

CITY OF ROCKWALL

ORDINANCE NO. 06-02

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 DISTRICT AND (AG) AGRICULTURE DISTRICT TO PLANNED DEVELOPMENT NO. 65 DISTRICT FOR A 49.35-ACRE TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETOFORE AND MADE A PART HEREOF; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a zoning change from (SF-10) Single Family Residential district and (AG) Agriculture district to (PD-65) Planned Development No. 65 district has been requested by Jean Voltz of Arkoma Development, for a 49.35-acre tract of land bounded by Quail Run Road to the north and SH 205 to the east, and more specifically described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code 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, as heretofore amended, be and the same is hereby amended by the approval of a zoning change from (SF-10) Single Family Residential district and (AG) Agriculture district to (PD-65) Planned Development No. 65 district, for a 49.35-acre tract of land bounded by Quail Run Road to the north and SH 205 to the east, and more specifically described in Exhibit "A" attached hereto and made a part hereof.

Section 2. That the tract of land described in the attached Exhibit "A" shall be used only in the manner and for the purposes provided for in the Unified Development Code (Ord. No. 04-38) of the City of Rockwall as heretofore amended, as amended herein by granting of this approval shall affect only the property described in the attached Exhibit "B" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. Prior to or concurrently with submittal of a preliminary plat for the subject property, a Planned Development Site Plan shall be required so that the City can review details of the project including, but not limited to, the following:

- 1) Trail System Details

- 2) Screening/Buffering Details
- 3) Entry Features
- 4) Fencing Details
- 5) Street and alley cross-sections, paving methods, and other proposed engineering details.
- 6) Water Features
- 7) Lighting Standards.
- 8) Conceptual Building elevations

Section 4. The development in the area indicated as **Parcel 3 on Exhibit "B,"** attached hereto, shall be subject to the following conditions and restrictions:

- 1) Subject to the permitted uses and development standards of **Article V, Section 4.4 (GR) General Retail District** of the City of Rockwall Unified Development Code 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:
 - a) Prohibited Land Uses
 - Billiard Parlor or Pool Hall
 - Gun Club, Skeet Shooting or Target Range (Indoor)
 - Carnival/Circus or Amusement Ride
 - Night Club, Discotheque, or Dance Hall
 - Second Hand Dealer
 - Helipad
 - Auto Repair Garage (Minor)
 - Self Serve Car Wash
 - Full Service Car Wash
 - Railroad Yard/Shop
 - Mining/Extraction
 - Astrologer, Hypnotist, or Psychic Art and Science
 - Public and Private Parking Facilities
- 2) Maximum building height – 28 feet.
- 3) Maximum building size – 20,000 square feet
- 4) All proposed developments within Parcel 3 shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.

- 5) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
- 6) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.
- 7) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
- 8) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
- 9) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
- 10) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
- 11) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
- 12) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
- 13) No outside storage/display or merchandising.

Section 5. The development in the area indicated as **Parcel 4 on Exhibit "B"**, attached hereto shall be subject to the following conditions and restrictions:

- 1) Subject to the permitted uses and development standards of **Article V, Section 4.4 (GR) General Retail District** of the City of Rockwall Unified Development Code 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:
 - a) Prohibited Land Uses
 - Billiard Parlor or Pool Hall
 - Gun Club, Skeet Shooting or Target Range (Indoor)
 - Carnival/Circus or Amusement Ride
 - Night Club, Discotheque, or Dance Hall
 - Second Hand Dealer
 - Helipad
 - Auto Repair Garage (Minor)
 - Self Serve Car Wash

- Full Service Car Wash
 - Railroad Yard/Shop
 - Mining/Extraction
 - Astrologer, Hypnotist, or Psychic Art and Science
 - Public and Private Parking Facilities
- b) Additional Permitted Land Uses-
- Retail/Gas Store with a maximum of Maximum Six (6) Dispensers that could accommodate Twelve (12) Vehicles
 - The Limits of the main building shall be located within the 250 feet of the existing right-of-way line for SH 205
 - Private Streets
 - Car Wash as an Accessory Use to Retail Store with Gasoline Product Sales
 - College, University or Seminary
- 2) Maximum building height – 60 Feet (Any building over 36 Feet shall require an SUP)
 - 3) Maximum building height for any structure located within 250 feet of SH 205 – 28 feet.
 - 4) Maximum building size – 40,000 square feet
 - 5) Maximum building size for any structure located within 250 feet of SH 205 – 20,000 square feet.
 - 6) All proposed developments within Parcel 4 shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.
 - 7) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
 - 8) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.
 - 9) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
 - 10) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
 - 11) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
 - 12) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All

dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.

- 13) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
- 14) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
- 15) No outside storage/display or merchandising.

Section 6. The development in the area indicated as **Parcel 5 on Exhibit "B"**, attached hereto shall be subject to the following conditions and restrictions:

- 1) Subject to the permitted uses and development standards of **Article V, Section 4.4 (GR) General Retail District** of the City of Rockwall Unified Development Code 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:
 - a) Prohibited Land Uses-
 - Billiard Parlor or Pool Hall
 - Gun Club, Skeet Shooting or Target Range (Indoor)
 - Carnival/Circus or Amusement Ride
 - Night Club, Discotheque, or Dance Hall
 - Second Hand Dealer
 - Helipad
 - Auto Repair Garage (Minor)
 - Self Serve Car Wash
 - Full Service Car Wash
 - Railroad Yard/Shop
 - Mining/Extraction
 - Astrologer, Hypnotist, or Psychic Art and Science
 - Public and Private Parking Facilities
 - 2) Maximum building height – 60 Feet (Any building over 36 Feet shall require an SUP)
 - 3) Maximum building height for any structure located within 250 feet of SH 205 – 28 feet.
 - 4) Maximum building size – 40,000 square feet
 - 5) Maximum building size for any structure located within 250 feet of SH 205 – 20,000 square feet.

- 6) All proposed developments within Parcel 5 shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.
- 7) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
- 8) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.
- 9) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
- 10) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
- 11) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
- 12) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
- 13) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
- 14) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
- 15) No outside storage/display or merchandising.

Section 7. The development in the area indicated as **Parcel 2 on Exhibit "B"**, attached hereto shall be subject to the following conditions and restrictions:

- 1) Subject to the development standards of **Article V, Section 4.4 (GR) General Retail District**, of the City of Rockwall Unified Development Code as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, subject to the following additional conditions, and shall be limited to the following uses:
 - a) Permitted Land Uses-
 - Assisted Living Facility
 - Nursing Home/Convalescent Care Facility
 - Private Streets
 - Office

- b) Additional Permitted Land Uses Requiring an Specific Use Permit (SUP)-
- College, University or Seminary
 - Trade School
- 2) Maximum height – 60 Feet (Any building over 36 Feet shall require an SUP)
 - 3) Maximum height for any building over 40,000 square feet – 28 feet
 - 4) Maximum building size – 40,000 square feet except as noted below.
 - a) 50,000 square feet for a maximum of one (1) building
 - 5) All proposed developments within Parcel 2 shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.
 - 6) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
 - 7) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.
 - 8) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
 - 9) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
 - 10) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
 - 11) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
 - 12) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
 - 13) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
 - 14) No outside storage/display or merchandising.

Section 8. That development in the area indicated as **Parcel 1-A & 1-B on Exhibit “B”**, attached hereto, shall be with the following additional conditions and restrictions:

- 1) Subject to the permitted uses and development standards of **Article V, Section 3.4 (SF-10) Single Family Residential District** Unified Development Code 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:

- a. Additional Permitted Land Uses-
- Church/House of Worship
 - Maximum Building Size – 10,000 square feet
- 2) Maximum height – 60 Feet (Any building over 36 Feet shall require an SUP)
 - 3) Maximum number of residential units – 1
 - 4) All proposed developments within Parcel 1-A shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.
 - 5) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
 - 6) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.
 - 7) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
 - 8) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
 - 9) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
 - 10) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
 - 11) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
 - 12) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
 - 13) No outside storage/display or merchandising.

Section 9. The area indicated as “Open Space” on Exhibit “B”, attached hereto, shall be subject to the following conditions:

- 1) All common areas and dedicated landscape easements and open space areas shall be maintained by a Property Owner’s Association, including areas of landscaping in the public right-of-way along Quail Run, SH 205 and North Lakeshore.

Section 10. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

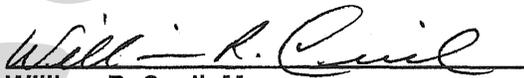
Section 11. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 12. 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 (Ord. No. 04-38) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

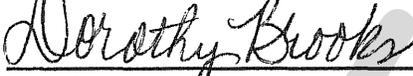
Section 13. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 14. 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 3rd day of January, 2006.

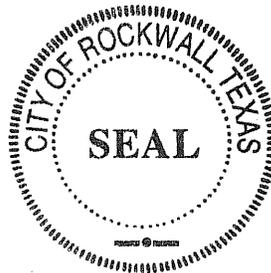

William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: 12-05-05

2nd Reading: 01-03-06

Exhibit "A"

**LEGAL DESCRIPTION
TRACT ONE
32.83 ACRES**

BEING of a tract of land out of the S. KING SURVEY, Abstract No. 131 and the J.B. JONES SURVEY, Abstract No. 124, in the City of Rockwall, Rockwall County, Texas, being part of the 46.81 tract of land described in deed to Arkoma Realty, recorded in Volume 2279, Page 273 of the Deed of Record of Rockwall County, Texas, being part of the 6.40 acre tract of land described in deed to Granville Davis recorded in Volume 69, Page 595 of the Deed of Record of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a point for the intersection of the northwest right-of-way line of North Lakeshore Drive (85' ROW at this point) with the southerly most west line of said 46.81 acre tract;

THENCE with the west lines of said 46.81 acre tract, the following courses and distances to wit:

North 00°26'38" West, a distance of 543.18 feet to a point for corner;
South 54°58'30" West, a distance of 122.35 feet to a point for corner;
North 83°16'59" West, a distance of 136.00 feet to a point for corner;
North 35°30'59" West, a distance of 188.00 feet to a point for corner;
North 70°43'59" West, a distance of 107.50 feet to a point for corner;
North 10°45'59" West, a distance of 171.00 feet to a point for corner;
North 70°07'59" West, a distance of 175.00 feet to a point for corner;
South 89°07'01" West, a distance of 130.00 feet to a point for corner;
North 36°05'59" West, a distance of 56.87 feet to a point for corner;
North 33°07'21" East, a distance of 116.67 feet to a point for corner;
North 39°50'57" East, a distance of 311.65 feet to a point for corner;
North 04°37'55" East, a distance of 217.53 feet to a point for corner;
North 11°37'41" West, a distance of 50.53 feet to a point in Quail Run Road;

THENCE along said Quail Run Road, the following courses and distances to wit:

South 83°27'28" East, a distance of 295.32 feet to a point for corner;
South 82°32'17" East, a distance of 129.27 feet to a point for corner;

THENCE leaving said Quail Run Road and with the west line of Six-O Subdivision, an addition to the City of Rockwall according to the plat thereof recorded in Cabinet B, Page 54 of the Plat Records of Rockwall County, Texas part of the way, South 07°07'49" West, a distance of 299.69 feet to a point for corner;

THENCE with the south line of said Six-O Subdivision, the south line of Barz Acres, an addition to the City of Rockwall according to the plat thereof recorded in Cabinet C, Page 14 of the Plat Records of Rockwall County, Texas, the south line of Wilson Addition, an addition to the City of Rockwall according to the plat thereof recorded in Cabinet A, Page 275 of the Plat Records of Rockwall County, Texas and the south line of a 0.49 acre tract of land described in deed to Dean Lanty recorded in Volume 349, Page 4 of the Deed Records of Rockwall County, Texas, South 80°48'37" East, a distance of 420.59 feet to a point for corner;

THENCE continuing with the south line of said 0.49 acre tract, North 88°28'17" East, a distance of 313.50 feet to a point in the centerline of Quail Run Road;

THENCE with said centerline, North 18°54'05" West, a distance of 211.45 feet to a point for corner;

THENCE leaving said centerline, North 72°55'01" East, a distance of 389.63 feet to a point for corner in the west right-of-way line of State Highway 205 (variable width ROW);

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

South 14°09'38" East, a distance of 509.46 feet to a point for corner;

South 43°34'59" West, a distance of 158.82 feet to a point for corner;

South 71°57'06" East, a distance of 159.25 feet to a point for corner;

South 14°17'14" East, a distance of 243.88 feet to a point in the north right-of-way line of said North Lakeshore Drive;

THENCE with said north right-of-way line, the following courses and distances to wit:

South 75°56'40" West, a distance of 3.43 feet to a point for the beginning of a non-tangent curve to the right with a radius of 65.00 feet, a central angle of 96°44'10", and a chord bearing and distance of South 34°18'46" West, 97.17 feet;

Southwesterly, with said curve, an arc distance of 109.74 feet to a point for the beginning of a compound curve to the right with a radius of 807.50 feet, a central angle of 4°17'33", and a chord bearing and distance of South 84°49'37" West, 60.48 feet;

Southwesterly, with said curve, an arc distance of 60.50 feet to a point for corner; South 86°58'24" West, a distance of 225.10 feet to a point for the beginning of a tangent curve to the left with a radius of 892.50 feet, a central angle of 47°07'08", and a chord bearing and distance of South 63°24'50" West, 713.47 feet;

Southwesterly, with said curve, an arc distance of 733.97 feet to a point for corner;

South 39°51'16" West, a distance of 192.14 feet to the **POINT OF BEGINNING** and containing 32.83 acres of land.

**LEGAL DESCRIPTION
TRACT TWO
16.52 ACRES**

BEING of a tract of land out of the J.B. JONES SURVEY, Abstract No. 124, in the City of Rockwall, Rockwall County, Texas, being part of the 46.81 tract of land described in deed to Arkoma Realty, recorded in Volume 2279, Page 273 of the Déed of Record of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for the intersection of the south right-of-way line of North Lakeshore Drive (85' ROW at this point) with the south line of said 46.81 acre tract;

THENCE with said south right-of-way line, the following courses and distances to wit:

North 39°51'16" East, a distance of 249.64 feet to a point for the beginning of a tangent curve to the right with a radius of 807.50 feet, a central angle of 47°07'08", and a chord bearing and distance of North 63°24'50" East, 645.52 feet;

Northeasterly, with said curve, an arc distance of 664.07 feet to a point for corner;

North 86°58'24" East, a distance of 174.93 feet to a point for the beginning of a tangent curve to the right with a radius of 240.00 feet, a central angle of 10°38'58", and a chord bearing and distance of South 87°42'08" East, 44.54 feet;

Southeasterly, with said curve, an arc distance of 44.61 feet to a point for the beginning of a reverse curve to the left with a radius of 260.00 feet, a central angle of 14°25'10", and a chord bearing and distance of South 89°35'14" East, 65.26 feet;

Southeasterly, with said curve, an arc distance of 65.43 feet to a point for the beginning of a compound curve to the left with a radius of 902.50 feet, a central angle of 1°20'16", and a chord bearing and distance of North 82°32'03" East, 21.07 feet;

Northeasterly, with said curve, an arc distance of 21.07 feet to a point for the beginning of a reverse curve to the right with a radius of 80.00 feet, a central angle of 83°51'17", and a chord bearing and distance of South 56°12'26" East, 106.91 feet;

Southeasterly, with said curve, an arc distance of 117.08 feet to a point for corner;

North 75°43'11" East, a distance of 3.66 feet to a point for corner in the west right-of-way line of State Highway 205 (variable width ROW);

THENCE with said west right-of-way line, South 14°17'14" East, a distance of 877.52 feet to a point for the northeast corner of Lakeview Summit Phase i-A, an addition to the City of Rockwall according to the plat thereof recorded in Cabinet D, Page 378 of the Plat Records of Rockwall County, Texas;

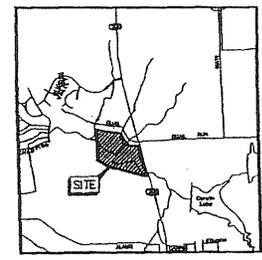
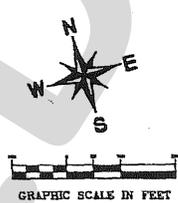
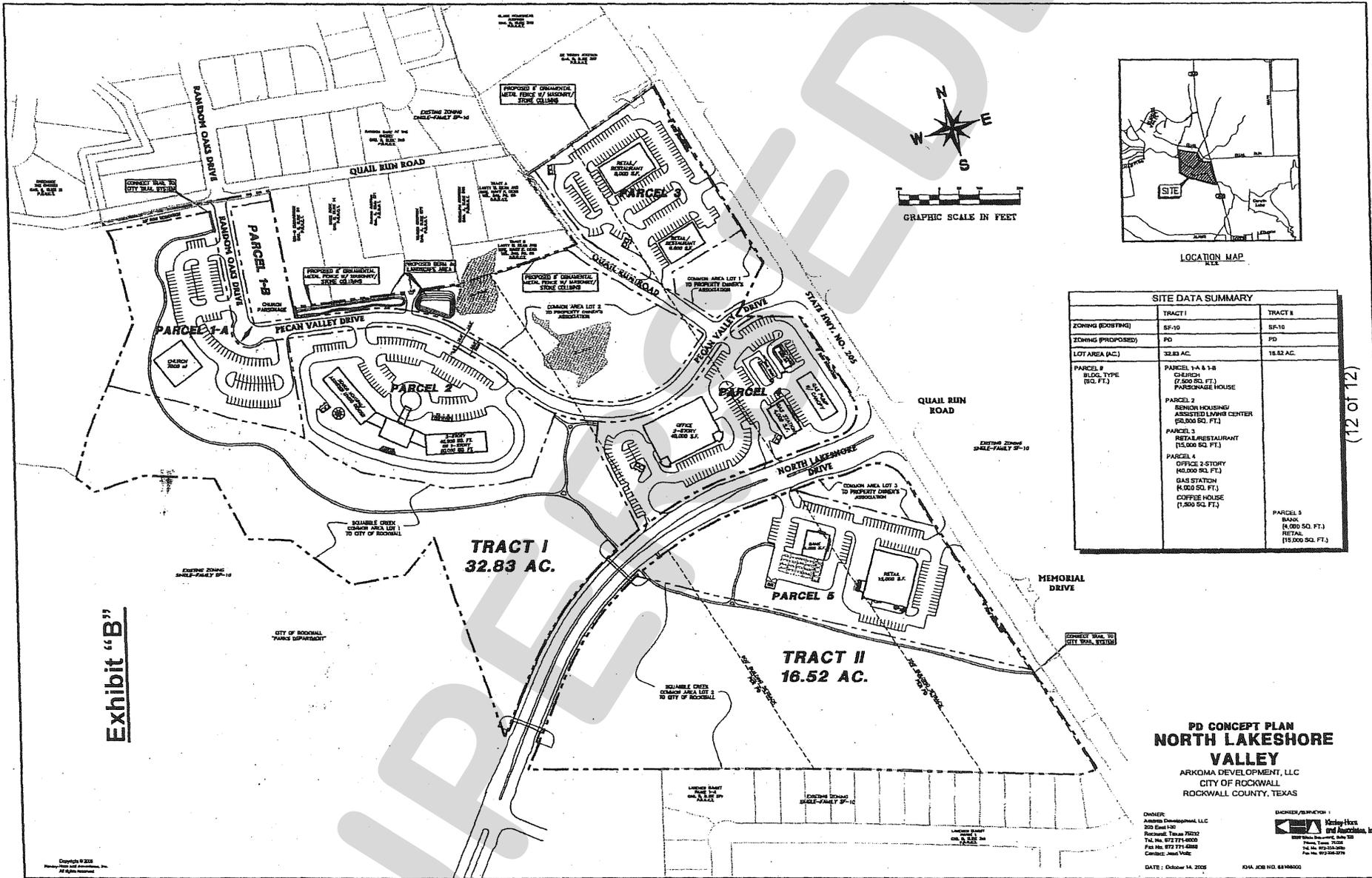
THENCE with the north line of said addition part of the way, the following courses and distances to wit:

South 88°40'43" West, a distance of 46.97 feet to a point for corner;

North 71°15'19" West, a distance of 564.26 feet to a point for corner;

North 72°47'58" West, a distance of 806.31 feet to the **POINT OF BEGINNING** and containing 16.52 acres of land.

Exhibit "B"



SITE DATA SUMMARY

	TRACT I	TRACT II
ZONING (EXISTING)	SF-10	SF-10
ZONING (PROPOSED)	PD	PD
LOT AREA (AC.)	32.83 AC.	16.52 AC.
PARCEL #	PARCEL 1-A & 1-B CHURCH (7,500 SQ. FT.) PARAGRAPH HOUSE	
PARCEL #	PARCEL 2 SENIOR HOUSING ASSISTED LIVING CENTER (20,000 SQ. FT.)	
PARCEL #	PARCEL 3 RETAIL RESTAURANT (15,000 SQ. FT.)	
PARCEL #	PARCEL 4 OFFICE 2-STORY (40,000 SQ. FT.) GAS STATION (4,000 SQ. FT.) COFFEE HOUSE (1,500 SQ. FT.)	
PARCEL #		PARCEL 5 BANK (4,000 SQ. FT.) RETAIL (15,000 SQ. FT.)

12 OF 12

**PD CONCEPT PLAN
NORTH LAKESHORE
VALLEY**
ARKOMA DEVELOPMENT, LLC
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNER:
Arkoma Development, LLC
203 East 100
Rockwall, Texas 75087
Tel. No. 972.771.6000
Fax No. 972.771.6000
Contact: Amy Hark
DATE: October 14, 2005

ENGINEER/ARCHITECT:
Hickory Hill
and Associates, Inc.
10000 Rockwall, Texas 75087
Phone: Texas 75087
Tel. No. 972.334.2000
Fax No. 972.334.2000

DATE: October 14, 2005

2005 39

CITY OF ROCKWALL

ORDINANCE NO. 08-02

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 AMEND (PD-65) PLANNED DEVELOPMENT NO. 65 DISTRICT (ORD. NO. 06-02) FOR A 49.35-ACRE TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to (PD-65) Planned Development No. 65 has been requested by Jean Voltz of Arkoma Development, for a 49.35-acre tract of land bounded by Quail Run Road to the north and SH 205 to the east, and more specifically described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code 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, as heretofore amended, be and the same is hereby amended by the approval of an amendment to (PD-65) Planned Development No. 65.

Section 2. That the tract of land described in the attached Exhibit "A" shall be used only in the manner and for the purposes provided for in the Unified Development Code (Ord. No. 04-38) of the City of Rockwall as heretofore amended, as amended herein by granting of this approval shall affect only the property described in the attached Exhibit "B" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

Section 3. Prior to or concurrently with submittal of a preliminary plat for the subject property, a Planned Development Site Plan shall be required so that the City can review details of the project including, but not limited to, the following:

- 1) Trail System Details
- 2) Screening/Buffering Details
- 3) Entry Features

- 4) Fencing Details
- 5) Street and alley cross-sections, paving methods, and other proposed engineering details.
- 6) Water Features
- 7) Lighting Standards.
- 8) Conceptual Building elevations

Section 4. The development in the area indicated as **Parcel 3 on Exhibit "B,"** attached hereto, shall be subject to the following conditions and restrictions:

- 1) Subject to the permitted uses and development standards of Article V, Section 4.4 (GR) General Retail District of the City of Rockwall Unified Development Code 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:
 - a) Prohibited Land Uses-
 - Billiard Parlor or Pool Hall
 - Gun Club, Skeet Shooting or Target Range (Indoor)
 - Carnival/Circus or Amusement Ride
 - Night Club, Discotheque, or Dance Hall
 - Second Hand Dealer
 - Helipad
 - Auto Repair Garage (Minor)
 - Self Serve Car Wash
 - Full Service Car Wash
 - Railroad Yard/Shop
 - Mining/Extraction
 - Astrologer, Hypnotist, or Psychic Art and Science
 - Public and Private Parking Facilities
 - 2) Maximum building height – 28 feet
 - 3) Maximum building size – 20,000 square feet
 - 4) All proposed developments within Parcel 3 shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.
 - 5) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
 - 6) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.

- 7) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
- 8) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
- 9) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
- 10) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
- 11) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
- 12) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
- 13) No outside storage/display or merchandising.

Section 5. The development in the area indicated as **Parcel 4 on Exhibit "B"**, attached hereto shall be subject to the following conditions and restrictions:

- 1) Subject to the permitted uses and development standards of Article V, Section 4.4 (GR) General Retail District of the City of Rockwall Unified Development Code 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:
 - a) Prohibited Land Uses-
 - Billiard Parlor or Pool Hall
 - Gun Club, Skeet Shooting or Target Range (Indoor)
 - Carnival/Circus or Amusement Ride
 - Night Club, Discotheque, or Dance Hall
 - Second Hand Dealer
 - Helipad
 - Auto Repair Garage (Minor)
 - Self Serve Car Wash
 - Full Service Car Wash
 - Railroad Yard/Shop
 - Mining/Extraction
 - Astrologer, Hypnotist, or Psychic Art and Science
 - Public and Private Parking Facilities

- b) Additional Permitted Land Uses-
- Private Streets
 - College, University or Seminary
- 2) Maximum building height – 60 Feet (Any building over 36 Feet shall require an SUP)
 - 3) Maximum building height for any structure located within 250 feet of SH 205 – 28 feet.
 - 4) Maximum building size – 40,000 square feet
 - 5) Maximum building size for any structure located within 250 feet of SH 205 –20,000 square feet.
 - 6) All proposed developments within Parcel 4 shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.
 - 7) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
 - 8) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.
 - 9) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
 - 10) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
 - 11) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
 - 12) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
 - 13) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
 - 14) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
 - 15) No outside storage/display or merchandising.

Section 6. The development in the area indicated as **Parcel 5 on Exhibit “B”**, attached hereto shall be subject to the following conditions and restrictions:

- 1) Subject to the permitted uses and development standards of Article V, Section 4.4 (GR) General Retail District of the City of Rockwall Unified Development Code 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:

a) Prohibited Land Uses-

- Billiard Parlor or Pool Hall
- Gun Club, Skeet Shooting or Target Range (Indoor)
- Carnival/Circus or Amusement Ride
- Night Club, Discotheque, or Dance Hall
- Second Hand Dealer
- Helipad
- Auto Repair Garage (Minor)
- Self Serve Car Wash
- Full Service Car Wash
- Railroad Yard/Shop
- Mining/Extraction
- Astrologer, Hypnotist, or Psychic Art and Science
- Public and Private Parking Facilities

b) Additional Permitted Land Uses-

- Retail/Gas Store with a maximum of Maximum Six (6) Dispensers that could accommodate Twelve (12) Vehicles
- The Limits of the main building shall be located within 250 feet of the existing right-of-way line for SH 205
- Car Wash as an Accessory Use to Retail Store with Gasoline Product Sales

- 2) Maximum building height – 60 Feet (Any building over 36 Feet shall require an SUP)
- 3) Maximum building height for any structure located within 250 feet of SH 205 – 28 feet.
- 4) Maximum building size – 40,000 square feet
- 5) Maximum building size for any structure located within 250 feet of SH 205 –20,000 square feet.
- 6) All proposed developments within Parcel 5 shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.
- 7) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
- 8) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.

- 9) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
- 10) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
- 11) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
- 12) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
- 13) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
- 14) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
- 15) No outside storage/display or merchandising.

Section 7. The development in the area indicated as **Parcel 2 on Exhibit "B"**, attached hereto shall be subject to the following conditions and restrictions:

- 1) Subject to the development standards of Article V, Section 4.4 (GR) General Retail District, of the City of Rockwall Unified Development Code as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, subject to the following additional conditions, and shall be limited to the following uses:
 - a) Permitted Land Uses-
 - Assisted Living Facility
 - Nursing Home/Convalescent Care Facility
 - Private Streets
 - Office
 - b) Additional Permitted Land Uses Requiring an Specific Use Permit (SUP)-
 - College, University or Seminary
 - Trade School
- 2) Maximum height – 60 Feet (Any building over 36 Feet shall require an SUP)
- 3) Maximum height for any building over 40,000 square feet – 28 feet
- 4) Maximum building size – 40,000 square feet except as noted below.
 - a) 50,000 square feet for a maximum of one (1) building
- 5) All proposed developments within Parcel 2 shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.

- 6) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.
- 7) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.
- 8) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
- 9) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
- 10) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
- 11) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
- 12) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
- 13) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
- 14) No outside storage/display or merchandising.

Section 8. That development in the area indicated as **Parcel 1-A & 1-B on Exhibit "B"**, attached hereto, shall be with the following additional conditions and restrictions:

- 1) Subject to the permitted uses and development standards of Article V, Section 3.4 (SF-10) Single Family Residential District Unified Development Code 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:
 - a) Additional Permitted Land Uses-
 - Church/House of Worship
 - Maximum Building Size – 10,000 square feet
- 2) Maximum height – 60 Feet (Any building over 36 Feet shall require an SUP)
- 3) Maximum number of residential units – 1
- 4) All proposed developments within Parcel 1-A shall be subject to future site plan and Architectural review. All four (4) facades of each building throughout the development shall be constructed with a consistent design scheme and materials as approved by the Architectural Review Board.
- 5) In addition to the requirements of the outdoor lighting requirements of the Unified Development Code, no light pole, pole base or combination thereof shall exceed twenty (20) feet. All lighting fixtures shall focus light downward and be contained on the site.

- 6) All exterior lighting shall have a maximum of 0.2 foot-candles when measure three feet above grade at the property line.
- 7) All structures having a footprint of 6,000 square feet or less shall be constructed with a pitched roof system.
- 8) All development to adhere to the General Commercial District Standards (Section 4.1) and the standards set forth in the North SH 205 Overlay District.
- 9) All rooftop and ground mounted equipment must be orientated away from existing single-family residences and screened from adjacent properties & public rights-of-way.
- 10) Dumpsters shall be orientated away from existing single-family residences and shall be screened from adjacent properties & public rights-of-ways. All dumpster enclosures shall be constructed of the same material and color as the primary structure. All dumpster enclosure gates shall be metal panel.
- 11) All permanent free standing signs shall be monument signs not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area per sign face.
- 12) All landscaping and screening shall comply with Article VIII Landscape Standards of the Unified Development Code.
- 13) No outside storage/display or merchandising.

Section 9. The area indicated as “Open Space” on Exhibit “B”, attached hereto, shall be subject to the following conditions:

- 1) All common areas and dedicated landscape easements and open space areas shall be maintained by a Property Owner’s Association, including areas of landscaping in the public right-of-way along Quail Run, SH 205 and North Lakeshore.

Section 10. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

Section 11. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 12. 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 (Ord. No. 04-38) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 13. 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.

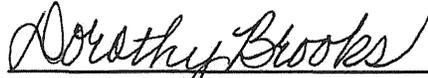
Section 14. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of January, 2008.



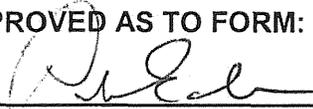
William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, TRMC, CMC, City Secretary

APPROVED AS TO FORM:



Pete Eckert, City Attorney



1st Reading: 12-03-07

2nd Reading: 01-07-08

**LEGAL DESCRIPTION
TRACT ONE
32.83 ACRES**

BEING of a tract of land out of the S. KING SURVEY, Abstract No. 131 and the J.B. JONES SURVEY, Abstract No. 124, in the City of Rockwall, Rockwall County, Texas, being part of the 46.81 tract of land described in deed to Arkoma Realty, recorded in Volume 2279, Page 273 of the Deed of Record of Rockwall County, Texas, being part of the 6.40 acre tract of land described in deed to Granville Davis recorded in Volume 69, Page 595 of the Deed of Record of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a point for the intersection of the northwest right-of-way line of North Lakeshore Drive (85' ROW at this point) with the southerly most west line of said 46.81 acre tract;

THENCE with the west lines of said 46.81 acre tract, the following courses and distances to wit:

North 00°26'38" West, a distance of 543.18 feet to a point for corner;
South 54°58'30" West, a distance of 122.35 feet to a point for corner;
North 83°16'59" West, a distance of 136.00 feet to a point for corner;
North 35°30'59" West, a distance of 188.00 feet to a point for corner;
North 70°43'59" West, a distance of 107.50 feet to a point for corner;
North 10°45'59" West, a distance of 171.00 feet to a point for corner;
North 70°07'59" West, a distance of 175.00 feet to a point for corner;
South 89°07'01" West, a distance of 130.00 feet to a point for corner;
North 36°05'59" West, a distance of 56.87 feet to a point for corner;
North 33°07'21" East, a distance of 116.67 feet to a point for corner;
North 39°50'57" East, a distance of 311.65 feet to a point for corner;
North 04°37'55" East, a distance of 217.53 feet to a point for corner;
North 11°37'41" West, a distance of 50.53 feet to a point in Quail Run Road;

THENCE along said Quail Run Road, the following courses and distances to wit:

South 83°27'28" East, a distance of 295.32 feet to a point for corner;
South 82°32'17" East, a distance of 129.27 feet to a point for corner;

THENCE leaving said Quail Run Road and with the west line of Six-O Subdivision, an addition to the City of Rockwall according to the plat thereof recorded in Cabinet B, Page 54 of the Plat Records of Rockwall County, Texas part of the way, South 07°07'49" West, a distance of 299.69 feet to a point for corner;

THENCE with the south line of said Six-O Subdivision, the south line of Barz Acres, an addition to the City of Rockwall according to the plat thereof recorded in Cabinet C, Page 14 of the Plat Records of Rockwall County, Texas, the south line of Wilson Addition, an addition to the City of Rockwall according to the plat thereof recorded in Cabinet A, Page 275 of the Plat Records of Rockwall County, Texas and the south line of a 0.49 acre tract of land described in deed to Dean Lanty recorded in Volume 349, Page 4 of the Deed Records of Rockwall County, Texas, South 80°48'37" East, a distance of 420.59 feet to a point for corner;

THENCE continuing with the south line of said 0.49 acre tract, North 88°28'17" East, a distance of 313.50 feet to a point in the centerline of Quail Run Road;

THENCE with said centerline, North 18°54'05" West, a distance of 211.45 feet to a point for corner;

THENCE leaving said centerline, North 72°55'01" East, a distance of 389.63 feet to a point for corner in the west right-of-way line of State Highway 205 (variable width ROW);

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

South 14°09'38" East, a distance of 509.46 feet to a point for corner;

South 43°34'59" West, a distance of 158.82 feet to a point for corner;

South 71°57'06" East, a distance of 159.25 feet to a point for corner;

South 14°17'14" East, a distance of 243.88 feet to a point in the north right-of-way line of said North Lakeshore Drive;

THENCE with said north right-of-way line, the following courses and distances to wit:

South 75°56'40" West, a distance of 3.43 feet to a point for the beginning of a non-tangent curve to the right with a radius of 65.00 feet, a central angle of 96°44'10", and a chord bearing and distance of South 34°18'46" West, 97.17 feet;

Southwesterly, with said curve, an arc distance of 109.74 feet to a point for the beginning of a compound curve to the right with a radius of 807.50 feet, a central angle of 4°17'33", and a chord bearing and distance of South 84°49'37" West, 60.48 feet;

Southwesterly, with said curve, an arc distance of 60.50 feet to a point for corner; South 86°58'24" West, a distance of 225.10 feet to a point for the beginning of a tangent curve to the left with a radius of 892.50 feet, a central angle of 47°07'08", and a chord bearing and distance of South 63°24'50" West, 713.47 feet;

Southwesterly, with said curve, an arc distance of 733.97 feet to a point for corner;

South 39°51'16" West, a distance of 192.14 feet to the **POINT OF BEGINNING** and containing 32.83 acres of land.

**LEGAL DESCRIPTION
TRACT TWO
16.52 ACRES**

BEING of a tract of land out of the J.B. JONES SURVEY, Abstract No. 124, in the City of Rockwall, Rockwall County, Texas, being part of the 46.81 tract of land described in deed to Arkoma Realty, recorded in Volume 2279, Page 273 of the Deed of Record of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for the intersection of the south right-of-way line of North Lakeshore Drive (85' ROW at this point) with the south line of said 46.81 acre tract;

THENCE with said south right-of-way line, the following courses and distances to wit:

North 39°51'16" East, a distance of 249.64 feet to a point for the beginning of a tangent curve to the right with a radius of 807.50 feet, a central angle of 47°07'08", and a chord bearing and distance of North 63°24'50" East, 645.52 feet;

Northeasterly, with said curve, an arc distance of 664.07 feet to a point for corner;

North 86°58'24" East, a distance of 174.93 feet to a point for the beginning of a tangent curve to the right with a radius of 240.00 feet, a central angle of 10°38'58", and a chord bearing and distance of South 87°42'08" East, 44.54 feet;

Southeasterly, with said curve, an arc distance of 44.61 feet to a point for the beginning of a reverse curve to the left with a radius of 260.00 feet, a central angle of 14°25'10", and a chord bearing and distance of South 89°35'14" East, 65.26 feet;

Southeasterly, with said curve, an arc distance of 65.43 feet to a point for the beginning of a compound curve to the left with a radius of 902.50 feet, a central angle of 1°20'16", and a chord bearing and distance of North 82°32'03" East, 21.07 feet;

Northeasterly, with said curve, an arc distance of 21.07 feet to a point for the beginning of a reverse curve to the right with a radius of 80.00 feet, a central angle of 83°51'17", and a chord bearing and distance of South 56°12'26" East, 106.91 feet;

Southeasterly, with said curve, an arc distance of 117.08 feet to a point for corner;

North 75°43'11" East, a distance of 3.66 feet to a point for corner in the west right-of-way line of State Highway 205 (variable width ROW);

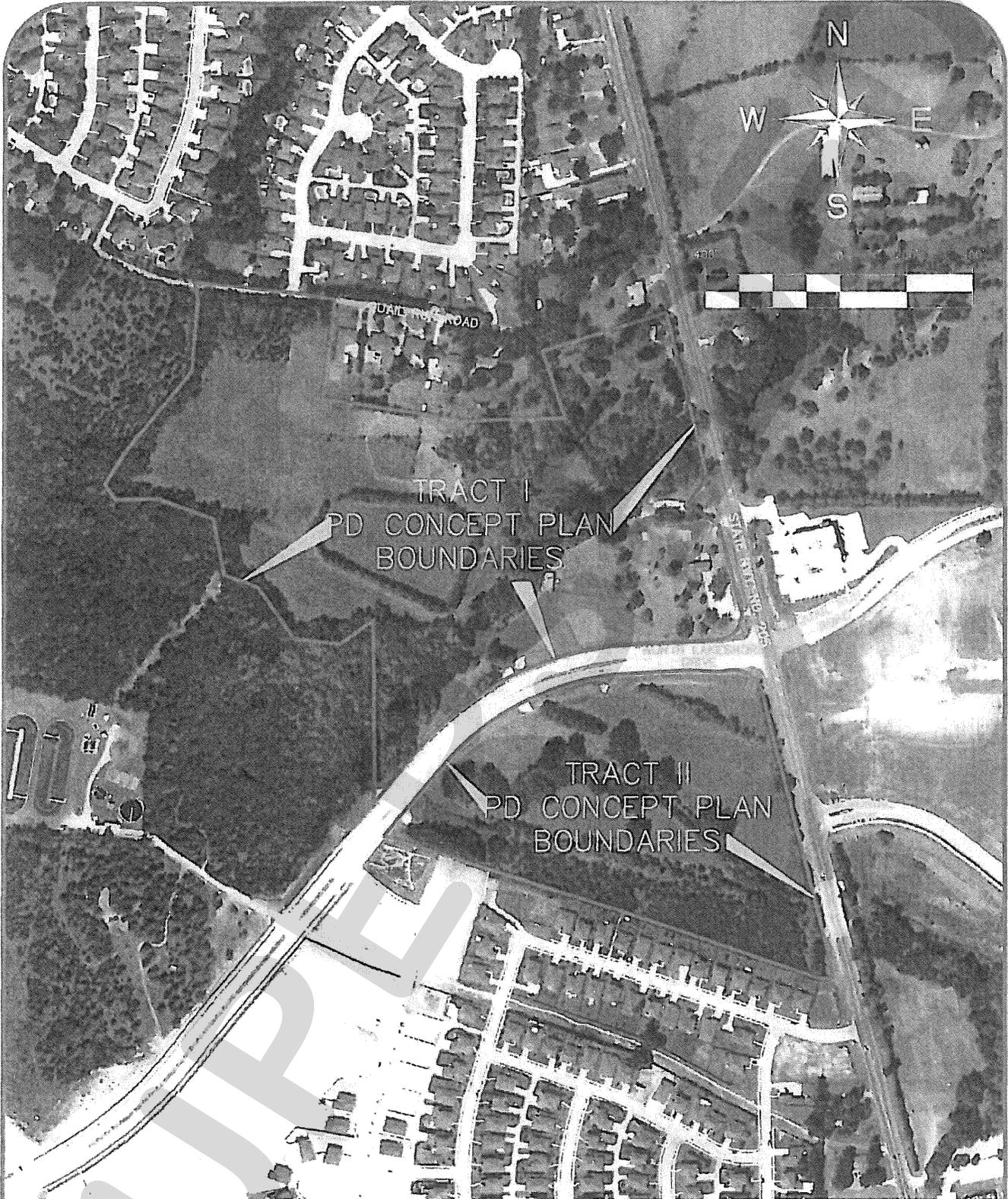
THENCE with said west right-of-way line, South 14°17'14" East, a distance of 877.52 feet to a point for the northeast corner of Lakeview Summit Phase i-A, an addition to the City of Rockwall according to the plat thereof recorded in Cabinet D, Page 378 of the Plat Records of Rockwall County, Texas;

THENCE with the north line of said addition part of the way, the following courses and distances to wit:

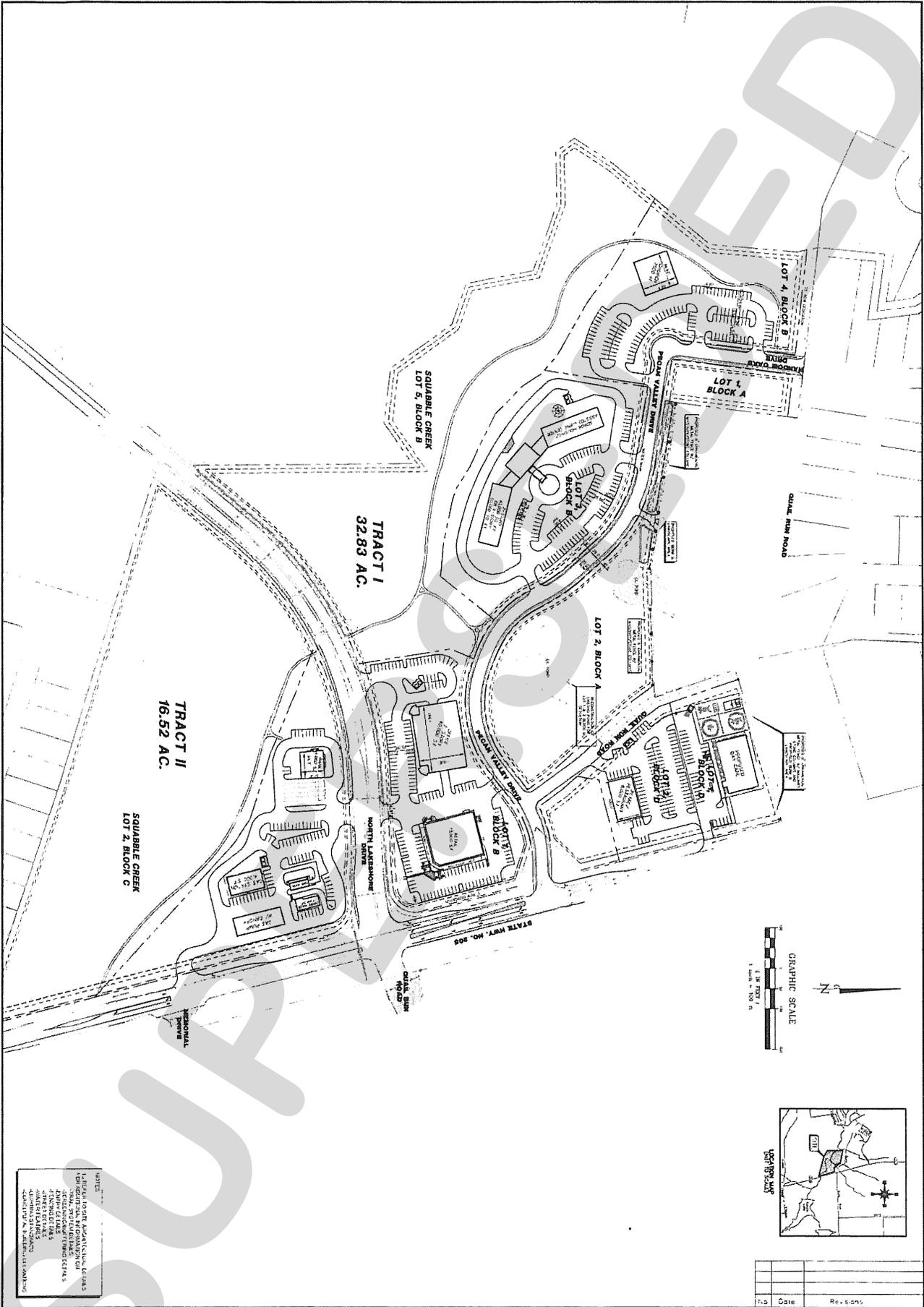
South 88°40'43" West, a distance of 46.97 feet to a point for corner;

North 71°15'19" West, a distance of 564.26 feet to a point for corner;

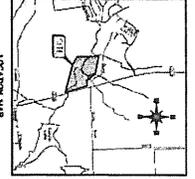
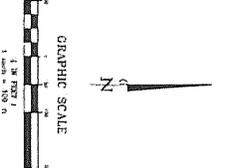
North 72°47'58" West, a distance of 806.31 feet to the **POINT OF BEGINNING** and containing 16.52 acres of land.



**AERIAL PHOTOGRAPH
NORTH LAKESHORE VALLEY
PLANNED DEVELOPMENT DISTRICT**



NOTES:
 1. REFER TO SITE AND UTILITY PLANS FOR DETAILED INFORMATION ON THE LOCATION OF UTILITIES AND THE LOCATION OF THE PROPOSED IMPROVEMENTS.
 2. REFER TO THE CITY OF ROCKWALL PD SITE PLAN FOR DETAILED INFORMATION ON THE LOCATION OF THE PROPOSED IMPROVEMENTS.
 3. REFER TO THE CITY OF ROCKWALL PD SITE PLAN FOR DETAILED INFORMATION ON THE LOCATION OF THE PROPOSED IMPROVEMENTS.
 4. REFER TO THE CITY OF ROCKWALL PD SITE PLAN FOR DETAILED INFORMATION ON THE LOCATION OF THE PROPOSED IMPROVEMENTS.
 5. REFER TO THE CITY OF ROCKWALL PD SITE PLAN FOR DETAILED INFORMATION ON THE LOCATION OF THE PROPOSED IMPROVEMENTS.



NO.	DATE	REVISIONS
1	11/08/2007	ISSUED FOR PERMITS

DATE	11/08/2007
DRAWN BY	WDF / KFD
CHECKED BY	DRK
APPROVED BY	DKM
LEAD FIRE 105 PD SITE PLAN	
PROJECT NO.	68199000

PD SITE PLAN

NORTH LAKESHORE VALLEY
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Kimley-Horn and Associates, Inc.
 5700 Sevens Creek Suite 202
 Frisco, Texas 75034
 Tel: No (972) 321-1500
 Fax: No (972) 321-1774

CITY OF ROCKWALL

ORDINANCE NO. 10-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-65) PLANNED DEVELOPMENT NO. 65 (ORD NO. 08-02), SPECIFICALLY TO ALLOW FOR OUTSIDE DISPLAY OF HOUSEHOLD PROPANE CANISTERS IN CONJUNCTION WITH THE EXISTING WALGREEN'S RETAIL STORE LOCATED AT 2007 N. GOLIAD, BEING A 2.02 ACRE TRACT OF LAND KNOWN AS LOT 1, BLOCK B, NORTH LAKESHORE VALLEY ADDITION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an amendment to (PD-65) Planned Development No. 65, to specifically allow for outside display of household propane canisters in conjunction with the existing Walgreen's retail store has been requested by Walgreen Co., for the property located at 2007 N. Goliad, and on a 2.02 acre tract of land and known as Lot 1, Block B, North Lakeshore Valley Addition, City and County of Rockwall, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code 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, as heretofore amended, be and the same is hereby amended by approval of an amendment to (PD-65) Planned Development No. 65 to allow for outside display of household propane canisters in conjunction with the existing Walgreen's retail store, for the property located at 2007 N. Goliad, and on a 2.02 acre tract of land and known as Lot 1, Block B, North Lakeshore Valley Addition, City and County of Rockwall, Texas; and

Section 2. That the subject property shall be used only in the manner and for the purposes provided for in the Unified Development Code (Ord. No. 04-38) of the City of Rockwall as heretofore amended, and shall be adhere to the conditions set forth in (PD-65) Planned Development No. 65 (Ord. No. 08-02), and shall be subject to the following additional condition:

1. No outside display or outside storage shall be allowed on the property, with the exception of two household propane exchange cages, which shall be located under cover and limited by the following dimensions: 13' 6" wide X 2'

6" deep X 6' height.

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

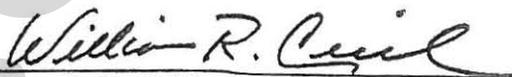
Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

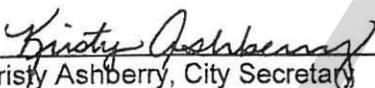
Section 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance 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 No. 04-38 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 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.

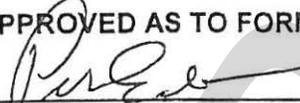
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of October, 2010.

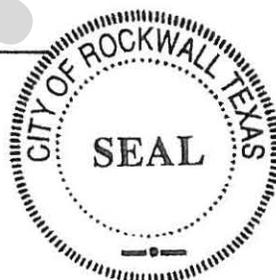

William R. Cecil, Mayor

ATTEST:


Kristy Ashberry, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: 10-04-10

2nd Reading: 10-18-10