

ORDINANCE NO. 549

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 66 OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY LOCATED EAST OF DOOLEY ROAD AND SOUTH OF THE ST LOUIS & SOUTHWESTERN RAILROAD, CONTAINING 4.9814 ACRES OF LAND AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, WHICH IS PRESENTLY ZONED INDUSTRIAL TO PLANNED DEVELOPMENT NO. 11 SHALL BE GRANTED WITH REFERENCE TO THE HEREIN DESCRIBED PROPERTY SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison, Texas, and the City Council 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 all persons interested and situated in the area, the City of Addison, Texas, is of the opinion that said change of zoning on application of Vantage Properties, Case #483, should be granted and the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative direction:

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, so as to give the hereinafter described property the following zoning district classification, to-wit: Planned Development No. 11. Said property being in the City of Addison, Dallas County, Texas, and being described as follows:

Being a tract of land situated in the E. Cook Survey, Abstract No. 326, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point of reference being at the intersection of the East line of Dooley Road (100' R.O.W.) and the South R.O.W. line of the St. Louis & Southwestern Railroad (100' R.O.W.); Thence South $89^{\circ} 41'$ East along the South R.O.W. line of St. Louis & Southwestern Railroad a distance of 195.0 feet to an iron rod found for the Point of Beginning of this tract;

THENCE South $88^{\circ} 51' 59''$ East, a distance of 76.23 feet to an iron rod found for a corner;

THENCE South $89^{\circ} 11' 14''$ East, a distance of 216.99' to an iron rod found for a corner;

THENCE North $84^{\circ} 35' 23''$ East, a distance of 79.73 feet to an iron rod found for a corner;

THENCE Departing from the South R.O.W. line of said St. Louis & Southwestern Railroad South $0^{\circ} 27' 09''$ East, a distance of 734.87 feet to an iron rod for a corner in the North line of Belt Line Road (100' R.O.W.);

THENCE North $84^{\circ} 58' 45''$ West along the North line of said Belt Line Road, a distance of 149.21' to a point of curvature of a circular curve to the left having a central angle of $2^{\circ} 54' 31''$, a radius of 2914.79 ft., a tangent of 74.0 feet, and an arc length of 147.97 feet to an iron rod found for a corner;

THENCE North $0^{\circ} 28' 23''$ West, a distance of 648.09 feet to a poing for a corner;

THENCE North $88^{\circ} 51' 59''$ West, a distance of 75.60 feet to an iron rod found for a corner;

THENCE North $1^{\circ} 04' 54''$ West, a distance of 60.10 feet to the POINT OF BEGINNING and containing 4.9814 acres of land.

SECTION 2. In the herein above described land or building, no land shall be used, erected or converted to any use other than:

1. Hotel;
2. Restaurant;
3. Parking structure to meet off-street parking requirements;
4. Access, utility, and drainage easements;
5. Accessory buildings, equipment, and uses customarily incident to the above uses:

SECTION 3. The following special conditions are placed upon the above described property:

1. As provided in Planned Development Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes;
2. No structures shall be located in the front yard for a depth of ten feet. However, drives of ingress and egress from the public street to the parking area shall be allowed to cross the front yard;
3. No building shall exceed two stories of thirty-five (35) feet in height;
4. All hotel facilities shall provide off-street parking at the ratio of one space per each guest room.
5. All restaurants shall provide off-street parking at a ratio of one space per each 100 square feet of floor area (exclusive of facilities within a hotel or motel);
6. All yard, set-back, parking, service and recreational area shall be landscaped and maintained in a neat and orderly manner;
7. Stucco must be installed as per code, if such a finish is used;
8. Lighting shall be provided along all driveways and emergency access easements and parking areas;
9. All outside lighting features shall be placed and reflected in such a manner so as not to create annoyance, nuisances or hazards;

10. Mechanical equipment shall be constructed, located, and screened so as not to interfere with the peace, comfort and repose of the occupants of any adjoining building or residence;
11. All refuse and refuse containers shall be screened from the view of all public streets adjacent to the property by a solid fence or wall of at least six (6) feet in height;
12. No accessory use shall be constructed to permit the keeping of articles, goods, or materials in the open or exposed to public view.

SECTION 4. All paved areas, permanent drives, streets and drainage structures shall be constructed in accordance with standard City of Addison specifications adopted for such purpose, and the same shall be done to the satisfaction of the Director of Public Works.

SECTION 5. This Planned Development District is established pursuant to the Comprehensive Zoning Ordinance of the City of Addison as amended, and the provisions thereof unless directly conflict herewith, shall be applicable to the Planned Development District No. 11.

SECTION 6. 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 7. 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 Compre-

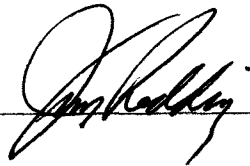
hensive Zoning Ordinance as a whole.

SECTION 8. 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 Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 9. 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.

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

MAYOR



ATTEST:

Jacque Sharp
CITY SECRETARY