ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS APPROVING A ZONING CHANGE BY REZONING A LOT 1, BLOCK 1 APPLEBEE'S ADDITION, LOCALLY KNOWN AS 2525 E BUSINESS 190 FROM B-PC (BUSINESS PRIVATE CLUB) TO B-2 (LOCAL RETAIL DISTRICT).

WHEREAS, Texas Local Government Code Chapter 211 authorizes the City of Copperas Cove to adopt rules and regulations regarding zoning and land within the city limits of the City of Copperas Cove for the purpose of promoting a safe, orderly, and healthful development of the City of Copperas Cove; and

WHEREAS, Tex. Loc. Gov't Code Chapter 211 empowers the City to provide for the administration, enforcement, and amendment of those zoning rules and regulations; and

WHEREAS, the hereinabove described property has a current zoning of B-PC (Business Private Club); and

WHEREAS, an application was received requesting such property be rezoned from B-PC (Business Private Club) to B-2 (Local Retail District); and

WHEREAS, a notice of the rezone request has been distributed via regular US Mail to all property owners located within two-hundred (200) feet of the property; and

WHEREAS, A notice of the rezone request was published on December 11, 2015 in the Cove Leader Press; and

WHEREAS, the Planning and Zoning Commission of the City of Copperas Cove held a public hearing on December 28, 2015, and voted to recommend approval of the zoning change to the City Council of the City of Copperas Cove; and

WHEREAS, the City Council of the City of Copperas Cove held the required public hearing concerning the zoning change on January 19, 2016; and

WHEREAS, the City Council of the City of Copperas Cove hereby finds and determines it to be in the public interest to amend the City's Comprehensive Zoning Regulations and Zoning Map, which in the best judgement promotes the health, safety, morals and general welfare and protects the use on enjoyment of properties throughout the City.

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

SECTION 1.

That the hereinabove described property (see Exhibit A) be given the permanent zoning of B-2 (Local Retail District);

SECTION 2.

That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other ordinance of the City as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 3.

That this ordinance shall go into effect upon passage.

PASSED, APPROVED, AND ADOPTED this 19th day of January, 2016, at a regular meeting held by the City Council of the City of Copperas Cove, Texas, such meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code*, §551.001, et.seq. at which meeting a quorum was present and voting.

Frank Seffrood, Mayor

ATTEST:

Mariela Altott, City Secretary

APPROVED AS TO FORM:

Denton, Navarro, Rocha, Bernal,
Hyde & Zech, P.C., City Attorney

2525 E BUS 190 - Rezone Application
Zoning - Vicinity Map
November 30, 2015

0 100 200 400 Feet