

ORDINANCE NUMBER 2022-15

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF PAYNE SPRINGS, TEXAS RE-ZONING PROPERTY LOCATED WITHIN THE INCORPORATED LIMITS OF THE CITY OF PAYNE SPRINGS, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Payne Springs, Texas ("City") is a Type-A general law municipality organized and existing pursuant to the laws of the State of Texas; and

WHEREAS, the City Council for the City of Payne Springs, Texas is empowered under Texas Local Government Code Chapter 54.001, et seq., to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

WHEREAS, Texas Local Government Code Section 211.003 empowers a municipality, by and through its City Council, to establish and amend zoning districts and classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, and regulate the use and location of buildings; and

WHEREAS, the City Council for the City of Payne Springs, Texas has determined that a re-zone of the tract of property the subject of this Ordinance is necessary to effectively and efficiently encourage the most appropriate use of land located within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF PAYNE SPRINGS, TEXAS AS FOLLOWS:

**I.
ZONING AMENDMENT**

- A. The property the subject of this zoning amendment is owned by Kelley Meeker. Kelley Meeker has previously made application for a re-zone of said property which is currently zoned residential.

Kelley Meeker has requested that the property currently zoned residential be re-zoned, by way of this Ordinance, to a business zoning designation.

- B. The property the subject of Kelley Meeker's application for re-zone is more particularly described as follows:

AB 485 I V Michelli Sur, TR 38H (PT of A 7.510), TR 38 (PT of A 7.510), and TR 38K. A map of the area the subject of this rezone is attached hereto as **Exhibit A**.

- C. The property owned by Kelley Meeker, which is more particularly described in Section I.B. above and in **Exhibit A**, is, by the passage of this Ordinance, re-zoned from residential to a business designation.
- D. By the passage of this Ordinance, the property re-zoned herein shall be afforded all uses allowed by the City of Payne Springs's business zoning district designation and shall comply, in all respects, to said business district zoning designation regulations and restrictions.

II. PROCEDURAL COMPLIANCE FOR RE-ZONE

- A. The City of Payne Springs has complied with all procedural requirements to effectuate this re-zone as required by local Ordinance and Texas Local Government Code Chapter 211.001, et seq.

III. SEVERABILITY

If any section, clause, sentence or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**IV.
REPEALER**

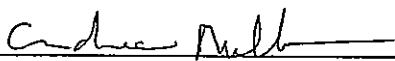
Any ordinance or section(s) of an ordinance in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict.

**V.
EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and approval of the City Council for the City of Payne Springs, Texas.


PASSED AND APPROVED by the City Council for City of Payne Springs, Texas this 18th day of October, 2022.

APPROVED BY:



Andrea Miller, Mayor

ATTEST:



Beth Billings, City Secretary



Application for Zoning Change

Application

Property Owner(s) Name: L2C2 LLC Contact #: Kelley Meeker

Property Owner(s) Address: 980 Sagebrush Dr. Prosper, TX 75078

Authorized Agent Name: Kelley Meeker Contact #: 972.740.1500

Authorized Agent Address: 137 St. Andrews Dr. Mabank, TX 75156

Tract Address and Legal Description:

R136876 AB 485 I V Michelli Sur. TR 38H (PT of A 7.510) Tract Size: 4.800 Acres

R13120 AB 485 I V Michelli Sur. TR 38 (PT of A 7.510), 8200 Clear Creek Rd Tract Size: 4.757 Acres

R136946 AB 485 I V Michelli Sur. TR 38K Tract Size: 13.593 Acres

Existing Zoning Type Residential Requested Zoning Type Business

I hereby authorize agents or employees of the City of Payne Springs to enter upon the premises herein described for the purpose of erecting, maintaining, or removing signs to notify the public of the pending zoning application and or public hearing concerning said application. I release the City and its agents / employees from liability for any damages that may be incurred to the said property in erecting, maintaining or removal of said signs.

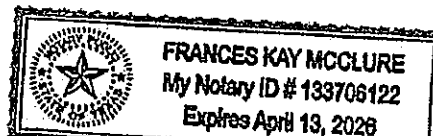
SWORN AND SUBSCRIBED BEFORE ME, a notary public on this date 19 July 2022; personally appeared Kelley Meeker the undersigned applicant, who acknowledged to me that he / she / they executed the foregoing instrument for the purpose and consideration herein expressed and who under oath stated the following: I hereby certify that I / we are the owner(s) or duly authorized agent of the owner for the purpose of this application.

[Signature]
Owner / Authorized Agent Signature

Owner / Authorized Agent Signature 2

Notary Public Printed Name: FRANCES MCCLURE Commission Expires: 4/13/26

Notary Public Signature: [Signature]





PETITION FOR ZONING CHANGE

Notice of Public Hearing Newspaper

A public hearing before the City Council of the City of Payne Springs will be held:

DAY/DATE	October 18, 2022
TIME	6:30 pm
LOCATION	City Hall, 19601 CR 2529, Payne Springs, TX 75156

The zoning of un-addressed tracts of land located on: State Highway 198 at Clear Creek Road; Legal Addresses: AB 485 I V Michelli Sur, TR 38H (PT of A 7.510), TR 38 (PT of A 7.510), and TR 38K are being considered for rezoning. Current Zoning type for above state tract is Residential. Petition has been made to the City of Payne Springs to rezone the above stated tract to Business for purposes of multi-use retail, gas, boat, RV and self-storage. Additional information on the application is available at the office of the City Secretary.

The purpose of the hearing will be to consider comments, both written and oral, regarding the above request. Written comments may be submitted to the City Secretary at 19601 CR 2529, Payne Springs, TX 75156 no later than 4:30 pm three days prior to the hearing date. Oral comments will be heard by speakers present at the hearing according to their order on a listing to be established for such purpose by the City Secretary.

