

ORDINANCE NO. 3861



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 AMENDING ORDINANCE NO. 2344 GRANTING A SPECIFIC USE PERMIT FOR A RESIDENCE HOTEL FOR LOT 1, BLOCK A, STUDIO PLUS ADDITION LOCATED IN PLANNED DEVELOPMENT DISTRICT NO. 64 (PD-64) ZONING DISTRICT; PROVIDING FOR DEVELOPMENT PURSUANT TO AN ALTERNATE SITE 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; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TERMINATION UNDER CERTAIN CONDITIONS

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, by amending as follows Ordinance No. 2344 granting a Specific Use Permit for a Residence Hotel for property located within Planned Development District No. 64 (PD-64), described as Lot 1, Block A, Studio Plus Addition, an addition to the City of Farmers Branch, Dallas County, Texas, according to the plat thereof recorded in Volume 98093, Page 00084, Map Records, Dallas County, Texas (“the Property”):

A. Section 3 of Ordinance No. 2344 is amended to read as follows:

SECTION 3. That the residence hotel and its associated improvements shall be constructed and specifically located in accordance with the approved site plan attached hereto as Exhibit “A” and subject to all conditions stated herein; provided, however, if the residence hotel is at any time developed without a pool as shown on Exhibit “A,” then (i) Page 2 of Exhibit “A” hereto shall deemed to be replaced with the version of the site plan attached hereto as Exhibit “B” – “Site Plan Without Pool” and incorporated herein by reference, (ii) all other pages of Exhibit “A” hereto shall read as if the pool is replaced by the “Outdoor Patio

Area” as shown on Exhibit “B” hereto, and (iii) Section 11 of this Ordinance shall be read as if it does not include the word “pool.”

- B.** Ordinance No. 2344 is amended by adding Exhibit “B” – “Site Plan Without Pool” to read as set forth in Exhibit “B,” attached hereto and incorporated by reference.

SECTION 2. 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 3. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 4. 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 whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 5. 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 dollars (\$2,000.00) for each offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance as the law and the City Charter in such cases provides.

SECTION 7. This ordinance shall be subject to termination pursuant to Section 6.5.C of the Comprehensive Zoning Ordinance, as amended.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS, THE 6TH DAY OF AUGUST 2024.

ATTEST:

APPROVED:

Stacy Henderson, City Secretary

Terry Lynne, Mayor

APPROVED AS TO FORM:

David M. Berman, City Attorney

(kbl:4/17/2024:4868-6482-4247 v1)

