

ORDINANCE NO. 093-018

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM PLANNED DEVELOPMENT, AS APPROVED THROUGH ORDINANCE 092-048, TO A REVISED PLANNED DEVELOPMENT, ON APPLICATION FROM CENTENNIAL AMERICAN PROPERTIES, LOCATED ON APPROXIMATELY 42.5 ACRES ON THE SOUTH SIDE OF BELT LINE ROAD, BETWEEN MARSH LANE AND SURVEYOR BOULEVARD, 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; PROVIDING FOR SPECIFIC REPEAL OF ORDINANCE 092-048, AND PROVIDING FOR A GENERAL 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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 093-018

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:

TRACT I

BEING all that certain lot, tract or parcel of land situated in the Town of Addison, Dallas County, Texas; and being out of the Thomas L. Chenowith Survey, Abstract No. 273; and being part of Les Lacs Plaza Subdivision, an addition to the Town of Addison as recorded in Volume 83064, Page 2724 of the map records of Dallas County, Texas; and also being part of Printemps Addition No. 1, an addition to the Town of Addison as recorded in Volume 89013, Page 0827 of the map records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the southerly right-of-way line of Belt Line Road (100.00 foot right-of-way), said iron being easterly along said southerly line a distance of 460.00 feet from its intersection with the southeasterly curoff line between the easterly right-of-way line of Marsh Lane (100.00 foot right-of-way) and said southerly line of Belt Line Road;

THENCE: S 88°53'15" E, along said southerly line a distance of 48.54 feet to a 1/2 " iron rod found for an angle point;

THENCE: S 89°00'26" E, continuing along said southerly line a distance of 464.39 feet to a 5/8" iron rod set for corner in the new right-of-way take loine of Belt Line Road;

THENCE: S 82°41'55" E, continuing along said new right-of-way line a distance of 100.11 feet to a 5/8" iron rod set for an angle point;

THENCE: S 89°00'26" E, continuing along the said new right-of-way line a distance of 156.50 feet to an "X" set in concreete for corner in the west line of a 20' x 260' quit claim tract from the Town of Addison, Texas as recorded in Volume 92205 at page 5407 of the Deed Records of Dallas County, Texas;

THENCE: N 00°59'34" E, a distance of 11.00 feet to the northwest corner of said quit claim tract, said point being in the south line of Belt Line Road (100.00 foot right-of-way at this point);

THENCE: S 89°00'26" E, along the south line of Belt Line Road a distance of 20.00 feet to an "X" set in concrete, said piont being the northeast corner of the Printemps Addition No. 1;

THENCE: S 00°59'34" W, along the east line of said Printemps Addition No. 1 a distance of 260.00 feet to the southeast corner of same 1/2" iron rod found for corner;

THENCE: S 89°00'26" E, a distance of 20.00 feet to a 5/8" iron rod set for corner, said point being the southwest corner of Loc 2-R in Block A of Printemps Addition No. 2, an addition to the Town of Addison as recorded in Volume 92165 at Page 2251 of the map records of Dallas County, Texas;

THENCE: S 00°59'34" W, a distance of 32.25 feet to a 5/8" iron rod set for corner;

THENCE: N 89°00'26" W, a distance of 136.87 feet to a 5/8" iron rod set for corner;

THENCE: S 00°59'34" W, a distance of 857.82 feet to a 5/8" iron rod set for corner;

THENCE: S 85°27'35" W, a distance of 20.51 feet to a 5/8" iron rod set for corner;

THENCE: S 75°01'43" W, a distance of 202.33 feet to a 5/8" iron rod set for corner;

THENCE: N 81°28'21" W, a distance of 275.83 feet to a 5/8" iron rod set for corner;

THENCE: N 72°06'23" W, a distance of 572.16 feet to a 5/8" iron rod set for corner;

THENCE: N 43°29'15" W, a distance of 126.94 feet to a 5/8" iron rod set for corner;

THENCE: N 72°06'23" W, a distance of 27.55 feet to a 5/8" iron rod set for corner in the easterly line of aforesaid Marsh Lane;

