

ORDINANCE NO. 091-001

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 FROM SFUZZI-AN ITALIAN BISTRO, LOCATED AT 15101 ADDISON ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR NO 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 RESOLVED 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 Sfuzzi-an Italian Bistro. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

WHEREAS, Mr. W.W. Willingham, III, is the owner of a tract of land situated in the Town of Addison, Dallas County, Texas, and being part of the Edward Cook Survey, Abstract No. 326, D.C.T., and containing all of the J.T. McCords Addition to the Town of Addison as recorded in Volume 78183, Page 2161, Map Records, D.C.T., and all of that tract of land as described in a deed to Mr. W.W. Willingham, III, as recorded in Volume 79208, Page 3548, Deed Records, D.C.T.; and being more particularly described as follows:

BEGINNING at the intersecting point of the North R.O.W. line of Belt Line Road (a 100 ft. wide R.O.W.) with the N.E. R.O.W. line of the St. Louis and Southwestern (Cotton Belt) Railway R.O.W. (a 100.0 ft. wide R.O.W.);

THENCE N 17° 01' W, along the N.E. R.O.W. line of said railroad, at 245.10 the N.W. corner of said J.T. McCords Addition, in all 327.68 ft. to the N.W. corner of said Willinghams Tract (formerly Spoonts Tract), being point for corner;

THENCE S 89° 58' 54" E, along the North line of said Willinghams Tract, a distance 203.25 ft. to a point for corner in the West R.O.W. line of Addison Road (a 60.0 ft. wide R.O.W. at this point);

THENCE S 00° 17' W, along the West R.O.W. line of Addison Road, a distance of 79.0 ft. to a point of angle to the right in said R.O.W. line and continuing N 89° 58' W, a distance of 10' to a point of angle to the left in said R.O.W. and continuing S 00° 17' W, a distance of 204.08 ft. to a point for corner being the North corner of a R.O.W. clip corner;

THENCE S 45° 05' W, along said R.O.W. clip corner, a distance of 42.57 ft. to the South corner of said R.O.W. clip corner, being point for corner in the North R.O.W. line of Belt Line Road;

THENCE S 89° 53' W, along the North R.O.W. line of Belt Line Road, a distance of 65.81 ft. to the POINT OF BEGINNING and containing 45,665.061 Square Feet or 1.048 Acres 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, floor 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 and encompassing a total area not to exceed 5,487 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 are 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 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 canceled 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. That the property owner give the city an easement for street purposes for the land along Addison Road which is needed for a right-turn lane.
13. That the applicant construct the future inside curb line along the Addison Road frontage and tear out the existing curb against the building at this time.
14. That the site be modified to remove five parking spaces and construct a driveway which will allow all traffic parking circulation to be accommodated on site.
15. That the northernmost drive approach be closed and the area where the drive approach is removed be landscaped.
16. That the applicant submit a new landscaping plan which shows landscaping for the proposed wider median area,
17. That the existing nonconforming sign cabinet be removed, but that the existing brick pilaster supporting the sign be allowed to remain, and
18. That the kitchen be brought into compliance with the current health codes.

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 Ordinances 359 and 649 are hereby specifically repealed and all other 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 8th day of January, 1991.

  
MAYOR

ATTEST:

  
CITY SECRETARY

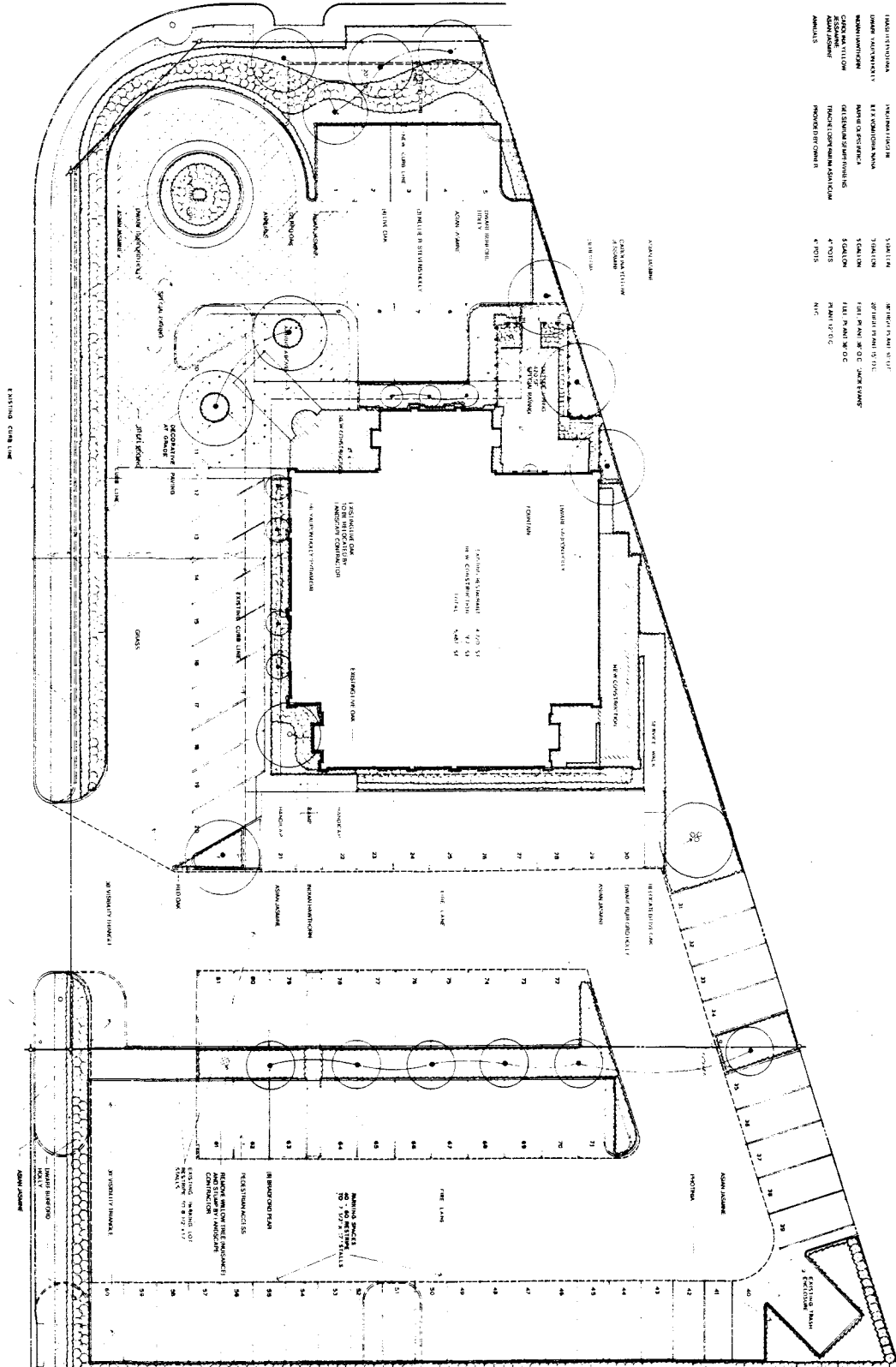
CASE NO. 1053-SUP

APPROVED AS TO FORM:

  
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Published 3-14-91

BELTLINE ROAD



**PLANT LIST**

COMMON NAME	SCIENTIFIC NAME	QTY	SIZE	REMARKS
DOGWOOD	DOGWOOD	4	12"	PLANT IN 12" DIA. PLANTER
DOGWOOD	DOGWOOD	4	12"	PLANT IN 12" DIA. PLANTER
DOGWOOD	DOGWOOD	4	12"	PLANT IN 12" DIA. PLANTER
DOGWOOD	DOGWOOD	4	12"	PLANT IN 12" DIA. PLANTER
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DOGWOOD	DOGWOOD	4	12"	PLANT IN 12" DIA. PLANTER
DOGWOOD	DOGWOOD	4	12"	PLANT IN 12" DIA. PLANTER

**ADDISON LANDSCAPE DATA**

ITEM	QTY	UNIT PRICE	TOTAL
LANDSCAPE AREA	4418	SF	4418 SF
LANDSCAPE PERCENT	18.7%		18.7%
TOTAL			4418 SF

**SITE PLAN**

REQUIRED PARKING  
 RESTAURANT 5487 SF - 78 CARS  
 OUTSIDE DINING 420 SF - 8 CARS  
 TOTAL 84 CARS  
 PARKING PROVIDED 81 CARS



LANDSCAPE PLAN 1053-SUP  
 DATE 12-10-90



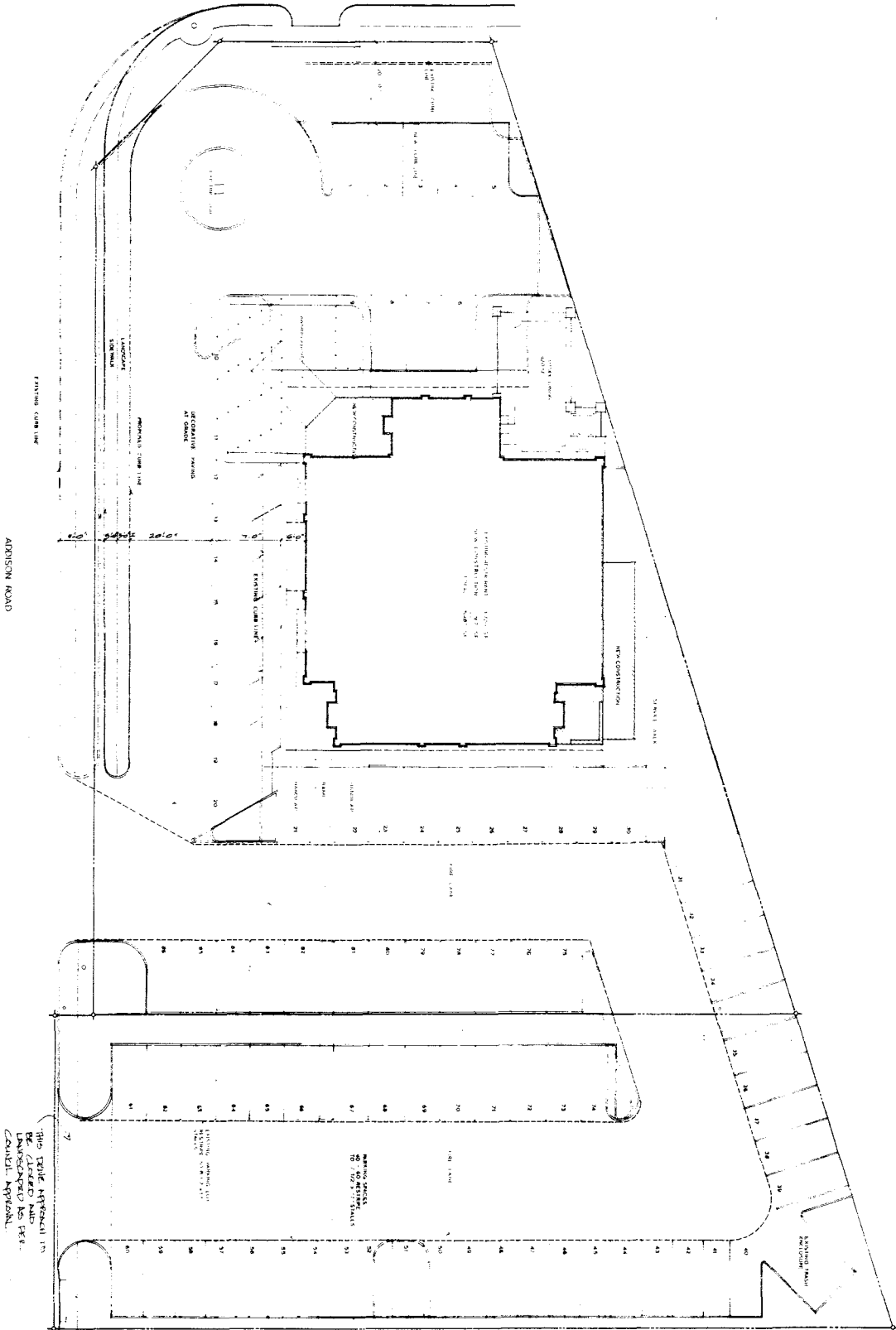
T. H. PRITCHETT  
 AND ASSOCIATES  
**JOHN E. WHEELER III**  
 ARCHITECTS  
 8488 BITCHER DALLAS TEXAS 75246 (214) 997-0900

**SFUZZA**  
 ARCHITECTS  
 TEXAS

091-001

THESE PLANS ARE REDUCTIONS OF THE ACTUAL  
 ORIGINAL SET OF PLANS WHICH ARE FILED IN  
 COUNTY CASE FILE 1053-SUP

BELTLINE ROAD



SITE PLAN

REQUIRED PARKING

RESTAURANT 5487 SF / 78 CARS

OUTSIDE DINING 120 SF / 6 CARS

TOTAL

84 CARS

PARKING PROVIDED

86 CARS



This entire approval is  
 to be deemed void if not  
 stamped with the  
 Council Approval.

1053-542  
 12-10-90

APPROVED

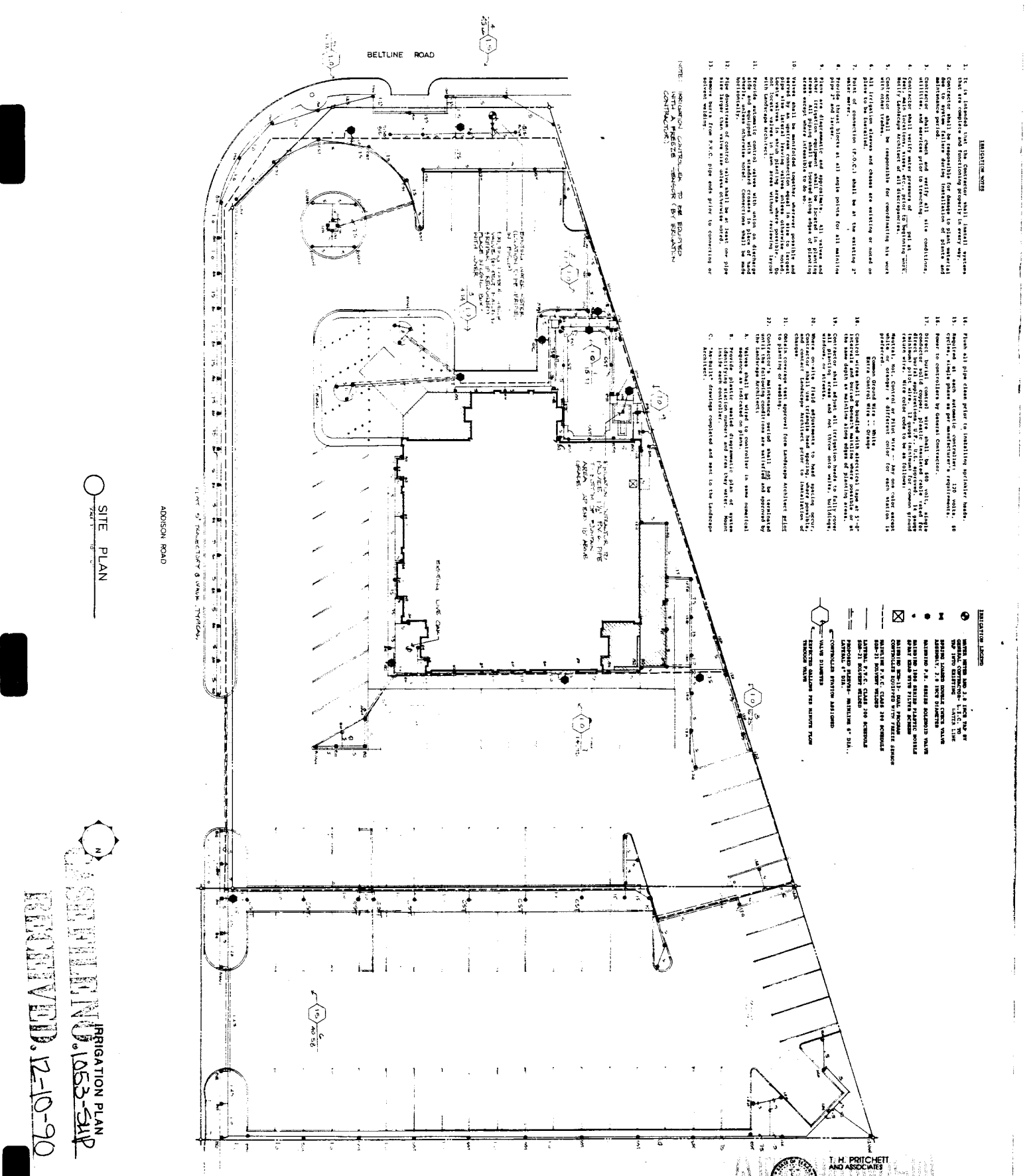
THESE PLANS ARE REDUCTIONS OF THE ACTUAL  
 "BIRD SET" OF PLANS WHICH ARE FILED IN  
 ZONING CASE FILE 1053-542.



JOHNE WHEELER III  
 ARCHITECTS  
 6488 STICHTER DALLAS TEXAS 75220 (214) 987-0900

091-001





- IRRIGATION NOTES**
1. It is intended that the Contractor shall install systems that are complete and functioning properly in every way.
  2. Contractor shall be responsible for design to plant material maintenance periods. Irrigation shall be installed on streets and alleys.
  3. Contractor shall meet and verify all site conditions.
  4. Contractor shall verify water pressure at all points before starting work. If water pressure is not adequate, the Contractor shall advise the Engineer immediately.
  5. All irrigation valves and changes are existing or noted on plans to be installed.
  6. Valve locations (P.O.C.I.) shall be at the existing 2" pipe and 1/2" pipe.
  7. Provide thrust blocks at all main pipe for all existing 2" and 1/2" pipe.
  8. All valves and appurtenances shall be installed in accordance with the specifications and approved by the Engineer.
  9. All valves shall be installed in a safe and accessible location. All valves shall be installed in a safe and accessible location. All valves shall be installed in a safe and accessible location.
  10. Provide automatic control valves with union on discharge side. Provide automatic control valves with union on discharge side. Provide automatic control valves with union on discharge side.
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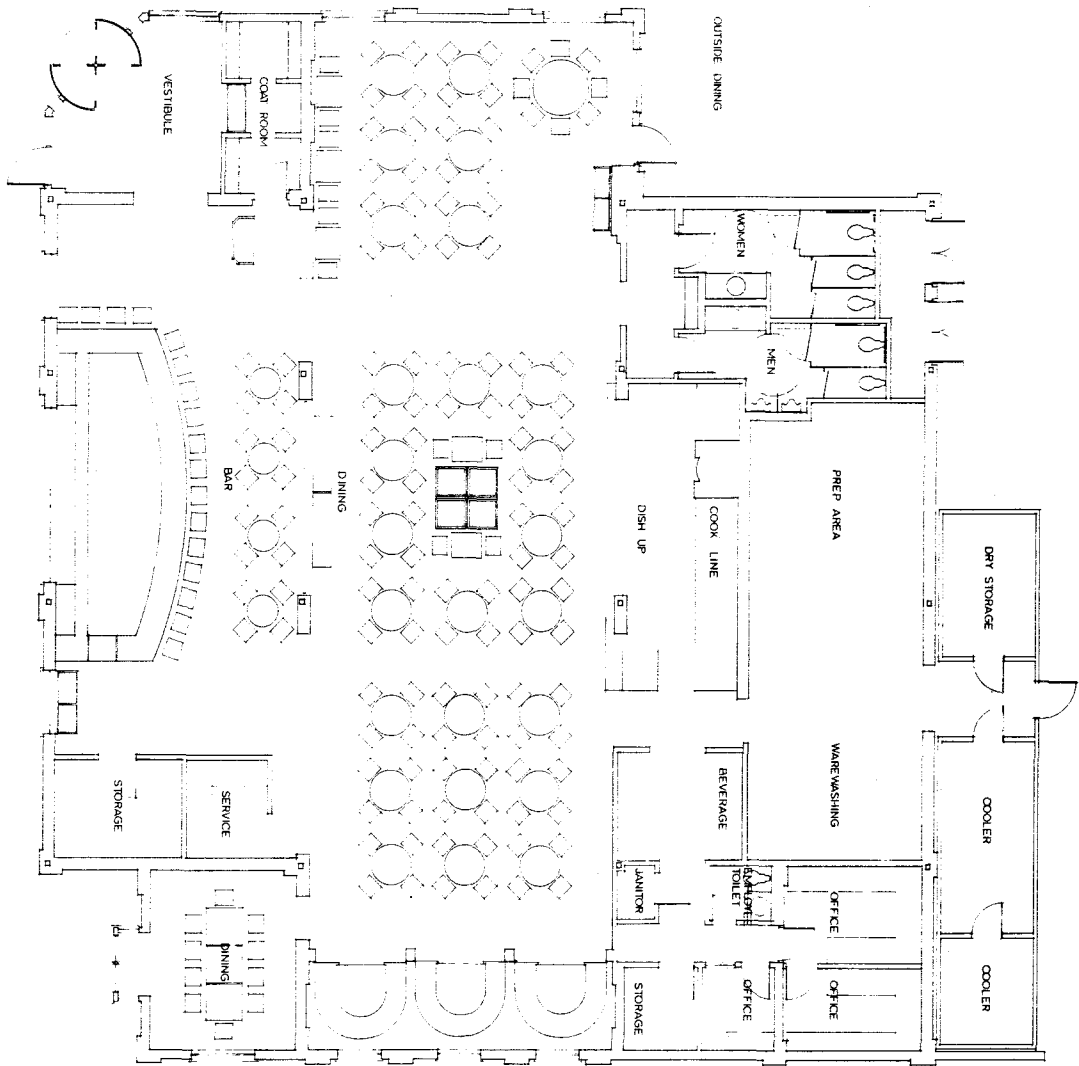
14. Flush all pipe clean prior to installing sprinkler heads.
15. Required as each automatic controller, 120 volts, 60 cycles, single phase as per manufacturer's requirements.
16. Power to controller by General Contractor.
17. Direct burial control wire shall be 400 volt, single conductor, 1/2" O.D. PVC, shielded, 14 pairs, 14 pairs, 14 pairs. All wires shall be color coded to be as follows: 1. Blue - 2. Red - 3. Green - 4. Yellow - 5. Orange - 6. Purple - 7. Brown - 8. Grey - 9. White - 10. Black - 11. Blue - 12. Red - 13. Green - 14. Yellow - 15. Orange - 16. Purple - 17. Brown - 18. Grey - 19. White - 20. Black.
18. Control wires shall be buried with electrical line at 1'-0" minimum and shall be installed in a safe and accessible location. All wires shall be color coded to be as follows: 1. Blue - 2. Red - 3. Green - 4. Yellow - 5. Orange - 6. Purple - 7. Brown - 8. Grey - 9. White - 10. Black.
19. All piping shall be installed in a safe and accessible location. All piping shall be installed in a safe and accessible location. All piping shall be installed in a safe and accessible location.
20. Contractor shall use fittings and piping in accordance with the specifications and approved by the Engineer.
21. Double check valve approval from landscape architect shall be obtained prior to installation.
22. Contractor's maintenance record shall be submitted to the landscape architect.
- A. Valve shall be color coded in same numerical order as shown on the plan.
- B. Provide plastic sealed diagrammatic plan of system (including station number and area that water, steam, gas, etc.) shall be submitted and sent to the landscape architect.
- C. "Final" drawings completed and sent to the landscape architect.

