ORDINANCE NO. O21-37

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING AND RESTATING PLANNED DEVELOPMENT (PD) DISTRICT ORDINANCE O20-54 FOR A 2.034-ACRE PROPERTY LOCATED AT 3820 BELT LINE ROAD; PROVIDING FOR MINIMUM LOT SIZE REQUIREMENTS; PROVIDING FOR CROSS-ACCESS EASEMENT REQUIREMENTS; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS ($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 FOR SAVINGS, NO SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on November 10, 2020, the City Council for the Town of Addison, Texas adopted Planned Development (PD) District Ordinance O20-54 ("PD O20-54") for a 2.034 acre property located at 3820 Belt Line Road (the "Property"); and

WHEREAS, at its regular meeting held on September 21, 2021 the Planning & Zoning Commission considered and made recommendations on a request to amend PD O20-54 to modify minimum lot size requirements and to establish future cross-access easement requirements (Case No.1838-Z); and

WHEREAS, the City Council desires to amend and restate PD O20-54, in its entirety, to provide for modified minimum lot size and cross access easement requirements; 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 a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this amendment promotes 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 recitals and findings set forth above are hereby found to be true andcorrect and incorporated as if fully set forth herein.

SECTION 2. The Zoning Ordinance and official zoning map is hereby amended so as to amend and restate PD O20-54, in its entirety, and to provide for modified minimum lot size and future cross-access easement requirements for the Property, which is described and depicted in **Exhibit A** attached hereto and incorporated herein.

SECTION 3. PD O20-54 development stipulations are to read as follows:

A. Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, landscape plan, floor plan, and building elevations, which are attached hereto as **Exhibit B** and made a part hereof for all purposes.

B. All development and/or improvement of the the Property shall be in conformance withthe Belt Line (BL) district standards, as amended, subject only to the following exceptions:

   i. The BL district standards for block length and external façade glazing shall be modified solely to the extent necessary to develop the property in conformance with the site development plans depicted in **Exhibit B**.
   ii. If the Property is ever subdivided, a cross-access easement(s) shall be provided to allow all future lots within this PD district to have access to existing private access drives connecting to Belt Line Road to the west, and Commercial Drive to the east. The foregoing easement(s) shall be a requiredcondition precedent to the approval of any plat application filed in connectionwith the Property and shall be clearly depicted therein.
   iii. The south façade of the proposed commercial building shall be 73% brick orstone and 17% glazing.

SECTION 4. The provisions of the Town of Addison Code of Ordinances, as amended, shall remain in full force and effect save and except as amended by this ordinance.

SECTION 5. Any person, firm, or corporation violating any of the provisions or terms ofthis 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 ***12th*** day of ***OCTOBER*** ***2021.***

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

Irma G. Parker, City Secretary

APPROVED AS TO FORM:

Whitt Wyatt, City Attorney

Published in the Dallas Morning News: October 26, 2021

EXHIBIT A
Legal Description of the Property

BEING part of Lot 1-R, Block A, of Printemps Addition No. 2, and addition to the Town of Addison, according to the plat thereof, recorded in Volume 92162, Page 2251, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the South line of Belt Line Road, a variable width right-of-way, at the Northwest corner of Lot 1, Block E, of the Replat of Asbury Circle, an addition to the Town of Addison, according to the plat thereof, recorded In Instrument No. 200900017267, Official Public Records, Dallas County, Texas;

THENCE South 00'59'34" West, a distance of 30.50' to a 1/2" iron rod found at an interior corner of said Asbury addition;

THENCE South 39'49'52" West, passing at a distance of 262.96' the West corner of said Lot 1, same being a Northerly corner of Lot 3C-1, Block D, of the Replat of Lots 3A, 38, 3C-1, 4R-1 and 5, an addition to the Town of Addison, Dallas County, Texas, and continuing a total distance of 324. 75' to an "X" found in concrete, at an interior corner of said Replat, said point being the in a curve to the left having a central angle of 38'50'18", a radius of 184.12' and a chord bearing and distance of North 69'35'17" West, 122.43';

THENCE Northwesterly, along said curve to the left, an arc distance of 124.81' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the interior North line of said Lot 3C-1;

THENCE North 89'00'26" West, a distance of 101.42' to an "X" cut set in concrete at an interior corner of said Lot 3C-1;

THENCE North 00'59'34" East, a distance of 212.25' to a 1/2' iron rod with a yellow plastic cap stamped "RPLS 5310" set in the most Northerly East line of said Lot 3C-1;

THENCE North 45'59'34" East, a distance of 56.57' to a to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 531 0" set in the said South line of Belt Line Road;

THENCE South 89'00'26" East, along said South line, a distance of 256.29' to an "X" set in concrete for comer;

THENCE South 83'34'49" East, continuing along said South line, a distance of 100.45' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 531 0" set for corner;

THENCE South 89'00'26" East, continuing along said South line, a distance of 24.25' to the PLACE OF BEGINNING and containing 88,597 square feet or 2.034 acres of land.

EXHIBIT A

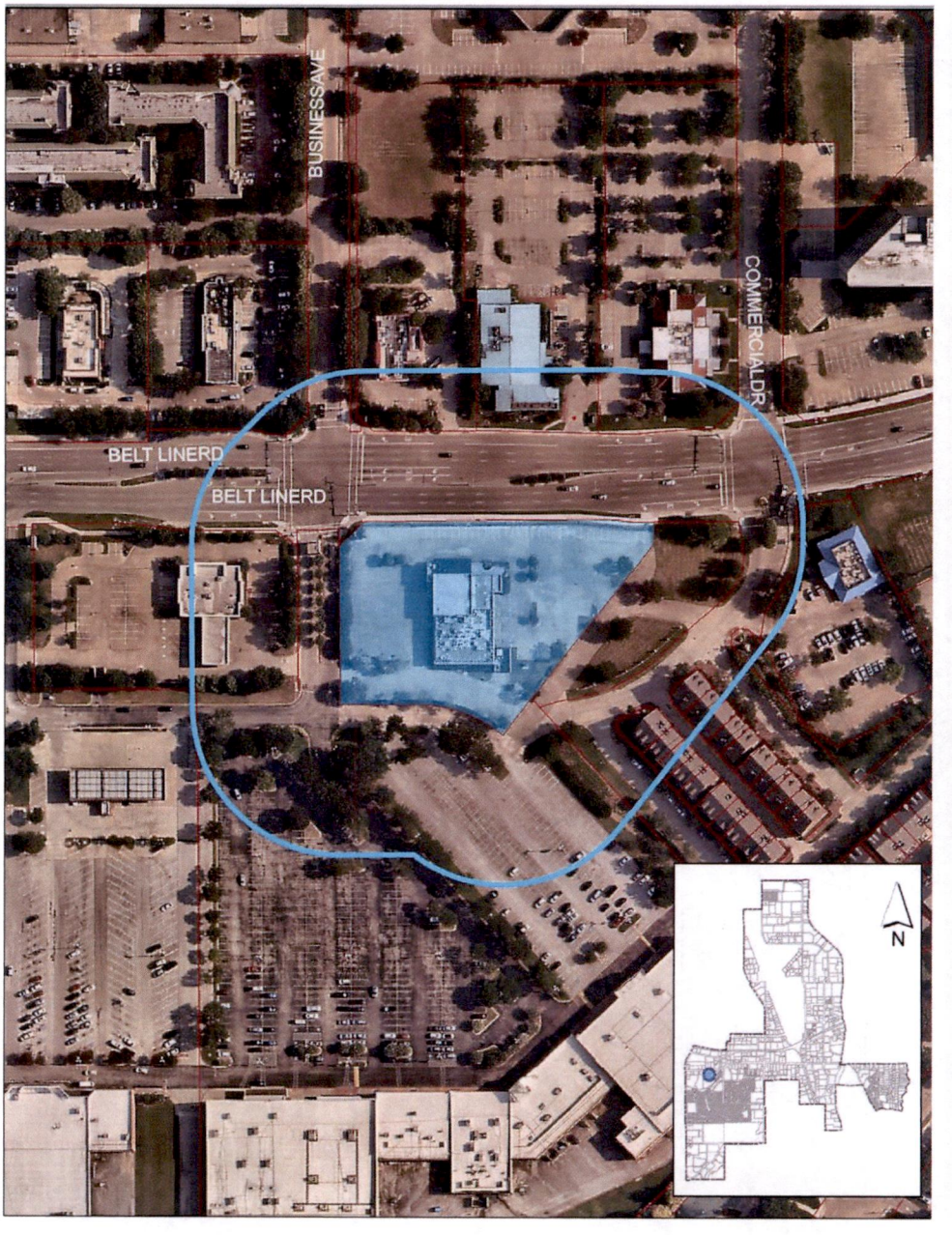


EXHIBIT B

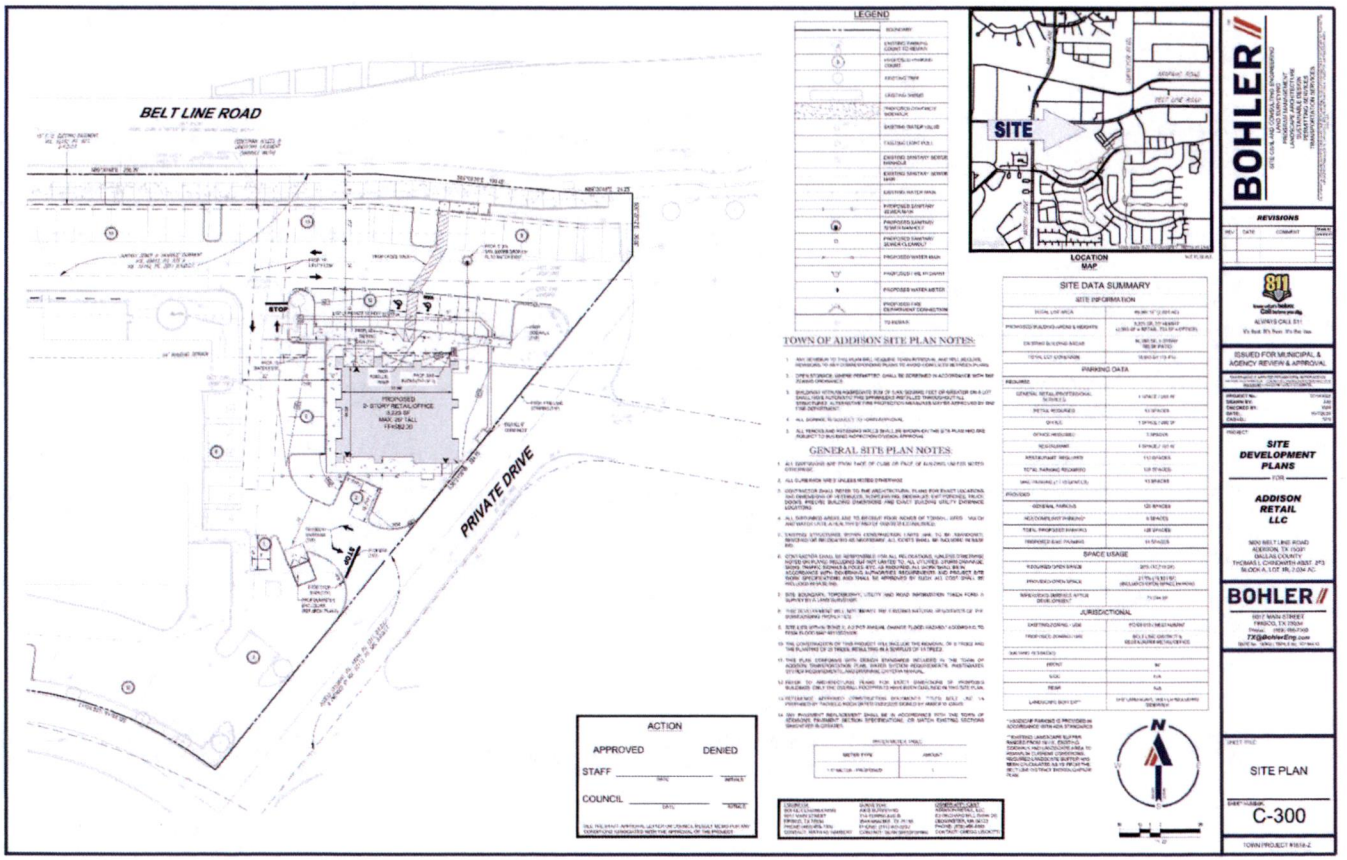

BELT LINE ROAD
PRIVATE DRIVE
PROPOSED 2-STORY RETAIL/OFFICE
STOP
LEGEND
TOWN OF ADDISON SITE PLAN NOTES:
GENERAL SITE PLAN NOTES:
ACTION
APPROVED
DENIED
STAFF
COUNCIL
LOCATION MAP
SITE
SITE DATA SUMMARY
SITE INFORMATION
PARKING DATA
SPACE USAGE
JURISDICTIONAL
BOHLER
REVISIONS
ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
SITE DEVELOPMENT PLANS
ADDISON RETAIL LLC
SITE PLAN
C-300

EXHIBIT B

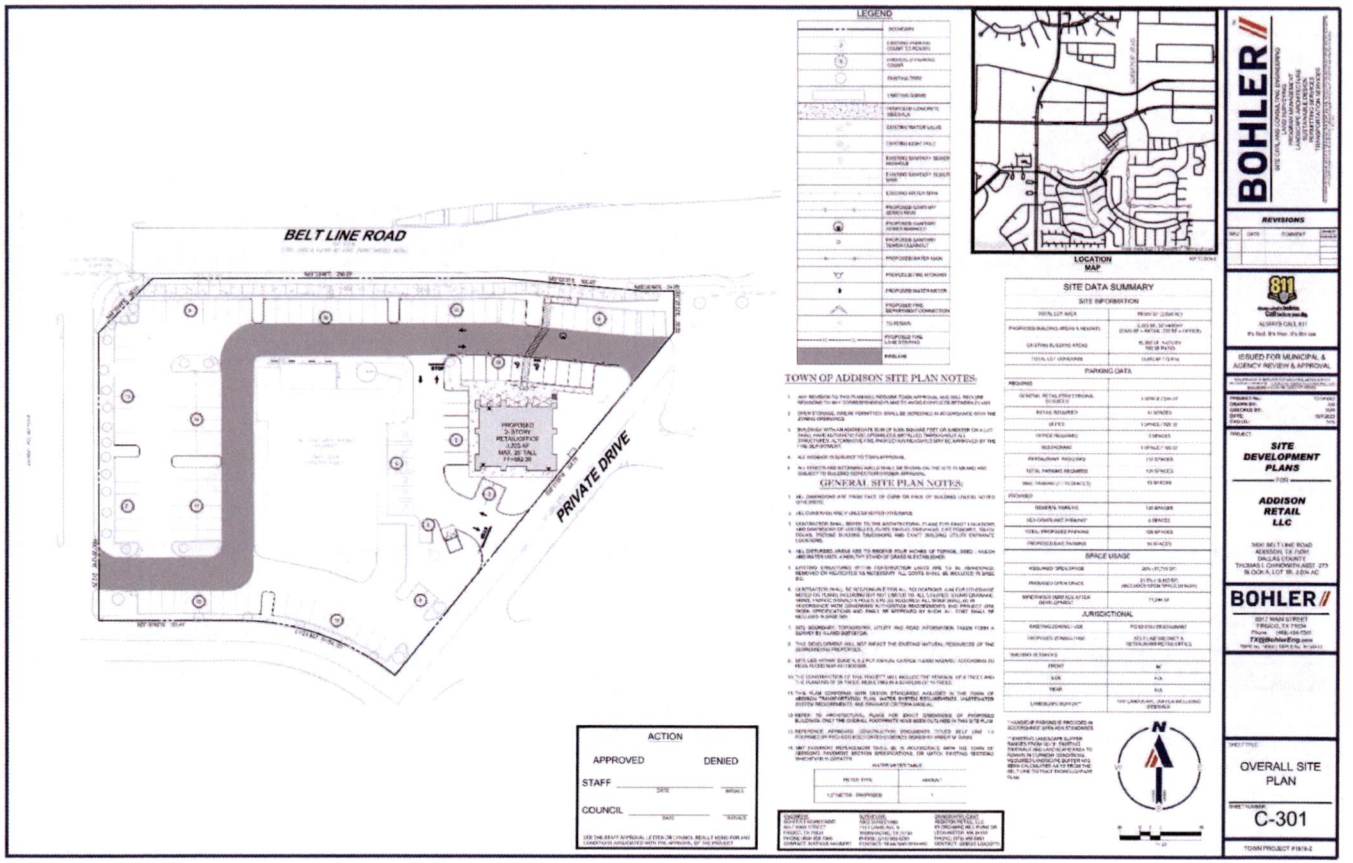

BELT LINE ROAD
PRIVATE DRIVE
PROPOSED 3-STORY RETAIL/OFFICE 12,025 SF MAX. 35' TALL
LEGEND
LOCATION MAP
TOWN OF ADDISON SITE PLAN NOTES:
GENERAL SITE PLAN NOTES:
SITE DATA SUMMARY
SITE INFORMATION
PARKING DATA
SPACE USAGE
JURISDICTIONAL
ACTION
APPROVED
DENIED
STAFF
COUNCIL
BOHLER
REVISIONS
ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
SITE DEVELOPMENT PLANS
FOR
ADDISON RETAIL LLC
3001 BELT LINE ROAD
ADDISON, TX 75001
DALLAS COUNTY
TAX MAP: CHINOWTH ADDT 275
BLOCK A, LOT 3R, 2.024 AC
OVERALL SITE PLAN
C-301

EXHIBIT B

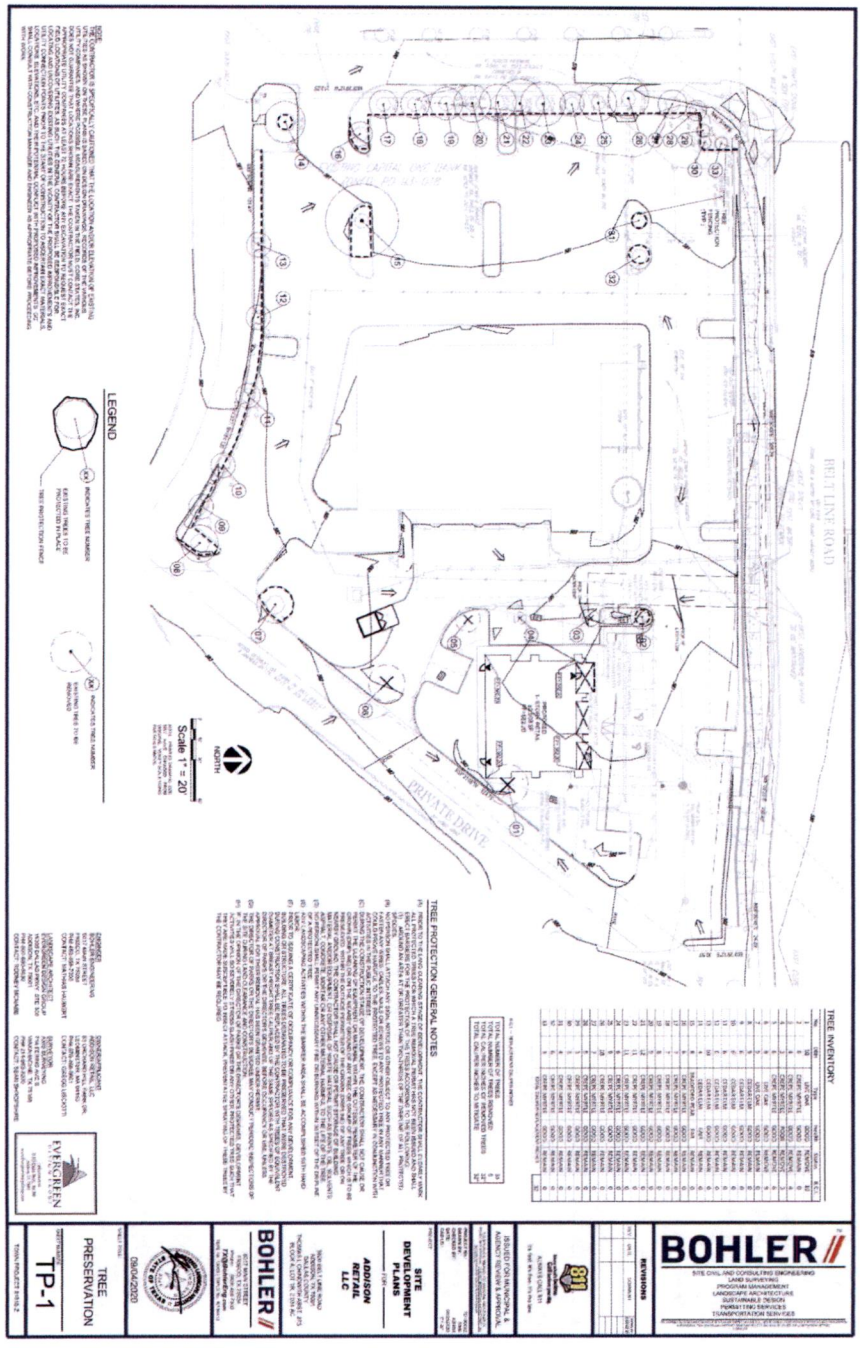

BELT LINE ROAD
PRIVATE DRIVE
NORTH
Scale 1" = 20'
LEGEND
TREE INVENTORY
TREE PROTECTION GENERAL NOTES
BOHLER
SITE DEVELOPMENT PLANS
ADDISON RETAIL LLC
TREE PRESERVATION
TP-1

EXHIBIT B

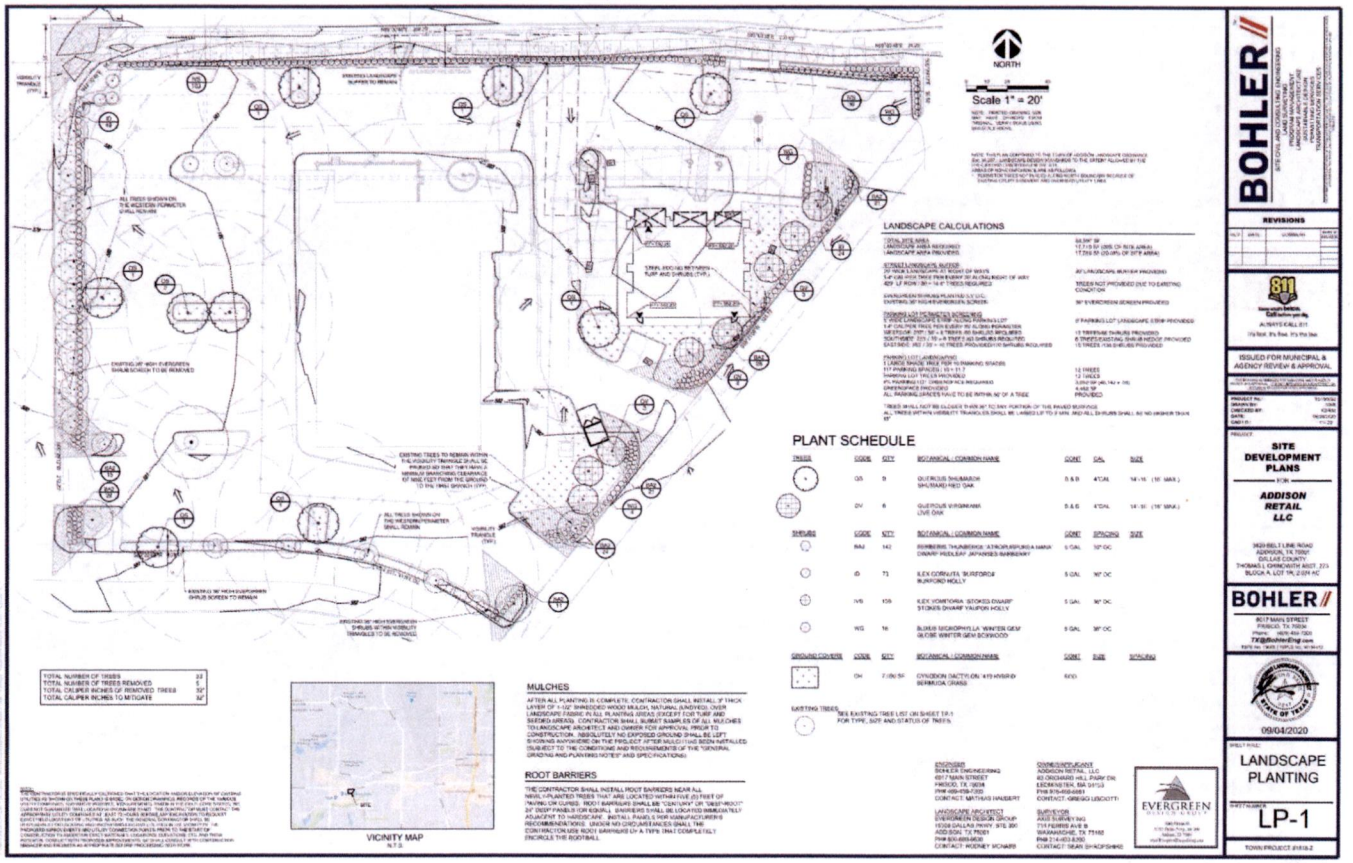

NORTH
Scale 1" = 20'
LANDSCAPE CALCULATIONS
PLANT SCHEDULE
TREES
SHRUBS
GROUND COVER
EXISTING TREES
TOTAL NUMBER OF TREES
TOTAL NUMBER OF TREES REMOVED
TOTAL CALIPER INCHES OF REMOVED TREES
TOTAL CALIPER INCHES TO MITIGATE
MULCHES
ROOT BARRIERS
VICINITY MAP
N.T.S.
BOHLER
REVISIONS
ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
SITE DEVELOPMENT PLANS
ADDISON RETAIL LLC
09/04/2020
LANDSCAPE PLANTING
LP-1

EXHIBIT B

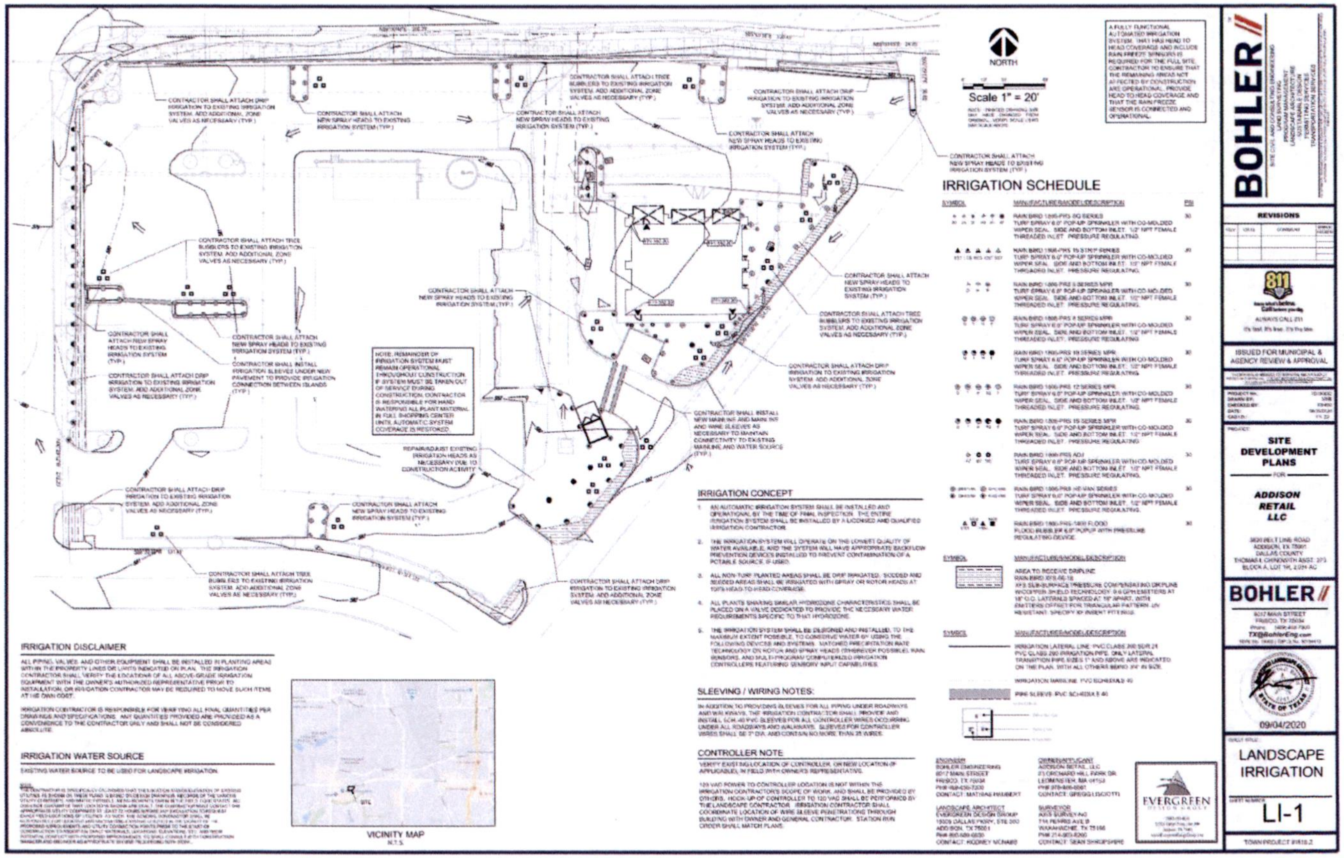

NORTH
Scale 1" = 20'
A FULLY FUNCTIONAL AUTOMATED IRRIGATION SYSTEM, THAT HAS HEAD TO HEAD COVERAGE AND INCLUDE RAIN FREEZE SENSORS IS REQUIRED FOR THE FULL SITE. CONTRACTOR TO ENSURE THAT THE REMAINING AREAS NOT AFFECTED BY CONSTRUCTION ARE OPERATIONAL. PROVIDE HEAD TO HEAD COVERAGE AND THAT THE RAIN FREEZE SENSOR IS CONNECTED AND OPERATIONAL.
CONTRACTOR SHALL ATTACH DRIP IRRIGATION TO EXISTING IRRIGATION SYSTEM. ADD ADDITIONAL ZONE VALVES AS NECESSARY (TYP.)
CONTRACTOR SHALL ATTACH NEW SPRAY HEADS TO EXISTING IRRIGATION SYSTEM (TYP.)
CONTRACTOR SHALL ATTACH TREE BUBBLERS TO EXISTING IRRIGATION SYSTEM. ADD ADDITIONAL ZONE VALVES AS NECESSARY (TYP.)
CONTRACTOR SHALL INSTALL IRRIGATION SLEEVES UNDER NEW PAVEMENT TO PROVIDE IRRIGATION CONNECTION BETWEEN ISLANDS (TYP.)
NOTE: REMAINDER OF IRRIGATION SYSTEM MUST REMAIN OPERATIONAL THROUGHOUT CONSTRUCTION. IF SYSTEM MUST BE TAKEN OUT OF SERVICE DURING CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR HAND WATERING ALL PLANT MATERIAL IN FULL SHOPPING CENTER UNTIL AUTOMATIC SYSTEM COVERAGE IS RESTORED.
REPAIR/ADJUST EXISTING IRRIGATION HEADS AS NECESSARY DUE TO CONSTRUCTION ACTIVITY
CONTRACTOR SHALL INSTALL NEW MAINLINE AND MAINLINE AND WIRE SLEEVES AS NECESSARY TO MAINTAIN CONNECTIVITY TO EXISTING MAINLINE AND WATER SOURCE (TYP.)
IRRIGATION SCHEDULE
SYMBOL
MANUFACTURER/MODEL/DESCRIPTION
PSI
RAIN BIRD 1806-PRS 8Q SERIES TURF SPRAY 6.0" POP-UP SPRINKLER WITH CO-MOLDED WIPER SEAL. SIDE AND BOTTOM INLET. 1/2" NPT FEMALE THREADED INLET. PRESSURE REGULATING.
RAIN BIRD 1806-PRS 15 STRIP SERIES TURF SPRAY 6.0" POP-UP SPRINKLER WITH CO-MOLDED WIPER SEAL. SIDE AND BOTTOM INLET. 1/2" NPT FEMALE THREADED INLET. PRESSURE REGULATING.
RAIN BIRD 1806-PRS 5 SERIES MPR
RAIN BIRD 1806-PRS 8 SERIES MPR
RAIN BIRD 1806-PRS 10 SERIES MPR
RAIN BIRD 1806-PRS 12 SERIES MPR
RAIN BIRD 1806-PRS 15 SERIES MPR
RAIN BIRD 1806-PRS ADJ
RAIN BIRD 1806-PRS HE-VAN SERIES
RAIN BIRD 1800-PRS-1400 FLOOD FLOOD BUBBLER 6.0" POPUP WITH PRESSURE REGULATING DEVICE
AREA TO RECEIVE DRIPLINE
IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21
IRRIGATION MAINLINE: PVC SCHEDULE 40
PIPE SLEEVE: PVC SCHEDULE 40
IRRIGATION CONCEPT
1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
2. THE IRRIGATION SYSTEM WILL OPERATE ON THE LOWEST QUALITY OF WATER AVAILABLE, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF A POTABLE SOURCE, IF USED.
3. ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
4. ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
5. THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), RAIN SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.
SLEEVING / WIRING NOTES:
IN ADDITION TO PROVIDING SLEEVES FOR ALL PIPING UNDER ROADWAYS AND WALKWAYS, THE IRRIGATION CONTRACTOR SHALL PROVIDE AND INSTALL SCH. 40 PVC SLEEVES FOR ALL CONTROLLER WIRES OCCURRING UNDER ALL ROADWAYS AND WALKWAYS. SLEEVES FOR CONTROLLER WIRES SHALL BE 2" DIA. AND CONTAIN NO MORE THAN 35 WIRES.
CONTROLLER NOTE
VERIFY EXISTING LOCATION OF CONTROLLER, OR NEW LOCATION (IF APPLICABLE), IN FIELD WITH OWNER'S REPRESENTATIVE.
120 VAC POWER TO CONTROLLER LOCATION IS NOT WITHIN THE IRRIGATION CONTRACTOR'S SCOPE OF WORK, AND SHALL BE PROVIDED BY OTHERS. HOOK-UP OF CONTROLLER TO 120 VAC SHALL BE PERFORMED BY THE LANDSCAPE CONTRACTOR. IRRIGATION CONTRACTOR SHALL COORDINATE LOCATION OF WIRE SLEEVE PENETRATIONS THROUGH BUILDING WITH OWNER AND GENERAL CONTRACTOR. STATION RUN ORDER SHALL MATCH PLANS.
IRRIGATION DISCLAIMER
ALL PIPING, VALVES, AND OTHER EQUIPMENT SHALL BE INSTALLED IN PLANTING AREAS WITHIN THE PROPERTY LINES OR LIMITS INDICATED ON PLAN. THE IRRIGATION CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE-GRADE IRRIGATION EQUIPMENT WITH THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION, OR IRRIGATION CONTRACTOR MAY BE REQUIRED TO MOVE SUCH ITEMS AT HIS OWN COST.
IRRIGATION CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL FINAL QUANTITIES PER DRAWINGS AND SPECIFICATIONS. ANY QUANTITIES PROVIDED ARE PROVIDED AS A CONVENIENCE TO THE CONTRACTOR ONLY AND SHALL NOT BE CONSIDERED ABSOLUTE.
IRRIGATION WATER SOURCE
EXISTING WATER SOURCE TO BE USED FOR LANDSCAPE IRRIGATION.
VICINITY MAP
N.T.S.
ENGINEER
BOHLER ENGINEERING
6017 MAIN STREET
FRISCO, TX 75034
CONTACT: MATTHIAS HAUBERT
OWNER/APPLICANT
ADDISON RETAIL, LLC
21 ORCHARD HILL PARK DR.
LEOMINSTER, MA 01453
CONTACT: GREGG LISCIOTTI
LANDSCAPE ARCHITECT
EVERGREEN DESIGN GROUP
15509 DALLAS PKWY, STE 300
ADDISON, TX 75001
CONTACT: RODNEY MCNABB
SURVEYOR
AXIS SURVEYING
714 FERRIS AVE B
WAXAHACHIE, TX 75165
CONTACT: SEAN SHROPSHIRE
EVERGREEN
BOHLER
REVISIONS
811
ALWAYS CALL 811
ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
SITE DEVELOPMENT PLANS
FOR
ADDISON RETAIL LLC
BOHLER
6017 MAIN STREET
FRISCO, TX 75034
TX@BohlerEng.com
STATE OF TEXAS
09/04/2020
LANDSCAPE IRRIGATION
LI-1
TOWN PROJECT #1818.2

