

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING PLANNED DEVELOPMENT (PD) DISTRICT ORDINANCE O16-003 TO MODIFY THE EXISTING LAND USE REGULATIONS TO ALLOW AN OFFSITE PARKING LOT, TO SERVE 14951 MIDWAY ROAD, AS A PERMITTED USE ON A 0.55 ACRE SEGMENT OF LAND LOCATED AT 18 RUNYON ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on January 26, 2016, the City Council for the Town of Addison, Texas adopted Planned Development (PD) District Ordinance O16-003 (“PD O16-003”) for a 17.4-acre property located at 4150 Belt Line Road (the “PD Property”); and

WHEREAS, at its regular meeting held on October 18, 2022, the Planning & Zoning Commission considered and made recommendations on a request to amend PD O16-003 with regard to a 0.55-acre segment of the PD Property located at 18 Runyon Road (the “Subject Property”), being more particularly described in **Exhibit A** attached hereto and made a part hereof for all purposes, to approve a modification to the use regulations to allow offsite parking lot as a permitted land use upon the Subject Property (Case No. 1862-Z); 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 public interests of the community; and

WHEREAS, the City Council further finds this change of zoning is in accordance with the adopted Comprehensive Plan of the Town of Addison, as amended.

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. The Zoning Ordinance and official zoning map shall be amended so as to amend PD O16-003, to provide for offsite parking lot as a permitted use upon the Subject Property.

SECTION 3. The Subject Property shall be improved in accordance with the Development Plan, which is comprised of the site plan attached hereto as **Exhibit B** and made a part hereof for all purposes (the “Development Plan”), subject to the following conditions:

- 1) No vehicular connections may be permitted to Belt Line Road, Runyon Road, or Beltway Drive from the proposed offsite parking lot.
- 2) The proposed offsite parking use shall only be used to support parking generated by uses occupying 14951 Midway Road.

- 3) Future expansion of the off-site parking lot will require approval of Development Plans that must comply with all applicable Town codes and ordinances. Any expanded parking area must be screened from public view from Runyon Road and Beltway Drive through application of the following conditions noted on the Development Plan:
 - a) If the parking area on the proposed lot 18X-2, Block F is expanded or enlarged in the future, the property owner (not the Town) would be responsible for:
 - i) Establishing a landscape planting strip (min. 3' width) at the common boundary with Runyon Rd / Magnolia St, where a similarly situated planting area does not already exist. This planting strip would be maintained by the Town.
 - ii) Immediately adjacent to this planting strip and at the common boundary of the proposed Lots 18X-1 and 18X-2, Block F, the property owner (not the Town) would be responsible for installation and permanent maintenance of an 8' tall masonry screening wall that is compatible in character with the homes on the adjacent block face in the Addison Grove neighborhood.

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 Zoning Ordinance for the Town of Addison, 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. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Zoning Ordinance for the Town of Addison, as amended hereby, be adjudged or held, in whole or in part, to be invalid, voided or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinances, as amended hereby, which 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.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas, on this the 8TH day of NOVEMBER 2022.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Whitt Wyatt, City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

BEING a 0.55 acre tract of land, situated in Section 218C, Block 218 of the Thomas L. Chenoweth Survey, Abstract Number 273, Town of Addison, Dallas County, Texas, and being a part of Lot 18X, Block F, of the Addison Grove Addition to the Town of Addison, Dallas County, Texas, as recorded in Instrument Number 201700353297, Official Public Records, Dallas County, Texas, and also being further described by metes and bounds as follows;

BEGINNING at 1 inch iron pipe found (Northing: 7,033,633.11 feet, Easting: 2,477,811.69 feet) for an eastern corner of said Lot 18X on the north line of Lot 3, Block A, of the Sam's Club Addition to the Town of Addison, Dallas County, Texas, as recorded in Instrument Number 199201090772, Official Public Records, Dallas County, Texas, from which a 1 inch iron pipe found for the northeast corner of said Lot 3, Block A bears North 89°25'15" East, a distance of 134.18 feet;

THENCE South 89°25'15" West, along the north line of said Lot 3, Block A, a distance of 95.66 feet (called South 89°56'40" West - 95.80 feet) to a 5/8 inch iron rod found for a corner and being the same as a corner of said Lot 18X and the northwest corner of said Lot 3, Block A;

THENCE South 00°30'45" East (called South 00°01'22" East), along the common east line of said Lot 18X and west line of said Lot 3, Block A, a distance of 18.00 feet to a 5/8 inch iron rod with cap stamped "Cobb Fendley & Associates" set on said common line for a corner;

THENCE North 89°42'17" East, a distance of 105.90 feet to a 5/8 inch iron rod with cap stamped "Cobb Fendley & Associates" set on west line of said Lot 18X and the east right-of-way line of Magnolia Street (variable width) dedicated by said Addison Grove Addition for the southwest corner;

THENCE North 00°29'35" West (called North 00°02'06" West), along the common east line of said Magnolia Street and west line of said Lot 18X, a distance of 128.00 feet to a 5/8 inch iron rod with cap stamped "Cobb Fendley & Associates" set on the south line of Lot 2, Block A, of said Sam's Club Addition for the northwest corner and being the same as the northwest corner of said Lot 18X;

THENCE North 89°26'18" East, along the common north line of said Lot 18X and south line of said Lot 2, Block A, a distance of 199.16 feet (called North 89°56'38" East – 199.18 feet) to a 5/8 inch iron rod found on the west line of Tract 2 of the Addison Plaza Addition to the Town of Addison, Dallas County, Texas as recorded in Instrument Number 200503483287, Official Public Records, Dallas County, Texas, for the northeast corner and being the same as the northeast corner of said Lot 18X and southeast corner of said Lot 2, Block A;

THENCE South 01°44'22" East, along the common east line of said Lot 18X and west line of said Tract 2, a distance of 110.49 feet (called South 01°16'17" East – 110.56 feet) to the POINT OF BEGINNING and containing with these calls a calculated area of 0.55 acres (24,017 square feet) of land.

