

CITY OF ROCKWALL

ORDINANCE NO. 14-25

SPECIFIC USE PERMIT NO. S-121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A SPECIFIC USE PERMIT (SUP) TO ALLOW A MINI-WAREHOUSE FACILITY WITHIN A COMMERCIAL (C) DISTRICT AS SPECIFIED WITHIN ARTICLE IV, *PERMISSIBLE USES*, OF THE UNIFIED DEVELOPMENT CODE, FOR A 2.857-ACRE TRACT OF LAND, BEING A PORTION OF A LARGER 5.549-ACRE TRACT OF LAND IDENTIFIED AS PART OF TRACT 2 OF THE J. CADLE SURVEY, ABSTRACT NO. 65, 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 Master Plan, on behalf of Rockwall SH-205 Venture, LLC for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, which is generally located south of the intersection of the IH-30 Frontage Road and Townsend Drive, 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 [Ordinance No. 04-38] 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 construction of a 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) Prior to the issuance of a building permit a site plan conforming to the requirements stipulated by the Unified Development Code [Ordinance No. 04-38] shall be submitted and approved by the Planning & Zoning Commission, and if necessary City Council.
- 2) All construction and operations on this property shall generally conform to the Concept Plan depicted in *Exhibit 'B'* of this ordinance.
- 3) The building elevations submitted with the site plan shall strictly adhere to the Concept Building Elevations depicted in *Exhibit 'C'* of this ordinance, unless required to be modified to conform to the recommendations of the Planning & Zoning Commission and/or City Council.
- 4) The maximum number of storage units provided shall not exceed 579 units for the facility.
- 5) All transparent fences shall be wrought iron or similar, and when necessary incorporate landscaping/living screening to screen the interior of the facility. Chain-link fencing shall be prohibited.
- 6) The height of the building shall not exceed four (4) stories or 60-feet in total height.
- 7) Outside storage shall be limited to the areas depicted on the Concept Plan in Exhibit 'A', and shall be entirely screened by a row of evergreen trees (i.e. Leyland Cypress) to be planted along the eastern property line. No outside storage of any kind shall be permitted outside of the areas depicted on the Concept Plan. Outside storage shall be limited to the storage of boats, recreational vehicles, and motor or self-propelled vehicles.
- 8) Businesses shall not be allowed to operate within individual storage units.
- 9) The commercial operation of rental trucks and trailers shall be prohibited.
- 10) All signage shall be required to conform to the requirements stipulated by the Code of Ordinances. Additionally, pole signage shall be prohibited on this site.
- 11) All light poles shall be limited to a maximum height of 20-feet and all light fixtures proposed for the site shall comply with the requirements of Article VII, *Environmental Performance*, 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 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.

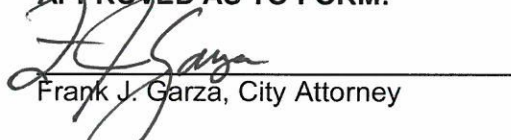
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 7<sup>TH</sup> DAY OF JULY, 2014.**

  
David Sweet, Mayor

**ATTEST:**

  
Kristy Ashberry, City Secretary

**APPROVED AS TO FORM:**

  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: June 16, 2014

2<sup>nd</sup> Reading: July 7, 2014

## Exhibit A: Legal Description

BEING a 2.857 acre tract of land, being a portion of a 5.549 acres tract of land recorded in instrument No. 2013-480420, situated in the JOSEPH CADLE SURVEY, ABST#65 and the N.M. BALLARD SURVEY ABST. #48, in the City of Rockwall, Rockwall County, Texas, and being a portion of a 65.96 tract of land recorded in Volume 4663, page 281 of the Official Public Records of Rockwall County, Texas and being all and being more particularly described as follows:

BEGINNING at 5/8 inch iron rod set for the northerly northwest corner of Lot 1, Block 1 of Rockwall Centre Corners Addition according to the plat recorded in Cabinet G, Slide 299 of the Plat Records of Rockwall County, Texas and being located in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas;

THENCE along the southeasterly line of said Toyota of Rockwall Addition, NORTH 33°54'52" EAST a distance of 460.20 feet to a 5/8 inch iron rod to be set in the southeasterly line of Lot 1, Block 1 of Toyota of Rockwall according to the plat recorded in Cabinet G, Slide 153-155 Plat Records of Rockwall County, Texas and being the west corner of a 2.692 acre tract being a portion of a 5.549 acre tract of land recoded in instrument No. 2013-480420 Rockwall SH205 Venture, LLC of the Official Public Records of Rockwall County, Texas;

THENCE departing the southeasterly line of said Lot 1, Block 1, SOUTH 56°05'08" EAST a distance of 339.05 feet to a 5/8 inch iron road to be set in the southwest line of said 65.96 acre tract of land being the southeast corner of a 2.692 acre tract being a portion of a 5.549 acre tract of land recoded in instrument No. 2013-480420 Rockwall SH205 Venture, LLC of the Official Public Records of Rockwall County, Texas;

THENCE departing the southwest corner of said 2.692 acre tract of land and traveling through said 65.96 acre tract of land the following course and distances:

SOUTH 22°36'40" WEST a distance of 158.90 feet to a 5/8 inch iron rod set;

SOUTH 00°57'44" WEST a distance of 54.05 feet to a 5/8 inch iron rod set in the north line of said Lot 1 of Rockwall Centre Corners Addition;

THENCE along said north line, NORTH 89°02'16" WEST a distance of 476.20 feet to the POINT OF BEGINNING;

## Exhibit B: Concept Plan

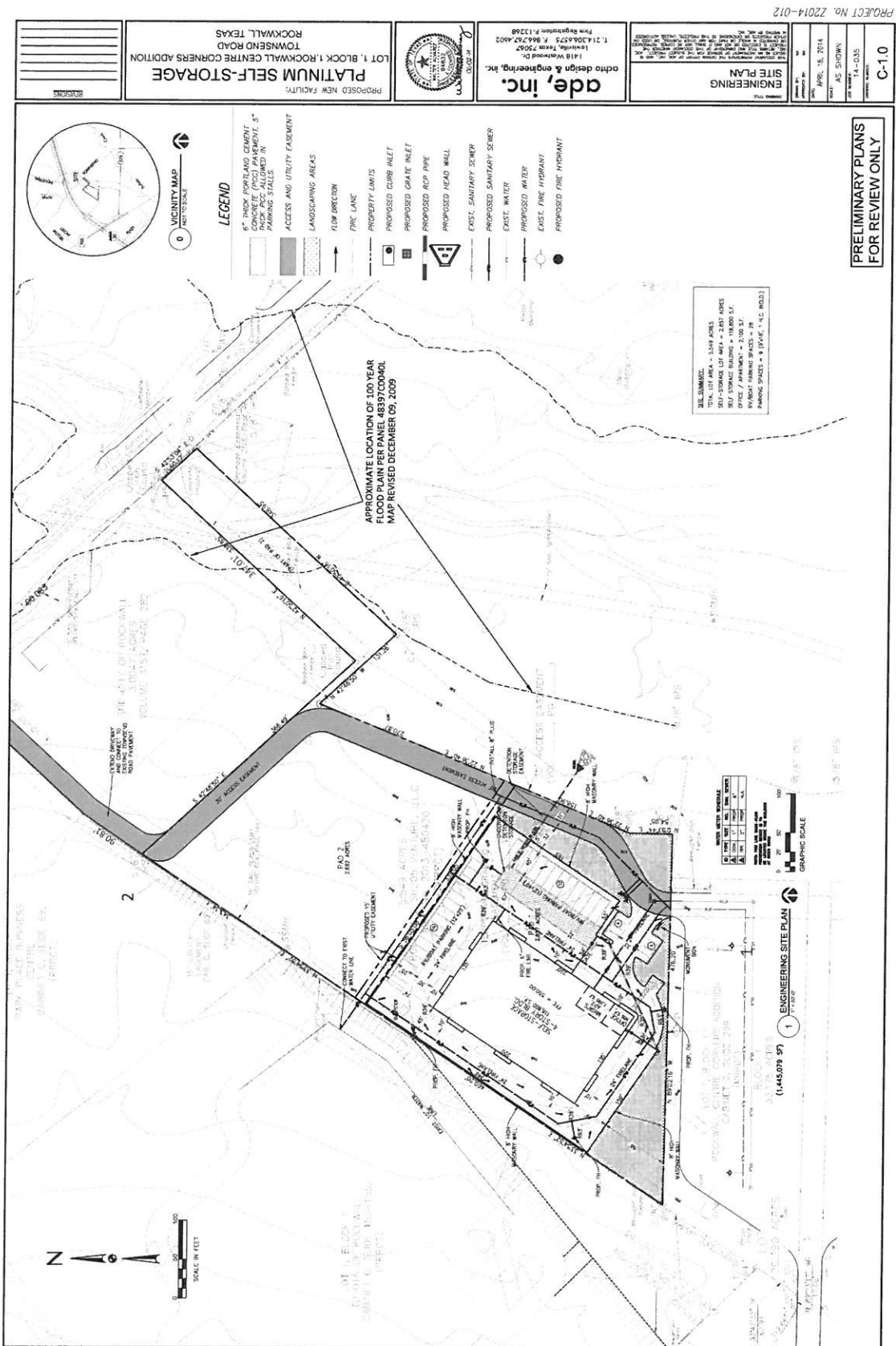


Exhibit C: Concept Building Elevations