EXHIBIT B

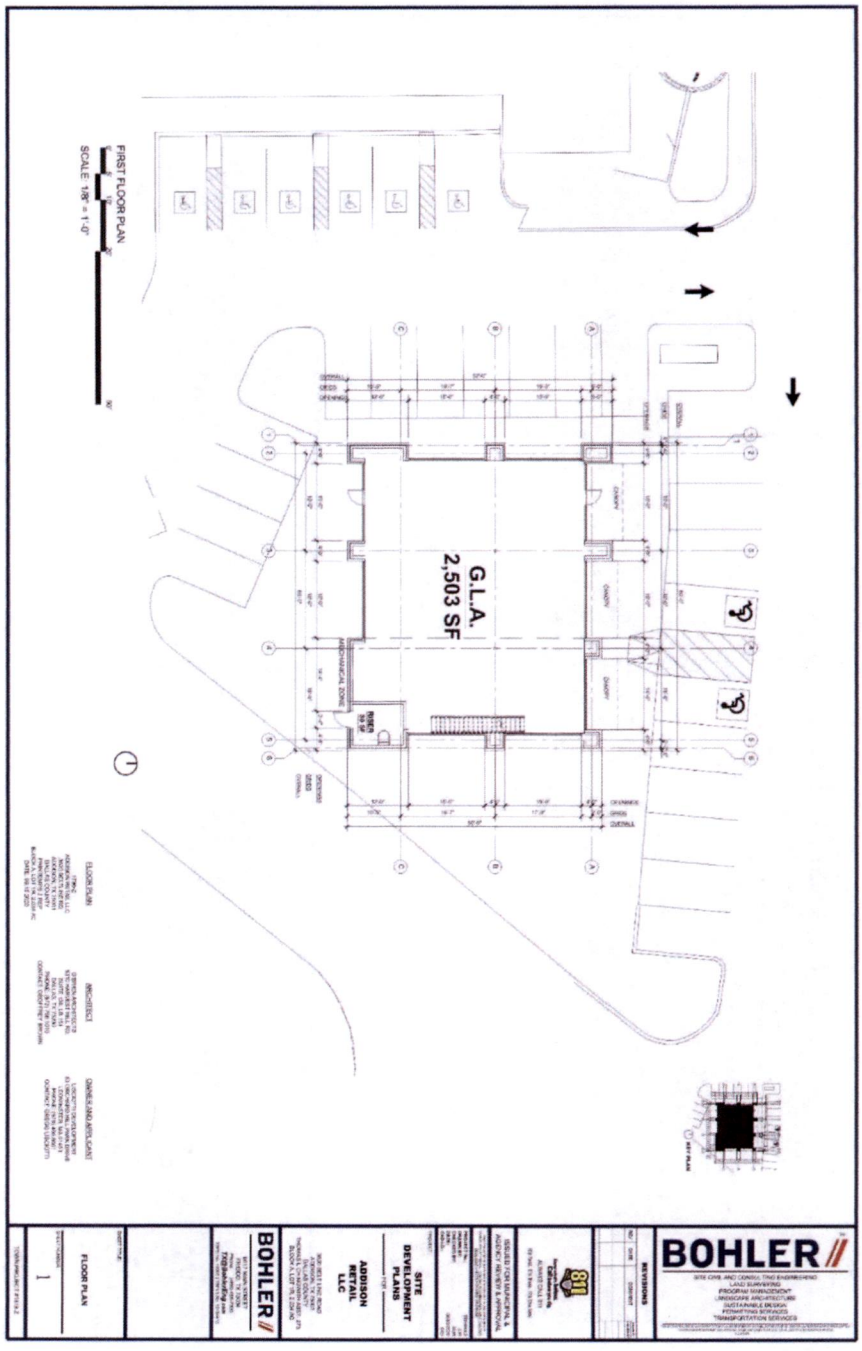
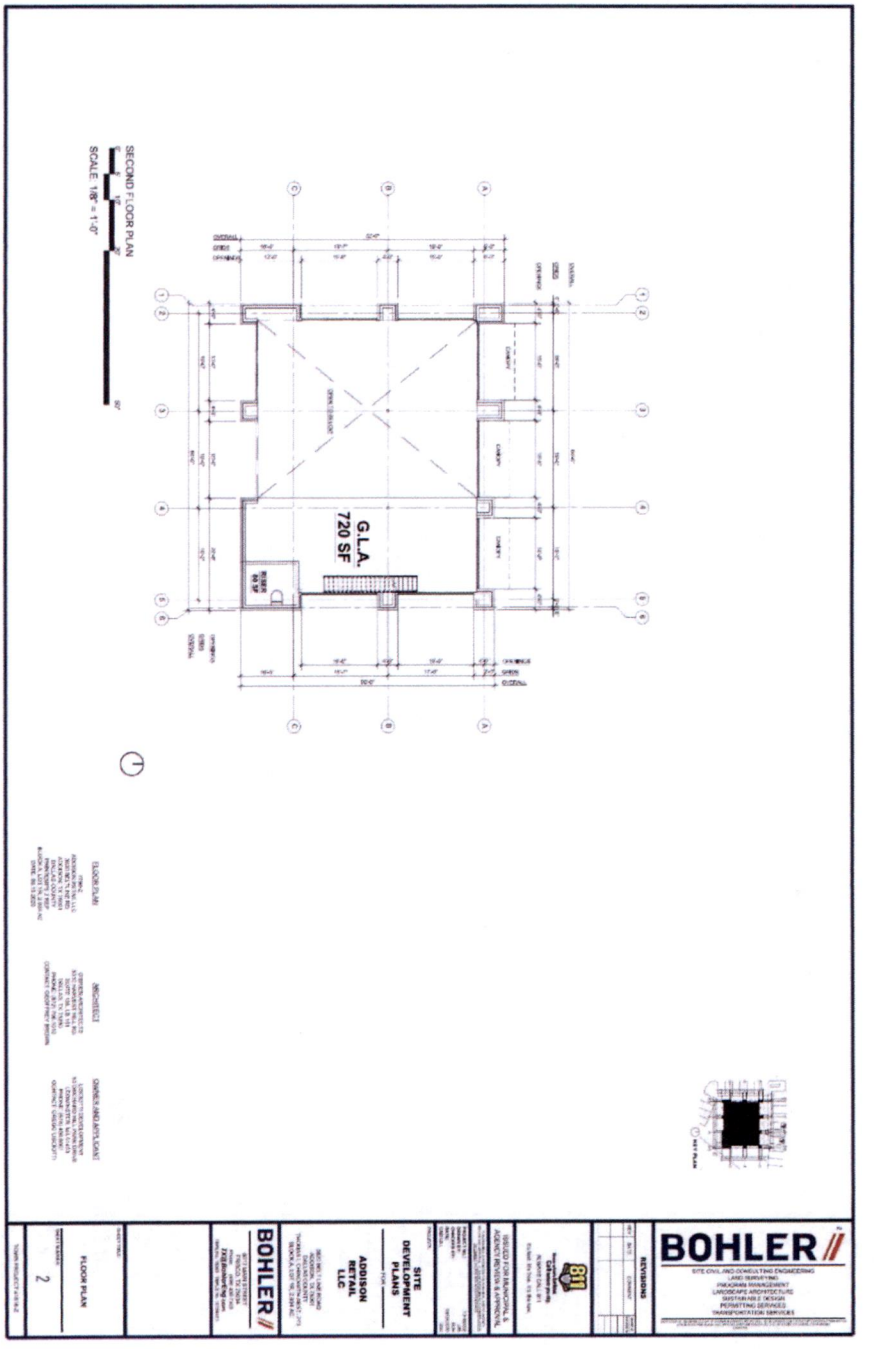

