

CITY OF ROCKWALL

ORDINANCE NO. 07-54

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 TO ALLOW FOR A BOAT AND TRAILER DEALERSHIP WITH ACCESSORY BOAT AND RECREATIONAL VEHICLE (RV) STORAGE WITHIN (PD-46) PLANNED DEVELOPMENT NO. 46 DISTRICT ON A 9.953-ACRE TRACT OF LAND KNOWN AS TRACT 2, ABSTRACT 186, J. A. RAMSEY SURVEY, LOCATED AT 2325 HWY 276, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; 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, a Specific Use Permit has been requested by Tommy and Sylvia Yetts to allow for a boat and trailer dealership with accessory boat and recreational vehicle (RV) storage within (PD-46) Planned Development No. 46 District on a 9.953-acre tract of land known as Tract 2, Abstract 186, J. A. Ramsey Survey, located at 2325 Hwy 276, and more specifically shown in Exhibit "A"; 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 of the City of Rockwall should be amended as follows:

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

Section 1. That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit for a boat and trailer dealership with accessory boat and recreational vehicle (RV) storage within (PD-46) Planned Development No. 46 District on a 9.953-acre tract of land known as Tract 2, Abstract 186, J. A. Ramsey Survey, located at 2325 Hwy 276, and more specifically shown in Exhibit "A"; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **(PD-46) Planned Development No. 46 District** and **Article V, Section 4.5, Commercial District** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

1. The development shall adhere to the approved concept plan attached herein as Exhibit "A".
2. The development shall also comply with the following Unified Development Code requirements relating to "Boat and Trail Dealerships":
 - a. The area to be used for outside storage and display shall not exceed 50% of the total lot area within 100-ft of any adjacent street.
 - b. All such outside storage and display areas must be permanently paved to City standards.
 - c. All such outside storage and display areas must be screened along all road frontages with a solid evergreen landscape screen a minimum of three feet in height.
 - d. All such outside storage and display areas may be lit with directed exterior lighting that does not glare onto any adjacent roadways.
3. Buildings that face Hwy 276 or Springer Rd shall comply with the conceptual building elevations attached herein as Exhibit "B". All interior buildings shall be constructed with a metal exterior, but shall generally match in color and style with the attached elevations.
4. Future site plan (including landscape plan, building elevations and photometric plan) submittal and approval required.
5. Submittal and approval of final plat required.

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, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 of the City of Rockwall, Texas, 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 for this ordinance are declared to be severable.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, this 3rd day of December, 2007.

William R. Cecil
William R. Cecil, Mayor

ATTEST:

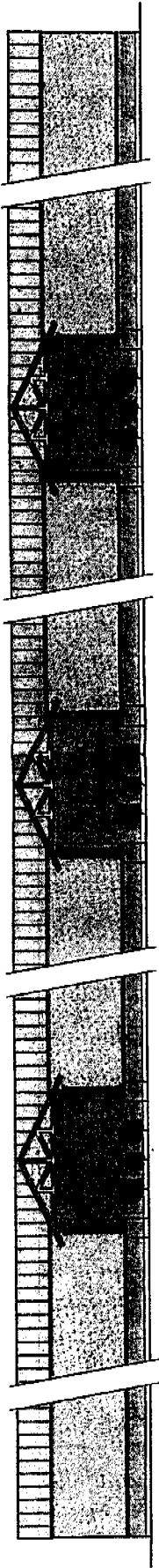
Dorothy Brooks
Dorothy Brooks, TRMC, CMC, City Secretary

APPROVED AS TO FORM:

Pete Eckert
Pete Eckert, City Attorney



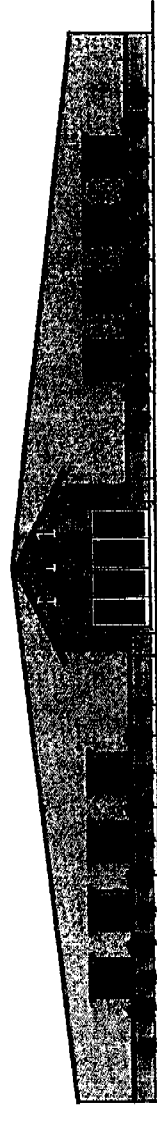
1st Reading: 11-19-07
2nd Reading: 12-03-07



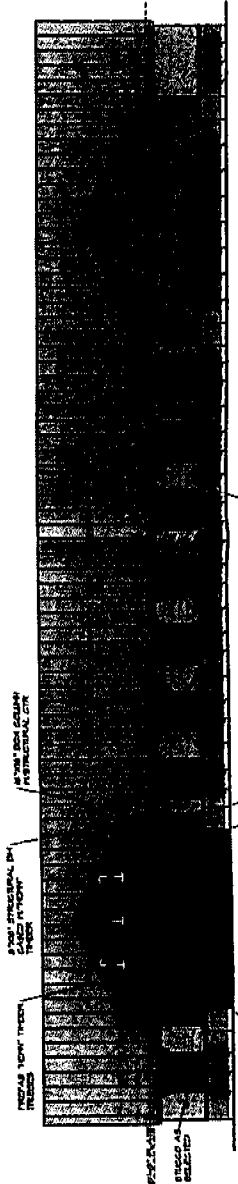
PROPOSED STREET VIEW ELEVATION OF BLDG FACING SPRINGER
* COLOR BLOCKS SUBJECT TO CHANGE



PROPOSED SOUTH ELEVATION @ EXISTING BLDG
SCALE 1/8"=1'-0"
* COLOR BLOCKS SUBJECT TO CHANGE



PROPOSED EAST ELEVATION @ EXISTING BLDG
SCALE 1/8"=1'-0"
* COLOR BLOCKS SUBJECT TO CHANGE



PROPOSED FRONT ELEVATION NEW BLDG I
SCALE 1/8"=1'-0"
* COLOR BLOCKS SUBJECT TO CHANGE

* COLOR BLOCKS SUBJECT TO CHANGE