

ORDINANCE NO. 7387

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR AUTOMOBILE SALES, NEW OR USED ON A 1.014-ACRE TRACT OF LAND ZONED INDUSTRIAL (IN) DISTRICT LOCATED AT 2905 FOREST LANE; 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 7th day of November, 2022, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for Automobile Sales, New or Used on a site zoned Industrial (IN) District by **JC Collision.**; 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 a Specific Use Provision for Automobile Sales, New or Used on a 1.014-acre tract of land zoned Industrial (IN) District and located at 2905 Forest Lane 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.

FILE NO. Z 22-39

PASSED AND APPROVED this 13th day of December, 2022.

THE CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

JC AUTO COLLISION CENTER

2905 FOREST LANE, GARLAND, TX 75042



SITE ANALYSIS

SITE AREA= 44,400 SF (1.09 AC)
 BUILDING AREA- BUILDING 1= 8,078 SF
 BUILDING 2= 2,972 SF

TOTAL= 11,050 SF

CAR STORAGE REQ'D= 600 SF/ EA. BAY= 2400 SF REQ'D FOR 4 BAYS
 CAR STORAGE PROV'D= 2837 SF

PARKING REQUIRED:

A) AUTO REPAIR:
 (1/400 GFA: 10,500/400= 26 STALLS)

B) AUTO REPAIR BAY:
 (2/ BAY: 4 BAYS= 8 STALLS)

SUB-TOTAL= 34 STALLS REQ'D

C) AUTO SALES:
 AUTOMOBIL SALES OFFICE= 550 SF
 (1/400 GFA: 550/ 400= 2 STALLS)

D) AUTO SALE EMPLOYEE:
 1/ EMPLOYEE= 1 STALL

SUB-TOTAL= 3 STALLS REQ'D

TOTAL= 37 STALLS REQ'D

PARKING PROVIDED= 44 PARKING STALLS
 H.C PARKING REQ'D= 3 PARKING STALLS (INCLUDING 1 VAN ACCESSIBLE)
 H.C PARKING PROVIDED= 3 PARKING STALLS (INCLUDING 1 VAN ACCESSIBLE)

