

**ORDINANCE NO. 13/15**

**AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF UNIVERSITY PARK, AS HERETOFORE AMENDED, BY AMENDING PLANNED DEVELOPMENT DISTRICT NO. 12, A 3.7216 ACRE TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO, IN THE CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS, AND COMMONLY KNOWN AS 6000 PRESTON ROAD; APPROVING AN AMENDED CONCEPTUAL SITE PLAN FOR PD-12 ATTACHED AS EXHIBIT B; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission of the City of University Park and the City Council of the City of University Park, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and have held due hearings and afforded 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, and the City Council of the City of University Park is of the opinion and finds that a zoning change should be granted and that the Comprehensive Zoning Ordinance and Map should be amended; Now, Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:**

**SECTION 1.** The Comprehensive Zoning Ordinance and Map of the City of University Park, Texas, as heretofore amended, are hereby amended by amending Planned Development District No. 12 for a 3.7216 acre tract of land described in Exhibit "A" attached hereto and made part hereof for all purposes, in the City of University Park, Dallas County, Texas, and commonly known as 6000 Preston Road, University Park, Texas, by adopting an amended Conceptual Site Plan setting forth the land uses proposed for the amended PD-12, attached hereto as Exhibit "B" and made a part hereof for all purposes, the same as if fully copied herein. That such Conceptual Site Plan contains the data required by Section 17-101 (1) of the Comprehensive Zoning Ordinance, and is hereby approved in all respects.

**SECTION 2.** Approval of the amended Conceptual Site Plan for Planned Development District No. 12 is subject to the following special conditions:

A. Detailed Site Plan: Development of the property shall be in accordance with a Detailed Site Plan to be submitted and approved in accordance with Section 17-101(2) and all other provisions of the Comprehensive Zoning Ordinance of the City of University Park, as amended hereby, and, unless otherwise defined herein, all terms used shall have the respective definitions assigned to them in the Comprehensive Zoning Ordinance; review of the Detailed Site Plan by the Planning and Zoning Commission and approval by the City Council is required, but an additional public hearing is not required;

B. Permitted Land Uses: Primary and accessory uses associated with the functions and activities of the Park Cities YMCA (hereinafter referred to as the "YMCA"), including, but not limited to, the following uses:

(1) Non-Activity Uses:

- a. Hallways, including Lobbies;
- b. Elevators;
- c. Mechanical Rooms and Chases;
- d. Stairways;
- e. Restrooms;
- f. Locker Rooms;
- g. Storage; and,
- h. Underground parking garage and surface parking.

(2) Activity and Office Uses:

- a. Pre-K school and daycare classrooms and related support. Enrollment for the pre-school portion shall be limited to a maximum enrollment of 60 children;
- b. Gymnasium;
- c. Pools;
- d. Fitness and spin;
- e. Multi-purpose;
- f. Administration offices; and,
- g. Outdoor playgrounds, playing fields and other outdoor areas located on the north side of the site.

(3) The Detailed Site Plan shall identify the gross floor area of the Activity/Office Uses and the Non-Activity Uses as defined in this section.

(4) No Activity or Office Uses shall be allowed in the below-grade parking garage.

C. Maximum Building Size:

(1) Above-grade structure: The maximum gross floor area of the above-grade structure shall not exceed 58,500 gross square feet in area within the outside dimensions of the building, of which a maximum of 44,596 gross square feet may be used for the Activity and Office Uses listed in section B. (2) above;

(2) Parking Garage/below-grade structure: No Activity or Office Uses shall be permitted in the parking garage/below-grade portion of the building. The only HVAC space permitted in the below-grade portion of the building shall be elevator lobbies, elevators, shaft areas, machine/control rooms, stairways, and storage spaces; and,

(3) Other Non-Activity Uses: In addition to the parking garage use in the below-grade structure, other Non-Activity Uses as listed in section B. (1) above, excluding locker

rooms and restrooms and not exceeding 3,500 gross square feet, shall be permitted in the parking garage/below-grade portion of the building.

D. Building Setbacks: All building setback lines shall be measured from the property line and shown on the Detailed Site Plan as follows:

- (1) Minimum front yard setback along Preston Road: 45 feet;
- (2) Minimum side yard setback on the north side along Shenandoah: 147 feet;
- (3) Minimum side yard setback on the south side along Normandy: 49 feet;
- (4) Minimum rear yard setback along Connerly: 18 feet;
- (5) A screened service area for dumpsters and outdoor storage will be attached to the southeast corner of the building. The primary building will be set back 34 feet at that location; and,
- (6) Permanent foundation structural supports in the parking garage/below-grade structure may not extend past any property line and any temporary supports shall comply with all City codes and policies in effect at the time of construction. Drawings prepared by a State of Texas licensed professional engineer, providing all design calculations being employed to resist lateral soil loads as specified in Section 1610 of the 2009 IBC, shall be submitted with the plans for permit.

E. Building Standards:

- (1) Two stories above grade, with a vehicle parking garage below grade providing for a minimum of 284 off-street parking spaces. A parking space is defined as being a minimum of nine feet (9') in width and twenty feet (20') in length. The City Council may, upon approval of the Detailed Site Plan, authorize not more than thirty-three (33) parking spaces of small car size, which is defined as a parking space not less than eight feet six inches (8'6") in width nor less than sixteen feet (16') in length;
- (2) Maximum building height of 35 feet, except that the gymnasium may be constructed with a maximum height of 44 feet;
- (3) Maximum plate line height of 31 feet;
- (4) Building materials: Insulated glass with anodized aluminum frame; prefinished wood siding; natural stone veneer; stucco veneer; and standing seam metal roof; and,
- (5) The parking garage shall be located as shown on the Conceptual Site Plan.

F. Parking:

- (1) An underground parking garage with a minimum of 284 parking spaces shall be provided as described in E (1) above. Carbon monoxide or like sensor(s) will be installed and will regulate the operation of the exhaust fans for the parking garage. Seven (7) at-grade spaces shall be provided on Preston Road, each a minimum of 23 feet in length and 9 feet in width;
- (2) Details for the parking garage, including design of parking layout, drive aisle width, parking space dimension, turning radii, access ramps and number of spaces, shall be provided with the Detailed Site Plan. Driveway ramps shall comply with Article 3.12 of the Code of Ordinances; and,
- (3) No on-street parking shall be allowed abutting the YMCA property on Shenandoah, Connerly and Normandy

G. Landscape Development Plan:

(1) Perimeter trees shown on the Conceptual Site Plan shall be evergreen varieties, with a minimum of 5" caliper and 9 feet in height at the time of installation;

(2) Trees along the Normandy frontage, in full view of the single family homes, shall be installed and maintained prior to the public opening and use of the parking garage, provided that construction personnel may use the garage when it is available;

(3) A perimeter fence will be installed around the playground with limited access through gates located in close proximity to the drop off lane on Preston Road and at the midpoint of the playground on Connerly Drive;

(4) A landscape development plan, will be prepared by the YMCA or its designee and presented for review and approval by the City Council with the Detailed Site Plan; the landscape development plan will provide details for shrubs and groundcover and include species, caliper, height and location of all trees; and,

(5) All landscaping shall be irrigated and must be in place prior to the issuance of a certificate of occupancy.

H. Signage: All signs on the site must be in compliance with the City of University Park sign regulations in effect at the time of the sign permit application.

I. Dumpsters: Refuse or trash containers will be located in the Service Area and all trash and recyclable pickups from the containers will be conducted by the City of University Park. The specific location of dumpsters shall be shown on the Detailed Site Plan. The final design and placement of dumpsters is subject to the approval of the Director of Public Works.

J. Utilities: The size and location of all water and sewer taps shall be shown on the Detailed Site Plan and shall be reviewed and approved by the Director of Public Works prior to the issuance of a building permit.

K. External Walls: Detailed specifications, including color and texture of all materials to be used for external cladding of the building, shall be provided with the Detailed Site Plan.

L. Sidewalks: A continuous sidewalk is required around the perimeter of the building. Details will be shown on the Detailed Site Plan.

