



FARMERS  
BRANCH

**ORDINANCE NO. 3187**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW THE ON-PREMISE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A QUALIFYING RESTAURANT AND FOR BANQUET HALL FOR A PORTION OF BLOCK E, METROPOLITAN BUSINESS PARK SECTION ONE, CITY OF FARMERS BRANCH, DESCRIBED IN EXHIBIT "A" HERETO (COMMONLY KNOWN AS 4241 SIGMA ROAD, FARMERS BRANCH, TEXAS) WHICH IS PRESENTLY LOCATED IN A LIGHT INDUSTRIAL ("LI") ZONING DISTRICT; PROVIDING FOR THE APPROVAL OF THE SITE PLAN; PROVIDING FOR ADDITIONAL SPECIAL CONDITIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR 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 laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

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

**SECTION 1.** The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit for the On-Premise Sale and Consumption of Alcoholic Beverages Within a Qualifying Restaurant and a Banquet Hall for property within a Light Industrial ("LI") zoning district, said property being commonly known as 4241 Sigma Road, Farmers Branch, Texas, and being more particularly described in Exhibit "A", attached hereto and incorporated herein by reference ("the Property").



**SECTION 2.** The Property shall conform in operation, location and construction to the development standards specified within the Light Industrial ("LI") zoning district, and if used and developed in accordance with the purposes for which this Specific Use Permit is granted, the Property shall be developed in accordance with the following special conditions:

- A. The sale of alcoholic beverages shall at all times be in full compliance with all requirements of laws and regulations of the State of Texas and the City of Farmers Branch Comprehensive Zoning Ordinance, as amended, relative to such use;
- B. The Property shall be developed and used only in accordance with the Site Plan attached hereto as Exhibit "B," and incorporated herein by reference, which is hereby approved; provided, however, modifications to the floor plan as set forth in Exhibit "B" may be made if approved by the City Manager or Director of Planning and such modifications do not cumulatively result in more than a 10% change in the floor area of the Banquet Hall area;
- C. The sales and service of alcoholic beverages on the Property shall at all times be in conformance with the Alcohol Awareness Program set forth in Exhibit "C," attached hereto and incorporated by reference; and
- D. Events held at the Banquet Hall facility shall not commence earlier than 5:00 p.m. and or end not later than 12:00 midnight on any day of the week.

**SECTION 3.** The Property shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended and as amended herein.

**SECTION 4.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

**SECTION 5.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 7.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning