

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF UNIVERSITY PARK, AMENDING PLANNED DEVELOPMENT DISTRICT NO. 36 FOR THE PROPERTY DESCRIBED AS ALL OF TRACT NO. 1 OF THE UNIVERSITY LAKE PARK AND HIGHLAND PARK PRESBYTERIAN CHURCH TRACTS ACCORDING TO THE PLAT RECORDED IN VOLUME 4, PAGE 169, MAP RECORDS, DALLAS COUNTY, TEXAS, AND ALL OF LOTS 8 AND 11, AND THE EAST TEN FEET (10') OF LOTS 7 AND 12, BLOCK B, WINDSOR PLACE SUBDIVISION, AN ADDITION TO THE CITY OF UNIVERSITY PARK, DALLAS COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED; APPROVING A CONCEPTUAL SITE PLAN ATTACHED COLLECTIVELY 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 said 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. That the Comprehensive Zoning Ordinance and Map are hereby amended to adopt a conceptual site plan ("site plan") for the redevelopment of Planned Development District No. 36 ("PD-36") for the Highland Park Presbyterian Church, on the property described as: "All of Tract No. 1 of the University Lake Park and Highland Park Presbyterian Church Tracts according to the plat recorded in Volume 4, Page 169, Map Records, Dallas County, Texas, and all of Lots 8 and 11, and the East ten feet (10') of Lots 7 and 12, Block B, Windsor Place Subdivision, an Addition

to the City of University Park, Dallas County, Texas”, more particularly described in Exhibit “A” attached hereto and made part hereof for all purposes.

SECTION 2. The site plan, attached hereto collectively as Exhibit “B”, is hereby approved as the conceptual site plan for the redevelopment of PD-36, as required by Section 17-101 (1) of the Comprehensive Zoning Ordinance of the City of University Park, Texas. Prior to the issuance of any building permit, a detailed site plan, prepared and presented in accordance with Section 17-101 (2) of the Comprehensive Zoning Ordinance, shall be required. The detailed site plan must be reviewed by the Planning and Zoning Commission and approved by the City Council, but an additional public hearing is not required. Approval of the site plan is subject to the following special conditions:

A. The property shall be developed only in conformance with the requirements of PD-36 and the approved site plan;

B. All landscaping shall be installed in accordance with the approved site plan;

C. All new signs and changes to existing signs shall comply with the Special Sign District approved for the Church and a permit required;

D. Miscellaneous Special Conditions:

1. 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.
2. 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 existing structure on the subject site.

3. Explosives. No explosives may be used in the demolition and construction on the subject property.
4. Neighborhood Liaison. Applicant will provide a liaison during construction to respond to questions and complaints from residents and businesses. Applicant will provide notice to residents and businesses 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.
5. 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 during construction, owner will secure off-site parking and shuttle workers to the site.
6. Construction Hours. Unless written permission is granted by the Director of Community Development, construction work on the site is restricted to Monday through Saturday from 7:00 a.m. to 6:00 p.m.
7. 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 are hereby repealed.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance or the Comprehensive Zoning Ordinance and Map, as amended hereby, 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 so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance and Map, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of University Park,

Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and every day any such violation shall continue 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 ____ day of _____ 2018.

APPROVED:

OLIN B. LANE, MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY
(RLD/5/15/18; 99334)

CHRISTINE GREEN, CITY SECRETARY

EXHIBIT A

**STATE OF TEXAS §
COUNTY OF DALLAS §**

Whereas, Highland Park Presbyterian Church, acting by and through its duly authorized agent, Mark Story, Executive Director, is the sole owner of a tract of land situated in the John Scurlock Survey, Abstract 1351, City of University Park, Dallas County, Texas, being all of Tract No. 1, University Lake Park and Highland Park Presbyterian Church Tracts, an addition to the City of University Park, according to the plat recorded in Volume 4, Page 169, Map Records, Dallas County, Texas (M.R.D.C.T.) and conveyed to Highland Park Presbyterian Church by Deed recorded in Volume 1779, Page 600, Deed Records, Dallas County, Texas (D.R.D.C.T.), being all of Lot 8, Block B, Windsor Place, an addition to the City of University Park, according to the plat recorded in Volume 2, Page 299, M.R.D.C.T. and conveyed to Highland Park Presbyterian Church by Warranty Deed recorded in Volume 87121, Page 99, D.R.D.C.T., being all of Lot 11, of said Block B and conveyed to Highland Park Presbyterian Church by Warranty Deed with Vendor's Lien recorded in Volume 5643, Page 191, D.R.D.C.T., being the east 10' of Lots 7 and 12, of said Block B and conveyed to Highland Park Presbyterian Church by Warranty Deed recorded in Volume 74191, Page 2143, D.R.D.C.T., being all of a 15-foot alley abandoned according to the Survey Plat recorded in Volume 79087, Page 3187, D.R.D.C.T., and being all of Shannon Lane abandoned by Ordinance No. 194 recorded in Volume 74199, Page 1581 and conveyed to Highland Park Presbyterian Church by Quitclaim Deed recorded in Volume 74191, Page 2149, and being more particularly described as follows:

BEGINNING a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set, at the intersection of the south right-of-way line of University Boulevard (a 100' right-of-way) and the east right-of-way line of Shannon Lane (a 50' right-of-way), from which a 5/8" iron rod found for the norwest corner of the east 25.00 feet of Lot 6, of said Block B, bears South 89° 18' 33" West, a distance of 75.00 feet;

THENCE North 89° 18' 33" East, along the common line between said south right-of-way line of University Boulevard and the north line of said Lot 7, Lot 8, Shannon Lane Abandonment and Tract No. 1, passing at a distance of 10.00 feet the common north corner of said Lot 7 and Lot 8, passing at a distance of 89.90 feet the common north corner of said Lot 8 and Shannon Lane abandonment, passing at a distance of 139.90 feet the common north corner of said Shannon Lane abandonment and Tract No. 1, continuing a total distance of 539.90 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for the northeast corner of said Tract No. 1, at the intersection of the said south right-of-way line of University Boulevard and the west right-of-way line of Park Street (a 50' right-of-way);

THENCE South 00° 23' 27" East, along the common line between said west right-of-way line of Park Street and the east line of said Tract No. 1, a distance of 374.80 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for southeast corner of said Tract No. 1, at the intersection of said west right-of-way line of Park Street and the north right-of-way line of McFarlin Boulevard (a variable width right-of-way, 50' wide at this point);

THENCE South 89° 18' 33" West, along the common line between said north right-of-way line of McFarlin Boulevard and said south line of Tract No. 1, a distance of 400.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG IN" set for the southwest corner of said Tract No. 1;

THENCE North 00° 23' 27" West, along the common line between said north right-of-way line of McFarlin Boulevard and the west line of said Tract No. 1, a distance of 5.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for the southeast corner of said Shannon Lane Abandonment;

THENCE South 89° 18' 33" West, along the common line between said north right-of-way line of McFarlin Boulevard and south line of said Shannon Lane Abandonment, Lot 11 and Lot 12, passing at a distance of 50.00 feet the common south corner between said Shannon Lane Abandonment and Lot 11, passing at a distance of 129.40 feet the common south corner between said Lot 11 and Lot 12, continuing a total distance of 139.36 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set, at the intersection of said north right-of-way line of McFarlin Boulevard and said east right-of-way line of Shannon Lane, from

which a 3/4" iron pipe found for the common south corner of Lot 13 and Lot 14, of said Block B, bears South 89° 18' 33" West a distance of 110.00 feet;

THENCE North 00° 28' 27" West, along the east right-of-way line of said Shannon Lane, a distance of 170.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set in the north line of said Lot 12 and the south right-of-way line of a 15'-foot alley;

THENCE North 89° 18' 33" East, along the north line of said Lot 12 and the south right-of-way line of said 15-foot alley, a distance of 10.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for the north common corner of said Lot 11 and Lot 12 and the southwest corner of said 15-foot alley abandonment;

THENCE North 00° 28' 27" West, along the west line of said alley abandonment, a distance of 15.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for the northwest corner of said 15-foot alley abandonment and the south common corner of said Lot 7 and Lot 8;

THENCE South 89° 18' 33" West, along the south line of said Lot 7 and the north line of said 15-foot alley, a distance of 10.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set in the east right-of-way line of said Shannon Lane;

THENCE North 00° 28' 27" West, along the east right-of-way line of said Shannon Lane, a distance of 184.80 feet, to the **POINT OF BEGINNING**, containing 201,402 square feet or 4.6236 acres, more or less.

AREA SUMMARY	
DEVELOPMENT BOUNDARY AT GRADE TRACT I **	201,522 SF
LOT COVERAGE	49%
GROSS FLOOR AREA ABOVE-GRADE STRUCTURE TRACT I	190,000 SF
GROSS FLOOR AREA BELOW-GRADE STRUCTURE TRACT I	25,000 SF
PARKING GARAGE	83,700 SF
PARKING SPACES - LEVEL B1*	66
PARKING SPACES - LEVEL B2*	69
ACCESSIBLE PARKING (INCLUDED)*	6
TOTAL GARAGE PARKING SPACES*	135
TOTAL SURFACE R.O.W. PARKING SPACES	110

*PARKING NUMBERS ARE APPROXIMATE AT THIS CONCEPTUAL PHASE
 **DEVELOPMENT BOUNDARY EQUALS AREA INSIDE OF PROPERTY LINE AT GRADE
 BUILDING HEIGHT - 65'-0" (EXCEPT STEEPLES, MECHANICAL ETC. - SEE P.D.)

AREA SUMMARY CONTINUED	
EXISTING	183,000 SF
DEMOLITION	93,000 SF
NEW CONSTRUCTION (CONDITIONED)	100,000 SF
EXISTING AND NEW (CONDITIONED)	190,000 SF
AREA SUMMARY BY USE	
NEW EDUCATIONAL	19,700 SF
NEW ASSEMBLY	53,600 SF
NEW ACCESSORY OFFICE	23,100 SF
NEW ACCESSORY GYMNASIUM	3,600 SF
FLOOR AREA RATIO ***	.9

*** CONDITIONED SPACE ABOVE GRADE / PROPERTY AREA = F.A.R.



Highland Park
PRESBYTERIAN CHURCH

[illegible]

17019.000

CONCEPTUAL PLAN

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DULY PASSED by the City Council of the City of University Park, Texas, on the ____ day
of _____ 2018.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY