

**ORDINANCE NO. 7347**

**AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A CONVENIENCE STORE USE ON A 3.792-ACRE TRACT OF LAND ZONED COMMUNITY OFFICE (CO) DISTRICT AND LOCATED AT 429 EAST INTERSTATE HIGHWAY 30; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, at its regular meeting held on the 13th day of June, 2022, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Convenience Store made by **Craig A. Edwards**; and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

**Section 1**

The Garland Development Code is hereby amended by approving a Specific Use Provision for a Convenience Store on a 3.792-acre tract of land zoned Community Office (CO) District and located at 429 East Interstate Highway 30 and being more particularly described in Exhibit "A," attached hereto and made a part hereof.

**Section 2**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

**Section 3**

That a violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 4**

**NOTICE OF CONDITIONS OF COMPLIANCE:** Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit "A". All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

**Section 5**

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 6**

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

**Section 7**

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

**PASSED AND APPROVED** this 19th day of July, 2022.

**THE CITY OF GARLAND, TEXAS**

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Mayor

**ATTEST:**

FILE NO. Z 22-33

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City Secretary

**Published:**

ZONING FILE NUMBER Z 22-33

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File Z 22-33**

Being Lot 2, Block 1, of Bobtown Commons, an addition to the City of Garland, Texas, as recorded in County Clerk Instrument No. 201700223666, of the Official Public Records of Dallas County, Texas, and containing 3.792 acres of land according to the plat thereof.

**EXHIBIT A**

**SPECIFIC USE PROVISION CONDITIONS**

**ZONING FILE Z 22-33**

**429 East IH-30**

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Convenience Store (1,000 - 5,000 sf).
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Office (CO) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
  - A. Time Period:** The Specific Use Provision shall be valid for twenty-five (25) years.
  - B. Convenience Store (1,000-5,000 sf):** The Convenience Store Use shall be limited to the approximate 2,400 square-foot tenant space area ["Units 6-7"] as shown on Exhibit C.

