

**ORDINANCE NO. 097-001**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 092-063 BY AMENDING THE SITE PLAN TO PROVIDE FOR REVISED BUILDING ELEVATIONS, ON APPLICATION WITH FOGO DE CHAO CHURRASCARIA, LTD. LOCATED AT 4300 BELT LINE ROAD; 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. 092-063 passed by the City Council on the 22nd day of September, 1992, is hereby amended by amending Section 2 to read as follows:

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 revised 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 8,344 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 canceled 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 signage.

12. Any additional equipment added on the roof shall be completely screened 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.

SECTION 2. 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 3. 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 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, on this the 14th day of January, 1997.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1284-SUP

APPROVED AS TO FORM:

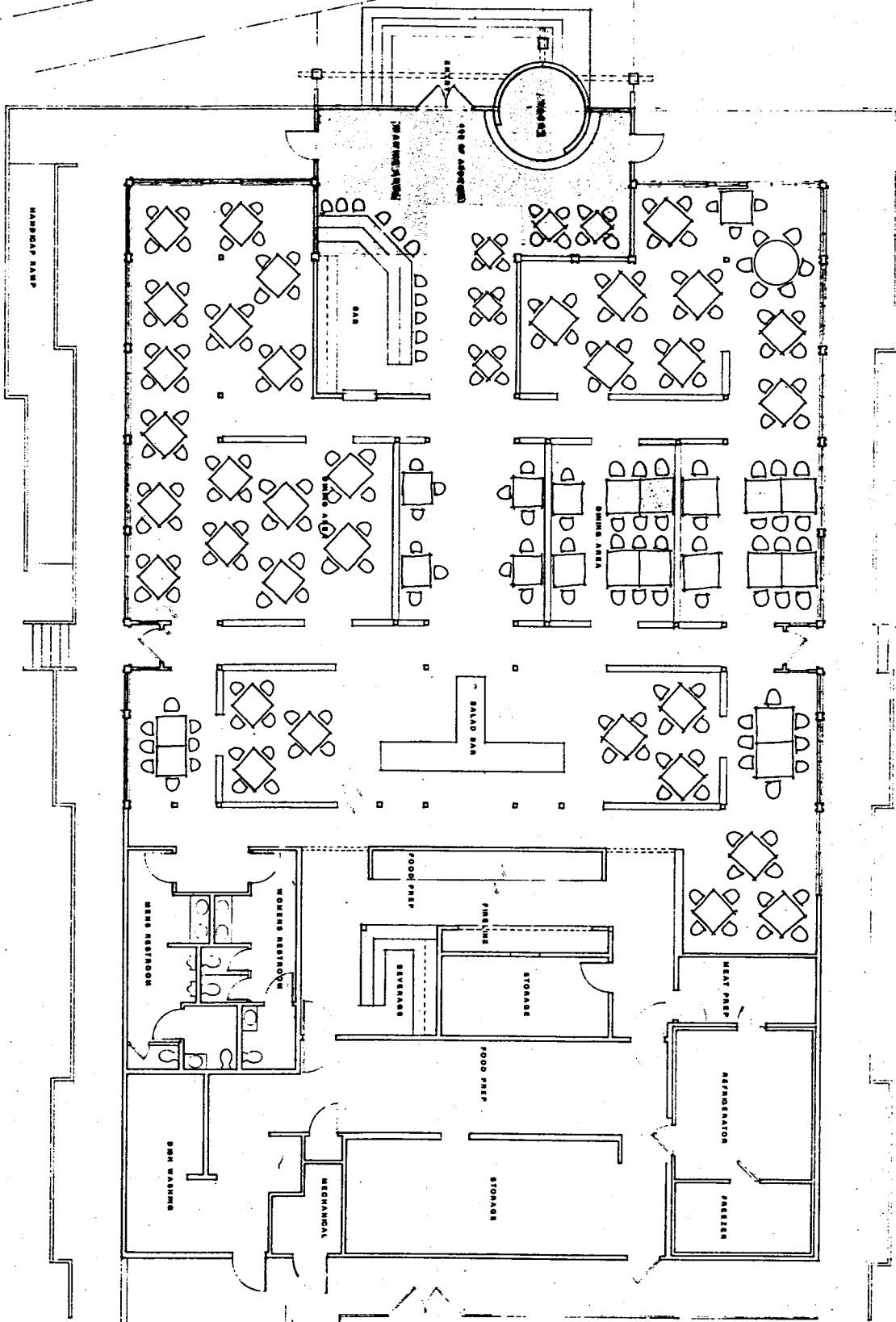


DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: 9/24/99 / 08-22-97  
OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 097-001

FLOOR PLAN



OFFICE OF THE CITY SECRETARY

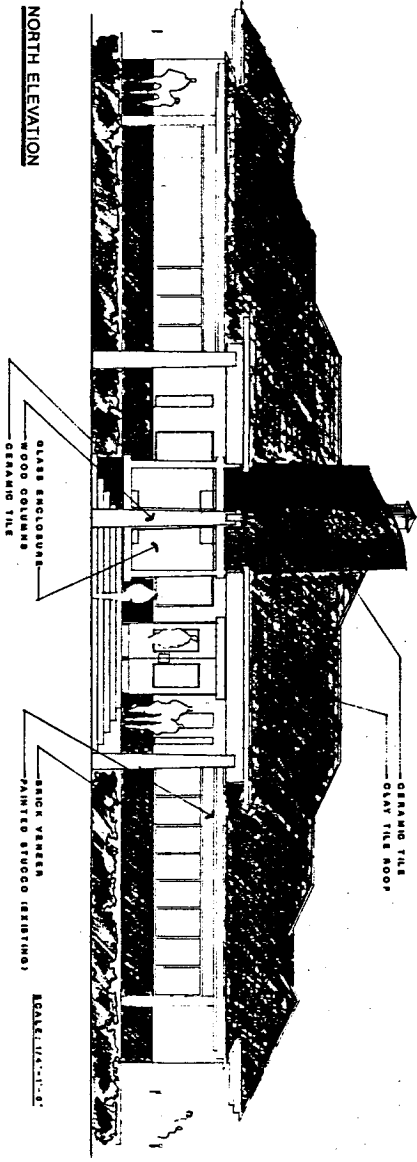
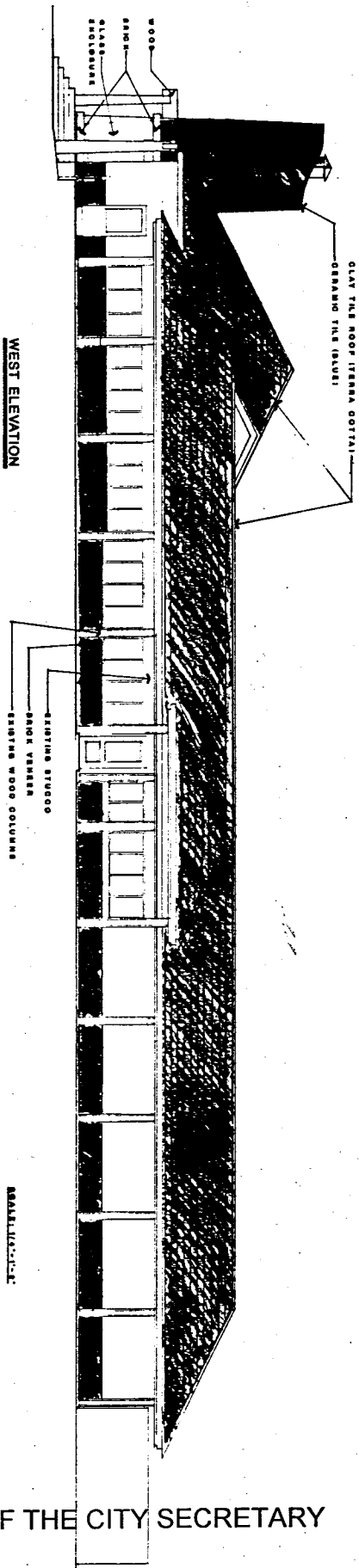
ORDINANCE NO. 097-00

