

ORDINANCE 089-017

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 APPROVE FINAL DEVELOPMENT PLANS, AND SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM GRADY'S RESTAURANT, LOCATED ON A 1.751 ACRE TRACT ON THE NORTH SIDE OF BELT LINE ROAD IN THE 4500 BLOCK, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

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 approve final development plans in accordance with the requirements of Ordinance 089-015, Section 2, Paragraph 12, passed by the City Council on June 13, 1989, and so as to grant a special use permit for a restaurant and the sale of alcoholic beverages for on-premises consumption to Grady's Restaurant. Said special use permit shall be granted subject to the special conditions on the following described property, to wit:

Being a 1.751 acre tract of land situated in the Edward Cook Survey, Abstract No. 326 and the E. Fike Survey, Abstract No. 478, Dallas County, Texas, said 1.751 acre tract of land being a portion of that certain 12.586 acre tract of land as conveyed to Camden Financial Corporation as recorded in Volume 86170, Page 2523, and Volume 84189, Page 1651, Dallas County Deed Records, said 1.751 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod, found, the southwest corner of said 12.586 acre tract and the southeast corner of that certain tract of land as described in deed to Rodeway Inn Corporation as recorded in Volume 81052, Page 775, said Deed Records, and being in the northerly right-of-way line of Belt Line Road, a 100 foot wide public right-of-way:

THENCE N84°37'38"W 292.18 feet along the west line of said 12.586 acre tract and said Rodeway Inn tract to a point of beginning;

THENCE S00°08'59"W a distance of 389.35 feet;

THENCE S89°51'01"E a distance of 193.00 feet;

THENCE S00°10'53"W 399.42 feet to a point in the aforesaid northerly right-of-way line, the beginning of a non-tangent curve concave to the north whose radius is 2814.79 feet and whose longchord bears N86°37'31"W 238.28 feet; to the POINT OF BEGINNING and containing 1.751 acres 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 7,961 square feet.
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 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 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 to be held for the purpose of considering a change of zoning.
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. Shall not use "Bar" in any signage.
12. Water and sewer pro-rata in the amount of \$2,510.04 shall be paid prior to the issuance of a building permit.

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 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 4. 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 5. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 13th day of June, 1989.



MAYOR PRO TEMPORE

ATTEST:



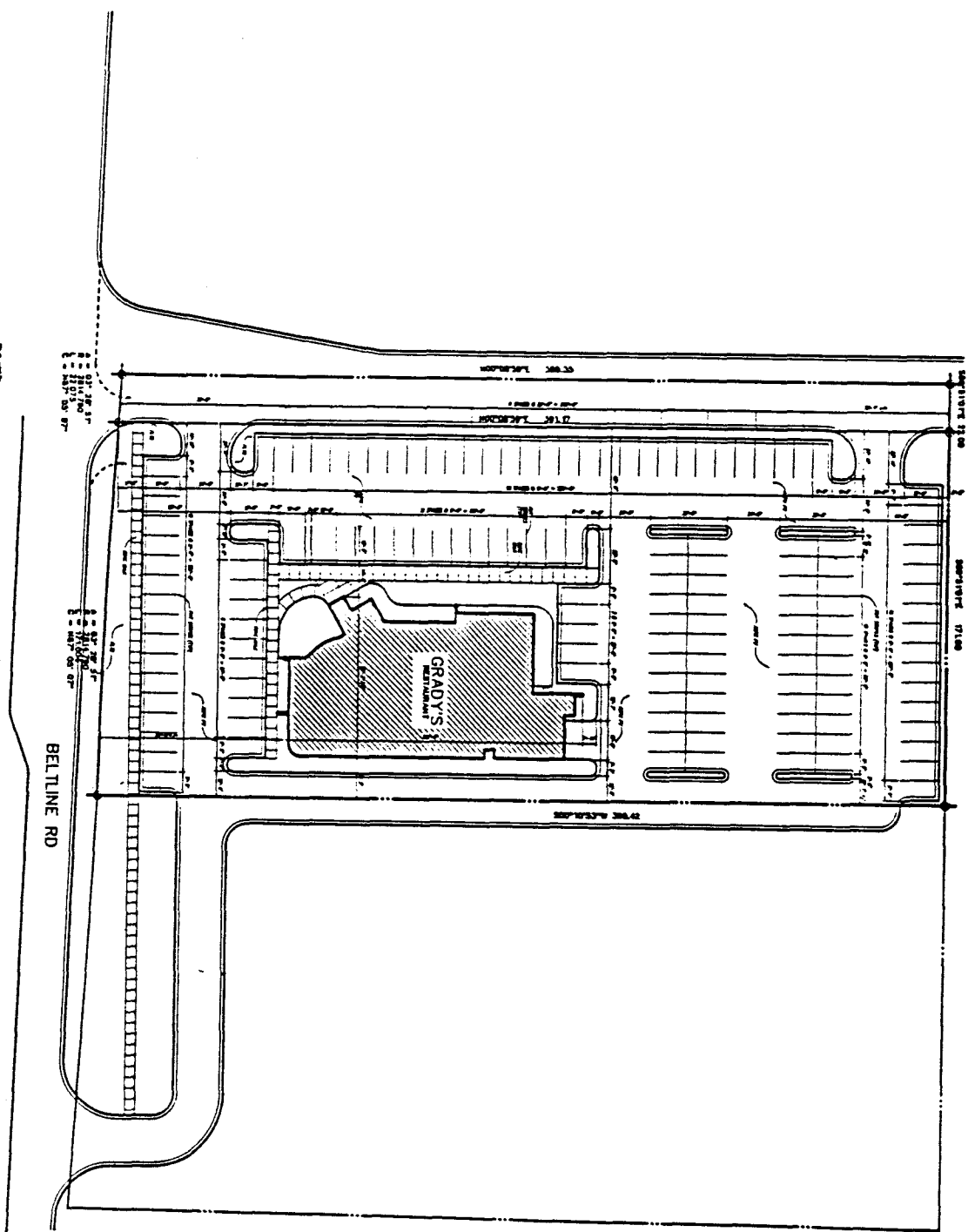
CITY SECRETARY

CASE NO. 1004-SUP-3

APPROVED AS TO FORM:





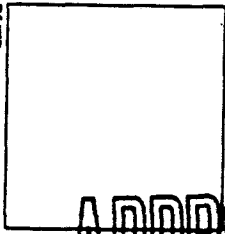
Published 7-13-89






SITE PLAN
 P. 20-07



LOCATION MAP
 P. 20-07



APPROVED

LEGEND
 1. 1" = 10' (SEE PLAN)
 2. 1" = 10' (SEE PLAN)
 3. 1" = 10' (SEE PLAN)

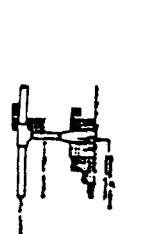
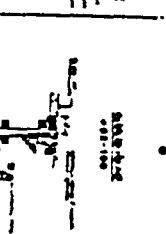
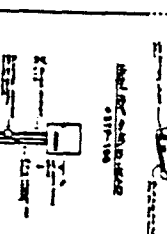
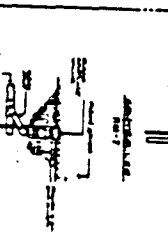
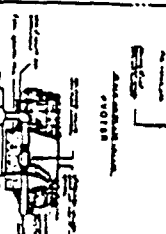


(201) IRRIGATION PLAN
 7-20-07

BELTLINE RD

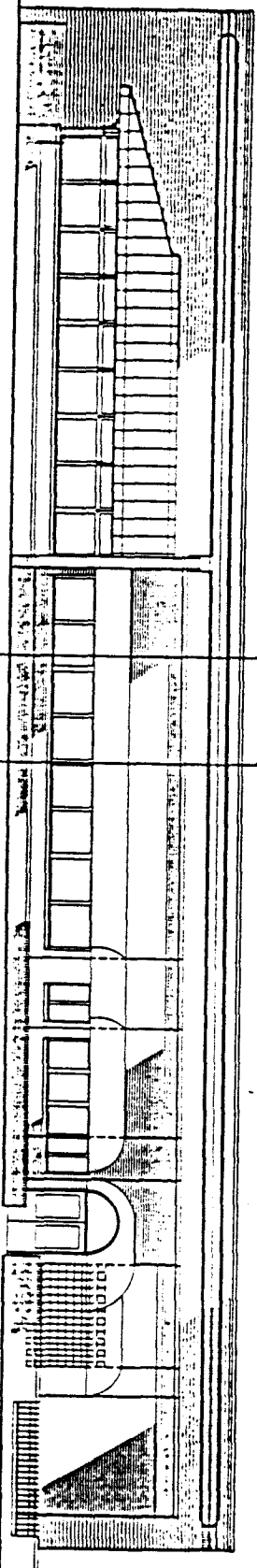
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INRI * TECH

