

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A SPECIAL PERMIT FOR AN INDOOR COMMERCIAL AMUSEMENT FACILITY LOCATED IN SUITE VC-08, ADJACENT TO THE FOOD COURT AT THE RICHARDSON SQUARE MALL, BEING A PORTION OF LOT 4 OF THE RICHARDSON SQUARE ADDITION, ABSTRACT 574, CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO; PROVIDING SPECIAL CONDITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; 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 City Planning Commission of the City of Richardson and the governing body of the City of Richardson in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, 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, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance should be amended; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a special permit for an indoor commercial amusement facility located in Suite VC-08, adjacent to the food court at Richardson Square Mall, being a portion of lot 4 of the Richardson Square Addition, abstract 574, City of Richardson, Dallas County, Texas, and more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes. The property is presently zoned LR-M (2) SPL Local Retail with special conditions under Ordinance 628-A.

SECTION 2. That the above special permit is hereby granted subject to the following special conditions:

- (a) The special permit shall be limited to Jason Stout, Cyber Zone, in the space described as Suite VC-08, adjacent to the food court at Richardson Square Mall.
- (b) No separate outside public entrance/exit shall be allowed.
- (c) Hours of operation shall be the same as those of the mall businesses.
- (d) The operator shall display the “Coin Operated Video Game – Parental Advisory System Disclosure Messages” rating endorsed by the American Amusement Machine Association (AAMA) and prominently post the rating system attached hereto as Exhibit “B” on each machine in the facility.
- (e) No games with a “... Strong” rating and no games with a rating of “Sexual Content Mild” or “Language Mild” from the American Amusement Machine Association (AAMA) shall be allowed.

SECTION 3. That the above-described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance for the City of Richardson, Texas, as heretofore amended, and subject to the aforementioned special conditions.

SECTION 4. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That 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 6. 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 of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars 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 Richardson, Texas, on the 13th day of March, 2000.


APPROVED:



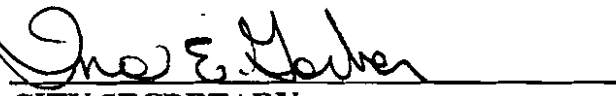
MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:



CITY ATTORNEY
(HLN/am 3-2-00)



CITY SECRETARY

LEGAL DESCRIPTION

BEING a 0.073 acre tract of land situated in the Mary Hargroader Survey, Abstract No. 574, City of Richardson, Dallas County, Texas and being a portion of Lot 4 of Richardson Square Addition, an addition to the City of Richardson according to the plat thereof recorded in Volume 78230, Page 27, Map Records, Dallas County, Texas and being more particularly described by metes and bounds as follows :

COMMENCING at the northwest corner of Lot 3 of said Richardson Square Addition, also being a corner of Lot 4;

THENCE S 00°00'00"E, 175.50 feet along the west line of Lot 3 to the southwest corner of Lot 3, also being the northwest corner of Lot 2 of said Richardson Square Addition, to a point;

THENCE S 00°00'00"E, 217.57 feet along the west line of Lot 2 to a point;

THENCE N 90°00'00"W, 6.45 feet to the **POINT OF BEGINNING**;

THENCE N 90°00'00"W, 26.60 feet to a point to the beginning of a non-tangent curve to the left;

THENCE with said non-tangent curve to the left, an arc distance of 16.89 feet, through a central angle of 09°15'14", having a radius of 104.57 feet, the long chord of which bears N 52°41'04"W, 16.87 feet to a point;

THENCE N 00°00'00"E, 34.40 feet to a point;

THENCE N 90°00'00"E, 9.60 feet to a point;

THENCE N 00°00'00"E, 44.80 feet to a point;

THENCE N 90°00'00"W, 8.50 feet to a point;

THENCE N 00°00'00"E, 6.00 feet to a point;

THENCE N 90°00'00"E, 17.07 feet to a point;

THENCE S 00°00'00"E, 6.73 feet to a point;

THENCE N 90°00'00"E, 21.85 feet to a point;

THENCE S 00°00'00"E, 88.80 feet to the **POINT OF BEGINNING** and containing 3,166 square feet or 0.073 acres of land more or less.

GUIDE TO COIN-OPERATED VIDEO GAMES


The following Parental Advisory Disclosure Messages have been established for coin-operated video games to provide consumers with a description of game content.



The content of this game is appropriate for game players of all ages.

**ANIMATED
VIOLENCE
MILD**

Contains scenes of violence involving cartoon-like characters in fantasy settings.



Contains scenes of violence involving cartoon-like characters in fantasy or life-like settings such as martial arts or sports activities.

**LIFE LIKE
VIOLENCE
MILD**

Contains scenes involving human-like characters engaged in combative activity.



Contains selected scenes involving human-like characters engaged in combative activity which may result in pain, injury and/or death to the depicted character.

**SEXUAL
CONTENT
MILD**

Contains sexually suggestive references or material.



Contains graphic depictions of sexual behavior and/or the human body.

**LANGUAGE
MILD**

Contains commonly used four-letter words.



Contains strong four-letter expletives.



ZONING FILE 0003 - NOTICE OF PUBLIC HEARING CITY OF RICHARDSON, TEXAS

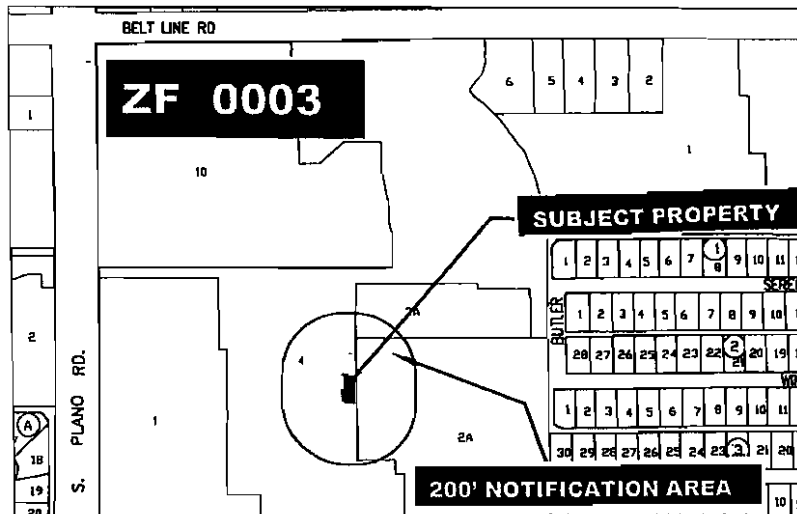
PUBLIC HEARING DATE & TIME: Monday, February 28, 2000, 7:30 p.m.

PLACE: Richardson Civic Center/City Hall, 411 W. Arapaho Rd., City Council Chamber.

PURPOSE OF THE HEARING: To consider a request by Jason Stout for a special permit for an indoor commercial amusement facility (Cyber Zone) in the Richardson Square Mall, to be located adjacent to the food court near the Ross Store on the east side of the building. The property which is zoned LR-M(2) Local Retail, is located at 501 S. Plano Road.

OWNER: Simon Property Group, (J.H. Dunnavant, Manager Richardson Square Mall)

CITY PLAN COMMISSION RECOMMENDATION: Approval recommended 6-1.



PROCEDURE: Testimony will be limited to 20 minutes for proponents and 20 minutes for opponents. The applicant may reserve any portion of the allotted time for rebuttal following the opposition. Time required to respond to questions by the City Council is excluded from the 20-minute limitation. The City Council may approve or disapprove the request or approve more restrictive classifications.

All interested property owners are encouraged to attend this hearing. Persons wishing their opinion to be part of the record who are unable to attend may send a written reply prior to the date of the hearing to Ina Garber, City Secretary, P. O. Box 830309, Richardson, Texas, 75083.

I hereby certify that this notice was posted on the Civic Center/City Hall Bulletin Board by 5:00 p.m., Thursday, February 17, 2000.

The City of Richardson

 Ina E. Garber, City Secretary

This building is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours ahead of meeting. To make arrangements, call 972-238-4150 via TDD or call 1-800-735-2989 to reach 972-238-4150.

FOR INFORMATION PURPOSES ONLY - NOT PART OF ORDINANCE