

ORDINANCE NO. 002-015

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 GAMING ARCADE IN AN EXISTING RESTAURANT, ON APPLICATION WITH MAGIC TIME MACHINE, LOCATED AT 5003 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 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 gaming arcade in an existing restaurant. 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:

SITUATED IN Dallas County, Texas out of the G.W. Fisher Survey, Abstract No. 482, and being a re-survey of the same tract of land conveyed by the Dallas Independent School District to Julian Enterprises, Inc. as recorded in Volume 727, Page 2572 of the Dallas County Deed Records and being more particularly described as follows:

BEGINNING at the intersection of the North line of Belt Line Road (a 100 ft. R.O.W.) with the East line of Marcy Road (a 60 ft. R.O.W.);

THENCE N 89° 56' E, 500.00 feet along the North line of said Belt Line Road to a point for corner, said point bears S 89° 56' W, 664.58 feet from the intersection of the North line of Belt Line Road with the west line of Dallas Parkway (a 200 ft. R.O.W.);

THENCE N 0° 25' W, 317.00 feet to a point for corner;

THENCE S 89° 56' W, 500.00 feet to a point for corner in the East line of said Marcy Road;

THENCE S 0° 25' E, 317.00 feet along the East line of said Marcy Road to the place of beginning and containing 158,497 square feet or 3.6386 acres of land.

SECTION 2. That the Special Use Permit is approved subject to the following special conditions:

1. All mechanical equipment on the building shall be screened with a material approved by the Town.
2. 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.

SECTION 3. 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 be remain in full force and effect.

SECTION 4. 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 5. 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 14th day of May, 2002.



MAYOR

ATTEST:



