

ORDINANCE NO. 739

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY, CASE #635, MEPC, LOCATED GENERALLY AT THE SOUTHWEST CORNER OF DALLAS PARKWAY AND ARAPAHO ROAD (QUORUM NORTH) FROM "C" COMMERCIAL TO "PD" PLANNED DEVELOPMENT NO. 23 AND REQUESTING A VARIANCE TO ALLOW 25% OF THE PARKING AREA FOR COMPACT CARS; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; 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 amendment; 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 Ordinance No. 66, 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. 23. Said property being in the City  
of Addison, Texas, and being described as follows:

WHEREAS, the M.E.P.C. Quorum Properties, Incorporated acting  
through Paul Speicher, its duly authorized agent, is sole owner  
of a 12.969 acre tract of land situated in the G. W. Fisher  
Survey, Abstract No. 482, said tract being part of Quorum North,  
an addition to the City of Addison, Dallas County, Texas, as  
recorded in Volume 80191, Page 265 of Deed Records, Dallas  
County, Texas on September 25, 1980 and being more particularly  
described as follows:

BEGINNING at a point, said point being the intersection point of  
the south right-of-way line of Arapaho Road (115' R.O.W. at this  
point) and the west right-of-way line of Dallas Parkway (200'  
R.O.W.), SAID POINT ALSO BEING THE POINT OF CURVATURE OF A CURVE  
TO THE RIGHT WHOSE DELTA IS 10°15'28" and whose radius is 2191.83  
feet;

THENCE Southerly, along said curve, for a distance of 392.40 feet  
to the point of tangency thereof;

THENCE S 10°56'00" W for a distance of 288.39 feet to a point for  
a corner;

THENCE S 85°50'54" W for a distance of 884.52 feet to a point for  
a corner, said point being located in the east right-of-way of  
Arapaho Road (80' R.O.W.);

THENCE N 00°25'00" W along the east right-of-way line of Arapaho  
Road for a distance of 317.82 feet, to the point of curvature of  
a curve to the right whose delta is 64°21'46" and whose radius is  
190.43 feet;

THENCE along said curve to the right for a distance of 213.92 feet to the point of tangency thereof;

THENCE N 63°56'46" E for a distance of 368.91 feet to a point, said point being the point of curvature of a curve to the right whose delta is 21°28'35" and whose radius is 750.97 feet;

THENCE along said curve to the right for a distance of 281.49 feet to the point of tangency thereof:

THENCE N 85°25'21" E for a distance of 171.80 feet to a point for a corner;

THENCE S 88°21'05" E for a distance of 99.51 feet to the POINT OF BEGINNING;

CONTAINING 554,941.83 square feet or 12.969 acres of land.

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 beauty shops.
5. Bird and pet shops, retail.
6. Book or stationery store.
7. Cafeteria
8. Camera shop
9. Candy, cigars and tobaccos, retail sales only.
10. Caterer and wedding service.
11. Cleaning, dyeing and laundry pick-up station for receiving and delivery of articles to be cleaned.
12. Cleaning and pressing shops having an area of not more than 6,000 square feet.
13. Department store, novelty or variety shop, retail sales only.
14. Drug store, retail sales only.
15. Film developing and printing.
16. Florist, retail sales only.
17. Furniture store, retail only.
18. Hardware, sporting goods, toys, paints, wall paper, clothing, retail sales only.
19. Household and office furniture, furnishings and appliances, retail.
20. Jewelry, optical goods, photographic supplies, retail sales.
21. Letter and mimeograph shop.
22. Library, rental.
23. Meat market, retail sales only.
24. Motor bank

25. Office building
26. Photographers or artists studio.
27. Parking lot without public garage or automobile facilities for the parking of passenger cars and trucks of less than one (1) ton capacity only.
28. Professional offices for architect, attorney, engineer, real estate, doctor, dentist, chiropractor or similar use.
29. Public garage, parking, no repairs.
30. Piano and musical instruments, retail sales only.
31. Restaurant without curb or drive-in service (service to be entirely within the building).
32. Retail store or shop for custom work or the making of articles to be sold for retail on the premises.
33. Seamstress, dressmaker or tailor.
34. Shoe repair shop, retail sales only.
35. Studios, dance, music, drama, health, massage, and reducing.
36. Studio for the display and sale of glass, china, art objects, cloth and draperies.
37. Wearing apparel, including clothing, shoes, hats, millinery and accessories.

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 <sup>16</sup>~~15~~ 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 at a ratio of 1 space per every 300 sq. ft. of net leasable area.
- d) All parking spaces are to be 8½ x 18.
- 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, whichever 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 heretofore amended, and the provisions thereof unless directly conflict herewith, shall be applicable to the Planned Development District No. 23.

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 provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this 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 required 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.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on this the 27 day of October, 1981.

MAYOR



ATTEST:

*Jacque Sharp*  
CITY SECRETARY