

ORDINANCE NO. 696

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES AND BEER AND WINE FOR OFF-PREMISES CONSUMPTION, UNDER SPECIAL CONDITIONS, ON PROPERTY LOCATED SOUTH OF BELT LINE ROAD AND WEST OF INWOOD ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR NO SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR THE EFFECTIVE DATE.

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 laws of the State of Texas and the ordinance of the City of Addison, 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 all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance should be amended, 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 grant a Special Use Permit for property located at

14802 Inwood Road on application from John Sullivan, Case #588, Tax #1240041.

Said Special Use Permit shall be granted for:

"Sale of beer and wine for off-premises consumption only"

"Sale of alcoholic beverages for off-premises consumption only"

Subject to special conditions on the following described property,

to-wit:

All that certain lot, tract or parcel of land lying and being situated in the City of Addison, Dallas County, Texas, out of the JOSIAH PAN-COAST SURVEY, ABSTRACT NO. 1146 and being a part of that certain tract described in a Deed to J. R. and Jack Maxfield, filed August 18, 1959 and recorded in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an X cut in concrete for corner in the present West line of Inwood Road (a 60 ft. right-of-way) said point being North 17 degrees, 15 minutes West 332.55 feet from the Southeast corner of said Maxfield tract and South 17 degrees 15 minutes East 1355.45 feet from the Southern most corner of the visibility clip on the South line of Belt Line Road (a 100 foot right-of-way);

THENCE South 17 degrees 15 minutes East 302.27 feet along the West line of Inwood Road to an existing iron stake for corner;

THENCE South 80 degrees 34 minutes West 221.49 feet to an existing X marked on concrete for corner;

THENCE North 17 degrees 15 minutes West 302.90 feet to an X marked on concrete for corner;

THENCE North 80 degrees 43 minutes 43 seconds, East 221.60 feet to the PLACE OF BEGINNING, and containing 66,396.59 square feet or 1.5243 acres of land more or less.

SECTION 2. That the above special use permit is granted subject to the following conditions, to-wit:

- 1) That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan including landscape plan and the elevation drawings showing six (6) exterior walls which are attached hereto and made a part hereof for all purposes.
- 2) That the Special Use Permit granted herein shall be limited to the sale of alcoholic beverages to that portion of the building designated on the site plan attached hereto as being outlined in red.  
The sale of beer and wine to that portion of the

building designated on the site plan attached hereto as being outlined in red. Total Square Feet is 12,713. The remaining portion of said building or said property shall not be used for selling any kind of alcoholic beverages or beer and wine.

- 3) No signs advertising sale of alcoholic beverages or beer and wine shall be permitted under those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the City of Addison, as well as approved elevations of the building.
- 4) Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the City of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages or beer and wine.
- 5) That if the property for which the Special Use Permit is granted herein 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 purpose of considering a change of zoning on such property.
- 6) That if a license or permit to sell alcoholic beverages or beer and wine on property covered by this Special Use Permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.

SECTION 3. That all ordinances and provisions contained therein of the City of Addison in conflict with the provisions of this ordinance, be, and the same are hereby repealed, and all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That 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 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 such violation continues shall constitute a separate offense.

SECTION 6. The fact that the sale of alcoholic beverages and beer and wine in the City of Addison is authorized only under Special Uses 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 suitable for such uses, and that a special use permit for such use should be granted, 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 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, this the 25 day of August, 1981.

  
MAYOR

ATTEST:

  
CITY SECRETARY