

ORDINANCE NO. 004-028

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING ORDINANCE NO. 094-088, AS HERETOFORE AMENDED, SO AS TO AMEND AN EXISTING SPECIAL USE PERMIT FOR A RESTAURANT AND AN EXISTING SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION ONLY, ON APPLICATION FROM SPORTS CITY CAFE, LOCATED AT 14905 MIDWAY ROAD; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A 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. That Ordinance No.094-088, passed by the Addison City Council on the 13th day of December 1994, is hereby amended by amending Section 2 to read as follows:

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, landscape plan, and the elevation drawings showing four exterior walls, 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 patio and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 9,300 square feet.
3. No signs advertising the 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. No terms such as "bar", "tavern" or any terms or graphic depictions that relate to the sale of alcoholic beverages shall be used in exterior signs.
4. That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. The applicant will adhere to the Town's Ordinance requirement in that at least sixty percent (60%) of their gross revenues will be 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. If the property for which the special use permit is granted 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 purposed of considering a change of zoning.
8. If a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated, or

canceled by proper authorities, the City Council may authorize hearings to be held for the purpose for considering a change of zoning.

9. If a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or canceled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
10. A revised landscaping plan shall be submitted by the applicant that includes all landscaping on the site. A Landscape Architect licensed in the state of Texas must provide the plan.
11. The applicant shall submit a landscaping plan to the Parks Department, for its approval, which shows the conversion of vacant building pad on the site (immediately south of existing Super 8 Motel) to irrigated landscaping and parking. Not less than 50% of the pad shall be converted to landscaping, the remainder may be converted to additional parking spaces.
12. The acoustic specifications for outside speakers on the patio (on the east side of the building) shall be submitted to the Council for review and approval.

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 22nd day of June, 2004.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1457-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: N. W. Morning News 7-23-04



ADDITION / REMODEL
OF EXISTING
RESTAURANT AND BAR

DESIGN CONSULTANT
Duncan Design Group
1400 W. 14th Street
Suite 100
Midland, TX 79701
940.733.1111

DATE	APPROVED BY
PROJECT NO.	
PROJECT NAME	
PROJECT ADDRESS	
PROJECT CONTACT	
PROJECT PHONE	
PROJECT FAX	
PROJECT EMAIL	
PROJECT WEBSITE	
PROJECT DESCRIPTION	
PROJECT STATUS	
PROJECT PHASE	
PROJECT BUDGET	
PROJECT RISK	
PROJECT SCHEDULE	
PROJECT TEAM	
PROJECT OWNER	
PROJECT FINANCER	
PROJECT LEGAL	
PROJECT TAX	
PROJECT INSURANCE	
PROJECT CONTRACT	
PROJECT AGREEMENT	
PROJECT DEED	
PROJECT EASEMENT	
PROJECT ENCUMBRANCE	
PROJECT LIEN	
PROJECT MORTGAGE	
PROJECT PLEDGE	
PROJECT SECURITY INTEREST	
PROJECT UCC FILING	
PROJECT WARRANTY	
PROJECT ASSIGNMENT	
PROJECT RELEASE	
PROJECT SURRENDER	
PROJECT RESCINDMENT	
PROJECT TERMINATION	
PROJECT ANNULLMENT	
PROJECT REVOCATION	
PROJECT CONFIRMATION	
PROJECT RATIFICATION	
PROJECT CORRECTION	
PROJECT AMENDMENT	
PROJECT SUPPLEMENT	
PROJECT ADDENDUM	
PROJECT SCHEDULE	
PROJECT AGREEMENT	
PROJECT CONTRACT	
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PROJECT REVOCATION	
PROJECT CONFIRMATION	
PROJECT RATIFICATION	
PROJECT CORRECTION	
PROJECT AMENDMENT	
PROJECT SUPPLEMENT	
PROJECT ADDENDUM	

SCALE: 1" = 10'-0"
KEY SITE PLAN

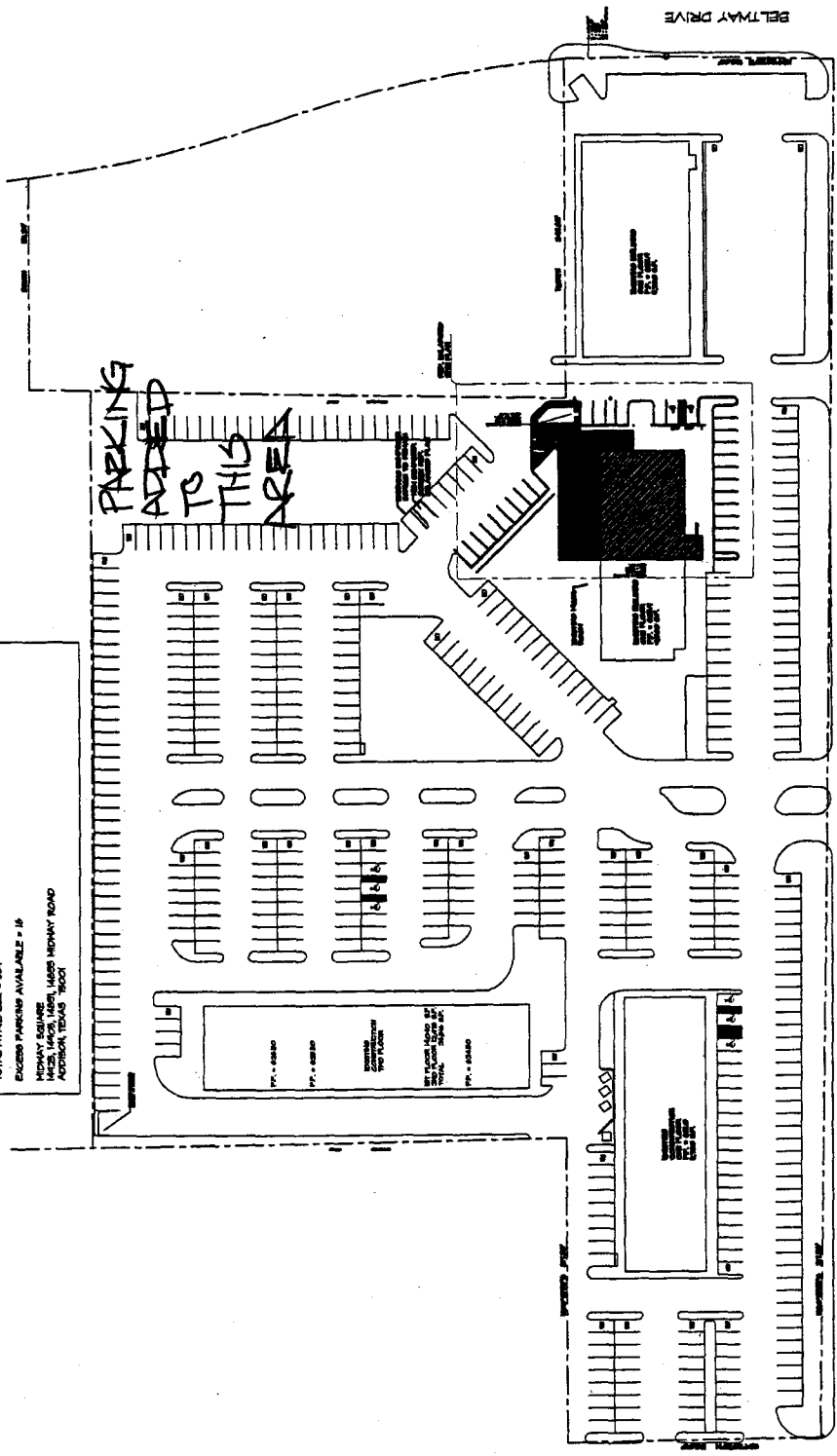
A0.0

MIDWAY SQUARE NEW LANDSCAPING VS. DEMO. LANDSCAPING AREAS
EXISTING LANDSCAPING REMOVED = 1,428 SF +/-
NEW LANDSCAPING AREAS PROVIDED = 1,298 SF +/-

MIDWAY SQUARE PARKING AVAILABILITY VS. REQUIREMENTS

AVAILABLE AREA	4,500 SQ. FT.
REQUIRED	2,942
RESTAURANT	4,512 SQ. FT. = 424 PARKING SPACES REQUIRED
RETAIL	4,512 SQ. FT. = 51 PARKING SPACES REQUIRED
OFFICE	4,512 SQ. FT. = 24 PARKING SPACES REQUIRED
TOTAL REQUIREMENT	5,288 SQ. FT. = 505
RESTAURANT	4,512 SQ. FT.
RETAIL	4,512 SQ. FT.
OFFICE	4,512 SQ. FT.
TOTAL AVAILABLE	13,536 SQ. FT.
EXCESS PARKING AVAILABLE	8,248

MIDWAY SQUARE
1402, 1402, 1402, 1402 MIDWAY ROAD
ADRIAN, TEXAS 79001



01 SITE PLAN
SCALE: 1" = 10'-0"

PLANNING & ZONING REVIEW



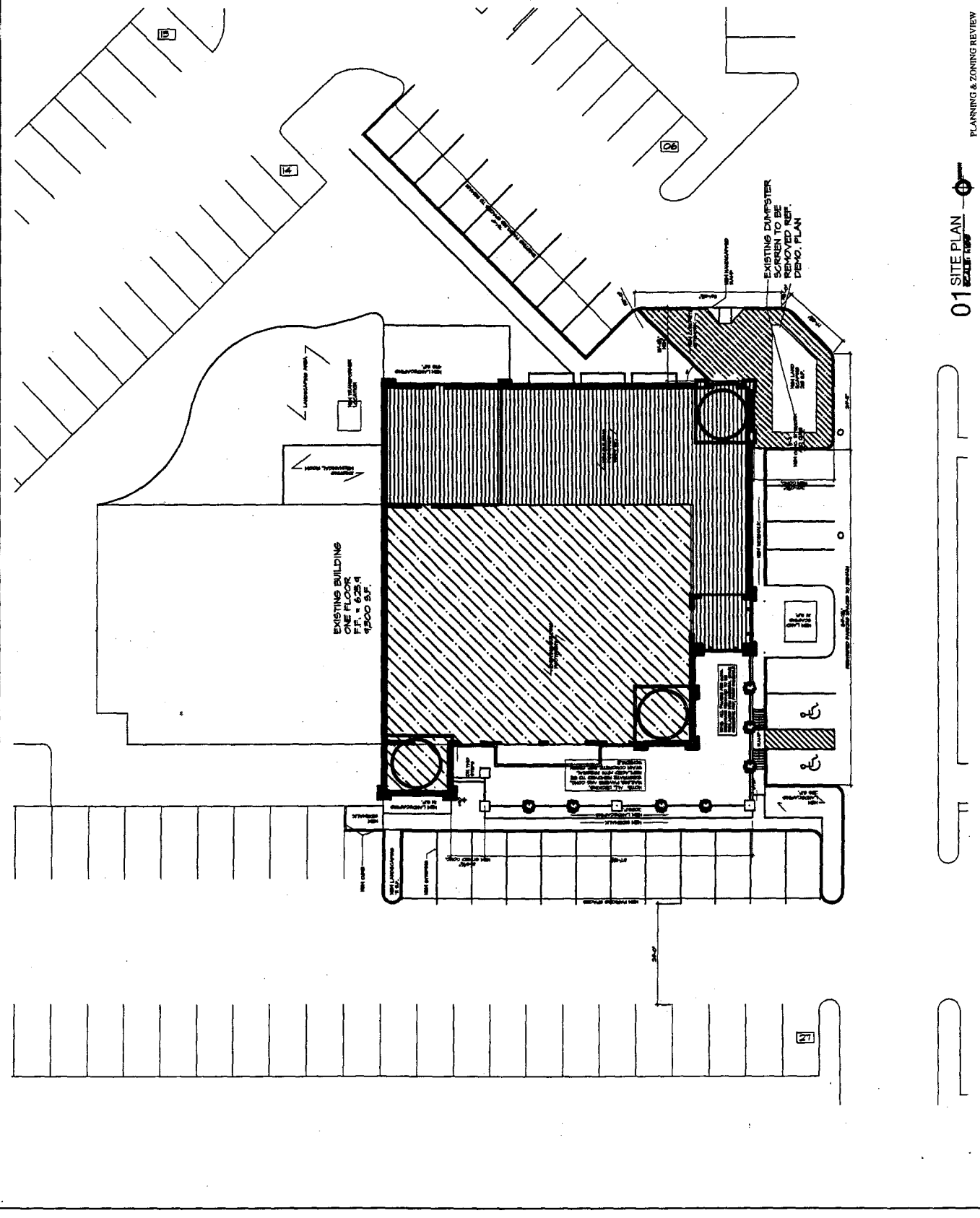
ADDITION / REMODEL
OF EXISTING
RESTAURANT AND BAR

DESIGN CONSULTANT
Duncan Design Group
1000 University Ave.
Suite 100
Berkeley, CA 94702
Tel: 415.841.1100
Fax: 415.841.1101

TITLE:	ADD. 2ND FLOOR
DATE:	APRIL 26, 2004
PROJECT NO.:	100
PROJECT LOCATION:	1000 UNIVERSITY AVE. BERKELEY, CA
CLIENT:	SPORTSCLUB CAFE
ARCHITECT:	DAVID M. HARRIS

SHEET NO. 01
01 SITE PLAN

A0.1



01 SITE PLAN
SCALE: 1/8" = 1'-0"
PLANNING & ZONING REVIEW



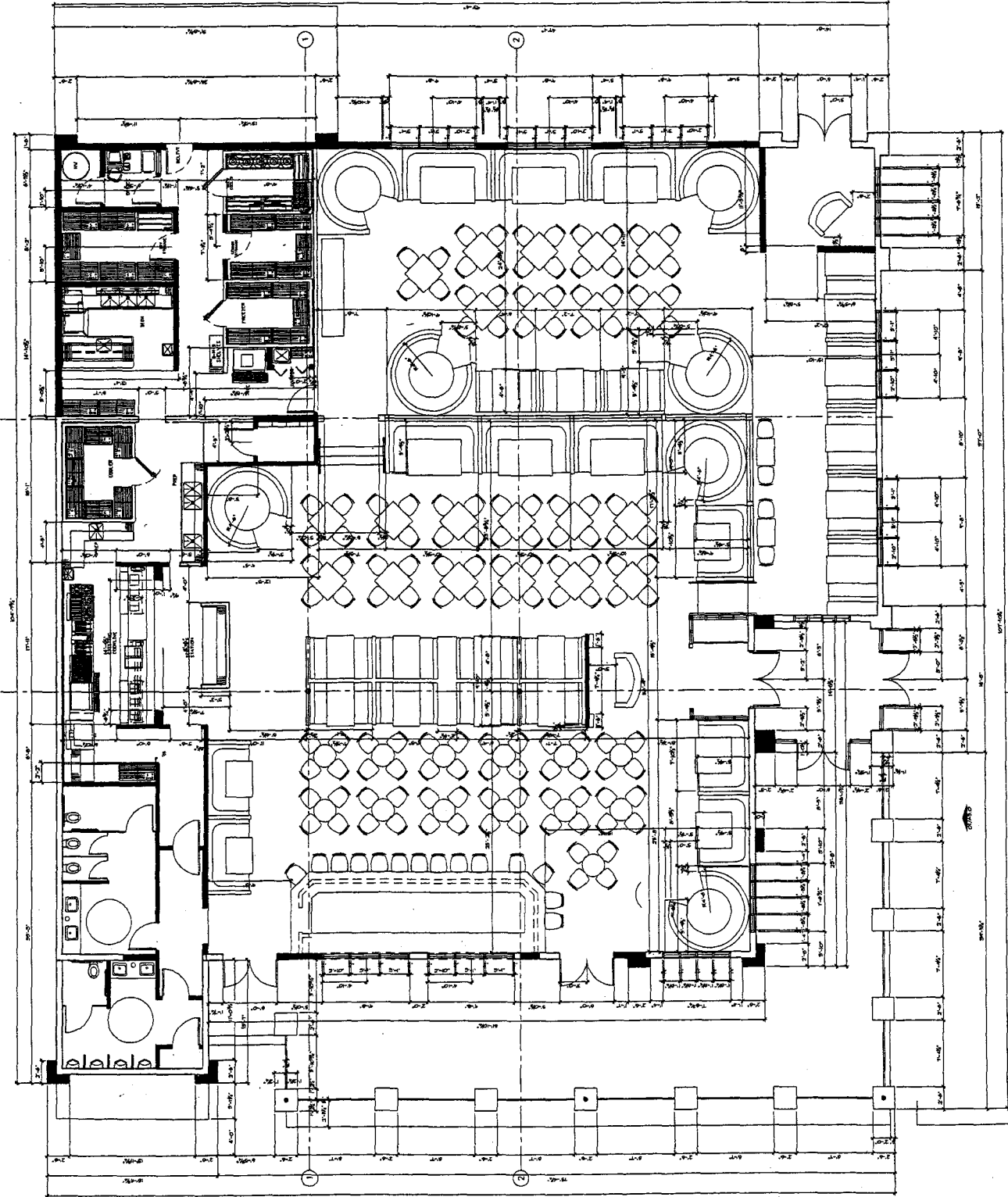
**ADDITION / REMODEL
OF EXISTING
RESTAURANT AND BAR**

DESIGN CONSULTANT:
Stanisko Galt
1111 15th Street
San Francisco, CA 94103
415.774.1111

DATE: APRIL 24, 2008
PROJECT: TULIP CULINARY
300 MADISON

1ST FLOOR PLAN

A1.0



01 FLOOR PLAN
SCALE: 1/4" = 1'-0"



ADDITION / REMODEL
OF EXISTING
RESTAURANT AND BAR

DESIGN CONSULTANT
Duncan Design Group
ARCHITECTS

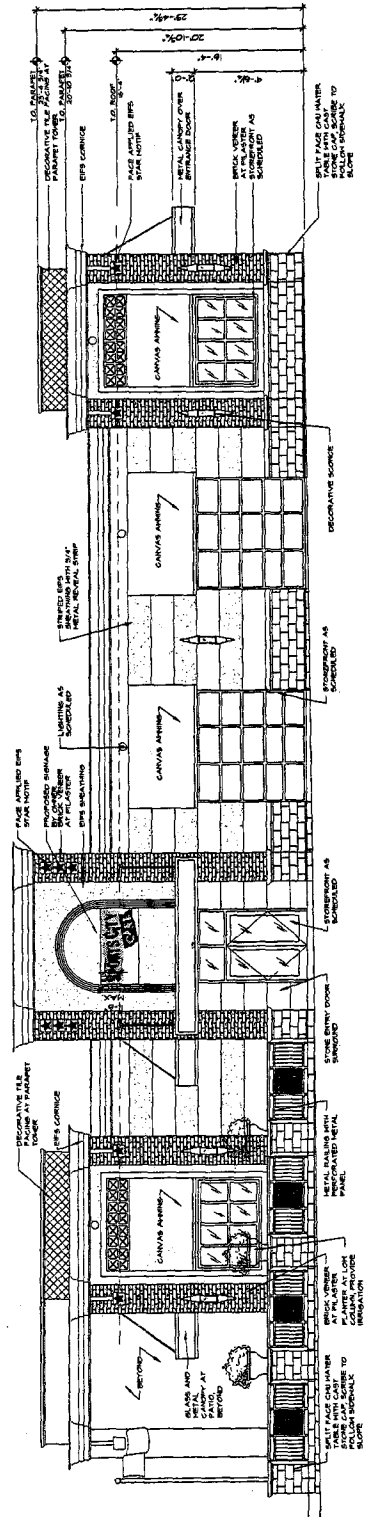
1111 11th Ave
Suite 200
Denver, CO 80202
Tel: 303.733.1111
Fax: 303.733.1112

NO. 1111
PROJECT NO. 1111
DATE: APRIL 26, 2004

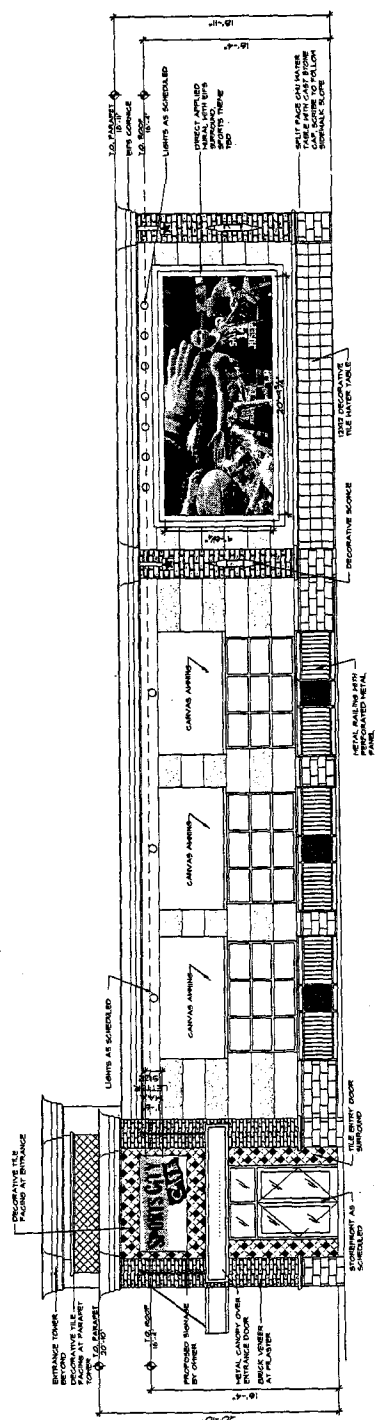
PROJECT NAME
EXTERIOR ELEVATIONS

A5.0

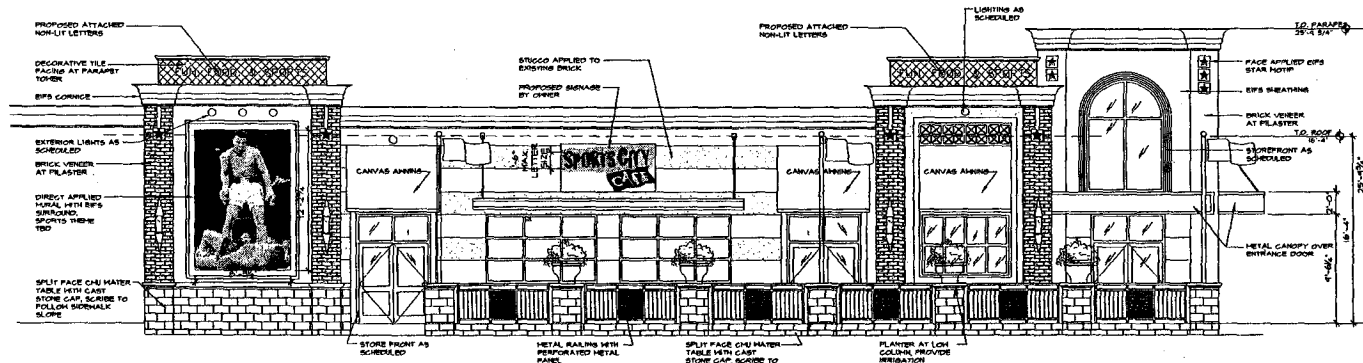
PLANNING & ZONING REVIEW



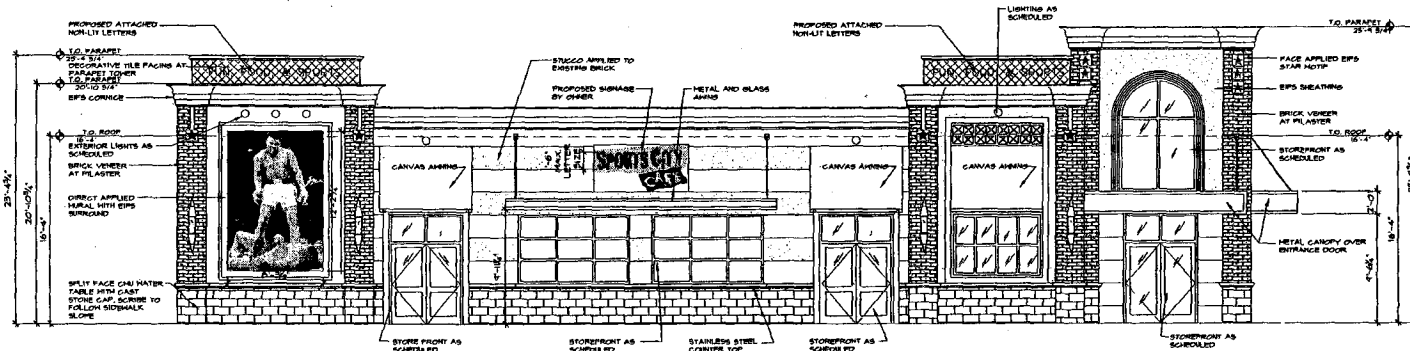
01 EXTERIOR ELEVATION
SCALE: 1/4" = 1'-0"



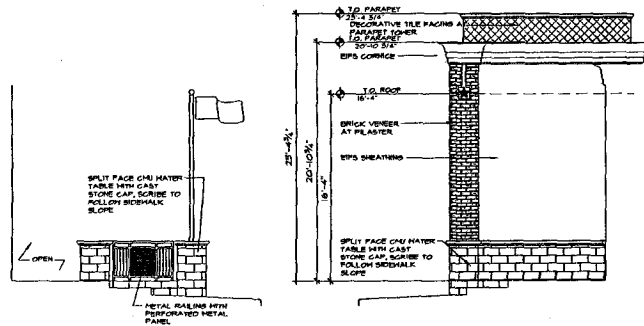
02 EXTERIOR ELEVATION
SCALE: 1/4" = 1'-0"



01 EXTERIOR ELEVATION - FROM MIDWAY ROAD
SCALE: 1/4" = 1'-0"



02 EXTERIOR ELEVATION - PATIO
SCALE: 1/4" = 1'-0"



03 EXT. ELEV. - PATIO EXIT DOOR
SCALE: 1/4" = 1'-0"

04 EXT. ELEV. - PATIO EXIT DOOR
SCALE: 1/4" = 1'-0"



ADDITION / REMODEL
OF EXISTING
RESTAURANT AND BAR
1405 MORAY - ADDON - TEXAS - 75054

DESIGN CONSULTANT

Duncan Design Group
1511 HUNTERS CREEK
DUNCAN, TEXAS 75048
714.234.1400

DATE:	APRIL 26, 2004
PROJECT #:	04
PROJECT CLIENTS/OWNER:	PIERRE DUNCAN BOB HUGHMAN

EXTERIOR
ELEVATIONS

A5.1