

CITY OF ROCKWALL

ORDINANCE NO. 18-20

SPECIFIC USE PERMIT NO. S-187

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, AS HERETOFORE AMENDED, SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A HOTEL IN A COMMERCIAL (C) DISTRICT, ON A 2.056-ACRE TRACT OF LAND BEING IDENTIFIED AS A PORTION OF LOT 7 AND A PORTION OF LOT 8, BLOCK A, LA JOLLA POINTE, PHASE 2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL 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, the City has received a request from Pan S, Sribhen, P.E. of PSA Engineering on behalf of Shailesh C. Vora of DFW Hospitality of Rockwall, LLC for the approval of a Specific Use Permit (SUP) to allow for a *Hotel* in a Commercial (C) District on a 2.056-acre tract of land, identified as a portion of Lot 7 and a portion of Lot 8, Block A, La Jolla Pointe, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned *Commercial (C) District*, situated within the *IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts*, generally located along La Jolla Pointe Drive, south of the intersection of Carmel Circle and Laguna Drive, 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, 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 a *Hotel* within a *Commercial (C) District* as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38* on the *Subject Property*]; and

Section 2. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 4.5, Commercial (C) District; Section 6.6, IH-30 Overlay (IH-30 OV) District; and Section 6.8, Scenic Overlay (SOV) District, of Article V, District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the additional following conditions:

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 *Concept Plan* depicted in *Exhibit 'C'* of this SUP ordinance for the development of a *Hotel*; and,
- 2) The proposed hotel shall generally conform to the *Concept Building Elevations* depicted in *Exhibit 'D'* of this SUP ordinance, and shall be subject to review and recommendation by the Architecture Review Board (ARB); and,
- 3) The maximum overall height of the building shall not exceed 36-feet and shall be limited to a maximum of three (3) stories.
- 4) The Hotel shall be limited to non-residence suites, which are considered to be typical hotel rooms that do not contain kitchen facilities.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4. (3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

Section 4. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

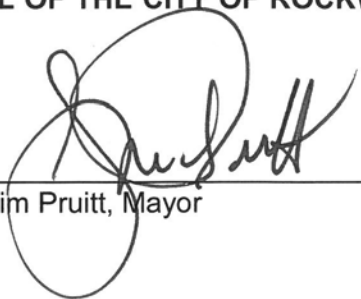
Section 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict

Section 6. 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 7. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, 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 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 8. That this ordinance shall take effect immediately from and after its passage 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 2ND DAY OF APRIL, 2018.



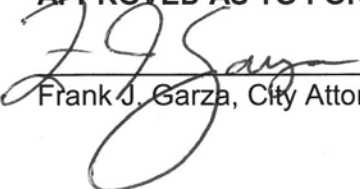
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: March 19, 2018

2nd Reading: April 2, 2018

Exhibit 'A':
Legal Description

BEING a tract of land situated in the, abstract Number 9 Rockwall County, Texas, and the James Smith Survey, Abstract Number 200, and being more particularly described by metes and bounds as follows;

BEGINNING at 1/2" iron rod found at the North corner of the La Jolla Point drive, said an about 10 feet to the Right-of-Way of La Jolia Pointe, also at the corner between La Jolia Pointe and Ridge Road (FM 740);

THENCE S 31°45'06" W, a distance of 16.55 feet to "X" mark found for corner;

THENCE N 56°44'36" W, a distance of 158.98 feet to a iron rod found for corner;

THENCE S 32°44'34" W, a distance of 54.85 feet to a iron rod found for corner;

THENCE S 46°35'35" E a distance of 21.02 feet to "X" mark found for corner;

THENCE S 46°29'21" W, a distance of 598.53 feet to a iron rod found for corner;

THENCE N 51°24'03" W, a distance of 288.85 feet to a 1/2" iron rod set for corner;

THENCE N 38°36'01" W, a distance of 75.51 feet to a 1/2" iron rod set for corner;

THENCE S 51°23'59" E, a distance of 113.18 feet to a 1/2" iron rod set for corner;

THENCE N 46°14'10" E, a distance of 350.27 feet to a 1/2" iron rod set for corner;

THENCE S 12°35'26" E, a distance of 32.10 feet to a 1/2" iron rod set for corner;

THENCE S 07°13'08" W, a distance of 33.92 feet to a 1/2" iron rod set for corner;

THENCE S 18°44'59" E, a distance of 22.67 feet for corner, said a point also being a curve tangent;

THENCE continuing along the curve to the right with a Chord bearing of S 28°11'31"E, and a Chord distance of 31.15 feet with a delta of 18°53'12", a curve radius of 95 feet and a curve length of 31.29 feet and a Tangent of 15.79 feet to a point;

THENCE S 38°09'07" E, a distance of 65.61 feet to a 1/2" iron rod set for corner;

THENCE N 46°05'36" E, a distance of 197.23 feet to a 1/2" iron rod set for corner;

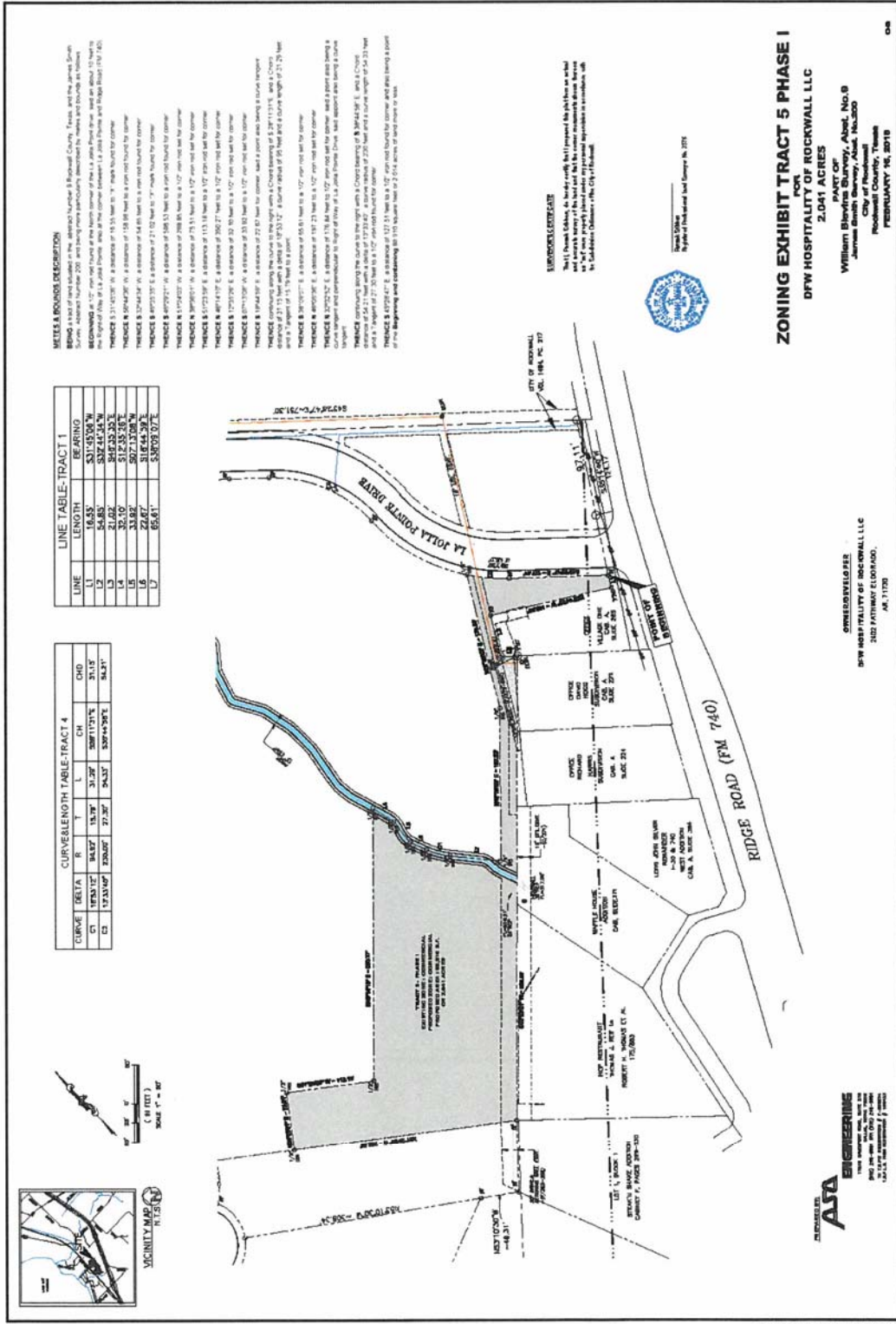
THENCE N 12°31'52" W, a distance of 33.13 feet to a 1/2" iron rod set for corner, said a point also being a curve tangent;

THENCE continuing along the curve to the right with a Chord bearing of N 57°11'06"W, and a Chord distance of 55.52 feet with a delta of 52°44'32", a curve radius of 62.5 feet and a curve length of 57.53 feet and a Tangent of 31.00 feet to a 1/2" iron rod set for corner;

THENCE N 32°43'14" E, a distance of 102.98 feet to 1/2" iron rod set for corner, said a point also being a curve tangent and perpendicular to Right of Way of La Jolla Pointe Drive;

THENCE continuing along the curve to the right with a Chord bearing of S 38°44'58" E, and a Chord distance of 54.21 feet with a delta of 13°33'40", a curve radius of 230 feet and a curve length of 54.33 feet and a Tangent of 27.30 feet to a 1/2" iron rod found for corner and also being a point of the Beginning and containing 89,557 square feet or 2.056 acres of land more or less.

Exhibit 'B': Boundary Description



**Exhibit 'C':
Concept Plan**

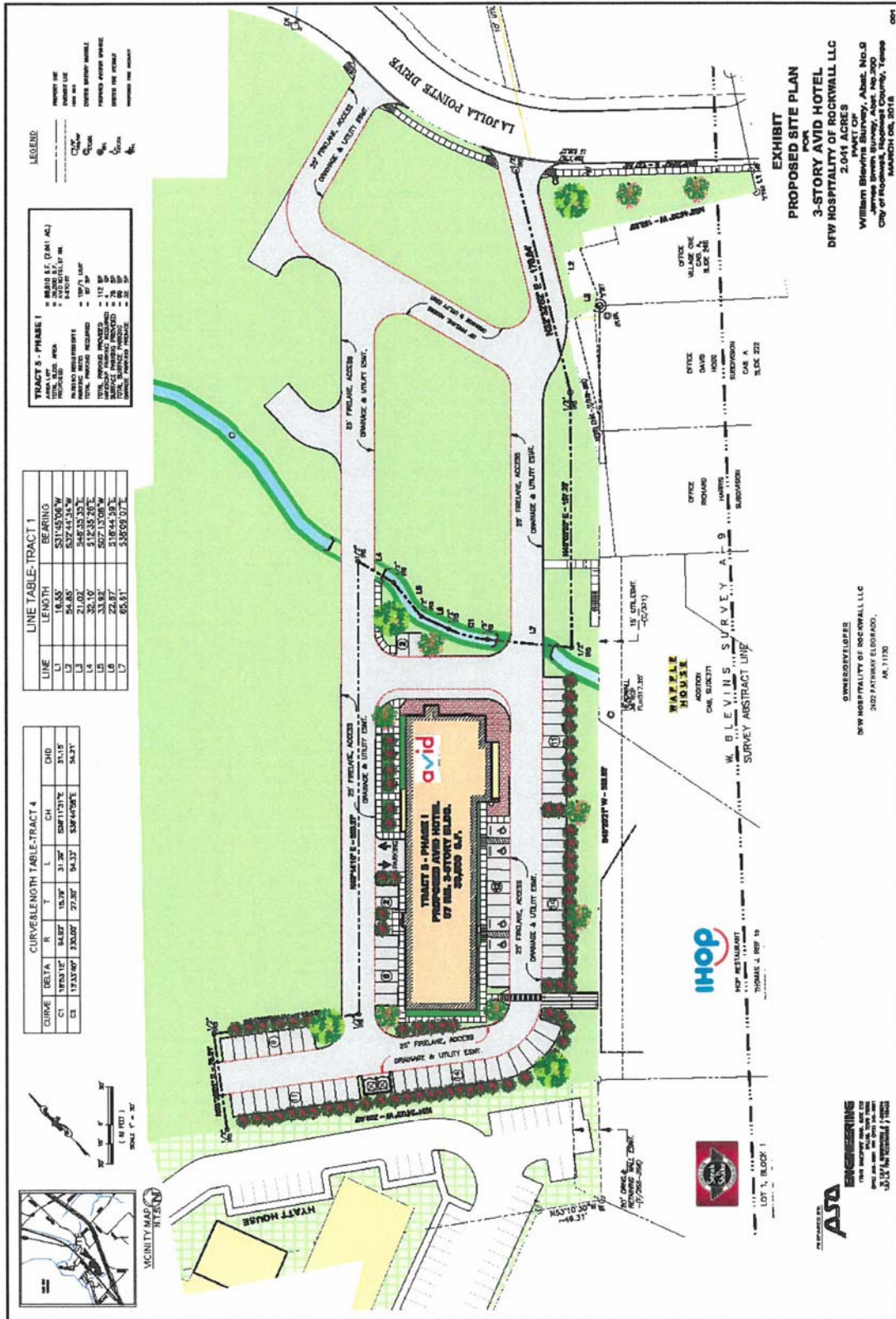


Exhibit 'D': Conceptual Building Elevations

