

**ORDINANCE No. 2021-67**

**AN ORDINANCE GRANTING A ZONING CHANGE FROM R-1, SINGLE-FAMILY DWELLING DISTRICT TO B-2, RETAIL DISTRICT WITH SO, SUSTAINABILITY OVERLAY DISTRICT ON APPROXIMATELY 2 ACRES OUT OF LOT 2, BLOCK 4, HORIZON SUBDIVISION, GENERALLY LOCATED AT HUEBNER AND EVERS ROADS; PROVIDING FOR REPEALER, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, Chapter 211 of the Vernon's Local Government Code empowers cities to enact zoning regulations and provide for their administration, enforcement, and amendment; and

**WHEREAS**, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City, in order to promote the public health, safety, and welfare of the residents of the City; and

**WHEREAS**, the Leon Valley Code of Ordinances Chapter 15 Zoning constitutes the City's Zoning regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

**WHEREAS**, the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 15 of the Leon Valley Code of Ordinances; and

**WHEREAS**, the Planning and Zoning Commission of the City of Leon Valley has recommended not granting a zoning change from R-1, Single-Family Dwelling District to B-2, Retail District with SO, Sustainability Overlay District at the subject location; and

**WHEREAS**, the City Council now desires to grant a zoning change from R-1, Single-Family Dwelling District to B-2, Retail District with SO, Sustainability Overlay District at the subject location at the subject location.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, THAT:**

**SECTION 1.** The subject location, being specifically described in Exhibit A attached hereto and incorporated herein by reference, which is currently zoned R-1, Single-Family Dwelling District shall hereafter bear the zoning classification of B-2, Retail District with SO, Sustainability Overlay District.

**SECTION 2.** It is hereby declared to be the intention of the City Council that this ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except

where provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event, conflicting provisions of such Ordinance are hereby repealed.

**SECTION 3.** That it is hereby declared to be the intention of the City Council of the City of Leon Valley that this Ordinance is not severable.

**SECTION 4.** The ordinance shall be effective upon passage and publication as required by law.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 21st day of December 2021.

**APPROVED**



**CHRIS RILEY**  
MAYOR


Attest :



**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary



Approved as to Form: City Attorney



**CLARISSA M. RODRIGUEZ**  
City Attorney

**EXHIBIT "A"**

**BEING** 9.035 acres (393,574 square feet) tract of land being all of Lot 3, Block 2 of the Huebner & Evers Subdivision, recorded in Volume 9534, Page 11, of the Deed and Plat Records of Bexar County, Texas, being all of Lot 4, Block 2 of the Horizon Church Subdivision, recorded in Volume 9547, Page 130, of the Deed and Plat Records of Bexar County, Texas, being all of a called 1.657 acre tract recorded in Volume 12822, Page 402 of the Official Public Records of Bexar County, Texas described in Volume 4156, Page 637 of the Official Public Records of Bexar County, Texas, same also being described by a drawing (118031\_ZONING.dwg dated May 11, 2018) attached to and made part hereof and more particularly described as follows:

**BEGINNING** at a point, lying in the north end of the cutback corner at the intersection of the north right-of-way line of Huebner Road ( a variable with right-of-way) and the west right-of-way line of Evers Road (60' wide right-of-way), an east corner of aforementioned Lot 3;

**THENCE** along the aforementioned cutback, S 04°25'53"E, a distance of 70.94 feet, to a point, for a south corner of aforementioned Lot 3 and the north right-of-way line of aforementioned Huebner Road;

**THENCE** along the south line of aforementioned Lot 3, the north right-of-way line of aforementioned Huebner Road and the south line of aforementioned 1.657 acre tract, S 40°23'03" W, a distance of 286.80 feet, to a point, the east line of Lot 2, Block 2 of the Petersen Subdivision, recorded in Volume 9100, Page 151, of the Deed and Plat Records of Bexar County, Texas;

**THENCE** along the east line of aforementioned Lot 2, N 49°16'24" W, a distance of 137.01 feet, to a found 1/2" iron rod, the north corner of aforementioned Lot 2;

