

**ORDINANCE NO. 002-010**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 354 BY AMENDING AN EXISTING SPECIAL USE PERMIT FOR A RESTAURANT AND AMENDING AN EXISTING SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION WITH THE ADDISON POINT, LOCATED AT 4578 BELT LINE ROAD; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A 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.354 passed by the City Council on the 27<sup>th</sup> day of September, 1977, 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 site plan, floor plan, and the elevation 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 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 4,200 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 cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
9. Shall not use "Bar", "Tavern", or any equivalent terms, or graphic representations of alcoholic beverages in exterior signs.
10. Prior to the issuance of a Certificate of Occupancy for the enlarged space, the property owner shall renovate the landscaping back to a condition that meets the requirements of the Landscaping Ordinance. All dead or missing plants shall be replaced in accordance with the approved landscaping plan for the center.
11. The property owner shall submit a written plan for how he/she plans to improve the on-going maintenance of the center.
12. The term "bar", "tavern" or any equivalent term associated with alcoholic beverages shall not be used in any exterior signs.

SECTION 2. 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 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.

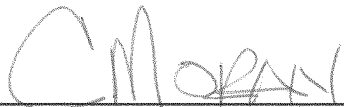
SECTION 4. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 12<sup>th</sup> day of February, 2002.



\_\_\_\_\_  
MAYOR

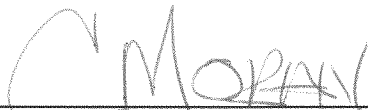
ATTEST:



\_\_\_\_\_  
CITY SECRETARY

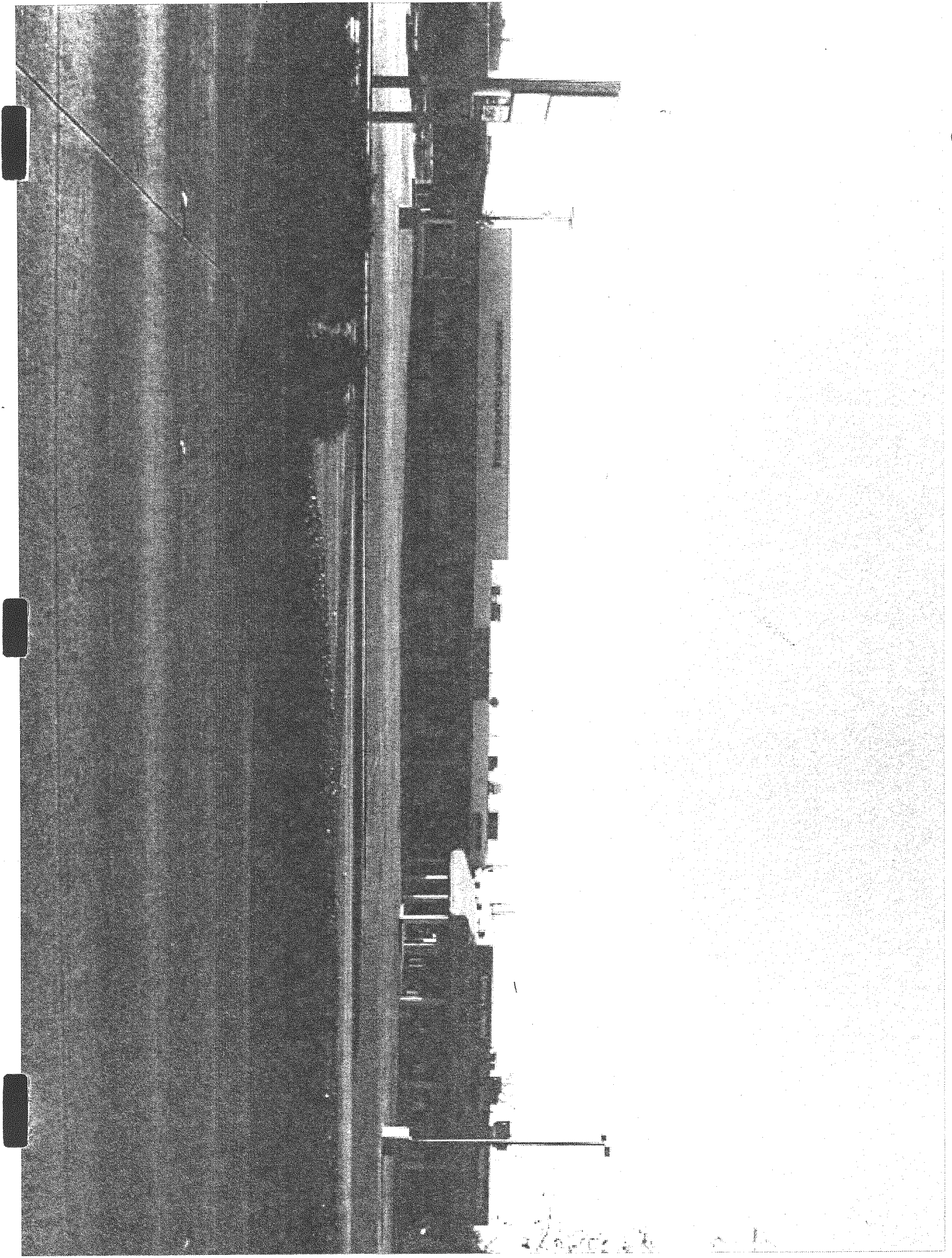
CASE NO. 1403-SUP

APPROVED AS TO FORM:



\_\_\_\_\_  
DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: \_\_\_\_\_



ITEM #	QTY	PART NO.
1	1	Grill Hood
2	1	Walk-in-2
3	1	New Bar
4	1	Trash Can
5	1	ICE BIN 24"
6	1	ICE BIN 48"
7	1	ICE BIN 48" (LIQUOR DISPLAY)
8	1	FRZ-24 (DRAIN BOARD)
9	2	45 degree
10	1	speed roll 1
11	1	speed roll 3
12	1	speed roll 4
13	1	Bar Drip Pan
14	1	TSA-60 (3 COMP. SINK)
15	1	DB-1-18 (DRAIN BOARD)
16	1	Glass Rack Stand
17	1	Bar Drip Pan 2
18	1	Flame Grill
19	1	3 compartment sink
20	1	Prep Table
21	1	Ice Machine
22	1	Clean dish table
23	1	Dish Washer
24	1	Towel
25	3	Urinal
26	2	Bath Sink
27	4	Bath Room Door
28	2	Foyer
29	1	Oven
30	1	Potato Sink
31	1	Storage Shelves
32	2	Hand Roll
33	1	Hand Sink
34	1	Libby Door
35	1	Bathroom Sink
36	1	Over Shell
37	1	ROOF FAN
38	3	Transition
39	1	Roof Fan Duct
40	1	Service Counter
41	1	BEV-UCR32
42	1	center bgr. with Beer Tub
43	1	Heated table
44	4	Overshelf tube
45	1	Grill
46	1	Beer Tabs
47	1	Glass Shelf
48	1	Scrap Chute
49	1	Center Work table
50	1	Exhaust Duct
51	1	Big Dropper
52	2	Micro Wave Oven
53	3	Locker
54	1	WINE AND GLASS COUNTER
55	1	GT-18-2 (GLASS WASHER)
56	1	18A-30 (ICE BIN)
57	5	GT-037893 (GLASS RACK)

DATE: 04NOV01  
 DRAWN: [blank]  
 CHECKED: [blank]  
 SCALE: [blank]  
 COMMENTS: [blank]  
 NO. OF PIECES: [blank]  
 GRAIN LENGTH: [blank]  
 WIDTH: [blank]  
 MATERIAL: [blank]  
 ITEM USED ON: [blank]  
 REVISION: [blank]  
 DATE: [blank]  
 R/S CONSULTING & ENGINEERING SERVICES

ADDISON POINT

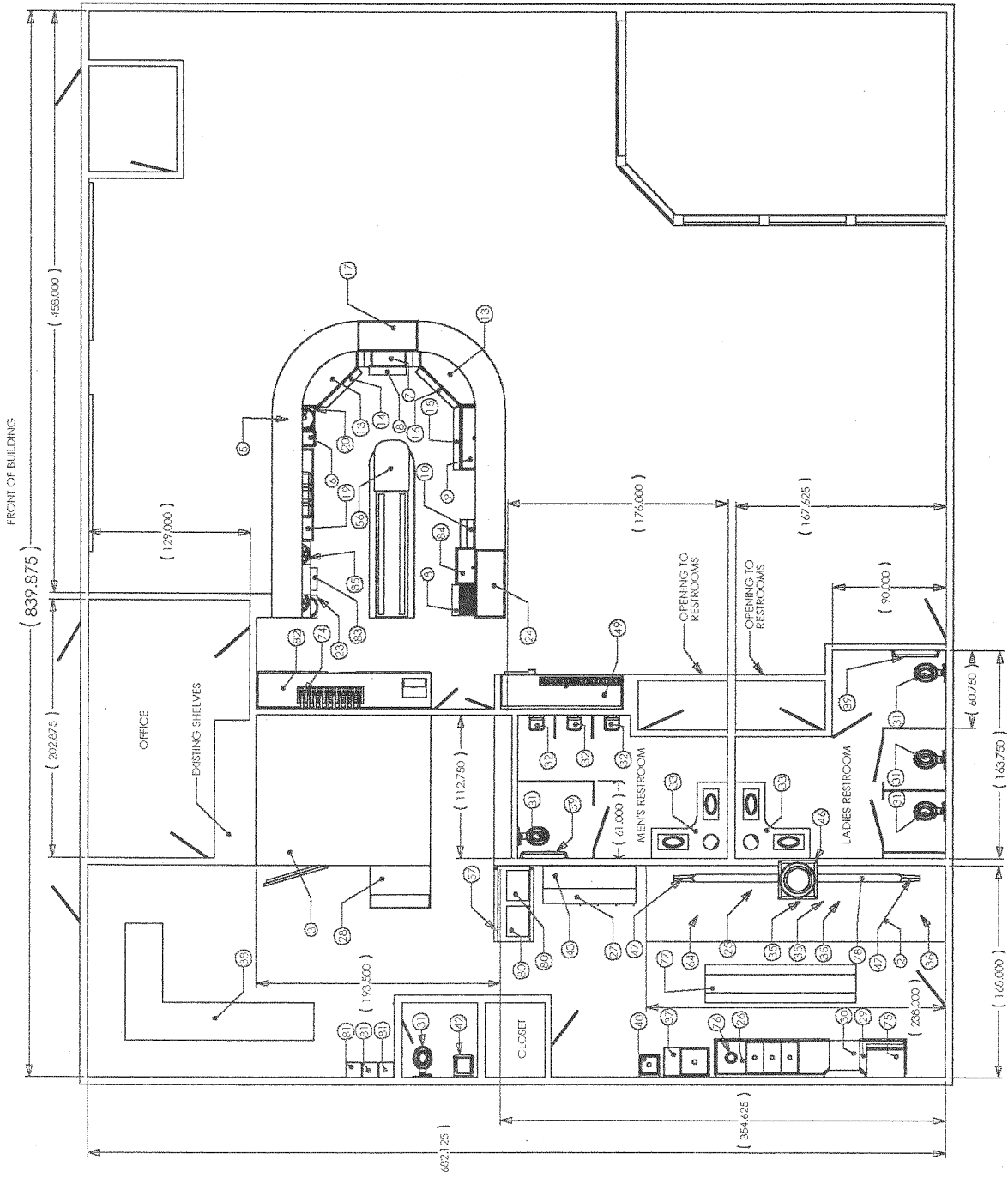
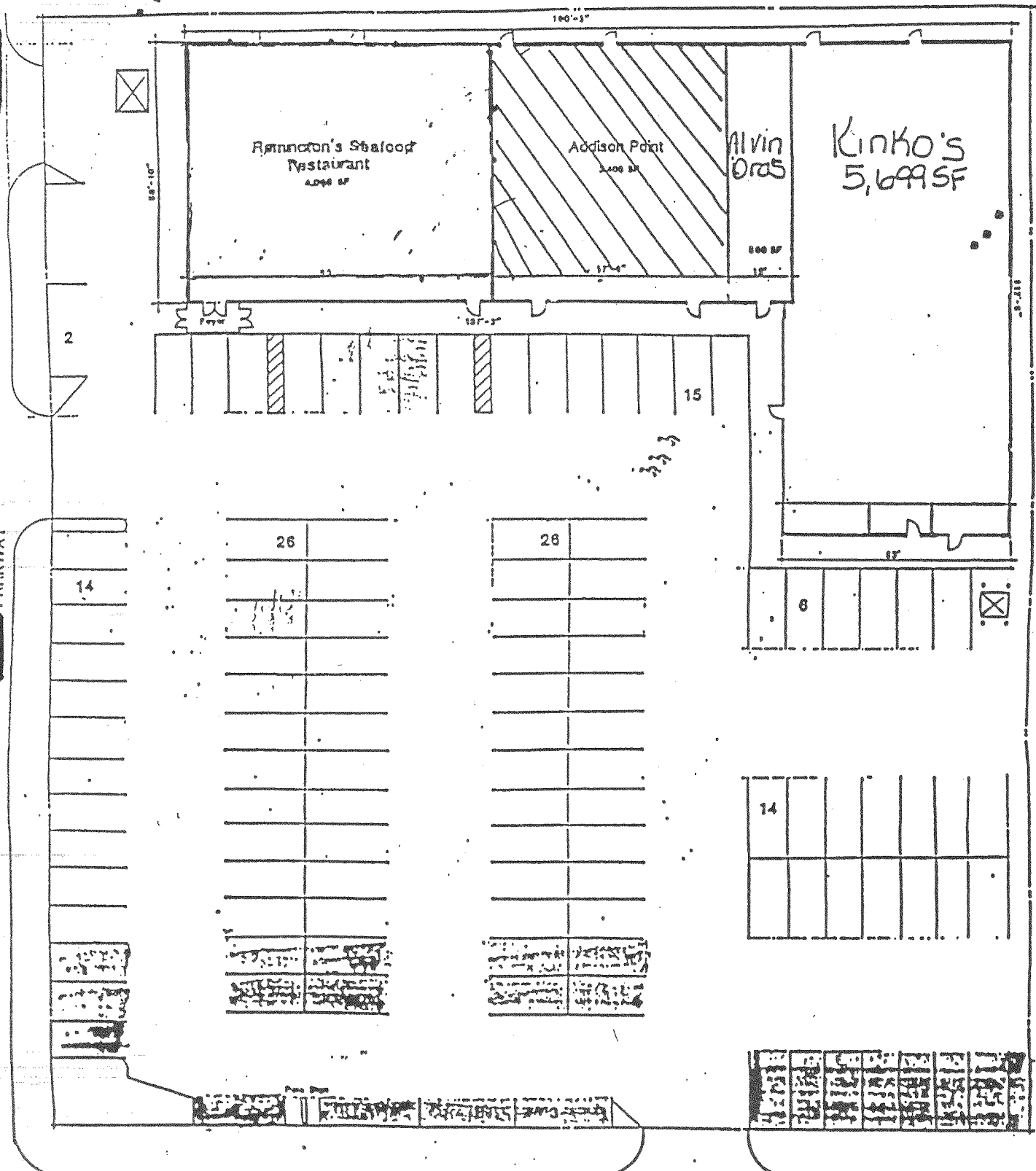


EXHIBIT "B"  
SHOPPING CENTER



Addison Point

SITE PLAN ADDISON, TEXAS



north

PLANE OF TOTAL BLOCK OF

"This site plan is presented solely for the purpose of showing the approximate location and size of the buildings





ITEM: ADDISON POINT  
 TITLE: DATE: 04NOV01 MATERIAL: DRAWN: WIDTH: GRAIN LENGTH: NO. OF PIECES: CHECKED: SCALE: COMMENTS:

ITEM #	QTY	PART NO.	DESCRIPTION
1	1	LD24-34-D	(LIQUOR DISPLAY)
2	1	LD24-24	(DRAIN BOARD)
3	2	45	clearex
4	1	speed roll 1	
5	1	speed roll 3	
6	1	speed roll 4	
7	1	Bar Drip Pan	
8	1	TSA-60 (3 COMP. SINK)	
9	1	DB19-18 (DRAIN BOARD)	
10	1	Glass Rock Stand	
11	1	Bar Drip Pan 2	
12	1	Flame Grill	
13	1	3 compartment sink	
14	1	Prep Table	
15	1	Ice Machine	
16	1	Clean dish table	
17	1	Dish Washer	
18	5	Toilet	
19	3	Urinal	
20	2	Bath Sink	
21	2	Bath Room Door	
22	2	Foyer	
23	1	Oven	
24	1	Porcelain Sink	
25	2	Storage Shelves	
26	2	Hand Rail	
27	1	Hand Sink	
28	1	Utility Door	
29	1	Bathroom Sink	
30	1	Over Shelf	
31	1	ROOF FAN	
32	3	Transition	
33	1	Roof Fan Duct	
34	1	Service Counter	
35	1	BEV-UCR22	
36	1	Center bar with Beer Tub	
37	1	Heated Table	
38	4	Overseif Tube	
39	1	Grill	
40	1	Beer Tabs	
41	1	Glass Shelf	
42	1	Scrap Chute	
43	1	Center Work Table	
44	1	Exhaust Duct	
45	1	Big Dipper	
46	2	Micro Wave Oven	
47	3	Locker	
48	1	WINE AND GLASS COUNTER	
49	2	GLASS BIN	
50	1	GLASS WASHER	
51	1	GLASS RACK	

