

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, January 18, 2022 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

II. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Rockwall Economic Development Corporation (REDC) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding possible sale/purchase/lease of real property in the Harbor District pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding possible sale/purchase/lease of real property off of John King Blvd pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding legal terms and conditions for application to SAFER grant program, pursuant to Section §551.071 (Consultation with Attorney).

III. Adjourn Executive Session

IV. Reconvene Public Meeting (6:00 P.M.)

V. Invocation and Pledge of Allegiance - Councilmember Daniels

VI. Proclamations / Awards / Recognitions

1. Rockwall Police Citizens on Patrol Appreciation Day

VII. Open Forum

This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. Per Council policy, public comments should be limited to three minutes out of respect for other citizens' time. If you have a topic that warrants longer time, please contact the City Secretary at kcole@rockwall.com to be placed on the Agenda during the "Appointment Items" portion of the meeting. This will allow your topic to be provided sufficient time for discussion and will permit proper notice to be given to the public. On topics raised during Open Forum, please know Council is not permitted to respond to your comments during the meeting since the topic has not been specifically listed on the agenda (the Texas Open Meetings Act requires that topics of discussion/deliberation be posted on an agenda not less than 72 hours in advance of the Council meeting). This, in part, is so that other citizens who may have the same concern may also be involved in the discussion.

VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

These agenda items are routine/administrative in nature, have previously been discussed at a prior City Council meeting, and/or they do not warrant Council deliberation. If you would like to discuss one of these items, please let the City Secretary know before the meeting starts so that you may speak during "Open Forum."

1. Consider approval of the minutes from the January 3, 2022 regular City Council meeting, and take any action necessary.

2. **P2021-063** - Consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a Final Plat for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.
3. **P2021-064** - Consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [SH-205], and take any action necessary.
4. **P2021-067** - Consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Preliminary Plat for the Saddle Star Estates North Subdivision consisting of 92 single-family residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.
5. Consider awarding a bid to Siddons-Martin/Pierce and authorizing the City Manager to execute a Purchase Order for a new Fire Apparatus Pumper and Equipment in the amount of \$820,000, as approved in the FY2022 Budget, and take any action necessary.
6. Consider authorizing the City Manager to execute a Standard Utility Agreement with the Texas Department of Transportation for the IH-30 utility relocates from State Highway 205 to the city limits, and take any action necessary.

X. Appointment Items

1. Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.
2. Appointment with Leadership Rockwall Class of 2022 to discuss the proposed improvements to Lofland Park, and take any action necessary.
3. Appointment with Chris Kosterman of the city's ART Commission to present the 'art in public places' butterfly designs, and take any action necessary.
4. Appointment with Parks Director, Travis Sales, to discuss and consider a Kidzone Celebration Day event on Feb. 5, 2022, and take any action necessary.

XI. Public Hearing Items

If you would like to speak regarding an item listed below, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. The Mayor or Mayor Pro Tem will call upon you to come forth at the proper time. Please limit your comments to no more than three minutes.

1. **Z2021-050** - Hold a public hearing to discuss and consider approval of an **ordinance** for a Text Amendment to Article 04, Permissible Uses, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the Conditional Land Use Standards for the Bed and Breakfast land use, and take any action necessary (**1st Reading**).
2. **Z2021-051** - Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary (**1st Reading**).

3. **Z2021-052** - Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow *Chickens* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary **(1st Reading)**.
4. **Z2021-053** - Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary **(1st Reading)**.
5. **Z2021-054** - Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Congregate Care Facility that Exceeds 36-Foot in Height the Scenic Overlay (SOV) District* on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary **(1st Reading)**.
6. **Z2021-055** - Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In* for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary **(1st Reading)**.
7. **Z2021-056** - Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an **ordinance** for a *Zoning Amendment* to Planned Development District 85 (PD-85) [Ordinance No. 18-32] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary **(1st Reading)**.

XII. Action Items

If your comments are regarding an agenda item below, you are asked to wait until that particular agenda item is up for discussion, and the Mayor or Mayor Pro Tem will call you forth to the podium to hear your comments (please limit to 3 minutes or less). This allows for all public comments to be grouped with each specific agenda item for the Council to consider, and they are then easily referenced in meeting recordings.

1. Discuss and consider (re)appointments to the city's Main Street Advisory Board, and take any action necessary.

XIII. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees - specifically the Rockwall Economic Development Corporation (REDC) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding possible sale/purchase/lease of real property in the Harbor District pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
3. Discussion regarding possible sale/purchase/lease of real property off of John King Blvd pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding legal terms and conditions for application to SAFER grant program, pursuant to Section §551.071 (Consultation with Attorney).

XIV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XV. Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code ¶ 551.071 (Consultation with Attorney) ¶ 551.072 (Deliberations about Real Property) ¶ 551.074 (Personnel Matters) and ¶ 551.087 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 14th day of January, 2022 and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Cole, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas

Proclamation

Whereas, the Rockwall Police Department's Citizens on Patrol (RPDCOP) program brings citizens and local law enforcement together in a cooperative effort to help make our city safer; and

Whereas, program participants are volunteers who either live or work in the city and have successfully completed the Citizens Police Academy as well as additional training throughout the year; and

Whereas, program participants take part in a defensive driving course, classroom training, and scenario-based training in order to be actively involved in the program; and

Whereas, the RPDCOP program is a valuable asset to our community, with more than forty active members who typically, on average, donate between 5,000 to 6,000 hours each year; and


Whereas, in 2021 Rockwall's COP volunteers went above and beyond, collectively giving 6,247 volunteer hours, resulting in a \$240,000.00 cost savings to the city.

Now, Therefore, I, Kevin Fowler, Mayor of the City of Rockwall, Texas, do hereby proclaim **January 18, 2022** as

Rockwall Police Citizens on Patrol Appreciation Day

in the City of Rockwall and urge all citizens to applaud these generous volunteers for the positive impact each one of them has on our community.

In Witness Whereof, I hereunto set my hand and official seal this 18th day of January, 2022.



Kevin Fowler, Mayor



ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, January 03, 2022 - 6:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER - (6:00 P.M.)

Mayor Fowler called the public meeting to order at 6:00 p.m. with all seven council members being present (Mayor Kevin Fowler, Mayor Pro Tem John Hohenshelt and Council Members Clarence Jorif, Dana Macalik, Trace Johannesen, Bennie Daniels and Anna Campbell). City Manager Mary Smith was also present. Assistant City Manager Joey Boyd and City Attorney Frank Garza were absent from the meeting.

II. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JOHANNESSEN

Councilmember Johannesen delivered the invocation and led the Pledge of Allegiance.

III. OPEN FORUM

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker came forth and provided various comments pertaining to sidewalks and other issues related to case Z2021-048 (on tonight's Consent Agenda for 2nd reading). He generally spoke about homeowner input he personally collected, indicating that he understands that said input is not formally being accepted by the city (since those homeowners did not submit their input DIRECTLY to the city thru the proper channels). However, he hopes that the Council will consider the input, which he said shows that homeowners are overwhelmingly opposed to installation of sidewalks, and he also hopes the Council will delay taking action on the ordinance's second reading this evening. He went on to discuss floodplain related concerns pertaining to the proposed detention pond, generally indicating that he obtained a copy of the draft floodplain study from staff members earlier today. He wants Council to delay taking action to allow the HOA and homeowners to negotiate some things with the developer, as he believes approval of this will result in increased costs to the HOA.

The City Engineer pointed out that since the developer wants to construct things on the HOA's property, the HOA will have an opportunity to have input at a later point in the process.

IV. CONSENT AGENDA

1. Consider approval of the minutes from the December 20, 2021 regular city council meeting, and take any action necessary.
2. **Z2021-048** - Consider a request by Bowen Hendrix of DuWest Realty, LLC on behalf of John Arnold of the Skorborg Company for the approval of an **ordinance** for a *PD Development Plan* for a *General Retail Development/Shopping Center* on an 8.63-acre portion of a larger 36.428-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70) for limited General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of

the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary **(2nd Reading)**.

3. **Z2021-049** - Consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) superseding *Ordinance No. 12-11 [S-094]* and allowing the expansion of an existing *Motor Vehicle Dealership (i.e. Clay Cooley Hyundai)* being a 7.17-acre tract of land identified as Lot 1, Block 1 and Lot 1, Block 2, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary **(2nd Reading)**.
4. Consider authorizing the City Manager to enter into a contract for Professional Engineering Services with Freese and Nichols, Inc. in the amount of \$62,350.00 (to be funded by the Engineering Consulting Budget) to perform a comprehensive update of the City's Master Thoroughfare Plan (MTP), and take any action necessary.
5. **P2021-065** - Consider a request by Terri Bedford of A. J. Bedford Group, Inc. on behalf of Ray LaVigne of Agree L. P. for the approval of a Replat for Lot 7, Block A, Sharp Addition being a 3.212-acre parcel of land identified as Lot 6, Block A, Sharp Addition, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2582 SH-276, and take any action necessary.
6. **P2021-066** - Consider a request by Corwin Finch of Corwin Engineering, Inc. on behalf of Christy & Willard Hester for the approval of a Replat for Lot 13, Block C, Ridgecrest Addition being a 0.503-acre parcel of land identified as Lot 12, Block C, Ridgecrest Addition, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses, addressed as 405 Fox Hollow Drive, and take any action necessary.

Mayor Pro Tem Hohenshelt moved to approve the entire Consent Agenda, as presented (#s 1, 2, 3, 4, 5, and 6). Councilmember Johannesen seconded the motion. The two ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-01**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 70 (PD-70) [ORDINANCE NO.'S 17-08, & 19-41] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A GENERAL RETAIL SHOPPING CENTER ON AN 8.63-ACRE PORTION OF A LARGER 36.428-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *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.

**CITY OF ROCKWALL
ORDINANCE NO. 22-02
SPECIFIC USE PERMIT NO. S-266**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 12-11 [S-094]* AND THE UNIFIED

DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *NEW MOTOR VEHICLE DEALERSHIP FOR CARS AND LIGHT TRUCKS* ON A 7.17-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1 AND LOT 1, BLOCK 2, ROCKWALL RECREATIONAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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.

The motion to approve the Consent Agenda in its entirety passed by a vote of 7 ayes to 0 nays.

V. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Building Inspections Monthly Report - November 2021
2. Fire Department Monthly Report - November 2021
3. Parks & Recreation Department Monthly Report - November 2021
4. Police Department Monthly Report - November 2021

No discussion took place related to departmental reports, and Council took no action related to them. Councilmember Macalik shared that within the last few days, a serious fire occurred at a residence near Yacht Club and Harbor Landing Drive in the Chandler's Landing subdivision. She has heard that the homeowner is still in the "burn unit" at Parkland Hospital. She wanted to recognize the firefighters and the police officer who were on scene assisting that evening.

VI. ADJOURNMENT

Mayor Fowler adjourned the meeting at 6:13 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 18th DAY OF JANUARY, 2022.

KEVIN FOWLER, MAYOR

ATTEST:

KRISTY COLE, CITY SECRETARY



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: P2021-063; FINAL PLAT FOR PHASE 1 OF THE LANDON SUBDIVISION

Attachments

Case Memo
Development Application
Location Map
Final Plat
Closure Report

Summary/Background Information

Consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a *Final Plat* for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed *Final Plat*.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 18, 2022
APPLICANT: Bart Carroll
CASE NUMBER: P2021-063; *Final Plat for Phase 1 of the Landon Subdivision*

SUMMARY

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a Final Plat for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFaddin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a Final Plat for Phase 1 of a single-family residential subdivision (*i.e. The Landon Addition*), which will be situated on a 126.903-acre tract of land located within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). According to the Final Plat, Phase 1 of the development will consist of 19 single-family residential lots that will be a minimum of 1½-acres in size. The development will be accessible via a 50-foot roadway (*i.e. Streetman Road*) that will connect to the existing S. Munson Road. The Final Plat also shows that an additional 30-feet of right-of-way will be dedicated for Streetman Road. This dedication conforms to the *Rockwall County Thoroughfare Plan*.
- ☑ The proposed Final Plat appears to be in conformance with the requirements of Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall* of the Interim Interlocal Agreement between Rockwall County and the City of Rockwall.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Final Plat for *The Landon Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.

- (2) Any construction resulting from the approval of this Final Plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the final plat by a vote of 6-0, with Commissioner Thomas absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

12021-063

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
☒ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
☐ AMENDING OR MINOR PLAT (\$150.00)
☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
☐ VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS **west intersection of Streetman Road and S. Munson Road**

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE **126.903**

LOTS [CURRENT] **0**

LOTS [PROPOSED] **20**

- ☐ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER **Robert John Crowell**

☒ APPLICANT **Carroll Consulting Group, Inc.**

CONTACT PERSON

CONTACT PERSON **James Bart Carroll**

ADDRESS **P.O. Box 466**

ADDRESS **P.O. Box 11**

CITY, STATE & ZIP **Royse City, TX 75189**

CITY, STATE & ZIP **Lavon, TX 75166**

PHONE **214-460-4444**

PHONE **972-742-4411**

E-MAIL

E-MAIL

NOTARY VERIFICATION [REQUIRED]

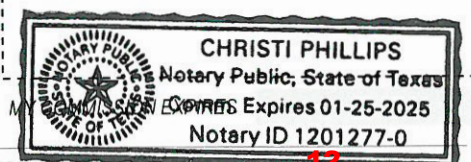
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Robert John Crowell [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

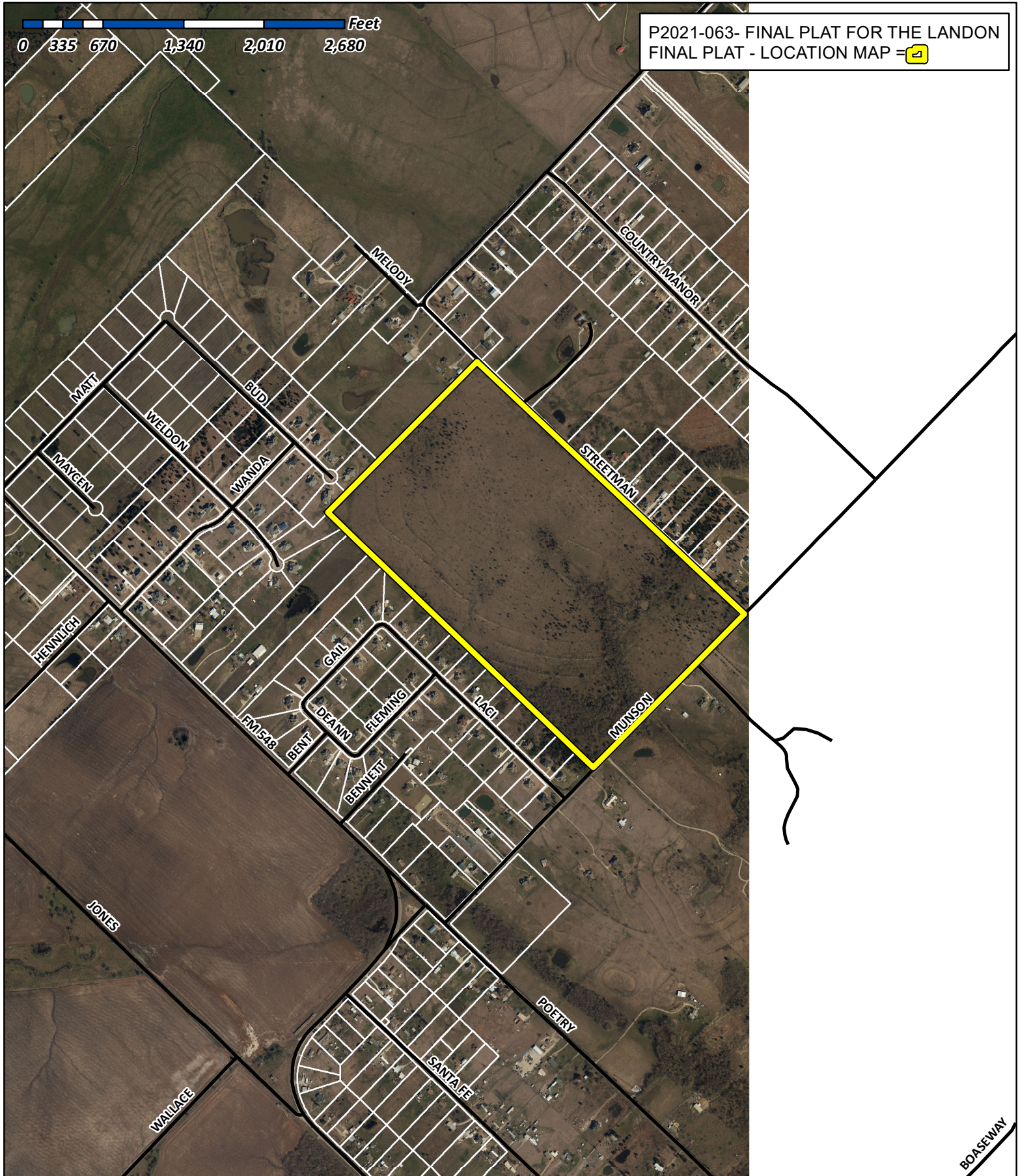
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 300.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 7th DAY OF December, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 7th DAY OF December, 2021.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



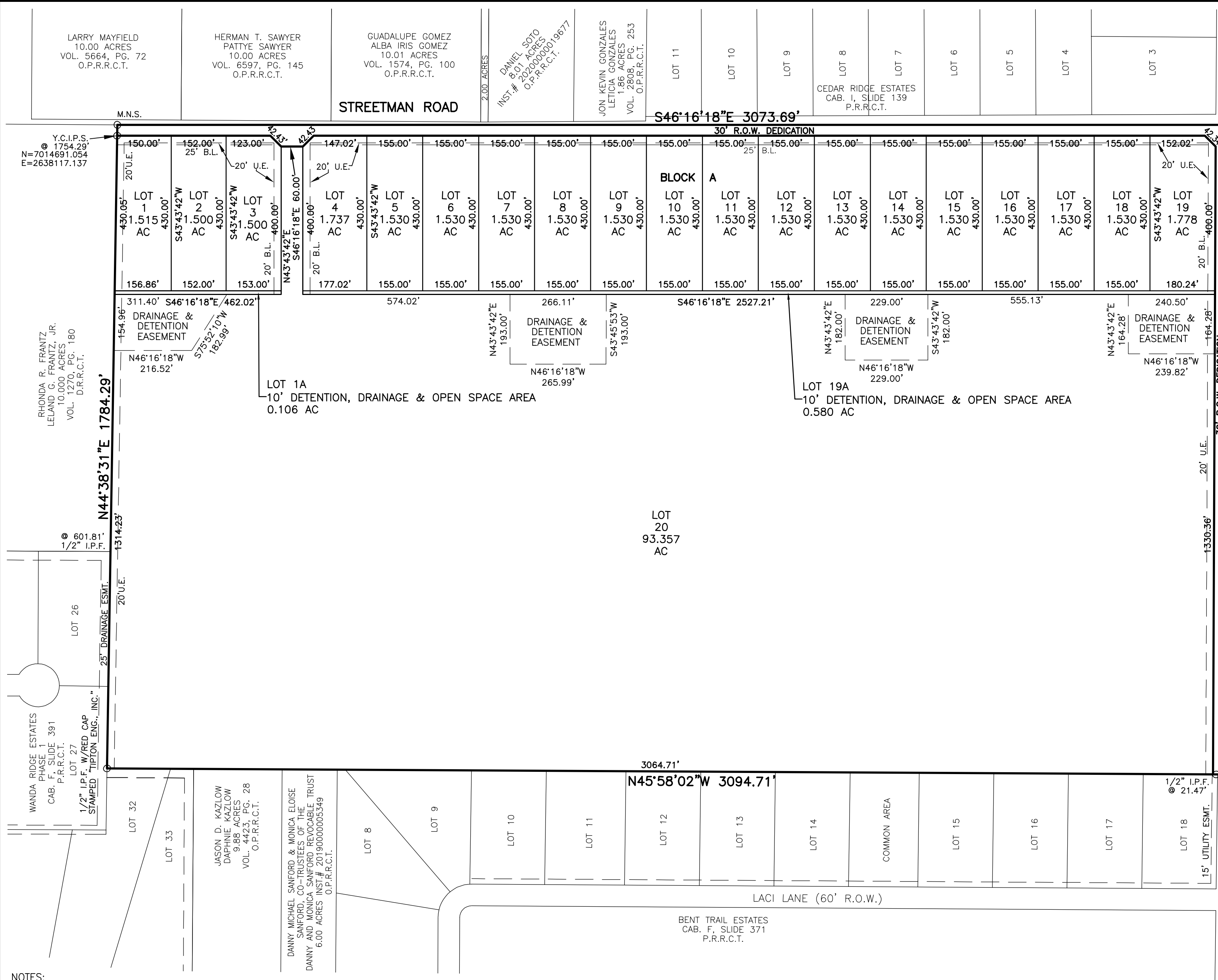


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





N=7012587.748
E=2640359.345
M.N.S.
Y.C.I.P.S.

RICHARD A. GRESCHAW
MARY J. GRESCHAW
5.500 ACRES
VOL. 1636 PG. 251
O.P.R.R.C.T.

LARRY CALDWELL 5.00 ACRES
VOL. 6028, PG. 287

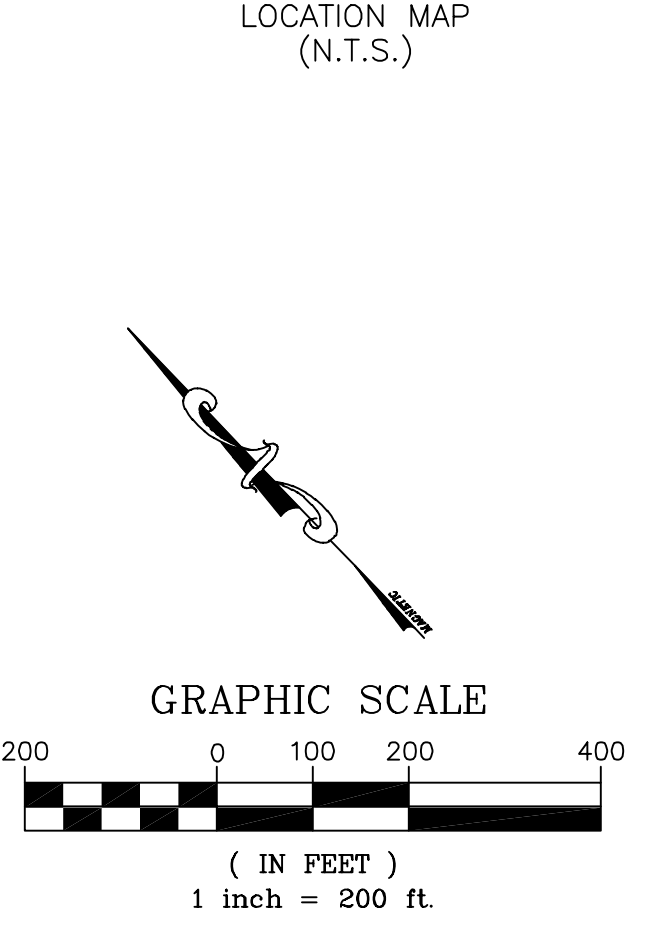
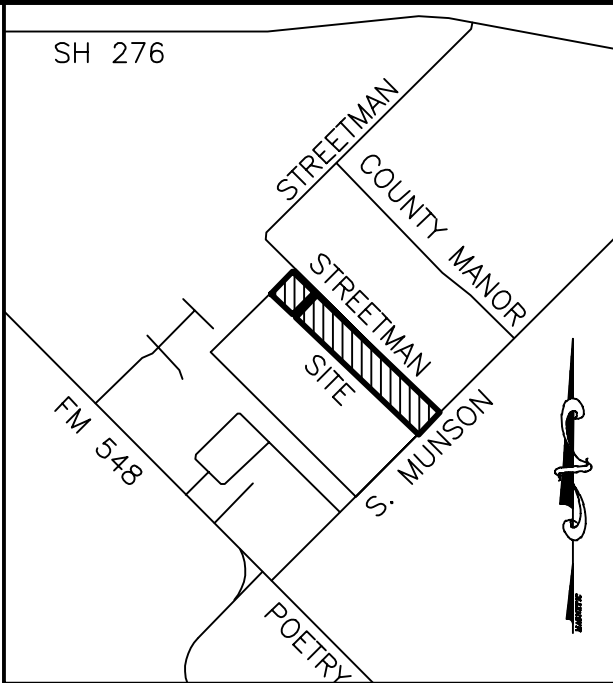
RALPH MAXWELL BUTLER & KAY ANN BUTLER
24.32 ACRES INST.# 20170000021259

SUSAN P. DEWITT
6.50 ACRES
VOL. 6510, PG. 272
O.P.R.R.C.T.

FELIX DIAZ
10.000 ACRES
INST.# 20160000009790

JOHN D. BISHOP
AUDREY K. BISHOP
30.09 ACRES
VOL. 6742, PG. 25
O.P.R.R.C.T.

SUSAN J. DAHSE
WALTER D. DAYSE
12.000 ACRES
VOL. 5357, PG. 124
O.P.R.R.C.T.



NOTES:

1. Located in the City of Rockwall, Texas E.T.J.
2. Water supplied by Cash SUD.
3. State Plain Coordinates ties to City of Rockwall Geodetic Control Monument Station COR-20.
4. All drainage and detention easements shall be maintained, repaired, and replaced by the property owner.
5. All lots to use on-site sewage facilities. Rockwall County to review and approve the sewage disposal method. OSSF permits are required prior to construction.
6. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

Notice: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

LEGEND

I.P.F. — IRON PIN FOUND
D.R.R.C.T. — DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. — OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S. — YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"

Bearings based on the Texas State Plane Coordinate System NAD 83, North Central Zone (4202), North American Datum of 1983.

FLOOD NOTE:

ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48397C0065L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, TEXAS, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11 972-742-4411 TBPELS REGISTRATION NO.: F-21608			
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200			
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2759-20	1"=200'	DECEMBER 22, 2021	CP

OWNER:
ROBERT JOHN CROWELL
PO BOX 466
ROYSE CITY, TEXAS 75189
PHONE: (214) 460-4444

FINAL PLAT

THE LANDON

LOTS 1-19, LOT 1A, LOT 19A & LOT 20, BLOCK A
19 Residential Lots
Being 126.903 — Acres of Land
Samuel McFadgin Survey, Abstract No. 142
Situated within the
Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall
Rockwall County, Texas
Case No.: P2021-063

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF ROCKWALL

Whereas Robert J. Crowell and Bobby J. Crowell are the owners of a tract of land situated in the Samuel McFadgin Survey, Abstract No. 142, Rockwall County, Texas, and being the same 126.903 acre tract land as conveyed to Robert J. Crowell and Bobby J. Crowell by deed recorded in Instrument Number 20210000019392, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at a point for the south corner of said 126.903 acre tract and being in the center of S. Munson Road;

Thence, North 45°58'02" West, along the southwest line of said 126.903 acre tract, the northeast line of Bent Trail Estates, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet F, Slide 371, Plat Records, Rockwall County, Texas, the northeast line of a 6.00 acre tract of land conveyed to Danny Michael Sanford and Monica Eloise Sanford, Co–Trustees of the Danny and Monica Sanford Revocable Trust by deed recorded in Instrument No. 20190000005349, Official Public Records, Rockwall County, Texas, the northeast line of a 9.88 acre tract of land conveyed to Jason D. Kazlow and Daphnie Kazlow by deed recorded in Volume 4423, Page 28, Official Public Records, Rockwall County, Texas and an east line of Wanda Ridge Estates Phase 1, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet F, Slide 391, Plat Records, Rockwall County, Texas, passing at a distance of 21.47 feet a 1/2" iron pin found and for a total distance of 3094.71 feet to a 1/2" iron pin found with red cap stamped "TIPTON ENG. INC." for the west corner of said 126.903 acre tract and a re–entrant corner of said Wanda Ridge Estates Phase 1;

Thence, North 44°38'31" East, along the northwest line of said 126.903 acre tract, a southeast line of said Wanda Ridge Estates Phase 1 and the southeast line of a 10.000 acre tract of land conveyed to Rhonda R. Frantz and Leland G. Frantz, Jr. by deed recorded in Volume 1270, Page 180, Deed Records, Rockwall County, Texas, passing at a distance of 601.81 feet a 1/2" iron pin found and passing at a distance of 1754.29 a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129" for reference and for a total distance of 1784.29 feet to a point in the center of Streetman Road for the north corner of said 126.903 acre tract and the east corner of said Frantz tract;

Thence, South 46°16'18" East, along Streetman Road and the northeast line of said 126.903 acre tract, a distance of 3073.69 feet to a point for the east corner of said 126.903 acre tract and being the centerline intersection of Streetman Road and S. Munson Road;

Thence, South 43°57'58" West, along the southeast line of said 126.903 acre tract and the center of S. Munson Road, a distance of 1800.53 feet to the Point of Beginning and containing 5,527,877 square feet or 126.903 acres of land.

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20____ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations in the Extraterritorial Jurisdiction (ETJ) of the City entered into by the City of Rockwall and Rockwall County.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I, the undersigned owner of the land shown on this plat, and designated herein as THE LANDON subdivision to the County of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the The Landon subdivision have been notified and signed this plat. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

(1) No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

(2) Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.

(3) The City and County of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

(5) The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

(6) No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Rules and Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications required by the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality entered into by the City and County of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the County's chosen engineer and/or County Administrator, computed on a private commercial rate basis, has been made with the County, accompanied by an agreement signed by the developer and/or owner, authoring the City and County to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements with the time stated in such written agreement, but in no case shall the City of County by obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the City and County, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the County in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the Commissioner's Court of Rockwall County.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the County; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

WITNESS, my hand, this the ____ day of _____, 2021.

Robert J. Crowell, Owner

Bobby J. Crowell, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Robert J. Crowell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2021.

Notary Public for the State of Texas
My Commission expires _____

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Bobby J. Crowell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2021.

Notary Public for the State of Texas
My Commission expires _____

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

FINAL PLAT

THE LANDON

LOTS 1–19, LOT 1A, LOT 19A & LOT 20, BLOCK A

19 Residential Lots

Being 126.903 – Acres of Land

Samuel McFadgin Survey, Abstract No. 142

Situated within the

Extraterritorial Jurisdiction (ETJ)

of the City of Rockwall

Rockwall County, Texas

Case No.: P2021–063

OWNER:
ROBERT JOHN CROWELL
PO BOX 466
ROYSE CITY, TEXAS 75189
PHONE: (214) 460–4444

CARROLL CONSULTING GROUP, INC.
P.O. BOX 11 972–742–4411 TBPELS REGISTRATION NO.: F–21608
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2759–20	1"=200'	DECEMBER 22, 2021	CP

Page12 of 2

BOUNDARY CLOSURE REPORT
THE LONDON

North: 7011291.8159' East: 2639109.3613'

Segment #1 : Line

Course: N45° 58' 01.51"W Length: 3094.714'
North: 7013442.8633' East: 2636884.4456'

Segment #2 : Line

Course: N44° 38' 31.33"E Length: 1784.286'
North: 7014712.4019' East: 2638138.2193'

Segment #3 : Line

Course: S46° 16' 18.09"E Length: 3073.687'
North: 7012587.7480' East: 2640359.3445'

Segment #4 : Line

Course: S43° 57' 57.75"W Length: 1800.528'
North: 7011291.8154' East: 2639109.3605'

Perimeter: 9753.214' Area: 5527876.61 Sq.
Ft.

Error Closure: 0.0009 Course: S60° 35'
19.43"W

Error North: -0.00042 East: -0.00075

Precision 1: 10836905.556



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: P2021-064; PRELIMINARY PLAT FOR LOT 1, BLOCK A, PS ROCKWALL COUNTY ADDITION

Attachments

Case Memo
Development Application
Location Map
Preliminary Plat
Closure Report

Summary/Background Information

Consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a *Preliminary Plat* for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [SH-205], and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed *Preliminary Plat*.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 18, 2022
APPLICANT: Trey Braswell
CASE NUMBER: P2021-064; *Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition*

SUMMARY

Discuss and consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [SH-205], and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition, which is a 2.082-acre tract of land located within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). The purpose of this plat is to identify the easements that will need to be established by a future final plat to facilitate the development of the subject property. According to the Preliminary Plat, the subject property will only be accessible via the property directly north of the subject property (i.e. Lot 1, Block A, *Valk Rockwall Addition*). This property is situated within the City's corporate limits and connects to N. Goliad Street [SH-205].
- ☑ The proposed Preliminary Plat appears to be in conformance with the requirements of Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall* of the Interim Interlocal Agreement between Rockwall County and the City of Rockwall.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (i.e. *Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.

- (2) Any construction resulting from the approval of this *Preliminary Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat by a vote of 6-0, with Commissioner Thomas absent



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY
PLANNING & ZONING CASE NO. _____

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- ☒ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS **4000 N. Goliad Street, Rockwall, TX 75087**

SUBDIVISION **PS Rockwall County**

LOT **1** BLOCK **A**

GENERAL LOCATION **East of N. Goliad Street and North of Shennedoa Lane**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **N/A**

CURRENT USE **Residential**

PROPOSED ZONING **N/A**

PROPOSED USE **Self-Storage**

ACREAGE **2.1**

LOTS [CURRENT] **1**

LOTS [PROPOSED] **1**

☒ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER **PS LPT Properties Investors**

☒ APPLICANT **Kimley-Horn**

CONTACT PERSON **Jarrod Yates**

CONTACT PERSON **Trey Braswell**

ADDRESS **701 Western Ave**

ADDRESS **100 W. Oak Street, Suite 203**

CITY, STATE & ZIP **Glendale, CA 91201**

CITY, STATE & ZIP **Denton, TX 76201**

PHONE _____

PHONE **940.536.0175**

E-MAIL **jyates@publicstorage.com**

E-MAIL **trey.braswell@kimley-horn.com**

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Jarrod Yates [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

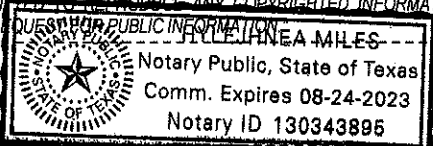
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 231.23 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15th DAY OF December, 2021 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15th DAY OF Dec, 2021.

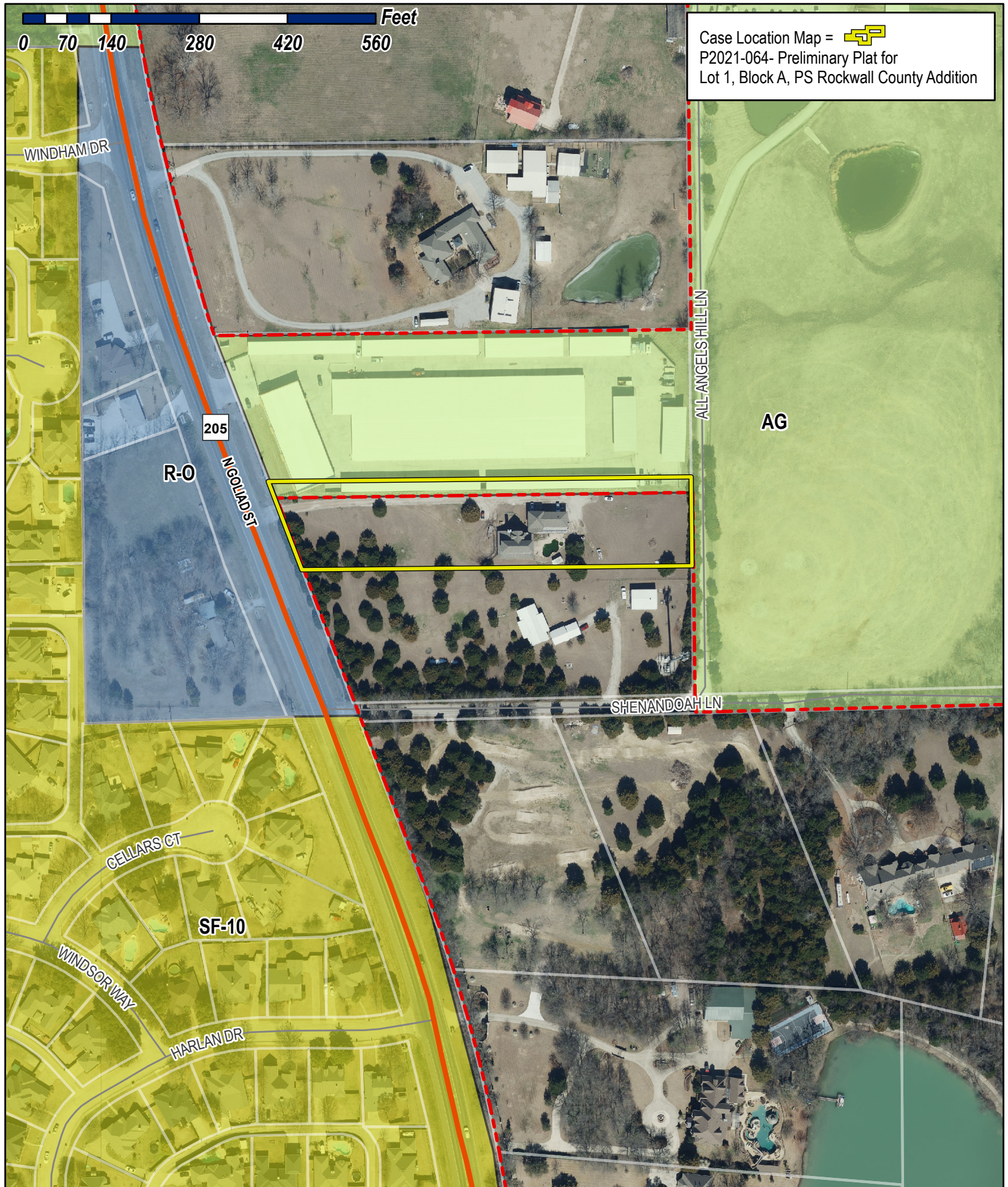
OWNER'S SIGNATURE


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Hyleghra Miles



MY COMMISSION EXPIRES 8/24/2023



Case Location Map = 
P2021-064- Preliminary Plat for
Lot 1, Block A, PS Rockwall County Addition

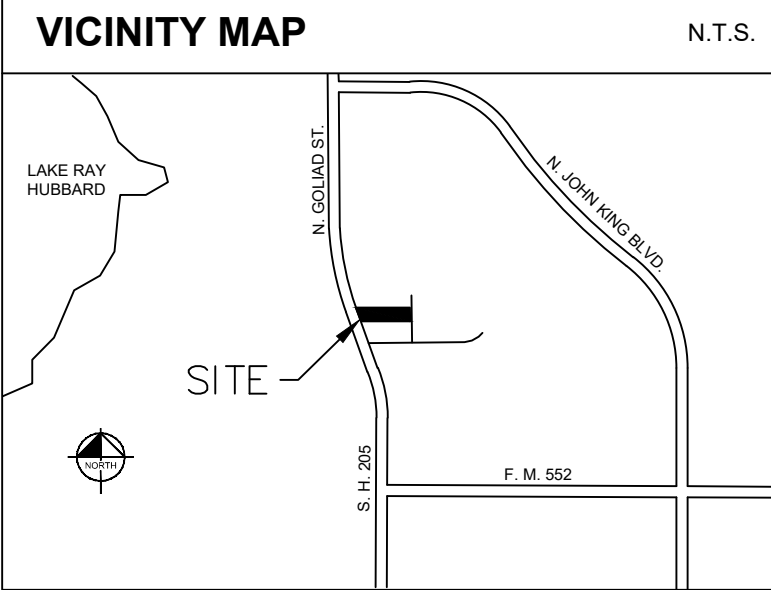


City of Rockwall

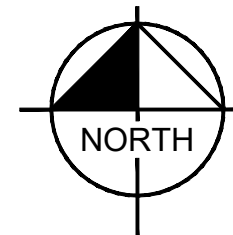
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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R.C.A.D. #12305
CALLED 69.22 ACRES
SHENNENDOAH REAL
ESTATE PARTNERS, L.P.
VOL. 3351, PG. 114
O.P.R.R.C.T.



GRAPHIC SCALE IN FEET

50 0 25 50 100

1" = 50' @ 18X24

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	89°59'59"	30.00'	47.12'	N44°04'28"E	42.43'
C2	90°00'01"	30.00'	47.12'	S45°55'32"E	42.43'
C3	89°59'59"	56.00'	87.96'	N44°04'28"E	79.20'

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48397C0030L, for Rockwall County, Texas and incorporated areas, dated September 26, 2008, this property is located within Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

LEGEND:

R.C.A.D. = ROCKWALL COUNTY APPRAISAL DISTRICT
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/CAP FOUND
IRF = IRON ROD FOUND
IPF = IRON PIPE FOUND
O.P.R.R.C.T. = OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS

NOTES:

1. No building permit shall be issued nor permanent public utility service provided until a final plat is approved, filed of record, and public improvements accepted in accordance with the provisions of the Subdivision Ordinance of the City of Rockwall. Selling a portion of this property by metes and bounds, except as shown on an approved, filed, and accepted conveyance plat, final plat, or replat is a violation of the city ordinance and State law.
 2. All Property Corners are 5/8-inch iron rod with plastic cap stamped "KHA" found unless otherwise noted here.
 3. The Bearings and Coordinates shown hereon are grid values of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).
- REFERENCE DATUM: City of Rockwall Geodetic Control Monument 4
4. Property owner(s) shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements, if any.

OWNER:
PS LPT Properties Investors
701 Western Ave.
Glendale, California 91201
Phone: 972-546-0375
Contact: Jarrod Yates

APPLICANT:
Kimley-Horn and Associates, Inc.
100 W. Oak St., Suite 203
Denton, Texas 76201
Phone: 940-387-3620
Contact: Trey Braswell, P.E.

PRELIMINARY PLAT
PS ROCKWALL COUNTY ADDITION
 LOT 1, BLOCK A
 2.082 ACRES
 SITUATED IN THE
 JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187
 CITY OF ROCKWALL E.T.J., ROCKWALL COUNTY, TEXAS
 CASE NO. P2021-064

Kimley»»Horn

<u>Scale</u> 1" = 50'	<u>Drawn by</u> MBM	<u>Checked by</u> KHA	<u>Date</u> 01/03/2022	<u>Project No.</u> 069319643	<u>Sheet No.</u> 1 OF 2
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OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF ROCKWALL §

WHEREAS PS LPT PROPERTIES INVESTORS is the owner of a tract of land situated in the Joseph Strickland Survey, Abstract No. 187, City of Rockwall E. T. J, Rockwall County, Texas and being all of a called 2.081-acre tract of land described in a Special Warranty Deed to PS LPT Properties Investors, recorded in Instrument No. 20210000031763 of the Official Public Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron pipe found for the southwest corner of said 2.081-acre tract, same being the northwest corner of a called 2.672-acre tract of land described in a Warranty Deed to Daniel W. Strong and wife, Elizabeth Kay Strong, recorded in Volume 1823, Page 224 of the Official Public Records of Rockwall County, Texas, same also being on the easterly right of way line of N. Goliad Street (State Highway 205), a 100' wide right of way;

THENCE North 21°15'05" West, along the westerly line of said 2.081-acre tract and the easterly right of way line of said N. Goliad Street (State Highway 205), a distance of 150.18 feet (called 150.00 feet) to a 1/2-inch iron rod found for the northwest corner of said 2.081-acre tract, same being the southwest corner of Lot 1, Block 1 of Valk Rockwall Addition, an addition to the City of Rockwall, according to the plat, recorded in Instrument No. 20140000003303 of the Official Public Records of Rockwall County, Texas;

THENCE North 89°04'28" East, departing the easterly right of way line of said N. Goliad Street (State Highway 205), along the northerly line of said 2.081-acre tract, a distance of 670.68 feet (called 670.22 feet) to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for the northeast corner of said 2.081-acre tract, same being on the westerly line of a called 69.22-acre tract of land described in a Warranty Deed to Shennendoah Real Estate Partners, L.P., recorded in Volume 3351, Page 114 of the Official Public Records of Rockwall County, Texas;

THENCE South 01°03'12" East, along the easterly line of said 2.081-acre tract and the westerly line of said 69.22-acre tract, a distance of 140.50 feet to a 1/2-inch iron pipe found for the southeast corner of said 2.081-acre tract, same being the northeast corner of aforesaid 2.672-acre tract;

THENCE South 89°02'39" West, along the southerly line of said 2.081-acre tract and the northerly line of said 2.672-acre tract, a distance of 618.83 feet (called 618.69 feet) to the POINT OF BEGINNING and containing 2.082 acres (90698 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We, PS LPT PROPERTIES INVESTORS, the undersigned owner of the land shown on this plat, and designated herein as the PS ROCKWALL COUNTY ADDITION to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed, except those created by separate instrument, which are governed by the terms of such separate instruments. We further certify that all other parties who have a mortgage or lien interest in the PS ROCKWALL COUNTY ADDITION have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same, except those created by separate instrument, which are governed by the terms of such separate instruments. We also understand the following;

- No buildings shall be constructed or placed upon, over, or across the utility easements created hereby.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of the easement strips created hereby; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- The owners of the land dedicated by this plat reserve the right to use and enjoy the surface of all easement areas for all purposes that do not interfere with the use of said easement areas for utilities; including but not limited to the right to place surfacing materials over and across the easement areas and to use the same for parking areas, driveways, walkways, sidewalks, landscaping and/or lighting.
- The location of easements shown hereon that are granted by separate instrument are approximate and such easements and their location are governed by the terms, provisions and conditions of the separate instrument.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself.

Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

By: PS LPT PROPERTIES INVESTORS, a Maryland real estate investment trust

By: _____

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 20__.

Notary Public in and for the State of _____

SURVEYOR'S STATEMENT

I, Michael B. Marx, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors.

Dated this the ____ day of _____, 2021.

MICHAEL B. MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. (972) 335-3580
michael.marx@kimley-horn.com

APPROVED BY THE ROCKWALL COUNTY COMMISSIONERS COURT

ON THIS THE _____ DAY OF _____, 20__

COUNTY JUDGE

RECOMMENDED FOR FINAL APPROVAL

Planning & Zoning Commission, Chairman

Date

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2022.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

WITNESS OUR HANDS, this ____ day of _____, 2022.

Mayor, City of Rockwall

City Secretary

City Engineer

PRELIMINARY PLAT
PS ROCKWALL COUNTY ADDITION
LOT 1, BLOCK A
2.082 ACRES
SITUATED IN THE
JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187
CITY OF ROCKWALL E.T.J., ROCKWALL COUNTY, TEXAS
CASE NO. P2021-064

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034

FIRM # 10193822

Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale

N/A

Drawn by

MBM

Checked by

KHA

Date

01/03/2022

Project No.

069319643

Sheet No.

2 OF 2

Parcel Map Check Report

Client:

Client

Kimley-Horn and Associates, Inc.

Address 1

Date: 12/16/2021 12:00:50 PM

Prepared by:

Preparer

Your Company Name

123 Main Street

Parcel Name: LOT 1, BLOCK A

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 7,043,377.6687'

East: 2,592,709.9814'

Segment# 1: Line

Course: N21°15'05"W

Length: 150.18'

North: 7,043,517.6363'

East: 2,592,655.5470'

Segment# 2: Line

Course: N89°04'28"E

Length: 670.68'

North: 7,043,528.4700'

East: 2,593,326.1395'

Segment# 3: Line

Course: S1°03'12"E

Length: 140.50'

North: 7,043,387.9937'

East: 2,593,328.7223'

Segment# 4: Line

Course: S89°02'39"W

Length: 618.83'

North: 7,043,377.6706'

East: 2,592,709.9785'

Perimeter: 1,936.88'

Area: 90,698.31Sq.Ft.

Error Closure: 0.0035

Course: N56°19'26"W

Error North : 0.00194

East: -0.00291

Precision 1: 451,482.86



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: P2021-067; PRELIMINARY PLAT FOR THE SADDLE STAR NORTH SUBDIVISION

Attachments

Case Memo
Development Application
Location Map
Preliminary Plat
Preliminary Utility Plan
Preliminary Drainage Plan
Closure Report

Summary/Background Information

Consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a *Preliminary Plat* for the Saddle Star Estates North Subdivision consisting of 92 single-family residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed *Preliminary Plat*.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 18, 2022
APPLICANT: Ryan King; *Engineering Concepts and Design*
CASE NUMBER: P2021-067; *Preliminary Plat for the Saddle Star North Subdivision*

SUMMARY

Discuss and consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Preliminary Plat for the Saddle Star Estates North Subdivision consisting of 92 singlefamily residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM552 and John King Boulevard, and take any action necessary.

PLAT INFORMATION

- ☑ The purpose of the applicant's request is to Preliminary Plat the Saddle Star North Subdivision. This subdivision will be comprised of 92 single-family residential lots on a 42.667-acre tract of land. This development will be constructed in one (1) phase utilizing three (3) lot types that will consist of 49 Type 'B' Lots (i.e. 80' x 125' or a minimum of 10,000 SF), 16 Type 'D' Lots (i.e. 95' x 125' or a minimum of 11,875 SF), and 27 Type 'C' Lots (i.e. 100' x 125' or a minimum of 12,500 SF). Staff should point out that the proposed Preliminary Plat reduces the number of lots allowed by Ordinance No. 16-08 [Planned Development District 80 (PD-80)] from 109 lots to 92 lots, and increases the overall average lot size. According to the ordinance, a total of 12 Type 'A' Lots (i.e. 70' x 125' or a minimum of 8,750 SF) were permitted, however, the proposed Preliminary Plat removes this lot type and replaces it with Type 'D' Lots (i.e. 95' x 125' or a minimum of 11,875 SF). The Preliminary Plat also decreases the number of Type 'B' Lots (i.e. the 80' x 125' lots) from 79 to 49 and increases the number of Type 'C' Lots (i.e. 100' x 125' lots) from 18 lots to 27 lots. The total change in the lot count amounts to a net loss of 17 lots, which lowers the overall density of the development from 2.45 dwelling units per acre to 2.16 dwelling units per acre. Along with the Preliminary Plat, the applicant has also submitted preliminary drainage and utility plans demonstrating how the development can be adequately served. The following is the proposed lot composition of the Saddle Star North Subdivision:

TABLE 1: LOT MIX

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
B	80' x 125'	10,000 SF	49	53.26%
D	95' x 125'	11,875 SF	16	17.39%
C	100' x 125'	12,500 SF	27	29.35%
			92	100.00%

- ☑ The subject property was annexed by the City Council on February 4, 2008 by Ordinance No. 08-12 [Case No. A2004-003]. On January 4, 2016, the City Council approved Ordinance No. 16-08 [Case No. Z2015-035] changing the zoning of the subject property from an Agricultural (AG) District to Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses. On April 4, 2016, the City Council approved a master plat/open space plan [Case No. P2019-011] and a preliminary plat [Case No. P2016-010] for the Saddle Star North Subdivision. In accordance with Section 38-8(f)(2) of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinance, the applicant -- on March 28, 2017 -- requested that the Planning and Zoning Commission approve an extension of the preliminary plat and master plat. This was granted and extended these plats to August 15, 2018; however, due to inactivity these plats expired on August 15, 2018 in

accordance with Section 38-8(f)(1) of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinance. On November 16, 2020, the City Council approved a preliminary plat [Case No. P2020-044] for the subject property. This preliminary plat expired on November 16, 2021.

☑ On January 4, 2022 the Parks and Recreation Board reviewed the Preliminary Plat and made the following recommendations concerning the proposed subdivision:

- (1) The developer shall pay pro-rata equipment fees of \$39,744.00 (*i.e.* \$432.00 x 92 lots), which will be due at the time of final plat.
- (2) The developer shall pay cash in lieu of land fees of \$41,952.00 (*i.e.* \$456.00 x 92 lots), which will be due at the time of final plat.

☑ The purpose of the Preliminary Plat is to provide sufficient information to evaluate and review the general design of the development ensuring compliance with Planned Development District 80 (PD-80) [Ordinance No. 16-08], the OURHometown Vision 2040 Comprehensive Plan, the Unified Development Code (UDC), the Master Thoroughfare Plan, and the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances. The proposed Preliminary Plat appears to meet the intent of these requirements.

☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.

☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Preliminary Plat for the *Saddle Star North Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e.* Engineering, Planning and Fire Department) and Rockwall County shall be addressed prior to submittal of civil engineering plans;
- (2) The development shall adhere to the recommendations made by the Parks and Recreation Board;
- (3) Before a Final Plat is filed the applicant shall be required to pay the outstanding tree mitigation balance of \$37,000.00 in accordance with the requirements of Article 09, *Tree Preservation*, of the Unified Development Code (UDC); and
- (4) Any construction resulting from the approval of this Preliminary Plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat by a vote of 6-0, with Commissioner Thomas absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE)¹
- ☒ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE)¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE)¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE)¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)¹
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS Intersection of SH552 and John King Blvd
SUBDIVISION Saddle Star Notrth LOT BLOCK
GENERAL LOCATION Intersection of SH552 and John King Blvd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-80 CURRENT USE Agriculture
PROPOSED ZONING PD-80 PROPOSED USE Single Family
ACREAGE 42.667 LOTS [CURRENT] 1 LOTS [PROPOSED] 92

- ☐ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER Saddle Star South Holdings, LLC ☒ APPLICANT Engineering Concepts and Design
CONTACT PERSON Jose Campos CONTACT PERSON Ryan King, P.E.
ADDRESS 609 Main Street, Suite 2400 ADDRESS 1600 N. Collins Blvd, Ste 3300
CITY, STATE & ZIP Houston, TX 77051 CITY, STATE & ZIP Richardson, TX 75080
PHONE 214-716-2900 PHONE 972-941-8400
E-MAIL jose.campos@hines.com E-MAIL Ryan@ECDLP.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Jose Campos [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

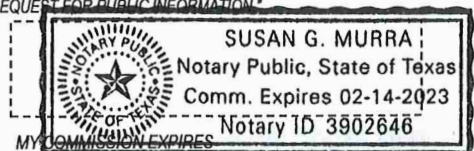
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 840.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16th DAY OF December, 20 21 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

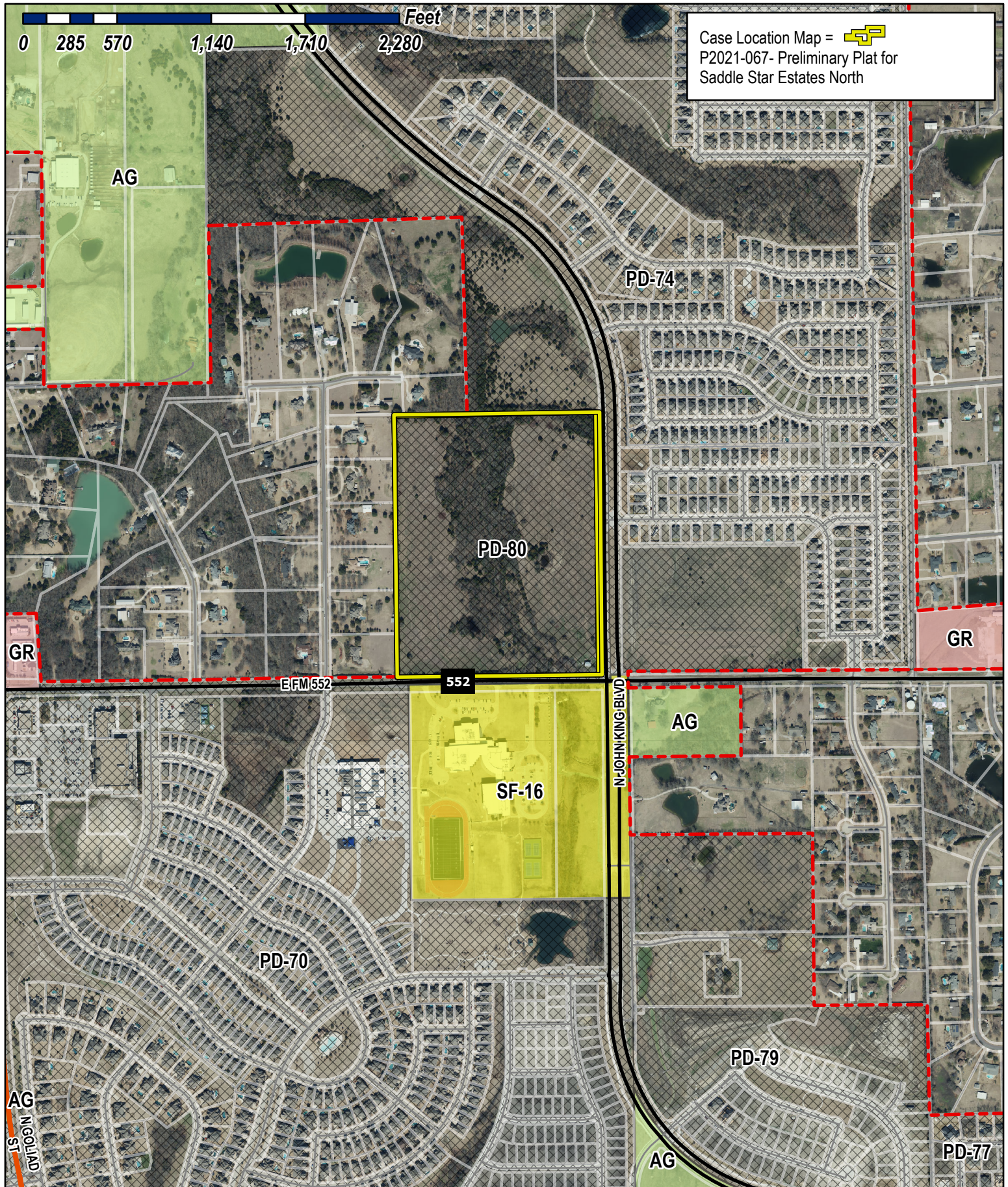
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16th DAY OF December, 20 21.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

[Signature]





City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

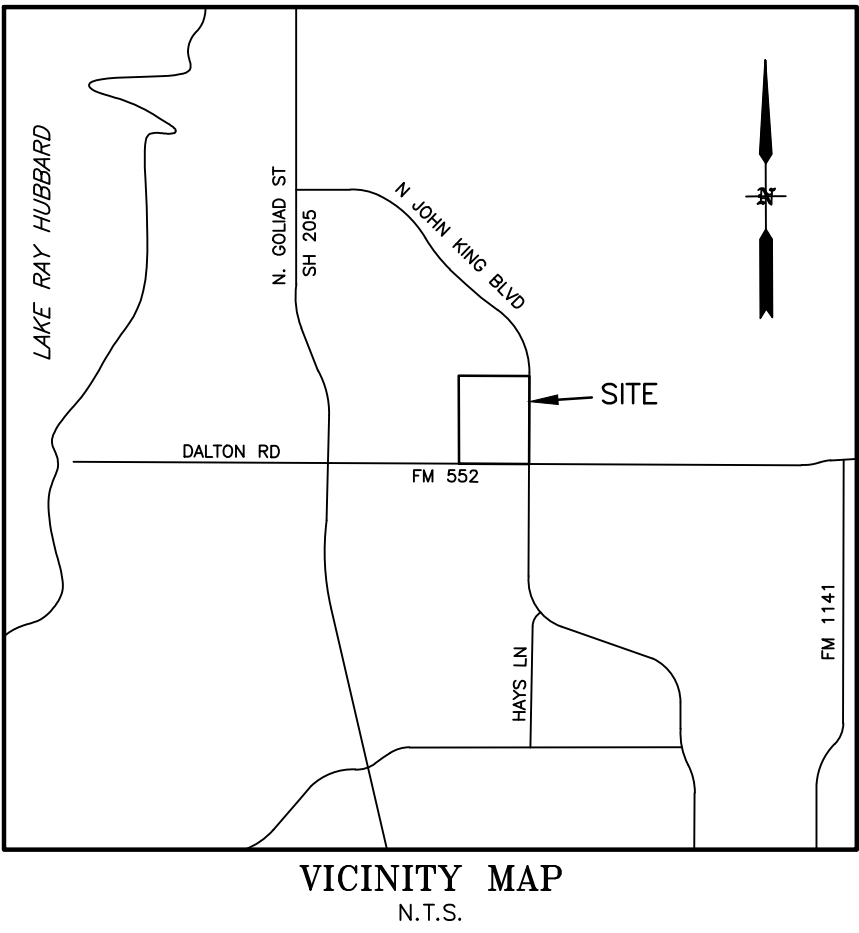
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





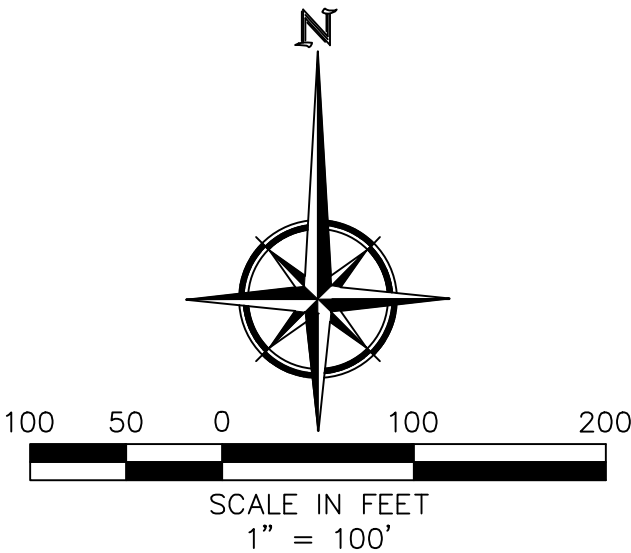
CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	22°36'41"	250.00'	49.96'	98.66'	S 12°02'23" E	98.02'
C2	10°54'58"	250.00'	23.89'	47.63'	N 17°53'14" W	47.56'
C3	20°11'40"	250.00'	44.52'	88.12'	N 02°19'55" W	87.66'
C4	30°20'34"	250.00'	67.79'	132.40'	S 07°24'22" E	130.85'
C5	18°43'34"	250.00'	41.22'	81.71'	N 13°12'52" W	81.34'
C6	26°31'31"	225.00'	53.03'	104.16'	S 13°46'41" E	103.24'
C7	26°31'31"	250.00'	58.93'	115.74'	N 13°46'41" W	114.71'
C8	18°43'34"	275.00'	45.34'	89.88'	S 13°12'52" E	89.48'

LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 39°28'06" W	31.48'
L2	N 89°29'05" E	22.34'
L3	N 44°22'31" E	31.88'
L4	S 45°40'04" E	31.78'
L5	S 42°46'24" W	32.76'
L6	N 49°58'36" E	35.53'
L7	N 00°44'02" W	35.47'
L8	N 07°45'55" E	47.61'
L9	N 45°37'29" W	31.76'
L10	S 44°29'05" W	31.82'
L11	N 44°18'11" E	28.29'
L12	S 54°34'41" E	20.00'
L13	N 61°16'41" E	36.06'
L14	S 27°04'49" E	22.36'
L15	S 40°08'33" E	19.04'
L16	S 48°50'50" E	42.42'
L17	S 44°29'31" W	42.42'
L18	S 45°30'29" E	42.44'
L19	N 41°09'10" E	42.43'
L20	N 39°28'06" E	20.11'



LEGEND	
5/8" CIRS	5/8" IRON ROD SET WITH YELLOW CAP
W/CAP	STAMPED "RPLS 3963"
CIRF	IRON ROD FOUND WITH CAP
IRF	IRON ROD FOUND
B.L.	BUILDING SETBACK LINE
CM	CONTROL MONUMENT
D.E.	DRAINAGE EASEMENT
W.D.E.	WALL MAINTENANCE & DRAINAGE EASEMENT
HOA	HOMEOWNERS ASSOCIATION
S.V.E.	SIDEWALK AND VISIBILITY EASEMENT
W.M.E.	WALL MAINTENANCE EASEMENT
U.E.	UTILITY EASEMENT
P.R.R.C.T.	PLAT RECORDS ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS ROCKWALL COUNTY, TEXAS
	INDICATES CHANGE IN STREET NAME

- Notes:
- Basis of Bearings = State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Redization (CORS 2011).
 - A 5/8" iron rod with a yellow cap stamped "RPLS 3963" will be set at all lot corners and/or at reference points to lot corners, wherever possible, after the completion of all utilities and subdivision construction. Offsets to corners will be set in areas impeded by retainer walls or other obstacles lying on the actual lot corner.
 - By graphical plotting, no part of the parcel described herein lies within a Special Flood Hazard Area (SFHA) as delineated on the Rockwall County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 4839700030L, dated September 26, 2008. The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by FEMA or some other source. On occasion, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The above flood statement shall not create liability on the part of the surveyor.
 - All non-standard decorative street signs, poles/posts, hardware, attachments, foundations, etc. shall be owned, maintained, repaired and replaced by the HOA.
 - It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
 - The Open Space Lots to be maintained by the Homeowners Association (HOA).
 - Drainage/Retention and floodplain on site to be maintained by the HOA.



SURVEYOR'S CERTIFICATE

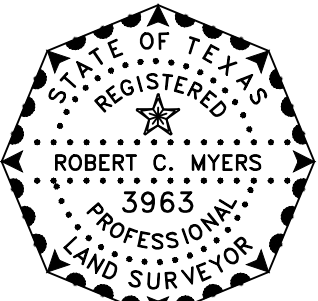
NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, do hereby certify that this plat was prepared from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF DECEMBER, 2021.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. This preliminary plat is released on December 2021 for review by the City and other parties for comments and progression to an approved preliminary plat.

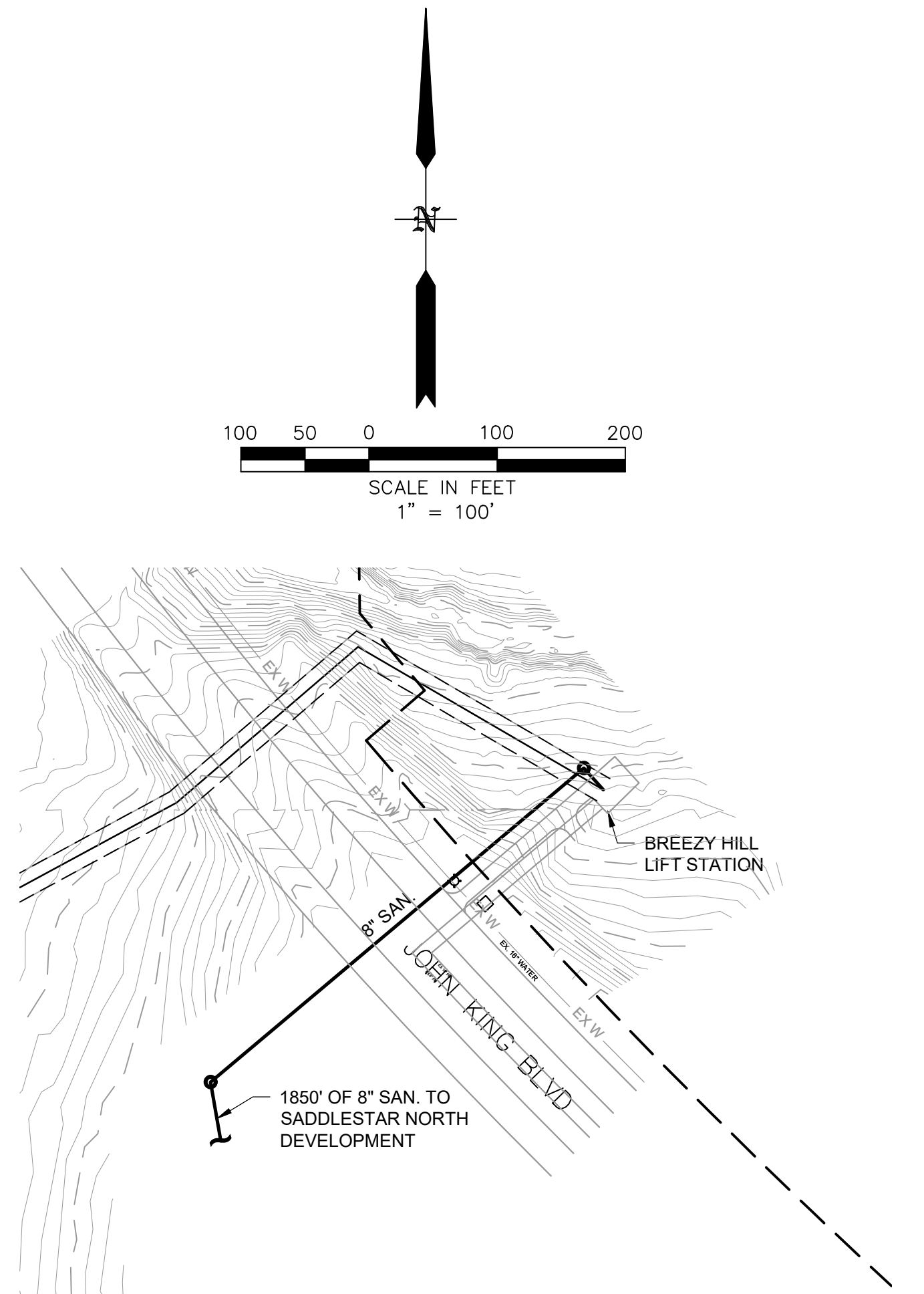
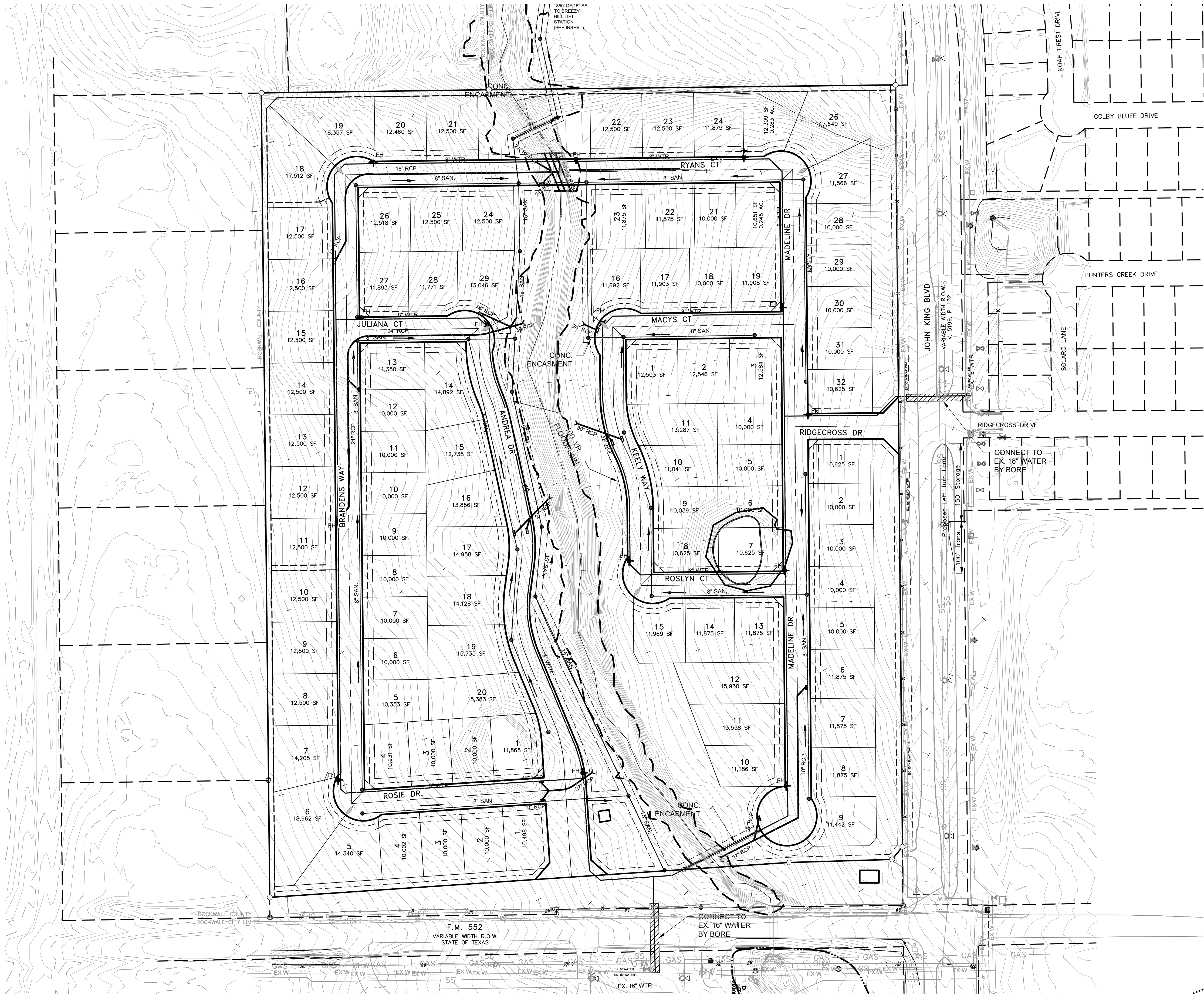
ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963



PRELIMINARY PLAT
SADDLE STAR ESTATES
NORTH

ZONING DISTRICT: PD-80
92 SINGLE FAMILY LOTS
2 COMMON AREA TRACTS
42.667 ACRES

SITUATED IN THE
T.R. BAILEY SURVEY, A-30
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001146
201 WINDO CIRCLE, SUITE 200, WYLLIE, TEXAS 75098
(972) 941-8400 FAX (972) 941-8401



BREEZY HILL LIFT STATION SITE

ZONING DISTRICT: PD-80
OPEN SPACE = 6.508 AC.
92 DWELLING UNITS
2.06 UNITS PER ACRE

OWNER
SADDLE STAR SOUTH HOLDINGS, LLC
2200 ROSS AVE., STE. 4200W
DALLAS, TX 75201

DEVELOPER
SADDLE STAR DEVELOPMENT, LLC
3076 HAYS LANE
ROCKWALL, TX 75087

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 510

PRELIM UTILITIES
Case No. PP2020-044

SADDLE STAR ESTATES NORTH

92 SINGLE FAMILY LOTS
4 COMMON AREA TRACTS
44.56 ACRES

SITUATED IN THE
T.R. BAILEY SURVEY, A-30
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLLIE, TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

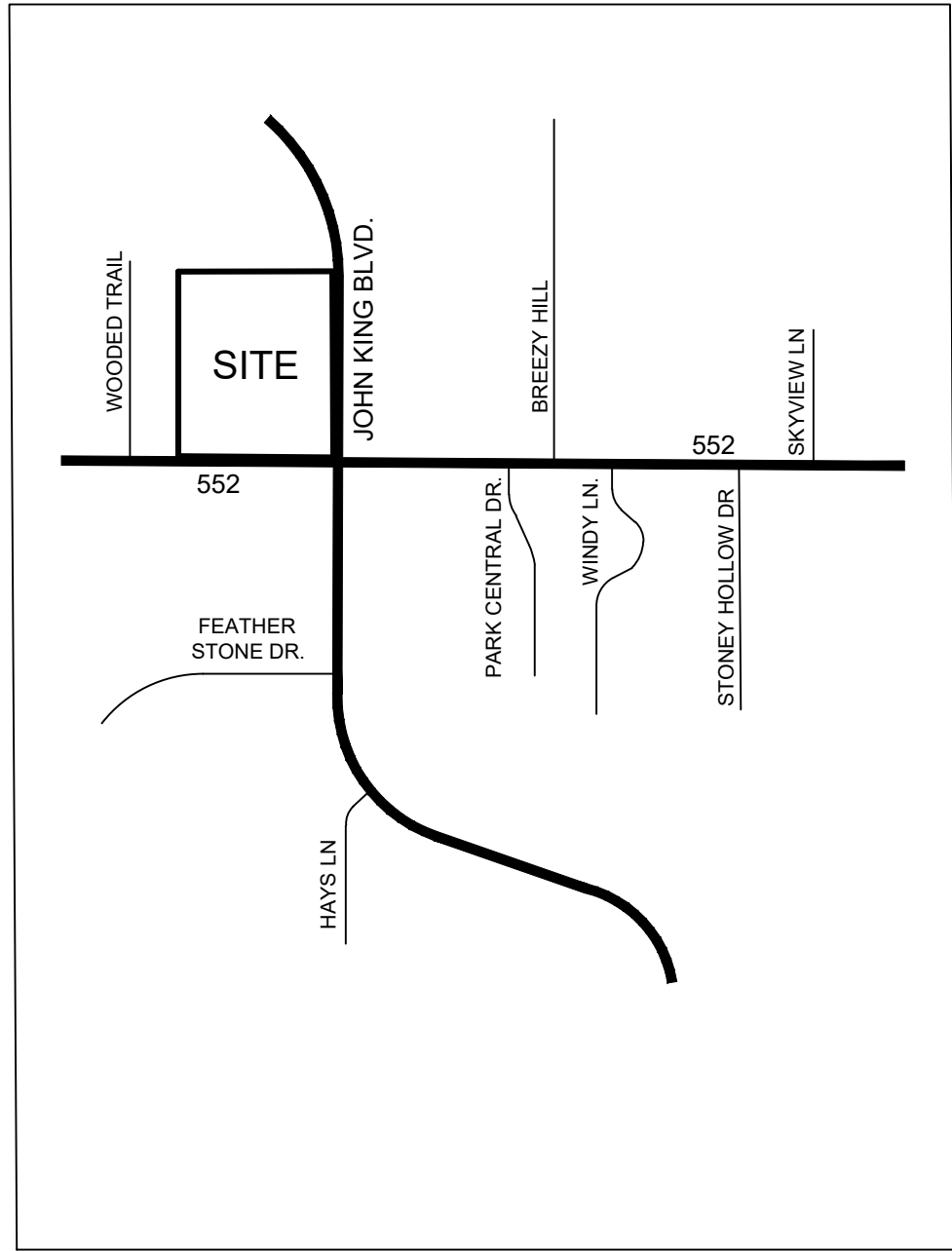
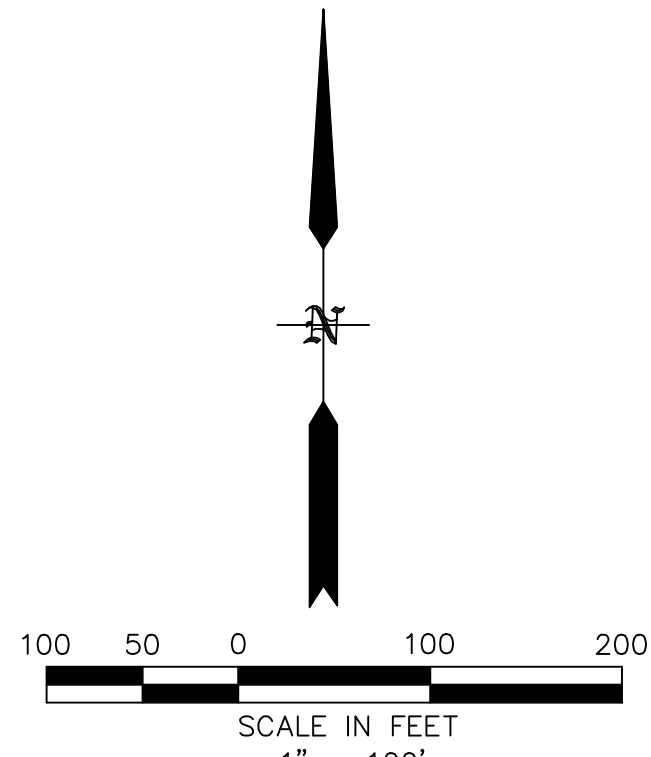
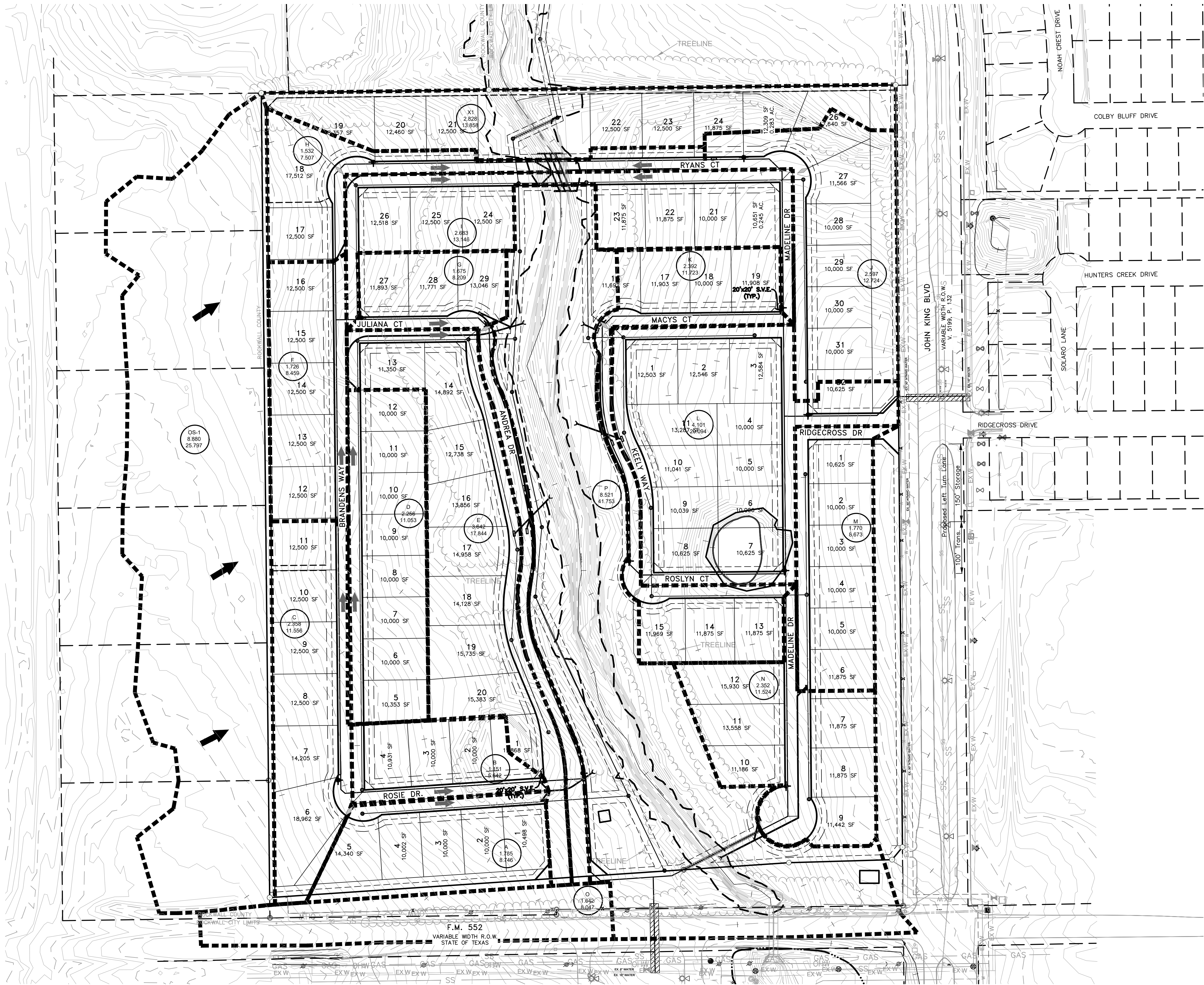
DATE: DECEMBER 28, 2021 CASE NO. PP2021-067 SHEET 2 OF 3

REVIEWED FOR PRELIMINARY APPROVAL

Planning and Zoning Commission Date

APPROVED FOR PREPARATION OF FINAL PLAT

Mayor, City of Rockwall City Secretary City Engineer



VICINITY MAP
NTS

----- DRAINAGE AREA BOUNDARY

Q	DRAINAGE AREA	DRAINAGE AREA ACREAGE	DRAINAGE AREA "Q"
0.886			
4.343			

$$Q = CIA$$
$$C = 0.50$$
$$I = 9.80$$

NOTE:
STORM SEWER MAINS ARE TO BE LOCATED ON THE CL OF ROADS IN PLACES WHERE STORM SEWER MAINS AND DRAINAGE AREA BOUNDARIES COINCIDED. THE STORM SEWER IS GRAPHICALLY SHOWN NEXT TO THE CL FOR CLARITY.

ZONING DISTRICT: PD-80
OPEN SPACE = 6.508 AC.
92 DWELLING UNITS
2.06 UNITS PER ACRE

OWNER
SADDLE STAR SOUTH HOLDINGS, LLC
2200 ROSS AVE., STE. 4200W
DALLAS, TX 75201

DEVELOPER
SADDLE STAR DEVELOPMENT, LLC
3076 HAYS LANE
ROCKWALL, TX 75087

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmsurveying@gmail.com
FIRM NO. 10192300 JOB NO. 510

PRELIM DRAINAGE
Case No. PP2020-044
SADDLE STAR ESTATES NORTH

92 SINGLE FAMILY LOTS
4 COMMON AREA TRACTS
44.56 ACRES

SITUATED IN THE
T.R. BAILEY SURVEY, A-30
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM REG. NO. 001145
201 WINDCO CIRCLE, SUITE 200, WYLLIE TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

REVIEWED FOR PRELIMINARY APPROVAL

Planning and Zoning Commission Date

APPROVED FOR PREPARATION OF FINAL PLAT

Mayor, City of Rockwall City Secretary City Engineer

Parcel Map Check Report
Prepared by:
Survey Department
Engineering Concepts & Design, LP
201 Windco Circle, Suite 200
Date: 12/17/2021 12:22:15 PM

Parcel Name: Overall Boundary
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North: 7,040,432.495' East: 2,595,087.119'

Segment# 1: Line
Course: N 0°36'07" W Length: 1,552.63'
North: 7,041,985.039' East: 2,595,070.808'

Segment# 2: Line
Course: N 89°12'29" E Length: 439.34'
North: 7,041,991.111' East: 2,595,510.106'

Segment# 3: Line
Course: N 89°18'45" E Length: 784.51'
North: 7,042,000.524' East: 2,596,294.560'

Segment# 4: Line
Course: S 0°30'55" E Length: 1,470.65'
North: 7,040,529.934' East: 2,596,307.785'

Segment# 5: Line
Course: S 39°28'06" W Length: 31.48'
North: 7,040,505.632' East: 2,596,287.775'

Segment# 6: Line
Course: S 88°21'20" W Length: 199.29'
North: 7,040,499.913' East: 2,596,088.567'

Segment# 7: Line
Course: S 86°08'54" W Length: 1,003.71'
North: 7,040,432.490' East: 2,595,087.124'

Perimeter: 5,481.60' Area: 1,858,595 Sq.Ft.
Error Closure: 0.006 Course: S 47°34'41" E
Error North : -0.0043 East: 0.0047

Precision 1: 913,601.67



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Lea Ann Ewing, Purchasing Agent

DATE: January 18, 2022

SUBJECT: BID AWARD FOR PURCHASE OF A NEW FIRE APPARATUS AND EQUIPMENT

Attachments

Summary/Background Information

The purchase of a new Pumper and loose equipment funded from the Vehicle Acquisition Fund is approved in the 2022 budget for \$820,000.

