

**ORDINANCE NO. 098-026**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO GRANT A SPECIAL USE PERMIT FOR A MOVIE THEATER, A RESTAURANT, AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM CINEMA GRILL, LOCATED AT 5100 BELT LINE ROAD, SUITE 400; 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 Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit for a movie theater, a restaurant, and the sale of alcoholic beverages for on-premises consumption. Said zoning amendment shall be noted on the official zoning map of the Town of Addison, Texas, and is situated on the following described land:

BEING a 19,878 square foot portion of a lease space addressed as 5100 Belt Line Road, Suite 400, in a shopping center known as the Village on the Parkway, located on a tract of land out of the Allen Bledsoe Survey, Abstract No. 157, the G.W. Fisher Survey, Abstract No. 482 and the J. Pancoast Survey, Abstract No. 1146, City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point being the intersection of the east right-of-way line of Dallas Parkway and the south right-of-way line of Belt Line Road;

THENCE East along said south line, a distance of 241.34 feet to a point for a corner;

THENCE S 65°51'30" E, a distance of 54.24 feet to a point for corner;

THENCE N 48°03'00" E, a distance of 30.0 feet to a point for a corner, said point lying on the centerline of Noell Road;

THENCE S 41°57'00" E along said centerline, a distance of 741.67 feet to an angle point;

THENCE S 23°24'00" E continuing along said centerline, a distance of 907.45 feet to a point for a corner;

THENCE S <sup>85</sup>o31'25" W departing said centerline, a distance of 733.4 feet to an angle point;

THENCE N 85°30'06" W a distance of 882.99 feet to a point for a corner said point lying on the east right-of-way of Dallas Parkway;

THENCE Northeasterly along said east line being a circular curve to the right having a central angle of 34°35'34" and whose center bears S 88°39'35" E, 1256.93 feet, an arc distance of 759.25 feet to the point of reverse curve to the left having a central angle of 36°13'00" and a radius of 1014.93 feet;

THENCE Northeasterly along said curve and continuing along said east line, an arc distance of 641.54 feet to its point of tangency;

THENCE N 00°16'01" W, a distance of 65.52 feet to the POINT OF BEGINNING AND CONTAINING 33.967 acres of land more or less.

SECTION 2. That the movie theater, and restaurant with the sale of alcoholic beverages for on-premises consumption approved through this Special Use Permit shall be developed in accordance with the site plan, floor plan, and elevation drawings attached hereto and made a part hereof for all purposes.

SECTION 3. That the Special Use Permit for a movie theater and restaurant with the sale of alcoholic beverages for on-premises consumption shall be granted subject to the following special conditions:

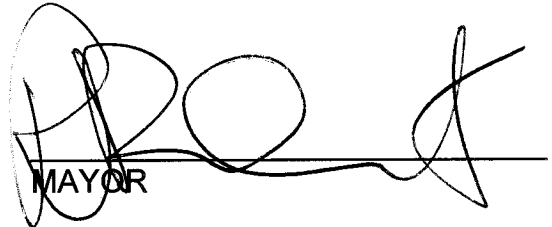
-The applicant shall comply with all requirements of the Food Service Code and the Building Code.

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 12th day of May, 1998.



MAYOR

ATTEST:



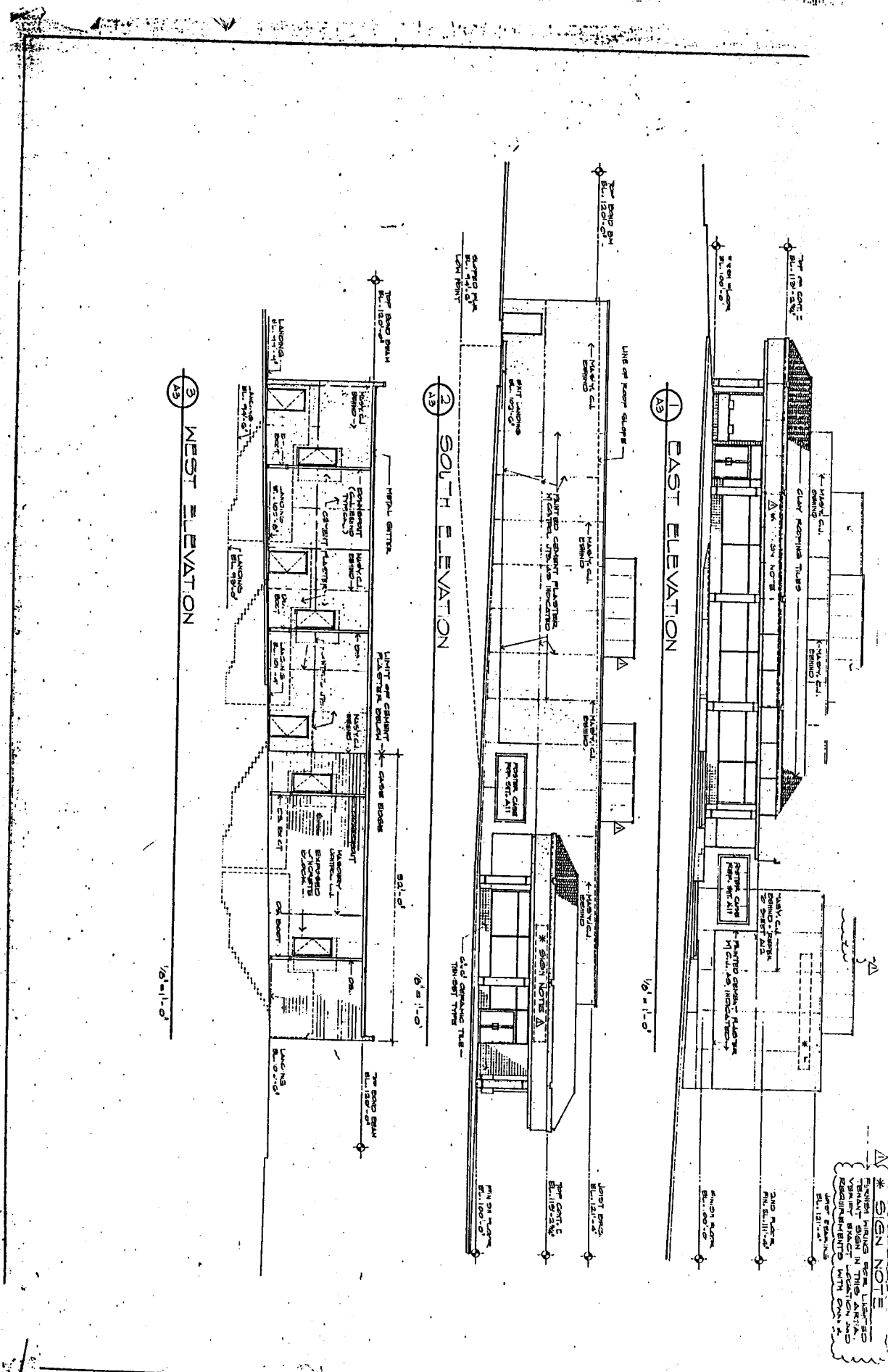
CITY SECRETARY

CASE NO. 1327-SUP



DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: 1/01/98 & 1/08/98



**\* SIGN NOTE**  
 EIGHT LIGHTING FIXTURES TO BE INSTALLED BLANK SIGN IN THIS AREA AND VISIBLE FROM ALL DIRECTIONS AND ADJACENT STREETS WITH SIGN AS SHOWN.

OFFICE OF THE CITY SECRETARY



PRESTON WOOD  
 GENERAL CINEMA  
 VILLAGE ON THE PARKWAY

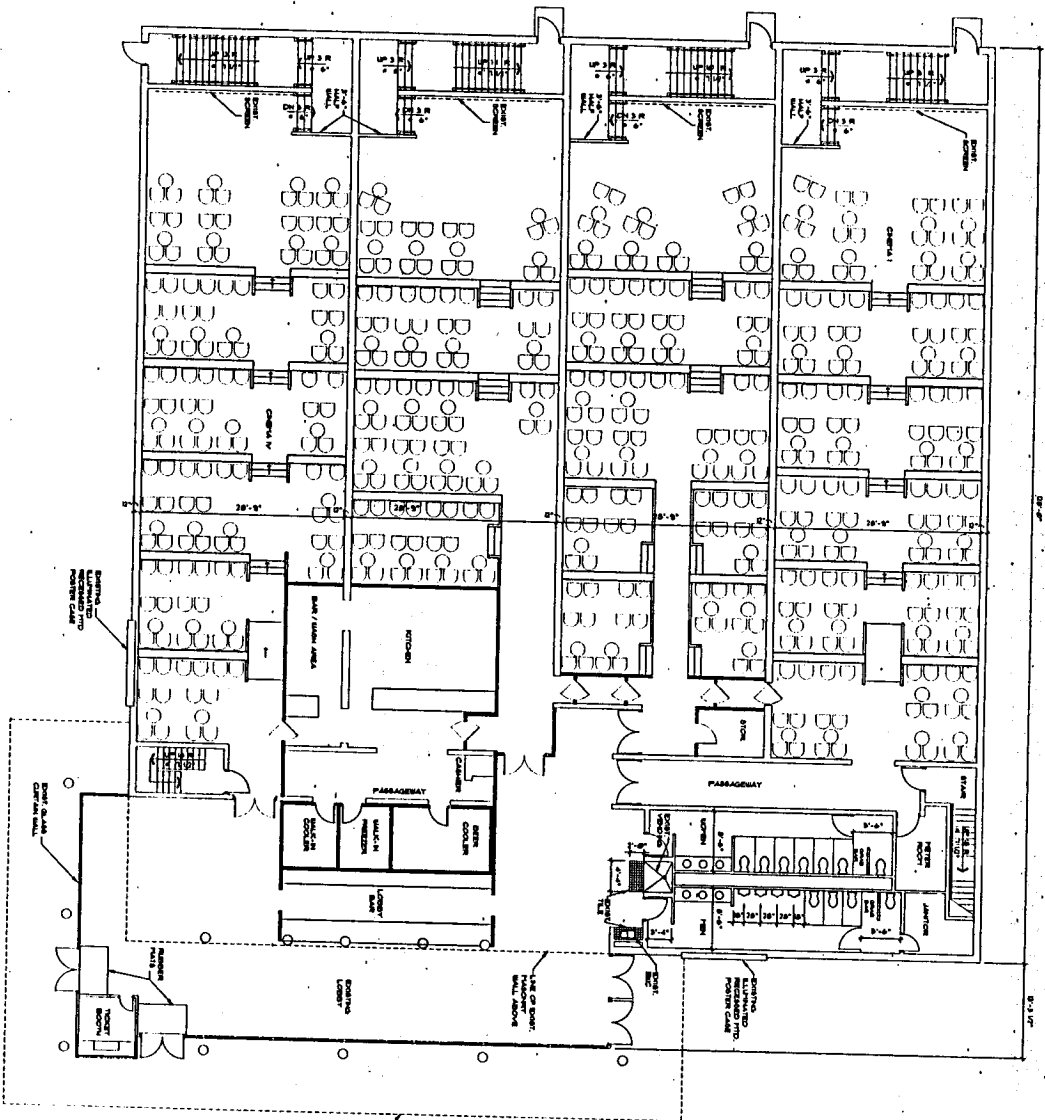
ORDINANCE NO. 0981026

| REVISIONS | DATE    |
|-----------|---------|
|           | APRIL 2 |
|           |         |
|           |         |

JOB NUMBER  
 7702

FLOOR PLAN

1/8" = 1'-0"



