



ORDINANCE NUMBER 2368

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 42 (PD-42) ZONING DISTRICT ON THE WEST SIDE OF THE DALLAS NORTH TOLLWAY APPROXIMATELY 680 FEET SOUTH OF SPRING VALLEY ROAD (14031 NORTH DALLAS PARKWAY), 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 as to grant a Specific Use Permit for a hotel within the Planned Development Number 42 (PD-42) zoning district and located on the west side of the Dallas North Tollway approximately 680 feet south of Spring Valley Road (14031 North Dallas Parkway).

SECTION 2. That the City Council has determined the hotel to be appropriate in use, design and layout for the site 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 documentation from the Federal Aviation Administration (FAA) approving the hotel's height shall be provided to City Staff prior to issuance of building permits.

SECTION 5. That should any of the trees along the North Dallas Parkway have to be replaced due to death, disease or any other reason, replacement trees shall be of a species approved by City Staff and no less than 4 inches in caliper at time of planting.

SECTION 6. That the proposed Jasmine ground cover shall be planted 12 inches on center.

SECTION 7. That the dumpster be relocated approximately nine (9) feet to the east subject to City Staff approval.

SECTION 8. That all fire lanes shall have a minimum inside turning radius of 26 feet and a minimum outside turning radius of 50 feet.

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.

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 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.

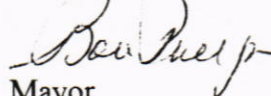
SECTION 12. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 13. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

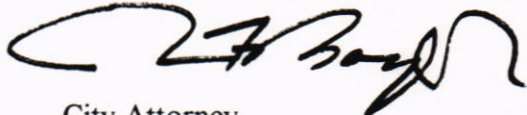
SECTION 14. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, on this the 15th day of December, 1997.

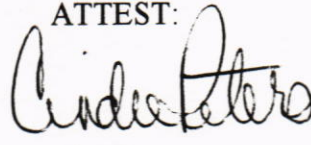
APPROVED:


Mayor

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Secretary