

CITY OF ROCKWALL

ORDINANCE NO. 15-10

SPECIFIC USE PERMIT NO. S-135

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 TRUCK RENTAL FACILITY IN CONJUNCTION WITH AN EXISTING MINOR AUTOMOTIVE REPAIR GARAGE, BEING A 2.0-ACRE TRACT OF LAND, ZONED LIGHT INDUSTRIAL (LI) DISTRICT AND IDENTIFIED AS TRACT 23-01 OF THE R. IRVING SURVEY, ABSTRACT NO. 120, AND LOCATED AT 3920 E IH-30, , CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DEPICTED IN EXHIBIT 'A'; 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 Kevin Carr of GearHeads Hot Rod Garage for the approval of a Specific Use Permit to allow for a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage being a 2.0-acre tract of land, zoned Light Industrial (LI) District and identified as Tract 23-01 of the R. Irvine Survey, Abstract No. 120, and located at 3920 E. IH-30, and, City of Rockwall, Rockwall County, Texas, 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 allowing for a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage within a Light Industrial (LI) 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) granted herein and shall be subject to the conditions set forth in *Article IV, Permissible Uses, Sec. 2.1.10 Wholesale, Distribution and Storage* 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 additions and compliance standards:

2.1 Operational Conditions

The following conditions pertain to the operation of a *Truck Rental Facility* in conjunction with an existing minor automotive repair garage on the *Subject Property*, and conformance to these stipulations is required for continued operations:

1. That the commercial operation of a *Truck Rental Facility* shall be limited to no more than five (5) U-Haul trucks and five (5) U-Haul trailers on the premises at any one time for the *Subject Property* as depicted in Exhibit "A" attached hereto; and,
2. That the U-Haul rental trucks and U-Haul trailers be parked/stored on the premises, to the rear of the building, behind the fenced area as indicated on the conceptual site plan submitted as Exhibit 'B' so as to not be visible from the adjacent street rights-of-way (i.e. IH-30); and,
3. That the Specific Use Permit (SUP) shall be valid for a period of three years from the date of passage of the SUP ordinance. If an extension to the 3-year time limit is desired, the owner shall petition the City Council for such extension at least 90 days prior the expiration of the SUP. The City Council shall review the SUP and determine if an extension of time is warranted.

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.

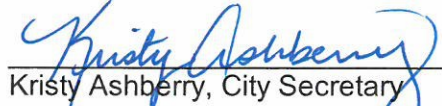
Section 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such 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.

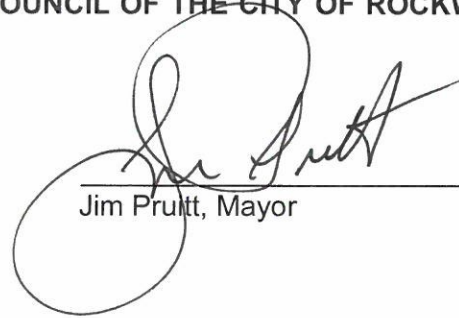
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law may in such cases provide.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 4th DAY OF APRIL, 2015.**

ATTEST:

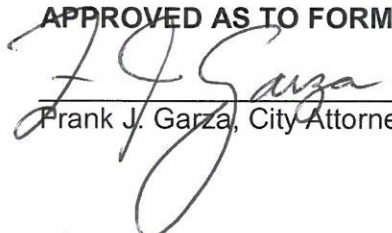


Kristy Ashberry, City Secretary



Jim Pruitt, Mayor

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

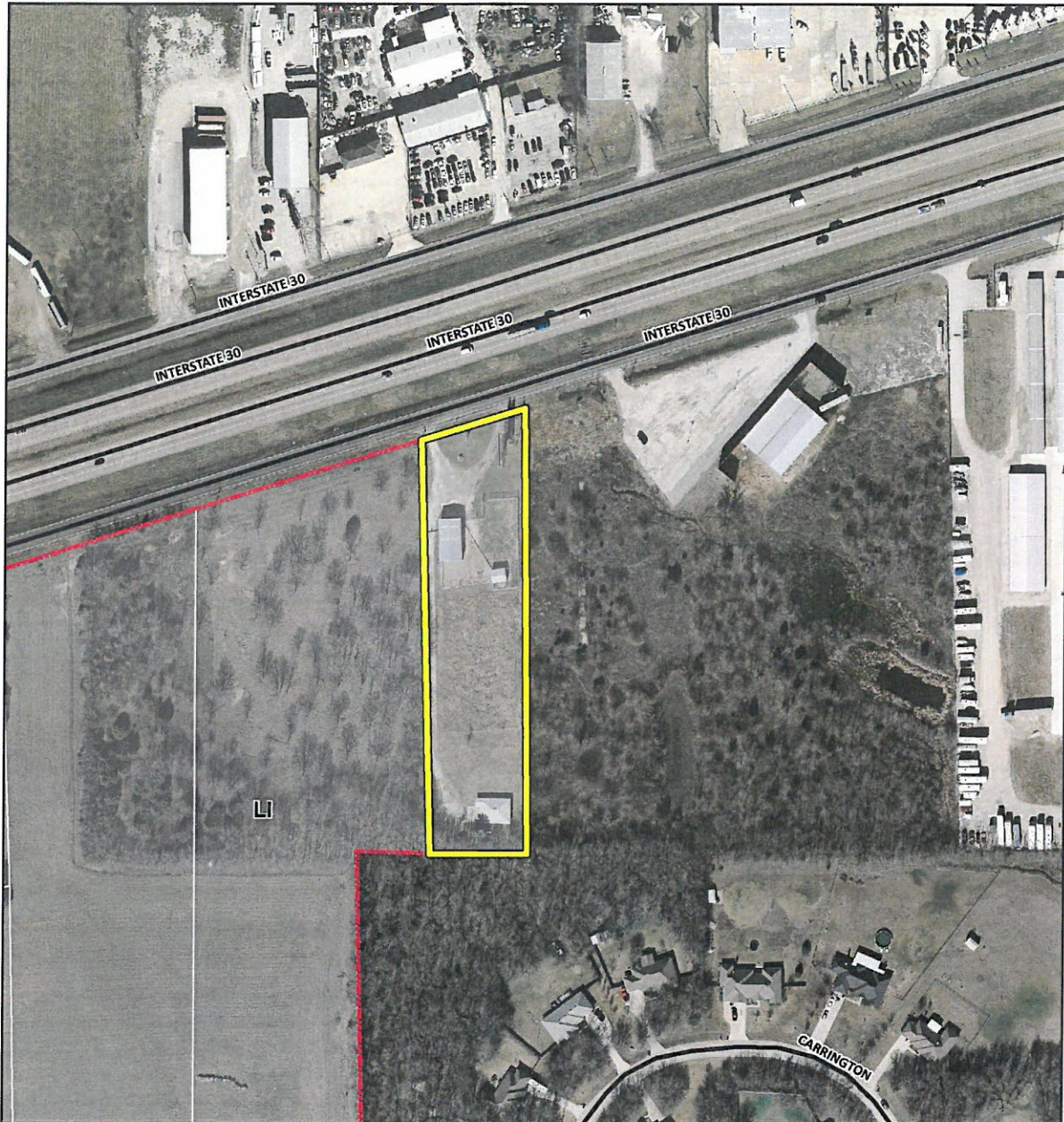


1st Reading: 03-16-15

2nd Reading: 04-06-15

Exhibit 'A'

Legal Description: A0120, R. Irvine, Tract 23-01, Acres-2.0



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

0 60 120 240 360 480 Feet



Exhibit 'B' - Conceptual Site Plan