THENCE: N 00°56'06" E, along said easterly line of Marsh Lane, a distance of 369.87 feet to a 1/2" iron rod found for corner;

THENCE: S 89°03'57" E, a distance of 248.50 feet to a 1/2" iron rod found for the southwest corner of aforesaid Printemps Addition No. 1;

THENCE: N 00°56'06" E, along the west line of said Printemps Addition No. 1, a distance of 284.73 feet to a 1/2" iron rod found for corner;

THENCE: S 88°53'11" E, along said west line a distance of 230.72 feet to a 1/2" iron rod for corner;

THENCE: N 01°06'45" E, Continuing along said west line a distance of 252.35 feet to the place of beginning and containing 25.9430 acres of land, more or less.

TRACT II

BEING a tract of land situated in the Town of Addison, Dallas County, Texas and being part of the Thomas L. Chenoweth Survey, Abstract No. 273 and also being part of Les Lacs Plaza Subdivision, an addition to the Town of Addison, as recorded in Volume 83064, Page 2724 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at an iron rod for corner in the southerly right-of-way line of Belt Line Road (100 feet wide), said point being easterly along said southerly line 1,248.93 feet from its intersection with the southeasterly cutoff line between the easterly right-of-way line of Marsh Lane (100 feet wide) and said southerly line of Belt Line Road;

THENCE: S 89°00'26" E continuing along the said southerly line a distance of 358.77 feet to an iron rod and the beginning of a curve to the left;

THENCE: northeasterly continuing along the said southerly line and along said curve to the left having a radius of 1,960.00 feet, a central angle of 9°58'40" and an arc length of 341.32 feet to an iron rod for corner;

THENCE: S 25°08'43" E along the southwesterly line of a tract of land conveyed to First Interstate Bank of Texas by deed as recorded in Volume 88192, Page 2509 of the Deed Records of Dallas County, Texas a distance of 498.12 feet to an iron rod for corner;

THENCE: S 79°49'35" W along a northerly line of a tract of land conveyed to Les Lacs Plaza Joint Venture by

deed as recorded in Volume 88125, Page 0467 of the Deed Records of Dallas County, Texas a distance of 535.35 feet to an iron rod for corner;

THENCE: N 14°58'28" W along the northeasterly line of a tract of land conveyed to Co-Tenancy et.al. by deed as recorded in Volume 88125, Page 0467 of the Deed Records of Dallas County, Texas a distance of 535.35 feet to an iron rod for corner;

THENCE: in a northwesterly direction continuing along said northeasterly line and along said curve to the left having a radius of 260.50 feet, a central angle of 38°46'04" and an arc length of 176.26 feet to an iron rod and the end of said curve and the beginning of a curve to the left;

THENCE: continuing in a northwesterly direction along said northeasterly line and along said curve to the left having a radius of 377.27 feet, a central angle of 35°15'54" and an arc length of 232.21 feet to a point for corner;

THENCE: N 89°00'26" W along the northerly line of said co-tenance et. al. tract a distance of 60.15 feet to an iron rod for corner;

THENCE: N 00°59'34" East along the easterly line of a tract of land conveyed to Pacwes LTD. by deed as recorded in Volume 88159, Page 4525 of the Deed Records of Dallas County, Texas a distance of 260.00 feet to the POINT OF BEGINNING and containing 329,917 square feet or 7,5739 acres of land, more or less.

TRACT III

BEING all that certain lot, tract or parcel of land situated in the Town of Addison, Dallas County, Texas; and being out of the Thomas L. Chenoweth Survey, Abstract No. 273; and being part of Les Lacs Plaza subdivision, an addition to the Town of Addison as recorded in Volume 83064, Page 2724 of the Map Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at the most westerly southwest corner of the replat of Printemps Addition No. 2, an addition to the Town of Addison as recorded in Volume 92162, page 2251 of the Map Records of Dallas County, Texas; 1/2" iron rod found for corner;

THENCE S 89°00'26" E, along the southwesterly line of said addition, a distance of 40.15 feet to a 1/2" iron rod found at the beginning of a curve to the right having a central angle of 35°15'54" and a radius of 377.27 feet whose center bears S 00°59'32" W;

