

ORDINANCE NO. 4138

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR AN INDOOR RADIO CONTROL RACE TRACK WITH SPECIAL CONDITIONS ON A 3.17-ACRE TRACT OF LAND ZONED LR-M(2) LOCAL RETAIL LOCATED AT 521 W. CAMPBELL ROAD, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 15-21).

WHEREAS, the City Plan 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 the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning 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 and Zoning Map 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, so as to grant a change in zoning to grant a Special Permit for an indoor radio control race track on a 3.17-acre lot tract of land zoned LR-M(2) Local Retail located at 521 W. Campbell Road, Richardson, 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 an indoor radio control race track is hereby conditionally granted subject to the following special conditions:

1. The development and use of the property for an indoor radio control race track shall be allowed in conjunction with a toy or hobby shop and in substantial conformance with the concept plan attached as Exhibit "B" and incorporated

herein for all purposes. The development and use of the property for an indoor radio control race track shall be limited to the area shown on the concept plan.

2. The indoor radio control race track use in conjunction with a toy or hobby shop shall be parked at the City's requirement for "retail sales and service facilities".

SECTION 3. That the above-described tract of land shall be used in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, 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 an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. 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 Dollars

(\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.


SECTION 8. That this Ordinance shall take effect immediately from and after its passage and the 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 12th day of October, 2015.

APPROVED:


MAYOR

APPROVED AS TO FORM:


CITY ATTORNEY
(PGS:10-6-15:TM 73613)

CORRECTLY ENROLLED:


CITY SECRETARY



EXHIBIT "A"
LEGAL DESCRIPTION
ZF 15-21

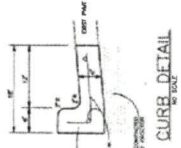
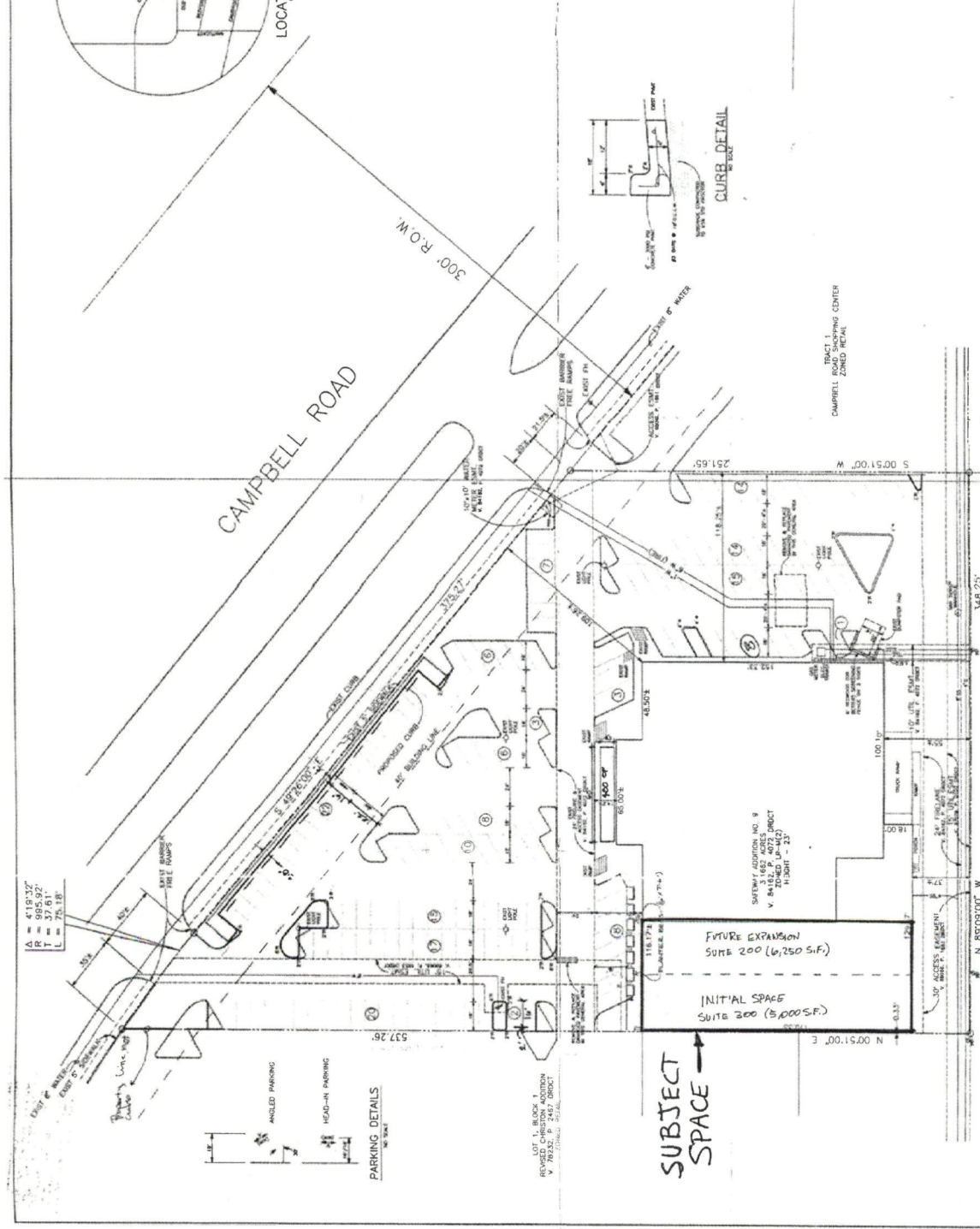
BEING a 3.17-acre tract of land situated in the John Edmonds Survey, Abstract No. 429, Dallas County, Texas; said tract being Lot 2, of Campbell Road Shopping Center II Addition (a.k.a. Safeway Addition No. 9), an addition to the City of Richardson, Texas according to the plat recorded in Volume 84162, Page 4072 of the Map Records of Dallas County, Texas.

