

**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 009-004**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, THE SAME BEING APPENDIX-A ZONING OF THE TOWN'S CODE OF ORDINANCES, BY (I)(A) CHANGING THE ZONING CLASSIFICATION ON AN APPROXIMATELY 7.401 ACRE TRACT OF LAND LOCATED WITHIN THE TOWN OF ADDISON (THE SAID TRACT OF LAND BEING BOUNDED ON THE NORTH BY A TRACT OF LAND ADDRESSED AS 17225 DALLAS PARKWAY, ON THE EAST BY THE DALLAS PARKWAY, ON THE SOUTH BY SOJOURN DRIVE, AND ON THE WEST BY ADDISON ROAD (AND WHICH TRACT OF LAND IS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO)) FROM LR LOCAL RETAIL DISTRICT TO PLANNED DEVELOPMENT DISTRICT FOR HOSPITAL (AND INCLUDING A SPECIAL USE PERMIT FOR HOSPITAL USE), MEDICAL OFFICE, OFFICE, PARKING, AND RELATED USES, AND (B) PROVIDING THAT DEVELOPMENT AND USE OF THE SAID APPROXIMATELY 7.401 ACRE TRACT OF LAND SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT PLAN FOR THE TRACT ATTACHED HERETO, THE USE REGULATIONS AND DEVELOPMENT CONDITIONS SET FORTH HEREIN, AND ALL TERMS, CONDITIONS AND PROVISIONS OF THIS ORDINANCE, THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN, AND ALL APPLICABLE LAWS, STATUTES, ORDINANCES, RULES, REGULATIONS, CODES, AND STANDARDS OF THE TOWN AND ANY OTHER GOVERNMENTAL ENTITY OR AUTHORITY; (II)(A) AMENDING ORDINANCE NO. 829 OF THE TOWN, WHICH ORDINANCE ZONED AN APPROXIMATELY 2.410 ACRE TRACT OF LAND LOCATED WITHIN THE TOWN (THE SAID APPROXIMATELY 2.410 ACRE TRACT OF LAND BEING BOUNDED ON THE NORTH BY SOJOURN DRIVE, ON THE EAST BY THE DALLAS PARKWAY, ON THE SOUTH BY A THREE-STORY OFFICE BUILDING ADDRESSED AS 16901 DALLAS PARKWAY, AND ON THE WEST BY ADDISON ROAD (AND WHICH TRACT OF LAND IS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO)), BY AMENDING THE USES AND DEVELOPMENT STANDARDS AND CONDITIONS CONTAINED THEREIN TO PROVIDE FOR HOSPITAL (AND INCLUDING A SPECIAL USE PERMIT FOR HOSPITAL USE), MEDICAL OFFICE, OFFICE, PARKING, AND RELATED USES, AND (B) PROVIDING THAT DEVELOPMENT AND USE OF THE SAID APPROXIMATELY 2.410 ACRE TRACT OF LAND SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT PLAN FOR THE TRACT ATTACHED HERETO, THE USE REGULATIONS AND DEVELOPMENT CONDITIONS SET FORTH HEREIN, AND ALL TERMS, CONDITIONS AND PROVISIONS OF THIS ORDINANCE, THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN, AND ALL

**APPLICABLE LAWS, STATUTES, ORDINANCES, RULES, REGULATIONS, CODES, AND STANDARDS OF THE TOWN AND ANY OTHER GOVERNMENTAL ENTITY OR AUTHORITY; PROVIDING THAT THE OFFICIAL ZONING MAP; SHALL BE AMENDED TO REFLECT THE CHANGES HEREIN MADE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 (\$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; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, a tract of land located within the Town of Addison, Texas (the "City"), containing approximately 7.401 acres of land (the said tract of land being referred to herein as "Tract I") (Tract I being generally bounded on the north by a tract of land addressed as 17225 Dallas Parkway, on the east by the Dallas Parkway, on the south by Sojourn Drive, and on the west by Addison Road, and is further described in Exhibit A attached hereto and incorporated herein for all purposes), is zoned LR Local Retail District; and

**WHEREAS**, a tract of land located within the City, containing approximately 2.410 acres of land (the said tract being herein referred to as "Tract II") (Tract II being generally bounded on the north by Sojourn Drive, on the east by the Dallas Parkway, on the south by a three-story office building addressed as 16901 Dallas Parkway, and on the west by Addison Road, and is further described in Exhibit B attached hereto and incorporated herein for all purposes), is zoned Planned Development District pursuant to Ordinance No. 829 of the City ("Ordinance No. 829"); and

**WHEREAS**, the owner of Tract I and Tract II (collectively, the "Property") filed an application with the Planning and Zoning Commission of the City requesting a change in zoning of Tract I to Planned Development District and a change in and amendment to the Planned Development District provisions included within Ordinance No. 829, and a corresponding amendment to the official Zoning Map of the City, in accordance with City's comprehensive Zoning Ordinance, the same being Appendix A-Zoning of the City's Code of Ordinances (the "Zoning Ordinance"), and proposes to develop and build a hospital, medical offices, offices, and related uses (including, without limitation, parking) in phases on the Property under a unified plan; and

**WHEREAS**, the City Planning and Zoning Commission and the City Council, in accordance with State law and the ordinances of the City, have given the required notices and have held the required public hearings regarding the rezoning of Tract I, and the change in and amendment to the zoning provisions set forth in Ordinance No. 829 as to Tract II, as hereinafter described; and

**WHEREAS**, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at the said public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City recommended to the City Council the rezoning of Tract I, and the amendments to and changes in Ordinance No. 829 as to Tract II, as set forth in this Ordinance; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing conducted by the City Council, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City and of the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendments. The Comprehensive Zoning Ordinance of the Town of Addison, Texas, the same being Appendix A – Zoning of the Code of Ordinances of the City (the "Zoning Ordinance"), is hereby amended as follows:

A. Tract I.

1. *Change in Zoning*. The zoning on that tract of land described in Exhibit A attached hereto and incorporated herein for all purposes (the said tract of land being generally bounded on the north by a tract of land addressed as 17225 Dallas Parkway, on the east by the Dallas Parkway, on the south by Sojourn Drive, and on the west by Addison Road) (the said tract of land being referred to in this Ordinance as "Tract I") shall be and is hereby changed:

- (a) from LR Local Retail District to Planned Development District; and
- (b) by authorizing and granting by this Ordinance a special use permit for hospital on and within Tract I,

all in accordance with and subject to the requirements of this Ordinance (including all exhibits referenced herein, each of which is incorporated herein for all purposes), all applicable parts of the City's Zoning Ordinance, and all other applicable laws, ordinances, rules, regulations, codes and standards of the City and any other applicable governmental entity, agency, or authority.

