
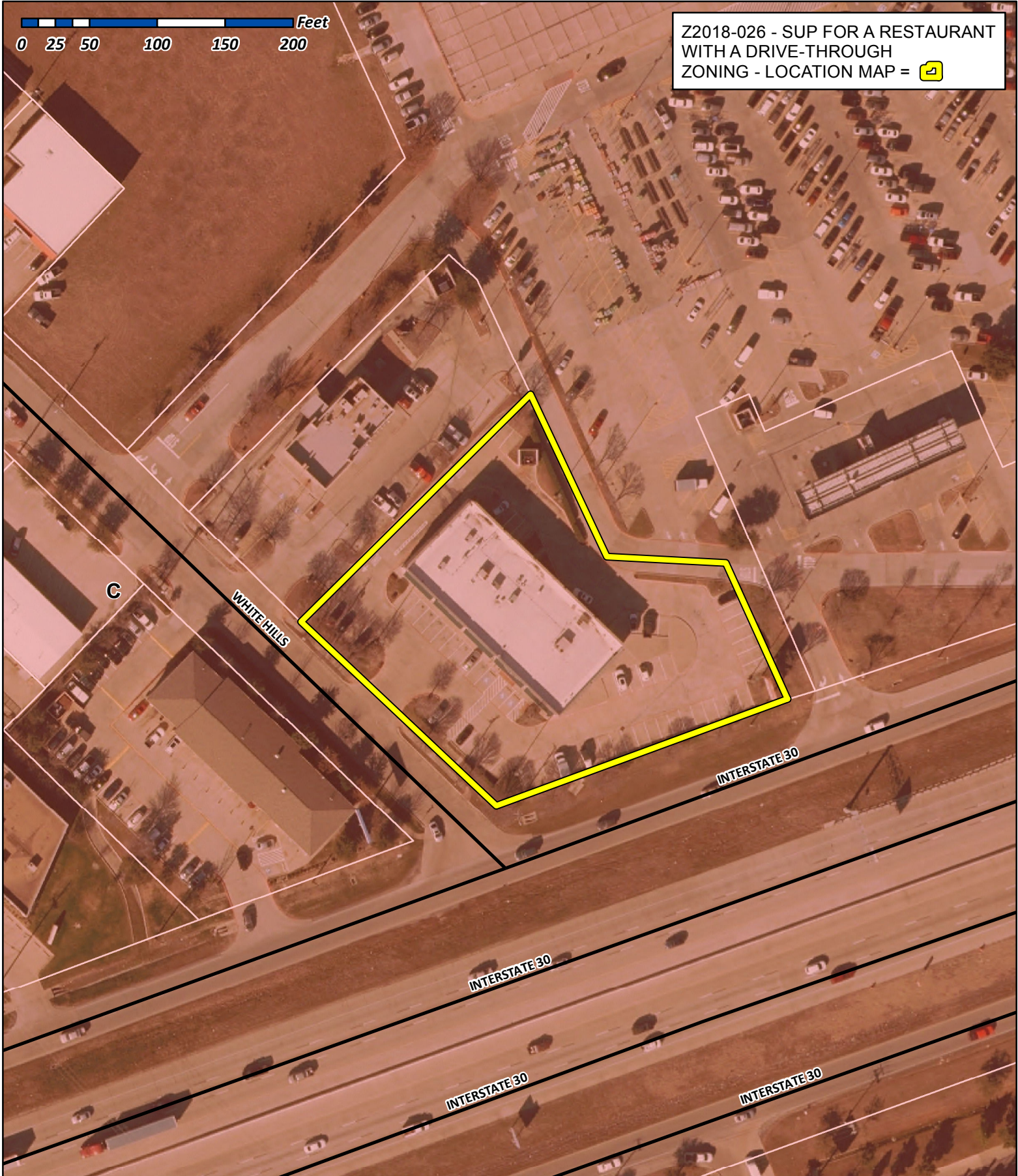


0 25 50 100 150 200 Feet

Z2018-026 - SUP FOR A RESTAURANT WITH A DRIVE-THROUGH
ZONING - LOCATION MAP = 



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

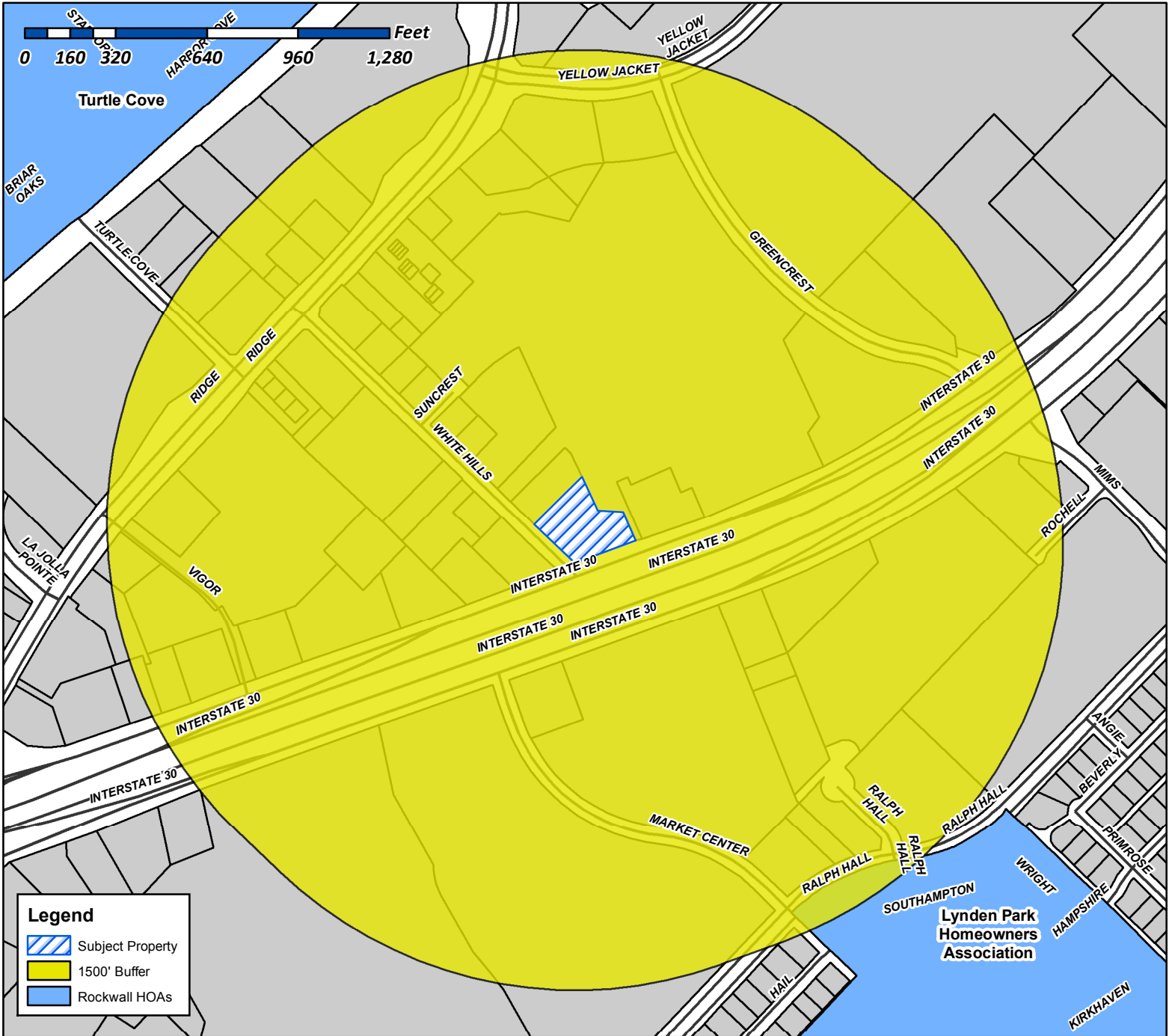




City of Rockwall

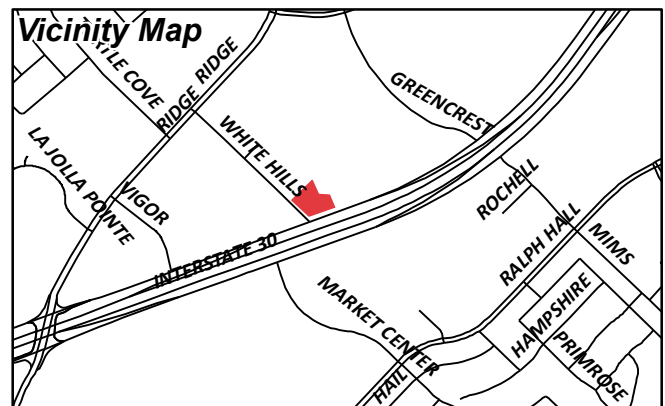
Planning & Zoning Department
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Case Number: Z2018-026
Case Name: SUP for a Restaurant with a Drive-Through
Case Type: Zoning
Zoning: SUP
Case Address: 621 White Hills Dr

Date Created: 6/18/2018
 For Questions on this Case Call (972) 771-7745

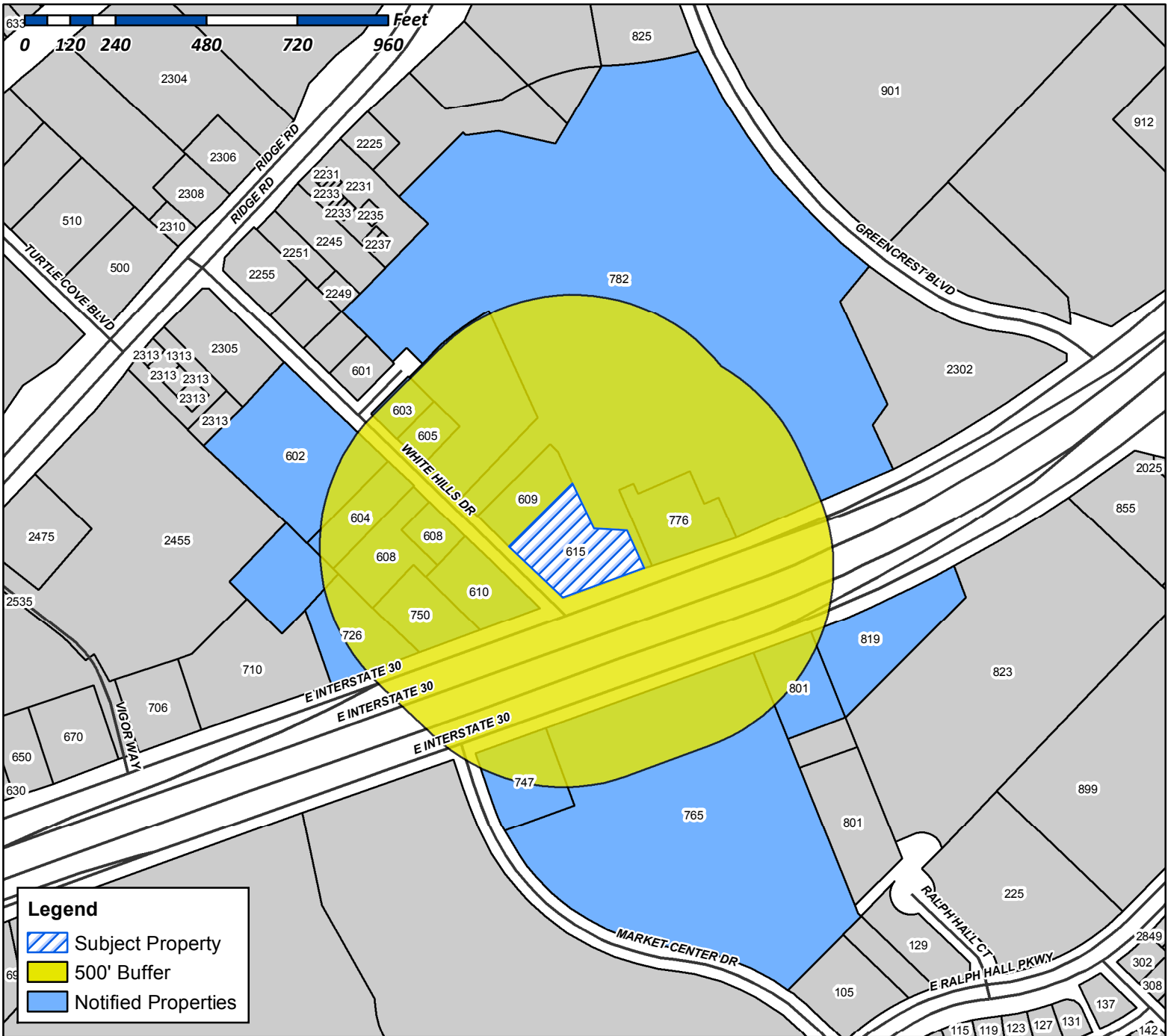




City of Rockwall

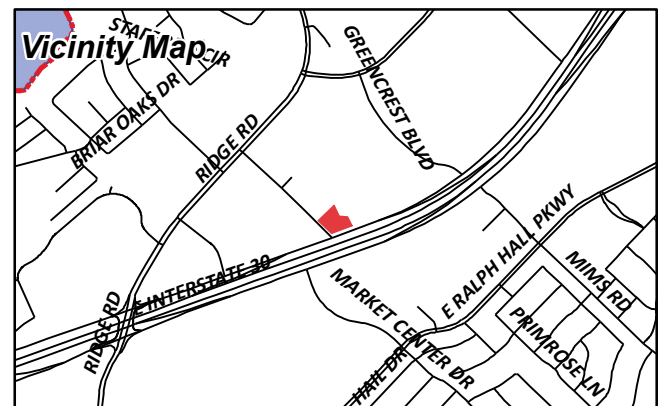
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WEINBERGER HAROLD E 1998 FAMILY TRUST &
ELANA KROLL 1993 TRUST
1425 CAMINO LUJAN
SAN DIEGO, CA 92111

MAJESTIC CAST INC
1625 FERRIS RD
GARLAND, TX 75044

THE TWO SHORT, LP
A TEXAS LIMITED PARTNERSHIP
1810 KENTWOOD CIR
ROCKWALL, TX 75032

COLE OB ROCKWALL TX LLC
C/O OTB ACQUISITION LLC
2201 W ROYAL LANE, SUITE 240
IRVING, TX 75063

605 WHITE HILLS LLC
253 QUAIL CREEK ROAD
ROCKWALL, TX 75032

609 WHITE HILLS LTD
C/O TACO BUENO RESTAURANTS INC
300 E JOHN CARPENTER FWY STE 800
IRVING, TX 75062

WALKER I REALTY INC
C/O CHARLES F WALKER
3404 MARQUETTE ST
DALLAS, TX 75225

INVEZA GROUP LLC
4400 TEMECULA CREEK TRAIL
MCKINNEY, TX 75070

CURRENT RESIDENT
602 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
603 WHITE HILLS DR
ROCKWALL, TX 75087

CONAWAY ROBERT
604 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
605 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
608 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
609 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
610 WHITE HILLS DR
ROCKWALL, TX 75087

CURRENT RESIDENT
615 WHITE HILLS DR
ROCKWALL, TX 75087

SAYED PROPERTY MANAGEMENT LLC
7008 MILLS BRANCH CIR
PLANO, TX 75024

CURRENT RESIDENT
726 I30
ROCKWALL, TX 75087

CURRENT RESIDENT
747 E I30
ROCKWALL, TX 75087

SEVEN26 PROPERTIES LLC
750 E I-30 SUITE 105
ROCKWALL, TX 75087

CURRENT RESIDENT
765 I30
ROCKWALL, TX 75087

CURRENT RESIDENT
776 E I30
ROCKWALL, TX 75087

CURRENT RESIDENT
782 I30
ROCKWALL, TX 75087

CURRENT RESIDENT
801 E I30
ROCKWALL, TX 75087

CURRENT RESIDENT
819 E I30
ROCKWALL, TX 75087

ARC BFRKWTX001 LLC
C/O ED RYBURN CMI SENIOR TAX SPECIALIST
BRIDGESTONE AMERICAS HOLDING INC 535
MARRIOTT DR 9TH FLOOR
NASHVILLE, TN 37214

HD DEVELOPMENT PROPERTIES LP
PROPERTY TAX DEPT #0531
PO BOX 105842
ATLANTA, GA 30348

JACKSON ROCKWALL INVESTMENT
PO BOX 657
ROCKWALL, TX 75087

FIRST PRESBYTERIAN CHURCH
ROCKWALL, TEXAS, INC
PO BOX 692
ROCKWALL, TX 75087

MURPHY OIL USA INC
PO BOX 7300
EL DORADO, AR 71731

WAL-MART REAL ESTATE
BUSINESS TRUST
PO BOX 8050
BENTONVILLE, AR 72712

CITY OF ROCKWALL

ORDINANCE NO. 18-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [ORDINANCE NO. 17-03] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RESTAURANT, LESS THAN 2,000 SF, WITH DRIVE-THROUGH OR DRIVE-IN FACILITIES ON A 1.33-ACRE PARCEL OF LAND, ZONED COMMERCIAL (C) DISTRICT, AND IDENTIFIED AS SHAFER PLAZA ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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 request has been made by Tony Osburn of TXHWS, LLC for the approval of a Specific Use Permit (SUP) for the purpose constructing a *Restaurant, Less than 2,000 SF, with Drive-Through or Drive-In Facilities* on a 1.33-acre parcel of land, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and being identified as Shafer Plaza Addition, City of Rockwall, Rockwall County, Texas, addressed as 621 White Hills Drive, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [Ordinance No. 04-38] 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 [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant, Less than 2,000 SF, with Drive-Through or Drive-In Facilities* as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*, and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule*, of Article IV, *Permissible Uses*, and *Section 4, Commercial Districts*, and *Section 6.6, IH-30 Overlay (IH-30 OV) District*, of Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] of the City of

Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future, and shall be subject to the additional following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant, Less than 2,000 SF, with Drive-Through or Drive-In Facilities* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The constraints of this Specific Use Permit (SUP) shall be limited to the area indicated on the concept plan depicted in *Exhibit 'B'* of this ordinance and identified as *Suite 261*.
- 2) The circulation and cueing plan shall generally conform to the concept plan depicted in *Exhibit 'B'* of this ordinance.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 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 THE 6TH DAY OF AUGUST, 2018.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 16, 2018

2nd Reading: August 6, 2018

Exhibit 'A':
Subject Property

Legal Description: Shafer Plaza Addition
Address: 621 White Hills Drive

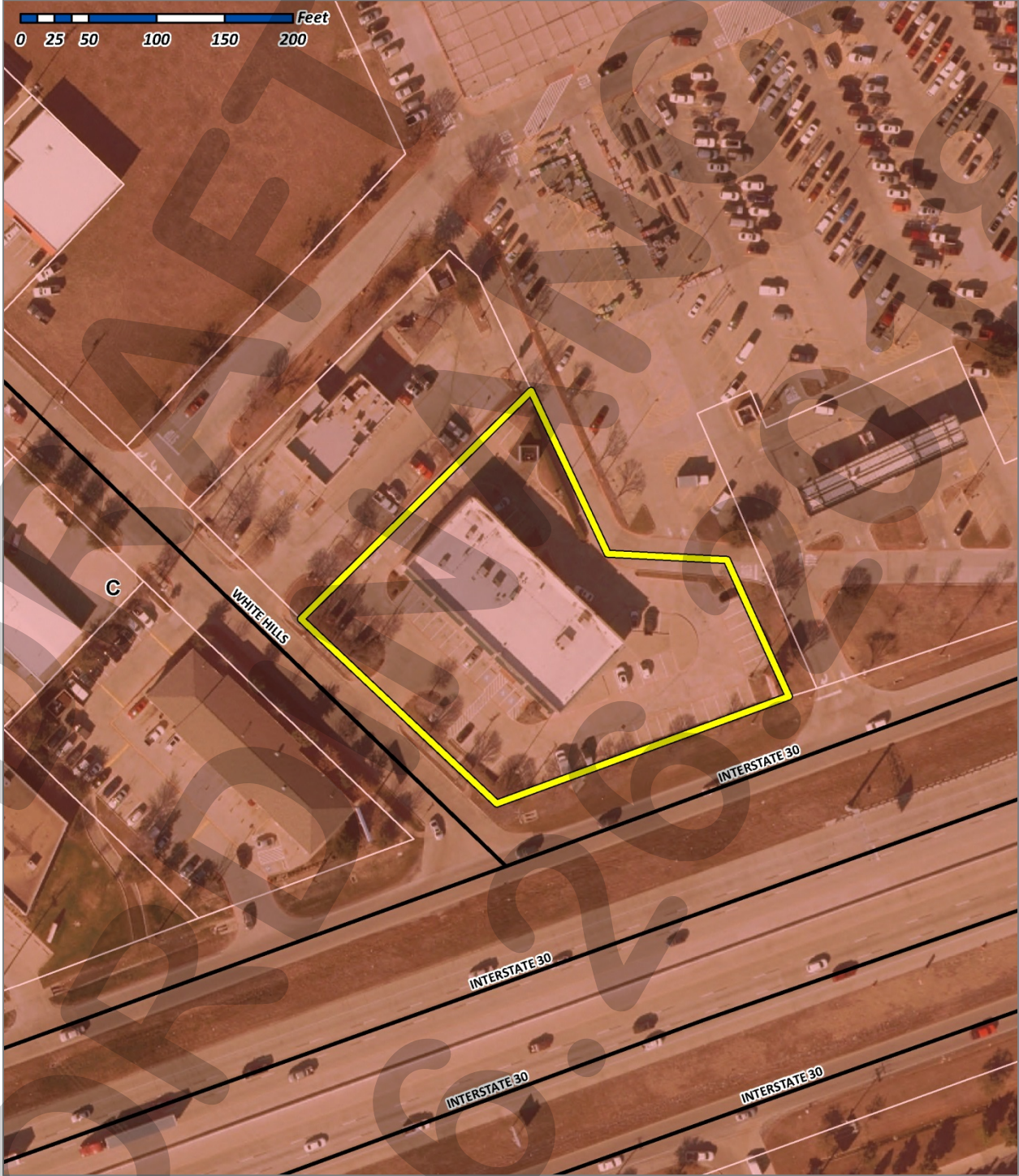


Exhibit 'B':
Concept Plan

