

ORDINANCE NO. 097-054

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 092-042, AS PREVIOUSLY AMENDED BY ORDINANCE 095-053, BY AMENDING THE FLOOR PLAN AND ELEVATIONS, ON APPLICATION WITH HUMPERDINK'S RESTAURANT AND BIG HORN BREWERY, LOCATED AT 3820 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. 092-042 passed by the City Council on the 14th day of July, 1992, which was previously amended by Ordinance 095-053, passed

by the City Council on the 14th day of November, 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 floor plan and elevations, which are 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 11,031 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. 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.
7. 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.
8. 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.

9. The term “bar” or any equivalent term or graphic depiction, shall not be used on the exterior signs for the restaurant.

10. 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.

11. Prior to the issuance of a Building permit, the applicant shall submit a revised landscaping plan for approval which includes the reconfigured beds on the site and the replacement of any dead or missing trees and shrubs.

12. The floor plan shall be re-designed to reduce the bar area seating by at least 28 seats, and to increase the dining area seating by at least 28 seats.

13. The floor plan shall be re-designed to provide dividers between the bar area and dining area.

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 9th day of December, 1998.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1313-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

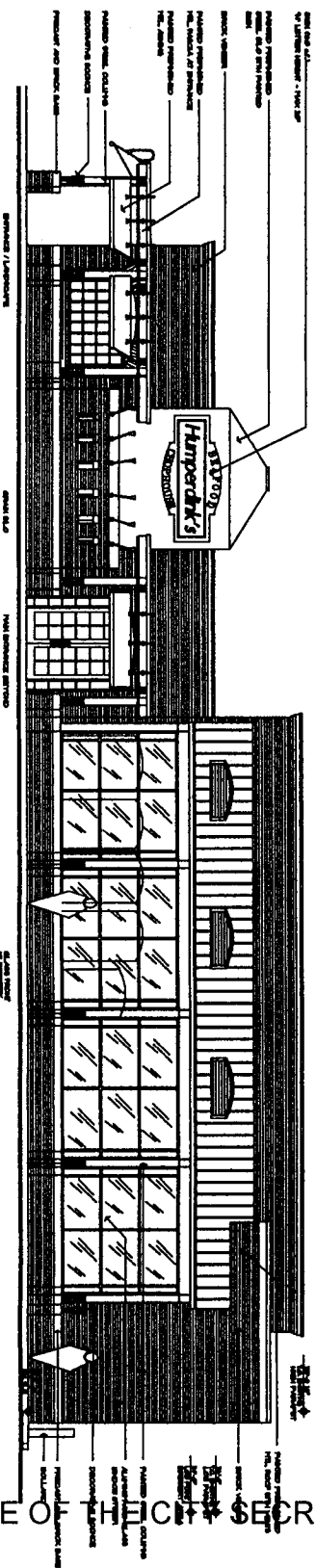
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Published
3/13/98

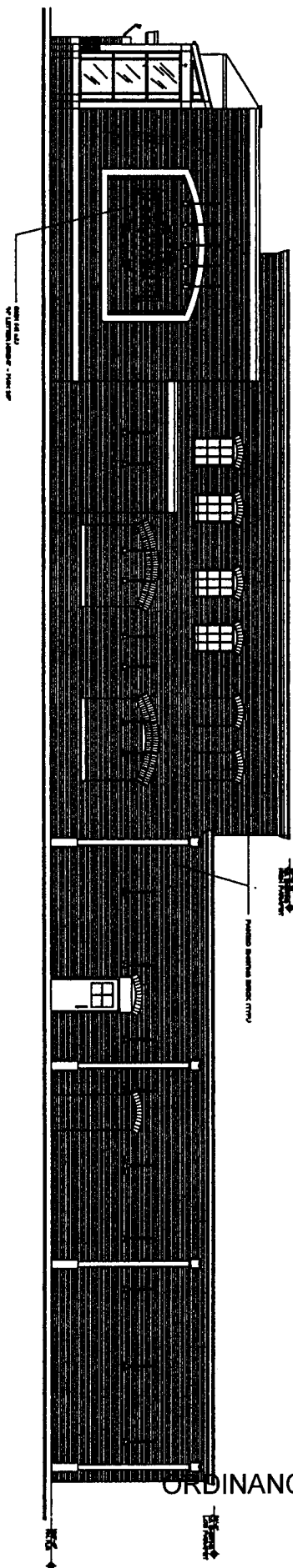


01 NORTH ELEVATION
SCALE 1/8" = 1'-0"



OFFICE OF THE CITY SECRETARY

02 WEST ELEVATION
SCALE 1/8" = 1'-0"



ORDINANCE NO. 097-054

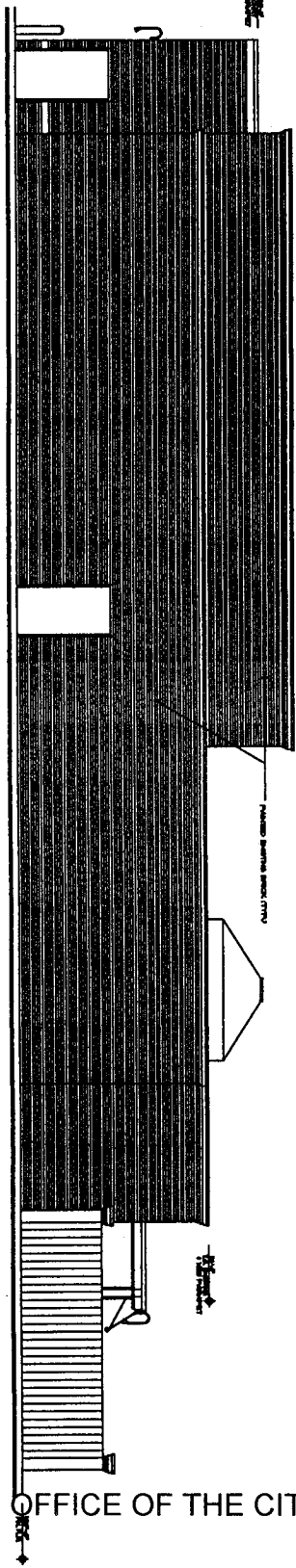
301
NORTH ELEVATION

NELSEN ARCHITECTS, INC.
SCOTTSDALE, ARIZONA
7001 N. CAMBRIDGE ROAD SUITE 100 SCOTTSDALE, ARIZONA 85261
PHONE (602) 948-8888 FAX (602) 948-8881

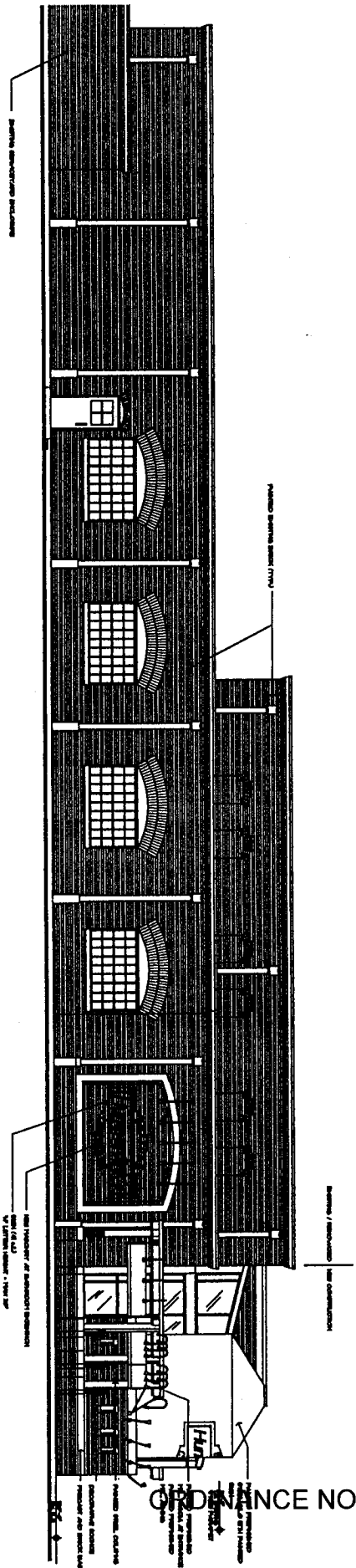
HUMPERDINK'S
BELT LINE ROAD
ADDISON, TEXAS

DATE	12-11-77
BY	
CHECKED	
APPROVED	
SCALE	
TITLE	
PROJECT	
CLIENT	
ARCHITECT	
ENGINEER	
PLUMBER	
ELECTRICIAN	
Mechanical	
Structural	
Other	





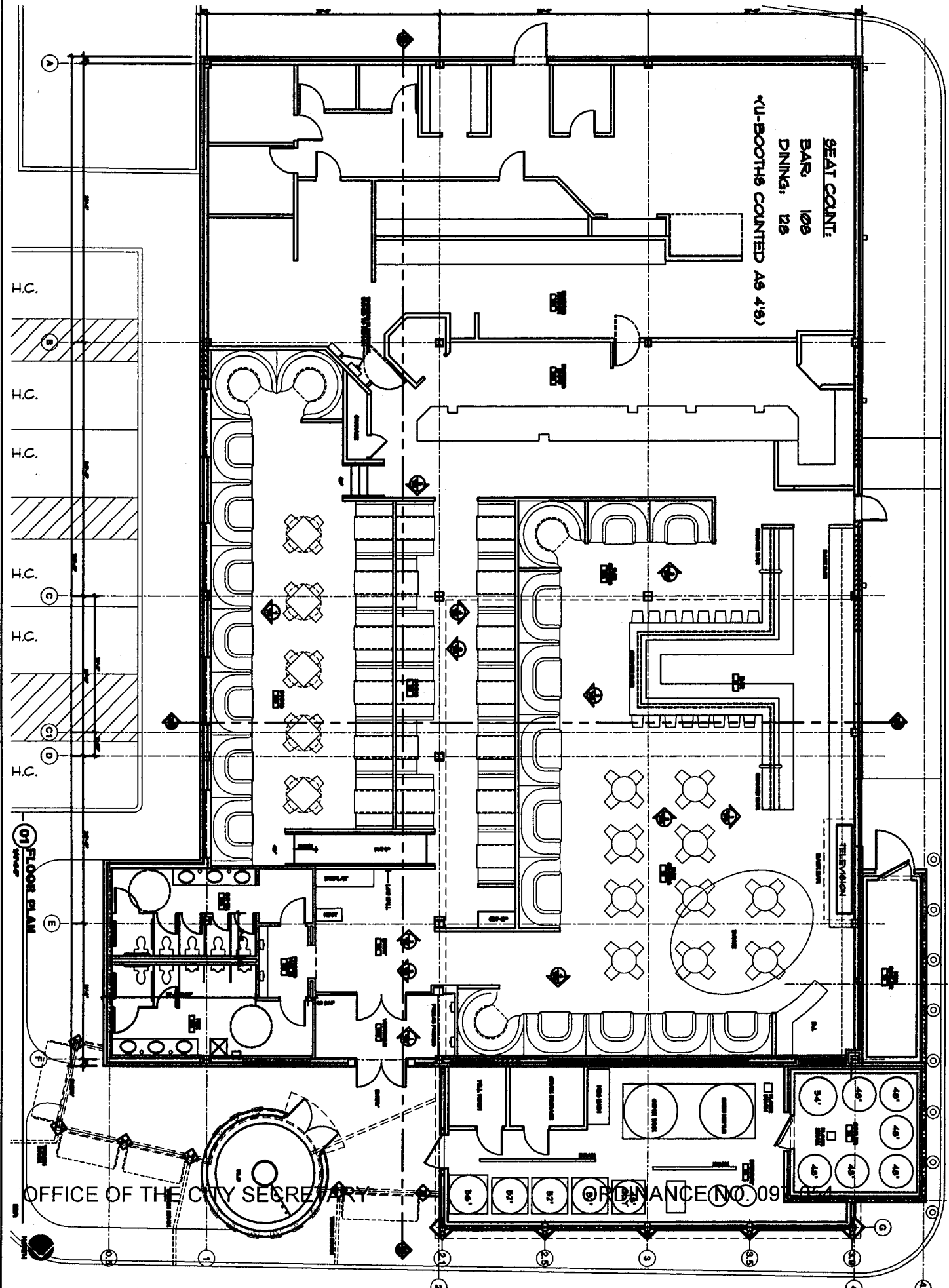
01 SOUTH ELEVATION
SCALE 1/8" = 1'-0"



