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 CREATING PLANNED DEVELOPMENT DISTRICT NO. 41, ON PROPERTY DESCRIBED AS A 1.833 ACRE TRACT OF LAND IN THE JEFFERSON TILLEY SURVEY, ABSTRACT NO. 1480, IN THE CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS, AND COMMONLY KNOWN AS 2651 FONDREN DRIVE, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; APPROVING A DETAILED SITE PLAN ATTACHED HERETO 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 creating Planned Development District No. 41 (PD-41) on the property described as a 1.833 acre tract of land in the Jefferson Tilley Survey, Abstract No. 1480, in the City of University Park, Dallas County, Texas, and commonly known as 2651 Fondren Drive, University Park, Texas, more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes, by adopting a detailed site plan ("site plan"), authorizing land uses for PD-41, which site plan is attached hereto in multiple sheets as Exhibit "B" and made a part hereof for all purposes, the same as if fully copied herein. That the site plan contains the data required by Section 17-101(2) of the Comprehensive Zoning Ordinance, and is hereby approved in all respects. The detailed site plan has been reviewed and approved

unanimously by the Planning and Zoning Commission.

SECTION 2. Approval of the site plan for Planned Development District No. 41 is subject to the following special conditions:

- A. <u>Site Plan; Regulations.</u> Development of the property shall be in accordance with the detailed site plan approved hereby as provided in the Comprehensive Zoning Ordinance of the City of University Park. Unless otherwise defined herein, all terms used herein shall have the respective definitions assigned to them in the Comprehensive Zoning Ordinance. Except as otherwise provided herein or in the site plan, the requirements of the "C" Commercial District contained in Section 23-106 of the zoning ordinance shall apply to this PD-41;
- B. <u>Building</u>. The building is 43,575 square feet in gross floor area, as shown by the site plan and no addition to such building, nor any accessory building, is permitted on the property;
- C. <u>Permitted Uses.</u> The uses permitted in the building shall be those allowed in the "C" Commercial District under the Use Table in Section 20-101 of the zoning ordinance; and
- D. <u>Parking Standards.</u> 69 on-site parking spaces are provided on private property and 13 parking spaces. These parking spaces shall be maintained as the required parking for this PD-41.
- **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 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.

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.

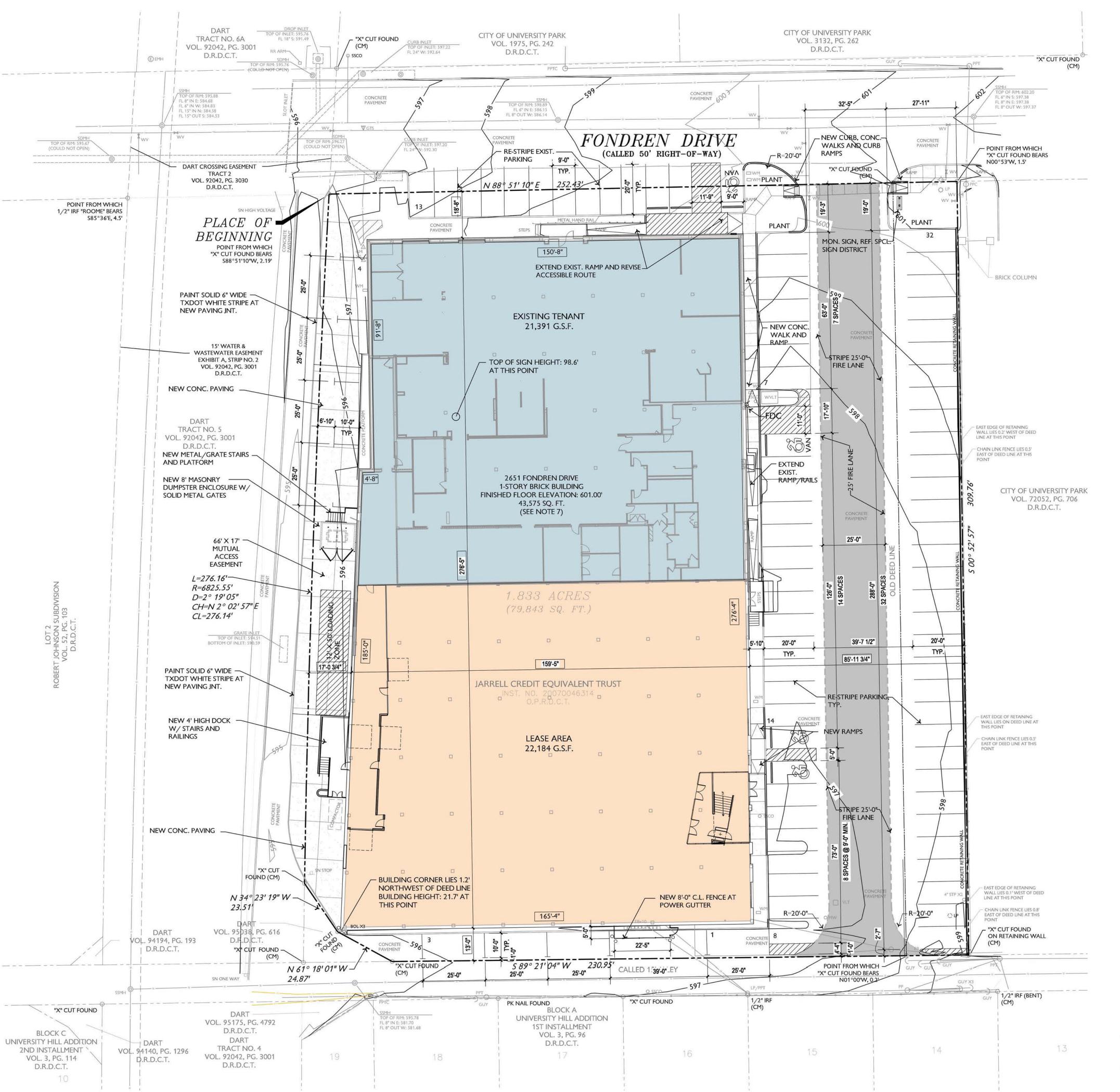
SECTION 6. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED by the City Council of the City of University Park, Texas, on the _____day of June 2017.

	APPROVED:
	OLIN B. LANE, MAYOR
	ATTEST:
	CHRISTINE GREEN, CITY SECRETARY
APPROVED AS TO FORM:	
CITY ATTORNEY (RLD/5-15-1	17/86267)

EXHIBIT "A"

- BEING A TRACT OF LAND LOCATED IN THE JEFFERSON TILLEY SURVEY,
 ABSTRACT No. 1480, DALLAS COUNTY, TEXAS, BEING ALL OF A TRACT OF
 LAND DESCRIBED IN A DEED TO JARRELL CREDIT EQUIVALENT TRUST
 RECORDED IN INSTRUMENT No. 20070046314, OFFICIAL PUBLIC RECORDS,
 DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), AND BEING MORE PARTICULARLY
 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
- BEGINNING AT A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER &
 ASSOCIATES INC" IN THE SOUTH RIGHT-OF-WAY LINE OF FONDREN DRIVE (A
 CALLED 50 FOOT RIGHT-OF-WAY), FROM WHICH AN "X" CUT FOUND BEARS
 S 88'51'10" W, 2.19 FEET, SAID POINT BEING THE NORTHWEST CORNER OF
 SAID JARRELL TRACT AND THE NORTHEAST CORNER OF A TRACT OF LAND
 DESCRIBED AS TRACT No. 5 IN A DEED TO DALLAS AREA RAPID TRANSIT
 (DART), RECORDED IN VOLUME 92042, PAGE 3001, DEED RECORDS, DALLAS
 COUNTY, TEXAS (D.R.D.C.T.);
- THENCE N 88'51'10" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FONDREN DRIVE AND THE NORTH LINE OF SAID JARRELL TRACT, AT A DISTANCE OF 225.72 FEET PASSING AN "X" CUT FOUND, AND CONTINUING IN ALL A TOTAL DISTANCE OF 251.39 FEET TO AN "X" CUT SET, BEING THE NORTHEAST CORNER OF SAID JARRELL TRACT, FROM WHICH AN "X" CUT FOUND BEARS N 00'53' W, 1.5 FEET, ALSO FROM WHICH ANOTHER "X" CUT FOUND BEARS N 88'51'10 E, 177.14 FEET, SAID SECOND "X" CUT BEING THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF UNIVERSITY PARK RECORDED IN VOLUME 72052, PAGE 706, D.R.D.C.T.;
- THENCE S 00°52'57" E, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID FONDREN DRIVE AND ALONG THE EAST LINE OF SAID JARRELL TRACT, 309.72 FEET TO AN "X" CUT FOUND ON A CONCRETE RETAINING WALL IN THE NORTH RIGHT-OF-WAY LINE OF A CALLED 15 FOOT ALLEY, SAID "X" CUT BEING THE SOUTHEAST CORNER OF SAID JARRELL TRACT, FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP BEARS N 89°21'04" E, 177.93 FEET, SAID IRON ROD BEING THE SOUTHEAST CORNER OF SAID CITY OF UNIVERSITY PARK TRACT;
- THENCE S 89"21"04" W, ALONG THE NORTH LINE OF SAID ALLEY AND THE SOUTH LINE OF SAID JARRELL TRACT, AT A DISTANCE OF 25.02 FEET PASSING A POINT, FROM WHICH AN "X" CUT FOUND BEARS N 01"00"17" W, 0.23 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF 230.95 FEET TO AN "X" CUT FOUND, BEING THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO DART RECORDED IN VOLUME 95038, PAGE 616, D.R.D.C.T.;
- THENCE ALONG THE EAST LINE OF SAID DART TRACT RECORDED IN VOLUME 95038, PAGE 616, D.R.D.C.T. AS FOLLOWS;
 - (1) N 6118'01" W, A DISTANCE OF 24.87 FEET TO AN "X" CUT FOUND;
 - (2) N 34°23'19" W, A DISTANCE OF 23.51 FEET TO AN "X" CUT FOUND, BEING THE NORTH CORNER OF SAID DART TRACT RECORDED IN VOLUME 95038, PAGE 616 AND IN THE EAST LINE OF SAID DART TRACT No. 5, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;
- THENCE NORTHERLY, AN ARC LENGTH OF 276.12 FEET ALONG THE WEST LINE OF SAID JARRELL TRACT, THE EAST RIGHT—OF—WAY LINE OF SAID DART TRACT No. 5, AND SAID NON—TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 6624.56 FEET, A DELTA ANGLE OF 02"19"05" AND A CHORD BEARING OF N 02"02"57" E, 276.10 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.832 ACRES (79,820 SQUARE FEET) OF LAND, MORE OR LESS.



