

ORDINANCE NO. 3348-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A SPECIAL PERMIT TO ALLOW A PRIVATE ELEMENTARY AND SECONDARY SCHOOL ON A 1.9233-ACRE TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL BOULEVARD AND SOUTH BOWSER ROAD WITHIN ABSTRACT NO. 1616, AND BEING PART OF LOT 1, BLOCK K OF THE COLLEGE PARK NO. 3 ADDITION, RICHARDSON, TEXAS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 0109)

WHEREAS, the City Plan 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 as heretofore amended, be, and the same is hereby, amended so as to grant a special permit to allow a private elementary and secondary school on a 1.9233-acre tract of land, subject to special conditions. Said special permit is granted on property located at the northwest corner of Centennial Boulevard and South Bowser Road. Abstract No. 1616, and being part of Lot 1, Block K of the College Park No. 3 Addition, Richardson, Texas, Dallas County, Texas, and further described in Exhibit "A" attached hereto and made a part hereof for all purposes. The property is zoned R-1500-M Residential.

SECTION 2. That the special permit is hereby granted, subject to the following special conditions:

- (1) The special permit shall be issued to Highland Academy only.
- (2) While the church and private school share the building, the property shall be developed in substantial compliance with the existing concept plan (Exhibit B-1), attached hereto and made a part hereof, and the number of students shall be limited to 40, grades K-12.
- (3) Once the church vacates the building, the property shall be developed in substantial compliance with the proposed concept plan (Exhibit B-2), attached hereto and made a part hereof, and the number of students shall be limited to 100, grades K-12.
- (4) A site plan for the facility shall be approved by the City Plan Commission prior to occupancy of the building by Highland Academy.
- (5) Wrought iron type fences as indicated on Exhibits B-1 and B-2 shall be limited to a minimum height of five feet and a maximum height of six feet for the playing field in the southeast portion of the property, and a minimum height of four feet and a maximum height of five feet for the playground fences north of the building as noted on the plans.

SECTION 3. That the above-described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, as herein and heretofore amended.

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.

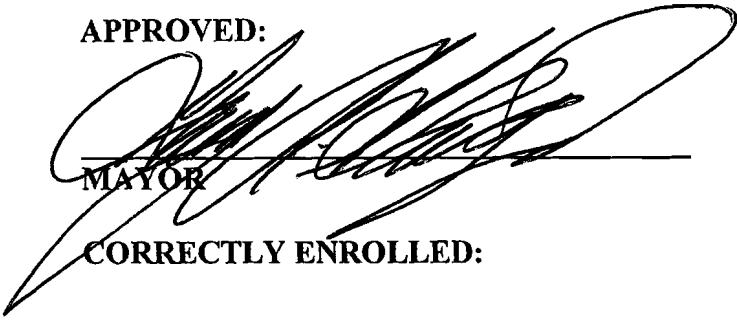
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 23rd day of July, 2001

APPROVED:

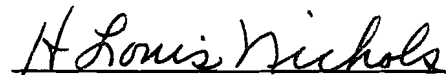


A large, stylized handwritten signature in black ink, written over a horizontal line.

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:


CITY ATTORNEY
(HLN/cab 07/13/01)


Asst CITY SECRETARY

BEING A TRACT OF LAND SITUATED IN THE SARAH ZACHARY SURVEY, ABST. NO. 1616, AND BEING PART OF LOT 1, BLOCK K OF COLLEGE PARK NO. 3 ADDITION, AN ADDITION TO THE CITY OF RICHARDSON AS RECORDED IN VOLUME 82175, PAGE, 0441, DESCRIBED AS FOLLOWS:

BEGINNING AT AN "X" CUT FOUND FOR CORNER SITUATED IN THE INTERSECTION OF THE NORTHERLY LINE OF CENTENNIAL BOULEVARD (80' R.O.W.) AND THE CURVING WEST LINE OF BOWSER ROAD (80' R.O.W.);

THENCE N58°40'06"W, ALONG THE NORTHERLY LINE OF SAID CENTENNIAL BOULEVARD, A DISTANCE OF 198.47 FEET TO AN "X" CUT FOUND FOR CORNER SITUATED IN THE EAST LINE OF G.C. & S.F. RAILROAD (300' R.O.W.);

THENCE N06°37'43"W, ALONG THE EAST LINE OF SAID RAILROAD, A DISTANCE OF 291.12 FEET TO A 3/4" IRON ROD FOUND FOR CORNER;

THENCE N73°14'27"E, DEPARTING SAID RAILROAD AND ALONG THE SOUTH LINE OF LOT 2, BLOCK K OF COLLEGE PARK NO. 3 ADDITION AS RECORDED IN VOLUME 85026, PAGE 1720, MAP RECORDS OF SAID COUNTY, A DISTANCE OF 165.13 FEET TO A CAPPED 5/8" IRON ROD FOUND FOR CORNER;

THENCE S89°51'23"E, ALONG THE SOUTH LINE OF SAID LOT 2, BLOCK K, A DISTANCE OF 84.00 FEET TO A CAPPED 5/8" IRON ROD FOUND FOR CORNER SITUATED IN THE WEST LINE OF SAID BOWSER ROAD;

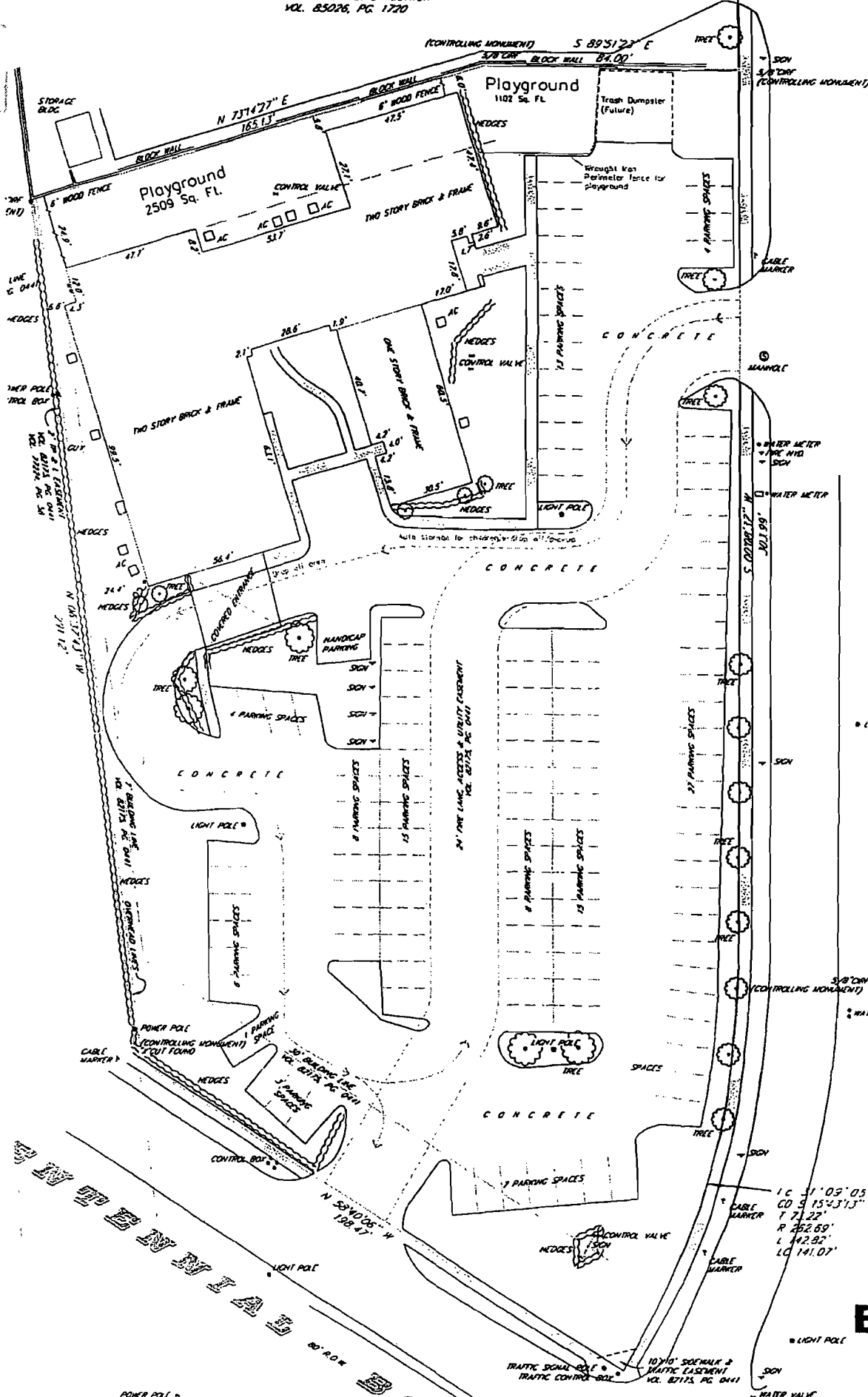
THENCE S00°08'37"W, ALONG THE WEST LINE OF SAID BOWSER ROAD, A DISTANCE OF 303.99 FEET TO A CAPPED 5/8" IRON ROD FOUND FOR CORNER AND THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE ALONG SAID CURVE AND THE WEST LINE OF SAID BOWSER ROAD HAVING A DELTA ANGLE OF 31°09'05", A RADIUS OF 262.69 FEET, AND AN ARC LENGTH OF 142.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 83,777 SQUARE FEET OR 1.9233 ACRES OF LAND.

EXHIBIT A

3348

LO 2, BLOCK K
COLLEGE PARK NO. 3 ADDITION
VOL. 85026, PG. 1770



Parking Information

Net Building Area 14,100 Sq.Ft.
Required Parking = 1/300 Sq.Ft.
Parking Spaces Required 47
Parking Spaces Furnished 121

Playground Area

Required 80 Sq. Ft./Student
40 Students = 3200 Sq. Ft.
3610 Sq. Ft. Provided

Inside Play Area

Required 30 Sq. Ft./Student
40 Students = 1200 Sq. Ft.
1432 Sq. Ft. Provided
Foyer - 600 sq.ft.
Lecture Hall - 432 sq.ft.
Classroom 10 - 400 sq.ft.

BOWSER ROAD

EXHIBIT B-1

3348

LO 2, BLOCK K
COLLEGE PARK NO. 3 ADDITION
VOL. 85026, PG. 1720

C. C. & S. F. RAILROAD

Parking Information
 Net Building Area 14,100 Sq. Ft.
 Required Parking = 1/300 Sq. Ft.
 Parking Spaces Required 47
 Parking Spaces Furnished 62

Playground Area
 Required 80 Sq. Ft./Student
 40 Students = 3200 Sq. Ft.
 3610 Sq. Ft. Provided
 & 16,000 Sq. Ft. Playing Field

Indoor Play Area
 Required 30 Sq. Ft./Student
 40 Students = 1200 Sq. Ft.
 3825 Sq. Ft. Provided

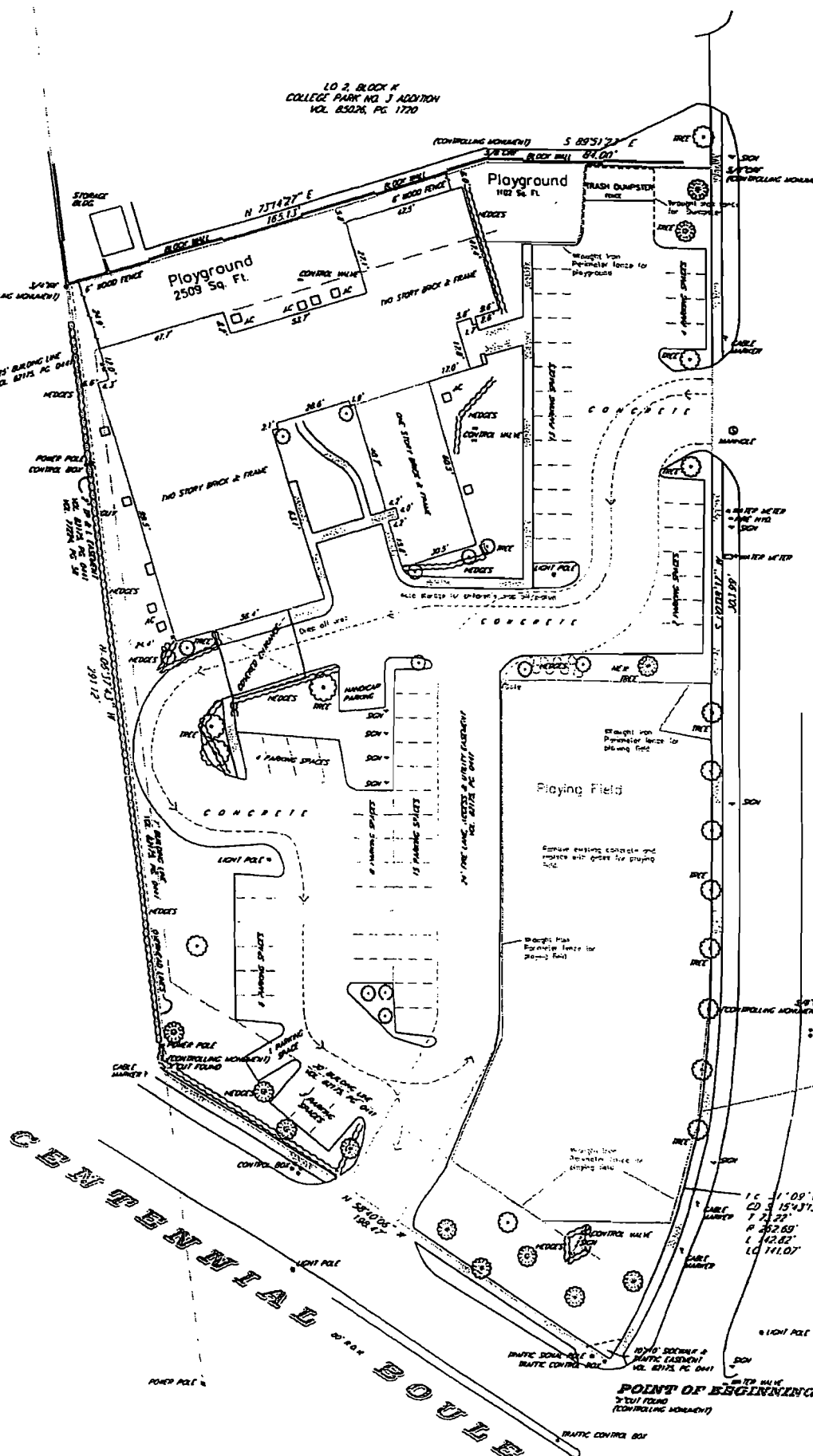


EXHIBIT B-2
3348

**ZONING FILE 0109 - NOTICE OF PUBLIC HEARING
CITY OF RICHARDSON, TEXAS**

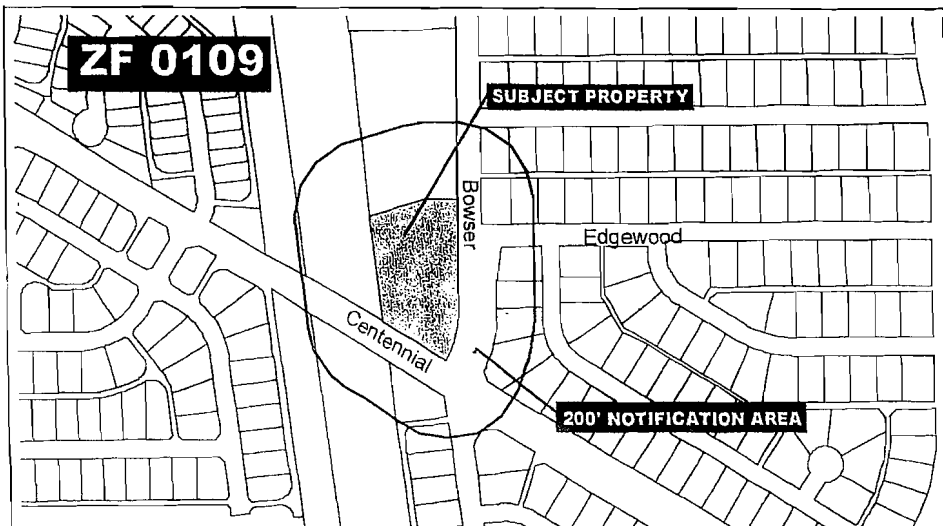
PUBLIC HEARING DATE & TIME: Monday, July 9, 2001, 7:30 p.m.

PLACE: Richardson Civic Center/City Hall, 411 W. Arapaho Rd., City Council Chamber.

PURPOSE OF THE HEARING: To consider a request by Forrest Brown, M.D., representing Highland Academy for a special permit to allow a private elementary and secondary school to operate at 701 Centennial Boulevard. The 1.92 acre tract is zoned R-1500-M Single Family Residential District with special conditions.

OWNER: College Park Church of Christ

CITY PLAN COMMISSION RECOMMENDATION: Unanimous approval subject to special conditions.



PROCEDURE: Testimony will be limited to 20 minutes for proponents and 20 minutes for opponents. The applicant may reserve any portion of the allotted time for rebuttal following the opposition. Time required to respond to questions by the City Council is excluded from the 20-minute limitation. The City Council may approve or disapprove the request or approve more restrictive classifications.

All interested property owners are encouraged to attend this hearing. Persons wishing their opinion to be part of the record who are unable to attend may send a written reply prior to the date of the hearing to Ina Garber, City Secretary, P. O. Box 830309, Richardson, Texas, 75083.

I hereby certify that this notice was posted on the Civic Center/City Hall Bulletin Board by 5:00 p.m., Tuesday, June 26, 2001.

The City of Richardson

Ina E. Garber, City Secretary

This building is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours ahead of meeting. To make arrangements, call 972-744-4000 via TDD or call 1-800-735-2989 to reach 972-744-4000.

3348