THENCE Southeasterly along said curve to the right and said addition line an arc distance of 232.21 feet to a 1/2" iron rod found for corner at the end of said curve to the right; and the beginning of a curve to the right having a central angel of 38°46'06" and a radius of 260.50 feet whose center bears S 36°15'26" W;

THENCE southeasterly along said curve to the right and continuing along said addition line an arc distance of 176.26 feet to a 1/2" iron rod found for corner at the end of said curve to the right;

THENCE S 14°58'28" E, passing at 52.99 feet the most southerly southwest corner of said Printemps Addition No. 2, for a total distance of 127.99 feet to a 1/2" iron rod found for corner at the beginning of a curve to the right having a centeal angle of 29°37'16" and a radius of 308.05 feet whose center bears S 75°01'32" W;

THENCE Southerly along said curve to the right an arc distance of 159.26 feet to a 1/2" iron rod found for corner at the end of said curve to the right; and the beginning of a curve to the right having a central angle of 31°20'46" and a radius of 458.50 feet whose center bears N 75°21'12" W;

THENCE Southwesterly along said curve to the right an arc distance of 250.84 feet to a 1/2" iron rod found for corner at the end of said curve to the right;

THENCE S 45°59'34" W, a distance of 224.57 feet to a 5/8" iron rod set for corner;

THENCE S 85°27'35" W, a distance of 254.33 feet to a 5/8" iron rod set for corner;

THENCE N 00°59'34" E, a distance of 857.82 feet to a 5/8" iron rod set for corner;

THENCE S 89°00'26" W, a distance of 136.87 feet to a 5/8" iron rod set for corner;

THENCE N 00°59'34" E, a distance of 32.25 feet to the PLACE OF BEGINNING and containing 8.9812 acres of land, more or less.

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

Antique shop;
Aquarium;
Art gallery;
Automotive goods, retail sales only;
Automotive service, limited to the K-Mart store only.
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;
Camera shop;
Candy, cigars and tobaccos, retail sales only;
Caterer and wedding service, offices only;
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;
Library, rental;
Meat market, retail sales only;
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;
Piano and musical instruments, retail sales only;
Restaurant with or without sale of alcohol for on-premise consumption (subject to Special Use Permit approval)
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, reducing;
Studio for the display and sale of glass, china, art objects, cloth and draperies;
Taxi stand;
Video stores, sales and rental of video cassettes and players
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 their laundry;
Wearing apparel, including clothing, shoes, hats, millinery and accessories;
Accessory buildings and uses customarily incident to the above uses;

SECTION 3. 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 4. The following special conditions are placed on the above described property:

-There shall be no southbound access to Marsh Lane from this site.

-The South side of the shopping center may be constructed out of concrete block or concrete tilt-wall. However, the south side shall be painted in a color to match the brick used on the front and sides of the center.

-All mechanical equipment shall be constructed, located and screened by a parapet wall so as not to interfere with the peace, comfort and repose of the occupants of any adjoining building and shall not be visible from any public street or residence.

-All buildings shall be recessed into the site at least five feet (5') below the grade elevation at the north right-of-way line of Beltway Drive.

-All lighting on site shall be on 30-foot tall light poles or less. All lighting at the rear of the site shall be on wall mounted fixtures which will be shielded from residences, or on 20-foot tall poles which shall direct light away from residences. If the proposed grocery store is a 24-hour operation, 24-hour lighting shall be allowed in front of the grocery store and IHOP only, and shall be reviewed and approved by Town staff prior to installation,

-All public parking lot surfaces shall be 100% concrete or asphalt. If asphalt is used, the City Engineer shall specify a depth of asphalt poured and type of asphalt. Additional landscaping shall be added to the interior of the parking lots to break the length of the parking bays.

-The K-Mart store shall be allowed to do all automotive repairs normally found in K-Mart stores. Prior to the issuance of a Certificate of Occupancy for the store, the applicant shall furnish a list of repairs that are customary to a K-Mart, and shall be limited to only the repairs listed.

-The landscaping plan shall be revised to provide increased berming between Marsh Lane and the automotive service bays in order to screen the bays from Marsh Lane.

-No goods, articles, or materials on this site shall be kept in the open or exposed to public view, with the exception of plant material and lawn and garden supplied which may be stored in the Garden Center at the K-Mart.

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

-No exterior kiosk uses or can banks shall be allowed on the property.

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

-The throat length of the western entrance should be lengthened to a minimum of 150 feet.

-Detention may be required. A final determination will be based on the detailed drainage calculations and the capacity of the existing system.

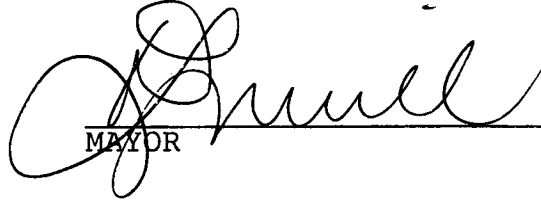
SECTION 5. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose

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 set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

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. That this ordinance shall specifically repeal Ordinance 092-948, previously passed by the Council on (date) and 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 9th day of March 1993.


MAYOR

ATTEST:


CITY SECRETARY

Case # 1081-Z-3

APPROVED AS TO FORM:


DIRECTOR OF DEVELOPMENT SERVICES

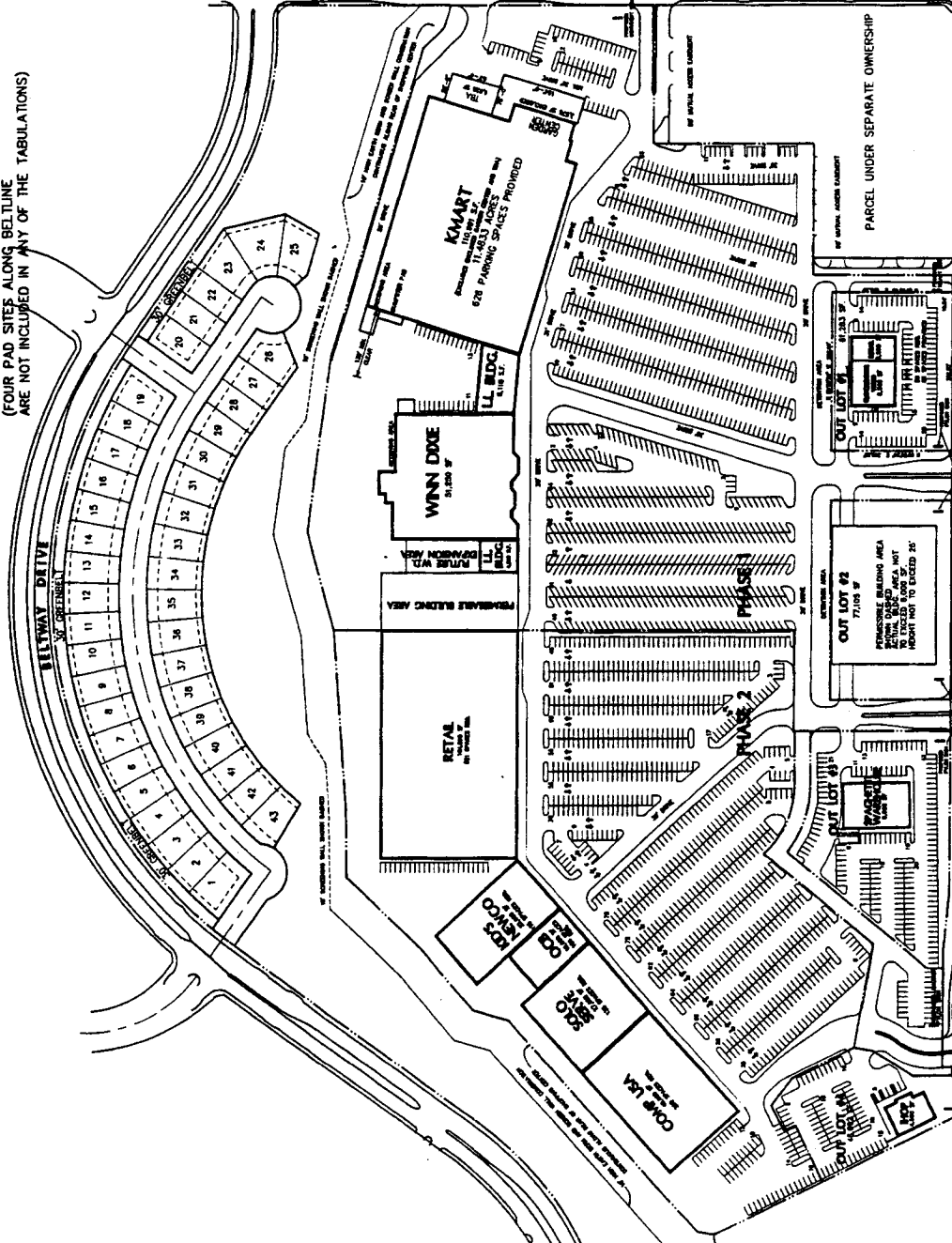
Published
5/20/93



TOTAL TABULATIONS
 1,635,048 SF LAND AREA (37.5 ACRES)
 430,809 SF BUILDING AREA
 26.3% COVERAGE
 PARKING REQ. 2025 SPACES
 PARKING PROVIDED 2025 SPACES
 (FOUR PAD SITES ALONG BELTLINE
 ARE NOT INCLUDED IN ANY OF THE TABULATIONS)

PHASE 2 TABULATIONS
 690,657 SF LAND AREA (15.86 ACRES)
 240,090 SF BUILDING AREA
 34.8% COVERAGE
 PARKING REQ. 1071 SPACES
 PARKING PROVIDED 962 SPACES

PHASE 1 TABULATIONS
 955,621 SF LAND AREA (21.94 ACRES)
 190,719 SF BUILDING AREA
 20% COVERAGE
 PARKING REQ. 954 SPACES
 PARKING PROVIDED 1063 SPACES



KMART #4885

PARKING PHASE 1

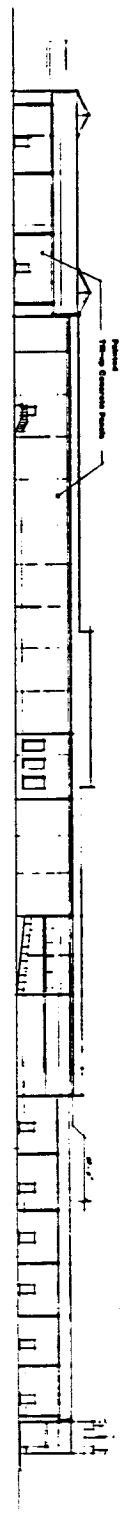
KMART TRACT - 626 PARKING SPACES PRO
 S.C. TRACT - 357 PARKING SPACES PRO
 (EXCLUDES PARKING ON OUTLOTS)
 TOTAL - 983 PARKING SPACES PROVI
 (EXCLUDES PARKING ON OUTLOTS)

SITE PLAN / ADDISON, TEXAS
 SCALE: 1"=100'

THESE PLANS ARE REDUCTIONS OF THE ACTUAL
 "RECORD SET" OF PLANS WHICH ARE FILED IN
 ZONING CASE FILE 1081-Z-3.

APPROVED

ELEVATION #12



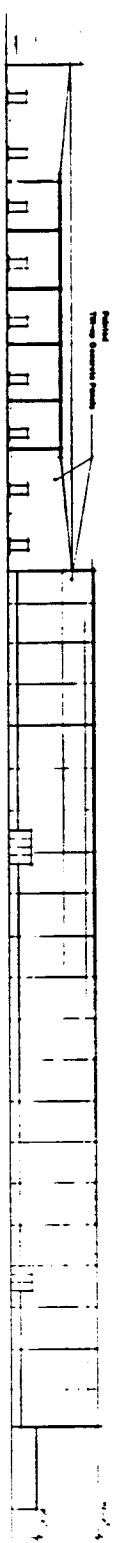
ELEVATION #11



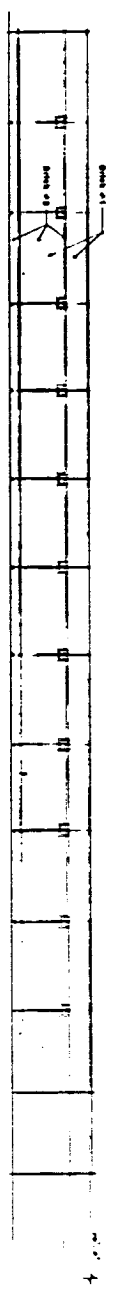
ELEVATION #10



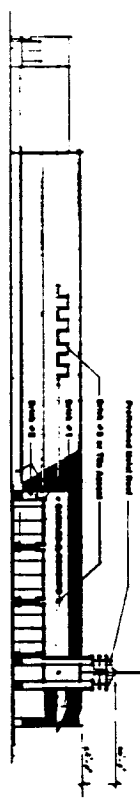
ELEVATION #9



ELEVATION #8



ELEVATION #6



ELEVATION #7



THESE PLANS ARE REDUCTIONS OF THE ACTUAL
"RECORD SET" OF PLANS WHICH ARE FILED IN
BUILDING CASE FILE 1081-Z-3
093-018

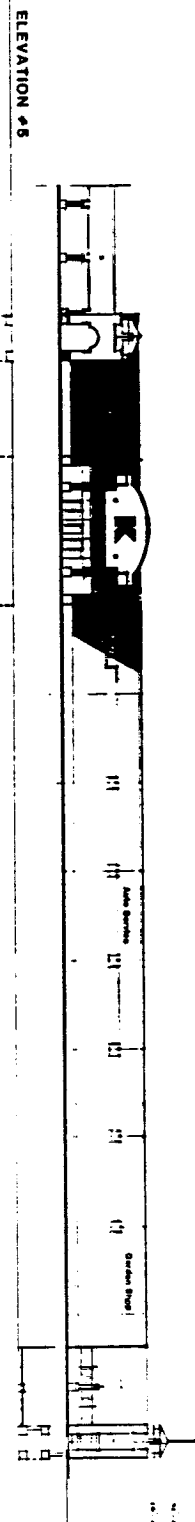
RETAIL DEVELOPMENT
ADDISON, TEXAS
Centennial American
Properties, Ltd.

APPROVED

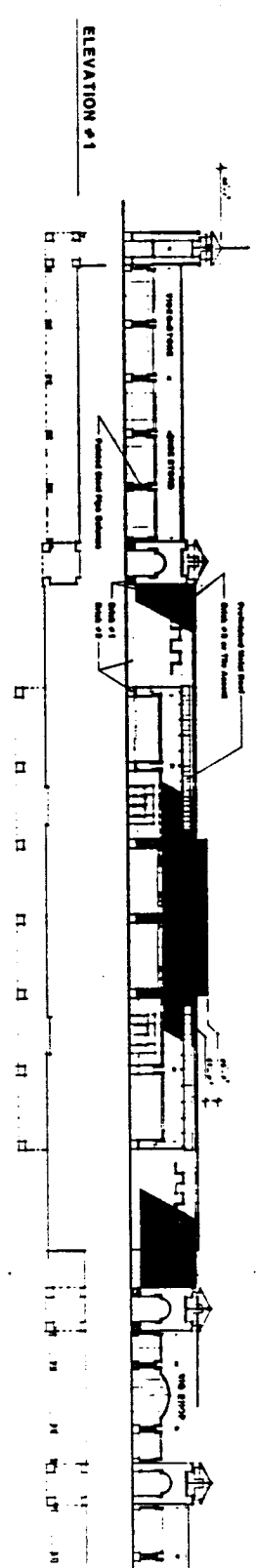
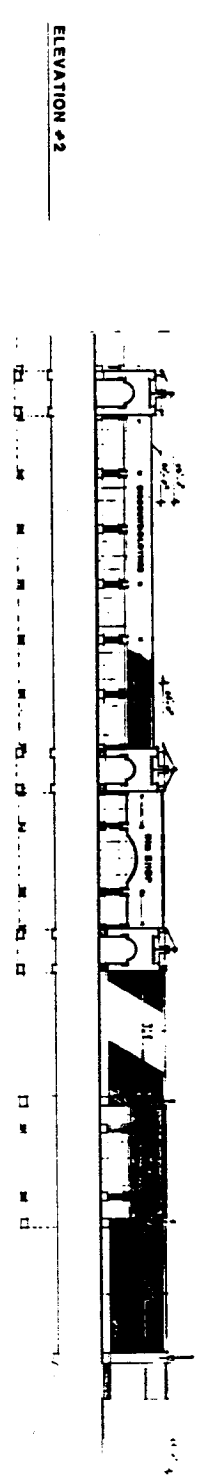
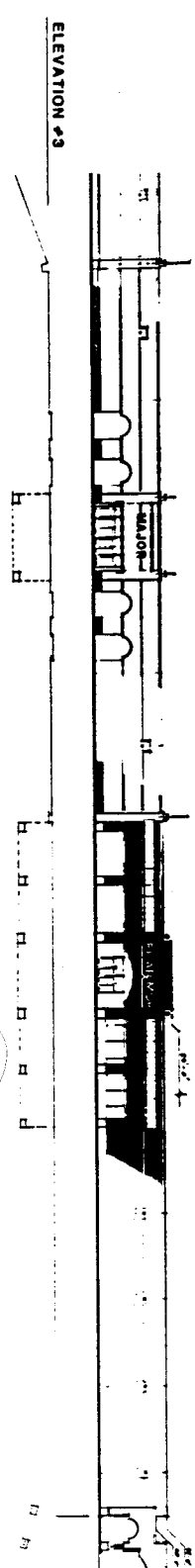
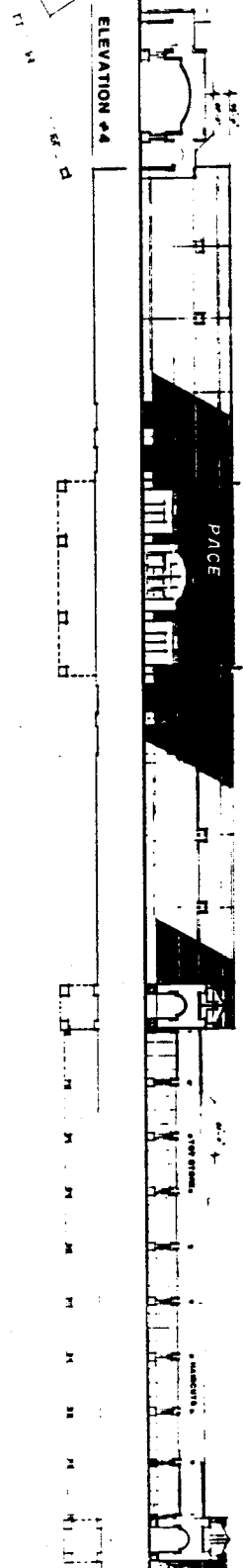
PIERRE OBRUN HERR
ARCHITECTS
SHERBORNWOOD
1700 KAYNIA DRIVE
HOUSTON, TEXAS 77058
(713) 465-1111 FAX (713) 465-1112

PROJECT NO. 91
9100200
DATE
29 AUG 91
SCALE
AS SHOWN
SHEET NO.
11 OF 11
ALL RIGHTS RESERVED BY THE ARCHITECT

PIERRE OBRUN HERR
ARCHITECTS
SHERBORNWOOD
1700 KAYNIA DRIVE
HOUSTON, TEXAS 77058
(713) 465-1111 FAX (713) 465-1112



APPROVED
093-018



THESE PLANS ARE REDUCTIONS OF THE ACTUAL "RECORD SET" OF PLANS WHICH ARE FILED IN ZONING CASE FILE 1581-7-3.

RETAIL DEVELOPMENT
ADDISON, TEXAS

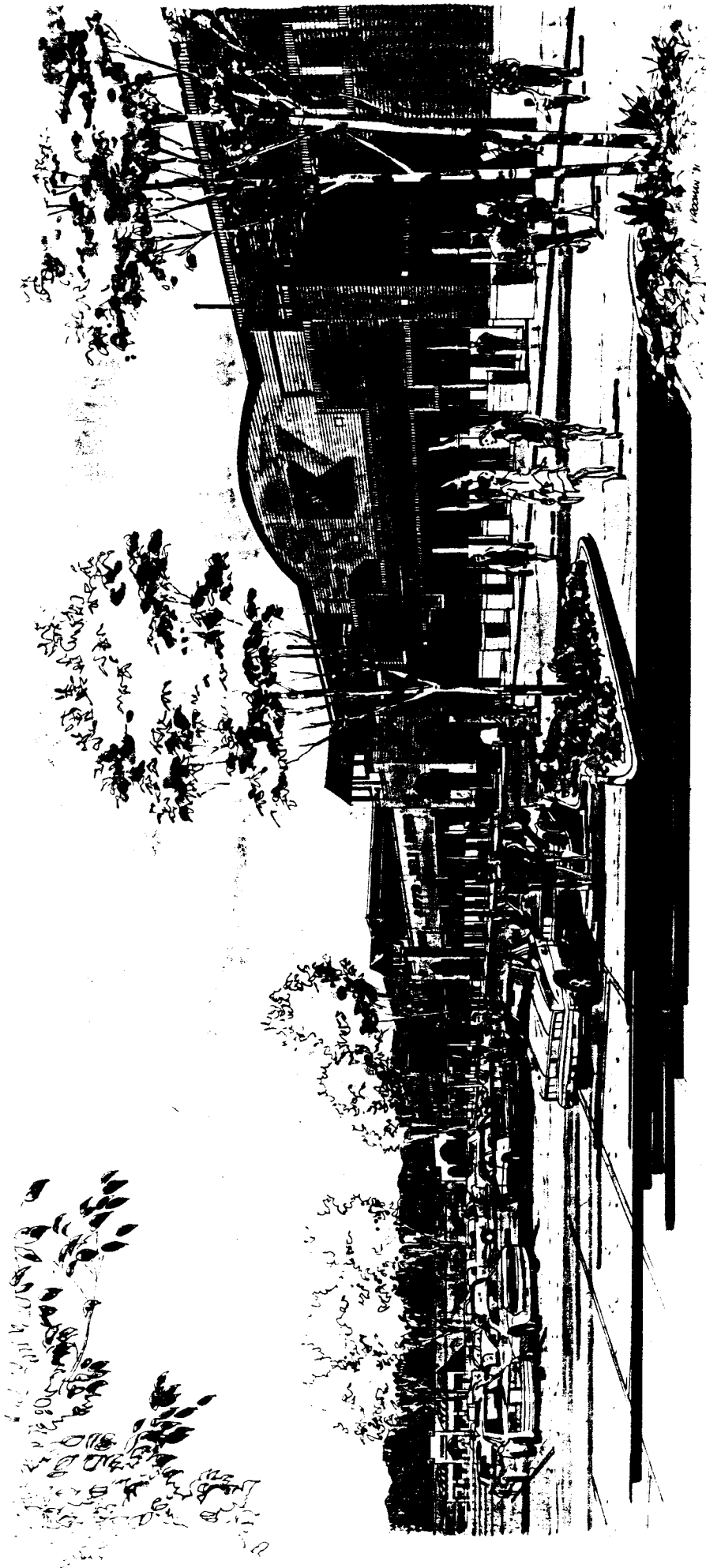
Centennial American
Properties, Ltd.



PIPER-ORFENHERR
ARCHITECTS
SITING: 2000 HUNTER
TWO RAVENIA DRIVE
ATLANTA, GA 30346
404/512-6811 FAX 512-653

PROJECT NO. 9100200
DATE 28 AUG 91
SCALE 1/8" = 1'-0"

TITLE: RETAIL DEVELOPMENT
DATE: 28 AUG 91
DRAWN BY: [illegible]
CHECKED BY: [illegible]



THESE PLANS ARE REDUCTIONS OF THE ACTUAL
"RECORD SET" OF PLANS WHICH ARE FILED IN
ENGINEERING CASE FILE 1081-Z-3

APPROVED