

ORDINANCE NO. 087-002

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 AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION ON APPLICATION WITH HUMPERDINKS, HORNBLOWER, AND WITTS, LOCATED AT 4201 BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A 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,

Published
1/29/89



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

SECTION 1. 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 and the sale of alcoholic beverages for on-premises consumption to Humperdinks Restaurant. Said special use permit shall be granted subject to the 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, a 1/2 inch iron rod for corner;

THENCE North 89 deg 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 angle of 7 deg 31' 32", whose center bears South 00 deg 08' 05" West, a 1/2 inch iron rod;

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 1/2 inch iron rod for corner;

THENCE North 0 deg 26' 30" West parallel with the West line of said Lot 4 a distance of 365.87 feet to a 1/2 inch iron rod 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, a 1/2 inch iron rod;

THENCE South 00 deg 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.

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 7,220 sq. ft.
3. No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas, and all permitted signs must be shown on the elevation drawings.
4. That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants if hereby defined as establishments which receives at least sixty percent (60%) of their gross revenues from the sale of food.
5. Said establishment shall make available to the city or 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 table, 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 Town 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 and 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.

SECTION 3. The following Special Conditions are placed on the above described property:

1. The floor plan be revised to indicate an additional fire exit.
2. The sidewalks be installed along Belt Line Road at 5-foot wide and along Runyon Road at 3-foot wide.
3. The word "BAR" be eliminated from the name and signage of this restaurant.
4. The dumpsters behind Jason's deli be screened prior to the issuance of a Building Permit for the restaurant.
5. The property owner upgrade the landscaping in this center, with plans for the upgrading approved by the Landscape Department prior to a building permit, and installation of the plants completed prior to the issuance of a Certificate of Occupancy.

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 Dollars (\$500.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 5. 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. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 20th day of January, 1987.

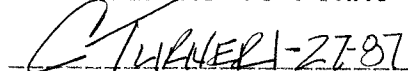

MAYOR

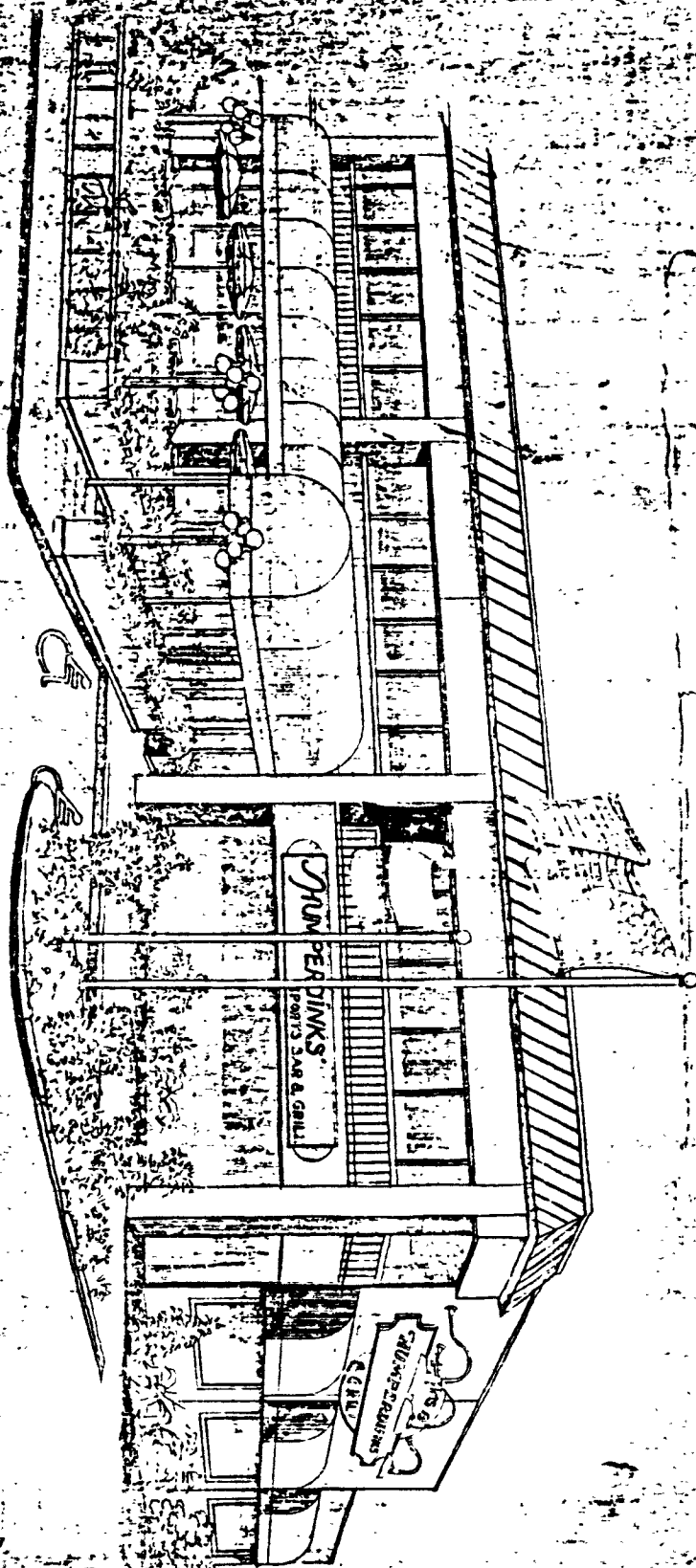
ATTEST:


CITY SECRETARY

CASE NO. 1002-SUP

APPROVED AS TO FORM:





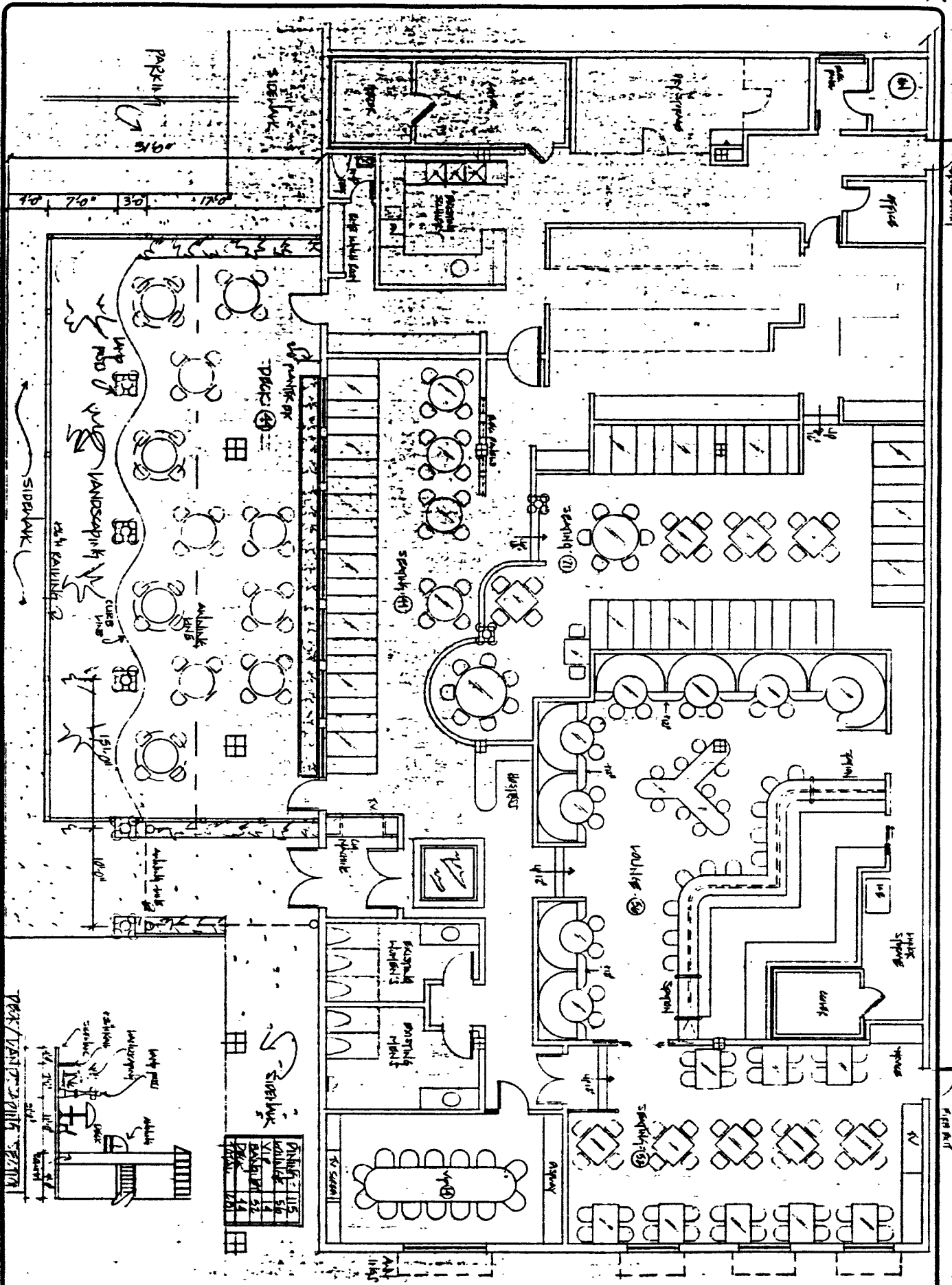
No. 22-104
 DATE 10-12-82
 SCALE 1/4" = 1'-0"
 DRAWN BY J.P.S.
 CHECKED BY

PAT HUMBLEDINKS
 ARCHITECT
 1000 N. 10th St.
 ANCHORAGE, ALASKA 99503
 EXTERIOR RENDERING

Bargreen - Ellingson, Inc.
 RESTAURANT EQUIPMENT AND SUPPLIES
 DESIGN SERVICE
 6424 SOUTH BRIDGE - ANCHORAGE, ALASKA 99507

DATE	REV.	BY
1/10/82	1	J.P.S.
2/11/82	2	J.P.S.

THIS DRAWING IS THE PROPERTY OF BARGREEN-ELLINGSON, INC. AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF BARGREEN-ELLINGSON, INC.



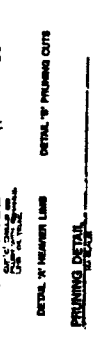
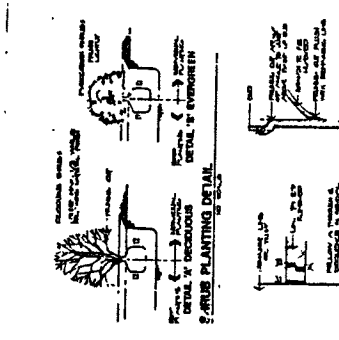
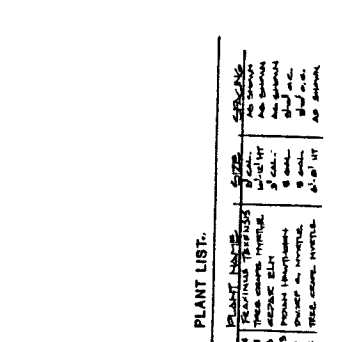
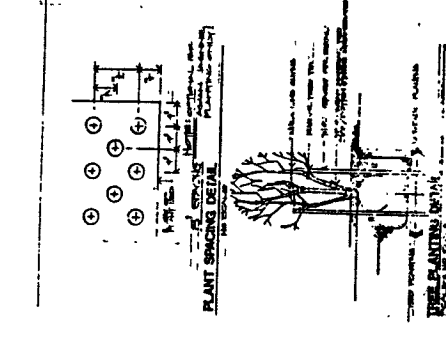
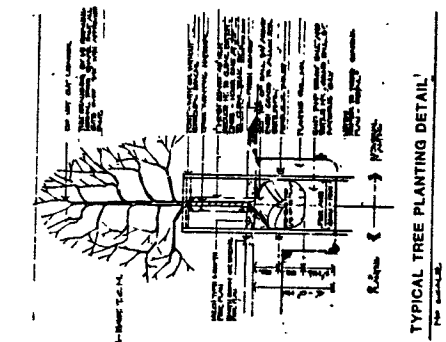
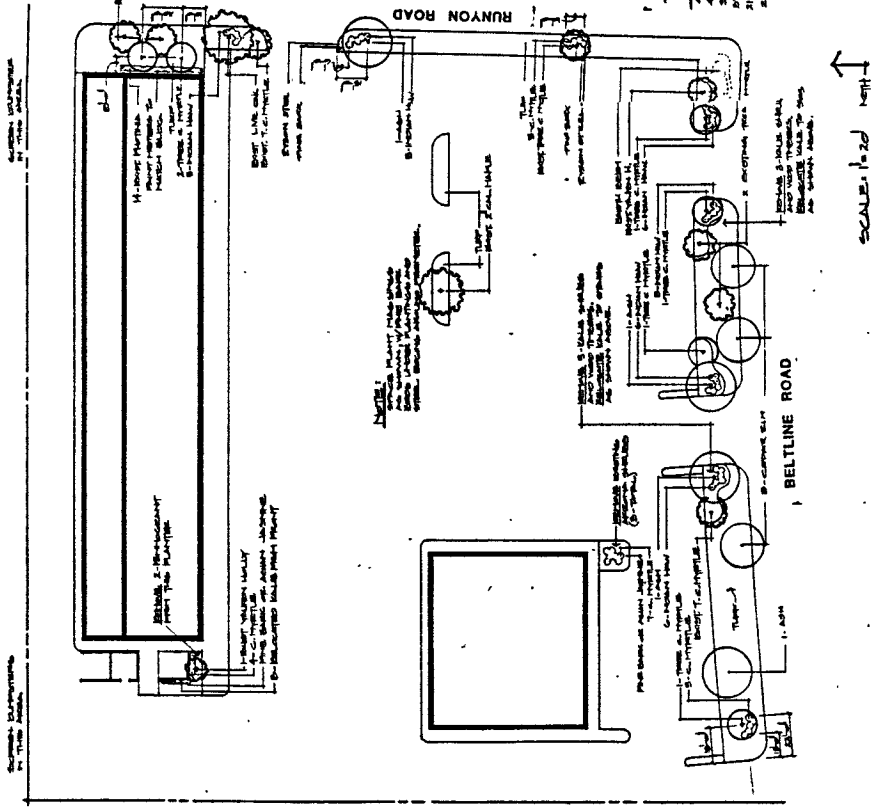
0-14
 DATE 11-21-84
 DRAWN BY
 CHECKED BY
 PROJECT NO.

