

ORDINANCE NO. 085-006

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM "C" COMMERCIAL TO "PD" PLANNED DEVELOPMENT; LOCATED AT THE NORTHEAST CORNER OF ADDISON ROAD AND KELLER SPRINGS ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; ON APPLICATION FROM EQUITY MANAGEMENT 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:

TRACT I

BEGINNING at the point of intersection of the North line
of Keller Springs Road (a variable R.O.W.) and the East
R.O.W. line of Addison Road (a 60' R.O.W.) said point
being on a curve to the right, concave to the Northeast,
having a radius of 686.30 feet, a central angle of 23 deg.
23' 35" a tangent length of 142.08 feet (a chord bearing
North 11 deg. 54' 47" West, a chord distance of 278.76');

THENCE along said curve and said east line of Addison
Road, 280.21 feet to the point of tangency of said curve;

THENCE North 00 deg. 13' 00" West, 143.29 feet continuing
along said east line of Addison Road to a point for
corner;

THENCE North 89 deg. 47' 00" East, 385.37 feet to a point
for corner;

THENCE South 00 deg. 13' 00" East, 420.90 feet to the
North R.O.W. line of Keller Springs Road;

THENCE North 89 deg. 19' 25" West, along said R.O.W. for
329.00 feet to the POINT OF BEGINNING.

The above described parcel contains 3.5820 acres or
156,032 square feet of land, more or less.

EXHIBIT "A"

BEING TRACT I OF GATEWAY CENTRE, an Addition to the City of Addison, Texas, according to the map thereof recorded in Volume 79174, Page 351, Map Records, Dallas County, Texas, and certificate of correction or error recorded in Volume 79219, Page 881, Deed Records, Dallas County, Texas, and being a part of the WILLIAM LOMAX SURVEY, ABSTRACT NO. 792, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the north line of Keller Springs Road (a variable R.O.W.) and the east right-of-way of Addison Road (a 60 ft. R.O.W.), said point being on a curve to the right, concave to the northeast, having a radius of 686.30 feet, a central angle of 23 deg. 23 min. 35 sec., a tangent length of 142.08 feet, a chord bearing of N 11 deg. 54 min. 47 sec. W, and a chord distance of 278.76 feet;

THENCE along said curve and said east line of Addison Road, 280.21 feet to the point of tangency of said curve;

THENCE N 00 deg. 13 min. 00 sec. W, 143.29 feet continuing along said east line of Addison Road to a point for corner;

THENCE N 89 deg. 47 min. 00 sec. E, 385.37 feet to a point for corner;

THENCE S 00 deg. 19 min. 25 sec. W, along said right-of-way for 329.00 feet to the Point of Beginning and containing 3.5820 acres of 156,032 square feet of land, more or less.

BEING TRACT II OF GATEWAY CENTER, an Addition to the City of Addison, Texas, according to the map thereof recorded in Volume 79174 Page 351, Map Records, Dallas County, Texas, and certificate of correction or error recorded in Volume 79219, Page 881, Deed Records, Dallas County, Texas, and being a part of WILLIAM LOMAX SURVEY, ABSTRACT NO. 792, Dallas County, Texas, and being more particularly described as follows:

Commencing at the point of intersection of the east R.O.W. line of Addison Road (a 60-ft R.O.W.) and the north R.O.W. line of Keller Springs Road (a variable width R.O.W.); thence, S 89 deg. 19 min. 25 sec. E, along the north R.O.W. line of said Keller Springs Road for 329.00 feet to the POINT OF BEGINNING;

THENCE S 89 deg. 19 min. 25 sec. E, 148.31 feet along said north R.O.W. line of Said Keller Springs Road to a point;

THENCE N 00 deg. 40 min. 35 sec. E, along the said R.O.W. line for 324.03 feet to the point of curvature of a curve to the right having a radius of 280.00 feet, a central angle of 11 deg. 51 min. 31 sec., a tangent length of 29.08 feet, a chord bearing of N 06 deg. 36 min. 21 sec. E, and a chord distance of 57.85 feet;

THENCE, along said curve to the right an arc length of 57.95 feet to the point of reverse curvature of a curve to the left having a radius of 220.00 feet, a central angle of 11 deg. 29 min. 41 sec., a tangent length of 22.14 feet, a chord bearing of N 06 deg. 47 min. 15 sec. E, and a chord length of 44.06 feet;

THENCE, along said curve for an arc length of 44.14 feet to a point on the curve;

THENCE, S 89 deg. 47 min. 00 sec. W, 352.91 feet;

THENCE, S 00 deg. 13 min. 00 sec. E, 420.90 feet to the north R.O.W. line of Keller Springs Road and the Point of Beginning and containing 3.3051 acres of 143,971 square feet of land, more or less.

