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ORDINANCE NUMBER 2595

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW A PRIVATE SCHOOL, INCLUDING ATHLETIC FACILITIES, ON AN APPROXIMATELY 49-ACRE SITE LOCATED AT 13777 MIDWAY ROAD, GENERALLY AT THE NORTHWEST CORNER OF MIDWAY ROAD AND ALPHA ROAD WITHIN THE PLANNED DEVELOPMENT NUMBER 64 (PD-64) ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter and Code of Ordinances of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair

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hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit to allow a private school, including athletic facilities, on an approximately 49-acre site located at 13777 Midway Road, generally at the northwest corner of Midway Road and Alpha Road within the Planned Development Number 64 (PD-64) zoning district.

SECTION 3. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a Specific Use Permit and approval of an associated site plan for a private school including athletic facilities, in accordance with the approved site plan attached hereto as Exhibit "A." Any improvements constructed or placed on the subject property must be in full compliance with Exhibit "A".

SECTION 4. In addition to the associated site plan, the following conditions shall apply:

1. Prior to construction of the gymnasiums, locker rooms, auditorium, outdoor athletic facilities, and any exterior modifications to the existing building, approval of an amended specific use permit application by the City of Farmers Branch shall be required. Issues to be reviewed include, but are not necessarily limited to: an amended site plan drawing, building elevations, parking, security and lighting.
2. Prior to issuance of an occupancy permit for initial occupancy of the existing building, a detailed operational procedures plan for the proposed school site, including specifying after hours access to the building for the Police Department, shall be prepared by the applicant, in keeping with the parameters outlined with the proposed Plan of Operation and addressing comments specified in a memo from Mr. Jim Fawcett, Police Chief, dated March 1, 2001, and the plan shall be subject to review and approval by the City of Farmers Branch.
3. Prior to issuance of a occupancy permit for occupying the existing building and prior to issuance of an occupancy permit for the use of the future athletic fields, the applicant shall allow the Police Chief to inspect and review the field of vision, including zooming capabilities and coverage programming, of each camera to ensure that all areas of the site are being monitored and that the cameras are installed according to the security plan. A revised security plan showing camera locations and field of vision areas for the athletic fields shall be submitted by the applicant and subject to review and approval by staff. Upon approval of

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