

ORDINANCE NO. 4154

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY REPEALING ORDINANCE NO. 4103; GRANTING A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT WITH CONDITIONS FOR A TEMPORARY OPEN AIR MARKET ON A 7.3-ACRE TRACT ZONED LR-M(2) LOCAL RETAIL, LOCATED WEST OF NANTUCKET DRIVE, ON THE SOUTH SIDE OF 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 16-01).

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 Ordinance No. 4103, granting a special permit for a temporary open air market adopted on February 9, 2015, is hereby repealed.

SECTION 2. 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 with conditions for a temporary open air market on a 7.3-acre tract of land zoned LR-M(2) Local Retail located west of Nantucket Drive, on the south side of W. Campbell Road, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 3. That the Special Permit for a temporary open air market is hereby conditionally granted subject to the following special conditions:

1. A temporary open air market shall be allowed and limited to the area shown on the concept plan attached as Exhibit "B" ("Concept Plan") and made a part thereof. Food concessions, including food trucks, are allowed within the area marked as "vendors" as shown on the Concept Plan in conjunction with the temporary open air market, provided they are properly licensed and the appropriate permits are issued.
2. The temporary open air market shall be allowed to only operate on Saturdays from 9:00 a.m. to 3:00 p.m. The temporary open air market shall be prohibited from operating on any Saturday during which the principal building located on the property is open or holding an event, excluding the operation of a commercial amusement center located in the "K1 Speed Tenant Area" as shown on the Concept Plan.
3. The maximum number of vendors allowed to operate shall be sixty-five (65) during the permitted hours of operation of the temporary open air market, of which, no less than forty percent (40%) of the total number of vendors shall be comprised of temporary open air market food vendors.
4. The location of vendor spaces, concession areas, and food trucks for the temporary open air shall be limited as shown on the Concept Plan.
5. During the operation of the temporary open air market, barricades shall be placed as shown on the Concept Plan for traffic control.
6. The Special Permit is conditionally granted for a temporary open air market and is limited to Vincent Hirth. No other person, company, business or legal entity may operate a temporary open air market on the property other than Vincent Hirth. The Special Permit automatically terminates upon the change in ownership or operator, or change in the business name, in accordance with Article XXII-A, Section 7, of the Comprehensive Zoning Ordinance, as amended.

SECTION 4. That the above-described tract of land shall be used only 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 5. 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 6. 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 7. 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 8. 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 9. 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 28th day of March, 2016.



APPROVED AS TO FORM:

Peter J. Smith

CITY ATTORNEY
(PGS:3-14-16:TM 75729)

APPROVED:

[Handwritten Signature]

MAYOR

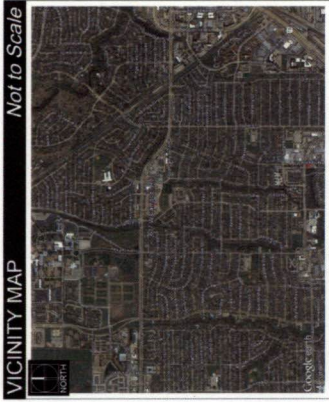
CORRECTLY ENROLLED:

Aimee Nemea

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 16-01

BEING a 7.3-acre tract of land situated in the John Edmonds Survey, Abstract No. 429, Dallas County, Texas; said tract being all of Lot 1, Block A, Sterling Jewelry Addition, an addition to the City of Richardson, Texas according to the plat recorded in Volume 94193, Page 3163 of the Map Records of Dallas County, Texas.

