

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. 009-006**

AN ORDINANCE 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, ON APPLICATION FROM THE COLONNADE EXECUTIVE LOUNGE AT 15305 DALLAS PARKWAY, 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 The Colonnade Executive Lounge. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

Said property being in the City of Addison, Texas, and being described as follows:

Being a 3,500 square-foot lease space located within the atrium area of the Colonnade Office Complex, addressed as 15301, 15303, and 15305 Dallas Parkway, and located on a 12.969 acre tract of land situated in the G. W. Fisher Survey, Abstract No. 482, said tract being part of Quorum North, an addition to the City of Addison, Dallas County, Texas, as recorded in Volume 80191, Page 265 of Deed Records, Dallas County, Texas on September 25, 1980 and being more particularly described as follows:

BEGINNING at a point, said point being the intersection point of the south right-of-way line of Arapaho Road (115' R.O.W. at this point) and the west right-of-way line of Dallas Parkway (200' R.O.W.), SAID POINT ALSO BEING THE POINT OF CURVATURE OF A CURVE TO THE RIGHT WHOSE DELTA IS $10^{\circ}15'28''$ and whose radius is 2191.83 feet;

THENCE Southerly, along said curve, for a distance of 392.40 feet to the point of tangency thereof;

THENCE $S 85^{\circ}50'54'' W$ for a distance of 884.52 feet to a point for a corner, said point being located in the east right-of-way of Arapaho Road (80' R.O.W.);

THENCE $N 00^{\circ}25'00'' W$ along the east right-of-way line of Arapaho Road for a distance of 317.82 feet, to the point of curvature of a curve to the right whose delta is $64^{\circ}21'46''$ and whose radius is 190.43 feet;

THENCE along said curve to the right for a distance of 213.92 feet to the point of tangency thereof;

THENCE $N 63^{\circ}56'46'' E$ for a distance of 368.91 feet to a point, said point being the point of curvature of a curve to the right whose delta is $21^{\circ}28'35''$ and whose radius is 750.97 feet;

THENCE along said curve to the right for a distance of 281.49 feet to the point of tangency thereof;

THENCE $N 85^{\circ}25'21'' E$ for a distance of 171.80 feet to a point for a corner;

THENCE $S 88^{\circ}21'05'' E$ for a distance of 99.51 feet to the POINT OF BEGINNING;

CONTAINING 554,941.83 square feet or 12.969 acres of land.

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 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 5,000 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.

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

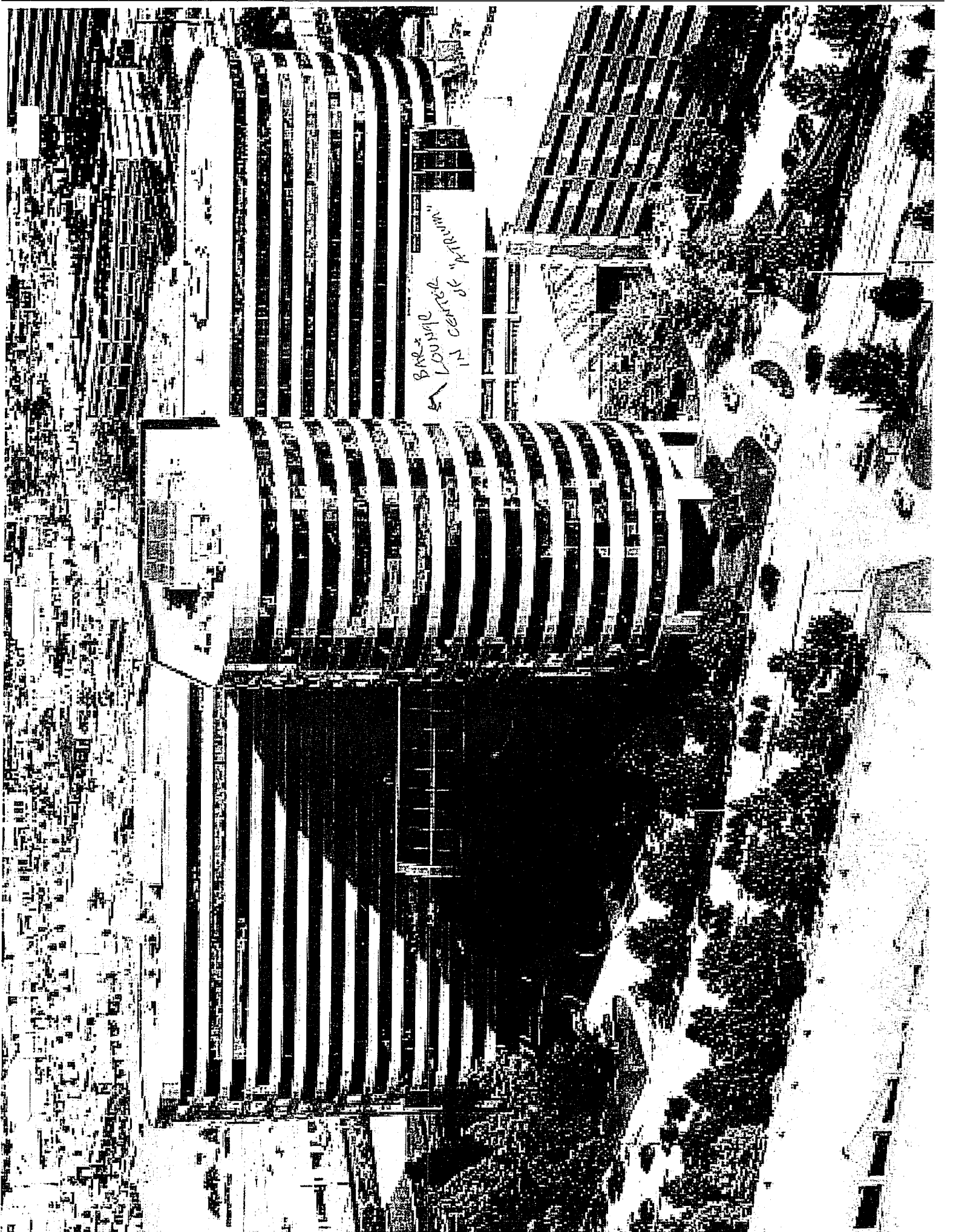
CASE NO. 1576-SUP

APPROVED AS TO FORM:

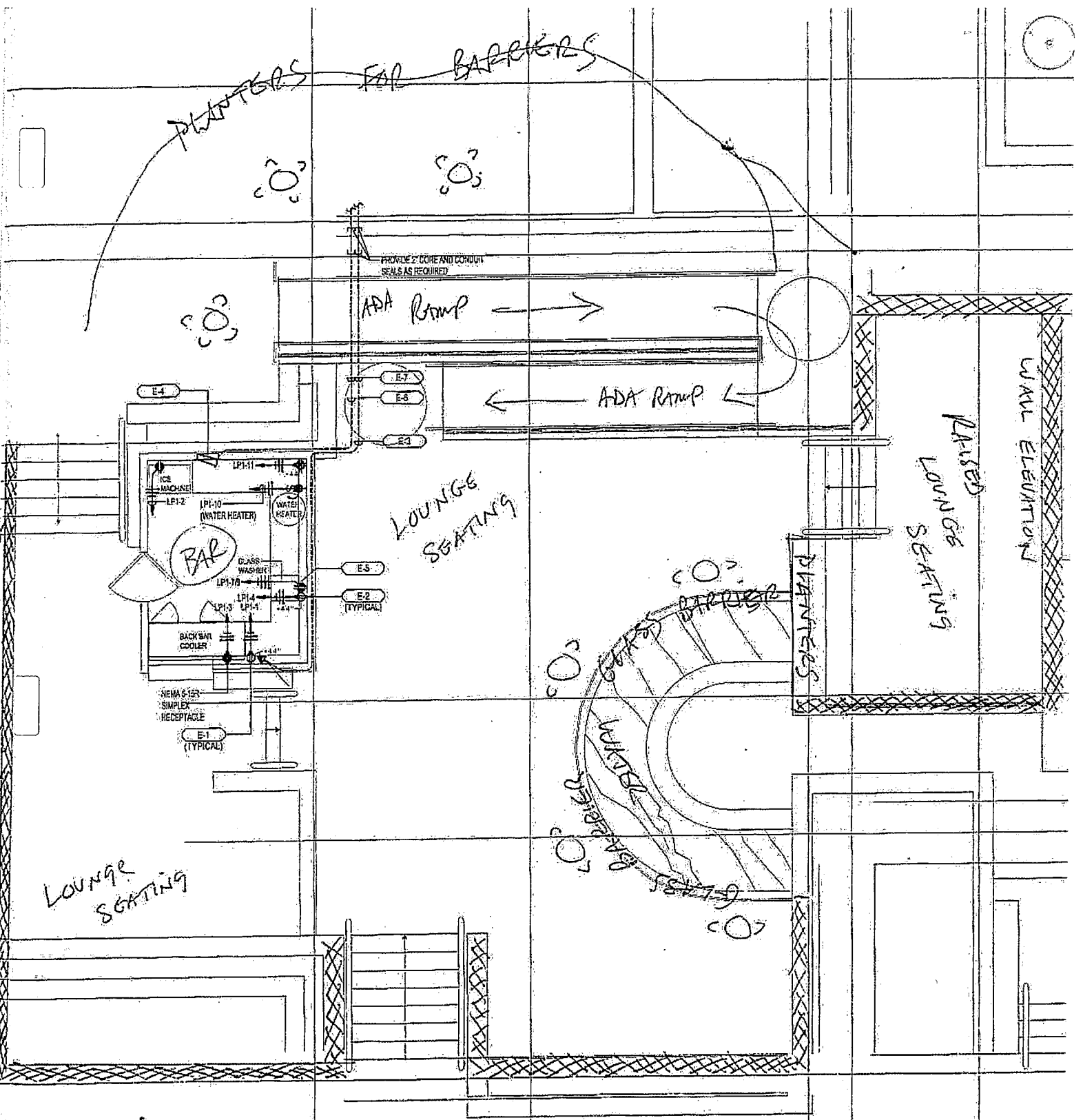


DIRECTOR OF DEVELOPMENT SERVICES
CARMEN MORAN

PUBLISHED ON: _____



Handwritten text on the image:
1. 1000000
2. 1000000
3. 1000000



PLANTERS FOR BARRIERS

PROVIDE 2" CORE AND CONDUIT SEALS AS REQUIRED

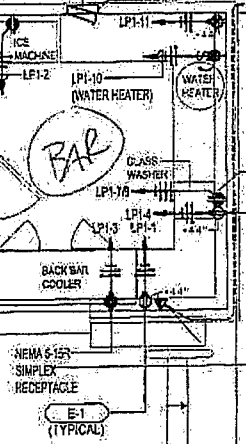
ADA Ramp →

← ADA Ramp

LOUNGE SEATING

RAISED LOUNGE SEATING

WALL ELEVATION



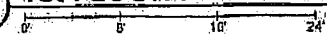
E-5

E-2 (TYPICAL)

E-1 (TYPICAL)

LOUNGE SEATING

01 1st FLOOR PLAN - POWER



PLANTERS FOR BARRIERS