

CITY OF ROCKWALL

ORDINANCE NO. 22-52

SPECIFIC USE PERMIT NO. S-287

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, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *GOLF DRIVING RANGE* ON A 7.955-ACRE TRACT OF LAND BEING A PORTION OF A LARGER 18.13-ACRE TRACT OF LAND AND A 12.868-ACRE TRACT OF LAND IDENTIFIED AS TRACT 22 & 22-2 OF THE R. IRVINE SURVEY, ABSTRACT NO 120, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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 request has been made by Renee Ward, PE of Weir & Associates on behalf of Conor Keilty, AIA of Structured REA-Rockwall Land, LLC for the approval of a Specific Use Permit (SUP) for a *Golf Driving Range* on a 7.955-acre parcel of land, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, being identified as a portion of a larger 18.13-acre tract of land and a 12.868-acre tract of land further identified as Tract 22 & 22-2 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, generally located near the terminus of Fit Sport Life Boulevard, and being more specifically described in *Exhibit 'A'* of this ordinance, which herein after 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 [*Ordinance No. 20-02*] 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 [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Golf Driving Range* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*; Subsection 04.05, *Commercial (C) District*; and Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development*

Standards, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Golf Driving Range* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *Golf Driving Range* shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and *Concept Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 2) The maximum height of the netting and support structures shall not exceed 200-feet and shall generally conform to *Exhibit 'D'* of this ordinance.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

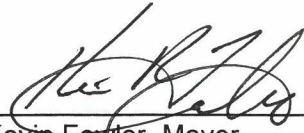
SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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 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, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

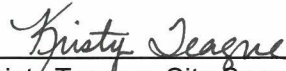
SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 3RD DAY OF OCTOBER, 2022.



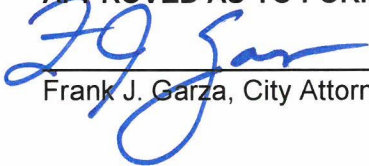
Kevin Fowler, Mayor

ATTEST:



Kristy Teague, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: September 19, 2022

2nd Reading: October 3, 2022

Exhibit 'A':
Legal Description

BEING A TRACT OF LAND LOCATED IN THE ROBERT BOYD IRVINE SURVEY, ABSTRACT NO. 120, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO STRUCTURED REA-ROCKWALL LAND, LLC, RECORDED IN INSTRUMENT NO. 20210000001622, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.C.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND, SAID IRON ROD BEING A NORTHEAST CORNER OF SAID STRUCTURED TRACT, THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO JOWERS, INC., RECORDED IN VOLUME 1215, PAGE 155, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.), AND IN THE WEST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO RUSTY WAWS FAMILY LIMITED, PARTNERSHIP #2. RECORDED IN VOLUME 4014, PAGE 173, D.R.R.C.T., FROM WHICH A 5/8" IRON ROD FOUND WITH A PINK CAP STAMPED "TXDOT" BEARS N 01'41'51" W, 384.88 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF SAID JOWERS TRACT AND THE NORTHWEST CORNER OF SAID RUSTY WALLIS TRACT;

THENCE S 01'41'51" E, ALONG AN EAST LINE OF SAID STRUCTURED TRACT AND THE WEST LINE OF SAID RUSTY WAWS TRACT, 390.33 FEET TO A POINT:

THENCE S 66'40'31" W, DEPARTING AN EAST LINE OF SAID STRUCTURED TRACT AND THE WEST LINE OF SAID RUSTY WAWS TRACT, 554.53 FEET TO A POINT;

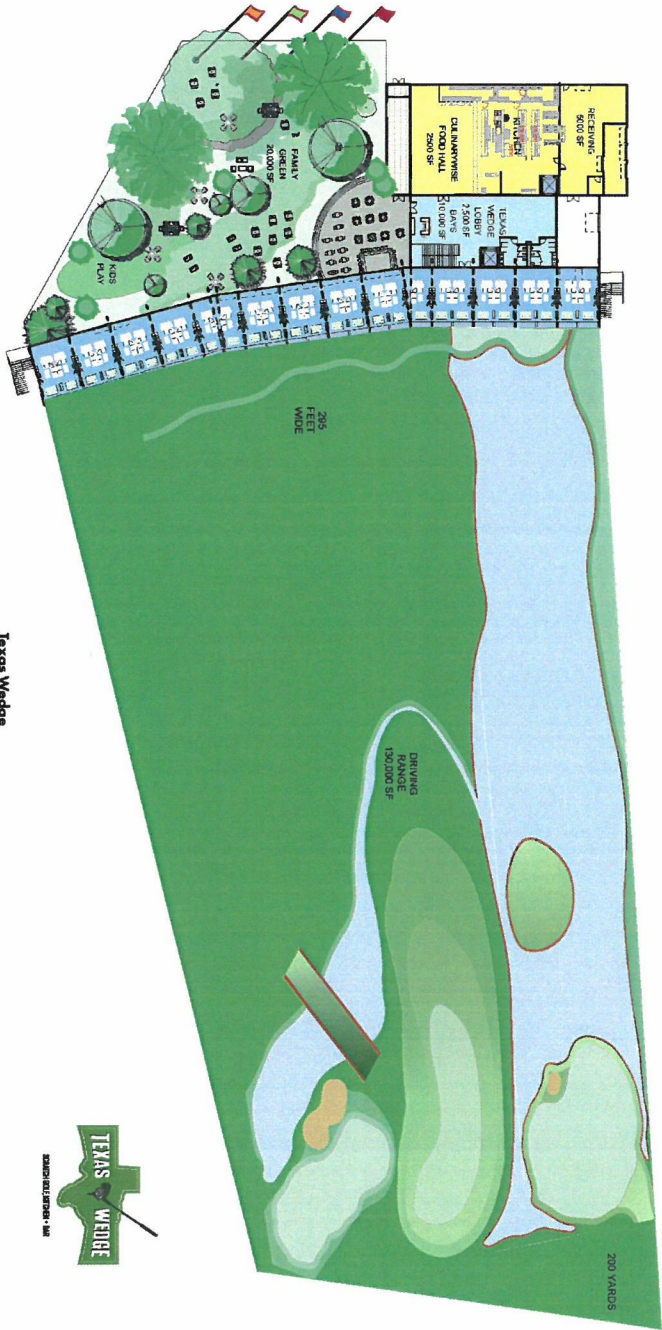
THENCE N 69'37'39" W, A DISTANCE OF 307.50 FEET TO A POINT, BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE NORTHWESTERLY, AN ARC LENGTH OF 3.78 FEET ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A DELTA ANGLE OF 10'50'27", AND A CHORD BEARING OF N 14'22'25" W, 3.78 FEET TO A POINT;

THENCE N 08'57'11" W, A DISTANCE OF 303.51 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND WITH A PINK CAP STAMPED "TXDOT" BEARS S 89'22'04" W, 996.58 FEET, SAID IRON ROD BEING THE NORTHWEST CORNER OF SAID STRUCTURED TRACT AND BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF CORPORATE CROSSING (VARIABLE WIDTH RIGHT-OF-WAY) WITH THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 30 (VARIABLE WIDTH RIGHT-OF-WAY):

THENCE N 76'34'05" E, AT A DISTANCE OF 316.84 FEET PASSING THE SOUTHWEST CORNER OF SAID JOWERS TRACT, AND CONTINUING ALONG THE SOUTH LINE OF SAID JOWERS TRACT AND A NORTH LINE OF SAID STRUCTURED TRACT A TOTAL DISTANCE OF 857.54 FEET TO THE PLACE OF BEGINNING AND CONTAINING 7.955 ACRES (346,532 SQUARE FEET) OF LAND, MORE OR LESS.

**Exhibit 'B':
Concept Plan**



20,000 Green Space

Central secure green space for families to gather. Outdoor entertainment and shaded trees provide a safe and relaxing environment for family gathering. Canopy covered raised bar for live music.

Texas Wedge

Texas Wedge has been designed to be an unforgettable experience for golf enthusiasts, amateurs, and families alike, focused on five-star guest service, the latest interactive golf technology and professional quality golf equipment. In each of the 81 bays, guests will swing Cleveland Wedges and drive Stron golf balls as they play their choice of 200 of the most famous golf courses from around the world, thanks to Track Master technology. In the driving range area, guests will have access to 3-5 signature holes from some of the most well-known PGA courses.

A true entertainment destination for families and adults alike, the fun doesn't stop at golf! The second floor of Texas Wedge will be home to 12 lanes of bowling, a full arcade and five party rooms, perfect for birthday parties, corporate events and more. Go up one more level and you'll find yourself in the Nodding Donkey Sports Saloon, a full-service bar and kitchen with two private rooms (The Bourbon Room & The Bubbly Room) exclusively for adults. Each room will have private bathrooms, a bar, a balcony and two golf bays. Texas Wedge has truly been designed to be the premiere entertainment destination for families and adults alike in beautiful Rockwell, TX.

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Exhibit 'B':
Concept Plan

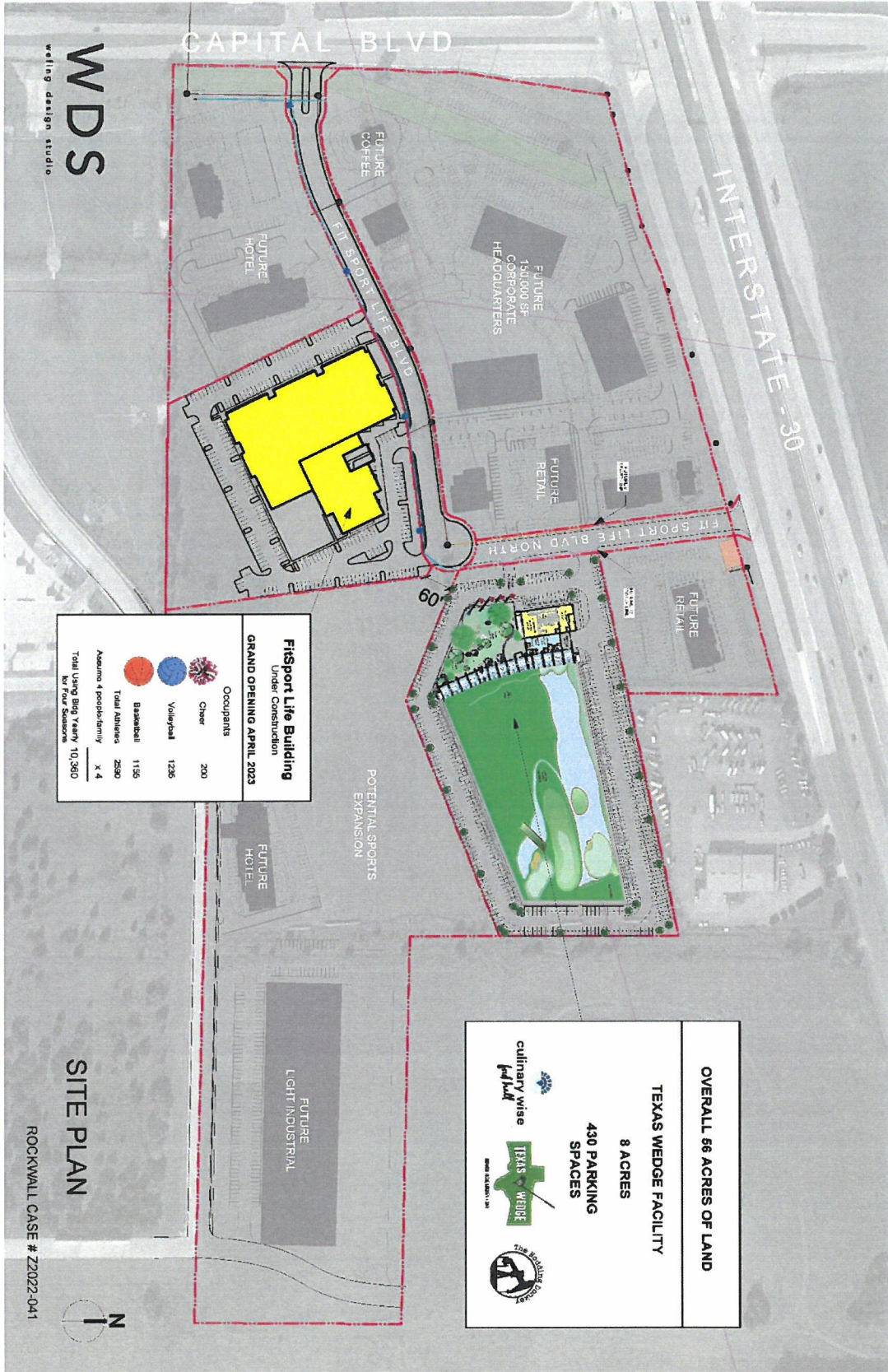
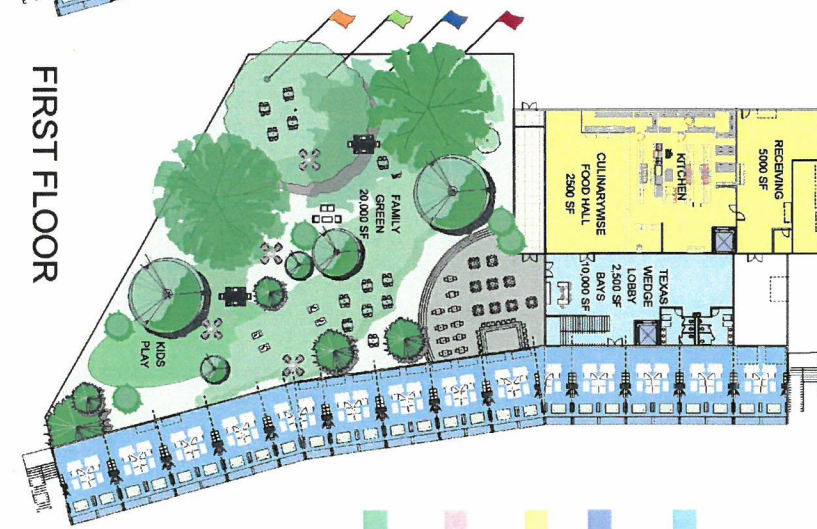
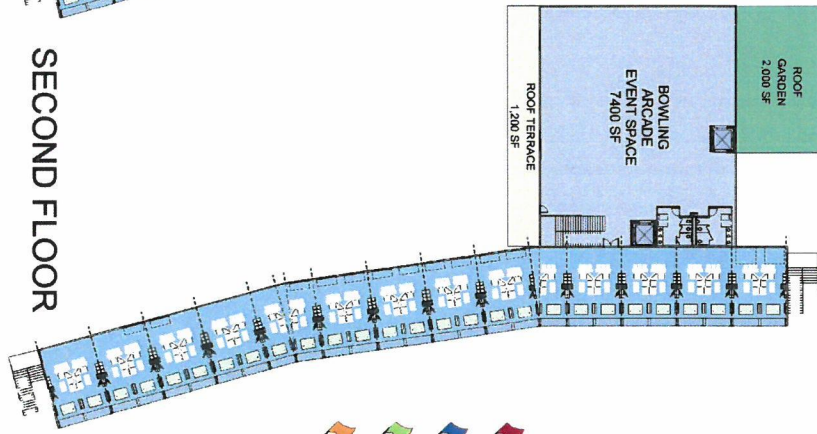
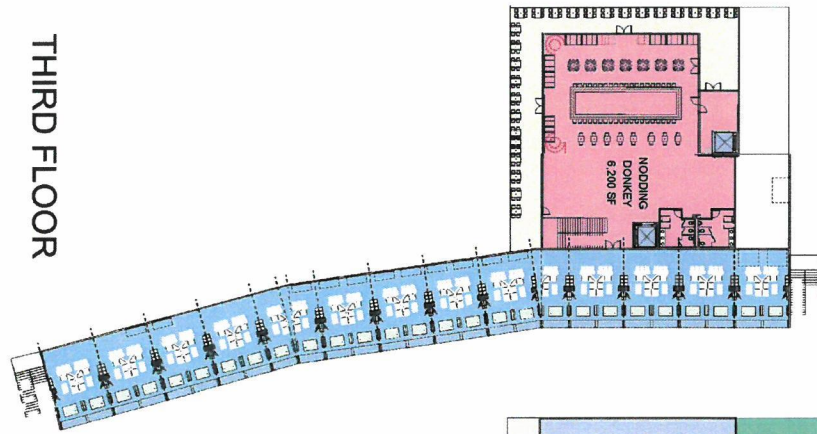


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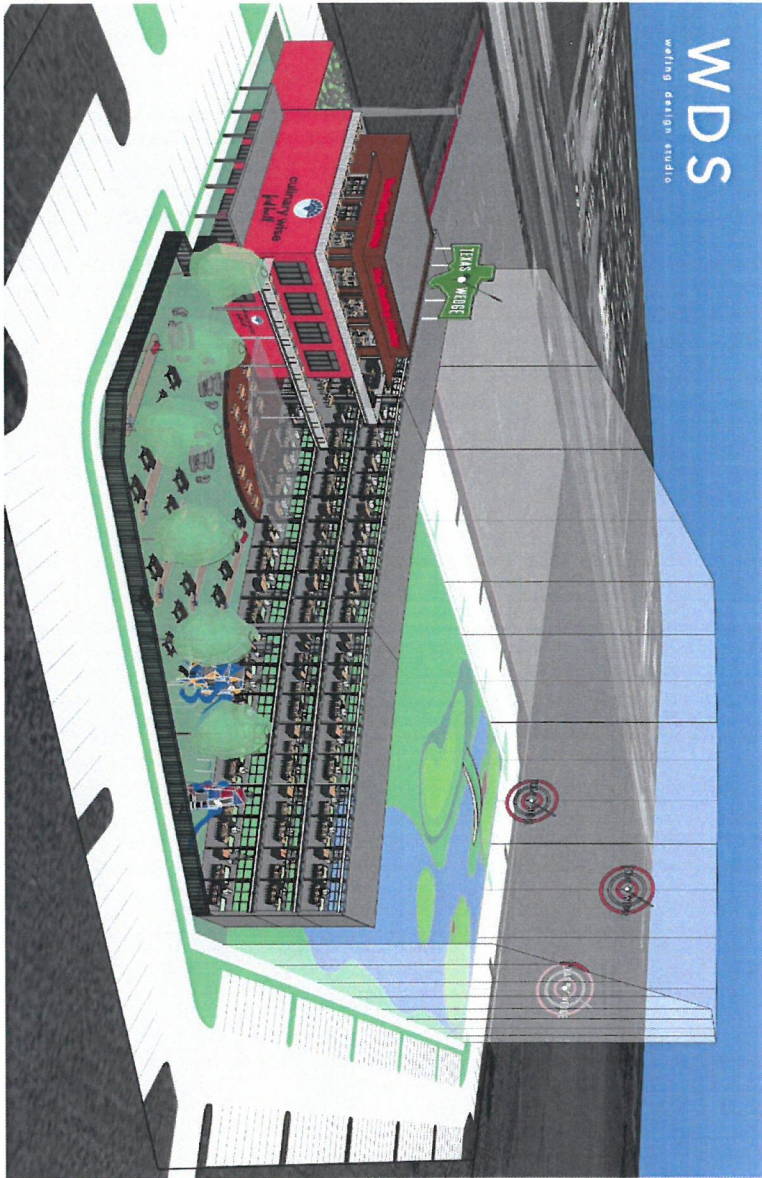
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	TEXAS WEDGE
	2,500 SF ENCLOSED
	30,000 SF OPEN AIR
	BOWLING/ARCADE
	7,400 SF ENCLOSED
	CULINARY WISE
	2,500 SF MARKET
	500 SF SERVICE
	NODDING DONKEY
	6,200 SF ENCLOSED
	2,000 SF OPEN AIR
	FAMILY GREEN
	20,000 SF OPEN AIR
TOTAL	
	22,500 SF ENCLOSED
	52,000 SF OPEN AIR

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Exhibit 'C': Concept Building Elevations



Culinary Wise Food Hall

As the parent company of our restaurant, Culinary Wise unites our concepts as one brand. The Culinary Wise Food Hall is a literal physical representation of that unity, with four of our most popular restaurant concepts under one roof, as well as a few offerings that have been served through our catering business for over 20 years. As the sole owner and operator of the food hall, unlike other food halls which rent space to individual restaurant owners, we'll have full oversight of the quality and consistency in both our offerings and our service. The food hall will have 2,500 sq ft of kitchen and entry space with 120 indoor seats and an indoor/outdoor bar that seats 12 on both sides. There will also be 80 seats outside along with a covered & gated playground for children aged 2-12 years.



The Nodding Donkey - Texas Sports Saloon, Scratch Kitchen

Opened in 2010, The Nodding Donkey quickly became the go-to sports saloon in Uptown Dallas. Our menu offerings for the Texas Wedge outpost of The Nodding Donkey will be a hybrid of the restaurant's tex-mex and game day favorites, along with share items including steaks, pork chops & pasta from sister restaurant State & Allen. Located on the third floor of Texas Wedge as part of the 15,000 sq ft foot print our design, The Nodding Donkey will have ample seating with 300+ seats inside, 200+ outside and 60 at the rectangular bar. With 60 TVs and a live concert venue sharing the 15,000 sq ft space, there will always be something to enjoy at The Nodding Donkey! Rockwall residents looking for a place to plan an event will also love our 5,000 sq ft private event hall overlooking the stage and outdoor bar. This larger space can also be rearranged into four 1,250 sq ft spaces to accommodate smaller parties.

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Texas Wedge

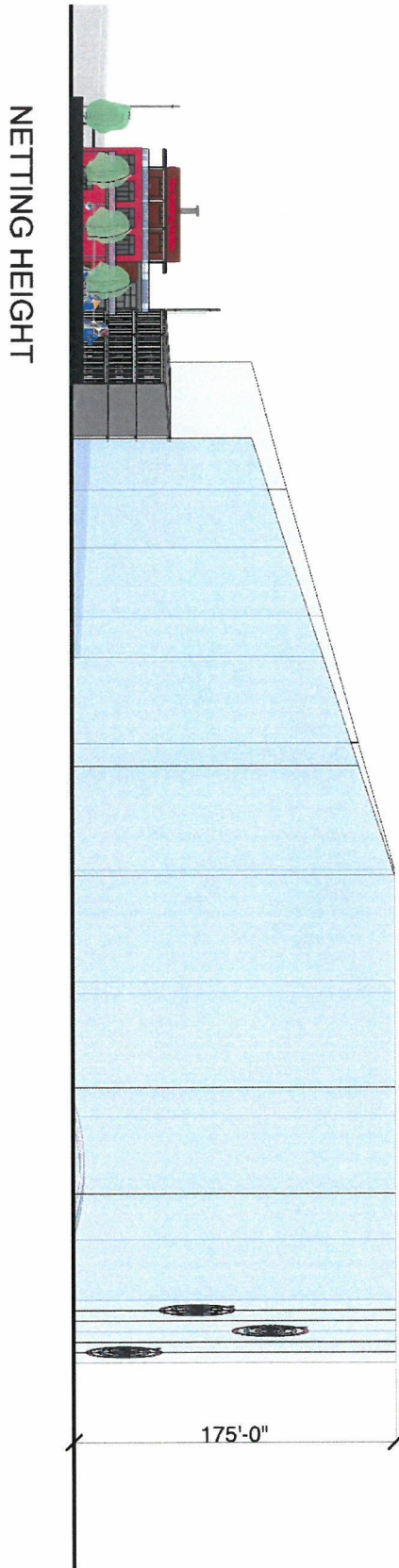
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Exhibit 'D':
Golf Netting Height



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