

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. 011- 005**

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 TETCO, LOCATED 5012 BELT LINE ROAD; PROVIDIING 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 all of a certain tract situated in the Town of Addison, Dallas County, Texas, being a portion of Lot 1, Block 1 of Dalbelt Addition according to the plat recorded in Volume 86234, page 4688 of the Deed Records of Dallas County, Texas, said tract also being a remainder of the tracts described in the deed to Tetco Stores, LP recorded in Volume 98195, Page 8860 of the said Deed Records; the subject tract being more particularly described by metes and bounds as follows:

BEGINNING at an X cut found at the southeast corner of Lot 2, Block 1 of Dalbelt Addition according to the plat recorded in Volume 86234, Page 4688 of the Deed Records of Dallas County, Texas,

THENCE, South 89°58'20" West (plat call South 89°20'25" West), with the south line of said Lot 1, a distance of 123.21 feet (plat call 125.17 feet) to an X cut found on top of a wall at the southwest corner of Lot 1;

THENCE, North 00°04'06" West, with the west line of Lot 1, a distance of 161.00 feet (plat call 175.00 feet) to a ½-inch capped rebar stamped "JPH LAND SURVEYING" set at the southwest corner of the tract described in the deed to the Town of Addison recorded in Volume 95059, Page 483 of the said Deed Records;

THENCE, South 89°26'10" East, through the interior of Lot 1 and tracts one and two described in the deed to Tetco Stores, LP recorded in Volume 98195, Page 8860 of the said Deed Records, and with the south line of the said Town of Addison tract, a distance of 46.99 feet to a MagNail with a metal washer stamped "JPH LAND SURVEYING" set at the beginning of a non-tangent curve concave to the southwest having a radius of 122.06 feet;

THENCE in a Southeasterly direction, continuing through the interior of Lot 1 and the said first Tetco tract, and with the south line of the Town of Addison tract an arc length of 78.58 feet (a chord bearing of South 65°19'51" East, a chord distance of 77.23 feet) to a ½-inch capped rebar stamped "JPH LAND SURVEYING" set at the most easterly corner of the Town of Addison tract and in the curved west line of the tract described in the deed to the Texas Turnpike Authority recorded in Volume 87181, Page 1340 of the said Deed Records, said curve being concave to the southwest having a radius of 95.31 feet;

THENCE continuing in a southeasterly direction, continuing through the interior of the first Tetco tract and with the west line of the said Texas Turnpike Authority tract, along the arc of the said curve an arc length of 59.71 feet (a chord bearing of South 12°55'56" East a chord distance of 58.74 feet) to a MagNail with a metal washer stamped "JPH LAND SURVEYING" set at the tangent end of the said curve;

THENCE South 05°00'52" West (plat call South 04°22'27" West), continuing through the interior of the first Tetco tract and with the west line of the Texas Turnpike Authority tract, a distance of 43.55 feet (plat call 43.55 feet) to a MagNail with a metal washer stamped "JPH LAND SURVEYING" set at the beginning of a non-tangent curve having a radius of 568.01 feet (plat call 567.96 feet);

THENCE in a southerly direction, continuing through the interior of the first Tetco tract and with the east line of the Texas Turnpike Authority tract and along the arc of the said non-tangent curve, an arc length of 27.80 feet (a chord bearing of South 06°25'01" West (plat call South 05°42'13" West) a chord distance of 27.80 feet) returning to the PLACE OF BEGINNING and enclosing 19,260 square feet.

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.: 1615-SUP/Tetco Stores, LP

APPROVED AS TO FORM:

CMORAN

Director of Development Services-Carmen Moran

PUBLISHED ON: 4/6

TETCO #616
5012 BELTLINE



