

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY REPEALING ORDINANCE NO. O20-34 AND GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT AND FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION FOR PROPERTY LOCATED AT 3765 BELT LINE ROAD; 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; PROVIDING FOR SAVINGS, NO SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the property located at 3765 Belt Line Road, is zoned PD, Planned Development, through Ordinance No. 092-037; and

WHEREAS, at its regular meeting held on August 17, 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.1834-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. 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 Ordinance No. O20-34, granting a Special Use Permit to Duck Donuts, the former occupant of this property, is hereby repealed in its entirety.

SECTION 3. A Special Use Permit authorizing a restaurant and authorizing the sale of alcoholic beverages for on-premises consumption only, on the property located at 3765 Belt Line Road 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 shall be limited to that particular area designated on the final site plan as encompassing a total area not to exceed 1,590 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 and 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 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, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 5. 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 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 or ordinance.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the 24TH day of AUGUST 2021.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

City Attorney

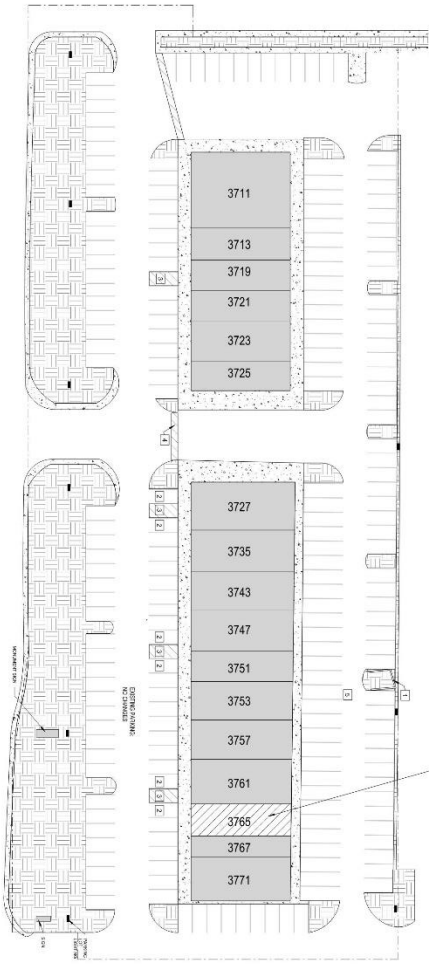
EXHIBIT A



2 AREA MAP



3 VICINITY MAP



1 SITE PLAN EXISTING

PROJECT TEAM

DICKEY'S BARBECUE RESTAURANTS, INC.

LOU D'AMBROSIO
4514 COLE AVENUE, SUITE 1015
DALLAS, TX 75206
PHONE: (972) 249-9899 EXT. 788
Llambrosio@dickeys.com

OWNER

DICKEY'S BARBECUE
RESTAURANT
4514 COLE AVENUE

ARCHITECT

PLUSONE DESIGN &
CONSTRUCTION
DAVID PICKENS
4925 GREENVILLE AVE (Suite 200)
DALLAS, TX 75206
PHONE: (972) 922-1224
FAX: (866)-799-0268

LANDLORD

REMININGTON ADDISON
PLAZA, LLC
8901 GOVERNORS ROW
DALLAS, TX 75247
CONTACT: STANLEY
GRAFF
PHONE: (214) 951-7434

CONTRACTOR

DS JORDAN CONSTRUCTION
ANGIE HOLIDAY-SQUIRE
12565 BIGSAYNE BLVD (SUITE 880)
NORTH IRVING, TX 75014
PHONE: (959) 939-2244

MEP ENGINEERS

SALAS ORSINI
DAVID BOUVAULTIERE
2380 TOWNNE CENTER BLVD.
(SUITE 1210)
BATON ROUGE, LA 70806
PHONE: (225) 766-8002

PROJECT INFORMATION

EXISTING TO - PLANNED DEVELOPMENT DISTRICT
ZONING USE
EXISTING LOT AREA: 17,880 SQUARE FEET
EXISTING LOT 4 AREA: 6,867 SQUARE FEET
EXISTING LOT 5 AREA: 11,013 SQUARE FEET
TOTAL LOT AREA: 35,760 SQUARE FEET
TOTAL FLOOR AREA: 45,000 SQ. FT. (45,000 SQ. FT. AND PAINT SEATING COMBINED)
TOTAL SEATING: 45

PARKING REQUIREMENTS

TOTAL PARKING REQUIRED: 16
TOTAL PARKING PROVIDED: 16

TOWN OF ADDISON SITE PLAN NOTES

1. ANY REVISION TO THIS PLAN WILL REQUIRE TOWN APPROVAL AND WILL REQUIRE REVISIONS TO ANY OTHER TOWN PERMITS.
2. ALL SEATING IS SUBJECT TO TOWN APPROVAL.
3. ALL SEATING SHALL BE SHOWN ON THE SITE PLAN AND ARE SUBJECT TO BUILDING INSPECTION DIVISION APPROVAL.

