

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would ~~would not~~ result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested ~~will~~ will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~should not~~ be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20TH day of June, 19 83, that ~~the~~ the ~~variance(s)~~ variance(s) to permit 793 parking spaces in lieu of the required 1074 spaces, in accordance with the parking layout prepared by Street Traffic Studies, Ltd., dated May 31, 1983, and marked Petitioner's Exhibit 10, is hereby GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special Exception Order.

John M. H. Jones
Deputy Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 20TH day of June, 1983, that the Petition for Special Exception for an arcade in combination with a family entertainment restaurant, in accordance with the site plan prepared by George William Stephens, Jr. and Associates, Inc., revised April 26, 1983, and marked Petitioner's Exhibit 1 is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The parking layout shall be in accordance with Petitioner's Exhibit 10, and the Nuwood Drive entrance shall be 40 feet wide.
2. The floor plan shall be in accordance with Petitioner's Exhibit 2. Amusement devices shall be located primarily in specific game areas. No more than 20% of the gross floor area shall be used for games, rides and amusement devices. All video games, except 3 table top games that are allowed in the cabaret area, are to be located in the Fantasy Forest area, and kiddie rides may be located in the dining theatre. There shall be a maximum of 15 skee-ball games, 20 kiddie rides, 12 arcade pieces (such as frog ball) and 60 video games.
3. No customer under the age of 18 shall be permitted in the restaurant/arcade unless accompanied by a parent or guardian.
4. The restaurant shall not have more than 260 seats.
5. The hours of operation shall not extend beyond midnight.
6. The employees shall park on the eastern portion of the site.
7. The free-standing sign, adjacent to Baltimore National Pike, shall be in accordance with the Baltimore County Zoning Regulations.
8. All screening shall be installed and the parking lot repaired and restriped prior to occupancy.
9. The arcade shall not be the sole or primary use of this special exception.
10. A revised site plan, incorporating the restrictions set forth above, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.

John M. H. Jones
Deputy Zoning Commissioner of
Baltimore County

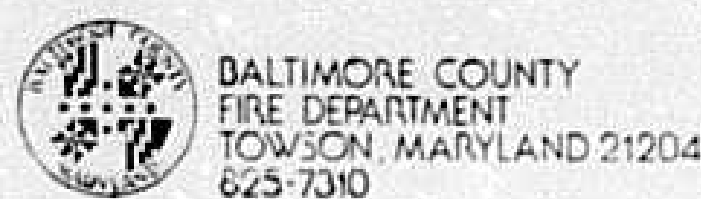
ORDER RECEIVED FOR FILING
DATE June 20, 1983
BY May Compyle
ZONING DIVISION

Zoning Item # 176
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
{ } The results are valid until .
{ } Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until .
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be surfaced with a dustless, bonding material.
- () No health hazards are anticipated.

(X) Others This site is located in the Patapsco Sewerhed and is therefore subject to a moratorium on sewer connections that has been imposed by the State of Maryland Department of Health and Mental Hygiene.

Jan G. Fickens
Director
BUREAU OF ENVIRONMENTAL SERVICES



PAUL H. RENCKE
CHIEF

April 11, 1983

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Pike Park Plaza Associates

Location: NE/Cor. Baltimore National Pike and Nuwood Drive

Item No.: 176

Zoning Agenda: Meeting of March 15, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
 - () 2. A second means of vehicle access is required for the site.
 - () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
 - () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
 - (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
 - () 6. Site plans are approved, as drawn.
 - () 7. The Fire Prevention Bureau has no comments at this time.
- REVIEWED BY Pat Jones July 4, 1983 Noted and Approved: George M. Haganoff
Planning Division Fire Prevention Bureau
Special Inspection Division

Mr. W. Hammond

-2-

March 16, 1983

Parking was near capacity along the Baltimore National Pike frontage between the monumental entrance and Nuwood Road.

However, parking at the southeast (in back of Shell Service Station) was sparse except for nine (9) "Budget" rental trucks doing business at Store # 12 and a few rental cars.

With our field inspection showing a loss of parking spaces to decrease the 792 paper count, the State Highway Administration recommends the plan be revised prior to a hearing.

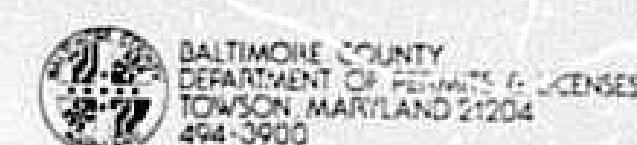
Very truly yours,

Charles E. Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle



March 21, 1983

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 176 Zoning Advisory Committee Meeting: March 15, 1983 are as follows:

Property Owner: Pike Park Plaza Assoc.
Location: NE/Cor. Baltimore National Pike & Nuwood Drive
Existing Zoning: B.U.
Proposed Zoning: See reverse side

Acres: 13.2
District: 1st

The items checked below are applicable:

- X A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 8-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building and other miscellaneous permits shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- 7. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line. See Table 101.1, line 2, Section 1107 and Table 1102.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s .
- X G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal. Change of use/occupancy from "M" to "A-3".
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed complies with height/area requirements of Table 505 and the required construction class/location of Table 101.

NOTE:

- X. Comments: A floor plan showing all adjoining tenants and exiting from front and rear as well as the floor elevation and fire ratings of walls & floor/ceilings assembly separating tenants from proposed tenant. Shall be provided this office for review. Sprinklers shall be provided as per Sect. 1702.0; show handicapped parking, signs, building access, etc. on plans. See State Handicapped Code for 1981. These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,
Charles E. Lee
Charles E. Lee, Chief
Plans Review

CEB:rrj
FORM 01-82

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 176, Zoning Advisory Committee Meeting of March 15, 1983

Property Owner: Pike Park Plaza Associates

Location: NE/Cor. U.S. Rt. 40 & Nuwood Dr. District: 1

Water Supply: Public Sewage Disposal: Public

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- (X) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: March 15, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 15, 1983

RE: Item No: 169, 170, 171, 172, 173, 174, 175, 176
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

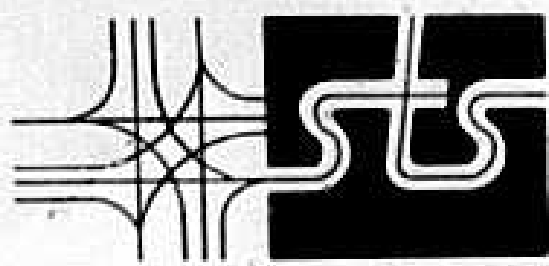
District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Nick Petrovich
Mr. Nick Petrovich, Assistant
Department of Planning

WNP/bp



STREET TRAFFIC STUDIES, LTD.

PETITIONER'S EXHIBIT 9

May 24, 1983

Family Entertainment Centers, Inc.
C/O Mr. Rick Kelly
Suite 26B
751 Rockville Pike
Rockville, Maryland 20852

RE: Pike Park Plaza
Pizza Time Theatres

Dear Mr. Kelly,
As requested, we have completed a traffic study relating to the existing parking lot usage for Pike Park Plaza. The results of our study clearly show that there are excess parking spaces and that there will be more than sufficient spaces once the Pizza Time Theatre is in operation. Our study methodology and results are detailed below.

Study Methodology

STS personnel counted the total number of parked vehicles on Pike Park Plaza from 10 AM to 11 PM at 30 minute intervals on:

Thursday, May 19, 1983
Friday, May 20, 1983
Saturday, May 21, 1983

Although not shown in this report, the observations were made by "areas" or "segments" of the lot and the data was recorded accordingly. If the results of the "area" observations are required please advise.

Required Parking Spaces

According to the Baltimore County Zoning Code the following is required:

Traffic Planning & Engineering Consulting • Traffic Counting • Signal Design • Traffic Impact & Adequate Public Facilities Analysis
Land Use & Transportation Planning

Washington / 16626 S Westland Dr., Gaithersburg, Md. 20877 301/948-1754

Other Offices: Baltimore / 4 Prettyboy Garth, Parkton, Md. 21120 301/243-0950 • Columbia / 8911 Blade Green Lane, Columbia, Md. 21043 301/596-4617

Page 2
Letter to Mr. Rick Kelly
May 24, 1983

Total Spaces for Pike Park Plaza - 1074
Total Spaces for Pizza Time Theatre Only - 253

The new site plan shows parking for 783 spaces. The restaurant alone is required to provide 253 spaces which, in my opinion, is extremely high. The new restaurant will contain 244 seats and will have +25 employees at any one time. The zoning code requires spaces based on square footage instead of the more reasonable parameter of "restaurant seating capacity." Based on data collected by your firm, a rate of 2.8 persons/car is assumed for the 244 seats, and 1 space/employee, resulting in a "need" for only 112 spaces for this site (or 44% of the code requirement).

