

**ORDINANCE NO. 002- 038**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 091-026, AS HERETFORE AMENDED, SO AS TO PROVIDE FOR 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 CLAY PIT, LOCATED AT 4660 BELT LINE ROAD; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR 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, 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. 091-026, passed by the Addison City Council on the 11<sup>th</sup> day of June, 1991, 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, landscape plan, irrigation plan, and the elevation drawings showing four exterior walls, 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 designed on the final site plan as outlined and encompassing a total area not to exceed 6550 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 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 for considering a change of zoning.
9. The restaurant shall be prohibited from using any terms or graphic depictions that relate to the sale of alcoholic beverages in exterior signs.

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 by 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.

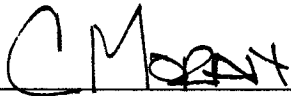
SECTION 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 8<sup>th</sup> day of October, 2002.



\_\_\_\_\_  
MAYOR

ATTEST:



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

CASE NO. 1417-SUP

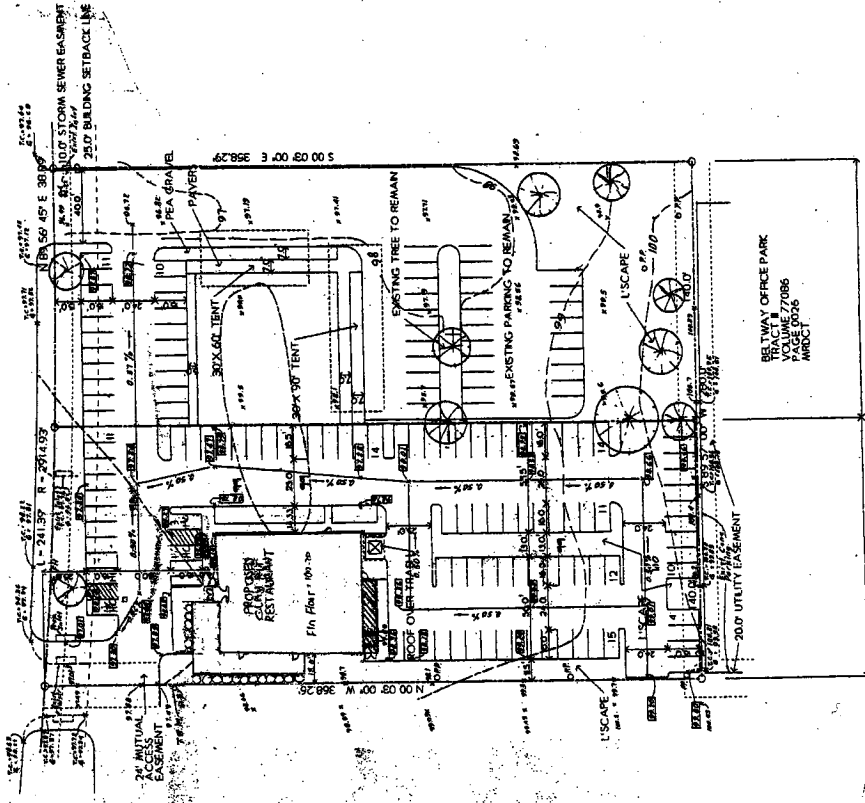
APPROVED AS TO FORM:



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DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON:     *No Morning News 2-9-03*

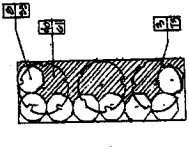
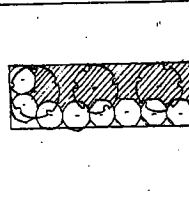
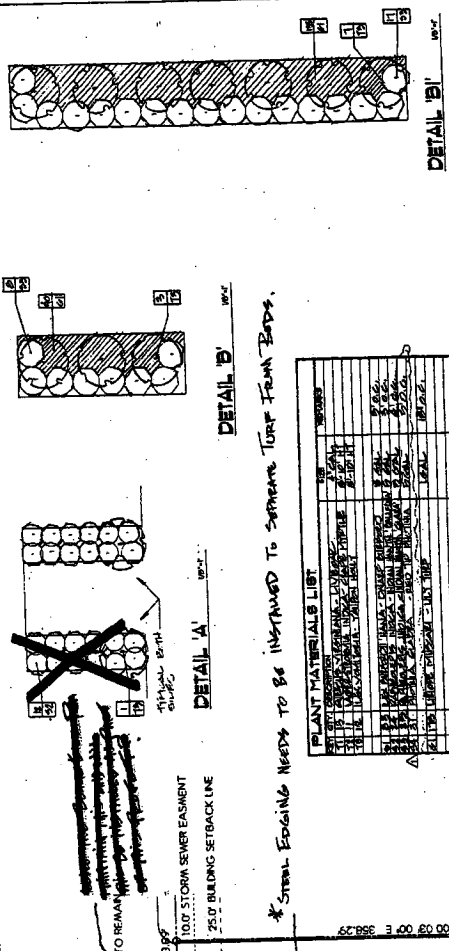
BELT LINE ROAD



BELTWAY OFFICE PARK  
 TRACT 117086  
 PAGE 0026  
 ARCHT

SITE PLAN 1" = 30'

# BELT LINE ROAD



DETAIL 'A'

DETAIL 'B'

\* STEEL EDGING NEEDS TO BE INSTALLED TO SEPARATE TURF FROM BAYS.

**PLANT MATERIALS LIST**

PLANT MATERIALS LIST	QTY	REMARKS
1. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
2. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
3. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
4. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
5. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
6. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
7. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
8. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
9. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING
10. 18" WIDE X 36" LONG X 2" HIGH TURF	100	FOR PLANTING

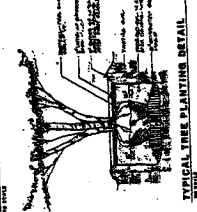
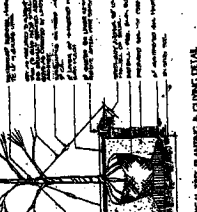
*Note: All plants shall be installed within 30 days of completion of construction.*

**NOTES:**

1. ALL PLANTING SHALL BE INSTALLED WITHIN 30 DAYS OF COMPLETION OF CONSTRUCTION.
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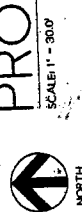
**PLANTING NOTES:**

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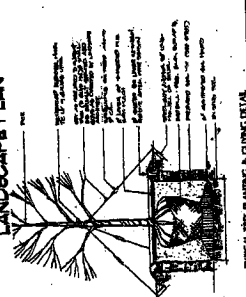


# PROPOSED LANDSCAPE PLAN

LANDSCAPE AREA  
 TOTAL AREA = 1181.6 SQ. FT.  
 20 % OF TOTAL AREA = 236.32 SQ. FT.  
 8 % CREDIT AREA = 94.528 SQ. FT.  
 TOTAL AREA REQUIRED = 146.352 SQ. FT.