- IRRIGATION LEGEND**
- 1. 1/2" VALVE
  - 2. 2" VALVE
  - 3. 4" VALVE
  - 4. 6" VALVE
  - 5. 8" VALVE
  - 6. 10" VALVE
  - 7. 12" VALVE
  - 8. 14" VALVE
  - 9. 16" VALVE
  - 10. 18" VALVE
  - 11. 20" VALVE
  - 12. 24" VALVE
  - 13. 30" VALVE
  - 14. 36" VALVE
  - 15. 42" VALVE
  - 16. 48" VALVE
  - 17. 54" VALVE
  - 18. 60" VALVE
  - 19. 72" VALVE
  - 20. 84" VALVE
  - 21. 96" VALVE
  - 22. 108" VALVE
  - 23. 120" VALVE
  - 24. 144" VALVE
  - 25. 168" VALVE
  - 26. 192" VALVE
  - 27. 216" VALVE
  - 28. 240" VALVE
  - 29. 270" VALVE
  - 30. 300" VALVE
  - 31. 324" VALVE
  - 32. 360" VALVE
  - 33. 396" VALVE
  - 34. 432" VALVE
  - 35. 468" VALVE
  - 36. 504" VALVE
  - 37. 540" VALVE
  - 38. 576" VALVE
  - 39. 612" VALVE
  - 40. 648" VALVE
  - 41. 684" VALVE
  - 42. 720" VALVE
  - 43. 756" VALVE
  - 44. 792" VALVE
  - 45. 828" VALVE
  - 46. 864" VALVE
  - 47. 900" VALVE
  - 48. 936" VALVE
  - 49. 972" VALVE
  - 50. 1008" VALVE
  - 51. 1044" VALVE
  - 52. 1080" VALVE
  - 53. 1116" VALVE
  - 54. 1152" VALVE
  - 55. 1188" VALVE
  - 56. 1224" VALVE
  - 57. 1260" VALVE
  - 58. 1296" VALVE
  - 59. 1332" VALVE
  - 60. 1368" VALVE
  - 61. 1404" VALVE
  - 62. 1440" VALVE
  - 63. 1476" VALVE
  - 64. 1512" VALVE
  - 65. 1548" VALVE
  - 66. 1584" VALVE
  - 67. 1620" VALVE
  - 68. 1656" VALVE
  - 69. 1692" VALVE
  - 70. 1728" VALVE
  - 71. 1764" VALVE
  - 72. 1800" VALVE
  - 73. 1836" VALVE
  - 74. 1872" VALVE
  - 75. 1908" VALVE
  - 76. 1944" VALVE
  - 77. 1980" VALVE
  - 78. 2016" VALVE
  - 79. 2052" VALVE
  - 80. 2088" VALVE
  - 81. 2124" VALVE
  - 82. 2160" VALVE
  - 83. 2196" VALVE
  - 84. 2232" VALVE
  - 85. 2268" VALVE
  - 86. 2304" VALVE
  - 87. 2340" VALVE
  - 88. 2376" VALVE
  - 89. 2412" VALVE
  - 90. 2448" VALVE
  - 91. 2484" VALVE
  - 92. 2520" VALVE
  - 93. 2556" VALVE
  - 94. 2592" VALVE
  - 95. 2628" VALVE
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  - 97. 2700" VALVE
  - 98. 2736" VALVE
  - 99. 2772" VALVE
  - 100. 2808" VALVE
  - 101. 2844" VALVE
  - 102. 2880" VALVE
  - 103. 2916" VALVE
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  - 108. 3096" VALVE
  - 109. 3132" VALVE
  - 110. 3168" VALVE
  - 111. 3204" VALVE
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  - 298. 9936" VALVE
  - 299. 9972" VALVE
  - 300. 10008" VALVE

IRRIGATION PLAN  
NO. 1053-SLP  
REVISED. 12-10-90

THESE PLANS ARE REDUCTIONS OF THE ACTUAL "FIELD SET" OF PLANS WHICH ARE FILED IN ZONING CASE FILE 1053-SLP.

