

**ORDINANCE NUMBER 2344**

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 RESIDENCE HOTEL WITHIN THE PLANNED DEVELOPMENT NUMBER 64 (PD-64) ZONING DISTRICT AT THE SOUTHWEST CORNER OF SPRING VALLEY ROAD AND MIDWAY ROAD, APPROXIMATELY 300 FEET WEST OF MIDWAY ROAD AND 600 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 residence 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 300 feet west of Midway Road and 600 feet south of Spring Valley Road.

SECTION 2. That the City Council has determined the residence 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 residence 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 one monument sign as shown on the site plan. Said sign 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 ornamental fence columns shall be constructed of brick matching the building.

SECTION 8. That the exterior walls and roof of cabana shall be same materials as main building (i.e., brick and metal, respectively).

SECTION 9. That the public sidewalk shall be extended to west property line. Final location and dimension of the sidewalk shall be subject to Staff approval to ensure it is installed in general accordance with proposed landscape plan for Parkside Boulevard.

SECTION 10. That the final utility locations, maintenance responsibility, and any additional easements shall be determined and approved by Staff prior to issuance of any building permits.

SECTION 11. That at time of planting, screening shrubs around the pool, patio and cabana area shall be a minimum 5 gallon container size, no less than 3 feet tall, and full and bushy in character.

SECTION 12. That the property shall be used for no other purpose except as an residence 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 13. 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 residence hotel.