2. *Development, Occupancy, and Use*. Tract I may be developed, occupied, and used only in accordance with the terms and conditions of this Ordinance and all exhibits attached hereto (all of which are incorporated herein and made a part hereof for all purposes), all applicable parts of the City's Zoning Ordinance, and all other applicable laws, ordinances, rules, regulations, codes and standards of the City (and as the same may be hereafter amended or superseded) and any other applicable governmental entity, agency, or authority, and including (without limitations) the following:

- (a) (i) Tract I is to be developed in phases. Each phase shall be in accordance with, and Tract I may be developed as set forth in, that document attached hereto as Exhibit C and incorporated herein for all purposes (Exhibit C constitutes a concept plan for the development of Tract I and Tract II). In addition to compliance with Exhibit C, each phase shall require the submission and approval of a development plan in conformance with Exhibit C attached hereto, the other

terms, conditions and provisions of this Ordinance, and applicable terms, conditions and provisions of the comprehensive Zoning Ordinance of the City (including, without limitation, Article XV thereof (as the same may be amended or modified)).

(ii) A development plan for the first phase of development of Tract I ("Phase I") is shown in Exhibit D attached hereto and incorporated herein for all purposes (the "Phase I Development Plan"), and is approved by this Ordinance. Accordingly, the development of Phase I of Tract I shall comply with the Phase I Development Plan, the other terms, conditions, and provisions of this Ordinance, all applicable terms, conditions and provisions of the comprehensive Zoning Ordinance of the City, and all other laws, ordinances, rules, regulations, codes, and standards of the City and any other governmental entity or agency having jurisdiction over Tract I. Among other things, the Phase I Development Plan:

- (1) shows the use of Tract I as a 32-bed surgery hospital with related uses;
- (2) provides that the maximum buildable floor area shall not exceed 108,500 gross square feet; and
- (3) provides that the maximum height for the 32-bed surgery hospital shall not exceed fifty-five (55) feet (exclusive of parapet walls, penthouse structures, and similar structures).

(b) Except for the development of Tract I in accordance with the Phase I Development Plan and as described in Section 2.A.2.(a), above, no additional or further use or development of Tract I is or shall be permitted unless and until a development plan in accordance with the ordinances, rules, codes, standards, and regulations of the City (including, without limitation, Article XV of the Zoning Ordinance) for such further use or development has been submitted to the City and has been approved by the City in accordance with the process and procedures for a change in zoning (accordingly, public notice and a public hearing before each of the City's Planning and Zoning Commission and the City Council shall be required).

In connection with any such future or further development and phases of Tract I and without limiting any provision of this Ordinance, a traffic study and analysis shall be submitted by the owner with each proposed development plan, which traffic study and analysis shall be prepared by a qualified engineer retained by the owner of Tract I. The traffic study and analysis shall include, among other things, a study of:

- (i) the peak volume traffic flow into Tract I from each perimeter road;
- (ii) the location of driveways to Tract I along Addison Road and a recommendation, if any, regarding the modification or removal of such driveways;
- (iii) the placement of medians along Addison Road adjacent to Tract I; and

(iv) whether, in lieu of separate deceleration lanes for entrances to and exits from Tract I along the service road (Dallas Parkway) abutting the east side of Tract I, adding an additional lane to the service road (Dallas Parkway) extending continuously along Tract I to its intersection with Sojourn Drive will facilitate traffic turning westbound onto Sojourn Drive from the service road.

Notwithstanding the traffic study and analysis, the approval of all driveways, medians, curb cuts, deceleration lanes, and all other matters related to the public streets and rights-of-way are subject to and must be approved by the City (and including the City's Department of Public Works).

Further or future development plans for Tract I shall be in conformance with Exhibit C attached hereto and incorporated herein, and shall comply with such other conditions, standards or requirements as the City may establish in connection with the City's review and consideration of approval thereof.

(c) For purposes of the development of Tract I and in connection with the issuance of a permit for such development, each phase of development of Tract I, and each portion of the development of Tract I as reflected in a development plan for that portion, constitutes a separate and distinct project for which a permit may be required.

3. *Permitted Uses.* Tract I may be used and occupied only for the following uses:

Hospital, with and including an emergency room (but not a trauma unit)  
Medical and other offices  
Parking (including, without limitation, surface parking and a below grade parking structure)

4. *Development Standards and Conditions.* Use and development of Tract I shall comply with and be subject to the following standards, regulations and conditions:

(a) Area Regulations.

(i) All buildings and structures shall be set back from any public right-of-way a minimum of twenty-five (25) feet. One foot of additional setback is required for each two feet of additional height beyond sixty-nine (69) feet.

(ii) All buildings (save and except parking structures) shall be set back from all property lines which are interior to Tract I a minimum of twenty-five (25) feet.

(iii) All parking structures shall be set back from all property lines which are interior to Tract I a minimum of ten (10) feet; and a ten (10) foot landscape buffer shall be required at all property lines which are interior to Tract I.

(b) Height Regulations. Maximum height for all buildings, structures, or other improvements on or within Tract I shall not exceed eighty (80) feet (exclusive of parapet walls, penthouse structures, and similar structures).

(c) Sustainable Elements. In connection with an application for a building permit for Tract I, the applicant shall submit a checklist for City consideration and approval which shows the sustainable or "green" elements to be included in the building design and operation that will reduce energy consumption.

(d) Building Facades. The following façade materials shall be allowed for all buildings and parking structures: brick, stone, concrete panels and glass.

(e) Replating. Tract I shall be replatted in accordance with the ordinances, rules, and regulations of the City. Such replat shall show and include, among other things, the dedication to the City of (i) eleven (11) feet of right-of-way along Addison Road, (ii) four (4) feet of right-of-way along the north side of Sojourn Drive, (iii) right turn lanes at (A) southbound Dallas Parkway at westbound Sojourn Drive, and (B) westbound Sojourn Drive at northbound Addison Road, and (iv) a fifteen (15) foot utility easement along the north common property line with the tract addressed as 17225 Dallas Parkway.

(f) Electric utilities. Overhead power lines along Addison Road shall be buried so as not to conflict with landscaping and screening wall to be provided along Addison Road.

(g) Driveways. All driveway locations must be justified by a traffic impact analysis prepared by a qualified engineer retained by the owner of Tract I, and all driveways and deceleration lanes must be approved by the City's Department of Public Works. No more than three (3) driveways will be permitted from Tract I onto Addison Road.

