

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. 009-005**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO APPROVE 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 DODIE'S CAJUN DINER AT 4812 BELT LINE ROAD, (FORMERLY KNOWN AS PURDY'S RESTAURANT) AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; 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. 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 for Dodie's Cajun Diner. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

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

BEING a 4,211 square foot lease space, located in a shopping center, and addressed as 4812 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 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 revised floor plan and elevations 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 as outlined and encompassing a total area not to exceed 4,122 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.
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/operator shall not use any terms (such as "bar", "tavern", etc.) or graphic depictions which relate to alcoholic beverages in any exterior signs.
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 14th day of April, 2009.


MAYOR JOE CHOW

ATTEST:



CITY SECRETARY-LEA DUNN

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 009-005

CASE NO. 1575-SUP

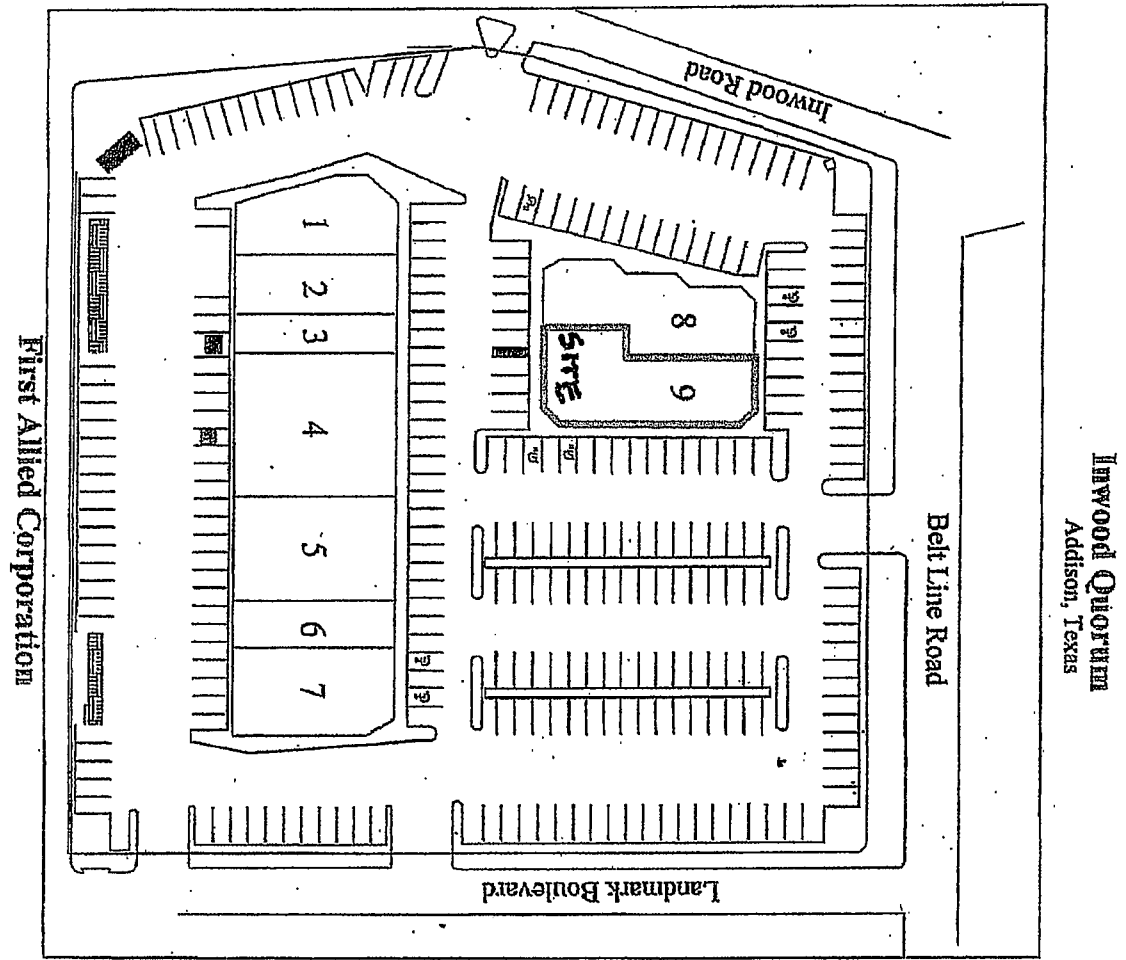
APPROVED AS TO FORM:



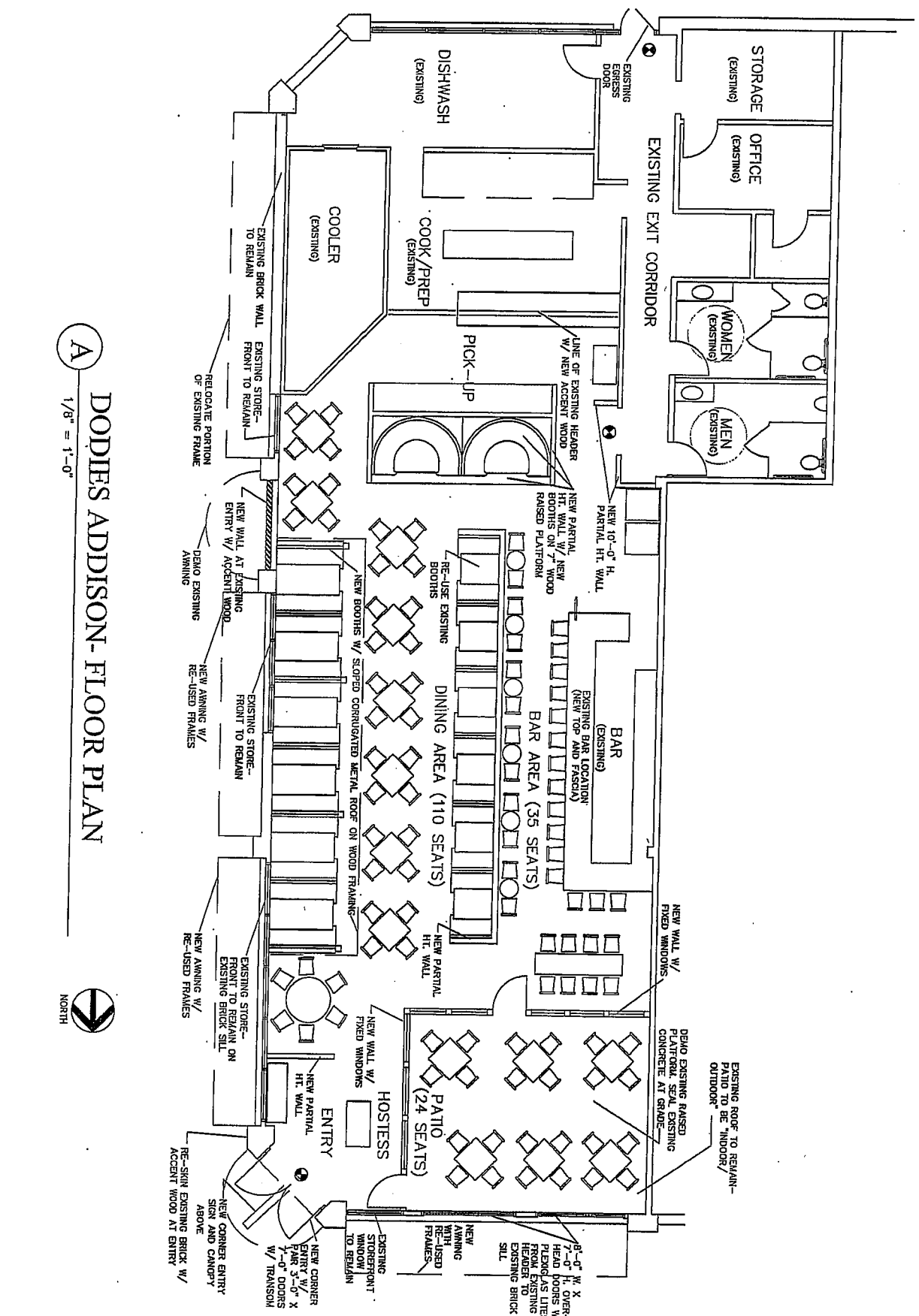
DIRECTOR OF DEVELOPMENT SERVICES
CARMEN MORAN

PUBLISHED ON: 6/4/09

EXHIBIT "A"



