



PLANNING AND ZONING CASE CHECKLIST

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

P&Z CASE # 22019-027 P&Z DATE 12/30/19 CC DATE _____ APPROVED/DENIED
ARCHITECTURAL REVIEW BOARD DATE _____ HPAB DATE _____ PARK BOARD DATE _____

ZONING APPLICATION
<input checked="" type="checkbox"/> SPECIFIC USE PERMIT
<input type="checkbox"/> ZONING CHANGE
<input type="checkbox"/> PD CONCEPT PLAN
<input type="checkbox"/> PD DEVELOPMENT PLAN

SITE PLAN APPLICATION
<input type="checkbox"/> SITE PLAN
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN
<input type="checkbox"/> PHOTOMETRIC PLAN
<input type="checkbox"/> BUILDING ELEVATIONS
<input type="checkbox"/> MATERIAL SAMPLES
<input type="checkbox"/> COLOR RENDERING

PLATTING APPLICATION
<input type="checkbox"/> MASTER PLAT
<input type="checkbox"/> PRELIMINARY PLAT
<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REPLAT
<input type="checkbox"/> ADMINISTRATIVE/MINOR PLAT
<input type="checkbox"/> VACATION PLAT
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN

<input type="checkbox"/> COPY OF ORDINANCE (ORD.# _____)
<input checked="" type="checkbox"/> APPLICATIONS
<input checked="" type="checkbox"/> RECEIPT
<input checked="" type="checkbox"/> LOCATION MAP
<input checked="" type="checkbox"/> HOA MAP
<input checked="" type="checkbox"/> PON MAP
<input type="checkbox"/> FLU MAP
<input type="checkbox"/> NEWSPAPER PUBLIC NOTICE
<input type="checkbox"/> 500-FT. BUFFER PUBLIC NOTICE
<input type="checkbox"/> PROJECT REVIEW
<input type="checkbox"/> STAFF REPORT
<input type="checkbox"/> CORRESPONDENCE
<input type="checkbox"/> COPY-ALL PLANS REQUIRED
<input type="checkbox"/> COPY-MARK-UPS
<input type="checkbox"/> CITY COUNCIL MINUTES-LASERFICHE
<input type="checkbox"/> MINUTES-LASERFICHE
<input type="checkbox"/> PLAT FILED DATE _____
<input type="checkbox"/> CABINET # _____
<input type="checkbox"/> SLIDE # _____
NOTES: _____

ZONING MAP UPDATED _____



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. [REDACTED]

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: [REDACTED]

CITY ENGINEER: [REDACTED]

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address

2260 E I-30

Subdivision

Lot

Block

General Location

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning

Hwy Commercial

Current Use

TRAILER SALES & SERVICE

Proposed Zoning

SUP

Proposed Use

Acreage

4.45

Lots [Current]

Lots [Proposed]

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner

Jowers Inc

Applicant

Big Tex Trailer World

Contact Person

Raymond Jowers

Contact Person

Richard Audilet

Address

P O Box 1870

Address

2260 EAST I-30

City, State & Zip

Rockwall, Tx 75087-1870

City, State & Zip

Rockwall TX 75087

Phone

972-771-1522 / 972-679-9300

Phone

E-Mail

raymond@jowersinc.com

E-Mail

Richard.Audilet@BigTexTrailer.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Alvin Jowers [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 260.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 9 day of December, 20 19. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

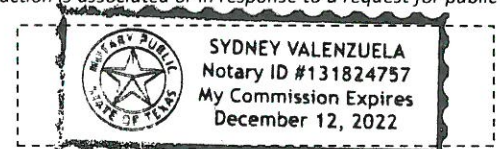
Given under my hand and seal of office on this the 9 day of December, 20 19.

Owner's Signature

[Signature]

Notary Public in and for the State of Texas

[Signature]



My Commission Expires

12/12/22



**DEVELOPMENT REVIEW COMMITTEE (DRC)
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT**

Phone: (972) 771-7745
Email: Planning@Rockwall.com

External Review: Wayne Carter, Charter Communications
Jim Friske, Charter Communications
Dinah Wood, Atmos
Randy Voight, Oncor
Phillip Dickerson, Oncor
Brian Duncan, AT&T
Javier Fernandez, RISD
Brenda Callaway, TXDOT
Stephen Geiger, Farmer's Electric
Frank Spataro, Farmer's Electric

Internal Review: Amy Williams, Engineering
John Shannon, Building Inspections
Ariana Hargrove, Fire
Andy Hesser, Parks
Andy Villarreal, Police

From: Planning & Zoning Department

Date: 12/17/2019

To assist the Planning Department in evaluating the attached request, we are sending it to you for your review and comments. Please return any comments and/or plan mark-ups to us within five (5) days. Internal staff will also be required to have all comments input into CRW no later than Friday, 12/19/2019. Planning staff will assemble all comments received in time for our regularly scheduled DRC meeting on 12/19/2019 at 2:00 p.m. The Planning and Zoning Commission work session will be held on 12/30/2019 at 6:00 p.m. You are welcome to attend both meetings. If you have any questions, please contact us at (972) 771-7745.

Project Number: Z2019-027
Project Name: SUP for Big Tex Trailers
Project Type: ZONING
Applicant Name: RICHARD AUDILET
Owner Name: RAYMOND JOWERS
Project Description:



RECEIPT

Project Number: Z2019-027

Job Address: 2260 E I30

ROCKWALL, TX 75087

Receipt Number: B87691

Printed: 12/18/2019 9:14 am

Fee Description	Account Number	Fee Amount
ZONING	01-4280	\$266.75

Total Fees Paid:

\$266.75

Date Paid: 12/18/2019 12:00:00AM

Paid By: RICHARD AUDILET

Pay Method: CHECK 80297

Received By: AG



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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CITY ENGINEER: _____

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Subdivision _____ Lot _____ Block _____

General Location _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning HWY commercial Current Use TRAILER SALES & SERVICE

Proposed Zoning SUP Proposed Use _____

Acreage 4.45 Lots [Current] _____ Lots [Proposed] _____

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> Owner	<u>Jowers Inc</u>	<input type="checkbox"/> Applicant	<u>Big Tex Trailer World</u>
Contact Person	<u>Raymond Jowers</u>	Contact Person	<u>Richard Audilat</u>
Address	<u>P.O. Box 1870</u>	Address	<u>2260 EAST I-30</u>
City, State & Zip	<u>Rockwall, Tx 75087-1870</u>	City, State & Zip	<u>ROCKWALL TX 75087</u>
Phone	<u>972-971-1522 / 972-679-9300</u>	Phone	_____
E-Mail	<u>raymond@jowersinc.com</u>	E-Mail	<u>Richard.Audilat@BigTexTrailer.com</u>

NOTARY VERIFICATION [REQUIRED]

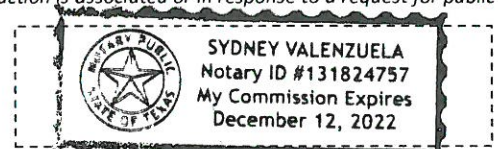
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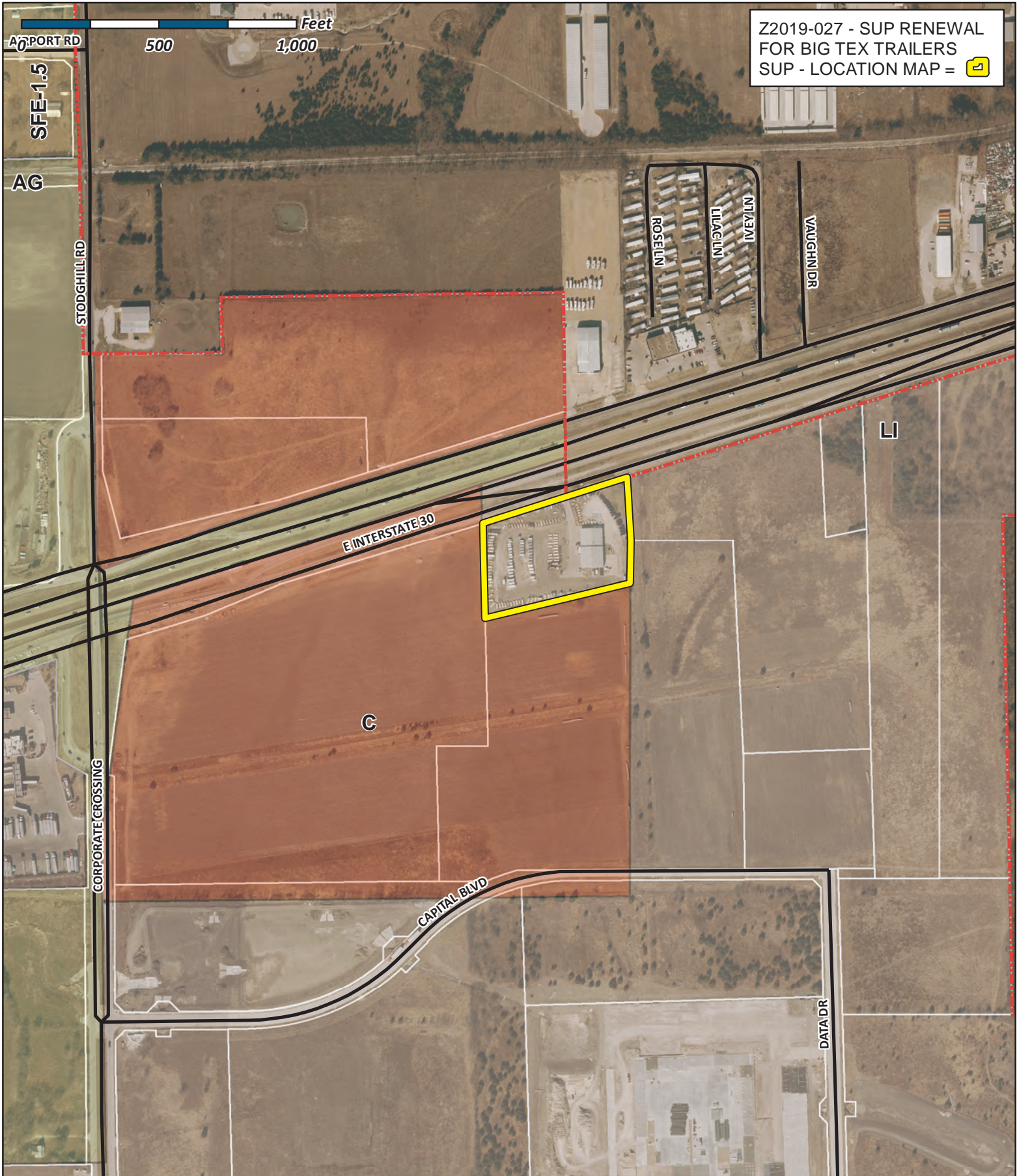
Given under my hand and seal of office on this the 9 day of December, 20 19.


