

ORDINANCE NO. 624

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 FROM APARTMENT AND RESIDENTIAL TO PLANNED DEVELOPMENT NO. 16 ON 41.5 ACRES LOCATED SOUTH OF BELT LINE, WEST OF MIDWAY ROAD AND EAST OF MARSH LANE; THAT PLANNED DEVELOPMENT DISTRICT NO. 16 SHALL BE GRANTED WITH REFERENCE TO THE HEREIN DESCRIBED PROPERTY, SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; PROVIDING FOR A PENALTY; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL; AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the City of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the City of Addison, Texas, as required by State Statutes and the zoning ordinance of the City of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the City of Addison, Texas does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the City of Addison, and helps promote the general welfare and safety of this community, 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: Planned Development District #16. Said property being in the City of Addison, Dallas County, Texas, and being described as follows:

Being a tract of land situated in the City of Addison, Dallas County, Texas, and being a part of the Thomas L. Chenoweth Survey, Abstract 273, and also being a part of the tract of land conveyed to J. E. Bush by three deeds recorded in Volume 2591, Page 513; Volume 3406, Page 232; and Volume 934, Page 55, of the Deed Records of Dallas County, Texas; and being more particularly described as follows:

COMMENCING at the intersection of the easterly line of Marsh Lane (variable width) with the southeasterly cut-off line between the said easterly line of Marsh Lane and the southerly line of Belt Line Road (100 foot right-of-way);

THENCE South 0°55'22" West along the easterly line of Marsh Lane a distance of 920.00 feet to an angle point;

THENCE 5°59'42" West along the easterly line of Marsh Lane a distance of 169.66 feet to an angle point;

THENCE South 0° 55'22" West along the easterly line of Marsh Lane a distance of 145.00 feet to a point for corner;

THENCE South 89°04'38" East a distance of 82.35 feet to the beginning of a curve to the right;

THENCE in a southeasterly direction along said curve to the right having a radius of 500.00 feet, a central angle of 35°00'00" and an arc length of 305.43 feet to the end of said curve to the right;

THENCE South 54°04'38" East a distance of 290.76 feet to the POINT OF BEGINNING of the herein described tract and the beginning of a curve to the left;

THENCE in a southeasterly, easterly and northeasterly direction along said curve to the left having a radius of 800.00 feet, a central angle of 88°59'27" and an arc length of 1242.55 feet to the end of said curve to the left;

THENCE South 53°04'05" East a distance of 52.11 feet to the beginning of a curve to the right;

THENCE in a southeasterly, southerly and southwesterly direction along said curve to the right having a radius of 250.00 feet, a central angle of 54°00'00" and an arc length of 235.62 feet to the end of said curve to the right;

THENCE South 0°55'55" West a distance of 248.06 feet to the beginning of a curve to the left;

THENCE in a southwesterly, southerly and southeasterly, direction along said curve to the left having a radius of 800.00 feet, a central angle of 54°30'00" and an arc length of 760.96 feet to the end of said curve to the left;

THENCE South 36°25'55" West a distance of 325.00 feet to the beginning of a curve to the right;

THENCE in a southwesterly, westerly and northwesterly direction along said curve to the right having a radius of 700.00 feet, a central angle of 66°00'00" and an arc length of 806.34 feet to the end of said curve to the right;

THENCE North 77°34'05" West a distance of 200.00 feet to the beginning of a curve to the right;

THENCE in a northwesterly, northerly and northeasterly direction along said curve to the right having a radius of 500.00 feet, a central angle of 80°00'00" and an arc length of 698.13 feet to the end of said curve to the right;

THENCE North 2°25'55" East a distance of 45.00 feet to the beginning of a curve to the left;

THENCE in a northeasterly, northerly and northwesterly direction along said curve to the left having a radius of 1000.00 feet, a central angle of 27°00'00" and an arc length of 471.24 feet to the end of said curve to the left;

THENCE North 24°34'05" West a distance of 115.94 feet to the beginning of a curve to the right;

THENCE in a northwesterly, northerly and northeasterly direction along said curve to the right having a radius of 300.00 feet, a central angle of 60°29'27" and an arc length of 316.73 feet to the end of said curve to the right;

THENCE North 35°55'22" East a distance of 49.66 feet to the POINT OF BEGINNING and containing 41.5 acres, 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. Townhouse/Condominium Mid-rise
2. Zero Lot Line

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

- 1) Maximum height limitation of four (4) stories.

- 2) Maximum units per acre - twenty-four (24).
- 3) Each unit shall have a minimum of one (1) covered, enclosed parking space. Each unit shall have a minimum of one (1) parking space for each 500 square feet of air-conditioned space. A minimum of 1/2 space shall be provided for each unit for guest parking. Parking may be averaged, but must be in proximity to the unit served.
- 4) 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 eight (8) feet in height.
- 5) That prior to final plat approval by the City Council any homeowners covenants of restrictions shall be first approved by the City Council.

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, unless otherwise approved by the City Council.

SECTION 5. 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 6. 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 of 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 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 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 8. The fact that the present ordinances and regulations of the city are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the city creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, as provided by law, and it is accordingly so ordained,

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON,  
TEXAS on this the 14 day of October, 1980.

MAYOR



ATTEST:

CITY SECRETARY

