

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, PROVIDING FOR A ZONING CHANGE FROM A REGIONAL CENTER COMMERCIAL DOWNTOWN (RCC-D) ZONING DISTRICT AND USE CLASSIFICATION TO AN INDUSTRIAL CENTER GENERAL (IC-G) ZONING DISTRICT AND USE CLASSIFICATION ON APPROXIMATELY 2.95 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF WORTHINGTON DRIVE, NORTH OF BARCELONA STREET AND SOUTH OF SCHUYLER STREET BEING LOT 3, BLOCK A OF THE HULL ADDITION; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z14-0014)

WHEREAS, Edsco Fasteners has applied for a zoning change on approximately 2.95 acres of land legally described as Lot 3, Block A of the Hull Addition, detailed in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter, the "Property") from a Regional Commercial Center Downtown (RCC-D) zoning district and use classification to an Industrial Center General (IC-G) zoning district and use classification; and

WHEREAS, on August 27, 2014, the Planning and Zoning Commission concluded a public hearing as required by law, and recommended approval (5-2) of the change in zoning district and use classification; and

WHEREAS, on September 16, 2014, the City Council concluded a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set for in Section 35.3.4 of the Denton Development Code, and is consistent with the Denton Plan and the Denton Development Code; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. The zoning district and use classification for the Property is hereby changed from Regional Center Commercial Downtown (RCC-D) to Industrial Center General (IC-G). Notwithstanding the attached real property description, the property being re-designated includes all property to the centerline of all adjacent street rights-of-way.

SECTION 3. The City's official zoning map is amended to show the change in the zoning district and use classification.

Exhibit 8
Ordinance

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SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. Any person violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2,000.00. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. This ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

PASSED AND APPROVED this the ____ day of _____, 2014.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

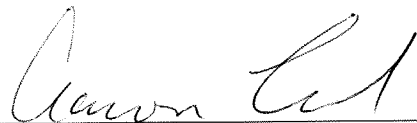
BY:  _____

Exhibit A
Legal Description

STATE OF TEXAS

COUNTY OF DENTON

BEING ALL OF A TRACT OF LAND IN THE BBB & CRR SURVEY, ABSTRACT NUMBER 141 IN THE CITY OF DENTON, DENTON COUNTY, TEXAS AND BEING ALL OF LOT 3, BLOCK A OF HULL ADDITION, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS AS RECORDED IN CABINET X, PAGE 307 OF THE PLAT RECORDS, DENTON COUNTY TEXAS; THE SUBJECT TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE A POINT FOR THE NORTHEAST CORNER OF SAID LOT 3 AND BEING THE SOUTHEAST CORNER OF LOT 4, BLOCK A OF HULL ADDITION, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS AS RECORDED IN CABINET U, PAGE 772 OF THE PLAT RECORDS, DENTON COUNTY, TEXAS AND BEING IN THE WEST LINE OF WORTHINGTON DRIVE;

THENCE SOUTH 00 DEGREES 27 MINUTES 54 SECONDS WEST WITH THE WEST LINE THEREOF A DISTANCE OF 317.33 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID LOT 3 AND THE MOST EASTERLY NORTHEAST CORNER OF LOT 2R OF SAID HULL ADDITION RECORDED IN SAID CABINET X, PAGE 307;

THENCE NORTH 89 DEGREES 30 MINUTES 38 SECONDS WEST WITH THE COMMON LINE THEREOF A DISTANCE OF 405.33 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID LOT 3;

THENCE NORTH 00 DEGREES 27 MINUTES 54 SECONDS EAST A DISTANCE OF 317.30 FEET TO A POINT FOR THE NORTHEAST CORNER OF SAID LOT 3 AND THE MOST NORTHERLY NORTHEAST CORNER OF SAID LOT 2R AND BEING IN THE SOUTH LINE OF SAID LOT 4;

THENCE SOUTH 89 DEGREES 30 MINUTES 57 SECONDS EAST WITH THE SOUTH LINE THEREOF A DISTANCE OF 405.33 FEET TO THE PLACE OF BEGINNING AND ENCLOSING 2.95 ACRES OF LAND MORE OR LESS.