

ORDINANCE NO. 096-002

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 TO A PLANNED DEVELOPMENT DISTRICT WITH SINGLE FAMILY/TOWNHOME AS AN ALLOWED USE, ON APPLICATION FROM RANDY NOLAN REAL ESTATE, LOCATED AT 6.41 ACRES ON THE SOUTH SIDE OF BELTWAY DRIVE, WEST OF MIDWAY 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

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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 - Single Family/Townhome. Said property being in the Town of Addison, Texas, and being described as follows:

BEGINNING at an iron rod found at the Northwest corner of the tract of land being described herein at the Northwest corner of said Lot 2 in the South Right-of-Way line of Beltway Drive;

THENCE South 89°52'42" East with the South Right-of-Way line of Beltway Drive a distance of 63.08 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 1005.00 feet, a central angle of 13°11'55", a chord bearing of North 83°33'48" East and a chord distance of 231.00 feet;

THENCE Northeasterly with the said South right-of-way line, along said curve an arc distance of 231.51 feet to a "X" found scribed in concrete for corner at the Northeast corner of said Lot 2, said "X" also being the northwest corner of the A Hotel Addition, an addition to the Town of Addison recorded in Volume 79219, Page 181 of said Deed Records;

THENCE South with the West line of said Hotel Addition a distance of 151.40 feet to a 1/2" square iron bar set for corner in the North line of said Lot 1 at a salient corner of said Lot 2, said iron bar also being the Southwest corner of said Hotel Addition;

THENCE South 89° 57'45" East with the South line of said Hotel Addition and the north line of said Lot 1 Midway Square Addition a distance of 44.30 feet to a 1/2" square iron bar set for corner;

THENCE South 00°32'40" West severing said Lot 1 Midway Square Addition a distance of 518.34 feet a 1/2" square iron bar set for corner i the South line of said Lot 1 Midway Square Addition and the North line of said Lot 1 Texas Tumbleweed.

THENCE North 89°28'25" West with the South lines of Lot 1 and said Lot 2 Midway Square Addition and the north line of said Lot 1 Texas Tumbleweed a distance of 48.00 feet to a 1/2" iron rod set for corner;

THENCE South 00°57'20" West severing said Lot 1 Texas Tumbleweed a distance of 248.63 feet a 1/2" iron rod set for corner in the South line of said Lot 1 Texas Tumbleweed;

THENCE North 89°28'25" West with the south line of said Lot 1 Texas Tumbleweed passing en route at a distance of 275.86 feet a 1/2" iron rod found for witness and continuing on said course a total distance of 276.81 feet to a point for corner at the Southwest corner of said Texas Tumbleweed.

THENCE North 00°11'48" West passing en route at a distance of 248.64 feet a 1/2" iron rod found for corner at the Northwest corner of said Texas Tumbleweed and the southwest corner of said Midway Square Addition and continuing on said course a total distance of 889.60 feet to the POINT OF BEGINNING and enclosing 6.434 acres of land, more or less.

SECTION 2. The following uses shall be allowed on the above-described property: Attached single-family townhomes, with each townhome unit to be located on a separately-platted lot.

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:

-The driveways shall be located where 350 feet of vehicular site visibility is provided.

-Adequate stormwater detention shall be provided in accordance with plans that shall be submitted to the staff for approval.

-A minimum setback for buildings, fences, large shrubs, etc. shall be provided adjacent to the proposed private streets, subject to staff approval.

-Light installations along the western property line shall be screened or hooded to mitigate the light intrusion into the adjacent neighborhood. A lighting plan for the project shall be submitted to staff for approval prior to the issuance of a building permit.

-The minimum centerline street radius shall be 50 feet.

-A detailed set of landscape plans shall be reviewed and approved by the staff before issuance of a building permit. Those plans shall indicate live oak trees along the west property line all the way to the southwest corner of the site, and trees along the east property lines with a spacing of at least one tree per 35 linear feet.

-The property shall be replatted into one tract, with additional easements and lot lines provided, prior to the issuance of the first building permit for the site.

-The pond shown on the plans shall have a fountain installed in it to provide water circulation. The pond must provide for water to be pumped into it, and a water level must be provided in the pond at all times. Engineering designs for all ponds on the site shall be approved by the staff.

