

ORDINANCE NO. 3678

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A SPECIAL PERMIT TO ALLOW A PRIVATE UNIVERSITY, WITH SPECIAL CONDITIONS ON THE PROPERTY LOCATED AT 2201 NORTH CENTRAL EXPRESSWAY, SUITES 149 AND 200, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART; PROVIDING 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. (ZONING FILE 0718).

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, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Map 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 for a private university, with special conditions; for property being located at 2201 N. Central Expressway, Suites 149 and 200, in the City of Richardson, Dallas County, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the special permit for a private university, with special conditions, is granted subject to the following Special Conditions:

1. The special permit shall be issued to DeVry University or any corporation or other legal entity in which it holds a majority interest.

2. The lease space shall be generally limited to the area indicated on the attached floor plans, marked Exhibit "B" and made a part hereof.

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the ordinances of the City of Richardson in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this ordinance shall remain in full force and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 tracts of land 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 heretofore amended, 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 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. That this Ordinance shall take effect immediately from and after its passage and 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 10th
day of September, 2007.

APPROVED:



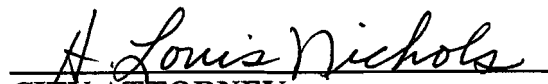
MAYOR

CORRECTLY ENROLLED:



CITY SECRETARY

APPROVED AS TO FORM:



CITY ATTORNEY

(HLNmew/090407/ORD19685)

2201 North Central Expressway
Richardson, Texas

PROPERTY DESCRIPTION OF LAND

BEING a tract of land in the A.T. Nanny Survey. Abstract No. 1093 and being that tract of land known as Forum at Central, First Installment, an Addition to the City of Richardson, Texas, as recorded in Volume 80021, Page 0181 of the Dead Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an "x" cut in a concrete sidewalk in the west line of North Central Expressway (U.S. Highway 75. a 300-foot right-of-way) as widened to the State of Texas in deed recorded in Volume 4145, Page 178 of the Deed Records of Dallas County, Texas, said point being the northeast corner of said Forum at Central - First Installment;

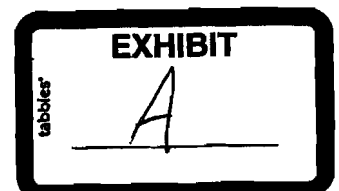
THENCE South 21 degrees 22 minutes 23 seconds West, along said west line, a distance of 490.35 feet to a ½-inch iron rod with yellow plastic cap stamped "A.H. HALFF ASSOC." (hereafter referred to as "with cap") found for corner;

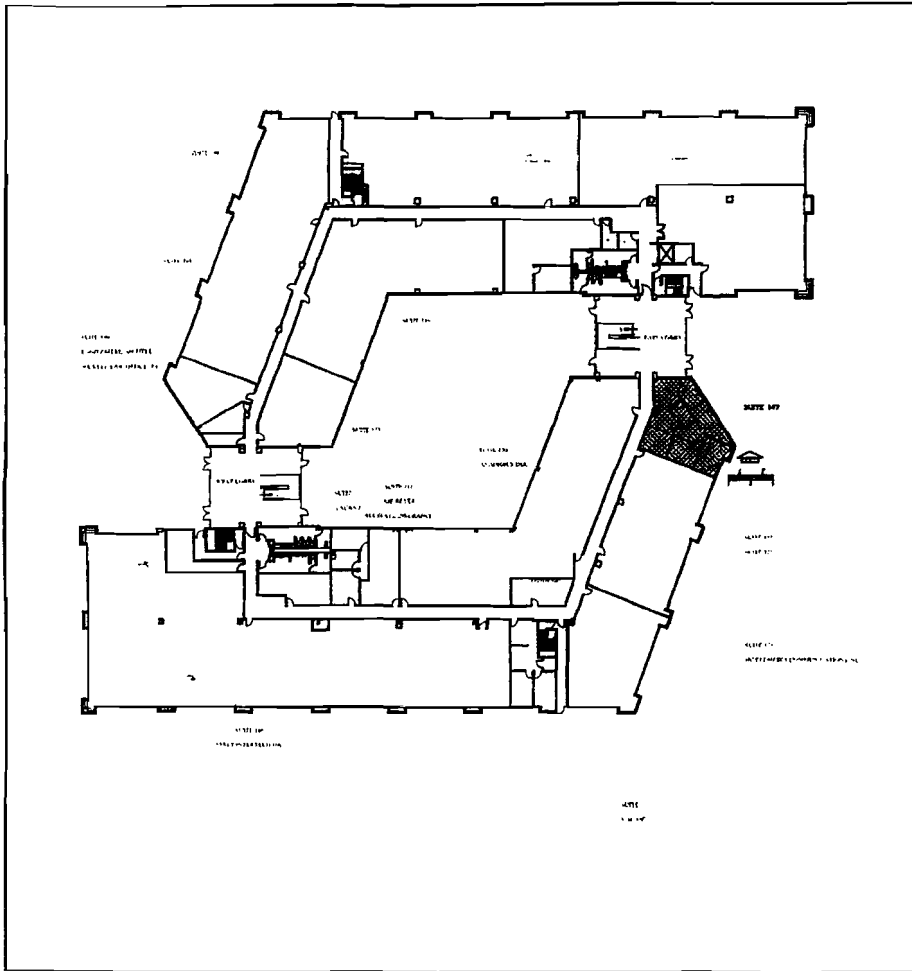
THENCE North 89 degrees 24 minutes 00 seconds West, departing said west line, a distance of 610.10 feet to a ½-inch iron rod with cap found for corner;

