

ORDINANCE No. 2022-32

AN ORDINANCE GRANTING SPECIFIC USE PERMIT #2022-21 FOR THE OPERATION OF AN "ENTERTAINMENT - OUTDOOR" WITH "RESTAURANT - NOT FULLY ENCLOSED" FACILITY, GENERALLY LOCATED AT 6526 BANDERA RD., BEING LOT 84, CB 5955, IN A B-2 RETAIL WITH SUSTAINABILITY OVERLAY ZONING DISTRICT, UPON APPLICATION BY JAIME AVILA, APPLICANT.

WHEREAS, Chapter 211 of the Texas Local Government Code empowers a city to enact zoning regulations and provide for its administration, enforcement, and amendment; and

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

WHEREAS, the Leon Valley Code of Ordinances Chapter 14 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 14 of the Leon Valley Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended approval of the Specific Use Permit, a zoning tool, to address the use of the designated property; and

WHEREAS, the Planning and Zoning Commission has confirmed that the Specific Use Permit is uniform and conforms to the plan and design of the City of Leon Valley's Zoning regulations and Permitted Use Table and the City of Leon Valley Comprehensive Plan; and

WHEREAS, the City Council of the City of Leon Valley has also held a public hearing regarding the request for a Specific Use Permit for the operation of an "Entertainment - Outdoor" and "Restaurant - not fully enclosed" on the affected property and has issued adequate notice to all the affected parties; and

WHEREAS, the City Council of the City of Leon Valley believes the granting of a Specific Use Permit will not adversely affect the character of the area of the neighborhood in which it is proposed to operate the Specific Use Permit; and

WHEREAS, said Specific Use Permit will not substantially depreciate the value of adjacent or nearby properties; and

WHEREAS, said Specific Use Permit will be in keeping with the spirit and intent of the City's Zoning Ordinance; and

WHEREAS, said Specific Use Permit will comply with applicable standards of the district in which located; and

WHEREAS, said Specific Use Permit will not adversely affect traffic, public health, public utilities, public safety, and the general welfare of the residents of the City of Leon Valley; and

WHEREAS, it is now the desire of the City Council of the City of Leon Valley to grant a Specific Use Permit for an "Entertainment - Outdoor" and "Restaurant - Not Fully Enclosed" facility at 6526 Bandera Road.

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

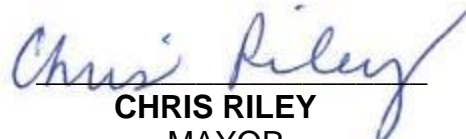
SECTION 1. Property being described as Lot 84, CB 5955 generally located at 6526 Bandera Rd., and more particularly described in case file SUP 2022-21, is hereby granted a Specific Use Permit for the operation of an "Entertainment- Outdoor" and "Restaurant - not fully enclosed" facility in a B-2 Retail with Sustainability Overlay Zoning District.

SECTION 2. The City staff is hereby authorized to issue said zoning when all conditions imposed by the City Council have been addressed and complied with in full.


SECTION 3. This ordinance is effective immediately upon passage by four (4) affirmative votes; otherwise, it is effective on the tenth day after passage hereof.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 19th day of July 2022.

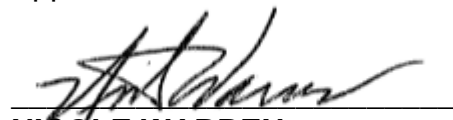
APPROVED


CHRIS RILEY
MAYOR

Attest :


SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:


NICOLE WARREN
City Attorney

