

ORDINANCE NO. 24-S-170

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 3.65 ACRES OF LAND, LOCATED ALONG THE IH-35 NORTH ACCESS ROAD, NEAR THE INTERSECTION OF CIBOLO VALLEY DRIVE, MORE SPECIFICALLY KNOWN AS A PORTION OF GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 185564, SCHERTZ, GUADALUPE COUNTY, TEXAS.

WHEREAS, an application for a Specific Use Permit to allow Mixed-Use Self-Storage on approximately 3.65 acres of land, along the IH-35 North access road, near the intersection of Cibolo Valley Drive, more specifically known as a portion of Guadalupe County Property ID 185564, 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 November 6, 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 December 3, 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 185564, 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 (20%) of the usable 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.

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, APPROVED and ADOPTED on this ___ 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 A**3.651 ACRE TRACT****State of Texas**
County of Guadalupe

FIELDNOTES, FOR A 3.651 ACRE, OR 159,024 SQUARE FEET MORE OR LESS, TRACT SITUATED IN THE JACOB DE CORDOVA SURVEY NO. 514, ABSTRACT 117, GUADALUPE COUNTY, TEXAS; BEING THE REMAINING PORTION OF A CALLED 6.85 ACRE TRACT DESCRIBED IN DEED FROM HARTMANN LAND & CATTLE CO., LTD., ET AL. TO QT SOUTH, LLC, AS RECORDED IN DOCUMENT NO. 202199043267 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. SAID 3.651 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 (NA2011) EPOCH 2010.00:

- BEGINNING:** At a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Northwest right-of-way line of Interstate Highway 35, a variable width public right-of-way, for the South corner of the said 6.85 Acre tract and this tract, from **Whence** a Type II TxDOT right-of-way monument found, bears South 37°46'00" West, 399.46 feet;
- THENCE:** Departing the said Northwest right-of-way line, with the southwest line of the said 6.85 Acre tract and this tract, North 31°14'33" West, 599.70 feet to a ½" iron rod with plastic cap stamped "MATKIN HOOVER ENG. & SURVEY" found, for the West corner of the said 6.85 Acre tract and this tract, from **Whence** a ½" iron rod with plastic cap stamped "CEC" found for an exterior corner of a called 6.335 acre tract described in deed from the Estate of Melva Rose Klabunde, Hartmann Land and Cattle Co., Ltd., and MCM Ranch Co., Ltd. to the City of San Antonio, as recorded in Volume 4022, Page 120, of the said Official Public Records, bears South 59°18'50" West, 132.11 feet;
- THENCE:** North 59°17'53" East, with the Northwest line of the said 6.85 Acre tract and this tract, 368.49 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, for the West corner of a called 0.538 acre, 70-foot wide right-of-way dedication, known as Four Oaks Lane, as shown on the QT 4033 Subdivision Plat, as recorded in Volume 10, Page 194 of the said Official Public Records, the North corner of this tract;
- THENCE:** Departing the said Northwest line, with the common line of the said Four Oaks Lane and this tract, South 30°42'07" East, 70.00 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an exterior corner of Lot 1, Block 1 of the said QT 4033 Subdivision Plat, the South corner of the said Four Oaks Lane, an angle point of this tract, from **Whence** a ½" iron rod found for an interior corner of the said Four Oaks Lane, an exterior corner of the said Lot 1, bears North 59°17'53" East, 235.42 feet;

Exhibit "A"
Property Description - Legal Metes and Bounds

THENCE: With the common line of the said Lot 1 and this tract the following three courses:

- South 48°14'31" East, 89.04 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an interior corner of the said Lot 1, an exterior corner of this tract;
- South 41°45'29" West, 209.33 feet to a ½" iron rod found for an exterior corner of the said Lot 1, an interior corner of this tract;
- South 48°14'31" East, 306.66 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Southeast line of the said 6.85 Acre tract and the said Northwest right-of-way line, for the South corner of the said Lot 1, the East corner of this tract;

THENCE: South 41°45'29" West, with the common line of the said Southeast line and the said Northwest right-of-way line, 296.26 feet to the **POINT OF BEGINNING** and containing 3.651 acres in the City of Schertz, Guadalupe County, Texas. Said tract being described in conjunction with a survey map prepared under job number 30088-00 by Pape-Dawson Engineers.

