

CITY OF ROCKWALL

ORDINANCE NO. 24-48

SPECIFIC USE PERMIT NO. S-348

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESIDENCE HOTEL* ON A 2.819-ACRE PORTION OF A LARGER 4.767-ACRE PARCEL OF LAND IDENTIFIED AS LOT 6, BLOCK B, FIT SPORT LIFE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBITS 'A' AND 'B'* OF THIS ORDINANCE; 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 Renee Ward, PE of Weir & Associates, Inc. on behalf of Conor Keilty, AIA of Structured REA-Rockwall Land, LLC for the approval of a *Specific Use Permit (SUP)* for a *Residence Hotel* on a 2.819-acre portion of a larger 4.767-acre parcel of land identified as Lot 6, Block B, Fit Sport Life Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the FM-549 Overlay (FM-549 OV) District, generally located east of the intersection of FM-549 and Fit Sport Life Boulevard, and being more specifically described and depicted in *Exhibits 'A' and 'B'* 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 Unified Development Code (UDC) [*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 (UDC) [*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) for a *Residence Hotel* as stipulated by Subsection 01.02, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.01, *General Commercial District Standards*; Subsection 04.05, *Commercial (C) District*; Subsection 06.02, *General Overlay District Standards*; and, Subsection 06.13, *FM-549 Overlay District*, of Article 05, *District Development Standards*, of the Unified Development Code

(UDC) [Ordinance No. 20-02] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

## 2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Residence Hotel* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The development of this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this Specific Use Permit (SUP) ordinance for the development of a *Residence Hotel*.
- (2) The development of the subject property shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance; however, these elevations shall be subject to the *General Overlay District Standards* as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) and review and recommendation by the Architecture Review Board (ARB) prior to approval by the Planning and Zoning Commission at the time of site plan. In addition, the approval of this Specific Use Permit (SUP) shall not constitute the approval of a variance or exception to any of the standards stipulated by the Unified Development Code (UDC) with regard to the design of the *Residence Hotel*.
- (3) The maximum overall height of the building shall not exceed four (4)-stories or 60-feet.

## 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 compliance to the following:

- (1) Upon obtaining a *Certificate of Occupancy (CO)* and/or building permit, 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 Revision 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

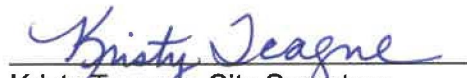
application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall 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 2<sup>ND</sup> DAY OF DECEMBER, 2024.**

  
Trace Johannesen, Mayor

**ATTEST:**

  
Kristy Teague, City Secretary



**APPROVED AS TO FORM:**

  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: November 18, 2024

2<sup>nd</sup> Reading: December 2, 2024

**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 Lot 6, Block B, Fit Sport Life Addition, an addition to the City of Rockwall, Rockwall County, Texas according to the plat recorded in Instrument No. 20220000003843, 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 ½" iron rod with cap stamped "Wier & Assoc Inc", in the south right-of-way line of Fit Sport Life Boulevard (a 60' right-of-way), said iron rod being the northeast corner of said Lot 6 and the northwest corner of Lot 5, Block B of said Fit Sport Life Addition;

*THENCE* S 27°18'10' E, departing the south right-of-way line of said Fit Sport Life Boulevard, along the east line of said Lot 6 and the west line of said Lot 5, a distance of 471.23 feet to a ½" iron rod found with a cap stamped "Wier & Assoc Inc", in the north line of Lot 1, Block B, Rockwall Technology Park Phase IV, an addition to the City of Rockwall, Rockwall County, Texas according to the plat recorded in Instrument No. 20160000023061, O.P.R.C.C.T., said iron being the southeast corner of said Lot 6 and the southwest corner of said Lot 5.

*THENCE* S 89°10'38' W, along the south line of said Lot 6 and the north line of said Lot 1, a distance of 410.08 feet to a point;

*THENCE* N 00°36'39' W, departing the south line of said Lot 6 and the north line of said Lot 1, a distance of 149.65 feet to a point, being the beginning of a curve to the left;

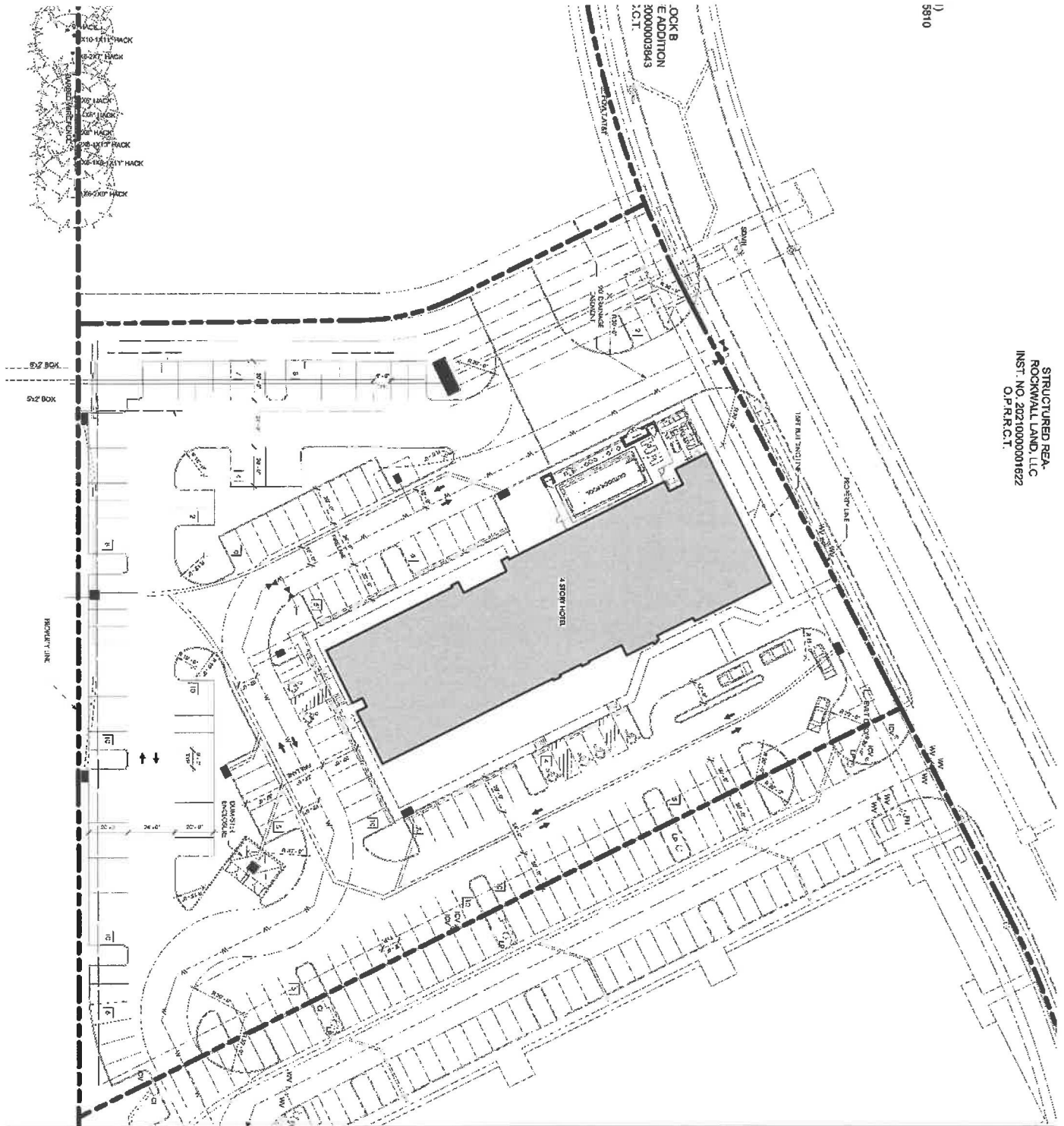
*THENCE* Northwesterly, an arc length of 48.96 feet along said curve to the left, having a radius of 110.00 feet, a delta angle of 25°30'11', and a chord bearing N 13°21'44' W, a distance of 48.56 feet to a point;

*THENCE* N 26°06'50' W, a distance of 109.76 feet to a point in the north line of said Lot 6 and in the south right-of-way line of said Fit Sport Life Boulevard, being the beginning of a non-tangent curve to the left;

*THENCE* Northeasterly, an arc length of 50.67 feet along the north line of said Lot 6, the south right-of-way line of said Fit Sport Life Boulevard, and said curve to the left, having a radius of 530.00 feet, a delta angle of 05°28'40', and a chord bearing of N 65°23'25' E, a distance of 50.65 feet to a ½" iron rod found with a cap stamped "Wier & Assoc Inc";

*THENCE* N 62°39'05' E, continuing along the north line of said Lot 6 and the south right-of-way line of said Fit Sport Life Boulevard, a distance of 235.27 feet to the place of beginning and containing 2.819 acres (122,785 square feet) of land, more or less.

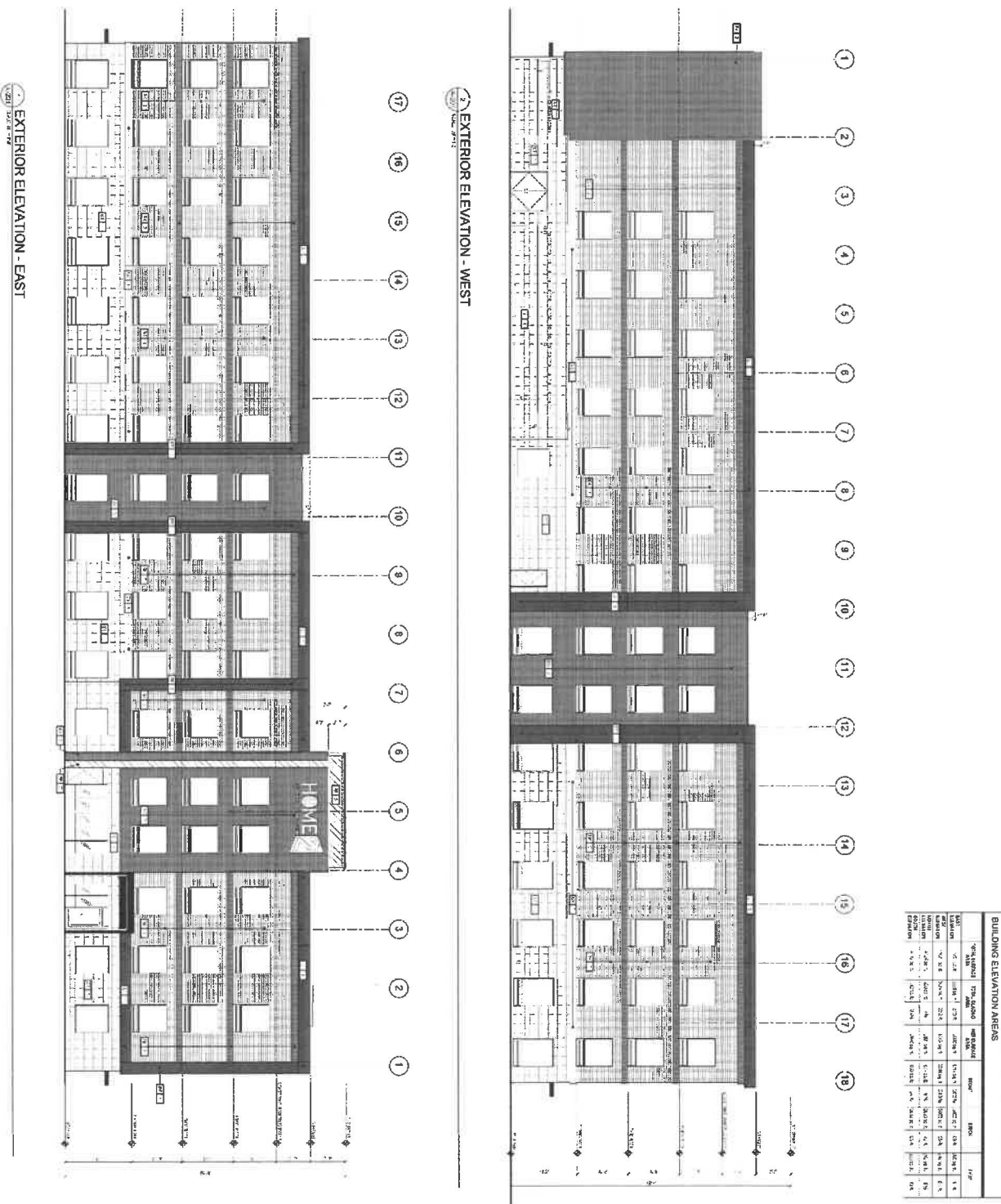
**Exhibit 'B'**  
**Concept Plan**



1)  
 5810

STRUCTURED REA-  
 ROCKWALL LAND, LLC  
 INST. NO. 2021000001622  
 O.P.R.R.C.T.

# Exhibit 'C': Building Elevations



# Exhibit 'C': Building Elevations

**TRASH ENCLOSURE PLAN**

**TRASH ENCLOSURE ELEVATION**

**TRASH ENCLOSURE SECTION**

**EXTERIOR ELEVATION - NORTH**

**EXTERIOR ELEVATION - SOUTH**

BUILDING ELEVATION AREAS										
AREA	FINISH	DESCRIPTION	LOCATION	DATE	BY	CHKD	APP	DATE	BY	CHKD
1	1	1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4	4	4
5	5	5	5	5	5	5	5	5	5	5
6	6	6	6	6	6	6	6	6	6	6
7	7	7	7	7	7	7	7	7	7	7
8	8	8	8	8	8	8	8	8	8	8
9	9	9	9	9	9	9	9	9	9	9
10	10	10	10	10	10	10	10	10	10	10

**FINISH KEY**

**APPROXIMATE ELEMENTS IDENTIFIED FOR FINISH IDENTIFICATION**

**DETAILS TO BE SHOWN**

**NOTES**