## **ORDINANCE NO. 097-028**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, APPROVING DEVELOPMENT PLANS FOR THE PROPERTY DESCRIBED IN ORDINANCE 094-052 ; ON APPLICATION FROM WELLNESS GROUP INTERNATIONAL; LOCATED ON 4.03 ACRES AT THE SOUTHWEST CORNER OF THE INTERSECTION OF ARAPAHO ROAD AND QUORUM DRIVE, 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 the property described in Ordinance 094-052 shall be developed in accordance with the attached development plans which are hereby made a part hereof.

SECTION 2. The following special conditions are placed on the above described property:

-Utility easements shall be provided for any public utility constructed on the site.

-Prior to development, the property owner shall provide an avigation easement to the Town (see attached).

-The applicant shall provide certification, by an acoustical expert, that a noise level reduction of 25 dB is provided through the proposed construction. The certification shall be provided prior to the issuance of a building permit. The applicant shall provide certification, by an acoustical expert, that a noise level reduction of 25 dB was achieved through the construction. The certification shall be provided prior to the issuance of a Certificate of Occupancy. A seven-foot-wide right-of-way dedication shall be provided along Quorum Drive.

-The driveways onto Quorum Drive do not have access to the existing median openings on Quorum Drive. No additional median openings on Quorum will be allowed.

-The applicant shall present two alternatives for the design of the building to the Council: one design shall incorporate pre-cast panels and marble and one shall incorporate brick facades with cast stone trim. Both design alternatives shall provide a detailed design of the south facade which includes more articulation and detail for as to break up the "flatness" and mass of the wall.

The landscaping department shall review the landscaping plan to see that it provides adequate landscape buffering for the south wall.

SECTION 3. 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 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 24<sup>th</sup> day of June, 1997.

YOR

ATTEST:

CITY

CASE NO. 1298-Z

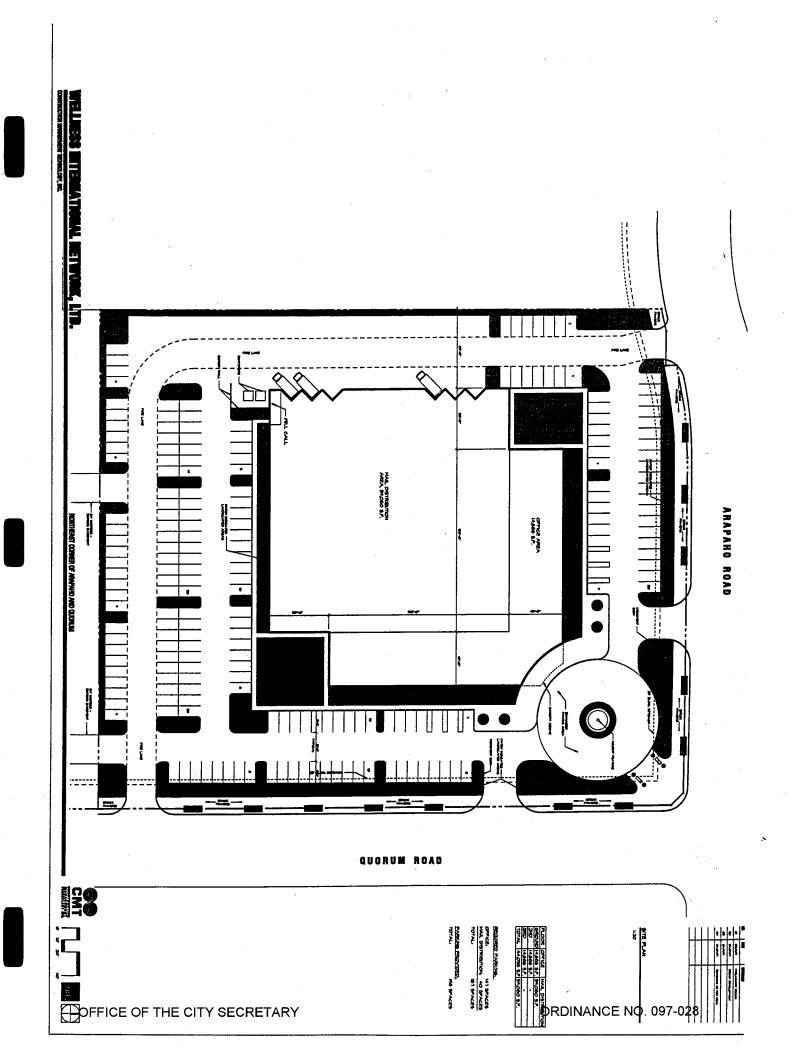
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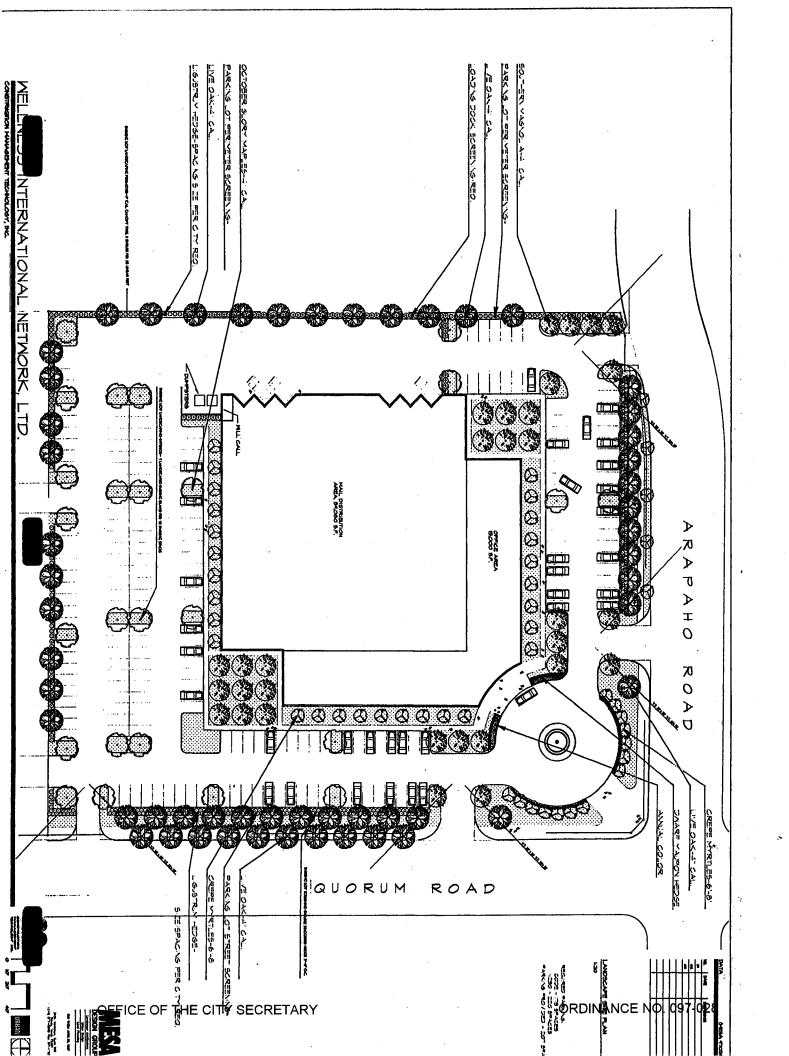
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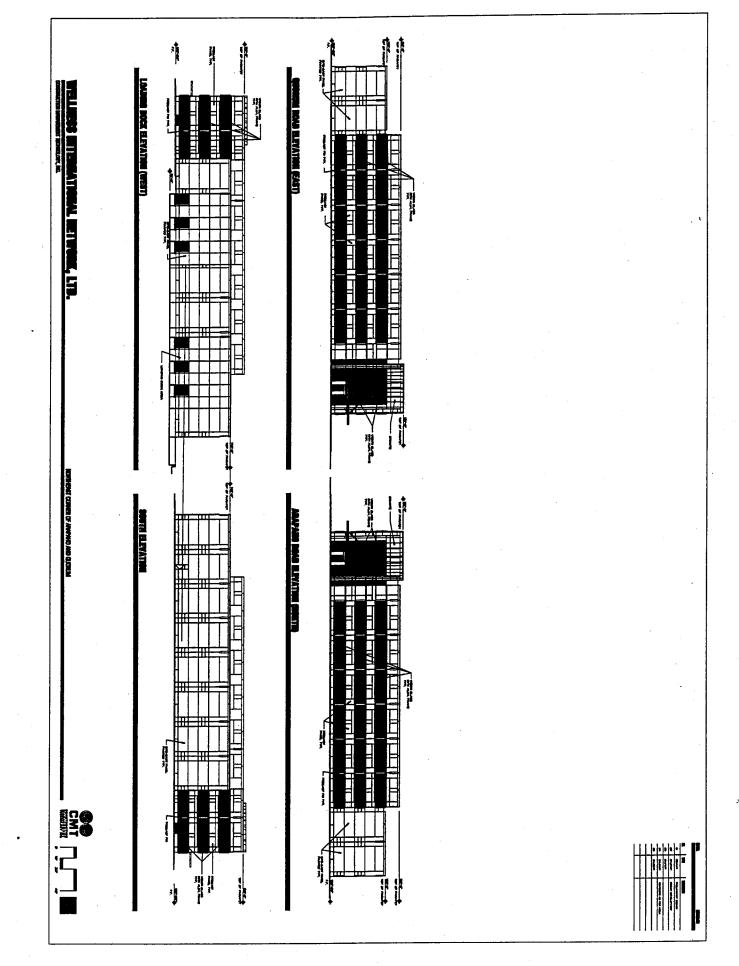
OFFICE OF THE CITY SECRETARY

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