

ORDINANCE NO. 24-S-141

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 3.6 ACRES OF LAND FROM PRE-DEVELOPMENT DISTRICT (PRE) TO SINGLE-FAMILY RESIDENTIAL/ AGRICULTURAL DISTRICT (R-A), KNOWN AS COMAL COUNTY PROPERTY IDENTIFICATION NUMBER 78940, MORE SPECIFICALLY KNOWN AS 6691 FM 482, SCHERTZ, COMAL COUNTY, TEXAS.

WHEREAS, an application to rezone approximately 3.6 acres of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural (R-A), known as Comal County Property Identification Number 78940, more specifically described as 6691 FM 482, 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 June 5, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council of approval; and

WHEREAS, on July 2, 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 Single-Family Residential/ Agricultural District (R-A)

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and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.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 2nd of July 2024.

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

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"
Property Description- Metes and Bounds/ Survey

Exhibit "A": Property Description- Metes and Bounds / Survey

LEGAL DESCRIPTION

BEING a 3.556 acre tract of land situated in the FRANCISCO RODRIGUEZ SURVEY No. 99, ABSTRACT No. 484, Comal County, Texas, and being the same called 3.564 acres described in deed to Milton R Saunders and wife, Joyce L Saunders as recorded in Document No. 9806014330 & Document No. 2108221747, of the Official Records, Comal County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found on the Southeast Right-of-Way of Farm to Market Road 482 (FM 482), a variable width Right-of-Way, for the Northeast corner of a called 1.261 acre tract of land described as "Tract 2" in deed to Gordon Ward as recorded in Document No. 202006001775, of said Official Records, same being the Northwest corner of a called 2.011 acre tract of land described in deed to Nital Properties, LLC. as recorded in Document No. 201106043797, of said Official Records, **THENCE South 63°21'57" West**, along said Southeast Right-of-Way line, the Northwest line of said 1.261 acres and the Northwest line of a called 0.75 acres described as "Tract 1" in said deed to Gordon Ward, Doc. No. 202006001775, of said Official Records, a distance of **287.65 feet**, to a 1/2 inch iron rod found for the **POINT OF BEGINNING**, same being the Northwest corner of said 0.75 acres, also being the Northeast corner of said 3.564 acres and the herein described tract;

THENCE South 29°36'56" East, along the common line of said 0.75 acres and 3.564 acre tract, a distance of **291.42 feet** to a 1/2 inch iron rod capped "DATAPOINT#10194585" set on the Northwest Right-of-Way of the Union Pacific Rail Road (U.P.R.R.), a 100 foot Right-of-Way, for the Southwest corner of said 0.75 acres and the Southeast corner of said 3.564 acres;

THENCE South 68°52'14" West, along the Northwest line of said U.P.R.R., same being the South line of said 3.564 acre tract, a distance of **599.14 feet** to a 1/2 inch iron rod capped "DATAPOINT#10194585" set at the intersection of said U.P.R.R. Right-of-Way and the East Right-of-Way of Friesenhahn Road, for the Southwest corner of this tract and said 3.564 acres, from which a 1/2 inch iron rod found, bears North 09°43'25" East, a distance 0.61 feet;

THENCE North 29°28'28" West, along the common line of said 3.564 acres and Friesenhahn Road, a distance of **231.60 feet**, to a 1/2 inch iron rod capped "DATAPOINT#10194585" set at the Southeast intersection of said Friesenhahn Road and said FM 482, same being the Northwest corner of said 3.564 acres and this tract;

THENCE North 63°08'59" East, along said Southeast Right-of-Way of FM 482 and the North line of said 3.564 acres, a distance of **592.70 feet** to the **POINT OF BEGINNING**, containing 154,907 Square Feet and/or **3.556 acres** of land, more or less.

I, Tyler J. Willis, Registered Professional Land Surveyor No. 6877 of the State of Texas, do hereby certify this plat shows the results of an on the ground survey made under my direction.

Original signed and stamped in red ink.