**THENCE** along the north line of aforementioned Lot 2, S 40°23'03" W, a distance of 90.02 feet, to a point, the west corner of aforementioned Lot 2, the east line of a 10 acre tract recorded in Volume 5088, Page 395 of the Official Public Records of Bexar County, Texas;

**THENCE** along the west line of aforementioned 1.657 acre tract, the west line of aforementioned Lot 4 and the east line of aforementioned 10 acre tract, N 49°16'24" W, a distance of 827.41 feet, to a point, the west corner of aforementioned Lot 4, the most south corner of Tract 2-0.470 of an acre tract recorded in Volume 5280, Page 1231 of the Official Public Records of Bexar County, Texas;

**THENCE** along the north line of aforementioned Lot 4 and the south line of aforementioned Tract 2-0.470 of an acre tract, N 40°33'55" E, a distance of 376.80 feet, to a point;

**THENCE** along the north line of aforementioned Lot 4 and the south line of aforementioned Tract 2-0.470 of an acre tract, N 85°37'24" E, a distance of 70.64 feet, to a point, the east of aforementioned Tract 2-0.470 of an acre tract and the west right-of-way line of aforementioned Evers Road;

**THENCE** along the east line of aforementioned Lot 4 and the west right-of-way line of aforementioned Evers Road, S 49°16'24" E, a distance of 433.33 feet, to a point;

**BEXAR COUNTY, TEXAS**  
**9.035 ACRES (393,574 SQ. FT.) TRACT**

**THENCE**, SOUTHEASTERLY, along the east line of aforementioned Lot 4 and the west right-of-way line of aforementioned Evers Road, an arc distance of 12.31 feet, with a curve to the right having a radius of 10.00 feet, a delta angle of  $70^{\circ}32'59''$ , and a chord which bears S  $14^{\circ}00'28''$  E, 11.55 feet to a point;

**THENCE**, SOUTHEASTERLY, along the east line of aforementioned Lot 4 and the west right-of-way line of aforementioned Evers Road, an arc distance of 123.09 feet, with a curve to the left having a radius of 50.00 feet, a delta angle of  $141^{\circ}03'16''$ , and a chord which bears S  $49^{\circ}16'24''$  E, 94.28 feet to a found x on concrete;

**THENCE**, SOUTHEASTERLY, along the east line of aforementioned Lot 4 and the west right-of-way line of aforementioned Evers Road, an arc distance of 12.31 feet, with a curve to the right having a radius of 10.00 feet, a delta angle of  $70^{\circ}32'59''$ , and a chord which bears S  $84^{\circ}32'20''$  E, 11.55 feet to a found x on concrete;

**THENCE** along the east line of aforementioned Lot 4, the east line of aforementioned Lot 3 and the west right-of-way line of aforementioned Evers Road, S  $49^{\circ}16'24''$  E, a distance of 316.60 feet, to the **PLACE OF BEGINNING** and containing 9.035 acres of land.

The bearing basis for this survey is Grid North, Texas State Plane Coordinate System, NAD 1983(2011), South Central Zone.

**THE STATE OF TEXAS**  
**KNOWN TO ALL MEN BY THESE PRESENTS: COUNTY OF BEXAR**

I, Darryl L. Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by an on the ground survey made under my direction and supervision in May 2018.

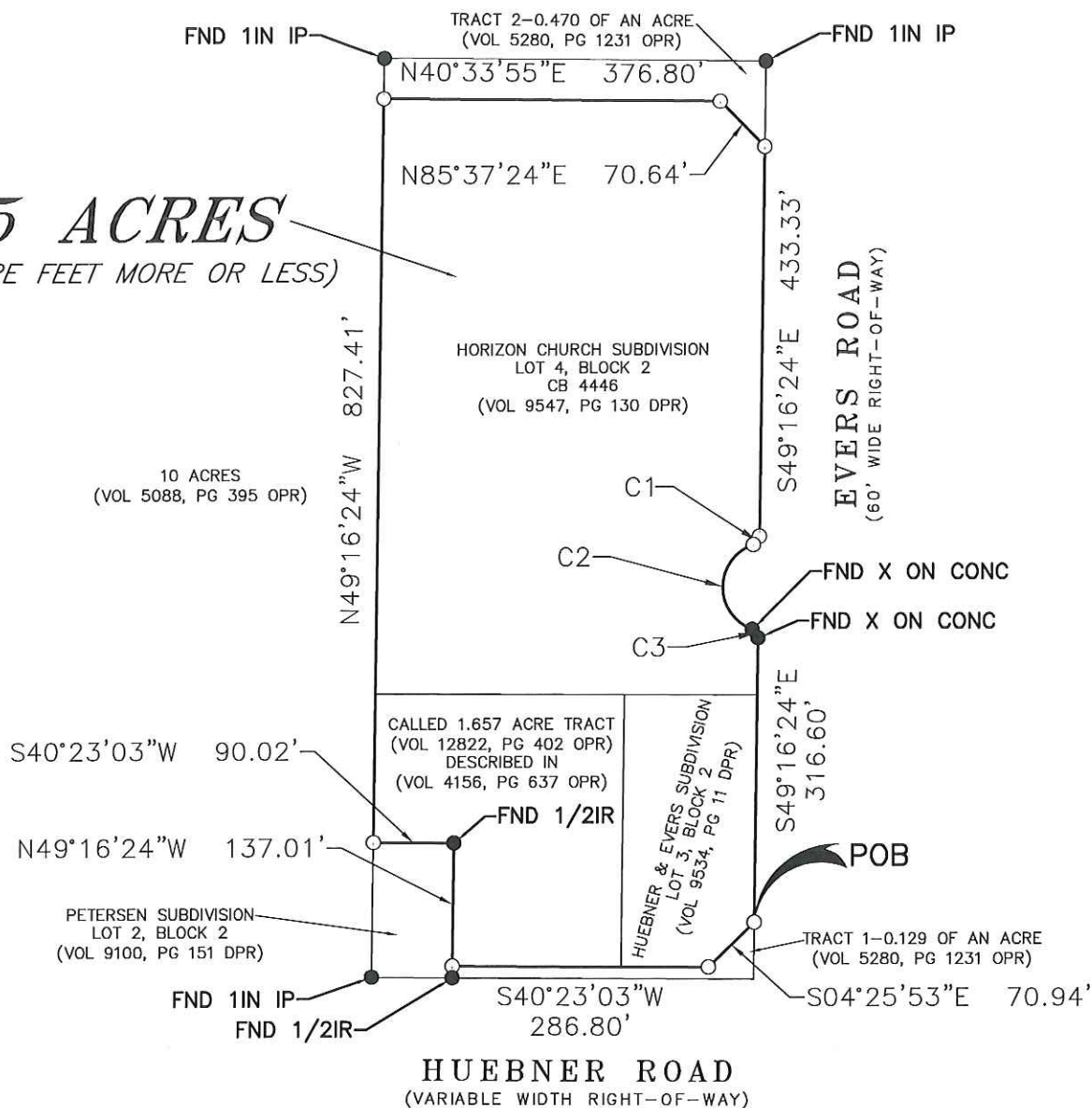
Date 11 day of, May 2018 A.D.



  
Darryl L. Zercher  
Registered Professional Land Surveyor  
No. 5609 - State of Texas



**9.035 ACRES**  
(393,574 SQUARE FEET MORE OR LESS)

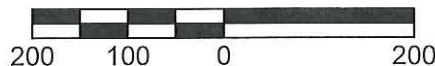


CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	12.31'	10.00'	70°32'59"	S14°00'28"E	11.55'
C2	123.09'	50.00'	141°03'16"	S49°16'24"E	94.28'
C3	12.31'	10.00'	70°32'59"	S84°32'20"E	11.55'

**LEGEND**

- - UNMONUMENTED POINT
- - FOUND MONUMENTATION  
(UNLESS OTHERWISE NOTED)
- - PROPERTY LINE
- ↓ - LANDHOOK
- - - BREAKLINE
- POC - PLACE OF COMMENCING
- POB - PLACE OF BEGINNING
- D.P.R. - DEED AND PLAT RECORDS,  
BEXAR COUNTY, TEXAS
- O.P.R. - OFFICIAL PUBLIC RECORDS,  
BEXAR COUNTY, TEXAS
- D.R. - DEED RECORDS,  
BEXAR COUNTY, TEXAS



SCALE IN FEET

SHEET 3 OF 3