

**TOWN OF ADDISON, TEXAS**  
**ORDINANCE NO. 011- 062**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, BY AMENDING PLANNED DEVELOPMENT ORDINANCE 626, 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 WIN FOR OFF-PREMISES CONSUPMTION ONLY, LOCATED ON THE PROPERTY GENERALLY LOCATED AT 3710 BELT LINE ROAD, ON APPLICATION FROM EXXON/WENDY'S; SUBJECT TO 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 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 626, 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  
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 shop  
Caterer and wedding service  
Cleaning, dyeing and laundry pick-up station for receiving and delivery of articles to be cleaned, dyed and laundered, but no actual work to be done on premises  
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  
Electrical goods, retail sales only  
Film developing and printing  
Florist, retail sales only  
Furniture store, retail only  
Frozen food lockers, retail  
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  
Letter and mimeograph shop  
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  
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:

BEING a tract or parcel of land situated in the Thomas L. Chenoweth Survey, Abstract Number 273, Town of Addison, Dallas County, Texas, and being part of a 2.5434 acre tract (Tract 1) and a 0/9127 acre tract of land conveyed to SEC Belt Line and Marsh Partners, L.P. by Deeds recorded in Volume 93239, Page 2855, and Volume 94102, Page 2492, (respectively) Deed Records, Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a "+" cut set for corner at the south end of a corner-clip at the intersection of the East Right-of-Way line of Marsh Lane (100 foot wide right-of-way) and the South right-of-way line of Belt Line Road (100 foot wide right-of-way);

THENCE North 46°08'26" East along said corner clip, a distance of 28.18 feet to a "+" cut set for corner in the South right-of-way line of said Belt Line Road;

THENCE South 88°53'15" East along the South right-of-way line of said Belt Line Road a distance of 306.35 feet to a "+" cut set for corner;

THENCE South 01°06'45" West leaving the south right-of-way line of said Belt Line Road a distance of 252.35 feet to a "+" cut set for corner in the South line of said 2.5434 acre tract and the north line of Lot 3, Block D of Town Center Addition, an addition to the Town of Addison

according to the plat recorded in Volume 93237, page 2848 of the Map Records of Dallas County, Texas;

THENCE North 88°53'11" West along the South line of said 2.5434 acre tract and the North line of said Lot 3, a distance of 77.06 feet to a "+" cut found for an ell corner in shte South line of said 2.5434 acre tract and the northwest corner of said Lot 3 and being in the East line of Lot 1, Block A of Boston Chicken Addition, an addition to the Town of Addison according to the Plar recorded in Voume 94102, page 1418 of the Map Records of Dallas County, Texas;

THENCE North 00°56'06" East along a West line of said 2.5434 acre tract and along the East line of said Boston Chicken Addition, a distance of 28.77 feet to a ½-inch iron rod with red plastic cap stamped "USA INC RPLS 2026" set for the northeast corner of said Boston Chicken Addition;

THENCE North 89°03'54" West leaving the said West line of said 2.5434 acre tract and along the North line of said Boston Chicken Addition, a distance of 248.50 feet to a "+" cut set for corner in the East right-of-way line of said Marsh Lane and being the northwest corner of said Boston Chicken Addition;\

THENCE North 00°56'06" East along the East right-of-way line of said Marsh Lane and the West line of the 0/9127 and 2/5434 acre tract, a distance of 204/43 feet to the POINT OF BEGINNING and containing 75,000 square feet or 1.7218 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 4,300square 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.

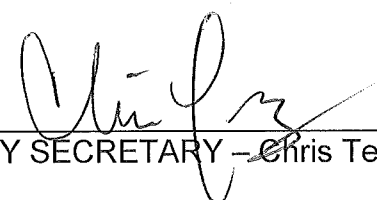
SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance 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 6. 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 11<sup>th</sup> day of October, 2011

  
\_\_\_\_\_  
MAYOR – Todd Meier

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY – Chris Terry

CASE NO.: 1641-SUP/Exxon-Wendy's

APPROVED AS TO FORM:

Handwritten signature of Carmen Moran in black ink, consisting of a large 'C' followed by 'MORAN'.

