

ORDINANCE NO. 023-56

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING SPECIAL USE PERMIT (SUP), ORDINANCE NO. 097-044, FOR THE PROPERTY LOCATED AT 3795 BELT LINE ROAD, TO AMEND THE DEVELOPMENT PLAN FOR AN EXISTING RESTAURANT WITH DRIVE-THROUGH; 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, at its regular meeting held on November 15, 2023, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit amendment (Case No. 1902-SUP) to amend the development plan for an existing restaurant with drive-through at the property located at 3795 Belt Line Road (the "Subject Property"); and

WHEREAS, the Subject Property is presently zoned Planned Development (PD), Ordinance Nos. 092-037 and 098-049, with Special Use Permit (SUP) by Ordinance No. 097-044; 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. A Special Use Permit amendment to adopt a new development plan for an existing restaurant with drive-through for the Subject Property, is hereby granted subject to the following conditions:

- (a) The subject property shall be improved in accordance with the site plan and landscape plan, which are attached hereto as **Exhibit A**, and made a part hereof for all purposes.

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,

including the right to seek injunctive relief for any and all violations of this ordinance where the law in such cases so provides.

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 12TH day of DECEMBER 2023.

TOWN OF ADDISON, TEXAS





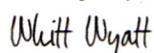
Bruce Arfsten, Mayor

ATTEST:

APPROVED AS TO FORM:

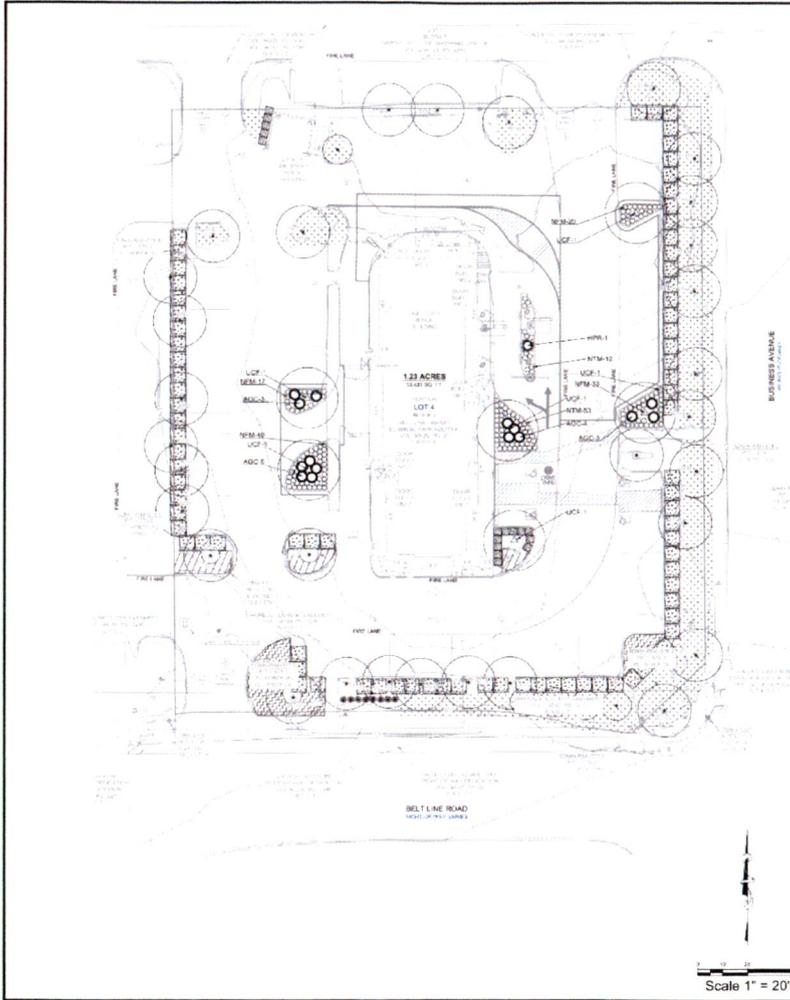


Irma G. Parker, City Secretary

DocuSigned by:


Whitt Wyatt, City Attorney

EXHIBIT A



PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	MIN. SIZE	SPACING	QUANTITY	REMARKS
SPRUBS						
LOF	Ulmus crinitica	Cedar Elm	8" Cal.	6'	6	
ASC	Azalea grandiflora 'Coralii'	Dwarf Azalea 'Coralii'	#6 cal.	30"	15	
HPR	Hesperaloe parviflora	Red Yucca	#5 cal.	36"	1	
PERENNIALS OR ORNAMENTAL GRASSES						
NEM	Nerodea luteoalba	Neonian Feather Grass	#1 cal.	24" O.C.	175	

