

ORDINANCE NO. _____

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. 20, DESCRIBED AS LOT 1A, BLOCK 45, FOURTH SECTION, OF UNIVERSITY HEIGHTS SUBDIVISION, AN ADDITION TO THE CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS, AND COMMONLY KNOWN AS 4024 CARUTH; APPROVING AN AMENDED DETAILED SITE PLAN AS EXHIBIT "A" FOR PD-20; 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 I. 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. 20 for the University Park United Methodist Church on Lot 1A, Block 45, Fourth Section, of University Heights Subdivision, an addition to the City of University Park, Dallas County, Texas, and more commonly known as 4024 Caruth Boulevard, University Park, Texas, by adopting an amended detailed site plan ("site plan") setting forth the land uses proposed for the amended PD-20, attached hereto as Exhibit "A" and made a part hereof for all purposes, the same as if fully copied herein. That such amended detailed site plan contains the data required by Section 17-101(2) of the Comprehensive Zoning Ordinance, and is hereby approved in all respects.

SECTION 2. Approval of the amended detailed site plan for Planned Development District No. 20 is subject to the following special conditions:

A. Development of the property shall be in accordance with the amended detailed site plan 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;

B. The uses on the property shall be those allowed in the ordinance granting Planned Development District 20, PD-20, as previously amended and as amended hereby, as shown on Exhibit "A";

C. The addition of a fence on the northwest corner of the property to enclose a children's playground is subject to the following special conditions:

1. The children's playground measures approximately 215 feet along the Colgate Avenue property line and 180 feet along the Preston Road property line as shown on the site plan;
2. The playground will be enclosed by a four feet high wrought iron fence painted satin black, having red brick columns with white capstones, spaced eighteen feet (18') on centers and having 3 1/2 inches between pickets, to match the existing fence on the east side enclosing the infants and toddlers playground;
3. The wrought iron fence will be set back a minimum of twenty feet (20') from adjacent City right-of-way on Colgate Avenue and Preston Road. The fence will have three gates with child-proof latches, as shown on the site plan;
4. Five hundred sixty-five (565) one gallon size liriopie will be planted on eight inch (8") centers to provide landscape screen around outside of the wrought iron fence, and seasonal color landscaping will be established at the corner of Preston Road and Colgate Avenue and the Church's private drive, as shown on the site plan;
5. No additional outdoor lighting, signage, or permanent structure, except as shown on the site plan, will be permitted;

6. Hours of operation for the playground will be during the normal business hours and special daytime functions of the Church and Weekday School; and
7. Primary access to the playground will be through gates located on the north side along Colgate Avenue and on the south side off of the Church's private drive.

SECTION 3. 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. 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. 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. 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 _____ 2015.

APPROVED:

OLIN B. LANE, MAYOR

ATTEST:

CHRISTINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

(RLD/5-15-15/71658)