SECTION 2. That the Special Use Permit is granted subject to the following conditions:

- 1) That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan, landscape plan, and the elevation drawings showing four exterior walls which are attached hereto and made a part hereof for all purposes. The landscaping shall be maintained in the condition as set forth in such drawings.
- 2) That the Special Use Permit granted herein shall be limited to a restaurant and the sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the final site plan as being outlined in red and encompassing a total area not to exceed 1925 sq. ft.
- 3) No signs advertising sale of alcoholic beverage shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the City of Addison, Texas, and all permitted signs must be shown on elevation drawings.
- 4) That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants is hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- 5) Said establishment shall make available to the city of its agents, during reasonable hours its bookkeeping records for

THENCE S 89 deg. 37 min. 15 sec. E, 187.33 feet along said north R.O.W. line to a point for a corner, said point being in the west R.O.W. line of Ledgemont Lane (a 60-ft R.O.W.);

THENCE N 00 deg. 40 min. 35 sec. E, along the said R.O.W. line for 324.03 feet to the point of curvature of a curve to the right having a radius of 280.00 feet, a central angle of 11 deg. 51 min. 31 sec., a tangent length of 29.08 feet, a chord bearing of N 06 deg. 36 min. 21 sec. E, and a chord distance of 57.85 feet;

THENCE, along said curve to the right an arc length of 57.95 feet to the point of reverse curvature of a curve to the left having a radius of 220.00 feet, a central angle of 11 deg. 29 min. 41 sec., a tangent length of 22.14 feet, a chord bearing of N 06 deg. 47 min. 15 sec. E, and a chord length of 44.06 feet;

THENCE, along said curve for an arc length of 44.14 feet to a point on the curve;

THENCE, S 89 deg. 47 min. 00 sec. W, 352.91 feet;

THENCE, S 00 deg. 13 min. 00 sec. E, 420.90 feet to the north R.O.W. line of Keller Springs Road and the Point of Beginning and containing 3.3051 acres of 143,971 square feet 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:

Office	30,275 sq. ft.
Warehouse	18,379 sq. ft.
Showroom	2,560 sq. ft.
Restaurant	1,925 sq. ft.
TOTAL	53,139 sq. ft.

SECTION 4. The following special conditions are placed on

the above described property:

1. All trash dumpsters be screened by a 6 foot high solid screening wall, including doors for the screening area.
2. Recommendations from Landscape Department (See Exhibit "A").

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 12th day of February, 1985.


MAYOR

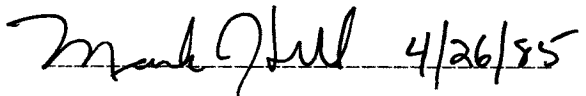
ATTEST:


CITY SECRETARY

CASE #

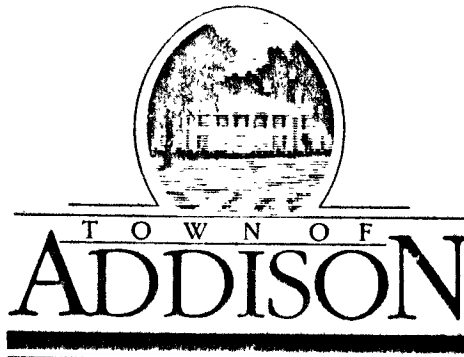
TAX #

APPROVED AS TO FORM:



Published
3-7-85

Exhibit "A"



MEMO TO: Mark Hill, Zoning Administrator
FROM: Linda Smith, Director of Landscape Development
DATE: January 16, 1985
SUBJECT: Case 887-Z/Equity Management Corporation

Mark, we have reviewed the landscape plan submitted by the applicant and have determined that it is not accurate. Many of the trees have been omitted particularly those which are already existing in the greenbelt along Keller Spring and along Addison Road. We would not recommend approval of this SUP at this time unless the following recommendations are met:

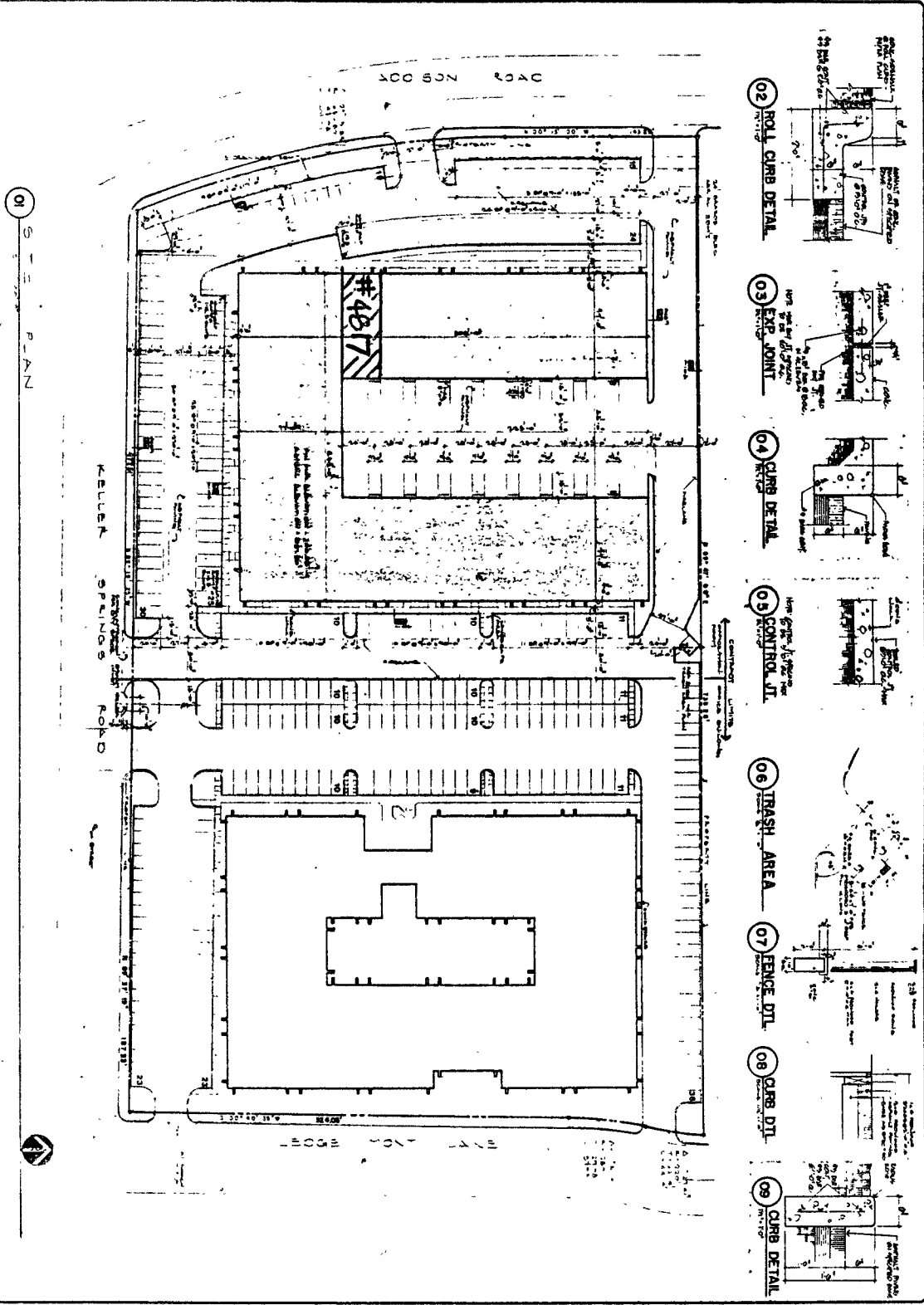
1. That the detailed landscape plan be completed to show all existing plant material including the plant material in the parkways along Keller Spring and Belt Line Road and that the size of all of the trees be indicated on the plans.
2. That the plant material which is now missing be replaced.
3. The shrubs that appear to be dead or dying be replaced.
4. That a few additional shrubs be added to both buildings to provide coverage in some of the areas which are currently bare areas (where shrubs or ground cover once were).
5. That the ruts and irregular grading of dirt on the corner of Keller Springs and Addison Road be filled in and graded to remove the irregularities as well as the ruts and bumps in the greenbelt along Addison Road.

Please let me know if you have any questions.

Linda Smith
Linda A. Smith

LAS:fb

085-006



01 SITE PLAN

A1

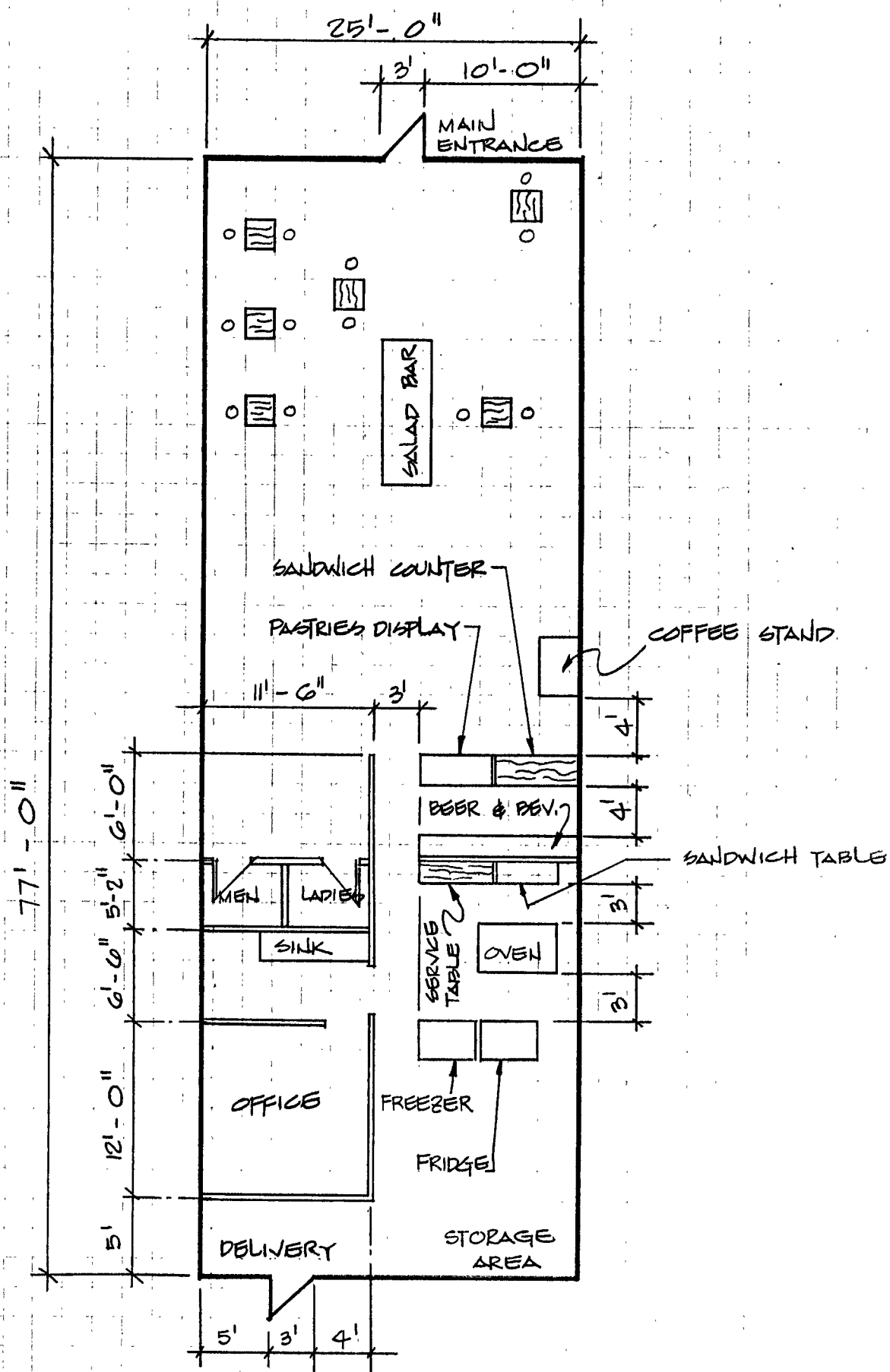
DATE: 11/11/05
 DRAWN BY: [Signature]

Gateway Centre
 Office / Showrooms
 lateview properties, inc.
 keller springs road at addison road
 addison, texas

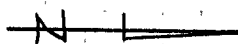
EDI CARE HOMING ELEMENT
 11111 W. ADDISON ROAD, SUITE 100
 ADDISON, TEXAS 75001
 TEL: 972.381.1111 FAX: 972.381.1112
 WWW.EDI-CARE.COM