KEY NOTES

1. EXISTING TRASH ENCLOSURE: 8'x8' HIGH CONSTRUCTED OF BRICK MATCH THE MAIN BUILDING WITH WHITE BRICK.
2. EXISTING TRASH ENCLOSURE ACCESSIBLE PARKING STALL, TYPICAL OF TEXAS ACCESSIBILITY STANDARDS. MIN 8' WIDE WITH ACCESSIBLE PARKING SIGNAGE.
3. EXISTING 30" WIDE STRIPPED CROSSWALK.
4. EXISTING 30" WIDE STRIPPED CROSSWALK.
5. EXISTING 0'x1' STREET CLOSURE.

DATE PROJECT #
1/24/2021

A0.01

REVISION	COMMENT	DATE

Owner
DICKEY'S BARBECUE RESTAURANT
4514 COLE AVENUE

WING BOSS

Marsh Ball Line
Shopping Center LT 4
& PT LT 3 ACS 3.6289
Store No.: 5001
3765 Ball Line Rd.
Addison, TX

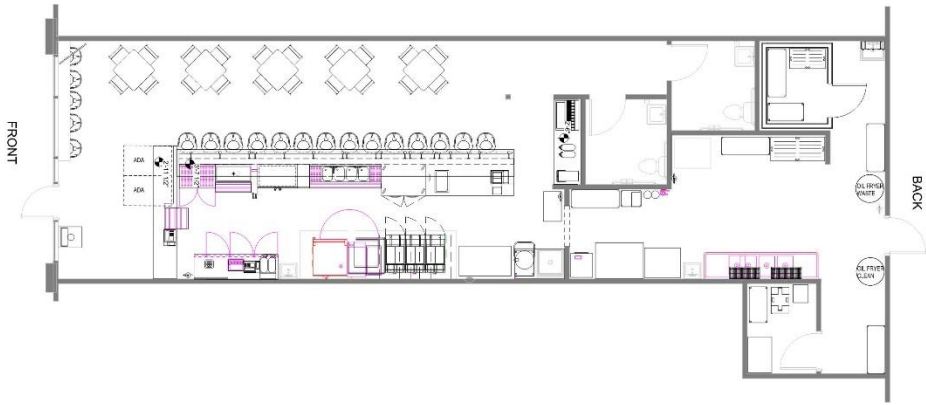
IFC SET
07/30/21



Architect
+one design
4925 Greenville Ave
(Suite 200)
DALLAS, TX 75206
(972) 922-1224
david@plusone.com

EXHIBIT A

1 FLOOR PLAN



PROJECT TEAM

DICKEY'S BARBECUE RESTAURANTS, INC.

1010 D'AMBROSIO
4514 COLE AVENUE, SUITE 1015
DALLAS, TX 75205
PHONE: (972) 248-9899 EXT. 768
LDambrosia@dickeys.com

OWNER

DICKEY'S BARBECUE
RESTAURANT
4514 COLE AVENUE

ARCHITECT

PLUSONE DESIGN &
CONSTRUCTION
DAVID PICKENS
4925 GREENVILLE AVE (SUITE 200)
DALLAS, TX 75208
PHONE: (972) 922-1224
FAX: (980) 799-0288

LANDLORD

REMINGTON ADDISON
PLAZA, LLC
8901 GOVERNORS ROW
DALLAS, TX 75247
CONTACT: STANLEY
GRAFF
PHONE: (214) 951-7434

CONTRACTOR

DS JORDAN CONSTRUCTION
12356 BISCAYNE BLVD, SUITE
NORTH MIAMI, FL 33181
PHONE: (305) 899-2244

MEP ENGINEERS

SALAS ORBEN
DAVID BONAVENTURE
(SUITE 1210)
BATON ROUGE, LA 70806
PHONE: (225) 766-8002

PROJECT INFORMATION

ZONING: EXISTING PD - PLANNED DEVELOPMENT DISTRICT
PROPOSED USE: RESTAURANT WITH ALCOHOL SERVICE
RESTAURANT WITH ALCOHOL SERVICE
RESTAURANT WITH ALCOHOL SERVICE
TOTAL FLOOR AREA: 1,918 SQUARE FEET
TOTAL FLOOR AREA: 1,918 SQUARE FEET
TOTAL FLOOR AREA: 43 SEAT'S BARK, TABLE AND PATIO SEATING COMBINED

Architect

+one design
4925 Greenville Ave
(Suite 200)
DALLAS, TX 75206
(972) 922-1224
davidp@plusone.com



IFC SET
07/30/21

Marsh Ball Line
Shopping Center LT 4
& PT LT 3 ACS 3.6269
Store No.: 5001
3765 Ball Line Rd.
Addison, TX



Owner
DICKEY'S BARBECUE
RESTAURANT
4514 COLE AVENUE

REVISED	COMMENT	DATE

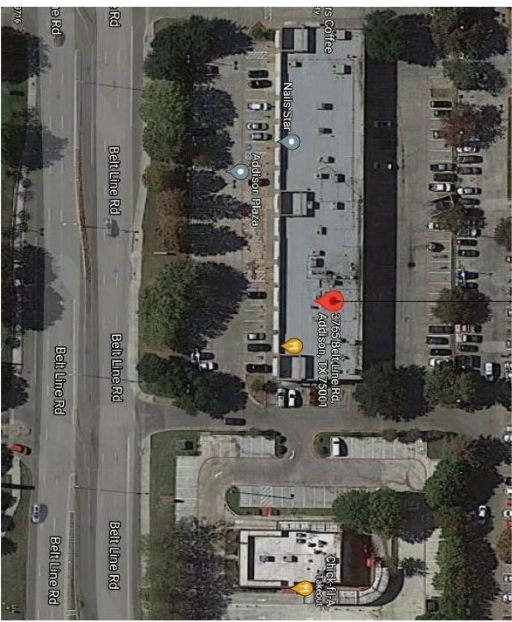
FLOOR PLAN

A0.03

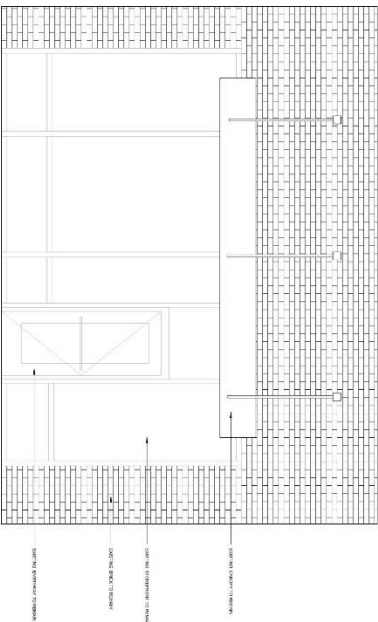
EXHIBIT A



2 EXISTING FACADE ELEVATION



1 VICINITY MAP EXISTING



3 PROPOSED FACADE ELEVATION

PROJECT TEAM

DICKEY'S BARBECUE RESTAURANTS, INC.

1010 D'AMBROSIO
4514 COLE AVENUE, SUITE 1015
DALLAS, TX 75205
PHONE: (972) 248-9899 EXT. 768
LDambrosia@dickeys.com

OWNER

DICKEY'S BARBECUE
RESTAURANT
4514 COLE AVENUE

ARCHITECT

PLUSONE DESIGN &
CONSTRUCTION
DAVID PICKENS
4925 GREENVILLE AVE (SUITE 200)
DALLAS, TX 75208
PHONE: (972) 922-1224
FAX: (980)-799-0286

LANDLORD

REMINGTON ADDISON
PLAZA, LLC
8901 GOVERNORS ROW
DALLAS, TX 75247
CONTRACT: STANLEY
GRAFF
PHONE: (214) 951-7434

CONTRACTOR

DS JORDAN CONSTRUCTION
12565 BISCAYNE BLVD, SUITE 880
NORTH MIAMI, FL 33181
PHONE: (305) 899-2244

MEP ENGINEERS

SALAS ORBIEIN
DAVID BONAVENTURE
(SUITE 1210)
BATON ROUGE, LA 70806
PHONE: (225) 766-8002

PROJECT INFORMATION

ZONING: EXISTING PD - PLANNED DEVELOPMENT DISTRICT
PROPOSED USE: RESTAURANT WITH ALCOHOL SERVICE
PROJECT ADDRESS: 4514 COLE AVENUE, SUITE 1015
LOT ADDRESS: 1010 D'AMBROSIO
BUILDING HEIGHT: EXISTING 11 STORY, 23'-9" H-
PROPOSED 11 STORY, 23'-9" H-
TOTAL FLOOR AREA: 77 SQUARE FEET
TOTAL INTERIOR SEATING: 48 SEAT/3 BARTH AND 1 TABLE SEATING COMBINED
NOTE: "HANDICAP" PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS
FOOT ACCESS SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE CHIEF BUILDING OFFICIAL
SERVICING CHANGES EXCEPT NEW EXTERIOR BUILDING
SERVICING

FACADE PLAN NOTES

FOOT ACCESS SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE CHIEF BUILDING OFFICIAL
SERVICING CHANGES EXCEPT NEW EXTERIOR BUILDING
SERVICING

Architect

+one design
4925 Greenville Ave
(Suite 200)
DALLAS, TX 75206
(972) 922-1224
david@plus1dc.com



IFC SET
07/30/21

Marsh Belt Line
Shopping Center LT 4
& PT LT 3 ACS 3.6269
Store No.: 5001
3765 Belt Line Rd.,
Addison, TX



Owner
DICKEY'S BARBECUE
RESTAURANT
4514 COLE AVENUE

REVISION	COMMENT	DATE

EXTERIOR ELEVATIONS

A0.02