## ORDINANCE NO. 095-031

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, APPROVING DEVELOPMENT PLANS FOR A PARKING LOT TO BE LOCATED WITHIN PLANNED DEVELOPMENT DISTRICT NO. 460, AS AMENDED BY ORDINANCE NO. 092-058, ON APPLICATION FROM ROCK BOTTOM BREWERY, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, Texas, and helps promote 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 a parking lot use is approved on the following property being in the Town of Addison, Texas, and being described as follows:

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All of Lot 2R, Block 1 of a final plat titled: Lot 2R and Lot 3, Belt Line Center Addition.

SECTION 2. As provided in Planned Development District Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes.

SECTION 3. The following special conditions are placed on the above described property:

-Plans for the parking lot shall be revised to include a wall connecting the wall built by Sam's, on the Pecan Square property, to the wall built by Levitz. The wall shall be constructed of either brick or gridded, tilt-wall, concrete panels, with the gridded side of the wall toward the Pecan Square property. Color of wall shall be approved by the Pecan Square Homeowners' Association. The wall shall be a minimum of seven feet in height, and should be designed to accommodate drainage from the Pecan Square site. The final design for the wall shall be approved by the City Engineer.

-The lighting plan for the parking lot shall be reviewed and approved by staff prior to the issuance of a Building Permit for the lot.

SECTION 4. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose

SECTION 5. 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 6. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 7. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 27th day of June, 1995.

MAVITE

ATTEST:

CTTV SECRETARY

CASE NO. 1223-Z

APPROVED AS TO FORM:

DIRECTOR OF DEVELOPMENT SERVICES

OFFICE OF THE CITY SECRETARY

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