

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. 013-017**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO APPROVE A SPECIAL USE PERMIT FOR A RESTAURANT AND A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM POLLO TROPICAL LOCATED AT 5290 BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A NO 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 RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, be amended, by amending the zoning map of the Town of Addison, Texas, so as to grant a special use permit for a restaurant and a special use permit for the sale of alcoholic beverages for on-premises consumption only, on application from Pollo Tropical. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

BEING A 0.6255 ACRE TRACT OF LAND SITUATED IN THE ALLEN BLEDSOE SURVEY, ABSTRACT NUMBER 157, TOWN OF ADDISON, DALLAS COUNTY, TEXAS AND BEING A PORTION OF LOT B, BLOCK 2 OF OAKS NORTH-EAST NO. 2, AN ADDITION TO THE TOWN OF ADDISON ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN VOLUME 79121, PAGE 595, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.), AND PORTION OF LOT C, BLOCK 2 OF OAKS NORTH-EAST NO. 3, AN ADDITION TO THE TOWN OF ADDISON ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN VOLUME 79121, PAGE 587, D.R.D.C.T., SAID 0.6255 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2-INCH IRON ROD FOUND FOR THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF BELT LINE ROAD, (A CALLED 100-FOOT PUBLIC RIGHT-OF-WAY) WITH THE EASTERLY RIGHT-OF-WAY LINE OF MONTFORT DRIVE, (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) AND BEING IN THE NORTH END OF A CORNER CLIP IN SAID EASTERLY RIGHT-OF-WAY;

THENCE NORTH 89°28'13" EAST ALONG SAID SOUTH RIGHT OF WAY LINE SAME BEING THE NORTH LINE OF LOT A, BLOCK 2 OF OAKS NORTH-EAST NO. 1, AN ADDITION TO THE TOWN OF ADDISON ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN VOLUME 79121, PAGE 603, D.R.D.C.T., AT A DISTANCE OF 194.78 FEET PASSING THE NORTHEAST CORNER OF SAID LOT A, BLOCK 2 SAME BEING THE NORTHWEST CORNER OF SAID LOT B, BLOCK 2, CONTINUING IN ALL FOR A TOTAL DISTANCE OF 207.43 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY + PARTNERS" SET FOR THE **POINT OF BEGINNING**;

THENCE NORTH 89°28'13" EAST CONTINUING ALONG THE COMMON LINE OF BELT LINE ROAD AND LOT B, BLOCK 2, AT A DISTANCE OF 107.35 FEET PASSING THE NORTHEAST CORNER OF SAID LOT B, BLOCK 2 SAME BEING THE NORTHWEST CORNER OF SAID LOT C, BLOCK 2, CONTINUING IN ALL FOR A TOTAL DISTANCE OF 132.72 FEET TO A 5/8-INCH IRON ROD SET FOR CORNER;

THENCE SOUTH 00°31'47" EAST, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, OVER AND ACROSS SAID LOT C, A DISTANCE OF 205.30 FEET TO A CUT "X" SET FOR CORNER;

THENCE SOUTH 89°28'13" WEST, OVER AN ACROSS SAID LOT C, AT A DISTANCE OF 25.37 FEET PASSING THE COMMON LINE OF SAID LOT C AND SAID LOT B, CONTINUING OVER AND ACROSS SAID LOT B IN ALL FOR A TOTAL DISTANCE OF 132.72 FEET TO A CUT "X" SET FOR CORNER;

THENCE NORTH 00°31'47" WEST, OVER AN ACROSS SAID LOT B, A DISTANCE OF 205.30 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 27,247 SQUARE FEET OR 0.6255 ACRES OF LAND.

SECTION 2. That the Special Use Permit is granted subject to the following conditions:

1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan and floor plan, which are attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit granted herein shall be limited to a restaurant only and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 3,722 square feet.

3. No signs advertising the 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.
4. That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants are hereby defined as establishments that receive at least sixty percent (60%) or their gross revenues from the sale of food.
5. Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of Paragraph 4 are being met.
6. 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.
7. That if the property for which the special use permit is granted 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 purposed of considering a change of zoning.
8. That if a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated, or canceled by proper authorities, the City Council may authorize hearings to be held for the purpose for considering a change of zoning.
9. The applicant/operator shall not use any terms (such as "bar", "tavern", etc.) or graphic depictions which relate to alcoholic beverages in any exterior signs.
10. The parking lot restriping shall be completed prior to the issuance of a Certificate of Occupancy for the proposed Pollo Tropical.
11. The property owner shall submit a landscaping plan for the entire site that enhances the landscaping around the perimeter of the site and on the parking lot islands. The revised plan shall be subject to the final approval of the Parks Department.

