

ORDINANCE NO. _____

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A CHILD CARE CENTER AT THE PROPERTY LOCATED AT 700 BULL RUN ROAD IN SOPKO & KEELING SUBDIVISION, LOT 1, BEING APPROXIMATELY 0.5510 ACRES AND LOT 2 BEING APPROXIMATELY 0.5510 ACRES, CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas for a Specific Use Permit to allow a child care center at the property described in Exhibit “A” attached hereto and incorporated herein (“Property”); and

WHEREAS, the City Council has submitted the application to the Planning and Zoning Commission for its recommendation and report; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on March 25, 2019, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended a specific use permit be granted allowing for a child care center use at the Property for a period of five (5) years and that the owner provide thirteen (13) off-street parking spaces as shown in the 700 Bull Run – Site Parking Requirements document attached hereto as Exhibit “B”; and

WHEREAS, on the 2nd day of April, 2019, after proper notification, the City Council held a public hearing on the requested application, and

WHEREAS, the City Council determines that the Specific Use Permit provided for herein promote the health, safety, morals, and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A, Texas Local Government Code, and Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with,

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

I.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals and policies of the City of Elgin’s Comprehensive Plan and further

finds that enactment of this Ordinance is not inconsistent with or in conflict with any other polices or provisions of the Comprehensive Plan and the City’s Code of Ordinances.

II.

The Zoning District for the Property shall remain C-3 Highway Commercial, and the Ordinance granting a Specific Use Permit for the specific use on the property of Child Care Center is hereby adopted with the conditions that (1) the site provide for thirteen (13) off-street parking spaces as show in Exhibit “B,” and (2) that the Specific Use Permit have a term of five (5) years from the date this Ordinance is adopted.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ, PASSED, and ADOPTED on first reading this the 2nd day of April 2019.

CHRIS CANNON, MAYOR

ATTEST:

Amelia Sanchez, City Secretary