

**ORDINANCE NO. 24-0502-2**

**AN ORDINANCE OF THE CITY OF CHINA GROVE, TEXAS  
AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW  
WAREHOUSING AND STORAGE LAND USE AT 2042 SOUTH FOSTER  
ROAD BEING AN APPROXIMATELY 18.18 ACRES OF LAND  
SITUATED IN THE A.A. GARDENIER SURVEY NO. 56, ABSTRACT 275,  
COUNTY BLOCK 5126, CITY OF CHINA GROVE, BEXAR COUNTY.**

**WHEREAS**, the City of China Grove ("City") is a Texas General Law Municipality operating under the laws of the State of Texas; and

**WHEREAS**, the City is empowered by Chapter 211 of the Texas Local Government Code to establish a zoning ordinance establishing zoning districts and permissible land uses within the incorporated limits of the City; and

**WHEREAS**, the City Council has previously adopted zoning regulations with the approval of Ordinance No. 960711 as amended; and

**WHEREAS**, City Council amended Ordinance No. 960711, by the passage of Ordinance No. 20-0109-1 to allow the land use Warehousing and Storage as a conditional use in the Class-2 District; and

**WHEREAS**, the property owner has filed an application for a Conditional Use Permit to allow for the land use Warehousing and Storage at 2042 South Foster Road being approximately 18.18 acres of land situated in the A.A. Gardenier Survey No. 56, Abstract No. 275, City of China Grove, Bexar County, Texas and more specifically described in Exhibit "A" ("Property"); and

**WHEREAS**, on April 10, 2024 notice of a public hearing was published in the Wilson County News newspaper; and

**WHEREAS**, the City Council has duly held public hearings and given proper notice, as necessary, pertaining to the requested conditional use permit; and

**WHEREAS**, on May 2, 2024, the City Council conducted a public hearing and after consideration determined that the requested Conditional Use Permit be approved as provided herein.

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

**Section 1.** The foregoing recitals are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 2.** A Conditional Use Permit is hereby granted for the Property as shown and more particularly described in the attached Exhibit "A" subject to the following conditions:

1. The conditional use must comply with the site plan attached hereto as Exhibit "B".

2. Provide a rear yard building setback at a minimum of 100 feet.
3. Provide a landscape buffer of 75 feet between residentially used or Class-1 zoned properties.
4. Adjacent to Class-1 zoned or residentially used properties at the time of construction, provide screening areas consistent with every 100 feet of frontage: one canopy; five evergreen or understory trees; and a 6-foot tall berm, solid fence or wall.

**Section 3.** If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

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

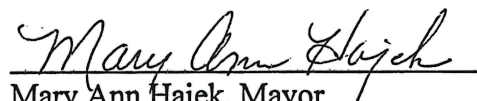
**Section 5.** This Ordinance shall be construed and enforced in accordance with the laws of the state of Texas and the United States of America.

**Section 6.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Section 7.** This Ordinance will take effect upon completion of all the following:

1. Approval by the City Council; and
2. A building permit for the Property in accordance with the site plan shown in Exhibit "B" must be applied for within two (2) years of approval of this Conditional Use Permit by City Council; and
3. The land use of Warehousing and Storage must begin operation within three (3) years of the approval of this Conditional Use Permit by City Council.

**PASSED, APPROVED, and ADOPTED** this 2<sup>nd</sup> day of May, 2024.

  
Mary Ann Hajek, Mayor  
City of China Grove, Texas

ATTEST:

  
Melinda Saucedo, City Secretary



**EXHIBIT "A"**

**MARTINEZ  
SURVEYING AND MAPPING Co.  
8546 Broadway, Suite 225  
San Antonio, Texas 78217  
(210) 829-4244**

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STATE OF TEXAS  
COUNTY OF BEXAR

18.18 ACRE TRACT

All that certain tract or parcel of land containing 18.18 acres in Bexar County, Texas, out of the A.A. Gardenier Survey No. 56, Abstract 275, County Block 5126, being a portion of that certain 19.19 acre tract described in conveyance in Volume 2005, Page 316, Real Property Records of Bexar County, Texas.

**BEGINNING:** at a ½" iron pin found on the East line of S. Foster Road at the Southwest corner of Shannon Mendoza tract, of record in Volume 13769, Page 120, Real Property Records of Bexar County, Texas, for the Northwest corner of this herein described tract;

**THENCE:** South 74 deg. 43 min. 00 sec. East, 1252.44 feet to a ½" iron pin set with cap on the West line of Randolph D. & Yolanda Rust tract, of record in Volume 5103, Page 1730, Real Property Records of Bexar County, Texas, for the for the Northeast corner of this herein described tract;

**THENCE:** South 01 deg. 26 min. 43 sec. West, 683.17 feet to a ½" iron pin found at an angle corner of Anton Hajek II and Mary Ann Hajek tract, of record in Volume 4356, Page 252, Real Property Records of Bexar County, Texas, for the Southeast corner of this herein described tract;

**THENCE:** North 74 deg. 51 min. 58 sec. West, 1250.98 feet to a ½" iron pin found on the East line of S. Foster Road at the Northwest corner of Anton Hajek II and Mary Ann Hajek tract, of record in Volume 2643, Page 953, Real Property Records of Bexar County, Texas, for the Southwest corner of this herein described tract;

**THENCE:** North 01 deg. 31 min. 27 sec. East, 33.90 feet to a ½" iron pin found, at the Southwest corner of Jose G. Saucedo tract, of record in Volume 7005, Page 94, Real Property Records of Bexar County, Texas, for a corner of this herein described tract;

**THENCE:** South 74 deg. 52 min. 57 sec. East, 329.68 feet to a ½" iron pin found at the Southeast corner of Donnie Avila tract, of record in Volume 13640, Page 887, Real Property Records of Bexar County, Texas, for a corner of this herein described tract;


THENCE: North 01 deg. 21 min. 54 sec. East, 154.25 feet to a ½" iron pin found at the Northeast corner of said Avila tract, for a corner of this herein described tract;

THENCE: North 84 deg. 18 min. 57 sec. West, 321.28 feet to a ½" iron pin found on the East right of way line of S. Foster Road at the Northwest corner of said Saucedo tract, for a corner of this herein described tract;

THENCE: North 01 deg. 24 min. 12 sec. East, 552.72 feet to the POINT OF BEGINNING.

Bexar Basis – South 74 deg. 43 min. 00 sec. East- from the North line of this herein ddescribed tract described in conveyance in Volume 2005, Page 316, Real Property Records of Bexar County, Texas.



