

CITY OF ROCKWALL

ORDINANCE NO. 09 - 09

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 (LI) LIGHT INDUSTRIAL DISTRICT TO (PD-73) PLANNED DEVELOPMENT NO. 73 DISTRICT, ON A TRACT OF LAND CONTAINING APPROXIMATELY 8.405-ACRES AND MORE SPECIFICALLY 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**, a zoning change from (LI) Light Industrial district to (PD-73) Planned Development No. 73 district has been requested by Sheri Franza of the Rockwall Economic Development Corporation, for a 8.405-acre tract of land known as Lot 8, Block A, Rockwall Technology Park Addition, and more specifically described herein as 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 (LI) Light Industrial district to (PD-73) Planned Development No. 73 district on a 8.405-acre tract of land known as Lot 8, Block A, Rockwall Technology Park Addition, and more specifically described herein as 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 as heretofore amended, and said property shall be limited to the uses, density, area, setback and other requirements set forth herein.

**Section 3.** A PD Development Plan shall be submitted and approved in accordance with Article X of the Unified Development Code, prior to any application for preliminary plat and/or PD Site Plan, and shall be required so that the City can review details of the project including, but not limited to, the following:

- 1) Conceptual layout of project
- 2) Conceptual building elevations

- 3) Screening/Buffering Details
- 4) Preservation/Mitigation of existing floodplain and other natural features

**Section 4.** Prior to or concurrently with submittal of a preliminary plat for the subject property, a PD Site Plan shall be submitted and approved in accordance with Article X of the Unified Development Code.

**Section 5.** The development in the area indicated on **Exhibit "A,"** attached hereto, shall be subject to the following conditions and restrictions:

- 1) The subject property described herein shall be used only in the manner and for the purposes provided for in **Article IV** and **Article V, Section 4.5, Commercial (C) 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, except that the property shall be limited to the following uses:

a) Allowed Land Uses-

- Animal Boarding/Kennel without Outside Pens
- Animal Clinic for small animals, no outdoor pens
- Accessory Building
- Garage (accessory use)
- Blood Plasma Donor Center
- Church/House of Worship
- Emergency Ambulance Services, Ground
- Government Facility
- Hospice
- Hospital
- Post Office, Local Service
- Public or Private School, Primary
- Public or Private School, Secondary
- Financial Institution with Drive-Through
- Financial Institution without Drive-Through
- Office, General
- Office Building, less than 5,000 s.f.
- Office Building, more than 5,000 s.f.
- Fund Raising Events by Non-Profit, Indoor or Outdoor, Temporary
- Health Club
- Banquet Facility
- Business School
- Catering Service
- Copy Center
- General Personal Service
- General Retail Store
- Hair Salon, Manicurist

- Laundry, Drop-off/Pickup
- Massage Therapist
- Museum or Art Gallery (Private)
- Pet Shop
- Private Club
- Real Estate Sales Office, On-site, Temporary
- Restaurant, Less than 2000 sq. ft. w/o Drive-thru or Drive-in
- Restaurant, 2,000 sq. ft. or more, w/ Drive-thru or Drive-in
- Restaurant, 2,000 sq. ft. or more, w/o Drive-thru or Drive-in
- Restaurant with accessory Private Club or Brew Pub
- Studio – Art, Photography or Music
- Tailor, Clothing or Apparel Shop
- Electrical, Watch, Clock, Jewelry & Similar Repair
- Shoe and Boot Repair and Sales
- Temporary On-Site Construction Office
- Antenna, Accessory
- Antenna, Dish
- Municipally Owned or Controlled Facilities, Utilities and Uses
- Recording Studio
- Satellite Dish

2) That the following uses may be permitted only after approval of Specific Use Permit (SUP) as set forth in Article IV of the Unified Development Code:

- Retail store with more than 2 gasoline dispensers
- Animal Hospital, Clinic
- Hotel
- Hotel, Full Service
- College, University, or Seminary
- Public or Private School Temporary Education Building
- Beverage Service Facility, Portable
- Restaurant, Less than 2,000 sq. ft. w/ Drive-thru or Drive-in
- Antenna, Commercial
- Antenna, Commercial, Free-Standing
- Antenna, Commercial, Mounted
- Helipad
- Private Streets
- Utilities Holding a Franchise from City of Rockwall
- Utility Installation, Other Than Listed
- Utility/Transmission Lines
- Wireless Communication Tower

- 3) Maximum building height – 60 feet
- 4) Maximum building size – 25,000 square feet
- 5) No outside storage/display or merchandising.

**Section 6.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**Section 7.** 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 8.** 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.

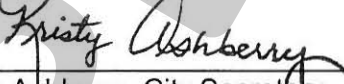
**Section 9.** That all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 10.** 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 2<sup>nd</sup> day of March, 2009.**

  
William R. Cecil, Mayor

**ATTEST:**

  
Kristy Ashberry, City Secretary

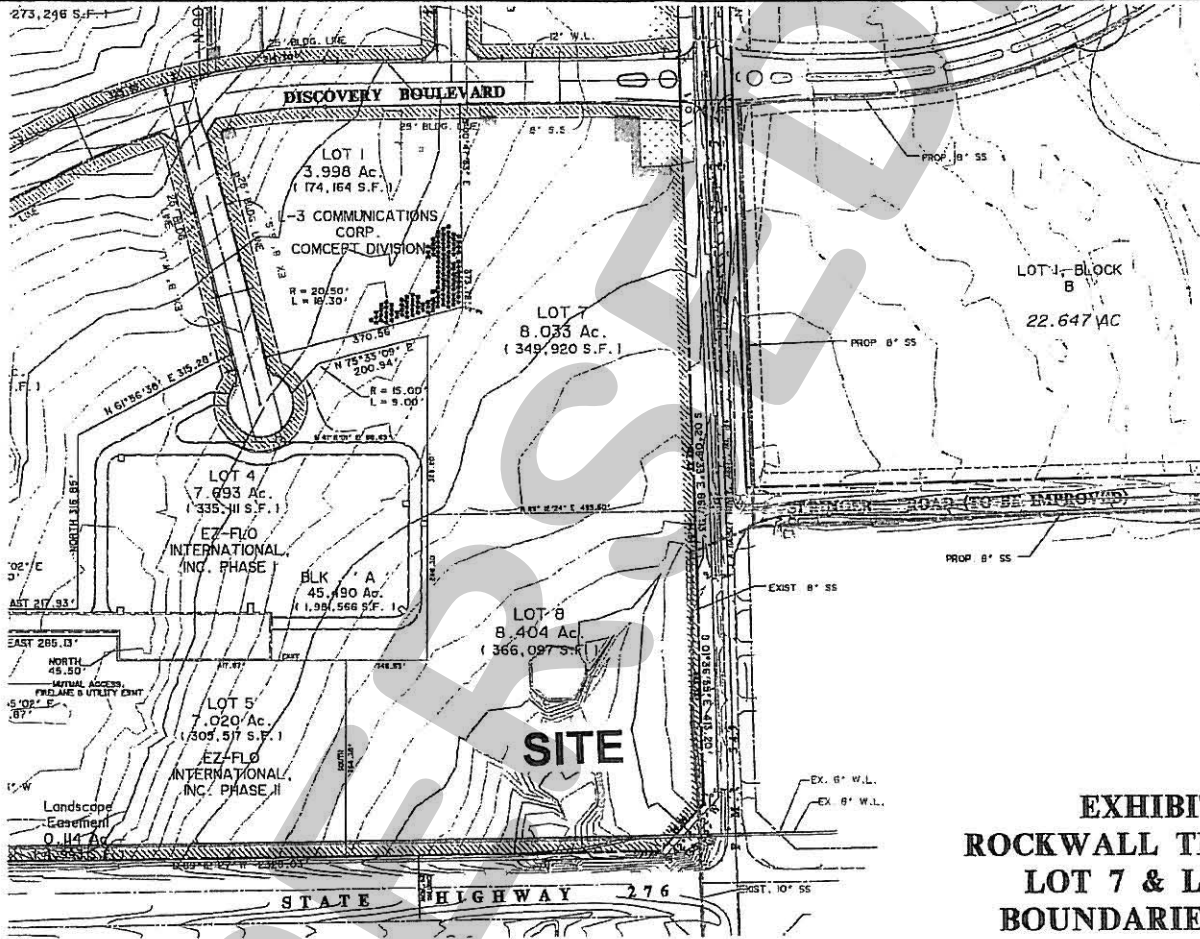
**APPROVED AS TO FORM:**

  
Pete Eckert, City Attorney

1<sup>st</sup> Reading: 02-17-09

2<sup>nd</sup> Reading: 03-02-09





**LEGEND**

	UTILITY EASEMENT
	LANDSCAPE, PEDESTRIAN & UTILITY EASEMENT
	FIRELANE & UTILITY EASEMENT
	LANDSCAPE EASEMENT
	DRAINAGE EASEMENT

FILE COPY

2008 028

**EXHIBIT SHOWING  
ROCKWALL TECHNOLOGY PARK  
LOT 7 & LOT 8, BLOCK A  
BOUNDARIES & EASEMENTS**

NOVEMBER, 2008

PREPARED BY  
**WMA WITH & ASSOCIATED, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
70 HUNTERS HILL, SUITE 200, ROCKWALL, TEXAS 75087 (972) 970-7700  
800 84 5763 FAX: 972 7526 6230 (972) 970-8222  
www.wma.com

DATE: 11-17-2008  
W.A. No. 38041

EXHIBIT "A"

FILE: 81004-LOT7&8-A-11-17-08.dwg

T.M.S.