

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT (SUP) FOR A RESTAURANT AND FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION FOR THE PROPERTY LOCATED AT 5100 BELT LINE ROAD, SUITE 728; 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 December 14, 2022, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit (Case No.1866-SUP) for a restaurant and for the sale of alcoholic beverages for on-premises consumption at the property located at 5100 Belt Line Road, Suite 728 (the “Subject Property”); and

WHEREAS, the Subject Property is presently zoned Planned Development (PD), Ordinance No. O12-002, as amended by Ordinance No. O20-08; 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 Ordinance No. 003-001 granting a Special Use Permit to The Saffron House, shall be repealed in its entirety upon issuance of a Certificate of Occupancy for the Subject Property in conformance with this ordinance.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 consumption for the Subject Property, is hereby granted subject to the following conditions:

- (a) Prior to issuance of a Certificate of Occupancy, the Subject Property shall be improved in accordance with the site plan, floor plan, and façade plans 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 consumption, shall be limited to that particular area encompassing a total area

not to exceed 4,145 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. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or of the Zoning Ordinance for the Town of Addison, as amended hereby, be adjudged or held, in whole or in part, to be invalid, voided or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinances, as amended hereby, which shall remain in full force and effect.

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.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas, on this the **10TH** day of **JANUARY 2023.**

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

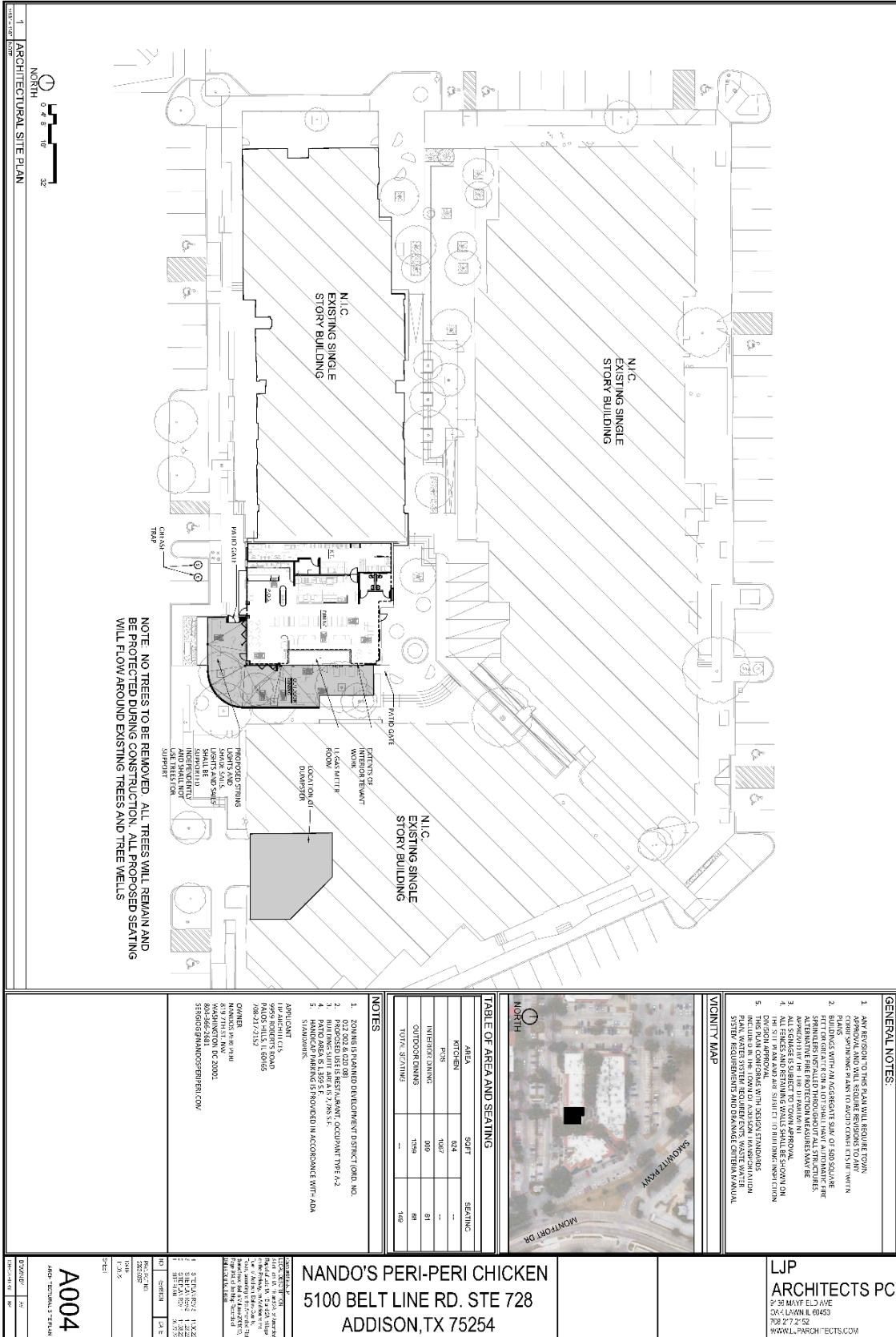
ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Whitt Wyatt, City Attorney

EXHIBIT A



GENERAL NOTES:

1. ANY REQUEST TO THIS PLAN WILL REQUIRE TOWN APPROVAL, AND WILL REQUIRE REVISIONS TO ANY PLANS. PERMITS WILL BE OBTAINED BY THE OWNER.
2. BUILDINGS WITH AN AGGREGATE SIZE OF 500 SQUARE FEET OR MORE SHALL BE PROVIDED WITH SPRINKLERS INSTALLED THROUGHOUT ALL STRUCTURES. ALTERNATIVE FIRE PROTECTION MEASURES MAY BE APPROVED BY THE TOWN.
3. ALL EXISTING REMAINING WALLS SHALL BE SHOWN ON THE PLAN. ALL EXISTING WALLS SHALL BE SHOWN ON THE PLAN.
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5. DIVISION APPROVAL: ALL MECHANICAL, ELECTRICAL, PLUMBING, AND FIRE PROTECTION WORK SHALL BE APPROVED BY THE TOWN OF ADDISON. HORIZONTAL COMMUNICATION SHALL BE APPROVED BY THE TOWN OF ADDISON. HORIZONTAL COMMUNICATION SHALL BE APPROVED BY THE TOWN OF ADDISON. HORIZONTAL COMMUNICATION SHALL BE APPROVED BY THE TOWN OF ADDISON.

VICINITY MAP



TABLE OF AREA AND SEATING

AREA	SOFT	SEATING
KITCHEN	624	--
POSS	1062	--
INDOOR DINING	809	81
OUTDOOR DINING	1799	81
TOTAL SEATING	--	162

NOTES

1. ZONING IS PLANNED DEVELOPMENT DISTRICT (DD), NO. 11.
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NANDO'S PERI-PERI CHICKEN
 5100 BELT LINE RD. STE 728
 ADDISON, TX 75254

LJP
ARCHITECTS PC
 2600 WEST FLYING WING
 SUITE 1000
 ADDISON, TX 75254
 TEL: 972.272.2752
 WWW.LJPARCHITECTS.COM

EXHIBIT A

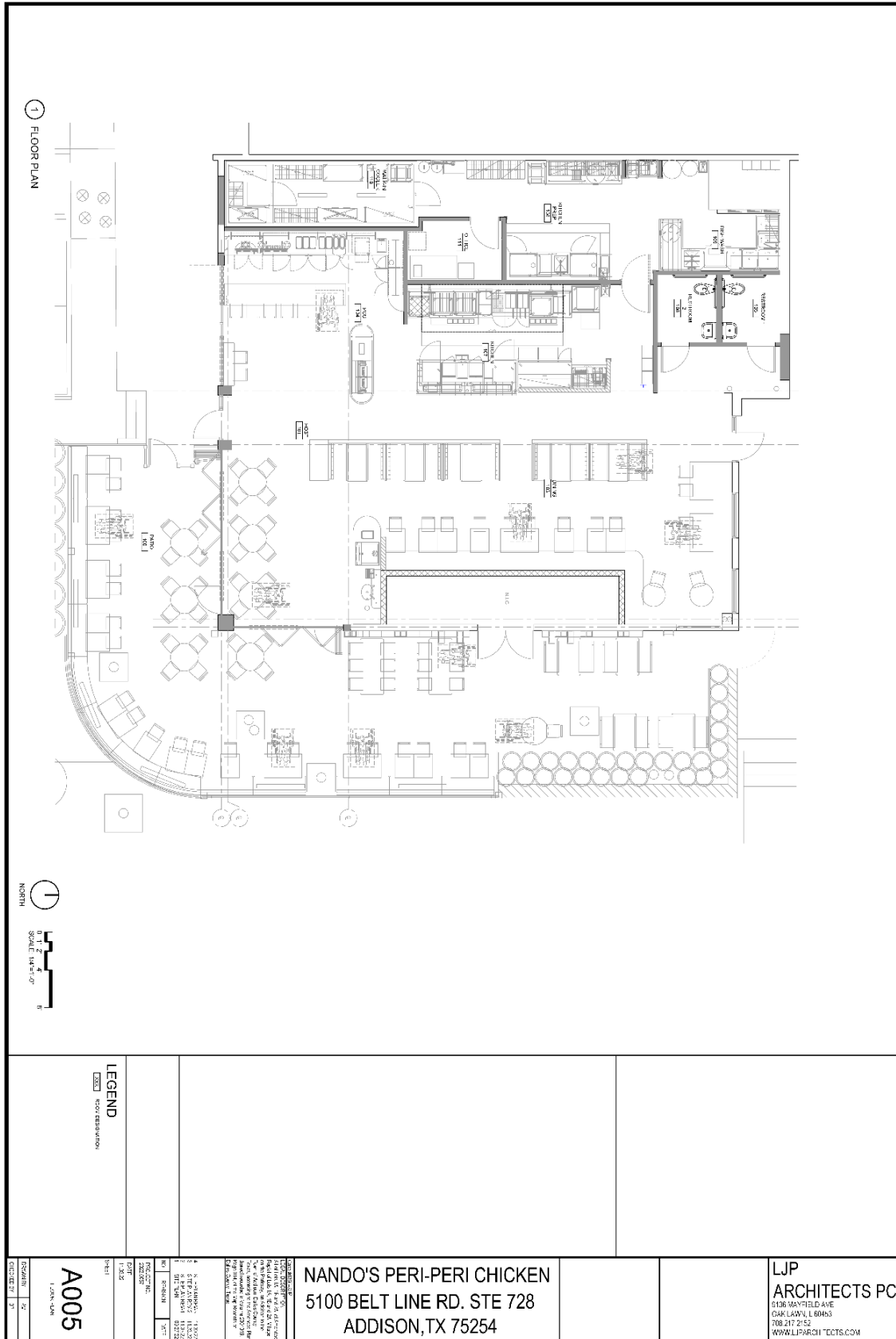
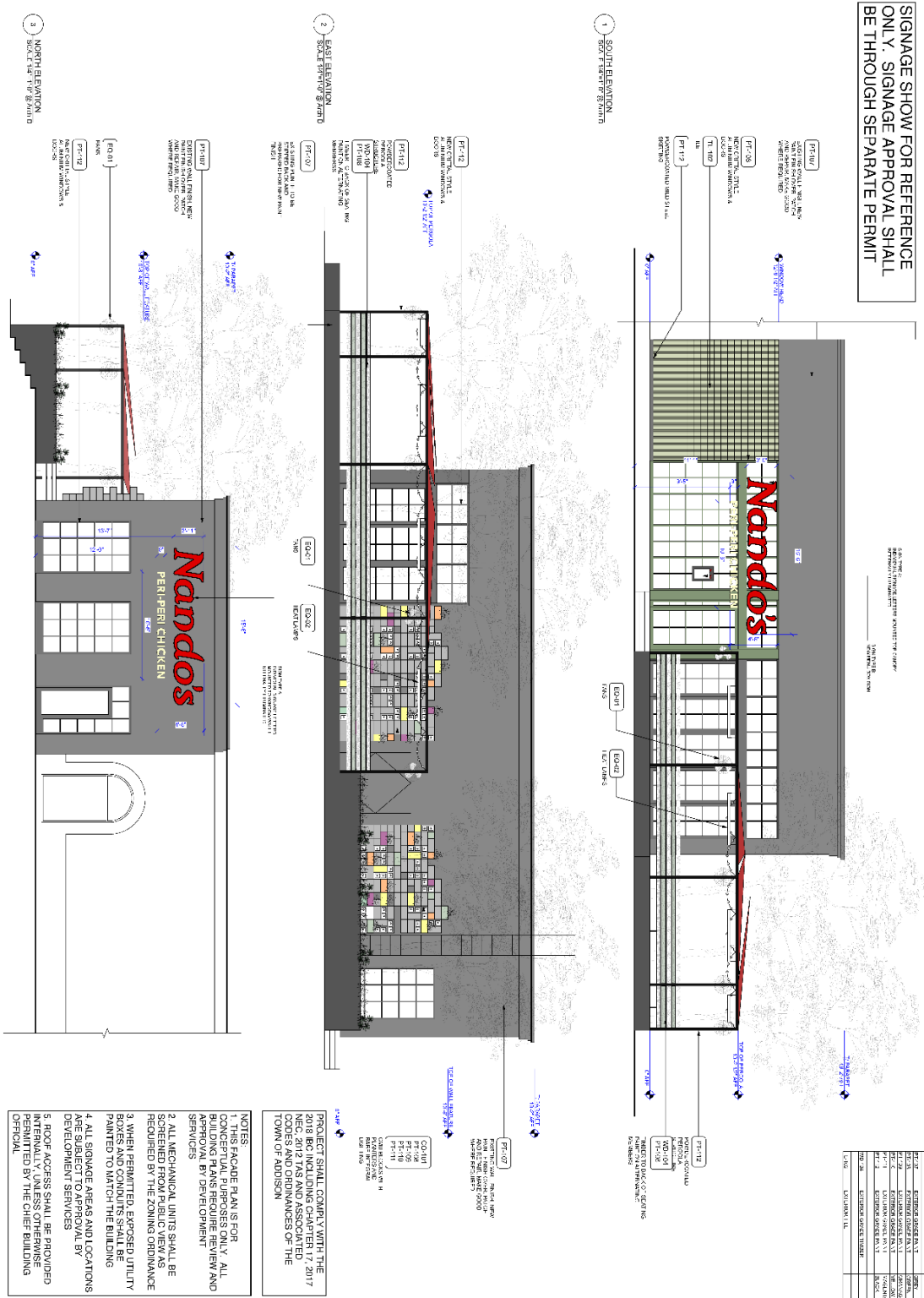


EXHIBIT A

SIGNAGE SHOW FOR REFERENCE ONLY. SIGNAGE APPROVAL SHALL BE THROUGH SEPARATE PERMIT



REVISIONS	
NO.	DATE
1	12/15/2023
2	12/15/2023
3	12/15/2023
4	12/15/2023
5	12/15/2023
6	12/15/2023
7	12/15/2023
8	12/15/2023
9	12/15/2023
10	12/15/2023

LJP ARCHITECTS PC
 3128 BAYVIEW 7507
 DALLAS, TEXAS 75218
 WWW.LJPARCHITECTS.COM

FUSION
 ARCHITECTS AND INTERIORS
 11000 W. LAKOTA AVE. SUITE 100
 DALLAS, TEXAS 75247
 WWW.FUSIONARCHITECTS.COM

NANDO'S PERI-PERI CHICKEN
 5100 BELT LINE RD. STE 728
 ADDISON, TX 75254

NOTES:
 1. THIS FACADE PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL APPROVALS AND PERMITS MUST BE OBTAINED BY THE CLIENT.
 2. ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW AS REQUIRED BY THE ZONING ORDINANCE.
 3. WHEN REPAINTED, EXPOSED UTILITY PIPING AND MECHANICAL UNITS SHALL BE PAINTED TO MATCH THE BUILDING DEVELOPMENT SERVICES.
 4. ALL SIGNAGE AREAS AND LOCATIONS SHALL BE DETERMINED BY THE CHIEF BUILDING OFFICIAL.

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	12/15/2023
2	REVISED PER CHIEF BUILDING OFFICIAL COMMENTS	12/15/2023
3	REVISED PER CHIEF BUILDING OFFICIAL COMMENTS	12/15/2023
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5	REVISED PER CHIEF BUILDING OFFICIAL COMMENTS	12/15/2023
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