

ORDINANCE NO. 91-13

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, CARLISLE PLAZA ADDITION, 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 a portion of Lot 1, Block 1, Carlisle Plaza Addition 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:

a portion of Lot 1, Block 1, Carlisle Plaza

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 one year from date of approval and annually 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 at least 18 years of age.
8. A designated non-smoking area shall consist of the north side of the building including the video game area 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.
- 9) all persons between the ages of twelve and fifteen shall be required to obtain a picture ID to be kept on file by the owner/operator

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.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.

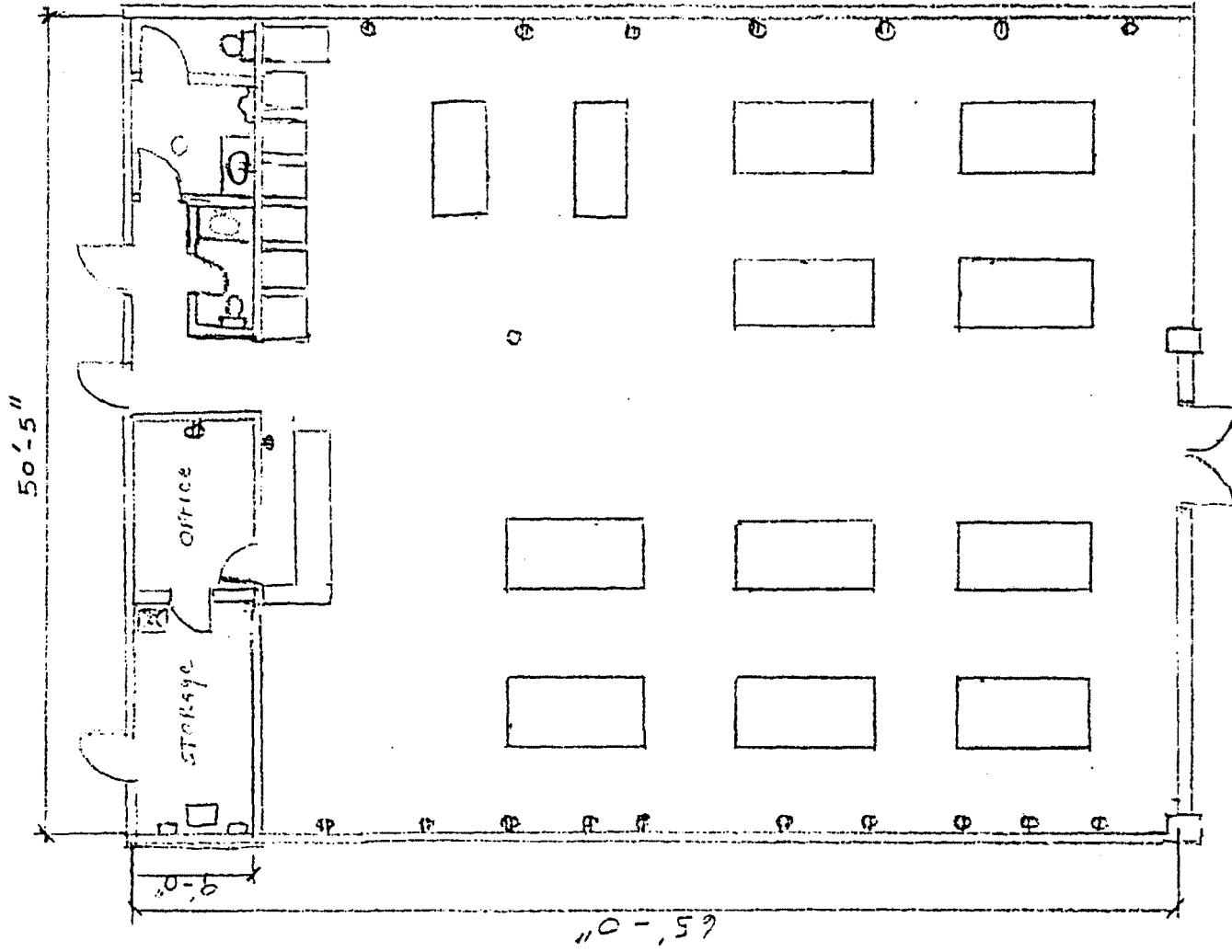
DULY PASSED AND APPROVED this 18th day of March 1991

Maryh Nichols
ATTEST

Hermon Selby
APPROVED

1st Reading 3/4/91

2nd Reading 3/18/91



SITE PLAN



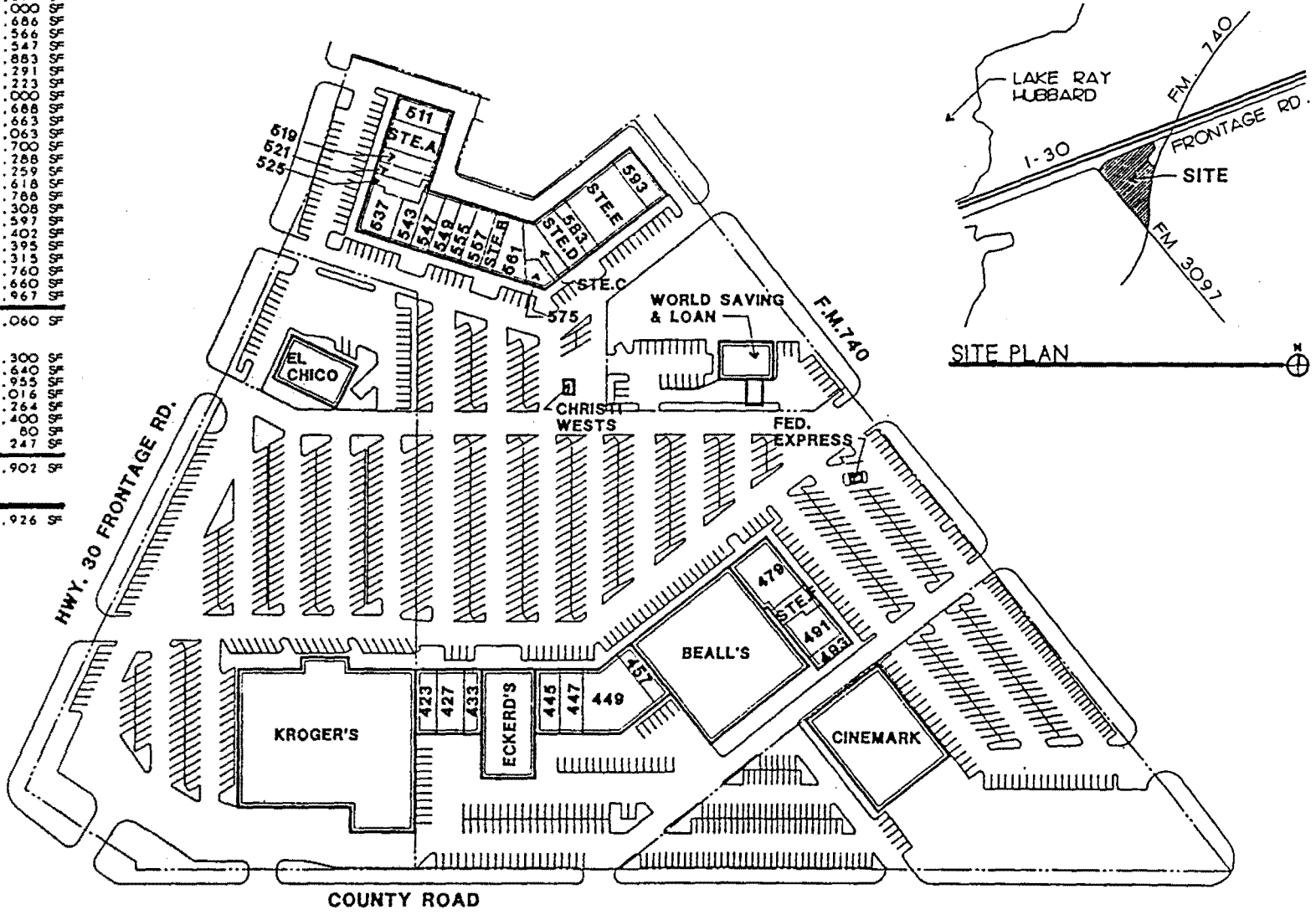
511	ONE HOUR MARTINIZNG	2,100	SF
STE. A	AVAILABLE	2,514	SF
519	PAK N POST	1,283	SF
521	CENTURY 21	1,048	SF
525	AVAILABLE	871	SF
537	AVAILABLE	2,577	SF
543	BACK TO BASICS	2,000	SF
547	HAR SALON	1,686	SF
549	AVAILABLE	1,566	SF
555	PARTY TIME	1,547	SF
557	LE CAFE	1,883	SF
STE. B	AVAILABLE	1,291	SF
561	PIZZA GETT	2,223	SF
575	ACCEL FRONTING	1,000	SF
STE. C	AVAILABLE	1,688	SF
STE. D	AVAILABLE	2,663	SF
583	FRAME S-OP	1,063	SF
STE. E	AVAILABLE	5,700	SF
593	SABRYNA'S FLOWERS	2,288	SF
493	SUBWAY	1,259	SF
491	AVAILABLE	3,618	SF
STE. F	AVAILABLE	1,788	SF
497	COURTY KITCHEN	5,308	SF
457	CHEREE'S DIAMONDS	1,597	SF
449	VIDEO VILLAGE	5,402	SF
445	RADIO SHACK	2,395	SF
447	PRISST'S HALLMARK	2,313	SF
433	SUELA EVANS NT.	1,760	SF
427	FLOOR'S ETC.	2,660	SF
423	EXCLSVS BEAUTY SUPPLY	1,967	SF

TOTAL FOR SITES 67,060 SF

KROGER	43,300	SF
ECKERD'S	8,640	SF
BEALL'S	24,955	SF
CINEMARK	16,016	SF
WORLD SAVINGS	3,264	SF
EL CHICO	5,400	SF
FEDERAL EXPRESS	80	SF
CHRSTI WESTS	247	SF

TOTAL FOR ADJORS & OUTPARCELS 101,902 SF

GRAND TOTAL 168,926 SF



ROCKWALL VILLAGE