

CITY OF ROCKWALL

ORDINANCE NO. 04-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A PRIVATE CLUB AS AN ACCESSORY TO A RESTAURANT TO BE LOCATED AT 1599 LAGUNA DR, ALSO KNOWN AS LOT 3R, BLOCK C, LA JOLLA POINTE PHASE 1 ADDITION, AND FURTHER DESCRIBED HEREIN; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED ON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 83-23) of the City of Rockwall, as previously amended so as to grant a Conditional Use Permit for a private club as an accessory to a restaurant requested by Michael Allen for the Carrabba's Italian Grill Restaurant facility located at 1599 Laguna Drive on Lot 3R, Block C, La Jolla Pointe Phase 1 Addition, and further described herein as Exhibit 'A.'

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

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

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for a private club as an accessory to a restaurant requested by Michael Allen for the Carrabba's Italian Grill Restaurant facility located at 1599 Laguna Drive on Lot 3R, Block C, La Jolla Pointe Phase 1 Addition, and further described herein as Exhibit 'A.'

Section 2. That the tract described above shall be used only in the manner and for the purpose provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this Conditional Use Permit and as may be amended in the future and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. That development on Lot 3R, Block C, La Jolla Pointe Phase 1 Addition, located at 1599 Laguna Drive, City and County of Rockwall, Texas shall meet the following special conditions:

1. The private club shall meet all conditions for the issuance of private club permits set by the Rockwall City Council in Ordinance No. 85-2, Ord. No. 87-36, Ord. No. 88-8, Ord. No. 88-57 and any future regulatory ordinance adopted by the City, including but not limited to:
 - a. There shall be no exterior entrance to the bar area except emergency fire exits if required.
 - b. There shall be no exterior signs advertising the sale of alcoholic beverages.
 - c. Drinks shall not be offered for sale at a price reduced from their customary prices during a specified period of time for promotional purposes (i.e. Happy Hour), whether it be reducing the price of a drink, offering 2 drinks for the price of one or selling more than the customary and usual quantity per drink at the same price.
 - d. Revenues from the sale of alcoholic beverages shall not exceed 40% of the gross revenues derived from the sale of food and beverages.
 - e. No gaming devices, such as billiard tables, pinball machines, and other coin operated game machines shall be permitted inside the private club.
2. That the private club adhere to the site plan and floor plan attached to the ordinance as "Exhibit A."

Section 4. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.


Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would

have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

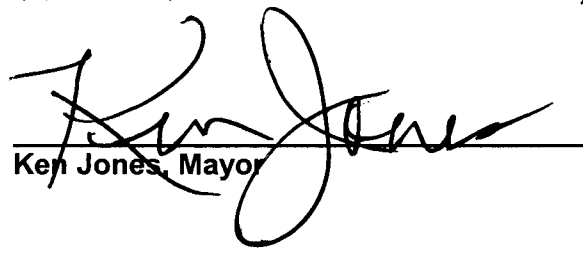
Section 6. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 1st day of March, 2004.

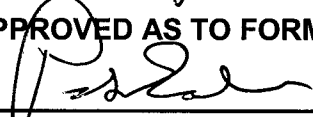
ATTEST:



Dorothy Brooks, City Secretary



Ken Jones, Mayor

APPROVED AS TO FORM:


Pete Eckert, City Attorney

1st Reading: 02-16-04

2nd Reading: 03-01-04

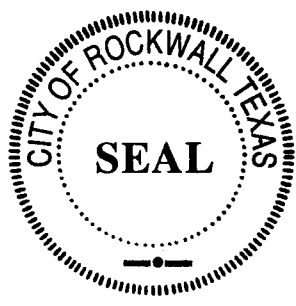
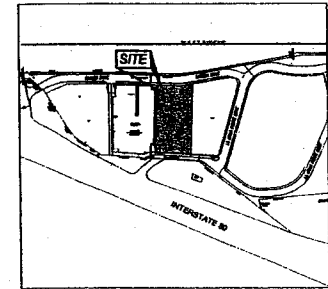
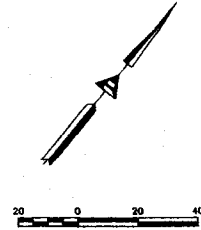
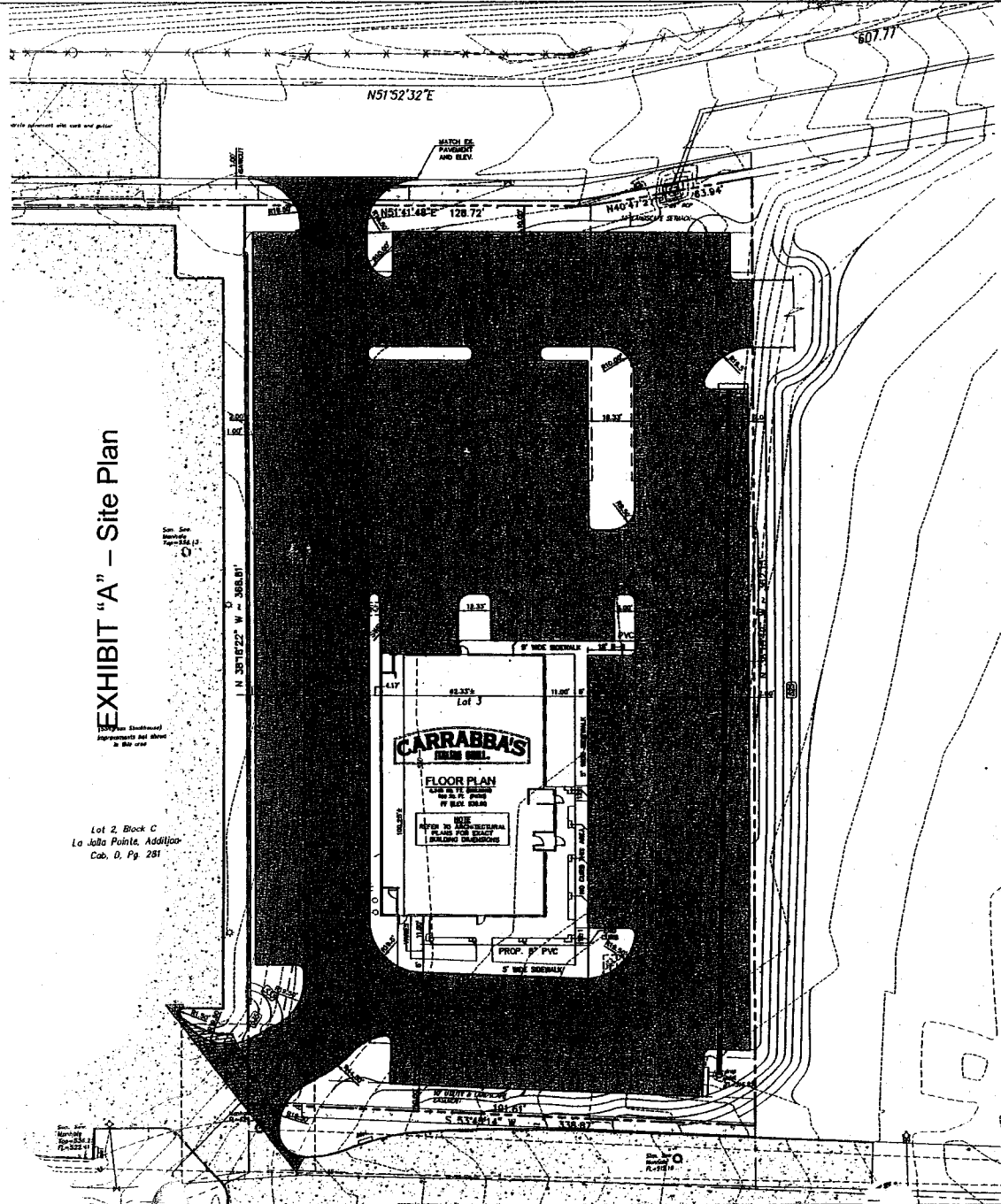


EXHIBIT "A" - Site Plan

Lot 2, Block C
La Jolla Pointe, Addition
Cob. D, Pg. 281



VICINITY MAP
N.T.S.

PAVING LEGEND

	8" DEPTH 3000 PSI CONCRETE OVER 4" SCARIFIED SUBGRADE OR AS REQUIRED BY GEOTECHNICAL REPORT.
	8" DEPTH 3000 PSI CONCRETE OVER 8" SCARIFIED SUBGRADE OR AS REQUIRED BY GEOTECHNICAL REPORT.
	PAVEMENT TO BE REMOVED

- NOTES:**
1. ALL RADII ARE 2.50' UNLESS NOTED OTHERWISE.
 2. ALL DIMENSIONS ARE TO THE BACK OF CURB.
 3. REFER TO LANDSCAPE PLANS FOR TABLE WITH CALCULATIONS OF LANDSCAPED AREA PROVIDED.

SITE DATA SUMMARY TABLE

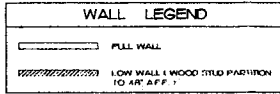
EXISTING ZONING:		
C (COMMERCIAL)		
PROPOSED USE:		
RESTAURANT	8,840 S.F.	
BUILDING DATA		
BUILDING AREA	6,340 S.F.	
MAXIMUM BUILDING HEIGHT	20'	
PARKING SUMMARY:		
RESTAURANT PARKING (1SP/100 S.F.)	118	63
HANDICAP PARKING	4	2
TOTAL PARKING	122	65
LOT COVERAGE DATA:		
BUILDING FOOTPRINT	6,340 S.F.	
LOT AREA	69,735.02 S.F.	
PROPOSED LOT COVERAGE	19.2%	

S2003-017

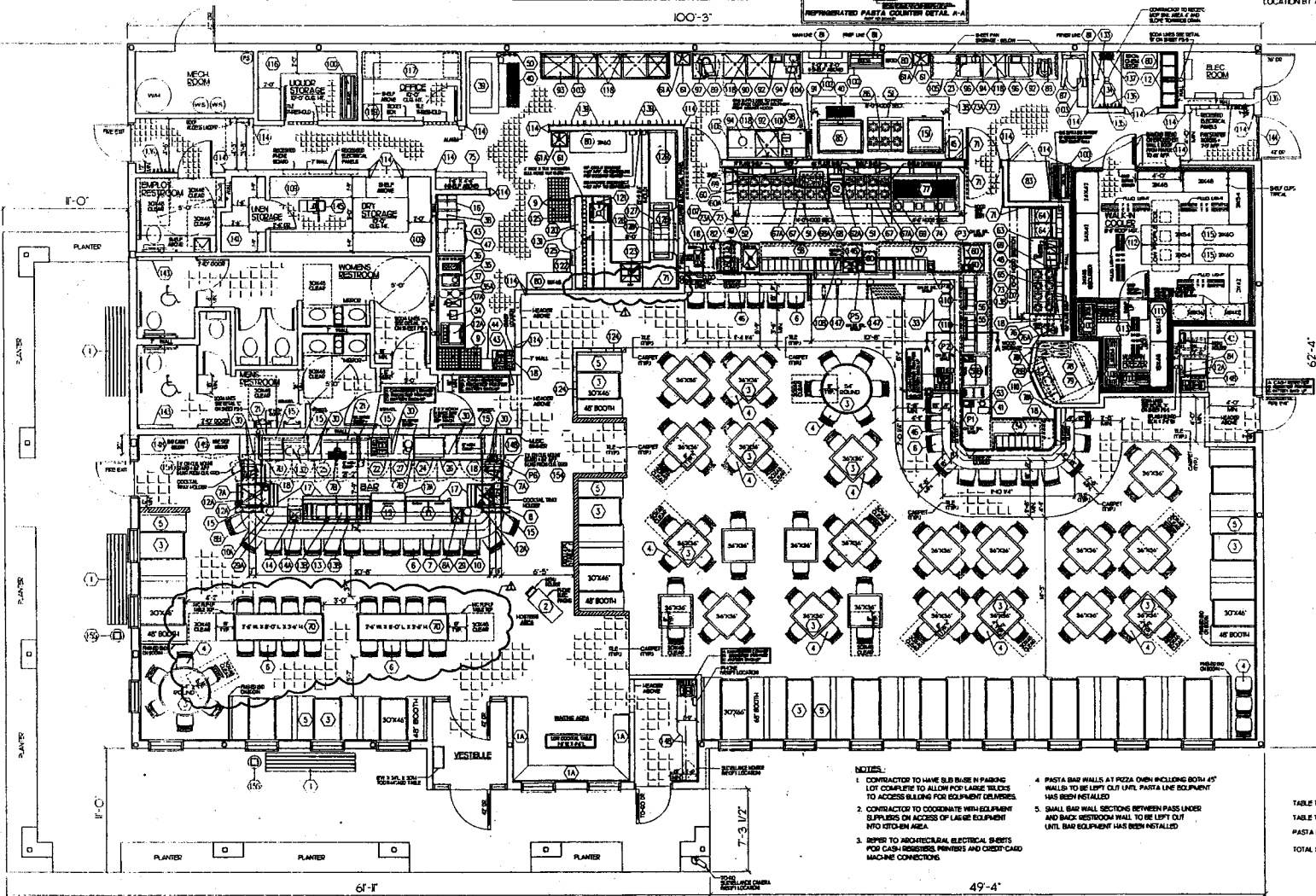
								Allen & Riding Consulting, Inc. 140 N. 17th Street, Suite 1000 Lawrence, Kansas 66044 Tel. No. (785) 333-1000 Fax No. (785) 333-1001	
								STATE OF TEXAS MICHAEL S. ALLEN P.E. No. 10245 EXPIRES 08/31/2004	
								CARRABBA'S DINING HALL 1000 S. PALM BLVD., SUITE 100 DALLAS, TEXAS 75210	
SITE PLAN Carrabba's Private Club								PROJECT NO. 031-001 SHEET 1 OF 1	

3 of 4

EXHIBIT "A" - Floorplan



CONDENSER PACE LOCATION BY ARCH.



- NOTES:
- CONTRACTOR TO HAVE SLE BASE IN PARKING LOT COMPLETE TO ALLOW FOR LARGE YELCOS TO ACCESS BUILDING FOR EQUIPMENT DELIVERIES.
 - CONTRACTOR TO COORDINATE WITH EQUIPMENT SUPPLIERS ON ACCESS OF LARGE EQUIPMENT INTO KITCHEN AREA.
 - REFER TO ARCHITECTURAL ELECTRICAL SHEETS FOR CASH REGISTERS, PRINTERS AND CREDIT-CARD MACHINE CONNECTIONS.
 - PASTA BAR WALLS AT PIZZA OVEN INCLUDING BOTH 48" WALLS TO BE LEFT OUT UNTIL PASTA LINE EQUIPMENT HAS BEEN INSTALLED.
 - SMALL BAR WALL SECTIONS BETWEEN PASTA LINE AND BACK RESTROOM WALL TO BE LEFT OUT UNTIL BAR EQUIPMENT HAS BEEN INSTALLED.

TABLE TOPS (DINING)	37
TABLE TOPS (BAR)	16
PASTA BAR SEATING	8
TOTAL SEATING	253

FLOOR PLAN
 6,340 SQ. FT. (BUILDING)
 1,097 SQ. FT. (PATIO)
 JAN 12 2004

2004-003 FILE COPY

NO.	DATE
1	11-11-03

ROCKWALL, TX.
 2003C PROTOTYPE 3R

CARRABBA'S
 ITALIAN GRILL.

DESIGN	P.F.
ORDERED	G.L.
DATE	8-27-03
SCALE	1/4" = 1'-0"
JOB NUMBER	

SHEET #
FS-1
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