

ORDINANCE NO. 004-048

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 (C-1) TO PLANNED DEVELOPMENT (PD), TO APPROVE A SPECIAL USE PERMIT FOR A RESTAURANT, AND TO APPROVE A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION ONLY, ON APPLICATION FROM WINGATE INN, LOCATED AT 4960 ARAPAHO ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A 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 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:

WHEREAS, MCM Company are the owners of a 2.788 acres tract of land situated in the G.W. Fisher Survey, Abstract no. 482, Town of Addison, Dallas County, Texas and being a portion of five tracts of land described in instruments to MCM Company as recorded in Volume 78212, page 3704; Volume 83179, page 1556; Volume 82179; page 1559 and Volume 84004, page 1944 of the deed of records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron for found at the Southwest corner of the tract of land described in said instrument recorded in Volume 84133, page 0532 of the deed of records of Dallas County, Texas, said point also being the Southwest corner of a tract of land described in instrument to Southwestern Bell Telephone Company as recorded in Volume 86207, page 3192 of the deed of records, Dallas County, Texas, said point also being on the North right-of-way line;

THENCE South 89 degrees 35 minutes 00 seconds East along the said North right-of-way line of Arapaho Road and the North right-of-way line of Arapaho Road as established by instrument to the city of Addison, Texas as recorded in Volume 84075, page 4952 of the deed of records of Dallas County, Texas and along the South line of said Southwestern Bell Telephone Company (SWBT) tract a distance of 79.64 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the POINT OF BEGINNING;

THENCE North 00 degrees 16 minutes 34 seconds East parallel with and 20 Easterly from the East line of said SWBT tract a distance of 157.20 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap on the Southerly line of a 168,918 square foot tract of land as described in instrument to the town of Addison as recorded in Volume 86009, page 00027, deed records, Dallas County, Texas said point being the beginning of a non-tangent curve to the right having a central angle of 4 degrees 47 minutes 46 seconds, a radius of 778.00 feet, and being subtended by a 65.11 foot chord bearing North 63 degrees 57 minutes 20 seconds East;

THENCE Northeasterly along said curve to the right, along the Southerly line of said town of Addison tract a distance of 65.12 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of tangency of said curve;

THENCE North 66 degrees 21 minutes 13 seconds East along the Southerly line of said town of Addison tract a distance of 299.54 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of curvature of a curve to the right, having a central angle of 11 degrees 28 minutes 42 seconds, a radius of 240.00 feet, and being subtended by a 48.00 foot chord bearing North 72 degrees 05 minutes 34 seconds East;

THENCE Northeasterly along said curve to the right, along the Southerly line of said town of Addison tract an arc distance of 48.08 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of reverse curvature of a curve to the left, having a central angle of 11 degrees 28 minutes 42 seconds, a radius of 260.00 feet, and being subtended by a 52.00 foot chord bearing North 72 degrees 05 minutes 34 seconds East;

THENCE Northeasterly along said curve to the left, along the Southerly line of said town of Addison tract an arc distance of 52.09 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of tangency of said curve;

THENCE North 66 degrees 21 minutes 13 seconds East along the Southerly line of said town of Addison tract a distance of 60.80 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of curvature of a curve to the right, having a central angle of 3 degrees 29 minutes 00 seconds, a radius of 848.00 feet, and being subtended by a 51.55 foot chord bearing North 68 degrees 05 minutes 43 seconds East;

THENCE Northeasterly along said curve to the right, along the Southerly line of said town of Addison tract an arc distance of 51.55 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the end of said curve;

THENCE South 54 degrees 50 minutes 08 seconds East along the Southerly line of said town of Addison tract a distance of 23.14 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for a corner on the West right-of-way line of Quorum Drive (80 foot wide right-of-way) as established by the instrument to the town of Addison, Texas as recorded in Volume 82149, page 0240 of the deed of records of Dallas County, Texas;

THENCE South 00 degrees 11 minutes 10 seconds East along the west right-of-way line of Quorum Drive a distance of 86.14 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of curvature of a curve to the right, having a central angle of 18 degrees 40 minutes 18 seconds, a radius of 380.00 feet, and being subtended by a 123.29 foot chord bearing South 09 degrees 08 minutes 59 seconds West;

THENCE Southerly along said curve to the right and West right-of-way line of Quorum Drive an arc distance of 123.83 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of reverse curvature of a curve to the left, having a central angle of 18 degrees 40 minutes 18 seconds, a radius of 190.00 feet, and being subtended by a 61.65 foot chord bearing South 09 degrees 08 minutes 59 seconds West;

THENCE Southerly along said curve to the left and West right-of-way line of Quorum Drive an arc distance of 123.83 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of tangency of said curve;

THENCE South 00 degrees 11 minutes 10 seconds East along the west right-of-way line of Quorum Drive a distance of 26.09 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for a corner;

THENCE South 45 degrees 42 minutes 50 seconds West along the Westerly right-of-way line of Quorum Drive a distance of 24.00 feet to an "X" cut found I concrete for a corner on the North right-of-way line of Arapaho Road as established by instrument to city of Addison, Texas as recorded in Volume 82117, Page 1657 of the Deed records of Dallas County, Texas;

THENCE North 89 degrees 46 minutes 10 seconds West along the North right-of-way line of Arapaho Road a distance of 267.99 feet to a 1/0 inch iron rod found with "Huitt-Zollars" cap for the point of curvature of a curve to the left, having a central angle of 13 degrees 35 minutes 07 seconds, a radius of 359.31 feet, and being subtended by a 85.00 foot chord bearing South 83 degrees 26 minutes 16 seconds West;

THENCE Westerly along said curve to the left and North right-of-way line of Arapaho Road an arc distance of 85.20 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap on the North line of an easement for the street purposes granted to the city of Addison, Texas described in instrument recorded in Volume 78212, page 3699 of the deed records of Dallas County, Texas;

THENCE South 76 degrees 05 minutes 32 seconds West a distance of 43.41 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the Southeast corner of that tract of land described in instruments to MCM Company as recorded in Volume 82179, Page 1559 of the deed records of Dallas County, Texas said point also being on the North right-of-way line of Arapaho Road as established by instrument to the city of Addison, Texas as recorded in Volume 82117, Page 4654 of the deed records of Dallas County, Texas, said point being the beginning of a non-tangent curve to the right, having a central angle of 12 degrees 31 minutes 42 seconds, a radius of 299.31 feet, and being subtended by a 65.32 foot chord bearing south 84 degrees 09 minutes 00 seconds West;

THENCE Westerly along said curve to the right and said North right-of-way line of Arapaho Road an arc distance of 65.45 feet to a 1/2 inch iron rod found with "Huitt-Zollars" cap for the point of tangency of said curve;

THENCE North 89 degrees 35 minutes 00 seconds West along the North right-of-way line of Arapaho Road as per last mentioned instrument and an

instrument to the city of Addison, Texas as recorded in Volume 84075, Page 4952 of the deed records of Dallas County, Texas for a distance of 45.33 feet to the POINT OF BEGINNING.

CONTAINING 2.788 acres 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 facades for the building shall be constructed of 90% brick or a combination of brick and E.I.F.S. (rendering #3, as presented by the applicant).
2. The applicant/developer shall provide on-site detention storage for storm water runoff.
3. This property is located within the 70 to 75 ldn noise contours. In accordance with the adopted airport master plan, an aviation easement is required.
4. Prior to any development the applicant shall submit plans to the FAA for review/approval to determine compliance with Addison's height hazard zoning.
5. Prior to acquiring a building permit, and upon completion of the building, the applicant/developer shall provide verification from a certified acoustical expert that the structure, outside to inside, meets sound attenuation of 30 dB.
6. The entrance on the north side must match up with the median opening in the proposed Arapaho Road, and should be a minimum of 36-feet wide.
7. Placement of trees along the Arapaho and Quorum Drive frontages shall be coordinated with the Town's streetscape plan for tree spacing.
8. The undeveloped open space shown west of the building shall be irrigated and maintained with the rest of the site.

9. A detailed landscape and irrigation plan shall be submitted for review and approval before a building permit is issued.
10. The dumpster enclosure shall be constructed out of the same material as the building and shall be large enough to hold all dumpsters on the site.
11. All mechanical equipment shall be screened by either a parapet wall or screening device. The screening shall be architecturally compatible with the building, and the Staff shall make the determination as to what is "architecturally compatible."
12. The building and site must meet all requirements of the fire code.
13. No signs advertising the sale of 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. No terms such as "bar", "tavern" or any terms or graphic depictions that relate to the sale of alcoholic beverages shall be used in exterior signs
14. That the sale of alcoholic beverages under this special use permit shall be Permitted in restaurants. Restaurants are hereby defined as establishments that receive at least sixty percent (60%) of their gross revenues from the sale of food.
15. Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of Paragraph 4 are being met.
16. 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 for considering a change of zoning.
17. The term "bar", "tavern", or any equivalent term, or graphic depiction, associated with alcoholic beverages shall not be used in exterior signs.