-The applicant shall provide certification, by an acoustical expert, that a noise level reduction of 30 dB is provided through the proposed construction. Such certification shall be provided prior to the issuance of a building permit.

-The applicant shall provide certification, by an acoustical expert, that a noise level reduction of 30 dB was achieved through the construction. Such certification shall be provided prior to the issuance of a Certificate of Occupancy for any buildings.

-The fence along the west property line shall be constructed with brick columns set at 25-feet on-center, shall be finished on both sides, and shall be eight feet (8') in height.

-The fence along the east property line shall be constructed entirely of brick, shall be eight feet (8') in height, and shall be landscaped in accordance with a plan submitted to, and approved by staff. The landscaping must be irrigated and maintained by the applicant.

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

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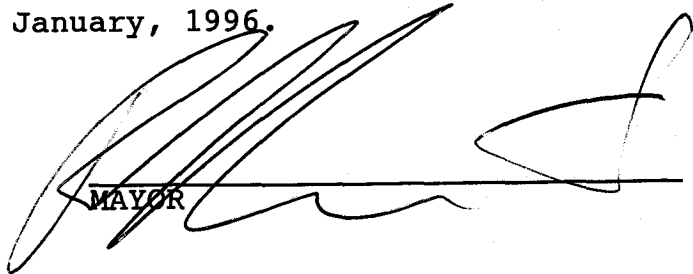
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Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 7. That should any paragraph, sentence, sub-division, 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 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 January, 1996.

  
MAYOR

ATTEST:

  
CITY SECRETARY

CASE NO. 1241-Z

APPROVED AS TO FORM:

  
DIRECTOR OF DEVELOPMENT SERVICES

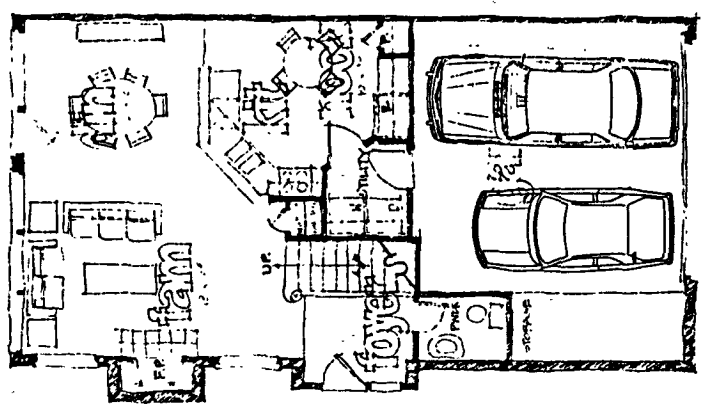
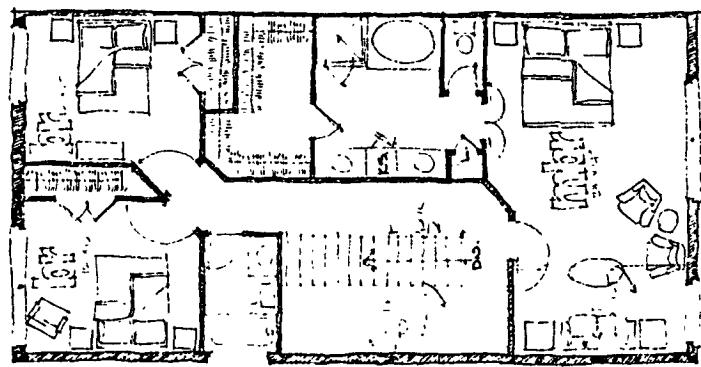
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1/25/96



