## ORDINANCE NO. 097-026

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING ORDINANCE 084-100, SECTION 1 TO PROVIDE FOR A REVISED LEGAL DESCRIPTION, SECTION 2 TO PROVIDE FOR REVISED DEVELOPMENT PLANS, AND SECTION 3 TO PROVIDE FOR SPECIAL CONDITIONS, ON APPLICATION FROM CENTRE DEVELOPMENT COMPANY, 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, is hereby amended by amending Ordinance 084-0100, Section 1, to read as follows:

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

WHEREAS, CENTRE DEVELOPMENT CO., INC. Is the owner of a tract of land situated in the Josiah Pancoast Survey, Abstract No. 1146, Dallas County, Texas, and being part of BLOCK 2, QUORUM, an addition to the Town of Addison according to the plat thereof recorded in Volume 79100, Page 1895, Deed Records, Dallas County, Texas, and being more particularly described as follows:

Commencing at the northwest corner of said BLOCK 2, QUORUM, in the south line of Belt Line Road (100' wide R.O.W.):

THENCE S 01 degree 30'57" East along the west line of said BLOCK 2, QUORUM, a distance of 371.00 feet to the POINT OF BEGINNING, a 1/2" iron rod found for corner;

THENCE N 89 degrees 44'55" East departing the said west line of BLOCK 2 QUORUM, and along the south line of that certain 3.473 acre tract conveyed to Marriott Residence by deed recorded in Volume 95165, Page 3999, Deed Records, Dallas County, Texas, a distance of 518.12 feet to a 1/2" iron rod found for corner in the west line of Quorum Drive (variable width public R.O.W.), at the beginning of a non-tangent curve to the right which has a central angle of 21 degrees 05'10", a radius of 777.43 feet, and a chord which bears S 13 degrees 48'49" East - 284.50 feet;

THENCE along the curving west line of said Quorum Drive, an arc distance of 286.11 feet to a 1/2" iron rod found for corner at the northeast corner of that certain 5.4014 acre tract conveyed to MLH Income Realty by deed recorded in Volume 83056, Page 4222, Deed Records, Dallas County, Texas;

THENCE S 88 degrees 23'00" West departing the said west line of Quorum Drive, and along the north line of said 5.4014 acre tract, a distance of 578.59 feet to a capped iron rod found for corner in the east line of Landmark Plaza Addition, as recorded I Volume 84211, page 2841, Deed Records, Dallas County, Texas;

THENCE N 01 degrees 30'57" West along the west line of the aforementioned BLOCK 2, QUORUM, common with the east line of said Landmark Plaza Addition, and the east line of Block 2 Quorum West, as recorded in Volume

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81005, page 1454, Deed Records, Dallas County, Texas, a distance of 290.42 feet to the POINT OF BEGINNING and containing 158,155 square feet or 3.6308 acres of land, more or less.

SECTION 2. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, is hereby amended by amending Ordinance 084-100, Section 2, to read as follows:

SECTION 2. As provided in the Planned Development district Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the revised development plans on application from Centre Development Company, which are attached hereto and made a part hereof for all purposes.

SECTION 3. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, is hereby amended by amending Ordinance 084-100, Section 3, to read as follows:

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

-The cable on the parking structure shall be eliminated and the structure finished with pre-cast panels on all sides.

-The applicant shall have a space study done by the FAA to determine if the building further degrades airspace around the airport. If this building is determined to negatively impact the airspace, the height of the building shall be reduced.

-Prior to development of the property, the owner shall provide an avigation easement to the Town (see attached).

-The applicant shall provide certification, by an acoustical expert, that a noise level reduction of 25 dB is provided through the proposed construction. The 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 25 dB was achieved through the construction. The certification shall be provided prior to the issuance of a Certificate of Occupancy.

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-The width of the northern driveway shall be approved by the City Engineer.

-A mutual access easement shall be shown on the plat from the northern driveway to the tract to the north. The easement shall be reserved in order to provide the tract to the north with access to the existing median openings on Quorum Drive, but does not have to be constructed at this time.

-The throat length of the northern driveway shall be approved by the City Engineer.

SECTION 4. 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 5. 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 6. 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 7. 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.

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DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 10th day of June, 1997.

