

ORDINANCE NO. O21-46

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT (SUP) FOR A DAY NURSERY FOR PROPERTY LOCATED AT 14450 MARSH LANE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on November 16, 2021, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit (Case No.1842-SUP) for a day nursery at the property located at 14450 Marsh Lane (the “Subject Property”); and

WHEREAS, the Subject Property is presently zoned Local Retail (LR), which requires a SUP for the operation of a day nursery on the Subject Property; and

WHEREAS, this change of zoning is in conformance 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. 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. Ordinance Nos. O95-043 and 099-022, granting and amending a Special Use Permit for Brilliance Pre-School, shall be repealed in their entirety upon issuance of a Certificate of Occupancy for the Subject Property in conformance with this ordinance.

SECTION 3. The City Council hereby approves a SUP authorizing the operation of a day nursery on the Subject Property, consisting of approximately 10,599 square feet of floorarea, subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, the Subject Property shall:
 - i. Be improved in accordance with the site plan, landscape plan, floor plan, and building elevations, which are attached hereto as **Exhibit A** and made a part hereof for all purposes;
 - ii. Provide proof of childcare center licensing from the Texas Department of Health and Human Services; and
 - iii. Provide traffic operations plan.

SECTION 4. 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, Section 1-7 of the Code of Ordinances for the Town of Addison.

SECTION 5. It is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

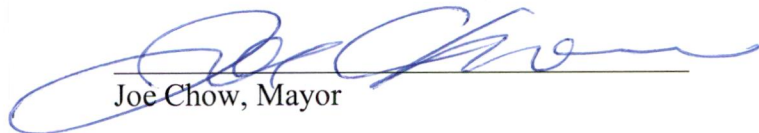
SECTION 6. All ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. 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 14TH day of DECEMBER 2021.




TOWN OF ADDISON, TEXAS


Joe Chow, Mayor

ATTEST:

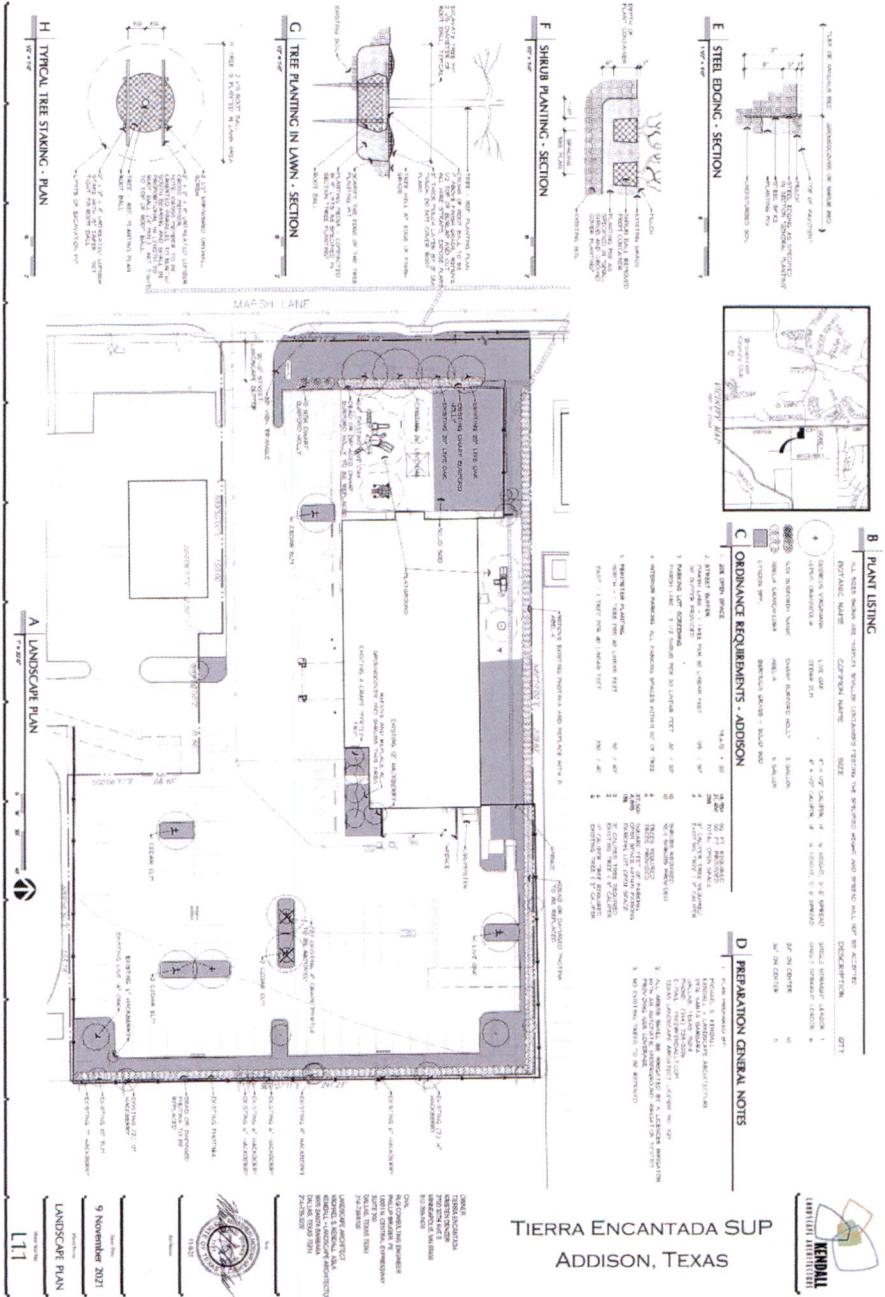
APPROVED AS TO FORM:


Irma G. Parker, City Secretary

Whitt Wyatt, City Attorney

Published in the Dallas Morning News on January 5, 2022

EXHIBIT A



B PLANT LISTING

ALL PLANTS MUST BE INSTALLED WITHIN 14 DAYS OF PERMITTING. THE SPECIES MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

PLANT NAME	SIZE	DESCRIPTION
1. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
2. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
3. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
4. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
5. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
6. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
7. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
8. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
9. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT
10. SPANISH BROOM	1.5' x 1.5'	SPREADER PLANT

C ORDINANCE REQUIREMENTS - ADDITION

1. ALL PLANTS MUST BE INSTALLED WITHIN 14 DAYS OF PERMITTING.

2. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

3. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

4. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

5. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

6. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

7. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

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9. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

10. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

D PREPARATION GENERAL NOTES

1. ALL PLANTS MUST BE INSTALLED WITHIN 14 DAYS OF PERMITTING.

2. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

3. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

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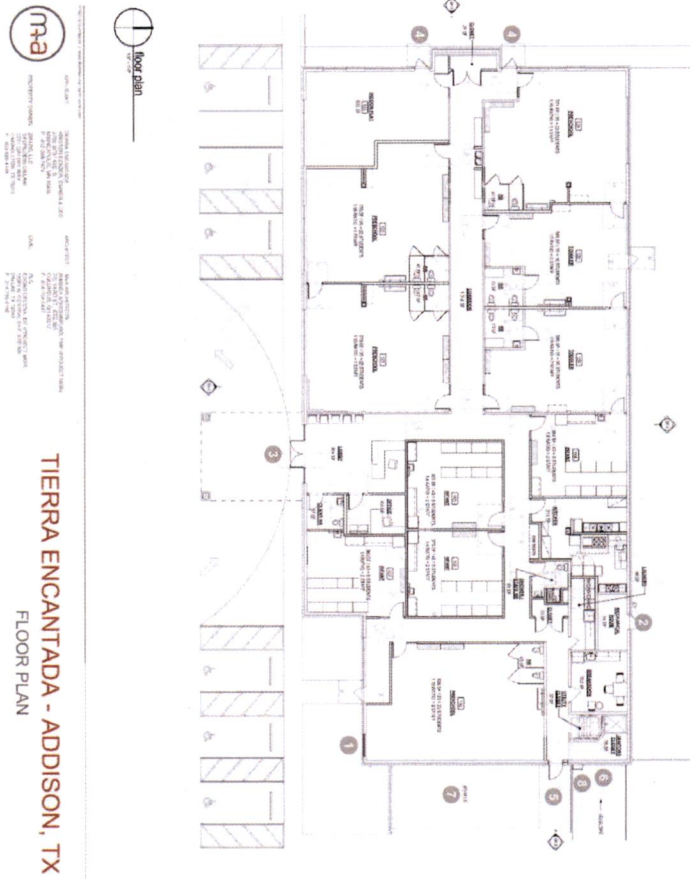
9. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

