

**ORDINANCE NO. 24-S-169**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO REZONE APPROXIMATELY .23 ACRES OF LAND FROM GENERAL BUSINESS DISTRICT (GB) TO MAIN STREET MIXED USE DISTRICT (MSMU), KNOWN AS 702 MAIN STREET, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 21458, CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS.**

**WHEREAS**, an application for a request to rezone approximately .23 acres of land from General Business District (GB) to Main Street Mixed Use District (MSMU), known as 702 Main Street, also known as Guadalupe County Property Identification Number 21458, City of Schertz, Guadalupe County, Texas., 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 zoning (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 requested zoning; 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 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, is hereby zoned to Main Street Mixed Use District (MSMU).

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and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.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

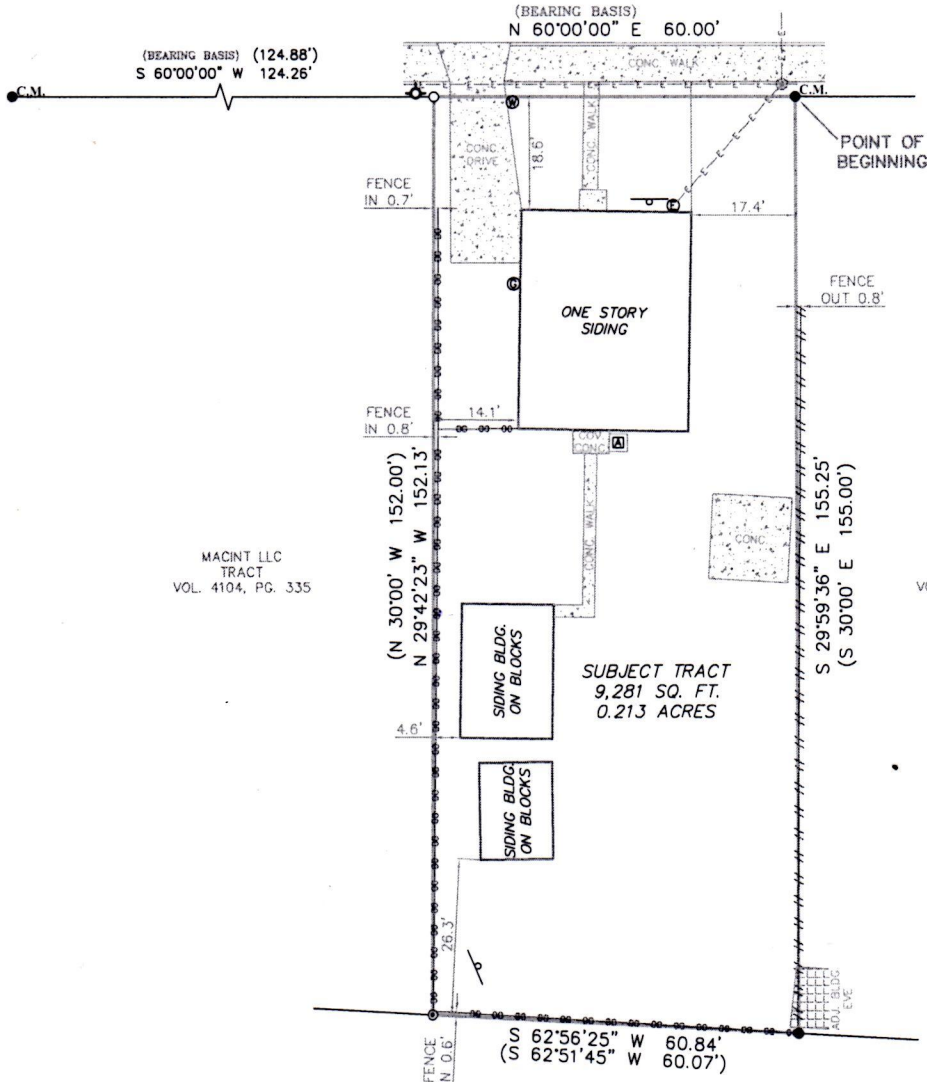
NOTE:  
THIS PROPERTY IS SUBJECT TO A  
TELECOMMUNICATION EASEMENT RECORDED IN  
COUNTY CLERK'S NO. 2015012533, REAL  
PROPERTY RECORDS OF GUADALUPE COUNTY  
COUNTY, TEXAS. (LOCATION NOT DEFINED)

# Exhibit "A" Property Survey

**MAIN STREET**  
(60' R.O.W.)



SCALE: 1"=20'



MACINT LLC  
TRACT  
VOL. 4104, PG. 335

HSMR INC  
0.6671 ACRES  
VOL. 2945, PG. 870

**SUBJECT TRACT**  
9,281 SQ. FT.  
0.213 ACRES

**UNION PACIFIC RAILROAD**  
(100' R.O.W.) (BOOK N, PG. 685)

NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON RECORD DEED INDICATED BELOW.

NOTE:  
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS,  
AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: COUNTY CLERK'S NUMBER  
2015012533, REAL PROPERTY RECORDS, GUADALUPE COUNTY, TEXAS.

**LEGEND CONT.**

- = ROAD FENCE
- = SOW
- = CHAIN LINK FENCE
- ⊠= A/C PAD

THIS SURVEY IS  
ACKNOWLEDGED AND  
IS ACCEPTED:

*[Signature]*



FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48187C, Panel No. 0220 F, which is Dated 11/02/2007. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) AE. Because this is a boundary survey, the surveyor did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or State or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/parta>.

Property Address:  
702 MAIN STREET  
Property Description:  
BEING 0.213 ACRES OF LAND, MORE OR LESS, SITUATED IN THE G. MALPAZ SURVEY NO. 67, ABSTRACT 221, GUADALUPE COUNTY, TEXAS, AND BEING THAT SAME PROPERTY DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN VOLUME 116B, PAGE 56B, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS; SAID 0.213 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO.

Owner:  
HSMR INC

I, RUDOLF J. PATA, JR., Registered Professional Land Surveyor, State of Texas, certify that the above plat represents an actual survey made on the ground under my supervision, and that my professional opinion is that there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, except as may appear herein, to the best of my knowledge and belief.

RUDOLF J. PATA, JR.  
Registered Professional Land Surveyor  
Texas Registration No. 5388

FIRM REGISTRATION NO. 10111700

**Westar Alamo**  
LAND SURVEYORS, L.L.C.  
P.O. BOX 1845 BOERNE, TEXAS 78008  
PHONE (210) 372-9500 FAX (210) 372-9999

- LEGEND**
- = SET 1/2" IRON ROD CAPPED "WALS"
  - = FOUND 1" IRON PIPE
  - = FOUND 1/2" IRON ROD
  - = RECORD INFORMATION
  - = BUILDING SETBACK
  - = RECORD DIGNITY MONUMENT
  - = POWER POLE
  - = OVERHEAD ELECTRIC
  - = ELECTRIC METER
  - = GAS LINE WITHOUT METER
  - = WATER METER
  - = FIRE HYDRANT
  - = WATER VALVE
- DWG: CJ RVD: MJE

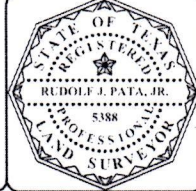


Exhibit "B"

