

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 013-004

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO. 011-006, PREVIOUSLY AMENDED BY ORDINANCE 011-046, BY AMENDING SECTION 2, PARAGRAPH 9, IN ORDER TO DELETE A SPECIAL CONDITION PROHIBITING THE USE OF ANY TERMS OR GRAPHIC DEPICTIONS WHICH RELATE TO ALCOHOLIC BEVERAGES IN EXTERIOR SIGNS, ON APPLICATION WITH LA ZARANDA MODERN KITCHEN AND TEQUILA, LOCATED AT 5000 BELT LINE ROAD, SUITE 850, 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. 011-006, passed by the Addison City Council on the 11TH day of January, 2011, and previously amended by Ordinance 011-046, passed by the Addison City Council on July on the 28th day of July, 2011, 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 revised site plan and floor plan, 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 7,099 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 any 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 7 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.

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.

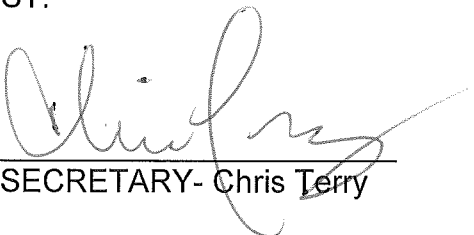
SECTION 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 12th day of February, 2013.



MAYOR- Todd Meier

ATTEST:



CITY SECRETARY- Chris Terry

CASE NO. 1663-SUP/La Zaranda Modern Kitchen and Tequila

APPROVED AS TO FORM:



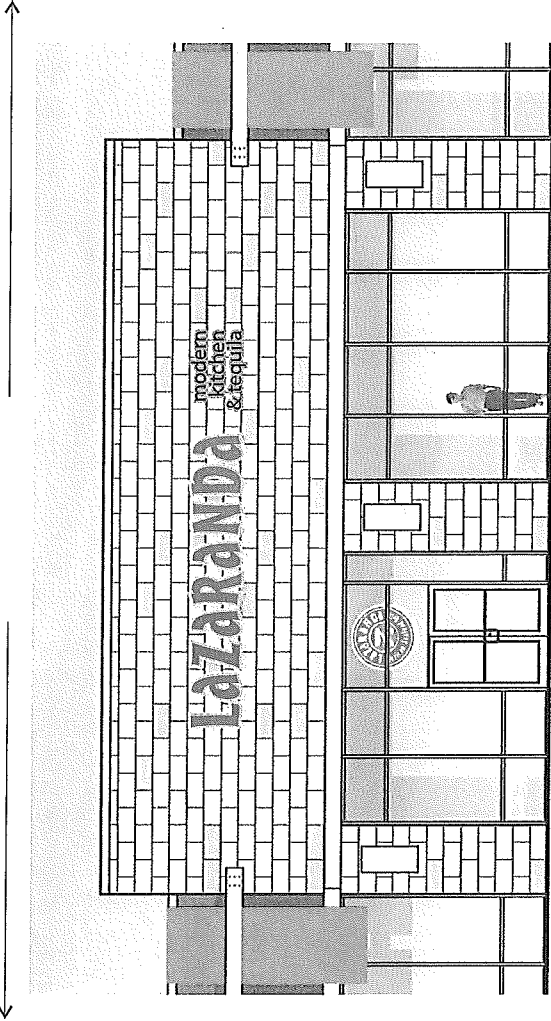
DIRECTOR OF DEVELOPMENT SERVICES-
Carmen Moran

PUBLISHED ON: 2-28-13

LAZARANDA NEW BRAND SIGNAGE

Sq Ft: 75.8'

76'-0" Lease Width



22'-9"

16'-9"

1'-4"

4'-8"

modern kitchen & tequila

Lazaranda

3'-0"

17 3/8"

3'-4"

Existing Letters

New Addition

Another Day In
Paradise Signs Inc
 10920 Switzer Ave. #113
 Dallas, TX 75238
 fax: 214.221.7244
214.221.7242

LANDLORD APPROVAL	DESIGN, SPECIFICATIONS AND COLOR APPROVALS	CLIENT: Lazaranda	DATE: 12.17.12
The undersigned consents to the installation and maintenance of this sign on my property in accordance with the agreement between Paradise Signs, Inc. and my Tenant(s) and any extension, renewals or modifications thereof.	This drawing is the property of Paradise Signs, Inc. All rights to it's use for reproduction are reserved by Paradise Signs, Inc.	ADDRESS: 5000 Belt Line Rd, #850 / Dallas TX 75254	
Property Owner or Authorized agent	Customer	DESIGNATION:	SALESMAN: Ray Dake
Date	Date	DESIGN #:	R/12.17.12
		DESIGNER: J.C.L.	PAGE #: 1 of 2

Carmen Moran

From: Mario Letayf [mario@lmafoodconcepts.com]
Sent: Friday, January 04, 2013 4:37 PM
To: Carmen Moran
Subject: SUP

Carmen,

Here's the application, the proposed sign and I'm including an email my consultant sent me with a short explanation of why we decided to use this new tag line.

I'll send you the check hopefully tuesday morning, since it's most likely that I'll be arriving in Dallas late night monday.

Please let me know if you feel we 're missing anything.

Thanks!



Explanation (consultant's email):

Mario,

Thank you for engaging us to review your concept, branding, marketing, and positioning in pursuit of increasing revenue at Lazaranda to the level originally anticipated when you and your partners decided to open your Addison restaurant. I am pleased that you believe the work we have done in collaboration with your team will lead Lazaranda to a long and successful life on Beltline, as your restaurant takes its rightful place as one of the many quality respected choices available there.

We have evaluated your original decisions based on our knowledge of the market - what has worked and what has not worked in the past and present. We have conducted two focus groups; one of heavy users, one of light users, to glean consumer attitudes towards Lazaranda.

To summarize our findings: while your food and service is of high quality, the tag line " Mexican Seafood Grill" worked against you. It does not effectively describe what is going on in your restaurant, confuses the guest, and is in general not a presentation that offers food heavily desired by the local dining public.

A great deal of discussion and effort has gone in to choosing a new tag line, the key descriptor for your restaurant. We have settled on "Modern Kitchen and Tequila". The reason for this is the food you are presenting is the authentic food of modern Mexico. To use the word Mexico or Mexican in your tag line will inevitably make the Addison diner think "tex mex" and lead to their disappointment and confusion about your restaurant. So we believe it is critical to avoid that.

We have chosen to use the word "Tequila" as a modifier for "Modern Kitchen" in order to make the association to your Mexican culinary heritage without promising tacos and enchiladas in the mind of the local diner.