

ORDINANCE NO. 2145

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON 1.48 ACRES OUT OF THE JOHN H. HAVENS SURVEY, ABSTRACT NO 685, TRACTS 2A4 AND 3, 2601 S.H. 121 FOR EATING ESTABLISHMENT WITH ANCILLARY DEDICATED CURBSIDE PICKUP; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on December 6, 2016, in conjunction with Specific Use Permit Case No. 16-17- SUP, and has rendered a recommendation to the City Council with respect to this case;

WHEREAS, City Council has conducted a public hearing on December 13, 2016 has considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless and that any foreseeable negative impacts of the proposed use have been mitigated through design restrictions or other set conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS:

SECTION 1.

ALLOWED USES. That Eating Establishment with ancillary dedicated curbside pickup use as specifically described on Exhibit "A" and Specific Use Permit Form (attached hereto and made a part hereof) shall be permitted on 1.48 acres out of the John H. Havens Survey, Abstract No 685, tracts 2A4 and 3, 2601 S.H. 121.

SECTION 2.

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council of the City of Euless that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase.

SECTION 3.

PENALTY FOR VIOLATION. Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions,"

Section 1-12, "General Penalty," Eules Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 4.

PUBLICATION. The caption, penalty clause, and effective date clause of this ordinance shall be published in a newspaper of general circulation in the City of Eules, in compliance with the provisions of Article II, Section 12, of the Eules City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

SECTION 5.

EFFECTIVE DATE This ordinance shall be in full force and effect from and after its passage, as provided by the Eules City Charter and the laws of the State of Texas.

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Eules City Council on December 13, 2016, by a vote of ____ayes, ____nays, and ____abstentions.

APPROVED:

Linda Martin, Mayor

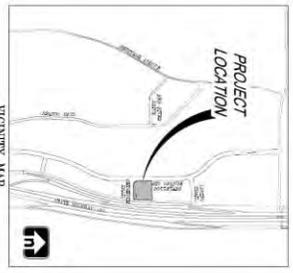
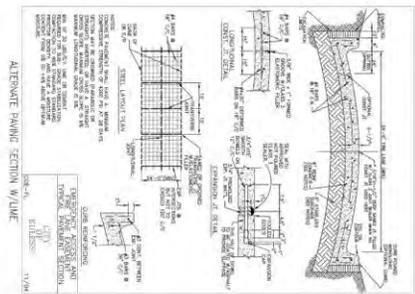
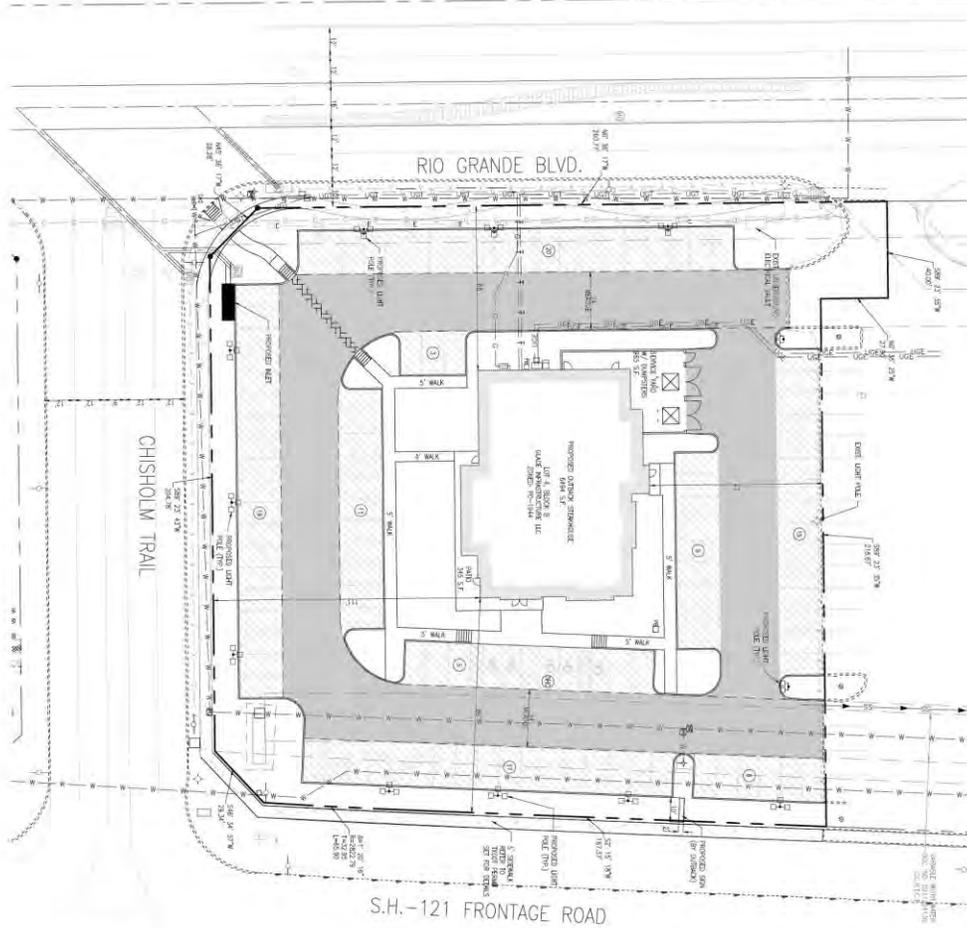
ATTEST:

Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

Wayne Olson, City Attorney

EXHIBIT A



BLOCK SUMMARY		TOTAL AREAS	
LOT NUMBER	AREA	LOT 4, BLOCK B	PROPOSED
DESCRIPTION	AREA	60,000 SQ. FT.	60,000 SQ. FT.
PERMITTED HEIGHT	AREA	20.00 FT. MAX.	20.00 FT. MAX.
SETBACKS	AREA	FRONT: 20 FT. MIN.	FRONT: 20 FT. MIN.
REAR: 10 FT. MIN.	AREA	REAR: 10 FT. MIN.	REAR: 10 FT. MIN.
SIDE: 5 FT. MIN.	AREA	SIDE: 5 FT. MIN.	SIDE: 5 FT. MIN.
STREET SETBACKS	AREA	STREET SETBACKS	STREET SETBACKS

PERMITTED HEIGHTS		MAXIMUM HEIGHTS	
PROPOSED USE	MAXIMUM HEIGHT	PROPOSED USE	MAXIMUM HEIGHT
RESTAURANT	20.00 FT.	RESTAURANT	20.00 FT.
STANDARD OUTBACK STEAKHOUSE	20.00 FT.	STANDARD OUTBACK STEAKHOUSE	20.00 FT.
MAXIMUM HEIGHT	20.00 FT.	MAXIMUM HEIGHT	20.00 FT.
MINIMUM HEIGHT	10.00 FT.	MINIMUM HEIGHT	10.00 FT.

THIS PLAN IS A PRELIMINARY DESIGN. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.



GRAPHIC SCALE
1" = 20'
0' 20' 40'

OUTBACK STEAKHOUSE SITE PLAN

SITE PLAN LAYOUT

LOT 4, BLOCK B, GRADE INFRASTRUCTURE, LLC
CITY OF ELLERS, TARRANT COUNTY, TEXAS

CONSTRUCTION PERMITS
APPROVED FOR CONSTRUCTION

PROJECT NO. 23048
SHEET 1 OF 1
SP1.01

NOTES:
1. ACCORDING TO THE FIELD PERFORMANCE, THE MANAGER/AGENT OF THE HANDING SECURITY ORDER, IN ORDER TO PREVENT THE ORDER OF THE DUE ANNUAL CHANGE OF FLOOR RISES SETBACKS TO 20' FOR FRONT SETBACKS AND INCORPORATED AREAS.

- LEGEND**
- PROPERTY LINE
 - EXISTENT
 - PARKING GARAGE
 - PROPOSED FINE LAKE
 - 6" CONC. 4000 PSI, NO LINE
 - 5" CONC. 5000 PSI, NO LINE
 - PROPOSED SIDEWALK
 - 4" CONC. 5000 PSI, NO LINE
 - STAINED CONCRETE
 - MATERIAL AND DIMENSIONS
 - AS SHOWN
 - UTILITY EXISTENT