

ORDINANCE NO. 091-026

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, 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 THE BLACK-EYED PEA, LOCATED AT 4460 BELT LINE ROAD, 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 PROVIDING FOR A REPEAL 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, Texas, and helps promote the general welfare and safety of this community, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. 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 5,775 square feet. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

BEGINNING at a chiseled "X" set for the northwest corner of said tract of land recorded in Volume 71193, Page 1455, Deed Records of Dallas County, Texas, and being the northeast corner of a called 2.2956 acre tract of land as described by deed recorded in Volume 87094, Page 4583, Deed Records of Dallas County, Texas, also being in the southerly right-of-way line of Belt Line Road (a 100 foot right-of-way) and in a curve to the left the radius point of which bears North 04°41'26" East, 2914.93 feet;

THENCE, along the southerly right-of-way line of Belt Line Road and with said curve, through a central angle of 04°44'41", an arc distance of 241.39 feet, a chord bearing of South 87°40'55" East and a chord distance of 141.00 feet;

THENCE, South 89°57'00" West, a distance of 141.00 feet to a 1/2 inch iron rod with cap found for the southwest corner of said tract of land recorded in Volume 71193, Page 1455, Deed Records of Dallas County, Texas, and being in the easterly line of aforementioned 2.2956 acre tract of land;

THENCE, North 00°03'00" West, a distance of 368.26 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 51,190 square feet or 1.175 acres of land.

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, floor plans, 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 5,775 square feet.
3. No signs advertising sale of alcoholic beverages 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 the elevation drawings.
4. That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants are 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 or 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 if the property for which the special use permit is granted and 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 to be held for the purpose of considering a change of zoning.
10. That if a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or canceled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.

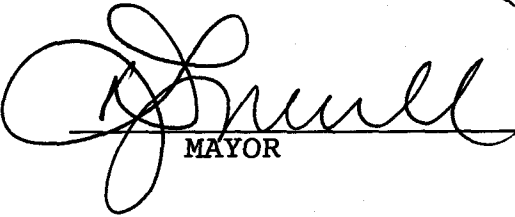
11. Shall not use "Bar" in any signage.
12. The landscape plan be revised to indicate at least 20% of the gross site as landscaped area. This could be accommodated with a hedge along the south property line.
13. Three trees shown to remain along the property line be removed.
14. The turf areas be sodded rather than hydromulched.
15. The right-of-way along Belt Line Road be bermed at a height of 2 1/2 feet to 3 feet to provide increased screening.
16. The driveway on the west property line be revised to indicate an opening no wider than 40 feet.
17. The curb inlet on the east side of the driveway which is proposed to be closed, be moved to the Belt Line curb, and an additional curb inlet be added on the other side of the landscaping median to handle the runoff from the parking area to the south.
18. A fire lane be provided in accordance with Addison's requirements for fire lanes.

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 Two Thousand Dollars (\$2,000.00) 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. 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. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 11th day of June, 1991.


MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1063-SUP

APPROVED AS TO FORM:



Published 7-11-91

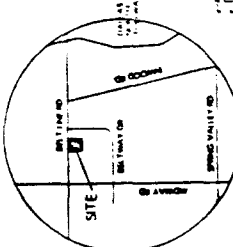
PROPOSED PROGRAM

BEP	MARKET
LAND AREA:	51,190 SF
BUILDING AREA:	50,560 SF
PARKING REQ'D:	5,775 SF
PARKING PROVIDED:	83 SPACES
USCAPE REQ'D:	98 SPACES
USCAPE PROVIDED:	52 + TRUCKS
USCAPE PROVIDED:	9,083 SF
ZONING:	HIGH RETAIL
ZONING:	20,409 SF
ZONING:	HIGH RETAIL

LEGAL DESCRIPTION

BEING A 232.14 AC TRACT OF LAND SITUATED IN THE COUNTY OF TARRANT, TEXAS, ADJACENT TO AND ABUTTING THE TOWNSHIP OF ADDISON, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: TRACT 16, TARRANT COUNTY, TEXAS, 111112 SF, BEING A PORTION OF TRACT 16, TARRANT COUNTY, TEXAS, 111112 SF, BEING A PORTION OF TRACT 16, TARRANT COUNTY, TEXAS, 111112 SF, BEING A PORTION OF TRACT 16, TARRANT COUNTY, TEXAS, 111112 SF, BEING A PORTION OF TRACT 16, TARRANT COUNTY, TEXAS, 111112 SF, BEING A PORTION OF TRACT 16, TARRANT COUNTY, TEXAS, 111112 SF.

