

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT (SUP) FOR A DAY NURSERY FOR PROPERTY LOCATED AT 14450 MARSH LANE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.**

**WHEREAS**, at its regular meeting held on November 16, 2021, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit (Case No.1842-SUP) for a day nursery at the property located at 14450 Marsh Lane (the “Subject Property”); and

**WHEREAS**, the Subject Property is presently zoned Local Retail (LR), which requires a SUP for the operation of a day nursery on the Subject Property; and

**WHEREAS**, this change of zoning is in conformance 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 Nos. O95-043 and 099-022, granting and amending a Special Use Permit for Brilliance Pre-School, shall be repealed in their entirety upon issuance of a Certificate of Occupancy for the Subject Property in conformance with this ordinance.

**SECTION 3.** The City Council hereby approves a SUP authorizing the operation of a day nursery on the Subject Property, consisting of approximately 10,599 square feet of floor area, subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, the Subject Property shall:
  - i. Be improved in accordance with the site plan, landscape plan, floor plan, and building elevations, which are attached hereto as **Exhibit A** and made a part hereof for all purposes; and
  - ii. Provide proof of child care center licensing from the Texas Department of Health and Human Services.

**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, Section 1-7 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 **14<sup>TH</sup>** day of **DECEMBER 2021.**

**TOWN OF ADDISON, TEXAS**

\_\_\_\_\_  
Joe Chow, Mayor

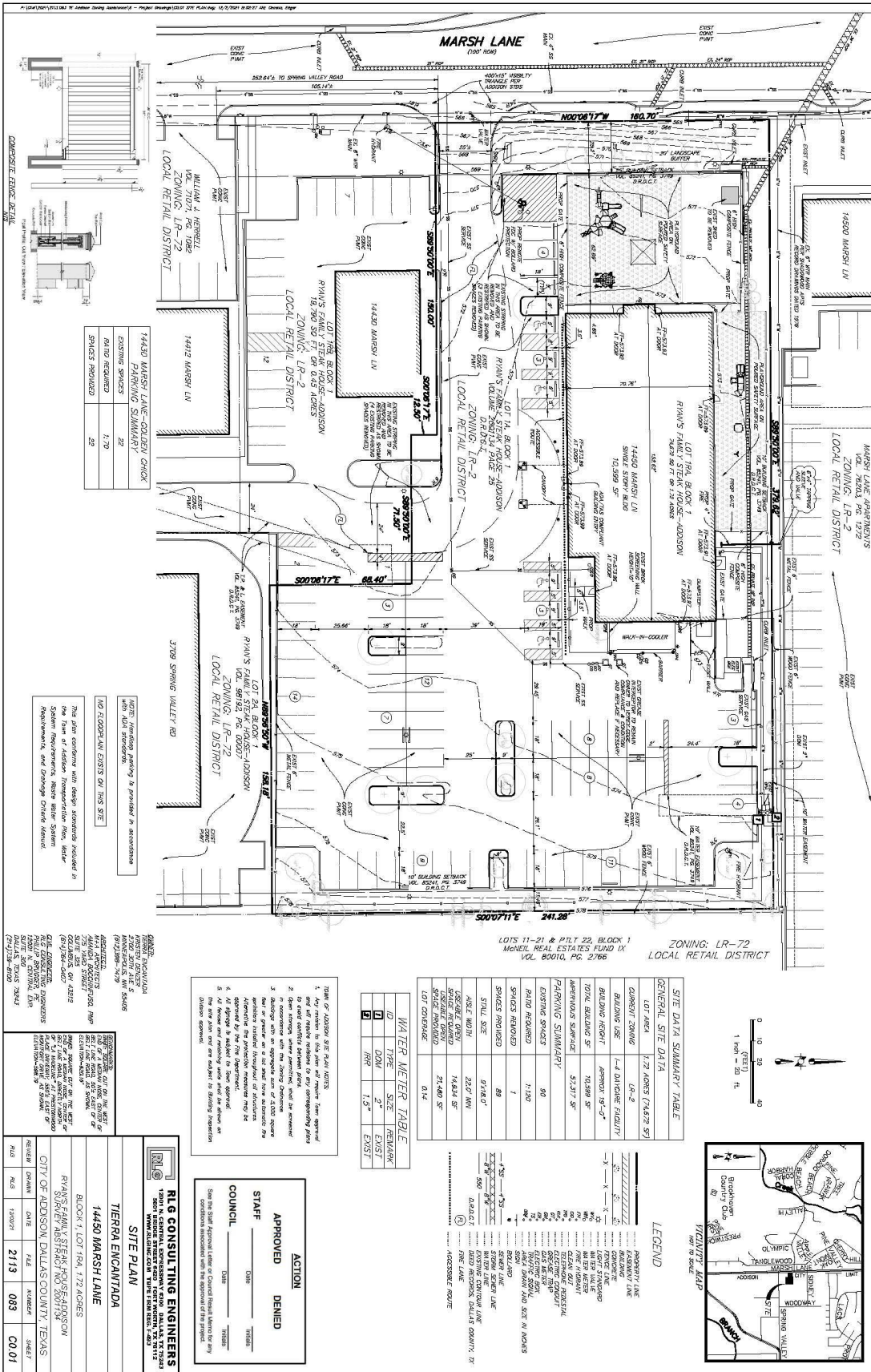
**ATTEST:**

**APPROVED AS TO FORM:**

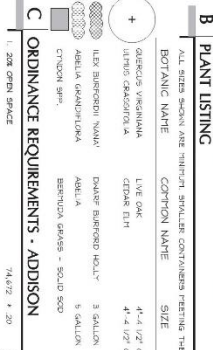
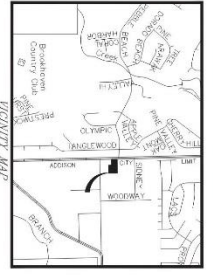
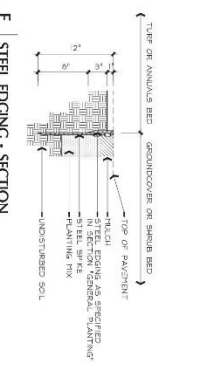
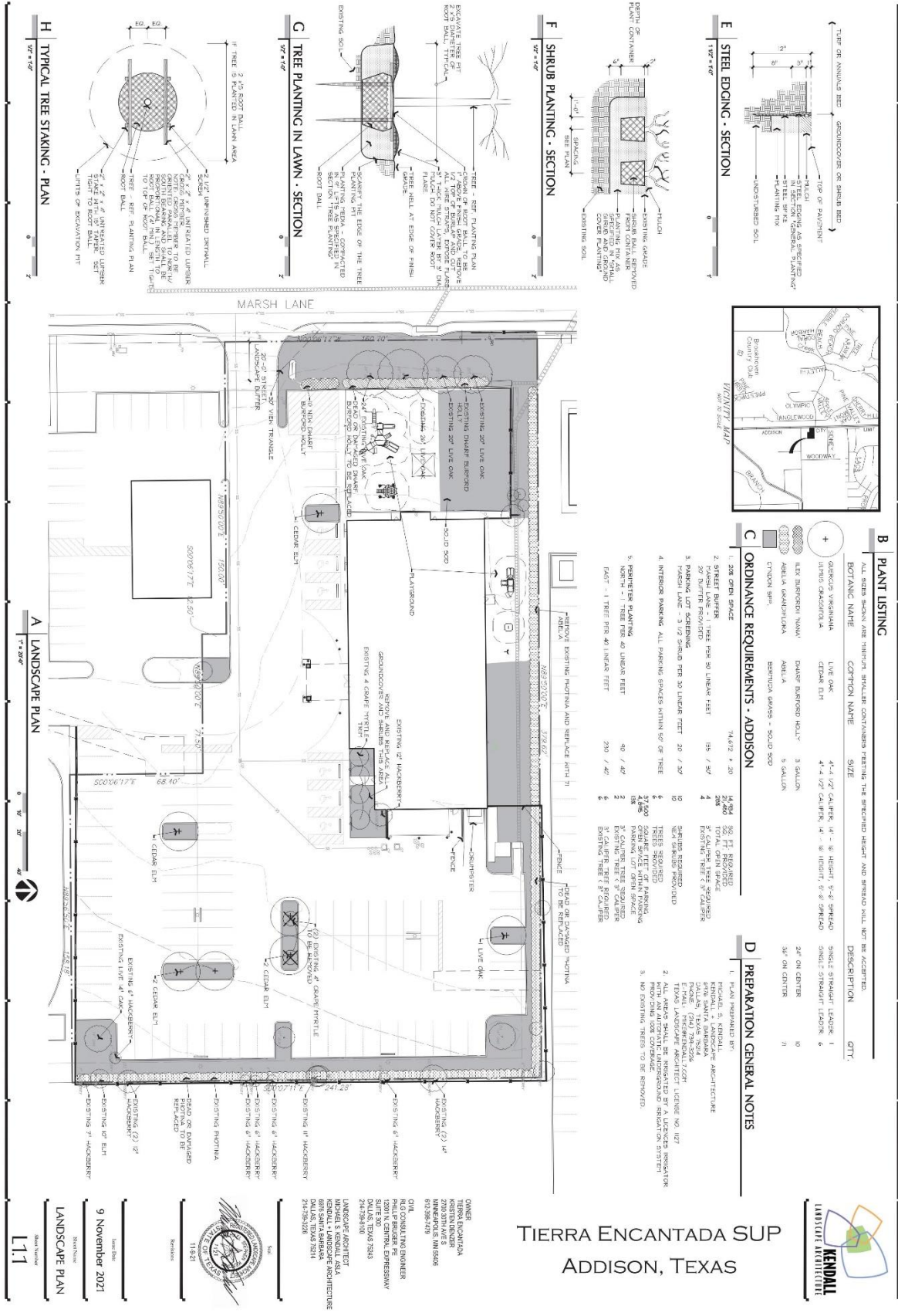
\_\_\_\_\_  
Irma Parker, City Secretary

\_\_\_\_\_  
Whitt Wyatt, City Attorney

# EXHIBIT A



# EXHIBIT A



**OWNER:**  
TIERRA ENCANTADA SUP  
12001 N. CENTRAL EXPRESSWAY  
DALLAS, TEXAS 75243  
675-285-2179

**CLIENT:**  
MICHAEL S. KENDALL ARCHITECT  
6801 SANTA BARBARA  
DALLAS, TEXAS 75214  
214-358-2828

**DATE:**  
9 November 2021

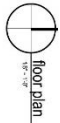
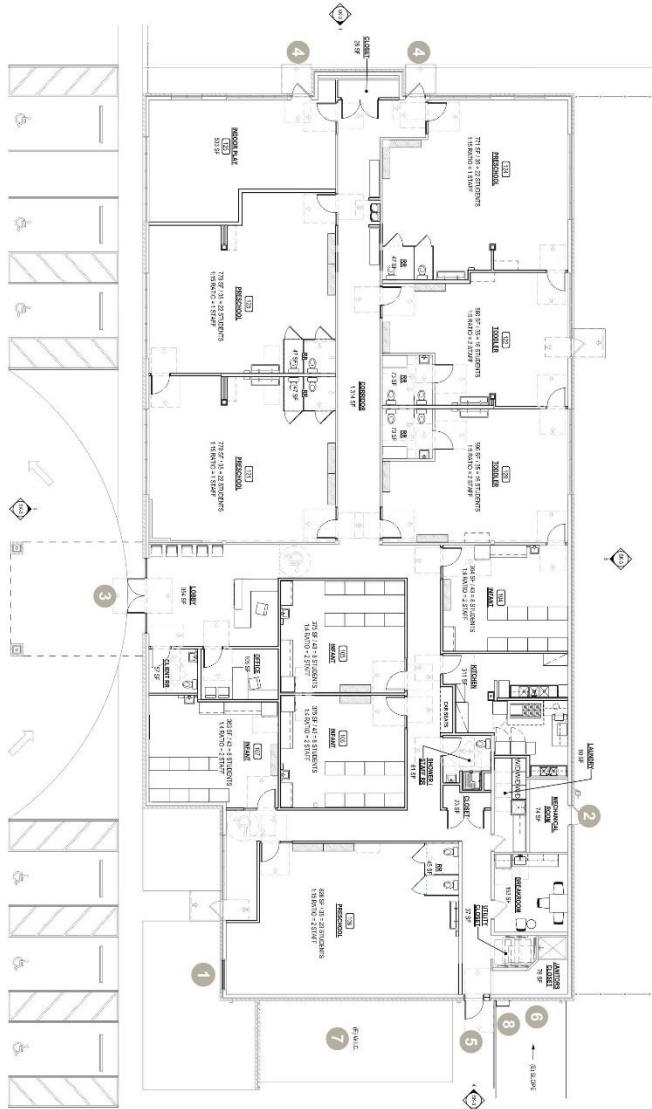
**SCALE:**  
LANDSCAPE PLAN  
1" = 4'-0"

**PROJECT:**  
TIERRA ENCANTADA SUP  
LANDSCAPE PLAN  
L111

TIERRA ENCANTADA SUP  
ADDISON, TEXAS



# EXHIBIT A



**APPLICANT:** TIERRA ENCANTADA OWNERS & CO.  
 2020 W. WILSON AVE. # 300  
 ADDISON, TX 75001  
 P: 972.298.7479

**ARCHITECT:** MAA ARCHITECTS  
 7701 VANDER GRAY BLVD  
 SUITE 100  
 ADDISON, TX 75001  
 P: 972.298.4697

**PROPERTY OWNER:** SERRANO, LLC  
 2201 LANTANA WAY  
 SUITE 100  
 ADDISON, TX 75001  
 P: 972.298.1188

**OWNER:** DANIELA SERRANO  
 2201 LANTANA WAY  
 SUITE 100  
 ADDISON, TX 75001  
 P: 972.298.1188

## TIERRA ENCANTADA - ADDISON, TX FLOOR PLAN

### FLOOR PLAN NOTES

1. ALTERNATE OPTION FOR ADDITIONAL STOREFRONT GLAZING TO MATCH EXISTING.
2. NEW FIRE RISER TO BE LOCATED IN EXISTING MECHANICAL ROOM.
3. NEW STOREFRONT WITH CENTERED DOUBLED DOOR IN EXISTING OPENING. TO MATCH EXISTING STOREFRONT.
4. NEW STOREFRONT DOORS TO REPLACE EXISTING.
5. EXISTING SERVICE FLOOR TO BE REPLACED WITH HOLLOW METAL DOOR WITH GLASS SIDELITE.
6. EXISTING TRASH COMPACTOR TO BE REMOVED AND REPLACED WITH DUMPSTER. EXISTING TRUCK WELL TO REMAIN.
7. EXISTING WALK-IN COOLER TO REMAIN AND BE REPAINTED.
8. EXISTING EXTERIOR MOUNTED ROOF LADDER TO BE REPLACED WITH NEW GATE PROTECTED ROOF LADDER, IN PLACE OF EXISTING.

