

ZF9425

ORDINANCE NO. 3004-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 USE PERMIT FOR A DRIVING SCHOOL, WITH SPECIAL CONDITIONS, TO BE OPERATED AT SUITE 3010 PROMENADE CENTER, ARAPAHO ROAD AT COIT ROAD, LOCATED IN THE SOUTHEAST CORNER OF THE NORTHERN PORTION OF THE PROMENADE RETAIL CENTER, ON PROPERTY PRESENTLY ZONED LR-M(1) AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING FOR 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 for a driving school, with special conditions, to be operated at Suite 3010 Promenade Center, Arapaho at Coit, which is located in the southeast corner of the northern portion of the Promenade Retail Center, on property presently zoned LR-M(1) and more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the above change in zoning is hereby granted subject to the following special conditions:

1. The special permit shall be limited to Automatic Driving School only.
2. No more than three driver-training vehicles shall be at this location at a given time.

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

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 23rd day of January, 1995.

APPROVED:



MAYOR

CORRECTLY ENROLLED:



CITY SECRETARY

APPROVED AS TO FORM:



CITY ATTORNEY

(HLN/jd 1-12-95)

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF DALLAS
CITY OF RICHARDSON

WHEREAS Provident Life and Accident Insurance Company, a Tennessee Corporation, is the owner of a tract or parcel of land situated in the City of Richardson, Dallas County, Texas as per deed recorded in Volume 92130, Page 1008 of the Deed Records of Dallas County, Texas, and being part of the William W. Wallace Survey, Abstract No. 1602, and being part of the Promenade Shopping Center, Section One, an addition to the City of Richardson as recorded in Volume 77179, Page 63 of the Map of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for corner in the southerly line of Arapaho Road (50 feet from centerline at this point); said rod being North 88 degrees 36' 36" East along the southerly line of Arapaho Road a distance of 130.02 feet from its intersection with the easterly line of Coit Road (100 feet wide); said rod also being the northeasterly corner of a tract of land conveyed to Mobil Oil Corporation by deed recorded in Volume 87013, Page 1119 of the Deed Records of Dallas County, Texas;

THENCE North 88 degrees 36' 36" East along said southerly line of Arapaho Road a distance of 361.00 feet to an iron rod for corner;

THENCE South 1 degree 55' 24" East along the westerly line of Richardson Heights Addition No. 9, Second Section, an addition to the City of Richardson as recorded in Volume 39, Page 219 of the Map Records of Dallas County, Texas, a distance of 1091.21 feet to an iron rod for corner;

THENCE South 89 degrees 38' 36" West a distance of 239.26 feet to a cross-mark set for corner;

THENCE South 00 degrees 21' 24" East a distance of 6.00 feet to a cross-mark set for corner;

THENCE South 89 degrees 38' 36" West a distance of 27.00 feet to a cross-mark set for corner;

THENCE North 00 degrees 21' 24" West a distance of 6.00 feet to a cross-mark set for corner;

THENCE South 89 degrees 38' 36" West a distance of 252.89 feet to an iron rod set in said easterly line of Coit Road;

THENCE North 00 degrees 26' 33" West along said easterly line of Coit Road a distance of 931.95 feet to a cross-mark in concrete for corner;

THENCE South 89 degrees 33' 27" East along the southerly line of said Mobil Oil Corporation tract a distance of 130.00 feet to a cross-mark in concrete for corner;

THENCE North 0 degrees 26' 33" West along the easterly line of said Mobil Oil Corporation tract a distance of 152.15 feet to a POINT OF BEGINNING and containing 529,255 square feet of 12.1500 acres, more or less.