MAYOR

ATTEST:

CITY SECRETAR

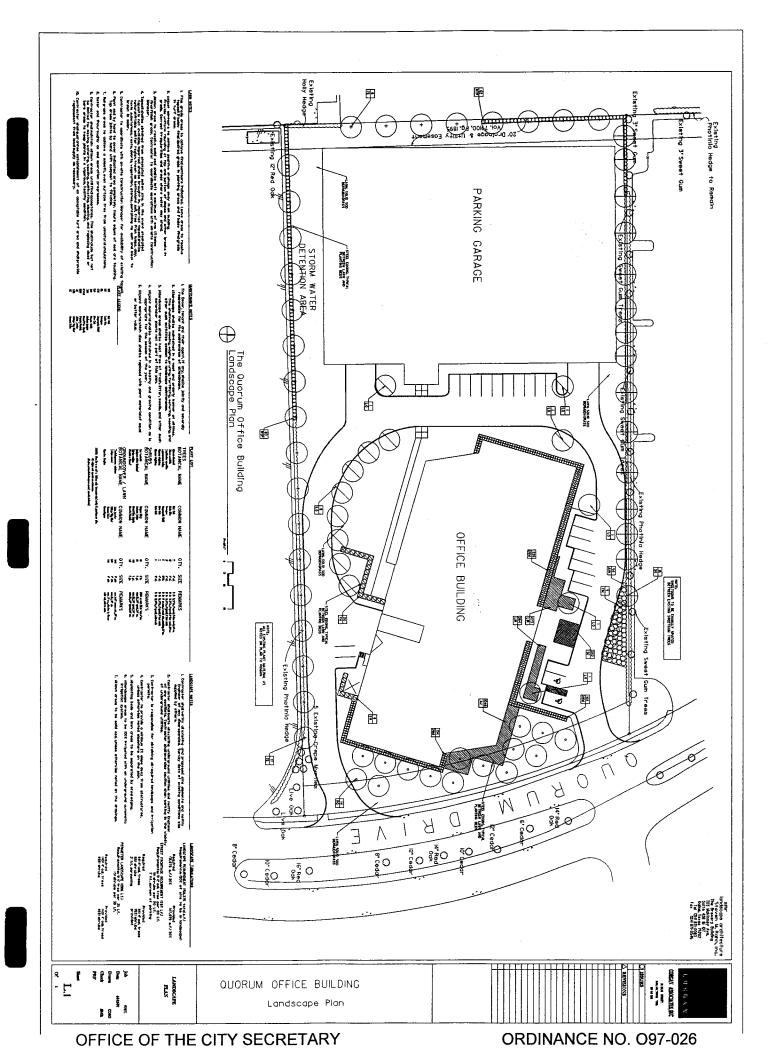
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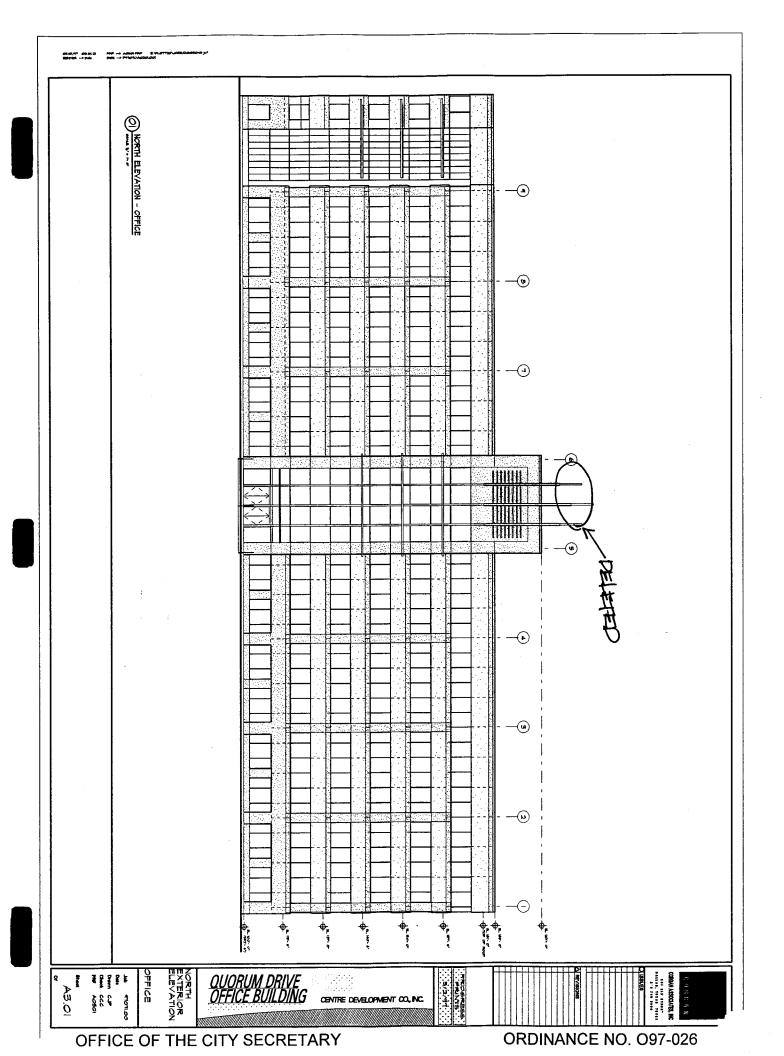