VICINITY MAP



OWNER:
TOWN OF ADDISON
5,300 BELT LINE ROAD
ADDISON, TEXAS 75001
(214) 450-7016

PROPOSED LESSEE:
UNGATE RESTAURANTS
6115 THE STONEROAD
DALLAS, TEXAS 75225
(214) 360-2272

- 1-2886
- 1-2887
- 1-2888
- 1-2889
- 1-2890
- 1-2891
- 1-2892

BENCH MARK
Existing in Concrete Base of Light
Pole (See Note 1) - Stationed
100.00' - Stationed 100.00'

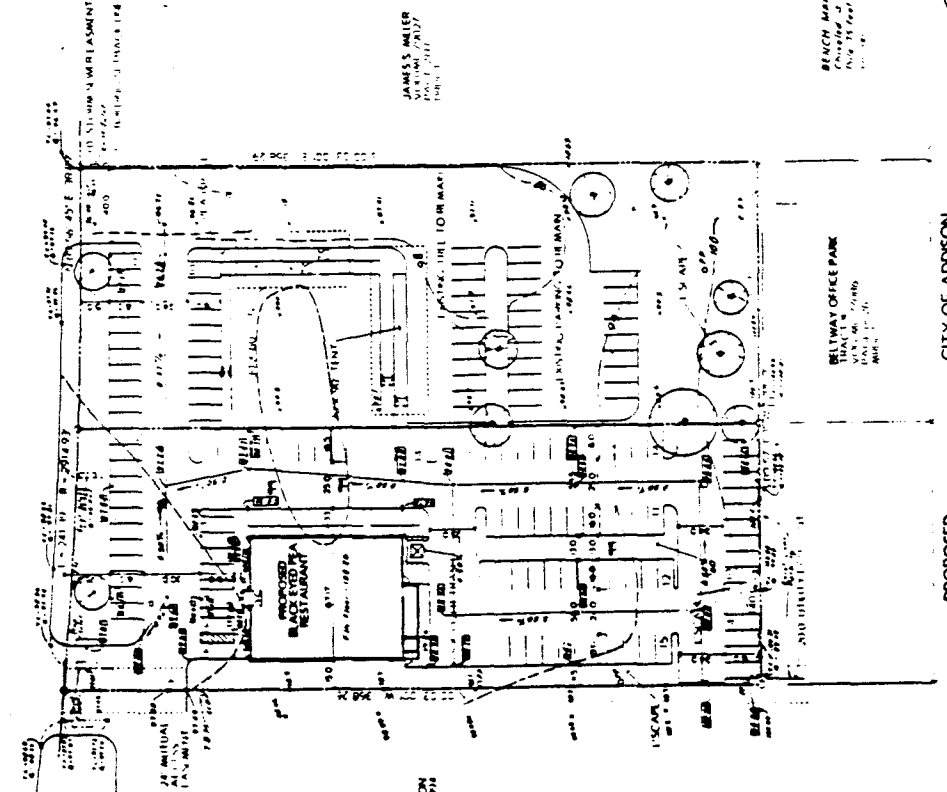
PRELIMINARY
SUBMITTAL
FOR REVIEW
DATE 8/13/09

PROPOSED GRADING PLAN



VIRVIC INC ASSOCIATES, INC.
3700 STEVENSON ROAD EAST, SUITE 600
DALLAS, TEXAS 75246-9001

BELT LINE ROAD



JAMES MAYER
PALETTES
11611 S. HAYWARD

LEE D. ADDISON
PALETTES
11611 S. HAYWARD

PROPOSED
BLACK EYED PEA
RESTAURANT

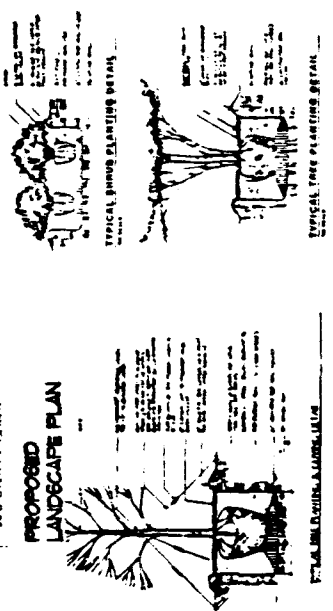
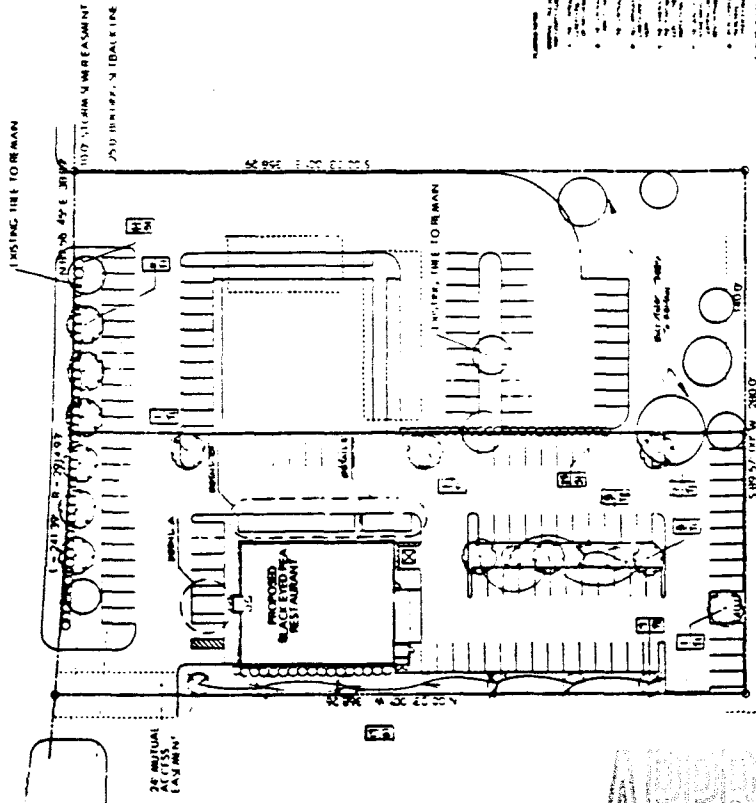
CITY OF ADDISON
FARMERS MARKET

BELTWAY OFFICE PARK
TRACT 16, TARRANT COUNTY
MAY 11, 1971

APPROVED

THESE PLANS ARE REDUCTIONS OF THE ACTUAL
"RECORD SET" OF PLANS WHICH ARE FILED IN
ZONING CASE FILE 1063-54P

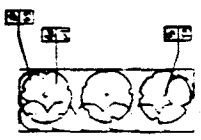
BELT LINE ROAD



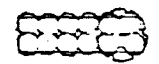
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091-026

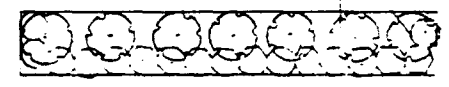
Copyright 1999 Creative Architects, Inc.



DETAIL 'A'



DETAIL 'B'



DETAIL 'B'

PLANT MATERIALS LIST

ALL PLANT MATERIALS TO BE SUPPLIED BY THE CONTRACTOR AND INSTALLED BY THE CONTRACTOR.

