

CITY OF ROCKWALL

ORDINANCE NO. 15-08

SPECIFIC USE PERMIT NO. S-134

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A HOTEL WITHIN PLANNED DEVELOPMENT DISTRICT 32 (PD-32), FOR A 2.968-ACRE LOT, CONTAINING TWO (2) PARCELS OF LAND IDENTIFIED AS LOT 3A, BLOCK A, SHORELINE PLAZA ADDITION (1.824-ACRES) AND LOT 1-1, BLOCK A, HENRY AFRICA ADDITION (1.143-ACRES), 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 Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) to allow a *Hotel* on a 2.968-acre lot containing two (2) parcels of land identified as Lot 3A, Block A, Shoreline Plaza Addition (1.824-acres) and Lot 1-1, Block A, Henry Africa Addition (1.143-acres), City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, and more specifically described 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. 04-38*] of the City of Rockwall should be amended as follows:

NOW AND THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code [*Ordinance No. 04-38*] 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 a *Hotel* within the *Freeway Frontage Subdistrict* as stipulated by *Exhibit 'D': Subdistrict Land Use Chart* of Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance, Planned Development District 32 (PD-32) [*Ordinance No. 10-21 & 14-44*] and as stipulated by Section 4.1, *General Commercial District Standards*, of Article IV, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Hotel* on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

- 1) The development of this property shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The development of this property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;
- 3) The development of a hotel on the subject property shall incorporate a minimum of 3,650 SF of floor area that will be utilized for the operation of a *Conference Center* (*i.e. an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training sessions, etcetera*), a minimum of 1,800 SF of floor area that will be utilized as *Pre-Function Event* area, and a minimum of 2,030 SF of floor area that will be utilized as *Courtyard* area; and,
- 4) The *Subject Property* is prohibited from being utilized as an *Extended Stay, Transient or Residence Hotel*.

SECTION 3. That the official zoning map of the City of Rockwall be corrected to reflect the changes described herein.

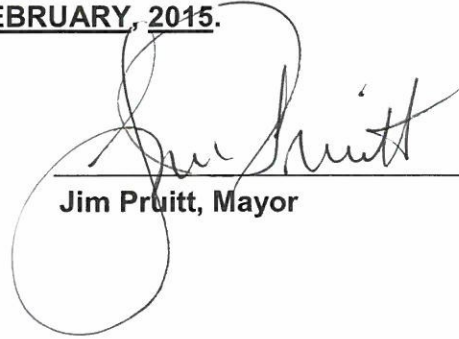
SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. That 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. That if any section of provision of this ordinance or the application of that section or provision to any person, firm, cooperation, 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 to 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.

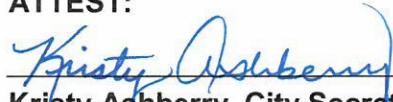
SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 16TH DAY OF FEBRUARY, 2015.



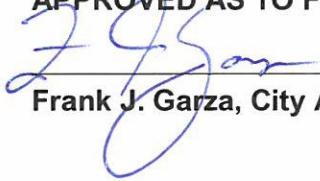
Jim Pruitt, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: 02-02-2015

2nd Reading: 02-16-2015

Exhibit 'A': Location Map & Legal Description

Subject Property: Lot 3A, Block A, Shoreline Plaza Addition & Lot 1-1, Block A, Henry Africa Subdivision