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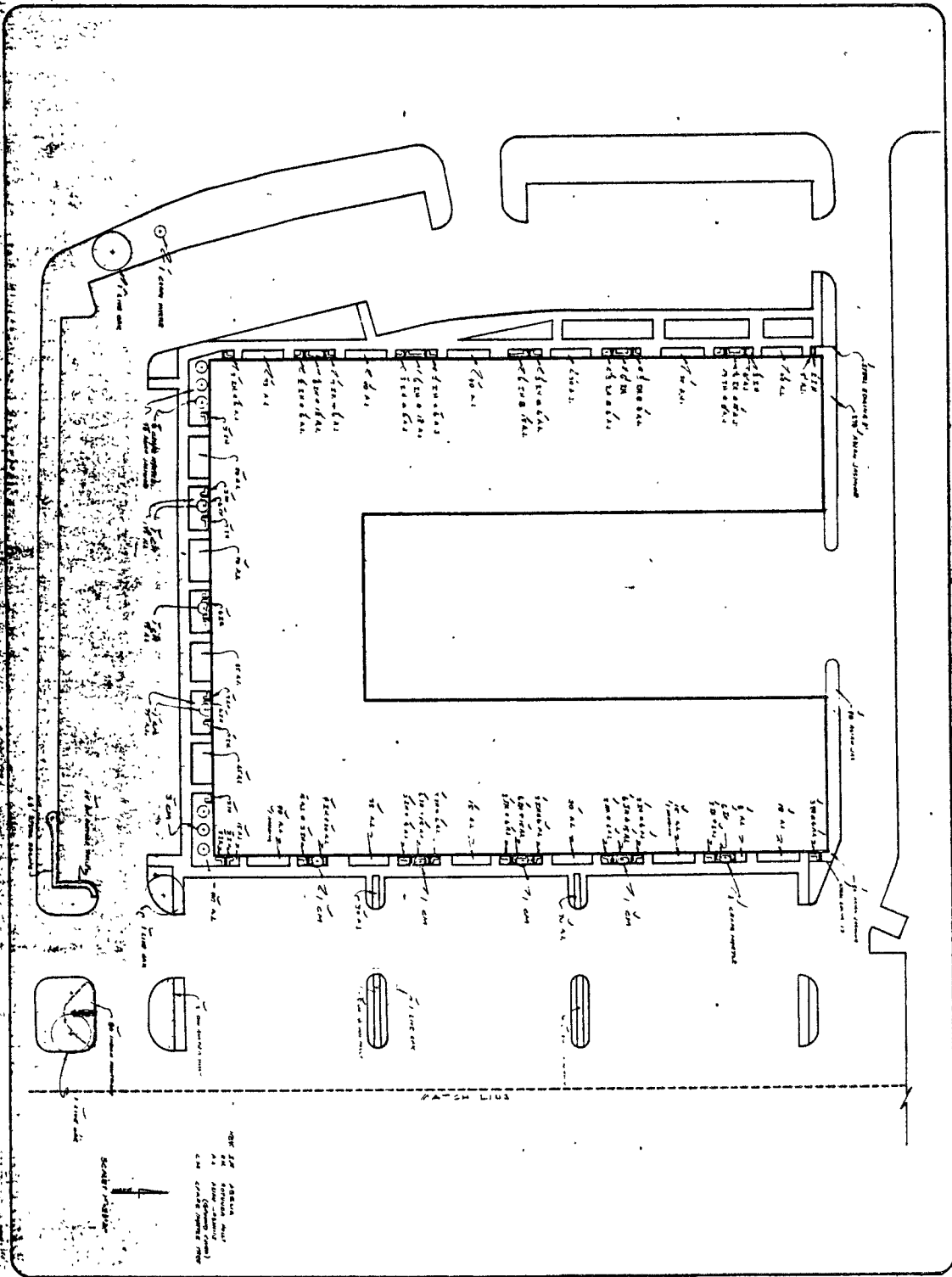
FLOOR PLAN



