

ORDINANCE NO. 092-004

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 CATERING FACILITY AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM AFFAIRS TO REMEMBER, LOCATED AT 14374 MARSH LANE, 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 catering facility and the sale of alcoholic beverages for on-premises consumption to Affairs to Remember. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

BEING a 4,720 square foot lease space located at 14364 Marsh Lane and further described as being in the T.L Chenoweth Survey, Abstract No. 273, City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the East line of Marsh Lane (a 100 foot right-of-way) said point being North a distance of 150.0 feet from the intersection of the said East line of Marsh Lane with the North line of Spring Valley Road (a 60 foot right-ow-way), an iron stake found for corner;

THENCE North along the proposed East line of said Marsh Lane, said proposed East line of Marsh Lane being 50 feet from and parallel to the center line of said Marsh Lane, a distance of 255.00 feet to an iron stake set for corner;

THENCE South $89^{\circ}44'$ East, being said proposed East Line of Marsh Lane and proceeding a distance of 379.61 feet to an iron stake found for corner;

THENCE South $0^{\circ}09'$ West, a distance of 405.00 feet to the said North Line of Spring Valley Road, an iron stake found for corner;

THENCE North $89^{\circ}44'$ West, along the said North line of Spring Valley Road, a distance of 228.55 feet to an iron stake found for corner;

THENCE North leaving the said North line of Spring Valley Road and proceeding a distance of 150.00 feet to an iron stake found for corner;

THENCE North $89^{\circ}40'$ West a distance of 150.00 feet to the place of beginning.

SECTION 2. That the Special Use Permit is granted subject to the following conditions:

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1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the floor plan which is attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit granted herein shall be limited to a catering facility and the sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the final floor plan and encompassing a total area not to exceed 4,720 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 a catering facility only. A catering facility is hereby defined as an establishment which receives at least sixty percent (60%) of its 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. 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.
8. 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.

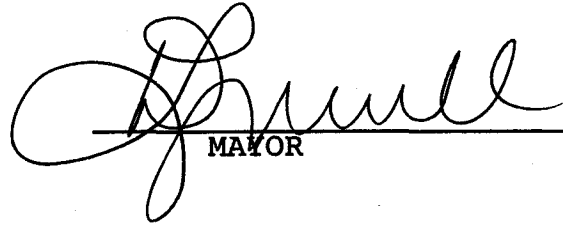
9. That if a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or canceled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.

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 14th day of January, 1992.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1092-SUP

APPROVED AS TO FORM:



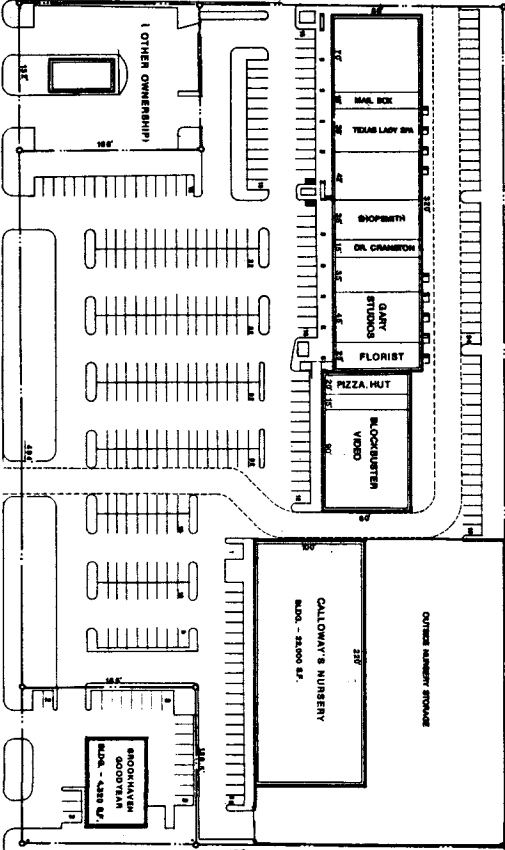
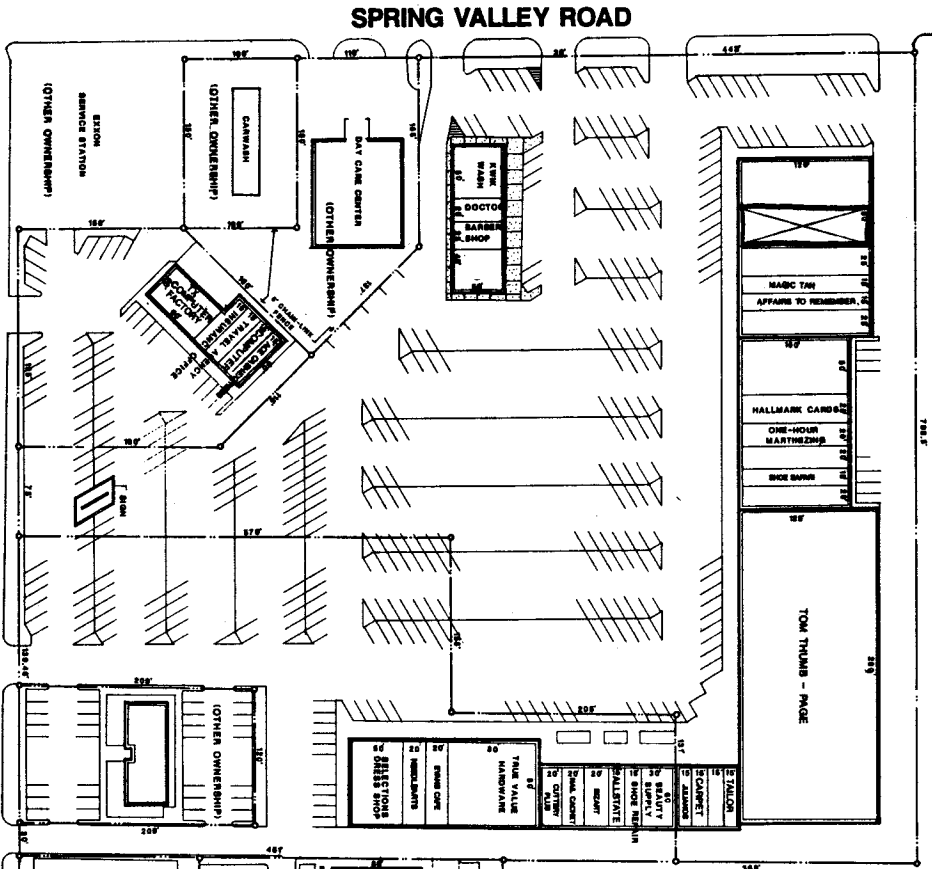
Published
3/5/92



ON THE ACTUAL
 OF THE PLANS WHICH ARE FILED IN
 ZONING CASE FILE 1092-54F

CASE FILE NO. 1092-54F
 RECEIVED. 11-1-91

092-004



**BROOKHAVEN VILLAGE
 SHOPPING CENTER**
 ADDISON, TEXAS

FOLSOM INVESTMENTS, INC.
 LEASING & MANAGEMENT 214/931-7400

MICHAEL F. TWICHELL, INC. / ARCHITECT
 NOTE:
 SITE PLAN SUBJECT TO CHANGE BY
 OWNER AT ANY TIME WITHOUT NOTICE

SITE PLAN
 1"=30'-0"

DATE: FEBRUARY 1, 1991



TABULATIONS

TOTAL LAND AREA - 17,884 ACRES - 778,422,164	- 188,470 S.F.
TOTAL BLDG. AREA	- 810,000 S.F.
TOTAL PARKING INDICATED	- 810 SPACES

