

ORDINANCE NO. 005-008

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 EXTREME PITA, LOCATED AT 5290 BELT LINE ROAD SUITE 103, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; 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 and a special use permit for the sale of alcoholic beverages for on-premises consumption to Extreme Pita.

Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

Being a 1,300 square foot lease space, addressed as 5290 Belt Line Road, Suite 103, and being a part of:

Tract1

BEING a tract of 5.000 acres of land in the Allen Bledsoe Survey, Abstract No. 157, Dallas County, Texas; and being more particularly described as follows:

COMMENCING at the point of intersection of the Northwest line of Celestial Road with the present Northeast line of Mont fort St. (25.0 ft from centerline); THENCE Northwesterly, along the present Northeast line of Montfort (parallel to and 25.0 ft Northeast of the centerline of same), as follows; 1st.. N 23° 49' 41" W, 1113.45 feet; 2nd. N 23° 24' 00" W, 825.16 ft. to its intersection with the Northwest line of a proposed road, this being the POINT OF BEGINNING of the 5.000 Acre tract described herein:

THENCE Northwesterly, continuing along the Northeast line of Montfort St. (parallel to and 25.0 ft Northeast of the centerline of same), as follows; 1st. N 23° 24' 00" W, 119.06 ft.' 2nd. N 41° 54' 00" W. 692.17 ft.;

THENCE N 28° 44' 55" E, along a cut-back corner with Belt Line Road, 29.59 ft. to a point in the South line of Belt Line Road;

THENCE N 89° 49' 50" E, along the South line of Belt Line Road, 628.48 ft. to its intersection with the West line of said proposed road;

THENCE Southerly, along the Westerly lines of said road, as follows: 1st. S 00° 10' 10" E, 194.78 feet to the beginning of a curve to the right that has a Central Angle of 30° 00' 00", a Radius of 460.0 feet and a Tangent of 123.26 feet; 2nd, Southwesterly, around said curve 240.85 ft.; 3rd, S 29° 49' 50" W, 6.65 ft. to the beginning of a curve to the left that has a Central Angle of 24° 49' 42", a Radius of 540.0 ft. and a Tangent of 118.87 ft.; 4th, Southwesterly, around said curve, 234.0 ft. to the POINT OF BEGINNING and containing 5.000 acres of land.

Tract 2

BEING a tract of 16.097 Acres of land in the ALLEN BLEDSOE SURVEY, ABST. NO. 157, Dallas County, Texas; and being more particularly described as follows:

COMMENCING at the point of intersection of the Northwest line of Celestial Road, with the present Northeast line of Montfort St. (25.0 ft. from centerline); Thence N 73° 22' 00" E, along the Northwest line of Celestial Road, 15.13 ft. to its intersection with the proposed Northeast line of Montfort St.; Thence N 23° 49' 41" W, along the proposed Northeast line of Montfort St., 1115.23 ft. to the POINT OF BEGINNING of the 16.097 acre tract described herein:

THENCE Northerly, along the proposed Northeast line of Montfort St. and along the Easterly line of a proposed road, as follows: 1st. N 23° 24' 00" W, 568.31 ft. to the beginning of a curve to the right that has a Central Angle of 53° 13' 50", a Radius of 460.0 ft. and a Tangent of 230.5 ft.; 2nd Northeasterly, around said curve, 427.36 ft.; 3rd. N 29° 49' 50" E, 6.65 ft. to the beginning of a curve to the left that has a Central Angle of 30° 00' 00", a Radius of 540.0 ft. and a Tangent of 144.69 ft.; 4th. Northerly, around said curve, 282.74 ft.; 5th. N 00° 10' 10" W, 194.78 ft. to its intersection with the South line of Belt Line Road;

THENCE N 89° 49' 50" E, along the South line of Belt Line Road, 569.11 ft.;

THENCE S 00° 10' 10" E, 665.13 ft.;

THENCE S 75° 13' 25" E, 12.84 ft.;

THENCE S 00° 10' 10" E, 116.56 ft.;

THENCE S 48° 00' 10" W, 335.0 ft.;

THENCE S 20° 35' 30" W, 391.63 ft.;

THENCE S 66° 36' 00" W, 75.0 ft.; to the POINT OF BEGINNING and Containing 16.097 acres of land.

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 property shall be improved in accordance with the site plan, floor plan, and elevation drawing, 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 and the sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the final site plan as encompassing a total area not to exceed 1,300 square feet.
3. 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.

