

ORDINANCE NO. 845

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT TO BE LOCATED AT THE NORTHWEST CORNER OF BELT LINE ROAD AND RUNYON ROAD ON APPLICATION FROM FIRST NATIONAL BISCUIT OF TEXAS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE, AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas as required by State Statutes and the zoning ordinance of the Town of Addison, Texas and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, and helps promote 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. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas; as heretofore amended, is hereby amended by amending the zoning map of the Town of Addison, Texas, so as to grant a Special Use Permit for a restaurant on application from First National Biscuit of Texas. Said Special Use Permit shall be granted, subject to special conditions, on the following described property to-wit:

Being part of Lot 4 of WATSON & TAYLOR SUBDIVISION NO. 2, an Addition to the City of Addison, Texas, according to the plat thereof recorded in Volume 79180, Page 0888 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the North line of Belt Line Road (100' R.O.W.) with the west line of Runyon Road (60' R.O.W.), said point being the southeast corner of said Lot 4;

THENCE North  $89^{\circ}51'55''$  west with the north line of Belt Line Road a distance of 113.75 feet to the beginning of a curve to the left having a radius of 1960.08 feet a central angel of  $1^{\circ}31'32''$ , whose center bears south  $00^{\circ}08'05''$  west;

THENCE westerly with the north line of Belt Line Road and along said curve to the left an arc distance of 257.45 feet to a point for corner;

THENCE North  $0^{\circ}26'30''$  west parallel with the west line of said Lot 4 a distance of 365.87 feet to a point in the north line of said Lot 4;

THENCE east with the north line of said Lot 4 a distance of 374.13 feet to the northeast corner of said Lot 4 in the west line of Runyon Road;

THENCE south  $00^{\circ}08'05''$  west with the west line of Runyon Road, 349.86 feet to the place of BEGINNING and containing 131,508 square feet of land, more or less.

SECTION 2. That the Special Use Permit is granted subject to the following special 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, landscape plan, and the elevation drawings showing four exterior walls which are attached hereto and made a part hereof for all purposes. The landscaping of such property will be maintained in such condition as approved prior to the certificate of occupancy.
- 2) That the special use permit granted herein shall be limited to a restaurant only and to that particular area designated on the final site plan as being outlined in red and encompassing a total area not to exceed \_\_\_\_\_ sq. ft.
- 3) All permitted signs must be shown on elevation drawings.
- 4) The use of gaming devices, such as billiards (pool) tables, pinball machines, marble tables, and other coin operated amusement machines, other than machines for music are hereby prohibited.
- 5) Where the sale or serving of food is permitted, dancing is hereby prohibited.

SECTION 3. That 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 not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 4. 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 provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 5. Whereas, the above described property required that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City and creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, this the 14 day of December, 1982.

MAYOR 

ATTEST:

  
CITY SECRETARY

TAX # 1-20-0018

CASE # 727