

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, AMENDING THE ZONING ORDINANCE BY APPROVING A SPECIAL USE PERMIT TO ALLOW FOR OUTDOOR MUSIC AND ACTIVITIES UNTIL MIDNIGHT ON FRIDAY AND SATURDAY EVENINGS AND TO ALLOW FOR A DOUBLE SIDED SIGN FOUR FOOT BY EIGHT FOOT LIGHTED MARQUEE SIGN; AND A TIME LIMIT OF FIVE (5) YEARS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described herein after (the "Property") has requested that the Property be rezoned; and

Whereas, after giving at least ten (10) days written notice to the owners of land within two hundred (200') feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council; and

Whereas, after publishing notice of the public hearing at least fifteen (15) days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

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

SECTION 2. Amendment of Zoning Ordinance. Ordinance No. 05-018-00, as amended, the City of Leander Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

SECTION 3. Applicability. This ordinance applies to the following parcel of land, which is herein referred to as the "Property." The parcel of land being 0.289 acres, more or less, located in Leander, Williamson County, being more particularly described in Exhibit "A", generally located to the northwest of the intersection as N Brushy Street and W Broade Street, addressed at 203 W. Broade Street; more particularly described in Document Number 2018008508, Official Public Records of Williamson County, Texas, and identified by tax identification numbers R036039 and R036040.

SECTION 4. Special Use Permit. The Special Use Permit is hereby approved to allow outdoor music and activities until midnight on Friday and Saturday evenings and to allow for a double sided 4'X8' lighted marquee sign in compliance with the Sign Ordinance with regards to the lighting requirements with a time limit of five (5) years. At the end of this term, the applicant has the ability to request an extension of the term.

SECTION 5. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed 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 Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this the 19th day of September, 2019.
FINALLY PASSED AND APPROVED on this the 3rd day of October, 2019.

THE CITY OF LEANDER, TEXAS

ATTEST:

Troy Hill, Mayor

Dara Crabtree, City Secretary