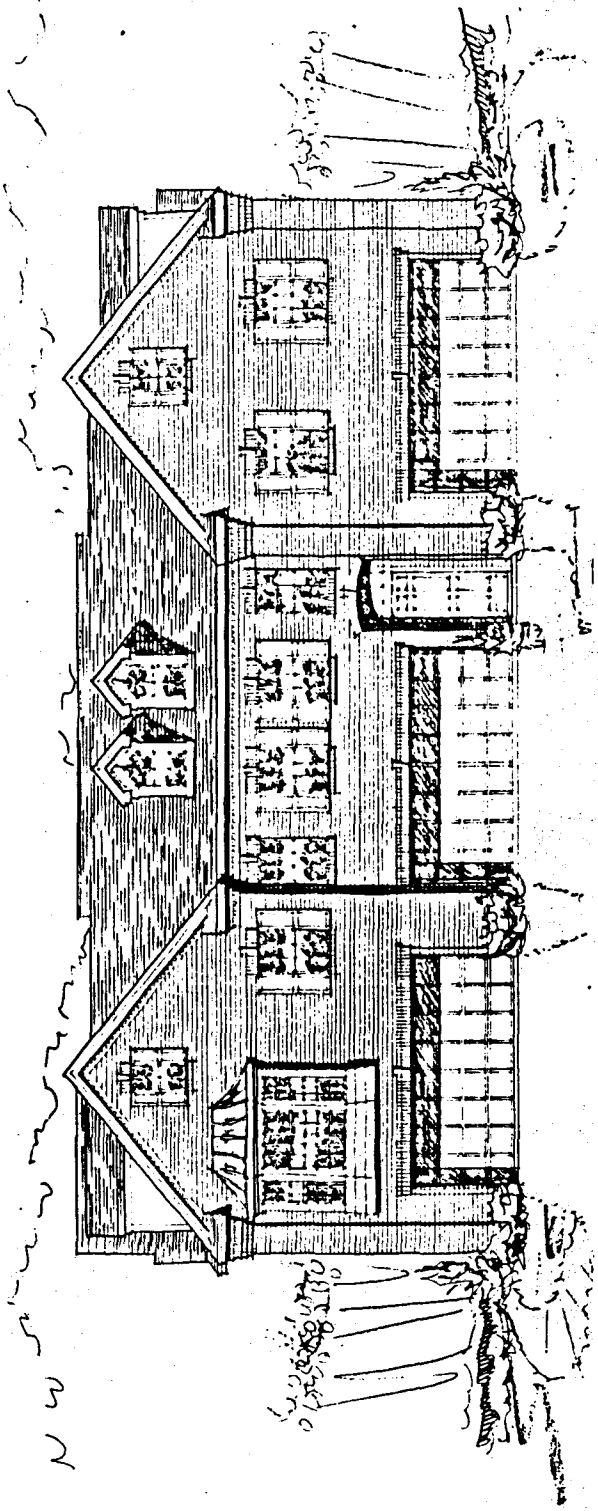




SCHEMATIC TOWNHOME UNITS

11/21/77



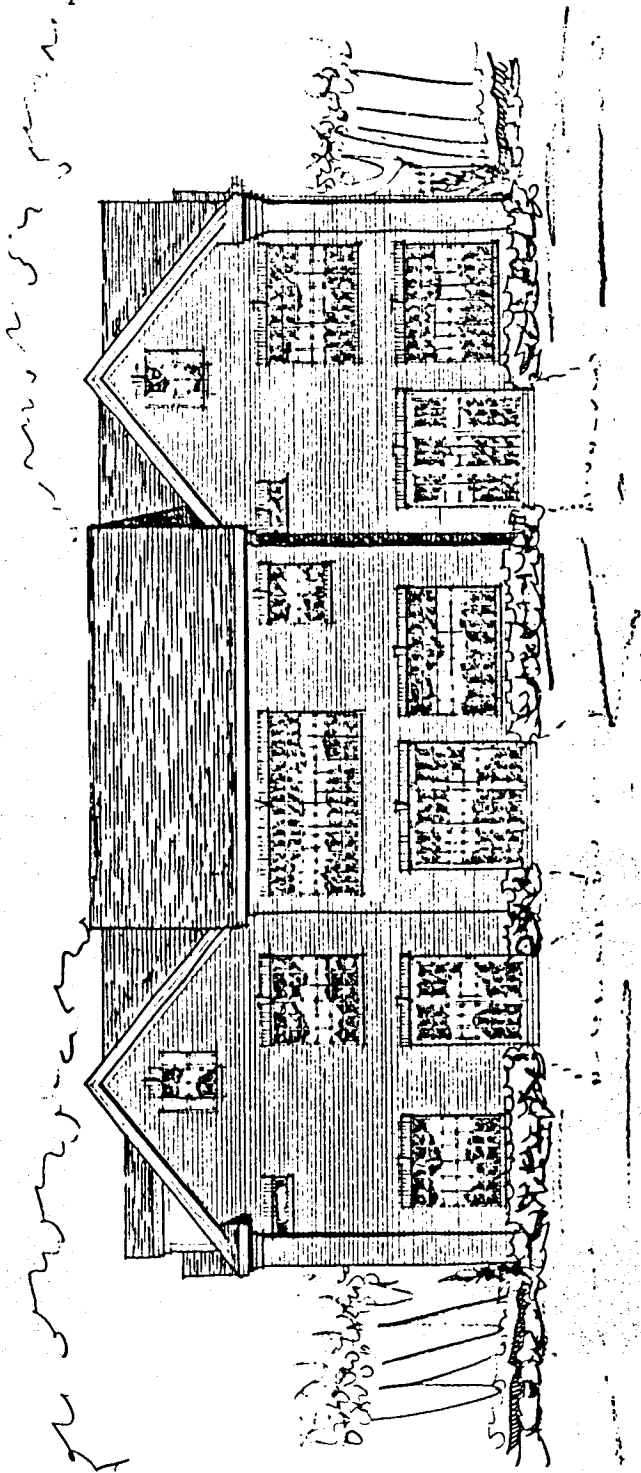


FRONT ELEVATION



CHARACTER ELEVATION