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"
G.L.A.
2,503 SF
CANOPY
CANOPY
CANOPY
MECHANICAL ZONE
BOHLER

EXHIBIT B



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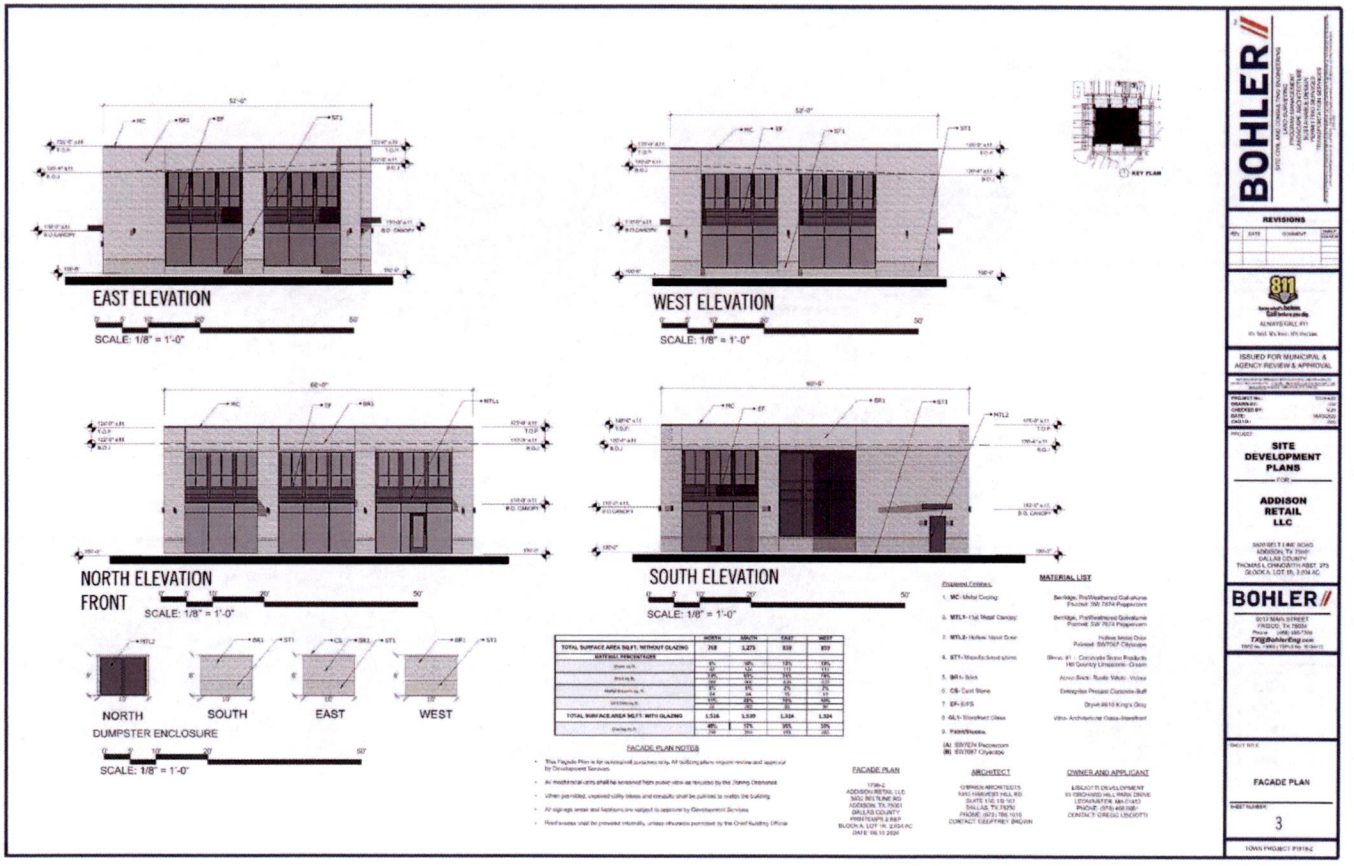
EAST ELEVATION
SCALE: 1/8" = 1'-0"
WEST ELEVATION
SCALE: 1/8" = 1'-0"
NORTH ELEVATION
FRONT
SCALE: 1/8" = 1'-0"
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"
NORTH
SOUTH
EAST
WEST
DUMPSTER ENCLOSURE
SCALE: 1/8" = 1'-0"
KEY PLAN
FACADE PLAN NOTES
FACADE PLAN
ARCHITECT
OWNER AND APPLICANT
MATERIAL LIST
BOHLER
REVISIONS
ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL
SITE DEVELOPMENT PLANS
ADDISON RETAIL LLC
FACADE PLAN
3

EXHIBIT B

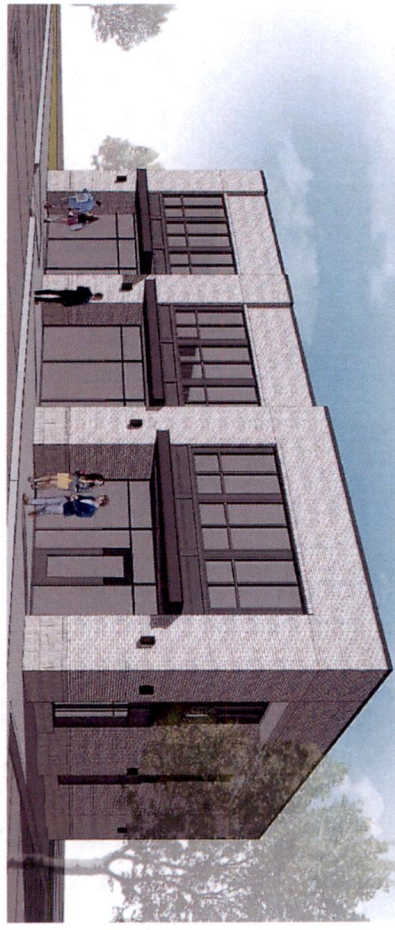

EXHIBIT B

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES
REVISIONS
ISSUED FOR REVIEW & AGENCY REVIEW & APPROVAL
SITE DEVELOPMENT PLANS
ADDISON RETAIL LLC
BOHLER
BUILDING PERSPECTIVES
5
NORTHEAST CORNER
ENGINEER
ARCHITECT
OWNER/DEVELOPER