



## ORDINANCE NO. 3276

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR INSTITUTIONAL USE (PRESCHOOL, ELEMENTARY, AND SECONDARY SCHOOL) ON LOT 1, BLOCK 1, BUCHANAN PRINTING ADDITION, CITY OF FARMERS BRANCH, TEXAS (COMMONLY KNOWN AS 12400 FORD ROAD) WHICH IS LOCATED IN PLANNED DEVELOPMENT NO. 74 (PD-74) ZONING DISTRICT; APPROVING A SITE PLAN, LANDSCAPE, PLAN, AND BUILDING ELEVATIONS; ADOPTING SPECIAL CONDITIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and, after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

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

**SECTION 1.** The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit for Institutional Use (Preschool, Elementary School, and/or Secondary School) on Lot 1, Block 1, Buchanan Printing Addition, an Addition to the City of Farmers Branch, Dallas County, Texas according to the plat thereof recorded in Volume 98093, Page 86, Map Records, Dallas County, Texas (commonly known as 12400 Ford Road)("the Property") which is presently located in Planned Development No. 74 (PD-74) Zoning District.

**SECTION 2.** If developed and used for a Preschool, Elementary School, and/or Secondary School as authorized pursuant to Section 1, above, the Property shall conform in operation, location and construction to the development standards specified in the Comprehensive Zoning Ordinance, as amended, PD-74 Zoning District (to the extent they modify and/or control over the Comprehensive Zoning Ordinance), as well as the following special conditions:

- A. The Property shall be developed and used substantially in accordance with the Site Plan attached hereto as Exhibit "A," the Landscape Plan attached hereto as

Exhibit "B," and the Building Elevations attached hereto as Exhibit "C", all of which are incorporated herein by reference and are hereby approved.

- B. All landscaping shown on the Landscape Plan shall be installed prior to the issuance of a certificate of occupancy for use of any building on the Property as a Preschool, Elementary School, and/or Secondary School.
- C. The only Institutional Uses for which the Property may be used and developed pursuant to this Ordinance are a preschool, elementary school, and/or secondary school. No other use considered to be an "Institutional Use" (as that phrase is defined in the regulations of the PD-74 Zoning District) is authorized by this Ordinance.

**SECTION 3.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

**SECTION 4.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 5.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 6.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

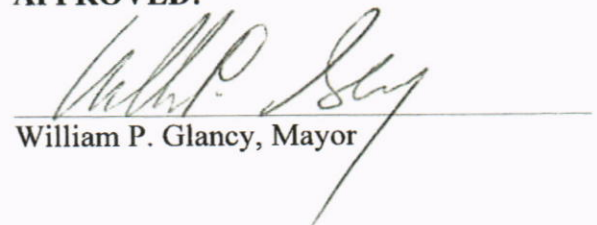
**SECTION 7.** This Ordinance shall take effect after the passage of this Ordinance, the publication of the caption hereof as the law and charter in such case provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 1<sup>ST</sup> DAY OF APRIL, 2014.**

**ATTEST:**

  
Angela Kelly, City Secretary

**APPROVED:**

  
William P. Glancy, Mayor