

ORDINANCE NO. 094-039

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 EXPRESS FOODS INVESTORS, LOCATED AT 4103 BELT LINE 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:

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

BEING a tract of land situated in the David Myers Survey, Abstract No. 923, in the City of Addison, Dallas County, Texas, and being all of the land conveyed to A/FC Properties, Ltd. by deed recorded in Volume 93191, Page 1671, and also being all of Duncan's Addition, an Addition to the City of Addison according to the Map thereof as recorded in Volume 79056, Page 1912, of Deed Records, Dallas County, Texas, said tract of land being more particularly described as follows:

BEGINNING at a "X" cut set in concrete sidewalk for corner at the intersection of the North line of Belt Line Road, (a 100 foot right-of-way) with the East line of Runyon Road, (a 60-foot right-of-way), point also being the Southwest corner of said Duncan's Addition;

THENCE North 00°08'05" East, with the South line of said Centurion Drive, a distance of 398.75 feet to a 1/2 inch iron rod with yellow plastic cap stamped "A. Halff" found for corner, said point being the Northwest corner of Lot 3 of Surveyor Addition in Addison West Industrial Park, an Addition to the City of Addison according to the Map thereof recorded in Volume 77173, Page 0135, of said Deed Records;

THENCE South 89°51'55" East, with the South line of said Centurion Drive, a distance of 68.00' to a point for corner;

THENCE South 00°08'05" West, a distance of 173.80' to a 1/2" iron rod set for corner;

THENCE South 89°51'55" East a distance of 140.32 feet to a 1/2" iron rod set for corner;

THENCE South 00°08'05" a distance of 97.60' to a 1/2" iron rod set for corner;

THENCE South 89°51'55" East a distance of 26.30' to a 1/2" iron rod set for corner;

THENCE South 00°08'05" West a distance 78.60' to a 1/2" iron rod set for corner;

THENCE North 89°51'55" West a distance of 234.62' to the Point of Beginning and containing 50,591 square feet or 1.161 acres 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 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 7,600 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.

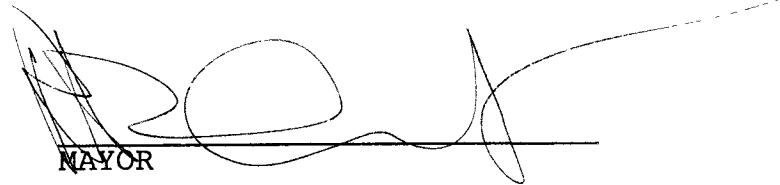
8. Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
9. That if the property for which the special use permit is granted and is not used for the 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 "Bar" in any exterior signs.
12. All refuse containers, including grease barrels and recycling containers, shall be stored in the dumpster enclosure.
13. If any new mechanical equipment is added to the roof, that equipment shall be screened with a sight-barring screen or parapet wall that completely screens the equipment from view. The screening material shall be architecturally compatible to the building, and the determination of "architecturally compatible" shall be made by the Building Official.
14. If the patio addition is covered, then the applicant shall install a sprinkler system in the entire restaurant because the new patio addition will add more than a ten (10) percent increase in the size of the building.

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 Ordinance 088-029 and Ordinance 083-011 shall be specifically 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 ADDISON, TEXAS, on this the 14th day of June, 1994.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 751-SUP-2

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

Published
1/5/95



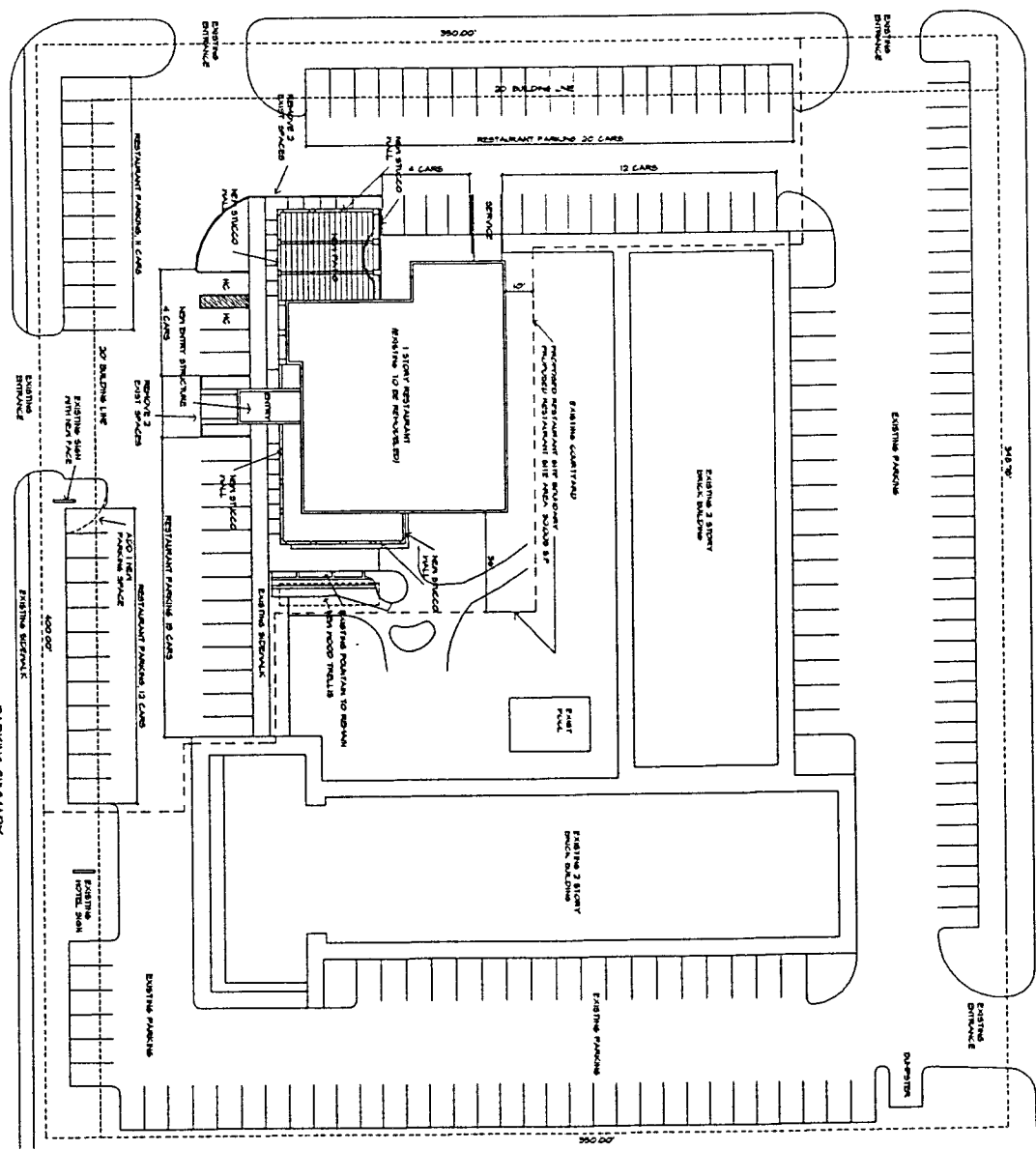
SITE PLAN



BELTLINE ROAD

BUNTON ROAD

GERMAIN DRIVE



PARKING SUMMARY

RESTAURANT AREA
 1500 SF
 15 CARS (INCLUDES 3 HOV)