Camargo Copelan  
Arhitec

1140 Date 2/23/03  
V12.281.000

FOGO de CHAO RESTAURANT

Project No. 048.01  
 Date Issued 12/03/03  
 Drawn By: REB  
 Checked By: REB  
 Scale: 1/8" = 1'-0"



OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 097-001

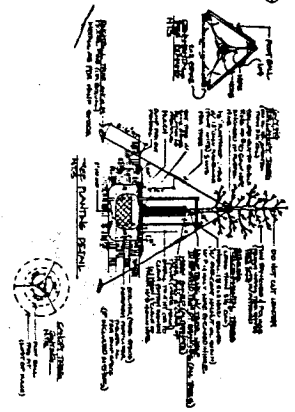
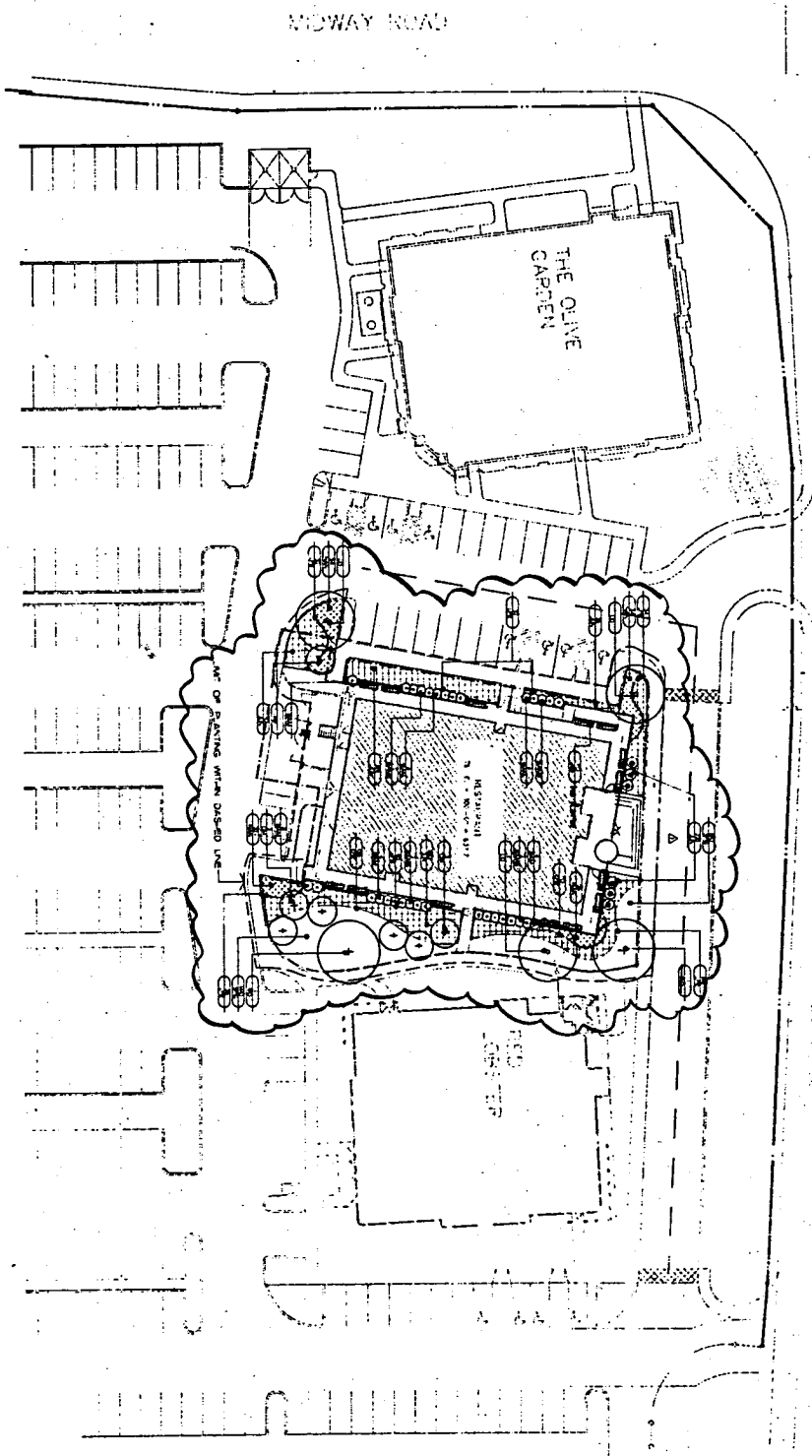
Camargo Copelard  
Architect

