

ORDINANCE NO. 093-009

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 RESTAURANT AND A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION, ON APPLICATION FROM OUTBACK STEAKHOUSE, LOCATED ON 1.37 ACRES ON THE EAST SIDE OF ADDISON ROAD APPROXIMATELY 507 FEET NORTH OF 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:

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 093-009

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

BEING a tract of land situated in the G.W. FISHER SURVEY, ABSTRACT NO. 482, and being part of QUORUM CENTRE ADDITION, an addition to the City of Addison, Texas, as recorded in Volume 84067, Page 5718, Map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a point located at the most Northerly point of a corner clip situated in the intersection of the South line of Arapaho Road (a 60.0 foot wide right-of-way), and the East line of Addison Road (a 60.0 foot wide right-of-way)

THENCE along the East line of said Addison Road the following:

South 45°18'19" West a distance of 21.17 feet to a point;

THENCE South 00°17'00" West a distance of 494.15 feet to an "X" cut found for the POINT OF BEGINNING;

THENCE South 89°43'00" East for a distance of 271.50 feet to a point for corner;

THENCE South 00°17'00" West for a distance of 221.00 feet to a point for corner;

THENCE North 89°43'00" West for a distance of 271.50 feet to a point for corner in said East line of Addison Road;

THENCE North 00°17'00" East along said East line of Addison Road for a distance of 221.00 feet to the POINT OF BEGINNING.

CONTAINING 60,001 square feet or 1.377 acres of land.

SECTION 2. That the Special Use Permits are 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 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 6,216 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. The use of gaming devices, such as billiards (pool) tables, pinball machines, marble tables, and other coin operated amusement machines, other than machines for music are hereby prohibited.
7. Where the sale or serving of alcoholic beverages is permitted, dancing is hereby prohibited.
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 be held for the purpose of considering a change of zoning.

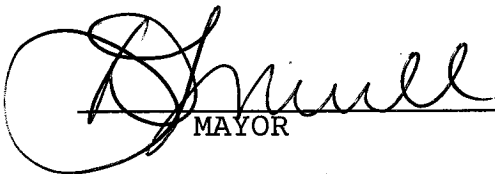
10. That if a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
11. Shall not use "Bar" "Club" or any equivalent term in any exterior signage.
12. Applicant shall agree to the eventual closing of the drive on the south end of the property. Drive shall be closed prior to the issuance of final approval for the drive immediately south of this property that is planned as a through-drive for a project immediately east of this tract. Developer of the project to the east shall pay the cost of closing the drive, and shall replace the existing drive with landscaping. The replacement landscaping shall be approved by the Parks Director.
13. Drive opening between this restaurant and the restaurant to the north shall be closed when the restaurant to the north is built. Builder of the second restaurant shall pay the cost of closing the drive, and shall replace existing drive with landscaping. The replacement landscaping shall be approved by the Parks Director.
14. Cross access should be provided between the two restaurants on both the front (west side) and back (east side) of the site.
15. An access drive between this property and the office building at the corner of Arapaho and Addison Road shall be constructed when this restaurant is constructed, and shall be completed prior to the issuance of a Certificate of Occupancy for this restaurant.
16. As required by ordinance, a 5-foot sidewalk shall be constructed against the curb of Addison Road.
17. A master water, sewer, drainage, and access plan should be developed for the entire tract.
18. Adequate cross access should be provided to accommodate future development.

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 9th day of February, 1993.

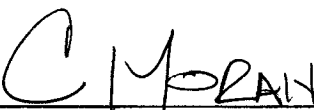

MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1131-SUP

APPROVED AS TO FORM:

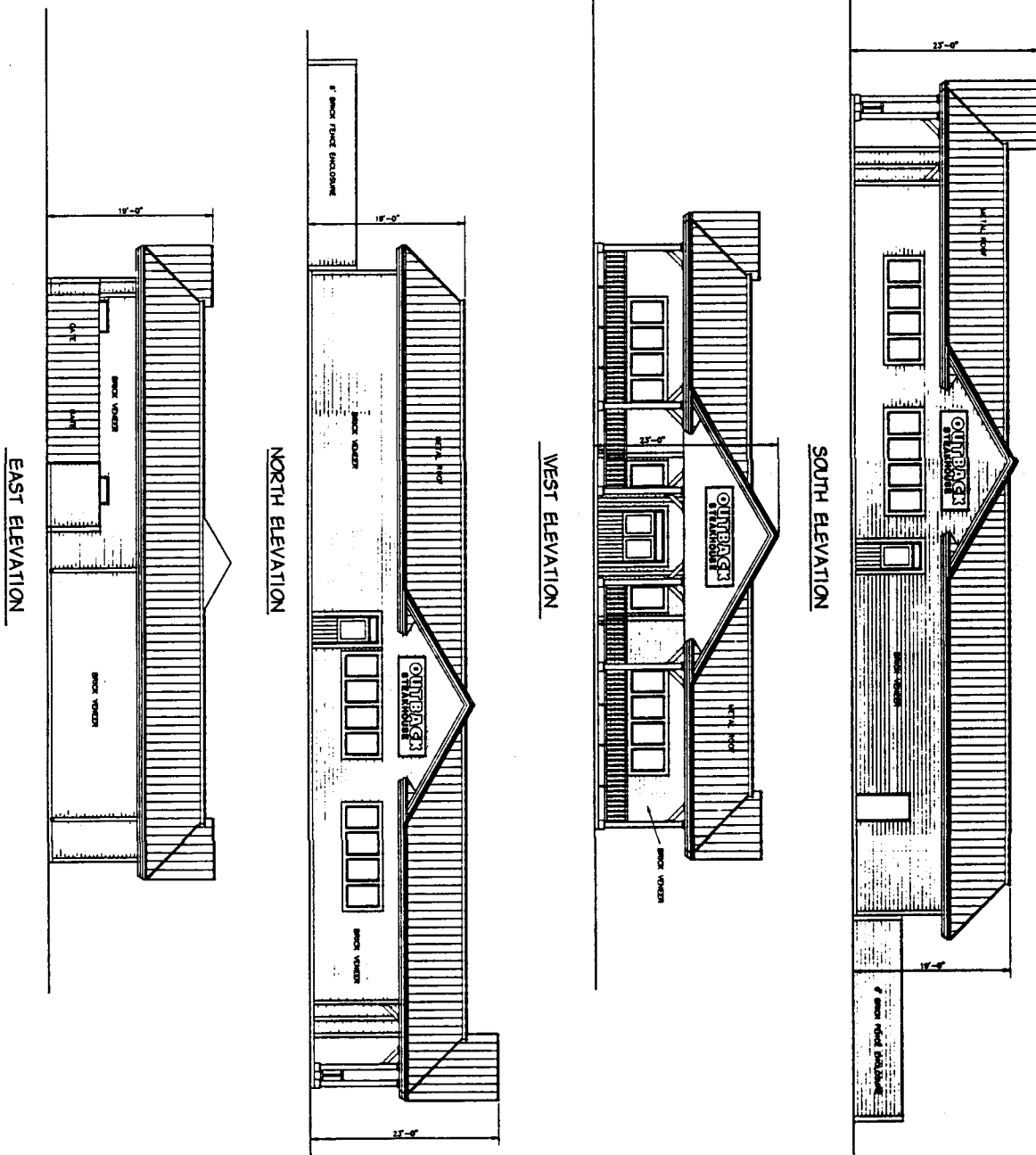

CITY SECRETARY

OFFICE OF THE CITY SECRETARY

ORDINANCE NO. 093-009

Published
5/6/93





APPROVED

THESE PLANS ARE REDUCTIONS OF THE ACTUAL
 "RECORD SET" OF PLANS WHICH ARE FILED IN
 ZONING CASE FILE 1131-54P.

093-009

4	4
4	4

OUTBACK STEAKHOUSE
 QUORUM CENTRE ADDITION
 ADDISON ROAD
 TOWN OF ADDISON, TEXAS

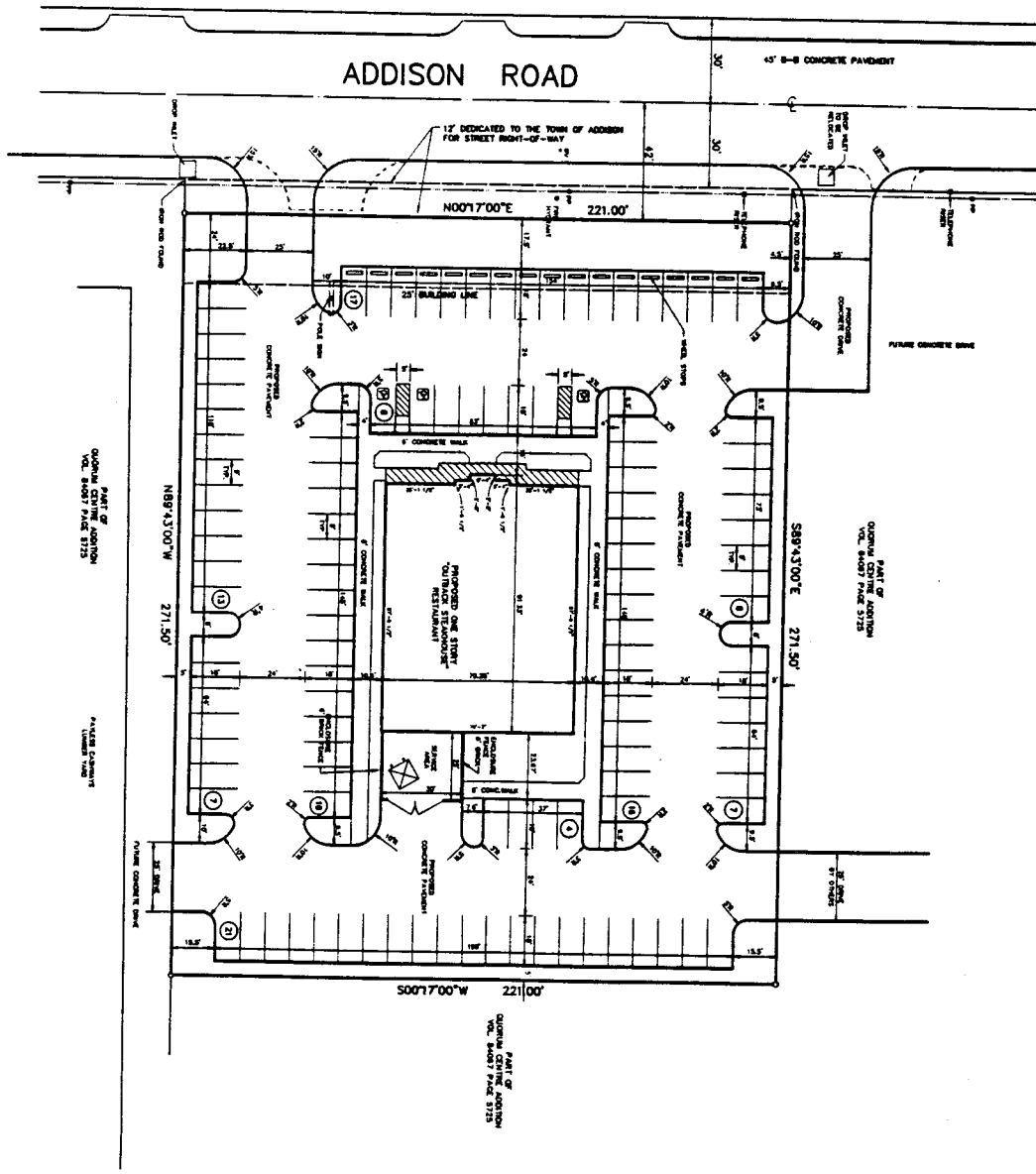
PREPARED FOR:
OUTBACK STEAKHOUSE
 550 NORTH RED STREET, SUITE 204
 TAMPA, FLORIDA 33609
 PHONE: (813) 282-1225
 FAX: (813) 282-1209

PREPARED BY:
DEWEY & ASSOCIATES
 ENGINEERING, SURVEYING
 LAND PLANNING, CAD DESIGN

D.A.

2505 TEXAS DRIVE, SUITE 110 - FORT WORTH, TEXAS 76102 - 214/258-1000

DATE	REVISION



ADDISON ROAD

17' DEDICATED TO THE TOWN OF ADDISON FOR STREET RIGHT-OF-WAY

NO017'00"E 221.00'

4" 8-8 CONCRETE PAVEMENT

PART OF QUORUM CENTRE ADDITION VOL. 84027 PAGE 5723

4" 4-8 CONCRETE PAVEMENT

4" 8-8 CONCRETE PAVEMENT

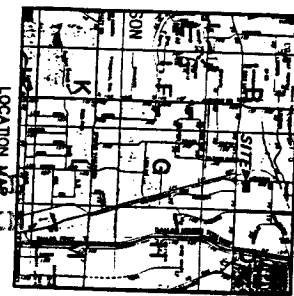
N89°43'00"W 271.50'

S89°43'00"E 271.50'

S0017'00"W 221.00'

PART OF QUORUM CENTRE ADDITION VOL. 84027 PAGE 5723

APPROVED



SITE TABULATIONS

LOT AREA (GROSS) 60,001.5 SQUARE FEET

BUILDING AREA 6,218.8 SQUARE FEET

REQUIRED PARKING (82 SPACES) 82 SPACES

LANDSCAPED AREA (ON-SITE) 11,181 SQUARE FEET

LANDSCAPED AREA (PERMANENT) 840 SQUARE FEET

LANDSCAPED AREA (TOTAL) 12,021 SQUARE FEET (20.03% OF SITE)

117 SPACES

LEGAL DESCRIPTION

PART OF QUORUM CENTRE ADDITION VOL. 84027 PAGE 5723 ADDISON, TEXAS

COPIES BEING RECORDED IN THE ACTUAL RECORDS OF THE TOWN OF ADDISON, TEXAS

1131-544

SHEET NO.	1
OF	4
DATE	DEC. 28, 1992
SCALE	1" = 20'
DRAWN BY	SAS (ACAD)
CHECKED BY	JOU
SHEET NO.	

OUTBACK STEAKHOUSE

PREPARED FOR:

OUTBACK STEAKHOUSE
 550 NORTH REG STREET, SUITE 204
 TAMPA, FLORIDA 33609
 PHONE: (813) 282-1225
 FAX: (813) 282-1209

QUORUM CENTRE ADDITION
 ADDISON ROAD
 TOWN OF ADDISON, TEXAS

PREPARED BY:

DEWEY & ASSOCIATES
 ENGINEERING, SURVEYING
 LAND PLANNING, CAD DESIGN

D&A

2308 TEXAS DRIVE, SUITE 110 • FORT WORTH, TEXAS 76062 • 817/282-1800

DATE	
BY	
REVISION	

093-009

