

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. 011-065**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO APPROVE A SPECIAL USE PERMIT FOR A RESTAURANT, A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM THE DREAM CAFÉ, LOCATED AT 5100 BELT LINE ROAD, SUITE 582B, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; 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. 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 only, on application from Dream Cafe. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

BEING a 3,724 square-foot portion of a lease space addressed as 5100 Belt Line Road, Suite 582B, in a shopping center known as the Village on the Parkway, located on a tract of land out of the Allen Bledsoe Survey, Abstract No. 157, the G.W. Fisher Survey, Abstract No. 482 and the J. Pancoast Survey, Abstract No. 1146, City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point being the intersection of the east right-of-way line of Dallas Parkway and the south right-of-way line of Belt Line Road;

THENCE East along said south line, a distance of 241.34 feet to a point for a corner;

THENCE S 65°51'30" E, a distance of 54.24 feet to a point for corner;

THENCE N 48°03'00" E, a distance of 30.0 feet to a point for a corner, said point lying on the centerline of Noell Road;

THENCE S 41°57'00" E along said centerline, a distance of 741.67 feet to an angle point;

THENCE S 23°24'00" E continuing along said centerline, a distance of 907.45 feet to a point for corner;

THENCE S 85°31'25" W departing said centerline, a distance of 733.4 feet to an angle point;

THENCE N 85°30'06" W a distance of 882.99 feet to a point for a corner said point lying on the east right-of-way of Dallas Parkway;

THENCE Northeasterly along said east line being a circular curve to the right having a central angle of 34°35'34" and whose center bears S 88°39'35" E, 1256.93 feet, an arc distance of 759.25 feet to the point of reverse curve to the left having a central angle of 36°13'00" and a radius of 1014.93 feet;

THENCE Northeasterly along said curve and continuing along said east line, an arc distance of 641.54 feet to its point of tangency;

THENCE N 00°16'01" W, a distance of 65.52 feet to the POINT OF BEGINNING AND CONTAINING 33.976 acres of land more or less.

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 floor plan and elevation drawings, 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 3,724 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.
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 4 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.
9. Prior to the development of the exterior patio, the applicant shall replace 624 square feet of landscaping in a location approved by the Parks Director.
10. The applicant/operator shall not use any terms (such as "bar", "tavern", etc.) or graphic depictions which relate to alcoholic beverages in any exterior signs.
11. The property owner for this center shall remove a dead Red Oak tree from the southeast corner of the Visit Addison location prior to the issuance of a Certificate of Occupancy for the Dream Café space.

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.

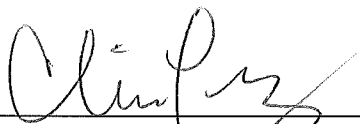
SECTION 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect. That this ordinance shall specifically repeal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

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 11th day of October, 2011



Mayor-Todd Meier

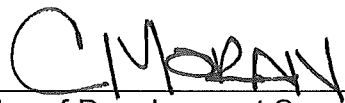
ATTEST:



City Secretary-Chris Terry

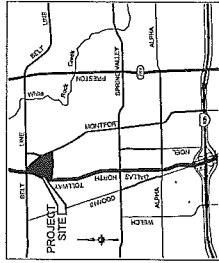
CASE NO. 1644-SUP/Dream Cafe

APPROVED AS TO FORM:



Director of Development Services
Carmen Moran

PUBLISHED ON: _____



VICINITY MAP
(NOT TO SCALE)

BUILDING AREA:

| | |
|---------------|-------------------|
| BLOCK 200 | 59,105 SF |
| BLOCK 300 | 7,289 SF |
| BLOCK 400 | 40,157 SF |
| BLOCK 500 | 38,293 SF |
| BLOCK 600 | 54,798 SF |
| BLOCK 700 | 44,302 SF |
| BLOCK 800 | 43,530 SF |
| BLOCK 900 | 8,973 SF |
| BLOCK 1000 | 44,780 SF |
| TOTAL* | 341,227 SF |

*NOTE: TOTAL BUILDING AREA INCLUDES ALL ELECTRICAL SERVICE CLOSETS AND STORAGE AREAS

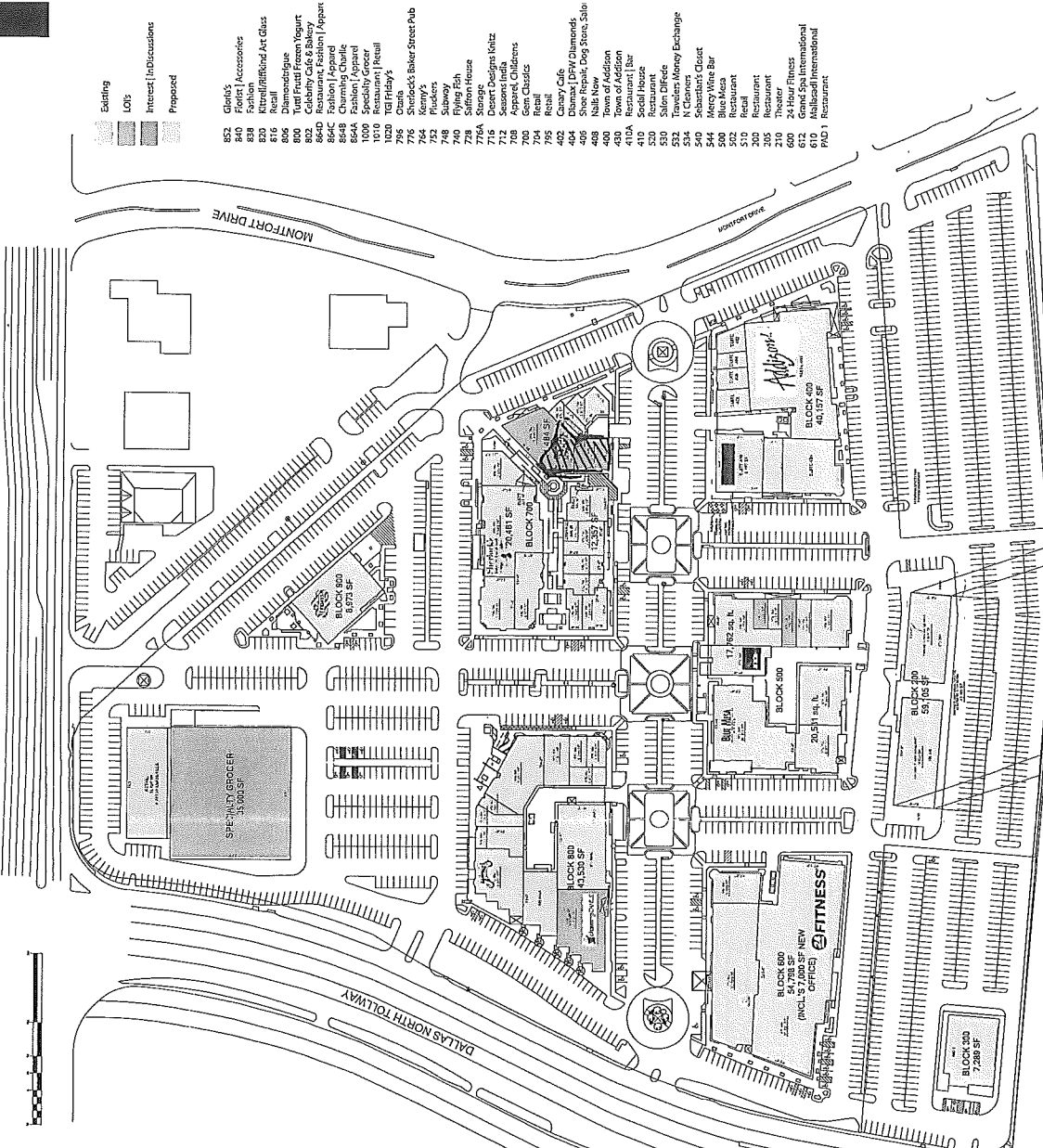
THE retail CONNECTION
CONNECTED DEVELOPMENT SERVICES

