

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. 011- 017**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING PLANNED DEVELOPMENT ORDINANCE 091-066, SECTION 2. IN ORDER TO ALLOW THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION ONLY, WITH A SPECIAL USE PERMIT, AND APPROVING A SPECIAL USE PERMIT FOR THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION ONLY, LOCATED ON THE PROPERTY GENERALLY LOCATED AT 4150 BELT LINE ROAD, ON APPLICATION FROM SAM'S CLUB #6376, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A PENALTY 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, is hereby amended by amending Ordinance, 091-066, Section 2, in order to read as follows:

SECTION 2. In the hereinabove described land, no land or building shall be used, erected or converted to any use other than:

Antique shop
Aquarium
Art gallery
Automotive goods, retail sales only
Automotive service, limited to the K-Mart store only
Bakery, retail sales only
Bank, office, wholesale sales office or sample room
Barber and beauty shops
Bird and pet shops, retail
Book or stationery store
Camera shop
Candy, cigars and tobaccos, retail sales only
Caterer and wedding service, offices only
Cleaning, dyeing and laundry pick-up station for receiving and delivery of articles to be cleaned
Cleaning and pressing shops having an area of not more than 6,000 square feet
Curtain cleaning shop having an area of not more than 6,000 square feet
Department store, novelty or variety shop, retail sales only
Drug store, retail sales only
Florist, retail sales only
Furniture store, retail only
Grocery store, retail sales only
Hardware, sporting goods, toys, paints, wallpaper, clothing, retail sales only
Household and office furniture, furnishings, and appliances, retail only
Job printing
Jewelry, optical goods, photographic supplies, retail sales only
Library, rental
Meat market, retail sales only
Office building
Photographers or artists studio
Parking lot without public garage or automobile facilities for the parking of passenger cars and trucks of less than one (1) ton capacity only
Professional offices for architect, attorney, engineer, and real estate
Piano and musical instruments, retail sales only
Restaurant with or without sale of alcohol for on-premises consumption (subject to Special Use Permit approval)
Retail store/shop for custom work or the making of articles to be sold for retail on the premises
Sale of beer and wine for off-premises consumption only (subject to Special Use Permit approval)
Seamstress, dressmaker or tailor
Shoe repair shop, retail sales only

Studios, dance, music, drama, health, reducing
Studio for the display and sale of glass, china, art objects, cloth and draperies
Taxi stand
Video stores, sales and rental of video cassettes and players
Washateria, equipped with automatic washing machines of the type customarily
found in a home and where the customers may personally supervise the
washing and handling of their laundry
Wearing apparel, including clothing, shoes, hats, millinery and accessories
Accessory buildings and uses customarily incident to the above uses.

SECTION 2. 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:

TRACT I

WHEREAS Wal-Mart Stores, Inc. is the owner of a tract of land situated in the THOMAS L. CHENOWETH SURVEY AGSTRACT NO> 273 in the City of Addison, Dallas County, Texas, and being part of ADDISON PLAXA II, an addition to the City of Addison according to the Plat recorded in Volume 79069 at Page 1416 of the Map Records of Dallas County, Texas, and part of the REPLAT OF ADDISON PLAZA, and Addition to the City of Addison Texas, according to the Plat recorded in Volume 79069 at Page 1424 of the map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rod set at the intersection of the north line of Beltway Drive (a 60-foot wide right-of-way) with the west line of Midway Road as established by General Warranty Deed recorded in Volume 86090 at Page 1285 of the Deed Records of Dallas County, Texas:

THENCE West along the said north line of Beltway Drive for a distance of 90.00 feet to a ½-inch iron rod set at the beginning of a curve to the left having a radius of 1005.00 feet, a central angle of 17 deg. 30 min. 99 sec., a tangent of 154.68 feet, a chord of 305.77 feet, and a chord bearing of South 81 deg. 15 min. 00 sec. West;

THENCE in a westerly direction along the said north line of Beltway Drive and said curve to the left for an arc distance of 306.96 feet to a ½-inch iron rod set at the end of said curve;

THENCE South 72 deg. 30 min. 00 sec. West along the said north line of Beltway Drive for a distance of 100.00 feet to a ½-inch iron rod set for corner at the beginning of a curve to the right having a radius of 945.00 feet, a central angle of 17 deg. 30 min. 00 sec., a tangent of 145.45 feet, a chord of 287.51 feet, and a chord bearing of South 81 deg. 15 min. 00 sec. West;

THENCE in a westerly direction along the said north line of Beltway Drive and said curve to the right for an arc distance of 288.63 feet to a ½-inch iron rod found at the end of said curve;

THENCE West along the said north line of Beltway Drive for a distance of 63.25 feet to the east line of the above-mentioned ADDISON PLAZA II ADDITION and continuing for a total distance

of 113.25 feet to a ½-inch iron rod found for corner at the beginning of a total distance of 113.25 feet to a ½-inch iron rod found for corner at the beginning of a curve to the left having a radius of 1080.00 feet, a central angle of 18 deg. 53 min. 36 sec., a tangent of 179.70 feet, a chord of 354.52 feet, and a chord bearing of South 80 deg. 33 min. 12 sec. West;

THENCE in a westerly direction along the said north line of Beltway Drive and said curve to the left for an arc distance of 356.13 feet to a 3/8-inch iron rod found for corner in the west line of said REPLAT OF ADDISON PLAZA II ADDITION;

THENCE North 00 deg. 01 min. 18 sec. East along the said west line of the REPLAT OF ADDISON PLAZA II ADDITION for a distance of 721.11 feet to a 1/20-inch iron rod set for a corner;

THENCE South 89 deg. 25 min. 00 sec. East for a distance of 175.00 feet to a ½-inch iron rod set for corner;

THENCE North 00 deg. 01 min. 18 sec. East for a distance of 245.00 feet to a ½-inch iron rod set on the south line of Belt Line Road (a 120-foot wide right-of-way);

THENCE South 89 deg. 24 min. 00 sec. East along the said south line of Belt Line Road for a distance of 944.42 feet to a ½-inch iron rod set for corner;

THENCE South 01 deg. 18 min. 15 sec. East for a distance of 476.80 feet to a point for corner;

THENCE East for a distance of 134.13 feet to a point for corner in the said west line of Midway Road (1 100-foot wide right-of-way at this point);

THENCE South along the said west line of Midway Road for a distance of 99.53 feet to a ½-inch iron rod set for corner;

THENCE South 07 deg. 07 min. 30 sec. East along the said west line of Midway Road for a distance of 80.62 feet to a ½-inch iron rod set for corner;

THENCE South along the said west line of Midway Road for a distance of 100.00 feet to a ½-inch iron rod set for corner;

THENCE South 45 deg. 00 min. 00 sec. West along the said west line of Midway Road for a distance of 28.28 feet to the POINT OF BEGINNING;

CONTAINING 22.49 more or less.

TRACT II

WHEREAS McCutchin Brothers, JVI are the owners of a tract of land situated in the THOMAS L. CHENOWETH SURVEY, ABSTRACT NO. 273, in the Town of Addison, Dallas County, Texas, and being a portion of Addison Plaza II, an Addition to the Town of Addison according to the Map thereof recorded in Volume 79096 at Page 1424 of the Map Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rod set for the northwest corner of the above mentioned ADDISON PLAZA II, said point also being on the south line of Belt Line Road (a 120-foot right-of-way);

THENCE South 89 deg. 25 min. 00 sec. East, along the north line of said Addison Plaza II and the south line of said Belt Line Road, for a distance of 175.00 feet to a ½-inch iron rod set for corner;

THENCE South 00 deg. 01 min. 18 sec. West, departing the south line of said Belt Line Road and the north line of said Addison Plaza II for a distance of 235.00 feet to a ½-inch iron rod set for corner;

THENCE North 89 deg. 25 min. 00 sec. West, for a distance of 175.00 feet to a ½-inch iron rod set on the west line of said Addison Plaza II

THENCE North 00 deg. 01 min. 18 sec. East, along said west line for a distance of 245.00 feet to the POINT OF BEGINNING;

CONTAINING 0.984 acres of land, more or less.

SECTION 3. 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 136,549 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.

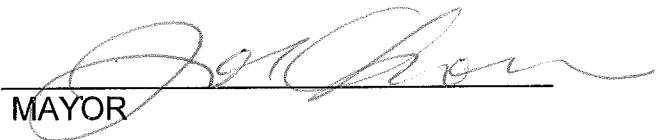
SECTION 4. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

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.

SECTION 6. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 8th day of March, 2011


MAYOR

ATTEST:


CITY SECRETARY

CASE NO.: 1624-SUP/Sam's Club #6376

APPROVED AS TO FORM:


DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: 416



John F. Bell
City Secretary
1111 E. Highway 19, Suite 100
Addison, TX 75001
714.463.1234



REMODEL
CLUB # 6376
ADDISON,
TX

WAL-MART STORES, INC.
REGIONAL DESIGN DEPARTMENT
BENTONVILLE, AR 72716-1499

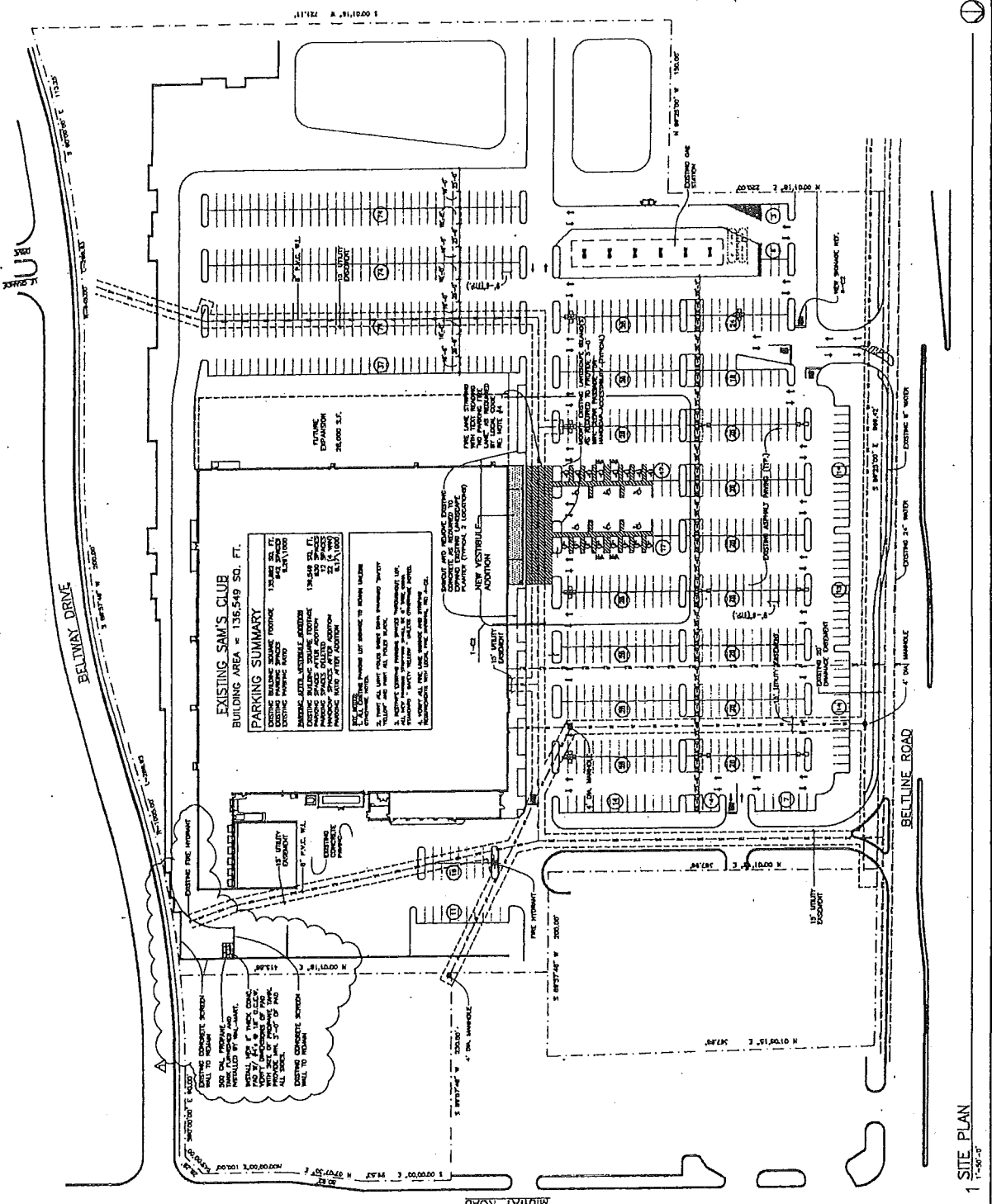
Site Owner:
SITE PLAN

Checked By:	PM
Checked For:	
Checked Date:	

ALL DIMENSIONS 200-GRADE UNLESS NOTED

Project Number:	11003
Date:	7 JAN 2002
Scale:	1" = 30' SH

C1 #R6



SITE PLAN
1-5857



Walter J. Little
 City Engineer
 211 N. Main Street
 Addison, Texas 75001
 Telephone 714-222-2222



CLUB REMODEL
 CLUB # 6376
 ADDISON,
 TX

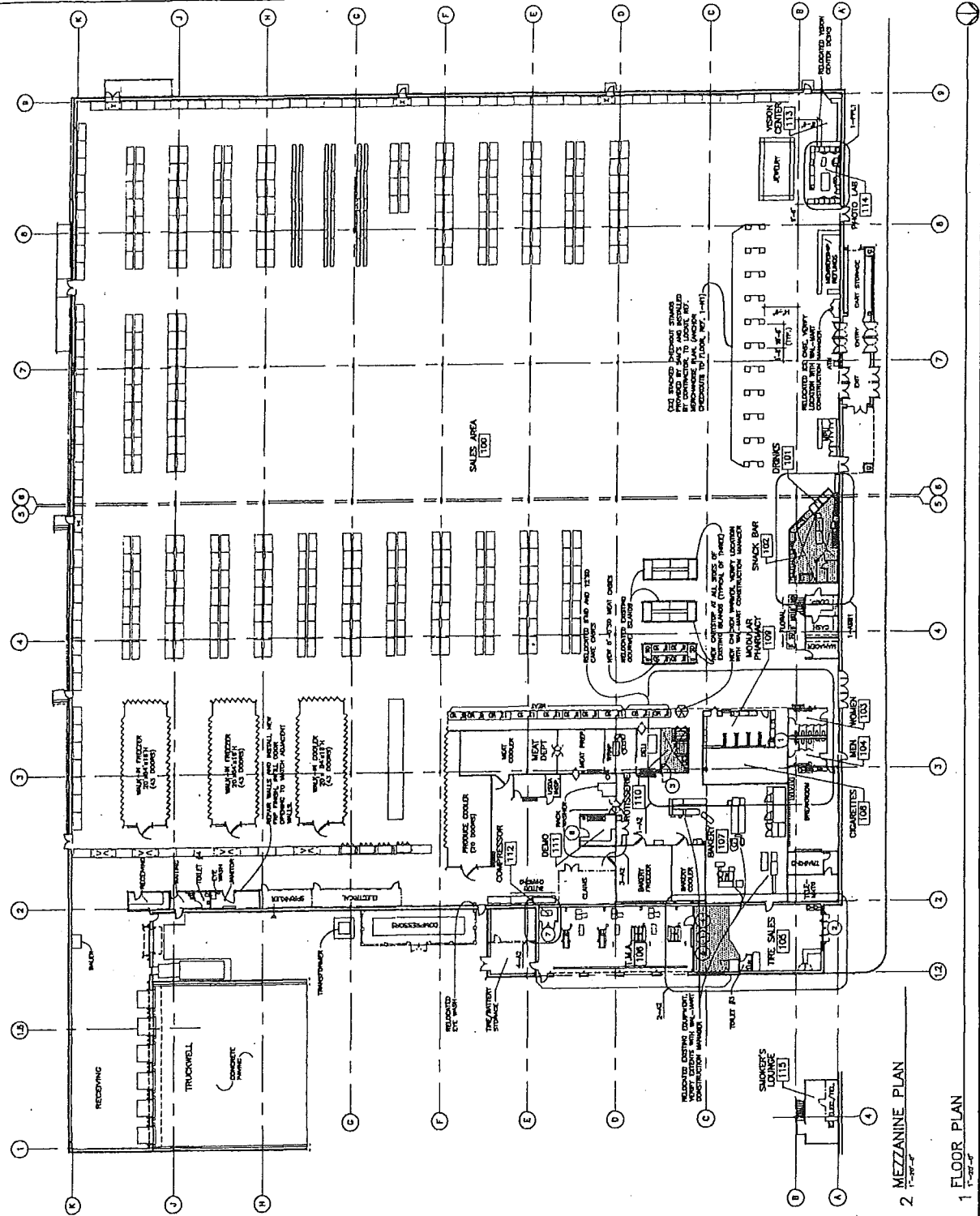
WAL-MART STORES INC.
 STORE PLANNING DEPT. 00-0000
 MONTICELLO, AL 35715-4488

Sheet Description
 FLOOR PLAN

Drawn by
 Checked by

Project Number: 01171
 Date: 22 AUGUST 1989
 4:25 PM

A1



2 MEZZANINE PLAN

1 FLOOR PLAN