M. External Lighting and Loudspeakers: Location, mounting height and photometric details for all external light fixtures on the site shall be provided on the Detailed Site Plan. Exterior lighting overflow/spillage shall not exceed five (5) foot candles at the midpoint of any surrounding city street. Lighting for the playfield, whether temporary or permanent, to support night play is prohibited. Only security lighting shall be permitted. Permanent exterior loudspeakers are prohibited.

N. Exhaust Fans: Noise from exhaust fans installed in the parking garage may not exceed current ambient levels of 71 dB at the property line. Noise in excess of this level shall be attenuated to that level by the YMCA. Fans shall be programmed to shut off at the close of business, except as otherwise may be required by the building code.

O. Traffic Study: No more often than once every three years, at the discretion of the City Council, and upon written notice from the City of University Park Director of Community Development, the YMCA is required to pay the full cost for comprehensive traffic studies. Such traffic studies shall be performed by a consultant selected by the City Council. The YMCA shall pay the cost for any future traffic control measures or studies deemed necessary by the City Council. The YMCA will, to the extent deemed necessary by the City Council, cancel, rearrange or reschedule its activities during the peak traffic hours determined by the comprehensive traffic study.

P. Hours of Operation:

(1) Maximum hours of operation of the Facility shall be as follows:

Monday through Friday	5:30 a.m. to 9:00 p.m.
Saturday	7:00 a.m. to 6:00 p.m.
Sunday	2:00 p.m. to 5:00 p.m.

(2) No games or practices officially organized by the management of the YMCA shall be held on the outdoor field outside normal hours of operation or on Sundays. Organized special events on the outdoor playground or playfield, including those which use the Facility, occurring before or after normal hours of operation or on Sundays, sponsored by the YMCA, will require prior approval by the City Council.

(3) The underground parking garage may be open to be used for parking passenger vehicles in connection with the operations of the First Unitarian Church of Dallas ("Church") between the hours of 7:00 a. m. and 2:00 p. m. on Sundays, for any special programs and services of the Church on Saturday evenings or Sunday evenings after 6:00 p. m. The Church may also utilize the parking garage on weekdays after 6:30 p. m. for evening services and programs, provided no access will be permitted after 9:00 p. m. and no access out of the garage permitted after 10:30 p. m., unless the garage is being utilized for Christmas Eve (December 24), New Year's Eve (December 31), Good Friday or Easter Sunday. For these hours and specific days, additional entry access will be permitted after 9:00 p. m. and access out will be permitted no later than 12:00 a. m. Christmas Eve (December 24) access out will be permitted no later than 2:00 a. m. These additional times and uses by the Church shall be permitted only so long as there is a valid Parking Lease between the Church and the YMCA, containing these terms, in effect for the parking garage.

Q. Interior Lighting: Interior lights visible from the exterior will be turned off no later than thirty minutes after operation closing, except in the parking garage and its access vestibules and lobby areas serving the garage elevators and areas of the building being cleaned, provided that, with such exceptions and the exception of emergency and code-required lighting, interior lighting will be turned off no later than 11:30 p.m. daily and lock-ins held in spaces with blackout shades fully extended.

R. Vehicles Parked in the Service Area: A screening wall, not to exceed twelve feet (12') in height, shall be provided for the Service Area. No vehicles taller than the screening wall in the Service Area shown on Exhibit "B" will be parked in the Service Area overnight. No structures or storage items that are taller than the screening wall will be erected

or placed in the Service Area. No overnight parking of YMCA vehicles on the property will be allowed unless the vehicles are located in the enclosed Service Area or in the underground parking structure.

S. Construction standard: The Detailed Site Plan shall set forth the final plans and shall conform to the data presented and approved on the Conceptual Site Plan and supporting documents. The facility will be constructed in compliance with the Detailed Site Plan approved by the City Council and shall comply with all applicable City codes then in effect.

T. Service Area: The service area will be gated, and the gate will be a metal-framed gate with an exterior face using wood similar to, or the same as, the wood on the facility, and will have an automatic opener and closer to keep the service gate closed when the service area is not in use.