11400 East 2nd  
Denver, CO 80231  
303.751.1800

FOGO de CHAO RESTAURANT

Project No.	
Sheet No.	A2
Scale	
Date	
Author	
Checker	
Approver	

LANDSCAPE PLAN  
 1" = 30'-0"



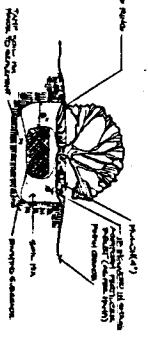
### SPECIFICATIONS

1. All plants shall be supplied by the contractor and shall be of the quality and quantity specified in the schedule of plants.
2. All plants shall be supplied in the form of a bare root or containerized plant.
3. All plants shall be supplied with a minimum of 10% extra to allow for loss during transport and installation.
4. All plants shall be supplied with a minimum of 10% extra to allow for loss during transport and installation.
5. All plants shall be supplied with a minimum of 10% extra to allow for loss during transport and installation.
6. All plants shall be supplied with a minimum of 10% extra to allow for loss during transport and installation.
7. All plants shall be supplied with a minimum of 10% extra to allow for loss during transport and installation.
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9. All plants shall be supplied with a minimum of 10% extra to allow for loss during transport and installation.
10. All plants shall be supplied with a minimum of 10% extra to allow for loss during transport and installation.

### PLANT LIST

NO.	PLANT NAME	QUANTITY	PLANT SIZE	PLANT TYPE
1	...	...	...	...
2	...	...	...	...
3	...	...	...	...
4	...	...	...	...
5	...	...	...	...
6	...	...	...	...
7	...	...	...	...
8	...	...	...	...
9	...	...	...	...
10	...	...	...	...

DATE OF PREPARATION: 11/11/11  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]



