

ORDINANCE NO. O21-28

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT LOCATED AT 5290 BELT LINE ROAD, SUITE 104; 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; SAVINGS, NO SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the property located at 5290 Belt Line Road, Suite 104, is zoned PD, Planned Development, through Ordinance Number O19-22; and

WHEREAS, at its regular meeting held on August 17, 2021 the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit for a restaurant (Case No.1835-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. That 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 a Special Use Permit authorizing a restaurant, on the property located at 5290 Belt Line Road, Suite 104, 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 shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 1,275 square feet.
- (c) 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.

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. That 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.

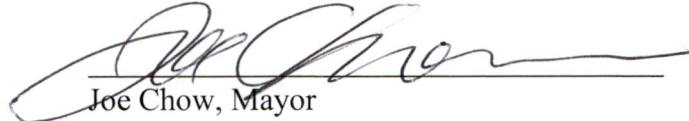
SECTION 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That 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.

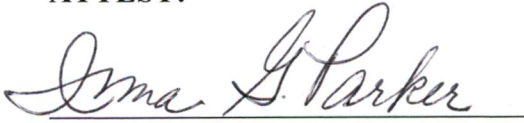
PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 24th day of AUGUST 2021.



TOWN OF ADDISON

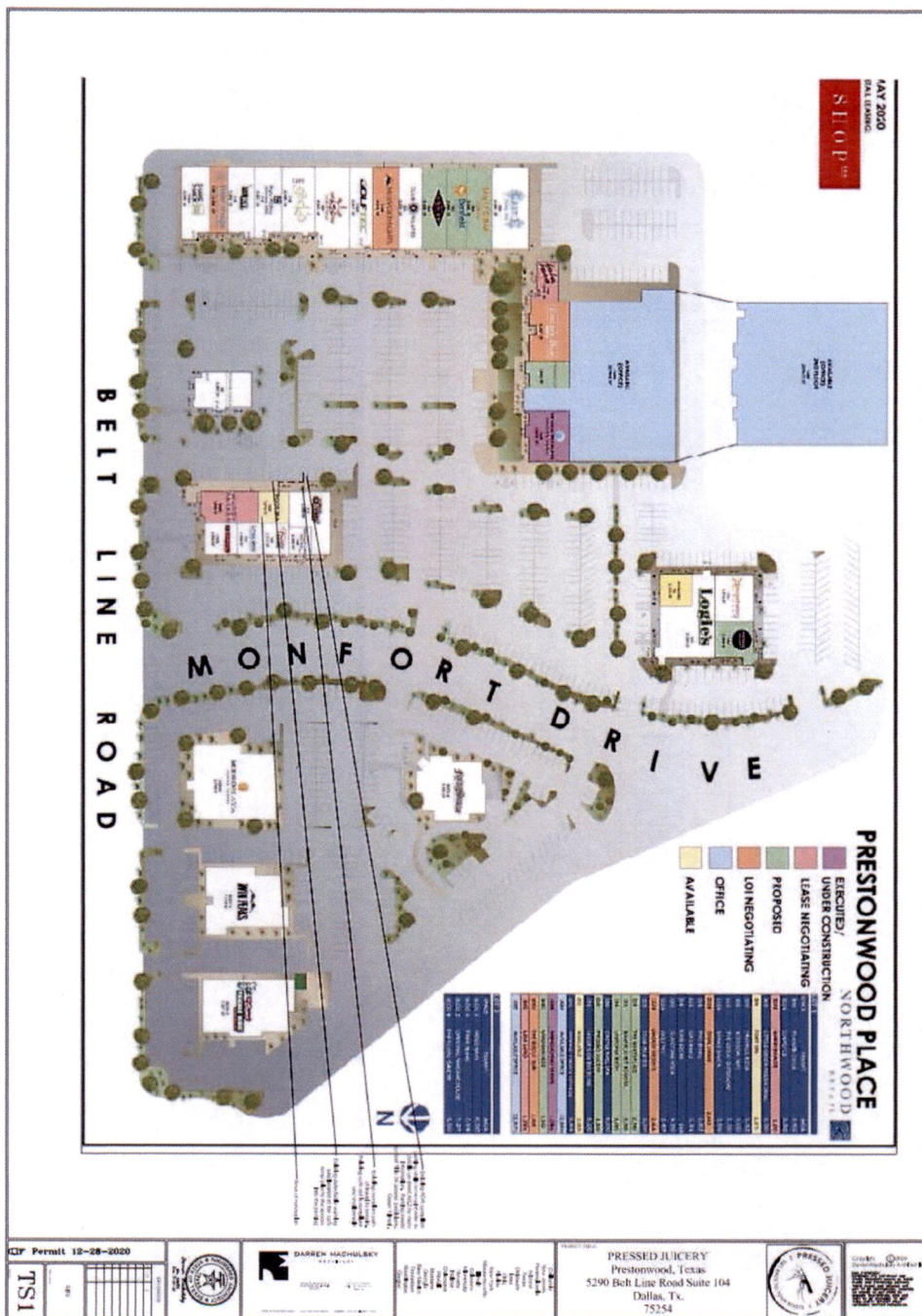

Joe Chow, Mayor

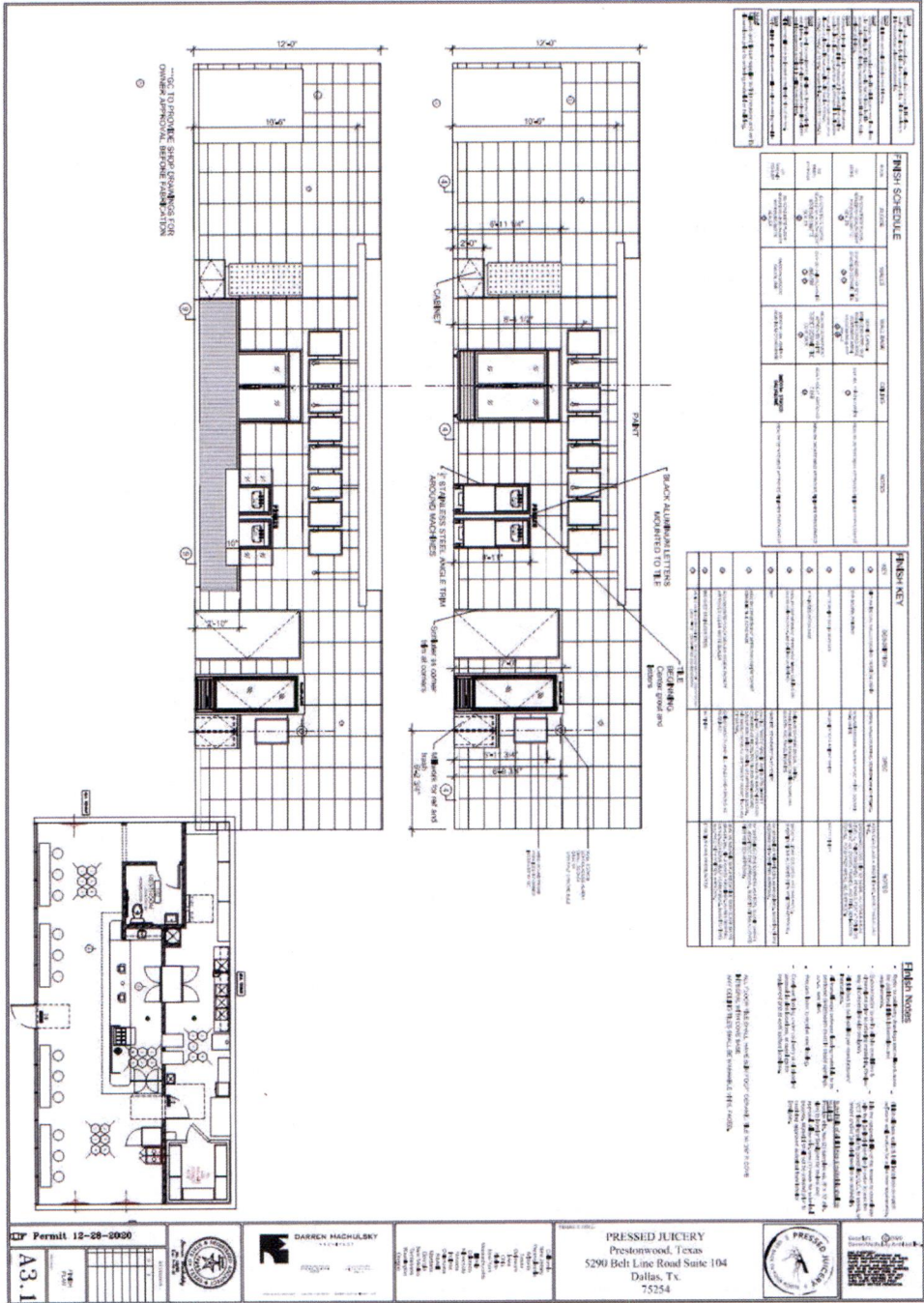
ATTEST:


Irma G. Parker, City Secretary

Published in the Dallas Morning News: 09/16/2021

EXHIBIT A





NO.	DESCRIPTION	FINISH	NOTES
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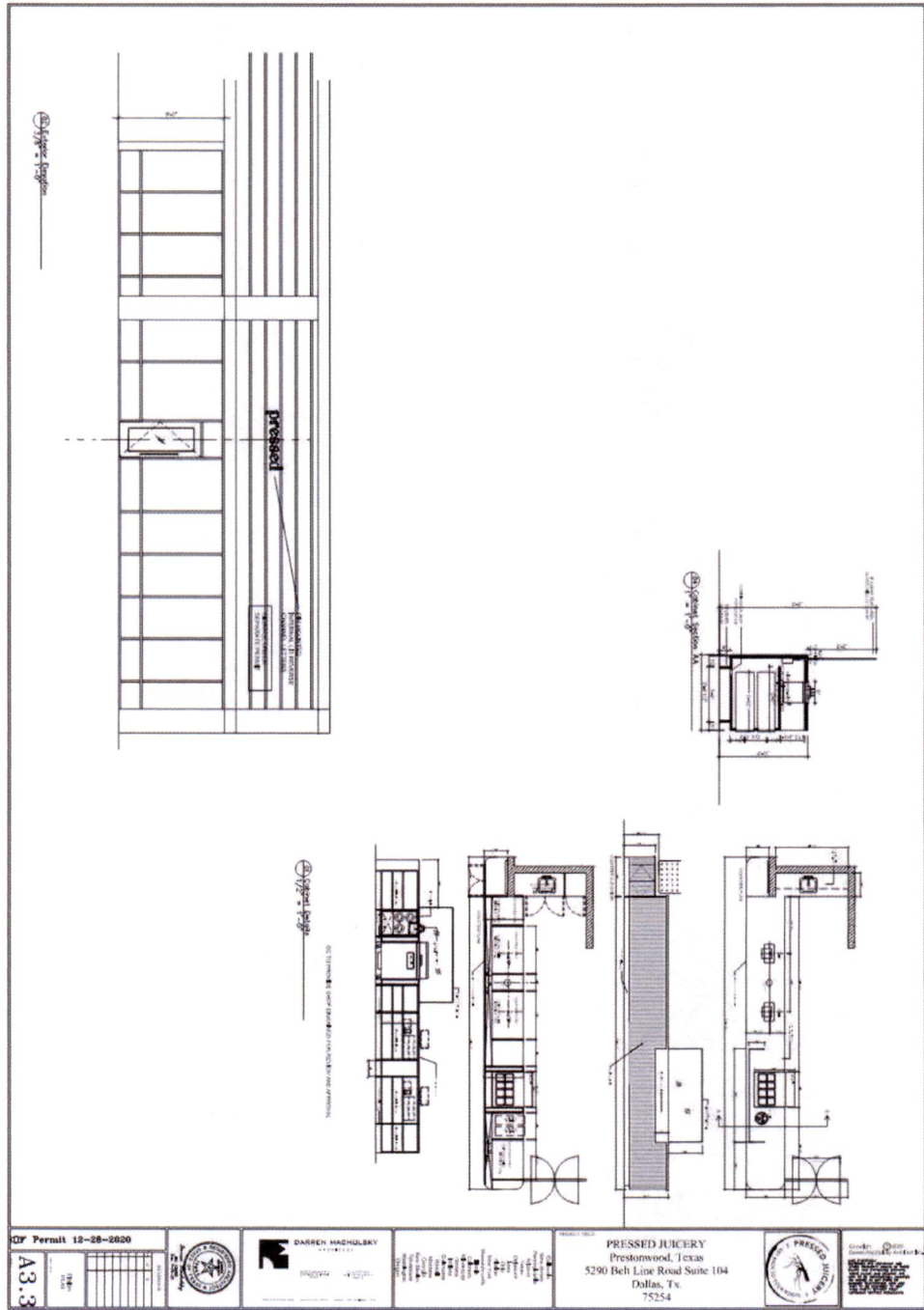
NO.	DESCRIPTION	FINISH	NOTES
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NO.	DESCRIPTION	FINISH	NOTES
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Finish Notes

- 1. All finishes shall be as specified in the schedule.
- 2. All finishes shall be applied in accordance with the manufacturer's instructions.
- 3. All finishes shall be applied in a clean, dry, and well-ventilated area.
- 4. All finishes shall be applied in a consistent and uniform manner.
- 5. All finishes shall be applied in a timely manner.
- 6. All finishes shall be applied in a professional and workmanlike manner.
- 7. All finishes shall be applied in a manner that is consistent with the overall appearance of the project.
- 8. All finishes shall be applied in a manner that is consistent with the current industry standards.
- 9. All finishes shall be applied in a manner that is consistent with the current local, state, and federal regulations.
- 10. All finishes shall be applied in a manner that is consistent with the current best practices.

A3.1
 Permit 12-28-0000
 DARRIN MASHULSKY
 PRESTONWOOD, TEXAS
 5290 Belt Line Road Suite 104
 Dallas, TX
 75254
 PRESTONWOOD
 12-28-0000



<p>City Permit 12-26-2020</p> <p>A3.3</p>		<p>DARREN HACHULSKY</p> <p>REGISTERED ARCHITECT</p>	<p>PROJECT NO. 12-26-2020</p> <p>DATE: 12/26/2020</p> <p>SCALE: AS SHOWN</p>	<p>PRESSED JUICERY</p> <p>Prestonwood, Texas</p> <p>5290 Beh Line Road Suite 104</p> <p>Dallas, Tx.</p> <p>75254</p>		<p>Seal of the State of Texas</p>
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