



## **ORDINANCE NO. 3461**

**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 FOR A GASOLINE SERVICE STATION AND CONVENIENCE STORE ON LOTS 1 AND 2, MARION GOOD ADDITION (COMMONLY KNOWN AS 14054 NORTH STEMMONS FREEWAY) LOCATED WITHIN PLANNED DEVELOPMENT NO. 70 (PD-70)(OLD FARMERS BRANCH-FREEWAY SUBDISTRICT) ZONING DISTRICT; ADOPTING A SITE PLAN, LANDSCAPE PLAN, SIGN PLAN, AND BUILDING ELEVATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING 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, 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 by granting a Specific Use Permit for a Gasoline Service Station with a Convenience Store for Lots 1 and 2, Marion Good Addition, an Addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Volume 84020, Page 5275, Plat Records, Dallas County, Texas (commonly known as 14054 North Stemmons Freeway)("the Property") which is presently zoned Planned Development No. 70 (Old Farmers Branch – Freeway Subdistrict) Zoning District ("PD-70 OFB-F").

**SECTION 2.** The Property shall conform in operation, location and construction to the development standards specified within the PD-70 OFB-F Zoning District and, if developed as a Gasoline Service Station with a Convenience Store as authorized by Section 1 of this Ordinance, the Property shall be subject to the following special conditions:

- A. The Property shall be developed and used only in accordance with the Site Plan attached hereto as Exhibit "A" and incorporated herein by reference;



- B. The Property shall be developed with landscaping in accordance with the Landscape Plan attached hereto as Exhibit “B,” and incorporated herein by reference;
- C. The building elevations for buildings located on the Property shall be designed and constructed substantially in accordance with the Elevations set forth in Exhibit “C,” attached hereto and incorporated herein by reference; and
- D. The signs installed on the Property shall be substantially as shown on the Sign Plan attached hereto as Exhibit “D” and incorporated herein by reference.
- E. No vending machines, ice machines, storage bins or racks, or similar equipment or devices may be located on the exterior of any building located on the Property.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** This Ordinance shall take effect after the passage of this Ordinance, the publication of the caption hereof as the law and charter in such case provide.

**SECTION 8.** 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 12<sup>th</sup> DAY OF SEPTEMBER, 2017.**

ATTEST:

APPROVED:

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Amy Piukana, City Secretary

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Robert C. Dye, Mayor

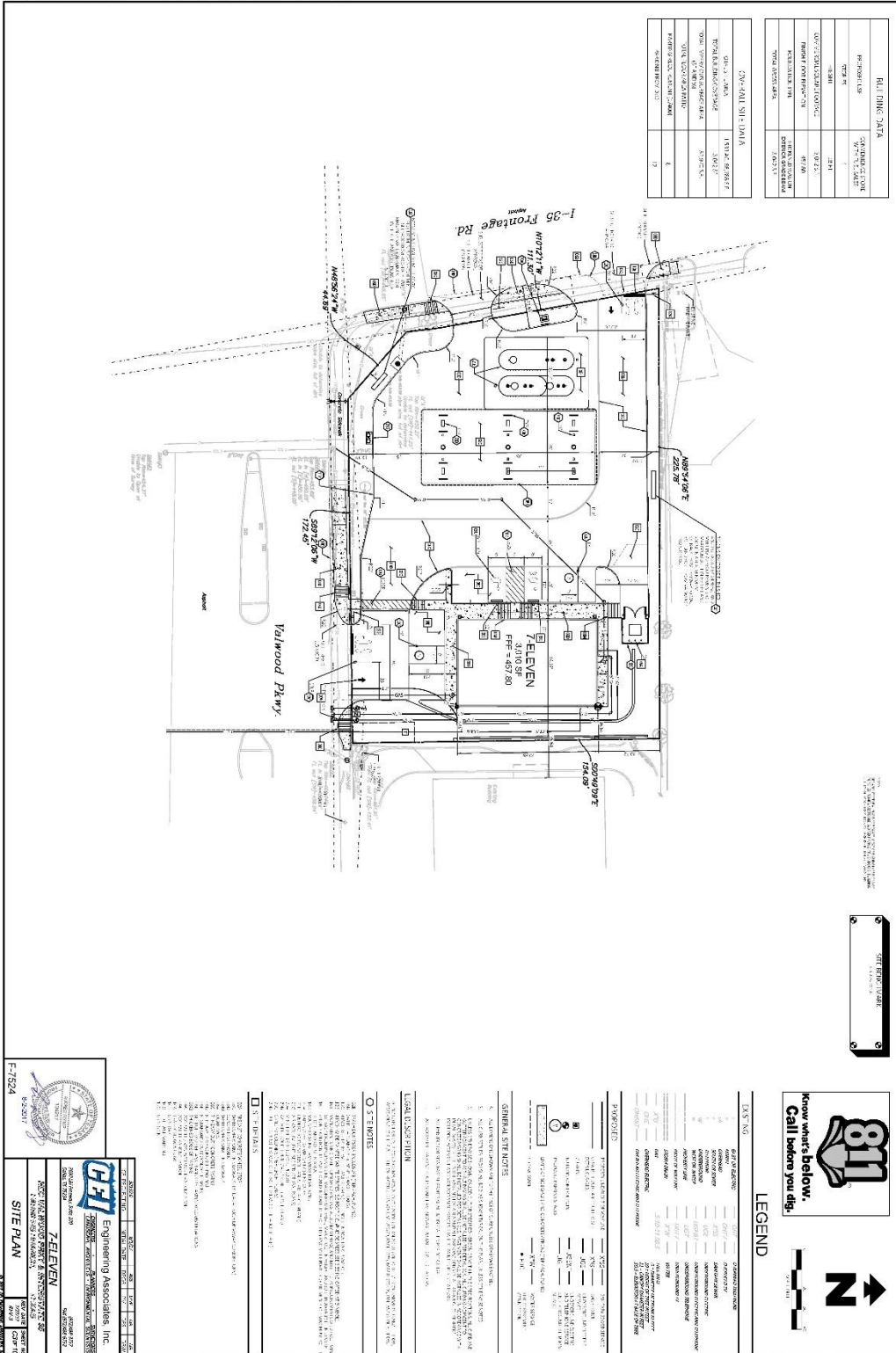
APPROVED AS TO FORM:

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Peter G. Smith, City Attorney  
(kbl:8/23/17:89483)



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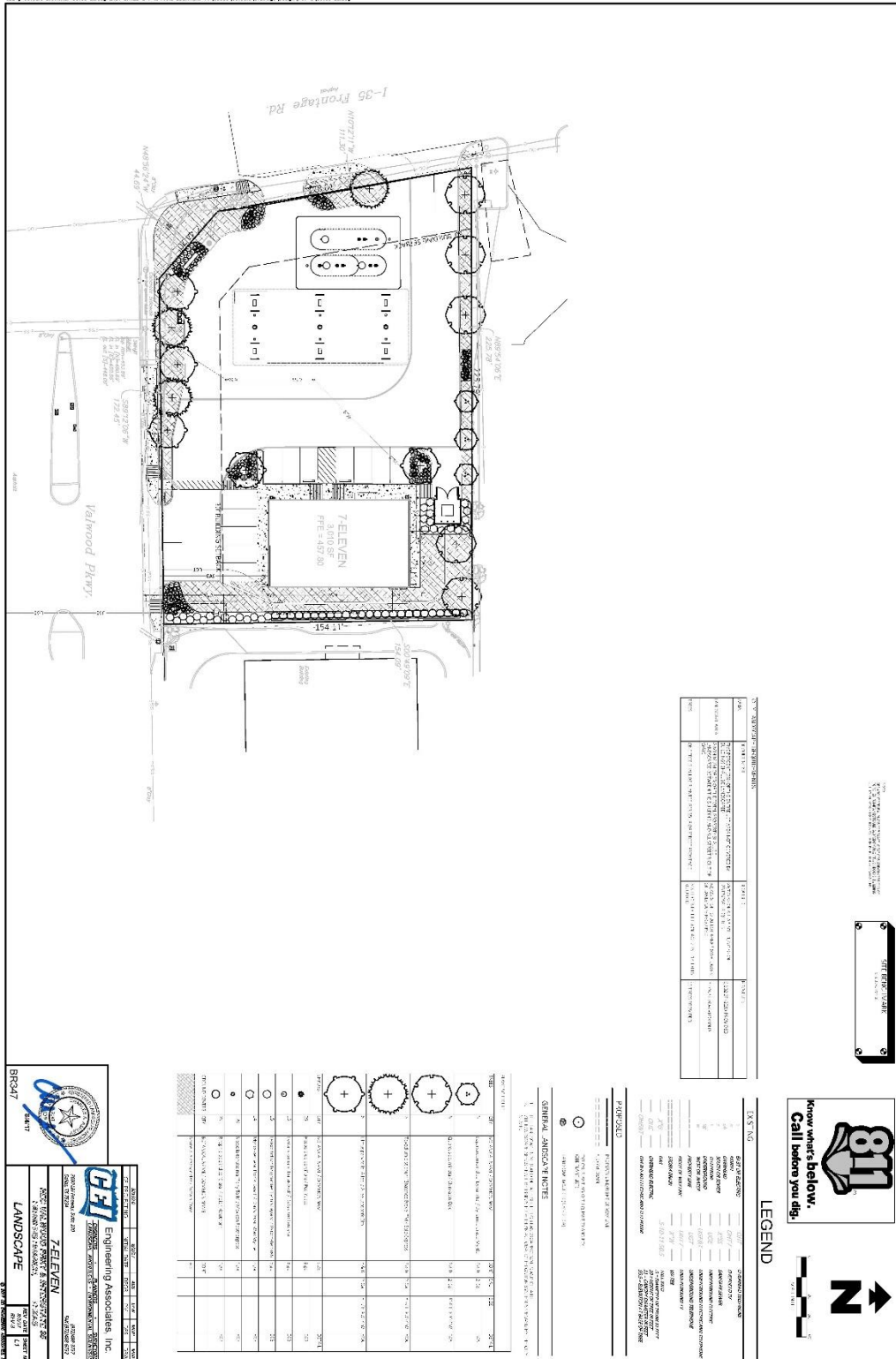


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**Ordinance No. 3461**  
**Exhibit “C” – Elevations (cont.)**



ZALEVEN STORE  
VALWOOD PARKWAY 8.1.35  
FARMERS BRANCH, TX





**Ordinance No. 3461**  
**Exhibit “C” – Elevations (cont.)**



7-ELEVEN STORE  
VALWOOD PARKWAY 8.1-35  
FAIRFAX BRANCH, TX









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