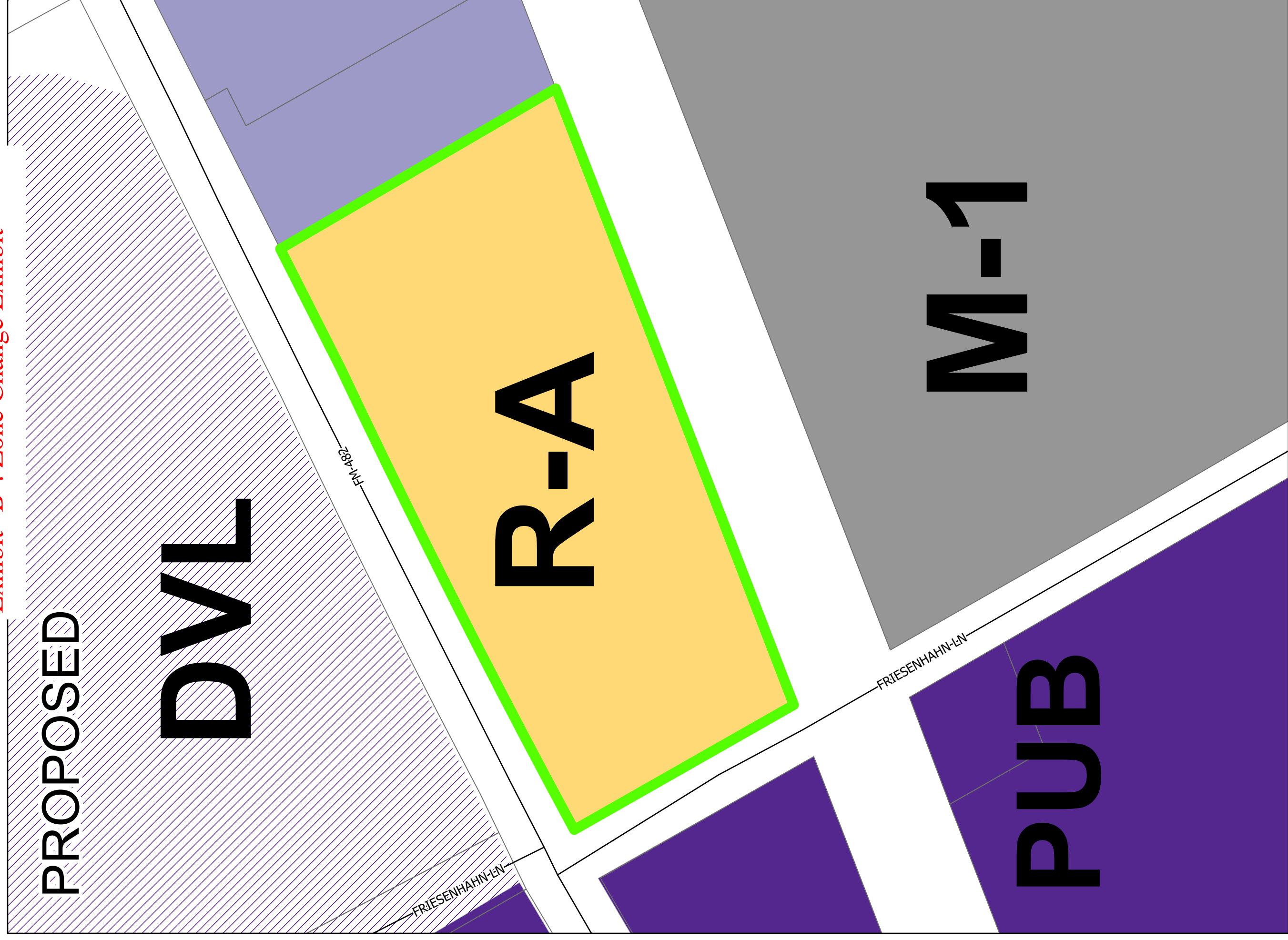
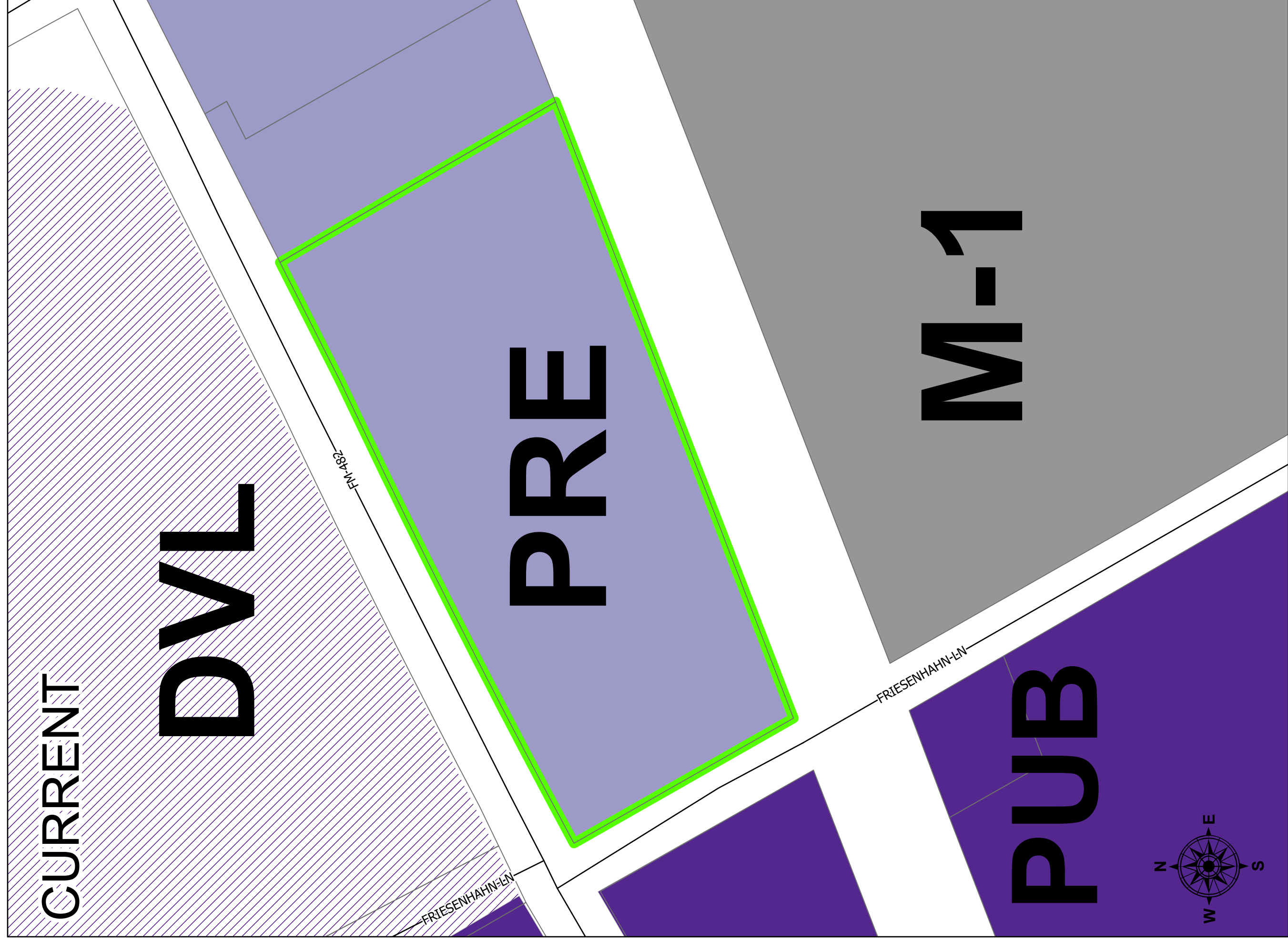

