

ORDINANCE NO. 096- 016

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 THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION, A SPECIAL USE PERMIT FOR A CONVENIENCE STORE, AND A SPECIAL USE PERMIT FOR A RESTAURANT, ON APPLICATION WITH CHILLYMART, LOCATED AT 14885 INWOOD 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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 096-016

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 the sale of beer and wine for off-premises consumption, a special use permit for a convenience store, and a special use permit for a restaurant to CHILLYMART. Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

BEING a 4,109 square foot lease space addressed as 14885 Inwood Road, and being a tract of land located in the City of Addison, in the Josiah Pancoast Survey, Abstract 1146 Dallas County, Texas, being part of the tract of land described in deed to F.R. and Jack Maxfield filed August 18, 1959 and recorded in the Deed Records of Dallas County, Texas, and including part of Lot 1, Block 1, Rinehart Inwood Addition to the City of Addison, Texas, according to the plat thereof recorded in Volume 77012, Page 1563 of the Map Records of Dallas County, Texas, and being described more particularly as follows:

BEGINNING at a steel rod found on the westerly line of Inwood Road, 60.0 feet wide, 11.31 feet N 17°15'00" W from the southeast corner of said Lot 1, and called 1030.68 feet S 17°15'00" E from the most southerly corner of the visibility clip at the intersection of said line of Inwood Road and the south line of Belt Line Road;

THENCE S 17°15'00" E, along the westerly line of Inwood Road, at 11.31 feet passing the southeast corner of said Lot 1, in all a distance of 201.31 feet to a steel rod for corner;

THENCE West, a distance of 336.98 feet to a steel pin in concrete for corner;

THENCE North, a distance of 181.45 feet to a steel pin in concrete at the southwest corner of said Lot 1;

THENCE East, along the south line of Lot 1, a distance of 5.40 feet to a steel pin in concrete for corner;

THENCE N 37°11'42" E, a distance of 13.56 feet to a steel pin in concrete for corner;

THENCE East, a distance of 263.69 feet to the place of beginning;

CONTAINING 58,944 square feet of land or 1.353 acres more or less.

SECTION 2. That the Special Use Permits are granted subject to the following conditions:

1. That prior to the issuance of a Certificate of Occupancy, said lease space shall be improved in accordance with the floor plan, and the elevation drawings showing the exterior walls, which are attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit granted herein shall be limited to the sale of beer and wine to that portion of the building designated on the site plan attached hereto. Total square feet for the special use permit is 4,109 square feet.
3. No signs advertising sale of beer and wine, or other 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.
4. 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 beer or wine.
5. 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.
6. 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.
7. That a revised landscape plan, which includes 4-inch caliper shade trees and additional shrubs, shall be submitted for review and approval before issuance of a building permit.

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

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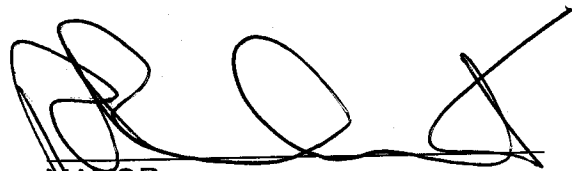
ORDINANCE NO. 096-016

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 repealed, and that ordinance 084-011 shall specifically be 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 14th day of May, 1996.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1252-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