10. ALL PLANTS MUST BE PLANTED WITHIN 90 DAYS OF PERMITTING.

TIERRA ENCANTADA SUP
ADDISON, TEXAS

9 November 2021
LANDSCAPE PLAN
111

EXHIBIT A



naa
 PROJECT: TIERRA ENCANTADA - ADDISON, TX
 DATE: 11/18/21
 DRAWING NO: 2021-001

TIERRA ENCANTADA - ADDISON, TX
 FLOOR PLAN

FLOOR PLAN NOTES

1. ALL ITEMS TO BE REMOVED OR RELOCATED TO BE INDICATED BY A DASHED LINE.
2. NEW FURNITURE TO BE LOCATED AS SHOWN.
3. NEW FURNITURE TO BE LOCATED AS SHOWN.
4. NEW STONE-ROOF DOORS TO REPLACE EXISTING.
5. EXISTING SERVICE DOOR TO BE RELOCATED WITH HOLDING WALL DOOR WITH GLASS SCHEDULE.
6. EXISTING VERTICAL CURTAIN WALL TO BE REMOVED AND WELL TO BE RELOCATED TO THE NEW LOCATION.
7. EXISTING WALL TO BE REMOVED TO RELOCATE AND BE REPAIRED.
8. EXISTING EXTERIOR MOUNTED SPOKE LADDER TO BE RELOCATED WITH NEW GATE PROTECTED FROM DAMAGE BY SCHED. 40 SPOKE.

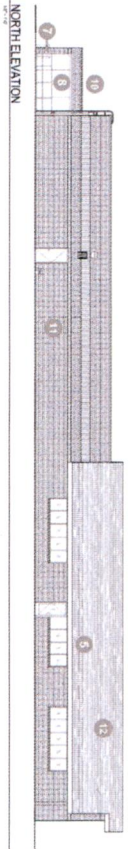
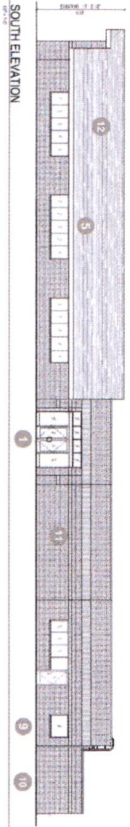
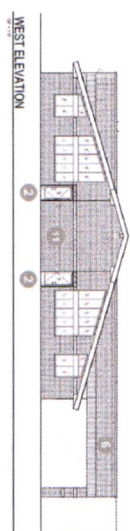
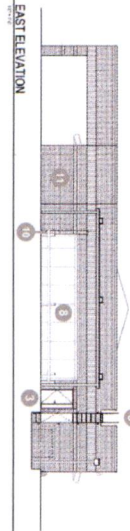
BUILDING USE: 65,543 SF
PLANTING AREA: 710 SF
TOTAL NUMBER OF CHILDREN: 12 CHILDREN
TOTAL NUMBER OF STAFF: 27 STAFF

PROJECT LOCATION: 10000 W. ADDISON, TX
DATE: 11/18/21
PROJECT NUMBER: 2021-001

EXHIBIT A

FACADE PLAN NOTES

- A. THIS FACADE IS AN EXTERIOR FACADE. IT IS NOT TO BE CONSIDERED AS A FACADE FOR INTERIOR USES.
- B. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- C. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- D. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- E. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- F. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- G. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- H. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- I. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- J. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- K. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- L. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- M. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- N. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- O. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- P. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- Q. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- R. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- S. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- T. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- U. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- V. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- W. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- X. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- Y. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.
- Z. ALL EXTERIOR FINISHES ARE TO BE APPROVED BY THE ARCHITECTURAL REVIEW AND DESIGN SERVICES.



EXTERIOR ELEVATION NOTES

1. NEW STAIRWELL WITH GATED COLORED WOOD STAIRS TO MATCH EXISTING STAIRS.
2. NEW STAIRWELL DOORS TO MATCH EXISTING DOORS.
3. EXISTING STAIRWELL DOORS TO BE REPAIRED WITH POLYURETHANE FINISH WITH BRASS HANDLES.
4. EXISTING LIGHT FIXTURES TO BE REPAIRED TO BE REMOVED.
5. NEW EXTERIOR ILLUMINATED CHANNEL LETTER SIGN TO BE PROVIDED.
6. EXISTING EXTERIOR LIGHT FIXTURES TO BE REPAIRED TO BE REMOVED.
7. EXISTING SIGNAGE TO BE REPAIRED OR REMOVED.
8. EXISTING WOOD DOORS TO BE REPAIRED OR REMOVED.
9. ALL FINISHES TO MATCH EXISTING.
10. EXISTING BRICK SIGNAGE TO BE REPAIRED.
11. EXISTING BRICK SIGNAGE TO BE REPAIRED.
12. EXISTING SIGNAGE TO BE REPAIRED.

TIERRA ENCANTADA - ADDISON, TX
EXTERIOR ELEVATIONS

TIERRA ENCANTADA - ADDISON, TX
EXTERIOR ELEVATIONS

PROJECT NUMBER: 1842-SUP/14450 Marsh Lane
 SHEET: 3