

ORDINANCE NO. 4314

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING BY GRANTING A SPECIAL PERMIT FOR A PARKING LOT ON 2.318-ACRES OF LAND ZONED I-M(1) INDUSTRIAL LOCATED AT THE NORTHWEST CORNER OF N. PLANO ROAD AND N. GREENVILLE AVENUE, CITY OF RICHARDSON, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" HERETO; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS 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 19-16).

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, be, to grant a change in zoning by granting a special permit for a parking lot on 2.318-acres of land zoned I-M(1) Industrial located at the northwest corner of N. Plano Road and N. Greenville Avenue, Richardson, Texas, being more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes (the "Property").

SECTION 2. That the Special Permit for a parking lot is hereby conditionally granted subject to the following special conditions:

1. A Special Permit is hereby granted to allow a parking lot as the primary use of the Property limited to the area shown on the concept plan attached as Exhibit "B", made a part thereof and which is hereby approved.
2. Commencement of construction (issuance of a building permit) for the parking lot shall occur no later than one hundred-eighty (180) calendar days after the date of adoption of this Ordinance ("Parking Lot Deadline"). The Director of Development Services, or designee may authorize one or more extensions not to exceed one (1) year from the

Parking Lot Deadline. The special permit and this Ordinance granting the special permit for the parking lot shall terminate and be of no further effect if (i) commencement of construction has not commenced within the time required by this section, or (ii) if a building permit has been issued but has subsequently expired prior to completion of the required construction.

3. A shared parking agreement for three (3) lots (Lots 7A, 2B, and 3D of Block 6 of the Greenway Addition) approved by the City Attorney shall be required prior to the approval of any development plans for the Property.
4. At the time of platting, a mutual access easement shall be dedicated connecting the existing mutual access easement on the north end of the Property to the existing mutual access easement on the southern portion of the Property, as shown on the Concept Plan.

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 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.

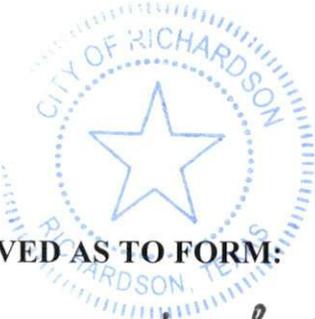
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided 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 9th day of September 2019.



APPROVED AS TO FORM:

Peter H. Smith

CITY ATTORNEY
(PGS:9-5-19:TM 110650)

APPROVED:

[Signature]

MAYOR

CORRECTLY ENROLLED:

Aimee Nemea

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 19-16

BEING a 2.318-acre tract of land situated in the John U. Vance Survey, Abstract Number 1513, City of Richardson, Dallas County, Texas, and being all of Lot 7A, Block 6 of Greenway Addition, an addition to the City of Richardson as recorded in Instrument Number of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.).