OFFICE OF THE CITY SECRETARY

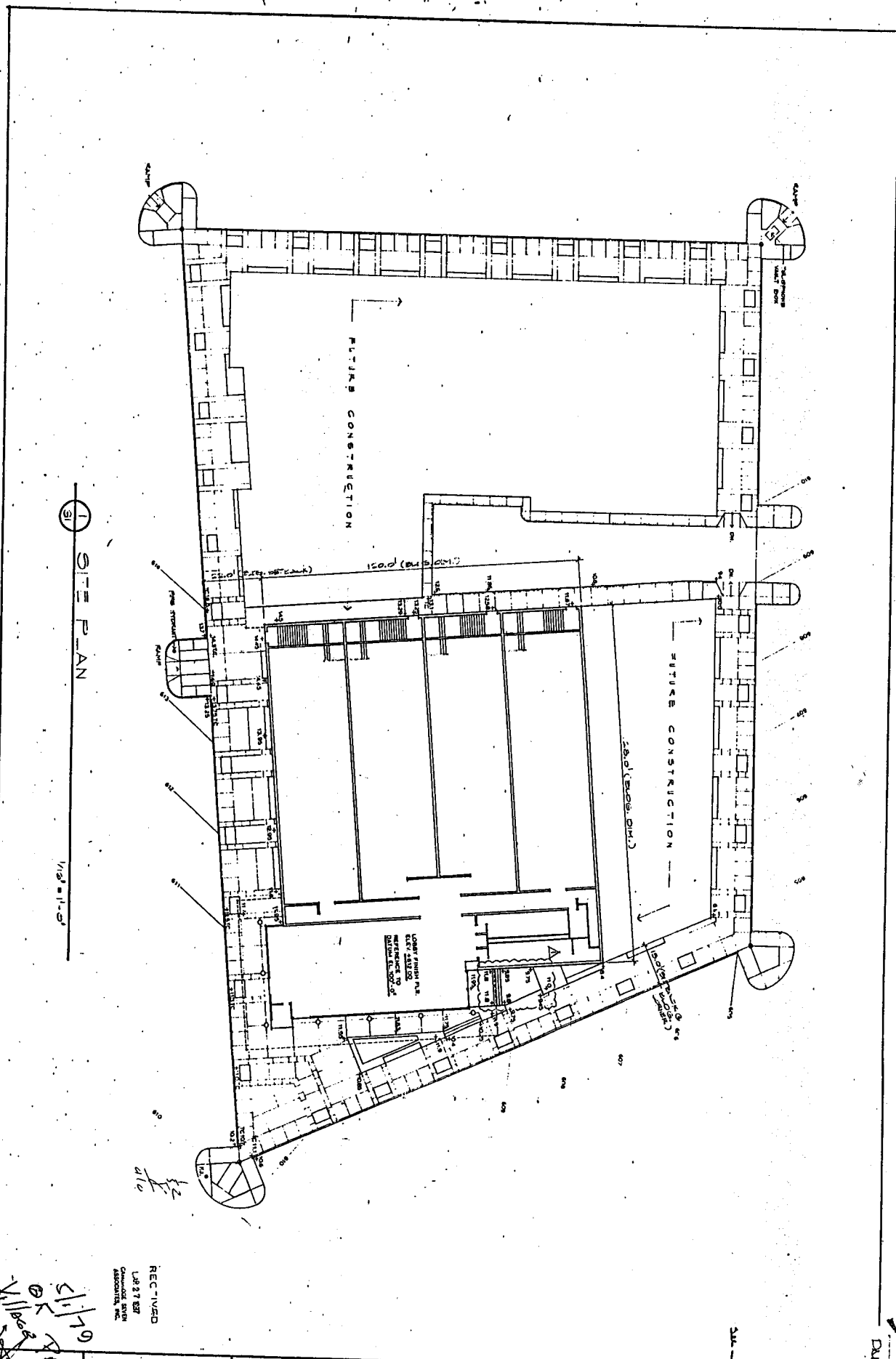
PRELIMINARY DESIGN ALTERATIONS TO CINEMA

CINEMA GRILL DALLAS, TEXAS

RESIGNATURE NO. 558-0275 ORDINANCE NO. 558-0275

A-PR2

NOT FOR CONSTRUCTION



1  
STEP PLAN

1/8" = 1'-0"

REC-1/2ED  
L8 9 1 8 2  
COURT AND SOFT  
ASSOCIATES, INC.

5/11/06  
K. [Signature]  
[Signature]

OFFICE OF THE CITY SECRETARY



PREPARED BY/DALLAS TEXAS  
GENERAL CINEMA  
ORDINANCE NO. 098-026  
SAKOWITZ  
VILLAGE ON THE PARKWAY

| REVISIONS | DATE |
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JOB NUMBER  
7702

DALLAS - 8/11/06