

CITY OF ROCKWALL

ORDINANCE NO. 22-20

**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 GENERAL RETAIL (GR) DISTRICT FOR A 5.812-ACRE TRACT OF LAND IDENTIFIED AS TRACT 9 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, 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 initiated a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land owned by the City of Rockwall and identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 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 General Retail (GR) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Commercial (C) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*; Section 04.01, *General Commercial District Standards*; and Section 04.04, *General Retail (GR) 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;

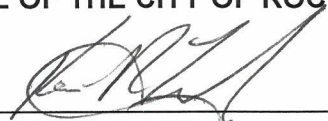
**SECTION 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such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

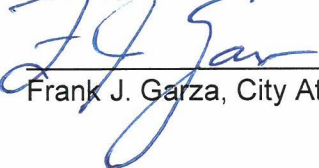
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4<sup>TH</sup> DAY OF APRIL, 2022.**

  
\_\_\_\_\_  
Kevin Fowler, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

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



1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

**Exhibit 'B'**  
*Zoning Exhibit*

**BEING** a 5.812-acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942-acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

**COMMENCING** at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837-acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, an 80-foot-wide public right of way;

**THENCE** North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

**THENCE** northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

**THENCE** South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

**THENCE** South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

**THENCE** southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

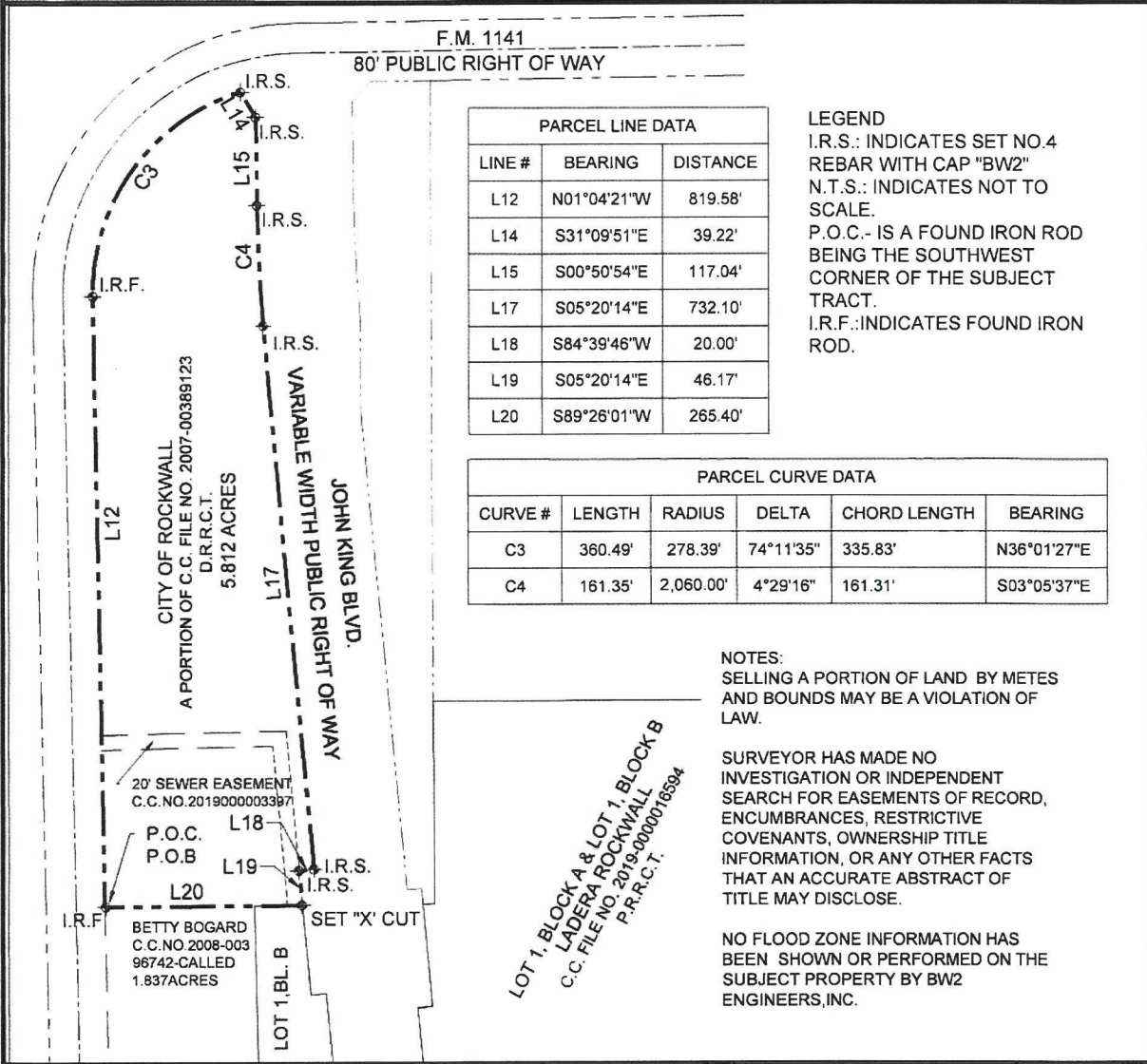
**THENCE** South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