(h) Parking. Required parking includes (i) one space per 200 square feet of medical office use, plus (ii) one parking space for each day shift hospital employee plus one space for each hospital patient bed. For purposes hereof, unless otherwise determined by the City, the number of day shift employees shall be determined by multiplying the number of hospital patient beds by 3 (e.g., for 100 hospital patient beds, the number of day shift employees would be determined by multiplying 100 times 3, or 300 day shift employees)). For Phase I (as shown on the attached Exhibit D), the minimum number of parking spaces is 128 (32 parking spaces (one parking space for each of the 32 patient beds) plus 96 parking spaces (one parking space for each day shift employee (the number of day shift employees being determined by multiplying 32 hospital patient beds times 3, or 96)).

(i) Storm water. Development, construction and use of Tract I shall adequately control storm water (drainage) so that there is no additional or further off-site drainage from Tract I than that which exists prior to any development or construction thereon and which is satisfactory to the City. Accordingly, on-site detention of storm water by the owner of Tract I will be required for Tract I.

(j) Landscaping. Landscaping on Tract I shall be in accordance with all ordinances, rules, codes, standards and regulations of the City (and including any amendments or modifications thereto). For each phase of development of Tract I and prior to construction of any improvements as set forth in the Phase I Development Plan, the Tract I owner shall submit to the City for its consideration of approval a revised landscaping

plan that shows the total percentage of landscaping for each such phase and the total percentage of landscaping for the development of all phases of Tract I and Tract II (which landscaping plan shall show and confirm that Tract I and Tract II shall have twenty percent (20%) landscaping when partially and fully developed). Required landscaping shall include, among other things, a row of evergreen trees (minimum of six-caliper inch each) and drought tolerant shrubs along the sidewalk adjacent to the Addison Road screening wall.

(k) Screening Wall. In connection and simultaneously with the initial development and construction of Tract I, the owner of Tract I shall construct a screening wall at least eight (8) feet in height. Such screening wall shall be brick, stone, concrete panel, or split-faced concrete masonry units. The screening wall shall be of a sufficient length to screen all loading and storage areas, including loading of emergency vehicles. The screening wall shall be provided in addition to the row of trees as described in subsection (j) of this Section 2.A.4., above.

(l) Additional Screening. All mechanical equipment, including oxygen tanks, located on or within Tract I (whether in the rear of any building or structure, on top of any building or structure, or otherwise) shall be screened from public right-of-way and all adjacent properties. All loading and unloading areas and loading docks shall be screened from public right-of-way and all adjacent properties.

(m) Fire Hydrants. All fire hydrants shall be installed by the owner of Tract I at 300-foot intervals along fire lanes in locations approved by the City.

B. Tract II.

1. *Amendment to Ordinance No. 829; Change in Zoning*. Ordinance No. 829 of the City, which zoned and provided certain regulations, standards, and conditions for that tract of land described in Exhibit B attached hereto and incorporated herein for all purposes (the said tract of land being generally bounded on the north by Sojourn Drive, on the east by the Dallas Parkway, on the south by a three-story office building addressed as 16901 Dallas Parkway, and on the west by Addison Road) (the said tract of land being referred to in this Ordinance as "Tract II") shall be and is hereby changed and amended by:

- (a) amending and changing the permitted uses identified in Section 2 of Ordinance No. 829 to read as set forth in subsection B.3. of this Section 2 this Ordinance, below;
- (b) amending and changing the conditions set forth in Section 3 of Ordinance No. 829 to read as set forth in subsection B.4. of this Section 2 of this Ordinance; and
- (c) by authorizing and granting by this Ordinance a special use permit for hospital on and within Tract II;

all in accordance with and subject to the requirements of this Ordinance (including all exhibits referenced herein, each of which is incorporated herein for all purposes), all applicable parts of the City's Zoning Ordinance, and all other applicable laws, ordinances, rules, regulations, codes and standards of the City and any other applicable governmental entity, agency, or authority.

2. *Development, Occupancy, and Use.* Tract II may be developed, occupied, and used only in accordance with the terms and conditions of this Ordinance and all exhibits attached hereto (all of which are incorporated herein and made a part hereof for all purposes), all applicable parts of the City's Zoning Ordinance, and all other applicable laws, ordinances, rules, regulations, codes and standards of the City (and as the same may be hereafter amended or superseded) and any other applicable governmental entity, agency, or authority, and including (without limitations) the following:

(a) (i) Tract II is to be developed in phases and in connection with the development of Tract I (and following the commencement of the Phase I development of Tract I). Each phase shall be in accordance with, and Tract II may be developed as set forth in, that document attached hereto as Exhibit C and incorporated herein for all purposes. In addition to compliance with Exhibit C, each phase shall require the submission and approval of a development plan in conformance with Exhibit C attached hereto, the other terms, conditions and provisions of this Ordinance, and applicable terms, conditions and provisions of the comprehensive Zoning Ordinance of the City (including, without limitation, Article XV thereof (as the same may be amended or modified)).

(ii) The Phase I development of Tract I, as described above and as shown in the Phase I Development Plan, does not include the development or construction of Tract II. Accordingly, by this Ordinance, Tract II may and shall not be developed unless and until a development plan in accordance with the ordinances, rules, codes, standards, and regulations of the City (including, without limitation, Article XV of the Zoning Ordinance) for the use and/or development of Tract II has been submitted to the City and has been approved by the City in accordance with the process and procedures for a change in zoning (accordingly, public notice and a public hearing before each of the City's Planning and Zoning Commission and the City Council shall be required). Any future development plan for Tract II shall be subject to and in accordance with Exhibit C attached hereto and incorporated herein, and shall comply with such other conditions, standards or requirements as the City may establish in connection with the City's review and consideration of approval thereof.

(b) For purposes of the development of Tract II and in connection with the issuance of a permit for such development, each phase of development of Tract II, and each portion of the development of Tract II as reflected in a development plan for that portion, constitutes a separate and distinct project for which a permit may be required.

3. *Permitted Uses.* Tract II may be used and occupied only for the following uses:

Hospital  
Medical and other offices  
Parking (including, without limitation, a parking garage)

4. *Development Standards and Conditions.* Use and development of Tract II shall comply with and be subject to the following standards, regulations and conditions:



(a) Area Regulations.

(i) All buildings and structures shall be set back from any public right-of-way a minimum of twenty-five (25) feet.

(ii) All buildings (save and except parking structures) shall be set back from all property lines which are interior to Tract I a minimum of twenty-five (25) feet.

(iii) All parking structures shall be set back from all property lines which are interior to Tract II a minimum of ten (10) feet; and a ten (10) foot landscape buffer shall be required at all property lines which are interior to Tract II.

(b) Height Regulations. Maximum height for all buildings, structures, or other improvements on or within Tract II shall not exceed sixty (60) feet (exclusive of parapet walls, penthouse structures, and similar structures).

(c) Sustainable Elements. In connection with an application for a building permit for Tract II, the applicant shall submit a checklist for City consideration and approval which shows the sustainable or "green" elements to be included in the building design and operation that will reduce energy consumption.

(d) Building Facades. The following façade materials shall be allowed for all buildings and parking structures: brick, stone, concrete panels and glass.

(e) Replating. Tract II shall be replatted in accordance with the ordinances, rules, and regulations of the City. Such replat shall show and include, among other things, the dedication to the City of (i) eleven (11) feet of right-of-way along Addison Road, (ii) four (4) feet of right-of-way along the south side of Sojourn Drive, and (iii) a right turn lane at northbound Addison Road at eastbound Sojourn Drive.

(f) Electric utilities. Overhead power lines along Addison Road shall be buried so as not to conflict with landscaping and screening wall to be provided along Addison Road.

(g) Driveways. All driveway locations must be justified by a traffic impact analysis prepared by a qualified engineer retained by the owner of Tract II, and all driveways and deceleration lanes must be approved by the City's Department of Public Works.

(h) Parking. Required parking includes (i) one space per 200 square feet of medical office use, plus (ii) one parking space for each day shift hospital employee plus one space for each hospital patient bed. For purposes hereof, unless otherwise determined by the City, the number of day shift hospital employees shall be determined by multiplying the number of hospital patient beds by 3 (e.g., for 100 hospital patient beds, the number of day shift employees would be determined by multiplying 100 times 3, or 300 day shift employees)).

(i) Storm water. Development, construction and use of Tract II shall adequately control storm water (drainage) so that there is no additional or further off-site drainage

from Tract II than that which exists prior to any development or construction thereon and which is satisfactory to the City. Accordingly, on-site detention of storm water by the owner of Tract II will be required for Tract II.

(j) Landscaping. Landscaping on Tract II shall be in accordance with all ordinances, rules, codes, standards and regulations of the City (and including any amendments or modifications thereto). For each phase of development of Tract II and prior to construction of any improvements thereon, the owner of Tract II shall submit to the City for its consideration of approval a revised landscaping plan that shows the total percentage of landscaping for each such phase and the total percentage of landscaping for the development of all phases of Tract I and Tract II (which landscaping plan shall show and confirm that Tract I and Tract II shall have twenty percent (20%) landscaping when partially and fully developed).

(k) Screening Wall. A screening wall or walls may be required in connection with the consideration of approval by the City of any development plan for Tract II. A screening wall shall be brick, stone, concrete panels, or of cut-faced concrete masonry units (CMU). The screening wall shall be of a sufficient length to screen all loading and storage areas.

(l) Additional Screening. All mechanical equipment, including oxygen tanks, located on or within Tract II (whether in the rear of any building or structure, on top of any building or structure, or otherwise) shall be screened from public right-of-way and all adjacent properties. All loading and unloading areas and loading docks shall be screened from public right-of-way and all adjacent properties.

(m) Fire Hydrants. All fire hydrants shall be installed by the owner of Tract II at 300-foot intervals along fire lanes in locations approved by the City.

Section 3. Building Permits, Certificates of Occupancy. No building permit or certificate of occupancy for any use on or in the Property shall be issued until there has been full compliance with this Ordinance and all other ordinances, rules, and regulations of the City.

Section 4. Zoning map. The official Zoning Map of the City shall be modified to reflect the zoning change herein made, as appropriate.

Section 5. Purpose. The amendment to zoning herein made has been made in accordance with the comprehensive plan of the City for the purpose of promoting the health, safety and welfare of the community, and with consideration of the reasonable suitability for the particular use and with a view of conserving the value of the buildings and encouraging the most appropriate use of land within the community.


Section 6. No Other Amendment; Savings. Except for the amendment and change made herein, the PD Ordinance is not otherwise amended hereby, and all other provisions thereof shall remain in full force and effect. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 7. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 8. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid, void, unlawful or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, voidness, unlawfulness or unconstitutionality, which remaining portions shall remain in full force and effect.

Section 9. Effective date. This Ordinance shall become effective from and after its passage and approval and after publication as provided by law.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas this 14th day of April, 2009.

  
\_\_\_\_\_  
Joe Chow, Mayor

ATTEST:

By:   
\_\_\_\_\_  
Lea Dunn, City Secretary

APPROVED AS TO FORM:

By:   
\_\_\_\_\_  
John Hill, City Attorney

**BEING** a tract of land out of the Eli Shepard Survey, Abstract No. 1361, City of Addison, Dallas County, Texas, being part of a tract of land described as "Tract I" and "Tract II" in Special Warranty Deed to Robert J. Schlegel (d/b/a/ Schlegel Property Company), recorded in Volume 93162, Page 6493 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

**BEGINNING** at a PK nail found at the intersection of the north right-of-way line of Sojourn Drive (a 60-foot wide right-of-way) and the east right-of-way line of Addison Road (a variable width right-of-way);

**THENCE** with said east right-of-way line, North  $01^{\circ}33'44''$  East, a distance of 928.23 feet to a 5/8" iron rod found for corner;

**THENCE** with a jog in said east right-of-way line, South  $88^{\circ}33'43''$  East, at a distance of 12.00 feet, passing the southwest corner of Two Rows Restaurant, an addition to the City of Addison, Texas according to the plat recorded in Volume 2004081, Page 208, Deed Records of Dallas County, Texas, continuing with the south line of said Addition, at a distance of 338.00 feet, passing the southeast corner of said Addition and a point in the west right-of-way line of the Dallas North Tollway (a variable width right-of-way), continuing with a jog in said west right-of-way line, in all a total distance of 350.00 feet to a "X" cut in concrete found for corner;

**THENCE** with said west right-of-way line, South  $01^{\circ}33'44''$  West, a distance of 914.05 feet to a 1/2" iron rod found for corner at the intersection of said west right-of-way line and the said north right-of-way line of Sojourn Drive;

**THENCE** with said north right-of-way line of Sojourn Drive, South  $89^{\circ}07'06''$  West, a distance of 350.32 feet the **POINT OF BEGINNING** and containing 7.401 acres or 322,399 square feet of land.

