

ORDINANCE NO. 21-1202-1

AN ORDINANCE OF THE CITY OF CHINA GROVE, TEXAS; AMENDING THE ZONING ORDINANCE BY REZONING PROPERTY LOCATED AT 7586 U.S Highway 87 E, CHINA GROVE, TEXAS TO AUTHORIZE a Private School AS A CONDITIONAL USE for a CDL Training as an OFFICE, CLASSROOM, and PARKING LOT AREA FOR A COMMERCIAL DRIVER LICENSE TRAINING SCHOOL.

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

WHEREAS, in accordance with such authority City Council adopted a Zoning Ordinance (Ordinance No. 960711); and

WHEREAS, City Council amended Ordinance No. 960711, by the passage of Ordinance No. 21-1202-1 to allow a **Private School** as Conditional Uses in the Class -2 Medium Intensity Land Use District; and

WHEREAS, City Council has been asked by the owner of property located at **7586 U.S Highway 87 E**, to rezone the property to allow a **PRIVATE SCHOOL** operation as a conditional use at said location; and

WHEREAS, City Council provided members of the public to provide testimony and comments regarding the merits of the proposed zoning amendment and published notice of the public hearing by publication in the official city newspaper and by mailing notice as required by Texas Local Government Code Chapter 211.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHINA GROVE, TEXAS:

Section 1. Findings. The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

Section 2. Property subject to the Zoning Amendment. The Subject Property is the property located at **7586 U.S Highway 87 E**; China Grove, Texas. A legal description of the property is **attached hereto as Exhibits "A"**. The Subject Property is currently zoned "Class-2 Medium Intensity Land Use."


Section 3. Conditional Use Permit. The Subject Property is hereby rezoned to Class -2 Medium Intensity Land Use - Conditional Use: **Private School** subject to the conditions that follows:

- **Normal Business Hours: 8:00a.m. – 6:00p.m. Monday-Friday with rare exceptions for Saturday and evening (after sunset) hours.**
- **2-3 tractor/trucks on premises.**
- **No fuel on-site.**
- **Neatly kept asphalt millings parking lot area.**

Section 4. Cumulative Clause. This Ordinance shall be cumulative of all provisions of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.


Section 5. Non-Severability. This ordinance is not severable; and should any provision of this ordinance be found to be void or unenforceable by a court of competent jurisdiction then in such case this entire ordinance shall be void ab initio.

Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage.
PASSED, APPROVED, AND ADOPTED on the 2nd day of December 2021.



Mary Ann Hajek, Mayor

ATTEST:



Leslie Bettice
City Secretary



EXHIBIT A

EXHIBIT "A"

Field notes of a 3.000 acre tract of land, more or less, situated in the City of China Grove, Bexar County, Texas out of the John H. Lucas Survey No. 54, Abstract 430, County Block 5134 and being part of that 5 acre tract of land conveyed to L.M. Clark and wife, Lucille M. Clark and C.D. Hughes and wife, Corena Hughes by deed recorded in Volume 3433, Page 73 of the Deed Records of Bexar County, Texas and being more particularly described by metes and bounds as follows:

Beginning at an iron pin found in the south line U.S. Highway 87 at its intersection with the west line of said 3 acre tract, being the northwest corner of this tract, said point being S 76 deg. 30' 31" E 563.80 feet along the south line of U.S. Highway 87 from the east line of Edwards Lane,

