

ORDINANCE NO. 085-060

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 66 OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY WHICH IS PRESENTLY ZONED COMMERCIAL TO PLANNED DEVELOPMENT NO. ALLOWING LOCAL RETAIL USES AND COMMERCIAL USES, ON 3.7225 ACRES OF LAND, MORE OR LESS LOCATED NORTH OF BELT LINE ROAD, EAST OF ADDISON ROAD AND WEST OF QUORUM DRIVE; PROVIDING FOR SPECIAL CONDITIONS; 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 City 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, 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:

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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 so as to give the hereinafter described property the following zoning district classification, to-wit: Planned Development District. Allowing local retail and commercial uses as provided herein. Said property being in the Town of Addison, Dallas County, Texas, and being described as follows:

BEING a tract of land situated in the G.W. Fisher Survey, Abstract No. 482 and being part of Quorum Centre Addition, an addition to the Town of Addison as recorded in Volume 84067, Page 5718, Deed Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at a point being the most Southerly point on a corner clip situated in the intersection of the South line of Arapaho Road (a 60' R.O.W.) and the East line of Addison Road (a 60' R.O.W.);

THENCE S 00 deg. 17 ft. 00 in. W along said Addison Road, a distance of 301.50 feet to a point;

THENCE S 89 deg. 43 ft. 00 in. E departing said Addison Road, a distance of 263.00 feet to an iron rod set for corner being the POINT OF BEGINNING;

THENCE S 89 deg. 43 ft. 00 in. E a distance of 470 feet to an iron rod set for corner;

THENCE S 00 deg. 17 ft. 00 in. W a distance of 345.00 feet to an iron rod set for corner;

THENCE N 89 deg. 43 ft. 00 in. W a distance of 470.00 feet to an iron rod set for corner;

THENCE N 00 deg. 17 ft. 00 in. E a distance of 345.00 feet to the POINT OF BEGINNING and containing 162.150 square feet or 3.7225 acres of land, more or less.

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

Antique Shop
Aquarium
Art Gallery
Bakery, retail sales only
Bank, office, wholesale sales office or sample room
Barber and beauty shop
Bird and pet shops, retail
Book or stationery store
Camera shop
Candy shop
Caterer and wedding service
Cleaning, dyeing and laundry pick-up station for receiving and delivery of articles to be cleaned, dyed and laundered, but no actual work to be done on premises
Cleaning and pressing shops having an area of not more than 6000 square feet
Curtain cleaning shop having an area of not more than 6000 square feet
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 only
Frozen food lockers, retail
Grocery store, retail sales only
Hardware, sporting goods, toys, paints, wall paper, clothing retail sales only
Household and office furniture, furnishing and appliances, retail
Job printing
Jewelry, optical goods, photographic supplies, retail sales only in the home, where custom laundering and finishing may be done. The shop shall not exceed 6000 square feet in area and no pick-up and delivery shall be operated
Letter and mimeograph shop
Library, rental
Meat market, retail sales only
Movie picture theatre
Restaurant
Restaurant serving alcoholic beverages
Office building
Parking lot without public garage or automobile facilities for the parking of passenger cars and trucks of less than one ton capacity only
Photographers or artists studio
Professional offices for architect, attorney, engineer, real estate and medical professionals
Piano and musical instruments, retail sales only
Retail store or shop for custom work or the making of articles to be sold for retail on the premises
Seamstress, dress or tailor
Shoe repair shop, retail sales only
Studios, dance, music, drama, health, massage and reducing
Studio for the display and sale of glass, china, art objects, cloth and draperies

Taxi stand

Washateria, equipped with automatic washing machines of the type customarily found in a home and where the customers may personally supervise the washing and handling of his laundry

Wearing apparel including clothing, shoes, hats, millinery and accessories

Accessory buildings and uses customarily incident to the above uses

Hotel/Motel

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

- 1) As provided in Planned Development Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which will be presented at a latter date.
- 2) No building shall exceed 145 feet in height unless the F.A.A. determines such height to be hazardous to the operation of the Addison Airport. The F.A.A. determination shall be based on the criteria now being used by the airport to make such determinations. Should 145 feet be hazardous to air navigation then the height which does not constitute a hazard to the operation of the Addison Airport.
- 3) Area regulations and parking regulations unless contrary to specific provisions herein, shall be governed by those regulations set forth in the Local Retail District Classification of the Comprehensive Zoning Ordinance of the Town of Addison. Hotels and motels shall provide one parking space for each guest room.
- 4) All refuse and refuse containers shall be screened from the public or private view adjacent to the property by a solid fence or wall of at least eight (8) feet in height.
- 5) All yard, set back parking, service and recreational areas shall be landscaped and maintained in a neat and orderly manner.
- 6) No mechanical equipment shall be constructed to permit the keeping of articles, goods, or materials in the open or exposed to public view.


SECTION 4. That all ordinance of the city in conflict with the provisions of this ordinance be, and the same are, hereby repealed and all other ordinances of the city not in conflict with the provisions of this ordinance shall remain in full force and effect.

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 of provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

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 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 One Thousand (\$1,000.00) Dollars and not less than Five Hundred (\$500.00) Dollars for each offense and that each day such violation shall continue to exist shall constitute a separate offense.


SECTION 7. The fact that the present ordinances and regulations of the city are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the city creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, as provided by law, and it is accordingly so ordained,

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF
ADDISON, TEXAS, on this the 10th day of September, 1985.



MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM