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. It is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

SECTION 5. 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. That this ordinance shall specifically repeal Ordinance

**DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 14th day of May, 2013**



Mayor-Todd Meier

ATTEST:



City Secretary-Chris Terry

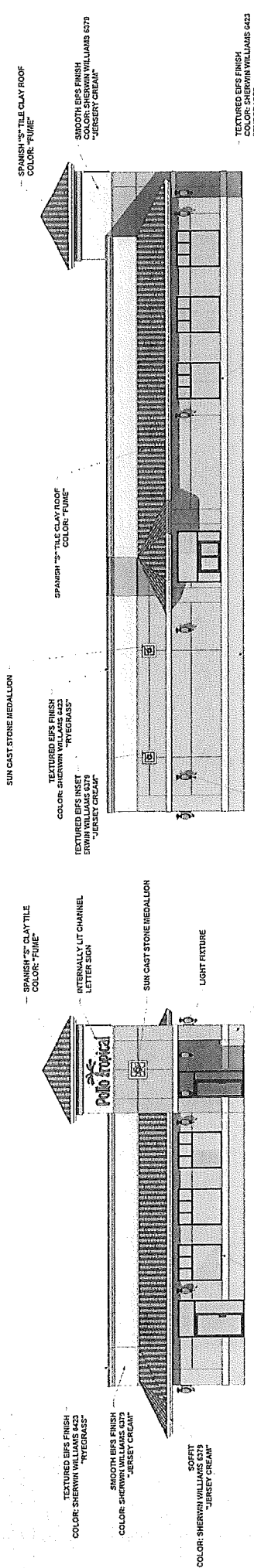
CASE NO. 1666-SUP/Pollo Tropical

APPROVED AS TO FORM:



Director of Development Services
Carmen Moran

PUBLISHED ON: _____



TEXTURED EIFS FINISH
"RYEGRASS"
COLOR: SHERWIN WILLIAMS 6423

SMOOTH EIFS FINISH
"JERSEY CREAM"
COLOR: SHERWIN WILLIAMS 6379

SOFFIT
COLOR: SHERWIN WILLIAMS 6379
"JERSEY CREAM"

ALUMINUM STOREFRONT
COLOR: BRONZE

FRONT ELEVATION

TEXTURED EIFS FINISH
"ANJOUR PEAR"
COLOR: SHERWIN WILLIAMS 6381

TEXTURED EIFS FINISH
"RYEGRASS"
COLOR: SHERWIN WILLIAMS 6423

SMOOTH EIFS FINISH
"JERSEY CREAM"
COLOR: SHERWIN WILLIAMS 6379

LEFT ELEVATION

SUN CAST STONE MEDALLION

TEXTURED EIFS FINISH
"RYEGRASS"
COLOR: SHERWIN WILLIAMS 6423

TEXTURED EIFS FINISH
"JERSEY CREAM"
COLOR: SHERWIN WILLIAMS 6379

SUN CAST STONE MEDALLION

LIGHT FIXTURE

TEXTURED EIFS FINISH
"ANJOUR PEAR"
COLOR: SHERWIN WILLIAMS 6381

ALUMINUM STOREFRONT
COLOR: BRONZE

SPANISH "S" TILE CLAY ROOF
COLOR: "FUME"

SMOOTH EIFS FINISH
"JERSEY CREAM"
COLOR: SHERWIN WILLIAMS 6379

TEXTURED EIFS FINISH
"RYEGRASS"
COLOR: SHERWIN WILLIAMS 6423

SPANISH "S" CLAY TILE
COLOR: "FUME"

INTERIALLY LIT
CHANNEL LETTERS

SUN CAST STONE MEDALLION

TEXTURED EIFS FINISH
"ANJOUR PEAR"
COLOR: SHERWIN WILLIAMS 6381

RIGHT ELEVATION

ALUMINUM STOREFRONT
COLOR: BRONZE

LIGHT FIXTURE

SPANISH "S" CLAY TILE
COLOR: "FUME"

SUN CAST STONE MEDALLION

LIGHT FIXTURE

TEXTURED EIFS FINISH
"ANJOUR PEAR"
COLOR: SHERWIN WILLIAMS 6381

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"ANJOUR PEAR"

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COLOR: SHERWIN WILLIAMS 6423

SMOOTH EIFS FINISH
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COLOR: SHERWIN WILLIAMS 6379

SPANISH "S" CLAY TILE
COLOR: "FUME"

SMOOTH EIFS FINISH
"JERSEY CREAM"
COLOR: SHERWIN WILLIAMS 6379

- EXTERIOR COLORS**
- SHERWIN WILLIAMS 6379 "JERSEY CREAM"
 - SHERWIN WILLIAMS 6381 "ANJOUR PEAR"
 - SHERWIN WILLIAMS 6423 "RYEGRASS"
 - ALUMINUM STOREFRONT - COLOR: BRONZE SP
 - PRECAST MEDALLION - COLOR: "PATINA GREEN"
 - NATURAL CLAY ROOF TILE - COLOR: "FUME"
 - SIGNAGE - COLOR: BROWN (PMS 447)

RENDERINGS DISPLAY POTENTIAL
BUILDING SIGNS AND LOCATIONS



Corner of Industrial Blvd
and Team Drive
Smyrna, TN



TACO CABANA
 3930 BELT LINE ROAD
 ADDISON, TEXAS

POLLO TROPICAL

Bury-Partners
 322 Lee Ann, Suite 100
 1527 Rockwall, TX 75087
 TEL (972) 934-9009 FAX (972) 934-1555
 BuryPartners.com Copyright 2013

DATE	BY	REVISION

FOR UTILITY REVIEW ONLY
 THE INFORMATION CONTAINED HEREIN IS FOR UTILITY REVIEW ONLY AND IS NOT TO BE CONSIDERED A PART OF THE PROJECT. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES. ANY CHANGES TO THE UTILITIES SHALL BE MADE BY THE USER PRIOR TO CONSTRUCTION.

LEGEND

	PROPOSED CONSTRUCTION LINE
	EASEMENT
	BOUNDARY LINE
	PROPERTY LINE
	RIGHT-OF-WAY
	UTILITY LINE
	SPOT ELEVATION
	PROPOSED BUILDING FOOTPRINT
	PROPOSED PARKING SPACES
	PROPOSED DRIVEWAY
	PROPOSED WALKWAY
	PROPOSED LANDSCAPE
	PROPOSED UTILITY TRENCH
	PROPOSED ELECTRICAL CONDUIT
	PROPOSED FIRE HYDRANT
	PROPOSED STORM DRAIN
	PROPOSED SEWER LINE
	PROPOSED WATER MAIN
	PROPOSED GAS LINE
	PROPOSED CABLE TV LINE
	PROPOSED TELEPHONE LINE
	PROPOSED FIBER OPTIC LINE
	PROPOSED IRRIGATION LINE
	PROPOSED LANDSCAPE PLANT
	PROPOSED TREE
	PROPOSED SHRUB
	PROPOSED FLOWER BED
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	PROPOSED HARDSCAPE
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DATE ISSUED: NOVEMBER 09, 2012
DESIGNED BY: MM
PROJECT NO.: R0103504-016

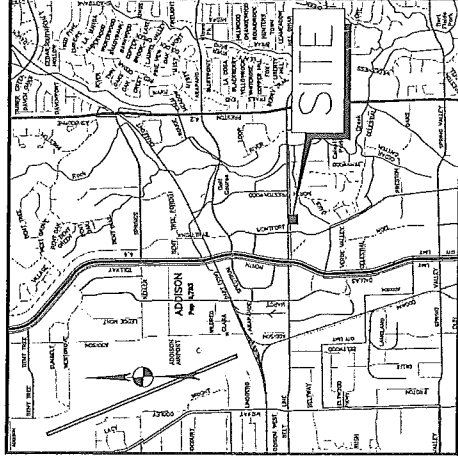
LANDSCAPE PLAN

TACO CABANA
5229 BELT LINE ROAD
ADDISON, TEXAS

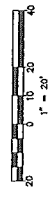
POLLO TROPICAL

Bury+Partners
11111 Frisco Road, Suite 100
Frisco, Texas 75034
Tel: (972) 252-1200
Fax: (972) 252-1201
www.bury.com

DATE	NO.	REVISION	APPROVAL



LOCATION MAP
ADDISON, TEXAS



THESE PLANS AND SPECIFICATIONS SHALL BE CONSIDERED TO BE THE BASIS OF THE CONTRACT. ANY CHANGES TO THE CONTRACT SHALL BE MADE BY A WRITTEN AMENDMENT TO THE CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

