

ORDINANCE NO. 595

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 LOCATED WEST OF ADDISON ROAD AND NORTH OF WESTGROVE, CONTAINING 11.33 ACRES OF LAND AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE FROM "R-1" RESIDENTIAL TO "PD" PLANNED DEVELOPMENT NO. 12; PROVIDING FOR SPECIAL CONDITIONS; 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 Wycliffe, International 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. 12. Said property being in the City of Addison, Dallas County, Texas, and being described as follows:

BEING a tract of land lying in the City of Addison, Texas, and being in the William Lomax Survey, Abstract No. 792, the Levi Nobles Survey, Abstract No. 1098, and the Eli Sheppard Survey, Abstract No. 1361 of Dallas County, Texas; and being also described as the east 100 feet of Lots 4 and 5 and all of Lots 19 and 20 in Block "B" of Carroll Estates Addition, a subdivision filed 2-24-47 and recorded in Volume 10, Page 473, Map Records of Dallas County, Texas; and being described more particularly as follows:

BEGINNING at a point lying on the west line of Addison Road, said point being N 00° 13' 00" E, 1,014.00 feet from the intersection of said west line of Addison Road with the north line of Westgrove Drive,

THENCE, S 89° 57' 00" W, 730.00 feet to a point;

THENCE, N 00° 13' 00" W, 676.00 feet to a point;

THENCE, N 89° 37' 00" E, 730.00 feet to a point on the west line of Addison Road;

THENCE, S 00° 13' 00" W, 676.00 feet along the west line of Addison Road to its point of beginning and containing 11.33 acres of land more or less.

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

1. Antique shop;
2. Art gallery;
3. Bakery, retail sales only;
4. Bank, office, wholesale sales office or sample room, barber and beauty shops;
5. Bird and pet shops, retail;
6. Book or stationery store;
7. Cafe with drive-in facilities or curb service;
8. Cafeteria;
9. Camera shop;
10. Candy, cigars and tobaccos, retail sales only;
11. Caterer and wedding service;
12. Cleaning, dyeing and laundry pick-up station for receiving and delivery of articles to be cleaned;
13. Cleaning and pressing shops having an area of not more than 6,000 square feet;
14. Curtain cleaning shop having an area of not more than 6,000 square feet;
15. Department store, novelty or variety shop, retail sales only;
16. Drug store, retail sales only;
17. Film developing and printing;
18. Fix-it shops, bicycle repairs, saw filing, lawn mower sharpening, retail only, but without outside storage;
19. Florist, retail sales only;
20. Furniture store, retail only;
21. Gasoline filling station;
22. Grocery store, retail sales only;
23. Hardware, sporting goods, toys, paints, wall paper, clothing, retail sales only;
24. Household and office furniture, furnishings and appliances, retail;
25. Hotels and motels;
26. Jewelry, optical goods, photographic supplies, retail sales;
27. Letter and mimeograph shop;
28. Library, rental;
29. Meat market, retail sales only;
30. Moving picture theater;
31. Nursery, retail sale of plants and trees;
32. Office building;
33. Photographers or artists studio;
34. Parking lot without public garage or automobile facilities for the parking of passenger cars and trucks of less than one (1) ton capacity only;
35. Professional offices for architect, attorney, engineer, real estate, doctor, dentist, chiropractor or similar use;
36. Public garage, parking, no repairs;
37. Piano and musical instruments, retail sales only;
38. Restaurant without curb or drive-in service (service to be entirely within the building);
39. Retail store or shop for custom work or the making of articles to be sold for retail on the premises;

40. Seamstress, dressmaker or tailor;
41. Shoe repair shop, retail sales only;
42. Studios, dance, music, drama, health, massage, and reducing;
43. Studio for the display and sale of glass, china, art objects, cloth and draperies;
44. Taxi stand;
45. Wearing apparel, including clothing, shoes, hats, millinery and accessories;
46. Accessory buildings and uses customarily incident to the above uses.

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

- (a) Said property shall be improved in accordance with the attached development plans as required by the Planned Development District Article of the Comprehensive Zoning Ordinance;
- (b) No building shall exceed six (6) standard stories in height, and no structure, including mechanical penthouses, antennas, etc., shall exceed the height allowed by FAA.
- (c) Off-street parking shall be provided for each use according to the ratios specified in the comprehensive Zoning Ordinance.
- (d) Maximum land coverage for any use shall be 50% (first floor of building).
- (e) All paved areas, permanent drives, streets, and drainage structures shall be constructed in accordance with standard City of Addison specifications adopted for such purposes, and the same shall be done to the satisfaction of the Director of Public Works.
- (f) All driveways, parking areas, access easements, and walkways shall be illuminated.
- (g) All exterior lighting sources shall be placed and reflected in such a manner so as not to create annoyances, nuisances, or hazards.
- (h) All building sides must be faced with face brick, stone concrete, aluminum, glass, stucco, or with similar quality face materials. Wood veneer over approved structural frame shall be allowed when such construction is allowed by the City of Addison Building Code.
- (i) Wood frame construction of exterior walls shall be prohibited.
- (j) All utilities (public and private) shall be underground.
- (k) Mechanical equipment shall be constructed, located, and screened so as not to interfere with the peace, comfort, and response of the occupants of any adjoining building.
- (l) 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.
- (m) No accessory use shall be constructed to permit the keeping of articles, goods, or materials in the open or exposed to public view.

- (n) Landscaping shall be required on all sites contemporaneously with completion of other improvements, but in no extent later than 180 days after first occupancy or completion of buildings, which ever shall first occur.
- (o) Automatic underground sprinkling systems shall be provided for landscaped areas.
- (p) No obstruction of sight lines at street or driveway intersections shall be permitted.
- (q) Owners and occupants (including lessees) of any part of The Properties shall jointly and severally have the duty and responsibility, at their sole cost and expense, to keep that part of The Properties so owned or occupied, including buildings, improvements and grounds in connection therewith, in a well-maintained, safe, clean, and attractive condition at all times. Such maintenance shall include, but is not limited to, the following,
 - 1. Prompt removal of all litter, trash, refuse, and wastes
 - 2. Lawn mowing
 - 3. Tree and shrub pruning
 - 4. Watering
 - 5. Keeping exterior lighting and mechanical facilities in working order
 - 6. Keeping lawn and garden areas alive, free of weeds, and attractive
 - 7. Keeping parking areas, driveways, and roads in good repair
 - 8. Complying with all government health and police requirements
 - 9. Striping of parking areas and repainting of improvements
 - 10. Repair of exterior damages to improvements
 - 11. Provide and maintain driveway marking and striping as required for fire lanes as required by the Addison Fire Marshal.
- (r) All signage shall conform to the standards established by the City of Addison Sign Ordinance.

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. 12.

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 Comprehensive 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 10 day of June, 1980.

MAYOR



ATTEST:


CITY SECRETARY