

ORDINANCE NO. 089-038

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, SO AS TO GRANT A SPECIAL USE PERMIT FOR THE LOCATION AND OPERATION OF VIDEO GAMING DEVICES ON APPLICATION WITH INWOOD SOCCER CENTER LOCATED AT 14800 INWOOD ROAD; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A PENALTY CLAUSE; AND PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, and helps promote the general welfare and safety of this community, now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, is hereby amended so as to grant a special use permit to Inwood Soccer Center in

accordance with the drawings attached hereto and made a part hereof for all purposes. Said amendment shall be noted on the official zoning map of the Town of Addison, Texas, and is situated on the following described land:

TRACT 1

BEING a part of the ELISHA FIKE SURVEY, ABSTRACT NO. 478, and the JOSIAH PANCOAST SURVEY, ABSTRACT NO. 1146, and being a part of that certain tract described in deed to J.R. Maxfield, filed August 18, 1958, recorded in Deed Records, DALLAS County, Texas, and being a part of the Francis D. Truman Tract as described in Deed dated May 11, 1961, recorded in Deed Records, DALLAS County, Texas, and being located in the town of Addison, DALLAS County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set for corner in the West line of Inwood Road (60 foot right-of-way) said point being the Southeast corner of the said Maxfield Tract and the Northeast corner of the said Francis D. Truman tract;

THENCE South 80 degrees 45 minutes 00 seconds West, 274.60 feet along the common line between the said Maxfield and Truman tracts to a P.K. nail set for corner;

THENCE South 09 degrees 28 minutes 09 seconds East, 74.99 feet to the most Easterly Northeast corner of Miniwood No. 1 Addition, recorded in Volume 82194, Page 2965, Deed Records DALLAS County, Texas, a point for corner;

THENCE Southwesterly and Northwesterly along the Northerly line of said Miniwood No. 1 Addition, as follows:

South 80 degrees 45 minutes 00 seconds West, 225.66 feet, a point for corner;

North 09 degrees 15 minutes 00 seconds West, 57.00 feet, a cross cut in concrete for corner;

South 80 degrees 45 minutes 00 seconds West, 197.65 feet, an iron rod set for corner;

THENCE North 00 degrees 11 minutes 25 seconds West, 268.63 feet along the common line between the said Maxfield tract and the Justin McCarty Realty Company tract described in Deed filed July 9, 1962 recorded in Deed Records, DALLAS County, Texas, to an iron rod found for corner;

THENCE North 80 degrees 47 minutes 55 seconds East, 399.82 feet to a P.K. nail for corner;

THENCE South 17 degrees 02 minutes 44 seconds East, 218.49 feet to a cross cut in concrete, found for corner, said cross being 30.48 feet perpendicular distance from the South line of said Maxfield tract;

THENCE North 80 degrees 52 minutes 24 seconds East, 221.81 feet to an iron rod found for corner in the aforementioned West line of Inwood Road;

THENCE South 16 degrees 57 minutes 55 seconds East, 30.28 feet with the West line of said Inwood Road to the PLACE OF BEGINNING and CONTAINING 135,000.9 square feet or 3.099 acres of land.

SECTION 2. That the Special Use Permit for gaming devices is granted subject to the following special conditions:

- that only video games be allowed downstairs, foosball shall not be allowed
- that the area for video games be limited to a 500 square foot area downstairs.

SECTION 3. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That 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, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) and not less than Five Hundred Dollars (\$500.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 5. That should any paragraph, sentence, 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 provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 28th day of November, 1989.

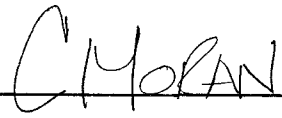

MAYOR

ATTEST:


CITY SECRETARY

CASE NO. 1038-SUP

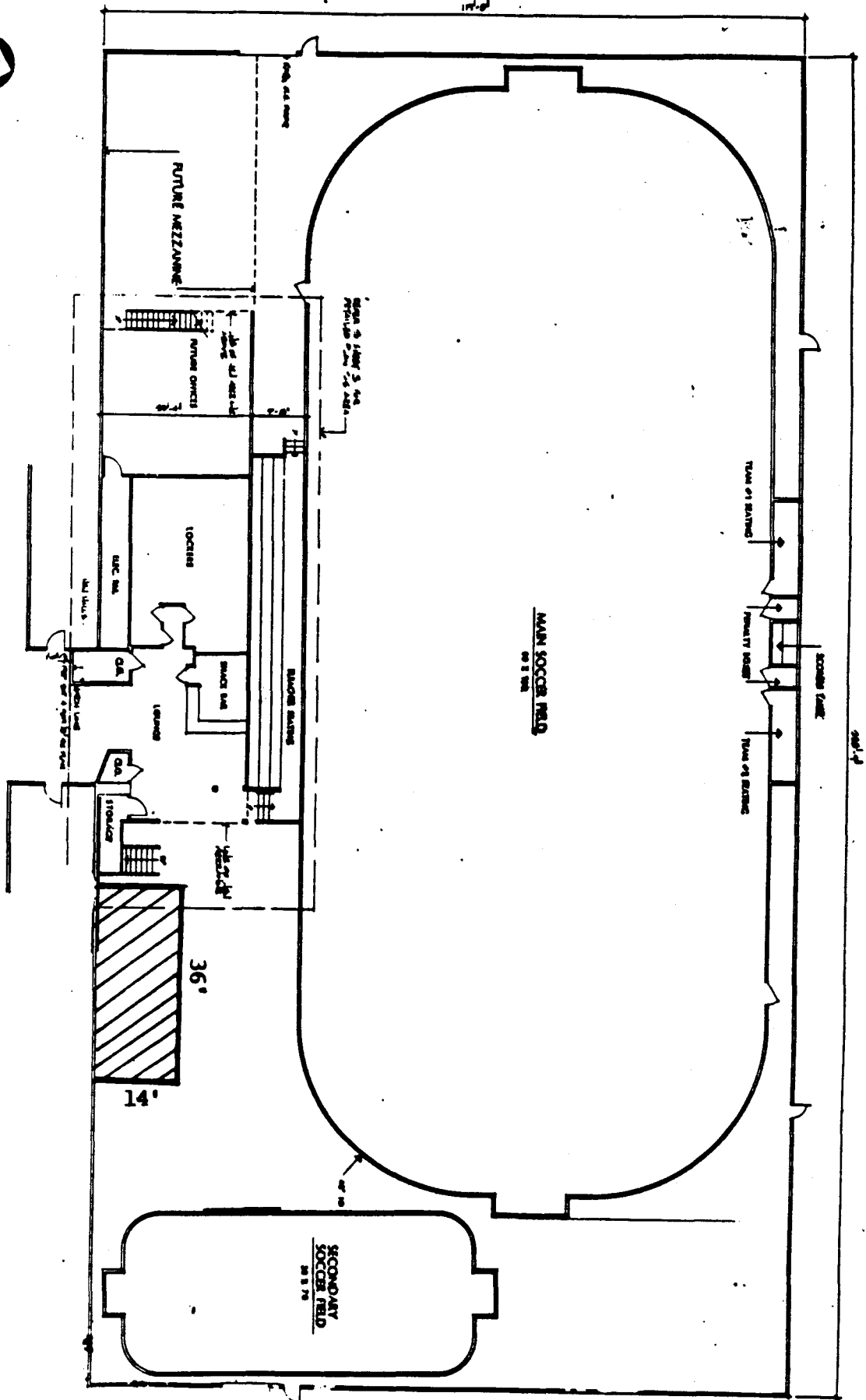
APPROVED AS TO FORM:



Published 1-11-90



FLOOR PLAN - MAIN FACILITY - 27,340 S.F.



APPROVED

CASE FILE NO. 1038-SUP
RECEIVED. 9/26/89



= Proposed Special Use Area



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089-038