

ORDINANCE NO. 093-026

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 089-036 BY AMENDING THE SITE PLAN, FLOOR PLAN, LANDSCAPING PLAN, AND BUILDING ELEVATIONS, ON APPLICATION WITH DICK CLARK'S AMERICAN BANDSTAND GRILL, LOCATED AT 4951 BELT LINE ROAD; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR REPEAL OF ORDINANCE 093-017, PROVIDING FOR A GENERAL REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A NO SEVERABILITY 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, 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. 089-036 passed by the City Council on the 14th day of November, 1989, is hereby amended by amending Section #2 to read as follows:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 093-026

1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the revised site plan, floor plan, landscaping plan, and the elevation drawings showing all 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.
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 encompassing a total area not to exceed 12,554 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.
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. 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 cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.

10. Shall not use "Bar" "Tavern" "Club" or any equivalent term in any exterior signage.

11. Additional on-site parking shall be provided to bring the restaurant to a parking ratio of 1 space per 74 square feet, or expansions shall not be included in the approved plans.

12. All failures in the existing parking lot shall be repaired prior to the issuance of a Certificate of Occupancy for the restaurant.

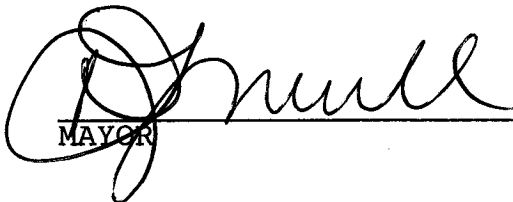
13. The landscaping and irrigation system shall be repaired, and shall be inspected and approved by the Parks Department prior to the issuance of a Certificate of Occupancy for the restaurant.

SECTION 3. That this ordinance shall specifically repeal Ordinance No. 093-017, approved by the City Council on March 9, 1993. That 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.


SECTION 4. 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 set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 5. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 27th day of April, 1993.


MAYOR

ATTEST:


CITY SECRETARY

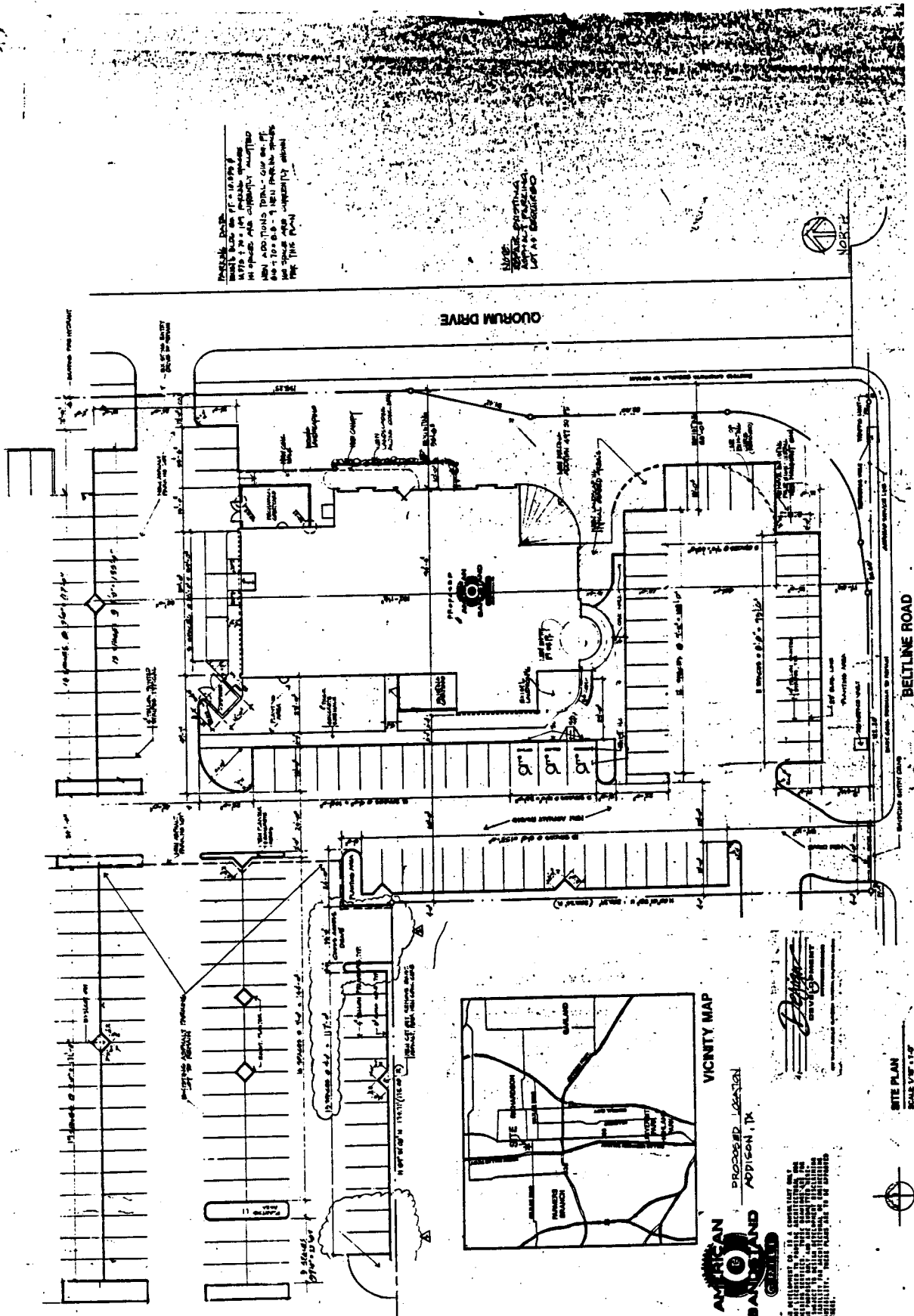
CASE NO. 552-SUP-5

APPROVED AS TO FORM:


DIRECTOR OF DEVELOPMENT SERVICES

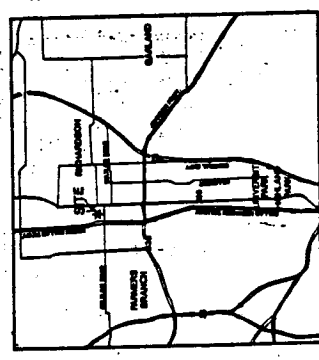
Published
5/6/97





Owner: Columbia (Ind) Oil, Inc.
 Project: 12345, 12345, 12345, 12345
 Address: 12345, 12345, 12345, 12345
 City: Houston, Texas 77001
 Date: 12/15/88

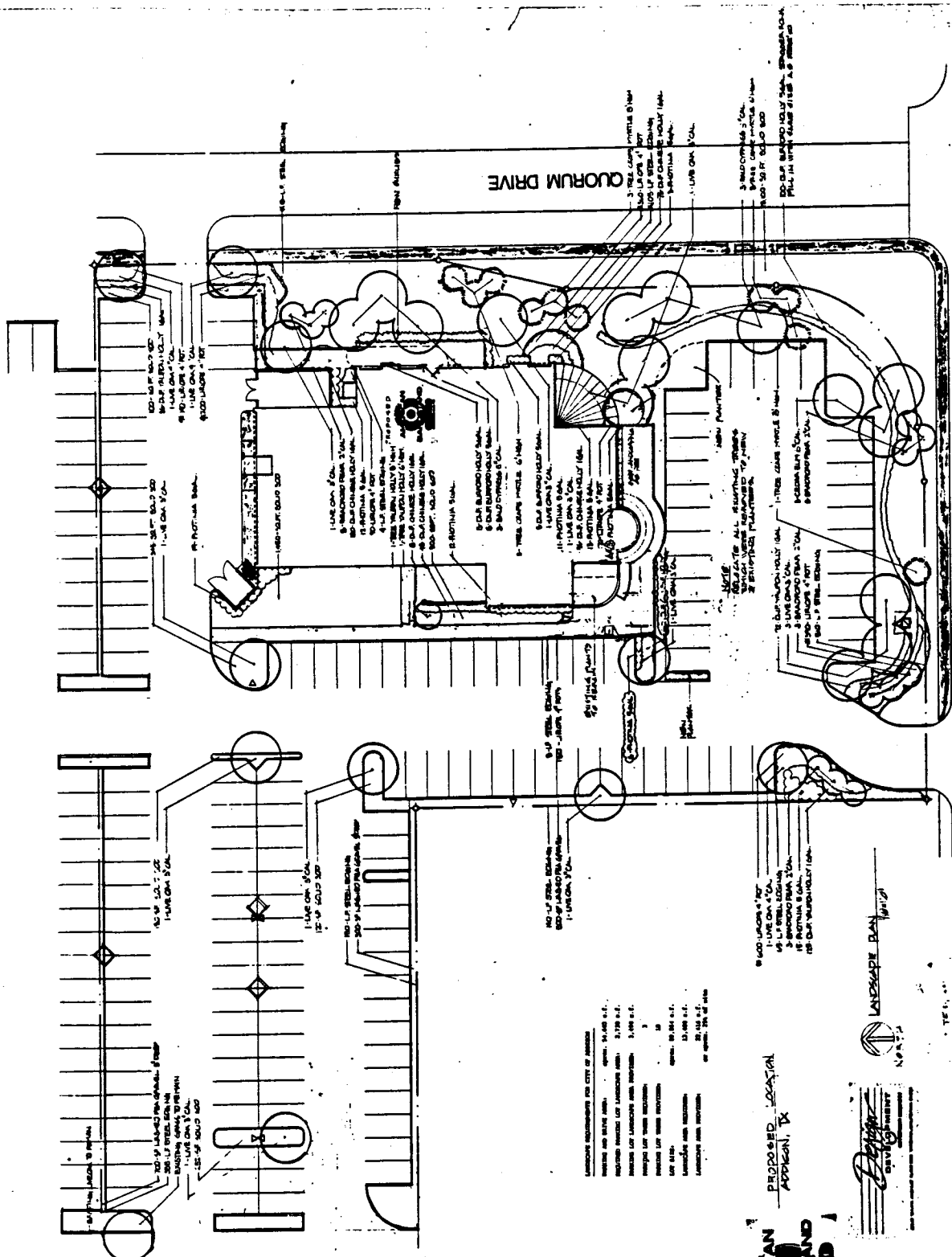
Checked by: [Signature]
 Date: 12/15/88



AMERICAN
ENGINEERS
 ARCHITECTS
 12345
 HOUSTON, TEXAS 77001
 PHONE: 713-123-4567
 FAX: 713-123-4568

Professional Engineer
 License No. 12345
 State of Texas

SITE PLAN
 SCALE: 1/8" = 1'-0"



LANDSCAPE REQUIREMENTS FOR CITY OF AMERICA
 MATERIALS AND QUANTITIES
 QUANTITY
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AMERICAN LANDSCAPE ARCHITECTS
 1000 WEST 10TH STREET
 AUSTIN, TEXAS 78703
 (512) 476-1111
 WWW.ALANDESIGN.COM

PROPOSED LOCATION
 AMERICAN LANDSCAPE ARCHITECTS
 AUSTIN, TEXAS

LANDSCAPE PLAN
 DATE: 10/11/11

SCALE: AS SHOWN



AMERICAN LANDSCAPE ARCHITECTS
 1000 WEST 10TH STREET
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