

CITY OF ROCKWALL

ORDINANCE NO. 08-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR A RESTAURANT WITH A DRIVE-THRU AND DRIVE-IN WITHIN THE (GR) GENERAL RETAIL DISTRICT, ON A TRACT OF LAND KNOWN AS LOT 3, BLOCK A, HILLCREST CENTER ADDITION AND MORE SPECIFICALLY DESCRIBED HEREIN IN 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 Specific Use Permit for a restaurant with a drive-thru and drive-in within the (GR) General Retail District has been requested by David Reynolds of SRI Real Estate Properties, LLC on the property known as Lot 3, Block A, Hillcrest Center Addition, more specifically described herein in 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, 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit allowing for a restaurant with a drive-thru and drive-in within the (GR) General Retail District on the property known as Lot 3, Block A, Hillcrest Center Addition and more specifically described herein in as Exhibit "A"; and

**Section 2.** That the Specific Use Permit shall be subject to the conditions set forth in **Article V, Section 4.4, General Retail District** of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended and as may be amended in the future, and shall be subject to the following additional conditions:

1. Adherence to the approved site plan (Exhibit "B"), landscape plan (Exhibit "C"), and building elevations (Exhibit "D").
2. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

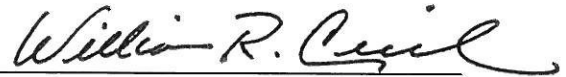
**Section 3.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**Section 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 No. 04-38 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 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 May, 2008.**




William R. Cecil, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Ashberry, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Pete Eckert, City Attorney

1st Reading: 04-21-08

2nd Reading: 05-05-08





NO.	DATE	REVISIONS

**GENERAL NOTES:**

- ALL DIMENSIONS AT CORNERS ARE TO FACE OF CURB OR IN LINE CENTERLINE NOTED.
- PROPOSED UTILITIES ARE SHOWN IN SECTION 2500. VERIFY ALL UTILITIES WITH THE UTILITY COMPANIES. THE MOST ECONOMICAL AND PRACTICAL INSTALLATION SHALL BE USED.
- THE CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES TO DETERMINE THE EXACT LOCATION OF ALL UTILITIES. PROVIDE THE NECESSARY PERMITS AND EXPOSURE LOCATIONS, RIGS AND CIRCUITS. PROVIDE THE NECESSARY PERMITS AND EXPOSURE LOCATIONS, RIGS AND CIRCUITS.
- LOCATION OF PUMP/STORAGE TANKS AND BENTERS / DEPTH OF TRENCHES SHALL BE DETERMINED BY THE CONTRACTOR.
- ALL LANDSCAPE AREAS SHALL BE ROUGH GRADED TO A MINIMUM OF 2% SLOPE. ALL GRASS AND CURBS TO BE 2" BELOW THE FINISH GRADE OF THE DRIVE OR CURB.

**SITE PLAN KEYNOTES**

ITEM	NOTE
①	TRAFFIC FLOW ARROWS (TYPICAL WITH SIGNALS)
②	TRAFFIC SIGNALS (TYPICAL WITH SIGNALS)
③	TOTAL TRAILER ENCLOSURE (SEE SCHEDULE)
④	CORNER MARKS (TYPICAL WITH SIGNALS)
⑤	IF "T" MARK ENCLOSED, REFER TO SCHEDULE
⑥	IRREGULAR MARKS (SEE SCHEDULE)
⑦	UNDERGROUND GAS LINE
⑧	UNDERGROUND ELECTRICAL LINE
⑨	UNDERGROUND WATER LINE (W/1" PITCH)
⑩	UNDERGROUND TELEPHONE LINE
⑪	UNDERGROUND SLOPE FOR PRODUCTION
⑫	CONCRETE BOARD AND DETECTOR LOOP
⑬	CONCRETE DRIVE BUILD IN ACCORDANCE WITH CITY PLAN (SEE SHEET C-1)
⑭	CONCRETE DRIVE BUILD IN ACCORDANCE WITH CITY PLAN (SEE SHEET C-1)
⑮	CONCRETE DRIVE BUILD IN ACCORDANCE WITH CITY PLAN (SEE SHEET C-1)
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**LEGAL DESCRIPTION**

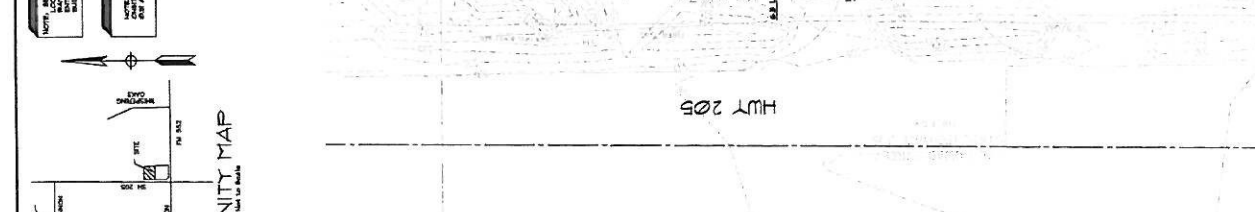
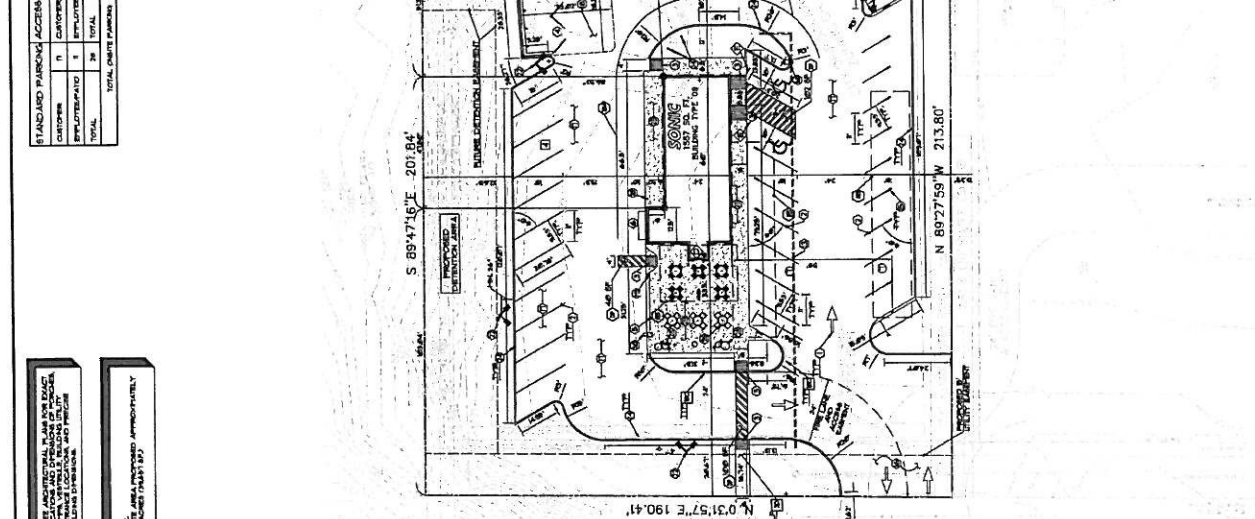
Block 1, Lot 1, Block A of the City of Wichita, Kansas, owned by Sonic Corporation. The area is bounded by the intersection of the centerline of Sonic Drive North and the centerline of Highway 205.

**ENCLOSURE**

The enclosed area is for the proposed Sonic Drive North. The area is bounded by the intersection of the centerline of Sonic Drive North and the centerline of Highway 205.

**ADDITIONAL NOTES:**

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**STANDARD PARKING ACCESSIBLE PARKING**

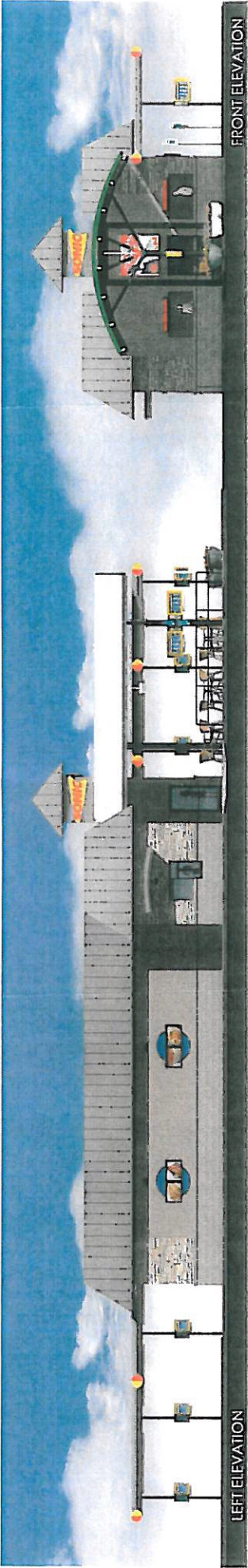
CATEGORIES	N	D	F	TOTAL
CARSPACES	1	1	1	3
EMPLOYEES/PATIO	1	1	1	3
TOTAL	2	2	2	6
TOTAL CARSPACES	3	3	3	9
TOTAL CARSPACES	3	3	3	9

**NOTES:**

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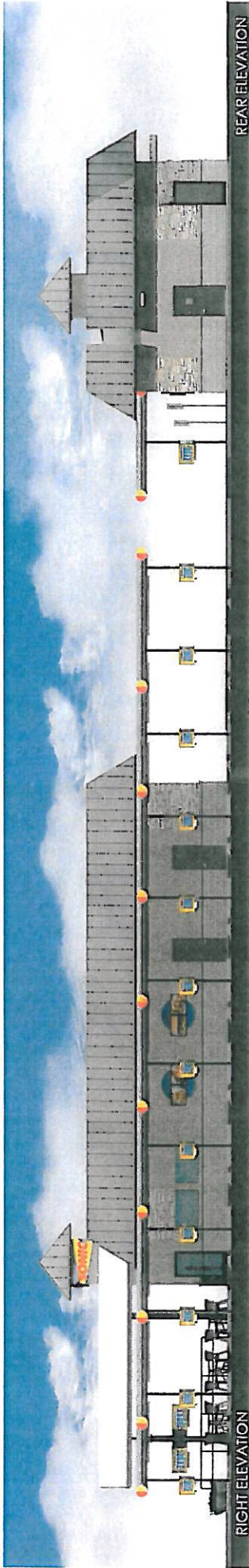






FRONT ELEVATION

LEFT ELEVATION



REAR ELEVATION

RIGHT ELEVATION



Material Percentages  
 Stone = 20%  
 Block = 30%  
 Stucco = 50%

BUILDING ELEVATIONS FOR  
**ROCKWALL, TX**

# Advertising Receipt

**MET PUBLISHING, INC.**

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ROCKWALL, CITY OF- Kristy Ashb  
KRISTY ASHBERRY  
385 SOUTH GOLIAD  
ROCKWALL , TX 75087

**Acct #:** 01100978  
**Ad #:** 00009254  
**Phone:** (972)771-7700  
**Date:** 03/20/2008  
**Ad taker:** 11      **Salesperson:** 6

Sort Line: LG#969685

Classification 001

Description	Total
02 ROCKWALL COUNTY NEWS 03/27/2008	72.00

**Total:** 72.00  
**Tax:** 0.00  
**Net:** 72.00  
**Prepaid:** 0.00

**Total Due:** 72.00

# PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared William Jordan, who being by me duly sworn deposes and says that he is the Publisher of *The Rockwall County News* and the said newspaper meets the requirements of section 2051.044 of the Texas Government Code to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published;
4. it has been published regularly and continuously since 1985; and
5. it is generally circulated within Kaufman County.

Publisher further deposes and says that the attached notice was published in said news paper on the following date (s) to wit:

March 27 A.D.

William Jordan

William Jordan  
Editor and Publisher

## SUSCRIBED AND SWORN BEFORE ME

By William Jordan who

- a) is personally known to me, or  
 b) provided the following evidence to establish his/her identity.

on the 27th day of March, A.D. 2008  
to certify which witness my hand and seal of office.

Patricia A. Shaw

Notary Public, State of Texas

### - Public Notice -

The City of Rockwall Planning and Zoning Commission will hold a public hearing on **Tuesday, April 8, 2008** at 6:00 p.m. in the Council Chambers at Rockwall City Hall, 385 South Goliad, Rockwall, Texas, and the Rockwall City Council will hold a public hearing on **Monday April 21, 2008** at 6:00 p.m. in the Council Chambers at Rockwall City Hall, 385 South Goliad, Rockwall, Texas, to consider the following item:

#### **Z2008-005: SUP for Restaurant w/ Drive-Thru (Sonic)**

Hold a public hearing and consider a request by David Reynolds of SRI Real Estate Properties, LLC, for approval of a Specific Use Permit (SUP) to allow for a "restaurant w/ drive-thru or drive-in" within the (GR) General Retail district, specifically for a Sonic Restaurant proposed to be located on Lot 3, Block A, Hillcrest Center Addition, being a 0.91-acre tract situated within the North SH 205 Corridor Overlay district and located at the north east corner of FM 552 and SH 205, and take any action necessary.

**All interested parties are encouraged to attend. Please contact the City of Rockwall Planning and Zoning staff at (972) 771-7745 with any questions.**