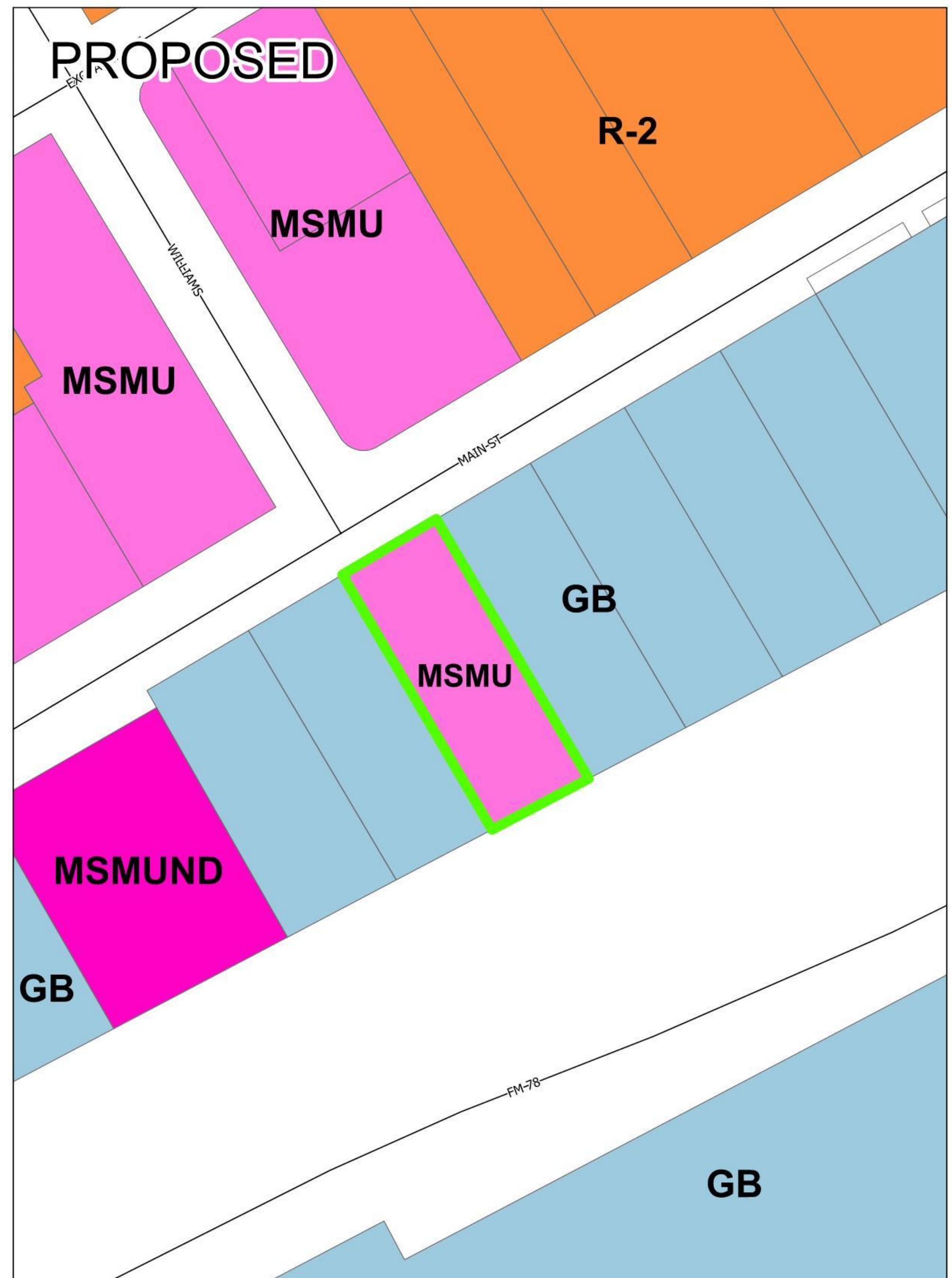
Zoning Exhibit

# CURRENT

Exhibit "B"  
Zoning Exhibit



# PROPOSED



City of Schertz, GIS Specialist: Alexa Venezia, [avenezia@schertz.com](mailto:avenezia@schertz.com) (210) 619-1174

\*The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall The City of Schertz be liable for any special, indirect, or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.\*

## PROPOSED ZONING CHANGE

GUADALUPE COUNTY  
PARCEL ID:  
**21458**

Classification	
	(PRE) Pre-Development
	(PDD) Planned Development
	(PUB) Public Use
	(R-A) Single-family Residential/Agricultural
	(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-ND) Main Street Mixed Use New Development
	(M-1) Manufacturing (Light)
	(M-2) Manufacturing (Heavy)
	(DVL) Development Agreement (Delayed Annexation)

