

ORDINANCE NO. 002-021

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, AND A SPECIAL USE PERMIT FOR A BREWPUB, ON APPLICATION FROM BJ'S RESTAURANT AND BREWHOUSE, LOCATED AT 4803 BELT LINE ROAD, AND BEING 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 and a special use permit for a brewpub to BJ's Restaurant. Said special use permits shall be granted subject to the special conditions on the following described property, to-wit:

BEING Lot 2, Block A, a tract of 1.959 acres in the Beltway-Centre Addition and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found in the easterly right-of-way of Addison Road (a variable width right-of-way) and the northwesterly corner of a tract of land described in a deed to Mark A. Albert as recorded in Volume 97002, Page 3045 (DRDCT), said point being located N. 00°17'00" E, a distance of 180.02 feet from the northerly corner of a corner clip at the intersection of the easterly right-of-way line of said Addison Road and the northerly right-of-way line of Belt Line Road (100' right of way);

THENCE along the easterly right-of-way line of said Addison Road, N 00°17'00" E, a distance of 307.98 feet to a 5/8 inch iron rod set for corner;

THENCE departing the easterly right-of-way line of said Addison Road, S 89°43'00" E, a distance of 283.50 feet to a 5/8 inch iron rod set for corner;

THENCE N 00°17'00" E, a distance of 238.51 feet to a 5/8 inch rod set for corner;

THENCE S 89°43'00" E, a distance of 354.91 feet to a 5/8 inch rod set for corner;

THENCE N00°17'00" E, a distance of 31.20 feet to a 5/8 inch iron rod found for corner;

THENCE S 89°57'28" E, a distance of 52.76 feet to a 5/8 inch rod found for corner;

THENCE S 00°15'05" E, a distance of 175.00 feet to a 5/8 inch iron rod set for corner;

THENCE S 89°57'28" E, a distance of 9.91 feet to an "X" cut set for corner;

THENCE S 00°15'05" E, a distance of 137.67 feet to a 5/8 inch iron rod set for corner;

THENCE N 89°57'28" W, a distance of 30.00 feet to a 5/8 inch iron rod found

for corner;

THENCE S 00°15'05" E, a distance of 105.00 feet to an "X" cut found for corner;

THENCE N 89°57'28" W, a distance of 30.83 feet to a 5/8 inch iron rod found for corner;

THENCE S 00°14'01" E, a distance of 357.33 feet to a 5/8 inch iron found for corner in the northerly right-of-way line of aforementioned Belt Line Road;

THENCE along the northerly right-of-way line of said Belt Line Road, N 89°57'28" W, a distance of 446.54 feet to a 3/4 inch iron rod found at the southeasterly corner of aforementioned Mark A. Albert Tract;

THENCE departing the northerly right-of-way line of said Belt Line Road, N 00°02'30" E, a distance of 200.00 feet to a 5/8 inch iron rod set for corner;

THENCE N 89°57'30" W, a distance of 200.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 9.016 acres or 392,740 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 only and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 10,204 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. No terms such as "bar", "tavern" or any terms or graphic depictions that relate to the sale of alcoholic beverages shall be used in exterior signs.
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.

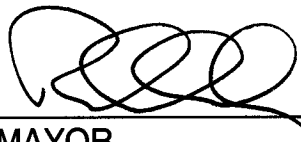
5. Said establishment shall make available to the city or its agents, during Reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of Paragraph 4 are being met.
6. Any use of property considered as a nonconforming use under the Comprehensive Zoning 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 purposed 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. Detailed landscaping, irrigation, and civil drawings must be submitted at time of building permit.
10. Construction of the building shall meet all applicable construction, energy, and food service codes.
11. All mechanical equipment on the building or on the ground must be screened from view.
12. The term "brewhouse" shall be allowed in exterior signs, but other terms, such as "bar" or "tavern", which relates to the sale of alcohol, shall not be allowed on 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.

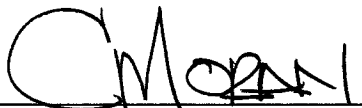
SECTION 5. That all Ordinances of the City in conflict with the provisions of this Ordinance be, and the same are hereby repealed. All other Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,
on this the 11th day of June 2002.



MAYOR

ATTEST:



CITY SECRETARY

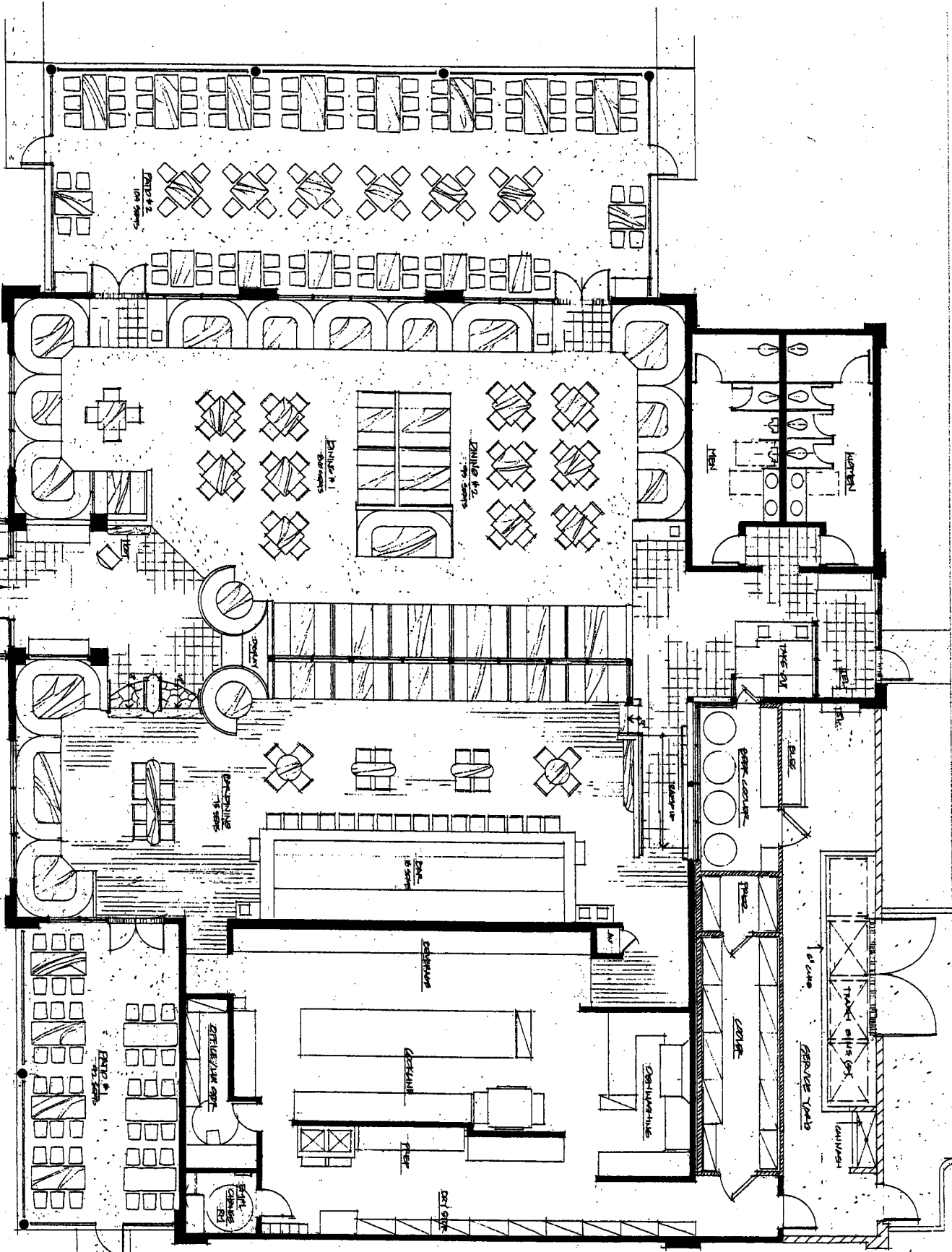
CASE NO. 1411-SUP

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

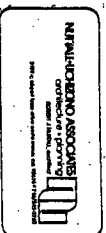
PUBLISHED ON: _____

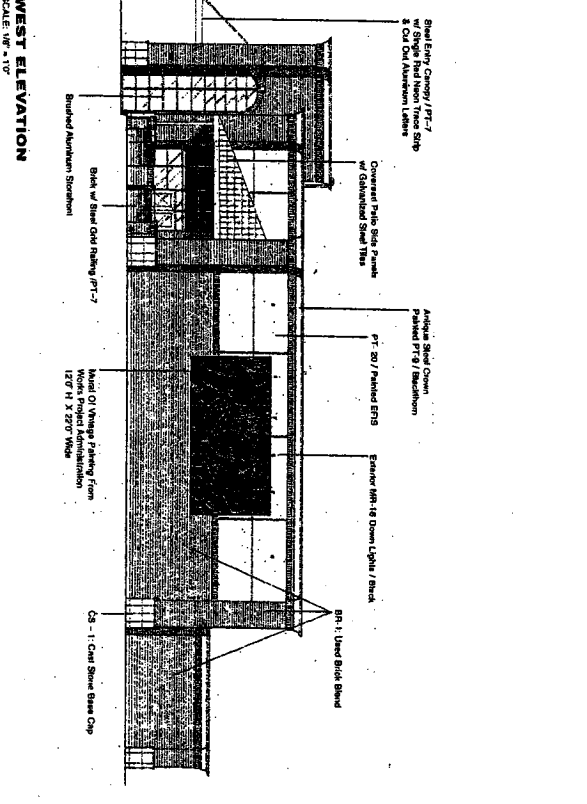
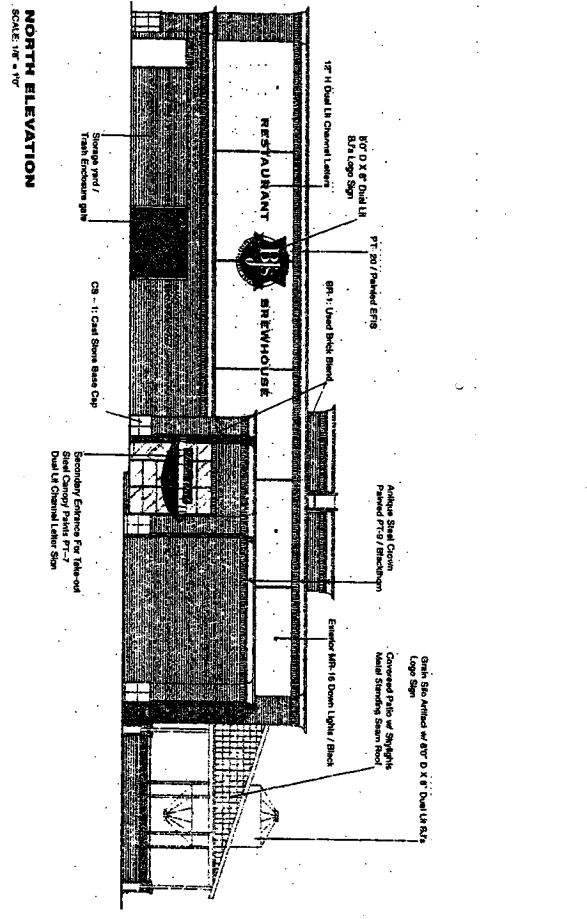
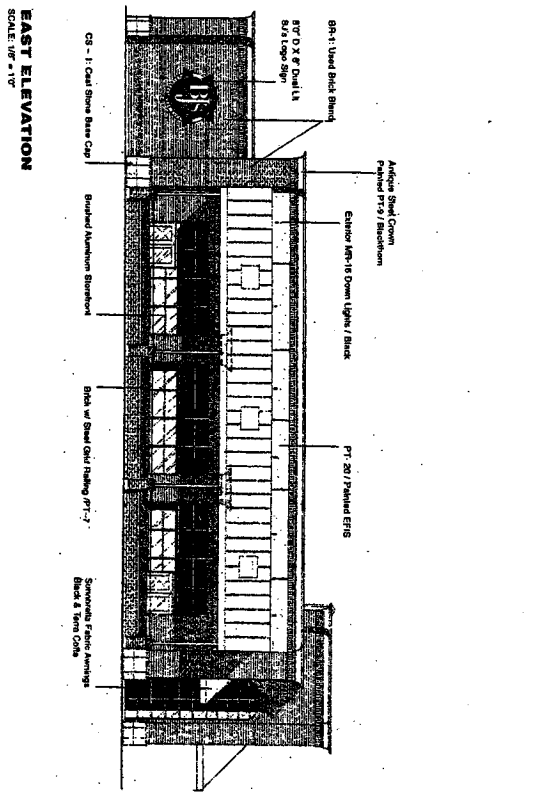
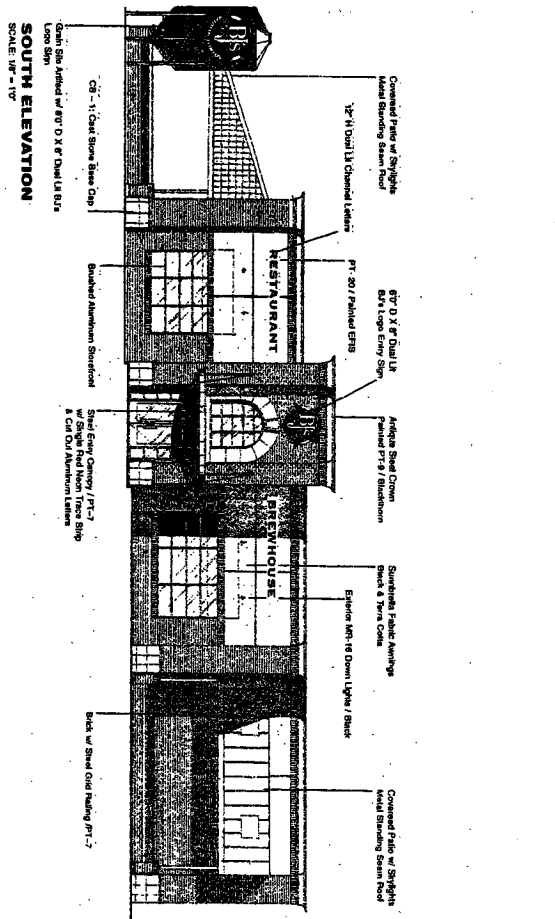


BUILDING DATA
 PROJECT NO. 10-2004/10
 DATE: 10/20/04
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO. 10-2004/10
 DATE: 10/20/04
 DRAWN BY: [Name]
 CHECKED BY: [Name]



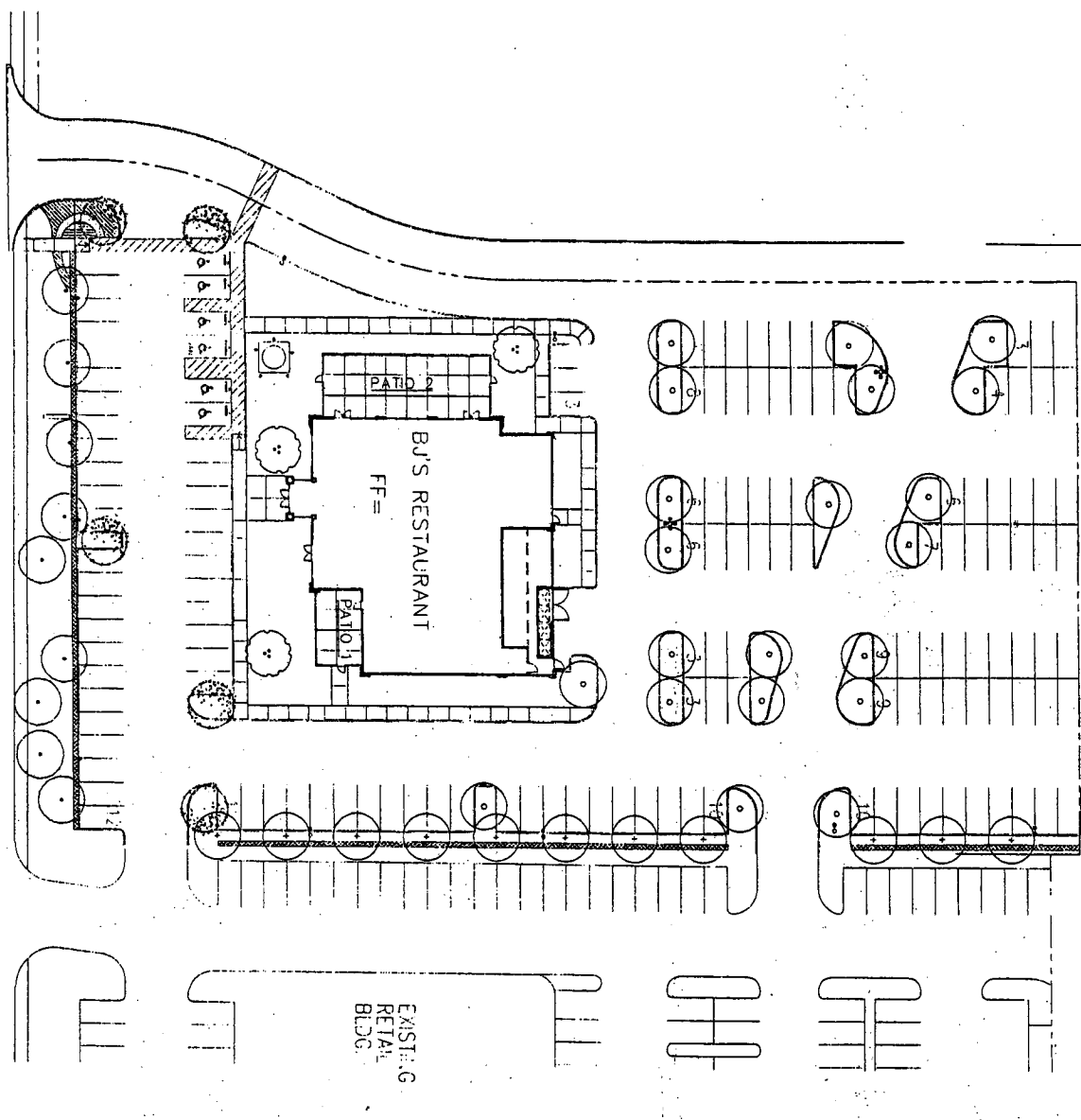
Address, TEXAS





BJ'S RESTAURANT & BREWHOUSE,
ADDISON, TEXAS / BELT LINE ROAD & ADDISON

ENTIRE ELEVATIONS	SCALE: 1/8" = 1'-0"
DATE: 02/27/20	PROJECT: B.J.'S RESTAURANT & BREWHOUSE
ARCHITECT: BURNS & MCDONNELL ARCHITECTS, P.C.	CLIENT: B.J.'S RESTAURANT & BREWHOUSE
PROJECT ADDRESS: 12011 S. 275 TH ROAD, ADDISON, TX 75001	PROJECT NO.: 19-00000000



LANDSCAPE TABULATIONS

Plant quantities shown are for the landscape plan only. Final quantities to be determined by the landscape architect.

PLANT LEGEND

- Circle with dot: Cedar Elm, 6" dia.
- Circle with cross: Live Oak, 6" dia.
- Circle with horizontal lines: Andromeda
- Circle with vertical lines: Compact Broom Holly, 1.5 gal.
- Circle with diagonal lines: Autumn Leaf
- Circle with wavy lines: Opuntia, 6" dia.
- Circle with horizontal lines: Standard Cedar, 6" dia.
- Circle with vertical lines: Live Systematic Broomholms

LANDSCAPE NOTES

1. All plantings shall be installed in accordance with the landscape plan and specifications.
2. All plantings shall be installed in accordance with the landscape plan and specifications.
3. All plantings shall be installed in accordance with the landscape plan and specifications.
4. All plantings shall be installed in accordance with the landscape plan and specifications.
5. All plantings shall be installed in accordance with the landscape plan and specifications.
6. All plantings shall be installed in accordance with the landscape plan and specifications.
7. All plantings shall be installed in accordance with the landscape plan and specifications.

MAINTENANCE NOTES

1. All plantings shall be installed in accordance with the landscape plan and specifications.
2. All plantings shall be installed in accordance with the landscape plan and specifications.
3. All plantings shall be installed in accordance with the landscape plan and specifications.
4. All plantings shall be installed in accordance with the landscape plan and specifications.
5. All plantings shall be installed in accordance with the landscape plan and specifications.
6. All plantings shall be installed in accordance with the landscape plan and specifications.
7. All plantings shall be installed in accordance with the landscape plan and specifications.



Concept Landscape Plan
B.J.'s RESTAURANT
TOWN OF ADDISON, TEXAS

BRACKETT, DAVIS, BRADY & ASSOCIATES, INC.
 CONSULTING ENGINEERS
 4144 North Central Expressway, Suite 1100, Dallas, Texas 75204
 (214) 241-3417, Fax (214) 241-1944

DATE: 5/26/2003
 SCALE: AS SHOWN
 SHEET: 1 OF 2