

ORDINANCE NO. 3531



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 AN INSTITUTIONAL USE (PRIVATE UNIVERSITY) FOR A 5,202± SQUARE FOOT AREA OF A BUILDING LOCATED ON THE FIFTH INSTALLMENT OF METRO SQUARE – PHASE II, AN ADDITION TO THE CITY OF FARMERS BRANCH, TEXAS (COMMONLY KNOWN AS 2711 LBJ FREEWAY), SAID PROPERTY BEING LOCATED IN A PLANNED DEVELOPMENT DISTRICT NO. 74 (PD-74); ADOPTING DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR TERMINATION OF THE SPECIFIC USE PERMIT UNDER CERTAIN CIRCUMSTANCES; 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 thereof, the governing body, in the exercise of the 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 are hereby amended, by granting a Specific Use Permit for Institutional Use (Private University) for a 5,202± square foot area of a building located on property described as the Fifth Installment of Metro Square – Phase II, an Addition to the City of Farmers Branch, Texas, according to the map or plat thereof recorded in Volume 83131, Page 3153, Deed Records, Dallas County, Texas (commonly known as 2711 LBJ Freeway) (“the Property”), which is located in Planned Development District No. 74 (PD-74).

SECTION 2. If the Property is used and developed for Institutional Use (Private University) as authorized by Section 1 of this Ordinance, such use shall be subject to the use and development regulations of PD-74 and the following special conditions:

- A. The use of the Property shall be limited solely to the area of the Fourth Floor of the building located on the Property as shown on the Floor Plan attached hereto as Exhibit “A” and

incorporated herein by reference (“the Floor Plan”).

- B. All activities related to the Private University use shall be limited to the interior of the Property.
- C. The type of Institutional Use granted by this Ordinance shall be limited to a private university conducting primarily on-line classes but with limited on-site instruction, provision of student services and resources, and on-site administrative services.
- D. The Property shall be developed substantially as shown on the Floor Plan and with the related uses identified on the Floor Plan as ancillary to the primary institutional uses and not independent primary uses.

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 and the right to use the Property in accordance with the Specific Use Permit granted pursuant to Section 2 of this Ordinance is subject to termination in accordance with Section 6.5.C. of the Comprehensive Zoning Ordinance, as amended.

SECTION 8. 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 1st DAY OF OCTOBER 2018.**

ATTEST:

APPROVED:

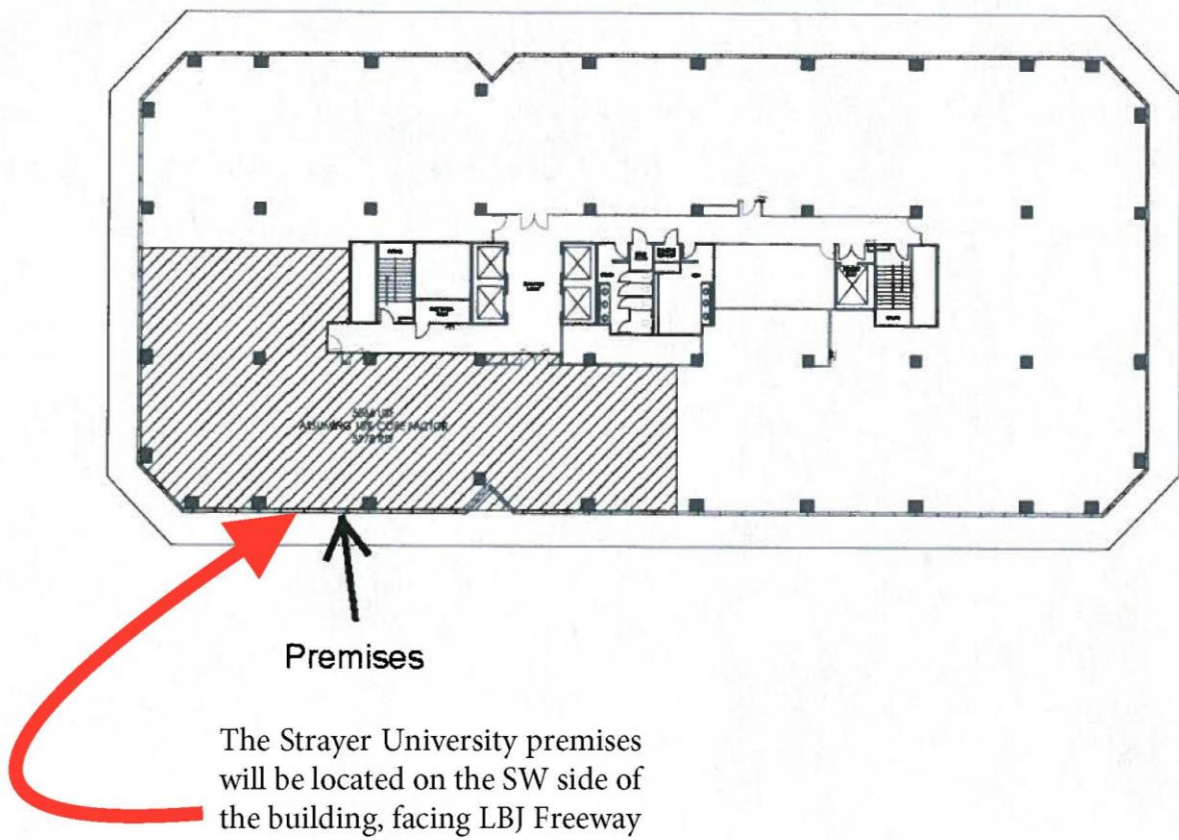
Amy Piukana, City Secretary

Robert C. Dye, Mayor

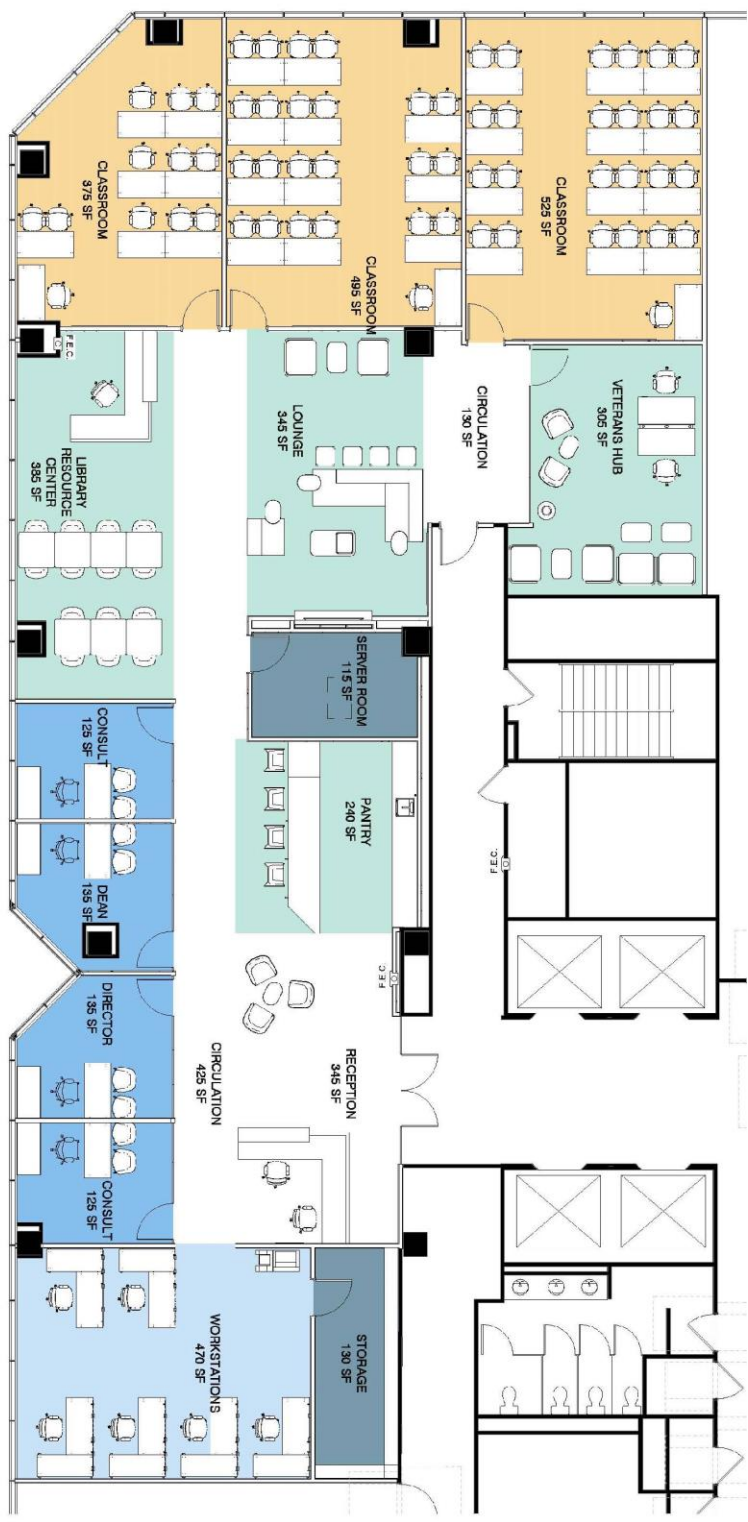
APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:9/17/18:102703)

Ordinance No. 3531
Exhibit A – Floor Plan



Ordinance No. 3531
Exhibit A – Floor Plan (cont.)



STRAYER - NORTH DALLAS
08.28.18

OPTION 2 - APPROX. 5202 USF
2711 LBJ FWY, SUITE #450
DALLAS, TEXAS 75234
OTJ ARCHITECTS