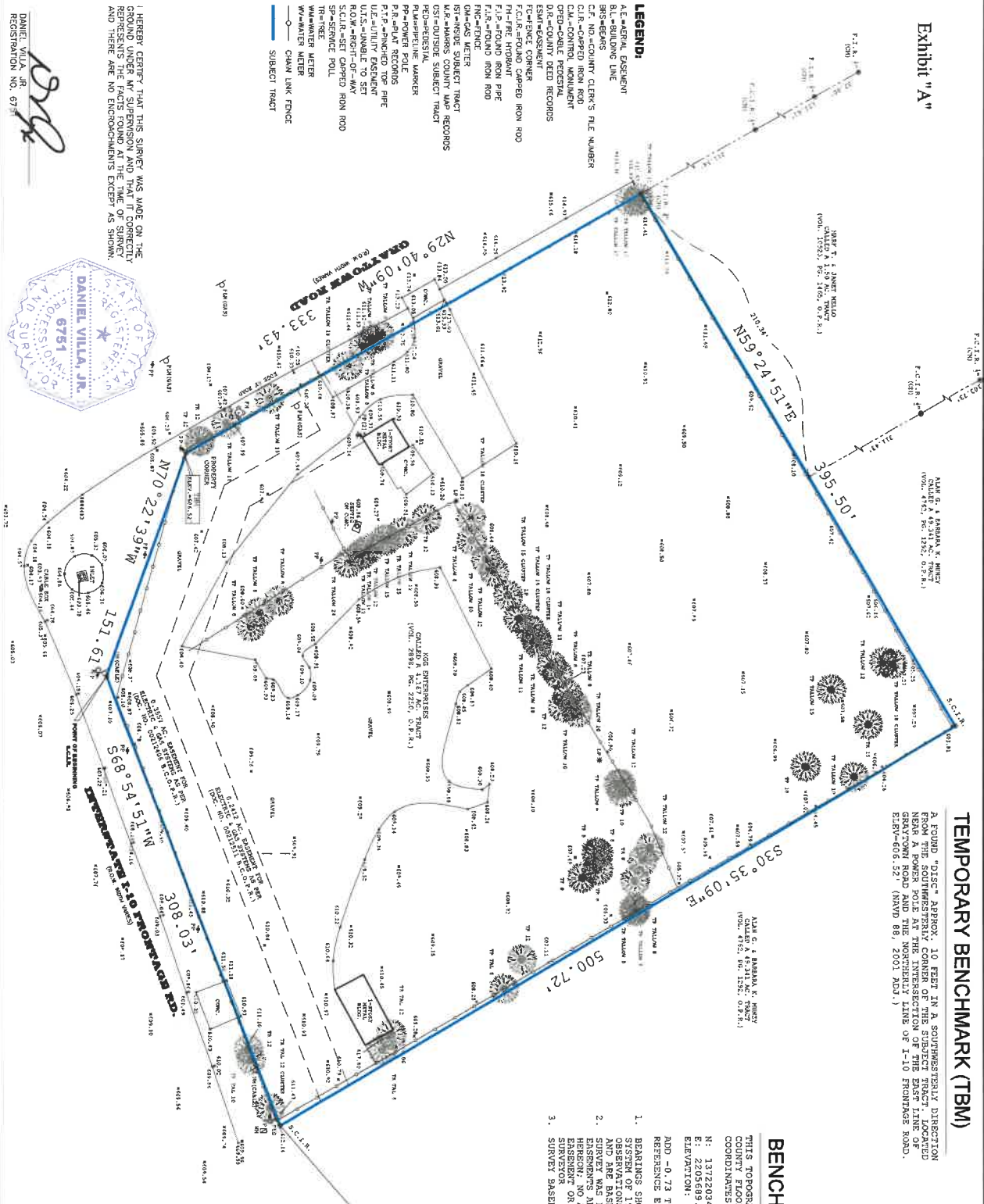
ADD -0.73 TO ALL ELEVATIONS SHOWN TO ADJUST TO RZ8207 REFERENCE ELEVATION=630.76'

1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) SOUTH CENTRAL ZONE (FIPS 4204) PER GPS OBSERVATIONS
2. AND ARE BASED ON CONTROL MONUMENTS DETICED ON THIS SURVEY AND ARE SUBJECT TO THE USUAL ACCURACIES OF SUCH MONUMENTS. ELEVATIONS AND RESTRICTIONS MAY EXIST WHICH ARE NOT SHOWN HEREON; NO ADDITIONAL RESEARCH REGARDING THE EXISTENCE OF ELEVATION OR RESTRICTIONS OF RECORD HAS BEEN PERFORMED BY SURVEY BASED ON THE BEST OF FIELD EVIDENCE FOUND
- 3.



LEGEND:

- A.L.-ASPLA. EGRESS
- BL-BUILDING LINE
- BHS-BEARS
- C.F. NO-COUNTY CLERK'S FILE NUMBER
- CLM-CAPPED IRON ROD
- CLM-CONTROL MONUMENT
- CPD-CORNER POINT
- D-SUBSTANTIAL FIELD RECORDS
- ESMT-EASEMENT
- FC-FENCE CORNER
- F.C.I.R.-FOUND CAPPED IRON ROD
- FI-FIRE HYDRANT
- F.I.R.-FOUND IRON ROD
- F.I.C.-FENCE
- GM-GAS METER
- IS-INSIDE SUBJECT TRACT
- M.R.-MANS COUNTY MAP RECORDS
- PD-PROCESSED SUBJECT TRACT
- PP-PIPELINE MARKER
- PP-POWER POLE
- P.R.-P.R.-APPROX TOP PIPE
- P.T.S.-P.T.S.-UNABLE TO SET
- ULI-UNABLE TO SET
- R.O.W.-RIGHT-OF-WAY
- S.C.I.R.-SET CAPPED IRON ROD
- SP-SERVICE POLL
- TR-TREE
- W-M-WATER METER
- WM-WATER METER
- CHAIN LINK FENCE
- SUBJECT TRACT



FLOOD PLAIN INFO:

THIS PROPERTY PARTIALLY LIE WITHIN THE 100 YEAR FLOOD PLAIN AS PER FEMA FIRM PANEL NO. 48020C0353C ZONE: (BASED ONLY ON VISUAL EXAMINATION OF MAPS)

REVISIONS:

NO.	DATE	DESCRIPTION
1		



DVJ
CONSULTING & LAND SURVEYING
TX ENGINEERING FIRM NO. F-2222
TX SURVEYING FIRM NO. 0190608
8101 HUNT ROCKS BLVD. 402
SUITE 200
CITY 76104
COUNTY 28251919910

BOUNDARY SURVEY

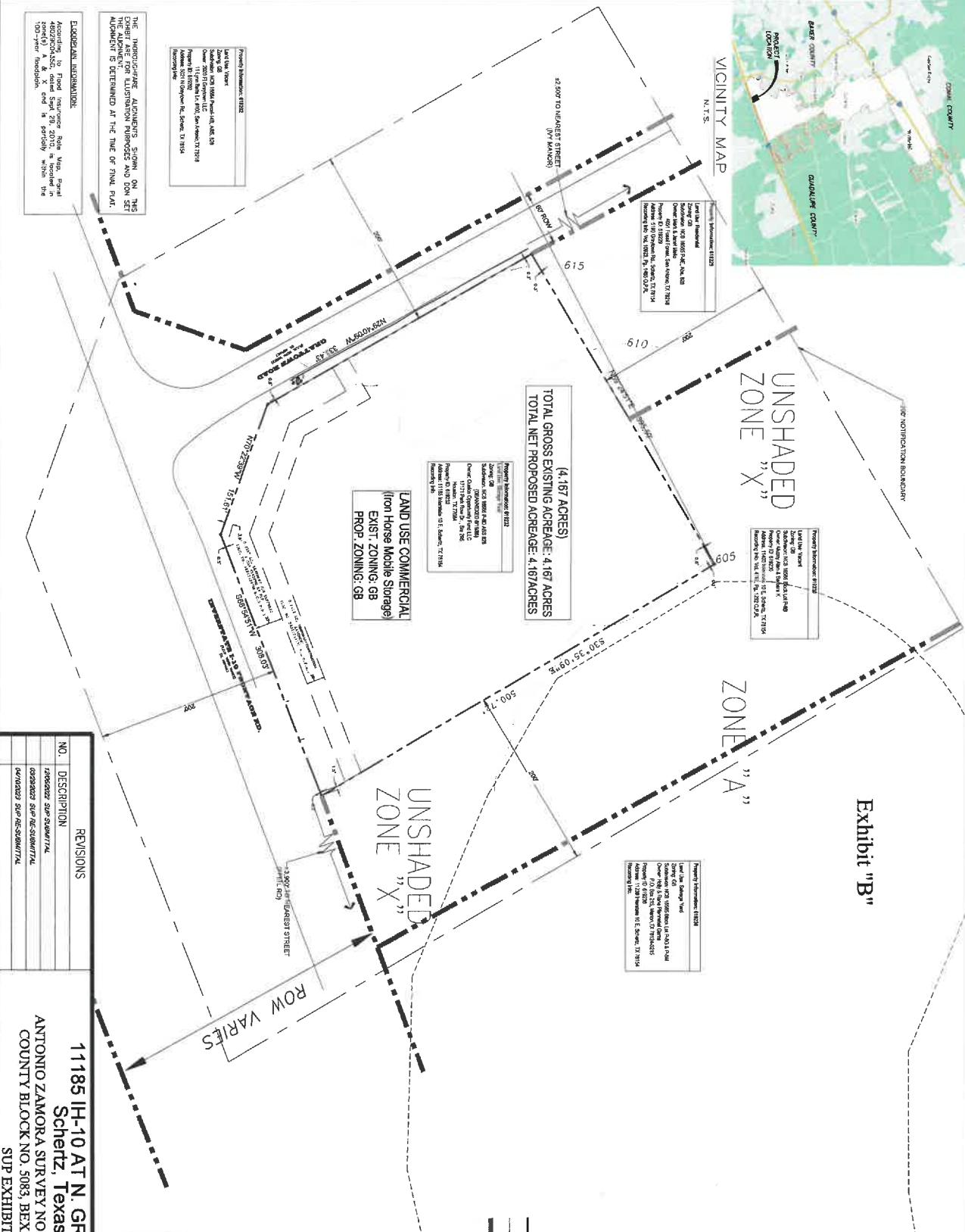
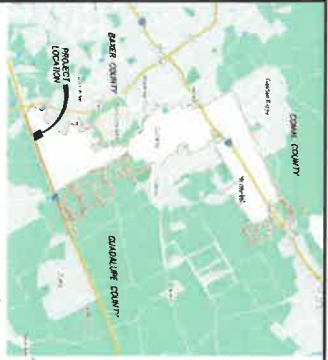
OF A 4.167 AC. PARCEL OF LAND
SITUATED IN THE ATLANTO BARBOSA SURVEY NO. 36
SECTION 10, TOWNSHIP 10 NORTH, RANGE 10 WEST, BEXAR COUNTY, TEXAS
BEXAR COUNTY, TX 76134
JOB NO.: 02202-255
DATE: 02-19-2022
FIRM: 28251919910
ENGINEER:

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT IT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THERE ARE NO ENCUMBRANCES EXCEPT AS SHOWN.



DANIEL VILLA, JR.
REGISTRATION NO. 6751

Exhibit "B"
Property Depiction



(4,167 ACRES)
 TOTAL GROSS EXISTING ACREAGE: 4,167 ACRES
 TOTAL NET PROPOSED ACREAGE: 4,167 ACRES

LAND USE COMMERCIAL
 (Iron Horse Mobile Storage)
 EXIST. ZONING: G8
 PROP. ZONING: G8

EXPLANATORY ADDENDUM:
 THE IMPROVEMENT ADDENDUMS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DON SET AMOUNTS IS DETERMINED AT THE TIME OF FINAL PLAN.

Project Information:
 Land Use: Commercial
 Subdivision: N02 00000 Paved Rd, 4.167 AC
 Owner: 11185 IH-10 AT N. GRAYTOWN RD, GARRET CO, TX 78154
 Project No: 210200
 Recorder: [illegible]

Owner Information:
 Name: Northwest Petroleum, LP
 Address: 11185 IH-10 AT N. GRAYTOWN RD, GARRET CO, TX 78154
 Phone: 713-277-2222
 Fax: 713-277-2222
 Email: [illegible]

Property Information:
 Land Use: Residential
 Subdivision: N02 00000 Paved Rd, 4.167 AC
 Project No: 210200
 Recorder: [illegible]

Property Information:
 Land Use: Residential
 Subdivision: N02 00000 Paved Rd, 4.167 AC
 Project No: 210200
 Recorder: [illegible]

Property Information:
 Land Use: Residential
 Subdivision: N02 00000 Paved Rd, 4.167 AC
 Project No: 210200
 Recorder: [illegible]

REVISIONS

NO.	DESCRIPTION
01	ISSUED FOR PERMIT
02	REVISED PER SURVEY
03	REVISED PER SURVEY

11185 IH-10 AT N. GRAYTOWN RD
 Schertz, Texas 78154
 ANTONIO ZAMORA SURVEY NO. 36, ABSTRACT NO. 828,
 COUNTY BLOCK NO. 5083, BEXAR COUNTY, TEXAS.
 SUP EXHIBIT

BOVAY ENGINEERS, INC.
 1187 Katy Freeway, Suite 700A
 Houston, Texas 77059
 www.bovayengineers.com
 Texas Registration No. F-2119

SURVEYOR INFORMATION:
 D.V.J.
 CIVIL ENGINEERING
 & LAND SURVEYING
 Daniel Villa, J.R.
 8198 RV. DR. STE. 402
 CYPRESS, TEXAS 77433
 Tel: 281-442-8910
 email: dan@bovayengineering.com

OWNER INFORMATION:
 NORTHWEST
 PETROLEUM, LP
 FRANK MALIK
 17171 PARK ROW, # 255
 HOUSTON, TEXAS 77064
 Tel: 281-442-2222
 www.nwpetroleum.com

LEGEND

- PROPERTY LINE
- NOTIFICATION BOUNDARY
- OFF-SITE PROPERTY LINE
- RESERVATION CONTIGUOUS
- RESERVATION

