

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. 009-001**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE PERMIT ORDINANCE NO. 083-051 HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT AND A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM THE MELTING POT AT 4900 BELT LINE ROAD, SUITE 200, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, IN ORDER TO INCLUDE AN ADDITION OF 2,975 SQUARE FEET; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A NO SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL 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, Texas, and helps promote the general welfare and safety of this community, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, be amended, by amending the zoning map of the Town of Addison, Texas, so as to grant a special use permit for a restaurant and a special use permit for the sale of alcoholic beverages for on-premises consumption for The Melting

Pot. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

WHEREAS, CROW-FARRELL, A Texas Limited Partnership, is the Owner of a tract of land situated in the Josiah Pancost Survey, Abstract No. 1146, including part of Quorum, an addition to the City of Addison, Texas, as recorded in Vol. 79100, Page 1895, and also part of Block 2 of QUORUM WEST, an addition to the City of Addison, Texas, as recorded in Volume 81005, Page 1454, all recorded in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the South line of Belt Line Road (a 100' R.O.W.) with the west line of Quorum Drive (a variable width R.O.W.);

THENCE with said West line of Quorum Drive S 0° 13'13" E, a distance of 97.60 feet to the beginning of a curve to the left having a central angle of 15° 58' 29" and a radius of 408.00 feet;

THENCE continuing with said west line of Quorum Drive, and with said curve, an arc distance of 113.767 feet to the end of said curve and the beginning of a curve to the left having a central angle of 4° 53'55", a radius of 1726.75 feet and a tangent that bears S 16° 11'42" E;

THENCE continuing with said West line of Quorum Drive, and with said curve, and arc distance of 147.63 feet to the end of said curve and a point for corner;

THENCE S 89° 46'47" W a distance of 339.45 feet to a point for corner;

THENCE S 1° 30'57" E a distance of 50.10 feet to a point for corner;

THENCE S 89 ° 47'03" W a distance of 334.08 feet to a point for corner; said oint being in the East line of Landmark Boulevard (an 80' R.O.W.), said point also

being the beginning of a curve to the right having a central angle of 8 degrees 02'10", a radius of 1323.31 feet and a tangent that bears N 8 ° 15' 07" W;
THENCE with said East line of Landmark Boulevard, and with said curve, an arc distance of 185.60 feet to the end of said curve;

THENCE continuing with said East line of Landmark Boulevard, N 0 degrees 12'57" W a distance of 215.00 feet to a point for corner, said point being in the aforementioned south line of Belt Line Road;

THENCE with said south line of Belt Line Road, N 89 ° 47'03" E, a distance of 338.00 feet to an angle point;

THENCE continuing with said south line of Belt Line Road, N 89° 46'47" E, a distance of 285.00 feet to the POINT OF BEGINNING and containing 5.520 acres of land, more or less.

SECTION 2. That the Special Use Permit is 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 drawings, 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 only and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 9,200 square feet.
3. No signs advertising the 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 that receive at least sixty percent (60%) or 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 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 purposed 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 for considering a change of zoning.
9. The applicant/operator shall not use any terms (such as "bar", "tavern", etc.) or graphic depictions which relate to alcoholic beverages in any exterior signs.
10. The building must meet all applicable food service, building and fire safety codes.
11. The remainder of this building shall be fully provided with fire sprinklers prior to the issuance of a Certificate of Occupancy for the expansion of this restaurant.

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.

SECTION 5. 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 10th day of February, 2009.



MAYOR JOE CHOW

ATTEST:



CITY SECRETARY-LEA DUNN

CASE NO. 1570-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES
CARMEN MORAN

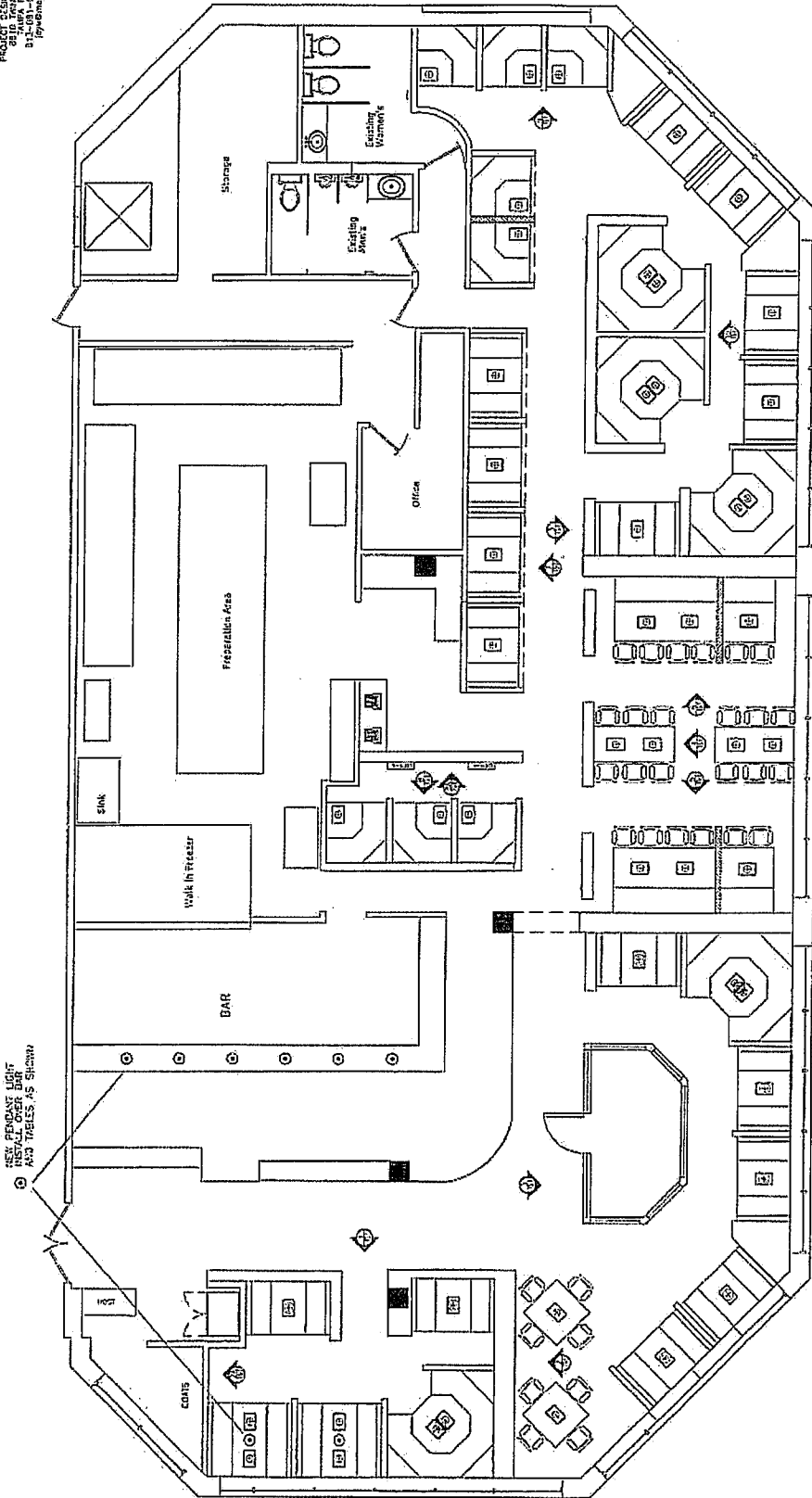
PUBLISHED ON: _____



The Melting Pot

 a fondle restaurant

PROJECT DESIGN & DEVELOPMENT
 312-981-3332
 312-981-3332
 312-981-3332



FLOOR PLAN 1/4"=1' MELTING POT, ADDISON TEXAS 10/05/01



NO.	REVISION

PROJECT: The Melting Pot
Addison, TX - Expansion
Ron Mehta

TABLE / SEAT COUNT

TABLE	USED	SEAT
BAR	1	12
20' TYP	3	12
25' TYP	1	14
30' TYP	1	14
40' TYP	1	14
BARSTOOL	2	2
TOTAL		72

MATCH LEGEND

SYMBOL	DESCRIPTION
□	WALL
—	FLOOR
▬	CEILING
○	DOOR
◇	WINDOW

DOOR LEGEND

○	DOOR OPEN TO ROOM NORTH OF
○	DOOR OPEN TO ROOM SOUTH OF
○	DOOR OPEN TO ROOM WEST OF
○	DOOR OPEN TO ROOM EAST OF

NOTES

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND ALL LOCAL ORDINANCES.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT.

