

ORDINANCE NO. 548

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT (SAMOLI'S) TO BE LOCATED AT PRESTONWOOD JUNCTION SHOPPING CENTER AT BELT LINE ROAD/ PROPOSED MONTFORT DRIVE AND TO BE MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR A FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATING SAID ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Addison, Texas, and the Governing Body of the City of Addison, Texas, in compliance with the Zoning Ordinance of the City of Addison and the laws of the State of Texas with reference to the granting of change of zoning under existing zoning regulations, 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 persons interested in and situated in the affected area and in the vicinity thereof, the Governing Body of the City of Addison is of the opinion that a special use permit authorizing the location of a restaurant should be granted, 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, as heretofore amended, be, and the same is hereby

Tract 2

BEING a tract of 16.097 acres of land in the Allen Bledsoe Survey, Abstract No. 157, Dallas County, Texas; and being more particularly described as follows:

COMMENCING at the point of intersection of the Northwest line of Celestial Road, with the present Northeast line of Montfort St. (25.0 feet from centerline); Thence N 73° 22' 00" E, along the Northwest line of Celestial Road, 15.13 feet to its intersection with the proposed Northeast line of Montfort St.; Thence N 23° 49' 41" W, along the proposed Northeast line of Montfort St., 1115.23 feet to the POINT OF BEGINNING of the 16.097 acre tract described herein: THENCE northerly, along the proposed Northeast line of Montfort Street and along the Easterly line of a proposed road, as follows: 1st N 23° 24' 00" W, 568.31 feet to the beginning of a curve to the right that has a Central Angle of 53° 13' 50", a Radius of 460.0 feet and a Tangent of 230.5 feet; 2nd Northeasterly, around said curve, 427.36 feet; 3rd, N 29° 50" E, 6.65 feet to the beginning of a curve to the left that has a Central Angle of 30° 00' 00", a radius of 540.0 feet and a tangent of 144.69 feet; 4th northerly, around said curve, 282.74 feet; 5th N 00° 10' 10" W, 194.78 feet to its intersection with the South line of Belt Line Road; THENCE N 89° 49' 50" E, along the South line of Belt Line Road, 569.11 feet;

THENCE S 00° 10' 10" E, 665.13 feet;

THENCE S 75° 13' 25" E, 12.84 feet;

THENCE S 00° 10' 10" E, 116.56 feet;

THENCE S 48° 00' 00" W, 335.0 feet;

THENCE S 20° 35' 30" W, 391.63 feet;

THENCE S 66° 36' 00" W, 75.0 feet to the POINT OF BEGINNING and Containing 16.097 acres of land.

SECTION 2. That all ordinances of the City of Addison 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 Addison, including the comprehensive zoning ordinance, not in conflict with the provisions of this ordinance shall remain in full force and effect.

amended by amending the zoning map of the City of Addison so as to grant a special use permit on the hereinafter described property authorizing the location of a restaurant, on such property which is presently zoned "LR" Local Retail District Classification, the said area to be covered by said special use permit being described as follows:

Tract 1

BEING a tract of 5.000 acres of land in the Allen Bledsoe Survey, Abstract No. 157, Dallas County, Texas; and being more particularly described as follows:

COMMENCING at the point of intersection of the Northwest line of Celestial Road with the present Northeast line of Montfort Street (25.0 feet from centerline); THENCE Northwesterly, along the present Northeast line of Montfort (parallel to and 25.0 feet northeast of the centerline of same), as follows; 1st N 23° 24' 00" W, 825.16 feet to its intersection with the northwest line of a proposed road, this being the POINT OF BEGINNING of the 5.000 acre tract described herein:

THENCE northwesterly, continuing along the northeast line of Montfort Street (parallel to and 25.0 feet northeast of the centerline of same), as follows: 1st. N 23° 24' 00" W, 119.06 feet; 2nd N 41° 54' 00" W. 692.17 feet;

THENCE N 28° 44' 55" E, along a cut back corner with Belt Line Road, 29.59 feet to a point in the South line of Belt Line Road;

THENCE N 89° 49' 50" E, along the South line of Belt Line Road, 628.48 feet to its intersection with the West line of said proposed road;

THENCE Southerly, along the westerly lines of said road, as follows: 1st, S 00° 10" E, 194.78 feet to the beginning of a curve to the right that has a Central Angle of 30° 00' 00", a radius of 460.00 feet and a Tangent of 123.26 feet; 2nd, Southwesterly, around said curve 240.85 feet; 3rd, S. 29° 49' 50" W, 6.65 feet to the beginning of a curve to the left that has a Central Angle of 24° 49' 43", a Radius of 540.0 feet and a tangent of 118.87 feet; 4th, Southwesterly, around said curve, 234.0 feet to the POINT OF BEGINNING and containing 5.000 acres of land.

SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided for in the comprehensive zoning ordinance of the City of Addison, as heretofore amended, and as amended herein.

SECTION 4. That any person violating any 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 Addison, as heretofore amended, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense, and each day said violation shall be permitted to continue shall constitute a separate offense.

SECTION 5. 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 Addison, and creates an emergency and an urgency 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 of said ordinance one time in the official publication, as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON,
TEXAS, this the 11th day of December, 1979.

MAYOR



ATTEST:


CITY SECRETARY