

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 016-___

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING ORDINANCE NO. 007-012, SO AS TO AMEND A SPECIAL USE PERMIT FOR A RESTAURANT AND A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON PROPERTY LOCATED AT 15701 QUORUM DRIVE; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); AND PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on June 21, 2016, the Planning & Zoning Commission considered and made recommendations on a request for a Site Plan Amendment to existing Special Use Permit (Case No.1723-SUP); and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the Town of Addison, as amended; 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 amendment 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. 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 the Comprehensive Zoning Ordinance of the Town of Addison, Texas, is hereby amended by amending Ordinance O07-012, Section 2, to add a tenth condition, to read as follows:

10. Should the license agreement for the use of the public right-of-way be terminated, then the site plan approved herein is automatically reduced to encompass only the area on private property. Should the license agreement for the use of the public right-of-way be adjusted to reduce the area available for private use, then the site plan approved herein is automatically adjusted to encompass the new licensed area. In either scenario, the patio furnishings and seating shall be reduced accordingly as approved by the Town's Zoning Administrator.

Section 3. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, is hereby amended by amending Ordinance O07-012, to remove the current site plan and add **Exhibit A** as included in this ordinance.

Section 4. The provisions of the Town of Addison Code of Ordinances, as amended, shall remain in full force and effect save and except as amended by this ordinance.

Section 5. Any person, firm, corporation, or other business entity violating any of the provisions or terms of this Ordinance shall, in accordance with Article XXVIII (Penalty for Violation) of the Zoning Ordinance, be fined, upon conviction, in an amount of not more than Two Thousand and No/100 Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 6. The provisions of this Ordinance are severable, and should any section, subsection, paragraph, sentence, phrase or word of this Ordinance, or application thereof to any person, firm, corporation or other business entity or any circumstance, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of the remaining or other parts or portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining parts or portions of this Ordinance despite such unconstitutionality, illegality, or invalidity, which remaining portions shall remain in full force and effect.

Section 7. 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 8. 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 12th day of July 2016.

Todd Meier, Mayor

ATTEST:

Laura Bell, City Secretary

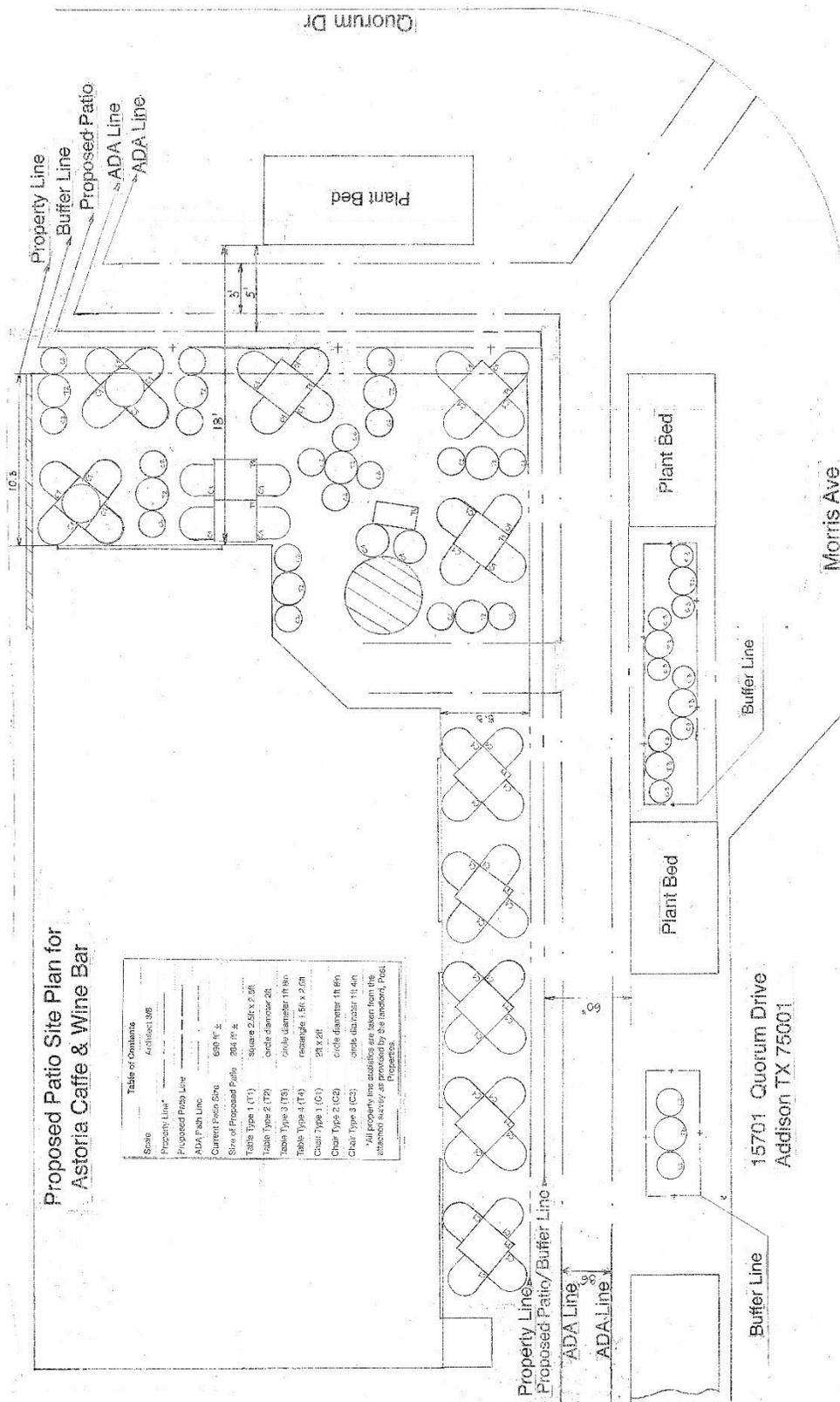
CASE NO: 1723-SUP/Astoria Caffe

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

EXHIBIT A



Proposed Patio Site Plan for
Astoria Caffè & Wine Bar

Table of Materials	
Scale	As Shown
Property Line*	As Shown
Proposed Patio Line	As Shown
ADA Path Line	As Shown
Current Patio Size	650' sq. ft.
Size of Proposed Patio	284' sq. ft.
Table Type 1 (T1)	square 2.5ft x 2.5ft
Table Type 2 (T2)	circle diameter 2ft
Table Type 3 (T3)	circle diameter 18.5in
Table Type 4 (T4)	rectangle 1.5ft x 2.5ft
Chair Type 1 (C1)	24" x 24"
Chair Type 2 (C2)	circle diameter 18.5in
Chair Type 3 (C3)	circle diameter 11.4in

*All property line abatements are taken from the attached survey and are subject to the final survey of the property.