**EXHIBIT A**

**TRACT II**

**BEING** 2.410 acres of land situated in the E. Shepherd Survey, Abstract 1361 and the W. Lomax Survey, Abstract 792 and in the Town of Addison, Texas, Dallas County, and being more particularly described as follows:

**BEGINNING** at a point which is the intersection of the East Right-of-Way line of Addison Road (A 60' R.O.W.) and the South Right-of-Way line of Sojourn Lane (A 60' R.O.W.);

**THENCE** North 89° 34' 56" East a distance of 350.32 feet along said south Right-of-Way line of Sojourn Lane to a point for a corner, said corner being on the West Right-of-Way line of Dallas Parkway (a 200' R.O.W.);

**THENCE** South 02° 01' 34" West along said West Right-of-Way line of Dallas Parkway a distance of 300.00 feet to a point for corner;

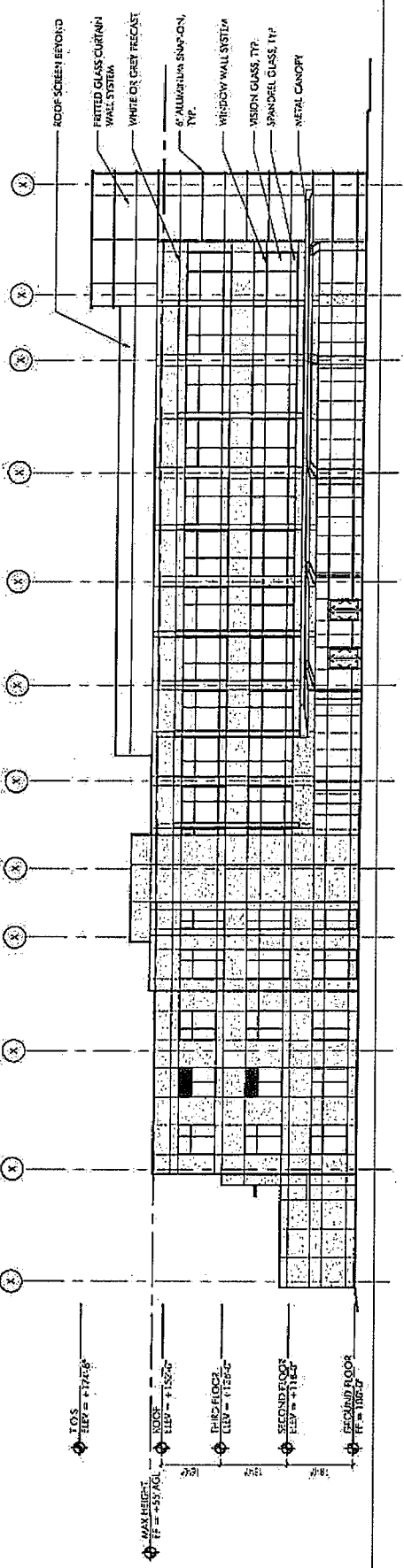
**THENCE** South 89° 34' 56" West a distance of 350.32 feet to a point for a corner, said corner being on said East Right-of-Way line of Addison Road;

**THENCE** North 02° 01' 34" East along side East Right-of-Way line of Addison Road a distance of 300.00 feet to the **POINT OF BEGINNING** and containing 104,979.60 square feet of 2.410 acres of land.

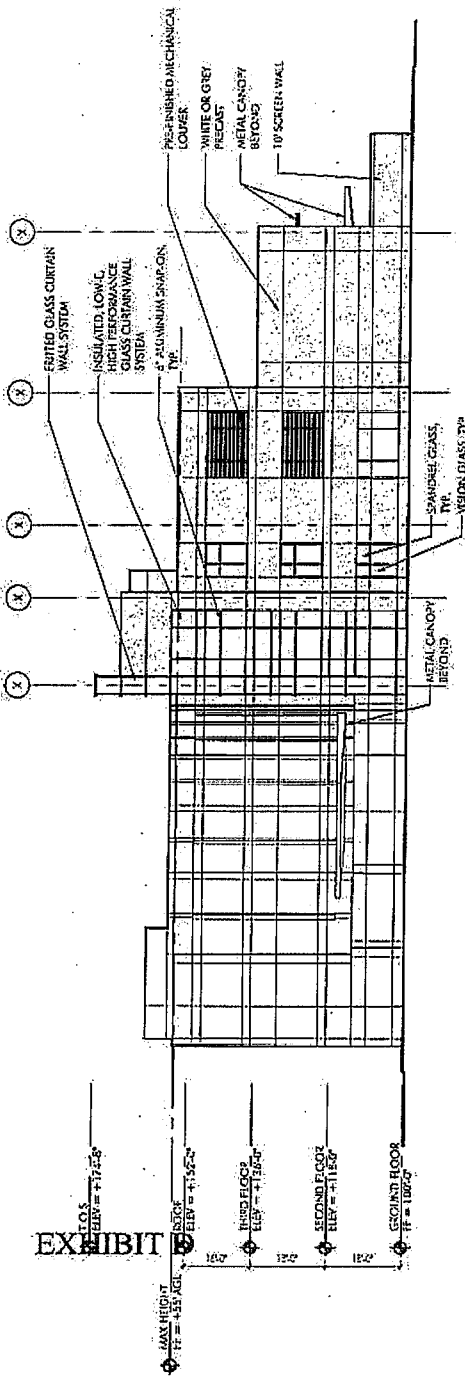
**EXHIBIT B**







**01 EAST ELEVATION**  
SCALE: 1/16" = 1'-0"



**02 NORTH ELEVATION**  
SCALE: 1/16" = 1'-0"

**EXHIBIT**

Maximum height for the hospital shall not exceed fifty-five (55) feet (exclusive of parapet-walls, penthouse structures, and similar structures).

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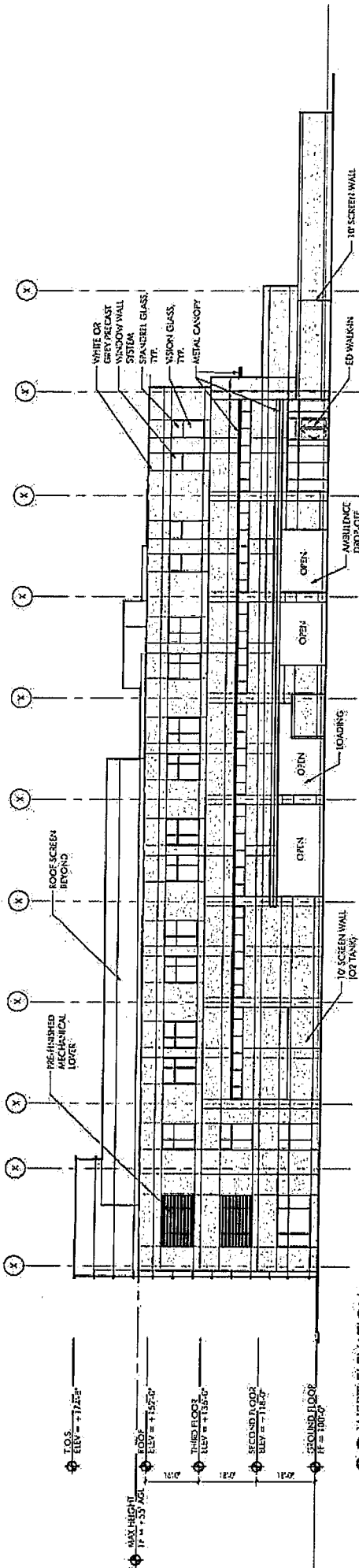


**Advanta**  
MEDICAL CREATION

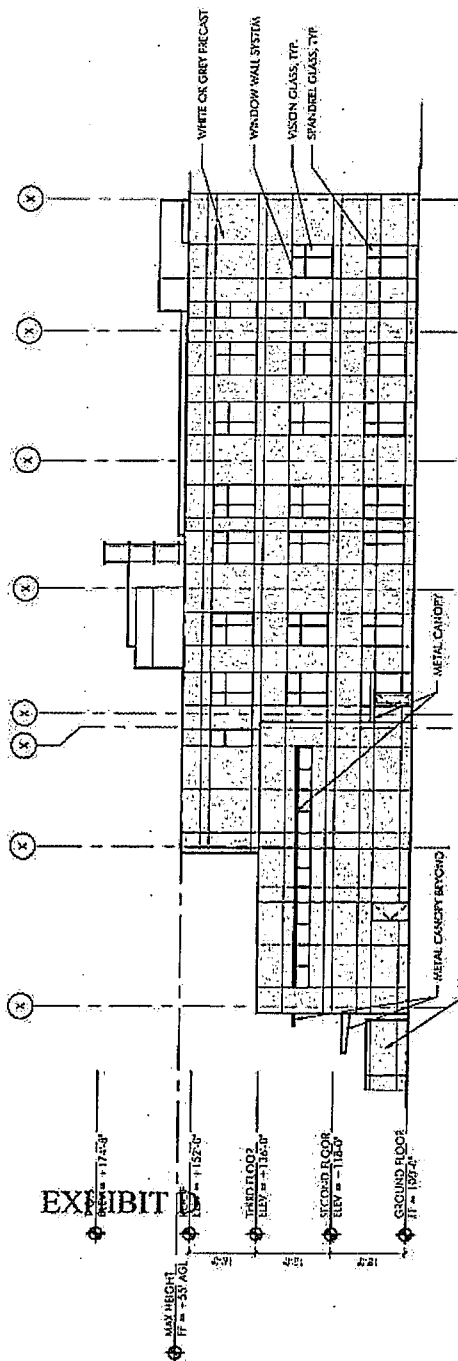
**QUETERRA**  
ARCHITECTURAL INTERIORS







**03 WEST ELEVATION**  
SCALE: 1/16" = 1'-0"

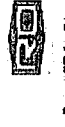
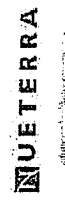
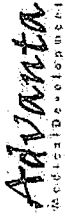
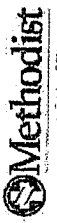


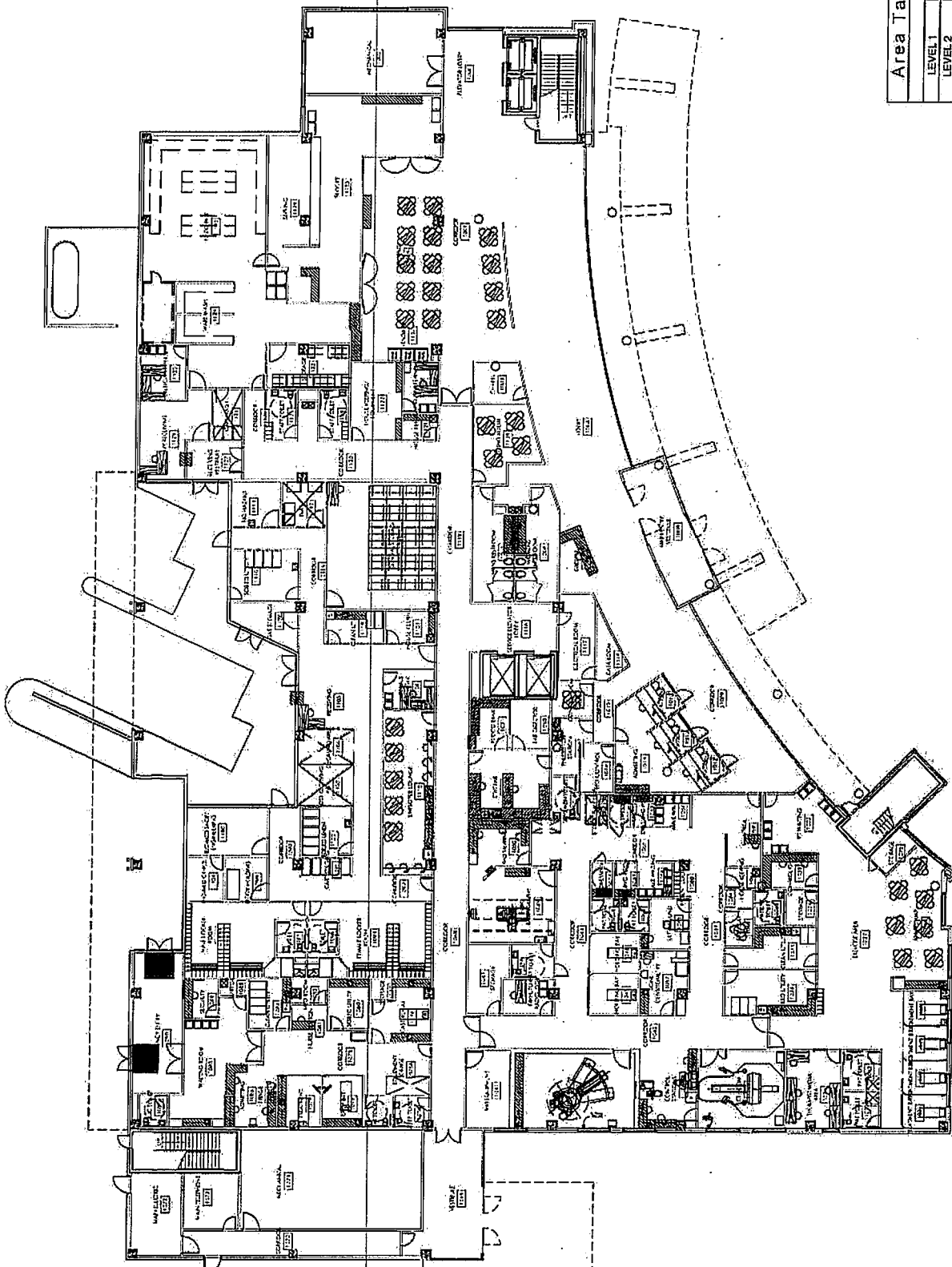
**04 SOUTH ELEVATION**  
SCALE: 1/16" = 1'-0"

