

CITY OF ROCKWALL

ORDINANCE NO. 24-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 4 (PD-4) [ORDINANCE NO. 72-03 & 01-26] 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 4 (PD-4) BEING 12.1148-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED 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 of Rockwall has received a request from Matt Wavering of the Rockwall Economic Development Corporation (REDC) for the approval of an amendment to Planned Development District 4 (PD-4) [*Ordinance No. 72-03 & 01-26*] being a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, which is more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, and 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 4 (PD-4) [*Ordinance No.'s 72-03 & 01-26*] 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.'s 72-03 & 01-26*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District 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 development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein

by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the *Concept Building Elevations*, depicted in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That development of the *Subject Property* shall generally be in accordance with the *PD Development Standards*, described in *Exhibit 'E'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'E'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 6. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

SECTION 7. 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 8. 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 9. 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;

SECTION 10. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2nd DAY OF JANUARY, 2024.

Trace Johannesen, Mayor



ATTEST:

Kristy Teague, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: December 18, 2023

2nd Reading: January 2, 2024

EXHIBIT 'A':
Legal Description

BEING a tract of land situated in the David Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, and being a portion of a tract of land described in the Special Warranty Deed to HFS Management Inc., recorded in Volume 1194, Page 256, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at 3/8-inch iron rod found in the east right-of-way line of Ridge Road (also known as Farm to Market Highway No. 740, a variable width right-of-way), same being the northeast corner of a called 40,736 square foot tract of land described in the Right-of-Way Deed to the City of Rockwall, recorded in Volume 1617, Page 25, Deed Records, Rockwall County, Texas, and being the southwest corner of Lot 3, Block A of Rockwall Commons Replat, an Addition to the City of Rockwall according to the plat thereof recorded in Instrument No. 20100000443217, Official Public Records, Rockwall County, Texas, and being in the north line of said HFS Management Inc., tract;

THENCE with the north line of said HFS Management Inc., tract, South 72°24'25" East, a distance of 378.20 feet to a 1/2-inch iron rod found in the west right-of-way line of MKT Railroad (a 100-foot right-of-way), same being the southeast corner of Lot 4, Block A of the aforementioned Rockwall Commons Replat;

THENCE with the west right-of-way line of said MKT Railroad, the following courses and distances:

South 17°43'18" West, a distance of 701.65 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right with a radius of 3,476.10 feet, a central angle of 06°28'33", and a chord bearing and distance of South 20°06'12" West, 392.68 feet;

In a southerly direction, with said non-tangent curve to the right, an arc distance of 392.89 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right with a radius of 2,716.45 feet, a central angle of 05°39'00", and a chord bearing and distance of South 26°34'50" West, 267.77 feet;

In a southerly direction, with said non-tangent curve to the right, an arc distance of 267.88 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right with a radius of 4,855.10 feet, a central angle of 06°43'18", and a chord bearing and distance of South 33°17'38" West, 569.25 feet;

In a southerly direction, with said non-tangent curve to the right, an arc distance of 569.58 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" set at the intersection of the west right-of-way line of said MKT Railroad and the east right-of-way line of said Ridge Road;

THENCE with said east right-of-way line of Ridge Road and the east line of the aforementioned 40,736 square foot tract, the following courses and distances:

North 09°42'12" West, a distance of 60.60 feet to a 4-inch bronze disk stamped "Texas Department of Transportation" found (hereinafter called bronze disk);

North 06°34'38" West, a distance of 94.51 feet to a bronze disk found;

North 00°38'06" East, a distance of 94.67 feet to a bronze disk found;

EXHIBIT 'A':
Legal Description

North 07°14'21" East, a distance of 94.72 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" set;

North 13°14'21" East, a distance of 94.72 feet to a bronze disk found;

North 19°07'43" East, a distance of 91.23 feet to a bronze disk found;

North 23°07'22" East, a distance of 103.71 feet to a bronze disk found;

North 27°43'42" East, a distance of 100.50 feet to a bronze disk found;