# PROPOSED LANDSCAPE PLAN



TYPICAL TREE PLANTING DETAIL

TYPICAL SHRUB PLANTING DETAIL

TYPICAL TREE PLANTING DETAIL

DATE: 7/19/03  
JOB#: 0038  
0231

FURNITURE  
PLAN

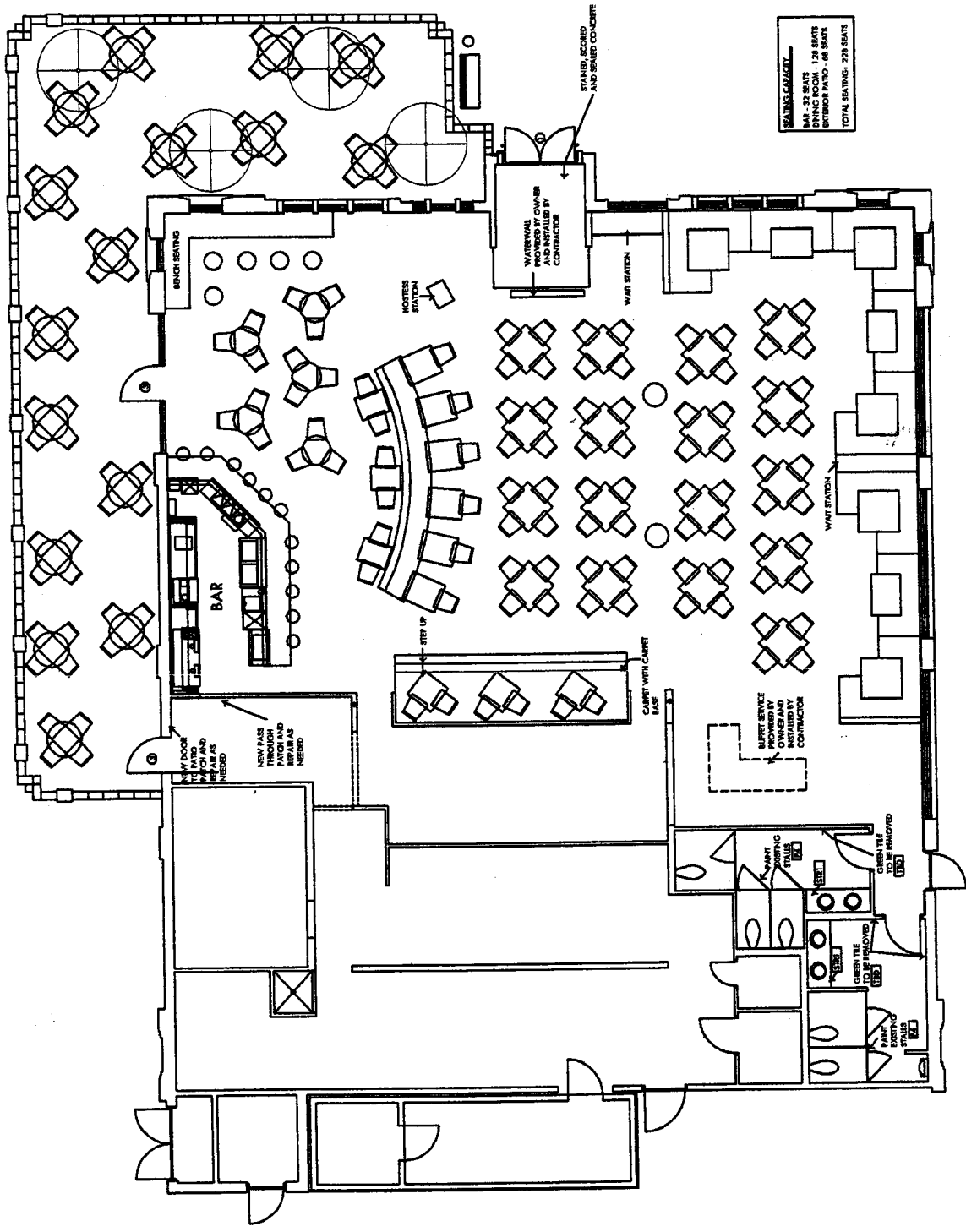
CLAY PIT

AMAR UNLIMITED  
4460 BELTLINE ROAD  
ADDON, TEXAS

CORTLAND MORAN, ARCHITECT, PA  
5000 W. WILSON  
DALLAS, TEXAS 75235  
PHONE: (214) 358-3888, FAX: (214) 358-3889

SHEET NUMBER

A1.3



SEATING CAPACITY:  
BAR - 33 SEATS  
BAR SEATING - 28 SEATS  
RESTROOMS - 16 SEATS  
TOTAL SEATING - 78 SEATS

FURNITURE PLAN  
SCALE: 1/4" = 1'-0"

