

**ORDINANCE NO. 002-044**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, 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, AND A SPECIAL USE PERMIT FOR A BREWPUB, ON APPLICATION FROM TWO ROWS RESTAURANT, LOCATED ON 1.82 ACRES BETWEEN ADDISON ROAD AND THE DALLAS NORTH TOLLWAY, NORTH OF SOJOURN DRIVE, AND BEING PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR 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 and a special use permit for a brewpub to Two Rows Restaurant. Said special use permits shall be granted subject to the special

conditions on the following described property, to-wit:

BEING a portion of a tract of land situated in the Eli Shepherd Survey, Abstract No. 1361, City of Addison, Dallas County, Texas, and being a portion of a 4.223 acre tract of land conveyed to Robert J. Schlegel by the deed recorded in Volume 93162, Page 6493, of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a ½ inch iron rod found in the east line of Addison Road (a 60-foot right-of-way), same point being the northwest corner of the said Schlegel tract, and the southwest corner of Lot 1, Park Tree North Addition, an addition to the City of Addison, according to the plat recorded in Volume 78190, Page 0948 of the Deed Records of Dallas County, Texas:

Thence South 89 degrees 56 minutes 59 seconds East with the south line of said Lot 1, passing a ½ inch iron rod found at a distance of 345.07 feet (denoting right-of-way dedication of said Lot 1), continuing a total distance of 350.21 feet to a 5/8 inch capped iron rod marked "RPLS 4838" set for corner in the west line of Dallas Parkway (a 200-foot right-of-way);

Thence South 02 degrees 01 minutes 34 seconds West with the said west line Dallas Parkway, a distance of 233.04 feet to a 5/8 inch capped iron rod marked "RPLS 4838" set for corner;

Thence North 87 degrees 58 minutes 26 seconds West, a distance of 350.00 feet to a 5/8 inch capped iron rod marked "RPLS 4838" set for corner in the said east line of Addison Road;

Thence North 02 degrees 01 minutes 34 seconds East with the said east line, a distance of 220.96 feet to the PLACE OF BEGINNING.

Containing a computed area of 79,450 square feet or 1.824 acres of land.

SECTION 2. That the Special Use Permits are granted subject to the following conditions:

1. Prior to issuance of a building permit, the applicant must submit a plan stamped by a licensed landscape architect. In addition, the irrigation plans, which are required for a building permit, must show a freeze and rain sensor tied to the automatic controller.
2. The site must be platted prior to any construction.
3. At the time of building permit application, the applicant shall submit complete civil design drawings.

4. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan, floor plan, landscape plan, irrigation plan, and the elevation drawings showing four exterior walls, which are attached hereto and made a part hereof for all purposes.
5. 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 9,987 square feet.
6. 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. However, the term "brewery" shall be allowed on exterior signs.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. Detailed landscaping, irrigation, and civil drawings must be submitted at time of building permit.
13. Construction of the building shall meet all applicable construction, energy, and food service codes.


14. All mechanical equipment on the building or on the ground must be screened from view.

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. 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 12<sup>th</sup> day of November 2002.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

