

ORDINANCE NO. 091-044

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 MI CASA RESTAURANTS, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF QUORUM DRIVE AND BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; 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 Mi Casa Restaurant. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

BEING a certain lot, tract or parcel of land situated in Dallas County, Texas, out of the G.W. Fisher Survey, Abstract No. 482 and being a part of the same tract of land conveyed by the Dallas Independent School District to Julian Enterprises, Inc. as recorded in Volume 727, Page 2527 of the Dallas County Deeds Records, said part being more particularly described as follows:

BEGINNING at the intersection of the north line of Belt Line Road (a 100 foot R.O.W.) with the east line of Quorum Drive (a 60 foot R.O.W.);

THENCE N 89°56'00" E, 150.0 feet along the north line of said Belt Line Road to a point for corner, said point bears S 89°56'00" W, 1014.58 feet from the intersection of the north line of said Belt Line Road with the west line of Dallas Parkway (a 200 foot R.O.W.), said point also being S 89°56'00" W, 350.00 feet from the southeast corner of the said Julian Enterprises, Inc. tract of land;

THENCE N 0°25'00" W, 200.00 feet along the east line of said Quorum Drive to the place of beginning and containing 30,000 square feet or 0.6887 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, floor plan, landscape plan, irrigation 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 floor plan and encompassing a total area not to exceed 5,409 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.

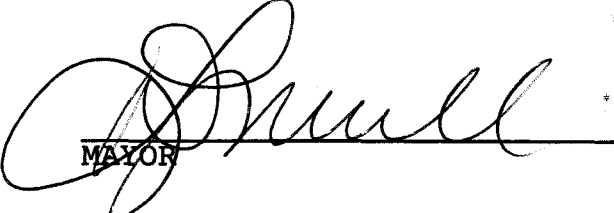
11. Shall not use "Bar" in any signage.

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 August, 1991.

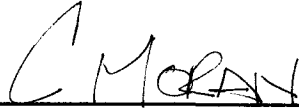
  
MAYOR

ATTEST:

