TOWN OF ADDISON, TEXAS

ORDINANCE NO. 014-059

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS TO GRANT SPECIAL USE PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION OF FIREBIRD RESTAURANT GROUP, FOR PROPERTY LOCATED AT 4180 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS ($2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the property located at 4180 Belt Line Road is zoned as Planned Development District 091-066; and

WHEREAS, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council of the Town of Addison, Texas finds that this ordinance promotes the general welfare and safety of this community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

Section 2. That a Special Use Permit authorizing a restaurant use and a Special Use Permit authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 4180 Belt Line, are hereby granted subject to the following conditions:

(a) Prior to the issuance of a Certificate of Occupancy, said Property shall be improved in accordance with the site plan, floor plan, landscape plan, and the elevation drawings showing four exterior walls, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.

(b) The Special Use Permit granted herein for a restaurant with the sale of alcoholic beverages for on-premises consumption only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 3,289 square feet.

(c) 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.

(d) 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.

(e) 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 subparagraph (d) above are being met.

(f) 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.

(g) If the property for which these Special Use Permits are granted is not used for the purposes for which said permits were 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 and repeal of the Special Use Permits granted herein.

(h) 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 repeal of the Special Use Permits granted herein.

(i) 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.

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. That 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.

Section 6. That this Ordinance shall become effective from and after its passage and approval and after publication as may be required by law or by the City Charter or ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 9th day of December, 2014.

_____
Todd Meier, Mayor

ATTEST:

_____
Chelsea Gonzalez, City Secretary

CASE NO: 1707-SUP/La Ventana

APPROVED AS TO FORM:

_____
Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A

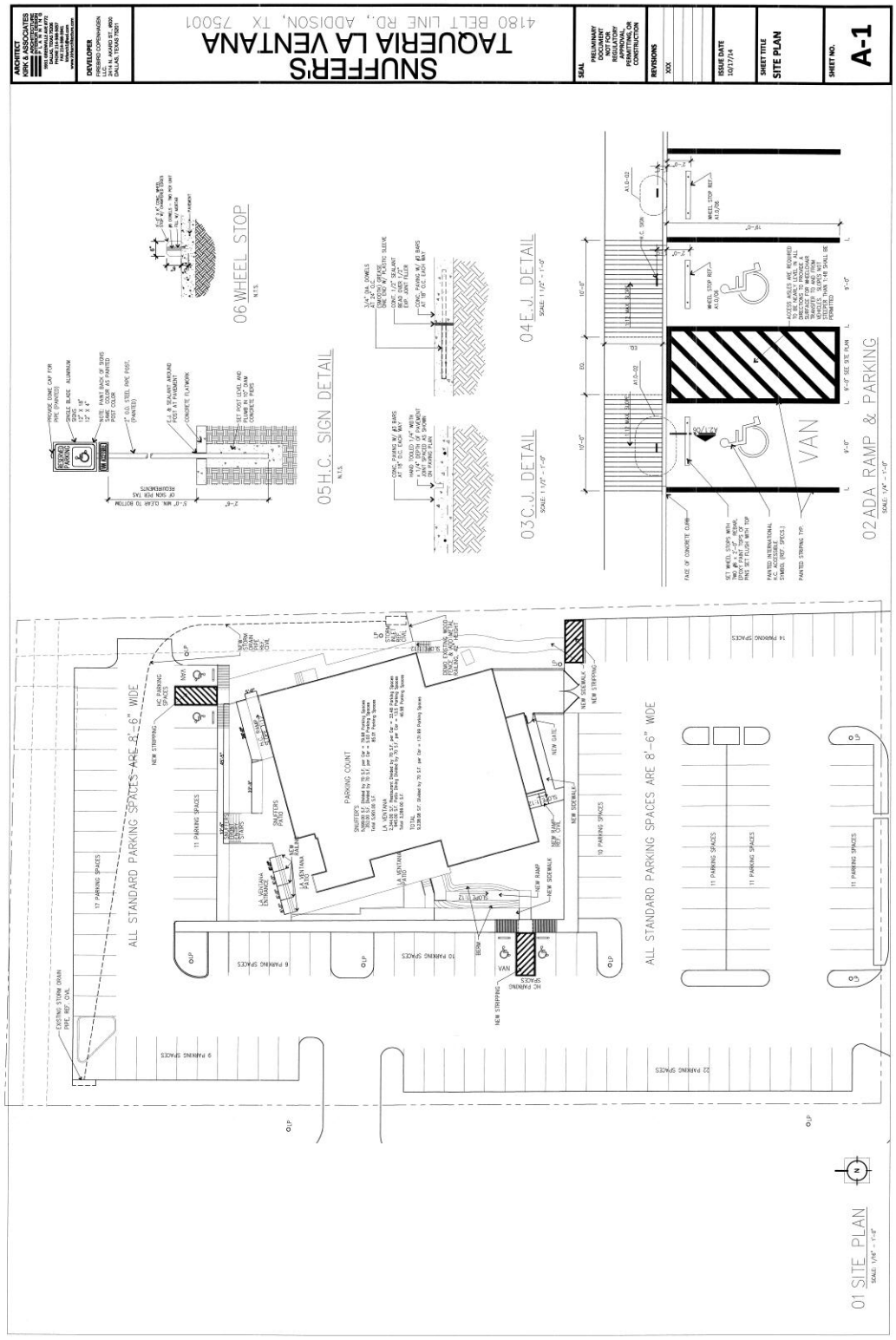

ARCHITECT
DEVELOPER
SUFFERS
TAQUERIA LA VENTANA
4180 BELT LINE RD., ADDISON, TX 75001
SEAL
PRELIMINARY DOCUMENT NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION
REVISIONS
ISSUE DATE
SHEET TITLE
SITE PLAN
SHEET NO.
A-1
06 WHEEL STOP
05 H.C. SIGN DETAIL
04 E.J. DETAIL
03 C.J. DETAIL
02 ADA RAMP & PARKING
01 SITE PLAN
ALL STANDARD PARKING SPACES ARE 8'-6" WIDE
PARKING COUNT
VAN

EXHIBIT A

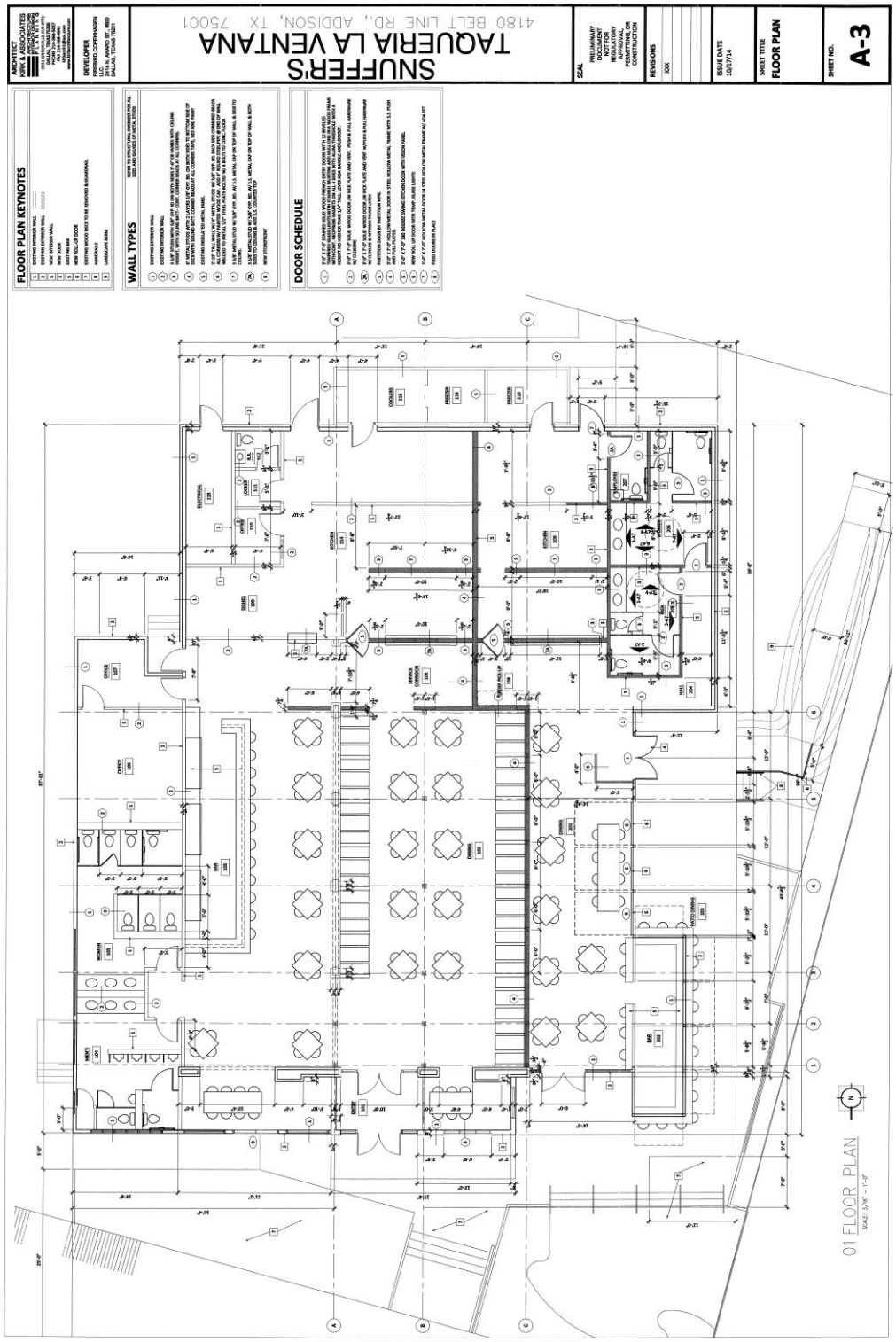

ARCHITECT
KIRK & ASSOCIATES
DEVELOPER
SUFFERS'S
TAQUERIA LA VENTANA
4180 BELT LINE RD., ADDISON, TX 75001
SEAL
REVISIONS
ISSUE DATE
10/27/14
SHEET TITLE
FLOOR PLAN
SHEET NO.
A-3
FLOOR PLAN KEYNOTES
WALL TYPES
DOOR SCHEDULE
01 FLOOR PLAN

EXHIBIT A

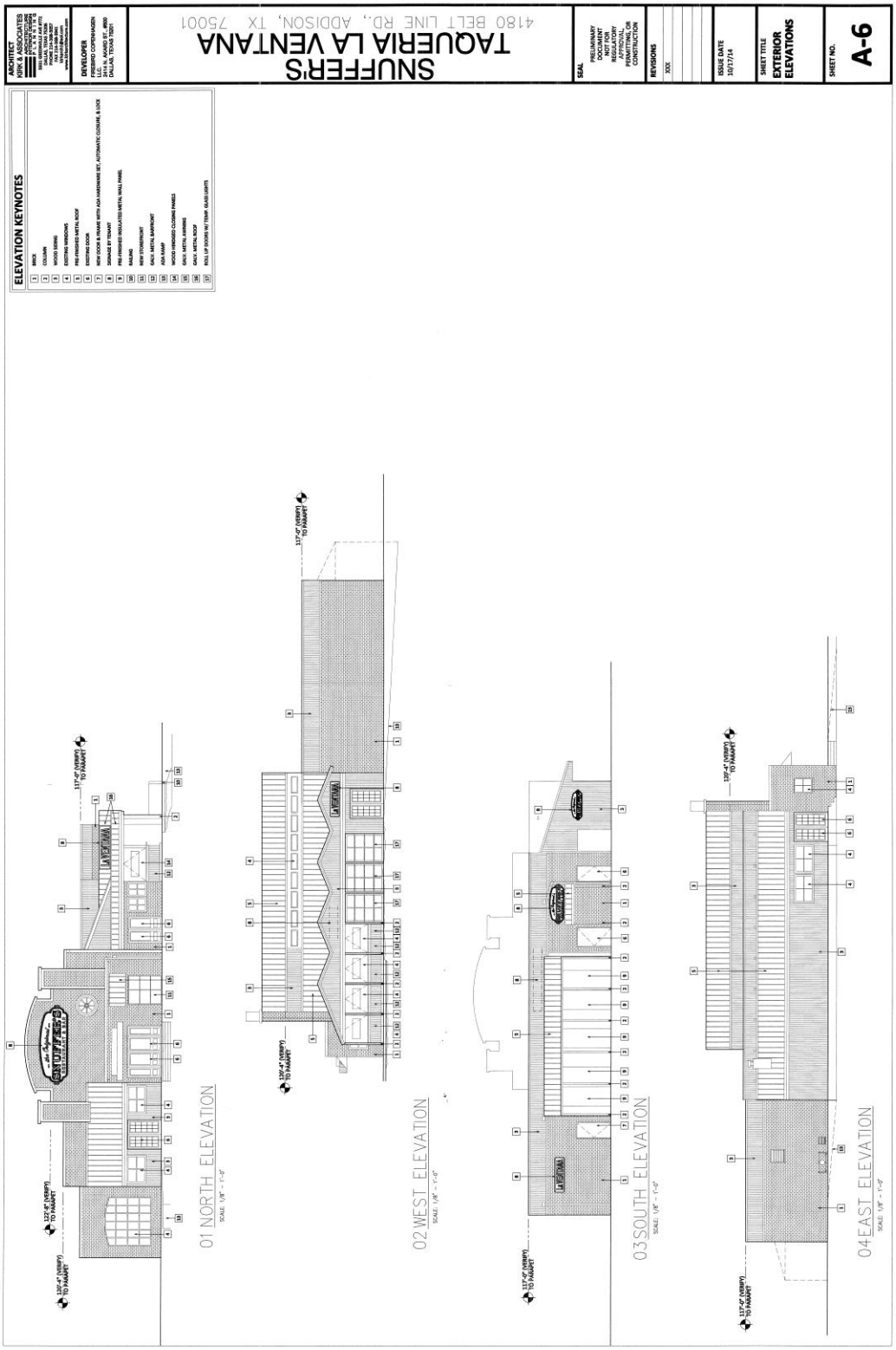

SNUFFER'S
TAQUERIA LA VENTANA
4180 BELT LINE RD., ADDISON, TX 75001
ELEVATION KEYNOTES
01 NORTH ELEVATION
02 WEST ELEVATION
03 SOUTH ELEVATION
04 EAST ELEVATION
A-6

EXHIBIT A

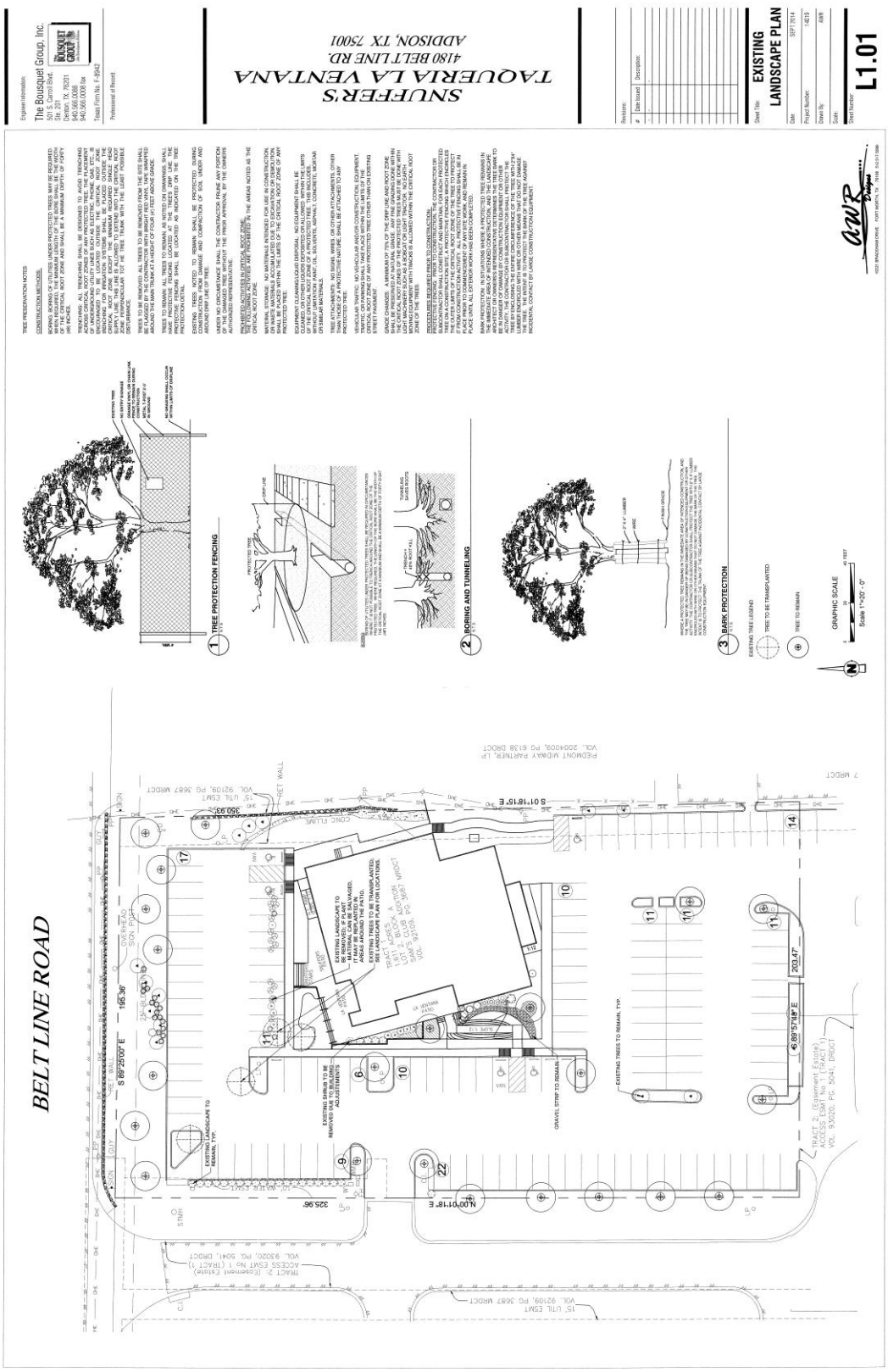

SUFFER'S
TAQUERIA LA VENTANA
4180 BELT LINE RD.
ADDISON, TX 75001
The Bousquet Group, Inc.
EXISTING
LANDSCAPE PLAN
L1.01
BELT LINE ROAD
TREE PROTECTION FENCING
BORING AND TUNNELING
BARK PROTECTION
GRAPHIC SCALE

