

ORDINANCE NO. 73-48

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO GIVE THE FOLLOWING-DESCRIBED TRACTS OF LAND A "PD" PLANNED DEVELOPMENT DISTRICT CLASSIFICATION ZONING FOR A COMBINATION OF SINGLE-FAMILY, MULTIPLE-FAMILY AND OTHER USES AS SET OUT HEREIN, TO BE DESIGNATED AS PLANNED DEVELOPMENT DISTRICT NUMBER 8, SAID PLANNED DEVELOPMENT DISTRICT BEING DESCRIBED ON THE PLAT ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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 due 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 the following-described property the zoning classification hereinafter set out, to-wit:

SECTION 2. The granting of the Planned Development District Number 8 to the above-described property is subject to the following Special Conditions:

(1) Planned Development District Number 8 shall be developed generally in accordance with the site plan for said area, which is attached to and made a part hereof as Exhibit "A."

(2) That all development of property covered by this ordinance shall be in accordance with the approved site plan, and no substantial change in the development shall be permitted except after obtaining approval of the change of such site plan in the manner required for change and amendments to the Comprehensive Zoning Ordinance.

(3) Prior to the issuance of any building permit in Planned Development District Number 8, a Comprehensive Site Plan of the Development shall be filed with the City Council of the City and shall be approved by them and filed as a part of this ordinance. Such required detailed plan shall set forth the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way to conform to the thoroughfare plan of the City of Rockwall, sidewalks, utilities, drainage, parking space, height of buildings, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective requirements considered necessary by the City Council to create a reasonable transition to and protection of the adjacent property. Such approval by the City Council of the detailed site plan shall be considered as an amendment to this ordinance and shall be applicable to the property involved.

(4) Area 1. of Planned Development District No. 8 shall contain no more than 500 dwelling units, subject to the setbacks, yards, parking spaces and other requirements set out in Exhibit "B" hereto.

(5) Area 2. of Planned Development District No. 8 shall contain any single-family, multiple-family or non-residential use permitted in a Planned Development District under the Comprehensive Zoning Ordinance of the City of Rockwall, except the following:

- (a) Automobile-type uses under Section 8-106;
- (b) Retail and service-type uses under Section 8-107;
- (c) Commercial and service-type uses under Section 8-108;
- (d) Industrial uses under Section 8-109.

(6) The number of dwelling units in Area 2. shall not exceed six (6) per gross acre, or 1,520 unit total.

TRACT I.

BEING a tract of land out of the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas, and being all of those certain tracts of land as conveyed to Kirby Albright, by Deed as recorded in Vol. 83, Page 510, and a portion of that tract as conveyed to Whilden Construction Company, by Deed as recorded in Vol. 44, Page 618, and a portion of that tract of land as conveyed to A. L. Cross, by Deed as recorded in Vol. 63, Page 382, of the Deed Records of Rockwall County, Texas, and all of that tract of land as proposed to be conveyed to John L. Jones, by the City of Dallas, Texas, and being all of Lot 5, Scenic Estates Subdivision, as recorded in Vol. 1, Page 42, of the Map Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner at the northerly northwest corner in the City of Dallas Take-Line in Lake Ray Hubbard, said point being the southwest corner of Kirby Albright 26.954 acre tract, as recorded in Deed Records of Rockwall County, Texas;
THENCE S 56° 53' 59" E, 732.68 feet to a point for a corner;
THENCE N 44° 37' 56" E, 1751.07 feet to a point for corner;
THENCE S 45° 29' 25" E, 1101.25 feet to the beginning of a circular curve to the left having a radius of 80.00 feet;
THENCE Southeasterly, to Northeasterly, along said circular curve to the left, thru a central angle of 116° 29' 35", an arc distance of 162.66 feet to the point of tangency;
THENCE N 18° 01' E, 375.02 feet to a point for a corner, in the Southwesterly line of a Public Road;
THENCE S 45° 18' 28" E, along the said Southwesterly line of a Public Road, 200.00 feet to a point for a corner;
THENCE N 39° 48' 39" E, 51.22 feet to a point for corner, in the above-referenced Westerly line of Farm-Market Highway 740;
THENCE S 37° 03' 22" E, continuing along the said Westerly line of Farm-Market Highway 740, 225.40 feet to an angle point;
THENCE S 12° 02' 06" E, continuing along the said Westerly line of Farm-Market Highway 740, 241.20 feet to an angle point;
THENCE S 8° 24' 31" E, continuing along the said Westerly line of Farm-Market Highway 740, 848.05 feet to a point for corner at northeast corner of Scenic Estates Subdivision;
THENCE N 84° 34' 07" West along the north line of Lot 1 of the above said Scenic Estate Subdivision, 391.10 feet to a point for corner;
THENCE S 2° 06' 52" W, along the Westerly line of the above said Scenic Estates Subdivision, 559.82 feet to a point for a corner, said point being the Southwesterly corner of Lot 4, of said subdivision;
THENCE S 84° 34' 07" E, along the Southerly line of the above said Lot 4, 352.30 feet to a point for a corner, in the above referenced West line of Farm-Market Highway 740;
THENCE S 6° 05' 20" W, along the said Westerly line of Farm-Market Highway 740, 310.00 feet to a point for corner;
THENCE N 89° 17' 49" W 4268.99 feet to a point for corner in the City of Dallas TakeLine for Lake Ray Hubbard;
THENCE, the following courses and distances along the existing and proposed City of Dallas Take-Line for Lake Ray Hubbard:

N 17° 56' 12" E 235.24 feet; N 17° 48' 56" E, 45.55 feet; N 57° 22' 11" E 107.47 feet; N 4° 36' 56" W, 137.44 feet; N 44° 11' 50" E, 137.84 feet; N 14° 30' 54" E, 137.19 feet; N 56° 08' 28" E, 255.03 feet; N 28° 15' 05" E, 192.07 feet; N 39° 23' 13" E, 599.08 feet; N 72° 30' 52" E, 138.00 feet; N 57° 05' 40" W, 236.77 feet; N 46° 19' 05" E, 120.00 feet to the POINT OF BEGINNING and containing 162.6 acres of land.