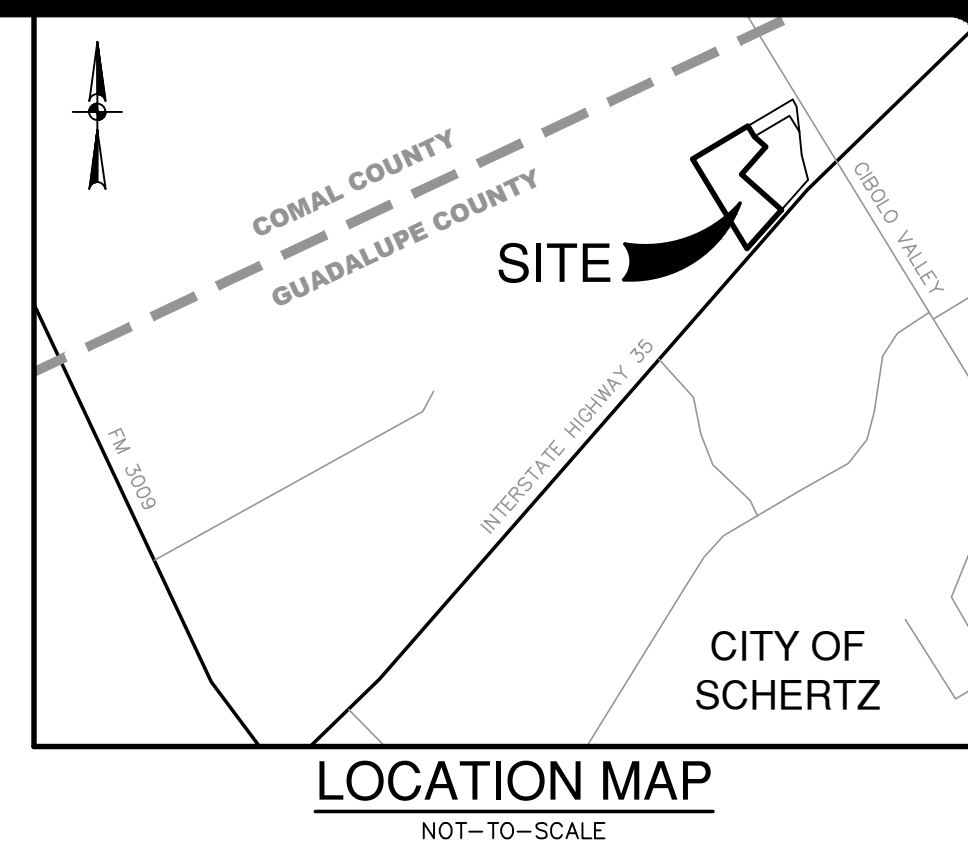
PREPARED BY: Pape-Dawson Engineers
DATE: August 18, 2024
JOB NO. 30088-00
DOC. ID. N:\CIVIL\30088-00\Word\30088-00 FN 3.651 AC.docx



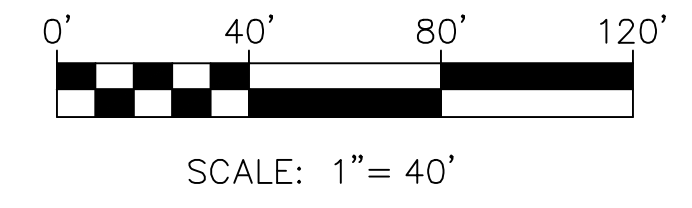
CITY OF SAN ANTONIO
CALLED 6.335 ACRES
(VOL. 4022, PG. 120, O.P.R.)

JACOB DE CORDOVA
SURVEY NO. 514
ABSTRACT 117
GUADALUPE COUNTY

HARTMANN LAND & CATTLE CO., LTD.
A REMAINDER OF 99.5 ACRES
(VOL. 2925, PG. 813, O.P.R.)



LOCATION MAP
NOT-TO-SCALE



METES AND BOUNDS DESCRIPTION
FOR A 3.651 ACRE TRACT

State of Texas
County of Guadalupe

FIELDNOTES: FOR A 3.651 ACRE, OR 159,024 SQUARE FEET MORE OR LESS, TRACT SITUATED IN THE JACOB DE CORDOVA SURVEY NO. 514, ABSTRACT 117, GUADALUPE COUNTY, TEXAS; BEING THE REMAINING PORTION OF A CALLED 6.85 ACRE TRACT DESCRIBED IN DEED FROM HARTMANN LAND & CATTLE CO., LTD., ET AL. TO QT SOUTH, LLC, AS RECORDED IN DOCUMENT NO. 202199043267 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. SAID 3.651 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 (NA2011) EPOCH 2010.00:

BEGINNING: At a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Northwest right-of-way line of Interstate Highway 35, a variable width public right-of-way, for the South corner of the said 6.85 Acre tract and this tract, from **Whence** a Type II TxDOT right-of-way monument found, bears South 37°46'00" West, 399.46 feet;

THENCE: Departing the said Northwest right-of-way line, with the southwest line of the said 6.85 Acre tract and this tract, North 31°14'33" West, 599.70 feet to a 1/2" iron rod with plastic cap stamped "MATKIN HOOVER ENG. & SURVEY" found, for the West corner of the said 6.85 Acre tract and this tract, from **Whence** a 1/2" iron rod with plastic cap stamped "CEC" found for an exterior corner of a called 6.335 acre tract described in deed from the Estate of Melva Rose Klabunde, Hartmann Land and Cattle Co., Ltd., and MCM Ranch Co., Ltd. to the City of San Antonio, as recorded in Volume 4022, Page 120, of the said Official Public Records, bears South 59°18'50" West, 132.11 feet;

THENCE: North 59°17'53" East, with the Northwest line of the said 6.85 Acre tract and this tract, 368.49 feet to a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, for the West corner of a called 0.538 acre, 70-foot wide right-of-way dedication, known as Four Oaks Lane, as shown on the QT 4033 Subdivision Plat, as recorded in Volume 10, Page 194 of the said Official Public Records, the North corner of this tract;

THENCE: Departing the said Northwest line, with the common line of the said Four Oaks Lane and this tract, South 30°42'07" East, 70.00 feet to a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an exterior corner of Lot 1, Block 1 of the said QT 4033 Subdivision Plat, the South corner of the said Four Oaks Lane, an angle point of this tract, from **Whence** a 1/2" iron rod found for an interior corner of the said Four Oaks Lane, an exterior corner of the said Lot 1, bears North 59°17'53" East, 235.42 feet;

THENCE: With the common line of the said Lot 1 and this tract the following three courses:

- South 48°14'31" East, 89.04 feet to a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an interior corner of the said Lot 1, an exterior corner of this tract;
- South 41°45'29" West, 209.33 feet to a 1/2" iron rod found for an exterior corner of the said Lot 1, an interior corner of this tract;
- South 48°14'31" East, 306.66 feet to a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Southeast line of the said 6.85 Acre tract and the said Northwest right-of-way line, for the South corner of the said Lot 1, the East corner of this tract;

THENCE: South 41°45'29" West, with the common line of the said Southeast line and the said Northwest right-of-way line, 296.26 feet to the **POINT OF BEGINNING** and containing 3.651 acres in the City of Schertz, Guadalupe County, Texas.

QT SOUTH, LLC
A REMAINDER OF 6.85 ACRES
(DOC. NO. 202199043267, O.P.R.)
3.651 ACRES
(159,024 SQ. FT. MORE OR LESS)

QT 4033 SUBDIVISION
LOT 1, BLOCK 1
CALLED 2.660 ACRES
(VOL. 10, PG. 194, O.P.R.)

CIBOLO VALLEY DRIVE
(VARIABLE WIDTH R.O.W.)

THE STATE OF TEXAS
CALLED 1.192 ACRES
(VOL. 1188, PG. 650, O.P.R.)

INTERSTATE HIGHWAY 35
(VARIABLE WIDTH R.O.W.)

ALTA/NSPS TABLE A NOTES:

- ITEM 1: 1/2" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
- ITEM 2: SUBJECT PROPERTY ADDRESS: IH-35, SCHERTZ, TX 78154
- ITEM 3: THE SUBJECT PROPERTY IS WITHIN THE FOLLOWING FLOOD ZONE(S) AS DEPICTED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP NUMBER 48187C0210F, DATED NOVEMBER 2, 2007 FOR GUADALUPE COUNTY, TEXAS AND INCORPORATED AREAS. THIS DATA IS AVAILABLE ON THE WEBSITE WWW.MSC.FEMA.GOV. ZONE X (UNSHADED), DEFINED AS: "AREA OF MINIMAL FLOOD HAZARD." FLOOD LIMIT LINES DO NOT REPRESENT THAT THE PROPERTY WILL OR WILL NOT FLOOD. SUCH LINES AND AREAS ARE FROM SAID FEDERAL EMERGENCY MANAGEMENT AGENCY DATA SOURCES AND ARE STATISTICAL ONLY. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF SAID DATA.
- ITEM 4: 3.651 ACRE OR 159,024 SQ. FT. MORE OR LESS
- ITEM 8: SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN ON THE SURVEY.
- ITEM 9: NO PARKING STRIPES OBSERVED.

HARTMANN LAND & CATTLE CO., LTD.
A REMAINDER OF 99.5 ACRES
(VOL. 2925, PG. 813, O.P.R.)

P.O.B.

Point #	Northing	Easting	Elevation	Full Description
10	13,771,595.42	2,201,214.91	860.98	SET MAG NAIL (TRAV)
11	13,771,783.51	2,201,383.00	863.41	SET MAG NAIL (TRAV)
12	13,772,252.61	2,201,244.08	870.50	SET MAG NAIL (TRAV)
13	13,772,384.72	2,201,466.70	866.71	SET MAG NAIL (TRAV)
14	13,772,094.64	2,200,905.55	863.00	SET I.R. REDCAP (TRAV)

SYMBOL LEGEND

- FOUND MONUMENT (AS NOTED)
- SET 1/2" IRON ROD WITH YELLOW PAPE-DAWSON CAP
- △ CONTROL POINT (SEE TABLE)
- UP UTILITY POLE
- UPT UTILITY POLE WITH TRANSFORMER
- ☆ LP LIGHT POLE
- EBXO ELECTRIC BOX
- ⊙ SANITARY SEWER MANHOLE
- ⊖ WATER METER
- ⊕ WATER VALVE
- SIGN (AS NOTED)
- ⊠ MISCELLANEOUS (AS NOTED)

LEGEND

- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- FD. FOUND
- LR. IRON ROD
- T800.00 TOP OF CURB ELEVATION
- G800.00 GUTTER ELEVATION
- 800.00 SPOT ELEVATION
- ASPHALT
- CONCRETE

LINE LEGEND

- EASEMENT LINE (AS NOTED)
- OVERHEAD UTILITY LINE

DEED/PLAT REFERENCE
O.P.R. OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
D.R.C.C.T. DEED RECORDS OF COMAL COUNTY, TEXAS

NOTES:

- THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00, FROM THE TEXAS STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
- VERTICAL DATUM IS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988, GEOID 12B.
- THE COORDINATES SHOWN HEREON ARE SURFACE VALUES USING A SURFACE ADJUSTMENT FACTOR OF 1.00015. THESE VALUES CAN BE CONVERTED TO STATE PLANE GRID COORDINATES BY APPLYING THE RECIPIROCAL - 0.999802249662.
- RECORD BEARING AND DISTANCES ARE SHOWN WITHIN PARENTHESIS.
- ILLUSTRATED UTILITIES ARE BASED ON FOUND VISIBLE EVIDENCE. THE LOCATION AND DEPTH OF EXISTING UTILITIES SHOULD BE FIELD VERIFIED BEFORE CONSTRUCTION. THE SURVEYOR DOES NOT HAVE KNOWLEDGE AS TO THE AVAILABILITY OF SERVICE TO, OR THE STATUS OF THE UTILITIES ON THIS SITE.
- CONSTRUCTION OBSERVED DURING THIS SURVEY.
- ABUTS IH-35 SOUTH - AS SHOWN

REFERENCES:

This survey was prepared in conjunction with, but not solely relying on, the Title Commitment listed below.
Title Commitment: G.F. # SAT-41-4000412401293R Alamo Title Insurance
Date Issued: June 18, 2024
Effective Date: June 8, 2024

Only those matters identified in the Title Commitment and those that the surveyor was aware of at the time of this survey are shown.

