

ORDINANCE NO. 73-49

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO GIVE THE FOLLOWING-DESCRIBED TRACTS OF LAND A "PD" PLANNED DEVELOPMENT DISTRICT CLASSIFICATION ZONING FOR A COMBINATION OF SINGLE-FAMILY, MULTIPLE-FAMILY AND SHOPPING CENTER USES, TO BE DESIGNATED AS PLANNED DEVELOPMENT DISTRICT NUMBER 9, SAID PLANNED DEVELOPMENT DISTRICT BEING DESCRIBED ON THE PLAT ATTACHED HERETO; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:  
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be, and the same is hereby, amended by amending the Zoning Map of the City of Rockwall so as to give the following-described property the zoning classification hereinafter set out, to-wit:

SECTION 2. The granting of the Planned Development District Number 9 to the above-described property is subject to the following Special Conditions:

(1) Planned Development District Number 9 shall be developed generally in accordance with the site plan for said area, which is attached to and made a part hereof as Exhibit "A."

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

(3) Prior to the issuance of any building permit in Planned Development District Number 9, a Comprehensive Site Plan of the Development shall be filed with the City Council of the City and shall be approved by them and filed as a part of this ordinance. Such required detailed plan shall set forth the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way to conform to the thoroughfare plan of the City of Rockwall, sidewalks, utilities, drainage, parking space, height of buildings, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective requirements considered necessary by the City Council to create a reasonable transition to and protection of the adjacent property. Such approval by the City Council of the detailed site plan shall be considered as an amendment to this ordinance and shall be applicable to the property involved.

TRACT I.

BEING a tract or parcel of land situated in Rockwall County, Texas, out of the E. Teal Survey, Abstract No. 207 and being a part of a tract of land conveyed to Kirby Albright from J. L. Parker by Deed, dated August 11, 1967, and recorded in Vol. 80, Pg. 7, Rockwall County Deed Records and further being part of a tract of land conveyed to Kirby Albright, et al by Deed recorded in Vol. 81, Pg. 33, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the Point of Intersection of the present Southeast City Limit Line with the South R.O.W. line of F.M. Road 3097;  
THENCE: Following said South R.O.W. line South 44° 37' East, 467.6 feet; South 43° 01' 32" East, 900.35 feet; South 44° 37' East 1,000 feet; South 51° 44' 30" East, 201.56 feet and South 44° 37' East, 53.06 feet to the Westerly line of a County road;  
THENCE: Following said Westerly line South 46° 19' 31" West, 1525.63 feet; South 65° 38' 39" West, 76.35 feet; South 40° 53' 25" West, 100.9 feet; South 30° 48' 15" West, 125.28 feet and South 32° 49' 05" West a distance of 900 feet more or less to the present North City Limit Line of the City of Heath;  
THENCE: Following said North City Limit Line, West a distance of 445 feet to a point for corner;  
THENCE: North 01° 40' 02" East a distance of 1560 feet more or less to the South line of a 50' wide access road easement (known as Shadydale Lane);  
THENCE: With said South line, North 84° 32' 49" West a distance of 642.85 feet to a point for a corner;  
THENCE: Crossing said easement, North 06° 00' 11" East 50 feet to a point for a corner on the North line of said easement;  
THENCE: With said North line, North 84° 32' 49" West a distance of 526.33 feet to a point for a corner, same being the Southwest corner of Lot 1, Block "B" of Highland Acres Addition;  
THENCE: Following said addition line North 7° 24' West a distance of 678.54 feet to a point for a corner at the Southeast corner of Lot 5, Block B of said addition;  
THENCE: South 82° 36' West along the lot line between Lots 4 and 5 of said addition a distance of 350 feet to a point for a corner in the Easterly R.O.W. line of F.M. Road 740;  
THENCE: Following said Easterly R.O.W. line, North 7° 24' West a distance of 319.06 feet, along a curve to the left an arc distance of 40 feet more or less to the present City Limit Line of the City of Rockwall;  
THENCE: Following said existing City Limit Line, South 80° 20' East a distance of 918 feet and North 32° 30' East a distance of 1680 feet more or less to the PLACE OF BEGINNING and containing 138.5 acres of land more or less.

TRACT II.

BEING a tract or parcel of land situated in Rockwall County, Texas, out of the E. Teal Survey, Abstract No. 207, and being a part of a tract of land conveyed to Ralph M. Hall by Mrs. J. A. Wilkerson, et al, by Deed, dated December 24, 1964, and recorded in Vol. 71, Pg. 474, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the South R.O.W. line of F.M. 3097, said point being located South 44° 37' East, 467.6 feet; South 43° 01' 32" East, 900.35 feet; South 44° 37' East, 1,000 feet; South 51° 44' 30" East, 201.56 feet and South 44° 37' East, 53.06 feet from the Point of Intersection of the City Limit Line (as extended March 6, 1961) with said South R.O.W. line;

THENCE: Along said South R.O.W. line South 44° 37' 38" East a distance of 339.63 feet; along the arc of a curve 218.56 feet and South 46° 47' 38" East a distance of 823.15 feet to a point for a corner;

THENCE: South 58° 33' 35" West 55.88 feet to a point for a corner;

THENCE: In a Southerly direction along the meanders of Buffalo Creek as follows:

South 13° 22' 03" East 116.17 feet;  
South 18° 26' 06" East 47.43 feet;  
South 14° 02' 10" West 123.69 feet;  
South 20° 13' 29" East 101.24 feet;  
South 10° 18' 17" East 55.90 feet;  
South 36° 26' 40" East 404.01 feet;  
South 42° 42' 34" West 176.91 feet;  
South 33° 41' 24" West 108.16 feet;  
North 77° 54' 19" West 71.58 feet;  
South 61° 41' 57" West 73.82 feet;  
South 84° 17' 22" West 50.24 feet;  
South 62° 06' 10" West 96.17 feet; and South 60 feet more

or less to the existing North City Limits of the City of Heath;

THENCE: West along said existing North City Limit Line 960 feet more or less to a point in Rainbow Lake;

THENCE: North 44° 45' East 224.00 feet;  
North 09° 30' East 87.00 feet;  
North 52° 15' West 130.00 feet;  
South 32° 05' West 126.00 feet;  
South 09° 00' East 109.00 feet;  
South 76° 00' West 59.00 feet;  
North 23° 45' West 125.00 feet;  
North 53° 45' West 107.00 feet;  
North 00° 15' West 107.00 feet;  
North 72° 45' East 88.00 feet;  
North 06° 45' West 218.00 feet;  
North 89° 45' East 126.00 feet;  
North 06° 30' East 43.00 feet;  
North 47° 00' West 92.00 feet;  
North 43° 00' East 180.00 feet;  
North 07° 30' West 118.00 feet;  
North 75° 30' West 250.00 feet;  
North 19° 15' West 103.00 feet;  
North 75° 00' East 211.00 feet;  
North 43° 00' West 146.00 feet;  
North 04° 45' East 195.00 feet;  
North 70° 00' West 122.00 feet;  
North 01° 30' East 220.00 feet to a point in the Westerly

line of a public road;

THENCE: North 46° 19' 31" East a distance of 510.0 feet more or less to the PLACE OF BEGINNING and containing 53.6 acres of land more or less.

(4) Planned Development District Number 9 shall be limited to the following uses, with acreage of each, number of dwelling units and density as noted:

	<u>AREA</u>	<u>PERCENTAGE OF ACREAGE</u>	<u>DWELLING UNITS</u>	<u>DWELLING UNITS PER ACRE</u>
Shopping Center Uses - Under General Retail Zoning	26.5±*	10.2%	-0-	-0-
Garden Apartments Under Multiple- Family Zoning	25.7±*	9.8 %	360	14.0
Town Homes - Under Multiple- Family Zoning	47.6±*	17.9 %	381	8.0
Cluster Homes - Under Multiple- Family Zoning	42.0±*	15.8 %	168	4.0
Single-Family Units - Under Single-Family Zoning	95.7±*	36.0 %	163	1.5
TOTAL DWELLING UNITS: -----			<u>1,072</u>	
TOTAL NUMBER OF DWELLING UNITS PER ACRE: -----				<u>4.0</u>
TOTAL ACREAGE: ---	<u>265.7±*</u>			

(\* plus or minus, more or less)

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

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

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

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

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

APPROVED:

Darryl Myers  
MAYOR

ATTEST:

Janice Williams  
CITY SECRETARY

APPROVED AS TO FORM:

Robert L. Willard  
CITY ATTORNEY

VILLAGE CENTER  
SITE  
26.5 ± NET  
SHOPPING, OFFICES, ETC.

GARDEN APTS.  
257 ± AC.

SINGLE FAMILY

CLUSTER SINGLE FAMILY HOMES

CLUSTER SINGLE FAMILY HOMES

RAINBOW LAKE

(APPROX.) ROCKWALL CITY LIMITS  
(APPROX.) HEATH CITY LIMITS

NOT INCLUDED

NOT INCLUDED

NOT INCLUDED

PD-9

PD-9

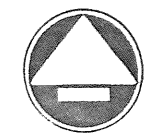
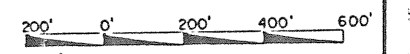
ROCKWALL - DATA

	AREA	PERCENTAGE OF ACREAGE	DWELLING UNITS	DU. / AC.
TOTAL AREA	265.7 ± AC.			
TOTAL DWELLING UNITS			1072	
NO. OF DWELLING UNITS / AC				4.0
SHOPPING	26.5 ± AC.	10.2 %		
GARDEN APARTMENT	25.7 ± AC.	9.8 %	360	14.0
TOWN HOMES	47.6 ± AC.	17.9 %	381	8.0
CLUSTER HOMES	42.0 ± AC.	15.8 %	168	4.0
SINGLE FAMILY	95.7 ± AC.	36.0 %	163	1.5

F.M. ROAD NO. 740

PRELIMINARY MASTER PLAN  
FOR  
PLANNED COMMUNITY DEVELOPMENT  
ROCKWALL COUNTY  
A.S.D. CORPORATION

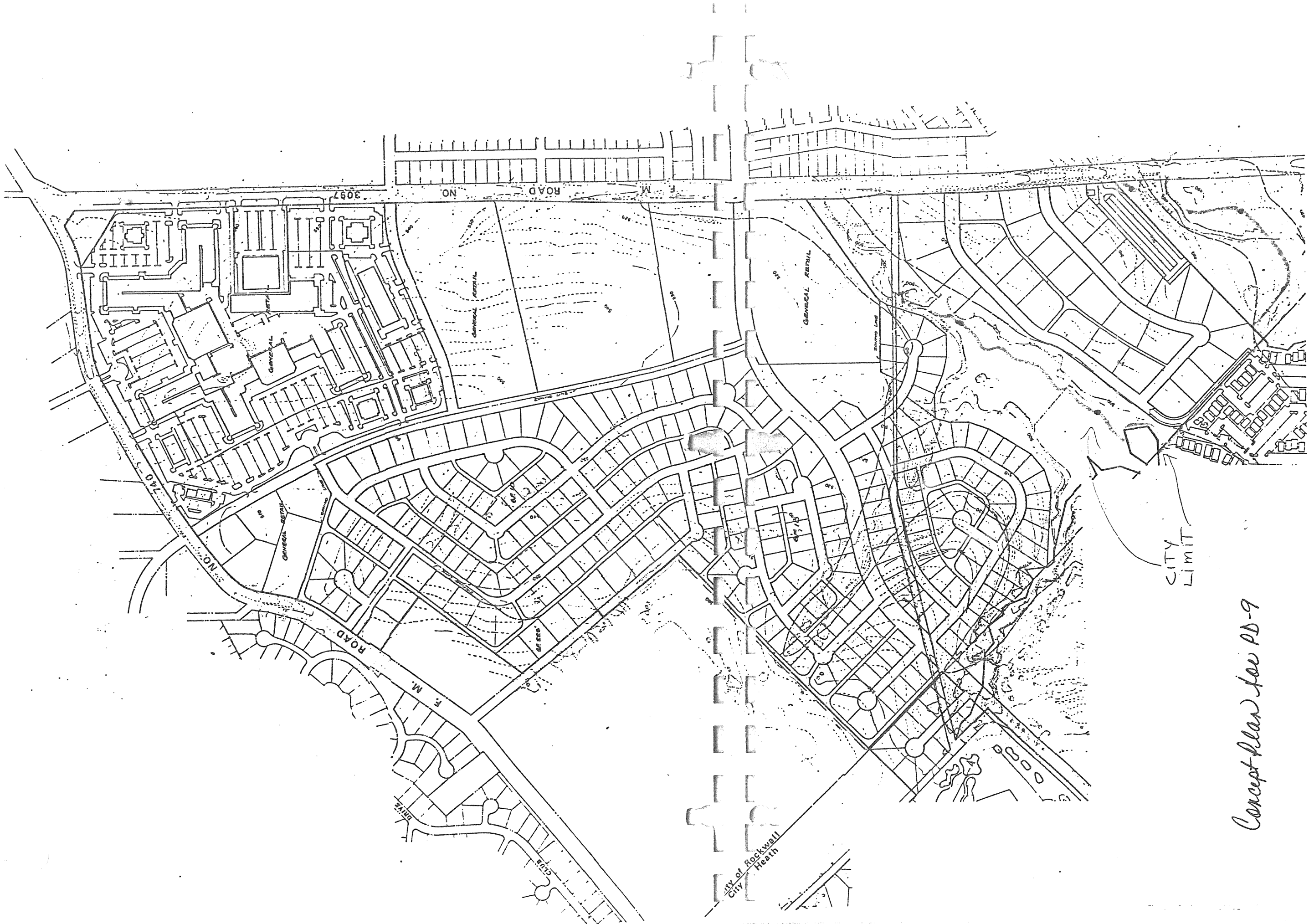
*Ordinance 13-49*



PROCTOR-BOWERS & ASSOCIATES  
Landscape Architects - Planning Consultants  
2731 LEMMON AVENUE EAST DALLAS, TEXAS

1107

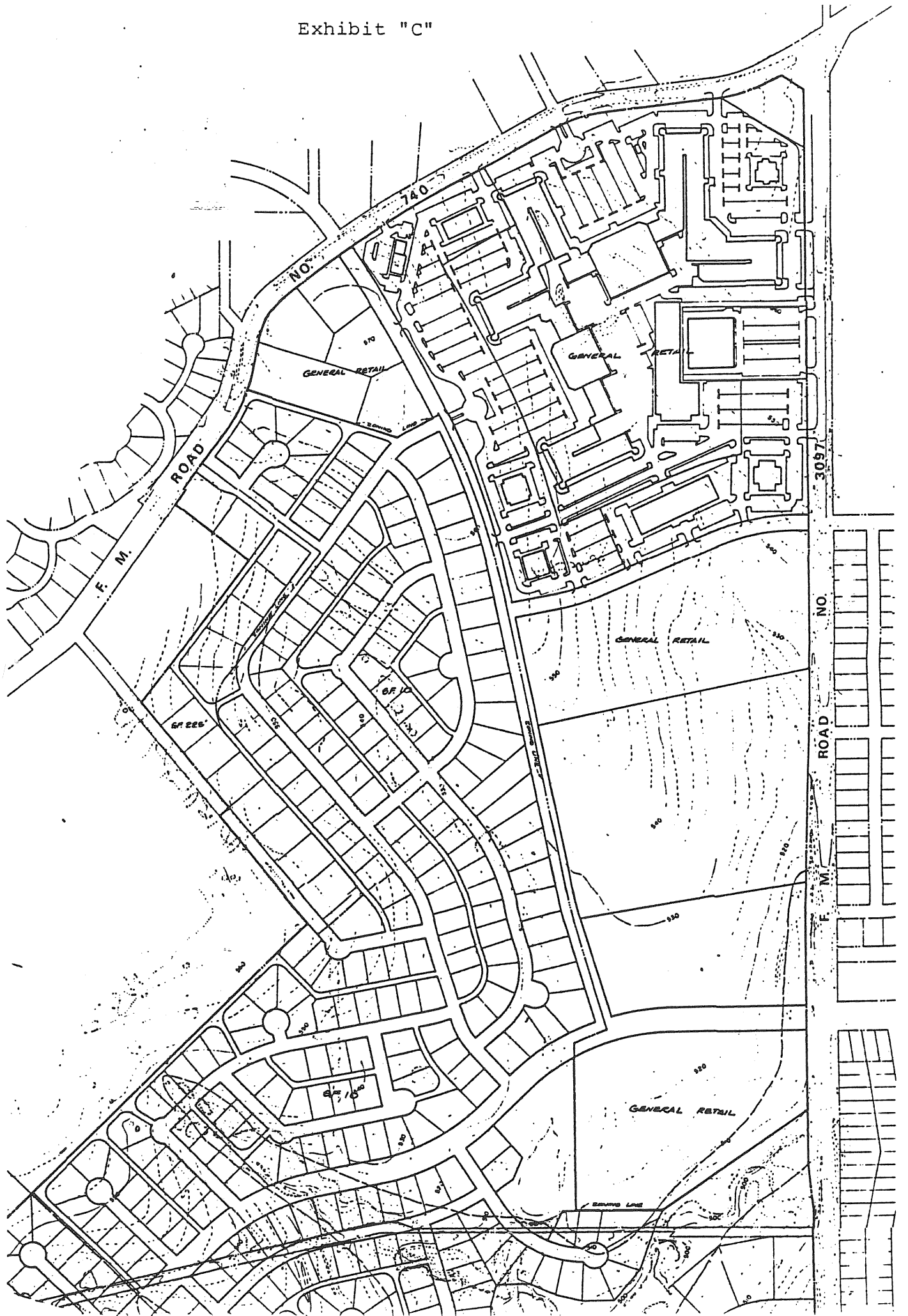
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*Concept Plan for PD-9*



Exhibit "C"



**AN ORDINANCE  
OF THE CITY OF  
ROCKWALL, TEXAS**

ORDINANCE NUMBER 73-49

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO GIVE THE FOLLOWING-DESCRIBED TRACTS OF LAND A "PD" PLANNED DEVELOPMENT DISTRICT CLASSIFICATION ZONING FOR A COMBINATION OF SINGLE-FAMILY, MULTIPLE-FAMILY AND SHOPPING CENTER USES, TO BE DESIGNATED AS PLANNED DEVELOPMENT DISTRICT NUMBER 9, SAID PLANNED DEVELOPMENT DISTRICT BEING DESCRIBED ON THE PLAT ATTACHED HERETO, SAID TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**TRACT I**

BEING a tract or parcel of land situated in Rockwall County, Texas, out of the E. Teal Survey, Abstract No. 207 and being a part of a tract of land conveyed to Kirby Albright from J. L. Parker by Deed, dated August 11, 1967, and recorded in Vol. 80, Pg. 7, Rockwall County Deed Records and further being part of a tract of land conveyed to Kirby Albright, et al by Deed recorded in Vol. 81, Pg. 33, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the Point of Intersection of the present Southeast City Limit Line with the South R. O. W. line of F. M. Road 3097:

THENCE: Follow said South R. O. W. line Sou. #40 37' East, 467.6 feet; South 430 01' 32" East, 1,000 feet; South 510 44' 30" East, 201.56 feet and South 440 37' East, 53.06 feet from the Point of Intersection of the City Limit Line (as extended March 6, 1961) with said South R. O. W. line;

THENCE: A long said South R. O. W. line South 440 37' 38" East a distance of 339.63 feet; along the arc of a curve 218.56 feet and South 460 47' 38" East a distance of 823.15 feet to a point for a corner;

THENCE: South 580 33' 35" West 55.88 feet to a point for a corner;

THENCE: In a Southerly direction along the meanders of Buffalo Creek as follows:

South 13° 22' 03" East 116.17 feet;  
South 180 26' 06" East 47.43 feet;  
South 140 02' 10" West 123.69 feet;  
South 200 13' 29" East 101.24 feet;  
South 100 18' 17" East 55.90 feet;  
South 360 26' 40" East 404.01 feet;  
South 420 42' 34" West 176.91 feet;  
South 330 41' 24" West 108.16 feet;

THENCE: South 82° 36' West along the lot line between Lots 4 and 5 of said addition a distance of 350 feet to a point for a corner in the Easterly R. O. W. line of F. M. Road 740;

THENCE: Following said Easterly R. O. W. line, North 70 24' West a distance of 319.06 feet, along a curve to the left an arc distance of 40 feet more or less to the present City Limit Line of the City of Rockwall;

THENCE: Following said existing City Limit line, South 80° 20' East a distance of 918 feet and North 320 30' East a distance of 1680 feet more or less to the PLACE OF BEGINNING and containing 138.5 acres of land more or less.

**TRACT II**

BEING a tract or parcel of land situated in Rockwall County, Texas, out of the E. Teal Survey, Abstract No. 207, and being a part of a tract of land conveyed to Ralph M. Hall by Mrs. J. A. Wilkenson, et al by Deed, dated December 24, 1964, and recorded in Vol. 71, Pg. 474, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the South R. O. W. line of F. M.

North 77° 54' 19" West 71.58 feet;  
South 61° 41' 57" West 73.82 feet;  
South 84° 17' 22" West 50.24 feet;

South 620 06' 10" West 96.17 feet; and South 60 feet more or less to the existing North City Limits of the City of Heath;

THENCE: West along said existing North City Limit line 960 feet more or less to a point in Rainbow Lake;

THENCE: North 44° 45' East 224.00 feet;

North 090 30' East 87.00 feet;  
North 520 15' West 130.00 feet;  
South 32° 05' West 126.00 feet;  
South 090 00' East 109.00 feet;  
South 76° 00' West 59.00 feet;  
North 230 45' West 125.00 feet;  
North 53° 45' West 107.00 feet;  
North 00° 15' West 107.00 feet;  
North 720 45' East 88.00 feet;  
North 06° 45' West 218.00 feet;  
North 89° 45' East 126.00 feet;  
North 06° 30' East 43.00 feet;  
North 47° 00' West 92.00 feet;  
North 43° 00' East 130.00 feet;  
North 07° 30' West 118.00 feet;  
North 75° 30' West 250.00 feet;  
North 190 15' West 103.00 feet;  
North 75° 00' East 211.00 feet;  
North 43° 00' West 146.00 feet;  
North 04° 45' East 195.00 feet;  
North 70° 00' West 122.00 feet;  
North 01° 30' East 220.00 feet to a point in the Westerly line of a public road;

THENCE: North 46° 19' 31" East a distance of 510.0 feet more or less to the PLACE OF BEGINNING and containing 53.6 acres of land more or less.

PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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

APPROVED:

Harry F. Myers, Mayor

ATTEST:

Galen Williams, City Secretary  
(ITC)

East, 467.6 feet; South 430  
01' 32" East, 900.35 feet;

South 449' 37" East 1,000 feet;  
South 510' 44" 30" East, 201.56  
feet and South 449' 37" East,  
53.06 feet to the Westerly line  
of a County road;

THENCE: Following said Westerly  
line South 46° 19' 31" West,  
1525.63 feet; South 65° 38' 39"  
West, 76.35 feet; South 40° 53'  
25" West, 100.9 feet; South 30°  
48' 15" West, 125.28 feet and  
South 32° 49' 05" West a dis-  
tance of 900 feet more or less  
to the present North City Limit  
line of the City of Heath;

THENCE: Following said North  
City Limit line, West a distance  
of 445 feet to a point for corner;

THENCE: North 01° 40' 02" East  
a distance of 1560 feet more or  
less to the South line of a 50'  
wide access road easement  
(known as Shadydale Lane);

THENCE: With said South line,  
North 84° 32' 49" West a dis-  
tance of 642.85 feet to a point  
for a corner;

THENCE: Crossing said easement,  
North 06° 00' 11" East 50 feet  
to a point for a corner on the  
North line of said easement;

THENCE: With said North line,  
North 84° 32' 49" West a dis-  
tance of 526.33 feet to a point  
for a corner, same being the  
Southwest corner of Lot 1, Block  
"B" of Highland Acres Addition;

THENCE: Following said addition  
line North 7° 24' West a dis-  
tance of 678.54 feet to a point  
for a corner at the Southeast  
corner of Lot 5, Block B of said  
addition;

THENCE: Following said addition  
line North 7° 24' West a dis-  
tance of 678.54 feet to a point  
for a corner at the Southeast  
corner of Lot 5, Block B of said  
addition;

THENCE: Following said addition  
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tance of 678.54 feet to a point  
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corner of Lot 5, Block B of said  
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tance of 678.54 feet to a point  
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tance of 678.54 feet to a point  
for a corner at the Southeast  
corner of Lot 5, Block B of said  
addition;

THENCE: Following said addition  
line North 7° 24' West a dis-  
tance of 678.54 feet to a point  
for a corner at the Southeast  
corner of Lot 5, Block B of said  
addition;

ORDINANCE NO. 86-55

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A ZONING CHANGE AND AMEND THE PRELIMINARY PLAN FOR "PD-9" MORE FULLY DESCRIBED HEREIN; PROVIDING SPECIAL CONDITIONS; REPEALING ORDINANCE NO. 73-49; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR 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, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to approve a zoning change and change in the preliminary plan for "PD" Planned Development District Number 9 on the property described in Exhibit "A".

Section 2. That Planned Development District Number 9 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 granting of Planned Development District No. 9 to the above described tract of land is subject to the following special conditions:

- A. Prior to issuance of any building permit in Planned Development District No. 9 a comprehensive development plan shall be filed with the Planning and Zoning Commission, and after hearing, the City Council shall approve a final development plan, which shall be filed and included as Exhibit "B" and made a part of this ordinance for all purposes. Such development plan shall set forth in detail the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way to conform to the Thoroughfare Plan of the City of Rockwall, sidewalks, utilities, drainage, parking space, height of buildings, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective requirements considered necessary by the City Council so as to create a reasonable transition to and protection of the adjacent property.
- B. All development of property covered by Planned Development District No. 9 shall be in accordance with the provisions of this ordinance and the finally approved comprehensive development plan and list of approved uses, and no substantial change in the development shall be permitted except after obtaining approval of the changes and amendments to the Comprehensive Zoning Ordinance.
- C. Development of Planned Development No. 9 shall be in conformance with the approved preliminary plan shown on Exhibit "B" and shall be regulated by the area requirements in Exhibit "C". Area requirements not specifically addressed in this ordinance shall be regulated by the requirements set forth in the "GR", "SF-10", and "O" classifications as applicable to the land uses approved under this ordinance.

Section 3. 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 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 4. 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 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 5. That ordinance No. 73-49 and all other 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 6. 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.

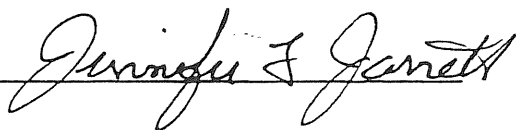
DULY PASSED AND APPROVED this 16th day of June, 1986.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

BY:



1st reading 6-9-86

2nd reading 6-16-86

SINGLE FAMILY

SF-10

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tracts 5 and 6, and being part of Tracts 3 and 7, as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a concrete highway right-of-way marker found for the Easterly Southeast corner of the intersection of Farm to Market Road 740 and F.M. 3097, same being the most Northerly corner of the herein described tract;  
 THENCE: Along the Southwesterly line of Farm to Market Road 3097 as follows:  
 South 45° 35' 20" East a distance of 2225.71 feet to a concrete highway monument;  
 South 44° 03' 08" East a distance of 900.21 feet to a concrete highway monument;  
 South 45° 31' 22" East a distance of 802.41 feet to the Point of Beginning;  
 THENCE: Continuing along said Southwesterly line as follows: South 45° 31' 22" East a distance of 196.87 feet to a point for a corner; and South 52° 42' 43" East a distance of 134.10 feet to a point for a corner;  
 THENCE: South 6° 24' 04" West a distance of 1811.29 feet to a point for a corner in a branch and on the Southerly line of Tract 7;  
 THENCE: Along said branch and the Southerly line of Tract 7 as follows: South 18° 44' West a distance of 170.0 feet; South 89° 43' West a distance of 208.3 feet; South 59° 32' West a distance of 274.4 feet; and South 45° 25' West a distance of 32.8 feet to said City Limits line;  
 THENCE: Westerly a distance of 71.3 feet along said City Limits line to its intersection with said branch;  
 THENCE: Along said branch and the Southerly line of Tract 7 as follows: North 50° 49' West a distance of 102.5 feet; South 7° 11' West a distance of 63.9 feet; and South 67° 56' West a distance of 5.4 feet to said City Limits line;  
 THENCE: Westerly a distance of 172.0 feet along said City Limits line to its intersection with said branch;  
 THENCE: Along said branch and the Southerly line of Tract 7 as follows: North 65° 38' West a distance of 27.6 feet; South 81° 29' West a distance of 37.9 feet; South 10° 13' West a distance of 6.2 feet to said City Limits line;  
 THENCE: Westerly a distance of 96.5 feet along said City Limits line to its intersection with said branch;  
 THENCE: Along said branch and the Southerly line of Tract 7 as follows: North 82° 45' West a distance of 7.5 feet; and South 28° 34' West a distance of 1.1 feet to said City Limits line;  
 THENCE: Westerly a distance of 912.5 feet along said City Limits line to a point for a corner on the West line of said Tract 6;  
 THENCE: North 0° 41' 42" East a distance of 1482.21 feet along said West line to a point for a corner;  
 THENCE: Traversing said Tract 5 & 6 as follows: South 85° 31' 09" East a distance of 50.00 feet to a point for a corner; North 4° 28' 51" East a distance of 220.00 feet to a point for a corner; North 85° 31' 09" West a distance of 787.79 feet to the point of curvature of a circular curve to the right having a central angle of 77° 08' 49" and a radius of 175.00 feet; Along said curve an arc distance of 235.63 feet to a point for a corner; North 8° 22' 20" West a distance of 604.10 feet to a point for a corner; and South 81° 37' 40" West a distance of 546.19 feet to a point for a corner on the Easterly line of F.M. 740;  
 THENCE: Along the Easterly line of F.M. 740 as follows: North 8° 22' 20" West a distance of 119.80 feet to the point of curvature of a circular curve to the left having a central angle of 19° 01' 57" and a radius of 613.99 feet; and Along said curve an arc distance of 203.95 feet;  
 THENCE: Traversing said tracts as follows: North 62° 35' 43" East a distance of 588.16 feet to a point for a corner; North 18° 25' 30" East a distance of 10.00 feet to the point of curvature of a circular curve to the right having a central angle of 15° 09' 27", a radius of 2614.27 feet, and a chord that bears South 63° 59' 47" East a distance of 689.59 feet; Along said curve an arc distance of 691.60 feet to a point for a corner; South 56° 25' 03" East a distance of 1149.08 feet to the point of curvature of a circular curve to the left having a central angle of 6° 10' 17" and a radius of 1035.00 feet; Along said curve an arc distance of 111.48 feet to a point for a corner; South 62° 35' 20" East a distance of 296.89 feet to a point for a corner; South 77° 45' 55" East a distance of 173.73 feet to a point for a corner; South 45° 31' 22" East a distance of 638.11 feet to a point for a corner; North 44° 24' 40" East a distance of 334.49 feet to a point for a corner; and North 10° 28' 38" East a distance of 662.77 feet to the Point of Beginning and Containing 112.786 Acres of Land.

Harold L. Evans, Consulting Engineer  
February 24, 1986

SINGLE FAMILY

SF-12.5

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tract 5, as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a point on the Easterly line of F.M. 740 at the most Northerly Southwest corner of said Tract 5;  
THENCE: North  $8^{\circ} 22' 20''$  West a distance of 314.80 feet along said Easterly line to the point of curvature of a circular curve to the left having a central angle of  $19^{\circ} 01' 57''$  and a radius of 613.99 feet;  
THENCE: Along said curve and said Easterly line an arc distance of 203.95 feet to a point for a corner;  
THENCE: Leaving said Easterly line and traversing said Tract 5 as follows: North  $62^{\circ} 35' 43''$  East a distance of 588.16 feet; and North  $18^{\circ} 25' 30''$  East a distance of 10.00 feet to the Point of Beginning;  
THENCE: Continuing to traverse said Tract 5 as follows: North  $18^{\circ} 25' 30''$  East a distance of 180.00 feet to a point for a corner on a circular curve to the right having a central angle of  $15^{\circ} 09' 27''$ , a radius of 2794.27 feet, and a chord that bears South  $63^{\circ} 59' 47''$  East a distance of 737.07 feet; Along said curve an arc distance of 739.22 feet to a point for a corner; South  $56^{\circ} 25' 03''$  East a distance of 1149.08 feet to the point of curvature of a circular curve to the left having a central angle of  $6^{\circ} 10' 17''$ , and a radius of 855.00 feet; Along said curve an arc distance of 92.09 feet to a point for a corner; South  $62^{\circ} 35' 20''$  East a distance of 453.91 feet to a point for a corner on a circular curve to the left having a central angle of  $9^{\circ} 03' 08''$ , a radius of 855.00 feet, and a chord that bears South  $22^{\circ} 53' 06''$  West a distance of 134.94 feet; Along said curve an arc distance of 135.08 feet to a point for a corner; North  $77^{\circ} 45' 55''$  West a distance of 173.73 feet to a point for a corner; North  $62^{\circ} 35' 20''$  West a distance of 296.89 feet to the point of curvature of a circular curve to the right having a central angle of  $6^{\circ} 10' 17''$  and a radius of 1035.00 feet; Along said curve an arc distance of 111.48 feet to a point for a corner; North  $56^{\circ} 25' 03''$  West a distance of 1149.08 feet to the point of curvature of a circular curve to the left having a central angle of  $15^{\circ} 09' 27''$  and a radius of 2614.27 feet; Along said curve an arc distance of 691.60 feet to the Point of Beginning and Containing 9.935 Acres of Land.



SINGLE FAMILY

SF-22.5

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tract 5 as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point on the Easterly line of F.M. 740 at the most Northerly Southwest corner of said Tract 5;  
THENCE: North 8° 22' 20" West a distance of 195.00 feet to a point for a corner;  
THENCE: Leaving said Easterly line and traversing said Tracts 5 and 6 as follows:  
North 81° 37' 40" East a distance of 546.19 feet to a point for a corner; South 8° 22' 20" East a distance of 604.10 feet to the point of curvature of a circular curve to the left having a central angle of 77° 08' 49" and a radius of 175.00 feet; Along said curve an arc distance of 235.63 feet to a point for a corner; South 85° 31' 09" East a distance of 787.79 feet to a point for a corner; South 4° 28' 51" West a distance of 220.00 feet to a point for a corner; and North 85° 31' 09" West a distance of 50.00 feet to a point for a corner at the North corner of Tract 6 as described in the above mentioned deed;  
THENCE: Along the Southerly lines and Westerly lines of said Tract 5 as follows:  
North 85° 31' 09" West a distance of 515.68 feet to a point for a corner; North 5° 01' 51" East a distance of 50.00 feet to a point for a corner; North 85° 31' 09" West a distance of 523.38 feet to a point for a corner; and North 8° 22' 20" West a distance of 678.54 feet to a point for a corner; and South 81° 37' 40" West a distance of 351.19 feet to the Point of Beginning and Containing 9.862 Acres of Land.

GENERAL RETAIL

STATE OF TEXAS  
 COUNTY OF ROCKWALL

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tract 5, as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete highway right-of-way marker found for the Easterly Southeast corner of the intersection of Farm to Market Road 740 and F.M. 3097, said being the most Northerly corner of the herein described tract;  
 THENCE: Along the Southwesterly right-of-way of Farm to Market Road 3097 as follows: South 45° 35' 20" East a distance of 2225.71 feet to a concrete highway monument; South 44° 03' 08" East a distance of 900.21 feet to a concrete highway monument; South 45° 31' 22" East a distance of 802.41 feet to a point for a corner;  
 THENCE: Leaving said line of F.M. 3097 and traversing said tract as follows: South 10° 28' 38" West a distance of 662.77 feet to a point for a corner; South 44° 24' 40" West a distance of 334.49 feet to a point for a corner; South 45° 31' 22" West a distance of 638.11 feet to the point of curvature of a circular curve to the right having a central angle of 9° 03' 08", a radius of 855.00 feet and a chord that bears North 22° 53' 06" East a distance of 134.94 feet; Along said curve an arc distance of 135.08 feet to a point for a corner; North 62° 35' 20" West a distance of 453.91 feet to the point of curvature of a circular curve to the right having a central angle of 6° 10' 17" and a radius of 855.00 feet; Along said curve an arc distance of 92.09 feet to a point for a corner; North 56° 25' 03" West a distance of 1149.08 feet to the point of curvature of a circular curve to the left having a central angle of 15° 09' 27" and a radius of 2794.27 feet; Along said curve an arc distance of 739.22 feet to a point for a corner; South 18° 25' 30" West a distance of 190.00 feet to a point for a corner; and South 62° 35' 43" West a distance of 588.16 feet to a point for a corner on the Easterly line of F.M. 740, said point being on a circular curve to the left having a central angle of 5° 09' 03", a radius of 613.99 feet, and a chord that bears North 29° 58' 48" West a distance of 55.18 feet;  
 THENCE: Along the Easterly line of F.M. 740 as follows: Along said curve an arc distance of 55.20 feet to a point for a corner; North 32° 33' 20" West a distance of 165.29 feet to the point of curvature of a circular curve to the right having a central angle of 38° 47' 00" and a radius of 247.93 feet; Along said curve an arc distance of 167.82 feet to a point for a corner; North 6° 13' 40" East a distance of 199.88 feet to the point of curvature of a circular curve to the right having a central angle of 9° 33' 00" and a radius of 3780.17 feet; Along said curve an arc distance of 630.07 feet to a point for a corner; North 15° 46' 40" East a distance of 394.23 feet to the point of curvature of a circular curve to the right having a central angle of 21° 50' 00" and a radius of 533.69 feet; Along said curve an arc distance of 203.37 feet to a point for a corner; North 37° 36' 40" East a distance of 408.71 feet to the point of curvature of a circular curve to the left having a central angle of 19° 16' 00" and a radius of 613.69 feet; Along said curve an arc distance of 206.36 feet to a point for a corner; North 18° 20' 40" East a distance of 69.72 feet to a point for a corner; and North 74° 40' 57" East a distance of 103.42 feet to the Point of Beginning and Containing 115.228 Acres of Land.

OFFICE/WAREHOUSE

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tracts 3 and 7, as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a concrete highway right-of-way marker found for the Easterly Southeast corner of the intersection of Farm to Market Road 740 and F.M. 3097;  
THENCE: Along the Southwesterly line of Farm to Market Road 3097 as follows: South 45° 35' 20" East a distance of 2225.71 feet to a concrete highway monument; South 44° 03' 08" East a distance of 900.21 feet to a concrete highway monument; South 45° 31' 22" East a distance of 999.27 feet to a concrete highway monument; and South 52° 42' 43" East a distance of 134.10 feet to the Point of Beginning;  
THENCE: Continuing along said Southwesterly line as follows: South 52° 42' 43" East a distance of 67.16 feet to a point for a corner; South 45° 38' 43" East a distance of 391.20 feet to the point of curvature of a circular curve to the left having a central angle of 2° 10' 00" and a radius of 5779.58 feet; Along said curve an arc distance of 218.56 feet to a point for a corner; and South 47° 48' 43" East a distance of 643.15 feet to the East corner of said Tract 3;  
THENCE: South 2° 18' 48" West a distance of 1158.04 feet along the East line of said Tract 3 to a point for a corner on the Southerly City Limits line of the City of Rockwall;  
THENCE: Westerly along said City Limits line a distance of 829.06 feet, more or less to a point for corner in a branch;  
THENCE: Along said branch and the Southerly lines of said Tract 3 as follows: North 43° 44' East a distance of 60.1 feet; North 8° 29' East a distance of 87.0 feet; North 53° 16' West a distance of 130.0 feet; North 31° 04' West a distance of 126.0 feet; and South 10° 01' East a distance of 101.5 feet to said City Limits line;  
THENCE: Westerly a distance of 65.9 feet along said City Limits line to its intersection with said branch;  
THENCE: Along said branch and the Southerly lines of said Tract 3 and Tract 7 as follows: South 24° 46' West a distance of 100.6 feet; North 54° 46' West a distance of 107.0 feet; North 1° 16' West a distance of 107.0 feet;  
THENCE: North 6° 24' 04" East a distance of 1811.29 feet leaving said branch to the Point of Beginning and Containing 39.592 Acres of Land.

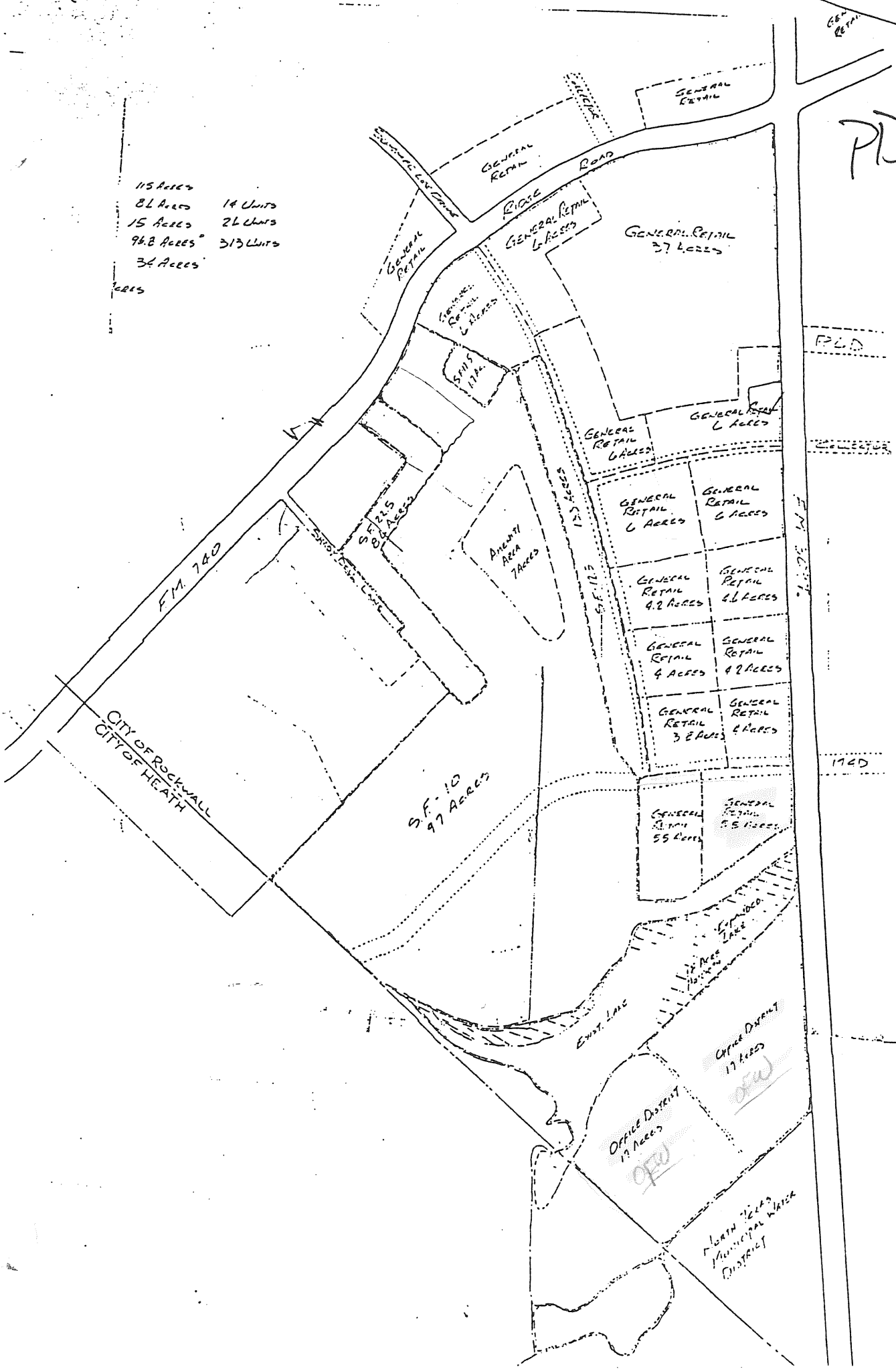
Harold L. Evans, Consulting Engineer

February 24, 1986

115 Acres  
 81 Acres 14 Units  
 15 Acres 26 Units  
 94.8 Acres 313 Units  
 36 Acres

Acres

PD-9



CITY OF ROCKWALL  
 CITY OF HEATH

FM 740

S.F. 10  
97 Acres

SPECIAL AREA  
7 Acres

OFFICE DISTRICT  
19 Acres

CHURCH DISTRICT  
17 Acres

MARTIN LUTHER KING  
MUNICIPAL WATER  
DISTRICT

GENERAL RETAIL  
27 Acres

GENERAL RETAIL  
6 Acres

GENERAL RETAIL

GENERAL RETAIL  
6 Acres

GENERAL RETAIL  
6 Acres

GENERAL RETAIL  
6 Acres

GENERAL RETAIL  
6 Acres

GENERAL RETAIL  
6 Acres

GENERAL RETAIL  
6 Acres

GENERAL RETAIL  
4.2 Acres

GENERAL RETAIL  
4.6 Acres

GENERAL RETAIL  
4 Acres

GENERAL RETAIL  
4.2 Acres

GENERAL RETAIL  
3.8 Acres

GENERAL RETAIL  
4 Acres

GENERAL RETAIL  
5.5 Acres

GENERAL RETAIL  
5.5 Acres

PLD

1740

S.F. 116

S.F. 115

S.F. 114

S.F. 113

S.F. 112

S.F. 111

S.F. 110

S.F. 109

S.F. 108

S.F. 107

S.F. 106

S.F. 105

S.F. 104

S.F. 103

S.F. 102

S.F. 101

S.F. 100

S.F. 99

S.F. 98

S.F. 97

S.F. 96

S.F. 95

S.F. 94

S.F. 93

S.F. 92

S.F. 91

S.F. 90

S.F. 89

S.F. 88

S.F. 87

S.F. 86

S.F. 85

S.F. 84

S.F. 83

S.F. 82

S.F. 81

EXHIBIT "C"

Permitted Uses:

1. All those as defined in the Rockwall Comprehensive Zoning Ordinance under Office District, Ordinance #83-23, adopted May 16, 1983.
2. In addition to those defined, include the following:
  - a) Light Assembly with or without front showroom and with or without warehouse storage within the same building. Maximum area restricted to 10,000 square feet.
  - b) Furniture Store with front showroom and warehouse storage within the same building or similar business.
  - c) Hardware Store with showroom and warehouse storage within the same building or similar business.
  - d) Pastery Shop with cooking facilities within the same building or similar business.
  - e) Warehouse and Office Combination for terminal establishment and distribution point. Maximum area up to 25,000 square feet - area increases considered under conditional use permit or similar business.
  - f) Wholesale Trade or Accessory Outlets with or without showroom and with or without warehouse storage within the same building or similar business.
  - g) Small Business Office with or without showroom, with or without warehouse storage within the same building.
3. Other uses similar related to any within item 1 or 2 and those which may be included in special use permit.

