

ORDINANCE NO. 2003

AN ORDINANCE OF THE TOWN OF HIGHLAND PARK, TEXAS, AMENDING **CHAPTER 14, ZONING, OF THE CODE OF ORDINANCES OF THE TOWN OF HIGHLAND PARK, TEXAS**, AMENDING THE COMPREHENSIVE SITE PLAN OF PD 1, THE HIGHLAND PARK SHOPPING VILLAGE, AS ADOPTED BY ORDINANCE NO. 1785 AND AMENDED BY ORDINANCE NOS. 1796, 1806, 1811, 1822, 1840, 1848, 1853, 1857, 1858, 1861, 1863, 1876, 1882, 1901, 1912, 1922, 1933, 1936, 1946, 1959, 1963, 1973 AND 1986; **SUPPLEMENTING CHAPTER 14 ZONING, EXHIBIT A ZONING ORDINANCE, SECTION 26 LIST OF SPECIFIC USE PERMITS, PLANNED DEVELOPMENTS AND COMBINED BUILDING SITES, 26-100**, OF THE CODE OF ORDINANCES TO ADD ROOF TERRACE DINING AREAS TO, AND A STAIR TOWER ADJACENT TO THE WEST SIDE OF, BUILDING G; PROVIDING A PENALTY CLAUSE; PROVIDING A VALIDITY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, **Chapter 14, Zoning, of the Code of Ordinances of the Town of Highland Park, Texas**, is also known as the "Town's Zoning Ordinance;" and

WHEREAS, the Highland Park Shopping Village (the "Village") is a Planned Development, known as PD 1, with a comprehensive site plan and a comprehensive transportation and parking plan approved by the Town Council of the Town of Highland Park (the "Town"); and

WHEREAS, the Village submitted a request to consider the following alterations to Building G, 100 Highland Park Village to: (i) construct two covered and open outdoor roof terraces on the third floor; (ii) construct three additions totaling 1,970 square feet on the north, east, and west sides of the third floor; (iii) convert a portion of the third floor office space to restaurant and bar use; (iv) replace the third floor roof penthouse with a new expanded penthouse containing two architectural tower elements measuring 68 feet and 70 feet tall; (v) construct a one-story stair tower and pedestrian bridge over the private drive to the west side of Building G; and (vi) require use of the ticketless valet parking system depicted on the attached site plan, Exhibit A; and

WHEREAS, Section 21-101 of the Town's Zoning Ordinance requires changes to the Village's comprehensive site plan to be approved by the Town Council; and

WHEREAS, on December 14, 2015, in Ordinance No. 1986, the Town Council recognized the total surplus parking at forty-two (42) parking spaces and a final parking space count of 1,059; and

WHEREAS, during the staff review for this proposed amendment to PD 1, the Nelson Nygaard parking model with the proposed tenancy was utilized. This evaluation decreased the surplus parking by six (6) spaces, resulting in a total surplus parking count of thirty six (36) surplus spaces and a total parking space count of 1,059; and

WHEREAS, at its regular meeting on June 27, 2016, and after giving requisite notice of a public hearing regarding HP Village Partners, L.P.'s application in accordance with Section 11-100 of the

Town's Zoning Ordinance and the laws of the State of Texas, the Town Council conducted said public hearing at the Town Hall, 4700 Drexel Drive, Highland Park, Texas. After hearing from all parties present and after giving full consideration of (i) HP Village Partners, L.P.'s application, and (ii) the evidence introduced during the public hearing, the Town Council granted approval of the application to amend the Planned Development Ordinance and comprehensive site plan, as depicted on the attached EXHIBIT A;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS:

SECTION 1. That, the comprehensive site plan of PD 1, the Highland Park Shopping Village, is hereby amended to allow the following alterations to Building G, 100 Highland Park Village: (i) construct two covered and open outdoor roof terraces on the third floor; (ii) construct three additions totaling 1,970 square feet on the north, east, and west sides of the third floor; (iii) convert a portion of the third floor office space to restaurant and bar use; (iv) replace the third floor roof penthouse with a new expanded penthouse containing two architectural tower elements measuring 68 feet and 70 feet tall; (v) construct a one-story stair tower and pedestrian bridge over the private drive to the west side of Building G; and (vi) require use of the ticketless valet parking system depicted on the attached site plan, Exhibit A.

SECTION 2. That, the Nelson Nygaard parking model was used in evaluating the modification of Building G. The results of this evaluation decreased the surplus parking by six (6) surplus spaces resulting in a total surplus parking of thirty six (36) spaces and a total parking space count of 1,059 in the Village's comprehensive transportation and parking plan.

SECTION 3. That, **Chapter 14 "Zoning," Section 26, "List of Specific Use Permits, Planned Developments and Combined Building Sites, 26-100"** of the Town's Zoning Ordinance, is hereby amended to add:

PD Ordinance No. 2003 - Amending PD 1, the Highland Park Shopping Village, is hereby amended to allow the following alterations to Building G, 100 Highland Park Village: (i) construct two covered and open outdoor roof terraces on the third floor; (ii) construct three additions totaling 1,970 square feet on the north, east, and west sides of the third floor; (iii) convert a portion of the third floor office space to restaurant and bar use; (iv) replace the third floor roof penthouse with a new expanded penthouse containing two architectural tower elements measuring 68 feet and 70 feet tall; (v) construct a one-story stair tower and pedestrian bridge over the private drive to the west side of Building G; and (vi) require use of the ticketless valet parking system depicted on the attached site plan, Exhibits A. The utilization of the Nelson Nygaard parking model in conjunction with the modification of Building G results in a decrease to the surplus parking by six (6) surplus spaces resulting in a total surplus parking of thirty six (36) spaces and a total parking space count of 1,059 in the Village's comprehensive transportation and parking plan.

SECTION 4. Penalty. That, any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the penalty provision of Section 1.01.009 of The Code of Ordinances of the Town of Highland Park, as amended.

SECTION 5. Validity. That, all ordinances of the Town of Highland Park in conflict with the provisions of this ordinance be, and the same are hereby superseded and all other provisions of the ordinances of the Town of Highland Park not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. Severability. That, should any paragraph, sentence, clause, phrase, or word of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected.

SECTION 7. Incorporation. That, this ordinance shall be deemed to be incorporated into the Code of Ordinances of the Town of Highland Park, Texas.

SECTION 8. Effective Date. That, this ordinance shall be in effect immediately following its passage, approval and publication as provided by law, and it is accordingly so ordained.

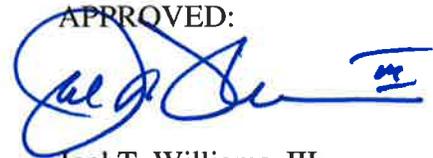
PASSED AND APPROVED this the 27th day of June, 2016.

APPROVED AS TO FORM:



Ben Stool
Assistant Town Attorney

APPROVED:



Joel T. Williams, III
Mayor

ATTEST:



Gayle Kirby
Town Secretary



East Elevation



North Elevation
EXHIBIT A (Page 2 of 2)