

ORDINANCE NO. 001- 010

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, APPROVING DEVELOPMENT PLANS FOR LAND CONTAINED WITHIN PLANNED DEVELOPMENT DISTRICT 085-020, ON APPLICATION FROM OSTEOMED, LOCATED ON 4.3635 ACRES AT THE NORTHEAST CORNER OF WESTGROVE DRIVE AND EXCEL PARKWAY, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR APPROVAL OF DEVELOPMENT PLANS, PROVIDING FOR SPECIAL CONDITIONS; 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 development plans for the property located within Planned Development district 085-020 are hereby. Said property being in the Town of Addison, Texas, and being described as follows:

BEING 190.031 square feet or 4.3635 acre tract of land situated in the D. Myers Survey, Abstract No. 923, Dallas County, Texas and being all of Lot 4R in Block 1 of Lots 2R, 3R, & 4R, Block 1 of Belt Line-Marsh Business Park, an Addition to the Town of Addison, Dallas County, Texas according to the revised plat thereof recorded in Volume 95100, Page 3275, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a found 1/2 inch iron rod for a corner in the South line of the Southern Pacific Railroad (a 100 foot right-of-way), said pint being the Northeast corner of Lot 1, Block 1 of a Replat of Belt Line-Marsh Business Park, an Addition to the City of Addison, Texas according to the map thereof recorded in Volume 83042, Page 425, Deed Records, Dallas County, Texas and said point being the Northwest corner of said Lot 4R;

THENCE, the following courses and distances with the South line of the said Southern Pacific Railroad and the North line of said Lot 4R;

South 79 degrees 26 minutes 58 seconds East; a distance of 77.46 feet to found 1/2 inch iron rod for an angle point;

South 81 degrees 18 minutes 58 seconds East, a distance of 100.00 feet to found 1/2 inch iron for an angle point;

South 83 degrees 04 minutes 58 seconds East, a distance of 100.00 feet to found 1/2 inch iron rod for an angle point;

South 85 degrees 17 minutes 58 seconds East, a distance of 100.00 feet to found 1/2 inch iron rod for an angle point;

South 89 degrees 12 minutes 58 seconds East, a distance of 18.59 feet to found 1/2 inch iron rod with a brass cap for a corner, said point being the most Northerly Northeast corner of the said Lot 4R and the Northwest corner of a tract of land conveyed to Texas Power and Light Company by deed recorded in Volume 80006, Page 489, Deed Records, Dallas County, Texas;

THENCE, South 00 degrees 04 minutes 38 seconds West, with the West line of the said Texas Power and Light Company tract, a distance of 299.99 feet to a found 1/2 inch iron rod with a brass cap for a corner at the Southwest corner of the said Texas Power and Light Company tract;

THENCE, South 89 degrees 55 minutes 22 seconds East, with the South line of the said Texas Power and Light Company tract, a distance of 80.00 feet to a found 1/2 inch iron rod with a brass cap for a corner, said point being the most

Easterly Northeast corner of the said Lot 4R and in the West line of a Texas Power and Light Company Easement tract;

THENCE, South 00 degrees 04 minutes 38 seconds West, with the West line of the said Texas Power and Light Company Easement tract, a distance of 55.00 feet to a found 1/2 inch iron rod for a corner in the North line of Arapaho Road (an 84-foot right-of-way as dedicated by the map of said Lots 2R, 3R, & 4R, Block 1 of Belt Line-Marsh Business Park Addition);

THENCE, the following courses and distances with the North line of Arapaho Road;

North 89 degrees 55 minutes 22 seconds West, a distance of 157.87 feet to a found 1/2 inch iron rod in the North line of Realty Road (a 72 foot right-of-way) and said point at the beginning of a tangent curve to the right with a central angle of 12 degrees 07 minutes 23 seconds, a radius of 958.00 feet, a chord bearing of North 83 degrees 07 minutes 23 seconds, a radius of 958.00 feet, a chord bearing of North 83 degrees 51 minutes 41 seconds West and a chord distance of 202.32 feet;

Northwesterly, along said curve, an arc distance of 202.70 feet to a found 1/2 inch iron rod in the North line of Realty Road (a 72 foot right-of-way) and said point at the beginning of a tangent curve to the right with a central angle of 12 degrees 07 minutes 23 seconds, a radius of 958.00 feet, a chord bearing of North 83 degrees 51 minutes, 61 seconds West and a chord distance of 202.32 feet;

THENCE, North 77 degrees 47 minutes 59 seconds West, with the North line of Realty Road, a distance of 290.02 feet to a found 1/2 inch iron rod for a corner at the southwest corner of said Lot 4R and the Southeast corner of the above said Lot 1, Block 1;

THENCE, North 12 degrees 12 minutes 01 seconds East, departing the North line of Realty Road and with the common line of said Lot 1, Block 1 and Lot 4R, a distance of 333.87 feet to the Point of Beginning.

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 developer should contact the firm of HNTB Corporation, representing the Town of Addison, in order to coordinate the proposed development with the design of the Arapaho, Phase II street improvements.

-Sidewalks shall be installed on the site in accordance with the site plan submitted 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 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 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 10th day of April, 2001.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1387-Z

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

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