

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 13-09
SUP NO. 104

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 (SUP) TO ALLOW FOR A RETAIL OUTLET WHERE GASOLINE PRODUCTS ARE SOLD AS AN ACCESSORY TO A RETAIL USE, AS STIPULATED BY THE UNIFIED DEVELOPMENT CODE (UDC), SEC. 6.8 SCENIC OVERLAY (SOV) DISTRICT AND ZONED (C) COMMERCIAL DISTRICT, ON A 2.46-ACRE TRACT OF LAND SITUATED IN THE WOODS AT ROCKWALL ADDITION AND MORE SPECIFICALLY SHOWN IN 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, a Specific Use Permit (SUP) to allow for a retail outlet where gasoline products are sold as an accessory to a retail use, as stipulated by the Unified Development Code (UDC), Sec. 6.8 Scenic Overlay (SOV) District and zoned (C) Commercial District, has been requested by Kevin Patel of The Dimension Group, on a 2.46-acre tract proposed to be replatted as Lot 2, Block A, Woods at Rockwall Addition, situated at the southeast corner of Ridge Road and Yellow Jacket Lane, and more specifically shown in 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 (SUP) to allow for a retail outlet where gasoline products are sold as an accessory to a retail use, as stipulated by the Unified Development Code (UDC), Sec. 6.8 Scenic Overlay (SOV) District and zoned (C) Commercial District, on a 2.46-acre tract proposed to be replatted as Lot 2, Block A, Woods at Rockwall Addition, situated at the southeast corner of Ridge Road and Yellow Jacket Lane, and more specifically shown in Exhibit "A"; and

Section 2. That the Specific Use Permit shall be subject to the conditions set forth in **Article V, Section 4.5, Commercial District** and **Section 6.8, Scenic Overlay (SOV) 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 additional following additions:

1. That the development shall strictly adhere to the proposed site plan attached hereto as (Exhibit "A") with gas canopy limited to nine (9) pumps and described

hereto as (Exhibit "B").

2. That an application for a replat of the Woods at Rockwall Addition be submitted and approved prior to issuance of a building permit.
3. No outside display of merchandise or outside storage shall be allowed on the property, with the exception of the following items as indicated on the approved site plan: ice machine, propane cage and DVD rental kiosk.
4. Adherence to all engineering and fire department requirements.

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

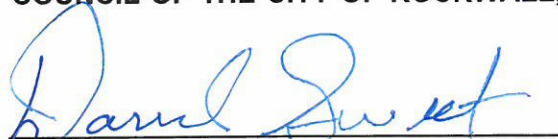
Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

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, 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 7. 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 15th day of April, 2013.


David Sweet, Mayor

ATTEST:


Kristy Ashberry, City Secretary

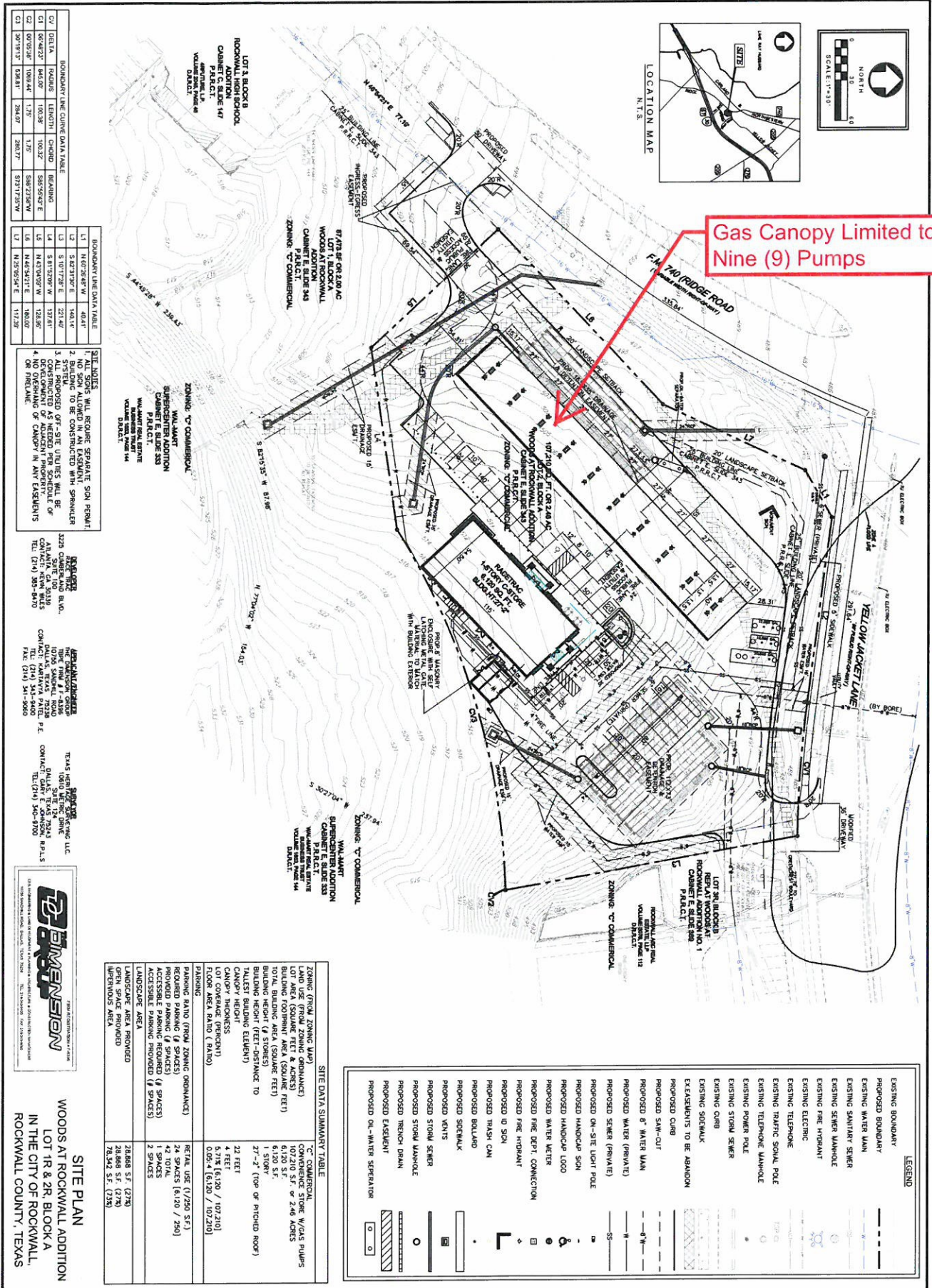
APPROVED AS TO FORM:


Frank Garza, Interim City Attorney

1st Reading: 04-01-13

2nd Reading: 04-15-13





Gas Canopy Limited to Nine (9) Pumps

BOUNDARY LINE CURVE DATA TABLE

CV	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	06°42'37"	646.07	106.37	106.37	S89°59'42"E
C2	00°59'39"	1064.44	1.75	1.75	S89°23'56"W
C3	30°19'13"	638.81	284.97	284.77	S37°17'35"W

BOUNDARY LINE DATA TABLE

L1	N1	S1	E1	S2	E2
L1	N1	S1	E1	S2	E2
464.1	146.1	231.49	131.61	128.97	117.29

SITE NOTES

1. ALL SONS WILL REQUIRE SEPARATE SON PERMIT
2. BUILDING TO BE CONSTRUCTED WITH SPINNER
3. ALL PROPOSED OFF-SITE UTILITIES WILL BE CONSTRUCTED AS NEEDED PER SCHEDULE OF NO OCS/SHANE OF CANOPY IN ANY ELEMENTS OR PRELIM.

PREPARED BY:
 2222 CHAMBERLAIN BLVD.
 ARLINGTON, TX 76010
 CONTACT: KARIYVA PATEL, P.E.
 TEL: (817) 589-5919
 FAX: (817) 541-9600

DESIGNED BY:
 10755 SWANWICK ROAD
 DALLAS, TEXAS 75243
 CONTACT: JOE JOHNSON, P.E.
 TEL: (214) 341-9600

TECHNICAL REVIEW:
 10810 BEYOND DRIVE
 DALLAS, TEXAS 75243
 CONTACT: JOE JOHNSON, P.E.
 TEL: (214) 341-9600



SITE PLAN
 WOODS AT ROCKWALL ADDITION
 LOT 1R & 2R, BLOCK A
 IN THE CITY OF ROCKWALL,
 ROCKWALL COUNTY, TEXAS

SITE DATA SUMMARY TABLE

ZONING (FROM ZONING MAP)	"C" COMMERCIAL
LAND USE (FROM ZONING ORDINANCE)	CONVENIENCE STORE W/ GAS PUMPS
LOT AREA (SQUARE FEET & ACRES)	107,210 SF, OR 2.46 ACRES
TOTAL BUILDING AREA (SQUARE FEET)	6,120 SF
BUILDING HEIGHT (# STORES)	1 STORY
BUILDING HEIGHT (FEET-DISTANCE TO TALLEST BUILDING ELEMENT)	27'-2" (TOP OF PITCHED ROOF)
LOT COVERAGE (PERCENT)	22 FEET
FLOOR AREA RATIO (FAR)	5.71% (6,120 / 107,210)
PARKING RATIO (FROM ZONING ORDINANCE)	RETAIL USE (1/250 S.F.)
REQUIRED PARKING (# SPACES)	24 SPACES (6,120 / 250)
PROPOSED PARKING (# SPACES)	42 TOTAL
ACCESSIBLE PARKING PROVIDED (# SPACES)	2 SPACES
LANDSCAPE AREA PROVIDED	28,868 SF (27%)
OPEN SPACE PROVIDED	28,868 SF (27%)
UPPERVISED AREA	78,342 SF (73%)

LEGEND

- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- EXISTING WATER MAIN
- EXISTING SANITARY SEWER
- EXISTING SEWER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING ELECTRIC
- EXISTING TELEPHONE
- EXISTING TELEPHONE SIGNAL POLE
- EXISTING TELEPHONE MANHOLE
- EXISTING POWER POLE
- EXISTING STORM SEWER
- EXISTING CURB
- EXISTING SIDEWALK
- EXHIBITIONS TO BE ABANDON
- PROPOSED CURB
- PROPOSED SAW-CUT
- PROPOSED WATER MAIN
- PROPOSED WATER (PRIVATE)
- PROPOSED SEWER (PRIVATE)
- PROPOSED ON-SITE LIGHT POLE
- PROPOSED HANDICAP SIGN
- PROPOSED HANDICAP LOOP
- PROPOSED WATER METER
- PROPOSED FINE DEPT. CONNECTION
- PROPOSED FINE HYDRANT
- PROPOSED IR SIGN
- PROPOSED TRASH CAN
- PROPOSED BOLLARD
- PROPOSED SIDEWALK
- PROPOSED VENTS
- PROPOSED STORM SEWER
- PROPOSED STORM MANHOLE
- PROPOSED TRENCH DEKAN
- PROPOSED EXHIBENT
- PROPOSED OIL-WATER SEPARATOR

SHEET NO. REV. 1 1	SITE PLAN RACETRAC SERVICE STATION 2205 RIDGE ROAD ROCKWALL, TEXAS	 RACETRAC PETROLEUM, INC. 300 TECHNOLOGY COURT SMYRNA, GEORGIA 30082 (770) 431-7600	 JOE JOHNSON, P.E. 10755 SWANWICK ROAD DALLAS, TEXAS 75243 (214) 341-9600	No. 1 1st SITE PLAN SUBMITTAL No. 2 2nd SITE PLAN SUBMITTAL	DATE 11/19/2013 12/20/2013
				RACETRAC - 2205 RIDGE ROAD, ROCKWALL, TEXAS - TDC JOB No. 13128	

