

ORDINANCE NO. 08-S-01

**AN ORDINANCE**

**BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) ORDINANCE 96-S-28, AS AMENDED, BY GRANTING A SPECIFIC USE PERMIT FOR 7.79± ACRES OF LAND OUT OF THE CALVIN B. ABBOTT SURVEY NO. 262, A-18, COMAL COUNTY, TEXAS AUTHORIZING A HEAVY EQUIPMENT SALES AND RENTAL ESTABLISHMENT AS A NEW AND UNLISTED USE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A REPEALING CLAUSE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:**

**THAT**, UDC Ordinance No. 96-S-28 of the City of Schertz, Texas is hereby amended in the following manner.

**SECTION I**

“Grant a Specific Use Permit for 7.79± acres of land out of the Calvin B. Abbott Survey No. 262, Abstract No. 18 Comal County, Texas more particularly described in the Field Notes and Map, as attached hereto as Exhibit A, authorizing a Heavy Equipment Sales and Rental establishment as a new and unlisted use.”

**SECTION II**

**THAT**, The Zoning District Map described and referred to in Article III, of the UDC, Ordinance 96-S-28 shall be changed to reflect the above amendments.

### SECTION III

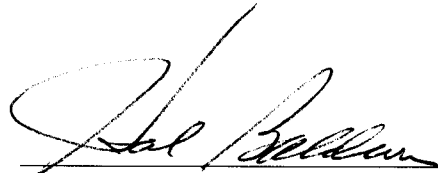
**THAT** this Ordinance shall be effective from and after its final passage and any publication required by the City of Schertz.

### SECTION IV

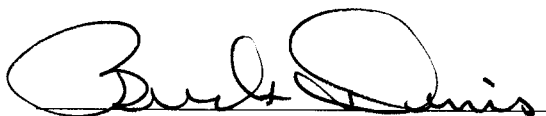
**THAT** all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Approved on first reading the 18<sup>th</sup> day of December, 2007.

PASSED, APPROVED AND ADOPTED the 8<sup>th</sup> day of January, 2008

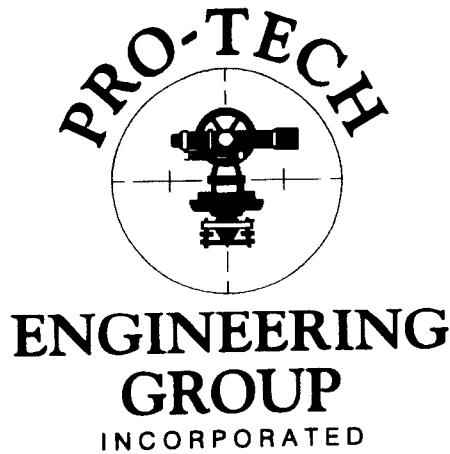
  
\_\_\_\_\_  
Mayor, City of Schertz, Texas

ATTEST:

  
\_\_\_\_\_  
City Secretary, City of Schertz, Texas

(SEAL OF THE CITY)

100 E. San Antonio St. Suite 100  
San Marcos, TX 78666-5568



512 / 353-3335  
FAX 512 / 396-0224

FIELD NOTE DESCRIPTION  
OF A SURVEY OF  
7.79 ACRES OF LAND  
OUT OF THE  
CALVIN P. ABBOTT SURVEY NO. 262, A-18  
CITY OF SCHERTZ  
COMAL COUNTY, TEXAS

BEING 7.79 ACRES OF LAND OUT OF THE CALVIN P. ABBOTT SURVEY NO. 262, A-18, COMAL COUNTY, TEXAS, SAME BEING A PORTION OF THAT 20.454 ACRE TRACT OF LAND CONVEYED TO PROFFUTT LIMITED PARTNERSHIP BY FREDERICK S. SCHLATHER RETIREMENT PLAN BY DEED DATED AUGUST 25, 2006, AND RECORDED IN DOCUMENT NUMBER 200606038582, COMAL COUNTY OFFICIAL PUBLIC RECORDS, AND BEING THAT SAME TRACT SHOWN ON PRO-TECH ENGINEERING GROUP, INC. PLAN NO. 5555 "SPECIFIC USE PERMIT EXHIBIT" OF EVEN DATE HERewith, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

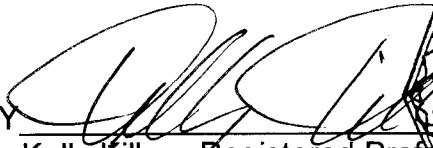
BEGINNING at a concrete monument found in the northwest line of Interstate Highway No. 35 at Engineer's Centerline Station 251+00, same being the east corner of the said PROffutt Limited Partnership 20.454 acre tract and the south corner of that 14.632 acre tract of land conveyed to Lattimore Ready Mix, LLC by deed recorded in Document No. 200606004385, Comal Official Public Records, for the east corner of the tract herein described;