SECTION 4. 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 5. 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 6. 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 9th day of November, 2004.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO: 1473-SUP

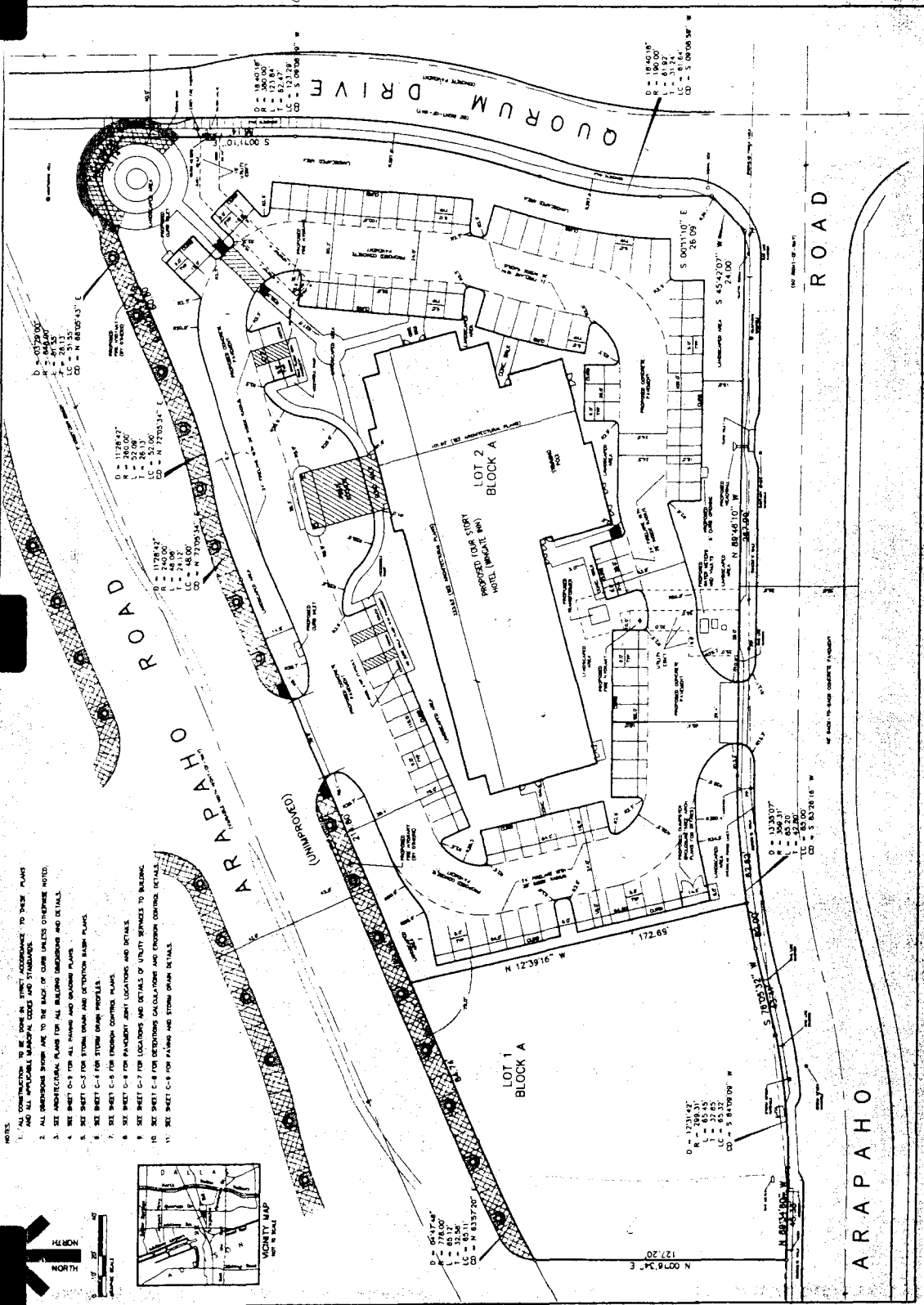
APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: _____

	<p>PROJECT: WINGATE INN WINGATE INN OF ADDISON ADDITION ADDISON, TEXAS</p>	<p>DATE: 07/20/07 DRAWN BY: J. J. JONES CHECKED BY: J. J. JONES SCALE: 1" = 20' SHEET NO.: C1-19 TOTAL SHEETS: 20</p>
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- NOTES:
1. CONSULT WITH THE ARCHITECT FOR ANY CHANGES TO THESE PLANS AND ALL APPLICABLE MUNICIPAL ORDINANCES AND STANDARDS.
 2. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 3. SEE ARCHITECTURAL PLANS FOR ALL BUILDING DIMENSIONS AND DETAILS.
 4. SEE SHEET C-1 FOR ALL PAVING AND GRADING PLANS.
 5. SEE SHEET C-2 FOR STORM SEWER AND DETENTION TANK PLANS.
 6. SEE SHEET C-3 FOR STORM SEWER PROFILES.
 7. SEE SHEET C-4 FOR STORM SEWER CONTROL PLANS.
 8. SEE SHEET C-5 FOR PAVEMENT JOINT LOCATIONS AND DETAILS.
 9. SEE SHEET C-6 FOR LOCATIONS AND DETAILS OF UTILITY SERVICES TO BUILDING.
 10. SEE SHEET C-7 FOR LOCATIONS AND DETAILS OF UTILITY SERVICES TO BUILDING.
 11. SEE SHEET C-8 FOR SETBACKS CALCULATIONS AND ENGINEERING DETAILS.
 12. SEE SHEET C-9 FOR PAVING AND STORM DRAIN DETAILS.

