

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY REZONING A 2.034 ACRE PROPERTY, LOCATED AT 3820 BELT LINE ROAD, FROM PLANNED DEVELOPMENT (PD) DISTRICT, ORDINANCE NO. O21-037, WITH MODIFIED BELT LINE DISTRICT (BL) STANDARDS TO A NEW PLANNED DEVELOPMENT (PD) DISTRICT WITH MODIFIED LOCAL RETAIL DISTRICT (LR) STANDARDS AND REPEALING ORDINANCE NO. 2005-036 AND GRANTING A SPECIAL USE PERMIT (SUP) FOR A PORTION OF THE PROPERTY TO BE USED AS A DRIVE-THRU RESTAURANT; 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 August 16, 2022, the Planning & Zoning Commission considered and made recommendations on a request for a Rezoning to Planned Development (PD) with modified Local Retail (LR) District standards and a Special Use Permit (Case No.1850-Z) for a portion of the property to be used as a drive-thru restaurant for the property located at 3820 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. Ordinance No. 2005-036 granting a Special Use Permit to Humperdink’s, shall be repealed in its entirety upon approval of this ordinance for the Subject Property.

SECTION 3. The Zoning Ordinance and official zoning map shall be amended so as to rezone the Subject Property, said property comprising all of Lot 1R, Block A of the Printemps Addition N0. 2, and being further described in the legal description on **Exhibit A** attached hereto, from Planned Development (PD) with modified Belt Line (BL) District standards to Planned Development (PD) with modified Local Retail (LR) District standards and a Special Use Permit, 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.

(b) The Subject Property shall be developed in accordance with the Local Retail (LR) District standards with the following exceptions:

i. Minimum Building Height = 20 feet

ii. Minimum Landscape Buffer = 19 feet, due to the existing setback from Belt Line Road.

iii. The previously approved retail building shall be developed in accordance with the development standards established by Ordinance O21-37 and the site plan, landscape plan, floor plan, and façade plan, which are attached hereto as **Exhibit C** and made a part hereof for all purposes.

(c) No additional driveway connections to Belt Line Road from the Subject Property are permitted.

(d) If the Subject Property was to be subdivided in the future, an easement or private agreement shall be established to allow for cross-access through the subject property to existing and future points of access on Business Avenue and Commercial Drive.

SECTION 4. 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 5. 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 6. 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 7. 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 **13TH** day of **SEPTEMBER** 2022.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Whitt Wyatt, City Attorney

EXHIBIT A

Legal Description of the Property

BEING part of Lot 1-R, Block A, of Printemps Addition No. 2, and addition to the Town of Addison, according to the plat thereof, recorded in Volume 92162, Page 2251, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the South line of Belt Line Road, a variable width right-of-way, at the Northwest corner of Lot 1, Block E, of the Replat of Asbury Circle, an addition to the Town of Addison, according to the plat thereof, recorded In Instrument No. 200900017267, Official Public Records, Dallas County, Texas;

THENCE South 00°59'34" West, a distance of 30.50' to a 1/2" iron rod found at an interior corner of said Asbury addition;

THENCE South 39°49'52" West, passing at a distance of 262.96' the West corner of said Lot 1, same being a Northerly corner of Lot 3C-1, Block D, of the Replat of Lots 3A, 38, 3C-1, 4R-1 and 5, an addition to the Town of Addison, Dallas County, Texas, and continuing a total distance of 324.75' to an "X" found in concrete, at an interior corner of said Replat, said point being the in a curve to the left having a central angle of 38°50'18", a radius of 184.12' and a chord bearing and distance of North 69°35'17" West, 122.43';

THENCE Northwesterly, along said curve to the left, an arc distance of 124.81' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the interior North line of said Lot 3C-1;

THENCE North 89°00'26" West, a distance of 101.42' to an "X" cut set in concrete at an interior corner of said Lot 3C-1;

THENCE North 00°59'34" East, a distance of 212.25' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the most Northerly East line of said Lot 3C-1;

THENCE North 45°59'34" East, a distance of 56.57' to a to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 531 0" set in the said South line of Belt Line Road;

THENCE South 89°00'26" East, along said South line, a distance of 256.29' to an "X" set in concrete for comer;

THENCE South 83°34'49" East, continuing along said South line, a distance of 100.45' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 531 0" set for corner;

THENCE South 89°00'26" East, continuing along said South line, a distance of 24.25' to the PLACE OF BEGINNING and containing 88,597 square feet or 2.034 acres of land.

EXHIBIT B

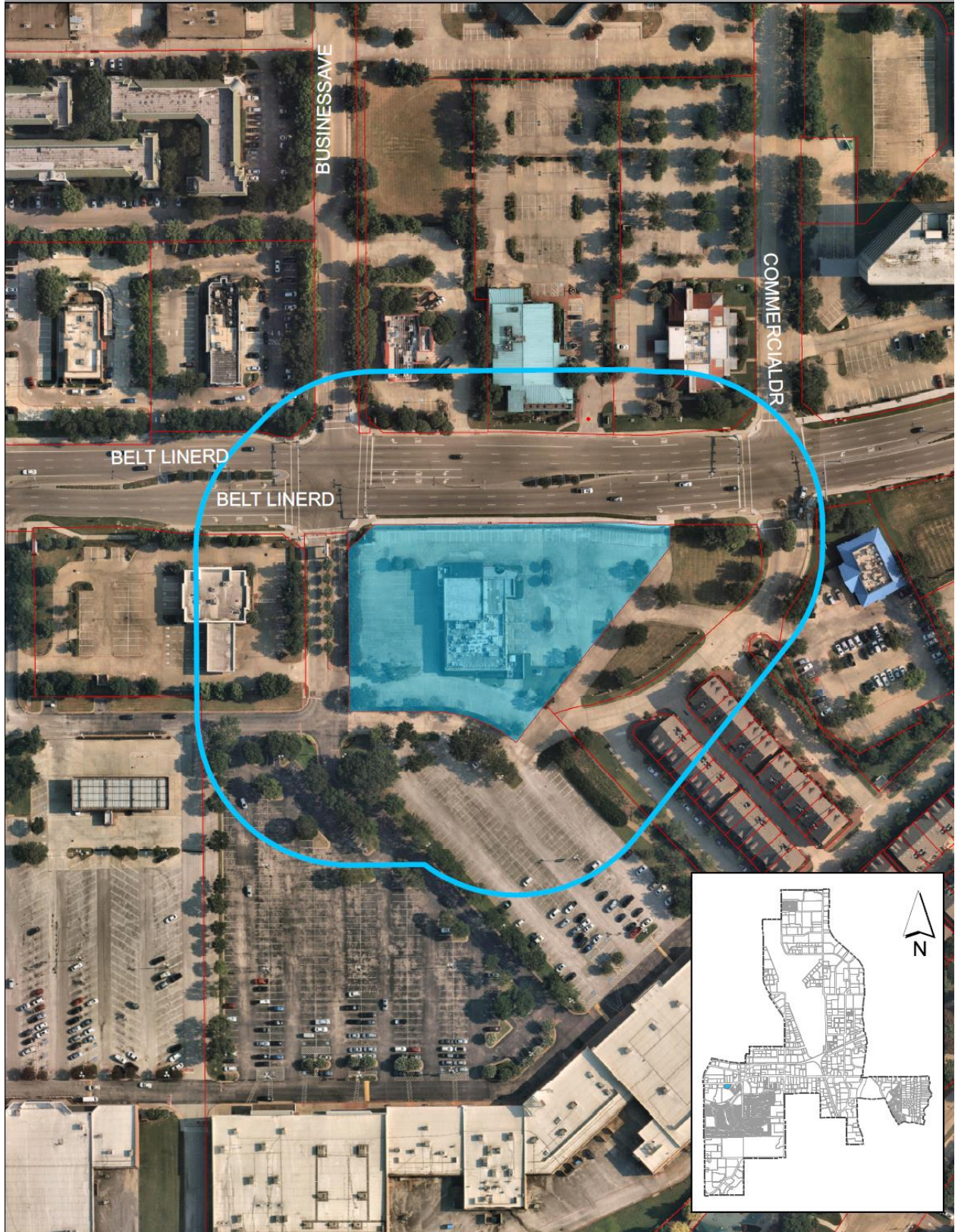