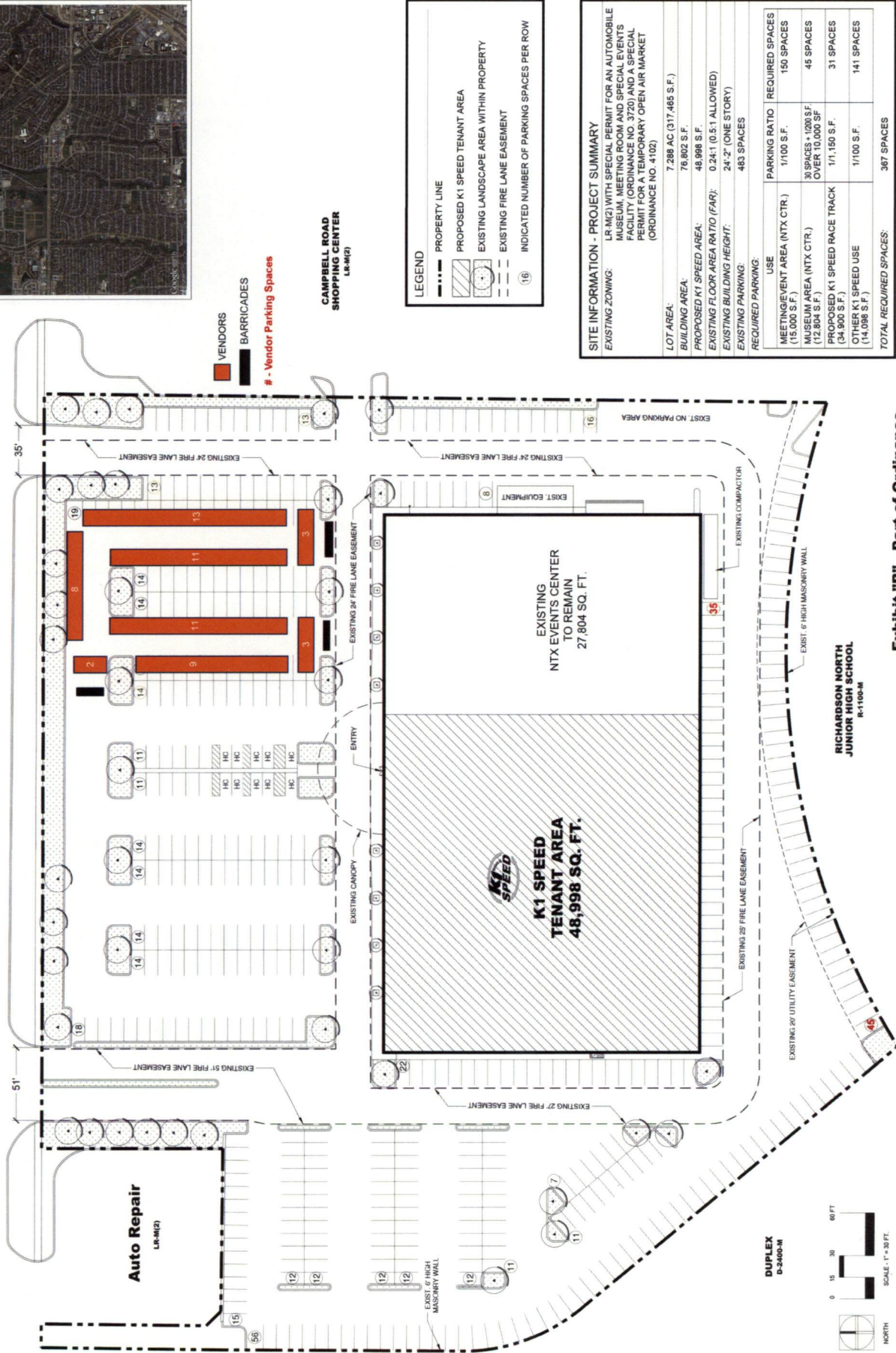


VICINITY MAP
Not to Scale

W. CAMPBELL ROAD

EXISTING MEDIAN OPENING

EXISTING MEDIAN OPENING



VENDORS
BARRICADES
- Vendor Parking Spaces

CAMPBELL ROAD SHOPPING CENTER
LR-M(2)

LEGEND

- PROPERTY LINE
- PROPOSED K1 SPEED TENANT AREA
- EXISTING LANDSCAPE AREA WITHIN PROPERTY
- EXISTING FIRE LANE EASEMENT
- INDICATED NUMBER OF PARKING SPACES PER ROW

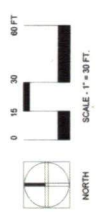
SITE INFORMATION - PROJECT SUMMARY

EXISTING ZONING: LR-M(2) WITH SPECIAL PERMIT FOR AN AUTOMOBILE MUSEUM, MEETING ROOM AND SPECIAL EVENTS FACILITY (ORDINANCE NO. 3720) AND A SPECIAL PERMIT FOR A TEMPORARY OPEN AIR MARKET (ORDINANCE NO. 4102)

LOT AREA: 7.288 AC (317,485 S.F.)
BUILDING AREA: 76,802 S.F.
PROPOSED K1 SPEED AREA: 48,998 S.F.
EXISTING FLOOR AREA RATIO (FAR): 0.24:1 (0.5:1 ALLOWED)
EXISTING BUILDING HEIGHT: 24'-2" (ONE STORY)
EXISTING PARKING: 483 SPACES

REQUIRED PARKING:

USE	PARKING RATIO	REQUIRED SPACES
MEETING/EVENT AREA (NTX CTR.)	1/100 S.F.	150 SPACES
MUSEUM AREA (NTX CTR.)	30 SPACES / 1,026 S.F. OVER 10,000 S.F. (12,804 S.F.)	45 SPACES
PROPOSED K1 SPEED RACE TRACK (34,900 S.F.)	1/1,150 S.F.	31 SPACES
OTHER K1 SPEED USE (14,098 S.F.)	1/100 S.F.	141 SPACES
TOTAL REQUIRED SPACES:		367 SPACES



RICHARDSON NORTH JUNIOR HIGH SCHOOL
R-1100-M

Exhibit "B" - Part of Ordinance

ZONING EXHIBIT - Special Permit
RICHARDSON, TX
OWNER: Michael Mazaheri PHONE: (469)534-2297
ADDRESS: 677 W. Campbell Rd. - Richardson, TX 75080
GROSS ACREAGE: 7.288 AC.

Date: 10-19-15
Scale: 1" = 30'
Sheet: 1 of 2 Sheets

1
Zoning Exhibit
ZF 16-01