PLANT MATERIAL	QUANTITY	PLANT MATERIAL	QUANTITY
1. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	1. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
2. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	2. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
3. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	3. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
4. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	4. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
5. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	5. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
6. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	6. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
7. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	7. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
8. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	8. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
9. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	9. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100
10. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100	10. 12" x 12" x 12" CROWN BUTTERFLY BUSH	100

PROPOSED LANDSCAPE PLAN

SCALE 1" = 30'

LANDSCAPE AREA: 10,115 SQ. FT.

TOTAL AREA: 10,115 SQ. FT.

NO. OF TOTAL TREES: 100

NO. OF TREES: 100

TOTAL TREES REQUIRED: 100

PROPOSED SITE PLAN

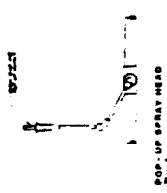
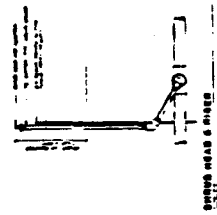


CROOKLESS ARCHITECTS INC.
 1001 BELT LINE AVENUE
 SUITE 100
 ARLINGTON, TEXAS 76010
 TEL: 817-461-1111
 FAX: 817-461-1112

BLACK EYED BEA RESTAURANT
 ARLINGTON, TX

LANGATE RESTAURANTS
 (M) AS TEXAS

DATE: 11/11/11	PROJECT: UNGATE RESTAURANT	CLIENT: UNGATE RESTAURANT (DALLAS, TEXAS)
DESIGNER: CROOKLESS ARCHITECTS INC.	LOCATION: BLACK-EYED PEA RESTAURANT, ARLINGTON, TX	SCALE: 1/8" = 1'-0"
PROJECT NO: 11-11-11-001	DATE: 11/11/11	BY: [Signature]
PROJECT NO: 11-11-11-001	DATE: 11/11/11	BY: [Signature]



NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	11/11/11
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6	ISSUED FOR PERMIT	11/11/11
7	ISSUED FOR PERMIT	11/11/11
8	ISSUED FOR PERMIT	11/11/11
9	ISSUED FOR PERMIT	11/11/11
10	ISSUED FOR PERMIT	11/11/11

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

2. ALL FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.

3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE AS APPROVED BY THE CITY OF ARLINGTON.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ARLINGTON.

5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

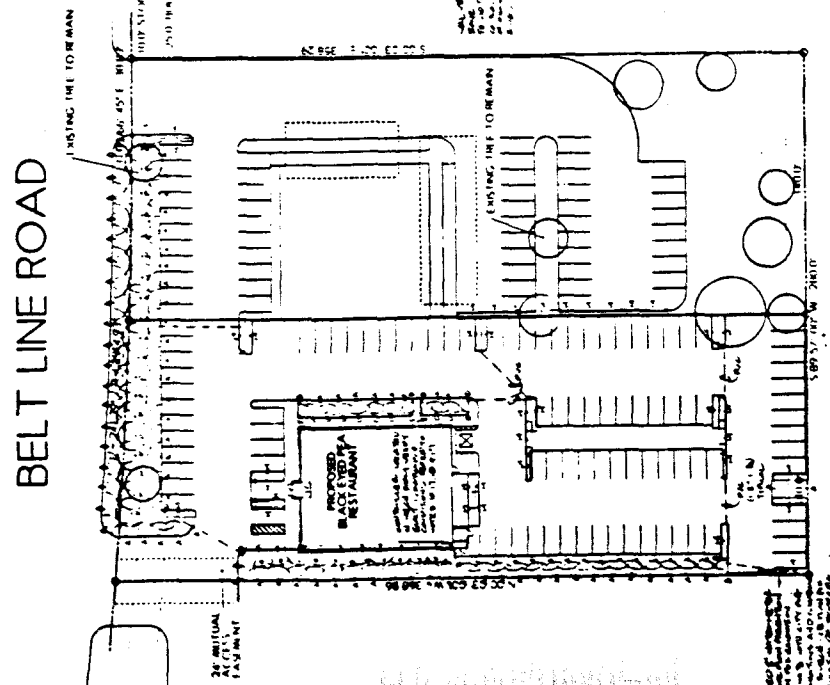
6. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.

7. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

9. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING TREES AND LANDSCAPE.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.



APPROVED

PROPOSED SITE PLAN

SCALE 1/8" = 1'-0"



Revisions

FIGURE PLAN
10-1-78

A1.1

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72).

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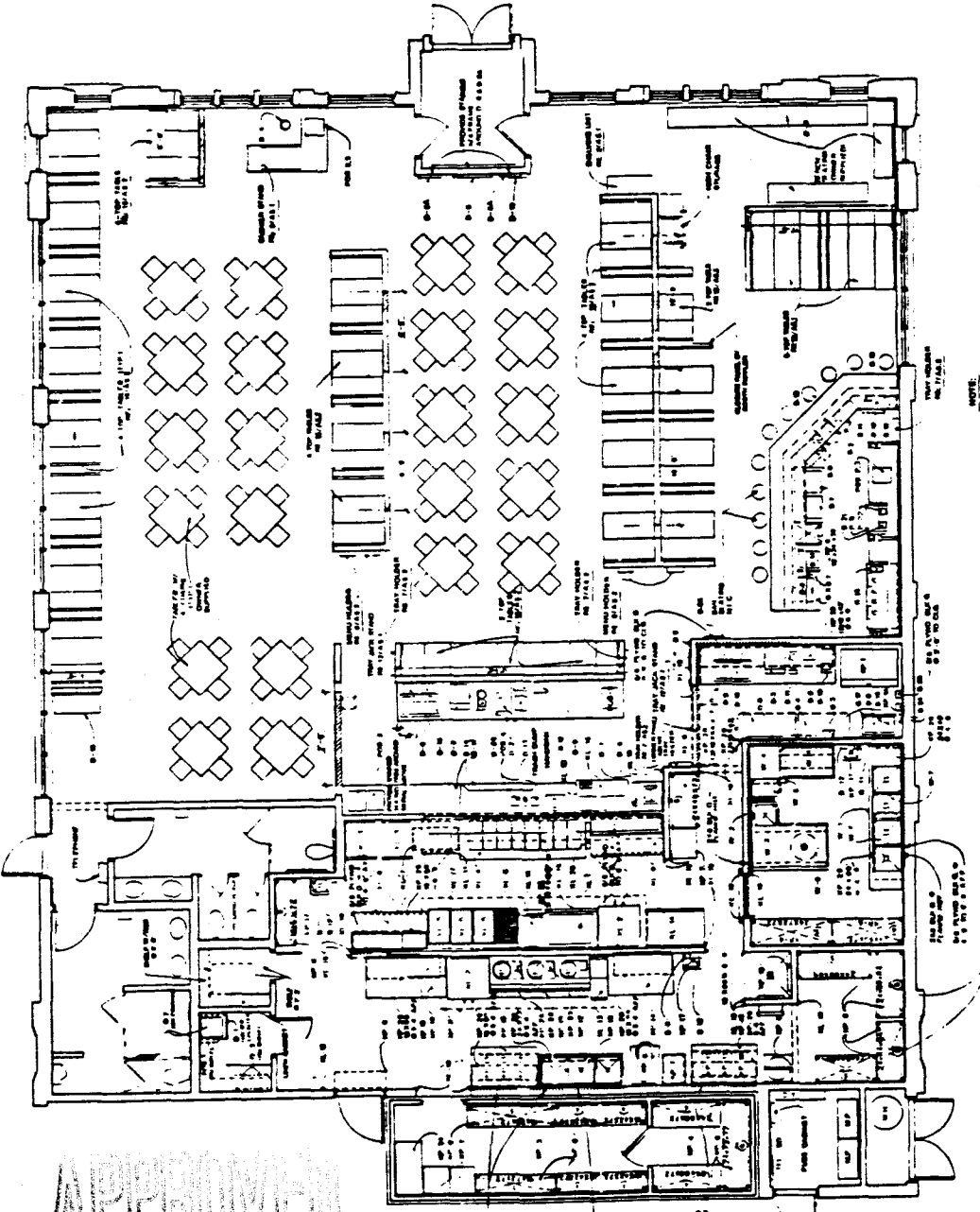
16. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARM AND SIGNAL CODE (NFPA 72).

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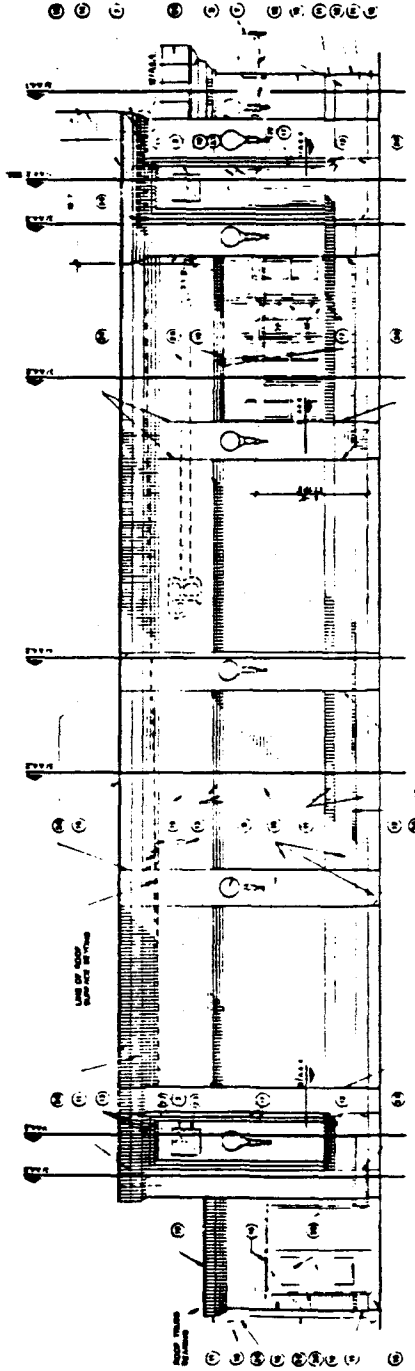
APPROVED

NOTE: INDICATES REQUIRED SCHEDULING
 - BUT NOT LIMITED TO THESE AREAS
 ALL WORK REQUIRED IN CORRIDOR/STAIRS SHALL BE SHOWN
 IN THESE AREAS (SEE PLAN)
 SEE PLAN FOR
 ELECTRICAL SYMBOLS
 SEE PLAN FOR
 ELECTRICAL SYMBOLS