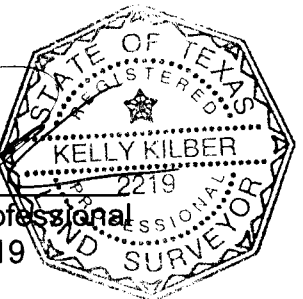
THENCE, leaving the said Lattimore Ready Mix, LLC 14.632 acre tract, with the northwest line of the said Interstate Highway No. 35, S60°11'00"W, 500.00 feet to an iron stake with an aluminum cap marked "PRO-TECH ENG 2219" set for the south corner of the tract herein described;

THENCE, leaving the said Interstate Highway No. 35, N29°49'00"W, 634.87 feet to an iron stake with an aluminum cap marked "PRO-TECH ENG 2219" set for the west corner of the tract herein described;

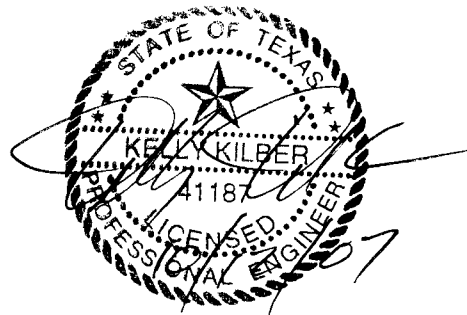
THENCE, N49°28'46"E, at 149.08 feet passing the south corner of that 2.49 acre tract of land conveyed to Travis G. Payne Family Partnership, Ltd. by deed recorded in Volume 313, Page 548, Comal County Deed Records, same being a re-entrant corner of the said PROffutt Limited Partnership 20.454 acre tract and continuing on, in all, with the southeast line of Travis G. Payne Family Partnership, Ltd., a northwest line of the said PROffutt Limited Partnership 20.454 acre tract, 504.67 feet to a 60d nail found at the most easterly north corner of the said PROffutt Limited Partnership 20.454 acre tract, same being the east corner of the Travis G. Payne Family Partnership, Ltd. and in the southwest line of the aforementioned Lattimore Ready Mix, LLC 14.632 acre tract, for the north corner of the tract herein described,

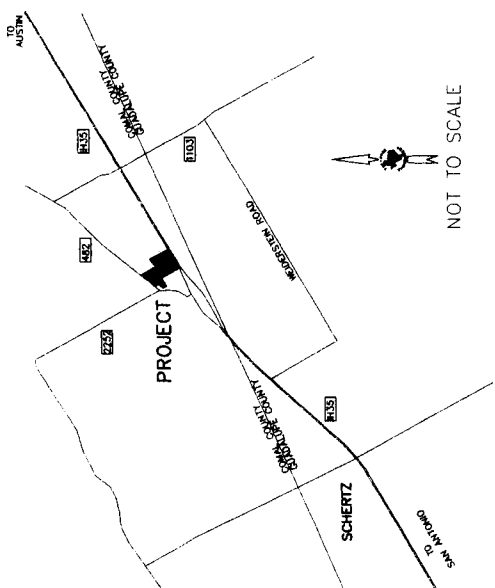
THENCE, leaving the said Travis G. Payne Family Partnership, Ltd. 2.49 acre tract, with the common line between the said PROffutt Limited Partnership 20.454 acre tract and the said Lattimore Ready Mix, LLC 14.632 acre tract, S30°08'23"E, 728.62 feet to the POINT OF BEGINNING, containing 7.79 acres of land. Surveyed October 12, 2007.

BY   
Kelly Kilber, Registered Professional  
Land Surveyor Number 2219

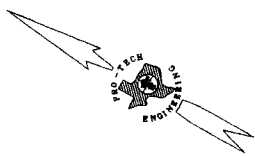


RDO EQUIPMENT COMPANY  
EO# 14792  
PLAN# 5555  
FNF# 9825  
9825 7.79 AOL 101207.DOC





## VICINITY MAP



SCALE: 1"=100'

|                                       |                                               |
|---------------------------------------|-----------------------------------------------|
| <u>PARKING TABULATION</u>             |                                               |
| RETAIL SERVICE AREA                   | 8,672 SF @ 1 SPACE/250 SF=34.68               |
| PARTS STORAGE AREA                    | 10,847 SF                                     |
| SHOP WORK AREA                        | 16,763 SF                                     |
| FUTURE SHOP EXPANSION                 | 4,500 SF                                      |
|                                       | <hr/>                                         |
|                                       | 32,110 SF @ 1 SPACE/1000 SF=32.10             |
| <br>                                  |                                               |
| PARKING REQUIRED                      | <u>67 SPACES</u>                              |
| PARKING PROVIDED                      | <u>67 SPACES (INCLUDES 3 HANDICAP SPACES)</u> |
| <br>                                  |                                               |
| HANDICAP PARKING REQUIRED & PROVIDED= | 3                                             |

# CONCEPTUAL SITE PLAN

RDO EQUIPMENT COMPANY  
CITY OF SCHERTZ

Comal County, Texas

7.79 ACRES OF LAND  
OUT OF THE

CALVIN P. ABBOTT SURVEY No. 262,  
ABSTRACT 18



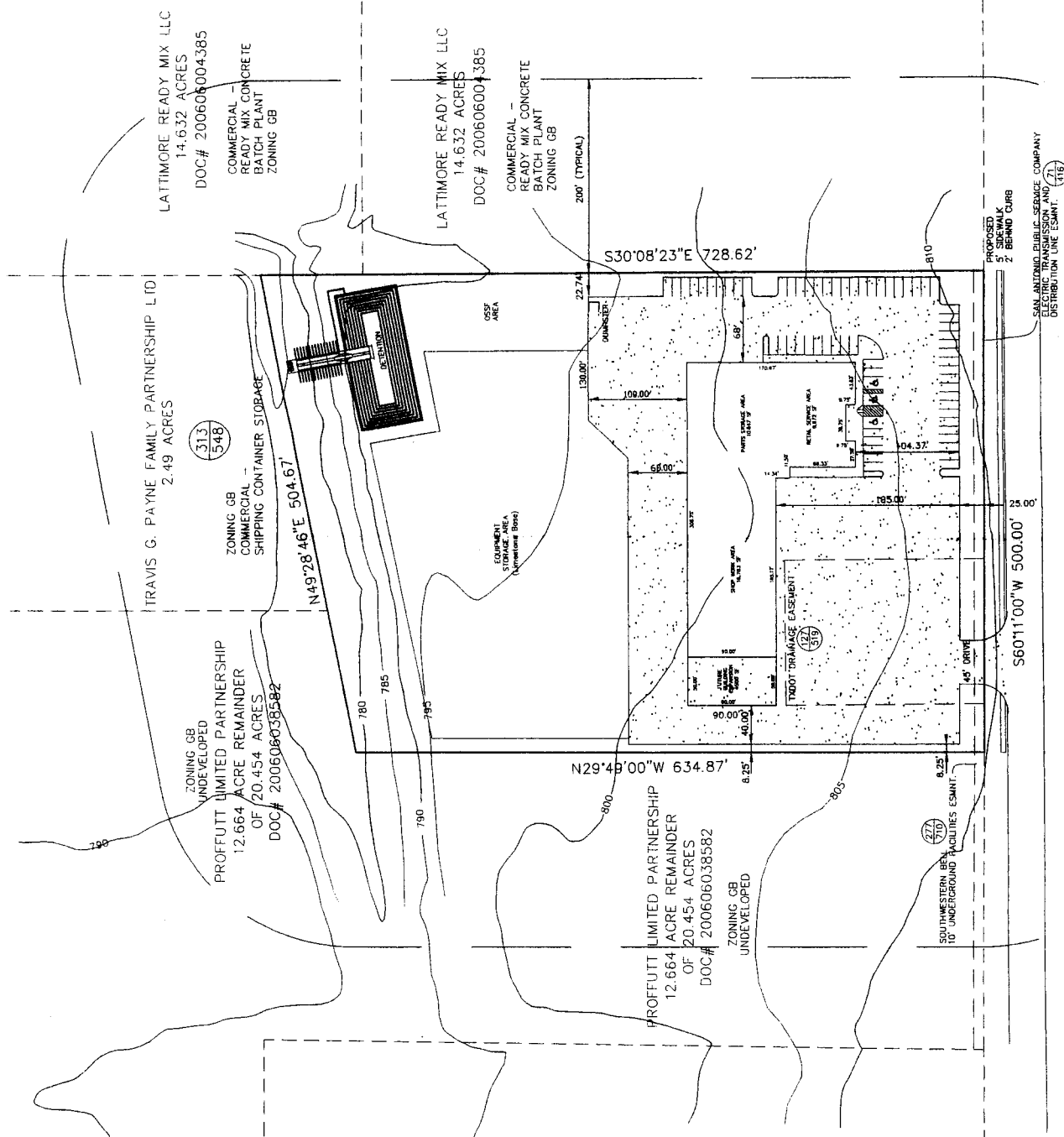
RECEIVED  
LIBRARY  
GROUP  
INCORPORATED  
NOV 28 2007  
100  
Morris Ave  
(312) 353-3535

REVISED: NOVEMBER 20, 2007

1 OF 1

|       |         |
|-------|---------|
| SCALE | 1"=100' |
|-------|---------|

**OWNER/APPLICANT:**  
 Profit Limited Partnership  
 by RDO Family, LLC,  
 a Minnesota limited liability company  
 F. Scott Neal, President  
 700 South 7th Street  
 Fargo, ND 58103  
 Phone (701) 526-9620



CL INTERSTATE HWY.35 (300' ROW)

\\14792\...MOS\14792.DWG

SCALE: 1" = 100'