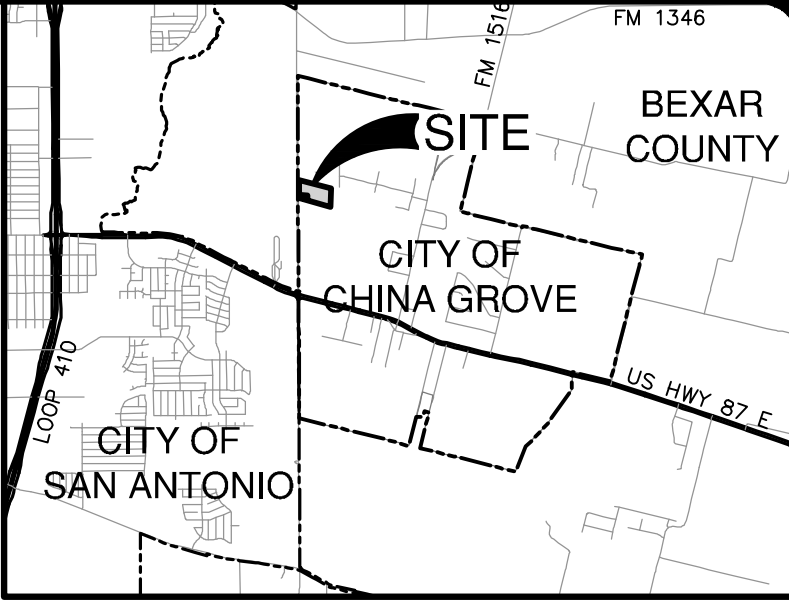
  
REYNALDO MARTINEZ JR.  
REGISTERED PROFESSIONAL  
LAND SURVEYOR No. 5482  
TBPLS Firm # 101822-00  
W. O. # 14-4-16  
APRIL 14, 2014  
(SEE ATTACHED SURVEY PLAT)



Dates: April 8, 2024, 11:56 AM - User ID: janchez  
File: O:\Users\janchez\Projects\China Grove Industrial\Site Plan.dwg

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL. AERIAL IMAGERY PROVIDED BY GOOGLE UNLESS OTHERWISE NOTED. Imagery © 2016, CAPOCO, Digital Globe, Texas Orthomography Program, USDA Farm Service Agency.

# EXHIBIT "B"



LOCATION MAP  
NOT-TO-SCALE

## LEGEND

- PROPOSED BUILDING SETBACK LINE
- PROPOSED LANDSCAPE SCREENING
- ADJACENT PARCEL BOUNDARIES
- PROPERTY BOUNDARY
- CHINA GROVE CITY LIMITS
- SANITARY SEWER MAIN
- WATER MAIN
- STORM SEWER
- LANDSCAPED AREA (33% OF PROPOSED DEVELOPMENT)
- AUTOMOBILE PARKING
- TRUCK PARKING
- PROPOSED DETENTION POND

PROPERTY OWNER:  
BRYAN TODD BETTICE  
P.O. BOX 168  
ADKINS, TX 78101

APPLICANT:  
JEFFORY STRONGER  
9411 NEW FOREST  
SPRING, TX 77379  
(832) 316-2870

### NOTES

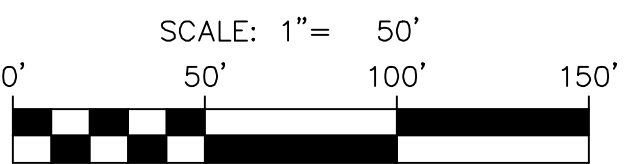
- NO PART OF THE PROPERTY EXISTS WITHIN THE 100-YR FLOODPLAIN PER FEMA FIRM PANEL NO. 48020C0440H
- CURRENT LAND USE/TITLE IS RURAL/IMPROVED PASTURE
- CURRENT ZONING IS 18.18 AC. CLASS 1 - LOW INTENSITY
- PROPOSED ZONING IS 18.18 AC. CLASS II - MEDIUM INTENSITY
- THIS EXHIBIT IS FOR PRELIMINARY PLANNING PURPOSES ONLY. THE PROPOSED SITE PLAN, UTILITY LAYOUTS, AND DETENTION POND SHAPE AND SIZING ARE SUBJECT TO CHANGE BASED ON FUTURE ENGINEERING ANALYSIS AND DESIGN.

**PAPE-DAWSON**  
**ENGINEERS**

2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #1008800

18.18 ACRES IN BEXAR COUNTY, TEXAS, OUT OF THE  
A.A. GARDENIER SURVEY NO. 56, ABSTRACT 275, COUNTY  
BLOCK 5126, BEING A PORTION OF THAT CERTAIN 19.19 AC  
TRACT DESCRIBED IN CONVEYANCE IN VOLUME 2005, PAGE 316,  
REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS

2042 S FOSTER RD  
SITE EXHIBIT  
CHINA GROVE, TEXAS



PLAT NO. -  
JOB NO. -  
DATE APRIL 2024  
DESIGNER JS  
CHECKED JW DRAWN JS  
SHEET 1 OF 1