

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 009-025

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO GRANT AN AMENDMENT TO A SPECIAL USE PERMIT FOR A DAY CARE CENTER IN A LOCAL RETAIL DISTRICT, ON APPLICATION WITH CHASE'S PLACE, A DAY CARE FACILITY FOR SPECIAL NEEDS CHILDREN, LOCATED IN THE BROOKHAVEN VILLAGE SHOPPING CENTER AT 14214 MARSH LANE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDIING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A SEVERABILITY 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, 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 Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit to a day care facility for special needs children. 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 a 1,200 square foot lease space addressed as 14214 Marsh Lane and located on a tract of land situated in the Noah Good Survey, Abstract No. 520, Dallas County, Texas and also being situated in the City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the east line of Marsh Lane, said point being south 841.46 feet along said east line of Marsh Lane (a 100 ft. R.O.W. at this point) from its intersection of the south line of Spring Valley Road (a 60 ft. R.O.W. at this point);

THENCE S 89° 48' 09" E, 160.00 feet to an iron pin for corner;

THENCE North 132.00 feet to an iron pin for corner;

THENCE S 89° 48' 09" E, 271.00 feet to an iron pin for corner;

THENCE South 750.01 feet to an iron pin for corner;

THENCE West 431.00 feet to an iron pin for corner in the east line of Marsh Lane.

THENCE North 619.50 feet along said east line to an iron pin for corner and the Place of Beginning and containing 6.943 acres of land.

SECTION 2. That the Special Use Permit is approved subject to no conditions.

SECTION 3. 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 be remain in full force and effect.

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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,
on this the 11th day of August, 2009.


MAYOR-JOE CHOW

ATTEST:



CITY SECRETARY-LEA DUNN

CASE NO.: 1582-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES-
CARMEN MORAN

PUBLISHED ON: 12/11/2009

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 009-026

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO GRANT A SPECIAL USE PERMIT FOR AN INSTITUTION OF A RELIGIOUS NATURE, IN A PLANNED DEVELOPMENT DISTRICT, ORDINANCE NO. 085-006, LOCATED IN THE GATEWAY CENTER AT 4845 KELLER SPRINGS ROAD, ON APPLICATION FROM THE REDEEMED CHRISTIAN CHURCH OF GOD; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A SEVERABILITY 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, 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 Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit to an institution of a religious nature in a Planned Development District, Ordinance No. 085-006, said zoning amendment is situated on the following described land:

Being a 2,168 square-foot lease space, addressed as 4845, Keller Springs Road, and further described as:

TRACT I

BEGINNING at the point of intersection of the North line of Keller Springs Road (a variable R.O.W.) and the East R.O.W. line of Addison Road (a 60' R.O.W.) said point being on a curve to the right, concave to the Northeast, having a radius of 686.30 feet, a central angle of 23 deg. 23' 35" a tangent length of 142.08 feet (a chord bearing North 11 deg. 54' 47" West, a chord distance of 278.76');

THENCE along said curve and said east line of Addison Road, 280.21 feet to the point of tangency of said curve;

THENCE North 00 deg. 13' 00" West, 143.29 feet continuing along said east line of Addison Road to a point for corner;

THENCE North 89 deg. 47' 00" East, 385.37 feet to a point for corner;

THENCE South 00 deg. 13' 00" East, 420.90 feet to the North R.O.W. line of Keller Springs Road;

THENCE North 89 deg. 19' 25" West, along said R.O.W. for 329.00 feet to the POINT OF BEGINNING.

The above described parcel contains 3.5820 acres or 156,032 square feet of land, more or less.

EXHIBIT "A"

BEING TRACT I OF GATEWAY CENTRE, an Addition to the City of Addison, Texas, according to the map thereof recorded in Volume 79174, Page 351, Map Records, Dallas County, Texas, and certificate of correction or error recorded in Volume 79219, Page 881, Deed Records, Dallas County, Texas, and being a part of the WILLIAM LOMAX SURVEY, ABSTRACT NO. 792, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the north line of Keller Springs Road (a variable R.O.W.) and the east right-of-way of Addison Road (a 60 ft. R.O.W.), said point being on a curve to the right, concave to the northeast, having a radius of 686.30 feet, a central angle of 23 deg. 23 min. 35 sec., a tangent length of 142.08 feet, a chord bearing of N 11 deg. 54 min. 47 sec. W, and a chord distance of 278.76 feet;

THENCE along said curve and said east line of Addison Road, 280.21 feet to the point of tangency of said curve;

THENCE N 00 deg. 13 min. 00 sec. W, 143.29 feet continuing along said east line of Addison Road to a point for corner;

THENCE N 89 deg. 47 min. 00 sec. E, 385.37 feet to a point for corner;

THENCE S 00 deg. 19 min. 25 sec. W, along said right-of-way for 329.00 feet to the Point of Beginning and containing 3.5820 acres of 156,032 square feet of land, more or less.

BEING TRACT II OF GATEWAY CENTER, an Addition to the City of Addison, Texas, according to the map thereof recorded in Volume 79174 Page 351, Map Records, Dallas County, Texas, and certificate of correction or error recorded in Volume 79219, Page 881, Deed Records, Dallas County, Texas, and being a part of WILLIAM LOMAX SURVEY, ABSTRACT NO. 792, Dallas County, Texas, and being more particularly described as follows:

Commencing at the point of intersection of the east R.O.W. line of Addison Road (a 60-ft R.O.W.) and the north R.O.W. line of Keller Springs Road (a variable width R.O.W.); thence, S 89 deg. 19 min. 25 sec. E, along the north R.O.W. line of said Keller Springs Road for 329.00 feet to the POINT OF BEGINNING;

THENCE S 89 deg. 19 min. 25 sec. E, 148.31 feet along said north R.O.W. line of Said Keller Springs Road to a point;

THENCE N 00 deg. 40 min. 35 sec. E, along the said R.O.W. line for 324.03 feet to the point of curvature of a curve to the right having a radius of 280.00 feet, a central angle of 11 deg. 51 min. 31 sec., a tangent length of 29.08 feet, a chord bearing of N 06 deg. 36 min. 21 sec. E, and a chord distance of 57.85 feet;

THENCE, along said curve to the right an arc length of 57.95 feet to the point of reverse curvature of a curve to the left having a radius of 220.00 feet, a central angle of 11 deg. 29 min. 41 sec., a tangent length of 22.14 feet, a chord bearing of N 06 deg. 47 min. 15 sec. E, and a chord length of 44.06 feet;

THENCE, along said curve for an arc length of 44.14 feet to a point on the curve;

THENCE, S 89 deg. 47 min. 00 sec. W, 352.91 feet;

THENCE, S 00 deg. 13 min. 00 sec. E, 420.90 feet to the north R.O.W. line of Keller Springs Road and the Point of Beginning and containing 3.3051 acres of 143,971 square feet of land, more or less.