

ORDINANCE NO. 088-001

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING ORDINANCE NO. 631, PASSED BY THE CITY COUNCIL ON THE 28th DAY OF OCTOBER, 1980; IS HEREBY AMENDED BY PROVIDING FOR THE ADOPTION OF NEW DEVELOPMENT PLANS ON APPLICATION FROM KEY WEST GRILL, LOCATED AT 4951 BELT LINE ROAD, PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR NO SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE, SPECIFICALLY ORDINANCE NO. 085-027.

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 Ordinance No. 631, passed by the City Council on the 28th day of October, 1980 is hereby amended by amending Section 2.1 to read as follows:

1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the new 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.

SECTION 2. That Ordinance No. 631, passed by the City Council on the 28th day of October, 1980, is hereby amended by amending Section 2.2. to read as follows:

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 11,165 square feet.

SECTION 3. That Ordinance No. 631, passed by the City Council on the 28th day of October, 1980, is hereby amended by amending Section 2. to add 10. to read as follows:

10. Shall not use "Bar" in any signage.

SECTION 4. That Ordinance No. 631, passed by the City Council on the 28th day of October, 1980, is hereby amended by rewording Section 3. to read as follows:

Section 3. That the above Special Use Permit is granted subject to the following conditions, to wit:

1. The landscape plan shall be revised to provide a twenty (20') foot buffer along Quorum Drive.
2. The applicant shall comply with the suggestions of the Landscape Department with regard to the plantings and transplants.
3. The Council shall specifically allow wood siding as a substitute for masonry on the exterior walls.
4. The applicant shall grant an easement to the Town of Addison for a right-turn lane on the southeast corner of the property.
5. The property shall be platted in accordance with the Subdivision Ordinance.

SECTION 5. That Ordinance No. 631, passed by the City Council on the 28th day of October, 1980, is hereby amended by changing Section 3. to read Section 4.; by changing Section 4. to read Section 5.; by changing Section 5. to read Section 6.

SECTION 6. 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 Thousand Dollars (\$2,000.00) 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 7. 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 8. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed, specifically Ordinance No. 085-027, passed by the City Council on the 14th day of May, 1985, and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 12th day of January, 1988.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 552-SUP-2

APPROVED AS TO FORM:


