## TOWN OF ADDISON, TEXAS

## ORDINANCE NO.

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AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO REZONE 2.034 ACRES OF PROPERTY LOCATED AT 3820 BELT LINE ROAD FROM PLANNED DEVELOPMENT DISTRICT O93-018, AS AMENDED BY ORDINANCE O15-030, TO PLANNED DEVELOPMENT DISTRICT _ BASED ON BELT LINE (BL) DISTRICT REGULATIONS WITH MODIFIED 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, at its regular meeting held on October 20, 2020 the Planning \& Zoning Commission considered and made recommendations on a request for a Planned Development District (Case No.1818-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 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 $\qquad$ is hereby established for the 2.034 acres of land located at 3820 Belt Line Road, and more specifically described in Exhibit A attached hereto and incorporated herein (the "Property"), in accordance with all Belt Line (BL) zoning district development regulations contained in the Town of Addison, Code of Ordinances, as amended, with the following modifications:
A. The property may be developed with modifications to the BL (BL) design standards for block length and external façade glazing as shown in Exhibit B attached hereto and incorporated herein.
B. The minimum lot size for this Planned Development shall be 2.034 acres.
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C. The south facade of the proposed new commercial building shall be $73 \%$ brick or stone and $17 \%$ glazing.

Section 3. The property shall be improved in accordance with the site plan, floor plans, landscape plans, and building elevations set forth in Exhibit B.

Section 4. 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 5. 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 6. 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 7. 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 $13^{\text {th }}$ day of October 2020.

Joe Chow, Mayor

## ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

CASE NO:

1818-Z/3820 Belt Line Road

Brenda N. McDonald, City Attorney

PUBLISHED ON:
$\qquad$

## EXHIBIT A

BEING part of Lot 1-R, Block A, of Printemps Addition No. 2, and addition to the Town of Addison, according to the plat thereof, recorded in Volume 92162, Page 2251, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a $1 / 2^{\prime \prime}$ iron rod found in the South line of Belt Line Road, a variable width right-of-way, at the Northwest corner of Lot 1, Block E, of the Replat of Asbury Circle, an addition to the Town of Addison, according to the plat thereof, recorded In Instrument No. 200900017267, Official Public Records, Dallas County, Texas;

THENCE South $00^{\prime} 59^{\prime} 34^{\prime \prime}$ West, a distance of $30.50^{\prime}$ to a $1 / 2^{\prime \prime}$ iron rod found at an interior corner of said Asbury addition;

THENCE South 39'49'52" West, passing at a distance of 262.96' the West corner of said Lot 1, same being a Northerly corner of Lot 3C-1, Block D, of the Replat of Lots 3A, 38, 3C-1, 4R-1 and 5, an addition to the Town of Addison, Dallas County, Texas, and continuing a total distance of 324. 75 ' to an " X " found in concrete, at an interior corner of said Replat, said point being the in a curve to the left having a central angle of $38^{\prime} 50^{\prime} 18^{\prime \prime}$, a radius of $184.12^{\prime}$ and a chord bearing and distance of North 69'35'17" West, 122.43';

THENCE Northwesterly, along said curve to the left, an arc distance of $124.81^{\prime}$ to a $1 / 2^{\prime \prime}$ iron rod with a yellow plastic cap stamped "RPLS 5310" set in the interior North line of said Lot 3C-1;

THENCE North 89'00'26" West, a distance of $101.42^{\prime}$ to an "X" cut set in concrete at an interior corner of said Lot 3C-1;

THENCE North $00^{\prime} 59^{\prime} 34$ " East, a distance of $212.25^{\prime}$ to a $1 / 2^{\prime}$ iron rod with a yellow plastic cap stamped "RPLS 5310" set in the most Northerly East line of said Lot 3C-1;

THENCE North $45^{\prime} 599^{\prime} 34$ " East, a distance of 56.57 ' to a to a $1 / 2^{\prime \prime}$ iron rod with a yellow plastic cap stamped "RPLS 5310 " set in the said South line of Belt Line Road;

THENCE South $89^{\prime} 00^{\prime} 26$ " East, along said South line, a distance of 256.29 ' to an "X" set in concrete for comer;

THENCE South $83^{\prime} 34^{\prime} 49^{\prime \prime}$ East, continuing along said South line, a distance of $100.45^{\prime}$ to a $1 / 2^{\prime \prime}$ iron rod with a yellow plastic cap stamped "RPLS 5310 " set for corner;

THENCE South $89^{\prime} 00^{\prime} 26$ ' East, continuing along said South line, a distance of 24.25 ' to the PLACE OF BEGINNING and containing 88,597 square feet or 2.034 acres of land.
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## EXHIBIT B



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