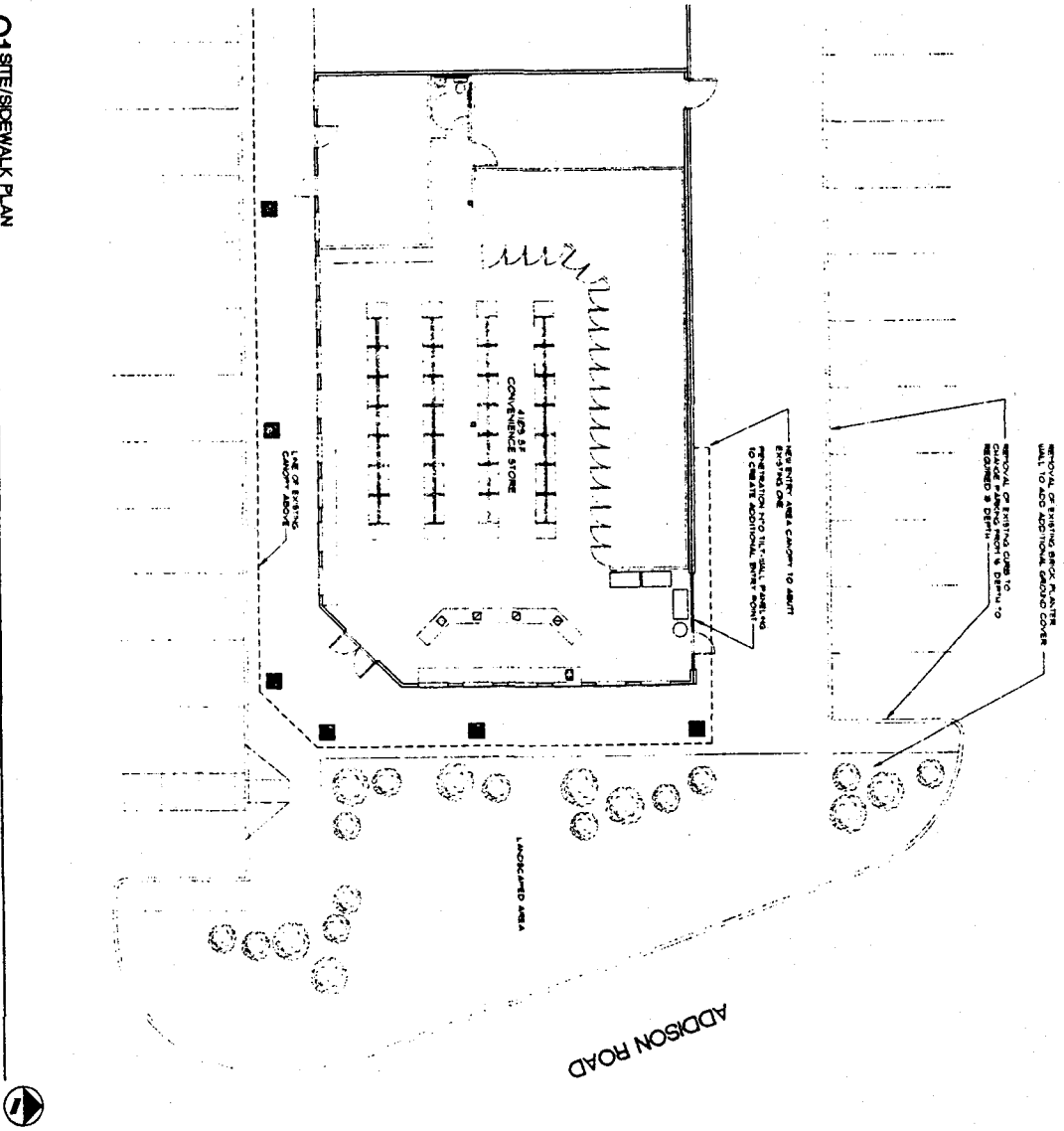
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ORDINANCE NO. 096-016

