

CITY OF ROCKWALL

ORDINANCE NO. 19-31

SPECIFIC USE PERMIT NO. S-211

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *MINOR AUTO REPAIR GARAGE*, IN A COMMERCIAL (C) DISTRICT, SITUATED ON A 1.1107-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 1, HORIZON VILLAGE 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 Greg Wallace of Mershawn Architects on behalf of the owner for the approval of a Specific Use Permit (SUP) to allow a *minor auto repair garage* in a Commercial (C) District on a 1.1107-acre parcel of land being described as Lot 4, Block 1, Horizon Village Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 2581 Horizon Road [FM-3097], 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 by *Ordinance No. 05-20*.

**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 a *minor auto repair garage* as stipulated by Section 1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of 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 Subsection 4.4, *Commercial (C) District*, of Section 4, *Commercial 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 a *minor auto repair garage* on the *Subject Property* and conformance to these stipulations is required for continued operations:

- 1) The *minor auto repair garage* shall generally conform to the concept plan and building elevations depicted in *Exhibits 'B' and 'C'* of this ordinance;
- 2) Vehicles, equipment, parts, and/or inventory shall not be stored outside overnight.
- 3) All work must be performed within an enclosed building.
- 4) The addition shall match the design and materials of the existing buildings as depicted in *Exhibit 'C'* of this ordinance.
- 5) A ten (10)-foot landscape buffer consisting of ground cover, a built-up berm and/or shrubbery or a combination thereof shall be installed along the entire length of the frontage of the subject property.

### 3.2 COMPLIANCE

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

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

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

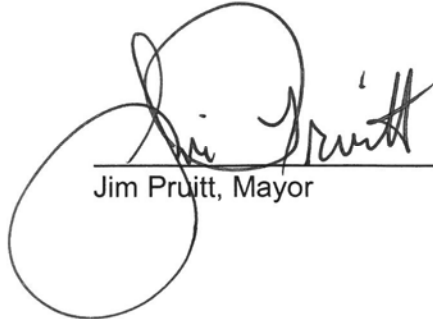
**SECTION 5.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 8.** That this ordinance shall take effect immediately from and after its passage.

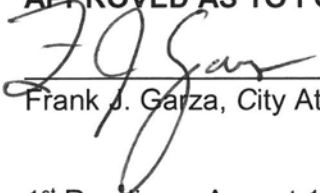
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 3<sup>RD</sup> DAY OF SEPTEMBER, 2019.**

  
\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



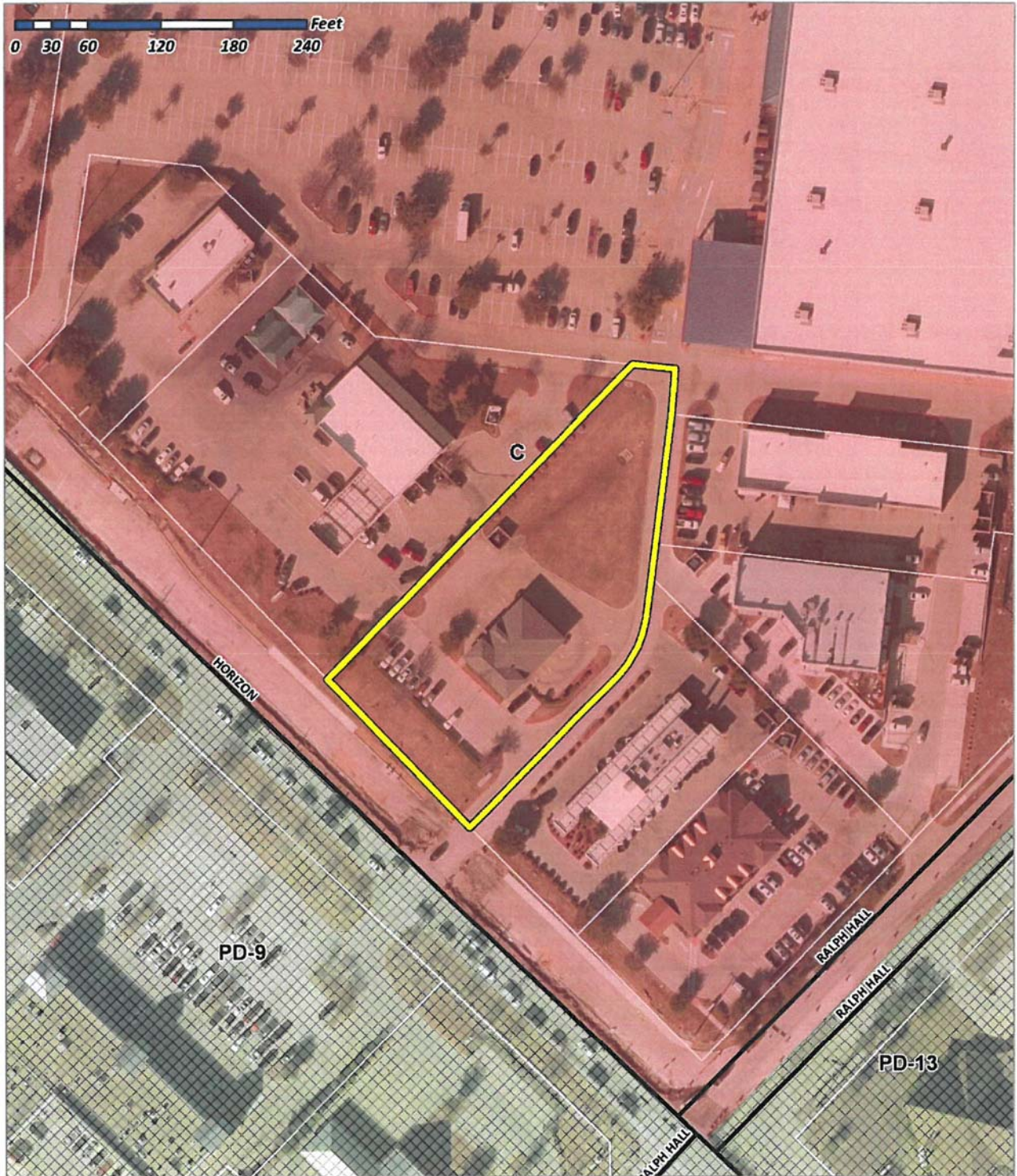
1<sup>st</sup> Reading: August 19, 2019

2<sup>nd</sup> Reading: September 3, 2019

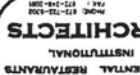
**Exhibit 'A'**  
**Zoning Exhibit**

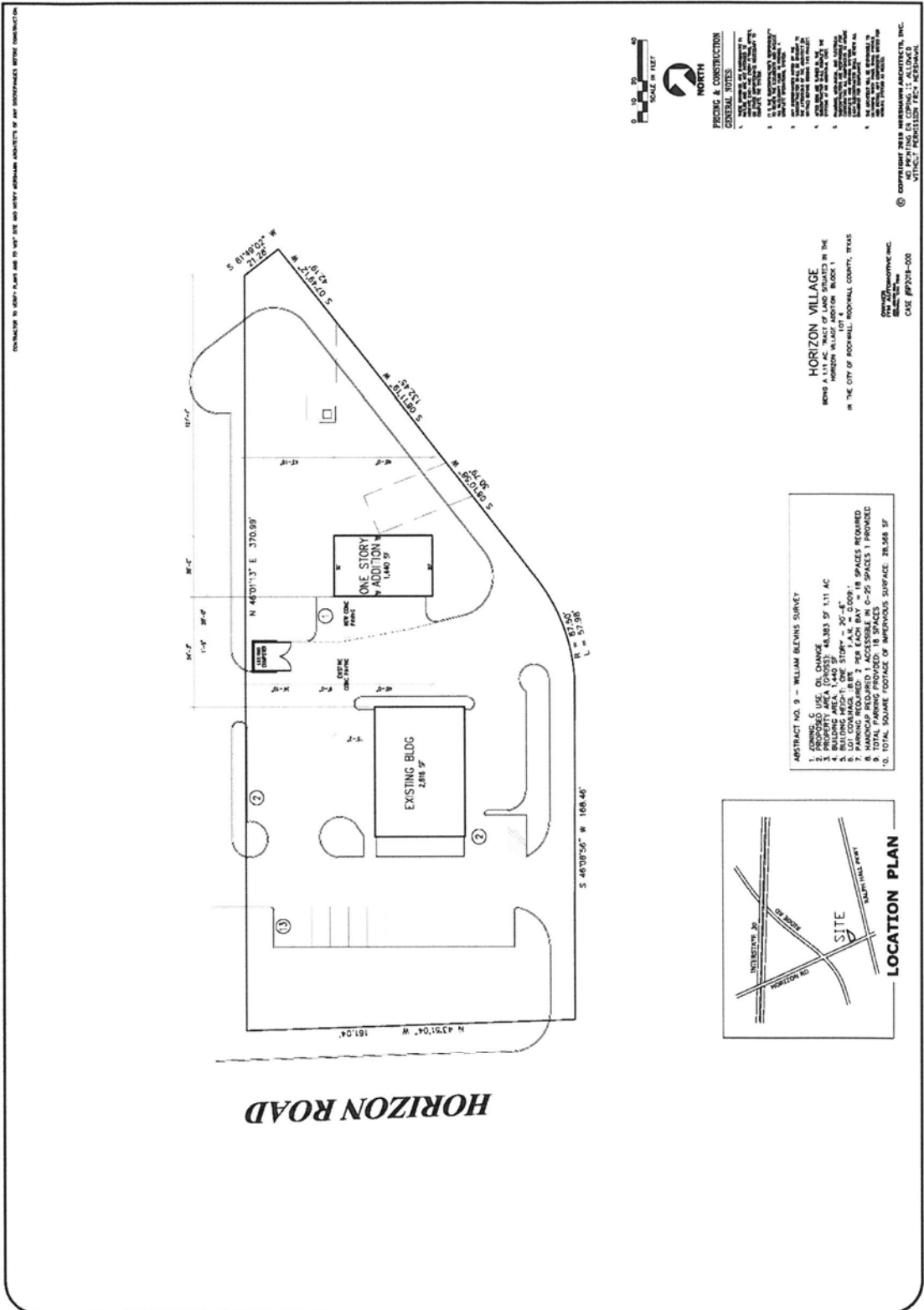
Address: 2581 Horizon Road [FM-3097]

