

ORDINANCE NO. 084-001

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 NORTHEAST CORNER OF BELTWAY DRIVE AND SURVEYOR BOULEVARD FROM "PD" PLANNED DEVELOPMENT TOWNHOUSE/CONDOMINIUM TO "PD" PLANNED DEVELOPMENT, ON APPLICATION FROM GREENBELT PROPERTIES; 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, Texas, 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: "PD" Planned Development Zoning. Said property being in the Town of Addison, Texas, and being described as follows:

COMMENCING at a found 3/8 inch iron rod at the north-east corner of said addition;

THENCE N 89° 25' 00" W, with the North line of said addition, a distance of 412.74 feet to a set 3/4 inch iron pipe, said iron pipe also being the POINT OF BEGINNING;

THENCE S 00° 35' 00", 99.92 feet to a cut 'x' in the centerline of a concrete drive;

THENCE, along the centerline of said concrete drive, the following:

N 89° 25' 00" W, 40.03 feet to a cut 'x';
S 00° 35' 00" W, 202.56 feet to a cut 'x';
S 23° 28' 00" E, 47.66 feet to a cut 'x';

THENCE S 00° 07' 15" E, 50.00 feet to a cut 'x' in the North line of said Beltway Drive and the South line of said addition;

THENCE S 89° 52' 45" W, along the North line of said Beltway Drive and the South line of said addition, 357.27 feet to a found 3/8 inch iron rod at the intersection of the East line of Surveyor Boulevard (right-of-way 60 feet) and the North line of said Beltway Drive;

THENCE N 00° 11' 31" E, along the East line of said Surveyor Boulevard and the West line of said addition, a distance of 320.71 feet to a found 3/8 inch iron rod for the point of curvature of a circular curve to the left having a radius of 630.00 feet;

THENCE northwesterly, along said circular curve to the left and with the easterly line of said Surveyor Boulevard and westerly line of said addition, through a central angle of 07° 16' 10", an arc distance of 79.93 feet, and having a chord which bears N 03° 26' 34" W, a distance of 79.88 feet to a found 3/8 inch iron rod;

THENCE S 89° 25' 00" E, along the North line of said addition, 385.04 feet to a 3/4 inch iron pipe set, said iron pipe also being the POINT OF BEGINNING and containing 140,410 square feet or 3.223 acres of land, 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:

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.

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

- 1) All on-site lighting be directed downward or towards the office buildings.
- 2) Building height be limited to twenty-nine feet (29).
- 3) Eight (8) foot high brick wall along the eastern property line.
- 4) Building to be dark brick.
- 5) Berming along Surveyor.
- 6) Wall along eastern property line be built first.
- 7) Final approval of dumpster and landscaping.
- 8) Final approval of buildings architectural design.


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 requires 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 10 day of January, 1984.


MAYOR

ATTEST:


CITY SECRETARY

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