

**CITY OF ROCKWALL
ORDINANCE NO. 14-33
SPECIFIC USE PERMIT NO. S-123**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) WITHIN THE DOWNTOWN (DT) DISTRICT ALLOWING FOR A DAYCARE FACILITY, FOR A PROPERTY LOCATED AT 401 W. WASHINGTON STREET, BEING A 0.45 ACRE PARCEL OF LAND DESCRIBED AS LOT 3-R, BLOCK A OF WASHINGTON PLACE ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Karri Shojaei-Scott for a Specific Use Permit within the Downtown (DT) District allowing for a Day Care Facility on the property located at 401 W. Washington Street, being a 0.45 acre parcel of land described as Lot 3-R, Block A of Washington Place Addition, City and County of Rockwall, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a Day Care Facility within the Downtown (DT) District, on the subject property at 401 W. Washington Street, being a 0.45 acre parcel of land described as Lot 3-R, Block A of Washington Place Addition, City and County of Rockwall, Texas; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Section 4.8, "DT" Downtown (DT) District, of Article V, District Development Standards, of the City of Rockwall Unified Development Code (Ordinance No. 04-38)** as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and definitions.

2.1 Operational Conditions

The following conditions pertain to the operation of a Day Care Facility on the subject property at 401 W. Washington Street and conformance to these stipulations is required for continued operations:

- 1) The facility must be licensed by the state.
- 2) The City Council reserves the right to review this Specific Use Permit one year after the approval and adoption of this ordinance.

Section 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

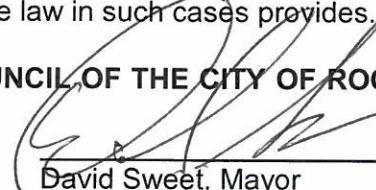
Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

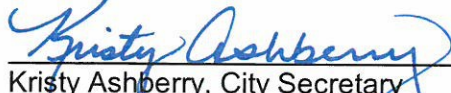
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18th DAY OF AUGUST, 2014.




David Sweet, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: 08-04-14

2nd Reading: 08-18-14



Exhibit "A" – Site Plan

NOT FOR CONSTRUCTION
VARIANCE DATE 1-08-04

SITE PLAN
SCALE 1"=20'-0"

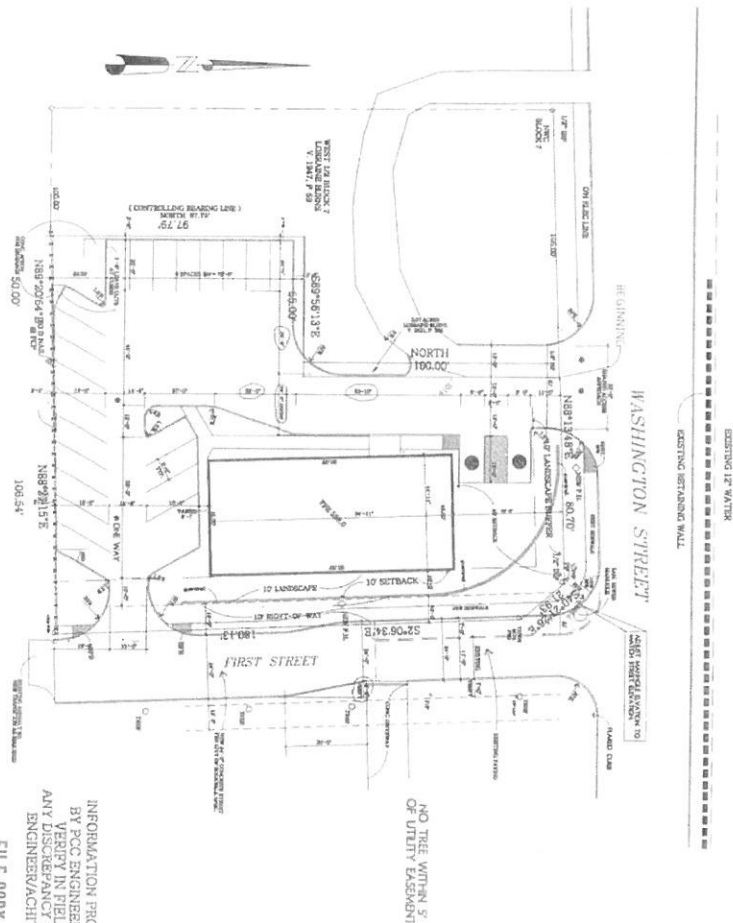
NOTE DIMENSIONS ARE FACE OF CURB TO FACE OF CURB

PROJECT TABULATION
SITE AREA 79,602 SF
ZONING C-2000
BUILDING AREA 4,275 SF
COVERAGE 5.4 %
PARKING REQUIRED 22
PARKING PROVIDED 25
BUILDING HEIGHT 28'

B.F. BOYD SURVEY
ABSTRACT NO. 14
LOWE & ALLEN ADDITION
ROCKWALL, TEXAS
PREPARED BY
GERALD MONK
CONSULTING ENGINEER
972-864-8028

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RECEIVED
JAN 17 2004

INFORMATION PROVIDED
BY POC ENGINEERING
FOR RECORD IN FIELD
ANY DISCREPANCIES
ENGINEER/ARCHITECT



11-20-03 CITY COMMENTS	11-13-03 NEW BUILDING LOCATION	12-18-03 CITY MEETING	12-17-03 CONTRACTOR MEETING	12-20-03 CONTRACTOR MEETING	1-1-04 CITY COMMENTS
6-1-03 CITY COMMENTS	7-15-03 KEYED DRAWS	7-28-03 FINAL CITY COMMENTS	8-01-03 CITY COMMENTS	8-06-03 CITY COMMENTS	10-20-03 B' ROLLING
10-28-03 CITY COMMENTS	<p>HAIR MOTION SALON SH 66 & FIRST STREET ROCKWALL, TEXAS</p>				<p>GERALD E. MONK CONSULTING ENGINEER 2452 PATRICIA SUITE C, CARLAND, TX 75040 972-864-8028</p>
<p>Date Recd: 5-14-03 Project No: 2003-10 Sheet No: 2003-10 Sheet Title: SITE PLAN Prepared By: GERALD MONK Consulting Engineer: 972-864-8028</p>	<p>C101</p>				