

ORDINANCE NO. 829

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 SOUTHWEST CORNER OF DALLAS PARKWAY AND SOJOURN LANE ON APPLICATION FROM RANDY HEADY, FROM LOCAL RETAIL DISTRICT TO PLANNED DEVELOPMENT DISTRICT SUBJECT, HOWEVER, TO SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL CLAUSE, 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 NO. Said property being in the Town of Addison, Texas, and being described as follows:

Being 2.410 acres of land situated in the E. Shepherd Survey, Abstract 1361 and the W. Lomax Survey, Abstract 792 and in the Town of Addison, TEXAS, Dallas County, and being more particularly described as follows:

Beginning at a point which is the intersection of the East Right-of-Way line of Addison Road (A 60' R.O.W.) and the South Right-of-Way line of Sojourn Lane (A 60' R.O.W.);

Thence North 89° 34' 56" East a distance of 350.32 feet along said south Right-of-Way line of Sojourn Lane to a point for a corner, said corner being on the West Right-of-Way line of Dallas Parkway (a 200' R.O.W.);

Thence South 02° 01' 34" West along said West Right-of-Way line of Dallas Parkway a distance of 300.00 feet to a point for corner;

Thence South 89° 34' 56" West a distance of 350.32 feet to a point for a corner, said corner being on said East Right-of-Way line of Addison Road;

Thence North 02° 01' 34" East along side East Right-of-Way line of Addison Road a distance of 300.00 feet to the point of beginning;

Containing 104,979.60 square feet of 2.410 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. Professional and administrative offices;
2. Sundry retail uses of 1,200 square feet;
3. Restaurant (cafeteria) uses of 2,500 square feet;

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 five (5) stories or fifty-eight feet in height.
3. All parking shall be provided at a ratio of one (1) space for each 300 square feet of gross leasable area.
4. All yard, set-back, parking, service and recreational area shall be landscaped as per the attached landscaping plan and maintained in a neat and orderly manner.
5. At least eighty percent (80%) of the exterior walls of all structures shall be of masonry construction. The front and side walls shall be brick or stone veneer, tilt wall or stucco finish to blend with the adjacent structure. Wood-frame construction of exterior walls shall be prohibited, although wood veneer placed over masonry will be allowed.
6. All outside lighting features shall be placed and reflected in such a manner so as not to create annoyance, nuisances or hazards.
7. Lighting shall be provided along all driveway and emergency access easements and parking areas.
8. 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.
9. 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.

10. 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 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 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 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 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