

ZF0127

ORDINANCE NO. 3371-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, BY AMENDING THE SPECIAL CONDITIONS IN ORDINANCE NO. 3134-A, HERETOFORE ADOPTED ON OCTOBER 6, 1997, ON A 17.84 ACRE TRACT OF LAND EAST OF COIT ROAD AND SOUTH OF ARAPAHO, LIMITED TO SUITE 2015 OF PROMENADE SHOPPING CENTER IN ABSTRACT 1602, DALLAS COUNTY, RICHARDSON, TEXAS, AND BEING DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, WITH SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE. (ZONING FILE 0127).

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, 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 special conditions contained in Ordinance No. 3134-A, heretofore adopted on October 6, 1997, granting a special permit to allow the boarding of cats at Suite 2015 of the Promenade Shopping Center on a 17.84 acre tract of land beginning at the southeast corner of the intersection of Arapaho Road and Coit Road, in Abstract 1602, Dallas County, Richardson, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof. The property is currently zoned LR-M(1) Local Retail Zoning District, with a special permit.

SECTION 2. That Section 2 of Ordinance No. 3134-A, be, and the same is hereby amended by amending the special conditions in Section 2 of said ordinance to hereafter provide as follows, to wit:

- “1. The special permit shall be limited to 2015 Promenade Center, as located on Exhibit “B” attached hereto and made a part hereof.
2. The boarding of cats shall be permitted.
3. The special permit shall be reviewed by the City Plan Commission and City Council upon receipt by appropriate staff of any unresolved complaint from adjacent tenants regarding noise, odor, or insects.
4. The requirement of the eight inch masonry firewall shall be waived”.

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 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 5. 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 6. 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 10th day of December, 2001.

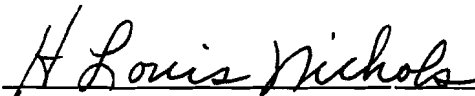
APPROVED:



MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:



CITY ATTORNEY
(HLN/cb 11/29/01)



CITY SECRETARY

Being a tract of land situated in the William W. Wallace Survey, Abstract No. 1602, City of Richardson, Dallas County, Texas, and being out of a 27.18 acre tract of land conveyed to Charles V. Campbell by Henry C. Coit, et ux, as recorded in Volume 3571, Page 35, Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at the southeast corner of intersection of Arapaho Road, (a 100 minutes R/W), and Coit Road (a 75 minutes R/W), said point being 25 minutes easterly of the original centerline of said Coit Road, an iron stake for corner;

THENCE N 88 degrees 37 minutes E, with the south line of said Arapaho Road, 515.20 minutes to a point in a west line in Block No. 106 of Richardson Heights No. 9, Second Section, an addition to the City of Richardson, Texas, an iron stake set for corner;

THENCE S 1 degree 55 minutes E, with said west line of said Richardson Heights Addition, 1283.23 minutes to an iron stake set for corner;

THENCE S 7 degrees 08 minutes E, and continuing along the westerly line of said Richardson Heights No. 9, 147.54 minutes to a point in the center of Northlake Drive, (a 50 minutes R/W), an iron stake set for corner;

THENCE S 82 degrees 52 minutes W, 280.0 minutes to an iron stake set for corner;

THENCE S 89 degrees 39 minutes W, 289.91 minutes to a point in the east line of the aforementioned Coit Road, an iron stake set for corner;

THENCE N 0 degrees 21 minutes W, with the east line of said Coit Road, 1453.01 minutes to the place of beginning and containing 17.84 acres of land.