- The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):
Document No. 202199043268, Official Public Records, Guadalupe County, Texas. (APPLIES)
Omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
- The following matters and all terms of the documents creating or offering evidence of the matters:
 - All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed. (NOT A SURVEY MATTER)
 - Controlled access to Highway Facility as described in Deed filed February 7, 1996 and recorded in Volume 1188, Page 650, Official Public Records, Guadalupe County, Texas. (APPLIES - AS SHOWN)
Easement to: City of San Antonio
Purpose: Electric Line Easement
Recording Date: July 10, 1970
Recording No: Volume 179, Page 304, Deed Records, Comal County, Texas.
Easement not found recorded in Guadalupe County (APPLIES - APPROXIMATE LOCATION SHOWN)
 - Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: City of Schertz, Texas
Purpose: Water and Wastewater Easement Agreement
Recording Date: December 7, 2021
Recording No: Document No. 202199041800, Official Public Records, Guadalupe County, Texas. (MAY APPLY - AS SHOWN)
 - Matters contained in that certain document
Entitled: Easement Agreement
Dated: December 17, 2021
Executed by: Hartmann Land & Cattle Co., Ltd., a Texas limited partnership,
MCM Ranch Co., Ltd., a Texas limited partnership,
Keith Klabunde, Brenda L. Fuhrmann, Kimberly K. Williams and
Jamie Klabunde and
QT South, LLC, a Texas limited liability company
Recording Date: December 20, 2021
Recording No: Document No. 202199043269, Official Public Records, Guadalupe County, Texas.
Which provides for, among other things: Access Easement.
Reference is hereby made to said document for full particulars. (APPLIES, AFFECTS ACCESS TO SUBJECT TRACT - AS SHOWN)
 - Matters contained in that certain document
Entitled: Easement Declaration
Dated: April 14, 2023
Executed by: QT South, LLC, a Texas limited liability company
Recording Date: April 17, 2023
Recording No: Document No. 202399009186, Official Public Records, Guadalupe County, Texas.
Which provides for, among other things: Easements.
Reference is hereby made to said document for full particulars. (APPLIES - AS SHOWN)

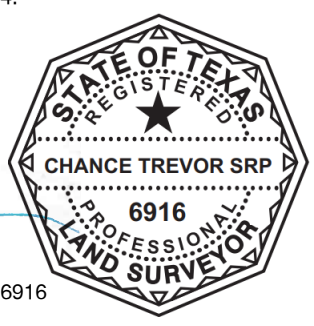
TO: QT SOUTH, LLC, A TEXAS LIMITED LIABILITY COMPANY, AND ALAMO TITLE INSURANCE

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 8, AND 9 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON JULY 26, 2024.

DATE OF MAP OR PLAT: AUGUST 18, 2024

CHANCE T. SRP
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6916
CSR/P/PAPE-DAWSON.COM



PAPE-DAWSON
ENGINEERS
1672 INTERSTATE DR. STE 102 | NEW BRAUNFELS, TX 78124 | 800.832.5683
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10038800

ALTA/NSPS LAND TITLE SURVEY

A 3.651 ACRE, OR 159,024 SQUARE FEET MORE OR LESS, TRACT SITUATED IN THE JACOB DE CORDOVA SURVEY NO. 514, ABSTRACT 117, GUADALUPE COUNTY, TEXAS; BEING THE REMAINING PORTION OF A CALLED 6.85 ACRE TRACT DESCRIBED IN DEED FROM HARTMANN LAND & CATTLE CO., LTD., ET AL. TO QT SOUTH, LLC, AS RECORDED IN DOCUMENT NO. 202199043267 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS.

JOB NO.	30088-00
DATE	AUGUST 18, 2024
CHECKED	CS DRAWN DF
CIVIL JOB NO.	---
REFERENCE:	---
SHEET	1 OF 1