

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT AND FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION FOR PROPERTY LOCATED AT 5290 BELT LINE ROAD, SUITE 105; 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 105, is zoned PD, Planned Development, through Ordinance Number O19-22; and

WHEREAS, at its regular meeting held on June 16, 2020 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.1814-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 and authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 5290 Belt Line Road, Suite 105, 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 only shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 3,795 square feet.

- (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 hours its 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 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 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.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the 14TH day of JULY 2020.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

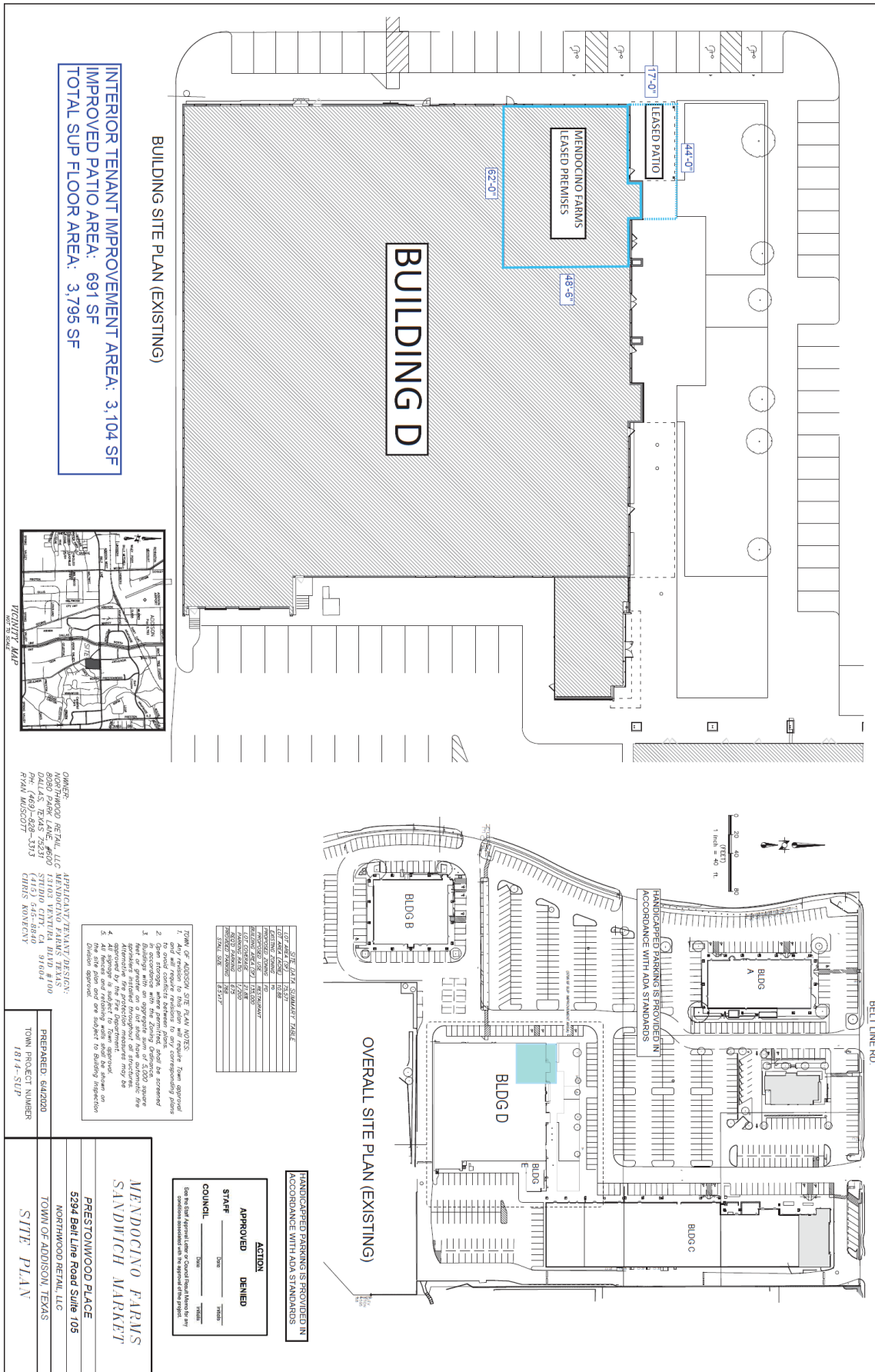
ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

EXHIBIT A



INTERIOR TENANT IMPROVEMENT AREA: 3,104 SF
IMPROVED PATIO AREA: 691 SF
TOTAL SUP FLOOR AREA: 3,795 SF

BUILDING SITE PLAN (EXISTING)

BUILDING D

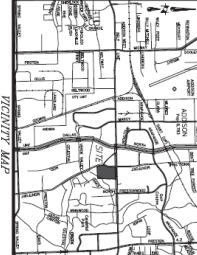
**MENDOCINO FARMS
LEASED PREMISES**

17'-0"

44'-0"

52'-0"

48'-0"



OWNER:
 NORTHWOOD RETAIL, LLC
 5294 BELT LINE ROAD, SUITE 105
 NORTHWOOD RETAIL, LLC
 STURRO CITY, TX 75482
 PH: (469)-828-3313
 CHRIS ROVENCY
 RYAN MUSCOTT

APPLICANT/TENANT/DESIGN:
 MENDOCINO FARMS, LLC
 5294 BELT LINE ROAD, SUITE 105
 NORTHWOOD RETAIL, LLC
 STURRO CITY, TX 75482
 PH: (469)-828-3313
 CHRIS ROVENCY

PREPARED BY:
 SAUNDERS ARCHITECTURE
 1814-SLP

PROJECT INFORMATION:
 PROJECT NAME: MENDOCINO FARMS SANDWICH MARKET
 ADDRESS: 5294 BELT LINE ROAD, SUITE 105
 CITY: NORTHWOOD RETAIL, LLC
 STATE: TX
 ZIP: 75482

- TOWN OF ADDISON SITE REVIEW NOTES:**
1. Any revision to this plan will require Town approval.
 2. Open rooms where permitted shall be screened to avoid conflicts between views, corresponding plans.
 3. Buildings with an aggregate area of 5,000 square feet shall be screened to avoid conflicts between views, corresponding plans.
 4. All signage shall be subject to Town approval on the site plan and one subject to Building Inspection Division approval.

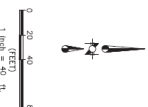
ITEM	DATE	STATUS
1. CITY REVIEW	08/14/2020	APPROVED
2. TOWN REVIEW	08/14/2020	APPROVED
3. PERMITTED REVIEW	08/14/2020	APPROVED
4. PLANNING REVIEW	08/14/2020	APPROVED
5. PUBLIC WORKS REVIEW	08/14/2020	APPROVED
6. UTILITY REVIEW	08/14/2020	APPROVED
7. TOTAL SIZE	8,517	

HANDICAPPED PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS

ACTION:
 APPROVED _____
 DENIED _____
 STAFF _____
 COUNCIL _____

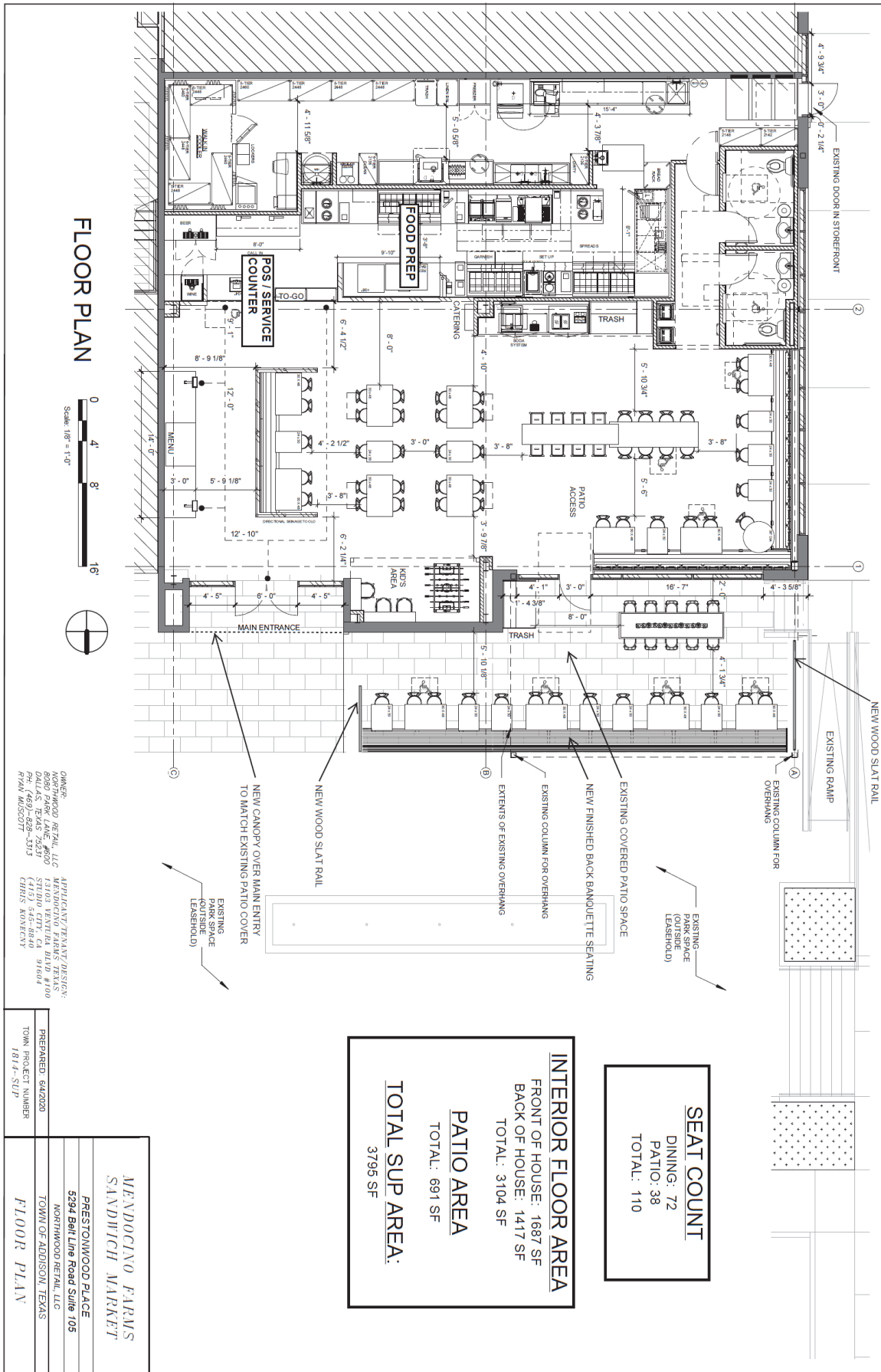
See the final approval letter or Council Board Minutes for conditions associated with the approval of this project.

OVERALL SITE PLAN (EXISTING)



HANDICAPPED PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS

EXHIBIT A



SEAT COUNT
 DINING: 72
 PATIO: 38
 TOTAL: 110

INTERIOR FLOOR AREA
 FRONT OF HOUSE: 1687 SF
 BACK OF HOUSE: 1417 SF
 TOTAL: 3104 SF

PATIO AREA
 TOTAL: 691 SF

TOTAL SUP AREA:
 3795 SF

OWNER:
 NORTHWOOD RETAIL, LLC
 8080 PARK LAKE, #600
 DALLAS, TEXAS 75239
 PH: (415) 545-8840
 RYAN MISCOTT

ARCHITECT/DESIGN:
 MENDOCINO FARMS SANDWICH MARKET
 13103 VENTURA BLVD #100
 DALLAS, TEXAS 75244
 PH: (415) 545-8840
 CHRIS ROVEREVY

PREPARED: 04/20/20 TOWN PROJECT NUMBER: 18114-SUP	MENDOCINO FARMS SANDWICH MARKET PRESTONWOOD PLACE 5294 Bell Line Road Suite 105 NORTHWOOD RETAIL, LLC TOWN OF ADDISON, TEXAS FLOOR PLAN
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EXHIBIT A