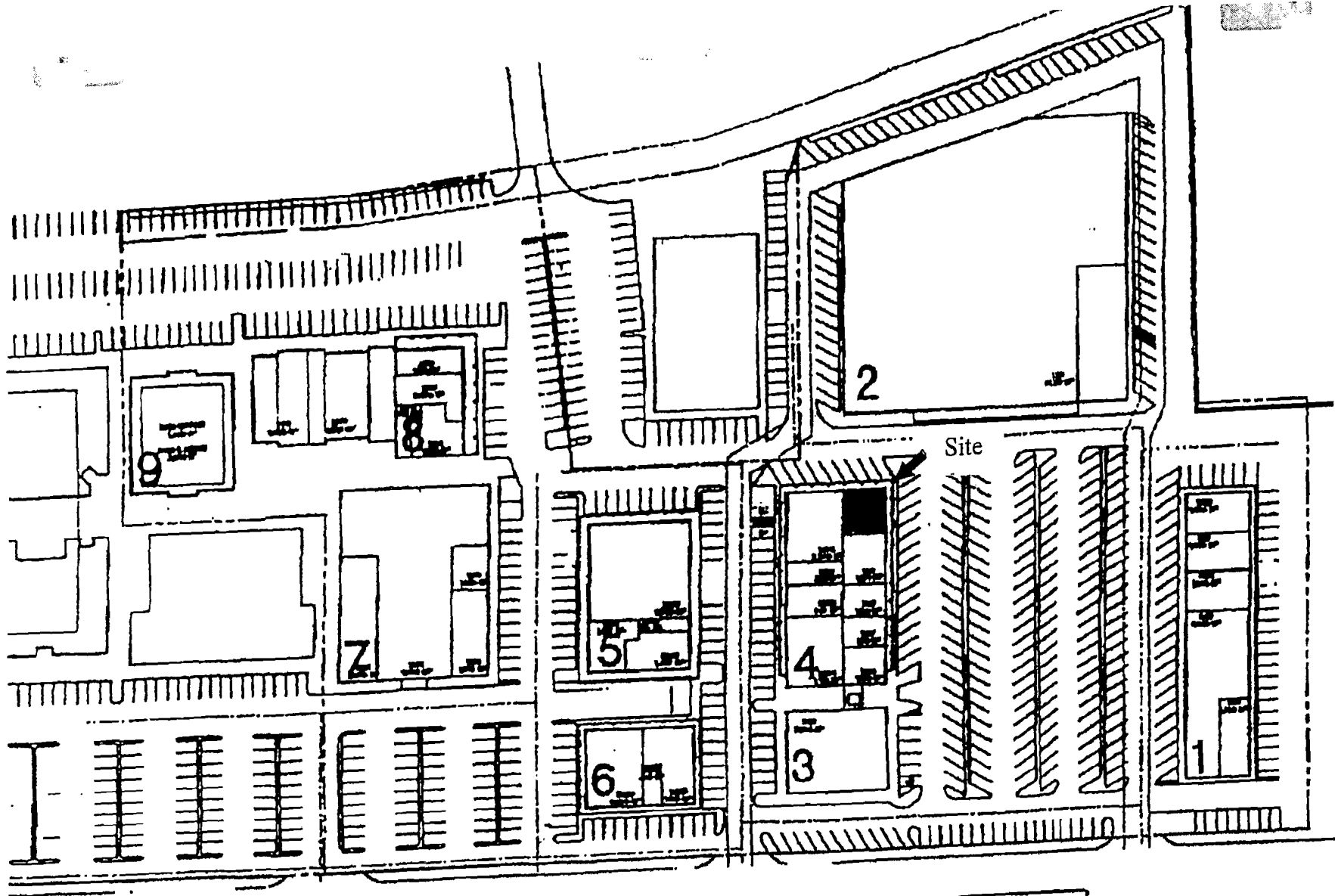


EXHIBIT B

3 LOCATION MAP
NO SCALE

3371

**ZONING FILE 0127 - NOTICE OF PUBLIC HEARING
CITY OF RICHARDSON, TEXAS**

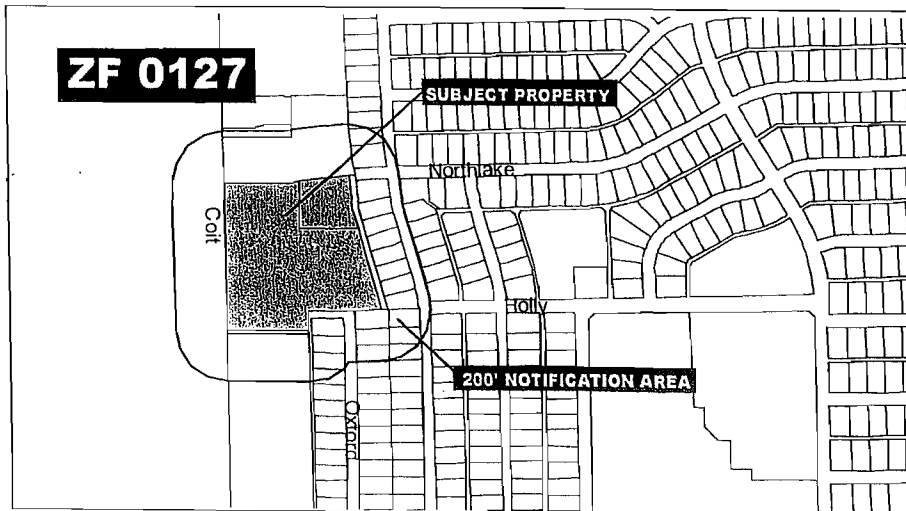
PUBLIC HEARING DATE & TIME: Monday, November 26, 2001, 7:30 p.m.

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 Misty Johnson for an amendment to the special conditions under Ordinance 3134-A for the boarding of cats at 2015 Promenade Center.

CITY PLAN COMMISSION RECOMMENDATION: Unanimous approval subject to special conditions.

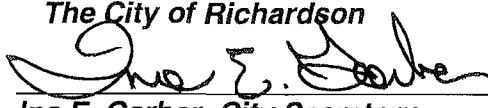
OWNER: Ted Fobare, General Partner, Fobare, L.L.C.



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 Ina Garber, 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 by 5:00 p.m., Monday, November 19, 2001.

The City of Richardson

Ina E. Garber, 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.