

ORDINANCE NO. 097-019

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, ON APPLICATION FROM TACO CABANA RESTAURANTS, LOCATED ON 45,000 SQUARE FEET AT THE NORTHEAST CORNER OF BELT LINE ROAD AND MARSH LANE, IMMEDIATELY NORTH OF THE SHELL GASOLINE STATION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A 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 subject to the special conditions on the following described property, to wit:

BEING all of Lot 1, of a tract known as Marsh/Belt Line Shopping Center, and described as follows: WHEREAS, Beltway Development Co., Inc., is the owner of a tract of land situated in the D. Myers very, Abstract No. 923 and the T.L. Chenoweth Survey, Abstract No. 273, Dallas County, Texas, and being part of Block 2 of Belt-Line Marsh Business Park, an addition to the City of Addison as recorded in Volume 79252, Page 0210, Deed Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8" iron rod found for corner being the most southerly point on a corner clip situated at the intersection of the north line of Belt Line Road (a 100' R.O.W.) And the wets line of Business Avenue (a 60' R.O.W.);

THENCE n 89 degrees 54'31" W, along the north line of Belt Line Road, a distance of 407.00 feet to an "x" cut found for the POINT OF BEGINNING and being the southeast corner of CHICK-FIL-A ADDITION, an addition to the City of Addison recorded in Volume 94249, Page 03638;

THENCE continuing along the north line of said Belt Line Road the following:

N 89 degrees 54'31" W, a distance of 233.05 feet to a 1/2" iron rod found for corner;

N 89 degrees 52'23" W, a distance of 119.98 feet to a 1/2" iron rod found for corner;

N 89 degrees 49'34" W, a distance of 293.63 feet to an "x" cut found for corner;

THENCE N 00 degrees 06'34" W, departing said north line of Belt Line Road and parallel with the east line of Marsh Lane (a 100' R.O.W.), a distance of 150.00 feet to a 1/2" iron rod found for corner;

THENCE along the east line of said Marsh Lane the following:

N 00 degrees 06'34" W, a distance of 50.25 feet to an iron rod found for corner being the point of curvature to the right having a central angle of 14 degrees 48'56", a radius of 1223.24, a tangent of 159.04 feet and a chord that bears N 07 degrees 17'58" E, 315.42;

Along said curve a distance of 316.31 feet to an "x" found for corner;

THENCE S 89 degrees 55'22" E, departing the east line of said Marsh Lane a distance of 1199.66 feet to an "x" found for corner, said "x" being in the west line of said Business Avenue.

THENCE S 00 degrees 04'38" W, along the west line of said Business Avenue a distance of 249.23 feet to a 5/8" iron rod found for corner;

THENCE N 89 degrees 54'31" W, departing the west line of said Business Avenue, a distance of 416.93 feet to an "x" cut found for corner being the northwest corner of said CHICK-FIL-A ADDITION;

THENCE S 00 degrees 05'29" W, along the west line of said CHICK-FIL-A ADDITION, a distance of 265.00 feet to the POINT OF BEGINNING and containing 496,035 square feet or 11,3874 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, landscaping plan, 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 a restaurant only and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 4,222 square feet.
3. 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.
4. A drive shall be constructed connecting this site with the drive to the north of the Chick-Fil-A site. The drive shall be constructed prior to the issuance of a Certificate of Occupancy for the restaurant.

5. Deceleration lanes shall be constructed at the drive-way on Marsh Lane and on Belt Line Road with this development. The lanes shall be completed prior to issuance of a Certificate of Occupancy for the restaurant.
6. Detailed water, wastewater, grading, drainage and erosion control plans shall be submitted with the building permit set of drawings.
7. If the dumpster remains on this site, the dumpster enclosure shall be constructed out of the same brick as the restaurant.
8. All mechanical equipment shall be screened from view by a parapet wall. If parapet-wall screening is not possible, all mechanical equipment shall be screened with a screening material that is architecturally compatible with the building, and is approved by the staff prior to installation.

