

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 015-__

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR A HOTEL, FOR A VACANT 1.64 ACRE PROPERTY LOCATED APPROXIMATELY 250 FEET NORTHEAST OF THE INTERSECTION OF ADDISON ROAD AND BELT LINE ROAD; 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, there is currently a 1.64 acre vacant tract of land located approximately 250 feet northeast of the intersection of Addison Road and Belt Line Road zoned Commercial-1; and

WHEREAS, hotels and motels require a Special Use Permit; 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 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:

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 a Special Use Permit for a hotel on a 1.64 acre vacant tract of land located approximately 250 feet northeast of the intersection of Addison Road and Belt Line Road zoned Commercial-1 is hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plans, landscape plan, and the elevation drawings, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.
- (b) If the property for which these Special Use Permits are granted is not used for the purposes for which said permits were granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning and repeal of the Special Use Permits granted herein.
- (c) The hotel shall offer only daily rates for room rental.

- (d)The hotel shall provide customary hotel services including daily linen, maid services, and the upkeep of furniture.
- (e)The hotel shall keep the lobby open and staffed at all times.
- (f)At no time shall more than 10% of the rooms be rented continuously for more than 60 days.
- (g)The hotel shall be required to maintain the Marriott brand. If this condition is not met, then the Town shall authorize hearings to be held for the purpose of reconsidering the Special Use Permit.
- (h)The hotel ownership shall provide certification to the Town on a quarterly basis that they are in compliance with all of the afore mentioned conditions.
- (i)Prior to the issuance of a building permit, the property owner shall be required to provide an avigation easement to the Town.

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 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 4. That it is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

Section 5. 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 6. That 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 13th day of October, 2015.

Todd Meier, Mayor

ATTEST:

Ordinance No. 015-0__

Case No. 1718-SUP/TownePlace Suites by Marriott

Laura Bell, City Secretary

CASE NO: 1718-SUP/TownePlace Suites by Marriott

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

Ordinance No. 015-0__

EXHIBIT A

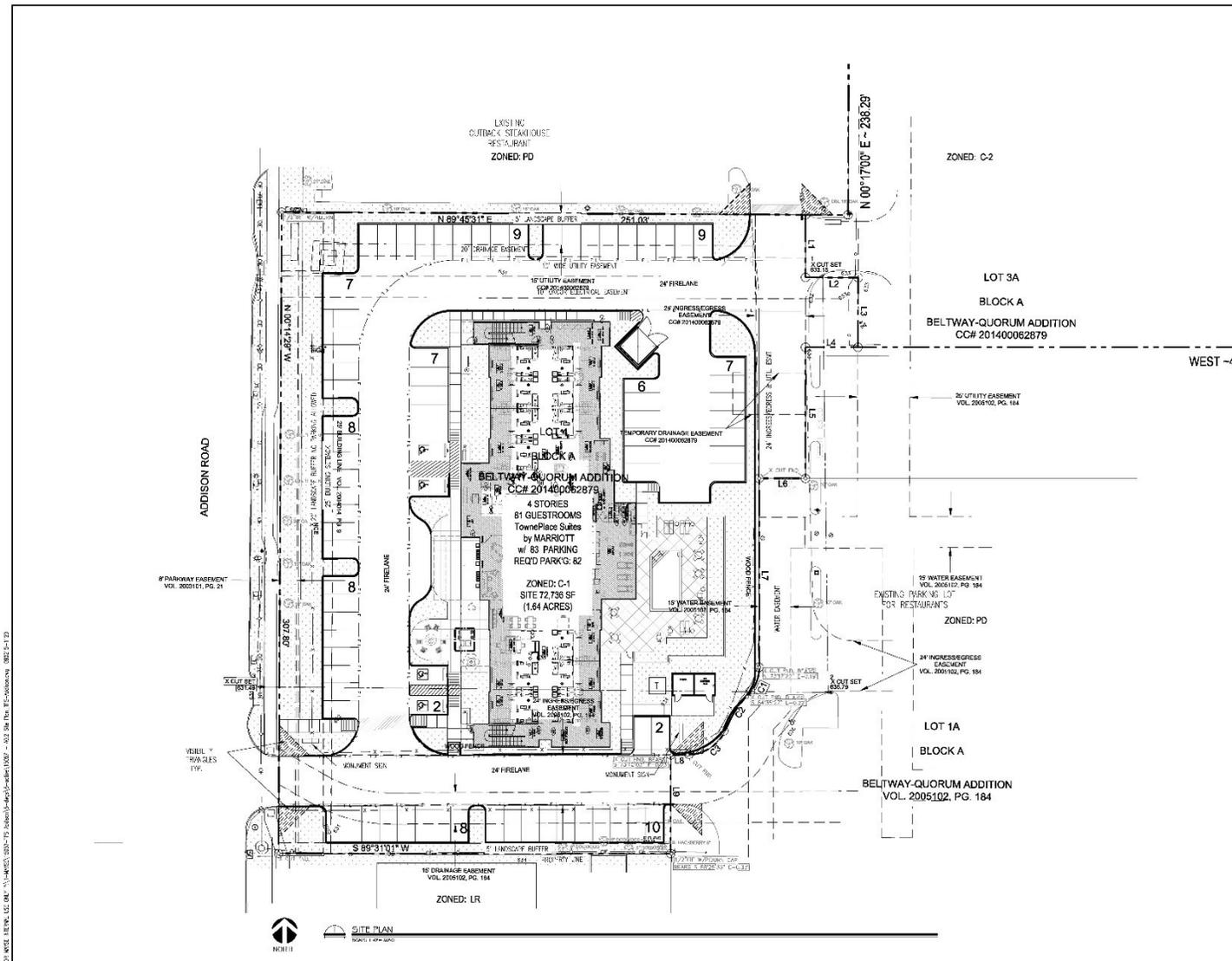


EXHIBIT A

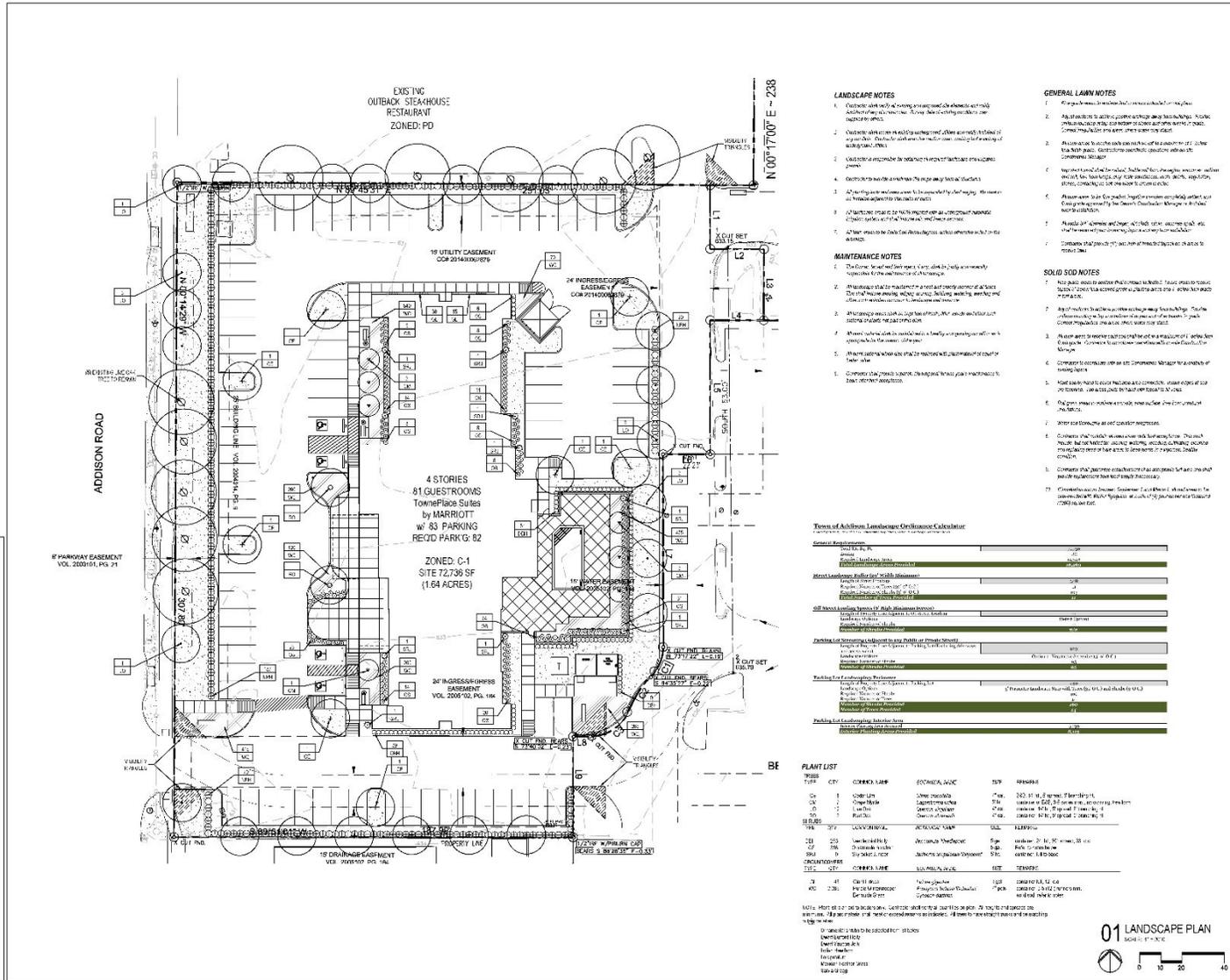


EXHIBIT A

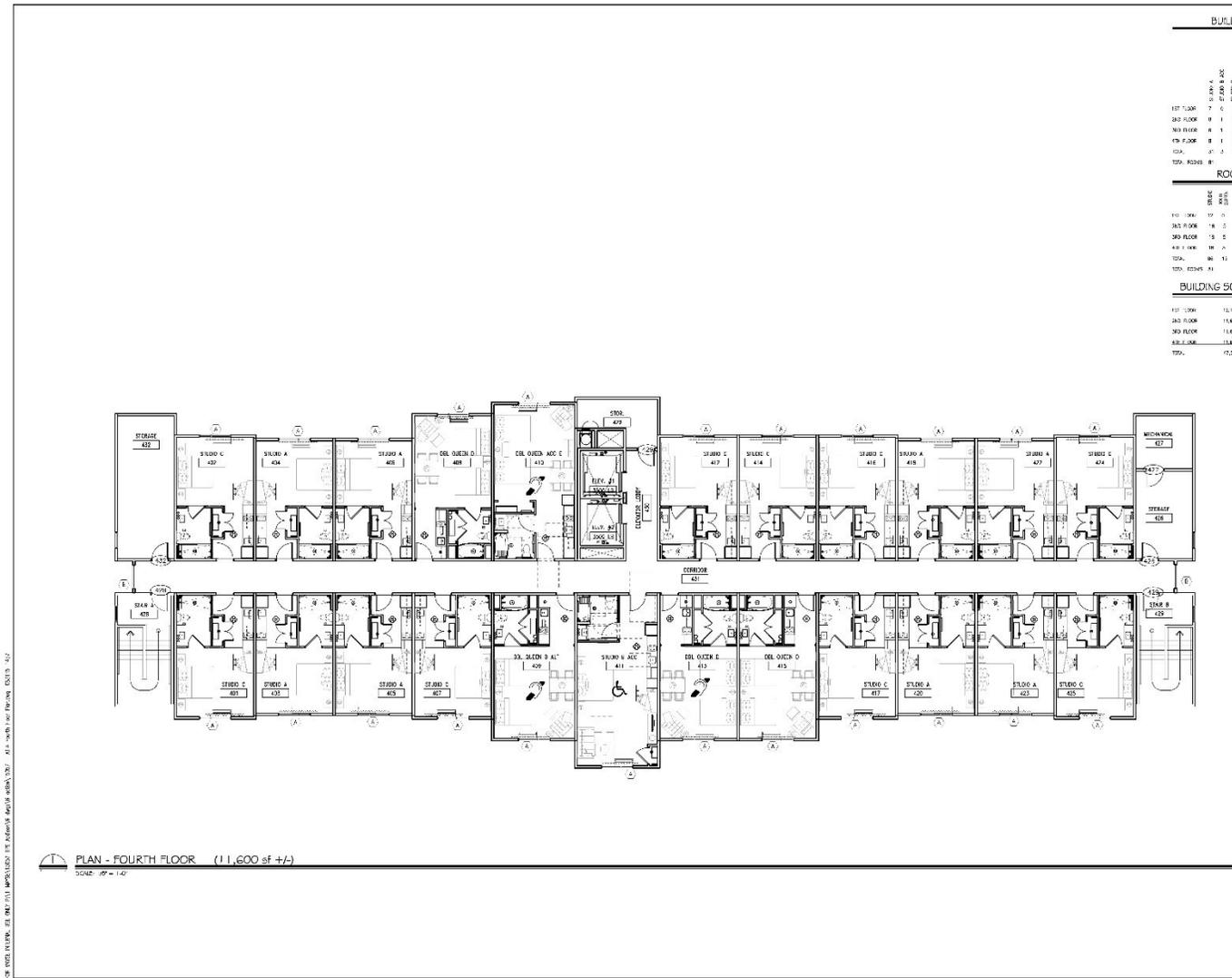


EXHIBIT A

