

**CITY OF DRIPPING SPRINGS**  
**ORDINANCE No. 2025-\_\_**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), REZONING ONE TRACT OF LAND, TOTALING APPROXIMATELY 11.83 ACRES FROM PLANNED DEVELOPMENT DISTRICT #1 (PDD-1) TO COMMERCIAL SERVICES (CS); 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 11.83 acres, from Planned Development District #1 (PDD-1) to Commercial Services (CS); 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 January 8, 2025, 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 March 4, 2025, the City Council voted to approve the proposed amendment; 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:**

**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 11.83 acres and described more fully in Attachment “A” and shown in Attachment “B”, is hereby rezoned from Planned Development District #1 (PDD-1) to Commercial Services (CS).

**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 \_\_\_\_ day of \_\_\_\_\_ 2025, by a vote of \_\_\_\_ (eyes) to \_\_\_\_ nays to \_\_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.**

**CITY OF DRIPPING SPRINGS:**

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**Bill Foulds, Jr., Mayor**

**ATTEST:**

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**Diana Boone, City Secretary**

## ATTACHMENT "A"

### Legal Description

BEING a 11.83-acre tract of land out of the Philip A. Smith Survey No. 26, Abstract No. 415, Hays County, Texas, being all of a called 11.83-acre tract of land to Shelton Five, LLC as described in a General Warranty Deed in Document No. 19042979 of the Official Public Records of Hays County, Texas; said 11.83-acre tract of land being more particularly described as follows {bearings referenced to the Texas Coordinate System of 1983, South Central Zone):

BEGINNING: at a calculated point on the southern right-of-way line of US 290 (R.O.W. Varies), for the northwestern corner of the said 11.83-acre tract, for the northwestern corner of this herein described tract, from which a 1/2-inch iron rod with cap stamped "Chaparral" found for the northeastern corner of Lot 1, Block B of the Dripping Springs Retail Center Subdivision as shown on a plat in Volume 14, Page 119 of the Plat Records of Hays County, Texas, being the same tract of land as described in a Special Warranty Deed to HEB Grocery Company, LP in Volume 3048, Page 27 of the Official Public Records of Hays County, Texas bears South 00°15'00" East a distance of 0.17 feet, from said calculated point a 1/2-inch iron rod found for the northeastern corner of a called 1.127-acre tract of land to Trust Realty, LLC as described in a Special Warranty Deed in Document No. 17018934 of the Official Public Records of Hays County, Texas bears South 8T48'50"West a distance of 94.97 feet;

THENCE: North 8T47'45~ East a distance of 361.51 feet along the southern right-of-way line of said US 290, the northern line of the said 11.83-acre tract to a calculated point for the northeastern corner of the said 11.83-acre tract, the northwestern corner of a called 22.248-acre tract of land to Robert Francis Shelton Jr. as described in a Gift Warranty Deed in Volume 918, Page 713 of the Official Public Records of Hays County, Texas, for the northeastern corner of this herein described tract, from which a 1 1/2-inch iron rod found bears South 02°12'17"East a distance of 0.23 feet, from sold calculated point a Texas Department of Transportation Type 1 concrete monument found bears North BT47'00"East a distance of 1211.30 feet;

THENCE: South 02°12'1rEast a distance of 1383.64 feet along the common western line of the said 22.248-acre tract, the eastern line of the said 11.83-acre tract to a 1 1/2-inch iron rod found on the northern line of a called 40.00-acre tract of land to The City of Dripping Springs, Texas as described in a General Warranty Deed in Volume 1462, Page 671 of the Official Public Records of Hays County, Texas, for the southwestern corner of the said 22.248-acre tract, the southeastern corner of the said 11.83-acre tract, for the southeastern corner of this herein described tract;

THENCE: South 88°34'58" West a distance of 384.51 feet along the common northern line of the said 40.00-acre tract, the southern line of the said 11.83-acre tract ta a 1/2-inch iron rod with cap stamped "Chaparral" found for the southeastern corner of the said Lot 1, Block B of the Drippings Springs Retail Center Subdivision, the southwestern corner of the said 11.83-acre tract, for the southwestern corner of this herein described tract;

THENCE: North 01°15'00" East a distance of 1378.55 feet along the common eastern line of the said Lot 1, Block B of the Dripping Springs Retail Center Subdivision, the western line of the said 11.83-acre tract to the POINT OF BEGINNING and CONTAINING an area of 11.83-acres of land.

# ATTACHMENT "B"

## 11.83 ACRE PROPERTY DEPICTION