U. Delivery during Construction: Unless written permission is granted by the Director of Public Works, all deliveries of construction materials to the construction site will begin no earlier than 9:00 a. m. and will end by 4:00 p. m., Monday through Saturday. All contractor(s) will make reasonable efforts to receive deliveries through the Normandy Avenue/Preston Road intersection entrance, understanding that this might not be possible at varying time during construction.

V. Staging: No residential streets will be used for continuous staging of construction work and or materials.

W. Full-Time Liaison: The YMCA shall provide a full-time liaison that has authority to respond to questions and complaints from the nearby citizens during the construction period. A phone number for this contact will be provided to all property owners from the St. Andrews Neighborhood Association ("SANA") and the West of Preston Neighbors ("WPN") and posted on the job site where it can be readily found by interested parties.

X. Construction Vehicles: No parking of construction vehicles or equipment will be permitted on City streets. Parking of construction workers' vehicles will be located off-site and workers will be transported to and from the construction site, provided that when the Parking Garage is available for use, it can be used parking construction workers' vehicles. Parking of construction vehicles on City streets which are closed for construction must be approved by the Director of Public Works.

Y. Construction Hours: Unless written permission is granted by the Director of Public Works, construction work on the site is restricted to Monday through Saturday from 7:00 a.m. to 6:00 p.m., except holidays specifically prohibited by City ordinance.

Z. Background Checks: Background checks will be performed by the contractors for all construction workers prior to them working on the site. Information relating to background checks will be kept on file by the contractors. A convicted felon or pedophile will be barred from working on the site.

AA. Explosives: No explosives shall be used in the construction operations.

BB. Security and Traffic Control: The YMCA or its designee shall provide and pay the costs for adequate security and traffic control around the site for all functions during construction.

CC. Screening Fence: The construction site will be screened while construction is ongoing with a temporary eight foot (8') screening fence constructed with plywood and painted green or other material approved by the Community Development Director.

DD. Traffic Control Plan: The YMCA or its designee will submit a construction traffic control plan for review and approval by the Director of Public Works before construction commences on the site and before any change in traffic flows or street closures around the subject property.

EE. Elevator Access: An additional elevator shall be constructed on or near the north side of the building in the general vicinity of the playing field to facilitate easy and convenient access to the playing field from the Parking Garage and building, but shall not be exclusively restricted to such use.

**SECTION 3.** That all ordinances of the City of University Park in conflict with the provisions of this ordinance or the Comprehensive Zoning Ordinance as amended hereby are hereby repealed.

**SECTION 4.** That 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 decided to be invalid, illegal or unconstitutional, and the same shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 5.** That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of University Park, Texas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such a violation is continued shall be deemed to constitute a separate offense.

**SECTION 6.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

**DULY PASSED** by the City Council of the City of University Park, Texas, on the 2<sup>nd</sup> day of April 2013.

**[SIGNATURE PAGE FOLLOWS]**

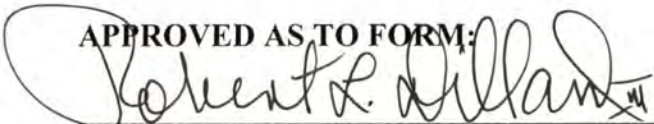
APPROVED:

  
\_\_\_\_\_  
W. RICHARD DAVIS, MAYOR

ATTEST:

  
\_\_\_\_\_  
LIZ SPECTOR, CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY (RLD/11-8-12/58124)



## Exhibit "A"

**PARK CITIES YMCA  
ZONING EXHIBIT  
ST. ANDREWS PLACE  
JOHN SCURLOCK SURVEY, ABSTRACT NO. 1351  
CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS**

Being a tract or parcel of land situated in the John Scurlock Survey, Abstract No. 1351, City of University Park, Dallas County, Texas, and being all of Lots 1 through 8, Block D, St. Andrews Place, an addition to the City of University Park according to the plat recorded in Volume 1, Page 345, Map Records, Dallas County, Texas, and being more particularly described as follows:

**BEGINNING** at a point for corner in the east line of Preston Road (70' right-of-way), said point being at the southerly end of the curve between the east line of said Preston Road and the south line of Normandy Avenue (40' right-of-way), being a northwesterly corner of Lot 1A, Block B, St. Andrews Place Addition, an addition to the City of University Park, Dallas County, Texas, according to the plat recorded in Instrument No. 201000083295, Official Public Records, Dallas County, Texas;