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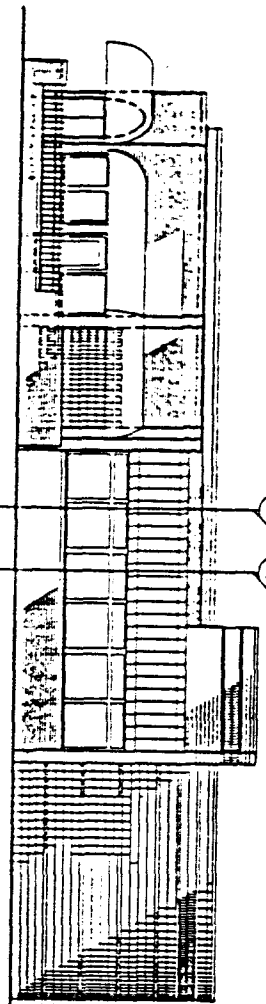


APPROVED

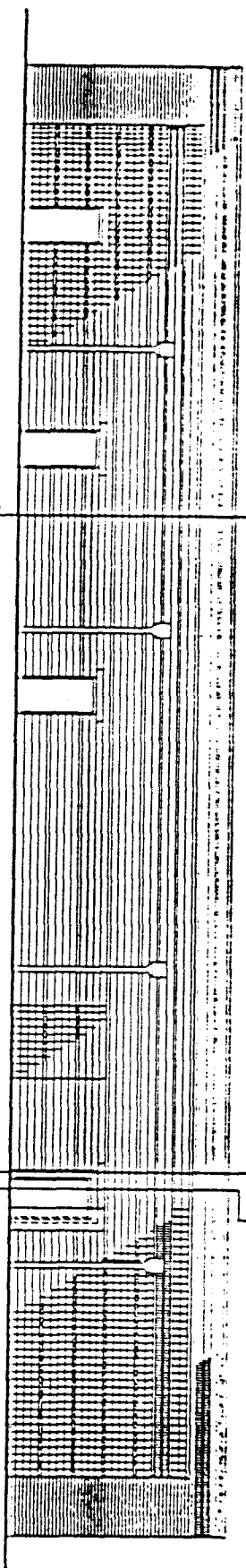
FRONT ELEVATION
1/4" = 1'-0"



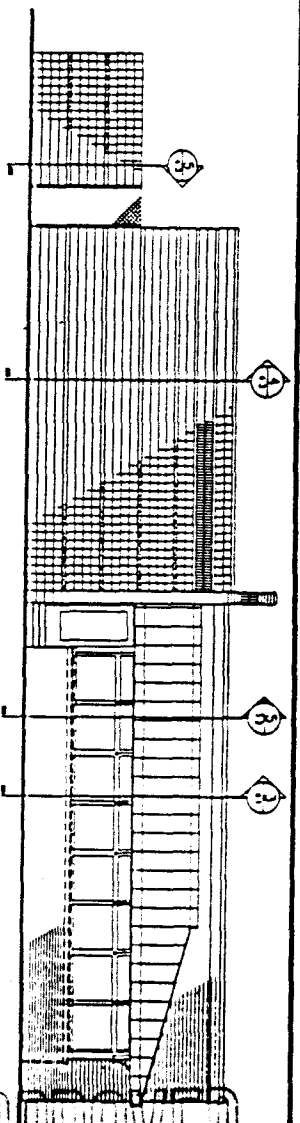
SIDE ELEVATION
1/4" = 1'-0"



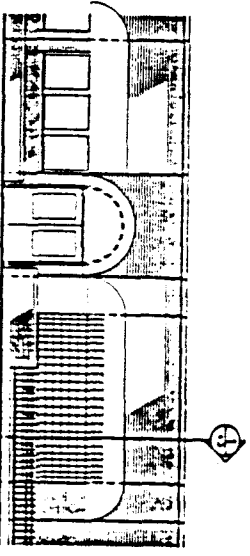
REAR ELEVATION
1/4" = 1'-0"



