



ORDINANCE NO. 3363

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR INDOOR COMMERCIAL AMUSEMENT USE FOR A 4800± SQUARE FOOT AREA OF A BUILDING LOCATED ON A PORTION OF BLOCK 3, METROPOLITAN INDUSTRY PARK, AN ADDITION TO THE CITY OF FARMERS BRANCH, TEXAS (COMMONLY KNOWN AS 4887 ALPHA ROAD, SUITE 275, FARMERS BRANCH, TEXAS), SAID PROPERTY BEING LOCATED IN A LIGHT INDUSTRIAL “LI” ZONING DISTRICT; ADOPTING DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR TERMINATION IN THE EVENT OF CESSATION OF SPECIFIC USE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

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

SECTION 1. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same are hereby amended, by granting a Specific Use Permit for Indoor Commercial Amusement Use for a 4800± square foot area of a building located on a portion of Block 3, Metropolitan Industry Park, an Addition to the City of Farmers Branch, Texas (commonly known as 4887 Alpha Road, Suite 275, Farmers Branch, Texas) generally depicted on Exhibit “A”, attached hereto and incorporated herein by reference (“the Property”), which is located in a Light Industrial “LI” Zoning District.

SECTION 2. If the Property is used and developed for an Indoor Commercial Amusement Use as authorized by Section 1 of this Ordinance, such use shall be subject to the following special conditions:

A. The use of the Property shall be limited solely to an “escape game” business concept and

no other use which may otherwise be defined as an "indoor commercial amusement" use.

- B. Hours of operation shall not exceed the following:
1. No earlier than 10:00 a.m. and no later than 8:30 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays;
 2. No earlier than 10:00 a.m. and no later than Midnight on Fridays and Saturdays; and
 3. No earlier than 10:00 a.m. and no later than 9:00 p.m. on Sundays.
- C. The facility shall allow no more than 71 customers playing on premises at the same time.
- D. The finished floor plan shall be substantially as shown on Exhibit "B," attached hereto and incorporated herein by reference; provided, however, the Director of Community Services or designee shall have authority to allow changes in the floor plan provided the capacity of the number of customers playing at a single time shall not exceed 71.
- E. All activities related to the Indoor Commercial Amusement use shall be limited to the interior of the Property.

SECTION 3. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. 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 of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This Ordinance and the right to use the Property for an Indoor Commercial Amusement use pursuant to Section 1 of this Ordinance shall terminate if:

- A. Such use does not commence on or before the first anniversary of the effective date of this Ordinance; or
- B. If after commencement of the use of the Property for the Indoor Commercial Amusement use as authorized by this Ordinance, such use ceases for a period of 180 consecutive days.

SECTION 8. This Ordinance shall take effect after the passage of this Ordinance, the publication of the caption hereof as the law and charter in such case provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 5th DAY OF APRIL, 2016.

ATTEST:



Amy Piukana, ~~Interim~~ City Secretary

APPROVED:



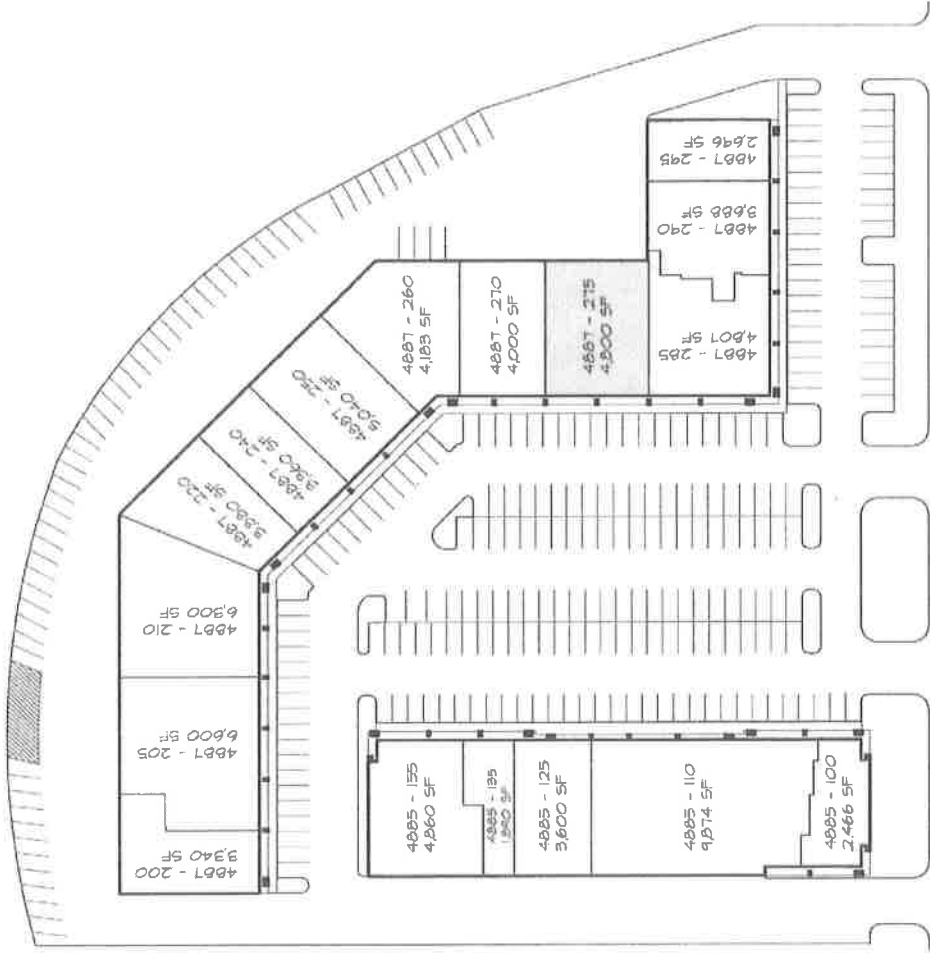
Bob Phelps, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney
(kbl:3/27/16:76156)

Ordinance No. 3633
Exhibit A - Property Location Depiction



A SITE PLAN FOR:

Alpha Plaza

FARMERS BRANCH, TX 75244
 4885 / 4887 ALPHA ROAD (75,384 SF)

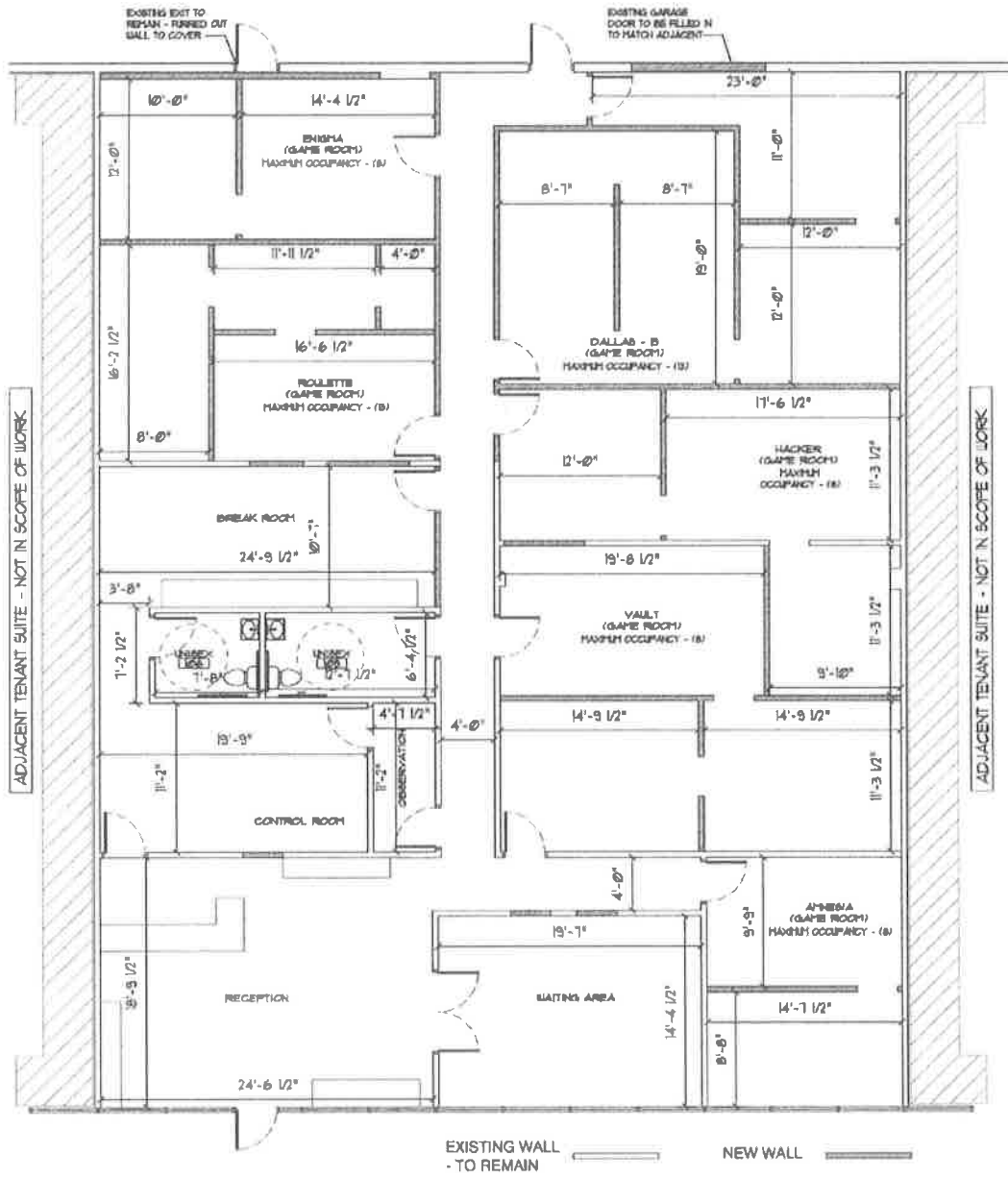
08/15/11

SCALE: NTS

Kevin P. Simon

P.O. Box 100
 Mabank, TX 75147
 903.880.6636
 kevin@kevinsimon.net

Ordinance No. 3363 Exhibit "B" - Floor Plan



NEW FLOOR PLAN

MJM
ARCHITECTS
100 Broadway Avenue
Houston, TX 77001
(p) 815.344.8170
(f) 815.344.8141
www.mjmarsh.com

ULTIMATE ESCAPE GAME — DALLAS —

4887 Alpha Road - Suite 275, Farmers Branch, Texas

RUDOLPH/WALLS

TITLE: ULTIMATE ESCAPE GAME FLOOR PLAN		
JOB NO. 16006	SCALE: N.T.S.	DATE: 1/28/16