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 13th day of May, 1997.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1296-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

Published
9/26/97



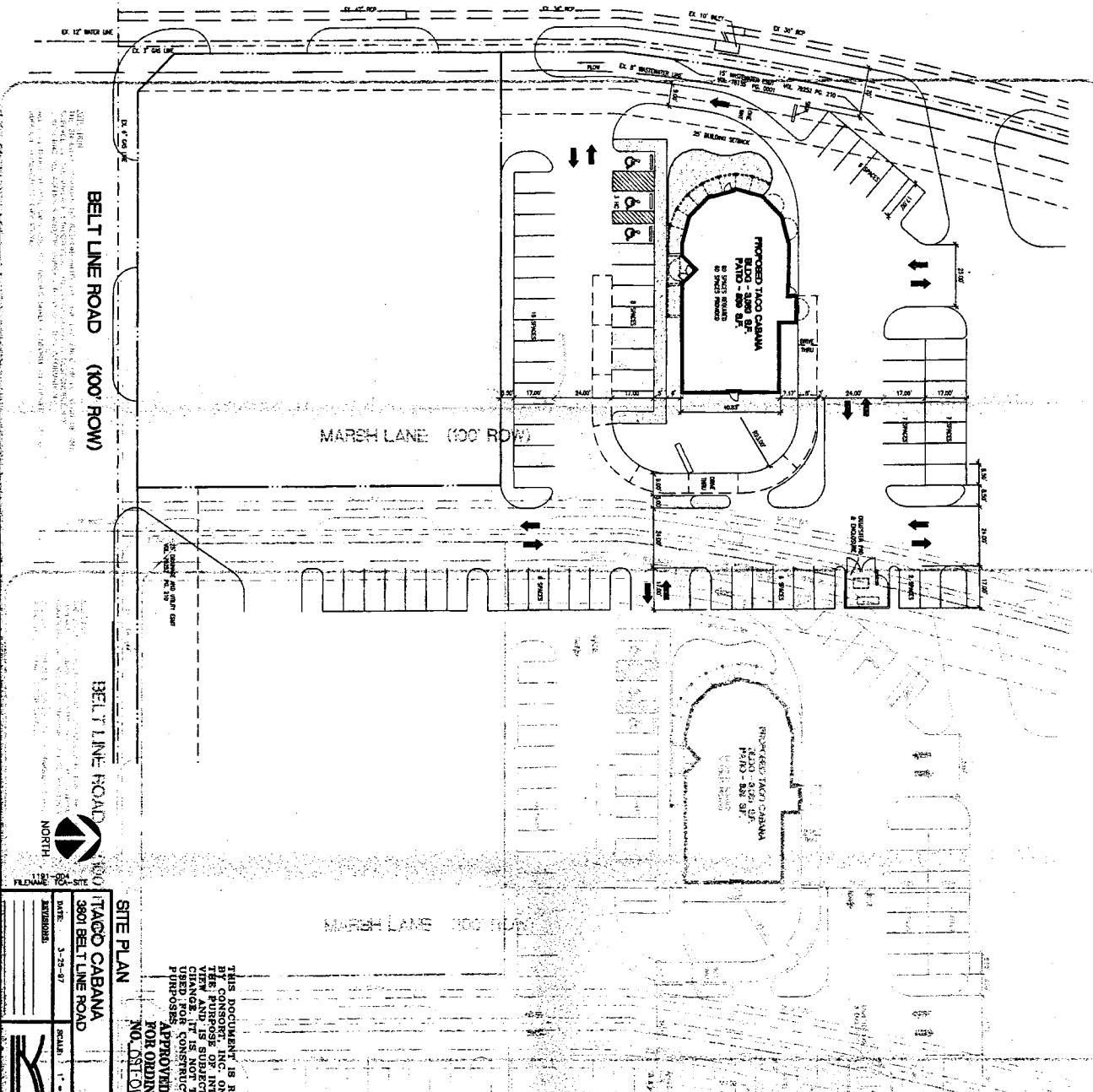
ATTENTION:
 THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE EXISTENCE OR LOCATION OF ANY
 UTILITIES OR OBSTRUCTIONS AND/OR OWNERS TO VERIFY THE ACCURACY OF
 ALL CONSTRUCTION MATERIALS AND TECHNIQUES SHALL CONFORM TO CURRENT CITY OF
 ARIZONA STANDARD SPECIFICATIONS.

MARSH LANE (100' ROW)

BELT LINE ROAD (100' ROW)

MARSH LANE (100' ROW)

BELT LINE ROAD (100' ROW)



SITE PLAN

TIAGO CABANA
 3801 BELT LINE ROAD

DATE	3-28-07	SCALE	1" = 20'	DRAWN BY	ST
REVISIONS					
315 North / Avenue, Phoenix, AZ 85004 / (602) 441-8888					

THIS DOCUMENT IS RELEASED
 FOR THE PURPOSE OF INTERIM RE-
 VIEW AND IS SUBJECT TO BE
 CHANGED. IT IS NOT TO BE
 USED FOR CONSTRUCTION
 PURPOSES.

APPROVED PLANS
 FOR ORDINANCE
 NO. 097-019

21A

ATTENTION: ALL APPLICANTS FOR PERMITS TO OCCUPY ANY PUBLIC PLACE OR ANY PUBLIC PROPERTY OR ANY PUBLIC UTILITY SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF CHICAGO.

MARSH LANE (100' ROW)

BELT LINE ROAD (100' ROW)

MARSH LANE (100' ROW)

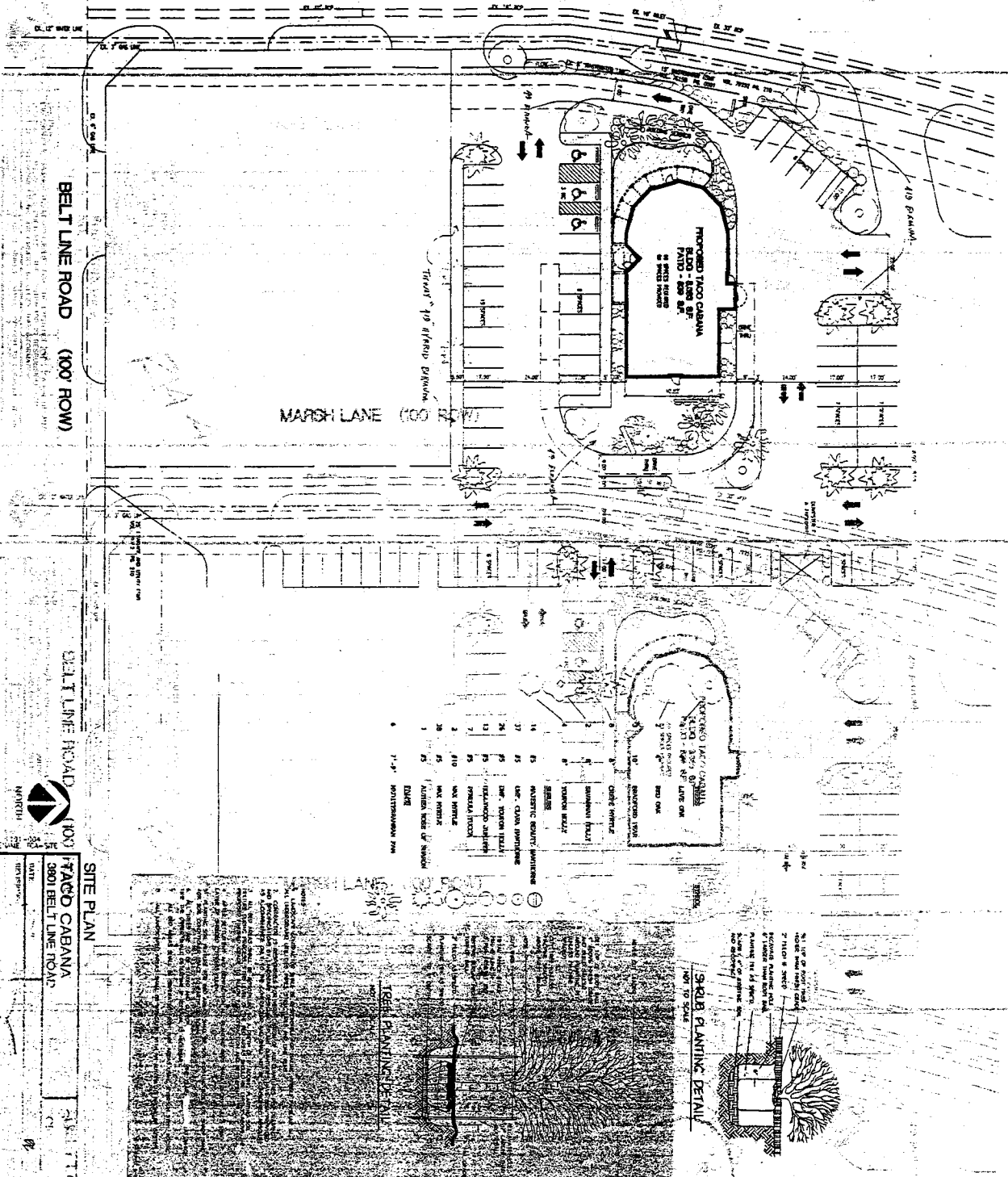
BELT LINE ROAD (100' ROW)