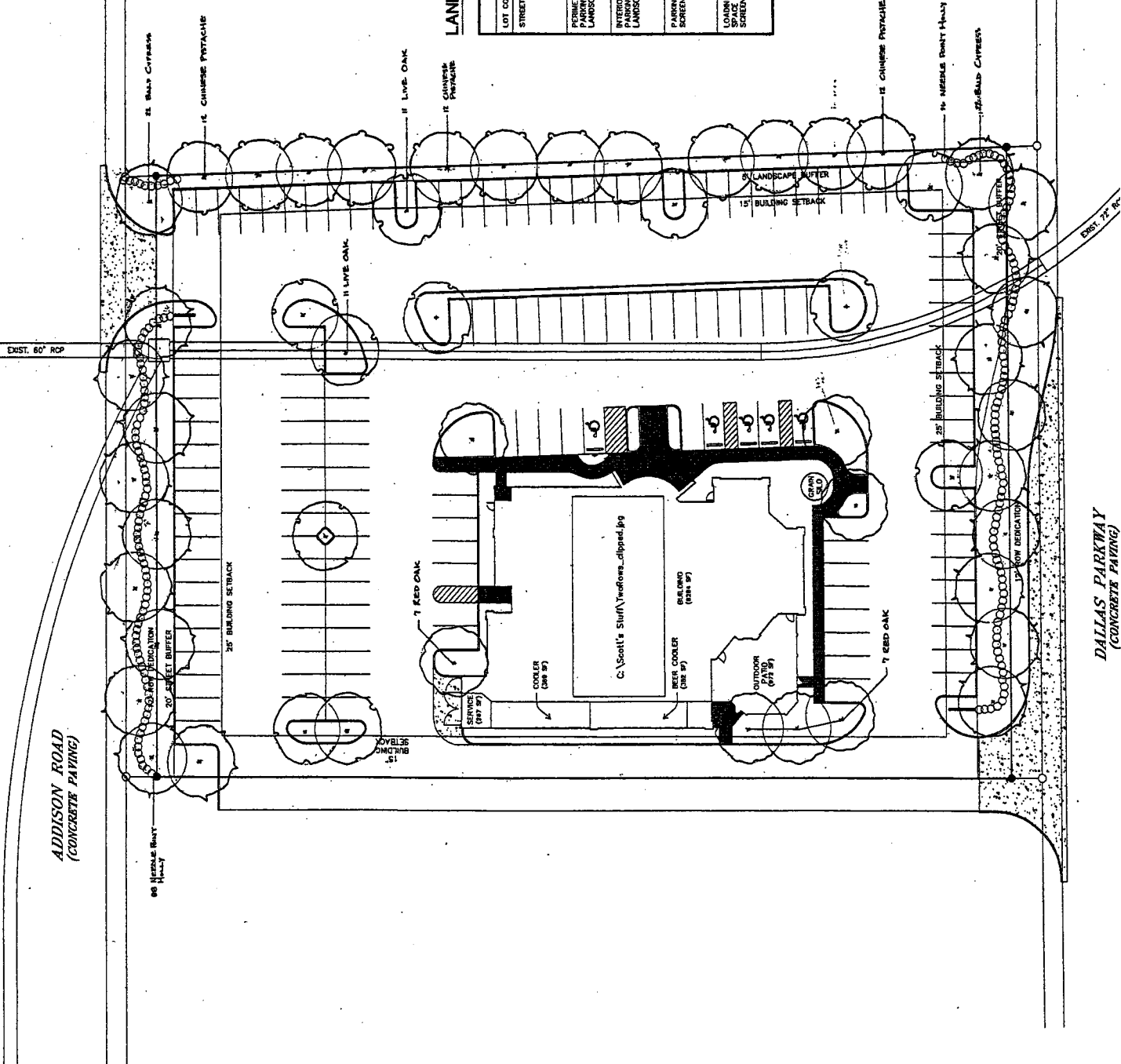
CASE NO. 1419 SUP

APPROVED AS TO FORM:

  
\_\_\_\_\_  
DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON:     No Morning News    2-28-03

ADDISON ROAD  
(CONCRETE PAVING)



LANDSCAPE REQUIREMENTS

REQUIRED	PROVIDED
<ul style="list-style-type: none"> <li>• 20% LOT COVERAGE</li> <li>• 20 FEET STREET BUFFER</li> <li>• 15' SIDE TREES/20 LF</li> <li>• 8 - SHRUBS/20 LF</li> <li>• 10 - 4" SHADE TREES (1/35 LT)</li> <li>• 350 LF/735 = 10</li> <li>• AREA = 4,715 SF (88)</li> <li>• 15 - 4" SHADE TREES (1/10 SP)</li> <li>• 425' FROM TWO</li> </ul>	<ul style="list-style-type: none"> <li>• 25% LOT COVERAGE</li> <li>• 20 FEET STREET BUFFER</li> <li>• 23 LF/20 = 11</li> <li>• 23 LF/20 = 12</li> <li>• 88 SHRUBS</li> <li>• 95 SHRUBS</li> <li>• 10 TREES</li> <li>• AREA = 6,050 SF (108)</li> <li>• 17 TREES</li> </ul>
<ul style="list-style-type: none"> <li>• 2.5 TO 3' IN HEIGHT SCREENING</li> <li>• 2.5 TO 3' IN HEIGHT FENCE OR COMBINATION</li> </ul>	<ul style="list-style-type: none"> <li>• 2.5 TO 3' IN HEIGHT SCREENING</li> <li>• 2.5 TO 3' IN HEIGHT FENCE OR COMBINATION</li> </ul>
<ul style="list-style-type: none"> <li>• 6' IN HEIGHT USE SHRUBS, BERRIES, SOLID FENCE OR COMBINATION</li> </ul>	<ul style="list-style-type: none"> <li>• 6' IN HEIGHT USE SHRUBS, BERRIES, SOLID FENCE OR COMBINATION</li> </ul>

DALLAS PARKWAY  
(CONCRETE PAVING)





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 Dallas, TX 75244-1774  
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 214.241.2001  
 www.awdpartners.com

Dallas  
 Los Angeles  
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 Miami

consists of



DALLAS TOLLWAY

DALLAS, TX

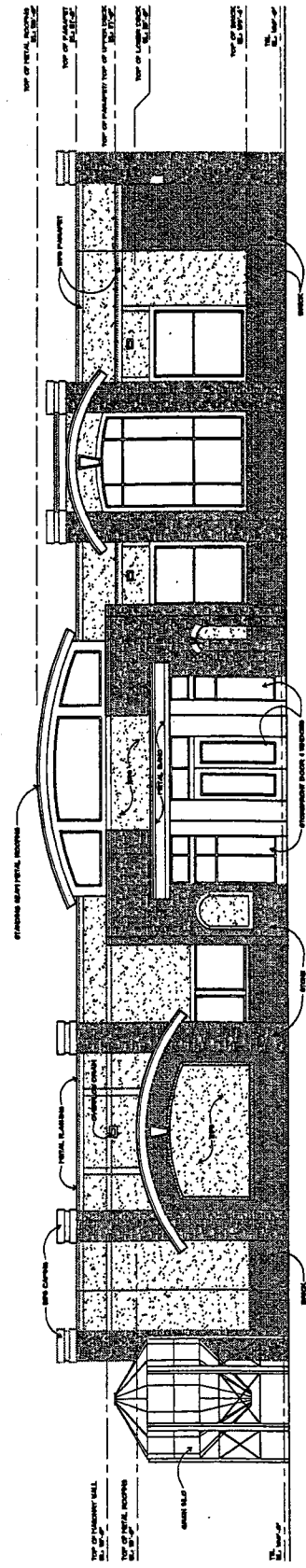
EXTERIOR ELEVATIONS

REVISIONS

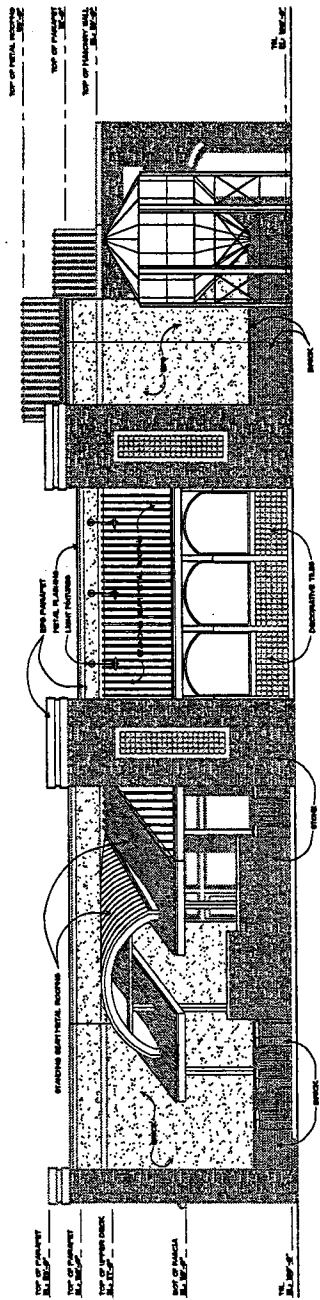
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PROTOTYPE  
 STONE NUMBER  
 WD PROJECT NUMBER  
 100-10-00