Notes:  
 1. All plants shall be supplied by the contractor and shall be of the quality and quantity specified in the schedule of plants.  
 2. All plants shall be supplied in the form of a bare root or containerized plant.  
 3. All plants shall be supplied with a minimum of 10% extra to allow for loss during transport and installation.  
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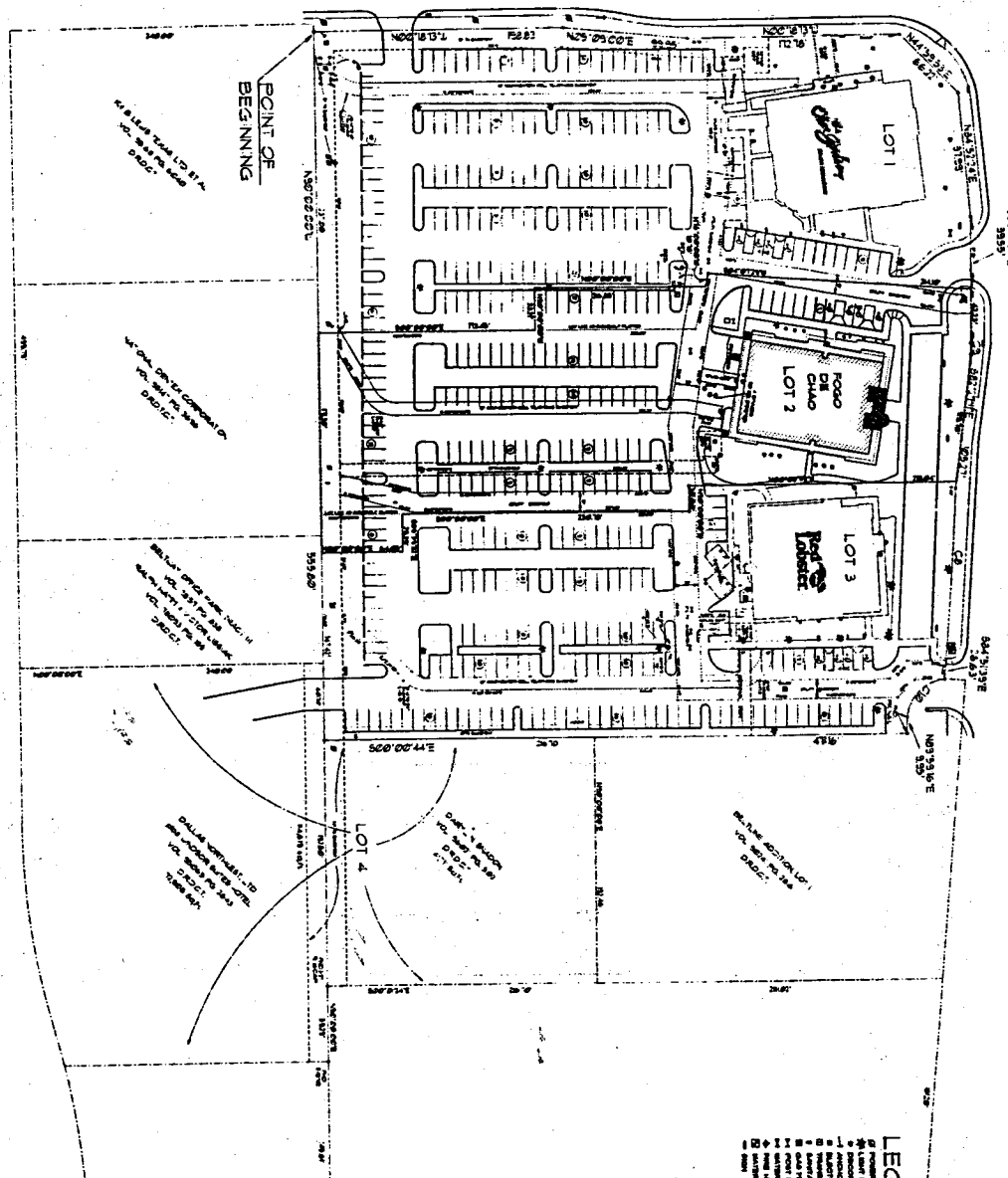
OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 097 001

BELLINE ROAD

MIDWAY ROAD

BELTWAY DRIVE



- LEGEND**
- 1. LOT
  - 2. PROPOSED BUILDING
  - 3. PROPOSED DRIVE
  - 4. PROPOSED PARKING
  - 5. PROPOSED SIDEWALK
  - 6. PROPOSED UTILITY
  - 7. PROPOSED FENCE
  - 8. PROPOSED SIGN
  - 9. PROPOSED LIGHT
  - 10. PROPOSED TREE
  - 11. PROPOSED LANDSCAPE
  - 12. PROPOSED CURB
  - 13. PROPOSED DRIVEWAY
  - 14. PROPOSED DRIVE
  - 15. PROPOSED DRIVE
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  - 49. PROPOSED DRIVE
  - 50. PROPOSED DRIVE

CONVEYANCE FROM LOT 1  
 1.00 ACRES TO 1.00 ACRES  
 1.00 ACRES TO 1.00 ACRES  
 1.00 ACRES TO 1.00 ACRES  
 TOTAL 4.00 ACRES (167,000 SQ. FT.)

CONVEYANCE FROM LOT 2  
 1.00 ACRES TO 1.00 ACRES  
 1.00 ACRES TO 1.00 ACRES  
 1.00 ACRES TO 1.00 ACRES  
 TOTAL 4.00 ACRES (167,000 SQ. FT.)

SITE PLAN



OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 097-001

CamargoCopel  
Architect

12480  
097-001  
07/23/09