

CITY OF DRIPPING SPRINGS

ORDINANCE No. [REDACTED]

Conditional Use Permit

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR THE USE OF MINI-WAREHOUSE/ SELF STORAGE WITHIN THE COMMERCIAL SERVICES ZONING DISTRICT FOR A PROPERTY LOCATED AT 2300 WEST US HIGHWAY 290, UNDER EXHIBIT A, ZONING ORDINANCE, SECTION 3.17, CONDITIONAL USE PERMIT AS ATTACHED IN EXHIBIT “A”; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PUBLICATION; EFFECTIVE DATE; PROPER NOTICE & MEETING.

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

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to regulate zoning within the City; and

WHEREAS, the City of Dripping Springs desires to approve a conditional use permit because of the unique nature of this property, and the land use is compatible with the permitted land uses in a given zoning district only under current conditions; 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, 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:

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

The Conditional Use Permit is approved as presented in Exhibit "A" to this ordinance.

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resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.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. EFFECTIVE DATE

This Ordinance and Conditional Use Permit shall be effective immediately upon passage and publication.

6. 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 ____ day of _____ 2020, by a vote of ____ (*ayes*) to ____ (*nays*) to ____ (*abstentions*) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by: _____
Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary



City of Dripping Springs | Conditional Use Permit

Granted to allow the land use of "Mini-Warehouse/Self Storage" on a property that is currently zoned Commercial Services (CS) District located at:

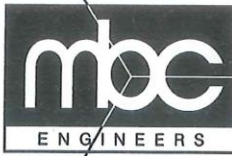
2300 W US Highway 290, Dripping Springs, Texas, 78620

Approved by the City of Dripping Springs City Council on _____

Operation of a Mini-Warehouse/Self Storage warehouse at the above-mentioned location is allowed pursuant to the following regulations:

1. The property shall adhere to all City codes
2. All signage on the site that does not comply with the city's ordinances today be removed and replaced with signage that meets code requirements an effect at the time of the permit
3. The site shall comply with the city's lighting ordinance
4. Landscaping shall be planted along the frontage of U.S. 290, including improving the appearance of the drainage pond that's located adjacent to U.S. 290
5. U-Hauls shall not be stored where they can be seen from U.S. 290, but may be temporarily parked where visible if in active use, being dropped off, or being picked up.
6. Areas shown for RV Storage shall comply with Section 5.13, Open Storage, of the City's code of ordinances, as well as comply with zoning regulations for the Commercial Services District, which does not allow for more than 5% of the property to be utilized as open storage;
7. The property shall comply with Article 24.03 Exterior Design and Architectural Standards of the city's code.
8. The property shall adhere to all Fire and Life Safety Codes found in the International Fire Code.
9. Conditional Use Permits for new uses/structures shall be deemed to have expired and shall become null and void if construction is not completed and occupation commenced within two years of the date the CUP was approved.
10. City Administrator may revoke the CUP for failure to comply with municipal regulations and the conditions placed on the use (City of Dripping Springs Zoning Ordinance Section 3.17.9).
11. Conditional Use Permit is effective on August 11,2020.

Attachment “B”



MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
TBPE Firm Registration #784 | TBPLS Firm Registration #10011700 | SBE Certified #214046463
www.mbcengineers.com

**METES AND BOUNDS DESCRIPTION
TO ACCOMPANY ZONING EXHIBIT**

AN 8.546 ACRE (372,262 SQUARE FEET) TRACT OF LAND SITUATED IN THE BENJAMIN F. HANNA, SURVEY ABSTRACT 222, SECTION NUMBER 28, HAYS COUNTY, TEXAS AND BEING ALL OF A CALLED 8.55 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 2849, PAGE 730, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, SAID 8.546 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1-inch Iron Pipe found on the Northerly right of way line of U.S. Highway Number 290, a 120 foot public right of way and marking the Southwesterly corner of Lot 2, In Collina Subdivision, according to plat recorded in Volume 8, Page 23-24, Official Public Records, Hays county, Texas;

THENCE N 81° 36' 09" W a distance of 400.10 feet, along the Northerly right of way line of said U.S. Highway Number 290, to a Point being the Southeasterly corner of a 5.35 Acre Tract, described in Warranty Deed, Recorded in Volume 1240, Page 608, Official Public Records, Hays County, Texas;

THENCE N 01° 26' 16" W a distance of 806.78 feet, departing the Northerly right of way line of said U.S. Highway Number 290, along the Easterly boundary line of said 5.35 Acre Tract, to a Point marking the Southwesterly corner of a 4.00 Acre Tract of land described in Warranty Deed, recorded in Volume 390, Page 70, Official Public Records Hays County, Texas;

THENCE N 88° 35' 46" E a distance of 879.07 feet, along the Southerly boundary line of said 4.00 Acre Tract, to a 1-inch Iron Pipe, on the Westerly right of way line of Bell Springs Road, a variable width public right of way, and marking the Southeasterly corner of said 4.00 Acre Tract;


THENCE S 01° 51' 33" E a distance of 59.90 feet, along the Westerly right of way line of Bell Springs Road, to a 1/2-inch Iron Rod Found, marking the Northeastern corner of a 2.00 Acre Tract of land described in Special Warranty Deed with Vendor's Lien, recorded in Document Number 16017235, Official Public Records, Hays County, Texas;