1. THIS SITE RECEIVED APPROVAL ON APRIL 9, 1990, FROM THE CITY COUNCIL OF RICHARDSON TO PERMIT EXISTING AND PROPOSED DEVELOPMENT.
2. BOUNDARY AND EXISTING TOPOGRAPHY INFORMATION WAS OBTAINED FROM THE CITY OF RICHARDSON SURVEYING INC. DATED 7-18-89 (REPLAT).
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF RICHARDSON ZONING ORDINANCES.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF RICHARDSON STANDARD DETAILS.
5. ALL NEW PAVING SHALL BE 6" - 3000 PSI PORTLAND CEMENT CONCRETE WITH A 2" SURFACE COURSE COMPACTED TO 95% AND PROCTOR.
6. ALL PARKING MARKINGS, PARKING SIGNS, AND TRAFFIC CONTROL DEVICES SHALL BE AS SHOWN ON THE PLAN.
7. SIGNAGE SHALL BE 2' OR 8' UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED.
9. THE LOCATION OF UTILITIES IS INDICATED BY THE 'X' MARKS SHOWN ON THE PLAN.



SITE SUMMARY

TOTAL LAND AREA : 3.1662 ACRES or 137,935 SQUARE FEET
 TOTAL BUILDING AREA : 38,310 SQUARE FEET
 ZONING : LR-M(2)
 PARKING RATIO : 30 SPACES FOR 1st 10,000 S.F. 1/200 S.F. THEREAFTER
 PARKING PROVIDED : 171 SPACES
 LANDSCAPE PROVIDED : 7% = 9,656 SQUARE FEET
 LANDSCAPE PROVIDED : 7.5% = 10,395 SQUARE FEET
 F.A.R. : 0.28:1
 MAX 0.5:1 ALLOWED
 MAX 25'
 BUILDING HEIGHT



<p>Trinity Surveys Incorporated 902 N. Bowers, Suite 240 Richardson, TX 75081 214/386-0233</p>	<p>OWNER: LAMSE ENTERPRISES, INC. 2508 MATURE BEND LANE CARROLLTON, TEXAS 75006 (214)418-4327</p>
<p>SAFETYWAY ADDITION NO. 9 CITY OF RICHARDSON DALLAS COUNTY, TEXAS VOL 8462, P. 4072 DIRECT JOHN W. BROWN SURVEY ABSTRACT NO. 429</p>	<p>OWNER: LAMSE ENTERPRISES, INC. 2508 MATURE BEND LANE CARROLLTON, TEXAS 75006 (214)418-4327</p>
<p>DATE: 11/15/90 DRAWN BY: JWC CHECKED BY: B.D.S. SCALE: 1" = 30' DATE: FEB 13, 1990 REVISIONS: 0/0/0/0 JOB NO. 11220</p>	<p>OWNER: LAMSE ENTERPRISES, INC. 2508 MATURE BEND LANE CARROLLTON, TEXAS 75006 (214)418-4327</p>