

ORDINANCE NO. 24-S-05

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 26 ACRES OF LAND FROM SINGLE-FAMILY RESIDENTIAL / AGRICULTURAL DISTRICT (R-A) TO GENERAL BUSINESS DISTRICT (GB) GENERALLY LOCATED 600 FEET NORTHWEST OF THE INTERSECTION OF LISA MEADOWS AND FM 1518, CITY OF SCHERTZ BEXAR COUNTY, TEXAS, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBER 308363.

WHEREAS, an application to rezone approximately 26 acres of land from Single-Family Residential / Agricultural District (R-A) to General Business District (GB), a portion of 11209 E FM 1518 generally located 600 feet northwest of the intersection of Lisa Meadows and FM 1518, 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 February 7, 2024, 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 to General Business District (GB); and

WHEREAS, on March 5, 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 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 zoned to General Business District (GB)

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and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.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

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

(city seal)

Exhibit A

Metes and Bounds

COUNTY OF BEXAR
STATE OF TEXAS

26.090 ACRE TRACT
ZONING DESCRIPTION

PROJ. 45328.00
DEL TORO TRACT

METES AND BOUNDS DESCRIPTION of a 26.090 acre tract of land situated within the Genovera Malpaz Survey No. 67, Abstract No. 464, City of Schertz, Bexar County, Texas, being a portion of a called 36.89 acre tract described in deed to the Del Toro Family Partnership LTD, recorded in Volume 7500, Page 421, Bexar County Official Public Records; in all, said 26.090 acre tract of land being more particularly described as follows:

BEGINNING at a point on the southwest right-of-way line of Farm to Market Road 1518 at the northwest corner of the remainder of a called 20.00 acre tract described in deed to Hatchitt Estates Inc, coincident with the northeast corner of the remainder of said 36.89 acre tract, coincident with the south corner of a 0.7636 acre tract described in deed to the State of Texas, recorded in Document No. 20190129518, Bexar County Official Public records and the **POINT OF BEGINNING** of the herein described tract of land;

THENCE, along the northwest line of said 20.00 acre tract, coincident with the southeast line of said remainder of 36.89 acre tract and the herein described tract, South $21^{\circ} 34' 37''$ West, a distance of 1839.74 feet to a point for angle;

THENCE, continuing along the aforementioned common line, South $49^{\circ} 53' 15''$ West, a distance of 874.85 feet to a point on the northeast line of Randolph Air Force Base, for the west corner of said 20.00 acre tract coincident with the south corner of said 36.89 acre tract and the herein described tract of land;

THENCE, along said northeast line of said Randolph Air Force Base, North $29^{\circ} 55' 36''$ West, a distance of 137.02 feet to a point for angle, and the most southerly west corner of said 36.89 acre tract and the herein described tract of land;

THENCE, continuing along said Randolph Air Force Base property North $14^{\circ} 38' 22''$ East a distance of 892.76 feet to a point;

THENCE, over and across said 36.89 acre tract, the following courses:

1. South $75^{\circ} 21' 38''$ East a distance of 89.48 feet to a point, and
2. North $27^{\circ} 31' 07''$ East a distance of 1617.73 feet to a point on the southwest right-of-way line of said Farm to Market Road 1518 for the most northerly west corner of the herein described tract;

Westwood

THENCE, along said southwest right-of-way line, South 71°16'17" East a distance of 374.15 feet to the POINT OF BEGINNING.

Containing, in all, 26.090 acres or 1,136,488 square feet of land. Bearings are based on the Texas State Plane Coordinate System for the South Central Zone (4204), NAD83, 2011 Adjustment.

This document was prepared under 22 TAC §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Exhibit B

Zoning Exhibit

