

ORDINANCE NO. 86-59

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A PLANNED DEVELOPMENT DISTRICT NO. 25 AND FOR A RESTAURANT AND PRIVATE CLUB AS AN ACCESSORY TO A GENERAL RESTAURANT ON THE TRACT DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

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 the 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 Comprehensive Zoning Ordinance 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 Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to grant Planned Development District No. 25 for a restaurant and private club as an accessory use to a general restaurant on the property described in Exhibit "A" attached hereto and made a part hereof.

Section 2. Approved uses shall include only a restaurant and private club. The private club shall meet all conditions for the issuance of private club permits set by the City Council in Ordinance No. 85-2 and any future regulatory ordinances.

Section 3. Prior to the issuance of any building permit in Planned Development District No. 25, a comprehensive site plan of the development shall be filed with the Planning and Zoning Commission and, after appropriate hearing, sent to the City Council of the City of Rockwall with an appropriate recommendation by the Commission, and after hearing, the City Council shall approve a final site plan, which shall be filed and included as Exhibit "B" and made a part of this ordinance for all purposes. Such comprehensive site plan shall set forth in detail the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way to conform to the Thoroughfare Plan of the City of Rockwall, sidewalks, utilities, drainage, parking space, height of buildings, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective

requirements considered necessary by the City Council so as to create a reasonable transition to and protection of the adjacent property. Said site plan shall be accompanied by proposed elevation drawings showing architectural style and type of construction, including finish materials to be used.

Section 4. No building or other permits shall be issued by any officer, agent or employee of the City of Rockwall for development of the above described tracts in "PD-25" unless and until a final comprehensive site plan shall have been finally approved by the City Council of the City of Rockwall and attached to and made a part of this ordinance as Exhibit "B".

Section 5. All development of property covered by Planned Development District No. 25 shall be in accordance with the provisions of this ordinance and the finally approved comprehensive site plan, and no substantial change in the development shall be permitted, except after obtaining approval of the change of such site plan in the manner required for changes and amendments to the Comprehensive Zoning Ordinance.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That the above described land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 8. 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 ONE THOUSAND DOLLARS (\$1,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 9. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation or situation 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 or situation, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, 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 for this ordinance are declared to be severable.

Section 10. 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.

DULY PASSED AND APPROVED this 21st day of July, 1986.

APPROVED:

/s/ Leon Tuttle
Mayor

ATTEST:

BY: Jennifer S. Garrett

1st reading 7/7/86

2nd reading 7/21/86

EXHIBIT "A"

BEING, a tract of land situated in the J.A. Ramsey Survey, Abstract No. 186, Rockwall County, Texas, and being part of that tract as recorded in Volume 114, Page 637, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

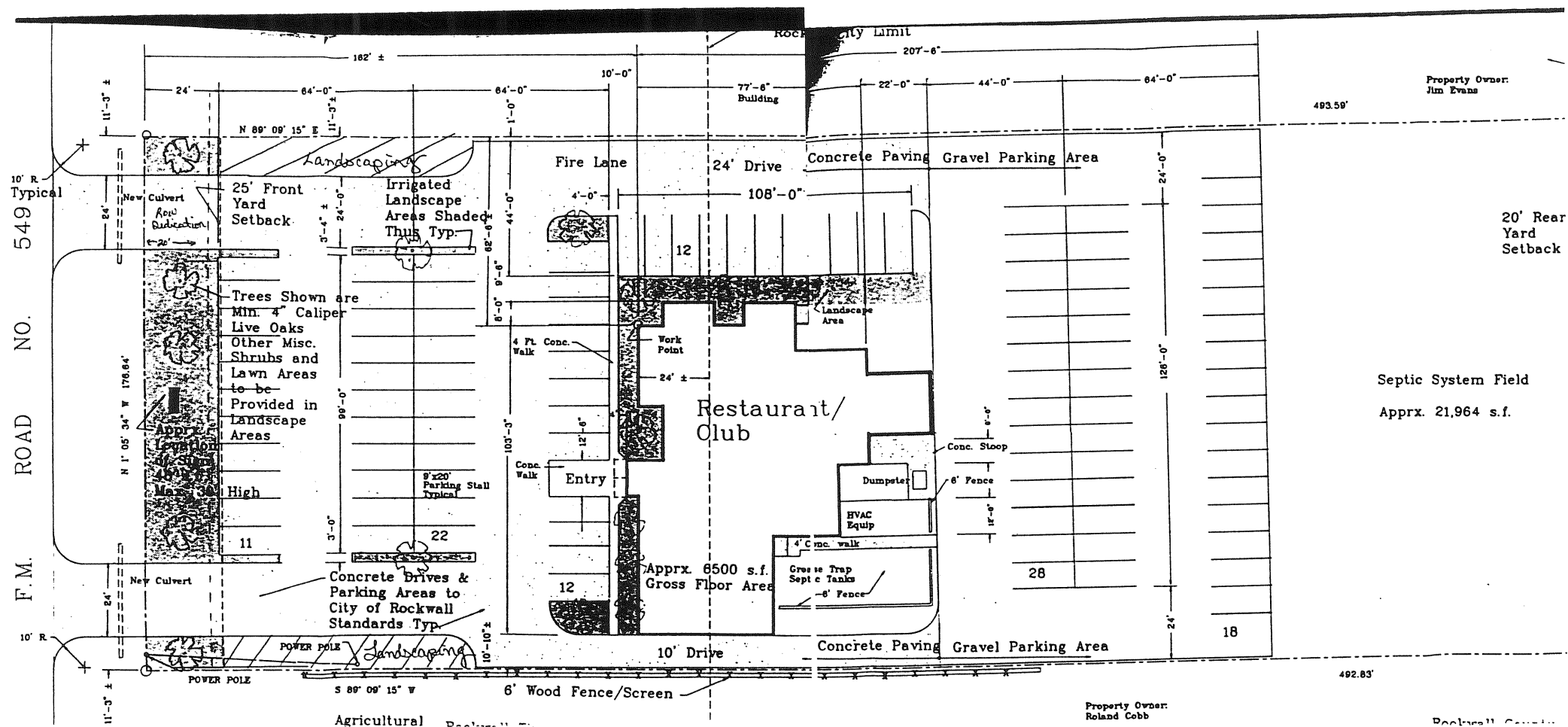
BEGINNING, at a point on the East line of F.M. Road No. 549, said point being S. $1^{\circ} 30' 48''$ E., a distance of 48.42 feet, S. $1^{\circ} 05' 34''$ E., a distance of 127.93 feet from the South line of Springer Road, a $\frac{1}{2}$ " iron stake set for corner.

THENCE, N. $89^{\circ} 09' 15''$ E., leaving the East line of F.M. Road NO. 549, a distance of 493.59 feet to a $\frac{1}{2}$ " iron stake set for corner.

THENCE, S. $0^{\circ} 50' 45''$ E., a distance of 176.64 feet to a $\frac{1}{2}$ " iron stake set for corner.

THENCE, S. $89^{\circ} 09' 15''$ W., a distance of 492.83 feet to a $\frac{1}{2}$ " iron stake found for corner.

THENCE, N. $1^{\circ} 05' 34''$ W., along the East line of F.M. Road No. 549, a distance of 176.64 feet to the PLACE OF BEGINNING and containing 2.00 acres of land. This description is based on the Land Title Survey and Plat made by Kenneth E. Brown, Registered Public Surveyor on January 21, 1986.



PROJECT STATUS

Building and Site Improvements
Under Construction at Time of
Annexation (May 19, 1986).
Building Slab and Drive Approaches
Installed, Steel Structure on Site.

PROJECT DATA

TOTAL ACREAGE: 2.00 Ac. = 87,120 s.f.
BUILDING COVERAGE: 6500 s.f. = 7.4% < 60% Allowed
IMPERVIOUS COVERAGE: 54,927 s.f. = 63% < 95% Allowed
LANDSCAPE AREA: 32,193 s.f. = 36.9% > 5% Required
Irrigated Areas Shaded = Apprx. 4796 s.f. > 4356 s.f. Req'd

65 Parking Stalls Required

103 Parking Stalls Provided

Water Service to be provided
from 2" Water Line at Hwy. 276.

Site Topography Nearly Flat. No Drainage Courses of
Consequence Visible.

Building Structure to be 100% Non-Combustible

See Exterior Elevations for Exterior Wall Materials
(attached)

Maximum Building Height 24 ft.

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