

**ORDINANCE NO. 023-48**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY REZONING A 1.77± ACRE PROPERTY, LOCATED AT 3790 BELT LINE ROAD, FROM PLANNED DEVELOPMENT (PD) DISTRICT, ORDINANCE NO. 093-018, AS AMENDED, TO A NEW PLANNED DEVELOPMENT (PD) DISTRICT WITH LOCAL RETAIL DISTRICT (LR) STANDARDS AND GRANTING A SPECIAL USE PERMIT (SUP) FOR A RESTAURANT WITH DINE-IN AND DRIVE-THROUGH FACILITIES; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.**

**WHEREAS**, on March 9, 1993, the City Council for the Town of Addison, Texas adopted Planned Development (PD) District, Ordinance 093-018 (“PD 093-018”) for a 42.5± acre property generally located on the south side of Belt Line Road, between Marsh Lane and Surveyor Boulevard; and

**WHEREAS**, on June 22, 2004, The City Council for the Town of Addison, Texas adopted Planned Development (PD) District Ordinance 004-030 (“PD 004-030”), amending PD 093-018 to adopt a development plan for a 1.81± acre property located at the 3790 Belt Line Road; and

**WHEREAS**, on April 11, 2006, The City Council for the Town of Addison, Texas adopted Planned Development (PD) District Ordinance 006-016 (“PD 006-016”), further amending PD 093-018 to adopt a development plan for the 1.81± acre property located at the 3790 Belt Line Road; and

**WHEREAS**, at its regular meeting held on September 19, 2023, the Planning & Zoning Commission considered and made recommendations on a request for a Rezoning to Planned Development (PD) with Local Retail (LR) District standards and a Special Use Permit (Case No.1891-Z) for a restaurant with dine-in and drive-through facilities for the property located at 3790 Belt Line Road (the “Subject Property”); and

**WHEREAS**, this change of zoning is in conformance with the adopted Comprehensive Plan of the Town of Addison, as amended; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this amendment promotes 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.** The recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**SECTION 2.** The Zoning Ordinance and official zoning map shall be amended so as to rezone the Subject Property, said property comprising all of Lot 2, Block D of the Addison Town Center, and being further described in the legal description on **Exhibit A** attached hereto, from Planned Development (PD) to Planned Development (PD) with Local Retail (LR) District standards and a Special Use Permit for a restaurant with dine-in and drive-through facilities, subject to the following conditions:

- (a) Prior to issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, landscape plan, floor plan, and façade plan, which are attached hereto as **Exhibit B** and made a part hereof for all purposes; and
- (b) If the Subject Property is not used for the purposes for which the Special Use 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 and repeal of the Special Use Permit granted herein.

**SECTION 3.** 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, Section 1-7 of the Code of Ordinances for the Town of Addison.

**SECTION 4.** Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Zoning Ordinance for the Town of Addison, as amended hereby, be adjudged or held, in whole or in part, to be invalid, voided or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 5.** 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 6.** This ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas, on this the **10<sup>th</sup>** day of **OCTOBER 2023.**

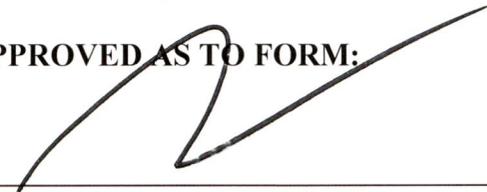


**TOWN OF ADDISON, TEXAS**

  
\_\_\_\_\_  
Bruce Arfsten Mayor

**ATTEST:**

  
\_\_\_\_\_  
Irma Parker, City Secretary

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
Whitt Wyatt, City Attorney

Published in the Dallas Morning News on Friday, October 13, 2023 Edition.

**EXHIBIT A**

**Legal Description of the Subject Property**

BEGINNING at a found PK nail for a corner in the south line of Belt Line Road (a variable width right of way), said point being the common north corner of said Lot 2 and Lot 3C-1, Block D, Replat of Addison Town Center as recorded in Volume 94176, Page 1630, Deed Records of Dallas County, Texas;

THENCE, S 00° 31' 15" E, departing the south line of Belt Line Road and with the common line of said Lot 2 and Lot 3C-1, a distance of 212.50 feet to a found 5/8 inch iron rod for a corner, said point being the southeast corner of said Lot 2;

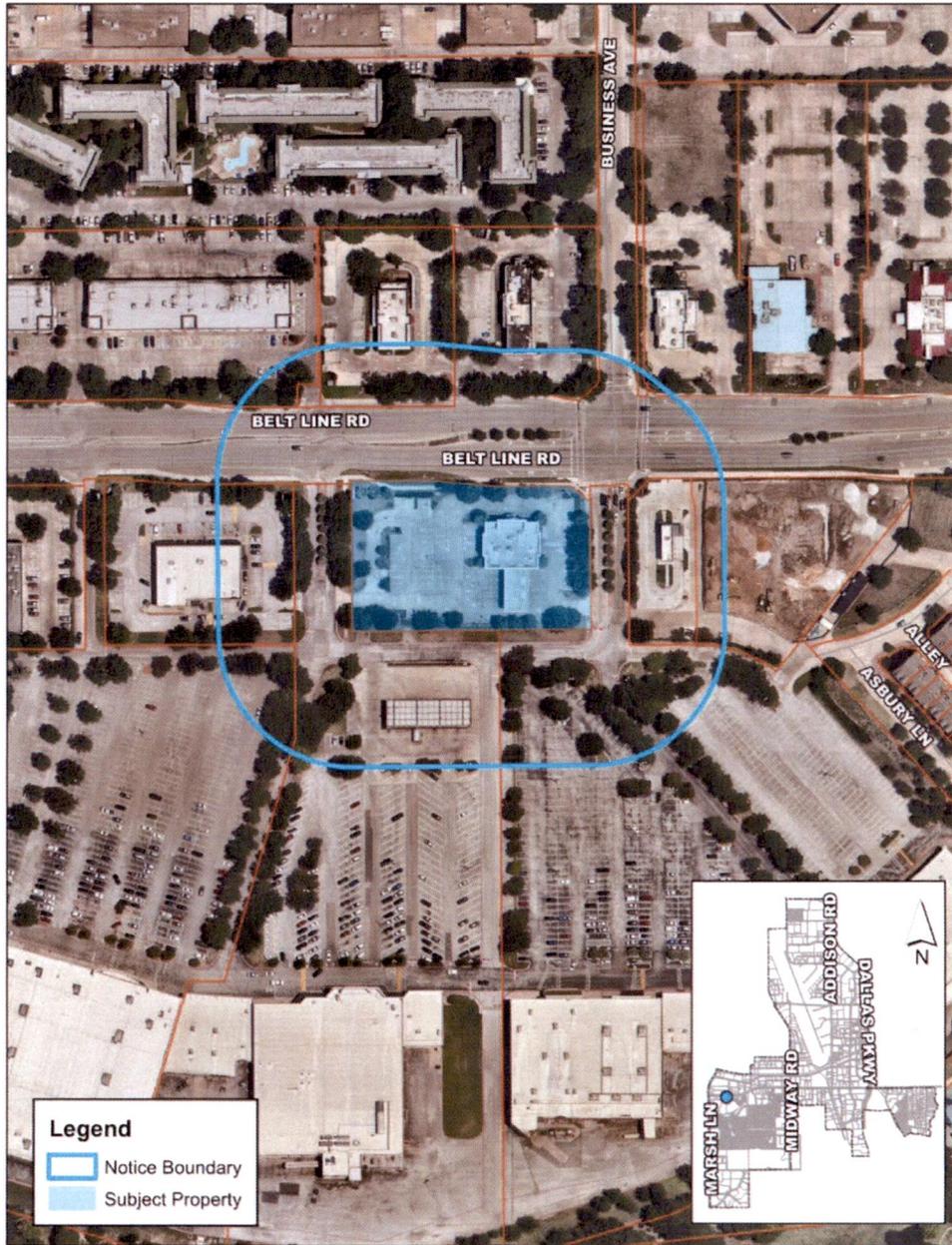
THENCE, S 89° 28' 45" W, continuing with the common line of said Lot 2 and Lot 3C-1, passing at a distance of 136.43 feet the common north corner of said Lot 3C-1 and Lot 3B, Block D of the said Replat of Addison Town Center, continuing in all a distance of 354.46 feet to a found 1/2 inch iron rod for a corner, said point being the southwest corner of said Lot 2;

THENCE, N 00° 31' 15" W, with the common line of said Lot 2 and Lot 3B, a distance of 223.50 feet to a found 1/2 inch iron rod for a corner in the south line of Belt Line Road, said point being the common north corner of said Lot 2 and Lot 3B;

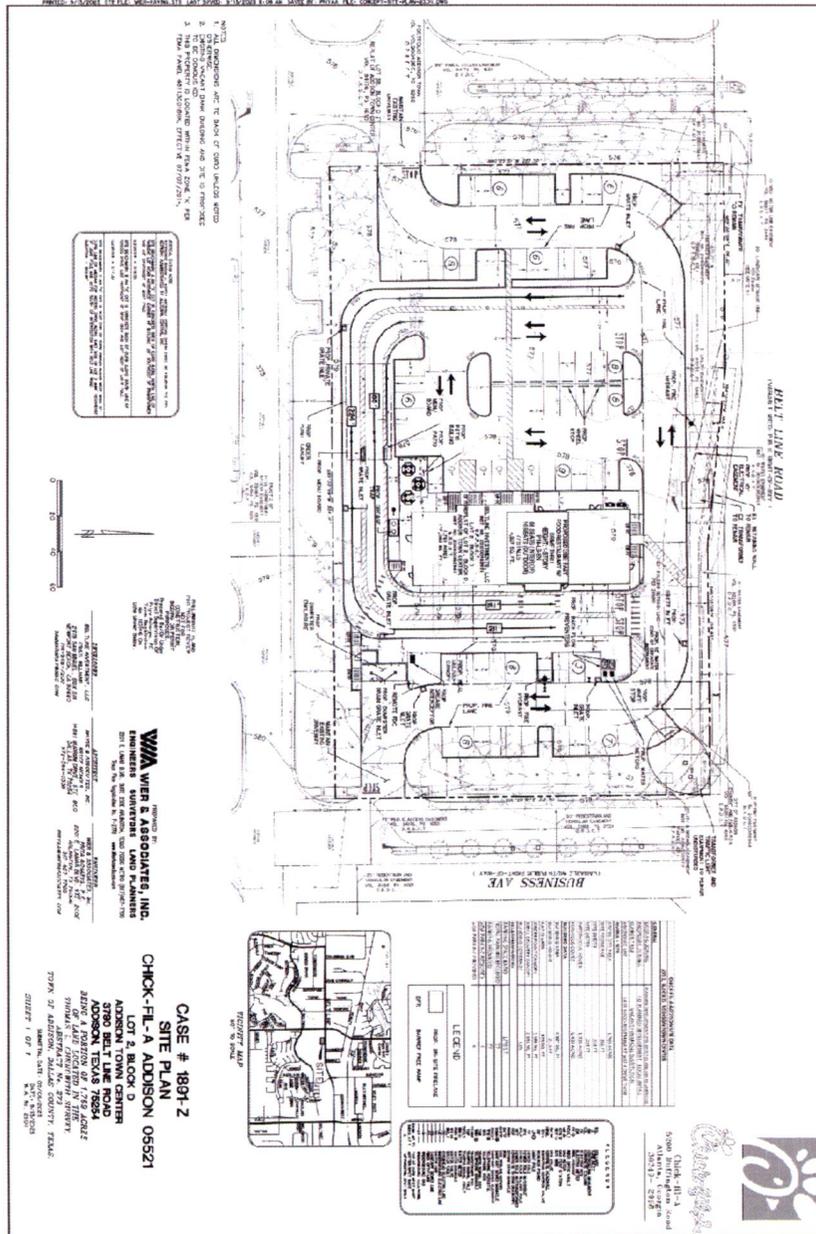
THENCE, the following courses and distances with the south line of Belt Line Road;

- N 89° 28' 45" E, a distance of 115.13 feet to a found 1/2 inch iron rod for an angle point;
- S 84° 12' 44" E, a distance of 100.11 feet to a found "x" cut on concrete pavement for an angle point;
- N 89° 28' 45" E, a distance of 139.83 feet to the Point of Beginning.

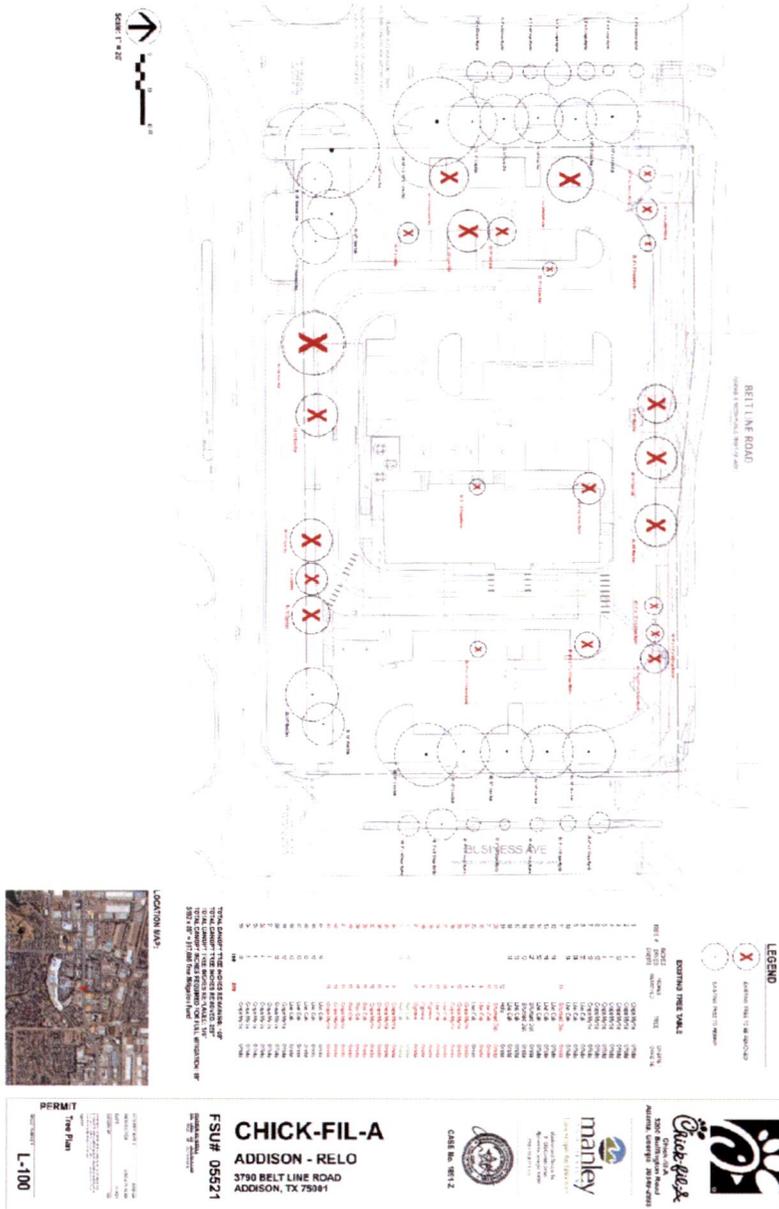
**EXHIBIT A**



**EXHIBIT B**



**EXHIBIT B**





**EXHIBIT B**

**D4 WEST ELEVATION - FRONT**

DATE: 11/11/2019  
TIME: 10:00 AM  
FILE: 1891-Z-3790-FRONT.dwg

**B4 EAST ELEVATION**

DATE: 11/11/2019  
TIME: 10:00 AM  
FILE: 1891-Z-3790-EAST.dwg

**FINISH SCHEDULE - EXTERIOR**

NO.	DESCRIPTION	FINISH	NOTES
1	CONCRETE	CONCRETE	
2	BRICK	BRICK	
3	PAINT	PAINT	
4	GLASS	GLASS	
5	WOOD	WOOD	
6	ROOFING	ROOFING	
7	MECHANICAL	MECHANICAL	
8	ELECTRICAL	ELECTRICAL	
9	PLUMBING	PLUMBING	
10	LANDSCAPE	LANDSCAPE	

**LEGEND - EXTERIOR**

1. CONCRETE: CONCRETE  
2. BRICK: BRICK  
3. PAINT: PAINT  
4. GLASS: GLASS  
5. WOOD: WOOD  
6. ROOFING: ROOFING  
7. MECHANICAL: MECHANICAL  
8. ELECTRICAL: ELECTRICAL  
9. PLUMBING: PLUMBING  
10. LANDSCAPE: LANDSCAPE

**CHICK-FIL-A**  
Addison FSU

3790 Belt Line Rd  
Addison, TX 75001

FSR#05521

3790 BELT LINE RD  
ADDISON, TX 75001

DATE: 11/11/2019  
TIME: 10:00 AM  
FILE: 1891-Z-3790-FRONT.dwg

Chick-fil-A  
5208 Beltline Road  
Atlanta, Georgia  
30328-1599

MEMBER ASSOCIATION

**A-302**

CASE NO. 1891-Z



**EXHIBIT B**

**FINISH SCHEDULE - EXTERIOR**

NO.	DESCRIPTION	FINISH	NOTES
1	CONCRETE	CONCRETE	AS SHOWN
2	PAINT	PAINT	AS SHOWN
3	GLASS	GLASS	AS SHOWN
4	WOOD	WOOD	AS SHOWN
5	ROOFING	ROOFING	AS SHOWN
6	MECHANICAL	MECHANICAL	AS SHOWN
7	ELECTRICAL	ELECTRICAL	AS SHOWN
8	PLUMBING	PLUMBING	AS SHOWN
9	HVAC	HVAC	AS SHOWN
10	FINISH	FINISH	AS SHOWN

