

ORDINANCE NO. 085-063

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM DELI MANAGEMENT, LOCATED AT THE NORTHWEST CORNER OF BELT LINE ROAD AND RUNYON ROAD AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR NO 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, is hereby amended so as to grant a special use permit for a restaurant and the sale of alcoholic beverages for on-premises consumption to Deli Management. Said special use permit shall be granted, subject to the special conditions, on the following described property, to wit:

BEING a 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 Northeast corner of said Lot 4 in the West line of Runyon Road (60' R.O.W.);

THENCE South 0 deg. 8 ft. 5 in. West with the West line of Runyon Road a distance of 203 feet to a point for corner;

THENCE West parallel with the North line of said Lot 4 a distance of 125 feet to a point for corner;

THENCE South a distance of 146.60 feet to a point for corner in the North line of Belt Line Road, said point being in a curve to the left in a Westerly direction having a radius of 1960.08 feet, a central angle of 7 deg. 12 ft. 21 in. whose center bears South 0 deg. 11 ft. 6 in. East;

THENCE Westerly with the North line of Belt Line Road and along said curve to the left an arc distance of 246.51 feet to a point for corner;

THENCE North 0 deg. 26 ft. 30 in. 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 place of BEGINNING and containing 113.194 square feet of land, more or less.

SECTION 2. That the Special Use Permit is granted subject to the following 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 shall be maintained in the condition as set forth in such drawings.

- 2) That the Special Use Permit granted herein shall be limited to a restaurant and the sale of alcoholic beverages for on-premises consumption 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 2,560 sq. ft.
- 3) No signs advertising sale of alcoholic beverage shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the City of Addison, Texas, and all permitted signs must be shown on elevation drawings.
- 4) That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants is hereby defined as establishments which receive at least sixty percent (60%) of their gross revenues from the sale of food.
- 5) Said establishment shall make available to the city of its agents, during reasonable hours its bookkeeping records for inspection, if required by the city to insure that the conditions of Paragraph 4 are being met.
- 6) 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.
- 7) Where the sale or serving of alcoholic beverages is permitted, dancing is hereby prohibited.
- 8) 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.
- 9) 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.
- 10) That if a license or permit to sell alcoholic beverages 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.
- 11) The sale of alcoholic beverages is prohibited in drive-in restaurants where food and beverages are served to customers for consumption on the premises but outside of the building. Such drive-in restaurants shall not be considered to be restaurants under the provisions of this ordinance.

SECTION 3. That 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 4. 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 One Thousand Dollars (\$1,000.00) and not less than Five Hundred (\$500.00) Dollars for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 5. 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 6. 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, on this the 10th day of September, 1985.

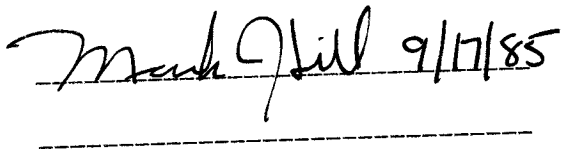
  
MAYOR

ATTEST:

  
CITY SECRETARY

CASE #928-SUP

APPROVED AS TO FORM:

