



ORDINANCE NO. 3381

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 COMMERCIAL AMUSEMENT (INDOOR) FOR AN APPROXIMATELY 3,030 SQUARE FOOT PORTION OF THE BUILDING LOCATED ON THE PROPERTY DESCRIBED IN EXHIBIT "A" (COMMONLY KNOWN AS 4372 SPRING VALLEY ROAD) WHICH IS PRESENTLY LOCATED IN A LIGHT INDUSTRIAL ("LI") ZONING DISTRICT; PROVIDING FOR THE APPROVAL OF A SITE PLAN AND CONCEPTUAL FLOOR PLAN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; 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 is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit for Commercial Amusement (Indoor) for property within a Light Industrial ("LI") zoning district being a 3030± square foot portion of the building located on the property described in Exhibit "A" hereto, said portion being depicted on Exhibit "A-1" hereto (commonly known as 4372 Spring Valley Road, Farmers Branch, Texas)("the Property").

SECTION 2. The Property shall conform in operation, location and construction to the development standards specified within the Light Industrial ("LI") zoning district, and if used and developed in accordance with the purposes for which this Specific Use Permit is granted, the Property shall be developed in accordance with the following special conditions:

- A. The Property shall be developed and used only in accordance with the Conceptual Floor Plan attached hereto as Exhibit "B" and incorporated herein by reference, which are hereby approved; provided, however, modifications to the Floor Plan

may be made if approved by the City Manager or designee and such modifications do not cumulatively allow for a capacity exceeding fifty (50) people;

B. The hours during which Events held at the Property shall be limited as follows:

- (1) No Event shall commence earlier than 11:30 a.m. Monday through Friday, 10:00 a.m. on Saturday, and 11:30 a.m. on Sunday;
- (2) If the Event commences on any day other than Sunday, the Event must end not later than Midnight on the same day; and
- (3) If the Event commences on a Sunday, the Event must end not later than 9:00 p.m. on the same day.

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 shall take effect immediately from and after its passage and the publication of the caption, 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 2ND DAY OF AUGUST, 2016.**

ATTEST:

APPROVED:

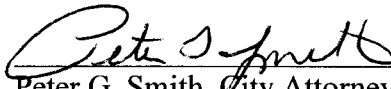


Amy Piukana, City Secretary



Bob Phelps, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney
(kbi:7/22/16:77956)

Ordinance No. 3381
EXHIBIT "A" – Description of Property

Being a tract of land situated in the ELISHA FIKE SURVEY, ABSTRACT No. 478 of the City of Farmers Branch, Dallas County, Texas, also being a part of Block "C" of the Metropolitan Office Park, an addition to the City of Farmers Branch, Texas according to the revised plat filed in Volume 73048 at Page 1642 of the Map Records of Dallas County, Texas, and part of Block "E" of the Metropolitan Business Park, Section Four, an addition to the City of Farmers Branch, Texas, according to the plat thereof filed for record in Volume 70083 at Page 0887, and being more particularly described as follows:

BEGINNING at an "X" cut in concrete set for corner, said point being South 89 deg 22 min West, 5.00 feet from the Northwest corner of said Metropolitan Office Park, Block "C", Revised, said point also being on the South line of Spring Valley Road (a 100' ROW);

THENCE North 89 deg 22 min East, along the South line of Spring Valley Road, a distance of 392.11 feet to a point for corner, said point, being the Northeast corner of said Metropolitan Office Park, Block "C" Revised;

THENCE South 0 deg 08 min East, along the East line of said Metropolitan Office Park, Block "C", Revised, a distance of 542.69 feet to a point on the centerline of a 40 foot drainage easement as shown on the Plat filed in Volume 73048 at Page 1642 of the Map Records of Dallas County, Texas;

THENCE North 85 deg 14 min 32 sec West, along the centerline of said 40 foot drainage easement, a distance of 394.86 feet to a point for corner, said point being in the Metropolitan Business Park, Section Four, Block "E";

THENCE North 0 deg 01 min East, along a line 5 feet West of and parallel with the East line of said Metropolitan Business Park, Section Four, Block "E", a distance of 505.60 feet to the POINT OF BEGINNING and containing a gross area of 205,872 square feet or 4.726 acres and a net area of 179,603 square feet or 4.123 acres of land.

BEING a part of that certain tract, parcel or lot of land out of the ELISHA FIKE SURVEY, Abstract No. 478 in the City of Farmers Branch, Dallas County, Texas platted as BLOCK "E" METROPOLITAN BUSINESS PARK, SECTION FOUR, an addition to the City of Farmers Branch, Dallas County, Texas according to the revised plat thereof recorded in Volume 77150, Page 0708, Map Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a cross cut in concrete pavement for the northeasterly corner of the beforementioned METROPOLITAN BUSINESS PARK, SECTION FOUR;

THENCE South 00° 01' 00" West, with the easterly line of said addition; passing a crowfoot cut in top of curb at 485.53 feet; in all a total distance of 505.60 feet to a point for southeasterly corner of the said METROPOLITAN BUSINESS PARK, SECTION FOUR;

THENCE North 85° 14' 32" West, with the southerly line of said addition, a distance of 348.19 feet to a point for a corner, from which a cross cut on the top of curb bears North 00° 01' 00" East, 20.07 feet;

THENCE North 00° 01' 00" East, a distance of 489.19 feet to a PK nail set in the southerly right-of-way curve of Spring Valley Road to the left having a central angle of 14° 14' 27", a radius of 530.66 feet and a chord bearing and distance of South 83° 30' 47" East, 131.56 feet;

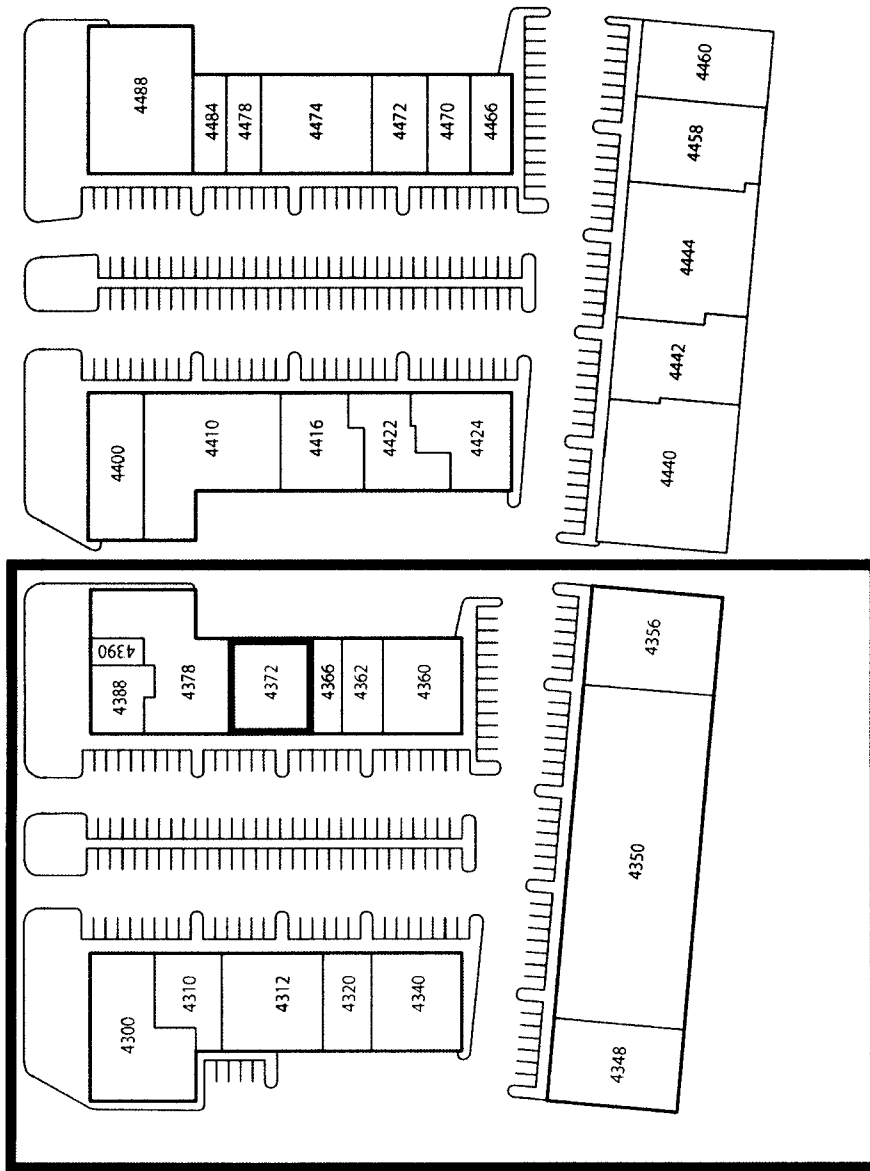
THENCE with the said curve to the left, an arc distance of 131.89 to a 5/8" iron rod set for the point of tangency;

THENCE North 89° 22' 00" East, with the southerly right-of-way line of Spring Valley Road, a distance of 216.30 feet to the POINT OF BEGINNING and containing 3.914 acres of land.

SPRING VALLEY BUSINESS CENTRE

DALLAS, TEXAS 75244

SPRING VALLEY ROAD

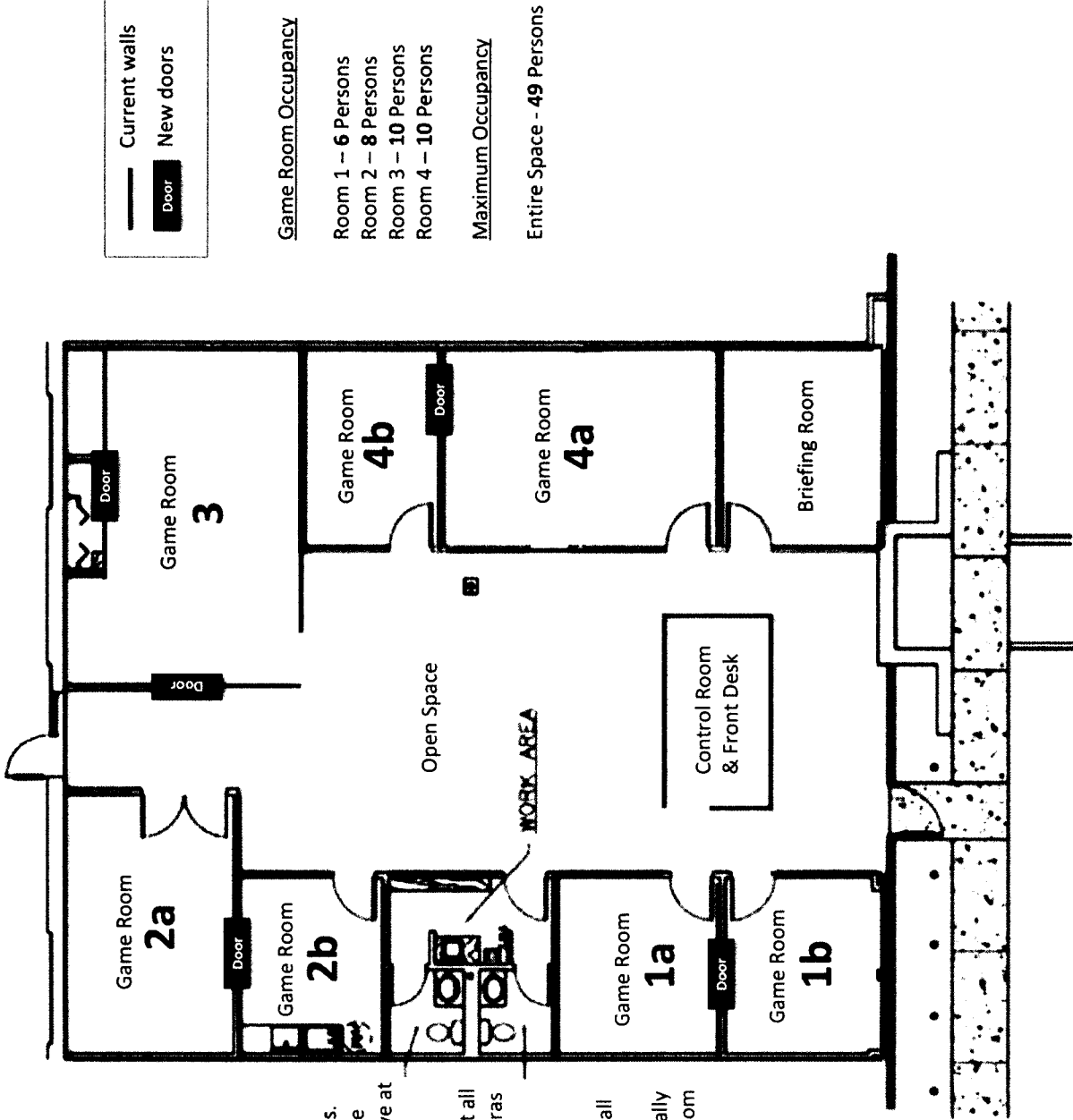


Unit	Tenant Name	Sq. Ft.
4300	Republic Title	4,658
4310	National Janitorial, Inc.	2,132
4312	AVAILABLE	3,335
4320	Functional Acupuncture Institute	1,800
4340	Knowledge As Medicine	3,705
4348	Kool Wash	4,000
4350	AVAILABLE	16,738
4356	J. F. Piper Enterprises, Inc.	4,897
4360	R. Williams Construction	2,880
4362	Malizer Enterprises	1,496
4366	AVAILABLE	1,110
4372	First Stone Credit Counseling	3,030
4378	AVAILABLE	5,010
4388	J's Restaurant	1,620
4390	Management Office	431
4400	Versatile Group, Inc.	3,000
4410	Versatile Group, Inc.	6,045
4416	AVAILABLE	2,850
4422	AVAILABLE	2,229
4424	Saran Ltd	3,105
4440	Jesus House	7,130
4442	AVAILABLE	4,041
4444	AVAILABLE	6,779
4458	AVAILABLE	4,109
4460	David, Inc.	3,500
4466	Molly Maid	1,500
4470	Architectural Systems, Inc.	1,560
4472	AVAILABLE	2,110
4474	AVAILABLE	4,044
4478	J. Moen	1,200
4484	Magna Resources	1,200
4488	Cassidy Jones	5,880
Total Square Feet		117,124



The information contained herein has been given to us by sources believed reliable. We have no reason to doubt its accuracy, but we do not guarantee it.

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EXHIBIT "B" – Concept Floor Plan



— Current walls
 Door New doors

Game Room Occupancy
 Room 1 – 6 Persons
 Room 2 – 8 Persons
 Room 3 – 10 Persons
 Room 4 – 10 Persons

Maximum Occupancy
 Entire Space - 49 Persons

Facility Operation

- There are a total of 4 game rooms. Some rooms are made up of more than one room, but all rooms have at least one unlocked egress door.
- Every single room is monitored at all times with 1080p HD video cameras from the control room.
- Each room has an employee who monitors activity in that room at all times to supervise the activity. Participants are also able to verbally communicate with the control room at all times via audio equipment.


FLOOR PLAN 3,030 SQ. FT. SCALE: NTS
4372 SPRING VALLEY, DALLAS TEXAS
 JOB # 03008