

ORDINANCE NO. O20-47

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO REZONE 11.607 ACRES OF PROPERTY LOCATED AT SOUTHWEST CORNER OF DALLAS PARKWAY AND EXCEL PARKWAY FROM PLANNED DEVELOPMENT DISTRICT 008-054, AS AMENDED BY ORDINANCE 008-054, TO PLANNED DEVELOPMENT DISTRICT O20-47 FOR AN 11-STORY SENIOR LIVING FACILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the “City”) is a home rule municipality having full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution and its Home Rule Charter; and

WHEREAS, at its regular meeting held on September 15, 2020 the Planning & Zoning Commission considered and made recommendations on a request for a Planned Development District (Case No.1816-Z); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the Town of Addison, as amended; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at the public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

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

SECTION 1. The recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

SECTION 2. Planned Development District O20-47 for an 11-story, senior living facility is hereby established for the 11.607 acres of land located at southwest corner of Dallas Parkway and Excel Parkway, and more specifically described in **Exhibit A**.

SECTION 3.Development within the Planned Development District shall be in accordance with the following requirements:

Sub-District A – Subdistrict A shall be improved in accordance with the site plan, landscape plans, and building elevations set forth in **Exhibit B**, and shall be subject to the following stipulations:

1. *Permitted Uses by Right:*

- Residential uses are limited to continuing care retirement community, inclusive of independent living, assisted living, and memory care facility, for adults 55 and older.
- Retail Uses are permitted only in connection with and as a part of a mixed use (with residential) development and are defined as:
 - Barber and Beauty Shop
 - Coffee Shop, no seating on premises
 - Convenience Store without the sale of alcohol for off-premise consumption, except through a Special Use Permit
 - Donut and Pastry Shop, no seating on premises Drug Store, retail sales only
 - Florist, retail sales only
 - Health Club and Spa, private and public Optician and Optical Store
- Mixed use (with residential) -- As defined under Article XXX of the Zoning Ordinance.
- Medical office – As defined under Article XXX of the Zoning Ordinance.

2. Special Uses:

- Restaurant
- Sale of alcohol for on-premises consumption in conjunction with a restaurant
- Sale of beer and wine for off-premises consumption as part of a convenience store, but not including a store for which beer and wine sales constitute the primary source of revenue for the business

3. Accessory Uses:

- Community, social, hobby, physical and occupational therapy, beauty/barber salon, health and wellness facilities, health care clinic and associated exam rooms, personal services, business office space for local bank, travel agency or laundry facilities, for the exclusive use by occupants of a residential development for seniors within the property which are customary to such residential developments.
- Recreation/open space and facilities
- Parking and parking structures
- Other uses customarily incidental and subordinate to permitted uses and any special uses

4. Building Height: Minimum of eleven (11) stories, or one hundred twenty-nine (129') feet. No maximum height. All heights to be subject to FAA approval.

5. Building Setbacks: Minimum building setback for this sub-district is ten (10') feet along Addison Road, the new street between Dallas Parkway and Addison Road, and Excel Parkway (as shown on **Exhibit B**) exclusive of the motor court and loading/delivery areas. The minimum building setback from Dallas Parkway is thirty (30') feet from back of curb. No minimum side yard or rear

yard setback.

6. Lot Size and Coverage: No minimum lot area, width, or depth. Maximum lot coverage is 95%.
7. Dwelling Unit Size: Minimum residential dwelling unit size is as follows:
 - Independent Living
 - Studio -- 800 square feet
 - One Bedroom -- 1,018 square feet
 - Two Bedroom -- 1,150 square feet
 - Assisted Living
 - Studio -- 425 square feet
 - One Bedroom -- 570 square feet
 - Two Bedroom -- 800 square feet
 - Memory Care
 - Studio -- 300 square feet
8. Parking
 - Residential Parking Requirements
 - Independent Living --1 parking space per dwelling unit
 - Assisted Living -- 0 .5 spaces per dwelling unit
 - Memory Care -- 0.3 spaces space per dwelling unit.

A minimum of 65% of the required parking spaces shall be provided within a parking garage and a maximum of 20% of the required parking spaces may be provided in a surface parking lot.

- Parking Requirements for Other Uses
 - General retail -- (1/250) One space per each 250 square feet of gross floor area.
 - Restaurant -- (1/100) One space per each 100 square feet of gross floor area.
 - Medical or dental clinics -- (1/200) One space per each 200 square feet of gross floor area.
 - Office -- (1/300) One space per each 300 square feet of gross floor area.
 - Health Club or Spa -- (1/100) One space per each 100 square feet of gross floor area.
- Shared Parking – A parking study shall be required to demonstrate that parking can be shared between uses based on alternating time periods of use.

9. Open Space: The minimum park land dedication requirement is 20,907 square

feet or .48 acres, or payment of a fee in lieu of dedication may be accepted by the city, based on a mutually acceptable price based on the market value of the land.

10. Streetscape Requirements:

- Addison Road – In accordance with the Master Transportation Plan.
- Excel Parkway -- In accordance with Commercial Collector with Urban Pedestrian standards contained within the Master Transportation Plan, except that no on-street parking shall be required.
- New Street along the Southern Edge of Sub-District A – In accordance with Commercial Collector with Urban Pedestrian standards contained within the Master Transportation Plan, with on-street parking provided on both sides.
- Dallas Parkway -- A minimum eight-foot wide sidewalk with parkway and landscape buffers with trees on either side.

11. Landscaping – Landscaping shall be provided in accordance with the requirements of the Urban Center district and the Town’s landscape regulations.

Sub-District B: Development within Sub-District B shall be in accordance with **Exhibit B**, with a minimum building height of 6 stories, a minimum of 550,000 square feet of office space, and with 70% structured parking.

SECTION 4. When the lot identified as Subdistrict B on **Exhibit B** develops, an amendment to this ordinance shall be required to establish additional development standards.

SECTION 5. 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 6. The provisions of this Ordinance are severable, and should any section, subsection, paragraph, sentence, phrase or word of this Ordinance, or application thereof to any person, firm, corporation or other business entity or any circumstance, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of the remaining or other parts or portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining parts or portions of this Ordinance despite such unconstitutionality, illegality, or invalidity, which remaining portions shall remain in full force and effect.

SECTION 7. 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 8. This Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 13th day of OCTOBER 2020.

TOWN OF ADDISON, TEXAS



ATTEST:

Irma G. Parker
Irma G. Parker, City Secretary

Joe Chow
Joe Chow, Mayor

Reviewed/Prepared/Approved by law offices of **Messer, Fort & McDonald**

Published in the Dallas Morning News on Wednesday, October 21, 2020

EXHIBIT A

BEING a tract of land out of the William Lomax Survey, Abstract No. 792, in the City of Addison, Dallas County, Texas, being all of Lot 1R, Block 1 of Replat of Hanover Park Addition, an addition to the Town of Addison according to the plat thereof recorded in Volume 98096, Page 120, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "KHA" set for the west corner of a corner clip at the intersection of the south right-of-way line of Excel Parkway (80' ROW) and the west right-of-way line of the Dallas North Tollway (variable width ROW);

THENCE with said corner clip, South 58°22'43" East, a distance of 16.87 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 2°54'38", a radius of 1600.00 feet, a chord bearing and distance of South 27°30'06" East, 81.27 feet;

THENCE with said west right-of-way line, the following courses and distances to wit:

In a southeasterly direction, with said curve to the left, an arc distance of 81.28 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner from which a 5/8" iron rod stamped GSES bears North 83°41' West 2.1 feet;

South 24°59'49" East, a distance of 100.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner from which a 5/8" iron rod stamped GSES bears North 84°44' West 2.0 feet for the beginning of a non-tangent curve to the left having a central angle of 07°07'03", a radius of 1610.00 feet, a chord bearing and distance of South 36°04'06" East, 199.87 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 200.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

North 50°22'23" East, a distance of 10.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 06°12'55", a radius of 1600.00 feet, a chord bearing and distance of South 42°44'05" East, 173.48 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 173.56 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 41°45'56" East, a distance of 100.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

South 48°29'23" East, a distance of 156.60 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner, being the easternmost corner of Lot 1R, Block 1, said Replat of Hanover Park Addition;

THENCE South 41°30'37" West, departing said west right-of-way along the southeast line of said Lot 1R, a distance of 312.95 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 82°55'20" West, a distance of 47.57 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 48°31'12" West, along the southerly line of said Lot 1R, a distance of 335.12 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

THENCE South 89°06'20" West, continuing along the southerly line of said Lot 1R, a distance of 476.83 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner in the east right-of-way line of Addison Road (variable width ROW);

THENCE North 0°51'53" West, with said east right-of-way line, a distance of 629.26 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner from which a 5/8" iron rod stamped GSES bears North 85°19' West 2.1 feet for the south corner of a corner clip at the intersection of the said east right-of-way line and the said south right-of-way line of Excel Parkway;

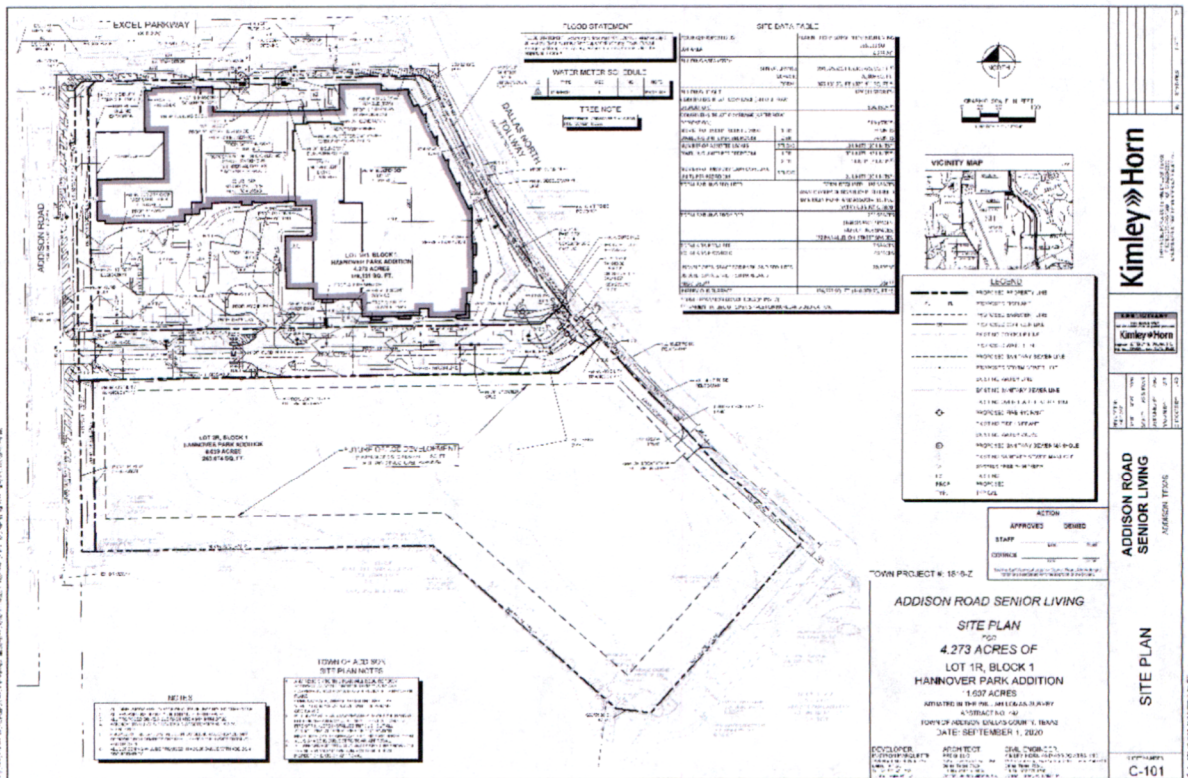
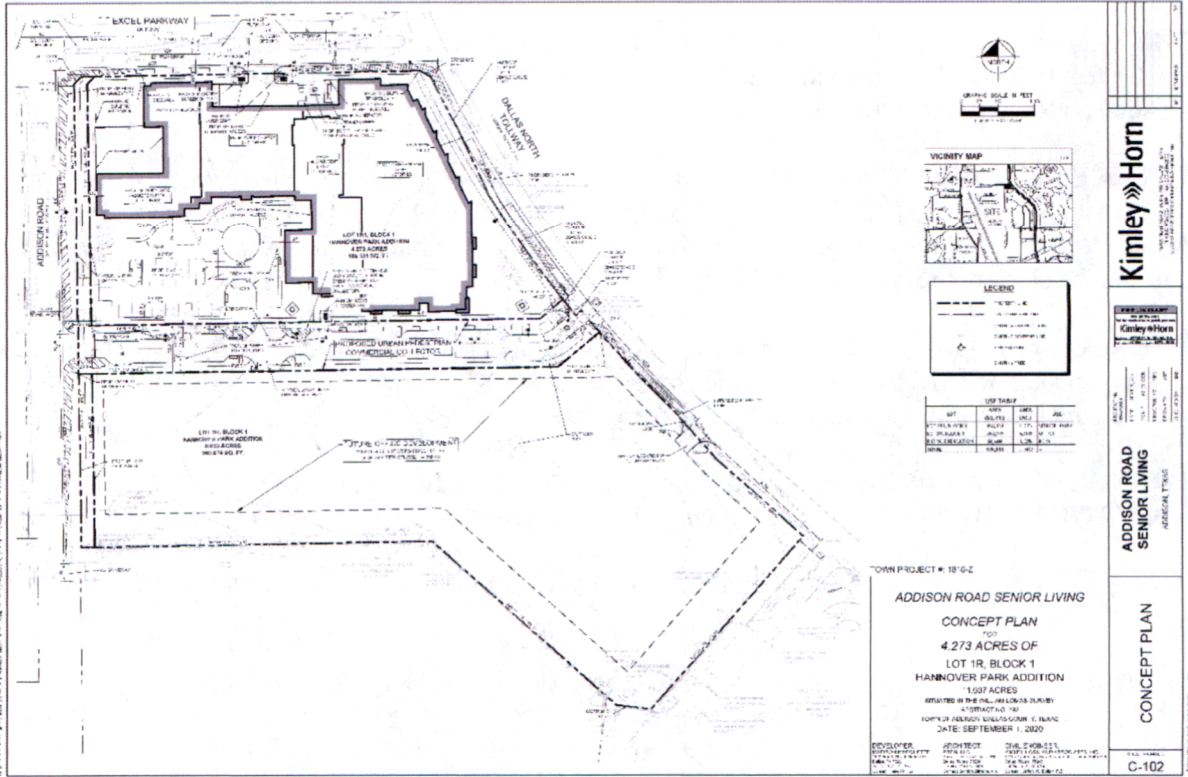
THENCE North 44°07'23" East, with said corner clip, a distance of 14.15 feet to a 5/8" iron rod with a plastic cap stamped "KHA" set for corner from which a 5/8" iron rod stamped GSES bears North 84°24' West 2.1 feet for corner in said south right-of-way line;

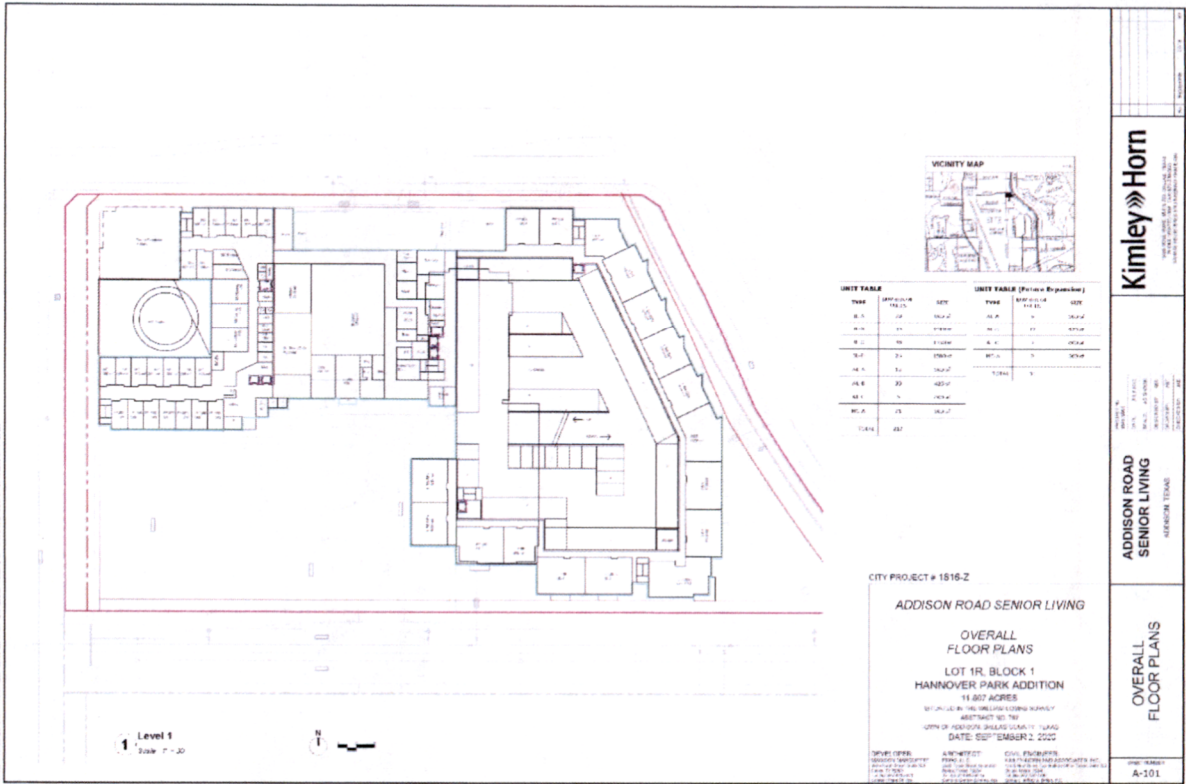
THENCE North 89°06'38" East, with said south right-of-way line, a distance of 461.03 feet to the **POINT OF BEGINNING** and containing 11.607 acres or 505,611 square feet of land.

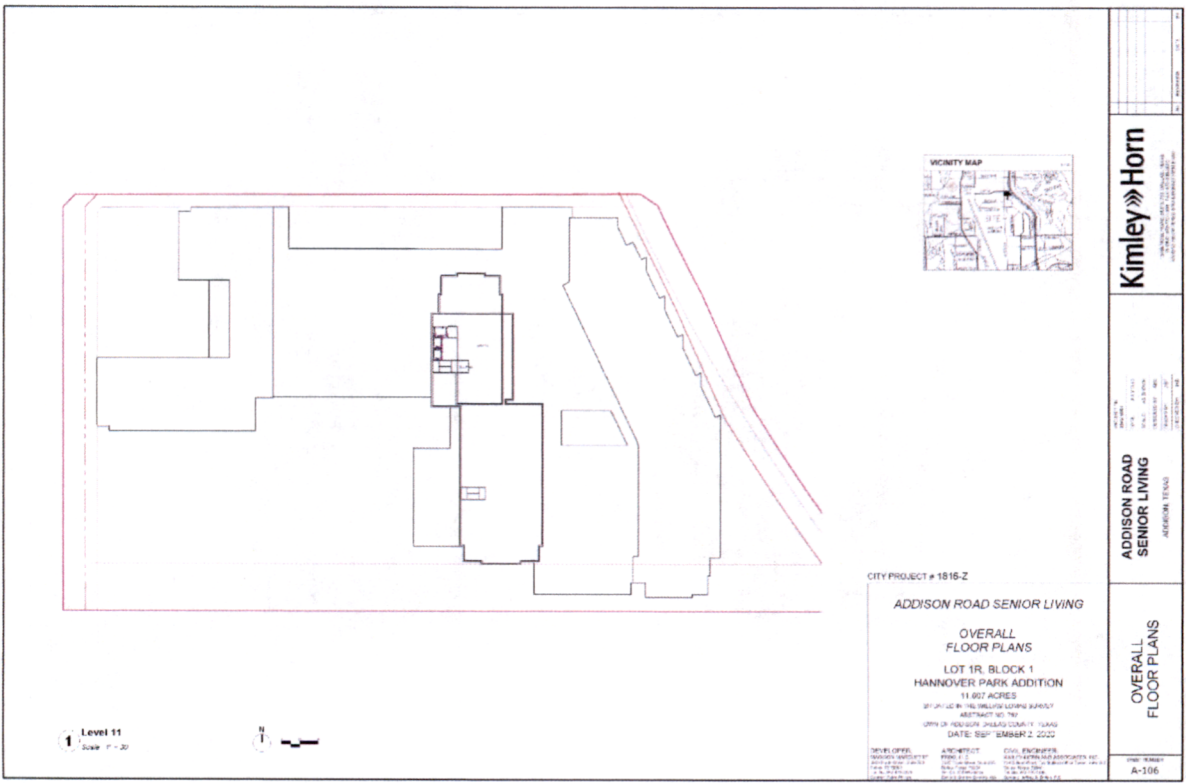
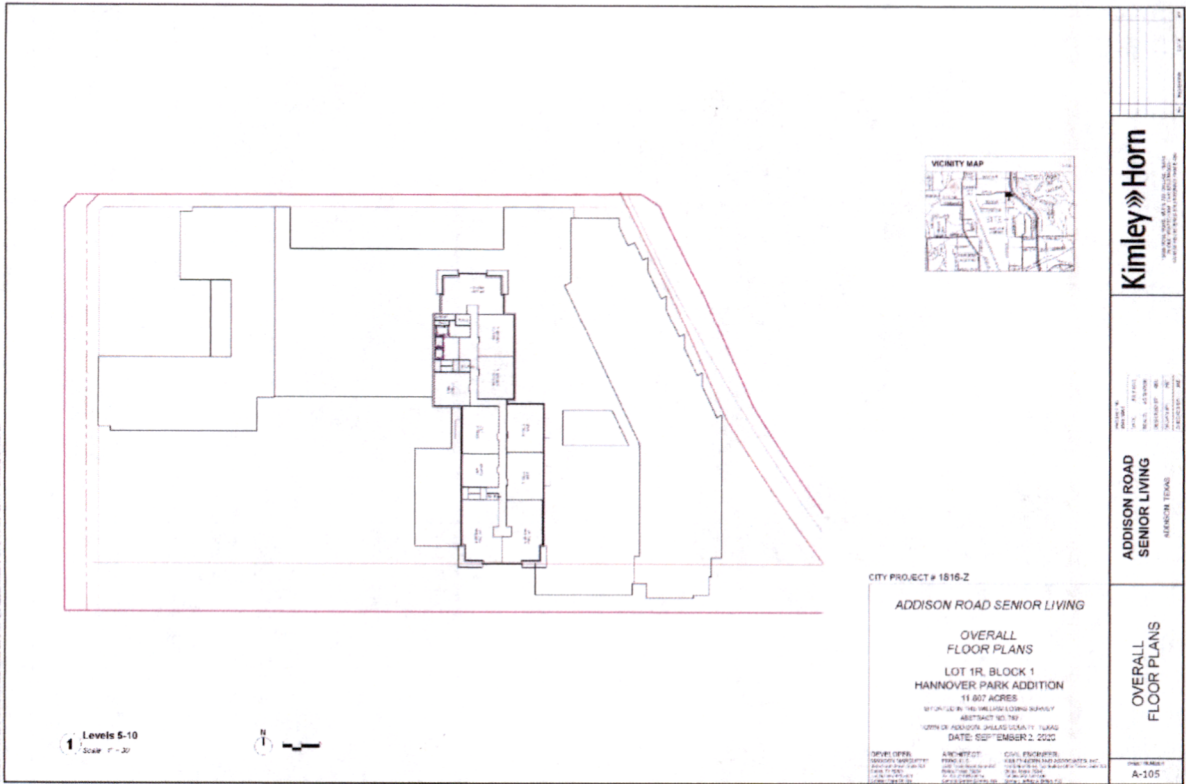
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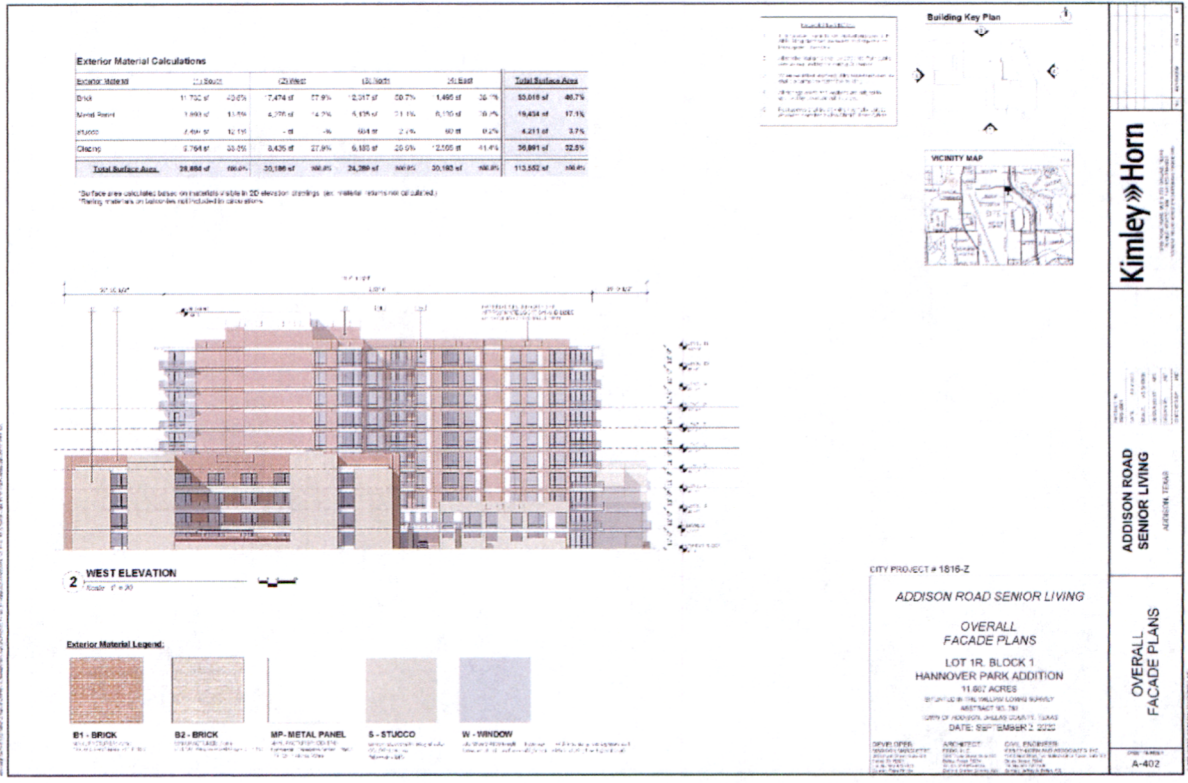
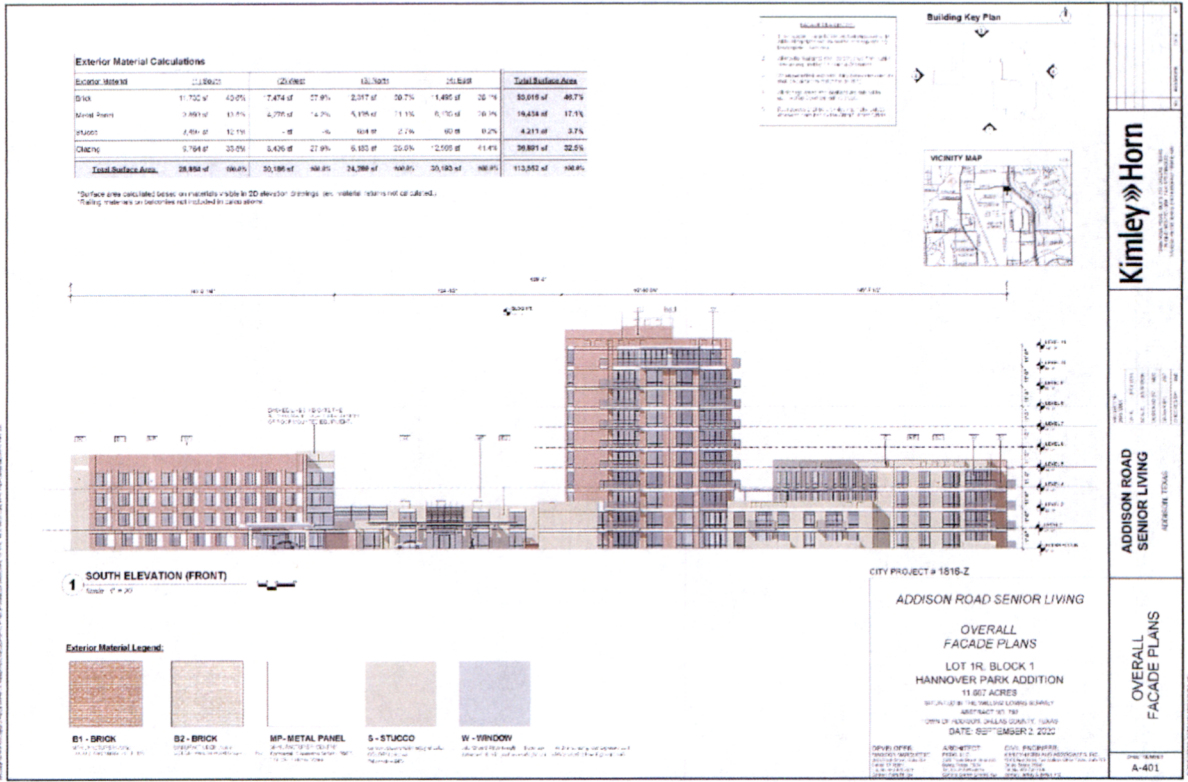
This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

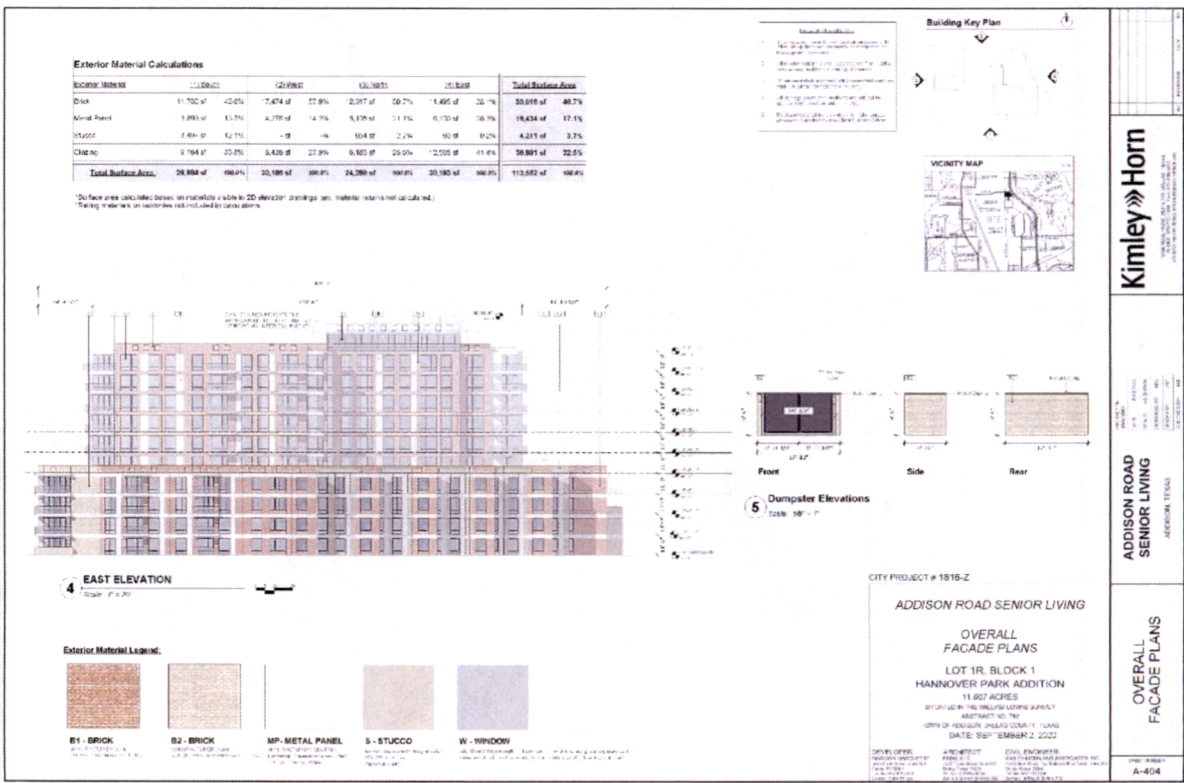
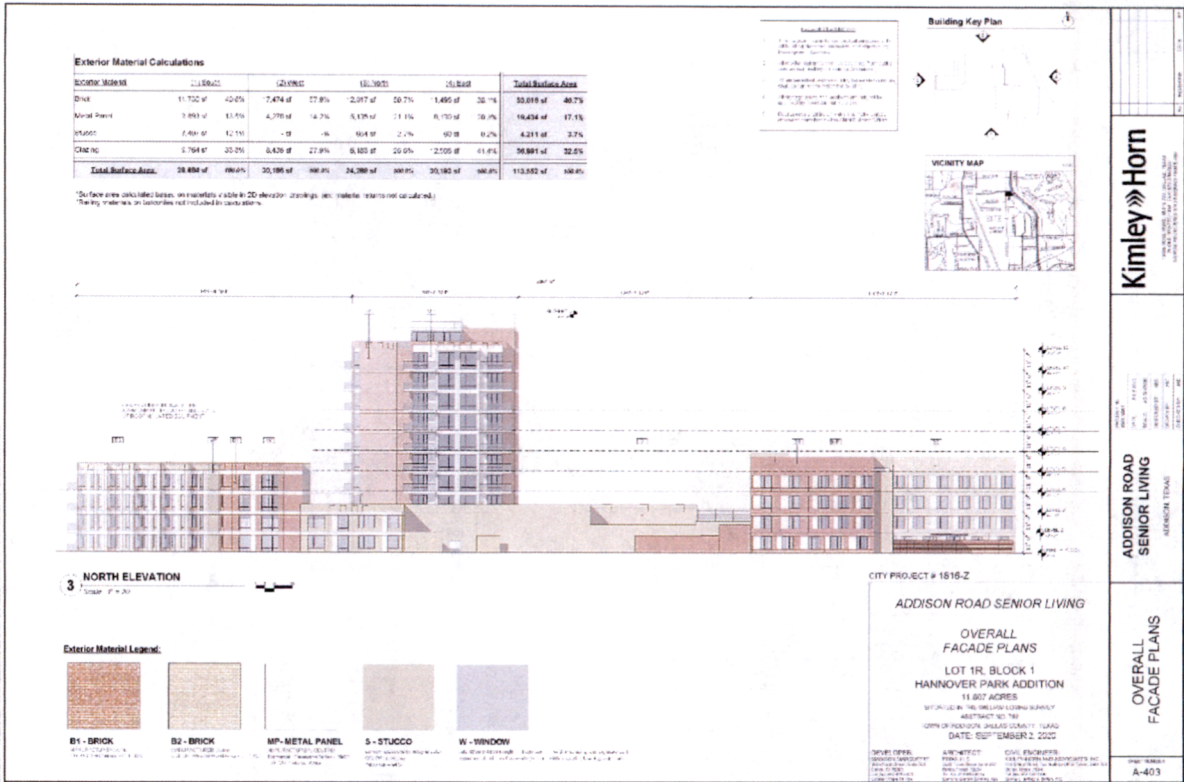
EXHIBIT B











Perspective 1

VICINITY MAP

Kimley»Horn
ARCHITECTS, ENGINEERS, PLANNERS & ENVIRONMENTAL SCIENTISTS, INC.

ADDISON ROAD SENIOR LIVING
AMERIKUM, TEXAS

PERSPECTIVES

CITY PROJECT # 1816-Z

ADDISON ROAD SENIOR LIVING
PERSPECTIVES

LOT 1R, BLOCK 1
 HANNOVER PARK ADDITION
 11.807 ACRES
 SITE PLAN BY THE HORN GROUP SENIORITY
 ABSTRACT NO. 782
 CITY OF ADDISON (JULIA) CLAW 11, TEXAS
 DATE: SEPTEMBER 2, 2022

DEVELOPER: HORN GROUP SENIORITY
ARCHITECT: KIMLEY-HORN
CIVIL ENGINEER: KIMLEY-HORN

DATE: SEPTEMBER 2, 2022

SCALE: AS SHOWN

PROJECT NO.: A-901

Perspective 2

VICINITY MAP

Kimley»Horn
ARCHITECTS, ENGINEERS, PLANNERS & ENVIRONMENTAL SCIENTISTS, INC.

ADDISON ROAD SENIOR LIVING
AMERIKUM, TEXAS

PERSPECTIVES

CITY PROJECT # 1816-Z

ADDISON ROAD SENIOR LIVING
PERSPECTIVES

LOT 1R, BLOCK 1
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 SITE PLAN BY THE HORN GROUP SENIORITY
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 CITY OF ADDISON (JULIA) CLAW 11, TEXAS
 DATE: SEPTEMBER 2, 2022

DEVELOPER: HORN GROUP SENIORITY
ARCHITECT: KIMLEY-HORN
CIVIL ENGINEER: KIMLEY-HORN

DATE: SEPTEMBER 2, 2022

SCALE: AS SHOWN

PROJECT NO.: A-902

Perspective 3

VICINITY MAP

Kimley Horn
INCORPORATED ARCHITECTURAL ENGINEERS AND PLANNERS

ADDISON ROAD SENIOR LIVING
ADDISON, TEXAS

PERSPECTIVES

CITY PROJECT # 1816-Z

ADDISON ROAD SENIOR LIVING
PERSPECTIVES

LOT 1R, BLOCK 1
 HANNOVER PARK ADDITION
 11.907 ACRES

SPONSOR: THE TOLLING LIVING COMPANY
 ABSTRACT NO. 181
 TOWN OF ADDISON, DALLAS COUNTY, TEXAS
 DATE: SEPTEMBER 2, 2022

DESIGN: [Name]	ARCHITECT: [Name]	CIVIL ENGINEER: [Name]	DATE: [Date]
PROJECT MANAGER: [Name]	PROJECT ENGINEER: [Name]	STATE APPROVED PROFESSIONAL SEAL NO. [Number]	SCALE: [Scale]
DATE: [Date]	DATE: [Date]	DATE: [Date]	DATE: [Date]
DATE: [Date]	DATE: [Date]	DATE: [Date]	DATE: [Date]

A-903

Perspective 4

VICINITY MAP

Kimley Horn
INCORPORATED ARCHITECTURAL ENGINEERS AND PLANNERS

ADDISON ROAD SENIOR LIVING
ADDISON, TEXAS

PERSPECTIVES

CITY PROJECT # 1816-Z

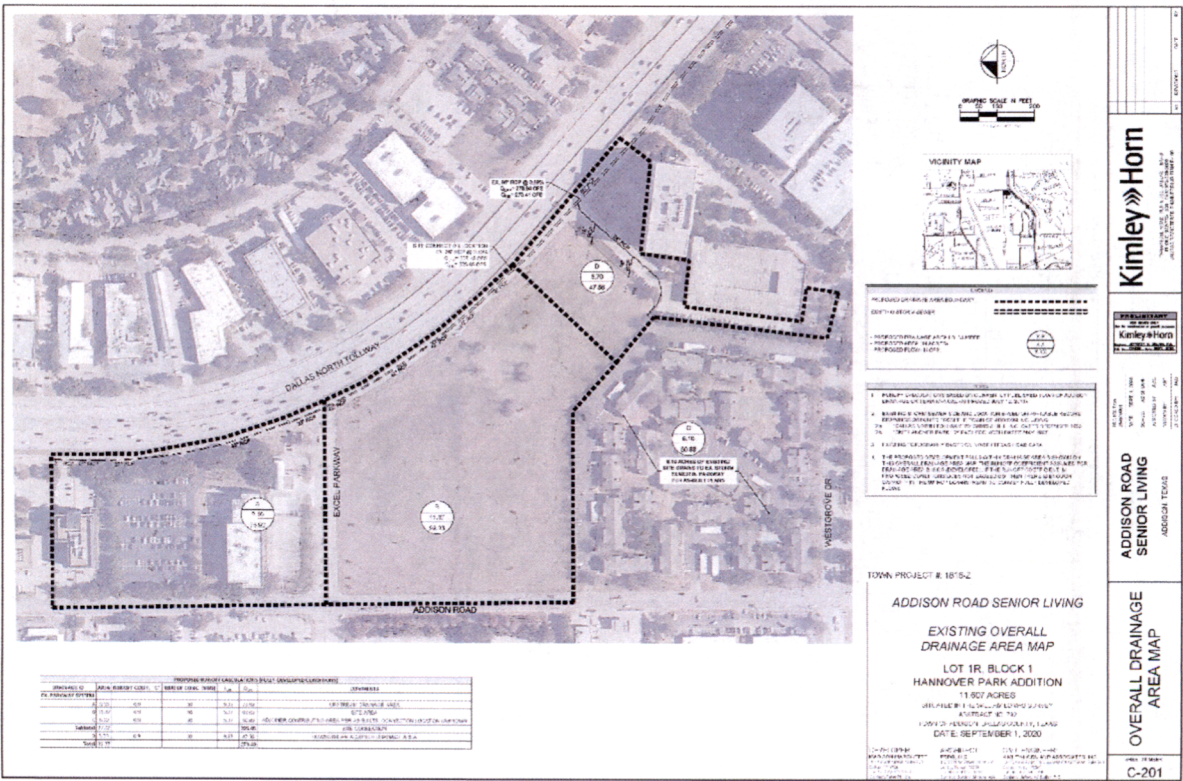
ADDISON ROAD SENIOR LIVING
PERSPECTIVES

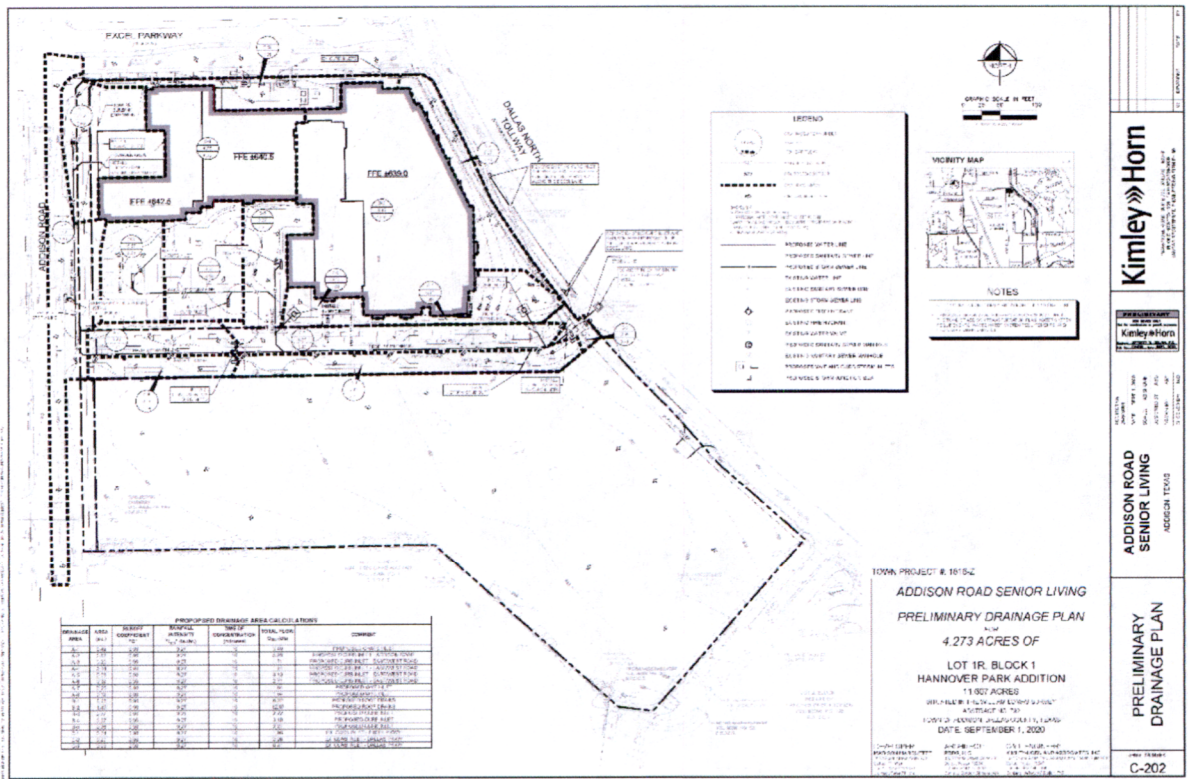
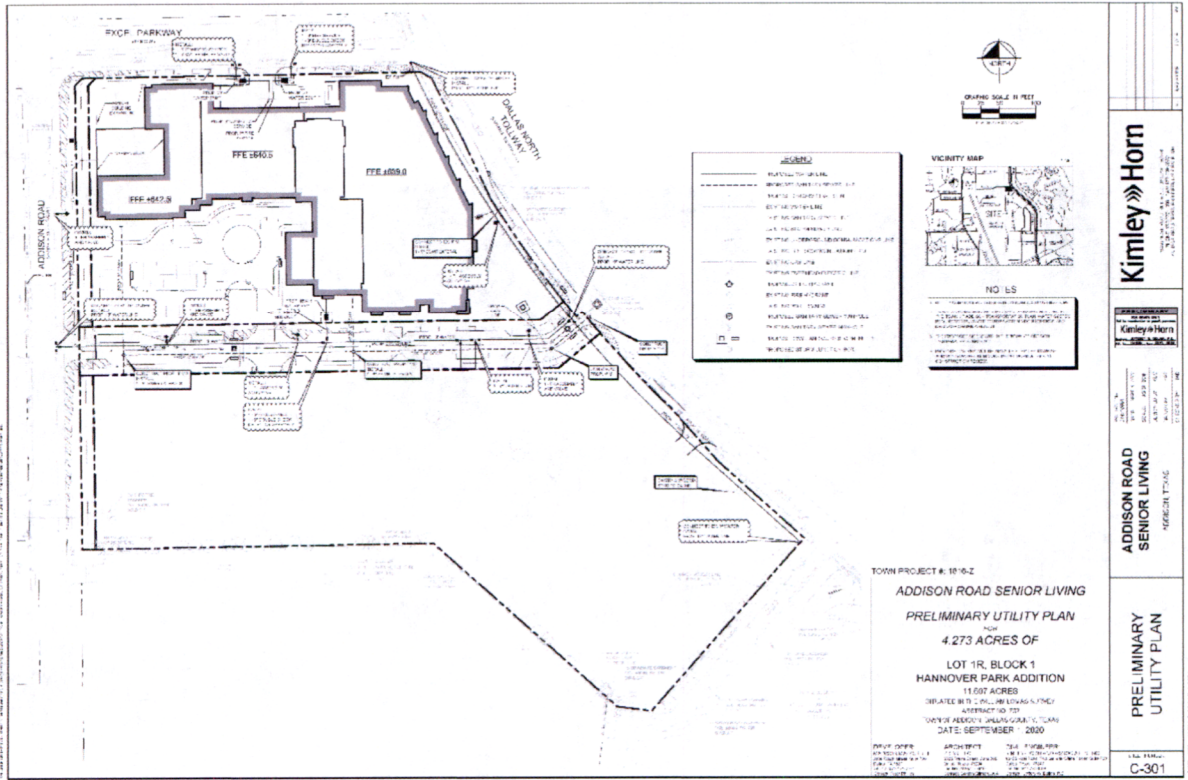
LOT 1R, BLOCK 1
 HANNOVER PARK ADDITION
 11.907 ACRES

