

CITY OF ROCKWALL

ORDINANCE NO. 13-41

SPECIFIC USE PERMIT NO. S-113

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 AMEND SPECIFIC USE PERMIT (SUP) NO. S-109 [ORDINANCE NO. 13-15] TO ALLOW FOR THE RENTAL OF ONE (1) FULL SIZE PICK-UP TRUCK AND ONE (1) FULL SIZE VAN AS AN ACCESSORY USE TO AN EXISTING MINI-WAREHOUSE FACILITY, BEING A 6.06-ACRE PARCEL, AND LOCATED AT 1280 RALPH HALL PARKWAY, AND 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 Ewing, on behalf of Dallas East Partnership (owner), for the approval of an amendment to Specific Use Permit No. 109 (S-109) [Ordinance 13-15]) to allow for the rental of one (1) full size pick-up truck and one (1) full size van as an accessory use to an existing mini-warehouse facility located on a 6.06-acre tract 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, which is situated west of the intersection of SH-205 and Ralph Hall Parkway, and also known as 1280 E. Ralph Hall Parkway, 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 amend Specific Use Permit No. 109 (S-109) [Ordinance 13-15] allowing for the rental of one (1) full size pick-up truck and one (1) full size van as an accessory use to an existing mini-warehouse facility within a Commercial (C) District as stipulated by the Unified Development Code [Ordinance no. 04-38] 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) and as set forth in the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by amending Specific Use Permit No. 109 (S-109) [Ordinance 13-15], 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 truck rental business as an accessory use for an existing mini-warehouse facility on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

1. The commercial operation of rental vehicles shall be limited to one (1) ½ ton U-Haul Van and one (1) ½ ton U-Haul Pick-Up Truck as depicted in Exhibit "A" attached hereto and;
 - a) That the rental vehicles be parked on the premises and not be visible from the adjacent street rights-of-way (e.g. Ralph Hall Parkway).
2. The dropping off of other rental vehicles, other than those allowed by this Specific Use Permit, shall be strictly prohibited.
3. No sign shall be permitted on the premises denoting the rental of vehicles, U-Haul or otherwise, shall be strictly enforced.

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

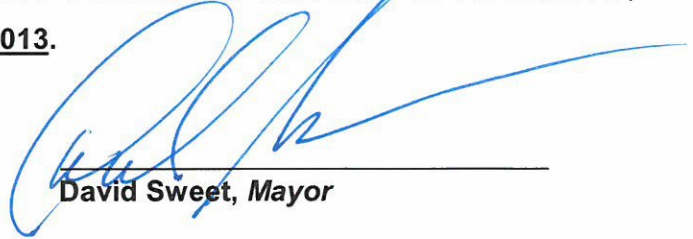
SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. That 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. That 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.

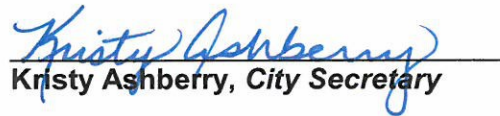
SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS, THIS THE 4th DAY OF NOVEMBER, 2013.



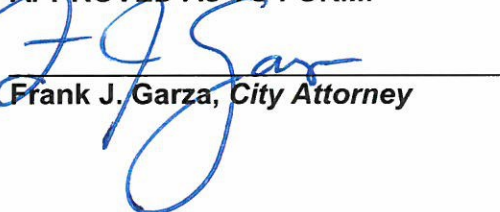
David Sweet, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: 10-21-13

2nd Reading: 11-04-13

EXHIBIT "A"



Z2013-025: The Vault Storage – Truck Rental
Ord. No.13-41; SUP No.113