This new apparatus will replace a 2013 model pumper (Engine 3). Build time on the new 2022-23 model pumper is concurrent and will take approximately 540 days or 18 months from order date. Acceptance by and delivery to the Fire Department are estimated to be June 2023.

The 2022-23 model apparatus has been competitively bid and available for purchase from Siddons-Martin/Pierce through the Houston-Galveston Area Council of Governments (H-GAC) Cooperative Purchasing Program contract FS12-19 (FIRE). The City, as a member and participant in this cooperative program, has met all formal bidding requirements pertaining to the purchase of this new pumper. Cost of the new pumper is \$799,354, and in addition loose equipment cost and any production change cost could be up to \$20,646. Majority of the loose equipment (includes hoses, connectors, and tools) would be purchased through this same cooperative purchasing program where available. If necessary staff may solicit competitive bids for this equipment, closer to the delivery date of the new pumper.

Action Needed

For Council consideration is the bid award for this new Pumper to Siddons-Martin/Pierce for \$799,354 as well as pre authorization to buy the loose equipment \$20,646 from various vendors and authorize the City Manager to execute purchase orders for this new apparatus and equipment.



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Amy Williams, P.E., Director of Public Works/City Engineer

DATE: January 18, 2022

SUBJECT: STANDARD UTILITY AGREEMENT WITH TEXAS DEPARTMENT OF
TRANSPORTATION (TXDOT) FOR IH-30 FROM STATE HIGHWAY 205 TO
CITY LIMITS

Attachments

Standard Agreement

Summary/Background Information

The Texas Department of Transportation (TXDOT) has completed its design for the expansion of Interstate 30 (IH-30) from State Highway 205 to the city limits. Before construction begins on this portion of the IH-30 expansion, the City will be required to relocate existing City maintained water and wastewater lines that will be in conflict with the proposed construction. Volkert, Inc. recently completed a utility conflict analysis and utility relocation plans for this section of IH-30 for the City. The next step will be to proceed with entering into a *Standard Utility Agreement* with TXDOT, which determines the City and State's responsibilities for the adjustment, removal, and relocation of utilities in this portion of the IH-30 right-of-way. Based on the attached agreement, TXDOT is agreeing to pay for the costs incurred for the relocation of the utilities.

Action Needed

STANDARD UTILITY AGREEMENT

U Number: **N/A** Utility ID: **U00010432**

District: Dallas
Federal Project No.: NH 1902(172)
ROW CSJ: 0009-12-222
Highway Project Letting Date: 7/1/22 (RTL)

County: Rockwall
Highway: IH 30
From: SH 205
To: FM 2642

This Agreement by and between the State of Texas, acting by and through the Texas Transportation Commission, ("**State**"), and City of Rockwall, ("**Utility**"), acting by and through its duly authorized representative, shall be effective on the date of approval and execution by and on behalf of the **State**.

WHEREAS, the **State** has deemed it necessary to make certain highway improvements as designated by the **State** and approved by the Federal Highway Administration within the limits of the highway as indicated above (the "**Highway Project**");

WHEREAS, the proposed Highway Project will necessitate the adjustment, removal, and/or relocation of certain facilities of the **Utility** as indicated in the following statement of work: All stationing is IH 30 mainlane stationing; Relocation of 16" water line (WL #1) along WBFR from STA 265+53.16 to 267+43.64; Relocation of 16" water line (WL #2) along WBFR from STA 274+54.83 to 275+94.60; Relocation of 12" water line (WL #3) crossing from STA 269+13.10 to 269+20.78; Relocation of 16" water line (WL #4) along EBFR from STA 272+01.10 to 273+61.06; Relocation of 16" water line (WL #5) along EBFR from STA 278+97.04 to 281+53.76; and more specifically as shown in the **Utility's** plans, specifications and estimated costs, which are attached hereto as Attachment "A".

WHEREAS, the **State** will participate in the costs of the adjustment, removal, and relocation of certain facilities to the extent as may be eligible for State and/or Federal participation.

WHEREAS, the **State**, upon receipt of evidence it deems sufficient, acknowledges the **Utility's** interest in certain lands and facilities that entitle it to reimbursement for the adjustment, removal, and relocation of certain of its facilities located upon the lands as indicated in the statement of work above.

NOW, THEREFORE, BE IT AGREED:

The **State** will pay to the **Utility** the costs incurred in adjustment, removal, and relocation of the **Utility's** facilities up to the amount said costs may be eligible for **State** participation.

All conduct under this agreement, including but not limited to the adjustment, removal, and relocation of the facility, the development and reimbursement of costs, any environmental requirements, and retention of records will be in accordance with all applicable federal and state laws, rules and regulations, including, without limitation, the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. §§ 4601, et seq., the National Environmental Policy Act, 42 U.S.C. §§ 4321, et seq., the Buy America provisions of 23 U.S.C. § 313 and 23 CFR 635.410, as amended, Texas Transportation Code § 223.045, the Utility Relocations, Adjustments, and Reimbursements provisions of 23 CFR 645, Subpart A, and the Utility Accommodation provisions of 23 CFR 645, Subpart B.

The **Utility** shall supply, upon request by the **State**, proof of compliance with the aforementioned laws, rules, regulations, and guidelines prior to the commencement of the adjustment, removal, and relocation of the facility.

The **Utility** shall not commence any physical work, including without limitation site preparation, on the State's right of way or future right of way, until TxDOT provides the **Utility** with written authorization to proceed with the physical

Initial

Date

TxDOT

Initial

Date

Utility

work upon TxDOT's completion and clearance of its environmental review of the Highway Project. Any such work by the Utility prior to TxDOT's written authorization to proceed will not be eligible for reimbursement and the Utility is responsible for entering any property within the proposed limits of the Highway Project that has not yet been acquired by TxDOT. This written authorization to proceed with the physical work is in addition to the authorization to commence work outlined below. Notwithstanding the foregoing, the provisions of this paragraph are required only when TxDOT has not obtained completion and clearance of its environmental review of the Highway Project prior to the execution of this Agreement by the State and the Utility.

The **Utility** shall comply with the Buy America provisions of 23 U.S.C. § 313, 23 CFR 635.410, as amended, and the Steel and Iron Preference provisions of Texas Transportation Code § 223.045 and, when products that are composed predominately of steel and/or iron are incorporated into the permanent installation of the utility facility, use domestically manufactured products. TxDOT Form 1818 (Material Statement), along with all required attachments, must be submitted, prior to the commencement of the adjustment, removal, and relocation of the facility, as evidence of compliance with the aforementioned provisions. Failure to submit the required documentation or to comply with the Buy America, and Steel and Iron Preference requirements shall result in: (1) the **Utility** becoming ineligible to receive any contract or subcontract made with funds authorized under the Intermodal Surface Transportation Efficiency Act of 1991; (2) the **State** withholding reimbursement for the costs incurred by the **Utility** in the adjustment, removal, and relocation of the **Utility's** facilities; and (3) removal and replacement of the non-compliant products.

The **Utility** agrees to develop relocation or adjustment costs by accumulating actual direct and related indirect costs in accordance with a work order accounting procedure prescribed by the **State**, or may, with the **State's** approval, accumulate actual direct and related indirect costs in accordance with an established accounting procedure developed by the **Utility**. Bills for work hereunder are to be submitted to the **State** not later than one (1) year after completion of the work. Failure to submit the request for final payment, in addition to all supporting documentation, within one (1) year after completion of the work may result in forfeiture of payment for said work.

When requested, the **State** will make intermediate payments at not less than monthly intervals to the **Utility** when properly billed. Such payments will not exceed 90 percent (90%) of the eligible cost as shown in each such billing. Intermediate payments shall not be construed as final payment for any items included in the intermediate payment.

The **State** will, upon satisfactory completion of the adjustment, removal, and/or relocation and upon receipt of final billing prepared in an approved form and manner and accounting for any intermediate payments, make payment in the amount of 90 percent (90%) of the eligible costs as shown in the final billing prior to audit and after such audit shall make an additional final payment totaling the reimbursement amount found eligible for **State** reimbursement.

Alternatively, the **State** agrees to pay the **Utility** an agreed lump sum of \$N/A as supported by the attached estimated costs. The **State** will, upon satisfactory completion of the adjustments, removals, and relocations and upon receipt of a final billing, make payment to the **Utility** in the agreed amount.

Upon execution of this agreement by both parties hereto, the **State** will, by written notice, authorize the **Utility** to perform such work diligently and to conclude said adjustment, removal, and relocation by the stated completion date which is attached hereto in Attachment "C". The completion date shall be extended for delays caused by events outside the **Utility's** control, including an event of Force Majeure, which shall include a strike, war or act of war (whether an actual declaration of war is made or not), insurrection, riot, act of public enemy, accident, fire, flood or other act of God, sabotage, or other events, interference by the **State** or any other party with the **Utility's** ability to proceed with the work, or any other event in which the **Utility** has exercised all due care in the prevention thereof so that the causes of other events are beyond the control and without the fault or negligence of the **Utility**.

This agreement in its entirety consists of the following elements:

Standard Utility Agreement – ROW-U-35;

- Plans, Specifications, and Estimated Costs (Attachment "A");
- Accounting Method (Attachment "B");
- Schedule of Work (Attachment "C");
- Statement Covering Contract Work – ROW-U-48 (Attachment "D");

Initial	Date	Initial	Date
TxDOT		Utility	

- Utility Joint Use Agreement – ROW-U-JUA and/or Utility Installation Request – Form 1082 (Attachment “E”);
- Eligibility Ratio (Attachment “F”);
- Betterment Calculation and Estimate (Attachment “G”); and
- Proof of Property Interest – ROW-U-Affidavit (Attachment “H”).

All attachments are included herein as if fully set forth. In the event it is determined that a substantial change from the statement of work contained in this agreement is required, reimbursement therefore shall be limited to costs covered by a modification or amendment of this agreement or a written change or extra work order approved by the **State** and the **Utility**.

This agreement is subject to cancellation by the **State** at any time up to the date that work under this agreement has been authorized, and such cancellation will not create any liability on the part of the **State**. However, the **State** will review and reimburse the **Utility** for eligible costs incurred by the **Utility** in preparation of this Agreement.

The State Auditor may conduct an audit or investigation of any entity receiving funds from the **State** directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the Legislative Audit Committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

The **Utility** by execution of this agreement does not waive any of the rights that the **Utility** may have within the limits of the law.

It is expressly understood that the **Utility** conducts the adjustment, removal, and relocation at its own risk, and that the **State** makes no warranties or representations regarding the existence or location of utilities currently within its right of way.

Initial Date
TxDOT

Initial Date
Utility

The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party represented.

UTILITY

EXECUTION RECOMMENDED:

Utility:

Name of Utility

Director of TP&D (or designee), Dallas District

By:

Authorized Signature

Print or Type Name

Title:

Date:

THE STATE OF TEXAS

Executed and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By:

District Engineer (or designee)

Date:

Initial Date
TxDOT

Initial Date
Utility

Attachment "A"

Plans, Specifications, and Estimated Costs

All material items within cost estimate that must meet Buy America or Steel and Iron Preference Provision requirements must be indicated with an asterisk (*).

- ☐ Currently, **we do not have** Buy America required materials planned for this project. In the event that Buy America compliant materials are used during construction on this project, compliance documentation will be provided.
- ☐ There are non-domestic iron and steel materials in this project that fall under the De Minimis equation. Calculation showing the total cost does not exceed one-tenth of one percent (0.1 %) of the individual utility agreement amount or \$2,500.00, whichever is greater is required.
- ☒ We understand the Buy America Compliance Requirements and will supply the required documentation to TxDOT indicating compliance with this provision. The following documents will be supplied prior to installation of the materials:
- 1) Form 1818 - Material Statement
 - 2) Material Test Reports or Certifications

Initial Date
TxDOT

Initial Date
Utility

SUMMARY OF UTILITY ITEMS

	CONSULTING ENGINEERING FEES (VOLKERT)	CONSULTING ENGINEERING FEES (ALLIANCE)	MOBILIZATION	TRAFFIC CONTROL	DUCTILE IRON FITTINGS	PREPARING ROW	EROSION AND SEDIMENT CONTROL	TRENCH EXCAVATION SAFETY	ROLL SODDING	20" STEEL CASING* (BORED)	24" STEEL CASING* (BORE)	BUTTERFLY VALVE & BOX* (COMPL) (16")	CUT AND PLUG (16")	CUT AND PLUG (12")	FIRE HYDRANT ASSEMBLY*	GROUT AND ABANDONMENT (10"-48")	RECONNECT EXISTING WATER METER	RECONNECT EXISTING WATER SERVICE	REM & DISPOSE OF 16" DIA WTR LINE	REM & DISPOSE OF 12" DIA WTR LINE	SAWCUT, REMOVE AND REPLACE REINFORCED CONCRETE PAVEMENT	REMOVE FIRE HYDRANT ASSEMBLY	REMOVE WATER VALVE AND BOX (ALL SIZES)	ABANDON EXISTING WATER VALVE (ALL SIZES)	TAPPING SLEEVE (16"x16")	TIE-IN (16" PVC TO 16" PVC)	TIE-IN (12" PVC TO 16" PVC)	VALVE* (GATE)(12")	WATER MAIN PIPE (PVC)(16IN) (DR18)(C900)	WATER MAIN PIPE (PVC)(12IN) (DR 14)(C900)			
	EA	EA	PM**	PM**	TON	AC	EA	LF	SY	LF	LF	EA	EA	EA	EA	LF	EA	EA	LF	LF	SY	EA	EA	EA	EA	EA	EA	EA	EA	LF	LF		
WM #01 ST 265+53.16 to 267+43.64 WBFR			1.00	1.00	1.18		75	20	48		120	3	4		1	105			75			1			1	2	1			207			
WM #02 ST 274+54.83 to 275+94.60 WBFR			0.50	0.50	0.68	0.03	350	155	122			2	4			18	1	1	120		8						2				155		
WM #03 ST 269+13.10 to 269+20.78 CROSSING			0.50	0.50	0.59					287		4				279												2	2			287	
WM #04 ST 272+01.10 to 273+61.06 EBFR			0.50	0.50	0.95	0.03	385	134	123		37	2	4		1	54			106			1				2					171		
WM #05 ST 278+97.04 to 281+53.76 EBFR			0.50	0.50	0.68	0.03	566	115	158		200	2	4			150	1	1	103				1	1		2					252		
PROJECT TOTALS	1	1	3	3	4.08	0.08	1376	424	451	287	357	13	16	0	2	606	2	2	404	0	8	2	1	1	1	8	3	2	785	287			
unit price	\$59,800.68	\$15,000.00	\$25,014.12	\$7,504.24	\$4,367.24	\$5,579.19	\$1.50	\$31.50	\$3.19	\$390.00	\$410.00	\$8,000.00	\$2,827.81	\$2,042.55	\$6,800.00	\$65.00	\$2,315.91	\$2,315.91	\$140.00	\$130.00	\$308.00	\$741.60	\$368.44	\$294.35	\$15,000.00	\$5,836.95	\$5,200.00	\$3,525.00	\$165.00	\$129.34			
Total Pay Item Cost	\$59,800.68	\$15,000.00	\$75,042.36	\$22,512.72	\$17,818.34	\$457.49	\$2,064.00	\$13,356.00	\$1,438.69	\$111,930.00	\$146,370.00	\$104,000.00	\$45,244.96	\$0.00	\$13,600.00	\$39,390.00	\$4,631.82	\$4,631.82	\$56,560.00	\$0.00	\$2,464.00	\$1,483.20	\$368.44	\$294.35	\$15,000.00	\$46,695.60	\$15,600.00	\$7,050.00	\$129,525.00	\$37,120.58			

\$1,088,395.06 SUBTOTAL
\$555.22 SALVAGE CREDIT
\$1,087,839.84 TOTAL

NOTES:
1.Materials indicated with an asterisk * are to be "Buy America" in accordance with TxDOT / FHWA guidance letter dated May 26, 2021. Otherwise, materials with no asterisk are exempt from "Buy America" provisions.
2. The utility facility owner will submit an executed TxDOT Form 1818 with attached Mill Test Reports or itemized certifications, issued and signed by the initial fabricator, stating that the materials were manufactured domestically.
3. Products subject to "Buy America" compliance are required to be inspected prior to installation. A minimum of 48 hours advance notice must be given to allow field inspectors to be on-site for inspections. Removal of non-approved materials will be at the cost of the Utility.

** PM - Per Month

For Review Only.

ESTIMATE OF LABOR

FIRM: VOLKERT
CLIENT: City of Rockwall
PROJECT NAME: IH 30 - Water/Wastewater Relocations SH 205 to FM 2642
COUNTY: Rockwall

DATE: 10/27/21

TASK	Project Mgr	Dep. Proj. Mgr	Project Engineer	Design Engineer	Sr. Eng Tech	Eng Tech	Tech I	Admin Clerical	S.U.E Services				TOTAL
SUMMARY OF HOURS	BILLING RATES	\$243.31	\$215.02	\$161.26	\$130.14	\$113.17	\$94.78	\$100.00	\$70.73				
1 Water Relocation - SH 205 to FM 2642	8	33	43	34	82	135	0	6	0	0	0	0	341
2 Bidding Phase Services	2	5	5	0	0	0	0	0	0	0	0	0	12
3 Tophographic Survey (By Others)				0					0	0	0	0	0
4 Quality Control/Quality Assurance	0	8	10	0	0	0	0	0	0	0	0	0	18
5 Special Services - Construction Phase Services	0	0	8	8	0	0	0	0	0	0	0	0	16
TOTAL HOURS	10	46	66	42	82	135	0	6	0	0	0	0	387
SUMMARY OF COSTS													
1 Water Relocation - SH 205 to FM 2642	\$1,946.48	\$7,095.66	\$6,934.18	\$4,424.76	\$9,279.94	\$12,795.30	\$0.00	\$424.38	\$0.00	\$0.00	\$0.00	\$0.00	\$42,900.70
2 Bidding Phase Services	\$486.62	\$1,075.10	\$806.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,368.02
3 Tophographic Survey (By Others)									\$0.00	\$0.00	\$0.00	\$0.00	
4 Quality Control/Quality Assurance	\$0.00	\$1,720.16	\$1,612.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,332.76
5 Special Services - Construction Phase Services	\$0.00	\$0.00	\$1,290.08	\$1,041.12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,331.20
REIMBURSABLE COSTS - S.U.E. Services									\$8,868.00				\$8,868.00
TOTAL COSTS	\$2,433.10	\$9,890.92	\$10,643.16	\$5,465.88	\$9,279.94	\$12,795.30	\$0.00	\$424.38	\$8,868.00	\$0.00	\$0.00	\$0.00	\$59,800.68
1 Water Relocation - SH 205 to FM 2642	8	33	43	34	82	135	0	6	0	0	0	0	341
1.1 Project Management	4	5						6					15
1.2 Construction Plans/Specifications, & Estimates													0
1.2.A Cover/Legend/General Notes			4		8	8							20
1.2.B Ex Conditions Plan/Demolition Plan		3	3	4	4	15							29
1.2.C Erosion Control Plan													0
1.2.D Water Plan/Profile		3	4	20	60	80							167
1.2.E Detour Plan (NOT INCLUDED)													0
1.2.F Traffic Control Plan		2	6			8							16
1.2.G Details		2	6	6	2	8							24
1.2.H Construction Sequencing Plan		2	4			8							14
1.2.I Misc Details		2	2		8	8							20
1.3 Specifications/Construction Contracts	2	6	6										14
1.4 Estimates	2	4	4										10
1.5 Agency Permitting/Coordination		4	4	4									12
2 Bidding Phase Services	2	5	5	0	0	0	0	0	0	0	0	0	12
2.1 Project Management	2	2	2										6
2.2 Document Preparation		3	3										6
3 Tophographic Survey (By Others)													0
4 Quality Control/Quality Assurance		8	10										18
4.1 60% QA/QC		4	4										8
4.2 90% QA/QC		2	4										6
4.3 100% QA/QC		2	2										4
5 Special Services - Construction Phase Services			8	8									16
5.1 Responding to RFIs			4										4
5.2 Field Design Changes			4	8									12

Total Costs \$59,800.68
Max Not to Exceed \$65,780.75

Attachment “B” Accounting Method



Actual Cost Method of Accounting

The utility accumulates cost under a work order accounting procedure prescribed by the Federal or State regulatory body and proposes to request reimbursement for actual direct and related indirect costs.



Lump Sum Method of Accounting

Utility proposed to request reimbursement based on an agreed lump sum amount supported by a detailed cost analysis.

Initial Date
TxDOT

Initial Date
Utility

Attachment “C” Schedule of Work

Estimated Start Date: 4/1/2022, (subject to physical work restrictions prior to the issuance of environmental clearance as required by the provisions of this agreement)

Estimated Duration (days): 90 Days

Estimated Completion Date: 06/30/2022

Initial Date
TxDOT

Initial Date
Utility

Attachment “D” Statement Covering Contract Work

(ROW-U-48)
(ROW-U-48-1, if applicable)

Construction Contract:

- ☐ Utility performing with their own forces (timesheets will be required at the time of billing).
- ☒ Utility will use outside forces to perform the adjustment, complete attached ROW-U-48 or ROW-U-48-1 (joint bid).

Engineering Contract:

- ☐ Utility performing with their own forces (timesheets will be required at the time of billing).
- ☒ Utility will use consultant contract (continuing contract rate sheets or fee schedule will be required).
- ☐ TxDOT will procure utility consultant.

Initial Date
TxDOT

Initial Date
Utility



STATEMENT COVERING UTILITY CONSTRUCTION CONTRACT WORK
(AS APPEARING IN ESTIMATE)

Form ROW-U-48
(Rev. 10/20)
Page of

U-Number: N/A Utility ID: U00010432
ROW CSJ Number: 0009-12-222 District: Dallas (18)
County: Rockwall Highway No.: IH 30
Federal Project No.: NH 1902(172)

I, _____, a duly authorized and qualified representative of
City of Rockwall, hereinafter referred to as **Owner**, am fully cognizant of the
facts and make the following statements in respect to work which will or may be done on a contract basis as it appears in the
estimate to which this statement is attached.

It is more economical and/or expedient for **Owner** to contract this adjustment, or **Owner** is not adequately staffed or equipped
to perform the necessary work on this project with its own forces to the extent as indicated on the estimate.

Procedure to be Used in Contracting Work

- ☒ A. Solicitation for bids is to be accomplished through open advertising and contract is to be awarded to the lowest
qualified bidder who submits a proposal in conformity with the requirements and specifications for the work to be
performed. Associated bid tabulations will be provided to the **State**.
- ☐ B. Solicitation for bids is to be accomplished by circulating to a list of pre-qualified contractors or known qualified
contractors and such contract is to be awarded to the lowest qualified bidder who submits a proposal in conformity
with the requirements and specifications for the work to be performed. Associated bid tabulations will be provided to
the **State**. Such presently known contractors are listed below:
1. + -
- ☐ C. The work is to be performed under an existing continuing contract under which certain work is regularly performed
for **Owner** and under which the lowest available costs are developed. The existing continuing contract will be made
available to the **State** for review at a location mutually acceptable to the **Owner** and the **State**. If only part of the
contract work is to be done under an existing contract, give detailed information by attachment hereto.
- ☐ D. The utility proposes to contract outside the foregoing requirements and therefore evidence in support of its proposal
is attached to the estimate in order to obtain the concurrence of the **State**, and the Federal Highway Administration
Division Engineer where applicable, prior to taking action thereon (approval of the agreement shall be considered as
approval of such proposal).
- ☐ E. The utility plans and specifications, with the consent of the **State**, will be included in the construction contract
awarded by the **State**. In the best interest of both the **State** and the **Owner**, the **Owner** requests the **State** to include
the plans and specifications for this work in the general contract for construction of Highway _____ in this area, so
that the work can be coordinated with the other construction operations; and the construction contract is to be
awarded by the **State** to the lowest qualified bidder who submits a proposal in conformity with the requirements and
specifications for the work to be performed. If this option is chosen, attach form ROW-U-48-1, the terms of which are
incorporated herein by reference.

Signature

Date

Contact/Help

Title

Attachment “E”

Utility Joint Use Agreement – (ROW-U-JUA) and/or Utility Installation Request – (Form 1082)

- ☐ Utility Joint Use Agreement (ROW–U–JUA)
- ☒ Utility Installation Review/Permit Number: DALXXXXXXXXXXXXXX

Initial Date
TxDOT

Initial Date
Utility

Attachment “F” Eligibility Ratio

Eligibility Ratio established: 100 %

- ☐ Non-interstate Highway (Calculations attached)
☒ Interstate Highway

ROW Utility Manual Chapter 8, Section 2

In developing the ratio, line length or number of poles is restricted to facilities located within the existing and proposed highway right of way. Facilities located outside the existing and proposed right of way limits will not be used in developing the ratio.

Please see example of eligibility ratio calculations below.

Plan Sheet or Page#	In Easement (Eligible) Existing # of Poles or LF	In Public ROW (Ineligible) Existing # of Poles or LF
1	0	0
2	84	22
3	90	385
4	238	96
Totals	412	503

Total Existing # of Poles or LF (Eligible)	412
Total Existing # of Poles or LF (Ineligible)	503
Total Existing # of Poles or LF	915
Total Existing # of Poles or LF (Eligible) divided by the Total Existing # of Poles or LF	45.03%

Initial _____ Date _____
TxDOT

Initial _____ Date _____
Utility

Attachment "G"

Betterment Calculation and Estimate

- ☐ Elective Betterment Ratio established: %
(Calculation attached and justification below)
- ☐ Forced Betterment
(Provide supporting documentation)
- ☒ Not Applicable

Elective betterment justification statement:
N/A

Initial Date
TxDOT

Initial Date
Utility

Attachment “H” Proof of Property Interest

☐ Supporting documentation of compensable property interest that establishes reimbursement eligibility as referenced in Texas Transportation Code §203.092.

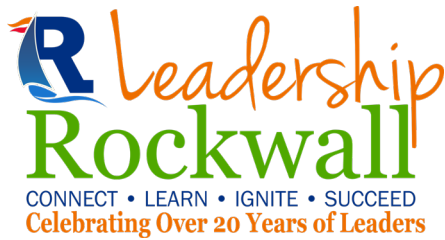
☐ Property interest documented through applicable affidavits and required attachments.

☐ ROW-U-Affidavit

☒ The roadway improvement project is designated as an Interstate Highway project; therefore, no supporting documentation of compensable interest is required.

Initial Date
TxDOT

Initial Date
Utility



MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Leadership Rockwall Class of 2022

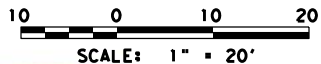
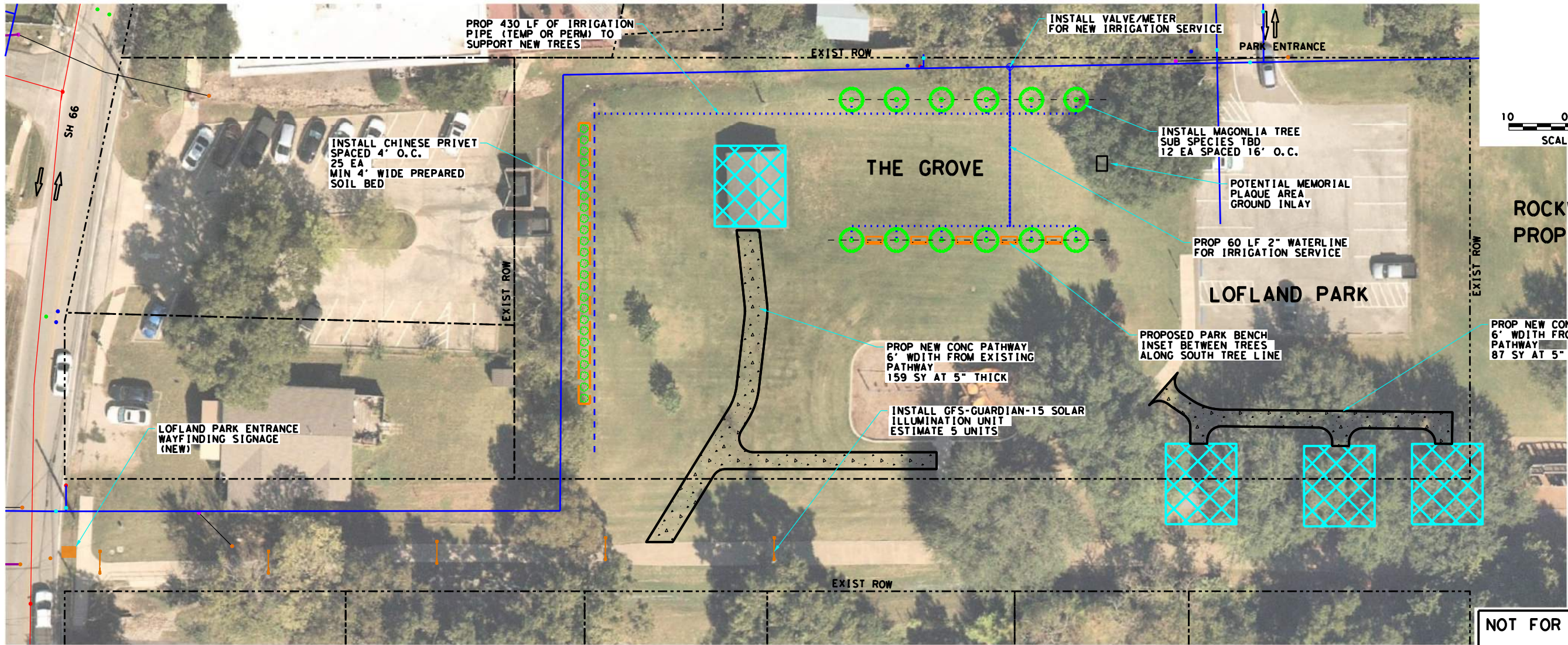
DATE: January 18, 2022

SUBJECT: Leadership Rockwall Class of 2022 – Lofland Park Improvement Project

The Leadership Rockwall Class of 2022 has selected and is planning a proposed improvement project for the City of Rockwall's oldest park, Lofland Park. The project goal is to improve and enhance an existing public space and increase usage by Rockwall area patrons. The idea is to execute "placemaking" to transform the public space and strengthen the connections between people and the park as well as the surrounding neighborhood and businesses. Lofland Park was chosen due to its proximity to downtown and availability for improvements that can add long term value to residential and commercial development.

The proposed park improvements include: the construction of new five (5) foot wide concrete paths to provide ADA accessibility between the existing pavilions; trails and parking lot in the park; repairing and painting of the four (4) existing pavilions featuring architectural stylings of distinct Rockwall housing construction; installation of solar lighting along the existing trail; installation of wayfinding sign at SH66 trail entrance. Additionally "The Grove" is proposed which consists of a Magnolia lined greenfield area with park benches. A proposed conceptual improvement plan has been included showing these locations in the park. The 2022 Leadership Rockwall Class will be using volunteers, in-kind donations and is requesting public funds to bring these proposed improvements to the park. The in-kind donations include various areas of concrete flatwork, concrete materials, discounted solar lighting, and design services.

The Leadership Rockwall Class has meet with City of Rockwall Parks Staff and City Staff on several occasions discussed the proposed plan to conform to City Park requirements. The Rockwall County Historic Foundation has approved the renovations of the proposed pavilions. On January 4th, 2022 Leadership Rockwall presented the proposed Lofland Park improvement Plans to the Park Board and received their support for the proposed improvements. The Leadership Rockwall Class of 2022 requests that City Council consider approving the proposed improvements to Lofland Park and authorize the use of the Tree Fund in an amount not to exceed \$17,500 for landscaping and irrigation, and take any action necessary.



ROCKWALL ISD
PROPERTY

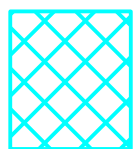
PROP NEW CONC PATHWAY
6' WIDTH FROM EXISTING
PATHWAY
87 SY AT 5" THICK

NOT FOR CONSTRUCTION

DOCUMENT FOR REVIEW ONLY AND
NOT INTENDED FOR CONSTRUCTION,
BIDDING, OR PERMIT PURPOSES.

TREVOR L. REED
No. 115984

LEGEND



PAVILION AREA
(TO BE IMPROVED)



GFS-55 SOLAR PATHWAY
ILLUMINATION



MAGNOLIA TREE
LITTLE GEM



CHINESE PRIVET
(OR OTHER SPECIES FOR SCREEN)



PARK BENCH
TYPE TBD



PROPOSED IRRIGATION



PROPOSED WATER LINE EXTENSION

NOTES:

1. INFORMATION PROVIDED WITHIN THIS DOCUMENT IS IN SUPPORT OF LEADERSHIP ROCKWALL 2022 CLASS PROJECT AND IS SUBJECT TO APPROVAL BY THE CHAMBER OF COMMERCE AND PROJECT STAKEHOLDERS INCLUDING THE CITY OF ROCKWALL. CONCEPTUAL DRAWING IS INTENDED TO CONVEY CONCEPTS FOR REVIEW AND COMMENT BY THE CITY OF ROCKWALL AND IS NOT INTENDED FOR CONSTRUCTION BASED ON THIS DRAWING.
2. ALL PROPOSED CONSTRUCTION ELEMENTS SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF ROCKWALL, THE CITY OF ROCKWALL PARKS DEPARTMENT, AND OTHER STAKEHOLDERS DEEMED REQUIRED BY THE PROJECT OWNER.
3. ALL COMPONENTS SHALL BE INSTALLED IN ACCORDANCE WITH ROCKWALL STANDARDS AND SPECIFICATIONS REQUIRED BY THE PARKS DEPARTMENT.
4. IMPROVEMENTS TO THE PAVILION AREAS IS LIMITED TO PAINT AND CLEAN UP. COLOR SELECTION TO BE APPROVED BY THE CITY OF ROCKWALL PARKS DEPARTMENT.
5. COMPONENTS DISPLAYED WITHIN PLAN ARE DEPENDENT OF IN-KIND DONATIONS AND FUNDRAISING CAPACITY OF THE LEADERSHIP ROCKWALL 2022 CLASS. IN-KIND DONATIONS AND INSTALLATIONS PERFORMED BY THE CITY ARE ANTICIPATED AS NEEDED TO FACILITATE LONG TERM PARK GOALS AND MAINTENANCE ADHERENCE.
6. INFORMATION SHOWN IN TOPOGRAPHY AND EXISTING FEATURES OBTAINED FROM ROCKWALL GIS DATASET AS OF 12/13/2021. INFORMATION IS NOT SURVEY GRADE DATA AND FIELD ADJUSTMENTS MAY BE NEEDED.
7. ALL SIDEWALK SURFACE AREAS PROPOSED SHALL BE ADA COMPLIANT AND ACCOMMODATE MAKE GRADES, WIDTHS, AND TRANSITIONS AS REQUIRED.
8. ALL TREES SHALL BE PLANTED A MINIMUM OF 6' FROM EXISTING WATERLINES OR AS DIRECTED BY THE CITY ENGINEER.
9. WORK FOR PROJECT SHALL BE COMPLETE BY APRIL 16, 2022.



VOLKERT 2021

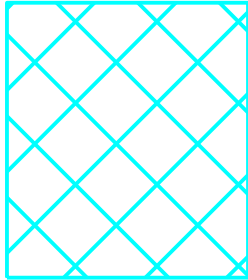
F-12679

**CITY OF ROCKWALL
LOFLAND PARK
PROPOSED IMPROVEMENTS**

SHEET 1 OF 2

CONT	SECT	JOB	HIGHWAY
DIST	COUNT	SHEET NO.	
	52	1	
	ROCKWALL		

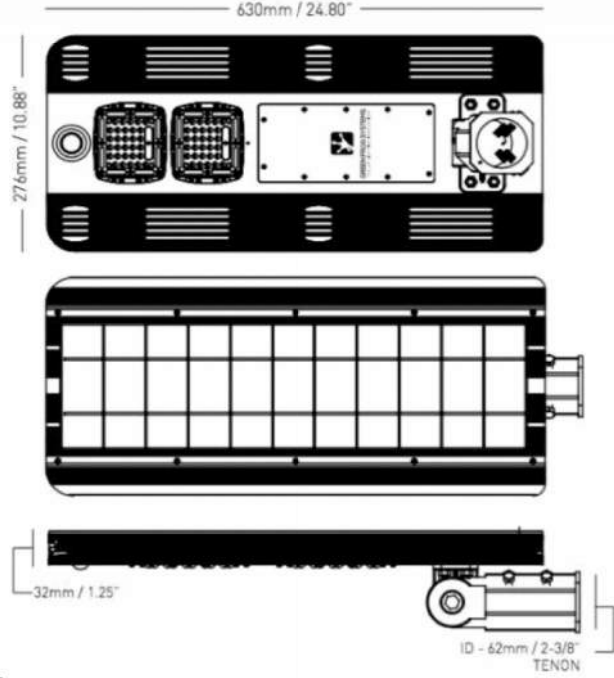
LEGEND



PAVILION AREA
(TO BE IMPROVED)



GFS-15 SOLAR PATHWAY
ILLUMINATION



NOTES:

1. INFORMATION PROVIDE WITHIN THIS DOCUMENT IS IN SUPPORT OF LEADERSHIP ROCKWALL 2022 CLASS PROJECT AND IS SUBJECT TO APPROVAL BY THE CHAMBER OF COMMERCE AND PROJECT STAKEHOLDERS INCLUDING THE CITY OF ROCKWALL. CONCEPTUAL DRAWING IS INTENDED TO CONVEY CONCEPTS FOR REVIEW AND COMMENT BY THE CITY OF ROCKWALL AND IS NOT INTENDED FOR CONSTRUCTION BASED ON THIS DRAWING.
2. ALL PROPOSED CONSTRUCTION ELEMENTS SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF ROCKWALL, THE CITY OF ROCKWALL PARKS DEPARTMENT, AND OTHER STAKEHOLDERS DEEMED REQUIRED BY THE PROJECT OWNER.
3. ALL COMPONENTS SHALL BE INSTALLED IN ACCORDANCE WITH ROCKWALL STANDARDS AND SPECIFICATIONS REQUIRED BY THE PARKS DEPARTMENT.
4. INFORMATION SHOWN HEREIN FOR CONCEPTUAL PURPOSES ONLY. TREE AND STRUCTURE SELECTION SUBJECT TO CITY OF ROCKWALL APPROVAL.



MAGNOLIA TREE
SUB SPECIES TBD



SPECIES FOR SCREEN
CHINESE PRIVET



NOT FOR CONSTRUCTION

DOCUMENT FOR REVIEW ONLY AND
NOT INTENDED FOR CONSTRUCTION,
BIDDING, OR PERMIT PURPOSES.

TREVOR L. REED
No. 115984



PARK BENCH
TYPE TBD



TYPICAL PARK SIGN FOR 66
WEST ENTRANCE



F-12679

CITY OF ROCKWALL
LOFLAND PARK
PROPOSED CONCEPTS

SHEET 2 OF 2

CONT	SECT	JOB	HIGHWAY
DIST	COUNTY	SHEET NO.	
	ROCKWALL	2	



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Council

FROM: Chris Kosterman, Art Board Member

DATE: January 18, 2022

SUBJECT: Approval of Public Art Project Designs – Painted Butterfly Art

Council approved the butterfly project and funding in the amount of \$10,000.00 in September. Since then butterflies have been fabricated by the Parks Department and delivered to both high school campuses.

At their January meeting, the Art Commission approved the butterfly project design concepts submitted by Rockwall ISD high school students. The commission is seeking Council approval of the attached nine concepts. Once approved, supplies will be ordered and students will begin painting the butterflies.

Each butterfly measures 3'W x 3'H x 2"D and will be installed in all of the City's butterfly gardens, along with two public areas, to be determined. One butterfly has already been painted by Art in Public Places board member Susan Guzman and will reside in one of the locations.

Rockwall ISD high school students from both high schools were specifically chosen by the high school art department. Each student has put a lot of thought and hard work into their unique design and are eager to begin.

This visual art project was chosen by the commission to bring awareness to the City's Monarch Butterfly Pledge and to enhance Rockwall's award-winning parks. The commission seeks to bring more awareness and public education through this joint partnership with the school district. The board is looking forward to promoting this project in the community.