ZONING	CLIBBENIT: COMMITTED CLA
ZONING	CURRENT: COMMERCIA
	PROPOSED: PD XX
	SPECIAL SIGN DISTRICT
LAND USE	OFFICE SHOWROOM
	HOME PRODUCTS
LOT AREA	79,843 SF (1.833 AC)
BUILDING(S) FOOTPRINT	43,575 SF
TOTAL BUILDING AREA	43,575 SF
BUILDING HEIGHT (# STORIES)	22'
BUILDING HEIGHT (TALLEST ELEMENT)	98'-6" (SIGN)
LOT COVERAGE	55.00%
FLOOR AREA RATIO	0.55:1
PARKING:	
PROVIDED PARKING	82
ACCESSIBLE PARKING REQUIRED	4
ACCESSIBLE PARKING PROVIDED	4
LANDSCAPE AREA (INCLUDING TURF):	
LANDSCAPE REQUIRED BY PDXX	OSF
TOTAL LANDSCAPE AREA:	177 SF (0.2%)
PERMEABLE AREA (NOT INCLUDING LANDSCAPE OR TURF AREAS):	0
PERMEABLE PAVEMENT	0
OTHER PERMEABLE AREA	0
TOTAL PERMEABLE AREA:	0
IMPERVIOUS AREA:	
BUILDING FOOTPRINT(S)	43,575 SF
AREA OF SIDEWALKS, PAVEMENT & OTHER	36,091 SF
IMPERVIOUS FLATWORK	22
TOTAL IMPERVIOUS AREA:	79,666 SF (99.8%)
SUM OF TOTAL LANDSCAPE AREA+TOTAL	79,843 SF
PERMEABLE AREA+TOTAL IMPERVIOUS AREA:	

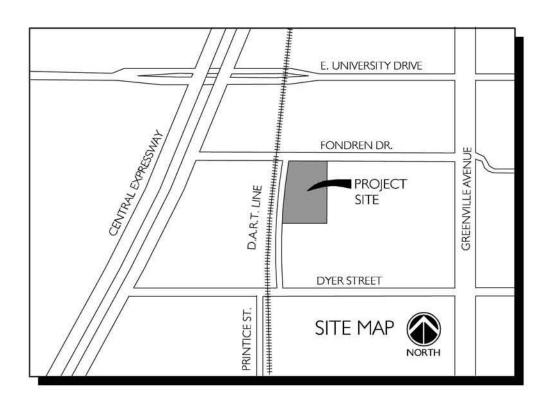


EXHIBIT "B"

CITY OF UNIVERSITY PARK, TEXAS APPROVAL

PREPARED BY: I 3601 PRESTON ROAD, SUITE 107W ARCHITECTURE DALLAS, TEXAS 75240 PREPARED BY: BOB KILDUFF TEL: 214.634.9330 EMAIL: BKILDUFF@KBADESIGN.NET
ITE PLAN TY PARK, TEXAS PROJ#:XXXX
TON (PLAT PENDING) DIT EQUIVALENT TRUST NO.: 20070046314

O.P.R.D.C.T.

PROJ. # 1609 SCALE: I" = 20'-0" SHEET #: 110 DATE: 04.07.2017

MASTER SITE PLAN

SCALE: 1" = 20'-0"

NOR

NORTH

K B A

Suite 107 West

KBAdesign, LLC 13601 Preston Road

Dallas, Texas 75240 Tel. 214.634.9330

Robert J. Kilduff, NCARB
Registration Number 7156

Expires: 4.30.2018

JARRELL HOME CENTER



2651 FONDREN DRIVE DALLAS, TEXAS 75206

> KBAdesign, LLC DALLAS, TEXAS

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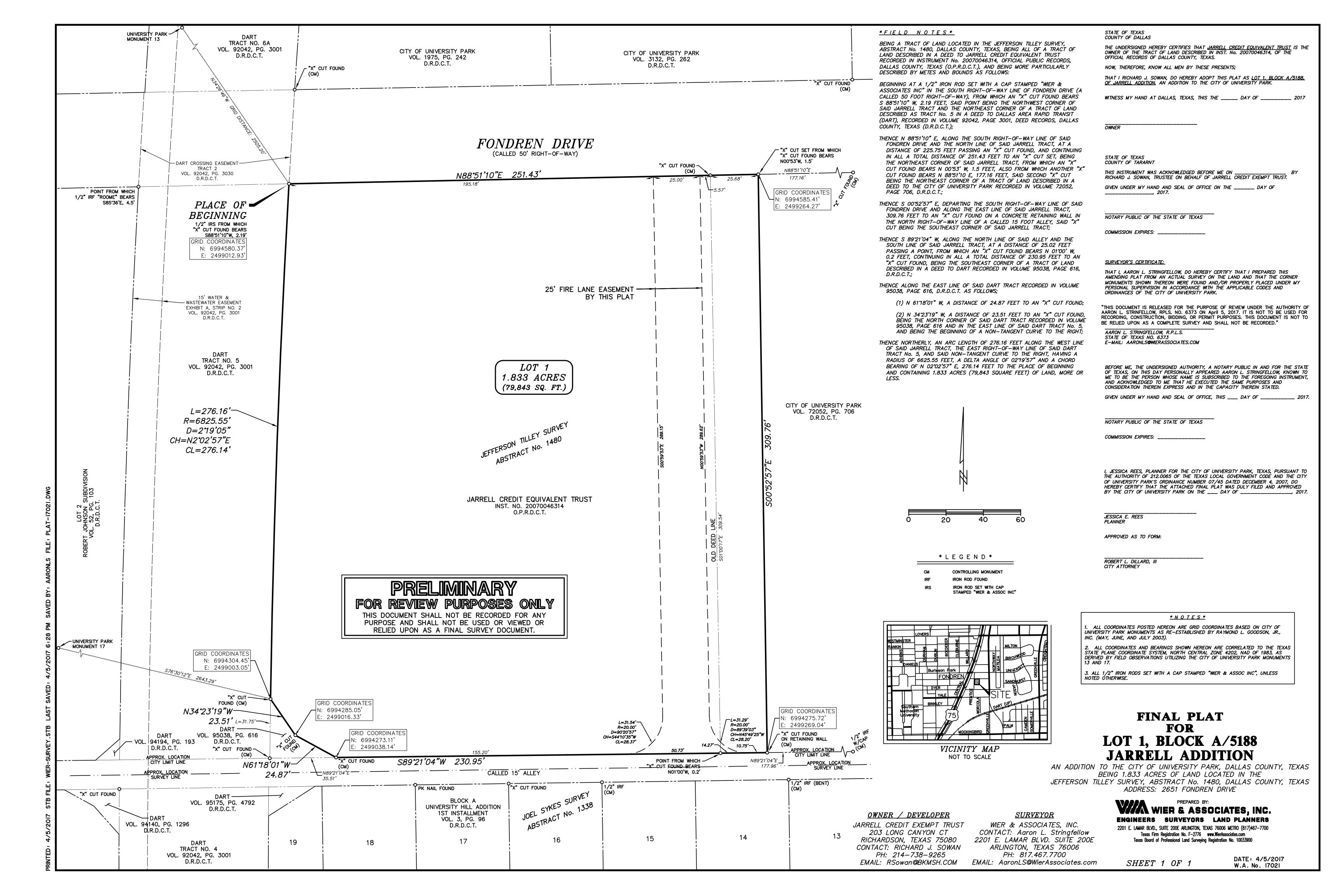
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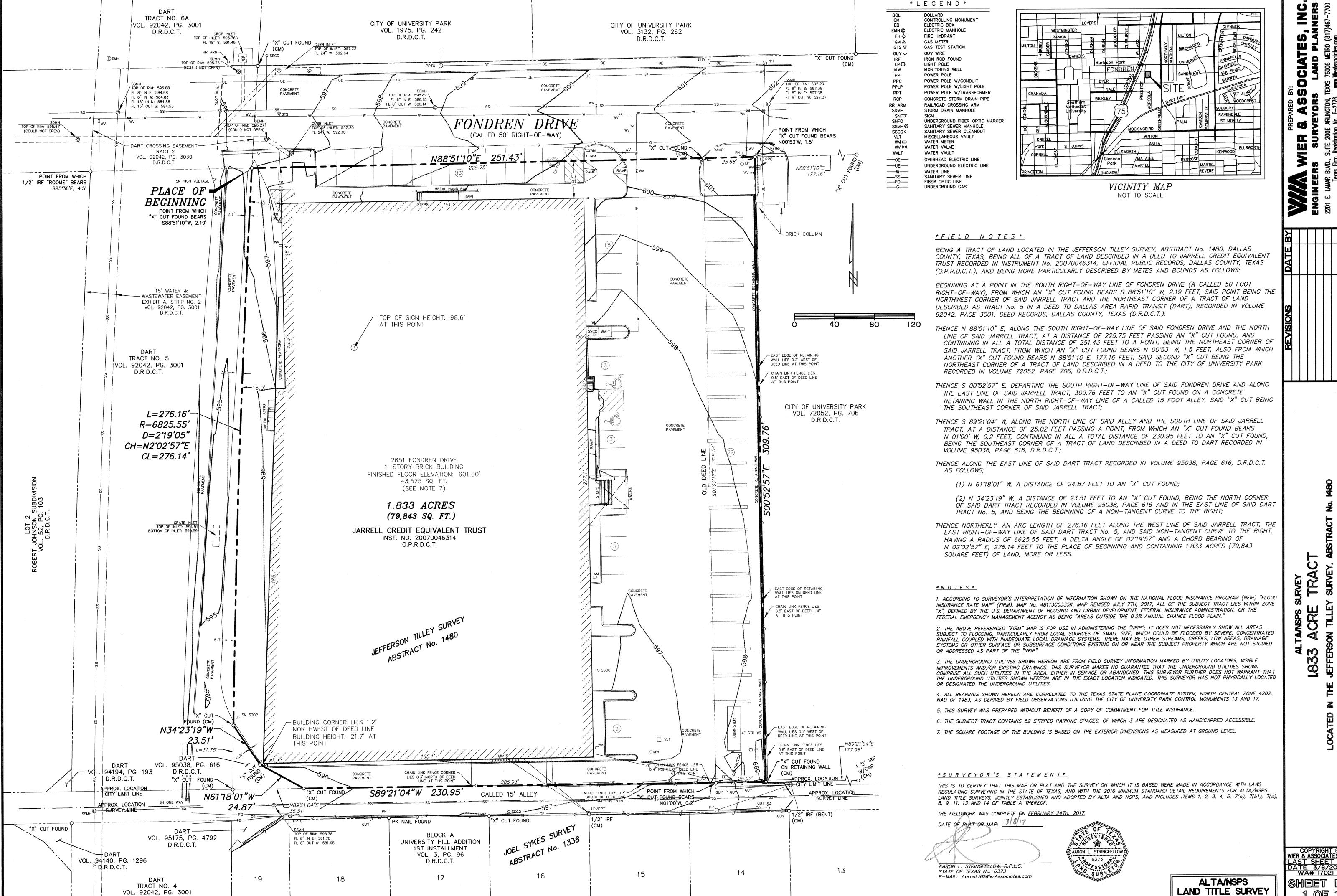
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MASTER SITE PLAN 04.07.2017

PROJECT NO:

110

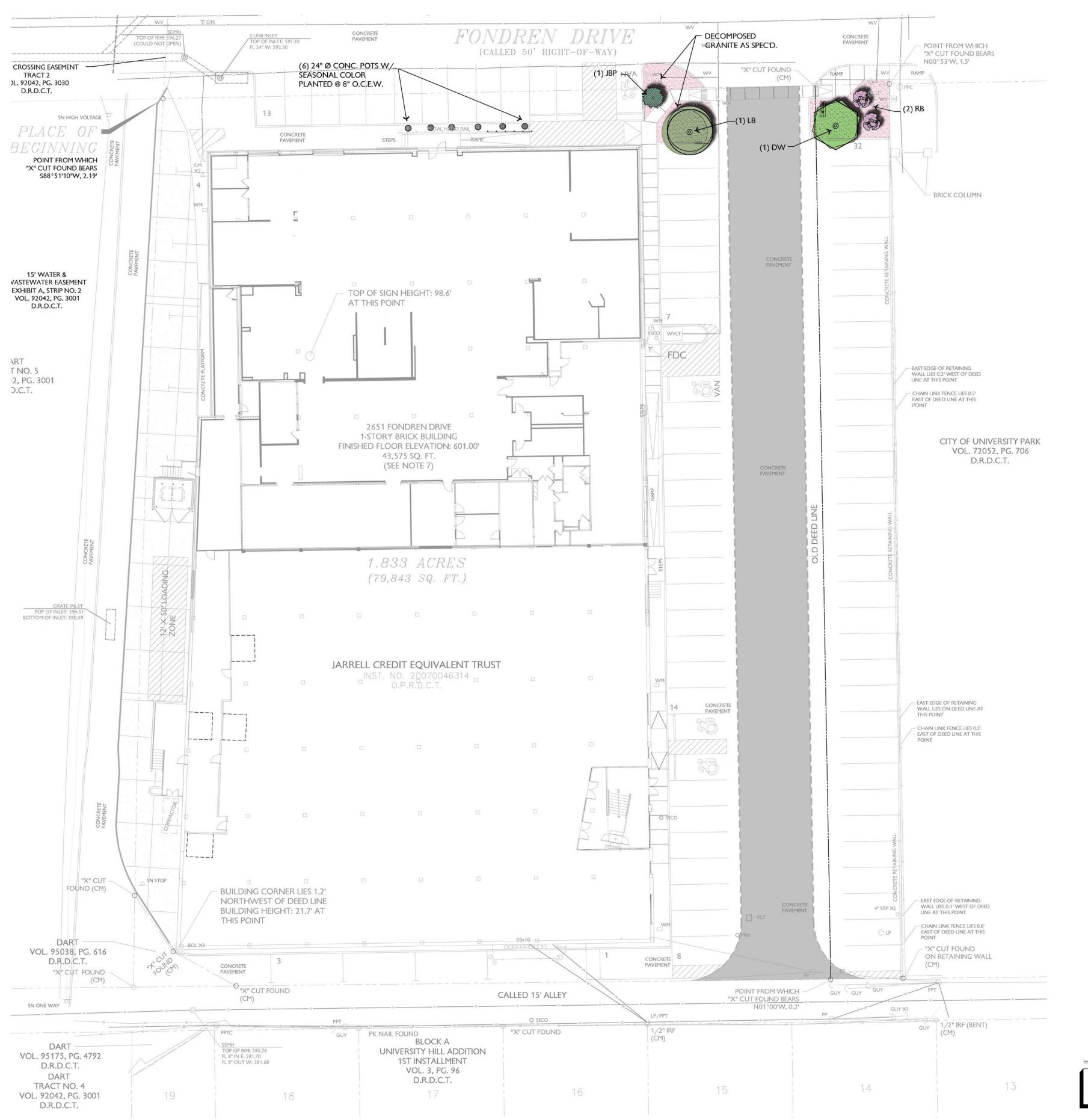




D.R.D.C.T.

1 OF 1

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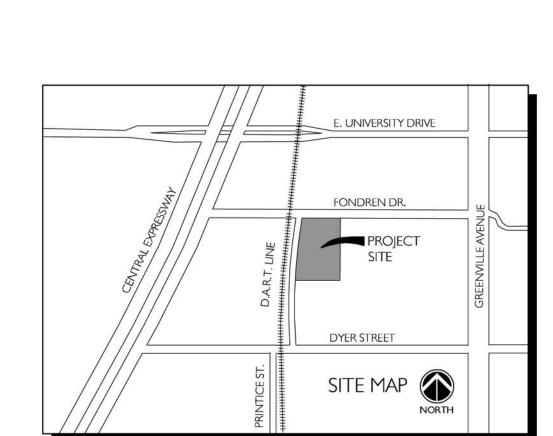


EXHIBIT "B"



SITE PLAN CITY OF UNIVERSITY PARK, TEXAS PROJ#:XXXX JARRELL ADDITION (PLAT PENDING) JARREL CREDIT EQUIVALENT TRUST

INST. NO.: 20070046314 O.P.R.D.C.T. PROJ. # 1609 SCALE: I'' = 20'-0''SHEET #: 110

PLANTING PLAN
SCALE: 1" = 20'-0"

RSOWAN@BKMSH.com



DATE: 04.07.2017



13601 Preston Road Suite 107 West Dallas, Texas 75240 Tel. 214.634.9330

Robert J. Kilduff, NCARB Registration Number 7156 Expires: 4.30.2018

JARRELL HOME CENTER



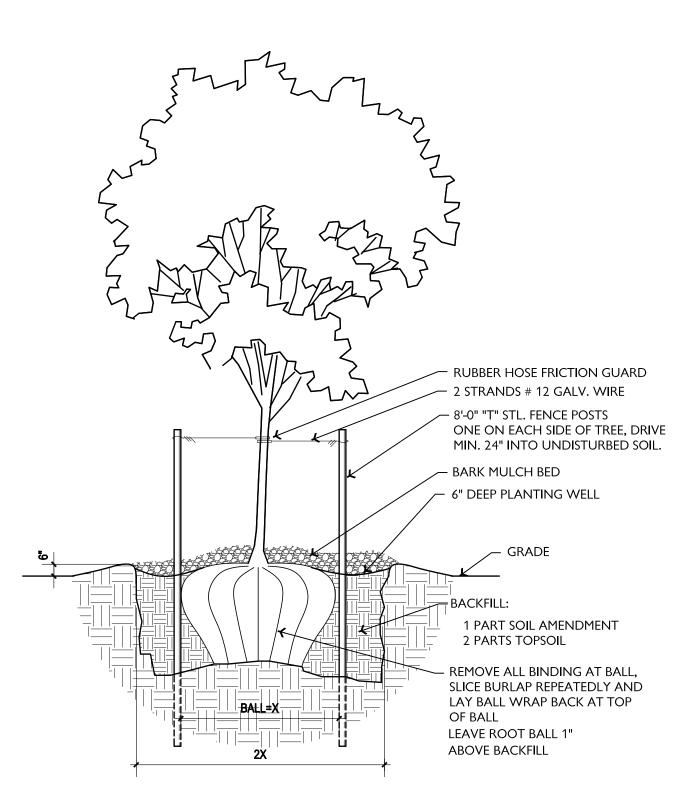
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KBAdesign, LLC DALLAS, TEXAS

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PROJECT NO:

PLANTING PLAN 03.20.2017



04 TREE PLANTING DETAIL SCALE:

PLANT MATERIAL LIST

		_								
YMBOL	KEY	QNTY.	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPREAD	CALIPER	SPACING	NOTES:
(o)	DW	1	CHILOPSIS LINEARIS	DESERT WILLOW	CONTAINER GROWN	8'-10'	4'-5'	4" M I N.	PER PLAN	LIFT TO 7'-0" ABOVE ADJACENT WALKS/DRIVES
	LB	1	ULMUS PARVIFOLIA "SEMPERVERINS"	LACE BARK ELM	CONTAINER GROWN	10'-12'	4'-5'	4" MIN.	PER PLAN	LIFT TO 7'-0" ABOVE ADJACENT WALKS/DRIVES
	JBP	1	PINUS THUNBERGII	JAPANESE BLACK PINE	CONTAINER GROWN	5'-7'	4'-5'	4" MIN.	PER PLAN	
	γ — RB	2	CERCIS CANADENSIS "OKLAHOMA"	oklahoma red bud	CONTAINER GROWN	6'-7'	3'-5'	3" MIN.	PER PLAN	
		<u> </u>	APPROPRIATE SEASONAL COLOR-THREE PLANT IN ELEVATED POTS @ 8" O.C.E.W.							

02 PLANT MATERIAL SCHEDULE
SCALE:

GENERAL NOTES:

- G.1 LANDSCAPE CONTRACTOR IS TO VERIFY ALL EXISTING SITE CONDITIONS AND THE LOCATION OF ALL UTILITIES BY CONTACTING DIG-TESS PRIOR TO COMMENCING WORK UNDER THIS CONTRACT. LANDSCAPE CONTRACTOR IS TO COORDINATE WORK WITH ALL OTHER TRADES ON-SITE.
- G.2 THE FINISH GRADE AT ALL PLANTING BEDS SHALL BE SMOOTH AND FREE OF ANY DEBRIS. THE PLANTING BED GRADE SHALL BE CONSISTANTLY 5" BELOW ALL ADJACENT WALKS OR TURF GRADES TO ALLOW FOR DECOMPOSED GRANITE BEDS.
- G.3 LANDSCAPE CONTRACTOR TO STAKE THE LOCATION OF ALL TREES AND ORNAMENTAL SHRUBS FOR PRIOR APPROVAL BEFORE PLANTING. GROUND COVER AND SEASONAL COLOR PLANTS SHALL BE PLANTED AT THE DIMENSION INDICATED AND EACH ROW SHALL BE STAGGERED HALF THE REQUIRED SPACING.
- G.4 LANDSCAPE CONTRACTOR TO PROVIDE ALL TOP SOIL AND FINISH GRADING PER SPECIFICATIONS.
- G.5 LANDSCAPE CONTRACTOR SHALL NOT IMPEDE DRAINAGE IN ANY WAY AND SHALL SLOPE ALL PLANTING BEDS AWAY FROM STRUCTURES. NO FILL SHALL BE PLACED AS TO COVER ANY WEEPS IN EXTERIOR WALLS.
- G.6 NO PLANTING MATERIAL SHALL BE PLACED ON SITE UNTIL IRRIGATION SYSTEM IS FULLY INSTALLED AND OPERATIONAL.
- G.7 GENERAL EXCAVATION CONTRACTOR TO ESTABLISH ROUGH GRADES IN PLANTING AREAS, LANDSCAPE CONTRACTOR TO SUPPLY TOP SOIL AND FINE GRADE, AUGMENT SOIL AND LEVEL PLANTING AREAS.
- G.8 CHAMPFER METAL EDGING @ 45° ANGLE MIN. 3" LEG WHEN IT INTERSECTS WALK.
- G.9 PLANT TREES NO CLOSER THAN 5'-0" FROM EDGE OF CONCRETE PAVING.
- G.10 LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL WORK UNTIL SUCH WORK IS FINISHED AND ACCEPTED BY
- G.11 IF ANY PLANT MATERIAL SPECIFIED HEREIN IS UNAVAILABLE, LANDSCAPE CONTRACTOR IS TO PROVIDE SUBSTITUTE SELECTIONS FOR OWNER REVIEW.
- G.12 DECOMPOSED GRANITE SHALL BE "TEXAS PINK", AND BE MINIMUM 4" DEEP OVER WEED INHIBITING GEOFABRIC. MAINTAIN GRANITE LEVEL 1" BELOW ANY ADJACENT WALKS, DRIVES OR TOPS-OF-CURB.
- G.13 LANDSCAPE CONTRACTOR TO FOLLOW DETAILS, SHEET L.2, FOR ALL TREE PRESERVATION NOTES/DETAILS, AND TREE/SHRUB PLANTING DETAILS.
- G.14 LANDSCAPE CONTRACTOR TO PROVIDE THE OWNER A PROPOSAL FOR ANNUAL MAINTENANCE OF THE LANDSCAPE AREAS IN ACCORDANCE TO THE REQUIREMENTS OF THE CITY OF UNIVERSITY PARK.



IRRIGATION NOTES:

- I.1 LANDSCAPE PROVIDER TO PROVIDE AN AUTOMATIC, POINT SOURCE DRIP IRRIGATION SYSTEM,
- I.2 SUCCESSFUL BIDDER TO OBTAIN IRRIGATION DRAWINGS DESIGNED AND PREPARED BY AN IRRIGATOR LICENSED IN THE STATE OF TEXAS FOR ARCHITECT'S REVIEW AND CITY APPROVAL WITH DEFERRED PERMIT.
- I.3 IRRIGATOR SHALL VERIFY MODEL OF BACK-FLOW PREVENTER WITH THE CITY OF UNIVERSITY PARK AND THE TCEQ, PER CITY ORDINANCE.
- I.4 IRRIGATOR SHALL FULLY COMPLY WITH THE CITY OF UNIVERSITY PARK ORDINANCES RELATING TO IRRIGATION SYSTEMS AND TCEQ CROSS- CONNECT REGULATIONS.
- I.5 SYSTEM TO INCLUDE FREEZE PROTECTION AND RAIN SHUT-OFF SYSTEM.



EXHIBIT "B"

CITY OF UNIVERSITY PARK, TEXAS APPROVAL

CURRENT OWNER: JARRELL CREDIT EXEMPT TRUST 15301 DALLAS PARKWAY, SUITE 960 ADDISON, TEXAS 7500 I MR. RICHARD J. SOWAN, TRUSTEE 214.738.9265 RSOWAN@BKMSH.com

PROJ. # 1609

I 360 I PRESTON ROAD, SUITE 107W DALLAS, TEXAS 75240 PREPARED BY: BOB KILDUFF TEL: 214.634.9330 EMAIL: BKILDUFF@KBADESIGN.NET

DATE: 04.07.2017

CITY OF UNIVERSITY PARK, TEXAS PROJ#:XXXX JARRELL ADDITION (PLAT PENDING) JARREL CREDIT EQUIVALENT TRUST INST. NO.: 20070046314 O.P.R.D.C.T.