  
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Rubel  
9/22/85

EXHIBIT A

**BUILDING SUMMARY**

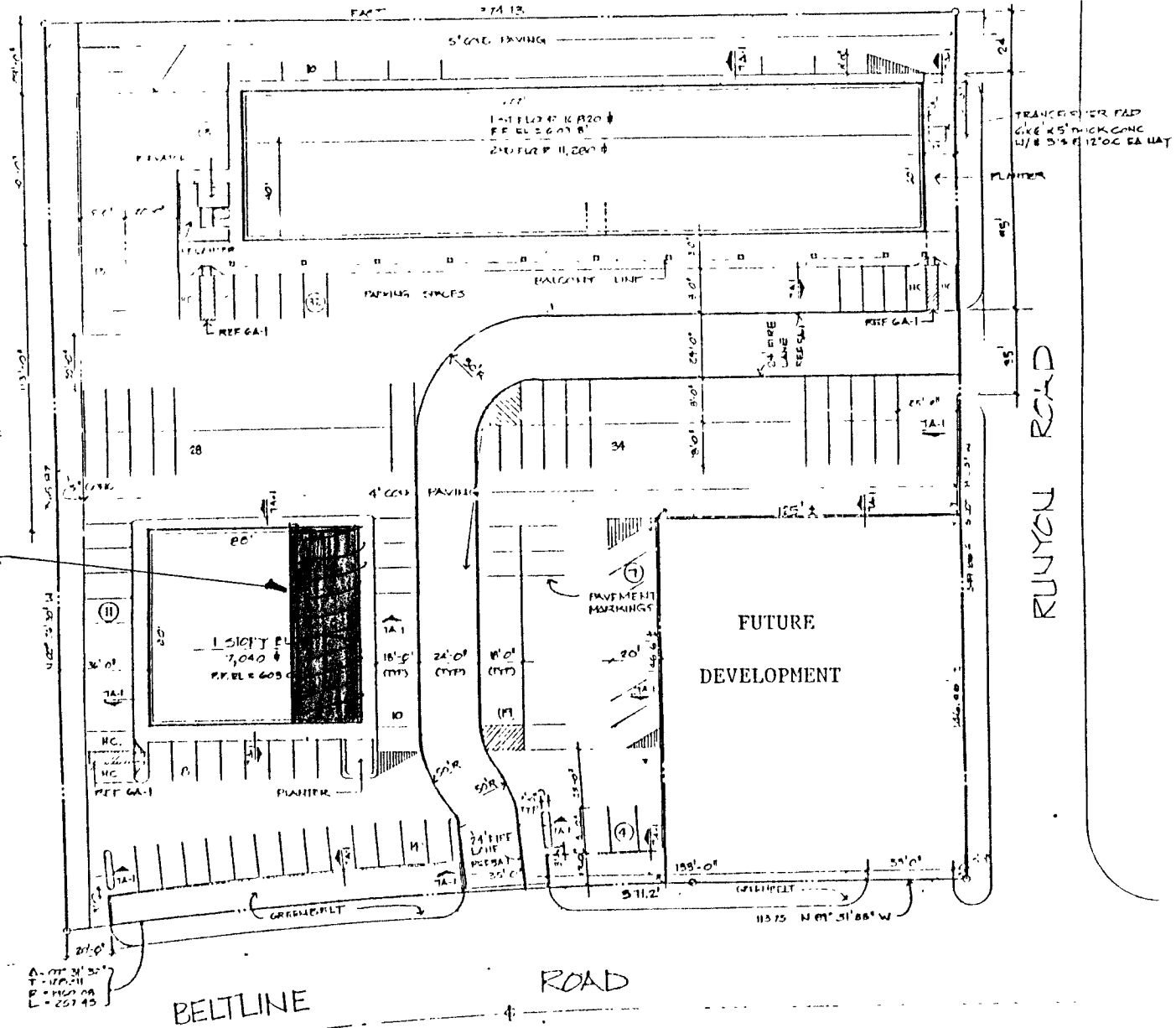
OFFICE SPACE	11,200 SF
RETAIL SPACE	16,700 SF
ENTRY	2,000 SF
<b>TOTAL</b>	<b>29,900 SF</b>

**PARKING REQUIREMENTS**

OFFICE @ 1.0	30
RETAIL @ 1.0	85
STORAGE @ 1.0	70
<b>TOTAL REQ'D</b>	<b>185 SPACES</b>
<b>TOTAL PROV.</b>	<b>195 SPACES</b>

