

ORDINANCE NO. 091-025

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM I-1, INDUSTRIAL, TO PLANNED DEVELOPMENT, ON APPLICATION FROM THE FILLING STATION RESTAURANT, LOCATED AT 15201 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 PROVIDING FOR A REPEAL CLAUSE.

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: Planned Development. Said property being in the Town of Addison, Texas, and being described as follows:

BEING all of ASHBY ADDITION, an addition to the Town of Addison, Dallas County, Texas, according to the map thereof recorded in Volume 77190, Page 931 of the map records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod, said point being in the West line of Addison Road, a 70 foot right-of-way at this point, and being South 00 degrees 17 minutes 00 seconds West, a distance of 704.56 feet, and North 89 degrees 59 minutes 30 seconds West a distance of 40.00 feet from a nail found at the intersection of Addison Road, and Arapaho Road (a 60-foot right-of-way), said point also being in the South line of a tract described to W.H. Atkins, recorded in Volume 2016, Page 136, Deed Records, Dallas County, Texas;

THENCE South 00 degrees 17 minutes 00 seconds West, along the West line of said Addison Road, a distance of 100.00 feet to a 1/2 inch iron rod for corner, said point being 463.37 feet North of the North line of Belt Line Road a 100 foot right-of-way (from the West right-of-way line of Addison Road extended), said point also being in the North line of a tract described to James E. Sauls, recorded in Volume 77153, Page 1028, Deed Records, Dallas County, Texas;

THENCE North 89 degrees 59 minutes 30 seconds West, along the North line of Sauls Tract, a distance of 239.41 feet to a 1/2 inch iron rod for corner, said point being the Northwest corner of said Sauls Tract, and being in the East right-of-way line of the St. Louis and Southwestern Railroad (a 100 foot right-of-way);

THENCE North 17 degrees 19 minutes 30 seconds West, along said Railroad right-of-way, a distance of 104.76 feet to a "T" Rail for corner, said point also being in the Southwest corner of said Atkins Tract;

THENCE, South 89 degrees 59 minutes 30 seconds East, along the South line of Atkins Tract, a distance of 271.10 feet to the POINT OF BEGINNING.

SECTION 2. In the above-described Planned Development District, no land shall be used and no building shall be used, erected or converted to any use other than:

Antique Shop
Aquarium
Art Gallery
Auto seat covers, covering
Baker, retail sales only
Bank, office, wholesale sales office or sample room
Barber and beauty shop
Bird and pet shops, retail
Book or stationery store
Bowling alley - if air-conditioned and soundproofed
Camera shop
Candy, cigars and tobaccos, retail sales only
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 6,000 square feet
Curtain cleaning shop having an area of not more than 6,000 square feet
Department store, novelty or variety shop, retail sales
Drug store, retail sales
Electrical goods, retail sales
Electrical repairing - domestic equipment and autos, retail sales
Electric substation
Exterminating company, retail
Film developing and printing
Fix-it shops, bicycle repairs, saw filing, lawn mower sharpening, retail only, but without outside storage
Florist, retail sales only
Furniture repairs and upholstering, retail sales only, and where all storage and display is within the building
Frozen food lockers, retail
Grocery store, retail sales only
Hardware, sporting goods, toys, paints, wallpaper, clothing, retail sales only
Household and office furniture, furnishings and appliances, retail
Ice delivery station
Job printing
Jewelry, optical goods, photographic supplies, retail sales only
Letter and mimeograph shop
Library, rental

Meat market, retail sales only
Mortuary
Office building
Parking lot without public garage or automobile facilities for the parking of passenger cars and trucks of less than one (1) ton capacity only
Photographers or artists studio
Professional offices for architect, attorney, engineer and real estate
Public garage, parking, no repairs
Piano and musical instruments, retail sales only
Plumbing shop, retail sales only, without warehouse facilities (to include storage for ordinary repairs, but not storage for materials for contracting work)
Restaurant (with a special use permit)
Restaurant with alcohol (with a special use permit)
Retail store or shop for custom work or the making of articles to be sold for retail on the premises
Seamstress, dressmaker, or tailor
Seed store
Shoe repair shop, retail sales only
Studios, dance, music, drama, health, and reducing
Studio for the display and sale of glass, china, art objects, cloth and draperies

SECTION 3. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose

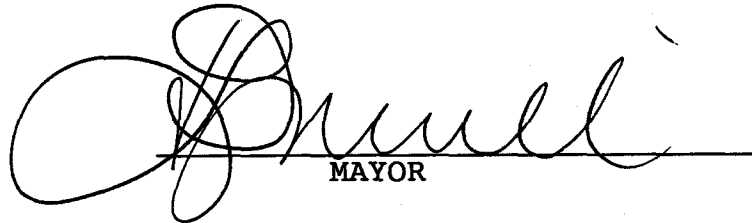
SECTION 4. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) and not less than Five Hundred Dollars (\$500.00) 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. That all ordinances 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 11th day of June, 1991.


MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1057-Z

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