

CITY OF ROCKWALL

ORDINANCE NO. 16-46

SPECIFIC USE PERMIT NO. S-155

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 GRANT A SPECIFIC USE PERMIT (SUP) ALLOWING FOR A STRUCTURE TO EXCEED THE MAXIMUM HEIGHT REQUIREMENT WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT, BEING A 10.1893-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2, BLOCK A, SPR PACKAGING ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ADDRESSED AS 1480 JUSTIN ROAD, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND DEPICTED IN EXHIBIT 'B'; 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 request has been made by Mark W. Pross of Pross Design Group, Inc. on behalf of Robert Reece of SPR Packaging, LLC for the approval of a Specific Use Permit (SUP) to allow for a structure to exceed sixty (60) feet in height within a Light Industrial (LI) District, being an 10.1893-acre parcel of land identified as Lot 2, Block A of the SPR Packaging Addition, City of Rockwall, Rockwall County, Texas, addressed as 1480 Justin Road, and more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter 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 (UDC) [Ordinance No. 04-38] 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) for a structure exceeding the maximum height for structures within a Light Industrial (LI) District on the *Subject property*; and

**Section 2.** That the *Subject Property* shall be developed and used only in the manner and

for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article V, District Development Standards, Section 5.1, Light Industrial (LI) District*, and *Article V, District Development Standards, Section 5.3.C.12., Maximum Building Height for Light Industrial Districts*, of the City of Rockwall's 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:

## **2.1 Operational Conditions**

The following conditions pertain to the vertical expansion of the existing facility on the *Subject Property* and conformance to these stipulations is required for continued operations:

- 1) Adherence to Engineering and Fire Department standards; and,
- 2) That the height of the high-bays and the overall structure shall not exceed a maximum height of 71-ft, as depicted in the building elevations submitted; and,
- 3) That the new expansion generally conform to the expansion area depicted in the site plan and building elevations; and,
- 4) That the City Council reserves the right to review the Specific Use Permit (SUP) any time after the effective date of this ordinance.
- 5) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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

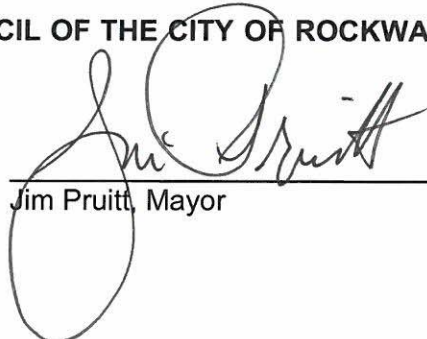
**Section 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**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.

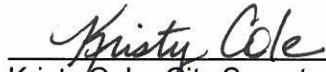
**Section 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application 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 6<sup>th</sup> DAY OF September, 2016.**

  
\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

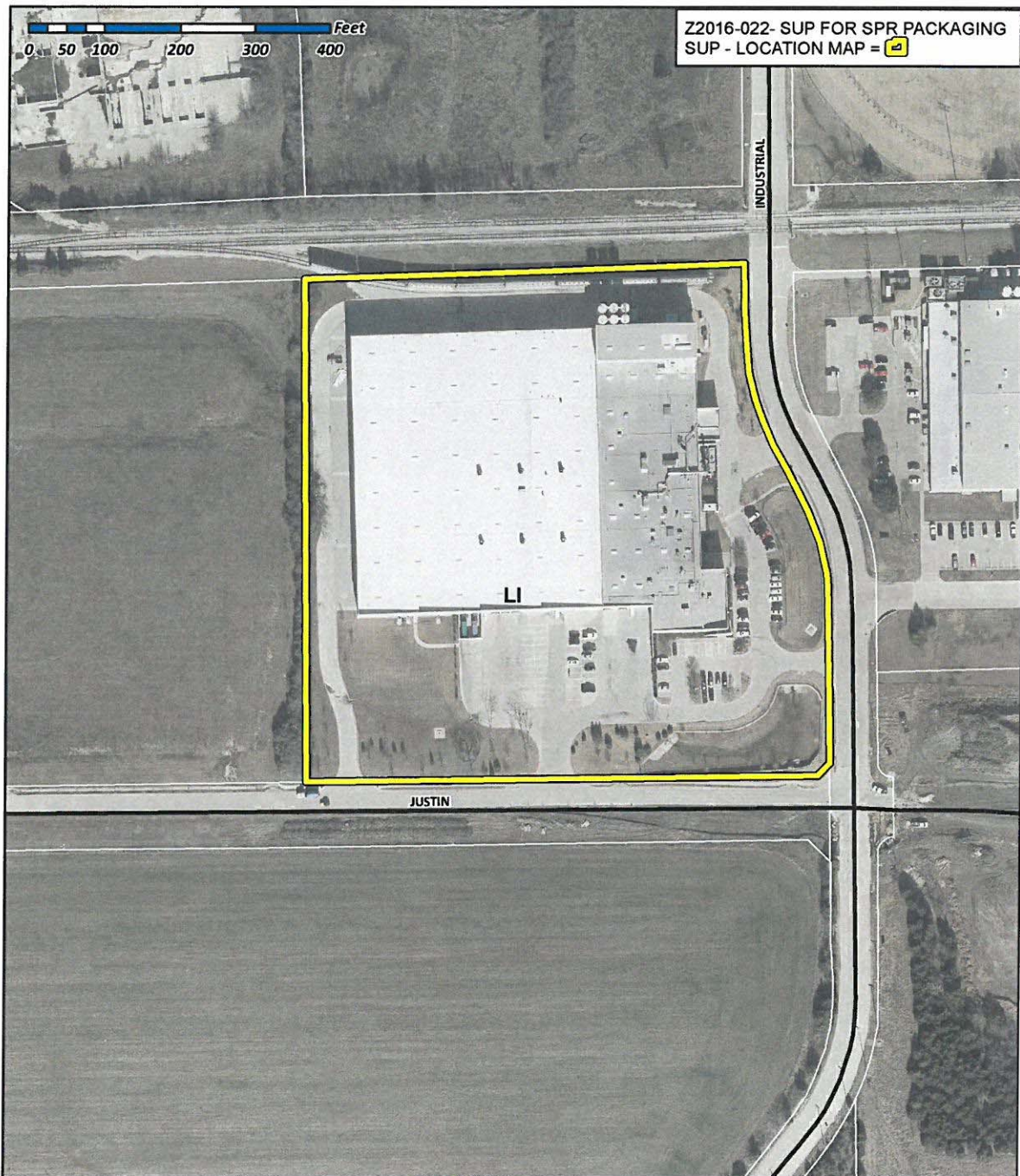
  
\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: 08-15-2016

2<sup>nd</sup> Reading: 09-06-2016



Exhibit 'A'  
Location Map



**City of Rockwall**

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://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.



# Exhibit 'B'

## Site Plan & Building Elevations

SPR PACKAGING			SPR EXTRUDER TOWER HIGH BAY EXPANSION	(SHEET NO.) A1.0
------------------	--	--	--	---------------------

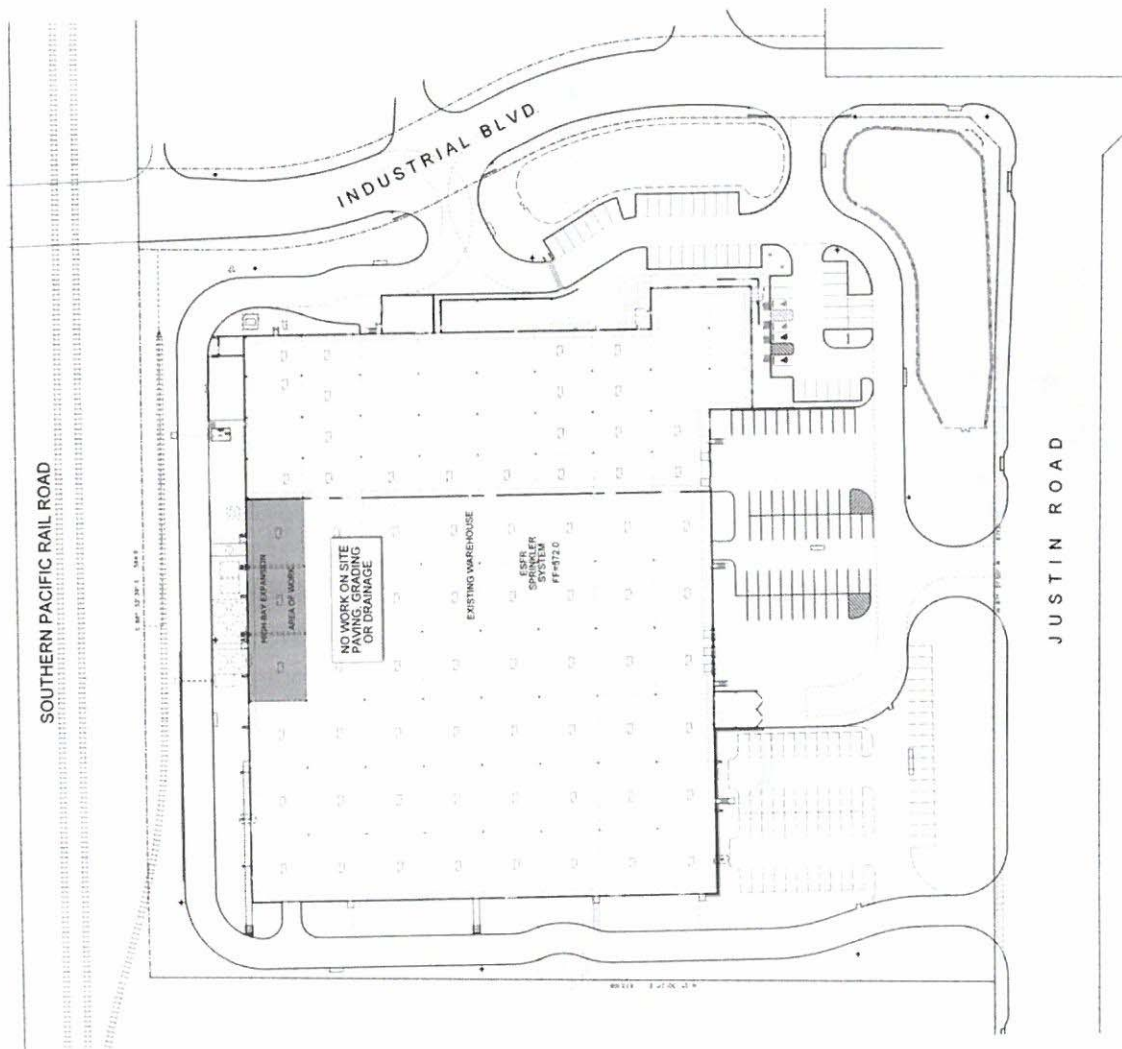


Exhibit 'B'  
Site Plan & Building Elevations