DIRECTOR OF DEVELOPMENT SERVICES-  
Carmen Moran

PUBLISHED ON: \_\_\_\_\_



8ft 7shelf cigarettes 2ft OTP

Maps

Promotions Bin

# Walmart

2ft PCB Noncarb sunglasses

Secondary Beer Display

3ft HBC	6ft Candy
3ft Healthy	6ft Cookie Cracker

Primary Beer Display



1 dr Dairy 6dr Non carb 2dr Carb

Mdug Rack

Coffee Bar

3ft Meat

6ft Prito Lay	Prito Lay
6ft Salty Sancks	

Non Carb Display

3ft PPC 3ft Auto/Oil



Pepsi 12 pk

Coke 12 pk

Dasani 24pk Water

Ice Cream prepaid ATM

Newspapers

Door

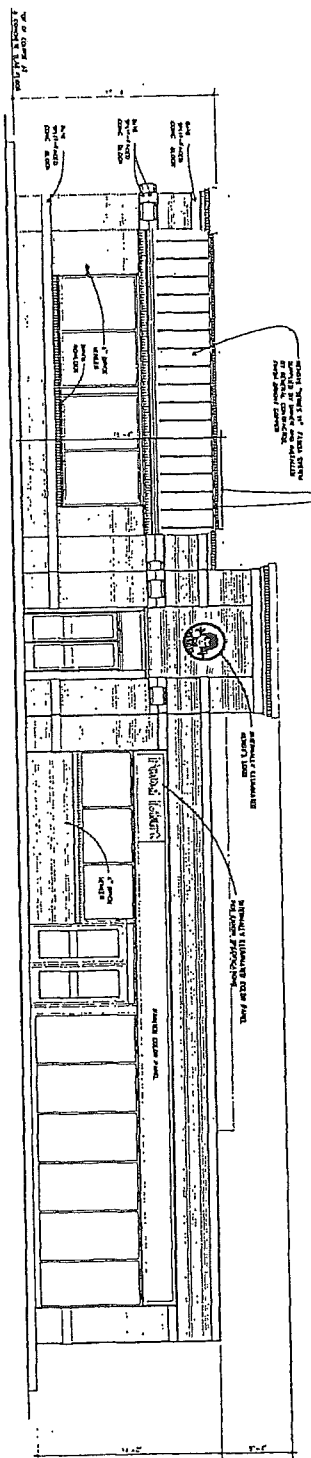
## Dallas Market

### Site 60323

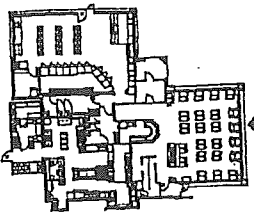
March 2011

Note: leave 1 can width( typically 2 1/2 inches) of space between display products