Timeline:

Delivery to District/Artists: Winter 2022

Target Completion: Spring 2022

Installation/Unveiling: Spring 2022

Installation Locations:

Harry Myers

Northshore

Emerald Bay

Hickory Ridge

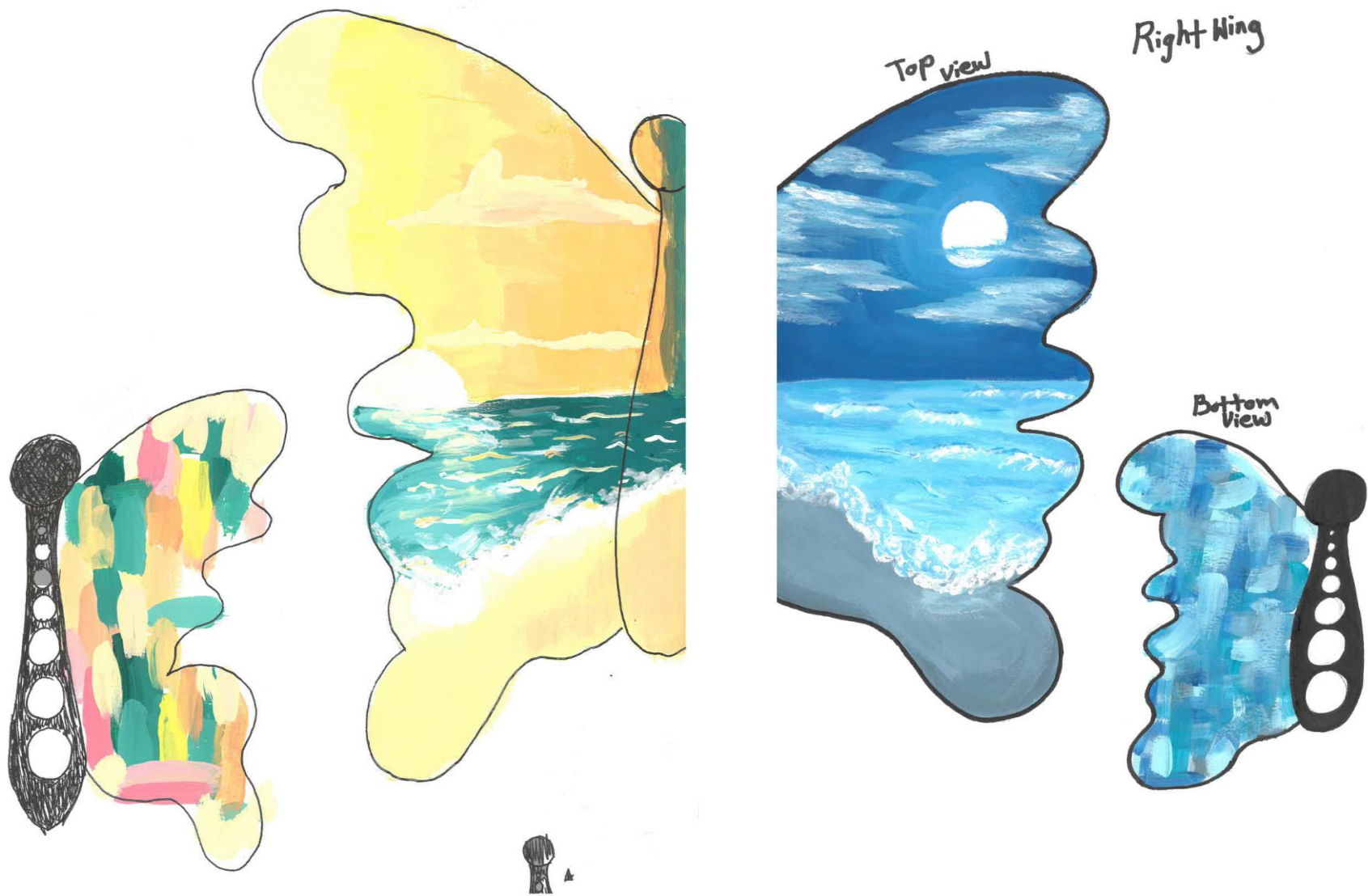
Stone Creek

Breezy Hill

Shores Park

Pettinger Preserve

2 Additional Public Locations (TBD)



R.H.H.S – Concept #1: joint project between two art students.

R.H.H.S – Concept #2:

Black, Dark Green, Purple





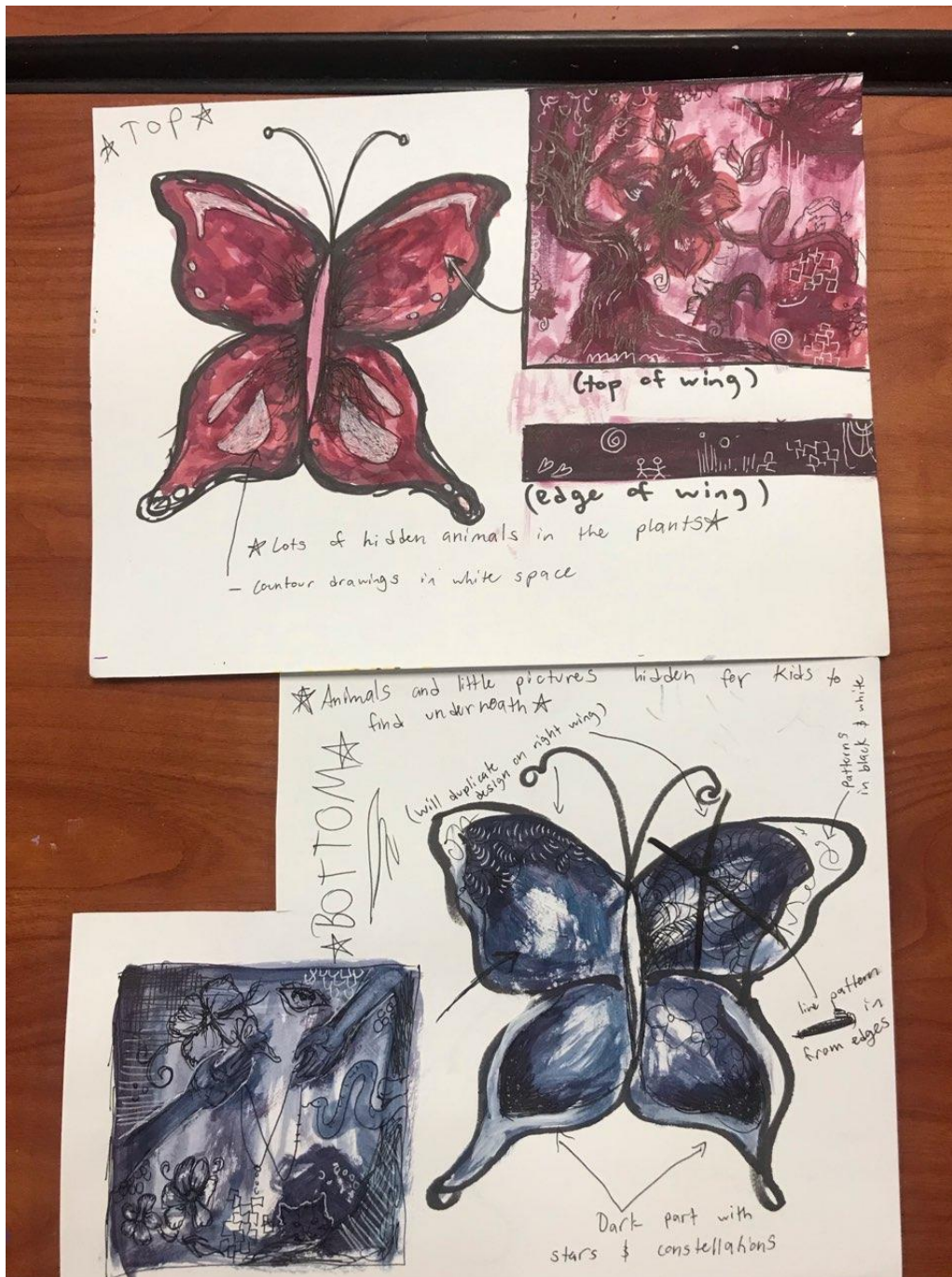
R.H.H.S. Concept #3:

Traditional Butterfly – Pink, Blue, Purple



R.H.H.S. – Concept #4:

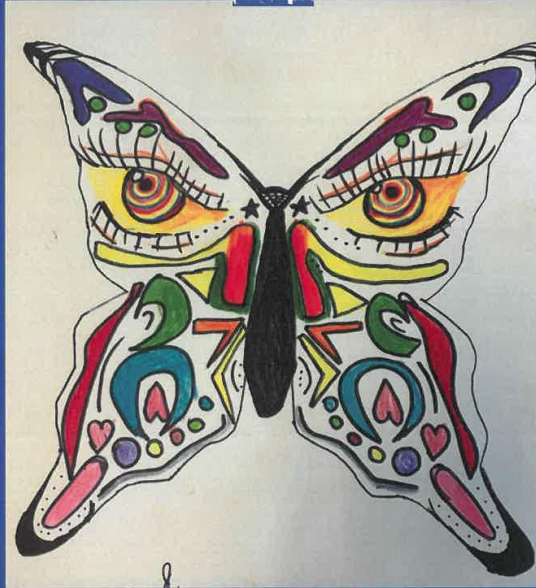
Bright Orange, Yellow, Blue



R.H.H.S. – Concept #5

Bright pink, maroon, slate grey/blue

TCP



R.H.S. – Concept #1



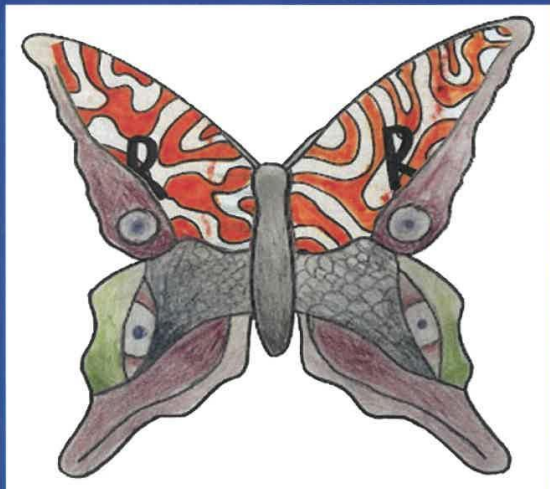


R.H.S. – Concept #2





R.H.S. – Concept #3



NAHS Design(Pending)

Alternate for 4th Butterfly



R.H.S. – Concept #4



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC: Mary Smith, City Manager
Joey Boyd, Assistant City Manager

FROM: Travis E. Sales, Director of Parks and Recreation

DATE: January 18, 2022

SUBJECT: Kidzone

In order to prepare for the upcoming demolition / construction of the Kidzone playground in early Spring 2022, Parks and Recreation staff would like to have a Kidzone Celebration Day on February 5, 2022 from 11:00am to 2:00pm at Harry Myers Park at the Kidzone Playground. This will clear the way for the playground to be removed when that time arrives.

The entire Kidzone playground project, including this event, has been discussed in detail with the key groups that made the original playground installation a success. Rockwall Breakfast Rotary Group and the Ebby Halliday Group are both very excited and willing to participate, as needed, to make the new playground a success.

The event would be for any person or group that may have a name board or recognition plaque to come to the site and walk around one last time. Park staff will be on site to remove and clean their plaque or name board and provide them with it for them to keep. All plaques and name boards not retrieved will be removed and stored for future retrieval. Park and Recreation staff along with the Rockwall Breakfast Rotary Club will provide a hotdog lunch to participants.

Parks and Recreation Staff request that the City Council review and consider this request.



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: Z2021-050; AMENDMENT TO ARTICLE 04, PERMISSIBLE USES, OF THE UNIFIED DEVELOPMENT CODE (UDC) TO CHANGE THE REQUIREMENTS FOR BED AND BREAKFAST

Attachments

Case Memo
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider approval of an **ordinance** for a *Text Amendment* to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the *Conditional Land Use Standards* for the *Bed and Breakfast* land use, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve or deny the proposed *Text Amendment*.



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

CC: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: January 18, 2022

SUBJECT: Z2021-050; *Amendment to Article 04, Permissible Uses, of the Unified Development Code (UDC) to Change the Requirements for Bed and Breakfast*

On November 18, 2021, the Historic Preservation Advisory Board (HPAB) directed staff to bring forward a text amendment to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) to request that the Planning and Zoning Commission and City Council consider changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use. Specifically, the HPAB, requested staff to change the land use from being permitted *by-right* in the Old Town Rockwall (OTR) Historic District to being permitted through a Specific Use Permit (SUP). This came in response to an appointment with Carol Crow -- a resident of the Old Town Rockwall (OTR) Historic District (i.e. 504 Williams Street) -- who expressed concern about a commercial land use being permitted *by-right* within the City's Historic District, which is primarily a residential district.

According to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) the following are the current *Conditional Land Use Standards* for the *Bed and Breakfast* land use:

Bed and Breakfast.

- (a) The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right.
- (b) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (c) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (g) All applicable hotel/motel taxes shall be paid.
- (h) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (i) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

After consideration by the HPAB, the board directed staff to bring forward a recommendation to the Planning and Zoning Commission and City Council proposing to change this section by removing condition (a), which states "(t)he Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right." Since the majority of the Old Town Rockwall (OTR) Historic District is zoned Single-Family 7 (SF-7) District, this means that a Specific Use Permit (SUP) would be required to establish a *Bed and Breakfast* in the district should the change be adopted.

In accordance with Subsection 02.01(C) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), the Director of Planning and Zoning is bringing forward the HPAB's proposed text amendment to the City Council for consideration, and -- *in accordance with Section 02.04(B) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC)* -- staff brought the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. On January 11, 2022, the Planning and Zoning Commission failed to approve a motion to recommend denial by a vote of 3-3, with Commissioners Welch, Moeller, and Conway dissenting and Commissioner Thomas absent. According to Subsection 02.04(E), *Failure to Approve a Motion*, of the Unified Development Code (UDC), "(i)f the Planning and Zoning Commission fails to approve a motion by a majority vote for

any zoning application (*i.e. zoning change, Specific Use Permit, or text amendment*), then a recommendation for denial shall be forwarded to the City Council." Staff should note that this case not being a zoning change or Specific Use Permit (SUP), will only require a simple majority of the City Council to pass a motion. Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on January 11, 2022.

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

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, BY AMENDING SUBSECTION 02.03, *CONDITIONAL LAND USE STANDARDS*, OF ARTICLE 04, *PERMISSIBLE USES*, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; 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, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 20-02*] has been initiated by the Historic Preservation Advisory Board (HPAB) of the City of Rockwall to amend Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] for the purpose of changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use; 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 city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*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 Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

SECTION 2. That 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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 3. That 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 [*Ordinance No. 04-38*], 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 4. 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Additions: Highlighted
Deletions: Highlighted, Strikeout

Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
Subsection 02.03, *Conditional Land Use Standards*

(B) Residential and Lodging Land Uses

(2) *Bed and Breakfast.*

- ~~(a)~~ The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by right.
- (b)(a) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (c)(b) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d)(c) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e)(d) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f)(e) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (g)(f) All applicable hotel/motel taxes shall be paid.
- (h)(g) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (i)(h) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: Z2021-051; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL
FOR 5108 YACHT CLUB DRIVE

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Residential Plot Plan
Floor Plan
Roof Plan
Building Elevations
Building Renderings
Housing Analysis
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a n **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed *Specific Use Permit (SUP)*.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 18, 2022
APPLICANT: Henok Fekadu
CASE NUMBER: Z2021-051; *Specific Use Permit (SUP) for a Residential Infill for 5108 Yacht Club Drive*

SUMMARY

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on October 29, 1973 by *Ordinance No. 73-42*, and rezoned to Planned Development District 8 (PD-8) by *Ordinance No. 73-48*. Phase 19 was later amended by *Ordinance No. 85-43* on August 26, 1985. A preliminary plat (*Case No. PZ1985-045-01*) and a final plat (*Case No. PZ1985-056-01*) for Phase 19 of the Chandler's Landing Subdivision were approved on July 2, 1985. This established the subject property as Lot 4, Block B, Chandler's Landing, Phase 19. The subject property remains zoned Planned Development District 8 (PD-8) and has been vacant since it was annexed.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 5108 Yacht Club Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Yacht Club Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are eight (8) properties (*i.e. 101, 103, 105, 107, 109, & 112 Easterner Place and 104 & 106 France Court*) developed with single-family homes and zoned Planned Development District 8 (PD-8). Beyond this is the Community Bank of Rockwall Addition, which consists of four (4) lots developed with office land uses, and zoned Planned Development District 18 (PD-18) for General Retail (GR) District land uses.

South: Directly south of the subject property is the remainder of the Chandler's Landing Phase 19 Subdivision, followed by the Chandler's Landing Phase 10 Subdivision, which was platted on August 1, 1975 and consists of 59 residential lots. Both subdivisions are zoned Planned Development District 8 (PD-8) for single-family land uses.

East: Directly east of the subject property are two (2) parcels of land (*i.e. 5202 & 5204 Yacht Club Drive*) developed with single-family homes and zoned Planned Development District 8 (PD-8). Beyond this is Yacht Club Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is s Ridge Road [FM-740], which is identified as M4D (*i.e. major collector*),

four [4] lane, divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property are two (2) parcels of land (i.e. 5106 & 5104 Yacht Club Drive) developed with single-family homes and zoned Planned Development District 8 (PD-8). Beyond this is Yacht Club Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several parcels of land developed with single-family homes and zoned Planned Development District 8 (PD-8) for single-family land uses.

CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is part of the Phase 19 of the Chandler's Landing Subdivision, which has been in existence since 1985 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Planned Development District for single-family land uses, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [i.e. *Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...” The following is a summary of observations concerning the housing on France Court and Yacht Club Drive compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on France Court and Yacht Club Drive	Proposed Housing
Building Height	One (1) & Two (2) Story.	Two (2) Story
Building Orientation	All of the homes are oriented towards their front property line.	The front elevation of the home will face onto Yacht Club Drive.
Year Built	1988-2016	N/A
Building SF on Property	2,090 SF – 3,390 SF	4,454 SF (3,924 Air-Conditioned)
Building Architecture	Traditional Brick Suburban Residential	Comparable Architecture to the Existing Homes
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot front yard setback.	25-Feet
Side	The side yard setbacks appear to conform to the required five (5) foot side yard setback.	5-Feet
Rear	The rear yard setbacks appear conform to the required ten (10) feet rear yard setback.	20-Feet
Building Materials	Brick and HardiBoard/HardiePlank.	Combination of Brick, HardiBoard Siding, and Stone
Paint and Color	White, Cream, Red, and Brown	White
Roofs	Composite Shingles	Composite Shingle
Driveways	Driveways are all in the front with the orientations being <i>flat front entry</i> , <i>side entry</i> , and ‘J’ or <i>traditional swing entry</i> .	The garage will be situated five (5) feet to 6½ -feet in front of the front façade of the home.

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), “(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry garages ...” In this case, the applicants proposed garage has two (2) single car doors, which are oriented so that they project in front of the front façade of the single-family home by five (5) feet to 6½-feet. Staff should point out that since the construction range for housing in this area extends from 1988-2016, the houses already have several garage configurations

that would be deemed to be legally non-conforming (*i.e. they were conforming when they were constructed; however, due to changes in the code they are no longer conforming and would not be permitted to be built in this configuration today*). A waiver to the garage orientation is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. If approved as part of the Specific Use Permit (SUP) request, the City Council, upon recommendation by the Planning and Zoning Commission, will be waiving the garage orientation requirement. With this being said, staff should point out -- *that with the exception of the garage orientation* -- the proposed single-family home meets all of the density and dimensional requirements stipulated by Planned Development District 8 [*Ordinance No. 85-43*] and the Unified Development Code (UDC).

For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along France Court and Yacht Club Drive and the proposed building elevations in the attached packet.

NOTIFICATIONS

On December 21, 2021, staff mailed 90 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Signal Ridge, Lago Vista, Fox Chase, Benton Woods, and Chandler's Landing Homeowner's Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any returned notices.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
 - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
 - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 6-0, with Commissioner Thomas absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-051

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 5108 Yacht Club Drive, Rockwall, TX

SUBDIVISION Chandlers Landing Addition LOT 4 BLOCK B

GENERAL LOCATION _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	<u>Single Family Residential</u>	CURRENT USE	<u>Empty Lot</u>
PROPOSED ZONING	<u>Single Family Residential</u>	PROPOSED USE	<u>Single Family Residential</u>
ACREAGE	<u>0.18</u>	LOTS [CURRENT]	LOTS [PROPOSED]

☒ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☒ OWNER Henok Fekadu ☐ APPLICANT _____

CONTACT PERSON Henok Fekadu CONTACT PERSON _____

ADDRESS 5402 Onset Bay Dr ADDRESS _____

CITY, STATE & ZIP Rowlett TX 75089 CITY, STATE & ZIP _____

PHONE 214-554-1078 PHONE _____

E-MAIL Info@openspacebuild.com E-MAIL _____

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Henok Fekadu [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

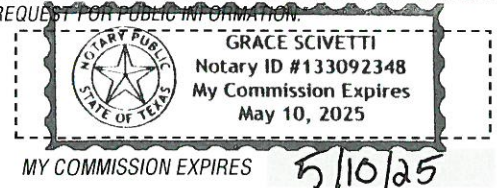
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 13 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 13 DAY OF December, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 13 DAY OF December, 2021.

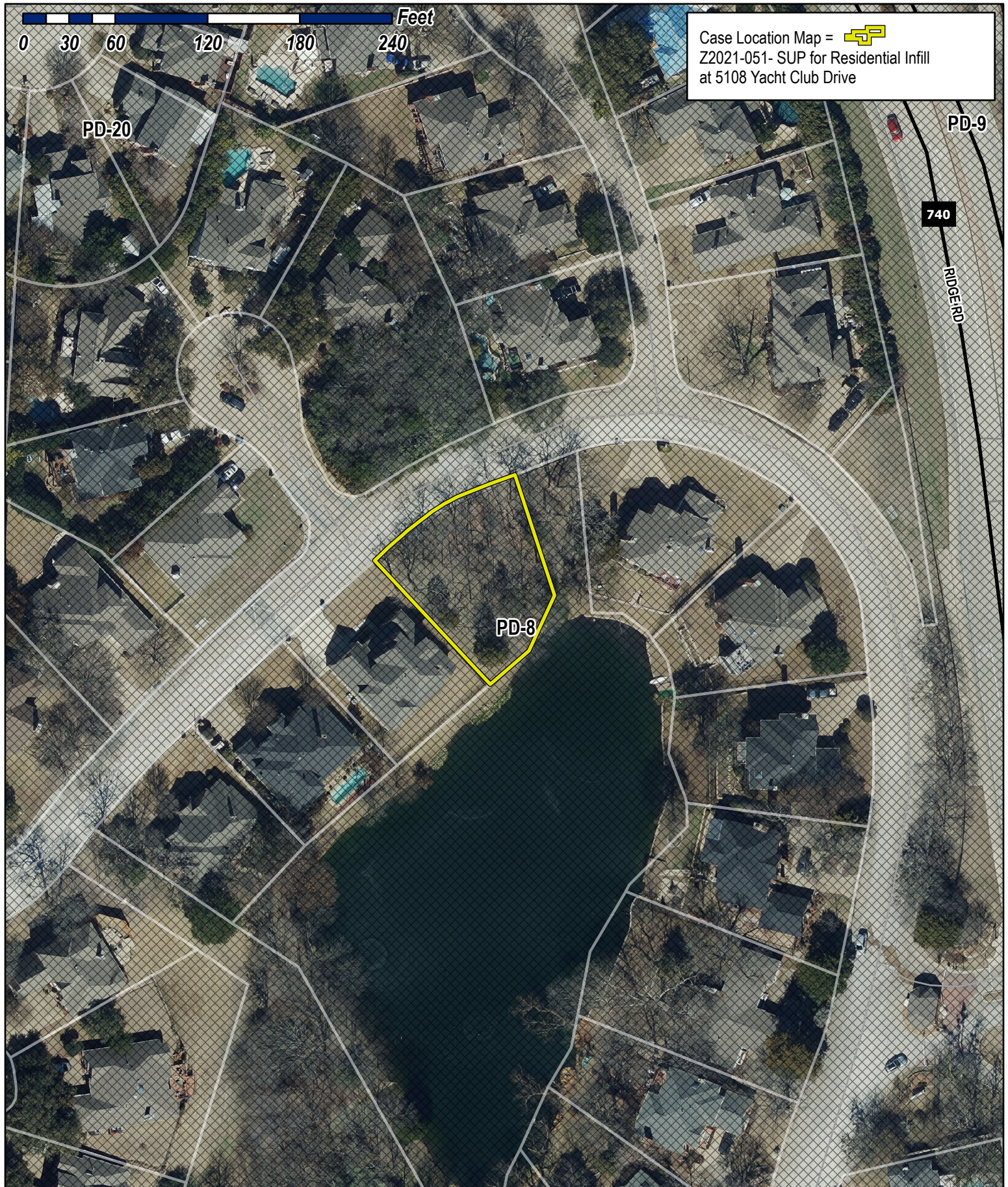
OWNER'S SIGNATURE

Henok Fekadu
Grace Scivetti

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 5/10/25



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

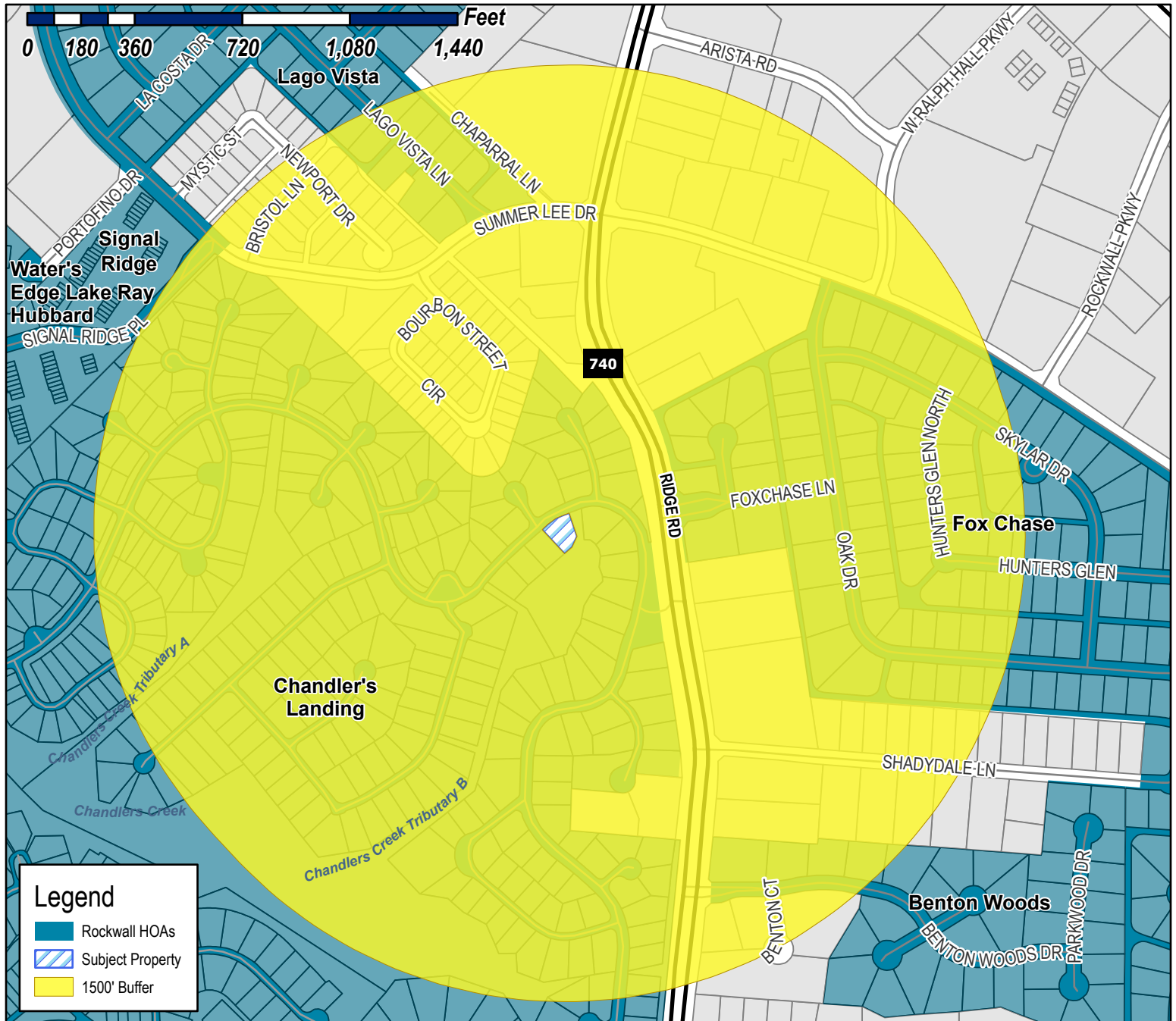
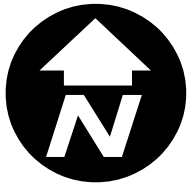




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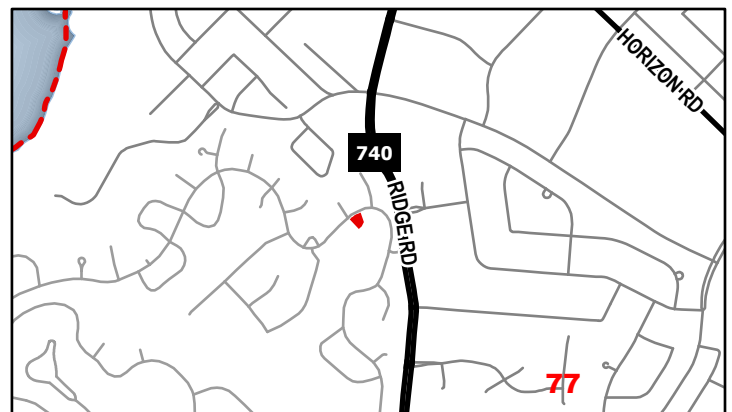
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Case Number: Z2021-051
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Planned Development District 8 (PD-8)
Case Address: 5108 Yacht Club Drive

Date Saved: 12/16/2021

For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-051]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-051: SUP for Residential Infill at 5108 Yacht Club Drive

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

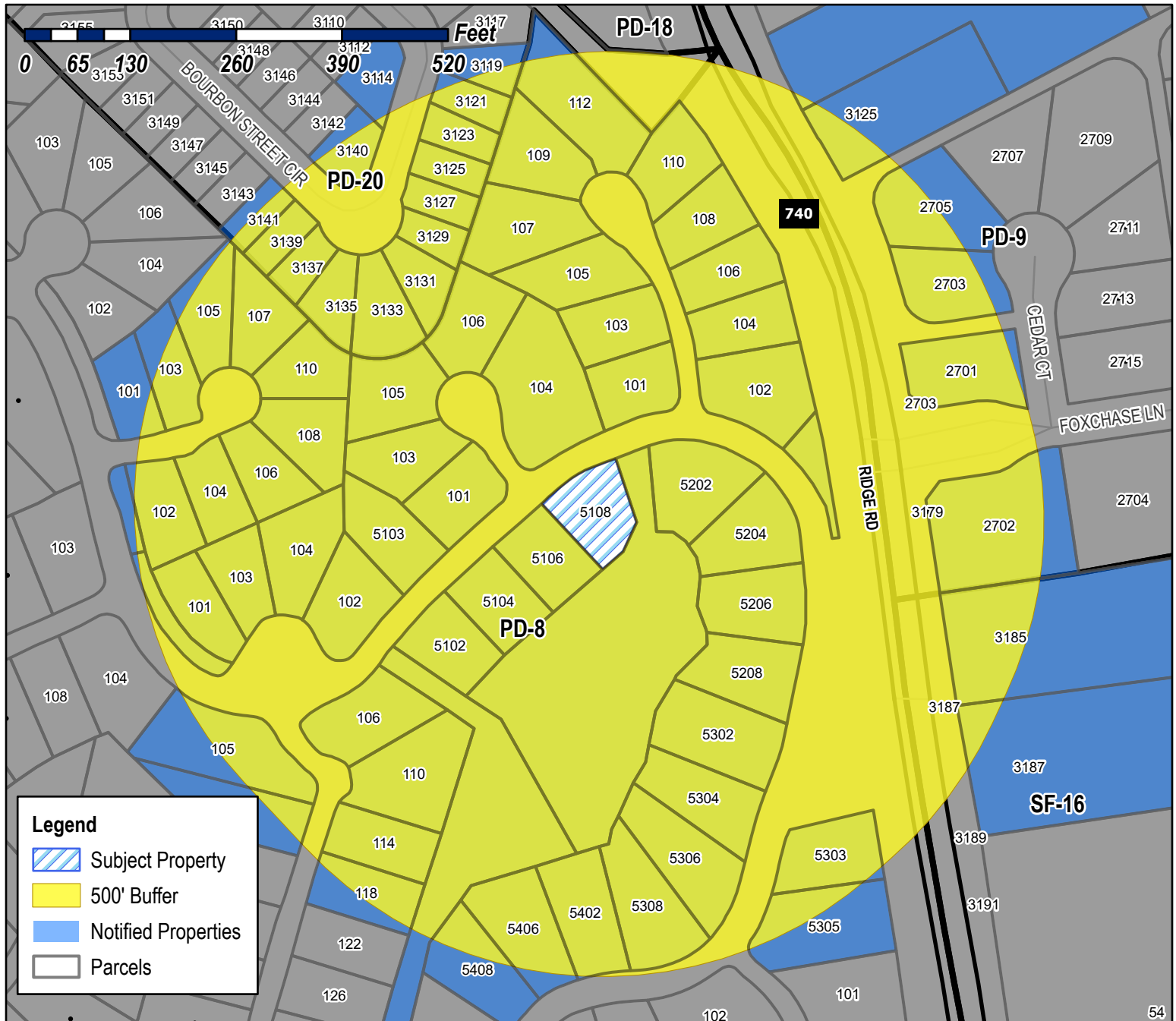
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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

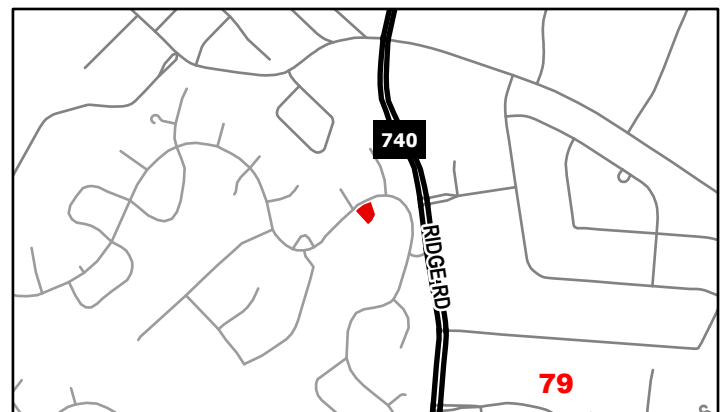
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Case Number: Z2021-051
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Planned Development District 8 (PD-8)
Case Address: 5108 Yacht Club Drive

Date Saved: 12/16/2021

For Questions on this Case Call (972) 771-7745



MCHARGUE SCOTT W & PATRICIA L
101 RESOLUTE LN
ROCKWALL, TX 75032

ROTH JEFFREY STEPHEN
10-10 166 ST
WHITESTONE, NY 11357

ROTH JEFFREY STEPHEN
101 EASTERNER PL
ROCKWALL, TX 75032

FRANCE COURT PROPERTIES LLC
101 FRANCE CT
ROCKWALL, TX 75032

KJT FLYING PROPERTIES LLC
101 YANKEE CT
ROCKWALL, TX 75032

BRIGHT WILLIAM MARK AND SHERRYL J
102 EASTERNER PLACE
ROCKWALL, TX 75032

GALLAGHER CHRISTOPHER
102 YANKEE CT
ROCKWALL, TX 75032

RIDGECREST HOMEOWNERS ASSOCIATION INC
1024 S GREENVILLE AVE #230
ALLEN, TX 75002

SRP SUB, LLC
102 RESOLUTE LN
ROCKWALL, TX 75032

MORENO SUSAN C
103 EASTERNER PL
ROCKWALL, TX 75032

BARR JOHNATHAN & CHRISTY
103 FRANCE COURT
ROCKWALL, TX 75032

HARPER DANIEL
103 RESOLUTE LN
ROCKWALL, TX 75032

GARELIS AARON D AND VICKIE
103 YANKEE CT
ROCKWALL, TX 75032

RANEY CURT AND
BRENDA GAIL SMITH
104 EASTERNER PLACE
ROCKWALL, TX 75032

NEWMAN DONALD T
104 FRANCES CT
ROCKWALL, TX 75032

TODD HOLLY J
104 RESOLUTE LN
ROCKWALL, TX 75032

HOWARD KATALIN J
104 YANKEE CT
ROCKWALL, TX 75032

SCHUBERT LAURIE LEE
105 EASTERNER PLACE
ROCKWALL, TX 75032

CROOKS JOHN O & PATRICIA K
105 FRANCE CT
ROCKWALL, TX 75032

WILLIAMS WILLIAM BROCK AND MARIA
CRISTINA
105 LIBERTY LANE
ROCKWALL, TX 75032

ROGERS RYAN J
105 YANKEE CT
ROCKWALL, TX 75032

HOVAGUIMIAN MICHAEL GREGORY AND LARA
10526 RHODESIA AVENUE
SUNLAND, CA 91040

AZORES ROBERT AND KELLEY
106 EASTERNER PLACE
ROCKWALL, TX 75032

DUGAN ADAM TL AND WHITNEY C
106 FRANCE CT
ROCKWALL, TX 75032

THACKER IKE AND MARY
106 LIBERTY LANE
ROCKWALL, TX 75032

HENSON KIM A & REBECCA H
106 YANKEE CT
ROCKWALL, TX 75032

ALVARENGA OSWALDO JR & JUDITH
107 EASTERNER PL
ROCKWALL, TX 75032

WASSERMAN JENNIFER CLAIRE
107 YANKEE CT
ROCKWALL, TX 75032

HUMBLE BRIAN
108 EASTERNER PLACE
ROCKWALL, TX 75032

SAATCI YESIM
108 YANKEE CT
ROCKWALL, TX 75032

HAKOPIAN GEORGE AND ANNIE B
10858 WOODWARD AVENUE
LOS ANGELES, CA 91040

ANDREWS LEWIS E AND LINDA
109 EASTERNER PL
ROCKWALL, TX 75032

THOMAS CARLA RENE AND BRIAN ALLEN
109 LIBERTY LANE
ROCKWALL, TX 75032

MAXWELL CAROLE AND GARY
110 EASTERNER PL
ROCKWALL, TX 75032

SOLOMONS DONALD B
110 LIBERTY LN
ROCKWALL, TX 75032

CARRUCCI ANTHONY JR
110 YANKEE CT
ROCKWALL, TX 75032

HARMON JIMMY R
112 EASTERNER PL
ROCKWALL, TX 75032

SRP SUB, LLC
1131 W WARNER RD STE 102
SCOTTSDALE, AZ 85284

BENSON CARROLL AND GLENDA
114 LIBERTY LANE
ROCKWALL, TX 75032

WEBSTER KATHLEEN ANN
118 LIBERTY LN
ROCKWALL, TX 75032

RIAZ SUMERA
1385 RIDGE ROAD APT 484
ROCKWALL, TX 75087

BROWN WALTER R & MARJORIE C
196 WILLOW OAK WAY
PALM COAST, FL 32137

LE LINH
2701 CEDAR COURT
ROCKWALL, TX 75032

MUMPHREY SCHEDRICK RANDTEZ AND
MELODY HOSKINS
2702 FOXCHASE LANE
ROCKWALL, TX 75032

ESTES JACK D & DELORES E
2703 CEDAR CT
ROCKWALL, TX 75032

BOSWELL ROBERT L & AMY S
2705 CEDAR CT
ROCKWALL, TX 75032

SORRELL PATRICIA
3109 BOURBON ST
ROCKWALL, TX 75032

RIBAIL RICHARD CHARLES
3114 BOURBON STREET CIRCLE
ROCKWALL, TX 75032

RIDGE ROAD REAL ESTATE LLC
3115 RIDGE RD
ROCKWALL, TX 75032

KELBERT ERIC R
3119 BOURBON STREET CIR
ROCKWALL, TX 75032

IMAN SUE ROFFEE LIVING TRUST
IMAN SUE ROFFEE AND JOSEPH MICHAEL AL-
KIRWI
3121 BOURBON STREET CIRCLE
ROCKWALL, TX 75032

BROWN WALTER R & MARJORIE C
3123 BOURBON ST CIR
ROCKWALL, TX 75032

SORRELL PATRICIA
3125 BOURBON ST CIR
ROCKWALL, TX 75032

LANCE A HOLLAND FAMILY TRUST
SAUNDRA G HOLLAND TRUSTEE
3125 RIDGE RD
ROCKWALL, TX 75032

SLAUGHTER CATHY
3127 BOURBON STREET CIR
ROCKWALL, TX 75032

HOUSE CHRISTOPHER W
3129 BOURBON STREET CIR
ROCKWALL, TX 75032

HOVAGUIMIAN MICHAEL GREGORY AND LARA
3131 BOURBON ST CIR
ROCKWALL, TX 75032

HALL KEVIN A & MICHELLE D
3133 BOURBON STREET CIR
ROCKWALL, TX 75032

JOLLEY VICTORIA
3135 BOURBON STREET CIR
ROCKWALL, TX 75032

ANDERSON JO S & G EMORY
3137 BOURBON STREET CIR
ROCKWALL, TX 75032

KING DEBRAH ANN
3139 BOURBON STREET CIRCLE
ROCKWALL, TX 75032

GARZA ERIC ISAAC AND KARINA RUBIO
3140 BOURBON STREET CIR
ROCKWALL, TX 75032

HAKOPIAN GEORGE AND ANNIE B
3141 BOURBON ST CIR
ROCKWALL, TX 75032

STOKES RICHARD & JULIE
3185 S RIDGE RD
ROCKWALL, TX 75032

LEWELLYN DARYL G & SARAH
3187 RIDGE RD
ROCKWALL, TX 75032

HONEYCUTT WELDON & LINDA
5102 YACHT CLUB DR
ROCKWALL, TX 75032

BUSS LARRY D & KAREN K
5103 YACHT CLUB DR
ROCKWALL, TX 75032

BOUGHTON JANENE
MARK STUERTZ
5104 YACHT CLUB DR
ROCKWALL, TX 75032

SOUTHAM THOMAS & MELISSA
5106 YACHT CLUB DRIVE
ROCKWALL, TX 75032

RIAZ SUMERA
5108 YACHT CLUBDR
ROCKWALL, TX 75032

THOMAS JERRY & MARSHA
5202 YACHT CLUB DR
ROCKWALL, TX 75032

BARRY JOYCE
5204 YACHT CLUB DR
ROCKWALL, TX 75032

ROCK SOUTH INVESTMENTS LTD. A TEXAS
LIMITED PARTNERSHIP
5206 YACHT CLUBDR
ROCKWALL, TX 75032

METRY GREGORY K
5208 YACHT CLUB DRIVE
ROCKWALL, TX 75032

DAVIES DAVID B & HELEN J
5302 YACHT CLUB DR
ROCKWALL, TX 75032

NORTON JO ANN
5303 YACHT CLUB DR
ROCKWALL, TX 75032

WILLIAMS VICTORIA L & DAVID B
5304 YACHT CLUB DR
ROCKWALL, TX 75032

MARTIN CAREN
5305 YACHT CLUB DR
ROCKWALL, TX 75032

ADRIAN AMANDA C AND MICHAEL S
5306 YACHT CLUB DR
ROCKWALL, TX 75032

ADDISON MARAVIN G AND FAYE
5308 YACHT CLUB DR.
ROCKWALL, TX 75033

ODOM JOSHUA D-WAYNE AND LACEY
ALEXANDRA
5402 YACHT CLUB DRIVE
ROCKWALL, TX 75032

MONTGOMERY WILLIAM C & DIANE
5406 YACHT CLUB DR
ROCKWALL, TX 75032

COLEMAN WILL
5408 YACHT CLUB DR
ROCKWALL, TX 75032

FRANCE COURT PROPERTIES LLC
5720 SOUTHERN CROSS DR
ROCKWALL, TX 75032

RIDGE ROAD REAL ESTATE LLC
6245 RYEWORTH DR
FRISCO, TX 75035

ROCK SOUTH INVESTMENTS LTD. A TEXAS
LIMITED PARTNERSHIP
756 RIDGE HOLLOW RD
ROCKWALL, TX 75032

LANCE A HOLLAND FAMILY TRUST
SAUNDRA G HOLLAND TRUSTEE
909 CULLINS ROAD
ROCKWALL, TX 75032

KJT FLYING PROPERTIES LLC
PO BOX 1476
ROCKWALL, TX 75087

CHANDLERS LANDING COMMUNITY ASSOC
PO BOX 638
ROCKWALL, TX 75087

STOKES RICHARD & JULIE
PO BOX 8
ROCKWALL, TX 75087

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2021-051: SUP for Residential Infill at 5108 Yacht Club Drive

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

— . . . PLEASE RETURN THE BELOW FORM — . . .

Case No. Z2021-051: SUP for Residential Infill at 5108 Yacht Club Drive

Please place a check mark on the appropriate line below:

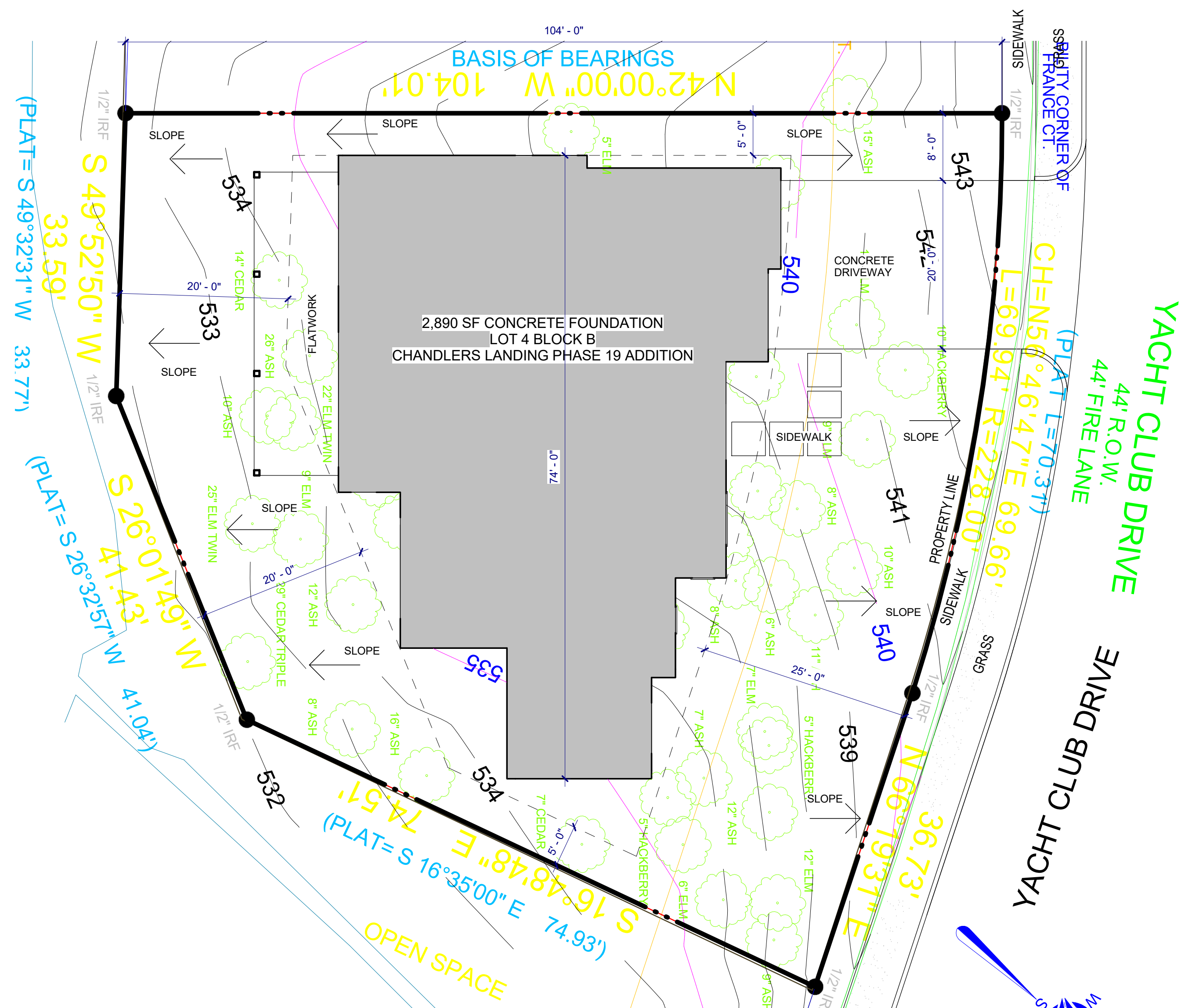
- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

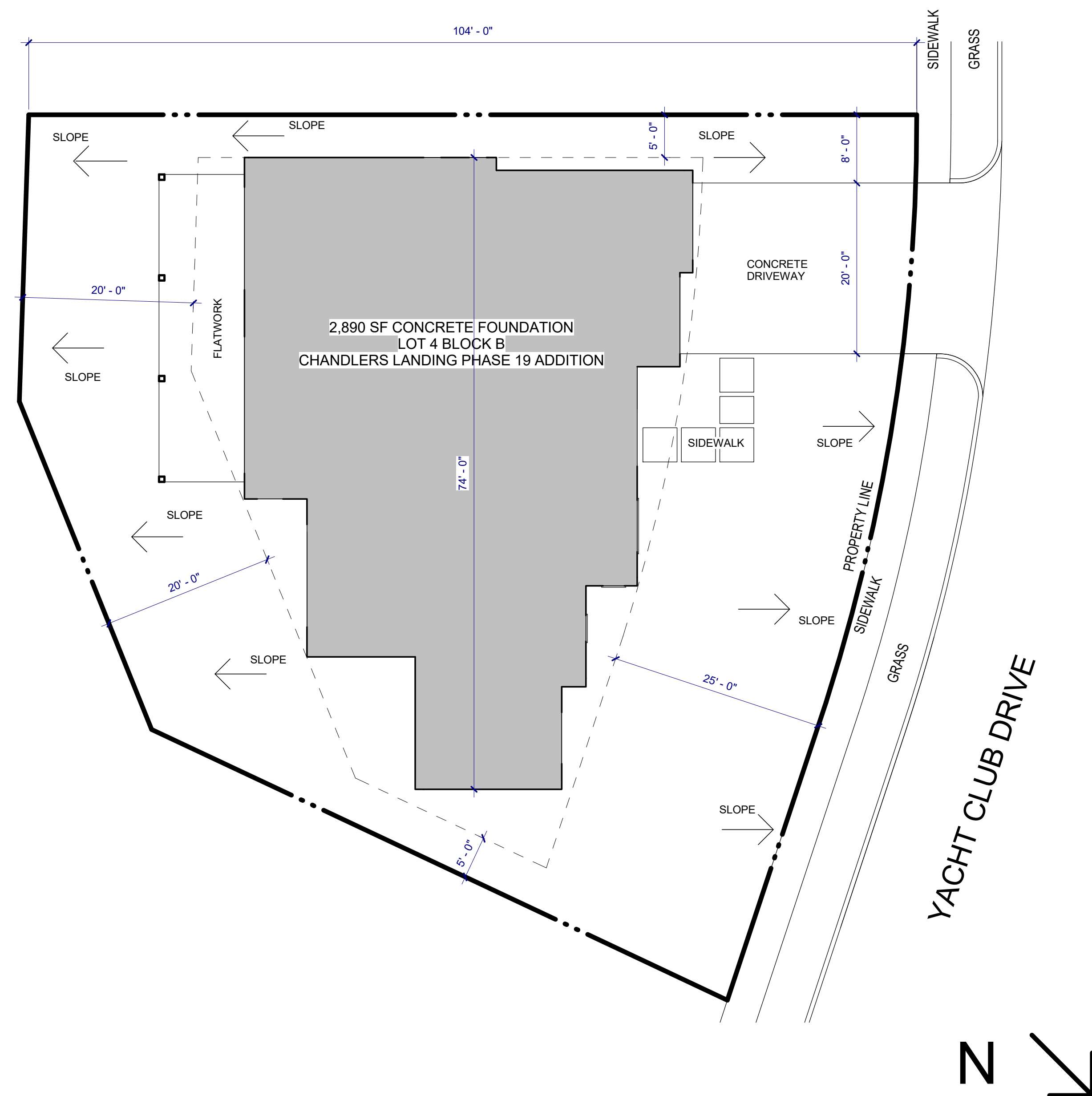
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



SITE PLAN

SCALE: 1" = 10'-0"

2



SITE PLAN
SCALE: 1" = 10'-0"

1

5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

THESE PLANS ARE THE PROPERTY OF RYAN JACOBSON DESIGN LLC AND ARE NOT TO BE REPRODUCED, TRACED, OR REUSED FOR CONSTRUCTION WITHOUT THE WRITTEN PERMISSION OF RYAN JACOBSON DESIGN LLC. THESE PLANS ARE INTENDED TO PROVIDE ALL PROSPECTIVE CONTRACTORS, AND/OR BUILDING MANUFACTURERS THE NECESSARY INFORMATION NEEDED TO DESIGN, BID, AND CONSTRUCT THIS BUILDING. OWNER SHALL VERIFY AND CHECK ALL ASPECTS PRIOR TO ANY CONSTRUCTION. ANY JOBSITE CHANGES WILL VOID DESIGNER'S LIABILITY. DESIGNER'S LIABILITY NOT TO EXCEED FEE PAID FOR PLANS.

[illegible]

RYAN JACOBSON
DESIGN LLC

SINGLE FAMILY

SITE PLAN

Project number	YACHT CLUB
Date	12/09/2021

A01.00

Scale	1" = 10'-0"
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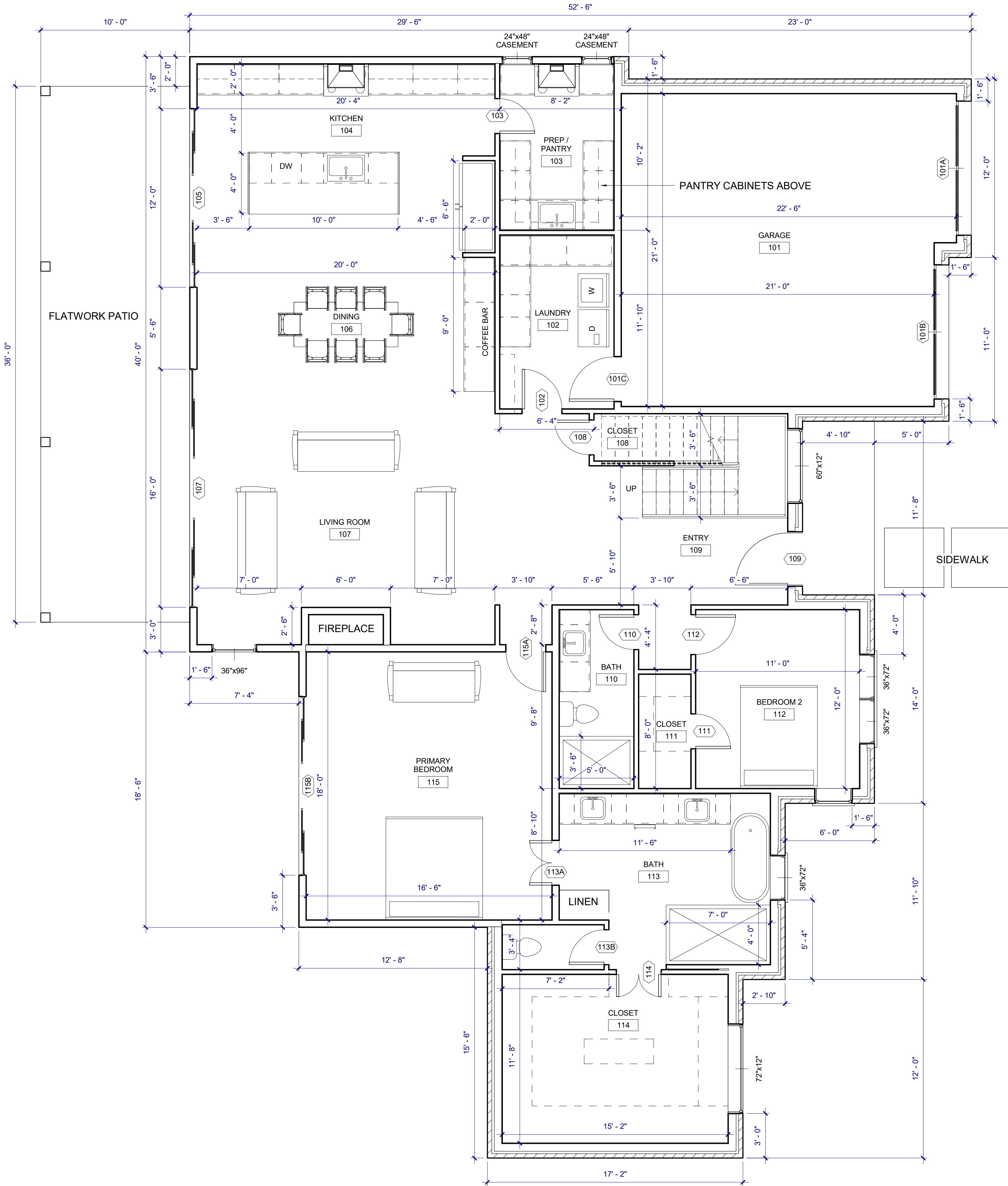
Window Schedule			
Mark	Type	Sill Height	Head Height

103A	24" x 48" CASEMENT	4' - 0"	8' - 0"
103B	24" x 48" CASEMENT	4' - 0"	8' - 0"
107	36" x 96"	0"	8' - 0"
109	60" x 12"	7' - 0"	8' - 0"
112A	3 Panel 36"x72"	2' - 0"	8' - 0"
112B	3 Panel 36"x72"	2' - 0"	8' - 0"
112C	30" x 72" CASEMENT	2' - 0"	8' - 0"
113	3 Panel 36"x72"	2' - 0"	8' - 0"
114	72" x 12"	7' - 0"	8' - 0"
201A	3 Panel 36"x72"	2' - 0"	8' - 0"
201B	30" x 60" CASEMENT	3' - 0"	8' - 0"
203	60" x 12"	7' - 0"	8' - 0"
205A	3 Panel 36"x72"	2' - 0"	8' - 0"
205B	3 Panel 36"x72"	2' - 0"	8' - 0"
205C	30" x 72" CASEMENT	2' - 0"	8' - 0"
206A	3 Panel 36"x72"	2' - 0"	8' - 0"
206B	3 Panel 36"x72"	2' - 0"	8' - 0"
206C	3 Panel 36"x72"	2' - 0"	8' - 0"
208A	36" x 72"	2' - 0"	8' - 0"
208B	48" x 72"	2' - 0"	8' - 0"
208C	48" x 72"	2' - 0"	8' - 0"
208D	48" x 72"	2' - 0"	8' - 0"
208E	48" x 72"	2' - 0"	8' - 0"
209A	30" x 72"	2' - 0"	8' - 0"
209B	30" x 72"	2' - 0"	8' - 0"
209C	30" x 72" CASEMENT	2' - 0"	8' - 0"
210	60" x 12"	7' - 0"	8' - 0"
212A	3 Panel 36"x72"	2' - 0"	8' - 0"
212B	3 Panel 36"x72"	2' - 0"	8' - 0"
212C	3 Panel 36"x72"	2' - 0"	8' - 0"
212D	3 Panel 36"x72"	2' - 0"	8' - 0"
212E	3 Panel 36"x72"	2' - 0"	8' - 0"
212F	3 Panel 36"x72"	2' - 0"	8' - 0"

Door Schedule		
Mark	Type	DOORS_Material

101A	9' x 8'	
101B	9' x 8'	
101C	36" x 96"	WOOD
102	32" x 96"	WOOD
103	28" x 96"	WOOD
105	12' x 8' Sliding Glass Door	GLASS
107	16' x 8' Sliding Glass Door	GLASS
108	28" x 96"	WOOD
109	42 x 96	
110	28" x 96"	WOOD
111	28" x 96"	WOOD
112	32" x 96"	WOOD
113A	36" x 96"	WOOD
113B	28" x 96"	WOOD
114	36" x 96"	WOOD
115A	32" x 96"	WOOD
115B	12' x 8' Sliding Glass Door	GLASS
201	32" x 96"	WOOD
202	28" x 96"	WOOD
203	28" x 96"	WOOD
204	28" x 96"	WOOD
205	32" x 96"	WOOD
209	32" x 96"	WOOD
210	28" x 96"	WOOD
211	28" x 96"	WOOD
212	60" x 96"	GLASS

SQUARE FOOTAGE:	
<u>5108 YACHT CLUB DRIVE</u>	
FIRST FLOOR SF:	2,305 SF
SECOND FLOOR SF:	1,619 SF
TOTAL LIVABLE SF:	3,924 SF
GARAGE SF:	530 SF
TOTAL SF:	4,454 SF



LEVEL 1 FLOOR PLAN

SCALE: 1/4" = 1'-0"

5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC

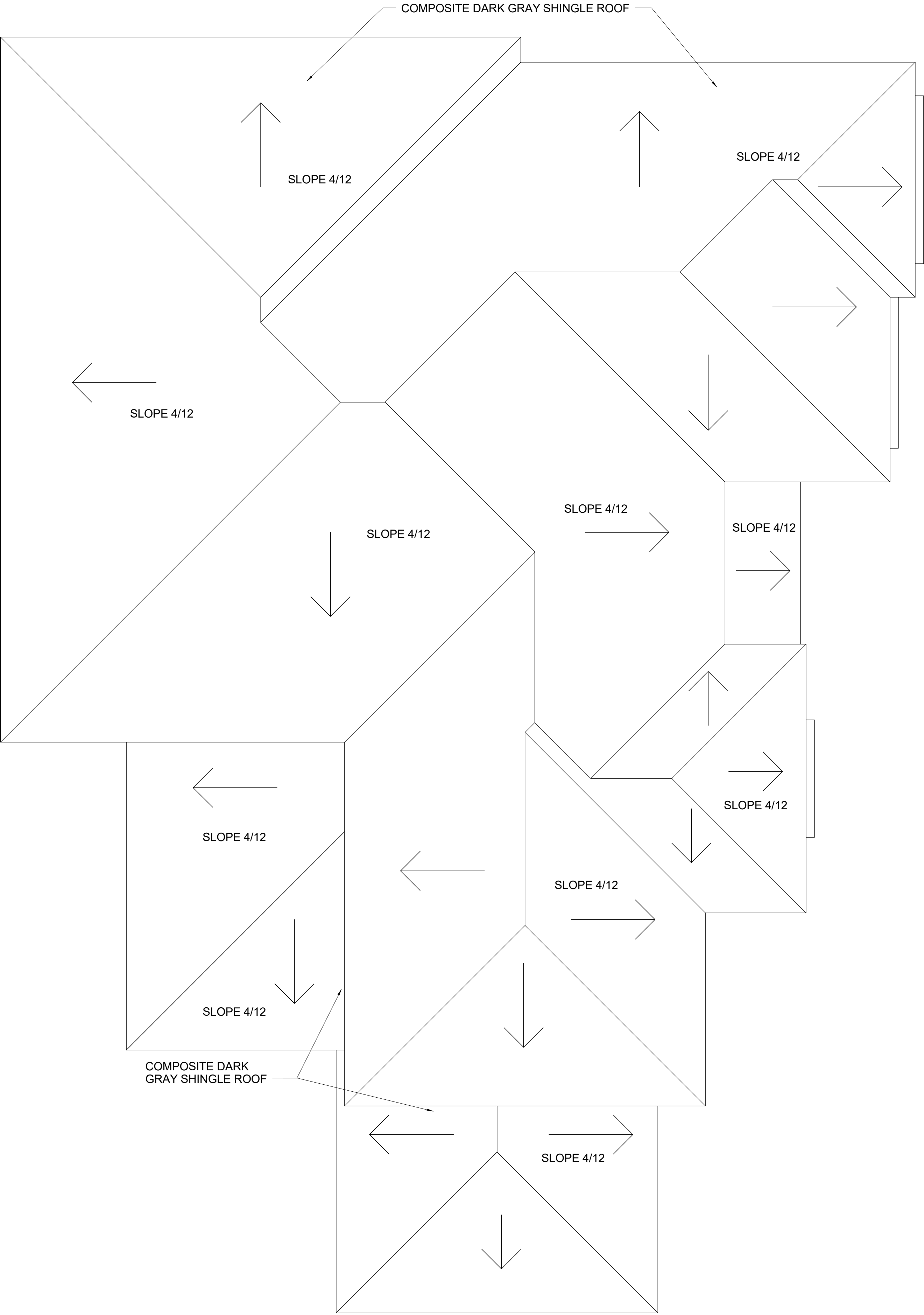
SINGLE FAMILY

LEVEL 1 FLOOR PLAN

Project number YACHT CLUB
Date 12/09/2021

A02.01

Scale 1/4" = 1'-0"



ROOF PLAN

SCALE: 1/4" = 1'-0"

1



5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC

SINGLE FAMILY

ROOF PLAN

Project numberYACHT CLUB

Date12/09/2021

A02.03

Scale1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

2

WHITE BRICK	=	165 SF	16.4 %
WHITE BOARD & BATT	=	841 SF	83.6 %



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

1

WHITE BRICK	=	902 SF	84.7 %
STONE	=	163 SF	15.3 %

5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC

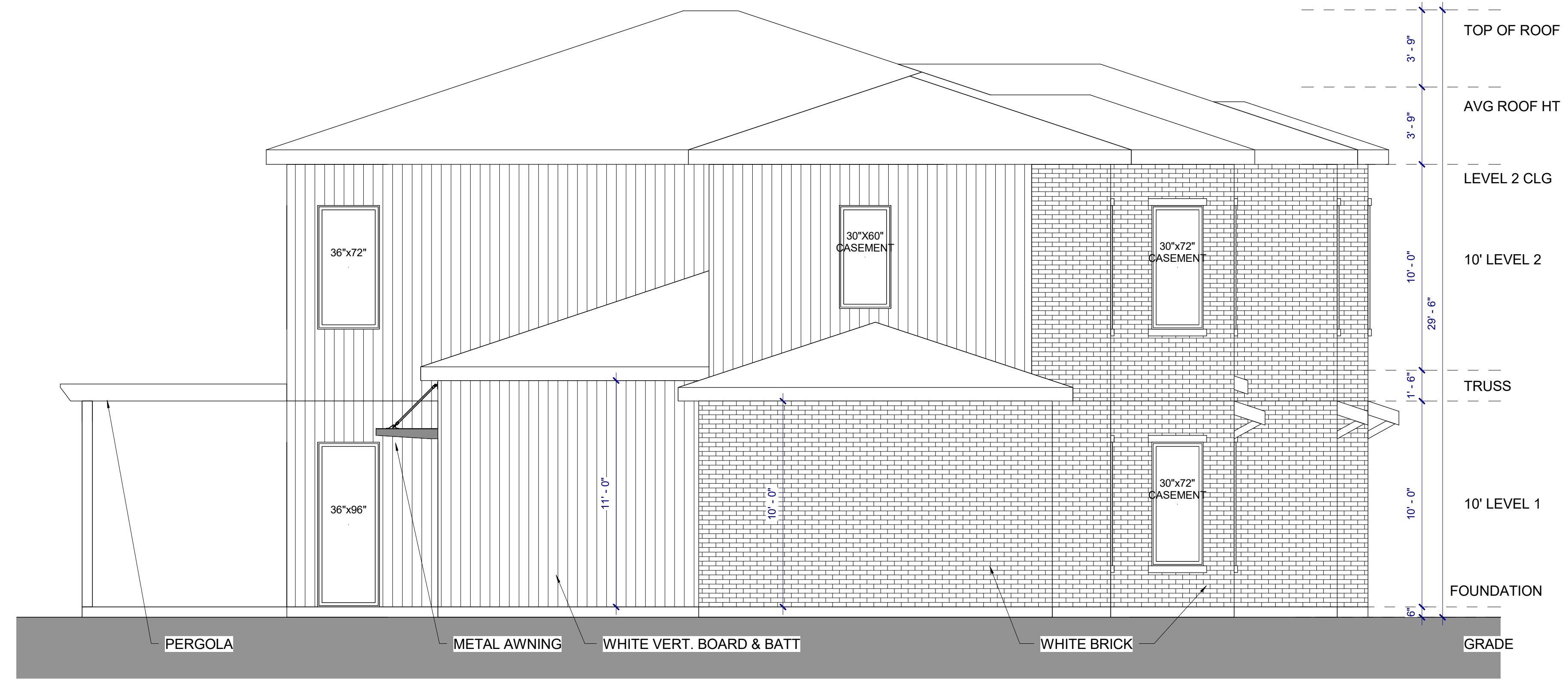
SINGLE FAMILY

ELEVATIONS

Project number YACHT CLUB
Date 12/09/2021

A03.01

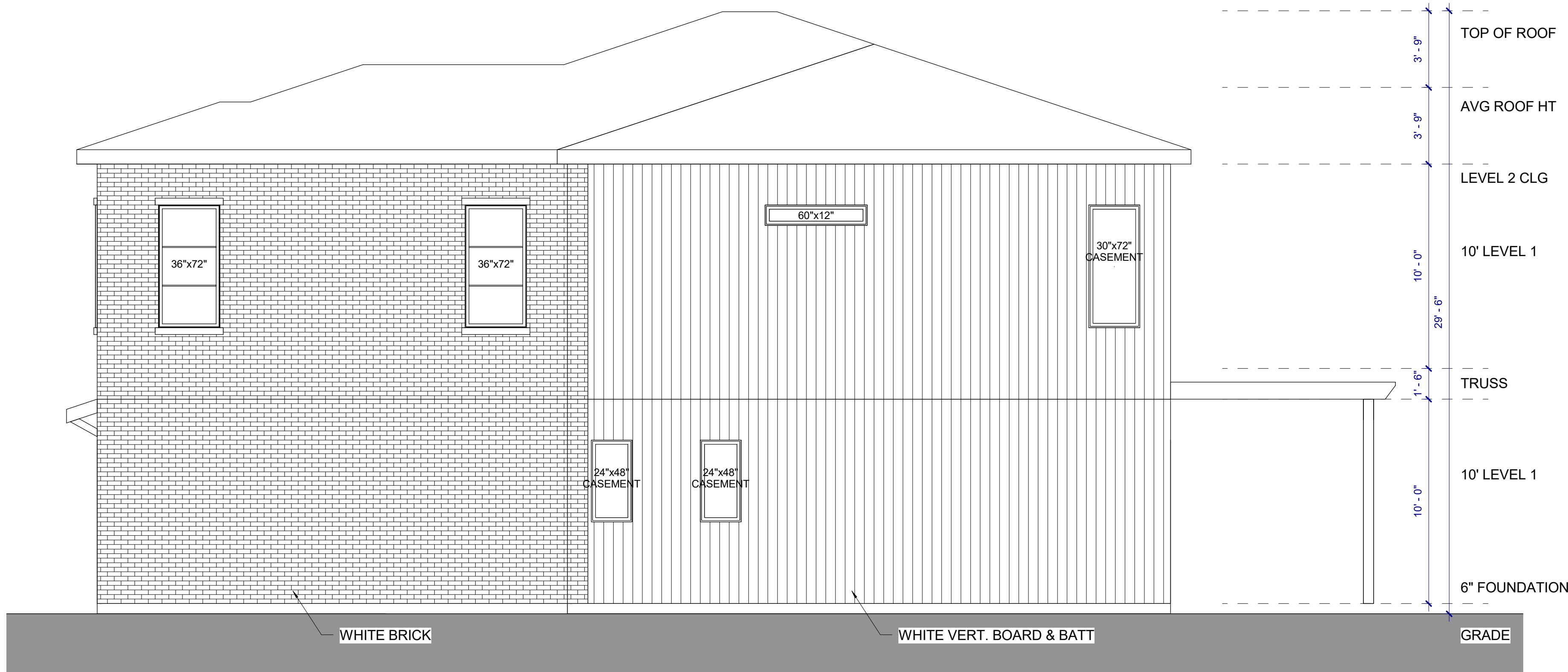
Scale 1/4" = 1'-0"



WHITE BRICK	=	630 SF	56.9 %
WHITE BOARD & BATT	=	478 SF	43.1 %

LEFT ELEVATION
SCALE: 1/4" = 1'-0"

2



WHITE BRICK	=	467 SF	44.7 %
WHITE BOARD & BATT	=	578 SF	55.3 %

RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

1

5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON DESIGN LLC
SINGLE FAMILY
ELEVATIONS
Project number YACHT CLUB
Date 12/09/2021
A03.02
Scale 1/4" = 1'-0"



5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC

SINGLE FAMILY

RENDERINGS

Project number YACHT CLUB
Date 12/09/2021

A09.01

Scale



5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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RYAN JACOBSON
DESIGN LLC

SINGLE FAMILY

RENDERINGS

Project number YACHT CLUB
Date 12/09/2021

A09.02

Scale



5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC

SINGLE FAMILY

RENDERINGS

Project number YACHT CLUB
Date 12/09/2021

A09.03

Scale

Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
101 France Court	<i>Single-Family Home</i>	1999	2,090	N/A	Brick
103 France Court	<i>Single-Family Home</i>	1994	2,701	N/A	Brick
104 France Court	<i>Single-Family Home</i>	1988	2,819	N/A	Brick
105 France Court	<i>Single-Family Home</i>	1993	2,503	N/A	Brick
106 France Court	<i>Single-Family Home</i>	1993	2,256	N/A	Brick
5102 Yacht Club Drive	<i>Single-Family Home</i>	2000	2,738	N/A	Brick
5104 Yacht Club Drive	<i>Single-Family Home</i>	1992	2,803	N/A	Brick
5106 Yacht Club Drive	<i>Single-Family Home</i>	2016	3,390	N/A	Brick
5108 Yacht Club Drive	<i>Subject Property</i>			N/A	
5202 Yacht Club Drive	<i>Single-Family Home</i>	1990	2,559	N/A	Brick
5204 Yacht Club Drive	<i>Single-Family Home</i>	1990	2,287	N/A	Brick
5206 Yacht Club Drive	<i>Single-Family Home</i>	1990	2,583	N/A	Brick
Averages:		1995	2,612		



101 France Court



103 France Court



104 France Court



105 France Court



106 France Court



5102 Yacht Club Drive



5104 Yacht Club Drive



5106 Yacht Club Drive



5202 Yacht Club Drive



5204 Yacht Club Drive



5206 Yacht Club Drive

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.189-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK B, CHANDLER'S LANDING, PHASE 19, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 Henok Fekadu for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.189-acre parcel of land being described as Lot 4, Block B, Chandler's Landing, Phase 19, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 5108 Yacht Club Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 8 (PD-8) 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 (UDC) [*Ordinance No. 20-02*] and Planned Development District 8 (PD-8) of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

Subsection 03.01, *General Residential District Standards*, and Subsection 03.07, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and to the requirements set forth in Planned Development District 8 (PD-8) -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7TH DAY OF FEBRUARY, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Location Map and Survey

Address: 5108 Yacht Club Drive

Legal Description: Lot 4, Block B, Chandler's Landing, Phase 19



Exhibit 'B':
Residential Plot Plan

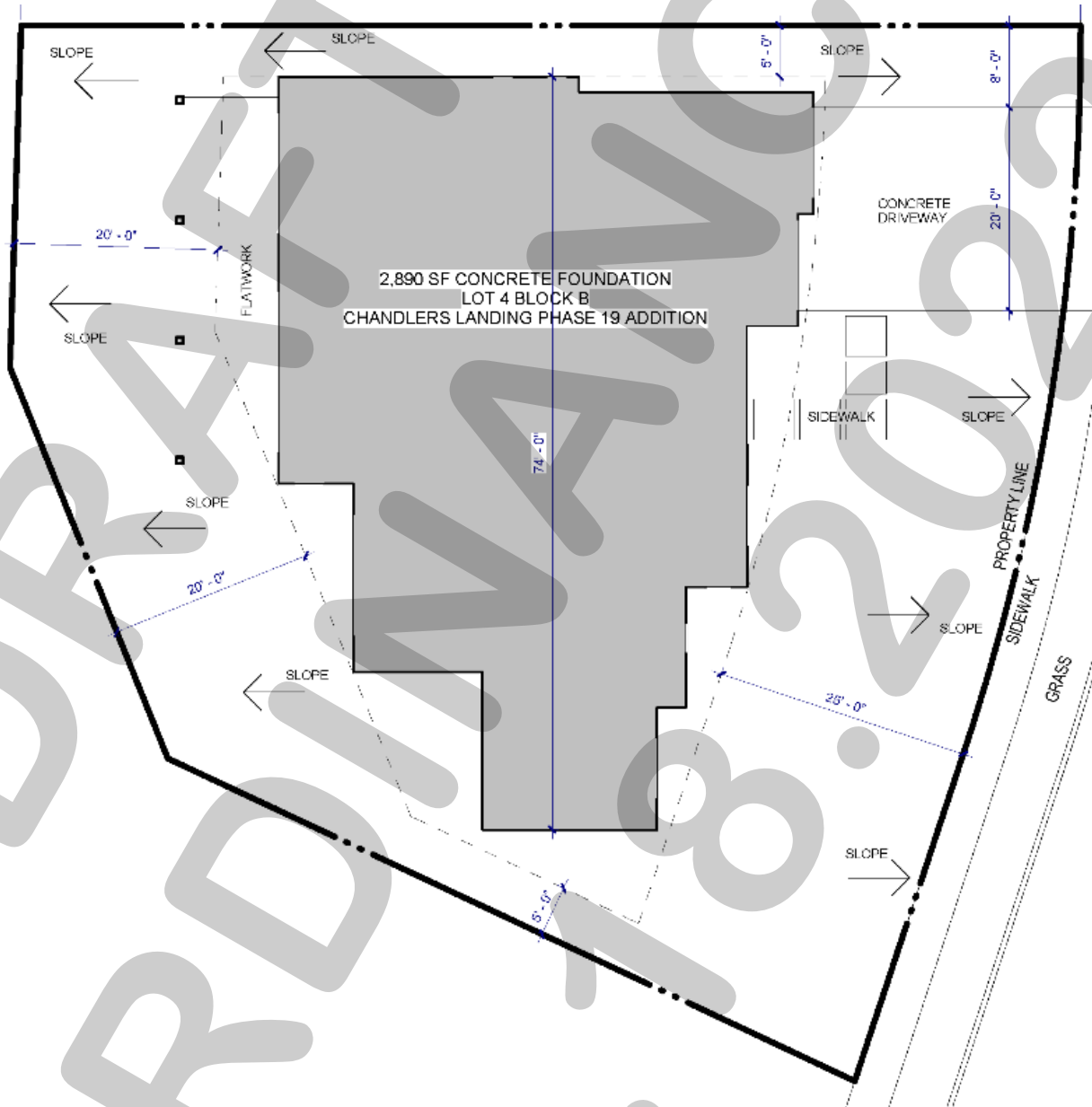
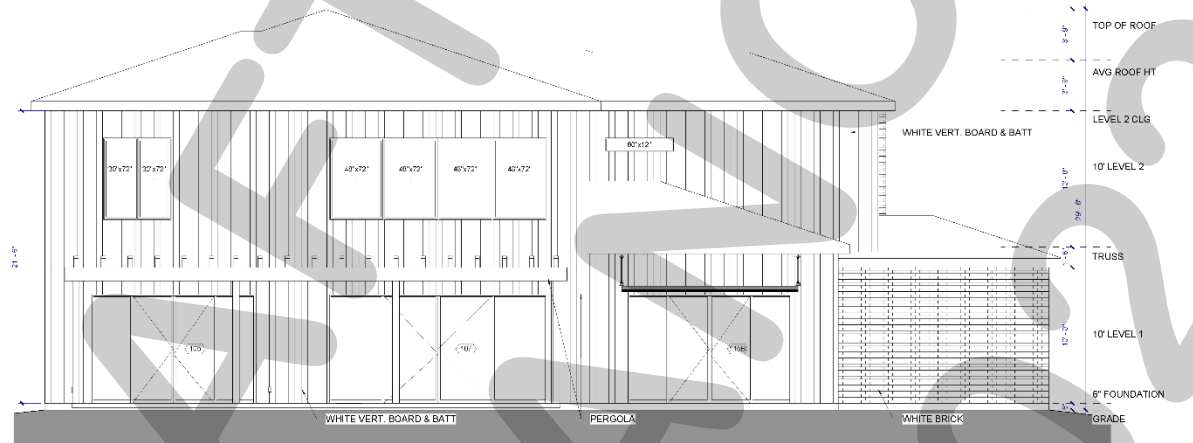


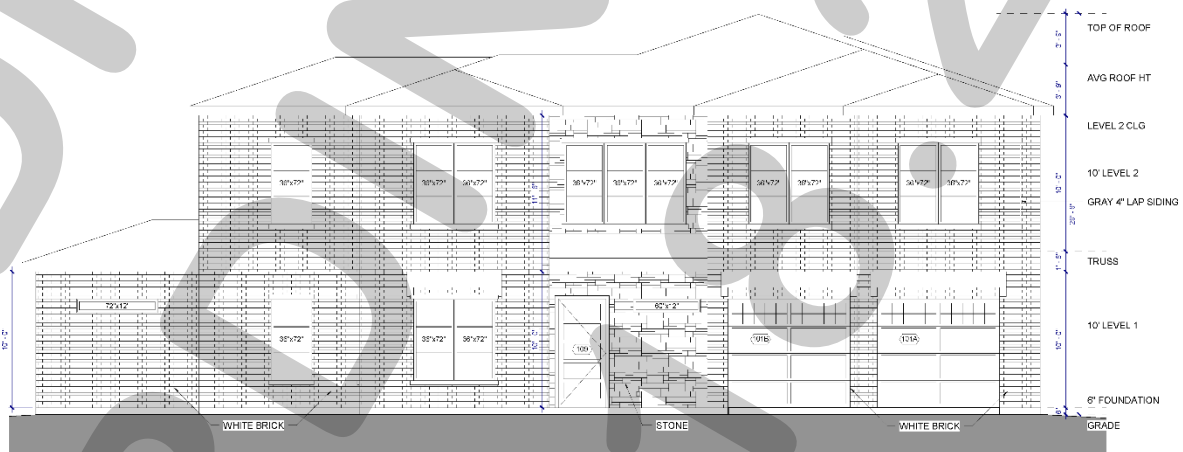
Exhibit 'C':
Building Elevations



REAR ELEVATION

SCALE: 1/4" = 1'-0"

2



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

1

2





MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: Z2021-052; SPECIFIC USE PERMIT (SUP) TO ALLOW CHICKENS ON
1700 E. SH-66

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Applicant's Photo
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow *Chickens* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary **(1st Reading)**.

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed *Specific Use Permit (SUP)*.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

DATE: January 18, 2022

APPLICANT: Mike Peoples

CASE NUMBER: Z2021-052; *Specific Use Permit (SUP) to Allow Chickens on 1700 E. SH-66*

SUMMARY

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow *Chickens* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on March 16, 1998 by *Ordinance No. 98-10* [Case No. A1998-001]. At the time of annexation, the subject property was zoned Agricultural (AG) District. This zoning designation has not changed since its adoption in 1998. According to the Rockwall Central Appraisal District (RCAD) currently situated on the subject property is: [1] a 3,836.50 SF single-family home that was constructed in 2010, [2] a ~2,500 SF barn that was constructed in 2017, [3] a ~4,000 SF barn constructed in 2017, and [4] a swimming pool constructed in 2019. In addition, there are two (2) other accessory structures on the subject property: [1] an ~1,800 SF agricultural accessory building, and [2] a 300 SF chicken coop.

On January 22, 2019, the City Council approved *Ordinance No. 19-06* [Case No. Z2018-049; S-204] allowing an *Animal Loafing Shed* and two (2) *Agricultural Accessory Buildings* on the subject property. In the process of preparing this case, staff realized that the applicant had constructed an unpermitted *Chicken Coop* on the subject property between September 2019 and November 2020 (see *Images 1-3*) and was actively keeping *Chickens* in the structure. As a result, staff included a condition of approval for this case that required the applicant to apply for a *Specific Use Permit (SUP)* to allow *Chickens* in accordance with the requirements of the Unified Development Code (UDC). The applicant made this application on December 14, 2021.

PURPOSE

The applicant -- *Mike Peoples* -- is requesting the approval of a *Specific Use Permit (SUP)* to allow *Chickens* on the subject property in accordance with Subsection 03.01(B), *Other Animals*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).



IMAGE 1: CHICKEN COOP



IMAGE 2: SEPTEMBER 2019



IMAGE 3: NOVEMBER 2020

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1700 E. SH-66. The land uses adjacent to the subject property are as follows:

- North: Directly north of the subject property is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) according to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 4.479-acre tract of land (*i.e. Tract 25-2 of the W. M. Dalton Survey, Abstract No 72*) with several legally non-conforming buildings that have multiple businesses in them (*e.g. Classic Rock Stone Yard, Auto Glass by Jerry, Special D Automotive, and etc.*). North of this is an 11.965-acre tract of vacant land (*i.e. Tract 25 of the W. M. Dalton Survey, Abstract No. 72*). All of these properties are zoned Agricultural (AG) District.
- South: Directly south of the subject property is a 12.00-acre tract of vacant land (*i.e. a portion of Tract 21 of the D. Harr Survey, Abstract No. 102*), which is also owned by the applicant. South of this tract is a 5.96-acre tract of vacant land (*i.e. a portion of Tract 21 of the D. Harr Survey, Abstract No. 102*) and a one (1) acre tract of land (*i.e. Tract 21-01 of the D. Harr Survey, Abstract No. 102*) with a single-family home situated on it. Beyond this is Airport Road, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- East: Directly east of the subject property are 14 single-family homes situated on 15 tracts of land (*i.e. Tracts 1, 3, 8, 10, 11, 11-01, 11-03, 11-4, 11-5, 12, 13, 16, 17, & 19 of the D. Harr Survey, Abstract No. 102 and Lot 1, Block A, Widboom Addition*). Also, east of the subject property is a 64.514-acre tract of land (*i.e. Tract 15 of the D. Harr Survey, Abstract No. 102*) that is owned by the City of Rockwall. All of these properties are zoned Agricultural (AG) District.
- West: Directly west of the subject property is the Ralph Hall Municipal Airport, which is situated on a 47.89-acre parcel of land (*i.e. Lot 1 of the Rockwall Municipal Airport*) zoned Agricultural (AG) District. Beyond this are two (2) vacant tracts of land (*i.e. Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183*) zoned Planned Development District 71 (PD-71) for Commercial (C) District land uses. West of these tracts is John King Boulevard, which is identified as a P6D (*i.e. principal arterials, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

CHARACTERISTICS OF THE REQUEST

The applicant has constructed a 15-foot by 20-foot (*or 300 SF*) *Chicken Coop* behind the existing single-family home. The proposed *Chicken Coop* stands an estimated eight (8) feet in height and is clad in corrugated metal (*see Image 1 above*). The applicant has indicated to staff that the existing structure is portable and will be moved around the property in the future.

CONFORMANCE WITH THE CITY'S CODES

According to Section 6-162, *Keeping, Confining and Breeding Regulations*, of the Municipal Code of Ordinances, "(i)t shall be unlawful to own or keep chickens, ducks, turkeys, geese, peacocks, or guinea hens within the corporate limits of the city except in agricultural zone districts." The subject property is a 42.66-acre tract of land that is currently zoned Agricultural (AG) District and is being used for single-family and agricultural purposes. In addition, Subsection 03.01(B), *Other Animals*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), states that "(a)n SUP is required for other farm animals, including chickens ...". This section goes on to layout the following conditions: [1] ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals, [2] fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal, and [3] in the Agricultural (AG) District or on unplatted tracts of land of five (5) acres or more, standards for animals are found in Chapter 6, *Animals*, of the Municipal Code Ordinances; of which this section states "(c)hickens or ducklings younger than eight [8] weeks of age may not be sold in quantities of less than ten [10] to a single purchaser." In reviewing a Specific Use Permit (SUP) for *Other Animals* the Unified Development Code (UDC) states, "(t)he City shall not grant a SUP for any farm animal unless it is convinced that the presence of such animals will not injure the use and enjoyment of neighboring properties, including the impact of dust, flies and odor."

STAFF ANALYSIS

The applicant's request appears to be in conformance with the majority of the City's requirements regarding *Chickens* and *Chicken Coops*; however, the Unified Development Code (UDC) does not provide many regulations regarding this land use. Based on this, staff has limited the number of *Chickens* the applicant is permitted to have on the subject property to ten (10), and provided additional regulations stipulating that the subject property may not operate as a commercial animal establishment or offer for sale the animals or their by-products (*i.e. eggs, chicken manure etc.*). In addition, staff has incorporated a regulating plan that limits the *Chicken Coop* from being located [1] in front of the front façade of the existing home, or [2] within 20-feet of an existing property line (*see Image 4 below*). This will limit visibility of the *Chicken Coop* from the Ralph Hall Municipal Airport and the adjacent properties to the east of the subject property. With all this being said the approval of a Specific Use Permit (SUP) and the operational conditions contained in the Specific Use Permit (SUP) ordinance is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.



IMAGE 4: LIMITS OF OPERATION FOR THE PORTABLE CHICKEN COOP

NOTIFICATIONS

On December 16, 2021, staff mailed 33 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadows Homeowner's Association (HOA), which was the only Homeowner's Association (HOA)/Neighborhood Organization within 1,500-feet participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any responses concerning this case.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) to allow *Chickens* on the subject property, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:

- (a) *Chickens* shall be allowed on the subject property as an ancillary use to the existing single-family home. Should the subject property be conveyed, sold, or subdivided the City Council reserves the right to review this Specific Use Permit (SUP); however, in no case shall the subject property be subdivided in a way that would separate the *Chicken Coop* from the existing single-family home or where the *Chicken Coop* would exist on a property that is less than ten (10) acres in size.
 - (b) The *Chicken Coop* shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
 - (c) The *Chickens* shall be kept in an enclosed area within a *Chicken Coop* that provides for the free movement of *Chickens*, and are not permitted to be free range. The *Chicken Coop* shall conform to the *Building Elevations* depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
 - (d) If the applicant moves the *Chicken Coop* it shall be moved to a location that is behind the front façade of the primary structure and that is a minimum of 20-feet from all property lines as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance. In addition, the *Chicken Coop* shall be screened from view of adjoining properties.
 - (e) The number of chickens permitted on the subject property shall be limited to no more than ten (10), and no ducks, geese, pigeons, turkeys, roosters, or any other poultry or fowl are permitted on the subject property.
 - (f) The *Chickens* shall be kept for personal use only and the applicant shall be prohibited from selling or operating a commercial animal establishment on the subject property (*i.e. the offering of animal byproducts -- e.g. eggs, chicken manure, etc. -- or chickens for sale on the subject property shall be prohibited*).
 - (g) The *Chickens* shall be sheltered or confined in such a fashion as to prevent them from coming into contact with wild fowl or their excrement.
 - (h) Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans or animals.
- (2) The applicant shall be required to apply for and be approved for a building permit for the existing *Chicken Coop*.
- (3) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 6-0, with Commissioner Thomas absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-052

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1&2} - 215.00
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹ IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1700 E 54th 66 Rockwall TX 75087

SUBDIVISION - 54 acres

LOT BLOCK

GENERAL LOCATION along Ralph Had Airport (Eastside)

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Ag

CURRENT USE Ag

PROPOSED ZONING Ag

PROPOSED USE Ag

ACREAGE 56

LOTS [CURRENT]

LOTS [PROPOSED]

- ☐ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER Mike Peoples

☐ APPLICANT

CONTACT PERSON 4

CONTACT PERSON SA me

ADDRESS 1700 E 54th 66

ADDRESS

CITY, STATE & ZIP Rockwall TX 75087

CITY, STATE & ZIP

PHONE 214-957-0807

PHONE

E-MAIL

E-MAIL

NOTARY VERIFICATION [REQUIRED]

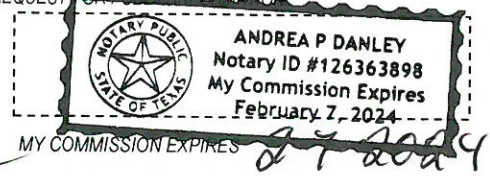
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Mike Peoples [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

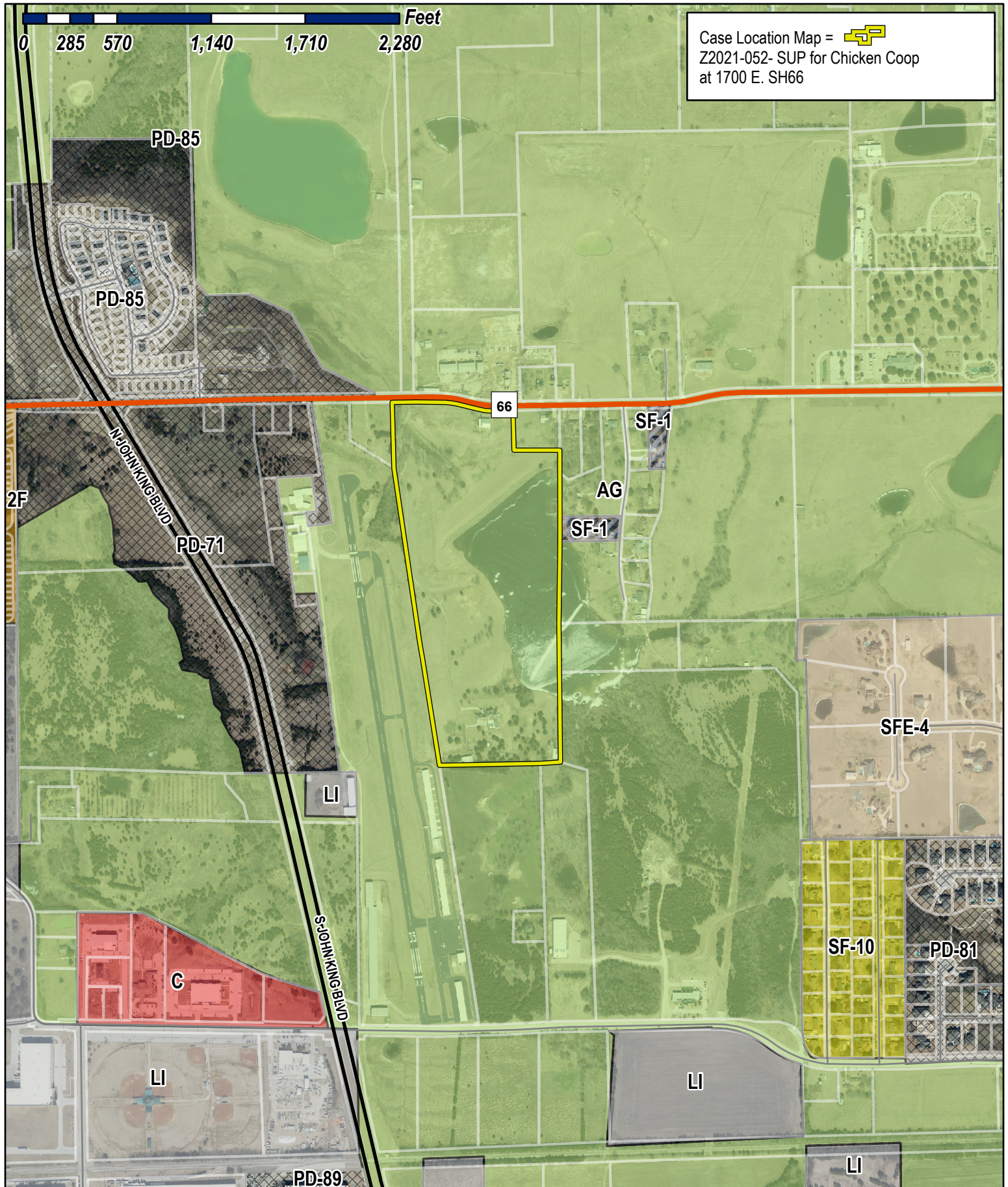
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF December, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION. IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14th DAY OF December, 2021

OWNER'S SIGNATURE Mike Peoples

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Andrea P. Danley





City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

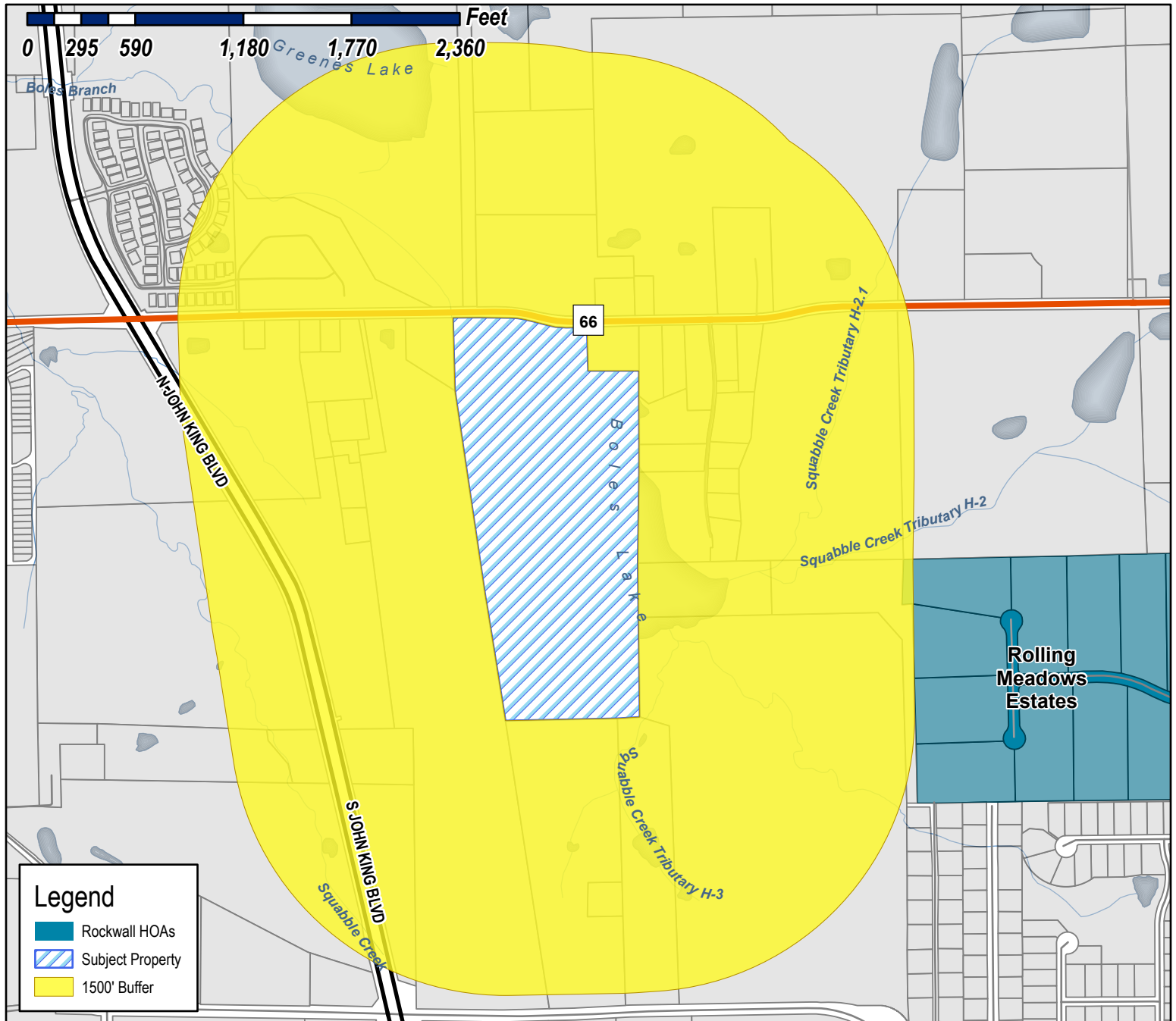
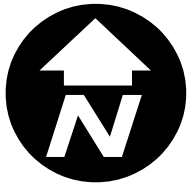




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

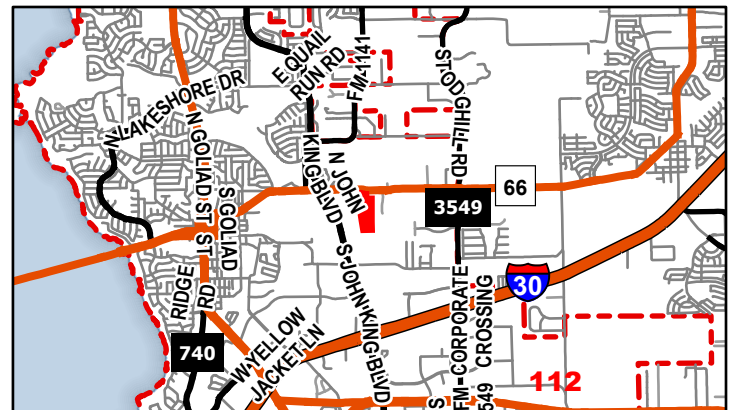
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Case Number: Z2021-052
Case Name: SUP for Chicken Coop
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1700 E. SH66

Date Saved: 12/16/2021

For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-052]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-052: SUP to allow Chickens

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow *Chickens* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

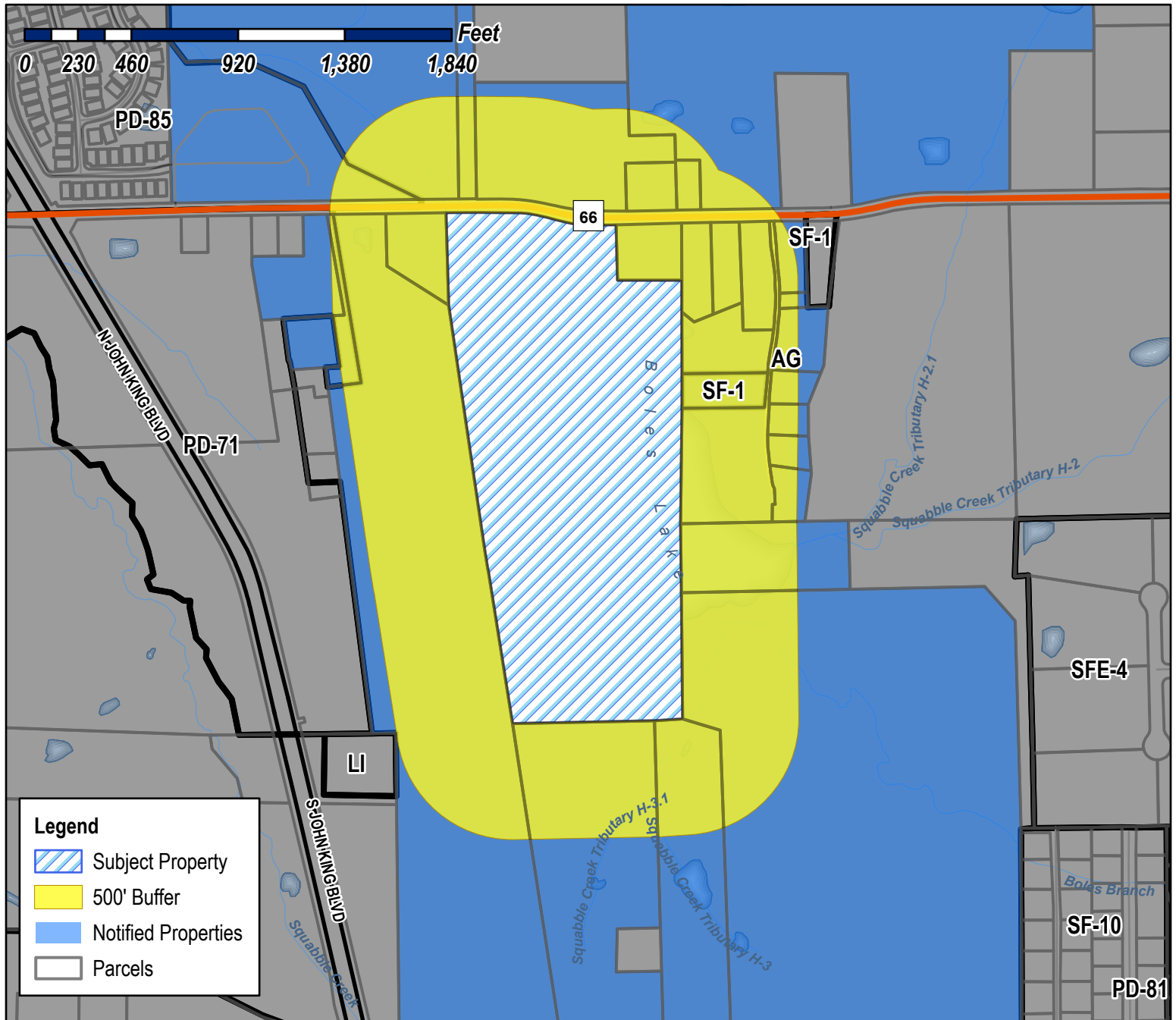
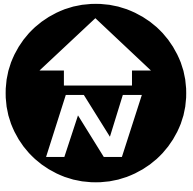
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City of Rockwall

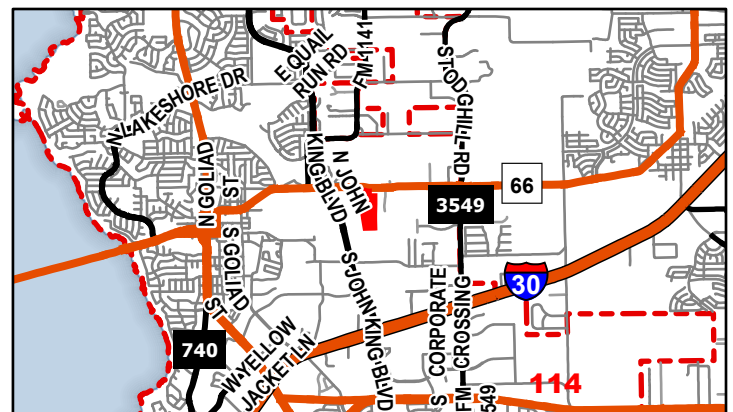
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2021-052
Case Name: SUP for Chicken Coop
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1700 E. SH66

Date Saved: 12/16/2021
For Questions on this Case Call (972) 771-7745



PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
1700 STATE HIGHWAY 66
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
1770 E HWY 66
ROCKWALL, TX 75087

COLLIER JUDY KAY AND
THERESA ROBBINS
1780 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
1790 WILLIAMS ST
ROCKWALL, TX 75087

RYAN BILL K
1800 WILLIAMS ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
1815 AIRPORT RD
ROCKWALL, TX 75087

PEOPLES MIKE L
1936 HWY 66
ROCKWALL, TX 75087

PEOPLES MICHAEL L
2026 HWY 66
ROCKWALL, TX 75087

SALINAS HILSE S
2068 STATE HWY 66
ROCKWALL, TX 75087

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
2075 WILLIAMS
ROCKWALL, TX 75087

GILLILAND TOMMY JOE
2098 WILLIAMS
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORP
ATTN:BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
308 STONEBRIDGE DR
ROCKWALL, TX 75087

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RYAN GARY S AND CONSTANCE E
502 WILLIAMS ST
ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
636 GRISHAM DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
710 DAVIS DR
ROCKWALL, TX 75087

MOCK ALYSSA
720 DAVIS DR
ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

BANUELOS SHERRI L
735 DAVIS DR
ROCKWALL, TX 75087

RINKEVICH FAMILY LIVING TRUST
JOSEPH W RINKEVICH- TRUSTEE
740 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
745 DAVIS DR
ROCKWALL, TX 75087

COOK SHERRY LYNN
760 DAVIS DRIVE
ROCKWALL, TX 75087

DIMISSEW SAMUEL
956 S WEATHERRED DR
RICHARDSON, TX 75080

ATHEY JACK R
P.O. BOX 219
LAVON, TX 75166

PEOPLES MIKE L
PO BOX 41
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2021-052: SUP to allow Chickens

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow Chickens on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2021-052: SUP to allow Chickens

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:	
Address:	

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



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CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW *CHICKENS* ON A 42.66-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 7 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND 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 Mike Peoples for the approval of a Specific Use Permit (SUP) to allow *Chickens* on a 42.66-acre tract of land described as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] 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 (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing *Chickens* as stipulated by Subsection 03.01, *Farm Animals and Horses*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *Farm Animals and Horses*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and Chapter 6, *Animals*, of the Municipal Code of Ordinances -- as heretofore amended and as may be amended in the future --, and with the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to having *Chickens* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) *Chickens* shall be allowed on the subject property as an ancillary use to the existing single-family home. Should the subject property be conveyed, sold, or subdivided the City Council reserves the right to review this Specific Use Permit (SUP); however, in no case shall the subject property be subdivided in a way that would separate the *Chicken Coop* from the existing single-family home or where the *Chicken Coop* would exist on a property that is less than ten (10) acres in size.
- (2) The *Chicken Coop* shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of this ordinance.
- (3) The *Chickens* shall be kept in an enclosed area within a *Chicken Coop* that provides for the free movement of *Chickens*, and are not permitted to be free range. The *Chicken Coop* shall conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- (4) If the applicant moves the *Chicken Coop* it shall be moved to a location that is behind the front façade of the primary structure and that is a minimum of 20-feet from all property lines as depicted in *Exhibit 'B'* of this ordinance. In addition, the *Chicken Coop* shall be screened from view of adjoining properties.
- (5) The number of chickens permitted on the subject property shall be limited to no more than ten (10), and no ducks, geese, pigeons, turkeys, roosters, or any other poultry or fowl are permitted on the subject property.
- (6) The *Chickens* shall be kept for personal use only and the applicant shall be prohibited from selling or operating a commercial animal establishment on the subject property (*i.e. the offering of animal byproducts -- e.g. eggs, chicken manure, etc. -- or chickens for sale on the subject property shall be prohibited*).
- (7) The *Chickens* shall be sheltered or confined in such a fashion as to prevent them from coming into contact with wild fowl or their excrement.
- (8) Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans or animals.

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7TH DAY OF FEBRUARY, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

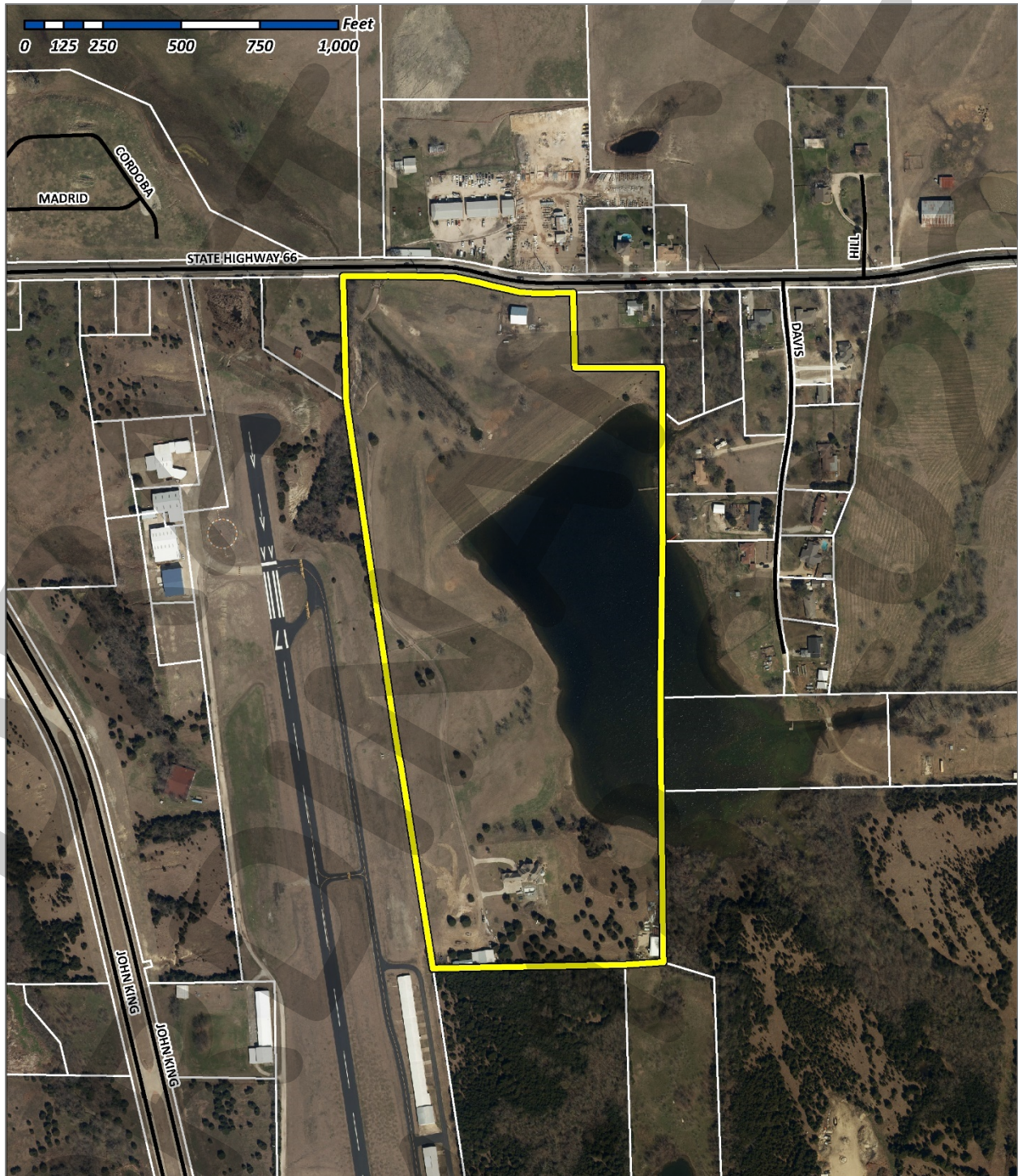
Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Address: 1700 E. SH-66

Legal Description: Tract 7 of the D. Harr Survey, Abstract No. 102





RED CROSS HATCHED AREA: AREA THE CHICKEN COOP CAN BE LOCATED





MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: Z2021-053; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL
FOR 803 AUSTIN STREET

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Residential Plot Plan
Building Elevations
Floor Plan
Roof Plan
Housing Analysis
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed *Specific Use Permit (SUP)*.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

DATE: January 18, 2022

APPLICANT: Javier Silva; *JMS Custom Homes*

CASE NUMBER: Z2021-053; *Specific Use Permit (SUP) for a Residential Infill for 803 Austin Street*

SUMMARY

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

BACKGROUND

The subject property was annexed prior to 1934 based on the August 25, 1934 Sanborn Map. On September 15, 1896, the subject property was platted with the F & M Addition, and is currently identified as a portion of Block 9 of the F&M Addition. According to the City's historic zoning maps, the subject property was zoned Single-Family 3 (SF-3) District as of January 3, 1972. This designation changed between January 4, 1972 and May 15, 1983 to a Single-Family 7 (SF-7) District based on the May 16, 1983 zoning map. According to the Rockwall Central Appraisal District (RCAD), a 1,000 SF single-family home constructed in 1985 is currently situated on the subject property.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 803 Austin Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are two (2) parcels of land (*i.e. 809 & 811 Kernodle Street*) that are developed with single-family homes and zoned Single-Family 7 (SF-7) District. Beyond this is Heath Street, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is Austin Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this there are multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes. Beyond this is Parks Avenue, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is Cornelia Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. This is followed by multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes. Beyond this is Lillian Street, which is

classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Kernodle Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes.

CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as "...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years." The subject property is part of the F&M Addition, which has been in existence since prior to 1896, consists of approximately 64 lots, and is more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Single-Family 7 (SF-7) District requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, "...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [*i.e. Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ..." The following is a summary of observations concerning the housing on Austin Street, Cornelia Street, E. Heath Street and Kernodle Street compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Austin Street, E. Heath Street and Kernodle Street	Proposed Housing
Building Height	One (1) Story	Two (2) Story
Building Orientation	Most of the homes located along Austin Street and Kernodle Street are oriented towards the street	The front elevation of the home will face onto Austin Street.
Year Built	1914-1995	N/A
Building SF on Property	1,080 SF – 2,358 SF	3,670 SF
Building Architecture	Single-Family Homes	Comparable Architecture to Newer Single-Family Homes in the Area
Building Setbacks:		
Front	Estimated Between 15-Feet and 20-Feet	25-Feet along Austin Street
Side	The side yard setbacks appear to be between zero (0) and greater than six (6) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	10-Feet
Building Materials	Hardie Board Siding and Brick.	Combination of Board & Batten Hardie Board Siding with Wood Columns, Wood Gable Brackets, and Wood Shutters
Paint and Color	Yellow, Tan, Brown, White, Blue, Green, and Red	<i>Undefined by the Applicant</i>
Roofs	Asphalt Composite Shingles	Asphalt Composite Shingle
Driveways/Garages	The majority of the driveways are in the front of the home and visible from Austin Street; however, a few of the homes have driveways located in the rear yard. Only a few of the homes have enclosed garages.	The proposed home will have a j-swing three (3) car garage on the east side of the home.

The proposed single-family home meets all of the zoning requirements for a property located in a Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Austin Street, Cornelia Street, E. Heath Street and Kernodle Street and the proposed building elevations in

the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On December 21, 2021, staff mailed 100 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes Homeowner's Association (HOA) as it was the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices in regards to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
 - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
 - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 6-0, with Commissioner Thomas absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO. 2202(-053)

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹ IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 803 Austin Street, Rockwall, Texas 75032

SUBDIVISION F and M Addition

LOT 9 BLOCK PT

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

- ☐ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☒ OWNER Javier Silva JMS Custom Homes ☐ APPLICANT

CONTACT PERSON Javier Silva (JMS Custom Homes) CONTACT PERSON

ADDRESS 58 Windsor Dr. ADDRESS

CITY, STATE & ZIP Rockwall, TX, 75032 CITY, STATE & ZIP

PHONE 972-814-9462 PHONE

E-MAIL support@jmscustomhomes.net E-MAIL

NOTARY VERIFICATION [REQUIRED]

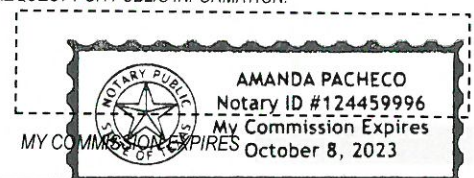
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Javier Silva [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15th DAY OF Dec., 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15th DAY OF Dec., 2022.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

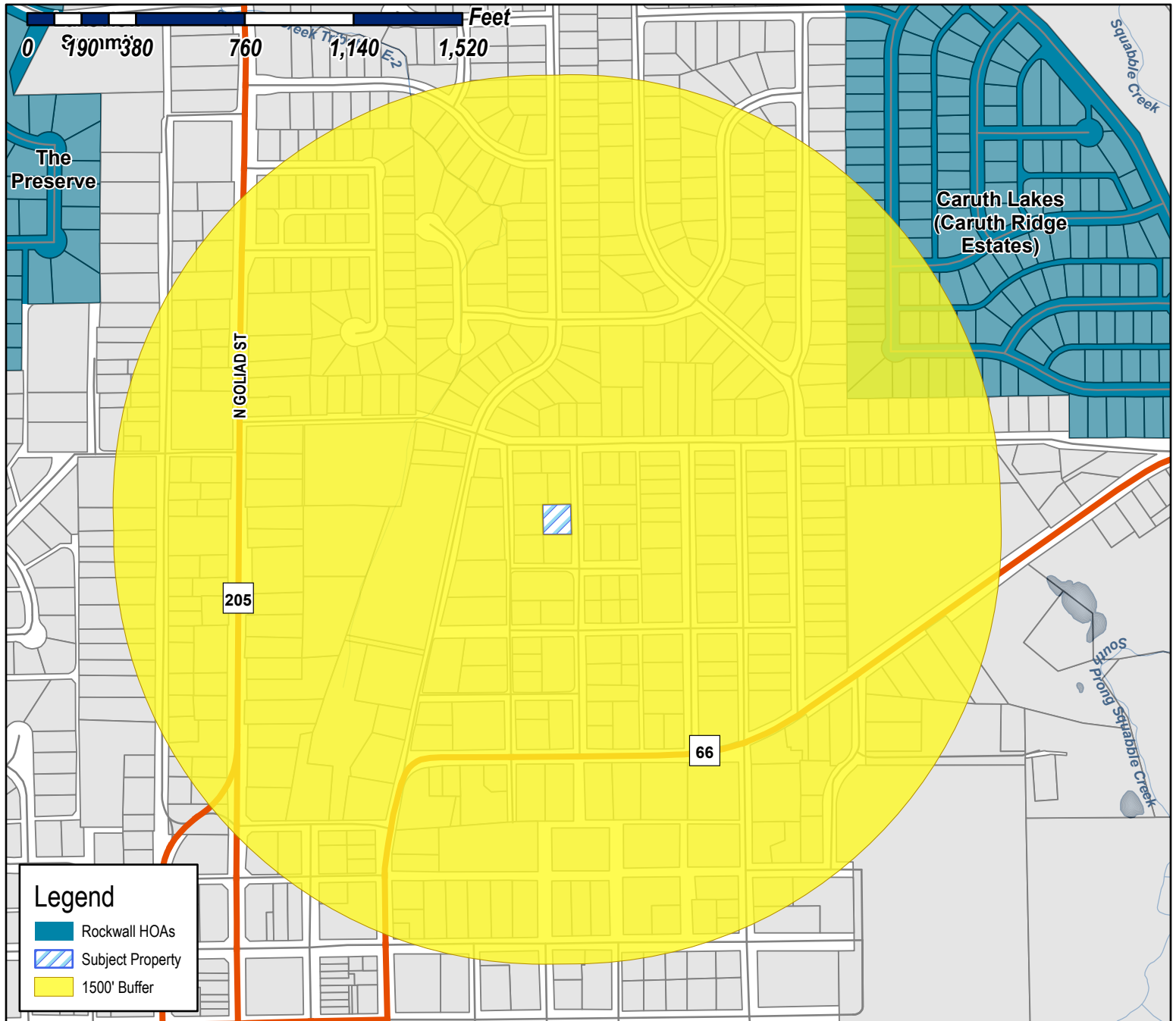
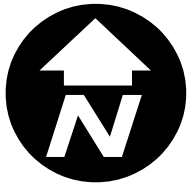




City of Rockwall

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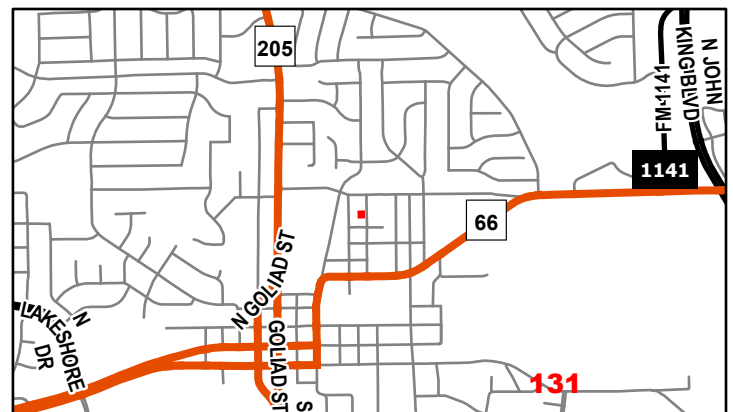
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Case Number: Z2021-053
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single-Family 7 (SF-7) District
Case Address: 803 Austin Street

Date Saved: 12/16/2021

For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-053]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-053: SUP for Residential Infill at 803 Austin Street

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

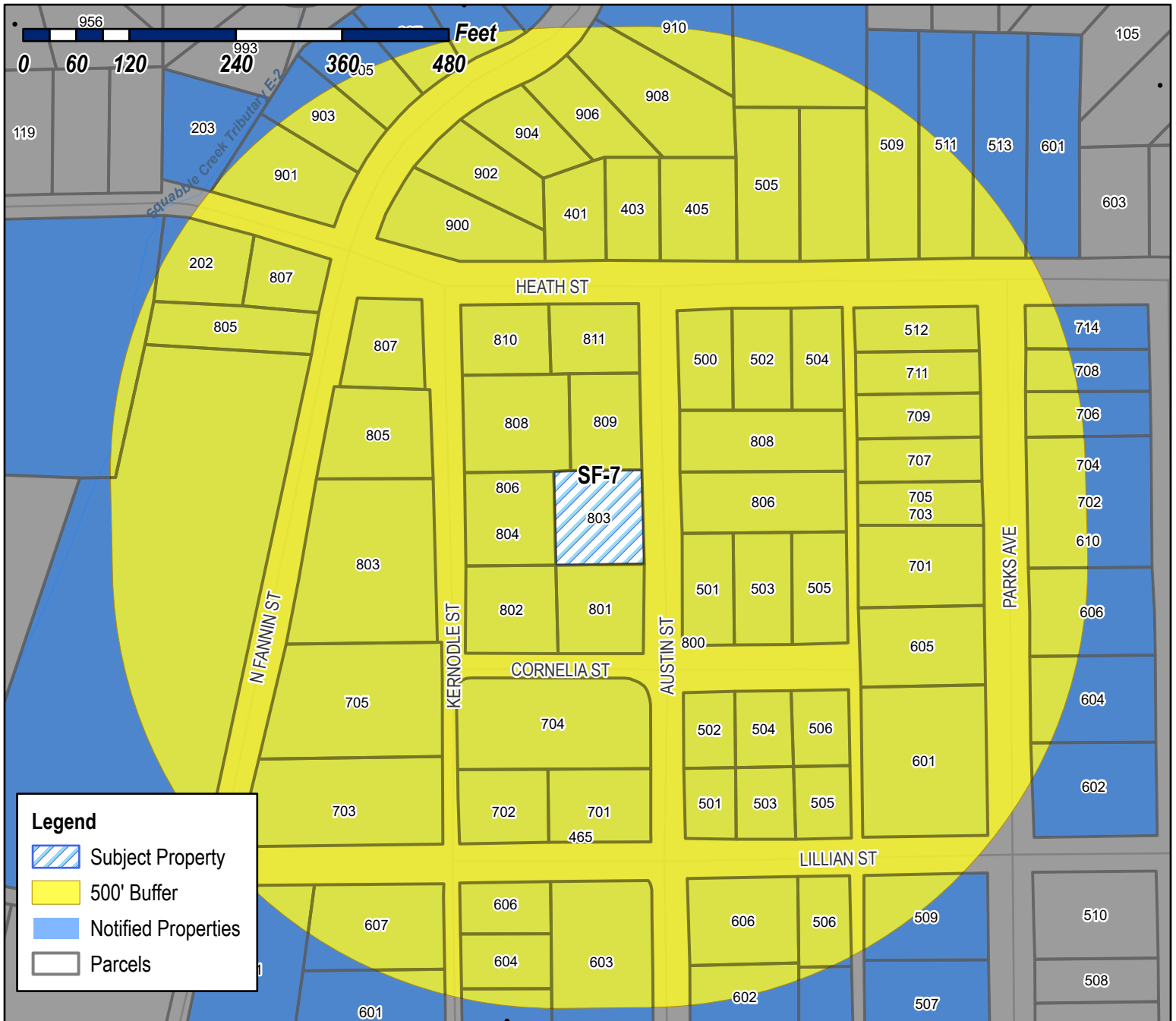
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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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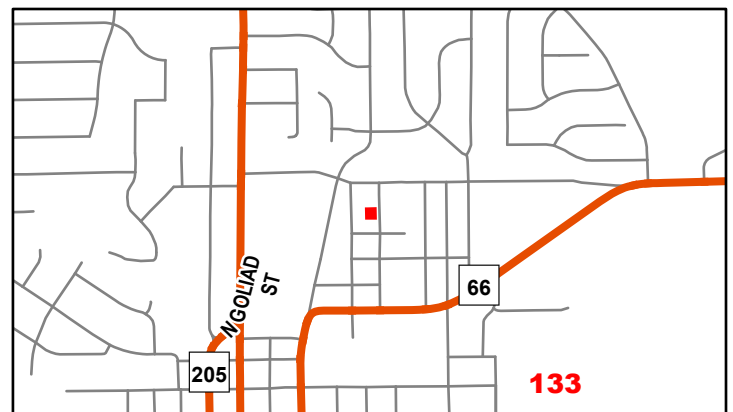
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Case Number: Z2021-053
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single-Family 7 (SF-7) District
Case Address: 803 Austin Street

Date Saved: 12/16/2021

For Questions on this Case Call (972) 771-7745



SILVA MANUEL
1041 E FM 552
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC
1215 THOMASVILLE COURT
GARLAND, TX 75044

KINSEY DONALD H & TARI L
2 MANOR COURT
HEATH, TX 75032

VANILLA BEAN PROPERTIES SERIES 10 LLC
2 MANOR COURT
HEATH, TX 75032

RICE GARRETT R AND JAMIE B
202 E HEATH ST
ROCKWALL, TX 75087

BLANKENSHIP JAMES WISE & LISA
203 E HEATH ST
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES
213 SOVEREIGN CT
ROCKWALL, TX 75032

PARK STUFF LLC
2301 LAFAYETTE DR
HEATH, TX 75032

ORTAMOND DONALD J & JANA R
301 MARGARET ST
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING
TRUST
WILLIAM H AND HANNA H MIGNEAULT-
TRUSTEES
3625 SIERRA RD
SAN JOSE, CA 95132

TIPPING VIVIAN E AND
EARNEST TIPPING
401 EAST HEATH STREET
ROCKWALL, TX 75087

DOLLINS ROBIN KAY AND GEORGE OEN
403 E HEATH
ROCKWALL, TX 75087

PARK STUFF LLC
405 E HEATH ST
ROCKWALL, TX 75087

KIRKPATRICK DAVID S & RHONDA D
500 E HEATH ST
ROCKWALL, TX 75087

HOLZHEIMER THOMAS R AND NICOLE M
501 CORNELIA ST
ROCKWALL, TX 75087

GREENAWALT PATRICK ALAN
501 LILLIAN ST
ROCKWALL, TX 75087

BARNETT GEORGE S
502 CORNELIA ST
ROCKWALL, TX 75087

MCINTIRE J M & ERLINDA
502 E HEATH ST
ROCKWALL, TX 75087

PARTNER UP HOMES LLC
503 LILLIAN ST
ROCKWALL, TX 75087

TANTON MELVIN V JR
504 E HEATH ST
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR
504 CORNELIA
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR
505 CARRIAGE TR
ROCKWALL, TX 75087

WILLIAMS JULI ANN AND JOH CHRISTOPHER
AND
MICHAEL ANTHONY BOSMA AND LAURA L
BOSMA
505 CORNELIA ST
ROCKWALL, TX 75087

ZYLKA PROPERTIES LLC
505 EHEATH ST
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC
505 LILLIAN ST
ROCKWALL, TX 75087

UC RUBEN & EDITH CORTE DE
506 LILLIAN ST
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR
506 CORNELIA
ROCKWALL, TX 75087

YOUNG MOLLIE AND JAY CHANCE
507 PARKS AVENUE
ROCKWALL, TX 75087

DOROTIK DAVID W
509 PARKS AVE
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES
509 E HEATH ST
ROCKWALL, TX 75087

RICHARDSON PATRICE
510 COVE RIDGE RD
HEATH, TX 75032

RICHARDSON PATRICE
511 E HEATH ST
ROCKWALL, TX 75087

COATS LOIS LOUISE
512 E HEATH ST
ROCKWALL, TX 75087

GREENAWALT PATRICK AND COURTNEY
513 E HEATH ST
ROCKWALL, TX 75087

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

EICH CHRIS AND ELENA
601 PARKS AVENUE
ROCKWALL, TX 75087

STARK ROBERT C
601 E HEATH ST
ROCKWALL, TX 75087

BROWN JONATHAN R & CHRISTY A
601 KERNODLE ST
ROCKWALL, TX 75087

GASKIN STEVE AND
MICHAEL FLANARY
602 KERNODLE STREET
ROCKWALL, TX 75087

MURPHY MICHAEL
602 PARKS AVE
ROCKWALL, TX 75087

PEOPLES MICHAEL L &
LINDA CAUBLE
602 AUSTIN ST
ROCKWALL, TX 75087

LOFLAND JANA J
603 AUSTIN ST
ROCKWALL, TX 75087

FUNK TED FREDRICK AND REBECCA LYNN
604 KERNODLE
ROCKWALL, TX 75087

FUQUA MATTHEW
604 PARKS AVE
ROCKWALL, TX 75087

DINGWELL MARGUERITE NASH & ADAM
605 PARKS AVE
ROCKWALL, TX 75087

DANIEL RODNEY
606 AUSTIN ST
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS
606 KERNODLE ST
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING
TRUST
WILLIAM H AND HANNA H MIGNEAULT-
TRUSTEES
606 PARKS AVE
ROCKWALL, TX 75087

MULLINS CHRISTOPHER CHARLES AND ARYN
ELISE
607 KERNODLE ST
ROCKWALL, TX 75087

CASTRO RENE & BETSY
700 WINDSONG LN
ROCKWALL, TX 75032

ESTATE OF BEULAH CHRISTINE MOONEY
701 AUSTIN ST
ROCKWALL, TX 75087

CASTILLO AGAPITO & ESTELA
701 PARKS AVE
ROCKWALL, TX 75087

HENRY AMANDA A
702 PARKS AVE
ROCKWALL, TX 75087

KINSEY TARI L AND DONALD H
702 KERNODLE ST
ROCKWALL, TX 75087

TIBBETTS ELAINE
703 KERNODLE ST
ROCKWALL, TX 75087

HANSON BRANDON R
703 PARKS AVE
ROCKWALL, TX 75087

FRASIER MICHAEL & MARY GRACE
704 JACKSON ST
ROCKWALL, TX 75087

THOMAS TRACY
704 KERNODLE ST
ROCKWALL, TX 75087

ZIMMERMAN CAROLYN
705 KERNODLE ST
ROCKWALL, TX 75087

PECINA JOE & LORETHIA ANN
706 PARKS AVE
ROCKWALL, TX 75087

BELANGER CORKY
707 PARKS AVE
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D
708 PARKS AVE
ROCKWALL, TX 75087

BARRON ARMANDO
709 PARKS AVE
ROCKWALL, TX 75087

PARTNER UP HOMES LLC
709 W RUSK SUITE B #905
ROCKWALL, TX 75087

STARK ROBERT C
710 AGAPE ST
ROCKWALL, TX 75087

NIXON LINDA LOUISE
711 PARKS AVENUE
ROCKWALL, TX 75087

MEINECKE JEFFREY AND ANGELA
714 PARKS AVE
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS
752 WINDSONG LN
ROCKWALL, TX 75032

BROWN JONATHAN R & CHRISTY A
7814 KILLARNEY LANE
ROWLETT, TX 75089

BEASLEY GEORGE
801 AUSTIN ST
ROCKWALL, TX 75087

KINSEY DONALD H AND TARI L
802 KERNODLE ST
ROCKWALL, TX 75087

JOHNSON BRADLEY K AND GINGER M
803 KERNODLE ST
ROCKWALL, TX 75087

SILVA MANUEL
803 AUSTIN ST
ROCKWALL, TX 75087

BUSHNELL MICHAEL S & TIFFANIE C
805 KERNODLE ST
ROCKWALL, TX 75087

ORTIZ ENRIQUE AROZLA
805 N FANNIN ST
ROCKWALL, TX 75087

AUSTIN TRENTON C
806 AUSTIN ST
ROCKWALL, TX 75087

VANILLA BEAN PROPERTIES SERIES 10 LLC
806 KERNODLE ST
ROCKWALL, TX 75087

DEL BOSQUE MARIO ETUX
807 KERNODLE ST
ROCKWALL, TX 75087

MEJIA JULIO & MARIA R
807 N FANNIN ST
ROCKWALL, TX 75087

CASTRO RENE & BETSY
808 AUSTIN ST
ROCKWALL, TX 75087

KINSEY DONALD H & TARI L
808 KERNODLE ST
ROCKWALL, TX 75087

KINDRED ROBERT M
809 AUSTIN ST
ROCKWALL, TX 75087

JOSEY BROOKE
810 KERNODLE ST
ROCKWALL, TX 75087

JENNINGS AMANDA L
811 AUSTIN ST
ROCKWALL, TX 75087

WIEHE JOHN THOMAS
900 N FANNIN ST
ROCKWALL, TX 75087

CROWDER GERALDINE
901 N FANNIN ST
ROCKWALL, TX 75087

FINK BEVERLY A & ROYCE G
902 N FANNIN STREET
ROCKWALL, TX 75087

HEMPHILL REBECCA
903 N FANNIN ST
ROCKWALL, TX 75087

HALL WYNNE &
JOANN CAMPBELL
904 N FANNIN ST
ROCKWALL, TX 75087

ROSS THOMAS II & LACY
905 N FANNIN ST
ROCKWALL, TX 75087

WILLIAMS BROOKS
906 FANNIN STREET
ROCKWALL, TX 75087

ROE JOHN A AND PATRICIA K
907 N FANNIN ST
ROCKWALL, TX 75087

MCKNIGHT DOROTHY
908 N FANNIN
ROCKWALL, TX 75087

J J M B INVESTMENT LP
909 FANNIN ST
ROCKWALL, TX 75087

DAVID JESSEE AND A JANE JESSEE FAMILY
LIVING TRUST
DAVID JESSEE AND A JANE JESSEE- TRUSTEES
910 N FANNIN STREET
ROCKWALL, TX 75087

HUME LINDA L
911 N FANNIN ST
ROCKWALL, TX 75087

BELANGER CORKY
921 N ALAMO RD
ROCKWALL, TX 75087

KINDRED ROBERT M
P.O. BOX 261638
PLANO, TX 75026

PEOPLES MICHAEL L &
LINDA CAUBLE
PO BOX 41
ROCKWALL, TX 75087

J J M B INVESTMENT LP
PO BOX 460247
GARLAND, TX 75046

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2021-053: SUP for Residential Infill at 803 Austin Street

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Angelica Gamez
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

— . . . PLEASE RETURN THE BELOW FORM — . . .

Case No. Z2021-053: SUP for Residential Infill at 803 Austin Street

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

[illegible][illegible]

ISSUED FOR:

☐ PRELIMINARY -
NOT FOR CONSTRUCTION

☒ BIDDING / PERMIT

☐ REVISION / ADDENDUM

☐ FOR CONSTRUCTION

ARCH. PROJ. #:	SCALE:
21921	REF. DRAWING

SHEET NO.

ARCHITECTURAL
SITE PLAN

NEW RESIDENCE
AT
803 AUSTIN
STREET
ROCKWALL, TX

ISSUE LOG

DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

- ☐ PRELIMINARY -
NOT FOR CONSTRUCTION
- ☒ BIDDING / PERMIT
- ☐ REVISION / ADDENDUM
- ☐ FOR CONSTRUCTION

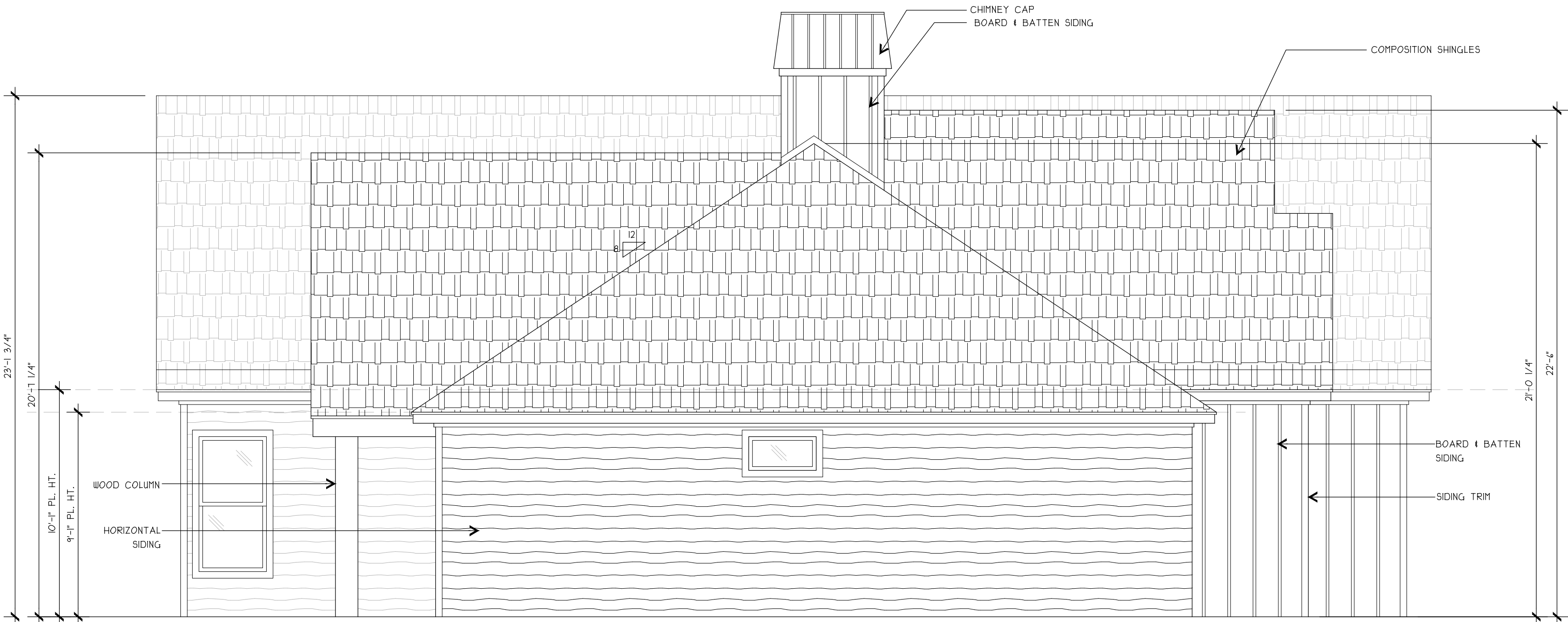


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SHEET NO.

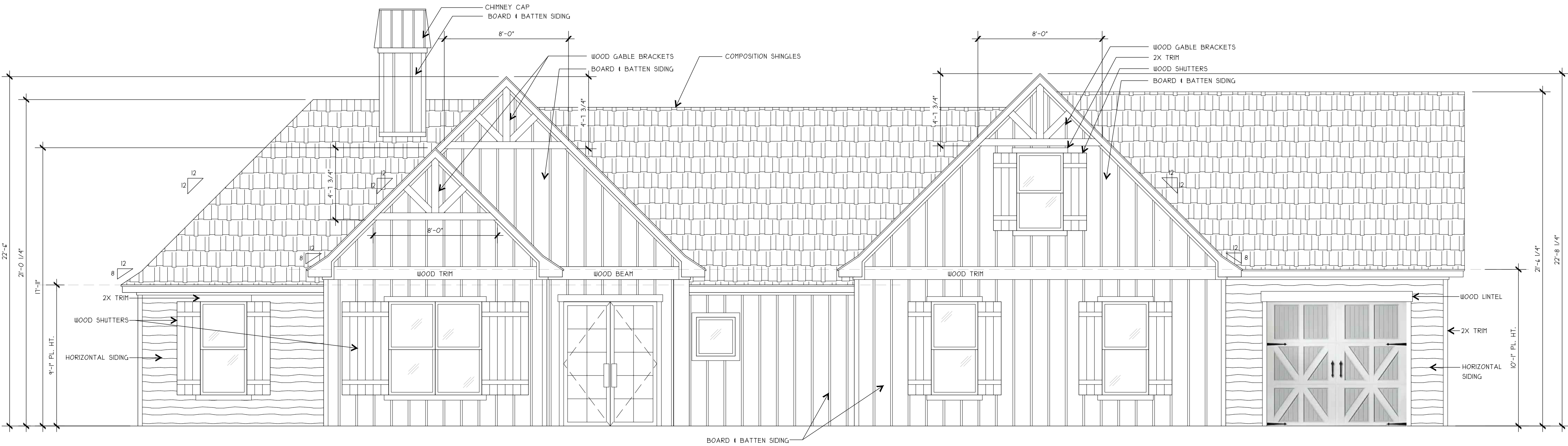
A5.1

ELEVATIONS



02 SOUTH ELEVATION

SCALE: 1/4"=1'-0"



01 EAST ELEVATION

SCALE: 1/4"=1'-0"

NEW RESIDENCE
AT
803 AUSTIN
STREET
ROCKWALL, TX

ISSUE LOG

DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

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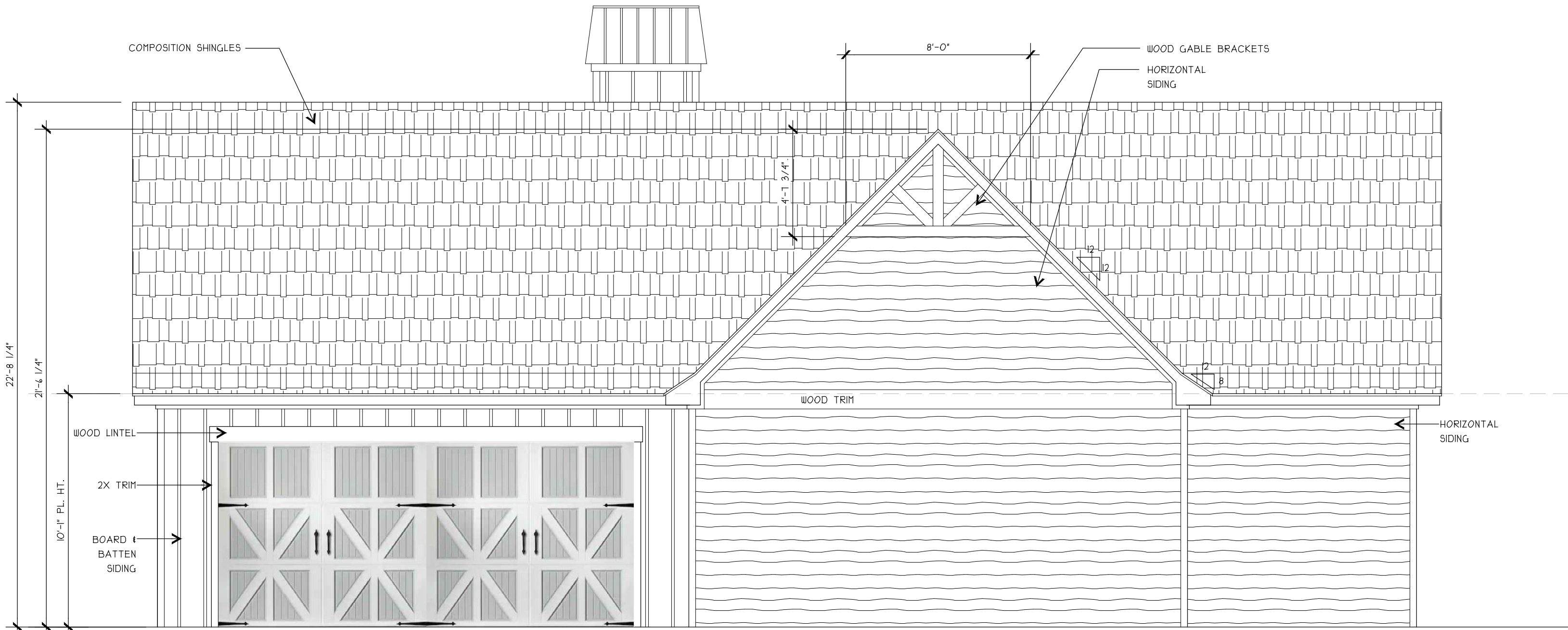


ARCH. PROJ. #	SCALE:
21921	REF. DRAWING

SHEET NO.

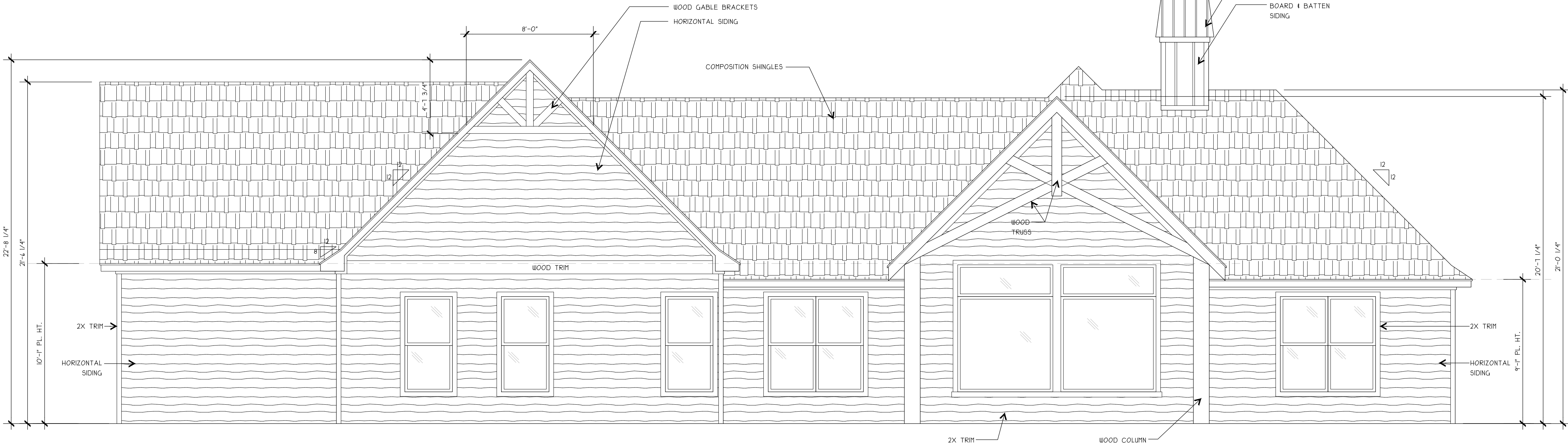
A5.2

ELEVATIONS



02 NORTH ELEVATION

SCALE: 1/4"=1'-0"



01 WEST ELEVATION

SCALE: 1/4"=1'-0"

ISSUE LOG	
DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

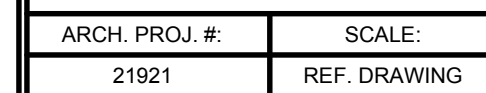
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☐ PRELIMINARY -
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☒ BIDDING / PERMIT

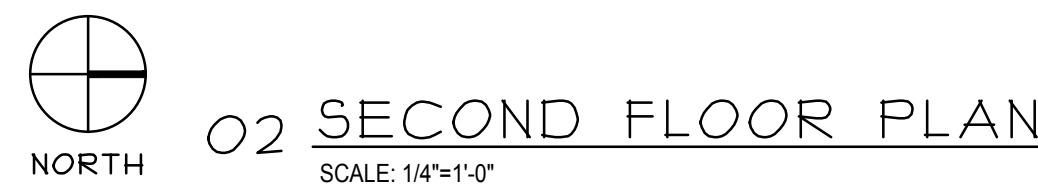
☐ REVISION / ADDENDUM

☐ FOR CONSTRUCTION



A3.3

142



NEW RESIDENCE
AT
803 AUSTIN
STREET
ROCKWALL, TX

ISSUE LOG

DATE ISSUE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

REVISION LOG

[illegible]

ISSUED FOR:

☐ PRELIMINARY -
NOT FOR CONSTRUCTION

☒ BIDDING / PERMIT

☐ REVISION / ADDENDUM

☐ FOR CONSTRUCTION

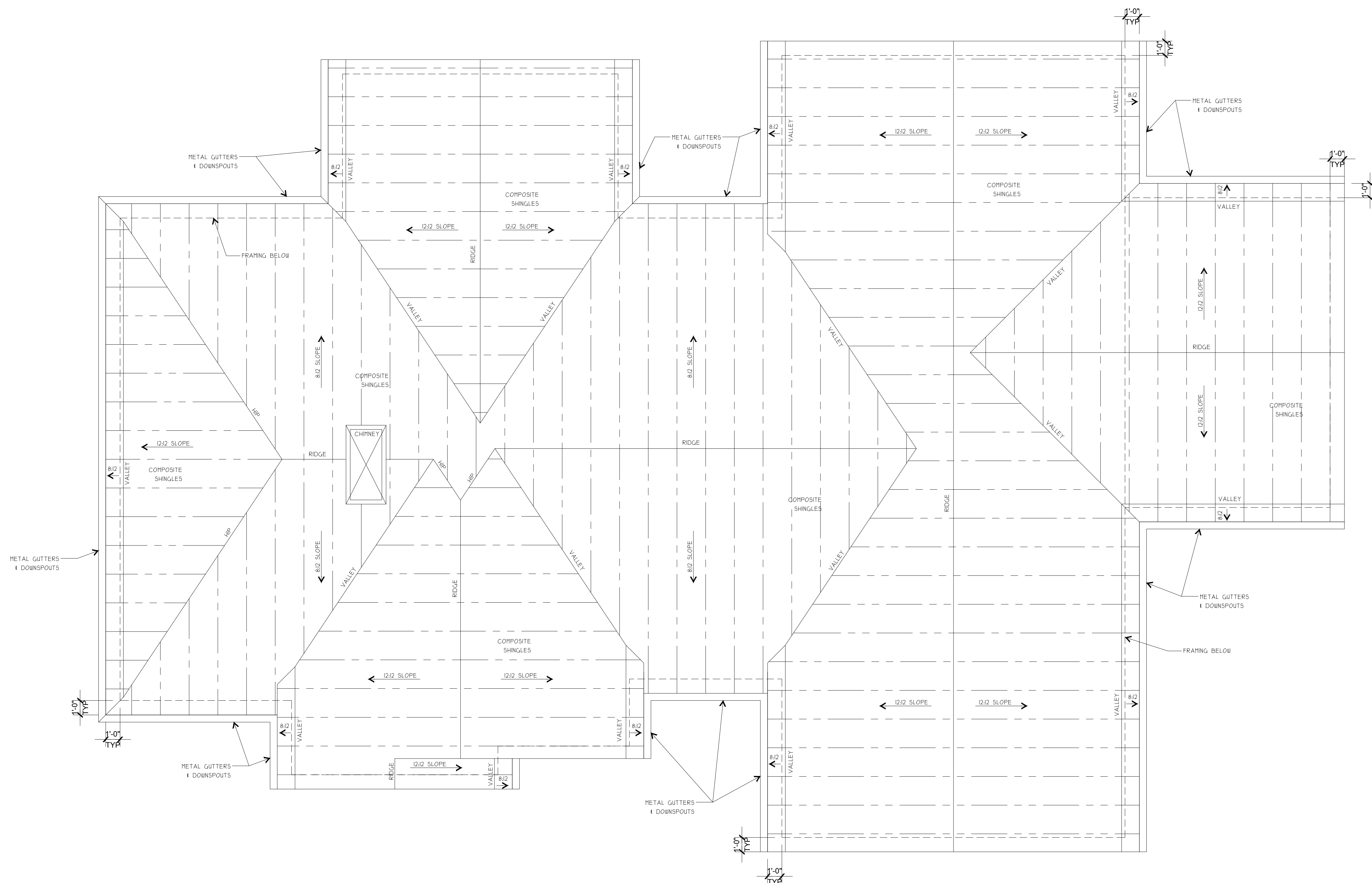


ARCH. PROJ. #:	SCALE:
21921	REF. DRAWING

SHEET NO.

A4.1

ROOF PLAN



FRAMING AND LUMBER NOTES:

- 1.) ALL SAW LUMBER SHALL BEAR STAMP OF WWPA OR APPROVED TESTING AGENCY
- 2.) ROOF JOIST, FLOOR JOIST, LEDGERS AND PLATES TO BE DOUGLAS FIR #2 OR BETTER
- 3.) ALL STUDS TO DOUGLAS FIR STUD GRADE OR APPROVED EQUIVALENT
- 4.) ROOF PLYWOOD SHEATHING TO 5/8" STANDARD 5-PLY WITH EXTERIOR GLUE WITH STAMP OF APPROVED TESTING AGENCY OR AS NOTED ON TYPICAL WALL SHEET
- 5.) FRAMING CONNECTIONS OR BE SIMPSON OR EQUIVALENT
- 6.) ALL BEARING STUD WALLS TO BE 2X6 AT 16" O.C. UNLESS NOTED OTHERWISE.
- 7.) ALL BEARING PARTITIONS SHALL HAVE DOUBLE TOP PLATES
- 8.) ALL INTERIOR HEADERS TO BE (2)2X12'S UNLESS NOTED OTHERWISE
- 9.) ALL EXTERIOR HEADERS TO BE (3)2X12'S UNLESS NOTED OTHERWISE
- 10.) CUTTING, NOTCHING, AND DRILLING OF WOOD MEMBERS SHALL COMPLY TO THE UNIFORM BUILDING CODE AND LOCAL AND STATE BUILDING CODES
- 11.) ALL CONVENTIONAL FRAMING SHALL COMPLY TO ALL LOCAL CODES
- 12.) ROOF TRUSSES TO BE MANUFACTURED BY AN APPROVED FABRICATOR
- 13.) ALL LUMBER SHALL BE F=1400 KILN DRIED SOUTHERN PINE, DOUGLAS FIR, OR HEMLOCK
- 14.) ALL EXTERIOR DOORS SHALL BE 1 3/4" THICK SOLID CORE 1 1/2" PR. BUTTS OR METAL INSULATION AS SHOWN ON DRAWINGS

ALL HEADERS SHALL BE (3) 2X12 EXTERIOR & INTERIOR BEARING WALLS UNLESS NOTED OTHERWISE.
MIN.-1 JACK STUD EA. SIDE OF OPG. TO 6' WIDE
MIN.-2 JACK STUD EA. SIDE OF OPG. TO 8' WIDE
MIN.-3 JACK STUD EA. SIDE OF OPG. TO 12' WIDE
ALL HEADERS (ANY SIZE) SHALL BE 1/2" PLYWOOD FILLERS.
GLUE & NAILED W/ 16D NAILS

ROOF CONSTRUCTION NOTES:

1. ROOF OVERHANG TO BE 18" U.N.O.
2. ROOF PITCH TO BE 10:12, U.N.O.
3. PROVIDE ATTIC VENTS AS SPECIFIED IN WALL SECTIONS IF APPLICABLE.
4. TIE ROOF TRUSSES OR RAFTER TO INTERIOR PARTITIONS WITH METAL CLIPS, TIES OR STRAPS AS SPECIFIED IN BRACING SCHEDULE. ABOVE.
5. FIRST SHEET OF PLYWOOD ALONG EAVES TO BE GLUED AND NAILED AS DESCRIBED IN SHEATHING NAILING SCHEDULE ABOVE.
6. TRUSS DESIGNS REQUIRE THE SIGNATURE AND SEAL OF A STATE CERTIFIED ENGINEER.
7. PROVIDE ALL REQUIRED TRUSS BRACING AS SPECIFIED ON ENGINEERED TRUSS PLAN.

01 ROOF FRAMING PLAN

SCALE: 1/4"=1'-0"



Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
501 Cornelia	Single-Family Home	1975	1440	100	Siding
806 Austin	Single-Family Home	1952	1214	480	Siding
808 Austin	Single-Family Home	1959	1388		Siding
500 E. Heath	Single-Family Home	1995	1144	840	Brick
809 Austin	Single-Family Home	1991	1351		Siding
811 Austin	Single-Family Home	1985	1080		Siding
810 Kernodle	Single-Family Home	1986	1435	80	Brick
808 Kernodle	Single-Family Home	1914	2358	100	Siding
806 Kernodle	Vacant	N/A	N/A	N/A	N/A
802 Kernodle	Single-Family Home	1939	1554	80	Siding
801 Austin	Single-Family Home	1980	2256		Brick
Averages:		1967.6	1522	280	



501 Cornelia



806 Austin



808 Austin



500 E. Heath



809 Austin



811 Austin



810 Kernodle



808 Kernodle



806 Kernodle



802 Kernodle



801 Austin

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS PORTION OF BLOCK 9 OF THE F&M ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 Javier Silva for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.23-acre parcel of land being described as portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] 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 (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and

with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Building Permit*, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Location Map and Survey

Address: 803 Austin Street

Legal Description: A Portion of Block 9 of the F&M Addition



Exhibit 'B':
Residential Plot Plan

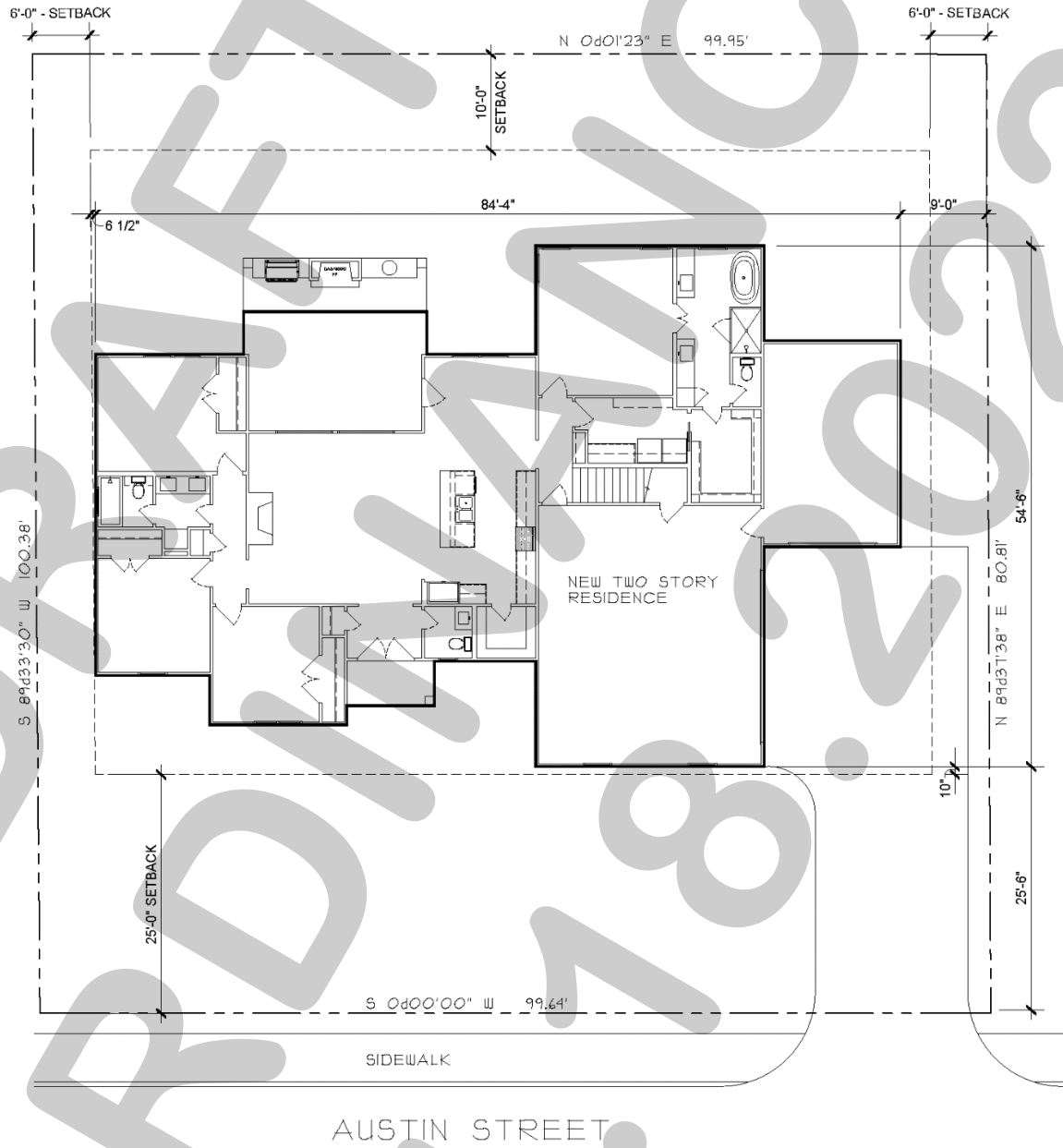
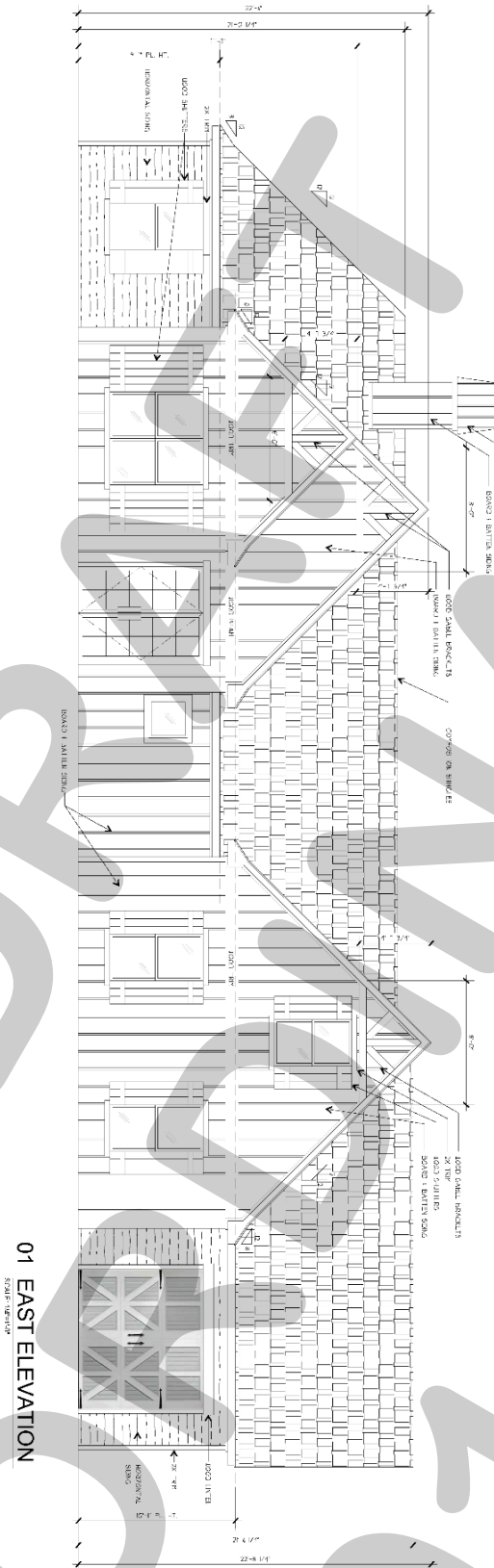
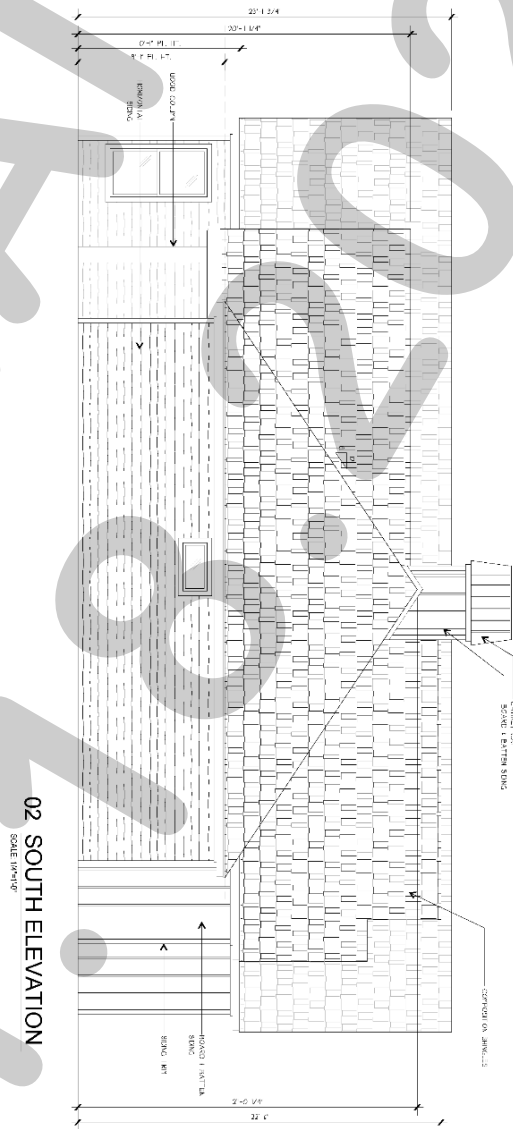


Exhibit 'C':
Building Elevations

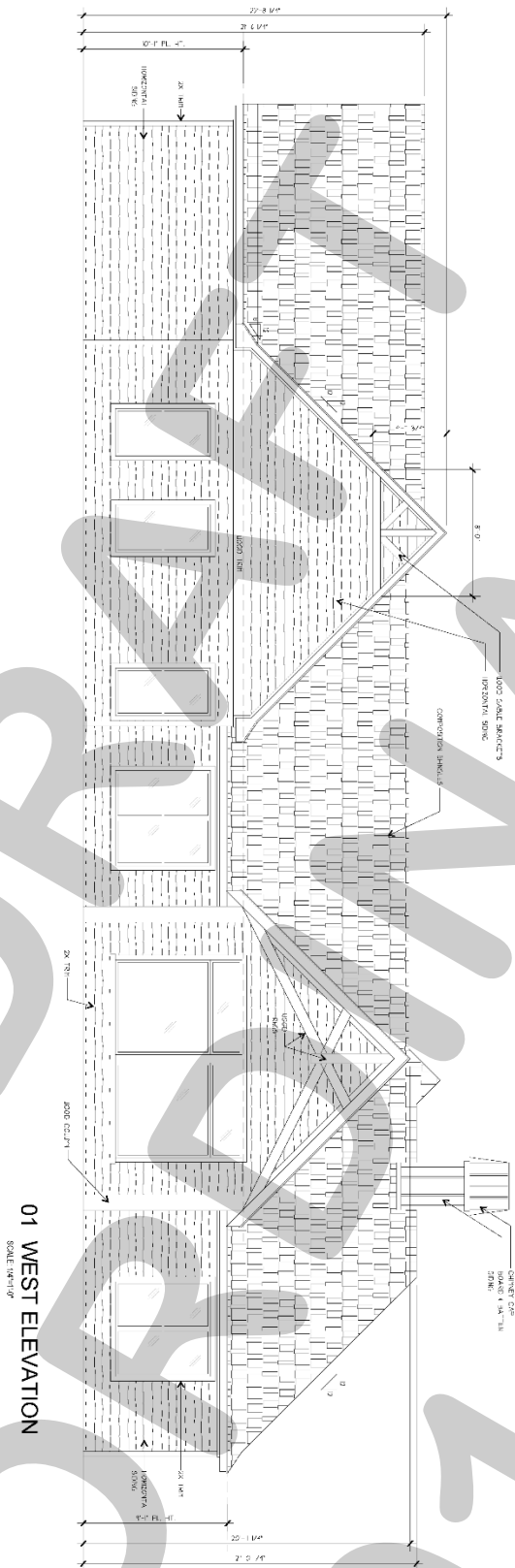


01 EAST ELEVATION
SCALE: 1/4"=1'-0"

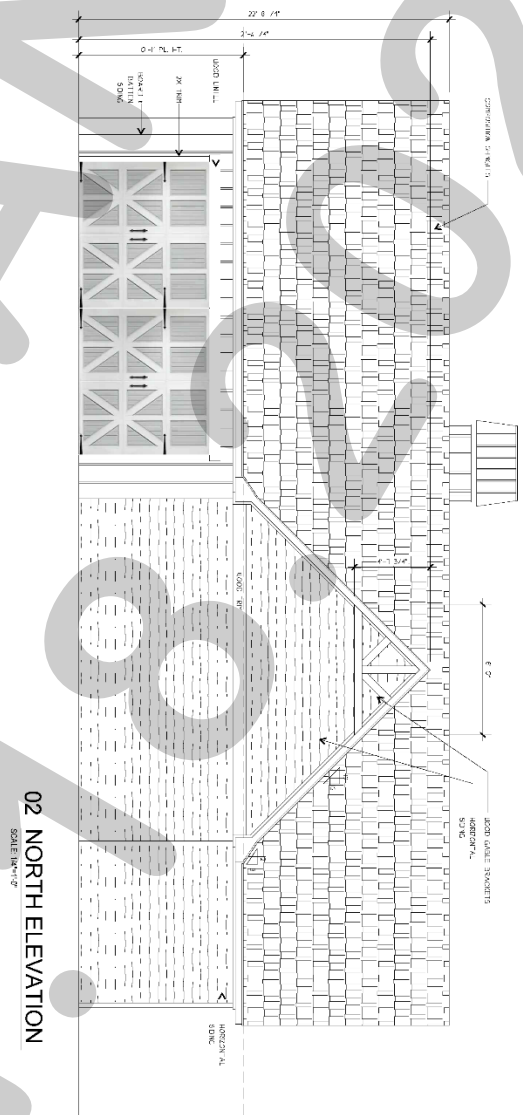


02 SOUTH ELEVATION
SCALE: 1/4"=1'-0"

Exhibit 'C':
Building Elevations



01 WEST ELEVATION
SCALE 1/4\"/>



02 NORTH ELEVATION
SCALE 1/4\"/>



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: Z2021-054; SPECIFIC USE PERMIT (SUP) FOR A CONGREGATE CARE FACILITY

Attachments

Request to Withdraw
Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Applicant's Letter
Concept Plan
Conceptual Building Elevations
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Congregate Care Facility* that *Exceeds 36-Feet in Height the Scenic Overlay (SOV) District* on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary **(1st Reading)**.