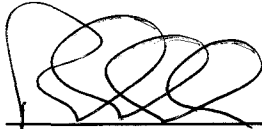
4. The irrigation controllers for this center will need to be inspected to ensure the rain and freeze sensors are operable before issuance of a Certificate of Occupancy.

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. 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 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 8th day of February, 2005.



MAYOR

ATTEST:



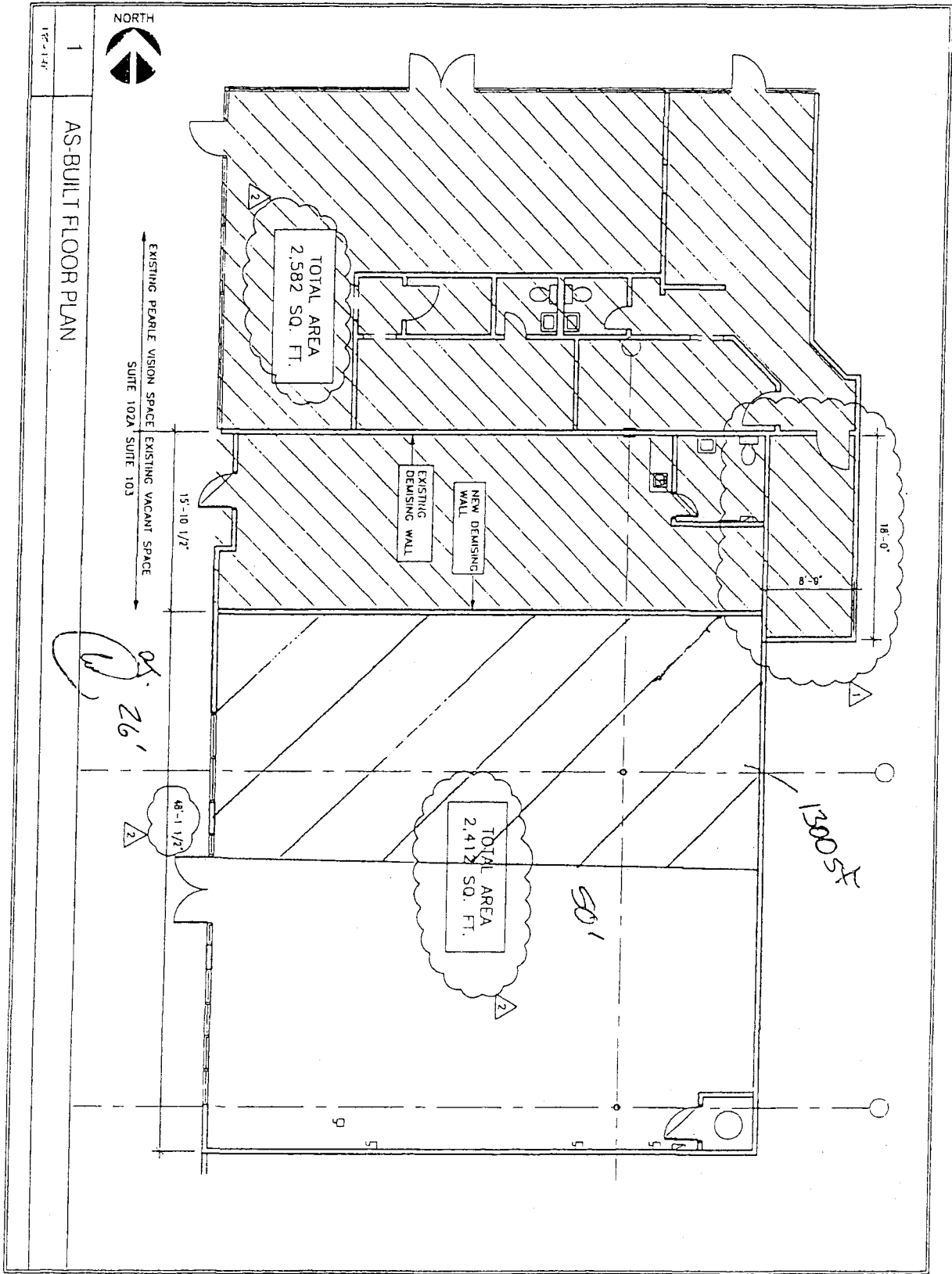
CITY SECRETARY

CASE NO. 1483-SUP

APPROVED AS TO FORM:

Director of Development Services

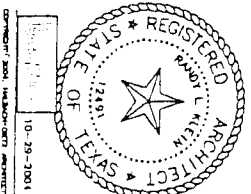
PUBLISHED ON: 5/20/03



Drawn	BY	11-3-2004
Project No.	BY	11-18-2004
Client	BY	11-18-2004
Scale	BY	11-18-2004

- AS-BUILT FLOOR PLAN
- 11-3-2004 DEMISING WALL LOCATIONS
- 11-18-2004 AREA CALCULATIONS

AS-BUILT FLOOR PLAN OF
PRESTONWOOD PLACE
SUITES 102A & 103
 5240 BELT LINE ROAD
 ADDISON, TEXAS



Halbach•Dietz
Architects

3107 Maple Avenue
 Suite 100
 Richardson, TX 75081
 (972) 233-1100
 www.halbachdietz.com

FINISH WITH B1 (WHITE FRP BOARD) TO 8'-0" A.F.F. W/ WHITE PAINT ABOVE. SUPPLIED & INSTALLED BY G.C.

ALL PREP AREA WALLS FOR PAINT FINISH P1

GENERAL CONTRACTOR RESPONSIBLE FOR THE INSTALLATION OF THE KITCHEN VENTILATION SYSTEM INCLUDING ALL VENTING.

PAINT BACK WALL FINISH PL4 BELOW CHAIR RAIL & FINISH P2 ABOVE. FOR CHAIR RAIL SIZE & FINISH SEE $\frac{4}{8}$

CONSTRUCTION PLAN
SCALE: 1/8" = 1'-0"

22'-9 1/2"

15'-3 1/2"

4 5/8"

5'-0 1/2"

4 5/8"

20'-8"

F1 FLOOR TILE

WALK IN COOLER
5' x 7'

POSITION ELECTRICAL PANEL HERE
CONTRACTOR TO INCLUDE COST OF RELOCATION IF REQUIRED

PAINT W/C WALLS P2 - ALLOW FOR P4 ON TOILET WALL IN EACH WASHROOM. CONTINUE FLOOR TILE ONTO WALLS TO 4'-0" A.F.F.

PAINT BACK WALL FINISH P3 BELOW CHAIR RAIL & FINISH P2 ABOVE. FOR CHAIR RAIL SIZE SEE $\frac{4}{8}$

PAINT BACK WALL FINISH P3 BELOW CHAIR RAIL & FINISH P4 ABOVE. FOR CHAIR RAIL SIZE SEE $\frac{4}{8}$

PAINT BACK WALL FINISH PL4 BELOW CHAIR RAIL & FINISH P2 ABOVE. FOR CHAIR RAIL SIZE & FINISH SEE $\frac{4}{8}$

FOR MILLWORK DIMENSIONS REFER TO DRAWING 4

CONTRACTOR TO PROVIDE ADEQUATE POWER SUPPLY FOR COOLER BEING INSTALLED REFER TO SHEET 5 FOR EQUIPMENT REQUIREMENTS

WASTE DISPOSAL

F1 FLOOR TILE

FINISHES:

1. WALLS FOR PAINT CHAIR RAIL AND FIN OTHERWISE NOTED

2. CONTRACTOR TO CERAMIC TILE TYPE / COOKING AREAS / AREAS INCLUDING MILLWORK.

DEMOLITION NO

GENERAL CONTRACTOR FOR DEMOLISHING REQUIRED.

MAKE GOOD ALL NEW FINISHES. MAKE READY FOR NEW TILING LIGHTING AND T-BAR. CONFIRM HEIGHT OF W/ ANDY REES @ EX DETERMINE REUSE (x 17

SUPPLY & INSTALL ELECTRIC DOOR CHIME C/W CHIME LOCATED IN THE BACK PREP ROOM AREA. CONFIRM REQUIREMENTS WITH EXTREME PITA

