

ORDINANCE NO. 083-071

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING LOCATED AT THE NORTHWEST CORNER OF BELT LINE ROAD AND SURVEYOR BLVD FROM INDUSTRIAL TO PLANNED DEVELOPMENT AND APPROVAL OF DEVELOPMENTAL SITE PLAN ON APPLICATION FROM MOTHER SHUCKER'S, INC.; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY 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 by amending the zoning map of the Town of Addison, Texas, so as to give the hereinafter described property the zoning district classification, to-wit: Planned Development Zoning District Classification. Said property being in the Town of Addison, Texas, and being described as follows:

BEING LOT 1 in SURVEYOR ADDITION in Addison West Industrial Park, an Addition to the City of Addison, Texas, according to the map thereof recorded in Volume 74024, page 815, Map Records of Dallas County, Texas.

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

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. Furniture store - 7000 square ft.
3. Restaurant - 2490 square ft.
4. Office - 5825 square ft.
5. Retail - 2400 square ft.

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

1. A driveway be cut between the front parking area and the service drive to the rear parking area.
2. The rear parking area to be an area for employee

parking and that the parking spaces be stripped.

3. That the landscaping be estimated and maintained in accordance with the recommendations of the landscape development department, per the attached memo dated 11/2/83 from Linda Smith, Director of Landscape Development.
4. A solid 6' high fence be placed at the rear of the property along the western property line.
5. That all other uses on the property hereinabove described shall conform to the "LR" Local Retail District Classification in the Comprehensive Zoning Ordinance of the Town of Addison.

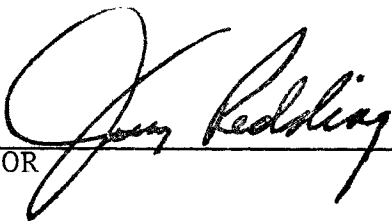
SECTION 4. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose.

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.

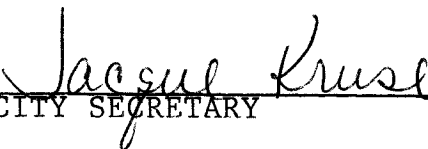
SECTION 6. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 7. 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, on this the 22nd day of November, 1983.


MAYOR

ATTEST:


CITY SECRETARY

CASE # 803Z

TAX # 1-21-0006



November 2, 1983

MEMO TO: Mark Hill, Planning & Zoning Administrator
FROM: Linda Smith, Director of Landscape Development
SUBJECT: Zoning Request Case 803-Z/Mother Shuckers, Inc.

Mark, we have inspected the site and have noted the existing landscape. As you know, there are existing trees at this site on the parkway along Beltline and existing foundation planting (ornamental trees, shrubs, and ground cover) adjacent to the structure. We recommend the following landscape additions and remedial work for this site.

PARKWAY

- A sprinkler system should be installed to water the trees and grass in the parkway.
- The canopy of all the larger trees should be raised to 4 feet to allow for the area to be mowed and for grass to grow under the trees.
- All trees should be correctly pruned and shaped, based on the type of tree and growth characteristics.
- The grassy area should be improved to eliminate weeds and to correct the irregularity of the grade. We recommend that after the weeds are removed, the area should be top-dressed with sandy loam and sodded with Bermuda or St. Augustine sod.

FOUNDATION PLANTING

- The Tree Yaupons and Japanese Yew should be properly pruned and shaped.
- The Euonymous shrubs are infested with scale and should be replaced with shrubs which offer seasonal color and are more disease and pest resistant. We recommend Indian Hawthorn, Dwarf Indian Hawthorn, Nandina, Dwarf Nandina, Coton-easter, or Mahonia depending on the area to be replaced.

- Additional Asian Jasmine should be planted in the bare areas of the ground cover beds. All ground cover areas should be weed free.

Many of the existing plants are very desirable plants and are in good condition. With these few recommendations, we feel that the site improvement will be adequate for this location along Beltline Road.

Please let me know if I may be of further assistance.

Linda Smith
Linda Smith

/fjs

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