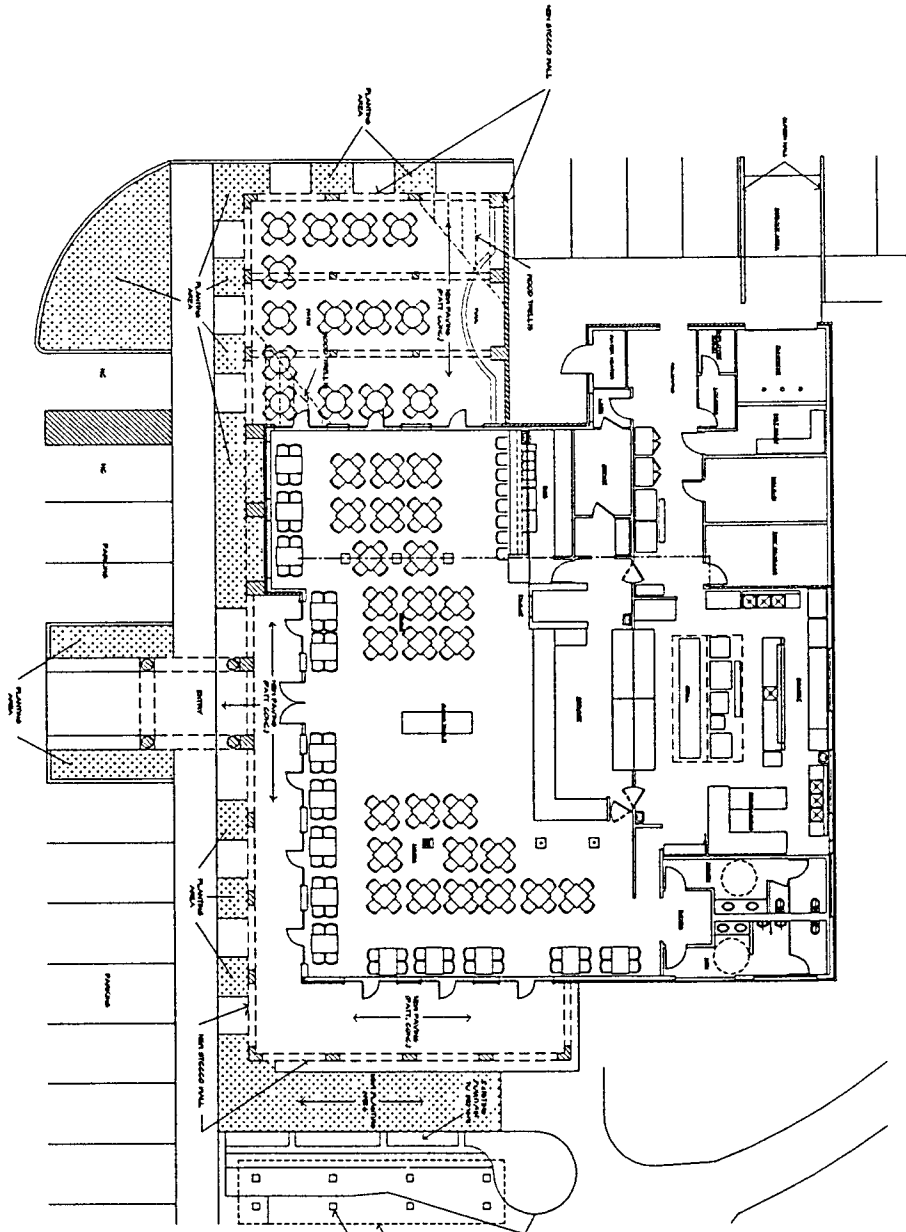
EXISTING HOTEL SIDEWALK
 400 SF
 4 CARS

TOTAL SITE 3.20M ACRES
 400' AND 400' BELTLINE ROAD
 PAVED WITH ASPHALT
 SURFACE TO 4.5'

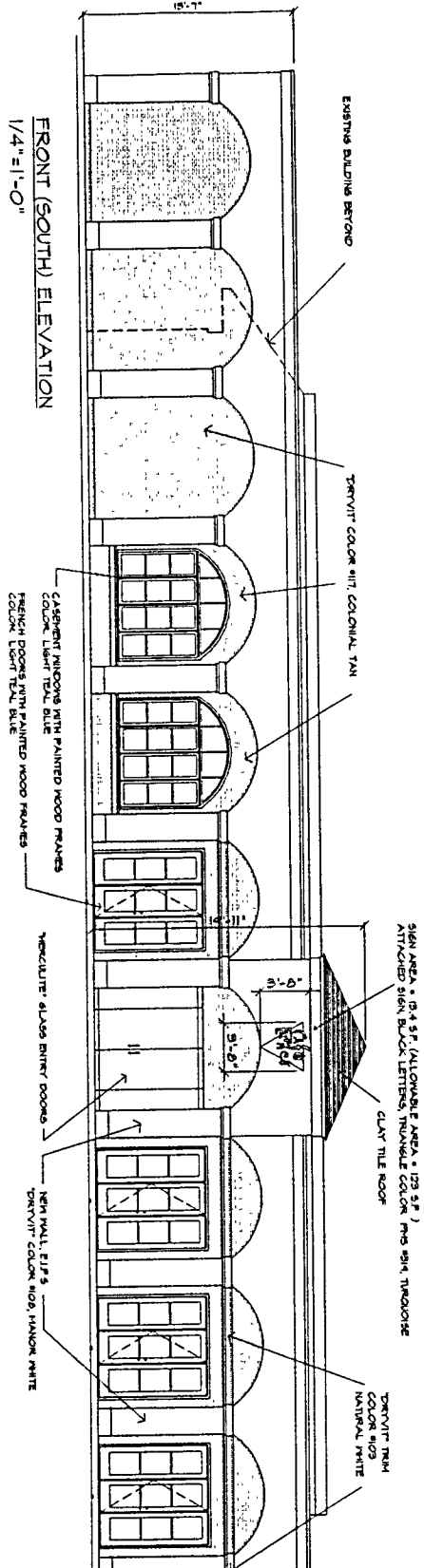
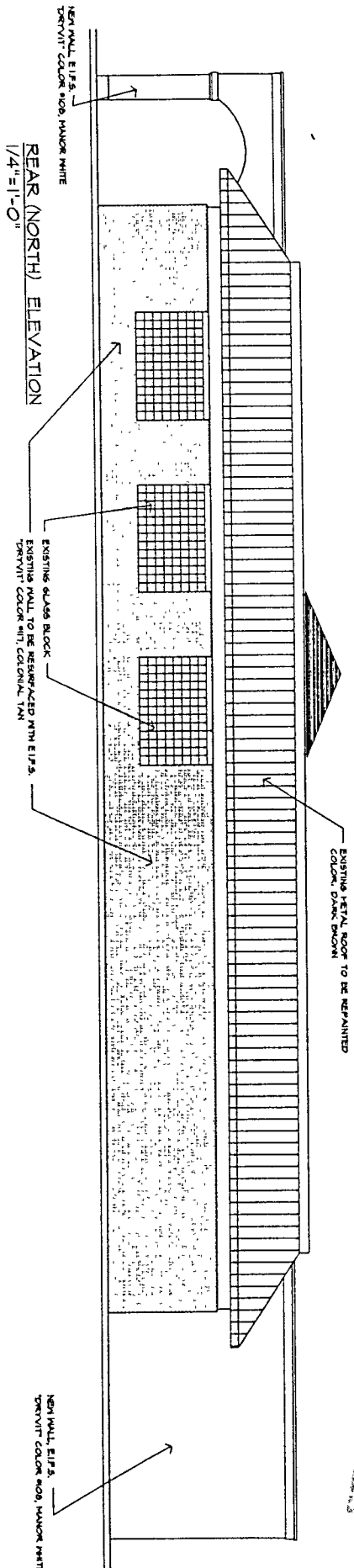
THESE PLANS ARE REDUCTIONS OF THE ACTUAL
 "RECORD SET" OF PLANS WHICH ARE FILED IN
 ZONING CASE FILE 791-SUP-2.

FLOOR PLAN

AREA	6,600 SF
RESTAURANT	1,000 SF
PATIO	144
SEATING	9
RESTAURANT	26
PATIO	228
TOTAL	



751-54P-2

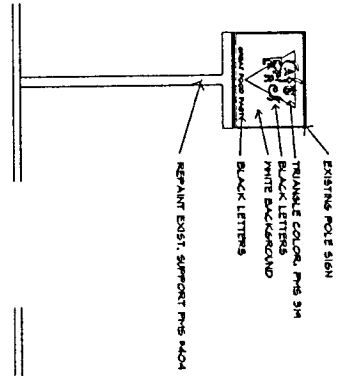


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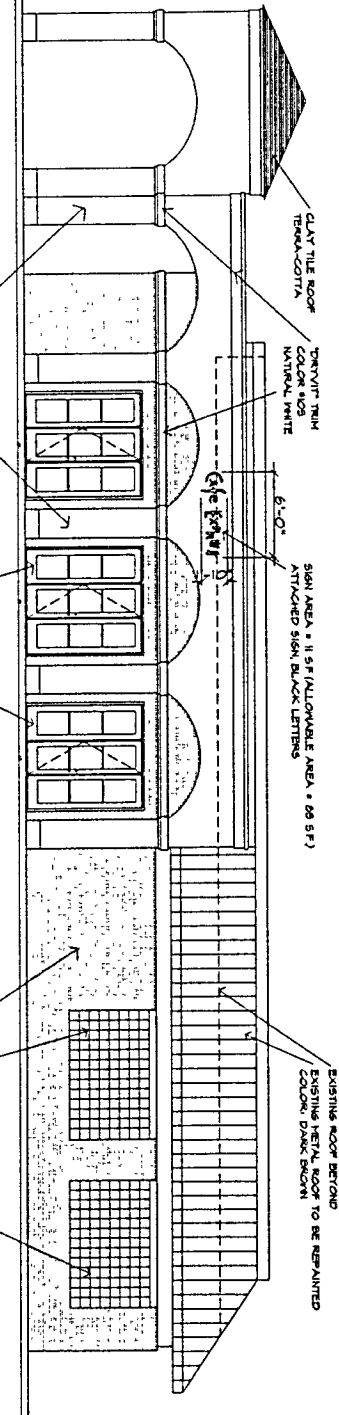
A-3 MILTON ARCHITECTS
784-3355