A02-01



A02-01/01 NORTH ELEVATION  
 SCALE: 1/4" = 1'-0"



A02-01/02 EAST ELEVATION  
 SCALE: 1/4" = 1'-0"



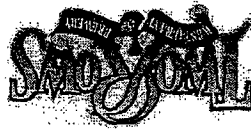




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Drifts  
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DALLAS TOLLWAY

DALLAS, TX

BUILDING ELEVATIONS

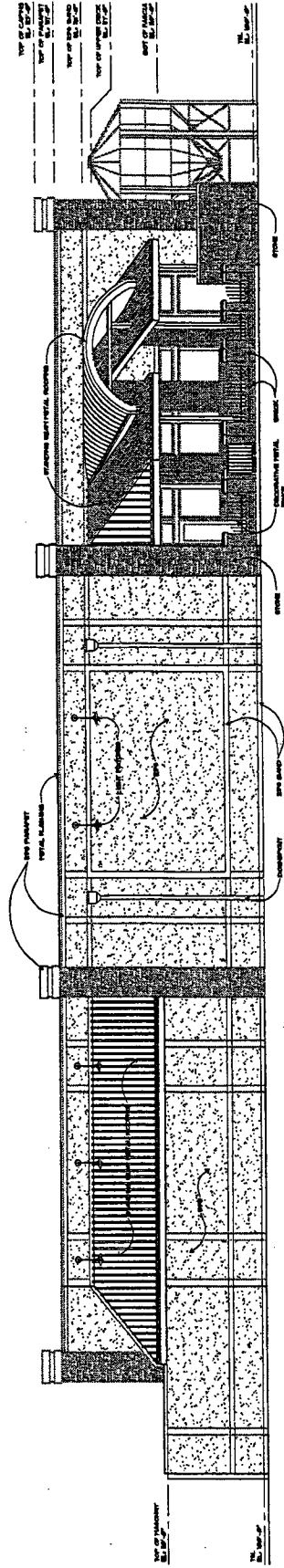
REVISIONS

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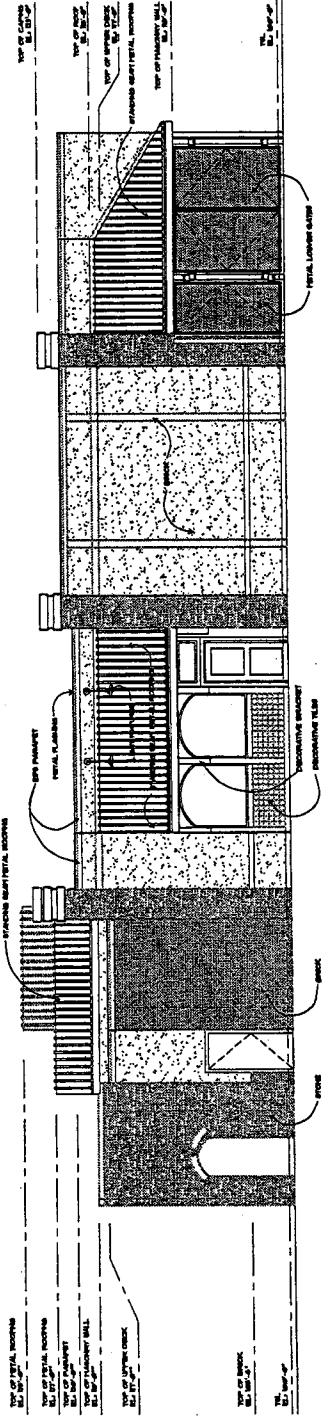
PROTOTYPE  
 BY DRAWING NUMBER  
 WED PROJECT NUMBER  
 NUMBER 02

A02-02

1/2" = 1'-0" (Vertical Scale) 1/8" = 1'-0" (Horizontal Scale)



A02-02/01 SOUTH ELEVATION  
 SCALE: 1/8" = 1'-0"



A02-02/02 WEST ELEVATION  
 SCALE: 1/8" = 1'-0"

