

CITY OF ROCKWALL

ORDINANCE NO. 25-45

SPECIFIC USE PERMIT NO. S-371

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A DAYCARE FACILITY IN CONJUNCTION WITH AN EXISTING CHURCH/HOUSE OF WORSHIP ON A 0.344-ACRE PARCEL OF LAND IDENTIFIED LOTS 1, 2, 3 & 4, BLOCK T, AND LOTS 1, 2, & 3, BLOCK W, OF THE ROCKWALL OT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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 Gunnar Ledermann on behalf of Divine Peace Evangelical Lutheran Church for the approval of a *Specific Use Permit (SUP)* for a *Daycare Facility* in conjunction with an existing *Church/House of Worship* on a 0.344-acre parcel of land identified as Lots 1, 2, 3 & 4, Block T, and Lots 1, 2 & 3, Block W, Rockwall OT Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 305 S. Fannin Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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 [Ordinance No. 20-02] 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 approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 17-61, S-179*;

SECTION 2. That the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Daycare Facility* in conjunction with an existing *Church/House of Worship* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] on the *Subject Property*; and

SECTION 3. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth

in Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.07, *Downtown (DT) District*, and Subsection 04.01, *General Commercial District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Church/House of Worship* or *Daycare Facility* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The proposed *Daycare Facility* shall generally conform to the *Floor Plan* depicted in *Exhibit 'B'* of this ordinance.
- 2) If a playground or outdoor play area is added in conjunction with the *Daycare Facility*, the space shall be screened with evergreen shrubs to impair visibility of the space from adjacent properties and rights-of-way.
- 3) No expansion of the *Church/House of Worship* shall be permitted without sufficient parking covering the expansion is provided.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

SECTION 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 5. 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 6. 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.

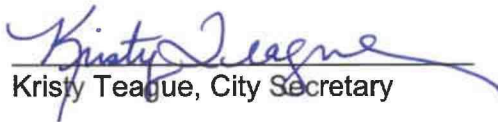
SECTION 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application 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 8. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 4TH DAY OF AUGUST, 2025.**


Tim McCallum, Mayor

ATTEST:


Kristy Teague, City Secretary



APPROVED AS TO FORM:


Frank J. Garza, City Attorney

1st Reading: July 21, 2025

2nd Reading: August 4, 2025

Exhibit 'A':
Survey and Legal Description