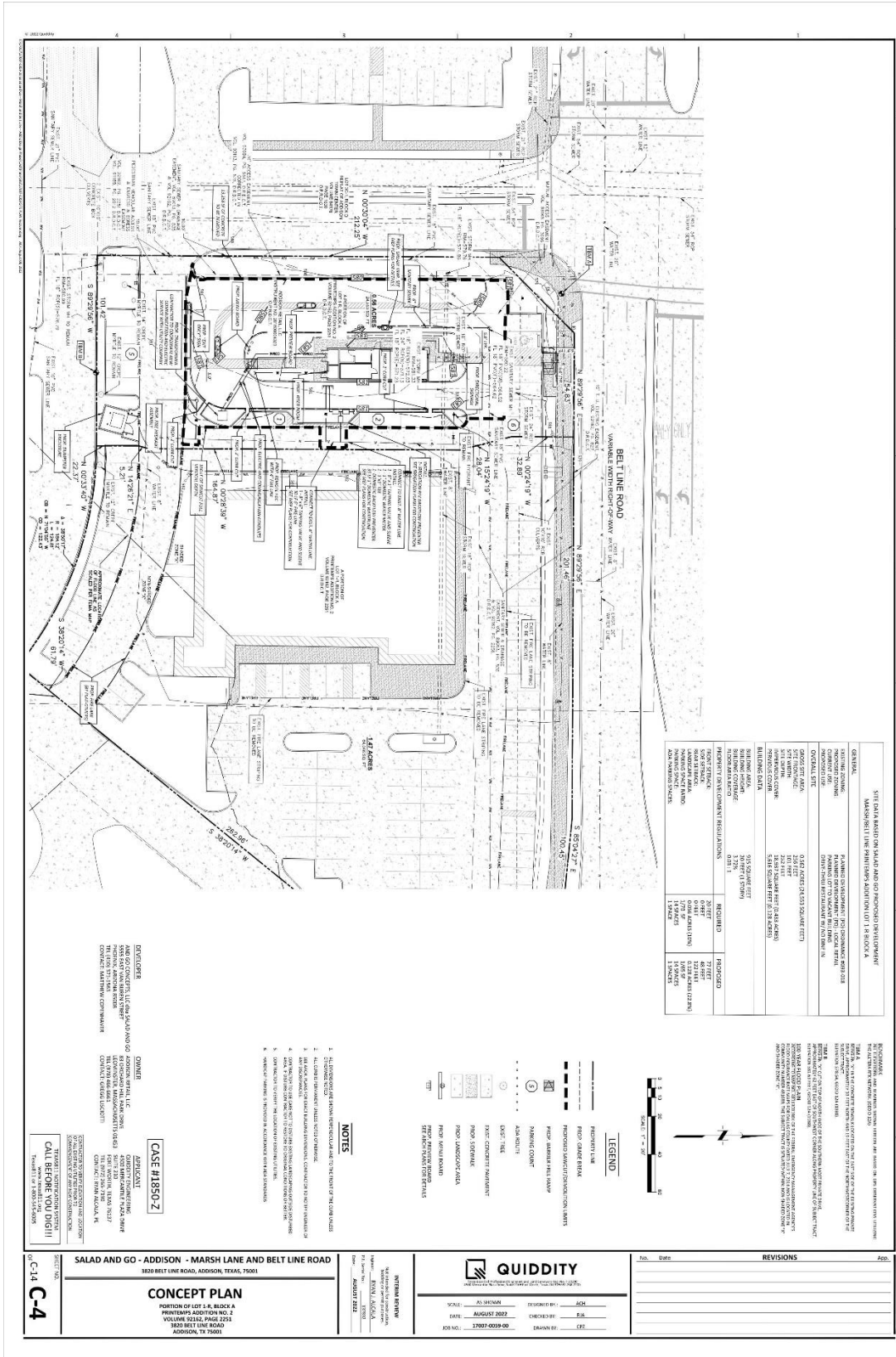