SHEET #: 110

SITE PLAN

01 PLANTING DETAILS/NOTES

SCALE:

SCALE: I" = 20'-0"

KBAdesign, LLC 13601 Preston Road Suite 107 West

Dallas, Texas 75240 Tel. 214.634.9330

Robert J. Kilduff, NCARB Registration Number 7156

Expires: 4 30 2018

JARRELL HOME



2651 FONDREN DRIVE DALLAS, TEXAS 75206

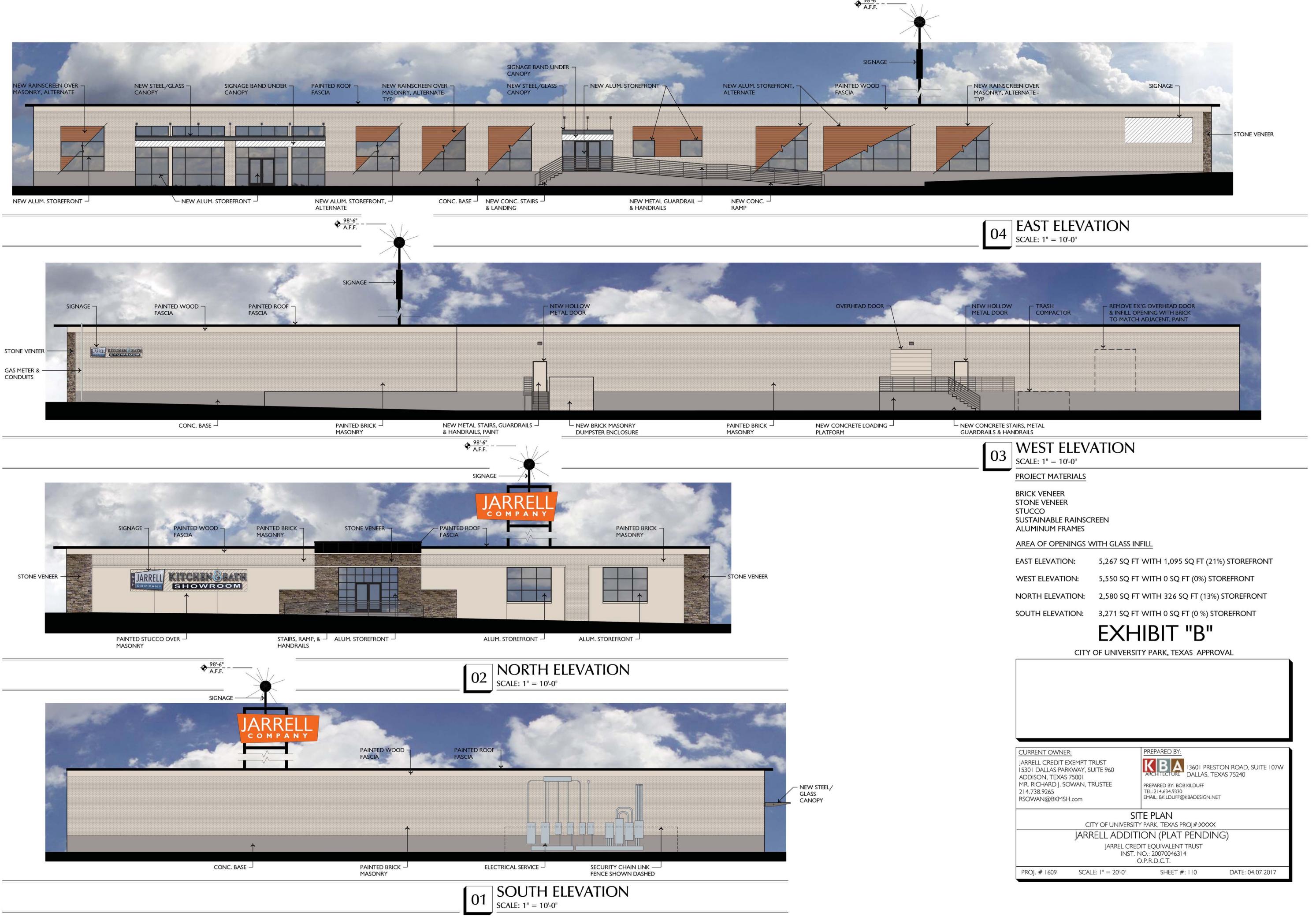
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16.11.00 PROJECT NO:

PLANTING **DETAILS/NOTES** 03.15.2017



KBA

KBAdesign, LLC

13601 Preston Road Suite 107 West Dallas, Texas 75240 Tel. 214.634.9330

Robert J. Kilduff, NCARB

Registration Number 7156

Expires: 4 . 30 . 2018

JARRELL HOME CENTER



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ATE I

16.11.00

PROJECT NO:

EXTERIOR ELEVATIONS

300

ORDINANCE NO.	
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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 CREATING PLANNED DEVELOPMENT DISTRICT NO. 41, ON PROPERTY DESCRIBED AS A 1.833 ACRE TRACT OF LAND IN THE JEFFERSON TILLEY SURVEY, ABSTRACT NO. 1480, IN THE CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS, AND COMMONLY KNOWN AS 2651 FONDREN DRIVE, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; APPROVING A DETAILED SITE PLAN ATTACHED HERETO 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.

Duly passed by the Ci	ty Council of the C	ity of University Park,	, Texas, on the day of	June
2017.				

APPROVED:

OLIN B. LANE, MAYOR
ATTEST:
CHRISTINE GREEN, CITY SECRETARY