

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT LOCATED AT 5290 BELT LINE ROAD, SUITE 112B; 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 112B, is zoned PD, Planned Development, through Ordinance Number O19-22; and

WHEREAS, at its regular meeting held on April 20, 2021 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.1826-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, on the property located at 5290 Belt Line Road, Suite 112B, 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 shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 2,467 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 Permits 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.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the **25TH** day of **MAY 2021**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

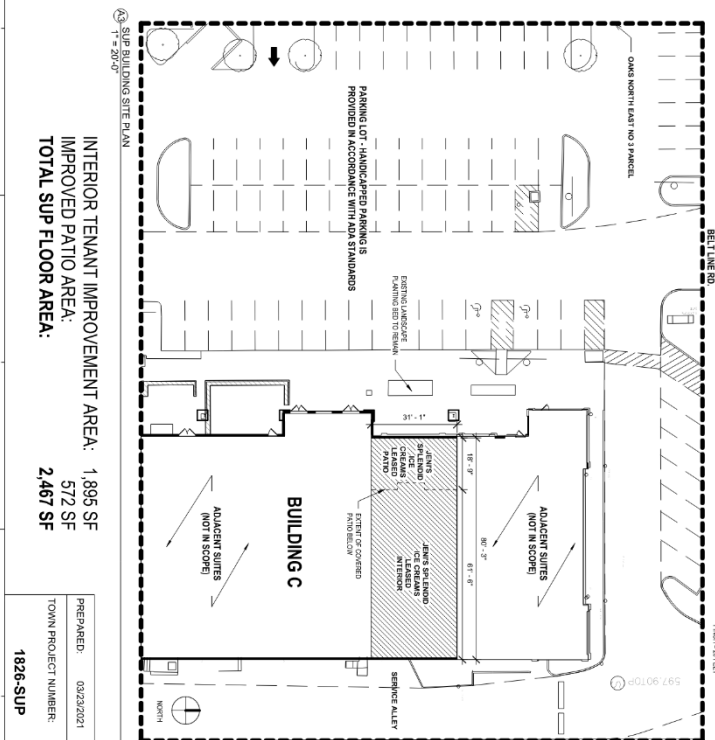
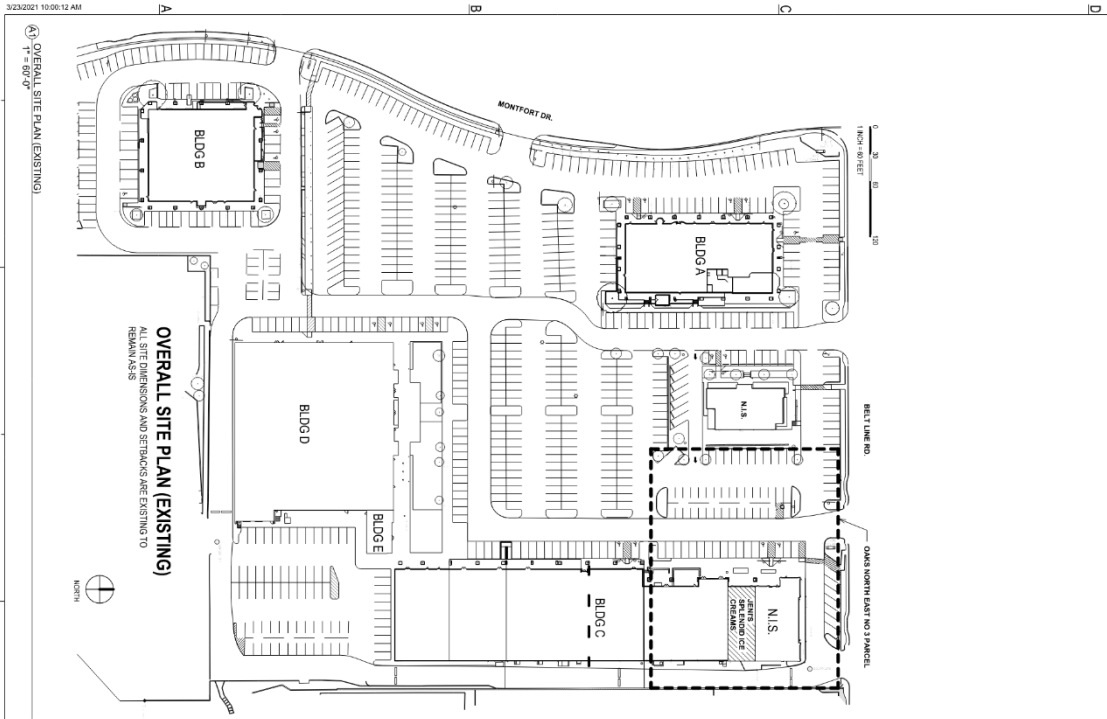
ATTEST:

APPROVED AS TO FORM:

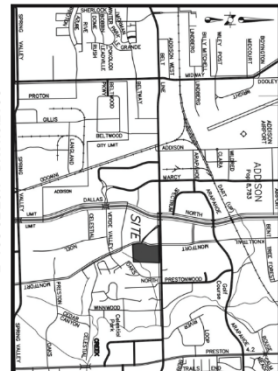
Irma Parker, City Secretary

City Attorney

EXHIBIT A



SITE DATA SUMMARY TABLE	
LOT AREA (SF)	473,633 SF
LOT AREA (ACRE)	11.88
EXISTING ZONING	PD
PROPOSED ZONING	PD
PROPOSED USE	RESTAURANT - NO ALCOHOL
BUILDING AREA (SF)	4,103 SF
BUILDING HEIGHT (FT)	20 FT
BUILDING HEIGHT (STORIES)	1 STORY
LOT COVERAGE	8.7%
PARKING RATIO	1,200
REQUIRED PARKING	625
PROVIDED PARKING	788
STALL SIZE	8.5' X 17'



TOWN OF ADDISON SITE PLAN NOTES

1. ALL PROPOSED CHANGES TO THE ORIGINAL PLAN MUST BE SUBMITTED TO THE TOWN ENGINEER FOR REVIEW AND APPROVAL.
2. OPEN STREETS AND SIDEWALKS SHALL BE CONSTRUCTED TO MEET ALL CITY STANDARDS.
3. ALL PROPOSED CHANGES TO THE ORIGINAL PLAN SHALL BE SUBMITTED TO THE TOWN ENGINEER FOR REVIEW AND APPROVAL.
4. ALL PROPOSED CHANGES TO THE ORIGINAL PLAN SHALL BE SUBMITTED TO THE TOWN ENGINEER FOR REVIEW AND APPROVAL.
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HANDICAPPED PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS

ACTION
APPROVED DENIED

STAFF
NAME: _____ DATE: _____

COUNCIL
NAME: _____ DATE: _____

APPLICANT/TENANT
JENIUS SPLENDID ICE CREAMS

ARCHITECT
PRESTONWOOD PLACE, LLC
5280 Belt Line Road, Suite 1128
Addison, TX 75002

OWNER
PRESTONWOOD PLACE, LLC
5280 Belt Line Road, Suite 1128
Addison, TX 75002

PREPARED BY
TOWN OF ADDISON, TEXAS
1826-SUP
SITE PLAN

EXHIBIT A



PREPARED:	08/23/2021
TOWN PROJECT NUMBER:	1826-SUP
FLOOR PLAN:	

JENI'S SPLENDID ICE CREAMS

APPLICANT / TENANT:
JENI'S SPLENDID ICE CREAMS, LLC
5000 W. WILSON ROAD, SUITE 200
COLUMBIA, OHIO 43212
614.328.0500

ARCHITECT:
SODORSON INC.
1000 W. WILSON ROAD, SUITE 200
COLUMBIA, OHIO 43212
614.328.0500

OWNER:
JENI'S SPLENDID ICE CREAMS, LLC
5290 Bell Line Road Suite 112B
PRESTONWOOD PLACE - OAKS NORTH EAST NO.3
PRESTONWOOD PLACE - OAKS NORTH EAST NO.3
5290 Bell Line Road Suite 112B
TOWN OF ADDISON, TEXAS

INTERIOR FLOOR AREA	
FRONT OF HOUSE:	1,153 SF
BACK OF HOUSE:	742 SF
TOTAL:	1,895 SF
PATIO	
	572 SF
TOTAL SUP AREA	2,467 SF
SEATING COUNT	
DINING:	32
PATIO:	23
TOTAL:	55

EXHIBIT A

