

ORDINANCE NO. 014-022

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, APPENDIX A OF THE TOWN'S CODE OF ORDINANCES, SO AS TO GRANT A SPECIAL USE PERMIT FOR A HOTEL, ON APPLICATION FROM WHITESTONE HOSPITALITY, LOCATED ON 1.993 ACRES OF LAND GENERALLY AT 14930 LANDMARK BOULEVARD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE. PROVIDING FOR A REPEAL CLAUSE; AND PROVIDING FOR A PENALTY 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, 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 Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit for a hotel. Said zoning amendment shall be noted on the official zoning map of the Town of Addison, Texas, and is situated on the following described land:

BEING a 86,817 square feet or 1.993 acre tract of land, more or less, situated in the Josiah Pancoast Survey, Abstract No. 1148 and being a part of Block 2 of Quorum West, an addition to the Town of Addison, Dallas County, Texas according to the map thereof recorded in Volume 81005, Page 1454, Map Records of Dallas County, Texas and being more particularly described as follows (the bearings source for this description is taken from said map):

BEGINNING at a 1/2 inch iron rod found in the easterly line of Landmark Boulevard (an 80 foot right of way), said point being southerly a distance of 492.60 feet from the

intersection of the easterly line of said Landmark Boulevard with the southerly line of Belt Line Road (a 100 foot right of way);

THENCE, N 89° 40' 37" E, departing the easterly line of Landmark Boulevard, a distance of 320.11 feet to a 1/2 inch iron rod found for a corner, said point being in the westerly line of the Quorum, an addition to the Town of Addison, Texas according to the map thereof recorded in Volume 79100, Page 1895, Map Records of Dallas County, Texas;

THENCE, S 01° 30' 57" E, with the westerly line of the said Quorum Addition, a distance of 307.44 feet to a point for a corner;

THENCE, S 00° 00' 07" W, departing said westerly line, a distance of 159.99 feet to a point for a corner:

THENCE, S 89° 59' 53" E, a distance of 2.74 feet to a point for a corner;

THENCE, S 15° 59' 51" E, a distance of 51.38 feet to a point for a corner, said point being in the northeasterly line of Landmark Boulevard and said point lying in a curve to the left with a central angle of 10° 34' 53", a radius of 1,304.44 feet, a chord bearing N 18° 55' 38" W, and a chord distance of 88.47 feet;

THENCE, along said curve, an arc distance of 88.49 feet to a point, said point being in the northeasterly line of Landmark Boulevard and said point lying in a curve to the left with a central angle of 01° 19' 21", a radius of 1,304.44 feet, a chord bearing N 21° 33' 18" W, and a chord distance of 30.11 feet;

THENCE, along said curve, an arc distance of 30.11 feet to a 1/2 inch iron rod found at a point of a reverse curve to the right with a central angle of 09° 58' 50", a radius of 1,323.31 feet, a chord bearing N 17° 13' 32" W, and a chord distance of 230.22 feet;

THENCE, northwesterly continuing with the easterly line of Landmark Boulevard and along said curve, an arc distance of 230.51 feet to the POINT OF BEGINNING.

SECTION 2. That the special use permit for a hotel is granted to the specific development plans proposed, and the above-described property shall be developed in accordance with the plans attached hereto and a part hereof for all purposes.

SECTION 3. That the special use permit for the hotel shall be granted subject to the following special conditions:

- The applicant shall provide the Town official height determination from the FAA (form 7460-1) before a building permit is issued.

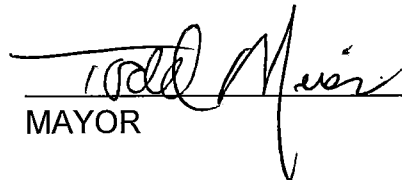
- The property owner shall provide an Avigation Easement to the Town prior to the issuance of a building permit for the project.

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.

SECTION 6. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 13th day of May, 2014.


MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1691-SUP/Holiday Inn Express

APPROVED AS TO FORM:


ASSISTANT TO THE CITY MANAGER

Published on: _____