

**ORDINANCE NO. 021-21**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY REPEALING ORDINANCE NOS. 002-039 AND 011-019 AND GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT AND FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION FOR PROPERTY LOCATED AT 5100 BELT LINE ROAD, SUITE 544; 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; PROVIDING FOR SAVINGS, NO SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the property located at 5100 Belt Line Road, Suite 544, is zoned PD, Planned Development, through Ordinance Numbers 012-002 and O20-08; and

**WHEREAS**, at its regular meeting held on May 18, 2021, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption (Case No.1828-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.** Ordinance Nos. 002-039 and 011-019, granting Special Use Permits to Mercy Wine Bar, the former occupant of this property, be and are hereby repealed in their entirety.

**SECTION 3.** A Special Use Permit authorizing a restaurant and authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 5100 Belt Line Road, Suite 544, is 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, and building elevations, 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 shall be limited to that particular area designated

on the final site plan as encompassing a total area not to exceed 3,824 squarefeet.

- (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 hoursits bookkeeping records for inspection, if required, by the city to ensure 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 this Special Use Permit is 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 and 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 4.** 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 5.** 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 6.** 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 7.** 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 8<sup>th</sup> day of JUNE 2021.**



**ATTEST:**

*Irma G. Parker*

Irma G. Parker, City Secretary

**TOWN OF ADDISON**

*Joe Chow*

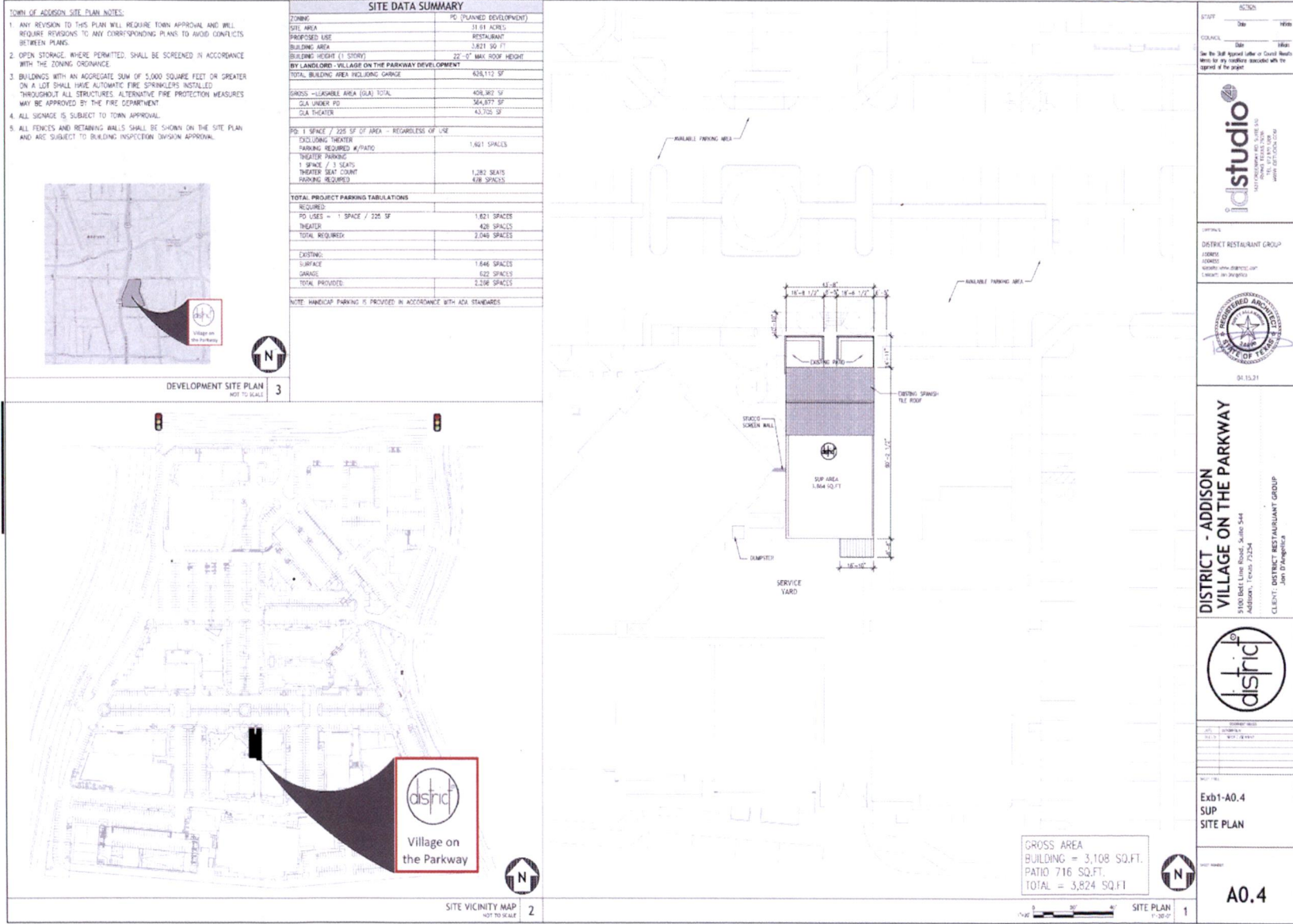
Joe Chow, Mayor

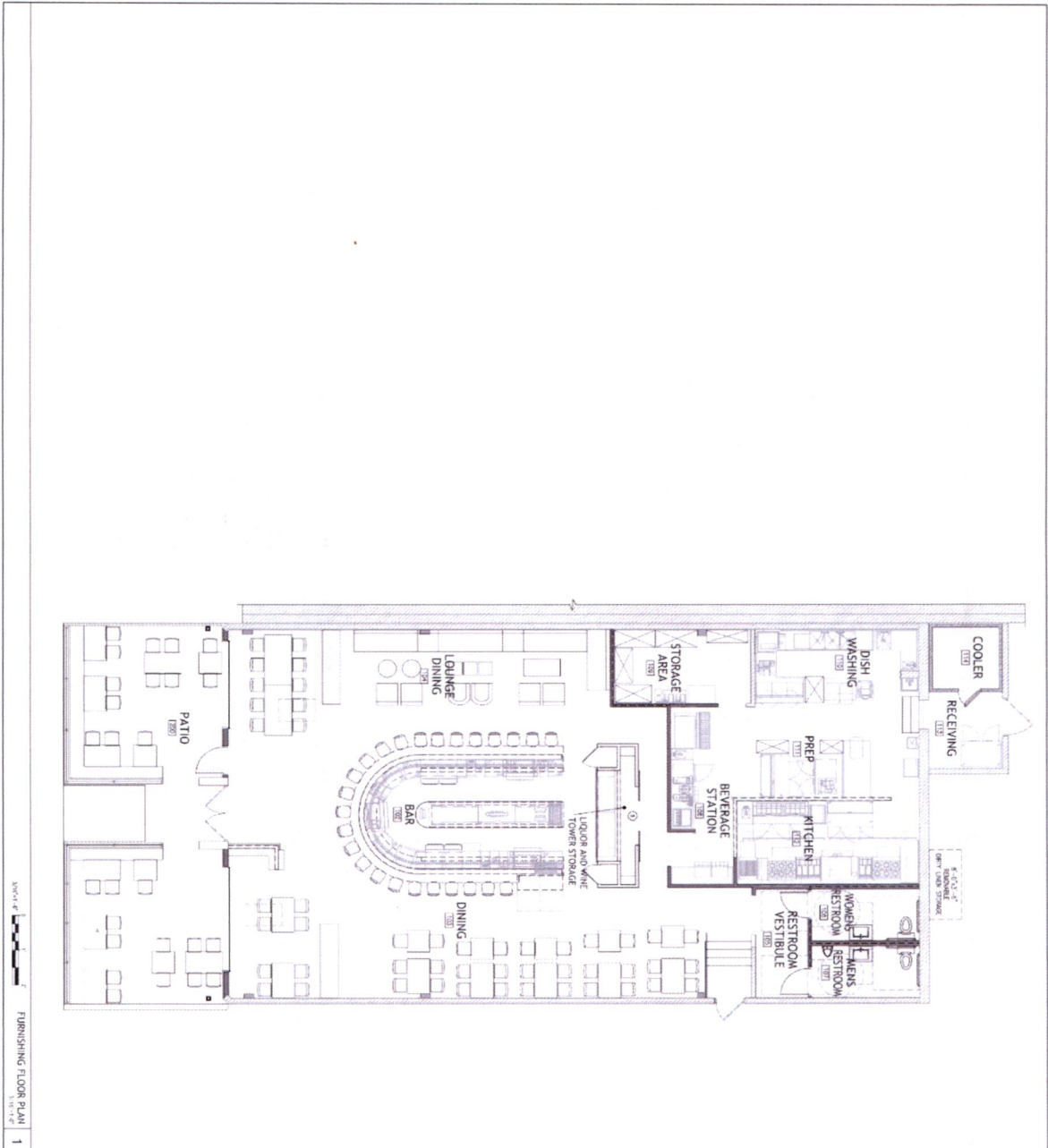
**APPROVED AS TO FORM:**

Brenda N. McDonald, City Attorney

*Published in the Dallas Morning News: 6/29/2021*

**EXHIBIT A**





GENERAL NOTES:  
 PROVISIONS TO EXISTING SHEET INCLUDES SHOWN BY DASHED LINES.  
 BUILDING DATA  
 PROJECT NO. 170324  
 SHEETS 17  
 SHEETS 17