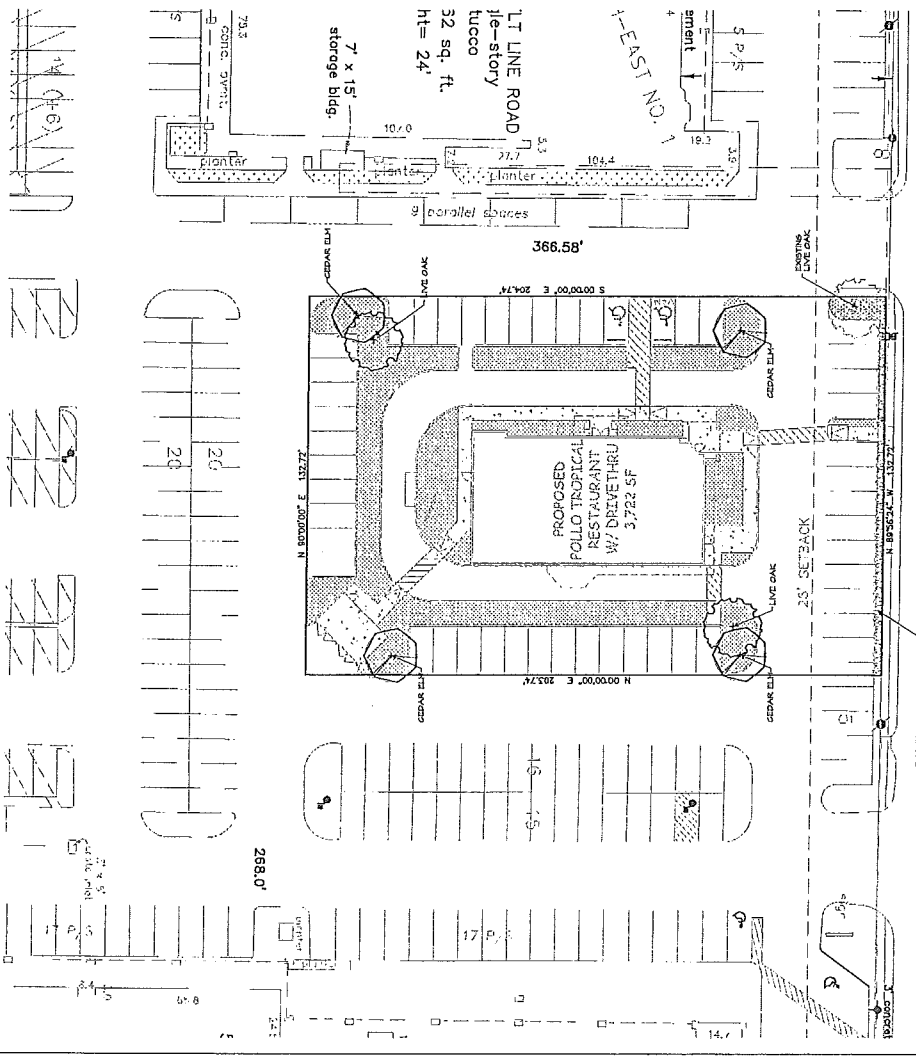
QUANTITY	SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION
2	(Symbol)	Live Oak	Quercus Virginiana	12" caliper DBH, 10' height, DBH, straight trunk
4	(Symbol)	Cedar Elm	Ulmus crinitifolia	12" caliper DBH, 10' height, DBH, straight trunk

QUANTITY	SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE & CONDITION
2	(Symbol)	Live Oak	Quercus Virginiana	12" caliper DBH, 10' height, DBH, straight trunk
4	(Symbol)	Cedar Elm	Ulmus crinitifolia	12" caliper DBH, 10' height, DBH, straight trunk

MANDATORY LANDSCAPE REQUIREMENTS

THE CONTRACTOR SHALL PROVIDE THE FOLLOWING FOR EVERY 1000 SQ FT OF GROSS SITE AREA:

- PROPOSED PARKING - 44 STALLS
- SHADE TREES - 44 TREES (12" DBH, 10' HEIGHT)
- STALLS WITHIN LIMITS OF SHADE TREE - 50 STALLS
- INTERIOR PLANTING AREA - 2000 SQ FT
- TOTAL PARKING AREA - 4400 SQ FT
- PARKING LOT SCREENING - MUST BE PROVIDED ALONG THE ENTIRE STREET FRONTAGE OF THE SURFACE PARKING LOT.
- 20% LANDSCAPE REQUIREMENT - AT LEAST 20% OF THE GROSS SITE SHALL BE MAINTAINED AS LANDSCAPED AREA.