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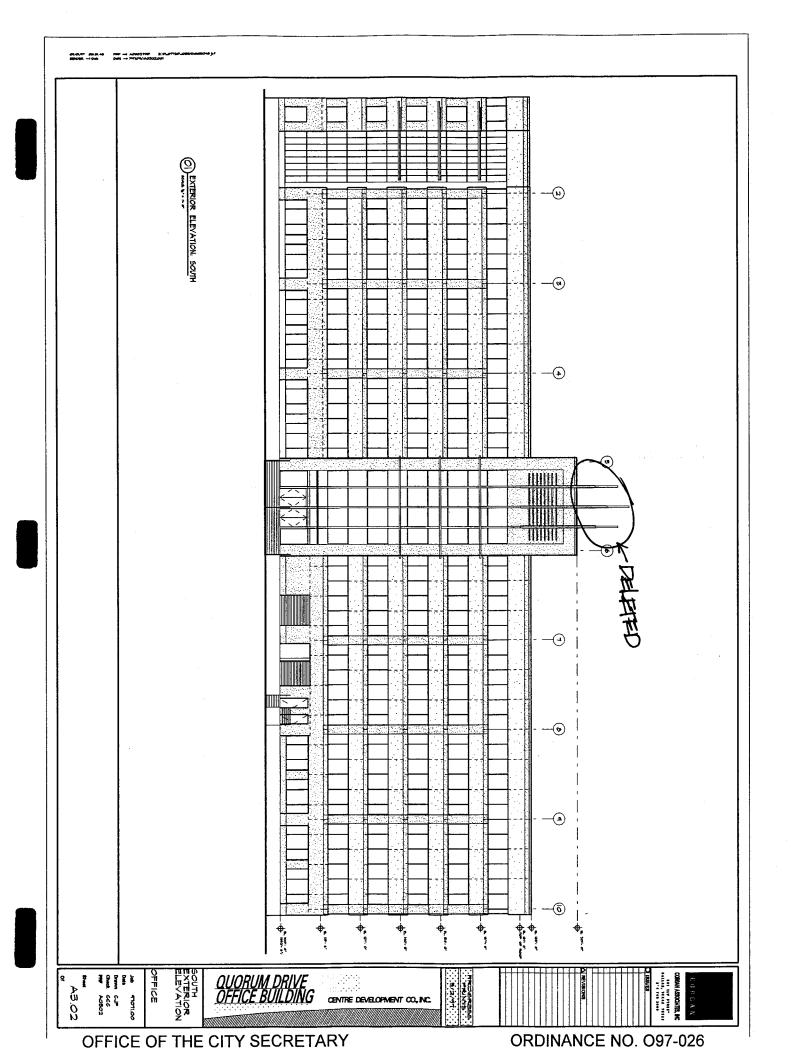
SERVICES DIRECTOR OF DEVELOPMENT

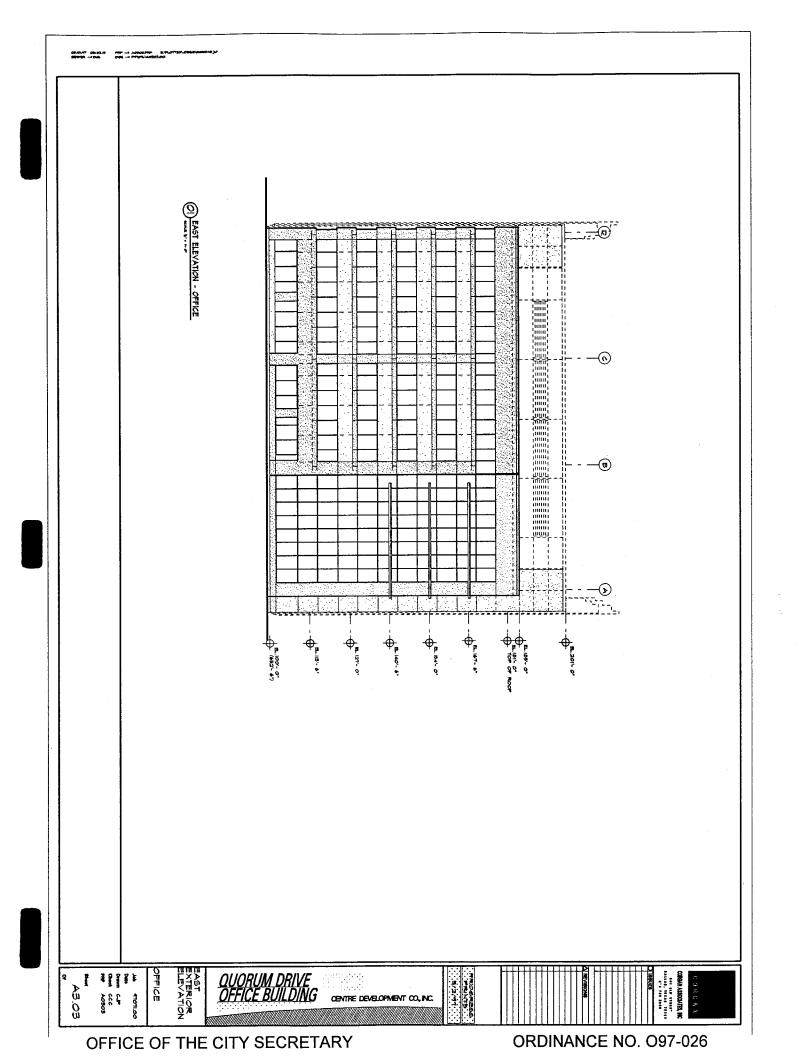
PUBLISHED ON: 4/3/98 OFFICE OF THE CITY SECRETARY

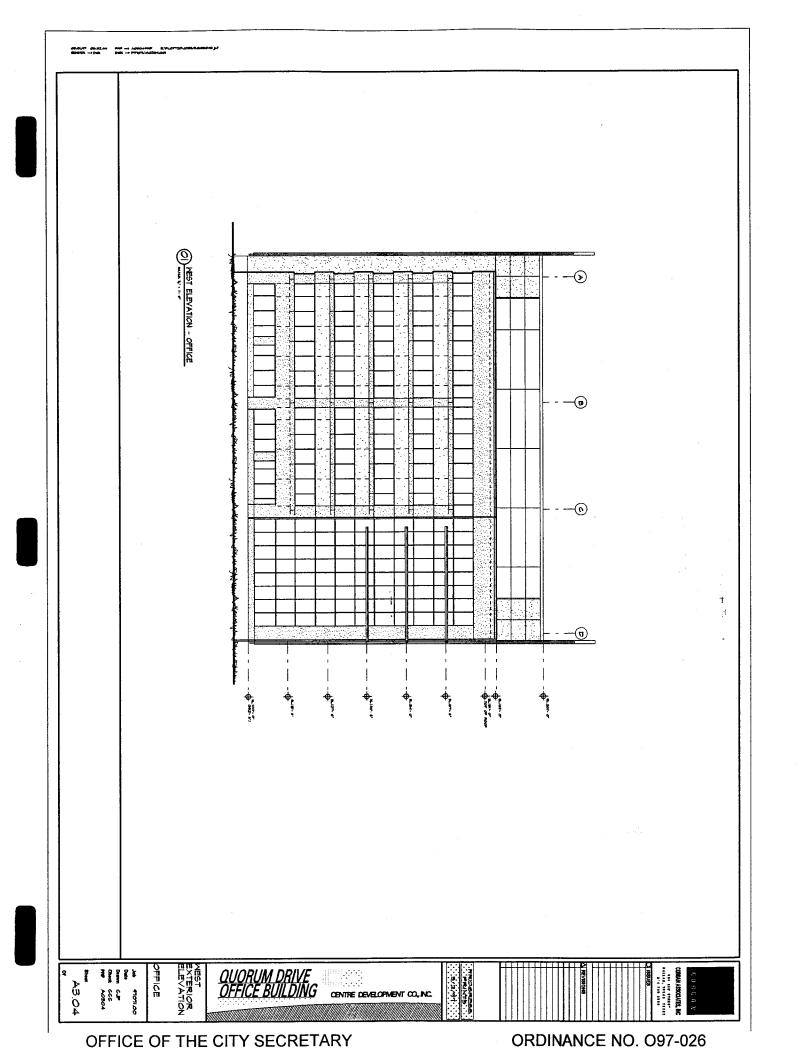
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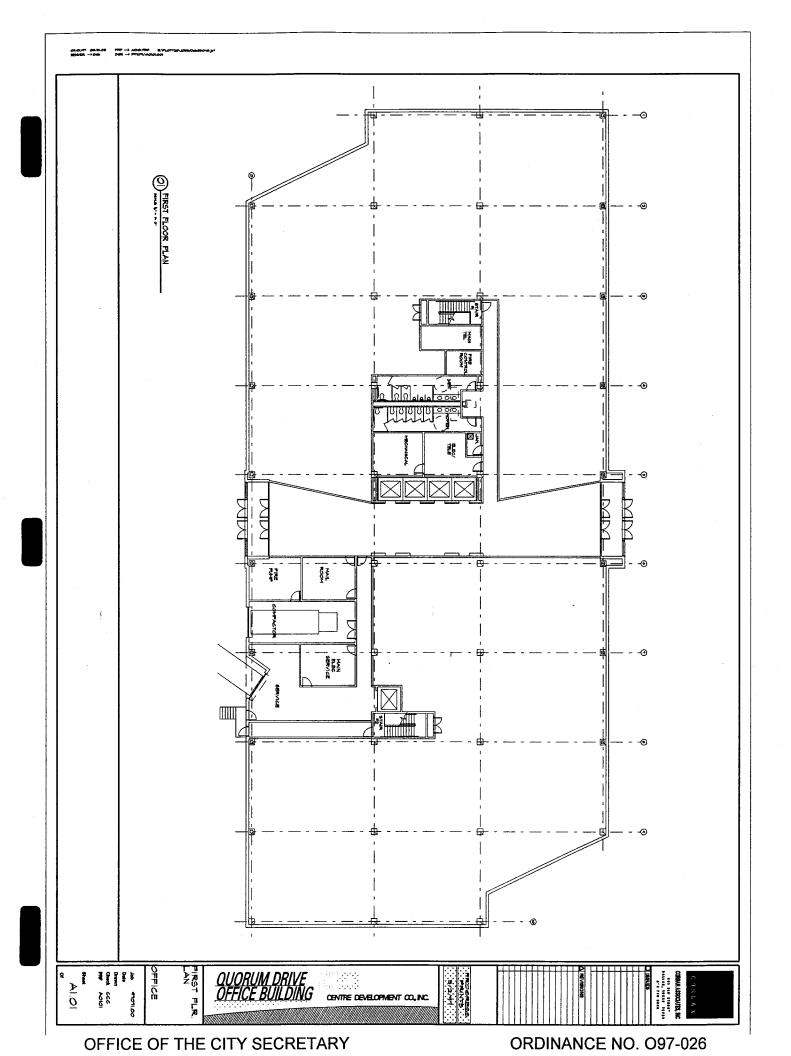












Published 7/25/91