

CITY OF ROCKWALL

ORDINANCE NO. 18-29

SPECIFIC USE PERMIT NO. S-190

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) TO ALLOW A PRIVATE SCHOOL IN THE DOWNTOWN (DT) DISTRICT, BEING A 0.4591-ACRE PARCEL OF LAND, IDENTIFIED AS LOTS C & D, BLOCK 1, GRIFFITH ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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 John Abbott on behalf of The Presbyterian Church of Rockwall for the approval of a Specific Use Permit (SUP) to allow a *private school* in the Downtown (DT) District on a 0.4591-acre parcel of land being described as Lots C & D, Block 1, Griffith Addition, City of Rockwall, Rockwall County, Texas, and zoned Downtown (DT) District, addressed as 306 E. Rusk Street and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated 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 *private school* within the Downtown (DT) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the conditions and standards set forth in *Section 4.8, Downtown (DT) District*, of *Article V, District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the following additional operational conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a private school on the subject property and conformance to these requirements is necessary for continued operation

- 1) The *private school* shall generally conform to the concept plan depicted in *Exhibit 'B'* of this ordinance.
- 2) The *private school* shall have staggered drop-off and pickup times for the zones as depicted in *Exhibit 'C'* of this ordinance.
- 3) The private school institution shall generally conform to the traffic circulation plan depicted in *Exhibit 'D'* of this ordinance.
- 4) No parking shall be permitted along, adjacent to, or in the right-of-way of Rusk Street, E. Washington Street, or San Augustine Street, with the exception of the striped public parking spaces along San Augustine.
- 5) The Specific Use Permit (SUP) shall be valid for a period of two (2) years from the approval date of this ordinance. To extend the SUP, the applicant shall submit a petition to the City Council for such extension 90 days prior to the expiration of the SUP. Upon recommendation from the Planning and Zoning Commission, the City Council shall review the SUP and determine if an extension is warranted.

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 3. That the official zoning map of the City be corrected to reflect the changes in zoning 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.

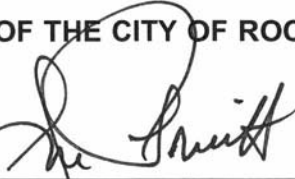
SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section 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 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 2ND DAY OF JULY, 2018.**



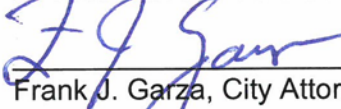
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: 06-18-18

2nd Reading: 07-02-18

Exhibit 'A':
Subject Property

Subject Property: Lots C & D, Block 1, Griffith Addition

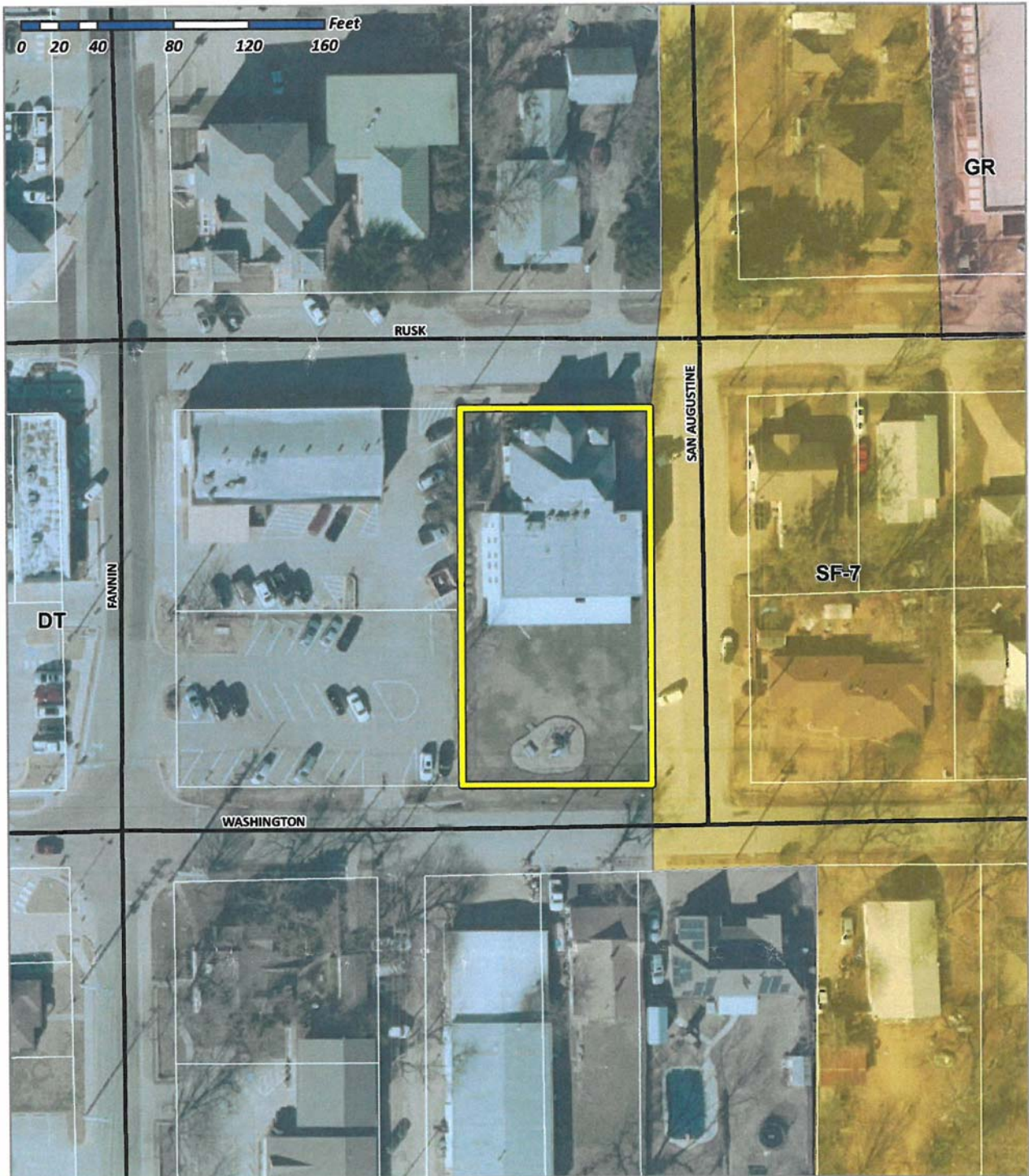




Exhibit 'B':
Concept Plan

PROVIDENCE ACADEMY PROPOSED PARKING & DROP OFF PLAN



-  TEACHER PARKING (11)
-  DROP OFF / PICK-UP (25)

**Exhibit 'C':
Dropoff/Pickup Plan**

PROVIDENCE ACADEMY PROPOSED PARKING & DROP OFF PLAN

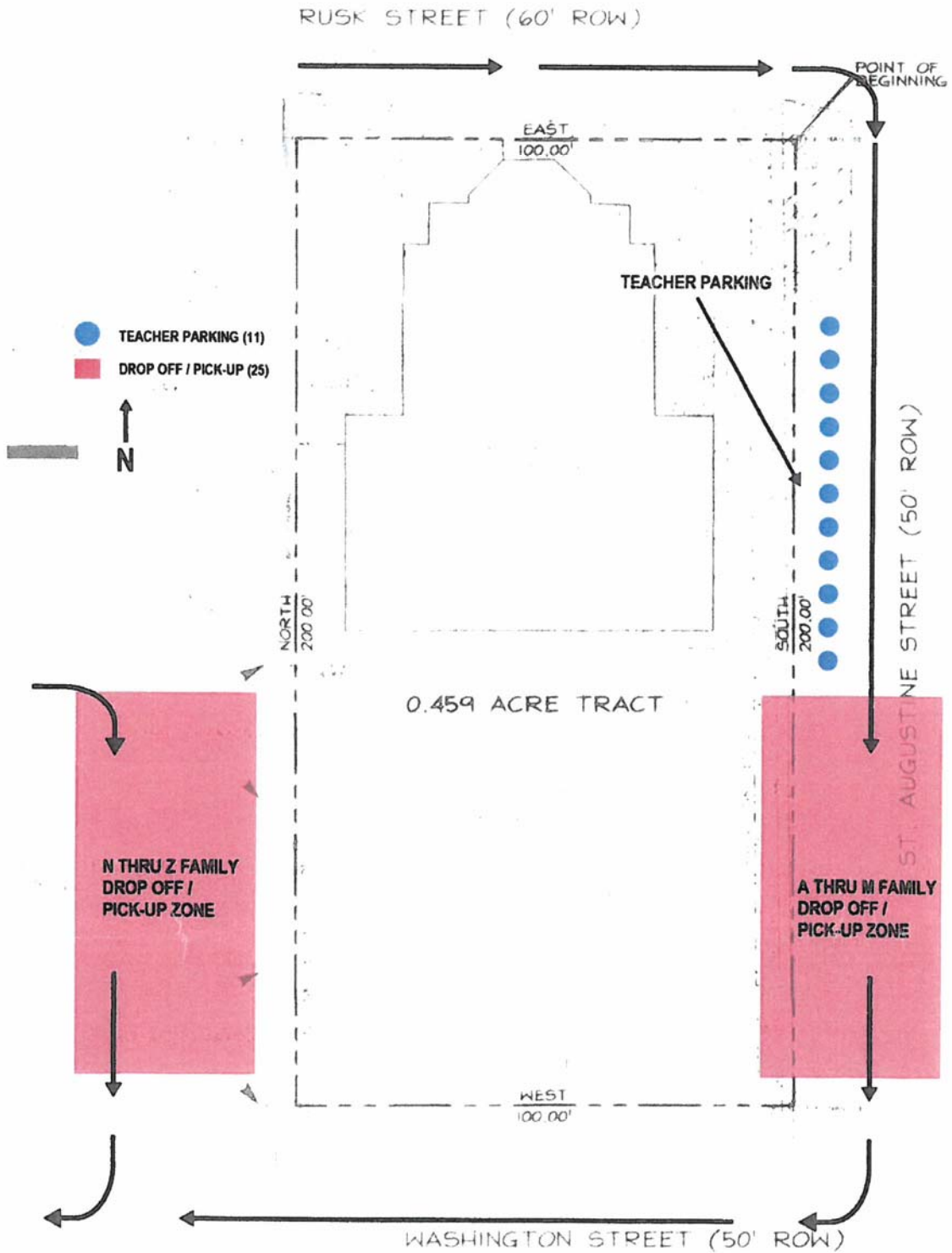


Exhibit 'D':
Traffic Circulation Plan

Providence Academy
Drop off & Pick up

- Teachers
- Parents

