

ORDINANCE NO. 086-003

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION ON APPLICATION FROM KOLACHES PLUS, LOCATED ON THE NORTHEAST CORNER OF BELT LINE ROAD AND COMMERCIAL DRIVE, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR NO SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

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 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, Texas 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 the Comprehensive Zoning Ordinance of the
Town of Addison, Texas, as heretofore amended, be amended, by
amending the zoning map of the Town of Addison, Texas, so as to
grant a special use permit for a restaurant and the sale of
alcoholic beverages for on-premises consumption to Kolaches Plus.
Said special use permit shall be granted, subject to the special
conditions, on the following described property to-wit:

BEING a tract of land situated in the D. Myers Survey, Abstract
No. 923, and the T.L. Chenoweth Survey, Abstract No. 273, said
tract also being part of Block 1 of the Belt Line - Marsh
Business Park, an addition to the City of Addison, according to
the replat recorded in Volume 81060, Page 0170, Deed Records,
Dallas County, Texas, and being more particularly described as
follows:

BEGINNING at an iron rod found for corner in the East line of
Commercial Drive (a 60' R.O.W.) said corner being N 00 degrees
04'38" E a distance of 10.00 feet from the North line of Belt
Line Road (a 100' R.O.W.):

THENCE N 00 degrees 04'38" E, along the East line of Commercial
Drive, a distance of 777.27 feet to the beginning of a curve to
the left having a central angle of 77 degrees 52'37" and a radius
of 40.00 feet;

THENCE along said curve, in a Northwesterly direction, an arc
distance of 54.37 feet to the tangent point thereof in the North
line of Realty Road (a 60' R.O.W.);

THENCE N 77 degrees 47'59" W, along the North line of Realty
Road, a distance of 290.00 feet to an iron rod found for corner;

THENCE N 12 degrees 12'01" E a distance of 345.87 feet to an iron
rod found for corner in the South line of the St. Louis &
Southwestern Railroad (a 100' R.O.W.), thence with said Railroad
as follows:

S 79 degrees 26'58" E, a distance of 77.46 feet to an iron
rod found for corner;

S 81 degrees 18'58" E, a distance of 100.00 feet to an iron
rod found for corner;

S 83 degrees 04'58" E, a distance of 100.00 feet to an iron rod found for corner;

S 85 degrees 17'58" E, a distance of 100.00 feet to an iron rod found for corner;

S 87 degrees 21'58" E, a distance of 100.00 feet to an iron rod found for corner;

S 89 degrees 12'58" E, a distance of 18.59 feet to an iron rod set at the Northwest corner of the T.P. & L. Tract:

THENCE S 00 degrees 04'38" W, along the West line of said T.P.& L. Tract, a distance of 299.99 feet to an iron rod set for corner at the Southwest corner of the T.P. & L. Tract:

THENCE S 89 degrees 55'22" E, along the South line of said T.P. & L. Tract a distance of 80.00 feet to an iron rod set for corner at the Southeast corner of the aforementioned T.P.& L. Tract, said iron rod also being in the West line of a 100.00 foot wide T.P. & L. Easement, said West line also being the East line of the Belt Line - Marsh Business Park Addition:

THENCE S 00 degrees 04'38" W, along the common easement and addition line, a distance of 794.95 feet to an iron rod found for corner in the North line of Belt Line Road, said corner also being the beginning of a curve to the right having a central angle of 10 degrees 08'36", a radius of 1860.00 feet and a chord bearing of S 76 degrees 49'25" W:

THENCE along said curve in a Westerly direction, along the North line of Belt Line Road, an arc distance of 329.29 feet to an iron rod found for corner:

THENCE N 48 degrees 56'11" W, along the East corner clip cut off Commercial Drive, a distance of 13.12 feet to the POINT OF BEGINNING and containing 10.4117 acres of land (453,536 square feet), more or less.

SECTION 2. That the Special Use Permit is granted subject to the following conditions:

1) That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan, landscape plan, and the elevation drawings showing four exterior walls which are attached hereto and made a part hereof for all purposes. The landscaping shall be maintained in the condition as set forth in such drawings.

2) That the Special Use Permit granted herein shall be limited to a restaurant and the sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the final site plan as being outlined in red and encompassing a total area not to exceed 60 sq. ft.

- 3) No signs advertising sale of alcoholic beverage shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas, and all permitted signs must be shown on elevation drawings.
- 4) That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants is hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- 5) Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required by the city to insure that the conditions of Paragraph 4 are being met.
- 6) The use of gaming devices, such as billiards (pool) tables, pinball machines, marble tables, and other coin operated amusement machines, other than machines for music are hereby prohibited.
- 7) Where the sale of serving of alcoholic beverages is permitted, dancing is hereby prohibited.
- 8) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- 9) That is the property for which the special use permit is granted herein is not used for the purposes for which said permit was granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings.
- 10) That if a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
- 11) The sale of alcoholic beverages is prohibited in drive-in restaurants where food and beverages are served to customers for consumption on the premises but outside of the building. Such drive-in restaurants shall not be considered to be restaurants under the provisions of this ordinance.

SECTION 3. 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 not to exceed the sum of One Thousand Dollars (\$1,000.00) and not less than Five Hundred Dollars (\$500.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 4. That 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 5. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 14th day of January, 1986.



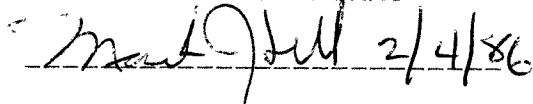
MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM:



2/4/86

Pub 2-7-86

979-500

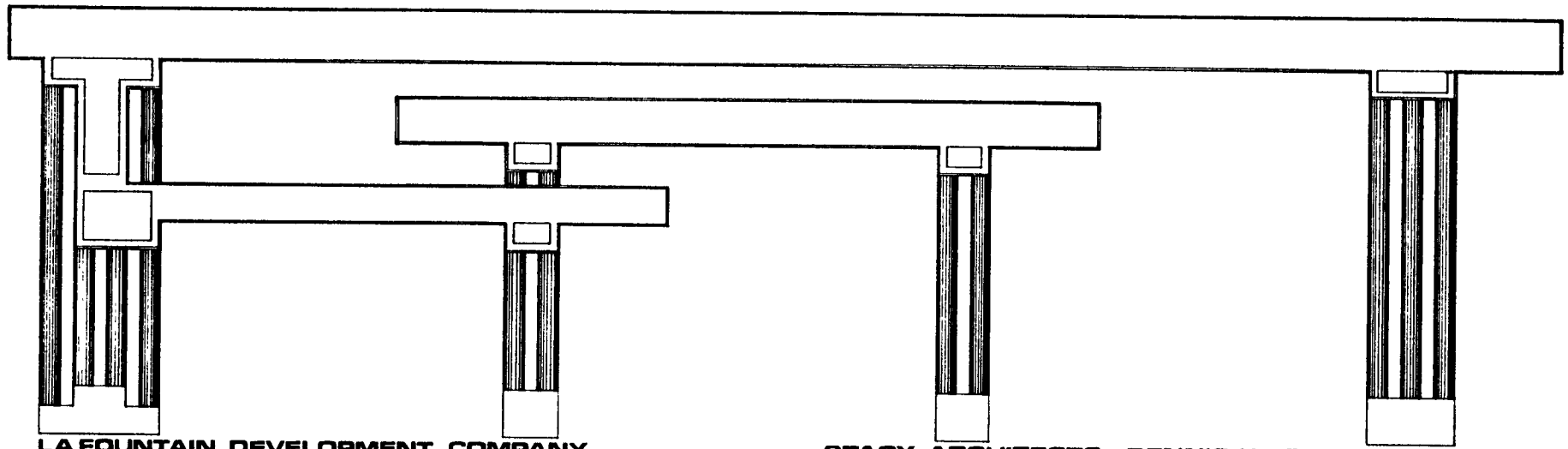
KOLACHES

SUITE 210

ADDISON

PLAZA

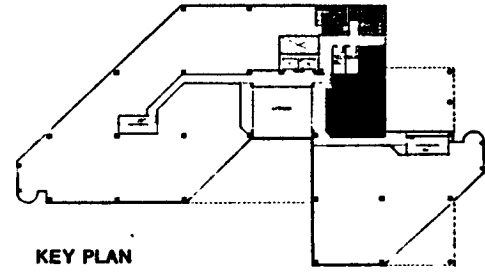
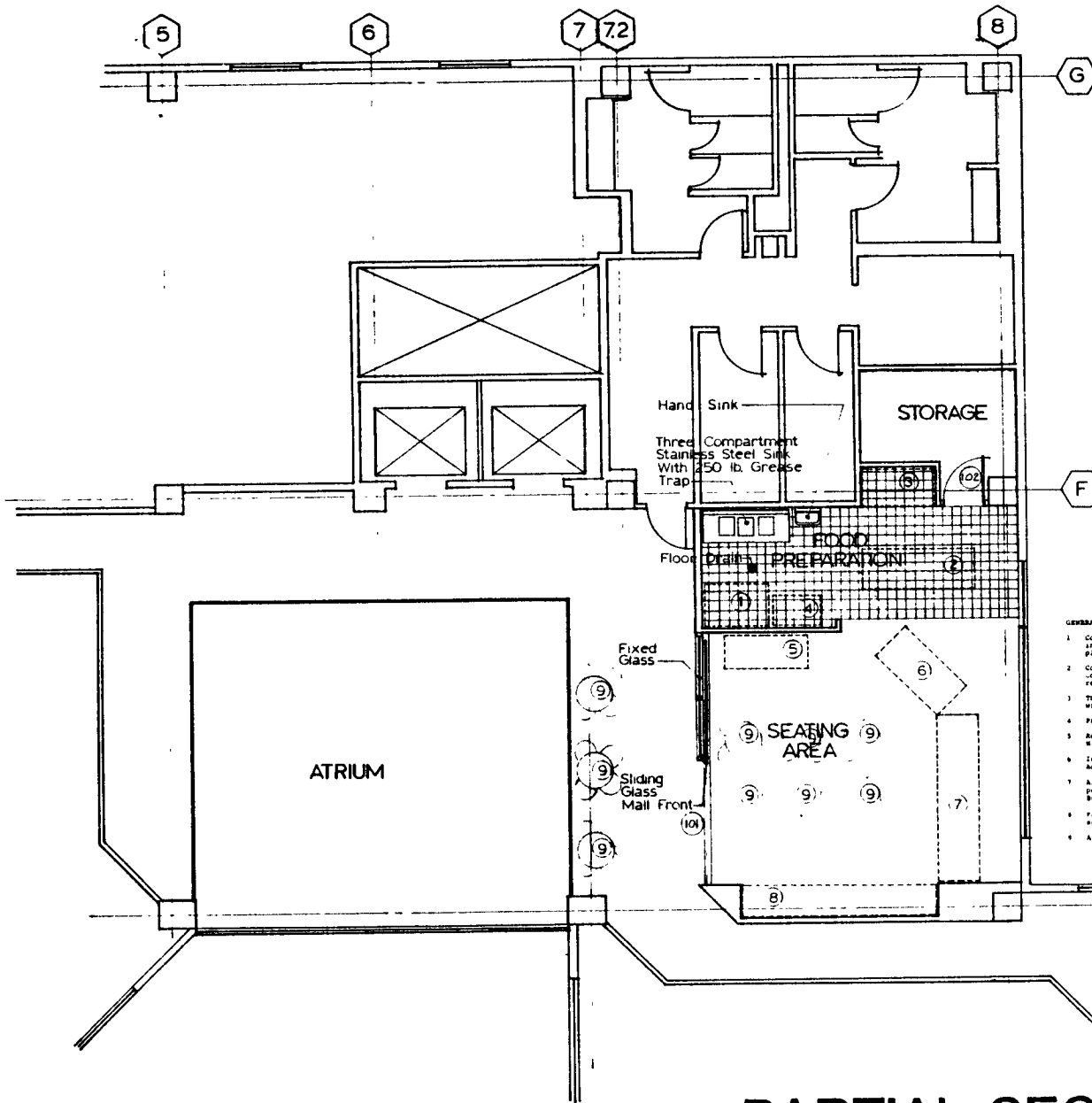
ADDISON, TEXAS



LA FOUNTAIN DEVELOPMENT COMPANY

STACY ARCHITECTS / DENNIS W. STACY, A.I.A.





EQUIPMENT BY TENANT

1. Refrigerator, two compartment.
2. Work Table, 3'-0" x 8'-0".
3. Preparation Table, 3'-0" x 5'-0".
4. Icemaker.
5. Salad Table, 2'-6" x 6'-0".
6. 6'-0" Showcase Serving Counter/Cashier.
7. 12'-0" Showcase Serving Counter.
8. Gift and Card Counter.
9. 30" Diameter Tables.

GENERAL NOTES

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| <ol style="list-style-type: none"> 1. Contractor shall verify existing job conditions, including location of structural members, mechanical, plumbing and electrical. 2. Contractor shall establish utility routes and connections for approval and coordinate all work with representatives of the building owner. 3. The general conditions of the contract for construction will be A.I.A. Document A-201, 1978 Edition. 4. Provide ground fault protection at all wet areas. 5. Acceptance placement must comply with Sect. 210-52, M.S.C. 6. Install sprinkler heads in accordance with the Town of Addison Building Code. 7. All mechanical, plumbing and electrical work shall be performed in accordance with the Town of Addison Building Code. 8. Provide smoke detectors and fire alarm systems in accordance with the Town of Addison Building Code. 9. All framing lumber shall be fire-retardant. | <ol style="list-style-type: none"> 10. Waste shall be stored 12" above finish floor between columns 6 and 7 and at corners and end table walls at Food Preparation area shall be marble. All other walls are painted gypsum board. 11. Floor at Food Preparation area shall be ceramic tile. All other floors shall be sheet vinyl. 12. Provide lay-in ceiling. 13. Provide resilient base at sheet vinyl floor and ceramic tile base at ceramic tile floor area. 14. Door 102 is 3'-0" x 7'-0" x 1'-0" solid core wood. See finish. All hardware is building standard. |
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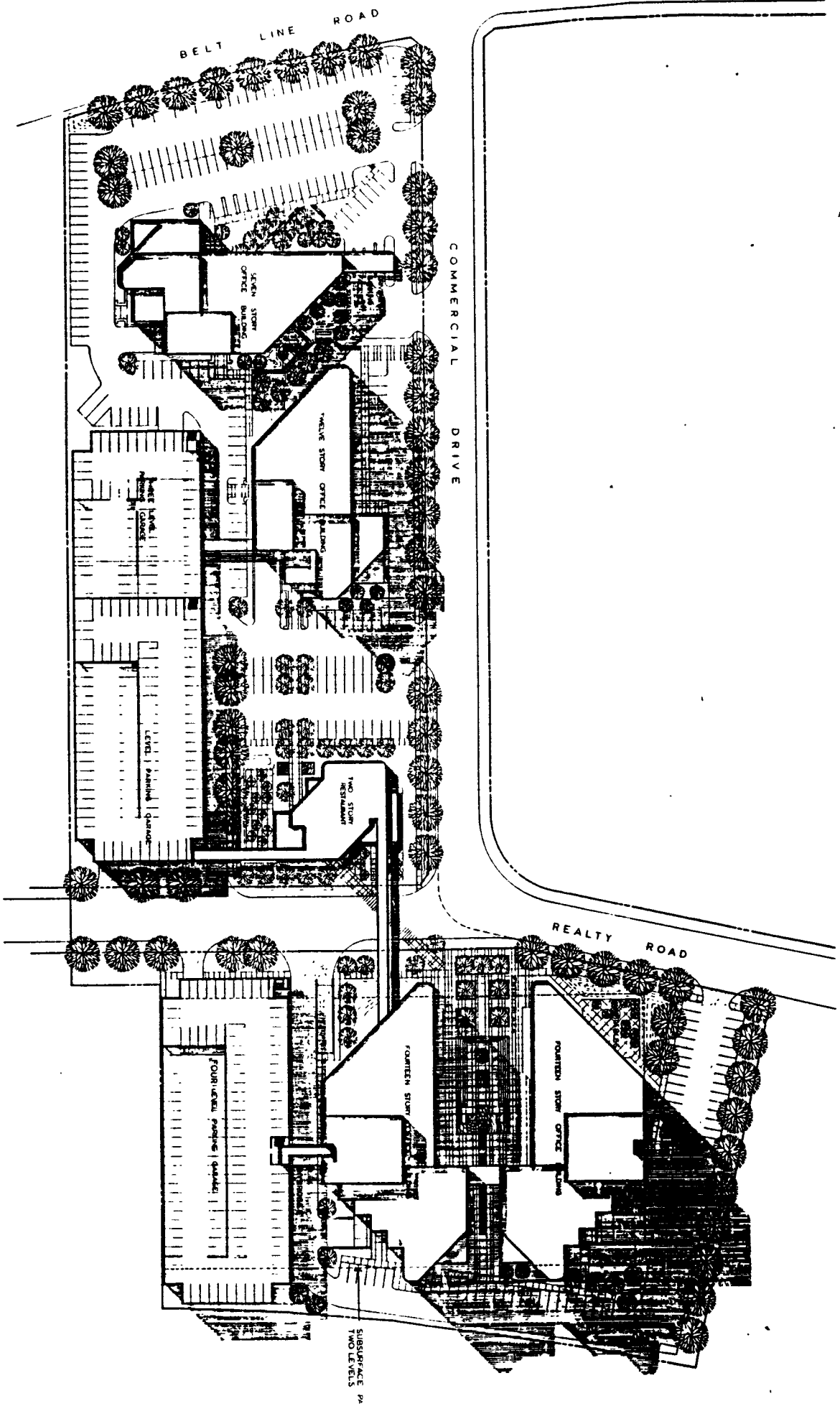
USABLE AREA: 856 S.F.
RENTABLE AREA: 959 S.F.

PARTIAL SECOND FLOOR PLAN
 1/8" = 1'-0"

KOLACHES ETC.
SUITE 210

PROJECT NO: 8527
 DATE: October 17, 1985

SEACT ARCHITECTS / DENNIS W. SEACT, A.I.A.
 13048 DALLAS PARKWAY SUITE 105
 DALLAS, TEXAS 75240 214-423-1117



0.25 50 100

LA FOUNTAIN CENTRE INC.

STACY ARCHITECTS/DENNIS W. STACY AIA.

SITE PLAN

PROPERTY DESCRIPTION

BEING a tract of land situated in the D. Myers Survey, Abstract No. 923, and the T. L. Chenoweth Survey, Abstract No. 271, said tract also being part of Block 1 of the Belt Line - Marsh Business Park, an addition to the City of Addison, according to the replat recorded in Volume 81060, Page 0170, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found for corner in the East line of Commercial Drive (a 60' R.O.W.) said corner being N 00°04'38" E a distance of 10.00 feet from the North line of Belt Line Road (a 100' R.O.W.);

THENCE N 00°04'38" E, along the East line of Commercial Drive, a distance of 777.27 feet to the beginning of a curve to the left having a central angle of 70°52'37" and a radius of 40.00 feet;

THENCE along said curve, in a Northwestly direction, an arc distance of 54.37 feet to the tangent point thereof in the North line of Realy Road (a 60' R.O.W.);

THENCE N 77°47'59" W, along the North line of Realy Road, a distance of 290.00 feet to an iron rod found for corner;

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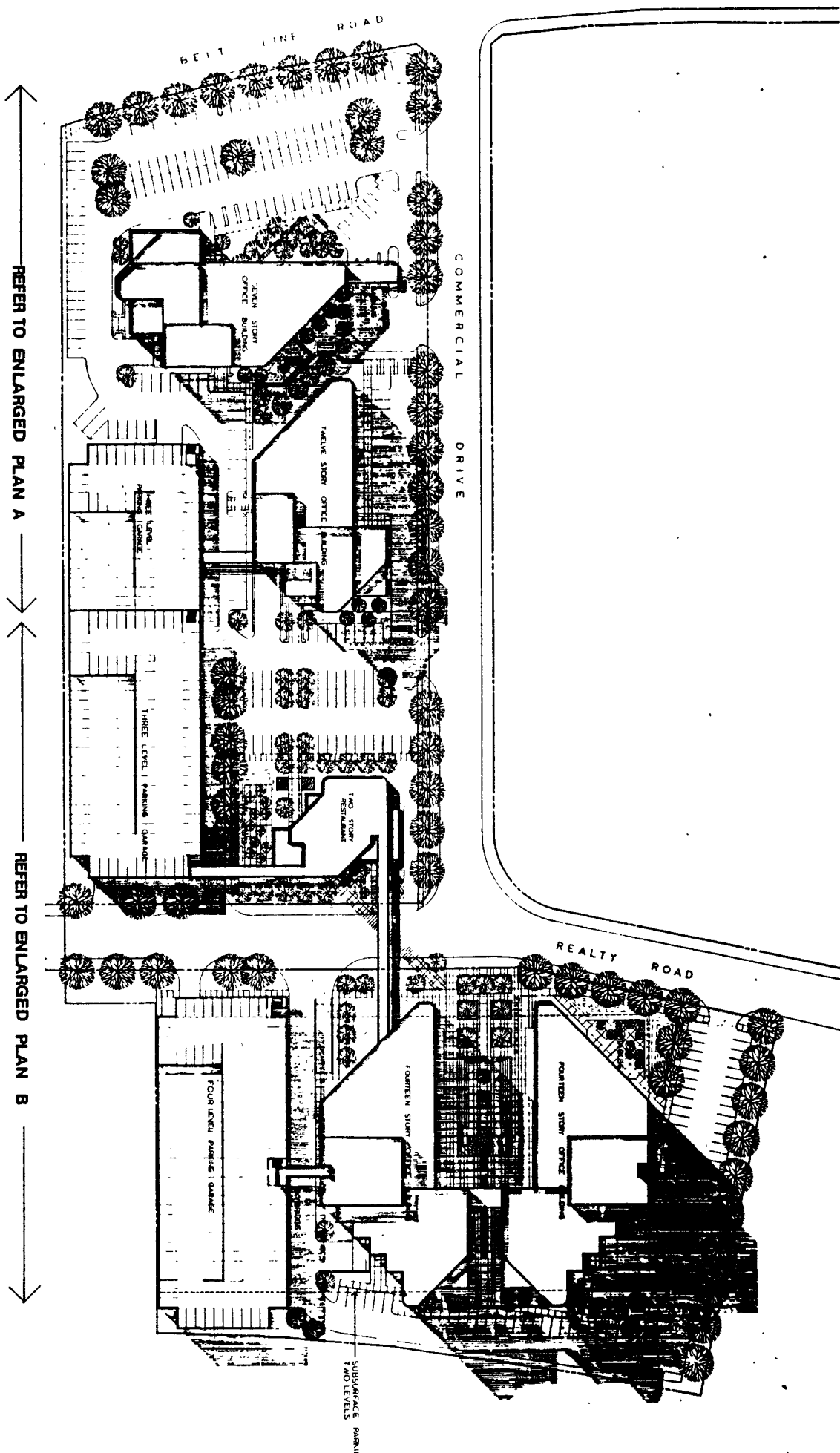
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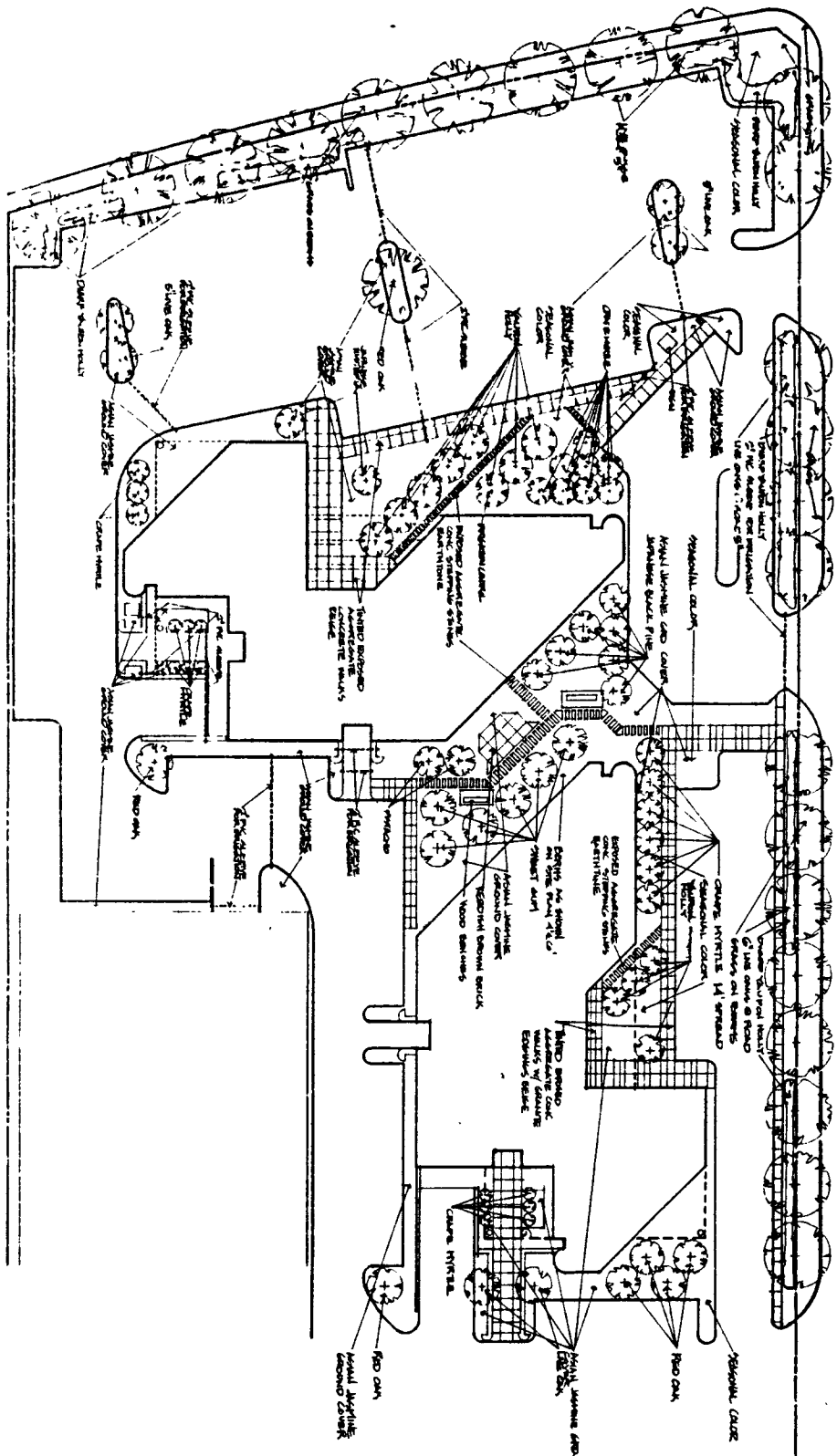
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LANDSCAPE PLAN

LA FOUNTAIN CENTRE INC.