All of Lots 1, 3 & 4 out of the E. Teal Survey of the Scenic Estates Subdivision according to the Map or Plat thereof recorded in Vol. 1, Page 42, of the Rockwall County Map Records.

TRACT II.

BEING a tract of land out of the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas, and being all of those certain tracts of land as conveyed to Kirby Albright by Deed as recorded in Vol. 83, Page 510, and a portion of that tract as conveyed to Whilden Construction Company, by Deed as recorded in Vol. 44, Page 618, and a portion of that tract of land as conveyed to A. L. Cross, by Deed as recorded in Vol. 63, Page 382, of the Deed Records of Rockwall County, Texas, and all of that tract of land as proposed to be conveyed to John L. Jones, by the City of Dallas, Texas, all shown in Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner in the West right-of-way line of Farm-Market Road 740, said point being 310 feet S 6° 05' 20" West of Southeast corner of Lot 4, of Scenic Estates Subdivision as recorded in Vol. 1, Page 42, of the Map Records of Rockwall County, Texas;
THENCE S 6° 05' 20" W along westerly line of F. M. Road 740, 897.40 feet to the beginning of a circular curve to the right, having a radius of 100.00 feet;
THENCE Southwesterly, continuing along the said Westerly line of Farm-Market Highway 740, with said circular curve to the right thru a central angle of 82° 36' 10", an arc distance of 144.17 feet to the point of tangency;
THENCE S 88° 41' 30" W, continuing along the Westerly line of Farm-Market Highway 740, 344.81 feet to a point for a corner;
THENCE S 3° 02' 01" E, continuing along the said Westerly line of Farm-Market Highway 740, 695.57 feet to a point for a corner;
THENCE N 89° 31' 20" W, 948.14 feet to a point for a corner;
THENCE S 40° 57' W, 965.45 feet to a point for a corner in the City of Dallas Take-Line for Lake Ray Hubbard;
THENCE, the following courses and distances along the existing and proposed City of Dallas Take-Line for Lake Ray Hubbard:
N 14° 46' 41" W, 442.02 feet; N 1° 33' 58" W, 69.07 feet; N 20° 52' 35" W, 148.60 feet; N 31° 30' 06" W, 107.01 feet; N 58° 29' 49" E, 120.00 feet; N 38° 21' 05" W, 481.00 feet; N 56° 39' 37" W, 227.43 feet; N 86° 45' 01" W, 101.52 feet; N 67° 27' 32" W, 298.03 feet; N 3° 55' 02" W, 50.12 feet; N 44° 59' 06" W, 56.57 feet; S 86° 04' 55" W, 47.54 feet; N 46° 18' 55" W, 374.23 feet; N 7° 58' 58" E, 19.06 feet; N 58° 06' 47" W, 47.17 feet; N 81° 08' 45" W, 192.35 feet; N 61° 21' 03" W, 290.90 feet; N 51° 20' 46" W, 32.99 feet; N 24° 34' 31" W, 131.11 feet; N 76° 04' 56" W, 82.46 feet; N 40° 01' 45" W, 101.03 feet; S 44° 58' 04" W, 22.73 feet; N 24° 50' 43" W, 276.57 feet; to a point for a corner;
THENCE S 89° 17' 49" E a distance of 4,268.99 feet to the POINT OF BEGINNING, and containing 122.7 acres of land.

SECTION 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That the above-described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended herein, by the granting of this zoning change.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended hereby, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. Whereas, it appears that the above-described property requires classification as a Planned Development District in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, such requirement creates an urgency and an emergency in the preservation of the public welfare and requires that this ordinance take effect immediately from and after its passage and the publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 12th day of November, 1973.

APPROVED:

Harold Myers
MAYOR

ATTEST:

Daniel Williams
CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

	Min. Resi- dential Lot Area	Min. Resi- dential Lot Width	Min. Resi- dential Lot Depth	Max. Building Coverage	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Min. Number of Parking Spaces
Single-Family Structures With Side Yards On Both Sides	6000 sq. ft.	50 ft.	100 ft.	40%	25 ft.	5 ft.	10 ft.	2 per unit
Single-Family Structures With Side Yard On One Side Only.	4000 sq. ft.	40 ft.	100 ft.	60%	25 ft.	10 ft.	10 ft.	2 per unit
Single-Family Structure With No Side Yard	3000 sq. ft.	20 ft.	100 ft.	60%	25 ft.	-	10 ft.	2 per unit
Multi-Family Structure Or Condominium	2000 sq. ft. per unit	70 ft.	100 ft.	40%	25 ft.	as per 9-602 (2)&(3)	10 ft.	1 1/2 per unit
Non-Residential	-	-	-	40%	25 ft.	None	10 ft.	As per 10-102

* No side yard required on one side

** Except none required where adjoining a common area

PLANNED DEVELOPMENT DISTRICT NO. 8

EXHIBIT "B"

EXHIBIT B



ON TOWNHOUSE LOTS
THROUGHT
TOWN VILLAS

LAKE HUBBARD

BOAT LAUNCHING

VILLAGE

ENTRANCE CENTER

TE HOUSE & GENTRY

PRIVATE SCHOOL

NDLERS LANDING

ASTER SITE PLAN
Kiyotaki/Bell & Associates
itects & Land Planners
ASTORIA, OREGON
Jan. 12, 1973



ROUTE 140
TO INTERSTATE 5
& DALLAS