

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, APPROVING AN AMENDED DETAILED SITE PLAN FOR A PORTION OF PLANNED DEVELOPMENT DISTRICT PD-25 FOR THE HIGHLAND PARK HIGH SCHOOL; AUTHORIZING MODIFICATIONS TO THE TENNIS COURTS AND SOFTBALL FIELD, INCLUDING THE INSTALLATION OF ATHLETIC LIGHTING; 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 and the City Council of the City of University Park have given the requisite notices and conducted the public hearings required by law, and the City Council is of the opinion and finds that the Detailed Site Plan for PD-25 should be amended as requested; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:

SECTION 1. That an amended Detailed Site Plan, in the form required by Section 17-101 (2) of the Comprehensive Zoning Ordinance of the City of University Park, Texas, to provide athletic lighting (“athletic lighting”) for a portion of Planned Development District No. 25 for the Highland Park High School (“HPISD”) for the property described as Lot 1R, Block 4, Preston Heights Addition, an addition to the City of University Park, Dallas County, Texas (the “site”), attached hereto as Exhibit "A" and made a part hereof for all purposes, the same as if fully copied herein, is hereby approved in all respects.

SECTION 2. That the approval of the amended Detailed Site Plan is subject to the following special conditions:

A. Development of the site shall be in accordance with the approved amended Detailed Site Plan (Exhibit “A”), all conditions of the ordinance approving PD-25 and all conditions of previous ordinances amending PD-25 or the approved detailed site plan, except as amended hereby, and all other provisions of the Comprehensive Zoning

Ordinance of the City of University Park that are applicable;

B. Athletic lighting for the tennis courts and softball field on the site shall be constructed and placed in accordance with the photometric layout and with the specifications of lighting fixtures, equipment, poles and necessary appurtenances, attached collectively hereto as Exhibit “B” and incorporated herein by reference. The athletic lighting shall be maintained by HPISD at all times so as to limit light levels to those shown on the photometric layout;

C. During UIL use, the public address system and any other amplified sound system on the site will be locked at an appropriate sound level, not to exceed 60 decibels at the property line of the site, and the system shall not be used before 9:00 a. m. on any day;

D. During non-UIL use of the softball field, no inning shall start after 9:00 p. m. on any day and use of the public address or any other amplified sound system shall not be permitted;

E. All athletic lights for the batting cage shall be turned off not later than 9:00 p.m.;

F. For private, club or adult leagues using the facilities for practice or games, use of athletic lighting or an amplified sound system will not be permitted, provided however, non-UIL games played by HPISD youths (18 years and younger) may use the athletic lights;

G. For tennis court use, the public address system or any other amplified sound system, including a portable music system, shall not be permitted before 9:00 a. m. or after 6:00 p. m. on any day and all athletic lights shall be turned off by 9:00 p.m.

H. For non-UIL use of the facilities, a majority of the host team members must be residents of, and have permission from, HPISD;

I. For a UIL sponsored event, athletic lighting for the softball field and/or tennis courts shall be turned off within 30 minutes after completion of the event; and,

J. Use of the public address system for tennis or softball shall be prohibited on Sundays.

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 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.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance or the Comprehensive Zoning Ordinance, 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 each and every day any such violation shall continue 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 _____ 2013.

APPROVED:

W. RICHARD DAVIS, MAYOR

ATTEST:

ELIZABETH SPECTOR, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

(RLD/9/19/13/62444)

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DULY PASSED by the City Council of the City of University Park, Texas, on the _____ day of _____ 2013.

APPROVED:

MAYOR

ATTEST:

CITY SECRETARY