TOTAL LAND AREA 2.5172 AC

PROPOSED SITE

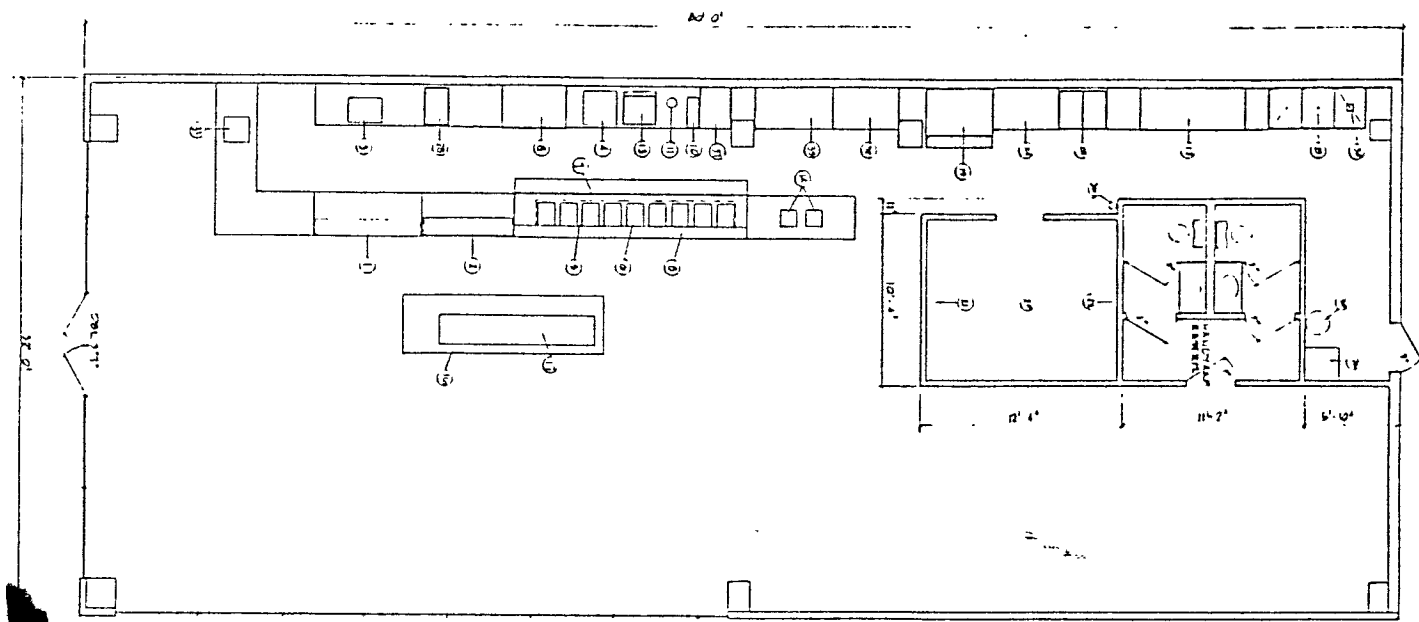


A = 117.31  
T = 177.21  
B = 1100.00  
L = 257.43

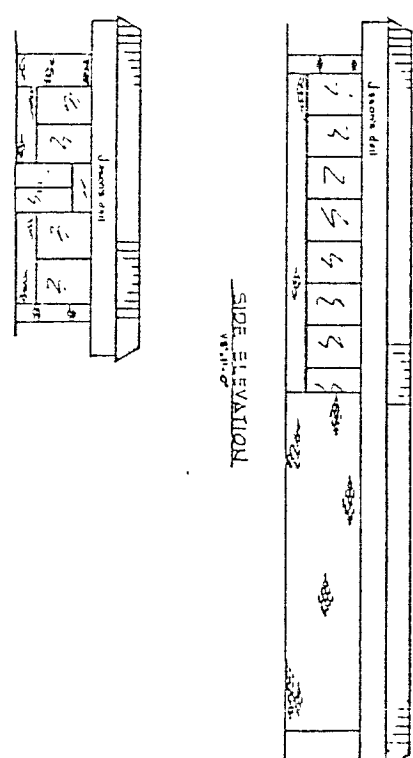
9 SITE PLAN  
SCALE: 1" = 30'-0"



