

**ORDINANCE NO. 096-043**

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 TRULUCK'S STEAK AND STONE CRAB, LOCATED AT 5001 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:

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 Truluck's Steak and Stone Crab. Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

THAT 2M Companies, Inc. Is the owner of the following tract of land:

BEING a 71 foot wide tract and also being a portion of Block 3, Quorum North, an addition to the Town of Addison as shown on the map recorded in Volume 80005, Page 1768, map records of Dallas County, Texas. Said tract is more particularly described as follows:

Thence S 89 degrees 55 minutes 18 seconds West with the northerly line of said Addison School Addition, 490.51 feet to a 5/8" iron rod with cap set in the east line of Quorum Drive (a 70' wide right-of-way) as taken by right-of-way dedication recorded in Volume 82019, Page 3352, said map records;

Thence N 00 degrees 17 minutes 40 seconds West with the east line of Quorum Drive, 71.00 feet to a 5/8" iron pin with cap set;

Thence N 89 degrees 55 minutes 18 seconds East, 490.15 feet to a 5/8" iron rod with cap, set on a westerly line of Tract 1, Block 3, Spectrum Center/Quorum North, an addition to the Town of Addison as shown on the map recorded in Volume 84062, Page 5890, said map records;

Thence S 00 degrees 34 minutes 57 seconds East, with a westerly line of Tract 1, Block 3, Spectrum Center/Quorum North, 71.00 feet to the point of beginning and containing 0.799 of an acre or 34,814 square feet.

And does hereby adopt this plat designating the hereinabove property as Meyerson 1 Addition, Tract 2, an addition to the Town of Addison.

That Communities Foundation of Texas, Inc. Is the owner of the following tract of land:

Being a tract of land situated in the G.W. Fisher Survey, Abstract No. 482, Dallas County, Texas, and being that tract of land described in a deed to Communities Foundation of Texas, Inc. As recorded in Volume 8625, Page 5380, deed records, Dallas County, Texas, and being more particularly described as follows:

Beginning at an "X" with nail in concrete found at the most southerly southwest corner of the Addison School Addition, an addition to the Town of Addison ash shown on the map recorded in Volume 80010, Page 718, map records, Dallas County, Texas, and being on the north line of Belt Line Road (a 100' right-of-way);

Thence N 89 degrees 56 minutes 40 seconds West, with the north line of said Belt Line Road, 135.02 feet to an "X" in concrete, set, on an east line of Quorum Drive (a variable width right-of-way) as taken by right-of-way dedication recorded in Volume 82117, page 1660, said map records;

Thence N 26 degrees 47 minutes 21 seconds West, with said ease line of Quorum Drive, 22.37 feet to a ½" iron, found;

Thence N 00 degrees 17 minutes 40 seconds West, continuing with an east line of said Quorum Drive, 180.12 feet to a 5/8" iron with cap set, at the most westerly southwest corner of aforementioned Addison School Addition;

Thence S 89 degrees 53 minutes 19 seconds East, with a south line of said Addison School Addition, 199.94 feet to the point of beginning and containing 0.664 of an acre, or 28,908 square feet of land, more or less.

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, irrigation 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 6,386 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 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 canceled 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" "Tavern" or any equivalent terms in any exterior signage.
12. All dead and missing plant material on the site shall be replaced prior to the issuance of a Certificate of Occupancy.

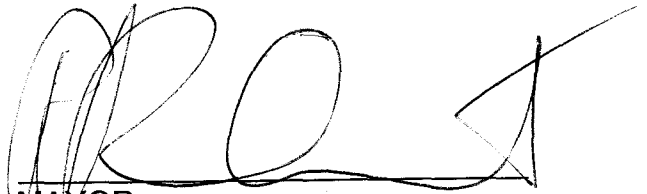
13. Any mechanical equipment on the building shall be screened with a material that is "architecturally compatible" to the building, and the determination of "architecturally compatible" shall be made by the Building Official.
14. The building shall meet all requirements of the 1991 Uniform Building Code with regard to roof-line projections and fire walls.
15. The kitchen facilities shall comply with the current requirements of the Addison Food Service Ordinance.

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 10th day of September, 1996.



MAYOR

ATTEST:



CITY SECRETARY

CASE NO. 1271-SUP

APPROVED AS TO FORM:

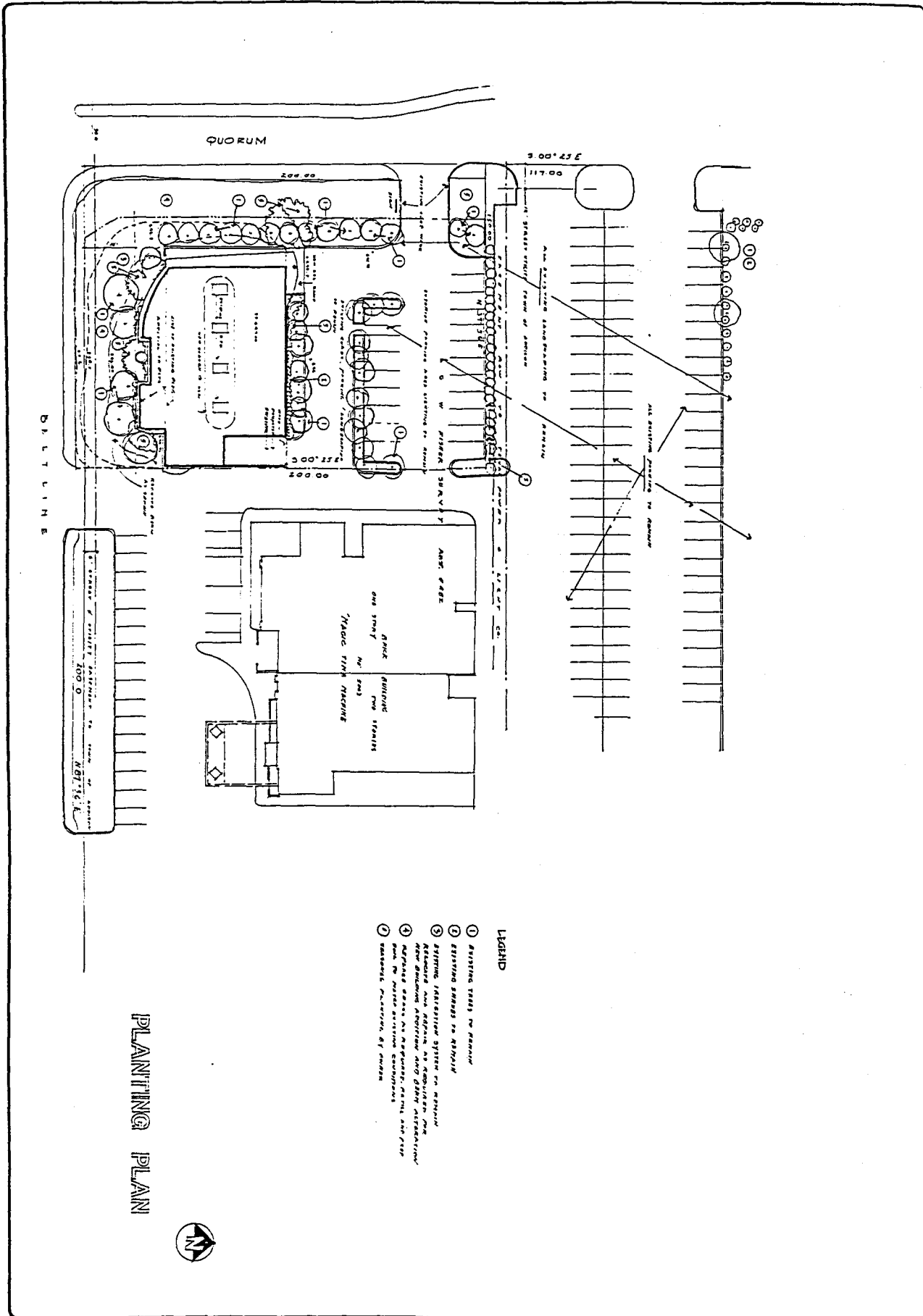


DIRECTOR OF DEVELOPMENT SERVICES

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2/13/97  
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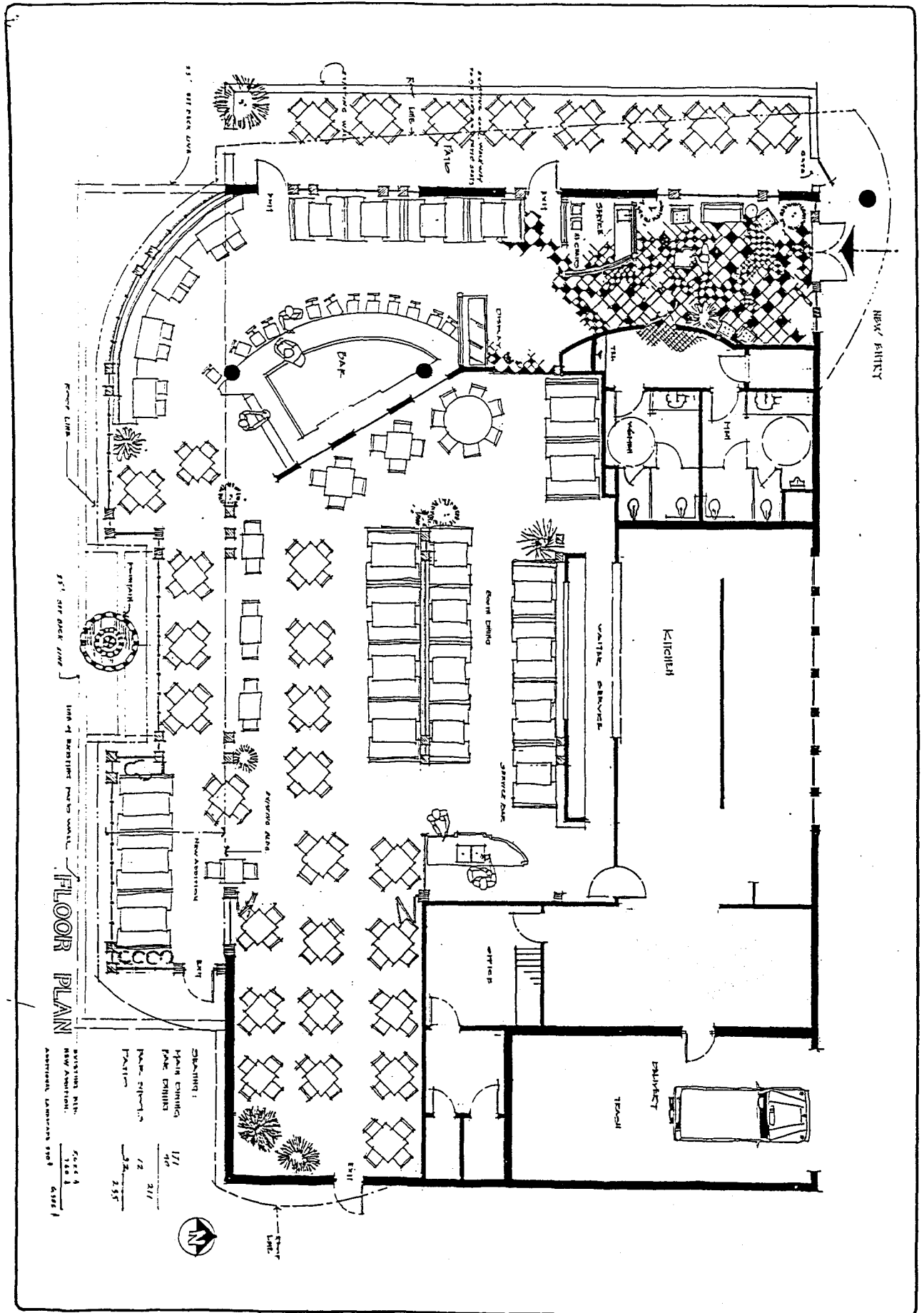
PLANTING PLAN

- LEGEND**
- ① Existing trees to remain
  - ② Existing shrubs to remain
  - ③ Existing landscape system to remain
  - ④ New landscape system to remain
  - ⑤ New landscape system to be removed



A2		<b>TRULUCK'S</b>			<b>CALDWELL ASSOCIATES</b> INTERIOR ARCHITECTURE SPACE PLANNING 123001 27060 DALLAS TEXAS 75228 214 / 940-1787		
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FLOOR PLAN

EXISTING WITH NEW ADDITION APPROXIMATE LAYOUT 500'

SHEDDING	171
SPIN CHINA	76
PAK CHINA	211
PAK SKELETON	72
PARTIAL	235
EXISTING WITH NEW ADDITION APPROXIMATE LAYOUT 500'	5254
	120
	6195

7/27/16 2016	TRULUCKS DALLAS, TEXAS	CALDWELL ASSOCIATES INTERIOR ARCHITECTURE SPACE PLANNING PALACE 222446 DALLAS, TEXAS 75225 214 / 646-1707	REGISTERED ARCHITECT STATE OF TEXAS	REGISTERED PROFESSIONAL ENGINEER STATE OF TEXAS

