

ORDINANCE NO. 2935-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL PERMIT TO ALLOW TWO DRIVE-THROUGH SERVICE WINDOWS FOR SITES AT THE NORTHEAST CORNER OF COIT ROAD AND BELT LINE ROADS IN THE WESTWOOD SHOPPING CENTER ON A TRACT OF LAND DESCRIBED IN EXHIBIT "A" AND LOCATED IN THE BUILDINGS SHOWN ON EXHIBIT "B," WITH SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning Commission of the City of Richardson and the governing body of the City of Richardson in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording 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 in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance should be amended; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby, amended so as to grant a special permit to allow two drive-through food service windows for sites at the northeast corner of Coit Road and Belt Line Roads in the Westwood Shopping Center on land presently zoned LR-M(2) Local Retail and C-M Commercial with special conditions and being described in Exhibit "A" attached hereto and made a part hereof, and being located in the building shown on Exhibit "B" attached hereto and made a part hereof; said special permit being subject to special conditions.

SECTION 2. That the above special permit is granted subject to the following special conditions, to-wit:

(1) That the drive-through windows are to be located in the northern and southern proposed buildings as shown on the attached Conceptual Site Plan, marked Exhibit "B."

(2) That the property shall be developed in accordance with the Conceptual Site Plan, attached hereto, marked Exhibit "B" and made a part hereof for all purposes.

SECTION 3. That the above described tract of land shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and the special permit granted herein, and subject to the aforementioned special conditions contained herein.

SECTION 4. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this ordinance shall remain in full force and effect.

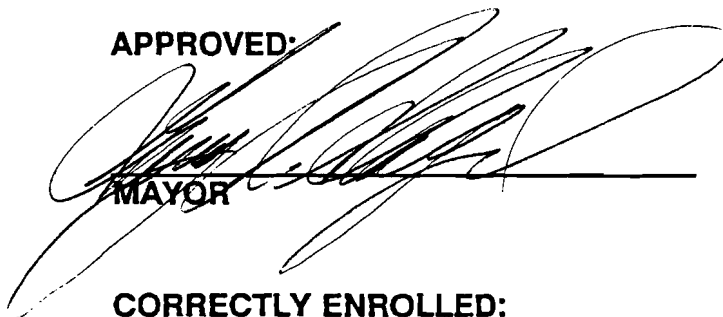
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provides.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 14th day of June, 1993.

APPROVED:



MAYOR

CORRECTLY ENROLLED:



CITY SECRETARY

APPROVED AS TO FORM:



CITY ATTORNEY

LEGAL DESCRIPTION

Being a tract or parcel of land situated in the City of Richardson, Dallas County, Texas and being part of the William W. Wallace Survey, Abstract No. 1602 and being part of Westwood Shopping Center, an addition to the City of Richardson, as recorded in Volume 324, Page 1367 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

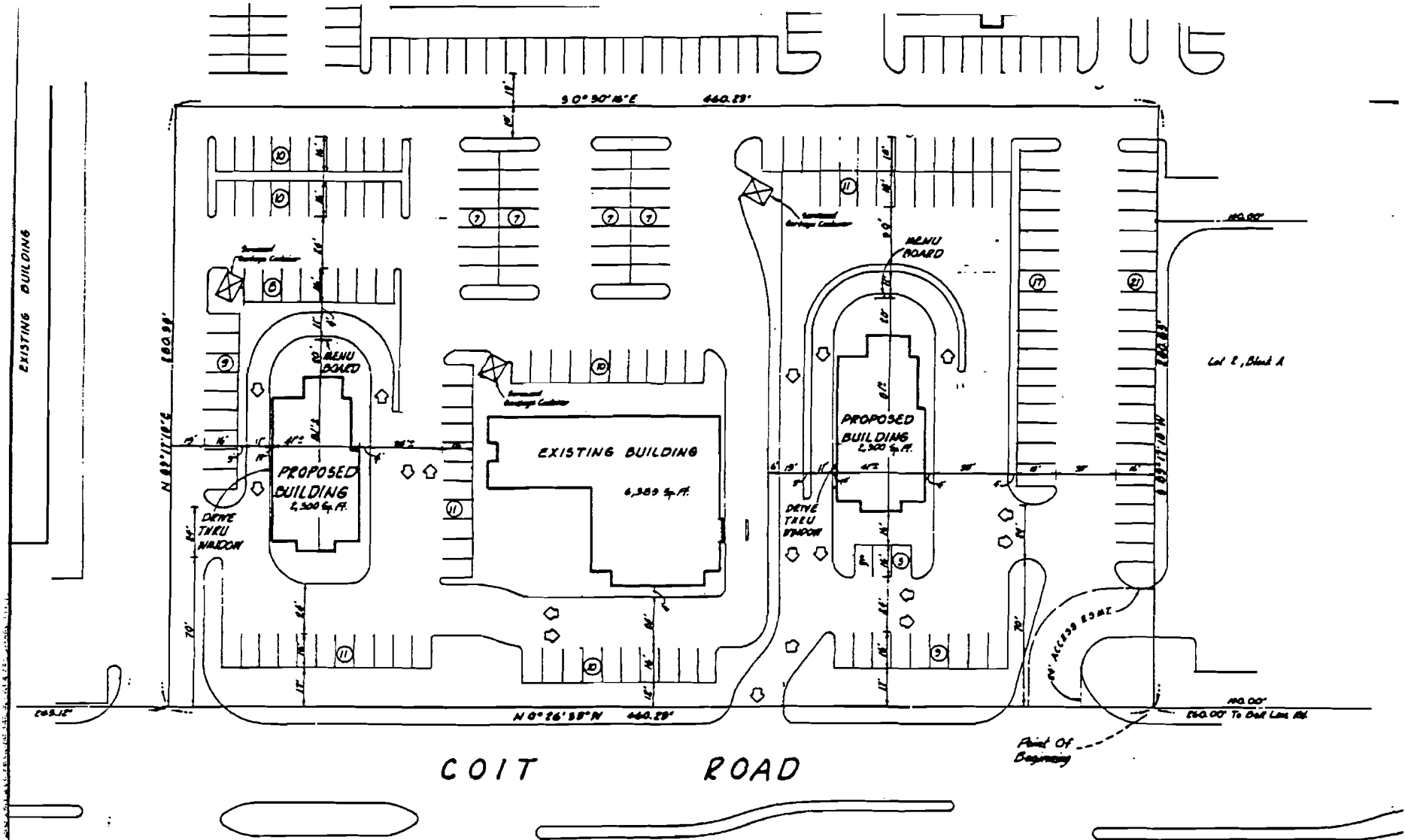
BEGINNING at an iron rod with yellow plastic cap stamped "RLG" for corner in the easterly right-of-way line of Coit Road (100 feet wide) and being the most northwesterly corner of Lot 2, Block A Westwood Shopping Center as recorded in Volume 92197, Page 3639 of the Deed Records of Dallas County, Texas;

THENCE North $00^{\circ}26'33''$ West along said easterly line of Coit Road a distance of 460.23 feet to a point for corner;

THENCE North $89^{\circ}17'15''$ East leaving said easterly line a distance of 280.35 feet to a point for corner;

THENCE South $00^{\circ}30'16''$ East a distance of 460.23 feet to a point for corner;

THENCE South $89^{\circ}17'15''$ West passing at 53.18 feet the most northeasterly corner of said Lot 2, Block A and along the northerly line of said Lot 2, Block A, in all, a total distance of 280.85 feet to the **POINT OF BEGINNING** and containing 129,139 square feet or 2.9646 acres.



CONCEPTUAL SITE PLAN
 WESTWOOD SHOPPING CENTER
 RICHARDSON, TEXAS