

CITY OF ROCKWALL

ORDINANCE NO. 15-03

SPECIFIC USE PERMIT NO. S-130

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A A GENERAL RETAIL STORE IN CONJUNCTION WITH AN OFFICE AND PHOTOGRAPHY STUDIO IN A RESIDENTIAL-OFFICE (RO) DISTRICT, ON TWO (2) PARCELS OF LAND, BEING 0.43-ACRES AND IDENTIFIED AS LOTS 19A & 19B OF THE AMICK ADDITION, AND GENERALLY LOCATED AT 503 NORTH GOLIAD STREET, ZONED PLANNED DEVELOPMENT DISTRICT NO. 50 (PD-50); AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF 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 Specific Use Permit (SUP) to allow for a *General Retail Store* in conjunction with an office and photography studio in a Residential-Office District and zoned Planned Development District No. 50 (PD-50) for residential-office land uses, has been requested by Ben McMillian of Hazel and Olive, on two (2) parcels of land, being 0.43-acres and identified as Lots 19A & 19B of the Amick Addition, and generally located at 503 North Goliad Street, and more specifically described in Exhibit 'A' of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; 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 (SUP) to allow for a *General Retail Store* in conjunction with an office and photography studio and zoned Planned Development District No. 50 (PD-50) for the *Subject Property*;

SECTION 2. That the Specific Use Permit shall be subject to the conditions set forth in *Planned Development District No. 50 (PD-50) & Section 4.2, Residential Office (RO) 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

additions:

2.1 Operational Conditions

The following conditions pertain to the operation of the General Retail Store on the subject property at 503 North Goliad Street and conformance to these stipulations is required for continued operations:

- 1) That the proposed conceptual site plan shall be attached to the SUP Ordinance for the purpose of establishing a property boundary for the establishment of a *General Retail Store* as attached hereto as Exhibit 'A'; and
- 2) That the *General Retail Use* will be generally limited to 1,200 sq. ft. as depicted on the floor plan attached hereto as Exhibit 'B'; and,
- 3) That submittal and approval of a site plan and replat will be required prior to issuance of building permit; and,
- 4) That all signage requires a separate permit and must conform to the standards established for the North Goliad Overlay District; and,
- 5) That joint or shared access shall be provided to the property directly north of the subject property; and,
- 6) That no parking shall be allowed in the SH205 right-of-way or in front of the building; and,
- 7) The City Council reserves the right to review the Specific Use Permit one year after approval.

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. That 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. That 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.

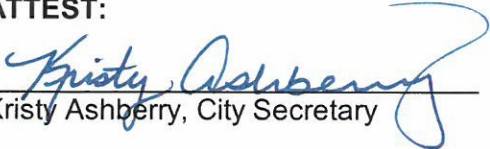
SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 2nd DAY OF February, 2015.



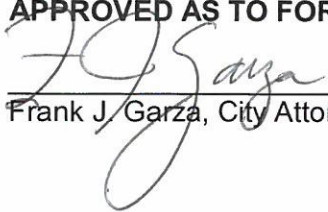
Jim Pruitt, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: 01-20-15

2nd Reading: 02-02-15

Exhibit A: Conceptual Site Plan

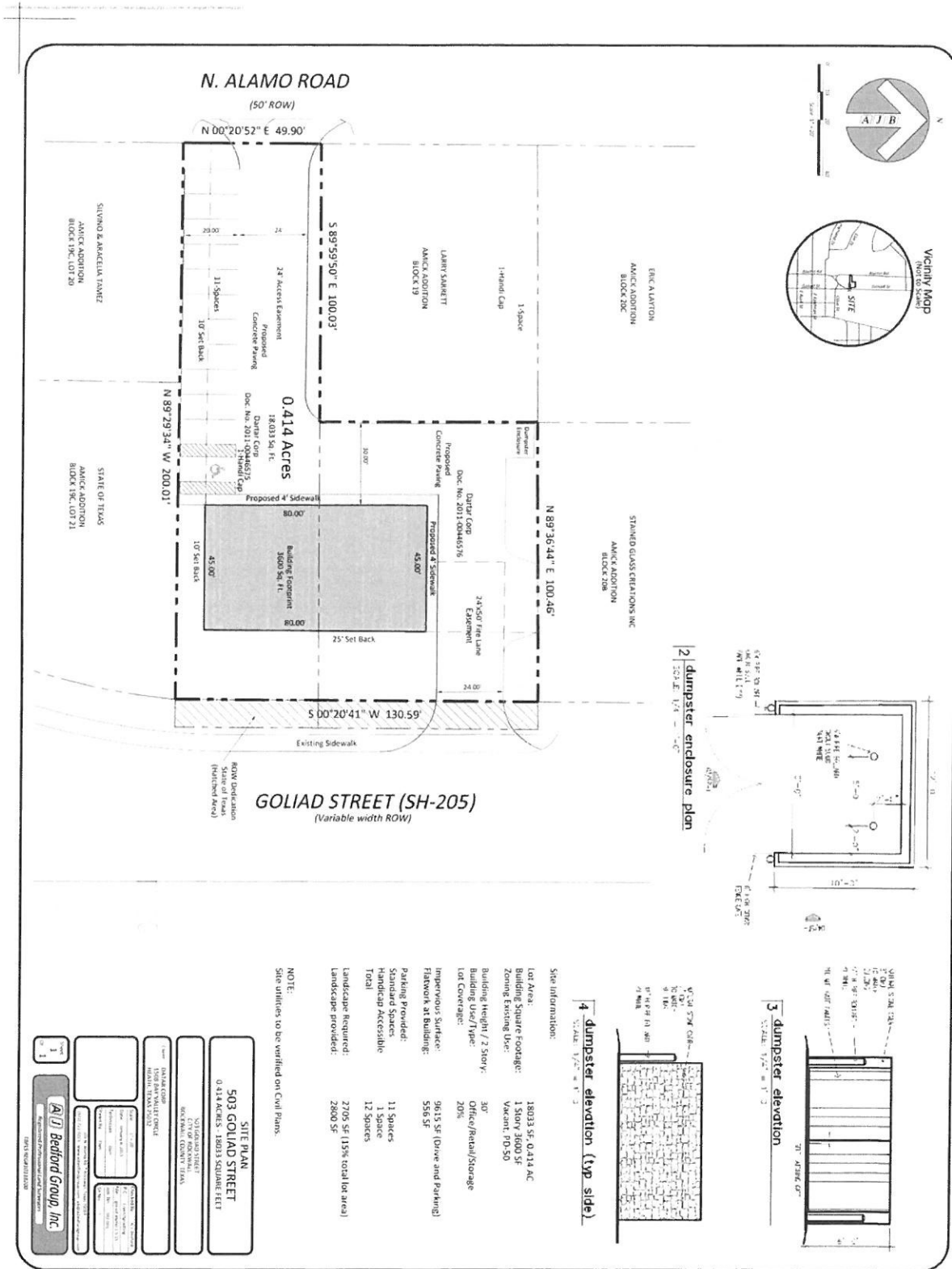


Exhibit B: Floor Plan