EXHIBIT A

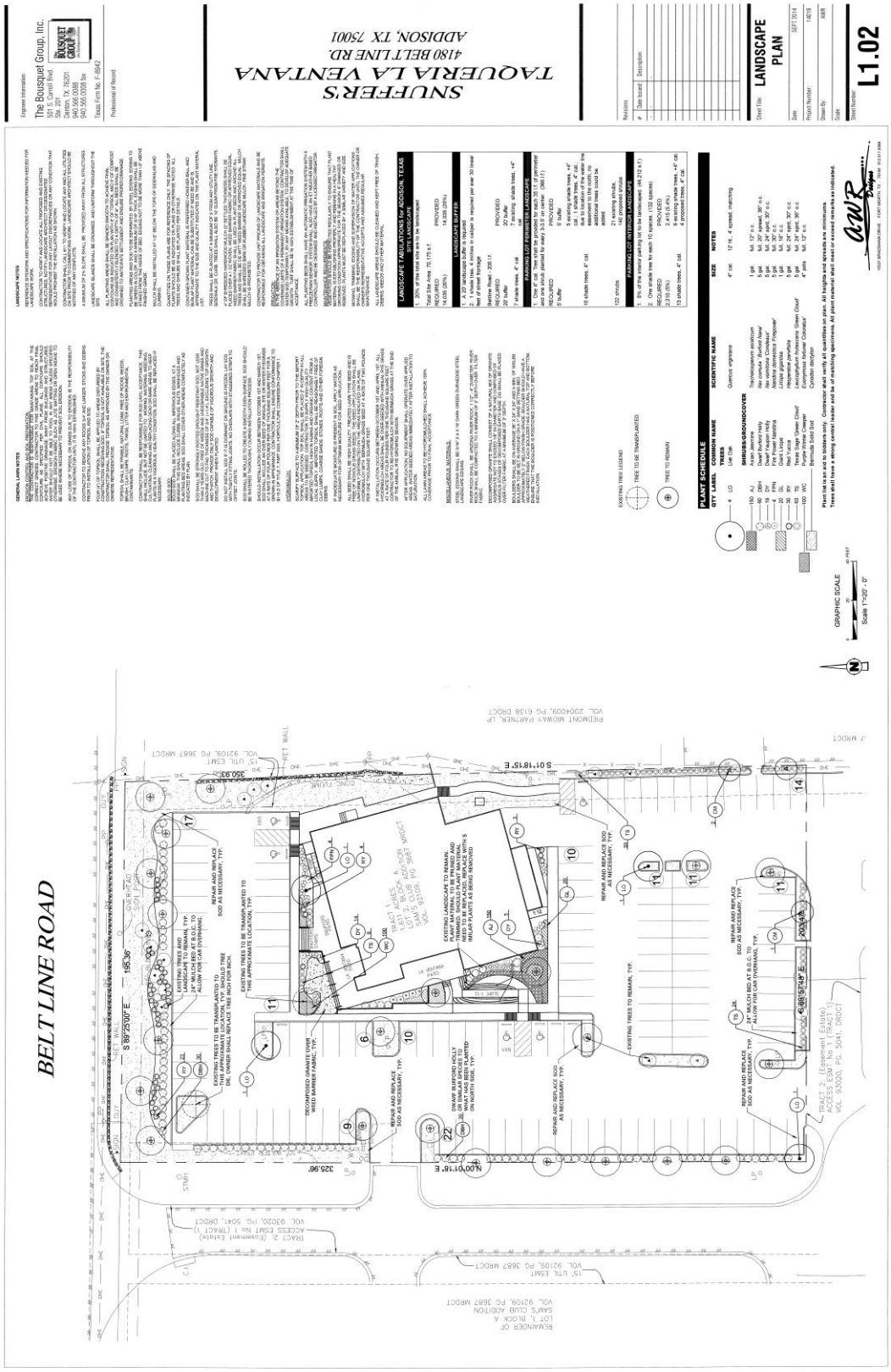
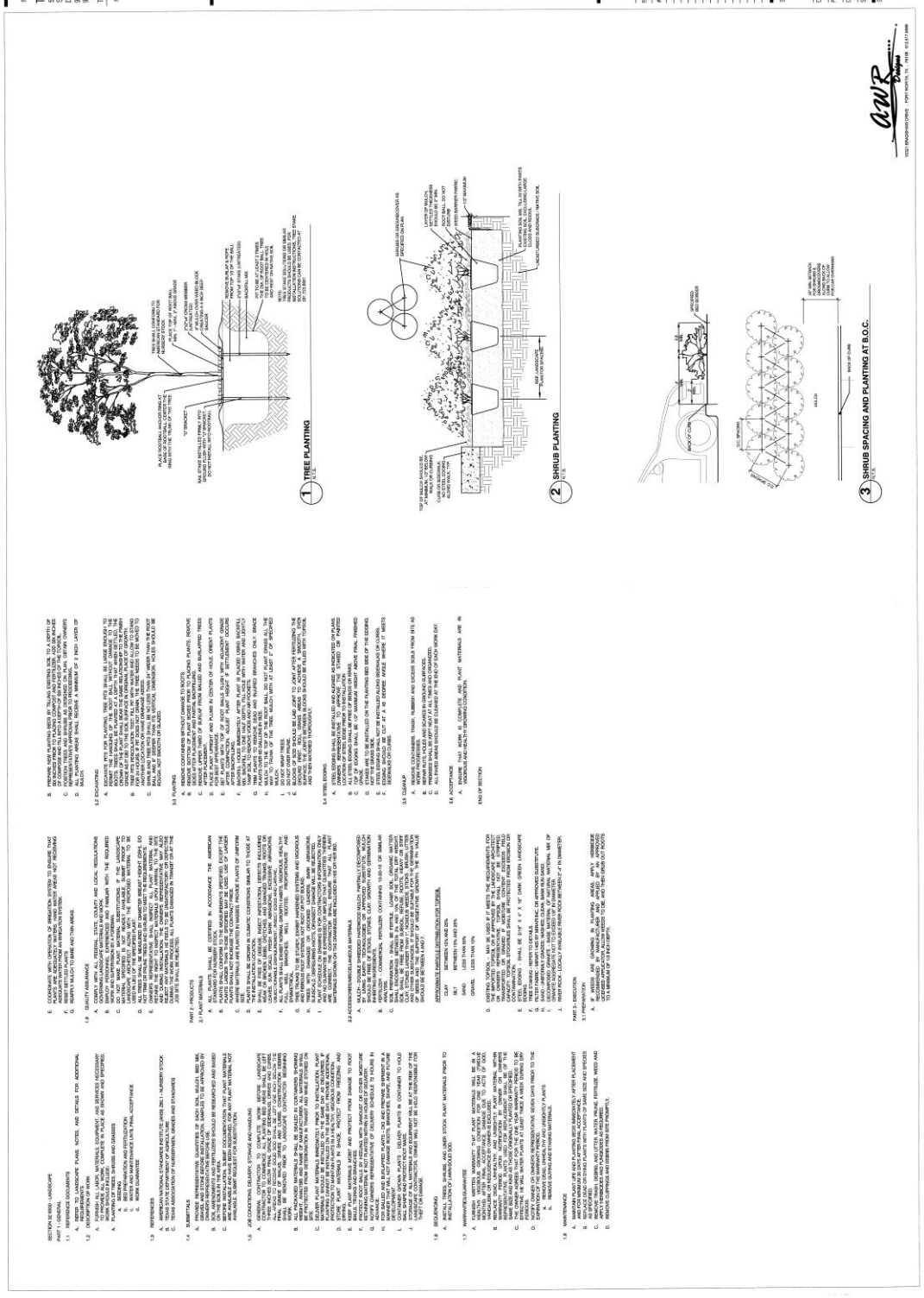

SNUFFER'S
TAQUERIA LA VENTANA
4180 BELT LINE RD.
ADDISON, TX 75001
LANDSCAPE PLAN
L1.02
BELT LINE ROAD

EXHIBIT A


PROPOSED
FIREBIRDS
SWC BELTLINE RD & MIDWAY RD
HUMBLE, TEXAS
LANDSCAPE
SPECS & DETAILS
L1.03
1 TREE PLANTING
2 SHRUB PLANTING
3 SHRUB SPACING AND PLANTING AT B.O.C.