

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT ONLY ON PROPERTY LOCATED AT 14380 MARSH LANE, SUITE H; 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 14380 Marsh Lane, Suite H, is zoned PD, Planned Development, through Ordinance Numbers 007-034, O16-017, and O16-018; and

WHEREAS, at its regular meeting held on January 15, 2019, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit for a restaurant only (Case No.1789-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 only, on the property located at 14380 Marsh Lane, Suite H, 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 only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 4,258 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 Permit 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 20th day of February 2019.

Joe Chow, Mayor

ATTEST:

Irma Parker, City Secretary

CASE NO: 1789-SUP/Sunny Street Cafe

APPROVED AS TO FORM:

Brenda N. McDonald, City Attorney

PUBLISHED ON: _____

Ordinance No. _____

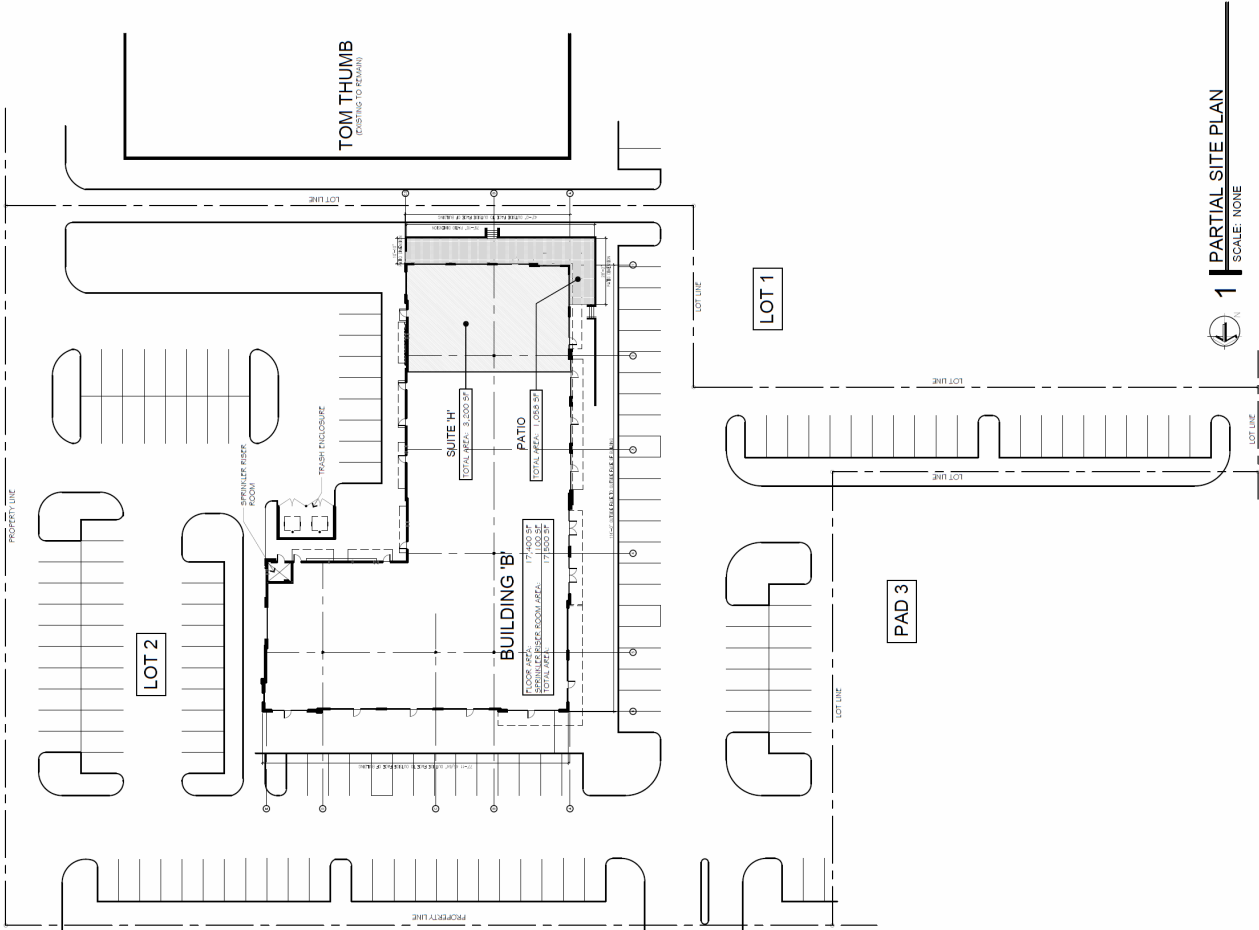
EXHIBIT A

[illegible]

EXHIBIT A

PARKING ANALYSIS									
PARKING ANALYSIS FOR TRUMP IN BUILDING 'B' ON LOT 2									
OCC.	APR. 100	ACTUAL	PERMANENT	TOTAL		OCC.	APR. 100	ACTUAL	PERMANENT
				1 PER 150	1 PER 100				
SUITE 'H'	3,000			20	30				
PATIO	1,000			7	10				
TOTAL				27	40				

- TOWN OF ADDISON SITE PLAN NOTES:
1. ANY REVISION TO THIS PLAN WILL REQUIRE TOWN APPROVAL.
 2. THIS PLAN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A CONTRACT. THE TOWN ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ASPECTS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED.
 3. THE TOWN ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ASPECTS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED.
 4. THE TOWN ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ASPECTS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED.
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Landry
ARCHITECTS
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Addison, TX 75001
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ARCHITECTURE PLANNING INTERIOR DESIGN

12/12/18

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ACTION	APPROVED	DENIED
STAFF	DATE	DATE
COUNCIL	DATE	DATE

See the date approved on the title block of the project.

Town Project: Sunny Street
1789-SUP

Project Title:
BROOKHAVEN VILLAGE
14380 MARSH LANE, SUITE H
ADDISON, TX 75001

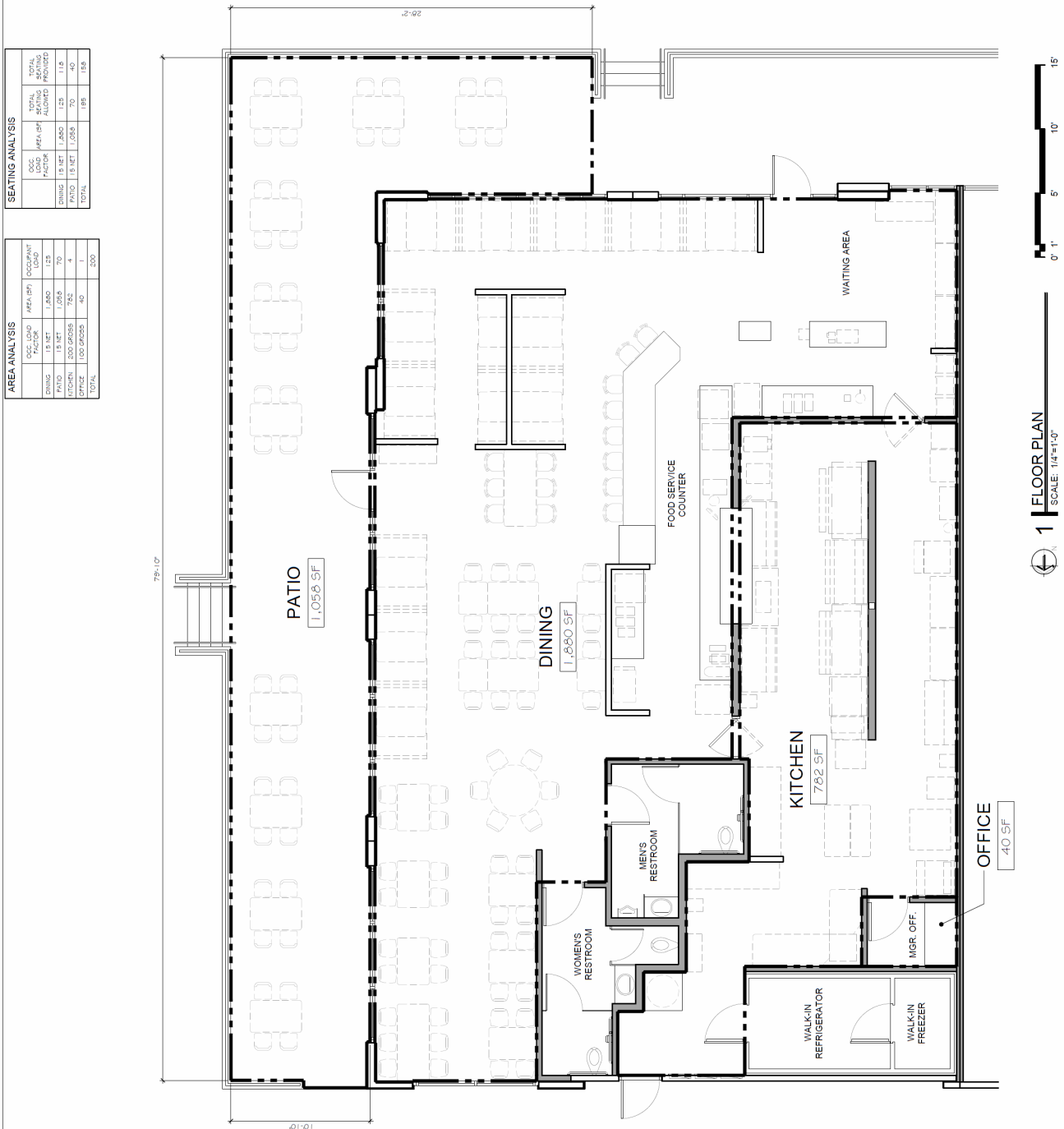
Drawing Title:
PARTIAL SITE
PLAN

Date: 12/12/18

Project No.: G18-015

Sheet No.: SP2.0

EXHIBIT A



Ordinance No.



12/2/8

Copyright Information
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ACTION

APPROVED _____

STAFF _____

DENIED _____

_____ *Initials*

COUNCIL _____

_____ *Initials*

See the State Approved Letter of Council Staff Status for any conditions associated with the Method of the project.

Town Project Number:
1789-SUP

Revisions:

Project Title



BROOKHAVEN VILLAGE
14380 MARSH LANE, SUITE H
ADDISON, TX 75001

Drawing Title:

FLOOR PLAN

Date: 4/24/10

Project No.

Sheet No. CI 0-916

SP3.0

EXHIBIT A

[illegible]