

**ORDINANCE No. 2020-2**

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL GRANTING A SPECIFIC USE PERMIT FOR ENTERTAINMENT INDOOR USE AT 6400 BANDERA ROAD; MORE SPECIFICALLY DESCRIBED AS LOT 41, BLOCK 2, LINTHICUM - RHODE SUBDIVISION, NO. 69; THE SPECIFIC USE PERMIT BEING LIMITED TO THE TENANT SUITE IDENTIFIED AS 6412 BANDERA ROAD; 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 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 Zoning Commission of the City of Leon Valley has recommended approval of Specific Use Permit 2019-09, to allow for Entertainment Indoor Uses at the subject location with conditions; and

**WHEREAS** the City Council of the City of Leon Valley now desires to grant a Specific Use Permit, as requested by applicant Tamala McClennan for Entertainment Indoor Use, at 6400 Bandera Road; more specifically limited to the tenant suite identified as 6412 Bandera Road and as illustrated in Exhibit A attached in this Ordinance.

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

**SECTION 1.** The subject location, being 6400 Bandera Road; more specifically described as Lot 41, Block 2, Linthicum - Rhode Subdivision, No. 69; the Specific Use Permit being specifically limited to the tenant suite identified as 6412 Bandera Road; is hereby granted a Specific Use Permit for Entertainment Indoor Use, subject to the following conditions:

1. The specific use permit shall be limited to the approximate 1,500 square foot tenant space illustrated in "Exhibit A" - Site Plan.
2. That at least one (1) certified peace officer be present at each event in which alcohol will be consumed.

**SECTION 2.** 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 phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, and section.

**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 7th day of January 2020.

**APPROVED**



**CHRIS RILEY**  
MAYOR

Attest:



**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:



**HABIB H. ERKAN, JR.**  
City Attorney



# EXHIBIT A

