

ORDINANCE NO. 097-009

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 092-049, AS PREVIOUSLY AMENDED BY ORDINANCE 095-030, BY AMENDING THE SITE PLAN TO PROVIDE FOR AN ADDITIONAL PATIO AREA, ON APPLICATION WITH OLD CHICAGO PIZZA AND PASTA, LOCATED AT 4060 BELT LINE ROAD; 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. 092-49 passed by the City Council on the 28th day of July, 1992, which was previously amended by Ordinance 095-030, passed by

the City Council on the 27th day of June, 1995, 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 and elevations, showing an exterior patio addition to the north side of the building, and which is attached hereto and 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 6,582 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. The term "bar" or any equivalent term, shall not be used on the exterior signs for the restaurant.

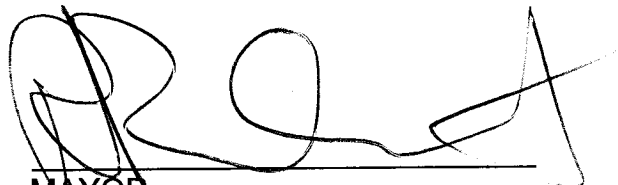
12. Any additional equipment added on the roof shall be completely screened from view. The screening material shall be architecturally compatible to the building, and the determination of "architecturally compatible" shall be made by the Building Official.

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 11th day of March, 1997.

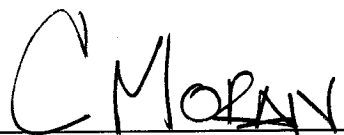

MAYOR

ATTEST:


