

CITY OF ROCKWALL

ORDINANCE NO. 13-15

SPECIFIC USE PERMIT NO. S-109

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 APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW THE EXPANSION OF AN EXISTING MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT AS SPECIFIED WITHIN ARTICLE IV, PERMISSIBLE USES, OF THE UNIFIED DEVELOPMENT CODE, FOR A 6.06-ACRE PARCEL OF LAND ZONED COMMERCIAL (C) DISTRICT, AND DESCRIBED AS LOT 1, BLOCK C OF THE ROCKWALL BUSINESS PARK EAST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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 request has been made by Stephen Seitz, on behalf of Jim Vaudagna, for the approval of a Specific Use Permit (SUP) to allow the expansion of an existing mini-warehouse facility within a Commercial (C) District, and described as Lot 1, Block C of the Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, which is situated approximately 292-feet from the intersection of SH-205 and Ralph Hall Parkway, and more specifically described in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; 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) allowing for the expansion of a an existing mini-warehouse facility within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code on the *Subject Property*; and

**SECTION 2.** That the Subject Property shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) Ordinance and set forth in Section 2.1.10, *Wholesale, Distribution and Storage*, of Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions and compliance standards:

## 2.1 Operational Conditions

The following conditions pertain to the operation of a mini-warehouse facility on the *Subject Property*, and conformance to these operational conditions are required for continued operations:

- 1) All operations on this property shall generally conform to the Concept Plan depicted in Exhibit 'B' of this ordinance.
- 2) Prior to the issuance of a building permit a site plan conforming to the requirement stipulated by the Unified Development Code shall be submitted and approved by the Planning & Zoning Commission, and if necessary City Council.
- 3) The building elevations submitted with the site plan shall strictly adhere to the Building Elevations depicted in Exhibit 'C' of this ordinance.
- 4) The minimum roof pitches for the proposed buildings shall be the same as the existing buildings or conform to the roof pitches called out on the Building Elevations depicted in Exhibit 'C' of this ordinance.
- 5) No outside storage of any kind shall be permitted on this site. This includes the outside storage of boats, recreational vehicles, and motor or self propelled vehicles.
- 6) Businesses shall not be allowed to operate within individual storage units.
- 7) The commercial operation of rental trucks and trailers shall be prohibited.

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

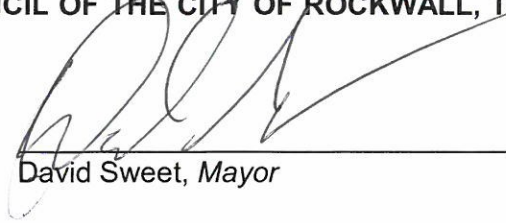
**Section 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 of this ordinance shall remain in full force and effect.

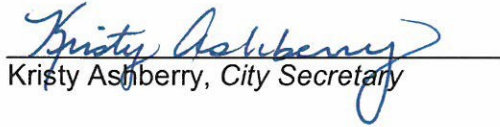
**Section 7.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 3<sup>rd</sup> DAY OF JUNE, 2013.



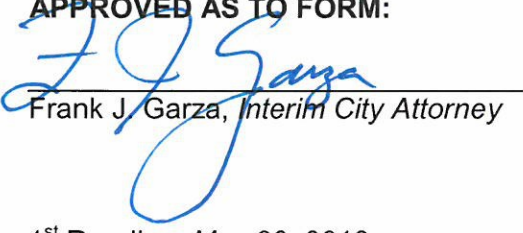
\_\_\_\_\_  
David Sweet, Mayor

ATTEST:



\_\_\_\_\_  
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



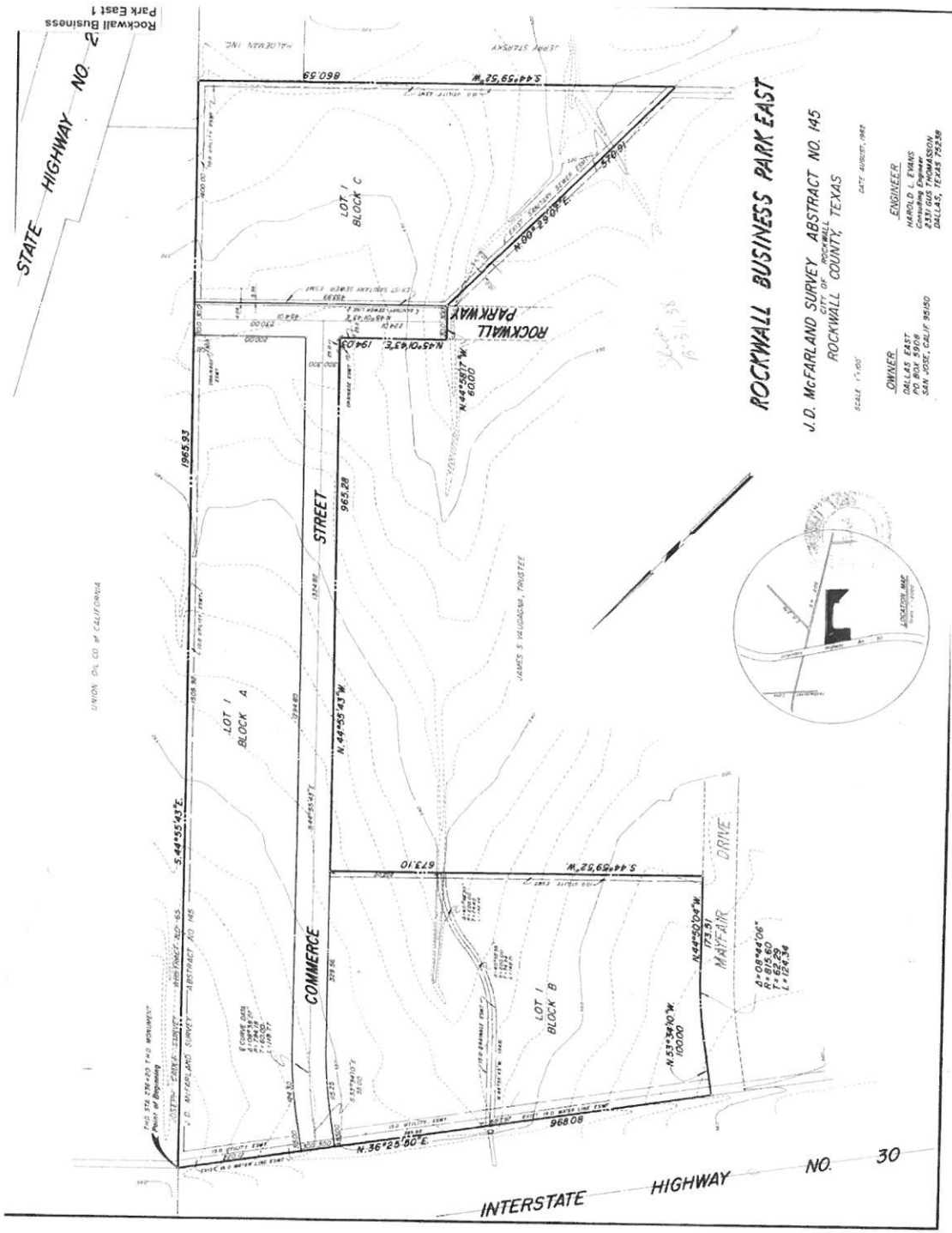
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Frank J. Garza, Interim City Attorney



1<sup>st</sup> Reading: May 20, 2013

2<sup>nd</sup> Reading: June 3, 2013

# Exhibit A: Legal Description



**ROCKWALL BUSINESS PARK EAST**

J.D. McFARLAND SURVEY - ABSTRACT NO. 145  
CITY OF ROCKWALL, TEXAS  
ROCKWALL COUNTY, TEXAS

DATE: AUGUST, 1982

ENGINEER:  
MARCO L. TORRES  
Consulting Engineer  
2331 GUS THOMASSON  
DALLAS, TEXAS 75226

OWNER:  
DALLAS EAST  
PO BOX 5908  
SAN JOSE, CALIF 95150

SCALE: 1"=50'

Lot 1, Block C, Rockwall Business Park East Addition

# Exhibit B: Concept Plan

