

ORDINANCE NO. 88-10

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A COMMERCIAL AMUSEMENT ON LOT 9, ROCKWALL INDUSTRIAL FOUNDATION; PROVIDING FOR CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Conditional Use Permit for a Commercial Amusement to allow an indoor golf center has been requested by Terry Guerin for the property located on Lot 9, Rockwall Industrial Foundation, 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 Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to

grant a Conditional Use Permit for a commercial amusement on Lot 9, Rockwall Industrial Foundation.

SECTION 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. The permit is issued only for a miniature golf facility with accessory coin operated game machines, shuffle board and snack bar.

2. The permit is issued for a period of six months from the date of approval of this ordinance.

3. The conditional Use Permit will become void if the business ceases to exist prior to expiration of the permit.

4. The permanent parking, meeting City standards, will be installed within six months from the date of approval of this ordinance.

5. The gravel from the temporary parking area will be removed from the site within six months from the date of approval of this ordinance.

6. Plans for any permanent parking improvements will be submitted and approved by the City Engineer prior to installation.

7. At any time during the six months should the necessary parking demand exceed the existing parking, no additional Certificates of Occupancy will be issued until adequate parking is provided.

8. All of the aforementioned conditions will be met prior to the renewal of the Conditional Use Permit.

9. Renewal of the permit shall follow the same procedures for initial application of the request.

SECTION 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, 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 are declared to be severable.

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.

DULY PASSED AND APPROVED this 4th day of April, 1988.

APPROVED:

ATTEST:

*J.R. Miller*

By: *July Wood*

1st reading 3/21/88

2nd reading 4/4/88

WIDE GREENERY BELT

PARKING AREA  
CONC. CURBING

LIMITS OF  
PAVED PARKING  
N 15°-10' E

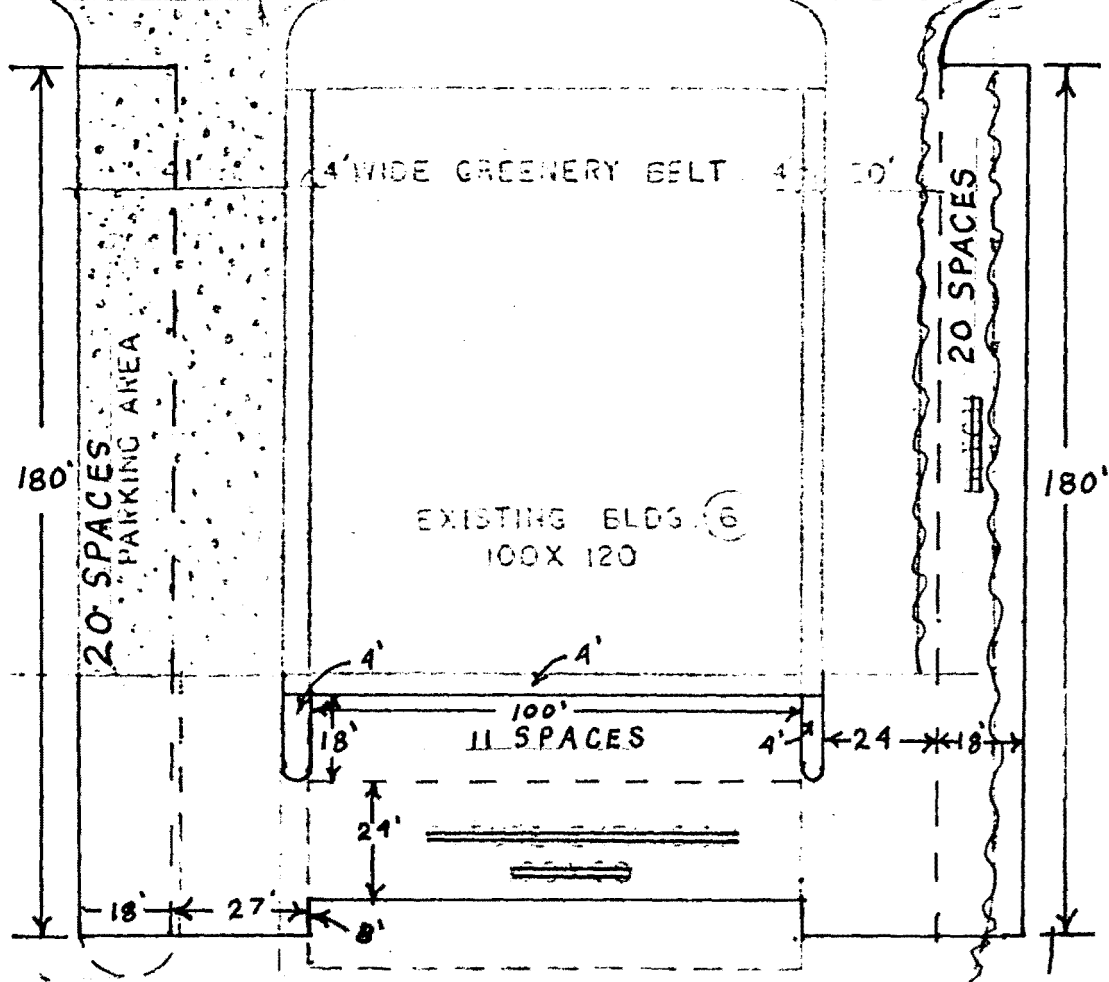
10" Ø W.M. EXISTING  
F.H. EXISTING

38'-0"

8" Ø S. SWR. EXISTING

INDUSTRIAL AVENUE  
N 16°-48'-39" E

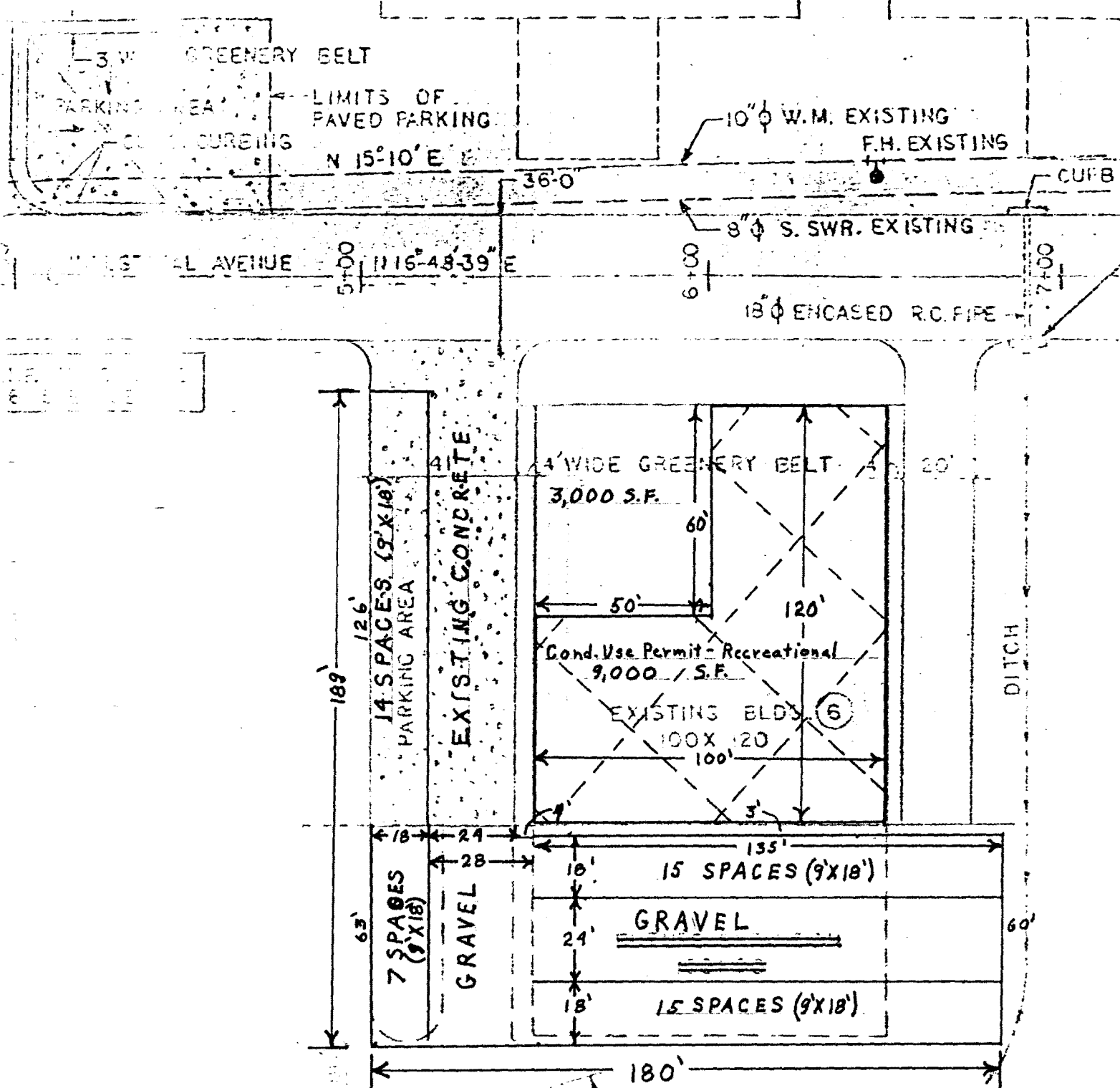
18" Ø ENCASED R.C. PIPE



Zoning - LI

CUP - Recreational

Concrete Parking Spaces	20
	20
	11
Total Spaces	51



Parking Spaces

Permanent	-	14
Temporary	-	7
(Gravel)		15
		15
Total		51

CUP - Recreational

Parking Requirements

9,000 SF CUP @ 1 per 200 SF = 45 spaces

3,000 SF LI \$ 1 per 500 SF = 6 spaces

51 total spaces