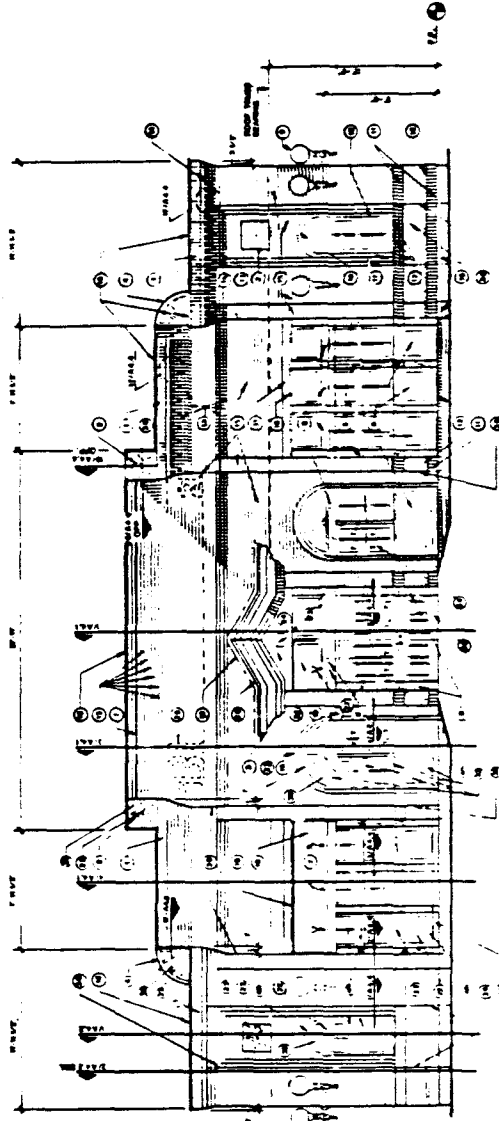
BLACK-EYED
PEA
RESTAURANT

EXTERIOR BLDG.
ELEVATIONS

A2.1



2 SIDE EXTERIOR ELEVATION



1 FRONT EXTERIOR ELEVATION

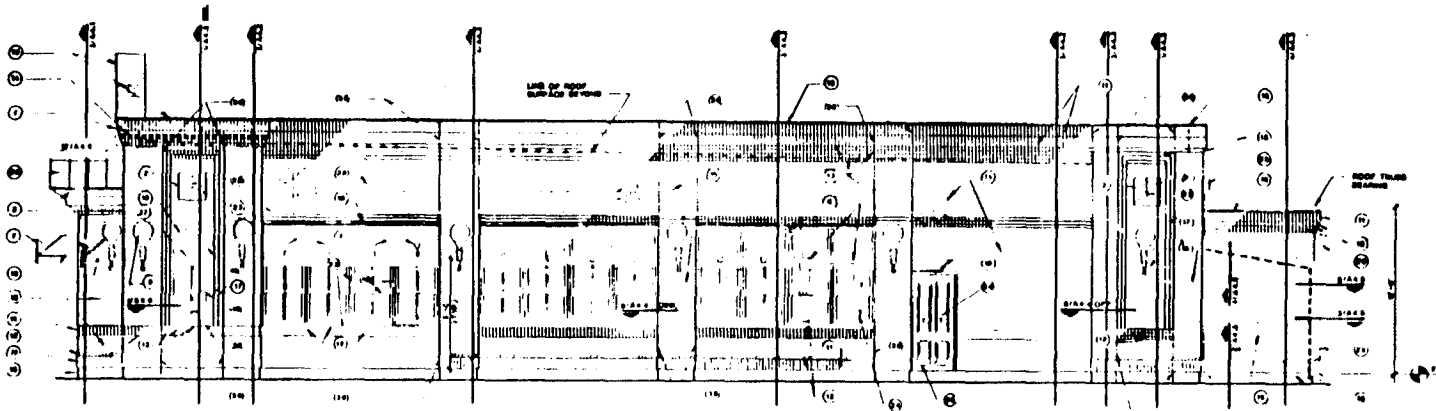
NOTE:
 REFER TO OTHER SHEETS FOR PARTICULARS RELATIVE
 TO THE ARCHITECTURE OF THE RESTAURANT.
 THE ARCHITECT IS NOT RESPONSIBLE FOR THE
 PERFORMANCE OF THE CONTRACTOR'S WORK.