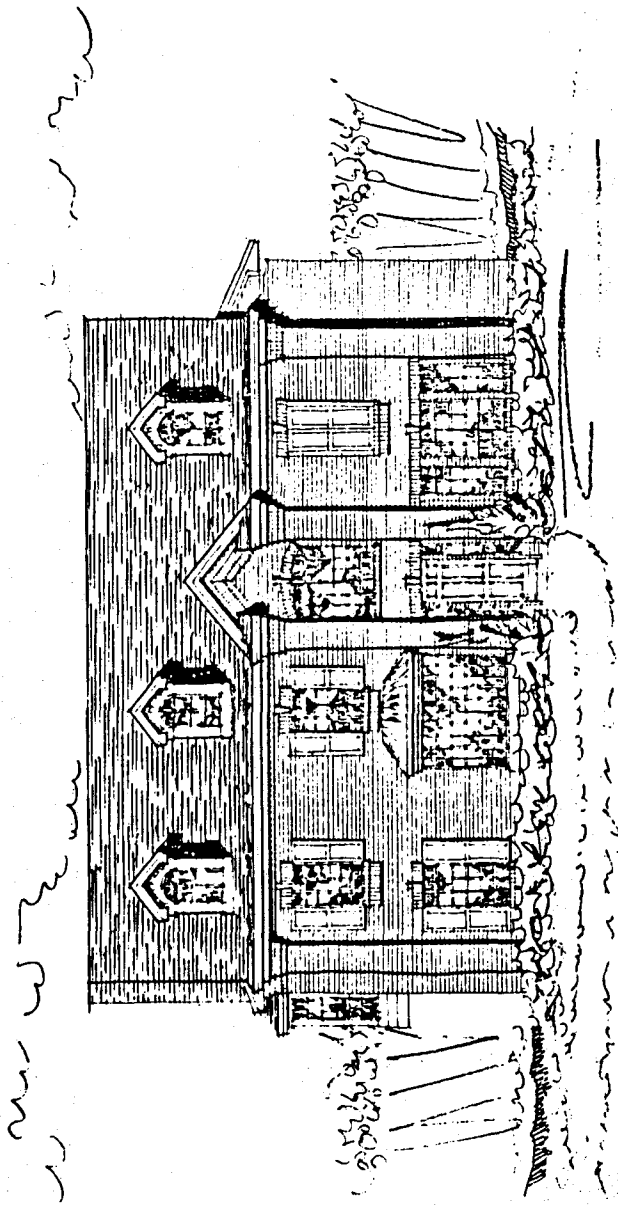
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REAR ELEVATION

CHARACTER ELEVATION





SIDE ELEVATION

CHARACTER ELEVATION