DATE: 7/10/02  
FORM: 5028  
0231

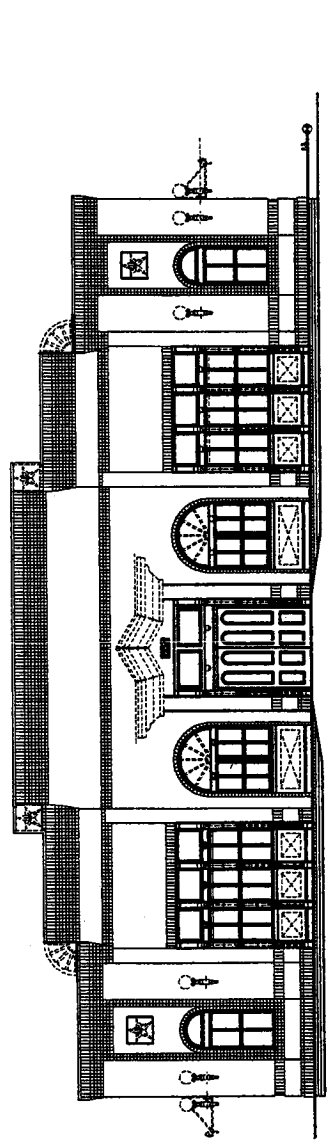
EXTERIOR

CLAY PIT

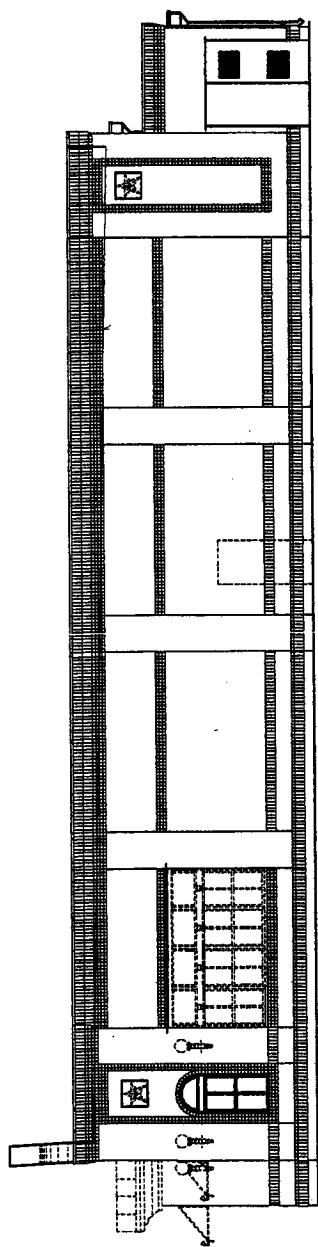
AMAR UNLIMITED  
4460 BELTLINE ROAD  
ARLINGTON, TEXAS

CORTLAND MONROE, ARCHITECT, PA  
1000 BUCKLEUP BLVD  
SUITE 200  
ARLINGTON, TEXAS 76010  
PHONE: (817) 251-1111, FAX: (817) 251-1112

SHEET NUMBER  
**A2.1**



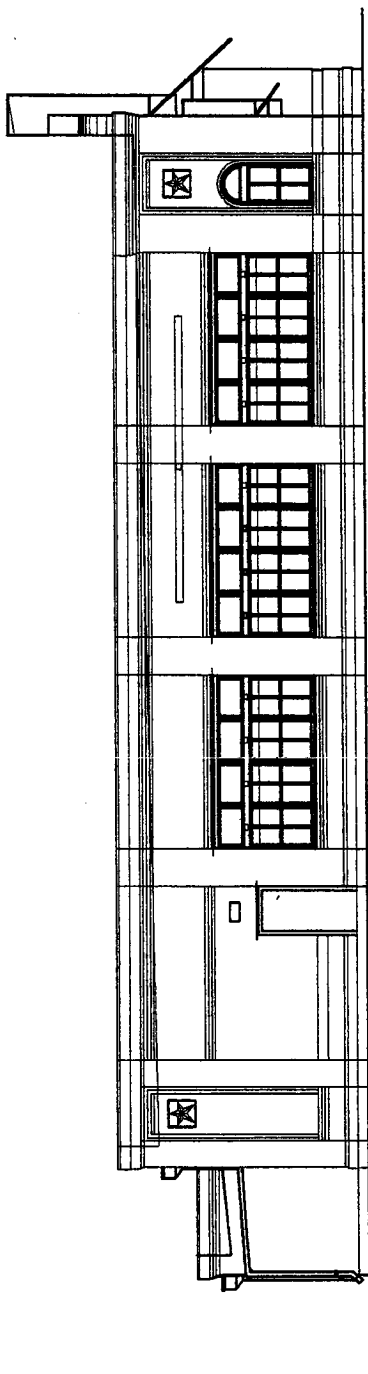
○ NORTH EXTERIOR DEMOLITION  
SCALE 1/4" = 1'-0"



