

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 15175 QUORUM DRIVE; 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 March 21, 2023, the Planning & Zoning Commission considered and made recommendations on a request for a Special Use Permit (Case No.1878-SUP) for a restaurant and for the sale of alcoholic beverages for on-premises consumption at the property located at 15175 Quorum Drive (the “Subject Property”); and

WHEREAS, the Subject Property is presently zoned Planned Development (PD), Ordinance No. O92-020, as amended by Ordinance No. O92-066; 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. 094-019 granting a Special Use Permit to Lexi’s Restaurant and Ordinance No. 010-023 granting a Special Use Permit to Arthur’s Restaurant, shall be repealed in their entirety upon issuance of a Certificate of Occupancy for the Subject Property in conformance with this ordinance.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, landscape 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 4,550 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 11TH day of APRIL 2023.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

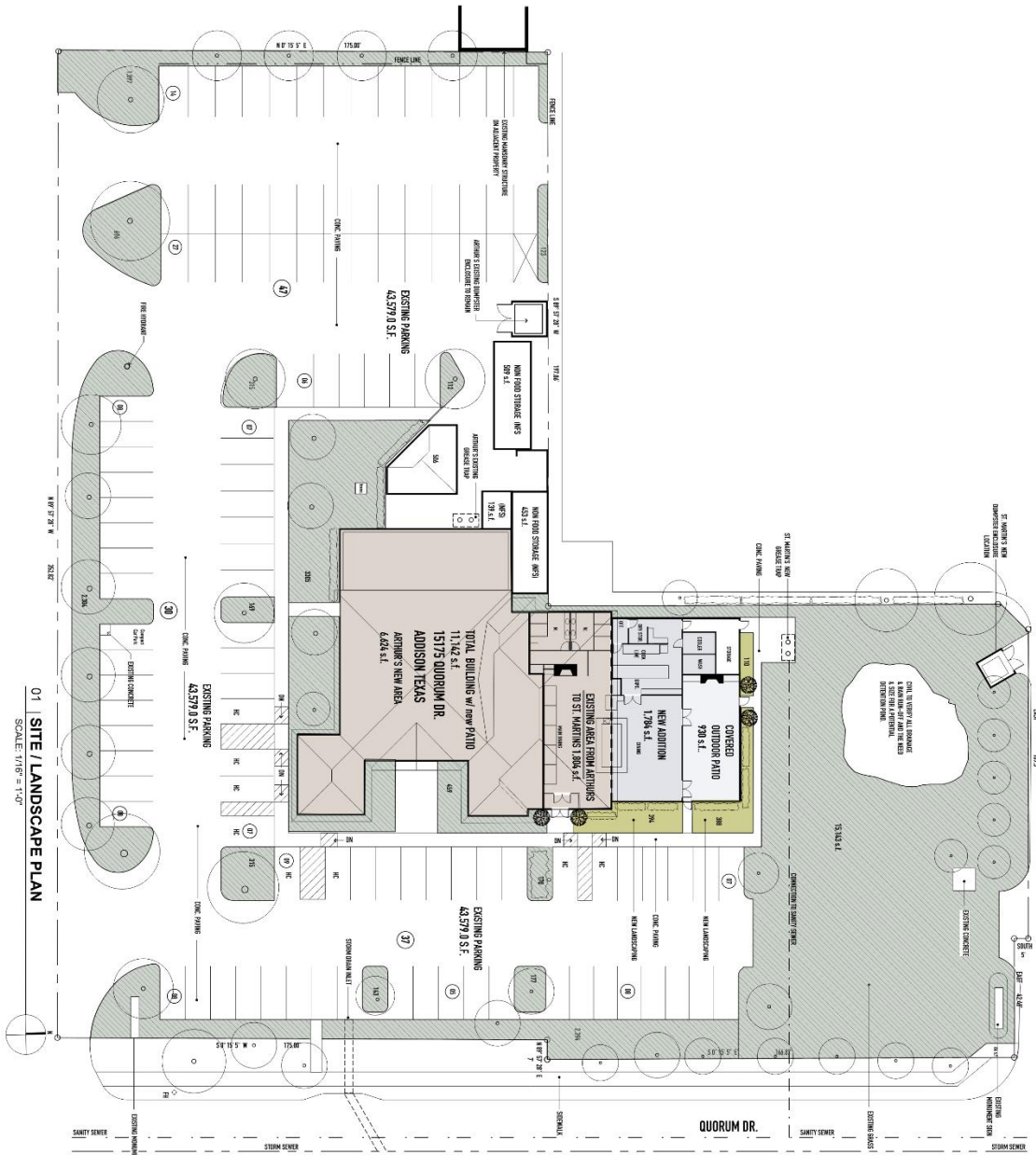
ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Whitt Wyatt, City Attorney

EXHIBIT A



01 | SITE /LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"

AREA TABULATION	
88,277 9 S.F.	EXISTING SITE AREA
58,794 9 S.F.	PERVIOUS AREA
29,501 0 S.F.	PERVIOUS AREA
17,659 6 S.F.	20% OPEN SPACE HEAD
29,501 0 S.F.	OPEN SPACE/LANDSCAPE PROVIDED
28,609 0 S.F.	EXISTING LANDSCAPE AREA
892 0 S.F.	PROPOSED LANDSCAPE AREA
43,579 0 S.F.	PARKING AREA

PARKING TABULATION	
8,428	EXISTING BLDG. AREA (ARTHUR'S)
6,624 S.F.	ARTHUR'S NEW AREA
4,518 S.F.	ST. MARTIN'S AREA w/ PATIO
2,714 S.F.	ST. MARTIN'S NEW ADDITION AREA w/PATIO
1,804 S.F.	EXISTING BUILDING AREA ALLOCATED FOR ST. MARTIN'S
1,794 S.F.	BUILDING ADDITION AREA
920 S.F.	BUILDING ADDITION PATIO AREA
11,142 S.F.	TOTAL BUILDING AREA = 112 SPACES
11,142 S.F.	TOTAL BUILDING AREA = 112 SPACES
11,142 S.F.	PARKING PROVIDED
114 SPACES	PARKING PROVIDED

LANDSCAPE LEGEND	
	EXISTING LANDSCAPE
	NEW LANDSCAPE Plants per Addison City Code
	1. GROUND COVER - Asian Jasmine 835 S.F.
	2. BUSHES - (4) Azalea & Spati Lantana
	3. POTTED TREES - (4) Tropical Bougainvillee
	4. EXISTING TREES TO REMAIN (NONE TO BE REMOVED)

Project shall comply with the 2018 IRC including Chapter 17, 2017 NEC, 2012 TDS and associated codes and ordinances of the Town of Addison.

SUP A-1

Case No. 1878-SUP

ST. MARTIN'S

SITE PLAN & LANDSCAPE PLAN

15175 QUORUM DR. ADDISON TEXAS 75001

FORBOTHY

FORBOTHY

FORBOTHY

PROJECT TEAM

DESIGN ARCHITECTURE

GRASSY HIGHLIGHT ARCHITECT

ARCHITECTURE

15175 QUORUM DR. ADDISON TX 75001

PROJECT CONTACT

15175 QUORUM DR. ADDISON TX 75001

15175 QUORUM DR. ADDISON TX 75001