CITY SECRETARY

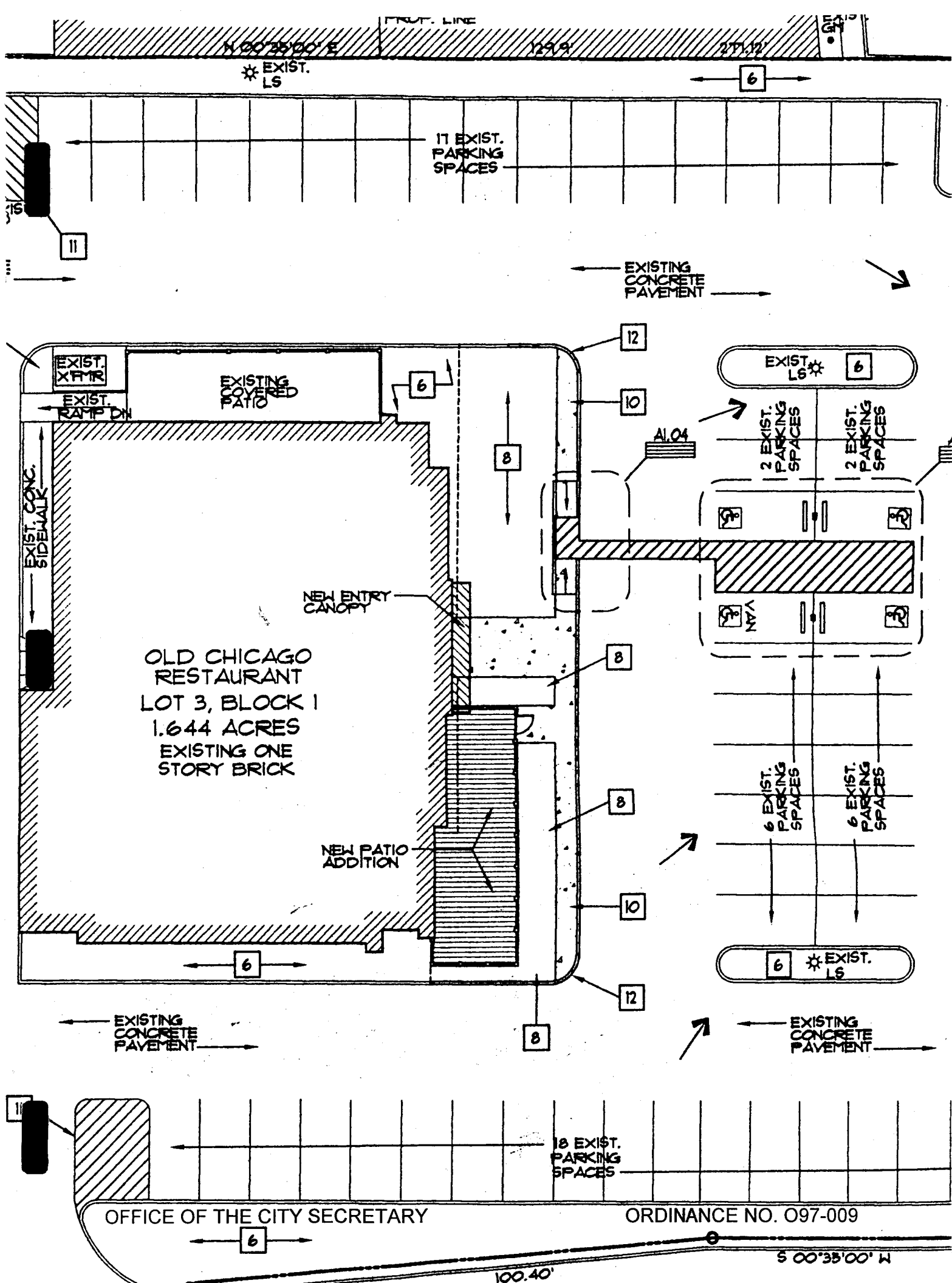
CASE NO. 1288-SUP

APPROVED AS TO FORM:


DIRECTOR OF DEVELOPMENT SERVICES

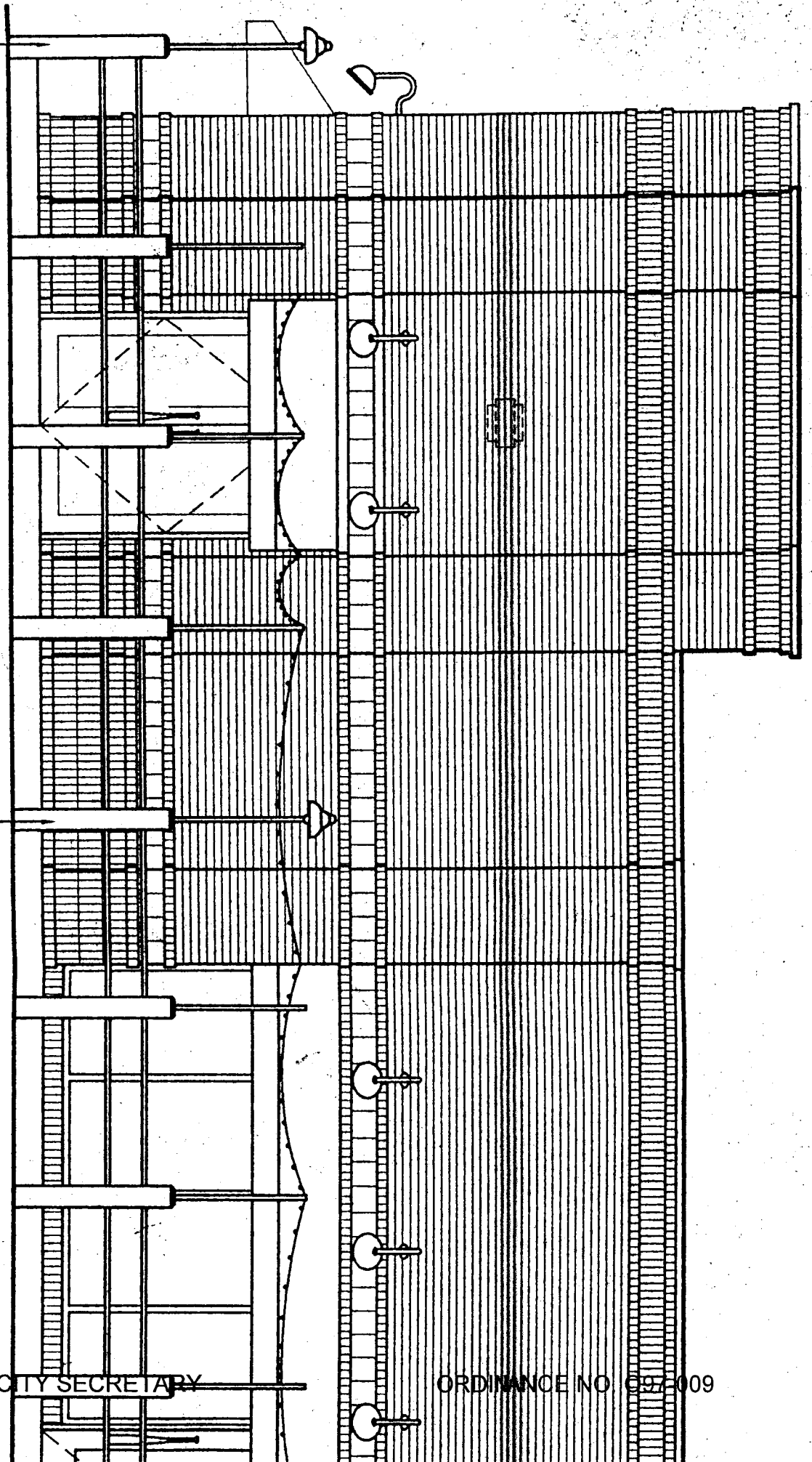
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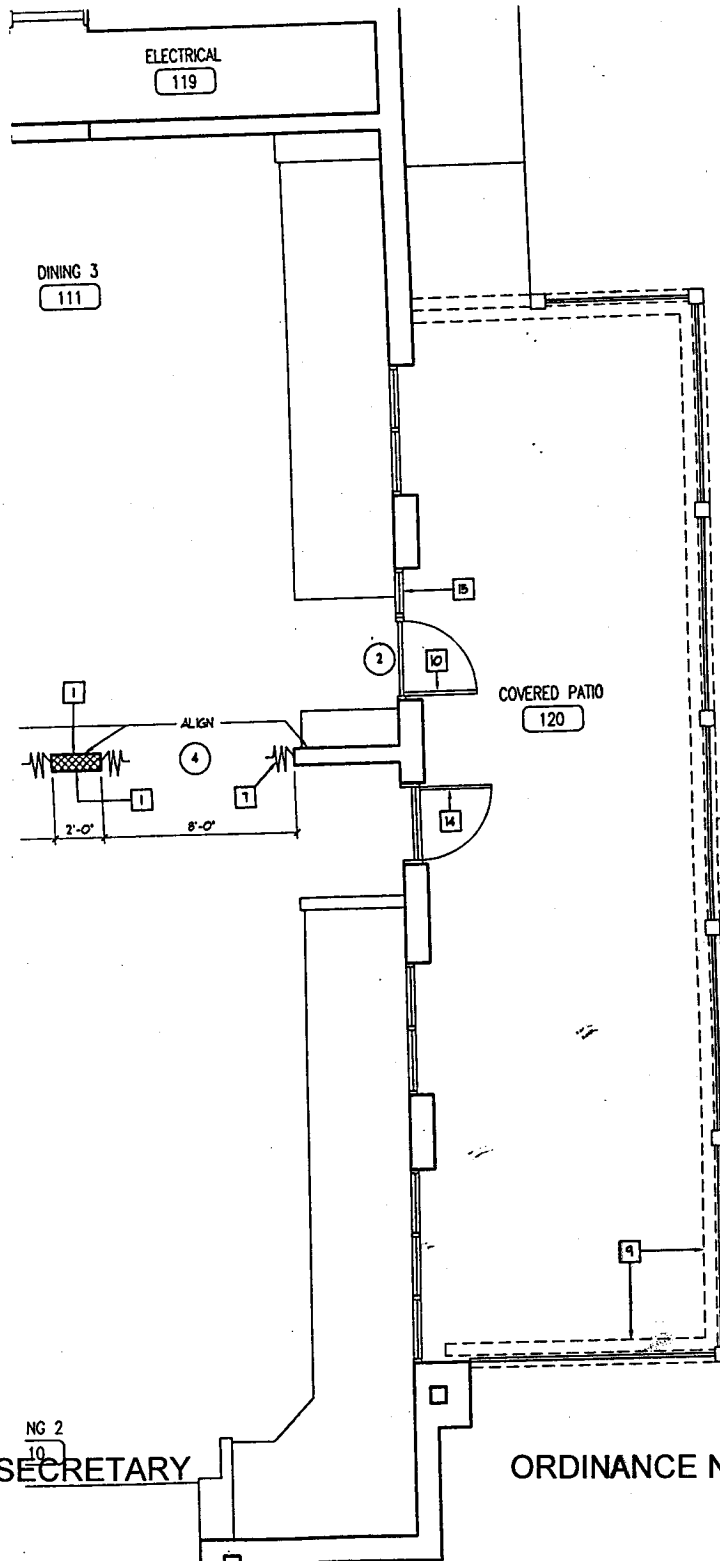
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01 NORTH ELEVATION

SCALE: 1/4" = 1'-0"



