

**CITY OF BUNKER HILL VILLAGE
PLANNING AND ZONING COMMISSION**

Agenda Request

Agenda Date: July 7, 2020

Agenda Item No: IV and V

Subject/Proceeding: A PUBLIC HEARING WILL BE HELD REGARDING A REQUEST FOR A SPECIFIC USE PERMIT FOR PARATUS MEMORIAL, 11750 MEMORIAL DRIVE FOR RELIGIOUS AND EDUCATIONAL PURPOSES

CONSIDERATION AND POSSIBLE ACTION REGARDING A WRITTEN RECOMMENDATION TO THE CITY COUNCIL CONCERNING A SPECIFIC USE PERMIT FOR PARATUS MEMORIAL, 11750 MEMORIAL DRIVE FOR RELIGIOUS AND EDUCATIONAL PURPOSES

Exhibits: Ordinance and Exhibits
Draft Memo to City Council

Clearance: Steve Smith, Director of Public Works/Building Official
Karen Glynn, City Administrator

Executive Summary

Paratus Memorial submitted an application for a Specific Use Permit (SUP) to develop a school and to continue the existing uses for religious and pre-school uses at the site. This item was work shopped with the Planning and Zoning Commission in April. The attached Ordinance has been drafted to present to the Public and the Commission for comment.

Background

The Memorial Drive Christian Church is located at 11750 Memorial Drive and has operated at this location for over 40 years. The Church also operates a pre-school at the location. There is no Specific Use Permit for the site. Records show that the Church proposed various needs such as lot coverage and signage over the years through the Zoning Board of Adjustments.

The Specific Use Process for the City has evolved over the years. Educational Facilities were added to the list of uses in 2011.

Summary

The purpose of the SUP Process is to look at individual sites on a case by case basis and determine if the proposal would negatively impact adjacent properties and the City as a whole.

The Church property has been in operation since the City was established. There is a Church School at the site now. The proposal includes adding a private school to the site.

The SUP Process provides for conditions to be included to ensure specific concerns are addressed for the various factors. These are outlined in the proposed Ordinance.

ORDINANCE NO. 20-xx

AN ORDINANCE OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, AMENDING APPENDIX "A" OF THE CODE OF ORDINANCES OF THE CITY, SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF SAID CITY, BY GRANTING A SPECIFIC USE PERMIT TO THE PARATUS MEMORIAL, 11750 MEMORIAL DRIVE FOR RELIGIOUS AND EDUCATIONAL PURPOSES; PROVIDING FOR REPEAL; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Section 8.02 of Appendix "A: of the Code of Ordinances of the City of Bunker Hill Village, Texas, said Appendix "A" being the comprehensive zoning ordinance of said City, permits the use of educational and religious facilities only pursuant to a specific use permit granted in accordance with Article VIII of said Appendix "A"; and

WHEREAS, The Memorial Drive Christian Church has been in use on the premises at 11750 Memorial Drive located within said City, since the City's incorporation in 1954; and

WHEREAS, The Paratus Memorial has applied for a specific use permit to authorize the use of educational and religious facilities on the premises at 11750 Memorial Drive located within said City, in accordance with the plan attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, the Planning & Zoning Commission of said City, after notice and hearings as required by law, has recommended that the City Council grant the specific use permit; and

WHEREAS, the City Council, following notice and hearing as required by law, concurs with the recommendation of the Planning & Zoning Commission that such specific use permit should be granted; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS:

Section 1. A specific use permit authorizing the use of an educational and religious facility, to be located on the premises of 11750 Memorial Drive, Bunker Hill

Village, Texas, is hereby granted in accordance with the site plan attached hereto as Exhibit “A” and in accordance with and subject to the special terms and conditions set forth in Section 2 of this Ordinance. Said Exhibit “A” is made a part of this Ordinance for all purposes.

Section 2. The granting of the Specific Use Permit as set forth in Section 1 above is subject to the following additional terms and conditions:

- a. All areas of the building will be used for education and religious use and shall meet all requirements of the Fire Code as approved by the City and administered by the Village Fire Department Fire Marshall.
- b. The parking consists of 160 parking spaces. Parking on or along Memorial Drive shall be prohibited and unlawful; there shall be no school zones installed; all stacking of vehicles shall be on the property, as proposed in the parking and traffic plan as shown in Exhibit C attached hereto; there shall be no negative impact to the traffic on Memorial Drive. Additional parking may be arranged offsite at other off-street parking facilities.
- c. The maximum number of students on site at any given time shall not exceed the capacity of the area as required by the Fire Code approved by the City and administered by the Village Fire Department Fire Marshall. The layout of the buildings are shown on Exhibit B attached hereto.
- d. All food services shall comply with the City and County’s public health requirements.
- e. The existing playground and outdoor space as shown in Exhibit A is designated for play. Any additional playgrounds or play areas or any expansion of currently existing playgrounds or play areas will require an amendment to this Specific Use Permit.
- f. The two existing signs will be permitted on the site at the locations shown on Exhibit D.

- g. The existing lighting of the parking lot will continue as currently shown on Exhibit E and will continue in accordance with the current operations via a sensor device. Any future adjustments or modifications to the exterior lighting shall comply with the then current lighting standard or will require an amendment to the Specific Use Permit.
- h. Worship and religious services, community meetings, day care, preschool, educational, religious, and community related opportunities may continue in the facilities. All uses and events shall follow the regulations set forth in Section 10-74 of the City's Code of Ordinances.
- i. The site shall be maintained in accordance with the attached site plan (Exhibit A).
- j. All operations not regulated herein shall comply with all City ordinances.

Section 3. Repeal. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 4. Penalty. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2000. Each day of violation shall constitute a separate offense.

Section 5. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bunker Hill Village, Texas, declares that it would have passed each and every part of the same

notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED, AND ORDAINED this xx of XX , 2020

Robert P. Lord, Mayor

ATTEST:

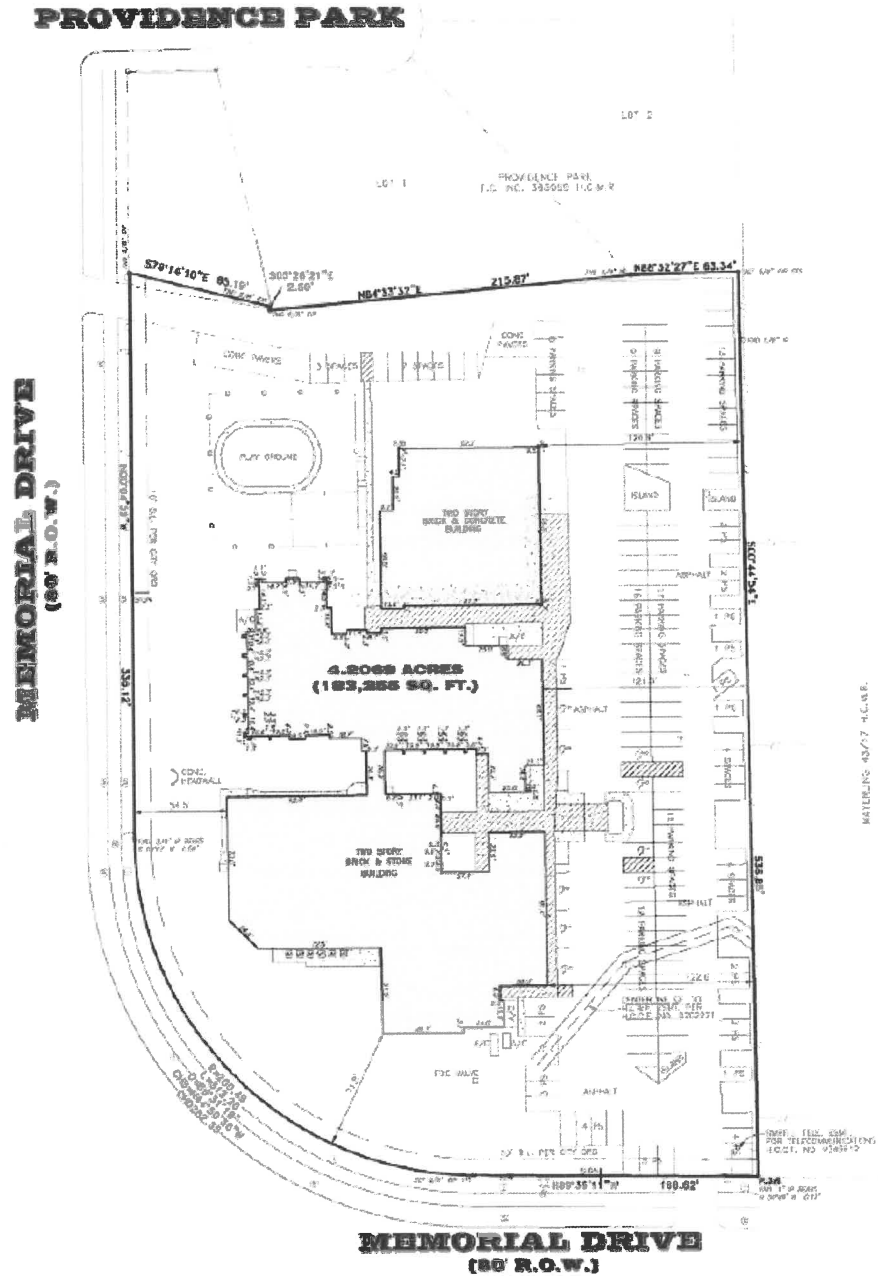
Karen H. Glynn, Acting City Secretary

Exhibits:

- A Site Plan
- B Floor Plan for Educational Purposes
- C Traffic Plan
- D Sign Renderings & Locations
- E Lighting Layout

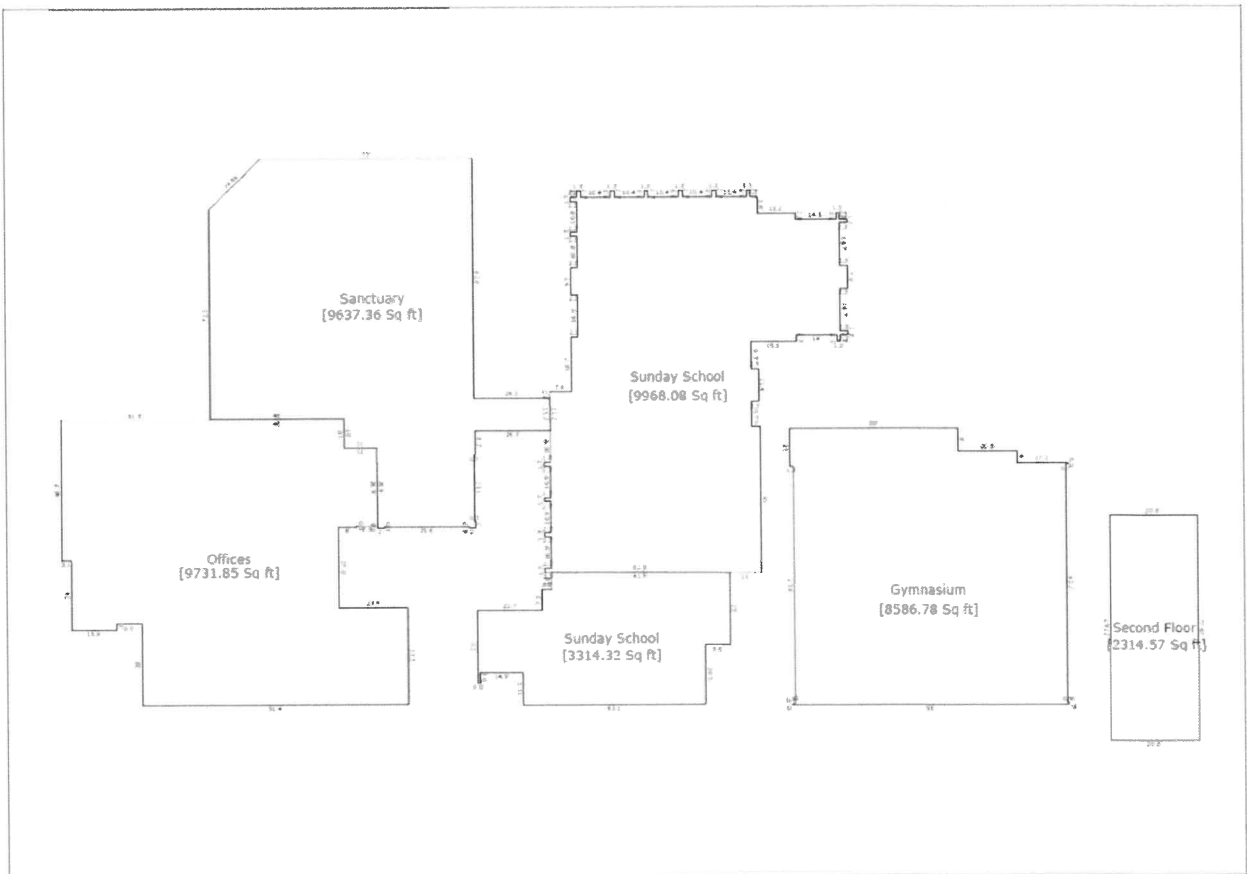
Specific Use Permit – Ordinance No.
Paratus Memorial
11750 Memorial Drive
For Religious and Educational Purposes
June 2020

Exhibit A – Site Plan



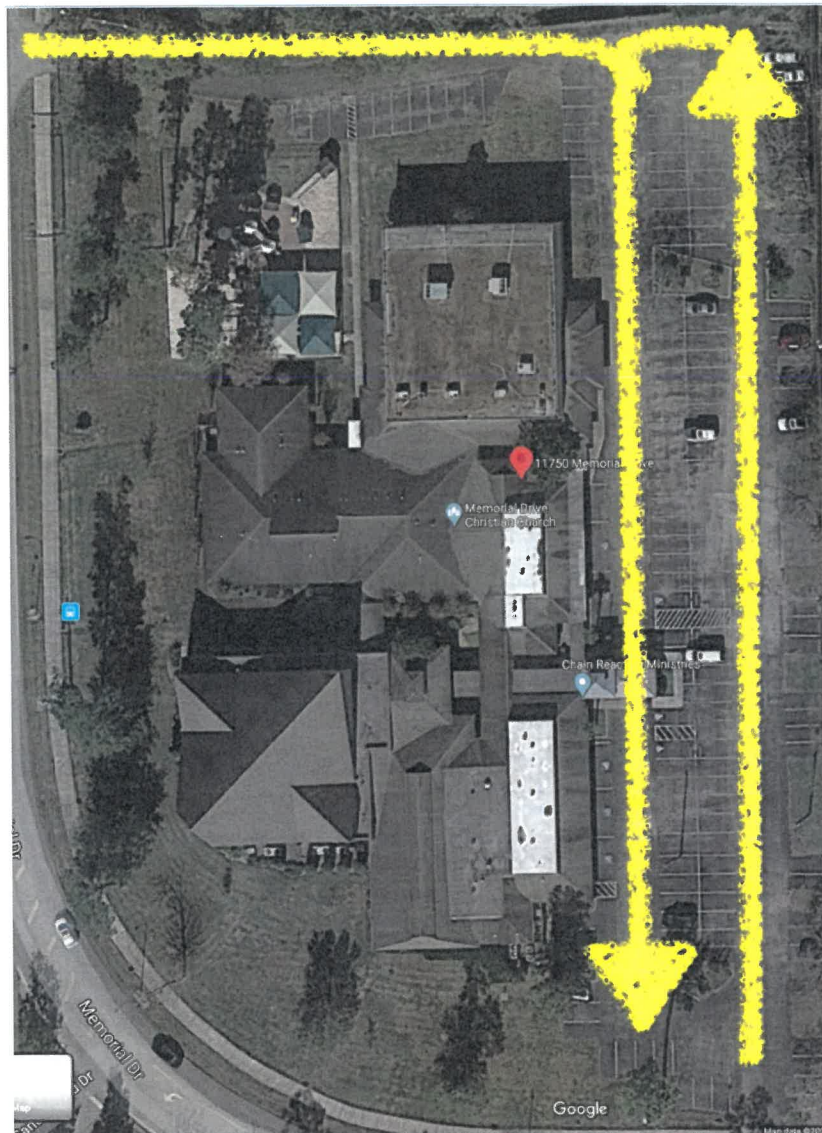
Specific Use Permit – Ordinance No.
Paratus Memorial
11750 Memorial Drive
For Religious and Educational Purposes
June 2020

Exhibit B – Floor Plan



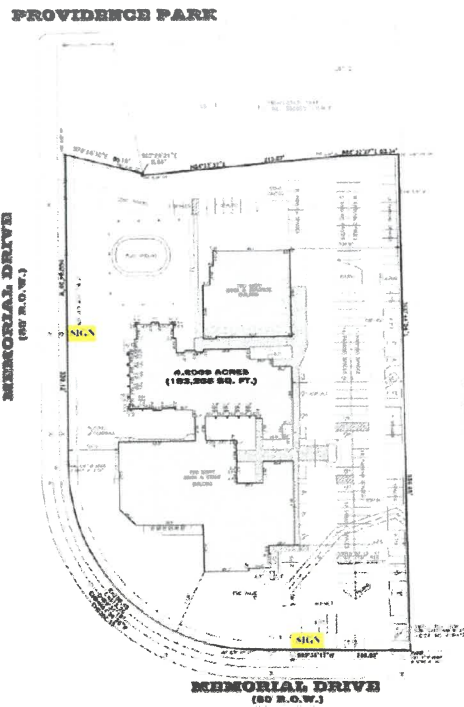
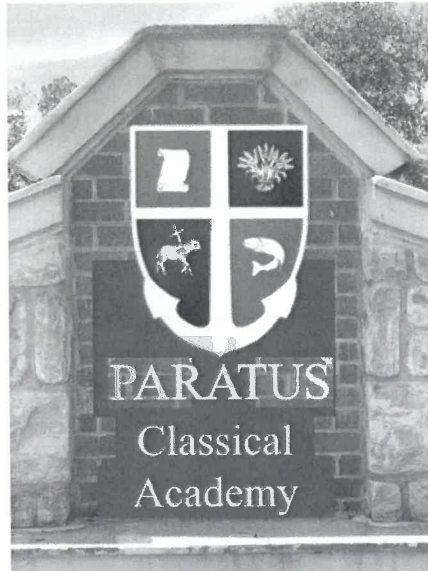
Specific Use Permit – Ordinance No.
Paratus Memorial
11750 Memorial Drive
For Religious and Educational Purposes
June 2020

Exhibit C – Traffic Plan



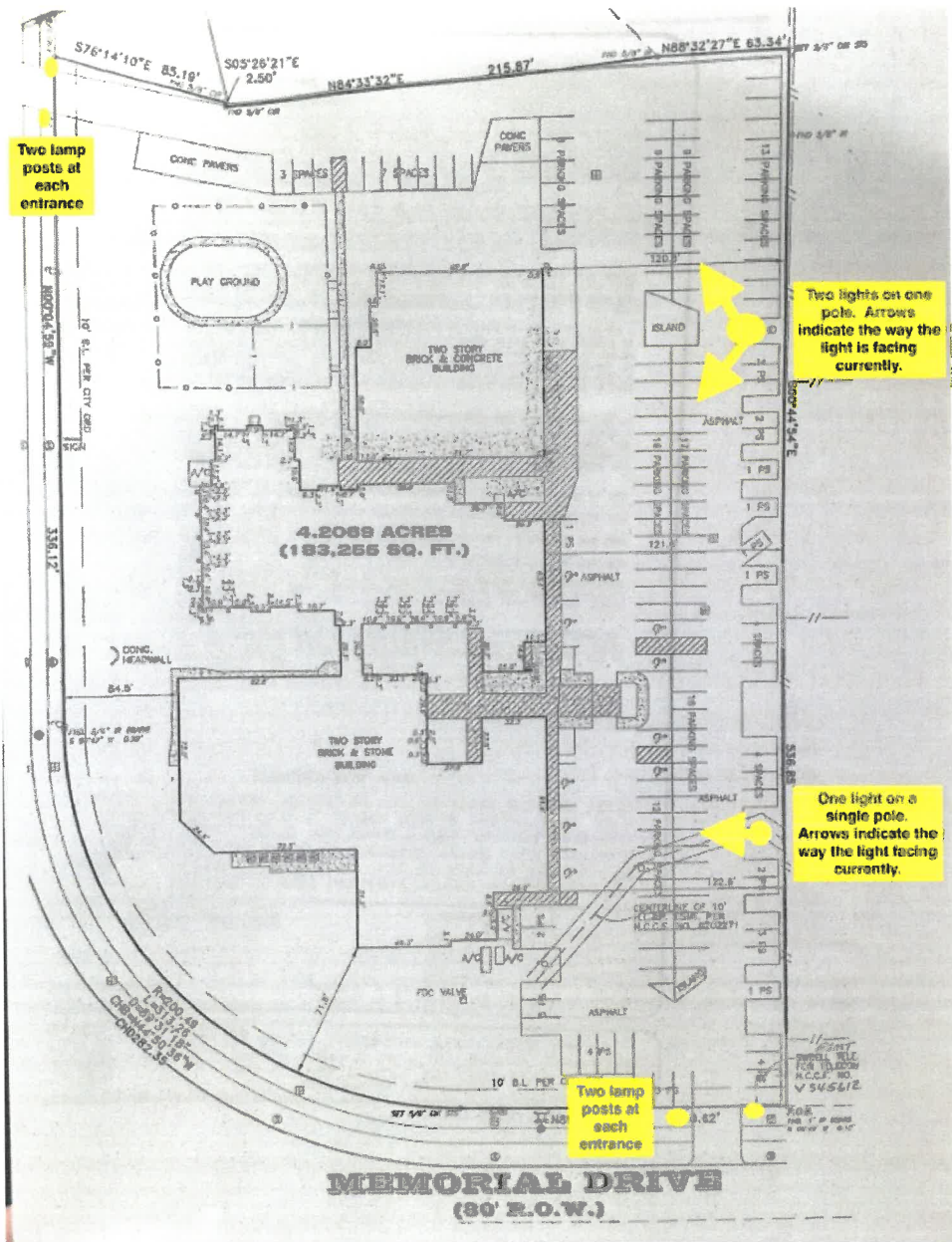
Specific Use Permit – Ordinance No.
Paratus Memorial
11750 Memorial Drive
For Religious and Educational Purposes
June 2020

Exhibit D – Proposed Signs & Location



Specific Use Permit – Ordinance No.
Paratus Memorial
11750 Memorial Drive
For Religious and Educational Purposes
June 2020

Exhibit E – Lighting Plan



MEMORANDUM

TO: MAYOR AND CITY COUNCIL

FROM: WILLIAM PURIFOY, CHAIRMAN, PLANNING & ZONING COMMISSION
CATHERINE WILE, VICE CHAIRMAN, PLANNING & ZONING COMMISSION

RE: WRITTEN RECOMMENDATION TO THE CITY COUNCIL REGARDING A
REQUEST FOR A SPECIFIC USE PERMIT FOR PARATUS MEMORIAL, 11750
MEMORIAL DRIVE FOR RELIGIOUS AND EDUCATIONAL PURPOSES

DATE: JULY 7, 2020

The Commission presents the following Final Report and Recommendation of the Planning and Zoning Commission to the City Council for consideration.

The Planning and Zoning Commission, having met on April 15, 2020 at 11:30 a.m., reviewed a request by Paratus Memorial for a Specific Use Permit to develop a school at 11750 Memorial Drive (Memorial Drive Christian Church) and to continue the existing religious and educational uses at the location. The Commission gave direction to the applicant during this workshop item.

A Public Hearing was held before the Planning and Zoning Commission regarding this request on July 7, 2020. All interested parties had the right and opportunity to appear in person or via Zoom. All property owners within 200 feet of the property were also notified by letter. There were _____ individuals who spoke at the hearing. _____ written comments were received and provided to the Commission.

After the public hearing closed, the Commission discussed this item and took action. The Commission voted _____ to recommend / not to recommend that the City Council approve the Specific Use Permit as noted on the Ordinance presented