P.D. 9 - WHITTLE DEVELOPMENT  
AREA REQUIREMENTS

Product: (S.F.-10) Single Family Residential District  
Minimum 10,000 Square Feet.

1. Minimum lot area - 10,000 square feet
2. Maximum number of single family detached units per lot - 1 each
3. Minimum square footage per dwelling unit - 1,500 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
7. Minimum depth of rear setback - 10 feet
8. Minimum width of side setback -
  - a) Internal lot - 6 feet
  - b) Side yard abutting street - 15 feet
  - c) Abutting an arterial - 20 feet
9. Minimum distance between separate buildings on the same parcel of land or lot - 10 feet
10. Minimum length of driveway pavement from the public right-of-way for rear and side yard - 18 feet
11. Maximum building coverage as a percent of lot area - 35 percent
12. Maximum height of structures - 36 feet
13. Minimum number of off-street parking spaces (excluding garage) - 2 each

P.D. 9 - WHITTLE DEVELOPMENT  
AREA REQUIREMENTS

Product: (S.F. - 12.5) Single Family Residential District  
Minimum 12,500 Square Feet.

1. Minimum lot area - 12,500 square feet
2. Maximum number of single family detached units per lot - 1 each
3. Minimum square footage per dwelling unit - 1,500 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
7. Minimum depth of rear setback - 10 feet
8. Minimum width of side setback -
  - a) Internal lot - 6 feet
  - b) Side yard abutting street - 15 feet
  - c) Abutting an arterial - 20 feet
9. Minimum distance between separate buildings on the same parcel of land or lot - 10 feet
10. Minimum length of driveway pavement from the public right-of-way for rear and side yard - 18 feet
11. Maximum building coverage as a percent of lot area - 35 percent
12. Maximum height of structures - 36 feet
13. Minimum number of off-street parking spaces (excluding garage) - 2 each

P.D. 9 - WHITTLE DEVELOPMENT  
AREA REQUIREMENTS

Product: (S.F.-22.5) Single Family Residential District  
Minimum 22,500 Square Feet.

1. Minimum lot area - 22,500 square feet
2. Maximum number of single family detached units per lot - 1 each
3. Minimum square footage per dwelling unit - 1,800 square feet
4. Minimum lot frontage on a public street - 80 feet
5. Minimum lot depth - 100 feet
6. Minimum depth of front setback - 25 feet
7. Minimum depth of rear setback - 10 feet
8. Minimum width of side setback -
  - a) Internal lot - 8 feet
  - b) Side yard abutting street - 15 feet
  - c) Abutting an arterial - 20 feet
9. Minimum distance between separate buildings on the same parcel of land or lot - 10 feet
10. Minimum length of driveway pavement from public right-of-way for rear and side yard - 20 feet
11. Maximum building coverage as a percentage of area - 35 percent
12. Maximum height of structures - 36 feet
13. Maximum number of paved off-street parking spaces (excluding garage) - 2 each



EXHIBIT "C"

P.D. 9 - WHITTLE DEVELOPMENT  
AREA REQUIREMENTS

Product: General Retail District

1. Minimum site size - 6,000 square feet
2. Minimum site frontage - 60 feet
3. Minimum site depth - 100 feet
4. Minimum depth of front setback - 20 feet
5. Minimum width of side setback -
  - a) Without fire wall - 15 feet
  - b) With fire wall - 0 feet
  - c) Abutting residential - 20 feet
  - d) Abutting an arterial - 20 feet
  - e) Abutting other streets - 15 feet
6. Minimum depth of rear setback -
  - a) Abutting non-residential with fire wall - 0 feet
  - b) Abutting residential without fire wall - 20 feet
7. Minimum distance between detached buildings on same parcel of land or lot -
  - a) Without fire wall - 15 feet
  - b) With fire wall - 0 feet
8. Minimum requirement for construction materials -
  - a) Structures - non-combustible - 100 percent
  - b) Exterior building facing masonry - 90 percent
9. Maximum building coverage percent of lot - 40 percent
10. Maximum amount of impervious coverage - 90 percent
11. Minimum amount of landscape by lot area - 10 percent
12. Maximum floor area ratio - 2:1
13. Maximum height of structures - 120 feet
14. Maximum number of entrances -
  - a) Arterial - 1 per 200 feet
  - b) Collector - 1 per 100 feet
  - c) Local - 1 per 50 feet

P.D. 9 - WHITTLE DEVELOPMENT  
AREA REQUIREMENTS

Product: Office Warehouse (OFW) - (39.555 Acres)

1. Minimum site size - 6,000 square feet
2. Minimum site frontage - 50 feet
3. Minimum site depth - 100 feet
4. Minimum depth of front setback - 25 feet
5. Minimum width of side setback -
  - a) Without fire retardant wall - 6 feet
  - b) With fire retardant wall - 0 feet
  - c) Abutting residential zoned property - 20 feet
  - d) Abutting arterial from right-of-way - 25 feet
  - e) Abutting other streets - 20 feet
6. Minimum depth of rear setback -
  - a) Abutting non-residential property with fire wall - 0 feet
  - b) Without fire retardant wall - 20 feet
7. Minimum distance between detached buildings on the same parcel of land or lot -
  - a) Without fire wall - 15 feet
  - b) With fire wall - 0 feet
8. Minimum requirement for construction materials -
  - a) Structures - non-combustible - 100 feet <sup>10</sup>
  - b) Exterior buildings facing masonry - 90 percent
10. Maximum amount of impervious coverage - 80 percent
11. Minimum amount of landscaping - 20 percent
12. Maximum floor area ratio - 2:1
13. Maximum height of structures - 60 feet
14. Maximum number of entrances -
  - a) On arterial (street frontage) - 1 per 200 feet
  - b) On collector (street frontage) - 1 per 100 feet
  - c) On local street frontage - 1 per 50 feet

ORDINANCE NO 87-30

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 86-55, SO AS TO AMEND THE LAND USES AND AREA REQUIREMENTS APPROVED IN THE PRELIMINARY PLAN FOR "PD-9" PLANNED DEVELOPMENT DISTRICT NO. 9; ATTACHING THE APPROVED REVISIONS AS EXHIBIT "B"; 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 86-55 as heretofore amended, be, and the same is hereby amended by amending the approved land uses and approved development criteria for the Office/Warehouse tract as described in Exhibit "A". That said amended land uses and development criteria are 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. 9 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. 9 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 and approved land uses and development criteria attached hereto as Exhibit "B", and made a part hereof shall control the development of Planned Development District No. 9 and any and all such development shall be in strict accordance with such development criteria.

b. No substantial change in development of "PD-9" 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. 9 in the manner required for changes or amendments to the Comprehensive Zoning Ordinance.

c. All other area requirements for each use not specifically covered in 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 1st day of June, 1987.

ATTEST:

APPROVED

  
\_\_\_\_\_

  
\_\_\_\_\_

Mayor

1st reading 5/18/87  
2nd reading 6/1/87

## PERMITTED USES:

1. All those as defined in the Rockwall Comprehensive Zoning Ordinance under Office District, Ordinance #83-23, adopted May 16, 1983.
2. In addition to those defined, include the following:
  - a) Light Assembly with without front showroom and with or without warehouse storage within the same building. Maximum area restricted to 30,000 square feet.
  - b) Furniture Store with front showroom and warehouse storage within the same building or similar business.
  - c) Hardware Store with showroom and warehouse storage within the same building or similar business.
  - d) Pastery Shop with cooking facilities within the same building or similar business.
  - e) Warehouse and Office Combination for terminal establishment and distribution point. Maximum area up to 25,000 square feet - area increases considered under conditional use permit or similar business.
  - f) Wholesale Trade or Accessory Outlets with or without showroom and with or without warehouse storage within the same building or similar business.
  - g) Small Business Office with or without showroom, with or without warehouse storage within the same building.
  - h) Manufacturer and assembly of electrical wiring harnesses for irrigation systems with or without accessory warehouse storage.
3. Other uses similarly related to any within item 1 or 2 and those which may be included in special use permit.

TODAY NO OFFICE = GR

OFFICE/WAREHOUSE

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tracts 3 and 7, as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a concrete highway right-of-way marker found for the Easterly Southeast corner of the intersection of Farm to Market Road 740 and F.M. 3097;  
THENCE: Along the Southwesterly line of Farm to Market Road 3097 as follows:  
South 45° 35' 20" East a distance of 2225.71 feet to a concrete highway monument;  
South 44° 03' 08" East a distance of 900.21 feet to a concrete highway monument;  
South 45° 31' 22" East a distance of 999.27 feet to a concrete highway monument;  
and South 52° 42' 43" East a distance of 134.10 feet to the Point of Beginning;  
THENCE: Continuing along said Southwesterly line as follows: South 52° 42' 43" East a distance of 67.16 feet to a point for a corner; South 45° 38' 43" East a distance of 391.20 feet to the point of curvature of a circular curve to the left having a central angle of 2° 10' 00" and a radius of 5779.58 feet; Along said curve an arc distance of 218.56 feet to a point for a corner; and South 47° 48' 43" East a distance of 643.15 feet to the East corner of said Tract 3;  
THENCE: South 2° 18' 48" West a distance of 1158.04 feet along the East line of said Tract 3 to a point for a corner on the Southerly City Limits line of the City of Rockwall;  
THENCE: Westerly along said City Limits line a distance of 829.06 feet, more or less to a point for corner in a branch;  
THENCE: Along said branch and the Southerly lines of said Tract 3 as follows:  
North 43° 44' East a distance of 60.1 feet; North 8° 29' East a distance of 87.0 feet; North 53° 16' West a distance of 130.0 feet; North 31° 04' West a distance of 126.0 feet; and South 10° 01' East a distance of 101.5 feet to said City Limits line;  
THENCE: Westerly a distance of 65.9 feet along said City Limits line to its intersection with said branch;  
THENCE: Along said branch and the Southerly lines of said Tract 3 and Tract 7 as follows: South 24° 46' West a distance of 100.6 feet; North 54° 46' West a distance of 107.0 feet; North 1° 16' West a distance of 107.0 feet;  
THENCE: North 6° 24' 04" East a distance of 1811.29 feet leaving said branch to the Point of Beginning and Containing 39.592 Acres of Land.

## TRACT A

(Shall include the following described property less the acreage described in tract B)

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tracts 3 and 7, as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a concrete highway right-of-way marker found for the Easterly Southeast corner of the intersection of Farm to Market Road 740 and F.M. 3097;  
 THENCE: Along the Southwesterly line of Farm to Market Road 3097 as follows: South 45° 35' 20" East a distance of 2225.71 feet to a concrete highway monument; South 44° 03' 00" East a distance of 900.21 feet to a concrete highway monument; South 45° 31' 22" East a distance of 999.27 feet to a concrete highway monument; and South 52° 42' 43" East a distance of 134.10 feet to the Point of Beginning;  
 THENCE: Continuing along said Southwesterly line as follows: South 52° 42' 43" East a distance of 67.16 feet to a point for a corner; South 45° 30' 43" East a distance of 391.20 feet to the point of curvature of a circular curve to the left having a central angle of 2° 10' 00" and a radius of 5779.58 feet; Along said curve an arc distance of 218.56 feet to a point for a corner; and South 47° 40' 43" East a distance of 643.15 feet to the East corner of said Tract 3;  
 THENCE: South 2° 10' 48" West a distance of 1150.04 feet along the East line of said Tract 3 to a point for a corner on the Southerly City Limits line of the City of Rockwall;  
 THENCE: Westerly along said City Limits line a distance of 029.06 feet, more or less to a point for corner in a branch;  
 THENCE: Along said branch and the Southerly lines of said Tract 3 as follows: North 43° 44' East a distance of 60.1 feet; North 0° 29' East a distance of 87.0 feet; North 53° 16' West a distance of 130.0 feet; North 31° 04' West a distance of 126.0 feet; and South 10° 01' East a distance of 101.5 feet to said City Limits line;  
 THENCE: Westerly a distance of 65.9 feet along said City Limits line to its intersection with said branch;  
 THENCE: Along said branch and the Southerly lines of said Tract 3 and Tract 7 as follows: South 24° 46' West a distance of 100.6 feet; North 54° 46' West a distance of 107.0 feet; North 1° 16' West a distance of 107.0 feet;  
 THENCE: North 6° 24' 04" East a distance of 1011.29 feet leaving said branch to the Point of Beginning and Containing 39.592 Acres of Land.

## TRACT B

STATE OF TEXAS  
 COUNTY OF ROCKWALL

BEING a tract of land situated in the E. Teal Survey, Abstract No. 207, Rockwall County, Texas, and being a part of that certain tract of land described as Tract 3 in deed recorded in Volume 184, Page 490, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the Southeast line of a County Road with the Southwest line of F.M. 3097, a variable width right-of-way, and at the North corner of said Tract 3;  
 THENCE: South 45° 38' 43" East a distance of 111.49 feet with the Southwest line of F.M. 3097 to an iron rod set at the Point of Beginning;  
 THENCE: South 45° 38' 43" East a distance of 188.14 feet continuing with said Southwest line to an iron rod set at the point of curvature of a circular curve to the left having a central angle of 0° 36' 48", a radius of 5779.58 feet, and a chord that bears South 45° 57' 07" East a distance of 61.86 feet;  
 THENCE: Along said curve and continuing with said Southwest line an arc distance of 61.86 feet to an iron rod set for a corner on an intersecting circular curve to the left having a central angle of 52° 49' 33", a radius of 250.00 feet, and a chord that bears South 18° 01' 04" West a distance of 272.42 feet;  
 THENCE: Along said curve an arc distance of 230.50 feet to an iron rod set for a corner;  
 THENCE: South 8° 23' 43" East a distance of 525.93 feet to an iron rod set for a corner;  
 THENCE: South 81° 36' 17" West a distance of 250.00 feet to an iron rod set for a corner;  
 THENCE: North 8° 23' 43" West a distance of 525.93 feet to an iron rod set for a corner at the point of curvature of a circular curve to the right having a central angle of 52° 45' 00", a radius of 500.00 feet, and a chord that bears North 17° 58' 47" East a distance of 444.24 feet;  
 THENCE: Along said curve an arc distance of 460.33 feet to the Point of Beginning and Containing 217,800 Square Feet or 5.0000 Acres of Land.

PD-9 - WHITTLE DEVELOPMENT  
AREA REQUIREMENTS

PRODUCT: OFFICE WAREHOUSE (OFW) - 39.555 Acres

1. Minimum site size - 6,000 square feet
2. Minimum site frontage - 50 feet
3. Minimum site depth - 100 feet
4. Minimum depth of front setback - 25 feet
5. Minimum width of side setback -
  - a) without fire retardant wall - 6 feet
  - b) with fire retardant wall - 0 feet
  - c) abutting residential zoned property - 20 feet
  - d) abutting arterial from right-of-way - 25 feet
  - e) abutting other streets - 20 feet
6. Minimum depth of rear setback -
  - a) abutting non residential property with fire wall - 0 feet
  - b) without fire retardant wall - 20 feet
7. Minimum distance between detached buildings on the same parcel of land or lot -
  - a) without fire wall - 15 feet
  - b) with fire wall - 0 feet
8. Minimum requirement for construction materials -
  - a) structures - non-combustible - 100%
  - b) exterior buildings facing masonry - 90%
9. Maximum amount of impervious coverage - 95%
10. Minimum amount of landscaping - TRACT A- (Described in attachment A-20%  
TRACT B- (Described in Attachment A-12.9%  
In Addition to the minimum % required  
in tract B, all adjacent street parkway  
shall be permanently landscaped.
11. Maximum floor area ratio - 2:1
12. Maximum height of structures - 60 feet
13. Maximum number of entrances -
  - a) on arterial (street frontage) - 1 per 200 feet
  - b) on collector (street frontage) - 1 per 100 feet
  - c) on local street frontage - 1 per 50 feet



ORDINANCE NO. 88-13

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED AND ORDINANCE 86-55 TO INCLUDE GARDEN CENTERS AS APPROVED USES UNDER "PD-9" PLANNED DEVELOPMENT DISTRICT NO. 9; 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; AND PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; 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 notice 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, as heretofore amended, be and the same is hereby amended by amending Exhibit "C" of Ordinance 86-55 as follows: (wording in " " indicates additions):

Exhibit "C"

Product: General Retail District "including garden centers as approved uses".

Section 2. That the above described tract of land shall be used only in the manner and for the purpose authorized by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended and as amended hereby, by including garden center uses as approved uses under "PD-9" Planned Development District No. 9.

Section 3. Any person, firm, or corporation violating 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 fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 4. 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 for this ordinance shall remain in full force and effect.

Section 5. 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 6. 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 2nd day of May, 1988.

APPROVED:

*J. R. Miller*  
Mayor

ATTEST:

By *[Signature]*

1st Reading 4/18/88  
2nd Reading 5/2/88

ORDINANCE NO. 88-20

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AS HERETOFORE AMENDED AND ORDINANCE 86-55 TO AMEND THE PRELIMINARY PLAN FOR "PD-9" PLANNED DEVELOPMENT DISTRICT NO.9; 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 A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a change in the preliminary plan for "PD-9" has been requested by Whittle Development to change the land use from "SF-12.5" TO "SF-10" on the property described in Exhibit "A" and relocate the amenities from the property described in Exhibit "B" to the property described in Exhibit "D" 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 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, as heretofore amended, be and the same is hereby amended by amending Exhibit "B" of Ordinance 86-55 as follows:

- a. Changing the zoning designation from "SF-12.5" to "SF-10" on the 1.7 acre tract of land as shown on Exhibit "B" and further described in Exhibit "A"
- b. Removing the 7 acre amenities area as shown on Exhibit "B", and
- c. Locating a 3.5 acre public park as shown on the revised concept plan attached hereto as Exhibit "C" and as further described on Exhibit "D"

Section 2. That the above described tracts of land shall be used on in the manner and for the purpose authorized by the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended and as amended hereby, by relocating the amenities area and changing the zoning designation from "SF-12.5" to "SF-10" on the tract of land described in Exhibit "A".

Section 3. Any person, firm, or corporation violating 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 fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 4. 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 for this ordinance shall remain in full force and effect.

Section 5. 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 no in conflict with the provisions of this ordinance shall remain in full force and effect.

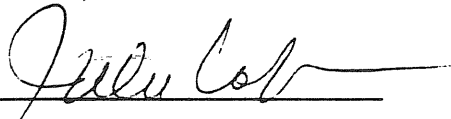
Section 6. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such case provides.

DULY PASSED AND APPROVED THIS 6th DAY OF June, 1988

APPROVED;

  
\_\_\_\_\_  
Mayor

ATTEST;

By   
\_\_\_\_\_

1st reading 5/16/88  
2nd reading 6/6/88

STATE OF TEXAS  
COUNTY OF ROCKWALL

EXHIBIT "A"

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tract 5 as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a point on the Easterly line of F.M. 740 at the most Northerly Southwest corner of said Tract 5;

THENCE: North  $8^{\circ} 22' 20''$  West a distance of 314.80 feet along said Easterly line to the beginning of a circular curve to the left;

THENCE: Along said curve having a central angle of  $19^{\circ} 01' 57''$ , a radius of 613.99 feet, a tangent length of 102.93 feet, for an arc length of 203.95 feet;

THENCE: North  $62^{\circ} 35' 43''$  East a distance of 300.00 feet to the Point of Beginning;

THENCE: North  $62^{\circ} 35' 43''$  East a distance of 299.60 feet to a point for a corner;

THENCE: South  $27^{\circ} 24' 17''$  East a distance of 247.17 feet to a point for a corner;

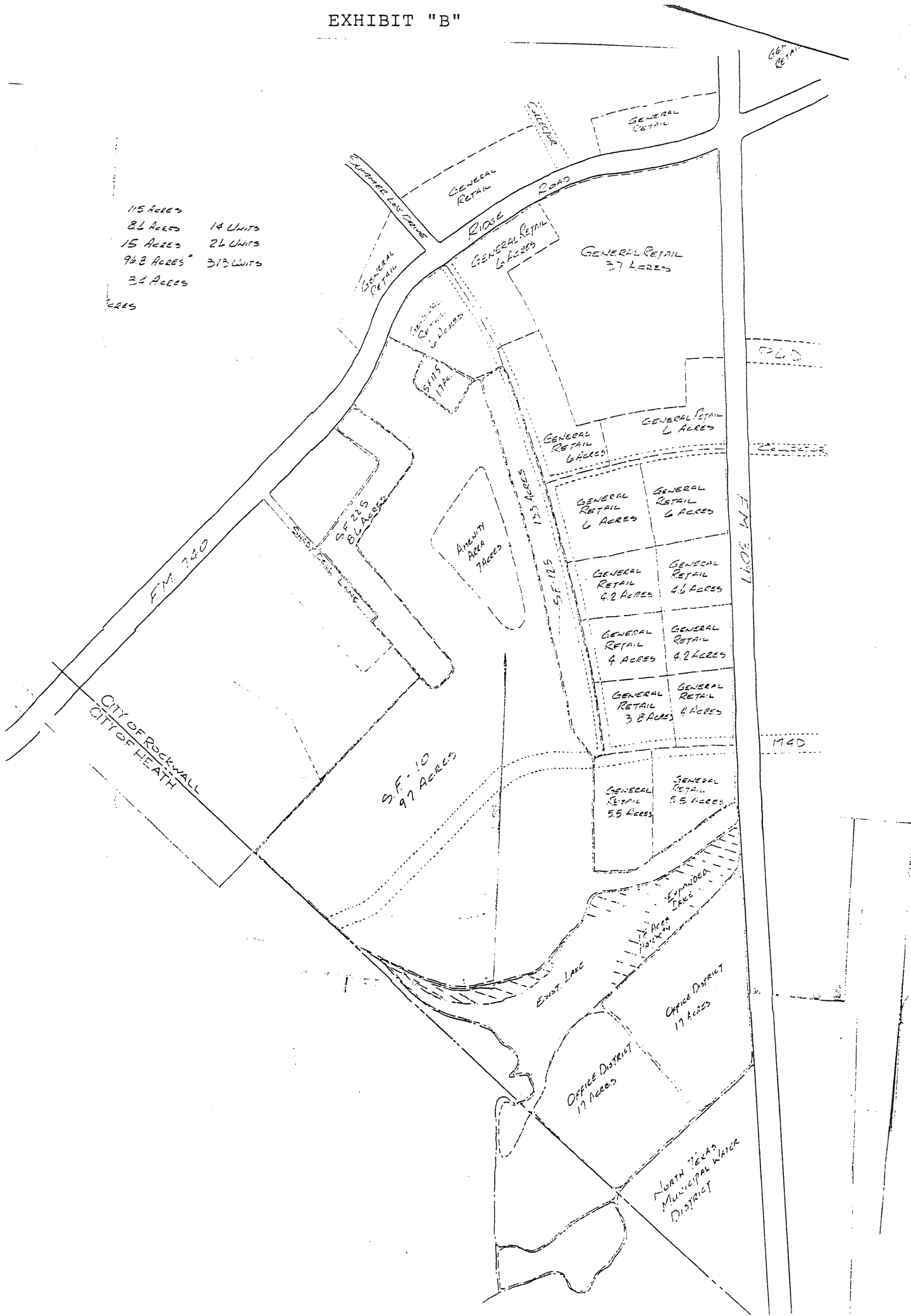
THENCE: South  $62^{\circ} 35' 43''$  West a distance of 299.60 feet to a point for a corner;

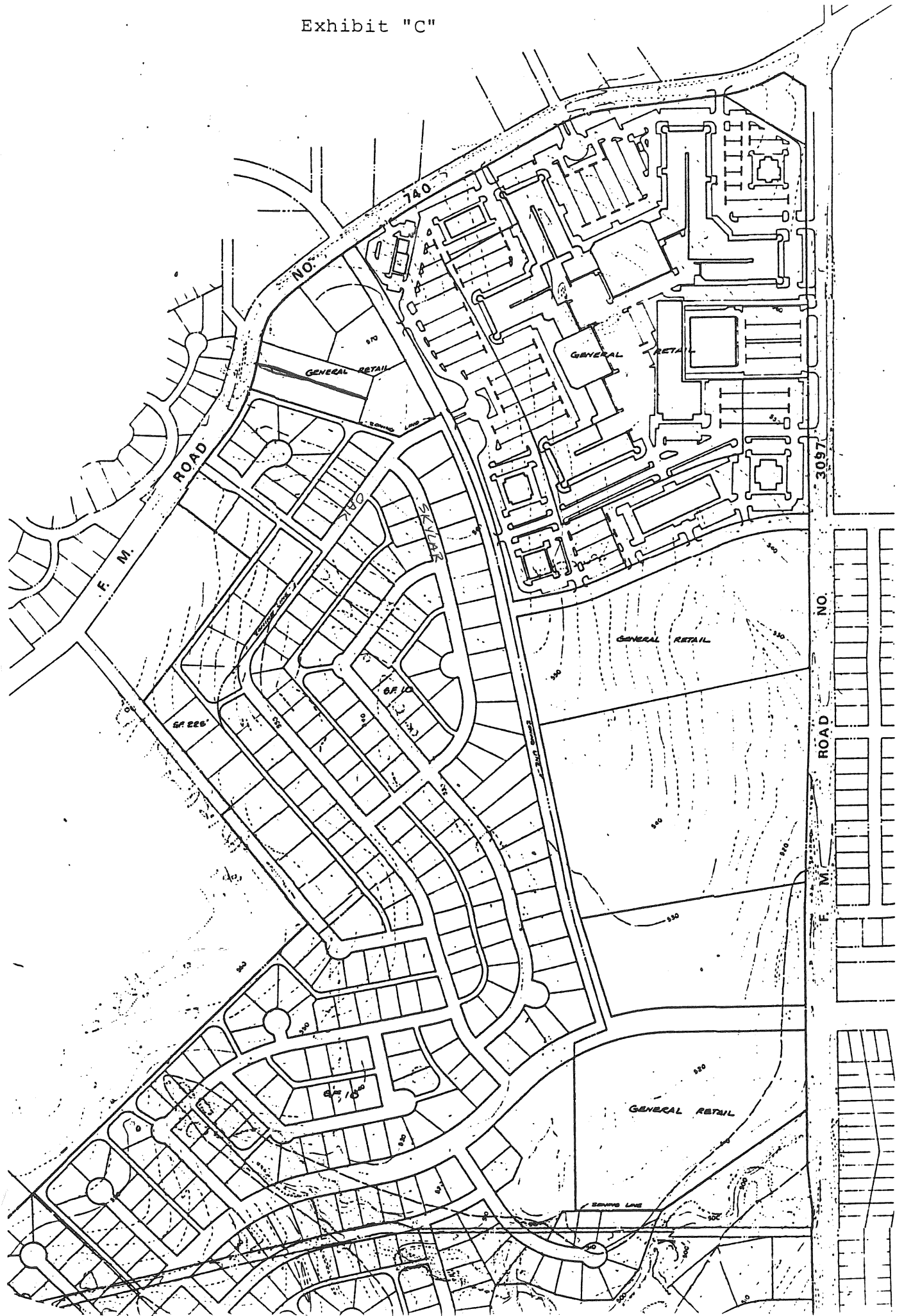
THENCE: North  $27^{\circ} 24' 17''$  West a distance of 247.17 feet to the Point of Beginning and Containing 1.700 Acres of Land.

area designated as SF-12.5 to be amended to SF-10

EXHIBIT "B"

115 Acres  
 81 Acres 14 Units  
 15 Acres 26 Units  
 96.8 Acres 313 Units  
 31 Acres





PARK

STATE OF TEXAS  
COUNTY OF ROCKWALL

EXHIBIT "D"

BEING a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tract 5 and 7, as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

COMMENCING at a concrete highway right-of-way marker found for the Easterly Southeast corner of the intersection of Farm to Market Road 740 and F.M. 3097, same being the most Northerly corner of the herein described tract;

THENCE: Along the Southwesterly line of Farm to Market Road 3097 as follows:

South 45° 35' 20" East a distance of 2225.71 feet to a concrete highway monument;

South 44° 03' 08" East a distance of 900.21 feet to a concrete highway monument;

South 45° 31' 22" East a distance of 802.41 feet to a point for a corner;

THENCE: Leaving said Southwesterly line as follows:

South 10° 28' 38" West a distance of 662.77 feet to a point for a corner; and

South 44° 24' 40" West a distance of 334.49 feet to the Point of Beginning;

THENCE: South 44° 24' 40" West a distance of 47.00 feet to a point for a corner;

THENCE: South 20° 02' 12" East a distance of 126.71 feet to the point of curvature

of a circular curve to the right having a central angle of 32° 17' 34", a radius of 375.00 feet, and a chord that bears South 84° 30' 18" West a distance of 208.57 feet;

THENCE: Along said curve an arc distance of 211.36 feet to a point for a corner;

THENCE: North 79° 20' 55" West a distance of 264.95 feet to the point of curvature of a circular curve to the left having a central angle of 6° 24' 51", a radius of 955.00 feet, and a chord that bears North 4° 37' 05" East a distance of 106.85 feet;

THENCE: Along said curve an arc distance of 106.91 feet to a point for a corner;

THENCE: North 1° 24' 40" East a distance of 214.65 feet to the point of curvature of a circular curve to the right having a central angle of 15° 00' 00", a radius of 800.00 feet, and a chord that bears North 8° 54' 40" East a distance of 208.84 feet;

THENCE: Along said curve an arc distance of 209.44 feet to a point for a corner;

THENCE: South 45° 31' 22" East a distance of 576.34 feet to the Point of Beginning and Containing 164,371 Square Feet or 3.7734 Acres of Land.

area to be designated as park



ORDINANCE NO. 95-17

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ORDINANCE NO. 86-55 OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE AREA REQUIREMENTS IN PLANNED DEVELOPMENT 9, SHOWN AS PART OF EXHIBIT "C", ; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR 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 and Exhibit "C" of Ordinance 86-55 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 and Exhibit "C" of Ordinance No. 86-55 of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended so as to approve an amendment to the area requirements of PD-9 Exhibit "C" as follows:

8. Minimum requirements for construction materials
  - a. 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.
  - b. 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.

- c. Exterior walls - Each exterior wall shall consist of 90% masonry materials as defined in the comprehensive zoning ordinance.

Section 2. That Planned Development District No. 9, 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 granting of these changes to Planned Development District No. 9 and are subject to the following special conditions:

- A. All development of property covered by Planned Development District No. 9, shall be in accordance with the provisions of this ordinance and the finally approved site plan and list of approved uses, and no substantial change in the development shall be permitted except after obtaining approval of the changes and amendments to the Comprehensive Zoning Ordinance.

Section 3. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 4. 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 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 of this ordinance are declared to be severable.

Section 5. 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 6. 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 5th day of June,  
1995.

APPROVED:

  
\_\_\_\_\_  
Mayor

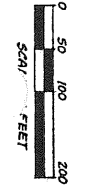
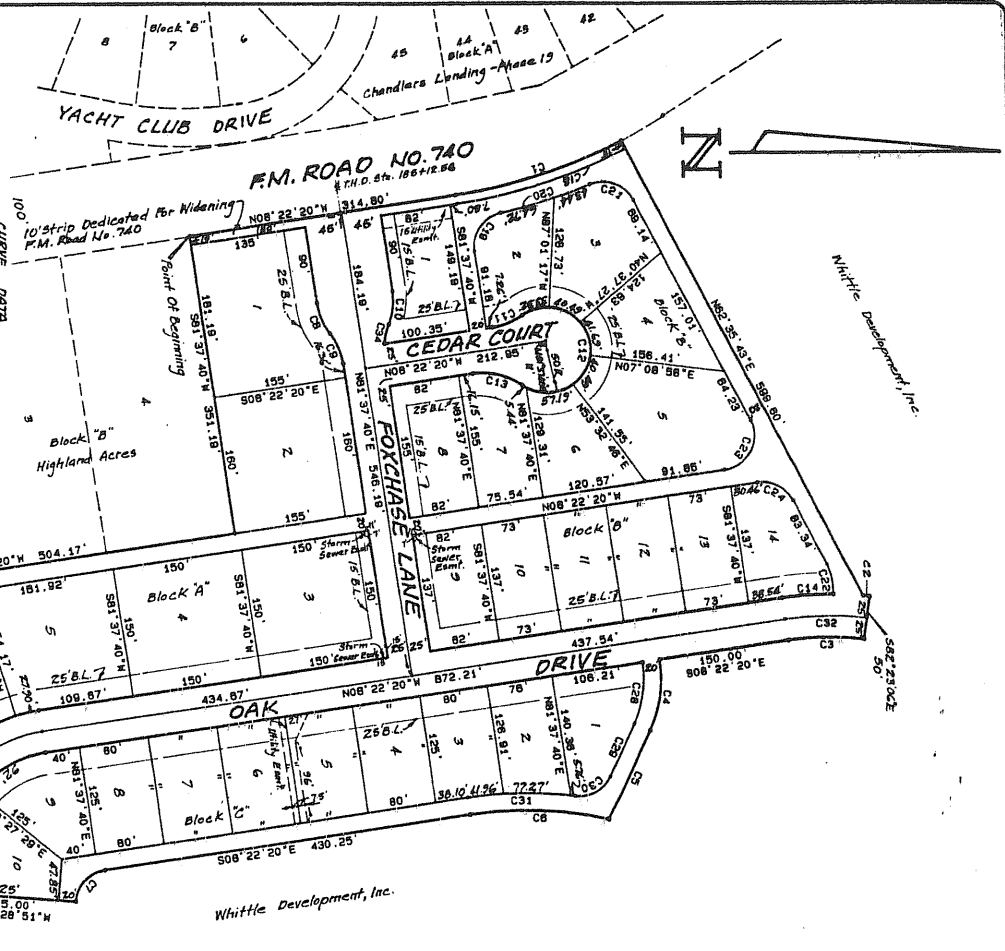
George R. Hatfield

ATTEST:

By:   
Stacey Robbins, City Secretary

1st reading 5/15/95  
2nd reading 6/5/95

NO.	BEARING	CHORD	DELTA	RAIUS	LENGTH	TAN.
C1	N17°53'15"E	209.02	19°01'37"	533.98	209.82	102.82
C2	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C3	S90°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C4	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C5	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C6	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C7	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C8	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C9	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C10	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C11	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C12	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C13	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C14	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C15	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C16	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C17	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C18	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C19	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C20	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C21	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C22	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C23	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C24	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C25	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C26	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C27	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C28	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C29	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C30	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C31	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C32	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C33	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15
C34	S89°02'43"E	87.44	15°59'14"	314.40	87.73	44.15



**HAROLD L. EVANS**  
CONSULTING ENGINEER  
2331 GUS THOMASSON RD. SUITE D02  
DALLAS, TEXAS 75228  
PHONE (214) 328-8133

**FOXCHASE - PHASE ONE**  
EDWARD TEAL SURVEY, ABSTRACT NO. 207  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS  
WHITTLE DEVELOPMENT, INC.  
100 COUNTRY CLUB DRIVE, HEATH, TEXAS 7508  
VERS 771-5236

LOT	Sq. Ft.	LOT	Sq. Ft.	LOT	Sq. Ft.
1	25,536	1	12,678	1	11,430
2	28,800	2	10,701	2	10,073
3	22,500	3	18,182	3	10,027
4	22,500	4	12,303	4	10,000
5	22,500	5	11,187	5	10,750
6	10,000	6	10,725	6	10,751

STATE OF TEXAS  
COUNTY OF ROCKWALL  
OWNERS CERTIFICATE

WHEREAS, Whittle Development, Inc., is the owner of a tract of land situated in Rockwall County, Texas, part of the E. Teal Survey, Abstract No. 207, being part of Tract 5, as recorded in Volume 184, Page 490, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod on the Easterly line of F.M. 740 at the most Northerly Southwest corner of said Tract 5 and at the Northwest corner of Lot 4, Block B of Highland Acres as recorded in Slide A, Page 81, Plat Records, Rockwall County, Texas; to

THENCE: North 8° 32' 20" West a distance of 718.80 feet along said Easterly line to the point of curvature of a circular curve to the left having a central angle of 19° 01' 57" and a radius of 613.99 feet;

THENCE: Along said curve and said Easterly line an arc distance of 703.95 feet to an iron rod for a corner;

THENCE: North 62° 35' 43" East a distance of 599.60 feet to an iron rod for a corner on a circular curve to the right having a central angle of 1° 11' 54" and a radius of 364.48 feet and a chord that bears North 7° 00' 57" East a distance of 7.62 feet;

THENCE: Along said curve an arc distance of 4.68 feet to an iron rod for a corner;

THENCE: Along said curve an arc distance of 5.68 feet to an iron rod for a corner;

THENCE: Along said curve an arc distance of 87.73 feet to an iron rod for a corner;

THENCE: South 8° 32' 20" East a distance of 156.00 feet to an iron rod for a corner on a circular curve to the right having a central angle of 32° 17' 13" and a radius of 156.00 feet, and a chord that bears South 82° 12' 43" East a distance of 83.41 feet;

THENCE: Along said curve an arc distance of 84.53 feet to an iron rod for a corner at the point of compound curvature of a circular curve to the right having a central angle of 2° 33' 36" and a radius of 2439.27 feet, and a chord that bears South 6° 45' 19" East a distance of 113.23 feet;

THENCE: Along said curve an arc distance of 113.23 feet to an iron rod for a corner on a circular curve to the left having a central angle of 21° 03' 54" and a radius of 440.21 feet and a chord that bears South 2° 09' 37" West a distance of 160.33 feet;

THENCE: South 8° 32' 20" East a distance of 430.25 feet to an iron rod for a corner at the point of curvature of a circular curve to the left having a central angle of 77° 08' 49" and a radius of 40.00 feet, and a chord that bears South 46° 56' 48" East a distance of 49.88 feet;

THENCE: Along said curve an arc distance of 53.86 feet to an iron rod for a corner;

THENCE: South 4° 28' 51" West a distance of 145.00 feet to an iron rod for a corner;

THENCE: South 85° 31' 09" East a distance of 12.58 feet to an iron rod for a corner;

THENCE: South 4° 28' 51" West a distance of 195.00 feet to an iron rod for a corner;

THENCE: North 85° 31' 09" West a distance of 341.28 feet to an iron rod for a corner on the West line of said Tract 5 and on the West line of Block B of Highland Acres;

THENCE: North 85° 31' 09" West a distance of 341.28 feet to an iron rod for a corner on the West line of Block B and on the West line of Block C of said Tract 5;

THENCE: South 81° 37' 49" West a distance of 351.19 feet to the Point of Beginning and Containing 14,356 Acres of Land.

ORDINANCE NO. 01-43

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE (ORD. NO. 83-23) OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED AND ORDINANCE NO. 86-55, TO PERMIT A FOUR-PUMP GASOLINE CONVENIENCE STORE AS AN ACCESSORY TO A RETAIL GROCERY FACILITY AS AN APPROVED USE UNDER "PD-9", PLANNED DEVELOPMENT DISTRICT NO. 9; 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 City of Rockwall Comprehensive Zoning Ordinance has been requested by the Regency Realty Corporation to provide for the general provision and requirements for an amendment to Ordinance No. 86-55 so as to approve the use of a four-pump gasoline convenience store as an accessory to a retail grocery facility on property described on Exhibit A attached hereto and made a part hereof; 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, as heretofore amended, be and the same is hereby amended by the approval of an amendment to the planned development to allow a four-pump gasoline convenience store as an accessory to a retail grocery facility in the "PD-9", Planned Development District, on property as described on Exhibit A attached hereto and made a part hereof.

**Section 2.** That the tract of land described on 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 shall affect only the property as heretofore described and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

**Section 3.** That development on property described on Exhibit "A" shall include the use  
*2001-12-Z/PD Gasoline sales facility  
FM 740 and FM 3097*

of a four-pump gasoline convenience store as an accessory to a grocery retail facility with the following conditions:


1. That the area requirements conform to the PD-9, Planned Development District (Ordinance No. 86-55).
2. That the fuel center be limited to four pumps.
3. That no free standing pole sign be allowed.
4. That no incidental display be allowed, including vending machines.
5. That the building materials conform to Exhibit "B".
6. That the fuel center be manned at all times during operating hours. The fuel center shall not operate unmanned.
7. Additional road work to be performed on FM 3097 and FM 740 to conform to Exhibit "C". Construction for road work will start within 45 days after the following conditions have been met:
  - a. Filing of the plat.
  - b. Relocation of utilities by the local provider.
  - c. Approval of construction drawings by TXDOT and other governmental authorities.
  - d. Issuance of TXDOT permit for construction of the roadwork.

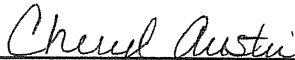
**Section 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

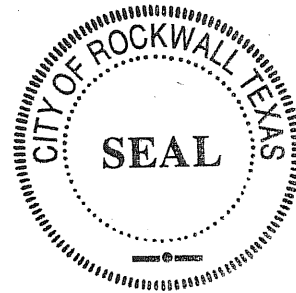
**Section 5.** If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance 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 6.** 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 17th day of September, 2001.

  
\_\_\_\_\_  
APPROVED  
Terry Raulston, Mayor Pro Tem

  
\_\_\_\_\_  
ATTEST, Cheryl Austin  
City Secretary  
1st Reading 9/4/01  
2nd Reading 9/17/01



**EXHIBIT "A"**

**ZONING EXHIBIT  
0.861 ACRE TRACT  
ROCKWALL, TEXAS**

Being a 0.861 acre tract situated in the City of Rockwall, Rockwall County, Texas, being out of the E. Teal Survey, Abstract No. 207, said tract being more particularly described as follows:

**COMMENCING** at a ½-inch iron road found for corner of the southwest line of said F.M. Road No. 3097, a 100 foot right-of-way at this point, said point being at the southeasterly corner of a 7.5 foot strip of land dedicated for widening of said F.M. Road No. 3097 as shown by plat of Lot 1, Block A, of Mr. M. Addition, an addition of the City of Rockwall, according to the map thereof dated October 9, 1987 and recorded in Cabinet C, Page 24, of the Plat Records of Rockwall County, Texas;

**THENCE** along the southwest line of said F.M. Road 3097 the following:

South 45°37'17" East, a distance of 374.66 feet to a point found for corner, same point being the **POINT OF BEGINNING**;

South 45°37'17" East, a distance of 268.00 feet to a point found for corner;

**THENCE** South 44°22'43" West, a distance of 140.00 feet to a point found for corner;

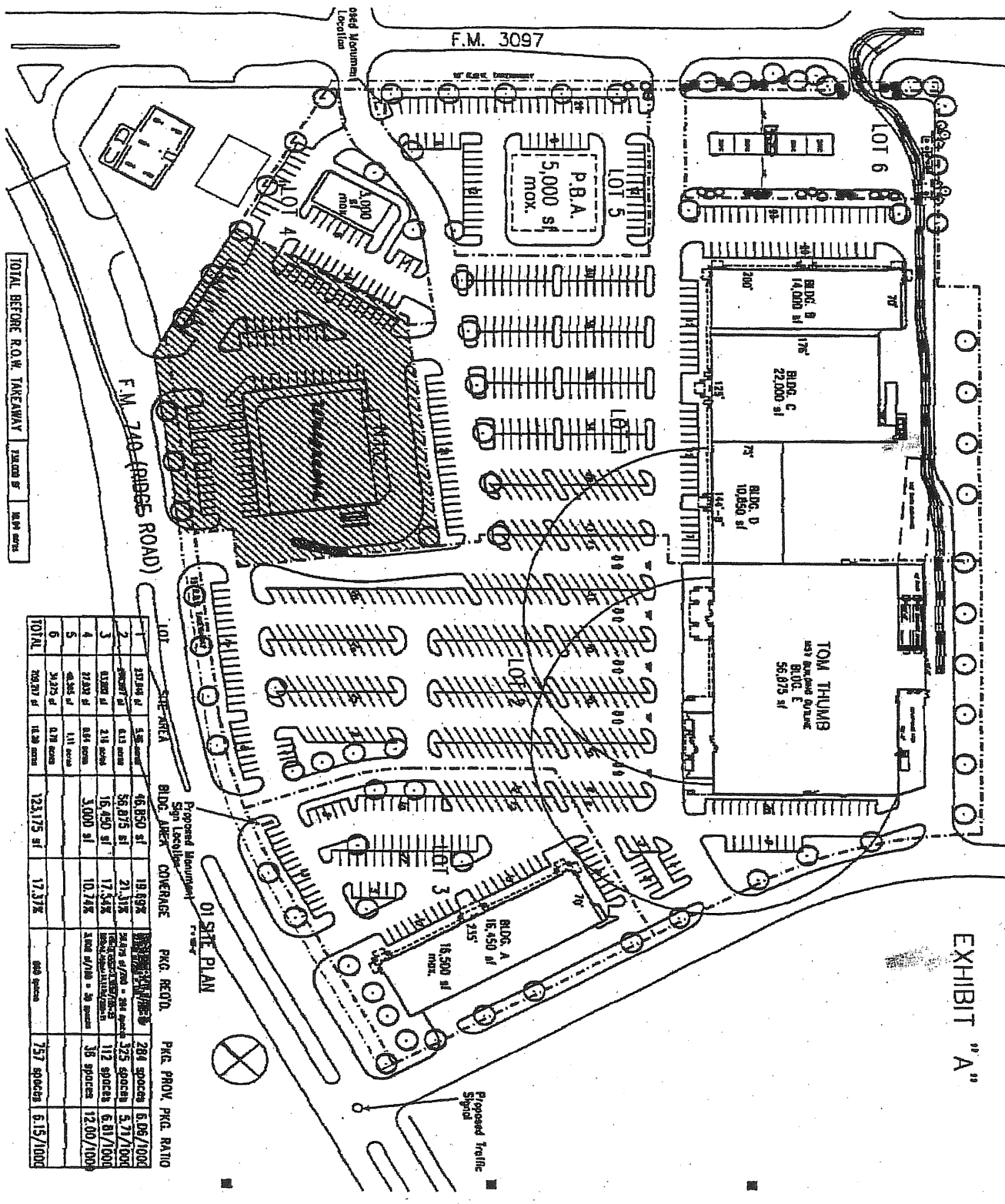
**THENCE** North 45°37'17" West, a distance of 268.00 feet to a point found for corner;

**THENCE** North 44°22'43" East, a distance of 140.00 feet to the **POINT OF BEGINNING**;

**CONTAINING** a computed are of 37,520 square feet or 0.861 acres of land.



# EXHIBIT "A"



TOTAL BEFORE R.O.W. TAKEAWAY 12,000 SF 16.49 ACRES

LOT	SQ. AREA	BLDG. AREA	PROPOSED MOUNTING SIGN LOCATIONS COVERAGE	PKG. RECV'D.	PKG. PROV'D.	PKG. RATIO
1	397,844 sf	3,500 sqm	46,850 sf	19.93%	284 spaces	6.06/1000
2	61,507 sf	611 sqm	56,875 sf	21.31%	325 spaces	5.71/1000
3	61,507 sf	218 sqm	16,490 sf	17.34%	112 spaces	6.81/1000
4	21,827 sf	667 sqm	3,000 sf	10.74%	36 spaces	12.00/1000
5	6,275 sf	111 sqm				
6	34,275 sf	678 sqm				
<b>TOTAL</b>	<b>709,237 sf</b>	<b>18,286 sqm</b>	<b>123,175 sf</b>	<b>17.31%</b>	<b>757 spaces</b>	<b>6.15/1000</b>

01 SITE PLAN

EXHIBIT "A"

SHEET NO. SP35  
 DATE: 01-12-09  
 SCALE: 1" = 40'  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

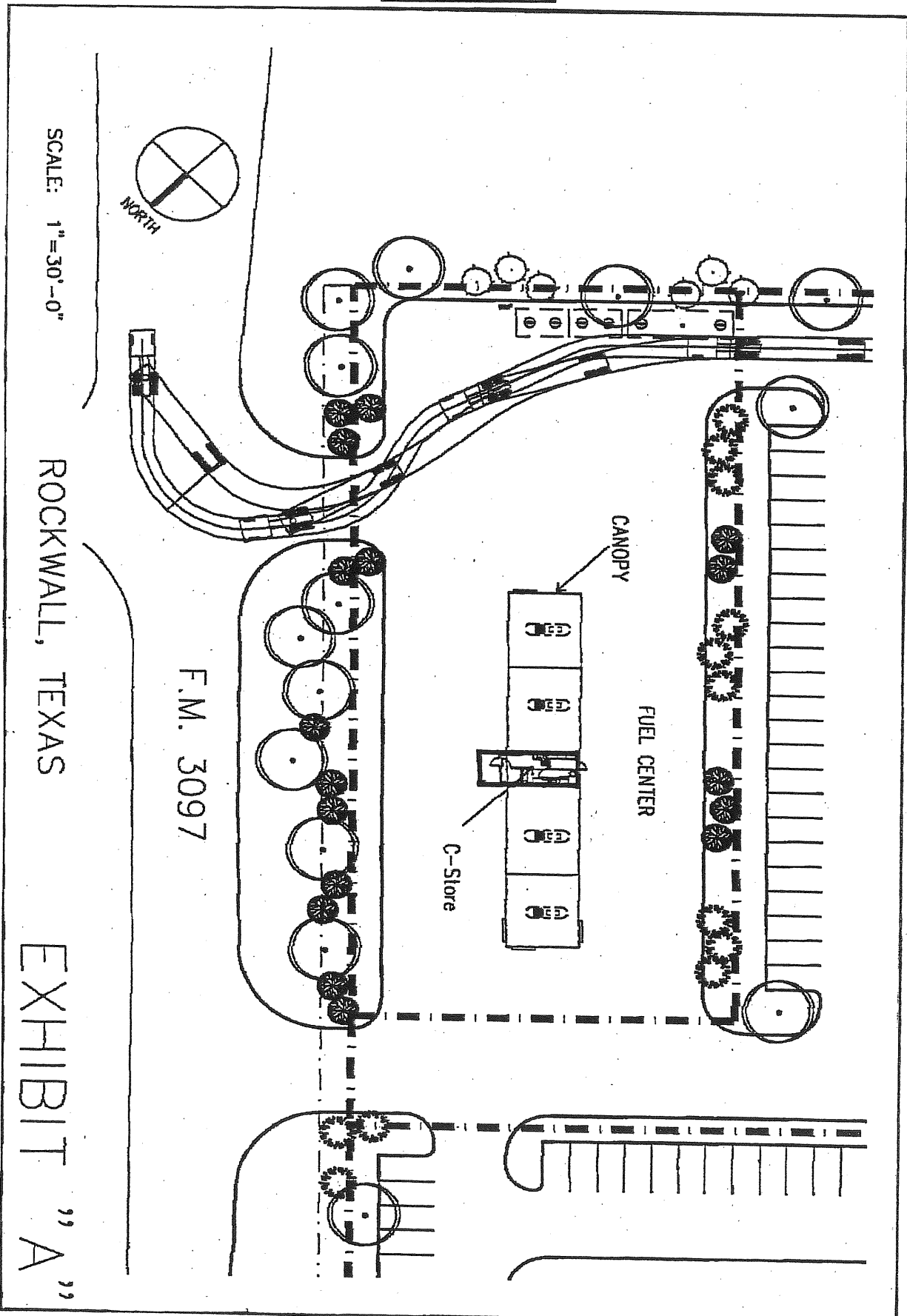
ISSUE LOG

NO.	DESCRIPTION	DATE

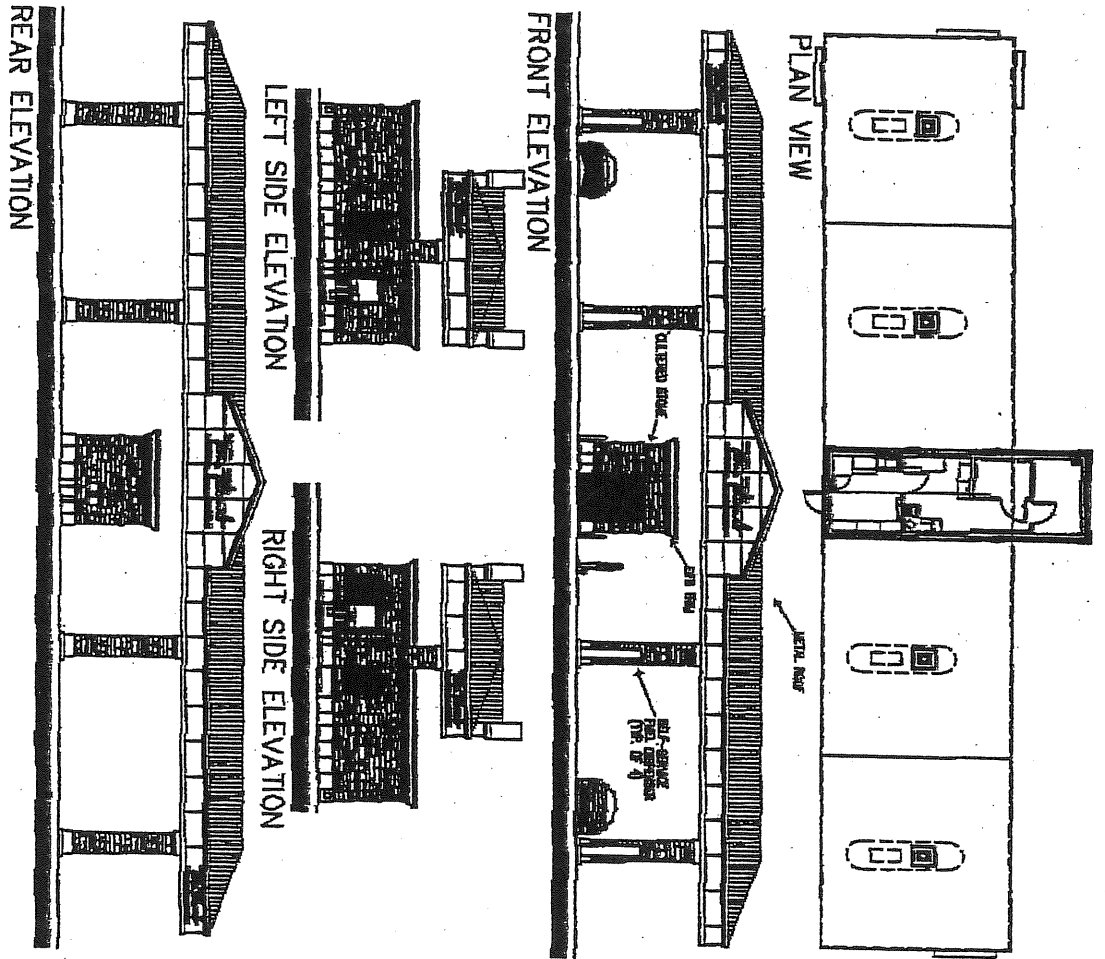
**FM 740/ FM 309**  
 ROCKWALL, TEXAS  
 A DEVELOPMENT OF:  
**REGENCY CENTERS**

O'BRIEN & ASSOCIATES  
 ARCHITECTS  
 1310 HUNTER HAY ROAD  
 SUITE 200, ROCKWALL, TX 75087  
 TEL: 972-962-8888  
 FAX: 972-962-8889  
 www.obrienand.com

EXHIBIT "A"



**EXHIBIT "B"**



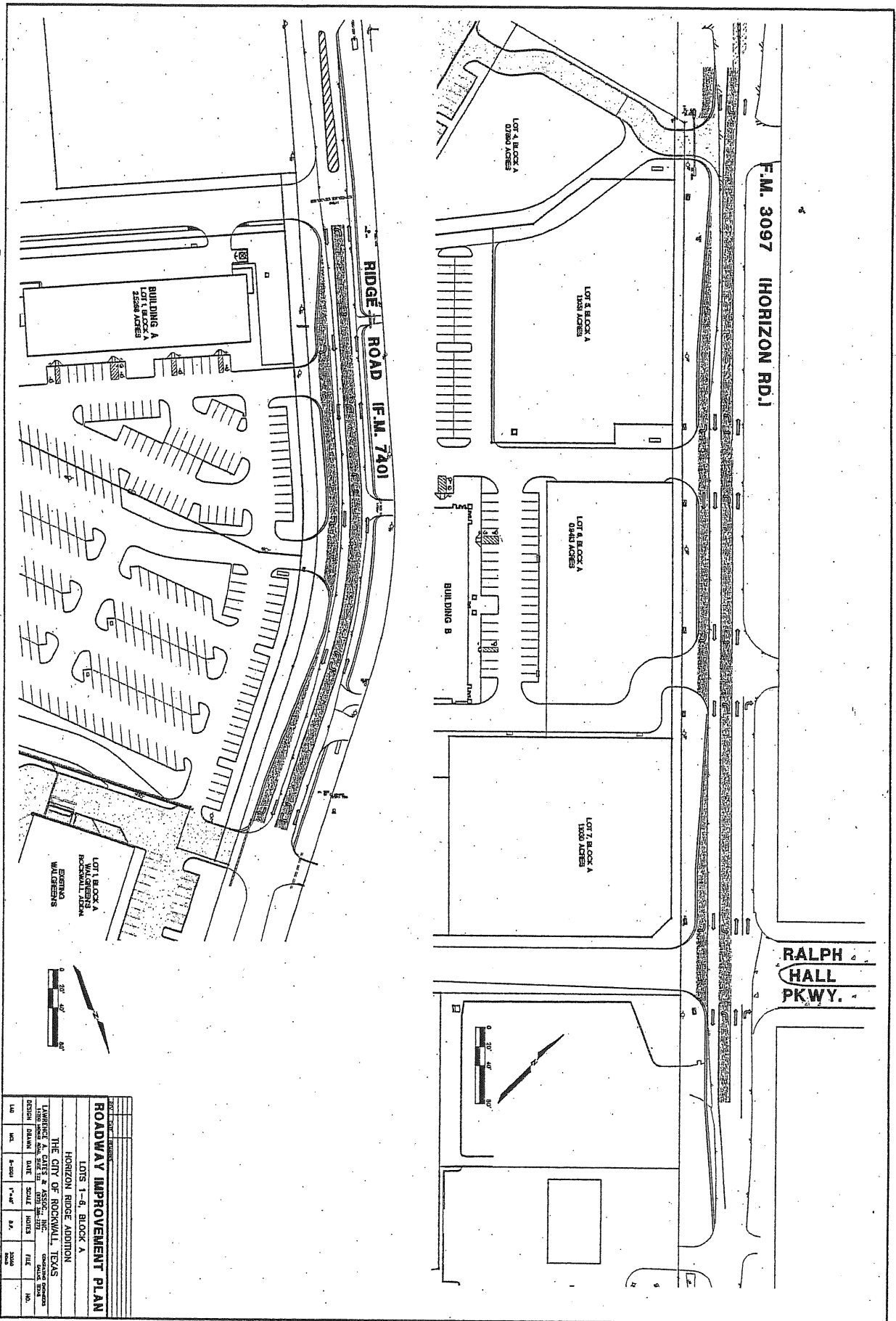
SCALE: 1/16" = 1'-0"

ROCKWALL, TEXAS

EXHIBIT "B"

8/10/2001

**EXHIBIT "C"**



<b>ROADWAY IMPROVEMENT PLAN</b> LOTS 1-6, BLOCK A HORIZON RIDGE ADDITION THE CITY OF ROCKWALL, TEXAS									
DESIGN	DATE	SCALE	NO.	FILE	NO.	DATE	NO.	FILE	NO.
DAVIDSON	1-1-88	1"=40'	24	2000	101				

740

GP

**SITE LOCATION**

3097

740

*PD-18*

**2001-12**

RD

CRESTHAVEN

WESTWOOD DR.

WINTER PARK PKWY.

ROCKWALL

OAK

WINDMILL

HORIZON ROAD

CEDAR CT.

SKYLAR DRIVE

EASTERNER

FOXCHASE LN

OAK DRIVE

NORTH

HUNTERS GLEN

SKYLAR DR.

CITY OF ROCKWALL

ORDINANCE NO. 04-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM "A", AGRICULTURAL TO "PD-9", PLANNED DEVELOPMENT NO. 9 DISTRICT, FOR A 36.5427-ACRE TRACT BEING A PORTION OF THE RAINBOW LAKE ESTATES ADDITION AND ALL OF TRACTS 4-1 AND 4-3, ABSTRACT 207, AND MORE FULLY DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the 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, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning for a tract of land containing 36.5427-acres being a portion of the Rainbow Lake Estates Addition and Tracts 4-1 and 4-3 of the E. Teal Survey, Abstract 207, and more fully described herein as Exhibit "A", City of Rockwall, Rockwall County, Texas, from "A", Agricultural District to "PD-9", Planned Development No. 9 District, and;

**Section 2.** That the property described herein shall be used only in the manner and for the purposes provided for in **§2.3 – (SF-10) SINGLE FAMILY RESIDENTIAL DISTRICT** of 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, and the following conditions shall apply:

1. Development of vacant land south of Foxchase Phase 6 and Rainbow Lake Estates shall include a 5-ft landscape buffer and screening element along the Tubbs Road extension and White Road.

