

ORDINANCE NO. 099- 045

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 097-002 BY AMENDING THE FLOOR PLAN, ON APPLICATION WITH GENGHIS GRILL MONGOLIAN BARBECUE RESTAURANT, LOCATED AT 4201 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. 086-068, passed by the City Council on the 12th day of September 1986, 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, which is 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 3,420 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 that 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 restaurant shall not use the term "Bar", "Tavern" or any equivalent term, or any graphic depiction of alcoholic beverages in any exterior signs.

11. 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 12th day of October, 1999.



MAYOR

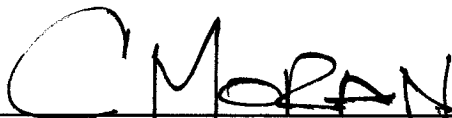
ATTEST:



CITY SECRETARY

CASE NO. 1356-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: _____

2/18/00

GENGHIS GRILL

THE MONGOLIAN BARBECUE

4201 BELTLINE RD., ADDISON, TX

- EXISTING:
- DISH AREA
 - MOP STATION
 - OFFICE
 - MEN/WOMEN'S RESTROOMS
 - DRY STORAGE AREA
 - COOLER/FREEZER (WALKINS)
 - HOT WATER TANK
 - VENTAHOOD
 - ELECTRICAL
 - PLUMBING

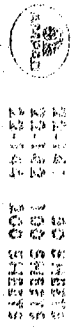
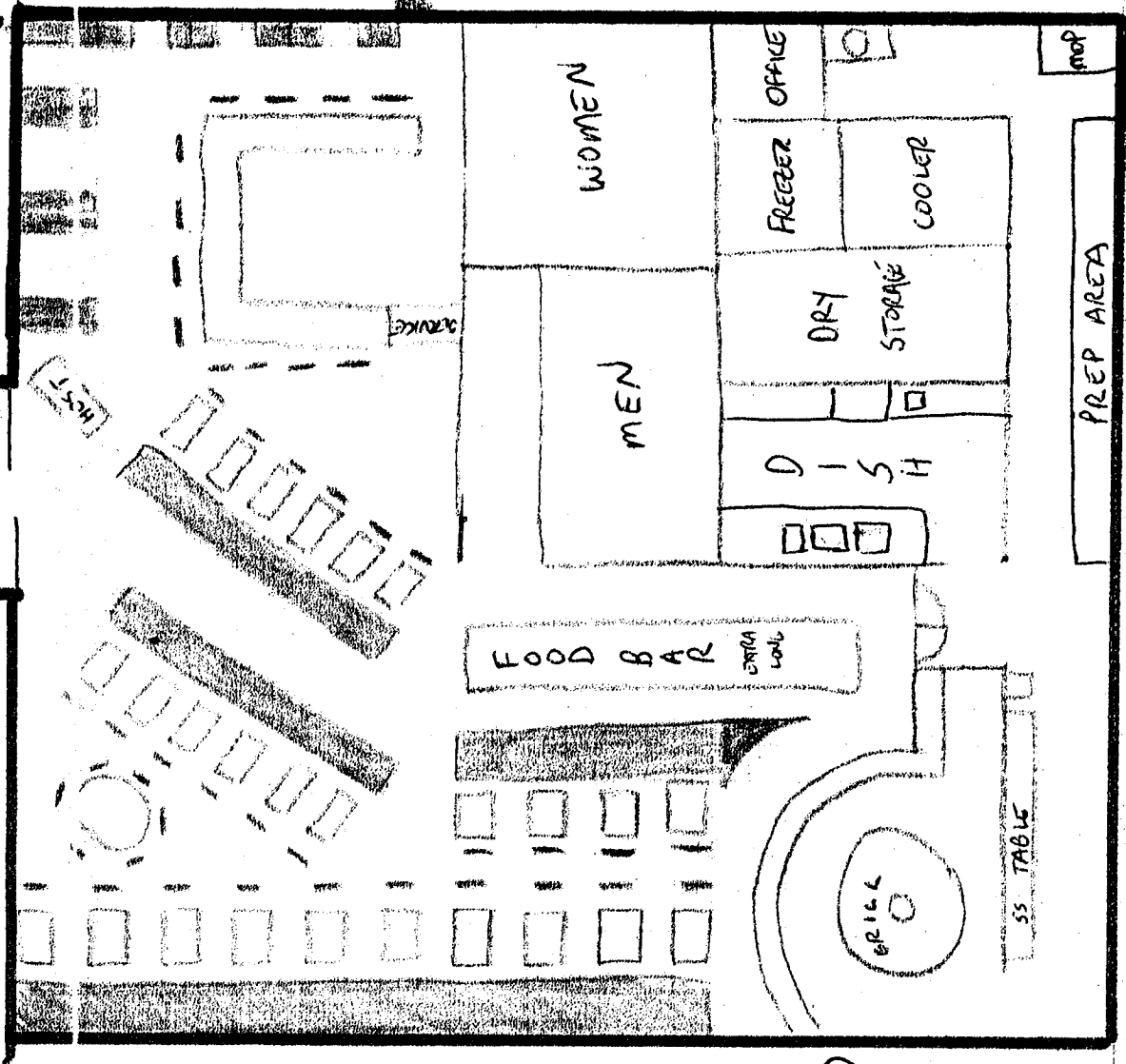
GENGHIS GRILL WILL RETROFIT WITH THE FOLLOWING:

- BAR (MODULAR FROM GLASTENDER)
- FOOD BAR (ALSO MODULAR)
- SEATING (BOOTH, CHAIRS, TABLES)
- MONGOLIAN GRILL (EQUIPMENT)

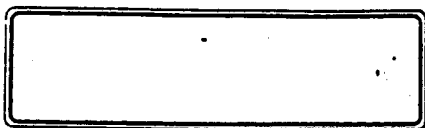
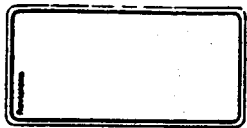
NOTE: BECAUSE THIS IS A FORMER RESTAURANT (Lease)
 THE BUILDING OUT IS MINIMAL, LIMITED
 TO: COUNTERTOP AROUND GRILL
 MISC. ROOM DIVIDERS

ESTIMATED OPENING: 30-DAYS

INITIAL DRAWINGS SUBJECT TO CHANGE



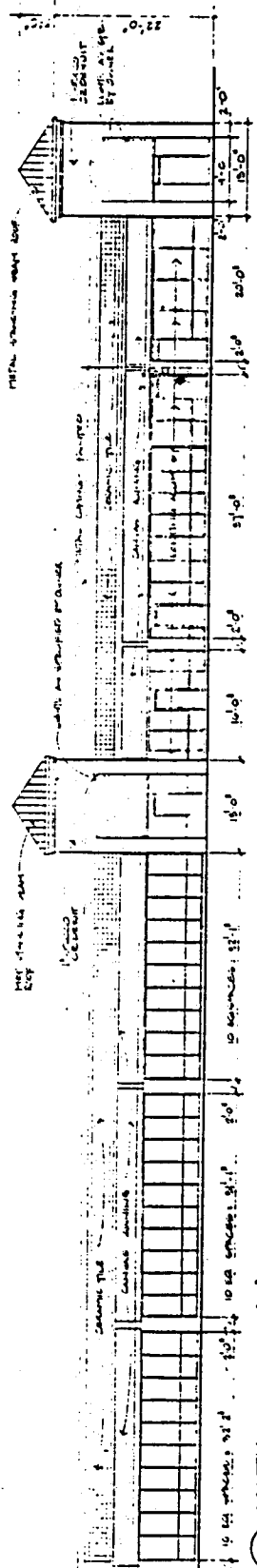
SEALS NOT VALID
 UNLESS THE
 SIGNATURE OF THE
 CLERK IS PRESENT



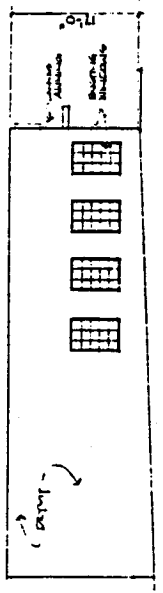
Larry Kay, AIA



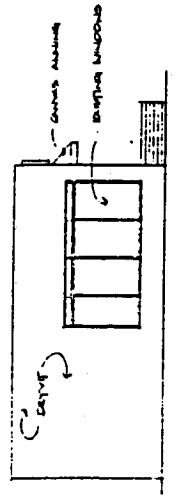
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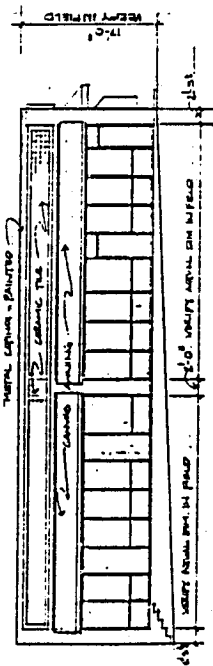
05 SOUTH ELEVATION BLDG-A
1/8" = 1'-0" ALL DIM IN FIELD



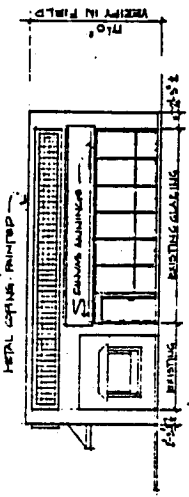
04 WEST ELEVATION BLDG-A
1/8" = 1'-0"



02 NORTH ELEVATION BLDG-B
1/8" = 1'-0"



03 WEST ELEVATION BLDG-B
1/8" = 1'-0"



01 SOUTH ELEVATION BLDG-B
1/8" = 1'-0"