

**TOWN OF ADDISON, TEXAS  
ORDINANCE NO. 011- 004**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO GRANT A SPECIAL USE PERMIT FOR THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION ONLY, ON APPLICATION WITH PENNYSAVERS FOODSTORE, LOCATED 14330 MARSH LANE; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A SEVERABILITY 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, 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 Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit

for the sale of beer and wine for off-premises consumption only, said zoning amendment shall be noted on the official zoning map of the Town of Addison, Texas, and is situated on the following described land:

BEING a tract of land situated in the Noah Good Survey, Abstract No. 530, Dallas County, Texas, and being part of a 25.042 acre tract and being more particularly described as follows:

BEGINNING at the intersection of the south line of Spring Valley Road and the east line of Marsh Lane;

THENCE South 89°43'26" East, along the south line of Spring Valley Road, a distance of 150.00 feet;

THENCE South, a distance of 150.00 feet;

THENCE North 89°43'26" West, a distance of 150.00 feet to a point in the east line of Marsh Lane;

THENCE North, along said east line, a distance of 150.00 feet to the place of beginning.

LESS AND EXCEPT:

Being a tract of land out of the Noah Good Survey, Abstract No. 520, Dallas County, Texas, said Tract also being within the limits of the City of Addison, Texas, and also being part of the Humble Oil and Refining Company Tract as described in Volume 703, Page 1182, deed records, Dallas County, Texas, more particularly described as follows:

BEGINNING at a ½" iron rod set for the intersection of the East right-of-way line of Marsh Lane (a 100-foot right-of-way); and the South right-of-way line of Spring Valley Road (a 60-foot right-of-way);

THENCE, South 89°43'26" East, 10.00 feet, along the said South right-of-way line of Spring Valley Road, to a ½" iron rod set for corner;

THENCE, South 45°08;17" West, 14.11 feet, to a ½" iron rod set for corner;

THENCE, North 10,00 feet, along the said East right-of-wway line of Marsh Lane, to the POINT OF BEGINNING.

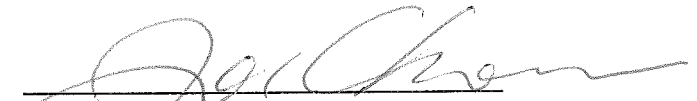
SECTION 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall be remain in full force and effect.

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.

**DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS**, on this the 11th day of January, 2011.

  
\_\_\_\_\_  
Mayor-Joe Chow

ATTEST:

  
\_\_\_\_\_  
City Secretary-Lea Dunn

CASE NO.: 1614-SUP/Pennysavers Foodstore

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Director of Development Services-Carmen Moran

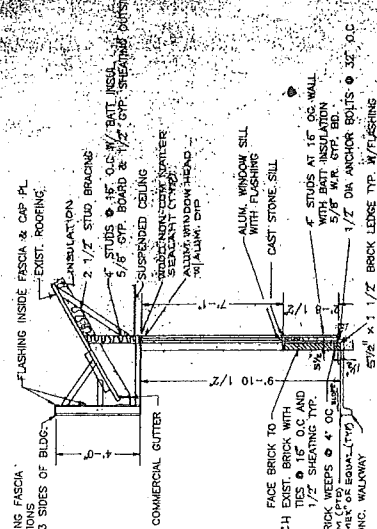
PUBLISHED ON: 4/6



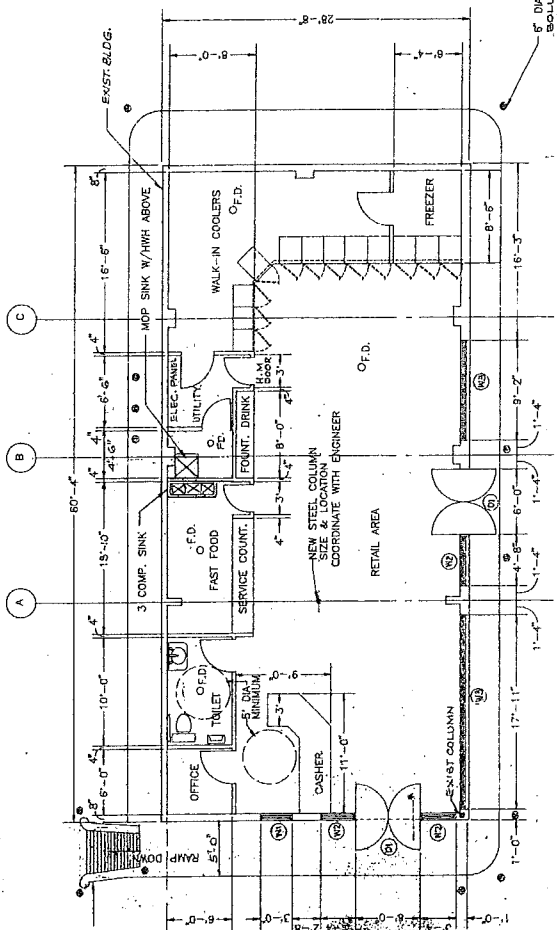
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TYP. DETAIL AT EXIST MASONRY COLUMN

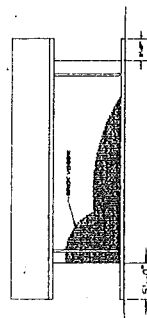


TYPICAL SECTION AT STORE FRONT WINDOWS  
SCALE: 3/8" = 1'-0"

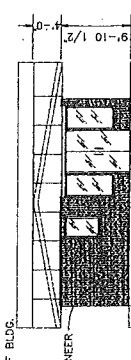


CONVENIENCE STORE PLAN VIEW  
SCALE: 3/8" = 1'-0"

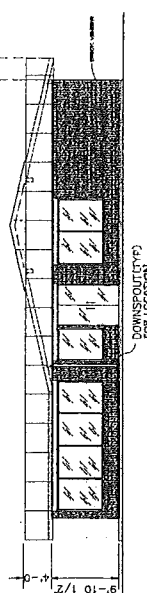
\* SEE DWG. A-3 FOR NOTES  
\* 1/2" DIA. SMOOTH END BAR AT 2'-0" O.C.  
\* 1/2" DIA. SMOOTH END BAR AT 2'-0" O.C.  
\* TYPICAL AT POOL OPENINGS.



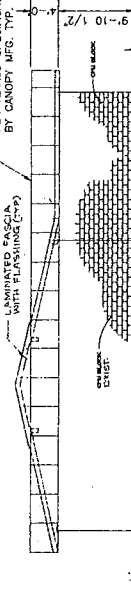
SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"



NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



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



EAST ELEVATION  
SCALE: 1/8" = 1'-0"