

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, CREATING PLANNED DEVELOPMENT DISTRICT _____ BASED ON LOCAL RETAIL DISTRICT REGULATIONS WITH MODIFIED USES AND DEVELOPMENT STANDARDS ON APPROXIMATELY .5751 ACRES OF PROPERTY LOCATED AT 4300 BELTWAY DRIVE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); AND PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on November 17, 2015, the Planning & Zoning Commission considered and made recommendations on a request for a Planned Development District (Case No.1726-Z); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the Town of Addison, as amended; 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. 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 .5751 acres of property located at 4300 Beltway Drive and more specifically described in **Exhibit A** attached hereto and incorporated herein (the “Property”), to allow a commercial catering kitchen and other uses permitted in the Local Retail District (LR) in accordance with all LR district development regulations contained in the Town of Addison, Code of Ordinances, as amended, with the following special conditions:

- A. In addition to the uses allowed in the LR district regulations, the Property may be used for a commercial catering kitchen without the requirement of an attached restaurant.
- B. The Property shall be developed in accordance with the site and landscape plan shown in **Exhibit B** attached hereto and incorporated herein.
- C. A minimum of 34 parking spaces shall be provided on the Property or on the adjacent

property to the south pursuant to a parking agreement.

Section 3. Prior to the issuance of a Certificate of Occupancy for the site, the property owner shall provide Town staff with a copy of an executed parking agreement between this property and the owner's adjacent property to the south, in a form satisfactory to the City Attorney, that has been recorded in the Deed Records of Dallas County.

Section 4. The provisions of the Town of Addison Code of Ordinances, as amended, shall remain in full force and effect save and except as amended by this ordinance.

Section 5. 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. 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 8th day of December 2015.

Todd Meier, Mayor

ATTEST:

Laura Bell, City Secretary

CASE NO: 1726-Z/Acess Catering and Events

(Signatures Continued on Next Page)

Case No. 1726-Z/Access Catering and Events

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A

BEING a tract or parcel of land situated in the City of Addison, Dallas County, Texas, and being part of the Elisha F. Ike Survey, Abstract No. 478, and also being part of Beltway Office Park III, an Addition to the City of Addison as recorded in Volume 77086, Page 0026 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found cross mark in concrete for corner in the Southerly line of Beltway Drive (60 feet wide), said point being due East a distance of 522.0 feet from the intersection of the Easterly line of Midway Road (as widened) and the Southerly line of said Beltway Drive;

THENCE due East along the Southerly line of said Beltway Drive, a distance of 100.00 feet to a set ½” steel rod for corner;

THENCE due South, a distance of 250.5 feet to a set ½” steel rod for corner in the Southerly line of said Beltway Office Park, Tract III;

THENCE due West along the Southerly line of said Beltway Office Park, Tract III, a distance of 100.00 feet to a found ½” steel rod for corner;

THENCE due North, a distance of 250.50 feet to the POINT OF BEGINNING, and containing 25,050 square feet more or less, or 0.5751 acres.

Exhibit B

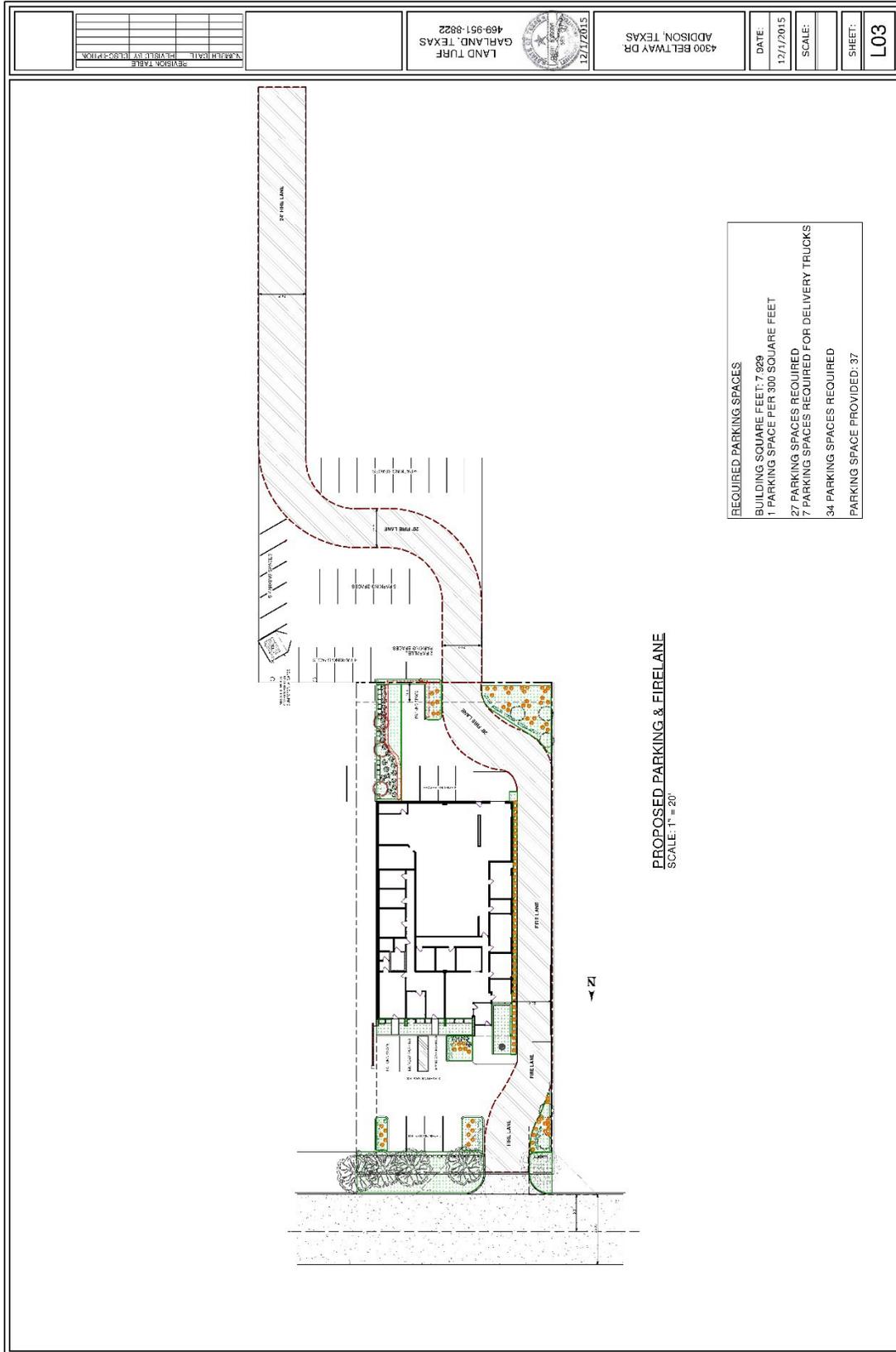


EXHIBIT B

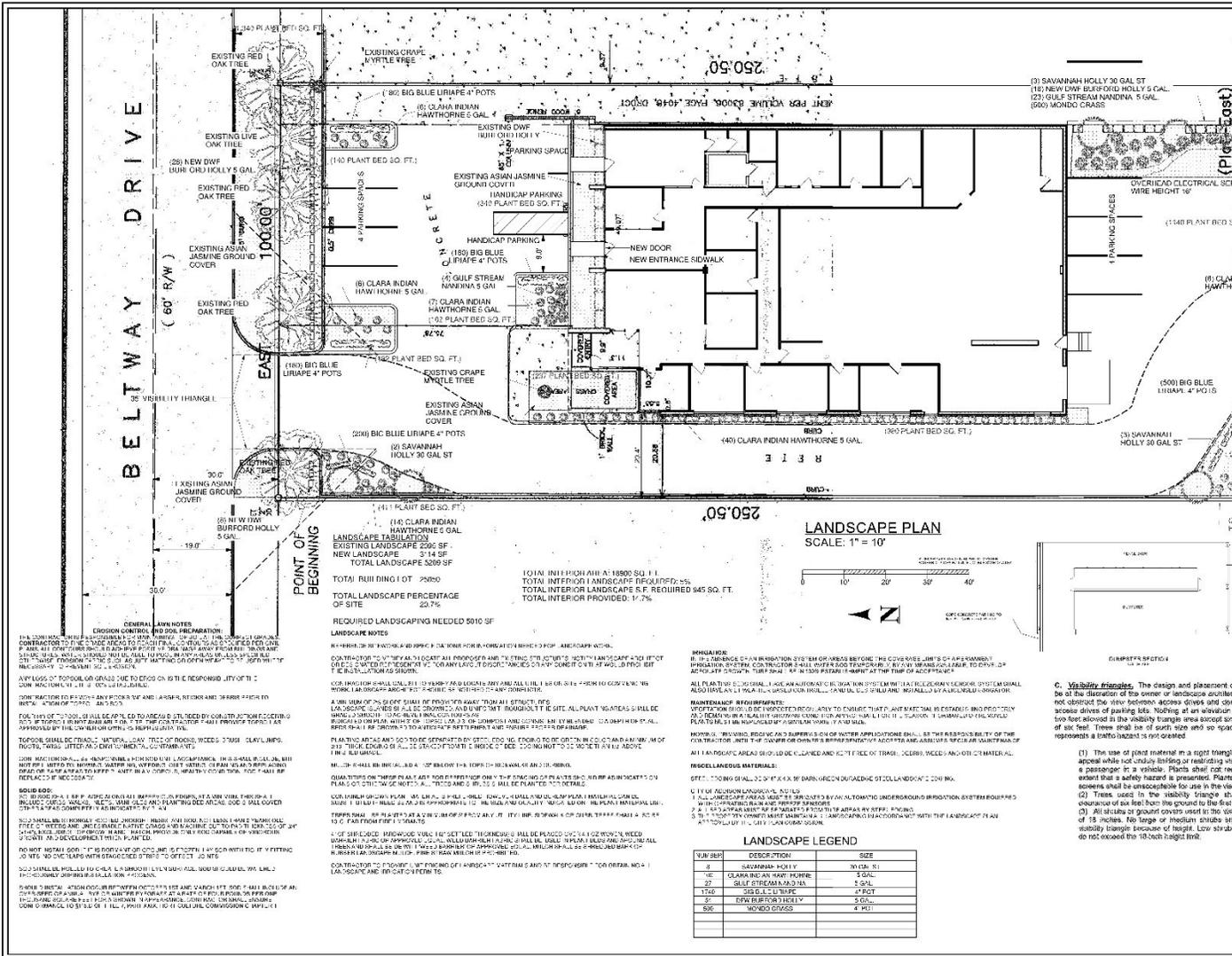


EXHIBIT B

