

**ORDINANCE NO. 002- 020**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM COMMERCIAL-1 TO PLANNED DEVELOPMENT DISTRICT WITH SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION AND BREWPUB AS ALLOWED USES, SUBJECT TO THE APPROVAL OF A SPECIAL USE PERMIT, ON APPLICATION FROM BELTWAY COMMERCIAL REAL ESTATE COMPANY, LOCATED ON 1.959 ACRES AT 4803 BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL 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 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 ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, be, and the same is hereby amended by amending the zoning map of the Town of Addison, Texas, so as to give the hereinafter described property the zoning district classification, to-wit: Planned Development. Said property being in the Town of Addison, Texas, and being described as follows:

BEING Lot 2, Block A, a tract of 1.959 acres in the Beltway-Centre Addition and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found in the easterly right-of-way of Addison Road (a variable width right-of-way) and the northwesterly corner of a tract of land described in a deed to Mark A. Albert as recorded in Volume 97002, Page 3045 (DRDCT), said point being located N. 00°17'00" E, a distance of 180.02 feet from the northerly corner of a corner clip at the intersection of the easterly right-of-way line of said Addison Road and the northerly right-of-way line of Belt Line Road (100' right of way);

THENCE along the easterly right-of-way line of said Addison Road, N 00°17'00" E, a distance of 307.98 feet to a 5/8 inch iron rod set for corner;

THENCE departing the easterly right-of-way line of said Addison Road, S 89°43'00" E, a distance of 283.50 feet to a 5/8 inch iron rod set for corner;

THENCE N 00°17'00" E, a distance of 238.51 feet to a 5/8 inch rod set for corner;

THENCE S 89°43'00" E, a distance of 354.91 feet to a 5/8 inch rod set for corner;

THENCE N00°17'00" E, a distance of 31.20 feet to a 5/8 inch iron rod found for corner;

THENCE S 89°57'28" E, a distance of 52.76 feet to a 5/8 inch rod found for corner;

THENCE S 00°15'05" E, a distance of 175.00 feet to a 5/8 inch iron rod set for corner;

THENCE S 89°57'28" E, a distance of 9.91 feet to an "X" cut set for corner;

THENCE S 00°15'05" E, a distance of 137.67 feet to a 5/8 inch iron rod set for corner;

THENCE N 89°57'28" W, a distance of 30.00 feet to a 5/8 inch iron rod found for corner;

THENCE S 00°15'05" E, a distance of 105.00 feet to an "X" cut found for corner;

THENCE N 89°57'28" W, a distance of 30.83 feet to a 5/8 inch iron rod found for corner;

THENCE S 00°14'01" E, a distance of 357.33 feet to a 5/8 inch iron found for corner in the northerly right-of-way line of aforementioned Belt Line Road;

THENCE along the northerly right-of-way line of said Belt Line Road, N 89°57'28" W, a distance of 446.54 feet to a 3/4 inch iron rod found at the southeasterly corner of aforementioned Mark A. Albert Tract;

THENCE departing the northerly right-of-way line of said Belt Line Road, N 00°02'30" E, a distance of 200.00 feet to a 5/8 inch iron rod set for corner;

THENCE N 89°57'30" W, a distance of 200.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 9.016 acres or 392,740 square feet of land more or less.

SECTION 2. As provided in Planned Development District Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes.

SECTION 3. The following special conditions are placed on the above described property:

1. The property zoning to a Planned Development District allows all current Commercial-1 usages and restrictions but adds the uses of "sale of alcoholic beverages for on-premises consumption" and "brewpub", subject to the approval of a Special Use Permit.

SECTION 4. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose.

SECTION 5. 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

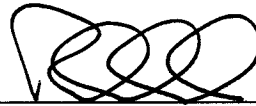
conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 6. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 7. 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.

SECTION 8. 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 11<sup>th</sup> day of June, 2002.