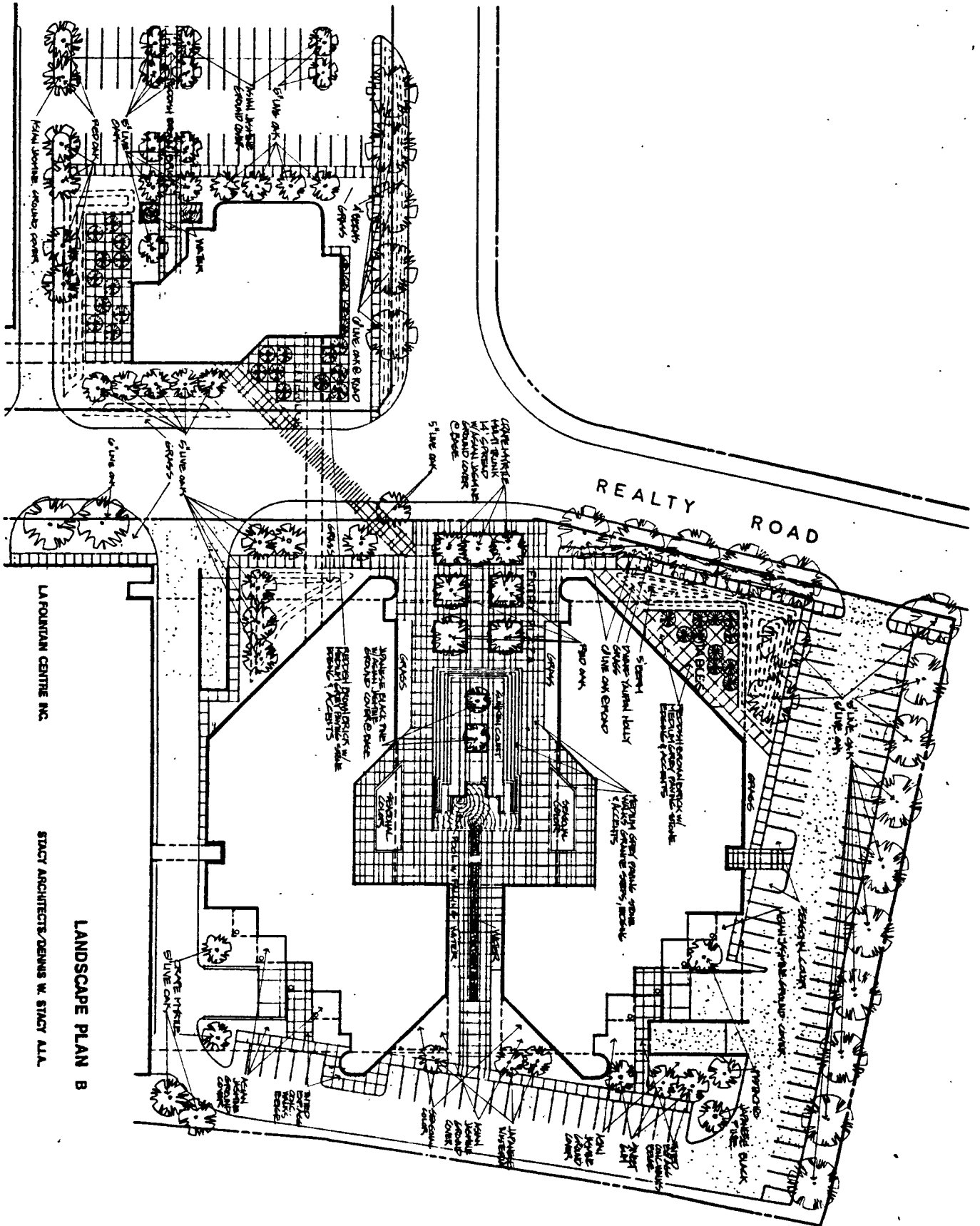
STACY ARCHITECTS/DEWINS W. STACY A.L.L.



LANDSCAPE PLAN A

LA FOUNTAIN CENTRE INC.

STACY ARCHITECTS/DENNIS W. STACY AIA



LANDSCAPE PLAN B

LA FOUNTAIN CENTRE INC.

STACY ARCHITECTS/DESIGNS W. STACY A.L.L.

PLANT MATERIALS LIST

QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE	CONDITIONS & COMMENTS
63	Live Oak	<i>Quercus virginiana</i>	5" Cal.	B&B
22	Crape Myrtle	<i>Lagerstroemia indica</i>	10'-12' Hgt.	B&B Multi-Trunk w/3 Trunks Min. (12'-14' Spread)
6	Crape Myrtle	<i>Lagerstroemia indica</i>	6'-8' Hgt.	B&B
32	Live Oak	<i>Quercus virginiana</i>	6" Cal.	B&B
9	Sweetgum	<i>Liquidambar styraciflua</i>	4" Cal.	B&B
21	Red Oak	<i>Quercus shumardii</i>	6" Cal.	B&B
11	Japanese Black Pine	<i>Pinus thunbergii</i>	4" Cal.	B&B
4	Pistachio	<i>Pistacia chinensis</i>	4" Cal.	B&B
5	Japanese Wisteria	<i>Wisteria floribunda</i>	5 Gal.	4' Hgt.
14,000	Asian Jasmine	<i>Trachelospermum asiaticum</i>	4" Pots	18" o.c. w/ Soil Saver
300	Dwarf Yaupon Holly	<i>Ilex vomitoria</i> 'Nana'	5 Gal.	36" o.c.
12	Yaupon Holly	<i>Ilex vomitoria</i> (Female)	4" Cal.	B&B

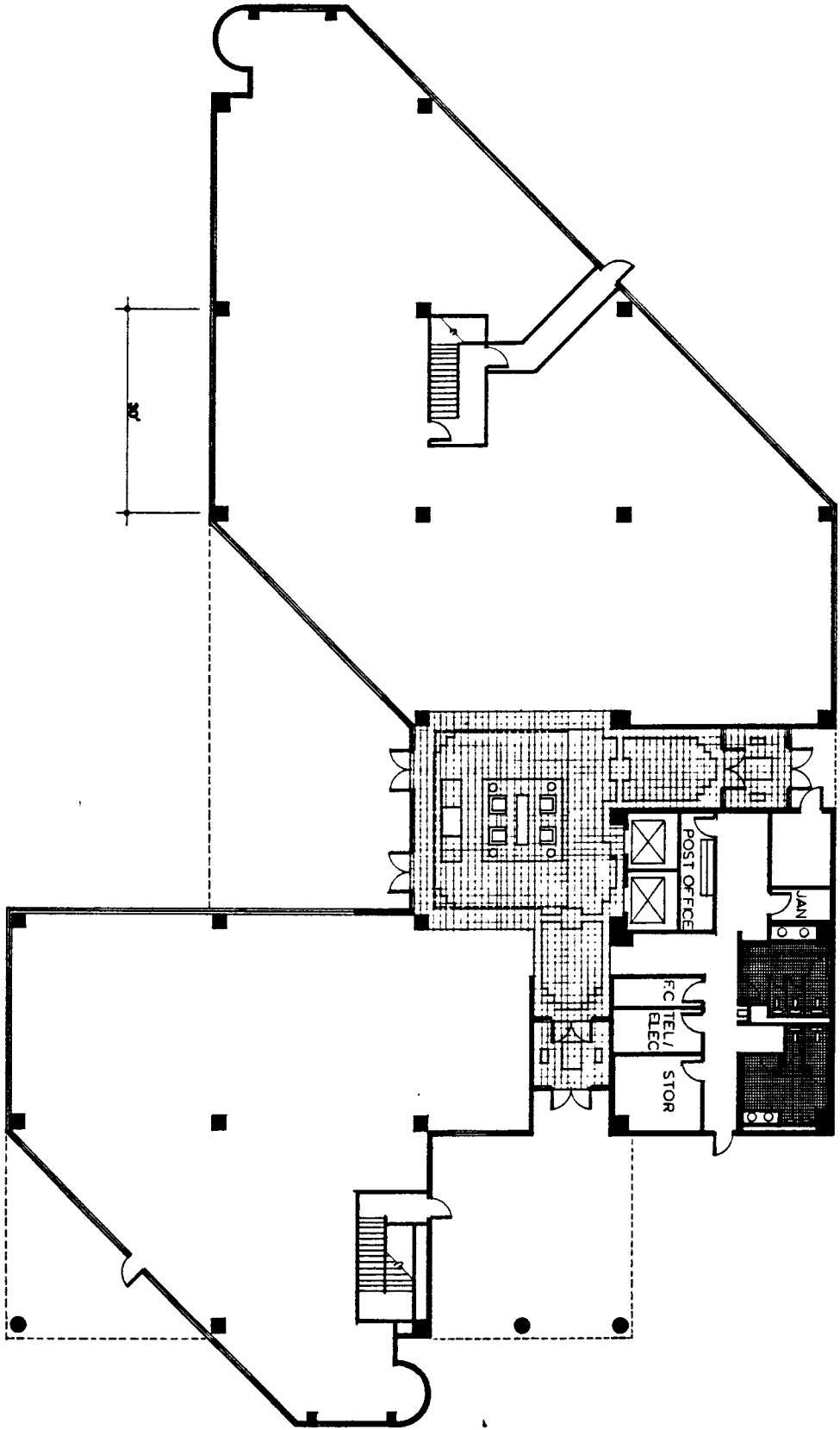


ADDRESS NATIONAL BANK BUILDING

LA FOUNTAIN CENTRE INC.

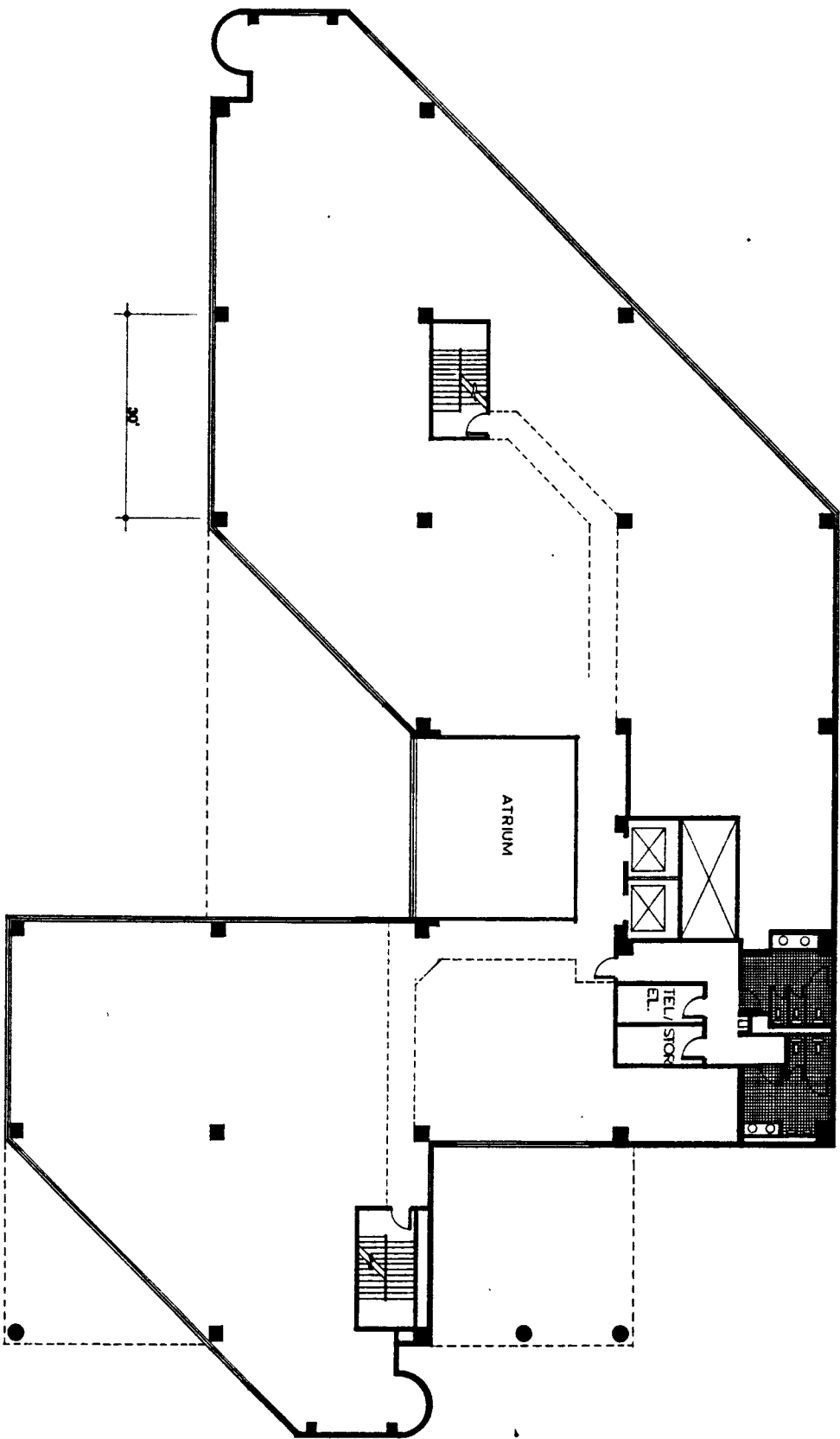
STACY ARCHITECTS/DENNIS W. STACY AIA.

FIRST FLOOR



41

A1



ADDISON NATIONAL BANK BUILDING

LA FOUNTAIN CENTRE INC.

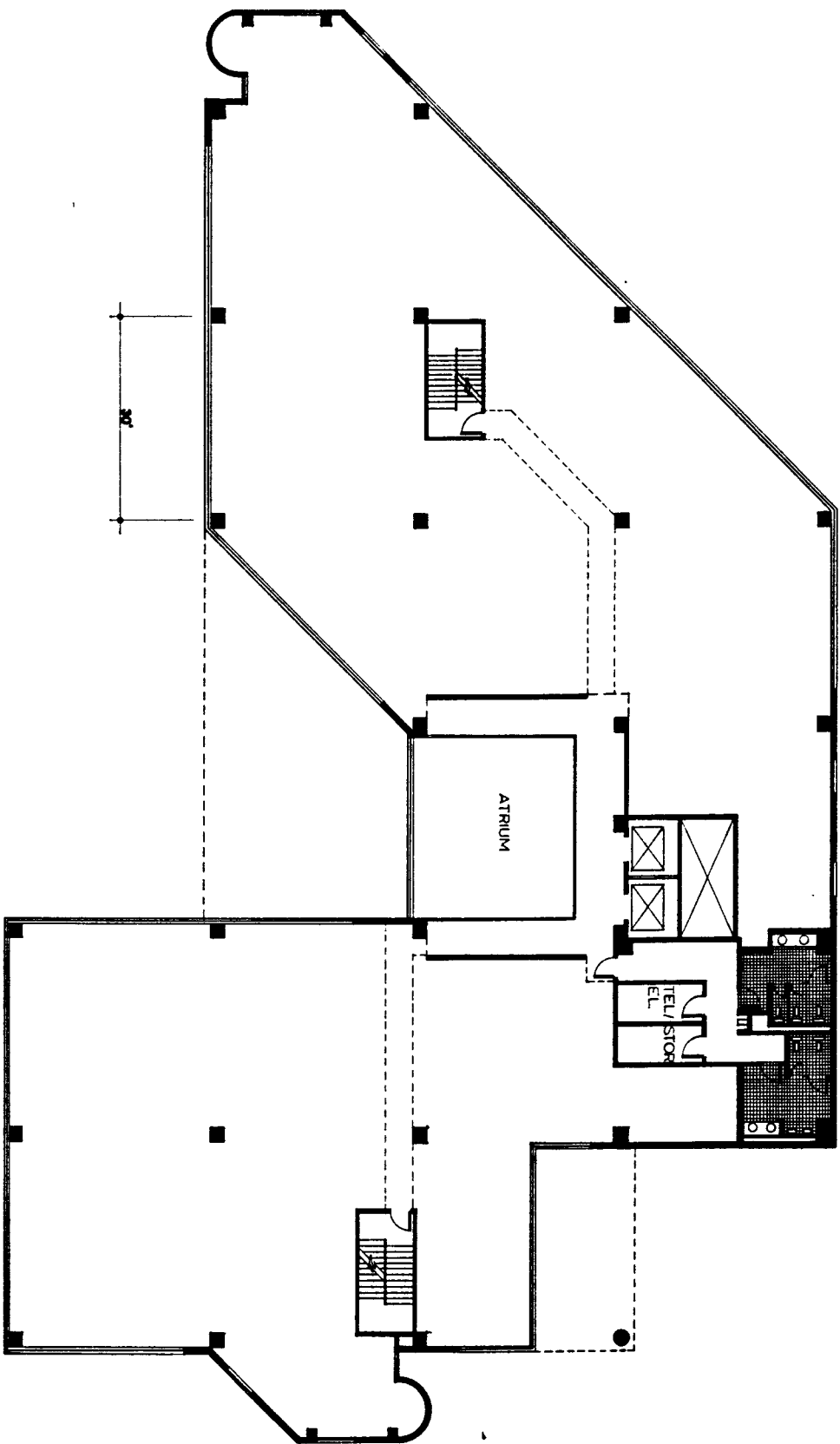
STACY ARCHITECTS/DENNIS W. STACY AIA.

SECOND FLOOR

ATRIUM

TEL/
STOR.
EL.

A2



ADDISON NATIONAL BANK BUILDING

LA FOUNTAIN CENTRE INC.

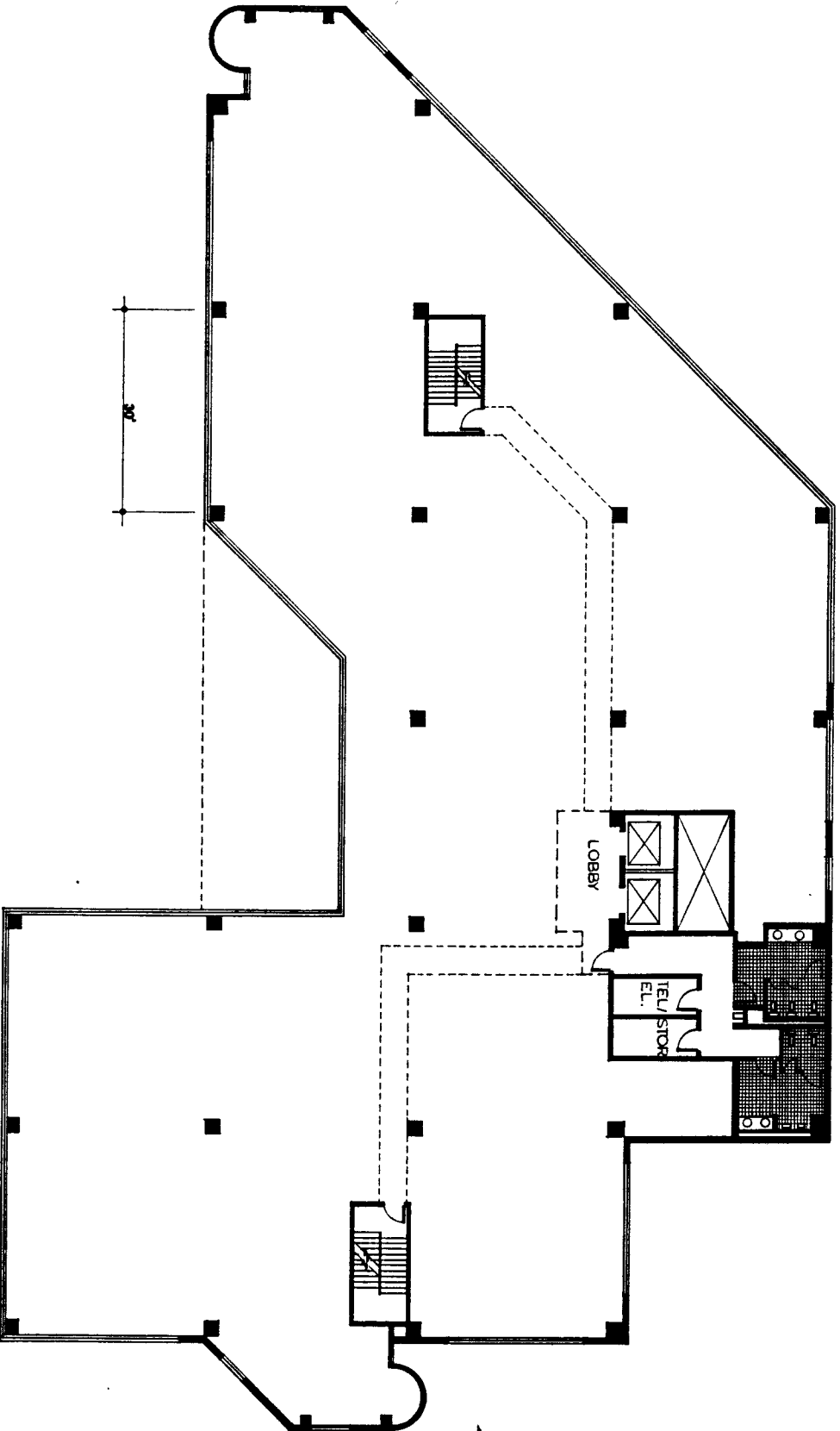
STACY ARCHITECTS/DENNIS W. STACY AIA.

THIRD FLOOR

ATRIUM

TEL/STOR

A3



ADDISON NATIONAL BANK BUILDING

LA FOUNTAIN CENTRE INC.

STACY ARCHITECTS/DENNIS W. STACY AIA.

FOURTH FLOOR

A4

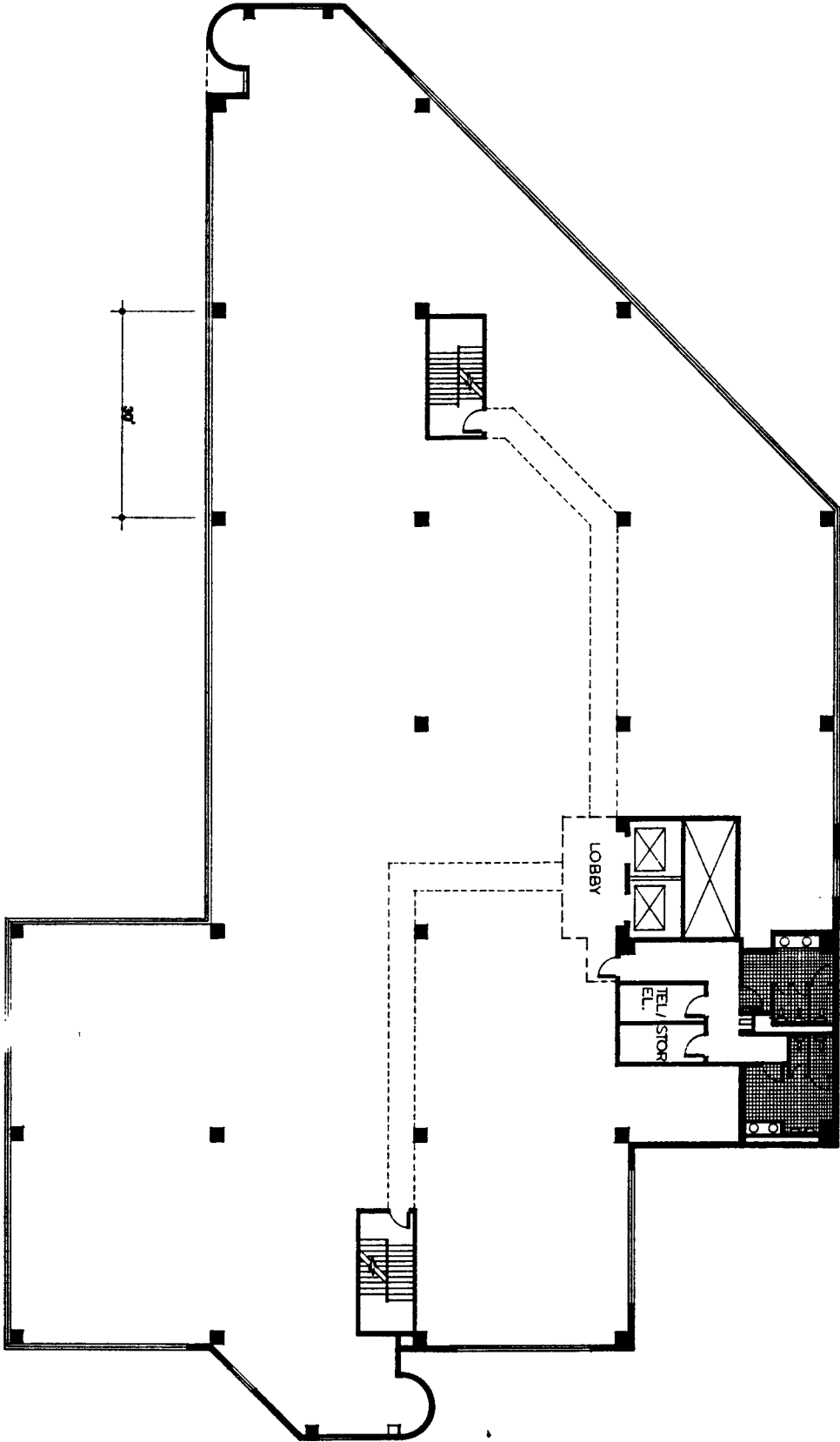


ADDITION NATIONAL BANK BUILDING

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STACY ARCHITECTS/DEWINS W. STACY A.L.A.

