

ORDINANCE NO. 004-031

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 AMEND AN EXISTING SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION ONLY, IN ORDER TO REDUCE THE SIZE OF A LIQUOR STORE, AND APPROVAL OF A SPECIAL USE PERMIT FOR THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION ONLY, IN ORDER TO DEVELOP A CONVENIENCE STORE, ON APPLICATION FROM BUCKHORN LIQUOR STORE, LOCATED AT 14825 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:

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 alcoholic beverages for off-premises consumption only, in order to reduce the size of a liquor store, and approval of a Special Use Permit for the sale of beer and wine for off-premises consumption only, in order to develop a convenience store to Buckhorn Liquor Store. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

TRACT 1

Being a 39,010 square foot (0.8955 acre) tract of land in the Josiah Pancoast Survey, Abstract No. 1146, in the Town of Addison, Dallas, County, Texas and being a portion of Lot 1 of INWOOD WEST, an Addition to the Town of Addison, Texas according to the plat thereof recorded in Volume 91199, Page 3395 of the Map Records of Dallas County, Texas (M.R.D.C.T.), said 39,010 square foot tract being more particularly described by metes and bounds as follows (with bearings shown hereon being referenced to said plat of Inwood West).

BEGINNING at a 1/2 inch iron rod found in the westerly right-of-way (R.O.W.) line of Inwood Road (a 60 foot R.O.W.) and marking the common southeast corner of that certain tract conveyed to Inwood/Addison joint Venture as evidenced by warranty deed recorded in Volume 90150, page 3614 of the Deed Records of Dallas County, Texas (D.R.D.C.t.) and the northeast corner of said Lot 1 of Inwood West, said 1/2 inch iron rod being South 17 degrees 15 minutes 00 seconds East, 1,232.0 feet from a visibility clip at Belt Line Road (a 100 foot R.O.W.).

THENCE South 17 degrees 15 minutes 00 seconds East, along the west R.O.W. line of said Inwood Road, a distance of 121.96 feet to a 1/2 inch iron rod found for the common northeast corner of that certain tract conveyed to Inwood World Joint Venture as evidenced by warranty deed recorded in Volume 90039, Page 1536, D.R.D.C.T. and the northeast corner of the Sullivan Addition, an Addition to the Town of Addison, Dallas County, Texas according to the plat thereof recorded in Volume 81245, Page 371, M.R.D.C.T.

THENCE South 80 degrees 43 minutes 43 seconds West, departing the west R.O.W. line of said Inwood Road and along the north line of said Inwood World Joint Venture tract, a distance of 221.60 feet to a found chiseled "x" in concrete marking the northwest corner of said Inwood World Joint Venture tract.

THENCE South 17 degrees 15 minutes 00 seconds East, along the west line of said Inwood World tract, a distance of 83.94 feet to a 1/2 inch iron rod found at the northeast corner of that certain tract conveyed to D. Bohrstedt, Inc. as evidenced by warranty deed recorded in Volume 93048, Page 4360, D.R.D.C.T.

THENCE South 80 degrees 34 minutes 00 seconds West, departing the west line of said Inwood World tract and along the north line of said D. Bohrstedt tract, a distance of 0.35 feet to a 5/8 inch iron rod set for corner.

THENCE North, departing the north line of said D. Bohrstedt, Inc. tract and across said LOT 1, a distance of 243.87 feet to a chiseled "X" in concrete set in the south line of said Inwood/Addison Joint Venture tract.

THENCE East along the south line of said Inwood/Addison Joint Venture tract, a distance of 227.04 feet to the POINT OF BEGINNING of the herein described tract containing within the metes recited 39,010 square feet (0.8955 acre) of land, more or less.

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, floor plan, landscape plan and the elevation drawings which are attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit granted therein shall be limited to the sale of alcoholic beverages or beer and wine to those portions of the building designated on the site plan attached hereto. Total square feet for the liquor store is 3,983 square feet. Total square footage for the convenience store is 4,455 square feet.
3. No signs advertising sale of alcoholic beverages or beer and wine shall be permitted under those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the City of Addison, as well as approved elevations of the building.
4. Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the City of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages or beer and wine.
5. That if the property for which the Special Use Permit is granted herein is not used for the purpose 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 on such property.

6. That if a license or permit to sell alcoholic beverages or beer and wine on property covered by the is Special Use Permit is revoked, terminated or cancelled by property authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
7. The site landscape requirement is 20 percent totaling 7800 square feet. The plan shows 7,300 square feet of available landscaping, with 2,685 to be added to meet/exceed the 20 percent requirement. It appears the applicant is counting landscaping on the adjacent property west of his site towards his landscape calculations, which he needs to clarify.
8. A detailed landscaping plan needs to be re-submitted showing the quantity of trees and shrubs required in the landscape regulations, versus the quantity of existing and proposed trees and shrubs. This applies to the street frontage, north, south and west sides of the property.
9. Inwood Road Street Frontage Landscaping – the existing Burford Holly, shown along Inwood Road needs to be replaced with Indian Hawthorne to match adjacent properties north of this site to create a more consistent look along Inwood Road, and to improve visibility.
10. West Side of Building – the existing Photinia shrubs need replacing with a lower growing shrub that will not overcrowd the existing Crape Myrtle trees.
11. All planting beds need to be renovated with new edging, compost and mulch.
12. A new irrigation plan needs to be submitted showing existing and proposed sprinkler heads, valves and controllers. A freeze and rain sensor need to be added to the irrigation controller.
13. The aforementioned items need to be addressed on the revised landscape and irrigation plans before a building permit is issued.


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 22nd day of June, 2004.


MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1462-SUP

APPROVED AS TO FORM:

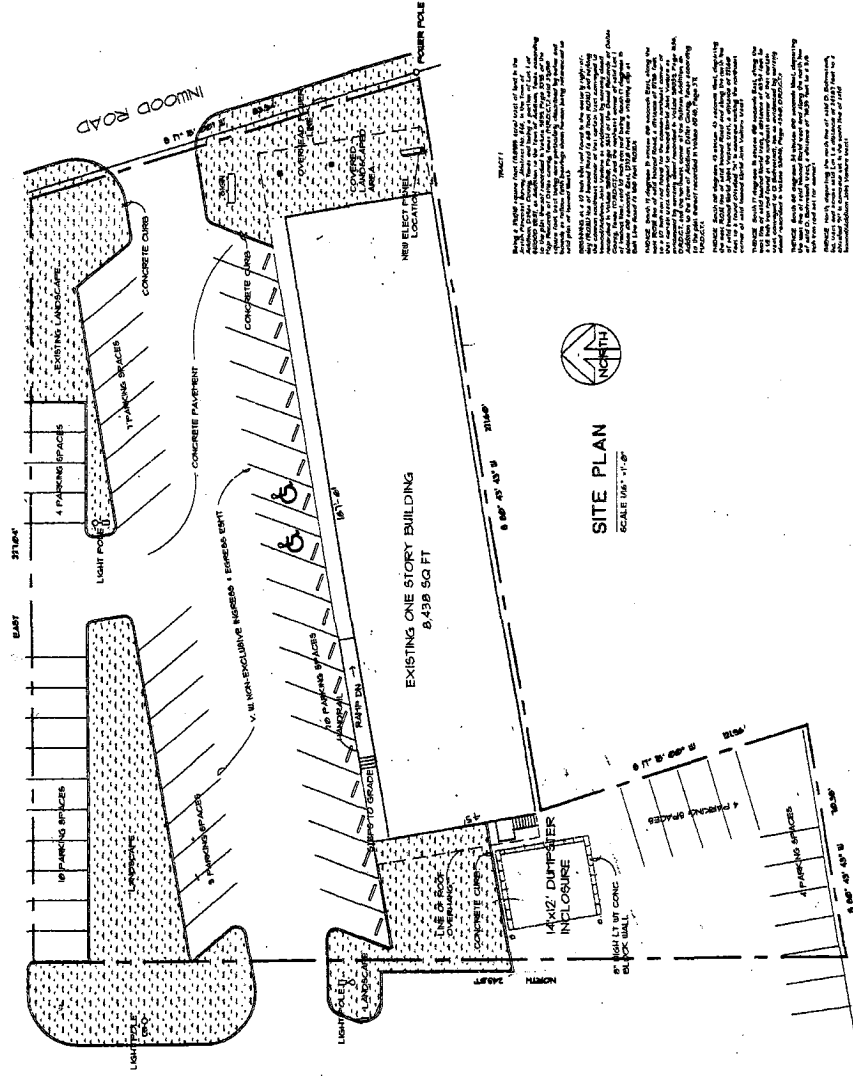

DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: N. W. Morning News 7-23-04

RENOVATION - BUCKHORN LIQUOR STORE II 1829 WOOD ROAD ADDISON TEXAS 75001

RSL
Raymond S. Lambert & Associates
architect-planners
12250 Inwood Blvd
Suite 9
Addicks, Texas 75244
972-337-4288

Sheet No. **S-1**
SITE PLAN



SITE PLAN
SCALE 1/8" = 1'-0"

PROJECT:
Renovation of existing liquor store, including interior and exterior improvements, at 1829 Wood Road, Addison, Texas. The project is located on a 2.16-acre site bounded by Wood Road to the west and a power pole to the north. The existing building is an L-shaped structure with a total area of approximately 8,438 square feet. The site plan shows the proposed improvements, including a new concrete parking area, concrete curbs, and a new dumpster enclosure. The site is shown with its dimensions and surrounding features.

CODE INFORMATION
APPLICABLE CODES
ALLIANCE CODE 2000 IRC
TECHNICAL CODE 2000 IRC

LAND DATA
TRACT 1, Frame 50 817 (686055) ACRES J.A. FORBEN
OR LOT 1, 18000 WEST TOLL, 8014, P.C. 1979A, TRACT 31
AN ADJACENT PART OF TRACT NO. 8014, P.C. 1979A
PROVIDED UNDER 50 P.F. 3549 50 FT.
SOUTH 1/4 SECTION 10, T.12N. R.10E. S.10E.
COUNTY OF DALLAS, TEXAS

BUILDING DATA
OCCUPANCY GROUP 1
SINGLE STORY - ONE STORY
GROSS AREA - 8,438 SQ. FT.
OCCUPANCY/EGRESS
LEAVE 1 - 3.00 SQ. FT. OF MERCANTILE AT 30 SQ. FT. PER PERSON - 71
SITE PROVIDED - 3
LEAVE 2 - 4.00 SQ. FT. OF MERCANTILE AT 30 SQ. FT. PER PERSON - 80
SITE PROVIDED - 3
LEAVE 3 - 8.00 SQ. FT. OF MERCANTILE AT 30 SQ. FT. PER PERSON - 14
SITE PROVIDED - 3

LIFE SAFETY SYSTEMS
EQUIPMENT SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY SPECIFICATIONS FOR LIFE SAFETY SYSTEMS.

PARKING REQUIREMENTS
BURNING PARKING ACCESSIBILITY: CITY AND COUNTY SPECIFICATIONS SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY SPECIFICATIONS FOR PARKING ACCESSIBILITY.
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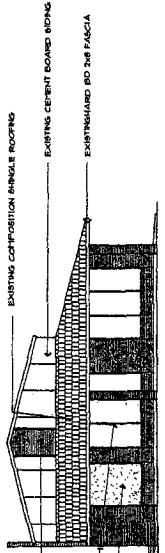
GENERAL NOTES
1. APPROVED PLANS SHALL BE REQUIRED AND MAINTAINED ON SITE AND NOT BE USED BY OTHERS.
2. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS.
3. ALL UTILITY LOCATIONS SHALL BE MARKED AND MAINTAINED THROUGHOUT THE PROJECT.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK AND MATERIALS INCLUDING THOSE PERMITTED BY SUBORDINATIONS AND ORDINANCES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVED PLANS PRIOR TO COMMENCING THE WORK.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK AND MATERIALS INCLUDING THOSE PERMITTED BY SUBORDINATIONS AND ORDINANCES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVED PLANS PRIOR TO COMMENCING THE WORK.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK AND MATERIALS INCLUDING THOSE PERMITTED BY SUBORDINATIONS AND ORDINANCES.

INNOVATION - BUCKHORN LIQUOR STORE
 14225 INWOOD ROAD
 ADDISON, TEXAS 75001

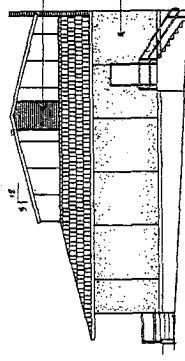
RSL
 Raymond &
 Lambert
 associates
 architectural-planners
 13215 Inwood road
 Dallas, Texas 75244
 972-387-4288

DATE: ELEVATIONS

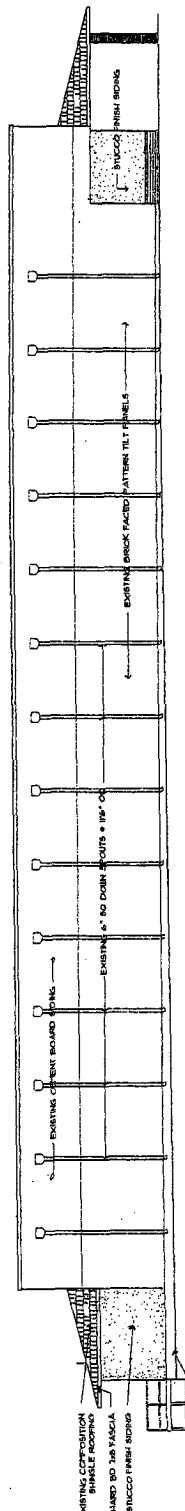
SHEET NO. A-2



WEST ELEVATION
 SCALE 1/8" = 1'-0"



INWOOD ROAD ELEVATION
 SCALE 1/8" = 1'-0"



