



## ORDINANCE NUMBER 2504

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED FOR A SPECIFIC USE PERMIT FOR A GASOLINE SERVICE STATION AND CAR WASH WITH SITE PLAN APPROVAL FOR DETAILING, A LUBE FACILITY WITH MINOR AUTOMOBILE REPAIR, A CAFÉ, AND A RETAIL AREA IN THE SAME ESTABLISHMENT LOCATED AT 3690 BELTLINE ROAD, AT THE SOUTHWEST CORNER OF BELTLINE ROAD AND MARSH LANE AND WITHIN THE PLANNED DEVELOPMENT NUMBER 23 (PD-23) ZONING DISTRICT; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; 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 gasoline service station with a car wash, detailing (concentrated cleaning/waxing), a lube facility with minor automobile repair, a café, and a retail area within Planned Development No. 23 (PD-23) zoning district and specifically located on the 1.93 acre tract of land located at the southwest corner of Beltline Road and Marsh Lane and addressed as 3690 Beltline Road.

SECTION 2. That the gasoline service station, car wash, detailing area, lube facility with minor

automobile repair, café, and retail area shall be constructed and specifically located in accordance with the approved site plan attached as Exhibit "A".

SECTION 3. That the applicant shall have the property platted with the configuration as indicated on the proposed concept plan.

SECTION 4. That the applicant shall provide a cross access agreement for the remainder of PD-23, to be filed at the time of platting and before any building permits are issued.

SECTION 5. That the applicant shall install backflow prevention required for the proposed water reclaim unit located near the southwest corner of the proposed site.

SECTION 6. That the applicant shall obtain a variance from the Zoning Board of Appeals in order to obtain permitting for more than two directional signs.

SECTION 7. That all automobile repair operations shall be conducted inside the existing building.

SECTION 8. That paint and body repair work is prohibited.

SECTION 9. That any customer vehicle kept on-site during hours in which the facility is not open to the public shall be stored indoors.

SECTION 10. That outside storage of any equipment or junk, trash, and debris or other material shall be prohibited.

SECTION 11. That all parking and maneuvering surfaces shall be paved with concrete and striped in accordance with the City of Farmers Branch engineering standards, prior to the issuance of a Certificate of Occupancy.

SECTION 12. That Ordinances Nos. 1205, 1849, 1850, 2179, and 2180 are hereby repealed.

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 gasoline service station and car wash.

SECTION 14. 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 conviction shall be punishable by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 15. 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 16. 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 17. This ordinance shall take effect immediately from and after its passage and publication