THE retail CONNECTION
CONNECTED DEVELOPMENT SERVICES

LINCOLN PROPERTY COMPANY

Village on the Parkway, Addison, Texas

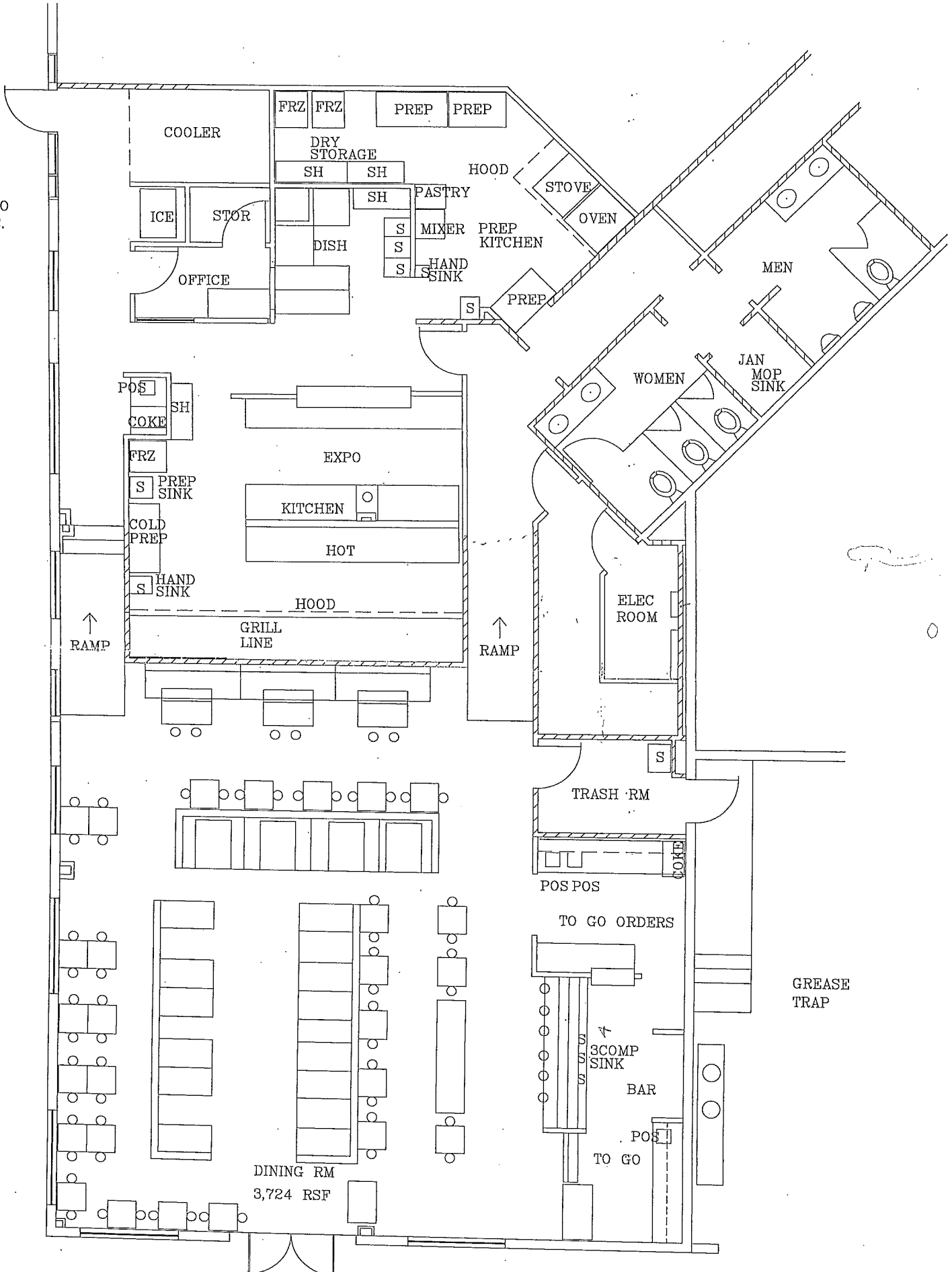
Site Plan 28



- 852 Genetics
- 850 Petals Accessories
- 820 Kitzel/Riffkind Art Glass
- 816 Retail
- 806 Diamonds/Engage
- 800 Colchuck's Barber
- 864D Restaurant Fashion Apparel
- 864C Fashion Apparel
- 8624 Charming Chalk
- 1000 Specialty Grocer
- 1010 Restaurant Retail
- 1020 TGI Friday's
- 776 Sherbeck's Baker Street Pub
- 764 Kenny's
- 752 Plaiders
- 746 Pigeon Fish
- 728 Saffron House
- 776A Storage
- 716 Desert Designs Kitzel
- 700 Apparel Children
- 794 Retail
- 402 Casey Cafe
- 404 Diamond DRW Diamonds
- 406 Shoe Repair Dog Stone, Solo
- 408 Bull New
- 409 Town of Addison
- 410A Restaurant Bar
- 410 Social House
- 530 Silver Dicks
- 532 Travelers Money Exchange
- 534 N Cleaners
- 540 Money Mike Bar
- 500 Blue Mics
- 502 Restaurant
- 300 Retail
- 305 Restaurant
- 210 Theater
- 600 24 Hour Fitness
- 610 International
- 612 MacMillan Recreational
- P/G 1 Restaurant

This plan is provided subject to (i) errors and omissions in the information, and (ii) modification without notice the information, specifications, dimensions and/or tabulations set forth in this plan have been derived from documents believed to be reliable. However, this plan may be incomplete and/or inaccurate and no representation or warranty, expressed or implied, as to the accuracy or adequacy regarding such information is made by the owner of the project, property manager or any of their respective partners, directors, officers, employees or agents.

PATIO
N.I.C.



COOLER

FRZ

FRZ

PREP

PREP

DRY STORAGE

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HOOD

STOVE

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ICE

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COLD PREP

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HAND SINK

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RAMP

EXPO

KITCHEN

HOT

HOOD

GRILL LINE

RAMP

ELEC ROOM

TRASH RM

POS POS

TO GO ORDERS

3 COMP SINK

BAR

POS

TO GO

GREASE TRAP

DINING RM
3,724 RSF