

ORDINANCE NO. 01-53

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "SF-7" SINGLE FAMILY RESIDENTIAL TO "PD"; PLANNED DEVELOPMENT DISTRICT NO.50; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER 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 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, and 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, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit "A" from "SF-7", Single Family Residential to "PD", Planned Development District No. 50, and;

Section 2. That the property described herein 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 and subject to the following additional conditions:

1. That the Planned Development be subject to the requirements of the "R-O", Residential Office District.
2. That the Planned Development be subject to the "Commercial Guidelines" of the proposed Rockwall Historic District herein described as Exhibit "B" and

subject to any future amendment to those guidelines.

3. That joint or shared driveways and access to rear parking be required on all adjoining lots as one of the properties is used for office purposes or any of the uses listed in the "R-O", Residential Office District.
4. That a single family residential use be allowed in addition to any of the uses listed in the "R-O", Residential Office District, one single family residential unit per property.
5. That parking in the front yard area of any property within this Planned Development District be prohibited and all parking for those uses listed in the "R-O", Residential Office District be located behind the front facade of the main building structure.
6. That the parking requirement for office and professional buildings be one (1) parking space for each 500 square feet of floor area and that all other parking shall comply with Section 5.5 of the Comprehensive Zoning Ordinance (Ord. No. 83-23).
7. That all properties within the Planned Development District shall be subject to site plan review if changing to other than residential use.
8. In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance, a variance can be requested from the City Council.

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, and the

corporation, situation, or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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 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 5th day of November, 2001.

APPROVED:

Ken Jones
Mayor

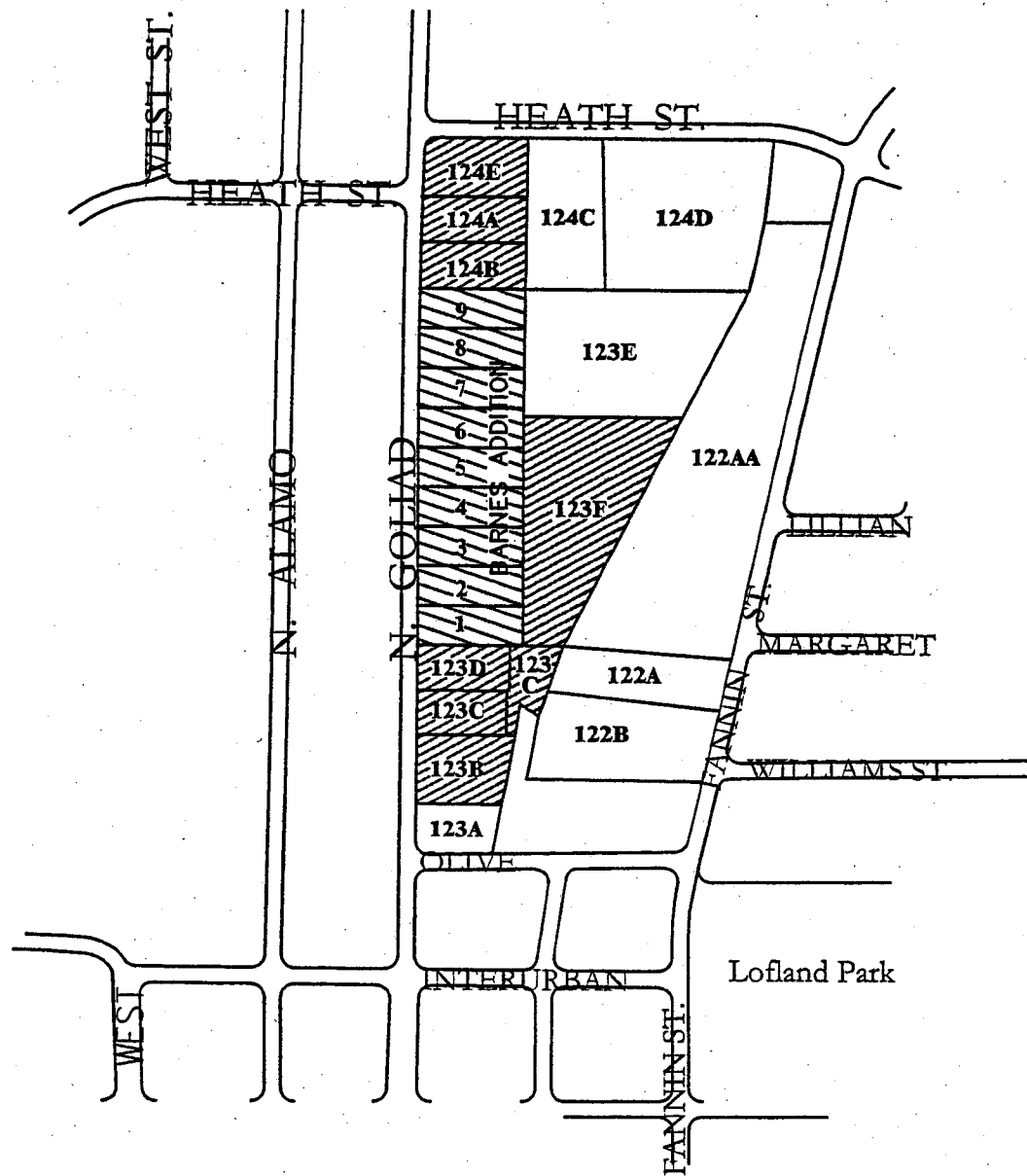
ATTEST:

Cheryl Austin
City Secretary

1st reading: 10/15/01

2nd reading: 11/05/01

EXHIBIT "A"



All those tracts of land contained within the B.F. Boydston subdivision Blocks 123B, 123C, 123D, 123F, 124A, 124B, and 124E and the Barnes Addition subdivision Lots 1 through 9 bounded by North Goliad to the west, Heath Street to the north, North Texas Municipal Water District and City of Rockwall tracts (B.F. Boydston; Blocks 124C and 122 AA/123E, respectively) to the east and 404 North Goliad (B.F. Boydston; Block 123A) to the south containing approximately 6.694 acres.

IV. COMMERCIAL GUIDELINES CRITERIA

New commercial construction and additions, including the construction of any free-standing building or structure on any lot, or new construction which utilizes existing party walls, or any addition to existing commercial buildings or structures IF THEY ARE DESIGNATED AS A "CONTRIBUTING" "OLD TOWN" ROCKWALL HISTORIC DISTRICT PROPERTY AND/OR IF THEY ARE WITHIN TWO HUNDRED (200) FEET OF A "CONTRIBUTING" "OLD TOWN" ROCKWALL HISTORIC DISTRICT PROPERTY AND WITHIN A HISTORIC DISTRICT (i.e. the Old Town Rockwall Historic District) shall be accomplished as outlined in these Guidelines. In general, the scale, mass, volume, period and style of any new construction or addition within two hundred (200) feet from a "contributing" "Old Town" Rockwall Historic District property shall be compatible with the existing building or structure and other historic buildings or structures in the Historic District of similar period and style.

A. Height:

All new buildings and additions shall be constructed to a height and number of stories which are consistent and compatible with the heights and number of stories of existing neighboring historic structures within the same block face.

B. Building Setback and Orientation:

- (1) The required setback from the front and side yard property lines shall be a distance equal to the setback of the main building on the next adjacent lots within the block face.
- (2) It is the intent of these Guidelines that all new additions, alterations, infill and new infill construction recognize and maintain the established setbacks within the block face, thereby being visually compatible with the surrounding buildings or structures and maintaining the established rhythm and setback spacing.
- (3) The site orientation of new buildings or structures shall be compatible and consistent with the orientation of existing historic buildings or structures within the same block face.
- (4) It is the intent of these Guidelines that consideration be given to the historic precedence for previous site configuration. In as much as outbuildings such as garages and storage buildings are historically set upon the lot line in this Historic District, these Guidelines shall consider this configuration to be proper for new additions, alterations, infill and new infill construction.
- (5) A new commercial structure shall not be oriented toward a residential block face. Residential block for new construction is defined as a block face having at least fifty percent (50%) residential use at the time the new structure is proposed.

C. Building Facades and Materials:

EXHIBIT "B"

- (1) Exterior building facade materials are wood and masonry. All wood and masonry materials and their use must be typical of the style and period of the building or structure.
- (2) The existing building facade materials on a building or structure shall be respected and shall not be changed or concealed by the introduction of a different material.
- (3) When the existing facade materials have been introduced to the structure at a later date and are not the original material type, then such materials may be removed so long as the resulting facade material is returned back to the original material type.
- (4) Exterior building columns must be of a style and materials typical of the period and style of the structure.
- (5) All new chimneys shall be of a style, proportion and materials compatible with the period and style of the historic structure. Any new construction or additions shall not conceal or destroy existing chimneys.
- (6) Materials, structural and decorative elements and the manner in which they are used, plied or joined together must be typical of the style and period of the existing structure or, in the case of new additions, alterations and new construction, shall be compatible with existing neighboring historic buildings or structures on the same block face.
- (7) The overall relationship as to the size, width, height and number of doors and windows on the exterior building facades shall be visually compatible with existing neighboring historic buildings or structures on the same block face and/or other structures typical of the style and period.
- (8) All windows and doors must be typical of the style and period of the structure. Such elements shall be proportionally balanced, sized and located in a manner typical of the style and period of the structure.
- (9) Storm doors and storm windows shall be permitted so long as they do not damage or conceal significant features and are visually compatible in size, style and color with the structure. Metal storm doors and storm windows shall have a factory painted finish or shall be painted to match the window color. Aluminum or bronze anodized finishes are not permitted.
- (10) Metal and corrugated or slatted plastic awnings are not permitted. The shape, size and color of awnings shall be compatible with the structure and not conceal or damage any architecturally significant details on the structure. No awning shall extend closer than two feet to the face of the curb line or more than two-thirds the distance from the face of the structure to the nearest curb or property line. No awning shall be lower than eight feet above the sidewalk.

EXHIBIT "B"

D. Roof Criteria:

- (1) Roof shape, form and design shall be typical of the style and period of the architecture of such historic buildings within the Historic District.
- (2) The permitted roof overhang for a new structure shall be equal to the typical overhang of a structure of similar style and period. A roof replacement, addition or alteration to an existing structure shall have an overhang equal to the overhang of the existing roof.
- (3) The eaves or soffit heights of a structure must be consistent with the heights of existing buildings on the same block face, or closest block face containing historic buildings of a similar period and style and having the same number of stories.
- (4) Roof materials and colors must be visually compatible and compliment the style and period of the structure.
- (5) The degree and direction of roof slope and pitch must be consistent with the style and period of the structure and compatible with existing neighboring historic buildings or structures.
- (6) All mechanical equipment placed on the roof shall be located so as not to be visible from the street.

E. Driveways:

- (1) The purpose of the driveway shall be to create a paved surface for the movement of vehicles to their designated parking areas. The driveway shall be defined as the paved area within the property line extending from the back of the sidewalk or lot line to the garage, out building or porte cochere.
- (2) The driveway shall be no wider than one car width or ten (10) feet maximum (*except in cases where adjacent properties "share" a common driveway*).
- (3) The driveway shall extend along the side of the main structure to the side or rear parking area.
- (4) No circular driveway through the front or side yards shall be allowed.
- (5) On a corner lot, the driveway may extend from the side street to the parking area and/or garage provided that the garage is oriented toward the side street. All other width and approach regulations shall apply to driveways on corner lots.
- (6) Ribbon driveways are permitted, but only if the paved ribbons are at least one (1) foot wide, but no greater than two (2) feet wide each.
- (7) Any new driveway constructed through a front yard must be spaced a minimum of ten (10) feet from an existing driveway on the adjacent lot (except in the instances of "shared" driveways).

F. Paving Materials:

- (1) The paving of driveway and sidewalks shall be of natural concrete,

EXHIBIT "B"

- brick, cut stone, pavers, natural rock or asphalt.
- (2) All new sidewalks and driveways shall be constructed to be compatible in texture, color, style and size with the main structure on the lot.

G. Parking Areas:

- (1) Design Standards
Off-street parking shall be provided behind the front façade of the main structure on the property. The number of spaces and design of the parking spaces shall conform to the Off-Street Parking Requirements as set forth in Article V of the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 83-23).
- (2) Screening
 - (a) All parking lots for more than five vehicles having frontage on a public street shall be screened from the street by an evergreen hedge not lower than three feet nor higher than four feet tall. If a hedge is not desired, then an earth berm or masonry wall or combination thereof may be substituted for the hedge.
 - (b) No hedges or walls shall be closer than four feet to an entrance or exit serving the parking lot to permit safer vision of traffic as vehicles enter and leave.

H. Lighting of Yards and Parking Areas:

- (1) These Guidelines regulate the spillover of light and glare on operators of motor vehicles, pedestrians and land uses in proximity to the light source. Both the nuisance and hazard aspects of glare are regulated.
- (2) No flickering or flashing lights shall be permitted.
- (3) Light sources shall not be located in the buffer yard except on pedestrian walkways. No light shall spill across the property line of an adjacent property used for residential purposes.

I. Paint and Color:

- (1) Brick, stone or other naturally unpainted materials are not to be painted unless the material has been previously painted.
- (2) Florescent and metallic colors are not permitted on the exterior of any structure within this District. Paint does not require a building permit and therefore painting with any color other than metallic or florescent is not subject to prior review by the Historic Preservation Advisory Board. The Advisory Board is available to give guidance to any "Old Town" Rockwall Historic District resident. Appropriate colors are those which are complimentary to the style and period of the structure, as well as the overall character and colors of neighboring historic structures.

EXHIBIT "B"

J. Signage:

- (1) Signs shall not obscure significant architectural features of a structure. The material, shape, color, design and lettering style of all signs shall be compatible with the style and period of the structure and Historic District as a whole.
- (2) No signs other than those identifying the property where they are installed or identifying the business conducted therein shall be permitted. All lighting elements such as wires, junction boxes, transformers, ballasts, switches and panel boxes shall be concealed from view.
- (3) In a building of more than two floors, no sign shall be permitted above the second floor.
- (4) Size shall be in proportion to the architecture and scale of the building. Horizontal signs shall not exceed ten percent (10%) of the total front on all floors of the building.
- (5) Location
 - (a) Horizontal signs shall be located in the area defined by the first floor cornice and the vertical supports. Tops of first floor windows shall not be covered by a horizontal sign. Horizontal signs shall not project more than twelve (12) inches from the surface of the building.
 - (b) Attached signs shall be placed below the cornice line of the first floor no higher than the bottom of the second story windows, or not less than eleven (11) feet above grade level. An awning or canopy shall be subjected to the same requirements as an attached sign. An awning or canopy and an attached sign combined shall not exceed the total area permitted for a wall sign.
 - (c) Projecting signs shall not extend higher than the bottom of the second story windows or not less than eleven (11) feet above grade level. Projecting signs shall not extend more than two feet beyond the building surface.
- (6) Lighted signs must receive approval from the City of Rockwall Historic Preservation Advisory Board on a case by case basis.
- (7) Roof top signs shall not be permitted. Banners signs are permitted for thirty (30) days and "special event" banners shall be permitted for two (2) weeks. In both cases, banners require a permit from the Building Official as per the City of Rockwall Sign Ordinance.
- (8) Flashing, flickering or moving signs shall not be permitted.
- (9) Temporary signs shall be permitted for no longer than thirty (30) days.
- (10) Display window signs shall not occupy more than twenty percent (20%) of the window area. This window area includes signs which

EXHIBIT "B"

are placed within three (3) feet of the window and which are visible from the outside.

- (11) Signs on a residential structure which has been converted to commercial use are permitted a single free-standing and/or "swinging" sign (utilizing one or two support standards) with a maximum size of sixteen (16) square feet and shall not impede the flow of traffic (pedestrian or motor vehicle). Monument signs shall not be permitted. Detached signs must be approved the City of Rockwall Historic Preservation Advisory Board on a case-by-case basis.



SITE LOCATION

2001-80

CITY OF ROCKWALL

ORDINANCE NO. 02-46

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "SF-7" SINGLE FAMILY RESIDENTIAL TO "PD"; PLANNED DEVELOPMENT DISTRICT NO. 50; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER 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 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, and 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, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit "A" from "SF-7", Single Family Residential to "PD", Planned Development District No. 50, and;

Section 2. That the property described herein 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 and subject to the following additional conditions:

1. That the Planned Development be subject to the requirements of the "R-O", Residential Office District.
2. That the Planned Development be subject to the "Commercial Guidelines" of the proposed Rockwall Historic District herein described as Exhibit "B" and subject to any future amendment to those guidelines.
3. That joint or shared access be required on all adjoining lots if any property is used for office development or any of the uses listed in the "R-O", Residential Office District.
4. That a single family residential use be allowed in addition to any of the uses listed in the "R-O", Residential Office District, one single family residential unit per property.
5. That parking in the front yard area of any property within this Planned Development District be prohibited and all parking for those uses listed in the "R-O", Residential Office District be located behind the front facade of the main building structure.

6. That the parking requirement for office and professional buildings be one (1) parking space for each 500 square feet of floor area and that all other parking shall comply with Section 5.5 of the Comprehensive Zoning Ordinance (Ord. No. 83-23).
7. That all properties within the Planned Development District shall be subject to site plan review if changing to other than residential use.
8. In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance, a variance can be requested from the City Council.

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

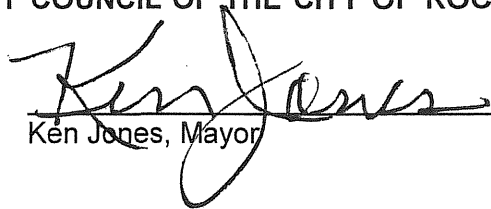
Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.

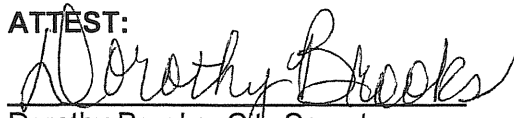
Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That 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 6th day of August, 2002.


