

ORDINANCE NO. 091-066

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING ORDINANCES 446 AND 459 TO PROVIDE FOR ADDITIONAL USES AND A NEW DEVELOPMENT PLAN, ON APPLICATION FROM WAL-MART, INC., ON APPROXIMATELY 25 ACRES AT THE SOUTHWEST CORNER OF THE INTERSECTION OF BELT LINE ROAD AND MIDWAY ROAD (THE "PROPERTY"); PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 091-066

SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, is hereby amended by amending Section 2 of Ordinance 446 and Section 2 of Ordinance 459 to read as follows:

SECTION 2. In the herein above described land or building, the only uses permitted on the property are as follows:

Antique shop;
Aquarium;
Art gallery;
Automotive goods, retail sales only;
Automotive service, limited to the mounting of tires and the installation of automobile batteries;
Bakery, retail sales only;
Bank, office, wholesale sales office or sample room, barber and beauty shops;
Bird and pet shops retail;
Book or stationery store;
Cafeteria;
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;
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 6000 square feet;
Department store, novelty or variety shop, retail sales only;
Drug store, retail sales only;
Florist, retail sales only;
Furniture store, retail only;
Grocery store, retail sales only;
Hardware, sporting goods, toys; paints, wallpaper, clothing, retail sales only;
Household and office furniture, furnishings, 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 6,000 square feet in area and no pick-up and delivery shall be operated;
Letter and mimeograph shop;
Library, rental;
Meat market, retail sales only;

Moving Picture Theatre
Nursery, retail sale of plants and trees
Office building
Photographers or artists studio;
Parking lot without public garage or automobile facilities for the parking of passenger cars and trucks of less than one (1) ton capacity only;
Professional offices for architect, attorney, engineer and real estate;
Public garage, parking, no repairs;
Piano and musical instruments, retail sales only;p
Restaurant without curb or drive-in service (service to be entirely within the building);
Retail store/shop for custom work or the making of articles to be sold for retail on the premises;
Seamstress, dressmaker 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;
Warehouse retail club, wherein goods are sold at both retail and wholesale to club members
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;

SECTION 2. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, is hereby amended by amending Section 3 of Ordinance 446 and Section 3 of Ordinance 459 to read as follows:

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

-As provided in the 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.

-No building shall exceed two stories or thirty-five feet in height.

-No building within 100 feet of a residential area shall exceed one story or (25) twenty-five feet in height.

-All general retail businesses shall provide off-street parking at a ratio of one (1) space for each 200 square feet of floor area. Establishments for the sale and consumption on the premises of food and refreshments shall provide off-street parking at a ratio of one (1) space for each one hundred (100) square feet of floor area. Motion picture theaters shall provide off-street parking at a ratio of one space for each for (4) seats based on maximum occupancy load. All other businesses shall provide off-street parking at a ratio of one space for each (300) three hundred feet of floor area.

-The color of brick for the building shown on the development plan shall be agreed on by the applicant and the City Council.

-There shall be a parapet wall, 5 feet in height, around the top of the building shown on the development plan.

-There shall be no outside storage of any equipment, goods, merchandise, or materials. Cart return areas in the parking lot shall be allowed.

-The 10 foot screening wall shall be continued on the south property line of the western adjacent property. This wall shall not extend access the entire western adjacent property line, but shall extend only to the westernmost side of the Runyon Road curb cut. There shall be eight 3-inch live oak trees planted on the south side of the wall to provide additional screening.

-No trucks or trailers shall be left parked on the site at any time, except for trucks located in the wells of the loading dock.

-The property owner shall maintain all screening walls built on the site.

-No can banks or kiosk uses shall be allowed in the parking lot.

-All parking lot sweeping shall be completed prior to midnight.

-All parking lot lighting shall be turned off at 10:00 p.m.

-Bollards shall be installed on the south side of the building shown on the development plan which shall prohibit trucks from queuing along the south side of the building.

-The applicant shall obtain an easement across the western adjacent property, immediately adjacent to this property on the west, to provide access to a traffic signal to be installed at Runyon Road. The easement language shall provide that the easement cannot be terminated without the consent of the Town of Addison. However, the easement may be relocated when the western adjacent property is developed.

-Cross-access shall be provided to all parcels provided as shown on the approved plan for development of this property.

-All median modifications suggested by the city's traffic engineers shall be installed in accordance with city specifications at the applicant's expense. These improvements shall include a traffic signal, which shall be funded by or installed by the applicant in accordance with city specifications, at the intersection of Belt Line Road and Runyon Road.

-All light standards to be located in the parking area west of the building shown on the development plan, south of the access road to the western adjacent property, and east of Pecan Square, shall not be over twenty-five (25) feet in height.

-The applicant shall construct the screening wall against Beltway Drive prior to beginning construction on the building shown on the site plan.

-The tire mounting and/or battery installation will be performed within the T.M.A. (area designated on the site plan) which shall be constructed with specific attention to acoustical treatment to reduce noise.


SECTION 3. 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 4. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

SECTION 5. That Ordinance No. 446 and Ordinance 459 shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. This ordinance shall take effect and be in force from and after its adoption as provided by law.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 12th day of November, 1991.


MAYOR

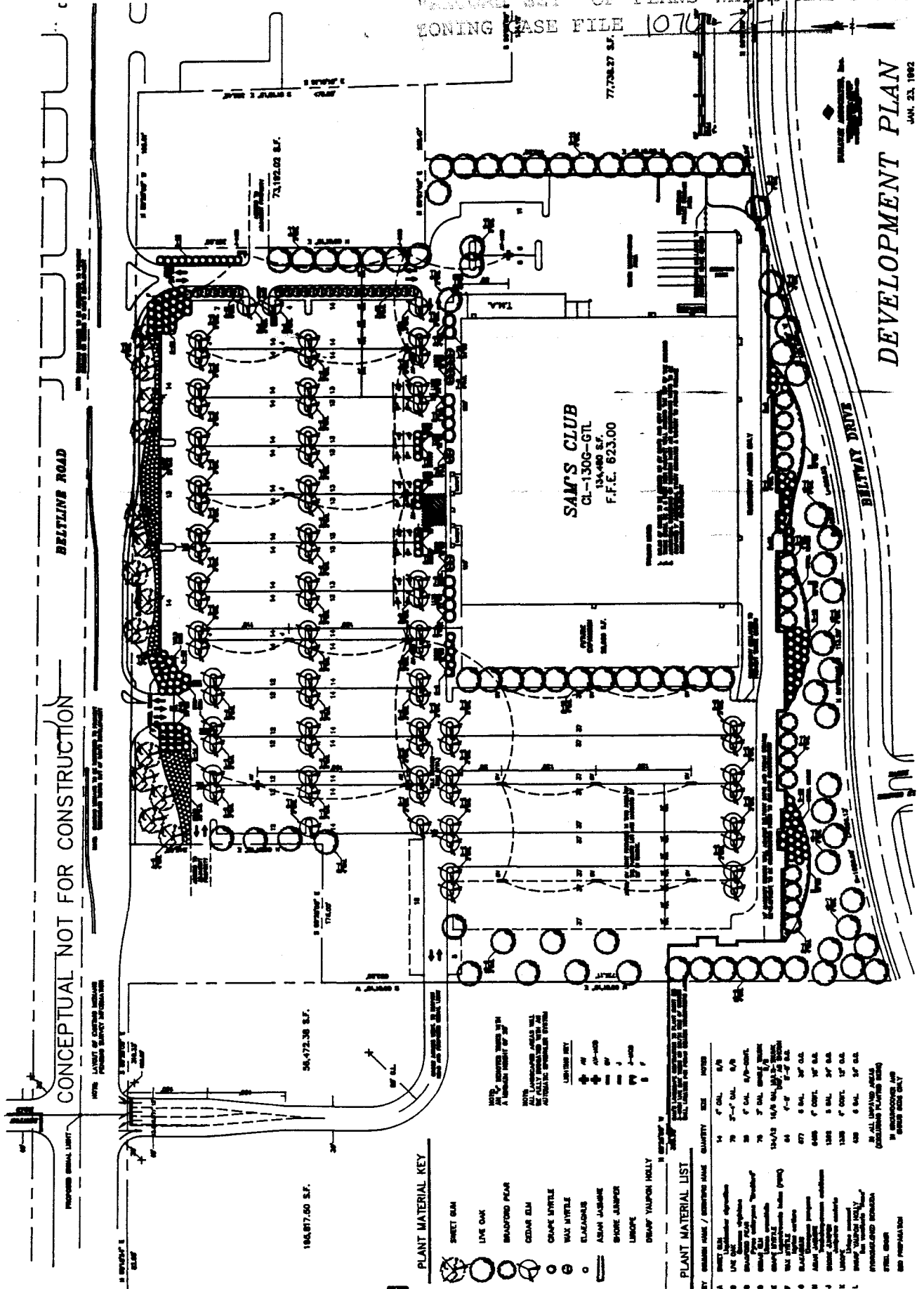
ATTEST:


CITY SECRETARY

Unlinked
12/26/91



THESE PLANS ARE REDUCTIONS OF THE ACTUAL
 "RECORD SET" OF PLANS WHICH ARE FILED IN
 ZONING CASE FILE 1070



DEVELOPMENT PLAN
 JAN. 23, 1992

CONCEPTUAL NOT FOR CONSTRUCTION
 LIMITS OF EXISTING AND PROPOSED PUBLIC UTILITY LOCATIONS

PLANT MATERIAL KEY

- SHEET OAK
- LIVE OAK
- BROADLEAF PEAR
- CEDAR ELM
- CHERRY NUTTLE
- WAX MYRTLE
- ELAEAGNUS
- ASHLEAF JUNIPER
- SHRUB JASMINE
- LIPOPE
- DRYSPICE YALPUSH HOLLY

PLANT MATERIAL LIST

SYMBOL	PLANT NAME / COMMON NAME	SIZE	QUANTITY
○	SHEET OAK	14" 6" O.D.	14
○	LIVE OAK	14" 6" O.D.	78
○	BROADLEAF PEAR	14" 6" O.D.	30
○	CEDAR ELM	14" 6" O.D.	78
○	CHERRY NUTTLE	14" 6" O.D.	14
○	WAX MYRTLE	14" 6" O.D.	14
○	ELAEAGNUS	14" 6" O.D.	14
○	ASHLEAF JUNIPER	14" 6" O.D.	14
○	SHRUB JASMINE	14" 6" O.D.	14
○	LIPOPE	14" 6" O.D.	14
○	DRYSPICE YALPUSH HOLLY	14" 6" O.D.	14

APPROVED

KEYNOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL WALLS ARE 1/2" THICK UNLESS OTHERWISE NOTED.
3. ALL DOORS ARE 3'0" WIDE UNLESS OTHERWISE NOTED.
4. ALL WINDOWS ARE 6'0" WIDE UNLESS OTHERWISE NOTED.
5. ALL PARTITIONS ARE 1/2" THICK UNLESS OTHERWISE NOTED.
6. ALL PARTITIONS ARE TO BE CONCRETE UNLESS OTHERWISE NOTED.
7. ALL PARTITIONS ARE TO BE FINISHED WITH 1/2" GYP BOARD UNLESS OTHERWISE NOTED.
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PARTITION LEGEND

- 1. 1/2" CONCRETE PARTITION
- 2. 1/2" GYP BOARD PARTITION
- 3. 1/2" GYP BOARD PARTITION
- 4. 1/2" GYP BOARD PARTITION
- 5. 1/2" GYP BOARD PARTITION
- 6. 1/2" GYP BOARD PARTITION
- 7. 1/2" GYP BOARD PARTITION
- 8. 1/2" GYP BOARD PARTITION
- 9. 1/2" GYP BOARD PARTITION
- 10. 1/2" GYP BOARD PARTITION
- 11. 1/2" GYP BOARD PARTITION
- 12. 1/2" GYP BOARD PARTITION
- 13. 1/2" GYP BOARD PARTITION
- 14. 1/2" GYP BOARD PARTITION
- 15. 1/2" GYP BOARD PARTITION

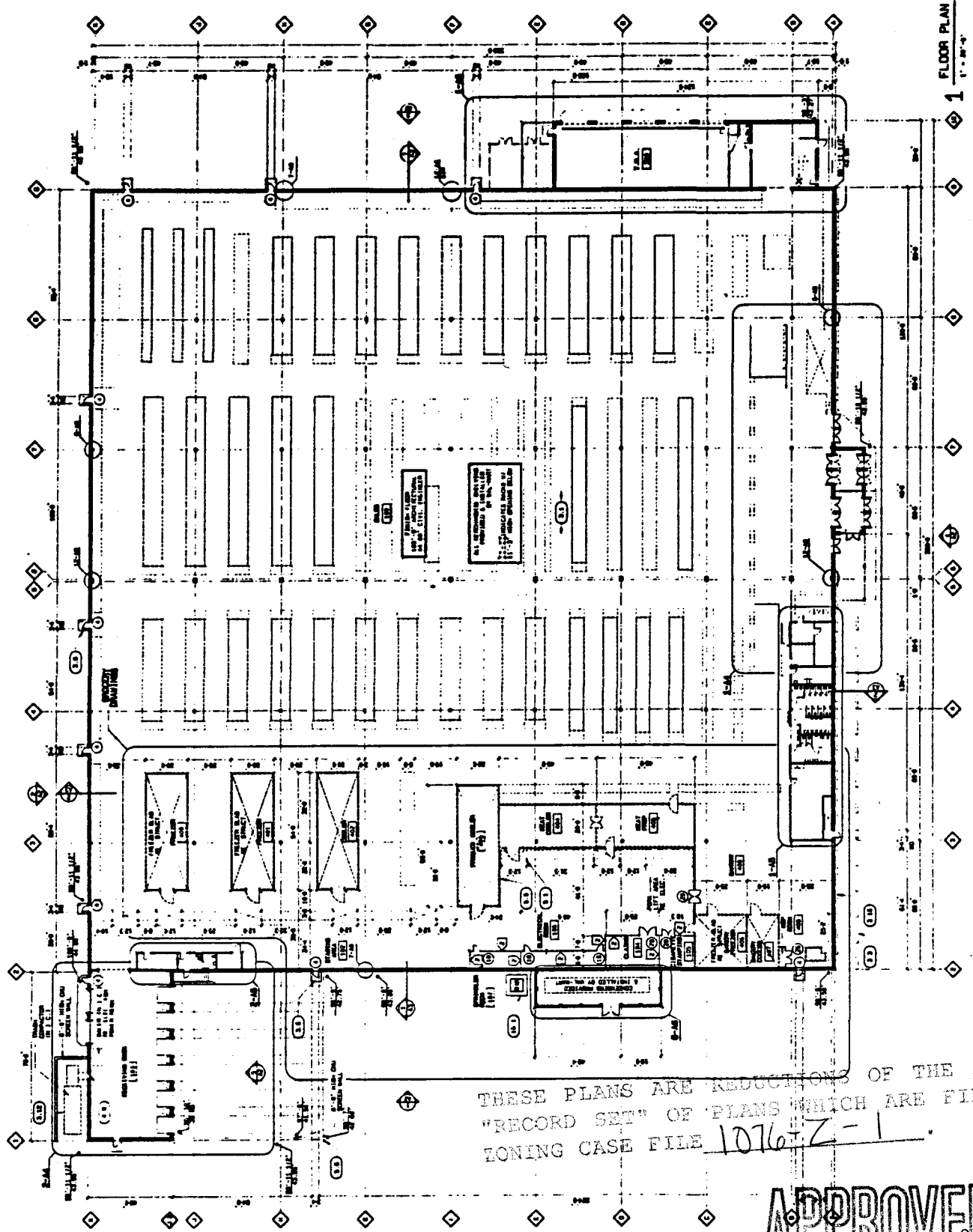
FLOOR PLAN

SAM'S



PROPERTY OF
 HARBURY PHOTO LTD
 1/4" PLAN
 DATE: 10/1/88
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1" = 20'-0"

A1



THESE PLANS ARE REDUCTIONS OF THE ACTUAL "RECORD SET" OF PLANS WHICH ARE FILED IN ZONING CASE FILE 1076 Z-1

APPROVED

KEYNOTES

1. SHOW LINE WORK & 1/4" GRID
2. EXISTING WALLS
3. EXISTING DOORS
4. EXISTING WINDOWS
5. EXISTING ROOF
6. EXISTING FLOOR
7. EXISTING CEILING
8. EXISTING MECHANICAL
9. EXISTING ELECTRICAL
10. EXISTING PLUMBING
11. EXISTING PAINT
12. EXISTING FINISH
13. EXISTING STRUCTURE
14. EXISTING UTILITIES
15. EXISTING ELEVATIONS
16. EXISTING MATERIALS
17. EXISTING CONDITIONS
18. EXISTING DETAILS
19. EXISTING NOTES
20. EXISTING REFERENCES

EXTERIOR COLOR SCHEDULE

1	WHITE	WALLS, CEILING, TRIM
2	BLACK	DOORS, WINDOWS, ROOF
3	RED	ROOF
4	GREEN	ROOF
5	BLUE	ROOF
6	BROWN	ROOF
7	YELLOW	ROOF
8	PURPLE	ROOF
9	PINK	ROOF
10	GRAY	ROOF
11	ORANGE	ROOF
12	TEAL	ROOF
13	LAVENDER	ROOF
14	SLATE	ROOF
15	INDIGO	ROOF
16	VIOLET	ROOF
17	PURPLE	ROOF
18	PINK	ROOF
19	RED	ROOF
20	ORANGE	ROOF

EXTERIOR ELEVATIONS

SAM'S

ARCHITECTS & ENGINEERS

1000 P STREET, N.W.

WASHINGTON, D.C. 20004

PHONE: 202-331-1100

FAX: 202-331-1101

PROJECT NO. 1076-Z-1

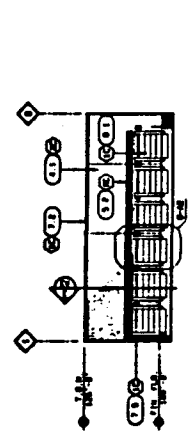
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SCALE: AS SHOWN

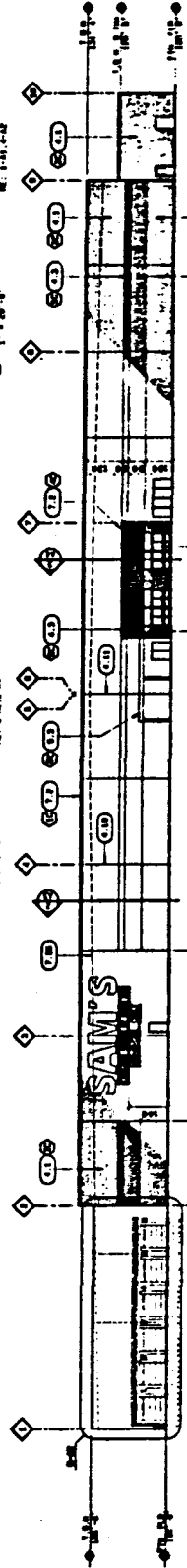
BY: J. B.

CHECKED BY: J. B.

APP. A2

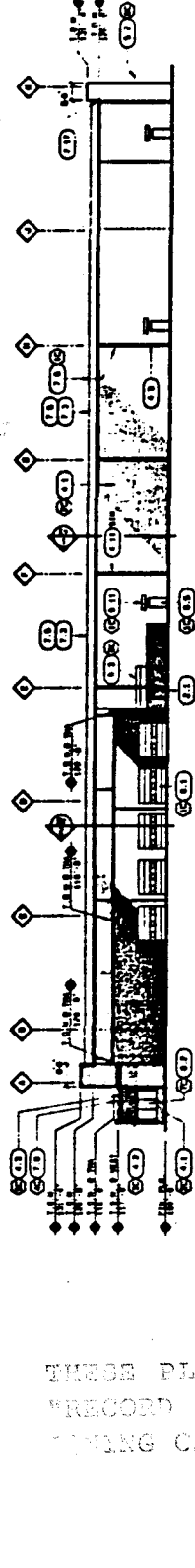


DOCK DOOR ELEVATION
1/4" = 1'-0"

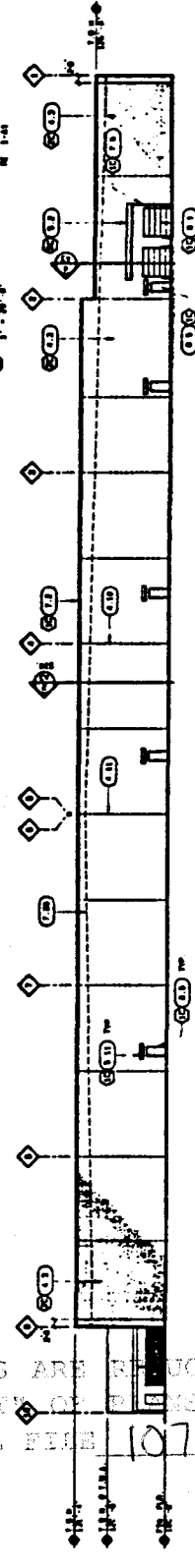


RECEIVING DOCK ELEVATION
1/4" = 1'-0"

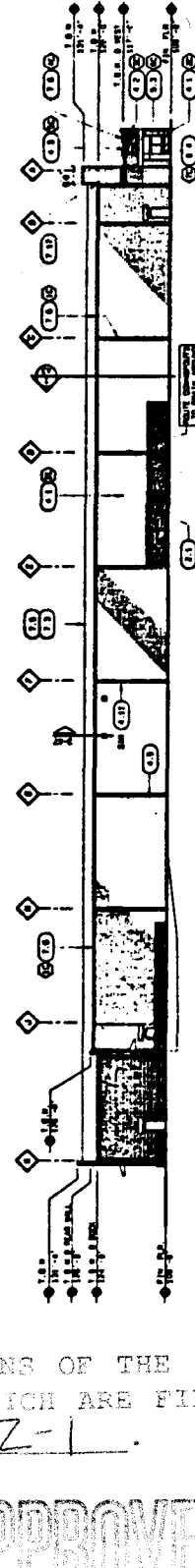
FRONT ELEVATION
1/4" = 1'-0"



RIGHT ELEVATION
1/4" = 1'-0"



REAR ELEVATION
1/4" = 1'-0"



LEFT ELEVATION
1/4" = 1'-0"

THESE PLANS ARE REPRODUCTIONS OF THE ACTUAL "RECORD" SET OF PLANS WHICH ARE FILED IN CIVIL CASE FILE 1076-Z-1.

APPROVED