

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2020-__

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), REZONING ONE TRACT OF LAND, TOTALING APPROXIMATELY 11.1044 ACRES FROM AGRICULTURE DISTRICT (AG) TO GENERAL RETAIL DISTRICT (GR); AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AUTHORIZING THE CITY ADMINISTRATOR TO NOTE THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY; PROPER NOTICE & MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to promote orderly land use and development within the City; and

WHEREAS, the City Council finds to be reasonable and necessary the rezoning of the tract, described more fully in Attachment “A” and totaling approximately 11.1044 acres, from Agriculture (AG) to General Retail District (GR); and

WHEREAS, the City Council recognizes changed conditions and circumstances in the particular location; and

WHEREAS, the City Council finds that the zoning change is compatible with the surrounding area and with the City’s Zoning Ordinance and Comprehensive Plan; and

WHEREAS, after notice and hearing required by law, a public hearing was held before the Dripping Springs Planning and Zoning Commission on August 25, 2020 to consider the proposed amendment and the Planning and Zoning Commission recommended approval of the proposed change; and

WHEREAS, after public hearing held by the City Council on September 8, 2020, the City Council voted to approve the recommendation of the Planning and Zoning Commission; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to zone and rezone property; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Dripping Springs to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Dripping Springs, Texas:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as expressly set forth herein.

2. ENACTMENT

One tract of land totaling approximately 11.1044 acres, and described more fully in Attachment “A” and shown in Attachment “B”, is hereby rezoned from Agriculture (AG) to General Retail (GR).

3. REPEALER

All ordinances, resolutions, or parts thereof, that 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 regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CHANGE ON ZONING MAP

The City Administrator is hereby authorized to and shall promptly note the zoning change on the official Zoning Map of the City of Dripping Springs, Texas.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, a public hearing was held, and that public notice of the time, place and purpose of said hearing and meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED & APPROVED this, the 8th day of September 2020, by a vote of __ (ayes) to __ (nays) to __ (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

Attachment “A” Description of Tract

Rezoning one tract of land from Agriculture (AG) to General Retail District (GR) totaling approximately 11.1044 acres of land:

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 11.1044 ACRES, (483,709 SQUARE FEET), BEING OUT OF THE E.B. HARGRAVES SURVEY NO. 4, ABSTRACT NO. 240, IN HAYS COUNTY, TEXAS, AND BEING A PORTION OF A REMAINDER OF A 2055.90 ACRE TRACT OF LAND CONVEYED TO THE SAWYER-CLEVELAND PARTNERSHIP, DESCRIBED IN VOLUME 317, PAGE 167 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS,

Attachment "B"
11.1044 Acres Tract 3 Metes and Bounds and Survey



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Austin, TX 78709
512.554.3371

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BEGINNING at an iron rod with cap (cap not legible) found in the east line of Lot 1, Oetzel Subdivision recorded in Volume 5, Page 87-88 of the Plat Records of Hays County, Texas (P.R.H.C.T) and being the northwest corner of Lot 3A, Replat of Lot 3, Sawyer Ranch Estates recorded in Volume 9, Page 307-308 (P.R.H.C.T.), and being the southwest corner of said remainder of called 2055.90 acres tract and the, said iron rod being the southwest corner and **POINT OF BEGINNING** hereof;

THENCE, with the west line of said remainder of called 2055.90 acres tract and the east line of said Lot 1, **N01°21'33"W**, passing at 854.98 feet, an iron rod with "LCRA" cap found in the south line of a 30 foot wide waterline easement recorded in Volume 1686, Page 272 of the Official Public Records of Hays County, Texas (O.P.R.H.C.T.), in all a distance of **884.96** feet to a 1/2-inch iron rod with "Ward-5811" cap set in the south right-of-way line of U. S. Highway 290 West (right-of-way varies), and being the northeast corner of said Lot 1 and the northwest corner of said remainder of called 2055.90 acres tract, and being the northwest corner hereof;

THENCE, with the south right-of-way line of said U.S. Highway 290 West and the north line of said remainder of called 2055.90 acres tract, **N88°40'07"E**, a distance of **549.47** feet to a 1/2-inch iron rod with "Ward-5811" cap set for the northwest corner of Lot 1-D, Sawyer Ranch 33, Tract One recorded in Volume 16, Page 392-393 (P.R.H.C.T.), and being the northeast corner of said remainder of called 2055.90 acres tract, and being the northeast corner hereof, from which a Texas Department or Transportation (TxDOT) Type I concrete monument found for a point of curvature in the south right-of-way line of said U.S. Highway 290 West and the north line of said Lot 1-D bears, **N88°40'07"E**, a distance of 94.26 feet;

THENCE, with the east line of said remainder of called 2055.90 acres tract and with the line of said Lot 1-D, **S00°41'20"E**, passing at 379.60 feet the southwest corner of said Lot 1-D and the northwest corner of Lot 2-A1, Resubdivision of Lot 2-A of Sawyer Ranch 33, Tract Two recorded in Volume 19, Page 240-241 (P.R.H.C.T.), in all **892.56** feet to a 1/2-inch iron rod with "Ward-5811" cap set in the north line of said Lot 3A, and being the southwest corner of said Lot 2-A1, and being the southeast corner of said remainder of called 2055.90 acres tract, and being the southeast corner hereof;

THENCE, with the common line of said Lot 3A and said remainder of called 2055.90 acres tract, **S89°28'11"W**, a distance of **539.08** feet to the **POINT OF BEGINNING** and containing 11.1044 Acres, (483,709 Sq. Ft.) of land more or less.