EXHIBIT B



SALAD AND GO PROPOSED DEVELOPMENT		
GENERAL	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED ZONING	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED LOT AREA	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED SETBACKS	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED HEIGHT	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED COVERAGE	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED PARKING	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED UTILITIES	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED EASEMENTS	PROPOSED DEVELOPMENT	PROPOSED
PROPOSED OTHER	PROPOSED DEVELOPMENT	PROPOSED

- NOTES**
1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CURB UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CURB UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CURB UNLESS OTHERWISE NOTED.
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 9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CURB UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CURB UNLESS OTHERWISE NOTED.

SALAD AND GO - ADDISON - MARSH LANE AND BELT LINE ROAD
3825 BELT LINE ROAD, ADDISON, TEXAS, 75001

CONCEPT PLAN

PORTION OF LOT 4 - R. BLOCK A
PROPOSED DEVELOPMENT
3825 BELT LINE ROAD
ADDISON, TEXAS 75001

QUIDDITY

ARCHITECTURE & INTERIOR DESIGN

10000 W. HIGHTWAY 100, SUITE 1000
DALLAS, TEXAS 75243

PHONE: 214-343-1111
WWW.QUIDDITY.COM

NO. DATE

1. 08/20/2024

2. 08/20/2024

3. 08/20/2024

4. 08/20/2024

5. 08/20/2024

EXHIBIT B

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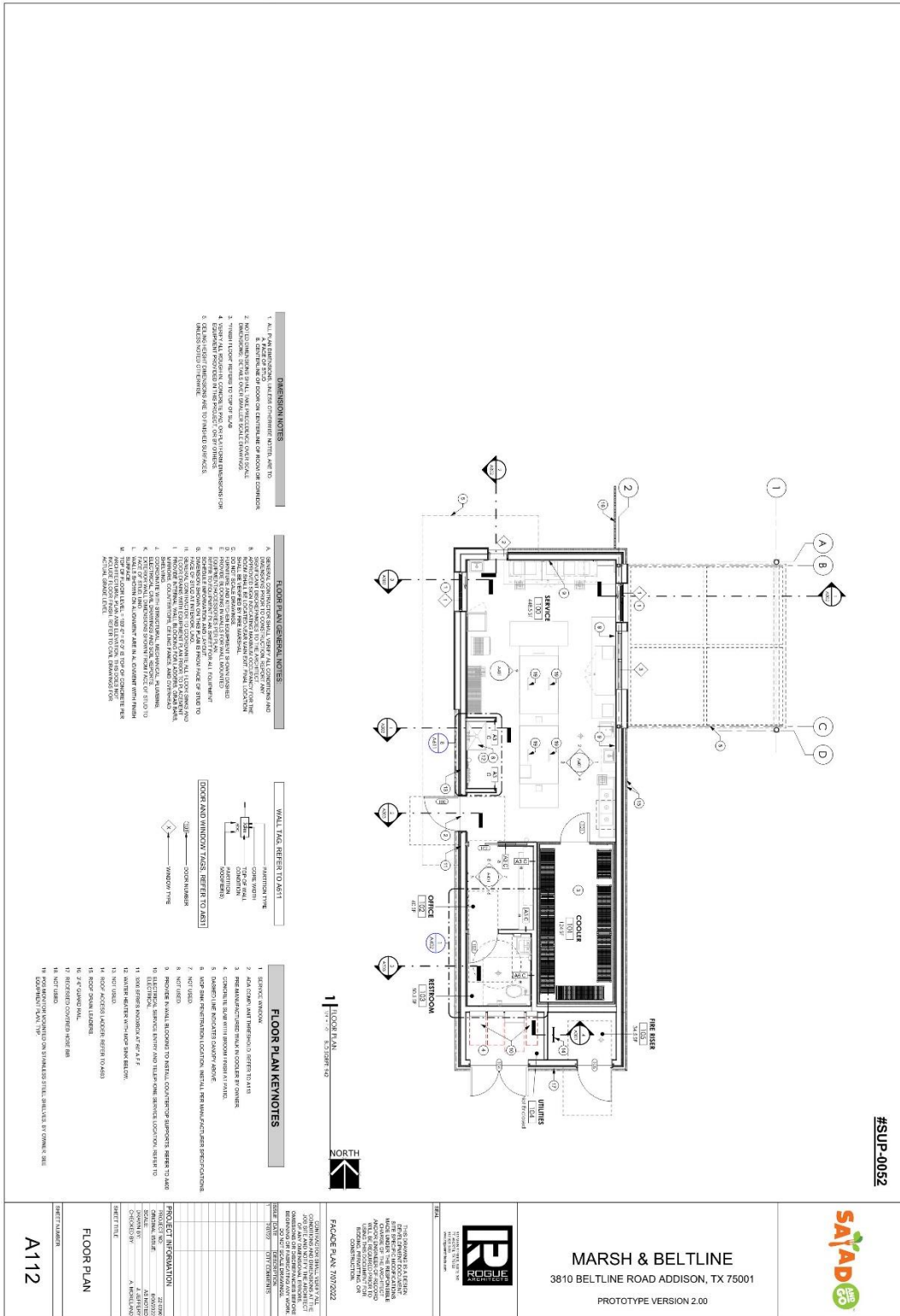


