

## ORDINANCE NO. 2015

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON OAKWOOD TERRACE NORTH ADDITION, BLOCK 16, LOT AR1, 1600 W. EULESS BOULEVARD FOR A AUTOMOTIVE SERVICE AND CONVENIENCE STORE USE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR A PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on October 15, 2013, in conjunction with Specific Use Permit Case No. 13-10-SUP, and has rendered a recommendation to the City Council with respect to this case;

**WHEREAS**, City Council has conducted a public hearing on November 12, 2013, 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:**

### **SECTION 1 ALLOWED USES**

**THAT** an automotive services and convenience store uses as specifically described on the Specific Use Permit Form (attached hereto and made a part hereof) and on Exhibit "A" (attached hereto and made a part hereof) shall be permitted on Oakwood Terrace North Addition Block 16, Lot AR1, 1600 W. Euless Boulevard.

### **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

**PUBLICATION.** The caption, penalty clause, and effective date clause of this ordinance shall be published in a newspaper of general circulation in the City of Eules, in compliance with the provisions of Article II, Section 12, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

### SECTION 5

**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 22, 2013, by a vote of \_\_\_\_ ayes, \_\_\_\_ nays, and \_\_\_\_ abstentions.

APPROVED:

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Mary Lib Saleh, Mayor

ATTEST:

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Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

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Wayne Olson, City Attorney

# Exhibit A

| ARCHITECTURAL NOTES |  |
|---------------------|--|
| 1.                  | DO NOT SCALE DRAWINGS.   |
| 2.                  | BRING ERRORS, OMISSIONS & INCONSISTENCIES IN THE DRAWINGS TO THE ATTENTION OF THE C.C. OR THE ARCHITECT.   |
| 3.                  | UTILITIES ARE EXISTING.  |
| 4.                  | CONSTRUCTION SHALL COMPLY WITH APPLICABLE CODES AND RELATED AMENDMENTS.  |
| 5.                  | ADDITIONAL PLANS MAY BE PROVIDED BY SUB-CONTRACTORS TO SECURE THEIR INDIVIDUAL PERMITS, INCLUDING, BUT NOT LIMITED TO: MECHANICAL, ELECTRICAL, PLUMBING, IRRIGATION SUB-CONTRACTORS. |
| 6.                  | HVAC UNITS AND WATER HEATER (IF TANK) TO BE LOCATED ABOVE THE CEILING. EXACT LOCATION TO BE DETERMINED BY OTHERS.  |
| 7.                  | PROVIDE SMOKE DETECTORS AND FIRE EXTINGUISHERS PER BUILDING CODE AND FIRE CODE.  |
| 8.                  | TEST TELEPHONE, ALARM, SECURITY, T.V. AND ANY RELATED SYSTEMS PRIOR TO TAPING & WIRING. VERIFY INTERNET SYSTEM REQUIREMENTS WITH OWNER.  |

| LANDSCAPE   | STREET TREES       |  | SITE TREES             |                    | STREET SHRUBS          |                    |
|---|--------------------|--|------------------------|--------------------|------------------------|--------------------|
|   | 1 PER 25' FRONTAGE | 1 PER 10' SF (Ø FRONT)                                       | 1 PER 10' SF (Ø FRONT) | 4 PER 25' FRONTAGE | 1 PER 10' SF (Ø FRONT) | 4 PER 25' FRONTAGE |
| THREE REQUIREMENTS (PER ORDINANCE)  |                    |  |                        |                    |                        |                    |
| SHRUB REQUIREMENTS (PER ORDINANCE)  |                    |  |                        |                    |                        |                    |
| REQUIREMENTS PER FRONTAGE   |                    |  |                        |                    |                        |                    |
| STATE HIGHWAY 10  | 284'               | 11   | 1                      | 45                 |                        |                    |
| WILSHIRE DR   | 300'               | 12   |                        | 48                 |                        |                    |
| REQMTS PER AVAILABLE FRONTAGE (LESS DRIVES, VISIBILITY AREAS)   |                    |  |                        |                    |                        |                    |
| STATE HIGHWAY 10  | 30'                | 1  | 1                      | 4                  |                        |                    |
| WILSHIRE DR   | 102'               | 7  |                        | 28                 |                        |                    |
| TREES & SHRUBS PROVIDED   |                    |  |                        |                    |                        |                    |
| STATE HIGHWAY 10  |                    | 1  | 1                      | 33                 |                        |                    |
| WILSHIRE DR (3 EXISTING, 9 NEW)   |                    | 12   |                        | 60                 |                        |                    |
| ADDITIONAL LANDSCAPING  |                    |  |                        |                    |                        |                    |
| GROUNDCOVER   |                    | APPR 175 SQ.FT. OF GROUNDCOVER AT CORNER OF SH-10 & WILSHIRE |                        |                    |                        |                    |
| SHRUBS IN VISIBILITY TRIANGLES AND RECTANGLES SHALL BE MAINTAINED AT A MATURE MAX HT OF 24'. GROUNDCOVER HT SHALL NOT EXCEED 12". |                    |  |                        |                    |                        |                    |