  
CITY SECRETARY

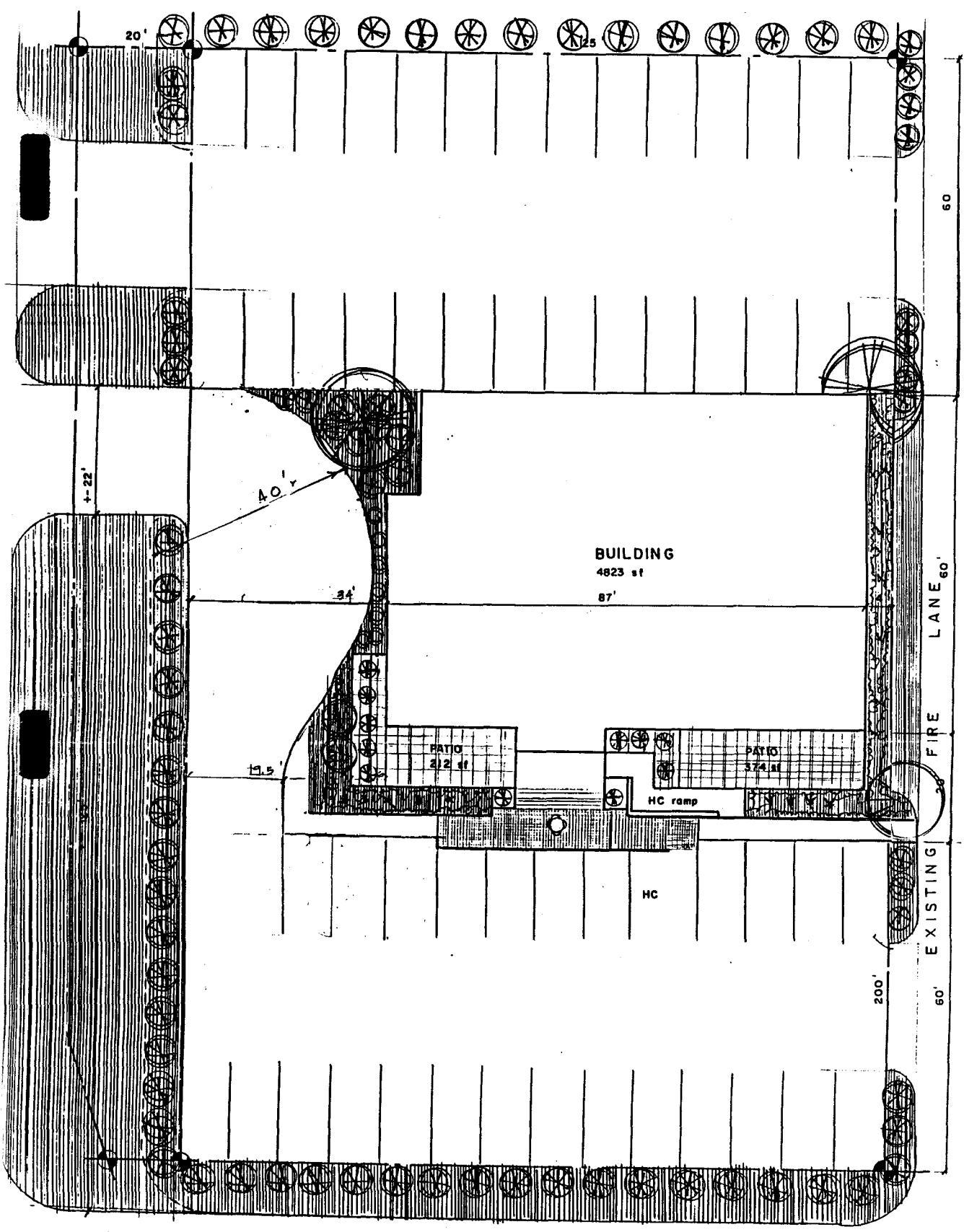
CASE NO. 861-SUP-7

APPROVED AS TO FORM:

  
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Published  
7/16/92





BELT LINE ROAD

SPACES 53

091-044

CASE FILE NO. 861 sup-7  
 RECEIVED. 8-1-91

SITE PLAN  
 VERIFY w/ SURVEY



MI CASA  
 TEX MEX RESTAURANT  
 ADDISON, TEXAS

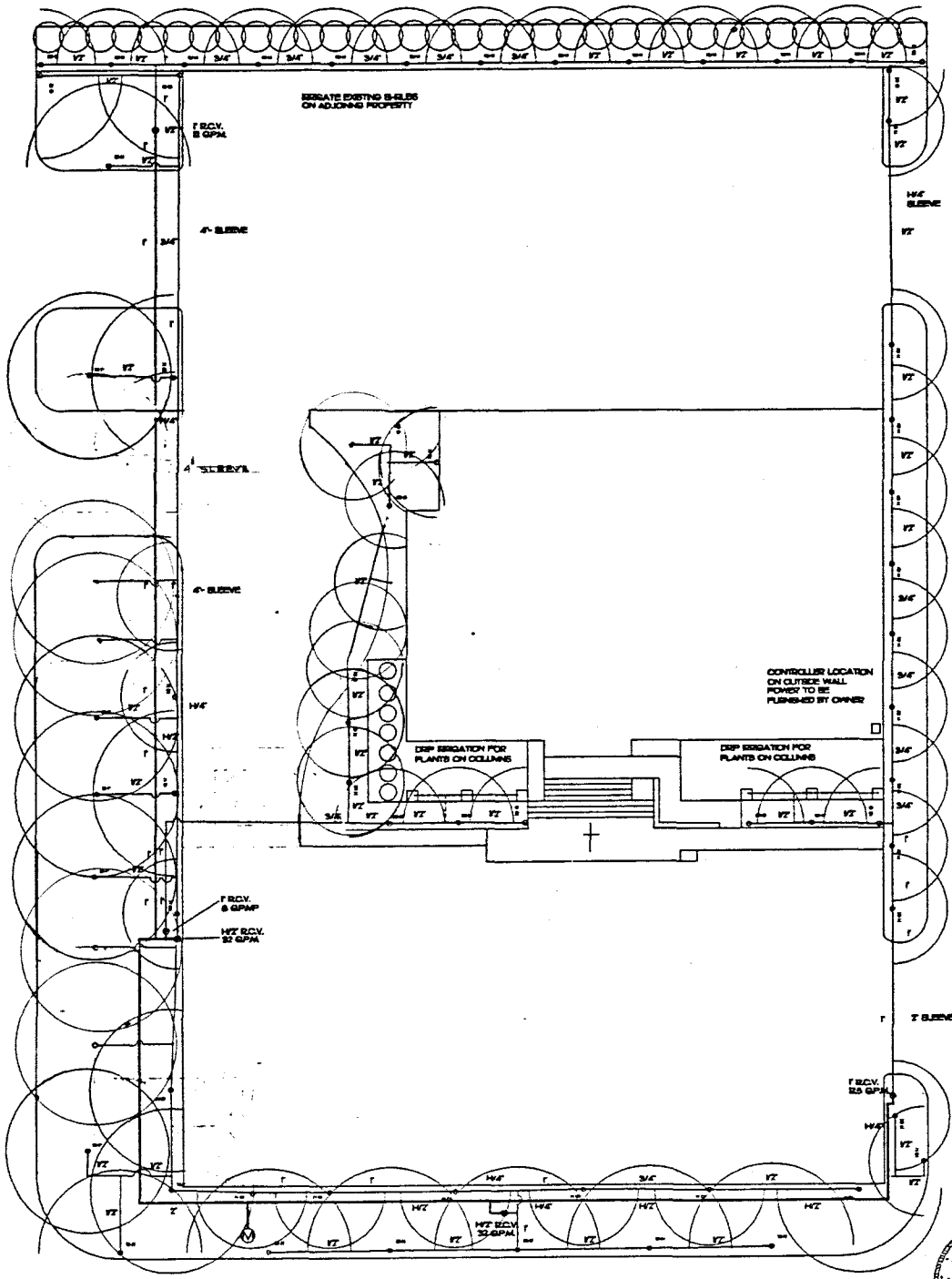






QUORUM DRIVE

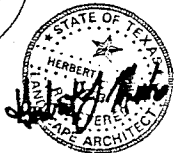
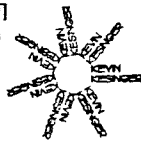
CASH RECEIVED NO. 84-51R-7  
RECEIVED 8-1-91



BELT LINE ROAD

NOTES  
VERIFY W/ ARCHITECTURAL SITE PLAN  
VERIFY W/ ADDISON FOR SIDEWALK & DRIVE REQUIREMENT  
VERIFY W/ SURVEY

MI CASA RESTAURANT  
ADDISON, TEXAS



MEEKS DESIGN GROUP

091-044 PRELIMINARY IRRIGATION

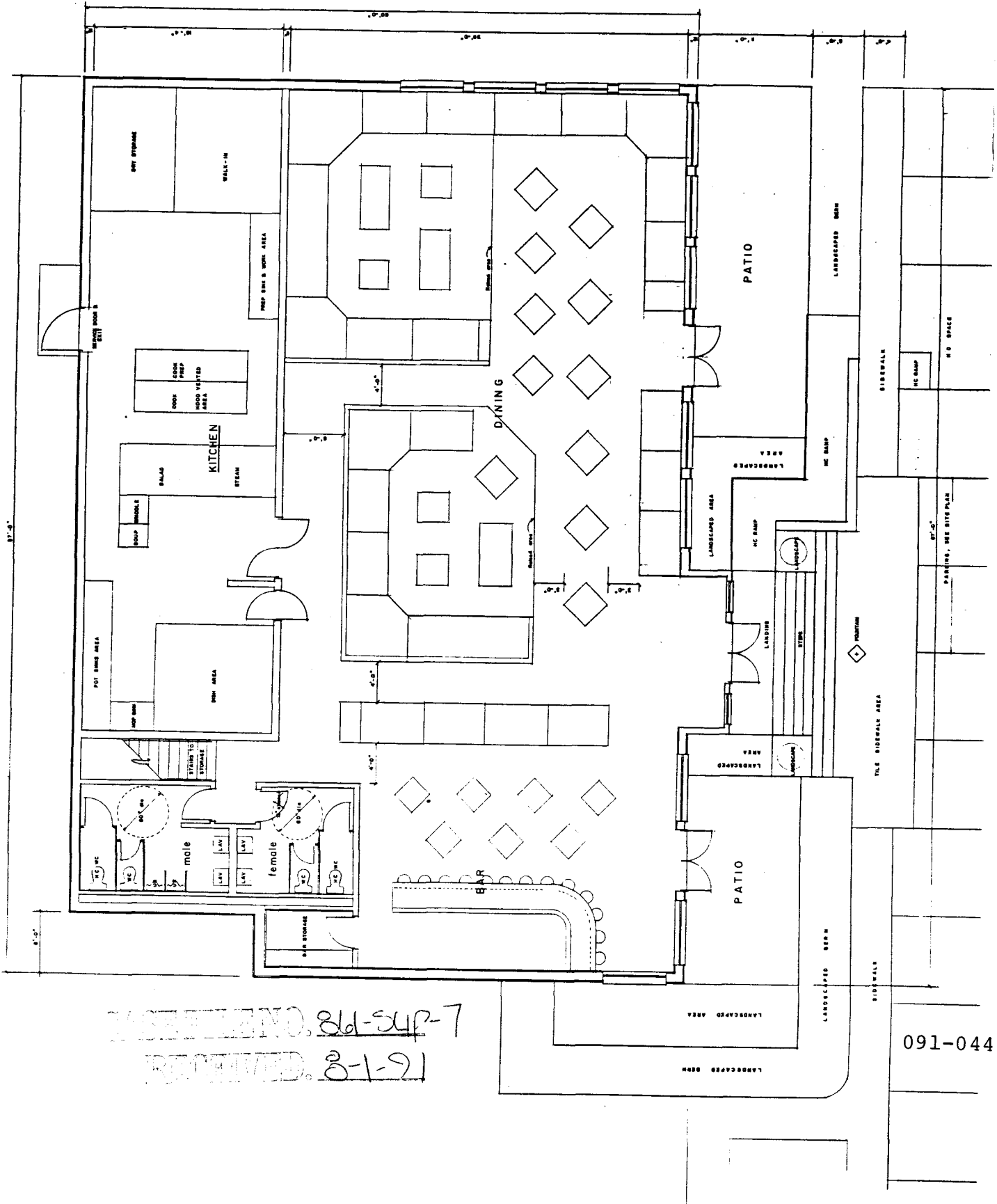
SCALE: 1" = 15'-0" DATE: 6/29/91 SHEET 2