Published
10/31/96



01 SITE/SIDEWALK PLAN



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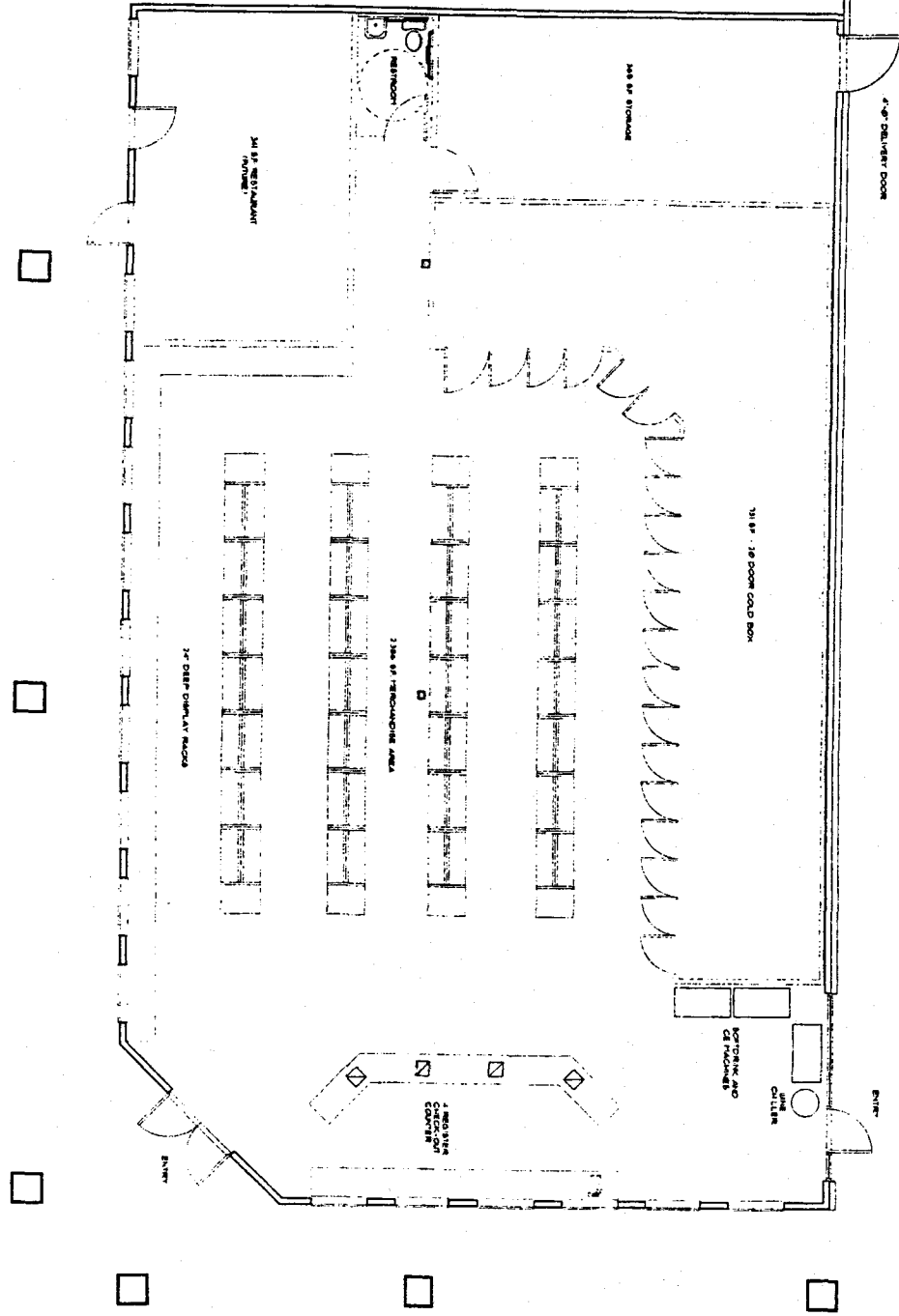
ORDINANCE NO. 096-016

PROPOSED SITE
LANDSCAPE PLAN
1/8" = 1'-0"

MOORE, P. TRACY
DATE: 11/11/11
SCALE: 1/8" = 1'-0"

PROJECT: 096-016
DATE: 11/11/11

01 FLOOR PLAN
1/4" = 1'-0"



OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 096-016

PROPOSED FLOOR PLAN
1/4" = 1'-0"

PROJECT: 0890
DATE: 1/10/06
DRAWN BY: [Redacted]
CHECKED BY: [Redacted]
DATE: 1/10/06

SCALE: 1/4" = 1'-0"

DATE: 1/10/06

PROJECT: 0890
DATE: 1/10/06

A11

