

ORDINANCE NO. 084-076

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, SO AS TO CHANGE THE ZONING LOCATED ON THE EAST SIDE OF MONTFORT ROAD, ABOUT 850 FEET SOUTH OF BELT LINE ROAD FROM "LR" LOCAL RETAIL TO "PD" PLANNED DEVELOPMENT, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; ON APPLICATION FROM DONDI DEVELOPMENT; PROVIDING FOR SPECIAL CONDITIONS; 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. Said property being in the Town of Addison, Texas, and being described as follows:

Being a tract of land situated in the Allen Bledsoe Survey, Abstract No. 157, City of Addison, Dallas County, Texas and being more particularly described as follows:

BEGINNING at an iron pin in the East right-of-way line of Montfort Drive (an 80 foot right-of-way), said point being the most Northwesterly corner of Montfort Office Park, an addition to the City of Addison, Texas as recorded in Volume 81131, Page 310 of the Deed Records of Dallas County, Texas;

THENCE N 23°24'00" W, along said East line of Montfort Drive, a distance of 565.64 feet to an iron pin for corner;

THENCE N 89°49'50" E, leaving said East line of Montfort Drive, a distance of 195.47 feet to an iron pin for corner;

THENCE N 00°10'10" W, a distance of 197.00 feet to an iron pin for corner;

THENCE N 89°49'50" E, a distance of 485.00 feet to an iron pin for corner;

THENCE S 00°10'10" E, a distance of 97.56 feet to an iron pin for corner, said point being Oaks North Addition, an addition to the City of Addison, Texas, as recorded in Volume , Page , of the Deed Records of Dallas County, Texas;

THENCE S 47°39'12" W, a distance of 335.00 feet to an iron pin for angle point;

THENCE S 20°51'20" W, a distance of 390.71 feet to the POINT OF BEGINNING and containing 5.3886 acres of land more 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. The developer will work on landscaping details with the Addison Landscaping Department throughout construction of the project.
2. The developer will work with the city engineer throughout construction of the project.
3. The property be deed restricted to allow restaurant patrons to use the office parking on the site.

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.

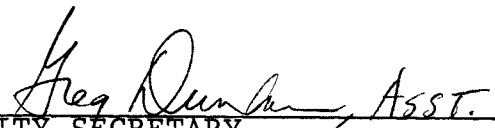
SECTION 6. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided 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 9<sup>th</sup> day of October, 1984.

MAYOR 

ATTEST:

  
CITY SECRETARY, ASST.

CASE #

TAX #

APPROVED AS TO FORM:

Mark Hill 11/6/84

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Published  
10/2/84