

**ORDINANCE NO. 014-001**

**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 A CONVENIENCE STORE WITH SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION, SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, AND A RESTAURANT ON APPLICATION WITH FROM THE MARKET HALL, LOCATED AT 3875 PONTE AVENUE; 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 ORDAINED 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 convenience store, sale of beer and wine for off-premise consumption only, sale of alcoholic beverages for on-

premise consumption only, and for a restaurant. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

BEING a 5,909 square foot leased space addressed as 3875 Ponte Avenue and located on a parcel known as 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 1/2-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 1/2-inch iron rod set for angle point;

THENCE: South 89°50'23" East, a distance of 170.80 feet to a 1/2-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 1/2-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 1/2-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 1/2-inch iron rod set at the end of said curve;

THENCE: South 41°12'11" West, a distance of 471.68 feet to a 1/2-inch iron rod set for angle point;

THENCE: South 86°12'11" West, a distance of 170.00 feet to a 1/2-inch iron rod set for angle point;

THENCE: North 48°47'49" West, a distance of 70.00 feet to a 1/2-inch iron rod set for angle point;

THENCE: South 86°12'11" West, a distance of 43.89 feet to a 1/2-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, floor plan, and the elevation drawings, which are attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit granted herein shall be limited to the sale of alcoholic beverages to that portion of the building designated on the site plan attached hereto, and encompassing approximately 5,909 square feet. The remaining portion of said building, or said property, shall not be used for selling any kind of alcoholic beverages.
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.
8. 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.
9. 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.
10. 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.

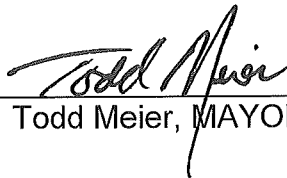
11. The applicant shall not use any terms or graphic depictions that denote alcoholic beverages in any exterior signs.

SECTION 4. 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 5. 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 6. 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 14th day of January, 2014.

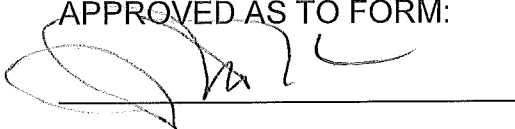
  
\_\_\_\_\_  
Todd Meier, MAYOR

ATTEST:

  
\_\_\_\_\_  
Matt McCombs, CITY SECRETARY

CASE NO. 1680-SUP/The Market Hall

APPROVED AS TO FORM:

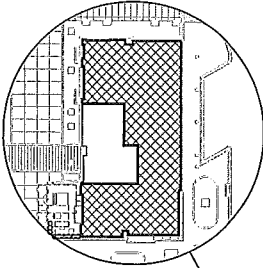
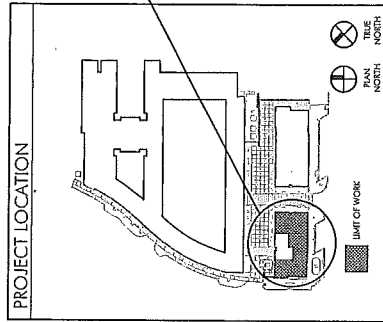
  
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PUBLISHED ON: \_\_\_\_\_

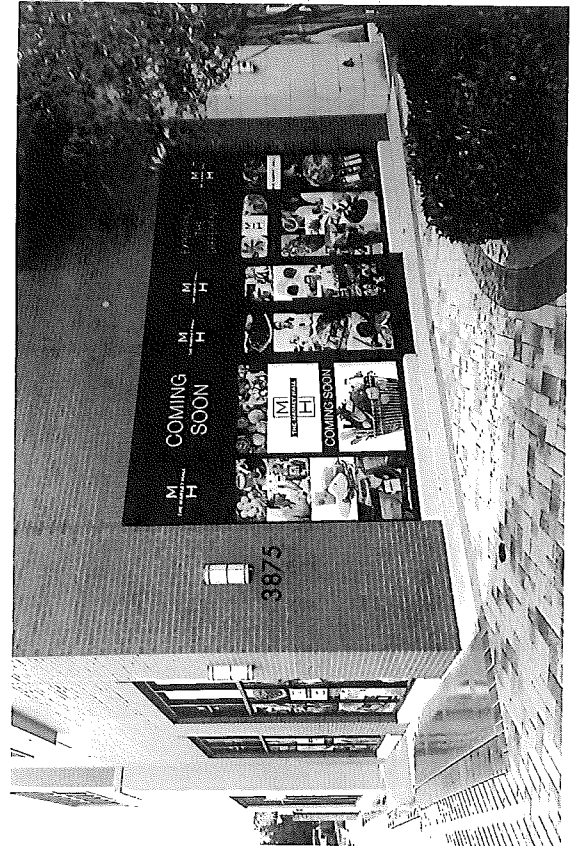
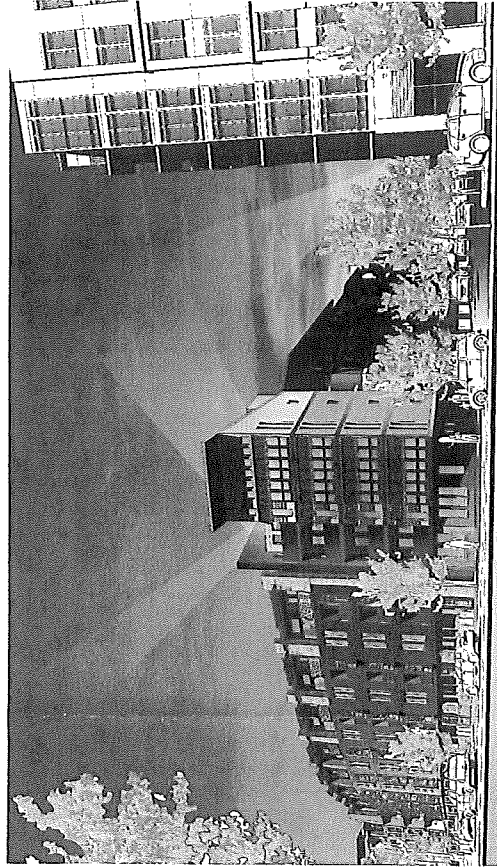
WILDER BELSHAW  
ARCHITECTS INC.

Savoie2 at Vitruvian Park  
3875 Ponte Avenue, S. 410  
Addison, TX 75001  
214.969.0500

www.wilderbelshaw.com



Ground floor  
Savoie2 at Vitruvian Park  
3875 Ponte Avenue  
Ground Floor  
Addison, TX 75001



TDLR EAB NO: EABPRJB4804506

BUILDING PERMIT PACKAGE  
15 NOVEMBER 2013

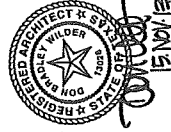
**M H** The Market Hall  
Addison, Texas



Wilder Belshaw Architects  
2011 Irvine Ave. 5th-10 Addison, TX 75001  
214.969.0500 Fax: www.wilderbelshaw.com

Project Owner:

PRIMO HOSPITALITY GROUP  
8900 SUNSET BOULEVARD  
WEST HOLLYWOOD, CA 90069



Prepared for:

Primo Hospitality Group

CONSULTANTS:

Urban Structure

Structural Engineer

Edgar Stacy & Associates

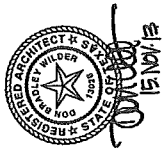
MEP Engineer



**Wildier Robitshaw Architects**  
 PRIMO HOSPITALITY GROUP  
 8370 SANSAT BOULEVARD  
 WEST HOLLYWOOD, CA 90069

Issue and Revision:

No.	Date	Issue
1	10/27/13	Design/Permit Package



**THE MARKET HALL**  
 AUBURN, 18465  
 Wildier Robitshaw Project Number: 1312

Drawing Name:  
 SITE PLAN  
 CODE ANALYSIS  
 LIFE SAFETY PLANS

Sheet Number:  
**A003**

**CODE SUMMARY:**

California Code of Regulations, Title 24, Part 01, Chapter 1, Subchapter 1, Section 0105.0, 0105.1, 0105.2, 0105.3, 0105.4, 0105.5, 0105.6, 0105.7, 0105.8, 0105.9, 0105.10, 0105.11, 0105.12, 0105.13, 0105.14, 0105.15, 0105.16, 0105.17, 0105.18, 0105.19, 0105.20, 0105.21, 0105.22, 0105.23, 0105.24, 0105.25, 0105.26, 0105.27, 0105.28, 0105.29, 0105.30, 0105.31, 0105.32, 0105.33, 0105.34, 0105.35, 0105.36, 0105.37, 0105.38, 0105.39, 0105.40, 0105.41, 0105.42, 0105.43, 0105.44, 0105.45, 0105.46, 0105.47, 0105.48, 0105.49, 0105.50, 0105.51, 0105.52, 0105.53, 0105.54, 0105.55, 0105.56, 0105.57, 0105.58, 0105.59, 0105.60, 0105.61, 0105.62, 0105.63, 0105.64, 0105.65, 0105.66, 0105.67, 0105.68, 0105.69, 0105.70, 0105.71, 0105.72, 0105.73, 0105.74, 0105.75, 0105.76, 0105.77, 0105.78, 0105.79, 0105.80, 0105.81, 0105.82, 0105.83, 0105.84, 0105.85, 0105.86, 0105.87, 0105.88, 0105.89, 0105.90, 0105.91, 0105.92, 0105.93, 0105.94, 0105.95, 0105.96, 0105.97, 0105.98, 0105.99, 0105.100.

**PROJECT INFORMATION:**

Project Name: THE MARKET HALL  
 Project Location: AUBURN, 18465  
 Project Number: 1312  
 Project Date: 10/27/13

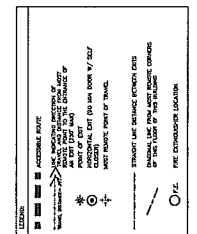
**DESIGNER:**  
 Wildier Robitshaw Architects  
 8370 SANSAT BOULEVARD  
 WEST HOLLYWOOD, CA 90069

**CLIENT:**  
 PRIMO HOSPITALITY GROUP  
 8370 SANSAT BOULEVARD  
 WEST HOLLYWOOD, CA 90069

**PERMITTING AGENCY:**  
 City of Auburn  
 1000 10th Street  
 Auburn, CA 95603

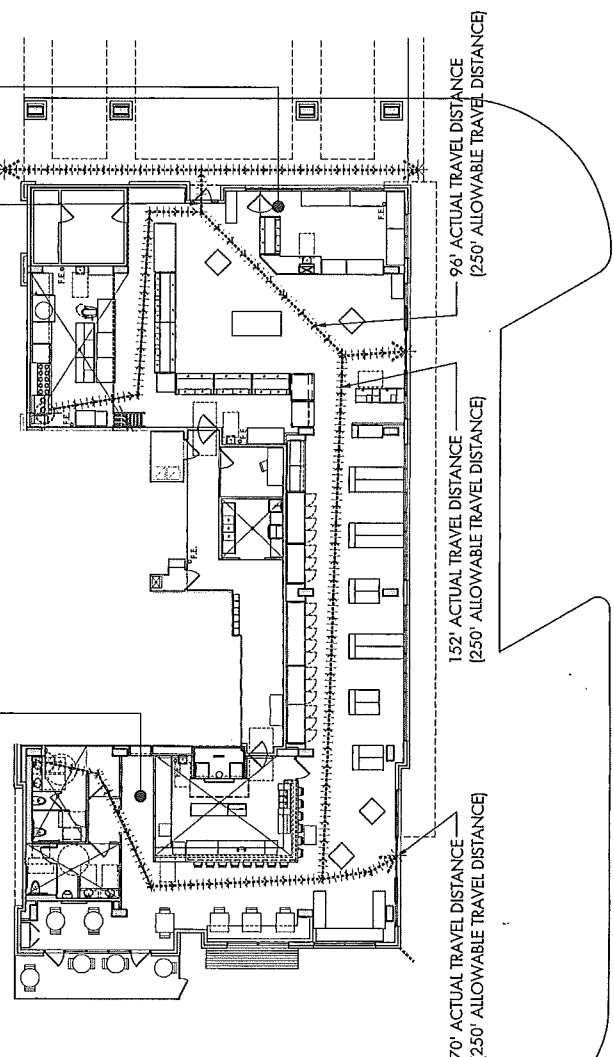
**GENERAL NOTES:**

1. This plan shows the proposed fire alarm system for the building shown on this plan. The system shall be installed in accordance with the applicable provisions of the California Fire Code, Title 24, Part 01, Chapter 1, Subchapter 1, Section 0105.0, 0105.1, 0105.2, 0105.3, 0105.4, 0105.5, 0105.6, 0105.7, 0105.8, 0105.9, 0105.10, 0105.11, 0105.12, 0105.13, 0105.14, 0105.15, 0105.16, 0105.17, 0105.18, 0105.19, 0105.20, 0105.21, 0105.22, 0105.23, 0105.24, 0105.25, 0105.26, 0105.27, 0105.28, 0105.29, 0105.30, 0105.31, 0105.32, 0105.33, 0105.34, 0105.35, 0105.36, 0105.37, 0105.38, 0105.39, 0105.40, 0105.41, 0105.42, 0105.43, 0105.44, 0105.45, 0105.46, 0105.47, 0105.48, 0105.49, 0105.50, 0105.51, 0105.52, 0105.53, 0105.54, 0105.55, 0105.56, 0105.57, 0105.58, 0105.59, 0105.60, 0105.61, 0105.62, 0105.63, 0105.64, 0105.65, 0105.66, 0105.67, 0105.68, 0105.69, 0105.70, 0105.71, 0105.72, 0105.73, 0105.74, 0105.75, 0105.76, 0105.77, 0105.78, 0105.79, 0105.80, 0105.81, 0105.82, 0105.83, 0105.84, 0105.85, 0105.86, 0105.87, 0105.88, 0105.89, 0105.90, 0105.91, 0105.92, 0105.93, 0105.94, 0105.95, 0105.96, 0105.97, 0105.98, 0105.99, 0105.100.



RESTAURANT	
OCCUPANCY TYPE:	A-2
NET SQUARE FOOTAGE:	1920
OCCUPANCY LOAD:	77
REQ'D # OF EXITS:	2

MARKET	
OCCUPANCY TYPE:	M
NET SQUARE FOOTAGE:	3989
OCCUPANCY LOAD:	95
REQ'D # OF EXITS:	2



**07 LEVEL 1 PLAN**  
 SCALE: 1/8" = 1'-0"