

ORDINANCE NO. 92-9

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 CAR WASH IN A GENERAL RETAIL ZONING CLASSIFICATION ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR 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 Conditional Use Permit has been requested by Allen Anderson for a car wash in a General Retail zoning classification on a tract of land described as Lot 1, Block A, TLA Addition; 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 car wash in a General Retail zoning classification, on the property described as Lot 1, Block A, TLA Addition.

Section 2. That the Conditional Use Permit shall conform to all requirements as set forth in the Comprehensive Zoning Ordinance and shall be subject to the following special conditions:

1. That development shall comply with the site plan and elevations as approved and as attached hereto and made a part hereof as Exhibit "A". Any significant change in the site plan or elevations must be approved by the Planning and Zoning Commission.
2. That any lighting used must be shielded so as not to glare onto any adjacent property or onto the street.
3. That the drive onto Yellowjacket into the car wash site, as shown on Exhibit "A", is allowed only with the stipulation that there will be no additional drives permitted on the 370 feet of frontage along Yellowjacket as shown on the attached Exhibit "B". If the

owner negotiates access rights from the adjacent shopping center the proposed drive off of Yellowjacket may be eliminated from Exhibit "A" and utilized on the undeveloped eastern lot shown on Exhibit "B", upon submission and approval of a site plan by the Planning and Zoning Commission and City Council.

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

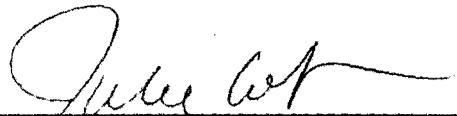
Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense 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 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 application 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 ordinances as the law in such cases provides.

DULY PASSED AND APPROVED this 6th day of April.

ATTEST:

By 

APPROVED:


Mayor

1st reading 3/16/92

2nd reading 4/6/92