

ORDINANCE NO. 005-001

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY BY AMENDING THE ZONING ON A TRACT OF LAND ZONED UC URBAN CENTER DISTRICT AND GENERALLY DESCRIBED AS AN APPROXIMATELY 8.919 ACRE TRACT LOCATED WITHIN THE CITY NORTH OF GOODMAN AVENUE, WEST OF QUORUM DRIVE, SOUTH OF AIRPORT PARKWAY AND WEST OF ADDISON ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, BY AMENDING THE CONCEPT PLAN GOVERNING THE RESIDENTIAL SUB-DISTRICT OF THE URBAN CENTER DISTRICT AS SET FORTH HEREIN; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 095-032 (the "UC Zoning Amendment") of the Town of Addison, Texas (the "City"), certain land described in the UC Zoning Amendment (the "Entire Property") was zoned UC Urban Center District according to the UC Urban Center District Regulations set forth in the City's Comprehensive Zoning Ordinance (the "Comprehensive Zoning Ordinance"), the same being Appendix A - Zoning of the City's Code of Ordinances; and

WHEREAS, simultaneously with the approval of the UC Zoning Amendment and in accordance with the Comprehensive Zoning Ordinance, a concept plan ("Concept Plan" or "Plan") governing the residential sub-district (the "Residential Sub-district") of the Entire Property was approved and incorporated within the UC Zoning Ordinance; and

WHEREAS, the Concept Plan governing the Residential Sub-district was amended by Ordinance No. 000-037; and subsequently amended by Ordinance 003-040; and

WHEREAS, the real property described herein and which is the subject of this Ordinance (the "Property") is located entirely within the Residential Sub-district; and

WHEREAS, application was made to the Planning and Zoning Commission of the City to amend the Comprehensive Zoning Ordinance, as required by State law and the Comprehensive Zoning Ordinance, by amending the Concept Plan as it pertains to the Property as set out in that plan identified as "Addison Fairfield Residential" a true and

correct copy of which is attached hereto as Exhibit 1 (the "Addison Fairfield Residential Plan"); and

WHEREAS, all the legal requirements, conditions and prerequisites having been complied with, including the receipt of a final report from the Planning and Zoning Commission, the case came on as a public hearing before the City Council; and

WHEREAS, after due deliberations and consideration of the final report of the Planning and Zoning Commission and other information and materials, the City Council of the Town of Addison, Texas does find that the adoption of this Ordinance is in the best interest of the Town and its citizens and of the public health and welfare; 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 (the "City"), the same being Appendix A - Zoning of the City's Code of Ordinances, is hereby amended as follows:

A. The Concept Plan, as adopted by Ordinance No. 095-032 and as amended by Ordinance No. 000-037, and by Ordinance 003-040, is hereby amended as shown on that plan identified as the Addison Fairfield Residential Plan, attached hereto as Exhibit 1 and incorporated herein, for the following described Property:

Being a tract of land situated in the G.W. FISHER SURVEY ABSTRACT No. 482, Dallas County, Texas, and being all of Tract 1 as described in instrument to TEXOK PROPERTIES, L.P., as recorded in Volume 2002240, Page 3529 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod set with Huitt-Zollars cap at the intersection of the westerly right-of-way line of Quorum Drive (80 foot right-of-way) as recorded in Volume 82093, Page 1073 of the Deed Records of Dallas County, Texas, and the northerly right-of-way line of Goodman Avenue (61 foot right-of-way) as established by the Final Plat of Addison Circle Phase I, an addition to the Town of Addison, Texas as recorded in Volume 97101, Page 5801, and re-filed in Volume 97189, Page 1039, Deed Records, Dallas County, Texas;

THENCE North 89 degrees 04 minutes 47 seconds West along the platted northerly right-of-way line of said Goodman Avenue, and continuing along the platted northerly right-of-way line of Goodman Avenue (61 foot right-of-way) as shown on

the final plat of Addison Circle Phase III, an addition to the Town of Addison, Texas as recorded in Volume 97189, Page 1039, Deed Records, Dallas County, Texas;

THENCE North 00 degrees 55 minutes 13 seconds East along the easterly right-of-way line of said Artist Way a distance of 196.73 feet to a 5/8-inch iron rod set with Huitt-Zollars cap at the northeast corner of Artist Way;

THENCE departing the easterly right-of-way line of said Artist Way, North 89 degrees 04 minutes 47 seconds West along the northerly right-of-way line of Artist Way a distance of 61.00 feet to a 5/8 inch iron rod set with Huitt-Zollars cap at the northwest corner of Artist Way;