INITIAL	HERE
<input type="checkbox"/>	<input type="checkbox"/>
OWNER	TENANT

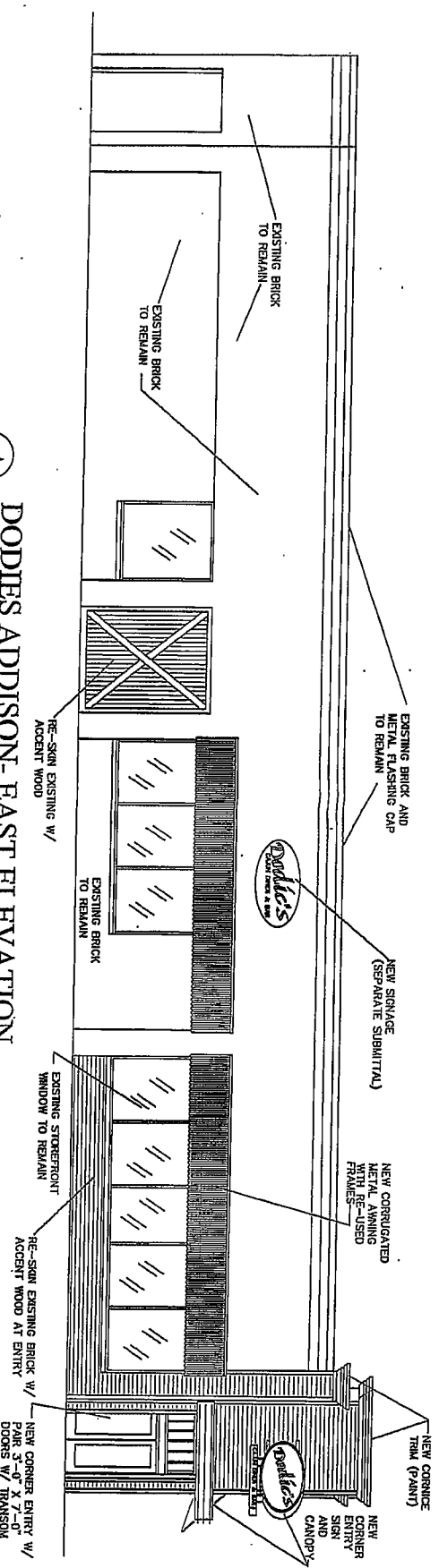


DODDIES ADDISON- FLOOR PLAN

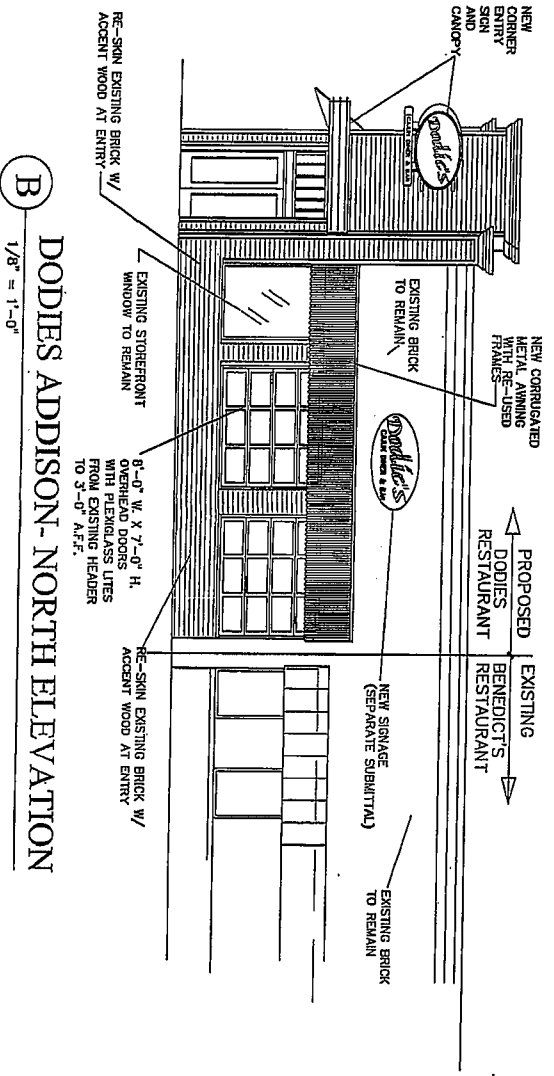
1/8" = 1'-0"

NORTH

A 1 1/8" = 1'-0"	REMODEL OF EXISTING RESTAURANT 4812 BELTLINE ROAD ADDISON, TEXAS	DCCD DODDIES CHICKEN RESTAURANT	PROJECT NO. 23002 DATE: 02/01/2018 SCALE: 1/8" = 1'-0"
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A
1/8" = 1'-0"
DODIES ADDISON - EAST ELEVATION



B
1/8" = 1'-0"
DODIES ADDISON - NORTH ELEVATION

NOTE - PROPOSED EXTERIOR DESIGN IS CONTINGENT UPON LANDLORD APPROVAL
NOTE - SIGNAGE IS REPRESENTATIONAL ONLY, SIGN PACKAGE TO BE SUBMITTED AS A SEPARATE PACKAGE FOR LANDLORD APPROVAL AND CITY PERMIT.

<p>A 2</p>	<p>REMODEL OF EXISTING RESTAURANT 4812 BELTLINE ROAD ADDISON, TEXAS</p>	<p>DCD COMMERCIAL CONSTRUCTION ARCHITECTURE PLANNING INTERIORS</p>
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