

CITY OF ROCKWALL

ORDINANCE NO. 08-37

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 STRUCTURE GREATER THAN 36 FEET IN HEIGHT WITHIN THE SCENIC OVERLAY DISTRICT, ON A TRACT OF LAND CONTAINING 1.783-ACRES OF LAND AND DESCRIBED AS LOT 8, BLOCK A, ROCKWALL TOWNE CENTER PHASE 4; 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 to allow for a structure greater than 36 feet in height within the Scenic Overlay District, has been requested by Marcus McNamara of Alexander Marcus Design Group, LLC on a 1.783-acre tract of land described as Lot 8, Block A, Rockwall Towne Center Phase 4, City and County of Rockwall, Texas; 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 by the approval of a Specific Use Permit to allow for a structure greater than 36 feet in height within the Scenic Overlay District, on a 1.783-acre tract of land described as Lot 8, Block A, Rockwall Towne Center Phase 4; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Article V, Section 4.5, Commercial District** and **Article V, Section 6.8, Scenic Overlay 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. Prohibited Land Uses-
 - (a) "Hotel, Residence"
2. The building shall strictly adhere to the approved building elevations, attached herein as Exhibit "A."
3. The building shall be limited to a maximum of 58-feet in height as defined in the City of Rockwall Unified Development Code.

4. Freestanding signage associated with this development shall be limited to a monument sign (no pole sign shall be allowed).
5. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

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.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of August, 2008.


William R. Cecil, Mayor

ATTEST:


Kristy Ashberry, City Secretary

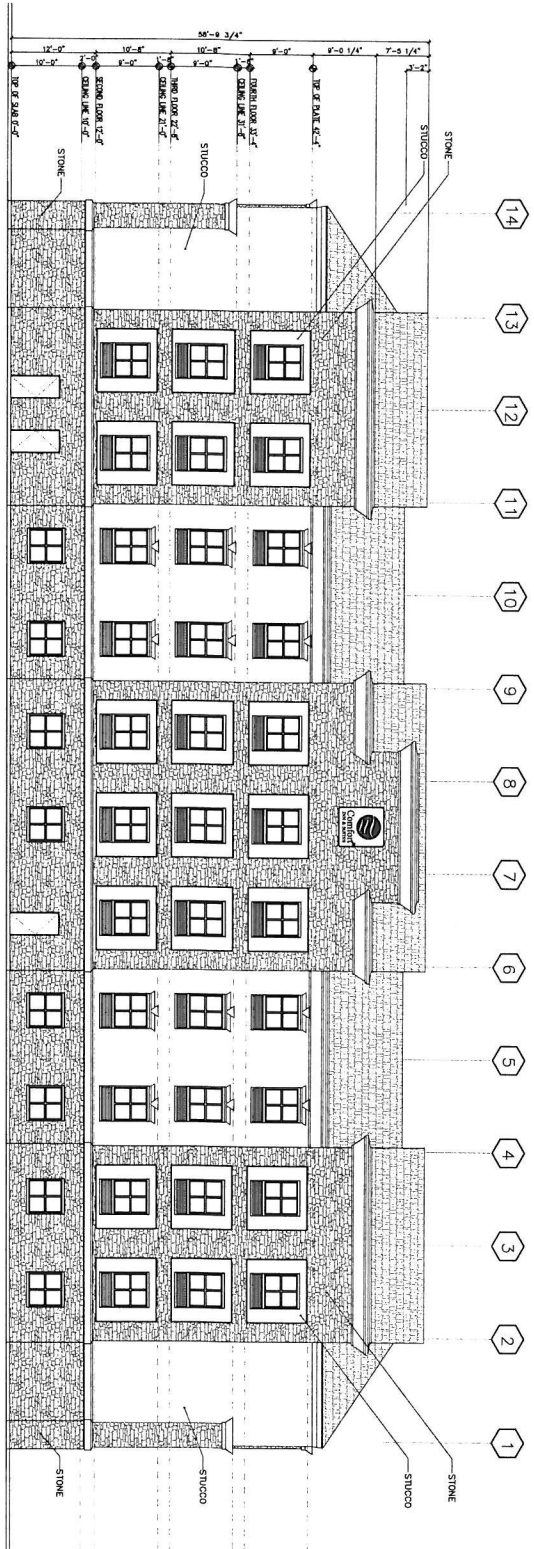
APPROVED AS TO FORM:


Pete Eckert, City Attorney

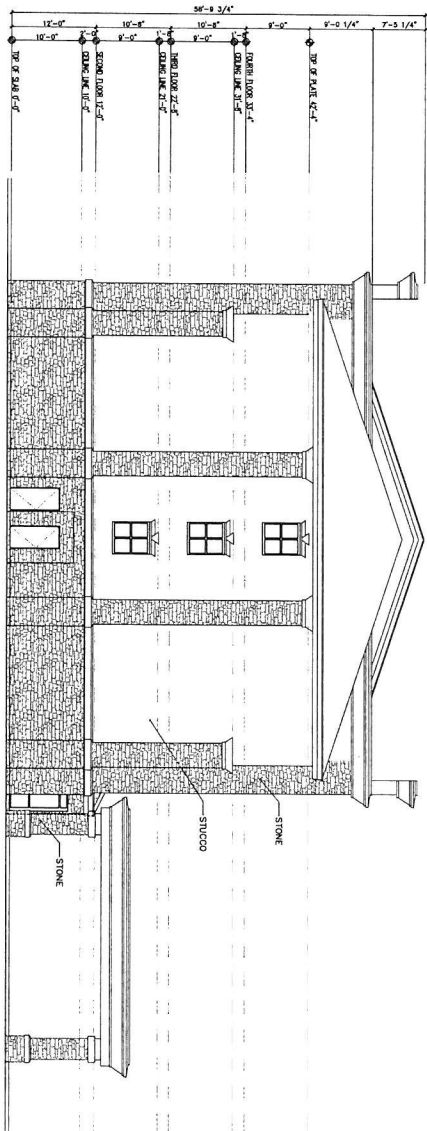


1st Reading: 07-21-08

2nd Reading: 08-04-08



01 REAR ELEVATION
A4.1 SCALE: 1/8" = 1'-0"



02 LEFT SIDE ELEVATION
A4.1 SCALE: 1/8" = 1'-0"

101 WEST MAIN STREET
ALPHONSO
SUITE 200
GARDEN PALMER
TEXAS 75040
THE ARCHITECT
RICK LINDA BUSH

ARCHITECT'S SEAL

PROJECT ADDRESS

INTERSTATE HIGHWAY 90
RICEWALL, TEXAS

PROJECT NUMBER

DATE OF ISSUE
DATE OF REVISION

REVISION

DRAWING TITLE

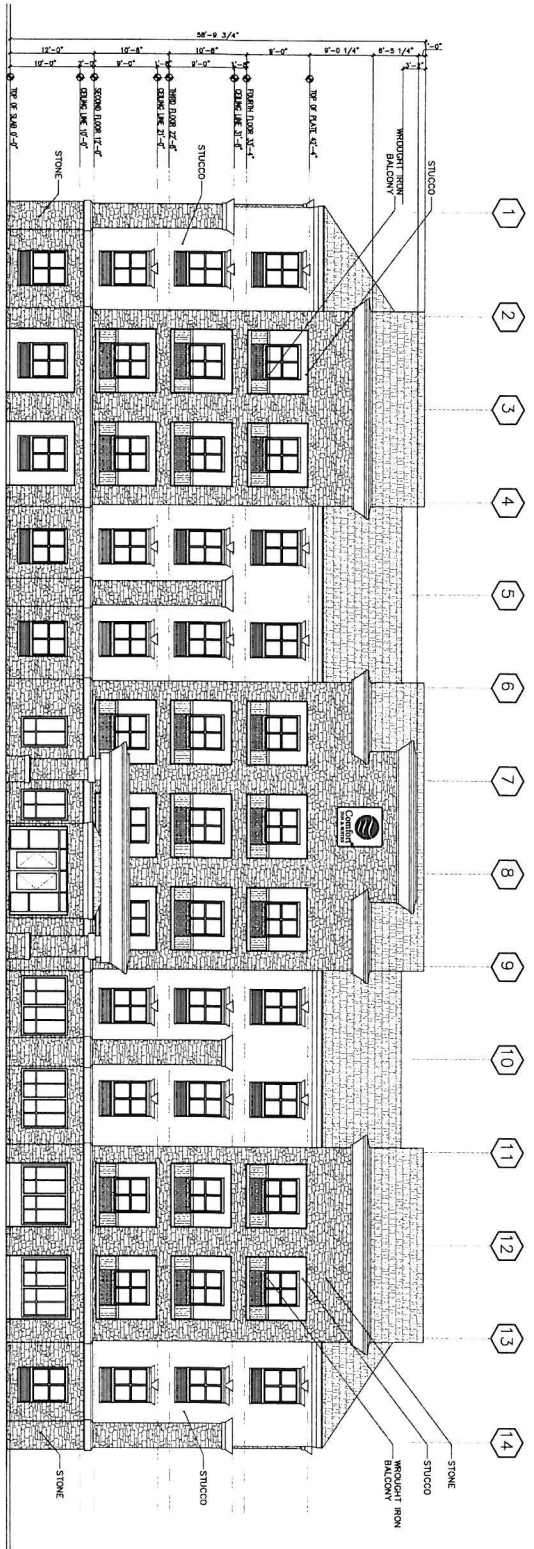
REAR & LEFT SIDE
ELEVATION

DRAWING NUMBER

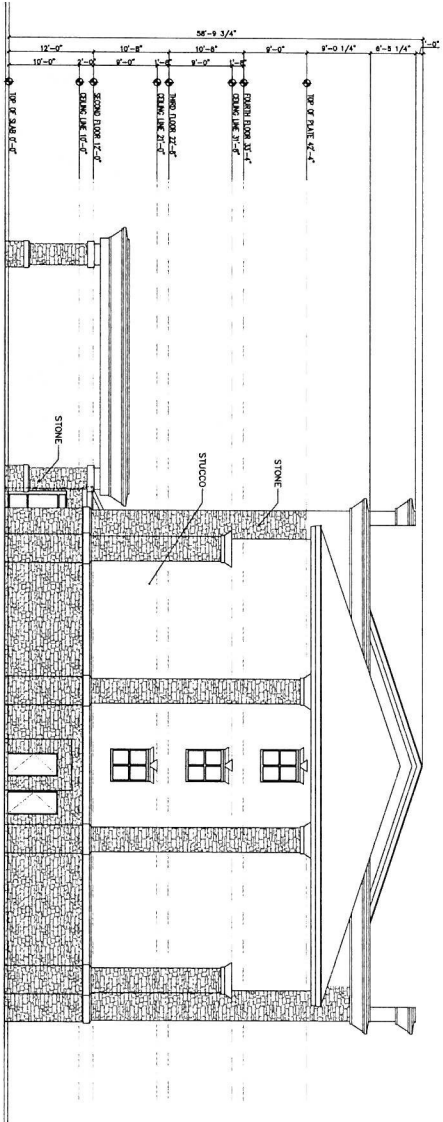
A4.2

PLANT DATE

DATE



01 FRONT ELEVATION
A4.1 SCALE: 1/8" = 1'-0"



02 RIGHT SIDE ELEVATION
A4.1 SCALE: 1/8" = 1'-0"

ALFORD B
ARCHITECTS
10000
10000
10000
10000

PROJECT ADDRESS
INTERSTATE HIGHWAY 30
ROCKWALL, TEXAS

PROJECT NUMBER
NO. 10000
ISSUE DATE
02/20/20

NO.	DATE	DESCRIPTION

BRAND TITLE
FRONT & RIGHT SIDE
ELEVATION

BRAND NUMBER
A4.1
DATE
02/20/20