Legal Description: Lot 1, Block 1, Horizon Village Addition



# Exhibit 'B': Concept Plan

 <b>MERSHAWN ARCHITECTS</b> MEDICAL COMMERCIAL, RESIDENTIAL, RESTAURANTS, INSTITUTIONAL 1213 ROSE ROAD #213 ROCKWALL, TEXAS 75087 PHONE: 972-221-1300 FAX: 972-221-1308	By: _____ Title: _____ Date: _____	Revision: _____ Date: _____	SHEET <b>A1</b> OF	<b>SITE PLAN</b> KWIK KAR ROCKWALL, TEXAS
--	--	--------------------------------	--------------------------	---



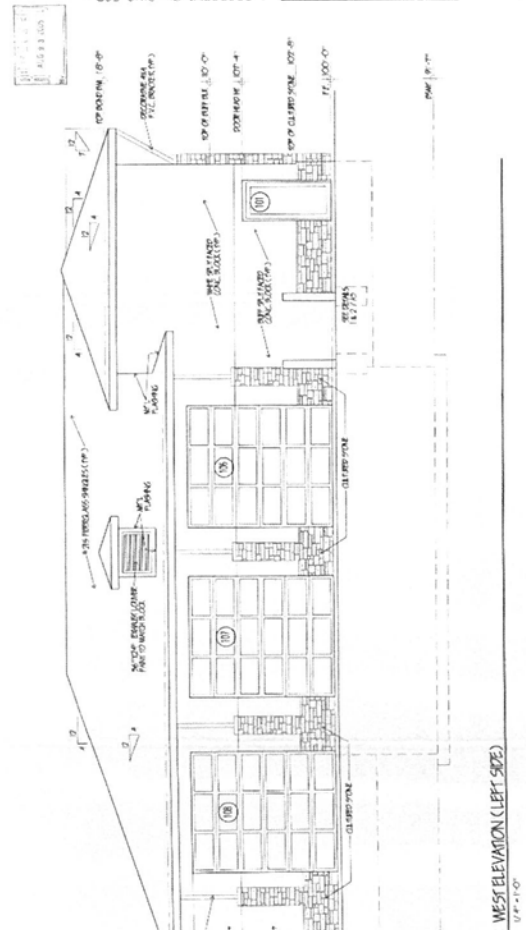
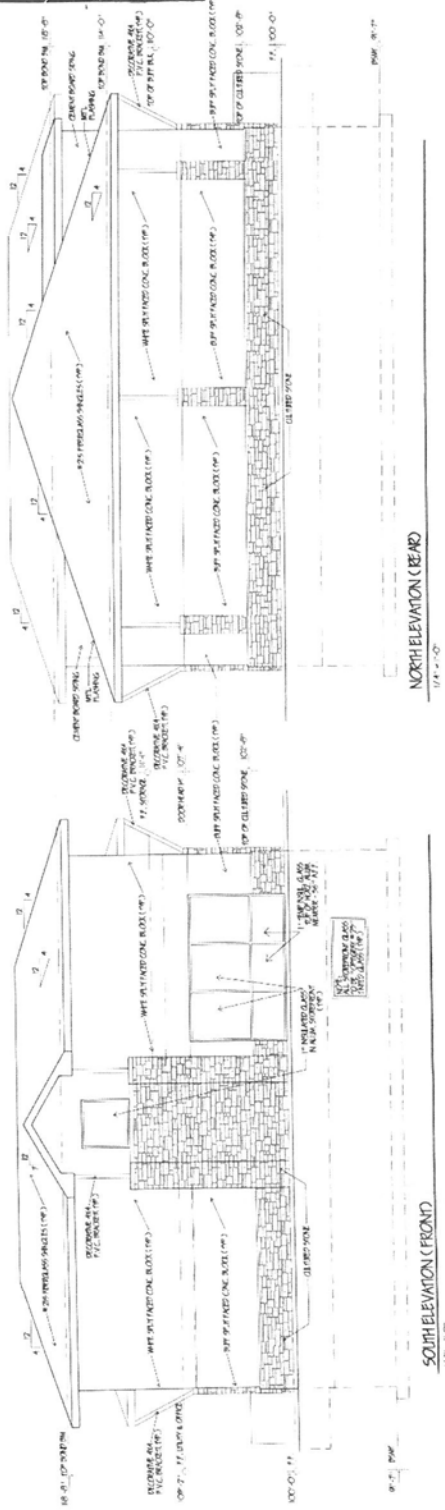
# Exhibit 'C': Conceptual Building Elevations



BENCHMARK CONSTRUCTION INC.  
A PROPOSED BUILDING FOR:

LOCALITY: 77774 4505  
ROCKWALL, TEXAS  
OZON ROAD

PROJECT NO.	24156
DATE	5/18/05
BY	ANTON JACOBS ARCHITECTS, INC.
CHECKED BY	ANTON JACOBS ARCHITECTS, INC.
SCALE	AS SHOWN
SHEET	A4 OF 54



# Exhibit 'C': Conceptual Building Elevations

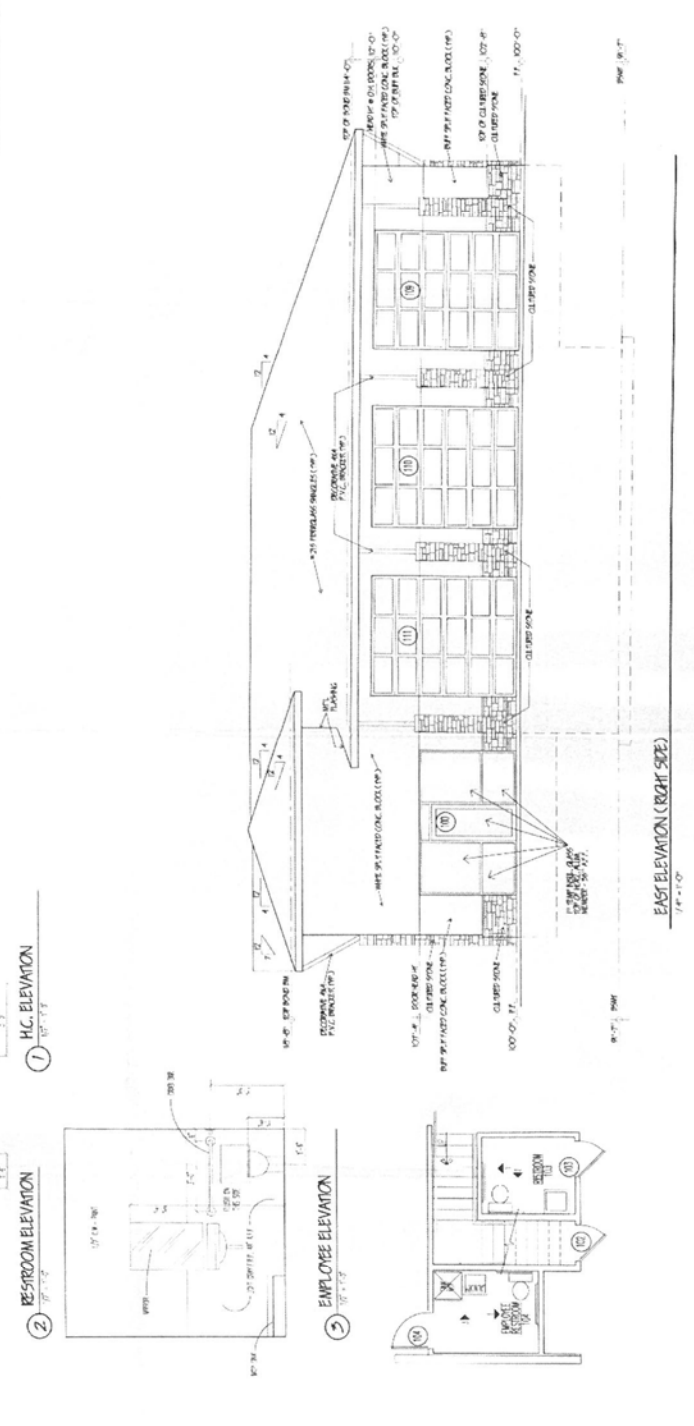
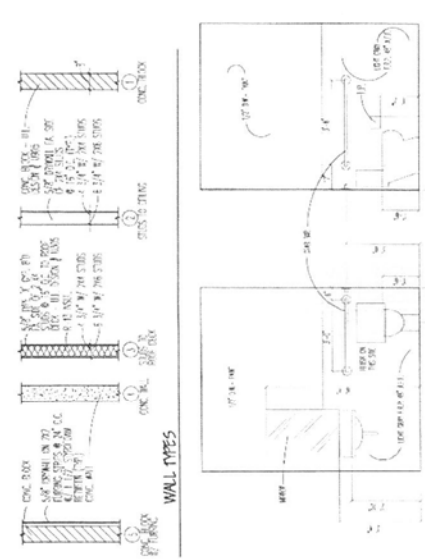


BENCHMARK CONSTRUCTION INC.

PROJECT BUILDING FOR :  
 LOCATION :  
 DATE :  
 DRAWING NO. :  
 SHEET NO. :  
 OF SIX

**ROOM FINISH SCHEDULE**

ROOM NO.	ROOM NAME	FLOOR	CEILING	WALLS	FLOORING	PAINT	GLASS	MECHANICAL	ELECTRICAL	PLUMBING	FINISH
101	REAR OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
102	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
103	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
104	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
105	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
106	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
107	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
108	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
109	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
110	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
111	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
112	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
113	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
114	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
115	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
116	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
117	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
118	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
119	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
120	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
121	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
122	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
123	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
124	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
125	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
126	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
127	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
128	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
129	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
130	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
131	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
132	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
133	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
134	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
135	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
136	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
137	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
138	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
139	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
140	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
141	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
142	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
143	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
144	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
145	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
146	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
147	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
148	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
149	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP
150	OFFICE	1	POP	1/2" GYP	1/4" GYP	100% AC	1/4" GYP	1/2" GYP	1/2" GYP	1/2" GYP	1/2" GYP



# Exhibit 'C': Conceptual Building Elevations

<b>MERSHAWN ARCHITECTS</b> MEDICAL COMMERCIAL CHURCHES INSTITUTIONAL RESIDENTIAL RESTAURANTS 1001 W. WILSON ST. SUITE 100 ROCKWALL, TEXAS 75087 PHONE: 972-968-2888 FAX: 972-968-2889 WWW.MERSHAWNARCHITECTS.COM	<b>KWIK KAR</b> ROCKWALL, TEXAS	<b>EXTERIOR ELEVATIONS</b>	SHEET <b>A4</b>	DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____
--	------------------------------------	----------------------------	--------------------	---

**NORTH ELEVATION**  
100% MASONRY 30% STONE 70% BLOCK

**EAST ELEVATION**  
100% MASONRY 24% STONE 76% BLOCK

**WEST ELEVATION**  
100% MASONRY 24% STONE 76% BLOCK

**SOUTH ELEVATION**  
100% MASONRY 38% STONE 62% BLOCK

**PRICING & CONSTRUCTION GENERAL NOTES:**

1. ALL PRICING IS BASED ON THE ASSUMPTIONS LISTED BELOW.
2. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.
3. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.
4. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.
5. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.
6. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.
7. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.
8. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.
9. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.
10. ALL PRICING IS FOR A STANDARD 12' X 12' X 8' CONCRETE BLOCK.