**THENCE** North 00° 29' 04" West along the east line of said Preston Road a distance of 440.00 feet to a point for corner at the beginning of a curve to the right, said point being a northwesterly corner of said Lot 4;

**THENCE** along said curve to the right whose chord bears North 44° 30' 56" East a distance of 35.36 feet, having a radius of 25.00 feet, a central angle of 90° 00' 00" and an arc length of 39.27 feet to a point for corner in the south line of Shenandoah Street (40' right-of-way), said point being the end of said curve to the right and a northwesterly corner of said Lot 4;

**THENCE** North 89° 30' 56" East along the south line of said Shenandoah Street a distance of 269.67 feet to a point for corner at the beginning of a curve to the right, said point being a northeasterly corner of said Lot 5;

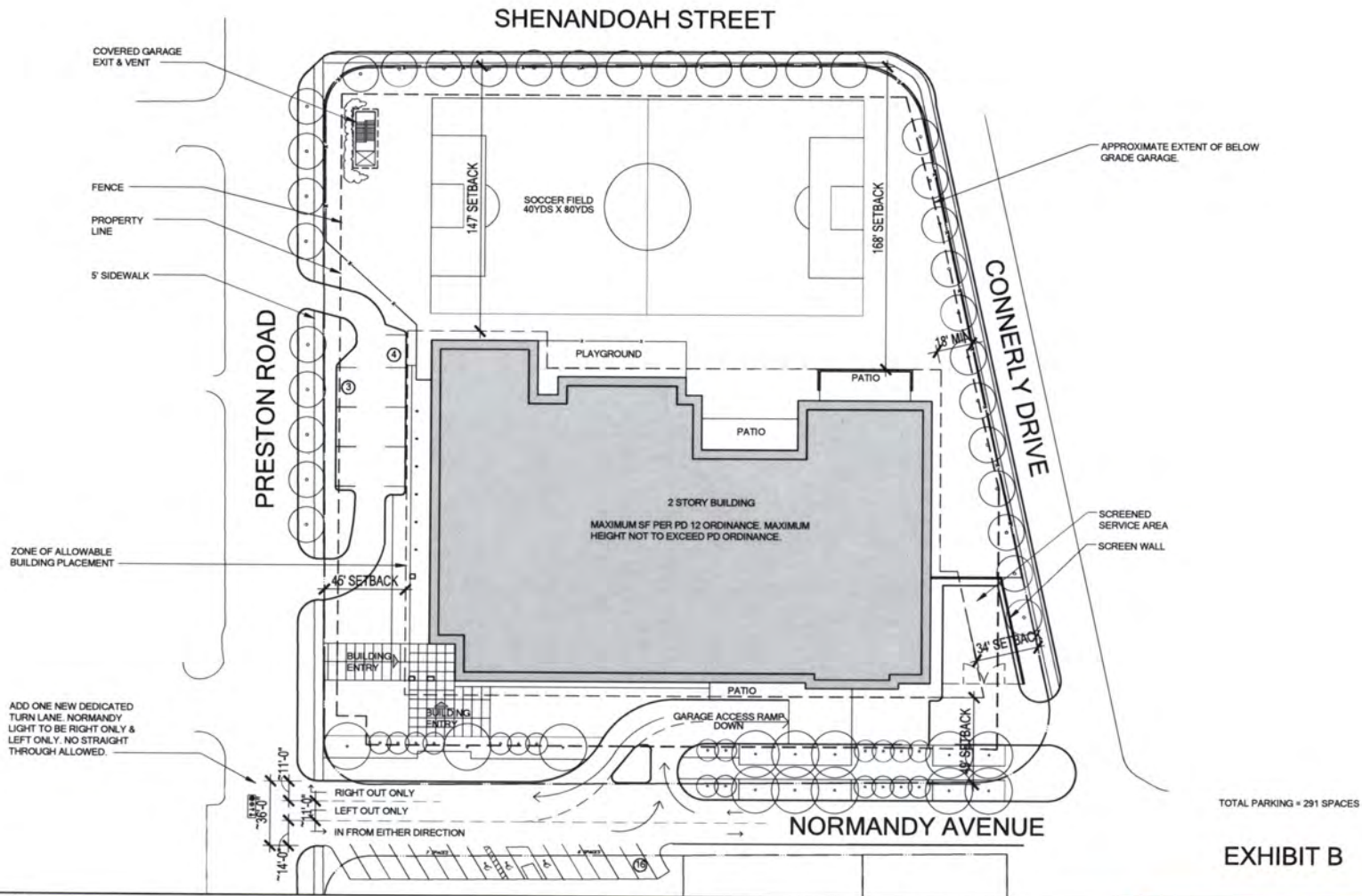
**THENCE** along said curve to the right whose chord bears South 51° 26' 21" East a distance of 50.39 feet, having a radius of 40.00 feet, a central angle of 78° 05' 26" and an arc length of 54.52 feet to a point for corner in the west line of Connerly Drive (40' right-of-way), said point being the end of said curve to the right and a northeasterly corner of said Lot 5;

