

ORDINANCE NO. 90-13

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 A PORTION OF LOT 1, BLOCK 1, EASTRIDGE CENTER, FURTHER DESCRIBED HEREIN; 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 Conditional Use Permit for a Commercial Amusement for an entertainment and video arcade has been requested by Robert Ryan for the property described as being lease spaces 1102 E, 1103 A, and 1103 B of Lot 1, Block 1, Eastridge Center and described further on the approved site plan attached hereto as Exhibit "A"; 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 so as to grant a Conditional Use Permit for a commercial amusement for an entertainment, billiard and video arcade on the following described property:

Lease spaces 1102 E, 1103 A, and 1103 B
of Lot 1, Block 1, Eastridge Center

and further described on the approved site plan attached hereto as Exhibit "A".

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

1. Any significant changes in the floor plan of the facility attached hereto as Exhibit "B" must be approved by the Planning and Zoning Commission.

2. Any change in the ownership or management or addition of food service must be approved by the Planning and Zoning Commission
3. The Facility will not operate between the hours of 12:00 A.M. and 8:00 A.M.
4. The permit shall be reviewed by the Planning and Zoning Commission for compliance with all requirements at a public hearing to be held in December, 1990 and every December thereafter.
5. The owner and/or operator and a representative of the Rockwall Police Department are required to be present at the public hearing. The owner/operator must present to the Commission a written report of each incident that occurs where the Police Department is called or a complaint is registered with either the owner/operator or the Police Department.
6. The owner and/or operator shall provide adequate security and adult supervision to activities during business hours.
7. All children under the age of twelve must be supervised by an adult.
8. No smoking shall be allowed in the video game room and an efficient smoke eradicator system will be installed. The efficacy of the system will be part of the annual Planning and Zoning Commission review.

Section 3. 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 Conditional Use Permit and as may be amended in the future.

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 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 of this ordinance or the application of 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.1 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 for 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 June, 1990

Mary Nichols
ATTEST

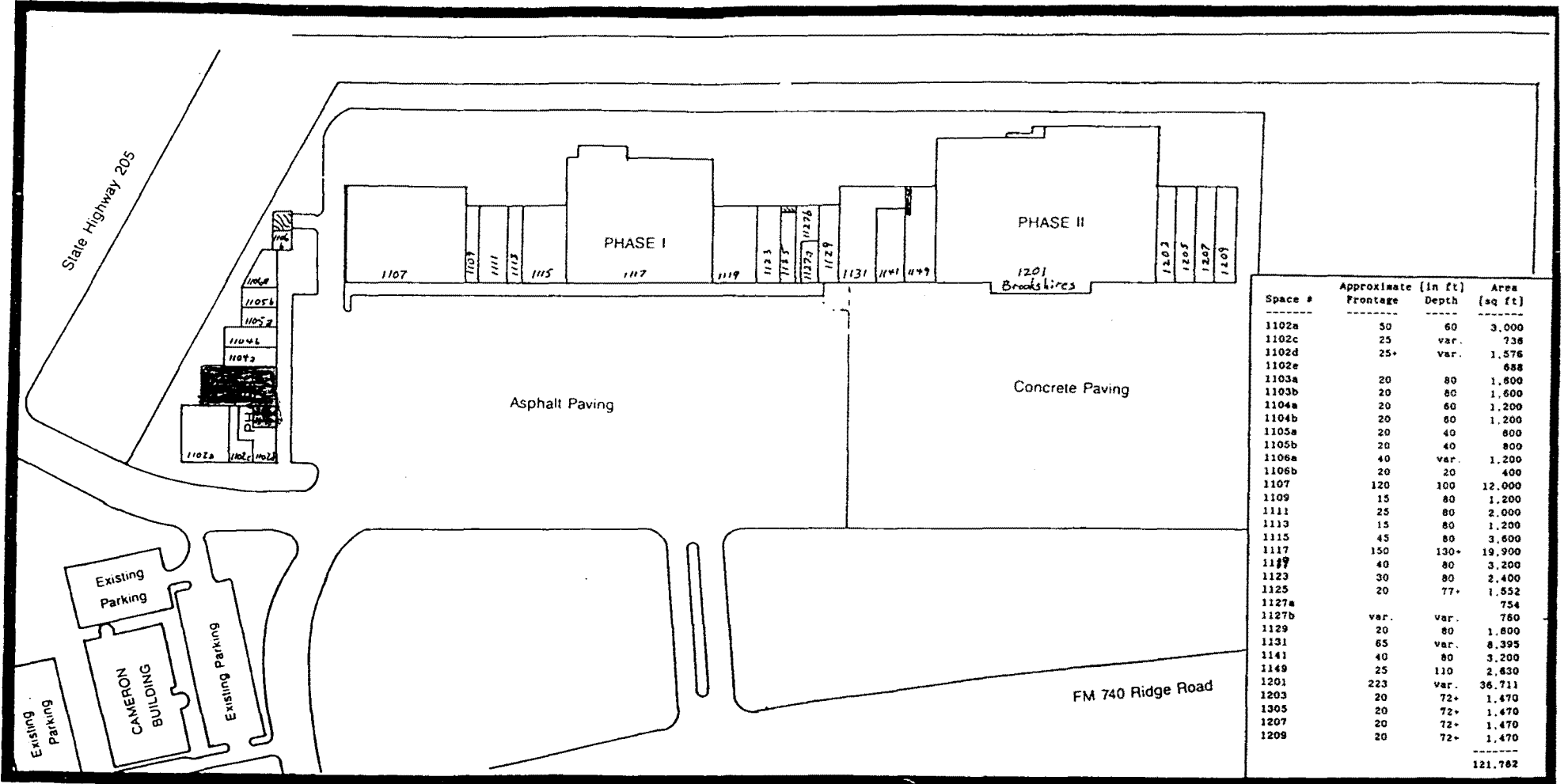
J. L. Meeker
APPROVED

1st Reading May 21, 1990

2nd Reading June 4, 1990

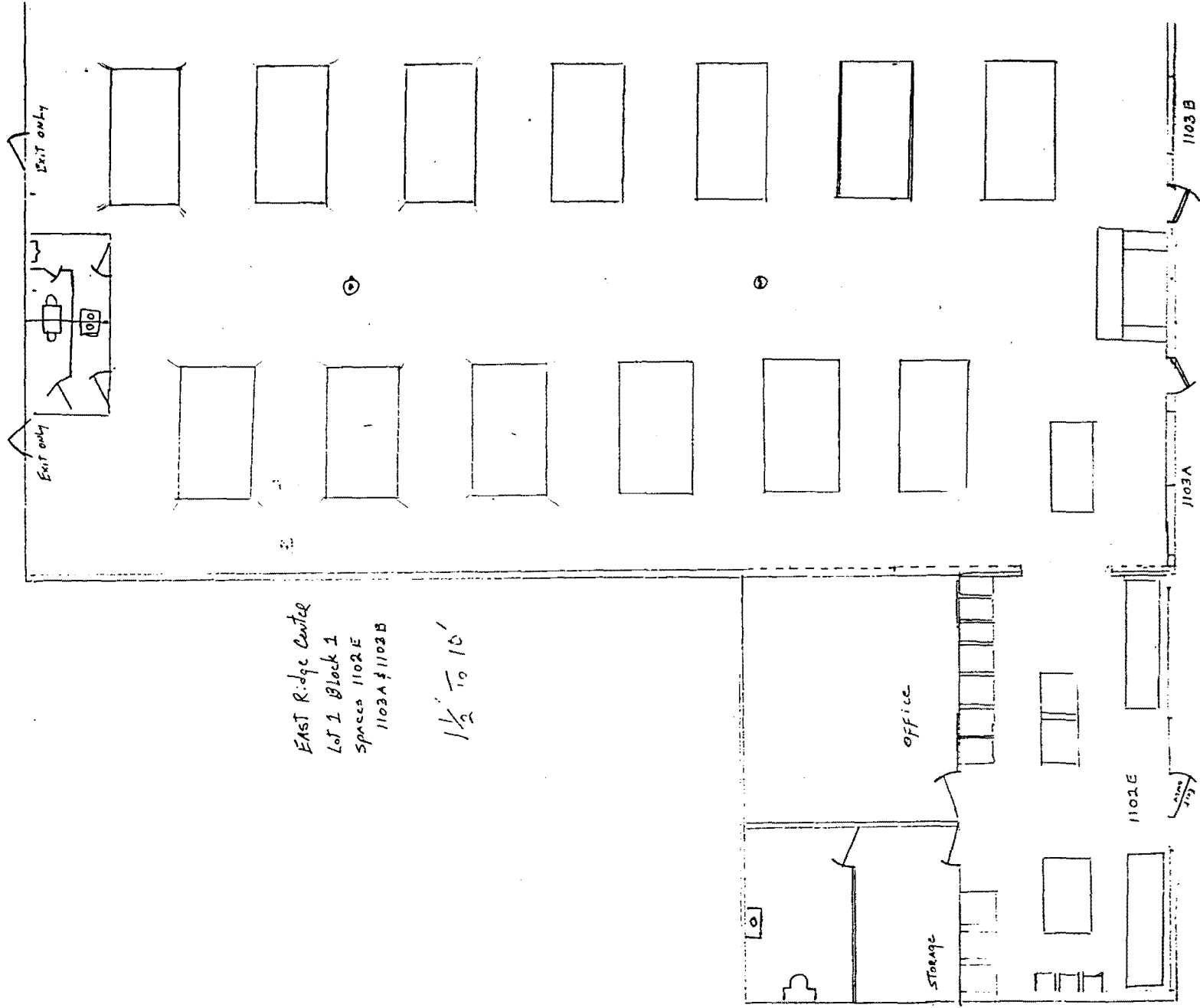
ROBERT RYAN

EXHIBIT A



Space #	Approximate Frontage (in ft)	Approximate Depth (in ft)	Area (sq ft)
1102a	50	60	3,000
1102c	25	var.	736
1102d	25+	var.	1,576
1102e			688
1103a	20	80	1,600
1103b	20	80	1,600
1104a	20	80	1,200
1104b	20	80	1,200
1105a	20	40	800
1105b	20	40	800
1106a	40	var.	1,200
1106b	20	20	400
1107	120	100	12,000
1109	15	80	1,200
1111	25	80	2,000
1113	15	80	1,200
1115	45	80	3,600
1117	150	130+	19,900
1119	40	80	3,200
1123	30	80	2,400
1125	20	77+	1,552
1127a			754
1127b	var.	var.	760
1129	20	80	1,600
1131	65	var.	8,395
1141	40	80	3,200
1149	25	110	2,630
1201	223	var.	36,711
1203	20	72+	1,470
1205	20	72+	1,470
1207	20	72+	1,470
1209	20	72+	1,470
			121,782

EXHIBIT B



EAST Ridge Center
Lot 1 Block 1
Spaces 1102E
1103A & 1103B

1 1/2' to 10'