

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE", SECTION 3.13, "DEVELOPMENT REVIEW PROCEDURES, CONDITIONAL USE PERMIT", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance", Section 3.13, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 34 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 13th day of October 2005.

ATTEST:

APPROVED:

Connie Hooks, City Secretary

RON SILVIA, MAYOR

APPROVED:



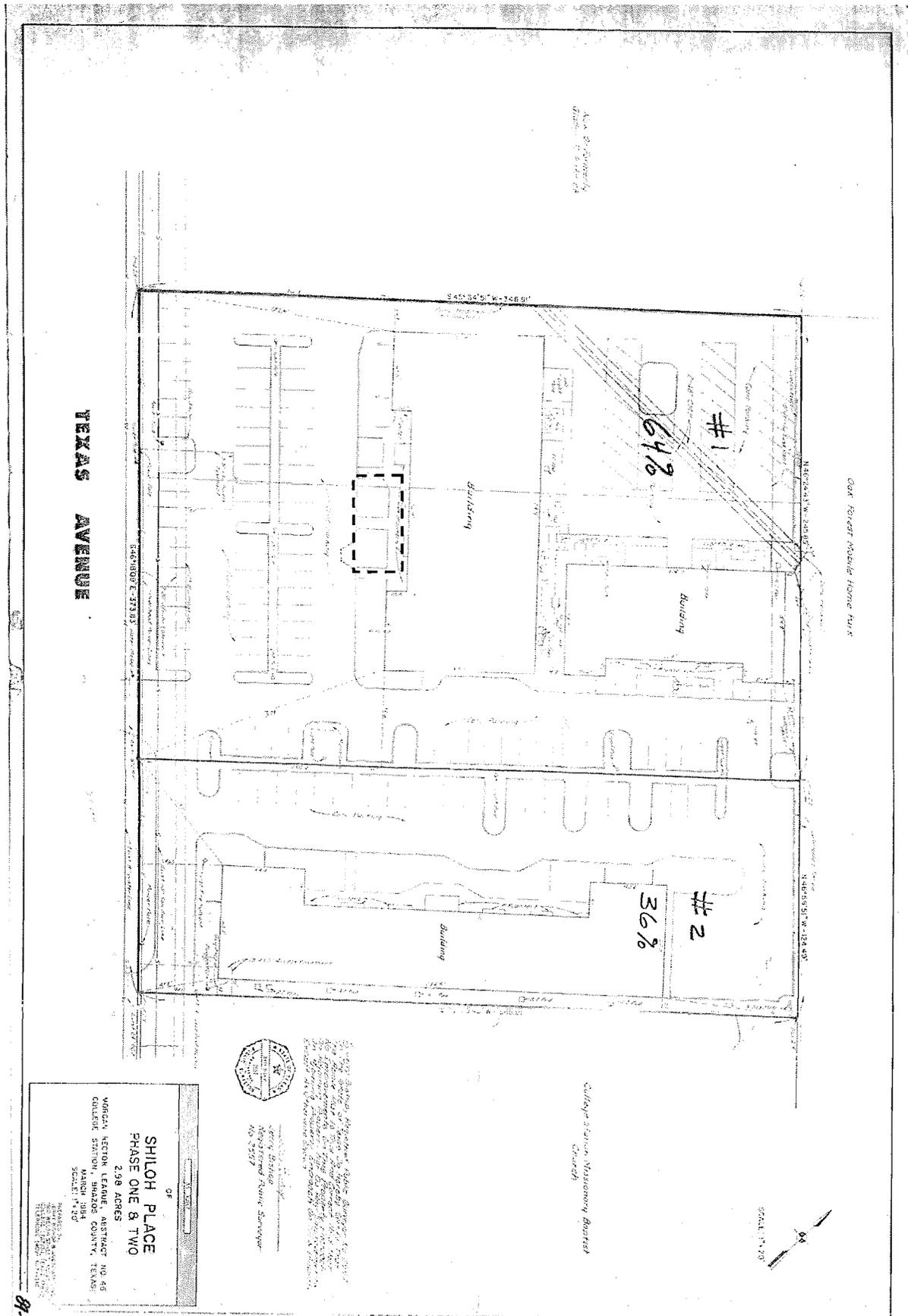
City Attorney

EXHIBIT "A"

That the Official Zoning Map of the City of College Station, Section 3.13, "Development Review Procedures, Conditional Use Permit", of Chapter 12, "Unified Development Ordinance", is hereby amended as follows:

That an amendment to a Conditional Use Permit is hereby granted for a nightclub as provided for in Chapter 12, "Unified Development Ordinance", Section 3.13, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station. The property located at 2551 Texas Avenue South, Suite D is granted a Conditional Use Permit for a night club with fenced outdoor seating located on a twenty-six (26) foot by fourteen (14) foot patio, and on a twenty (20) foot by fourteen (14) foot patio directly in front of the lease space, separated by a four (4) foot sidewalk, as depicted on the approved site plan, shown graphically in the attached Exhibit "B." Fencing material may be aluminum or iron at least three (3) feet in height and securely fastened so that it may not be moved to block sidewalks. No more than four (4) tables may be located in each fenced area, and tables must be complimentary in color and material to the fencing.

EXHIBIT "B"



TEXAS AVENUE

SHILOH PLACE
 PHASE ONE & TWO
 2.98 ACRES
 WORGAN, NECTOR LEAUE, ABSTRACT NO. 48
 COLLIER, SNEYTON, BRADZOS COUNTY, TEXAS
 MARCH 1984
 SHEET 1 OF 2



Survey Station
 Registered Public Surveyor
 No. 2577

College Station Missionary Church



81-4