

ORDINANCE NO. 214

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY FROM "LR" LOCAL RETAIL DISTRICT CLASSIFICATION TO "C" COMMERCIAL DISTRICT CLASSIFICATION; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison, and the Governing Body of the City of Addison, Texas in compliance with the laws of the State of Texas with reference to the granting of zoning changes under the zoning ordinance and zoning map, have given requisite notices by publication and otherwise, and, after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Addison, Texas, is of the opinion that the said change of zoning on application of Beltway Joint Venture should be granted and the comprehensive zoning ordinance should be amended in the exercise of its legislative direction:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Addison, Texas, be, and the same is hereby amended by amending the Zoning Map of the City of Addison so as to give the hereinafter described property the following zoning district classification, to-wit: "C" Commercial District

Classification. Said property being in the City of Addison,  
Dallas County, Texas, and described as follows:

Tract 1

Description of a 2.208 acre tract of land in the Elisha Fike Survey, Abstract No. 478, Dallas County, Texas; said tract being part of that tract conveyed to Robert W. Collins, Trustee, and Carroll N. Rather, Trustee, by deed recorded in Volume 72250, Page 2241, Deed Records of Dallas County, Texas; said tract being more particularly described as follows:

BEGINNING at a point in the south line of Belt Line Road, a 100 foot wide right of way; said point being along said south line of Belt Line Road, S 89° 56' 45" W, 270.50 feet from the northwest corner of the Beltwood Business Park, Third Installment, an addition to the City of Addison as recorded by plat in Volume 72178, Page 594, Deed Records of Dallas County, Texas;

THENCE, N 89° 56' 45" E, with said South line, 270.50 feet to a point for corner; said point being the northwest corner of said Beltwood Business Park and the northeast corner of a 10 foot wide utility easement as dedicated by plat recorded in Volume 73125, Page 2304, Deed Records of Dallas County, Texas;

THENCE, S 00° 03' 00" E, with the west line of said business park, 353.00 feet to a point for corner;

THENCE, S 89° 57' 00" W, 280.50 feet to a point for corner in the East line of Beltway Drive, a 60 foot wide right of way as dedicated by plat recorded in Volume 73125, Page 2316, Deed Records of Dallas County, Texas;

THENCE, N 00° 03' 00" W, with said East line, 19.98 feet to an angle point;

THENCE, N 05° 41' 21" E, continuing with said east line, 100.00 feet to an angle point;

THENCE, N 00° 03' 00" W, continuing with said east line, 233.50 feet to the place of beginning;

CONTAINING: 96,181.09 square feet or 2.208 acres of land.

Tract 2

Being a tract or parcel of land situated in the City of Addison, Dallas County, Texas, and being part of the Elisha Fike Survey, Abstract 478, and also being part of that tract of land conveyed to Robert W. Collins, Trustee, and Carroll N. Rather, Trustee, by deed recorded in Volume 72250, Page 2241, of the Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a point in the East line of Beltway Drive (60 feet wide), said point being in a southerly direction along the east line of Beltway Drive a distance of 353.48 feet from the intersection of the East line of Beltway Drive and the southerly line of Belt Line Road (100 feet wide);

THENCE South  $89^{\circ} 57' 00''$  West a distance of 280.50 feet to a point for corner, said point being in the westerly line of Beltwood Business Park, 3rd Installment, an addition to the City of Addison as recorded in Volume 72178, Page 594, of the Map and Deed Records of Dallas County, Texas;

THENCE South  $0^{\circ} 03'$  East a distance of 667.77 feet to a point for corner, said point being the southwest corner of said Beltwood Business Park, 3rd Installment and in the northerly line of Beltwood Business Park, 2nd Installment, an addition to the City of Addison as recorded in Volume 72054, Page 515, of the Map and Deed Records of Dallas County, Texas;

THENCE due west along said northerly line of Beltwood Park a distance of 340.50 feet to a point for corner;

THENCE north  $0^{\circ} 03'$  West a distance of 255.48 feet to a point for corner in the South line of Beltway Drive;

THENCE due East along the south line of Beltway Drive a distance of 60.00 feet to a point for corner;

THENCE North  $0^{\circ} 03'$  West along said easterly line of Beltway Drive a distance of 412.04 feet to the PLACE OF BEGINNING and containing 4.6511 Acres.

SECTION 2. That all ordinances of the city in conflict with the provisions of this Ordinance be, and the same are, hereby repealed and all other ordinances of the city not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 3. That the above described property shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the city as amended herein by the granting of this zoning classification.

Section 4. That should any paragraph, sentence, 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 as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred (\$200.00) Dollars for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 6. Whereas, 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 and creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption as the law in such cases provides.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on the  
7th day of July A.D., 1975.

  
MAYOR

ATTEST:

  
City Secretary

APPROVED AS TO FORM:

  
Robert L. McCallum, City Attorney