

ORDINANCE NO. 094-005

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 SAMBUCA MEDITERRANEAN GRILL, LOCATED AT 15205 AND 15207 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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 094-005

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 Sambuca Mediterranean Grill. Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

BEING Lot 1 of a tract platted as SAMBUCA II/FILLING STATION, an addition to the Town of Addison, according to a plat recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_, of the Map Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEING all of ASHBY ADDITION TO ADDISON, an addition to the Town of Addison according to the Plat recorded in Volume 77190, Page 931, of the Map Records of Dallas County, Texas, and a tract of land out of the EDWARD COOK SURVEY, ABSTRACT No. 326, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner in the West line of Addison Road (being 40.0 feet from the center line), same point being the Southeast corner of the above referenced ASHBY ADDITION;

THENCE North 89 degrees 26 minutes 00 seconds West departing the said West line of Addison Road for a distance of 243.91 feet to a point for corner in the Easterly line of St. Louis and Southwestern Railroad (being 50.0 feet from the centerline);

THENCE North 14 degrees 33 minutes 02 seconds West along the said Easterly line of the railroad for a distance of 160.55 feet to the beginning of a curve to the right having a central angle of 14 degrees 32 minutes 19 seconds, a radius of 714.00 feet, a tangent distance of 91.08 feet, a chord distance of 180.69 feet;

THENCE Northerly along said curve to the right and along said Easterly line of the railroad for an arc distance of 181.18 feet to a point for corner;

THENCE South 89 degrees 38 minutes 00 seconds East departing said Easterly line of the railroad for a distance of 325.99 feet to a point for corner in the West line of Addison Road (being 30.0 feet from centerline);

THENCE South 00 degrees 17 minutes 00 seconds West along the said West line of Addison Road for a distance of 234.00 feet to a point for corner;

THENCE North 89 degrees 26 minutes 00 seconds West along the said West line of Addison Road for a distance of 10.00 feet to a point for corner (being 40.0 feet from centerline);

THENCE South 00 degrees 17 minutes 00 seconds West continuing along the said West line of Addison Road for a distance of 100.00 feet to the POINT OF BEGINNING.

CONTAINING 97,643 square feet or 2.2416 acres 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, 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 7,951 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. Shall not use the term "Bar" or any equivalent in any exterior signs, and the exterior signs for the restaurant shall not contain the restaurant's current logo which shows a woman holding a martini glass.
12. The doors for the dumpster enclosure shall be solid so that the dumpster cannot be seen from Addison Road.
13. The site shall be able to handle the site drainage. The developer shall demonstrate that there is sufficient conveyance capacity for unrestricted flow. If additional drainage capacity is required, then an easement and improvements are required.
14. The finished floor elevation of the building shall be protected from the 100-year flood, based on the existing flow restrictions.
15. The site shall be platted in accordance with the requirements of the subdivision ordinance.

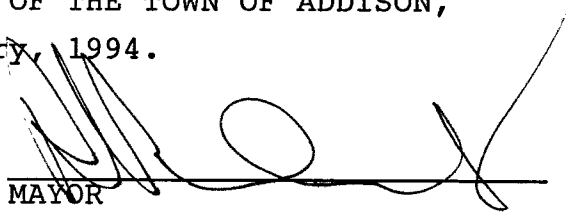
SECTION 3. That any person, firm, or corporation violating

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 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 25th day of January, 1994.

  
MAYOR

ATTEST:

  
CITY SECRETARY

CASE NO. 1165-SUP

APPROVED AS TO FORM:

  
DIRECTOR OF DEVELOPMENT SERVICES

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 094-005

Published  
5/26/94

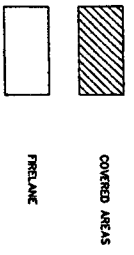


ALL PLANS AND REDUCTIONS OF THE ACTUAL RECORD SET OF PLANS WHICH ARE FILED IN ZONING CASE FILE 115-5118

**APPROVED**

1. ALL CONSTRUCTION TO BE SHOWN IN STRICT ACCORDANCE TO THESE PLANS AND ALL APPLICABLE MUNICIPAL CODES AND STATUTES.
2. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
3. EXISTING UTILITIES ARE TO BE MAINTAINED UNLESS OTHERWISE NOTED.
4. SEE SHEET C-1 FOR ALL PLUMBING AND MECHANICAL PLANS.
5. SEE SHEET C-2 FOR ALL ELECTRICAL AND TELEPHONE PLANS.
6. SEE SHEET C-3 FOR ALL CONCRETE RETAINING WALL DETAILS.
7. SEE SHEET C-4 FOR EXISTING CURBS, SLOPE AND DETAILS.
8. SEE SHEET C-5 FOR EXISTING DRIVE LOCATIONS AND DETAILS.
9. SEE SHEET C-7 FOR LOCATIONS AND DETAILS OF UTILITY SERVICES TO BUILDING.
10. ALL UTILITIES AND STRUCTURES SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS OF THE CITY OF DALLAS, TEXAS, LATEST EDITION, AND ANY SPECIAL PROVISIONS THEREIN.
11. ALL UTILITIES SHALL BE SHOWN IN ACCORDANCE WITH THE CITY OF DALLAS, TEXAS, LATEST EDITION, AND ANY SPECIAL PROVISIONS THEREIN.

EXISTING TREES THAT REMAIN (SITE AND TREE LABELS)

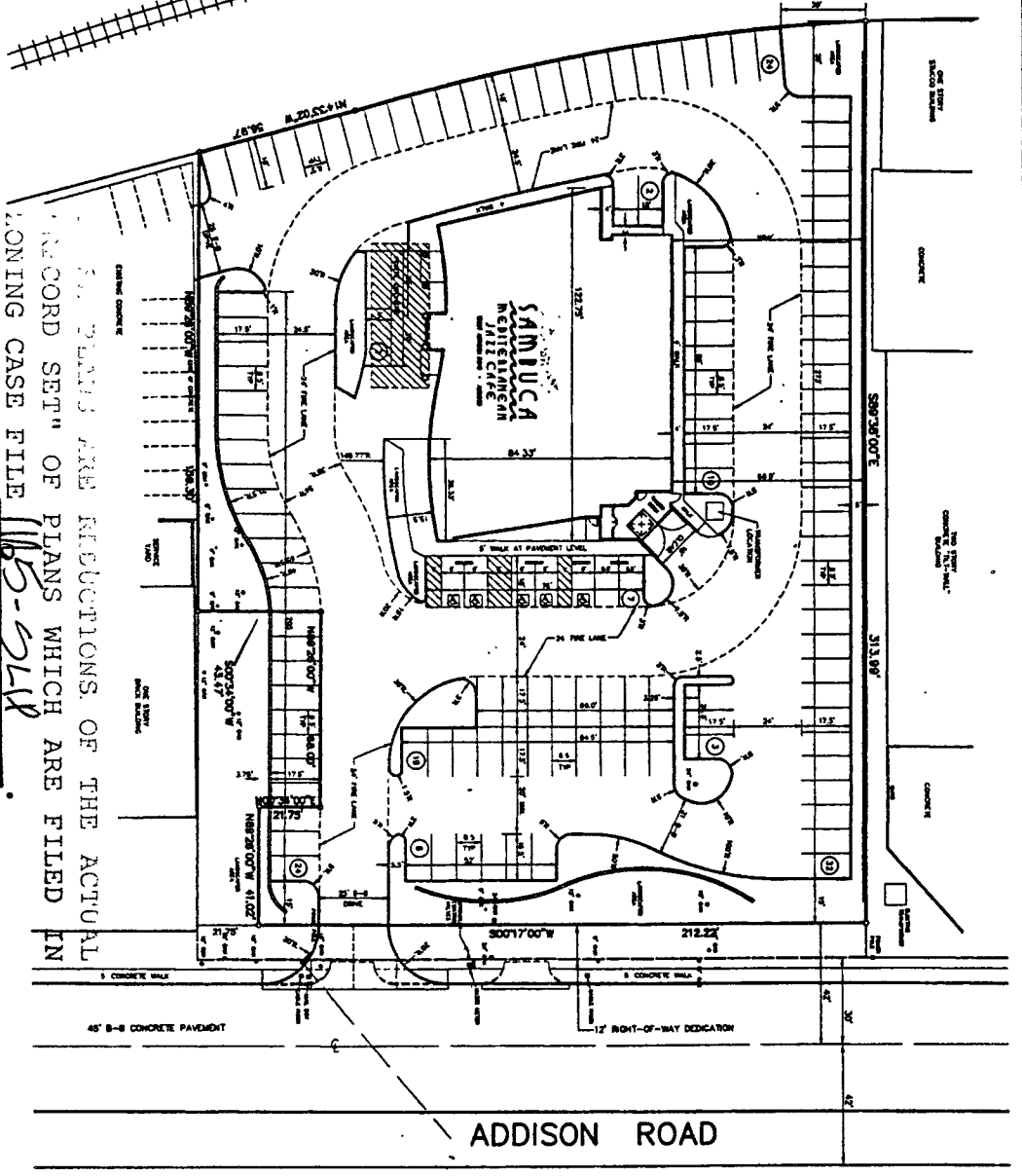
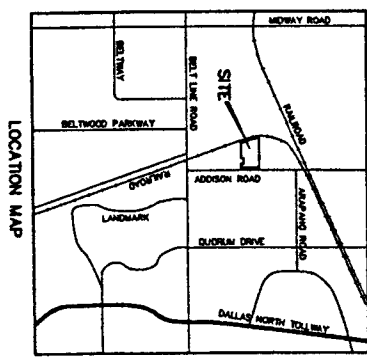


**LEGEND**

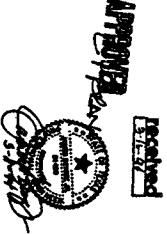
**SITE TABULATIONS**

LOT AREA (GROUP) 85,281 SQUARE FEET  
 BUILDING AREA 7,000 SQUARE FEET  
 ENCLOSED BUILDING AREA 1,323 SQUARE FEET  
 PORCHES AND PATIOS

REQUIRED PARKING  
 (SEE CITY OF DALLAS, TEXAS, LATEST EDITION, AND ANY SPECIAL PROVISIONS THEREIN)  
 121 SPACES



**ADDISON ROAD**



**APPROVED**

**Accepted**

**SEAL**

**DATE:** MARCH 11, 1984

**SCALE:** 1" = 20'

**DRAWN BY:** SAS (A-20)

**CHECKED BY:** DJJ

**DATE:** 3/11/84

**C117**

**PROJECT: SAMBUCA II RESTAURANT**

**OWNER:**  
 SAMBUCA GROUP  
 18333 N. PRESTON ROAD SUITE 215  
 DALLAS, TEXAS 75252  
 PHONE: (214)931-3440

**SAMBUCA**  
 MEDITERRANEAN  
 JAZZ CAFE

1984 APR 11 10:00 AM

**PREPARED BY:**  
**DEWEY & ASSOCIATES**  
 ENGINEERING, SURVEYING  
 LAND PLANNING, CAD DESIGN

**D & A**

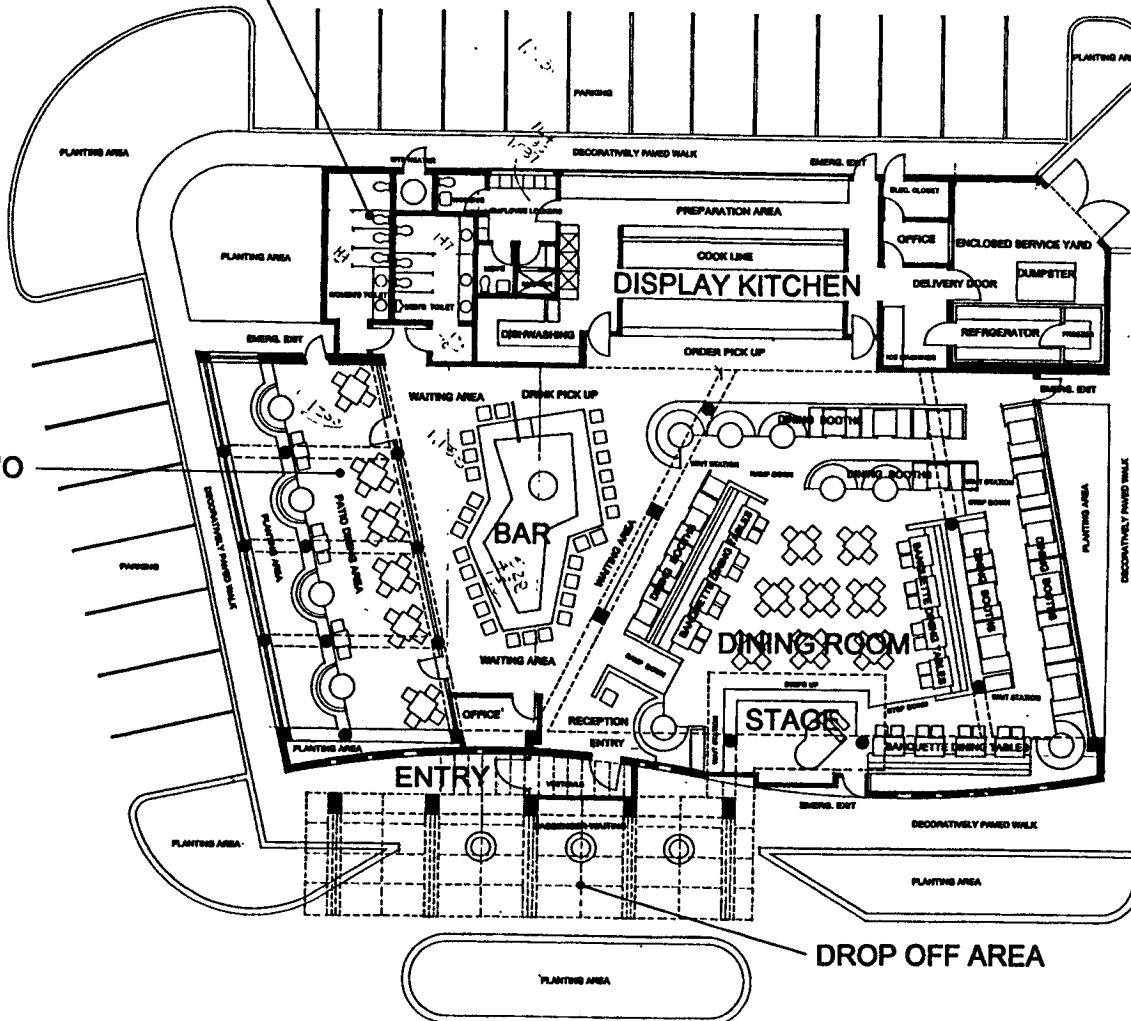
2500 TEXAS DRIVE, SUITE 110 • IRVING, TEXAS 75062 • 214/255-1301

NO.	DATE	REVISIONS

PUBLIC RESTROOMS

Plan 1, 2, 3, 4  
 1, 2, 3, 4  
 1, 2, 3, 4  
 1, 2, 3, 4  
 1, 2, 3, 4

PATIO



FLOOR PLAN  
 SCALE 1/4" = 1'-0"



APPROVED

THESE PLANS ARE REDUCTIONS OF THE ACTUAL  
 RECORD SETS OF PLANS WHICH ARE FILED IN  
 WORKING CASE FILE 1165-54P.

094-005

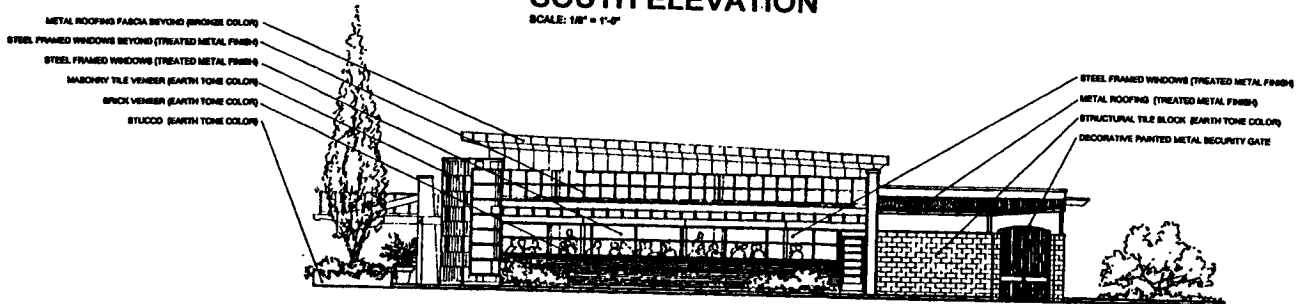
PALM ORE STUDIO WILLIAM JACK PRIMORE, ARCHITECT 84 S. BALMER DRIVE, DALLAS, TEXAS 75208 TELEPHONE 9 214 - 946 - 6329 FAX 9 214 - 946 - 6328	
OWNER: SAMPACK INTERIORS, INC. 1001 WEST 7TH STREET SUITE 211 DALLAS, TEXAS 75208 MR. HOLLY PORTER ZLEKST588E	OWNER'S REP: TELEPHONE #
PROJECT TITLE: SAMPACK INTERIORS, INC. 1001 WEST 7TH STREET SUITE 211 DALLAS, TEXAS 75208 MR. HOLLY PORTER ZLEKST588E	JOB NUMBER: 8228ABADD
SHEET NUMBER: 2 OF 4 SHEETS	Date of Printing: NOVEMBER 16, 1993





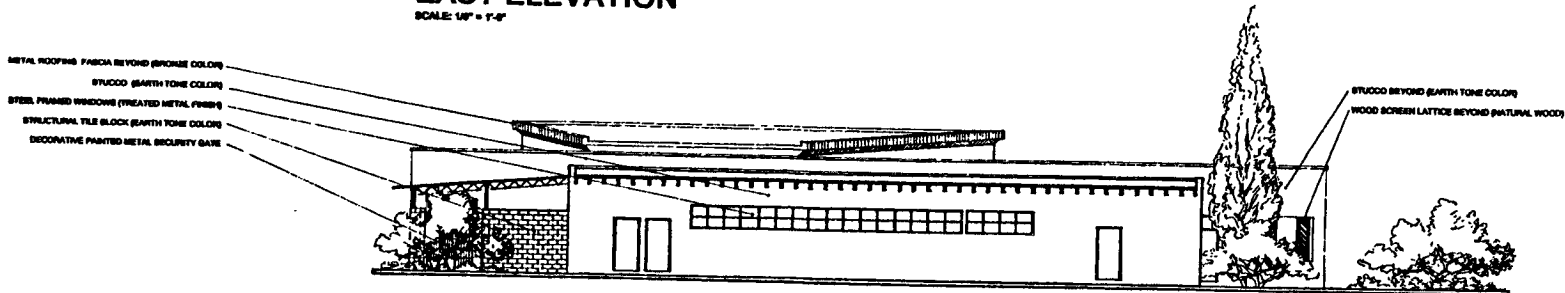
**SOUTH ELEVATION**

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



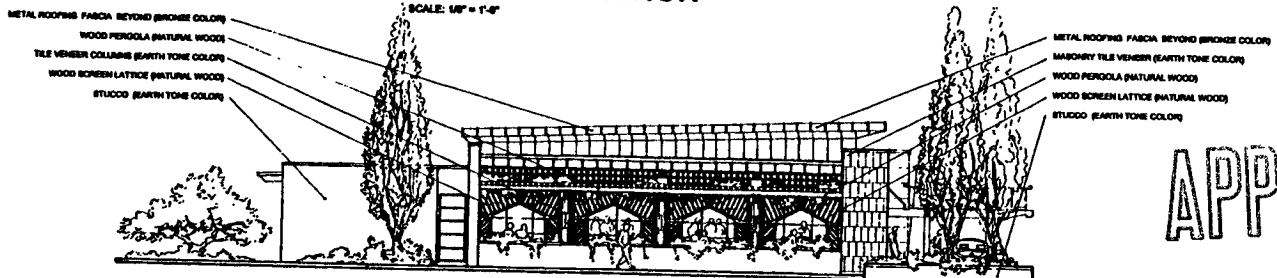
**EAST ELEVATION**

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



**NORTH ELEVATION**

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



**WEST ELEVATION**

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

**APPROVED**

THESE PLANS ARE REDUCTIONS OF THE ACTUAL "RECORD SET" OF PLANS WHICH ARE FILED IN ZONING CASE FILE 1165-54P.

094-005

<b>PALMORE STUDIO</b> William Jack Palmore, Architect 854 Salmon Drive, Dallas, Texas 75208 TELEPHONE 8 214 - 946 - 0328, FAX 8 214 - 946 - 0326	
BARBARA M. MCKEE TEXAS ARCHITECT LICENSE NO. 10112 DALLAS, TEXAS 75204 817 741-1515 214-241-1511	OWNER:  OWNERS REP: TELEPHONE #
PROJECT TITLE: PROJECT LOCATION:	GABRIELA MEXICAN RESTAURANT JAZZ CAFE 13027 JACKSON BOULEVARD ADDROCK, TEXAS
JOB NUMBER:	9328AMBADO
SHEET NUMBER:	<b>3</b>
OF 4 SHEETS	
Date of Printing:	NOVEMBER 18, 1993