EXHIBIT B

1 | SIDE ELEVATION EAST

2 | FRONT ELEVATION NORTH

3 | WALK-UP ELEVATION WEST

4 | EDGE ELEVATION SOUTH

MATERIAL	DRIVE THRU				WALK UP				TOTAL			
	SQ FT	%	SQ FT	%	SQ FT	%	SQ FT	%	SQ FT	%	SQ FT	%
TOTAL ELEVATION AREA	341	100	1012	100	1016	100	318	100	2667	100		
NON-COLOR FINISHES AND WINDOWS	0	0	0	0	29	3	74	23	102	4		
COLOR FINISHES AND WINDOWS	131	4	977	97	155	15	90	90	105	2		
DOORS (STANDARD SIZES) AND WINDOWS	228	67	100	10	246	24	290	28	518	19		
ROOF (STANDARD SIZES) DOORS AND WINDOWS	15	4	158	16	157	15	27	3	403	15		
SCAFFOLDING	5	1	111	11	0	0	5	2	120	5		
USE 1 (S&G)	24	7	0	0	111	11	0	0	135	5		
USE 2 (S&G)	299	88	865	85	860	85	299	79	2265	84		

5 | SITE PLAN - SET PLAN

**RESTAURANT WITH DRIVE-THRU
ADDISON RETAIL LLC
LOT 1-R-BLOCK A
#SUP-0052**

PROFESSIONAL ENGINEER: JAY D. ZIEGLER, P.E.
REGISTERED PROFESSIONAL ARCHITECT: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL MECHANICAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL ELECTRICAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL CIVIL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL CHEMICAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL METALLURGICAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL AERONAUTICAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL NUCLEAR ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL INDUSTRIAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL AGRICULTURAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL MARINE ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL METEOROLOGICAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL AEROSPACE ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL CHEMICAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL METALLURGICAL ENGINEER: JAMES W. WILSON, AIA
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REGISTERED PROFESSIONAL METEOROLOGICAL ENGINEER: JAMES W. WILSON, AIA
REGISTERED PROFESSIONAL AEROSPACE ENGINEER: JAMES W. WILSON, AIA