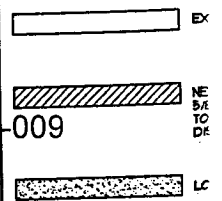


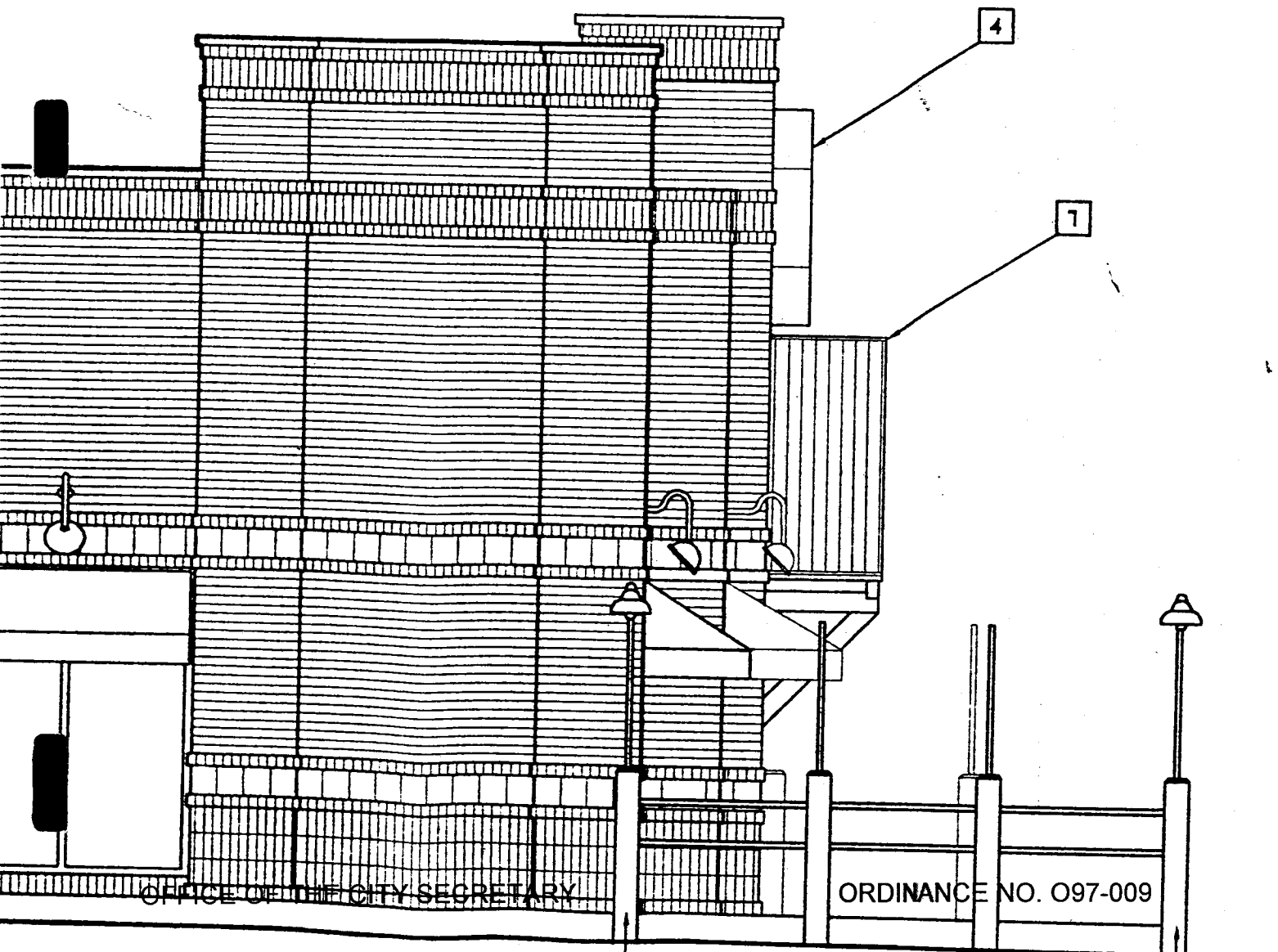
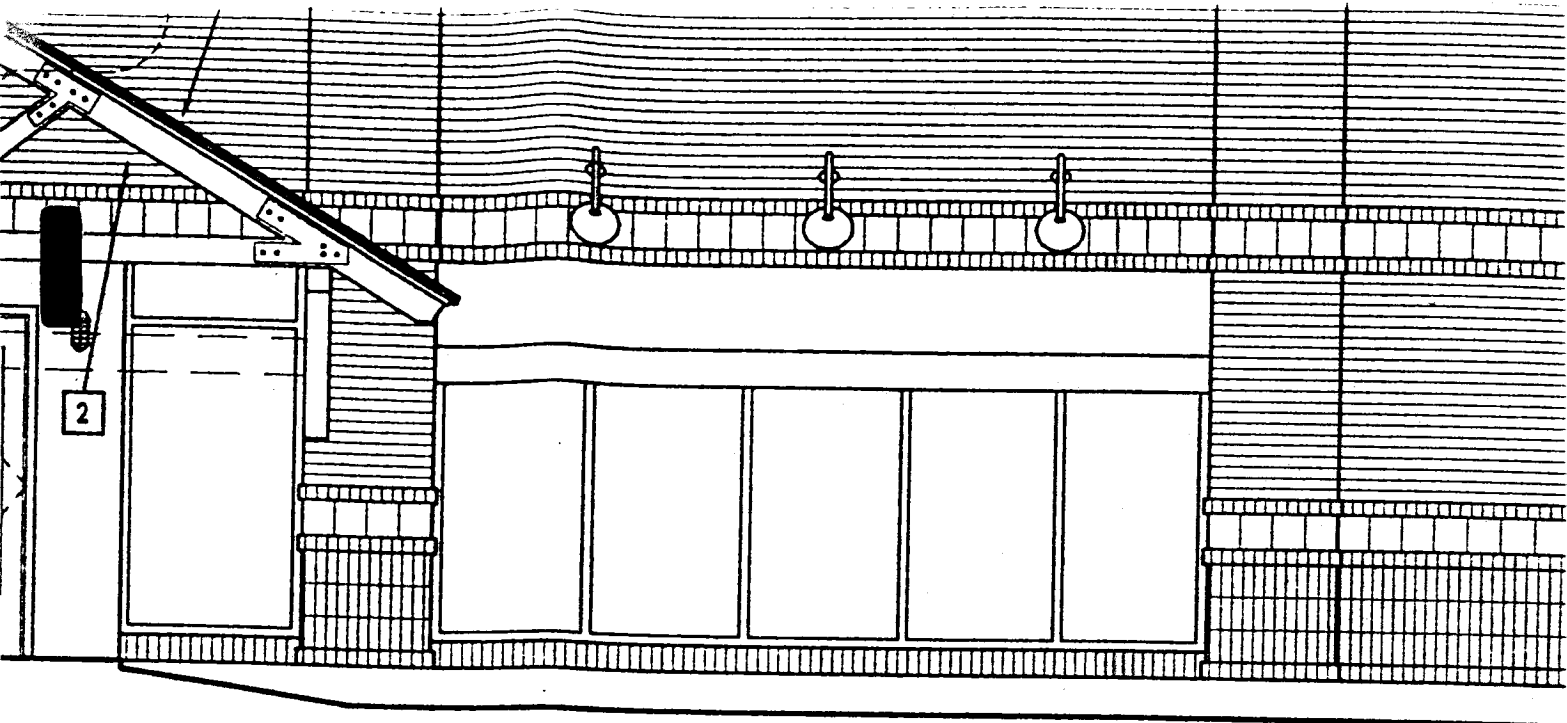
- 6. VERIFY FINAL EQUIPMENT LOCATION EQUIPMENT SUPPLIER PRIOR TO FA
- 7. REFER TO FINISH SCHEDULE FOR IN AND QUARRY TILE. REFER TO FINE WORK. INSTALL 8' A.F.F. HIGH PRE BASE AT KITCHEN HALLS. HOLD F FLOOR AND PLYWOOD.
- 8. FOR FURNITURE LAYOUT, FINISHES, SEE FURNITURE PLAN.
- 9. ALL BOOTH DIMENSIONS ARE TO F OF BOOTH HALL CONDITION.