SITE PLAN
FRANC CABANA
3801 BELT LINE ROAD

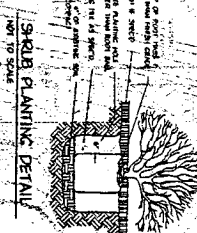


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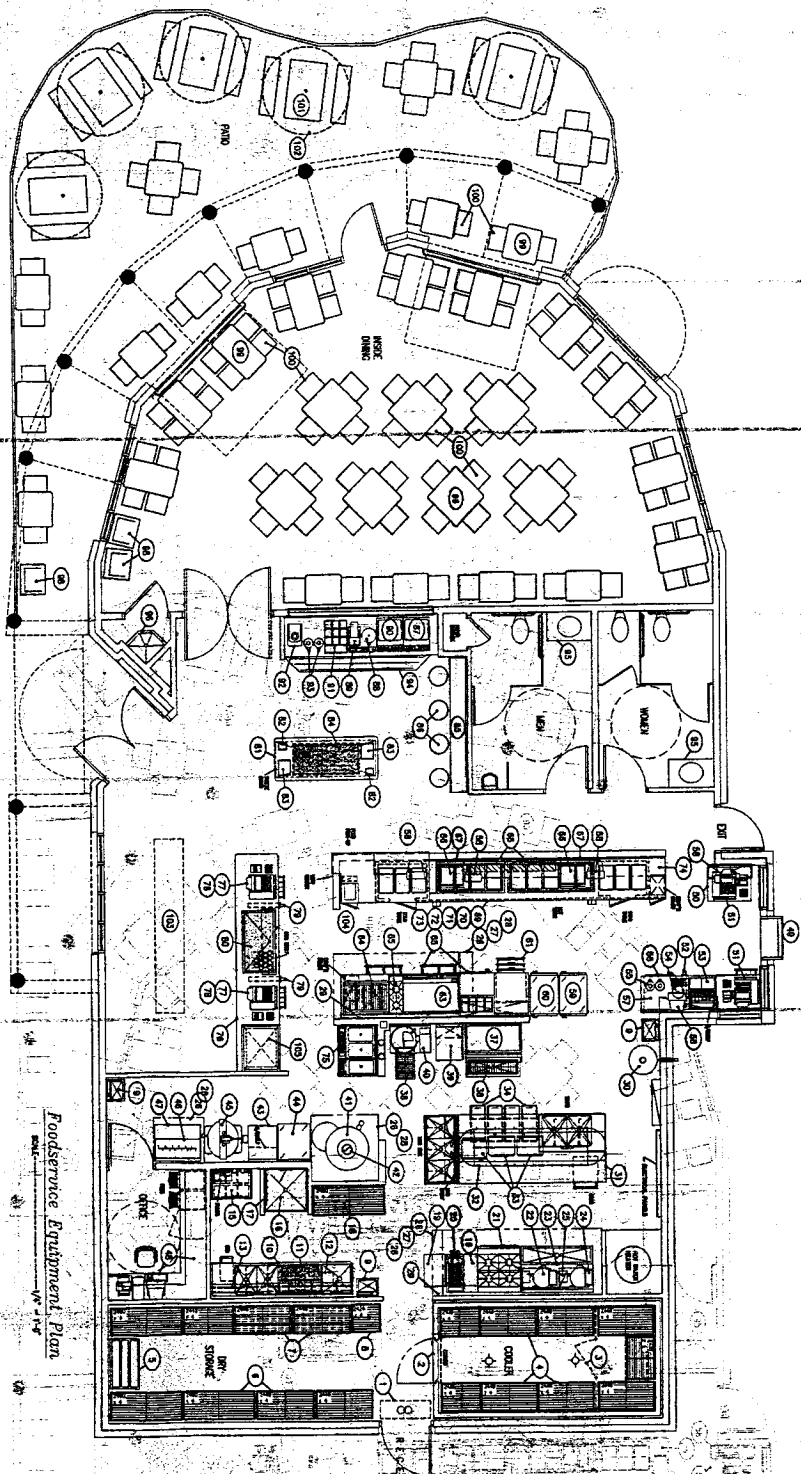
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26' x 12'
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12' x 12'



