ORDINANCE NO. 094-087

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 085-098 BY AMENDING THE SITE PLAN, FLOOR PLAN, LANDSCAPING PLAN, AND ELEVATIONS TO PROVIDE FOR A DIFFERENT RESTAURANT TO BE BUILT ON THE SITE, ON APPLICATION WITH LOUISE'S TRATTORIA, LOCATED ON ONE ACRE AT THE SOUTHWEST CORNER OF THE INTERSECTION OF BELT LINE ROAD AND BELTWOOD PARKWAY; PROVIDING FOR SPECIAL CONDITION; PROVIDING FOR A 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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 094-087

- SECTION 1. That Ordinance No. 085-098 passed by the City Council on the 10th day of December 1985, is hereby amended by amending Section #2, Paragraph #1 to read as follows:
 - 1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan, landscape plan, and the elevation drawings showing four exterior walls, which are attached hereto and made a part hereof for all purposes.
- SECTION 2. That Ordinance No. 085-098 passed by the City Council on the 10th day of December 1985, is hereby amended by amending Section #2, Paragraph #2 to read as follows:
 - 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 being outlined in red and encompassing a total area not to exceed 5,808 square feet.
- SECTION 3. That Ordinance No. 085-098 passed by the City Council on the 10th day of December 1985, is hereby amended by amending Section #2 to add the following paragraphs:
 - 12. Prior to the issuance of a building permit, the applicant shall submit, for approval, a revised landscaping plan, which complies with the recommendations made by the Parks Department. Landscaping shall be installed in accordance with the approved plan.
 - 13. The plans shall be revised to indicate that the dumpster enclosure will be constructed of the same brick as the restaurant, and that sight-barring doors will be used on the enclosure. The enclosure shall be large enough to hold all refuse containers, including grease barrels and recycling containers.

- 14. The applicant shall screen all mechanical equipment on the roof of the building 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.
- 15. The applicant shall submit a revised site plan which complies with the recommendations listed by the Public Works Department.

SECTION 4. 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.

SECTION 5. 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 6. 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 13th day of December, 1994.

MAYOR

ATTEST:

CITY SECRETARY

CASE NO. 942-SUP-1

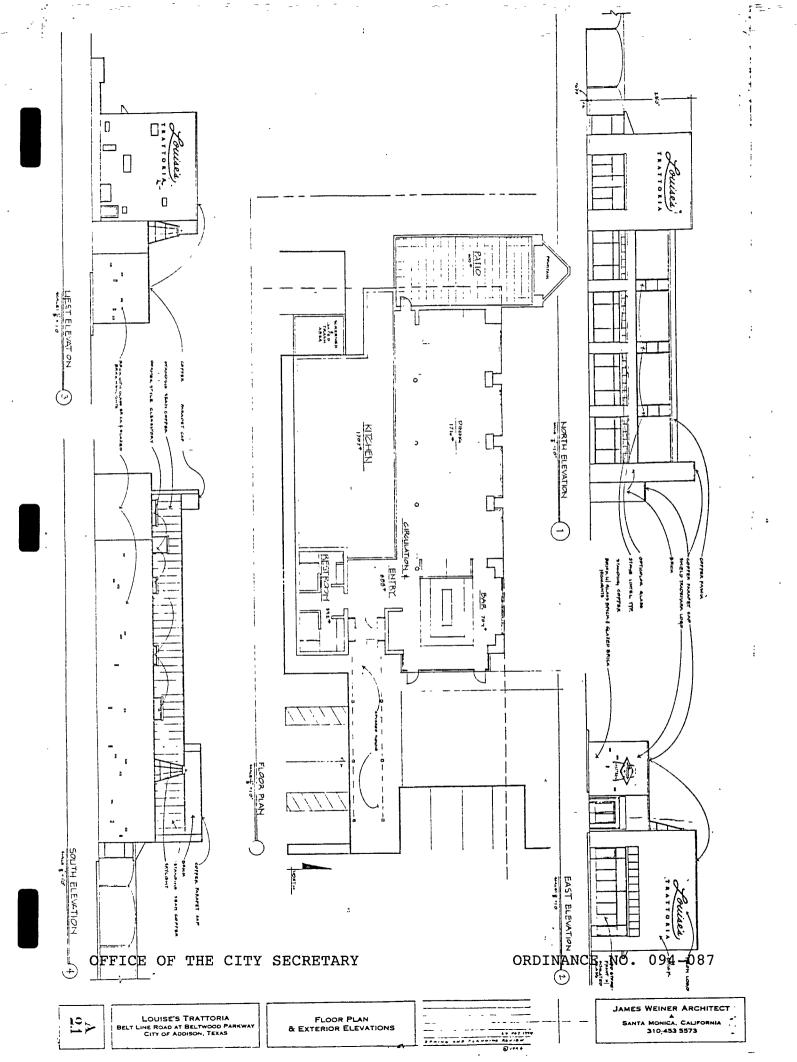
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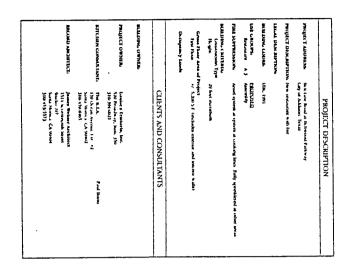
DIRECTOR OF DEVELOPMENT SERVICES

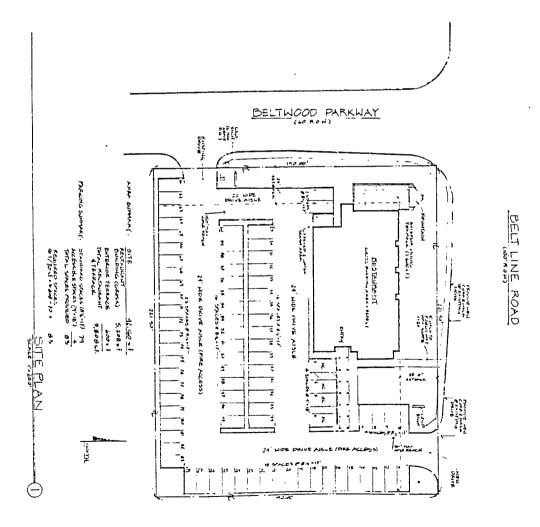
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OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 094-087

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LOUISE'S TRATTORIA BELT LINE ROAD AT BELTWOOD PARKWAY CITY OF ADDISON, TEXAS

SITE PLAN & PROJECT INFORMATION Farmed - with Never and to

JAMES WEINER ARCHITECT

SANTA MONICA CALIFORNIA
310 453 5573