CITY SECRETARY

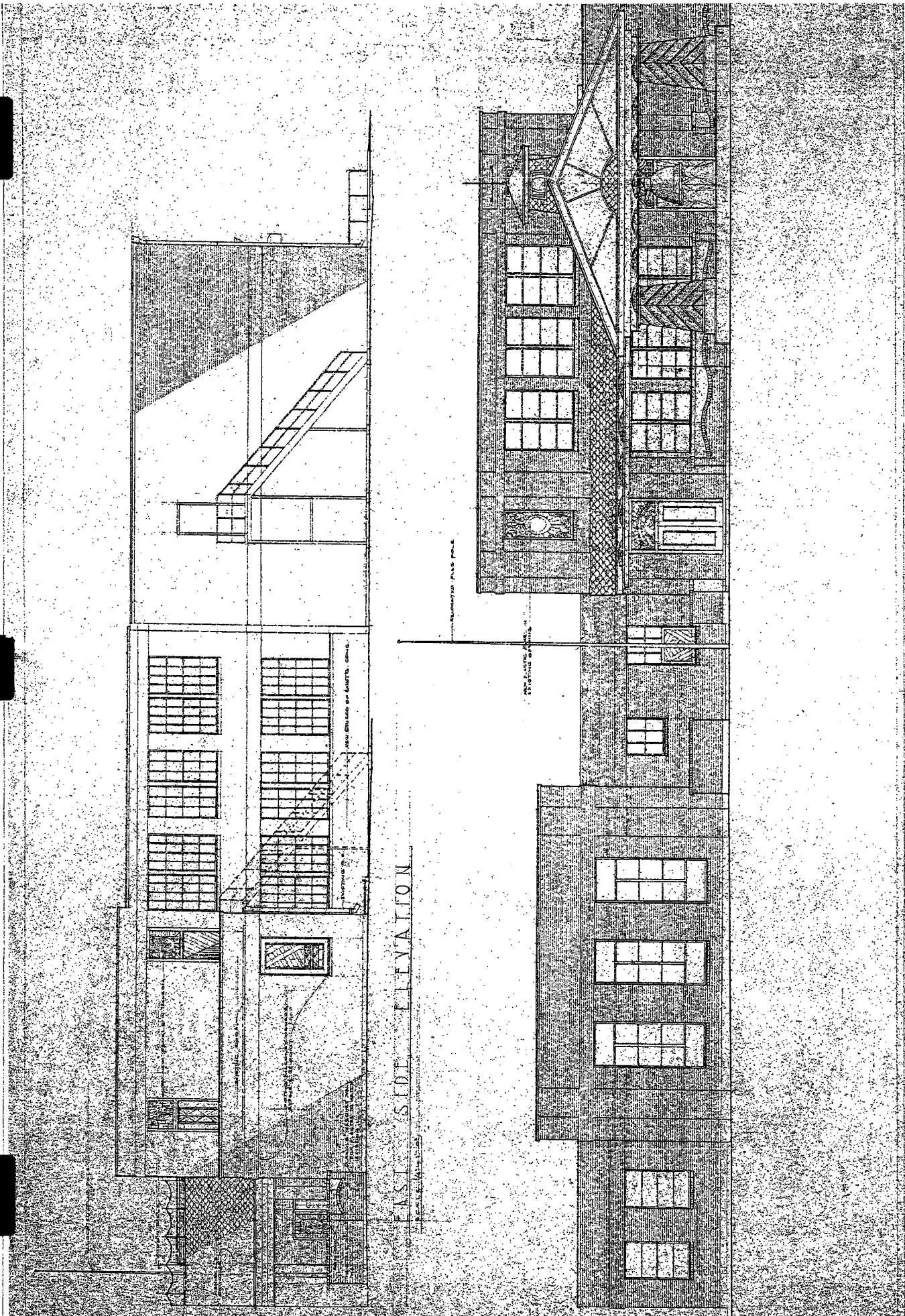
CASE NO. 1405-SUP

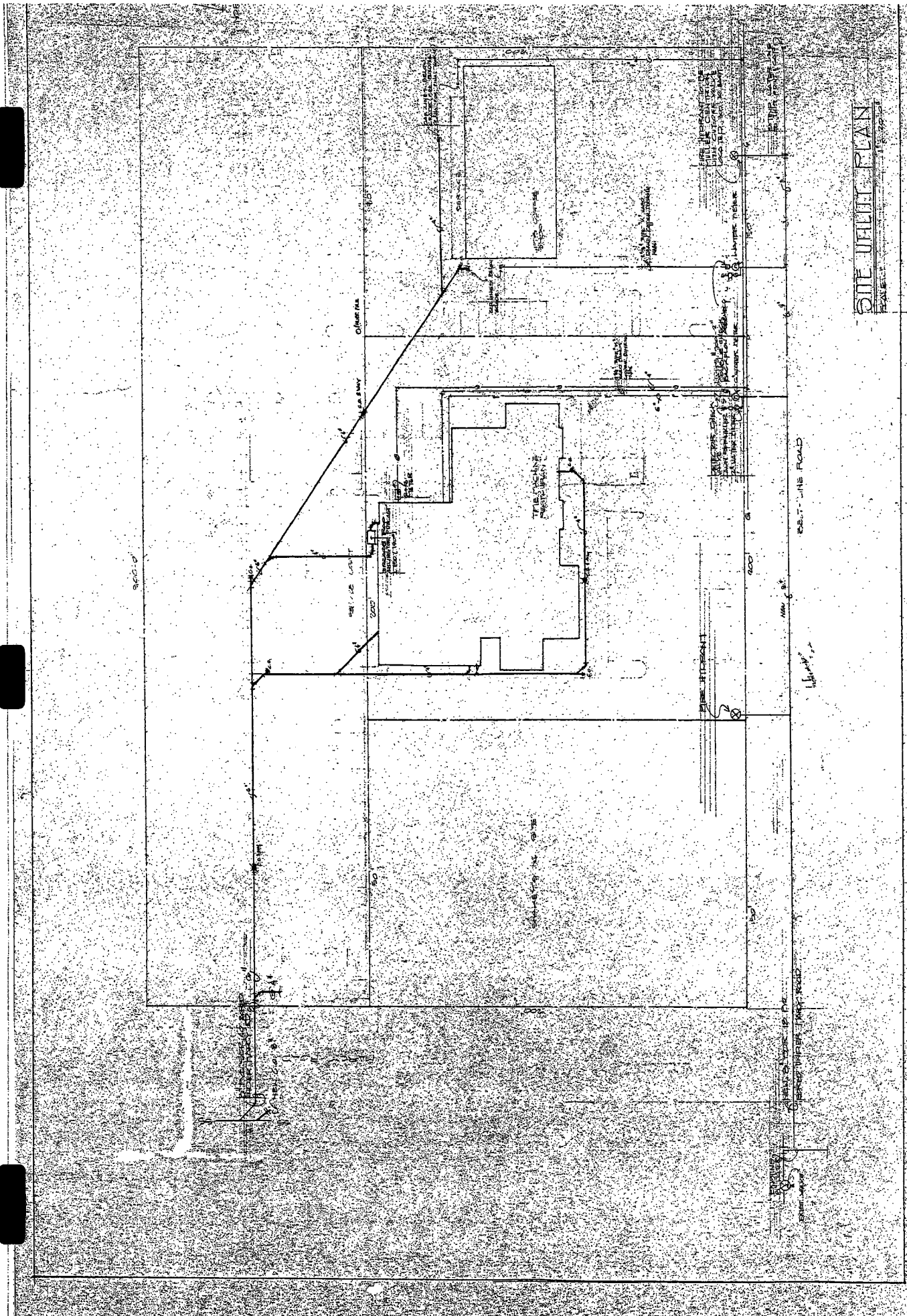
APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