CAFE EXPRESS
4103 BELTLINE ROAD, ADDISON

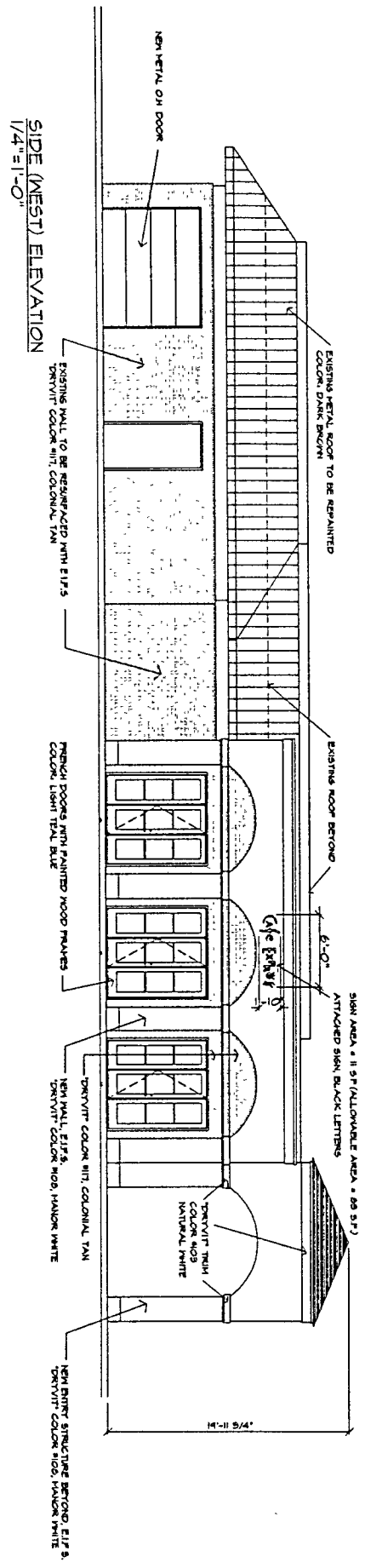
751-SUP-2



FREE-STANDING SIGN
1/4" = 1'-0"



SIDE (EAST) ELEVATION
1/4" = 1'-0"



SIDE (WEST) ELEVATION
1/4" = 1'-0"

PLAN NOTES

GENERAL NOTES

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE SPECIFICATIONS AND THE CITY OF ADDISON ZONING ORDINANCE.