Tyler J. Willis

Date of Signature: April 24, 2024

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6877
FIRM REGISTRATION/LICENSE NO. 10194585
FOR DATAPOINT SURVEYING AND MAPPING
12450 NETWORK BLVD, SUITE 155
SAN ANTONIO, TX. 78249
(726) 777-4240 OFFICE
(726) 777-4241 FAX



Exhibit "B"
Zone Change Exhibit



CURRENT

DVL

PRE

M-1

PUB

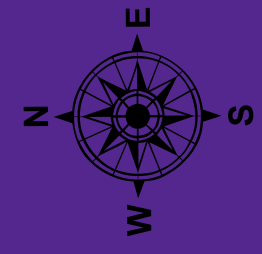
PROPOSED

DVL

R-A

M-1

PUB



SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

Last update: April 29, 2024
City of Schertz, GIS Specialist: Alex Venezia Dasso, avdasso@schertz.com (210) 619-1174

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PROPOSED ZONING CHANGE

**COMAL COUNTY
PARCEL ID:
78940**

- Classification**
- (PRE) Pre-Development
 - (PDD) Planned Development
 - (PUB) Public Use
 - (R-A) Single-Family Residential
 - (R-1) Single-Family Residential
 - (R-2) Single-Family Residential
 - (R-3) Two-Family Residential
 - (R-4) Apartment/Multi-Family Residential
 - (R-6) Single-Family Residential
 - (R-7) Single-Family Residential
 - (AD) Agricultural District
 - (GH) Garden Home/Single-Family Residential (Zero Lot Line)
 - (TH) Townhome
 - (MHS) Manufactured Home Subdivision
 - (MHP) Manufactured Home Parks
 - (GB) General Business

- (GB-2) General Business II
- (NS) Neighborhood Services
- (OP) Office and Professional
- (MSMU) Main Street Mixed Use
- (MSMU-HD) Main Street Mixed Use New Development
- (M-1) Manufacturing (Light)
- (M-2) Manufacturing (Heavy)
- (DVL) Development Agreement (Delayed Annexation)