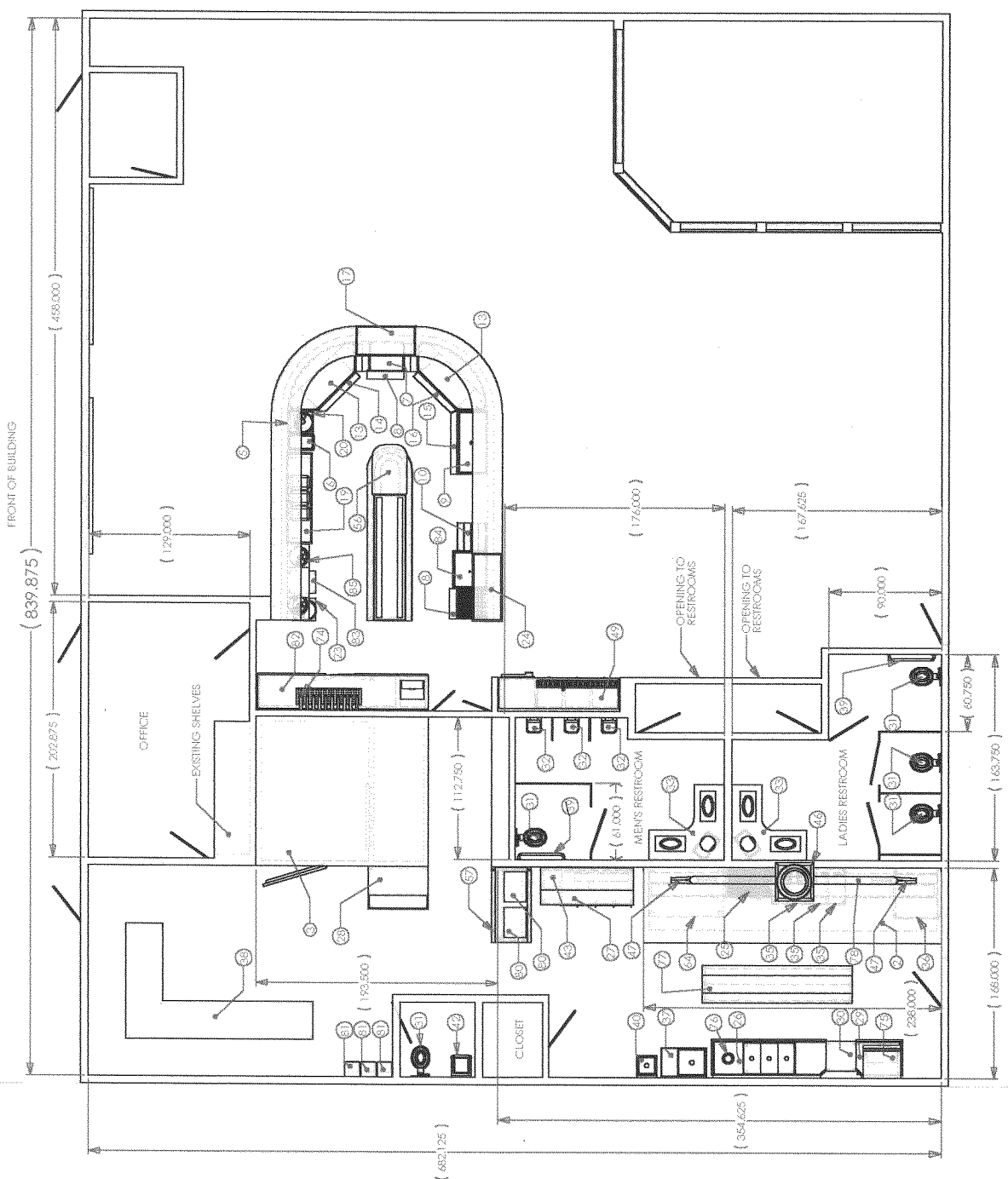
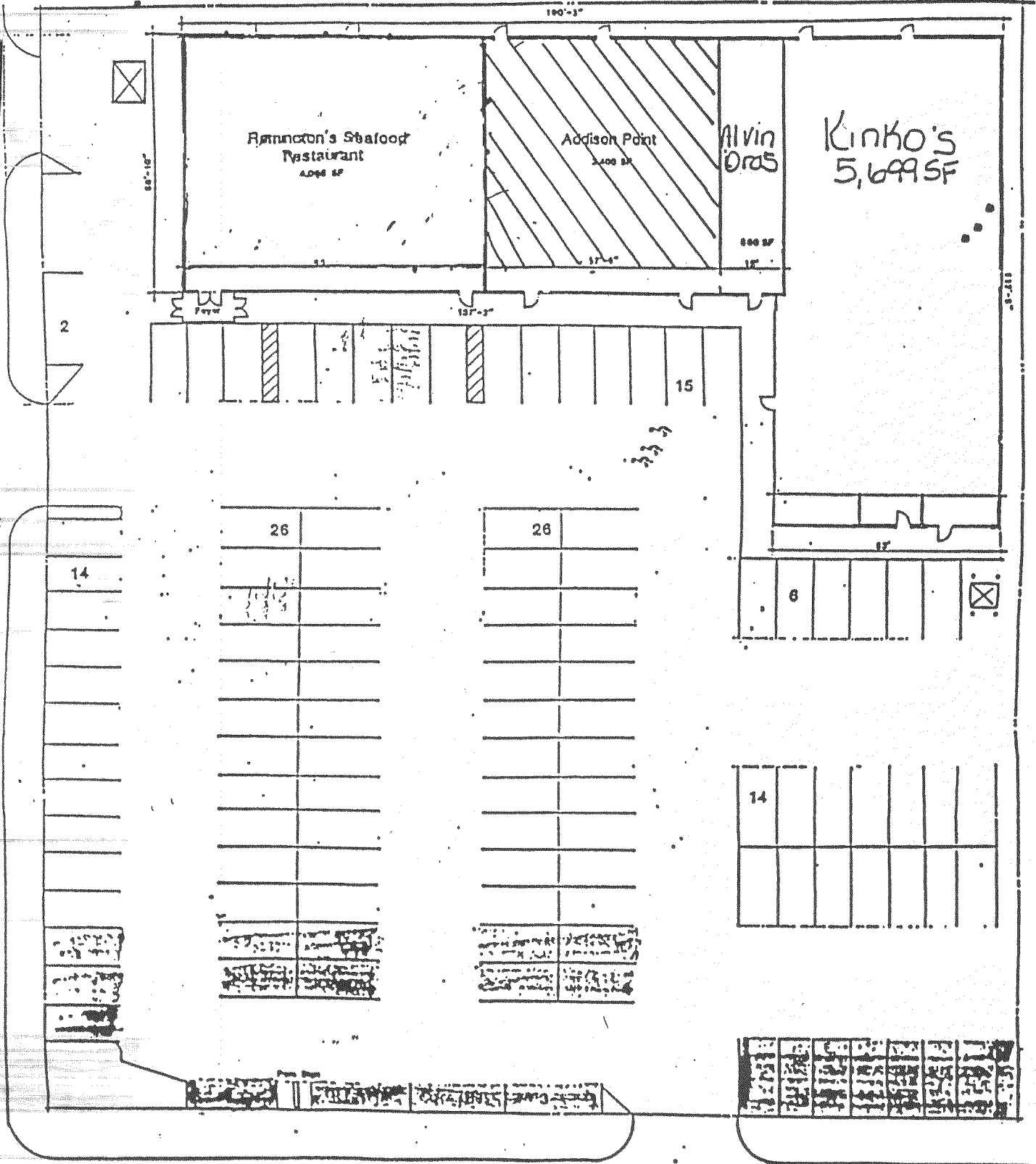




EXHIBIT "B"

SHOPPING CENTER



Addison Point

SITE PLAN ADDISON, TEXAS



north

NAME OF TOTAL BLDG. SF

"This site plan is presented solely for the purpose of identifying the approximate location and size of the buildings. Building sizes, site