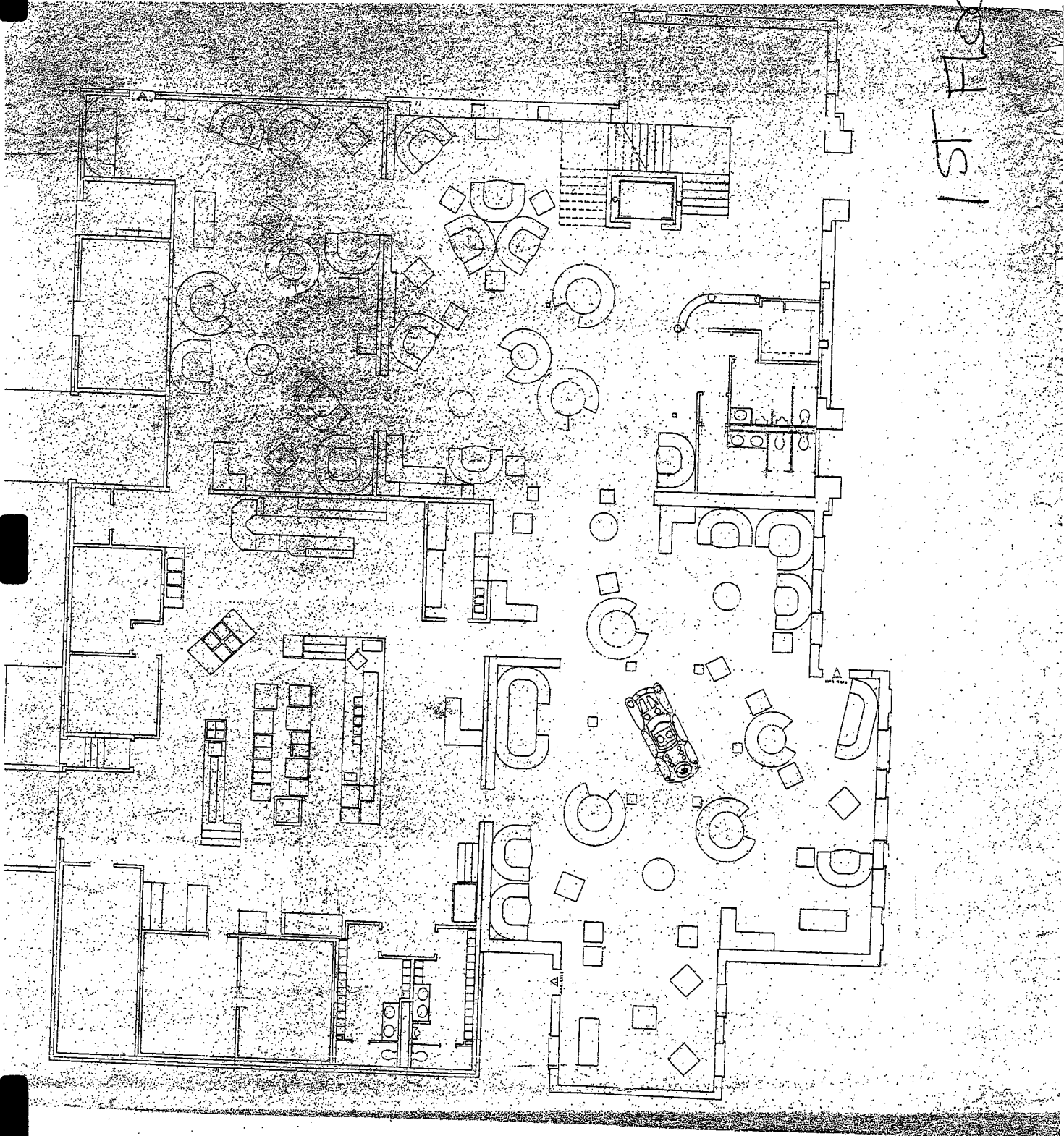
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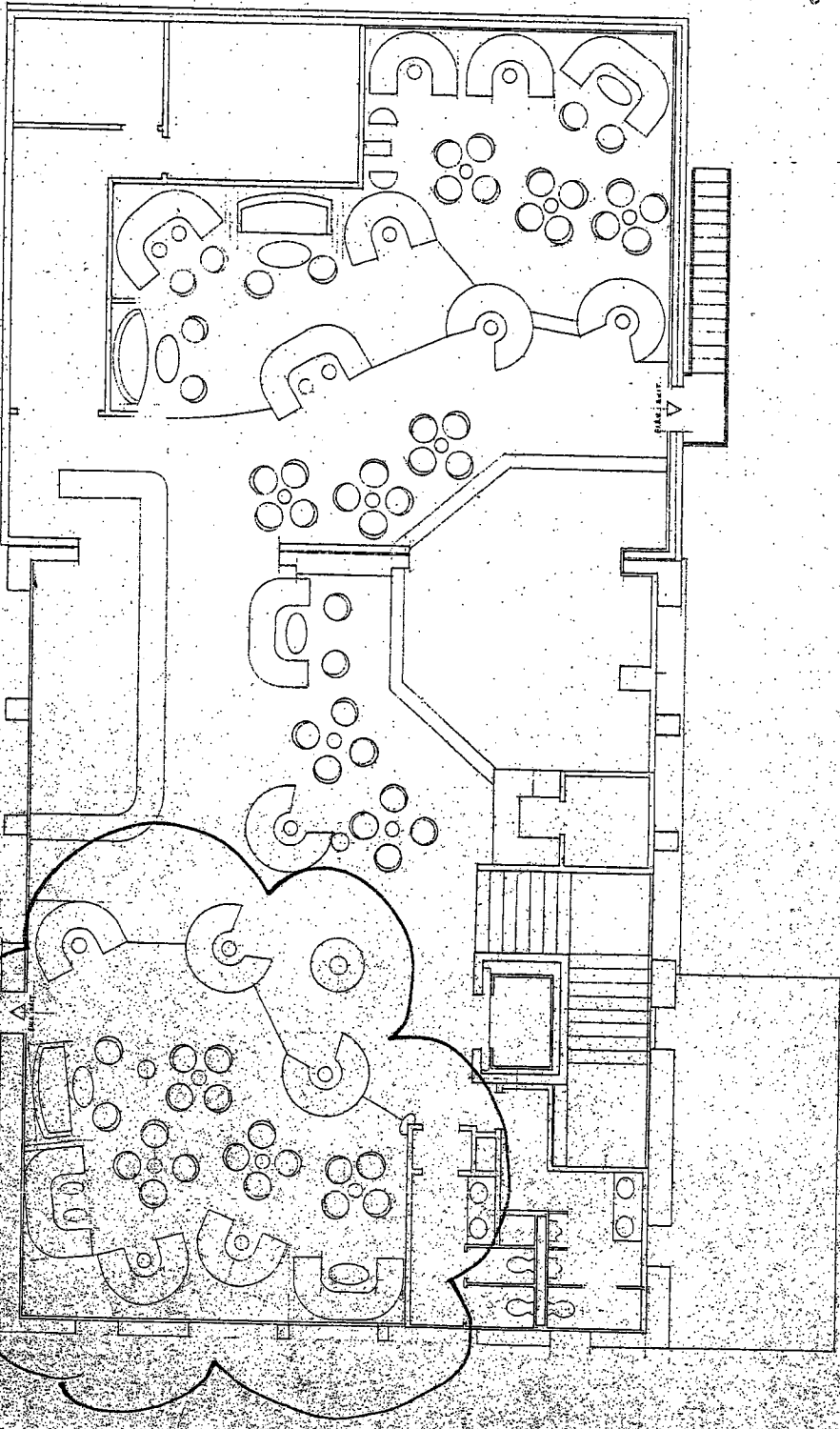


SITE UTILITIES PLAN

1ST FLOOR



BOOTHS WILL BE REMOVED FROM THIS AREA AND GAMES WILL BE ADDED.



46
42
50
—
14 00

2ND FLOOR