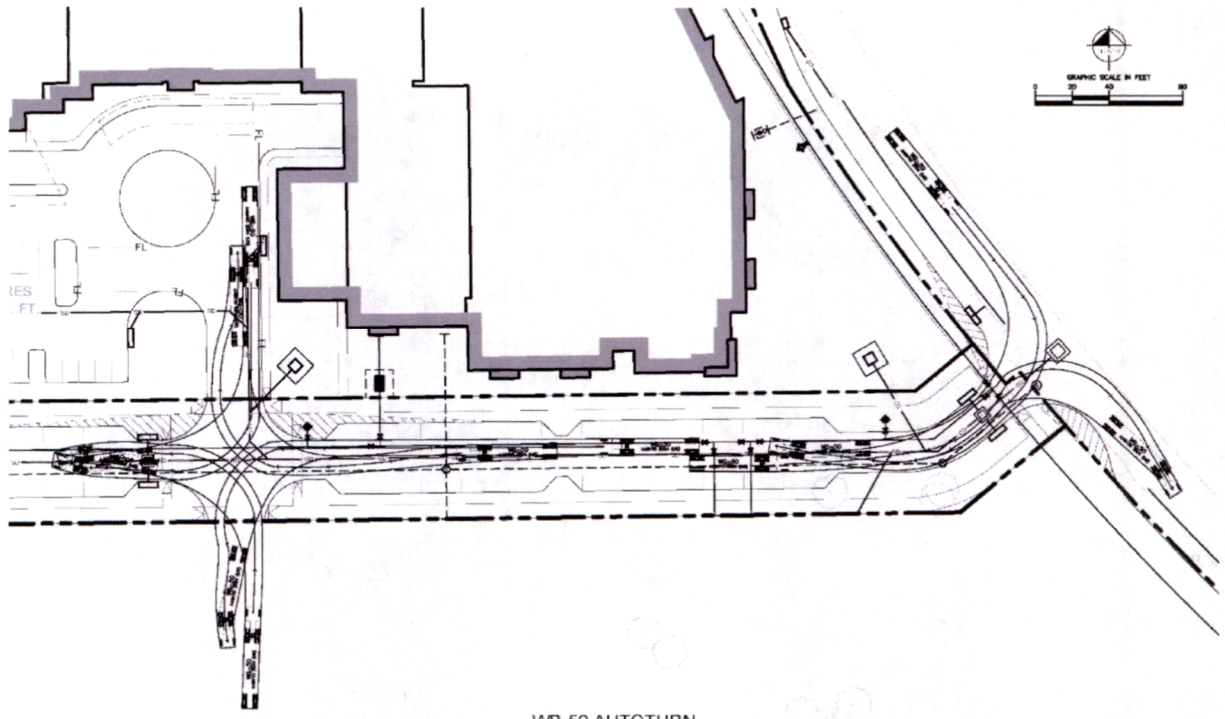
SPONSOR: THE TOLLING LIVING COMPANY
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DATE: [Date]	DATE: [Date]	DATE: [Date]	DATE: [Date]
DATE: [Date]	DATE: [Date]	DATE: [Date]	DATE: [Date]

A-904







WB-50 AUTOTURN
EXHIBIT
SEPTEMBER 2020

Kimley Horn
1000 West 10th Street
Ft. Worth, Texas 76102
Tel: 817.335.1234
Fax: 817.335.1235
www.kimleyhorn.com