

CITY OF ROCKWALL

ORDINANCE NO. 22-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT 95 (PD-95) FOR NEIGHBORHOOD SERVICES (NS) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 173.00-ACRE TRACT OF LAND IDENTIFIED AS TRACT 7-1 OF THE W. H. BAIRD SURVEY, ABSTRACT NO. 25 AND LOT 1, BLOCK A, ROCKWALL CCA ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; 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, the City has received a request from Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for a change in zoning from an Agricultural (AG) District to a Planned Development District for Neighborhood Services (NS) District land uses for a 173.00-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25 and Lot 1, Block A, Rockwall CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 2301 John King Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that 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. 16-62*;

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 may be amended in the future;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, outlined 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 the official zoning map of the City be corrected to reflect the changes in the zoning described herein;

SECTION 5. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 6. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 7. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or 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 (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 8. 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 MAY, 2022.



Kevin Fowler, Mayor

ATTEST:



Kristy Teague, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: April 18, 2022

2nd Reading: May 2, 2022

Exhibit 'A':
Legal Description

BEING a tract of land situated in the W. H. BAIRD SURVEY, ABSTRACT NO. 25, Rockwall County, Texas and all of that certain 173.00-acre tract of land conveyed to Rockwall Independent School District by deed, as recorded in Instrument No. 2010-00443616, official public records, Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a ½" iron rod found for corner in the East right-of-way John King Boulevard (State Highway 205 Bypass) (a variable width R.O.W.), same point being the Northeast corner of said Rockwall Independent School District Tract;

THENCE North 88 degrees 49 minutes 51 seconds East, along the North line of said Rockwall Independent School District tract, a distance of 36.45 feet to a ½" iron rod found for corner;

THENCE North 88 degrees 12 minutes 49 seconds East, along the North line of said Rockwall Independent School District tract, passing the Southwest corner of Lofland Farms, Phase 4, an addition to the City of Rockwall, according to the plat thereof recorded in Cabinet E, Page 157-158, Official Public Records, Rockwall County, Texas, a continuing for a total distance of 3926.93 feet to a ½" iron rod found for corner, said point being in the West right-of-way line of F.M. 549 (a variable width right-of-way);

THENCE South 01 degrees 23 minutes 38 seconds East, along the West right-of-way line of said F.M. 549, a distance of 80.00 feet to a ½" iron rod found for corner;

THENCE South 88° 12' 49" West, a distance of 592.56 feet to a point for corner in the center line of creek;

THENCE generally in a Southerly direction along the center line of said creek as follows the following courses and distances:

South 28° 29' 01" East, a distance of 135.42 feet to a point for corner;
South 21° 55' 03" West, a distance of 149.77 feet to a point for corner;
South 27° 41' 32" West, a distance of 163.10 feet to a point for corner;
South 00° 56' 37" East, a distance of 367.60 feet to a point for corner;
North 88° 57' 17" East, a distance of 96.61 feet to a point for corner;
South 51° 35' 27" East, a distance of 90.30 feet to a point for corner;
South 10° 07' 36" East, a distance of 80.55 feet to a point for corner;
South 15° 15' 18" West, a distance of 119.88 feet to a point for corner;
South 71° 51' 06" West, a distance of 38.44 feet to a point for corner;
South 50° 22' 26" West, a distance of 85.13 feet to a point for corner;
South 14° 03' 43" East, a distance of 165.60 feet to a point for corner;
South 18° 54' 27" East, a distance of 15.83 feet to a point for corner;

THENCE North 88° 12' 49" East, departing the center line of said creek, a distance of 586.01 feet to a ½" iron rod found for corner, said point being in the said West right-of-way line of F.M. 549

THENCE South 01° 02' 24" East, along the West right-of-way line of said F.M. 549, a distance of 80.01 feet to a ½" iron rod found for corner;

THENCE South 88° 12' 49" West, departing the West right-of-way line of said F.M. 549, a distance of 406.85 feet to a ½" iron rod found for corner;

Exhibit 'A':
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THENCE South 01° 47' 11" East, along the East line of said Rockwall Independent School District tract, a distance of 669.50 feet to a ½" iron rod found for corner, said point being the Southeast corner of said Rockwall Independent School District tract;

THENCE South 88° 12' 49" West, along the South line of said Rockwall Independent School district tract, a distance of 3698.29 feet to a ½" iron rod found for corner, said point being the Southwest corner of said Rockwall Independent School District tract, same point being in the East line of said John King Boulevard (State Highway 205 Bypass);

THENCE North 01° 35' 13" West, along the East line of said John King Boulevard (State Highway 205 Bypass), a distance of 1585.58 feet to a ½" iron rod found for corner, said point being the beginning of a curve to the right having a radius of 895.00 feet, a delta angle of 29° 24' 14", and a chord bearing and distance of North 13° 06' 54" East, 454.29 feet;

THENCE in a Northeasterly direction along said curve to the right and along the East line of said John King Boulevard (State Highway 205 Bypass), an arc distance of 459.31 feet to a ½" iron rod found for corner, said point being the beginning of a reverse curve to the left having a radius of 1005.00 feet, a delta angle of 04° 17' 37", and a chord bearing and distance of North 25° 40' 12" East, 75.29 feet;

THENCE in a Northeasterly direction along said curve to the left and along the East line of said John King Boulevard (State Highway 205 Bypass), an arc distance of 75.31 feet to the **PLACE OF BEGINNING** and containing 173.00 acres of computed land.

Exhibit 'B': Survey

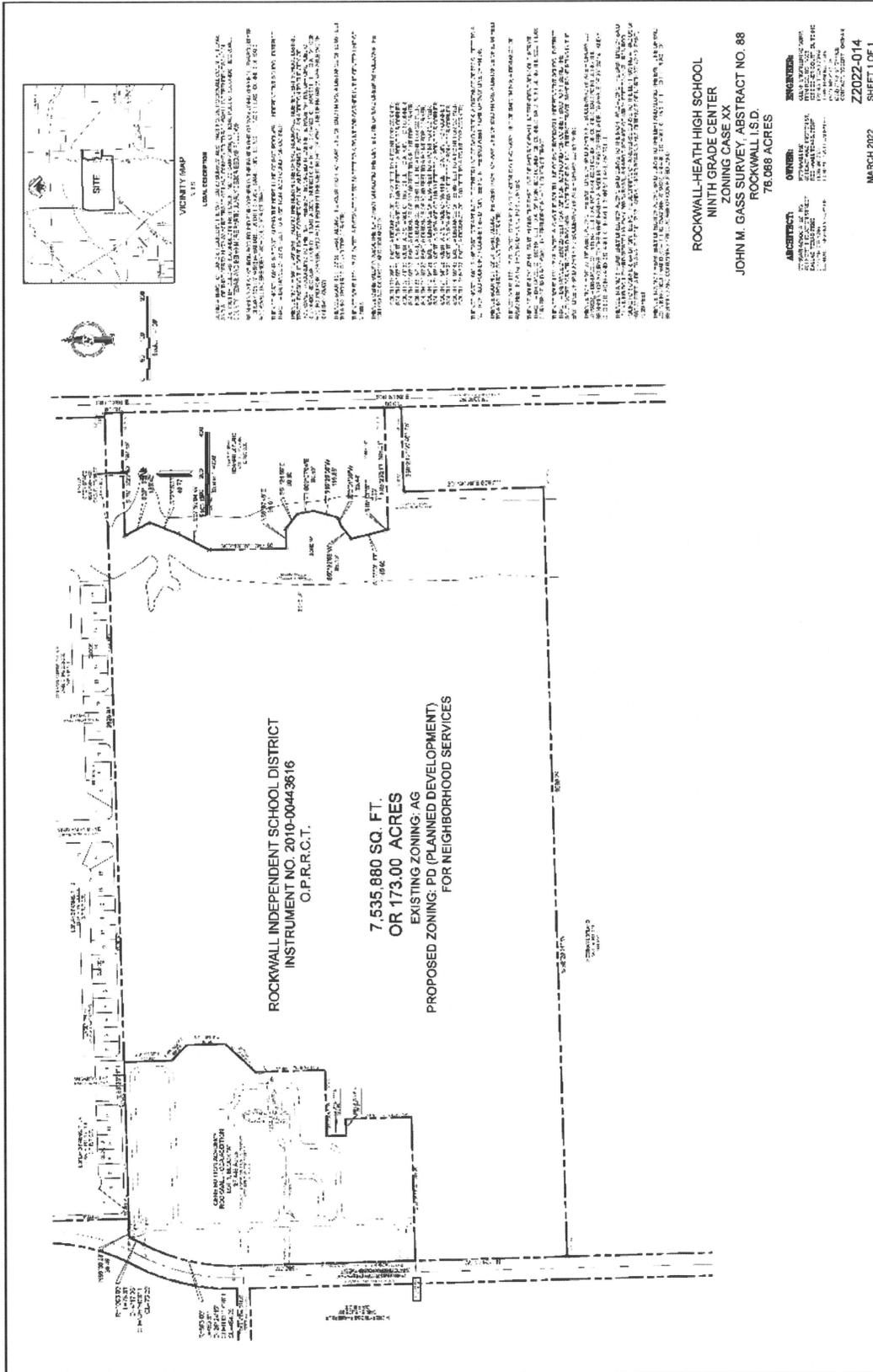


Exhibit 'C':
Development Standards

All development occurring within the boundaries of the *Subject Property* shall conform to the development and land use standards contained in this Planned Development District ordinance. Development and land use standards not explicitly mentioned in this ordinance shall be governed by *Ordinance No. 20-02* and be subject to all pertinent development and land use standards for a Neighborhood Services (NS) District as specified by the Unified Development Code (UDC). All sections of the Unified Development Code (UDC) referenced in this section of the Planned Development District Ordinance shall be as is and as amended in the future.

C.1 PURPOSE.

The purpose of this Planned Development District is to provide provisions that control the development of a *Public or Private Primary School* or a *Public or Private Secondary School* with special conditions and requirements for ancillary land uses.

C.2 LAND USE AND DEVELOPMENT STANDARDS.

(1) *Permitted Uses*. The permitted land uses for the *Subject Property* shall be as follows:

(a) Land Uses Permitted *By-Right*:

- Public or Private Primary School ^{(1) & (2)}
- Public or Private Secondary School ^{(1) & (2)}
- Public Park or Playground
- Track or Stadium ⁽³⁾

(b) Land Uses Permitted by Specific Use Permit (SUP):

- Temporary Education Building for a Public or Private School ⁽⁴⁾
- Accessory Building for Storage

Notes:

- ⁽¹⁾: All ancillary land uses typically associated with the development of a *Public or Private Primary School* and/or *Public or Private Secondary School* -- as determined by the *Director of Planning and Zoning* or his/her designee -- shall be permitted on the *subject property* and be subject to approval through a site plan or amended site plan by the Planning and Zoning Commission. The Planning and Zoning Commission may require screening, wing walls, and/or other design elements to minimize the impacts of any ancillary land use.
- ⁽²⁾: Adequate pick-up and drop-off areas shall be provided to ensure that street traffic/neighborhood traffic is not impeded. This shall be determined by the Director of Planning and Zoning or his/her designee at the time of site plan.
- ⁽³⁾: For a *Track or Stadium* with a seating capacity of less than 1,000 people. For a *Tract or Stadium* with a seating capacity of 1,000 people or greater a Specific Use Permit (SUP) shall be required to be approved by the City Council pending a recommendation from the Planning and Zoning Commission.
- ⁽⁴⁾: This land uses shall be subject to the *Conditional Land Use Standards* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC); however, special attention should be paid to the placement of any *Temporary Education Buildings* due to the residential adjacencies of the *Subject Property*. *Temporary Education Buildings* shall not be allowed in an established building setback or landscape buffer.

(2) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the density and dimensional standards stipulated by the Neighborhood Services (NS) District and the SH-205 By-Pass Overlay (SH-205

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BY OV) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development of the *Subject Property*. All development shall also conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

<i>Minimum Lot Width</i>	100'
<i>Minimum Lot Depth</i>	200'
<i>Minimum Lot Area</i>	1-Acre or 43,560 SF
<i>Minimum Front Yard Setback</i> ^{(1), (2) & (3)}	40'
<i>Minimum Side Yard Setback</i>	10'
<i>Minimum Rear or Side Yard Setback (Adjacent to a Street)</i>	40'
<i>Minimum Rear or Side Yard Setback Adjacent to Residential</i>	50'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Distance Between Buildings</i> ⁽⁵⁾	15'
<i>Maximum Building Height</i> ⁽⁶⁾	40'
<i>Maximum Lot Coverage</i>	40%
<i>Minimum Required Landscaping</i>	30%

General Notes:

- ¹: No more than one (1) full row of parking (*i.e. two [2] rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of the adjacent street.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The minimum front yard building setback shall be increased to 100-feet adjacent to John King Boulevard.
- ⁴: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁵: Zero (0) feet with a fire rated wall.
- ⁶: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

- (3) *Architectural and Building Standards*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Neighborhood Services (NS) District and the SH-205 By-Pass Overlay (SH-205 BY OV) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development of the *Subject Property*. In addition, all buildings within the *Subject Property* shall incorporate complementary architectural styles, materials, and colors. Conformance to the intent of this requirement shall be reviewed by the Architectural Review Board (ARB) at the time of site plan.
- (4) *Landscaping and Hardscape Standards*. Unless specifically provided by this Planned Development District ordinance, the landscape and hardscape standards stipulated by the SH-205 By-Pass Overlay (SH-205 BY OV) District, as specified by Article 05, *District Development Standards*, and Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) are applicable to all development of the *Subject Property*. In addition, the landscape buffer requirements for the development of the *Subject Property* shall be as follows:
 - (a) *Landscape Buffer and Sidewalk (John King Boulevard)*. A minimum of a 50-foot landscape buffer shall be provided along John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover and shrubbery along the entire length of the frontage. Shrubby shall have a

Exhibit 'C':
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minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering/curvilinear ten (10) foot trail shall be constructed within the 50-foot landscape buffer.

- (b) Landscape Buffer and Sidewalk (FM-549). A minimum of a 30-foot landscape buffer shall be provided along FM-549 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (c) Landscape Buffer for the Residential Adjacency Along the Northern Property Line. The northern property line shall incorporate a minimum of a 20-foot landscape buffer that includes a berm and three (3) tiered screening (*i.e. [1] a row of small to mid-sized shrubs, [2] a row of large shrubs or accent trees or a combination thereof, and [3] a row of canopy trees on a minimum of 20-foot centers*) along the entire residential adjacency. Berms and shrubbery shall have a minimum height of 48-inches.
- (d) Landscape Buffer for the Residential Adjacency Along the Southern Property Line. The southern property line shall incorporate a minimum of a 20-foot landscape buffer that includes a berm and canopy trees planted on 20-foot centers along the entire residential adjacency.
- (5) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.