Ken Jones, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney

1st Reading: 07-15-02
2nd Reading: 08-05-02

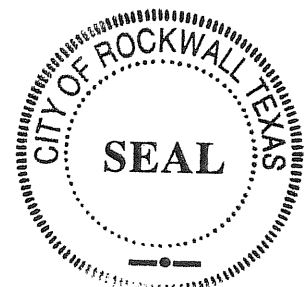
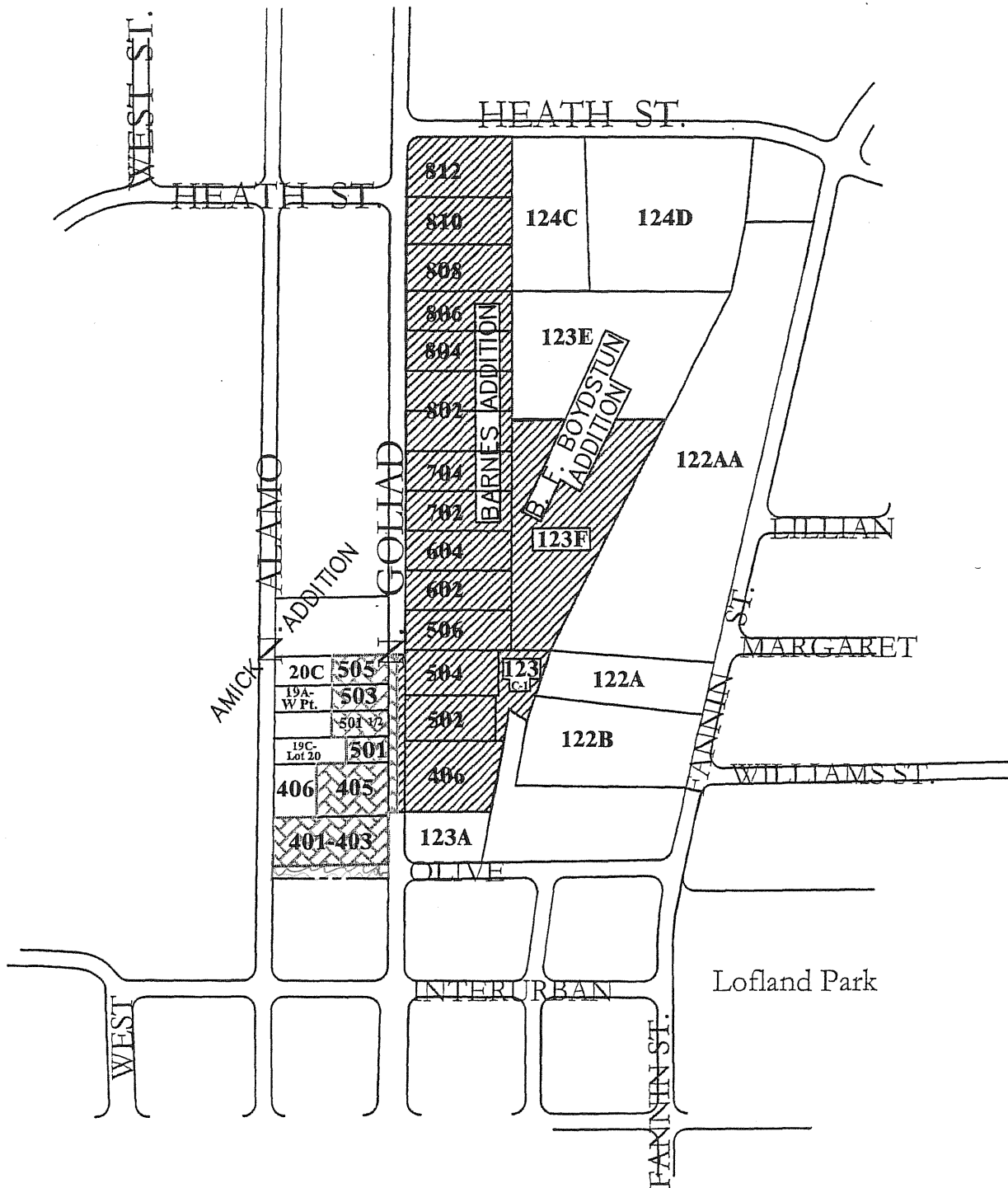


EXHIBIT "A"



"WALKER PROPOSAL" portion



"CITY INITIATED" portion

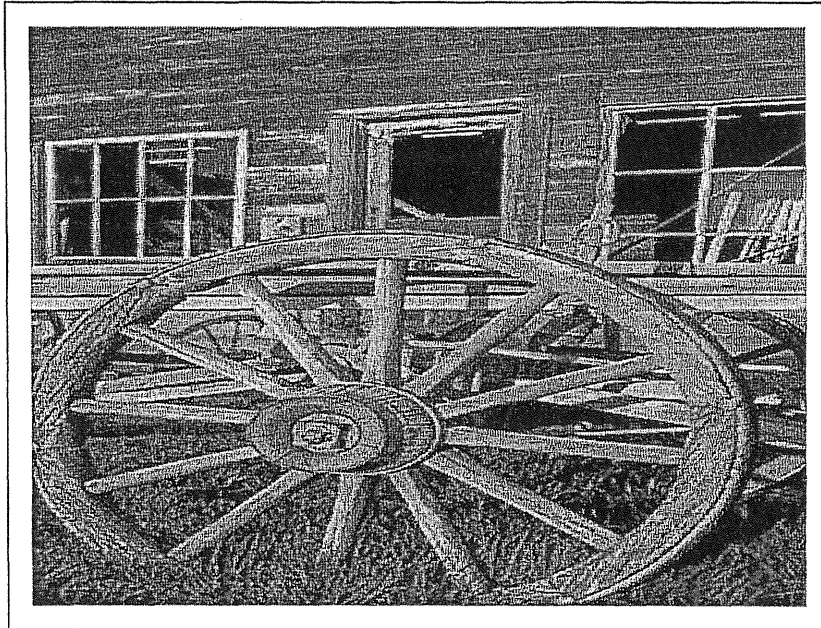
SCALE: 1"=300'

PZ-2002-50-Z

Exhibit "A"

PLANNED DEVELOPMENT NO. 50 (PD-50)

OLD ROCKWALL HISTORIC DISTRICT



Historic District Guidelines

Old Rockwall Historic District(s)

- Inaugural District -

Established - May, 2002

Draft #15 - Dated: March 26, 2002

OLD ROCKWALL HISTORIC DISTRICT GUIDELINES

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OLD ROCKWALL HISTORIC DISTRICT GUIDELINES

Introduction

These Guidelines have been compiled for the residents and property owners of City of Rockwall designated historic properties located within the Old Rockwall Historic District. The preservation, rehabilitation and adaptive reuse of old buildings contribute to the community aesthetically and economically. Rehabilitation is often less expensive than demolition or new construction. This guide was created to aid property owners in rehabilitating and maintaining their property in order to assist the City of Rockwall and the Old Rockwall residents in their effort of **"Preserving the Past for the Future"**.

Acknowledgements

PREPARED BY

"Old Town" Rockwall Historic District Planning Committee

Gary Burch, Joanna Burch
Mike Pittman, Sherry Pittman
Kirk Ragsdale, Palmer Ragsdale
Glen Smith, Peg Pannell Smith
George Stacey, Mary Stacey
And David Pirtle, Consultant

WITH ASSISTANCE FROM:

City of Rockwall

Julie Couch, City Manager

City of Rockwall Planning & Zoning Department:

Robert LaCroix, Director of Community Development
Denise LaRue, Planning & Zoning Coordinator
James S. Williams, Planning & Zoning, Planner

For information regarding the Old Rockwall Historic District please contact the City of Rockwall Community Development Staff at (972) 771-7745

REHABILITATION, RESTORATION AND NEW CONSTRUCTION

*Prepared by the
Old Rockwall Historic District Planning Committee*

City of Rockwall Historic Preservation Advisory Board

The City of Rockwall Historic Preservation Advisory Board was created June 17, 1991 (Ordinance 91-25, Section 2.20. C. 2. and Ordinance No. 92-25) to serve as an advisory body to the City Council. The seven members of the Board are appointed for a term of two years by the City Council. Functions of the Advisory Board include maintaining the Historic District Register and reviewing applications for construction, alteration, removal, or demolition affecting proposed or designated historic district properties, and approving or denying Certificates of Appropriateness.

Purpose

The City Council of the City of Rockwall, Texas declared that as a matter of public policy the protection, enhancement and perpetuation of districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational and general welfare of the public. It is recognized that numerous areas, sites and structures within the City of Rockwall represent the distinguishing characteristics of a period style or method of construction that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. Therefore this policy is intended to:

1. Protect, identify and enhance distinctive historical and architectural characteristics and landmarks, which represent distinctive cultural, social, economic, political, and architectural history of Rockwall;
2. Foster civic pride in the accomplishments of the past;
3. Protect and enhance Rockwall's attractiveness to visitors and the support and stimulus to the economy thereby provided;
4. Insure the harmonious, orderly and efficient growth and development of the City;
5. Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the City;
6. Stabilize and improve values of such properties; and,
7. Promote education of significance and importance of historical preservation including the exploration of tax incentives (federal, state or local) that may apply to individual property owners or properties within the historic district as a whole; and,
8. Provide guidance to property owners restoring and/or rehabilitating historic significant

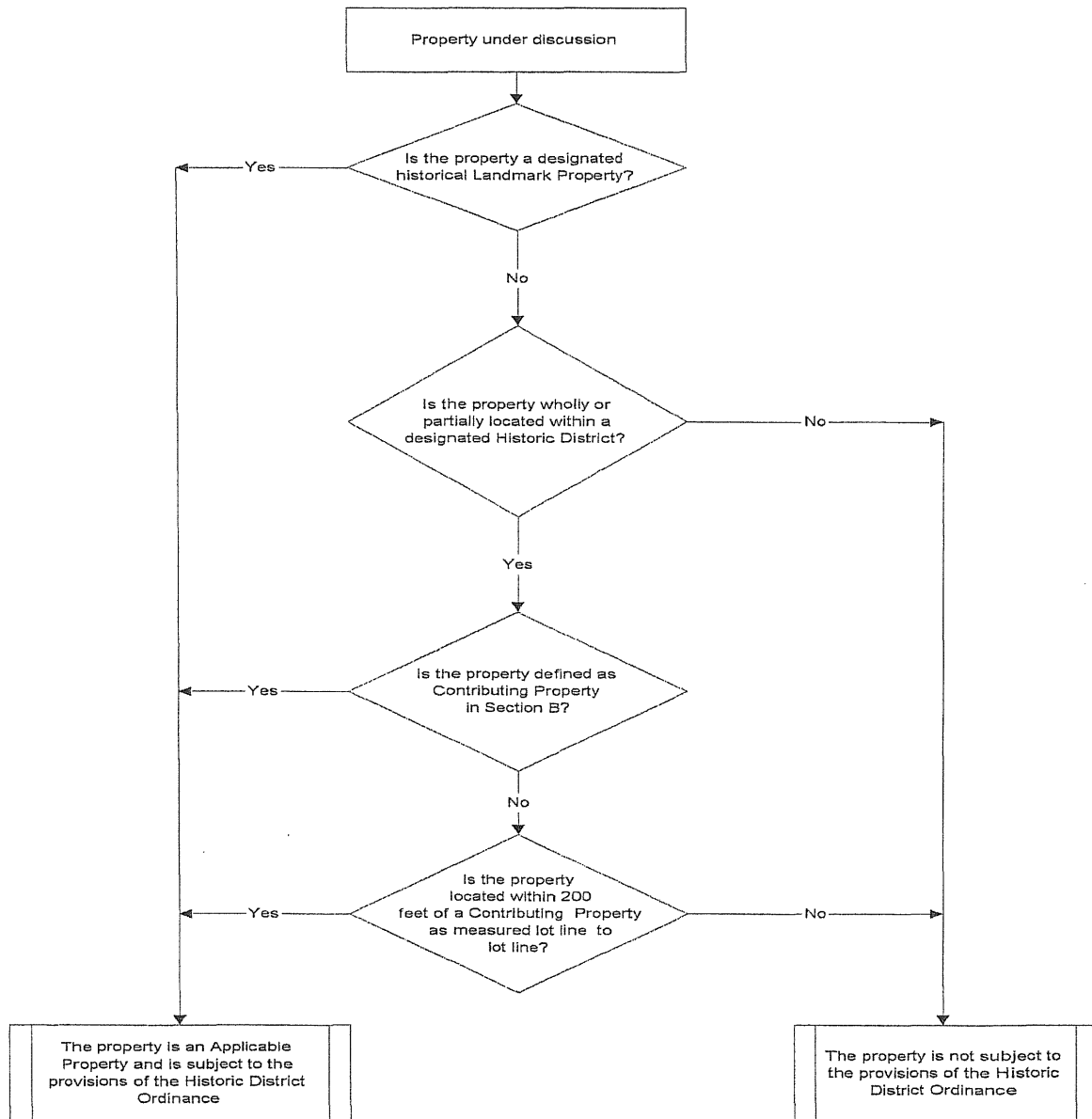
REHABILITATION, RESTORATION AND NEW CONSTRUCTION

*Prepared by the
Old Rockwall Historic District Planning Committee*

OLD ROCKWALL HISTORIC DISTRICT GUIDELINES

properties with discretion and flexibility in an effort to maintain the historical integrity of the area with a corresponding understanding of the economic realities of these types of restorative efforts.

"Applicable Property/Structure" Flowchart



Definitions

REHABILITATION, RESTORATION AND NEW CONSTRUCTION

*Prepared by the
Old Rockwall Historic District Planning Committee*

Exhibit "B"
OLD ROCKWALL HISTORIC DISTRICT GUIDELINES

'Alteration' means any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, exterior remodeling, painting, or removal of any structure.

'Applicable Property'/'Applicable Structure' are the terms used for properties that meet the following criteria, and are subject to the provisions of the historic district ordinance and these Guidelines:

- a. **Either be a designated historical landmark or be wholly or partially located within a designated historic district,**
AND
- b. **Either be a contributing property as defined in Section B or be located within 200 feet of a contributing property.**

'Buffer yard' means the ten (10) foot landscape buffer that is generally required along the street frontage adjacent to a commercially-developed property as per the City of Rockwall Landscape Ordinance 88-28.

'Certificate of Appropriateness' means a signed and dated document evidencing the approval for work proposed by an owner or applicant.

'Contributing Structure' means a building, site, structure or object which adds to the historical architectural qualities, historical associations or archaeological value for which a property or district is significant because it was present during the period of significance. It also possesses historical integrity reflecting its character at that time or is capable of yielding important information about the period, or it independently meets the National Register criteria. The level by which a property is "contributing" (high-, medium- and low-contributing property) was originally determined by a historic survey of the properties within the (HO) Historic Overlay District implemented by the City of Rockwall Community Development Department through the Spring and Summer of 2000.

'Demolition' means an act or process (notwithstanding acts of God, criminal activity, etc.) which destroys a site or structure in its entirety, or which destroys a part of a site or structure and permanently impairs its structural, historic or architectural integrity.

'Design Guidelines' are the Guidelines in this document which are adopted by the Historic Preservation Advisory Board and City Council for property designated as a heritage resource or heritage resource district to protect, perpetuate and enhance the historical, cultural, architectural or archeological character of an object, site or structure.

REHABILITATION, RESTORATION AND NEW CONSTRUCTION

*Prepared by the
Old Rockwall Historic District Planning Committee*

OLD ROCKWALL HISTORIC DISTRICT GUIDELINES

'District' means a designated area within the Preservation District or elsewhere in the City subject to the requirements and standards of the Historic District Ordinance. An identifying name will precede the word "district".

'Fenestration' means the arrangement, proportioning, and design of windows and doors in a structure.

'Hearing' - see *Public Hearing*.

'Board' or 'Historic Preservation Advisory Board' means the Historic Preservation Advisory Board of the City of Rockwall, Texas, established in accordance with the Comprehensive Zoning Ordinance No. 91-25 and 92-25 of the City of Rockwall.

'Historic Preservation Officer (HPO)' means a staff person for the City of Rockwall whose duties encompass all historic preservation activities for the City as established in accordance with Section 2.20 of the Comprehensive Zoning Ordinance No. 91-25 and 92-25 of the Code of the City of Rockwall.

'Historic Preservation' means the identification, evaluation, recordation, documentation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance and reconstruction of historic structures or property, or any combination of the foregoing activities.

'Historic Property' means full range of properties identified in Historic surveys and/or special studies which are significant in history, pre-history, architecture, engineering, archeology and culture, including properties significant to the whole nation or those significant at the state, regional or local level.

'Landmark' means a structure or property which is of value in preserving the historical, cultural, architectural or archeological heritage, or an outstanding example of design or a site closely related to an important personage, act or event in history.

'Minor In-Kind Repairs' means small-scale repairs to correct minor problems or damage to the exterior. Minor in-kind repairs do not include a change in design, material or outward appearance, only in-kind replacement or repair. Examples of minor in-kind repair include, but are not limited to: touch up painting, replacement of a windowpane, caulking, securing loose boards, etc.

'Non-Contributing Structure' means a building, site, structure, or object which does not add to the historical architectural qualities, historical associations, or archaeological value for which a property or district is significant because it was not present during the period of significance. Due to alterations, disturbances, additions, or other changes it no longer possesses historic integrity reflecting its character at that time, is incapable of yielding important information about

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*Prepared by the
Old Rockwall Historic District Planning Committee*

Exhibit "B"
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the period, or it does not independently meet the National Register criteria.

'Porte cochere' means a roofed extension of a building over a driveway that shelters passengers getting into and out of vehicles.

'Preservation District' means the area designated as having structures which may be suitable for inclusion in a historic district or districts.

'Public Hearing' means an opportunity for public comment in accordance with the City of Rockwall's Comprehensive Zoning Ordinance if to be held by the Historic Preservation Advisory Board or Planning and Zoning Commission, or applicable laws and procedures if to be held by the City Council.

'Reasonable rate of return' means a reasonable profit or capital appreciation which may accrue from the use or ownership of a structure or property as the result of an investment or labor.

'Rehabilitation' means the act or process of returning a structure or property to a state of utility through repair, remodeling or alteration that makes possible an efficient contemporary use while preserving those portions or features of the structure or property which are significant to its historical, cultural, architectural or archeological values.

'Resource' means a source or collection of objects, sites, structures, or property, which exemplifies the cultural, social, economic, political, archeological or architectural history of the nation, state or city.

'Restoration' means the act or process of accurately recovering the form and details of a structure or property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

'Routine Maintenance' means any work to correct deterioration or decay of or damage to a structure or property, or any part thereof, and to restore it as nearly as practicable, to its condition, using the same materials or those materials available which are as close as possible to the original. The materials and manner the work is performed must comply with applicable codes and ordinances. Routine maintenance does not include a change in design, material or outward appearance, but does include in-kind replacement or repair. Examples of routine maintenance include, but are not limited to: Repainting, replacement of roofing materials or other minor architectural features, etc.

'Secretary of the Interior's Standards for Rehabilitation' means the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, reported at 36 Code of Federal Regulations 67.7, or as recodified.

'Stabilization' means the act or process of applying measures designed to re-establish a

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weather resistant enclosure and the structural stability of an unsafe or deteriorated structure or property while maintaining the essential form as it presently exists.

'**Structure**' means anything constructed or erected, the use of which requires permanent or temporary location in the ground, including, but without limiting the generality of the foregoing; buildings, fences, gazebos, advertising signs, billboards, backstops for sports courts or fields, radio or television antenna, including supporting towers, and swimming pools.

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The Guidelines are to be used by the Board as well as property owners who are not familiar with development requirements in the City of Rockwall. The Guidelines are intended to make these users aware of other information that may have bearing on their project and serve as a reminder to request additional materials if needed. Some information in the Guidelines repeats material that is available elsewhere and restates information, requirements and standards that are found in ordinances and code.

I. IMPLEMENTATION

These Guidelines provide the general standards for acceptable physical characteristics of each building or structure and site, and any modifications thereto within the Old Rockwall Historic District). The goal is to achieve maximum adherence to the Guidelines with a minimum of delay or confusion to designated Historic District property owners.

The Guidelines are designed to provide as much flexibility as possible while continuing to promote the objectives set forth in the Ordinance.

- A. A Committee of the Old Rockwall Historic District residents is available to serve in an advisory role for individual projects in the District. The Old Rockwall Historic District Committee is established as a standing committee of the Rockwall Historic Preservation Advisory Board. The Old Rockwall Historic District Committee will also be available to assist Board at their request.
- B. The "contributing" historic structures and "non-contributing" properties within the designated Historic District are listed in Appendix "A".
- C. Historic properties fifty years (50) of age or older are deemed to have acquired historical significance in their own right and are eligible to be included in the Old Rockwall Historic District Registry. Nomination applications may be obtained from the Department of Community Development. Completed forms should be submitted to the Historic Preservation Advisory Board for historic district designation approval. Forms delivered to the Historic Preservation Officer will be forwarded to the Board chairman.

II. DEVELOPMENT STANDARDS

- A. The development standards in the City of Rockwall Building Codes shall apply to all "Applicable Properties" within the District as shown on the map in Appendix B.
- B. All City ordinances, building codes must be followed, including the Landscape

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Ordinance, the Lighting and Landscape Ordinances for commercial development. In addition, these guidelines will serve as reference material to insure the approval of a Certificate of Appropriateness. In the event of a conflict or absent a specific directive in these Guidelines, the provisions determined by the Historic Preservation Advisory Board to be historically beneficial shall control.

III. BUILDING STANDARDS

New additions to existing buildings or structures, including the construction of an additional free-standing building or structure on a lot, or new construction which utilizes existing party walls, should be accomplished as outlined in these Guidelines if the definition of an "Applicable Property" is met.

For new construction on any vacant lot, the scale, mass, volume, period and style shall be compatible with other historic buildings or structures in the Historic District.

A. Height

All new buildings and additions shall be constructed to a height and number of stories which are consistent and compatible with existing neighboring historic buildings or structures on the same block face.

B. Building Setback and Orientation

1. All new additions, alterations, infill and new infill construction should recognize and maintain the established historic home site orientation, and side and front side setbacks within the block face, thereby being visually compatible and maintaining the established rhythm and setback spacing.
2. Consideration will be given to the historic precedence for previous site configuration. Out buildings such as garages and storage buildings are historically set upon the lot line in this District, therefore this configuration is proper.
3. New structures should be built to maintain an elevation with a "pier-and-beam" appearance.
4. A new commercial structure should not be oriented toward a residential block face. Residential block for new construction is defined as a block face having at least fifty percent (50%) residential use at the time the new structure is proposed.

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C. Building Facades and Materials

In cases where the original exterior façade materials are unavailable, complementary exterior materials may be used.

1. All exterior wood and masonry materials and their use should be compatible to the style and period of the building or structure.
2. The existing building facade materials on a building should be respected and not be changed or concealed by the introduction of a different material.
3. When the existing facade materials are not the original type, then materials may be replaced with, or returned to the original type.
4. Exterior building columns should be of a style and materials typical of the period and style of the building.
5. All new chimneys should be of a style, proportion and materials compatible with the period and style of the building. Any new construction or additions should not conceal or destroy existing chimneys.
6. Materials, structural and decorative elements and the manner in which they are used, applied or joined together should be typical of the style and period of the existing structure. New additions, alterations and new construction should be visually compatible with neighboring historic buildings or structures.
7. The overall relationship of the size, width, height and number of doors and windows on the exterior building facades should be typical of the style and period of the structure. These elements should be proportionally balanced, sized and located in a manner typical of the style and period of the structure and compatible with neighboring historic buildings or structures.
8. Storm doors and storm windows are permitted so long as they do not damage or conceal significant features and are visually compatible in size, style and color with the structure. Finishes or should be consistent with the historical materials of the property.
9. Metal and corrugated or slatted plastic awnings are not permitted except where these awnings are a historical feature of the property. The shape, size and color of awnings shall be compatible with the structure and not conceal or damage any significant architectural details.

D. Roofs

1. Roof shape, form and design should be typical of or consistent with the style and period of the architecture of buildings within the Historic District.
2. The accepted roof overhang for a new structure should be typical of a structure of similar style and period. Replacement, addition or alteration to an existing roof should have the same overhang as the existing roof
3. The eaves or soffit heights of a structure should be consistent with the

OLD ROCKWALL HISTORIC DISTRICT GUIDELINES

heights of neighboring contributing structures or with those in the closest block face with buildings of a similar period and style and the same number of stories.

4. Roof materials/colors should be visually compatible and compliment the style and period of the structure. Where historically typical materials are no longer available, compatible alternatives will be allowed.
5. The degree and direction of roof slope and pitch should be consistent with the style and period of the historic structure.
6. Mechanical equipment placed on the roof should not to be visible from the street.

E. Front Yards

1. The front yard is defined as a yard across the full width of a lot extending from the front line of the main building to the front street line of the lot.
2. Generally, the use of the front yard will be reserved for landscaping with the purpose of enhancing the structures on the lot with plant material.
3. Any paving in the front yard should be consistent with the historic character of the property or nearby contributing properties. As a general rule, the following standards will be followed:
 - a. A paved walkway from the front lot line to the front or, on a corner lot, from the side lot line to a side entry of the structure. In all cases, the walkway should not be wider than the entry steps and in no instance should the walkway be wider than ten (10) feet.
 - b. A paved walkway is allowed from the driveway to the front and/or side entry walkway, with a maximum width of three (3) feet.
 - c. In no instance will the front yard of any lot be paved or graveled except for an appropriate driveway or walkways.
 - d. No residential front yard area will be designated as a vehicle parking area unless previously paved as such.

F. Side Yards

1. The side yard is defined as a yard between the building and the side line of the lot, extending from the front yard to the rear yard.
2. Unless previously used for a driveway, the side yard shall is to be used for landscaping with the purpose of enhancing the structures with plant material.
3. Parking of vehicles on the side yard will not be allowed, except on paved driveways as outlined in Section I.

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G. Rear Yards

1. The rear yard is the area extending across the full width of the lot and measured between the rear lot line and rear line of the main building.
2. Garages, storage buildings and out buildings are allowed in the rear yard to the extent permitted by City of Rockwall Zoning Ordinances. These structures should reflect the character of the existing residence and be compatible in terms of scale, height, size, roof shape, materials and detailing.
3. Consideration should be given to the historic precedence for previous site configuration. Outbuildings such as garages and storage buildings are historically set upon the lot line in this Historic District. This configuration is proper for new additions, alterations, infill and new infill construction. The location of these buildings should be sensitive to the character, site and environment of any adjacent contributing structures, especially when the rear yard is on a corner lot visible from street public rights-of-way.

H. Fences

A fence in the front, side, or rear yards should meet all applicable city codes. Most fences require only a fence permit; however, a fence requiring a building permit will also be reviewed and approved by the Board. Any fence that requires review must be architecturally compatible in height, materials, color, texture and design with the style and period of the main structure on the lot.

I. Driveways

1. The purpose of the driveway shall be to create a paved surface for the movement of vehicles to parking areas. The driveway is defined as the paved area within the property line extending from the back of the sidewalk or lot line to the garage, out building or porte cochere.
2. The driveway should not exceed a width of ten (10) feet.
3. The driveway may extend along the side of the residence or structure, through the porte cochere (if applicable) to the rear yard.
4. Front or side yard circular driveways will not be allowed, unless consistent with the historic character or features of the property or nearby contributing properties.
5. On a corner lot, the driveway may extend from the side street to the garage if the garage is faces the side street. All other width and approach regulations will apply to driveways on corner lots.
6. Ribbon driveways are allowed if the paved ribbons are at least one (1) foot wide, and no greater than two (2) feet wide.

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7. Any new driveway constructed through a front yard should be a minimum of ten (10) feet from an existing driveway on the adjacent lot, except in the instances of "shared" driveways.
8. Parking should be on "improved" surfaces only, thereby maintaining the integrity of the front, side and rear yards of the property.

J. Paving Materials

1. Driveway and sidewalks should be paved with concrete, brick, cut stone, pavers, natural rock or asphalt.
2. All new sidewalks and driveways should be constructed to be compatible in texture, color, style and size with the main structure on the lot.

K. Parking Areas for Commercial Development

1. Design Standards

Off-street parking should be provided behind the front façade of the main structure on the property. The number of spaces and design of the parking spaces shall conform to the Off-Street Parking Requirements as set forth in Article V of the City of Rockwall Comprehensive Zoning Ordinance.

2. Screening

- (a) All parking lots for more than five vehicles and having frontage on a public street should be screened from the street by an evergreen hedge not lower than three feet nor higher than four feet tall. If a hedge is not desired, then an earthen berm, masonry wall, or combination thereof may be substituted, provided the stated heights are observed.
- (b) A visibility triangle with a minimum base of four (4) feet shall be provided at entrances.

L. Lighting of Yards and Parking Areas

1. These Guidelines regulate the spillover of light and glare on operators of motor vehicles, pedestrians, and nearby property. The nuisance and hazard aspects of glare are regulated.
2. No flickering or flashing lights shall be permitted.
3. Light sources shall not be located in the buffer yard except on pedestrian walkways. No light shall spill across the property line of an adjacent residential property.
4. Outdoor security lights should be placed so that no light spills across the adjacent property line.

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M. Paint and Color

1. Brick, stone or other naturally or historically unpainted materials should not be painted unless the material has been painted before.
2. Florescent and metallic colors are not recommended on the exterior of any structure. Paint does not require a building permit and therefore is not subject to Board review. Appropriate colors complimentary to the style and period of the structure and to neighboring historic structures are preferred; however, specific approval of paint colors is not required.
3. For new commercial construction and for additions requiring site plan approval, finishes and color may be a part of the review.

N. Signage, General

1. An unlighted sign with the address or name of the occupant of the residence may be attached or detached and should not measure more than one square foot.
2. Signs should not obscure significant architectural features of a building or structure. The material, shape, color, design and lettering style of all signs should be compatible with the style and period of the structure and the Historic District as a whole.

O. Signage for Commercial Properties

1. No signs other than those identifying the property where they are installed or identifying the business conducted therein should be permitted. All lighting elements such as wires, junction boxes, transformers, ballasts, switches and panel boxes should be concealed from view.
2. In a building of more than two floors, no sign is permitted above the second floor.
3. Size should be in proportion to the architecture and scale of the building. Horizontal signs should not exceed ten percent (10%) of the total front elevation of the building.
4. Horizontal signs should be located in the area defined by the first floor cornice and the vertical supports. A horizontal sign should not cover tops of first floor windows. Horizontal signs should not project more than twelve (12) inches from the surface of the building.
 - a. Attached signs should be placed below the cornice line of the first floor no higher than the bottom of the second story windows, or not less than eleven (11) feet above grade level. An awning or canopy should be subjected to the same requirements as an attached sign. An awning or canopy and an attached sign combined should not

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- exceed the total area permitted for a wall sign.
- b. Projecting signs should not extend higher than the bottom of the second story windows or not less than eleven (11) feet above grade level. Projecting signs should not extend more than two feet beyond the building surface.
5. Lighted signs will receive approval from the City of Rockwall Historic Preservation Advisory Board on a case-by-case basis.
6. Roof top signs are not permitted. Banners signs are permitted for thirty (30) days and "special event" banners are allowed for two (2) weeks. The City of Rockwall Sign Ordinance requires permits for banners.
7. Flashing, flickering or moving signs are not permitted.
8. Temporary signs may be permitted for no longer than thirty (30) days.
9. Display window signs will not occupy more than twenty percent (20%) of the window area. This window area includes signs, which are placed within three (3) feet of the window and visible from the outside.
10. Signs on a residential structure converted to commercial should be a single free-standing and/or "swinging" sign with one or two support standards. The maximum size is sixteen (16) square feet and it should not impede pedestrian or motor vehicle traffic. Monument signs should not be permitted. Detached signs will be approved the City of Rockwall Historic Preservation Advisory Board on a case-by-case basis.

IV. MAINTENANCE AND REPAIRS:

Nothing in these Guidelines should be construed to prevent routine maintenance or repair of any exterior architectural feature of a property. Repairs should be made in accordance with these Guidelines.

The Historic Preservation Officer will answer inquiries as to what is "routine maintenance" where no Certificate of Appropriateness is required. Examples of routine maintenance include, but are not limited to: touch-up painting, spot replacement of shingles, or replacement of a pane of glass. If there is doubt that an activity is "routine maintenance", the Historic Preservation Officer should be consulted.

V. RELOCATION CRITERIA

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- A. Structures relocated within the District should be rebuilt in compliance with these Guidelines and retain and maintain the original architectural details, materials, design and character.
- B. A structure may be relocated into the Historic District if it possesses architectural character similar to existing historic structures on the block face.
- C. A structure may be moved from one site to another in the Historic District if:
 - 1. The integrity of location and setting of the building in its original location has been lost or is seriously threatened; and
 - 2. The new location will be similar in setting and siting; and
 - 3. The structure will be compatible with the buildings adjacent to the new location; and
 - 4. The relocation of the building will not result in a negative visual impact on the site and any surrounding historic structures in the area from which it will be removed.

VI. DEMOLITION CRITERIA

Demolition of a structure which contributes historically or architecturally to the Historic District should be prohibited, except as provided below.

Demolition of a structure would be allowed if:

- 1. The building has lost its architectural and historical integrity and importance, and its removal will not result in a negative, less appropriate visual effect on the Historic District; or
- 2. A structure does not contribute to the historical or architectural character and importance of the Historic District (such as a non-contributing structure), and its removal will result in a positive, appropriate visual effect on the Historic District; or
- 3. There is an imminent threat to the health, safety and welfare to the surrounding residents and/or property because of an unsafe condition that constitutes an emergency (See Section VII, Demolition-by-Neglect).

VII. DEMOLITION-BY-NEGLECT

Although the Property Maintenance Code should prevent this situation from occurring in the future, there may be some properties to which this section could apply.

A. Definition

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Demolition-by-neglect is the absence of maintenance of any structure that results in the deterioration and threatens the preservation of the structure.

B. Purpose

The demolition-by-neglect procedure serves as a mechanism that allows the City Staff and the Historic Preservation Advisory Board to work with property owners to encourage maintenance and stabilization of the structure and identify possible resources available before any enforcement is taken.

C. Request for Investigation

Any interested party may request that the Historic Preservation Officer or appropriate City investigate whether a property is being "demolished-by-neglect".

D. Certification and Notice

Following the investigation a report will be made detailing the issues and a determination made whether to follow steps required to secure a "Certificate of Appropriateness" or to follow the procedure under the Property Maintenance Code.

IX. HISTORIC TREES

In addition to the protection offered our trees through the City of Rockwall "Tree Preservation" Ordinance, individual trees located on an historic property which are considered historic landmarks in our community may be registered as "Historic Trees". The Registry Application in Exhibit 1 should be completed and submitted to the Historic Preservation Officer to forward to the Board Chairman.

A registered tree will not be removed under any circumstances unless the tree becomes unhealthy or damaged. The "Historic Trees" will be listed within an Appendix "C" to be attached to these Guidelines.

AN



306 E. WASHINGTON, SUITE C ROCKWALL, TEXAS 75087 PHONE (972) 772-5

Exhibit "B"

OLD ROCKWALL HISTORIC DISTRICT - *Certificate of Appropriateness - Application*

Address of Property:

City

State

Zip Code

Rockwall
County

Has the building been moved ? No _____ Yes _____ If yes, when was the property moved ?
 _____ (mm/dd/yr -if known, otherwise, the year moved is sufficient)

Name of Historic District:

 National Register District Certified State or Local District Proposed Historic District

If listed individually in the National Register of Historic Places,

Please give date of listing _____ (mm/dd/yy)

Street Address: _____

City

State

Zip Code

County

Authorized Contact: _____
(if different from Owner)

Street Address: _____

City

State

Zip Code

County

Description of Property Construction, Renovation and Repair (attach photographs, plans, elevations, etc.):

**City of Rockwall Use
Only:**

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- EXHIBIT (1) -

OLD ROCKWALL HISTORIC DISTRICT REGISTRY APPLICATION

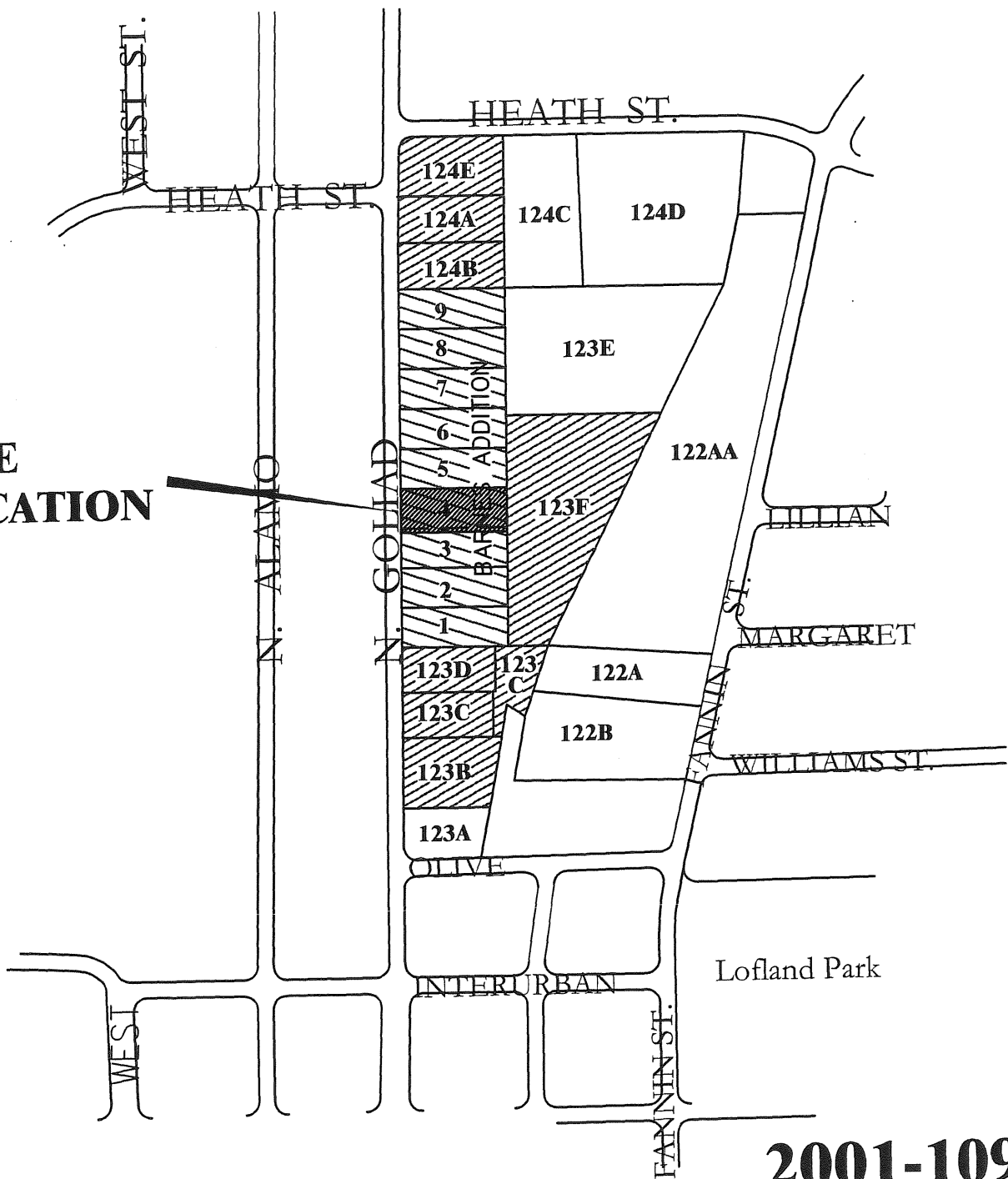
Please complete the following table. In addition, it is requested that photographs of the property be submitted. Please submit a sufficient number of photographs of the property to adequately represent the character of the subject property. If additional space is needed, please use the attached "continuation sheet".

Address of Property:			
Street Address _____			
City _____	State _____	Zip Code _____	<u>Rockwall</u> County _____
Name of Property, If Applicable: _____			
Has the building been moved ? No _____ Yes _____ If yes, when was the property moved ? _____ (mm/dd/yr -if known, otherwise, the year moved is sufficient)			
Name of Historic District: _____ _____ National Register District _____ Certified State or Local District _____ Proposed Historic District If listed individually in the National Register of Historic Places, Please give date of listing _____ (mm/dd/yy)			
Owner: _____		Street Address: _____	
City _____	State _____	Zip Code _____	County _____
Telephone Number (preferably daytime) _____			
Authorized Contact: _____ (if different from Owner)		Street Address: _____	
City _____	State _____	Zip Code _____	County _____ Telephone Number (preferably daytime) _____
Description of Property Appearance (architectural style, square footage,...etc.): 			
Statement of Significance (year built, historical context,...etc.) 			
Owner's Signature _____		City of Rockwall Use Only:	Project Number

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Old Rockwall Historic District Planning Committee

**SITE
LOCATION**



2001-109

SHARED ACCESS AGREEMENT

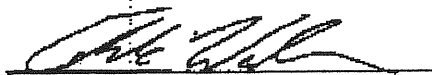
Eddie Walker does hereby state that he owns the property located at 506 N. Goliad in Rockwall, Texas.

Gary and Deborah Arnold do hereby state that they own the property located at 602 N. Goliad in Rockwall, Texas.

The parties listed above acknowledge that these properties have traditionally shared a driveway/parking space between them, and continue to do so currently.

This agreement exists to acknowledge this present arrangement of the driveway, and to confirm the owners intention to leave the current driveway situation as it presently exists, with a single access onto Highway 205 for both of the properties. No change in the present drive configuration is expected or shall be undertaken without consent from the city.

Signed this 27th day of November, 2001 by:



Eddie Walker



Deborah Arnold



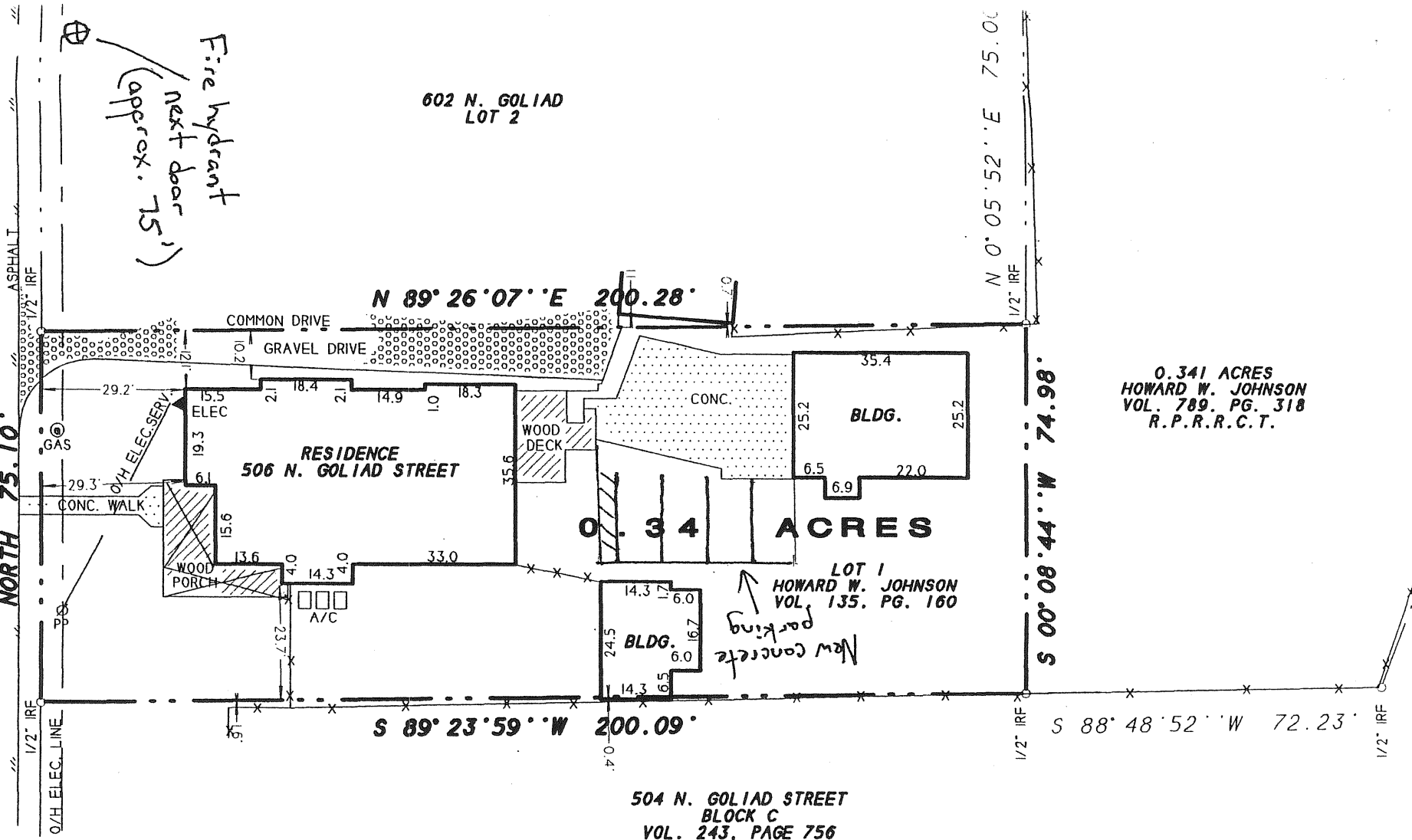
Gary Arnold

2001 - 8587

L8-10

STATE HIGHWAY 205
(N. GOLIAD STREET)
50' R. O. W.

(CONTROLLING BEARING LINE)
NORTH 75.10°



SITE LOCATION



CITY OF ROCKWALL

ORDINANCE NO. 04-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AND ORDINANCE NO. 02-46, AS HERETOFORE AMENDED, SO AS TO AMEND (PD-50) PLANNED DEVELOPMENT DISTRICT NO. 50 TO ADD AS PERMITTED USES "STUDIO – ART, PHOTOGRAPHY OR MUSIC" AND "MASSAGE THERAPIST"; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Michael Johnston for an amendment to (PD-50), Planned Development District No. 50 to add as permitted uses "Studio – Art, Photography or Music" and "Massage Therapist"; 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, and 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 and Ordinance No. 02-46, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to amend (PD-50), Planned Development District No. 50 to add as permitted uses "Studio – Art, Photography or Music" and "Massage Therapist"; and

Section 2. That the property described herein 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 and subject to the following additional conditions:

1. That (PD-50) Planned Development District No. 50 be amended to allow the following additional uses:
 - a. Studio – Art, Photography or Music
 - b. Massage Therapist
2. All previously approved conditions from the (PD-50) Planned Development ordinance (Ord. No. 02-46) shall remain in force.

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

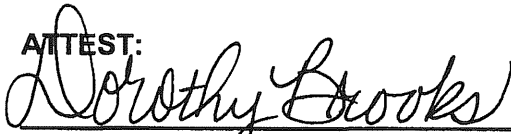
Section 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation, or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation, or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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.

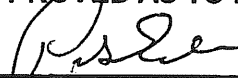
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of April, 2004.

ATTEST:



Dorothy Brooks, City Secretary

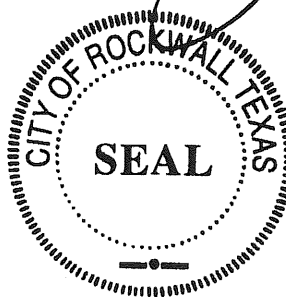
APPROVED AS TO FORM:


Pete Eckert, City Attorney

First Reading: March 15, 2004

Second Reading: April 5, 2004


Ken Jones, Mayor



CITY OF ROCKWALL

ORDINANCE NO. 04-39

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM "SF-7" SINGLE FAMILY RESIDENTIAL TO "PD-50"; PLANNED DEVELOPMENT DISTRICT NO. 50 ON A 2.19-ACRE TRACT KNOWN AS PARTS OF LOTS 1, 2, AND 3, W.D. AUSTIN ADDITION; INCLUDING PROPERTIES ADDRESSED AS 902, 904, 906, 908 AND 912 N. GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from John Benedetto and others for a change in zoning from (SF-7) Single Family Residential district to (PD-50) Planned Development No. 50 district for an approximate 2.19-acre tract known as parts of Lots 1, 2 and 3, WD Austin Addition and including properties addressed as 902, 904, 906, 908 and 912 N. Goliad Street, and more specifically described in Exhibit "A" attached hereto and made a part hereof for all purposes; 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, and 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, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit "A" from (SF-7), Single Family Residential to (PD-50), Planned Development District No. 50, and;

Section 2. That the property described herein 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 and subject to the following additional conditions:

1. That the Planned Development be subject to the requirements of the "R-O", Residential Office District including the following additional permitted uses:
 - a. Studio – Art, Photography or Music
 - b. Massage Therapist

2. That the Planned Development be subject to the "Commercial Guidelines" of the proposed Rockwall Historic District herein described as Exhibit "B" and subject to any future amendment to those guidelines.
3. That joint or shared access be required on all adjoining lots if any property is used for office development or any of the uses listed in the "R-O", Residential Office District.
4. That a single family residential use be allowed in addition to any of the uses listed in the "R-O", Residential Office District, one single family residential unit per property.
5. That parking in the front yard area of any property within this Planned Development District be prohibited and all parking for those uses listed in the "R-O", Residential Office District be located behind the front facade of the main building structure.
6. That the parking requirement for office and professional buildings be one (1) parking space for each 500 square feet of floor area and that all other parking shall comply with Section 5.5 of the Comprehensive Zoning Ordinance (Ord. No. 83-23).
7. That all properties within the Planned Development District shall be subject to site plan review if changing to other than residential use.
8. In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance, a variance can be requested from the City Council.

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.

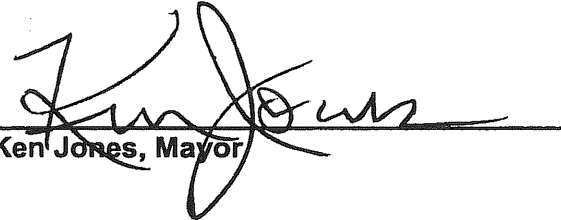
Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That 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, and it is so ordained.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of June, 2004.

ATTEST:


Dorothy Brooks, City Secretary

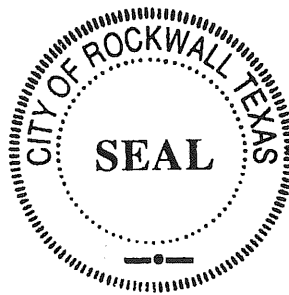

Ken Jones, Mayor

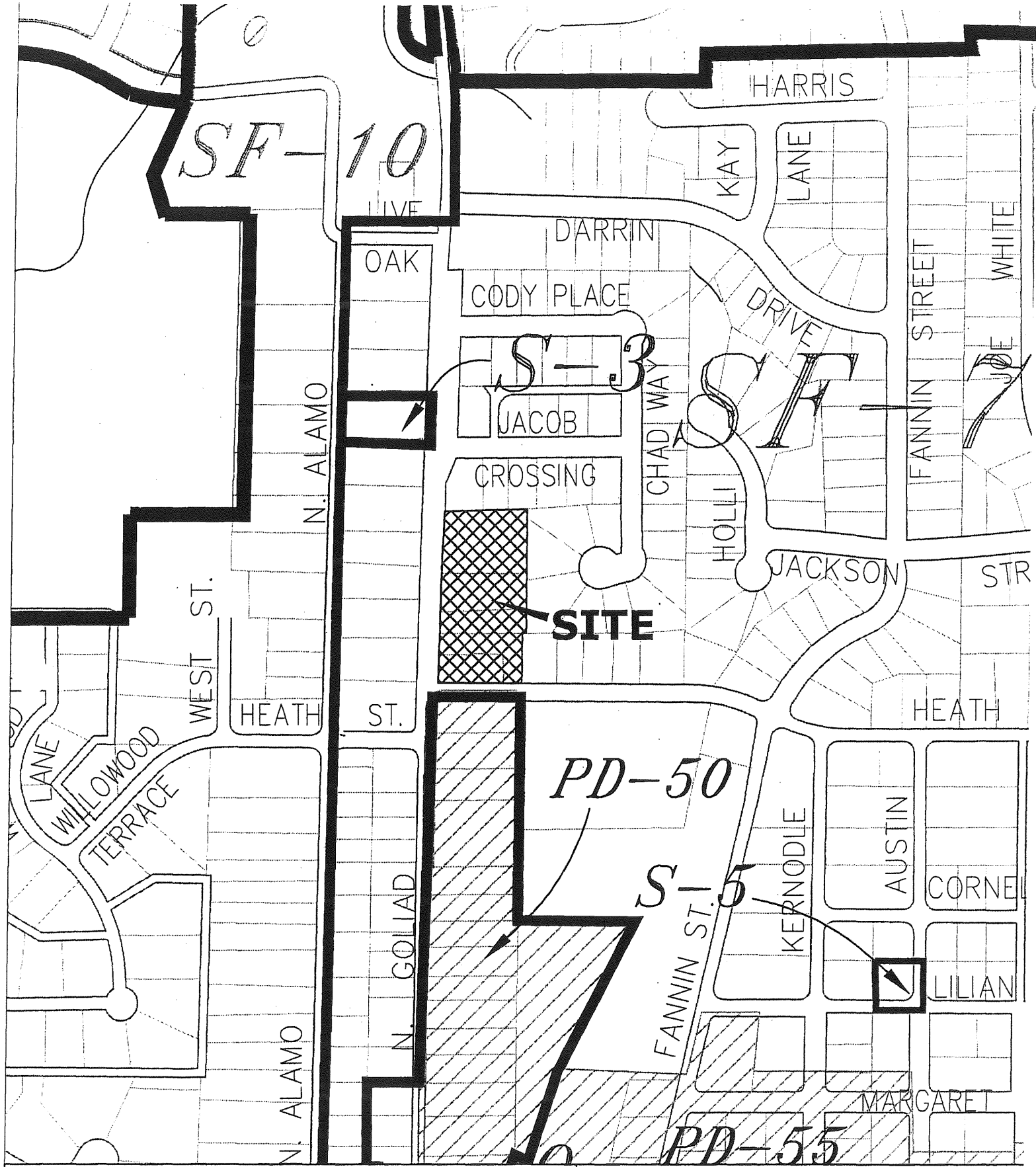
APPROVED AS TO FORM:


Pete Eckert, City Attorney

1st Reading: June 7, 2004

2nd Reading: June 21, 2004





Z2004-017

Zoning Change from (SF-7) to (R-O)

902-912 N. Goliad



1" = 300'

CITY OF ROCKWALL

ORDINANCE NO 05-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED SO AS TO CHANGE THE ZONING FROM SF 7" SINGLE FAMILY RESIDENTIAL TO PD-50" PLANNED DEVELOPMENT DISTRICT NO 50 ON A 0.23-ACRE TRACT KNOWN AS PART OF BLOCK 20 AMICK ADDITION 507 N GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT A ATTACHED HERETO CORRECTING THE OFFICIAL ZONING MAP PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2 000) FOR EACH OFFENSE PROVIDING A SEVERABILITY CLAUSE PROVIDING FOR A REPEALER CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS the City has received a request from Joetta Currie for a change in zoning from (SF 7) Single Family Residential district to (PD-50) Planned Development No 50 district for an approximate 0.23-acre tract known as part of Block 20 Amick Addition 507 N Goliad Street, and more specifically described in Exhibit A attached hereto and made a part hereof for all purposes 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 and 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 Texas as heretofore amended be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit A from (SF 7) Single Family Residential to (PD-50) Planned Development District No 50 and

Section 2 That the property described herein shall be used only in the manner and for the purposes provided for in the Unified Development Code 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 and subject to the following additional conditions

- 1 That the Planned Development be subject to the 'Commercial Guidelines of the proposed Rockwall Historic District herein described as Exhibit 'B' and subject to any future amendment to those guidelines

- 2 That joint or shared access be required on all adjoining lots if any property is used for office development or any of the uses listed in the 'R-O' Residential Office District.
- 3 That a single family residential use be allowed in addition to any of the uses listed in the 'R-O' Residential Office District, one single family residential unit per property
- 4 That parking in the front yard area of any property within this Planned Development District be prohibited and all parking for those uses listed in the 'R-O' Residential Office District be located behind the front facade of the main building structure
- 5 That the parking requirement for office and professional buildings be one (1) parking space for each 500 square feet of floor area and that all other parking shall comply with Section 5.5 of the Comprehensive Zoning Ordinance (Ord No 83-23)
- 6 That all properties within the Planned Development District shall be subject to site plan review if changing to other than residential use
- 7 In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance a variance can be requested from the City Council

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

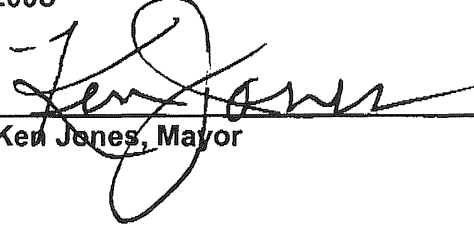
Section 4. Any person firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2 000 00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense

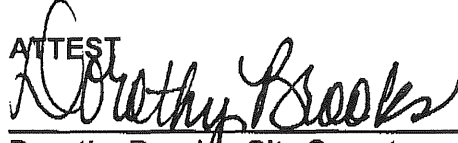
Section 5. If any section or provision of this ordinance or the application of that section or provision to any person firm corporation situation or circumstance is for any reason judged invalid the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person firm corporation situation or circumstance nor shall adjudication affect any other section or provision of the Unified Development Code 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 of this ordinance shall remain in full force and effect.

