

CITY OF ROCKWALL

ORDINANCE NO. 07-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM CENTRAL BUSINESS (CBD) DISTRICT, GENERAL RETAIL (GR) DISTRICT, SINGLE FAMILY RESIDENTIAL (SF-7) DISTRICT, NEIGHBORHOOD SERVICES (NS) DISTRICT, MULTI-FAMILY RESIDENTIAL (MF-14) DISTRICT, PLANNED DEVELOPMENT NO. 50 (PD-50) DISTRICT, AND PLANNED DEVELOPMENT NO. 55 (PD-55) DISTRICT, TO DOWNTOWN (DT) DISTRICT IN ACCORDANCE WITH THE CITY'S APPROVED DOWNTOWN PLAN, ON LAND CONTAINING APPROXIMATELY 69.84-ACRES, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; 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 zoning change from Central Business (CBD) District, General Retail (GR) District, Single Family Residential (SF-7) District, Neighborhood Services (NS) District, Multi-Family Residential (MF-14) District, Planned Development No. 50 (PD-50) District, and Planned Development No. 55 (PD-55) District, to Downtown (DT) District in accordance with the City's approved Downtown Plan, has been initiated by the City of Rockwall on approximately 69.84-acres, and more specifically described herein 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, and 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 (Ord. No. 04-38) of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning from Central Business (CBD) District, General Retail (GR) District, Single Family Residential (SF-7) District, Neighborhood Services (NS) District, Multi-Family Residential (MF-14) District, Planned Development No. 50 (PD-50) District, and Planned Development No. 55 (PD-55) District, to Downtown (DT) District in accordance with the City's approved Downtown Plan, on approximately 69.84-acres more specifically described herein as Exhibit "A"; and

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in **Article V, Section 4.8, Downtown (DT) District** of the Unified Development Code of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

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

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 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 all ordinances of the City of Rockwall in conflict with the provisions of this be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with 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 and the publication of the caption of said ordinance as the law in such cases provides.

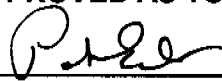
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 4th day of September, 2007.

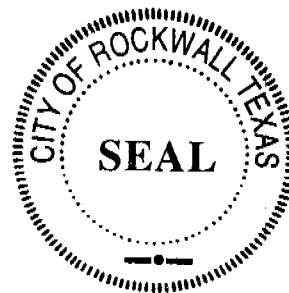

William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, TRMC, CMC, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney



1st Reading: 08-20-07

2nd Reading: 09-04-07

EXHIBIT "A"
DOWNTOWN REGULATING PLAN – BOUNDARY DESCRIPTION

BEING approximately 69.84 acres of land located in the downtown area of the City of Rockwall, Rockwall County, Texas to be known as the Downtown Regulating Plan Boundary and being more particularly described as follows:

BEGINNING at a point in the northwest corner of Block 4, Lot 1 of the Griffith Addition, also known as the City of Rockwall Lofland Park;

THENCE following along west property line of said Lofland Park in a southerly direction, 154.44 feet for a corner;

THENCE easterly, following along south property line of said Lofland Park, 98.78 feet for a corner;

THENCE southerly 797.32 feet along the west right of way of San Augustine Street to a point lying in the south right of way of east Washington Street;

THENCE easterly along said right of way, 87.02 feet to a point in the northeast corner of Block 8, Lot E, of the Griffith Addition;

THENCE southerly following property lines, 220.99 feet to a point in the southwest corner of Block 8, Lot Ff, of the Griffith Addition;

THENCE westerly 22.77 feet for a point in the northeast corner of Block 8, Lot A, and D, of the Griffith Addition;

THENCE southerly following property lines, 192.25 feet to a point in the south right of way of Denison Street;

THENCE westerly 367.00 feet following the south right of way line of Denison Street for a corner;

THENCE northerly 84.73 feet following the west right of way line of S. Fannin Street for a corner;

THENCE westerly 198.20 feet along the north property line of Block 82 of B F Boydston, .30 ac, also known as 306 S. Fannin Street;

THENCE southerly 81.55 feet along the west property line of said 306 S. Fannin Street;

THENCE easterly 183.34 feet along the south property line of said 306 S. Fannin Street;

THENCE southerly 121.17 feet along the west property line of Block H, West Part of Lot 1, 2, 3, of the Eppstein Addition, .23 ac, also known as 308 S. Fannin Street;

THENCE easterly 141.50 feet along the south property line of said 308 S. Fannin Street and 310 S. Fannin Street continuing to a point in the west right of way line of S. Fannin Street;

THENCE southerly 691.94 feet following the west right of way of S. Fannin Street, to the northeast corner of Block A, Lot 1 of the W.E. Campbell Addition. Point also known as the southwest right of way intersection of Storrs Street and S. Fannin Street;

THENCE westerly 584.44 feet along the south right of way of Storrs Street, to a point at the northeast right of way intersection of Storrs Street and Goliad Street;

THENCE westerly 360.28 feet along property lines to a point in the southwest corner of a 0.69 acre lot of the Rocco Villa Addition;

THENCE northerly 202.65 feet to a point lying on the north right of way line of Lake Meadows Drive;

THENCE westerly along said right of way line 34.78 feet for a corner;

EXHIBIT "A"

DOWNTOWN REGULATING PLAN - BOUNDARY DESCRIPTION

THENCE northerly 185.46 feet to a point lying in the north boundary line of the Rocco Villa Addition;

THENCE easterly 18.17 feet along said boundary line, to the southwest corner of Lot 1R-A of the Cain Properties #1 Addition;

THENCE northerly following property lines 452.75 feet to the northwest corner of Lot 1r of the Cain Properties #1 Addition;

THENCE westerly along Cemetery property line 401.89 feet for a corner;

THENCE northerly along west property line of Block A, Lot 4 (.230 ac) of the Lowe and Allen Addition, 173.68 feet for a corner;

THENCE westerly along property lines 460.22 feet for a point;

THENCE northerly along property lines 199.95 feet to a point lying on the south right of way of west Washington Street;

THENCE westerly along said south right of way line 267.99 feet to a point;

THENCE north-easterly crossing Washington Street 132.50 feet to the northwest corner of Block 13, Lot 18 of the Lowe and Allen Addition. Point also known as the south right of way of west Rusk Street;

THENCE north-easterly along said right of way line 451.12 feet to the southeast right of way intersection of Second Street and west Rusk Street;

THENCE northerly along property lines 274.23 feet to the southeast right of way intersection of Second Street and west Kaufman Street;

THENCE easterly along south right of way line of Kaufman Street 425.66 feet to a corner, also being the southwest right of way intersection of West Street and west Kaufman Street;

THENCE northerly along a projected line of the west right of way of West Street 463.71 feet to a point;

THENCE easterly 325.55 feet to a point of intersection between Block 17, Lot 15 of the Amick Addition and the future east right of way line of the southbound State Highway 205 "couplet";

THENCE following along said east "couplet" right of way line approximately 220.98 feet to the future west right of way line of the northbound State Highway 205 "couplet";

THENCE easterly along the south right of way of Olive Street, 574.03 feet to a point lying on the east right of way line of north Fannin Street. Point also known as southwest corner of the Thomas and Smith Addition;

THENCE northerly following along boundary of the Thomas and Smith Addition 281.13 feet for a corner;

THENCE southerly along property line, 101.44 feet for a corner;

THENCE easterly 106.28 feet along the north boundary line of the Thomas and Smith Addition;

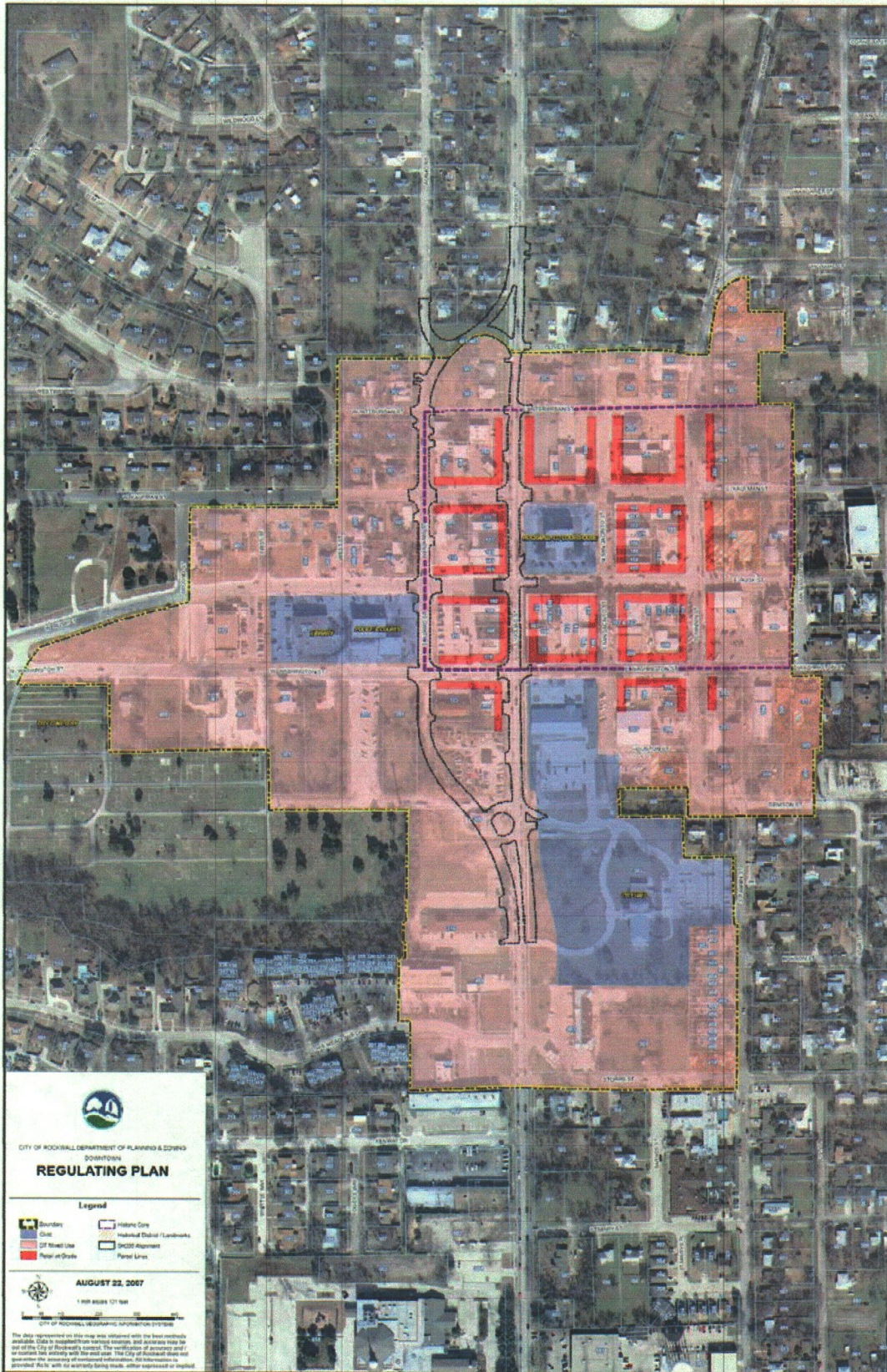
THENCE southerly along east property line of Block 1, Lot A, of the F & M Addition 117.26 feet for a corner;

THENCE westerly along north property line of the City of Rockwall Lofland Park, 76.92 feet to the **Point of Beginning**, Containing approximately 69.84 acres (3,042,229.27 square feet) of land, more or less.

Bearings and Distances based on City of Rockwall Geographic Information System using:
Projected Coordinate System: NAD_1983_StatePlane_Texas_North_Central_FIPS_4202_Feet
Projection: Lambert_Conformal_Conic
Linear Unit: Foot_(US)

EXHIBIT "A"

DOWNTOWN REGULATING PLAN - BOUNDARY DESCRIPTION



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 the 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 (25%) of its total column lineage interest items;
2. it is published at least once a week;
3. it is entered as second-class in the county where it is published;
4. it has been published regularly continuously since 1985; and
5. it is generally circulated within the County.

Publisher further deposes the attached notice was published in the news paper on the following date:

September 13th

[Signature]

William

Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME

by William Jordan who

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

on the 13th day of September A.D. 2007
to certify which witness my hand and seal of office.

[Signature]
Notary Public, State of Texas

CITY OF ROCKWALL

ORDINANCE NO. 07-34

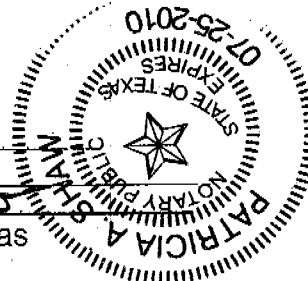
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/s/ William R. Cecil, Mayor

/s/ Dorothy Brooks, TRMC, CMC, City Secretary

1st Reading: 08-20-07

2nd Reading: 09-04-07



Advertising Receipt

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