

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 011- 011

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 7-ELEVEN CONVENIENCE STORE #19358, LOCATED AT 14400 MARSH LANE IN A LOCAL RETAIL ZONING DISTRICT; PROVIDING FOR SPECIAL CONDITIONS; 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:

BEGINNING at the intersection of the East line of Marsh Lane, a (a 100' R.O.W.), with the North line of Spring Valley Road (a 60' R.O.W.) an iron stake for corner;

THENCE North, along the said Marsh Lane East line, parallel to and 50 feet from the center line of Marsh Lane, a distance of 150.00 feet to an iron stake for corner;

THENCE South 89 degrees 40' East, leaving said Marsh Lane East line and being parallel to the said Spring Valley Road North line, a distance of 150.00 feet to an iron stake for corner;

THENCE South, parallel to the said Marsh Lane East line, a distance of 150.00 feet to a point on the said Spring Valley Road North line, an iron stake for corner;

THENCE North 89 degrees 40' West, along the said Spring Valley Road North line, parallel to and 30 feet from the center line of Spring Valley Road, a distance of 150.00 feet to the PLACE OF BEGINNING, and containing 22,500 square feet of land.

SECTION 2. That the Special Use Permit for the sale of beer and wine for off-premises consumption only is granted subject to the following conditions:

1. That the Special Use Permit granted herein shall be limited to sale of alcoholic beverages for off-premises consumption only and to that particular area designated on the final site plan as encompassing a total area not to exceed 2,400 square feet.
2. No signs advertising 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.
3. Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
4. 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.
5. That if a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or cancelled by proper

authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.

SECTION 3. 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 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. 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 8th day of February 2011.**



Mayor-Joe Chow

ATTEST:



City Secretary-Lea Dunn

CASE NO.: 1620-SUP 7-Eleven Convenience Store #19358

APPROVED AS TO FORM:

C MORAN

Director of Development Services-Carmen Moran

PUBLISHED ON: 4/6

MARSH LANE 100' R.O.W. (NO MEDIAN - CITY PLANS FOR A MEDIAN AT SOME FUTURE DATE)



HARD SURFACE DRIVE + APPROACH TO BE PROVIDED AS INDICATED BY COMPLETION OF 7/ELEVEN STORE BUILDING 150

DRIVES + APPROACHES FOR MUTUAL USE OF ALL TENANTS

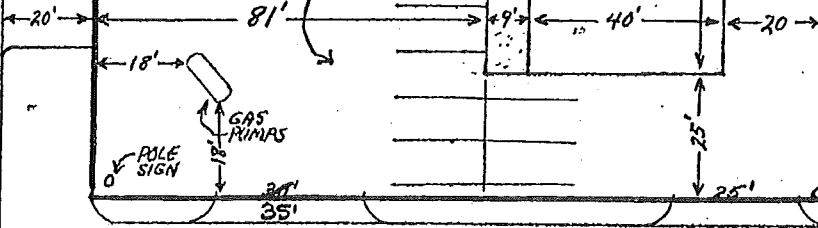
PROPOSED FUTURE LEASE SPACE

NEW 7/ELEVEN STORE PLAN 75 F

5" REINF. CONCRETE

GAS PIPES

POLE SIGN



SPRING VALLEY ROAD 60' R.O.W. (NO MEDIAN)

INITIALED BY: [Handwritten signature]

APPROVED BY: BELLER/LESSOR

APPROVED BY: BUYER/LESSEE

SCALE: 1" = 30'

DRAWING OF PREMISES AND IMPROVEMENTS - PLOT PLAN



OFFICE OF THE CITY SECRETARY
LOCATION OF PROPERTY: MARSH LANE @ SPRING VALLEY RD. ADDISON, TEXAS

SCHEDULE B

011-011

MAGS	ICE	FREEZER	SS Cookies	TH Cookies Cereal	RTE	Grocery
------	-----	---------	------------	----------------------	-----	---------

VAULT 12 DOORS

WATER

COFFEE

ICE
CREAM

Auto

Pet/Soap

GATORADE
ORDINANCE NO. 01-011

TH Candy	NUTRITION	PACKAGED BAKERY	PACKAGED BAKERY	FRESH BAKERY
Candy	Candy	Candy	Candy	

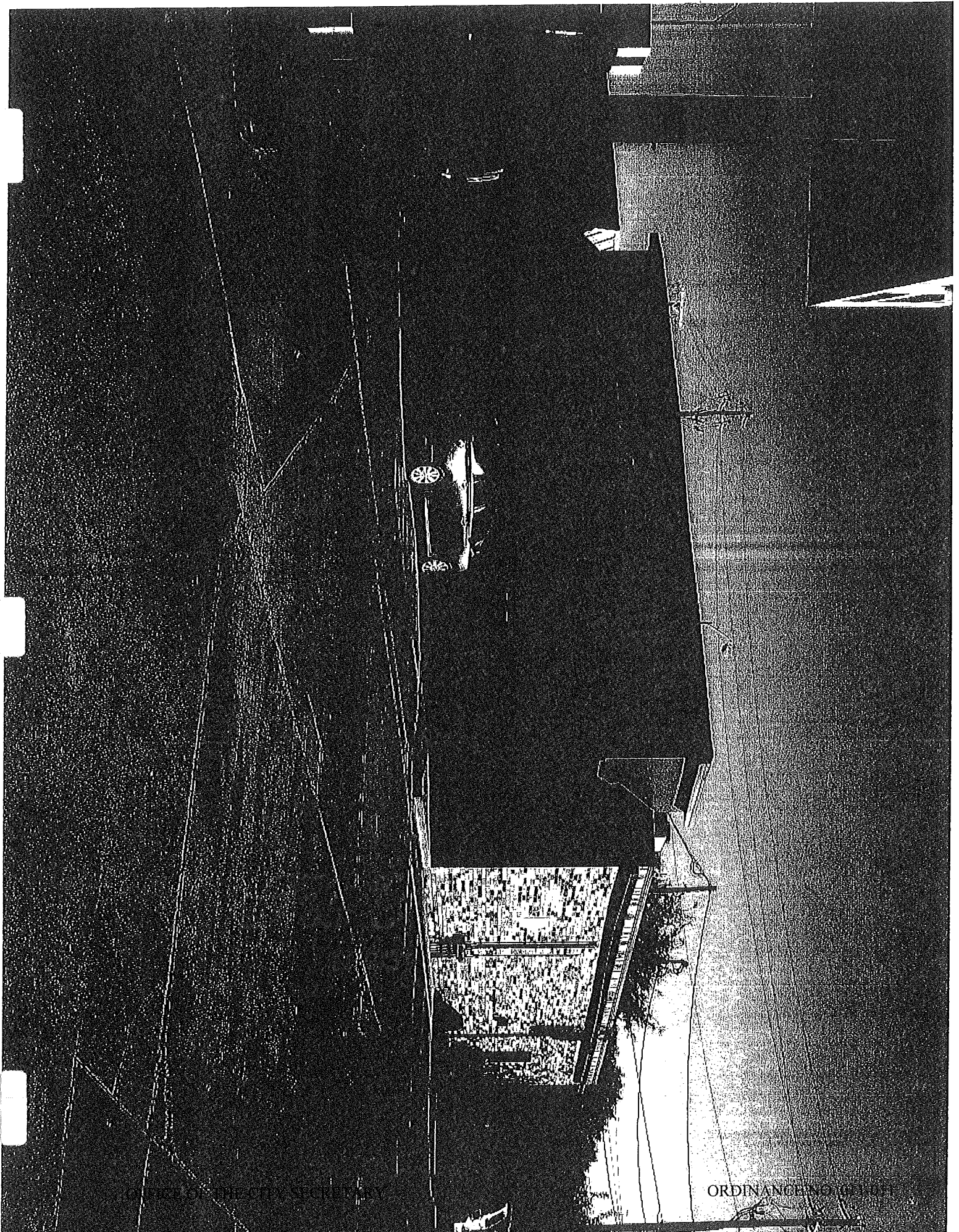
MEAT SNACKS	NUTS & SEEDS	BFY/GFY	CID
TH CHIPS	CHIPS	CHIPS	

Baby/Paper	HBC 3	HBC 2	HBC 1	Batteries/elec	Movies/Games As seen on TV	TFE
Seasonal	PMU - phone	PMU - game				

SALES COUNTER

Soft Drinks	Soft Drinks	MW	SLURPEE	FOUNTAIN
-------------	-------------	-----------	---------	----------

STORE 19358
Fall
2010



ORDINANCE NO. 1111