

ORDINANCE NO. 093-031

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO GRANT A SPECIAL USE PERMIT FOR A RELIGIOUS INSTITUTION IN AN INDUSTRIAL-1 DISTRICT, ON APPLICATION WITH CORNERSTONE COMMUNITY CHURCH, LOCATED AT 4288 KELLWAY CIRCLE; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A SEVERABILITY 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, 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 Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit to a Religious Institution. Said zoning amendment shall be noted on the official zoning map of the Town of Addison, Texas, and is situated on the following described land:

BEING a lease space located east 4288 Kellway Circle, which is on a tract of land described as all of Lot 8c, Block B, replat of Lot 8, Block B, Beltwood North, Phase 2, an addition to the City of Addison, Texas as recorded in Volume 79204, Page 1638 of the Map Records of Dallas County, Texas and being more particularly described as follows:

Commencing at the intersection of the easterly line of Midway Road (a 100-foot right-of-way) and the southerly line of Kellway Circle, originally called Midway Circle, (a 60-foot right-of-way); Thence, North $66^{\circ}21'30''$ East 129.61 feet to the beginning of a curve to the right having a central angle of $23^{\circ}24'39''$, a radius of 300.00 feet and a tangent length of 62.16 feet; Thence along the curve and the south line of Kellway Circle 122.58 feet to the end of curve; Thence North $89^{\circ}46'09''$ East, 273.45 feet along the south line Kellway Circle to the beginning of a curve to the left having a central angle of $89^{\circ}46'09''$, a radius of 80.00 feet and a tangent length of 79.68 feet; Thence along the curve and the south and east line of Kellway Circle 125.34 feet to the end of curve; Thence North, 191.48 feet along the east line of Kellway Circle to the beginning of a curve to the left having a central angle of $15^{\circ}58'03''$, a radius of 360 feet and a tangent length of 50.49 feet; Thence along the curve 100.33 feet to the northwesterly corner of Lot 6, Block B and the southwesterly corner of Lot 8c, Block B and to the Point of Beginning;

THENCE, continuing along the easterly line of Kellway Circle and along the curve having a central angle of $04^{\circ}38'05''$, a radius of 360.0 feet and a tangent length of 14.57 whose bearing is North $15^{\circ}58'05''$ West;

THENCE, along the curve 29.12 feet to the end of curve;

THENCE, North $20^{\circ}36'10''$ West, 232.97 feet along the easterly line of Kellway Circle to the northwesterly corner of Lot 8c, Block B;

THENCE North 69°23'50" East, 280.0 feet to the northeast corner of Lot 8c, Block B and the westerly line of the 30-foot drainage easement;

THENCE South 20°36'10" East, 262.79 feet along the easterly line of Lot 8c, Block B and the westerly line of the 30-foot drainage easement;

THENCE South 98.26 feet to the southeastern corner of Lot 8c, Block B and the northeastern corner of Lot 6, Block B;

THENCE West 263.45 feet along the north line of Lot 6 and the south line of Lot 8c, Block B to the Point of Beginning and containing 86,434 square feet or 1.984 acres of land.

SECTION 2. That the Special Use Permit is approved subject to the following special conditions:

-the applicant submit a letter that certifies that the noise levels within the proposed church lease space are within the recommended 45-55 noise decibel levels.

-no day school, day care, or nursery school operations shall be allowed within the facility.

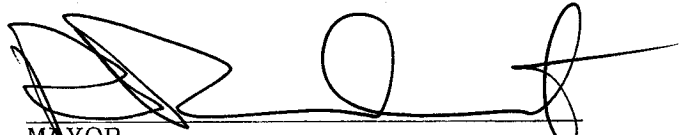
-If the church vacates the space, the city shall initiate hearings to repeal the Special Use Permit, and the owner will not oppose the repeal of the Permit.

SECTION 3. 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.

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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 11th day of May, 1993.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1141-SUP

APPROVED AS TO FORM:



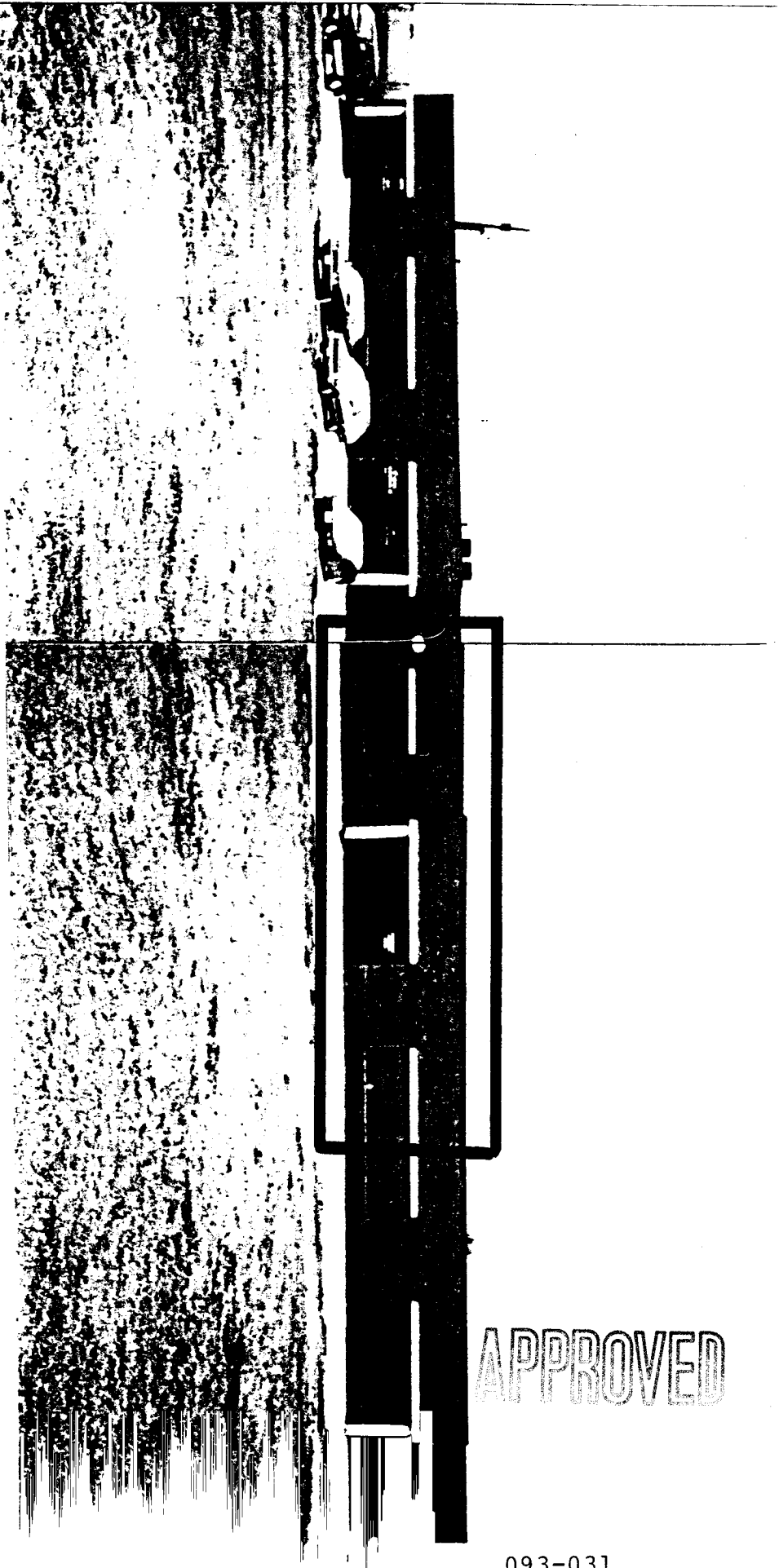
DIRECTOR OF DEVELOPMENT SERVICES

Published
7/22/93

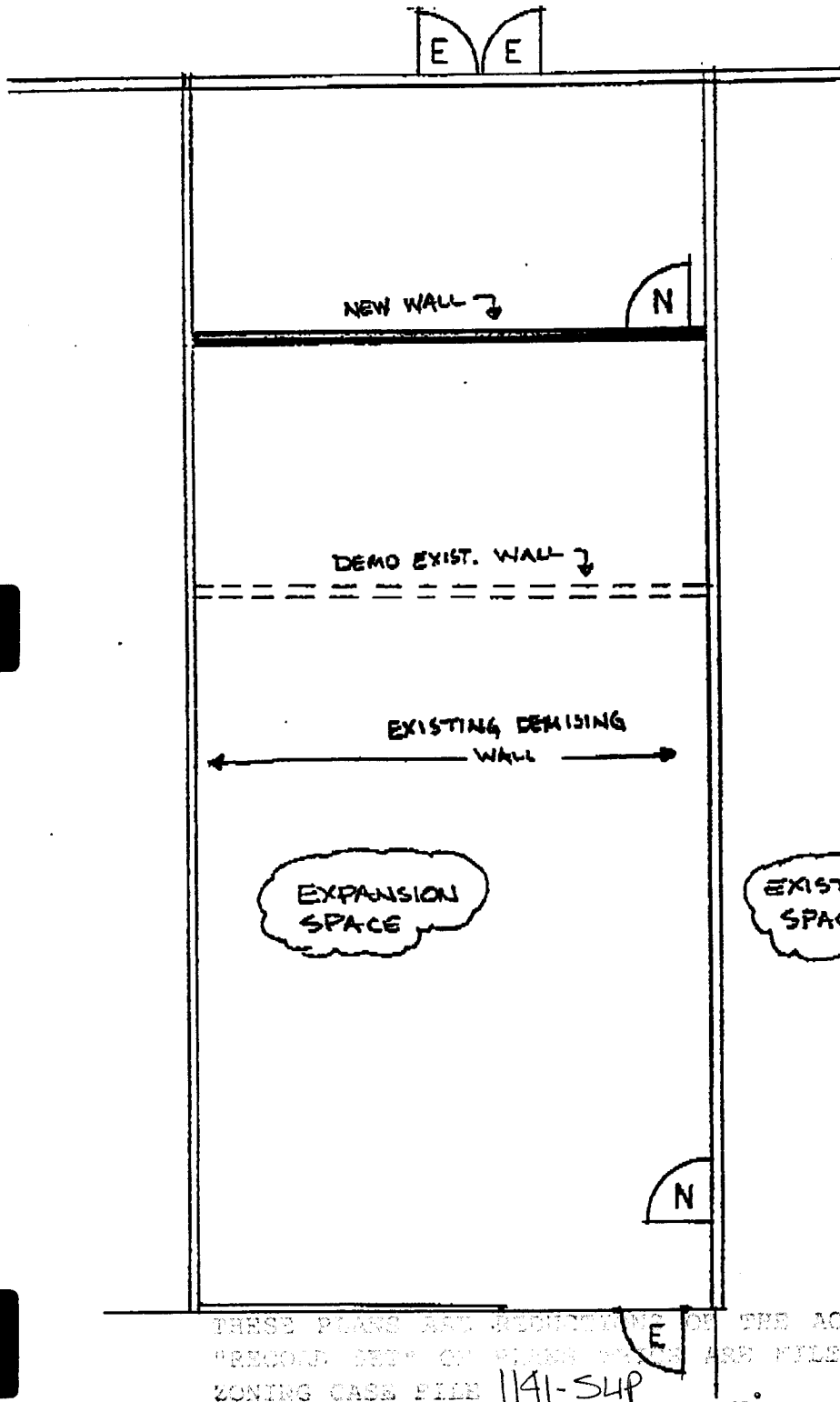


CASE FILE NO. 141-54P
RECEIVED. 4-1-93

THESE PLANS ARE REDUCTIONS OF THE ACTUAL
"RECORD SET" OF PLANS WHICH ARE FILED IN
ZONING CASE FILE 141-54P.



APPROVED



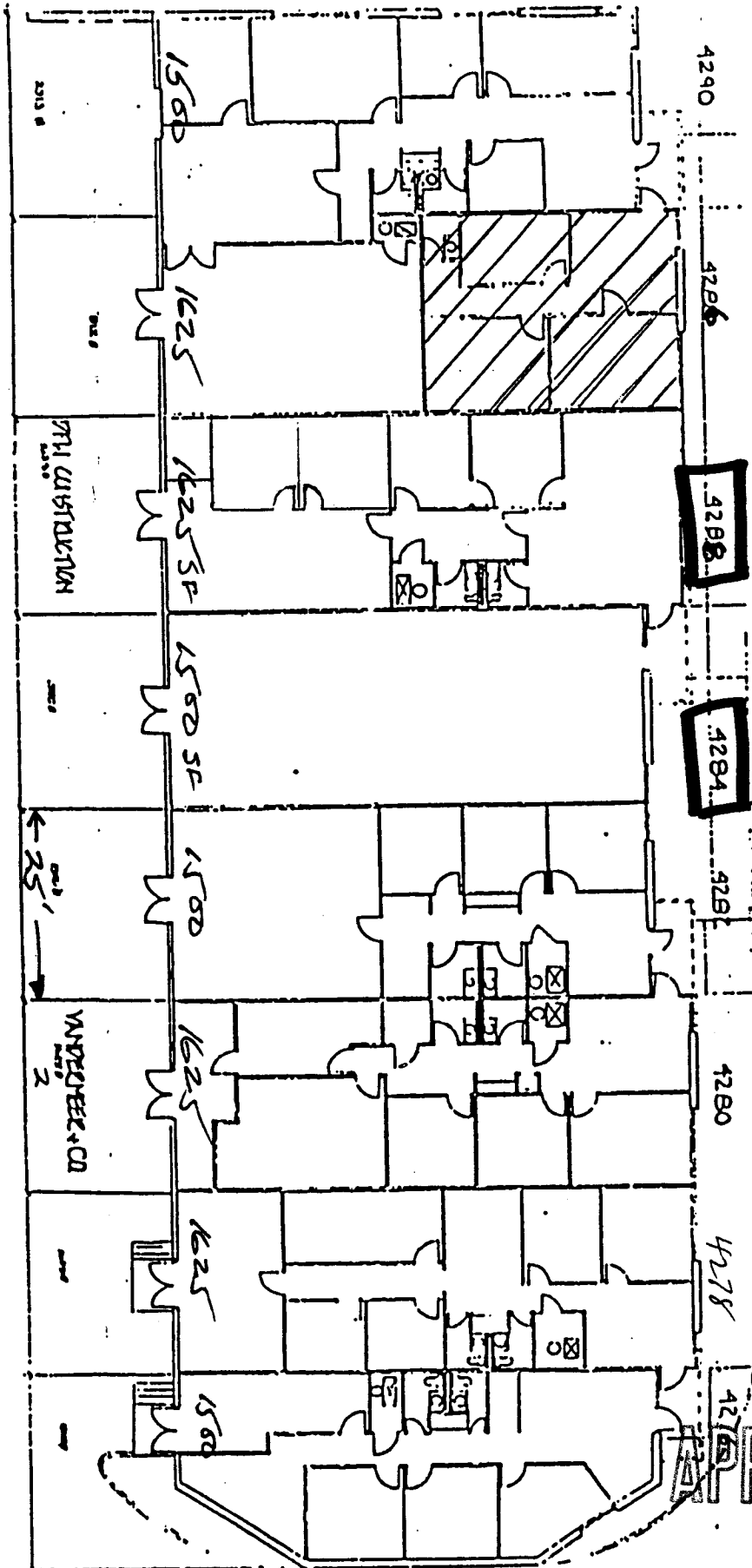
THESE PLANS ARE REPRESENTATIVE OF THE ACTUAL
 "RECORD SET" OF PLANS WHICH ARE FILED IN
 ZONING CASE FILE 1141-54P.

4288 KELLWAY CIRCLE
 ADDISON, TX

$\frac{1}{8}'' = 1'-0''$

APPROVED

Keyway Cir.



THOSE WHOSE NAMES ARE LISTED ON THIS LIST
 APPROVE THE PLAN AND SPECIFICATIONS FOR THE
 BUILDING UNDER FILE 141-248

APPROVED