

ORDINANCE NO. 007-001

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 419, AS AMENDED BY ORDINANCE 542, AS HERETOFORE AMENDED, SO AS TO PROVIDE FOR AN AMENDMENT TO AN EXISTING SPECIAL USE PERMIT FOR A RESTAURANT AND AN AMENDMENT TO AN EXISTING SPECIAL USE PERMIT FOR THE SALE OF ALCOHOL FOR ON-PREMISES CONSUMPTION ONLY, ON APPLICATION FROM 29° TAVERN, LOCATED AT 5260 BELT LINE ROAD; 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. 419, passed by the Addison City Council on the 22nd day of August, 1978, (and amended by Ordinance No. 542, passed by the Addison City Council on the 13th day of November, 1979) 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, 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 designated on the final site plan and encompassing a total area not to exceed 7,209 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 on any signs visible from the exterior of the premises.
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. The applicant shall submit a new updated landscape plan with calculations of the new and existing landscape plan prior to the issuance of a building permit. The updated landscape plan shall include an upgrading of the existing landscaping on the site.


10. All mechanical equipment on the new building shall be completely screened from view. The screening material shall be architecturally compatible to the building and the Building Official shall make the determination of "architecturally compatible."

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 15th day of January, 2007


MAYOR

ATTEST:


CITY SECRETARY

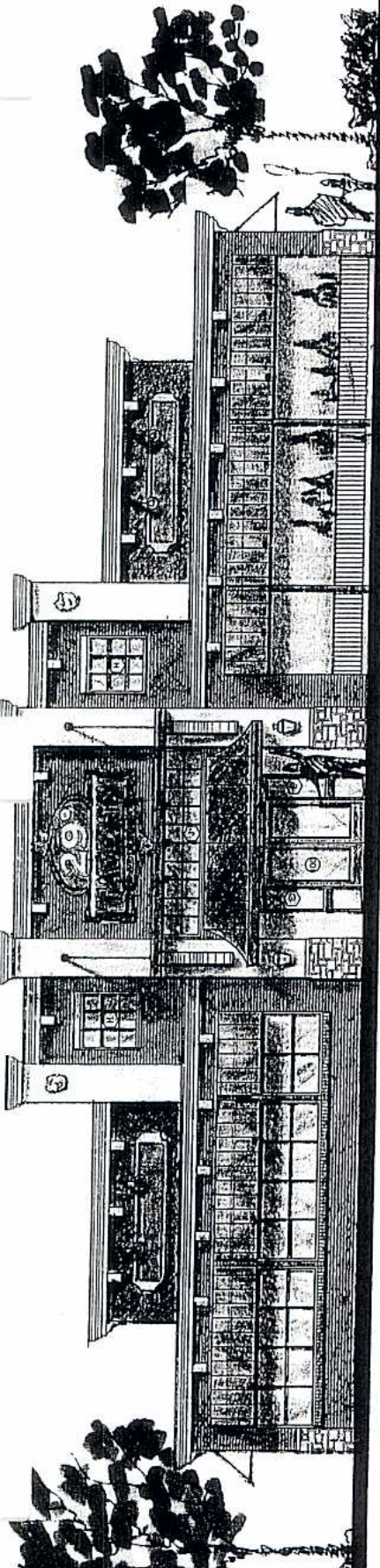
CASE NO. 1523-SUP/29° TAVERN

APPROVED AS TO FORM:

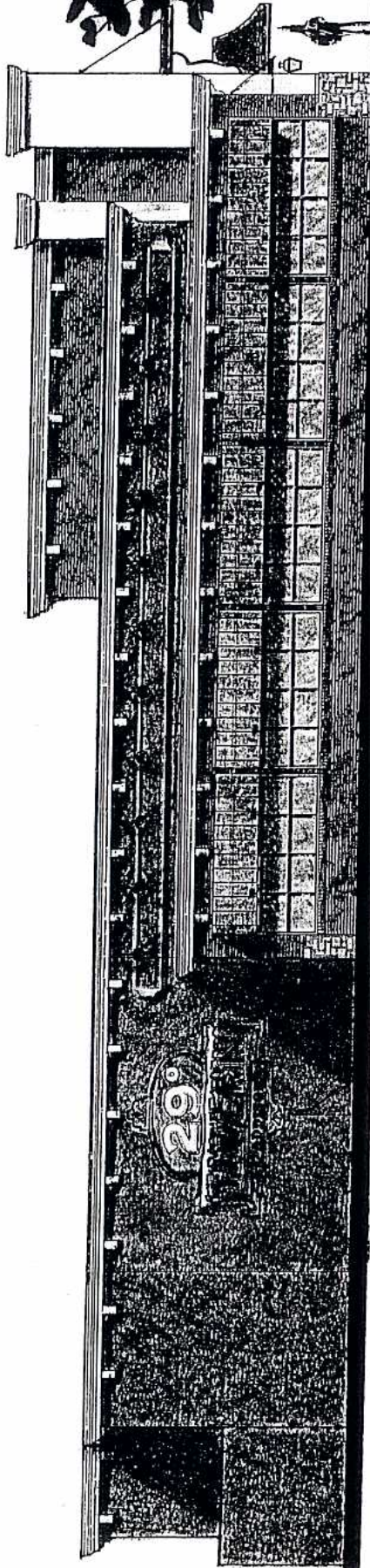
C. MORAN

DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: 03-01-2007



01 FRONT (NORTH) ELEVATION
SCALE: 1/4" = 1'-0"

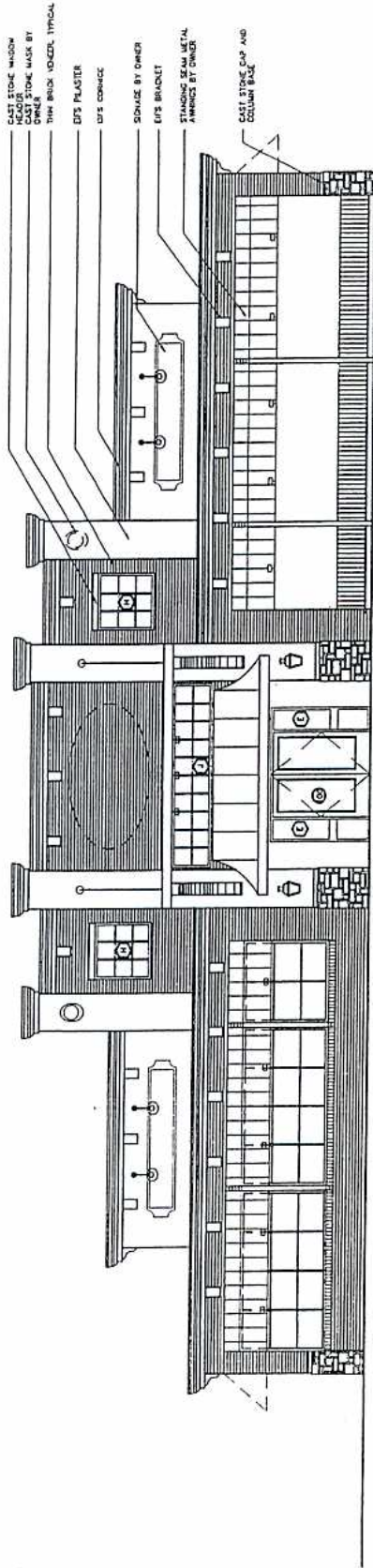


02 SIDE (EAST) ELEVATION
SCALE: 1/4" = 1'-0"

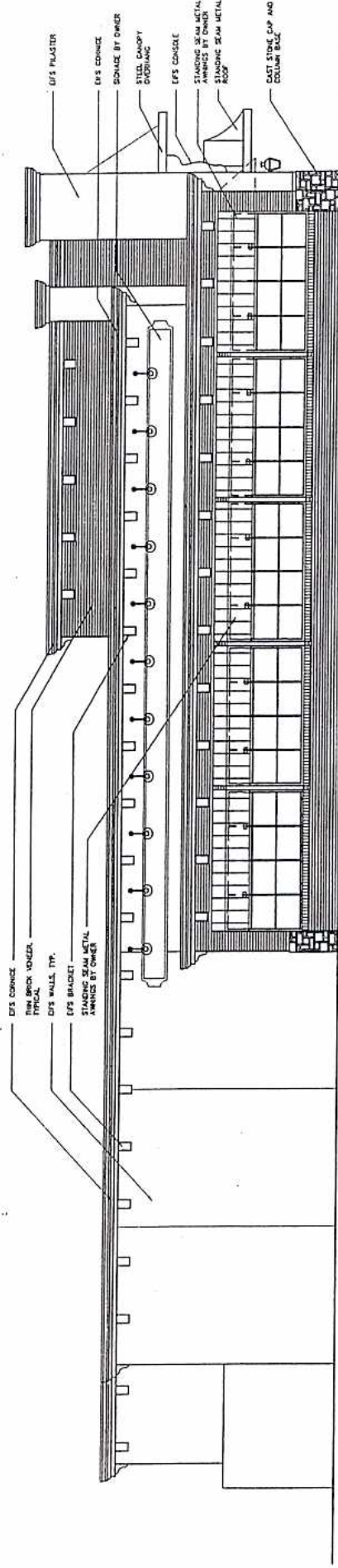


Schematic Design
Addison Tavern
Oct. 7, 2005





01 FRONT (NORTH) ELEVATION
 SCALE: 1/4" = 1'-0"

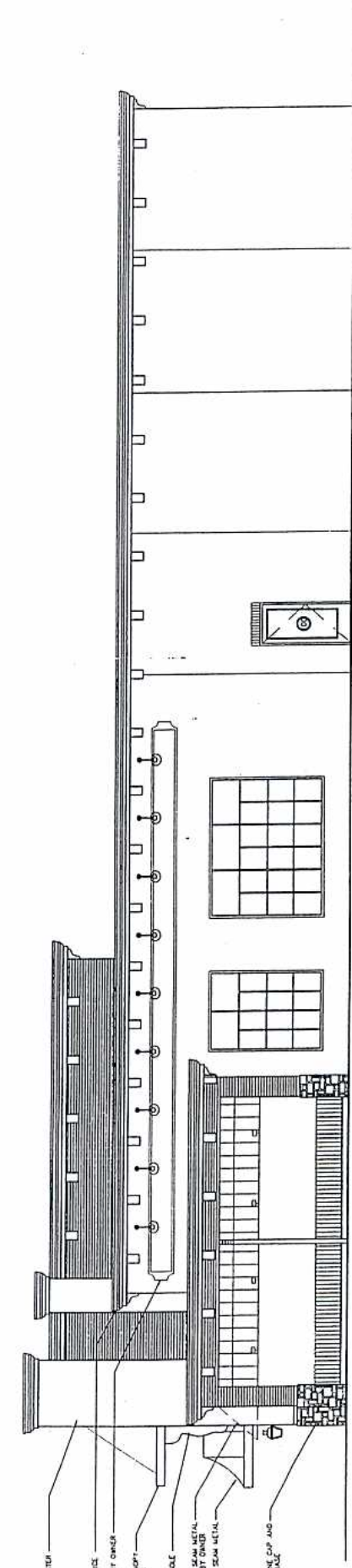


02 SIDE (EAST) ELEVATION
 SCALE: 1/4" = 1'-0"



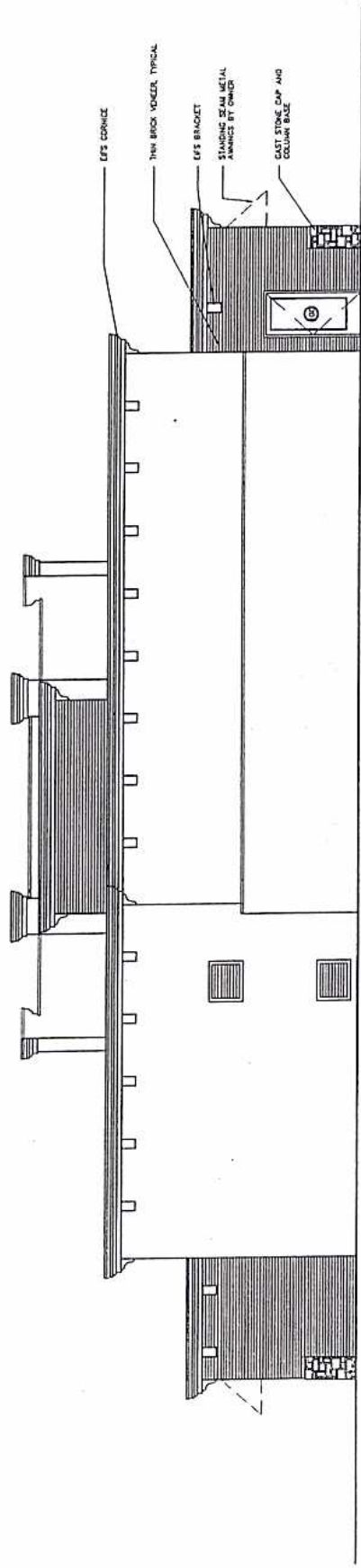
Schematic Design
 Addison Tavern
 NOV. 27, 2006