**FAÇADE ELEVATION NOTES**

1. ALL MATERIALS TO BE SUPPLIED BY THE CONTRACTOR AND INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.

2. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

3. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

4. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

5. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

6. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

7. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

8. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

9. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

10. ALL MATERIALS TO BE MATCHED TO THE EXISTING MATERIALS ON THE ADJACENT BUILDING.

**D4 ELEVATION**

**E2 EAST ELEVATION**

**D2 WEST ELEVATION**

**B2 SOUTH ELEVATION**

**CHICK-FIL-A**  
Addison FSU  
FSR#0521  
3790 Belt Line Rd  
Addicks, TX 75001

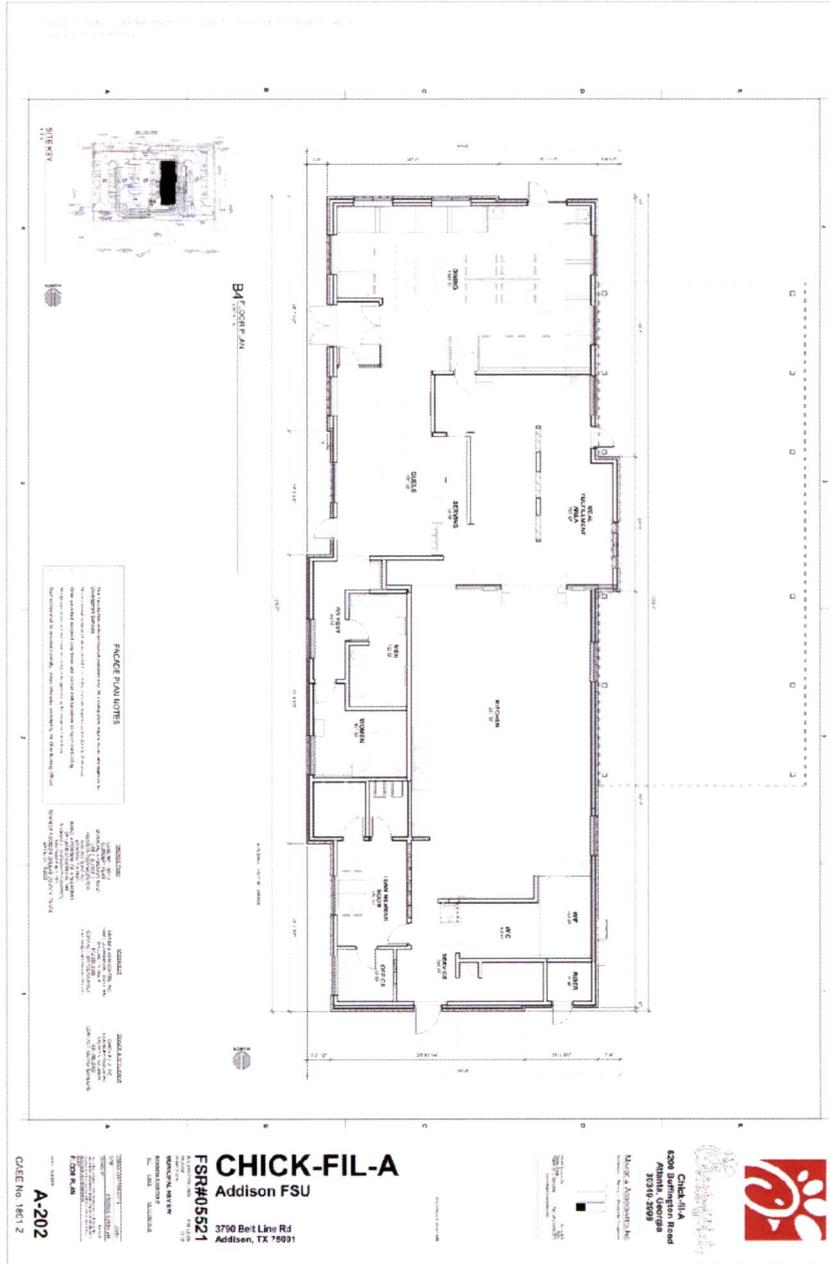
**CHICK-FIL-A**  
5308 Buntington Road  
Atlanta, Georgia  
30328-2878  
Myrtle & Associates, Inc.

**A-304**  
CASE No. 1891-Z

Town of Addison, Texas  
Ordinance No.  
Case No. 1891-Z/3790 Belt Line Road (Chick-Fil-A)

Town of Addison, Texas  
Ordinance No. 23-48  
Case 1891-Z/3790 Belt Line Road (Chick-Fil-A)

**EXHIBIT B**



Town of Addison, Texas  
Ordinance No.  
Case No. 1891-Z/3790 Belt Line Road (Chick-Fil-A)

Town of Addison, Texas  
Ordinance No. 23-48  
Case 1891-Z/3790 Belt Line Raod (Chick-Fil-A)