

ORDINANCE NO. 001 - 013

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM BAKER BROS. AMERICAN DELI, LOCATED AT 4100 BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR NO SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, Texas, and helps promote the general welfare and safety of this community, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, be amended, by amending the zoning map of the Town of Addison, Texas, so as to grant a special use permit for a restaurant and a special use permit for the sale of alcoholic beverages for on-premises consumption to Baker Bros.

American Deli. Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

BEING all of Lot 4, Block A of SAM'S CLUB ADDITION, an Addition to the Town of Addison, according to the Plat recorded in Volume 92109, page 3687, map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found for corner in the South line of Belt Line Road (having a 100.0 foot wide right-of-way), at the Northwest corner of said Lot 4, Block A, the same point being the Northeast corner of Lot 1, Block 1 of BELT LINE CENTRE, an addition to the Town of Addison according to the Plat recorded in Volume 92109, Page 3687, Map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found for corner in the South line of Belt Line Road (having a 100.00 foot wide right-of-way), at the Northwest corner of said Lot 4, Block A, the same point being the Northeast corner of Lot 1, Block 1 of BELT LINE CENTRE, an Addition to the Town of Addison according to the Plat recorded in Volume 92145, Page 3641, map Records, Dallas County, Texas;

THENCE South 89 degrees 25 minutes 00 seconds East along the South line of Belt Line Road and the North line of said Lot 4, Block A to a 1/2 inch iron rod set for corner at the Northeast corner of said Lot 4, Block A at the same point being the Northwest corner of Lot 1 of said Block A of SAM'S CLUB ADDITION;

THENCE South 00 degrees 01 minutes 18 seconds West along the common line between said Lot 4 and Lot 1, Block A for a distance of 245.00 feet to a 1/2 inch iron rod set for corner at the Southeast corner of Lot 4, Block A;

THENCE North 89 degrees 25 minutes 00 seconds West along the South line of said Lot 4, Block A for a distance of 175.00 feet to a 1/2 inch iron rod set for corner at the Southwest corner of said Lot 4, Block A, the same point lying in the East line of said Lot 1, Block 1;

THENCE North 00 degrees 01 minutes 18 seconds East along the common line between said Lot 4, Block A and Lot 1, Block 1 for a distance of 245.00 feet to the POINT OF BEGINNING; and

CONTAINING 42,873 square feet or 0.9842 acres of land, more or less.

SECTION 2. That the Special Use Permit is granted subject to the following conditions:

1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan, floor plan, and elevations drawings of all four sides, which are attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit granted herein shall be limited to a restaurant and the sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the final site plan as encompassing a total area not to exceed 4,730 square feet.
3. 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.
4. That 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.
5. 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 insure that the conditions of Paragraph 4 are being met.
6. 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.
7. That if the property for which the special use permit is granted and 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.
8. That 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.
9. Baker Bros. American Deli shall not use the term "Bar", "Tavern", or any equivalent term or graphic depiction related to the sale of alcoholic beverages in any exterior signage.

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. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 8th day of May, 2001.



MAYOR

ATTEST:



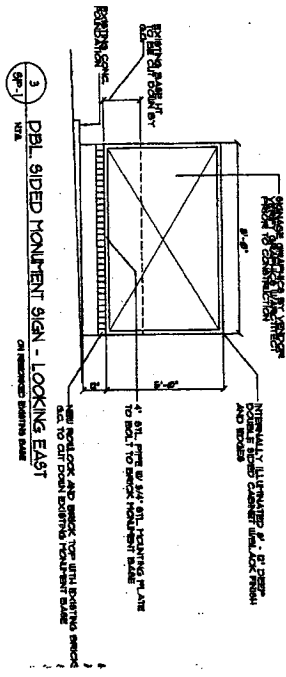
CITY SECRETARY

CASE NO. 1388-SUP

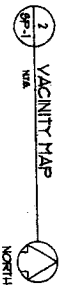
APPROVED AS TO FORM:



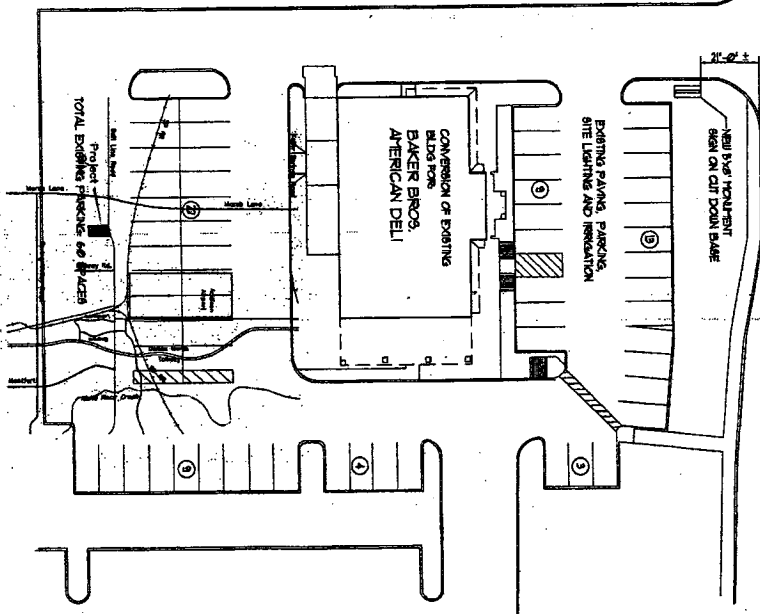
DIRECTOR OF DEVELOPMENT SERVICES



3 DBL SIDED MOUNTMENT SIGN - LOOKING EAST
SP-1
N/A



2 VICINITY MAP
SP-1
N/A



1 SITE PLAN
SP-1
N/A

NOTE:
THIS SITE PLAN IS PROVIDED BY
LANDLORD FOR REFERENCE ONLY.

4100 BELTLINE, ADDISON, TEXAS
5476 CLUB ADDITION LOT 4 BLK 'A'

SP-1

DATE:	JAN 28, 2010
BY:	3
SCALE:	AS SHOWN
PROJECT NO.:	30

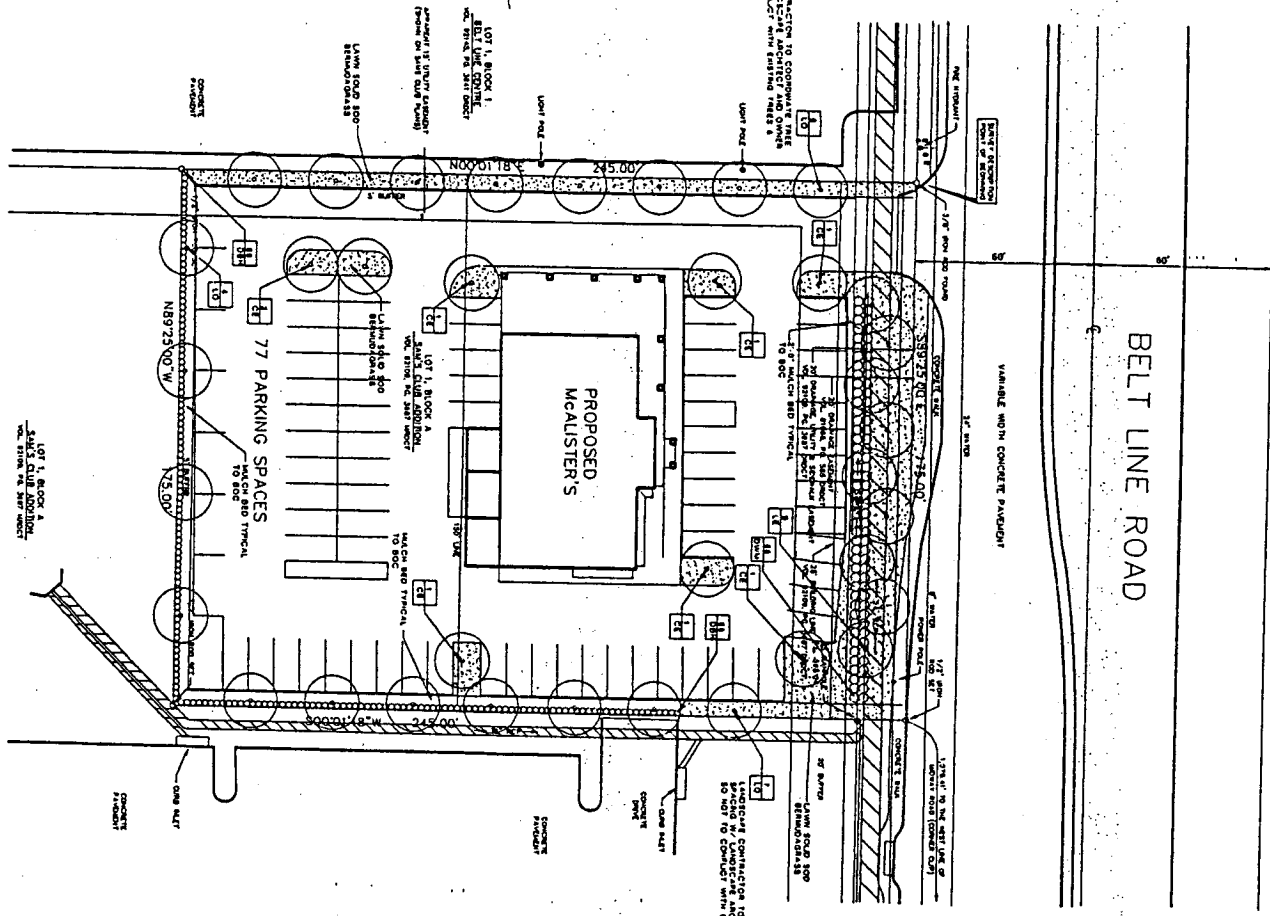
OFFICE OF THE CITY CLERK
SECRETARY
BAKER BROS.
AMERICAN DELI
4100 BELTLINE ADDISON, TEXAS

PER
PROFESSIONAL ENGINEER
NO. 11,148,040
FLORIAN HONIG, P.E.
501-314-0800
501-314-0800 FAX

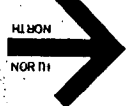
REVISIONS	
NO.	DESCRIPTION



001-013



BELT LINE ROAD



LOT 4, BLOCK A
42,873 SQUARE FEET
VACANT

TABULATIONS

LANDSCAPE ARCHITECT: STEVEN M. BAIN, INC.
REGISTERED ARCHITECT: SAM S. GIBSON
REGISTERED LANDSCAPE ARCHITECT: DANIEL M. WISSE
REGISTERED PLANTING ARCHITECT: DANIEL M. WISSE

PLANT LEGEND
 PLANTING
 1. 1" GALIA
 2. 1" GINER
 3. 2" GINER
 4. 3" GINER
 5. 4" GINER
 6. 6" GINER
 7. 8" GINER
 8. 10" GINER
 9. 12" GINER
 10. 15" GINER

GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE AS SHOWN ON THE PLANS.
 3. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.
 4. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY CODE.
 5. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY CODE.
 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY CODE.
 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY CODE.
 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY CODE.
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PLANT LIST

PLANT NAME	COMMON NAME	QTY	SIZE	APPROXIMATE COST
1" GALIA	1" GALIA	100	1"	1000
1" GINER	1" GINER	200	1"	2000
2" GINER	2" GINER	100	2"	2000
3" GINER	3" GINER	50	3"	1500
4" GINER	4" GINER	25	4"	1000
6" GINER	6" GINER	10	6"	600
8" GINER	8" GINER	5	8"	400
10" GINER	10" GINER	2	10"	200
12" GINER	12" GINER	1	12"	100
15" GINER	15" GINER	1	15"	150

LANDSCAPE NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE AS SHOWN ON THE PLANS.
 3. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED.
 4. ALL NEW UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY CODE.
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 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY CODE.
 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY CODE.

