

CITY OF ROCKWALL

ORDINANCE NO. 22-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT 94 (PD-94) FOR NEIGHBORHOOD SERVICES (NS) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 76.068-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 14-01 & 14-11 OF THE J. M. GLASS SURVEY, ABSTRACT NO. 88, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; 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 City has received a request from Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for a change in zoning from an Agricultural (AG) District to a Planned Development District for Neighborhood Services (NS) District land uses for a 76.068-acre tract of land identified as Tracts 14-01 & 14-11 of the J. M. Glass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* 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, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, outlined in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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


SECTION 4. 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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 5. 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, 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. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 7. That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 2nd DAY OF MAY, 2022.**



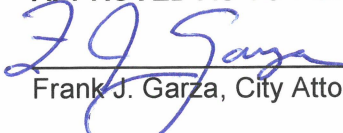
Kevin Fowler, Mayor

ATTEST:



Kristy Teague, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: April 18, 2022

2nd Reading: May 2, 2022

Exhibit 'A'
Legal Description

Being a tract of land situated in the JOHN M. GLASS SURVEY, ABSTRACT NO. 88, Rockwall County, Texas, and being part of the same tracts of land described as first and second tract in a deed to G.C. Rochell, Jr. of record in Volume 38, Page 377, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner near the center of Quail Run Road (asphalt surface) at the Southeast corner of a tract of land described in a deed to Michael R. Nalley et ux of record in Volume 1024, Page 324, deed Records, Rockwall County, Texas;

THENCE North 00° 01' 51" East, along the East line of said Nalley tract at a distance of 330.80 feet passing a 1/2" iron rod found for corner at the Northeast corner thereof and continuing along the East line of a tract of land described in a deed to Doyl C. Tulley et ux of record in Volume 951, Page 61, Deed Records, Rockwall County, Texas, and a tract of land described in a deed to DR-Horton, Texas, Ltd. of record in Volume 2329, Page 27, Deed Records, Rockwall County, Texas, respectively for a total distance of 1207.83 feet to a 1/2" iron rod found for corner at the Southeast corner of a called 38.320 acre tract of land described in a deed to Holm, Inc. of record in Volume 1805, Page 296, Deed Records, Rockwall County, Texas;

THENCE North 00° 15' 59" West, along the most Southern East line of said 38.320 acre tract a distance of 538.84 feet to a 1/2" iron rod found for corner at the base of an old wood fence post at the Southwest corner of a called 77.018 acre tract of land described in a deed to the Thomas Tschoepe, Bishop of the Roman Catholic Diocese of Dallas of record in Volume 115, Page 438, Deed Records, Rockwall County, Texas, from which a 1/2" iron rod found for reference bears South 58° 00' 00" West, a distance of 3.00 feet;

THENCE North 88° 25' 52" East, along the South line of said 77.018-acre tract a distance of 730.90 to a point at the beginning of a non-tangent curve to the left having a central angle of 18°26'48", a radius of 632.50 feet, a chord distance 202.76 feet and a chord bearing of South 82°20'48" East;

THENCE along said curve to the left an arc length of 203.64 feet to a point for corner;

THENCE North 88°25'52" East a distance along the Southerly right-of-way line of North Country Lane a distance of 410.02 feet to a point at the beginning of a curve to the right having a central angle of 28°58'41", a radius of 567.50 feet, a chord distance of 283.97 feet and a chord bearing of South 77°04'47" East;

THENCE along said curve to the left along the Southerly right-of-way line of North country lane an arc length of 287.02 feet to a point for corner at the beginning of a curve to the left having a central angle of 26° 57'36', a radius of 632.50 feet, a chord distance of 294.88 feet and a chord bearing of South 76°04'13" East;

THENCE along the Southerly right-of-way of North Country Lane an arc length of 297.62 feet to a point for
Corner in the Westerly right-Of-way line of F.M. 1141:

THENCE South 01° 07' 03" East, continuing along the West right-of-way line of said F.M. 1141 a distance of 572.38 feet to a 1/2" iron rod set for corner at the Northeast corner of a tract of land described in a deed to William A. Noah et ux of record in Volume 690, Page 188, Deed Records, Rockwall County, Texas;

Exhibit 'A'
Legal Description

THENCE South 89° 06' 54" West, along the North line of said Noah tract a distance of 234.56 feet to a 1/2" iron rod found for corner at the Northwest corner thereof;

THENCE South 00° 45' 19" East, along the West line of said Noah tract a distance of 235.00 feet to a 1/2" iron rod found for corner at the Southwest corner thereof;

THENCE North 89° 06' 54" East, along the South line of said Noah tract a distance of 235.47 feet to a 1/2" iron rod found for corner at the Southeast corner thereof and being in the West right-of-way line of said F.M. 1141;

THENCE South 00° 28' 12" West, along the West right-of-way line of said F.M. 1141 a distance of 812.33 feet to a "PK" nail set for corner near the center of Quail Run Road (asphalt surface) at the Northeast corner of first section Saddlebrook Estates, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet A, Slide 307, Plat Records, Rockwall County, Texas;

THENCE North 89° 49' 43" West, along the North line of said Saddlebrook Estates a distance of 1435.69 feet to a 3/8" iron rod found for corner at the Northwest corner thereof and being the Northeast corner of a tract of land described in a deed to Sheila Flannery and William J. Flannery III of record in Volume 1124, Page 65, Deed Records, Rockwall County, Texas;

THENCE South 89° 51' 24" West, along the North line of said Flannery tract and the North line of a called 30.00-acre tract of land described in a deed to Lonnie L. Gideon, trustee of record in Volume 307, Page 259, Deed Records, Rockwall County, Texas, respectively a distance of 476.11 feet to the place of beginning and containing 76.068 acres of land.