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

RENOVATION - BUCKHORN LIQUOR STORE
 14225 INWOOD ROAD
 ADDISON, TEXAS 75001

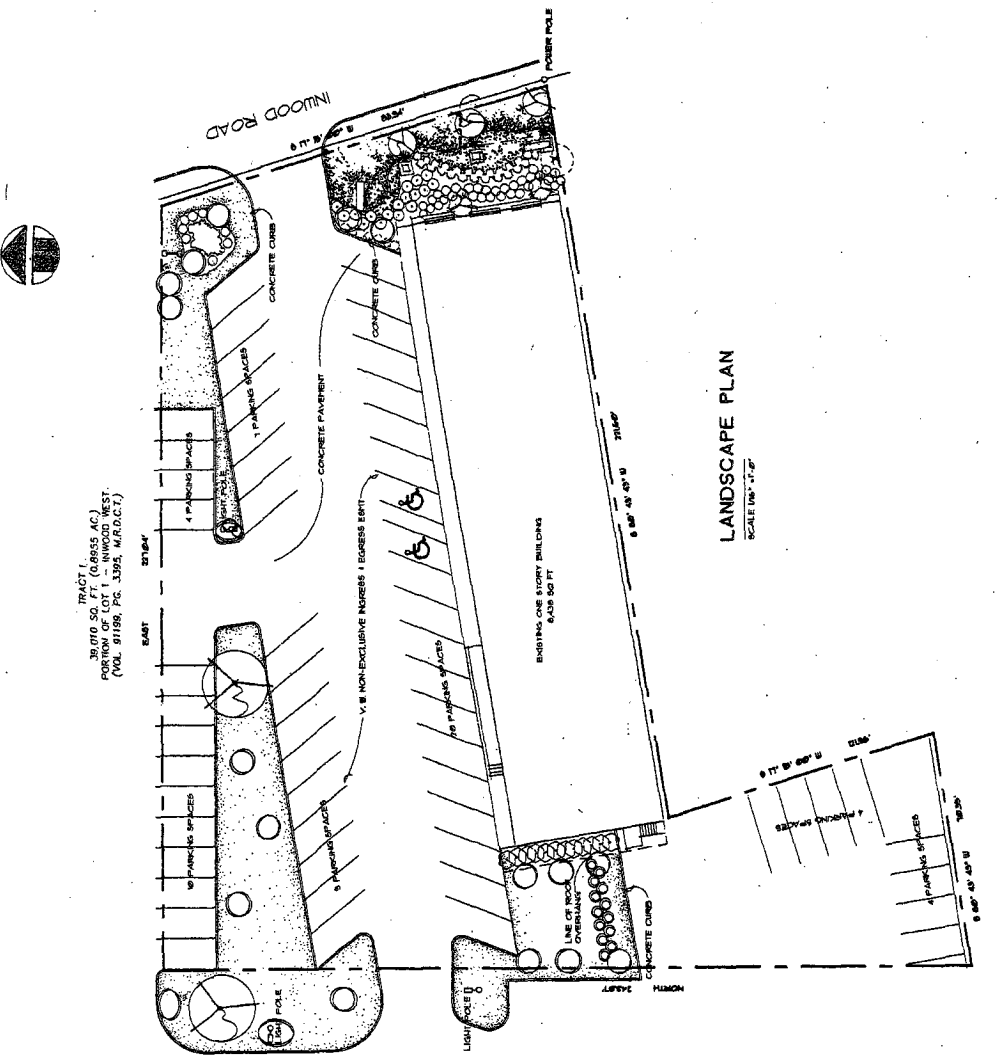
RSL
 Raymond & Lambert & Associates
 architects-planners
 12208 Inwood road
 suite 9
 addison, Texas 75244
 972.397-4288

sheet no. **L-1**

DATE: _____

INWOOD BROTHERS, LTD.
 1722 N. HALL STREET
 DALLAS, TEXAS 75204
 (214) 290-7881

DATE: _____



LANDSCAPE PLAN
 SCALE 1/8" = 1'-0"

COMMON NAME	BOTANICAL NAME	SIZE & SPACING
N.S. STEVENS HOLLY	ILEX N. STEVENS HOLLY	15 GAL./AS SHOWN
INDIAN HAWTHORNE	AMPHICELIS INDICA	5 GAL./7'-0" OC
SHREE VIBURNUM	VIBURNUM SLOPERANUM	15 GAL./AS SHOWN
ARALIA	ARALIA SEPTENTRIONALIS	5 GAL./7'-0" OC
DWARF YAPON HOLLY	ILEX VOMITORIA	3 GAL./7'-0" OC
DWARF BURCHARD HOLLY	ILEX (P. GORD.) HAZLEY NANA	3 GAL./7'-0" OC
EXISTING LIVE OAK		
EXISTING BURCHARD HOLLY		
EXISTING ARALIA		
EXISTING OLIVE BIRCH		
UNWASHED RAFFIA		
ARTAN JASMINE	TRANSYLVANIAN	7' POTS/12' OC

DENOTES EXISTING PLANT MATERIAL & SHOULD BE REMOVED
 EXISTING CHINESE PHOTOA