

CITY OF ROCKWALL

ORDINANCE NO. 14-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED SO AS TO FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURE (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 2.006-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 2-7 OF THE DAVID HARR SURVEY, ABSTRACT NO. 102, ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' 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 Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of an amendment to the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall to adopt a change in zoning from an Agriculture (AG) District to a Light Industrial (LI) District for a 2.006-acre tract of land situated identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, and more specifically described in *Exhibit 'A'* of this ordinance, which hereinafter 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, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 04-38] 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. 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 of the *Subject Property* from an Agriculture (AG) District to a Light Industrial (LI) District; and

**Section 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses"* and *Section 5.3, "Light Industrial (LI) District,"* of *Article V, "District Development Standards,"* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

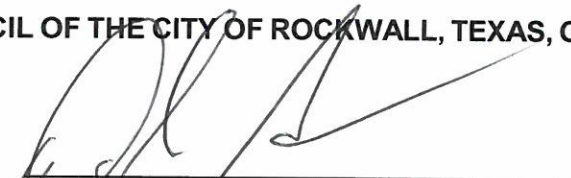
**Section 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such 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.

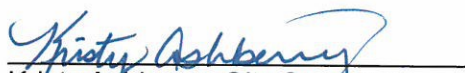
**Section 6.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

**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.

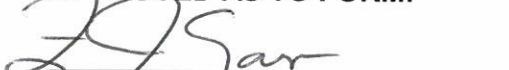
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 7<sup>TH</sup> DAY OF APRIL, 2014.**

  
\_\_\_\_\_  
David Sweet, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: March 17, 2014

2<sup>nd</sup> Reading: April 7, 2014

**Exhibit 'A':**  
*Legal Description*

\* FIELD NOTES \*

BEING A TRACT OF LAND LOCATED IN THE DAVID HARR SURVEY, ABSTRACT No. 102, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF ROCKWALL, RECORDED IN VOLUME 5418, PAGE 54, DEED RECORDS, ROCKWALL COUNTY TEXAS (D.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "CSC 4252", SAID IRON ROD BEING THE SOUTHWEST CORNER OF SAID CITY OF ROCKWALL TRACT AND IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO ROCKWALL ECONOMIC DEVELOPMENT CORPORATION, RECORDED IN VOLUME 4168, PAGE 317, D.R.R.C.T.;

THENCE N 00°38'16" W, ALONG THE WEST LINE OF SAID CITY OF ROCKWALL TRACT AND THE EAST LINE OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT, 713.31 FEET TO A POINT, BEING THE NORTHWEST CORNER OF SAID CITY OF ROCKWALL TRACT, THE NORTHEAST CORNER OF SAID ROCKWALL ECONOMIC DEVELOPMENT TRACT AND IN THE SOUTH LINE OF THE M. K. & T. RAILROAD RIGHT-OF-WAY (A CALLED 100 FOOT RIGHT-OF-WAY);

THENCE N 88°16'13" E, ALONG THE NORTH LINE OF SAID CITY OF ROCKWALL TRACT AND THE SOUTH LINE OF SAID M. K. & T. RAILROAD RIGHT-OF-WAY, 16.20 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF JOHN KING BOULEVARD (STATE HIGHWAY 205 BYPASS) (AN UNRECORDED 120 FOOT WIDE RIGHT-OF-WAY);

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOHN KING BOULEVARD AS FOLLOWS:

- (1) S 13°13'35" E, 112.68 FEET TO A POINT AT THE BEGINNING OF A CURVE TO THE LEFT;
- (2) SOUTHEASTERLY, AN ARC LENGTH OF 540.49 FEET ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1,810.00 FEET, A DELTA ANGLE OF 17°06'33", AND A CHORD BEARING OF S 21°54'26" E, 538.48 FEET TO A POINT;
- (3) S 30°27'42" E, 46.15 FEET TO A POINT IN THE PROPOSED NORTH RIGHT-OF-WAY LINE OF JUSTIN ROAD (A PROPOSED VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE PROPOSED NORTH RIGHT-OF-WAY LINE OF SAID JUSTIN ROAD AS FOLLOWS:

- (1) SOUTHWESTERLY, AN ARC LENGTH OF 43.46 FEET ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 29.50 FEET, A DELTA ANGLE OF 84°24'20", AND A CHORD BEARING OF S 37°35'03" W, 39.63 FEET TO A POINT;
- (2) S 79°47'13" W, 186.65 FEET TO A POINT;

**Exhibit 'A':**  
*Legal Description*

- (3) N 55°12'47"W, 12.40 FEET TO A POINT;
- (4) S 79°47'13" W, 40.94 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.006 ACRES (87,396 SQUARE FEET) OF LAND, MORE OR LESS.



Exhibit 'B':  
Zoning Exhibit

