

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, CREATING PLANNED DEVELOPMENT DISTRICT _____ BASED ON COMMERCIAL-1 (C-1) DISTRICT REGULATIONS WITH MODIFIED DEVELOPMENT STANDARDS LOCATED AT 15003 INWOOD ROAD, ON APPLICATION FROM FISH GALLERY, PROVIDING FOR APPROVAL OF ALL C-1 USES PLUS MANUFACTURING AND ASSEMBLY; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the “City”) is a home rule municipality having full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution and its Home Rule Charter; and

WHEREAS, the Town of Addison adopted Ordinance No. O17-11 which amended the Town of Addison Comprehensive Plan to add a new section adopting the findings of the Inwood Road Corridor Special Area Study (the “Inwood Road Study”); and

WHEREAS, a cornerstone of the findings of the Inwood Road Study was the need to increase and develop east/west connector roads from Inwood Road to adjacent roadways; and

WHEREAS, the applicant for the zoning amendment granted herein has offered to dedicate right-of-way for an east/west connector road in conjunction with development of the property; and

WHEREAS, but for the dedication of the right-of-way described above, the requested zoning amendment would not conform to the findings of the Inwood Road Study; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at the public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS THAT:

Section 1. The recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. Planned Development District _____ is hereby established for the 1.506 acres of land located at 15003 Inwood Road and more specifically described in **Exhibit A** attached hereto and incorporated herein (the “Property”), in accordance with all Commercial-1 (C-1), district development regulations contained in the Town of Addison, Code of Ordinances, as amended, with the following special conditions:

- A. Use Regulations. No land shall be used and no building shall be erected for or converted to any use other than all uses allowed in a C-1 district, plus manufacturing and assembly uses.
- B. Type of Construction. At least 80 percent of the exterior walls of all structures shall be of masonry construction, exclusive of door and window openings. At least 80 percent of all facades visible from a public street must be of brick or stone construction. Glass tile, glass block, and plate glass may count as masonry. The use of Nichiha fiber-cement architectural wall panels shall be allowed for the remaining 20 percent of the facades.
- C. Building Façade. The applicant shall increase the glazing on the building elevations fronting the street.

Section 3. The property shall be improved in accordance with the site plan, floor plan, landscape plans, and building elevations attached hereto as **Exhibit B** and made hereof for all purposes.

Section 4. Based on the Inwood Road Study, for the grant of entitlements in this Ordinance to be in the best interest of the public health, safety and welfare, prior to the issuance of a building permit to construct the improvements contemplated herein, the right-of-way for the New Road shown on **Exhibit B** shall be dedicated, in fee simple, to the Town of Addison.

Section 5. 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. The provisions of this Ordinance are severable, and should any section, subsection, paragraph, sentence, phrase or word of this Ordinance, or application thereof to any person, firm, corporation or other business entity or any circumstance, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of the remaining or other parts or portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining parts or portions of this Ordinance despite such unconstitutionality, illegality, or invalidity, which remaining portions shall remain in full force and effect.

Section 7. 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. This Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

Case No. 1766-Z/Fish Gallery

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,
on this the 12th day of December, 2017.

Joe Chow, Mayor

ATTEST:

Christie Wilson, Interim City Secretary

CASE NO: 1766-Z/Fish Gallery

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON:

Ordinance No. _____

EXHIBIT A

Being a 1.506 acre tract of land situated in the Josiah Pancoast Survey, Abstract No. 1146, and being a portion of Lot 1, Block 1, of the Rinehart Inwood Addition, an Addition to the Town of Addison, Dallas County, Texas, according to the plat thereof recorded in Volume 77012, Page 1563, Map Records of Dallas County, Texas, and being all of Lot 1, Block 1, O'Dwyer Inwood Addition, an unrecorded plat, and being all of that certain tract of land to Joe C. Thompson, Jr., by deed recorded in Volume 87001, Page 3230, of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1 /2 inch iron rod set with "Peiser & Mankin Surv" red plastic cap (hereinafter referred to as 1 /2 inch iron rod set) for the northeast corner of the herein described tract, same being in the southwesterly right-of-way line of Inwood Road (a 100' right-of-way), same being the most easterly southeast corner of The Attic, an addition to the Town of Addison, Dallas County, Texas, according to the plat thereof recorded in Volume 77197, Page 1570, said Map Records;

Thence South 17 deg. 15 min. 00 sec. East, along the southwest right-of-way line of said Inwood Road, passing the southeast corner of said Lot 1, Block 1, O'Dwyer Inwood Addition, same being the northeast corner of aforesaid Lot 1, Block 1, Rinehart Inwood Addition, and continuing a total distance of 295.63 feet to a 1/2 inch iron rod set for the southeast corner of the herein described tract, same being North 17 deg. 15 min. 00 sec. West, 11.31 feet from the southeast corner of said Lot 1, Block 1, Rinehart Inwood Addition, same being the northeast corner of that certain tract of land to 14885 Inwood Road LLC, by deed recorded in Instrument Number 200600478170, Official Public Records, Dallas County, Texas, same being the northeast corner of that certain tract of land to Inwood North Partners, by deed dated March 24, 1983, as recorded in Volume 83063, Page 3848, aforesaid Deed Records;

Thence along the common line of said Thompson tract, and said 14885 Inwood Road tract as follows:

South 90 deg. 00 min. 00 sec. West, a distance of 563.69 feet to an 'X' cut set in concrete for an angle point;

South 37 deg. 11 min. 42 sec. West, a distance of 13.56 feet to an 'X' cut set in concrete for an angle point, same being in the south line of said Lot 1, Block 1, Rinehart Inwood Addition;

South 90 deg. 00 min. 00 sec. West, a distance of 5.40 feet to an 'X' cut found in concrete for the southwest corner of the herein described tract, same being the southwest corner of said Lot 1, Block 1, Rinehart Inwood Addition, same being the northwest corner of said 14885 Inwood Road tract, same being in the east line of Lot 2, Inwood West Addition, an addition to the Town of Addison, Dallas County, Texas, according to the plat thereof recorded in Volume 91199, Page 3395, aforesaid Deed Records;

EXHIBIT A

Thence North 00 deg. 00 min. 00 sec. East, along the common line of said Thompson tract, said Lot 1, Block 1, Rinehart Inwood Addition, and said Lot 2, passing an 'X' cut found at a distance of 95.50 feet for the northwest corner of said Lot 1, Block 1, Rinehart Inwood Addition, same being the northeast corner of said Lot 2, same being the most southerly southeast corner of aforesaid The Attic, and continuing along the common line of said Thompson tract, and said The Attic, a total distance of 263.84 feet to an 'X' cut found in concrete for the most westerly northwest corner of said Thomson tract, same being an angle point in said The Attic;

Thence North 45 deg. 00 min. 00 sec. East, a distance of 41.43 feet to a corner for the most northerly northwest corner of said Thompson tract;

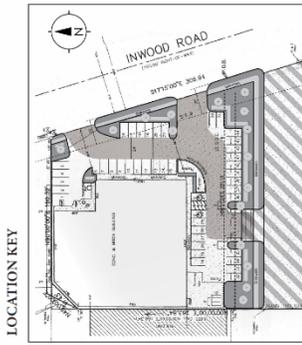
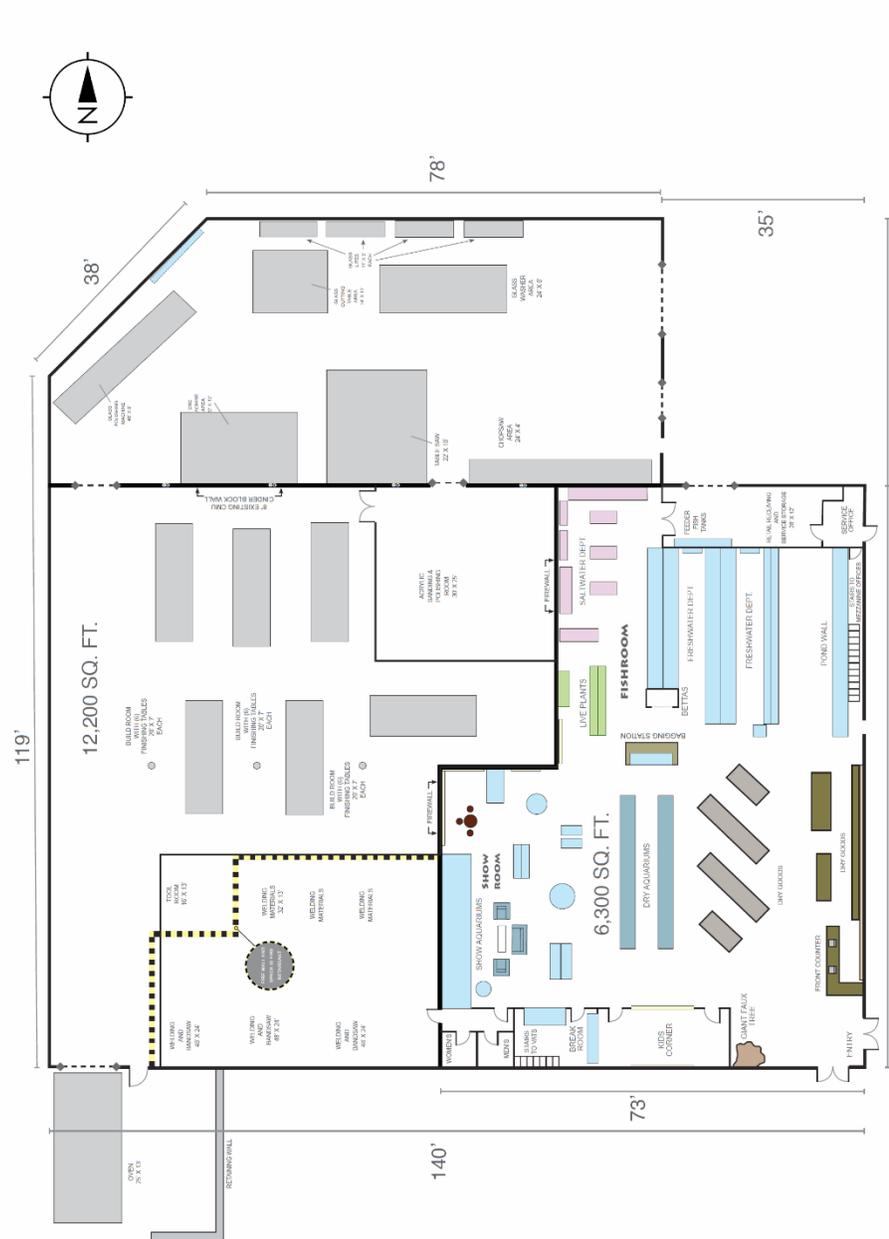
Thence North 90 deg. 00 min. 00 sec. East, continuing along the common line of said Thompson tract, and said The Attic, a distance of 160.32 feet to the Point of Beginning and containing 65,583 square feet or 1.506 acres of computed land, more or less .