PROPOSED SHOPPING CENTER @  
BELLVIEW ROAD & RUNYON ROAD  
NOV 2012



NO.	DESCRIPTION	QUANTITY	UNIT
1	GRAVEL		
2	PAVING		
3	CONCRETE		
4	BRICKWORK		
5	ROOFING		
6	MECHANICAL		
7	ELECTRICAL		
8	PLUMBING		
9	PAINT		
10	GLASS		
11	IRONWORK		
12	WOODWORK		
13	CEILING		
14	FLOORING		
15	INSULATION		
16	FOUNDATION		
17	WATER TANK		
18	SEWER TANK		
19	LANDSCAPE		
20	STAIRS		
21	ELEVATOR		
22	MECHANICAL ROOM		
23	ELECTRICAL ROOM		
24	PLUMBING ROOM		
25	PAINT ROOM		
26	GLASS ROOM		
27	IRONWORK ROOM		
28	WOODWORK ROOM		
29	CEILING ROOM		
30	FLOORING ROOM		
31	INSULATION ROOM		
32	FOUNDATION ROOM		
33	WATER TANK ROOM		
34	SEWER TANK ROOM		
35	LANDSCAPE ROOM		
36	STAIRS ROOM		
37	ELEVATOR ROOM		
38	MECHANICAL ROOM		
39	ELECTRICAL ROOM		
40	PLUMBING ROOM		
41	PAINT ROOM		
42	GLASS ROOM		
43	IRONWORK ROOM		
44	WOODWORK ROOM		
45	CEILING ROOM		
46	FLOORING ROOM		
47	INSULATION ROOM		
48	FOUNDATION ROOM		
49	WATER TANK ROOM		
50	SEWER TANK ROOM		
51	LANDSCAPE ROOM		
52	STAIRS ROOM		
53	ELEVATOR ROOM		
54	MECHANICAL ROOM		
55	ELECTRICAL ROOM		
56	PLUMBING ROOM		
57	PAINT ROOM		
58	GLASS ROOM		
59	IRONWORK ROOM		
60	WOODWORK ROOM		
61	CEILING ROOM		
62	FLOORING ROOM		
63	INSULATION ROOM		
64	FOUNDATION ROOM		
65	WATER TANK ROOM		
66	SEWER TANK ROOM		
67	LANDSCAPE ROOM		
68	STAIRS ROOM		
69	ELEVATOR ROOM		
70	MECHANICAL ROOM		
71	ELECTRICAL ROOM		
72	PLUMBING ROOM		
73	PAINT ROOM		
74	GLASS ROOM		
75	IRONWORK ROOM		
76	WOODWORK ROOM		
77	CEILING ROOM		
78	FLOORING ROOM		
79	INSULATION ROOM		
80	FOUNDATION ROOM		
81	WATER TANK ROOM		
82	SEWER TANK ROOM		
83	LANDSCAPE ROOM		
84	STAIRS ROOM		
85	ELEVATOR ROOM		
86	MECHANICAL ROOM		
87	ELECTRICAL ROOM		
88	PLUMBING ROOM		
89	PAINT ROOM		
90	GLASS ROOM		
91	IRONWORK ROOM		
92	WOODWORK ROOM		
93	CEILING ROOM		
94	FLOORING ROOM		
95	INSULATION ROOM		
96	FOUNDATION ROOM		
97	WATER TANK ROOM		
98	SEWER TANK ROOM		
99	LANDSCAPE ROOM		
100	STAIRS ROOM		



FRONT ELEVATION  
1/4" = 1'-0"

SIDE ELEVATION  
1/4" = 1'-0"

HAH DESIGN  
 JASON C. HAH  
 1011 BENTLEY AVE  
 APOKALIPSE, TX