THENCE North 0 degrees 34 minutes 26 seconds East, a distance of 156.51 feet to a ½ -inch iron rod with cap found for corner in the east line of Collins Boulevard (100 feet wide);

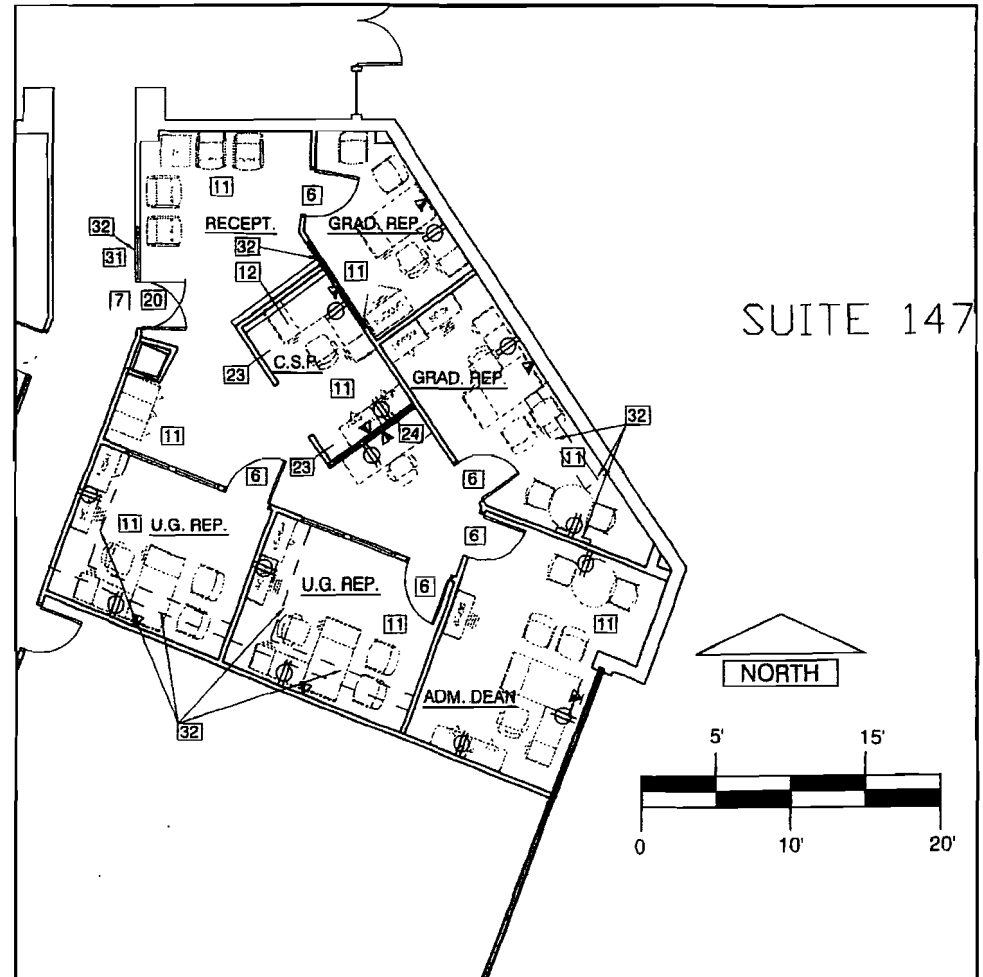
THENCE Northeasterly, along said east line and along a circular curve to the left whose center bears North 72 degrees 24 minutes 24 seconds West, having a radius of 1255.87 feet, a chord length of 306.27 feet, through a central angle of 14 degrees 00 minutes 28 seconds, an arc distance of 307.04 feet to a ½ -inch iron rod with cap found for corner;