Owner's Signature _____

Notary Public in and for the State of Texas _____



My Commission Expires 12/12/22



Z2019-027 - SUP RENEWAL
 FOR BIG TEX TRAILERS
 SUP - LOCATION MAP = 



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





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385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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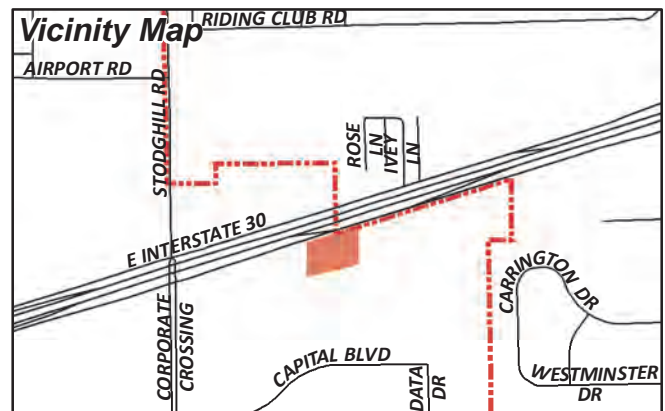


Legend

- Subject Property
- 1500-Foot Buffer
- HOAs

Case Number: Z2019-027
Case Name: SUP RENEWAL FOR BIG TEX TRAILERS
Case Type: Zoning
Zoning: SUP
Case Address: 2260 E. IH-30

Date Created: 12/17/2019
For Questions on this Case Call (972) 771-7745

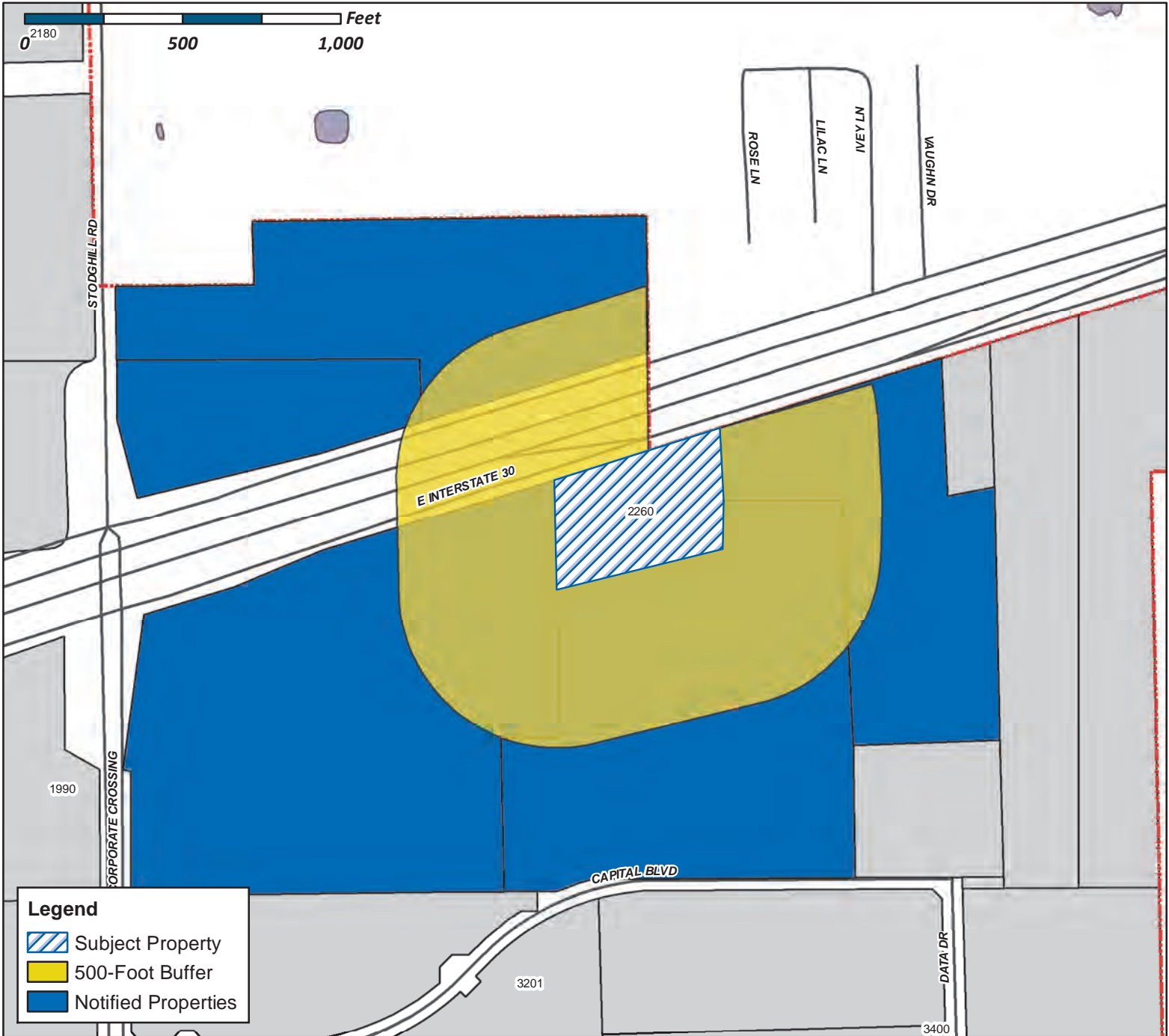




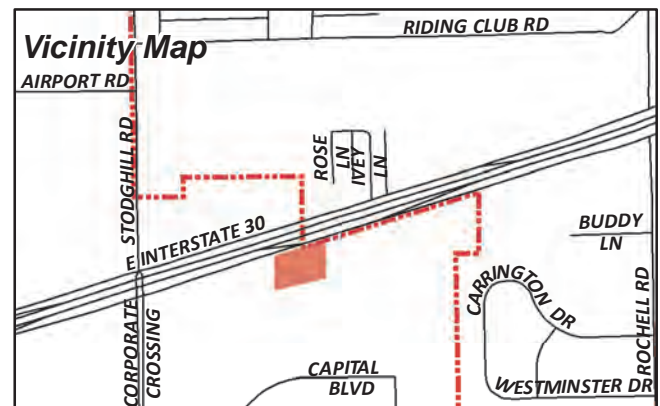
City of Rockwall

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Case Number: Z2019-027
Case Name: SUP RENEWAL FOR BIG TEX TRAILERS
Case Type: Zoning
Zoning: SUP
Case Address: 2260 E. IH-30



Date Created: 12/17/2019
 For Questions on this Case Call (972) 771-7745

Jowers, Inc.

P.O. Box 1870
Rockwall, Texas 75087-1870
972-771-1522

December 3, 2019

Rockwall City Council
Planning and Zoning Department
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087-3737

RE: Request for 3-Year Extension to Existing Occupancy Permit
Z2008-014, RV Dealership Extension (Big Tex Trailers)
Project Type: ZONING (SUP)

To City Council:

Please be advised that the above referenced Specific Use Permit (SUP) extension for the existing Occupancy Permit located at 2260 E. I-30, Rockwall, Texas (Z2008-014) is set to expire on September 27, 2020. As the owner of the property, I am requesting an extension of the SUP and seeking an appointment with the City Council for Big Tex Trailers. I am requesting that an acknowledgment of the scheduled appointment be sent to Big Tex Trailers and a copy be sent to me.

The following are the representatives for Big Tex Trailers and they may be reached as indicated:

Richard Audilet: 972-222-0358

Adrian Gonzalez: 512-373-6911

Respectfully,

Raymond Jowers
Jowers, Inc.
P. O. Box 1870
Rockwall, Texas 75087-1870

Mobile: 972-679-9300
Office: 972-771-1522
Fax: 972-722-2009
Email: raymond@jowersinc.com

c: Big Tex Trailers - Corporate Office
Attn: Legal Administrative Dept.
950 I-30 East
Mt. Pleasant, TX 75455-7711.

CITY OF ROCKWALL

ORDINANCE NO. 17-20

SPECIFIC USE PERMIT NO. S-164

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) RESCINDING ORDINANCE NO. 08-38 (SUP NO. S-056) AND ALLOWING OUTSIDE STORAGE IN A LIGHT INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A 4.4317-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY, ABSTRACT NO. 120, 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 initiated a request on behalf of Raymond Jowers of Jowers Inc. for the approval of a Specific Use Permit (SUP) rescinding *Ordinance No. 08-38 (SUP No. S-056)* and allowing outside storage in a Light (LI) District within the IH-30 Overlay (IH-30 OV) District on a 4.4317-acre tract of land being described as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District and addressed as 2260 E. IH-30, 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 and Ordinance No. 08-38 should be amended as follows:

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

Section 1. That the approval of this ordinance shall superseded all requirements stipulated in *Ordinance No. 08-38*;

Section 2. 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 outside storage within a Light Industrial (LI) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

Section 3. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 5.3, Light Industrial (LI) District; and Section 6.6, IH-30 Overlay (IH-30 OV) District of Article V, District Development Standards, 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:

- 1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- 2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'A' of this ordinance, which shall be incorporated herein by reference.
- 3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- 4) City Council approval of the SUP includes the temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the engineering and fire department standards in effect at the time of development.
- 5) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.

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 offense 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 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 17th DAY OF APRIL, 2017.

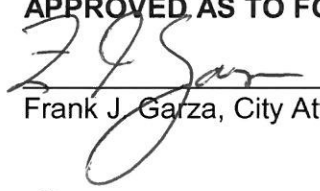


Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

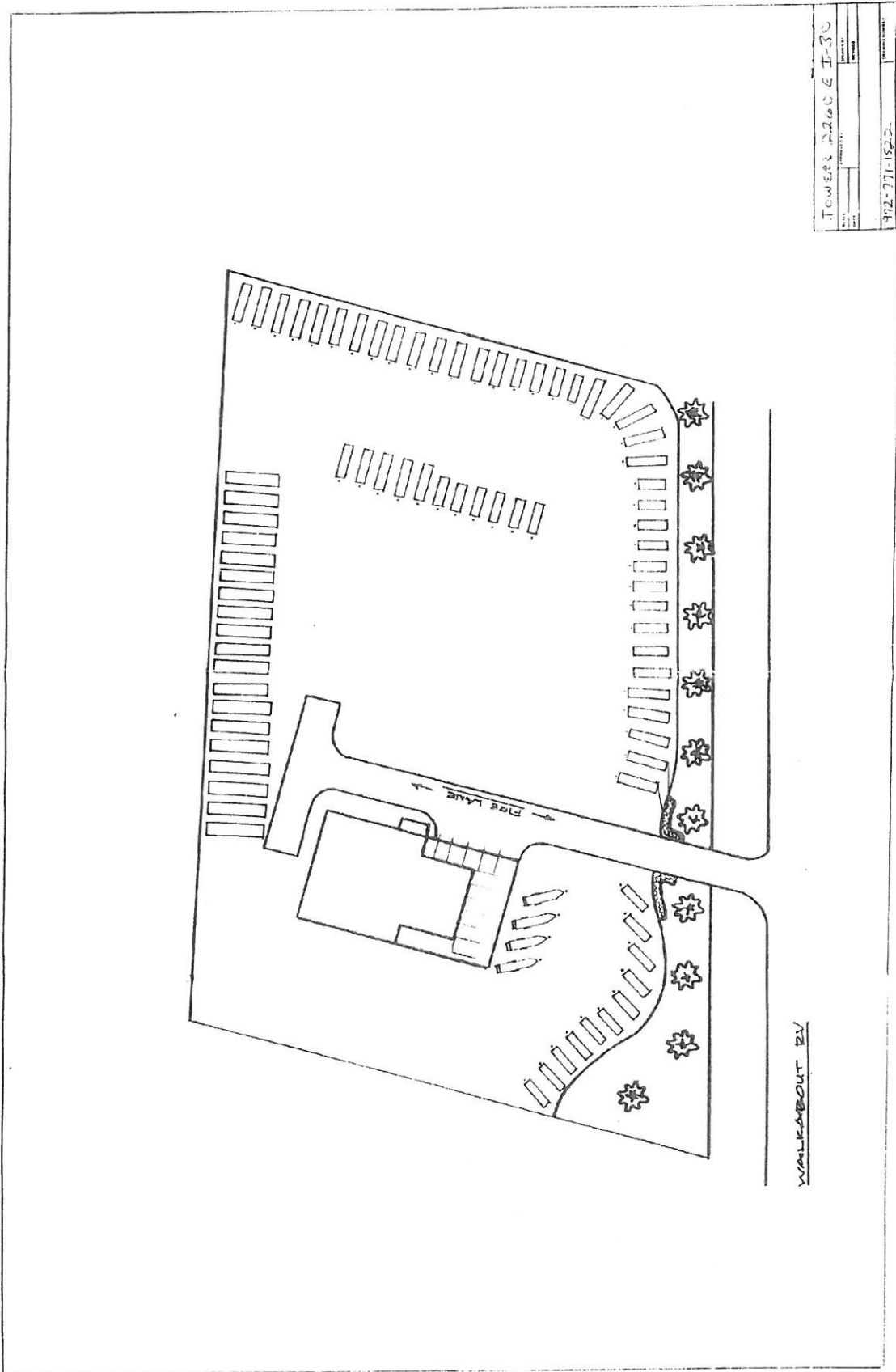


Frank J. Garza, City Attorney

1st Reading: April 3, 2017

2nd Reading: April 17, 2017

Exhibit 'A':
Concept Plan



City of Rockwall Project Plan Review History



Project Number Z2019-027	Owner RAYMOND JOWERS	Applied 12/16/2019 KB
Project Name SUP for Big Tex Trailers	Applicant RICHARD AUDILET	Approved
Type ZONING		Closed
Subtype SUP		Expired
Status P&Z HEARING		Status 12/18/2019 KB

Site Address 2260 E I30	City, State Zip ROCKWALL, TX 75087	Zoning
-----------------------------------	--	---------------

Subdivision	Tract	Block	Lot No	Parcel No	General Plan
	22-01		22-01	0120-0000-0022-01-OR	

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	Russell McDowell	12/16/2019	12/23/2019				
ENGINEERING	Amy Williams	12/16/2019	12/23/2019				
FIRE	Ariana Hargrove	12/16/2019	12/23/2019	12/17/2019	1	APPROVED	
PLANNING	Korey Brooks	12/16/2019	12/23/2019	12/20/2019	4	COMMENTS	Comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
Z2019-027; SUP for Outside Storage						Please address the following comments (M= Mandatory Comments; I = Informational Comments)
I.1 This is a request by Raymond Jowers of Jowers, Inc. for the approval of an extension of Ordinance No. 08-38 (SUP No. S-056) granting a Specific Use Permit (SUP) allowing outside storage adjacent to IH-30 on a 4.4317-acre tract of land identified as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30.						
I.2 For questions or comments concerning this case please contact Korey Brooks in the Planning Department at (972) 772-6434 or email kbrooks@rockwall.com.						
M.3 For reference, include the case number (Z2019-027) in the lower right-hand corner of all pages on future submittals.						
I.4 This project is subject to all requirements stipulated by the Unified Development Code (UDC).						
M.5 In order to constitute a complete submittal all applications are required to provide the following elements: [1] concept plan, [2] survey and legal description, [3] elevations for the proposed accessory building. This application is considered to be complete.						
M.6 Specific Use Permit (SUP).						
1) Please review the draft ordinance and provide comments to staff prior to the Planning and Zoning Meeting on January 14, 2020						
I.7 Please note that failure to address all comments provided by staff by 5:00 PM on January 7, 2020 will result in the automatic denial of the case on the grounds of an incomplete submittal. No refund will be given for cases that are denied due to an incomplete submittal, and a new application and fee will be required to resubmit the case.						
I.8 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on January 7, 2020; The Planning and Zoning Worksession is December 30, 2019 and the Planning & Zoning Meeting is January 14, 2020. The City Council Meetings are January 20, 2020 and February 3, 2020. It is required that a representative attend all meetings.						



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

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CITY ENGINEER: _____

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Preliminary Plat (\$200.00 + \$15.00 Acre)¹

Final Plat (\$300.00 + \$20.00 Acre)¹

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General Location _____

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Proposed Zoning SUP Proposed Use _____

Acreage 4.45 Lots [Current] _____ Lots [Proposed] _____

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> Owner	<u>Jowers Inc</u>	<input type="checkbox"/> Applicant	<u>Big Tex Trailer World</u>
Contact Person	<u>Raymond Jowers</u>	Contact Person	<u>Richard Audilat</u>
Address	<u>P.O. Box 1870</u>	Address	<u>2260 EAST I-30</u>
City, State & Zip	<u>Rockwall, Tx 75087-1870</u>	City, State & Zip	<u>ROCKWALL TX 75087</u>
Phone	<u>972-771-1522 / 972-679-9300</u>	Phone	_____
E-Mail	<u>raymond@jowersinc.com</u>	E-Mail	<u>Richard.Audilat@BigTexTrailer.com</u>

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Alvin Jowers [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 246.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 9 day of December, 20 19. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

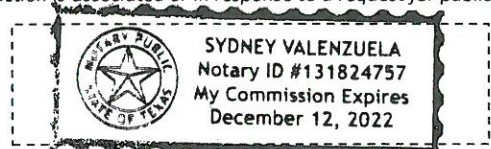
Given under my hand and seal of office on this the 9 day of December, 20 19.

Owner's Signature

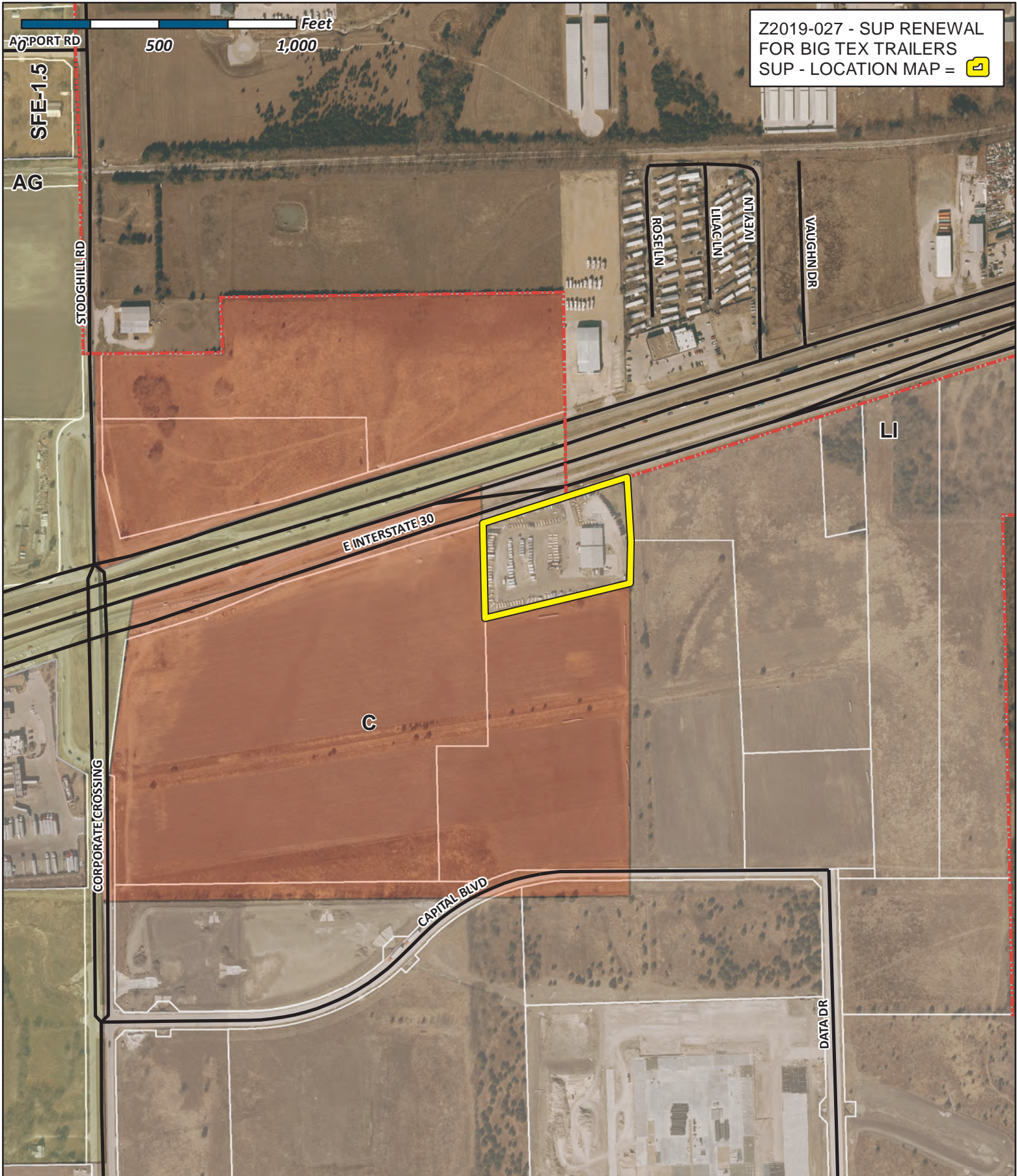
[Signature]


Notary Public in and for the State of Texas

[Signature]



My Commission Expires 12/12/22



Z2019-027 - SUP RENEWAL
 FOR BIG TEX TRAILERS
 SUP - LOCATION MAP = 



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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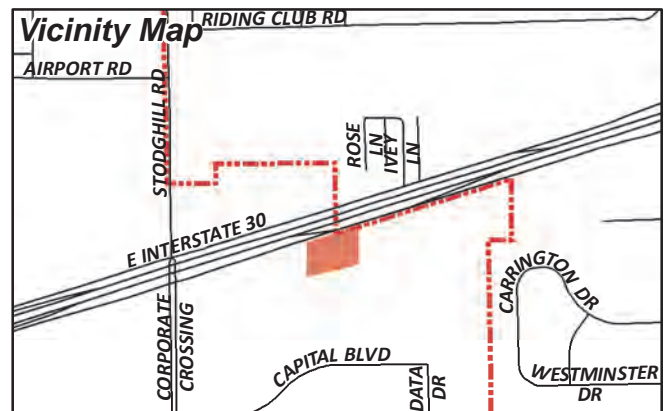


Legend

- Subject Property
- 1500-Foot Buffer
- HOAs

Case Number: Z2019-027
Case Name: SUP RENEWAL FOR BIG TEX TRAILERS
Case Type: Zoning
Zoning: SUP
Case Address: 2260 E. IH-30

Date Created: 12/17/2019
For Questions on this Case Call (972) 771-7745

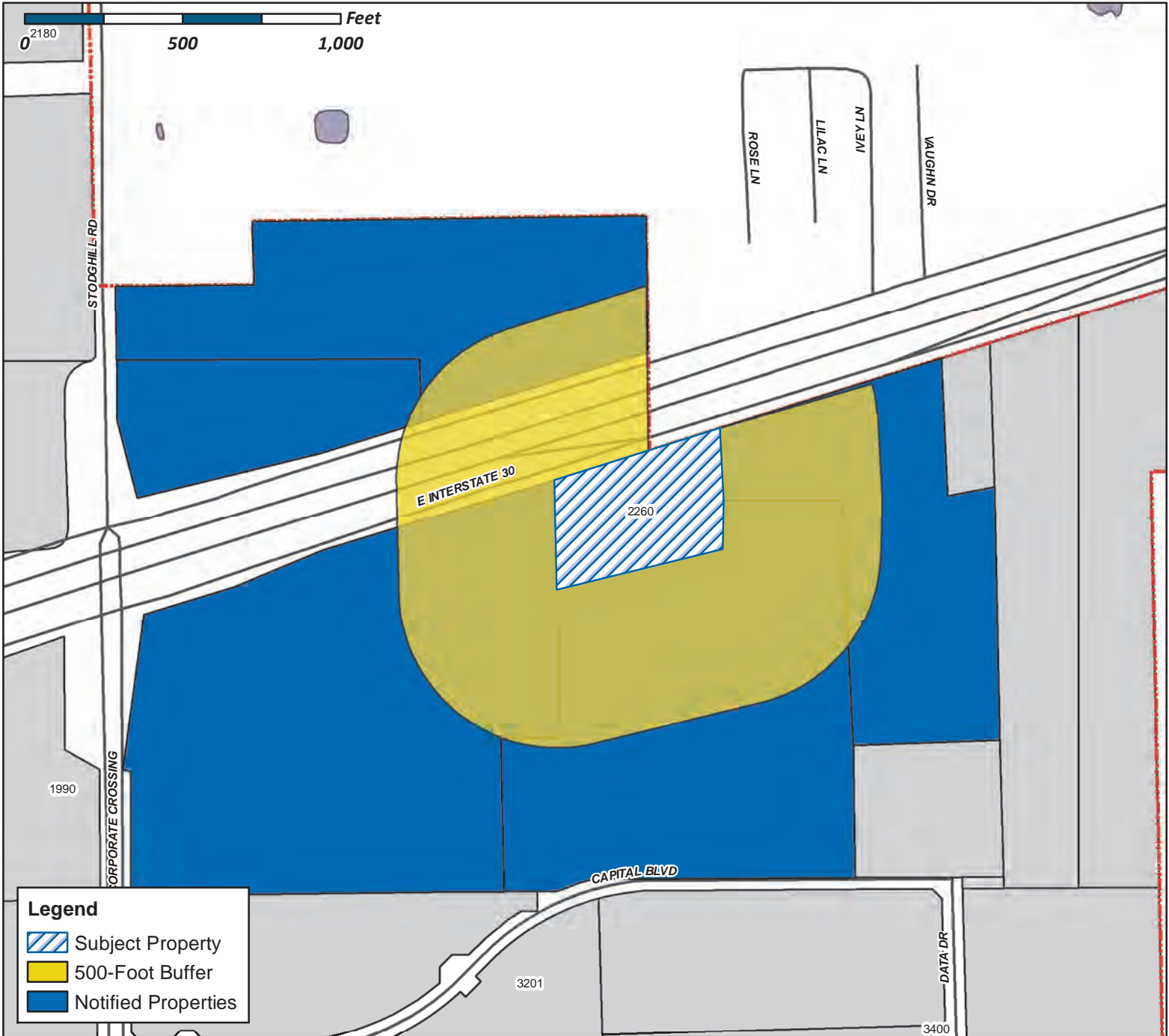




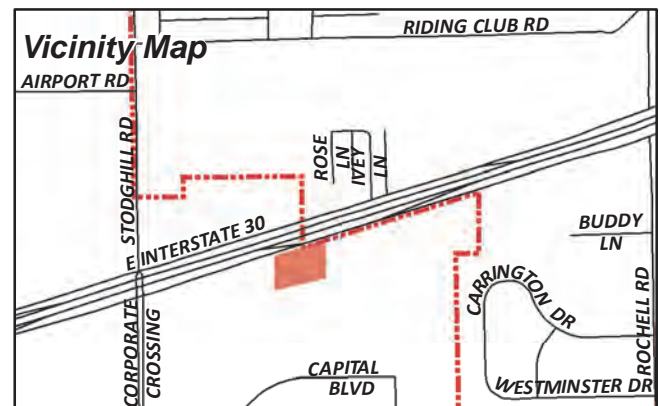
City of Rockwall

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385 S. Goliad Street
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(P): (972) 771-7745
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Case Number: Z2019-027
Case Name: SUP RENEWAL FOR BIG TEX TRAILERS
Case Type: Zoning
Zoning: SUP
Case Address: 2260 E. IH-30



Date Created: 12/17/2019
 For Questions on this Case Call (972) 771-7745

Jowers, Inc.

P.O. Box 1870
Rockwall, Texas 75087-1870
972-771-1522

December 3, 2019

Rockwall City Council
Planning and Zoning Department
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087-3737

RE: Request for 3-Year Extension to Existing Occupancy Permit
Z2008-014, RV Dealership Extension (Big Tex Trailers)
Project Type: ZONING (SUP)

To City Council:

Please be advised that the above referenced Specific Use Permit (SUP) extension for the existing Occupancy Permit located at 2260 E. I-30, Rockwall, Texas (Z2008-014) is set to expire on September 27, 2020. As the owner of the property, I am requesting an extension of the SUP and seeking an appointment with the City Council for Big Tex Trailers. I am requesting that an acknowledgment of the scheduled appointment be sent to Big Tex Trailers and a copy be sent to me.

The following are the representatives for Big Tex Trailers and they may be reached as indicated:

Richard Audilet: 972-222-0358

Adrian Gonzalez: 512-373-6911

Respectfully,

Raymond Jowers
Jowers, Inc.
P. O. Box 1870
Rockwall, Texas 75087-1870

Mobile: 972-679-9300
Office: 972-771-1522
Fax: 972-722-2009
Email: raymond@jowersinc.com

c: Big Tex Trailers - Corporate Office
Attn: Legal Administrative Dept.
950 I-30 East
Mt. Pleasant, TX 75455-7711.

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW OUTSIDE STORAGE IN A LIGHT INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A 4.4317-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY, ABSTRACT NO. 120, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED 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 Raymond Jowers for the approval of a Specific Use Permit (SUP) to allow outside storage on a 4.4317-acre parcel of land being described as Tract 22-01, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2260 E. IH-30 and being more specifically depicted 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 (UDC) [*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 approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s. 08-38 and 17-20*;

SECTION 2. That the Unified Development Code (UDC) [*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 *outside storage* as stipulated by Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Section 5, *Industrial Districts*, and Subsection 6.06, *IH-30 Overlay (IH-30 OV) District*, of Section

6, *Overlay Districts*, 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:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of outside storage on the *Subject Property* and conformance to these conditions are required for continued operations:

- 1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request, the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- 2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'B' of this ordinance, which shall be incorporated herein by reference.
- 3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- 4) City Council approval of the SUP includes a temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the Engineering and Fire Department standards in effect at the time of development.
- 5) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.05, *City Council Action*, of Article XI, *Zoning Related Applications*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a building permit, should the homeowner 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 2.02.D(3) of Article XI, *Zoning Related Applications*, 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.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF FEBRUARY, 2020.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 20, 2020

2nd Reading: February 3, 2020

Exhibit 'A'
Zoning Exhibit

Address: 2260 E. IH 30

Legal Description: Tract 22-01 of the R. Irvine Survey, Abstract No. 120

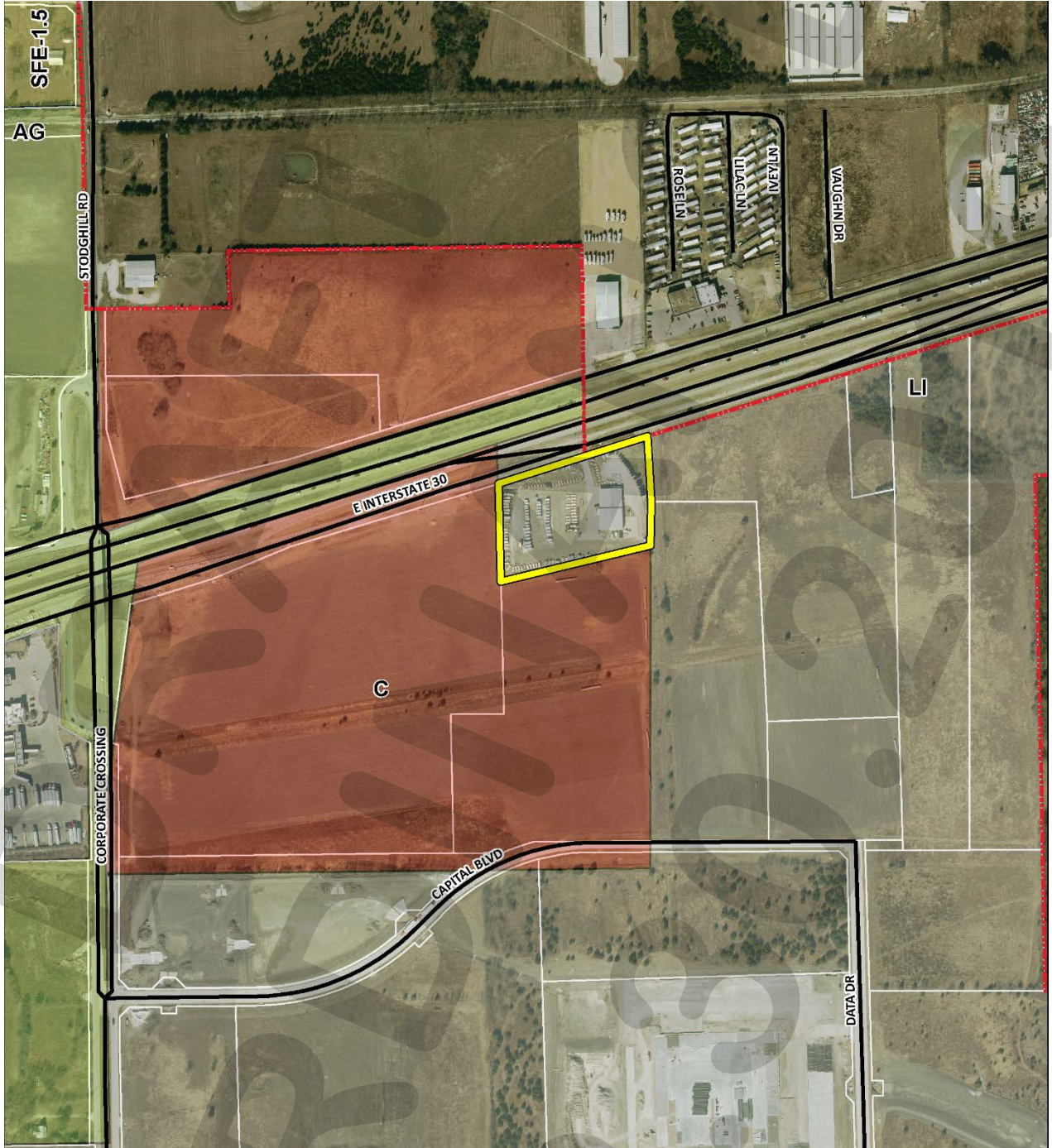
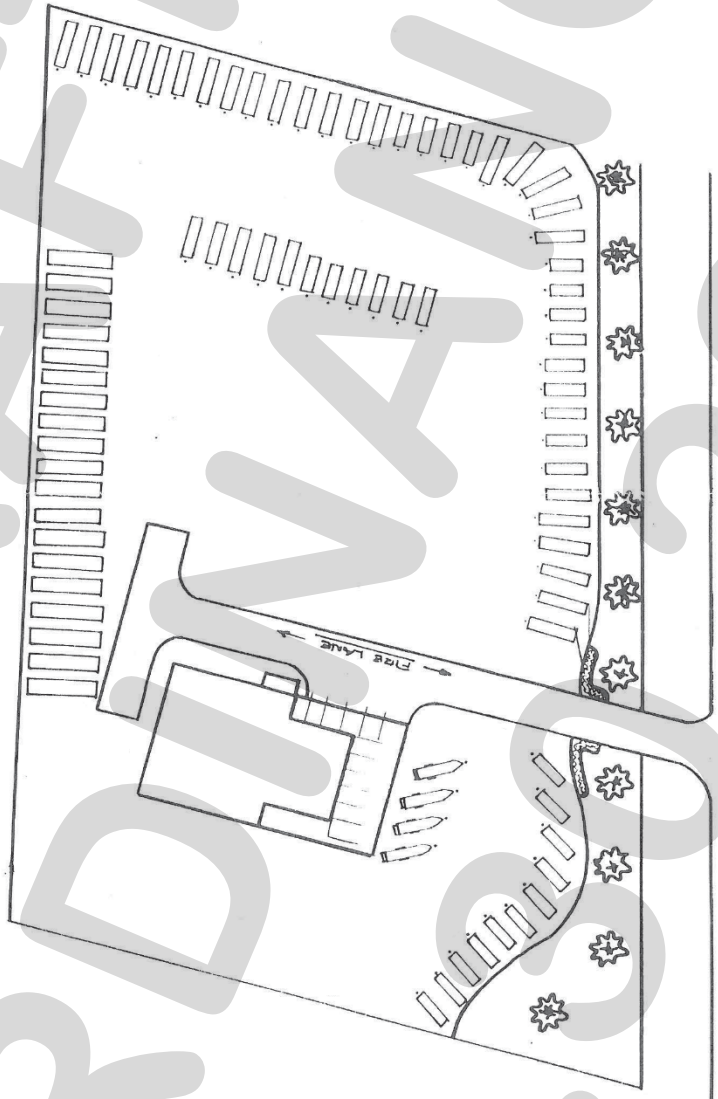


Exhibit 'B'
Concept Plan

TOWER 2260 E I-30	
DATE:	APPROVED BY:
SCALE:	DATE:
992-771-1522	



WALKABOUT BV

CITY OF ROCKWALL

ORDINANCE NO. 17-20

SPECIFIC USE PERMIT NO. S-164

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) RESCINDING ORDINANCE NO. 08-38 (SUP NO. S-056) AND ALLOWING OUTSIDE STORAGE IN A LIGHT INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A 4.4317-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY, ABSTRACT NO. 120, 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 initiated a request on behalf of Raymond Jowers of Jowers Inc. for the approval of a Specific Use Permit (SUP) rescinding *Ordinance No. 08-38 (SUP No. S-056)* and allowing outside storage in a Light (LI) District within the IH-30 Overlay (IH-30 OV) District on a 4.4317-acre tract of land being described as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District and addressed as 2260 E. IH-30, 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 and Ordinance No. 08-38 should be amended as follows:

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

Section 1. That the approval of this ordinance shall superseded all requirements stipulated in *Ordinance No. 08-38*;

Section 2. 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 outside storage within a Light Industrial (LI) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

Section 3. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 5.3, Light Industrial (LI) District; and Section 6.6, IH-30 Overlay (IH-30 OV) District of Article V, District Development Standards, 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:

- 1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- 2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'A' of this ordinance, which shall be incorporated herein by reference.
- 3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- 4) City Council approval of the SUP includes the temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the engineering and fire department standards in effect at the time of development.
- 5) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.

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 offense 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 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 17th DAY OF APRIL, 2017.