03 SIDE (WEST) ELEVATION
SCALE: 1/4" = 1'-0"

OFFICE OF THE CITY SECRETARY



04 REAR (SOUTH) ELEVATION
SCALE: 1/4" = 1'-0"

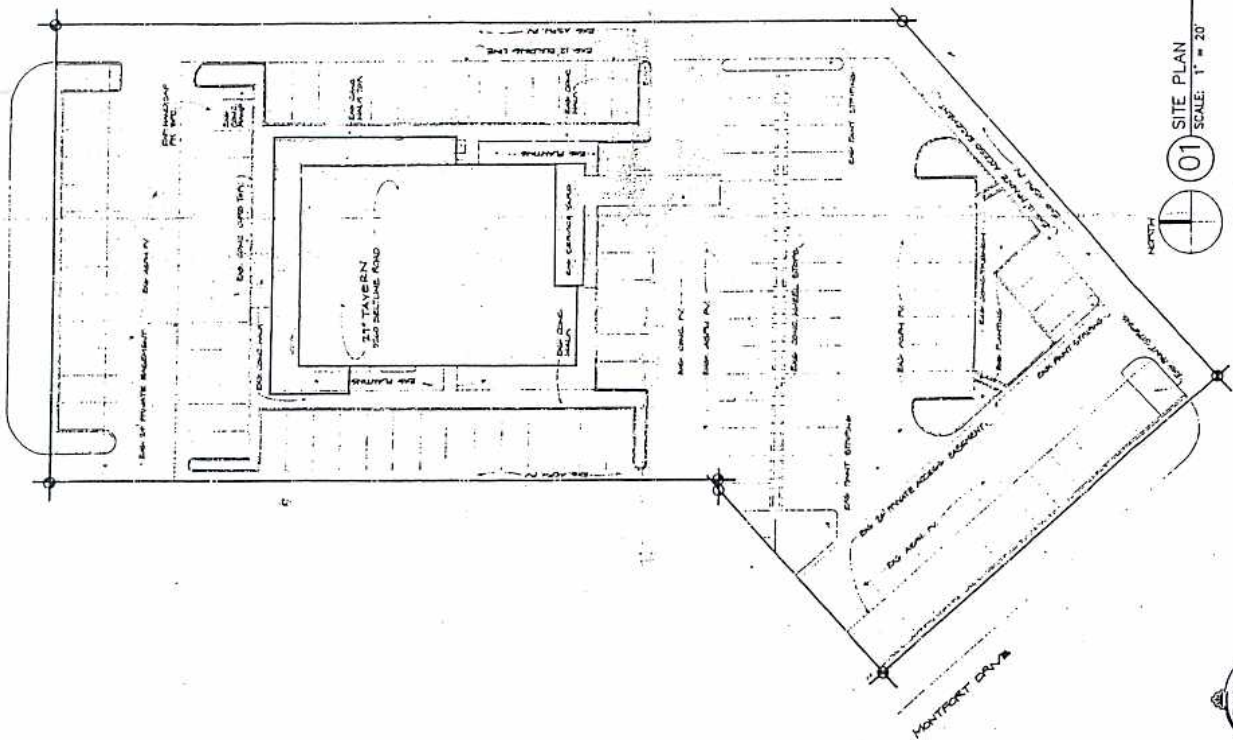


Schematic Design
Addison Tavern
NOV. 27, 2006



ORDINANCE NO. 007-001

BELT LINE ROAD



01 SITE PLAN
SCALE: 1" = 20'



Schematic Design
Addison Tavern
NOV. 27, 2006



PARCEL "A" - TRACT 1

BEING a tract of land situated in the Allen Binkshar Survey, Abstract No. 357, City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the South line of Belt Line Road, (a 100' R.O.W.), said point being S. 89°43'25"W, a distance of 322.32 feet along the said Belt Line Road South line from the West line of Montfort Drive, (a 60' R.O.W.), an iron stake for corner;

THENCE, S. 0°10'20"E, leaving said Belt Line Road South line, a distance of 225.00 feet to an iron stake for corner;

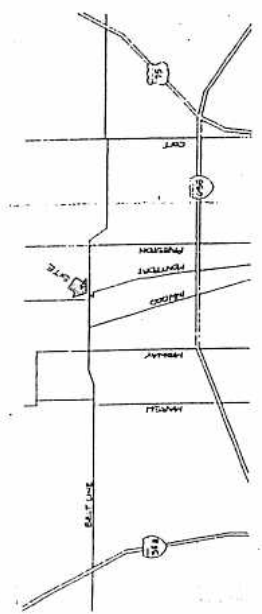
THENCE, S. 89°43'20"W, a distance of 2.32 feet to an iron stake for corner;

THENCE, S. 48°05'14", a distance of 81.08 feet to a point on the Northeast line of Wood Road, (a 55' R.O.W.), an iron stake for corner;

THENCE, N. 41°51'14", along the said Wood Road Northeast line, a distance of 310.25 feet to an iron stake for corner;

THENCE, N. 78°44'55"E, along a curb/line between said Wood Road Northeast line and said Belt Line Road South line, a distance of 28.33 feet to an iron stake for corner;

THENCE, N. 89°43'20"E, along said Belt Line Road South line, a distance of 276.13 feet to the PLACE OF BEGINNING and containing 59,300 Square Feet of Land.



SITE LOCATION - ADDISON, TEXAS

SEATING CAPACITIES

BAR/Lounge (Typ)	SEATS	PARKS	SEATS
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
BAR TOTALS			
SEATING	84		
TABLE TOTALS			
SEATING	210		
GRAND TOTAL	294		

CHARGE A	SEATS	PARKS	SEATS
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
TOTAL			

