

ORDINANCE NO. 095-057

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT, AND A SPECIAL USE PERMIT FOR A GASOLINE SERVICE STATION WITH A CONVENIENCE STORE, ON APPLICATION WITH EXXON CORPORATION AND WENDY'S, LOCATED ON 1.72 ACRES AT THE SOUTHEAST CORNER OF BELT LINE ROAD AND MARSH LANE AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A SEVERABILITY 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, 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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 095-057

SECTION 1. That Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit for a restaurant, and a special use permit for a gasoline service station with a convenience store. Said zoning amendment shall be noted on the official zoning map of the Town of Addison, Texas, and is situated on the following described land:

BEING a tract of parcel of land situated in the Thomas L. Chenoweth Survey, Abstract Number 273, Town of Addison, Dallas County, Texas, and being part of a 2.5434 acre tract (Tract 1) and a 0/9127 acre tract of land conveyed to SEC Beltline and Marsh Partners, L.P. by Deeds recorded in Volume 93239, Page 3855, and Volume 94102, Page 2492, (respectively) Deed Records, Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a "+" cut set for corner at the south end of a corner-clip at the intersection of the East Right-of-Way line of Marsh Lane (100 foot wide right-of-way) and the South right-of-way line of Belt Line Road (100 foot wide right-of-way);

THENCE North $46^{\circ}08'26''$ East along said corner clip, a distance of 28.18 feet to a "+" cut set for corner in the South right-of-way line of said Belt Line Road;

THENCE South $88^{\circ}53'15''$ East along the South right-of-way line of said Belt Line Road a distance of 306.35 feet to a "+" cut set for corner;

THENCE South $01^{\circ}06'45''$ West leaving the south right-of-way line of said Belt Line Road a distance of 252.35 feet to a "+" cut set for corner in the South line of said 2.5434 acre tract and the north line of Lot 3, Block D of Town Center Addition, an addition to the Town of Addison according to the plat recorded in Volume 93237, page 3848 of the Map Records of Dallas County, Texas;

THENCE North $88^{\circ}53'11''$ West along the South line of said 2.5434 acre tract and the North line of said Lot 3, a distance of 77.06 feet to a "+" cut found for an ell corner in the South line of said 2.5434 acre tract and the northwest corner of said Lot 3 and being in the East line of

Lot 1, Block A of Boston Chicken Addition, an addition to the Town of Addison according to the Plat recorded in Volume 94102, page 1418 of the Map Records of Dallas County, Texas;

THENCE North 00°56'06" East along a West line of said 2.5434 acre tract and along the East line of said Boston Chicken Addition, a distance of 28.77 feet to a 1/2-inch iron rod with red plastic cap stamped "USA INC RPLS 2026" set for the northeast corner of said Boston Chicken Addition;

THENCE North 89°03'54" West leaving the said West line of said 2.5434 acre tract and along the North line of said Boston Chicken Addition, a distance of 248.50 feet to a "+" cut set for corner i the East right-of-way line of said Marsh Lane and being the northwest corner of said Boston Chicken Addition;

THENCE North 00°56'06" East along the East right-of-way lie of said Marsh Lane and the West line of the 0/9127 and 2.5434 acre tract, a distance of 204.43 feet to the POINT OF BEGINNING and containing 75,000 square feet of 1.7218 acres of land, more or less.

SECTION 2. That the Special Use Permits for the restaurant and for the gasoline service station with convenience store are 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, floor plan, landscape plan, and the elevation drawings showing four exterior walls, which are attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit for the restaurant shall be limited to a restaurant only and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 2,650 square feet.
3. That the western-most driveway on Belt Line Road shall be closed and the northern-most driveway on Marsh Lane shall be designed as an "entrance only" drive.
4. The facades for the convenience store shall be changed from CMU to brick.

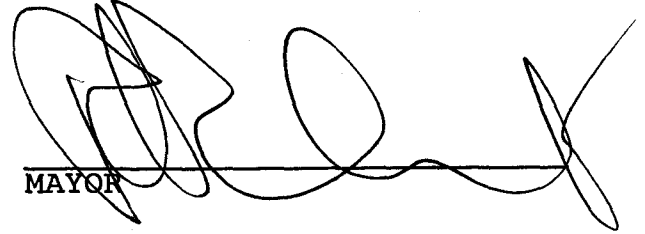
5. The existing curb inlet on Marsh Lane shall be relocated into the driveway and a new sump created to eliminate ponding of water in Marsh Lane.
6. The minimum "throat length" at all driveways shall be 35 feet.

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 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 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 28th day of November, 1995.



MAYOR

ATTEST:



CITY SECRETARY

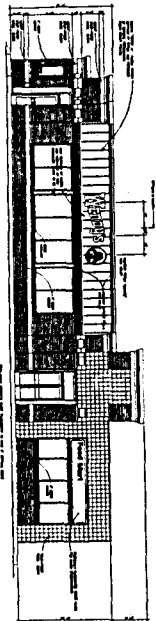
CASE NO. 1230-SUP

APPROVED AS TO FORM:

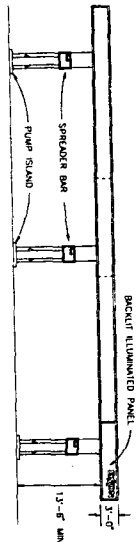


DIRECTOR OF DEVELOPMENT SERVICES

Published
3/9/96



① Building Elevation
N.T.S.

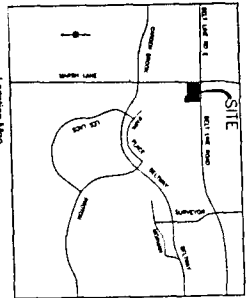
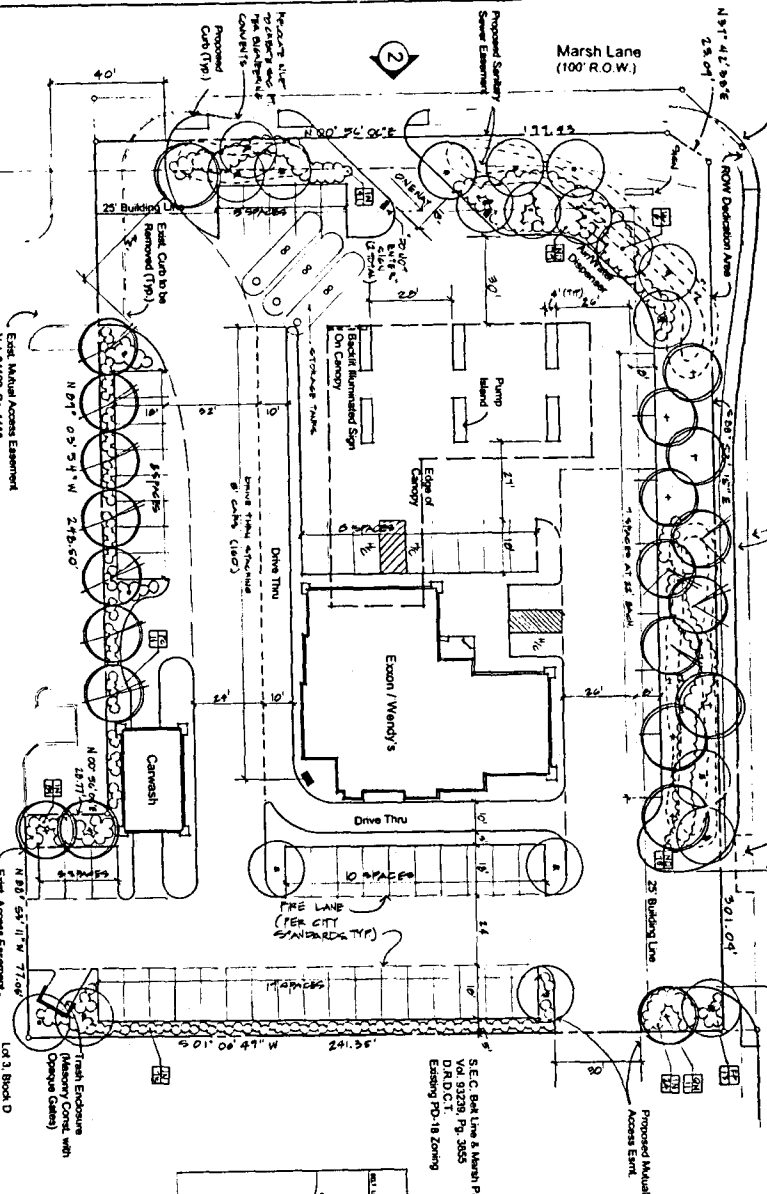


② Canopy Elevation
N.T.S.

095-057

Existing ROW Emt. to Town of Addison
Vol. 8172, Pg. 1738
To be Dedicated to Street Washing Purposes

Belt Line Road
(100' R.O.W.)
Southeast Belt Freeway Emt.
Vol. 81078, Pg. 40
D.R.D.C.T.



S.E.C. Belt Line & Marsh Partners L.P.
Vol. 81239, Pg. 3855
D.R.D.C.T.
Existing PD-18 Zoning

Lot 1, Block 1
Boston Chicken Adm.
Vol. 84102, Pg. 1418
D.R.D.C.T.
Existing PD-18 Zoning

Lot 1, Block 1
Boston Chicken Adm.
Vol. 84102, Pg. 1418
D.R.D.C.T.
Existing PD-18 Zoning



Plant Materials Summary

Symbol	Quantity	Common/Scientific Name	Size	Description
11	11	Various	8" dia	Various
12	12	Various	8" dia	Various
13	13	Various	8" dia	Various
14	14	Various	8" dia	Various
15	15	Various	8" dia	Various
16	16	Various	8" dia	Various
17	17	Various	8" dia	Various
18	18	Various	8" dia	Various
19	19	Various	8" dia	Various
20	20	Various	8" dia	Various
21	21	Various	8" dia	Various
22	22	Various	8" dia	Various
23	23	Various	8" dia	Various
24	24	Various	8" dia	Various
25	25	Various	8" dia	Various
26	26	Various	8" dia	Various
27	27	Various	8" dia	Various
28	28	Various	8" dia	Various
29	29	Various	8" dia	Various
30	30	Various	8" dia	Various
31	31	Various	8" dia	Various
32	32	Various	8" dia	Various
33	33	Various	8" dia	Various
34	34	Various	8" dia	Various
35	35	Various	8" dia	Various
36	36	Various	8" dia	Various
37	37	Various	8" dia	Various
38	38	Various	8" dia	Various
39	39	Various	8" dia	Various
40	40	Various	8" dia	Various
41	41	Various	8" dia	Various
42	42	Various	8" dia	Various
43	43	Various	8" dia	Various
44	44	Various	8" dia	Various
45	45	Various	8" dia	Various
46	46	Various	8" dia	Various
47	47	Various	8" dia	Various
48	48	Various	8" dia	Various
49	49	Various	8" dia	Various
50	50	Various	8" dia	Various

Site Summary

Total Land Area	1.722 Ac (75,000 SF)
Net Land Area	69,811 SF
Net Area (Less ROW Deductions)	4,000 SF
Building Area	15,270 SF
Canopy Area	2,118 SF
Landscape Coverage	21.8 %
Impervious Area	21,600 SF
Impervious Ratio	28.3 % (Impervious / Net SF)
Impervious Area	18,600 SF
Impervious Ratio	26.6 % (Impervious / Net SF)
Impervious Area	15,270 SF
Impervious Ratio	21.9 % (Impervious / Net SF)
Impervious Area	12,150 SF
Impervious Ratio	17.4 % (Impervious / Net SF)
Impervious Area	9,030 SF
Impervious Ratio	12.9 % (Impervious / Net SF)
Impervious Area	5,910 SF
Impervious Ratio	8.5 % (Impervious / Net SF)
Impervious Area	2,790 SF
Impervious Ratio	4.0 % (Impervious / Net SF)

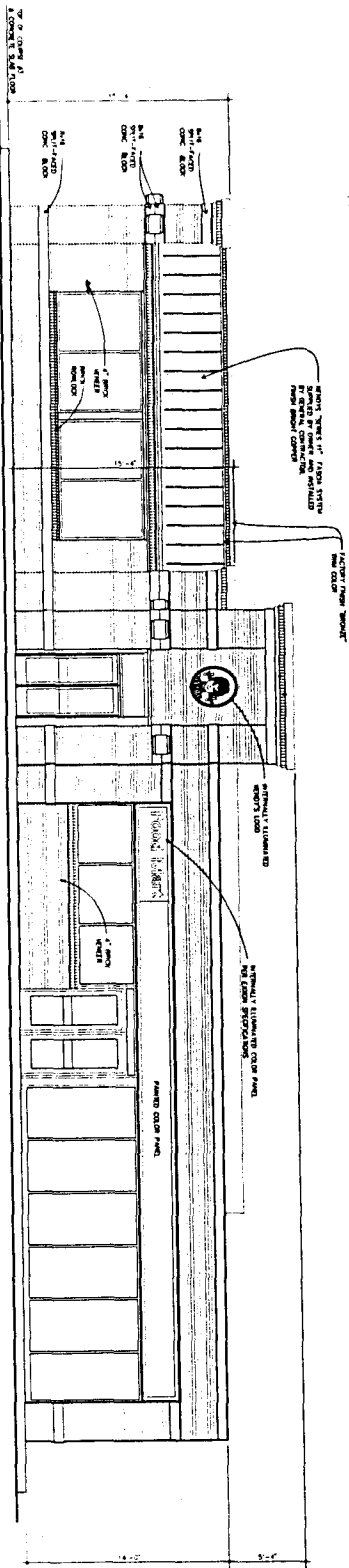
Site Plan
Exxon / Wendy's

1.722 Acres, PD-626
Southeast Corner of Belt Line & Marsh
Addison, Dallas County, Texas

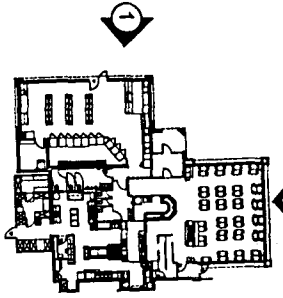
Owner:
S.E.C. Belt Line & Marsh Partners L.P.
2401 Cedar Springs, Suite 400
Dallas, Texas 75201
(214) 880-0009
FAX (214) 880-0188

Planned/Landscape Architect:
Unzicker, Schunbusch & Assoc., Inc.
8700 Stemmons Freeway, Suite 400
Dallas, Texas 75247
(214) 634-3300
FAX (214) 634-3338

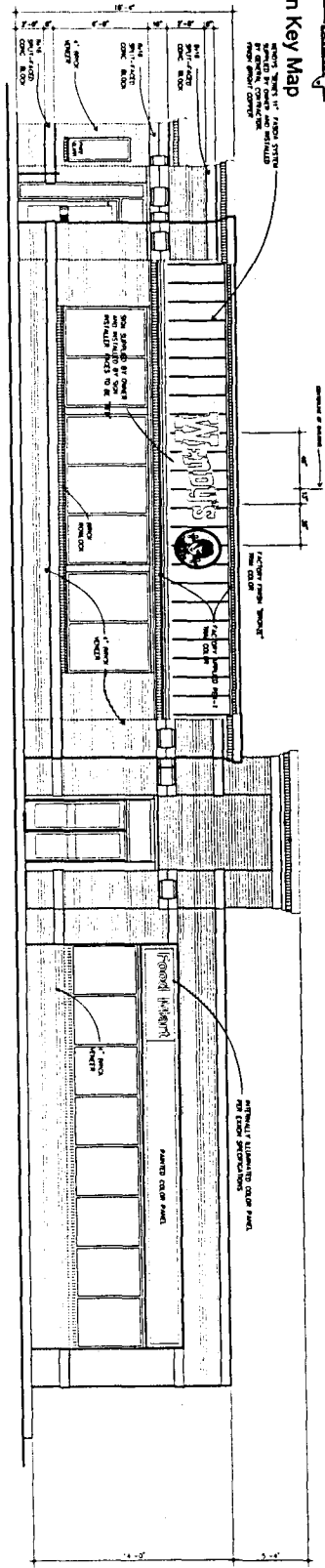
Nov. 22, 1995 USA Job No. 89022.0



1 RIGHT SIDE ELEVATION (WEST)
SCALE: 1/8" = 1'-0"



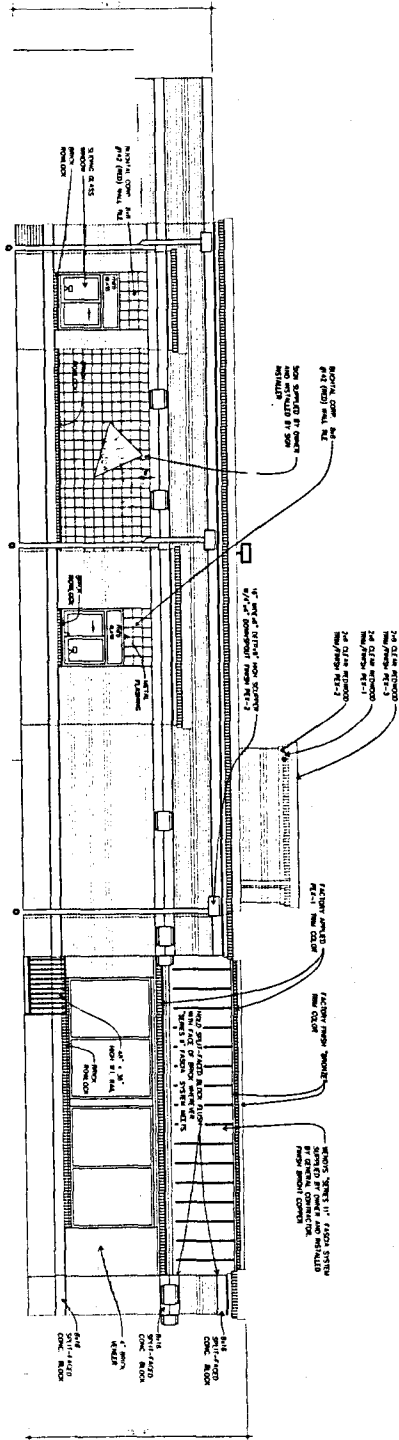
Elevation Key Map
NTS



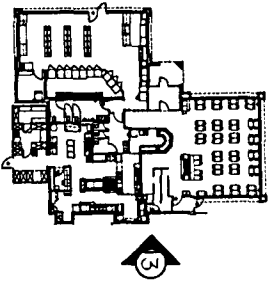
2 FRONT ELEVATION (NORTH)
SCALE: 1/8" = 1'-0"

EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"

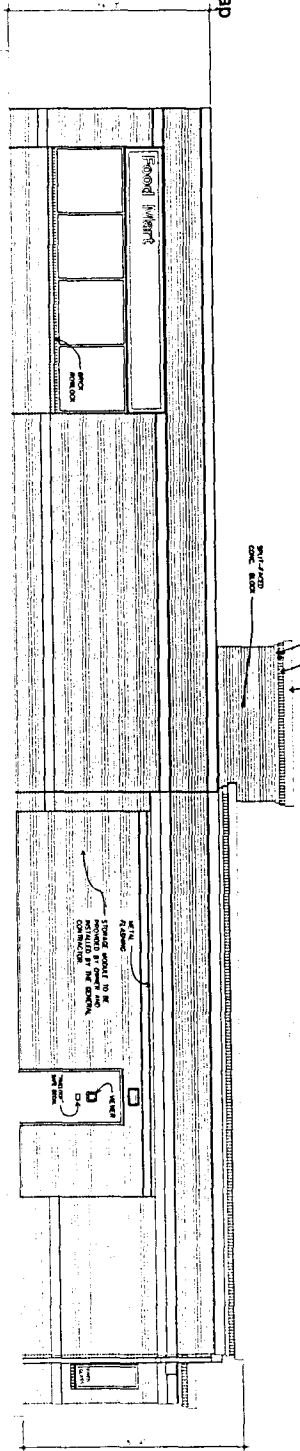
095-057



3 LEFT SIDE ELEVATION (EAST)
SCALE: 1/8" = 1'-0"



Elevation Key Map
MTS



4 REAR ELEVATION (SOUTH)
SCALE: 1/8" = 1'-0"

EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"

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