

CITY OF ROCKWALL

ORDINANCE NO. 20-47

SPECIFIC USE PERMIT NO. S-235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR AN *EXISTING MINI-WAREHOUSE FACILITY* ON A 2.857-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK A, PLATINUM STORAGE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Maxwell Fisher, AICP of Master Plan on behalf of Wolverine Self-Storage Investments-Rockwall EDP for the approval of a Specific Use Permit (SUP) for an *Existing Mini-Warehouse Facility* for the purpose of amending S-121 [*Ordinance No. 14-25*] to account for as-built conditions on a 2.857-acre parcel of land identified as Lot 4, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District], addressed as 1245 SH-276, and being more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* 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. 20-02*] 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. 14-25*; and,

SECTION 2. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for an *Existing Mini-Warehouse Facility* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the *Subject Property* shall be subject to the requirements set forth in Subsection 02.03(J)(1), *Mini-Warehouse*, of Article 04, *Permissible Uses*, and the development standards contained in Article 05, *District Development Standards*, of the Unified Development Code (UDC)

[Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Mini-Warehouse Facility* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) All construction and operations on this property shall generally conform to the *Concept Plan* contained in *Exhibit 'B'* and the *Building Elevations* contained in *Exhibit 'C'* of this ordinance.
- 2) The maximum number of storage units permitted on the *subject property* shall be 794-units.
- 3) All transparent fences shall be wrought iron, and when necessary shall incorporate landscaping/living screening to screen the interior of the facility. Chain-link fencing is prohibited.
- 4) The height of the building shall not exceed four (4) stories or 60-feet in total height.
- 5) Outside storage shall be limited to the areas depicted on the *Concept Plan* in *Exhibit 'B'*, and shall be entirely screened by a row of evergreen trees (*i.e. Leyland Cypress*) to be planted along the eastern property line. No outside storage of any kind shall be permitted outside of the areas depicted on the *Concept Plan*. Outside storage shall be limited to the storage of boats, recreational vehicles, and motor or self-propelled vehicles.
- 6) Businesses shall not be allowed to operate within individual storage units.
- 7) The commercial operation of rental trucks and trailers shall be prohibited.
- 8) All signage shall be required to conform to the requirements stipulated by the Municipal Code of Ordinances. In addition, pole signage shall be prohibited on this site.
- 9) All poles shall be limited to a maximum height of 20-feet and all light fixtures proposed for the site shall comply with the requirements of the Unified Development Code (UDC).

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this

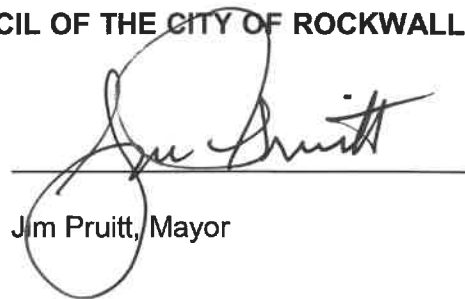
ordinance be, and the same are hereby repealed to the extent of that conflict.

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF DECEMBER, 2020.



Jim Pruitt, Mayor

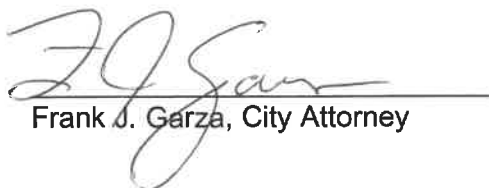
ATTEST:



Kristy Cole, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: November 16, 2020

2nd Reading: December 7, 2020

Exhibit 'A'
Legal Description and Location Map

Address: 1245 SH-276

Legal Description: Lot 4, Block A, Platinum Storage Addition

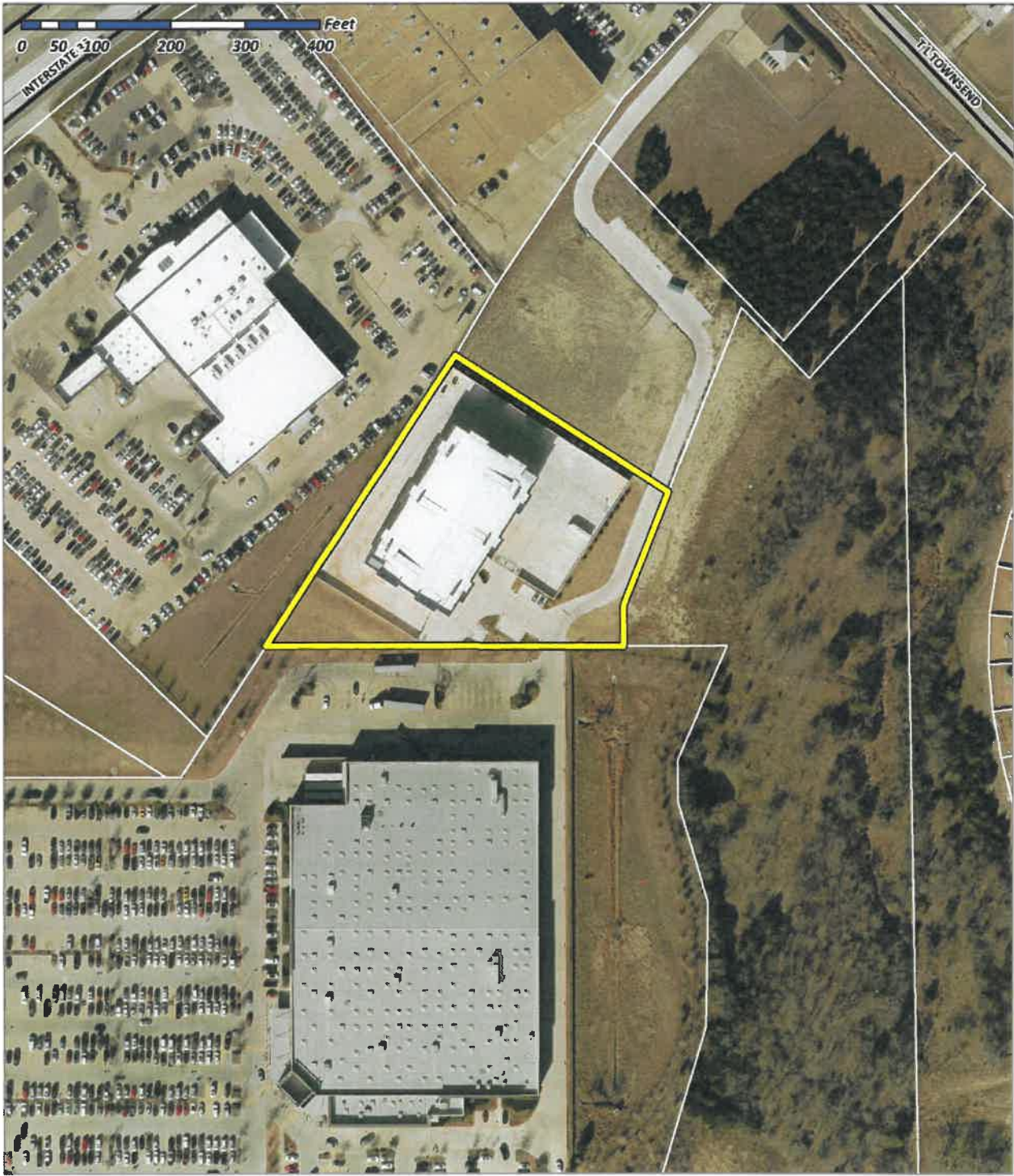


Exhibit 'A'
Legal Description and Location Map

BEING a 2.857-acre tract of land, being a portion of a 5.549 acres tract of land recorded in instrument No. 2013-480420, situated in the *JOSEPH CADLE SURVEY, ABST#65* and the *N.M. BALLARD SURVEY ABST. #48*, in the City of Rockwall, Rockwall County, Texas, and being a portion of a 65.96 tract of land recorded in *Volume 4663, page 281* of the Official Public Records of Rockwall County, Texas and being all and being more particularly described as follows:

BEGINNING at 5/8-inch iron rod set for the northerly northwest corner of Lot 1, Block 1 of Rockwall Centre Corners Addition according to the plat recorded in *Cabinet G, Slide 299* of the *Plat Records* of Rockwall County, Texas and being located in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas;

THENCE along the southeasterly line of said Toyota of Rockwall Addition, NORTH 33°54'52" EAST a distance of 460.20-feet to a 5/8-inch iron rod to be set in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in *Cabinet G, Slide 153-155* of the *Plat Records* of Rockwall County, Texas and being the west corner of a 2.692 acre tract being a portion of a 5.549-acre tract of land recoded in *Instrument No. 2013-480420* Rockwall SH205 Venture, LLC of the Official Public Records of Rockwall County, Texas;

THENCE departing the southeasterly line of said Lot 1, Block 1, SOUTH 56°05'08" EAST a distance of 339.05-feet to a 5/8-inch iron road to be set in the southwest line of said 65.96-acre tract of land being the southeast corner of a 2.692-acre tract being a portion of a 5.549-acre tract of land recoded in *Instrument No. 2013-480420* Rockwall SH205 Venture, LLC of the Official Public Records of Rockwall County, Texas;

THENCE departing the southwest corner of said 2.692-acre tract of land and traveling through said 65.96-acre tract of land the following course and distances:

SOUTH 22°36'40" WEST a distance of 158.90 feet to a 5/8-inch iron rod set;

SOUTH 00°57'44" WEST a distance of 54.05 feet to a 5/8-inch iron rod set in the north line of said Lot 1 of Rockwall Centre Corners Addition;

THENCE along said north line, NORTH 89°02'16" WEST a distance of 476.20 feet to the *POINT OF BEGINNING*;

**Exhibit 'C':
Building Elevations**