THENCE departing the northerly right-of-way line of said Artist Way, South 00 degrees 55 minutes 13 seconds West along the westerly right-of-way line of said Artist Way a distance of 84.73 feet to a 5/8 inch iron rod found with RPLS 1855 cap at the northeast corner of Lot 1, Block B, Addison Circle Phase III;

THENCE departing the westerly right-of-way line of said Artist Way, North 89 degrees 04 minutes 47 seconds West along the northerly line of said Lot 1, Block B, a distance of 164.45 feet to a 5/8, inch iron rod found with Huitt-Zollars cap for a corner on the west line of said Tract 1;

THENCE departing the northerly line of said Lot 1, Block B, North 00 degrees 12 minutes 25 seconds East along the west line of said Tract 1, a distance of 376.59 feet to a PK Nail set at the northwest corner of said Tract 1;

THENCE South 89 degrees 05 minutes 45 seconds East along the northerly line of said Tract 1 a distance of 860.14 feet to a 1/2 inch iron rod found for a corner on the westerly right-of-way line of said Quorum Drive;

THENCE departing the northerly line of said Tract 1, South 00 degrees 55 minutes 13 seconds West along the westerly right-of-way line of said Quorum Drive a distance of 488.80 feet to the POINT OF BEGINNING and containing 8.919 acres of land, more or less.

The Property may only be developed in accordance with the Concept Plan, as amended by this Ordinance.

SECTION 2. That all paved areas, permanent drives, streets and drainage structures in connection with the development of the Property must be constructed in accordance with standard Town of Addison specifications adopted for such purpose.

SECTION 3. 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, as heretofore amended, and upon conviction shall be

punished by a fine set in accordance with Chapter 1, General Provisions, Section 1-7, of the Code of Ordinances for the Town of Addison, Texas.

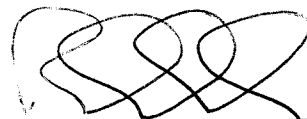
SECTION 4. That the provisions of this Ordinance are severable, and should any paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision 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 5. That the above and foregoing premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

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.

SECTION 7. That this Ordinance shall take effect from and after its date of passage and publication as required by law.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 11th day of January 2005.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1480-Z/Fairfield Residential

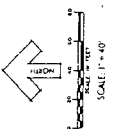
APPROVED AS TO FORM:



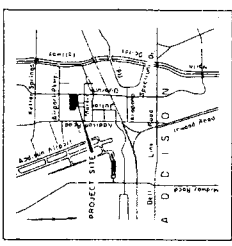
DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON:

6/17/05



ZONED UC
QUORUM EAST ADDITION
VOL. 9800, PG. 13



LOCATION MAP
N.T.

ZONED UC
Commercial Office/Local Retail
SOUTH ADDITION
VOL. 9814, PG. 37-37

ZONED UC
Commercial Office/Local Retail
UNITED STATES POSTAL SERVICE
ADDITION
VOL. 8806, PG. 137

ZONED UC
TRACT 3
1.90 ACRES
Future Residential Development

ZONED UC
TRACT 2
1.31 ACRES
Future Residential Development

ZONED UC
TRACT 4
1.57 ACRES
Park
(Open Space)

ZONED UC
TRACT 1
(Phase 1)
1.33 ACRES
Residential (S1 Unit)
5 Stories, 75 Feet
Density = 81.1 units/acre

ZONED UC
CITY HOMES
6733 ACRES
MUCH CONSTRUCTION

111 W. WILSON STREET
ADDITION
VOL. 5188 PG. 038

CONCEPT PLAN - TRACTS 1, 2, 3 & 4

Tract	Approximate Net Acreage	Use
1	1.33	Residential
2	1.31	Residential
3	1.90	Residential
4	1.57	Park/Open Space

Maximum Floor Area Per Approved Concept Plan
922,500 SF (30.3H, 38' Or. Approved Concept Plan)

CONCEPT PLAN
TRACTS 1, 2, 3 & 4
ADDISON FAIRFIELD RESIDENTIAL
AN ADDITION TO THE TOWN
OF ADDISON, TEXAS

City of the
CLW PHONE SERVICE TRACT NO. 485
TOWN OF ADDISON, DALLAS COUNTY, TEXAS

Prepared For:
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November 27, 2004
Project No. 01-3108-05
SHEET 1A OF 4

