



ORDINANCE NUMBER 2343

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; SO AS TO GRANT A SPECIFIC USE PERMIT FOR A HOTEL WITHIN THE PLANNED DEVELOPMENT NUMBER 64 (PD-64) ZONING DISTRICT AT THE SOUTHWEST CORNER OF SPRING VALLEY ROAD AND MIDWAY ROAD, APPROXIMATELY 260 FEET WEST OF MIDWAY ROAD AND 230 FEET SOUTH OF SPRING VALLEY ROAD, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING AN EFFECTIVE DATE.

Whereas, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to amending the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning use should be made;

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the zoning map of the City of Farmers Branch so as to grant a Specific Use Permit for a hotel within the Planned Development Number 64 (PD-64) zoning district and located at the southwest corner of Spring Valley Road and Midway Road, approximately 260 feet west of Midway Road and 230 feet south of Spring Valley Road.

SECTION 2. That the City Council has determined the hotel to be appropriate in use, design, and layout for the site and area and warrants a lot size of less than four (4) acres as so provided under Ordinance No. 2249, an amendment to the Comprehensive Zoning Ordinance.

SECTION 3. That the hotel and its associated improvements shall be constructed and specifically located in accordance with the approved site plan attached as Exhibit "A" and subject to all conditions stated herein.

SECTION 4. That the location of drive approaches and street medians shall conform to the approved Concept Plan and Preliminary Plat.

SECTION 5. That the landscape/screening berms shall be maintained at a height of not less than 3 feet relative to the street curb.

SECTION 6. That the free-standing signs shall be limited to the monument sign locations as shown on the site plan. Said signs shall be constructed of brick to match the building. Lettering shall be individually illuminated channel letters. Sign dimensions shall not exceed five(5) feet in height and ten (10) feet in length.

SECTION 7. That the final utility locations, maintenance responsibilities, and any additional easements shall be determined and approved by Staff prior to issuance of any building permits.

SECTION 8. That the final location and dimension of the public sidewalk shall be subject to Staff approval to ensure it is installed in general accordance with the approved landscape plan for Parkside Boulevard.

SECTION 9. That the property shall be used for no other purpose except as a hotel in full compliance with the approved site plan and associated conditions unless such alternative use complies fully with the prevailing zoning and is approved by the City Council following a recommendation by the Planning and Zoning Commission.

SECTION 10. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended and by the granting of a specific use permit for a hotel.

SECTION 11. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon convictions shall be punishable by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 12. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.