

ORDINANCE NO. 085-002

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 DISTRICT TO "PD" PLANNED DEVELOPMENT, LOCATED BETWEEN ADDISON ROAD, DALLAS PARKWAY, AIRPORT PARKWAY AND THE ST. LOUIS AND SOUTHWESTERN RAILROAD LINE, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; ON APPLICATION FROM HURD DEVELOPMENT CORPORATION; 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:

SITUATED in the State of Texas, County of Dallas and City
of Addison, being a part of the George W. Fisher Survey,
Abstract No. 482 and to which reference is herein made for
further description:

COMMENCING FOR REFERENCE on the east line of George
W. Fisher Survey at an iron rod found marking the
centerline of the St. Louis & Southwestern Railroad (a 100
foot right of way), said iron rod is South 00 deg. 11' 25"
West, a distance of 2,641.42 feet from an iron rod found
marking the northeast corner of the George W. Fisher
Survey;

THENCE with the east line of the George W. Fisher Survey,
North 00 deg. 11'25" East, a distance of 54.50 feet to an
iron rod on the north line of the St. Louis Southwestern
property set marking the PRINCIPLE PLACE OF BEGINNING for
the herein described tract;

THENCE with the north line of the aforementioned railroad
property, South 66 deg. 45'00" West, a distance of
1,952.33 feet to the east line of a 20 foot wide alley in
the Julian Addition to the City of Addison;

THENCE with the east line of said alley, North 00 deg.
00'00" East, a distance of 304.37 feet to an iron rod set
for corner on the south line of Clara Street, 50 feet
wide, and passing for reference an iron rod set at 21.77
feet;

THENCE with the south line of Clara Street, North 90 deg. 00'00" East, a distance of 190.00 feet to an iron rod set for corner;

THENCE North 00 deg. 00'00" East, a distance of 50.00 feet to an iron rod set on the north line of Clara Street;

THENCE South 90 deg 00'00" West, a distance of 190.00 feet to an iron rod set on the prolongation of the east line of the aforementioned alley;

THENCE with the east line of the alley, North 00 deg 00'00" East, a distance of 400 feet to an iron rod set on the south line of Mildred Street, 50 feet wide;

THENCE with the south line of Mildred Street, North 90 deg 00'00" East, a distance of 190.00 feet to an iron rod set for corner;

THENCE North 00 deg 00'00" East, a distance of 50.00 feet to an iron rod set on the north line of Mildred Street;

THENCE with the north line of Mildred Street, South 90 deg. 00'00" West, a distance of 190.00 feet to the prolongation of the east line of the aforementioned alley;

THENCE with the east line of the alley, North 00 deg. 00'00" East, a distance of 200.00 feet to the northeast corner of the said Julian Addition to the City of Addison;

THENCE with the north line of said Julian Addition, South 90 deg. 00'00" West, a distance of 81.00 feet to an iron rod set marking the southwest corner of a 0.729 acre tract of land conveyed to the City of Addison and described by deed recorded in Volume 77182, Page 894 of the Dallas County Deed Records;

THENCE with the east line of said city property, North 00 deg. 00'00" East, a distance of 200.00 feet to an iron rod set marking the northeast corner of the city property;

THENCE with the north line of the city tract, South 90 deg. 00'00" West, a distance of 284.34 feet to an iron rod set for corner and passing for reference an iron rod set at 159.00 feet which marks the prolongation of the center line of Julian Street, a street within the aforementioned Julian Addition to the City of Addison;

THENCE North 00 deg. 12'25" East, a distance of 851.20 feet to an iron rod set for corner;

THENCE South 89 deg. 05'45" East, a distance of 2,051.10 feet to an iron rod set on the existing west line of Dallas Parkway, a variable width right of way, said iron rod is North 89 deg. 05'45" West, a distance of 109.37

feet from the east line of the aforementioned George W. Fisher Survey and is 100 feet westerly from the centerline of said Dallas Parkway;

THENCE with the west line of Dallas Parkway and parallel with its' centerline, South 00 deg. 28'15" East, a distance of 485.18 feet to an iron rod set marking the beginning of a curve to the left;

THENCE continuing with the west line of Dallas Parkway, parallel with its' centerline and along said curve, having a central angle of 3 deg. 19'41" with a radius of 2,964.79 feet for an arc distance of 172.21 feet to an iron rod set for angle point (chord - South 2 deg. 08'05" East, 172.19 feet);

THENCE along a non-tangent bearing, South 00 deg 28'15" East, a distance of 375.48 feet to an iron rod set for corner;

THENCE South 89 deg. 33'00" East, a distance of 46.15 feet to an iron rod set on the west line of aforementioned Dallas Parkway;

THENCE with the west line of Dallas Parkway, parallel with its' centerline and along a curve to the left, having a central angle of 1 deg 54'31" with a radius of 2,964.79 feet for an arc distance of 98.76 feet to an iron rod set marking the end of said curve (chord - South 12 deg 05'00" East, 98.76 feet);

THENCE continuing with the west line of Dallas Parkway and parallel with its' centerline, South 13 deg. 02'15" East, a distance of 110.58 feet to an iron rod set on the east line of the said George W. Fisher Survey;

THENCE with the east line of said survey, South 00 deg. 11'25" West, a distance of 15.18 feet to the place of beginning and containing 3,159,409 square feet or 72.53 acres.

SAVE AND EXCEPT the property previously conveyed to the Town of Addison, hereinafter called Tract I and Tract II, and more particularly described as follows:

TRACT I

BEING a tract of land situated in the G.W. FISHER SURVEY, ABSTRACT NO. 482, City of Addison, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the southeast corner of the West 1/2 of Block B of the Original Town Addition to the Town of Addison, said point also being in the West line of a 20 ft. alley and the North line of a 20 ft. strip reserved for road purposes as recorded in Volume 2261, page 468, Deed of Records, Dallas County, Texas, and also being

21.56 ft. North of the St. Louis Southwestern Railroad ROW line;

THENCE, S 00 39'30" E, a distance of 21.56 ft. to a point on the North ROW of the St. Louis Southwest Railway (100 ft. ROW);

THENCE, N 66 deg. 12' E, along said North ROW a distance of 565.25 ft. to the point, said point also being the POINT OF BEGINNING;

THENCE, N 0 deg. 25' W, a distance of 113.98 ft. to a point in a curve to the right, said curve having a central angle of 6 deg. 52' 33", a radius of 1,432.39 ft. and a chord bearing N 3 deg. 01'11" E, 171.73 ft.;

THENCE, along arc of said curve to the right, a distance of 171.83 ft. to a point;

THENCE, along arc of said curve to the right, a distance of 171.83 ft. to a point;

THENCE, N 6 deg. 27'23" E, a distance of 319.26 ft. to a point in a curve to the left, said curve having a central angle of 6 deg. 05'10", a radius of 1,432.39 ft. and a chord bearing of N 3 deg 24'48" E, 152.08 ft.;

THENCE, along arc of said curve to the left, a distance of 152.15 ft. to a point;

THENCE, N 0 deg. 22'13" E, a distance of 1,090.46 ft. to a point for a corner;

THENCE, S 89 deg 37'15", a distance of 40.0 ft. to a point;

THENCE, S 0 deg. 22'13" W, a distance of 1,090.45 ft. to a point in a curve to the right, said curve having a central angle of 6 deg 05'10", a radius of 1,472.39 ft. and a chord bearing of S 03 deg. 24'48" W, 156.33 ft.;

THENCE, along said curve a distance of 156.40 ft. to a point;

THENCE, s 06 deg. 27'23" W, a distance of 319.26 ft. to a point in a curve to the left, said curve having a central angle of 6 deg. 52'23", a radius of 1,392.39 ft. and a chord bearing of S 03 deg. 01'11" W, 166.94 ft.;

THENCE, along arc of said curve a distance of 167.03 ft. to a point;

THENCE, S 0 deg 25' E, a distance of 96.68 ft. to a point on the North ROW of said St. Louis Southwestern Railway;

THENCE, S 66 deg. 12' W, along said ROW, a distance of 43.58 ft. to the Point of Beginning and containing 1.688 acres of land, more or less.