THENCE South 89 degrees 25 minutes 34 seconds East, departing said east line, a distance of 730.95 feet to the POINT OF BEGINNING.



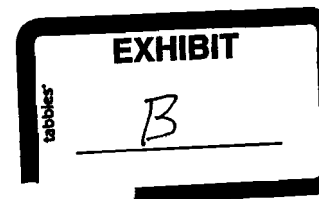


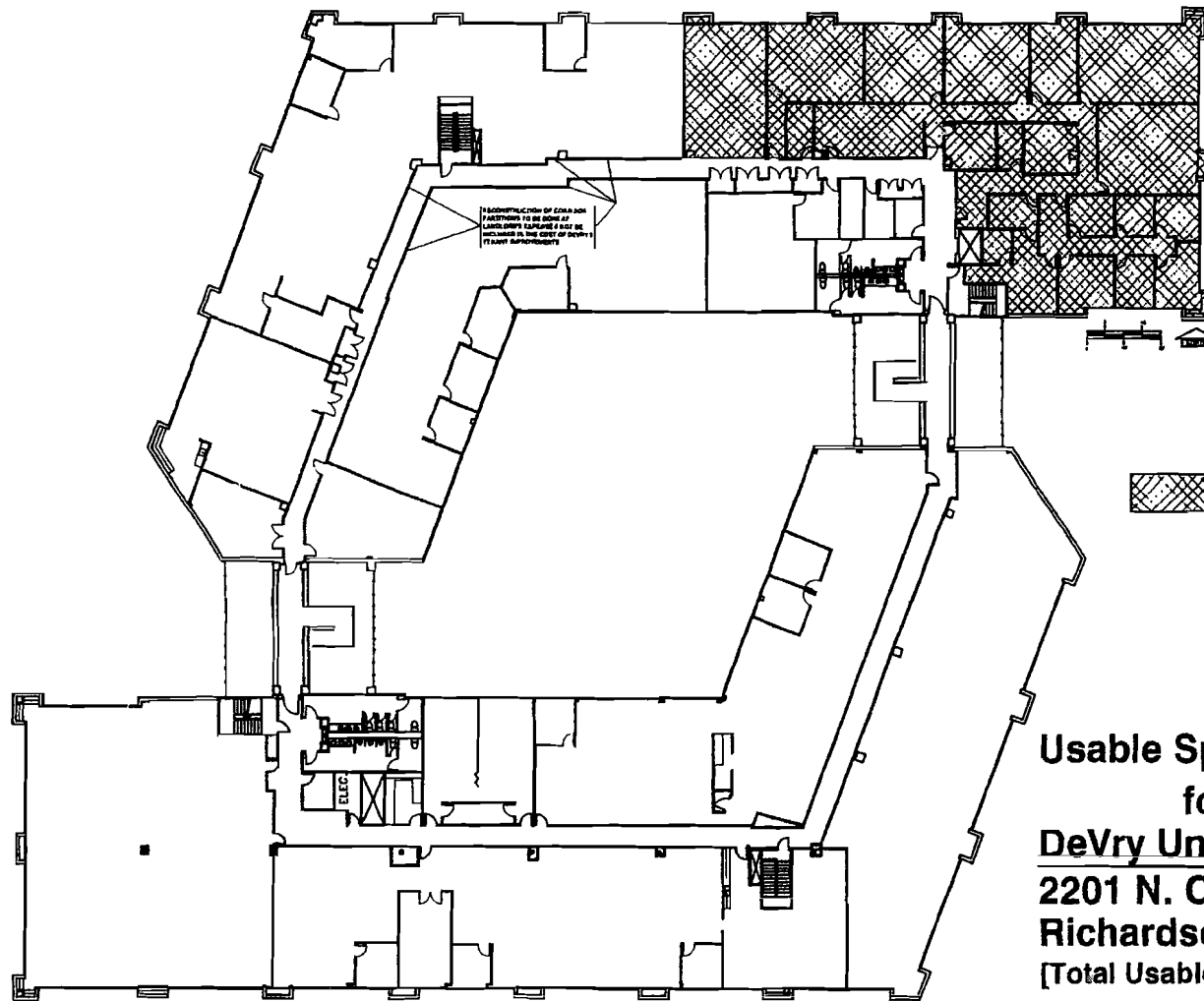
Usable Space @ 1st Floor
for
DeVry University Center
2201 N. Central Expressway
Richardson, Texas
[Total Usable Space = 1,109 Sq. Ft.]



