

ORDINANCE NO. 85-59

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND FROM "MF-15" MULTIFAMILY DISTRICT CLASSIFICATION TO "C" COMMERCIAL DISTRICT CLASSIFICATION WITH A CONDITIONAL USE PERMIT FOR A STRUCTURE EXCEEDING 60 FEET IN HEIGHT FOR A TRACT OF LAND DESCRIBED ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE AND PROVIDING AN EFFECTIVE DATE.

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

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

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the Zoning Map of the City of Rockwall so as to give a "C" Commercial District Classification with a Conditional Use Permit for a structure exceeding 60 feet in height to the property described on the attached Exhibit "A".

Section 2. That there shall be no time limit on this Conditional Use Permit.

Section 3. That this permit shall only be valid for full service acute care hospital with a maximum height of 112 feet.

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all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.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 5. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

Section 6. 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, as amended hereby, and as may be amended in the future, and upon conviction shall be punished by a penalty of fine not to exceed the sum of ONE THOUSAND DOLLARS (\$1,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

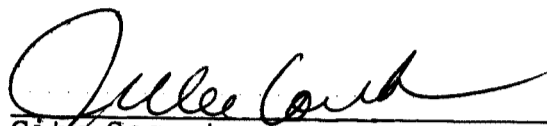
Section 7. Whereas, it appears that the above described property requires classification to "C" Commercial District Classification with a Conditional Use Permit for a structure exceeding 60 ft. in height to permit its proper development, and to protect the public interest and general welfare of the City 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 AND APPROVED this 15th day of October, 1985.

APPROVED:


Mayor

Attest:


City Secretary

1st reading 10/7/85

2nd reading 10/15/85

EXHIBIT A
10 ACRE TRACT

COMMENCING at the most Easterly corner of the said 30.23 acre tract; Thence: South $45^{\circ} 20' 55''$ West along the Southeast line of the said 30.23 acre tract a distance of 885.66 feet to a point for a corner; Thence: South $45^{\circ} 51' 23''$ West continuing along said Southeast line a distance of 40.18 feet to the Point of Beginning of this tract;

THENCE: South $45^{\circ} 51' 23''$ West continuing along said Southeast line a distance of 234 feet to a point for a corner;

THENCE: South $45^{\circ} 15' 28''$ West continuing along said Southeast line a distance 338.55 feet to a point for a corner and the beginning of a circular curve to the right, said curve having a chord bearing of North $36^{\circ} 06' 58''$ West, a central angle of $32^{\circ} 25' 44''$, and a radius of 1218.00 feet;

THENCE: In a Northwesterly direction with said circular curve to the right, an arc distance of 689.38 feet to a point for a corner and the point of reverse curvature of a circular curve to the left, said circular curve having a chord bearing of North $23^{\circ} 54'$ West, a central angle of $7^{\circ} 59' 47''$ and a radius of 1110 feet;

THENCE: In a Northwesterly direction with said circular curve to the left, an arc distance of 154.91 feet to a point for a corner and the beginning of a circular curve to the left, said circular curve having a chord bearing of North $49^{\circ} 10' 02''$ East, a central angle of $7^{\circ} 28' 17''$ and a radius of 845 feet;

THENCE: In a Northeasterly direction with said circular curve to the left, an arc distance of 110.19 feet to a point for a corner;

THENCE: North $45^{\circ} 35' 54''$ East a distance of 310.43 feet to a point for a corner;

THENCE: South $44^{\circ} 24' 06''$ East a distance of 809.97 feet to the Point of Beginning and Containing 10 Acres (435,600 Square Feet) of Land.