**THENCE** South 12° 23' 38" East along the west line of said Connerly Drive a distance of 327.04 feet to a point for corner at the beginning of a curve to the right, said point being a southeasterly corner of said Lot 8;

**THENCE** along said curve to the right whose chord bears South 26° 34' 48" West a distance of 50.32 feet, having a radius of 40.00 feet, a central angle of 77° 56' 52" and an arc length of 54.42 feet to a point for corner in the north line of said Normandy Avenue;

**THENCE** South 00° 29' 04" East, departing the north line of said Normandy Avenue, a distance of 43.45 feet to a point for corner in the south line of said Normandy Avenue;





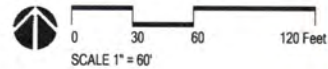
TOTAL PARKING = 291 SPACES

**EXHIBIT B**

**PD-12 CONCEPTUAL SITE PLAN**

UNIVERSITY PARK, DALLAS TX

Job #: 10068  
 File Name: ASP-001-EXHIBIT B 2013-03-28  
 Date: 2013\_0328  
 Drawn by: TEC



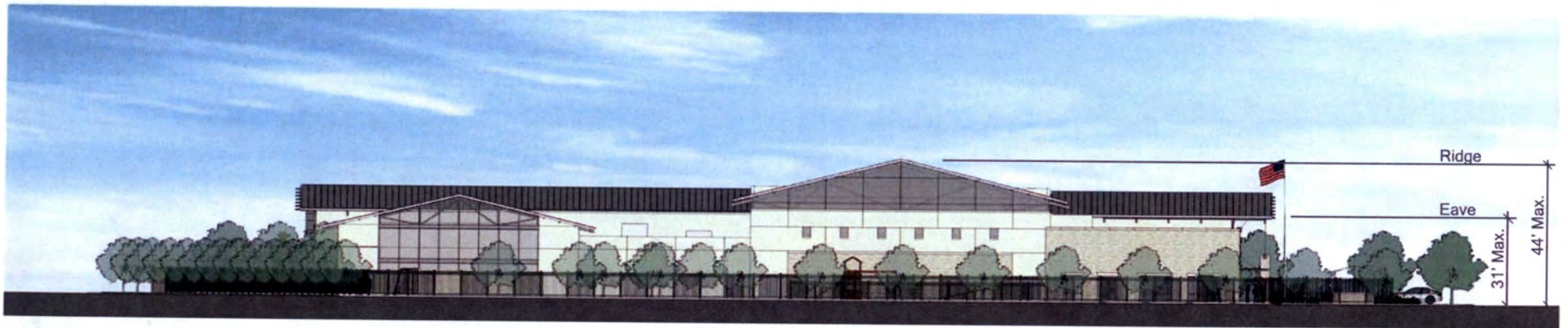
**Good Fulton & Farrell Architects**

2000 Holmwood Street  
 Suite 300  
 Dallas, Texas 75201

214.303.1029 / fax  
 214.303.1822 / fax  
 www.gff.com

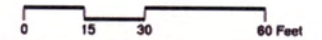


EAST



NORTH

EXHIBIT "B"



