

CITY OF ROCKWALL

ORDINANCE NO. 11-05

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 AN "AUTO REPAIR GARAGE, MINOR" WITHIN THE (C) COMMERCIAL DISTRICT, ON A 0.7-ACRE TRACT OF LAND KNOWN AS PART OF TRACT 12-2, ABSTRACT 64, E.P.G. CHISUM SURVEY, 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 Jonathan Wakefield of Christian Brothers Automotive Corporation on a 0.7-acre tract of land known as part of Tract 12-2, Abstract 64, E.P.G. Chisum Survey, and more specifically described 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 0.7-acre tract of land known as part of Tract 12-2, Abstract 64, E.P.G. Chisum Survey, and more specifically described 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. However, development shall generally adhere to the building elevations (Exhibit B) attached hereto.
2. No vehicles, equipment, parts or inventory shall be stored outside overnight.
3. There shall be no bulk storage of tires within the facility.
4. No welding or painting work shall take place within the facility.
5. The Specific Use Permit may be subject to periodic review by the Planning and Zoning Commission or City Council to ensure the business is in compliance with all conditions stated herein.

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

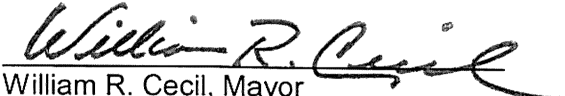
Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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.

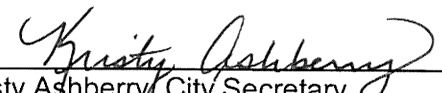
Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance 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 7th day of February, 2011.


William R. Cecil, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



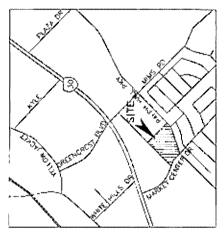
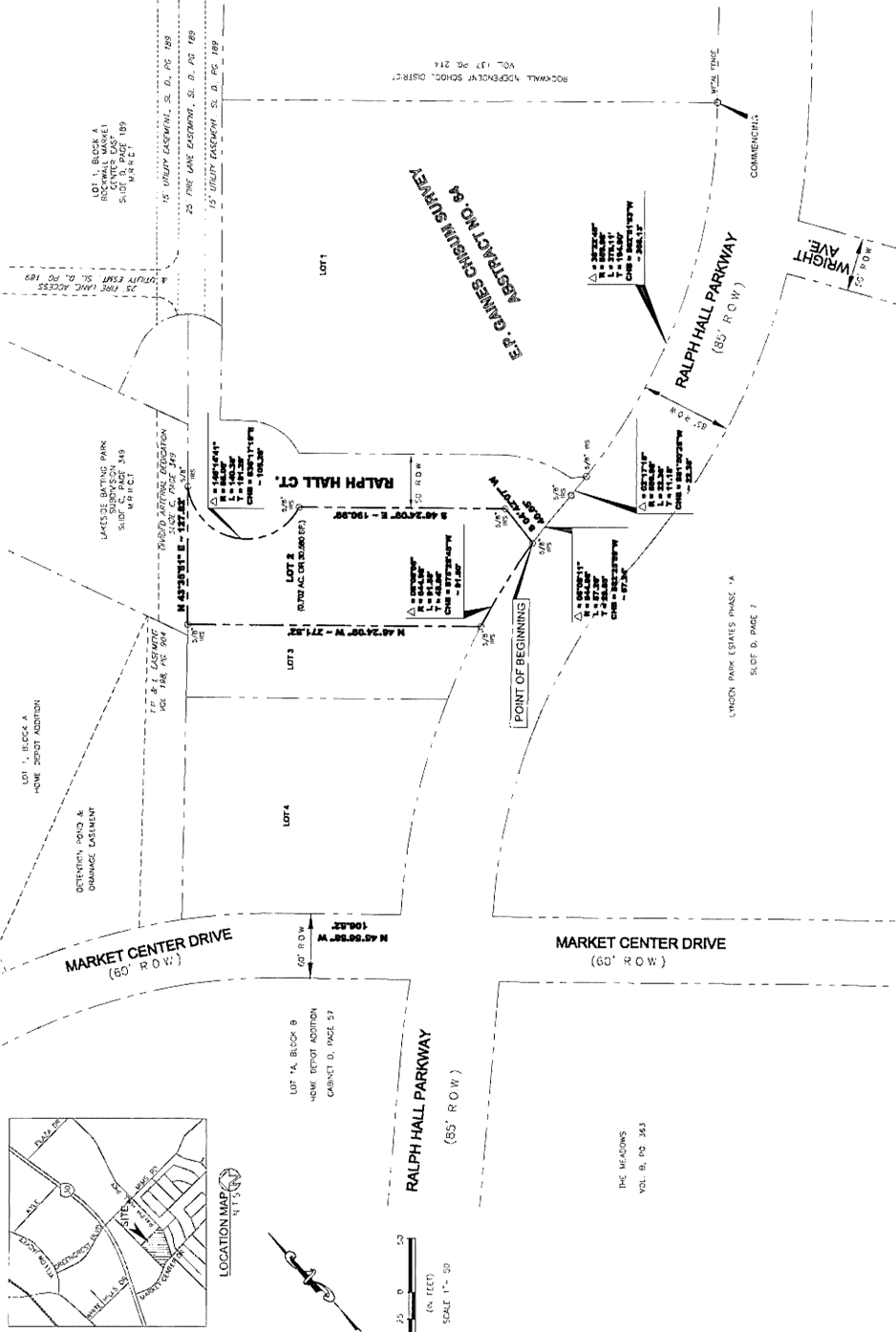
Pete Eckert, City Attorney

1st Reading: 01-18-11

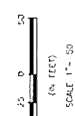
2nd Reading: 02-07-11



EXHIBIT "A" - Z2010-025 (Christian Brothers Automotive)



LOCATION MAP
N 113° 30' 00\"/>



METS & BOUNDS DESCRIPTION

Block 1, Block 4, Christian Brothers Automotive, 1500 E. Market Center Drive, Rockwall, Texas 75087. This plat shows the subdivision of Block 1, Block 4, Christian Brothers Automotive, 1500 E. Market Center Drive, Rockwall, Texas 75087. The plat shows the subdivision of Block 1, Block 4, Christian Brothers Automotive, 1500 E. Market Center Drive, Rockwall, Texas 75087. The plat shows the subdivision of Block 1, Block 4, Christian Brothers Automotive, 1500 E. Market Center Drive, Rockwall, Texas 75087.

SURVEYOR CERTIFICATE

I, Jack W. Schuller, a duly licensed Professional Engineer, State of Texas, No. 11377, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner thereof, and that the same is a true and correct copy of the original survey as shown to me by the owner thereof, and that the same is a true and correct copy of the original survey as shown to me by the owner thereof.

Jack W. Schuller
Registered Land Surveyor #2576

SURVEY PLAT
FOR
LOT 2
ROCKWALL MARKET CENTER SOUTH ADDITION
MARKET CENTER DRIVE
RALPH HALL PARKWAY AND
E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 84
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS
DECEMBER 7, 2010

OWNER
JACK W. SCHULLER
1500 E. MARKET CENTER DRIVE
ROCKWALL, TEXAS 75087
(972) 562-5555

ATTENTION TO SCHEDULE D ITEMS

The following parties, in addition to the Record Owner, are relying on the accuracy of the plat. It is the responsibility of the Record Owner to ensure that the plat is accurate and that the parties are properly notified of the plat.

PSA
ENGINEERING
7815 AMSTERDAM AVENUE, SUITE 202
DALLAS, TEXAS 75237
(972) 248-8857 FAX (972) 248-3867

EXHIBIT "B" - Z2010-025 (Christian Brothers Automotive)

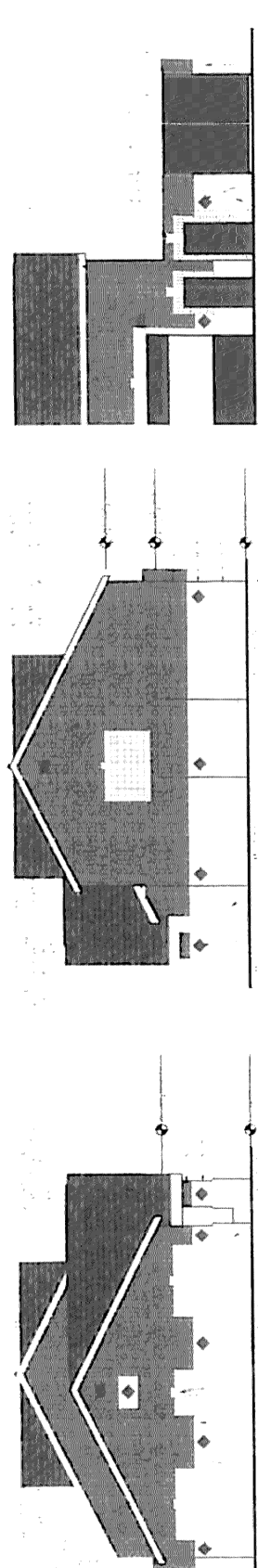
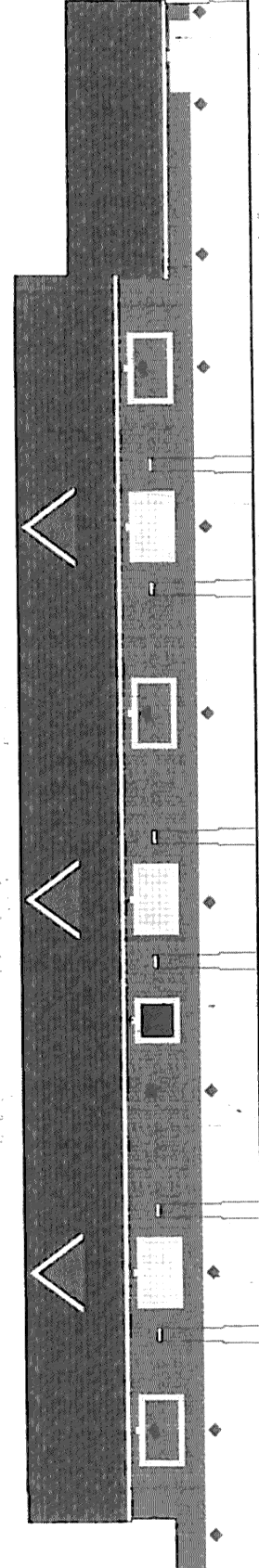
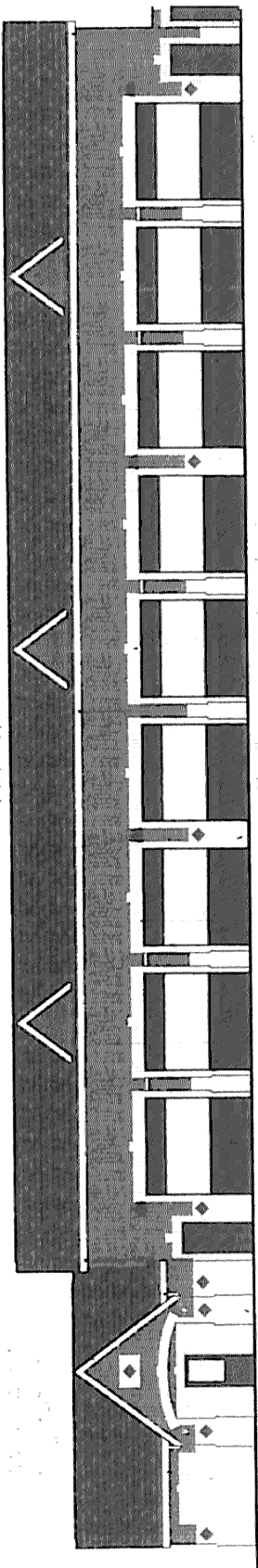
ICON
Architectural
10000 North Loop West
Suite 1000
Houston, Texas 77037
Phone: 713.865.1111
Fax: 713.865.1112

Christian Brothers Automotive
Rockwall Mall Pkwy & Ralph Hall Ct 2
Rockwall, TX

CB
Christian Brothers Automotive
15000 K. Bremer Landing, 2A, 148
Houston, TX 77079

Plan
Approval
Date: _____
Project: _____
Scale: _____
Sheet: _____
Total: _____

Sheet No. **A-4.1**
COLOR
EXTERIOR
ELEVATIONS



PAINT AND MATERIALS

MARK	AREA OR ELEMENT TO BE PAINTED	SHEEN COLOR	PPG MONARCH	BENJAMIN MOORE	SHERWIN WILLIAMS	OTHER	REMARKS