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**ORDINANCE NUMBER 2910**

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW FOR AN OUTDOOR COMMERCIAL AMUSEMENT FACILITY, INCLUDING VARIANCES TO PAVING AND BUILDING SETBACKS, FENCING, AND PARKING REQUIREMENTS, LOCATED ON APPROXIMATELY 18.54 ACRES LOCATED AT 1777 KEENAN BRIDGE ROAD, GENERALLY LOCATED AT THE NORTHWEST CORNER OF KEENAN BRIDGE ROAD AND DAVIS LANE, WITHIN THE PLANNED DEVELOPMENT NUMBER NO. 77 (PD-77) ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications 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 City of Farmers Branch City Council is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made.

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

**SECTION 1.** That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 2.** 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 to allow for an outdoor commercial amusement facility, including variances to paving and building setbacks, fencing, and parking requirements, located on approximately 18.54 acres located at 1777 Keenan Bridge Road, generally located at the northwest corner of Keenan Bridge Road and Davis Lane, within Planned Development No. 77 (PD-77) zoning district (hereinafter the "Property"), as described in the attached Exhibit "A" and further depicted in Exhibit "B," and subject to the following conditions:

1. If the City determines at any time that the parking area as shown on the site plan and the parking being provided on the neighboring Golden D'Or property to the west are insufficient or that the parking areas are not being utilized, Club Soccer, Inc. shall be responsible for providing sufficient parking on-site to accommodate parking demand and/or make arrangements to ensure that their patrons are using the provided parking areas, subject to review and approval by the Building Official. Should Club Soccer, Inc. not provide sufficient parking to meet the parking demands generated by the facility, then Club Soccer, Inc. shall limit their activities and operations to comply with parking available to meet their demand.
2. Building elevation drawings, including dimensions and materials, for all buildings or structures shall be subject to review and approval by the Director of Planning, prior to issuance of building permits.
3. Any minor modifications to the site plan shall be administratively approved, unless it is determined by the Director of Planning that a revised site plan should be forwarded to Planning and Zoning Commission and City Council for review and approval.