

ORDINANCE NO. 2382

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT FOR A WAREHOUSE IN THE 121 GATEWAY (TX-121) ZONING DISTRICT LOCATED AT AL-KO ADDITION, BLOCK A, LOT 1, 2300 STATE HIGHWAY 121; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on April 16, 2024, in conjunction with Specific Use Permit Case No. 24-05-SUP, and has rendered a recommendation to the City Council with respect to this case; and

WHEREAS, City Council has conducted a public hearing on May 14, 2024, 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. A warehouse and conditions as specifically described on the Specific Use Form (attached hereto and made a part hereof) shall be permitted at AL-KO Addition, Block A, Lot 1, 2300 State Highway 121.

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.

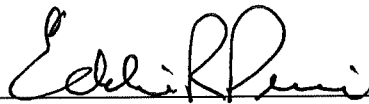
PUBLICATION CLAUSE. The caption, penalty clause, and effective date clause of this ordinance shall be published in a newspaper of general circulation in the City of Eules, in compliance with the provisions of Article II, Section 12, of the Eules City Charter. Further, this ordinance may be published 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.

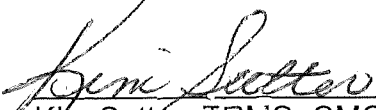
PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Eules City Council on May 14, 2024, by a vote of 5 ayes, 0 nays, and 0 abstentions.

APPROVED:




Linda Martin, Mayor

ATTEST:

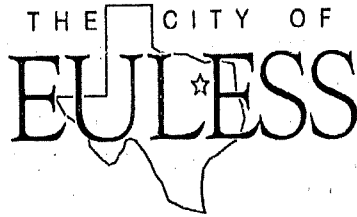


Kim Suttér, TRMC, CMC
City Secretary/Chief Governance Officer

APPROVED AS TO FORM:



Wayne Olson, City Attorney



ORDINANCE NO. 2382

SPECIFIC USE PERMIT CASE # 24-05-SUP

LAND USE: Warehouse

LOCATION: AL-KO Southwest Addition, Block A, Lot 1 (2300 State Highway 121)

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):

- 1) The Specific Use Permit is tied to the business name, OES Equipment;
- 2) The Specific Use Permit is tied to the business owner, OES Equipment, LLC;
- 3) Vehicles, equipment, and all other storage that is located in the rear yard must not extend over the height of the north and south fencing; and
- 4) The Specific Use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Considered by Planning and Zoning Commission:

DATE OF ACTION: April 16, 2024



approval



denial

X

Signature of P&Z Chairman



ORDINANCE NO. 2382

SPECIFIC USE PERMIT CASE #24-05-SUP

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Considered by Planning and Zoning Commission:

DATE OF ACTION: April 16, 2024

Considered by City Council:

DATE OF ACTION: May 14, 2024

approval

denial

x 

Signature of Mayor