



**FARMERS  
BRANCH**

"BEST LIVING PLACE"

1  
*Red Lobster*

ORDINANCE NO. 1534

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, BY GRANTING A SPECIFIC USE PERMIT FOR A PRIVATE CLUB IN THE PD-16 (LR-2) ZONING DISTRICT AND LOCATED WITHIN THE BUILDING LOCATED AT 2833 L.B.J. FREEWAY; PROVIDING FOR CONDITIONS OF OPERATION, PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EMERGENCY.

Whereas, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to granting of a specific use permit under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning uses should be made;

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the Zoning Map of the City of Farmers Branch so as to grant a specific use permit for a private club permitting the sale of alcoholic beverages, in the PD-16 (LR-2) zoning district.

SECTION 2. That the private club shall be located within the property designated as Lot 2, Block 1 of the Home Subdivision.

SECTION 3. That the private club shall be operated in accordance with the following provisions:

- a. No open service bar shall be permitted. All service shall be from a blind service area, out of the customer's sight. Alcoholic beverages, including beer and wine, shall not be served to customers from said service bar.
- b. Sales shall conform to a minimum of 60% food sales and a maximum of (40%) alcohol sales with verified reports of the sales being submitted to the City Secretary monthly, no later than the 10th day of each month, and annually no later than January 10th.
- c. No outside advertising, including signs, newspaper, other advertisements shall be permitted relative to the private club.
- d. No alcoholic beverages shall be sold after 10:00 p.m. on Sundays through Thursdays and 11:00 p.m. on Fridays and Saturdays.
- e. A site plan indicating the private club operations and use arrangement shall be submitted to and approved by the Planning and Zoning Commission and the City Council prior to any sale of alcoholic beverages within the restaurant. The site plan shall include the entire property including the inside and outside of the restaurant. The site plan shall include the placement of the service bars, kitchen, table and chair arrangement, and other equipment and furnishings necessary to determine the arrangement, methods, uses and operations within the restaurant and private club.
- f. The arrangement of tables, equipment, furnishings, operations, method of operation, kitchen, service bar, or uses shown on the approved site plan shall not be changed, revised or altered without City Council approval or with a revised site plan. Should the requirements established by the approved site plan be violated or altered either inside or outside of the restaurant, the specific use permit shall become invalid and terminated and the private club operation shall cease. The city shall notify the owner of the land or operator of the restaurant in writing of any such violation and the owner or operator shall have 15 days from delivery of same written notice to rectify same.
- g. There shall be no activities normally associated with "Happy Hour" conducted on the property. Those activities shall include, two drinks for the price of one, larger sizes than normally sold for the same price, free drinks for either sex, or any other similar activities.
- h. The property owners have voluntarily agreed to deed restrict the property through written and recorded deed restrictions so that in the event that the present operator or owner of Red Lobster Restaurant ceases using the property