FLOOR PL

- 1 PROVIDE NEW FINISHES - REF: A
- 2 12" BOOTH BASE REFER DETAIL
- 3 RELOCATE EXISTING WAITING BE
- 4 58" HIGH LOH WALL
- 5 48" HIGH LOH WALL
- 6 RELOCATE AND MODIFY TO FIT E
- 7 PROVIDE NEW ACCORDIAN DOOR REUSE AND MATCH EXISTING FOR
- 8 LINE OF EXISTING AWNING ABOVE
- 9 20 MIL CLEAR VINYL ROLL-DO PROVIDE VELCRO ALONG EDGE POSITION TO SEAL ENCLOSURE. EDGES TO HOOD DECKING OF FABRICATOR FOR CONSTRUCT
- 10 NEW ALUMINUM DOOR WITH SIDE EXISTING STORE FRONT.
- 11 NEW WOOD DOOR + FRAME IN I
- 12 NEW ALUMINUM DOOR AND FR
- 13 PROVIDE FINISHES TO MATCH TO MATCH ADJACENT.
- 14 EXISTING DOOR TO REMAIN.
- 15 REMOVE AND MODIFY EXIST CONSTRUCTION. SALVAGE PA
- 16 PATIO PLANTER REF: DTL. X

WALL PA





OFFICE OF THE CITY SECRETARY

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