SCALE: 1/10" = 1 FT

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SHEET 1 OF 1



11305 Sherman Ave., Dallas, TX 75220

JOHN F. ROSS
COMPANY INC. 214-941-2848

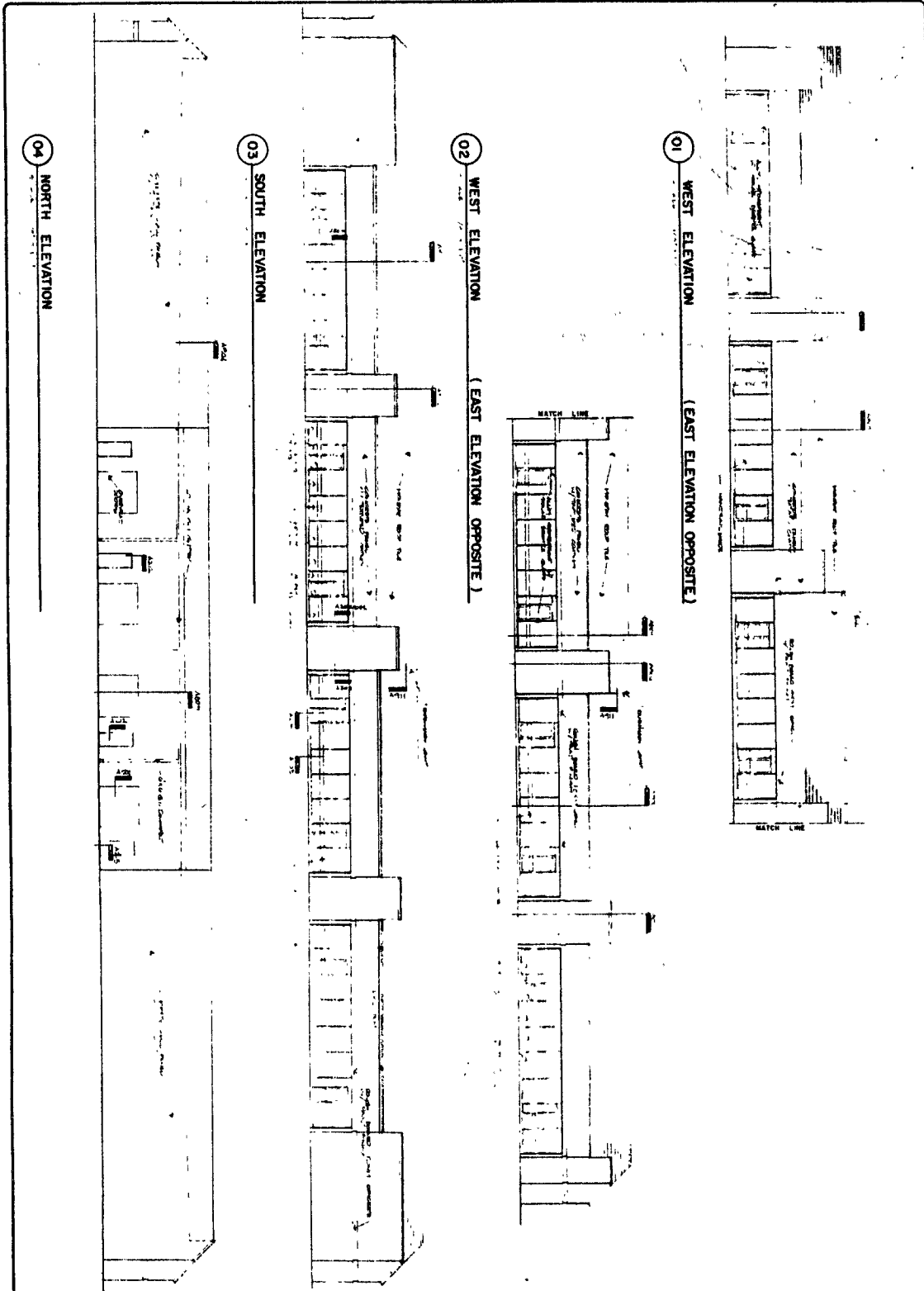
LANDSCAPE
CONSTRUCTION
GENERAL CONTRACTOR

PROJECT: GATEWAY CENTRE
OWNER: EQUITY MANAGEMENT
ARCHITECT: [illegible]
DATE: [illegible]

GATEWAY CENTRE
DALLAS, TEXAS

EQUITY MANAGEMENT
DALLAS, TEXAS

085-006



A6

DATE: 11/11/03
 DRAWN BY: J. L. ...
 CHECKED BY: ...

Gateway Centre
 Office / Showrooms
 lakeview properties, inc.
 keller springs road at addison road
 addison, texas

EDI
 CAPLE HORNE CLEBERT
 ARCHITECTURE PLANNING URBAN DESIGN
 10000 W. ...
 ...



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