

ORDINANCE NO. 82-2

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO ZONE THE FOLLOWING DESCRIBED TRACT "PD" PLANNED DEVELOPMENT NO. 14 : BEING A TRACT OF LAND LOCATED IN THE J. B. MCFARLAND SURVEY, ABSTRACT 145, ROCKWALL COUNTY, TEXAS, AND BEING PART OF A 100.3 ACRE TRACT CONVEYED TO NAN L. SMARTT OF RECORD IN VOLUME 63, PAGE 100, DEED RECORDS, ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHERNMOST CORNER OF THE 100.3 ACRE TRACT; THENCE NORTH 44°57'15" WEST WITH A HEDGEROW 1,769.12 FEET TO AN IRON ROD FOR A CORNER IN THE SOUTHEAST RIGHT-OF-WAY OF INTERSTATE HIGHWAY 30; THENCE 36°11'43" EAST WITH THE SOUTH-EAST RIGHT-OF-WAY OF INTERSTATE HIGHWAY 30 1,322.55 FT. TO AN IRON ROD FOR CORNER IN THE NORTHEAST LINE OF THE MCFARLAND SURVEY; THENCE SOUTH 45°1'32" EAST WITH THE NORTHEAST LINE OF THE MCFARLAND SURVEY 1,965.85 FT. TO AN IRON ROD FOR A CORNER; THENCE SOUTH 44°45'00" WEST WITH A FENCE LINE 1,309.27 FT. TO THE PLACE OF BEGINNING AND CONTAINING 56.080 ACRES OF LAND, MORE OR LESS; SUBJECT TO SITE PLAN APPROVAL; 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 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, as heretofore amended, be, and the same is further hereby amended by amending the Zoning Map of the City of Rockwall so as to grant "PD" Planned Development District No. 14 on the following described tract of land:

BEING a tract of land located in the J. B. McFarland Survey Abstract 145, Rockwall County, Texas, and being part of a 100.3 Acre tract conveyed to Nan L. Smartt of record in Volume 63, Page 100, deed records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at the southernmost corner of the 100.3 acre tract;

THENCE North 44°57'15" West with a hedgerow 1,769.12 ft. to an iron rod for a corner in the southeast right-of-way of Interstate Highway 30;

THENCE North $36^{\circ}11'43''$ East with the southeast right-of-way of Interstate Highway 30 1,322.55 ft. to an iron rod for corner in the northeast line of the McFarland Survey;

THENCE South $45^{\circ}1'32''$ East with the northeast line of the McFarland Survey 1,965.85 ft. to an iron rod for a corner;

THENCE South $44^{\circ}45'00''$ West with a fence line 1,309.27 ft. to the Place of Beginning and containing 56.080 acres of land, more or less.

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 the above described tract of land 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 herein, provided that the granting of Planned Development No. 14 to the above described tract of land is subject to the following special conditions:

(a) Uses approved for inclusion in Planned Development District No. 14 include Office, Retail, Light Industrial, Warehousing, Hotel, Medical Facilities, and Restaurant facilities. All uses are subject to site plan approval. Hotel uses are subject to site location and management approval by the City Council.

(b) Prior to the issuance of any building permit in Planned Development District No. 14, a comprehensive site plan of the development shall be filed with the Planning and Zoning Commission and, after appropriate recommendation by the Commission, and after hearing, the City Council shall approve a final site plan, which shall be filed and included as Exhibit "A" and made a part of this ordinance for all purposes. Such comprehensive site plan shall set forth in detail the requirements for ingress and egress to the property, public or private streets or drives, and 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.

(c) No building or other permits shall be issued by any officer, agent or employee of the City of Rockwall for development of the above

described tracts in "PD" No. 14 unless and until a final comprehensive site plan shall have been finally approved by the City Council of the City of Rockwall and attached to and made a part of this ordinance as Exhibit "A".

(d) All development of property covered by Planned Development District No. 14 shall be in accordance with the provisions of this ordinance and the finally approved comprehensive 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 changes and amendments to the Comprehensive Zoning Ordinance.

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 penalty of 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 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 4th DAY OF JANUARY, 1982.

APPROVED:



ATTEST:


City Secretary

PD-14

ORDINANCE NO. 33-60

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 THE APPROVED SITE PLAN ON PD-14 PLANNED DEVELOPMENT NUMBER 14; ATTACHING THE APPROVED SITE PLAN AS EXHIBIT "A"; 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 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, as heretofore amended, be, and the same is hereby, amended by amending the approved site plan for "PD-14" Planned Development Number 14. That said amended site plan is attached hereto as Exhibit "A" 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 ordinance 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 Number 14 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 site plan for Planned Development Number 14 shall affect only the property shown

PD-14

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:

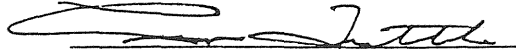
- (a) That the site plan attached hereto as Exhibit "A" and made a part hereof shall control the development of Planned Development Number 14 and any and all such development shall be in strict accordance with such site plan.
- (b) That the two entrances for the security warehouse location designated on the preliminary plan be approved as shown.
- (c) That structures may be constructed with less than 100% noncombustible structural materials for areas not for human occupancy, subject to the submission of elevation drawings and site plans for the approval of the Planning and Zoning Commission and the City Council.
- (d) No substantial change in development of Rockwall Business Park East 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 Number 14 in the manner required for changes or amendments to the Comprehensive Zoning Ordinance.
- (e) A master landscaping plan shall be submitted by the developer for the approval of the Planning and Zoning Commission and the City Council.

SECTION 4. Any person, firm or corporation violating and 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 5. This ordinance shall become effective from and after its passage and the publication of the caption as the law in such cases provides.

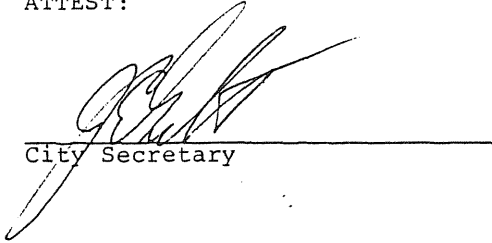
DULY PASSED AND APPROVED THIS 5th day of December, 1983.

APPROVED:



Mayor

ATTEST:



City Secretary

Ordinance 83-60



THE USES REQUIRED IN THE AREAS DESIGNATED HEREON ARE AS FOLLOWS:

AREA "A" ALL USES ALLOWED IN "C" DISTRICT

AREA "B" ALL USES ALLOWED IN "C" DISTRICT

AREA "C" ALL USES ALLOWED IN "C" and "L 1" DISTRICT
excluding hotel, motel use

AREA "D" ALL USES ALLOWED IN "C" and "L 1" DISTRICT, EXCLUDING
HOTEL, MOTEL USE.

AREA "E" ALL USES ALLOWED IN "C" DISTRICT

AREA "F" ALL USES ALLOWED IN "C" AND "L 1" DISTRICTS
excluding hotel, motel use

N O T E : THE OVERALL DEVELOPMENT UNDER THE PROPOSED "REVISED
PLANNED DEVELOPMENT" SHALL :

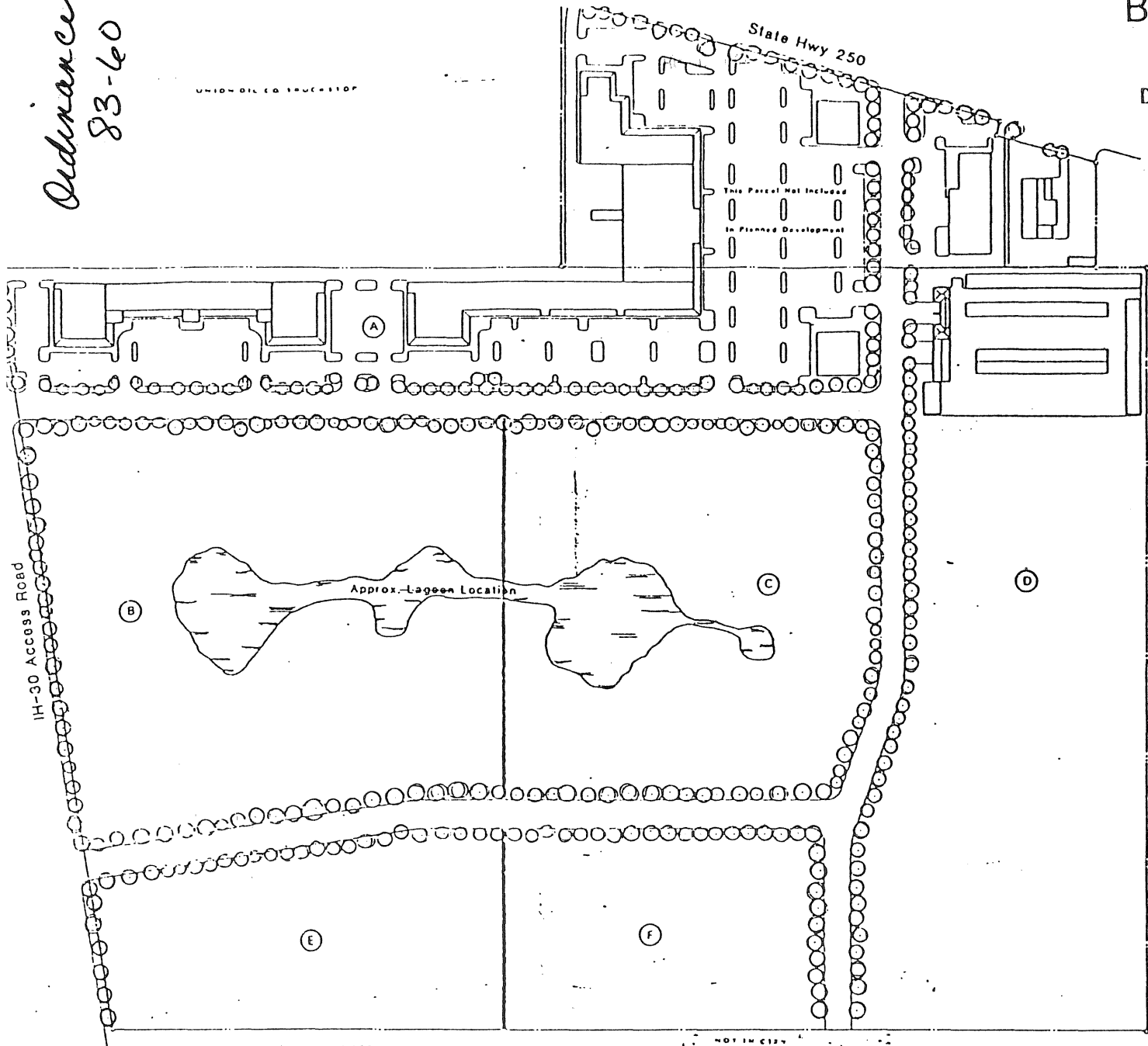
- 1) MEET THE LANDSCAPING REQUIREMENTS AS SET FORTH
IN THE ZONING ORDINANCE OF THE CITY OF ROCKWALL
- 2) MEET THE AREA REQUIREMENTS FOR THE APPLICABLE
DISTRICTS

C
I
T
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*Ordinance
83-60*

ROCKWALL BUSINESS PARK EAST

DALLAS EAST PARTNERSHIP



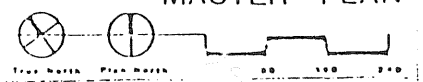
- THE USES PERMITTED IN THE AREAS DESIGNATED HEREON ARE AS FOLLOWS:
- AREA "A" ALL USES ALLOWED IN "C" DISTRICT
 - AREA "B" ALL USES ALLOWED IN "C" DISTRICT
 - AREA "C" ALL USES ALLOWED IN "C" AND "F" DISTRICT
 - AREA "D" ALL USES ALLOWED IN "C" AND "F" DISTRICT, INCLUDING HOTEL, HOTEL USE.
 - AREA "E" ALL USES ALLOWED IN "C" DISTRICT
 - AREA "F" ALL USES ALLOWED IN "C" AND "F" DISTRICT

- NOTE 1: THE OVERALL DEVELOPMENT UNDER THE PROPOSED REZONED PLANNED DEVELOPMENT SHALL:
- 1) MEET THE LANDSCAPING REQUIREMENTS AS SET FORTH IN THE ZONING ORDINANCES OF THE CITY OF ROCKWALL.
 - 2) MEET THE AREA REQUIREMENTS FOR THE APPLICABLE DISTRICTS.

CITY OF ROCKWALL

ZONED MASTER PLAN I

MASTER PLAN



PD-14

CITY OF ROCKWALL

ORDINANCE NO. 09-42

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (PD-14) PLANNED DEVELOPMENT NO. 14 DISTRICT TO (C) COMMERCIAL DISTRICT, ON A TRACT OF LAND CONTAINING APPROXIMATELY 56.8-ACRES AND COMPRISED OF LOTS 5, 6 AND 9, BLOCK A, AND LOT 1, BLOCK C, OF THE ROCKWALL BUSINESS PARK EAST ADDITION, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HEREIN; 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, a zoning change from (PD-14) Planned Development No. 14 District to (C) Commercial district has been initiated by the City of Rockwall for approximately 56.8-acres comprised of Lots 5, 6 and 9, Block A, and Lot 1, Block C, Rockwall Business Park East Addition, and further described in the attached 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, and 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 (Ord. No. 04-38) 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 from (PD-14) Planned Development No. 14 District to (C) Commercial district for approximately 56.8-acres comprised of Lots 5, 6 and 9, Block A, and Lot 1, Block C, Rockwall Business Park East Addition, and further described in the attached Exhibit "A;" and

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in **Article V, Section 4.5, (C) Commercial District** of the Unified Development Code of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be 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 Unified Development Code 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.

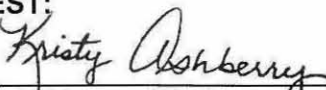
Section 6. That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

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.

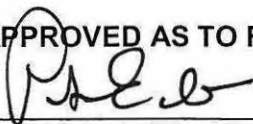
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 5th day of October, 2009.

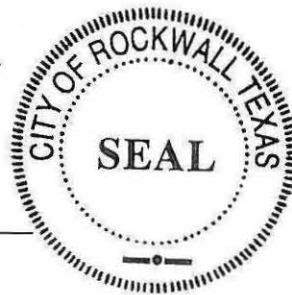

William R. Cecil, Mayor

ATTEST:


Kristy Ashberry, City Secretary

APPROVED AS TO FORM:




Pete Eckert, City Attorney

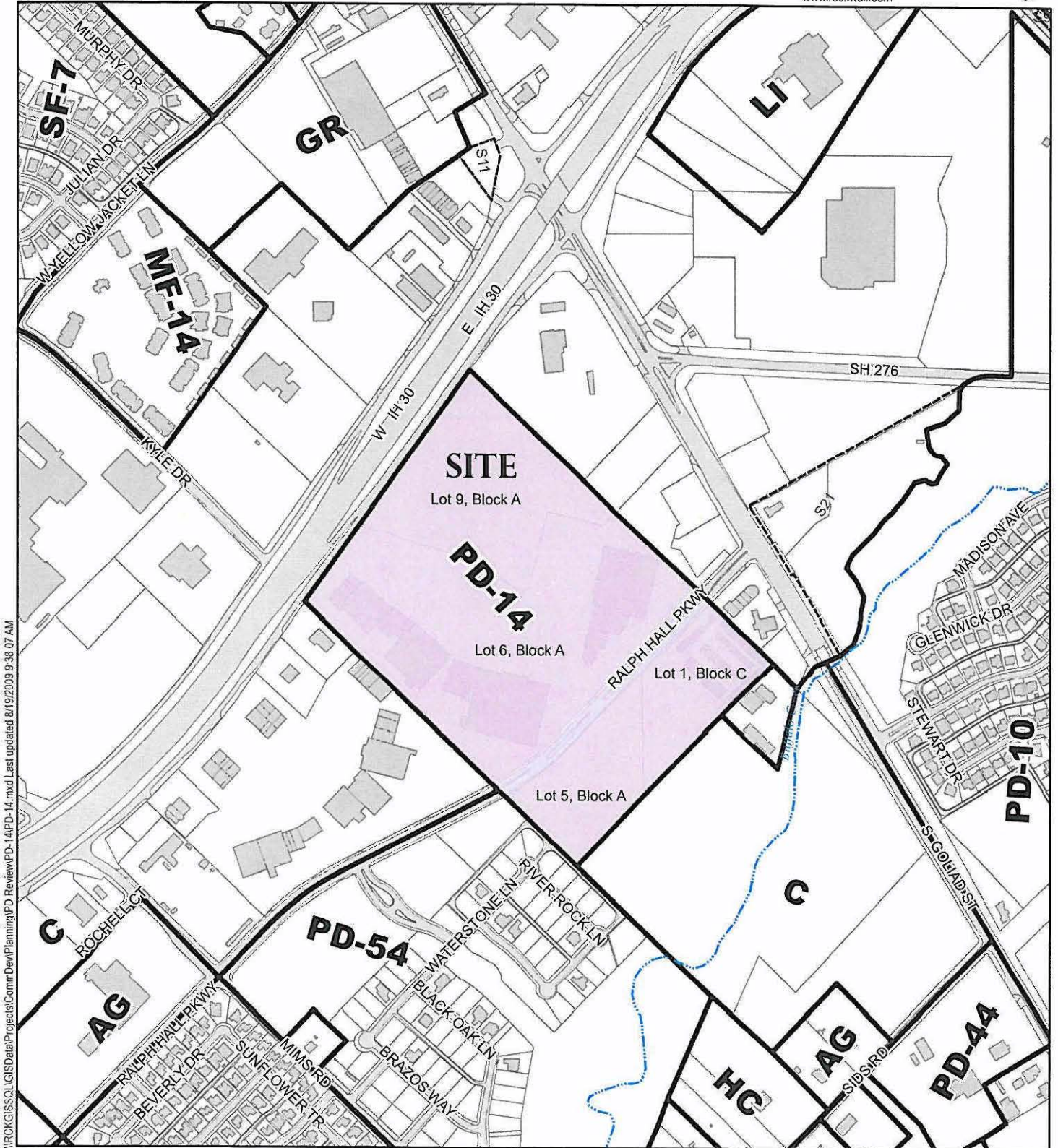


1st Reading:09-21-09

2nd Reading:10-05-09

Legend

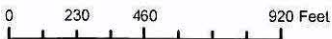
-  Subject Property
-  200ft Buffer



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EXHIBIT "A"
Z2009-016 - Rockwall Business Park East
Rezone PD-14 to Commercial



August 19, 2009

CITY OF ROCKWALL DEPARTMENT OF PLANNING AND ZONING

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

MEMORANDUM
February 25, 1992

TO: Mayor and City Councilmembers
FROM: Planning and Zoning Commission
RE: Completion of PD Reviews

The Planning and Zoning Commission has completed its review of the Planned Developments. This report addresses the review of the following PD's:

PD-2 PD-8 PD-11 PD-13 PD-14 PD-22
PD-32 PD-34

Generally the Commission has recommended no change in the majority of the Planned Developments. The exceptions to this are in PD-8 and PD-22. In August of last year the Commission had recommended that hearings be initiated on PD-22. PD-22 was originally approved in 1983. It is located south of I-30 along the lake shore between the Harbor and Chandlers Landing and contains 6.9 acres. The uses approved in the PD are Marina, Retail, Office, Apartment/Condominium at 20 units per acre, Restaurant/Private Club, Recreational Facilities, and Hotel. It has been site planned for a Hotel/Conference Center. There has been no development on the property since site plan approval in 1984. The owner has been continuing to attempt to market the site and still hopes to develop the property. The Commission had some concerns about the multifamily uses that are approved under the PD. As it is currently approved the site could be developed with multifamily development at 20 units per acre, which exceeds the maximum density under MF-15 of 14 units per acre. Because of this concern the Commission recommended that the Council consider initiating hearings to address this issue. The Council tabled any action on the item until the LARC study was completed. This study has been completed and the item has been placed back on the agenda for your consideration.

The owner of the property is currently has an offering for development of this site as a hotel and he has requested that no changes be made in the PD at this time. Attached is a copy of a letter from Mr. Albright, the property owner, outlining his request. A location map and a copy of the approved site plan is attached.

PD-8 is the Chandlers Landing development and it is completed with the exception of three areas. One area is Phase 15, which is zoned for zero lot line and single family. Phase 2 of Harbor Landing is also undeveloped and it is zoned for SF-7 and SF-10. The last remaining undeveloped area is Phases 4 and 5 of Spyglass Hill. These phases could be developed at 18 units per acre. Phase 4 has been platted and siteplanned for 18 units per acre. Phase 5 has not been platted or site planned. The Commission has also recommended that hearings be held on this area to consider reducing the permitted density.

These are the only actions recommended by the Commission as a result of this PD review. Attached is a brief description of the remaining PDs that have been reviewed and not recommended for change.

PD SUMMARY

PD-2

This PD contains the Lakeside Village development and the Turtle Cove development. Only two areas are still undeveloped, those being Phase 5 of Lakeside Village and Phase 2 of Turtle Cove. Phase 5 of Lakeside Village is zoned for 181 townhouse lots meeting the City's standards and the remaining undeveloped portion of Turtle Cove is zoned for zero lot line development. The owner of Turtle Cove has submitted a request to amend the area requirements of the site to single family rather than zero lot line.

PD-11

This PD is located along Alamo Road adjacent to the lake. It is south of the Shores and north of Northshore. There are no uses assigned to this PD. Prior to development of the property the owner will have to submit a zoning request to establish a use within the PD or to rezone it to another classification.

PD-13

PD- 13 consists of the Windmill Ridge development on FM-3097 and the undeveloped tract adjacent to Windmill Ridge. The approved uses are single family and duplex. The approved uses are in conformance with the land use plan.

PD-14

PD-14 is located south of I-30 and west of SH-205. It has been partially developed as Rockwall Business Park East. The PD is approved for commercial, industrial, and hotel uses. There is an approved preliminary plan for the entire development and the entire development is platted as well. The land use plan indicates commercial and office in the area. The industrial area approved in the zoning is located off of I-30 and is geared toward an office/warehouse showroom type of development.

PD-32

This PD is located west of Horizon Road. The uses permitted under the PD include commercial uses. There are a number of conditions that apply to this PD that allow the City considerable authority in addressing any proposed development.

PD-34