



**ORDINANCE NUMBER 2322**

**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 MOTOR VEHICLE REPAIR (TRANSMISSION SHOP) AT 14010 STEMMONS FREEWAY, AND WITHIN THE FREEWAY SUBDISTRICT OF THE PLANNED DEVELOPMENT NO. 70 ZONING DISTRICT (PD-70); PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING 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 the granting of a Specific Use Permit 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 Specific Use Permit should be granted.

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 to allow motor vehicle repair (transmission shop) on a 0.76 acre lot located at 14010 Stemmons Freeway and within the Freeway Subdistrict of the Planned Development No. 70 (PD-70) zoning district.

SECTION 2. That said motor vehicle repair (transmission shop) facility shall be constructed, maintained and operated in the manner shown on the approved site plan attached as Exhibit "A".

SECTION 3. That the motor vehicle repair (transmission shop) facility shall be operated in conformance with the following conditions:

1. The type repair performed within the building shall be specifically limited to transmission repair and all transmission repair activities shall take place exclusively within the building.
2. Outdoor storage of vehicle parts is prohibited.
3. Any vehicles kept on-site during hours in which the facility is not open to the public, except those operational vehicles belonging to employees working after hours, shall be stored within the secured parking area or within the building. <sup>NOT</sup>
4. No outside display of products for sale or otherwise, including vehicles or automotive parts shall be allowed.
5. Should the masonry screening walls facing Stemmons Freeway and Denton Drive be constructed prior to the construction of building "Z" as designated on the approved site plan, of the Valwood Design Center on the adjoining property to the south, a screening wall of a type approved by the City Staff must be constructed along the south property line to provide screening of the secured parking area. ~~of~~ outdoor storage shall be prohibited until such time that the area is screened fully in accordance with the approved site plan.
6. The three parking spaces shown at the southeast corner of the property, designated as employee parking spaces, shall be removed to allow the dumpster to be serviced. The parking space shown along the west side of the screening wall is not accessible and must be removed.

SECTION 4. 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, Texas, as herein amended and by the granting of a Specific Use Permit for a motor vehicle repair (transmission shop) facility at 14010 Stemmons Freeway.

SECTION 5. 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 6. If any section, paragraph, subdivision, clause, phrase, provision, or word of this ordinance shall be judged invalid or unconstitutional, such judgment shall not affect the remainder of this ordinance.

SECTION 7. 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 8. 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.