Exhibit "B"

Property Description (Proposed Lot)

Being a portion of Lots 1 and 2, Block A of THE WOODS AT ROCKWALL ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet E, Slide 343, Plat Records, Rockwall County, Texas and being more particularly described by metes and bounds as follows:

Beginning at an "X" set in the South right-of-way line of Yellowjacket Lane (90 foot public right-of-way), said point being the Northwest corner of Lot 3R, Block B of REPLAT WOODS AT ROCKWALL ADDITION NO. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Slide 389 of the Plat Records of Rockwall County, Texas, same being the Northeast corner of said Lot 2, same being the Northeast corner of herein described tract;

Thence South 10 Degrees 17 Minutes 28 Seconds East, along the West line of said Lot 3R, a distance of 221.40 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS", said point being the Southwest corner of said Lot 3R, same being the Northwest corner of Wal-Mart Supercenter Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet E, Slide 333 of the Plat Records of Rockwall County, Texas, and being the beginning of a non-tangent curve to the right;

Thence, in a westerly direction, departing the Southwest corner of said Lot 3R and the Northwest corner of said Wal-Mart Supercenter Addition, traversing through said Lot 2, and along said curve to the right, through a central angle of 00°07'47", a radius of 772.78 feet, a chord bearing and distance of South 88°23'25" West, 1.75 feet and an arc length of 1.75 feet to a point for corner, said point being the beginning of a curve to the left;

Thence, in a westerly and southwesterly direction, traversing through said Lot 2 and crossing into said Lot 1, along said curve to the left, through a central angle of 30°19'13", a radius of 536.81 feet, a chord bearing and distance of South 73°17' 35" West, 280.77 feet, and an arc length of 284.07 feet to a point for corner in said Lot 1;

Thence South 81 Degrees 52 Minutes 09 Seconds West, traversing through said Lot 1, a distance of 137.61 feet to a point for corner, said point being the Southwest corner of herein described tract;

Thence North 43 Degrees 04 Minutes 09 Seconds West, a distance of 128.96 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS" in the Southeast right-of-way line of F.M. 740 (variable width public right-of-way), said point being in the Northwest line of said Lot 1, same being the West corner of herein described tract;

Thence North 46 Degrees 54 Minutes 21 Seconds East, along the Southeast right-of-way line of said F.M. 740, a distance of 180.00 feet to a TXDOT Monument found for

corner, said point being the North corner of said Lot 1, same being the West corner of said Lot 2;

Thence North 25 Degrees 05 Minutes 54 Seconds East, continuing along the Southeast right-of-way line of said F.M. 740, a distance of 117.39 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS" at the intersection of the Southeast right-of-way line of said F.M. 740 and the South right-of-way line of said Yellowjacket Lane, said point being the Northwest corner of said Lot 2, and being the Northwest corner of herein described tract;

Thence North 60 Degrees 26 Minutes 48 Seconds East, along the South right-of-way line of said Yellowjacket Lane, a distance of 40.41 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS";

Thence South 82 Degrees 31 Minutes 30 Seconds East, continuing along the South right-of-way line of said Yellowjacket Lane, a distance of 140.14 feet to a 1/2 inch iron rod set for corner with a yellow cap stamped "TXHS", said point being the beginning of a curve to the left;

Thence, continuing along the South right-of-way line of said Yellowjacket Lane, and along said curve to the left, through a central angle of 6°48'23", a radius of 845.00 feet, a chord bearing and distance of South 85°55'43" East, 100.32 feet and an arc length of 100.38 feet to the POINT OF BEGINNING and containing 107,210 square feet or 2.46 acres of land.