

From 1991 PUD:

SEC. 6. AND BE IT FURTHER ORDAINED, That the parcels known as 5837 and 5839 York Road shall be considered a part of the Development Plan. Should 5841 and 5843 York Road be purchased by the developers, they shall also be immediately considered as a part of the Development Plan. If a restaurant is constructed in Phase III of the Plan, then the following conditions shall apply:

(1) carry-out window service shall not be permitted after 10 p.m.;

(2) no outdoor seating shall be permitted;

(3) no patrons shall be served after 1 a.m.;

(4) if a liquor license is obtained it shall be for on-premises sales only, no bar service is permitted, no sales permitted after 12 midnight, and liquor sales shall total less than 50 percent of the gross sales.

The development plans of Phase III, regardless of use, shall provide ingress only from Orkney Road and shall provide a sufficient buffer between 501 Orkney Road and the project. Phase III may include the closing and inclusion of the 10 foot alley between 501 Orkney Road and its development. Until construction of a use commences, the lots shall be neatly maintained and the grass regularly mowed.

SEC. 9. AND BE IT FURTHER ORDAINED, That in Phases I and III all B-2 Zoning District uses shall be permitted except the following:

Clubs and lodges
Schools, elementary and secondary
Fraternity and sorority houses (off-campus)
Hotels and motels
Junior colleges, colleges, business colleges,
and universities
Liquor stores - package goods
Newspaper distribution agencies for home
delivery and retail trade
Religious institutions, as follows:
(a) Churches, temples, and synagogues
(b) Convents, seminaries, and monasteries
Taverns
Amusement arcades
Animal hospitals
Automobile accessory stores
Automobile service stations
Bingo halls, charitable
Bus and transit passenger stations and terminals
Garages, other than accessory, for storage,
repair, and servicing of motor vehicles
Massage salons
Outdoor table service when accessory to a
restaurant use
Pool halls and billiard parlors
Upholstering shops
Handgun sales - when in a business establishment
permitted in a Business District
Rifle and shotgun sales.

SEC. 10. AND BE IT FURTHER ORDAINED, That no outdoor sales of any kind shall be permitted on the development property.