

CITY OF ROCKWALL

ORDINANCE NO. 21-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 17.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT '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 Tyler Wood of Intrepid Equity Investments, LLC for a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the south side of Airport Road, east of the intersection of Airport Road and John King Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* 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 (UDC) [*Ordinance No. 20-02*] 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, 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 Agricultural (AG) District to a Light Industrial (LI) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*; Section 05.01, *General Industrial District Standards*; and Section 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] 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;

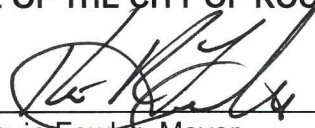
SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense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

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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JULY, 2021.



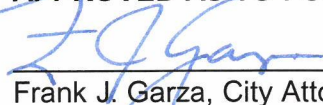
Kevin Fowler, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: June 21, 2021

2nd Reading: July 6, 2021

Exhibit 'A'
Legal Description

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being a part of that 18.07-acres tract of land as described in a Warranty deed from Location Plus, Inc. to Flexible Investments, Inc., dated May 13, 2008 and being recorded in Volume 5462, Page 79 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the North right-of-way line of Union Pacific Railroad, at the Southeast corner of said 18.023-acres tract of land, said point being at the Southwest corner of a 2.90-acres tract of land as described in a Deed to Randy Garrett as recorded in Volume 421, Page 142 of the Real Property Records of Rockwall County, Texas;

THENCE S. 88 deg. 15 min. 46 sec. W. along said right-of-way line, a distance of 1191.90-feet to a 1/2" iron rod found for corner at the Southeast corner of a tract of land as described in a Deed to Ruby L. Athey as recorded in Volume 254, Page 916 of the Real Estate Records of Rockwall County, Texas;

THENCE N. 04 deg. 49 min. 16 sec. E. along the East line of said Athey tract, a distance of 671.76-feet to a 1/2" iron rod found for corner;

THENCE N. 46 deg. 35 min. 55 sec. W. a distance of 38.73-feet to a "x" found chiseled in concrete for corner in the South line of Airport Road at the Northeast corner of said Athey tract;

THENCE N. 88 deg. 56 min. 38 sec. E. along the South line of Airport Road, a distance of 620.20-feet to a 1/2" iron rod found for corner;

THENCE S. 01 deg. 54 min. 33 sec. E. along said right-of-way line, a distance of 8.99-feet to a 1/2" iron rod found for corner;

THENCE in a Southeasterly direction along a curve to the right having a central angle of 41 deg. 28 min. 29 sec., a radius of 470.00-feet, a tangent of 177.95-feet, a chord of S. 71 deg. 10 min. 20 sec. E., 332.84-feet along said right-of-way line, an arc distance of 340.22-feet to a 1/2" iron rod found for corner;

THENCE in a Southeasterly direction along a curve to the left having a central angle of 27 deg. 02 min. 27 sec., a radius of 530.00-feet, a tangent of 127.44-feet, a chord of S. 63 deg. 57 min. 20 sec. E., 247.82-feet along said right-of-way line, an arc distance of 250.14-feet to a 1/2" iron rod found for corner;

THENCE S. 00 deg. 38 min. 11 sec. E. a distance of 446.11-feet to the POINT OF BEGINNING and containing 741,739 square-feet or 17.03-acres of land.