SOLID SOD NOTES:
 1. THE SOD SHALL BE OF A SPECIES AND VARIETY AS SHOWN ON THE PLANS.
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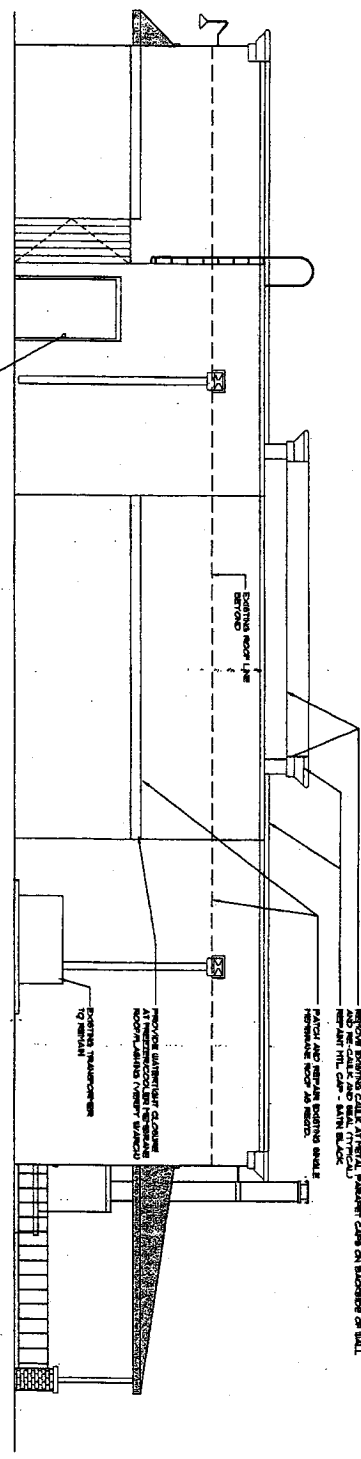
- 1. Grading and drainage shall be completed prior to planting sod.
- 2. Sod shall be planted in accordance with the City Code.
- 3. Sod shall be watered and maintained in accordance with the City Code.
- 4. Sod shall be protected from frost damage and other adverse conditions.
- 5. Sod shall be installed in accordance with the City Code.
- 6. Sod shall be installed in accordance with the City Code.
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- 8. Sod shall be installed in accordance with the City Code.
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- 10. Sod shall be installed in accordance with the City Code.

LANDSCAPE PLAN

REVISION	DATE	BY	NO.
1	1/1/20	ST	1

STEVEN M. BAIN, INC. 703 RELEASES
 LANDSCAPE ARCHITECTURE
 LANDSCAPE PLAN
 MCAULISTERS DELU
 Lot 4, Block A
 Sam's Club Addition
 Addison, TX 75003





EXISTING SOUTH ELEVATION
1/8\"/>

ROOM FINISH SCHEDULE

NO.	ROOM NAME	FLOOR	WALL	CEILING	CL. & C.A.	REMARKS
101	OFFICE	EXISTING CERAMIC TILE	EXISTING GYP. BD. REPAINTED	EXISTING ACQM. GRID REPAINTED	EXISTING	REPAIR DAMAGED CL. & C.A. AS REQUIRED
102	OFFICE	QUARRY TILE (MATCH EXISTING)	EXISTING GYP. BD. REPAINTED	EXISTING ACQM. GRID REPAINTED	EXISTING	REPAIR DAMAGED CL. & C.A. AS REQUIRED
103	OFFICE	SEALED CONC.	EXISTING GYP. BD. REPAINTED	EXISTING ACQM. GRID REPAINTED	EXISTING	REPAIR DAMAGED CL. & C.A. AS REQUIRED
104	OFFICE	EXISTING G-TILE	EXISTING GYP. BD. REPAINTED	EXISTING ACQM. GRID REPAINTED	EXISTING	REPAIR DAMAGED CL. & C.A. AS REQUIRED
105	OFFICE	SEALED CONC. STAINED	EXISTING GYP. BD. REPAINTED	EXISTING ACQM. GRID REPAINTED	EXISTING	REPAIR DAMAGED CL. & C.A. AS REQUIRED
106	OFFICE	NEW 6\"/>				

FURNISHINGS SCHEDULE

ITEM	DESCRIPTION	QTY	UNIT	REMARKS
101	WOOD CASED DOOR - 3\"/>			
102	WOOD CASED DOOR - 3\"/>			
103	WOOD CASED DOOR - 3\"/>			
104	WOOD CASED DOOR - 3\"/>			
105	WOOD CASED DOOR - 3\"/>			
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129	WOOD CASED DOOR - 3\"/>			
130	WOOD CASED DOOR - 3\"/>			

MATERIAL FINISHES COLOR SCHEDULE

CODE	DESCRIPTION	LOCATION (ROOM)
M-1	PAINT	OFFICE
M-2	PAINT	OFFICE
M-3	PAINT	OFFICE
M-4	PAINT	OFFICE
M-5	PAINT	OFFICE
M-6	PAINT	OFFICE
M-7	PAINT	OFFICE
M-8	PAINT	OFFICE
M-9	PAINT	OFFICE
M-10	PAINT	OFFICE
M-11	PAINT	OFFICE
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