

ORDINANCE NO. 094-044

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 JOE'S CRAB SHACK, LOCATED AT 2.0 ACRES ON THE NORTH SIDE OF BELT LINE ROAD, BETWEEN BUSINESS AVENUE AND COMMERCIAL DRIVE, 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. 094-044

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 Joe's Crab Shack. Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

BEING all of Lot B, of the Final Replat of Block 3, Belt Line Marsh Business Park, a subdivision of the Town of Addison, recorded in the records of Dallas County on the 12th day of December, 1994, at 10:58 a.m., Volume 94238, Page 01670.

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 9,366 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. Where the sale or serving of alcoholic beverages is permitted, dancing is hereby prohibited.
7. 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.
8. 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.
9. 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.
10. Shall not use "Bar" in any exterior signs.
11. The applicant shall revise the plans to provide that the dumpster enclosure be built out of the same brick as the restaurant.
12. The restaurant shall screen all mechanical equipment on the roof of the building with a sight-barring screen or parapet wall that completely screens the equipment from view. The screening material shall be architecturally compatible to the building, and the determination of "architecturally compatible" shall be made by the Building Official.
13. The applicant shall submit, for approval, a detailed landscaping plan which conforms to the requirements of the landscaping ordinance, and shall install landscaping on the site in accordance with the approved plan.

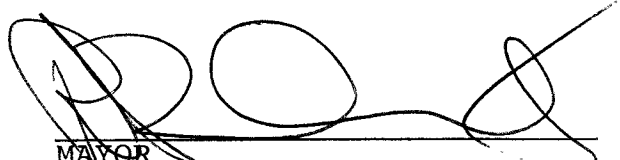
14. The developer (owner of the entire tract) shall provide a utility, drainage and access plan for the entire parcel from Commercial to Business and Belt Line to Realty.
15. The plan shall be revised to reflect the existing right-of-way dedication at Belt Line and Business.
16. The entire tract shall be platted, in accordance with the requirements of the subdivision ordinance, prior to the beginning of construction for the restaurant. That plat shall reflect a 12-foot right-of-way dedication along Realty Road for the extension of Arapaho Road.

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 28th day of June, 1994.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1186-SUP

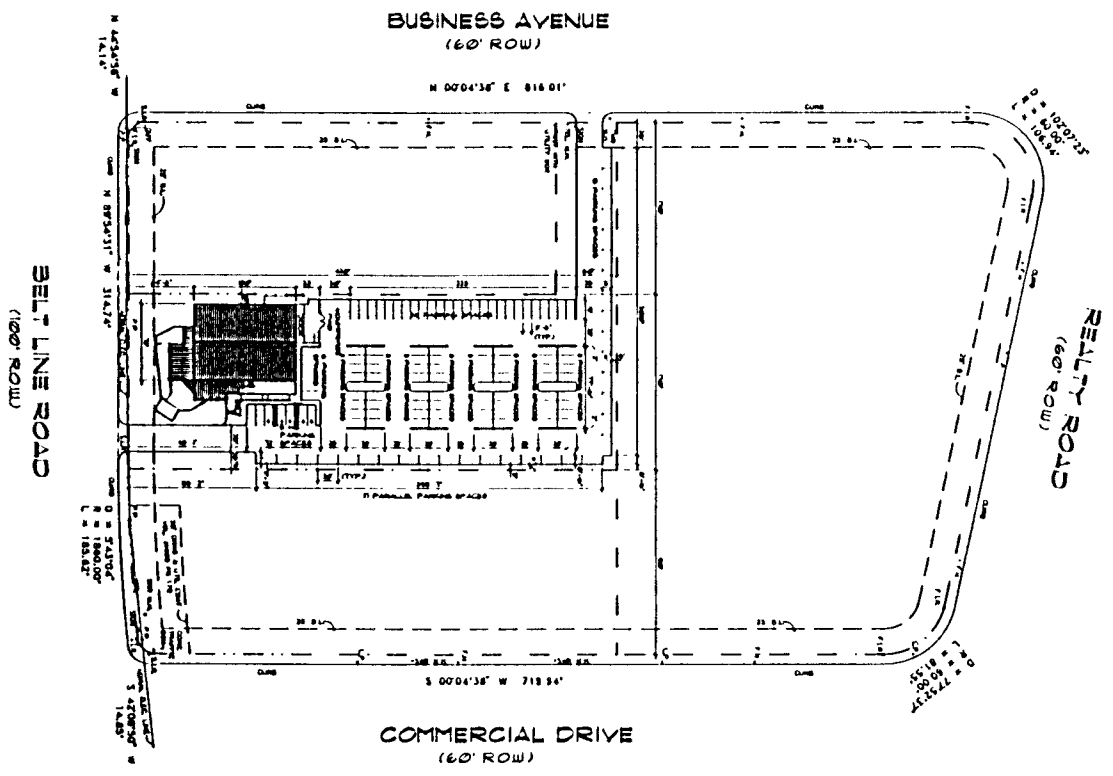
APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

Published
5/11/95





094-044

LEGEND

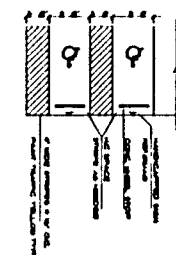
PARKING COUNT

GENERAL NOTES

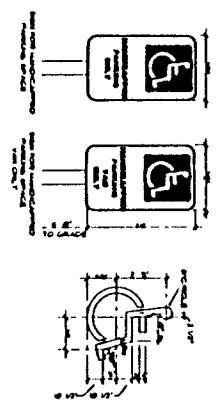
LEGAL DESCRIPTION:

PLAT OF SURVEY:

04 HANDICAPPED PARKING



05 HANDICAPPED SIGN AND SYMBOL



JOE'S CRAB SHACK

ADDISON, TEXAS

JOE'S CRAB SHACK

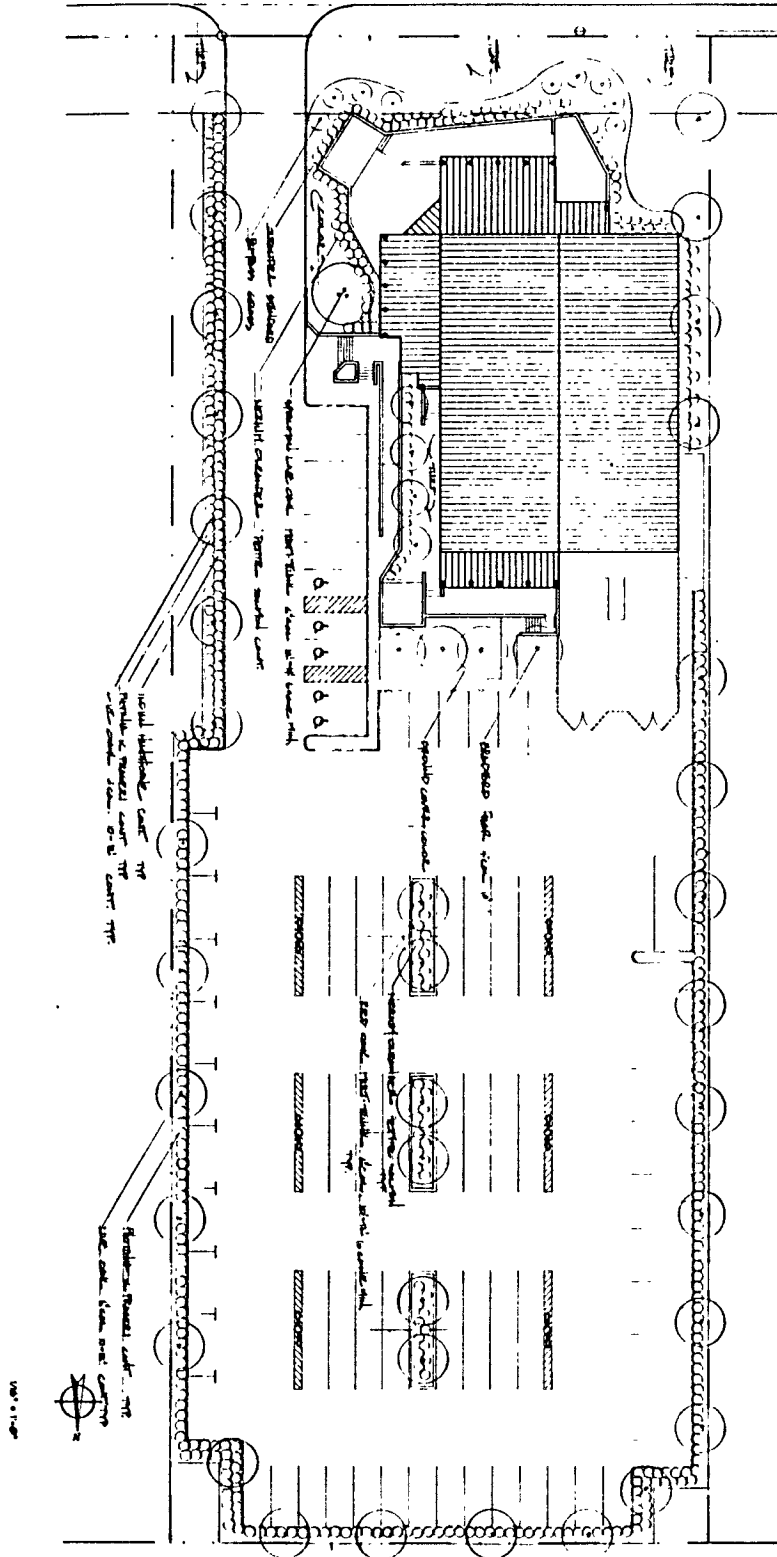
ADDISON, TEXAS

LOUIS A. GUTIERREZ ARCHITECT

LOUIS A. GUTIERREZ ARCHITECT

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094-044

JOE'S CRAB SHACK

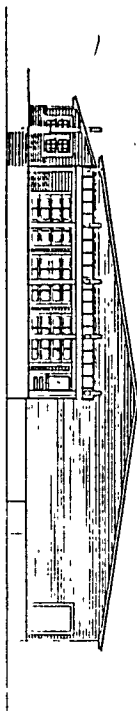
ADDISON, TEXAS

LOUIS A. GUTIERREZ ARCHITECT

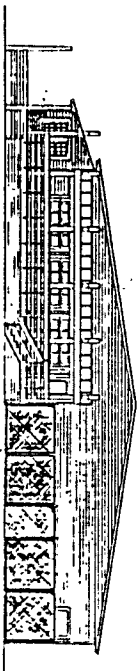
2301 CANAL ST.
HOUSTON, TX 77002
(713) 224-2626 FAX (713) 224-2781



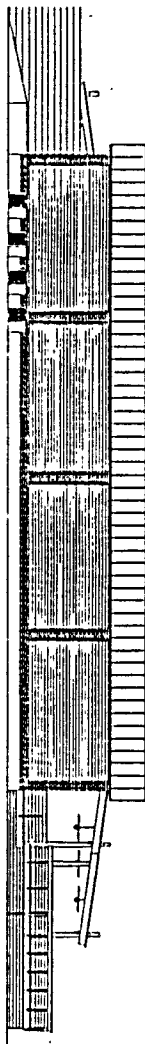
DATE	10/1/89
PROJECT	JOE'S CRAB SHACK
ARCHITECT	LOUIS A. GUTIERREZ
SCALE	AS SHOWN
NO.	094-044



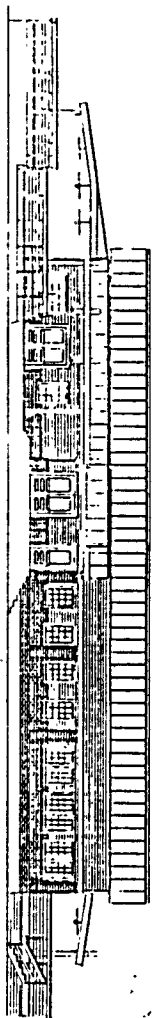
1 NORTH EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



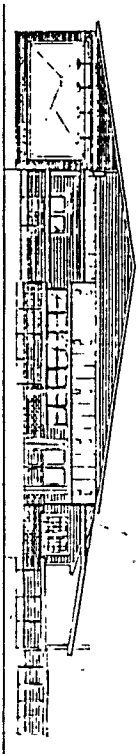
2 NORTH EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



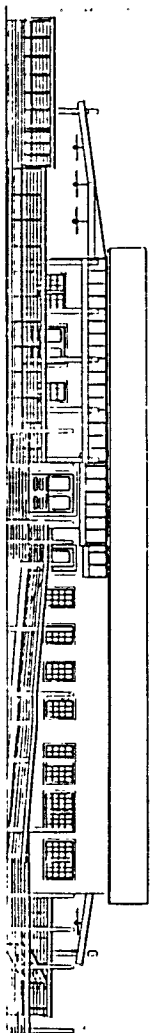
3 WEST EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



4 EAST EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



5 SOUTH EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



6 EAST EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"

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LOUIS A. GUTIERREZ
ARCHITECT

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JOE'S CRAB SHACK

ADDISON, TEXAS

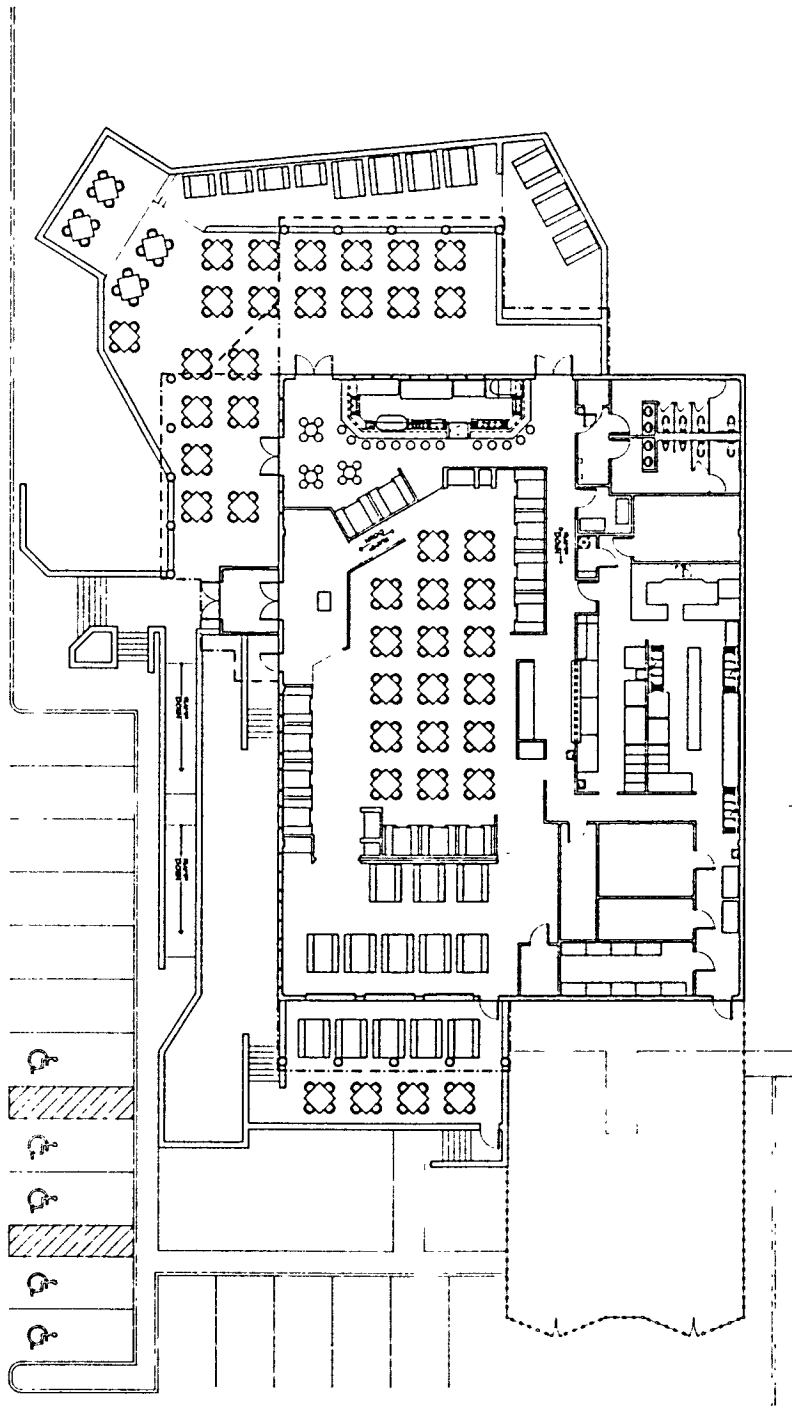
A2

ARCHITECTURE
ELEVATION

DATE: 04/11/04

BY: LAG

CHECKED BY: LAG



094-044

AI

DATE: 08-15-84
 DRAWN BY: JAG
 CHECKED BY: JAG
 PROJECT: JOE'S CRAB SHACK

REVISIONS
 NO. DESCRIPTION

JOE'S CRAB SHACK
 ADDISON, TEXAS

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