

**TOWN OF ADDISON, TEXAS
ORDINANCE NO. 013-002**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO APPROVE A SPECIAL USE PERMIT FOR A RESTAURANT AND A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM THE ADDISON ICE HOUSE, LOCATED AT 3875 PONTE AVENUE, SUITE 250, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; 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. 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 only, on application from The Addison Ice House. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

WHEREAS, DCO Greenhaven LP, a Delaware limited partnership and DCO Addison at Brookhaven LP, a Delaware limited partnership, is the owner of a 11.480 acre tract of land situated in the Noah Good Survey, Abstract No. 520, Town of Addison, Dallas County, Texas and being a portion of that certain tract of land conveyed to DCO Greenhaven LP by Deed recorded in Instrument No. 200600335782 and a portion of that certain tract of land conveyed to DCO Addison at Brookhaven LP by Deed recorded in Instrument No. 200600407616, both in Official public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a ½-inch iron rod set for corner in the Southeast ROW line of Brookhaven Club Drive (a 100' ROW), said iron rod being North 41°12'11" East, a distance of 638.50 feet from a ½-inch iron rod found for corner at the Northeast corner of Brooktown Townhouses, recorded in Volume 90205, page 85, map Records, Dallas County, Texas;

THENCE; along the Southeast ROW line of Brookhaven Club Drive, the following bearings and distances:

North 41°12'11" East, a distance of 91.00 feet to a ½-inch iron rod set at the beginning of a curve to the right, having a central angle of 44°34'26", a radius of 334.00 feet and a chord bearing North 63°29'24" East, a distance of 253.33 feet;

Northeasterly, along said curve to the right, an arc distance of 259.84 feet to a ½-inch iron rod set at the beginning of a reverse curve to the left, having a central angle of 59°28'38", a radius of 434.00 feet and a chord bearing North 56°02'18" East, a distance of 430.56 feet;

Northeasterly, along said curve to the left, an arc distance of 450.52 feet to a ½-inch iron rod set at the end of said curve;

North 26°18'00" East, a distance of 47.00 feet to a ½-inch iron rod set for corner;

THENCE: South 63°42'00" East, departing the Southeast ROW line of Brookhaven Club Drive, a distance of 60.00 feet to a ½-inch iron rod set for corner;

THENCE: South 26°18'00" West, a distance of 47.00 feet to a ½-inch iron rod set for corner;

THENCE: South 48°47'49" East, a distance of 238.78 feet to a 12/2-inch iron rod set at the beginning of a curve to the left, having a central angle of 59°54'11", a radius of 130.00 feet and a chord bearing North 78°44'55" East, a distance of 129.81 feet;

THENCE: Northeasterly, along said curve to the left, an arc distance of 135.92 feet to a 1/20inch iron rod set at the end of said curve;

THENCE: North 71°18'00" East, a distance of 73.20 feet to a ½-inch iron rod set for angle point;

THENCE: South 89°50'23" East, a distance of 170.80 feet to a ½-inch iron rod set for corner in the East line of said DCO Addison at Brookhaven tract and the West line of a 80'T.P. and L. Easement, recorded in Volume 70202, Page 1805, Deed Records, Dallas County, Texas and the West line of Lot 1, Block A, the Villas at Parkside, Phase 1, recorded in Volume 95174, page 4325, map Records, Dallas County, Texas;

THENCE: South 00°07'24" East, along the East line of ssaid DCO Addison at Brookhaven tract and the West line of said T.P. and L. Easement, a distance of 200.00 feet to a ½-inch iron rod set for corner in the West line of Lot 1, Block A, The Parish Episcopal School, recorded in Instrument No. 200600450015, Official Public Records, Dallas County, Texas:

THENCE: South 89°50'23" East, departing the East line of said DCO Addison at Brookhaven and the West line of said T.P. and L. Easement, a distance of 135.24 feet to a ½-inch iron rod set at the beginning of a curve to the left, having a central angle of 48°57'26", a radius of 100.00 feet and a chord bearing Sough 65°40'54" West, a distance of 82.87 feet;

THENCE: Southwesterly, along said curve to the left, an arc distance of 85.45 feet to a ½-inch iron rod set at the end of said curve;

THENCE: South 41°12'11" West, a distance of 471.68 feet to a ½-inch iron rod set for angle point;

THENCE: South 86°12'11" West, a distance of 170.00 feet to a ½-inch iron rod set for angle point;

THENCE: North 48°47'49" West, a distance of 70.00 feet to a ½-inch iron rod set for angle point;

THENCE: South 86°12'11" West, a distance of 43.89 feet to a ½-inch iron rod set for angle point;

THENCE: South 41°12'11" West, a distance of 60.00 feet to a ½-inch iron rod set for angle point;

THENCE: North 48°47'49" West, a distance of 555.57 feet to the PLACE OF BEGINNING and containing 11.9630 acres of land.

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 and floor plan, 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 only and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 4,712 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.
4. That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants are hereby defined as establishments that receive at least sixty percent (60%) or 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 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 canceled by proper authorities, the City Council may authorize hearings to be held for the purpose for considering a change of zoning.
9. The applicant/operator shall not use any terms (such as "bar", "tavern", etc.) or graphic depictions which relate to alcoholic beverages in any exterior signs.


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.

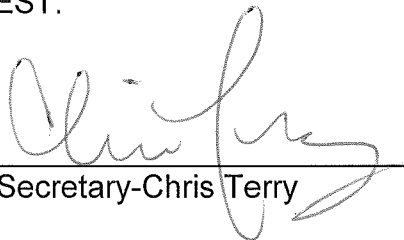
SECTION 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect. That this ordinance shall specifically repeal Ordinance

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 8th day of January, 2013.



Mayor-Todd Meier

ATTEST:



City Secretary-Chris Terry

CASE NO. 1661-SUP/Addison Ice House

APPROVED AS TO FORM:



Director of Development Services
Carmen Moran

PUBLISHED ON 2-28-13

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 013-002

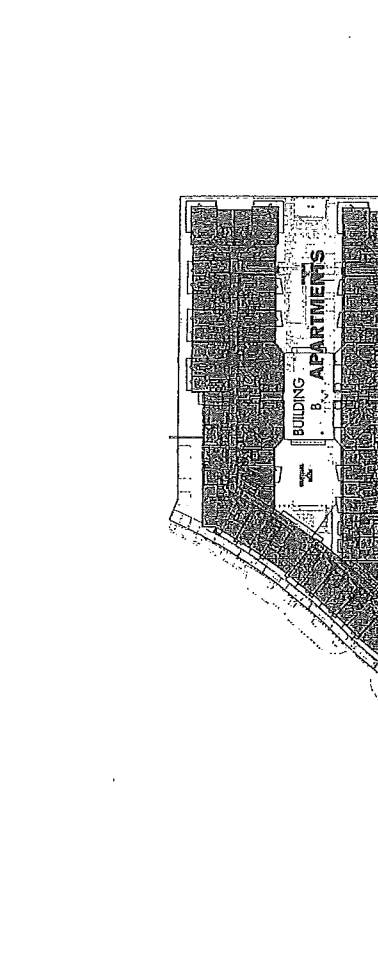


ICE HOUSE

3875 PONTE AVE. #250, ADDISON, TX 75001

SHEET INDEX

MEP	MECHANICAL PLAN
M-1	MECHANICAL SCHEDULES
M-2	MECHANICAL DETAILS
E-1	ELECTRICAL PLAN
E-2	ELECTRICAL SCHEDULES
E-3	ELECTRICAL DETAILS
P-1	PLUMBING PLAN
P-2	PLUMBING SCHEDULES
P-3	PLUMBING DETAILS



NO.	AREA	FINISH	BASE	PAINTS	CEMENTS
01	VESTIBULE	WOOD	WOOD	WOOD	WOOD
02	STORAGE	WOOD	WOOD	WOOD	WOOD
03	RESTROOM	WOOD	WOOD	WOOD	WOOD
04	TOILET	WOOD	WOOD	WOOD	WOOD
05	OFFICE	WOOD	WOOD	WOOD	WOOD
06	MEETING	WOOD	WOOD	WOOD	WOOD
07	RECEPTION	WOOD	WOOD	WOOD	WOOD
08	CONFERENCE	WOOD	WOOD	WOOD	WOOD
09	TRAINING	WOOD	WOOD	WOOD	WOOD
10	VESTIBULE	WOOD	WOOD	WOOD	WOOD

03 ROOM SCHEDULE N.T.S.

NO.	DOOR SIZE	FINISH	MATERIAL
101	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
102	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
103	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
104	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
105	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
106	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
107	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
108	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
109	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
110	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING

CODE INFORMATION SUMMARY

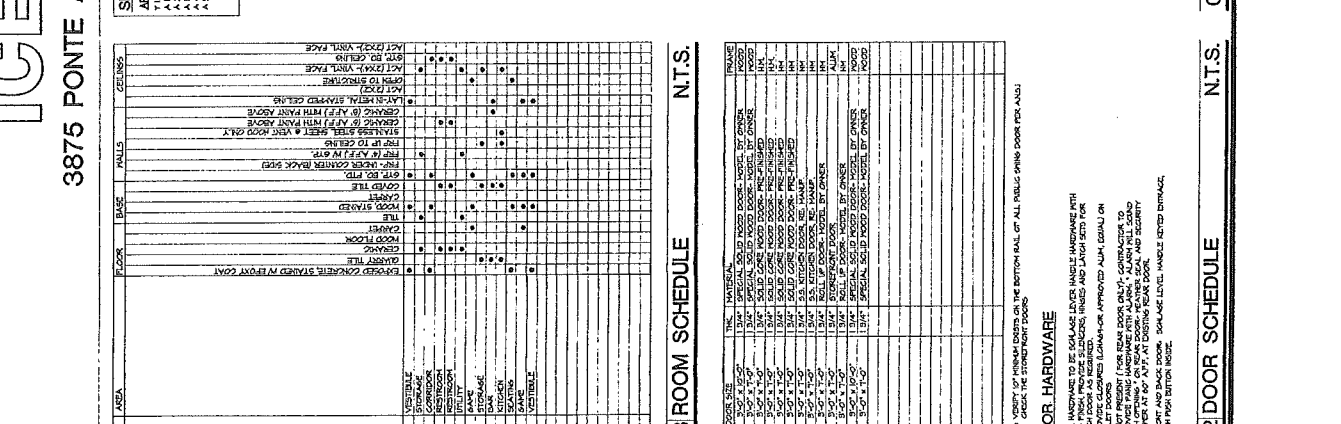
REGULATIONS - IBC - TEXAS ADAPTABILITY STANDARDS
 BUILDING OCCUPANCY TYPE - A-2
 CONTRACT AREA - 10,000 SQ. FT.
 1. CONSTRUCTION PERMITS AND REGULATIONS - IBC - TEXAS ADAPTABILITY STANDARDS
 2. CONSTRUCTION PERMITS AND REGULATIONS - IBC - TEXAS ADAPTABILITY STANDARDS
 3. CONSTRUCTION PERMITS AND REGULATIONS - IBC - TEXAS ADAPTABILITY STANDARDS
 4. CONSTRUCTION PERMITS AND REGULATIONS - IBC - TEXAS ADAPTABILITY STANDARDS

GENERAL NOTES:

- THE GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AND MATERIALS AND CONDITIONS TO THE CONTRACT PRIOR TO INSTALLATION AND NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING.
- VERIFY THE EXISTING CONDITIONS AND NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING.
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02 DOOR SCHEDULE N.T.S.

NO.	DOOR SIZE	FINISH	MATERIAL
101	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
102	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
103	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
104	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
105	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
106	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
107	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
108	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
109	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING
110	3'-0" x 7'-0"	WOOD	SOLID OAK MOULDING



MA International
 2801 Perth Street
 Dallas, TX 75220
 johnma2@yahoo.com

ICE HOUSE
 ADDISON, TX

SITE PLAN
 SCHEDULES
 T101
 SHEET

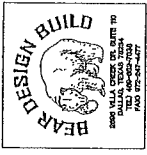
N.T.S.

01 SITE PLAN

N.T.S.

02 DOOR SCHEDULE

N.T.S.



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 2601 Perth Street
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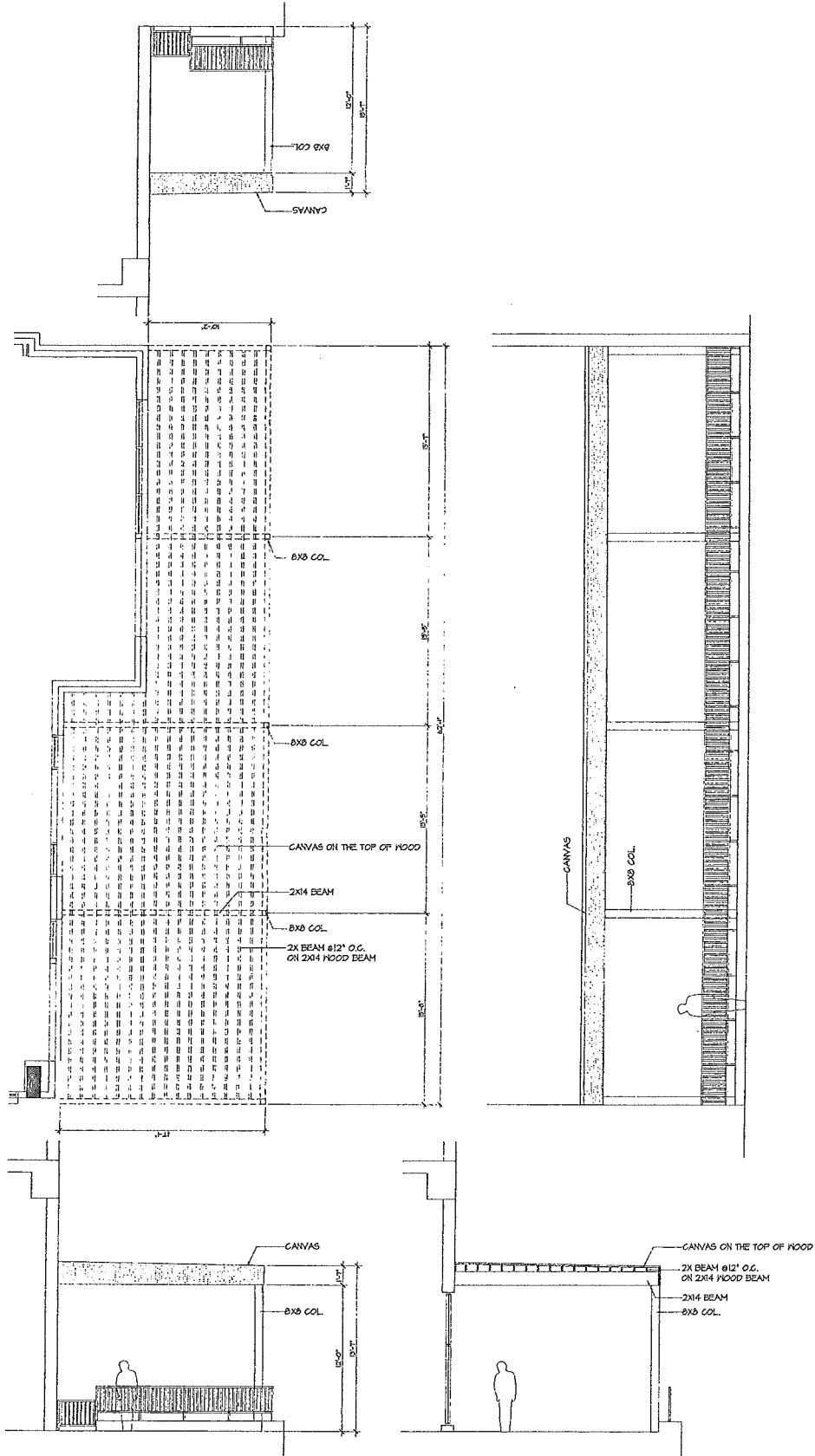


NO.	REVISION
1	ISSUED FOR PERMIT
2	CONSTRUCTION MODIFICATIONS

ICE HOUSE
 ADDISON, TX

CANOPY

Sheet No. **A6.01**



01 CANOPY ELEVATION & SECTION 1/2"=1'-0"