

ORDINANCE NO. 095-062

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 430 BY AMENDING THE SITE PLAN, FLOOR PLAN AND ELEVATIONS; ON APPLICATION WITH THEY FLYING SAUCER, LOCATED AT 14999 MONTFORT DRIVE; PROVIDING FOR SPECIAL CONDITIONS; 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:

SECTION 1. That Ordinance No. 430 passed by the City Council on the 12th day of September 1978, 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 revised site plan, floor plan and elevations, which are attached hereto and made a part hereof for all purposes.

and it is further amended by amending Section #2, Paragraph #2 to read as follows:

2. That the Special Use Permit granted herein shall be limited to the sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the floor plan attached hereto and encompassing 6,633 square feet.

and it is further amended by adding the following new paragraphs, new paragraphs 10, 11, 12, 13, and 14, which shall read as follows:

10. Prior to construction of the exterior patios shown on the plan, the site must be reconfigured to provide sufficient parking at a ratio of one space/70 square feet.

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

12. A revised landscaping plan shall be submitted for approval prior to the issuance of a building permit that shows the following:

- Total landscape area versus gross site area,
- Upgrades to the street frontages that comply with the landscape ordinance,
- Existing landscaping proposed to remain, as well as new landscaping,
- A detailed irrigation plan.

13. Any additional mechanical equipment added to the building shall be screened with a material that is "architecturally compatible" to the building, and the determination of "architecturally compatible" shall be made by the Building Official.

14. French doors shall be substituted for the roll-up garage doors shown on the elevations.

SECTION 2. 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 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 12th day of December, 1995.

  
MAYOR

ATTEST:

  
CITY SECRETARY

CASE NO. 1242-SUP

APPROVED AS TO FORM:

  
DIRECTOR OF DEVELOPMENT SERVICES

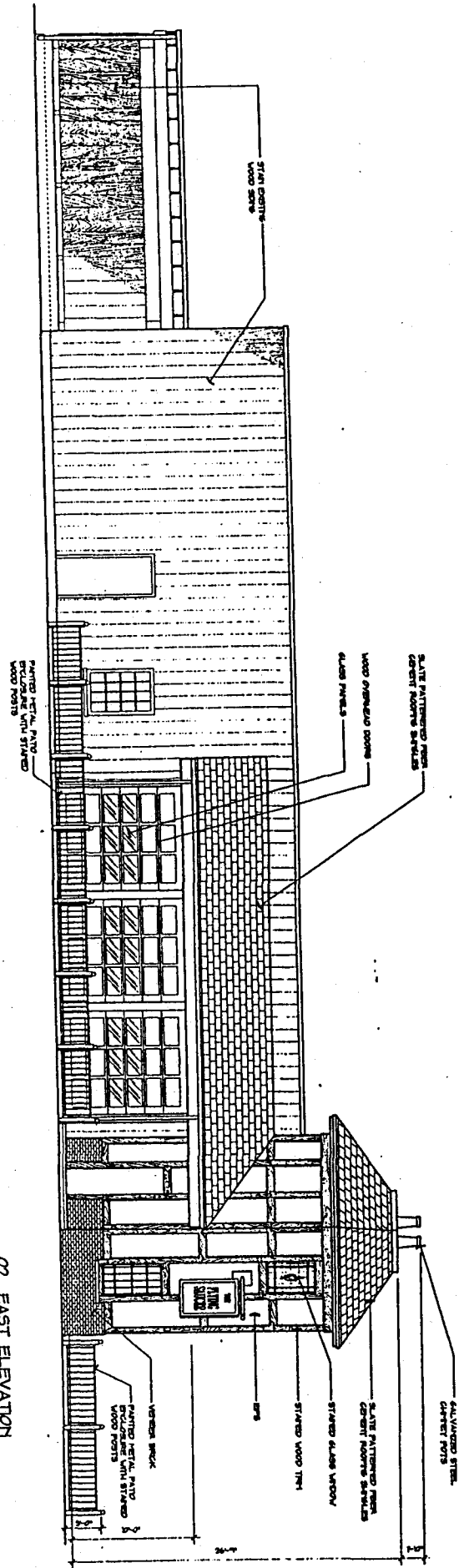
OFFICE OF THE CITY SECRETARY

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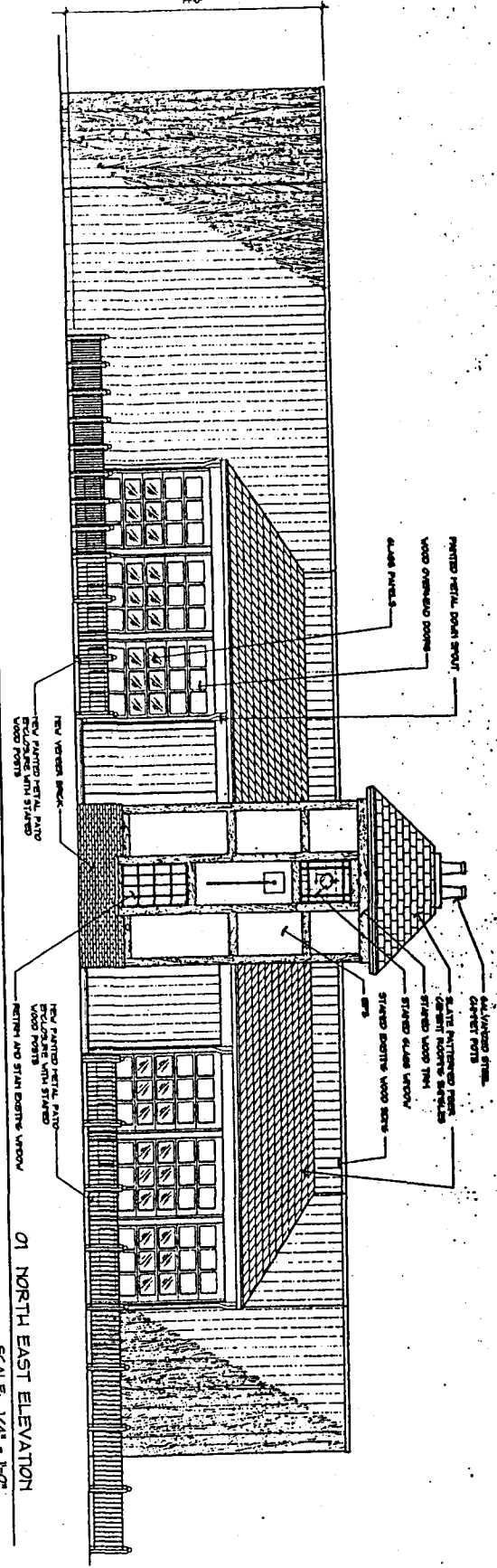
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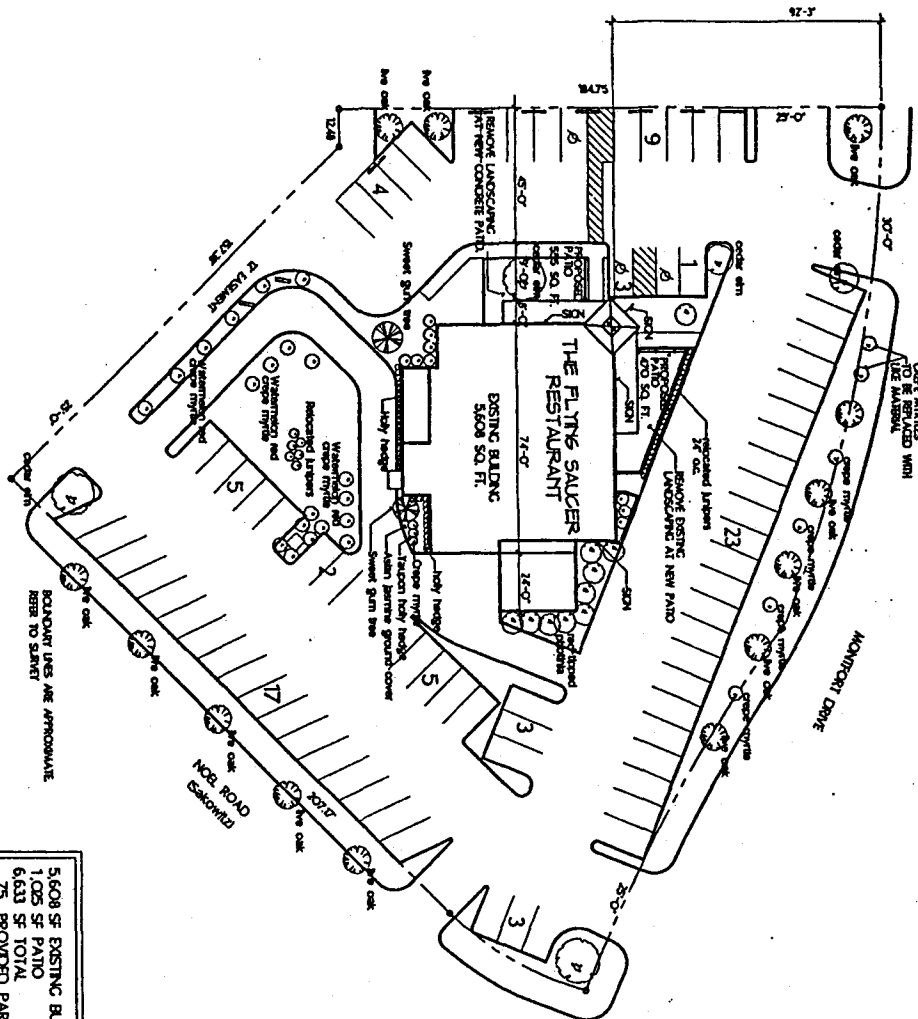




02 EAST ELEVATION  
SCALE 1/4" = 1'-0"



01 NORTH EAST ELEVATION  
SCALE 1/4" = 1'-0"



|                           |
|---------------------------|
| 5608 SF EXISTING BUILDING |
| 1,026 SF PAVED            |
| 6,633 SF TOTAL            |
| 75 PROVIDED PARKING TOTAL |
| 3 HC PROVIDED             |

SITE PLAYLANDSCAPING PLAN

SCALE: 1"=20'-0"