Results of Data Collection Program

The primary data collection results are shown in two formats - tabular and graphic. The results show that the peak parking lot occupancy occurred on Thursday at 11:00 PM, on Friday at 5:00 PM and on Saturday at 11:30 AM. It is important to point out that 783 spaces are proposed and only a maximum of 45% of the spaces (or 350 out of 783 spaces) were utilized. As can be seen in both the table and graph there is a minimum (excess) of 433 parking spaces available at all times. This number of spaces is obviously sufficient to serve the needs of the proposed Pizza Time Theatre. The restaurant requires only 253 parking spaces according to the zoning and in actuality will need only +112 spaces.

Summary

In summary, it is my opinion that there will not be an adverse impact on the parking lot as a result of the proposed restaurant in Pike Park Plaza. I hope this brief report serves your

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Letter to Mr. Rick Kelly
May 24, 1983

needs and if you have any questions, please call.

Very truly yours,

John W. Guckert
John W. Guckert

RESULTS OF PARKING LOT OCCUPANCY STUDY PIKE PARK PLAZA SHOPPING CENTER (783 Spaces Proposed)

	TOTAL NUMBER OF VEHICLES PARKED		
	Thursday 5/19/83	Friday 5/20/83	Saturday 5/21/83
10:00 AM	161	202	194
10:30	219	231	233
11:00	290	288	289
11:30	305	312	291*
12:00N	325	316	283
12:30	349	331	283
1:00	308	332	261
1:30	276	307	272
2:00	280	299	278
2:30	260	309	283
3:00	261	293	289
3:30	249	281	287
4:00	262	276	287
4:30	239	313	275
5:00	295	337*	277
5:30	305	328	258
6:00	314	335	264
6:30	346	323	263
7:00	337	310	216
7:30	323	299	210
8:00	324	290	212
8:30	295	275	201
9:00	264	241	189
9:30	198	207	184
10:00	230	212	218
10:30	281	206	230
11:00 PM	350*	208	263

*Peak Occupancy

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition No. 83-272-XA
SUBJECT: Pike Park Plaza Associated, et al
Date: May 17, 1983

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber per J. H. Howell
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:slc

cc: Aylene January
Shirley Hess



FAMILY ENTERTAINMENT CENTERS, INC.

PRESS RELEASE

FOR IMMEDIATE RELEASE

May 2, 1983

Family Entertainment Centers, Inc., an 18-unit franchisee of Chuck E. Cheese's "Pizza Time Theatre", had record sales, net income and earnings per share in the first quarter of 1983. Sales totalled \$5,321,150; net income was \$274,874; and earnings per share were \$.16. Sales increased 25% versus the first quarter of 1982; net income compared to a loss of \$50,992 in the prior year's first quarter; and earnings per share were \$.20 better than 1982's first quarter loss of \$.04 per share.

Patrick A. Hopf, Chairman and President, commented that "We are very pleased with the result of the first quarter and the developing trend in our Company's profitability. We opened three new Chuck E. Cheese's centers in the quarter, and average weekly sales per center averaged approximately \$30,000 despite a February blizzard which reduced expected sales by \$180,000. Cost improvements in the food area and in hourly labor contributed to a 24.1% operating profit margin before the royalty for the quarter. We anticipate continued profit margin and earnings per share improvement in the next two quarters."

The Company ended the first quarter with 16 Chuck E. Cheese's centers and opened two additional centers in late April. As announced previously, the Company has agreed to sell its two California centers to Pizza Time Theatre, Inc. for \$2,713,000 in cash and notes, and the Company is acquiring the right to develop eight additional Chuck E. Cheese's centers in specific markets in the Carolinas, Tennessee and Georgia. The anticipated after-tax capital gain from the transaction of approximately \$.45 per share is expected to be realized in the second quarter.

Family Entertainment Centers, Inc. is headquartered in Rockville, Maryland, and the Company owns the exclusive right to develop Chuck E. Cheese's "Pizza Time Theatres" in the states of Virginia, Maryland, and Delaware, the District of Columbia, and in specific areas in North Carolina, South Carolina, Georgia and Tennessee. The Company went public in September of 1982, and its stock is traded Over-the-Counter.

For additional information, please contact:

Patrick A. Hopf
Chairman and President
751 Rockville Pike, Suite 26B
Rockville, MD 20852
301/762-8020

PETITIONER'S
EXHIBIT 7

Family Entertainment Centers, Inc.
751 Rockville Pike, Suite 26B • Rockville, Maryland 20852 • (301) 762-8020
A Franchise of Pizza Time Theatre, Inc.

FAMILY ENTERTAINMENT CENTERS, INC. CONSOLIDATED STATEMENTS OF OPERATIONS

	13 Weeks Ended April 3, 1983	13 Weeks Ended March 28, 1982
SALES:		
Food, beverage and merchandise	\$4,023,189	\$1,123,306
Games	1,297,961	367,218
Total	5,321,150	1,490,554
OPERATING COSTS AND EXPENSES BEFORE FRANCHISE FEES ON SALES:		
Food, beverage and merchandise	995,484	275,569
Payroll and related benefits	1,288,629	383,792
Other Operating Expenses	2,751,874	494,247
Total	4,035,987	1,153,608
INCOME FROM OPERATIONS BEFORE FRANCHISE FEES ON SALES	1,285,163	336,946
FRANCHISE FEES ON SALES	319,625	89,496
INCOME FROM OPERATIONS	965,538	247,450
OTHER EXPENSES:		
General and administrative	500,949	232,890
Interest - net	189,715	65,532
Total	690,664	298,442
NET INCOME (LOSS)	\$ 274,874	(\$50,992)
NET INCOME (LOSS) PER COMMON AND DILUTIVE COMMON EQUIVALENT SHARE	\$.16	(\$.24)
SHARES USED TO CALCULATE PER SHARE AMOUNTS	1,709,619	1,210,047

Mr. William E. Hammond
Zoning Commissioner
Room 106, County Office Building
Towson, Maryland 21204

RE: Case No. 83-272
Building Permit Application No.
Election District

Dear Mr. Hammond:

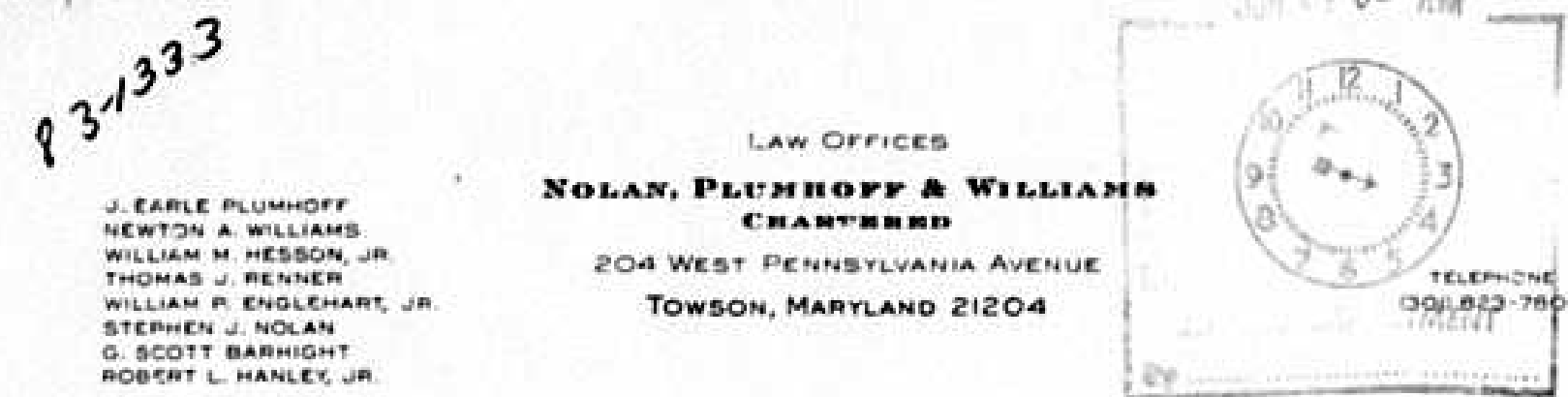
We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the permit application prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County, Maryland, and you from any liability or responsibility for any consequences which might arise during the appeal period.

Very truly yours,

Man Dist
PARTNER, ESTER
MANAGEMENT ASSOCIATES

WEH:bac



June 16, 1983

The Honorable Jean M. H. Jung
Deputy Zoning Commissioner
Zoning Commissioner's Office
County Office Building
Towson, Maryland 21204

Re: Further Data And Photographs Concerning
Pike Park Plaza Associates, Et Al;
Case No. 83-272-XA,
And The Patapsco Inn Property

Dear Commissioner Jung:

Pursuant to your request made during the hearing in this matter on June 7, 1983, we are enclosing the following:

1. A field sketch dated June 13, 1983, prepared by Mr. Stark of Stephens and Associates giving more detail concerning the relationship between the Patapsco Inn property and the surrounding property developed as Pike Park Plaza on Route 40 West.

2. Also enclosed are a series of seven photographs taken by Mr. Stark which are keyed to his sketch of June 13, as well as labelled to better explain the situation to all concerned.

First of all, please note that the Patapsco Inn has a single two-way driveway, in and out, located at its southwest corner from the westbound lane of Route 40.

As is shown on both the photographs and on Mr. Stark's sketch, both the Pike Park Plaza frontage and the Patapsco Inn frontage, except for the authorized entrance driveways, are fully curbed along the westbound north side of Route 40.

Also please note that at maximum the Patapsco Inn has perhaps 19 parking spaces on site. As is shown on the photographs, the Patapsco Inn is a two-story building which is in excess of 60 feet by 60 feet as far as the building footprint is concerned. Thus, assuming 3,600 square feet for the first floor devoted to bar and restaurant use, on the order of 72 parking spaces would be required by the Baltimore County Zoning Regulations.

The Honorable Jean M. H. Jung
Deputy Zoning Commissioner
June 16, 1983
Page two

Further, the upstairs apartment would require at least one space, and there may be meeting rooms or banquet rooms upstairs as well.

Thus, with at least 75 or so spaces required, and only 19 or so provided at best, we feel that the Patapsco Inn is far more under its parking requirements than Pike Park Plaza would be, even with the moderate variance requested.

Common sense leads us to believe that Patapsco Inn customers are undoubtedly parking at least as often and probably more often on the shopping center parking lot than vice versa.

As you know, Pike Park Plaza has never complained about this, is not complaining now, and has no intention of enforcing the strict letter of its parking rights unless compelled to do so by the Patapsco Inn owners.

Note in photograph 1B, that there appears to be a yellow line which at one time acted as a line of demarcation between the Patapsco Inn property on the east side, that is in the left of the picture, and the Pike Park Plaza property on the west side in the right of the picture. We would suggest that this line be repainted and perhaps made more noticeable.

We would also respectfully suggest to all concerned that it is very much to the advantage of the Patapsco Inn to have access back and forth over this line, since if a Patapsco Inn customer who wishes to go east on Route 40 can proceed through the shopping center, make a left at the entrance on Nuwood Road, and come out with the light at Nuwood Road. While it may be possible, although possibly not legal, to come out of the Patapsco Inn driveway, cross the two and one-half lanes of traffic and then make a U-turn at the light at Nuwood Road to proceed back toward Route 40 West, the Beltway and Baltimore City, this is by no means an easy traffic movement, and it is certainly far easier and safer to come out Nuwood Road through the shopping center.

In carefully examining the seven photographs made by Mr. Stark, we do not note any signs or clear-cut indication to the public as to the ownership of the parking spaces either at the southwest corner of Pike Park Plaza or on the Patapsco Inn property, and perhaps signs would help as well.

We do not believe that a complete barrier along the west side of the Patapsco Inn property, as has been done on the north and east sides, would be to the advantage of the Patapsco Inn or the shopping center owners, although the public could be better informed by signing, appropriate striping, etc.

As you suggested at the close of the hearing on June 7, we would be glad to discuss any aspect of the parking lot, driveways, signing, etc., with Mr. Arthur and Mrs. Cole, and we will keep you informed as to any such discussions that take place. In the meanwhile, if Mrs. Arthur or Mrs. Cole

The Honorable Jean M. H. Jung
Deputy Zoning Commissioner
June 16, 1983
Page three

has any points which they wish to bring out, either by way of photographs, diagrams or otherwise, they are more than welcome to communicate directly with you, so far as we are concerned, and we would appreciate a copy of any such communications.

We trust that these materials will aid you in considering the relationship between these two properties, and if there is anything else that you need, we will be glad to provide it.

We believe that Mr. Guckert's very detailed report, offered as Plaintiff's exhibit 9, demonstrates that there is more than adequate parking available on site even with the Patapsco Inn. Secondly, Mr. Kelly points out that the Rockville location, which you have visited, has very limited parking in front of the restaurant, and that customers have learned to park on the side or rear of the shopping center, and are willing to do so since Family Entertainment restaurants are a point of destination for which customers are willing to make such a parking adjustment.

Respectfully submitted,

Newton A. Williams
Newton A. Williams

NW:pr
encs.

cc: Mrs. Donald Arthur
Mrs. Donna Arthur Cole

Mr. Rick Kelly
Family Entertainment Centers, Inc.

Mr. Scott Yuro and
Mr. Arnold Schaffel
Epsteins

Mr. Charles K. Stark, L.S.
Stephens and Associates, Inc.

Mr. John Weston Guckert, P.E.

Mr. Ormsby S. Moore

Mr. Edward T. Goldmeier

PETITION FOR SPECIAL EXCEPTION AND VARIANCE

1st Election District

ZONING: Petition for Special Exception and Variance
LOCATION: Northeast corner of Baltimore National Pike and Nuwood Drive
DATE & TIME: Tuesday, June 7, 1983 at 10:15 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for an arcade as a use in combination with a family entertainment restaurant and Variance to permit a total of 783 parking spaces in lieu of the required 1,074 parking spaces, by amending previous Variance Case No. 67-112-A, which granted 722 parking spaces instead of the required 876

The Zoning Regulations to be excepted as follows:
Section 409.2b - parking spaces required for uses other than dwellings

All that parcel of land in the First District of Baltimore County

Being the property of Pike Park Plaza Associates, et al, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, June 7, 1983 at 10:15 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
503 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

Description to Accompany Petition
for Special Exception for Pizza Time
Theatre and Arcade March 2, 1983

Beginning for the same at a point distant 35.00 feet South 69° 58' 59"
East from the center of Nuwood Drive 70 feet wide and 274 feet more or less
North 19° 01' 07" East measured along the center of Nuwood Drive from the
center line intersection of Baltimore National Pike 150 feet wide thence
1-South 69° 58' 59" East 199.0 feet more or less thence
2-North 20° 01' 01" East 38.0 feet more or less thence
3-South 69° 58' 59" East 13.0 feet more or less thence
4-North 20° 01' 01" East 180.1 feet more or less thence
5-South 69° 58' 59" East 75.0 feet thence
6-South 20° 01' 01" West 180.1 feet more or less thence
7-South 69° 58' 59" East 146.0 feet more or less thence
8-South 20° 01' 01" West 255.0 feet more or less to the northeast right
of way line of Baltimore National Pike thence binding on said northeast right of
way line
9-Northwesterly by a line curving to the north with a radius of 7,564.44
feet for an arc distance of 306 feet more or less thence
10-North 22° 38' 52" East 138.95 feet thence
11-North 69° 23' 31" West 96.62 feet thence
12-South 22° 38' 52" West 135.60 feet to the said northeast right of way

Item #116
MAY 3 1983
REVISED PLANS

line of said Pike thence binding on said right of way and on the southwest
right of way line of Nuwood Drive the three following courses and distances
13-Northwesterly by a line curving to the north with a radius of 7564.44
feet for an arc distance of 32 feet more or less
14-North 23° 49' 00" West 20.31 feet and
15-North 19° 01' 07" East 189.0 feet more or less to the place of
beginning.
Containing 2.4 acres of land more or less.

Charles K. Stark
#3026



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 1, 1983

Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

Re: Petition for Special Exception and Variance
NE corner Baltimore National Pike and
Nuwood Drive
Pike Park Plaza Associates, et al - Petitioners
Case No. 83-272-XA

Dear Mr. Williams:

This is to advise you that \$139.65 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 117637

DATE 6/1/83 ACCOUNT R-01-615-006
AMOUNT \$139.65

RECEIVED FROM Nolan, Plunhoff & Williams
FOR Advertising & Posting, Case #83-272-XA
(Pike Park Plaza Associates)

8 043*****1396510 8086A

VALIDATION OR SIGNATURE OF CASHIER



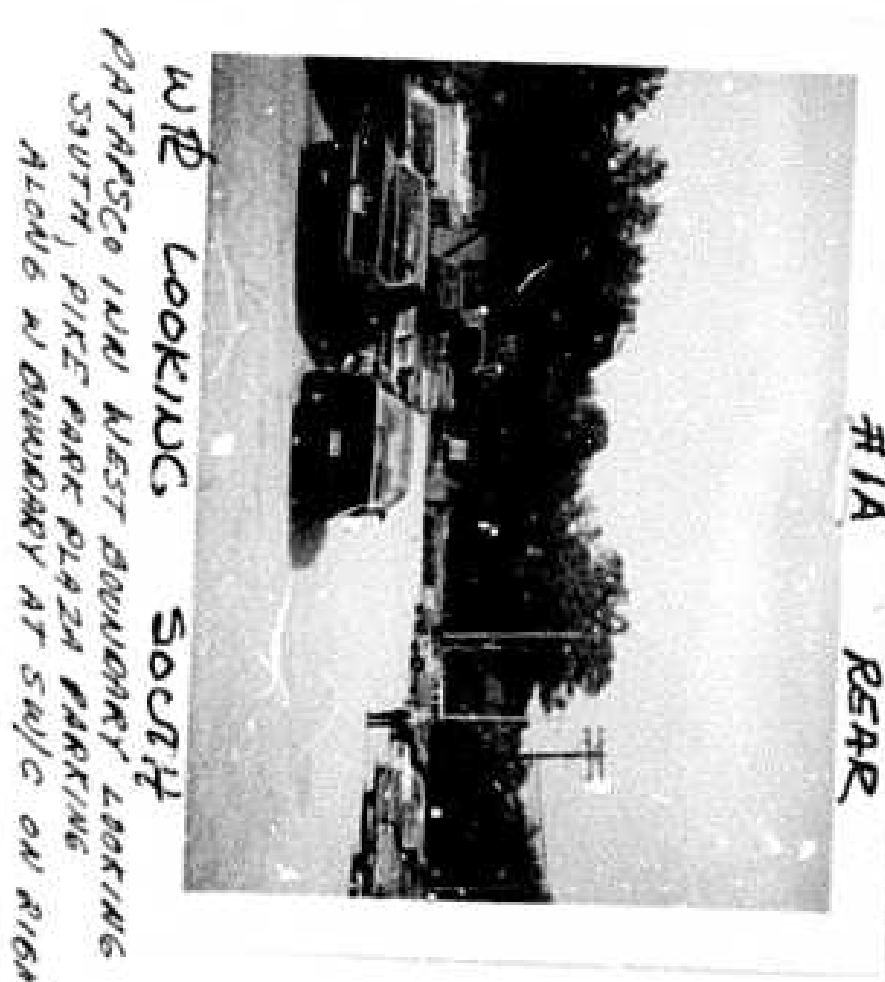
LOOKING S FROM PIKE PARK ROAD AT PARADO INN DRIVEWAY
#1B REAR



LOOKING N FROM PIKE PARK ROAD AT PARADO INN DRIVEWAY
#1B REAR



LOOKING S FROM PIKE PARK ROAD AT PARADO INN DRIVEWAY
#2 FRONT



LOOKING N FROM PIKE PARK ROAD AT PARADO INN DRIVEWAY
#2 FRONT



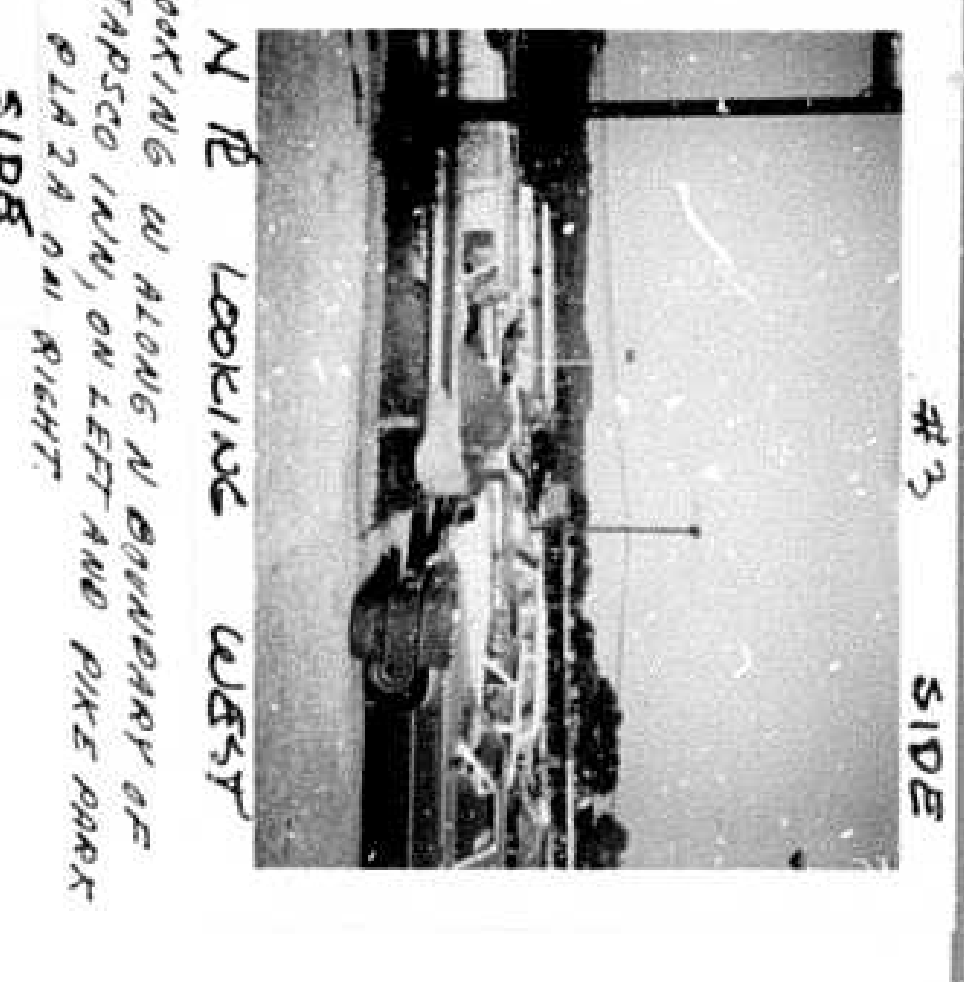
LOOKING E FROM PIKE PARK ROAD AT PARADO INN DRIVEWAY
#2A SIDE



LOOKING W FROM PIKE PARK ROAD AT PARADO INN DRIVEWAY
#2A SIDE



LOOKING E FROM PIKE PARK ROAD AT PARADO INN DRIVEWAY
#3A SIDE



LOOKING W FROM PIKE PARK ROAD AT PARADO INN DRIVEWAY
#3A SIDE

PETITION FOR SPECIAL EXEMPTION AND VARIANCE
1st Election District

ZONING: Petition for Special Exemption and Variance from the Zoning Ordinance of Baltimore County, Md., for a use in combination with a family entertainment restaurant and a family entertainment center, to be known as the "Pike Park Plaza", located at the intersection of Pike Park Road and Parado Inn, in the 1st Election District, Baltimore County, Maryland.

DATE: Tuesday, June 1, 1983 at 10:15 A.M.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chase Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, Md., authority of the Zoning Ordinance of Baltimore County, Md., will hold a public hearing on the Petition for Special Exemption and Variance from the Zoning Ordinance of Baltimore County, Md., for a use in combination with a family entertainment restaurant and a family entertainment center, to be known as the "Pike Park Plaza", located at the intersection of Pike Park Road and Parado Inn, in the 1st Election District, Baltimore County, Maryland.

Section 408.20 - parking spaces required for uses other than dwellings

All that parcel of Land to be known as the "Pike Park Plaza", located at the intersection of Pike Park Road and Parado Inn, in the 1st Election District, Baltimore County, Maryland, containing 2.4 acres of land more or less, being the property of Pike Park Plaza Associates, Inc., as shown on the plat filed with the Zoning Department, Baltimore County, Maryland, on May 19, 1983.

Public Hearing: Room 108, County Office Building, 111 W. Chase Avenue, Towson, Maryland, on May 19, 1983 at 10:15 A.M.

By Order of the Zoning Commission of Baltimore County, Maryland.

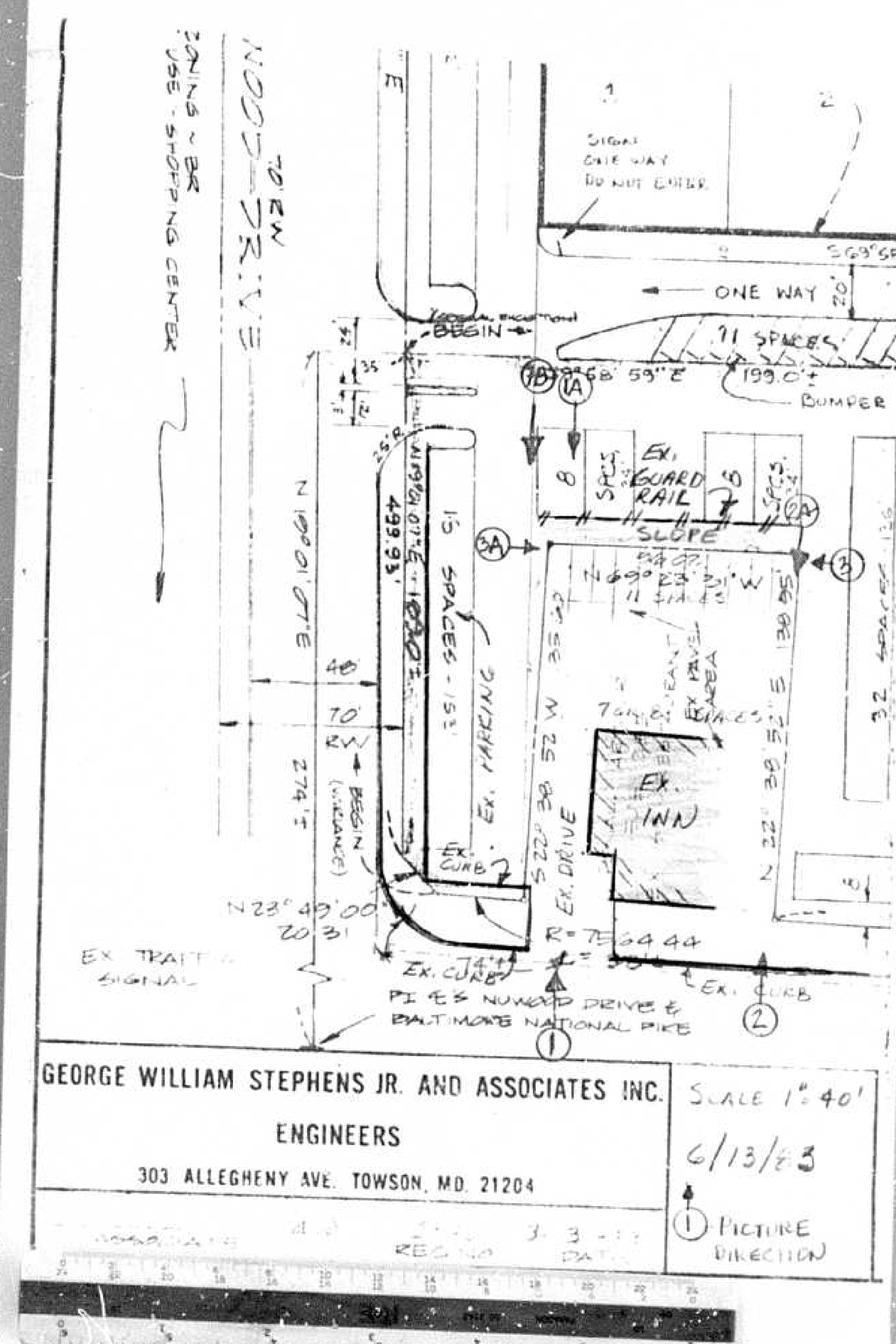
CERTIFICATE OF PUBLICATION

TOWSON, MD., May 19, 1983.

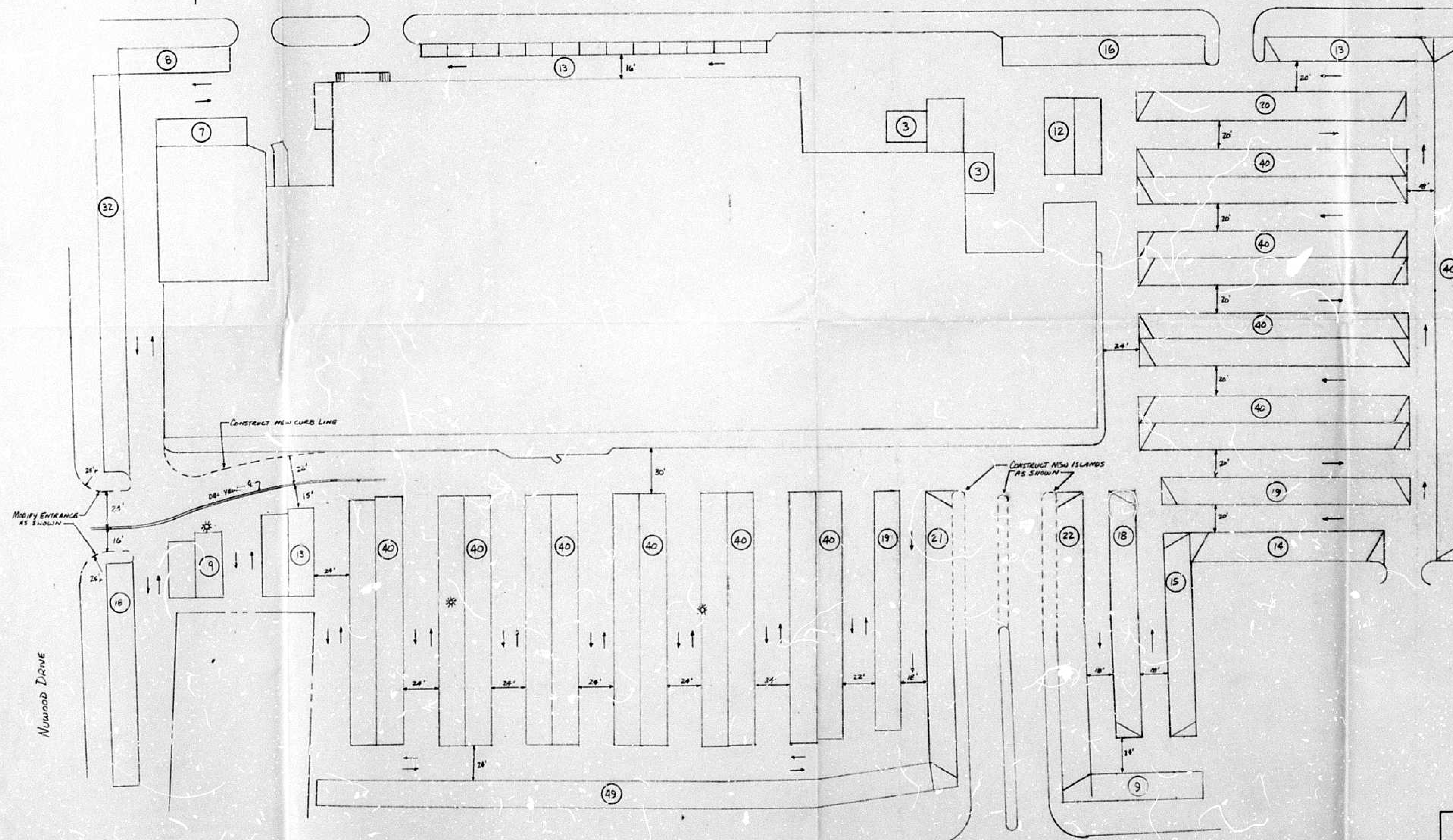
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., 8666-760-0000, at 10:15 A.M., on May 19, 1983, the 19th day of May, 1983.

THE JEFFERSONIAN, Manager.

Cost of Advertisement, \$ 200.00



ALTERNATE
DRIVEWAY DESIGN



Nunood Drive

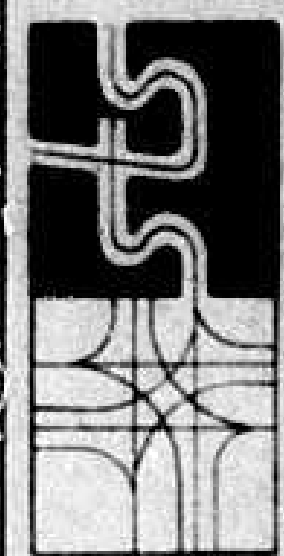
US 40

793 SPACES SHOWN
TYPICAL SPACE 8.5' X 18'

PETITIONER'S
EXHIBIT 70

PIKE PARK PLAZA

SCALE 1" = 40' DATE 5/31/83



STREET TRAFFIC STUDIES, LTD.

WASHINGTON, D.C.
186 R STREET, N.W.
Gaitherburg, Md 20760
(301) 948-1754

BALTIMORE
4 PRATT ST. GAITHER
Parkville, Md 21120
(301) 343-0950

DRAWING NO.

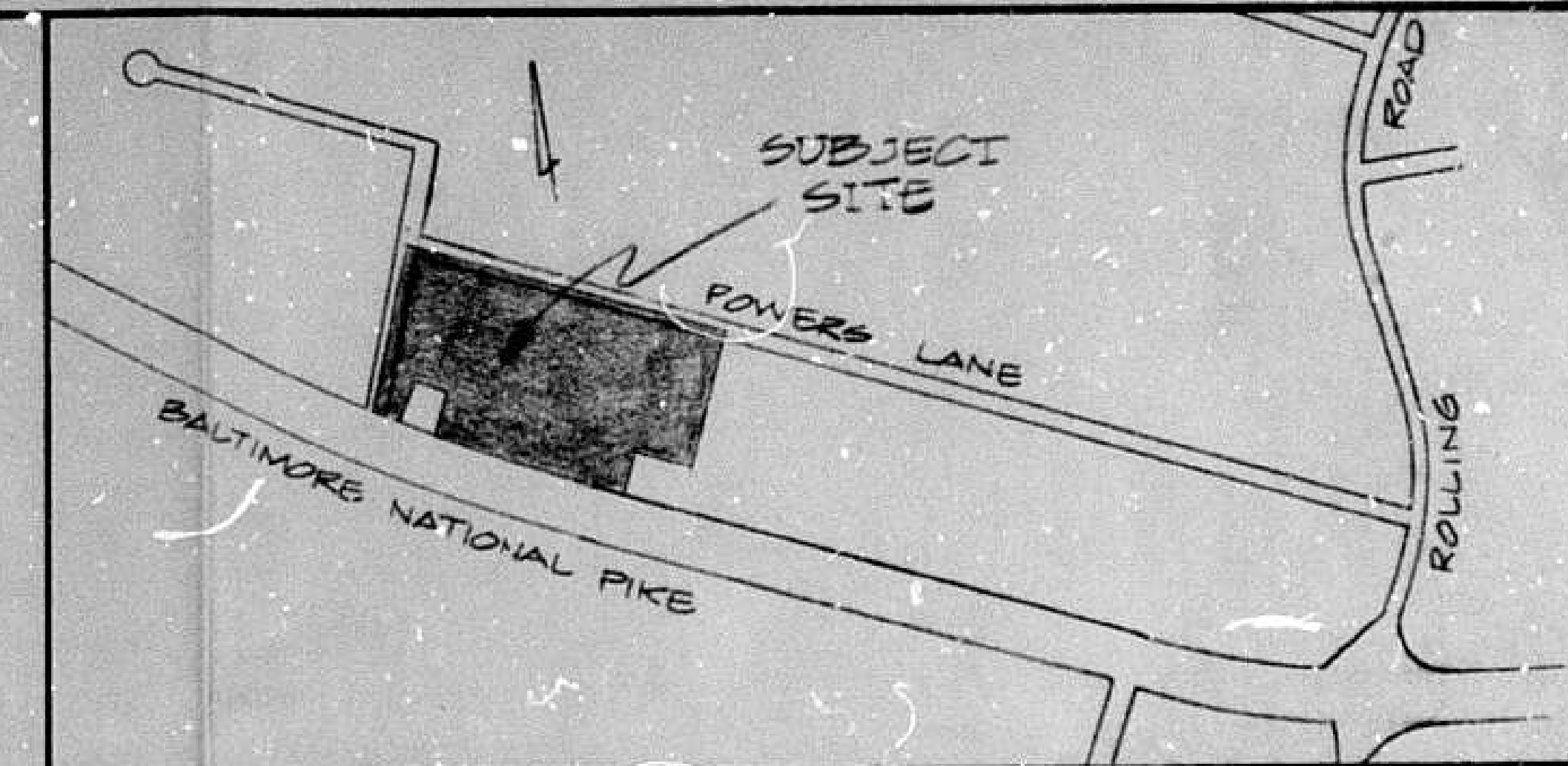
REVISION

DATE

DESIGNED BY
DRAWN BY
CHECKED BY

SITE DATA

- 1) EXISTING ZONING ~ BR
- 2) AREA OF ENTIRE SHOPPING CENTER ~ 11 ACRES ±
- 3) OWNER OF INVOLVED PARCEL ~ ARNOLD SCHARTEL, ET AL
- 4) DBED REFERENCE ~ 5542/760
- 5) LESSEE OF INVOLVED PARCEL ~ FAMILY ENTERTAINMENT CENTER, INC.
- 6) AREA OF LESSEE BLDG ~ 12,610 SF ±
- 7) AREA OF LESSEE BLDG AND PARKING ~ 2.2 ACRES ±
- 8) PARKING REQUIRED ~ 12,610 / 50 = 252 SPACES
- 9) PARKING PROVIDED ~ 253 SPACES
- 10) WATER AND SANITARY FACILITIES ARE EXISTING AND ADEQUATE
- 11) LD = LOADING DOCK



VICINITY MAP SCALE: 1"=500'

PARKING CRITERIA: RETAIL 1SP/200'
RESTAURANT 1SP/50'
*OFFICE 1SP/300'

PARKING TABULATION

ST. NO.	EXISTING TENANT	SQ. FT.	USE	SP. REQ.
1	HEALTH CENTER	14,070	1/300*	50
2	LOWER LEVEL **	10,620	NIGHT CLUB	212
3	LOWER LEVEL WAREHOUSE	5,500	STORAGE	1
4	UPPER LEVEL VACANT	10,925	RETAIL	25
5	PIZZA TIME THEATRE	12,610	RESTAUR.	253
6	SPRINT DEPT. STORE	37,640	RETAIL	187
7	KASH & KERRY FOOD	21,225	RETAIL	100
8	DINETTE SALES	2,305	RETAIL	12
9	LA-Z-BOY SHOP	5,323	RETAIL	27
10	BARBER SHOP	900	1/200*	5
11	MURRY STEAK	800	RETAIL	10
12	BUDGET RENT-A-CAR	576	1/300*	2
13	WAREHOUSE	1,122	STORAGE	0

TOTAL SPACES REQ'D = 1050
TOTAL SPACES PROV'D = 792
SPACES NEEDED = 252

** NIGHT CLUB IS RESTRICTED FROM LIVE MUSIC UNTIL AFTER 9:00PM; SUBSEQUENTLY, THE RETAIL STORES ARE CLOSED AT THIS TIME.

NOTE - SEE ZONING FILE 67-112 WHEREBY VARIANCE WAS GRANTED TO PERMIT 722 SPACES INSTEAD OF REQUIRED 856 SPACES.

LESSEE/PETITIONER
FAMILY ENTERTAINMENT CENTERS, INC.
751 ROCKVILLE PIKE
SUITE 200
ROCKVILLE, MARYLAND 20852

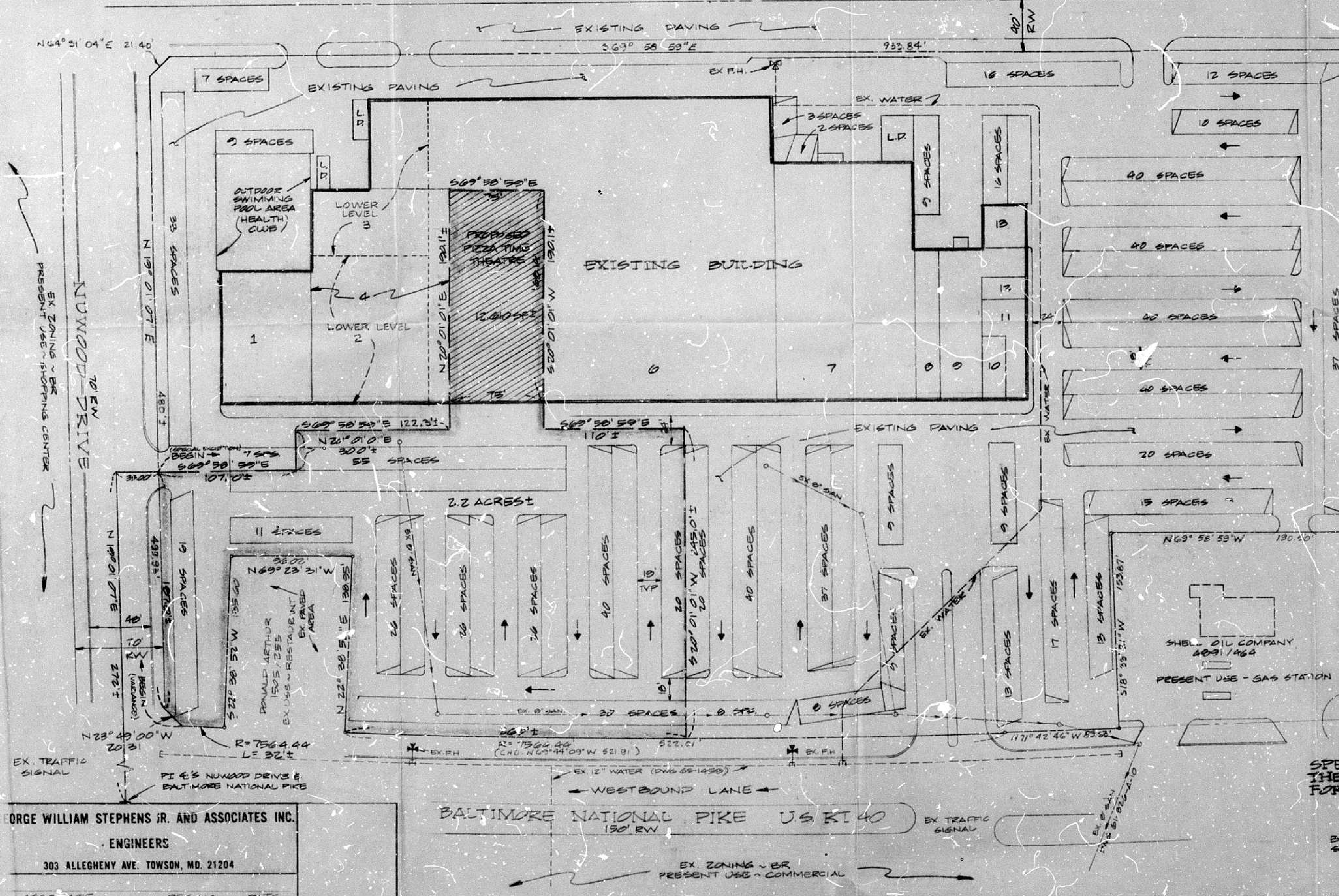
VARIANCE IS REQUESTED TO PERMIT A TOTAL OF 792 SPACES IN LIEU OF THE REQUIRED 1050 SPACES SECT. 400.2 D, 3, 5, 6, 7

PLAT TO ACCOMPANY ZONING PETITION

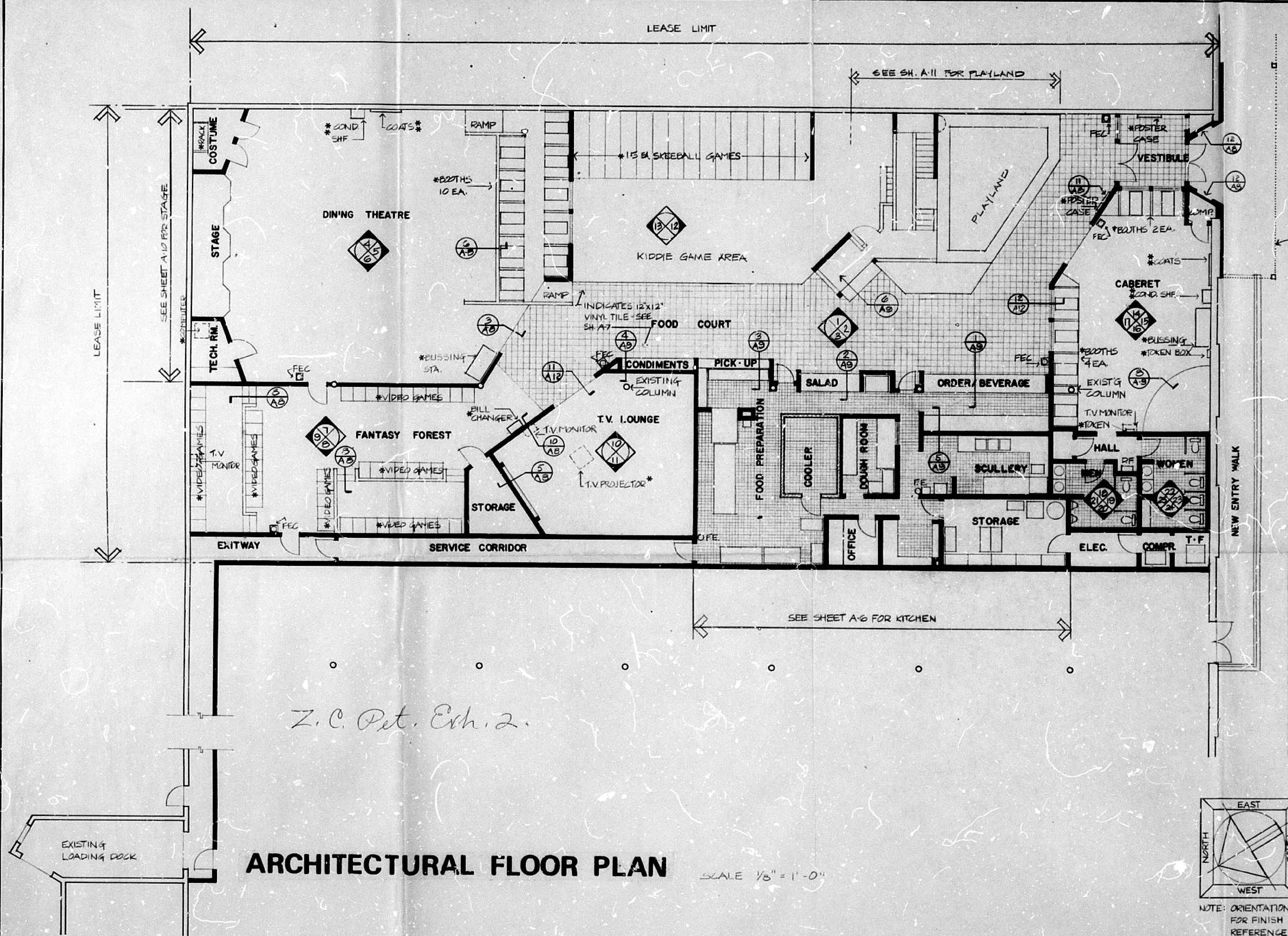
SPECIAL EXCEPTION FOR PIZZA TIME THEATRE AND ARCADE AND A VARIANCE FOR PARKING IN AN EXISTING BR ZONE

"PIZZA TIME THEATRE"
PIKE PARK MALL

BALTO COUNTY NO. 1
SCALE: 1"=40' JANUARY 10, 1993
PN 04780

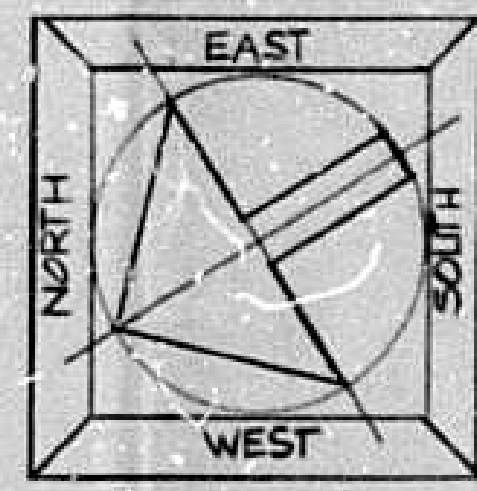


GEORGE WILLIAM STEPHENS JR. AND ASSOCIATES INC.
ENGINEERS
303 ALLEGHENY AVE. TOWSON, MD. 21204



ARCHITECTURAL FLOOR PLAN

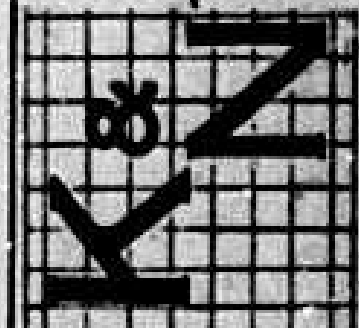
SCALE 1/8" = 1'-0"



NOTE: ORIENTATION ABOVE FOR FINISH SCHEDULE REFERENCE

- LEGEND:**
- Interior Elevation Reference indicator; wall elevation number, see Sheets A-4 & A-5
 - Detail Reference Symbol indicates detail number indicates Sheet No. drawn
 - Existing Wall
 - New Wall / Partition
 - Glass Panel in Wall / Partition
 - Insulated Pre-fabricated Cooler
 - Brick Masonry, new
 - Cement Masonry, new
 - Work Above
 - Quarry Tile flooring, see A-7
 - FIRE ← Fire Extinguisher w/ wall bracket & Halon, 1211-H17 by "Larsen's"
 - FIRE ← Fire Extinguisher Cabinet, Halon 1-11-H19 w/ 2409-SR recessed aluminum cabinet by "Larsen's"
 - * Indicates Items to be furnished & installed by Owner (NIC)
 - * Indicates Items furnished by Owner & installed by Carpentry SubContr.

KLAUDER & NUNNO ENTERPRISES
CONSTRUCTION MANAGEMENT
 JOHN B. KELSO: ARCHITECTURAL & ENGINEERING SERVICES
 409 WEST HALLANDALE BEACH BOULEVARD SUITE 212
 HALLANDALE, FLORIDA 33009 305/456-7702



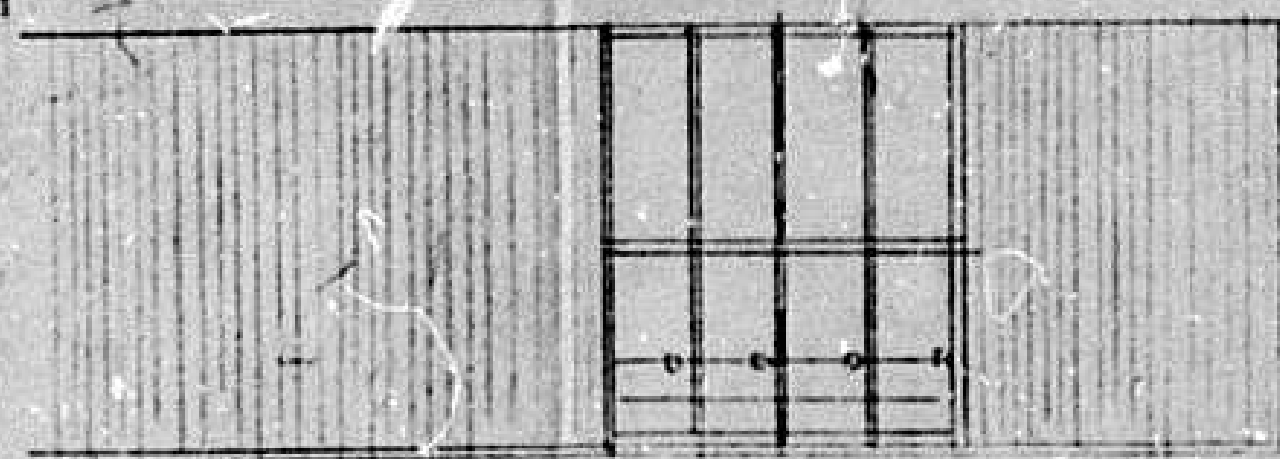
CHUCK E. CHEESE'S
PIZZA TIME THEATRE
 PIKE PARK MALL · BALTIMORE, MD



Revision	Date
1	5/17/83
2	5/17/83
3	5/17/83
4	5/17/83
5	5/17/83
6	5/17/83
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99	5/17/83
100	5/17/83

SITE DATA

- 1) EXISTING ZONING ~ BR
- 2) AREA OF ENTIRE SHOPPING CENTER ~ 11 ACRES ±
- 3) OWNER OF INVOLVED PARCEL ~ ARNOLD SCHAFFEL, ETAL
- 4) DEED REFERENCE ~ 5542/763
- 5) LESSEE OF INVOLVED PARCEL ~ FAMILY ENTERTAINMENT CENTER INC.
- 6) AREA OF LESSEE BLDG ~ 12,610 SF ±
- 7) AREA OF LESSEE BLDG AND PARKING ~ 2.4 ACRES ±
- 8) PARKING REQUIRED ~ 12,610 / 50 = 253 SPACES
- 9) PARKING PROVIDED ~ 253 SPACES
- 10) WATER AND SANITARY FACILITIES ARE EXISTING AND ADEQUATE
- 11) LD = LOADING DOCK
- 12) EX EXISTING LIGHTS
- 13) 8 HANDICAPPED PARKING
- 14) EXISTING BUILDINGS ARE SPRINKLERED
- 15) ENTIRE LOT IS TO BE REPAVED AND REPAVED IN CONJUNCTION WITH THE PARKING LAYOUT AS SHOWN AND ENTRANCE FROM NIMWOOD DRIVE REVISED AS SHOWN.

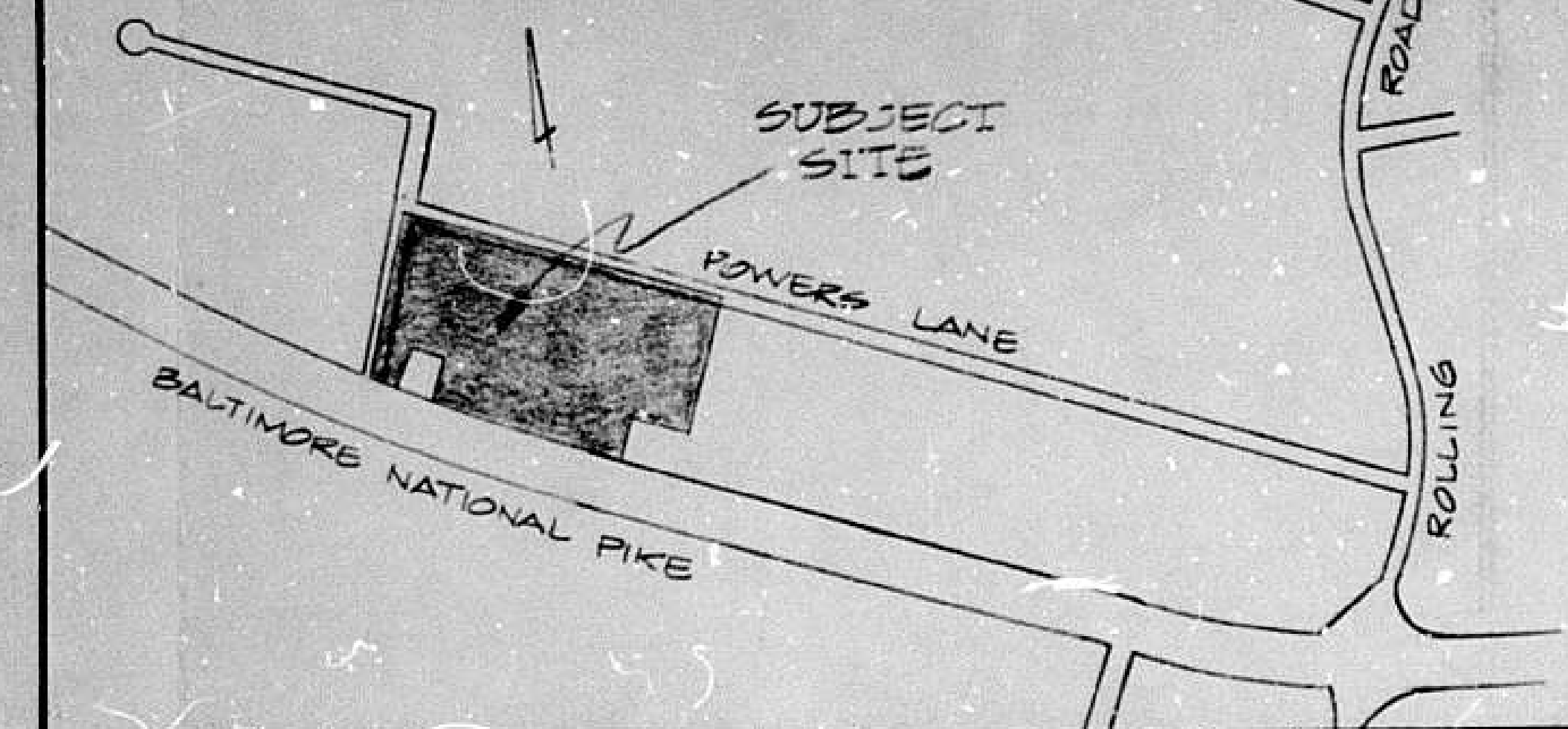


EXISTING ZONING ~ BR 16
PRESENT USE ~ VACANT

SIGN DETAIL (ON BLDG)
(NO SCALE)



SIGN DETAIL
(NO SCALE)



VICINITY MAP SCALE: 1"=500'

PARKING CRITERIA: RETAIL 1SP/200
RESTAURANT 1SP/50
OFFICE 1SP/300

PARKING TABULATION

ST. NO.	EXISTING TENANT	SQ. FT.	USE	SP. REQ.
1	HEALTH CENTER	14,970	1/200*	50
2	LOWER LEVEL **	10,620	NIGHT CLUB	213
3	LOWER LEVEL WAREH.	5,330	STORAGE	1
4	UPPER LEVEL VACANT	10,925	RETAIL	95
5	PIZZA TIME THEATRE	12,610	RESTAUR.	253
6	PROTEIN DEPT STORE	97,440	RETAIL	388
7	KASH & KERRY BLD	21,263	RETAIL	107
8	DINETTE SALES	2,365	RETAIL	12
9	LA-Z-BOY SHOP	5,323	RETAIL	27
10	BABEYR SHOP	900	1/200*	5
11	MURRY STEAK	1,905	RETAIL	10
12	BUDGET RENT-A-CAR	374	1/200*	15
13	WAREHOUSE	1,122	STORAGE	0

TOTAL SPACES REQUIRED = 1674

TOTAL SPACES PROVIDED = 783

INCLUDING (218) HANDICAPPED SPACES = 10

SPACES NEEDED = 291

** NIGHT CLUB IS RESTRICTED FROM LIVE MUSIC UNTIL AFTER 9:00PM; SUBSEQUENTLY, THE RETAIL STORES ARE CLOSED AT THIS TIME.

*** BUDGET RENT-A-CAR RESTRICTED BY LEASE TO MAXIMUM OF 3 TRUCKS (MAX. 20' LENGTH) AND 10 CARS.

NOTE - SEE ZONING FILE 67-112 - WHEREBY VARIANCE WAS GRANTED TO PERMIT 783 SPACES INSTEAD OF REQUIRED 876 SPACES.

LESSEE/PETITIONER:
FAMILY ENTERTAINMENT CENTERS, INC.
751 ROCKVILLE PIKE
SUITE 200
ROCKVILLE, MARYLAND 20852

VARIANCE IS REQUESTED TO PERMIT A TOTAL OF 783 SPACES IN LIEU OF THE REQUIRED 1074 SPACES ACC. TO 405.2D.3,5,6,7

PLAT TO ACCOMPANY ZONING PETITION FOR

SPECIAL EXCEPTION FOR PIZZA TIME THEATRE AND ARCADE AND A VARIANCE FOR PARKING IN AN EXISTING BR ZONE

"PIZZA TIME THEATRE"
PIKE PARK PLAZA

BALTO. COUNTY MD
SCALE: 1"=40'
ELECT. DIST. NO. 1
JANUARY 10, 1993
REV. MARCH 24, 1993 - SPACES REV.
ADD. SIGNAGE, ETC.
APRIL 15, 1993 - REV. PARKING
APRIL 26, 1993 - REV. ENTRY PARKING

GEORGE WILLIAM STEPHENS JR. AND ASSOCIATES INC.
ENGINEERS
303 ALLEGHENY AVE. TOWSON, MD 21204
3036 3-3-83
REG. NO. DATE

BALTIMORE NATIONAL PIKE U.S. RT. 40

EX ZONING ~ BR
PRESENT USE ~ COMMERCIAL

PETITIONER'S
EXHIBIT 1