

ORDINANCE NO. 002-017

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 086-034, AS HERETOFORE AMENDED, SO AS TO PROVIDE FOR REVISED SITE PLANS, ON APPLICATION FROM FRANK'S INTERNATIONAL STEAK HOUSE, LOCATED AT 5080 SPECTRUM DRIVE, 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. That Ordinance No. 086-034, passed by the Addison City Council on the 8th day of April, 1986 is hereby amended by amending Section 2 to read as follows:

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 site plan, floor plan, landscape 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 only and to that particular area designated on the final site plan and encompassing a total area not to exceed 7,290 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. No terms such as "bar", "tavern" or any terms or graphic depictions that relate to the sale of alcoholic beverages shall be used in exterior signs.
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. 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.
10. At the time of building permit, the applicant shall submit a more detailed site Plan that shows the percentage of existing landscaped area to be removed in Order to add the new paving for the valet drive. All trees and shrubs that will be removed to add the drive shall be replaced at an approved location within the Existing landscaped areas on the site. In addition, irrigation plans must be Submitted at time of building permit application.

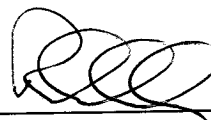
SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the

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 14th day of May, 2002.



MAYOR

ATTEST:



CITY SECRETARY

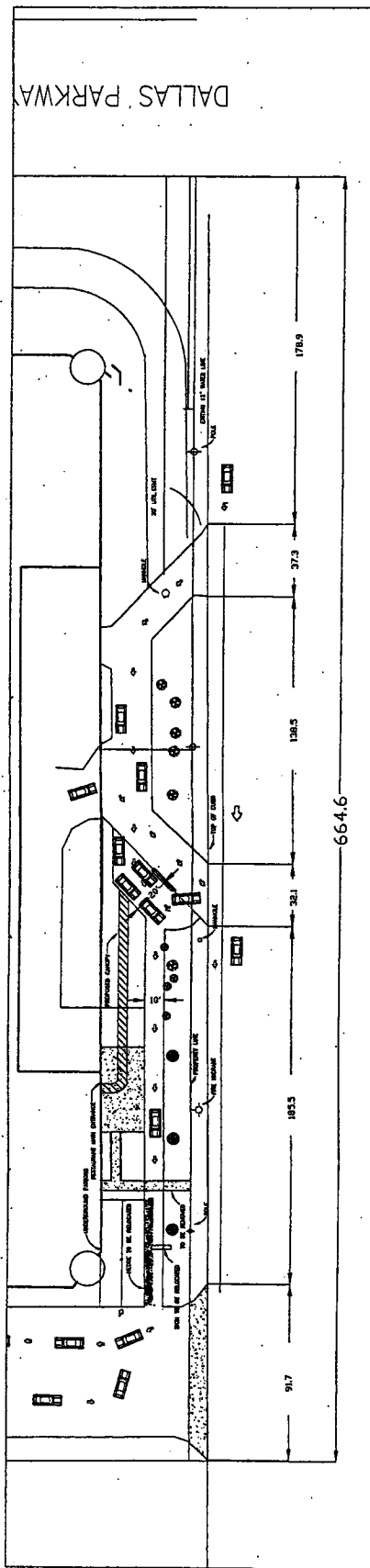
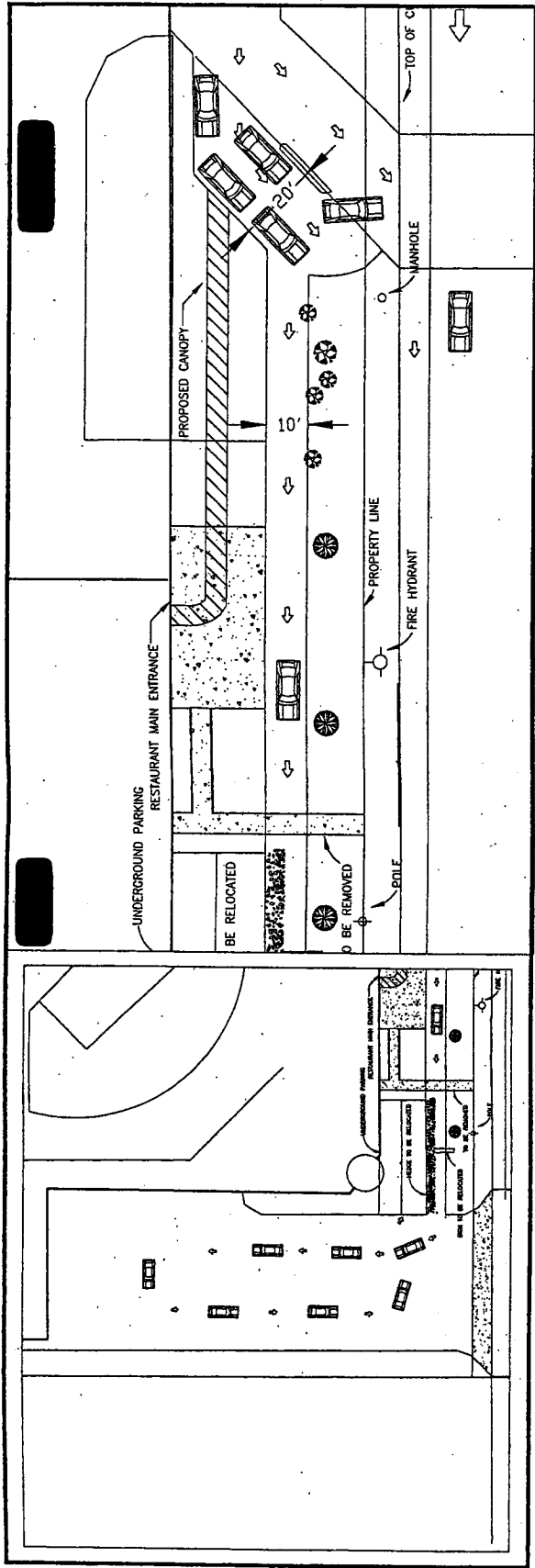
CASE NO. 1407-SUP

