

ORDINANCE 26-S-019

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR AUTOMOBILE REPAIRS AND SERVICE MAJOR ON APPROXIMATELY 1.19 ACRES OF LAND, GENERALLY LOCATED 1,200 FEET SOUTHEAST OF THE INTERSECTION OF FM 3009 AND BORGFELD RD, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 67644, CITY OF SCHERTZ, TEXAS.

WHEREAS, an application for a Specific Use Permit to allow for Automobile Repairs and Service, Major on approximately 1.19 acre of land, generally located approximately 1,200 feet southeast of the intersection of FM 3009 and Borgfeld Rd, also known as Guadalupe County Property Identification Number 67644, more specifically described in the Exhibit A attached (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 August 5, 2026, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve with the conditions the Specific Use Permit presented by staff for an Automobile Repairs and Service, Major use; and

WHEREAS, on October 13, 2026, 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 1.19 acres of land, known as Guadalupe County Property Identification Number 67644, more particularly described in the attached Exhibit A is hereby approved to allow Automobile Repairs and Service, Major, conditioned upon the following occurring:

- a) The following uses are not permitted: wrecker or towing service with on-site storage of vehicles; collision services including body, frame, or fender straightening or repair; customizing or painting; vehicles steam cleaning, insurance estimations with on-site storage; undercoating and rust proofing, and other similar uses to be allowed on site.

- b) A building permit is approved within (3) years of the adoption of the Specific Use Permit Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit and allowing for the development process due to the subject property location on FM 3009 and consideration by TxDOT.

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 _____ 2026.

CITY OF SCHERTZ, TEXAS

Ralph Rodriguez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

Exhibit "A"
Property Description: Legal Metes and Bounds



May 12, 2026
Sheet 1 of 2
Project No. 26-008-S

**DESCRIPTION OF A
1.184-ACRE (51,557 SQUARE FEET) TRACT**

BEING A 1.184-ACRE (51,557 SQUARE-FOOT) TRACT OF LAND SITUATED IN THE GENOBERA MALPAZ SURVEY NO. 67, ABSTRACT NO. 221, GUADALUPE COUNTY, TEXAS, AND BEING ALL OF A CALLED 1.184-ACRE TRACT DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN FROM JOHN A. CURTIS TO KURT E. AND LORRIE S. HOUSLEY RECORDED IN VOLUME 4205, PAGE 425, O.P.R.G.C.T. SAID 1.184-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE at a 1/2-inch iron rod found in the existing east right-of-way (R.O.W.) line of FM 3009, also known as Roy Richard Drive, (variable width R.O.W.) for the common west corner of Lot 2, Block 1, Blackburn Subdivision recorded in Volume 9, Page 560, O.P.R.G.C.T. and a 1.00-acre tract described in a Warranty Deed with Vendor's Lien to Jerry K. and Lenore Mergele recorded in Document No. 2015016989, O.P.R.G.C.T.;

THENCE South 30° 29' 19" East with the east line of said FM 3009 and the west line of said 1.00-acre tract, a distance of 126.16 feet for the west corner of the herein described tract, same being the south corner of said 1.00-acre tract and for the **POINT OF BEGINNING**;

THENCE North 59° 24' 35" East (North 59° 24' 49" East) departing from said FM 3009, a distance of 344.39 (344.49) feet to a 1/2-inch iron rod found for the north corner of the herein described tract, same being the east corner of said 1.00-acre tract, and being located in the west line of a called 61.222-acre tract recorded in an Executor's Warranty Deed to Miguel Donovan and Adrienne Christine Gutierrez recorded in Document No. 2017023900, O.P.R.G.C.T.;

THENCE South 30° 21' 22" East (South 30° 25' 28" East) with the west line of said 61.222-acre tract, a distance of 149.44 (149.43) feet to a 1/2-inch iron rod found for the east corner of the herein described tract, same being the north corner of a called 1.00-acre tract recorded in a Warranty Deed with Vendor's Lien to Contrails Group, LLC recorded in Document No. 2015009251, O.P.R.G.C.T.;

THENCE South 59° 18' 48" West (South 59° 17' 45" West) departing from said 61.222-acre tract, a distance of 344.28 (344.47) feet to a 1/2-inch iron rod found in the east line of said FM 3009 for the south corner of the herein described tract, same being the west corner of said 1.00-acre tract described in said Document No. 2015009251, O.P.R.G.C.T.;

THENCE North 30° 24' 05" West (North 30° 25' 56" West) with the east line of said FM 3009, a distance of 150.02 (150.13) feet to the **POINT OF BEGINNING**, and containing 1.184 acres (51,557 square feet) of land.

NOTES INTRINSIC TO THIS DESCRIPTION CONTINUE ON THE NEXT PAGE



Exhibit "A"
Property Description: Legal Metes and Bounds
UNINTECH CONSULTING ENGINEERS, INC.

STRUCTURAL • CIVIL • SURVEYING

May 12, 2026
Sheet 2 of 2
Project No. 26-008-S

Notes:

An exhibit of even date was prepared in conjunction with this property description.

All bearings and distances listed in parentheses denote record data recorded on relevant subdivision plat/parent tract deed.

Bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 83, as obtained by GPS observations per the Leica SmartNet. Distances shown hereon are grid values and may be converted to surface by multiplying the values by a conversion factor of 1.00017.

A handwritten signature in blue ink, appearing to read "Daniel B. Davis", written over a horizontal line.

Daniel B. Davis, R.P.L.S. No. 6195

