



**FARMERS
BRANCH**

online

ORDINANCE NUMBER 2402

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 RESTAURANT WITH A MIXED BEVERAGE PERMIT WITHIN A HOTEL LOCATED AT 11611 LUNA ROAD AND WITHIN THE PLANNED DEVELOPMENT NO. 60 (PD-60) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); 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 granting a specific use permit under 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 a change in such zoning 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 Restaurant with a Mixed Beverage Permit within a Hotel located at 11611 Luna Road and within the Planned Development No. 60 (PD-60) zoning district.

SECTION 2. That the restaurant shall be located within the hotel designated as 11611 Luna Road and more specifically in Exhibit "A".

SECTION 3. That the restaurant shall be operated in accordance with Ordinances 1986 and 2386 and with the approved site plan attached as Exhibit "B" and subject to all conditions stated herein.

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 as herein amended and by the granting of a specific use permit in the PD-60 zoning district.

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 as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand (\$2,000.00) dollars for each offense.

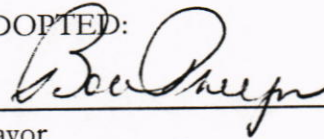
SECTION 6. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 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, and as the law in such case provides.

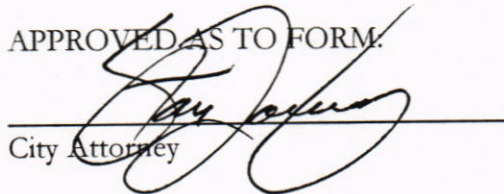
Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 13th day of July, 1997

ADOPTED:



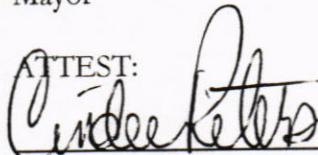
Mayor

APPROVED AS TO FORM.



City Attorney

ATTEST:



City Secretary