

ORDINANCE NO. 827

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY LOCATED ON THE NORTH SIDE OF BROADWAY AND EAST OF ADDISON ROAD FROM COMMERCIAL ZONING ON APPLICATION FROM BARSHELL DEV AND KLEPAK INVESTMENTS, TO PLANNED DEVELOPMENT ZONING SUBJECT, HOWEVER, TO SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; PROVIDING FOR A PENALTY; PROVIDING FOR A SEVERABILITY; PROVIDING FOR A REPEAL, AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas as required by State Statutes and the zoning ordinance of the Town 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 Town 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 Town of Addison, and helps promote the general welfare and safety of this community, now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, be, and the same is hereby amended to give the hereinafter described property the following zoning district classification, to-wit: Planned Development Zoning No. 28. Said property being in the Town of Addison, Texas, and being described as follows:

Being lots 6 and 7, Block No. A, of Original Town of Addison Addition, an addition to the Town of Addison, Texas, according to the plat recorded in Volume 1, Page 35, of the Map Records of Dallas County.

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

1. Professional and administrative offices;
2. Residential uses (Two Dwelling);

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

1. As provided in Planned Development District 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 building shall exceed three stories or thirty-five feet in height.
3. Professional and administrative office uses shall provide off-street parking at a ratio of one (1) space for each 300 square feet of floor area. Residential (apartment) uses shall provide off-street parking at a ratio of one and one-half (1 1/2) spaces per unit.
4. That future utility construction comply with the Addison Old Town utility plan.
5. 2 1/2 Foot Bay Windows will be allowed.

6. That the property be platted in accordance with the subdivision regulations.
7. The off-site parking lot needed to meet the required parking ratio be platted in connection with the proposed building site.
8. That the front side and rear yard set-backs be established as per the attached "PD" District plan.
9. All exterior surfaces shall be of brick, wood or stucco, either veneer or load bearing. Stone or precast concrete may be permitted as elements of an arched opening or sill of an opening, or as quoins at corners of the building or trim at vertical openings. Stucco shall not exceed 25% of the surface area of the front elevation or side elevation facing the street. Substitution of synthetic materials shall not be permitted. Use of salvaged 19th Century building elements (i.e., cast iron storefront) shall be permitted upon approval of the Architectural Control Committee.
10. All outside lighting features shall be placed and reflected in such a manner so as not to create annoyance, nuisances or hazards.
11. Lighting shall be provided along all driveways and emergency access easements and parking areas.
12. 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 or residence.
13. 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.
14. 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 structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose, and the same shall be done to the satisfaction of the Director of Community Development.

SECTION 5. 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 6. 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 7. 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 8. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 21 day of September, 1982.

MAYOR 

ATTEST:

  
CITY SECRETARY

9/29/82  
EFFECTIVE DATE