

**ORDINANCE NO. O23-01**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT (SUP) FOR A RESTAURANT AND FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION FOR THE PROPERTY LOCATED AT 5100 BELT LINE ROAD, SUITE 728; 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 December 14, 2022, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit (Case No.1866-SUP) for a restaurant and for the sale of alcoholic beverages for on-premises consumption at the property located at 5100 Belt Line Road, Suite 728 (the “Subject Property”); and

**WHEREAS**, the Subject Property is presently zoned Planned Development (PD), Ordinance No. O12-002, as amended by Ordinance No. O20-08; 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**SECTION 2.** Ordinance No. 003-001 granting a Special Use Permit to The Saffron House, shall be repealed in its entirety upon issuance of a Certificate of Occupancy for the Subject Property in conformance with this ordinance.

**SECTION 3.** A Special Use Permit authorizing a restaurant and authorizing the sale of alcoholic beverages for on-premises consumption for the Subject Property, is hereby granted subject to the following conditions:

- (a) Prior to issuance of a Certificate of Occupancy, the Subject Property shall be improved in accordance with the site plan, floor plan, and façade plans which are attached hereto as **Exhibit A** and made a part hereof for all purposes.

- (b) The SUP granted herein for a restaurant and for the sale of alcoholic beverages for on-premises consumption, shall be limited to that particular area encompassing a total area not to exceed 4,145 square feet as designated on the final site plans attached hereto as **Exhibit A**.
- (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 (hereinafter “City”).
- (d) The sale of alcoholic beverages under this SUP shall be permitted in restaurants. For the purposes of this ordinance, the term “restaurant” means an establishment which receives at least sixty percent (60%) of its gross revenues from the sale of food.
- (e) Said establishment shall, upon request by the City, make available to the City or its agents, during reasonable hours its bookkeeping records for inspection to ensure that the conditions of subparagraph (d) above are being met.
- (f) Any nonconforming use of the Subject Property that is not considered a legal nonconforming use under the City’s Comprehensive Zoning Ordinance shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the Subject Property 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 and repeal of the Special Use Permit granted herein.
- (h) If a license or permit to sell alcoholic beverages on the Subject Property is revoked, terminated, or cancelled by any authority with jurisdiction over the same, 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.
- (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, Section 1-7 of the Code of Ordinances for the Town of Addison.

**SECTION 5.** Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Zoning Ordinance for the Town of Addison, as amended hereby, be adjudged or held, in whole or in part, to be invalid, voided or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinances, as amended hereby, which shall remain in full force and effect.

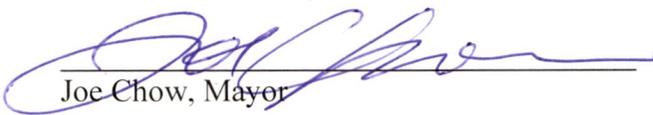
**SECTION 6.** All ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**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.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas, on this the **10<sup>TH</sup>** day of **JANUARY 2023**.



