

ORDINANCE NO. 084-096

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 ON APPLICATION FROM WEN-CLAY INTERNATIONAL; PROVIDING FOR SPECIAL CONDITIONS; 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, Texas, 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, be amended by amending, the zoning map of the Town of Addison, Texas,, so as to grant a special use permit for a restaurant to Super Sandwich Shop. Said special use permit shall be granted, subject to special conditions, on the following described property, to-wit:

BEING a tract of land situated in the Josiah Pancoast Survey, Abstract No. 1146, said tract of land being a part of Block 2 of Quorum West Addition, an addition to the Town of Addison, Dallas County, Texas, recorded in Volume 81005, Page 1454 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod for corner at the intersection of the northeast right-of-way of the St. Louis and Southwestern Railroad with the South right-of-way line of Belt Line Road; Thence North 89 deg. 47 min. 03 sec. East 893.85 feet to a point for corner; Thence South 01 deg. 30 min. 57 sec. East along the west line of a 71.90 acre tract of land called Quorum, as recorded in Volume 79100, Page 1895 of the Deed Records of Dallas County, Texas, a distance of 1650 feet to a $\frac{1}{2}$ " iron rod set for corner and the POINT OF BEGINNING;

THENCE South 01 deg. 30 min. 57 sec. East, along the west line of a 71.90 acre tract of land called Quorum, a distance 461.18 feet to a $\frac{1}{2}$ " iron rod for corner;

THENCE South 88 deg. 29 min. 03 sec. West, a distance of 121.23 feet to a $\frac{1}{2}$ " iron rod, said point being the beginning of a curve to the right having a central angle of 94 deg. 00 min. 00 sec., a radius of 110.00 feet, and a chord bearing a North 44 deg. 30 min. 57 sec. West, a distance of 160.90 feet.

THENCE around said curve a distance of 180.467 feet to a $\frac{1}{2}$ " iron rod, said iron rod being the end of the curve;

THENCE North 02 deg. 29 min. 03 sec. East, a distance 344.34 feet to a $\frac{1}{2}$ " iron rod for corner;

THENCE North 88 deg. 28 min. 56 sec. East, a distance of 206.94 feet to the POINT OF BEGINNING and containing

99,823,099 square feet or 2.29 acres of land, more or less precisely.

SECTION 2. That the Special Use Permit is granted subject to the following special use conditions:

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 741 square feet.
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

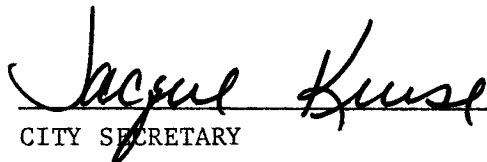
held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 5. Whereas, the above described property requires 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, on this the 27 day of November, 1989.


MAYOR

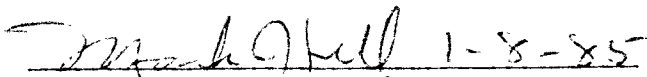
ATTEST:


CITY SECRETARY

TAX #

CASE # 871-54P

APPROVED AS TO FORM:


1-8-85

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1-17-85