APPROVED AS TO FORM:




DIRECTOR OF DEVELOPMENT SERVICES

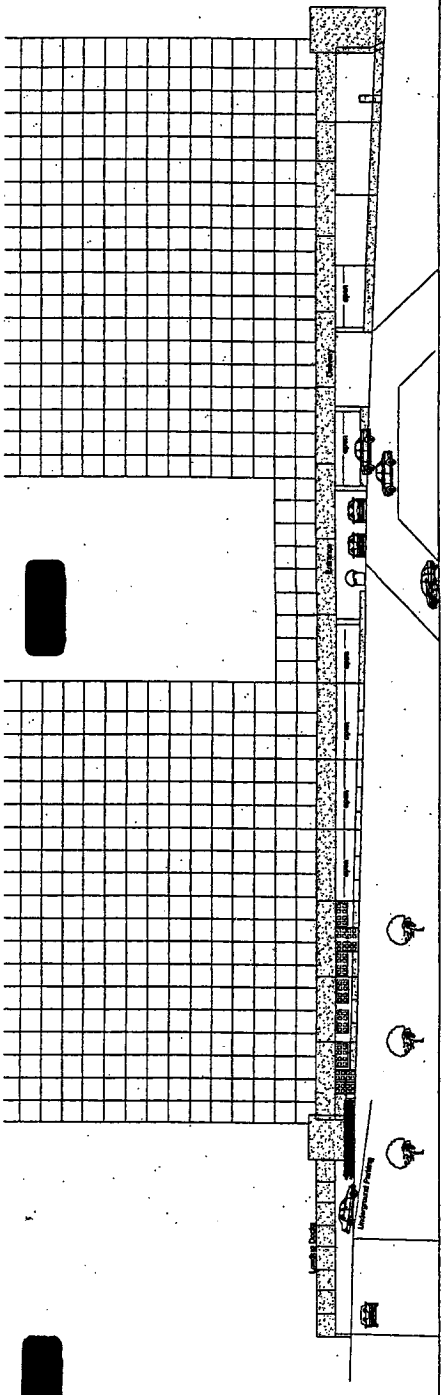
PUBLISHED ON: _____



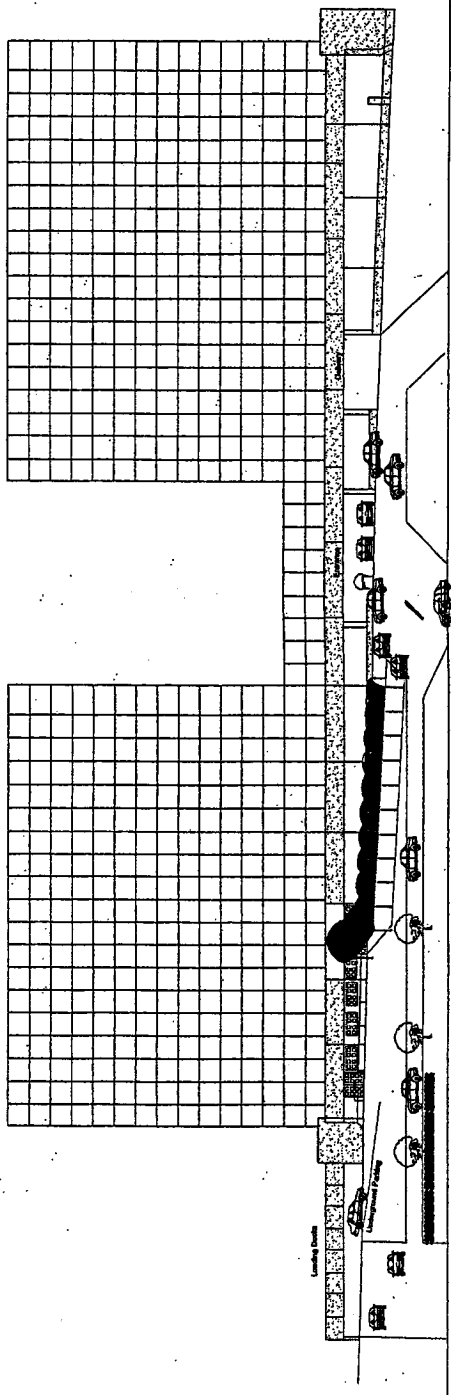
SITE PLAN
 PROPOSED CONDITION #2
 FRANK'S INTERNATIONAL
 STEAKHOUSE
 5080 SPECTRUM DRIVE, SUITE 111 WEST
 ADDISON, TEXAS 75001
 LAW PROJECT 60380-1-1668-01-000


LAW
 RESOURCES CREATING SOLUTIONS
 LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
 16850 WEST GROVE, SUITE 600

SCALE: 1"=60'



① SOUTH ELEVATION (EXISTING CONDITIONS)
SCALE: N.T.S.



① SOUTH ELEVATION (PROPOSED CONDITIONS)
SCALE: N.T.S.

ELEVATIONS
FRANK'S INTERNATIONAL
STEAKHOUSE
5000 SPECTRUM DRIVE, SUITE 111 WEST
ADDISON, TEXAS 75001

LAW PROJECT 60980-1-1668-01-800



RESOURCES CREATING SOLUTIONS

LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
18650 WESTGROVE, SUITE 800
ADDISON, TEXAS 75001
469-828-4100 FAX 469-828-4110