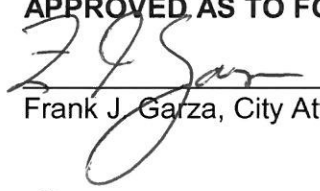


Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

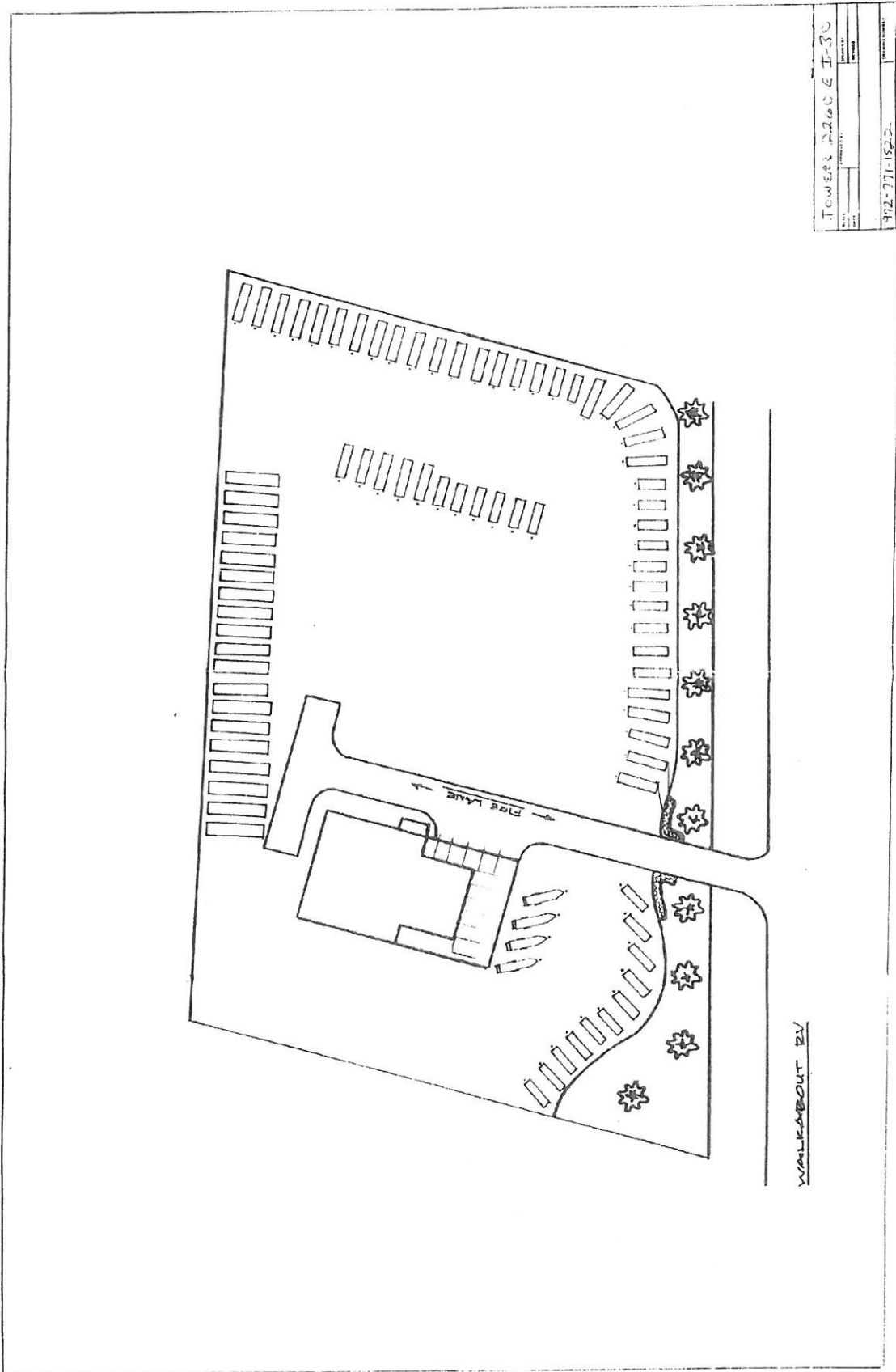


Frank J. Garza, City Attorney

1st Reading: April 3, 2017

2nd Reading: April 17, 2017

Exhibit 'A':
Concept Plan





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission
DATE: January 14, 2020
APPLICANT: Raymond Jowers; Jowers, Inc.
CASE NUMBER: Z2019-027; SUP for Big Tex Trailers

SUMMARY

Hold a public hearing to discuss and consider a request by Raymond Jowers of Jowers, Inc. for the approval of an extension of Ordinance No. 17-20 (SUP No. S-164) granting a Specific Use Permit (SUP) allowing outside storage adjacent to IH-30 on a 4.4317-acre tract of land identified as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30, and take any action necessary.

BACKGROUND

The western portion of the subject property was annexed in 1985 [Ordinance No. 85-69]. Subsequently, the eastern portion of the subject property was annexed in 1997 [Ordinance No. 97-14]. On July 6, 1998, the City Council approved a request [Case No. PZ1998-019; Ordinance No. 98-23] for a change in zoning from an Agricultural (AG) District to a Highway Commercial (HWY-C) District on the subject property. On February 1, 1999, a Certificate of Occupancy (CO) was issued [CO-1131] to McGuire & Associates, Inc. for a truck driving school on the property. On February 22, 2001, the applicant submitted a request [Case No. PZ2001-028] on behalf of Mike Fredricks of Pleasant Homes for approval of a Conditional Use Permit (CUP) to allow a *manufactured home retail sales center* in a Highway Commercial (HWY-C) District; however, the request was withdrawn by the applicant on March 12, 2001. On August 6, 2001, the City Council approved a request [Case No. PZ2001-04; Ordinance No 01-35; CUP No. 195] for a Conditional Use Permit (CUP) to allow a *minor automotive repair facility (i.e. Heintschel Truck Tire Center)* in a Highway Commercial (HWY-C) District. On February 28, 2002 a Certificate of Occupancy (CO) was issued [CO-1797] to Heintschel Tire & Service. On June 7, 2004, the City Council approved a City-initiated request [Case No. Z2004-006; Ordinance No. 04-38], establishing the Unified Development Code (UDC), which replaced the Comprehensive Zoning Ordinance [Ordinance No. 83-23]. Specifically, the Unified Development Code (UDC) [Ordinance No. 04-38] removed the Highway Commercial (HWY-C) District from the City's zoning districts re-classified the zoning of the subject property to Light Industrial (LI) District. This ordinance also replaced Conditional Use Permits (CUP's) with Specific Use Permits (SUP's) and established the development standards for certain overlay districts (*i.e. the IH-30 Overlay [IH-30 OV] District*) within the City.

On August 4, 2008, the City Council approved a request [Case No. Z2008-014] for approval of a Specific Use Permit (SUP) [Ordinance No. 08-38; SUP No. S-056] to allow a *recreational vehicle "RV" sales and service facility* in a Light Industrial (LI) District. At that time, a condition of approval stated that the Specific Use Permit (SUP) would be valid for a period of three (3) years, commencing on the date a Certificate of Occupancy (CO) was issued for the use; however, the SUP ordinance permitted the owner to petition the City Council for an extension of the Specific Use Permit (SUP) for 90-days prior to the date of expiration. The intent was to allow the City Council to examine the status of the FM-549 overpass construction and/or development activity in the area to determine if an extension to the Specific Use Permit (SUP) is warranted.

On September 16, 2008, a Certificate of Occupancy (CO) [CO2008-0217] was issued to Walkabout RV, LLC and when the business owner changed, a new Certificate of Occupancy (CO) [CO2009-0100] was issued to Big-Tex Trailers (*i.e. the current occupant*). On April 1, 2011, the applicant submitted a request for an extension to the Specific Use Permit (SUP), which was granted by the City Council [Ordinance No. 08-38; SUP No. S-056] on April 18, 2011. Subsequently, the City Council approved the second extension of the Specific Use Permit (SUP) [Ordinance No. 08-38; SUP No. S-056] on April 7, 2014. On February 14, 2017, the applicant submitted a third request [Case No. Z2017-008] for extension of the Specific Use Permit (SUP). In response to this, the City Council requested that the applicant amend the Specific Use Permit (SUP) from *recreational vehicle (RV) sales and service facility* to *outside storage* to reflect the changes in use of the property. Subsequently, on April 17, 2017 the City Council rescinded Ordinance No. 08-38; SUP No. S-056 and approved Ordinance No. 17-20; SUP No. S-164, allowing outside storage in a Light Industrial (LI) District. A condition of approval stated that the SUP ordinance would expire three (3) years from date of approval (*i.e. April 17, 2020*) and permitted the applicant to request an extension to the Specific Use Permit (SUP) no less than 90-days prior to the date of expiration.

PURPOSE

The applicant has submitted a request for an extension to the Specific Use Permit (SUP) in accordance with Ordinance No. 17-20; SUP No. S-164. The applicant has stated that the purpose of this request is to permit the continued operation of the existing *recreational vehicle (RV) sales and service facility* (*i.e. Big-Tex Trailers*) on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located 2260 E. IH-30. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is IH-30, which is identified by a *TxDOT6D (Texas Department of Transportation, principle arterial, six [6]-lane, divided roadway)* on the City's Master Thoroughfare Plan. Beyond this, there is a large vacant tract of land that is zoned Commercial (C) District and a recreational vehicle (RV) dealership (*i.e. Happy Trails, USA RV Supercenter*) that is not located within the city limits of Rockwall.

South: Directly south of the subject property, there is a large vacant tract of land followed by a light-industrial facility (*i.e. Pratt Industries*). Adjacent to Pratt Industries, there is a light industrial facility (*i.e. Lollicup, USA*) that is currently under construction. Following this is Discovery Boulevard, which is identified as a *M4U (major collector, four [4]-lane, undivided roadway)* on the City's Master Thoroughfare Plan. Beyond this, there is a light-industrial facility (*i.e. Bimbo Bakery*). These areas are zoned Commercial and Light Industrial (LI) District.

East: Directly east of the subject property, there is a vacant tract of land and a minor automotive repair garage in conjunction with a truck rental facility (*i.e. GearHeads Hot Rod Garage/U-Haul*) that are zoned Light-Industrial (LI) District. Following this there is a single-family residential subdivision that is not located within the city limits of Rockwall.

West: Directly west of the subject property, there area several large vacant tracts of land followed by Corporate Crossing, which is identified as a *TxDOT4D (Texas Department of Transportation, principle arterial, four [4]-lane, divided roadway)* on the City's Master Thoroughfare Plan. Following this, there is a *truck stop with gasoline sales and accessory services* (*i.e. Love's Country Stores*). These areas are zoned Commercial (C) and Light Industrial (LI) District.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting approval of an extension to a Specific Use Permit (SUP) [Ordinance No. 17-20; SUP No. S-164] to allow outside storage on a property adjacent to IH-30 and zoned Light Industrial

(LI) District. Currently, the subject property is occupied with an existing *recreational vehicle (RV) sales and service facility* (i.e. *Big Tex Trailers*), which has been in operation at this location since 2009 [CO2009-0100]. The main structure is approximately 8,080 SF, is constructed of a combination of metal and stone, and -- according to the *Rockwall County Appraisal District (RCA)* -- was constructed in 1985. The existing trailers are stored outdoors and are partially screened with a combination of a chain-link fence and shrubs. According to the applicant, there have been no operational changes since the approval of *Ordinance No. 17-20; SUP No. S-156* and the intent is for the facility to continue to operate in the same manner.

INFRASTRUCTURE

In accordance to the existing Specific Use Permit (SUP) [*Ordinance No. 07-20; SUP No. S-164*], the City Council approval of the Specific Use Permit (SUP) includes a temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the property shall be subject to the engineering and fire department standards in effect at the time of development. In this case, the applicant is proposing to continue the existing land use on the property and has not indicated any imminent development of the subject property. As a result, the existing temporary waiver to certain engineering and fire department standards has been included as a condition of approval in this case memo and the attached draft ordinance. Staff should note, approval of this condition is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 2, *Outside Storage and/or Outside Display*, of Subsection J, *Wholesale, Distribution, and Storage Land Uses*, of Subsection 2.03, *Conditional Land Use Standards*, of Section 2, *Conditional Land Use Standards and Definitions*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), no outside storage is allowing in any zoning district adjacent to IH-30 with the exception of properties that are zoned Light Industrial (LI) District. The Unified Development Code (UDC) gives the City Council the ability to consider a Specific Use Permit (SUP) on a case-by-case basis to allow outside storage and/or display as an accessory use for properties located adjacent to IH-30 and zoned Light-Industrial (LI) District. In this case, since no changes are being proposed, the existing recreational vehicle (RV) sales and service facility (i.e. *Big Tex Trailers*) appears to be in conformance with conditional land use standards as stipulated in the Unified Development Code (UDC) [*Ordinance No. 04-38*].

STAFF ANALYSIS

When examining the applicant's request, staff should point out that the current facility has been in operation since 2009 (i.e. *approximately 11 years*). At the time *Ordinance No. 08-38; SUP No. S-156* was approved, it appears that a majority of the surrounding properties were either undeveloped or not within the city limits of Rockwall. The construction of the FM-549 overpass was anticipated to begin between February and July of 2010 (i.e. *within two [2] years of approval of the SUP*) and would take approximately 18-24 months to complete. At that time, the City Council expressed an interest for the applicant to limit the leasing of the property to Big-Tex Trailers for a period of less than three (3) years. This appears to correspond to the anticipated completion date of the proposed overpass construction and the City Council's expectation that the area would re-develop at that time. With no additional development taking place during that time, it seems that subsequent extensions of the Specific Use Permit (SUP) were granted by the City Council. The construction of the FM-549 overpass was delayed and did not start until 2017 (i.e. *approximately seven [7] years after the anticipated start date*) and was completed in 2019. Other development since the previous extension of the Specific Use Permit (SUP) includes the construction of Pratt Industries, Lollocup USA, and other properties within the Rockwall Technology Park. Staff should point out that the screening standards that were in effect at the time that *Ordinance No. 's 08-38 and 17-20* were approved have been amended. Should this request be approved, staff has recommended to the applicant that the current screening requirements (i.e. *a landscape buffer*

consisting of a berm and a combination of a wrought-iron fence, canopy trees, accent trees, and shrubs) be met adjacent to IH-30. This will bring the property further into conformance with the landscape standards in the Unified Development Code (UDC) and has been made a condition of approval in the draft ordinance. Staff should note, although approval of this request does not appear to negatively impact the subject property or the adjacent properties, this is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission

NOTIFICATIONS

On December 18, 2019, staff notified four (4) property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject property and are participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request, then staff would propose the following conditions of approval:

- (1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request, the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- (2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'B' of the attached ordinance, which shall be incorporated herein by reference.
- (3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- (4) That the subject property shall be brought into conformance to the screening requirements stipulated in the Unified Development Code (UDC) prior to subsequent extension requests for the SUP.
- (5) City Council approval of the SUP includes a temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the Engineering and Fire Department standards in effect at the time of development.
- (6) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.
- (7) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:
 Master Plat (\$100.00 + \$15.00 Acre)¹
 Preliminary Plat (\$200.00 + \$15.00 Acre)¹
 Final Plat (\$300.00 + \$20.00 Acre)¹
 Replat (\$300.00 + \$20.00 Acre)¹
 Amending or Minor Plat (\$150.00)
 Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:
 Site Plan (\$250.00 + \$20.00 Acre)¹
 Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:
 Zoning Change (\$200.00 + \$15.00 Acre)¹
 Specific Use Permit (\$200.00 + \$15.00 Acre)¹
 PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:
 Tree Removal (\$75.00)
 Variance Request (\$100.00)

Notes:
¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 2260 E I-30

Subdivision _____ Lot _____ Block _____

General Location _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning HWY commercial Current Use TRAILER SALES & SERVICE

Proposed Zoning SUP Proposed Use _____

Acreage 4.45 Lots [Current] _____ Lots [Proposed] _____

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> Owner	<u>Jowers Inc</u>	<input type="checkbox"/> Applicant	<u>Big Tex Trailer World</u>
Contact Person	<u>Raymond Jowers</u>	Contact Person	<u>Richard Audilat</u>
Address	<u>P.O. Box 1870</u>	Address	<u>2260 EAST I-30</u>
City, State & Zip	<u>Rockwall, Tx 75087-1870</u>	City, State & Zip	<u>ROCKWALL TX 75087</u>
Phone	<u>972-771-1522 / 972-679-9300</u>	Phone	_____
E-Mail	<u>raymond@jowersinc.com</u>	E-Mail	<u>Richard.Audilat@BigTexTrailer.com</u>

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Alvin Jowers [Owner] the undersigned, who stated the information on this application to be true and certified the following:

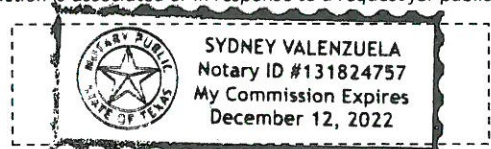
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 246.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 9 day of December, 20 19. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 9 day of December, 20 19.

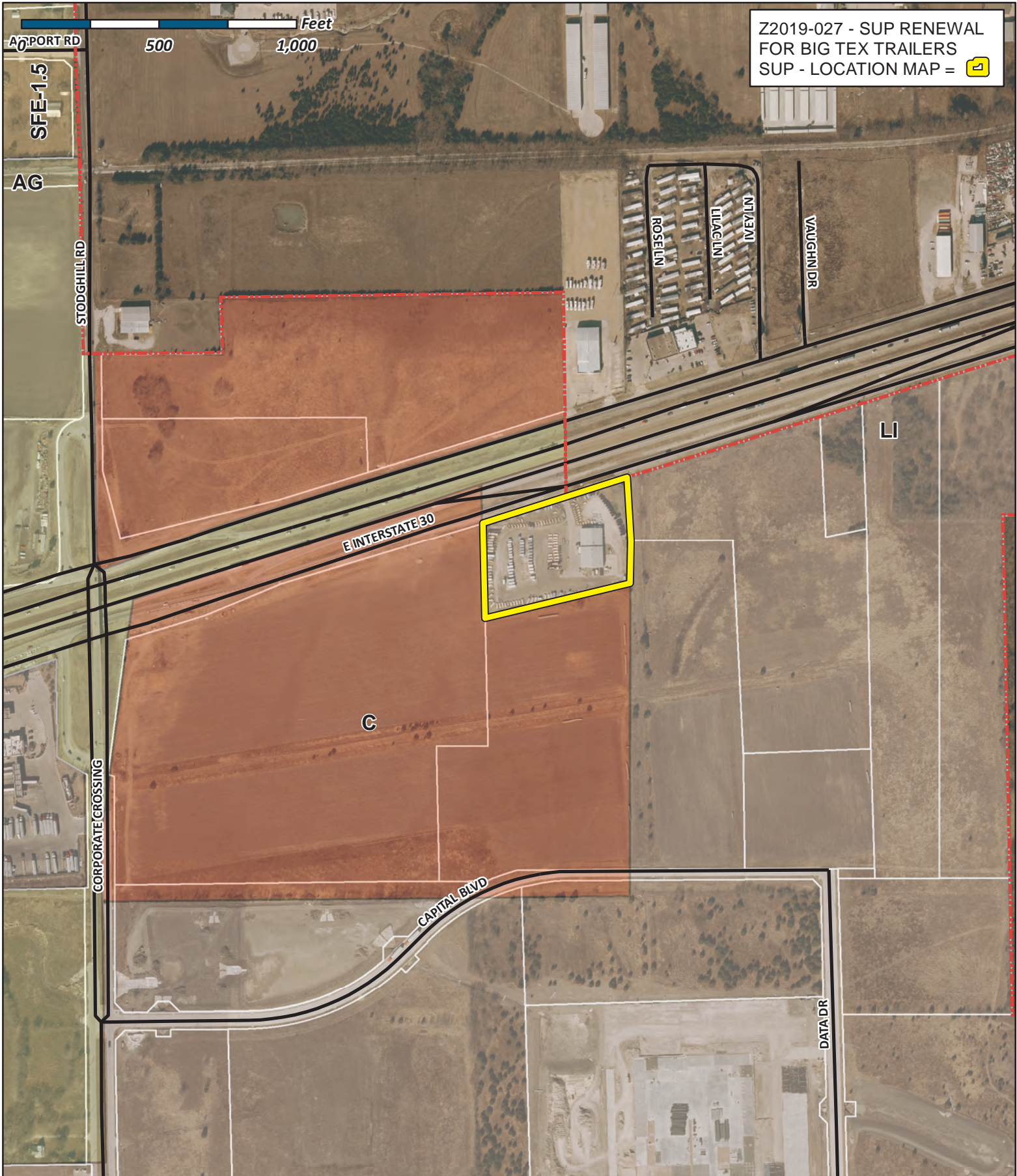
Owner's Signature _____


Notary Public in and for the State of Texas _____

Sydney Valenzuela



My Commission Expires 12/12/22



Z2019-027 - SUP RENEWAL
 FOR BIG TEX TRAILERS
 SUP - LOCATION MAP = 



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.








City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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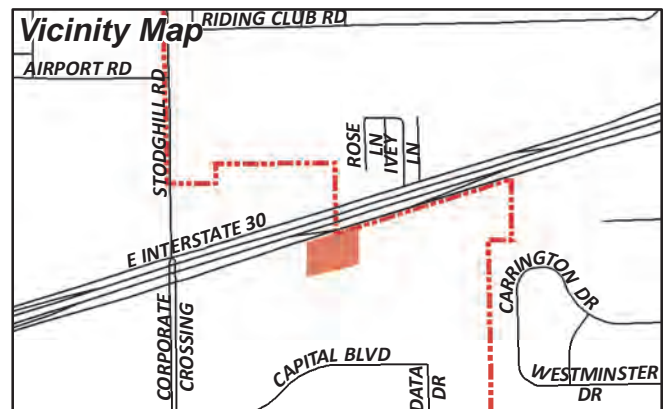


Legend

-  Subject Property
-  1500-Foot Buffer
-  HOAs

Case Number: Z2019-027
Case Name: SUP RENEWAL FOR BIG TEX TRAILERS
Case Type: Zoning
Zoning: SUP
Case Address: 2260 E. IH-30

Date Created: 12/17/2019
For Questions on this Case Call (972) 771-7745

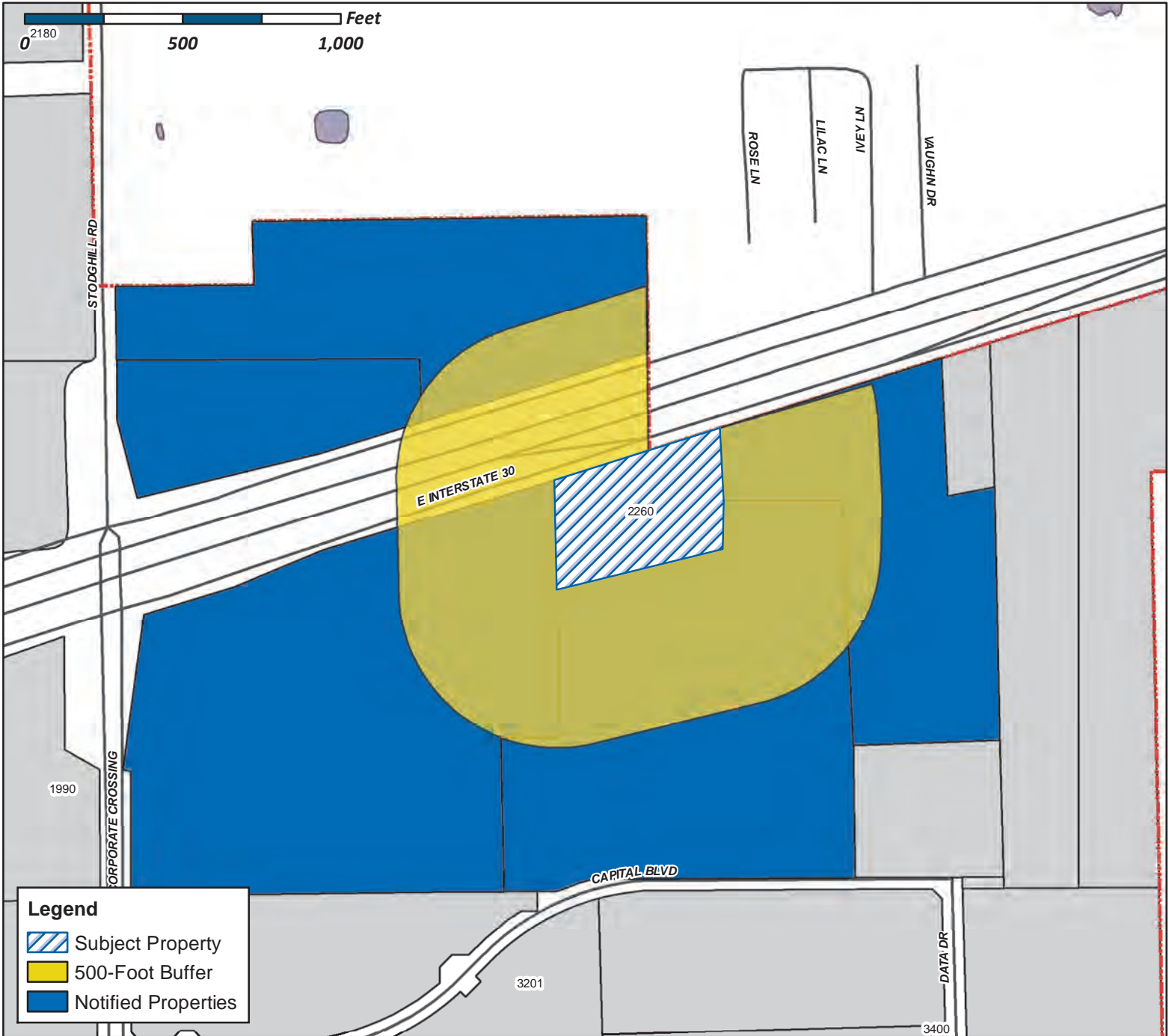




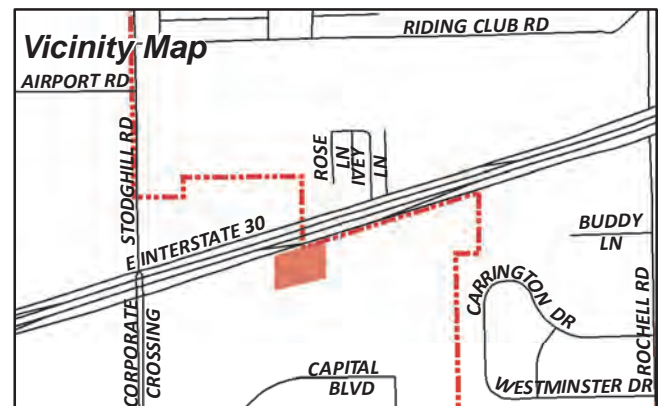
City of Rockwall

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(P): (972) 771-7745
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Case Number: Z2019-027
Case Name: SUP RENEWAL FOR BIG TEX TRAILERS
Case Type: Zoning
Zoning: SUP
Case Address: 2260 E. IH-30



Date Created: 12/17/2019
 For Questions on this Case Call (972) 771-7745

WALLIS RUSTY FAMILY LTD PARTNERSHIP #2
12277 SHILOH RD
DALLAS, TX 75228

CAPSTAR HOLDINGS CORPORATION
C/O CSW INDUSTRIALS
5420 LYNDON B JOHNSON FREEWAY SUITE 500
DALLAS, TX 75240

MIRANDA VINOD
9105 BRIARCREST DR
ROWLETT, TX 75088

JOWERS INC
PO BOX 1870
ROCKWALL, TX 75087

Jowers, Inc.

P.O. Box 1870
Rockwall, Texas 75087-1870
972-771-1522

December 3, 2019

Rockwall City Council
Planning and Zoning Department
City of Rockwall
385 South Goliad Street
Rockwall, TX 75087-3737

RE: Request for 3-Year Extension to Existing Occupancy Permit
Z2008-014, RV Dealership Extension (Big Tex Trailers)
Project Type: ZONING (SUP)

To City Council:

Please be advised that the above referenced Specific Use Permit (SUP) extension for the existing Occupancy Permit located at 2260 E. I-30, Rockwall, Texas (Z2008-014) is set to expire on September 27, 2020. As the owner of the property, I am requesting an extension of the SUP and seeking an appointment with the City Council for Big Tex Trailers. I am requesting that an acknowledgment of the scheduled appointment be sent to Big Tex Trailers and a copy be sent to me.

The following are the representatives for Big Tex Trailers and they may be reached as indicated:

Richard Audilet: 972-222-0358

Adrian Gonzalez: 512-373-6911

Respectfully,

Raymond Jowers
Jowers, Inc.
P. O. Box 1870
Rockwall, Texas 75087-1870

Mobile: 972-679-9300
Office: 972-771-1522
Fax: 972-722-2009
Email: raymond@jowersinc.com

c: Big Tex Trailers - Corporate Office
Attn: Legal Administrative Dept.
950 I-30 East
Mt. Pleasant, TX 75455-7711.

CITY OF ROCKWALL

ORDINANCE NO. 17-20

SPECIFIC USE PERMIT NO. S-164

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) RESCINDING ORDINANCE NO. 08-38 (SUP NO. S-056) AND ALLOWING OUTSIDE STORAGE IN A LIGHT INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A 4.4317-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY, ABSTRACT NO. 120, 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 initiated a request on behalf of Raymond Jowers of Jowers Inc. for the approval of a Specific Use Permit (SUP) rescinding *Ordinance No. 08-38 (SUP No. S-056)* and allowing outside storage in a Light (LI) District within the IH-30 Overlay (IH-30 OV) District on a 4.4317-acre tract of land being described as Tract 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District and addressed as 2260 E. IH-30, 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 and Ordinance No. 08-38 should be amended as follows:

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

Section 1. That the approval of this ordinance shall superseded all requirements stipulated in *Ordinance No. 08-38*;

Section 2. 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 outside storage within a Light Industrial (LI) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

Section 3. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 5.3, Light Industrial (LI) District; and Section 6.6, IH-30 Overlay (IH-30 OV) District of Article V, District Development Standards, 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:

- 1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- 2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'A' of this ordinance, which shall be incorporated herein by reference.
- 3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- 4) City Council approval of the SUP includes the temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the engineering and fire department standards in effect at the time of development.
- 5) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.

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 offense 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 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 17th DAY OF APRIL, 2017.

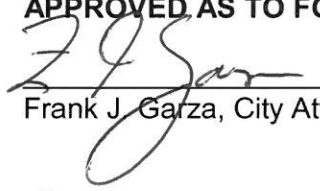


Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

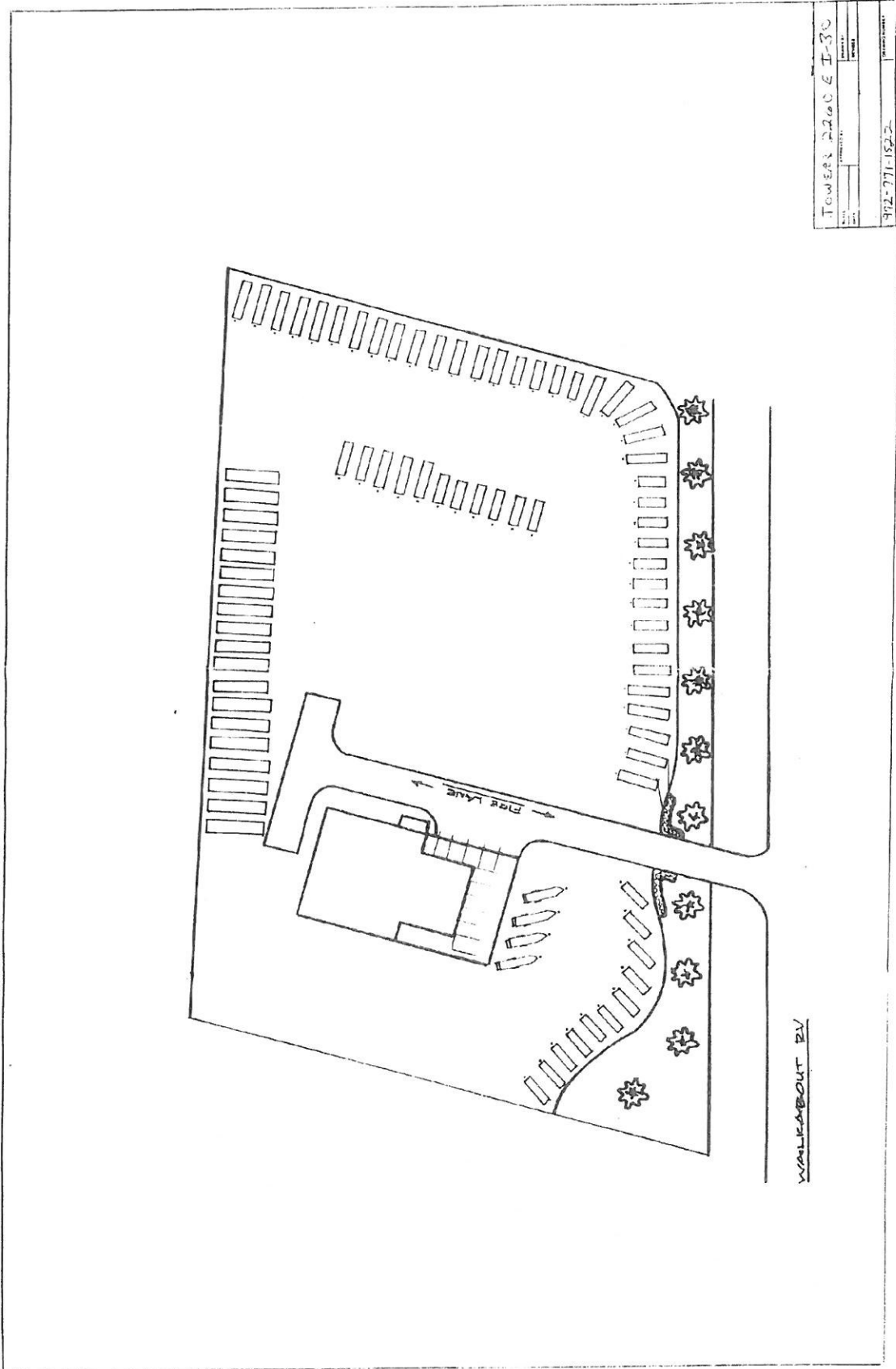


Frank J. Garza, City Attorney

1st Reading: April 3, 2017

2nd Reading: April 17, 2017

Exhibit 'A':
Concept Plan



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW OUTSIDE STORAGE IN A LIGHT INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A 4.4317-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY, ABSTRACT NO. 120, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED 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 Raymond Jowers for the approval of a Specific Use Permit (SUP) to allow outside storage on a 4.4317-acre parcel of land being described as Tract 22-01, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2260 E. IH-30 and being more specifically depicted 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 (UDC) [*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 approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s. 08-38 and 17-20*;

SECTION 2. That the Unified Development Code (UDC) [*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 *outside storage* as stipulated by Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Section 5, *Industrial Districts*, and Subsection 6.06, *IH-30 Overlay (IH-30 OV) District*, of Section

6, *Overlay Districts*, 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:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of outside storage on the *Subject Property* and conformance to these conditions are required for continued operations:

- 1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request, the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- 2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in Exhibit 'B' of this ordinance, which shall be incorporated herein by reference.
- 3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- 4) City Council approval of the SUP includes a temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the Engineering and Fire Department standards in effect at the time of development.
- 5) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.

3.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.05, *City Council Action*, of Article XI, *Zoning Related Applications*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a building permit, should the homeowner 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 2.02.D(3) of Article XI, *Zoning Related Applications*, 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.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF FEBRUARY, 2020.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 20, 2020

2nd Reading: February 3, 2020

Exhibit 'A'
Zoning Exhibit

Address: 2260 E. IH 30

Legal Description: Tract 22-01 of the R. Irvine Survey, Abstract No. 120

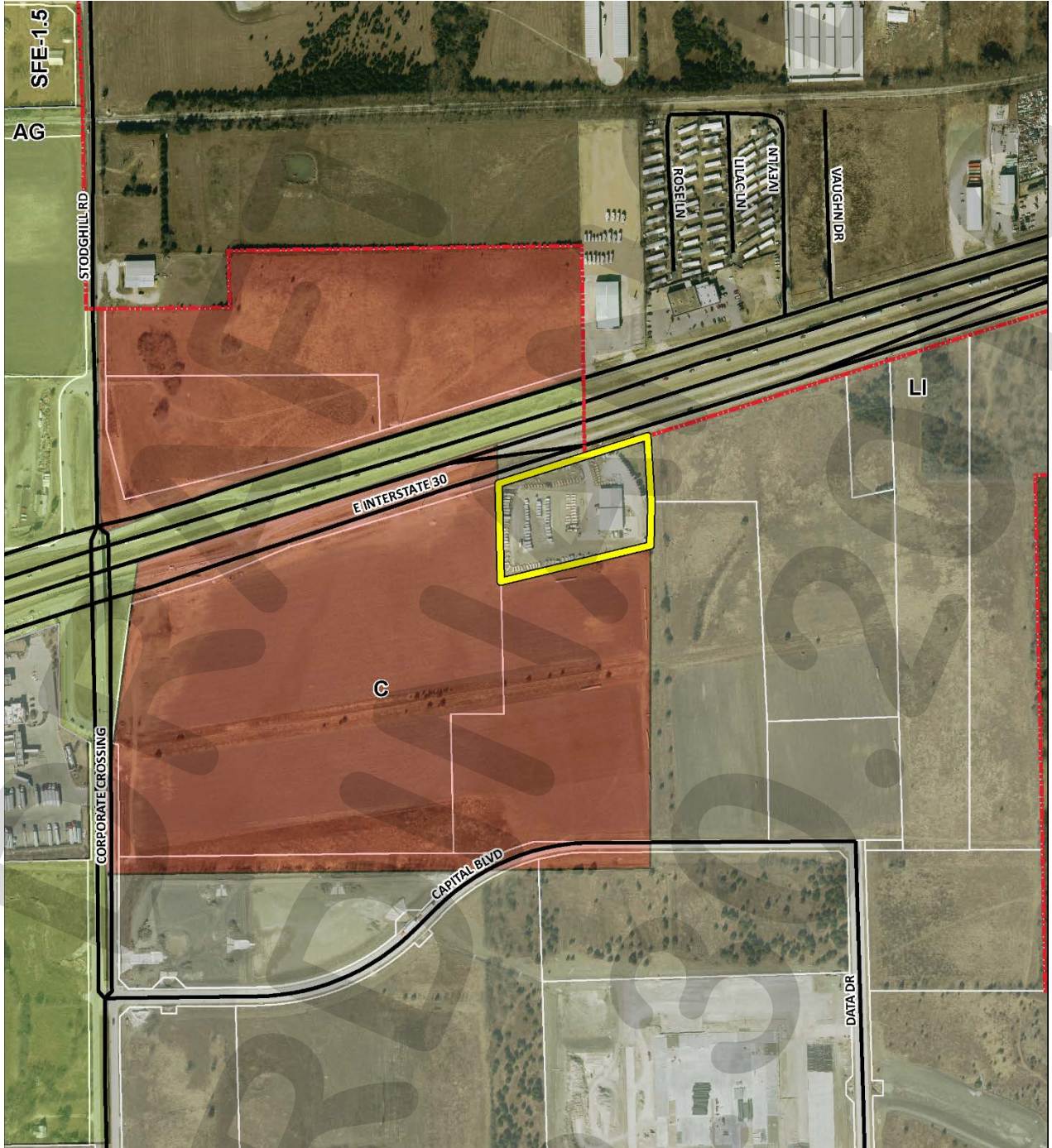
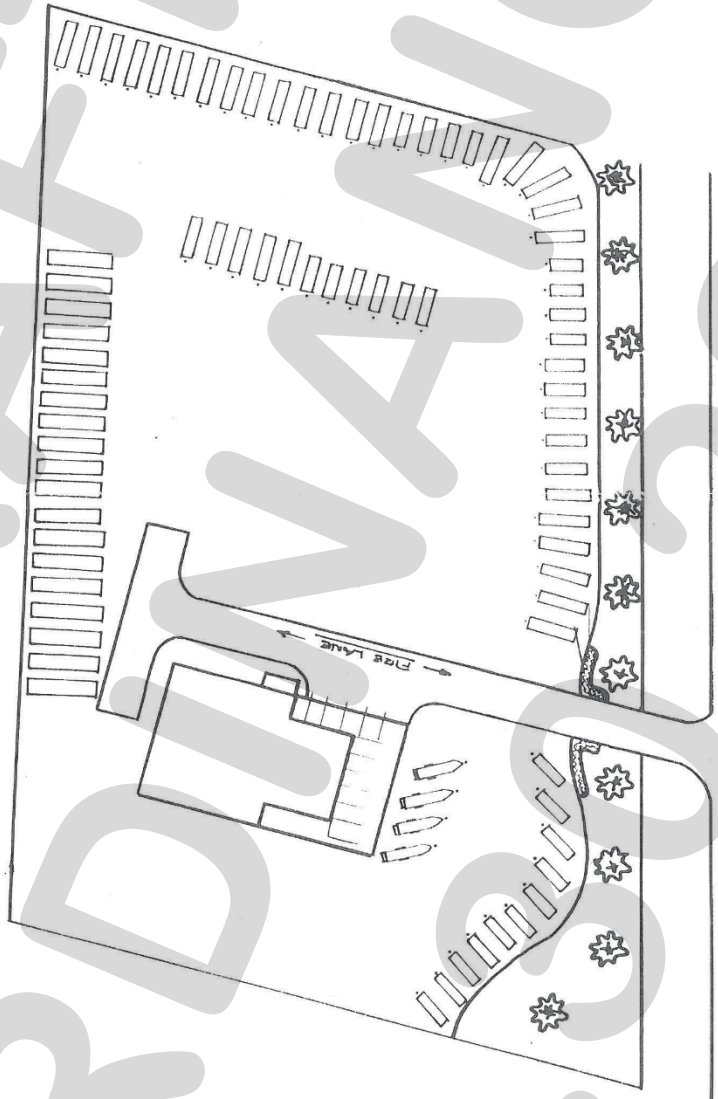


Exhibit 'B'
Concept Plan

TOWER 2260 E I-30	
DATE:	APPROVED BY:
SCALE:	DATE:
992-771-1522	



WALKABOUT PV

CITY OF ROCKWALL

ORDINANCE NO. 20-01

SPECIFIC USE PERMIT NO. S-212

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 04-38*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW OUTSIDE STORAGE IN A LIGHT INDUSTRIAL (LI) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT ON A 4.4317-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 22-01 OF THE R. IRVINE SURVEY, ABSTRACT NO. 120, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED 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 Raymond Jowers for the approval of a Specific Use Permit (SUP) to allow outside storage on a 4.4317-acre parcel of land being described as Tract 22-01, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30 and being more specifically depicted 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 (UDC) [*Ordinance No. 04-38*] and *Ordinance No. 17-20* 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 approval of this ordinance shall supersede all requirements stipulated in *Ordinance No's. 17-20*;

SECTION 2. That the Unified Development Code (UDC) [*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 *outside storage* as stipulated by Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 04-38*] on the *Subject Property*; and,

SECTION 3. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

Section 5, *Industrial Districts*, and Subsection 6.06, *IH-30 Overlay (IH-30 OV) 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 conditions:

3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of outside storage on the *Subject Property* and conformance to these conditions are required for continued operations:

- 1) The Specific Use Permit (SUP) shall be valid for a period of three (3) years from the date of the approval of this ordinance. If an extension of the SUP is necessary, the owner shall submit a request in writing to staff no less than 90 days prior to the expiration of the SUP. Upon receipt of the request, the City Council shall review the SUP and determine if an extension of the SUP is permitted based on the development of FM-549 and the IH-30 overpass construction and/or other development activity in the area.
- 2) All outside display and outside storage of trailers shall generally conform to the concept plan depicted in *Exhibit 'B'* of this ordinance, which shall be incorporated herein by reference.
- 3) The outside display and outside storage of semi-trailers and tractor-trailers shall be prohibited.
- 4) City Council approval of the SUP includes a temporary waiver to certain engineering and fire department standards, including but not limited to, concrete paving requirements and the extension of a 12-inch water line from FM-549. Future development of the subject property will be subject to the Engineering and Fire Department standards in effect at the time of development.
- 5) In the event that the development expands the existing structure or adds additional buildings, the development will be subject to meet the requirements for fire protection.

3.2 COMPLIANCE

Approval of this ordinance – *in accordance with Subsection 2.05, City Council Action, of Article XI, Zoning Related Applications, of the Unified Development Code (UDC)* -- will require compliance to the following:

- 1) Upon obtaining approval of this Specific Use Permit (SUP), should the property owner 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 2.02.D(3) of Article XI, *Zoning Related Applications*, 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.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 3RD DAY OF FEBRUARY, 2020.**



Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: January 21, 2020

2nd Reading: February 3, 2020

Exhibit 'A'
Zoning Exhibit

Address: 2260 E. IH 30

Legal Description: Tract 22-01 of the R. Irvine Survey, Abstract No. 120

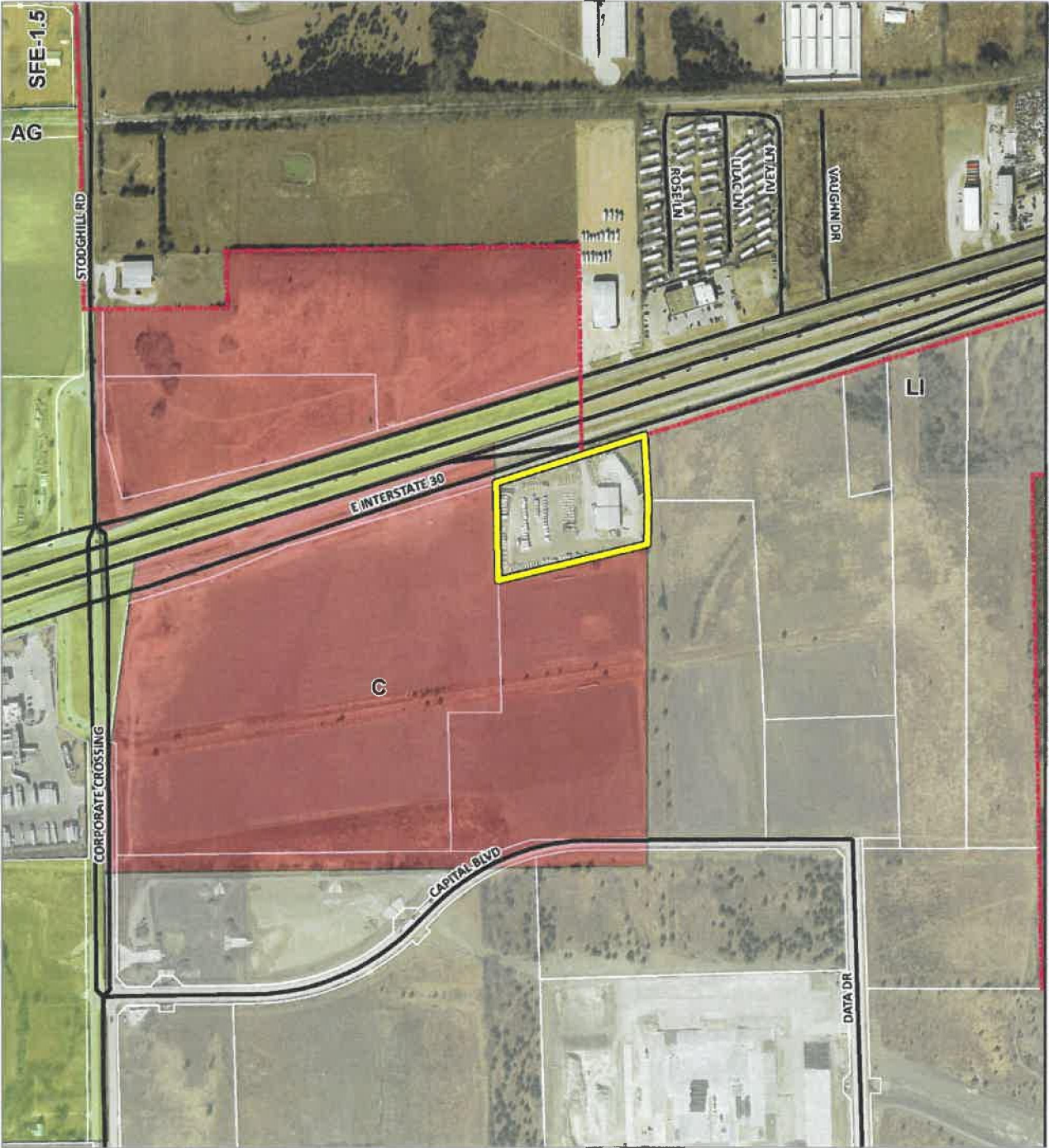
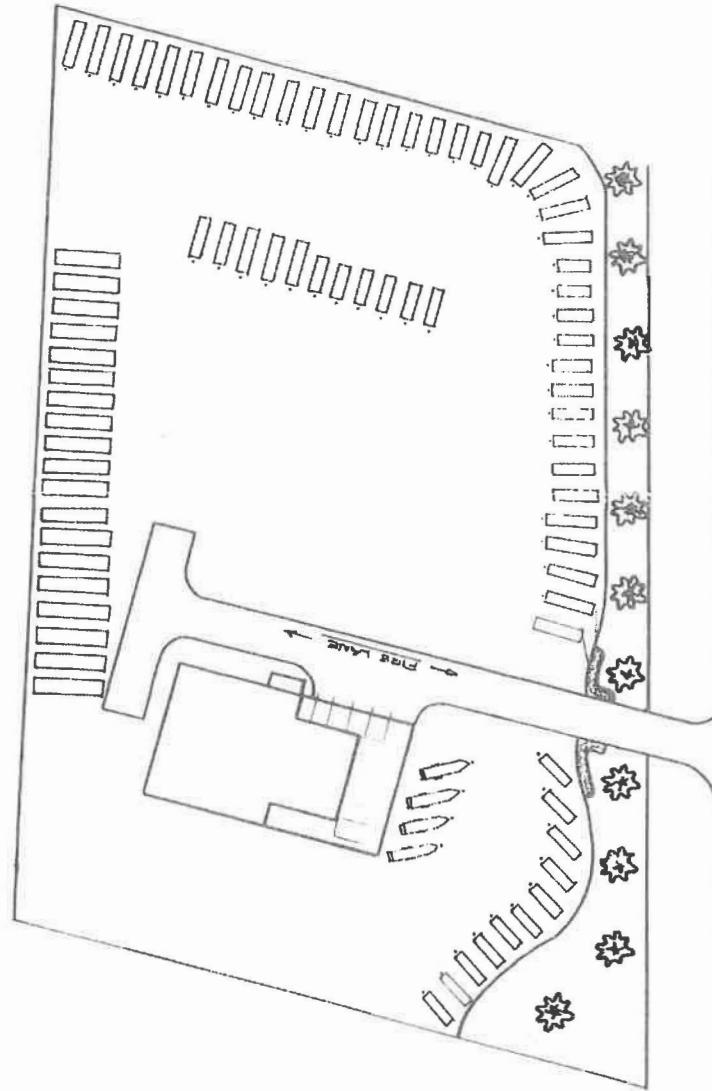


Exhibit 'B'
Concept Plan

TOWERS 22606 II-30	
NO. 1	NO. 2
DATE	DATE
972-971-1522	



WALKABOUT BV