ELEVATIONS - Representative Facility Images and Materials

Park Cities YMCA  
Park Cities, Texas

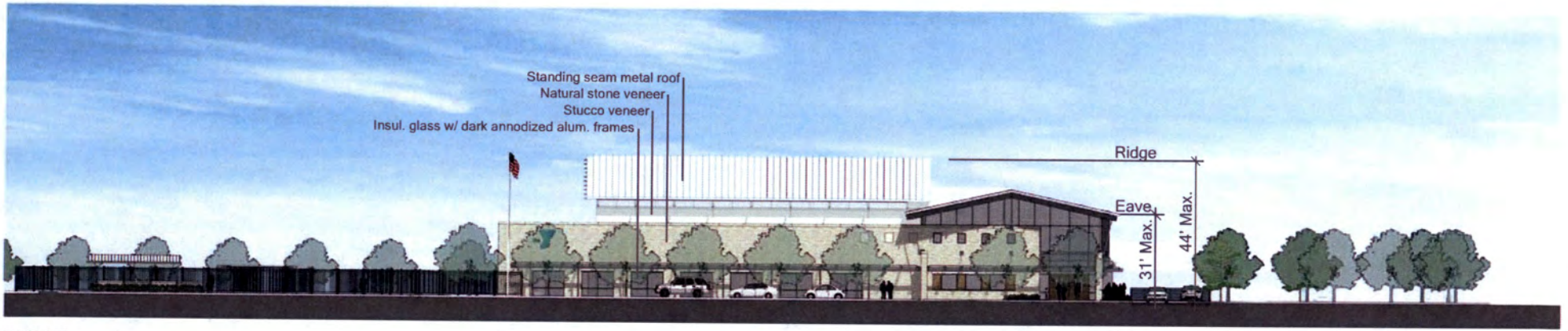


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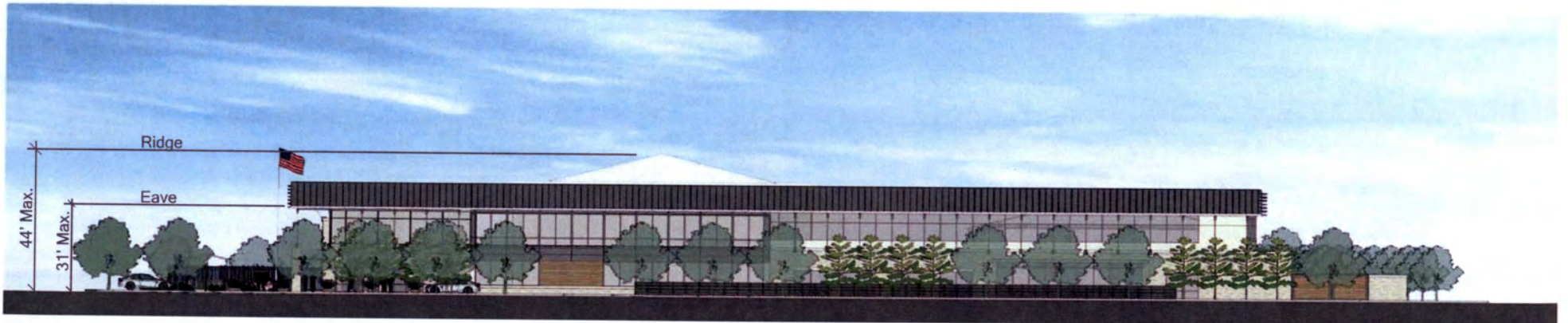
2808 Fairmount Street  
Suite 303  
Dallas, Texas 75201

214.333.2500/Fax  
214.300.2512/Text  
www.gff.com

Job #: 10088 File Name: Elevations - East\_North Date: 02.06.13 Drawn by: TLB

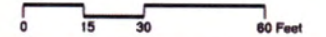


WEST



SOUTH

EXHIBIT "B"



ELEVATIONS - Representative Facility Images and Materials

Park Cities YMCA  
Park Cities, Texas



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