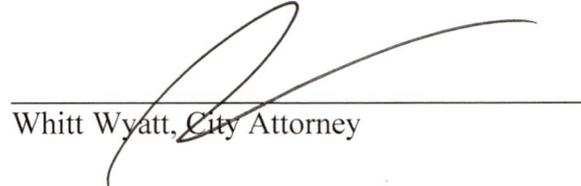
**TOWN OF ADDISON, TEXAS**

  
\_\_\_\_\_  
Joe Chow, Mayor

**ATTEST:**

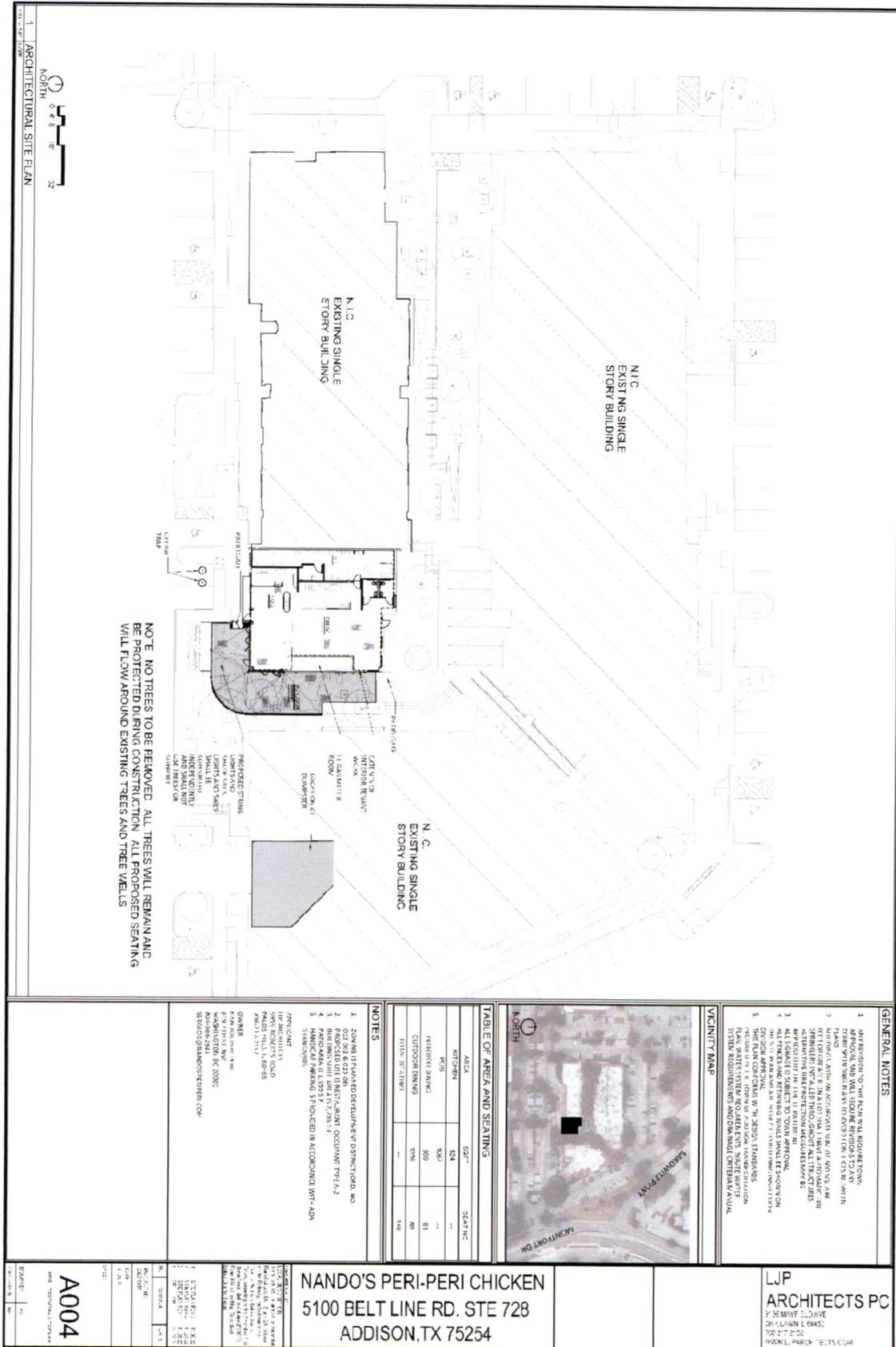
  
\_\_\_\_\_  
Irma G. Parker, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Whitt Wyatt, City Attorney

Published in the Dallas Morning News on January 14, 2023

# EXHIBIT A



1 ARCHITECTURAL SITE PLAN  
 NORTH  
 0 8 16 32

NOTE: NO TREES TO BE REMOVED. ALL TREES WILL REMAIN AND BE PROTECTED DURING CONSTRUCTION. ALL PROPOSED SEATING WILL FLOW AROUND EXISTING TREES AND TREE WELLS.

**GENERAL NOTES**

1. APPROVAL OF THE TOWN ENGINEER AND TOWN CLERK SHALL BE OBTAINED PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE TOWN ENGINEER SHALL REVIEW THE PLAN WITHIN 10 BUSINESS DAYS OF SUBMITTAL. APPROVAL OF THE TOWN ENGINEER SHALL BE OBTAINED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
2. ALL PROPOSED SEATING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ADDISON, TEXAS, ORDINANCE NO. 1866, AS AMENDED.
3. ALL PROPOSED SEATING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ADDISON, TEXAS, ORDINANCE NO. 1866, AS AMENDED.
4. ALL PROPOSED SEATING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ADDISON, TEXAS, ORDINANCE NO. 1866, AS AMENDED.
5. THE PLAN CONFORMS WITH THE CITY OF ADDISON, TEXAS, ORDINANCE NO. 1866, AS AMENDED.



**TABLE OF AREA AND SEATING**

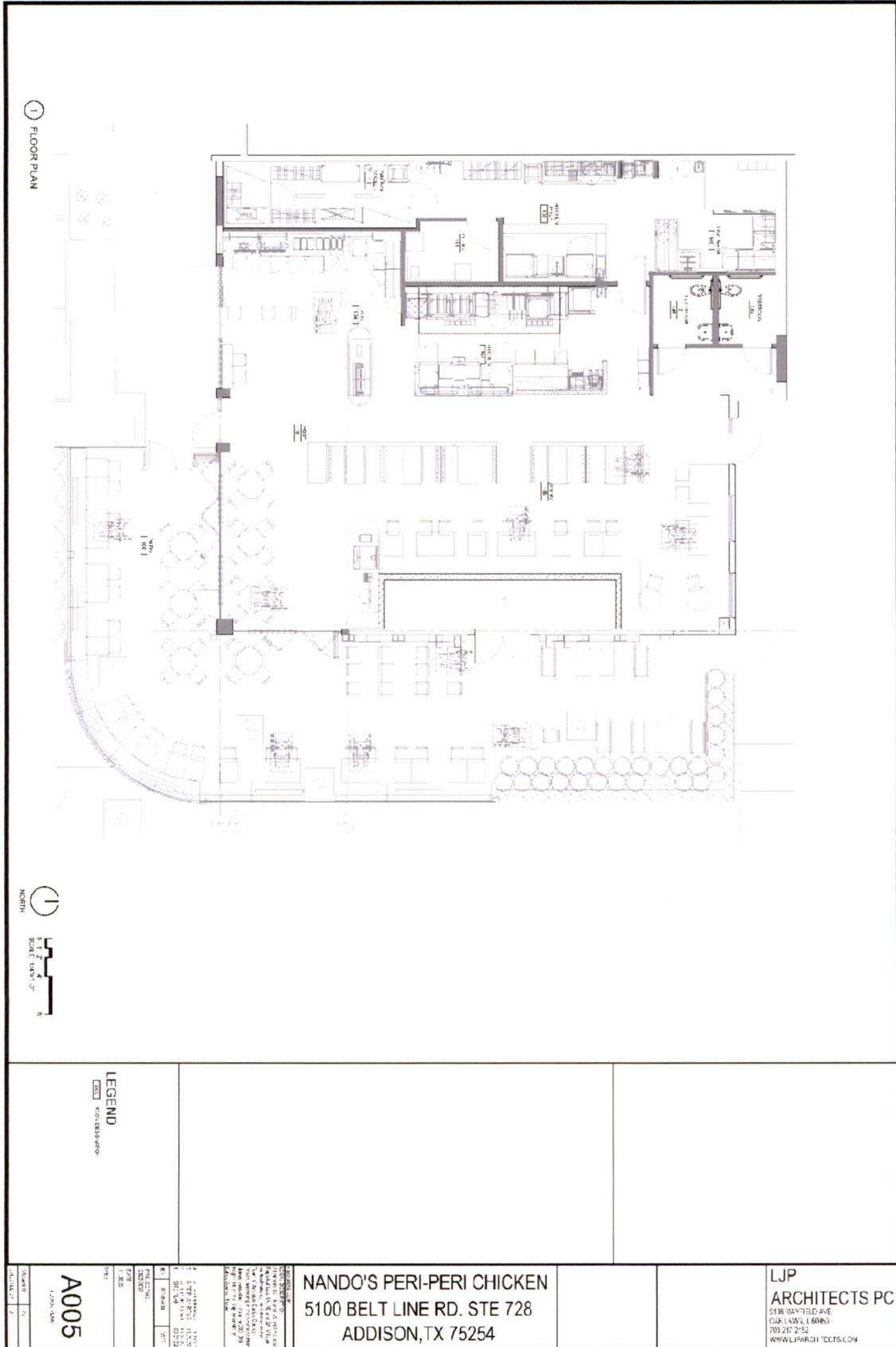
AREA	SEATING	SEATING
EXISTING	624	---
PROPOSED	600	---
TOTAL	1224	---

**NOTES**

1. ZONING IS PLANNED DEVELOPMENT DISTRICT (PD) NO. 11.
2. APPROVAL OF THE TOWN ENGINEER AND TOWN CLERK SHALL BE OBTAINED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. ALL PROPOSED SEATING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF ADDISON, TEXAS, ORDINANCE NO. 1866, AS AMENDED.

<p><b>A004</b></p> <p>ARCHITECTURAL SITE PLAN</p>	<p><b>NANDO'S PERI-PERI CHICKEN</b>                  5100 BELT LINE RD. STE 728                  ADDISON, TX 75254</p>	<p><b>LJP ARCHITECTS PC</b>                  2500 WEST 11TH AVE                  SUITE 100                  ADDISON, TX 75201                  WWW.LJP-ARCHITECTS.COM</p>
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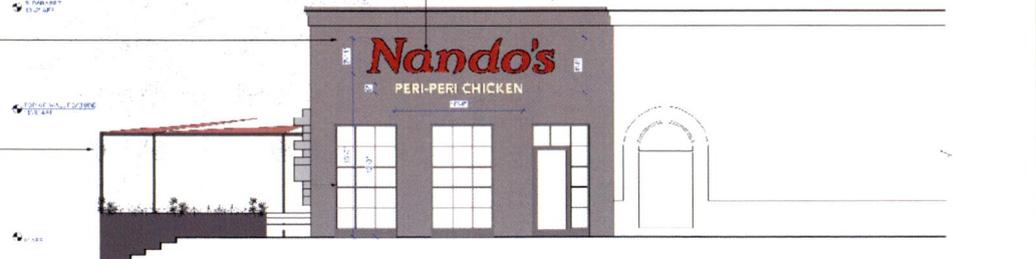
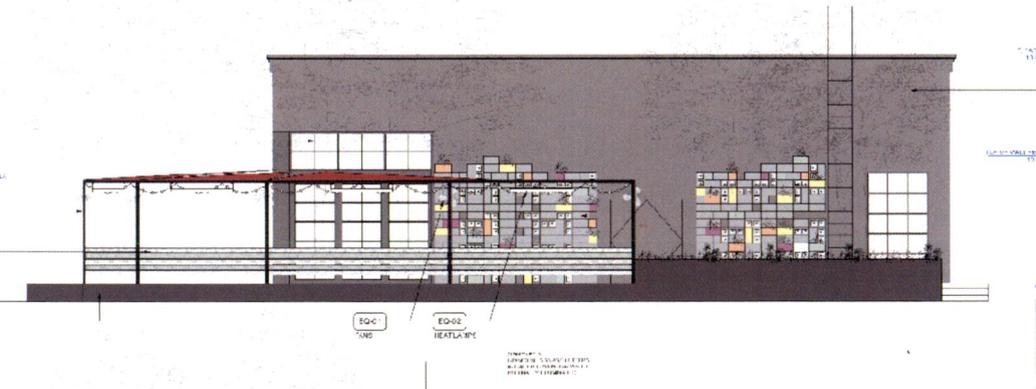
**EXHIBIT A**

SIGNAGE SHOW FOR REFERENCE ONLY. SIGNAGE APPROVAL SHALL BE THROUGH SEPARATE PERMIT

1 SOUTH ELEVATION  
SCALE 1/4" = 1'-0" @ 1/8" = 1'-0"

2 EAST ELEVATION  
SCALE 1/4" = 1'-0" @ 1/8" = 1'-0"

3 NORTH ELEVATION  
SCALE 1/4" = 1'-0" @ 1/8" = 1'-0"



NO.	DESCRIPTION
PT-01	EXISTING CONC. PLY. SIGN
PT-02	EXISTING CONC. PLY. SIGN
PT-03	EXISTING CONC. PLY. SIGN
PT-04	EXISTING CONC. PLY. SIGN
PT-05	EXISTING CONC. PLY. SIGN
PT-10	EXISTING CONC. PLY. SIGN
PT-11	EXISTING CONC. PLY. SIGN
PT-12	EXISTING CONC. PLY. SIGN

**LJP ARCHITECTS PC**  
 1800 W. BELT LINE RD., SUITE 100  
 ADDISON, TEXAS 75001  
 TEL: 972.441.1111  
 FAX: 972.441.1112  
 WWW.LJPARCHITECTS.COM

**FUSION**  
 ARCHITECTS

**NANDO'S PERI-PERI CHICKEN**  
 5100 BELT LINE RD. STE 728  
 ADDISON, TX 75254

**PROJECT SHALL COMPLY WITH THE 2013 IBC INCLUDING CHAPTER 17, 2017 NEC, 2012 TAD AND AGCCO A/C D CODES AND ORDINANCES OF THE TOWN OF ADDISON**

- NOTES**
1. THIS FACADE PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.
  2. ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW AS REQUIRED BY THE ZONING ORDINANCE.
  3. WHEN PERMITTED, EXPOSED UTILITY BOXES AND CONDUITS SHALL BE PAINTED TO MATCH THE BUILDING.
  4. ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY DEVELOPMENT SERVICES.
  5. ROOF ACCESS SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE CHIEF BUILDING OFFICIAL.

NO.	REVISION	DATE

NO.	REVISION	DATE

NO.	REVISION	DATE