02 EAST ELEVATION
SCALE 1/8" = 1'-0"

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ORDINANCE NO. 097-054



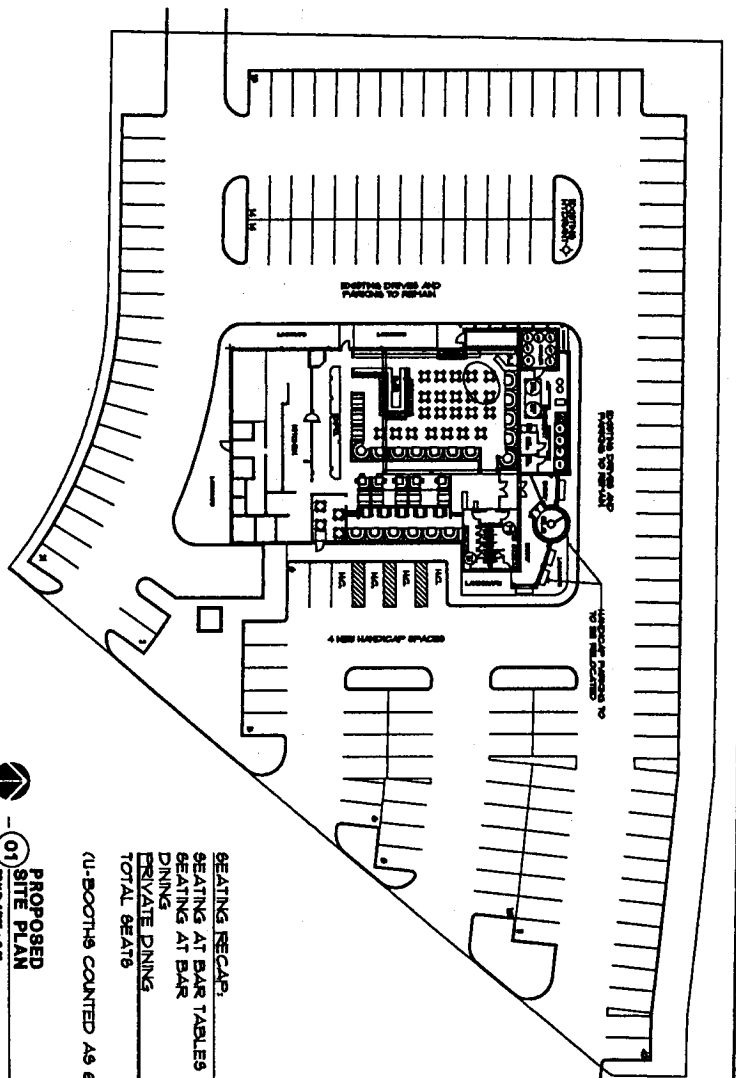
SEAT COUNT:
BAR: 108
DINING: 128
*U-BOOTH#6 COUNTED AS 418)

H.C.
H.C.
H.C.
H.C.
H.C.
H.C.

01 FLOOR PLAN

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 091-05




01
 PROPOSED
 SITE PLAN
 SCALE: 1/8" = 1'-0"

SEATING RECAP:
 SEATING AT BAR TABLES 118
 SEATING AT BAR 21
 DINING 1066
 PRIVATE DINING 16
 TOTAL SEATS 321
 (11-BOOTH#S COUNTED AS 6 SEATS)

PARKING RECAP:
 STANDARD SPACES B311
 H.C. SPACES 4
 TOTAL PARKING B315
 BUILDING GEORGES 10231 SQ. FT.
 PARKING RATIO 1:170

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