

ORDINANCE NO. 006-031

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT 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 SELIM'S DOENER KEBAP HOUSE, LOCATED AT 4816 BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; 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, 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. The Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, be amended, by amending the zoning map of the Town of Addison, Texas, so as to grant a special use permit for a restaurant and a special use permit for the sale of alcoholic beverages for on-premises consumption to Selim's

Doener Kebap House. Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

BEING a 1,912 square foot lease space, located in a shopping center, and addressed as 4866 Belt Line Road, and being on a tract or parcel of land situated in the Town of Addison, Texas and being out of the Josiah Pancoast Survey, Abstract 1146; and being Site 6, Block 1, Quorum West, an addition recorded in Volume 82053, Page 1316 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner at the intersection of the southerly line of Belt Line Road (110 feet wide) and the westerly line of Landmark Boulevard (80 feet wide);

THENCE South 0 degrees 12'57" East along said southerly line of Belt Line Road (110 feet wide) and the westerly line of Landmark Boulevard a distance of 205.00 feet to the beginning of a curve to the left;

THENCE in a southerly, southeasterly direction continuing along said westerly line of Landmark Boulevard and along said curve to the left having a radius of 1403.31 feet, a central angle of 7 degrees 59'15" and an arc length of 195.63 feet to a point for corner and to the end of said curve to the left;

THENCE South 89 degrees 47'03" West a distance of 364.98 feet to a point for corner in the easterly line of a St. Louis and Southwestern Railroad right-of-way (100 feet wide);

THENCE North 17 degrees 06'17" West along said easterly line of the railroad right-of-way a distance of 162.11 feet to a point for corner;

THENCE North 27 degrees 09'19" East along the easterly line of a tract of land dedicated for Inwood Road (variable width) a distance of 25.92 feet to the beginning of a curve to the left;

THENCE in a northeasterly, northerly direction along said eastern line of Inwood Road Dedication and along said curve to the left having a radius of 470.00 feet; a

central angle of 28 degrees 04'33" and an arc length of 230.31 feet to a point for corner and to the end of said curve to the left;

THENCE North 89 degrees 47'03" East along the said southerly line of Belt Line Road a distance of 333.96 feet to the POINT OF BEGINNING and containing 145,861 square feet more or less or 3.3485 acres.

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 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 2,591 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 which 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.
8. 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.
9. 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.
10. 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.

11. The establishment shall not use the term “bar”, “tavern”, or any other terms or graphic depictions that relate to the sale of alcoholic beverages on any signs visible from the exterior of the premises.
12. All missing plant material shown on the most recent landscape plan that the staff has on file will need to be replaced prior to the issuance of a Certificate of Occupancy for the space. In addition, a freeze and rain sensor must be installed on the irrigation system, if it is not already installed.
13. All signs for the restaurant must comply with the requirements of the Addison Sign Ordinance. In addition, the applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in exterior signs.
14. The applicant shall be allowed 200 square feet of patio space if he chooses to add a patio at a later date.

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 11th day of July, 2006.



MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1519-SUP/Selim's Doener Kebap House

APPROVED AS TO FORM:



PUBLISHED ON: 08/17/06

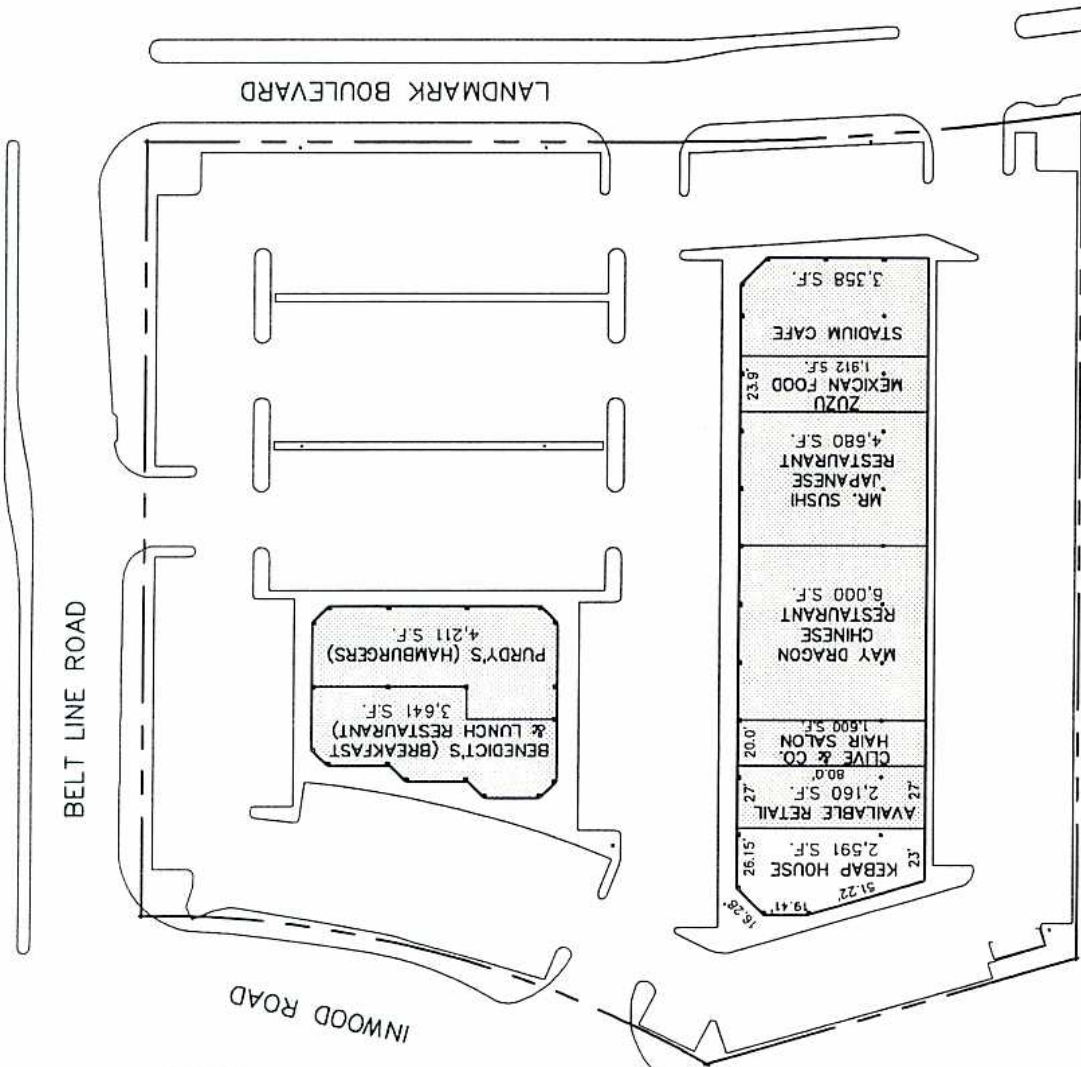
INWOOD QUORUM VILLAGE

ADDISON, TEXAS

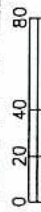
PESKIND DEVELOPMENT COMPANY
P.O. BOX 835183
RICHARDSON, TEXAS 75083-5183
PHONE: (972) 980-0080