HUMPERDINKS
 BAR & GRILL
 FLOOR PLAN

Bargreen - Ellingson, Inc.
 RESTAURANT DESIGN AND SERVICE
 DESIGN SERVICE - PH 471-5211
 2424 SOUTH SPokane, SPokane, WASHINGTON

NO.	BY	DATE

NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL WALLS ARE 1/2" THICK UNLESS NOTED OTHERWISE.
 3. ALL DOORS ARE 3'0" WIDE UNLESS NOTED OTHERWISE.
 4. ALL WINDOWS ARE 6'0" WIDE UNLESS NOTED OTHERWISE.
 5. ALL CEILING HEIGHTS ARE 8'0" UNLESS NOTED OTHERWISE.
 6. ALL FLOOR FINISHES ARE TO BE DETERMINED AT THE TIME OF CONSTRUCTION.
 7. ALL LIGHT FIXTURES ARE TO BE DETERMINED AT THE TIME OF CONSTRUCTION.
 8. ALL MECHANICAL SYSTEMS ARE TO BE DETERMINED AT THE TIME OF CONSTRUCTION.
 9. ALL ELECTRICAL SYSTEMS ARE TO BE DETERMINED AT THE TIME OF CONSTRUCTION.
 10. ALL SANITARY SYSTEMS ARE TO BE DETERMINED AT THE TIME OF CONSTRUCTION.



PLANT LIST

PLANT NAME	SIZE	SPACING
1. QUERCUS GRACILIS	4" x 4"	12' x 12'
2. QUERCUS LAEVIS	4" x 4"	12' x 12'
3. QUERCUS LAEVIS	4" x 4"	12' x 12'
4. QUERCUS LAEVIS	4" x 4"	12' x 12'
5. QUERCUS LAEVIS	4" x 4"	12' x 12'
6. QUERCUS LAEVIS	4" x 4"	12' x 12'
7. QUERCUS LAEVIS	4" x 4"	12' x 12'
8. QUERCUS LAEVIS	4" x 4"	12' x 12'
9. QUERCUS LAEVIS	4" x 4"	12' x 12'
10. QUERCUS LAEVIS	4" x 4"	12' x 12'

BELTLINE VILLAGE
 ADDICKS, TEXAS

WATSON & TAYLOR COMPANIES
 LANDSCAPE ARCHITECTS, ADDICKS, TEXAS