

ORDINANCE NO. 2006-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 DESIGNATE A TRACT OF LAND AS "LR-M(2)" LOCAL RETAIL DISTRICT CLASSIFICATION, AND GRANTING A SPECIAL PERMIT UNDER ARTICLE XXII-A FOR A GAME ROOM, SUBJECT TO SPECIAL CONDITIONS; SAID TRACT OF LAND BEING MORE FULLY DESCRIBED AS FOLLOWS: BEING A TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, AND BEING PART OF THE MARY HARGRODER SURVEY, ABSTRACT 574, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECT OF THE EASTERLY LINE OF PLANO ROAD (70 FEET FROM CENTERLINE) AND THE NORTHERLY LINE OF SPRING VALLEY ROAD (40 FEET FROM CENTERLINE); THENCE DUE NORTH ALONG SAID EASTERLY LINE A DISTANCE OF 1643.45 FEET TO A POINT; THENCE, DUE EAST A DISTANCE OF 375.83 FEET TO A POINT; THENCE, DUE NORTH A DISTANCE OF 2.75 FEET TO A POINT; THENCE, DUE EAST A DISTANCE OF 186.25 FEET TO A POINT ON THE CENTERLINE OF CONCOURSE "A"; THENCE, DUE SOUTH ALONG SAID CENTERLINE A DISTANCE OF 65.33 FEET TO A POINT, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINE OF CONCOURSE "A" WITH THE CENTERLINE OF MALL NO. 1; THENCE, DUE EAST ALONG SAID CENTERLINE OF MALL NO. 1 A DISTANCE OF 221.67 FEET TO A POINT; THENCE, DUE NORTH A DISTANCE OF 15 FEET TO A POINT, SAID POINT BEING THE PRINCIPAL POINT AND TRUE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE, DUE WEST ALONG THE SOUTHERLY BUILDING LINE OF FUN 'n GAMES A DISTANCE OF 51.00 FEET TO A POINT ON THE CENTERLINE OF COLUMN LINE C/A; THENCE, DUE NORTH ALONG THE CENTERLINE OF COLUMN LINE C/A A DISTANCE OF 44.33 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE CENTERLINE OF COLUMN LINE C/A WITH THE CENTERLINE OF THE NORTHERLY BLOCK WALL OF FUN 'n GAMES; THENCE, DUE EAST ALONG SAID CENTERLINE OF SAID NORTHERLY BLOCK WALL A DISTANCE OF 44.67 FEET TO A POINT; THENCE, DUE SOUTH ALONG SAID CENTERLINE OF SAID BLOCK WALL A DISTANCE OF 1.00 FOOT TO A POINT; THENCE, DUE EAST ALONG SAID CENTERLINE OF SAID BLOCK WALL A DISTANCE OF 6.33 FEET TO A POINT, SAID POINT BEING THE INTERSECTION OF THE CENTERLINE OF SAID BLOCK WALL WITH THE EASTERLY BUILDING LINE OF FUN 'n GAMES; THENCE, DUE SOUTH ALONG SAID EASTERLY BUILDING LINE A DISTANCE OF 43.33 FEET TO A POINT, SAID POINT BEING THE PRINCIPAL POINT AND TRUE PLACE OF BEGINNING, AND CONTAINING 2254.50 SQ. FT. OF LAND, MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Richardson, Texas, and the governing body of the City of Richardson, in compliance with the laws of the City of Richardson, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the 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 "LR-M(2)" Local Retail District Classification and grant a special permit under Article XXII-A for a Game Room, subject to special conditions, to-wit:

BEING a tract or parcel of land situated in the City of Richardson, Dallas County, Texas, and being part of the Mary Hargroder Survey, Abstract No. 574, and being more particularly described as follows:

BEGINNING at the point of intersect of the Easterly line of Plano Road (70 feet from centerline) and the Northerly line of Spring Valley Road (40 feet from centerline); thence due north along said easterly line a distance of 1643.45 feet to a point; thence due East a distance of 375.83 feet to a point; thence due North a distance of 2.75 feet to a point; thence due East a distance of 186.25 feet to a point on the centerline of Concourse "A"; thence due South along said centerline a distance of 65.33 feet to a point, said point being at the intersection of the centerline of Concourse "A" with the centerline of Mall No. 1; thence due East along said centerline of Mall No. 1 a distance of 221.67 feet to a point; thence due North a distance of 15 feet to a point, said point being the principal point and true PLACE OF BEGINNING of this description;

THENCE, due West along the southerly building line of Fun 'n Games a distance of 51.00 feet to a point on the centerline of column line C/A; thence due North along the centerline of column line C/A a distance of 44.33 feet to a point, said point being the intersection of the centerline of column line C/A with the centerline of the Northerly block wall of Fun 'n Games; thence, due East along said centerline of said Northerly block wall a distance of 44.67 feet to a point; thence due South along said centerline of said block wall a distance of 1.00 foot to a point; thence due East along said centerline of said block wall a distance of 6.33 feet to a point, said point being the intersection of the centerline of said block wall with the Easterly

building line of Fun 'n Games; thence, due S. along said easterly building line a distance of 43.33 feet to a point, said point being the principal point and true PLACE OF BEGINNING, and containing 2254.50 sq. ft. of land, more or less, but subject to all legal highways and easements of record.

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

- a. That the special permit is granted specifically to Fun 'N Games Associates, subsidiary of The Edward J. DeBartolo Corporation, for their operation of the facility only.
- b. That the game room hours of operation shall be limited to 10:00 o'clock a. m. to 9:00 o'clock p. m. on Mondays through Saturdays only, with adult supervision at all times.
- c. That if, in the opinion of the Chief of Police, the operation of this game room should generate a nuisance or a situation detrimental to the public health, safety and welfare, the City Council may reconsider this permit after proper notice to the holder of the permit.

SECTION 3. That all ordinances of the City of Richardson in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other 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 herein by the granting of this zoning change.

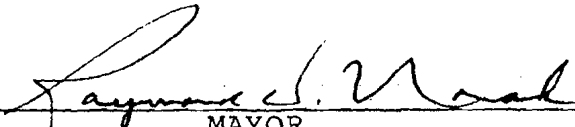
SECTION 5. That, should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided 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 Two Hundred Dollars (\$200.00) for each 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, creates an urgency and an emergency for 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 cases provides.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of January, 1978.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


ATTORNEY