BELT LINE ROAD

DATE PLOTTED	03/25/13	DATE	03/25/13
DRAWN BY	JM	CHECKED BY	DJ
PROJECT NO.	6290		

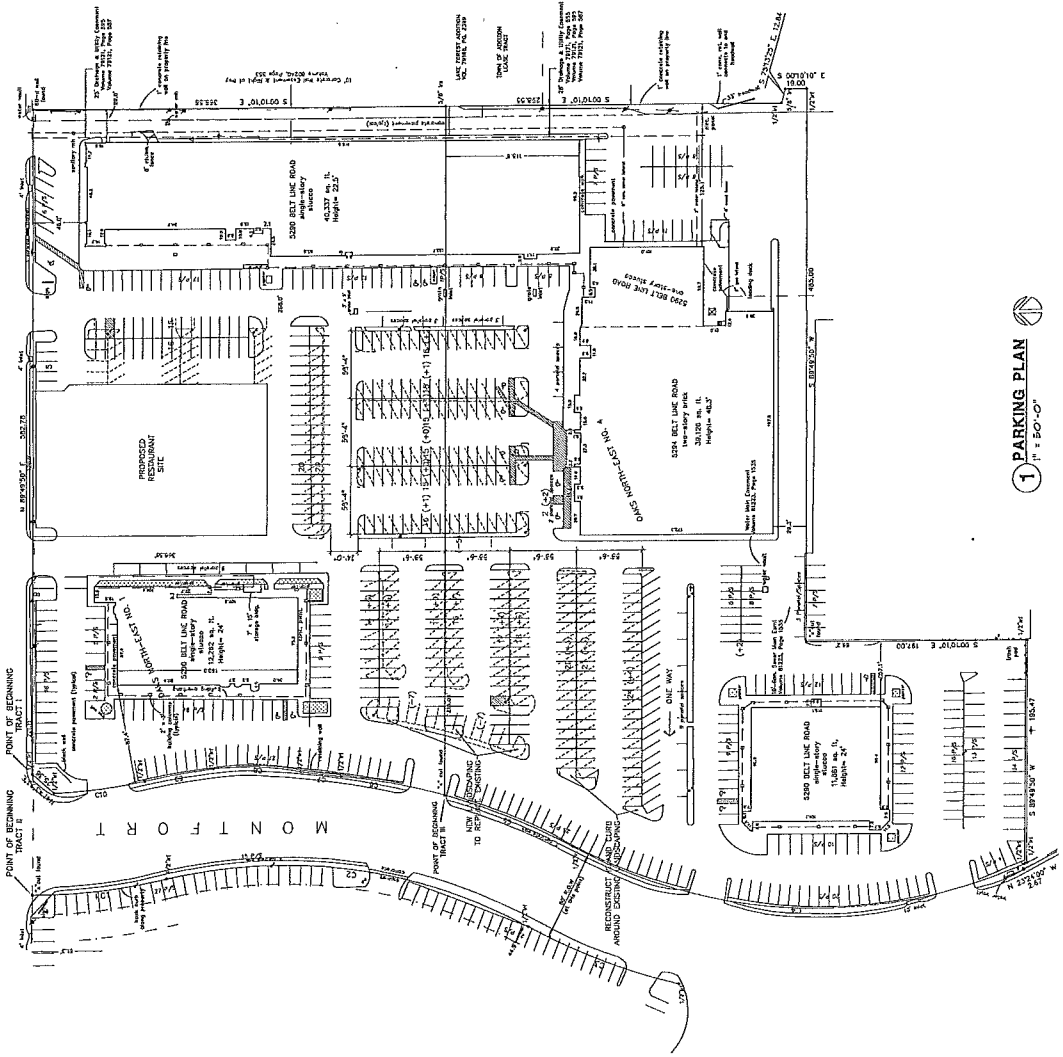
SHEET TITLE
PARKING PLAN

SITE DATA

EXISTING ANALYSIS
 EXISTING TOTAL PARKING FOR CENTER 716 SPACES
 SPACES GAINED BY RECONFIGURING DRIVE AREAS 125 SPACES
 TOTAL PARKING PROVIDED FOR CENTER 841 SPACES

TOTAL SPACES REQUESTED FOR CENTER 1641 SPACES
 (1724/2012Z PARKING REPORT)

B E L L I N E R O A D



1 PARKING PLAN
 1" = 60'-0"