**THENCE** South 89°26'01" West along said common line for a distance of 265.40 feet to the **POINT OF BEGINNING**;

Said tract contains 5.812 acres more or less.

**Exhibit 'B'**  
Zoning Exhibit

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122	<b>PROPERTY SURVEY</b> <b>CITY OF ROCKWALL, TEXAS</b> BEING A PORTION OF C.C. FILE NO. 2007-00389123 D.R.R.C.T.
LOCATION: CITY OF ROCKWALL, TX	
<b>PARCEL PLAT- EXHIBIT 'A'</b>	
NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)	



PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L12	N01°04'21"W	819.58'
L14	S31°09'51"E	39.22'
L15	S00°50'54"E	117.04'
L17	S05°20'14"E	732.10'
L18	S84°39'46"W	20.00'
L19	S05°20'14"E	46.17'
L20	S89°26'01"W	265.40'

**LEGEND**  
 I.R.S.: INDICATES SET NO.4 REBAR WITH CAP "BW2"  
 N.T.S.: INDICATES NOT TO SCALE.  
 P.O.C.- IS A FOUND IRON ROD BEING THE SOUTHWEST CORNER OF THE SUBJECT TRACT.  
 I.R.F.:INDICATES FOUND IRON ROD.

PARCEL CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	BEARING
C3	360.49'	278.39'	74°11'35"	335.83'	N36°01'27"E
C4	161.35'	2,060.00'	4°29'16"	161.31'	S03°05'37"E

**NOTES:**  
 SELLING A PORTION OF LAND BY METES AND BOUNDS MAY BE A VIOLATION OF LAW.

SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE INFORMATION, OR ANY OTHER FACTS THAT AN ACCURATE ABSTRACT OF TITLE MAY DISCLOSE.

NO FLOOD ZONE INFORMATION HAS BEEN SHOWN OR PERFORMED ON THE SUBJECT PROPERTY BY BW2 ENGINEERS, INC.

LOT 1, BLOCK A & LOT 1, BLOCK B  
 C.C. FILE NO. 2019-0000016594  
 P.R.R.C.T.

	<p><b>BW2 ENGINEERS, INC.</b>          1919 S. Shiloh Road          Suite 500, L.B. 27          Garland, Texas 75042          (972) 864-8200 (T) (972) 864-8220 (F)          Firm Registration No. F-5290</p>	
<p>scale 1" = 200' feet</p>		
BW2 JOB NO: 19-1954      DRAWN BY: CEC DATE: DECEMBER, 2019      CHECKED BY: CEC	18-1954/DRAWINGS/1954 SURVEY.DWG	PAGE 2 OF 2