



ORDINANCE NO. 1863

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR AN INDOOR COMMERCIAL AMUSEMENT FACILITY IN THE PLANNED DEVELOPMENT NO. 4 (PD-4) ZONING DISTRICT AT 14524 JOSEY LANE #216; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING 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 Charter of the City of Farmers Branch, and the State Law with reference to the granting of Specific Use Permits 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 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 use should be made, subject to the conditions set out herein.

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 an indoor commercial amusement facility within the Planned Development No. 4 (PD-4) zoning district at 14524 Josey Lane #216.



SECTION 2. That approval of this specific use permit for an indoor commercial amusement facility shall be limited only to an indoor family amusement park designed for and used predominantly by children under 12 years of age and that all other operations shall be governed by the regulations of the Comprehensive Zoning Ordinance.

SECTION 3. That the indoor family amusement park shall be operated in accordance with the following conditions:

- a. Necessary repairs be made to the parking surface prior to the issuance of a Certificate of Occupancy;
- b. The parking areas be striped in accordance with the approved site plan attached as Exhibit "A" prior to the issuance of a certificate of occupancy;
- c. No substantial alteration to the approved interior floor plan attached as Exhibit "B" shall be permitted and further provided that the floor area used as amusement devices or video games shall not exceed the 1,610 square feet of floor area identified as games or arcade on Exhibit "B".

SECTION 4. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same is hereby repealed and all other provisions of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED BY THE CITY COUNCIL of the City of Farmers Branch, Texas, on this the 22nd day of January, 1990.