MARSH & BELTLINE
3810 BELTLINE ROAD ADDISON, TX 75001
PROTOTYPE VERSION 2.00

PROJECT INFORMATION:
PROJECT NO: 20200
SHEET NO: 1
DATE: 11/11/2020
DRAWN BY: J. WILSON
CHECKED BY: J. WILSON

PROJECT NAME:
FACADE PLAN

SHEET NUMBER:
FP001

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EXHIBIT C

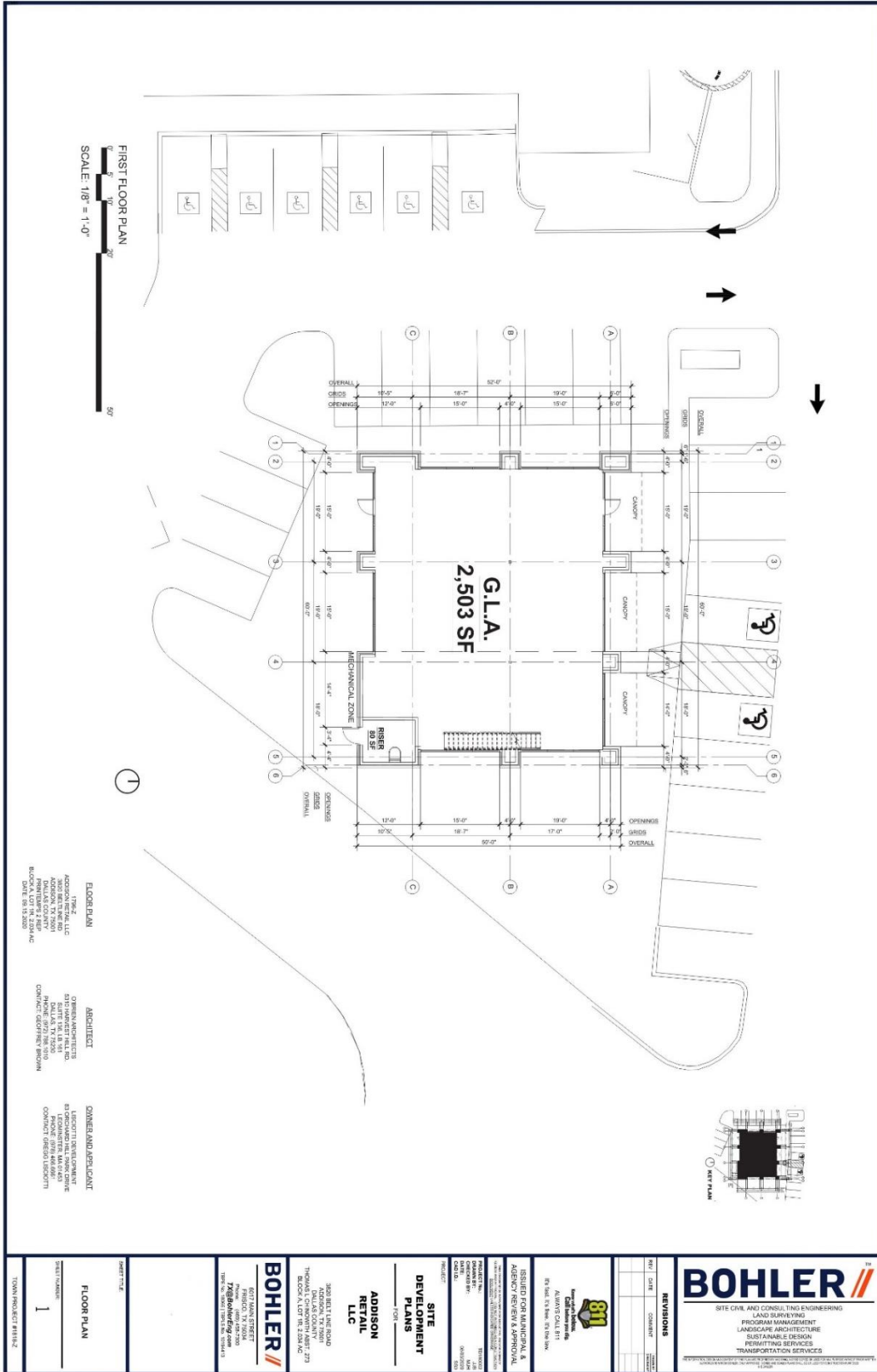


EXHIBIT C

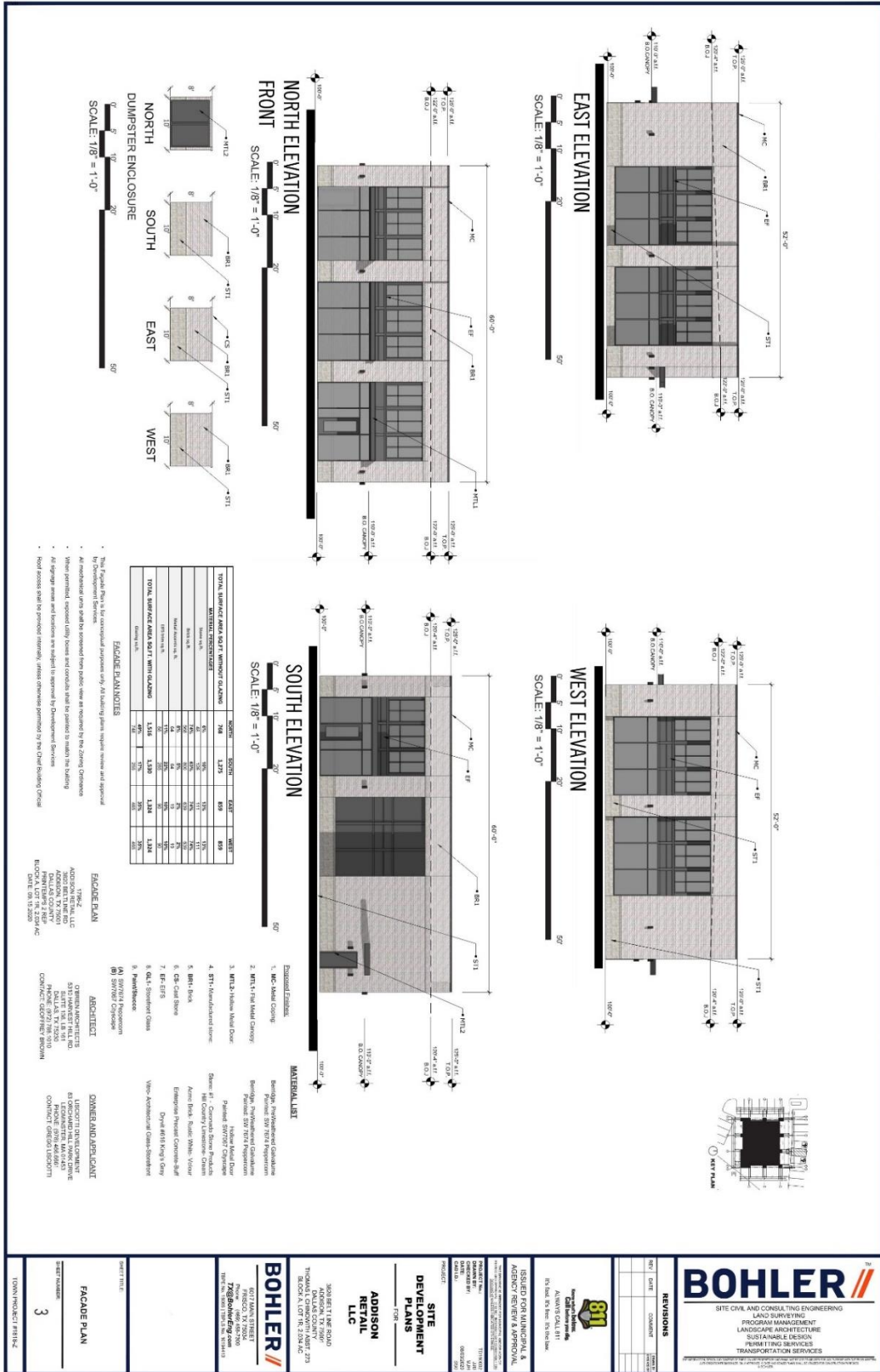


EXHIBIT C

NORTHWEST CORNER

OWNER AND APPLICANT
 LEGGOTT DEVELOPMENT
 8300 BELT LINE ROAD
 FORT WORTH, TEXAS 76116
 CONTACT: GREGG LEGGOTT
 PHONE: 817.441.8800

ARCHITECT
 OMBREIA ARCHITECTS
 5301 LITTLEFIELD BLVD.
 FORT WORTH, TEXAS 76116
 CONTACT: SCOTTNEY BROWN

ENGINEER
 TRYZE, LLC
 4300 BELT LINE ROAD
 FORT WORTH, TEXAS 76116
 CONTACT: SCOTTNEY BROWN
 DATE: 08.13.2020

BOHLER
 8011 DAVIS STREET
