

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS

ORDINANCE NO. 2662-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL PERMIT TO ALLOW A RESTAURANT WITH DRIVE-THROUGH FACILITIES ON A .97 ACRE TRACT IN A C-M DISTRICT, DESCRIBED ON EXHIBIT "B" ATTACHED HERETO, WITH A SPECIAL CONDITION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND (\$1,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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, 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, Dallas County, 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 to allow a restaurant with drive-through facilities on a .97 acre tract in a C-M District, described on Exhibit "B" attached hereto, with a special condition, on the following described property, to-wit:

SECTION 2. That the above change in zoning classification is hereby granted subject to the following special condition, to-wit:

1. Development on the site shall be in substantial compliance with the attached concept plan marked Exhibit "A".

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the ordinances of the City of Richardson in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this ordinance shall remain in full force and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 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 subject to the afore-mentioned 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 One Thousand (\$1,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. 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, and creates an urgency and an emergency in 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 case provides.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 9th day of May, 1988.

APPROVED:


MAYOR

DULY RECORDED:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY

2662

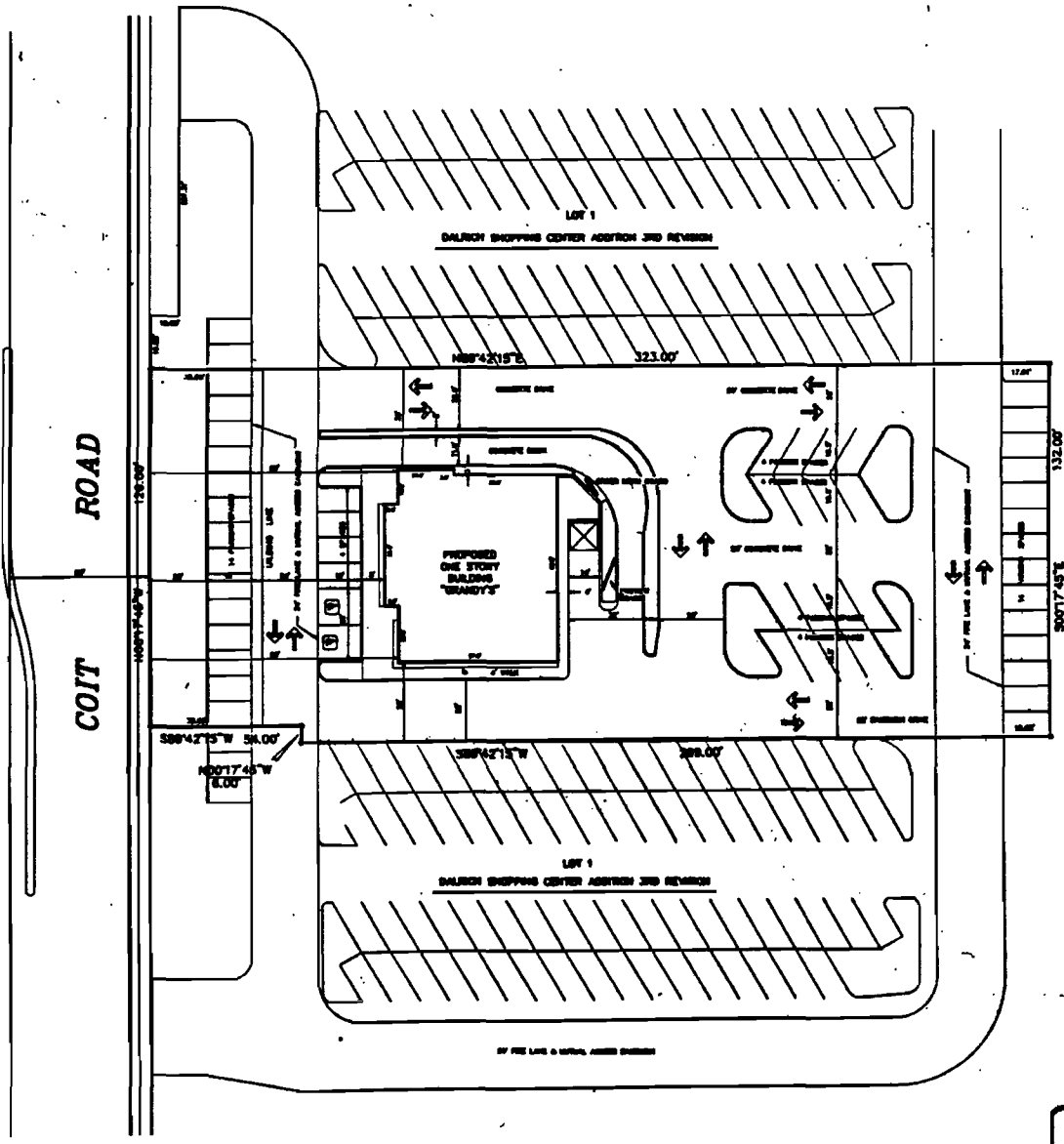


Exhibit A
Ordinance 2662-A

PREPARED BY:
SPURRY & ASSOCIATES
 ENGINEERS, ARCHITECTS
 1400 FULTON, CLOVIS, CA 95319

 THIS EXHIBIT IS PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENGINEERING PROFESSIONAL ACT AND THE CALIFORNIA ARCHITECTURE ACT.



PROJECT:

SHEET NO.
SITE PLAN
SPECIAL USE PERMIT
DRIVE-THRU
DATE SUBMITTED 04/20/07
SCALE: 1"=50'
DRAWN BY: AA (CAD)
CHECKED BY: JA/PLM
SHEET NO. 07
FILE NO. SP 07-008

EXHIBIT "B"

BEING Lot 3 of DALRICH SHOPPING CENTER ADDITION, 3RD REVISION, an Addition to the City of Richardson, Texas, according to the Plat recorded in Volume 87238 , Page 0222 , of the Map Records of Dallas County, Texas, out of the W. W. WALLACE SURVEY, ABSTRACT NO. 1601, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner in the East right-of-way line of Coit Road (50.0 feet from centerline), same being the Northwest corner of Lot 3 of DALRICH SHOPPING CENTER ADDITION, 3RD REVISION, same also being South 00 degrees 17 minutes 45 seconds East, 567.31 feet, South 89 degrees 42 minutes 15 seconds West 10.00 feet and South 00 degrees 17 minutes 45 seconds East, 19.05 feet from the intersection of the South cutback line of Belt Line Road with said East right-of-way line of Coit Road;

THENCE North 89 degrees 42 minutes 15 seconds East along the North line of said Lot 3 for a distance of 323.00 feet to a point for corner;

THENCE South 00 degrees 17 minutes 45 seconds East along the East line of said Lot 3 for a distance of 132.00 feet to a point for corner;

THENCE South 89 degrees 42 minutes 15 seconds West along the South line of said Lot 3 for a distance of 269.00 feet to a point for corner;

THENCE North 00 degrees 17 minutes 45 seconds West for a distance of 6.00 feet to a point for corner;

THENCE South 89 degrees 42 minutes 15 seconds West continuing along said South line of Lot 3 for a distance of 54.00 feet to a point for corner in the East right-of-way line of Coit Road;

THENCE North 00 degrees 17 minutes 45 seconds West along said East right-of-way line of Coit Road for a distance of 126.00 feet to the POINT OF BEGINNING.

CONTAINING 0.97 acres of land.

EXHIBIT "B"