**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 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 5.** 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 Subdivision Regulations 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 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 cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5<sup>th</sup> day of January, 2004.**

**ATTEST:**

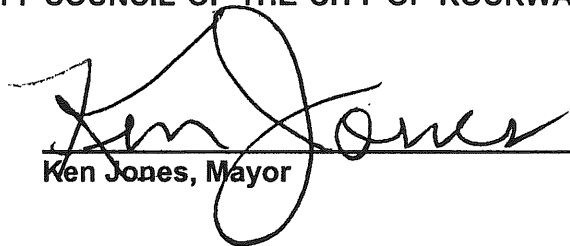
  
\_\_\_\_\_  
Dorothy Brooks, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Pete Eckert, City Attorney

**1<sup>st</sup> Reading: December 15, 2003**

**2<sup>nd</sup> Reading: January 5, 2004**

  
\_\_\_\_\_  
Ken Jones, Mayor



**Exhibit "A"**  
**Legal Description**

STATE OF TEXAS  
COUNTY OF ROCKWALL

Being a tract of land situated in the E. Teal Survey, Abstract No. 207, Rockwall County, Texas, including a part of an addition known as Rainbow Lake Estates recorded in Cabinet D, Slide 344; a part of Tract 7, as described in Deed recorded in Volume 184, Page 490, Deed Records, Rockwall County, Texas; and a 1.8652 acre tract described in Deed to Whittle Development, recorded in Volume 269, Page 45; and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the center of Rainbow Road, a County road, at a corner of the City Limits of the City of Rockwall and at the North corner of said Tract 7;

THENCE, With the meanders of Brockway Branch a tributary of Buffalo Creek), the East lines of said Tract 7, and said City Limits line as follows:

South 00°06' 21" East a distance of 183.00 feet;  
South 71°36' 01" East a distance of 122.00 feet;  
South 03°08' 59" West a distance of 195.00 feet;  
South 44°36' 01" East a distance of 146.00 feet;  
South 73°23' 59" West a distance of 211.00 feet;  
South 20°51' 01" East a distance of 103.00 feet;  
South 77°06' 01" East a distance of 250.00 feet;  
South 9°06' 01" East a distance of 118.00 feet;  
South 41°23' 59" West a distance of 180.00 feet;  
South 48°36' 01" East a distance of 92.00 feet;  
South 04°53' 59" West a distance of 43.00 feet;  
South 88°08' 59" West a distance of 126.00 feet;  
South 08°21' 01" East a distance of 218.00 feet; and  
South 71°08' 59" West a distance of 87.98 feet to the North corner of a tract of land conveyed to Thomas W. Jones et al by Deed recorded in Volume 166, Page 410, Deed Records, Rockwall County, Texas;

THENCE, Along the Northeast lines of said Jones Tract and continuing along said City Limits Line as follows:

South 01°25' 42" East a distance of 107.53 feet;  
South 54°55' 42" East a distance of 106.99 feet; and  
South 24°55' 42" East a distance of 100.58 feet to a point on the common City Limits line of the City of Rockwall and the City of Heath;

THENCE, South 89°25' 57" West a distance of 634.45 feet along said Heath City Limit line to a point in a dry wash and on the Southerly lines of said Tract 7;

THENCE, In a Westerly direction with the meanders of said dry wash and the Southerly lines of said Tract 7 as follows:

South 45°15' 18" West a distance of 22.28 feet;  
North 83°12' 42" West a distance of 43.70 feet; and  
North 50°58' 42" West a distance of 15.58 feet to a point on the previously mentioned Heath City Limits line;

THENCE, South 89°25' 57" West a distance of 92.46 feet, leaving said dry wash and said Southerly lines of Tract 7, along said Heath City Limits line to a point in said dry wash and said southerly lines;



**Exhibit "A"**  
**Legal Description**

THENCE, With the meanders of said dry wash and the Southerly lines of said Tract 7 as follows:  
South 67°46' 18" West a distance of 99.50 feet; and  
North 65°47' 42" West a distance of 87.65 feet to a point on said Heath City Limits line;

THENCE, South 89°25' 57" West a distance of 63.51 feet, leaving said dry wash and said Southerly lines of Tract 7, along said Heath City Limit line to a point in said dry wash and said Southerly Lines;

THENCE, With the meanders of said dry wash and the Southerly lines of said Tract 7 as follows:  
South 10°03' 18" West a distance of 12.88 feet; and  
North 82°54' 42" West a distance of 94.99 feet to a point on said Heath City Limits Line;

THENCE, South 89°25' 57" West a distance of 325.59 feet, leaving said dry wash and said Southerly lines of Tract 7, along said Heath City Limit line to a point on the projected line of the original West line of White Road;

THENCE, South 00°22' 56" East a distance of 353.97 feet along said projected line of the original White Road to a point at the Eastward projection of the South right-of-way line of White Road;

THENCE, North 89°33' 15" West a distance of 583.26 feet along the south right-of-way line of White Road, to a point being a projection of the west line of said Whittle Development tract;

THENCE, North 00°02' 30" West a distance of 343.69 feet to a point being the southwest corner of an addition known as Foxchase Phase Six recorded in Cabinet D, Slides 335-336;

THENCE, North 89°25' 57" East a distance of 525.72 feet to a point within the right-of-way of Tubbs Road, also being a point on the existing Rockwall City Limits line and within the original Rainbow Road;

THENCE, North 31°41' 03" East a distance of 955.02 feet, along Rockwall City Limits line within the said Rainbow Lake Estates Addition to a point for a corner;

THENCE, North 45°08' 44" East a distance of 1131.97 feet continuing with said Rockwall City Limits line to the Point of Beginning and containing approximately 36.5427 acres (1,591,800.58 sf) of land.

CITY OF ROCKWALL

ORDINANCE NO. 11-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-9) PLANNED DEVELOPMENT NO. 9 DISTRICT, SPECIFICALLY TO ALLOW FOR A PROPOSED FUEL CENTER IN CONJUNCTION WITH THE EXISTING KROGER STORE LOCATED ON LOT 18, BLOCK A, HORIZON RIDGE ADDITION, BEING 7.1779-ACRES AND LOCATED AT 2935 RIDGE ROAD, AND MORE SPECIFICALLY SHOWN IN EXHIBIT "A"; 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 (PD-9) Planned Development No. 9 District has been requested by Christina Konrad of Kroger Texas LP, specifically to allow for a proposed fuel center in conjunction with the existing Kroger store located on Lot 18, Block A, Horizon Ridge Addition, being 7.1779-acres and located at 2935 Ridge Road, City and County of Rockwall, Texas, and more specifically shown in Exhibit "A"; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**Section 1.** That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended by approval of an amendment to (PD-9) Planned Development No. 9 District to allow for a proposed fuel center in conjunction with the existing Kroger store located on Lot 18, Block A, Horizon Ridge Addition, being 7.1779-acres and located at 2935 Ridge Road, City and County of Rockwall, Texas, and more specifically shown in Exhibit "A"; and

**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 Unified Development Code (Ord. No. 04-38) of the City of Rockwall and to the conditions set forth in (PD-9) Planned Development No. 9 District, as heretofore amended, and as amended herein by granting of this approval, and shall be subject to the following conditions:

1. The development shall strictly adhere to the approved concept plan (Exhibit A), landscape plan (Exhibit B) and building elevations (Exhibit C).
2. The construction of the "Right-in/Right-out" raised median as shown on concept plan (Exhibit A) shall commence within twelve (12) months of the issuance of building permit for the fuel center.

3. No outside display of merchandise shall be permitted within or around the proposed fuel center, except for the ice machine as shown on the concept plan and elevations, which shall be painted to match the exterior materials of the adjacent kiosk. However, the grocery store shall continue to display merchandise as permitted under the City's "incidental display" requirements of the Unified Development Code.
4. No seasonal sales of merchandise or other special event (e.g. Christmas tree sales, Valentine's Day tent sale) that would result in a further reduction of the required parking spaces shall be allowed on the property, unless specifically permitted on a case-by-case basis by the City Council.

**Section 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

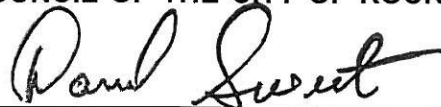
**Section 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**Section 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**Section 6.** If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 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 this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5<sup>th</sup> day of July, 2011.**



David Sweet, Mayor

**ATTEST:**

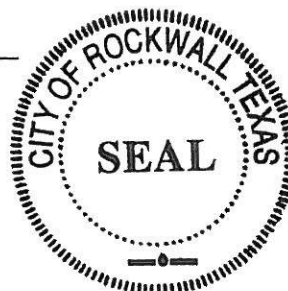


Kristy Ashberry, City Secretary

**APPROVED AS TO FORM:**



Pete Eckert, City Attorney



1st Reading: 06-20-11  
2nd Reading: 07-05-11

# Exhibit "A" Kroger Fuel (PD-9 Amendment)



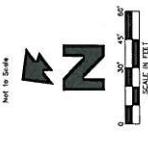
### PARKING DATA

**SHOPPING CENTER & FUEL STATION**

EXISTING SHOPPING CENTER BUILDING SF: 173,770  
 PARKING REQUIRED: 200 (14 SPACES PER 1000 SF PER KROGER)  
 EXISTING PARKING: 314 SPACES

FUEL STATION SF: 116 SF  
 PARKING REQUIRED: 1 SPACE PER 100 SF  
 PARKING ADDED AFTER RESTRICTIONS & SPACES: 3 SPACES  
 TOTAL PARKING REQUIRED WITH FUEL: 206 SPACES  
 TOTAL PARKING PROVIDED WITH FUEL: 206 SPACES

### Vicinity Map



### SITE PLAN INFO

EXISTING ZONING: PD-9  
 PROPOSED ZONING: PD-9  
 SITE AREA: 37,169.33 SQ. FT.  
 FUEL STATION: 116 SF (KROGER)  
 BUILDING HEIGHT: 19 FT (CANOPY)

OWNER:  
 THE KROGER CO  
 IRVING, TX 75062  
 CONTACT: JARED SIECZAK  
 TEL: 972-765-6081

ENGINEER:  
 GEL ENGINEERING ASSOCIATES, INC  
 4000 SUGAR GROVE BLVD., #316  
 STAFFORD, TX 77478  
 TEL: 281-494-0369 FAX: 281-494-0369

### HORIZON RIDGE ADDITION LOT 18, BLOCK A

REVISION	DATE	BY	CHK	APP

**KROGER SW-375 FUEL CENTER**

**GEL ENGINEERING ASSOCIATES, INC**

REGISTERED PROFESSIONAL ENGINEER  
 STATE OF TEXAS, LICENSE NO. 10583

**SITE PLAN**  
 2023 RIDGE ROAD  
 ROCKWALL, TEXAS

F-7524

DATE: 07.23.23  
 SHEET NO: 1  
 TOTAL SHEETS: 1



# Exhibit "C" Kroger Fuel (PD-9 Amendment)

**Kroger**  
The Kroger Co.  
1000 East Third Street  
Cincinnati, OH 45202  
Tel: 513-764-1000

**CDA Architects**  
Kroger American Locations  
2000 North Main Street  
Cincinnati, OH 45219  
Tel: 513-251-7000

**Kroger Fuel**  
2835 Ridge Road  
Rockwall, TX 75087  
Tel: 972-967-1000

**A200**  
EXTERIOR ELEVATIONS  
FUEL STATION SW-575

**1 LEFT ELEVATION**  
SCALE: 1/4"=1'-0"

**2 RIGHT ELEVATION**  
SCALE: 1/4"=1'-0"

**3 DISPENSER ELEVATION**  
SCALE: 1/4"=1'-0"

**4 FRONT ELEVATION**  
SCALE: 1/4"=1'-0"

**5 REAR ELEVATION**  
SCALE: 1/4"=1'-0"

**6 CANOPY GRAPHICS**  
SCALE: 1/4"=1'-0"

**7 KIOSK GRAPHICS**  
SCALE: 1/4"=1'-0"

**8 CANOPY PRICE SIGN**  
SCALE: 1/4"=1'-0"

**9 CANOPY SIGN DETAIL**  
SCALE: 1/4"=1'-0"

ITEM	DESCRIPTION	COLOR	MANUFACTURER	MODEL	FINISHED BY
1	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
2	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
3	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
4	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
5	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
6	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
7	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
8	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
9	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
10	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
11	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
12	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
13	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
14	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
15	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
16	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
17	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
18	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
19	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
20	DISPENSER	BLACK	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER

EXTERIOR FINISH LEGEND:	EXTERIOR MATERIALS BY %:
1. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 75% BY EXCLUSIVES BUILDING MATERIALS, 25% BY (100%) METAL.
2. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
3. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
4. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
5. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
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13. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
14. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
15. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
16. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
17. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
18. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
19. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.
20. WEATHER RESISTANT CONCRETE PRODUCT, COLOR CREAM TO MATCH EXISTING TONE.	FRONT ELEVATION: 25% BY (100%) METAL.

**6 CANOPY GRAPHICS**  
SCALE: 1/4"=1'-0"

**7 KIOSK GRAPHICS**  
SCALE: 1/4"=1'-0"

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2835 Ridge Road  
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**A200**  
EXTERIOR ELEVATIONS  
FUEL STATION SW-575

CITY OF ROCKWALL

ORDINANCE NO. 13-43

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. 04-38) OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO AMEND (PD-9) PLANNED DEVELOPMENT NO. 9 DISTRICT AND ORDINANCE 86-55, SO AS TO AMEND THE RESIDENTIAL STANDARDS AND CHANGE THE ZONING FROM (SF-22.5) SINGLE FAMILY RESIDENTIAL DISTRICT TO (SF-12.5) SINGLE FAMILY RESIDENTIAL DISTRICT FOR A 4.96-ACRE PORTION OF (PD-9) PLANNED DEVELOPMENT DISTRICT NO. 9, AND BEING IDENTIFIED AS TRACTS 4-13 & 4-14, EDWARD TEAL SURVEY, ABSTRACT 207 AND LOCATED EAST OF THE INTERSECTION OF RIDGE ROAD AND SHADY DALE LANE, AND MORE SPECIFICALLY SHOWN AS EXHIBIT "B" (BOUNDARY SURVEY); 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 (PD-9) Planned Development No. 9 District has been requested by John P. Allender of Architexas and on behalf of Greener City Group, Inc., to amend the residential standards and change the zoning from (SF-22.5) Single Family Residential District to (SF-12.5) Single Family Residential District for a 4.96-acre portion of (PD-9) Planned Development District No. 9, and being identified as tracts 4-13 & 4-14 of the Edward Teal Survey, Abstract 207 and located east of the intersection of Ridge Road and Shady Dale Lane, City and County of Rockwall, Texas, and more specifically shown in Exhibit "B" (Boundary Survey) of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and;

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:**

**Section 1.** That the Unified Development Code of the City of Rockwall, as heretofore amended, be and the same is hereby amended by approval of an amendment to (PD-9) Planned Development No. 9 District so as to change the zoning from a (SF-22.5) Single Family Residential District to a (SF-12.5) Single Family Residential District for the *Subject Property*; and;

**Section 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for in the Unified Development Code (Ord. No. 04-38) of the City of Rockwall and to the (SF-12.5) *Single Family Residential District* standards set forth in (PD-9) Planned

Development No. 9 District, as heretofore amended, and as amended herein by granting of this zoning change, and as may be amended in the future, and;

1. That the development shall strictly adhere to the standards as established in the (SF-12.5) Single Family Residential District referred to as the P.D. 9 – Shady Dale Lane Development Area Requirements attached hereto as Exhibit “A”.

**Section 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

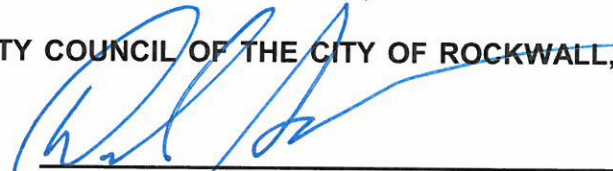
**Section 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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

**Section 6.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code No. 04-38 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 this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.


**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of November, 2013.**

  
\_\_\_\_\_  
David Sweet, Mayor

ATTEST:

  
\_\_\_\_\_  
Kristy Ashberry, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Frank Garza, City Attorney

1st Reading: October 21, 2013

2nd Reading: November 4, 2013

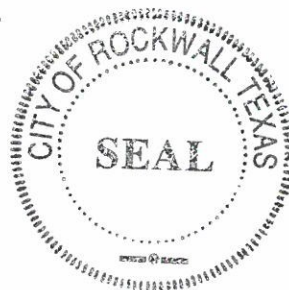




EXHIBIT "A"

P.D. 9 – SHADY DALE LANE DEVELOPMENT  
AREA REQUIREMENTS

Product: (S.F. – 12.5) Single Family Residential District  
Minimum 12,500 Square Feet.

1. Minimum lot area – 12,500 square feet
  2. Maximum number of single family detached units per lot – 1 each
  3. Minimum square footage per dwelling unit – 2,000 square feet
  4. Minimum lot frontage on public street – 75 feet
  5. Minimum lot depth – 160 feet
  6. Minimum depth of front setback – 20 feet
  7. Minimum depth of rear setback – 10 feet
  8. Minimum width of side setback –
    - a) Internal lot – 6 feet
    - b) Side yard abutting street – 15 feet
    - c) Abutting an arterial – 20 feet
  9. Minimum distance between separate buildings on the parcel of land or lot – 10 feet
  10. Minimum length of driveway pavement from the public right-of-way for rear and side yard – 18 feet
  11. Maximum building coverage as percent of lot area – 35 percent
  12. Maximum height of structures – 36 feet
  13. Minimum number of off-street parking spaces (excluding garage) – 2 each
-

