

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 5100 BELT LINE ROAD, SUITE 796; 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 5100 Belt Line Road, Suite 796, is zoned PD, Planned Development, through Ordinance Numbers O12-002 and O20-08; and

WHEREAS, at its regular meeting held on July 21, 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.1815-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 5100 Belt Line Road, Suite 796, 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 3,669 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 11TH day of August 2020.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

EXHIBIT A

NOTES:
 1. THIS PLAN SHALL BE SUBJECT TO TOWN APPROVAL AND WILL REQUIRE REVISIONS TO ANY PLANS TO AVOID CONFLICTS BETWEEN OPEN SPACE AND THEATRE. SHALL BE SCORED IN ACCORDANCE WITH ZONING ORDINANCE BUILDINGS WITH AN AGGREGATE GFA OF 5,000 OR MORE SHALL BE REQUIRED TO HAVE AUTOMATIC FIRE SPRINKLERS INSTALLED THROUGHOUT MEASURES MAY BE APPROVED BY THE FIRE DEPARTMENT.
 ALL SPACES SUBJECT TO TOWN APPROVAL.
 ALL REVISIONS AND REVISIONS SHALL BE SHOWN AND REVISIONS SHALL BE SUBJECT TO TOWN INSPECTION DIVISION APPROVAL.

PD PARKING REQUIREMENTS:
 1 SPACE/225 SF OF AREA - ALL USES EXCEPT THEATER

THEATER REQUIREMENTS:
 1 SPACE/3 SEATS

TOTAL BUILDING AREA INCLUDING GARAGE 626, 741 SF

GROSS LEASABLE AREA (GLA) TOTAL 409,011 SF

GLA UNDER PD 365,506 SF

GLA THEATER 43,705 SF

PD- 1 SPACE/250 SF OF AREA REGARDLESS OF USE, (EXCLUDING THEATER)

PARKING REQUIRED W/ PATIO: 1,624 SPACES

THEATER PARKING 1 SPACE/3 SEATS

THEATER SEAT COUNT 1,282 SEATS

PARKING REQUIRED 428 SPACES

TOTAL PROJECT PARKING TABULATIONS:

REQUIRED: 1,624 SPACES

PD USES 1/225: 428 SPACES

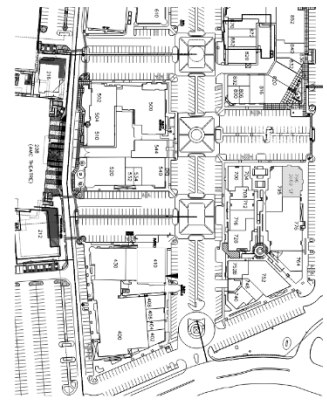
THEATER: 2,052 SPACES

EXISTING: 1,640 SPACES

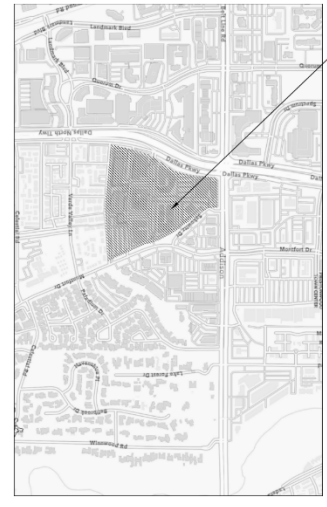
SURFACE: 622 SPACES

GARAGE: 2,262 SPACES

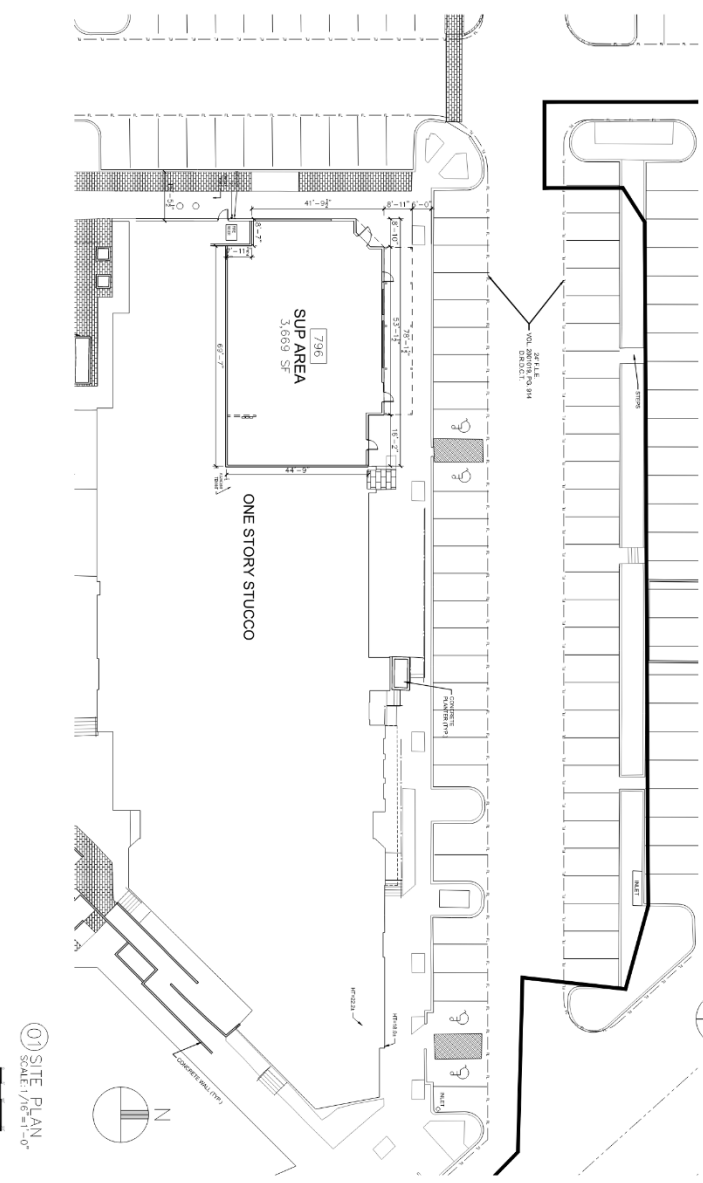
TOTAL PROVIDED:



03 DEVELOPMENT PLAN
 SCALE: 1/128 = 1'-0"



02 LOCATION KEY
 NOT TO SCALE



01 SITE PLAN
 SCALE: 1/64 = 1'-0"

ISSUE FOR SUP

A004

06.18.2020

SITE PLAN

PIE TAP

5100 BELT LINE RD.

SUITE 796

ADDISON TX, 75254

DESIGN FIRM

PLAN B GROUP

3710 COMMERCE ST.

SUITE 130

DALLAS, TX

WWW.PLANBGROUP.NET

214.522.0005

PROPERTY OWNER

PIE TAP

5100 BELT LINE RD.

DALLAS, TX 75254

CONTACT: SUSAN

STEELMASTER

PROJECT # 1815-SIP

DRAWING HISTORY

DATE

BY

REVISION

DATE

BY

REVISION

DATE

BY

REVISION

DATE

BY

REVISION

DATE

BY

REVISION

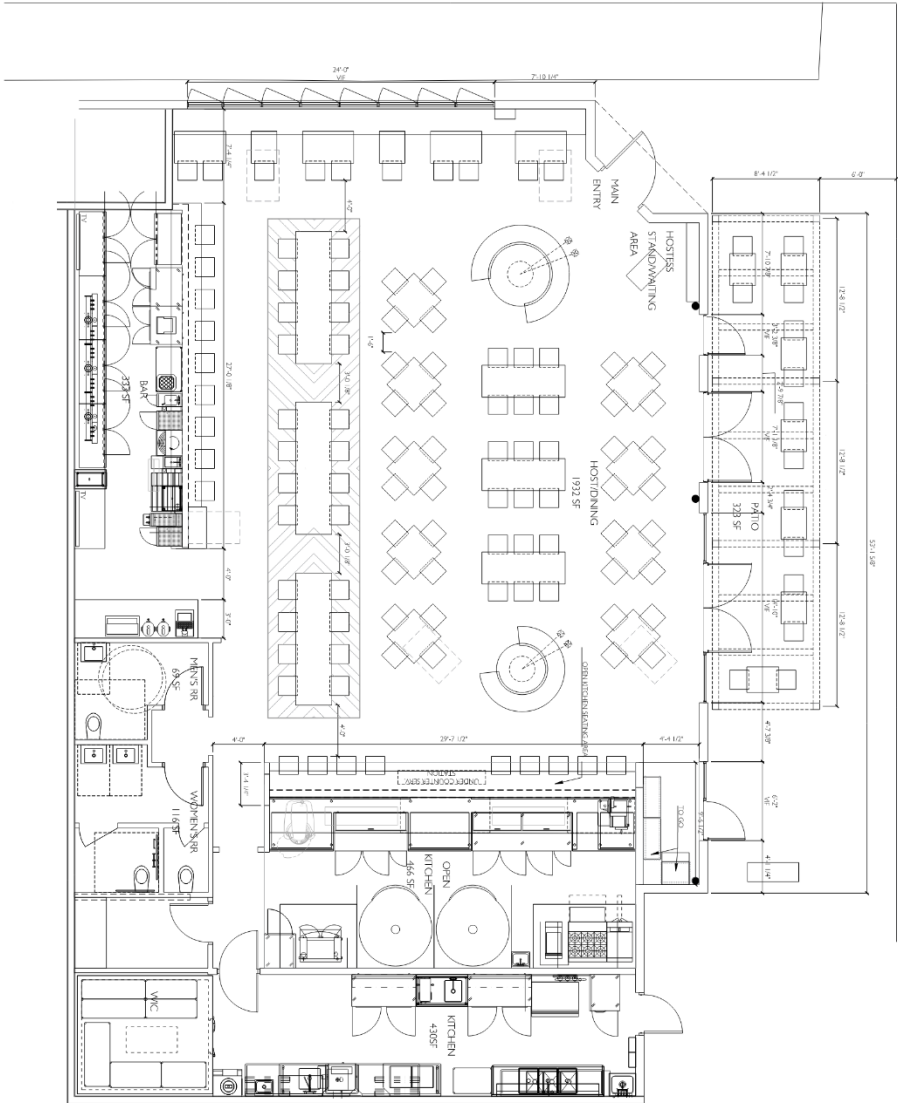
DATE

BY

REVISION

DATE

EXHIBIT A



AREA	AVAIL
DINING	193 SF
BAR	333 SF
OPEN KITCHEN	466 SF
KITCHEN	430 SF
BEST ROOM	185 SF
TOTAL INTERIOR	2388 SF
PATIO	323 SF
TOTAL	2695 SF

SEATING COUNTS	AVAIL
BAR	07
DINING	113
RESTROOM	13
EXTERNAL	14
TOTAL	145

01 FLOOR PLAN
SCALE: 1/8" = 1'-0"

ISSUE FOR SUP

PIE TAP
5100 BELT LINE RD.
SUITE 796
ADDISON TX, 75254

WWW.PLANBGROUP.COM
7326
DALLAS TX



PIE TAP ADDISON, L.L.C.
4210 W SPRING CREEK HWY.
PLANO TX 7524
546.887.0008

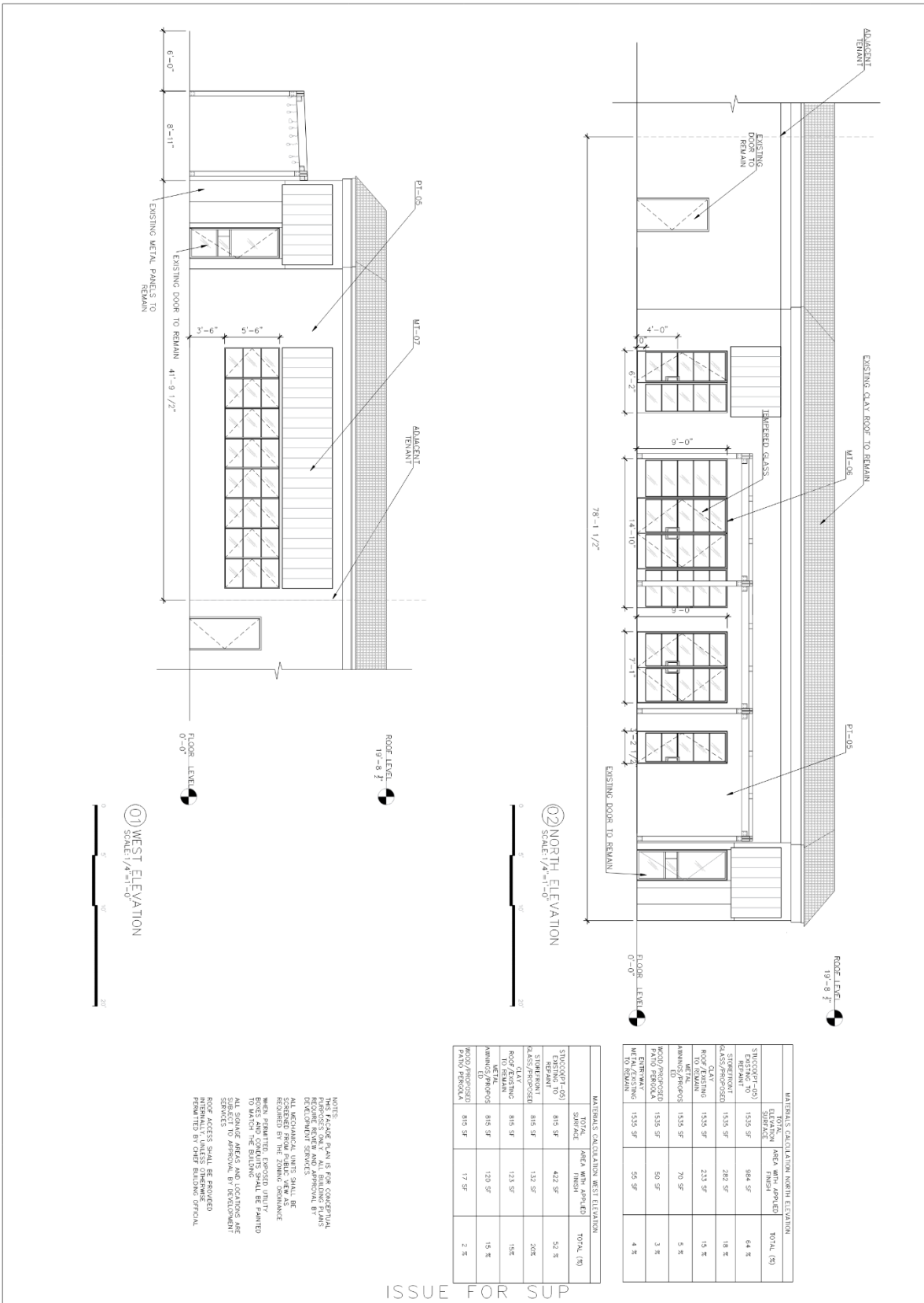
DATE	APPROVED	DESIGNED
06/18/2020	[Signature]	[Signature]

A101

06:18:2020
FLOOR PLAN

PROJECT # 18-558-P
DRAWING HISTORY
PROPERTY OWNER
VILLAGE ON THE PARKWAY
4210 W SPRING CREEK HWY
PLANO TX 7524
CONTACT: S.SANSTEEL@PHI

EXHIBIT A



MATERIALS CALCULATION NORTH ELEVATION			
	TOTAL ELEMENT SURFACE	AREA WITH APPLIED FINISH	TOTAL (SQ)
STRUCTURE (NO) EXISTING TO REMAIN	1535 SF	884 SF	64 %
CLAY ROOF/EXISTING	1535 SF	282 SF	18 %
INTERFERED GLASS	1535 SF	233 SF	15 %
WOOD/PROPOSED PAINTS/PERKOLA	1535 SF	70 SF	5 %
METAL DIVERTING TO REMAIN	1535 SF	55 SF	4 %
TOTAL			177 SF
TOTAL (SQ)			2 %

MATERIALS CALCULATION WEST ELEVATION			
	TOTAL ELEMENT SURFACE	AREA WITH APPLIED FINISH	TOTAL (SQ)
STRUCTURE (NO) EXISTING TO REMAIN	815 SF	423 SF	52 %
CLAY ROOF/EXISTING	815 SF	132 SF	20 %
INTERFERED GLASS	815 SF	123 SF	15 %
WOOD/PROPOSED PAINTS/PERKOLA	815 SF	120 SF	15 %
METAL DIVERTING TO REMAIN	815 SF	17 SF	2 %
TOTAL			177 SF
TOTAL (SQ)			2 %

NOTE:
 CHANGE PLAN B FOR CONSTRUCTION PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REFERENCED APPROVAL BY ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW AS WHEN SEPARATELY COVERED UNITS. ROOFS AND CONDENS SHALL BE PAINTED TO MATCH THE BUILDING.
 ALL CHANGE MARKS AND LOCATIONS ARE SERVICES TO APPROVAL OF DEVELOPER.
 ROOF ACCESS SHALL BE PROVIDED PERMITTED BY CHIEF BUILDING OFFICIAL.

06.18.2020
 EXT.
 ELEVATIONS
 A301

PROPERTY OWNER
 VALLEE ON THE PARKWAY
 5100 BELTLINE RD
 DALLAS, TX 75254
 CONTRACT: SUSAN
 STECHERMAN
 PROJECT # 1818-SUP
 DRAWING HISTORY

PIE TAP
 5100 BELT LINE RD.
 SUITE 796
 ADDISON TX, 75254

WWW.PLANBGROUP.NET
 214-522-0006
 DALLAS, TX
 SUITE 130



OWNER
 PIE TAP ADDISON LLC
 6010 W SPRING CREEK
 FARM, PLANO TX 75004
 949-881-0608

DATE	APPROVED	REVISION