

ORDINANCE NO. 2091

AN ORDINANCE AMENDING CHAPTER 84 OF THE CODE OF ORDINANCES, IDENTIFIED AS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EULESS, TEXAS; AMENDING THE CITY OF EULESS ZONING DISTRICT MAP ON KOSAMBO ADDITION BLOCK A, LOT 1, 345 WESTPARK WAY, BY CHANGING THE ZONING FROM NEIGHBORHOOD BUSINESS (C-1) INTO PLANNED DEVELOPMENT (PD) ZONING DISTRICT AS DESCRIBED HEREIN AND ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR A SEVERABILITY CLAUSE; PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on October 6, 2015 in conjunction with Zoning Case No. 15-09-PD, and has rendered a recommendation to the City Council with respect to this case; and

WHEREAS, the City Council has conducted a public hearing on October 27, 2015, 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.

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

SECTION 1.

The official zoning district map of the City of Euless, Texas, being a part of Chapter 84 of the Code of Ordinances, be amended to read so that the zoning district classification of Kosambo Addition, Block A, Lot 1, 345 Westpark Way by changing the zoning from Neighborhood Business (C-1) into Planned Development (PD) zoning district and on the attached "**Exhibit A.**" Said property described above shall be subject to all the safeguards and conditions set forth on said "Exhibit A" or stipulated herein. Said "Exhibit A" shall be applicable only to the property described herein.

SECTION 2.

All uses as permitted within the Neighborhood Business (C-1) zoning district as defined by Section 84-84 of the Euless Unified Development Code shall be allowed within this district with the inclusion of Senior Citizens Assisted Living use.

SECTION 3.

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 4.

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," Euless Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 5.

SAVINGS CLAUSE. All rights and remedies of the City of Euless are expressly saved as to any and all violations of the provisions of the Euless Unified Development Code applicable to the Property that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

PUBLICATION CLAUSE. The City Secretary of the City of Euless is hereby directed to publish the caption, penalty clause and effective date of this ordinance in the official newspaper of the City of Euless, as required by Section 12 of Article II of the Charter of the City of Euless.

SECTION 7.

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

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Euless City Council on November 10, 2015 by a vote of ___ ayes, ___ nays, and ___ abstentions.

APPROVED:

Linda Martin, Mayor

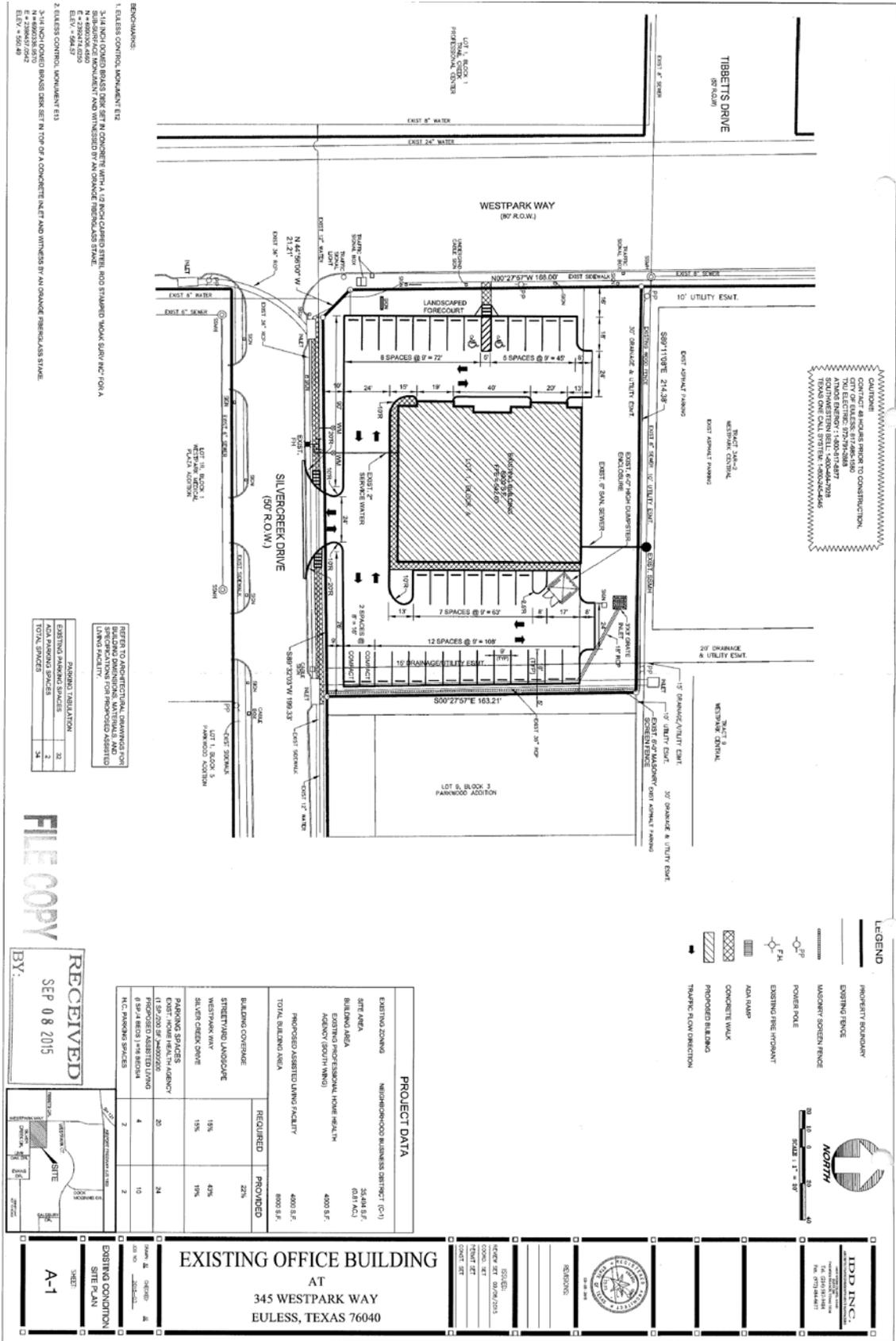
ATTEST:

Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

Wayne K. Olson, City Attorney

EXHIBIT A



REMARKS:
 1. EULESS CONTROL MONUMENT E2Z
 3-14 NON-DOWNS BASES SET IN CONCRETE WITH A 1/2 INCH-CAPRO STEEL ROD SHOWN WORK SHOWN FOR A
 N.B.S.S. SERVICE MONUMENT AND WITNESSED BY AN ORANGE FIBERGLASS STAKE.
 ELEV. = 5294.42 (25)
 ELEV. = 5294.42 (25)
 ELEV. = 5294.42 (25)
 2. EULESS CONTROL MONUMENT E13
 3-14 NON-DOWNS BASES SET IN TOP OF A CONCRETE INLET AND WITNESSED BY AN ORANGE FIBERGLASS STAKE.
 ELEV. = 5294.42 (25)
 ELEV. = 5294.42 (25)

PARKING VIOLATION	
EXISTING PARKING SPACES	22
ADA PARKING SPACES	2
TOTAL PARKING SPACES	24

PROJECT DATA	
EXISTING ZONING	NEIGHBORHOOD BUSINESS DISTRICT (C-1)
SITE AREA	54,444 S.F. (619 AC)
BUILDING AREA	4,000 S.F.
EXISTING PROFESSIONAL HOME HEALTH AGENCY (SPOON HUND)	4,000 S.F.
PROPOSED ASSISTED LIVING FACILITY	4,000 S.F.
TOTAL BUILDING AREA	8,000 S.F.
BUILDING COVERAGE	22%
STREET/FRONT LANDSCAPE	15%
WESTPARK WAY	15%
SILVERCREEK DRIVE	15%
PARKING SPACES	20
EXIST. HOME HEALTH AGENCY	4
EXIST. HOME HEALTH AGENCY	10
TOTAL PARKING SPACES	2

RECEIVED
 SEP 08 2015
 BY: _____



EXISTING OFFICE BUILDING
 AT
 345 WESTPARK WAY
 EULESS, TEXAS 76040