TOWN OF ADDISON, TEXAS

ORDINANCE NO.	
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AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, PROVIDING FOR APPROVAL OF A DEVELOPMENT PLAN FOR A MULTI-FAMILY BUILDING AND AMENITIES CENTER IN A PLANNED DEVELOPMENT ZONING DISTRICT (016____) LOCATED ON 5.2 ACRES LOACTED AT 3737 VITRUVIAN WAY AND 3801 VITRUVIAN WAY, ON APPLICATION FROM UNITED DOMINION REALTY, PROVIDING FOR APPROVAL OF A WAIVER TO DEVELOPMENT STANDARDS; 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 area generally known as Vitruvian Park was zoned PD, Planned Development, with development standards and a concept plan governing the entire property through Ordinance O07-034 and was amended through Ordinances O13-026 and O16-____; and

WHEREAS, the PD requires development plan approval prior to the issuance of a building permit; 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:

<u>Section 1</u>. 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. The property shall be improved in accordance with the development plans which are attached hereto as **Exhibit A** and made hereof for all purposes.

Section 3. The following waivers to development standards are hereby placed on the property.

- 1. Minimum area per dwelling unit for 1 bedroom units may be 577 square feet, instead of 600 square feet
- 2. Masonry percentage requirement for the northeastern elevation may be 76 percent masonry, instead of 80 percent

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3. Maximum number of building materials may be four, instead of three.

<u>Section 4.</u> 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.

<u>Section 5.</u> 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.

<u>Section 6</u>. 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.

<u>Section 7</u>. 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 24th day of May, 2016.

ATTEST:	Todd Meier, Mayor	
Laura Bell, City Secretary		
CASE NO: 1734-Z/Vitruvian West I		
APPROVED AS TO FORM:		
Brenda N. McDonald, City Attorney		
PUBLISHED ON:		
Ordinance No		

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EXHIBIT A: DEVELOPMENT PLANS







































