CITY OF ROCKWALL

ORDINANCE NO. 10- 09

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 (SUP) TO ALLOW FOR A "RETAIL STORE WITH MORE THAN TWO GASOLINE DISPENSERS" WITHIN (PD-9) PLANNED DEVELOPMENT NO. 9 DISTRICT, ON A 0.9-ACRE TRACT OF LAND 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 (SUP) for a "retail store with more than two gasoline dispensers" within (PD-9) Planned Development No. 9 district has been requested by Jeremy Yee of CEI Engineering, on a 0.9-acre tract proposed to be platted as Lot 1, Block B, Horizon Ridge Center North Addition, situated at the southwest corner of Horizon Road and Tubbs Road, 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 (SUP) for a "retail store with more than two gasoline dispensers" within (PD-9) Planned Development No. 9, on a 0.9-acre tract proposed to be platted as Lot 1, Block B, Horizon Ridge Center North Addition, situated at the southwest corner of Horizon Road and Tubbs Road, and more specifically shown in Exhibit "A"; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in Ordinance No. 86-55 (i.e. PD-9) and ***Article V, Section 4.4, General Retail 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. That the development shall strictly adhere to the approved site plan (Exhibit "A") and building elevations (Exhibit "B").
2. No outside display of merchandise or outside storage shall be allowed on the property, with the exception of the following items as indicated on the approved site plan: ice machine, propane cage and "red box" DVD rental kiosk.
3. TXDOT approval for proposed driveway off FM 3097 (Horizon Rd).
4. Adherence to all engineering and fire department requirements.

5. With development of adjacent office/retail tract to south and east of subject site, the dumpster enclosure shall be re-oriented so that its gates do not face a public street.

6. No pole sign shall be allowed.

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 19th day of April, 2010.

William R. Cecil, Mayor

ATTEST:

Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

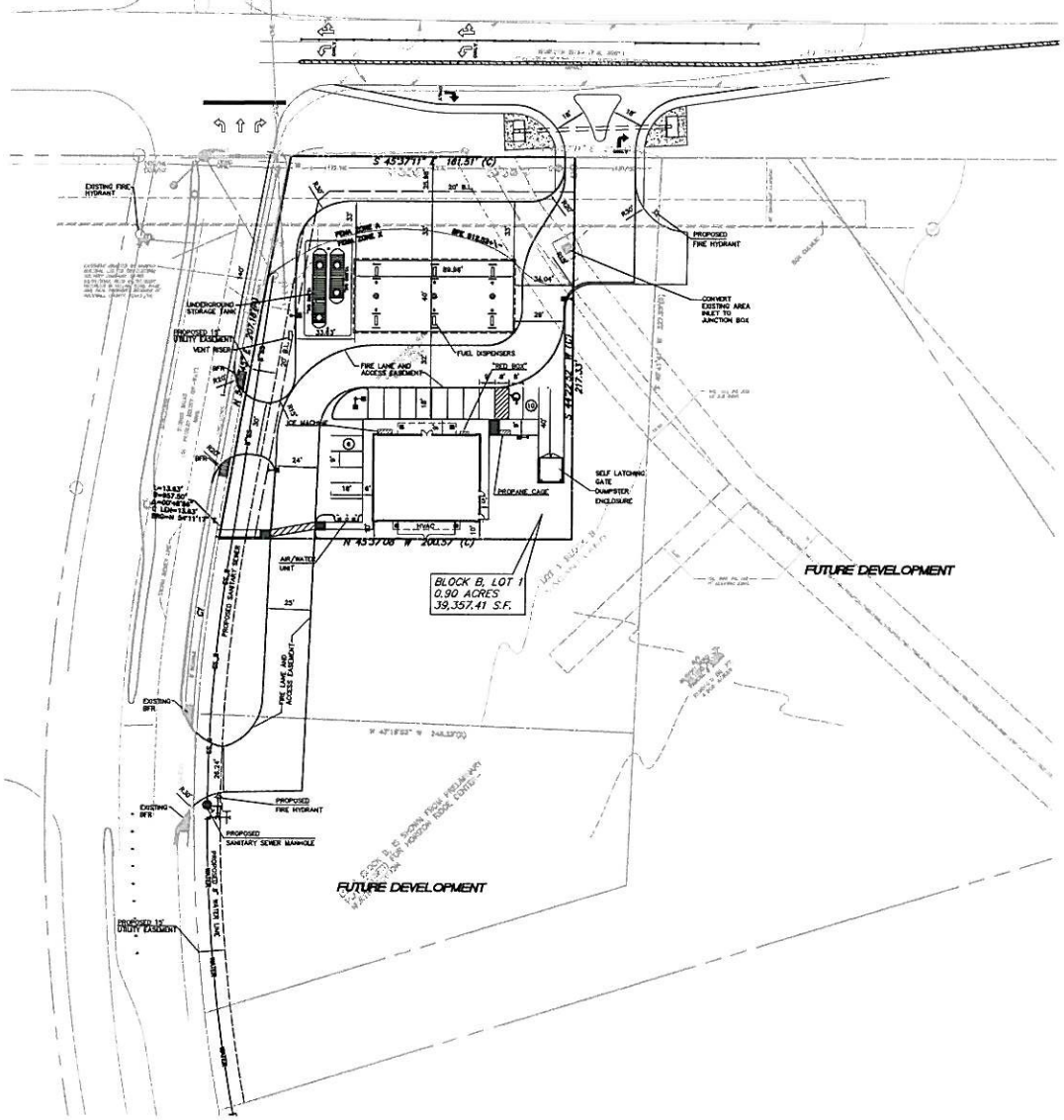
Pete Eckert, City Attorney

CITY OF ROCKWALL TEXAS SEAL

1st Reading: 04-05-10

2nd Reading: 04-19-10

EXHIBIT "A"



CALL BEFORE YOU DIG 1-800-344-8377 TEXAS ONE CALL SYSTEM

N

0 30' 45' 60'
SCALE IN FEET

LEGEND

EXISTING

PROPOSED

- BOUNDARY LINE
- RIGHT OF WAY LINE
- CONCRETE CURB AND GUTTER. SEE DETAIL 1B.
- (32) PROPOSED PARKING SPACES
- PROPOSED FIRE LANE

SITE PLAN SUMMARY

EXISTING ZONING:	PD-9
PROPOSED ZONING:	PD-9
PROPOSED USE:	FUEL STATION, RETAIL
SITE AREAS:	39,357.41 SF (0.90 ACRE)
BUILDING AREAS:	2,940 SF
PARKING:	
REQUIRED:	12 SPACES
PROVIDED:	18 SPACES
TOTAL IMPERVIOUS AREA:	28,162 SF
TOTAL LANDSCAPE AREA:	11,195 SF
BUILDING HEIGHT (BUILDING):	15 FT
BUILDING HEIGHT (CANOPY):	17.5 FT

NOTE:
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, VESTIBULE, SLOPED PAVING, TRUCK DOCKS, BUILDING UTILITY ENTRANCE LOCATIONS AND PRECISE BUILDING DIMENSIONS.

NO.	DATE	DESCRIPTION

REVISIONS

SITE PLAN	11-11-08	LYW	LWY	FGA	FGA
	DATE	PRN	PM	DES	DRW

7-ELEVEN

CEI Engineering Associates, Inc.
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS · ENVIRONMENTAL SCIENTISTS
SURVEYORS

