

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 014-026

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT O94-076 TO ADD ADDITIONAL USES ON PROPERTY LOCATED AT 4900 EDWIN LEWIS DRIVE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, a 4.00 acre tract of land located at 4900 Edwin Lewis Drive (the “Property”) was zoned by Ordinance No. O94-076 to allow the Property to be developed as a Summerfield Suites hotel; and

WHEREAS, the owner of the Property filed an application requesting a change in zoning on the Property for the uses and purposes as described herein; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this amendment promotes 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 recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That Planned Development District O94-076 is hereby amended to allow the following additional uses:

- (a) Restaurant upon the approval of a Special Use Permit; and
- (b) The sale of beer and wine for off-premises consumption upon the approval of a Special Use Permit; and
- (c) The sale of alcoholic beverages for on-premises consumption upon the approval of a Special Use Permit.

Section 3. The amendment to Planned Development District O94-076 has been made in accordance with the comprehensive plan of the City for the purpose of promoting the health, safety and welfare of the community, and with consideration of the reasonable suitability for the particular use and with a view of conserving the value of the buildings and encouraging the most appropriate use of land within the community.

Section 4. That Planned Development District O94-076 shall remain in full force and effect save and except as amended by this ordinance.

Section 5. That any person, firm, corporation, or other business entity violating any of the provisions or terms of this Ordinance shall, in accordance with Article XXVIII (Penalty for Violation) of the Zoning Ordinance, be fined, upon conviction, in an amount of not more than Two Thousand and No/100 Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

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. 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 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 10th day of June, 2014.

Todd Meier, Mayor

ATTEST:

Chelsea Gonzalez, City Secretary

CASE NO: 1694-PD Amendment/Hyatt House

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____