Space Plan @ 1st Floor
for
DeVry University Center
2201 N. Central Expressway
Richardson, Texas

Part of Ordinance






 - INDICATES FLOOR AREA TO BE OCCUPIED BY DEVRYS

Usable Space @ 2nd Floor
 for
DeVry University Center
2201 N. Central Expressway
Richardson, Texas
 [Total Usable Space = 7,458 Sq. Ft.]

Part of Ordinance

EXHIBIT

B

tabbies

**ZONING FILE 0718 - NOTICE OF PUBLIC HEARING
CITY OF RICHARDSON, TEXAS**

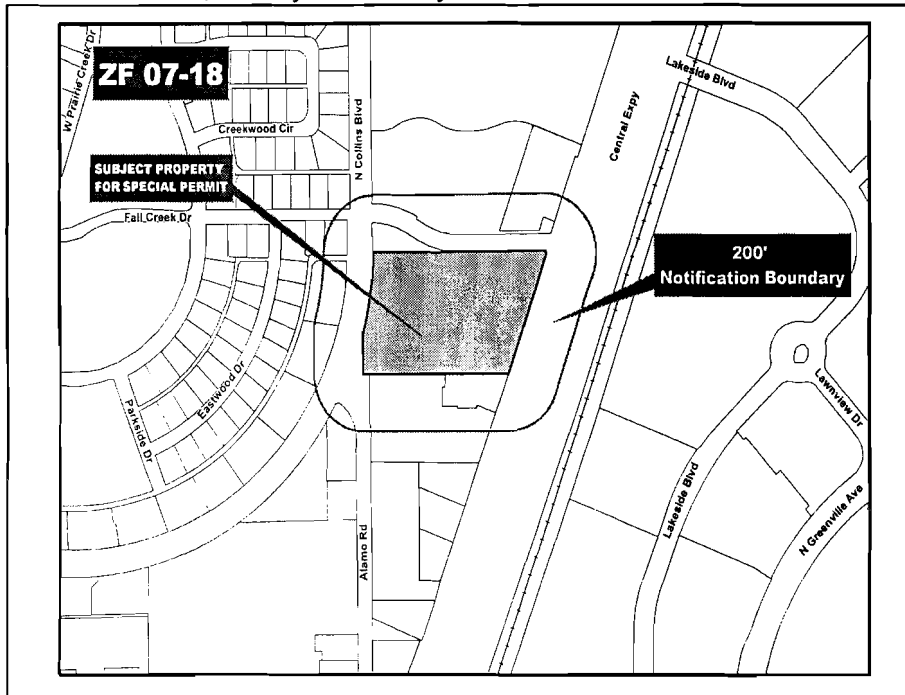
PUBLIC HEARING DATE & TIME: Monday, August 27, 2007, 7:30 p.m.

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

PURPOSE OF THE HEARING: The City Council will consider a request by Ken Rutkowski, representing DeVry University, for a special permit for a 9,340 square foot private university lease space at 2201 N. Central Expressway, Suites 149 and 200. The property is currently zoned TO-M Technical Office.

OWNER: Richard Persinger

APPLICANT: Ken Rutkowski, DeVry University



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 Pamela Schmidt, 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 no later than 5:30 p.m., Friday, August 17, 2007.

The City of Richardson

Pamela Schmidt, 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.

FOR INFORMATIONAL PURPOSES ONLY - NOT PART OF ORDINANCE