

## AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS

ORDINANCE NO. 2846-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 A VETERINARY OFFICE AND FULL SERVICE PET STORE AT 3095 PROMENADE SHOPPING CENTER IN LR-M(1) LOCAL RETAIL ON A 4.088 ACRE TRACT, AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, 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 a veterinary office and full service pet store at 3095 Promenade Shopping Center in a LR-M(1) Local Retail District, on a 4.088 acre tract, as described in Exhibit "A" attached hereto, with special conditions.

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

- (1) Veterinary treatment shall be conducted entirely within the building.
- (2) Parking requirements shall be the same as required for professional offices.
- (3) Air-conditioning systems for all recovery and ward areas shall be separated from the reception areas, or the following shall be utilized in conjunction with a single

air-conditioning system:

- (a) High-efficiency strainer--three (3) microns or above; or
  - (b) Ninety-five (95) per cent efficiency strainer--five (5) microns or above; or
  - (c) Electrostatic precipitator; or
  - (d) Ultraviolet radiation.
- (4) No boarding of animals other than that necessary for recovery from treatment or surgery shall be allowed.
- (5) An eight (8) inch masonry fire wall sealed to the roof deck or fire stop shall be provided to separate tenants in order to protect adjacent tenants against insects, sound transmission or noxious odors.

SECTION 3. That the above described tract 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 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.

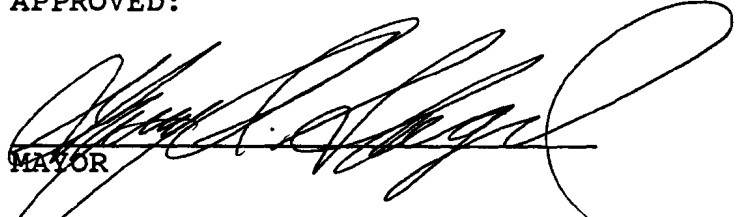
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided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

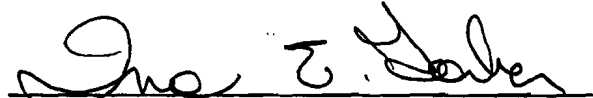
SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to 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 cases provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 23rd day of September, 1991.

APPROVED:

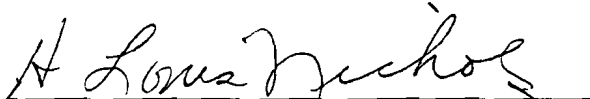
  
MAYOR  
CORRECTLY ENROLLED

  
CITY SECRETARY

DATE OF ENROLLMENT:

9-25-91

APPROVED AS TO FORM:

  
CITY ATTORNEY

(RLD/jd 9-10-91)

**FIELD NOTES FOR 4.0888 ACRE TRACT**

Being a tract or parcel of land situated in the City of Richardson, Dallas County, Texas; and being out of the Wm.W. Wallace Survey, Abstract 1602; and being part of The Promenade Shopping Center, Section One, an addition to the City of Richardson as recorded in Volume 77179, Page 0063 of the Map Records 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 (100 feet wide), said rod being North  $88^{\circ}36'36''$  East and a distance of 130.02 feet from the intersection of said southerly line of Arapaho and the easterly line of Coit Road (100 feet wide);

**THENCE** North  $88^{\circ}36'36''$  East along said southerly line of Arapaho Road a distance of 360.18 feet to an iron rod for corner;

**THENCE** South  $1^{\circ}55'24''$  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 550.90 feet to an iron rod for corner;

**THENCE** South  $89^{\circ}47'36''$  West along the northerly line of a tract of land described in Deed of Trust to L.S. Bowles, R.S. Walker, and D.E. Bowles, as Trustees, as recorded in Volume 73035, Page 1545 of the Deed of Trust Records of Dallas County, Texas, (as per Partial Release of Lien as recorded in Volume 80056, Page 2388 as recorded in the Deed Records of Dallas County, Texas) a distance of 505.18 feet to an iron rod in said easterly line of Coit Road;

**THENCE** North  $0^{\circ}21'24''$  West along said easterly line of Coit Road a distance of 83.77 feet to an iron rod for corner;

**THENCE** the following calls within said The Promenade Shopping Center, Section One:

North  $89^{\circ}44'43''$  East a distance of 288.22 feet to a P.K. Nail for corner;

North  $1^{\circ}15'36''$  West a distance of 208.76 feet to a P.K. Nail for corner;