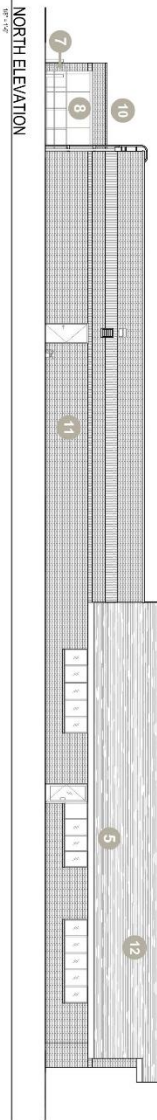
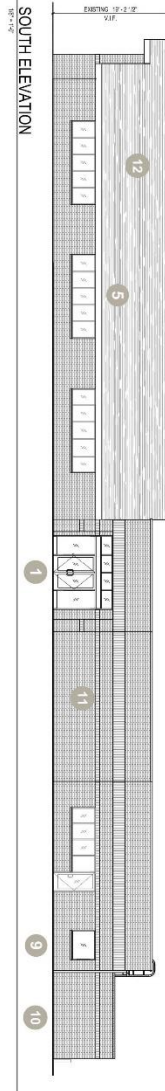
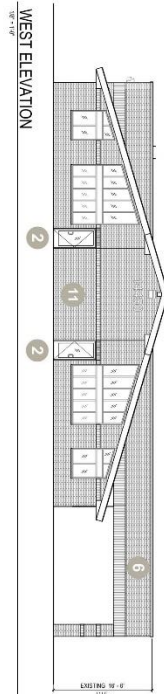
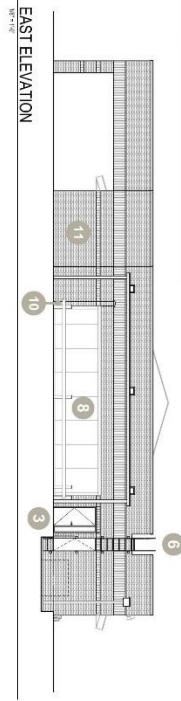
**BUILDING GSF:** 10,150 SF  
**PLAYGROUND AREA:** 7,310 SF  
**TOTAL NUMBER OF CHILDREN:** 150 CHILDREN  
**TOTAL NUMBER OF STAFF:** 27 STAFF

14850 WATSON LANE  
 ADDISON, TX 75001  
 2021.332  
 1/11/21  
 PROJECT NUMBER: 1842-SUP 5K-1  
 m3 architects

# EXHIBIT A

## FACADE PLAN NOTES

- A. THIS FACADE PLAN IS FOR CONCEPTUAL PURPOSE ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
- B. ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW AS REQUIRED BY THE ZONING ORDINANCE.
- C. WHEN PERMITTED, EXPOSED UTILITY BOXES AND CONDUITS SHALL BE PAINTED TO MATCH THE BUILDING.
- D. ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY DEVELOPMENT SERVICES.
- E. ROOF ACCESS SHALL BE PROVIDED PER 2018 IRC 1011.12 (EXCEPT 1).



## EXTERIOR ELEVATION NOTES

1. NEW STOREFRONT WITH CENTERED DOUBLED DOOR. EXISTING OPENING TO MATCH EXISTING STOREFRONT.
2. NEW STOREFRONT DOORS TO REFACE EXISTING.
3. EXISTING SERVICE DOOR TO BE REPLACED WITH HOLLOW METAL DOOR WITH GLASS SIDELITE.
4. EXISTING LIGHT FIXTURES ALONG ROOF LINE TO BE REMOVED.
5. NEW EXTERIOR ILLUMINATED CHANNEL LETTER SIGN TO BE PROVIDED.
6. EXISTING EXTERIOR MOUNTED ROOF LADDER TO BE REPLACED WITH NEW GATE PROTECTED ROOF LADDER IN PLACE OF EXISTING.
7. EXISTING RAILING TO REMAIN AND BE REPAINTED.
8. EXISTING WALK-IN COOLER TO REMAIN AND BE REPAINTED.
9. ALTERNATE OPTION FOR ADDITIONAL STOREFRONT GLAZING TO MATCH EXISTING.
10. EXISTING BRICK SCREEN WALL TO REMAIN.
11. EXISTING BRICK FACADE TO REMAIN.
12. EXISTING SHINGLED ROOF TO REMAIN.

**CLIENT:** TIERRA ENCANTADA  
 INTERIUS DESIGN, OWNER & CEO  
 JENNIFER L. JENKINS  
 11000 W. WINDY HILL  
 FORT WORTH, TX 76134

**ARCHITECT:** MAA ARCHITECTS  
 1445 MARSHALL  
 ADDISON, TX 76010

**PROPERTY OWNER:** BARBO, LLC  
 2000 WINDY HILL  
 FORT WORTH, TX 76134

**DATE:** 11/11/21  
 PROJECT NUMBER: 1842 SUP BR-3

## TIERRA ENCANTADA - ADDISON, TX EXTERIOR ELEVATIONS

1445 MARSHALL  
 ADDISON, TX 76010

maa architects  
 2021.302  
 11/11/21  
 PROJECT NUMBER: 1842 SUP BR-3