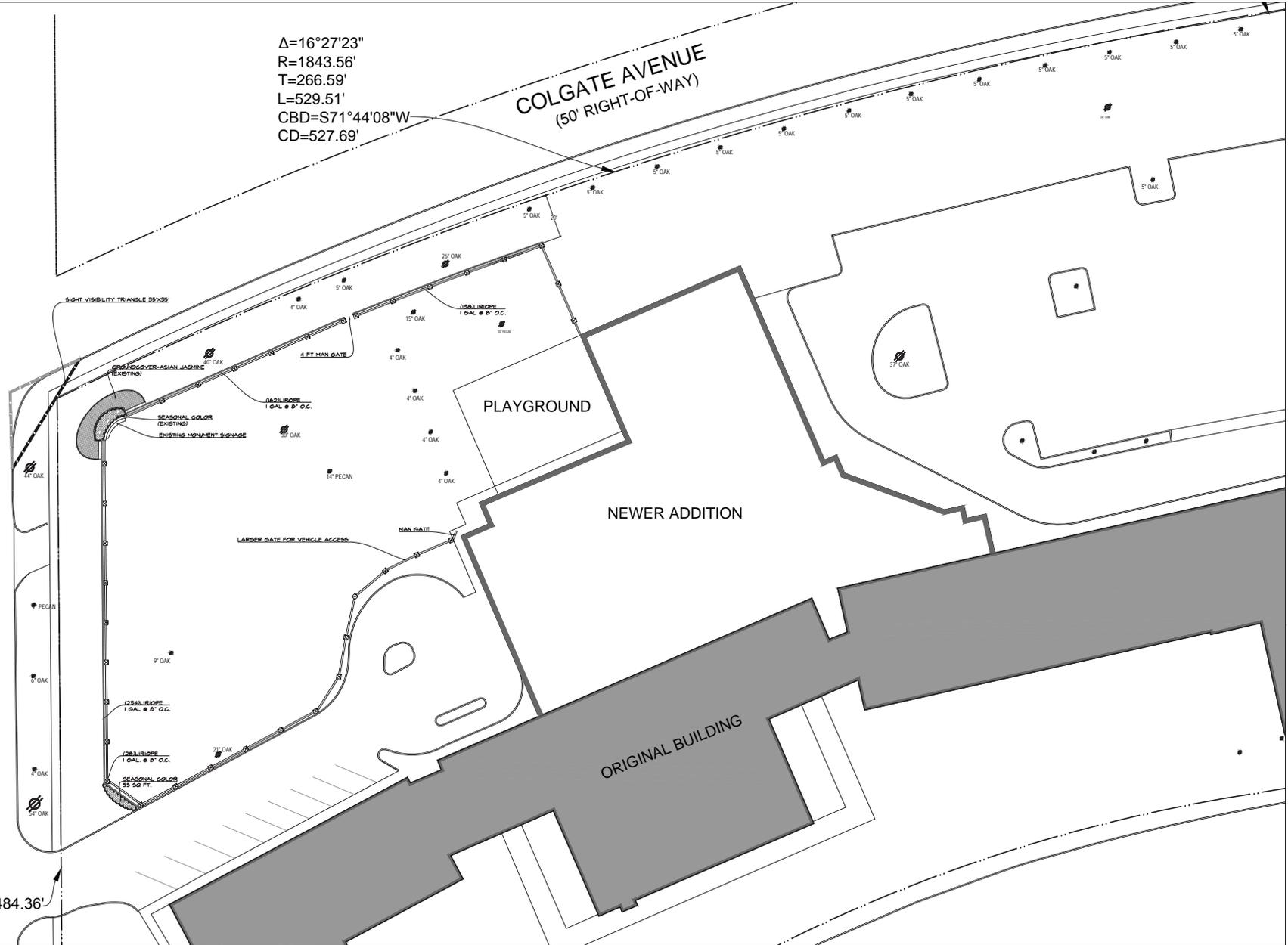
EXHIBIT A

$\Delta=16^{\circ}27'23''$
 $R=1843.56'$
 $T=266.59'$
 $L=529.51'$
 $CBD=S71^{\circ}44'08''W$
 $CD=527.69'$

COLGATE AVENUE
 (50' RIGHT-OF-WAY)

PRESTON ROAD
 (100' RIGHT-OF-WAY)

$N00^{\circ}29'41''W$ 484.36'



FENCE LAYOUT PLAN

LAWNS OF DALLAS
 DISTINCT LANDSCAPES. IMPECCABLE DETAIL.
 5747 Sadler Circle P: 214.357.6522
 Dallas, TX 75235 F: 214.352.8243
 www.lawnsofdallas.com

University Park United Methodist Church
 4024 Caruth Boulevard, Dallas, TX 75225

Revisions
3/26/15-PLANTING CHANGES



Scale: 1"=20'-0"

Sheet No.

L1

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Duly passed by the City Council of the City of University Park, Texas, on the _____ day of _____ 2015.

APPROVED:

OLIN B. LANE, MAYOR

ATTEST:

CHRISTINE GREEN, CITY SECRETARY