



To: City Council  
From: Michael Barrera, City Manager  
Date: March 23, 2023

Re: **SECOND READING**-ORDINANCE NO. O-23-03-05, AN ORDINANCE OF THE CITY OF MATHIS, SAN PATRICIO COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE ZONING MAP SO AS TO GIVE THE FOLLOWING NEWLY ANNEXED PROPERTY ON EXHIBIT A, DATED MARCH 13, 2023; A ZONING CLASSIFICATION OF B1 BUSINESS USE, IN SAN PATRICIO COUNTY, TEXAS. AMENDING THE OFFICIAL ZONING MAP OF THE CITY, PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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**Caption**

AN ORDINANCE OF THE CITY OF MATHIS, SAN PATRICIO COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE ZONING MAP SO AS TO GIVE THE FOLLOWING NEWLY ANNEXED PROPERTY ON EXHIBIT A, DATED MARCH 13, 2023; A ZONING CLASSIFICATION OF B1 BUSINESS USE, IN SAN PATRICIO COUNTY, TEXAS. AMENDING THE OFFICIAL ZONING MAP OF THE CITY, PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Purpose**

To zone the property where a new Dollar General Store will be built.

**Background**

The proposed Dollar General store will be 10,640 sq ft and will have 35 parking spaces. The total cost of the investment with the land is just over 1 million dollars. Typical sales are 1-1.5 million per year. The typical Dollar General hours are 8am-9pm 7 days per week. There are usually 2-3 employees per shift and 4-5 positions would be needed.

From the time of permit approvals, construction usually takes 3 months until the store is open. The City will allow for a septic system to be installed due to the difficulty of servicing the building with sewer service currently. The store has agreed to utilize our sewer system in the future when/if a major development warrants a lift station to be installed in the area.

Zoning Ordinance – O-23-03-05

March 27, 2023

Exhibit A

**LEGAL DESCRIPTION:**

All that certain lot, tract, or parcel of land, being part of the Juan Delgado et al Survey, Abstract No. 4, San Patricio County, Texas, and being all of that certain called 7.46 acre tract described in a deed from Coastal Bend Fuels, LLC to Rapha Fellowship, Inc. on May 2, 2003, recorded in File No. 518190 of the Real Property Records of San Patricio County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a concrete monument (found) for the North corner of the above mentioned 7.46 acre tract, at the intersection of the Southeast right of way of Farm to Market Highway No. 3377 (McNally Road) with the Southwest right of way of the Union Pacific Railroad;

THENCE South 36 deg. 47 min. 19 sec. East with the Southwest right of way of the Union Pacific Railroad, the Northeast line of the 7.46 acre tract, a distance of 835.97 . to a bridge spike (found) for the East corner of same;

THENCE South 39 deg. 29 min. 13 sec. West with the Southeast line of the 7.46 acre tract, a distance of 373.78 . to a 5/8" iron rod (found) for the South corner of same, in the Northeast right of way of the Missouri Pacific Railroad;

THENCE North 69 deg. 16 min. 49 sec. West with the Northeast right of way of the Missouri Pacific Railroad, the Southwest line of the 7.46 acre tract, a distance of 429.98 . to a 3/4" iron rod (found) for the West corner of same, in the Southeast right of way of Farm to Market Highway No. 3377;

THENCE North 09 deg. 48 min. 06 sec. East with the Northwest line of the 7.46 acre tract, the Southeast right of way of Farm to Market Highway No. 3377 a distance of 817.77 . to the place of beginning, containing 7.447 acres of land.

**THE CITY OF MATHIS**

**ZONING ORDINANCE**

**ORDINANCE NO. O-23-03-05**

**AN ORDINANCE OF THE CITY OF MATHIS, SAN PATRICIO COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND THE ZONING MAP SO AS TO GIVE THE FOLLOWING NEWLY ANNEXED PROPERTY ON EXHIBIT A, DATED MARCH 13, 2023; A ZONING CLASSIFICATION OF B1 BUSINESS USE, IN SAN PATRICIO COUNTY, TEXAS. AMENDING THE OFFICIAL ZONING MAP OF THE CITY, PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the Zoning Ordinance No. 06-03-13-02 of the City of Mathis, the City Manager has made recommendation to the Mathis City Council that the Zoning Ordinance be supplemented or changed; and

**WHEREAS**, the City Secretary of said City accordingly caused to be issued and published the notice required by its zoning ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation, in the City of Mathis, Texas, at least fifteen days prior to the time set for such hearing, as is shown by the publishers affidavit, attached to the original copy of this ordinance; and

**WHEREAS**, The City Council of the City of Mathis, Texas, pursuant to such notice, held its public hearing and heard all persons wishing to be heard, both for and against the aforesaid change in the Zoning Ordinance; and

**WHEREAS**, The City Council of the City of Mathis, Texas, heard all arguments for and against said change in the Zoning Ordinance and is of the opinion and finds that such reclassification would not be detrimental, but would be beneficial for the health, safety, morals, preservation of property values and the best and most orderly development of the properties affected thereby, and to be affected thereby in the City of Mathis, and as well, the owners and occupants thereof; and the City generally;

**NOW THEREFORE; BE IT ORDAINED BY THE CITY  
COUNCIL OF THE CITY OF MATHIS, TEXAS:**

**Section 1. ZONING CHANGE**

That the Comprehensive Zoning Ordinance No. 06-03-13-02 is hereby amended so as to establish the zoning on the property listed on the attached Exhibit A, dated March 13, 2023, as B1 Business Use, in San Patricio County, Texas. This restricts such property to the use provided under the Comprehensive Zoning Ordinance of the City of Mathis, as amended.

**Section 2. VALIDITY**

This Ordinance No. O-23-03-05 is declared to be valid and enforceable in all respects.

**Section 3. CONFLICT**

The repeal of any ordinance or part thereof effectuated by enactment of this Ordinance shall not be construed as abating any action now pending under or by virtue of such ordinance or as abating or modifying any penalty for violation thereof or as affecting the liability of any person, firm or corporation or waiving any right of the City of Mathis under any ordinance in effect at the time passage of this Ordinance.

**Section 4. SEVERABILITY**

It is the intention of the City Council of the City of Mathis that this Ordinance and each provision hereof shall be considered separable and the invalidity of any section, clause or provision or part thereof shall not affect the validity of any other part of this Ordinance or Ordinance No. 06-03-13-02.

**Section 5. EFFECTIVE DATE**

This Ordinance shall be effective upon its adoption and publication of the descriptive caption.

**Section 6. READING DATES**

That this ordinance was first read and approved by a majority of the City Council of the City of Mathis, Texas on March 13, 2023. The City Charter requirement for a second reading and action of any proposed ordinance was accomplished for this ordinance on March 27, 2023.

**DULY PASSED AND APPROVED** by the City Council of the City of Mathis, Texas this March 27, 2023.

APPROVED

  
Ciri Villarreal, Mayor

ATTEST:

  
Mary A. Gonzales, City Secretary