ORDINANCE NO. O20-08

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING ORDINANCE O12-002, THAT ZONES 31.61 ACRES OF PROPERTY LOCATED AT 5100 BELT LINE ROAD AS PLANNED DEVELOPMENT DISTRICT, TO AMEND EXHIBIT A AND TO AMEND SECTION 2 BY ADDING A MIXED-USE PARKING RATIO AND VALET PARKING REQUIREMENTS; 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; SAVINGS, NO SEVERABILITY AND 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 February 18, 2020 the Planning & Zoning Commission considered and made recommendations on a request to amend Planned Development District O12-002, to amend Exhibit A and to amend Section 2 by adding a mixed-use parking ratio (Case No.1807-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. That 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. That Ordinance O12-002, is hereby amended as follows:

- (a) The original Planned Development District site plan and landscape plan are hereby replaced with the site plan and landscape as shown in **Exhibit A** of this Ordinance.
- (b) Additional floor plans and building elevations, as shown in **Exhibit B** of this Planned Development District Ordinance, are hereby adopted.
- (c) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, and building elevations, which are attached hereto as **Exhibit A** and **Exhibit B** and made a part hereof for all purposes.

- (d) <u>Section 2</u>, is hereby amended to add Subsection C. Parking to read as follows:
 - C. <u>Parking</u>. A mixed-use parking ratio of 1 parking space per 225 square feet of gross floor area shall apply to all uses except for a movie theater which shall be parked at 1 parking space per 3 theater seats.
- (e) Section 2, is hereby amended to add Subsection D. Valet Parking to read as follows:
 - D. <u>Valet Parking</u>. The property owner shall submit an acceptable valet parking plan for the property to Town staff and follow the approved plan.
 - a. If valet services are provided, the property owner shall require the use of "park & stroll" or similar concepts that allow customers to drop off and pick up their car from any valet stand on the property.
 - b. If valet services are provided, then the property owner shall require the use of technology to allow customers to request their vehicle prior to arriving at the valet stand.
- (f) Save and except as amended by this Ordinance all other provisions in PD O12-002 shall remain in full force and effect.

SECTION 3. That 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 4. That 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 5. That 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. That 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 10th day of MARCH 2020.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

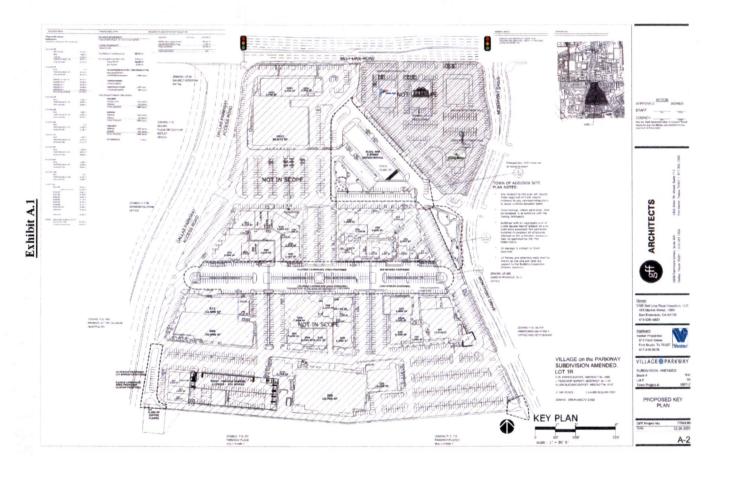
Irma Parker, City Secretary

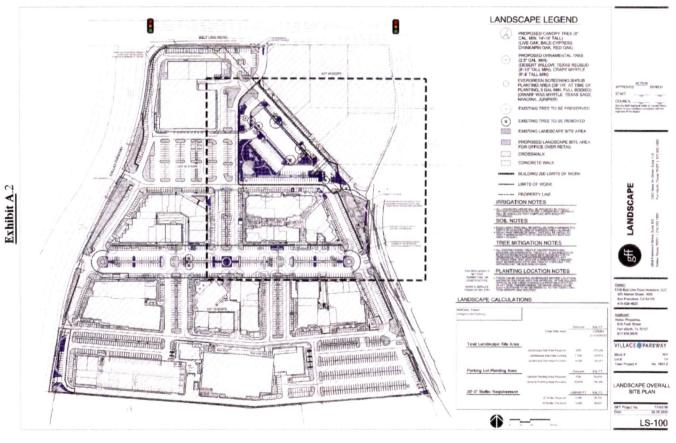
APPROVED AS TO FORM:

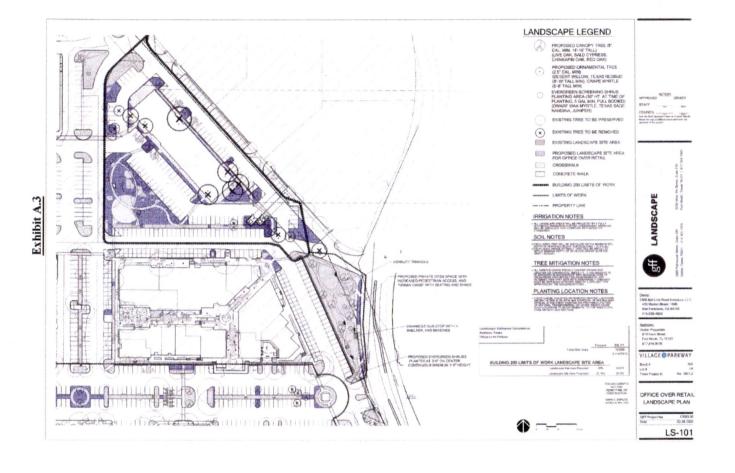
Brenda N. McDonald, City Attorney

Published Dallas Morning News: 3/13/2020

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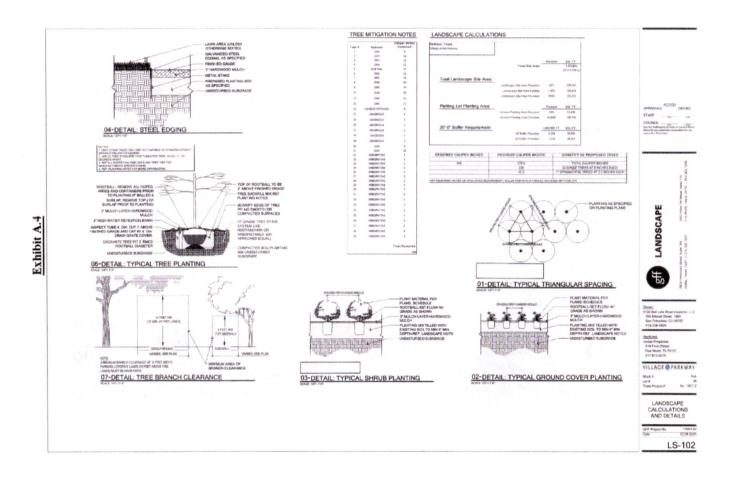


Exhibit A.5