**GENERAL AREA MAP
ADDISON, TEXAS**

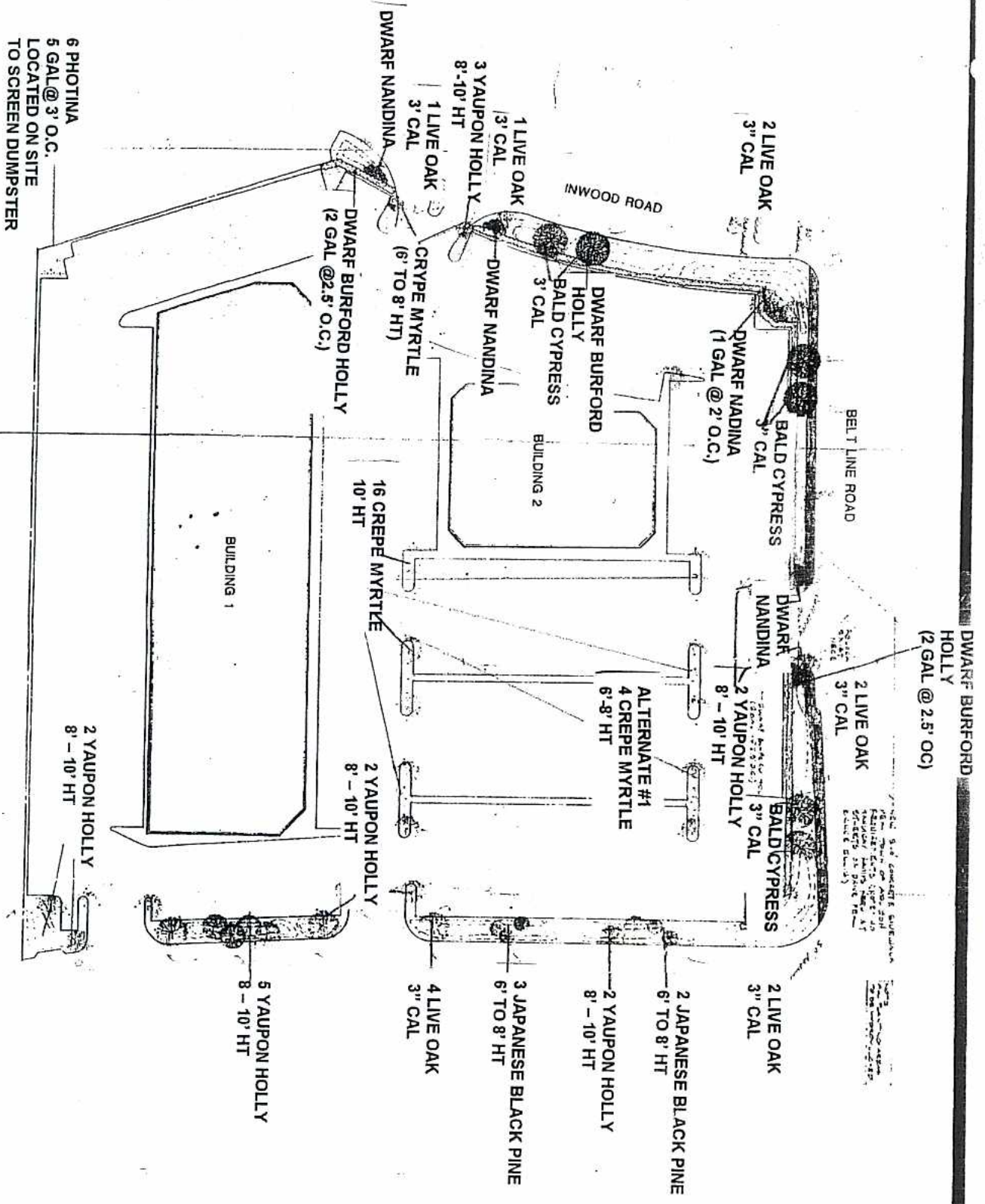


SITE PLAN



TABULATION

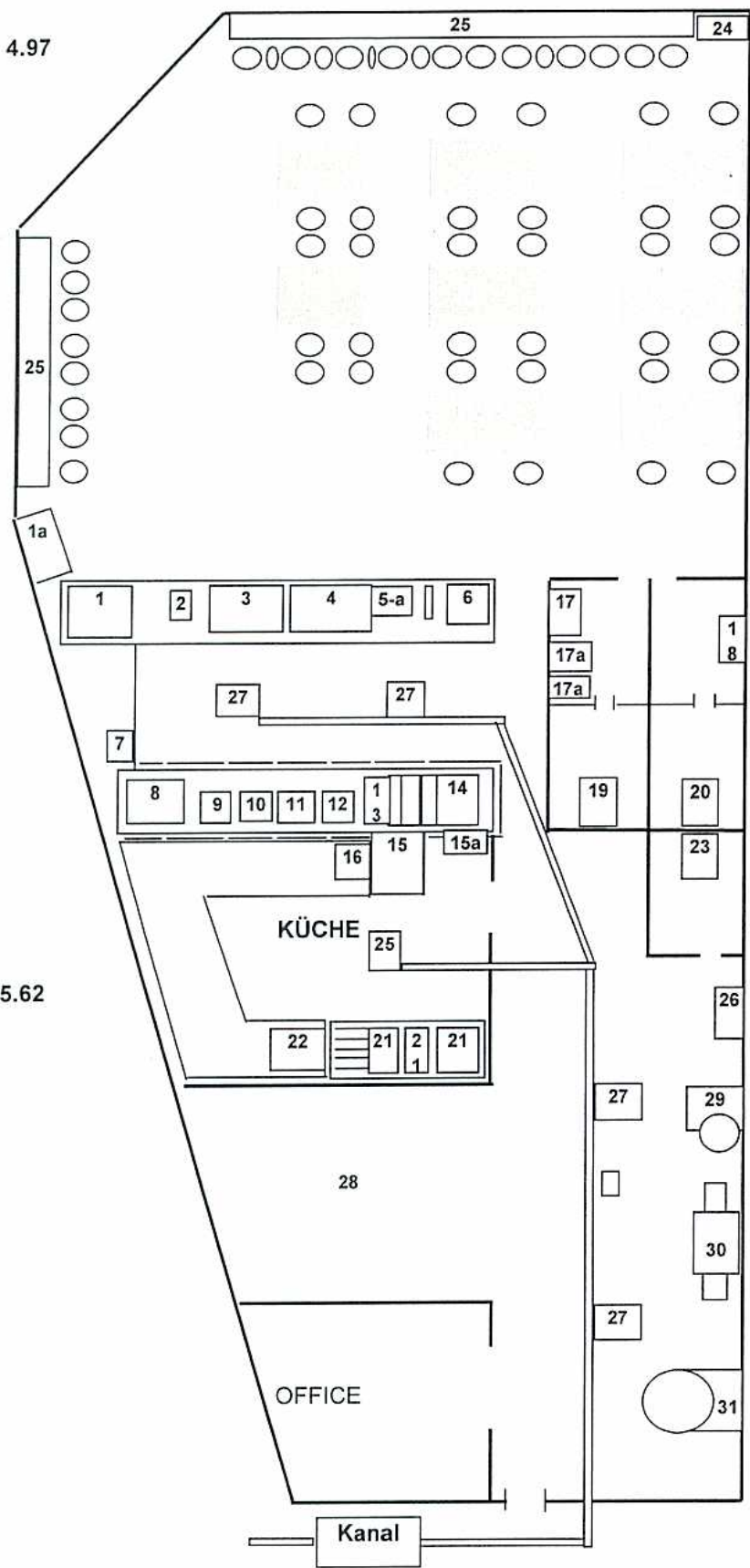
SITE AREA:	145,861 SQ FT
GROSS BLDG. AREA:	22,301 SQ FT
BLDG. #1	7,852 SQ FT
BLDG. #2	30,153 SQ FT
TOTAL GROSS BLDG. AREA:	283 CARS
PARKING PROVIDED:	



DWARF BURFORD HOLLY (2 GAL @ 2.5' O.C.)

1 GAL @ 2' O.C. (1 GAL @ 2' O.C.)

4.97



15.62

1	saladbar
1-a	fridge for beverages
2	register
3	inserted cold prep table
4	inserted warm prep table
5	register
5-a	Tapstand for Cola,Fanta
	grill stove for sausages
7	hand sink
	2 level pizzabaker
	kebab rotisserie spear
	kebab rotisserie spear
	kebab rotisserie spear
	kebab rotisserie spear
13	warmholder
	double french fryer+basin
	oven+stovetop
15-a	hand sink
16	microwave
17	hand sink
17-a	male pissoir
18	hand sink
19	male toilet
20	female+handicap toilet
21	3 x sink
22	vegetable cutter
23	employee toilet
24	tv
25	table
26	hand sink

27	floor outlets
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	freezer+shock freezer
	meat processor
	meat divider
	meat cutter

OFFICE OF THE CITY SECRETARY

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