

ORDINANCE NO. 2442-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE FOLLOWING DESCRIBED TRACT OF LAND FROM O-M WITH SPECIAL CONDITIONS TO O-M WITH SPECIAL CONDITIONS AND A SPECIAL PERMIT TO ALLOW THE RETAIL SALES OF OPTICAL GOODS AS FOLLOWS, TO-WIT: BEING A TRACT OR PARCEL OF LAND OUT OF THE SARAH ZACHARY SURVEY, ABSTRACT NO. 1616, CITY OF RICHARDSON, DALLAS COUNTY, TEXAS AND BEING OUT OF A 135.40 ACRE TRACT OF LAND FORMERLY OWNED BY THE GEORGE O. YAMINI COMPANY, INC., TRUSTEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE INTERSECTION OF CENTENNIAL BOULEVARD, (A 60 FOOT RIGHT-OF-WAY) AND COLLEGE PARK BOULEVARD (AN 80 FOOT RIGHT-OF-WAY), A POINT FOR CORNER; THENCE SOUTH 58 DEGREES 43 MINUTES EAST WITH THE RIGHT-OF-WAY OF CENTENNIAL BOULEVARD AND WITH A NORTHERLY LINE OF A 1.097 ACRE TRACT 285 FEET TO A POINT FOR CORNER AND THE PLACE OF BEGINNING; THENCE SOUTH 58 DEGREES 43 MINUTES EAST WITH THE SOUTHWEST RIGHT-OF-WAY OF CENTENNIAL BOULEVARD 306.77 FEET TO A POINT FOR CORNER; THENCE SOUTHEASTERLY WITH THE SOUTHWEST RIGHT-OF-WAY OF CENTENNIAL BOULEVARD, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 1472.71 FEET AND A CENTRAL ANGLE OF 12 DEGREES 33 MINUTES 54 SECONDS, 322.89 FEET TO A POINT FOR CORNER; THENCE SOUTH 0 DEGREES 13 MINUTES WEST, 21.60 FEET TO A POINT FOR CORNER SET IN THE NORTH RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD; THENCE SOUTH 89 DEGREES 30 MINUTES WEST WITH THE NORTH RIGHT-OF-WAY OF BUCKINGHAM ROAD 646.92 FEET TO A POINT FOR CORNER; THENCE NORTH 0 DEGREES 30 MINUTES WEST PASSING THE SOUTHEAST CORNER OF LOT 1, BLOCK 1 OF COLLEGE PARK PROFESSIONAL BUILDING VENTURE RECORDED IN VOLUME 79091, PAGE 3307 OF THE MAP AND PLAT RECORDS OF DALLAS COUNTY, TEXAS AND CONTINUED WITH THE EAST LINE OF SAID LOT 1 A TOTAL DISTANCE OF 204.99 FEET TO A POINT FOR CORNER; THENCE NORTH 38 DEGREES 46 MINUTES 57 SECONDS EAST WITH THE SOUTHEAST LINE OF SAID 1.097 ACRE TRACT 150.95 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.586 ACRES OF LAND; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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 by amending the Zoning Map of the City of Richardson so as to give the following described tract of land an O-M District Zoning classification with special conditions and a special permit to allow the retail sales of optical goods, to-wit:

BEING A TRACT OR PARCEL OF LAND OUT OF THE SARAH ZACHARY SURVEY, ABSTRACT NO. 1616, CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, AND BEING OUT OF A 135.40 ACRE TRACT OF LAND FORMERLY OWNED BY THE GEORGE O. YAMINI COMPANY, INC. TRUSTEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the Southeast corner of the intersection of Centennial Boulevard, (a 60 foot right-of-way) and College Park Boulevard (an 80 foot right-of-way), a point for corner; THENCE South 58 degrees 43 minutes East with the right-of-way of Centennial Boulevard and with a Northerly line of a 1.097 acre tract 285 feet to a point for corner and the PLACE OF BEGINNING;

THENCE South 58 degrees 43 minutes East with the Southwest right-of-way of Centennial Boulevard 306.77 feet to a point for corner;

THENCE Southeasterly with the Southwest right-of-way of Centennial Boulevard along a curve to the left with a radius of 1472.71 feet and a central angle of 12 degrees 33 minutes 54 seconds, 322.89 feet to a point for corner;

THENCE South 0 degrees 13 minutes West, 21.60 feet to a point for corner set in the North right-of-way of Buckingham Road;

THENCE South 89 degrees 30 minutes West with the North right-of-way of Buckingham Road 646.92 feet to a point for corner;

THENCE North 0 degrees 30 minutes West passing the Southeast corner of Lot 1, Block 1 of College Park Professional Building Venture recorded in Volume 79091, Page 3307 of the Map and Plat Records of Dallas County, Texas and continued with the East line of said Lot 1 a total distance of 204.99 feet to a point for corner;

THENCE North 38 degrees 46 minutes 57 seconds East with the Southeast line of said 1.097 acre tract 150.95

feet to the PLACE OF BEGINNING and containing 2.586 acres of land.

