

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS

ORDINANCE NO. 2542-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 FOR THE INSTALLATION OF A HEALTH CLUB IN AN LR-M(2) DISTRICT WITH SPECIAL CONDITIONS ON THE FOLLOWING TRACT OF LAND, TO-WIT: A TRACT OF LAND SITUATED IN THE A. M. LEAKE SURVEY, ABSTRACT NO. 793, IN THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, AND BEING PART OF A 31.648-ACRE TRACT AS DESCRIBED IN DEED TO J. CLARK, RECORDED IN VOLUME 83182, PAGE 929, DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 3/4-INCH IRON PIPE FOUND AT THE INTERSECTION OF THE WESTERLY LINE OF JUPITER ROAD (90 FEET WIDE), AS DEDICATED FOR WIDENING TO THE CITY OF RICHARDSON BY DEED RECORDED IN VOLUME 84055, PAGE 2783, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.) AND THE NORTH LINE OF A 15 FOOT WIDE ALLEY, SAID POINT BEING 754.69 FEET SOUTH OF THE SOUTHERLY LINE OF CAMPBELL ROAD (140 FEET WIDE), AND BEING IN THE NORTHERLY LINE OF ARAPAHO EAST NO. 9, AN ADDITION TO THE CITY OF RICHARDSON, TEXAS, AS RECORDED IN VOLUME 77161, PAGE 0921, D.R.D.C.T.; THENCE SOUTH 89°43'00" WEST, LEAVING SAID JUPITER ROAD AND ALONG THE NORTHERLY LINE OF SAID ARAPAHO EAST NO. 9, AND THE NORTHERLY LINE OF SAID ALLEY, 940.04 FEET TO A 3/4-INCH IRON PIPE FOUND; THENCE NORTH 00°17'00" WEST, LEAVING THE NORTHERLY LINE OF SAID ARAPAHO EAST NO. 9 AND SAID ALLEY, 725.20 FEET TO A 3/4-INCH IRON PIPE FOUND IN THE SOUTHERLY LINE OF SAID CAMPBELL ROAD AND BEING IN A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 1712.42 FEET; THENCE WITH THE SOUTHERLY LINE OF SAID CAMPBELL ROAD THE FOLLOWING: EASTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 18°03'58" AN ARC DISTANCE OF 539.95 FEET, AND HAVING A CHORD WHICH BEARS NORTH 89°18'26" EAST, 537.71 FEET TO A 3/4-INCH IRON PIPE FOUND; NORTH 80°16'27" EAST, 40.00 FEET TO A 3/4-INCH IRON PIPE FOUND, SAID POINT BEING THE POINT OF CURVATURE OF CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 1395.16 FEET; EASTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06°51'35" AN ARC DISTANCE OF 167.04 FEET, AND HAVING A CHORD WHICH BEARS NORTH 83°42'15" EAST, 166.94 FEET TO A 3/4-INCH IRON PIPE FOUND, SAID POINT BEING THE NORTHWEST CORNER OF A 0.691-ACRE TRACT AS DESCRIBED IN DEED TO FIRST TEXAS SAVINGS ASSOCIATION RECORDED IN VOLUME 84024, PAGE 2215, (D.R.D.C.T.); THENCE SOUTH 00°48'18" EAST, LEAVING THE SOUTH LINE OF SAID CAMPBELL ROAD AND ALONG THE WESTERLY LINE OF SAID 0.691-ACRE TRACT, 150.16 FEET TO A 3/4-INCH IRON PIPE FOUND AT THE SOUTHWEST CORNER OF SAID 0.691-ACRE TRACT; THENCE NORTH 89°11'42" EAST, ALONG THE SOUTHERLY LINE OF SAID 0.691-ACRE TRACT, 190.00 FEET TO A FOUND 3/4-INCH IRON PIPE IN THE WESTERLY LINE OF SAID JUPITER ROAD AS DEDICATED FOR WIDENING TO THE CITY OF RICHARDSON BY DEED RECORDED IN VOLUME 84055, PAGE 2787, (D.R.D.C.T.); THENCE SOUTH 00°48'18" EAST, ALONG THE WESTERLY LINE OF SAID JUPITER ROAD, 604.69 FEET TO THE POINT OF BEGINNING, AND CONTAINING 15.000 ACRES OF LAND; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND (\$1,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE; 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 grant a special permit for the installation of a health club with special conditions in an LR-M(2) district on the following described tract:

A tract of land situated in the A. M. Leake Survey, Abstract No. 793, in the City of Richardson, Dallas County, Texas, and being part of a 31.648-acre tract as described in deed to J. Clark, recorded in Volume 83182, Page 929, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4-inch iron pipe found at the intersection of the westerly line of Jupiter Road (90 feet wide), as dedicated for widening to the City of Richardson by deed recorded in Volume 84055, Page 2783, Deed Records of Dallas County, Texas (D.R.D.C.T.) and the north line of a 15 foot wide alley, said point being 754.69 feet south of the southerly line of Campbell Road (140 feet wide), and being in the northerly line of Arapaho East No. 9, an addition to the City of Richardson, Texas, as recorded in Volume 77161, Page 0921, (D.R.D.C.T.);

THENCE South 89°43'00" West, leaving said Jupiter Road and along the northerly line of said Arapaho East No. 9, and the northerly line of said alley, 940.04 feet to a 3/4-inch iron pipe found;

THENCE North 00°17'00" West, leaving the northerly line of said Arapaho East No. 9 and said alley, 725.20 feet to a 3/4-inch iron pipe found in the southerly line of said Campbell Road and being in a circular curve to the left having a radius of 1712.42 feet;

THENCE with the southerly line of said Campbell Road the following:

Easterly, along said curve to the left, through a central angle of 18°03'58" an arc distance of 539.95 feet, and having a chord which bears

North 89°18'26" East, 537.71 feet to a 3/4-inch iron pipe found;

North 80°16'27" East, 40.00 feet to a 3/4-inch iron pipe found, said point being the point of curvature of circular curve to the right having a radius of 1395.16 feet;

Easterly, along said curve to the right, through a central angle of 06°51'35" an arc distance of 167.04 feet, and having a chord which bears North 83°42'15" East, 166.94 feet to a 3/4-inch iron pipe found, said point being the northwest corner of a 0.691-acre tract as described in deed to First Texas Savings Association recorded in Volume 84024, Page 2215, (D.R.D.C.T.);

THENCE South 00°48'18" East, leaving the south line of said Campbell Road and along the westerly line of said 0.691-acre tract, 150.16 feet to a 3/4-inch iron pipe found at the southwest corner of said 0.691-acre tract;

THENCE North 89°11'42" East, along the southerly line of said 0.691-acre tract, 190.00 feet to a found 3/4-inch iron pipe in the westerly line of said Jupiter Road as dedicated for widening to the City of Richardson by deed recorded in Volume 84055, Page 2787, (D.R.D.C.T.);

THENCE South 00°48'18" East, along the westerly line of said Jupiter Road, 604.69 feet to the POINT OF BEGINNING, and containing 15.000 acres of land.

SECTION 2. That the above special permit for a health club in a LR-M(2) district is hereby granted, subject to the following conditions:

1. No alcoholic beverages may be sold on the premises of the health club.

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 shall remain in full force and effect.

SECTION 4. 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, as heretofore amended and as amended herein, and subject to the aforementioned special conditions.

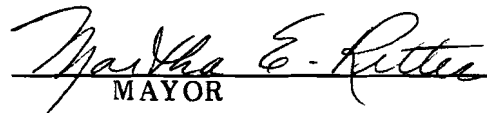
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided 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 (\$1,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. Whereas, it appears that the above described property requires that it be given the above special permit 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 January, 1986.

