

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING THE DEVELOPMENT PLANS FOR PLANNED DEVELOPMENT (PD) DISTRICT ORDINANCE 446 FOR A 0.945 ACRE PROPERTY LOCATED AT 14951 MIDWAY ROAD, TO ACCOUNT FOR SITE MODIFICATIONS RESULTING FROM THE ACQUISITION OF RIGHT-OF-WAY FOR THE MIDWAY ROAD RECONSTRUCTION PROJECT; 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 November 28, 1978, the City Council for the Town of Addison, Texas adopted Planned Development (PD) District Ordinance 446 (“PD 446”) for a 17.579-acre property located west of Midway Road and south of 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 Case No. 1863-Z, being a request to approve an amended Development Plan (defined herein below) for Nate’s Seafood & Steakhouse, comprising 0.945± acres located at 14951 Midway Road (the “Subject Property”), being more particularly described in **Exhibit A** attached hereto and made a part hereof for all purposes; 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 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”).

SECTION 3. 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 4. 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 5. 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 6. 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