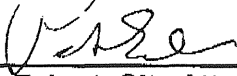
Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 7. That 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 18th day of January, 2005


Ken Jones, Mayor

ATTEST

Dorothy Brooks, City Secretary

APPROVED AS TO FORM

Pete Eckert, City Attorney

1st Reading January 3, 2005

2nd Reading January 18, 2005

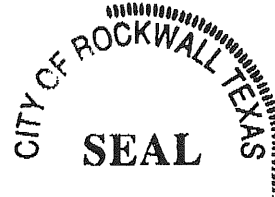


Exhibit "A"

Legal Description

All that certain tract or parcel of land situated in the B F BOYDSTUN SURVEY ABSTRACT NO 14 City of Rockwall Rockwall County Texas and being know as a part of Block 20 of AMICK ADDITION not of record and also being the tract of land as described in a Warranty deed from Willie E Garrett to Mary C Thomas dated February 8 1966 and being recorded in Volume 74 Page 584 of the Deed Records of Rockwall County Texas and being more particularly described as follows

BEGINNING at a 1/2 "iron rod found for corner in the West right-of-way line of State Highway 205 (N Goliad Street) at the Northeast corner of said Thomas tract;

THENCE SOUTH (Controlling Bearing Line) along said right-of-way line a distance of 84.60 feet to a 1/2 "iron rod found for corner at the Northeast corner of a tract of land as described in a Warranty deed from Stephen Breedlove to Eddie Walker as recorded in Volume 2364 Page 187 of the Real Property Records of Rockwall County Texas

THENCE N 89 deg 41 min 10 sec W along the common line between said tracts a distance of 124.53 feet to a 1/2" iron rod with yellow plastic cap stamped 'R S C I RPLS 5034 set for corner'

THENCE N 00 deg 57 min 07 sec W along the West line of said Thomas tract, a distance of 77.31 feet to a 1/2 "iron rod found for corner being the Northwest corner of said Thomas tract;

THENCE N 88 deg 56 min 07 sec E a distance of 125.83 feet to the POINT OF BEGINNING and containing 0.23 acres of land

Advertising Receipt

Rockwall County News

316 S Goliad, Ste 107
PO BOX 819
Rockwall, TX 75087
Phone: 972 722 3099
Fax: 972 722 3096

ROCKWALL, CITY OF-LEGALS ®
ATTN DOROTHY BROOKS
385 SOUTH GOLIAD
ROCKWALL, TX 75087

Cust#: 01100978-000

Ad#: 17524662

Phone: (972)771 7700

Date: 02/09/05

Ad taker: 16 **Salesperson:** 6 **Classification:** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	02/09/05	02/09/05	1	32.00		32.00

Payment Reference:

LEGAL FOR ORD 05-03

Total: 32.00

Tax: 0.00

Net: 0.00

Prepaid: 0.00

Total Due 0.00

**CITY OF ROCKWALL
ORDINANCE NO 05-02**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (SF-10), SINGLE FAMILY RESIDENTIAL TO (NS), NEIGHBORHOOD SERVICES DISTRICT ON A TRACT OF LAND CONTAINING 1.57 ACRES AND KNOWN AS TRACTS 30, 31 32 AND 32-1 ABSTRACT 146, S.S. McCOURRY SURVEY AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT A PROVIDING FOR SPECIAL CONDITIONS, PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

/s/ Ken Jones, Mayor
/s/ Dorothy Brooks, City Secretary
1st Reading. 12/20/04
2nd Reading. 2/7/05

**CITY OF ROCKWALL
ORDINANCE NO 05-03**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM 'SF-7" SINGLE FAMILY RESIDENTIAL TO 'PD-50" PLANNED DEVELOPMENT DISTRICT No. 50 ON A 0.23-ACRE TRACT KNOWN AS PART OF BLOCK 20, AMICK ADDITION 507 N. GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT A ATTACHED HERETO CORRECTING THE OFFICIAL ZONING MAP PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

/s/ Ken Jones, Mayor
/s/ Dorothy Brooks, City Secretary
1st Reading: 1/3/05
2nd Reading: 1/18/05

**CITY OF ROCKWALL
ORDINANCE NO 05-04**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES IN SEC. 24-42 AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

/s/ Ken Jones, Mayor
/s/ Dorothy Brooks, City Secretary
1st Reading: 1/3/05
2nd Reading. 1/18/05

**CITY OF ROCKWALL
ORDINANCE NO 05-06**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE VI, SECTION 4, RESIDENTIAL PARKING; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

/s/ Ken Jones, Mayor
/s/ Dorothy Brooks, City Secretary
1st Reading. 1/18/05

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Michael Gresham who being by me duly sworn deposes and says that he is the Publisher of *Rockwall County News* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published;
4. it has been published regularly and continuously since 1985 and
5. it is generally circulated within Rockwall County.

Clipping (s)

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

February 9th A.D. 2005

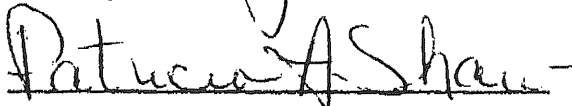

Michael Gresham
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME

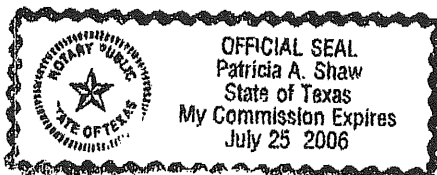
by Michael Gresham, who

- ☒ a) is personally known to me, or
☐ b) provided the following evidence to establish his/her identity. _____

on the 16th day of February, A.D. 2005
to certify which witness my hand and seal of office.



Notary Public, State of Texas



CITY OF ROCKWALL

ORDINANCE NO 05-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING FROM SF 7" SINGLE FAMILY RESIDENTIAL TO PD-50" PLANNED DEVELOPMENT DISTRICT NO 50 ON A 0.460-ACRE TRACT KNOWN AS PART OF A, B, & E, BLOCK 21 AMICK ADDITION 603 N GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT A ATTACHED HERETO CORRECTING THE OFFICIAL ZONING MAP PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING FOR A REPEALER CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City has received a request from Maureen Green for a change in zoning from (SF 7) Single Family Residential district to (PD-50) Planned Development No 50 district for an approximate 0.460-acre tract being part of A, B & E Block 21 Amick Addition 603 N Goliad Street, and more specifically described in Exhibit A attached hereto and made a part hereof for all purposes 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 and 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 Texas as heretofore amended be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit A from (SF 7) Single Family Residential to (PD-50) Planned Development District No 50 and

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in the Unified Development Code 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 and subject to the following additional conditions

- (1) That the Planned Development be subject to the 'Commercial Guidelines' of the proposed Rockwall Historic District herein described as Exhibit 'B' and subject to any future amendment to those guidelines

- (2) That joint or shared access be required on all adjoining lots if any property is used for office development or any of the uses listed in the 'R-O' Residential Office District.
- (3) That a single family residential use be allowed in addition to any of the uses listed in the 'R-O' Residential Office District, one single family residential unit per property
- (4) That parking in the front yard area of any property within this Planned Development District be prohibited and all parking for those uses listed in the 'R-O' Residential Office District be located behind the front facade of the main building structure
- (5) That the parking requirement for office and professional buildings be one (1) parking space for each 500 square feet of floor area and that all other parking shall comply with Article VI of the Unified Development Code (Ord No 04-38)
- (6) That all properties within the Planned Development District shall be subject to site plan review if changing to other than residential use
- (7) In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance a variance can be requested from the City Council

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

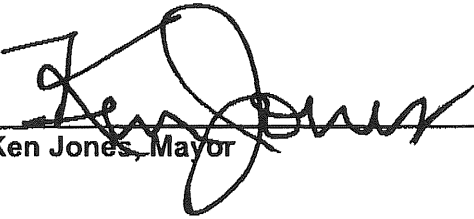
Section 4. Any person firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2 000 00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense

Section 5 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 nor shall adjudication affect any other section or provision of the Unified Development Code 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 of this ordinance shall remain in full force and effect.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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.

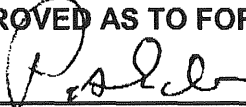
Section 7 That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS this 4th day of April 2005.


Ken Jones, Mayor

ATTEST

Dorothy Brooks, City Secretary

APPROVED AS TO FORM

Pete Eckert, City Attorney



1 Reading March 21, 2005

2nd Reading April 4, 2005

—●—

Exhibit A

Legal Description

All that certain tract or parcel of land situated in the B F BOYDSTUN SURVEY ABSTRACT NO 14 and lying within the corporate limits of the City of Rockwall and being part of the same lot conveyed from Walker et al to Reese and wife by Deed of record in Volume 42 page 558 of the Rockwall County Deed Records and further described as follows

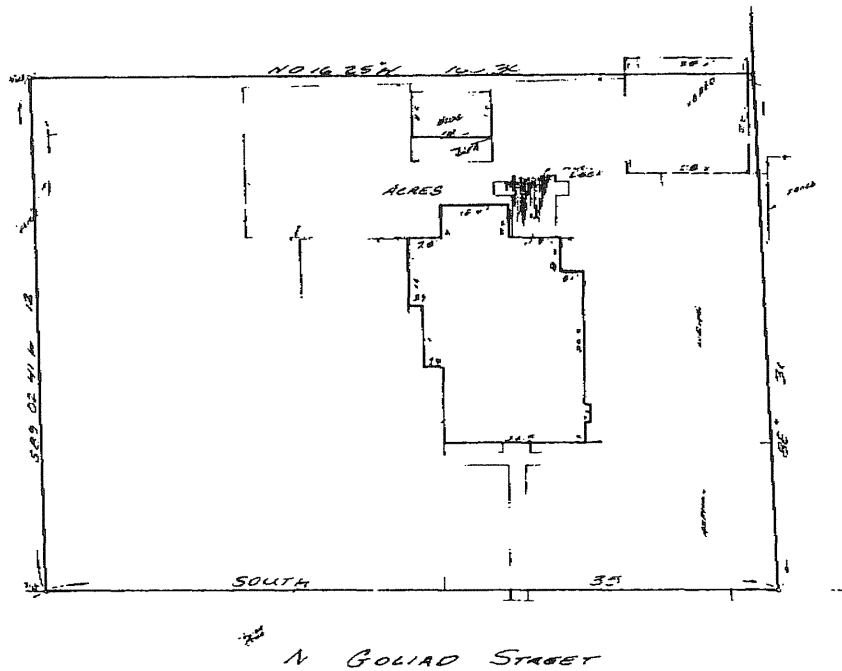
Beginning at a 1/2" iron rod found at the southeast corner of the above named Reese lot, said point being 554 feet North from the Northeast corner of Block 'B' of the Town of Rockwall as shown on plat of said Town

Thence South 89 degrees 02 minutes 41 seconds West a distance of 120 17 feet to a 1/2" iron rod set at the Southeast corner of a tract of land conveyed to Owen Lee Mitchell by Paul S Thompson and wife Helen H Thompson in a Deed dated June 1 1959 recorded in Volume 59 Page 513 Deed Records of Rockwall County Texas

Thence North 00 degrees 16 minutes 25 seconds West along the East line of said Owen Mitchell tract a distance of 165 30 feet to a 1/2" iron rod set for corner

Thence North 88 degrees 04 minutes 36 seconds East along the North line of said Reese tract a distance of 121 01 feet to a 60D nail set in the West Right-of Way of Goliad Street;

Thence South along said Right-of Way a distance of 167 35 feet to the PLACE OF BEGINNING and containing 0 460 acres of land



THIS
COUNTY ROCKWALL

County Abstract No. being parcel and land situated
conveyed from Volume page described the
Deed Records, Volume page described the
Notes: named here: rod found point south...
from Nottmaw shown not Town; Town

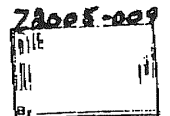
THENCE South minutes from rod seconds
by deed Thompson and Helen B. Thompson Owen Lee
1959, recorded Volume Page
Texas;

THENCE East one degree minutes seconds West
Owen Mitchell tract corner; distance
rod corner;

600 the West seconds distance May Goliad

THENCE South high May distance
PLA OF BUILDING and conts

FILE COPY



THE ABOVE DESCRIBED
FLOOD HAZARD AREA ACCORDING TO THE
FLOOD INSURANCE RATE MAP COMMUNITY PANEL

correct, and accurate representation of said property being indicated and improvements being shown
back from improvements being shown
distance indicated, and

DATE MADE
GROUND OF THIS PROPERTY

BARRY RHODES

PROFESSIONAL

PHONE 214 475-8840 FAX 214 475-9036
Dm G. No.

USE THIS SURVEY FOR ANY OTHER PURPOSE OR
BY OTHER PARTIES SHALL BE AT THEIR RISK AND
FOR ANY LOSS OR DAMAGE THEREAFTER

Barry Rhodes

[Handwritten signature] 11/11/11

Advertising Receipt

Rockwall County News

316 S Goliad, Ste 107
PO BOX 819
Rockwall, TX 75087
Phone 972 722 3099
Fax: 972 722 3096

ROCKWALL, CITY OF-LEGALS®
ATTN DOROTHY BROOKS
385 SOUTH GOLIAD
ROCKWALL, TX 75087

Cust# 01100978-000
Ad# 17527748
Phone. (972)771 7700
Date: 06/17/05

Ad taker: 15 **Salesperson** 6 **Classification.** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	06/22/05	06/22/05	1	63.00		63 00

Payment Reference:

L# 223126 3 X 3.5--ORD 05-08

Total 63 00

T 0 00

Net: 63.00

Prepaid. 0.00

Total Due 63 00

PUBLISHER'S AFFIDAVIT

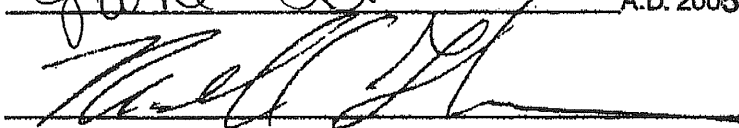
THE STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Michael Gresham, who being by me duly sworn and deposes and says that he is the Publisher of *Rockwall County News* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. It devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. It is published at least once each week;
3. It is entered as second-class postal matter in the county where it is published;
4. It has been published regularly and continuously since 1985, and
5. It is generally circulated within Rockwall County.

Clipping (s)

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

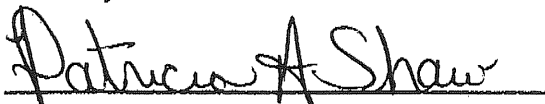
June 22nd A.D. 2005

Michael Gresham
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME

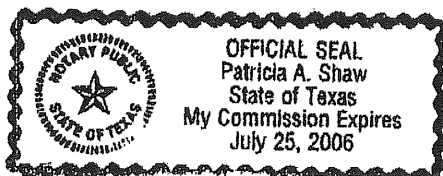
by Michael Gresham, who

- ☒ a) is personally known to me, or
☐ b) provided the following evidence to establish his/her identity: _____

on the 22nd day of June, A.D. 2005
to certify which witness my hand and seal of office.



Notary Public, State of Texas



Legal Notices

Legal Notices

CITY OF ROCKWALL ORDINANCE NO. 05-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM 'SF-7' SINGLE FAMILY RESIDENTIAL TO 'PD-50' PLANNED DEVELOPMENT DISTRICT NO. 50 ON A 0.460-ACRE TRACT KNOWN AS PART OF A, B, & E, BLOCK 21 AMICK ADDITION 603 N GOLIAD STREET AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT A ATTACHED HERETO CORRECTING THE OFFICIAL ZONING MAP PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE, PROVIDING SEVERABILITY CLAUSE, PROVIDING FOR A REPEAL CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

/s/ Ken Jones, Mayor
/s/ Dorothy Brooks, City Secretary
1 Reading: March 21 2005
2nd Reading: April 4 2005

Legal Notices

Legal Notices

Legal Notices

CITY OF ROCKWALL

ORDINANCE NO. 05-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AND ORDINANCE NO. 02-46, AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-50) PLANNED DEVELOPMENT DISTRICT NO. 50 TO ADD AS PERMITTED USES "ANTIQUE/COLLECTABLE SALES" WITH A SPECIFIC USE PERMIT (SUP); CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Shirley Black for an amendment to (PD-50), Planned Development District No. 50 to add as permitted uses "Antique/Collectable Sales" with a Specific Use Permit (SUP); 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, and 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 and Ordinance No. 02-46, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to amend (PD-50), Planned Development District No. 50 to add as permitted uses "Antique/Collectable Sales" with a Specific Use Permit (SUP); and

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in the Unified Development Code 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 and subject to the following additional conditions:

1. Antique and Collectable Sales shall be defined in "PD-50" Planned Development No. 50 as follows:

- a. "Antique Sales"-the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft esteemed for its artistry, beauty, craftsmanship, or period of origin.
 - b. "Collectable Sales"-the sale of an object that can be collected; suitable or desirable for collecting, as a hobbyist; any of a class of old things, but not antiques, that people collect as a hobby.
2. That (PD-50) Planned Development District No. 50 be amended to allow to "Antique/Collectable Sales" with a Specific Use Permit (SUP) subject to the following conditions:
 - a. The sale of new or used clothing and appliances be prohibited.
 - b. That the maximum building size not exceed 2,000 square foot for Antique/Collectable Sales.
 - c. That individual lease areas within the store be prohibited.
3. All previously approved conditions from the (PD-50) Planned Development ordinance (Ord. No. 02-46) shall remain in force.

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


Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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, nor shall adjudication affect any other section or provision of the Unified Development Code 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 of this ordinance shall remain in full force and effect.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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 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 18th day of April, 2005.



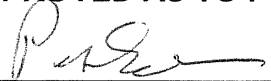
Ken Jones, Mayor

ATTEST:



Dorothy Brooks, City Secretary

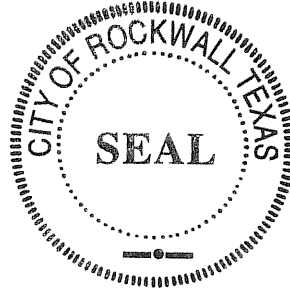
APPROVED AS TO FORM:



Pete Eckert, City Attorney

1st Reading: April 4, 2005

2nd Reading: April 18, 2005



Advertising Receipt

Rockwall County News
316 S Goliad, Ste 107
PO BOX 819
Rockwall, TX 75087
Phone: 972-722-3099
Fax: 972-722-3096

ROCKWALL, CITY OF-LEGALS®
ATTN: DOROTHY BROOKS
385 SOUTH GOLIAD
ROCKWALL, TX 75087

Cust#: 01100978-000
Ad#: 17526385
Phone: (972)771-7700
Date: 04/26/05

Ad taker: 11

Salesperson: 6

Classification: 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	04/27/05	04/27/05	1	48.00		48.00

Payment Reference:

L#380865

Total: 48.00
Tax: 0.00
Net: 48.00
Prepaid: 0.00

Total Due 48.00

CITY OF ROCKWALL

ORDINANCE NO. 05-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE PREVIOUSLY AMENDED, SO AS TO CHANGE THE ZONING FROM "SF-7" SINGLE FAMILY RESIDENTIAL AND "PD-50"; PLANNED DEVELOPMENT DISTRICT NO. 50 TO AMENDED "PD-50" PLANNED DEVELOPMENT DISTRICT NO. 50; INCLUDING PROPERTIES ADDRESSED AS 401 N. GOLIAD TO 925 N. GOLIAD AND 406 N. ALAMO; MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has initiated a change in zoning from (SF-7) Single Family Residential district and (PD-50) Planned Development No. 50 district to Amended (PD-50) Planned Development No. 50 district; Including properties addressed as 401 N. Goliad to 925 N. Goliad and 406 N. Alamo, and more specifically described in the attached Exhibit "A" attached hereto and made a part hereof for all purposes; 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, and 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, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a tract of land which is more fully described herein as Exhibit "A" from (SF-7), Single Family Residential and (PD-50), Planned Development District No. 50 to Amended, and (PD-50), Planned Development District No. 50;

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in the Unified Development Code 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 and subject to the following additional conditions:

1. That all development within (PD-50) Planned Development No. 50 district be subject to the requirements of the (RO) Residential Office district in the Unified Development Code, as amended, including the Land Use Tables in "Article IV, Permissible Uses" and the area requirements set forth in Section 4.2 of "Article V, District Development Standards."