TABULATIONS OR TOTALS

	UPDATED
GROSS SITE LANDSCAPE	53,432 SF 1244.0 SF
GROSS SITE AREA	1,330 SF
LANDSCAPE AREA PROVIDED	11,334 SF 306.0 SF
STREET LANDSCAPE BUFFER	
DELTA ROAD 10' TO 20' VARIABLE BUFFER DUE TO CONSTRAINTS OF RIGHT TURN LANE STANDARDS 20' POSE BUFFER WOULD PROVIDE AN AREA OF	4129 SF
PROPOSED VARIABLE BUFFER PROVIDES AN AREA OF	4429 SF
BUSINESS AVENUE STANCHION 30' WIDE BUFFER PROVIDED	
STREET LANDSCAPE BUFFER TREES AND SHIELDS DELTA AND BUSINESS	4.0 LP
STREET LANDSCAPE BUFFER LENGTH	20.8 TREES
STREET LANDSCAPE BUFFER TREES REQUIRED (4.0 LP / 20 LP X 4)	22 TREES
STREET LANDSCAPE BUFFER TREES PROVIDED	24 SHIELDS
STREET LANDSCAPE BUFFER SHIELDS REQUIRED (4.0 LP / 20 LP X 4)	24 SHIELDS
STREET LANDSCAPE BUFFER SHIELDS PROVIDED	
PARKING LOT SCREENING	
2 1/2' HIGH BERRY WITH DOUBLE STAMBERED ROWS OF 30" TALL SHIELDS	250 LP
PARKING LOT LANDSCAPING PER METER IF A OR B TREES	8.6 TREES
PARKING LOT PER METER TREES PROVIDED (250 LP / 29 LP X 1)	8 TREES
PARKING LOT PER METER SHIELDS REQUIRED (250 LP / 29 LP X 1)	86 SHIELDS
PARKING LOT PER METER SHIELDS PROVIDED	78 SHIELDS
PARKING LOT LANDSCAPING INTERIOR AREA	
TOTAL PARKING AREA	89,22 SF
PARKING LOT LANDSCAPING REQUIRED (75.22 SF X 9%)	286 SF
PARKING LOT LANDSCAPING PROVIDED	286 SF
TOTAL PARKING SPACES	11 SPACES
PARKING LOT INTERIOR TREES REQUIRED (11 SPACES / 1)	11 TREES
PARKING LOT INTERIOR TREES PROVIDED	11X TREES

IRRIGATION CONCEPT

1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
2. THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
3. ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SOEDED AND SEEDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
4. ALL PLANTS SHARING SIMILAR HYDROLOGIC CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
5. THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED TO THE MAXIMUM EXTENT POSSIBLE TO CONSERVE WATER BY USING THE LOCAL ZONE IRRIGATION SYSTEMS, MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS, WIND-RESISTANT POSSIBLE, RAIN SENSORS, AND MULTI PROGRAM CONTROLLED, PROGRAM OR CONTROL LOGS FEATURING SENSORY INPUT CAPABILITIES.

STOP!
CALL BEFORE YOU DIG
 DIG TESS
 1-800-DIG-TESS
 (@ least 72 hours prior to digging)



ROOT BARRIERS

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY PLANTED TREES THAT ARE LOCATED WITHIN THE DISTRICT OF PAVING OR CURBS. ROOT BARRIERS SHALL BE IDENTIFY OR DEEP ROOT 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO LANDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. (AND IF ANY CONSTRAINTS SHALL, THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCLOSE THE ROOTBALL.

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1/4" SPHERICAL WOOD MULCH, NATURAL UNWEATED, LOWER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND BERRIES AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).

GRAVEL MULCH - REVERSE COBBLE, 1/2" DIA. 4" THICK LAYER OVER LANDSCAPE FABRIC (NOT APPLIED)

3795 BELT LINE ROAD ADDISON, TX 75004	3795 BELT LINE ROAD ADDISON, TX 75004
CHICKEN 3795 BELT LINE ROAD ADDISON, TX 75004	CHICKEN 3795 BELT LINE ROAD ADDISON, TX 75004
PLAN APPROVALS DATE: _____ SUBMITTED BY (PROJECT): _____ PREPARED BY: _____ CHECKED BY: _____ OPERATIONS DEPT: _____ FIELD USE ONLY DATE: _____ CONTRACTOR: _____ LICENSE: _____	CITY PROJECT NUMBER: 190256P SURVEY INFORMATION REFERENCE: _____ SCALE: GRAPHIC: _____ MARKS BUSINESS PARK ADDITION BLOCK 3, LOT 3 & 4, L3 2025-09-04 MARSH BUSINESS ADDITION 2025-09-04 STATUS: _____ DATE: _____ DATE: 09/04/2025 PLAN CHECKED: 4/23/2025 ASSIGNED: _____ DRAWING: LP-1

