

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY REPEALING ORDINANCE NO. 095-021 AND REZONING A 1.17 ACRE PROPERTY LOCATED AT 4551 BELTWAY DRIVE, FROM LOCAL RETAIL (LR) TO THE COMMERCIAL-1 (C-1) DISTRICT; 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; PROVIDING FOR SAVINGS, NO SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the property located at 4551 Beltway Drive, is zoned LR, Local Retail; and

WHEREAS, at its regular meeting held on July 20, 2021 the Planning & Zoning Commission considered and made recommendations on a request to rezone to the Commercial-1 (C-1) district (Case No.1830-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. Ordinance No. 095-021, granting a Special Use Permit for a restaurant and the sale of alcoholic beverages for on premises consumption, is hereby repealed in its entirety.

SECTION 3. The Zoning Ordinance and official zoning map shall be amended so as to rezone a 1.17 acre property located at 4551 Beltway Drive from Local Retail (LR) to Commercial-1 (C-1), said property being described in the legal description on Exhibit A attached hereto.

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. 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 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.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the **10TH** day of **AUGUST 2021.**

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

City Attorney

EXHIBIT A

Being a part of Tract III, Beltway Office Park, an addition to the City of Addison, Dallas County, Texas, according to the plat thereof recorded in Volume 77086, Page 26, Map Records, Dallas County, Texas, and being the same tract of land described in deed to Wannee Whitis and Husband Kittichai Vichyastit, recorded in Volume 2000040, Page 4225, Deed Records, Dallas County, Texas, and being more particularly described as follows;

BEGINNING at a 3/8" iron rod found at the intersection of the West line of Beltway Drive, a variable width right-of-way, with the North line of Beltway Drive, a 60' right-of-way;

Thence West, along said North line, a distance of 169.05' to a 1/2" iron rod found at the Southeast corner of Lot 1, Hampton Inn Hotel, an addition to the City of Addison, according to the plat thereof recorded in Volume 85090, Page 4767, Map Records, Dallas County, Texas;

Thence North 00°03'00" West, a distance of 301.44' to a 1/2" iron rod found at the Northeast corner of said Lot 1, and being the Southeast corner of Lot 2-R, 4500 Belt Line Addition, an addition to the City of Addison, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 20190032993, Official Public Records, Dallas County, Texas, and being the Southwest corner of Addison Market, an addition to the City of Addison, Dallas County, Texas, according to the plat thereof recorded in Volume 83208, Page 2077, Map Records, Dallas County, Texas;

Thence North 89°58'36" East, a distance of 169.05' to a 1/2" iron rod found in said West line of Beltway Drive, at the Southeast corner of said Addison Market;

Thence South 00°03'00" East, along said West line a distance of 301.51' to the PLACE OF BEGINNING and containing 50,964 square feet or 1.170 acres of land.

EXHIBIT A

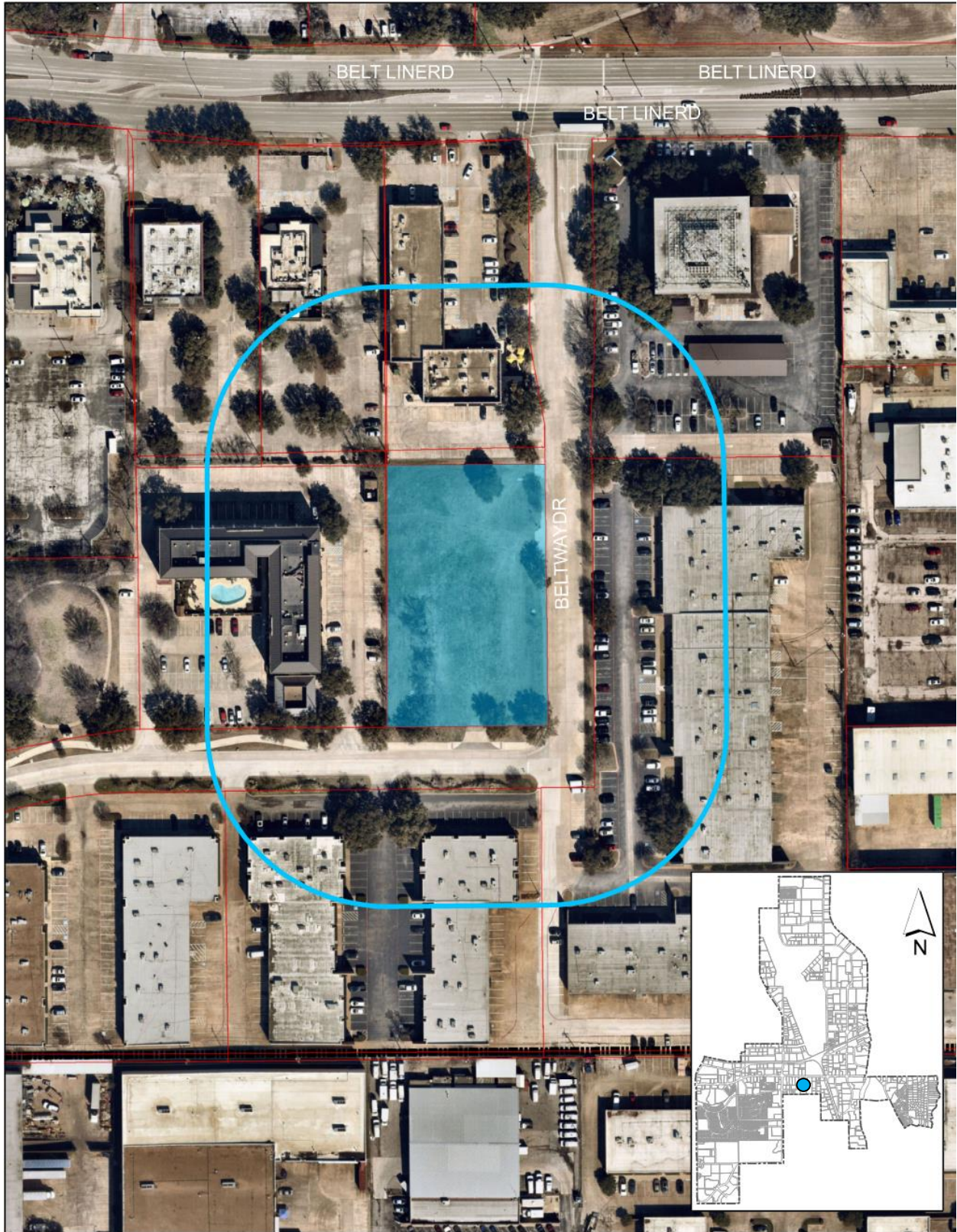


EXHIBIT A