2. As approved via Ordinance No. 05-18, "Antique / Collectable Sales" shall be allowed subject to approval of a Specific Use Permit (SUP) by City Council, and the following conditions:
 - a. "Antique Sales"-the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft esteemed for its artistry, beauty, craftsmanship, or period of origin.
 - b. Collectable Sales"-the sale of an object that can be collected; suitable or desirable for collecting, as a hobbyist; any of a class of old things, but not antiques, that people collect as a hobby.
 - c. The sale of new or used clothing and appliances be prohibited.
 - d. That the maximum building size not exceed 2,000 square foot for Antique/Collectable Sales.
 - e. That individual lease areas within the store be prohibited.
3. That development within the Planned Development be subject to the "Commercial Guidelines" of the Rockwall Historic District, as amended.
4. That joint or shared access be required on all adjoining lots if any property is used for office development or any other non-residential use permitted in the (RO) Residential Office district.
5. That parking in the front yard area of any property within this Planned Development district be prohibited and all parking for those uses permitted in the (RO) Residential Office district be located behind the front facade of the main building structure.
6. That the parking requirement for professional office uses (excluding medical office) be one (1) parking space for each 500 square feet of floor area, and that the parking requirement for all other uses permitted in the (RO) Residential Office district shall adhere to the parking requirements set forth in "Article VI, Parking and Loading" of the Unified Development Code.
7. That all properties within the Planned Development district shall be subject to site plan review if changing to other than residential use.
8. All drive aisles and parking areas required for the conversion and/or redevelopment of existing structures within the Planned Development district may be paved with asphalt subject to review and approval by the City Engineer. New development on vacant properties within the Planned Development district shall be paved in accordance with City standards (i.e. concrete).
9. In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance, a variance can be requested from the City Council.

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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, nor shall adjudication affect any other section or provision of the Unified Development Code 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 of this ordinance shall remain in full force and effect.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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 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 1st day of August, 2005.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, City Secretary

APPROVED AS TO FORM:



Pete Eckert, City Attorney

1st Reading: 07-18-05

2nd Reading: 08-01-05

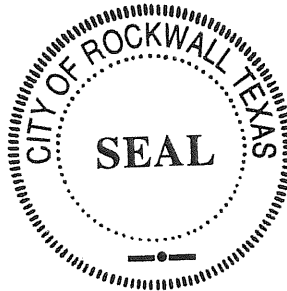


Exhibit "A"

Property Address	Legal Description
401-403 GOLIAD N	AMICK, BLOCK 17, LOT 15
406 ALAMO N	AMICK, BLOCK 18A SW PT, LOT 16, ACRES .183
405 GOLIAD N	AMICK, BLOCK 18B
406 GOLIAD N	B F BOYDSTON, BLOCK 123, LOT B
501 GOLIAD N	AMICK, BLOCK 19C, LOT 21
501 1/2 GOLIAD N	AMICK, BLOCK 19B
502 GOLIAD N	B F BOYDSTON, BLOCK 123, LOT C, ACRES 0.376 (Black Collectables)
503 GOLIAD N	AMICK, BLOCK 19A E PART
504 GOLIAD N	B F BOYDSTON, BLOCK 123, LOT D & PT OF C
505 GOLIAD N	AMICK, BLOCK 20B (Stain Glass)
506 GOLIAD N	BARNES, LOT 1
507 GOLIAD N	AMICK, BLOCK 20A (Art Ventures)
602 GOLIAD N	BARNES, LOT 2
603 GOLIAD N	AMICK, BLOCK 21 A-B E/PART
604 GOLIAD N	BARNES, LOT S 67' OF 3
604 GOLIAD N	B F BOYDSTON, BLOCK 123, LOT F, ACRES 1.05
702 GOLIAD N	BARNES, LOT 8' OF 3 & ALL OF 4
703 GOLIAD N	AMICK, BLOCK PT 22, LOT 30, 703 N GOLIAD
704 GOLIAD N	BARNES, LOT 5
705 GOLIAD N	AMICK, BLOCK 22, LOT 27
801 GOLIAD N	AMICK, BLOCK 23 E 1/2
802 GOLIAD N	COUNSELMAN ADDITION, BLOCK A, LOT 1, ACRES .66
803 GOLIAD N	AMICK, BLOCK 23A, ACRES .448
804 GOLIAD N	BARNES, LOT 8
805 GOLIAD N	AMICK, BLOCK 24C
806 GOLIAD N	BARNES, LOT 9
807 GOLIAD N	AMICK, BLOCK 24C E/2
808 GOLIAD N	B F BOYDSTON, BLOCK 124, LOT B, ACRES 0.405
809 GOLIAD N	AMICK, BLOCK 24B
810 GOLIAD N	B F BOYDSTON, BLOCK 124, LOT A
811 GOLIAD N	AMICK, BLOCK A, LOT 2, REPLAT
812 GOLIAD N	B F BOYDSTON, BLOCK 124, LOT D, 812 N GOLIAD
902 GOLIAD N	AUSTIN, LOT PT 1
904 GOLIAD N	AUSTIN, LOT PT 1
905 GOLIAD N	GARNER, BLOCK PART 27
906 GOLIAD N	AUSTIN, LOT PT 2
907 GOLIAD N	GARNER, BLOCK PART 27
908 GOLIAD N	AUSTIN, LOT PT 2 (Replat 2R)
909 GOLIAD N	GARNER, BLOCK ALL 27A
911 GOLIAD N	ADAMS ADDN, BLOCK A, LOT 1
912 GOLIAD N	AUSTIN, LOT 3, ACRES .745
915 GOLIAD N	GARNER, BLOCK PART 29, ACRES .497
917 GOLIAD N	GARNER, BLOCK PART 29
919 GOLIAD N	RAKICH ADDITION, BLOCK A, LOT 2, ACRES .257
923 GOLIAD N	GARNER, BLOCK PART 32
925 GOLIAD N	GARNER, BLOCK PART 32
N/A	GARNER, BLOCK ALL 26
N/A	B F BOYDSTON, BLOCK 123F

CITY OF ROCKWALL

ORDINANCE NO. 07-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AND ORDINANCE NO. 05-35, AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-50) PLANNED DEVELOPMENT DISTRICT NO. 50, AMENDING SECTION 2, ON PROPERTY MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has initiated an amendment to (PD-50), Planned Development District No. 50, amending Section 2; on property more specifically described in the attached Exhibit "A"; 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, and 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, Texas, and Ordinance No. 05-35, as heretofore amended, be and the same are hereby amended by amending (PD-50), Planned Development District No. 50, amending Section 2; and;

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in the Unified Development Code 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 and subject to the following additional conditions:

1. That all development within (PD-50) Planned Development No. 50 district be subject to the requirements of the (RO) Residential Office district in the Unified Development Code, as amended, including the Land Use Tables in "Article IV, Permissible Uses" and the area requirements set forth in Section 4.2 of "Article V, District Development Standards."
2. As approved via Ordinance No. 05-18, "Antique / Collectable Sales" shall be allowed subject to approval of a Specific Use Permit (SUP) by City Council, and the following conditions:
 - a. "Antique Sales"-the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft

- esteemed for its artistry, beauty, craftsmanship, or period of origin.
- b. Collectable Sales"-the sale of an object that can be collected; suitable or desirable for collecting, as a hobbyist; any of a class of old things, but not antiques, that people collect as a hobby.
 - c. The sale of new or used clothing and appliances be prohibited.
 - d. That the maximum building size not exceed 2,000 square foot for Antique/Collectable Sales.
 - e. That individual lease areas within the store be prohibited.
3. That joint or shared access be required on all adjoining lots if any property is used for office development or any other non-residential use permitted in the (RO) Residential Office district.
 4. That parking in the front yard area of any property within this Planned Development district be prohibited and all parking for those uses permitted in the (RO) Residential Office district be located behind the front facade of the main building structure.
 5. That the parking requirement for professional office uses (excluding medical office) be one (1) parking space for each 500 square feet of floor area, and that the parking requirement for all other uses permitted in the (RO) Residential Office district shall adhere to the parking requirements set forth in "Article VI, Parking and Loading" of the Unified Development Code.
 6. That all properties within the Planned Development district shall be subject to site plan review if changing to other than residential use.
 7. All drive aisles and parking areas required for the conversion and/or redevelopment of existing structures within the Planned Development district may be paved with asphalt subject to review and approval by the City Engineer. New development on vacant properties within the Planned Development district shall be paved in accordance with City standards (i.e. concrete).
 8. In the event that unique or extraordinary conditions exist on the property such that the applicant feels he/she cannot comply with the strict interpretation of this ordinance, a variance can be requested from the City Council.

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. 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, nor shall adjudication affect any other section or provision of the Unified Development Code 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 of this ordinance shall remain in full force and effect.

Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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 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 20th day of August, 2007.

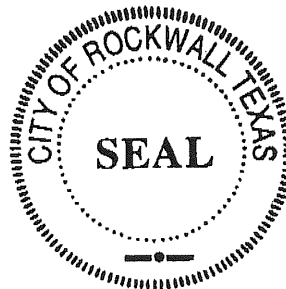

William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, TRMC, CMC, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: 08-06-07

2nd Reading: 08-20-07

Exhibit "A"

PD-50 Boundary **-VERBAL BOUNDARY DESCRIPTION -**

BEGINNING at a point in the northwest corner of Block 32 of the Garner Addition (925 N. Goliad St.);

THENCE easterly 211.13' along the south right of way of Live Oak St. for a corner;

THENCE southerly 598.12' along the west right of way of Goliad St. (SH205);

THENCE east 54.44' across Goliad St, to the northwest corner of Block 160, Lot 1 of the Austin Addition (912 N. Goliad St.)

THENCE east 220' following the north property line of Block 160, Lot 1 of the Austin Addition (912 N. Goliad St.)

THENCE southerly 441.42' following the east property lines of lots fronting Goliad St to a point on the north right of way of Heath St;

THENCE west 39.54' along the north right of way of Heath St;

THENCE southerly following along the east property lines of lots fronting Goliad St. 562.59' to a point being the northwest corner of B.F. Boydstun Survey, Block 123 Lot F (604 N Goliad St);

THENCE east 210.09' along the north property line of said Block 123, Lot F for a corner;

THENCE southerly 289.31' along the eastern property line of said Block 123, Lot F for a corner;

THENCE southerly 519.9' following along the east property lines of lots fronting Goliad St to a point being the southeast corner of B.F. Boydstun Survey, Block 123 Lot B (406 N. Goliad St.);

THENCE west 215.11' along the south property line of said Block 123, Lot B (406 N. Goliad St.) and crossing to a point on the west right of way of Goliad St.;

THENCE southerly 170.59' following along the west right of way of Goliad St. to a point being the southeast corner of Block 17, Lot 15 of the Amick Addition (401-403 N. Goliad St.);

THENCE west 210' along the south property line of said Block B, Lot 15 of the Amick Addition for a corner;

THENCE northerly 101.05' along the west property line of said Block 17, Lot 15 of the Amick Addition;

THENCE easterly 70.83' along the north property line of Block 17, Lot 15 of the Amick Addition;

THENCE north 170' along the west property lines of Block 18B, Lot 17 and Block 19C, Lot 21 of the Amick Addition;

THENCE west 72.99' along the south property line of Block 19B, Lot 19 of the Amick Addition (501 ½ N. Goliad St.)

THENCE northerly 51.75' along the west property line of Block 19B, Lot 19 of the Amick Addition (501 ½ N. Goliad St.);

THENCE easterly 97.01' along the north property line of Block 19B, Lot 19 of the Amick Addition (501 ½

N. Goliad St.);

THENCE northerly 754.05' following along the west property lines of lots fronting Goliad St. to a point in the south property line of Block 23A, Lot 34 of the Amick Addition (803 N. Goliad St.);

THENCE west 115.03' along the south property line of said Block 23A, Lot 34 of the Amick Addition;

THENCE northerly 139.55' along the east right of way of N. Alamo St;

THENCE east 99.47' following along the north property line of Block 24C, Lot 37 of the Amick Addition (805. N. Goliad St.) to a point;

THENCE northerly 250.95' following along the west property lines of lots fronting N. Goliad St. and crossing to the north right of way of Heath St. for a corner;

THENCE west 70.51' along the north right of way of Heath St. for a corner;

THENCE northerly 205.32' along the east right of way of N. Alamo St;

THENCE easterly 103.92' along the south property line of Lot 1 of the Williams Addition;

THENCE northerly 334.45' following along the west property line of lots fronting Goliad St. to a point on the south property line of Block 29 of the Garner Addition (915 N. Goliad St);

THENCE west 85.69' along the south property line of Block 29 of the Garner Addition (915 N. Goliad St) to the east right of way of Alamo St;

THENCE northerly 98.02' along the east right of way of Alamo St. for a point;

THENCE easterly 85.08' along the north property line of Block 29 Garner Addition (915 N. Goliad St.);

THENCE northerly 345.36' following along the west property line of lots fronting Goliad St. to a point in the south right of way of Block 32 of the Garner Addition (925 N. Goliad St.);

THENCE northerly 218.51' following along the east right of way of Alamo St. to the **POINT OF BEGINNING** containing approximately 20.38 acres of land.

Exhibit "A"

Legend



Planned Development
No. 50 District

City of
Rockwall
www.rockwall.com



Z2007-018 Planned Development No. 50 District

August 20, 2007
0 110 220 440 Feet

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.

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared William Jordan, who being by me duly sworn deposes and says the he is the Publisher of **The Rockwall County News** and the said newspaper meets the requirements of Section 2051.044 of the Texas Government Code to wit:

1. it devotes not less than twenty (25%) of its total column lineag interest items;

2. it is published at least once e

3. it is entered as second-class in the county where it is publish

4. it has been published regular continuously since 1985; and

5. it is generally circulated withir County.

Publisher further deposes a the attached notice was publish news paper on the following date

August 30th

[Signature of William Jordan]

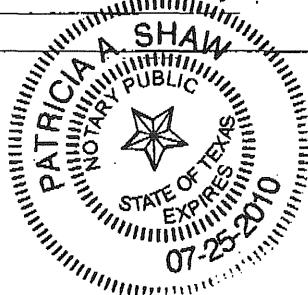
William Jordan
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME

by William Jordan who

- X a) is personally know to me, or
_____ b) provided the following evidence to establish his/her identity.

on the 31st day of August, A.D. 2007
to certify which witness my hand and seal of office.



[Signature of Patricia A. Shaw]
Notary Public, State of Texas

CITY OF ROCKWALL

ORDINANCE NO. 07-29

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AND ORDINANCE NO. 05-35, AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-50) PLANNED DEVELOPMENT DISTRICT NO. 50, AMENDING SECTION 2, ON PROPERTY MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

/s/ William R. Cecil, Mayor

/s/ Dorothy Brooks, TRMC, CMC, City Secretary

1st Reading: 08-06-07

2nd Reading: 08-20-07

Advertising Receipt

MET PUBLISHING, INC.

P.O. BOX 669
Terrell, TX 75160

Phone: 972-563-6476

Fax: 972-563-0340

ROCKWALL, CITY OF-LEGALS -AE

old Dorothy Brouk

385 SOUTH GOLIAD

ROCKWALL, TX 75087

Acct #: 01100978

Ad #: 00002841

Phone: (972)771-7700

Date: 08/28/2007

Ad taker: 11

Salesperson: 6

Sort Line: LG#316320 ORD 7-29

Classification 001

Description	Total
02 ROCKWALL COUNTY NEWS 08/30/2007	63.00

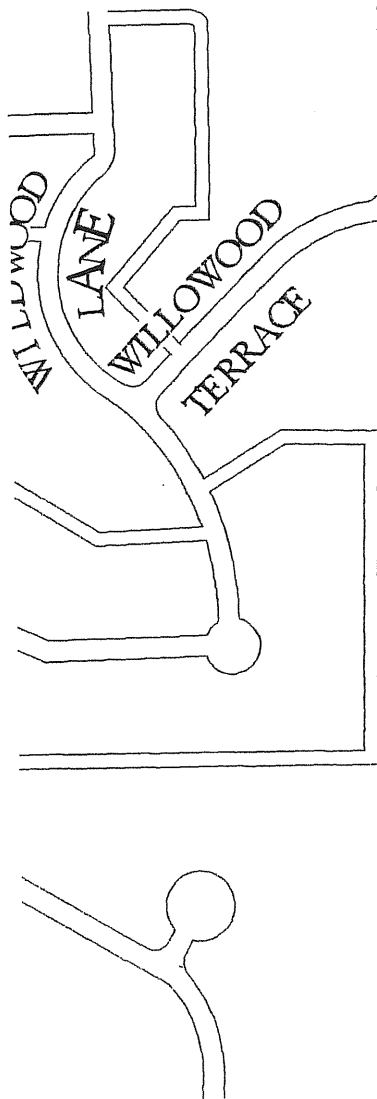
Total: 63.00

Tax: 0.00

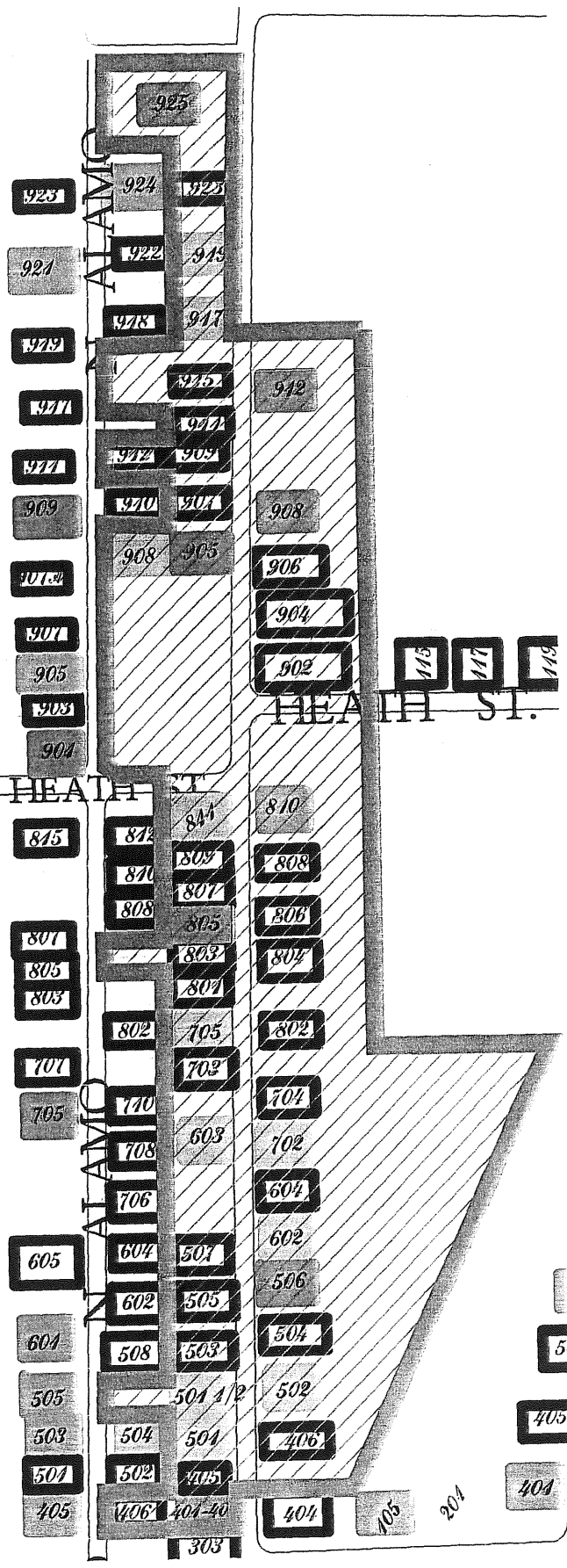
Net: 63.00

Prepaid: 0.00

Total Due: 63.00



WEST ST.