 FORT WORTH, TEXAS 76116
 PHONE: 817.332.2828
 WWW.BOHLER.COM

ADDISON
APPLICANT
LLC

3820 BELT LINE ROAD
 FORT WORTH, TEXAS 76116
 TRAVIS COUNTY
 TRUCK & RENT 28842

SITE DEVELOPMENT PLANS
 1:20' = 1"

REVISIONS

REV.	DATE	COMMENT
4		

BOHLER
 SITE CIVIL AND CONSULTING ENGINEERING
 LAND SERVICES
 PROGRAM MANAGEMENT
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 PERMITTING SERVICES
 TRANSPORTATION SERVICES

EXHIBIT C

NORTHEAST CORNER

OWNER AND APPLICANT

BOHLER DEVELOPMENT
83 PROGRESS DRIVE, SUITE 400
DALLAS, TEXAS 75201
CONTACT: BOHLER DEVELOPMENT

ARCHITECT

BOHLER DEVELOPMENT
83 PROGRESS DRIVE, SUITE 400
DALLAS, TEXAS 75201
CONTACT: BOHLER DEVELOPMENT

EXCISE PLAN

TRAC
4300 BELT LINE ROAD
DALLAS COUNTY
NATIONAL LOT #6 2304 AC
DATE: 09-18-2020

BOHLER

3820 BELT LINE ROAD
THUNDERBOLT, DALLAS COUNTY
BLOCK #, LOT # 18, 209 AC

811
Call before you dig
ALWAYS CALL 811
8:30 AM - 5:00 PM, 24 HOURS

ISSUED FOR MUNICIPAL & AGENCY REVIEW & APPROVAL

SITE DEVELOPMENT PLANS
FOR
ADDISON RETAIL LLC

PROJECT NO: 18-0001
DATE: 09-18-2020

BOHLER

8277 DAVIS STREET
DALLAS, TEXAS 75248
PHONE: 214-343-7200
WWW.BOHLER.COM

DATE: 09-18-2020

REVISIONS

NO.	DATE	COMMENTS	BY
1			

BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

1800 WEST STREET, SUITE 200
DALLAS, TEXAS 75201
PHONE: 214-343-7200
WWW.BOHLER.COM

BOHLER

3820 BELT LINE ROAD
THUNDERBOLT, DALLAS COUNTY
BLOCK #, LOT # 18, 209 AC

BOHLER

8277 DAVIS STREET
DALLAS, TEXAS 75248
PHONE: 214-343-7200
WWW.BOHLER.COM

DATE: 09-18-2020

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DATE: 09-18-2020

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