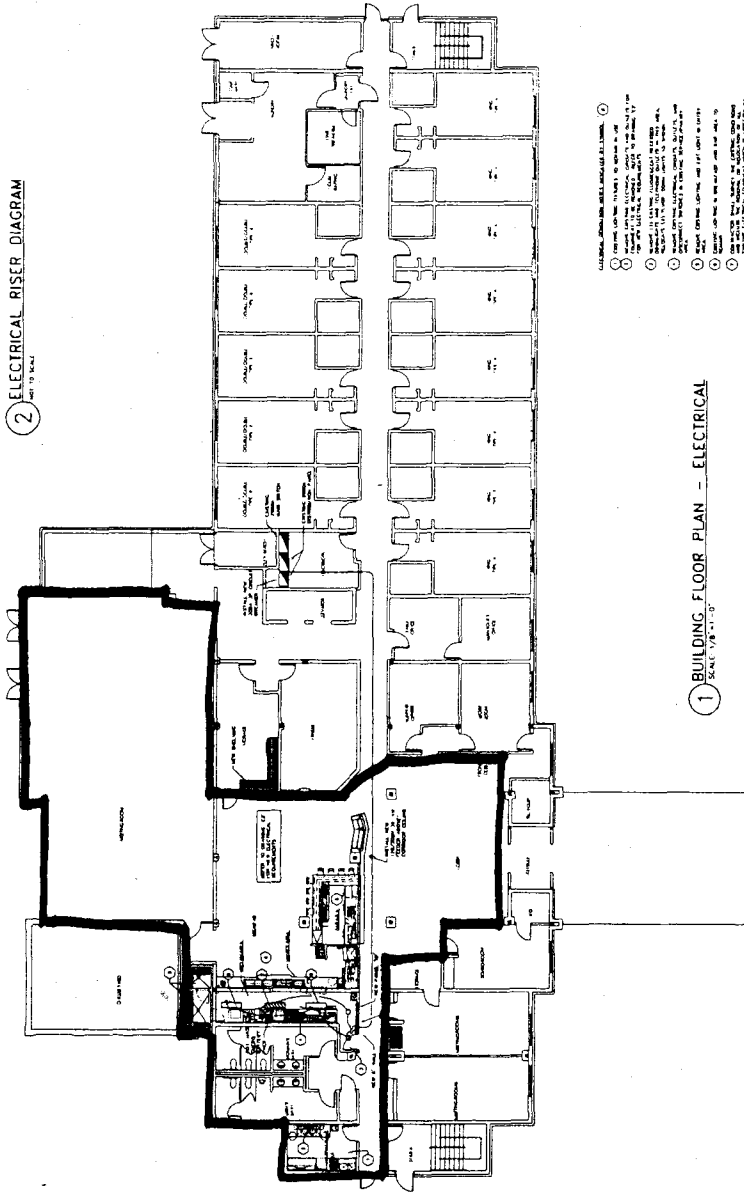
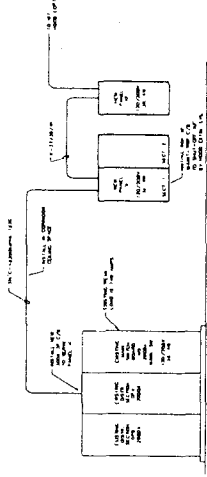
DALE W. GRIFFIN
OWNER
BDC
CONSTRUCTORS, INC.
11111 W. 10th Street, Suite 100
Dallas, Texas 75244

ARCHITECTS
NR2
2021 E. WILSON
SUITE 100, DALLAS, TEXAS 75218
TEL: 214-818-1222
FAX: 214-818-1215

Wingate Inn
4960 Arapahoe Road
Addison, Texas

DATE: 12/18/88
PROJECT NO.: 880811
DRAWING NO.: 080811-01
DESCRIPTION: ELECTRICAL

E1
OF 2



- 1. ELECTRICAL SYMBOLS ARE AS SHOWN ON SHEET 080811-01.
- 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, 1990 EDITION, AS AMENDED BY THE 1991 AND 1993 EDITIONS.
- 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS ELECTRICAL CODE, 1990 EDITION, AS AMENDED BY THE 1991 AND 1993 EDITIONS.
- 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS ELECTRICAL CODE, 1990 EDITION, AS AMENDED BY THE 1991 AND 1993 EDITIONS.
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