

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY REPEALING ORDINANCE NO. 016-042 AND GRANTING A SPECIAL USE PERMIT (SUP) FOR A PORTION OF THE BUILDING TO BE USED AS A RESTAURANT AND FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES AND OFF-PREMISES CONSUMPTION FOR THE PROPERTY LOCATED AT 5280 BELT LINE ROAD; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on April 19, 2022, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit (Case No.1848-SUP) for a portion of the building to be used as a restaurant and for the sale of alcoholic beverages for on-premises and off-premises consumption at the property located at 5280 Belt Line Road (the “Subject Property”); and

WHEREAS, the Subject Property is presently zoned Local Retail (LR); and

WHEREAS, this change of zoning is in conformance 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 Ordinance No. O16-042, as amended by Ordinance No. O18-007, granting a Special Use Permit to Meso Maya, shall be repealed in its entirety upon issuance of a Certificate of Occupancy for the Subject Property in conformance with this ordinance.

SECTION 3. A Special Use Permit authorizing a restaurant and authorizing the sale of alcoholic beverages for on-premises and off-premises consumption for a portion of the building on the Subject Property, is hereby granted subject to the following conditions:

- (a) Prior to the issuance of a Certificate of Occupancy, the Subject Property shall be improved in accordance with the site plan, landscape plan, floor plan, and building elevations, which are attached hereto as **Exhibit A** and made a part hereof for all purposes.

- (b) The SUP granted herein for a restaurant and for the sale of alcoholic beverages for on-premises and off-premises consumption, shall be limited to that particular area encompassing a total area not to exceed 5,546 square feet as designated on the final site plans attached hereto as **Exhibit A**.
- (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 (hereinafter “City”).
- (d) The sale of alcoholic beverages under this SUP shall be permitted in restaurants. For the purposes of this ordinance, the term “restaurant” means an establishment which receives at least sixty percent (60%) of its gross revenues from the sale of food.
- (e) Said establishment shall, upon request by the City, make available to the City or its agents, during reasonable hours its bookkeeping records for inspection to ensure that the conditions of subparagraph (d) above are being met.
- (f) Any nonconforming use of the Subject Property that is not considered a legal nonconforming use under the City’s Comprehensive Zoning Ordinance shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
- (g) If the Subject Property is not used for the purposes for which said permit was 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.
- (h) If a license or permit to sell alcoholic beverages on the Subject Property is revoked, terminated, or cancelled by any authority with jurisdiction over the same, 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.
- (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, Section 1-7 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.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the **16TH** day of **MAY 2022.**

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

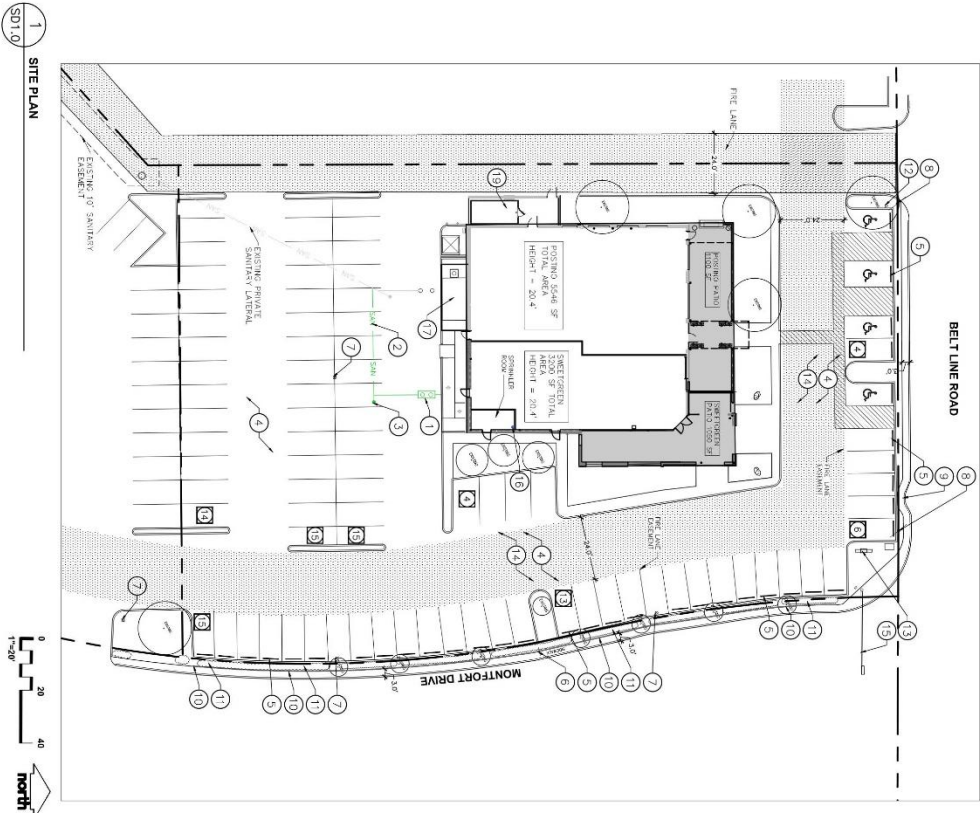
APPROVED AS TO FORM:

Irma Parker, City Secretary

Whitt Wyatt, City Attorney

EXHIBIT A

File: C:\2021\1848\SD1.0\DWG\Landscape Plans\21-1048\swagreen_Landscape Plans.dwg Layout: SD1.0 User: nrgal@additx.com Plotted: Apr 16, 2022 - 4:13pm Xref's: 21-1048\swagreen Additx.TX

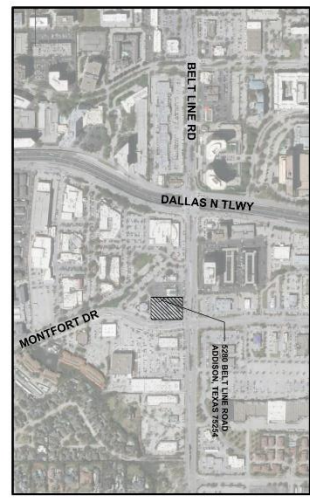


SITE PLAN NOTES:

1. ALL EXISTING UTILITIES SHOWN TO BE REMOVED IN AREA OF DEVELOPMENT TO MATCH FUTURE AND MAINTAIN FUTURE.
2. PROPOSED PRIVATE SANITARY SERVICE.
3. EXISTING SANITARY SERVICE CLEANOUT.
4. EXISTING PARKING LOT TO BE DEGRADED AND REFINISHED BY LANDSCAPE.
5. EXISTING WALK, STAIR (PERMITS).
6. EXISTING LIGHT RIG SIGN.
7. EXISTING POWER POLE.
8. EXISTING # 4 MET.
9. EXISTING # 4 MET.
10. EXISTING RETAINING WALL.
11. EXISTING LANDSCAPE ZONING.
12. EXISTING SIGN.
13. EXISTING SIGN.
14. EXISTING SIGN.
15. EXISTING SERVICE SIGNAL.
16. APPROPRIATE LOCATION OF EXISTING WATER SERVICE TO BE SHUT OFF AND RECONNECTED TO MATCH FUTURE AND MAINTAIN FUTURE.
17. COMPACTOR AND DUMPSTER ENCLOSURE.
18. ADA ACCESSIBLE RAMP.
19. SERVICE TRAIL WITH EXISTING WALL.

SITE DATA/PARKING ANALYSIS

ZONING	LOCAL RETAIL DISTRICT
PREPARED USE	3,840 SQ. FT. (MIN.)
SMALLER BUILDING AREA	2,000 SQ. FT. (MIN.)
PARKING BUILDING AREA	1,000 SQ. FT. (MIN.)
LOT AREA	4,000 SQ. FT. (MIN.)
LOT COVERAGE	4.0% (MINIMUM)
LOT PERCENTAGE	8% (MINIMUM)
TOTAL PARKING AREA REQUIRED AT 1 SPACE/200 SF (EXISTING PARKING)	87 SPACES (EXISTING)
TOTAL PARKING AREA REQUIRED AT 1 SPACE/100 SF (TOTAL)	174 SPACES (TOTAL)



Case # 1848-SUP

JSD
CREATING THE VISION... TELL THE STORY

3101 EXPOSITION BOULEVARD
LOS ANGELES, CA 90018

CLIENT: Postino & Sweetgreen

PROJECT LOCATION: DALLAS, DALLAS COUNTY

DATE: 4/16/2022

PROJECT: SUP SITE PLAN

DESIGNED BY: [Redacted]

DRAWN BY: [Redacted]

CHECKED BY: [Redacted]

DATE: 4/16/2022

SD1.0

DATE: 4/16/2022

CHICAGO REGIONAL OFFICE
1301 N LAKE STREET
CHICAGO, IL 60610

POSTINO & SWEETGREEN

EXHIBIT A

File: C:\Users\jpkali\OneDrive\Public\Projects\Public\5280-21-1848 Sweetgreen Landscape Plans.dwg Layout: L1.0 User: jpkali-bobert Printed: Apr 15, 2022 4:17pm User:

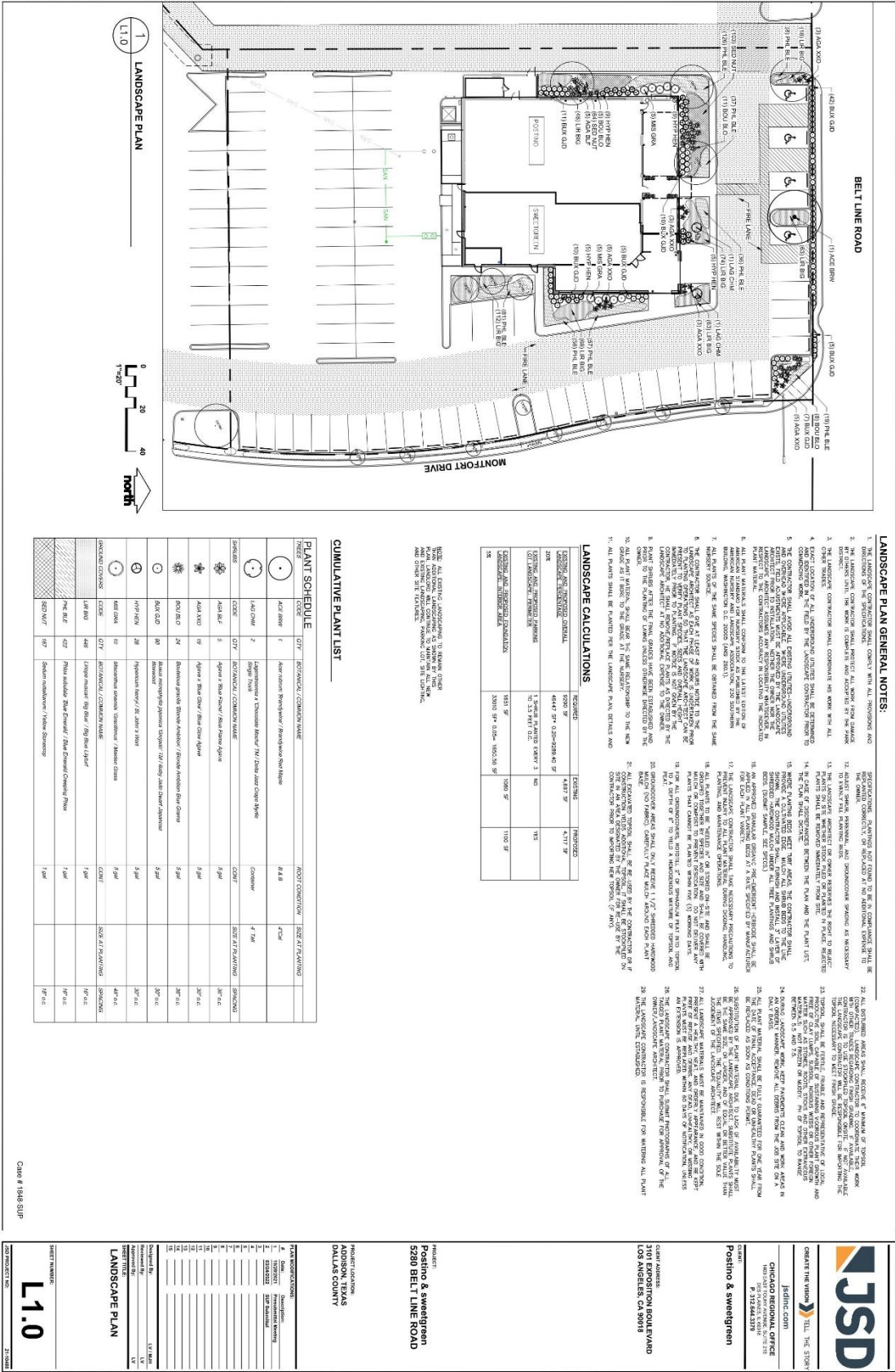
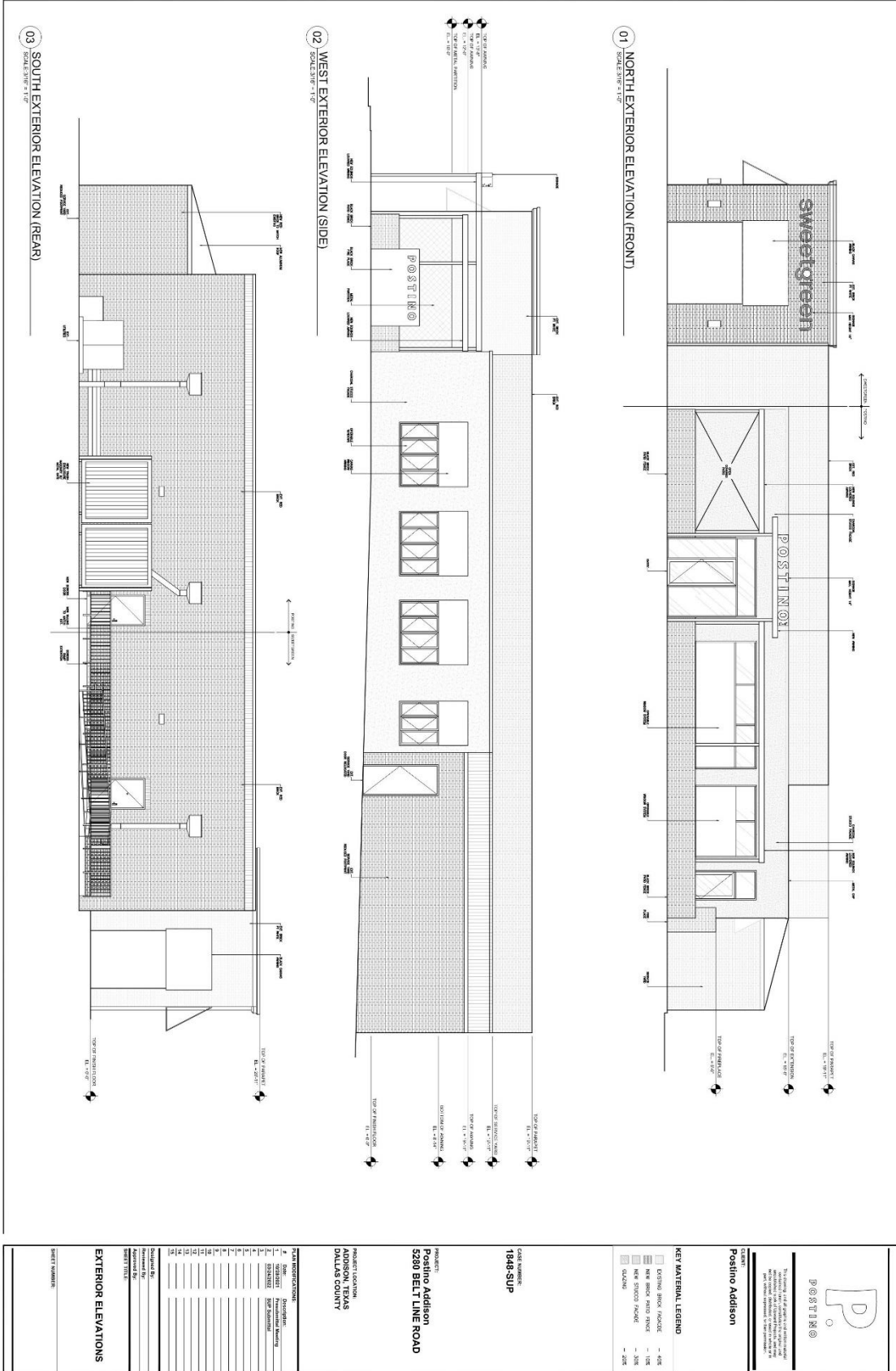


EXHIBIT A



CLIENT:
Postino Addison

KEY MATERIAL LEGEND

- EXISTING BRICK FINISH
- NEW BRICK FINISH
- NEW STUCCO FINISH
- GLAZED

CASE NUMBER:
1848-SUP

PROJECT LOCATION:
Postino Addison
5280 BELT LINE ROAD

PROJECT LOCATION:
ADDISON, TEXAS
DALLAS COUNTY

DATE REVISIONS:

NO.	DATE	DESCRIPTION
1	03/20/2024	PRELIMINARY MARKING
2	03/20/2024	30% DEVELOPMENT
3	03/20/2024	50% DEVELOPMENT
4	03/20/2024	70% DEVELOPMENT
5	03/20/2024	90% DEVELOPMENT
6	03/20/2024	100% DEVELOPMENT
7	03/20/2024	100% DEVELOPMENT
8	03/20/2024	100% DEVELOPMENT
9	03/20/2024	100% DEVELOPMENT
10	03/20/2024	100% DEVELOPMENT
11	03/20/2024	100% DEVELOPMENT
12	03/20/2024	100% DEVELOPMENT
13	03/20/2024	100% DEVELOPMENT
14	03/20/2024	100% DEVELOPMENT
15	03/20/2024	100% DEVELOPMENT
16	03/20/2024	100% DEVELOPMENT
17	03/20/2024	100% DEVELOPMENT
18	03/20/2024	100% DEVELOPMENT
19	03/20/2024	100% DEVELOPMENT
20	03/20/2024	100% DEVELOPMENT

EXTERIOR ELEVATIONS

SHEET NUMBER

EXHIBIT A

