

**ORDINANCE NO. 001-002**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM LOCAL RETAIL TO A PLANNED DEVELOPMENT DISTRICT, ON APPLICATION FROM DUNHILL PROPERTIES, LOCATED ON 5.6586 ACRES AT THE SOUTHWEST CORNER OF BELT LINE ROAD AND QUORUM DRIVE, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL CLAUSE; AND DECLARING AN EMERGENCY.

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 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:

BEING all of the Plaza at the Quorum II, an Addition to the City of Addison, Dallas County, Texas, according to the plat thereof recorded in Volume 81172, Page 273, Deed Records of Dallas County, Texas, and also being all of a 0.1654 acre tract out of Block 2 of Quorum, an Addition to the City of Addison, Texas, as recorded in Volume 79100, Page 1895, Map Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a P.K. nail found at the intersection of the South Line of Belt Line Road (100' R.O.W.) and the West Line of Quorum Drive (variable R.O.W.);

THENCE S 00 degrees 16'47" E along the West Line of said Quorum Drive a distance of 20.27 feet to an iron rod found for the POINT OF BEGINNING;

THENCE S 00 degrees 05'56" E along said West Line a distance of 77.28 feet to an iron rod found for the beginning of a non-tangent curb to the left having a radius of 408.00 feet, a central angle of 15 degrees 58'29", and a chord bearing and distance of S 08 degrees 15'52" E, 113.39 feet;

THENCE along said curve and West Line a distance of 113.75 feet to an iron rod found for the beginning of a non-tangent curve to the left having a radius of 1,726.75 feet, a central angle of 00 degrees 44'50", and a chord bearing and distance of S 21 degrees 28'20" E, 22.52 feet;

THENCE along said curve to the left and West Line a distance of 22.52 feet to an iron rod set on said West Line, said point being the Southeast corner of said .1654 acre tract, and said iron rod also being the Northeast corner of Marriott Residence Inn tract recorded in Volume 95165, Page 03499, Map Records of Dallas County, Texas;

THENCE S 89 degrees 46'47" W along the North Line of said Marriott tract a distance of 347.19 feet to an iron rod found for corner;

THENCE S 01 degrees 43'39" E along the East Line of said Marriott tract a distance of 29.14 feet to an iron rod found for the Northeast corner of Landmark Investment Corp. Tract recorded in Volume 9311, Page 1370, Map Records, Dallas County, Texas;

THENCE S 89 degrees 47'24" W along the North Line of said Landmark tract a distance of 334.17 feet to an iron rod set on the East Line of Landmark Boulevard

(80' R.O.W.), said iron rod being on a curve to the right having a radius of 1,323.31 feet, a central angle of 08 degrees 02'10", and a chord bearing and distance of N 04 degrees 14'02" W, 185.45 feet;

THENCE along said curve and East Line a distance of 185.60 feet to an iron rod set at the point of tangency on said East Line;

THENCE N 00 degrees 12'57" W along said East Line a distance of 215.00 feet to an iron rod set at the intersection of the East Line of said Landmark Boulevard and the South Line of said Belt Line Road;

THENCE N 89 degree 47'03" E along said South Line a distance of 338.00 feet to a point for corner which bears N 69 degrees 05'53" W a distance of 0.73 feet from an iron rod found for reference;

THENCE N 89 degrees 46'47" E along said South Line a distance of 17.51 feet to an iron rod found on said South Line, said point being the beginning of a non-tangent curve to the left having a radius of 1,810.22 feet, a central angel of 04 degrees 06'03", and a chord bearing and distance of S 88 degrees 15'17" E, 129.54 feet;

THENCE along said curve to the left a distance of 129.57 feet to an iron rod set for corner;

THENCE N 89 degrees 52'20" E a distance of 118.25 feet to an iron rod set for corner;

THENCE S 51 degrees 54'46" E a distance of 25.23 feet to the POINT OF BEGINNING and containing 246,483 square feet, or 5.6585 acres of land more or less.

SECTION 2. The following regulations shall govern the development of all land within this Planned Development District:

### 1. USE REGULATIONS

In this Planned Development district, no land shall be used and no building shall be used, erected, or converted to any use other than:

Antique Shop  
Aquarium  
Art Gallery  
Auto seat covers, covering  
Baker, retail sales only

Bank, office, wholesale sales office or sample room  
Barber and beauty shop  
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, dyed and laundered, but no actual work to be  
done on premises  
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 6,000 square feet  
Department store, novelty or variety shop, retail sales  
Drug store, retail sales  
Electrical good, retail sales  
Electrical repairing – domestic equipment and autos, retail sales  
Exterminating company, retail  
Film developing and printing  
Fix-it shops, bicycle repairs, saw filing, lawn mower sharpening, retail only, but  
without outside storage  
Florist, retail sales only  
Furniture repairs and upholstering, retail sales only, and where all storage  
and display is within the building  
Frozen food lockers, retail  
Grocery store, retail sales only  
Hardware, sporting goods, toys, paints, wallpaper, clothing, retail sales only  
Household and office furniture, furnishings and appliances, retail  
Ice delivery station  
Job printing  
Jewelry, optical goods, photographic supplies, retail sales only  
Meat market, retail sales only  
Mortuary  
Office building  
Parking lot without public garage or automobile facilities for the parking  
of passenger cars and trucks of less than one (1) ton capacity only  
Photographers or artists studio  
Professional offices for architect, attorney, engineer and real estate  
Public garage, parking, no repairs  
Piano and musical instruments, retail sales only  
Plumbing shop, retail sales only, without warehouse but not storage  
for materials for contracting work)  
Restaurant, subject to the approval of a Special Use Permit  
Retail store or shop for custom work or the making of articles to be sold for  
retail on the premises

Seamstress, dressmaker, or tailor  
Seed store  
Shoe repair shop, retail sales only  
Studios, dance, music, drama, health, and reducing  
Studio for the display and sale of glass, china, art objects, cloth and draperies  
Taxi Stand  
Washateria, equipped with automatic washing machines of the type customarily found in the home and where the customers may personally supervise the washing and handling of their laundry  
Wearing apparel, including clothing, shoes, hats, millinery and accessories

## 2. HEIGHT REGULATIONS

No building or structure shall exceed two and one half (2 1/2) stories in height.

## 3. AREA REGULATIONS

### 1. Front Yard

The minimum required front yard is twenty-five (25) feet, such distance shall be measured from the property line.

### 2. Side Yard

On a corner lot, a side yard of twenty-five (25) feet shall be required on the side street.

### 3. Rear Yard

(A) There is no minimum required rear yard.

## 4. PARKING REGULATIONS

Off-street parking shall be provided in accordance with Appendix A – Zoning, Article IX, Local Retail District Regulations, Section 5, Parking Regulations, with the following exceptions:

Restaurant:	1 space per 160 square feet
Restaurant with designated valet parking:	1 space per 100 square feet

## 5. TYPE OF CONSTRUCTION

At least eighty (80) per cent of the exterior walls of all structures shall be of masonry materials. Front and side walls shall be of brick or stone veneer construction.

## 6. OUTSIDE SALES OR COMMERCIAL PROMOTIONS

- (1) Any outside sales and/or commercial promotions shall be required to obtain a permit.
- (2) The above outside sales and/or commercial promotion may be permitted for a period of 14 days each calendar year with a maximum of two permits per business per year, providing such goods, products or merchandise is displayed on a sidewalk within ten (10) feet of the business building.
- (3) The above outside sales and/or commercial promotion shall be construed to apply to merchandise dispensing units placed adjacent to and outside of a business building.
- (4) The above outside sales and/or commercial promotion shall not be construed to prohibit the display of merchandise normally placed on gasoline pumps and/or gasoline pump islands.
- (5) Outside sales and/or commercial promotions related to existing businesses shall be allowed during Special Events' provided that the sponsors of such sales or promotions obtain a permit from the Planning and Zoning Office at least ten (10) days prior to the event. Such outside sales and commercial promotions may involve the use of tents and the provision of food, alcohol and entertainment if the sponsors comply with the terms of this ordinance set forth in this section.

## 7. LOADING AND UNLOADING FACILITIES

1. All loading facilities shall be screened in accordance with the provisions of Article XVIII- Landscaping Regulations, Section 7b.

## 8. OUTSIDE STORAGE

Except for the equipment or materials stored on a construction site and used for a temporary construction project, the long term outside storage of equipment, buildings or other materials, goods and products is prohibited.

## 9. MECHANICAL EQUIPMENT

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

## 10. REFUSE CONTAINERS

All refuse and refuse containers must be screened from all public rights-of-way. Refuse containers must be placed on a designed, reinforced concrete pad and approach. Screening walls must be of an aesthetic material.

## 11. LANDSCAPING

All landscaping in this district shall be governed by the standards set forth in Article XII-A, Landscaping Regulations.

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. 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 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.


SECTION 8. The importance of this ordinance creates an emergency and an imperative public necessity and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, on this the 9<sup>th</sup> day of January, 2001



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MAYOR

ATTEST:

  
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CITY SECRETARY

CASE NO. 1382-Z

APPROVED AS TO FORM:

  
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DIRECTOR OF DEVELOPMENT SERVICES