PROJECT NO. 1 DESIGNED BY: KEVIN KESINGER

GENERAL FLOOR PLAN

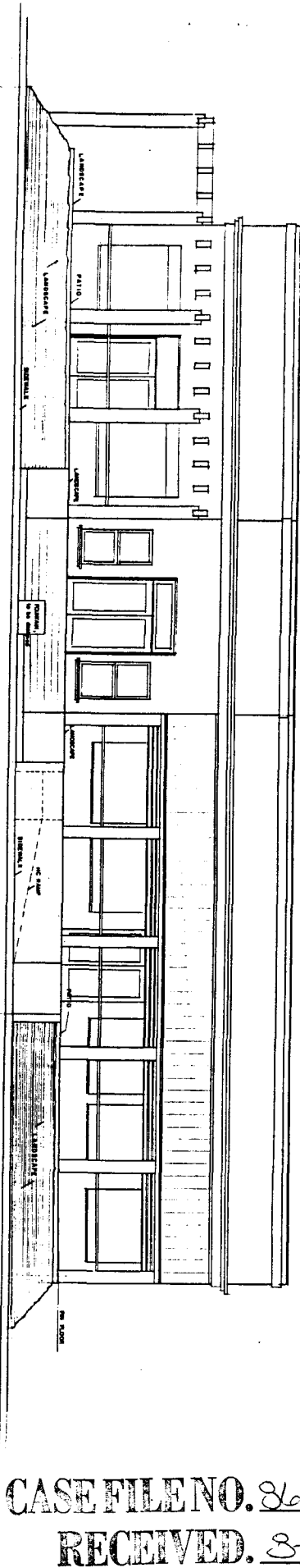
SCALE 1/8" = 1'-0"

MI CASA  
TEX MEX RESTAURANT  
BELT LANE ROAD & QUORUM  
ADDITION, TEXAS

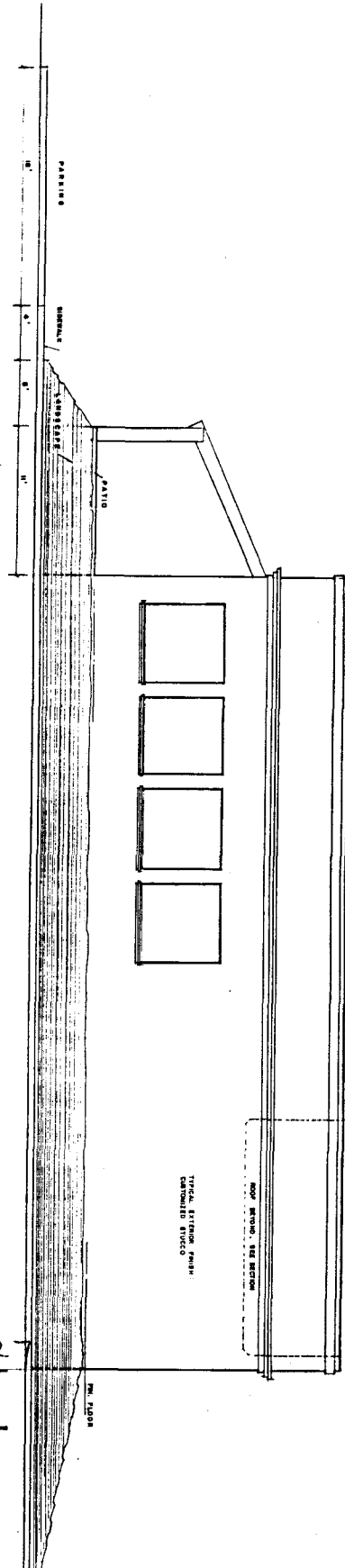


PROJECT NO. 86-542-7  
RECEIVED 3-1-91

091-044



FRONT ELEVATION  
(SOUTH ELEVATION)  
SCALE 1/8" = 1'-0"