EXHIBIT

Maximum height for the hospital shall not exceed fifty-five (55) feet (exclusive of parapet walls, penthouse structures, and similar structures).

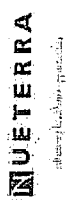
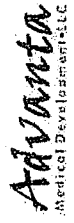
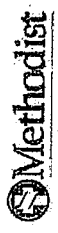
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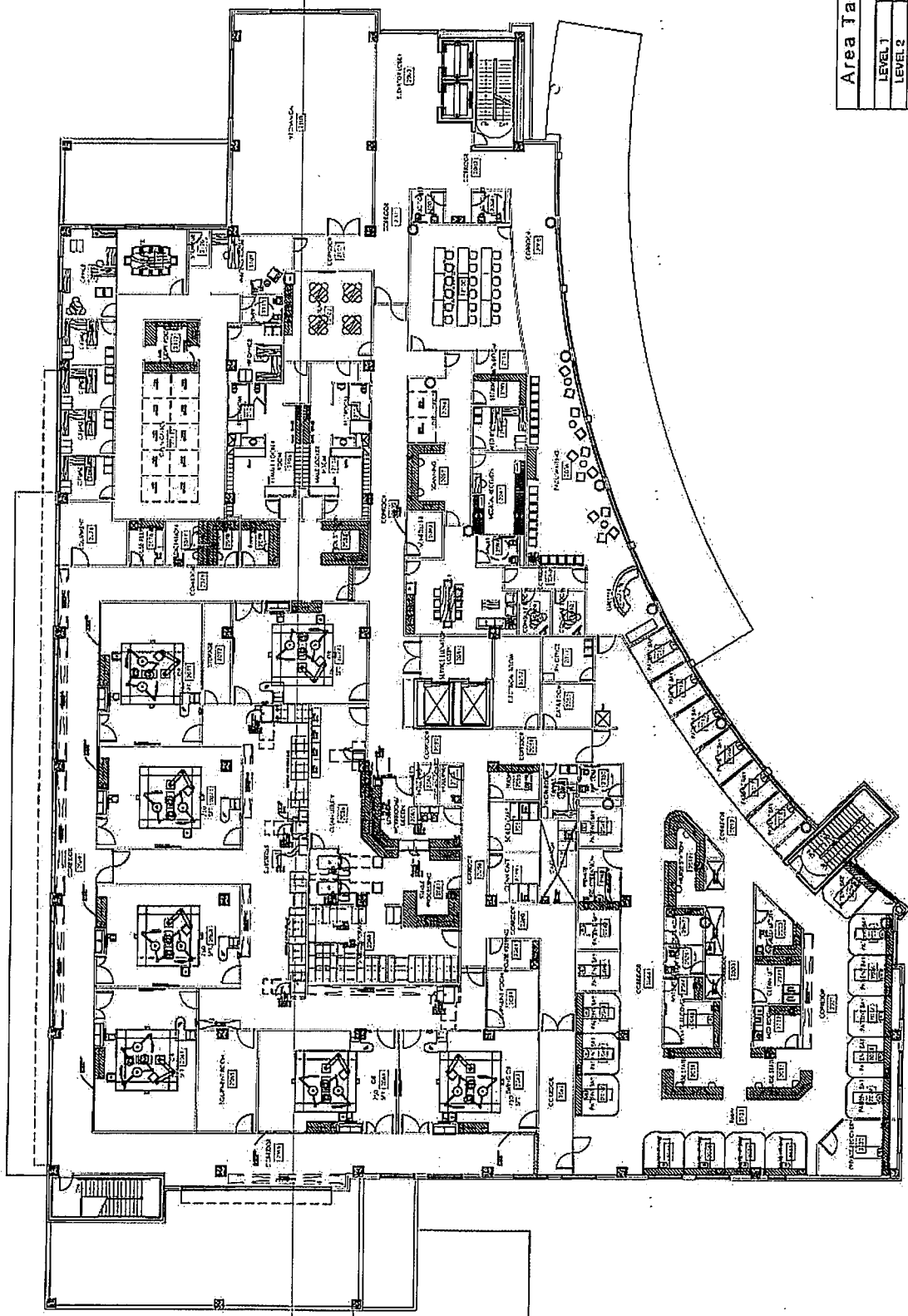




Area Tabulation	
LEVEL 1	39,200 SF
LEVEL 2	30,600 SF
LEVEL 3	30,650 SF
TOTAL	100,500 SF