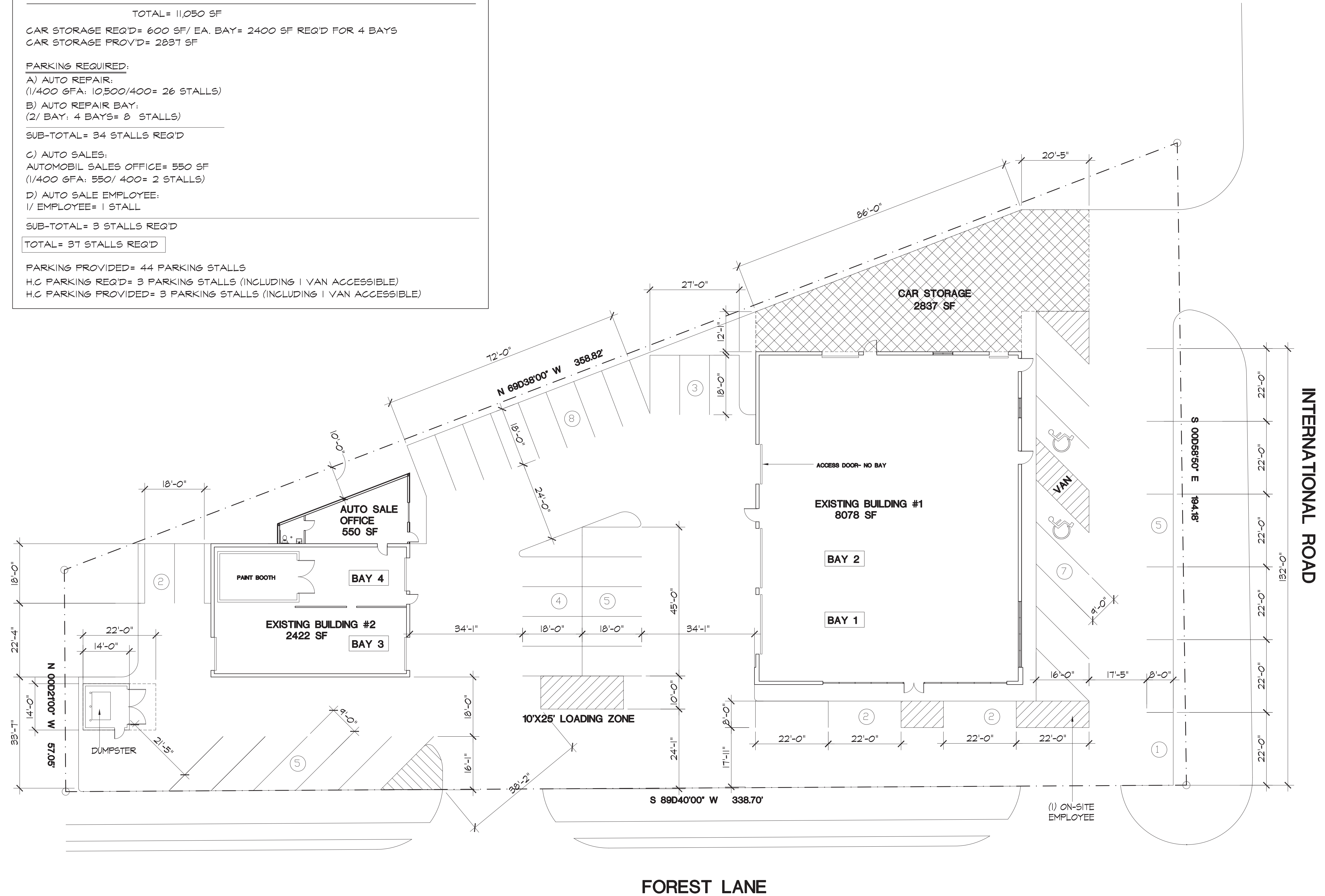


EXHIBIT C

CASE# 220414-3

MA International
 2601 Perth Street
 Dallas, TX 75220
 johnma2@yahoo.com
F-3485

ENGINEER

ARCHITECT SEAL

ENGINEER SEAL

#	DATE	SUBMISSION
--	11.22.22	SUP FOR AUTO SALES USE

JC
AUTO COLLISION
CENTER
GARLAND, TX

SITE PLAN



EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 22-39

BEING a 1.014-acre tract of land situated in the J.W KEEN SURVEY, ABSTRACT NO. 744 AND C.G. NEWTON SURVEY ABSTRACT NO. 1099 and being part of a tract conveyed to Genuine Parts Co. by John Roger Company by deed filed in Vol. 70001m page 115 of the Deed Records of Dallas County, Texas, and being a 60 ft. by 60 ft. tract located at the end of Benton Street in Forest Lane Industrial Park, an addition to the City of Garland as filed in Vol. 45 at page 185 of the Map and Plat Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the North Right-of-way of Forest Lane with West line of International Road;

THENCE North 89 deg. 37 min. West with North Right-of-way of Forest Lane, 338.70 feet to iron stake for corner;

THENCE North 0 deg. 24 min. West with the West line of said Genuine Parts Company tract, 67.05 feet to iron stake set on South line of MK & T Rail road Right-of-way for corner;

THENCE North 69 deg. 38 min. East with the South line of said MK & T Railroad R.O.W., 358.82 feet to iron stake set in the West line of said International Road for corner;

ZONING FILE NUMBER Z 22-39

THENCE South 00 deg. 49 min. East with West line of International Road, 194.18 feet to Place of Beginning and containing 1.014 acres of land.

EXHIBIT A

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 22-39

2905 Forest Lane

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow an Automobile Sales, New or Used Use.
- 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. Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

- A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;
- B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;
- C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;
- D. Discontinuance of the Land Use for a period of 180 days;
- E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or
- F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

IV. General Regulations: All regulations of the Industrial (IN) 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.

V. Specific Use Provision:

A. SUP Time Period: The Specific Use Provision time period for the Automobile Sales, New or Used Use shall be for five (5) years.

B. Site Plan: The site layout, building placement, parking shall be in general conformance with the approved Site Plan labeled Exhibit C.

C. Wholesale Automobile Sales: The Automobile Sales, New or Used use shall be Wholesale Automobile Sales only, as defined and consistent with a Wholesale Automobile Dealer's license issued and regulated by the Texas Department of Motor Vehicles.

D. Display Stickers: Display stickers shall not be permitted on the automobiles for sale.