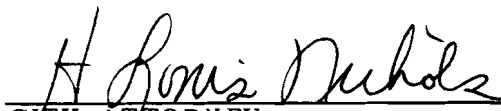
APPROVED:


MAYOR

DULY RECORDED:

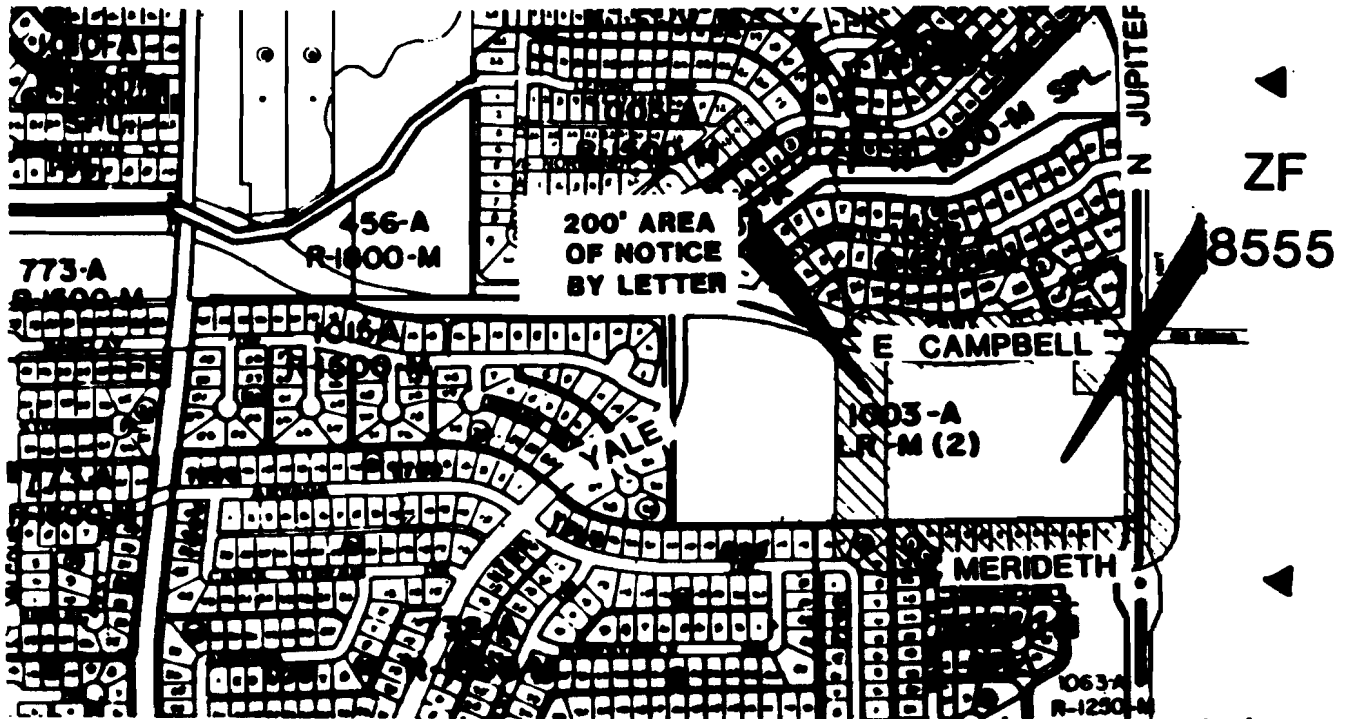

CITY SECRETARY

APPROVED;


CITY ATTORNEY

NOTICE OF PUBLIC HEARING

The City Council will hold a public hearing at 7:30 p. m., Dec. 16, 1985, at the City Hall, 411 W. Arapaho Road, Richardson, to consider a request by Worth Williams Co. for a special permit for a health club facility in conjunction with the office/retail development proposed for the southwest corner of Jupiter and Campbell Roads. The property is presently zoned LR-M(2) Local Retail, 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 special conditions.

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 closing remarks following the opposition. Time required to respond to questions by the City Council is excluded from the 20 minute limitation.

If you wish your opinion to be part of the record but are unable to attend the hearing, you may send a written reply prior to the date of the public hearing to the City Secretary, P. O. Box 830309, Richardson, Texas 75083.

THE CITY OF RICHARDSON

Virginia Gruben

 Mrs. Virginia Gruben
 City Secretary