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

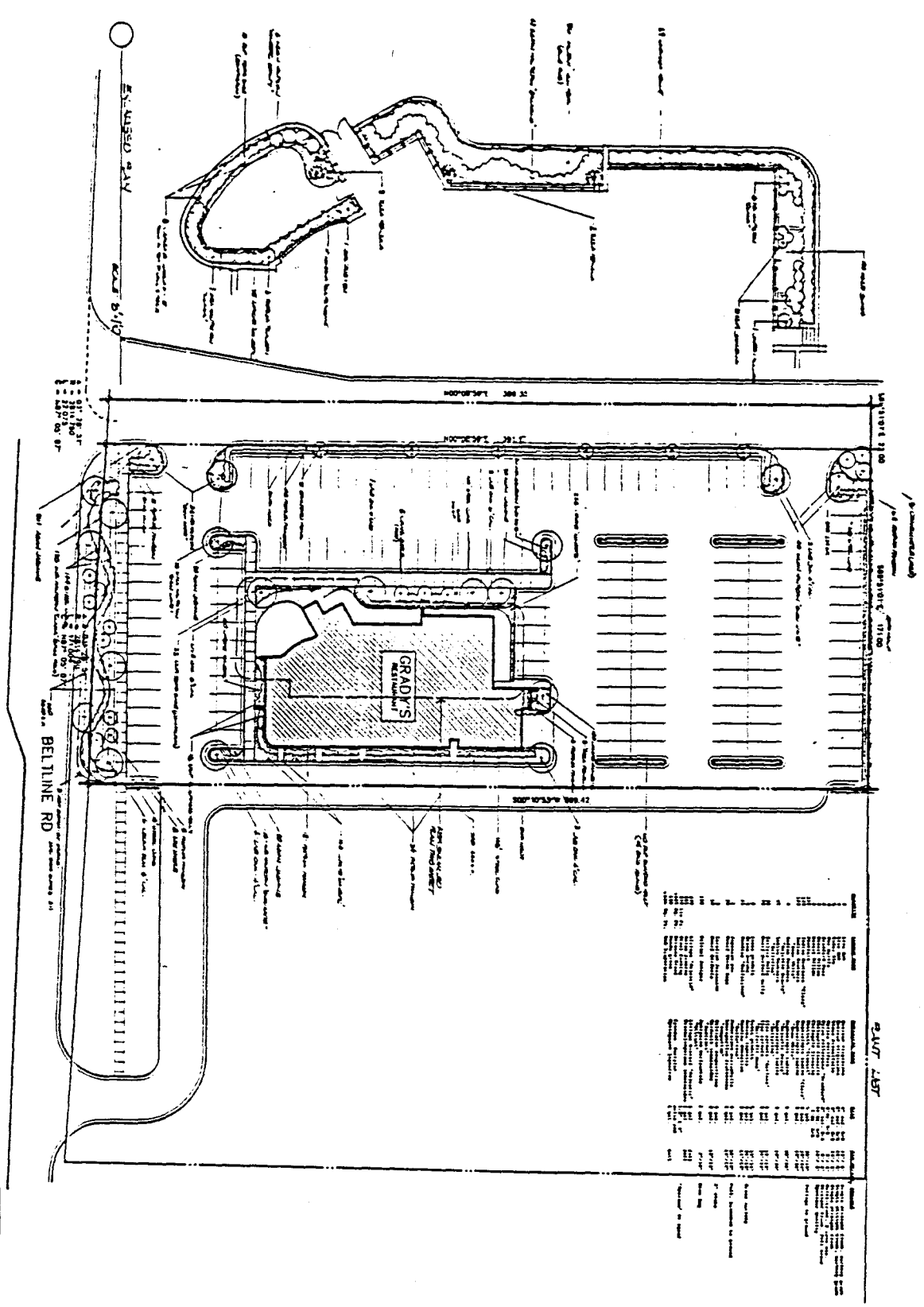


ENTRY ELEVATION
1/4" = 1'-0"



APPROVED

LANDSCAPE PLAN
 1/100
 1/100



APPROVED

THE LANSING ASSOCIATION OF ARCHITECTS
 089-017