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

1. The special permit shall be issued to Dan J. Pickard, O. D., and Steven E. Kaye, O. D., only, for 400 square feet of lease space in Suite 180.
2. No exterior signs advertising retail optical sales shall be permitted.
3. The maximum height on this tract shall be two stories.
4. Parking shall be permitted within 10 feet of the front property line on Centennial Boulevard, and within five feet of the front property line on Buckingham Road.
5. Development of this tract shall occur essentially in accordance with the conceptual plan attached to Ordinance No. 2350-A.
6. The landscape plan for this tract shall be submitted for approval at the same time as the site plan is approved by the City Plan Commission.

SECTION 3. 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 ordinances of the City of Richardson not in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other provisions of ordinances of the City of Richardson not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. 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 as amended hereby by the granting of this Special Permit.

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 One Thousand Dollars (\$1,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. Whereas, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Richardson, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage, and the publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 6th day of August, 1984.

APPROVED:

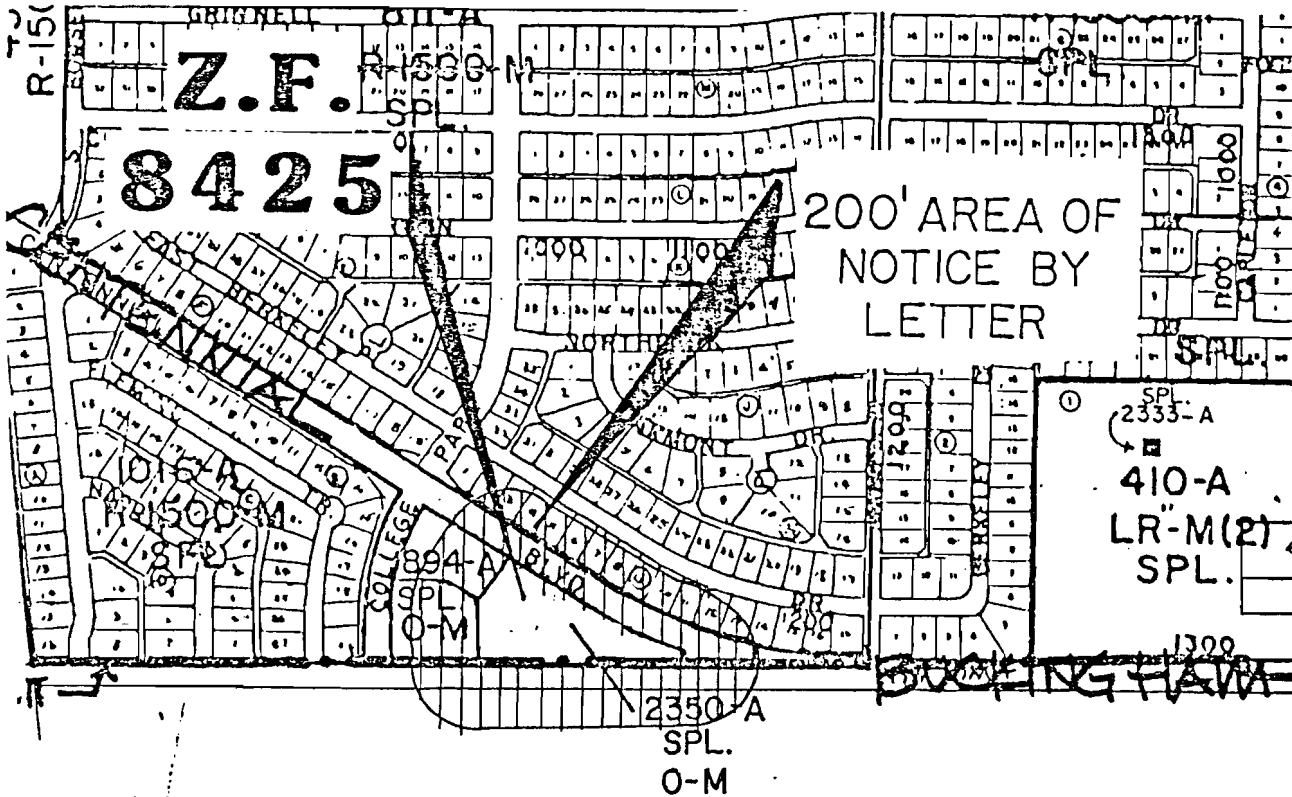

MAYOR

DULY RECORDED:


CITY SECRETARY

NOTICE OF PUBLIC HEARING

The City Council will hold a public hearing at 7:30 p. m., July 23, 1984, at the City Hall, 411 W. Arapaho Road, Richardson, Texas, to consider a request by McCullah, Leggett & Manning for a special permit for retail optical sales at 1100 Centennial Blvd. The property is currently zoned O-M Office District with special conditions, and is shown on the map below.



The hearing will be held on the issue of the request for a special permit. The City Plan Commission recommends approval with additional special conditions.

Testimony will be limited to 20 minutes for proponents and 20 minutes for opponents. Time required to respond to questions by the City Council is excluded from the 20 minute limitation.

As an interested property owner, it is important that you attend this hearing or notify the Council of your feelings in this matter. If you wish your opinion to be part of the record and you are unable to attend the hearing, you may send a written reply prior to the date of the hearing to the City Secretary, P. O. Box 830309, Richardson, Texas 75083.

THE CITY OF RICHARDSON

Virginia Gruben
Mrs. Virginia Gruben
City Secretary