APPROVED

Kitchen: VCT on Floor
FRP on Walls
Vinyl Clad 2x4' Ceiling Tiles

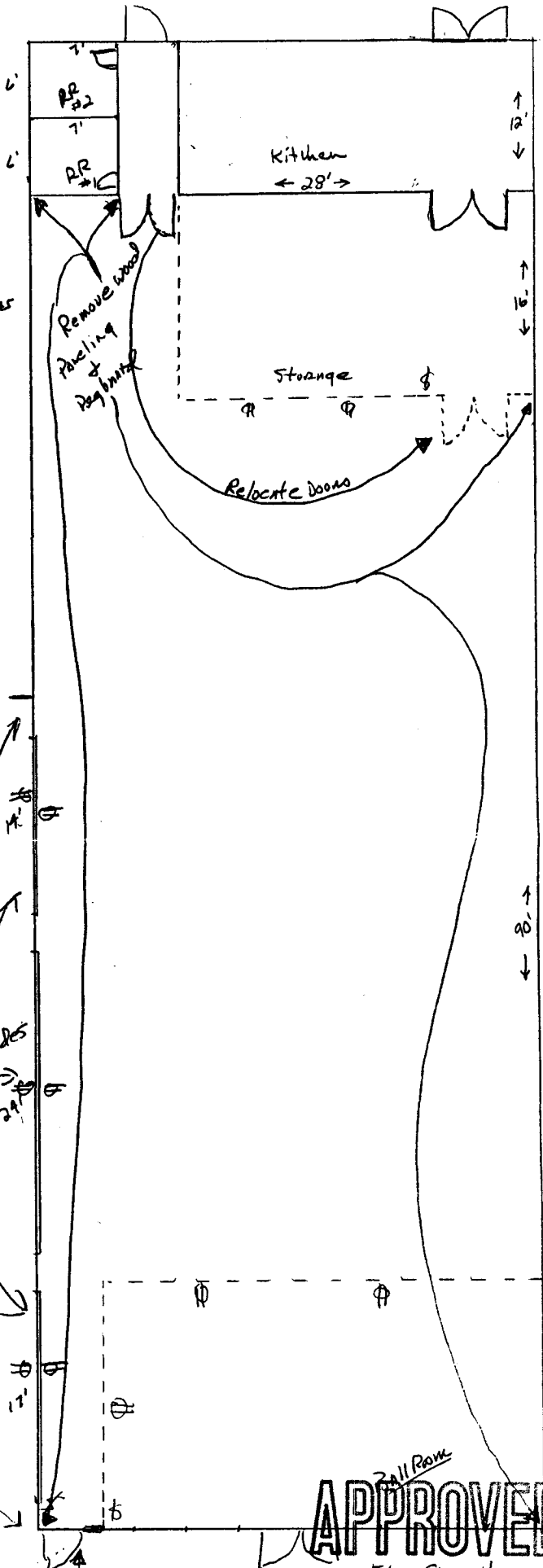
R. Patch Hole in Wall

Carpet Ball Room: Comm. Grade
Leveling - Diapad Glue
VCT in Kitchen + Restrooms
----- New Wall to Ceiling
Remove Wood Paneling + Pegboard - 203 L.F. x 9' Tall

Patch walls as necessary in
Ball Room - Paint w/ Sand Texture
Paint R.R.s + Hallway
Paint Doors + Frames

TBT+P

Close Cased
Opening - Back Both Sides
9' Tall



APPROVED

Ball Room
Elec Circuit
For Sign

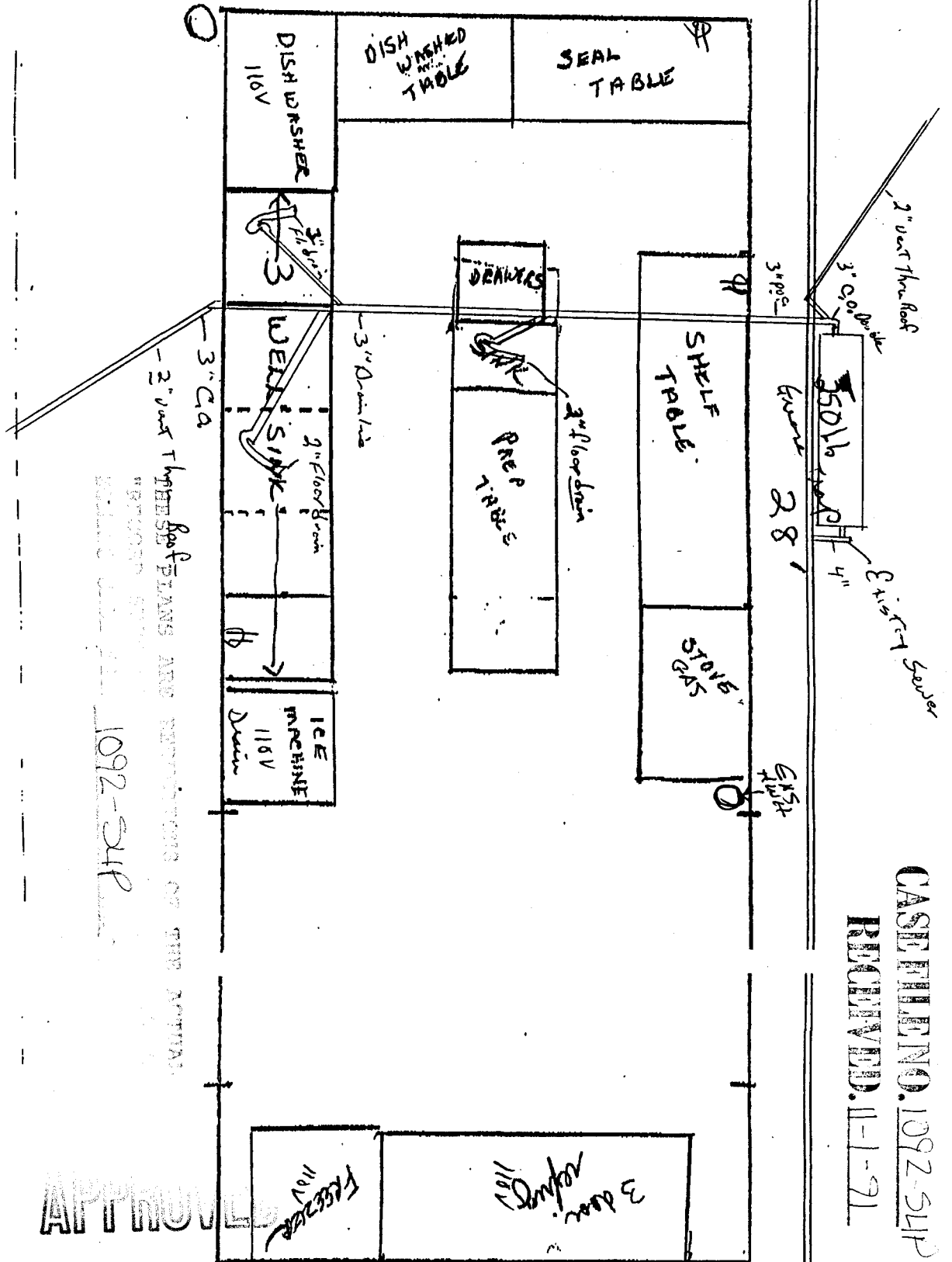
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Affaires To Remember
14374 Marsh Ln., ~~St. Louis~~

New Store Front
Door + Sidelight to

SHOWN PLANS AND EXPOSITIONS OF THE ACTUAL
"RECORD SET" OF THESE PLANS AND PERIOD IN
ZONING CASE FILE 1092-SLP

CASH RECD. 1092-SLP
RECEIVED, 11-1-91



THESE PLANS AND SPECIFICATIONS OF THE APPLIANCE
 REPORT SPECIFICATIONS
 1092-54P

APPROVAL

CASE FILE NO. 1092-54P
 RECEIVED. 11-1-91