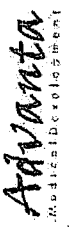
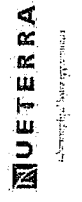
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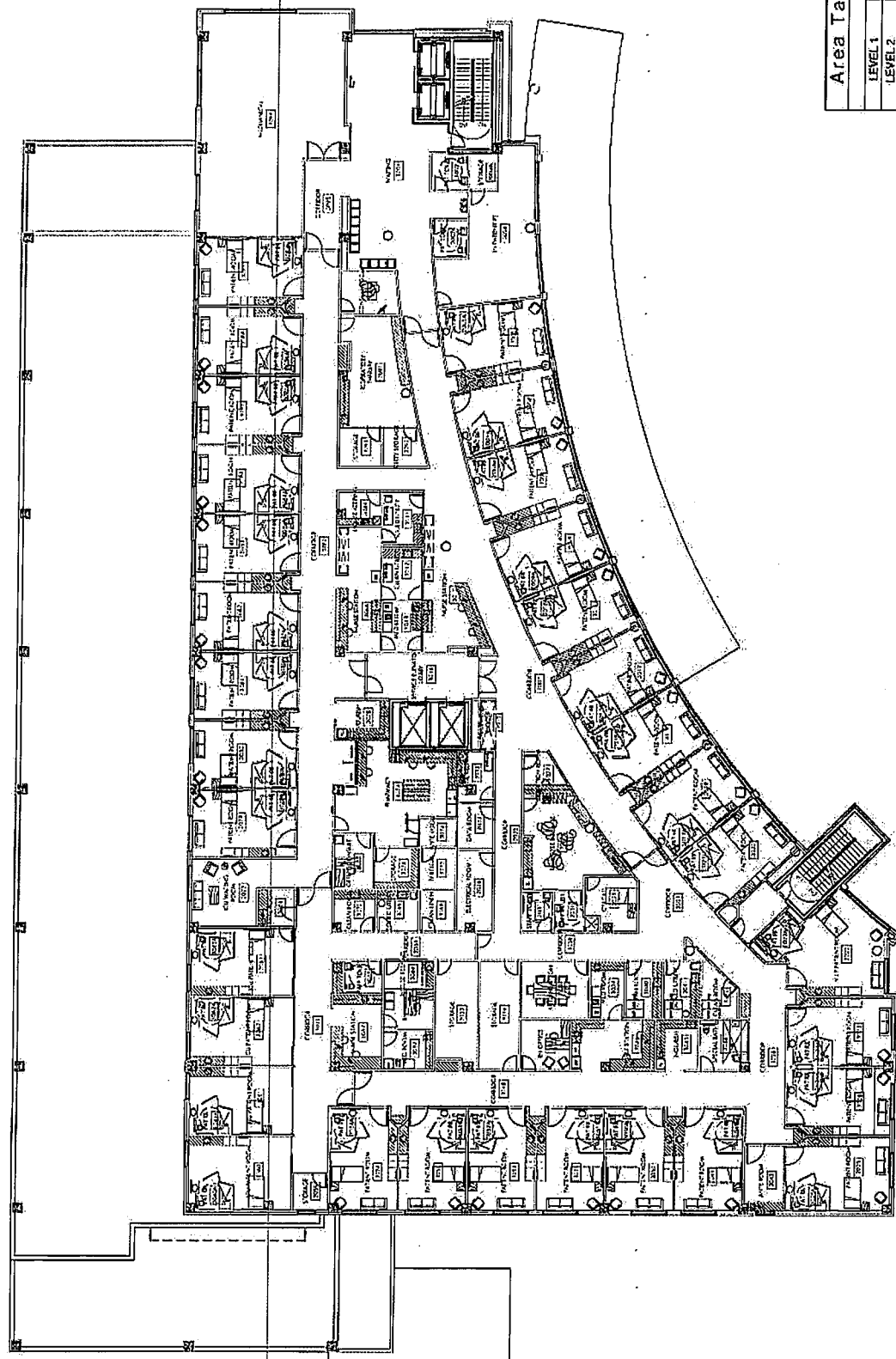




Area Tabulation	
LEVEL 1	38,200 SF
LEVEL 2	39,850 SF
LEVEL 3	30,650 SF
TOTAL	108,500 SF

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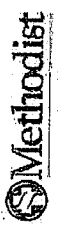
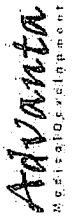
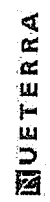
Area Tabulation	
LEVEL 1	38,200 SF
LEVEL 2	39,650 SF
LEVEL 3	30,650 SF
TOTAL	108,500 SF

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EXHIBIT D



Reggie-Ortahn Construction





**Street Landscape Buffer**

20% of grass area shall be landscaped. Plant = 44¢. Plant = 25¢.  
Minimum requirement for eight-foot-wide landscaping must be one (1) 4" caliper shade tree (4" caliper shade tree at street curb) and eight (8) shrubs for each thirty (30) linear feet of frontage.

Category	City Requirement	Proposed Improvements	Deficit	Surplus
Caliper Plants - DBH 1.5"				
Trees	26	26		
Shrubs	208	208		
Subtotal Trees - DBH 1.5"				
Trees	19	10		
Shrubs	74	74		
Subtotal Road - DBH 1.5"				
Trees	27	27		
Masonry Screen Wall and Shrubs	217	217		

**Parking Lot Landscaping Perimeter**

a) The minimum requirement for perimeter landscaping must be one (1) 4" caliper shade tree (for each thirty-five (35) linear feet of perimeter) and (1) shrub planted (8") 3:1.  
b) Screening must consist of evergreen shrub planted (3:1) on center in a single row in a box at least 4' wide.

Category	City Requirement	Proposed Improvements	Deficit	Surplus
Trees	16	16		
Shrubs	204	204		

**Parking Lot Landscaping Interior Area**

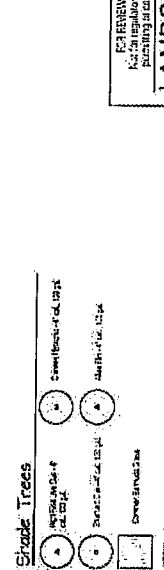
a) 7,000 sq. ft. = 55 Total Parking Lot Interior Landscaping  
Current Scenario = 34,000 sq. ft.  
b) Minimum requirement for 10 required parking spaces on this lot.  
Current Scenario = 40  
c) No required parking spaces may be located further than 50' from the back of a shade tree, or further than 75' from two or more shade trees.

Category	City Requirement	Proposed Improvements	Deficit	Surplus
Trees	16	16		
Total Landscape Area	1,950 s.f.	3,700 s.f.		1,750 s.f.

**Off-Street Loading Spaces**

a) All off-street loading areas must be screened from all public and private streets adjacent to the site.  
b) All screening must be at least six feet in height and consist of evergreen shrub planted 3' on center, evergreen trees planted 8' on center, a fence, a wall, or an existing berm.

Category	City Requirement	Proposed Improvements	Deficit	Surplus
Masonry Screening Wall	Required	provided		



FOR REVIEW ONLY  
Not for regulatory approval,  
purchasing or construction.

**LANDSCAPE REVIEW**

May 12, 2019  
James A. Maroney 813

**T B G**

REGULATIONS:  
ALL NEW AND/OR RELOCATED PLANT MATERIAL SHALL BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND SYSTEM, PROVIDING 100% COVERAGE.

EXHIBIT D

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