APPROVED

KEY

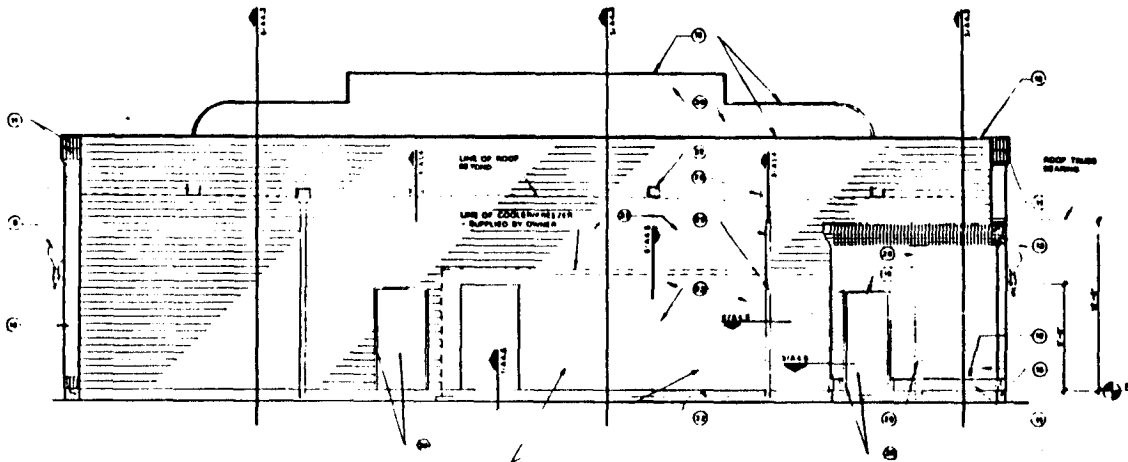
1. FLOOR FINISH
2. FLOOR SLAB
3. FLOOR SLAB PARTITION WALLS
4. FLOOR SLAB PARTITION WALLS 1/2" x 1/2" TYPICAL JOINTS
5. FLOOR SLAB PARTITION
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100. ACCENT LIGHT FIXTURE

NOTED



2 SIDE EXTERIOR ELEVATION

KEY	
1	BRICK WORK
2	FRONT GLASS PANEL
3	FRONT GLASS ENTRY CORNER TONGUE BRUSH
4	FRONT GLASS WHEEL
5	FRONT GLASS PASTER
6	FRONT GLASS SPANDREL
7	FRONT LIGHT FIXTURE (PASTER)
8	ACCENT LIGHT FIXTURE (CORNER BRUSH)
9	ILLUMINATING LIGHT FIXTURE
10	FRONT WINDOW (WINDAGE ASSEMBLY)
11	FRONT WINDOW (WINDAGE COURSE)
12	ACCENT WINDOW (WINDAGE COURSE)
13	FIELD WINDOW (WINDAGE COURSE)
14	GLAZED BRUSH
15	FIELD BRUSH
16	PAINTED MET. COPING (CORNER BRUSH)
17	FIELD BRUSH (STACKED WINDAGE COURSE)
18	GLAZED WINDOW
19	GLAZED WINDOW (STACK ARCH SACCRET BRUSH)
20	STANDING (ARCH MET. ROOF)
21	MET. SHEET (MATCH MET. ROOF)
22	PAINT (CORNER BRUSH)
23	PAINT (GLASS BRUSH)
24	BRASS (ARCH MET. PLATE)
25	BRASS (LETTERS INDIVIDUALLY MOUNTED)
26	BRASS (RAILWAY MOUNTED)
27	OVERFLOW SCUPPER (INDICATOR BRUSH)
28	SCUPPER (INDICATOR (CORNER BRUSH)
29	SCUPPER (MET. CORNER BRUSH)
30	SCUPPER (MET. CORNER BRUSH)
31	SCUPPER (MET. CORNER BRUSH)
32	SCUPPER (MET. CORNER BRUSH)
33	SCUPPER (MET. CORNER BRUSH)
34	SCUPPER (MET. CORNER BRUSH)
35	SCUPPER (MET. CORNER BRUSH)
36	SCUPPER (MET. CORNER BRUSH)
37	SCUPPER (MET. CORNER BRUSH)
38	SCUPPER (MET. CORNER BRUSH)
39	SCUPPER (MET. CORNER BRUSH)
40	SCUPPER (MET. CORNER BRUSH)



1 REAR EXTERIOR ELEVATION

NOTE:
 REFER TO SHEET 026 & 027 FOR FINISHES PLASTER
 PAINTING COLOR SCHEDULE
 BRASS LEADS NORMALLY SHOWS - 9 BELOW FOR PLR
 BRASS LEADS SHALL EXTEND BELOW ALL BUILDING PARTS FOR
 THE UNLESS SAID LEADS UNLESS OTHERWISE SPECIFIED

Revisions

BLACK - EYED
PEA
RESTAURANT

EXTERIOR BLDG.
ELEVATIONS

A2.2

091-026