

ORDINANCE NO. 24-S-26

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR MIXED-USE SELF-STORAGE ON APPROXIMATELY 2.2 ACRES OF LAND, LOCATED EAST OF THE INTERSECTION OF FM 3009 AND FOREST RIDGE, MORE SPECIFICALLY KNOWN AS A PORTION OF GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 70506, SCHERTZ, GUADALUPE COUNTY, TEXAS.

WHEREAS, an application for a Specific Use Permit to allow Mixed-Use Self-Storage on approximately 2.2 acres of land, located East of the intersection of FM 3009 and Forest Ridge, more specifically known as a portion of Guadalupe County Property ID 70506, more specifically described in Exhibit A (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 May 8, 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 Mixed-Use Self-Storage; and

WHEREAS, on June 4, 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 ID 70506, more particularly described in the attached Exhibit A, is hereby approved to allow Mixed-Use Self-Storage conditioned upon the following occurring:

- a) A building permit is approved within two (2) years of the adoption of the SUP Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
- b) Twenty-Five (25%) of the useable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for office, service, or retail space, separate from the individual self-storage units for rent or lease, and must be along the side of the building facing the FM 3009 street frontage.

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

(city seal)

Exhibit "A"
Property Description- Legal Metes and Bounds

METES AND BOUNDS DESCRIPTION
FOR ZONING CHANGE

A 2.140 acre, or 93,200 square feet more or less, tract of land out of that called 150.231 acre tract conveyed to Edwin William Ripps, Jr., et. al. by deed recorded in Volume 2969, Page 150 of the Official Public Records of Guadalupe County, Texas, out of the John Saladin Survey No. 404, Abstract 299, in the City of Schertz, Guadalupe County, Texas. Said 2.140 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found 1" bar at the west most south corner of said called 150.231 acre tract, same being the west end of the cutback at the intersection of the northeast right-of-way line of F.M. 3009 (Roy Richard Drive), a variable width public right-of-way, with the northwest right-of-way line of Crest Oak Drive, a 50-foot public right-of-way, from which a found 1" iron bar at the east most south corner of said called 150.231 acre tract, same being the east end of said cutback, bears S 75°29'56" E, a distance of 70.27 feet;

THENCE: N 30°01'31" W, along and with the southwest line of said called 150.231 acre tract, the northeast right-of-way line of said F.M. 3009, a common line, a distance of 848.29 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: N 59°58'29" E, departing said common line, over and across said called 150.231 acre tract, a distance of 237.00 feet to a calculated POINT OF BEGINNING of the herein described tract;

THENCE: Continuing over and across said called 150.231 acre tract, the following bearings and distances:

N 30°01'31" W, a distance of 400.00 feet to a calculated point, from which a found ½" iron rod with a yellow cap stamped "Pape-Dawson" on the southwest line of said called 150.231 acre tract, the northeast right-of-way line of said F.M. 3009, bears S 59°58'29" W, a distance of 237.00 feet;

N 59°58'29" E, a distance of 233.00 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

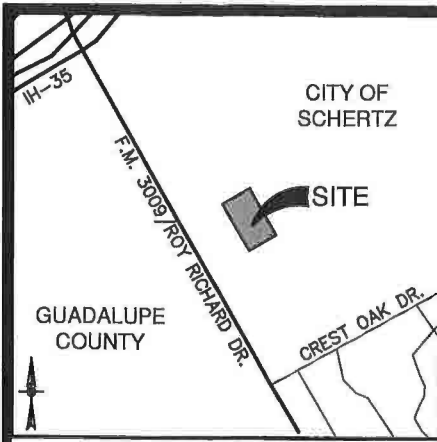
S 30°01'31" E, a distance of 400.00 feet to a found ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: S 59°58'29" W, a distance of 233.00 feet to the POINT OF BEGINNING and containing 2.140 acres in the City of Schertz, Guadalupe County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 13143-01 by Pape-Dawson Engineers.

This document was prepared under 22TAC138.95, 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.

PREPARED BY: Pape-Dawson Engineers
DATE: March 14, 2024
JOB NO. 13143-01
DOC. ID. N:\CIVIL\13413-01\Word\13413-01 FN_ZN 2.140 AC.docx





LOCATION MAP

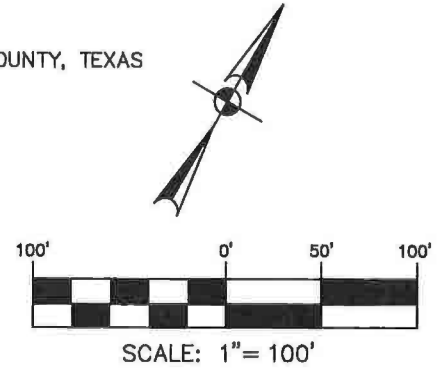
NOT-TO-SCALE

LEGEND:

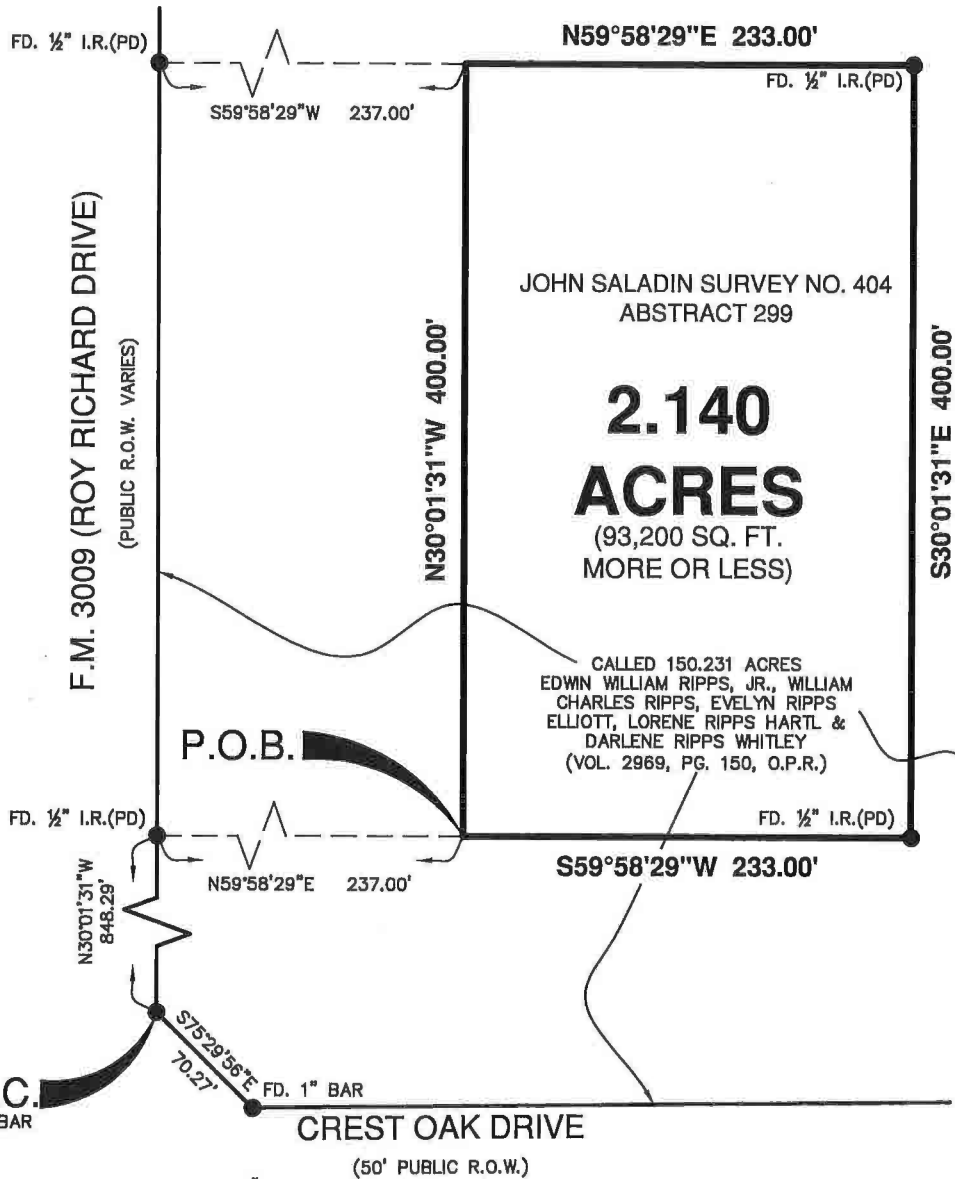
- OPR OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
- FD. FOUND
- I.R. 1/2" IRON ROD
- (PD) PAPE-DAWSON CAP
- FOUND MONUMENT

NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 13413-01 BY PAPE-DAWSON ENGINEERS.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



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G. Buchanan



EXHIBIT FOR ZONING CHANGE

2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
 TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

MARCH 14, 2024

SHEET 1 OF 1
 JOB No.: 13413-01

Date: Mar 13, 2024, 11:41am User: ID: etamilton
 File: N:\CML\13413-01\13413-01_EX_ZN_2140_AC.dwg

REFERENCE: