

ORDINANCE NO. 29011

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as Planned Development District No. 385:

BEING Lot 1 in City Block B/5544 and Lots 1 and 2 in City Block 5544 located at the southwest corner of Walnut Hill Lane and Inwood Road; and containing approximately 25.747 acres,

to be used under Specific Use Permit No. 2024 for an illuminated competitive athletic field; providing that this specific use permit shall be granted subject to certain conditions; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this specific use permit; and

WHEREAS, the city council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the following property ("the Property"), which is presently zoned as Planned Development District No. 385, to be used under Specific Use Permit No. 2024 for an illuminated competitive athletic field:

BEING Lot 1 in City Block B/5544 and Lots 1 and 2 in City Block 5544 located at the southwest corner of Walnut Hill Lane and Inwood Road; and containing approximately 25.747 acres.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is an illuminated competitive athletic field.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on May 22, 2018, but is eligible for automatic renewal for additional six-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. INGRESS-EGRESS:
 - A. Ingress and egress must be provided as shown on the attached site plan.
 - B. Any changes to the ingress and egress must be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).
5. LIGHTING HOURS OF OPERATION: Lighting is only permitted on the competitive athletic field Monday through Friday:

- A. until 9:00 p.m. for a maximum 20 scheduled athletic games per year. For purposes of this section, “scheduled athletic games” are those athletic games published on the official website of the private school located on the Property; and
- B. until 7:30 p.m. all other nights.

6. LIGHTING STANDARDS:

- A. A maximum of eight light standards are allowed to illuminate the competitive athletic field.
- B. See Section 51P-385.109(e)(2)(E) of Chapter 51P of the Dallas City Code for the maximum height of light standards.
- C. Lighting may not produce glare or direct illumination across a property line of an intensity that creates a nuisance or detracts from the use or enjoyment of adjacent property.

7. PHOTOMETRIC STUDY:

- A. Spillover lighting on residential lots on the north side of Walnut Hill Lane and on the east side of Inwood Road generated by the field lighting may not exceed 0.1 foot candles above ambient light conditions measured at the residential lot line bordering the street right-of-way and five feet above the ground surface.
- B. Before the issuance of a certificate of occupancy for an illuminated competitive athletic field, a photometric study performed and sealed by a qualified specialist must establish the ambient light level and verify field lighting is in compliance with this provision. Measurements must be taken at least one hour after sunset and at a minimum of every 20 feet along the north line of Walnut Hill Lane for a distance of 500 feet west from the northwest corner of Inwood Road and Walnut Hill Lane and a minimum of every 20 feet along the east line of Inwood Road for a distance of 400 feet south from the southeast corner of Walnut Hill Lane and Inwood Road. In addition to the initial photometric study, two additional studies must be completed in the first year of operation establishing both ambient light conditions and verifying compliance. One study must be completed in December and one study must be completed in January. If the director determines that the field lighting is not in compliance, the director shall require the property owner to bring the lighting into compliance. If the Property owner fails to bring the lighting into compliance within 30 days of the director’s notice, the director shall notify the city plan commission.

8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the City of Dallas.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

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SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

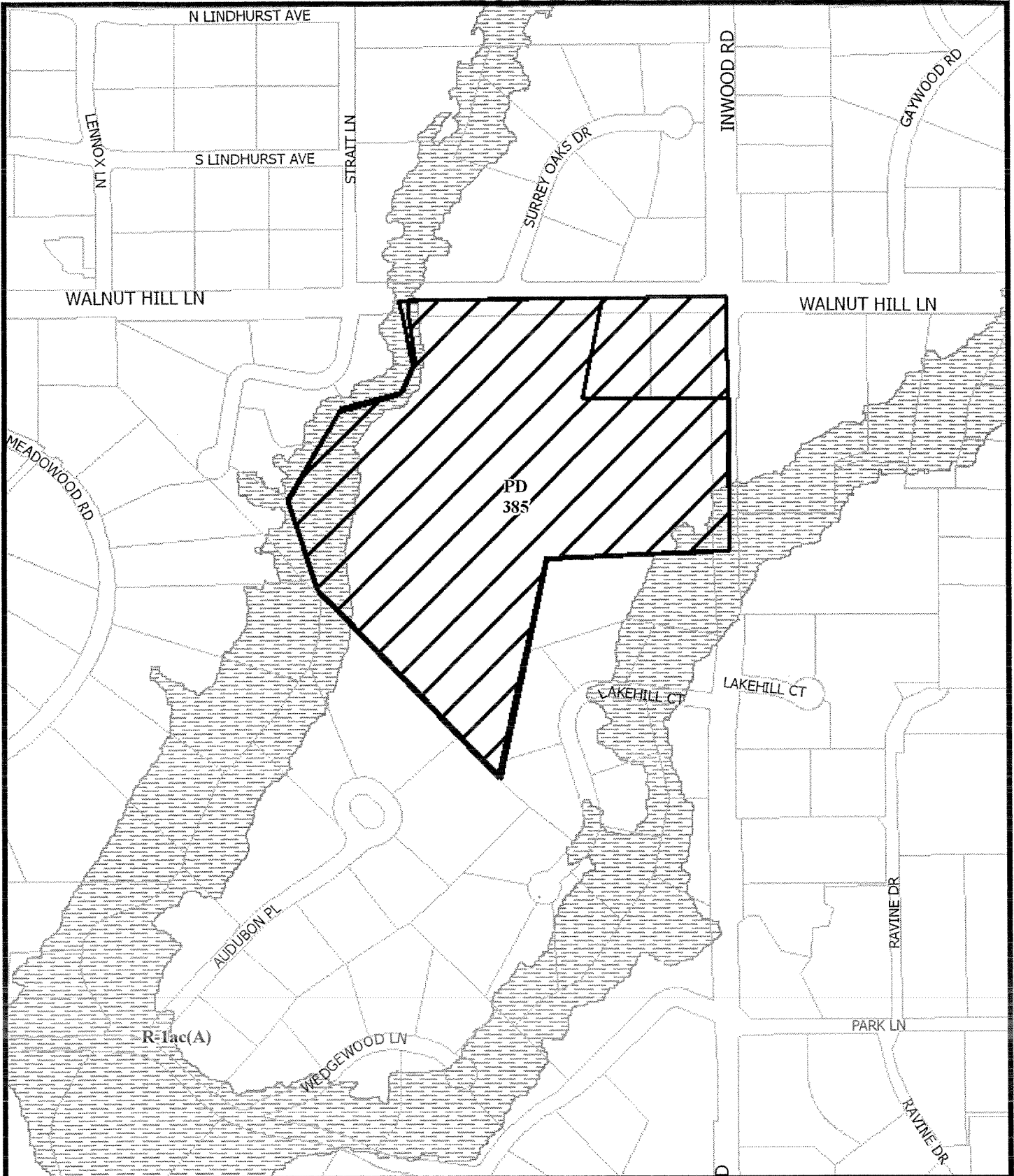
THOMAS P. PERKINS, JR., City Attorney

BY _____
Assistant City Attorney

Passed MAY 22 2013

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1:4,800

ZONING AND LAND USE

Case no: Z112-290

Date: 1/11/2013