31 West Plano, 3030 LBJ Freeway
Suite 105, Dallas, TX 75234
(972) 488-3737
FAX (972) 488-8732

SITE PLAN
SOUTH CORNER OF HORIZON RD. & TUBBS RD.
ROCKWALL TEXAS

DATE 03-3-10 12:22 PM REV-9

SHEET NO. C1

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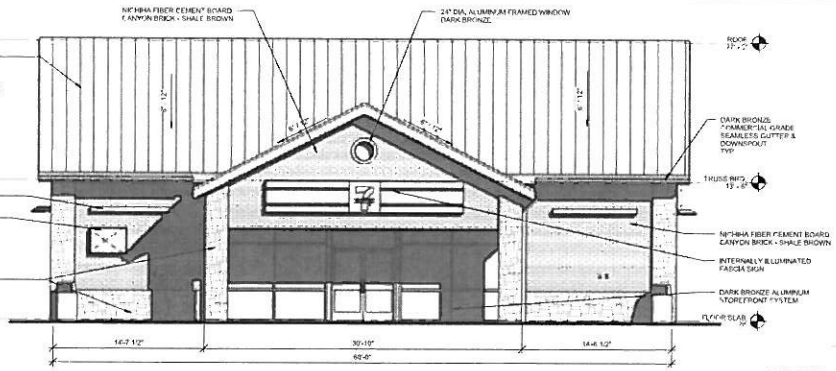
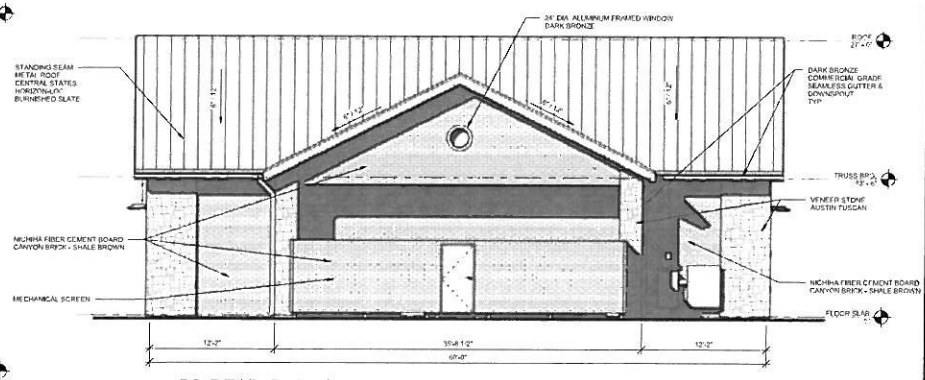
EXHIBIT "B"

EXTERIOR WALL MATERIAL

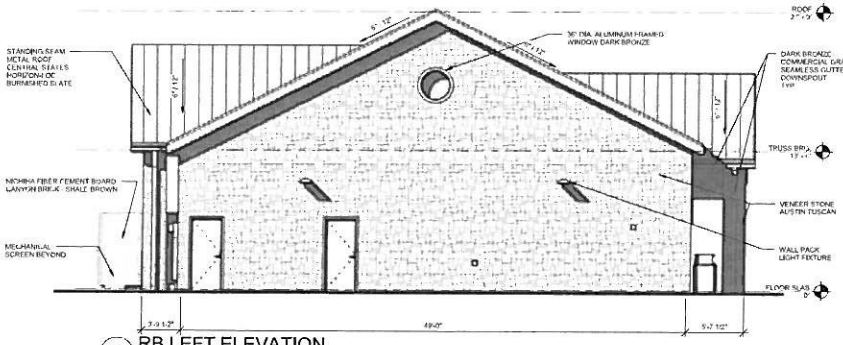
	VENEER STONE AUSTIN TUSCAN	NICHIHA FIBER CEMENT BOARD CANYON BRICK - SHALE BROWN
FRONT ELEVATION NORTH	340 SQ.FT. 29%	824 SQ.FT. 71%
RIGHT ELEVATION WEST	948 SQ.FT. 100%	0 SQ.FT. 0%
LEFT ELEVATION EAST	940 SQ.FT. 100%	0 SQ.FT. 0%
REAR ELEVATION SOUTH	302 SQ.FT. 20%	1194 SQ.FT. 80%
TOTAL %	2,610 SQ.FT. 55%	2,118 SQ.FT. 45%



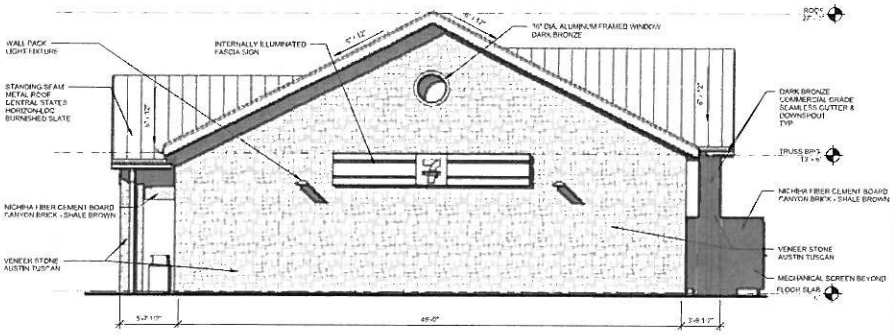
1 RB FRONT ELEVATION



2 RB REAR ELEVATION



3 RB LEFT ELEVATION



4 RB RIGHT ELEVATION

HFA ARCHITECTS ENGINEERS INTERIORS
HARRISON FRENCH & ASSOCIATES, LTD.
409 S. W. A Street, Suite 201
Bentonville, Arkansas 72712
www.hfaar.com

STIPULATION FOR ISSUE

7- ELEVEN
PROTO 0049-01-10
HORIZON AND TUB13S
ROCKWALL, TEXAS
JOB NUMBER: 12-09-00056

ISSUE BLOCK

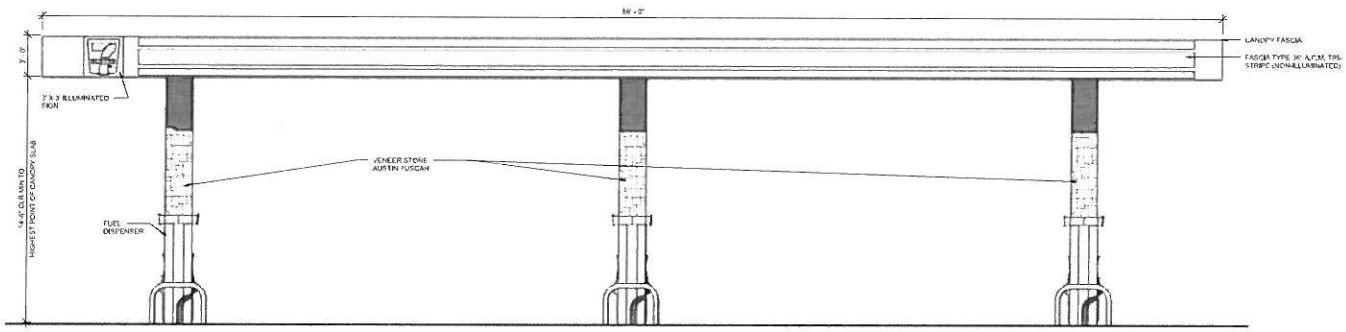
STORE NO.	
DOCUMENT DATE	02/25/10
CHECKED BY	AD
DRAWN BY	AD

FOR REVIEW/REFERENCE ONLY
NOT FOR CONSTRUCTION

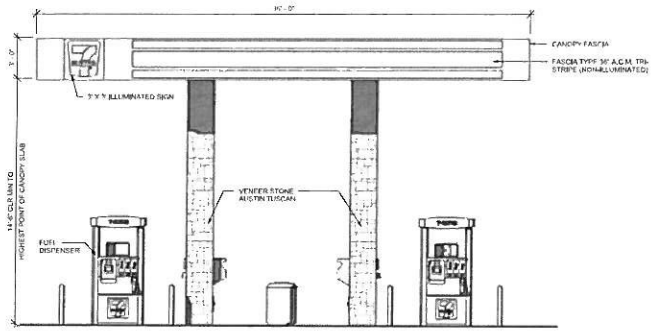
REVIEW BOARD EXTERIOR ELEVATIONS

SHEET
RB-E

EXHIBIT "B" (cont)



2 CANOPY STREET SIDE ELEVATION



1 CANOPY END ELEVATION

HFA ARCHITECTS ENGINEERS INTERIORS

HARRISON FRANCO ASSOCIATES, INC.

ISSUE BLOCK

STORE NO.:
DOCUMENT DATE: 02/25/10
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NOT FOR CONSTRUCTION

RB FUELING CANOPY ELEVATIONS

SHEET: RB-FC

7-ELEVEN

HORIZON & TUBBS RDS
ROCKWALL, TEXAS

JOB NUMBER: 12-09-00056