

ORDINANCE NO. 093-032

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 A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM APPLEBEE'S NEIGHBORHOOD GRILL, LOCATED ON 1.8197 ACRES AT THE SOUTHWEST CORNER OF THE INTERSECTION OF BELT LINE ROAD AND BUSINESS AVENUE, 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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 093-032

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 a special use permit for the sale of alcoholic beverages for on-premises consumption to Applebee's Neighborhood Grill. Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

BEING a tract or parcel of land situated in the City of Addison, Dallas County, Texas out of the Thomas L. Chenoweth Survey, Abstract No. 273, said Tract being part of the Printemps Addition No. 1, an addition to the Town of Addison, as recorded in Volume 89013, Page 0827 of the Map Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way line of Belt Line Road (100 feet wide) and the southeasterly cut off line between the easterly right-or-way line of Marsh Lane (100 feet wide) and the southerly right-of-way line of Belt Line Road;

THENCE: S 88°53'15" E - 508.54 feet along the south line of Belt Line Road to a point;

THENCE: S 89°00'26" E - 348.93 feet continuing along the south line of Belt Line Road to the POINT OF BEGINNING;

THENCE: S 89°00'26' E - 115.45 feet along the south line of Belt Line Road to a point;

THENCE: S 82°41'55" E - 100.11 feet along the south line of Belt Line Road to a point for corner;

THENCE: S 00°59'34" W - 218.50 feet to a point for corner;

THENCE: N 89°00'26" W - 218.50 feet to a point for corner;

THENCE: N 00°59'34" E - 229.50 feet to the POINT OF BEGINNING and containing 1.8197 acres (79,267 s.f.) of land more or less.

SECTION 2. That the Special Use Permits are 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.
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 5,449 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. 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. The restaurant shall not use the term "Bar", "Tavern" or any equivalent term in any signs.
12. The drawings shall be revised to show that the enclosure for the dumpster will be constructed out of the same brick as the restaurant.
13. The deceleration lane and entrance on the eastern approach shall be constructed prior to the issuance of a Certificate of Occupancy for this restaurant.
14. The applicant shall submit a certification from an engineer stating that the site meets the Addison floodplain requirement prior to the issuance of a Certificate of Occupancy for the restaurant.
15. If necessary, the restaurant shall install a grinder pump to utilize the available sewer system.
16. If necessary, the applicant shall install a looped water system to meet fire protection requirements.
17. The applicant shall submit a revised landscaping plan which reflects the changes to the eastern drive and Belt Line Road frontage. The drawing should clearly indicate which portions of this site are to be counted toward the applicant's 20% of site requirement for landscaping, and which portions will belong to the center and be counted toward the 20% of site landscaping requirement for the center. The revised plan must be approved by the Parks Department.

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 set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations

OFFICE OF THE CITY SECRETARY

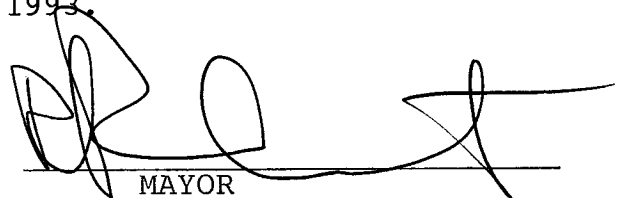
ORDINANCE NO. 093-032

of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

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 11th day of May, 1993.



MAYOR

ATTEST:



C. MORAN
CITY SECRETARY

CASE NO. 1142-SUP

APPROVED AS TO FORM:



C. MORAN
DIRECTOR OF DEVELOPMENT SERVICES

Published
7/22/96



NOTES

DATE PLOTTED: 3-28-83

MP MICHAELE PETERLIN ARCHITECTS AND PLANNERS
2415 SOUTH MAIN, SUITE 7014
ADDISON, TEXAS 75001

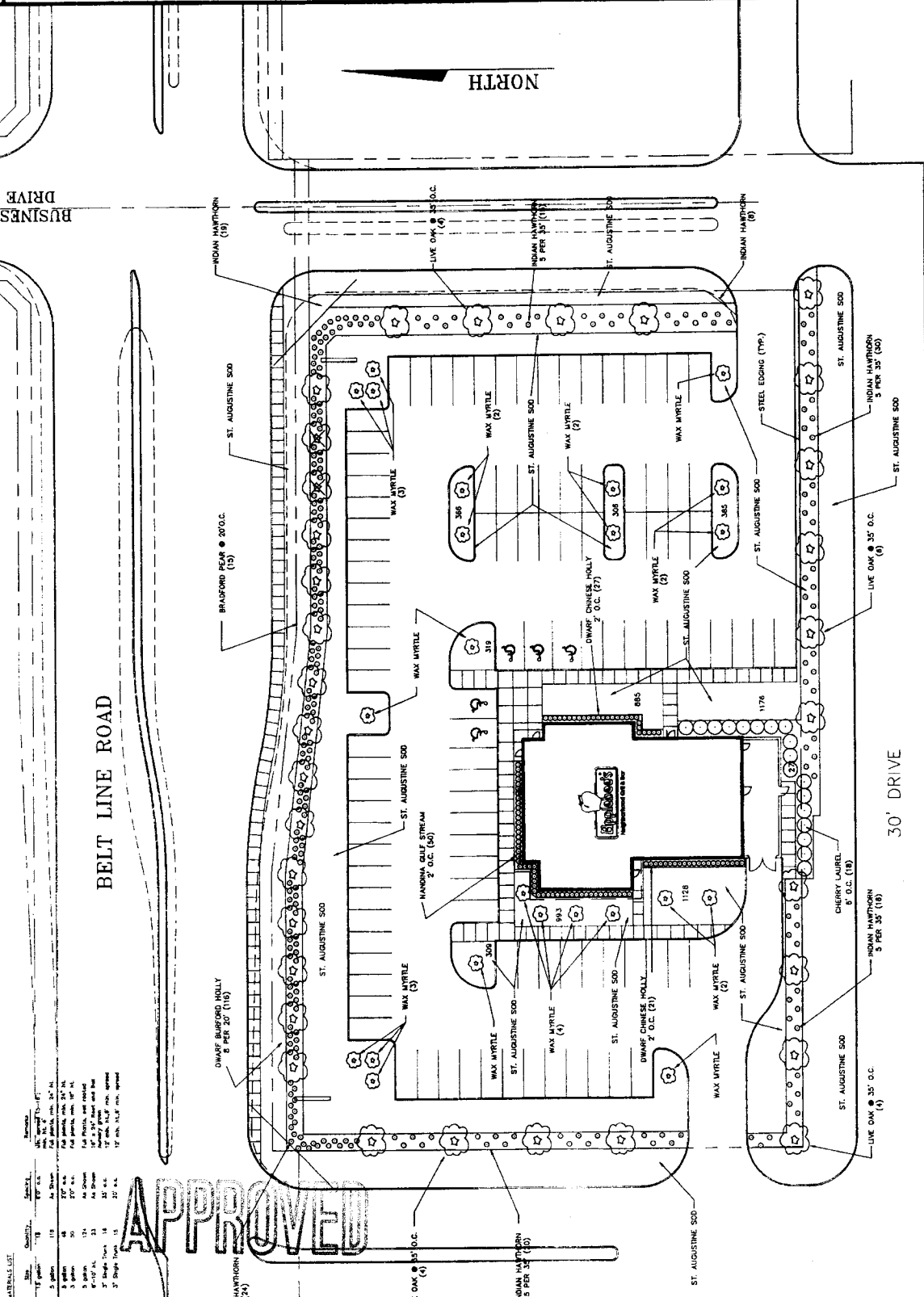
Apples
Neighborhood Grill & Bar

LANDSCAPE PLAN

LS-1
ADDISON, TEXAS

BELT LINE ROAD

BUSINESS DRIVE



- LANDSCAPE DATA
1. SITE AREA = 75,006 SQ.FT.
 2. LANDSCAPE AREA PROVIDED = 15,001 SQ.FT.
 3. TOTAL LANDSCAPE AREA REQUIRED = 22,789 SQ.FT.
 4. PARKING, MEDIAN, & DRIVE AREA = 10,715 SQ.FT.
 5. INTERIOR LANDSCAPE AREA PROVIDED = 4,138 SQ.FT.
 6. INTERIOR LANDSCAPE AREA REQUIRED = 39
 7. PARKING LOT PERMETER TREES REQUIRED = 33
 8. PARKING LOT PERMETER TREES PROVIDED = 33



PLANT MATERIAL LIST

Quantity	Plant Name	Notes
15	ST. AUGUSTINE 500	15' x 15' x 15'
116	DWARF BURFORD HOLLY	8' x 20'
50	NANDINA GOLF STREAM	2' x 2' x 2'
27	DWARF CHINESE HOLLY	2' x 2' x 2'
18	CHERRY LAUREL	8' x 8' x 8'
4	LIVE OAK	35' x 35' x 35'
3	WAX MYRTLE	3' x 3' x 3'
6	INDIAN HAWTHORN	5' x 5' x 5'
15	BRADFORD PEAR	20' x 20' x 20'

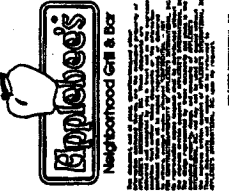
APPROVED

THESE PLANS ARE SUBSTITUTIONS OF THE ACTUAL PRESENT USE OF PLANS WHICH ARE FILED IN ZONING CASE FILE 142-54P

NOTES

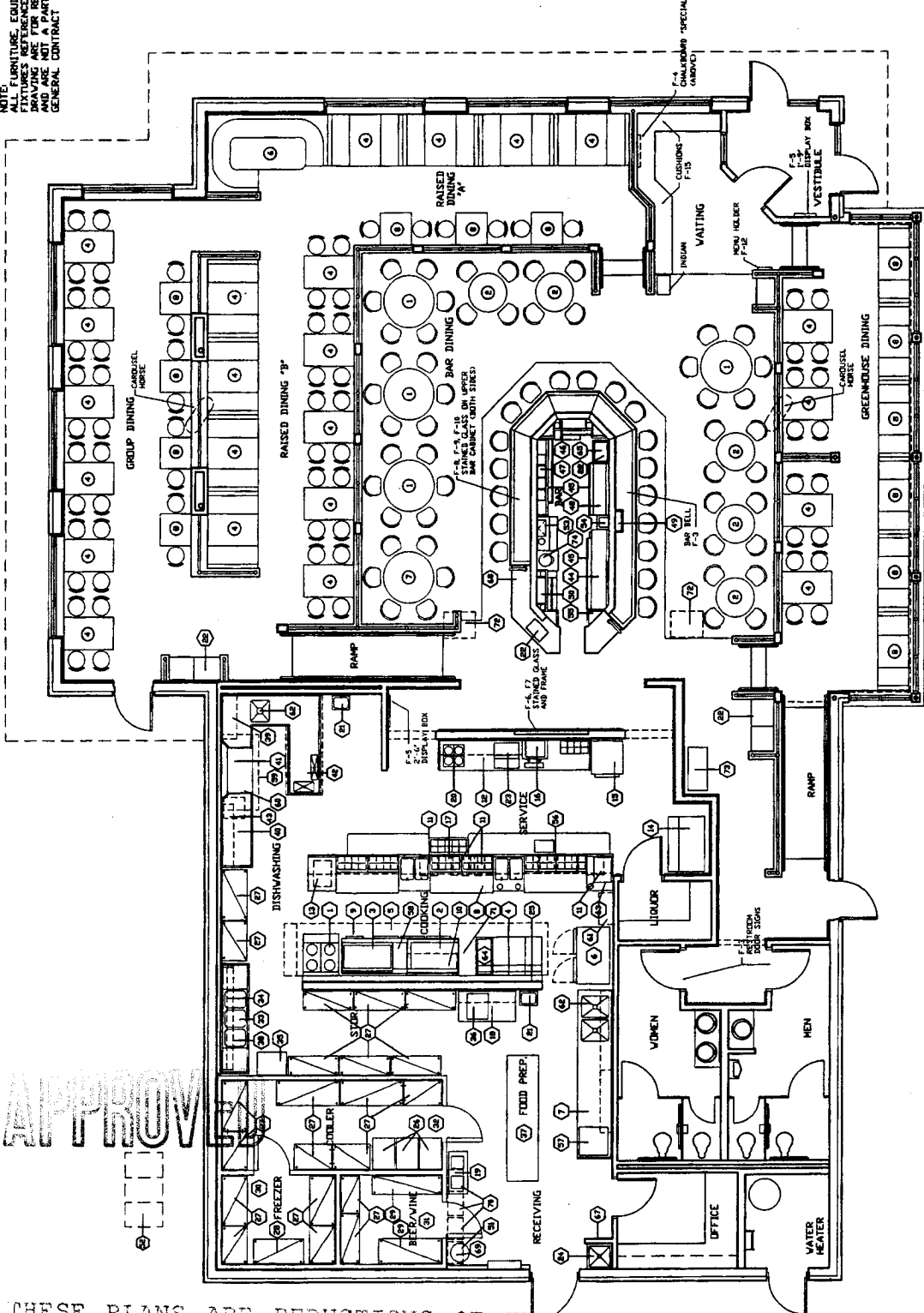
1. BASE CONTRACTOR OVER COORDINATION
2. DIMENSIONS
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TOPS	TABLES	SEATS
2	13	26
4	28	112
6	6	36
	47	174
BAR SEAT:		18
TOTAL SEATS:		192



F1
MAR. 15, 1993

NOTE: ALL FURNITURE, EQUIPMENT, AND FIXTURES REFERENCED IN THIS DRAWING ARE FOR REFERENCE ONLY. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND THE GENERAL CONTRACT.

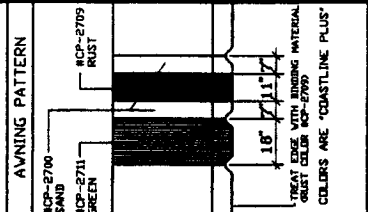


SEATING and EQUIPMENT PLAN
5448 SQ. FT.
1/4"=1'-0"

THESE PLANS ARE REDUCTIONS OF THE ACTUAL "RECORD SET" OF PLANS WHICH ARE FILED IN ZONING CASE FILE 142-54P.