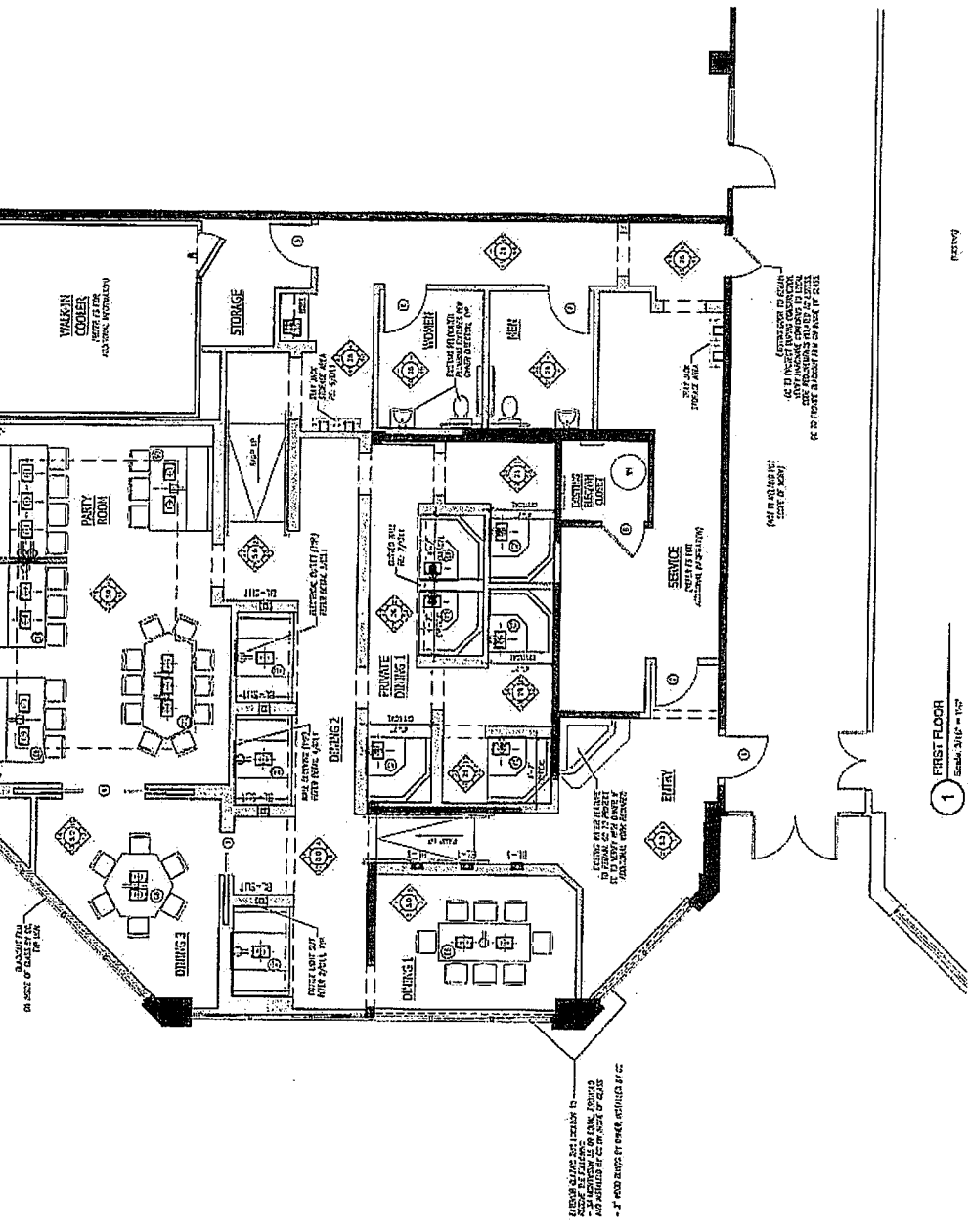
Design Agreement

THIS AGREEMENT IS MADE BETWEEN THE ARCHITECT AND THE CLIENT FOR THE DESIGN OF THE PROJECT DESCRIBED ABOVE. THE ARCHITECT'S FEES ARE AS SHOWN ON THE ATTACHED FEE SCHEDULE.

APPROVED: _____ DATE: _____

ARCHITECT: _____

CLIENT: _____



FIRST FLOOR
Scale: 1/8" = 1'-0"

1

EXHIBIT A
SITE PLAN

LAVDARR BOULEVARD

