

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. 8, DESCRIBED AS LOTS 4-8, BLOCK 6, WALKERS ADDITION, AN ADDITION TO THE CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS, AND COMMONLY KNOWN AS 5809 HILLCREST; APPROVING AN AMENDED DETAILED SITE PLAN AS EXHIBIT "A" FOR PD-8; 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. 8 for the Highland Park United Methodist Church on Lots 4-8, Block 6, Walkers Addition, an addition to the City of University Park, Dallas County, Texas, and more commonly known as 5809 Hillcrest, University Park, Texas, by adopting an amended detailed site plan ("site plan") authorizing a family activity center and accessory land uses proposed for the amended PD-8, 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 site plan for Planned Development District No. 8

is subject to the following special conditions:

A. Development of the property shall be in accordance with the site plan approved hereby 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 8, PD-8, as previously amended and as amended hereby, as shown on Exhibit "A";

C. Highland Park United Methodist Church will demolish the existing building and construct a new family activity center with 62,263 square feet on the site, as shown in detail by use and area on the site plan. The new building will be three floors above grade and two levels of parking below grade, with a vertical height of 65 feet measured from average natural grade to the top of the parapet wall, plus mechanical equipment, provided it cannot be seen from abutting public property. This project includes (1) property in an abutting alley easement on the south side of the building to be included in the new building site provided it is abandoned by the City, and (2) dedication of a utility easement along the south boundary and the dedication of an alley easement on the west side of the site to connect with the existing east-west alley between Hillcrest and Auburndale Avenue.

D. Site Plan:

The building components, configuration, development standards and special conditions for the proposed facility are summarized as follows:

1. Permitted Uses. The uses/activities to be accommodated in the new family activity center are shown on the site plan and summarized as follows:

- (a) Educational Classrooms
- (b) Worship Center/Public Assembly
- (c) Administrative Offices/Meeting Rooms
- (d) Exercise Gym with Locker Rooms

2. Building Setbacks for primary structure:

Building setbacks are measured from the property line except as described herein.

- | | |
|---|--------------|
| (a) Minimum front yard setback on Hillcrest: | 13 ft. 5 in. |
| (b) Side yard setback on Normandy: | 19 ft. 8 in. |
| (c) Side yard setback on south side along new Utility easement: | 19 ft. 6 in. |
| (d) Rear yard setback | |
| Measured from the west property line: | 47 ft. 4 in. |

Measured from curb at Alley 7 ft.

3. Building setbacks for below grade parking garage:

- (a) Minimum front yard setback on Hillcrest: 7 ft. 4 in.
- (b) Side yard setback on Normandy: 2 ft. 2 in.
- (c) Side yard setback on south side 19 ft. 6 in.
- (d) Rear yard setback on west side 6 ft. 1 in.

4. Building Height:

Maximum building height measured to top of parapet: 65 ft.

In addition, air-conditioning equipment, cooling towers, chimneys, radio and television antennae and vent stacks not to exceed ten feet (10') in height, screened with materials similar in appearance to the exterior walls shall be permitted.

5. Parking Standards:

- (a) Parking standards for the proposed development are calculated based on occupancy standards per gross floor area (GFA) for all assembly floor space to include gym, worship center and social gathering areas in the lobbies as follows:

| | |
|-------------------------|----------------------|
| First floor- 4,000/7 | 572 occupants |
| Second floor- 4,412/7 | 631 occupants |
| Third floor -3,246/7 | 464 occupants |
| Worship Center- 3,923/7 | 561 occupants |
| <u>Gym – 5,893/7</u> | <u>842 occupants</u> |
| Total | 3,070 occupants |

- (a) Required parking is one space per 3 occupants for a total of 1,023 parking spaces.

- (b) Parking spaces are to be provided onsite as shown on the site plan as follows:

| | |
|-------------------------|------------------|
| Parking spaces at grade | 7 spaces |
| Parking level 1 | 55 spaces |
| <u>Parking level 2</u> | <u>73 spaces</u> |
| Total | 135 spaces |

- (c) Compact parking spaces (8 feet 6 inches by 16 feet) shall not exceed 21% of all onsite parking spaces and standard parking spaces shall be 20 feet by 9 feet.