EXHIBIT B

SCALE 1" = 10' 0"



Total Square Footage 18,500
Retail 6,300 SQ. FT. (34%)
Warehouse/Fabrication 12,200 SQ. Ft. (66%)



THE FISH GALLERY -
15003 INWOOD ROAD ADDISON, TX 75001
LEGAL 1: POSSESSOR/CONST. ABST 1166 PG 236
LEGAL 2: POSSESSOR/CONST. ABST 1166 PG 236
LEGAL 3: POSSESSOR/CONST. ABST 1166 PG 236
LOT NUMBER: 15003 ACRES
ACREAGE: 1.53 ACRES
SURVEY NUMBER: P-3670
Prop. Date: 9/28/2017, 10/9/2017, 10/14/2017, 10/21/2017, 10/27/2017, 11/02/2017, 11/08/2017

OWNER:
JOE C. THOMPSON JR.
3322 SHORECREST DRIVE #235
DALLAS, TX 75235
214-707-8465

APPLICANT:
ROGER DEGENERI
2909 FOUNTAIN VIEW DRIVE
HOUSTON TX 77057

EXHIBIT B

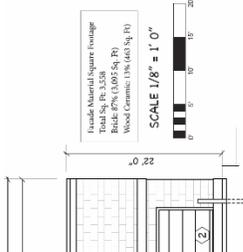
15003 INWOOD ROAD ELEVATION

**BRICK (75% COVERAGE)
CREAM COLOR**

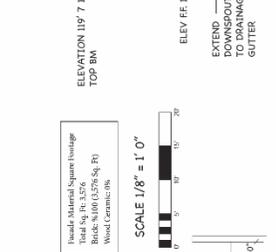
**W/ 1/2" RIBS
WOOD CERAMIC (25% COVERAGE)
INSTALLATION SYSTEM AND AN INTEGRATED RAINFLESHING**

REMARKS/NOTES

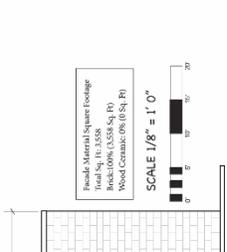
- This facade plan is for conceptual purposes only.
- All building plans require review and approval by Development Services.
- When permitted, exposed utility lines and conduits shall be permitted to match like building.
- All signage areas and locations are subject to approval by Development Services.
- Roof access shall be provided internally unless otherwise permitted by the City Building Official.



RETAIL STORE - EAST SIDE



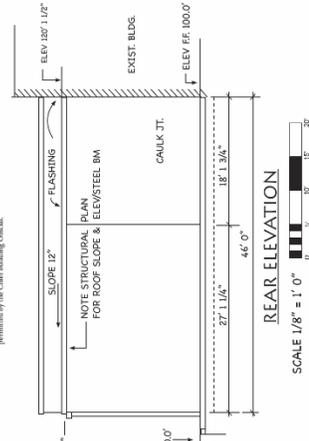
NORTH SIDE ELEVATION



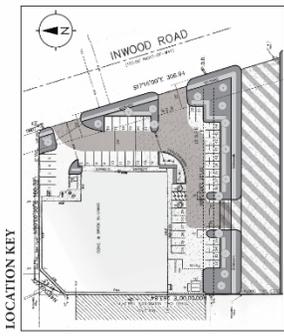
RETAIL STORE - WEST SIDE



SOUTH SIDE ELEVATION



REAR ELEVATION



LOCATION KEY

**THE FISH GALLERY -
15003 INWOOD ROAD ADDISON, TX 75001**

LEGAL E. JOSEPH PANDOLFI ABST L186 PG 236
LEGAL 4. W08700103300122888 CO DALLAS
BLOCK 103300103300122888 CO DALLAS
ACREAGE: 1.153 ACRES

STREET NUMBER: 15-870
Prop. Dates: 9/20/17, 10/19/17, 10/19/17, 10/21/17, 10/27/17, 11/3/17, 11/8/17

OWNER:
JOE C. THOMPSON JR.
15003 INWOOD ROAD
DALLAS, TX 75235
214-707-6463

APPLICANT:
ROGER DIGREGORI
2909 FOUNTAIN VIEW DRIVE
HOUSTON TX 77037