

CITY OF ROCKWALL

ORDINANCE NO. 08-59

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 AN "AUTO REPAIR GARAGE, MINOR" ON A 2.181-ACRE TRACT OF LAND KNOWN AS LOT 2, BLOCK 1, HORIZON VILLAGE ADDITION, 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 for an "Auto Repair Garage, Minor" within the (C) Commercial district has been requested by Tracy Lapiene of Allen & Ridinger Consulting, Inc., on a 2.181-acre tract of land known as Lot 2, Block 1, Horizon Village Addition, 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 an "Auto Repair Garage, Minor" within the (C) Commercial district on a 2.181-acre tract of land known as Lot 2, Block 1, Horizon Village Addition, and more specifically shown in Exhibit "A"; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **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. Future site plan submittal and approval shall be required, including adherence to all standards specified in the Unified Development Code.
2. The building shall strictly adhere to the approved building elevations, attached herein as Exhibit "B."
3. EIFS and other non-masonry materials shall be limited to the maximum 10% as allowed by the Unified Development Code.
4. No vehicles, equipment, parts or inventory shall be stored outside overnight.
5. Any remainder or surplus property on the subject site shall only be used in accordance with Article IV, Permitted Uses of the Unified Development Code.

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 3rd day of November, 2008.

William R. Cecil

William R. Cecil, Mayor

ATTEST:

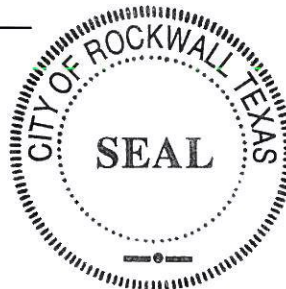
Kristy Ashberry

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

Pete Eckert

Pete Eckert, City Attorney



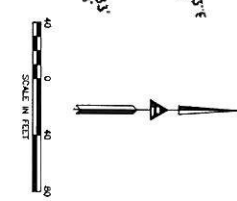
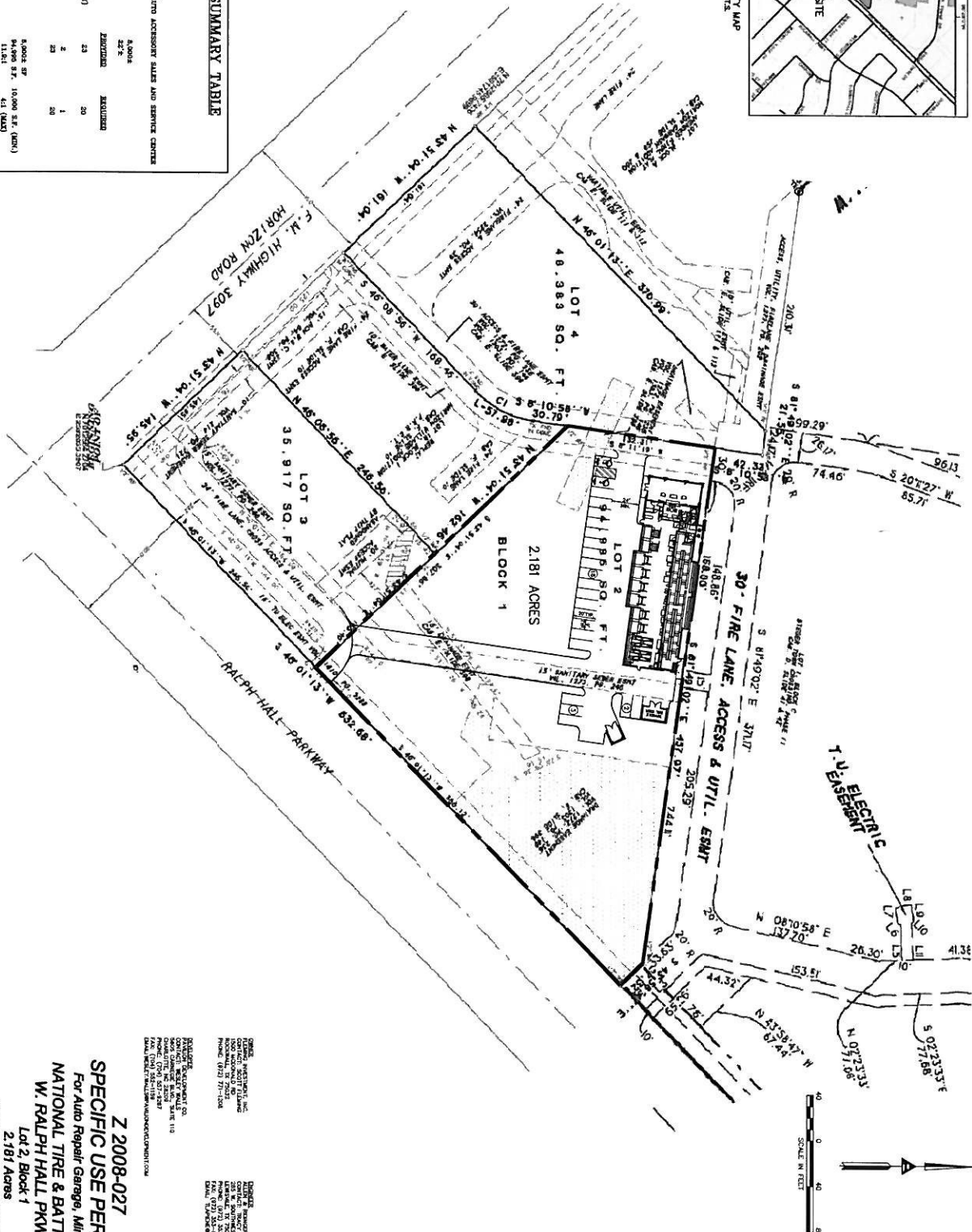
1st Reading: 10-20-08

2nd Reading: 11-03-08



SITE DATA SUMMARY TABLE

EXISTING ZONING: C - COMMERCIAL DISTRICT	ZONING: C-2
PROPOSED USE: AUTO REPAIR GARAGE, MINOR + AUTO ACCESSORY SALES AND SERVICE CENTERS	EXISTING ZONING: C-2
BUILDING DATA: BUILDING AREA: 22' x 22' x 22'	EXISTING ZONING: C-2
PARKING SUMMARY: AUTO SPACES (CAR/SERVICE BAY): 23	EXISTING ZONING: C-2
LANDSCAPE DATA: LANDSCAPE PLANTING: 2	EXISTING ZONING: C-2
UTILITIES: TOTAL PARKING: 23	EXISTING ZONING: C-2
PERMITS: LIT: 1	EXISTING ZONING: C-2
PERMITS: LIT: 1	EXISTING ZONING: C-2
PERMITS: LIT: 1	EXISTING ZONING: C-2
PERMITS: LIT: 1	EXISTING ZONING: C-2



Z 2008-027
SPECIFIC USE PERMIT
 For Auto Repair Garage, Minor +
NATIONAL TIRE & BATTERY
W. RALPH HALL PKWY.
 Lot 2, Block 1
 Horizon Village Addition
 City of Rockwall
 Rockwall County, Texas

DESIGNER: HORIZON INVESTMENTS, INC.
 1000 W. RALPH HALL PKWY.
 SUITE 100
 ROCKWALL, TX 75087
 PHONE: (972) 977-1111
 FAX: (972) 977-1111
 WWW.HORIZONINVESTMENTS.COM

ENGINEER: HORIZON INVESTMENTS, INC.
 1000 W. RALPH HALL PKWY.
 SUITE 100
 ROCKWALL, TX 75087
 PHONE: (972) 977-1111
 FAX: (972) 977-1111
 WWW.HORIZONINVESTMENTS.COM

Scale: 1"=40'
Designed by: TAL
Drawn by: TAL
Checked by: TAL
Date: OCTOBER 7, 2008
Project No. 062-010

SUP EXHIBIT / CONCEPT PLAN

NATIONAL TIRE & BATTERY (NTB)
W. RALPH HALL PKWY.
CITY OF ROCKWALL, TEXAS

No.	Date	Revisions	App.

Allen & Ridinger Consulting, Inc.
 280 W. Southwest Hwy
 Lawville, Texas 75067
 Tel. No. (972) 353-8000
 Fax No. (972) 353-8011

