

ORDINANCE NO. 99-05

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "A" AGRICULTURAL CLASSIFICATION TO PLANNED DEVELOPMENT ZONING "PD- 46 PLANNED DEVELOPMENT NUMBER 46; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in the classification of a zoning district has been initiated by the City of Rockwall for the property more specifically described in Exhibit "A" attached hereto; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the state of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give "Planned Development District No.46 classification to the tract of land described in Exhibits "A" and "B" attached hereto and made part of.

SECTION 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided for in Exhibit "B" and 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. The granting of this zoning classification for the property as described in Exhibit "A" is subject to the following special conditions:

- A. The use of the property shall be regulated by the following requirements:
 1. The uses, area requirements and development standards of the Commercial zoning category of the Comprehensive Zoning ordinance as currently adopted, or as revised in the future, and Exhibit "B" except as otherwise provided for in this ordinance.

- B. Those tracts with existing buildings will be allowed to use the same exterior materials currently shown in Exhibit "B" for any new buildings that are built. However, if an existing building is expanded to an amount that equals 50% of the appraised tax value of that building, the requirements of the commercial zoning district exterior materials shall be met.

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.

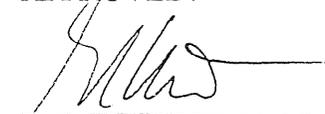
SECTION 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application 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 ordinance be and the same are hereby repealed to the extent of that conflict.

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 case provides.

DULY PASSED AND APPROVED this 1st day of March, 1999.

APPROVED:



Mayor
George R. Hatfield

ATTEST:

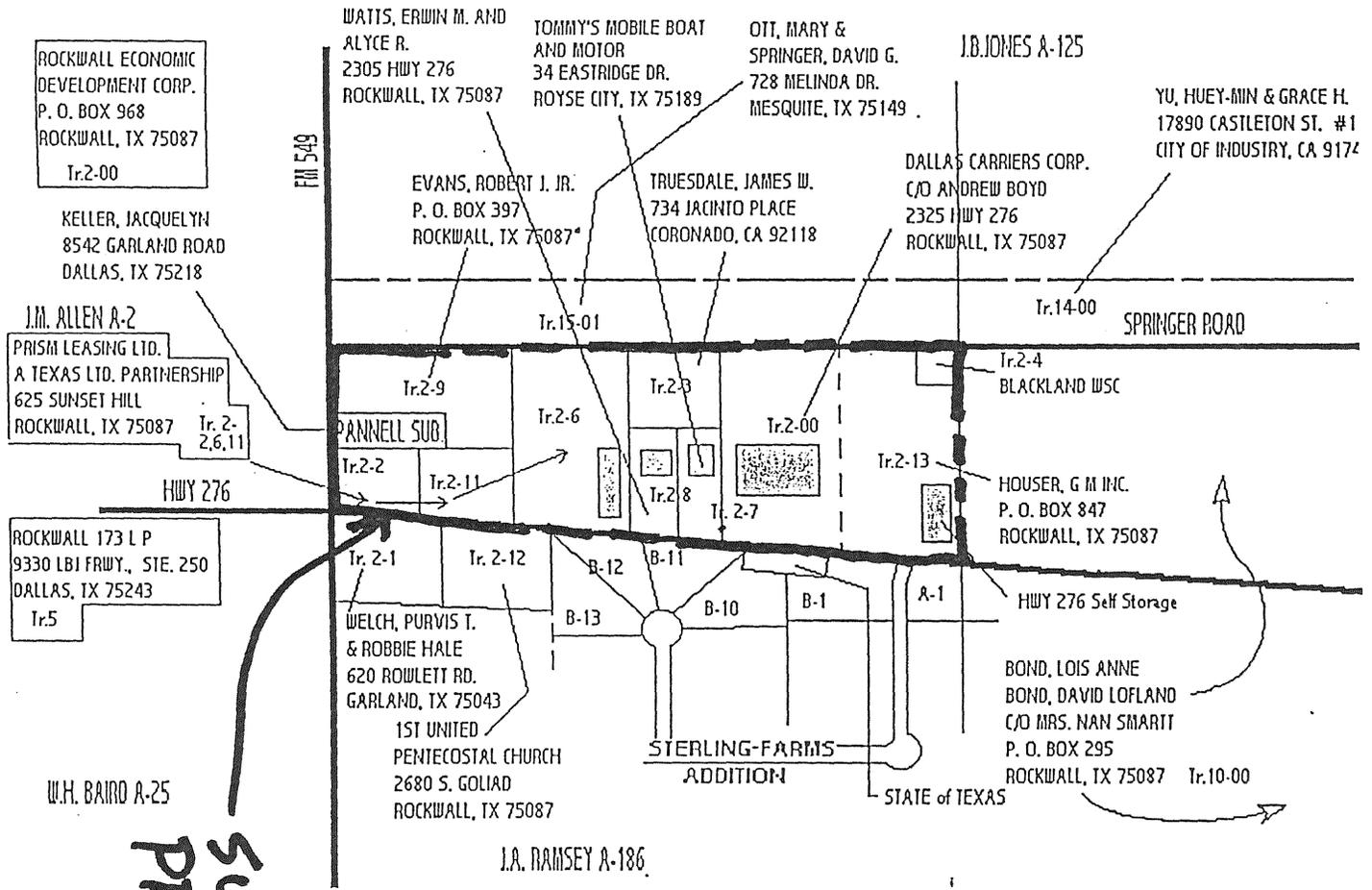
BY Cindy Kindred
Cindy Kindred, City Secretary

1st reading 2/15/99

2nd reading 3/1/99



EXHIBIT "A"



SUBJECT PROPERTY

98-87

J. A Ramsey A-186

Track 2, Lot 00 - 10.001 Acres

Ownership: **Continental Express**
(As of Jan. 1, 1999)
2325 Hwy 276
Rockwall, Texas 75087

Property Use: **Trucking/Freight**
Carrier Company

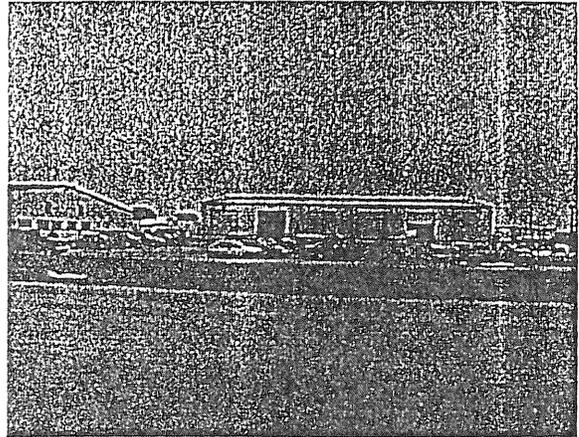
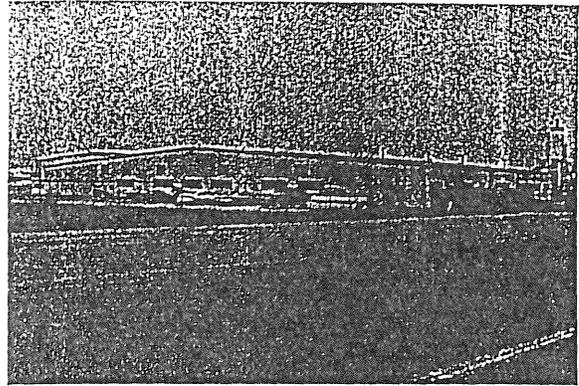
- Outside Storage of Trucks and Trailers
- Limited Outside Storage of Pallets
- Metal Buildings

Proposed Zoning

Commercial

***Permitted uses** - those uses in the permitted use section of the zoning ordinance and trucking operation and associated uses.

***Conditional uses** - those uses in the conditional use section of the zoning ordinance.



Track 2, Lot 2 - 2.00 Acs.

Ownership: **Prism Leasing Ltd.**
A Texas Limited Partnership
625 Sunset Hill
Rockwall, Texas 75087

Property Use: **Rockwall Tire & Battery**
Proprietor: **Roland Cobb**

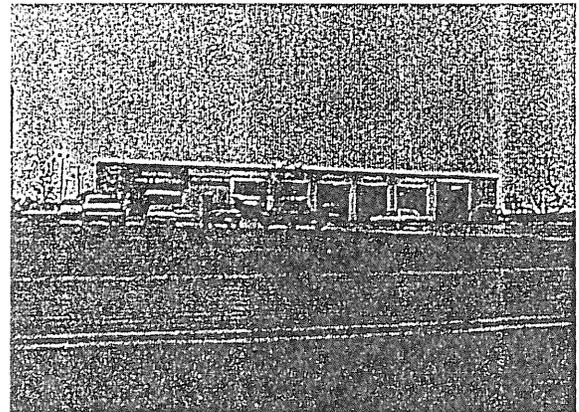
- Minor Auto Repair
- Limited Outside Storage
- Metal Building

Proposed Zoning

Commercial

***Permitted uses** - those uses in the permitted use section of the zoning ordinance and minor auto repair and associated uses

***Conditional uses** - those uses in the conditional use section of the zoning ordinance.



Track 2, Lot 3 - 2.5 Acs.

Ownership: James W. Truesdale

734 Jacinto Place

Coronado, Calif. 92118

Property Use: Existing Vacant Building

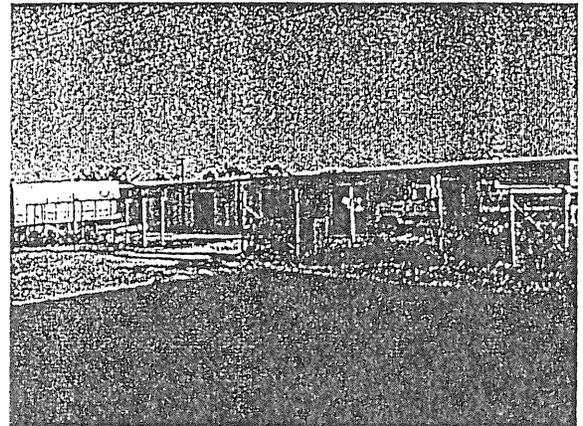
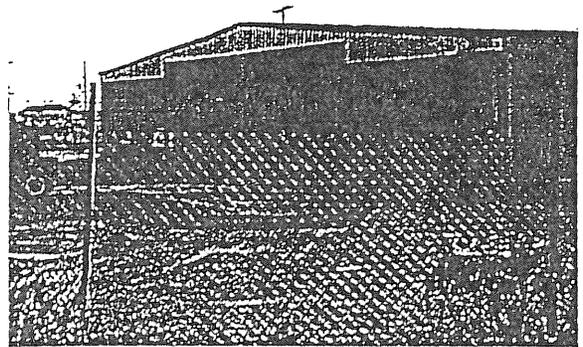
- Possibly a Contractor's Yard
- Outside Storage of Equipment
- Metal Building

Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance and contractor yard and equipment yard.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.



Track 2, Lot 4 - 0.436 Acs.

Ownership: Blackland WSC

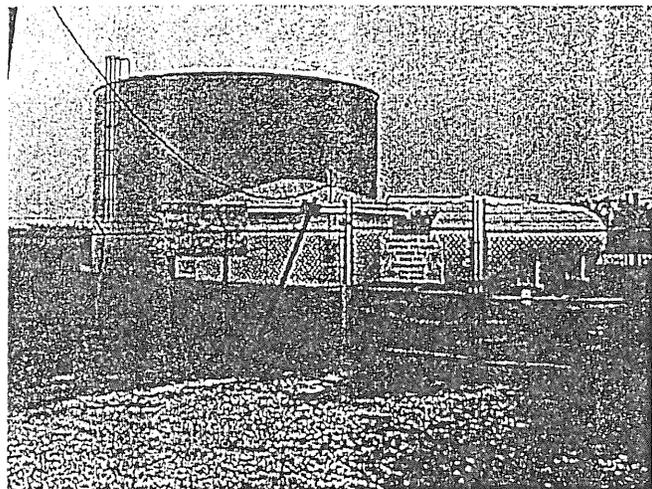
Property Use: Water Station

Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.

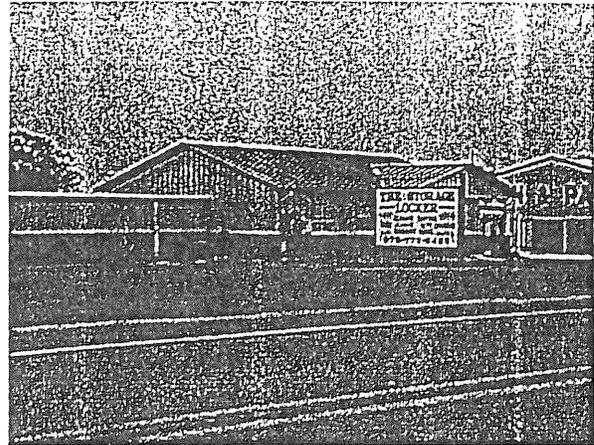


Track 2, Lot 6 - 5.00 Acs.

Ownership: Prism Leasing Ltd.
A Texas Limited
Partnership
625 Sunset Hill
Rockwall, Texas 75087

Property Use: Self Storage Facility

- No Outside Storage
- Metal Building with Some Brick Accents
along SH 276

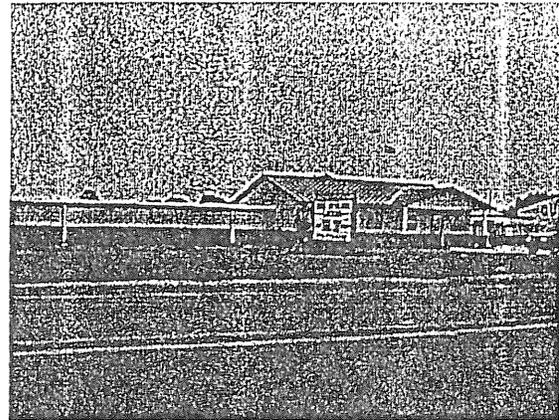


Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance and mini-warehouses with no overhead doors facing the street.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.

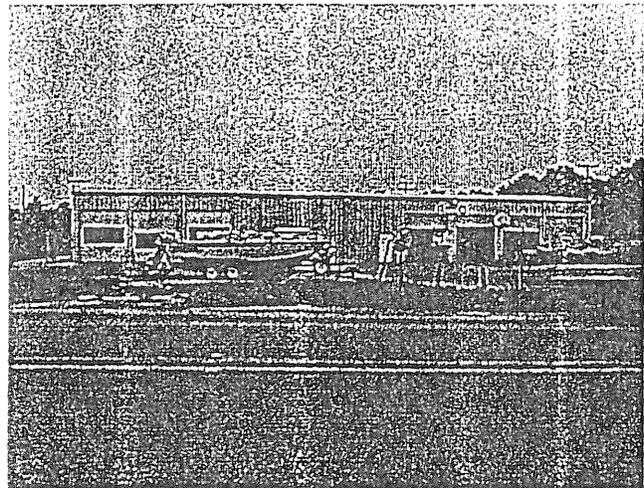


Track 2, Lot 7 - 1.5 Acs.

Ownership: Tommy's Mobile Boat
and Motor
34 Eastridge Drive
Royse City, Texas 75189

Property Use: Boat Motor Repair
Facility

- Limited Outside Storage of Boats
- Metal Building
- Outside Display for Boat Sales



Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance and boat repair with accessory sales.

*Conditional uses -. those uses in the conditional use section of the zoning ordinance.

Track 2, Lot 8 - 1 Ac.

Ownership: Erwin M. and
Alyce R. Watts
2305 Hwy 276
Rockwall, Texas 75087

Property Use: Watt's Gun and Pawn

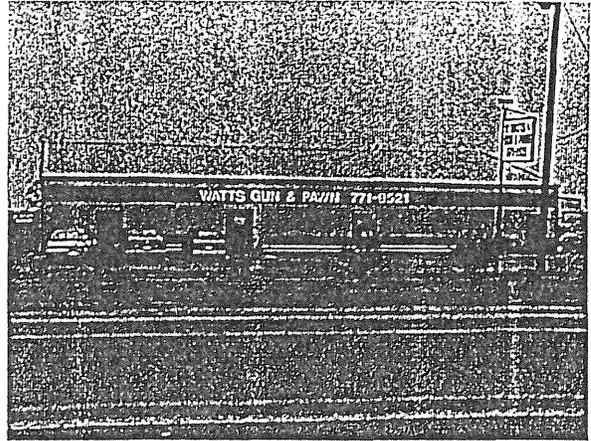
- No Outside Storage
- Tilt Wall Construction
- On-Site Security Live-In

Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance and pawn shop with On-Site Security Live-In

*Conditional uses - those uses in the conditional use section of the zoning ordinance.



Track 2, Lot 9 - 3.07 Acs.

Ownership: Robert J. Evans, Jr.
P. O. Box 397
Rockwall, Texas 75087

Property Use: Vacant

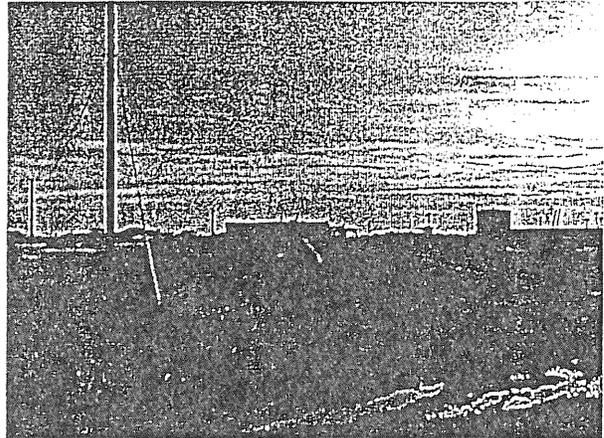
- Dirt Stockpiles
- Concrete Stockpiles
- Assortment of Junk and Refuse

Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.



Track 2, Lot 11 - 2.00 Acs.

Ownership: Prism Leasing Limited
A Texas Limited Partnership
625 Sunset Hill
Rockwall, Texas 75087

Property Use: Vacant

Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.

Track 2, Lot 13 - 10.003 Acs.

Ownership: Houser, G.M Inc.
P. O. Box 847
Rockwall, Texas 75087
Property Use: Concrete-Ready Mixed
Company/Self Storage

- Brick Office Building
- Metal Self-Storage Buildings
- Metal Shop Buildings
- Concrete Batch Plant

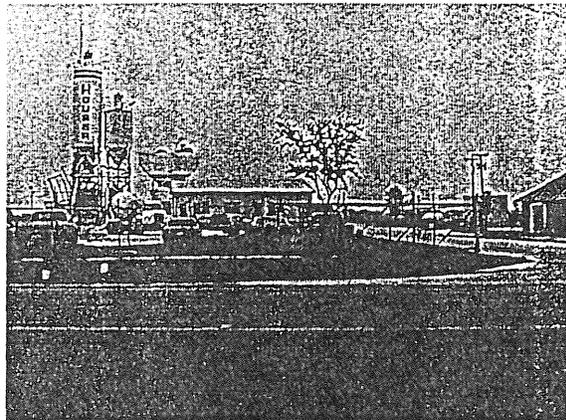


Proposed Zoning

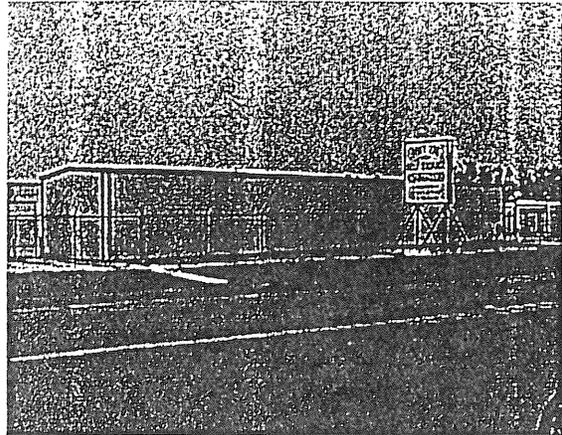
Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance and concrete batch plants, associated uses, and mini-warehouses with no overhead doors facing the street.

*Conditional uses - those uses in the conditional use section of the zoning ordinance.



Track 2, Lot 13 - Houser, G. M.
(continued)

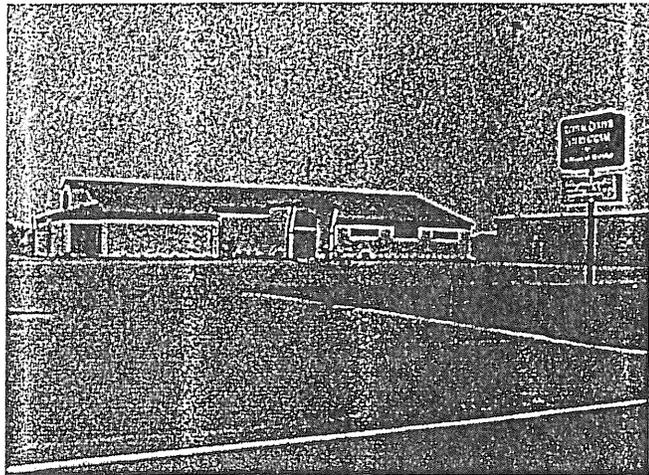


Pannell Subdivision 2.00 Acs.

Ownership: Jacquelyn Keller
8542 Garland Road
Dallas, Texas 75218

Property Use: Church

- Building with Vinyl Siding



Proposed Zoning

Commercial

*Permitted uses - those uses in the permitted use section of the zoning ordinance.

*Conditional uses - those uses in the conditional use section of the zoning.

CITY OF ROCKWALL

ORDINANCE NO. 21-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 46 (PD-46) [ORDINANCE NO. 99-05] 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 46 (PD-46), BEING A 47.37-ACRE TRACT OF LAND SITUATED WITHIN THE J. A. RAMSEY SURVEY, ABSTRACT NO. 186, 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 has received a request from Greg Wallis of Mershawn Architects on behalf of Kris Sharp for the approval of an amendment Planned Development District 46 (PD-46) [Ordinance No. 99-05] for the purpose of allowing a *Warehouse* as a permitted land use on a 1.90-acre parcel of land identified as Lot 5, Block A, Sharp Addition being a portion of a larger 47.37-acre Planned Development District that is situated within the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, identified as Planned Development District 46 (PD-46) [Ordinance No. 99-05], which is more fully described and depicted in *Exhibit 'A'* 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 46 (PD-46) [Ordinance No. 99-05] 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 99-05*;

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*, described in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, 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 *PD Development Standards*, described 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 5. That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

SECTION 6. 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 7. 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 8. 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 9. 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 AUGUST, 2021.