CITY OF ROCKWALL

ORDINANCE NO. 16-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) TO ALLOW A *BANQUET FACILITY* LAND USE TO BE PERMITTED BY A SPECIFIC USE PERMIT (SUP) FOR THE SUBJECT PROPERTY, BEING A 21.266-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146 AND B. F. BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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, the City has received a request by Scott & Leslie Milder requesting the approval of an amendment to Planned Development District 50 (PD-50) and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall for the purpose of amending the permitted land uses to allow for the addition of a *Banquet Facility* land use to be permitted by a Specific Use Permit (SUP) for a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 50 (PD-50), and more fully 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, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 50 (PD-50) and the Unified Development Code [Ordinance No. 04-38] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in Ordinance No. 01-53, 02-46, 04-24, 04-39, 05-03, 05-08, 05-18, 05-35 & 07-29;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this ordinance and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in *Exhibit 'C'* of this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Residential Office (RO) District as specified in Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] as heretofore

amended, as amended herein by the granting of this zoning change, and as may be amended in the future;

SECTION 4. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 04-38], 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 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [Ordinance No. 04-38] of any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code [Ordinance No. 04-38] (including references to the Unified Development Code), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS
THE 1ST DAY OF FEBRUARY, 2016.**



Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: 01-19-16

2nd Reading: 02-01-16

EXHIBIT 'A':
Legal Description

BEGINNING at a point in the northwest corner of Block 32 of the Garner Addition (925 N. Goliad Street);

THENCE easterly 211.13' along the south right of way of Live Oak Street for a corner;

THENCE southerly 598.12' along the west right of way of Goliad Street (SH-205);

THENCE east 54.44' across Goliad Street, to the northwest corner of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE east 220' following the north property line of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE southerly 441.42' following the east property lines of lots fronting Goliad Street to a point on the north right of way of Heath Street;

THENCE west 39.54' along the north right of way of Heath Street;

THENCE southerly following along the east property lines of lots fronting Goliad Street 562.59' to a point being the northwest corner of B.F. Boydston Survey, Block 123, Lot F (604 N Goliad Street);

THENCE east 210.09' along the north property line of said Block 123, Lot F for a corner;

THENCE southerly 289.31' along the eastern property line of said Block 123, Lot F for a corner;

THENCE southerly 519.9' following along the east property lines of lots fronting Goliad Street to a point being the southeast corner of B.F. Boydston Survey, Block 123, Lot B (406 N. Goliad Street);

THENCE west 215.11' along the south property line of said Block 123, Lot B (406 N. Goliad Street) and crossing to a point on the west right of way of Goliad Street;

THENCE southerly 170.59' following along the west right of way of Goliad Street to a point being the southeast corner of Block 17, Lot 15 of the Amick Addition (401-403 N. Goliad Street);

THENCE west 210' along the south property line of said Block B, Lot 15 of the Amick Addition for a corner;

THENCE northerly 101.05' along the west property line of said Block 17, Lot 15 of the Amick Addition;

THENCE easterly 70.83' along the north property line of Block 17, Lot 15 of the Amick Addition;

THENCE north 170' along the west property lines of Block 18B, Lot 17 and Block 19C, Lot 21 of the Amick Addition;

THENCE west 72.99' along the south property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE northerly 51.75' along the west property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE easterly 97.01' along the north property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE northerly 754.05' following along the west property lines of lots fronting Goliad Street to a point in the south property line of Block 23A, Lot 34 of the Amick Addition (803 N. Goliad Street);

THENCE west 115.03' along the south property line of said Block 23A, Lot 34 of the Amick Addition;

EXHIBIT 'A':
Legal Description

THENCE northerly 139.55' along the east right of way of N. Alamo Street;

THENCE east 99.47' following along the north property line of Block 24C, Lot 37 of the Amick Addition (805. N. Goliad Street) to a point;

THENCE northerly 250.95' following along the west property lines of lots fronting N. Goliad Street and crossing to the north right of way of Heath Street for a corner;

THENCE west 70.51' along the north right of way of Heath Street for a corner;

THENCE northerly 205.32' along the east right of way of N. Alamo Street;

THENCE easterly 103.92' along the south property line of Lot 1 of the Williams Addition;

THENCE northerly 334.45' following along the west property line of lots fronting Goliad Street to a point on the south property line of Block 29 of the Garner Addition (915 N. Goliad Street);

THENCE west 85.69' along the south property line of Block 29 of the Garner Addition (915 N. Goliad Street) to the east right of way of Alamo Street;

THENCE northerly 98.02' along the east right of way of Alamo Street for a point;

THENCE easterly 85.08' along the north property line of Block 29 of the Garner Addition (915 N. Goliad Street);

THENCE northerly 345.36' following along the west property line of lots fronting Goliad Street to a point in the south right-of-way of Block 32 of the Garner Addition (925 N. Goliad Street);

THENCE northerly 218.51' following along the east right of way of Alamo Street to the **POINT OF BEGINNING** containing approximately 21.266-acres of land.

EXHIBIT 'B':
Location Map

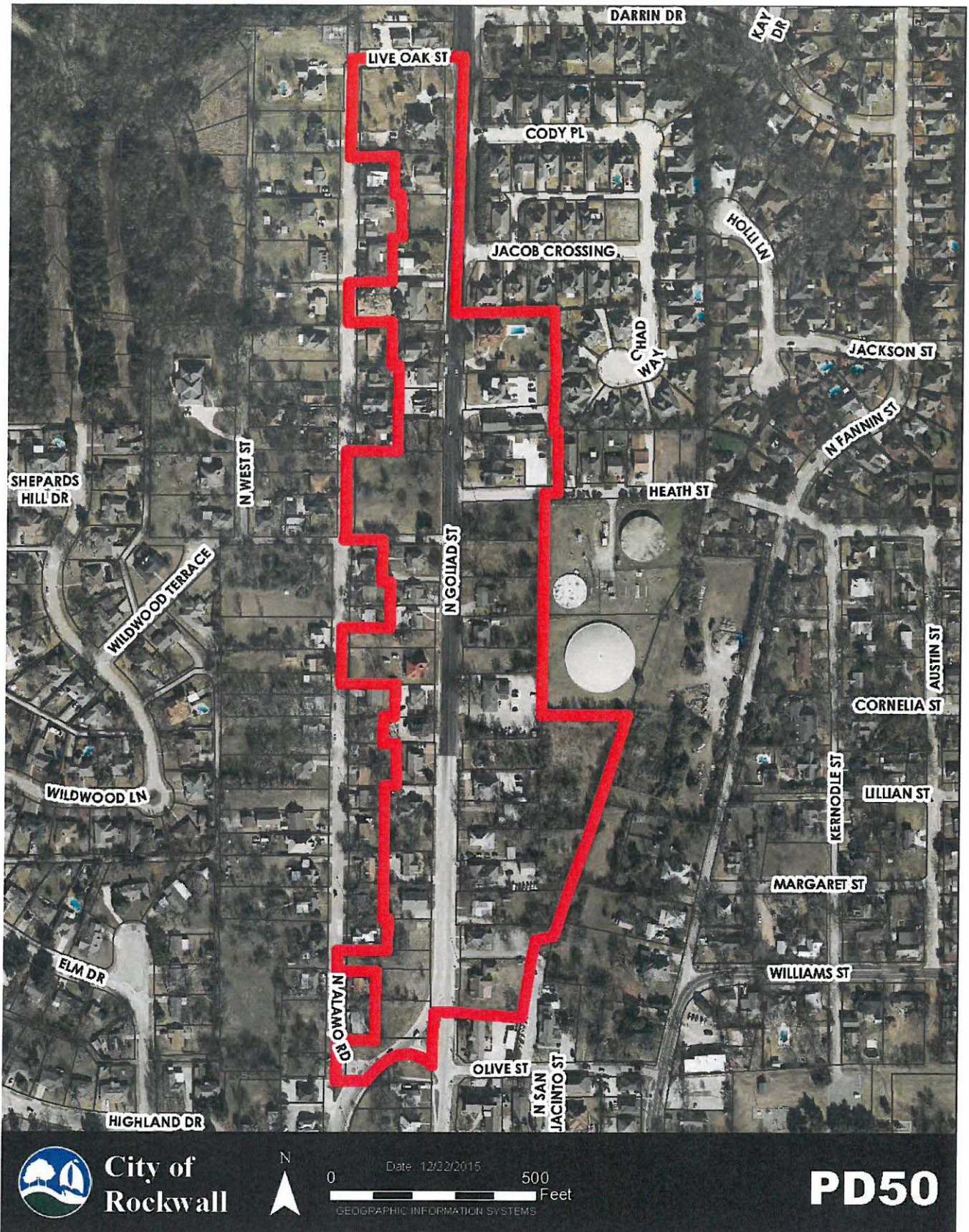


EXHIBIT 'C':
District Development Standards

Development Standards.

- 1) *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only those land uses permitted within the Residential Office (RO) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38], are allowed on the *Subject Property*; however, the following additions and conditions shall apply:
 - (a) *Antique/Collectable Sales.* The retail sales of antiques and collectables shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:
 - i. *Antique Sales* is defined as the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft esteemed for its artistry, beauty, craftsmanship, or period of origin.
 - ii. *Collectable Sales* is defined as the sale of an object that can be collected, or is suitable or desirable for collecting by hobbyist, or any of a class of old things (*but not antiques*) that people collect as a hobby.
 - iii. The sale of new or used clothing and appliances shall be prohibited.
 - iv. The maximum floor area permitted for *Antique/Collectable Sales* be limited to 2,000 square feet.
 - v. That individual lease areas within the *Antique/Collectable Sales* use be prohibited.
 - (b) *Banquet Facility (Event Venue).* A banquet facility or event venue shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:
 - i. *Banquet Facility* or *Event Venue* is defined as a commercial facility that can be rented out for the purpose of hosting private events (*e.g. birthday parties, wedding receptions, meetings, etc.*). These events shall not be open to the general public.
- 2) *Cross Access Easements.* Joint or shared access shall be required on all adjoining lots if any property is used for office development or any other non-residential use permitted by this ordinance.
- 3) *Parking.* That all non-residential land uses shall adhere to the following parking requirements:
 - (a) All parking shall be located behind the front façade of the primary structure and parking within the front yard of any property shall be prohibited.
 - (b) The parking requirements for all uses shall be subject to the requirements stipulated by Article VI, *Parking and Loading*, of the Unified Development Code [Ordinance No. 04-38] with the exception of *Professional Offices (excluding medical offices)* and *Banquet Facilities*. *Professional Offices* shall be subject to one (1) parking space per 500 SF of floor area and *Banquet Facilities* shall be subject to one (1) parking space per 100 SF of floor area.
 - (c) All drive aisles and parking areas required for the conversion and/or redevelopment of existing structures within the Planned Development District shall be paved in concrete. An exception for asphalt may be approved by the City Engineer.
- 4) *Site Plan.* All properties within the Planned Development District shall be subject to site plan review prior to changing the use from single-family residential.
- 5) *Variances.* In the event that unique or extraordinary conditions exist on the property such that the applicant cannot comply with the strict interpretation of this ordinance a variance can be requested from the City Council.

CITY OF ROCKWALL

ORDINANCE NO. 17-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) TO ALLOW AN *ANIMAL CLINIC FOR SMALL ANIMALS* LAND USE TO BE PERMITTED BY A SPECIFIC USE PERMIT (SUP) WITHIN THE SUBJECT PROPERTY, BEING A 21.266-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146 AND B. F. BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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, the City has received a request by David Falls requesting the approval of an amendment to Planned Development District 50 (PD-50) and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall for the purpose of amending the permitted land uses to allow for the addition of an *Animal Clinic for Small Animals* land use to be permitted by a Specific Use Permit (SUP) within a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 50 (PD-50), and more fully 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, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 50 (PD-50) and the Unified Development Code [Ordinance No. 04-38] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 16-15*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in *Exhibit 'C'* of this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Residential Office (RO) District as specified in Section 4.2, *Residential Office (RO) District*, of Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future;

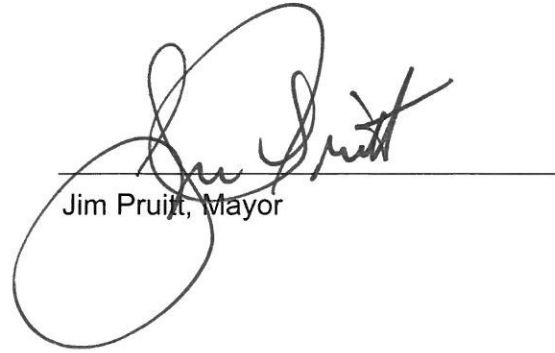
SECTION 4. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], 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 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [*Ordinance No. 04-38*] of any provision of the *City Code*, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code [*Ordinance No. 04-38*] (*including references to the Unified Development Code*), and references to overlay districts, in this ordinance or any of the *Exhibits* hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 17th DAY OF APRIL, 2017.**

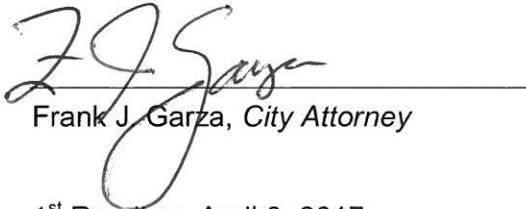


Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: April 3, 2017

2nd Reading: April 17, 2017

EXHIBIT 'A':
Legal Description

BEGINNING at a point in the northwest corner of Block 32 of the Garner Addition (925 N. Goliad Street);

THENCE easterly 211.13' along the south right of way of Live Oak Street for a corner;

THENCE southerly 598.12' along the west right of way of Goliad Street (SH-205);

THENCE east 54.44' across Goliad Street, to the northwest corner of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE east 220' following the north property line of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE southerly 441.42' following the east property lines of lots fronting Goliad Street to a point on the north right of way of Heath Street;

THENCE west 39.54' along the north right of way of Heath Street;

THENCE southerly following along the east property lines of lots fronting Goliad Street 562.59' to a point being the northwest corner of B.F. Boydston Survey, Block 123, Lot F (604 N Goliad Street);

THENCE east 210.09' along the north property line of said Block 123, Lot F for a corner;

THENCE southerly 289.31' along the eastern property line of said Block 123, Lot F for a corner;

THENCE southerly 519.9' following along the east property lines of lots fronting Goliad Street to a point being the southeast corner of B.F. Boydston Survey, Block 123, Lot B (406 N. Goliad Street);

THENCE west 215.11' along the south property line of said Block 123, Lot B (406 N. Goliad Street) and crossing to a point on the west right of way of Goliad Street;

THENCE southerly 170.59' following along the west right of way of Goliad Street to a point being the southeast corner of Block 17, Lot 15 of the Amick Addition (401-403 N. Goliad Street);

THENCE west 210' along the south property line of said Block B, Lot 15 of the Amick Addition for a corner;

THENCE northerly 101.05' along the west property line of said Block 17, Lot 15 of the Amick Addition;

THENCE easterly 70.83' along the north property line of Block 17, Lot 15 of the Amick Addition;

THENCE north 170' along the west property lines of Block 18B, Lot 17 and Block 19C, Lot 21 of the Amick Addition;

THENCE west 72.99' along the south property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE northerly 51.75' along the west property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE easterly 97.01' along the north property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE northerly 754.05' following along the west property lines of lots fronting Goliad Street to a point in the south property line of Block 23A, Lot 34 of the Amick Addition (803 N. Goliad Street);

THENCE west 115.03' along the south property line of said Block 23A, Lot 34 of the Amick Addition;

EXHIBIT 'A':
Legal Description

THENCE northerly 139.55' along the east right of way of N. Alamo Street;

THENCE east 99.47' following along the north property line of Block 24C, Lot 37 of the Amick Addition (805. N. Goliad Street) to a point;

THENCE northerly 250.95' following along the west property lines of lots fronting N. Goliad Street and crossing to the north right of way of Heath Street for a corner;

THENCE west 70.51' along the north right of way of Heath Street for a corner;

THENCE northerly 205. 32' along the east right of way of N. Alamo Street;

THENCE easterly 103.92' along the south property line of Lot 1 of the Williams Addition;

THENCE northerly 334.45' following along the west property line of lots fronting Goliad Street to a point on the south property line of Block 29 of the Garner Addition (915 N. Goliad Street);

THENCE west 85.69' along the south property line of Block 29 of the Garner Addition (915 N. Goliad Street) to the east right of way of Alamo Street;

THENCE northerly 98.02' along the east right of way of Alamo Street for a point;

THENCE easterly 85.08' along the north property line of Block 29 of the Garner Addition (915 N. Goliad Street);

THENCE northerly 345.36' following along the west property line of lots fronting Goliad Street to a point in the south right-of-way of Block 32 of the Garner Addition (925 N. Goliad Street);

THENCE northerly 218.51' following along the east right of way of Alamo Street to the **POINT OF BEGINNING** containing approximately 21.266-acres of land.

EXHIBIT 'B':
Location Map

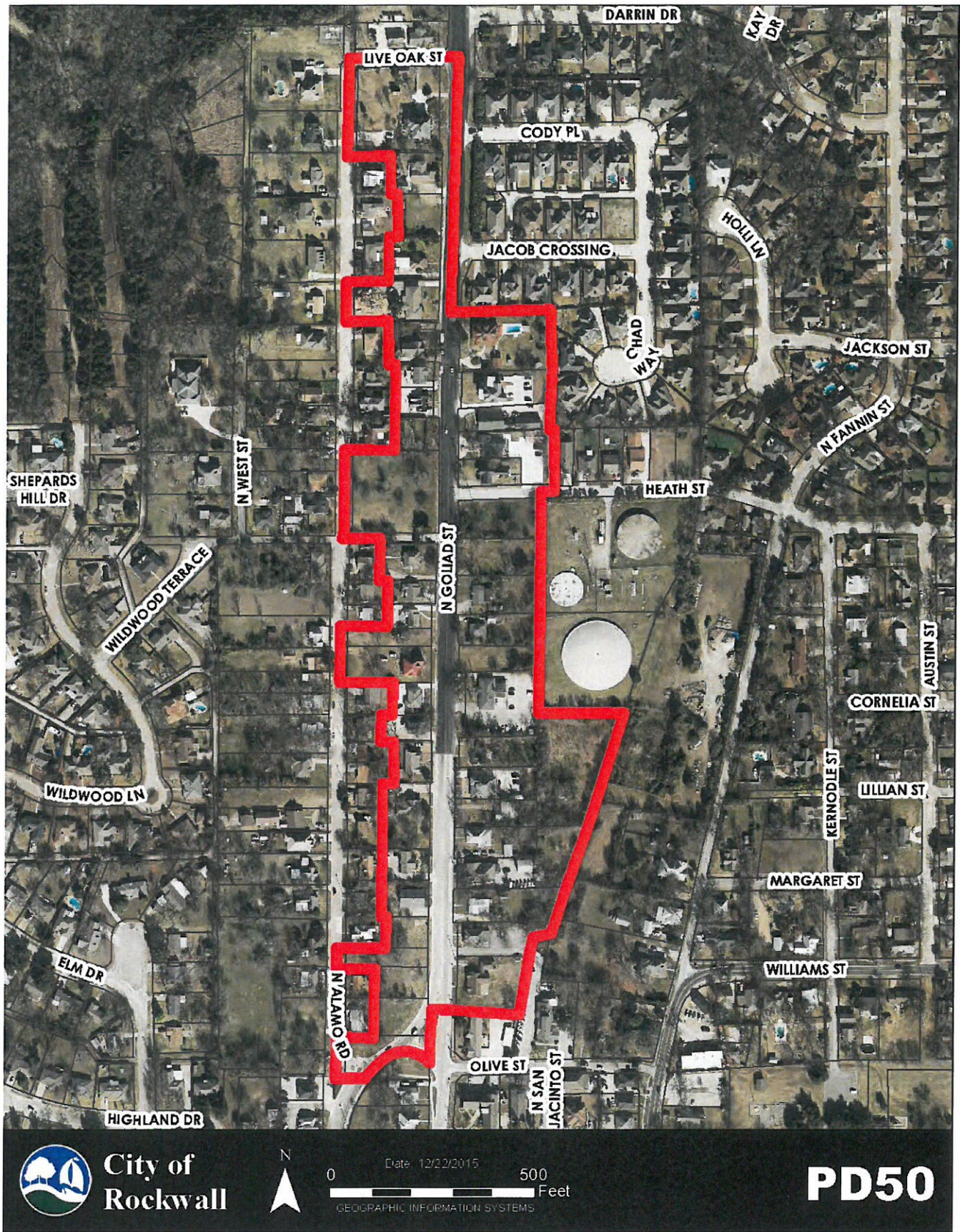


EXHIBIT 'C':
District Development Standards

Development Standards.

- 1) *Permitted Uses.* Unless specifically provided by this Planned Development District ordinance, only those land uses permitted within the Residential Office (RO) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38], are allowed on the *Subject Property*; however, the following additions and conditions shall apply:
 - (a) *Antique/Collectable Sales.* The retail sales of antiques and collectables shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:
 - i. *Antique Sales* is defined as the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft esteemed for its artistry, beauty, craftsmanship, or period of origin.
 - ii. *Collectable Sales* is defined as the sale of an object that can be collected, or is suitable or desirable for collecting by hobbyist, or any of a class of old things (*but not antiques*) that people collect as a hobby.
 - iii. The sale of new or used clothing and appliances shall be prohibited.
 - iv. The maximum floor area permitted for *Antique/Collectable Sales* be limited to 2,000 square feet.
 - v. That individual lease areas within the *Antique/Collectable Sales* use be prohibited.
 - (b) *Banquet Facility (Event Venue).* A banquet facility or event venue shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:
 - i. *Banquet Facility* or *Event Venue* is defined as a commercial facility that can be rented out for the purpose of hosting private events (*e.g. birthday parties, wedding receptions, meetings, etc.*). These events shall not be open to the general public.
 - (c) *Animal Clinic for Small Animals.* An animal clinic for small animals shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions.
 - i. An *Animal Clinic for Small Animals* is defined as a place where animals or pets are given medical or surgical treatments and care.
 - ii. The accessory use as a kennel shall be limited to short-term boarding and shall be only incidental to the *Animal Clinic for Small Animals* use.
 - iii. No outdoor pens or kennels shall be permitted.
- 2) *Cross Access Easements.* Joint or shared access shall be required on all adjoining lots if any property is used for office development or any other non-residential use permitted by this ordinance.
- 3) *Parking.* That all non-residential land uses shall adhere to the following parking requirements:
 - (a) All parking shall be located behind the front façade of the primary structure and parking within the front yard of any property shall be prohibited.
 - (b) The parking requirements for all uses shall be subject to the requirements stipulated by Article VI, *Parking and Loading*, of the Unified Development Code [Ordinance No. 04-38] with the exception of *Professional Offices (excluding medical offices)* and *Banquet Facilities*.

EXHIBIT 'C':
District Development Standards

Professional Offices shall be subject to one (1) parking space per 500 SF of floor area and *Banquet Facilities* shall be subject to one (1) parking space per 100 SF of floor area.

- (c) All drive aisles and parking areas required for the conversion and/or redevelopment of existing structures within the Planned Development District shall be paved in concrete. An exception for asphalt may be approved by the City Engineer.
- 4) *Site Plan.* All properties within the Planned Development District shall be subject to site plan review prior to changing the use from single-family residential.
- 5) *Variances.* In the event that unique or extraordinary conditions exist on the property such that the applicant cannot comply with the strict interpretation of this ordinance a variance can be requested from the City Council.

CITY OF ROCKWALL

ORDINANCE NO. 23-60

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [*ORDINANCE NO. 17-19*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) TO ALLOW AN *GENERAL PERSONAL SERVICE* LAND USE TO BE PERMITTED BY A SPECIFIC USE PERMIT (SUP) WITHIN THE SUBJECT PROPERTY, BEING A 21.266-ACRE TRACT OF LAND SITUATED WITHIN THE S. S. McCURRY SURVEY, ABSTRACT NO. 146 AND B. F. BOYDSTON SURVEY, ABSTRACT NO. 14, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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, the City has received a request by Cari Foote requesting the approval of an amendment to Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall for the purpose of amending the permitted land uses to allow for the addition of an *General Personal Service* land use to be permitted by a Specific Use Permit (SUP) within a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 50 (PD-50), and more fully 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, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 50 (PD-50) [*Ordinance No. 17-19*] and the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 17-19*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That the *Subject Property* shall be developed and/or used only in the manner and for the purposes described in *Exhibit 'C'* of this ordinance, and unless specifically modified within this ordinance the *Subject Property* shall adhere to all development standards stipulated by the Residential Office (RO) District as specified in Subsection 04.02, *Residential-Office (RO) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future;

SECTION 4. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], 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;

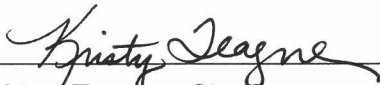
SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code [*Ordinance No. 04-38*] of any provision of the *City Code*, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code [*Ordinance No. 04-38*] (*including references to the Unified Development Code*), and references to overlay districts, in this ordinance or any of the *Exhibits* hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6th DAY OF NOVEMBER, 2023.**



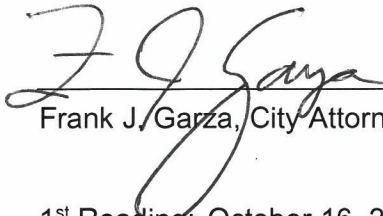
Trace Johannesen, Mayor

ATTEST:



Kristy Teague, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: October 16, 2023

2nd Reading: November 6, 2023

EXHIBIT 'A':
Legal Description

BEGINNING at a point in the northwest corner of Block 32 of the Garner Addition (925 N. Goliad Street);

THENCE easterly 211.13' along the south right of way of Live Oak Street for a corner;

THENCE southerly 598.12' along the west right of way of Goliad Street (SH-205);

THENCE east 54.44' across Goliad Street, to the northwest corner of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE east 220' following the north property line of Block 160, Lot 1 of the Austin Addition (912 N. Goliad Street);

THENCE southerly 441.42' following the east property lines of lots fronting Goliad Street to a point on the north right of way of Heath Street;

THENCE west 39.54' along the north right of way of Heath Street;

THENCE southerly following along the east property lines of lots fronting Goliad Street 562.59' to a point being the northwest corner of B.F. Boydston Survey, Block 123, Lot F (604 N Goliad Street);

THENCE east 210.09' along the north property line of said Block 123, Lot F for a corner;

THENCE southerly 289.31' along the eastern property line of said Block 123, Lot F for a corner;

THENCE southerly 519.9' following along the east property lines of lots fronting Goliad Street to a point being the southeast corner of B.F. Boydston Survey, Block 123, Lot B (406 N. Goliad Street);

THENCE west 215.11' along the south property line of said Block 123, Lot B (406 N. Goliad Street) and crossing to a point on the west right of way of Goliad Street;

THENCE southerly 170.59' following along the west right of way of Goliad Street to a point being the southeast corner of Block 17, Lot 15 of the Amick Addition (401-403 N. Goliad Street);

THENCE west 210' along the south property line of said Block B, Lot 15 of the Amick Addition for a corner;

THENCE northerly 101.05' along the west property line of said Block 17, Lot 15 of the Amick Addition;

THENCE easterly 70.83' along the north property line of Block 17, Lot 15 of the Amick Addition;

THENCE north 170' along the west property lines of Block 18B, Lot 17 and Block 19C, Lot 21 of the Amick Addition;

THENCE west 72.99' along the south property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

EXHIBIT 'A':
Legal Description

THENCE northerly 51.75' along the west property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE easterly 97.01' along the north property line of Block 19B, Lot 19 of the Amick Addition (501½ N. Goliad Street);

THENCE northerly 754.05' following along the west property lines of lots fronting Goliad Street to a point in the south property line of Block 23A, Lot 34 of the Amick Addition (803 N. Goliad Street);

THENCE west 115.03' along the south property line of said Block 23A, Lot 34 of the Amick Addition;

THENCE northerly 139.55' along the east right of way of N. Alamo Street;

THENCE east 99.47' following along the north property line of Block 24C, Lot 37 of the Amick Addition (805. N. Goliad Street) to a point;

THENCE northerly 250.95' following along the west property lines of lots fronting N. Goliad Street and crossing to the north right of way of Heath Street for a corner;

THENCE west 70.51' along the north right of way of Heath Street for a corner;

THENCE northerly 205. 32' along the east right of way of N. Alamo Street;

THENCE easterly 103.92' along the south property line of Lot 1 of the Williams Addition;

THENCE northerly 334.45' following along the west property line of lots fronting Goliad Street to a point on the south property line of Block 29 of the Garner Addition (915 N. Goliad Street);

THENCE west 85.69' along the south property line of Block 29 of the Garner Addition (915 N. Goliad Street) to the east right of way of Alamo Street;

THENCE northerly 98.02' along the east right of way of Alamo Street for a point;

THENCE easterly 85.08' along the north property line of Block 29 of the Garner Addition (915 N. Goliad Street);

THENCE northerly 345.36' following along the west property line of lots fronting Goliad Street to a point in the south right-of-way of Block 32 of the Garner Addition (925 N. Goliad Street);

THENCE northerly 218.51' following along the east right of way of Alamo Street to the **POINT OF BEGINNING** containing approximately 21.266-acres of land.

EXHIBIT 'B':
Location Map

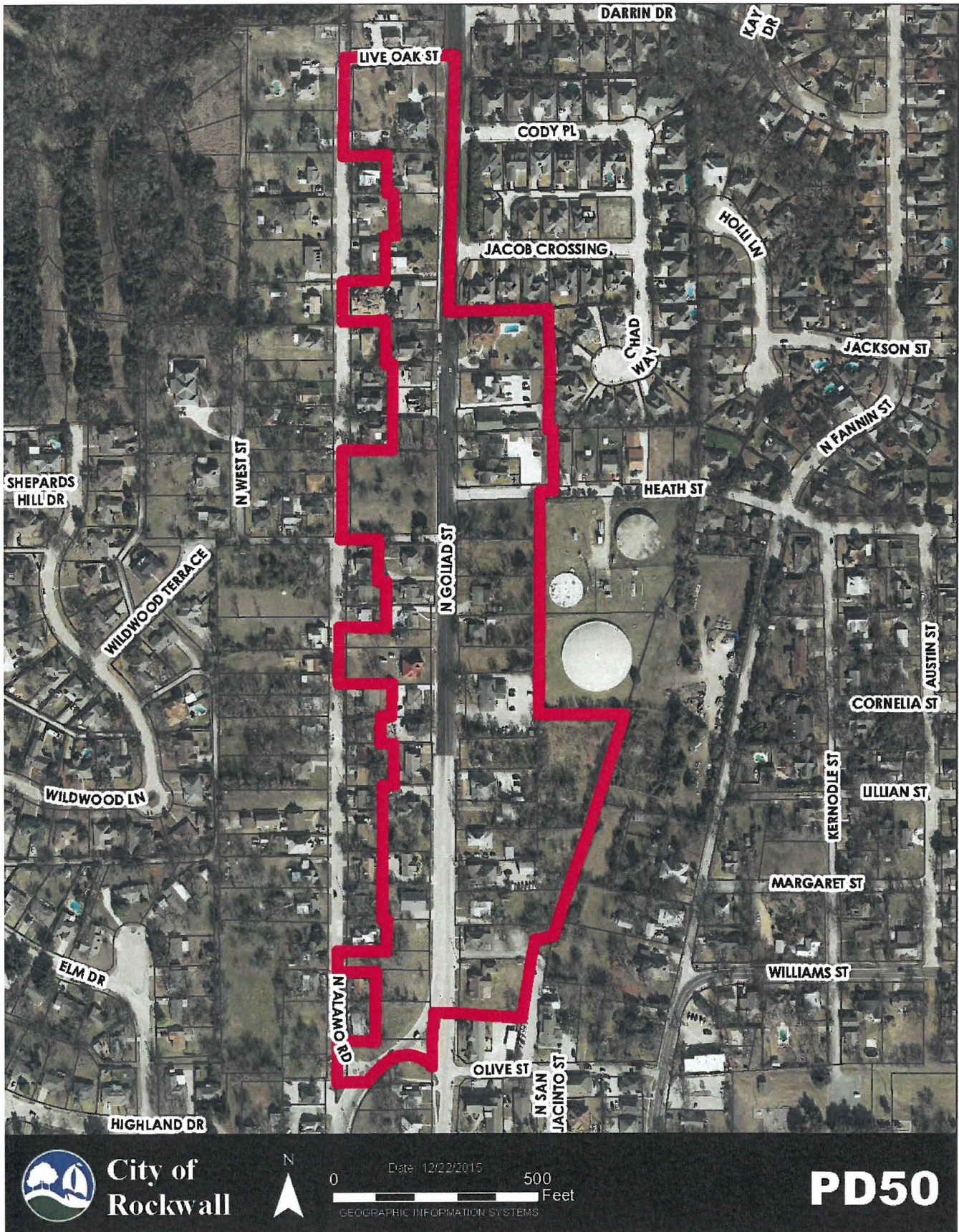


EXHIBIT 'C':
District Development Standards

Development Standards.

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 - (a) *Antique/Collectable Sales.* The retail sales of antiques and collectables shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:
 - i. *Antique Sales* is defined as the sale of an object having value because of its age, especially a domestic item or piece of furniture or handicraft esteemed for its artistry, beauty, craftsmanship, or period of origin.
 - ii. *Collectable Sales* is defined as the sale of an object that can be collected, or is suitable or desirable for collecting by hobbyist, or any of a class of old things (*but not antiques*) that people collect as a hobby.
 - iii. The sale of new or used clothing and appliances shall be prohibited.
 - iv. The maximum floor area permitted for *Antique/Collectable Sales* be limited to 2,000 square feet.
 - v. That individual lease areas within the *Antique/Collectable Sales* use be prohibited.
 - (b) *Banquet Facility (Event Venue).* A banquet facility or event venue shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions:
 - i. *Banquet Facility* or *Event Venue* is defined as a commercial facility that can be rented out for the purpose of hosting private events (*e.g. birthday parties, wedding receptions, meetings, etc.*). These events shall not be open to the general public.
 - (c) *Animal Clinic for Small Animals.* An animal clinic for small animals shall be permitted through the approval of a Specific Use Permit (SUP) by the City Council; however, such use shall be subject to the following conditions.
 - i. An *Animal Clinic for Small Animals* is defined as a place where animals or pets are given medical or surgical treatments and care.
 - ii. The accessory use as a kennel shall be limited to short-term boarding and shall be only incidental to the *Animal Clinic for Small Animals* use.
 - iii. No outdoor pens or kennels shall be permitted.
 - (d) *General Personal Service.* A general personal service shall be as defined in Article 13, *Definitions*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and be

EXHIBIT 'C':
District Development Standards

permitted through the approval of a Specific Use Permit (SUP) on a case-by-case basis by the City Council.

- 2) *Cross Access Easements.* Joint or shared access shall be required on all adjoining lots if any property is used for office development or any other non-residential use permitted by this ordinance.
- 3) *Parking.* That all non-residential land uses shall adhere to the following parking requirements:
 - (a) All parking shall be located behind the front façade of the primary structure and parking within the front yard of any property shall be prohibited.
 - (b) The parking requirements for all uses shall be subject to the requirements stipulated by Article VI, *Parking and Loading*, of the Unified Development Code [Ordinance No. 04-38] with the exception of *Professional Offices (excluding medical offices)* and *Banquet Facilities*. *Professional Offices* shall be subject to one (1) parking space per 500 SF of floor area and *Banquet Facilities* shall be subject to one (1) parking space per 100 SF of floor area.
 - (c) All drive aisles and parking areas required for the conversion and/or redevelopment of existing structures within the Planned Development District shall be paved in concrete. An exception for asphalt may be approved by the City Engineer.
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