



FARMERS
BRANCH

ORDINANCE NO. 3133

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Sandra

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-INTERIM USE FOR TRUCK LEASING WITH OUTDOOR DISPLAY AND VEHICLE WASHING FACILITY FOR AN APPROXIMATELY 3.950 ACRE PORTION OF PLANNED DEVELOPMENT NO. 77 (PD-77) ZONING DISTRICT DESCRIBED IN EXHIBIT "A," ATTACHED HERETO; PROVIDING FOR APPROVAL OF A SITE PLAN AND LANDSCAPE PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; 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; and

WHEREAS, in accordance with Section 8-452 of the Comprehensive Zoning Ordinance, as amended, the City Council makes the following findings with respect to the application requesting the issuance of a Specific Use Permit - Interim Use on the property described in Exhibit "A," attached hereto and incorporated herein by reference ("the Property"), to wit:

1. The proposed use of the Property is consistent with existing uses of adjacent and nearby property;
2. The proposed use of the Property is not consistent with: (a) the reasonably foreseeable uses of adjacent and nearby property anticipated to be in place upon expiration of the term of the Specific Use Permit - Interim Use; or (b) the use of the Property contemplated by the City's Comprehensive Plan, as in effect on the date of granting of said permit;
3. The proposed use of the Property will not impair development of adjacent and nearby property in accordance with said Comprehensive Plan during the period for which the Specific Use Permit - Interim Use is in effect;

4. The proposed use of the Property will not adversely affect the City's Thoroughfare Plan and traffic patterns, as in effect at the time of granting of said permit, and as contemplated by the City's Comprehensive Plan;
5. The applicant has proposed to make an investment of up to \$153,000.00 in improvements to the Property related to the use to be authorized pursuant to the issuance of the requested Specific Use Permit - Interim Use and has stated that such investment can be recovered within ten (10) years from the effective date of said permit and this Ordinance; and
6. The investment contemplated to be made by the applicant in the Property subsequent to or in reliance upon the issuance of the permit may reasonably be expected to be recovered prior to the expiration date of this Ordinance and the Specific Use Permit – Interim Use created hereby; and

WHEREAS, having held the above-referenced public hearing and making the above findings, the governing body, in the exercise of its 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-Interim Use for Truck Leasing with Outdoor Display and vehicle washing for an approximately 3.950-acre tract of land described in Exhibit "A" attached hereto and incorporated herein for all purposes ("the Property") and located within a Planned Development No. 77 (PD-77) Zoning District.

SECTION 2. The Property shall conform in operation, location and construction to the development standards specified within Planned Development No. 77 (PD-77) Zoning District and, if used for the purpose of operating a truck leasing business with outdoor display and vehicles washing, the following additional standards and conditions:

- A. The permitted outdoor display of vehicles for rent shall be allowed only in the area shown on the Site Plan attached hereto as Exhibit "B" and incorporated herein by reference, which is hereby approved, and only if eight foot (8.0') screening wall indicated on the site plan remains in place.
- B. The outdoor display of vehicles for lease shall be conducted only in association with the operation of a truck leasing business occupying and using the building located on the Property.
- C. A vehicle washing facility may be constructed and operated on the area of the Property shown on the Site Plan, but only if: