

ORDINANCE NO. 24-S-02

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR AUTOMOBILE REPAIRS & SERVICE, MAJOR ON APPROXIMATELY 1.5 ACRES OF LAND, LOCATED APPROXIMATELY 250-FEET EAST OF THE INTERSECTION OF FM 3009 AND BORGFELD ROAD GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 129949, SCHERTZ, GUADALUPE COUNTY, TEXAS.

WHEREAS, an application for a Specific Use Permit to allow Automobile Repairs & Service, Major on approximately 1.5 acres of land located 250 feet east of the intersection of FM 3009 and Borgfeld Road, also known as Guadalupe County Property Identification Number 129949, also known as 1205 Borgfeld Road, City of Schertz, Guadalupe County Texas, more specifically described in Exhibit A and Exhibit B attached (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.11. 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 January 31, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the Specific Use Permit for Automobile Repairs & Service, Major, with conditions; and

WHEREAS, on February 6, 2024, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested Specific Use Permit be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. A Specific Use Permit for Guadalupe County Property Identification Number 129949, more particularly described in the attached Exhibit A and Exhibit B, is hereby approved to allow Automobile Repairs & Service, Major conditioned upon the following occurring:

a) Prior to a new Certificate of Occupancy being issued, the site will need to be brought into full compliance with the UDC site design requirements including but not limited to a paved concrete or asphalt surface for all parking areas.

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 _____ 2024.

PASSED, APPROVED and ADOPTED ON SECOND READING, the _____ day of _____, 2024.

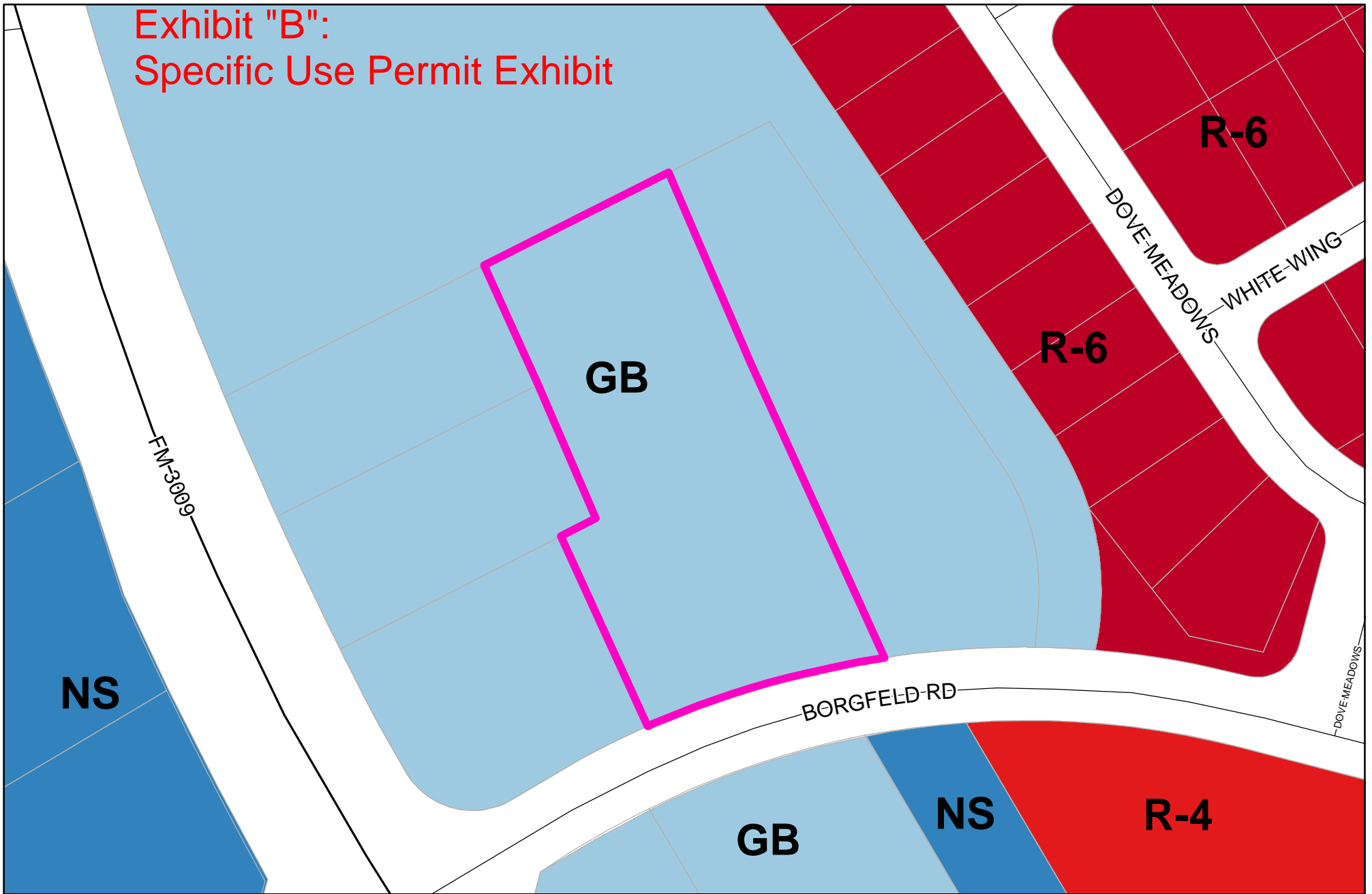
CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

Exhibit "B": Specific Use Permit Exhibit



SCHERTZ
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Last Update: January 18, 2024
City of Schertz | gis@schertz.com

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1205 Borgfeld Rd
MARK ROBERTS SUBD II
BLOCK 1 LOT 2 1.484 AC

Proposed Special Use
Automobile Repairs & Service, Major