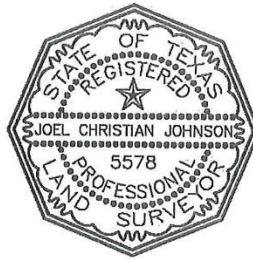
THENCE S 88° 38' 54" W a distance of 456.25 feet, along the Northerly boundary line of said 2.00 Acre Tract, to a 1/2-inch Iron Rod Found marking the Northwestern corner of said 2.00 Acre Tract;

THENCE S 00° 36' 07" W a distance of 815.91 feet, along the Western boundary line of said 2.00 acre Tract; along the Western boundary line of a 2.00 Acre Tract described in Special Warranty Deed with Vendor's Lien recorded in Document 16017236, Official Public Records, Hays County, Texas; along the Western boundary line of a 2.5 Acre Tract of land described in

Warranty Deed with Vendor's Lien, recorded in Document 15002793, Official Public Records, Hays County, Texas, and along the Westerly boundary line of said Lot 2, to the **POINT OF BEGINNING** and containing 8.546 Acres more or less, as surveyed by Macina, Bose, Copeland, and Associates, Inc.

Note: A Survey Sketch that is made a part hereof and shall accompany this instrument.


Joel Christian Johnson, R.P.L.S.
TBPLS Firm Registration 10011700



Date: September 18, 2019
Job No: 32431-Hays



SURVEYORS NOTES:

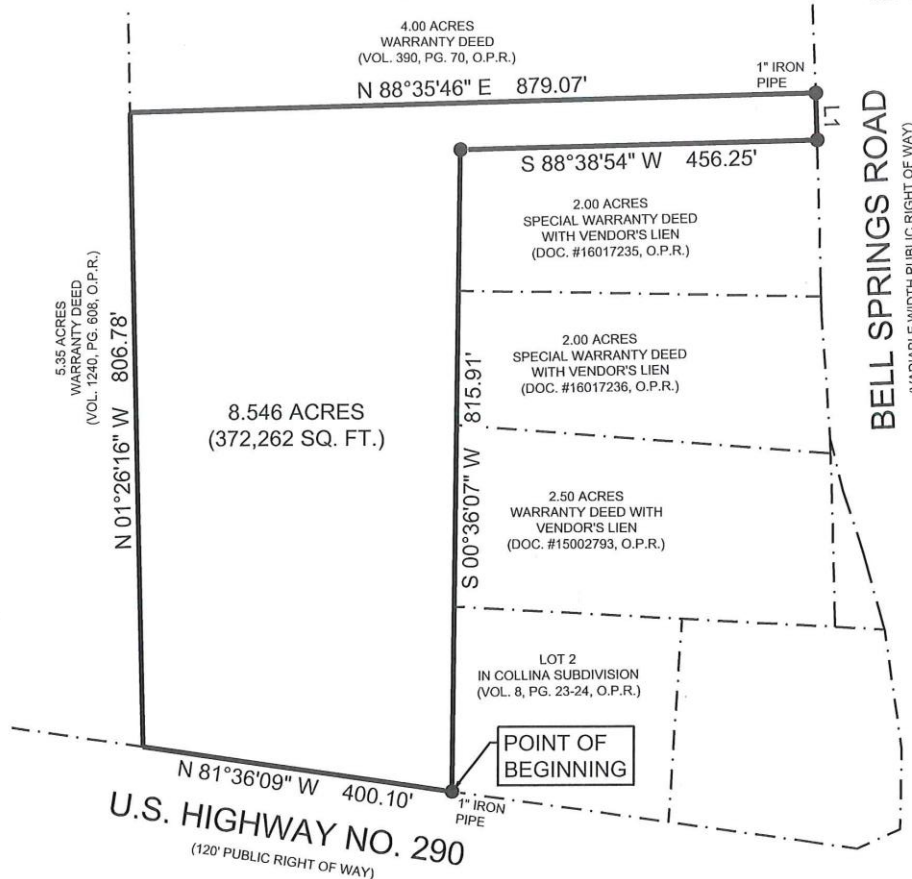
1. BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE, NAD 83.
2. NO IMPROVEMENTS SHOWN. EASEMENT EXHIBIT ONLY. CALL 811 FOR UTILITY LOCATES PRIOR TO CONSTRUCTION.
3. THIS EASEMENT EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, AND MAY NOT SHOW ALL EASEMENTS OR OTHER MATTERS THAT AFFECT THIS PROPERTY.
4. METES AND BOUNDS DESCRIPTION PREPARED ON THE SAME DATE SHALL ACCOMPANY THIS EASEMENT EXHIBIT.



SCALE: 1" = 200'

LEGEND

- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- ⊙ 1/2" IRON ROD W/CAP "MBC" SET/FOUND



ZONING EXHIBIT OF

A 8.546 ACRE (372,262 SQUARE FEET) TRACT OF LAND SITUATED IN THE BENJAMIN F. HANNA, SURVEY ABSTRACT 222, SECTION NUMBER 28, HAYS COUNTY, TEXAS AND BEING ALL OF A CALLED 8.55 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 2849, PAGE 730, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS.



JOEL C. JOHNSON

R.P.L.S. #5578



1035 Central Parkway North
San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
FIRM REGISTRATION NUMBER:
T.B.P.E. F-784 & T.B.P.L.S. 10011700

DATE: 09/18/2019
JOB NO. 32431-HAYS
SHEET 1 OF 1

Date: Sep 18, 2019, 3:50pm User ID: jchavez Layout: Layout1
File: P:\Hays\32431-AAA Self Storage-Dripping Springs, TX\Design\Exhibit\Ex05-Zoning Exhibit-32431.dwg Layout name: Layout1