MAYOR

ATTEST:

  
CITY SECRETARY

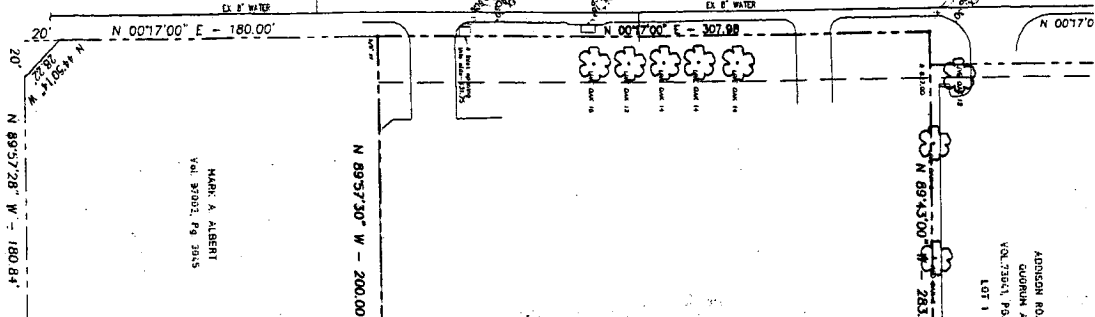
CASE NO. 1410-Z

APPROVED AS TO FORM:

  
DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: \_\_\_\_\_

# ADDISON ROAD

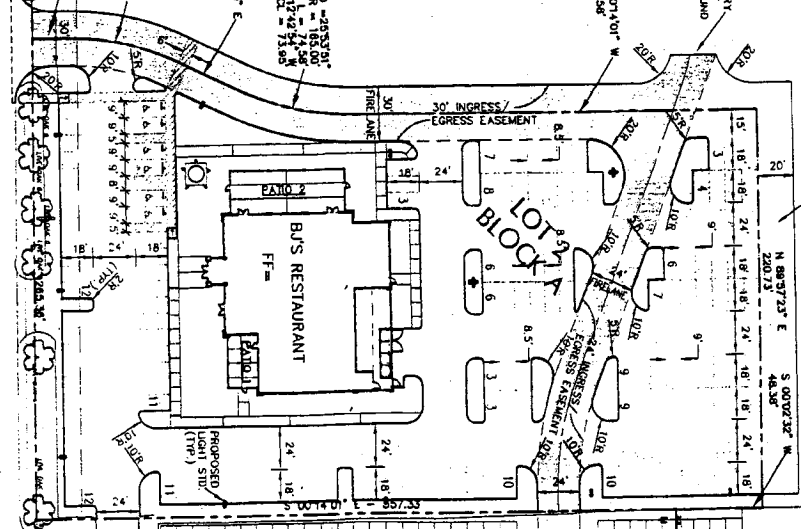


LOT 1  
BLOCK A

MARK & ALBERT  
VOL. 3902, PG. 2815

ADDISON ROAD  
GODWIN ADDITION  
VOL. 7501, PG. 2382  
LOT 1

BELT LINE ROAD  
N 89°57'28\"/>



EXISTING  
RETAIL  
BLDG.

LOT 1  
BELT LINE - GODWIN ADDITION  
VOL. 8977, PG. 0288

TOTALS		REMARKS	
EXISTING	3,861 SF.	(17,653) 148	
PATIO #1	1,068 SF.		
PATIO #2	441 SF.		
PATIO #3	271 SF.		
PATIO #4	104 SF.		
TOTAL	5,645 SF.	(144)	
PUBLIC PROVIDED	140		
PROPOSED	148		
TOTAL	288		
EXISTING ZONING	U4 (Local Retail)		
PROPOSED ZONING	U4 (Local Retail)		
SITE AREA	4,192 AC.		
TOTAL SITE AREA	42,879 AC.		

LOT 1  
BELT LINE - GODWIN ADDITION  
VOL. 8977, PG. 0288



## SCHEMATIC SITE PLAN

B.J.'S RESTAURANT  
LOT 2, BLOCK A OF  
BELTWAY CENTRE ADDITION  
CITY OF ADDISON  
DALLAS COUNTY, TEXAS

**BECKWITH & DAVIS-DRAKE, INC.**  
Civil & Structural Engineers - Surveying  
4348 North Central Expressway, Suite 1100 • Dallas, Texas 75204  
1315 Westwood • Dallas, Texas 75205  
Tel: 972-251-1100 • Fax: 972-251-1101

NO.	DATE	BY	REVISION
1	02/08/01	LD	02/11/01
2	02/08/01	LD	02/11/01