Exhibit 'C':
Development Standards

All development occurring within the boundaries of the *Subject Property* shall conform to the development and land use standards contained in this Planned Development District ordinance. Development and land use standards not explicitly mentioned in this ordinance shall be governed by *Ordinance No. 20-02* and be subject to all pertinent development and land use standards for a Neighborhood Services (NS) District as specified by the Unified Development Code (UDC). All sections of the Unified Development Code (UDC) referenced in this section of the Planned Development District Ordinance shall be as is and as amended in the future.

C.1 PURPOSE.

The purpose of this Planned Development District is to provide provisions that control the development of a *Public or Private Primary School* or a *Public or Private Secondary School* with special conditions and requirements for ancillary land uses.

C.2 LAND USE AND DEVELOPMENT STANDARDS.

(1) *Permitted Uses*. The permitted land uses for the *Subject Property* shall be as follows:

(a) Land Uses Permitted *By-Right*:

- Public or Private Primary School ^{(1) & (2)}
- Public or Private Secondary School ^{(1) & (2)}
- Public Park or Playground
- Track or Stadium ⁽³⁾

(b) Land Uses Permitted by Specific Use Permit (SUP):

- Temporary Education Building for a Public or Private School ⁽⁴⁾
- Accessory Building for Storage

Notes:

⁽¹⁾: All ancillary land uses typically associated with the development of a *Public or Private Primary School* and/or *Public or Private Secondary School* -- as determined by the *Director of Planning and Zoning* or his/her designee -- shall be permitted on the *subject property* and be subject to approval through a site plan or amended site plan by the Planning and Zoning Commission. The Planning and Zoning Commission may require screening, wing walls, and/or other design elements to minimize the impacts of any ancillary land use.

⁽²⁾: Adequate pick-up and drop-off areas shall be provided to ensure that street traffic/neighborhood traffic is not impeded. This shall be determined by the *Director of Planning and Zoning* or his/her designee at the time of site plan.

⁽³⁾: For a *Track or Stadium* with a seating capacity of less than 1,000 people. For a *Tract or Stadium* with a seating capacity of 1,000 people or greater a Specific Use Permit (SUP) shall be required to be approved by the City Council pending a recommendation from the Planning and Zoning Commission.

⁽⁴⁾: This land uses shall be subject to the *Conditional Land Use Standards* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC); however, special attention should be paid to the placement of any *Temporary Education Buildings* due to the residential adjacencies of the *Subject Property*. *Temporary Education Buildings* shall not be allowed in an established building setback or landscape buffer.

(2) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the density and dimensional standards stipulated by

Exhibit 'C':
Development Standards

the Neighborhood Services (NS) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development of the *Subject Property*. All development shall also conform to the standards depicted in *Table 1*, which are as follows:

Table 1: Density and Dimensional Requirements

<i>Minimum Lot Width</i>	100'
<i>Minimum Lot Depth</i>	200'
<i>Minimum Lot Area</i>	1-Acre or 43,560 SF
<i>Minimum Front Yard Setback</i> ^{(1) & (2)}	30'
<i>Minimum Side Yard Setback</i>	10'
<i>Minimum Rear or Side Yard Setback (Adjacent to a Street)</i>	30'
<i>Minimum Rear Yard Setback</i> ⁽³⁾	10'
<i>Minimum Distance Between Buildings</i> ⁽⁴⁾	15'
<i>Maximum Building Height</i> ⁽⁵⁾	40'
<i>Maximum Lot Coverage</i>	40%
<i>Minimum Required Landscaping</i>	30%

General Notes:

- ¹: No more than one (1) full row of parking (*i.e. two [2] rows of parking with a drive aisle*) shall be allowed between the primary building façade and the right-of-way of FM-1141 and Quail Run Road.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁴: Zero (0) feet with a fire rated wall.
- ⁵: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

(3) *Architectural and Building Standards*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Neighborhood Services (NS) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development of the *Subject Property*.

(4) *Landscaping and Hardscape Standards*. Unless specifically provided by this Planned Development District ordinance, the landscape and hardscape standards stipulated by Article 05, *District Development Standards*, and Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) are applicable to all development of the *Subject Property*. In addition, the landscape buffer requirements for the development of the *Subject Property* shall be as follows:

- (a) *Landscape Buffer and Sidewalk (FM-1141 and Quail Run Road)*. A minimum of a 30-foot landscape buffer shall be provided along FM-1141 and Quail Run Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* undulating berm and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering/curvilinear six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (b) *Landscape Buffer and Sidewalk (North Country Lane and Panhandle Drive)*. A minimum of a ten (10) foot landscape buffer shall be provided along North Country Lane and Panhandle Drive (*outside of and beyond any required right-of-way*

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Development Standards

dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height of 30-inches. In addition, one (1) canopy tree and one (1) accent tree shall be planted per 50-feet of linear frontage. A five (5) foot trail shall be constructed within the ten (10) foot landscape buffer.

- (c) *Landscape Areas for the Remainder Lots on the Westside of Panhandle Drive and the Northside of N. Country Lane.* The remainder lots that will exist on the westside of Panhandle Drive and northside of N. Country Lane shall incorporate heavy landscaping adjacent to the residential properties to the north and west of these properties. At a minimum a berm and three (3) tiered screening (*i.e. [1] a row of small to mid-sized shrubs, [2] a row of large shrubs or accent trees or a combination thereof, and [3] a row of canopy trees on a minimum of 20-foot centers*) shall be provided in these areas.
- (5) *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.