

ORDINANCE NO. 1891

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON EULESS TOWN CENTER ADDITION, BLOCK 1, LOT 1R, 1201 W. AIRPORT FREEWAY #400 FOR AMUSEMENT AND RECREATION SERVICES; PROVIDING FOR A SEVERABILITY CLAUSE; PENALTY FOR VIOLATION AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on October 5, 2010, in conjunction with Specific Use Permit Case No. 10-07-SUP, and has rendered a recommendation to the City Council with respect to this case;

WHEREAS, City Council has conducted a public hearing on October 26, 2010, has considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless and that any foreseeable negative impacts of the proposed use have been mitigated through design restrictions or other set conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS, THAT:

SECTION 1 ALLOWED USES

Amusement and Recreation Services uses as specifically described on Exhibit "A" (attached hereto and made a part hereof) and on the Specific Use Permit Form (attached hereto and made a part hereof), shall be permitted on Euless Town Center Addition, Block 1, Lot 1R, 1201 W. Airport Freeway #400.

SECTION 2

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council of the City of Euless that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase.

SECTION 3

PENALTY FOR VIOLATION. Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions,"

Section 1-12, "General Penalty," Eules Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 4

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, as provided by the Eules City Charter and the laws of the State of Texas.

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Eules City Council on October 26, 2010, by a vote of ____ayes, ____nays, and ____abstentions.

APPROVED:

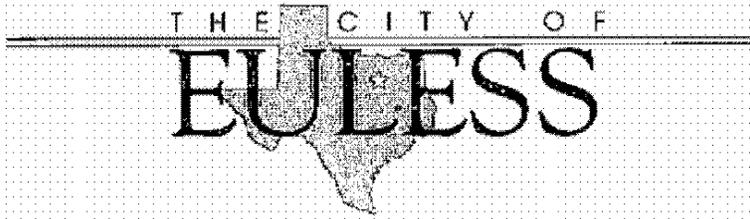
Mary Lib Saleh, Mayor

ATTEST:

Susan Crim, TRMC, City Secretary

APPROVED AS TO FORM:

William M. McKamie, Interim City Attorney



ORDINANCE NO. 1891
SPECIFIC USE PERMIT CASE #10-07-SUP

LAND USE: AMUSEMENT AND RECREATION SERVICES

LOCATION (property address): 1201 W. Airport Freeway #400
(legal description): Euless Town Center Addition, Block 1, Lot 1R

This permit is valid only for the property and use listed above and then ONLY in accordance with the following documents and/or conditions:

CONDITIONS (INCLUDING DATES):

Considered by Planning and Zoning Commission:

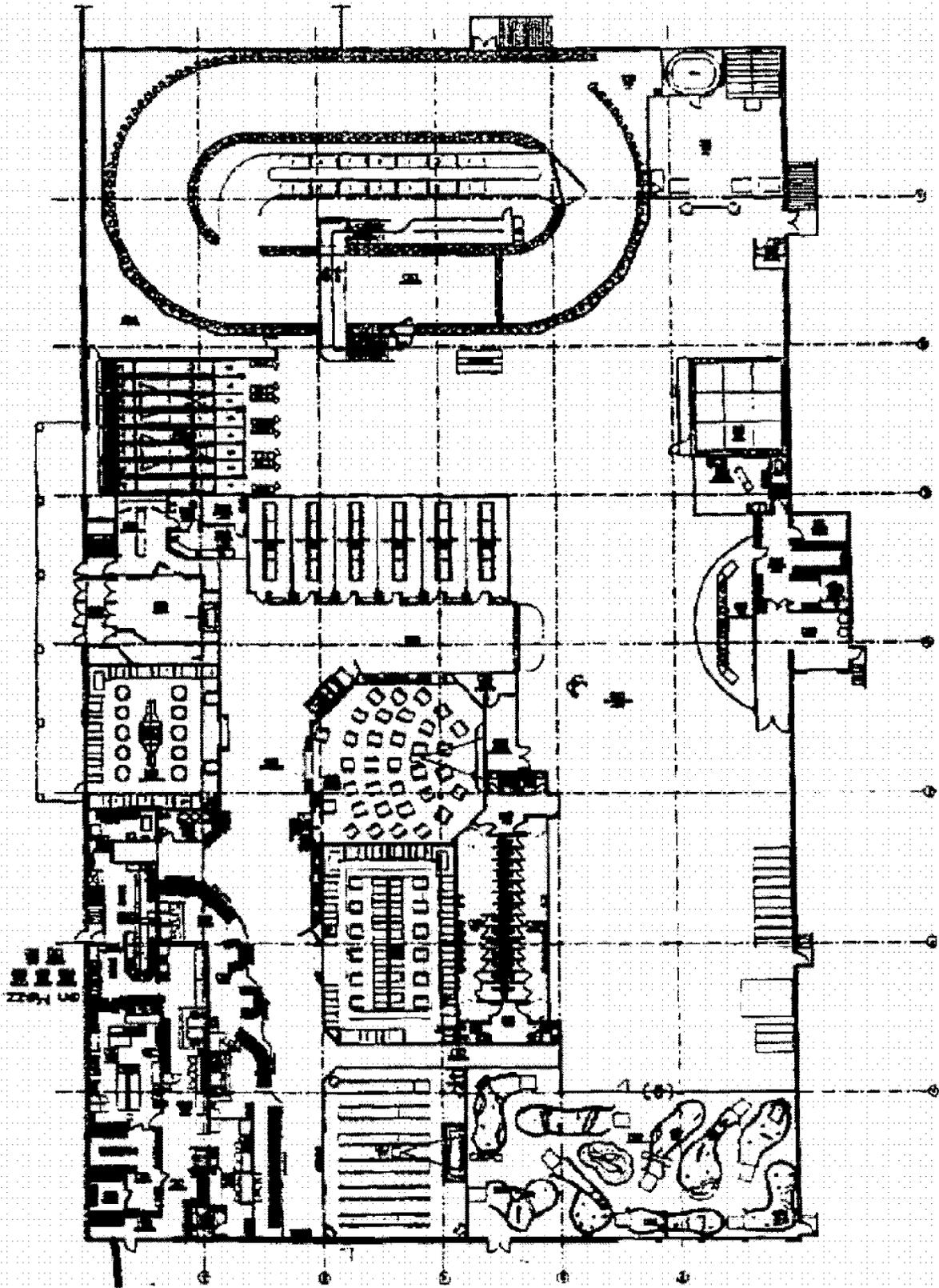
DATE OF ACTION: October 5, 2010
 approval denial

X *[Signature]*
Signature of P & Z Chairman

Considered by City Council:

DATE OF ACTION: October 26, 2010
 approval denial

X _____
Signature of Mayor



"Exhibit A"