

ORDINANCE NO. 097-018

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, PROVIDING FOR THE APPROVAL OF REVISED DEVELOPMENT PLANS FOR A SITE LOCATED IN A PLANNED DEVELOPMENT DISTRICT APPROVED THROUGH ORDINANCE 092-037; ON APPLICATION FROM BELTWAY DEVELOPMENT COMPANY; 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 development plans are hereby approved for a retail center to be located on 12.69 acres at the northeast corner of Belt Line Road and Marsh Lane, and such site shall be developed in accordance with the plans attached hereto and a part hereof for all purposes.

SECTION 2. That the development plans are approved subject to the following special conditions:

- A 5-foot sidewalk shall be constructed along Belt Line Road and Marsh Lane.
- The third driveway north on Marsh Lane shall be straightened.
- Drainage and public infrastructure shall conform to Addison standards.
- The northern drive shall be a non-exclusive ingress/egress easement providing joint access to the property located north of the proposed center.
- The driveway entrance shown on the Phase 2 section of the plan shall be constructed with the drive in Phase 1 because the curb-cut serves the Phase 1 drive (shown on attached site plan).
- A detailed landscaping and irrigation plan, which meets the requirements of the Town's landscaping ordinance, shall be submitted for approval to the Planning and Zoning Commission, prior to the issuance of a building permit for any building in the shopping center.
- The staff shall review the site plan with regard to the ingress and egress for the site.

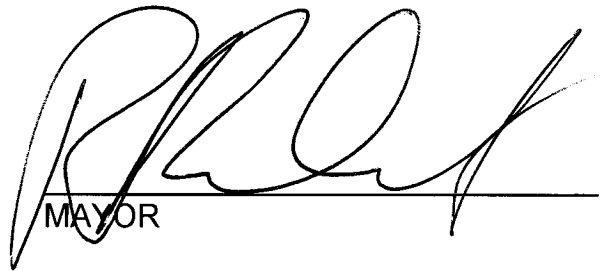
SECTION 3. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. 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 5. 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 6. 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 13<sup>th</sup> day of May, 1997.



MAYOR

ATTEST:



CITY SECRETARY

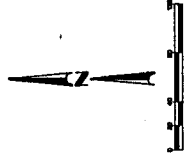
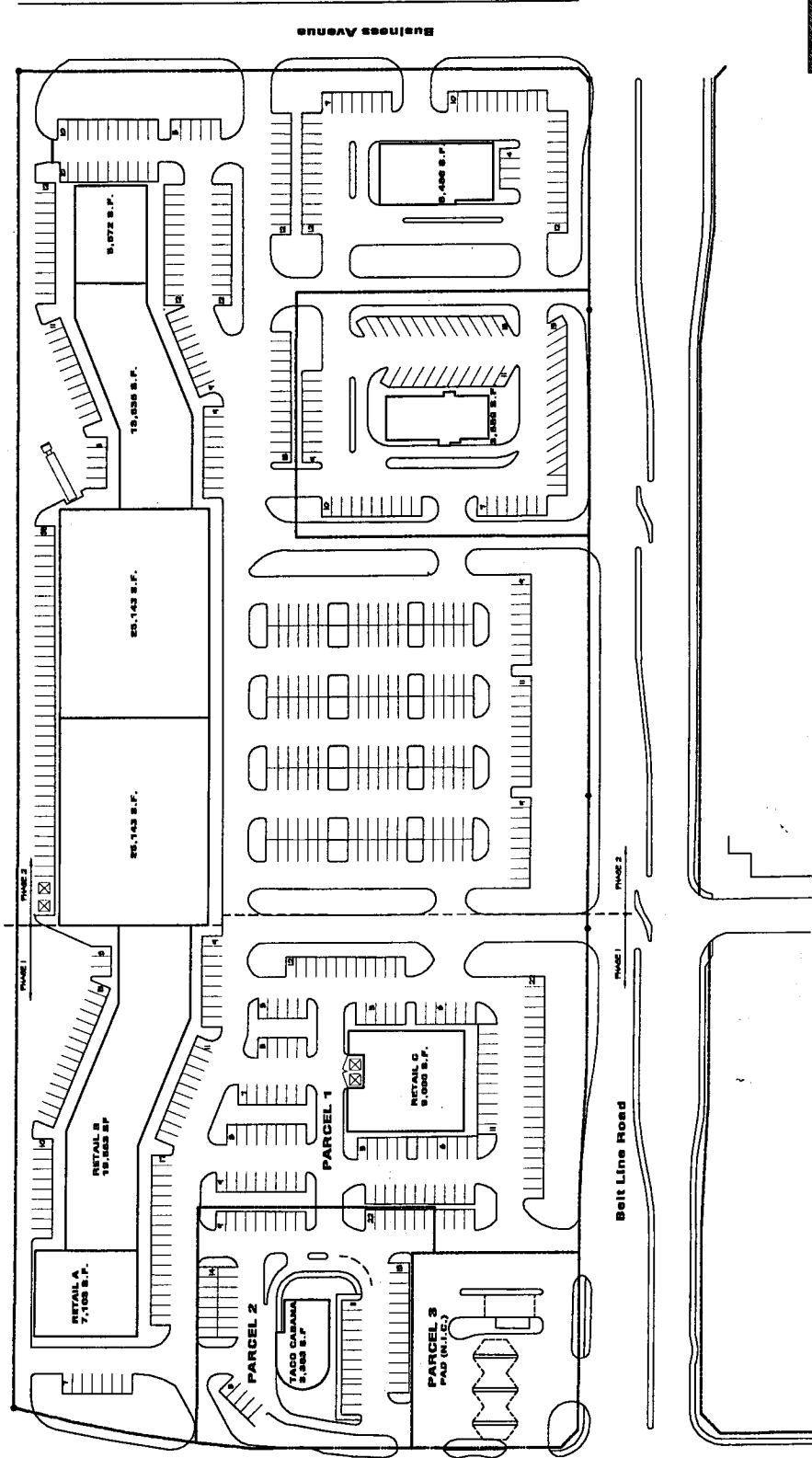
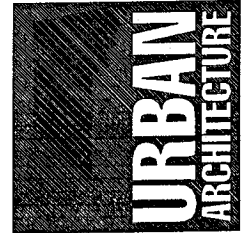
CASE NO: 1295-Z



DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: 5/22/98  
OFFICE OF THE CITY SECRETARY \_\_\_\_\_ ORDINANCE NO. 097-018

Published  
5/22/98



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Marsh Lane