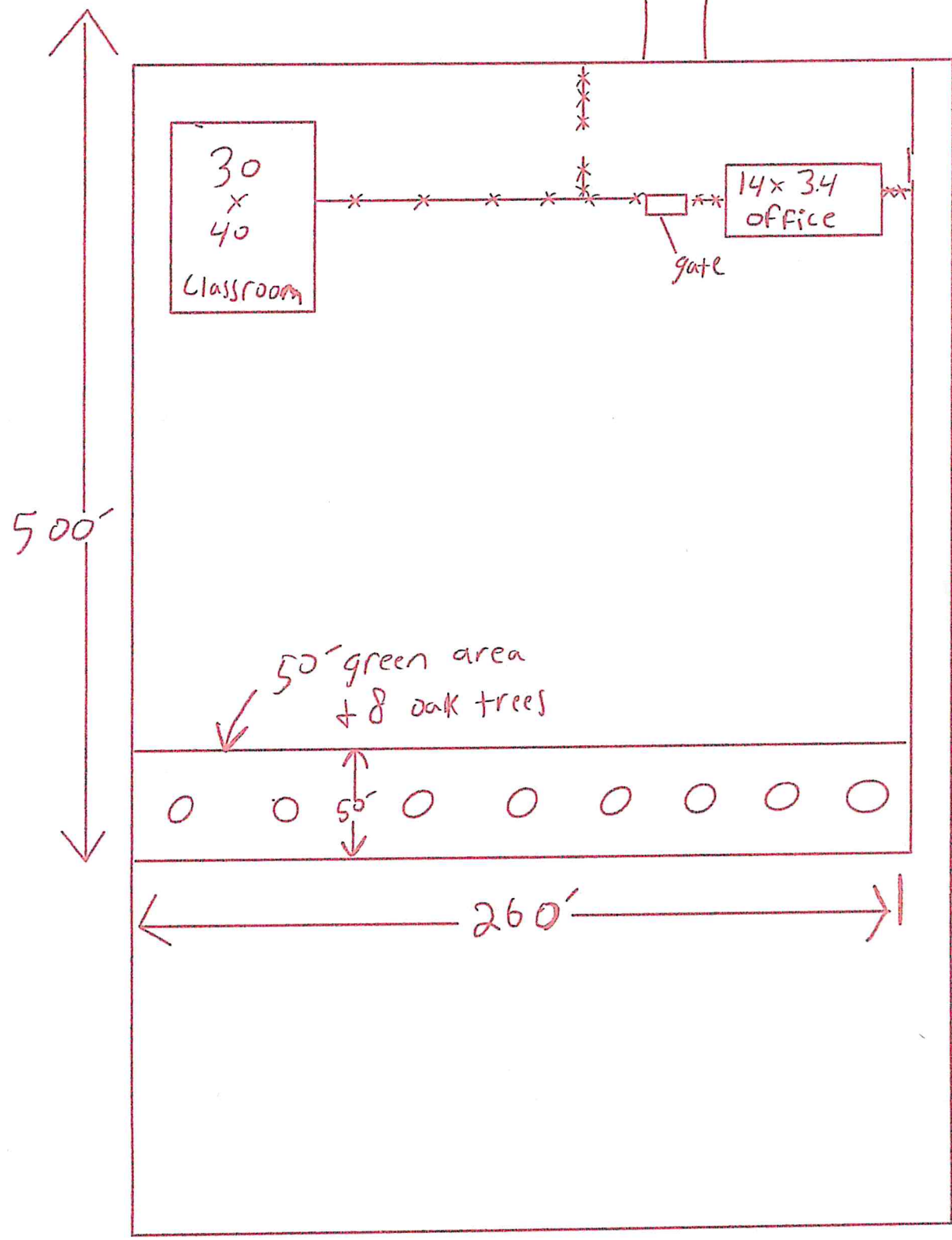
Thence S 76 deg. 30' 31" E. 241.65 feet to an iron pin set at the northeast corner of this tract, being a northwest corner of a 1.349 acre tract, this day surveyed,

Thence S 14 deg. 00' 00" W. 541.90 feet along a west line of said 1.349 acre tract to an iron pin set at the southeast corner of this tract, being an interior corner of said 1.349 acre tract,

Thence N 76 deg. 00' 00" W. 241.64 feet along a north line of said 1.349 acre tract to an iron pin set in the west line of said 5 acre tract, being a northwest corner of said 1.349 acre tract and the southwest corner of this tract,

Thence N 14 deg. 00' 00" E. 539.76 feet with fence along the west line of said 5 acre tract to the place of beginning and containing 3.000 acres of land, more or less, according to a survey made on the ground.

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7586 hwy 87 site plan