NOTES

1. UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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AWNING PATTERN

RCP-2700 SAND
RCP-2701 GREEN
RCP-2709 RUST

TREAT EDGE USING FINISHING MATERIAL (QUEST COLOR RCP-2700)
COLLERS ARE COASTLINE PLUS

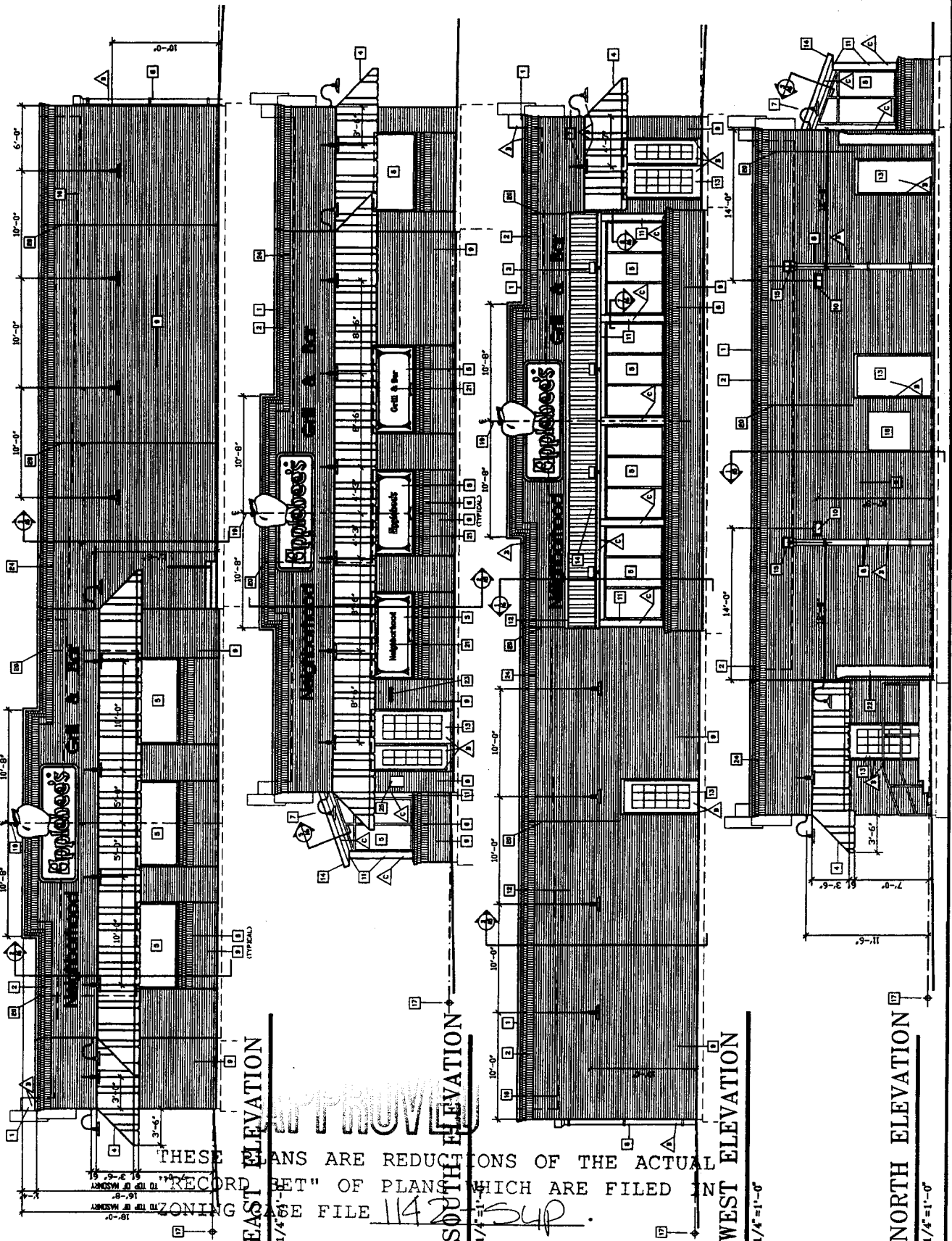
COLOR KEY

▲ BOSTON RED
▲ TROYER GREEN
▲ OLIMPIC 700

Appiebees Neighborhood Grill & Bar

MAR. 15, 1993

A2



THESE PLANS ARE REDUCTIONS OF THE ACTUAL RECORD SET OF PLANS WHICH ARE FILED IN ZONING CASE FILE 142 SUP.