| CODES - ZONING                          |  |
|---|--|
| ZONING:                                 | SUP FOR TX-10 CORRIDOR DISTRICT                                  |
| BUILDING CODE:                          | 2003 IBC, 2003 ICC, 2002 NEC                                     |
| OCCUPANCY:                              | MERCANTILE- M  |
| OVERALL LOT AREA:                       | 114,364 SQUARE FEET (2.625 ACRES)                                |
| BUILDING AREAS:                         | 1,747 SF- PROPOSED FOOD MART (EXISTING BLDG)                     |
| BUILDING AREA:                          | 3,200 SF- AUTO REPAIR (EXISTING BLDG)                            |
| OCCUPANT LOAD PER BLDG TO BE REMODELED: | 1 OCCUPANT/ 30 SQ FT - 50 OCCUPANTS                              |
| PARKING REQUIRED:                       | 1 SPACE PER 200 SQ FT - 9 SPACES                                 |
| PARKING PROVIDED:                       | 10 SPACES- PROPOSED FOOD MART<br>42 SPACES- AUTO REPAIR BUILDING |

| SHEET INDEX |   |
|-------------|---|
| A1          | SITE PLAN, INDEX, CODES & ZONING, LANDSCAPE |
| A2          | FLOOR PLAN                                  |
| A3          | BUILDING ELEVATIONS                         |

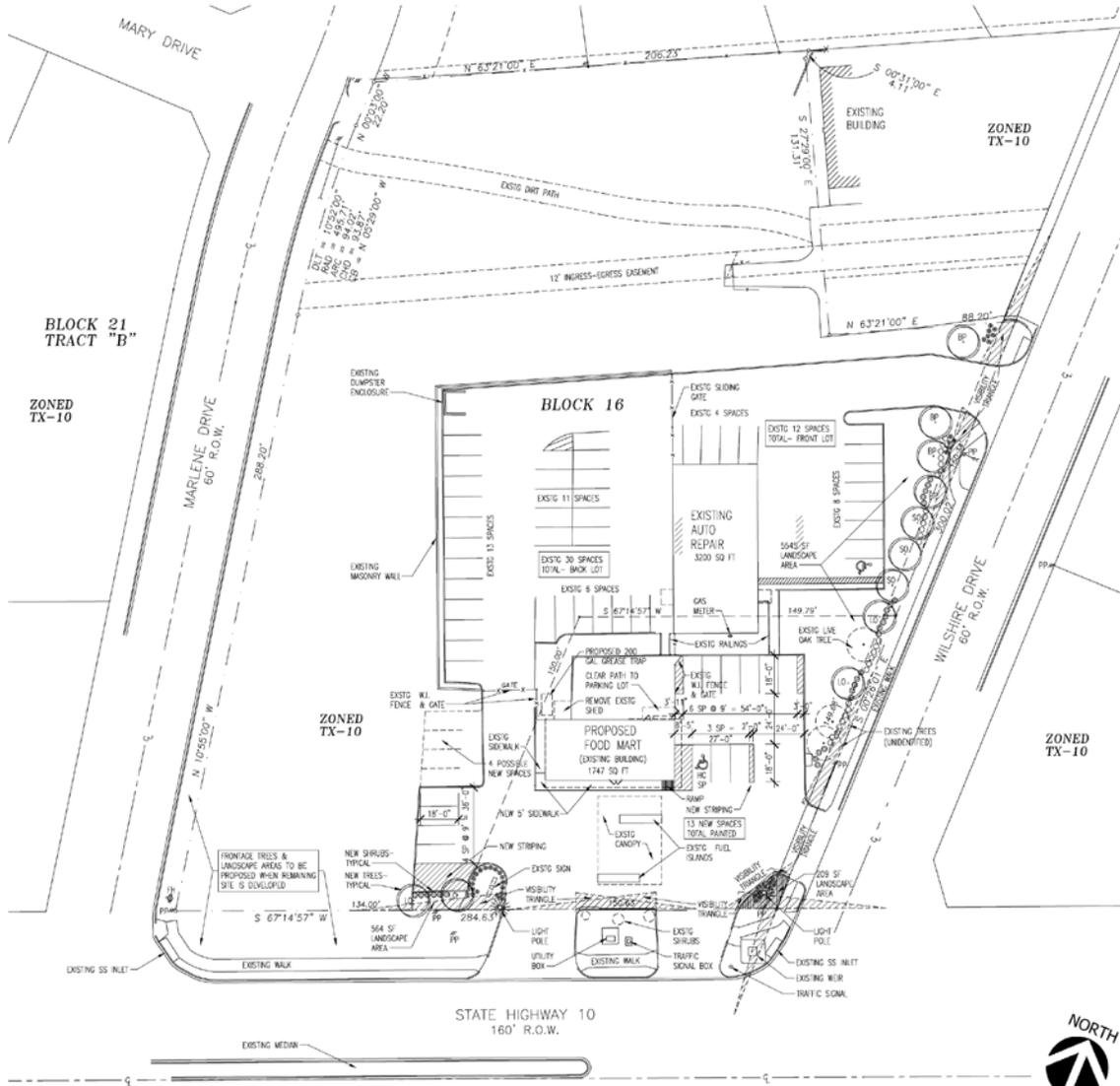
|               |     |
|---------------|-----|
| DRAWN         | AEL |
| CHECKED       | AEL |
| ISSUE DATES   |     |
| PMT 15 APR 11 |     |
| PMT 23 APR 11 |     |
| REVISIONS     |     |

**ADAM'S FOOD MART ARCHITECTS**  
 3551 FLAIR DR DALLAS, TX 75229 214.350.1260



**ADAM'S FOOD MART**  
 1600 W EULESS BLVD  
 EULESS, TEXAS

|           |       |
|-----------|-------|
| SHEET NO. | A1    |
| JOB NO.   | 10002 |



**01 SITE PLAN**  
1"=30'-0"