North 20°05'18" East, a distance of 105.14 feet to a bronze disk found;

North 15°02'32" East, a distance of 103.16 feet to a bronze disk found;

North 08°35'28" East, a distance of 100.50 feet to a bronze disk found;

North 14°18'06" East, a distance of 200.00 feet to a bronze disk found;

North 20°00'44" East, a distance of 100.50 feet to a bronze disk found;

North 14°18'06" East, a distance of 100.00 feet to a bronze disk found;

North 10°17'51" East, a distance of 100.24 feet to a bronze disk found;

North 12°34'47" East, a distance of 100.14 feet to a bronze disk found;

North 13°26'55" East, a distance of 151.36 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" set;

North 11°41'22" East, a distance of 138.13 feet to the POINT OF BEGINNING and containing a calculated area of 529,088 square feet or 12.1462 acres of land.

EXHIBIT 'C':
Concept Plan

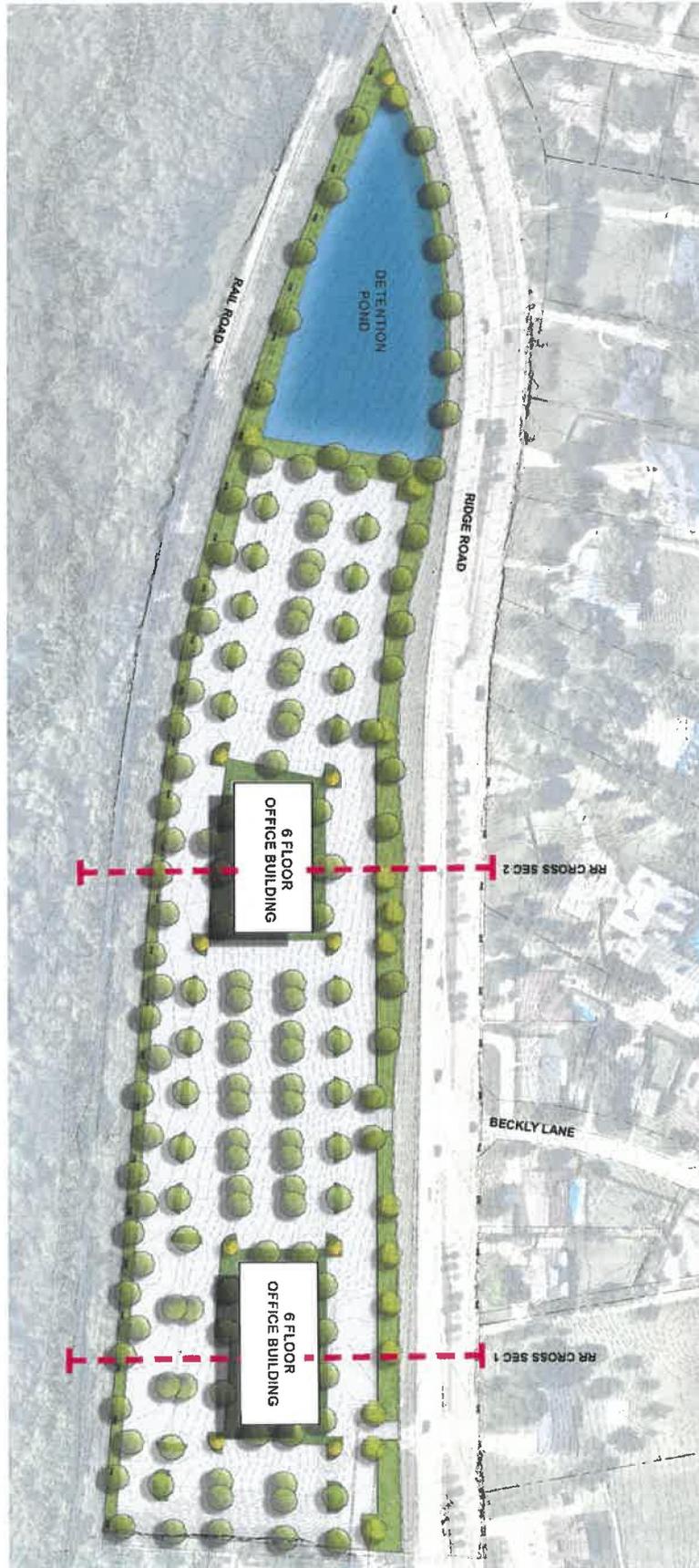


EXHIBIT 'D':
Conceptual Cross Sections

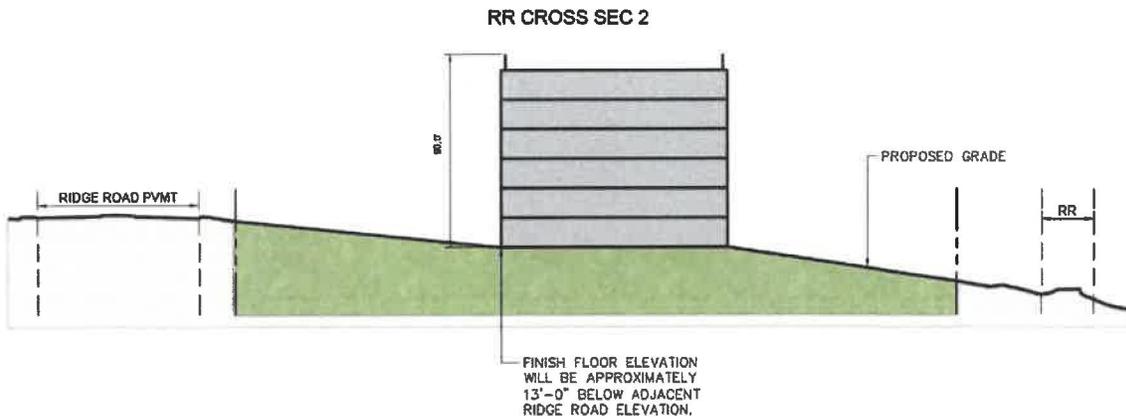
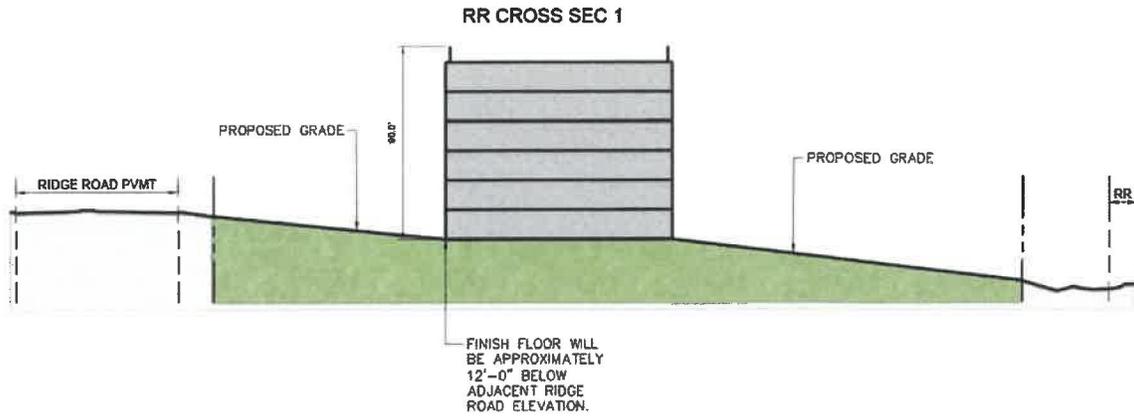


EXHIBIT 'E':
PD Development Standards

(A) *Purpose Statement.* The purpose of this Planned Development District is to provide Class 'A' corporate offices that will be occupied by tenants that can provide high-quality employment opportunities for the citizens of Rockwall. In addition, this Planned Development District aims at attracting offices that can provide significant tax value and investment for the community. This type of development could include one (1) or two (2) large office buildings -- *and potentially some accessory or supporting land uses (e.g. retail, restaurant, etc.)* -- as depicted in the *Concept Plan* in Exhibit 'A'.

(B) *Permitted Uses.* The *Subject Property* shall be subject to the land uses permitted in the General Retail (GR) District contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional land uses and restrictions:

Land Uses Permitted *By-Right*:

- Office Buildings Greater Than 25,000 SF

Prohibited Land Uses:

- Animal Clinic for Small Animals without Outdoor Pens
- Animal Boarding/Kennel without Outside Pens
- Animal Hospital, Clinic
- Convent, Monastery, or Temple
- Hotel or Motel (*i.e. Limited Service, Full Service, Residence*)
- Hotel, Residence
- Caretakers Quarters/Domestic or Security Unit
- Convalescent Care Facility/Nursing Home
- Daycare with Seven (7) or More Children
- Emergency Ground Ambulance Service
- Group or Community Home
- Hospice
- Hospital
- Public Library, Art Gallery or Museum
- Local Post Office
- Public or Private Primary School
- Public or Private Secondary School
- Cemetery/Mausoleum
- Mortuary of Funeral Chapel
- Temporary Carnival, Circus, or Amusement Ride
- Outdoor Commercial Amusement/Recreation
- Indoor Gun Club with Skeet or Target
- Antique/Collectible Store
- Astrologer, Hypnotist, or Psychic
- Garden Supply/Plant Nursery
- Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- Pawn Shop
- Laundromat with Dropoff/Pickup Services
- Self Service Laundromat
- Social Service Provider

EXHIBIT 'E':
PD Development Standards

- ☑ Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In
- ☑ Restaurant with 2,000 SF or More with Drive-Through or Drive-In
- ☑ Full Service Car Wash and Auto Detail
- ☑ Self Service Car Wash
- ☑ Service Station
- ☑ Mining and Extraction of (*Sand, Gravel, Oil and/or Other Materials*)
- ☑ Helipad
- ☑ Railroad Yard or Shop
- ☑ Transit Passenger Facility

(C) ***Density and Dimensional Requirements.*** The *Subject Property* shall generally be developed in accordance with the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance; however, deviations in the number of buildings and building locations may be approved through the site plan process, as long as, the proposed development conforms to the spirit and intent of the stated purpose of this Planned Development District ordinance. In addition, unless specifically provided by this Planned Development District ordinance, any development of the *Subject Property* shall conform to the requirements stipulated for the General Retail (GR) District and the Scenic Overlay (SOV) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, the subject property shall conform to the following standards:

TABLE 1: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT WIDTH	60-FEET
MINIMUM LOT DEPTH	100-FEET
MINIMUM LOT AREA	6,000 SF
MINIMUM FRONT YARD SETBACK ^{1 & 2}	25-FEET
MINIMUM SIDE YARD SETBACK	10-FEET
MINIMUM REAR YARD SETBACK	10-FEET
BETWEEN BUILDINGS	15-FEET
MAXIMUM HEIGHT	90-FEET
MAXIMUM LOT COVERAGE	60%
FLOOR AREA RATIO	4:1

NOTES:

¹: A MAXIMUM OF ONE (1) ROW OF PARKING MAY BE LOCATED BETWEEN THE FRONT FAÇADE AND THE PROPERTY LINE.

²: THE FRONT YARD SETBACK SHALL CREATE A UNIFORM BUILDING FRONTAGE ALONG RIDGE ROAD [FM-740].

(D) ***PD Development Plan.*** A *PD Development Plan* shall be required if a proposed development within Planned Development District 4 (PD-4) does not meet the stated purpose described in Subsection (A) of *Exhibit 'E'* of this ordinance, and/or does not meet the intent of the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance. If a *PD Development Plan* is required it shall be submitted and approved in accordance with requirements of Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC).

(E) ***Variances.*** The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.