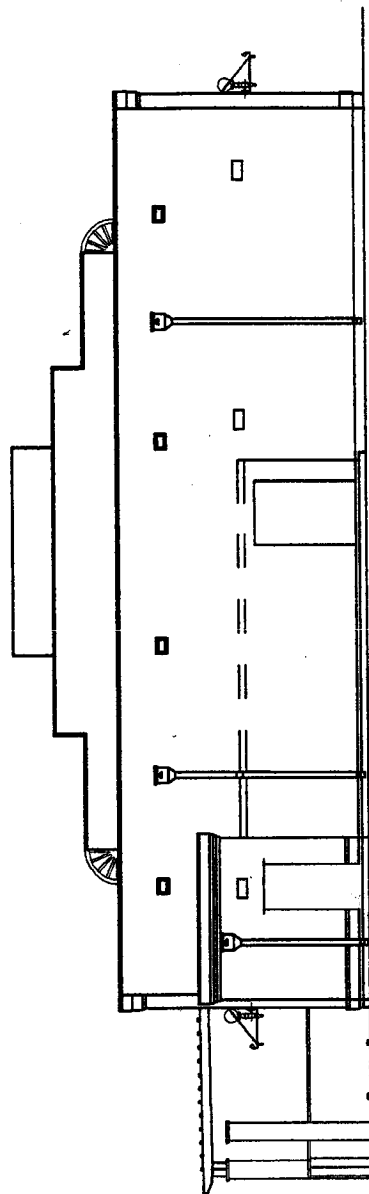
○ WEST EXTERIOR DEMOLITION  
SCALE 1/4" = 1'-0"

NOTES:  
1. VERIFY ALL DEMOLITION SPECIFICATIONS TO BE MET.  
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF ARLINGTON, TEXAS, ORDINANCE NO. 002-038.  
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4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF ARLINGTON, TEXAS, ORDINANCE NO. 002-038.  
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF ARLINGTON, TEXAS, ORDINANCE NO. 002-038.

DATE 7/10/02 JOB# 5028 0221	EXTERIOR	CLAY PIT	AMAR UNLIMITED 4460 BELLINE ROAD ADDRESS: TDA#	CORTLAND HOSKIN, ARCHITECT, PA 2000 W. 10TH ST. SUITE 100 FAYETTEVILLE, AR 72701 PHONE (501) 399-2000 FAX (501) 399-2000	SHEET NUMBER <b>A2.2</b>
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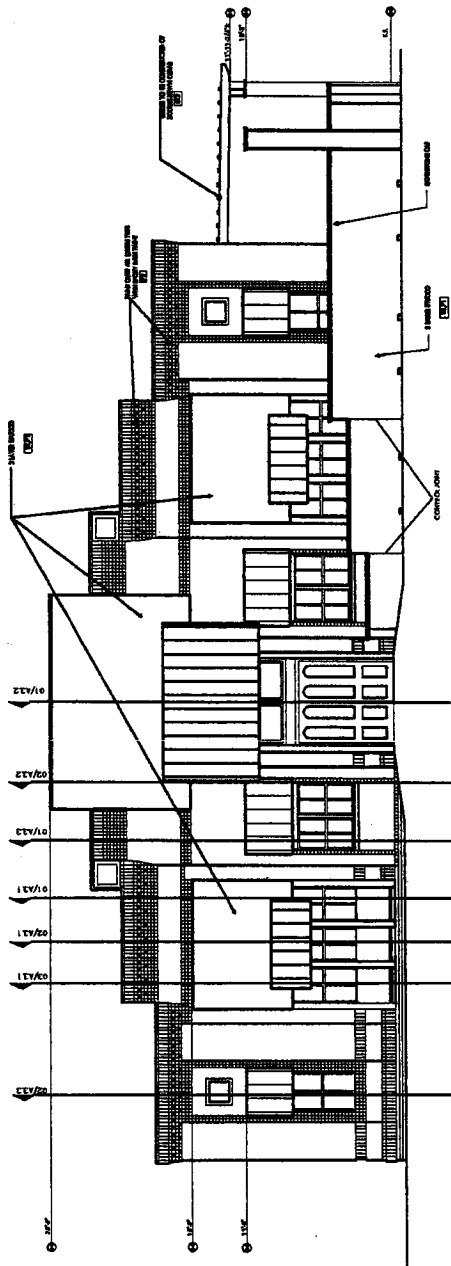


05 EAST EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"

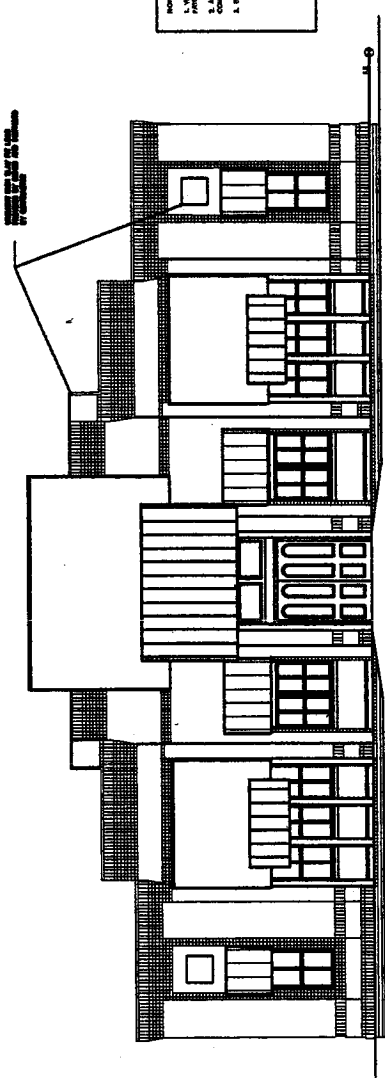


06 SOUTH EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"

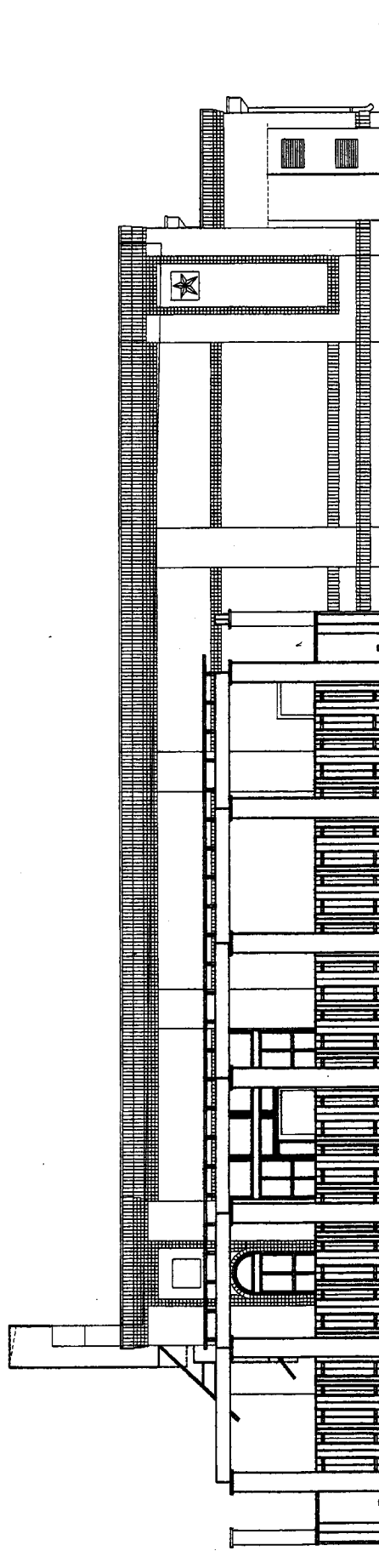




01 - NORTH EXTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



02 - NORTH EXTERIOR  
SCALE: 1/4" = 1'-0"



03 WEST EXTERIOR ELEVATION  
SCALE 1/4" = 1'-0"