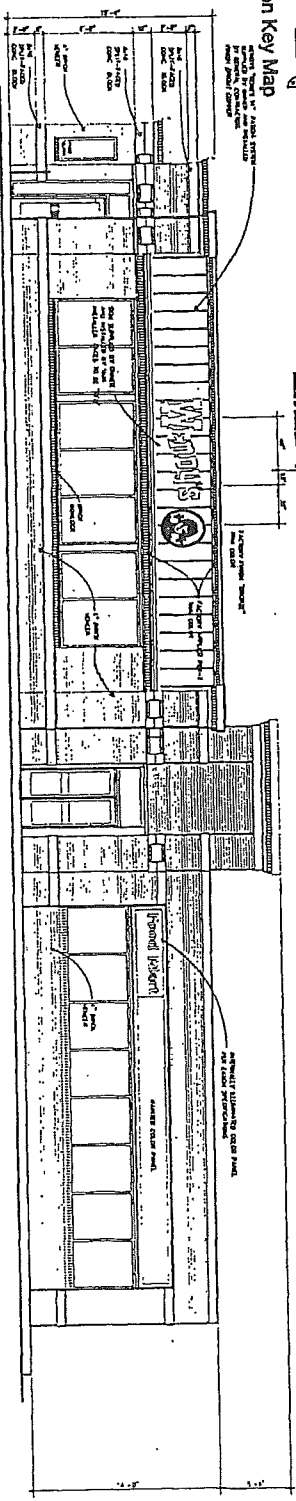




1 RIGHT SIDE ELEVATION (WEST)



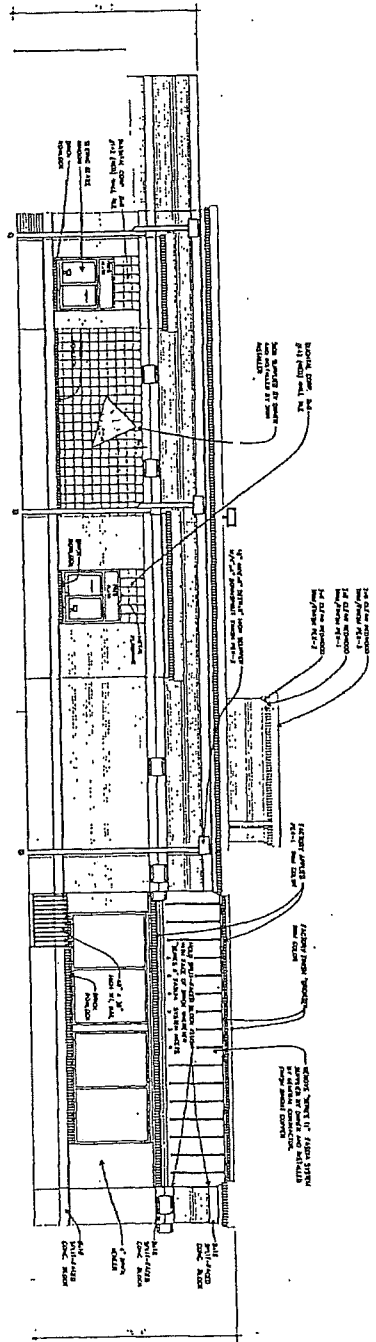
Elevation Key Map



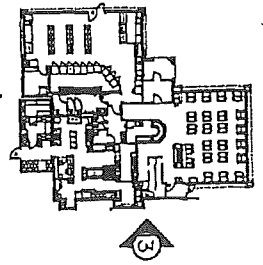
2 FRONT ELEVATION (NORTH)

EXTERIOR ELEVATIONS  
SCALE: 1/8" = 1'-0"

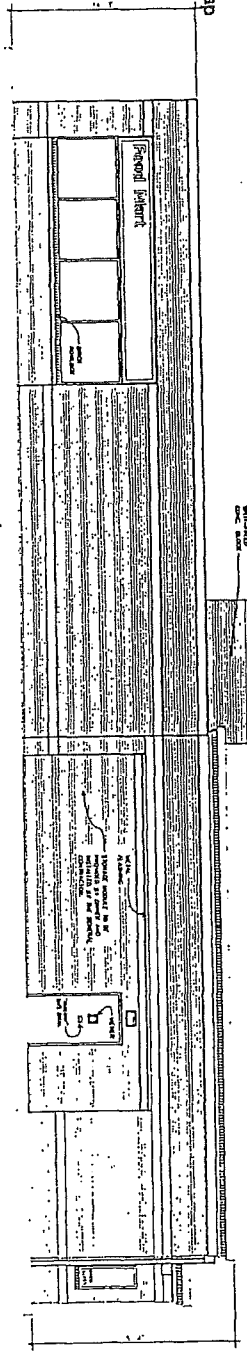
095-057



3 LEFT SIDE ELEVATION (EAST)



Elevation Key Map



4 REAR ELEVATION (SOUTH)

EXTERIOR ELEVATIONS  
SCALE 1/8" = 1'-0"

095-057