TRACTII

BEING a tract of land situated in the G.W. FISHER SURVEY, ABSTRACT NO. 482, City of Addison, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the Southeast corner of the West 1/2 Block B of the Original Town Addition to the Town of Addison, said point also being in the West line of a 20 ft. alley and the North line of a 20 ft. strip reserved for road purposes as recorded in Volume 2261, page 468, Deed of Records, Dallas County, Texas, and also being 21.56 ft. North of the St. Louis Southwestern Railroad ROW line;

THENCE, S 0 deg 39'30" E, a distance of 21.56 ft. to a point on the North ROW of the St. Louis Southwestern Railway (100 ft. ROW);

THENCE, N 66 deg. 12' E, along said North ROW a distance of 521.67 ft. to a point, said point also being the POINT OF BEGINNING;

THENCE, N 0 deg. 25' W, a distance of 131.28 ft. to a point in a curve to the right, said curve having a central angle of 6 deg. 52' 33", a radius of 1,472.39 ft. and a chord bearing of N 3 deg 01'11" E, 176.52 ft.;

THENCE, along arc of said curve to the right, a distance of 176.62 ft. to a point;

THENCE, N 6 deg. 27'23" E, a distance of 319.26 ft. to a point in a curve to the left, said curve having a central angle of 6 deg 05'10", a radius of 1,392.39 ft. and a chord bearing of N 3 deg. 24'48" E, 147.84 ft.;

THENCE, along arc of said curve to the left, a distance of 147.90 ft. to a point;

THENCE, N 0 deg. 22'13" E, a distance of 1,090.46 ft. to a point for a corner;

THENCE, S 89 deg. 37' 15" E, a distance of 40.0 ft. to a point;

THENCE, S 0 deg 22'13" W, a distance of 1,090.45 ft. to a point in a curve to the right, said curve having a central angle of 6 deg. 05' 10", a radius of 1,432.39 ft. and a chord bearing of S 03 deg. 24'48" W, 152.08 ft.;

THENCE, along said curve a distance of 152.15 ft. to a point;

THENCE, S 06 deg 27'23" W, a distance of 319.26 ft. to a point in a curve to the left, said curve having a central angle of 6 deg. 52'23", a radius of 1,432.39 ft. and a chord bearing of S 03 deg. 01'11" W, 171.73 ft.;

THENCE, along arc of said curve a distance of 171.83 ft. to a point;

THENCE, S 0 deg. 25' E, a distance of 113.98 ft. to a point on the North ROW of said St. Louis Southwestern Railway;

THENCE, S 66 deg. 12' W, along said ROW, a distance of 43.58 ft. to the Point of Beginning and containing 1.705 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 final site development plans which shall be subject to the review and approval of the City Council.

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

1. Detailed traffic analysis be prepared and presented to the City for review and approval.
2. The parking requirements for this development be set at City standards with the exception of office and retail parking which will be set at (1) space for every (300) square feet of usable floor area.
3. A comprehensive utility plan be prepared for this project area and be submitted to the City for review and approval.
4. The landscaping proposals be coordinated with approved by the city.

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 8TH day of January, 1985.

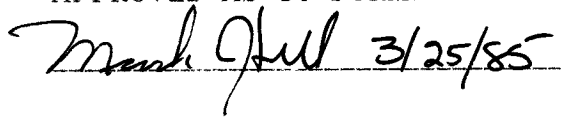

MAYOR

ATTEST:

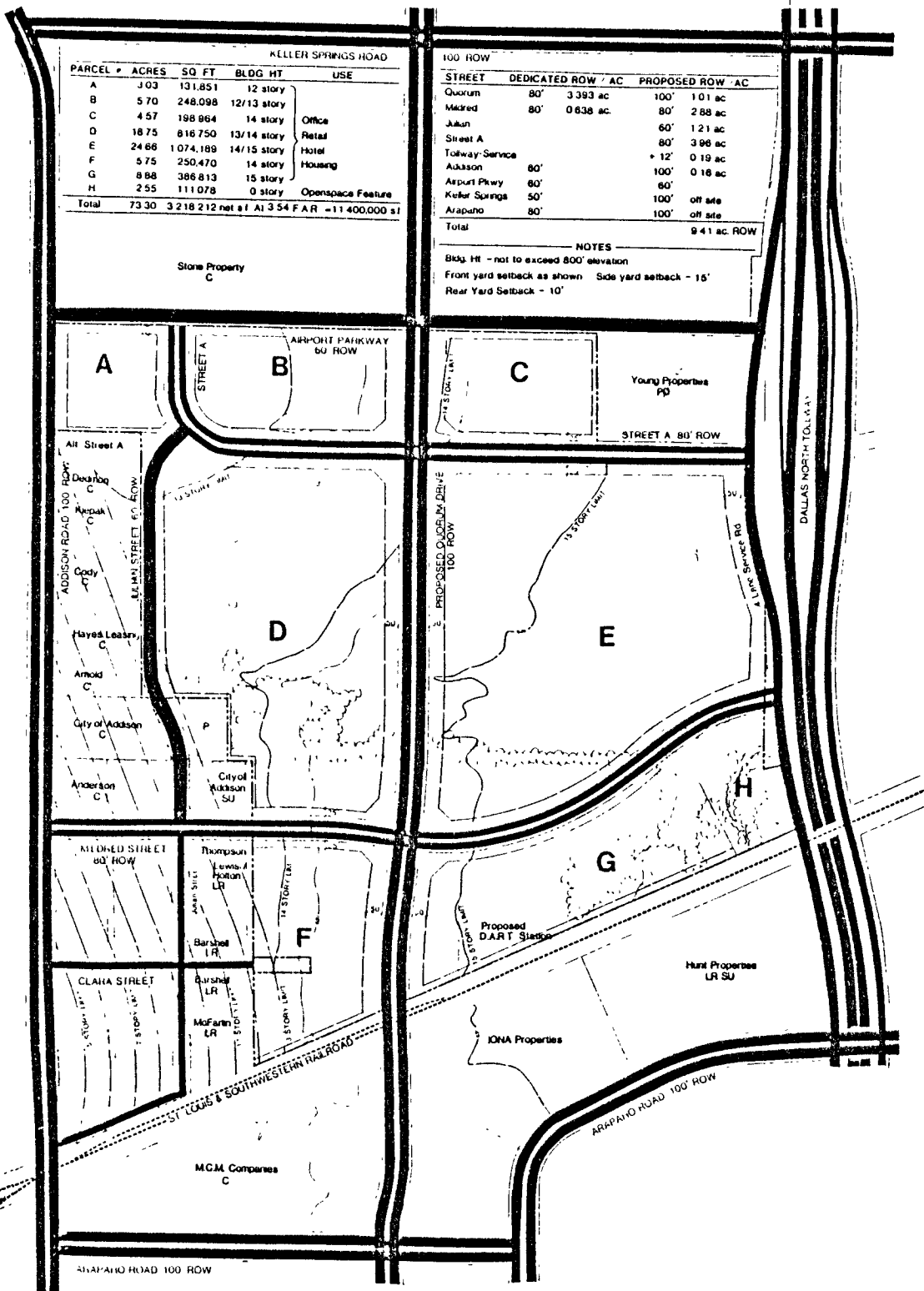

CITY SECRETARY

CASE # 885-Z

APPROVED AS TO FORM:



Published
1-24-85



LAND STUDY - PLANNED DEVELOPMENT DISTRICT

DEVELOPER

Hurl Development Company
 2700 North Loop West, Suite 200
 Dallas, Texas 75201

PLANNER

Johnson, Johnson & Roy, Inc.
 1101 North Prairie, Suite 200
 Dallas, Texas 75201

ENGINEER

Bridgefarmer & Associates, Inc.
 1100 South Shurman, Suite 290
 Richardson, Texas 75081

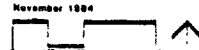
SURVEYOR

Jack W. Rouse Surveying, Inc.
 2000 Avenue U, Suite 804
 Plano, Texas 75074

SURVEY

George W. Fisher Survey
 Abstract #482
 City of Addison

November 1984



C&S