

ORDINANCE 625

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 RESIDENTIAL TO PLANNED DEVELOPMENT NO. 17 ON 22.8 ACRES LOCATED SOUTH OF BELT LINE ROAD, WEST OF MIDWAY ROAD AND EAST OF MARSH LANE; THAT PLANNED DEVELOPMENT NO. 17 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 No. 17, allowing local retail uses as provided herein. 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 part of the Thomas L. Chenoweth Survey, Abstract 273, and also being 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:

BEGINNING at a point for corner at the intersection of the westerly line of Midway Road (100 foot right-of-way) and the southerly line of a 100 foot wide D.P.&L. Company 100-foot right-of-way, said point also being the most easterly northeast corner of said J. E. Bush tracts;

THENCE South 0°52'02" West along said westerly line of Midway Road a distance of 1168.11 feet to a point for corner;

THENCE North 89°21'22" West a distance of 850.00 feet to a point for corner;

THENCE North 0°52'02" East a distance of 1167.64 feet to a point for corner;

THENCE South 89°23'17" East a distance of 850.00 feet to the POINT OF BEGINNING and containing 22.8 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:

- Antique Shop
- Aquarium
- Art Gallery
- Bakery, retail sales only
- Bank, office, wholesale sales office or sample room
- Barber and beauty shop
- Bird and pet shops, retail
- Book or stationery store
  
- Camera shop
- Candy shop
- Caterer and wedding service
- Cleaning, dyeing and laundry pick-up station for receiving and delivery of articles to be cleaned, dyed and laundered, but no

actual work to be done on premises  
Cleaning and pressing shops having an area of not more than  
6000 square feet  
Curtain cleaning shop having an area of not more than 6000  
square feet  
Department store, novelty or variety shop, retail sales only  
Drug store, retail sales only  
Electrical goods, retail sales only  
Film developing and printing  
Florist-retail sales only  
Furniture store retail only  
Frozen food lockers, retail  
Grocery store, retail sales only  
Hardware, sporting goods, toys, paints, wall paper, clothing  
retail sales only  
Household and office furniture, furnishings and appliances,  
retail  
Job Printing  
Jewelry, optical goods, photographic supplies, retail sales  
only in the home, where custom laundering and finishing  
may be done. The shop shall not exceed 6000 square feet in  
area and no pick-up and deliver shall be operated.  
Letter and mimeograph shop  
Library, rental  
Meat market, retail sales only  
Movie picture theatre

Office building  
Parking lot without public garage or automobile facilities for  
the parking of passenger cars and trucks of less than one (1)  
ton capacity only  
Photographers or artists studio  
Professional offices for architect, attorney, engineer and  
real estate  
Piano and musical instruments, retail sales only  
Retail store or shop for customwork or the making of articles  
to be sold for retail on the premises  
Seamstress, dress maker or tailor  
Shoe repair shop, retail sales only  
Studios, dance, music, drama, health, massage, and reducing  
Studio for the display and sale of glass, china, art objects,  
cloth and draperies  
Taxi Stand  
Washateria, equipped with automatic washing machines of the  
type customarily found in a home and where the customers may  
personally supervise the washing and handling of his laundry  
Wearing apparel including clothing, shoes, hats, millinery  
and accessories  
Accessory buildings and uses customarily incident to the above  
uses  
Hotel/Motel

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 development plans which will be presented at a later date.
- 2) No building shall exceed two (2) stories in height north of the projection of Proton Road, nor be within 100' of the rear property line. No building shall exceed four (4) stories in height south of the projection of Proton Road.
- 3) No building within 100' of a residential lot.
- 4) Area regulations and parking regulations, unless contrary to specific provisions herein, shall be governed by those regulations set forth in the Local Retail District Classification of the Comprehensive Zoning Ordinance of the City of Addison.
- 5) All refuse and refuse containers shall be screened from the public streets adjacent to the property by a solid fence or wall of at least eight (8) feet in height.
- 6) All yard, set back, parking, service and recreational areas shall be landscaped and maintained in a neat and orderly manner.
- 7) A minimum of 10% of each site plan will be landscaped green areas with at least 1/2 of the landscaping internal to the lot.
- 8) There shall be berms and/or landscaped fencing adjacent to areas prescribed for single-family residences.
- 9) No mechanical equipment shall be constructed to permit the keeping of articles, goods, or materials in the open or exposed to public view.
- 10) Prior to the issuance of building permits, the installation of street paving, sanitary sewer, and storm sewer conforming to the requirements therefore of the City of Addison for property being 40.0 acres zoned through Ordinance #623 must be under contract for construction before any building permits will be issued on the land hereinabove described.
- 11) Prior to the issuance of building permits the Council must approve a set of restrictions similar to those for Quorum South which are attached as guidelines for the hereinabove described land. (Guidelines on file in City Secretary's Office.)

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 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 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 *John Kelly*

ATTEST:

*Jacque Sharp*  
CITY SECRETARY