SEATING COUNT

2 1/2" TABLE 4	5	150
2 1/2" TABLE 6	1	30
2 1/2" TABLE 8	1	30
2 1/2" TABLE 10	1	30
2 1/2" TABLE 12	1	30
2 1/2" TABLE 14	1	30
2 1/2" TABLE 16	1	30
2 1/2" TABLE 18	1	30
2 1/2" TABLE 20	1	30
2 1/2" TABLE 22	1	30
2 1/2" TABLE 24	1	30
2 1/2" TABLE 26	1	30
2 1/2" TABLE 28	1	30
2 1/2" TABLE 30	1	30
2 1/2" TABLE 32	1	30
2 1/2" TABLE 34	1	30
2 1/2" TABLE 36	1	30
2 1/2" TABLE 38	1	30
2 1/2" TABLE 40	1	30
2 1/2" TABLE 42	1	30
2 1/2" TABLE 44	1	30
2 1/2" TABLE 46	1	30
2 1/2" TABLE 48	1	30
2 1/2" TABLE 50	1	30
2 1/2" TABLE 52	1	30
2 1/2" TABLE 54	1	30
2 1/2" TABLE 56	1	30
2 1/2" TABLE 58	1	30
2 1/2" TABLE 60	1	30
2 1/2" TABLE 62	1	30
2 1/2" TABLE 64	1	30
2 1/2" TABLE 66	1	30
2 1/2" TABLE 68	1	30
2 1/2" TABLE 70	1	30
2 1/2" TABLE 72	1	30
2 1/2" TABLE 74	1	30
2 1/2" TABLE 76	1	30
2 1/2" TABLE 78	1	30
2 1/2" TABLE 80	1	30
2 1/2" TABLE 82	1	30
2 1/2" TABLE 84	1	30
2 1/2" TABLE 86	1	30
2 1/2" TABLE 88	1	30
2 1/2" TABLE 90	1	30
2 1/2" TABLE 92	1	30
2 1/2" TABLE 94	1	30
2 1/2" TABLE 96	1	30
2 1/2" TABLE 98	1	30
2 1/2" TABLE 100	1	30

AREA PER ROOM

RESTROOM VESTIBULE	150
WOMEN'S RESTROOM	150
MEN'S RESTROOM	150
KITCHEN	150
PREP	150
DISH WASHING	150
STORAGE AREA	150
BEVERAGE STATION	150
LIQUOR AND WINE TOWER STORAGE	150
BAR	150
DINING	150
LOUNGE DINING	150
PATIO	150

CLIENT: DISTRICT RESTAURANT GROUP  
 Jon D'Angelica

**district**

5100 Belt Line Road, Suite 544  
 Addison, Texas 75254

DISTRICT RESTAURANT GROUP  
 DISTRICT RESTAURANT GROUP  
 DISTRICT RESTAURANT GROUP

studio  
 1470 COLUMBIA BELT ROUTE 100  
 IRVING, TEXAS 75038  
 TEL: 972.261.8888 FAX: 972.261.8889  
 WWW.STUDIO1470.COM

EXB2A1.2  
 FURNISHING  
 PLAN

A1.2

**NORTH EXTERIOR ELEVATION**

**EAST PATIO ELEVATION**

**A2.0**

**1**

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**SITE LOCATION MAP**

**DISTRICT RESTAURANT GROUP**

1511 CARROLLWOOD AVE, SUITE 500  
ADDISON, TEXAS 75201  
TEL: 972-818-3388  
WWW.DISTRICT.COM

**DISTRICT**

5100 Belt Line Road, Suite 544  
Addison, Texas 75254

CLIENT: DISTRICT RESTAURANT GROUP  
Jon D'Angelica

**idstudio**

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ADDISON, TEXAS 75201  
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**19137**

**19138**

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**19147**

**19148**

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**19150**