

An Ordinance of the City of Rockwall amending the Comprehensive Zoning Ordinance, as heretofore amended, so as to give the following described tracts of land a Planned Development District zoning classification for Shopping Center uses, to be designated as Planned Development District No. 5, said Planned Development District being described as follows, to wit: Being a tract of land out of the S. S. McCurry Survey, containing 539.329 acres.

BEGINNING at the point of intersection of the north line of State Highway No. 66 and the west line of F.M. Road No. 1141, in the City of Rockwall, Texas;

THENCE N35° 38' E a distance of 146.0 ft.;

THENCE N 1° 05' W a distance of 1562 ft.;

THENCE S 89° 07' W a distance of 207 ft.;

THENCE N 0° 34' W a distance of 775 ft.;

THENCE N 89° 28' 43" E a distance of 503.80 ft.;

THENCE S 0° 04' 13" E a distance of 159.34 ft.;

THENCE N 29° 46' 47" E a distance of 57.90 ft.;

THENCE N 0° 02' 00" E a distance of 434.46 ft.;

THENCE N 88° 40' 49" E a distance of 156.0 ft.;

THENCE S 0° 14' 37" W a distance of 313.30 ft.;

THENCE N 57° 05' 37" E a distance of 16.29 ft.;

THENCE N 88° 37' 57" E a distance of 172.06 ft.;

THENCE N 0° 10' 13" W a distance of 2306.01 ft.;

THENCE N 0° 30' E a distance of 490.21 ft.;

THENCE N 89° 11' W a distance of 889.50 ft.;

THENCE N 89° 48' W a distance of 856.0 ft.;

THENCE S 0° 50' E a distance of 958 ft.;

THENCE S 89° 22' W a distance of 1726.0 ft.;

THENCE N 0° 54' 08" W a distance of 1050 ft. more or less to a point for corner in the south line of a county road;

THENCE N 89° 12' 18" W a distance of 1947.09 ft.;

THENCE S 89° 37' 49" W a distance of 575.0 ft.;

THENCE S 0° 54' 06" W a distance of 748.80 ft.;

THENCE S. 13° 02' 36" E a distance 1779.11 ft.;

THENCE S. 40° 07' 36" E a distance of 112.0 ft.;

THENCE S 13° 02' 36" E a distance of 262.0 ft.;

THENCE S 12° 39' 31" E a distance of 109.04 ft.;

THENCE S 12° 12' 51" W a distance of 112.28 ft.;

THENCE S.11° 19' 07" E a distance of 247.50 ft.;

THENCE S 11° 35' E a distance of 7.0 ft.;

THENCE S 8° 50' E a distance of 196.5 ft.;

THENCE S 5° 50' E a distance of 277.5 ft.;

THENCE N 89° 25' E a distance of 536.0 ft.;

THENCE N 13° 02' 32" E a distance of 73.25 ft.;

THENCE N 89° 19' E a distance of 1499.70 ft.;

THENCE N 2° 58' W a distance of 20.90 ft.;

THENCE N 53° 18' E a distance of 60.01 ft.;

THENCE N 80° 30' E a distance of 43.50 ft.;

THENCE S 1° 37' W a distance of 1504.00 ft.;

THENCE S 1° 37' W a distance of 1483.1 ft.;

THENCE S 89° 35' E a distance of 778.0 ft.;

THENCE S 0° 23' W a distance of 150.0 ft.;

THENCE S 87° 22' E a distance of 345.0 ft.;

THENCE S 89° 52' E a distance of 318.0 ft.;

THENCE N 0° 08' E a distance of 124 ft.;

THENCE S 89° 52' E a distance of 203 ft.;

THENCE S 0° 08' W a distance of 124ft.;

THENCE S 89° 52' E a distance of 1271 ft.; to the place of beginning; providing for certain conditions; providing for a penalty 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 after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance should be amended; 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 following zoning classification,  
to-wit:

That the following area be, and the same is hereby zoned Planned  
Development District No. 5 under special conditions, to-wit:  
Being a tract of land out of the S. S. McCurry Survey, containing  
539.329 acres.

BEGINNING at the point of intersection of the north line of State  
Highway No. 66 and the west line of F.M. Road No. 1141, in the City  
of Rockwall, Texas;

THENCE N 35° 38' E a distance of 146.0 ft.;

THENCE N 1° 05' W a distance of 1562 ft.;

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for corner in the south line of a county road;

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THENCE S 89° 52' E a distance of 1271 ft.; to the place of beginning;

providing for certain conditions; providing for a penalty not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense, and declaring an emergency.

SECTION 2. That the above zoning classification as Planned Development District No. 5 is granted subject to the following special conditions:

(1) That the Planned Development District for Shopping Center Purposes shall be developed in accordance with the site plan for said area, which is attached to and made a part of this ordinance for all purposes.

(2) That all developments 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) Planned Development District permitting uses for Single Family Dwellings, Single Family Cluster Home housing, Duplexes, Townhouses, Multiple Family Dwellings. Neighborhood Service and General Retail, Church, School, Park, Community Center and Golf Course, subject to the approval of the site plan by the Planning and Zoning Commission prior to the issuance of any building permit or certificate

plan shall set forth the areas designated for the basic building areas, yards, setbacks, offstreet parking, points of access, sidewalks, drives, drainage facilities, utility easements, recreational areas and service areas appropriate to the location and function of the development, and shall provide for the dedication and improvement of any street deemed necessary by the Planning and Zoning Commission for access to the property, to adjacent property or for circulation around the site.

The General Retail area shall consist of not more than 36.6 acres. The Professional & Medical Offices area shall consist of not more than 13.5 acres. The Garden Apartments area shall consist of not more than 46.5 acres @ 16 units per acre. The Townhouse Clusters area shall consist of not more than 85.9 acres @ 7 units per acre. The Townhouse Community area shall consist of not more than 21.4 acres. Single Family area shall consist of not more than 325.8 acres; Platted SF-1 not more than 9.9 acres; Platted SF-2 not more than 83.3 acres; Platted SF-3 not more than 95.8 acres. The School area shall consist of not less than 17.9 acres. The Public Park area shall consist of not less than 95.6 acres. The Church and Day School area shall consist of not less than 4.0 acres.

The density, coverage, height, park and offstreet loading standards shall be as set forth on the site plan.

The requisite site plan may be approved in whole or in part provided the elements influencing the development of the entire tract, such as access, parking and circulation are considered by an overall site plan.

(4) That in the development of said property under Planned Development District No. 5 zoning classification, such property shall be developed in accordance with the regulations applicable to Neighborhood Service districts and General Retail district regulations under Comprehensive Zoning Ordinance, except where said regulations shall be different from the attached site plan, and to that extent said attached site plan shall control. Otherwise, as shown on said site plan the regulations applicable to the Neighborhood Service and General Retail districts relating to area regulations, offstreet parking loading regulations, height regulations, accessory building regulations, as contained in the Comprehensive Zoning Ordinance shall be applicable.

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 tracts 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. That any person, firm or corporation violating any of the provisions or terms 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 upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

SECTION 6. WHEREAS, it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest and general welfare of the City of Rockwall, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires 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.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 4th day of September, 1972.

APPROVED:

Darryl Myers  
Mayor

DULY RECORDED:

Daniel C. Williams  
City Secretary

TOTAL AREA - 529.329 AC

rockwall - texas  
 1st Continental Enterprises Inc.  
 PLANNED DEVELOPMENT DISTRICT

ZONING PLAN

Approved  
 9/4/73  
 Ordinance  
 #73-3

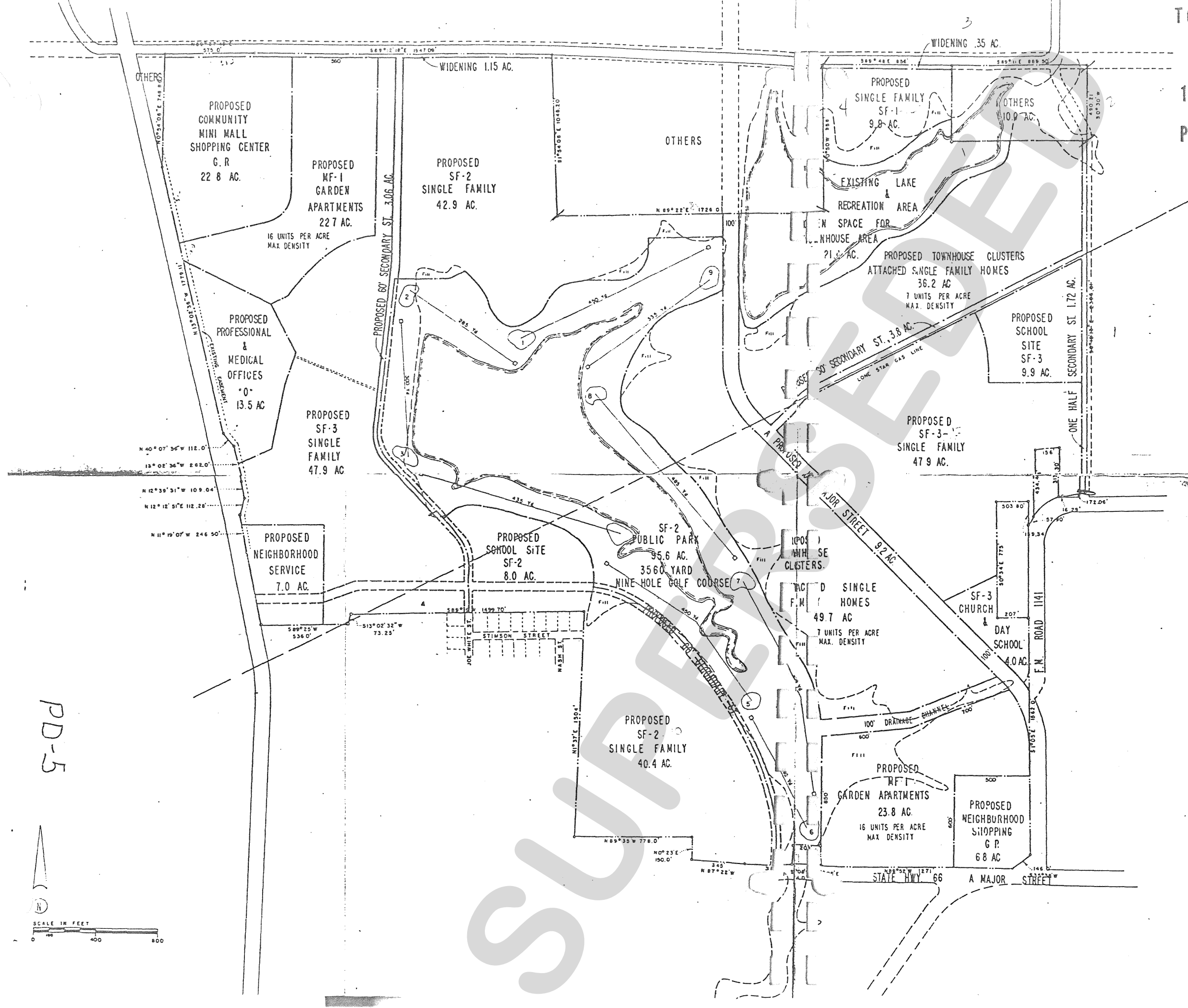
LAND USE NOTES

GENERAL RETAIL	36.6 AC.
PROFESSIONAL & MEDICAL OFFICES	13.5 AC. (DENSITY) (LIVING UNITS)
GARDEN APARTMENTS	46.5 AC @ 16' = 745
TOWNHOUSE CLUSTERS	85.9 AC @ 7' = 600
TOWNHOUSE COMMUNITY AREA	21.4 AC.

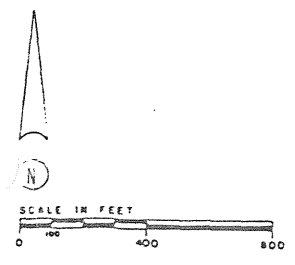
SINGLE FAMILY	325.8 AC.	685
PLATTED SF-1/6	9.9 AC. @ 3.5 = 25	
PLATTED SF-2/10	83.3 AC. @ 3.3 = 275	
PLATTED SF-3/7	95.8 AC. @ 4.0 = 385	
SCHOOL SITES	17.9 AC.	
PUBLIC PARK	95.6 AC.	
CHURCH & DAY SCHOOL	4.0 AC.	
MAJOR & SECONDARY STREETS	19.3 AC.	
(DOES NOT INCLUDE SECONDARIES SHOWN IN DASHED LINES)		
TOTAL	313.2 AC.	

TOTAL	529.3 AC.	3.83	2030
		GROSS DENSITY	LIVING UNITS

2030 FAMILIES @ 3.5 PEOPLE PER FAMILY = 7100 PEOPLE



PD-5



ROBERT W. HOLLIN  
 Land Planning, Inc.  
 EAST GRAND POST OFFICE BUILDING  
 ROOM 201 Taylor 3-479  
 1106 GRAHAM STREET  
 POST OFFICE BOX 11172

ORDINANCE NO 87-23

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND ORDINANCE 73-31, SO AS TO AMEND THE APPROVED PRELIMINARY PLAN ON "PD-5" PLANNED DEVELOPMENT DISTRICT NO. 5; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF 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 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 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, Texas, and Ordinance 73-31 as heretofore amended, be, and the same is hereby amended by amending the approved preliminary plan for "PD-5", Planned Development District No. 5, as it relates to approved land uses and approved development criteria. That said amended site plan is attached hereto as Exhibit "A" and said amended development criteria is attached hereto as Exhibit "B" and made a part hereof for all purposes.

SECTION 2. 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 3. That Planned Development District No. 5 shall be used only in the manner and for the purposes authorized by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended and as amended hereby, provided that the amendment of the approved preliminary plan for Planned Development District No. 5 shall affect only the property shown thereon and said property shall be limited to the uses, density, area, setback and



other requirements set forth thereon, subject to the following special conditions:

a. That the amended site plan attached hereto as Exhibit "A" and the development criteria attached hereto as Exhibit "B", and made a part hereof shall control the development of Planned Development District No. 5 and any and all such development shall be in strict accordance with such site plan and development criteria.

b. No substantial change in development of "PD-5" shall be permitted except after obtaining approval of the change of such development through amendment of this site plan or other changes in the Comprehensive Zoning Ordinance applicable to Planned Development District No. 5 in the manner required for changes or amendments to the Comprehensive Zoning Ordinance.

c. All other area requirements for each use not specifically covered on the site plan attached as Exhibit "A" and the Development Criteria attached as Exhibit "B" shall be as required in the least restrictive zoning district in the Comprehensive Zoning Ordinance in which such use is allowed.

SECTION 4. 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 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 5. This ordinance shall become effective from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 18th day of May, 1987.

ATTEST:



APPROVED

  
\_\_\_\_\_  
Mayor

1st reading 5/4/87  
2nd reading 5/18/87

PLANNED DEVELOPMENT DISTRICT 5

SUMMARY

<u>USE</u>	<u>NET ACREAGE</u>	<u>TRACTS</u>
Single Family	208.60	2, 6, 7, 15 and 16
Multi-Family	29.80	14 and 18
Office	7.40	12
Retail	57.90	1, 3, 8, 9, 10, 11 and 17
Lake (Surface Area)	62.90	--
Flood Plain	98.60	--
Major Thoroughfares	26.90	--
Agriculture	9.80	4, 5, 13
Total	<u>501.90</u>	
Other, Single Family, YMCA	45.96	
Total	<u>547.86</u>	

This planned development district consists of approximately 501 acres and is located east of State Highway 205 and north of State Highway 66. The land is characterized by rolling terrain and a soil conservation lake of approximately 52 acres. The following development standards set forth use of land and development criteria by tracts. Tracts having similar use are grouped under a common set of criteria.

- I. SINGLE FAMILY -
  - Tract 15 - Gross Acreage - 39.1 Acres
  - Tract 16 - Gross Acreage - 29.3 Acres
  - PT. Tract 6 - Gross Acreage - 39.8 Acres
- A. Purpose: Standards for this use are intended for single family residential dwellings; public, denominational and private schools; churches; parks; and approved accessory buildings.
- B. Permitted Uses: The following uses shall be permitted:
  - 1. Agricultural uses on unplatted land, in accordance with all other adopted ordinances.
  - 2. One detached single-family dwelling per lot.
  - 3. Home occupations.
  - 4. Day care centers with less than 7 children enrolled at any one time.
  - 5. Paved automobile parking areas which are necessary to the uses permitted in this district.
  - 6. Municipally owned or controlled facilities, utilities, and uses.

7. One portable building per lot not larger than one hundred twenty (120) square feet in floor area nor taller than ten (10) feet in height, as an accessory to a residential use on the same lot.
8. Accessory buildings not to exceed fifteen (15) feet in height, provided the exterior covering contains only the same materials as the main structure, as an accessory to a residential use on the same lot.
9. Private residential swimming pools as an accessory to a residential use.
10. Private unlighted residential tennis courts on the same lot, as an accessory to a residential use.
11. Nurseries, greenhouses and gardens, as an accessory to a residential use of the same lot where the products are not to be sold.
12. An accessory use customarily related to a principal use authorized in SF-7 District classification.
13. Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two year initial period and one year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
14. Temporary on site construction offices limited to period of construction, with a two year initial period and one year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
15. Temporary concrete batching plants limited to the period of construction, upon approval of location and operation of the Building Official.

C. Conditional Uses: (A conditional use permit will be required for the following uses, following the procedure outlined in the Comprehensive Zoning Ordinance.)

1. A mobile home on an unsubdivided tract of five acres or more or used as a temporary construction office, subject to the conditions established in the Comprehensive Zoning Ordinance.
2. Paved parking facilities for nonresidential uses that are not allowed in this district if properly screened, buffered, and landscaped.
3. Facilities for railroads or those utilities holding a franchise under the City of Rockwall.
4. Institutional uses, including day care centers with more than 6 children.
5. Semi-public uses.

6. Accessory buildings in excess of fifteen (15) feet in height or a structure with exterior materials that are not contained in the main building, or portable storage buildings in excess of one hundred twenty (120) square feet or ten (10) feet in height used as an accessory to a residential use on the same lot.

D. Area Requirements:

1. Minimum lot area - 7,000 square feet
2. Maximum number of single family detached dwellings units per lot - 1
3. Minimum square footage per dwelling unit - 1200 square feet
4. Minimum lot frontage on a public street - 60 feet
5. Minimum lot depth - 100 feet
6. Minimum depth of front setback - 20 feet plus 1 foot for each foot in height over 25 feet.
7. Minimum depth of rear setback - 10 feet
8. Minimum width of side setback -
  - a. Internal lot - 6 feet
  - b. Abutting street - 15 feet
  - c. Abutting an arterial - 20 feet
9. Minimum distance between separate buildings on the same lot or parcel of land - 10 feet
10. Minimum length of driveway pavement from the public right-of-way for rear or side yards - 20 feet
11. Maximum building coverage as a percentage of lot area - 35 percent
12. Maximum height of structures - 32 feet
13. Minimum number of paved off-street parking spaces required for -
  - a. One single family dwelling unit - 2  
An enclosed garage shall not be considered in meeting the off street parking requirements.
  - b. All other uses (See Off-street Parking section of Comprehensive Zoning Ordinance 83-23)

II. SINGLE FAMILY - Pt. Tract 6, gross acreage 40.0 Acres

A. Purpose: Standards for this use are intended for single family residential dwellings; public, denominational and private schools; churches; parks; and approved accessory buildings. This district is proposed to allow zero lot line development.

B. Permitted Uses: The following uses shall be permitted:

1. Agricultural uses on unplatted land, in accordance with all other adopted ordinances.
2. One detached single-family dwelling per lot.
3. Home occupations.
4. Day care centers with less than 7 children enrolled at any one time.
5. Paved automobile parking areas which are necessary to the uses permitted in this district.
6. Municipally owned or controlled facilities, utilities, and uses.
7. One portable building per lot not larger than one hundred twenty (120) square feet in floor area nor taller than ten (10) feet in height, as an accessory to a residential use on the same lot.
8. Accessory buildings not to exceed fifteen (15) feet in height provided the exterior covering contains only the same materials as the main structure, as an accessory to a residential use on the same lot.
9. Private residential swimming pools as an accessory to a residential use.
10. Private unlighted residential tennis courts on the same lot, as an accessory to a residential use.
11. Nurseries, greenhouses and gardens, as an accessory to a residential use of the same lot where the products are not to be sold.
12. An accessory use customarily related to a principal use authorized in SF-7 District classification.
13. Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two year initial period and one year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
14. Temporary on site construction offices limited to period of construction, with a two year initial period and one year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.

15. Temporary concrete batching plants limited to the period of construction, upon approval of location and operation of the Building Official.

C. Conditional Uses: (A conditional use permit will be required for the following uses, following the procedure outlined in the Comprehensive Zoning Ordinance.

1. A mobile home on an unsubdivided tract of five acres or more or used as a temporary construction office, subject to the conditions established in the Comprehensive Zoning Ordinance.
2. Paved parking facilities for nonresidential uses that are not allowed in this district if properly screened, buffered, and landscaped.
3. Facilities for railroads or those utilities holding a franchise under the City of Rockwall.
4. Institutional uses, including day care centers with more than 6 children.
5. Semi-public uses.
6. Accessory buildings in excess of fifteen (15) feet in height or a structure with exterior materials that are not contained in the main building, or portable storage buildings in excess of one hundred twenty (120) square feet or ten (10) feet in height, used as an accessory to a residential use on the same lot.

D. Area Requirements:

1. Minimum lot area - 5,000 square feet
2. Maximum number of single family detached dwellings units per lot - 1
3. Minimum square footage per dwelling unit - 1200 square feet
4. Minimum lot frontage on a public street - 60 feet
5. Minimum lot depth - 100 feet
6. Minimum depth of front setback - 20 feet plus 1 foot for each foot in height over 25 feet.
7. Minimum depth of rear setback - 10 feet
8. Minimum width of side setback -
  - a. Internal lot - 6 feet
  - b. Abutting street - 15 feet

- c. Abutting an arterial - 20 feet
- 9. Minimum distance between separate buildings on the same lot or parcel of land - 10 feet
- 10. Minimum length of driveway pavement from the public right-of-way for rear or side yards - 20 feet
- 11. Maximum building coverage as a percentage of lot area - 35 percent
- 12. Maximum height of structures - 32 feet
- 13. Minimum number of paved off-street parking spaces required for -
  - a. One single family dwelling unit - 2  
An enclosed garage shall not be considered in meeting the off street parking requirements.
  - b. All other uses (See Off-street Parking Section of Comprehensive Zoning Ordinance)

III. SINGLE FAMILY - MEDIUM DENSITY - Tract 2 - 47.9 Gross Acres  
Tract 7 - 23.7 Gross Acres

- A. Purpose: Standards for this use allow for the construction of a single family detached cluster type housing development in which structures are arranged in closely related groups and placed on suitable terrain allowing preservation of natural topography and other site features. The maximum density for this district shall not exceed seven (7) dwelling units per gross acre. Arrangement of building sites, access, open space, building set backs and other platting features shall be approved at time of site plan approval.

Each tract designated in this planned development district for medium density use is on smaller parcels and is generally located adjacent to the lake and designated open space.

- B. Permitted Uses:
- 1. Agricultural uses on unplatted land, in accordance with all other adopted ordinances.
  - 2. One single-family detached dwelling per lot.
  - 3. Home occupations.
  - 4. Day care centers with less than 7 full time children enrolled at any one time.
  - 5. Paved automobile parking areas which are necessary to the uses permitted uses in this district.

6. Municipally owned or controlled facilities, utilities, and uses.
  7. Nurseries, greenhouses, and gardens, as an accessory to a residential use on the same lot where the products are not to be sold.
  8. An accessory use customarily related to a principal use.
  9. Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two year initial period and a one year extension being authorized by the Planning and Zoning Commission, such sales offices to be maintained at all times.
  10. Temporary on site construction offices limited to the period of construction, with a two year initial period and a one year extension being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
  11. Temporary concrete batching plants limited to the period of construction, upon approval of location and operation of the Building Official.
- C. Conditional Uses: (A conditional use permit will be required for the following uses, following the procedure outlined in the Comprehensive Zoning Ordinance.)
1. Paved parking facilities for nonresidential uses that are not allowed in this district provided they are property screened, buffered and landscaped.
  2. Facilities for those utilities holding a franchise under the City.
  3. Institutional uses, including day care centers with more than 6 children.
  4. Semi-public uses.
  5. Private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights.
  6. Associated recreation and/or community clubs.
- D. Area Requirements:
1. Minimum lot area - 3,500 square feet
  2. Maximum number of single family dwelling units per lot - 1
  3. Minimum square footage per dwelling unit - 1,000 square feet
  4. Minimum lot frontage on a public street - Development plan approval
  5. Minimum lot depth - 100 feet



6. Minimum depth of front setback -
  - a. Front Entry Garage - 20 feet
  - b. Rear or Side Entry Garage - 15 feet plus 1 foot for each foot in height over 25 feet.
7. Minimum depth of rear setback - 7½
8. Minimum width of side setback -
  - a. Abutting street - 15 feet
  - b. Abutting an arterial - 20 feet
  - c. Internal lot - Set by Development Plan
9. Minimum length of driveway pavement from the public right-of-way on side or rear yard - 20 feet
  10. Maximum building coverage as a percentage of lot area - 60%
  11. Maximum density - 7.0 units per gross acre
  12. Maximum height of structures - 30 feet
  13. Minimum number of off-street space required - 2 off-street spaces plus a one-car garage

IV. MULTI-FAMILY RESIDENTIAL DISTRICT - Tract 14 - 20.4 Gross Acres  
 Tract 18 - 10.1 Gross Acres

- A. Purpose: Standards for this use provide for residential dwellings to be constructed as multi-family units not to exceed 14 units per acre. Each tract designated for this use is contiguous to the lake and open space area.
- B. Permitted Uses:
  1. Agricultural uses on unplatted land in accordance with all other adopted ordinances.
  2. Apartments/condominiums
  3. Day Care centers with less than 7 full time children enrolled at any one time except in condominiums and apartments.
  4. Paved automobile parking areas which are necessary to the uses permitted in this district.
  5. Municipally owned or controlled facilities, utilities, and uses.

6. Storage buildings used as an accessory to a residential use on the same lot.
  7. Accessory recreational uses such as tennis courts, swimming pools, designed for use by residents of a specific project. Lighting for such uses shall be designed so as not to glare across property lines, nor glare into residential areas on the same property.
  8. An accessory use customarily related to a principal use authorized in this district.
  9. Temporary on site construction offices limited to the period of construction, with a two year initial period and one year extension being authorized by the Planning and Zoning Commission, such office to be maintained at all times.
  10. Temporary concrete batching plants limited to the period of construction, upon approval of location and operation of the Building Official.
- C. Conditional Uses: (A conditional use permit will be required for the following uses, following the procedure outlined in the Comprehensive Zoning Ordinance)
1. Facilities for railroads or those utilities holding a franchise under the City of Rockwall.
  2. Institutional uses including day care centers with more than 6 full time children enrolled at one time, except in condominiums and apartments.
  3. Semi-public uses.
  4. Associated recreation and/or community clubs. Such uses shall be included in calculating the coverage requirements of this district.
- D. Area Requirements:
1. Minimum site area - 10,000 square feet
  2. Minimum lot area - 2,000 square feet of lot area per unit
  3. Maximum density per gross acre - 14 units/acre
  4. Minimum lot frontage on a public street - 60 feet
  5. Minimum lot depth - 100 feet
  6. Minimum depth of front setback - 25 feet
  7. Minimum depth of rear setback\*

- a. Abutting a single family, townhouse, or duplex district:

- one story structure - 25 feet
  - two story structure - 50 feet
  - three story structure - 75 feet

- b. Abutting any other district - 10 feet

\*Unenclosed carports may be built up to within 5 feet of any property line that abuts an alley and no closer than 20 feet from any street intersection.

8. Minimum width of side setback -

- a. Abutting a single family, townhouse, or duplex district:

- one story structure - 25 feet
  - two story structure - 50 feet
  - three story structure - 75 feet

- b. Internal lot - 10 feet for a one story structure or 15 feet for structures two or more stories in height.

- c. Abutting street - 15 feet

- d. Abutting an arterial - 20 feet

9. Minimum distance between buildings on the same lot or parcel of land:

- 10 feet from main to accessory buildings
- 20 feet for 2 main buildings with doors or windows in facing walls
- 15 feet for 2 main buildings without doors or windows in facing walls

10. Maximum building coverage as a percentage of lot area - 45%

Each development containing over 100 dwelling units shall provide 300 square feet of open space per 2 and 3 bedroom unit, with at least one open area with the minimum dimensions of 200 feet by 150 feet. Swimming pools, tennis courts and other recreational facilities can be counted toward the overall open space requirement, but not toward the required 200 feet by 150 feet area.

11. Minimum amount of permanent, landscaped open space - 20% of total lot area, with 30% of total requirement located in front and alongside buildings along street frontages. Any parking lot with more than 2 rows of spaces shall have a minimum of 2% of the interior of the parking lot in landscaping. Such landscaping shall be counted toward the 20% total landscaping requirement. All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable City codes, and approved by the Building Official.

12. Maximum height of structures - 36 feet
13. Minimum requirements for construction materials
  - a. Exterior walls - a minimum of 75% of each building wall shall consist of masonry material as defined, excluding stucco.
15. Minimum number of paved, striped, off-street parking spaces required for -
  - a. 0 bedroom or efficiency dwelling unit - 1.5 spaces per unit
  - b. 1 bedroom dwelling units - 1.5 spaces per unit
  - c. 2 bedroom dwelling units - 2 spaces per unit
  - d. 3 or more bedroom dwelling units - 2.5 spaces per unit
  - e. The average number of parking spaces for the total development shall not be less than 2 spaces per unit.
  - f. All other uses - See Off-street Parking Section of Comprehensive Zoning Ordinance

E. Required Conditions:

1. The owner shall submit to the Planning and Zoning Commission for review and approval, the site and building plan for the proposed development. A site plan shall be submitted and approved prior to an application for a building permit and shall contain drawings to scale to indicate as needed:
  - a. Location of all structures proposed and existing on the subject property and within twenty (20) feet on adjoining property;
  - b. Landscaping and/or fencing of yards and setback areas and proposed changes;
  - c. Design of ingress and egress;
  - d. Location of adjacent zoning districts;
  - e. Off-street parking and loading facilities;
  - f. Height of all structures;
  - g. Proposed uses;
  - h. Location and types of all signs, including lighting and heights;
  - i. Location and type of lighting;
  - j. Fire lanes;

- k. Solid waste facilities; and
- l. Utility service locations.

V. OFFICE DISTRICT - Tract 12 - 8.2 Gross Acres

A. Purpose: Standards for this use provide for various types of office and similar activities to be built which furnish neighborhood and community services.

B. Permitted Uses:

1. Agricultural uses on unplatted land, in accordance with all other adopted ordinances.
2. Office buildings for professional occupations including: executive, administrative, legal, accounting, writing, clerical, stenographic, drafting, and real estate.
3. Medical offices, including clinics, where activities are conducted within a totally enclosed building.
4. Banks, credit unions, savings and loan associations.
5. Other uses similar to the above.
6. Paved parking lots, not including commercial parking lots.
7. Institutional uses.
8. Municipally owned or controlled facilities, utilities, and uses.
9. Drive-through windows that are accessory to permitted uses in this district.
10. An accessory use customarily related to a principal use authorized in this district such as a pharmacy or apothecary shop, stores limited to corrective garments or bandages, or optical company or eating establishments accessory to the office complex or eating establishments accessory to the office complex for the convenience of the occupants and clients may be permitted, provided it is within the building to which it is accessory and does not have a direct outside entrance for customers.
11. Temporary on site construction offices, limited to the period of construction, upon approval of the Building Official.
12. Temporary concrete batching plant limited to the period of construction, upon approval of location and operation by the Building Official.

C. Conditional Uses: (A conditional use permit will be required for the following uses, following the procedure outlined in the Comprehensive Zoning Ordinance)

1. Funeral homes.
2. Semi-public uses.
3. Private club as an accessory to a general restaurant.
4. New buildings with over 5,000 square feet of floor area, or additions of over 40% of the existing floor area or over 5,000 square feet with combustible structural construction materials.
5. Buildings with less than 90% brick and glass exterior walls.
6. Any structure over 36 feet in height.

D. Required Conditions

1. All business operations including storage shall be conducted within a completely enclosed building (except for off street parking or loading).
2. The owner, or developer, shall submit, prior to issuance of a building permit, the Planning and Zoning Commission and the City Council for review and approval, a site and building plan for the proposed development. The contents of this site and building plan shall comply with the requirements as specified in Article III of Ordinance 83-23. Upon approval, such development shall comply with approved site plan.

E. Area Requirements:

1. Minimum site size - 6,000 square feet
2. Minimum site frontage on a public street - 60 feet
3. Minimum site depth - 100 feet
4. Minimum depth of front setback - 25 feet from the future ROW as shown on the adopted thoroughfare plan or as actually exists, whichever is greater.
5. Minimum width of side setback -
  - a. Without fire retardant wall - 6 feet
  - b. With fire retardant wall - 0 feet
  - c. Abutting residentially zoned property - 20 feet plus  $\frac{1}{2}$  the building height over 36 feet.
  - d. Abutting an arterial - 25 feet from future right-of way.

- e. Abutting all other streets - 20 feet
  - f. In no case shall more than a 50 feet setback be required.
6. Minimum depth of rear setback -
- a. Non residential property with alley and fire retardant wall - 0 feet.
  - b. Without fire retardant wall or alley - 20 feet
  - c. Residential property - 200 feet plus  $\frac{1}{2}$  the building height over 36 feet.
  - d. In no case shall more than a 50 feet setback be required.
7. Minimum distance between detached buildings on the same lot or parcel of land -
- a. Without fire retardant wall - 15 feet
  - b. With fire retardant wall - 0 feet
8. Minimum requirement for construction materials -
- a. Structures -
    - (1) All structural materials for new buildings greater than 5,000 square feet in floor area, or additions of more than 40% of the existing floor area or exceed 5,000 square feet, shall consist of 100% non-combustible materials.
    - (2) All structural materials for new buildings 5,000 square feet or less in floor area, and any additions to existing buildings 40% or less than the existing floor area and 5,000 square feet or less may consist of combustible materials rated a minimum of one-hour fire resistive on all walls, floors, and ceilings.
  - b. Exterior walls - Each exterior wall shall consist of 90% brick and glass.
9. Maximum building coverage as a percentage of lot area - 40%
10. Maximum amount of impervious coverage as a percentage of lot area - 80%
11. Minimum amount of landscaped areas as a percentage of total lot area - 20%, with 20% of the total requirement located in front and along-side buildings along street frontages. Any parking lot with more than

2 rows of spaces shall have a minimum of 2% of the interior of the parking lot in landscaping. Such landscaping shall be counted toward the 20% total landscaping requirement. All required landscaped areas shall be permanently maintained and shall have irrigation system installed meeting all applicable City codes and approved by the Building Official.

12. Maximum floor area ratio - 2:1
13. Maximum height of structures - 60 feet. Any structure over 36 feet shall require a conditional use permit.
14. Minimum number of paved off-street parking spaces required - (See Off-street Parking section of Comprehensive Zoning Ordinance) Off street parking shall not be permitted in the required front setback in this district.
15. Maximum number of entrances and/or exits -
  - a. Arterial streets - 1 per each 200 feet of street frontage per site, or as approved by the City Council.
  - b. Collector streets - 1 per each 100 feet of street frontage per site, or as approved by the City Council.
  - c. Local streets - 1 per each 50 feet of street frontage per site, or as approved by the City Council.
16. Lots with non-residential uses that have a side or rear contiguous or separated only by an alley, or easement or street, from any residential district must be separated from such residential district by a buffer as defined, or as approved by the City Council.
17. The building code may impose more restrictive area requirements depending on the size, use and construction of the structures.

VI. GENERAL RETAIL - Tract 1 - 11.5 Gross Acres  
Tract 3 - 10.3 Gross Acres  
Tract 9 - 14.5 Gross Acres  
Tract 8 - 7.4 Gross Acres  
Tract 10 - 4.7 Gross Acres  
Tract 11 - 12.2 Gross Acres  
Tract 17 - 8.6 Gross Acres

A. Purpose: Standards for this zoning category provides for neighborhood and community retail and related uses.

B. Permitted Uses:

1. Agricultural use of unplatted land in accordance with all other adopted ordinances.



2. Any retail businesses, personal services, professional service, or business service conducted within a completely enclosed building, except the following: lumber yards or contractor yards, farm equipment or other heavy equipment sales or service, farm products warehousing and storage or stockyards, general warehousing or storage.
3. Banks, including drive through facilities.
4. Office buildings.
5. Restaurants, including accessory outdoor seating, without drive-in or drive through facilities.
6. Paved parking lots, not including commercial parking lots.
7. Retail outlets where gasoline products are sold. Two pumps only in Tracts 1, 3 and 17.
8. Other uses similar to the above.
9. Telephone, telegraph, television, radio or similar media stations, centers, studios, but not including public microwave, radio, and television towers.
10. Institutional uses.
11. Municipally owned or controlled facilities, utilities, and uses.
12. Automotive repair, as an accessory to a retail use, provided all work is conducted wholly within a completely enclosed building.
13. An accessory use customarily related to a principal use authorized in this district.
14. Temporary indoor and outdoor fund raising events sponsored by nonprofit organizations with permit and approval of the Building Official.
15. Temporary sale of Christmas trees with permit and approval of the Building Official.
16. Temporary on-site construction offices limited to the period of construction upon approval of the Building Official.
17. Temporary concrete batching plant limited to the period of construction, upon approval of location and operation by the Building Official.

C. Conditional Uses: (A conditional use permit will be required for the following uses, following the procedure outlined in the Comprehensive Zoning Ordinance.)

1. A mobile home on an unsubdivided tract of five acres or more or used as a construction office.
2. Funeral Homes.
3. Car wash.
4. Theaters and auditoriums.
5. Facilities for railroads or those utilities holding a franchise under the City of Rockwall not allowed as permitted uses.
6. Semi-public uses.
7. Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, indoor amusements, arcades in accordance with all other applicable ordinances, located more than 300 feet from any residentially zoned land.
8. Drive-through window as an accessory to a restaurant.
9. Private club as an accessory to a general restaurant.
10. New buildings with over 5,000 square feet of floor area, or additions of over 40% of existing floor area or over 5,000 square feet with combustible structural construction materials.
11. Buildings with less than 90% masonry exterior walls.
12. Any structure over 36 feet in height.

D. Required Conditions

1. All business establishments other than those selling a service shall be retail service establishments dealing directly with customers. All goods produced on the premise shall be sold at retail prices on premises where produced.
2. All business operations including storage shall be conducted within a completely enclosed building, unless specifically authorized for the use as listed (except for off street parking or loading, and incidental display of retail items for sale) excluding retail outlets where gasoline products are sold.

E. Prohibited Uses:

1. Any building erected or land used for other than one or more of the preceding specified uses.

2. Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.
3. The storage, sale, lease or rental of more than one (1) boat, or more than five (5) hauling trailers is prohibited.

F. Area Requirements:

1. Minimum site size - 6,000 square feet
2. Minimum site frontage on a public street - 60 feet
3. Minimum site depth - 100 feet
4. Minimum depth of front setback - 20 feet from the future R.O.W. as shown on the adopted thoroughfare plan, or as actually exists, whichever is greater.
5. Minimum width of side setback -
  - a. Without fire retardant wall - 15 feet
  - b. With fire retardant wall - 0 feet
  - c. Abutting residentially zoned property - 20 feet plus  $\frac{1}{2}$  the building height over 36 feet.
  - d. Abutting an arterial - 20 feet from the future R.O.W. as shown on the adopted thoroughfare plan, or as actually exists, whichever is greater.
  - e. Abutting all other streets - 15 feet
  - f. In no case shall more than a 50 feet setback be required.
6. Minimum depth of rear setback -
  - a. Abutting non-residentially zoned property, with fire retardant wall and alley separating - 0 feet
  - b. Without fire retardant wall or alley - 20 feet
  - c. Abutting residentially zoned property - 20 feet plus  $\frac{1}{2}$  the building height over 36 feet
  - d. In no case shall more than a 50 feet setback be required.
7. Minimum distance between detached buildings on the same lot or parcel of land -

- a. Without fire retardant wall - 15 feet
  - b. With fire retardant wall - 0 feet
8. Minimum requirement for construction materials -
- a. Structures -
    - (1) All structural materials for new buildings greater than 5,000 square feet in floor area, or additions of more than 40% of the existing floor area or exceeding 5,000 square feet, shall consist of 100% non-combustible materials.
    - (2) All structural materials for new buildings 5,000 square feet or less in floor area, and any additions to existing buildings 40% or less than the existing floor area and 5,000 square feet or less may consist of combustible materials rated a minimum of one-hour fire resistive on all walls, floors, and ceilings.
  - b. Exterior walls - Each exterior wall shall consist of 90% masonry materials as defined in the Comprehensive Zoning Ordinance.
9. Maximum building coverage as a percentage of lot area - 40%
10. Maximum amount of impervious coverage as a percentage of lot area - 90%
11. Minimum amount of landscaped areas as a percentage of total lot area - 10%, with 20% of the total requirement located in front and along-side buildings along street frontages. Any parking lot with more than 2 rows of spaces shall have a minimum of 2% of the interior of the parking lot in landscaping. Such landscaping shall be counted toward the 20% total landscaping requirement. All required landscaped areas shall be permanently maintained and shall have irrigation system installed meeting all applicable City codes and approved by the Building Official.
12. Maximum floor area ratio - 2:1
13. Maximum height of structures - 60 feet. Any structure which exceeds 36 feet shall require a conditional use permit.
14. Minimum number of paved off-street parking spaces required - See Off-street Parking section of the Comprehensive Zoning Ordinance.
15. Maximum number of entrances and/or exits -
- a. Arterial streets - 1 per each 200 feet of street frontage per site, or as approved by the City Council.

- b. Collector streets - 1 per each 100 feet of street frontage per site, or as approved by the City Council.
  - c. Local streets - 1 per each 50 feet of street frontage per site, or as approved by the City Council.
16. Lots with non-residential uses that have a side or rear contiguous or separated only by an alley, easement or street, from any residential district must be separated from such residential district by a buffer as defined, or as approved by the City Council.
17. The building code may impose more restrictive area requirements depending on the size, use and construction of the structures.

VII. AGRICULTURE

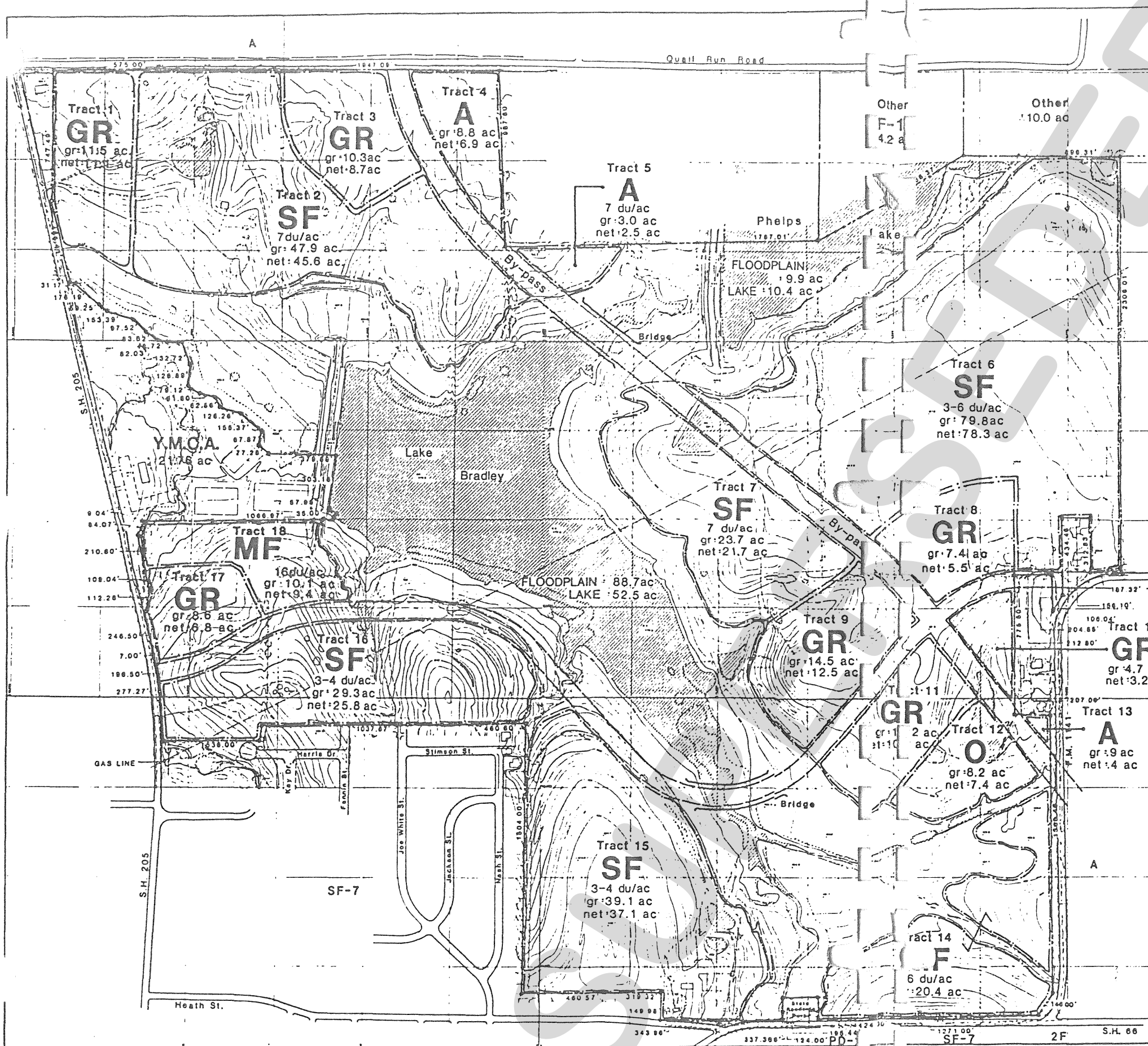
- A. Purpose: Parcels shown by Tracts 4, 5 and 13 on the Preliminary Plan are for "A" District. These parcels shall be subject to the requirements of the Agricultural Zoning District of Ordinance 83-23 until other use is established for the parcels through normal rezoning procedures.

VIII. SPECIAL CONDITIONS

- A. 1. Prior to approval of a development plan or plat on any portion of the tracts marked 1 through 18 or the area indicated as flood plain on Exhibit "B", a flood/drainage study addressing all of the above parcels shall be completed by the developer.
2. Upon completion of the drainage study and a park development plan completed by the City, the property owner hereby agrees to dedicate all lake and flood plain areas determined to be appropriate for public open space/recreation uses.
- B. 1. Prior to approval of a development plan or plat along any portion of the proposed roads shown on Exhibit "B", a route study for that road shall be completed. If a route study has already been completed by the City or others, the developer shall pay his pro rata share of the cost of this study. Based on linear front footage of property abutting said road. If the developer is required to prepare a route study which must address property outside the boundaries indicated on Exhibit "B" the developer shall be reimbursed through pro rata agreements when that property develops.
2. If, prior to the time of development of any tract adjacent to one of the proposed roads, construction of the road by another source is planned, the developer shall dedicate the appropriate right-of-way as required by the City's Thoroughfare Plan and applicable ordinances, upon completion of a route study. If a road is constructed by others, the developer shall be required to pay the pro rata share of the cost of construction, based on linear front footage of property abutting said road.


- C. If development occurs in phases, the developer may be required to preliminary plat a larger area than planned for a particular phase to ensure a well-planned cohesive development.
- D. All development planned on tracts that abut the flood plain area shall be planned in such a way as to complement and not detrimentally affect the planned use of the flood plain/open space.

SUPERSEDED



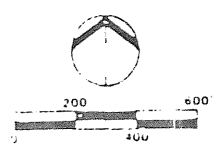
### summary

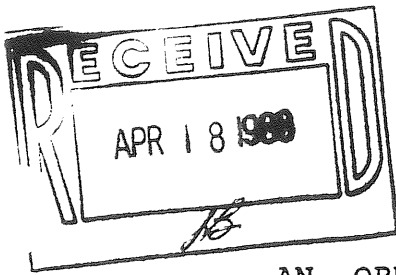
SINGLE-FAMILY	208.60 AC
MULTI-FAMILY	29.80 AC
OFFICE	7.40 AC
GENERAL RETAIL	57.90 AC
FLOODPLAIN	98.60 AC
LAKES	62.90 AC
ROAD USE	26.90 AC
AGRICULTURE	9.80 AC
<b>TOTAL</b>	<b>501.90 AC</b>
(Net Acres)	
OTHERS, SINGLE-FAMILY, Y.M.C.A.	45.96 AC

 Leonard A. Thomas/Developer

## preliminary plan planned development district 5

City of Rockwall





FD-5

ORDINANCE NO. 88-11

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL A HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND WHICH IS MORE FULLY DESCRIBED HEREIN FROM "PD-5" PLANNED DEVELOPMENT CLASSIFICATION TO "SF-10" SINGLE FAMILY CLASSIFICATION; CORRECTING THE OFFICIAL ZONING MAP; 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; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a change in the classification of a zoning district has been requested by John and Lynelle Yingling for the property more specifically described in Exhibit "A" attached hereto; 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 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 "SF-10" Single Family District classification to the tract of land described in Exhibit "A".

SECTION 2. That the property described in Exhibit "A" 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 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance 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 5. 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this 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 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 case provides.

DULY PASSED AND APPROVED this 4th day of April, 1988.

APPROVED:

*John R. Miller*

Mayor

ATTEST:

By *Julie [Signature]*

1st reading 3/21/88

2nd reading 4/4/88

STATE OF TEXAS  
COUNTY OF ROCKWALL

Whereas, John R. and Lynelle C. Yingling, being owners of a tract of land in the County of Rockwall, State of Texas, said tract being described as follows;

Being, a tract of land situated in the S.S. McCurry Survey, Abstract No. 146, Rockwall County, Texas, and being part of a 10.00 acre tract recorded in Volume 270, Page 207, Deed Records of Rockwall County, Texas, and being more particularly described as follows;

Beginning at the southeast corner of said 10.00 acre tract, a fence corner post for corner;

Thence, N.0°13'50"W., along a fence line, a distance of 490.21 feet to a iron stake for corner;

Thence, N.89°20'02"E., along the center of Quail Run Road, a distance of 439.22 feet to a iron stake for corner;

Thence, S.0°13'50"E., leaving said Road, a distance of 501.58 feet to a iron stake for corner;

Thence, N.89°11'W., along the south line of said 10.00 acre tract, a distance of 439.28 feet to the PLACE OF BEGINNING and containing 5.00 acres of land.

**ORDINANCE NO. 96-25**

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AND ORDINANCE NO, 87-23 AS HERETOFORE AMENDED SO AS TO AMEND THE APPROVED PRELIMINARY PLAN FOR PD-5 ATTACHING THE AMENDING PRELIMINARY PLAN; 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; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the Preliminary Plan for portions of PD-5, as described in Exhibits "A", "B" and "C" has been submitted by Robert S. Whittle; 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 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 approved Preliminary Plan for PD-5 for those areas identified in Exhibits "A", "B" and "C". That said amended Preliminary Plans are attached hereto and made apart hereof for all purposes.

SECTION 2. That the tracts identified in Exhibits "A", "B" and "C" shall be used only in the manner and for the purposes and with the conditions provided for herein and the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting this amendment to the approved Preliminary Plan for PD-5 shall affect only the property described in Exhibits "A", "B" and "C" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

SECTION 3. That development in areas in Exhibits "A", "B" and "C" shall meet the area requirements as shown in Exhibit "D" attached hereto and made apart hereof.

SECTION 4. No substantial change in development of the areas as shown in Exhibits "A", "B" and "C" shall be permitted except after obtaining approval of the change of such development through amendment of the Preliminary Plan in the manner required for changes or amendments to the Comprehensive Zoning Ordinance.

SECTION 5. Prior to or in conjunction with any plat submittal, a concept plan must be submitted for review and approval by the Planning and Zoning Commission and City Council. The concept plan shall include the following items.

- ( i ) Identify the location of any amenities planned for the residential areas.
- ( ii ) A detailed street layout for each phase that will be subject to review and approval by the Planning and Zoning Commission and City Council that identifies the location, type and general design of screening of alleys and along major roads.
- ( iii ) Identify location of neighborhood entry features for each area.

SECTION 6. The S. H. 205 Bypass route is currently shown on the adopted Thoroughfare Plan crossing this PD. No final alignment has been determined for this road. Under our subdivision requirements a property owner is generally required to construct or escrow the cost of up to two lanes of a perimeter road as shown on the Thoroughfare Plan or up to four lanes if the road is shown to go through the middle of a property. Since this Bypass is a state road, the developer will only be required to dedicate the right of way for the Bypass unless the road is needed for circulation inside the development, in which case the normal requirements of the subdivision requirements will apply.

SECTION 7. Prior to any final plat approval of the first phase of the development, the owner(s) of the property must execute and file an instrument creating a Homeowners Association for the residential areas shown in Exhibit "B" and "C". The Homeowners Association will be responsible for the maintenance of all common areas (including the areas designated as common areas in the Caruth Lake Phase One Addition), screening walls and features, landscape areas; deed restriction enforcement; and all other functions required to maintain the quality of the development. The property owner of the area shown in Exhibit "C" will provide and opportunity for the existing homeowners in Caruth Lake Phases One and Two to join the this newly created Homeowners Association. The residential property shown in Exhibit "B" can have a separate Homeowners Association to provide for the above mentioned functions.

SECTION 8. Items not specifically addressed in this ordinance shall comply with the Zoning Ordinance No. 83.23, Subdivision Ordinance, Engineering Standards of Design, Code of Ordinances, as amended or as may be amended in the future and any other development related ordinances as currently approved or as may be amended or approved in the future.

SECTION 9. The General Retail tract as described in Exhibit "A" shall be limited to

those uses and requirements listed in the General Retail district of the Comprehensive Zoning Ordinance and subject to site plan approval by the Planning and Zoning Commission and City Council.

SECTION 10. The tracts shown in Exhibit "C" as tracts 4, 5, & 7 and the area shown in Exhibit "B" shall comply with the area, use and all other requirements of the Single-Family 8,400 zoning district requirements of the Comprehensive Zoning Ordinance as currently adopted or as may hereafter amended.

SECTION 11. The tracts shown in Exhibit "C" as tracts 1, 3, & 6 shall comply with the area, use and all other requirements of the Single-Family 7,000 zoning district requirements of the Comprehensive Zoning Ordinance as currently adopted or as may hereafter amended.

SECTION 12. The tract shown in Exhibit "C" as tracts 2 shall comply with the area, use and all other requirements of the Zero-lot line zoning district requirements of the Comprehensive Zoning Ordinance as currently adopted or as may hereafter amended.

SECTION 13. The area as shown on Exhibit "D" will be maintained by the property owner in a timely manner consistent with the City of Rockwall ordinances. The property owner will grade, sod, and mow the lot in a timely manner consistent with the City of Rockwall ordinances until homes are built on the lot(s).

SECTION 14. Any person, firm or corporation violating any of the provisions of this ordinance 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 15. 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, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 of this ordinance shall remain in full force and effect.

SECTION 16. 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 17. 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 case provides.

DULY PASSED AND APPROVED this 1st day of July, 1996

ATTEST:

BY 

APPROVED:

  
Mayor

1st reading 6/17/96

2nd reading 7/1/96

SUPERSEDED

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEING a tract or parcel of land situated in the S.S. McCurry Survey, Abstract No. 146, Rockwall County, Texas, and being a part of that 502.566 acre tract of land described in Deed to Caruth Lake Development Corporation recorded in Volume 694, Page 47, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the center of Quail Run Road at the Northwest corner of said tract;

THENCE: Continuing with the center of Quail Run Road North 88° 25' 16" East a distance of 575.00 feet to a 1/2" iron rod set for a corner;

THENCE: Continuing with the center of Quail Run Road North 89° 35' 13" East a distance of 73.91 feet to a 1/2" iron rod set for corner;

THENCE: South 01° 28' 40" East a distance of 1401.79 feet to a 1/2" iron rod set for a corner;

THENCE: North 60° 17' 00" West a distance of 699.27 feet to a 1/2" iron rod set for a corner on the East right-of-way line of State Highway 205;

THENCE: North 14° 13' 17" West along said right-of-way line a distance of 300.00 feet to a 1/2" iron rod set for corner;

THENCE: North 00° 17' 37" West a distance of 747.52 feet to the Point of Beginning and containing 18.0000 acres of land.

The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat. There are no encroachments, conflicts, or protrusions, except as shown.



Harold L. Evans, P.E., Registered Professional Land Surveyor No. 2146

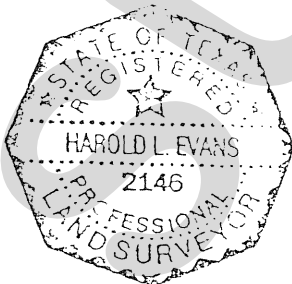




EXHIBIT "A"

POINT OF BEGINNING

EXISTING QUAIL RUN ROAD

N88°25'16" E 575.00'

N89°35'13" E

1/4 DES 73.91' 1/4 DES

QUAIL RUN

APPROX. LOCATION ESMT. TO T. P. & L. VOL. 24, PG. 324

FUTURE 100' R.O.V.

APPROX. LOCATION ESMT. TO T. P. & L. VOL. 45, PG. 345

ABANDONED FRAME HOUSE

18.0000 ACRES

E. WEST ROAD

GENERAL RETAIL

SF 8,400

1/2 DES N14°13'17" W 300.00'

STATE HWY 205

S.F. 205

APPROX. LIMITS 100 YEAR FLOOD

4.39 ACRES 100 YEAR FLOOD PLAIN

N60°17'00" W

699.27'

1/4 DES

2331 DALLAS.

SCALE

1" = 10'

STATE OF TEXAS  
COUNTY OF ROCKWALL

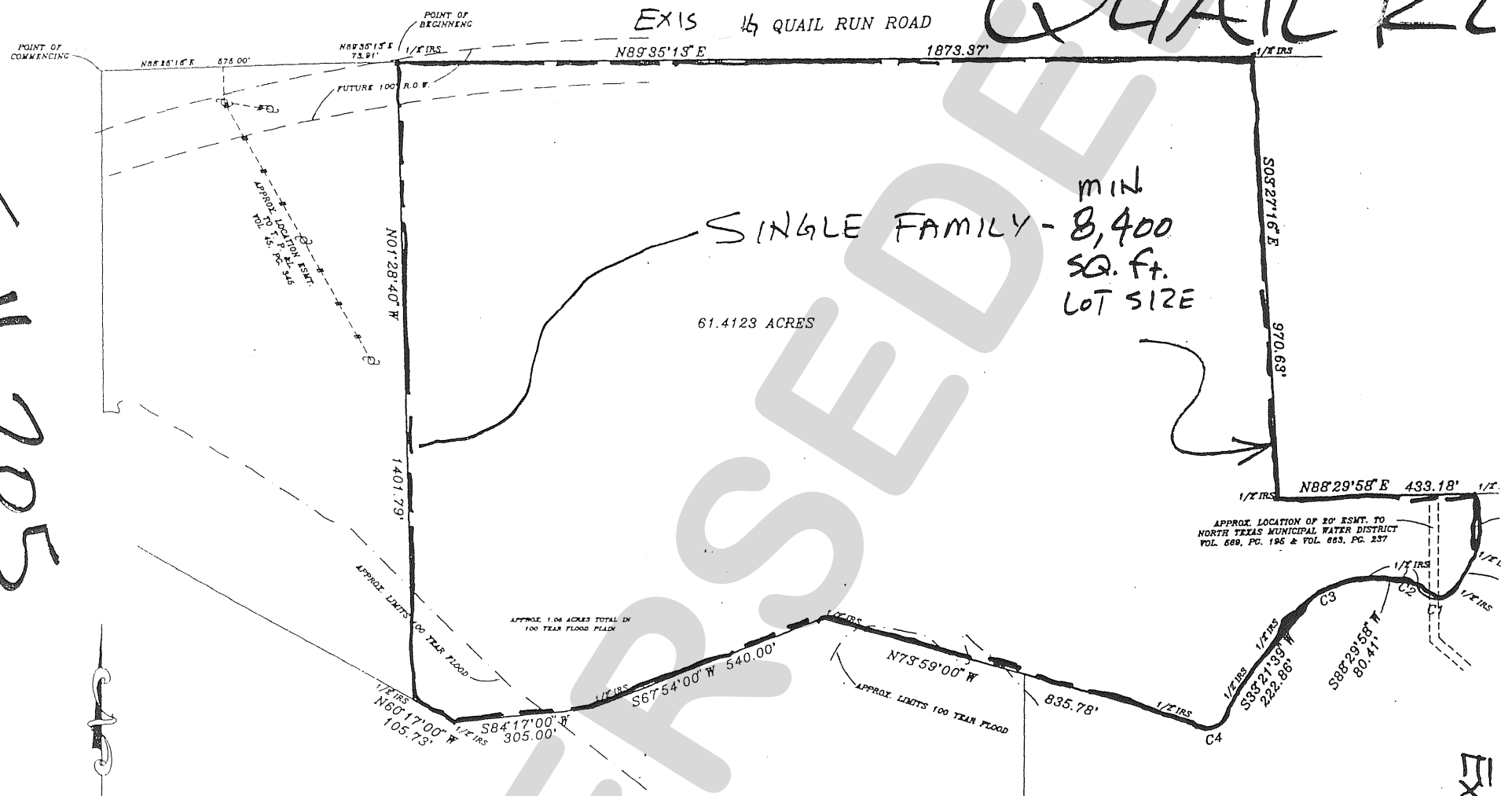
BEING a tract or parcel of land situated in the M.B. Jones Survey, Abstract No. 122 and the S.S. McCurry Survey, Abstract No. 146, Rockwall County, Texas, and being a part of that 502.566 acre tract of land described in Deed to Caruth Lake Development Corporation recorded in Volume 694, Page 47, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2" iron rod found in the center of Quail Run Road, said point also being the Northwest corner of said 502.566 acre tract:  
THENCE: North 88° 25' 16" East along said centerline, a distance of 575.00 feet to a 1/2" iron rod set at an angle point in said road;  
THENCE: Continuing with said centerline North 89° 35' 13" East a distance of 73.91 feet to a 1/2" iron rod set for the POINT OF BEGINNING;  
THENCE: Continuing with said centerline North 89° 35' 13" East a distance of 1873.37 feet to a 1/2" iron rod set for a corner;  
THENCE: South 03° 27' 16" East a distance of 970.63 feet to a 1/2" iron rod set for a corner;  
THENCE: North 88° 29' 58" East a distance of 433.18 feet to a 1/2" iron rod set for a corner;  
THENCE: South 01° 30' 02" East a distance of 132.49 feet to a 1/2" iron rod set for a corner;  
THENCE: South 28° 44' 08" West a distance of 84.14 feet to a 1/2" iron rod set at the beginning of a curve to the right having a central angle of 127° 37', a radius of 50.00 feet and a chord that bears North 87° 23' 34" West a distance of 89.78 feet;  
THENCE: Along the arc of said curve an arc distance of 111.48 feet to a 1/2" iron rod set at a point of reverse curve having a central angle of 67° 58' 47", a radius of 30.00 feet and a chord that bears North 57° 30' 39" West a distance of 33.54 feet;  
THENCE: Along the arc of said curve an arc distance of 35.59 feet to a 1/2" iron rod set for a corner;  
THENCE: South 88° 29' 58" West a distance of 80.41 feet to a 1/2" iron rod set at a beginning of a curve to the left having a central angle of 55° 08' 19", a radius of 225.00 feet and a chord that bears South 60° 55' 48" West a distance of 208.27 feet;  
THENCE: Along the arc of said curve an arc distance of 216.53 feet to a 1/2" iron rod set for a corner;  
THENCE: South 33° 21' 39" West a distance of 222.86 feet to a 1/2" iron rod set on a curve to the right having a central angle of 146° 23' 44", a radius of 50.00 feet and a chord that bears South 69° 41' 19" West a distance of 95.73 feet;  
THENCE: Along the arc of said curve an arc distance of 127.75 feet to a 1/2" iron rod set for a corner;  
THENCE: North 73° 59' 00" West a distance of 835.78 feet to a 1/2" iron rod set for a corner;  
THENCE: South 67° 54' 00" West a distance of 540.00 feet to a 1/2" iron rod set for a corner;  
THENCE: South 84° 17' 00" West a distance of 305.00 feet to a 1/2" iron rod set for a corner;  
THENCE: North 60° 17' 00" West a distance of 105.73 feet to a 1/2" iron rod set for a corner;  
THENCE: North 01° 28' 40" West a distance of 1401.79 feet to the Point of Beginning and containing 61.4123 acres of land.

QUAIL KL

EXIS 1/2 QUAIL RUN ROAD

S.H. 205



SINGLE FAMILY - 8,400 SQ. FT. LOT SIZE

61.4123 ACRES

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	50.00'	111.48'	101.94'	89.78'	N87°23'34" W	127°44'37"
C2	30.00'	35.59'	20.23'	33.54'	N57°30'39" W	67°58'47"
C3	225.00'	216.53'	117.47'	208.27'	S60°56'48" W	65°08'19"
C4	50.00'	127.75'	165.58'	95.73'	S69°41'19" W	146°23'44"

EXHIBIT B

PAGE 2 OF 2

Northwest corner of that 1.00 acre tract of land conveyed to John R. Yingling and wife  
 recorded in Volume 825, Page 179, Deed Records, Rockwall County, Texas;  
 THENCE: East a distance of 210.47 feet to a 1/2" iron rod found for a corner;  
 THENCE: East a distance of 524.01 feet to a 1/2" iron rod found for a corner;  
 THENCE: North 00° 48' 45" West a distance of 248.44 feet to the East side of a 5" iron post found set in  
 for a corner, said point being on the most Easterly North line of said 502.586 acre tract;  
 THENCE: South 89° 48' 53" East a distance of 456.78 feet with said North line to a fence corner post;  
 THENCE: South 00 degree 11' 28" East a distance of 281.83 feet to a 5/8" iron rod found for an angle point at  
 the Northwest corner of the Lake Hill Addition, phase 2, as described in Cabinet A, Slide 309, of the Plat Records  
 of Rockwall County, Texas;  
 THENCE: South 01° 08' 16" East with the said West line of Lake Hill Addition, Phase 2 a distance of 612.00 feet  
 to a 5/8" iron rod found for an angle point and the Southwest corner of the said Lake Hill Addition, phase 2, as  
 the Northwest corner of Lake Hill Addition, phase 1, as described in Cabinet A, Slide 272, of the map Records of  
 Rockwall County, Texas;  
 THENCE: South 00° 50' 21" East, with the said West line of Lake Hill Addition, phase 1, 1398.39 feet to a 1/2"  
 iron rod found on the North line of State Farm to Market Road no. 1141, an 80-foot wide public Right-of-Way;  
 THENCE: South 86° 47' 35" West a distance of 77.84 feet with said North line to a 5/8" iron rod found at the  
 beginning of a curve to the left having a central angle of 17° 43' 55", a radius of 368.39 feet, and a chord  
 that bears South 77° 56' 36" West a distance of 110.48 feet  
 THENCE: Along said curve and continuing with said North line an arc distance of 110.92 feet to a 5/8" iron rod  
 found for a corner;  
 THENCE: North 00° 57' 56" West a distance of 313.41 feet to a 5/8" iron rod found for a corner;  
 THENCE: South 87° 53' 15" West a distance of 157.35 feet to a 5/8" iron rod found for a corner;  
 THENCE: South 01 degree 10' 33" East a distance of 421.15 feet to a 5/8" iron rod found for a corner on the  
 Northwest line of said FM-1140, said point being on an intersecting curve to the left having a central angle of  
 13° 36' 55", a radius of 368.39 feet, and a chord that bears South 31° 18' 32" West a distance of 84.96 feet;  
 THENCE: Along said curve and with said Northwest line an arc distance of 85.16 feet to a 5/8" iron rod found  
 a corner at the most Easterly Southeast corner of that 3.207 acre tract of land described in Deed recorded in  
 Volume 47, Page 469, Deed Records, Rockwall County, Texas;  
 THENCE: North 01 degree 41' 27" West a distance of 148.71 feet to a 5/8" iron rod found at the Northeast corru  
 of said 3.207 acre tract;  
 THENCE: South 88° 32' 18" West a distance of 207.00 feet to a fence corner post at the Northwest corner of said  
 3.207 acre tract;  
 THENCE: South 01 degree 41' 27" East passing at 874.65 feet a fence corner post at the Southwest corner of sa  
 3.207 acre tract and the Northwest corner of that tract of land conveyed to Billy Joe Pruitt by Deed recorded in  
 Volume 86, page 212, Deed Records, Rockwall County, Texas, and continuing a total distance of 760.85 feet to a  
 fence corner post at the Southwest corner of said Pruitt tract;  
 THENCE: South 89° 19' 55" East a distance of 167.43 feet to a 5/8" iron rod found for a corner on the West lin  
 of FM-1141;  
 THENCE: South 01 degree 20' 34" East a distance of 1106.28 feet with said West line to a 5/8" iron rod found  
 ner;  
 THENCE: South 02° 43' 34" East a distance of 343.04 feet continuing with said West line to a 5/8" iron rod  
 found at the beginning of a curve to the right having a central angle of 14° 01' 32", a radius of 633.14 feet,  
 and a chord that bears South 04° 17' 12" West a distance of 130.18 feet;  
 THENCE: Along said curve and continuing with said West line an arc distance of 130.51 feet to a 5/8" iron rod  
 found for a corner at the right-of-way cut-back at State Hwy. 66, a 60-foot Right-of-Way;  
 THENCE: South 34° 13' 31" West a distance of 123.80 feet with said cut-back to a point for a corner from which  
 a concrete right-of-way monument bears South 54° 47' 00" East a distance of 0.60 feet;  
 THENCE: South 88° 24' 25" West a distance of 1271.19 feet with said North line to a 5/8" iron rod found at the  
 Southeast corner of a State of Texas Roadside Park;  
 THENCE: North 02° 45' 43" East a distance of 119.65 feet to a fence corner post at the Northeast of said Park;  
 THENCE: South 88° 24' 23" West a distance of 202.98 feet generally along a fence line to a 5/8" iron rod found  
 the Northwest corner of said Park;  
 THENCE: South 02° 45' 43" West a distance of 119.65 feet to a fence corner post for a corner;  
 THENCE: South 88° 24' 23" West a distance of 318.00 feet generally along a fence line to a 5/8" iron rod found  
 for a corner;  
 THENCE: South 89° 56' 28" West a distance of 360.69 feet to a 5/8" iron rod found at the Southeast corner of  
 the Hal Phelps Addition, an addition to the City of Rockwall recorded in Cabinet A, Page 10, Plat Records,  
 Rockwall County, Texas;  
 THENCE: North 00° 00' 48" West a distance of 150.40 feet to a bolt d'arc stake found at the northeast corner  
 of said Addition;  
 THENCE: South 88° 54' 07" West a distance of 776.89 feet to a 5/8" iron rod found for a corner on the East lin  
 of the Wade Addition, an addition to the City of Rockwall recorded in Cabinet A, Page 3, Plat Records, Rockwall  
 County, Texas;  
 THENCE: North 00° 16' 31" West a distance of 1506.02 feet to a 1/2" iron rod set for a corner at the Northeast  
 corner of said Addition;  
 THENCE: South 88° 42' 10" West a distance of 867.28 feet to a 1/2" iron rod set at the Northwest corner of said  
 Addition and the Northeast corner of the previously mentioned Harris Heights Phase 3;  
 THENCE: South 88° 23' 18" West a distance of 266.98 feet to the Point of Beginning and containing 309.267 ac  
 of land including approximately 92.376 acres contained within the 100 year flood plain and 3.285 acres contain  
 within easements having defined widths, leaving a net area of 213.606 acres of land.

EXHIBIT "C"

PAGE 1  
OF 3

The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat. There are no encroachments, conflicts, or protrusions, except as shown.

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEING a tract or parcel of land situated in the M.B. Jones Survey, Abstract No. 122 and the S.S. McCurry Survey, Abstract No. 148, Rockwall County, Texas, and being a part of that 602.566 acre tract of land described in Deed to Caruth Lake Development Corporation recorded in Volume 694, Page 47, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found on the North line of Harrie Heights Phase Three, an addition to the City of Rockwall recorded in Cabinet B, Page 122, Plat Records, Rockwall County, Texas and at the Southeast corner of Caruth Lake No. 3, an addition to the City of Rockwall recorded in Cabinet , Page , Plat Records, Rockwall County, Texas;

THENCE: Along the East lines of said Caruth Lake No. 3, all to 1/2" iron rods found for corners, as follows: North 01' 24' 00" West a distance of 188.25 feet; South 88' 36' 00" West a distance of 21.14 feet to an intersecting curve to the right having a central angle of 14° 58' 57", a radius of 710.10 feet and a chord that bears North 08' 08' 32" East a distance of 185.16 feet; Along said curve an arc distance of 185.69 feet; North 16' 36' 00" East a distance of 448.68 feet to the Southerly line of Caruth Lane, a 60-foot Right-of-Way; South 72' 43' 38" East a distance of 7.60 feet with said Southerly line to the Southeast corner of said Caruth Lane; and North 17' 16' 22" East a distance of 65.00 feet to the Northeast corner of said Caruth Lane, said point also being on the Southerly line of a future public park;

THENCE: Traversing said 502.566 acre tract with the Southerly, Easterly, and Northerly lines of said future public park, all to 1/2" iron rods set for corners, as follows: South 72' 43' 38" East a distance of 688.10 feet; South 48' 01' 00" East a distance of 1140.00 feet; South 40' 16' 00" East a distance of 502.00 feet; South 26' 48' 00" East a distance of 1000.00 feet; North 63' 59' 00" East a distance of 1685.57 feet; North 01 degree 20' 34" West a distance of 450.00 feet; South 63' 59' 00" West a distance of 1211.68 feet;

THENCE: North 40' 27' 00" West a distance of 2963.32 feet, continuing with the Northerly line of said future public park to a point for a corner in Caruth Lake;

THENCE: West a distance of 600.00 feet continuing with said Northerly line to a point for a corner in Caruth Lake;

THENCE: North a distance of 900.00 feet continuing with said line to a 1/2" iron rod set for a corner;

THENCE: Leaving said Northerly line and continuing to traverse said 502.566 acre tract, all to 1/2" iron rods for corners, as follows: South 73' 59' 00" East a distance of 376.78 feet to an intersecting curve to the right having a central angle of 146° 29' 44", a radius of 50.00 feet, and a chord that bears North 63' 41' 19" East a distance of 96.73 feet; Along said curve an arc distance of 127.76 feet; North 33' 21' 35" East a distance of 222.86 feet to the beginning of a curve to the right having a central angle of 66° 08' 19", a radius of 225.00 feet, and a chord that bears North 60' 55' 48" East a distance of 208.27 feet; Along said curve an arc distance of 216.53 feet; North 88' 29' 58" East a distance of 80.41 feet to the beginning of a curve to the right having a central angle of 67° 58' 47", a radius of 30.00 feet, and a chord that bears South 57' 30' 39" East a distance of 33.54 feet; Along said curve an arc distance of 35.59 feet to the Point of Reverse Curve of a curve to the left having a central angle of 127° 44' 37", a radius of 60.00 feet and a chord that bears South 87' 23' 34" East a distance of 89.78 feet; Along said curve an arc distance of 111.48 feet; North 28' 44' 08" East a distance of 84.14 feet; and North 01 degree 30' 02" West a distance of 132.49 feet to a North line of said 602.566 acre tract;

THENCE: North 88' 28' 58" East a distance of 1343.16 feet with said North line and generally along a fence line to a point for a corner in Phelps Lake;

THENCE: North 80' 41' 47" East a distance of 871.82 feet to a 2" iron pipe with a 1/2" iron rod in the top found for a corner at the Southwest corner of that 1.00 acre tract of land conveyed to John R. Yingling and wife, Lynelle C. Yingling, by Deed recorded in Volume 826, Page 179, Deed Records, Rockwall County, Texas;

THENCE: South 00' 49' 43" East a distance of 210.47 feet to a 1/2" iron rod found for a corner;

THENCE: North 89' 10' 17" East a distance of 624.01 feet to a 1/2" iron rod found for a corner;

THENCE: North 00' 49' 43" West a distance of 248.44 feet to the East side of a 6" iron post found set in concrete for a corner, said point being on the most Easterly North line of said 602.566 acre tract;

THENCE: South 89' 46' 63" East a distance of 456.78 feet with said North line to a fence corner post;

THENCE: South 00 degree 11' 28" East a distance of 281.83 feet to a 5/8" iron rod found for an angle point and the Northwest corner of the Lake Hill Addition, phase 2, as described in Cabinet A, Slide 309, of the Plat Records of Rockwall County, Texas;

THENCE: South 01' 08' 16" East with the said West line of Lake Hill Addition, Phase 2 a distance of 612.00 feet to a 5/8" iron rod found for an angle point and the Southwest corner of the said Lake Hill Addition, phase 2, and the Northwest corner of Lake Hill Addition, phase 1, as described in Cabinet A, Slide 272, of the map Records of Rockwall County, Texas;

THENCE: South 00' 50' 21" East, with the said West line of Lake Hill Addition, phase 1, 1398.39 feet to a 1/2" iron rod found on the North line of State Farm to Market Road no. 1141, an 80-foot wide public Right-of-Way;

THENCE: South 86' 47' 36" West a distance of 77.84 feet with said North line to a 5/8" iron rod found at the beginning of a curve to the left having a central angle of 17° 43' 55", a radius of 358.39 feet, and a chord that bears South 77' 55' 36" West a distance of 110.48 feet;

THENCE: Along said curve and continuing with said North line an arc distance of 110.92 feet to a 5/8" iron rod found for a corner;

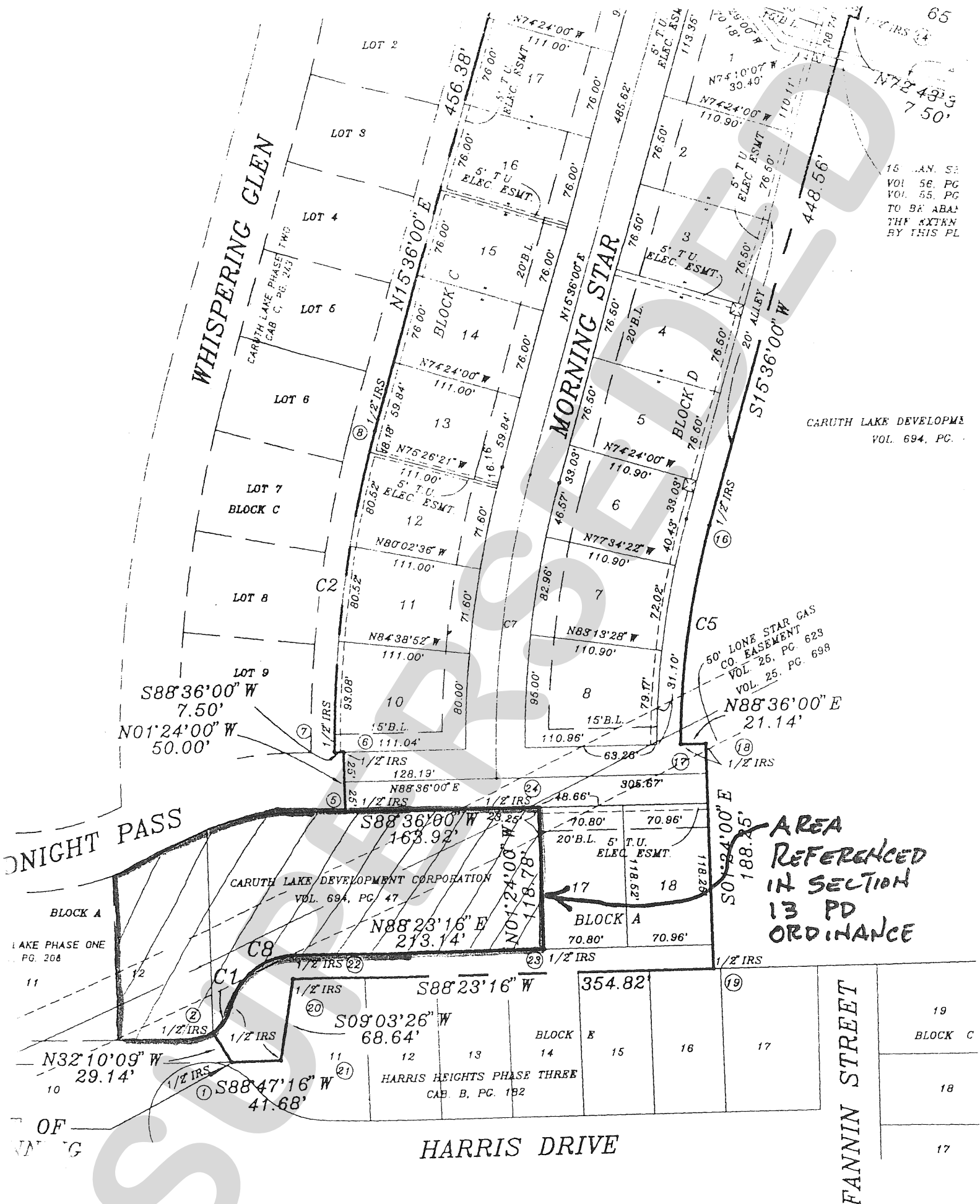
THENCE: North 00' 57' 56" West a distance of 313.41 feet to a 5/8" iron rod found for a corner;

THENCE: South 87' 63' 13" West a distance of 157.36 feet to a 5/8" iron rod found for a corner;

THENCE: South 01 degree 10' 33" East a distance of 421.15 feet to a 5/8" iron rod found for a corner on the Northwest line of said FM-1140, said point being on an intersecting curve to the left having a central angle of 13° 36' 55", a radius of 368.39 feet, and a chord that bears South 31' 18' 32" West a distance of 84.96 feet;

THENCE: Along said curve and with said Northwest line an arc distance of 85.16 feet to a 5/8" iron rod found for a corner at the most Easterly Southeast corner of that 3.207 acre tract of land described in Deed recorded in Volume 47, Page 469, Deed Records, Rockwall County, Texas.





16 JAN. 52  
VOL. 56, PG.  
VOL. 55, PG.  
TO BE ABANDONED  
THE EXTENSION  
BY THIS PL

CARUTH LAKE DEVELOPMENT  
VOL. 694, PG.

50' LONG STAR GAS  
CO. BASEMENT  
VOL. 25, PG. 628  
VOL. 25, PG. 698

AREA  
REFERENCED  
IN SECTION  
13 PD  
ORDINANCE

EXHIBIT "D"

ORDINANCE NO. 00-28

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AND ORDINANCE 96-25 AS HERETOFORE AMENDED SO AS TO APPROVE ZONING AND AMEND A PORTION OF THE PRELIMINARY PLAN FOR PD-5 - PLANNED DEVELOPMENT NO. 5 ATTACHING THE AMENDING PRELIMINARY PLAN DESCRIBED AS EXHIBIT A INCLUDING A CHANGE IN ZONING FROM GR, GENERAL RETAIL TO PD-5 - PLANNED DEVELOPMENT NO.5 FOR TRACTS 11 AND 11-1, J.H.B. JONES ABSTRACT NO. 124, CONTAINING 1.58 ACRES OF LAND; 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 the Preliminary Plan for a portion of PD-5 with special conditions, as described in Exhibit "A" including a change in zoning from "GR", General Retail to PD-5, Planned Development No. 5 for Tracts 11 and 11-1, J.H.B. Jones Abstract No. 124, containing 1.58 acres of land; has been submitted by Robert S. Whittle; 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 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 the approval of the amended Preliminary Plan for PD-5 with special conditions for the area identified in Exhibit "A" including a change in zoning from GR, General Retail, to PD-5, Planned Development No. 5 for Tracts 11 and 11-1, J.H.B. Jones Abstract



No. 124, containing 1.58 acres of land. That said Preliminary Plans are attached hereto and made a part hereof for all purposes.

**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 Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this approval of this amended preliminary Plan for a portion of PD-5 shall affect only the property described in the attached Exhibit "A" and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

**Section 3.** That development in the area within Exhibit "A" shall be limited to uses and requirements listed in the General Retail district of the Comprehensive Zoning Ordinance and subject to site plan approval by the Planning and Zoning Commission and City Council with the following additional uses:

- (a) Planned shopping center of less than 19 acres and neighborhood convenience centers.
- (b) Restaurants, including accessory outdoor seating, with drive-through facilities.
- (c) Pharmacy, with drive-through facility.
- (d) Retail convenience store limited to six gas pump dispensers subject to strict architectural review by the Planning and Zoning Commission and City Council.

**Section 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**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 Comprehensive Zoning Ordinance No. 83-23 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.

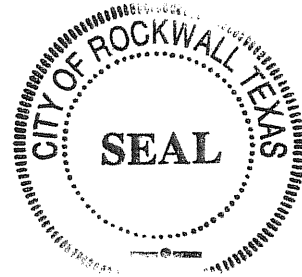
**Section 7.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**Section 8.** 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.

DULY PASSED AND APPROVED this 2nd day of October, 2000.

Scott L. Self  
APPROVED

Belinda Page  
ATTEST



1st Reading 9-18-00

2nd Reading 10-02-00

## EXHIBIT "A"

### **STATE OF TEXAS COUNTY OF ROCKWALL**

**BEING** a tract or parcel of land situated in the S.S. McCurry Survey, Abstract No. 146, Rockwall County, Texas and being a part of that 502.566 acre tract of land described in Deed to Caruth Lake Development Corporation recorded in Volume 694, Page 47, Deed Records, Rockwall County, Texas, and being that 1.58 acre tract of land conveyed to Henry H. Crumbley by Deed recorded in Volume 91, Page 202, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

**BEGINNING** at a ½" iron rod set at the intersection of the Northeast line of State Hwy. 205, a 100-foot right-of-way, with the center of Quail Run Road, said point being the northwest corner of said Crumbley tract:

**THENCE:** North 88° 25' 16" East with the center of Quail Run Road, said point being the North line of said Crumbley tract and then the north line of said 502.566 acre tract a distance of 759.40 feet to a ½" iron rod set for corner:

**THENCE:** North 89° 35' 13" East a distance of 73.91 feet continuing with said lines to a ½" iron rod set for corner:

**THENCE:** Leaving said line and traversing said 502.566 acre tract as follows:  
South 1° 25' 40" East a distance of 1,401.79 feet to a ½" iron rod set for a corner;  
North 60° 17' 00" West a distance of 6999.27 feet to a ½" iron rod set for a corner on the previously mentioned line of said State Hwy. 205:

**THENCE:** North 14° 13' 17" West a distance of 1,185.90 feet with said line to the Point of Beginning and containing **852,904.80 square feet** or **19.58 acres** of land.