

ORDINANCE NO. 692

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, AS HERETOFORE AMENDED, SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY, CASE # 499, ALAMANS RESTAURANT, LOCATED IN SAKOWITZ VILLAGE ON THE PARKWAY, FROM THE ZONING CLASSIFICATION OF LOCAL RETAIL WITH SPECIAL USES FOR A RESTAURANT WITH THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION TO LOCAL RETAIL WITHOUT SPECIAL USES; THEREBY REVOKING AND TERMINATING ORDINANCE NO. 594; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Addison, Texas, and the Governing Body of the City of Addison, Texas, in compliance with the Zoning Ordinance of the City of Addison and the laws of the State of Texas with reference to the granting of change of zoning under existing zoning regulations, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to persons interested in and situated in the affected area and in the vicinity thereof, the Governing Body of the City of Addison is of the opinion that a special use permit authorizing location of a restaurant and the sale of alcoholic beverages for on-premises consumption should be terminated, now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON,
TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Addison, Texas, as heretofore amended, be, and the same is hereby amended by amending the Zoning Map of the City of Addison, Texas, so as to terminate the Special Use Permit for a restaurant and the sale of alcoholic beverages for on-premises consumption. Said special use permit shall be terminated, by revoking Ordinance No. 594 granted on the following described property to Alamans Restaurant, to-wit:

BEING a tract of land out of the Allen Bledsoe Survey, Abstract No. 157, and the G. W. Fisher Survey, Abstract No. 482, and the J. Pancoast Survey, Abstract No. 1146, City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point being the intersection of the east right-of-way line of Dallas Parkway and the south right-of-way line of Belt Line Road;

THENCE East along said south line, a distance of 251.34 feet to a point for a corner;

THENCE S 65°51'30" E, a distance of 54.24 feet to a point for a corner;

THENCE N 48°03'00" E, a distance of 5.0 feet to a point for a corner, said point lying on the west right-of-way line of Montfort Drive;

THENCE S 41°57'00" E along said west line, a distance of 737.45 feet to an angle point;

THENCE S 23°24'00" E continuing along said west line a distance of 894.98 feet to a point for a corner;

THENCE N 85°31'25" W departing said west line, a distance of 706.89 feet to an angle point;

THENCE N 85°30'06" W a distance of 882.99 feet to a point for a corner said point lying on the east right-of-way of Dallas Parkway;

THENCE Northeasterly along said east line being a circular curve to the right having a central angle of 34°36'34" and whose center bears S 88°39'35" E, 1256.93 feet, an arc distance of 759.25 feet to the point of reverse curve to the left having a central angle of 36°13'00" and a radius of 1014.93 feet;

THENCE Northeasterly along said curve and continuing along said east line, an arc distance of 65.52 feet to the POINT OF BEGINNING and containing 33.0231 acres of land more or less.

SECTION 2. That Ordinance No. 594 is hereby repealed and all other ordinances that are in conflict with the provisions of this ordinance 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 3. 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 provision thereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That any person, firm or corporation violating any of the provisions of this ordinance shall, upon commission, be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each day said violation continues shall constitute a separate offense.

SECTION 5. The fact that the sale of alcoholic beverages in the City of Addison is authorized only under special use permits as provided for in the Comprehensive Zoning Ordinance of the City of Addison, and the City Council having found that the property described herein is not suitable for such, therefore, this ordinance shall become effective from and after its adoption, and publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS,
this the 28 day of July, 1981.

[Signature]
MAYOR

ATTEST:

[Signature]
CITY SECRETARY