**ALP**  
**WHEELER III ARCHITECTS**  
JOHNE WHEELER III ARCHITECTS  
6468 BICHTER DALLAS TEXAS 75230 (214)937-9900  
091-001



**FLOOR PLAN**

SEATING COUNT

BAR	33
DINING	146
<b>TOTAL</b>	<b>179</b>



1053-S4P  
 12-10-90

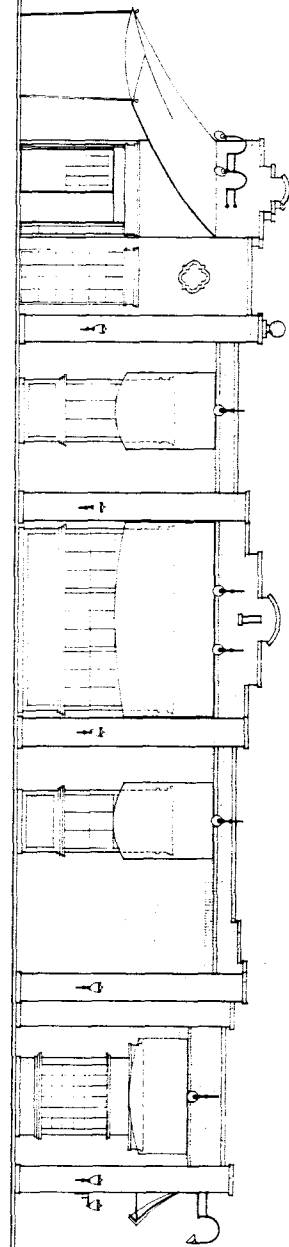
**APPROVED**

THESE PLANS ARE REPRODUCTIONS OF THE ACTUAL  
 PLANS AND SHOULD BE FILED IN THE RECORDS OF THE  
 CITY OF DALLAS. DATE: 12-10-90  
 1053-S4P

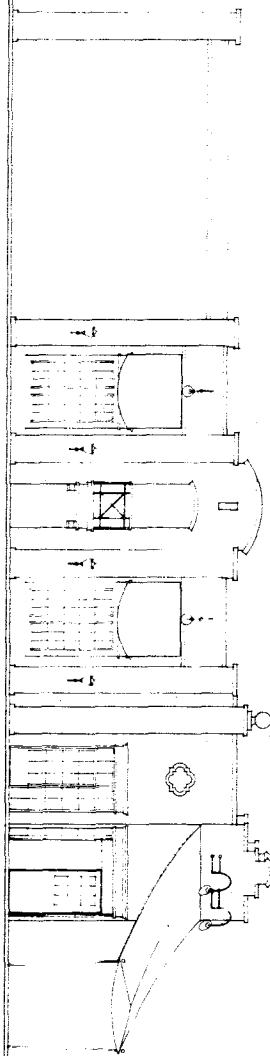


**JOHN E WHEELER III**  
**ARCHITECTS**  
 6408 STICHTER DALLAS TEXAS 75230 (214)987-9900

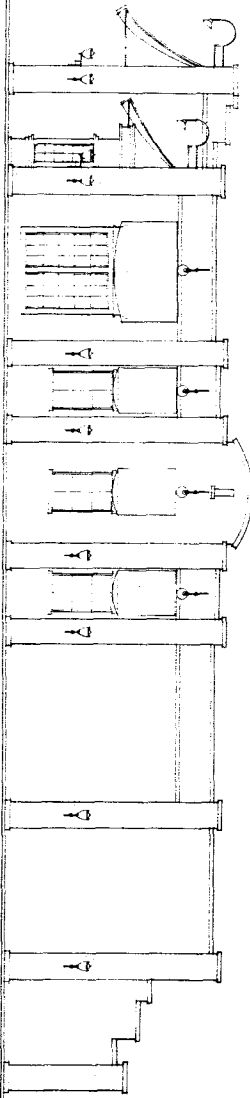
091-001



○ EAST ELEVATION  
ADDISON ROAD



○ SOUTH ELEVATION  
BETTUNE ROAD



○ NORTH ELEVATION

1053-54P  
12-10-92

THESE PLANS ARE REPRODUCTIONS OF THE ACTUAL  
"RECORD SET" OF PLANS WHICH ARE FILED IN  
ZONING CASE FILE 1053-54P.



JOHN E WHEELER III  
ARCHITECTS  
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