ORDINANCE NO. 004-020

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING ORDINANCE 460 TO PROVIDE FOR DEVELOPMENT PLANS IN AN EXISTING PLANNED DEVELOPMENT DISTRICT, LOCATED ON 1.29 ACRES AT THE SOUTHEAST CORNER OF BELT LINE ROAD AND SURVEYOR BOULEVARD, ON APPLICATION FROM SOUTHTRUST BANK; 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, as amended by Ordinance 460, is hereby amended to approve development plans, on application from SouthTrust Bank. 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 Lot 1A of a final plat titled Belt Line-Surveyor Village, Lots 1A and 2A, Block 1, and containing 1.2808 acres, the entire tract being described as follows:

BEGINNING at a 5/8" iron rod for the Northeast corner of said Lot 1 Block 1 of Belt Line-Surveyor Village, same being the Northeast corner of said P.H.C.G. Investments 3.7082 acre tract and also being the Northwest corner of Mercado Juarez Addition, an addition to the Town of Addison, Texas, according to the plat thereof recorded in Volume 88172 at Page 3189 of the Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

THENCE South 0° 35' 00" West along the East line of said Lot 1 in Block 1 of said Belt Line-Surveyor Village, same being the West line of said Mercado Juarez Addition for a distance of 332.78 feet to a 5/8 inch iron rod found for the Southeast corner of said Lot 1 in Block 1 of the Belt Line-Surveyor Village;

THENCE North 89° 25' 00" West along the South line of said Lot 1 in Block 1 of the Belt Line-Surveyor Village, same being the North line of Lot 2 in Block 1 of the Belt Line-Surveyor Village for a distance of 262.70 feet to a 5/8" iron rod found for corner;

THENCE South 55° 42' 51" West and continuing along the South line of Lot 1 in Block 1 of the Belt Line-Surveyor Village and being common to the North line of Lot 2 in Block 1 of the Belt Line-Surveyor Village for a distance of 87.74 feet to a 5/8" iron rod found for corner in the East right of way line of Surveyor Boulevard (60 foot right of way at this point), said point being in a curve to the left having a central angle of 03° 24' 49" with a radius of 630.00 feet and a chord bearing North 36° 44' 31" West at a distance of 37.53 feet;

THENCE Northwesterly along said curve to the left and following along the East right of way line of Surveyor Boulevard for an arc distance of 37.54 feet to a 5/8" iron rod found for corner;

THENCE North 38° 26' 56" West and continuing along the East right of way line of said Surveyor Boulevard for a distance of 45.30 feet to a 5/8" iron rod found for corner, said point being the beginning of a curve to the right having a central angle of 16° 48' 15" with a radius of 250.00 feet and a chord bearing North 30° 02' 48" West at a distance of 73.06 feet;

THENCE Northwesterly along said curve to the right and following along the East right of way line of Surveyor Boulevard for an arc distance of 73.32 feet to a 5/8" iron rod found for corner, said point being the beginning of a curve to the left having a central angle of 07° 37' 42" with a radius of 250.00 feet and a chord bearing North 25° 27' 32" West at a distance of 33.26 feet;

THENCE Northwesterly along said curve to the left for an arc distance of 33.28 feet to a 5/8" iron rod for corner, said point being the beginning of a curve to the right having a central angle of 05° 08' 57" with a radius of 559.00 feet and a chord bearing North 26° 41' 54" West at a distance of 50.22 feet;

THENCE Northwesterly along said curve to the right and following along the East right of way line of said Surveyor Boulevard for a distance of 50.24 feet to a 5/8" iron rod found for corner;

THENCE North 24° 07' 33" West and continuing along the East right of way line of Surveyor Boulevard for a distance of 27.55 feet to a 5/8" iron rod found for corner, said point being the beginning of a cut-off line for Belt Line Road;

THENCE North 21° 40' 45" East said cut-off line for Belt Line Road for a distance of 30.68 feet to a 5/8" iron rod found for corner in the South right of way line of Belt Line Road, said point being in a curve to the right having a central angle of 75° 12' 17" East at a distance of 478.42 feet to the POINT OF BEGINNING AND CONTAINING 2.8958 ACRES OF LAND, more or less.

SECTION 2. In the hereinabove described land or building, said property shall be improved in accordance with the development plans, which are attached hereto and made a part hereof for all purposes.

SECTION 3. That the amendment to the development plans is made subject to the following special conditions:

- 1. All mechanical equipment must be screened from view.
- 2. The site must be replatted prior to the issuance of a building permit. The plat should reflect the 12-foot right-of-way dedication shown on the site plan.

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 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 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.

SECTION 6. 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 13th day of April, 2004.

MAYOR

ATTEST:

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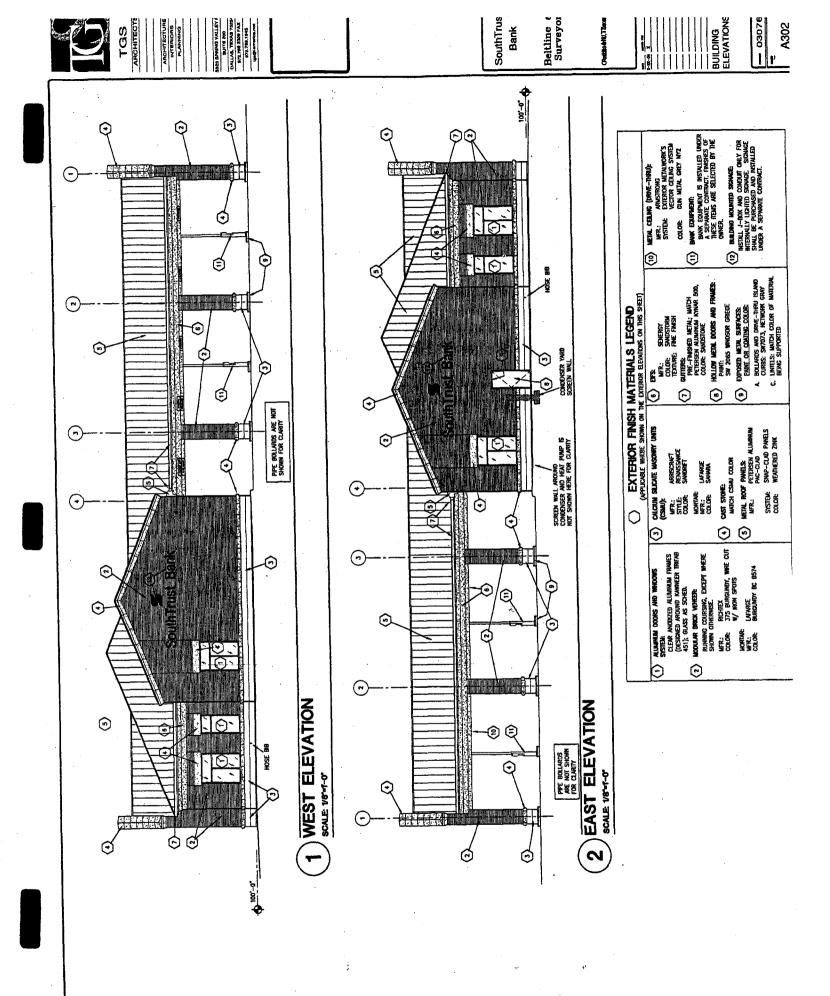
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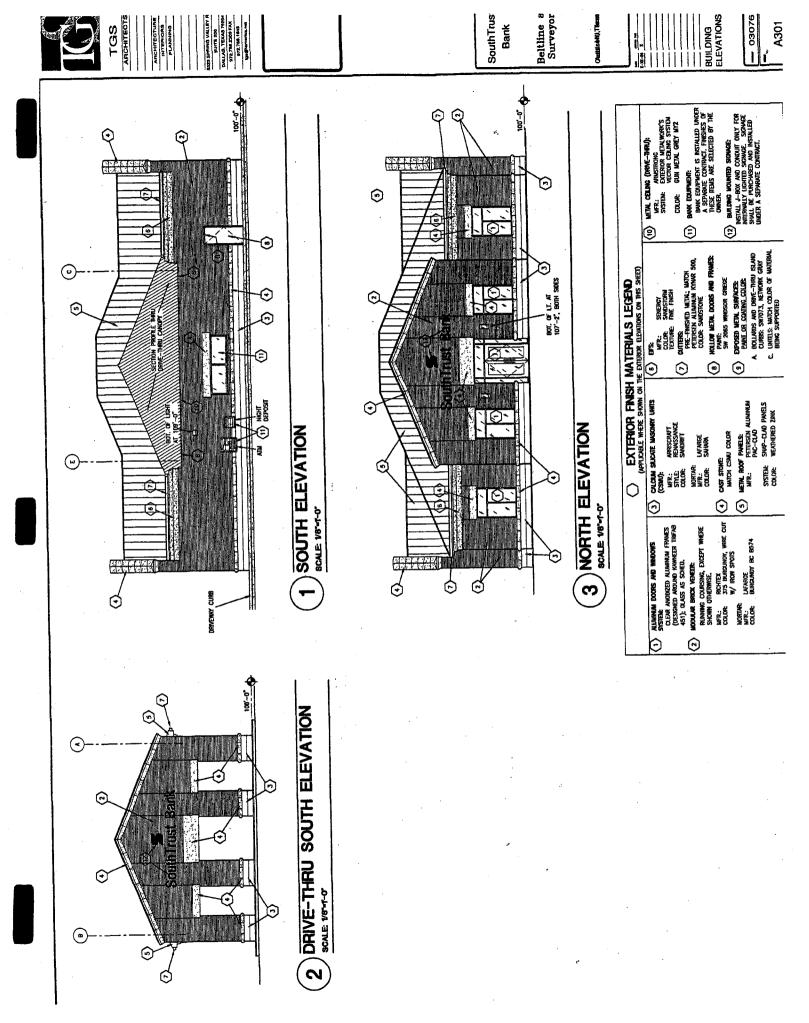
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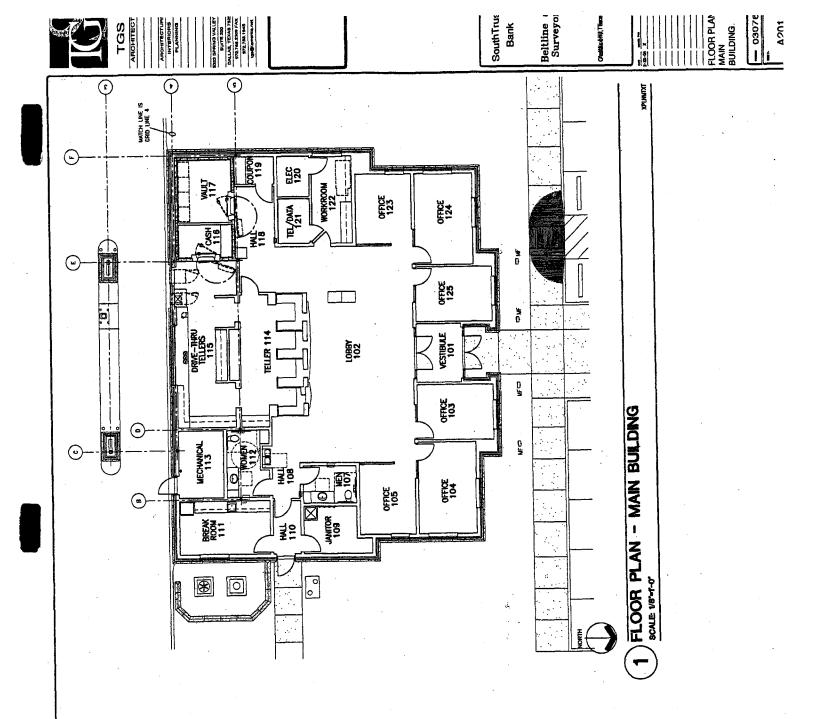
DIRECTOR OF DEVEL

PUBLISHED ON: 6-11-04 N. W. Morning News

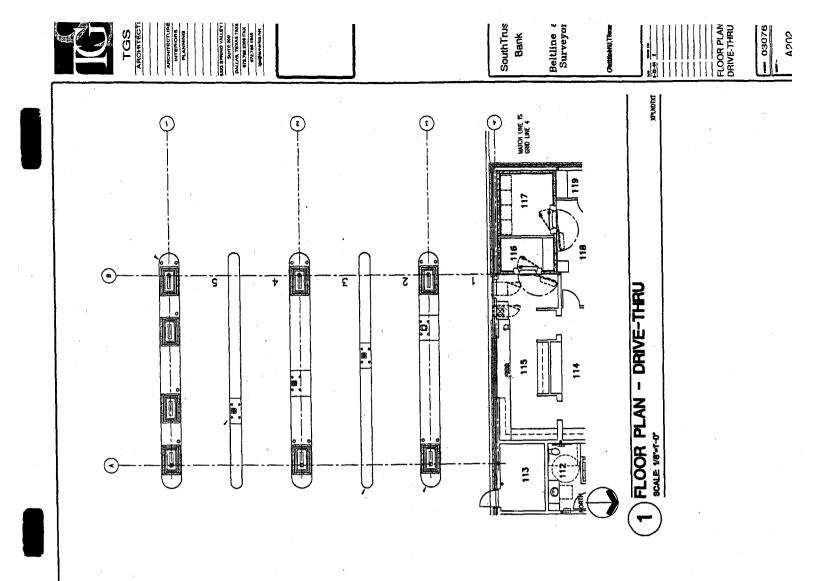
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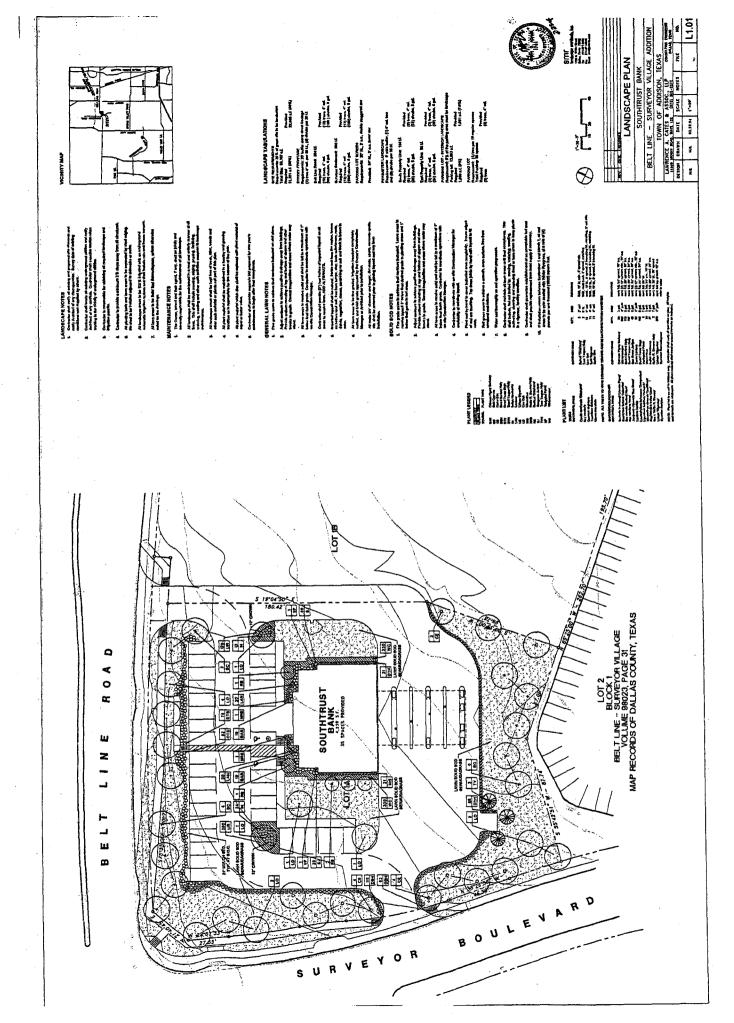




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OFFICE OF THE CITY SECRETARY



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