

ORDINANCE NO. 084-060

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE SO AS TO CHANGE THE ZONING FROM "C" COMMERCIAL TO "PD" PLANNED DEVELOPMENT, LOCATED ON DALLAS PARKWAY BETWEEN KELLER SPRINGS ROAD AND WESTGROVE ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; ON APPLICATION FROM SUN DEVELOPMENT COMPANY; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY 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: "PD" Planned Development Zoning. Said property being in the Town of Addison, Texas, and being described as follows:

BEING a 15.000 acre tract of land situated in the City of Addison, Dallas County, Texas out of the William Lomax Survey, Abstract Number 792, and being part of the tracts conveyed to T.F. Stone - Liberty Land Associates by deeds recorded in Volume 80140, Page 1720 and Volume 83132, Page 0742, and part of the tract conveyed to T.F. Stone Companies, Inc. by deed recorded in Volume 82151, Page 0474 of the Deed Records of Dallas County, Texas said 15.000 acre tract being more particularly described as follows:

COMMENCING at a  $\frac{1}{2}$  inch rod found for corner at the intersection of the west right-of-way line of Dallas Parkway (a variable width right-of-way) and the north right-of-way line of Keller Springs Road (a 60 foot right-of-way);

THENCE with the west right-of-way line of Dallas Parkway, North  $01^{\circ}15'00''$  East a distance of 642.32 feet to a  $\frac{1}{2}$  inch iron rod set for corner for the POINT OF BEGINNING;

THENCE departing said west right-of-way North  $89^{\circ}55'43''$  West a distance of 898.59 feet to a  $\frac{1}{2}$  inch iron rod found for corner in the east right-of-way line of Hangar Road (a 45 foot right-of-way);

THENCE with said east right-of-way line the following:

North a distance of 675.88 feet to a  $\frac{1}{2}$  inch iron rod found for the point of curvature of a curve to the left with a radius of 450.00 feet;

With said curve to the left through a central angle of  $05^{\circ}49'02''$  an arc distance of 45.69 feet to a  $\frac{1}{2}$  inch iron rod set for corner;

THENCE departing said east right-of-way line South 89°55'43" East a distance of 905.88 feet to a ½ inch iron rod set in the said west right-of-way line of Dallas Parkway in a curve to the right, the radius point of said curve being situated South 84°08'09" West a distance of 1400.00 feet;

THENCE with said right-of-way line the following:

With said curve to the right through a central angle of 07°06'51" an arc distance of 173.83 feet to a ½ inch iron rod found for corner;

South 01°15'00" West a distance of 548.03 feet to the POINT OF BEGINNING;

CONTAINING an area of 15.000 acres (653,415 square feet) 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:

- the applicant provide the landscaping department with further drawings that may be necessary, and be subject to the recommendations of that department,
- the landscaping plan for each phase, or any building in that phase, be implemented prior to the issuance of a Certificate of Occupancy for any building in that phase.
- the proposed street within the site be built according to city standards. Note: the street is presently being proposed as a "private" street, but may be dedicated to the city at some point in the future.
- the applicant provide site drainage plans for this property, such plans being subject to the review and approval of the city engineer.

- the property be platted in accordance with the Subdivision Regulations, and
- the applicant work with the Fire Department, in the placement and identification of fire lanes.

SECTION 4. 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 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. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 28th day of August, 1984.

MAYOR



ATTEST:

  
ASSISTANT CITY SECRETARY

CASE #852-Z

APPROVED AS TO FORM:

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Subtotal  
02/84