ORDINANCE NO. 095-058

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, APPROVING DEVELOPMENT PLANS AS REQUIRED BY PLANNED DEVELOPMENT ORDINANCE 086-001 AND PROVIDING FOR SPECIAL CONDITIONS, ON APPLICATION FROM MBNA INFORMATION SERVICES, 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 as required in the Planned Development District established through Ordinance 086-001, said property as described in Ordinance 086-001, shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes.

SECTION 2. The following special conditions are placed on the property described in Ordinance 086-001:

- 1. The applicant shall dedicate right-of-way along Keller Springs Road (20 feet along the entire property line) and Quorum Drive (11 feet along the entire property line) prior to the issuance of a building permit for the new building. Right-of-way can be dedicated through a replat of the property, or through separate instrument.
- 2. The applicant shall construct 5-foot wide sidewalks along Airport Parkway, Keller Springs Road, and Dallas Parkway. However, construction of the sidewalk along the parking lot portion of Keller Springs Road shall be delayed until within four months after Keller Springs Road is widened, or if Keller Springs Road is not widened, within four months of being notified in writing by the City that the road will not be widened.
- 3. The applicant shall submit, for approval, a detailed landscaping and irrigation plan prior to the issuance of a building permit.
- 4. The throat length for drives along Keller Springs Road shall be lengthened to a minimum of 35 feet after Keller Springs Road is widened.

SECTION 2. 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 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 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 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 28th day of November, 1995.

MAYOR

ATTEST:

CTTV SECRETARY

CASE NO. 1243-Z

APPROVED AS TO FORM:

DIRECTOR OF DEVELOPMENT SERVICES

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 095-058

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