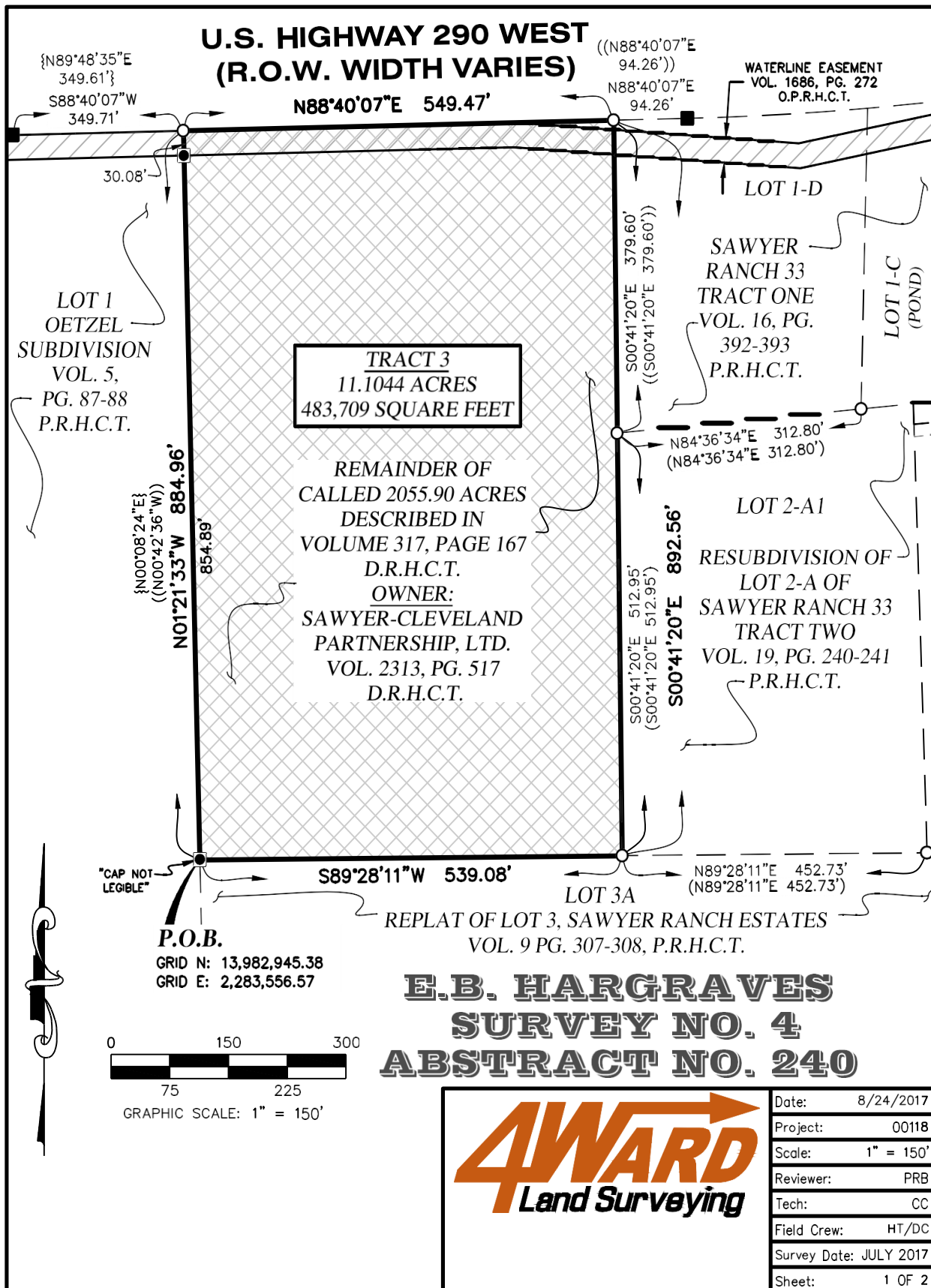


08/27/2017

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

**11.1044 ACRES
TRACT 3
City of Dripping Springs Hays County,
Texas**

A Limited Liability Company
PO Box 90876, Austin Texas 78709
www.4Wardls.com (512) 554-3371



LEGEND

	PROPERTY LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	1/2" IRON ROD WITH "WARD" CAP SET
	IRON ROD WITH "LCRA" CAP FOUND
	TXDOT TYPE I CONCRETE MONUMENT FOUND
DOC. #	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
VOL./PG.	VOLUME/PAGE
P.R.H.C.T.	PLAT RECORDS, HAYS COUNTY, TEXAS
O.P.R.H.C.T.	OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
D.R.H.C.T.	DEED RECORDS, HAYS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER VOL. 19 PG. 240-241
((.....))	RECORD INFORMATION PER VOL. 16, PG. 392-393
{.....}	RECORD INFORMATION PER PLAT VOL. 5, PG. 87-88



Jason Ward
8/24/2017

NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE, (4204), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000081412828.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.



Date:	8/24/2017
Project:	00118
Scale:	1" = 150'
Reviewer:	PRB
Tech:	CC
Field Crew:	HT/DC
Survey Date:	JULY 2017
Sheet:	2 OF 2