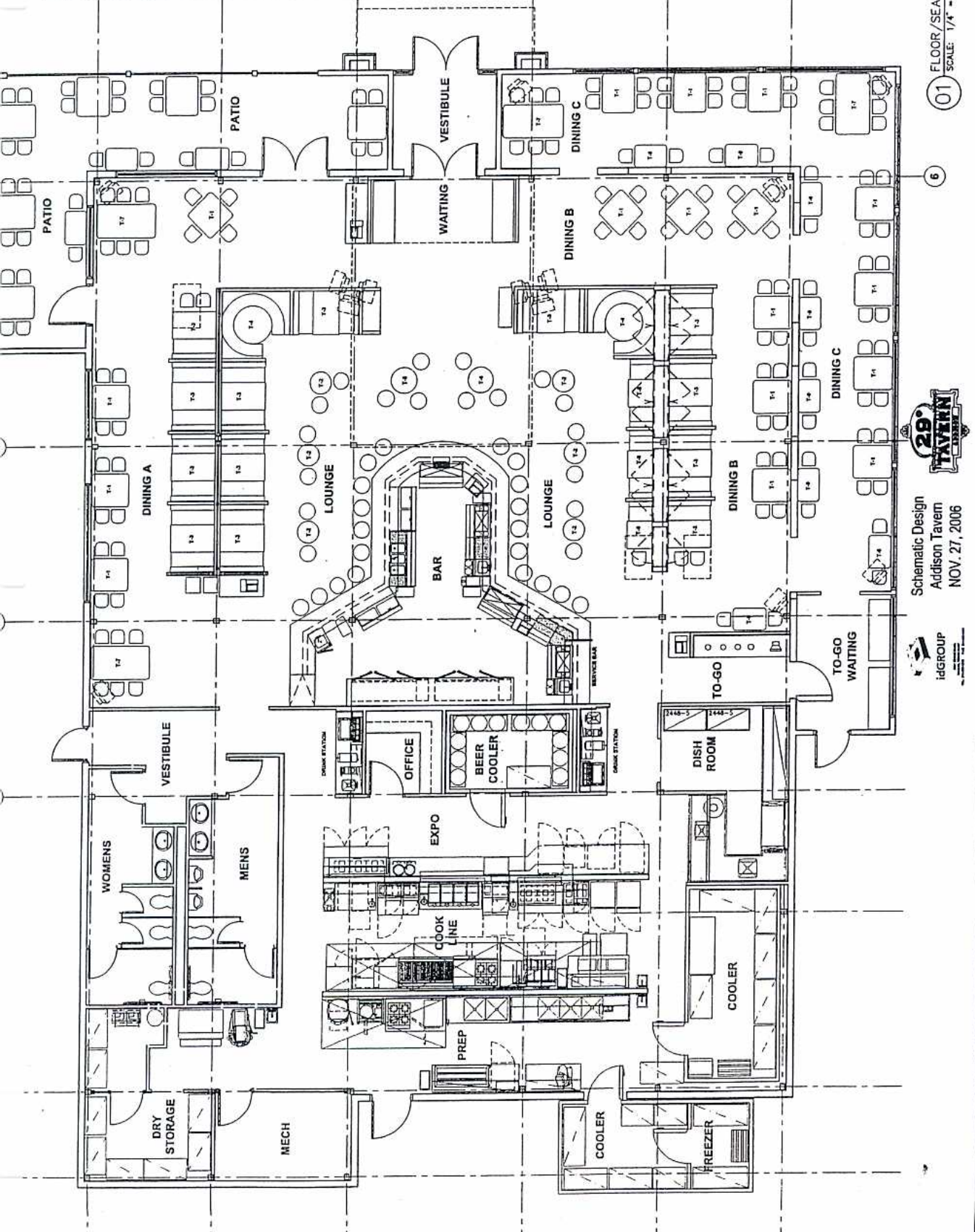
CHARGE B	SEATS	PARKS	SEATS
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
TOTAL			

CHARGE C	SEATS	PARKS	SEATS
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
TOTAL			

CHARGE D	SEATS	PARKS	SEATS
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
TOTAL			

CHARGE E	SEATS	PARKS	SEATS
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
TOTAL			

CHARGE F	SEATS	PARKS	SEATS
1-2 1 TOP NORTH TAIL	14	11	11
1-2 1 TOP SOUTH TAIL	14	11	11
TOTAL			



Schematic Design
Addison Tavern
NOV. 27, 2006



FLOOR/SEATING PLAN
01
SCALE: 1/4" = 1'-0"