

ORDINANCE NO. O21-42

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT(SUP) FOR A RESTAURANT FOR THE PROPERTY LOCATED AT 3719 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on October 19, 2021, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit (Case No.1840-SUP) for a restaurant at the property located at 3719 Belt Line Road (the “Subject Property”); and

WHEREAS, the Subject Property is zoned PD, Planned Development, through Ordinance No. O92-037; and

WHEREAS, this change of zoning is in conformance 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. A Special Use Permit authorizing a restaurant on the Subject Property is hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, the Subject 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 (SUP) 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 1,317 square feet.
- (c) If the Subject Property 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 Permit granted herein.

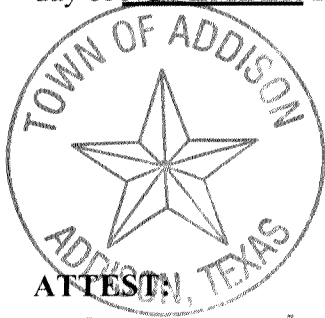
SECTION 3. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set-in accordance with Chapter 1, Section 1-7 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. 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. 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.


PASSED AND APPROVED by the City Council of the Town of Addison, Texas on this 9th day of **NOVEMBER 2021**.



TOWN OF ADDISON, TEXAS


Joe Chow, Mayor

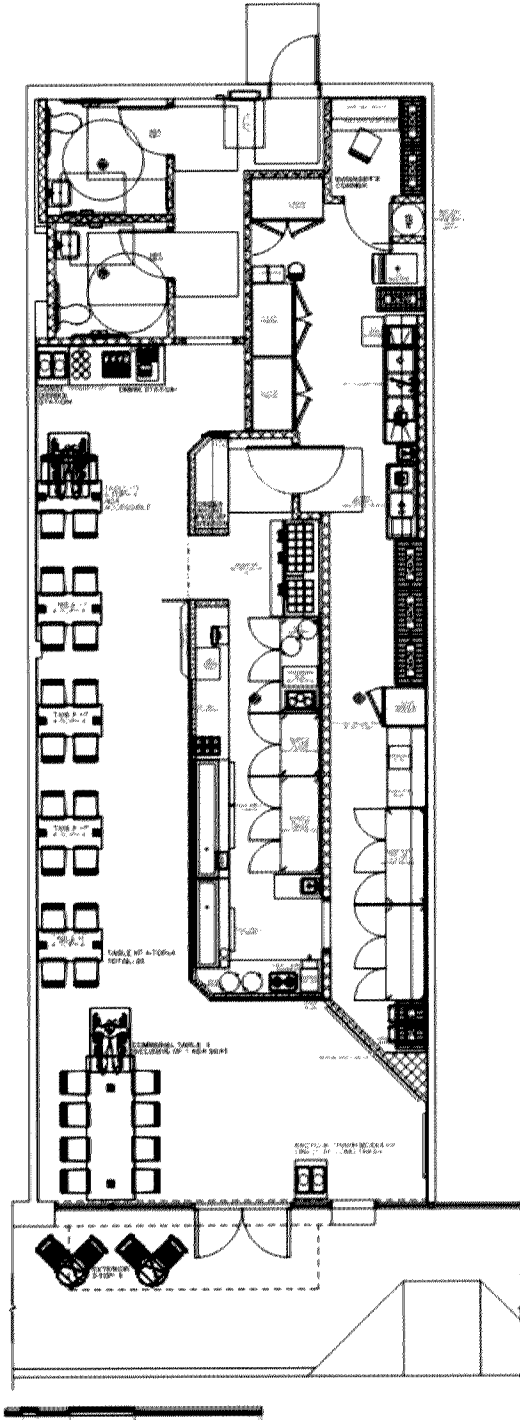
APPROVED AS TO FORM:


Irma G. Parker, City Secretary


Whitt Wyatt, City Attorney

Printed in the Dallas Morning News on 11/18/2021

EXHIBIT A



PROJECT INFORMATION

ZONING: EXISTING PD - PLANNED DEVELOPMENT DISTRICT
 PROPOSED USE: RESTAURANT - W/ DRIVE IN NO DRIVE THROUGH
 LOT AREA: PART OF LOT 3 & 4, 2.61
 HARDWARE AREA: 1,239
 PARK AREA: 0
 TOTAL HARDWARE: 1,239 (INCLUDES 2 ADA SEAT & 4 PARK SEATING)

NOTE: "HARDWARE PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS"

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PROJECT NO. 2136
 DATE 09/2/2021
 DRAWN BY AS
 SOFT AS NOTED

REVISIONS

SUP FLOOR PLAN

ADDISON PROJECT #1840- SUP

POKEWORKS
 3719 BELT LINE ROAD
 ADDISON, TX 75001

MARSH BELT LINE SHOPPING CENTER
 PART OF LOT 3 & ALL OF LOT 4
 3.6269 ACRES



FLOOR PLAN
 SCALE: 1/4"=1'-0"

A102