- (d) All parking spaces shall be fully accessible at all times.

(e) Current parking agreements which the Church has with Southern Methodist University allow the Church to use up to 2,492 parking spaces in various parking garages shall be maintained in order for the proposed development to meet required parking.

6. Landscape Development Plan:

Trees to be retained and new planting materials to be added to the subject site are shown on the site plan as follows:

- (a) The tree preservation plan shows three Live Oaks located in the public right-of-way to be removed and one 20 inch caliper Live Oak located on the southwest corner of the site to be removed and mitigated.
- (b) A total of ten deciduous Yaupon Hollies and three Crape Myrtles along the Normandy and Hillcrest frontages will be removed from the site.
- (c) Six existing Live Oaks ranging from 12 to 22 inches in caliper and located in the public rights-of-way and two Crape Myrtles located on the southeast corner of the site will be retained.
- (d) Landscaping to be added to the site and the abutting public rights-of-way are included with the planting schedule and shown on the Landscape Plan. A total of four canopy trees, forty six ornamental trees and fifteen shrubs will be added as part of the proposed development.

7. Traffic Study:

A Traffic Impact Analysis (TIA) is required for the proposed development. A summary report for that TIA is attached. The TIA concluded that the traffic generated by the various activities of the family activity center will not significantly impact existing traffic at that location. The projected traffic load based on the proposed uses and activities on the site will be less than existing peak conditions and no mitigation measures are recommended.

8. Special Conditions:

- (a) Signage: All new 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. Alternatively, the developer may request consideration of a special sign district to serve the proposed development.
- (b) City Alley Abandonment and Easements: The developer shall provide a survey of the site, including a legal description of the alley proposed to be abandoned by the City and the alley and utility easements to be provided to the city as shown on the site plan. The City will

commission an appraisal of the alley proposed to be abandoned, together with the proposed new alley and utility easements to be dedicated. The descriptions and appraisal will be at the cost of the Church. The City Council will then consider an abandonment ordinance for the alley.

- (c) Utilities and Easements: Details of size and location of water and sewer lines, taps, and meters, and the location of all private utilities (gas, electric and telco services) and easements including relocations to serve the proposed development will be reviewed in accordance with city policies and approved by the Public Works Department before the issue of a building permit.
- (d) Construction Fence: An 8-foot solid plywood screening fence must be installed around the construction site during construction and remain in place while construction is ongoing. The fence must be painted green, or as otherwise approved by the City Council, and installed prior to demolition of any structure on the subject site.
- (e) Explosives. No explosives may be used in the demolition and construction on the subject property.
- (f) Neighborhood Liaison. Applicant will provide a liaison during construction to respond to questions and complaints from residents. Applicant will provide notice to residents located within 2 blocks of the subject property of the name and methods of contacting the liaison 24 hours a day, seven days a week. The contact name and number will be posted on the construction site.
- (g) Construction Vehicles. Construction vehicles and equipment may not be parked on City streets, except on streets closed for construction by permission of the Director of Public Works. All parking will be accommodated on-site. If additional parking is required, then developer will provide off-site parking and shuttle workers to the site.
- (h) Construction Hours. Unless written permission is granted by the Director of Community Development, construction work on the site is restricted to Monday through Friday from 7:00 am to 6:00 pm and 8:00 am to 6:00 pm on Saturdays

- (i) **Background Checks.** All contractors must perform background checks on all construction workers prior to their working at the site. The contractors must keep the background check information on file. No registered sex offender may work on the site. Identification badges are required for all contractor employees.

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 _____ 2016.

APPROVED:

OLIN B. LANE, MAYOR

ATTEST:

CHRISTINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY (RLD/5-16-16/76946)

EXHIBIT "A"

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Duly passed by the City Council of the City of University Park, Texas, on the day _____ of _____ 2016.

APPROVED:

OLIN B. LANE, MAYOR

ATTEST:

CHRISTINE GREEN, CITY SECRETARY