Kevin Fowler, Mayor

ATTEST:



Kristy Cole, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: July 19, 2021

2nd Reading: August 2, 2021

EXHIBIT 'A':
Legal Description and Survey

BEING 47.37 acres of land situated in the Abstract 186, J.A. Ramsey Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a point in the south Right of Way of Discovery Blvd, at City Geodetic Control Monument #9. (NAD83 Texas State Plane GPS Coordinate: 2,607,463.893 E, 7,020,550.132 N feet) bearing South 73° 10' 43" East, a distance of 2,602.028 feet to the *POINT OF BEGINNING*;

BEGINNING at a point in the intersection of Springer Rd and Data Dr. (NAD83 Texas State Plane GPS Coordinate: 2,609,967.107 E, 7,019,844.125N feet);

THENCE South 00° 12' 17" West following the Eastern boundary line of Planned Development #46, a distance of 951.9 feet for a corner;

THENCE North 81° 8' 11" West, a distance of 1,019.177 feet to the beginning of a curve found in the centerline of State Highway 276, said being the beginning of a curve to the left having a tangent of 730.751 feet and a radius of 6,289.035 feet with a chord distance of 730.268 feet and a chord bearing of North 83 degrees 30 minutes 38 seconds West to a point;

THENCE North 89° 23' 42" West, a distance of 920.839 feet for a corner;

THENCE North 0° 20' 45" West, a distance of 693.685 feet for a corner;

THENCE North 89° 48' 28" East, a distance of 2,660.985 feet, to the *POINT OF BEGINNING AND CONTAINING* 47.37 acres of land (2,063,262.886 square feet) more or less.

EXHIBIT 'A':
Legal Description and Survey



EXHIBIT 'B':
Concept Plan

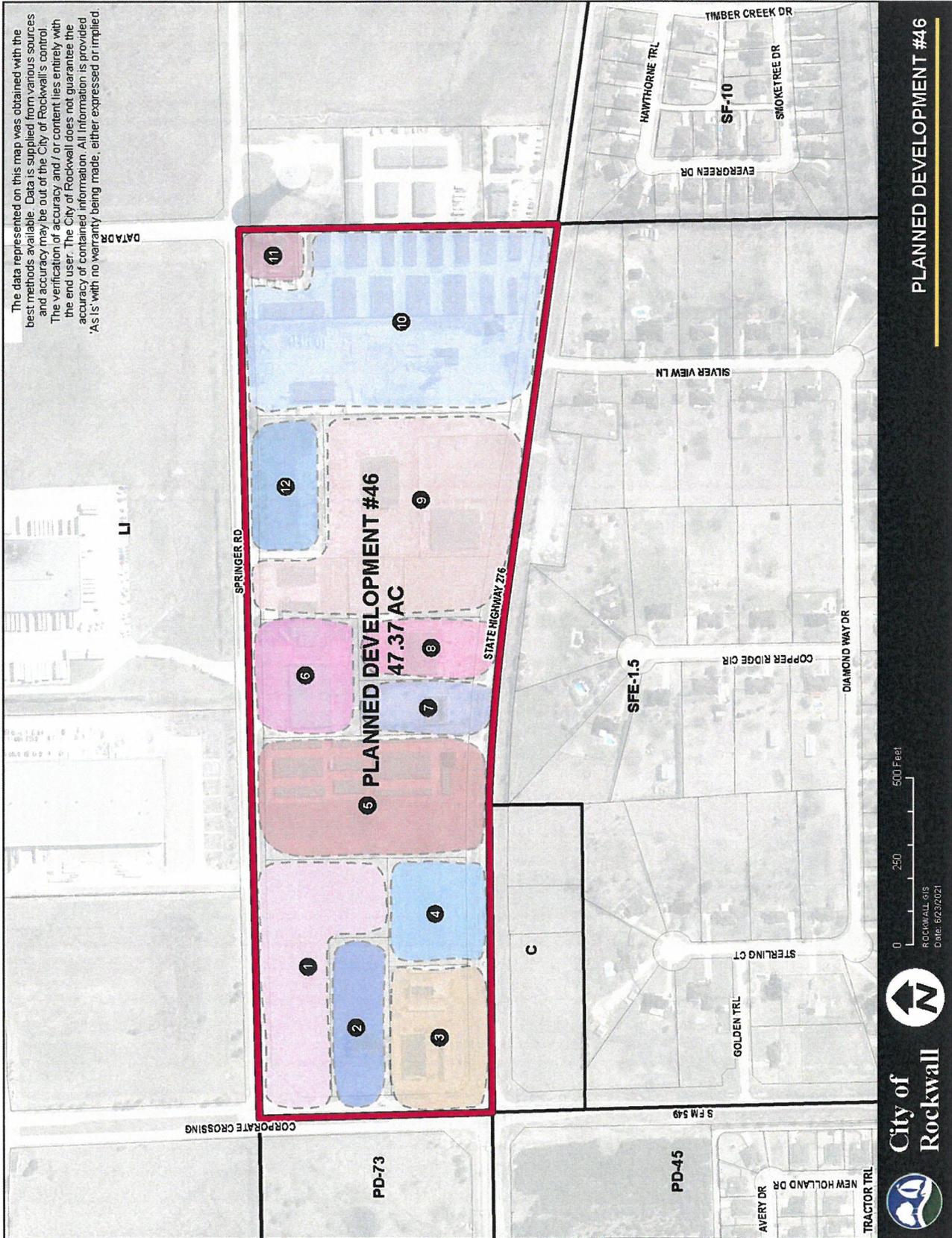


EXHIBIT 'C':
PD Development Standards

- (A) Purpose. The purpose of this amendment to Planned Development District 46 (PD-46) is to supersede *Ordinance No. 99-05*; however, this ordinance does not change the intent, restrictions, or land uses established in *Ordinance No. 99-05* with the exception of adding the *Warehouse* land use to *Tract 12* as depicted in *Exhibit 'B'* of this ordinance.
- (B) Permitted Land Uses. All properties within the boundaries of this Planned Development District as depicted in *Exhibit 'B'* of this ordinance shall be subject to the permitted land uses stipulated for properties in a Commercial (C) District as specified in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*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; however, the following land uses shall be permitted *by-right* on the corresponding tract:
- (1) Tract 3 [Tract 2, Lot 02].
 - Minor Automotive Repair Garage
 - (2) Tract 5 [Tract 2, Lot 06].
 - Mini-Warehouse
 - (3) Tract 6 [Tract 2, Lot 03].
 - Heavy Construction/Trade Yard
 - (4) Tract 7 [Tract 2, Lot 08].
 - Pawn Shop
 - (5) Tract 8 [Tract 2, Lot 07].
 - New or Used Boat Dealership
 - (6) Tract 9 [A Portion of Tract 2, Lot 00].
 - Trucking Company
 - (7) Tract 10 [Tract 2, Lot 13].
 - Concrete Batch Plant
 - Mini-Warehouse
 - (8) Tract 12 [A Portion of Tract 2, Lot 00].
 - Warehouse
- (C) Dimensional Requirements. All properties within the boundaries of this Planned Development District as depicted in *Exhibit 'B'* of this ordinance shall be subject to the dimensional requirements stipulated for properties in a Commercial (C) District as specified in Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*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.
- (D) Legal Non-Conforming Status. All properties within the boundaries of this Planned Development District as depicted in *Exhibit 'B'* of this ordinance shall be allowed to maintain the same exterior building materials that are currently utilized on the existing building for any new buildings that are built; however, if an existing or new building is expanded to an amount that equals 50% of the appraised tax value of that building, the building shall be required to adhere to the requirements of the Commercial (C) District

EXHIBIT 'C':
PD Development Standards

as stipulated in Article 05, *District Development Standards*, of the Unified Development Code (UDC) [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.