marc

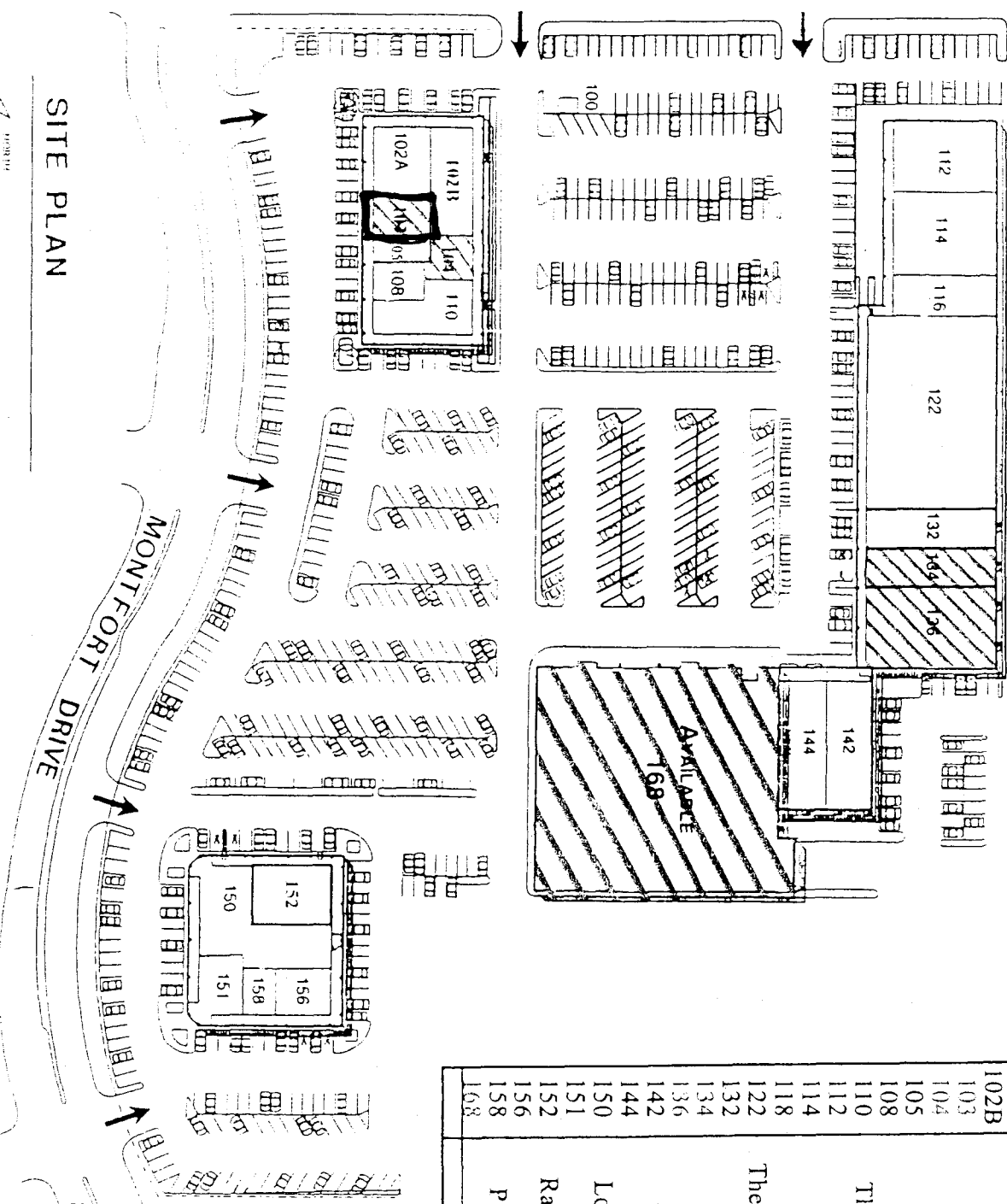
127 ossing
t: 416.466

JOB #:

PRESTONWOOD PLACE

BELTLINE ROAD

SITE PLAN



Suite	Tenant	Sq. Ft.
100	Joe's Keys	168
102A	Chipotle	2,500
102B	Soho Jazz Cafe	1,443
103	Available	1,519
104	Available	1,227
105	Pearle Vision	1,000
108	Addison Cafe	2,000
110	The Great Outdoors	2,300
112	La Madeleine	5,840
114	Enchilada's	5,200
118	Cafe Gecko	2,440
122	The Consignment Store	14,925
132	MoMo's Pasta	3,000
134	Available	2,994
136	Available	6,000
142	Vernon's Grille	3,500
144	Chow Thai	3,500
150	Logan's On The Belt	5,200
151	K Ratan Tailor	1,800
152	Raymond Stark Salon	2,010
156	Weight Watchers	1,517
158	Planned Parenthood	999
168	Available	62,608



8235 Douglas Avenue, Suite 720
Dallas, TX 75225

Phone: 214-378-1212
Fax: 214-378-1212



Proposed 'The Extreme Pita'

SCALE: N.T.S.	APPROVED BY:	DRAWN BY PM
DATE: 1/2/05		REVISED

5290 Beltline Rd Addison, TX

Storefront Elevation

DRAWING NUMBER
Preliminary

ORDINANCE NO. 005-008

OFFICE OF THE CITY SECRETARY