SIXTH FLOOR



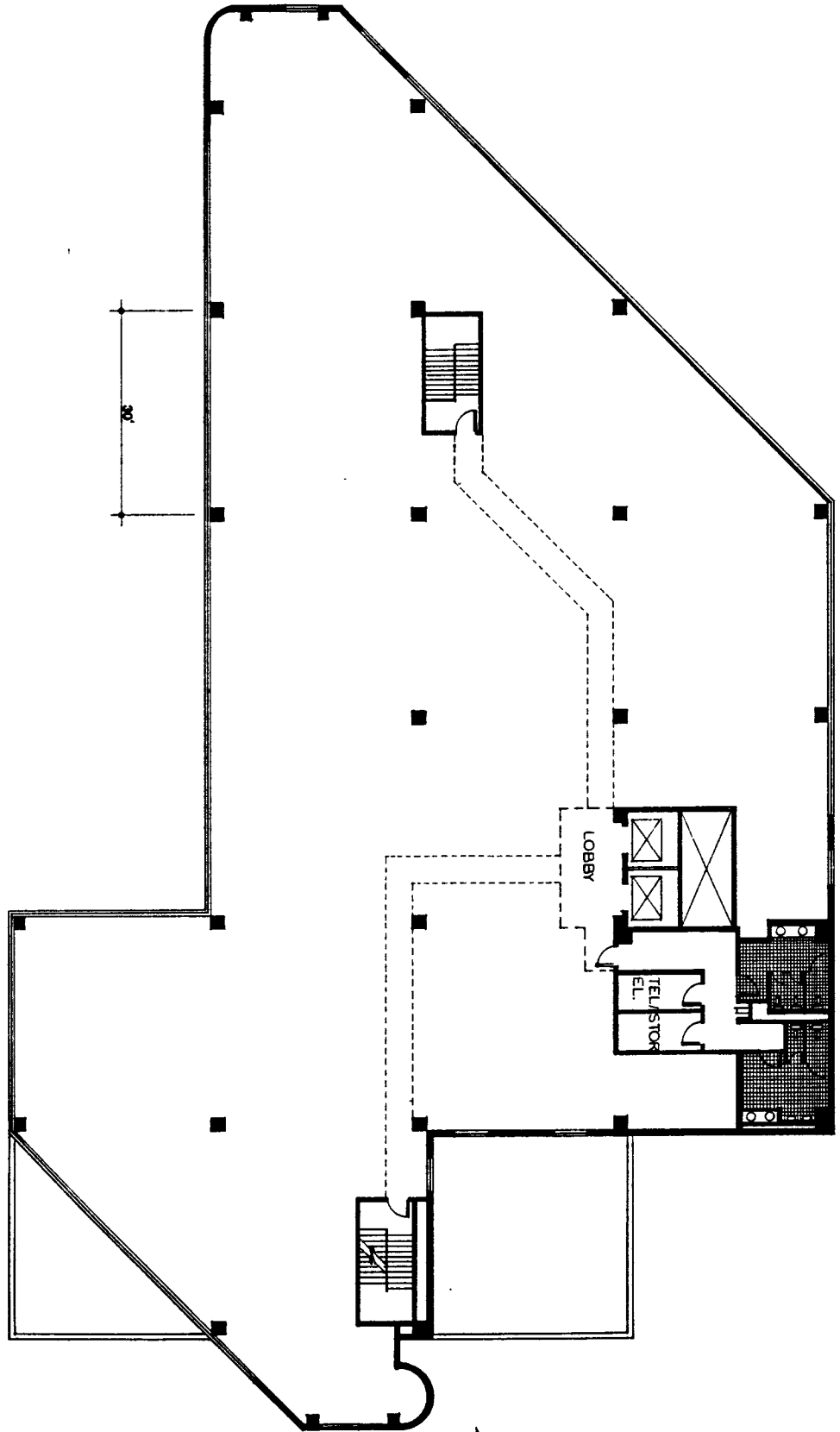
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LA FONTAINE CENTRE INC.

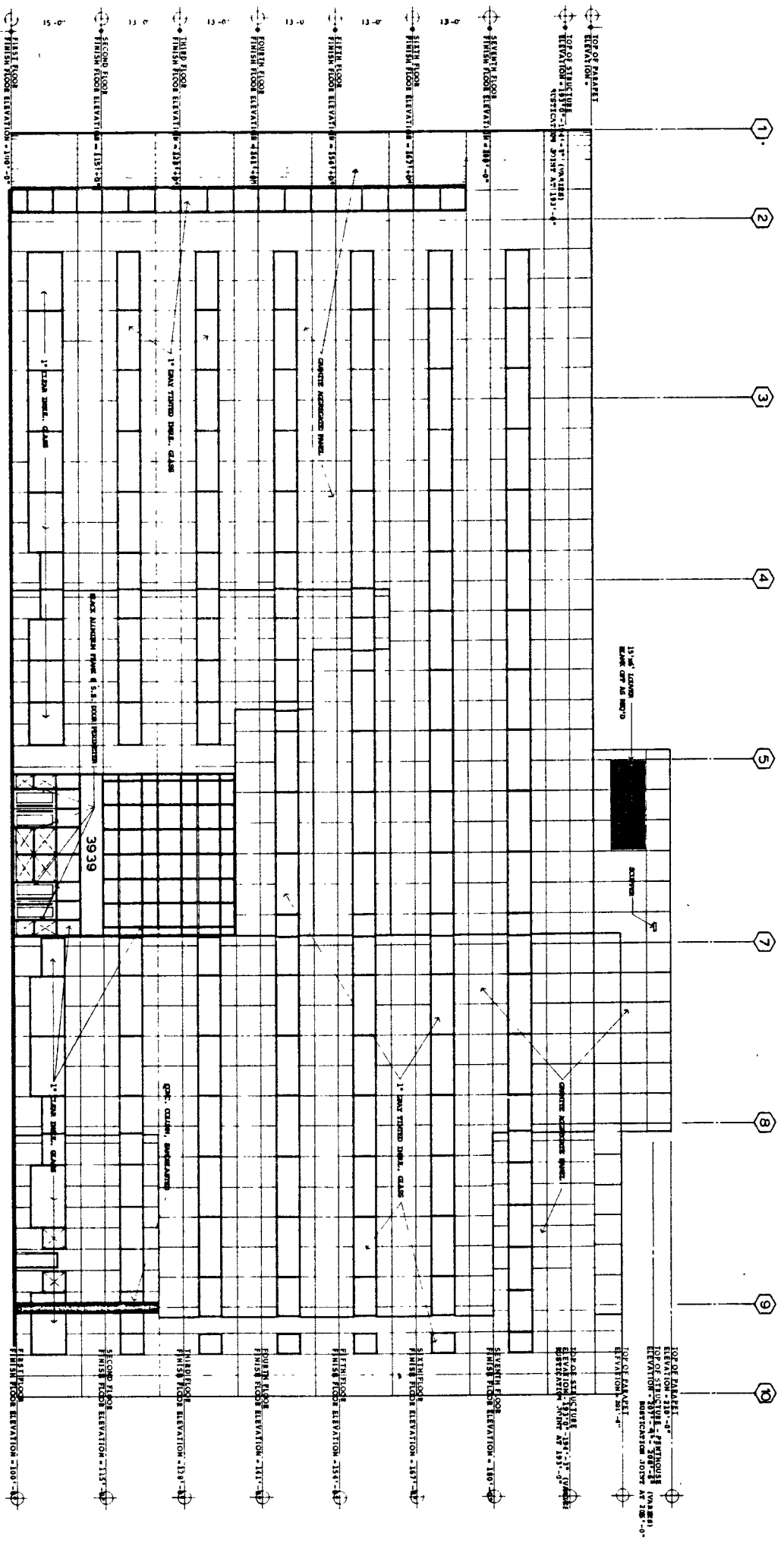
STACY ARCHITECTS/GENRS W. STACY AIA.



SEVENTH FLOOR



A7



SOUTH ELEVATION

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STACY ARCHITECTS/DESIGNS W. STACY AIA

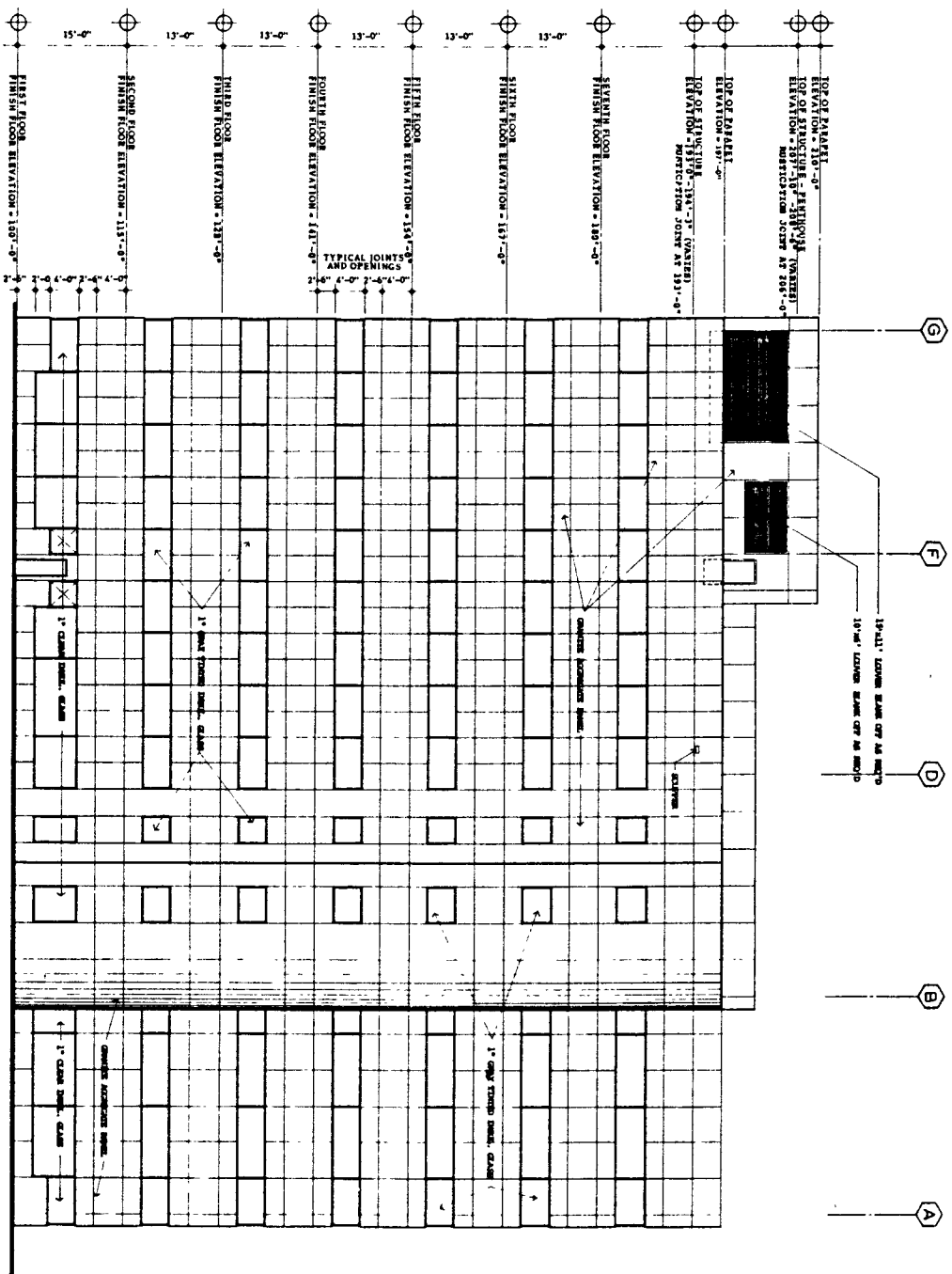
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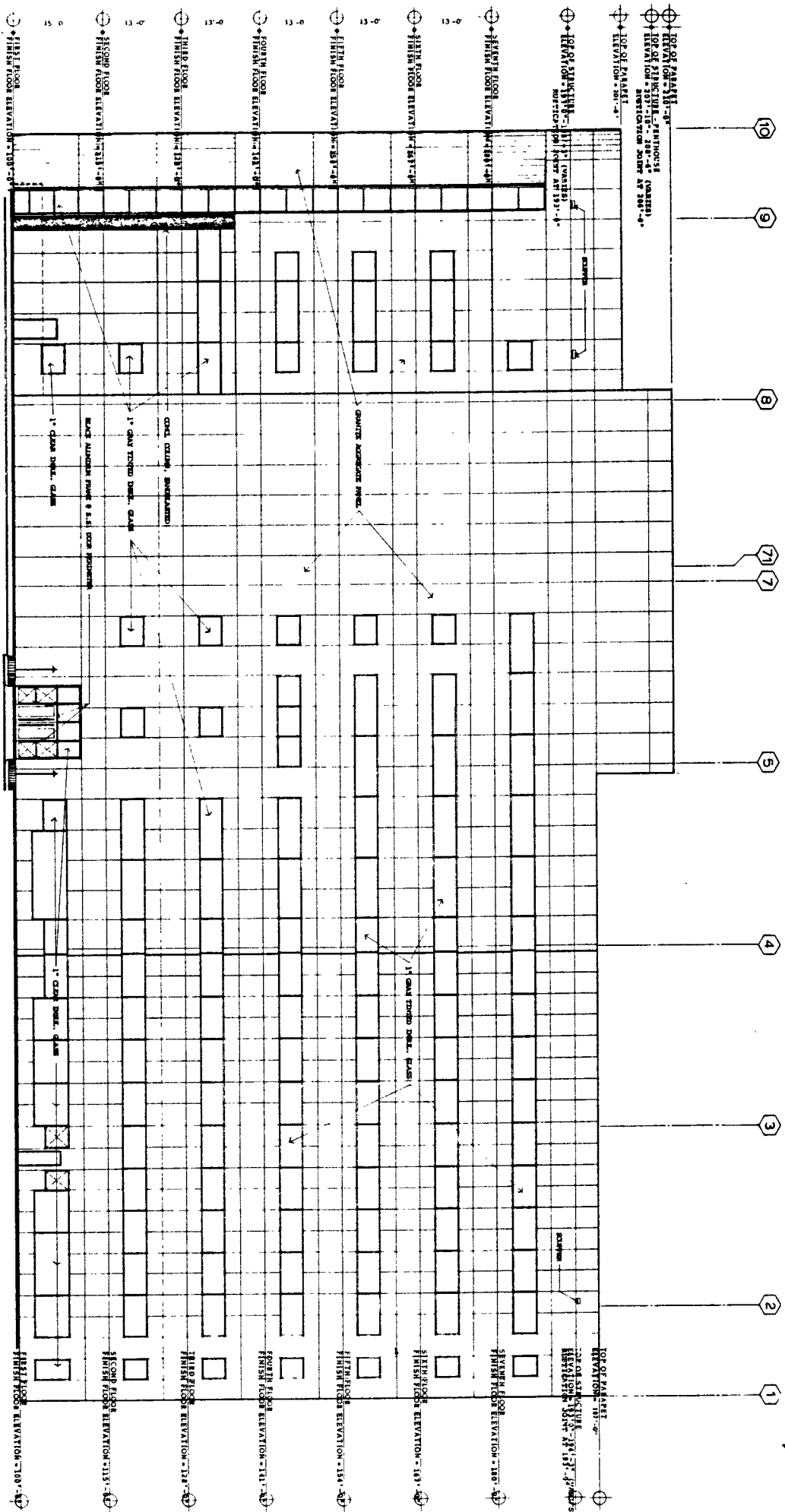
LAFOUNTAIN CENTRE INC.

STACY ARCHITECTS/DENNIS W. STACY AIA



WEST ELEVATION





ADDISON NATIONAL BANK BUILDING

LA FOUNTAIN CENTRE INC.

STACY ARCHITECTS/DENNIS W. STACY AIA

NORTH ELEVATION

A10

ADDISON NATIONAL BANK BUILDING

L.FOUNTAIN CENTRE INC.

STACY ARCHITECTS/DENNIS W. STACY AIA

EAST ELEVATION