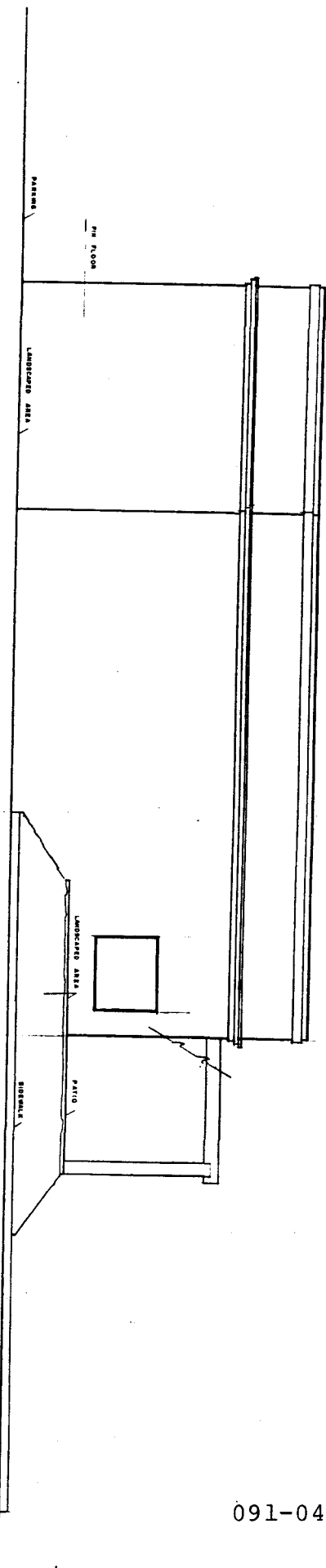


SIDE ELEVATION  
(WEST ELEVATION)  
SCALE 1/8" = 1'-0"

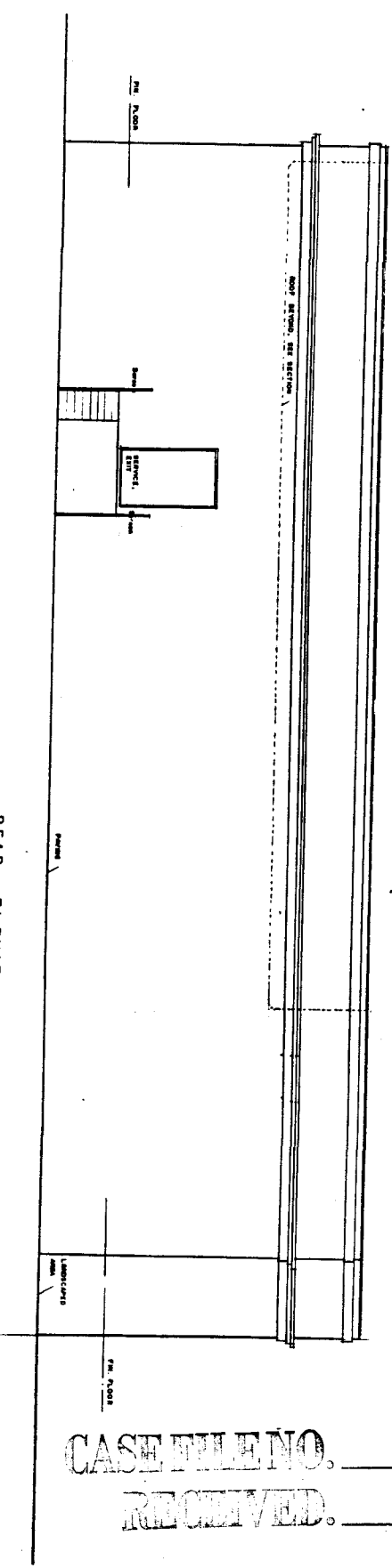
CASE FILE NO. 86-542  
RECEIVED. 8-1-91

MI CASA  
TEX MEX RESTAURANT  
BETTY LANE ROAD & QUORNUM  
ADDISON, TEXAS

ELEVATIONS  
SCALE 1/8" = 1'-0"



SIDE ELEVATION  
(WEST)  
SCALE 1/8" = 1'-0"



REAR ELEVATION  
(NORTH)

ELEVATIONS

MI CASA  
TEX MEX RESTAURANT  
BELT LINE ROAD & QUORUM  
ADDISON, TEXAS

CASE FILE NO.  
RECEIVED.