

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF UNIVERSITY PARK, BY APPROVING AN AMENDED DETAILED SITE PLAN FOR PLANNED DEVELOPMENT DISTRICT PD-15 FOR UNIVERSITY PARK ELEMENTARY SCHOOL, THE PROPERTY BEING DESCRIBED AS LOTS 1-26, BLOCK C, OF THE UNIVERSITY HEIGHTS ADDITION REVISED, AN ADDITION TO THE CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS, RECORDED IN VOLUME 3, PAGE 383, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS AND MORE COMMONLY KNOWN AS 3505 AMHERST; 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 should be amended; Now, Therefore,

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of University Park, Texas, as heretofore amended, is amended by approval of an amended detailed site plan for Planned Development District No. 15, the property being described as Lots 1-26, Block C, of the University Heights Addition Revised, an Addition to the City of University Park, Dallas County, Texas, recorded in Volume 3, Page 383, of the Map Records of Dallas County, Texas and more commonly known as 3505 Amherst.

SECTION 2. That the amended detailed site plan setting forth the authorized land uses for the property is attached hereto as Exhibit "A" and made a part hereof for all purposes, the same as if

fully copied herein. That such detailed site plan contains the data required by Section 17-101 (2) of the Comprehensive Zoning Ordinance.

SECTION 3. That the granting of this amended detailed site plan for a portion of Planned Development District No. 15 is subject to the following special conditions:

A. Development of the property shall be in accordance with the approved amended detailed site plan and all provisions of Planned Development District No. 15 and the Comprehensive Zoning Ordinance of the City of University Park, as heretofore amended and as amended hereby;

B. Additional special conditions for development of the Planned Development District will be as follows:

1. The fabric shade structure to be added in accordance with this Amended Detailed Site Plan shall be installed in accordance with the specifications shown thereon;
2. The fabric shall be green in color and approved by the Fire Marshal as fire retardant;
3. Four Cedar Elm trees, with a minimum caliper of 4", are to be installed on the site as shown on this Amended Detailed Site Plan

SECTION 4. 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 5. 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 6. 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 7. 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 ____ day of _____ 2013.

APPROVED:

W. RICHARD DAVIS, MAYOR

ATTEST:

LIZ SPECTOR, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

(RLD; 10-09-13; 62848)

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DULY PASSED by the City Council of the City of University Park, Texas, on the ____ day of _____ 2013.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY