

ORDINANCE NO. 085-059

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDING ORDINANCE NO. 084-033 BEING THAT "PD" PLANNED DEVELOPMENT, LOCATED ON THE NORTH AND SOUTH SIDE OF BROADWAY STREET EAST OF ADDISON ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, 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, as required by State Statutes 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 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 on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 13, Block A in the Julian Addition, Addison, Texas;

BEGINNING on Broadway Street;

THENCE containing a tract of land approximately 55,000 square feet.

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

Antique Shop
Art Gallery
Bakery, retail sales only
Bank
Barber and beauty shop
Bird and/or pet shops, retail sales only
Camera Shop
Candy Shop
Caterer and/or wedding service
Cleaning and laundry pick-up station for receiving and delivery of articles to be cleaned and laundered, but no actual work to be done on premises
Department store, novelty or variety shop, retail sales only
Drug store, retail sales only
Electrical goods, retail sales only
Film developing and printing
Florist, retail sales only
Furniture store, retail sales only
Grocery store
Hardware, sporting goods, toys, paints, wall paper, and/or clothing stores, retail sales only
Hotel and/or motel
Household and/or office furnishings and appliances
Job printing

Jewelry, optical goods, photographic supplies, retail sales only
Letter and/or mimeograph shop
Library, rental only
Meat market, retail sales only
Office (general)
Photographers or artists studio
Professional offices for architect, attorney, engineer and real estate
Piano and/or musical instruments, retail sales only
Residential uses (permanent dwelling)
Restaurants with the approval of a Special Use Permit (S.U.P.)
Retail (general)
Retail store or shop for custom work or the making of articles to be sold for retail on the premises
Seamstress, dress maker or tailor
Shoe repair shop and/or retail sales
Studios for dance, music or drama
Studio for the display and sale of glass, china and/or art objects
Veterinary objects
Wearing apparel

Accessory uses customarily incidents to the above uses

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

A. Utilities

1. Water System. The system is to be upgraded to meet city standards for fire flow protection. All water pro-rata will be governed under Addison's present standards and ordinances.
2. Sewer System. The system is to be upgraded to meet current city standards. All sewer pro-rata will be governed under Addison's present standards and ordinances.

B. Streets

1. Right of Way. The Existing Rights of Way will be increased to 80 feet for the streets in order to allow on-street parking. The alley will be increased to 25 feet to allow for construction of fire lanes.

2. Construction. Streets are to be constructed with concrete with curb and gutter, storm sewers to City standards. The design will incorporate on-street parking as per the approved parking plan. Streets, parking and alleys will be assessed to the adjacent property owners.
3. Sidewalks and Landscape. Sidewalks and streetscape will be provided as per the approved plan along with the street paving plan, and will be assessed to the adjacent property owners.

C. Parking Requirements

The estimated amount of on-street parking that can be provided is as follows:

Broadway 52 spaces

Parking spaces on Broadway will be allocated toward the development on a pro-rata/lot square footage method. The amount of land available for development (excluding Cavin) is about 47,194 sq. ft. Therefore, the allocation formula is 47,194 : 52 or (1) space per 900 sq. ft.

PROPOSED PARKING STANDARDS

Restaurant	1/150	gross sq. ft.
Retail	1/300	gross sq. ft.
Office/Clinic	1/300	usable sq. ft.
Residential	2/dwelling	
Furniture/Antiques	1/1,000	gross sq. ft.
Hotel/Motel	1/room	

D. Building Heights

All proposed building heights will be limited to three (3) stories unless otherwise approved through the site development plan process.

E. Setbacks

Northside of Broadway

Front Yard: Seven (7) feet required from the front property line, 4 feet minimum sidewalk included in 7 ft. setback.

Side Yard: None required.

Rear Yard: 20 feet from property line on north side.

Southside of Broadway

Front Yard: None.

Side Yard: Addison Road, Present Code.

Rear Yard: None.

F. General Development Standards

1. All structures are to be done in a turn of the century, small town architectural style. Architectural styles allowed will include:

San Francisco Victorian
New Orleans French
Queen Ann Brick Panel
Colonial
Williamsburg
Georgian

The Architectural Review Committee will review and recommend all plans for submission to the Planning and Zoning Commission and the City Council. All new construction or modification will be reviewed by the committee, which will be composed of property owners and town representatives.

2. Exterior surfaces shall be of a material compatible with a with a turn-of-the-century facade, all material shall be subject to the approval of the Architectural Control Committee.
3. Non-horizontal roofs shall be of a material compatible with the theme of the district. The use of standing seam metal, tile or slate is encouraged.
4. Development Standards for Fire Protection for all developments in Old Addison will be as follows:
 - (1) Two-Hour Fire Walls between all buildings monitored alarm systems in all buildings.
 - (2) Fully automatic fire sprinkler system acceptable to the Addison Fire Department in addition to the normal requirements of Addison Building Codes.
5. Individual canopies will be encouraged, but should reflect and harmonize with the style of the building. Canopy column supports within the sidewalk right-of-way will be permitted upon approval of the ACC and may project no greater than eight feet into the right-of-way.

6. Windows are encouraged to be used in steady rhythm, and with a vertical emphasis; width of individual windows no greater than 1/3 height. Arched openings are strongly encouraged, with further period embellishments favored. On first level openings, a low sill (2' maximum height) is encouraged.
7. All mechanical equipment, roof mounted or otherwise, shall be fully screened from view. Parapet screening is strongly encouraged. Any antennae or dish receivers must be fully screened from view.
8. All signage will be consistent with the Town of Addison Sign Ordinance and must be approved by the Architectural Control Committee. Signs may identify only the name of the business or the occupant. The use of a graphic symbol of the business is encouraged. Signs may be painted on the glass of the structure as was common at the turn of the century. Signs may be incorporated in the design of the canopy or suspended from the canopy. No projections above the roof or parapet of the structure will be permitted. All signs shall be designed to compliment and enhance the theme of the district. No garishly colored, flashing or moving signs will be permitted unless an historical precedent complimenting the district theme can be demonstrated (i.e., revolving barber pole).

Size and scale of the sign shall be in context with the scale of the building and shall not adversely impact adjacent buildings or property. All signs must be approved by the district's Architectural Review Committee, and must be part of the final plan approval of the Planning and Zoning Commission and the City Council.

9. Sidewalk construction and sidewalk landscaping plans will be submitted to the ACC.
10. A preliminary lighting plan for each development shall be submitted to the Architectural Control Committee.
11. Deliveries will be made to the rear of buildings with access from the alley and parking lot. No deliveries will be made from the street. Waste storage and pick-up areas will be in enclosed areas in individual containers. All trash enclosure/

receptacles for the individual buildings be designed similar to those in Midway Meadows. Storage/pick-up areas should be consolidated as much as is practical among property areas to facilitate collection and minimize potential visual pollution.

12. No development shall devote more than one-third (1/3) of its total floor area to restaurant uses unless the minimum parking requirement for such uses as noted in Article VIII, Section 5 of the Zoning Ordinance is maintained by the development.

SECTION 4. 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 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. 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 July, 1985.



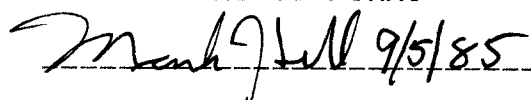
MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM:



Publ.
9/17/85