2. THE LANDSCAPE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ADDISON.

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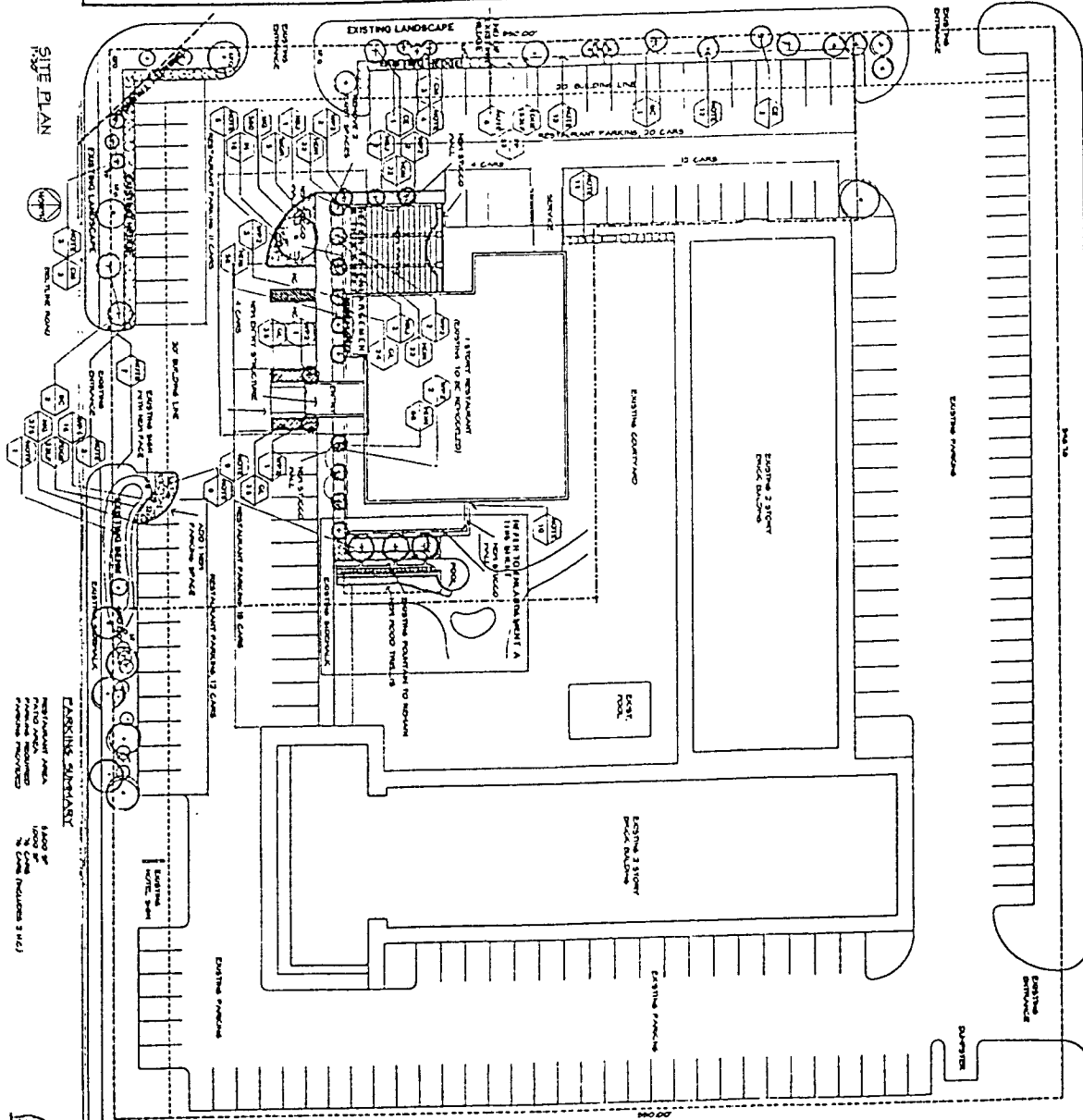
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REVISION 01/15/2015
 RECORD PLAN OF PLANTING AND LANDSCAPE
 ZONING CASE FILE 151-54P-2
 COMMON DRIVE

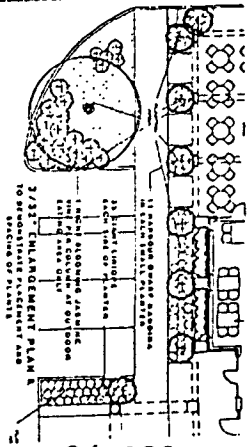
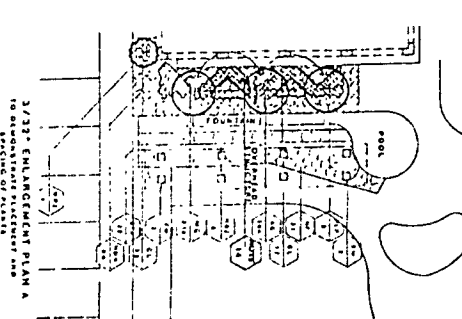
PARKING SURVEY
 1400 sq ft
 20' Clear Height
 20' Clear Height
 20' Clear Height



LANDSCAPE PLAN
 ARNSTROM-BERGIC, INC.
 1515 W. BELTLINE ROAD, SUITE 100, ADDISON, TX 75001
 TEL: 784-3355
 FAX: 784-3356
 WWW.ARNSTROMBERGIC.COM

PLANT LIST

NO.	PLANT NAME	QUANTITY	NOTES
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MILTON ARCHITECTS
 784-3355

CAFE EXPRESS
 4103 BELTLINE ROAD, ADDISON