South  $89^{\circ}46'03''$  West a distance of 141.99 feet to a P.K. Nail for corner in the northerly line of a tract of land described in a Deed of Trust to L.S. Bowles, T.S. Walker, and D.E. Bowles, as Trustees, on February 16, 1973 as recorded in Volume 73035, Page 1540 of the Deed of Trust Records of Dallas County, Texas;:

**THENCE** the following calls along said northerly line of L.S. Bowles, T.S. Walker, and D.E. Bowles tract:

North  $0^{\circ}13'57''$  West a distance of 93.05 feet to a point within the seam of two buildings;

South  $89^{\circ}46'03''$  West a distance of 13.14 feet to an iron rod for corner;

North  $0^{\circ}21'24''$  West a distance of 157.50 feet to the **POINT OF BEGINNING** and containing 178,106 square feet, or 4.0888 acres.

DATE, TIME: Tuesday, August 6, 1991, 7:00 p.m.

PLACE: Council Chambers, City Hall, 411 W. Arapaho Road, Richardson, Texas

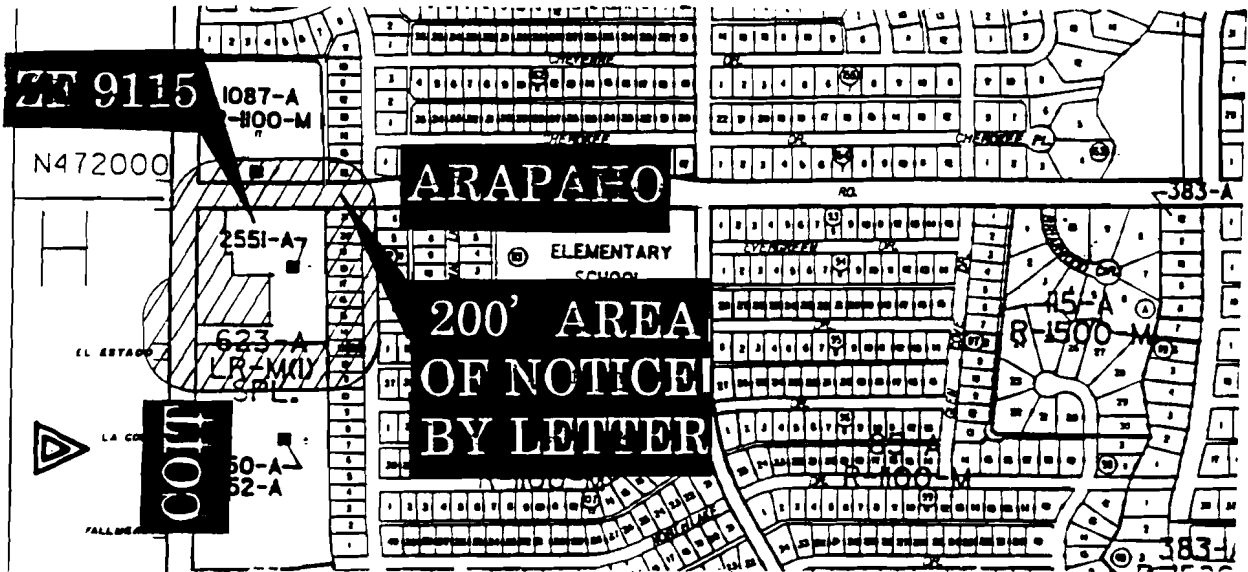
PURPOSE OF THE HEARING: The City Plan Commission will consider an application for a special permit to allow a veterinary office.

AREA OF REQUEST: 3095 Promenade Center

EXISTING ZONING: LR-M(2) Local Retail with special conditions

OWNER: Provident National Assurance

APPLICANT: Dr. Duane Maxwell



PROCEDURE: A maximum of 15 minutes will be allocated to the applicant and those favoring the issue of the public hearing. The applicant may reserve any portion of the allotted 15 minutes for a rebuttal presentation following the opposition. Time required to respond to questions from the City Plan Commission is excluded from the 15 minutes.

A maximum of 15 minutes will also be allocated to those in opposition to the issue of the public hearing. Time required to respond to questions by the City Plan Commission is excluded from the 15 minutes.

The City Plan Commission may recommend approval as requested, approval of a more restrictive classification, or denial.

TO SURROUNDING LANDOWNERS: Property owners within 200' of the tract receive written notification of the request to rezone. 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:

City Plan Commission, P.O. Box 830309, Richardson, TX 75083

FOR FURTHER INFORMATION: Dial the Information Line any time at 238-4241, or contact a planner, 238-4248, during business hours.

*John Beitzel*  
John Beitzel, Chairman, City Plan Commission