

ORDINANCE NO. 2019-_____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO ORIGINALLY ZONE 22.065 ACRES OF LAND KNOWN AS THE CIRCLE BREWERY IN ELGIN, BASTROP COUNTY, TEXAS, AS THE CIRCLE BREWERY PLANNED DEVELOPMENT DISTRICT (PDD); AND PROVIDING FINDINGS OF FACT; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

WHEREAS, city staff has reviewed and negotiated a Conceptual Plan for 22.065 acres of land located within the city limits and known as the Circle Brewery Project in Elgin, Bastrop County, Texas, being more fully described in Exhibit “A” of the PDD (the “Property”); and,

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the original zoning of the Property on the 29th day of April, 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 that the Official Zoning Map be amended so that the Property in Exhibit “A” be originally zoned as the Circle Brewery Planned Development District; and,

WHEREAS, on the 7th day of May, 2019, after proper notification, the City Council held a public hearing on the proposed original zoning; and,

WHEREAS, the City Council determines that the zoning provided for herein promotes 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, Section 46, Revised Code of Ordinances, City of Elgin, Texas, 2013, concerning public notices, hearings, and other procedural matters has been fully complied with.

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

I.

Section 1 - Findings.

The forgoing recitals are incorporated into this Ordinance as true and correct findings of fact.

Section 2 - Purpose.

To promote the health, safety, morals, and protects and preserve the general welfare of the community.

II.

That the City Council has hereby determined that the Planned Development District (PDD) meets the following goals and objectives:

- (1.) The development in the PDD is equal to or superior to development that would occur under the standard ordinance requirements.
- (2.) The PDD does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities, or any other matters affecting the public health, safety, and welfare.
- (3.) The PDD is adequately provisioned by essentially public facilities and services.
- (4.) The PDD will be developed and maintained so as to not dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

III.

That the Official Zoning Map adopted in Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended so that the zoning classification of the Property described in Exhibit "A", attached hereto and incorporated herein shall be, and is hereafter designated as the Circle Brewery Planned Development District and that the Mayor is hereby authorized to enter into the Development Plan for the PDD attached hereto as Exhibit "B", which shall govern the development and use of the Property.

IV.

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 was discussed, considered and formally acted upon, all as required by the Open Meeting Act, Chapter 551, Texas Government Code, as amended.

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2019.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary