

ORDINANCE NO. 084-094

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM "LR" LOCAL RETAIL TO "PD" PLANNED DEVELOPMENT, LOCATED AT THE NORTHEAST CORNER OF BELT LINE ROAD AND MIDWAY ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; ON APPLICATION FROM MR. CLIFFORD WEINSTEIN; 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 Zoning. Said property being in the Town of Addison, Texas, and being described as follows:

BEING all the certain lot, tract or parcel of land situated off the Northeast corner of Belt Line Road and Dooley Road in the City of Addison, Dallas County, Texas, a part of the W.H. Witt Survey, Abstract No. 1609, and a part of the Edward Cook Survey, Abstract No. 326, and being more particularly described as follows:

BEGINNING at an iron stake in the intersection of the present North line of Belt Line Road, a 100 foot right-of-way and the present East line of Dooley Road (as relocated) visibility clip, said point being North 89 deg. 49 min. West 27.07 feet from the original center line of Dooley Road, a 60 foot right-of-way, said center line being the common line between said Witt and Cook Surveys;

THENCE North 45 deg. West 42.56 feet along the East line of said Dooley Road to an iron stake for corner, said point being 50 feet perpendicular distance from the relocated center line of Dooley Road;

THENCE North 00 deg. 11 min. West 22.15 feet along the present East line of Dooley Road to an iron stake for corner, point being the beginning of a curve to the right;

THENCE along a curve to the right having a central angle of 10 deg. 02 min. 22 sec., and a radius of 904.43 feet, an arc distance of 155.48 feet to a point for corner;

THENCE South 89 deg. 49 min. East 348.52 feet to an iron stake for corner;

THENCE South 00 deg. 12 min. 12 sec. East 209.98 feet along a wood fence to an iron stake for corner in North line of present Belt Line Road (100 foot right-of-way);

THENCE North 89 deg. 49 min. West 332.45 feet along the North line of Belt Line Road to the PLACE OF BEGINNING and containing 74916.52 square feet of 1.7199 acres of land, more or less.

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

1. Eight (8) story office tower containing:
 - a. 161,622 square feet of office space,
 - b. 6,800 square feet of restaurant space,
 - c. 3,700 square feet of retail space.

SECTION 4. The following special conditions are placed on the above described property:

1. The maximum building height be no greater than eight stories.
2. The developer coordinate the construction of this project with TP&L and be subject to their recommendations concerning utility relocation and placement.
3. The relocation of any existing water and/or sewer lines be at the expense of the developer.
4. A right hand turn lane be designed for this site with the recommendations of the City Engineer.
5. The property be platted in accordance with Addison's subdivision regulations.

SECTION 5. 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 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. 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 8. 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 9th day of November, 1984.

Tom Riddick
MAYOR

ATTEST:

Jacque Kuse
CITY SECRETARY

CASE # 846-2-1

TAX #

APPROVED AS TO FORM:

Mark G. W. 1-8-85

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1/17/65