

ORDINANCE NO. 1409-03-2017

AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO REZONE FROM GENERAL COMMERCIAL (C-2) TO OUTDOOR COMMERCIAL (C-3) THE GAINESVILLE NORTHTOWN PLAZA, LLC, ADDRESSED AS 4321 NORTH I-35 FRONTAGE ROAD (PID# 18719), GAINESVILLE, TEXAS 76240; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

WHEREAS, the Northtown Plaza is a 41.701-acre track that supports a large commercial development readily seen as you enter the City of Gainesville on IH-35; and

WHEREAS, the large development has sufficient room for outdoor sales; and

WHEREAS, by permitting outdoor sales a more robust commercial opportunity may be offered to potential tenants of the Northtown Plaza;

WHEREAS, the Planning and Zoning Commission of the City of Gainesville, Texas, held an open public hearing on February 14, 2017, following notices as required by law, on the request for the zoning district change, at which time all persons were given an opportunity to be heard; and the Planning and Zoning Commission of the City of Gainesville filed its report of the findings; and the Planning and Zoning Commission unanimously voted to recommend City Council approve the zoning district change;

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

That the City Council of the City of Gainesville has approved the zoning district change for the Northtown Plaza, LLC, addressed as 4321 North I-35 Frontage Road (PID# 18719), Gainesville, Texas 76240, from General Commercial (C-2) to Outdoor Commercial (C-3) as follows:

SECTION ONE: REZONING NORTHTOWN PLAZA, LLC

The zoning for Northtown Plaza, LLC, addressed as 4321 North I-35 Frontage Road (PID# 18719), Gainesville, Texas 76240, has been changed from General Commercial (C-2) to Outdoor Commercial (C-3);

SECTION TWO: AMENDMENT OF THE ZONING MAP

The official zoning map of the City of Gainesville, Cooke County, Texas, shall hereby be amended to reflect the rezoning to Outdoor Commercial (C-3) from General Commercial (C-2) as granted in Section One of this Ordinance.

SECTION THREE: SEVERABILITY

If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstance, if for any reason held to be unconstitutional, void, or invalid (or for any reason unenforceable), the validity of the remaining portion of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intention of the City Council and of the Mayor of the City of Gainesville in adopting and approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by any reason of any unconstitutionality or invalidity of any other portion, provision, or regulation.

SECTION FOUR: EFFECTIVE DATE

This ordinance shall be effective upon passage and publication.

SECTION FIVE: OPEN MEETING FINDING

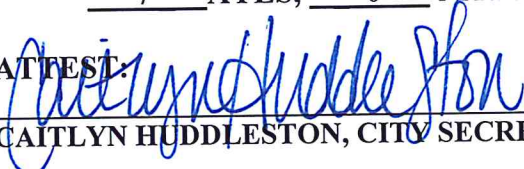
That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

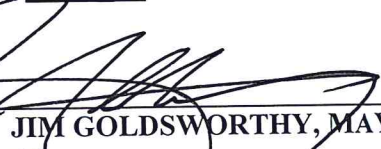
INTRODUCTION, FIRST READING, CHARTER SUSPENSION

INTRODUCED AND READ FOR THE FIRST TIME BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 7TH DAY OF MARCH 2017, AT WHICH TIME THE CHARTER REQUIREMENT OF THREE READINGS WAS SUSPENDED BY THE FOLLOWING VOTE.

7 AYES, 0 NAYS, 0 ABSENT, 0 ABSTENTIONS

ATTEST:


CAITLYN HUDDLESTON, CITY SECRETARY

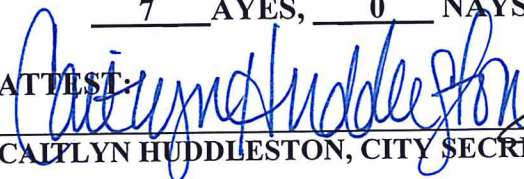

JIM GOLDSWORTHY, MAYOR

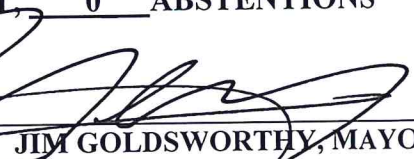
ADOPTION

ADOPTED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 7TH DAY OF MARCH 2017.

7 AYES, 0 NAYS, 0 ABSENT, 0 ABSTENTIONS

ATTEST:


CAITLYN HUDDLESTON, CITY SECRETARY


JIM GOLDSWORTHY, MAYOR