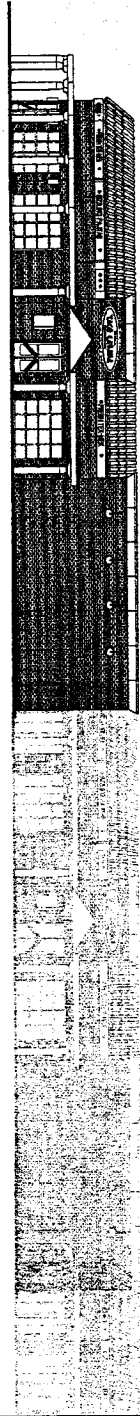
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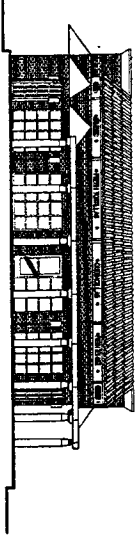
Equipment Schedule		Equipment Schedule	
Item No.	Description	Quantity	Notes
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2	OVEN	1	
3	REF. UNIT	1	
4	DISHWASHER	1	
5	EXTRACTOR	1	
6	GRIDDLE	1	
7	TOASTER	1	
8	COFFEE MAKER	1	
9	ICE CREAM MAKER	1	
10	WALK-IN COOLER	1	
11	WALK-IN FREEZER	1	
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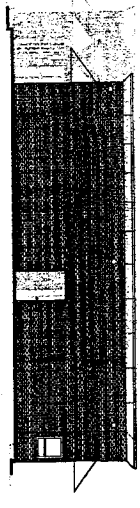
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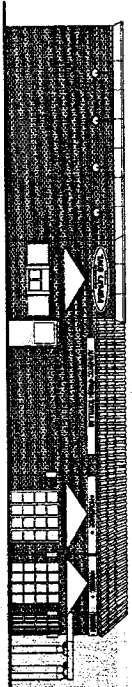
1 ENTRANCE RIGHT ELEVATION
SCALE 1/8" = 1'-0"



2 FRONT ELEVATION
SCALE 1/8" = 1'-0"



3 REAR ELEVATION
SCALE 1/8" = 1'-0"



4 DRIVE THROUGH LEFT ELEVATION
SCALE 1/8" = 1'-0"

RENDERING	
TACO CABANA - ADDISON	
NO.	97021
DATE	03/18/1997
BY	
CHECKED	
SCALE	
PROJECT	



Middleman + de la Carza + Neugebauer
ARCHITECTS

310 West Commerce, San Antonio, Texas 78209 Tel. 210/829-1801 Fax. 210/829-1802



TACO CABANA