Action Needed

The City Council will need to first take action to approve or deny the request to withdraw. If the request is denied, the City Council will need to take action to approve, approve with conditions, or deny the proposed *Specific Use Permit (SUP)*.



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

CC: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: January 18, 2022

SUBJECT: Z2021-054; *Specific Use Permit (SUP) for a Congregate Care Facility*

On January 13, 2022, the applicant -- *Robert Weinstein of WB Property Group* -- sent an email to staff request to withdraw Case No. Z2021-054. According to Subsection 01.03, *Application Withdrawal*, of the Article 11, *Development Application and Review Procedures*, of the Unified Development Code (UDC), "(i)f an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body." This means the City Council will need to vote on the applicant's withdraw request. Should the City Council have any questions staff will be available at the January 18, 2022 meeting.

Miller, Ryan

From: Robert Weinstein <Robert@wbpropertygroup.com>
Sent: Thursday, January 13, 2022 11:23 AM
To: Miller, Ryan
Subject: RE Rockwall SUP

Follow Up Flag: Follow up
Flag Status: Flagged

Ryan,

Please pull this application for our application along ridge road.

Thank you,
RW

--

Robert Weinstein
WB Property Group
495 Broadway 7th Fl
New York, NY 10012
WBCOMPS.com
m 917 670 8267
o 212 226 6066
f 212 966 6785

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: January 18, 2022
APPLICANT: Robert Weinstein; *WB Companies*
CASE NUMBER: Z2021-054; *Specific Use Permit (SUP) for a Congregate Care Facility*

SUMMARY

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a Specific Use Permit (SUP) for a *Congregate Care Facility* that *Exceeds 36-Feet in Height the Scenic Overlay (SOV) District* on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

BACKGROUND

On September 5, 1960, the City Council annexed the subject property by adopting *Ordinance No. 60-02 [Case No. A1960-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On January 27, 1972, the City Council approved *Ordinance No. 72-03*, which rezoned the subject property from an Agricultural (AG) District to Planned Development District 4 (PD-4) for Neighborhood Services (NS) District and General Retail (GR) District land uses. In addition, the Planned Development District ordinance also allowed *Shopping Center* land uses on the subject property. On June 18, 2001, the City Council approved a City initiated amendment to Planned Development District 4 (PD-4) [Case No. PZ2001-053-01], removing the Neighborhood Services (NS) District land uses from the base zoning. This changed the Planned Development District to only allow General Retail (GR) District land uses. The subject property is currently vacant and no changes have been made to it since it was annexed in 1960.

On August 18, 2021, the applicant submitted a development application requesting to amend Planned Development District 4 (PD-4) to allow for a *Mixed-Use Development (i.e. Apartments, Retail/Restaurant, and Office land uses)* consisting of 600 multi-family units, 20,000 SF of retail/office space, and two (2) restaurants consisting of a total of 6,000 SF. This application was ultimately denied by the City Council by a vote of 6-0 (*with Council Member Johannesen absent*) after the Planning and Zoning Commission failed to approve a motion. Following this denial, the applicant submitted a subsequent development application on December 18, 2021 requesting a Specific Use Permit (SUP) for a *Congregate Care Facility/Elderly Housing*.

PURPOSE

The applicant -- *Robert Weinstein of WB Companies* -- is requesting the approval of a Specific Use Permit (SUP) to allow the construction of a 300-unit *Congregate Care Facility* on a portion of the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are three (3) parcels of land (*i.e. Lots 2-4, Block A, Rockwall Commons Addition*) consisting of 8.0896-acres of land. Situated on these parcels of land is a mixed-use development (*i.e. Rockwall Commons*), which contains 202 *Urban Residential* units and multiple office/retail land uses. Beyond this is a 3.802-acre parcel of land (*i.e. Lot 6, Block A, Rockwall Commons Addition*), which has a mixed-use

development situated on it. Contained within this development are 140 *Urban Residential* units and multiple office/retail land uses. All of these properties are zoned Planned Development District 1 (PD-1) for General Retail (GR) District and Multi-Family 14 (MF-14) District land uses.

South: Directly south of the subject property is Ridge Road, which is identified as a *M4D (i.e. major collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. In addition, there is a 100-foot right-of-way owned by the *M. K. & T. Railroad* with railroad tracks. South of these rights-of-way, is an 8.583-acre vacant tract of land (*i.e. Lot 1, Block A, Sky Ridge Addition*) that is zoned Commercial (C) District.

East: Directly east of the subject is a 100-foot right-of-way owned by the *M. K. & T. Railroad* with railroad tracks. Beyond this are two (2) vacant tracts of land (*i.e. Tract 9 [9.24-acres] & Tract 9-1 [7.00-acres] of the D. Atkins Survey, Abstract No. 1*), which are situated within the 100-year floodplain and are zoned Commercial (C) District. East of these tracts of land is the Waterstone Estates Subdivision, which was platted on November 30, 1994 and consists of 123 residential lots. This subdivision is zoned Single-Family 7 (SF-7) District.

West: Directly west of the subject property is Ridge Road, which is identified as a *M4D (i.e. major collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the following subdivisions: [1] The Estates of Coast Royale, which was platted on September 9, 1985 and consists of 13 residential lots; [2] Lakeridge Park, which was platted on September 29, 1972 and consists of 87 residential lots; and [3] Lake Ray Hubbard Estates, which was platted on December 10, 1973 and consists of 65 residential lots. All of these subdivisions are zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and conceptual building elevations for a proposed *Congregate Care Facility*. The concept plan shows that the 12.1148-acre tract of land will be developed in a single phase consisting of 300 dwelling units, a four (4) story parking garage, a rooftop restaurant, and various amenities. An estimated 3.82-acres of the subject property will be reserved for future General Retail (GR) District land uses. This means that the proposed *Congregate Care Facility* will have an estimated residential density of 36.17 dwelling units per acre (*i.e. 300-units/[12.1148-acres – 3.82-acres]*). The proposed 300 dwelling units will be broken down into 180 *Type 'A'* or one (1) bedroom units and 120 *Type 'B'* or two (2) bedroom units. This equates to a 60%/40% one (1) bedroom to two (2) bedroom unit mix. In addition, the proposed development will incorporate 205 garage parking spaces and 116 surface parking spaces for a total of 321 parking spaces. The concept plan indicates that the proposed development will incorporate 20% open space and amenities that include a dog park, pool, and two (2) pickle ball courts. The applicant has indicated that the proposed rooftop restaurant -- *which will serve all of the residents' meals since the proposed dwelling units will not incorporate kitchen facilities* -- will be closed to the general public. The conceptual building elevations show that the building will be four (4) stories adjacent to Ridge Road and extend back to five (5) stories at the rear of the subject property. This is to accommodate the slope of the property, which has a significant grade change from the western property line (*adjacent to Ridge Road*) to the eastern property line (*adjacent to the railroad*). The overall height of the building will be 60-feet along Ridge Road. Staff should note that while the conceptual building elevations are being incorporated into the Specific Use Permit (SUP) ordinance, they do not appear to meet the minimum standards of the Unified Development Code (UDC). This incorporation does not grant any variances to the requirements of the Unified Development Code (UDC), and the applicant will be required to amend the elevations to bring them into conformance with the code prior to site plan approval.

CONFORMANCE WITH THE CITY'S CODES

According to Article 13, *Definitions*, of the Unified Development Code (UDC), a *Congregate Care Facility/Elderly Housing* is defined as "(a) facility for long-term residence -- *exclusively for persons 62 years of age or older* -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal services: [1] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (*i.e. no dishwasher or oven*); [2] daily prepared meals in a common dining area; [3] housekeeping, laundry service, and private bus transportation service; [4] dedicated areas for social activities; and [5] dedicated areas for indoor and outdoor recreation activities." According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified

Development Code (UDC), these types of facilities are only permitted *by-right* in the Multi-Family 14 (MF-14) District and require a Specific Use Permit (SUP) in the General Retail (GR) District. This section of the Unified Development Code (UDC) also stipulates the following *Conditional Land Use Standards* for a *Congregate Care Facility/Elderly Housing*:

- (1) A *Congregate Care Facility/Elderly Housing Facility* may have up to two (2) units for on-site managers, which contain full kitchen facilities.
- (2) Full-time medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (*e.g. visiting nurse or home health care*).
- (3) These facilities shall incorporate special safety, accessibility and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.

Staff has incorporated these *Conditional Land Use Standards* into the proposed draft ordinance; however, staff should point out that the following aspects of the applicant's request deviate from the requirements of the Unified Development Code (UDC):

- (1) *Density*. The highest density zoning district permitted by the Unified Development Code (UDC) is the Multi-Family 14 (MF-14) District, which allows for a maximum of 14 dwelling units per acre [*i.e. Subsection 07.02, of Article 05, UDC*]. In this case, the applicant is requesting a total density of 36.17 dwelling units per acre, which exceeds the 14 dwelling units per acre by more than two 2½ times the amount. In addition, staff should point out that the Rockwall Commons has a density of 24.97 dwelling units per acre (*i.e. 202-units/8.0896-acres*) and the Lakeview Apartments has a density of 36.82 dwelling units per acre (*i.e. 140-units/3.802-acres*); however, these unit counts were based on the entirety of Planned Development District 1 (PD-1), which is 39.6443-acres and equates to a total density of only 8.63 dwelling units per acre (*i.e. [202-units + 140-units]/39.6443-acres*).
- (2) *Parking*. According to Article 06, *Parking and Loading Standards*, of the Unified Development Code (UDC), the minimum parking requirement for a *Multi-Family Unit with One (1) Bedroom* is 1½ parking spaces per unit and the minimum parking requirement for a *Multi-Family Unit with Two (2) Bedrooms* is two (2) parking spaces per unit. Based on the applicant's submittal this would equate to 510 parking spaces (*i.e. 270 parking spaces for the Type 'A' units and 240 parking spaces for the Type 'B' units*). Currently, the applicant is showing a total of 321 parking spaces, which is an overall deficiency of 189 parking spaces. Staff should note that a restaurant typically carries a parking requirement of one (1) parking space per 100 SF; however, in this case since the restaurant is not open to the general public no additional parking is required for the restaurant.
- (3) *Maximum Building Height*. According to Article 05, *District Development Standards*, of the Unified Development Code (UDC) the General Retail (GR) District and the Scenic Overlay (SOV) District stipulate a maximum height of 36-feet for all structures; however, the code allows the City Council to consider buildings up to a maximum of 60-feet through a Specific Use Permit (SUP). In this case, the proposed building is four (4) stories and has an overall height of 60-feet along Ridge Road.

The approval of the applicant's request would effectively waive these requirements. Therefore, this aspect of the applicant's request remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is situated within the *Scenic District* and is designated for *Commercial/Retail* land uses. The *Land Use Plan* states that the *Commercial/Retail* land use designation "...is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and serve adjacent residential subdivisions ... (t)hese areas should be designed with the pedestrian in mind and provide connections between the commercial land use and the adjacent residential subdivisions." In this case, the proposed *Congregate Care Facility* does not appear to conform with the intent of the *Commercial/Retail* land use designation, and -- based on the proposed density of 36.17 residential dwelling

units per acre -- is more characteristic of the High Density Residential land use designation. This designation "...consists of single-family residential homes, duplexes, townhomes, apartments, lofts, condominiums or other forms of housing that exceed three and one-half (3½) units per gross acre." Based on this staff is required to point out that this request does not conform to the OURHometown Vision 2040 Comprehensive Plan. With this being said, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Should the City Council choose to approve the Specific Use Permit (SUP), staff has incorporated a condition of approval that would change the Future Land Use Map designation for the subject property from a Commercial/Retail designation to a High Density Residential designation.

INFRASTRUCTURE

Based on the applicant's submittal the following infrastructure is required to adequately serve this development:

- (1) Water. A minimum of an eight (8) inch water line must be looped through the site. An infrastructure study will be required to determine the water improvements necessary to serve this development.
- (2) Sewer Improvements. The capacity of eight (8) inch gravity sewer line and lift station under and along on the westside of Ridge Road will need to be increased to serve this development. The extent of the improvements will be determined by the required infrastructure study.
- (3) Roadways. A Traffic Impact Analysis (TIA) will be required to be submitted and approved with the civil engineering plans.
- (4) Drainage. Detention will be required and sized in accordance with per the Engineering Department's *Standards of Design and Construction Manual*.

STAFF ANALYSIS

With the exception of the proposed density, building height, and parking requirements, the applicant's request does appear to conform to the majority of the requirements of the Unified Development Code (UDC). Specifically, the applicant's request appears to meet the definition of the *Congregate Care Facility/Elderly Housing* land use and the *Conditional Land Use Standards* associated with this use. In presenting this case at the Planning and Zoning Commission Work Session, the applicant compared this project to the City's only other *Congregate Care Facility* (i.e. *Liberty Heights Retirement Residences*). Since this comparison was used, staff is obligated to point out that there are many similarities between the two (2) projects, but there are also some key differences:

- (1) Density. The *Liberty Heights Retirement Residences* consists of 118 residential dwelling units on a 4.279-acre tract of land. This translates to an overall residential density of 27.58 dwelling units per acre. The proposed density of the applicant's project is 36.17 dwelling units per acre or 8.59 dwelling units per acre more dense than the *Liberty Heights Retirement Residences*.
- (2) Unit Count/Mix. The applicant is proposing 300 dwelling units, which is 182 dwelling units greater than the *Liberty Heights Retirement Residences*. In addition, while both projects consist of one (1) and two (2) bedroom units, the applicant's project is proposing a 60%/40% unit mix of one (1) bedroom units to two (2) bedroom units (*or 180, one [1] bedroom units to 120, two [2] bedroom units*); whereas, *Liberty Heights Retirement Residences* has a 76%/24% unit mix of one (1) bedroom units to two (2) bedroom units (*or 113, one [1] bedroom units to five [5], two [2] bedroom units*).
- (3) Open Space. The Specific Use Permit (SUP) for *Liberty Heights Retirement Residences* stipulated a minimum of 40% open space while the applicant's project is only proposing 20%; however, staff should point out that with multi-family projects both the Unified Development Code (UDC) and OURHometown Vision 2040 Comprehensive Plan only call for 20%.
- (4) Parking. The applicant is proposing both surface parking and a parking garage for the proposed project. Based on the unit count and the number of parking spaces being proposed, the applicant is requesting to utilize a parking ratio of 1.07 parking spaces per unit. The *Liberty Heights Retirement Residences* is entirely surface parked and was granted a parking ratio of 0.75 parking spaces per unit.

- (5) Land Use Designation. As stated above, the subject property is designated for Commercial/Retail land uses on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, and that this land use is not compatible with this designation. The *Liberty Heights Retirement Residences* is designated for High Density Residential land uses on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, which is consistent with the *Congregate Care Facility/Elderly Housing* land use.

With all this being said, the fact that this case is a Specific Use Permit (SUP) and that the applicant's request does not conform to all the requirements of the Unified Development Code (UDC) or the Future Land Use Plan contained in the OURHometown Vision 2040 Comprehensive Plan, makes this a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 16, 2021, staff mailed 80 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Turtle Cove and Waterstone Estates Homeowner's Association (HOA's), which are the only HOA's within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received one (1) property owner notification and one (1) response from the City's online *Zoning and Specific Use Input Form* in opposition to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Congregate Care Facility* on the subject property, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) The proposed development of a *Congregate Care Facility* on the subject property shall generally adhere to the *Concept Plan* contained in *Exhibit 'C'* and the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance.
 - (b) The height of the proposed *Congregate Care Facility* shall be less than 60-feet in total height and conform to the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance.
 - (c) The proposed *Congregate Care Facility* shall be limited to a maximum of 300-units.
 - (d) All amenities depicted in the *Concept Plan* contained in *Exhibit 'C'* of this ordinance shall be provided generally as depicted. The exact size and location of these amenities shall be provided with the site plan.
 - (e) A maximum of two (2) units shall be permitted to have full kitchen facilities and shall be used for on-site managers only. All other units shall not incorporate kitchen facilities (*e.g. dishwasher, oven, etc.*) in any capacity.
 - (f) All units shall be designed to have a maximum occupancy of two (2) adults.
 - (g) Fulltime medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (*e.g. visiting nurse or home health care professional*).
 - (h) This facility shall incorporate special safety, accessibility, and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.
 - (i) The restaurant shall not be open to the general public; however, guests that are visiting a resident of the facility shall be permitted to use the restaurant.

- (j) The *Congregate Care Facility* shall be a non-smoking facility.
- (2) By approving this *Specific Use Permit (SUP)*, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a *Commercial/Retail* designation to a *High Density Residential* designation; and,
- (3) Any construction resulting from the approval of this *Specific Use Permit (SUP)* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 4-2, with Commissioners Womble and Conway dissenting and Commissioner Thomas absent. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

22021-054

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE)¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE)¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE)¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE)¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)¹
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS FM 740, Rockwall TX

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION Adjacent South of 1389 Ridge Rd, Rockwall, TX 75087. Parcel: 0001-0000-0002-00-0R

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-4

CURRENT USE Retail & Neighborhood Services

PROPOSED ZONING

PROPOSED USE Congregate Care: 300 rooms

ACREAGE 12.11

LOTS [CURRENT]

1

LOTS [PROPOSED]

2

- ☐ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER HFS Management Inc.

☒ APPLICANT WB Companies LLC

CONTACT PERSON Richard Chandler

CONTACT PERSON Robert Weinstein

ADDRESS 122 W John Carpenter Fwy, Ste 400

ADDRESS 495 Broadway, 7th Floor

CITY, STATE & ZIP Irving, TX 75039

CITY, STATE & ZIP New York, NY 10012

PHONE 214-649-7187

PHONE 212 226 6066

E-MAIL rchandler@sei-mi.com

E-MAIL robert@wbpropertygroup.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Hanna F. Sakliych [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 381.65 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 11/29/21 DAY OF 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

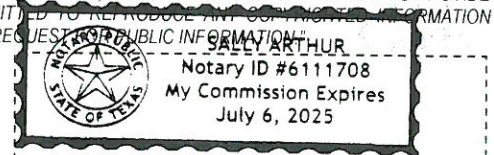
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 29 DAY OF November, 20 21.

OWNER'S SIGNATURE

Hanna F. Sakliych

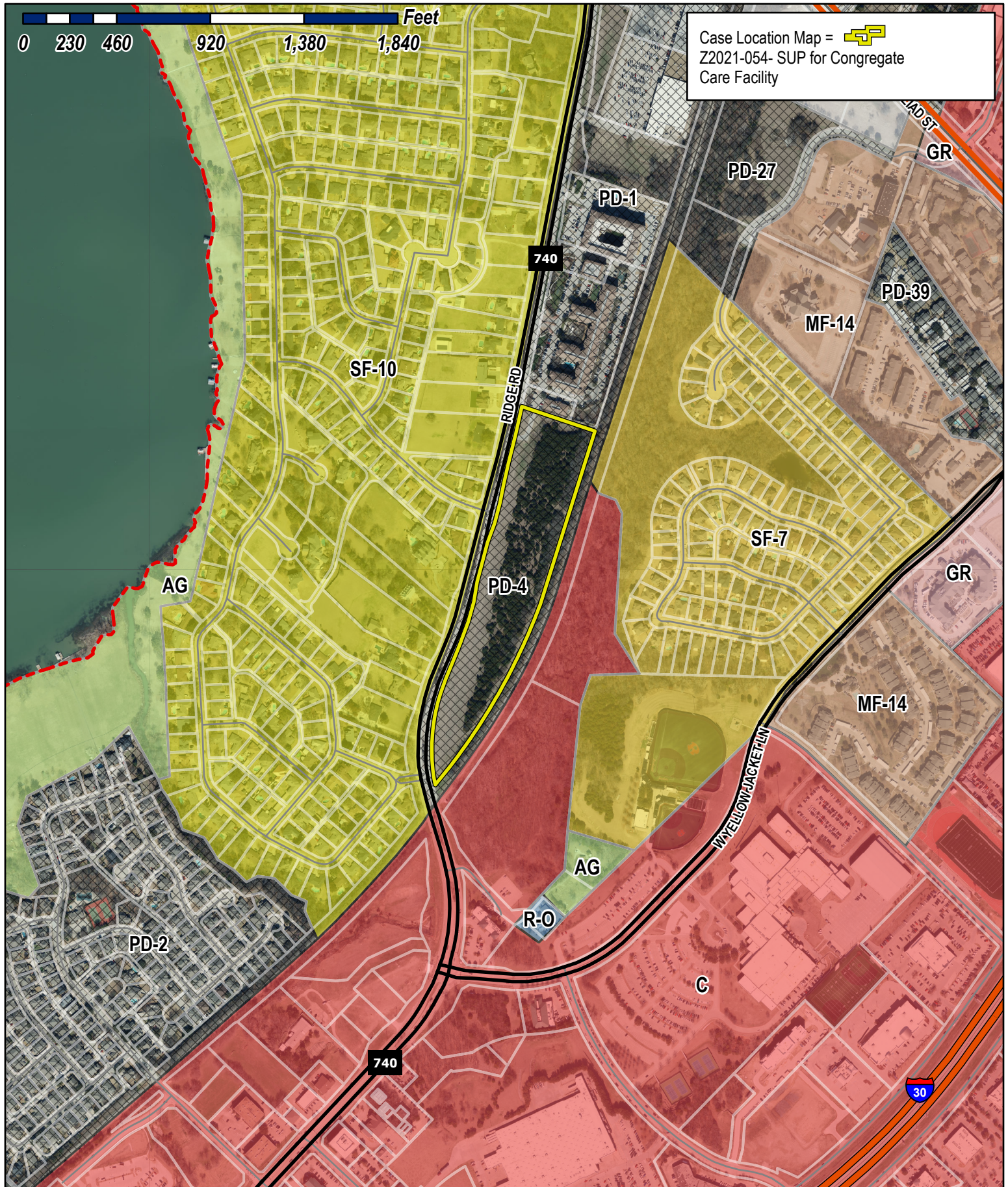
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS


Sally Arthur



MY COMMISSION EXPIRES

7-6-2025



Case Location Map = 
 Z2021-054- SUP for Congregate
 Care Facility



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

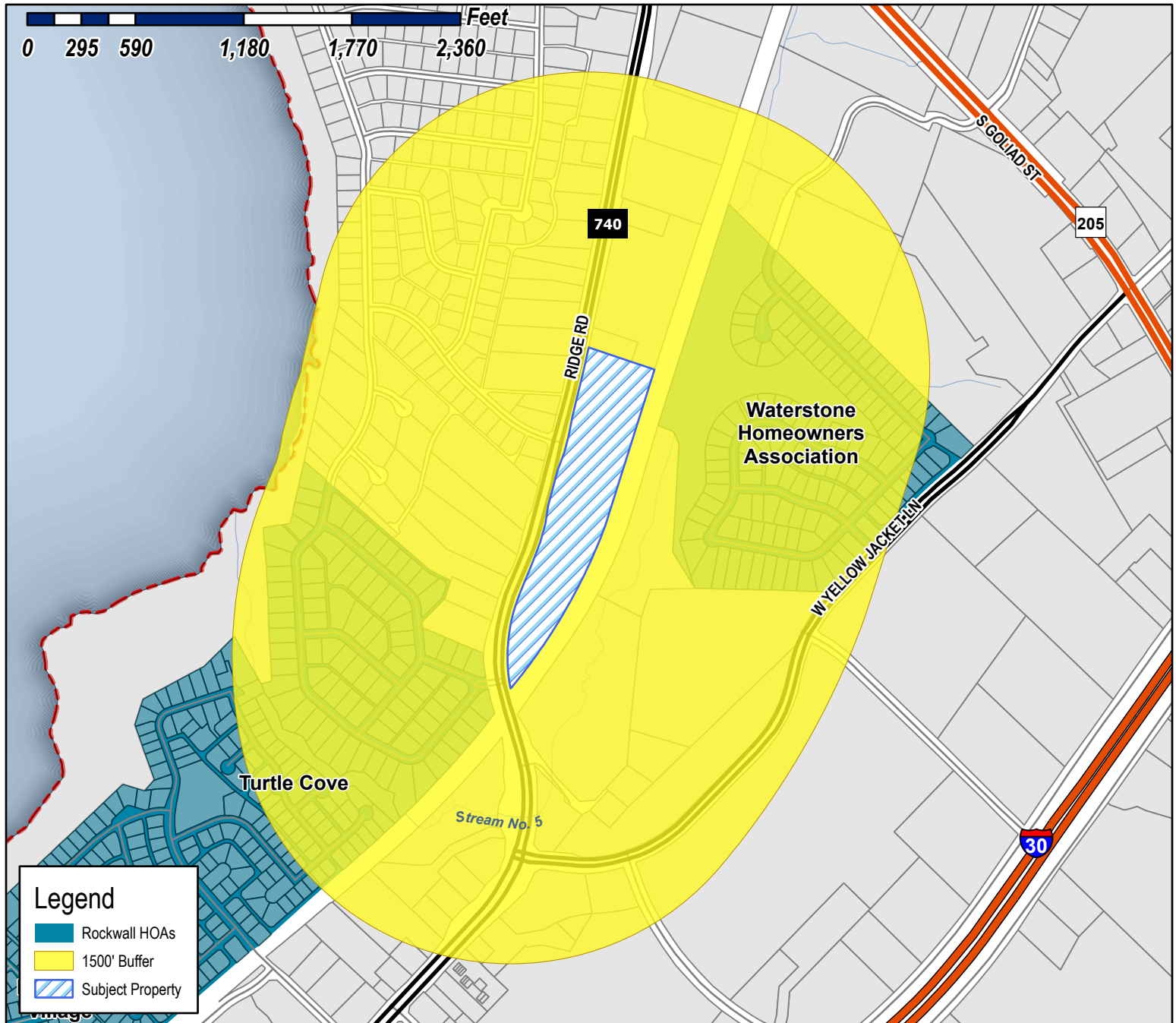
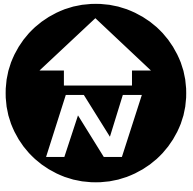




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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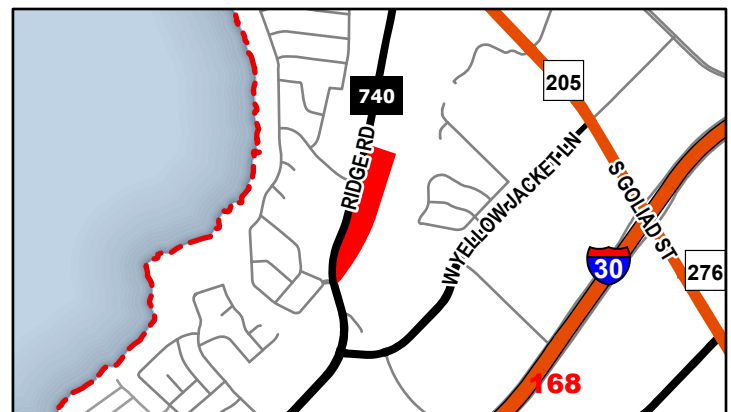
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



Case Number: Z2021-054
Case Name: SUP for Congregate Care Facility
Case Type: Zoning
Zoning: Planned Development District 8 (PD-8)
Case Address: Adjacent South of 1389 Ridge Road

Date Saved: 12/16/2021

For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-054]
Attachments: Public Notice (12.20.2021).pdf; HOA Map Z2021-054.png

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 24, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 11, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 18, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-054: SUP for Congregate Care Facility

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a Specific Use Permit (SUP) for a Congregate Care Facility that Exceeds 36-Feet in Height the Scenic Overlay (SOV) District on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

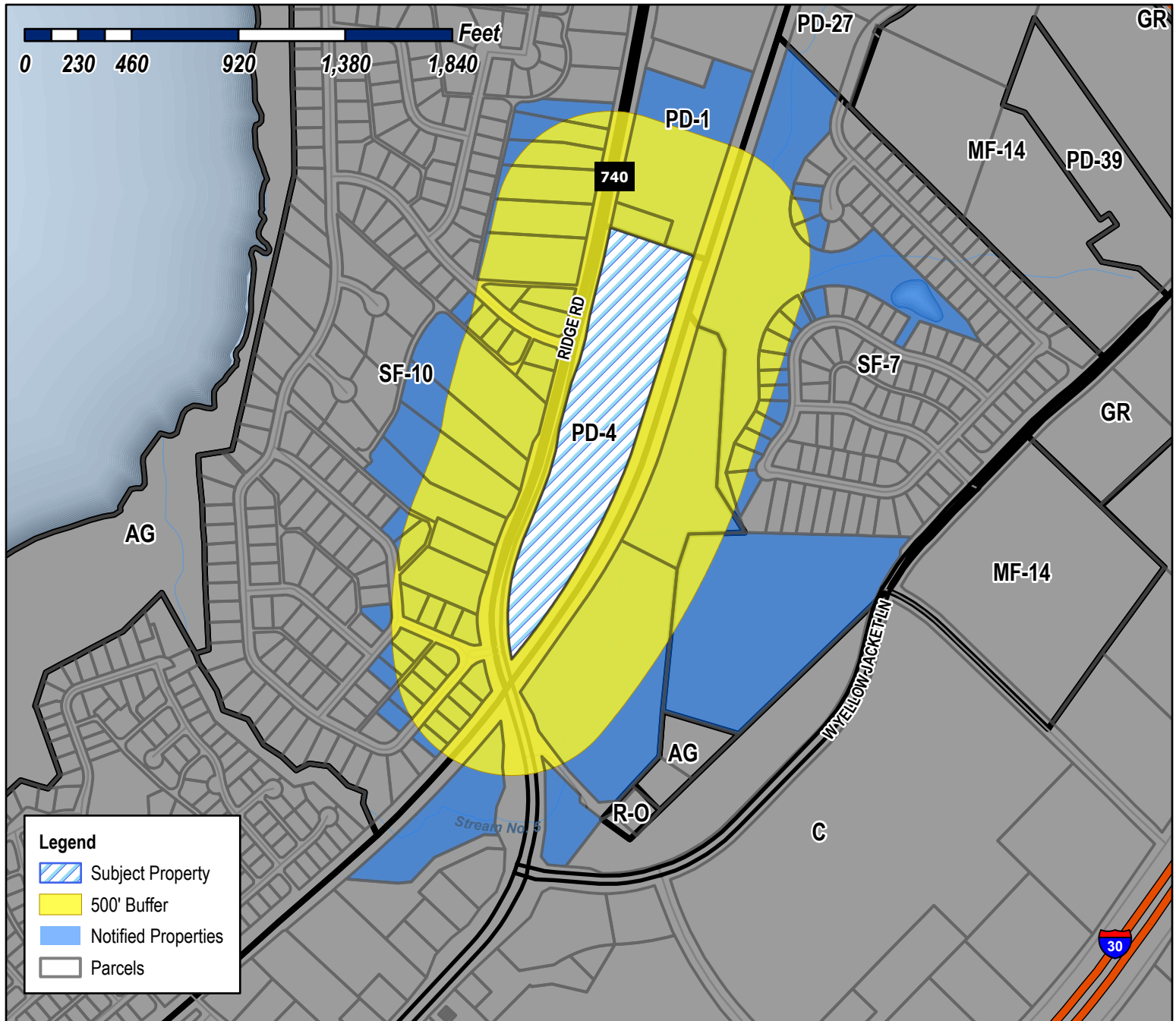
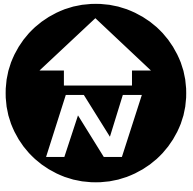
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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2021-054
Case Name: SUP for Congregate Care Facility
Case Type: Zoning
Zoning: Planned Development District 8 (PD-8)
Case Address: Adjacent South of 1389 Ridge Road

Date Saved: 12/16/2021

For Questions on this Case Call (972) 771-7745



NEFF DARRYL LEE JR
101 BECKY LN
ROCKWALL, TX 75087

KJT FLYING PROPERTIES LLC
102 LAKEDALE DR
ROCKWALL, TX 75087

MARSHALL RICHARD A AND
KENNETH F WILSON
103 BECKY LN
ROCKWALL, TX 75087

STAVINOHAI JIM L & MITZIE J
103 JULIAN DR
ROCKWALL, TX 75087

GARNER CASEY
104 BECKY LANE
ROCKWALL, TX 75087

MCCULLAR EMILY JEAN
104 LAKEDALE DRIVE
ROCKWALL, TX 75087

COX MARCUS D
105 BECKY LANE
ROCKWALL, TX 75087

7.1 RIDGE LLC
106 E RUSK SUITE 200
ROCKWALL, TX 75087

MARTINEZ GRACE & JESSE LEE III
106 LAKEDALE DR
ROCKWALL, TX 75087

VILLASENOR HENRY ROBERT &
HAYDY E VILLASENOR
106 PELICAN COVE DR
ROCKWALL, TX 75087

HAMBRICK GARY/GRACE HAMBRICK
107 BECKY LN
ROCKWALL, TX 75087

PECK RUTH H
108 LAKEDALE DR
ROCKWALL, TX 75087

ECKERT TRUST
DAVID W & BONNIE L ECKERT
112 PELICAN COVE DRIVE
ROCKWALL, TX 75087

HAMPTON MATTHEW & CORINA
118 PELICAN COVE DR
ROCKWALL, TX 75087

HPA TEXAS SUB 2017-1 LLC
120 S RIVERSIDE PLZ STE 2000
CHICAGO, IL 60606

HFS MANAGEMENT INC
C/O HANNA SAHLIYEH
122 W JOHN CARPENTER FWY STE 400
IRVING, TX 75039

SHUGART WILLIAM E & MERIDITH JUNE
124 PELICAN COVE DR
ROCKWALL, TX 75087

HALL STEPHANIE MCGARRY
130 PELICAN COVE DR
ROCKWALL, TX 75087

T ROCKWALL APARTMENTS TX LLC
1309 RIDGE RD
ROCKWALL, TX 75087

WILLCOXEN R GENE & MARY F
134 PELICAN COVE DR
ROCKWALL, TX 75087

ANDERSON JERRY C AND MELVA J
138 PELICAN COVE DR
ROCKWALL, TX 75087

BOBST DANIEL W AND JENNIFER L
1400 RIDGE RD
ROCKWALL, TX 75087

MASON RONALD E & GLORIA M
1402 RIDGE RD
ROCKWALL, TX 75087

ROGERS FAMILY LIVING TRUST
MICHAEL WAYNE ROGERS AND RELLA
VILLASANA ROGERS, TRUSTEES
1404 RIDGE RD
ROCKWALL, TX 75087

BURKE CASEY JOE AND ANDREA GAYDEN
1406-ARIDGERD
ROCKWALL, TX 75087

NORMAN LINDA
1406-B RIDGE RD
ROCKWALL, TX 75087

JBR2 LLC
1408 RIDGE RD
ROCKWALL, TX 75087

WONG ERIK J & ELIZABETH M
1410 RIDGE RD
ROCKWALL, TX 75087

NAJMABADI NATHAN R & JENNIFER N
1412 RIDGE ROAD
ROCKWALL, TX 75087

KROPKE JAMES & MARY
142 PELICAN COVE DR
ROCKWALL, TX 75087

CRANE ADAM T
146 PELICAN COVE DR
ROCKWALL, TX 75087

TEBBUTT BRIAN C
150 PELICAN COVE DR
ROCKWALL, TX 75087

SCHWERDT JOSHUA MICHAEL
1502 RIDGE ROAD
ROCKWALL, TX 75087

BARRON ENRIQUE JR & ELIZABETH
1504 RIDGE RD
ROCKWALL, TX 75087

TEBBUTT BRIAN C
156 PELICAN COVE DR
ROCKWALL, TX 75087

MCANALLY JOHN L & CINDY N
1600 RIDGE RD
ROCKWALL, TX 75087

HENDRICKS JAMES & BARBARA
1602 RIDGE RD
ROCKWALL, TX 75087

T ROCKWALL APARTMENTS TX LLC
16600 DALLAS PARKWAY SUITE 300
DALLAS, TX 75248

UHLIG JANET KAY
168 MURPHY CT
ROCKWALL, TX 75087

UNRUH CECIL J ESTATE
TAMARA SUE HARRIS INDEPENDENT EXECUTRIX
1722 RIDGE RD
ROCKWALL, TX 75087

GREEN STEVEN T
1724 RIDGE RD
ROCKWALL, TX 75087

PALOS MICKEY SUE &
CODY S & MARIA T LOWERY
1726 RIDGE RD
ROCKWALL, TX 75087

RICKERSON CHARLES AND VIRGINIA
1728 RIDGE RD
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC
174 MURPHY CT
ROCKWALL, TX 75087

UNRUH CECIL J ESTATE
TAMARA SUE HARRIS INDEPENDENT EXECUTRIX
17627 CEDAR CREEK CANYON
DALLAS, TX 75252

KELLY TANNER B
178 MURPHY CT
ROCKWALL, TX 75087

THAMES HOLDING LLC
1887 ENGLISH RD
ROCKWALL, TX 75032

PETTIGREW TERESA VIOLA
1901 LAKEVIEW DR
ROCKWALL, TX 75087

BALL DEREK AND AMANDA
1903 LAKEVIEW DR
ROCKWALL, TX 75087

VAUGHAN DANIEL J AND JESSICA
1905 LAKEVIEW DR
ROCKWALL, TX 75087

PADILLA KRIS AND JOE
2005 LAKESHORE DRIVE
ROCKWALL, TX 75087

RUSSELL CURTIS J & JENNIFER J
2006 S LAKESHORE DR
ROCKWALL, TX 75087

FRITSCH TERYL W AND JANICE L
2007 S LAKESHORE
ROCKWALL, TX 75087

CHARLES JACOB
2008 S LAKESHORE DR
ROCKWALL, TX 75087

HIGGINS BYRON STEPHEN AND
KIMBERLY LEE PETRIELLO
2009 S LAKESHORE DRIVE
ROCKWALL, TX 75087

STEBBINS ROBERT A ESTATE
ROBERT A STEBBINS II INDEPENDENT EXECUTOR
2010 LAKESHORE DR
ROCKWALL, TX 75087

HPA TEXAS SUB 2017-1 LLC
2011 LAKESHORE DR
ROCKWALL, TX 75087

SALAZAR AARON AND OLGA
2012 LAKESHORE DR
ROCKWALL, TX 75087

FREEMAN C L
2013 S LAKESHORE DR
ROCKWALL, TX 75087

THAMES HOLDING LLC
2014 LAKESHORE DR
ROCKWALL, TX 75087

RICKY LEE RIIS LIVING TRUST
TRUSTEE RICKI LEE RIIS
203 LAKEVIEW DRIVE
ROCKWALL, TX 75087

SIMS CHRISTOPHER P AND KRISTEN
206 LAKEVIEW DR
ROCKWALL, TX 75087

LAUREA ANTHONY BLAINE AND
CHRISTINE LONG
208 LAKEVIEW DR
ROCKWALL, TX 75087

MFR PROPERTIES LLC AND
YELLOW JACKET PLAZA LLC
2135 RIDGE RD
ROCKWALL, TX 75087

BOBST DANIEL W AND JENNIFER L
2701 SUNSET RIDGE SUITE 610
ROCKWALL, TX 75032

JBR2 LLC
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

MFR PROPERTIES LLC AND
YELLOW JACKET PLAZA LLC
28632 ROADSIDE DR SUITE 270
AGOURA HILLS, CA 91301

RPSC ROCKWALL PROPERTIES LLC
3201 E PRESIDENT GEORGE BUSH HIGHWAY
SUITE 101
RICHARDSON, TX 75082

WILLCOXEN R GENE & MARY F
4820 SUTCLIFF AVE
SAN JOSE, CA 95118

SYVRUD JAMES P & MARY JEAN
519 E INTERSTATE 30
ROCKWALL, TX 75087

HENDRICKS JAMES & BARBARA
5903 VOLUNTEER PL
ROCKWALL, TX 75032

CHURCH ON THE ROCK
6005 DALROCK RD
ROWLETT, TX 75088

NEFF DARRYL LEE JR
7214 BENNINGTON DR
DALLAS, TX 75214

ROCKWALL I S D
801 E WASHINGTON ST
ROCKWALL, TX 75087

KELLY TANNER B
9801 ROYAL LN APT 708
DALLAS, TX 75231

AMERICAN RESIDENTIAL LEASING COMPANY LLC
ATTN: PROPERTY TAX DEPARTMENT 23975
PARK SORRENTO, SUITE 300
CALABASAS, CA 91302

HAMBRICK GARY/GRACE HAMBRICK
P.O. BOX 907
BELMONT, TX 78604

STEBBINS ROBERT A ESTATE
ROBERT A STEBBINS II INDEPENDENT EXECUTOR
PO BOX 101
DENTON, TX 76202

KJT FLYING PROPERTIES LLC
PO BOX 1476
ROCKWALL, TX 75087

BURKE CASEY JOE AND ANDREA GAYDEN
PO BOX 2514
ROCKWALL, TX 75087

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2021-054: SUP for a Congregate Care Facility

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a Specific Use Permit (SUP) for a Congregate Care Facility that Exceeds 36-Feet in height in the Scenic Overlay (SOV) District on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2021-054: SUP for a Congregate Care Facility

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Case No. Z2021-054

Please place a check mark on the appropriate line below: *

☐ I am in favor of the request.

☒ I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

This is still a high density apartment complex relabeled. This will still cause unwanted traffic issues on a road that already suffers from traffic issues. This parcel of land would best be used for Lower density retail use.

Respondent Information

Please provide your information.

First Name *

Bruce & Louise

Last Name *

Jeffrey

Address *

206 Pelican Cove Dr.

City *

Rockwall

State *

Texas

Zip Code *

75087

Email Address *

bej2066@gmail.com

Phone Number

Please check all that apply: *

- ☒ I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☒ I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- ☐ Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

- ☒ I received a property owner notification in the mail.
- ☐ I read about the request on the City's website.
- ☐ I saw a zoning sign on the property.
- ☐ I read about the request in the Rockwall Herald Banner.
- ☐ My neighbors told me about the request.
- ☐ Other:

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Google Forms

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2021-054: SUP for a Congregate Care Facility

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a Specific Use Permit (SUP) for a Congregate Care Facility that Exceeds 36-Feet in height in the Scenic Overlay (SOV) District on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2021-054: SUP for a Congregate Care Facility

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

INCREASED TRAFFIC ON Ridge Rd
INCREASED DEMANDS FOR SERVICES (POLICE/FIRE)
INCREASED STRESS ON INFRASTRUCTURE I.E. WATER & SEWER
DECREASED OPEN SPACE

Name: DR. JAMES V. NEUFELL / MS. FRANCINE M. NEUFELL

Address: 101 BECKY LANE OWNERS of record as of 8/2021

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

WB Companies LLC
Robert Weinstein
917-670-8267
Robert@wbpropertygroup.com
495 Broadway 7th Floor
New York, NY 10012

December 8th 2021

Dear Mr. Miller,

Please consider this my formal application letter to request for a special use permit for Congregate Care for PD-4.

We propose a best in class 300 room congregate care facility that will provide daily prepared meals. Residents will be 62 and over and will have unobstructed views of Lake Ray Hubbard and a full package indoor and outdoor communal amenities and experiences. We will comply with all the Rockwall UDC requirements for Congregate care facility. **Max height of the building will be 60ft size from the highest elevation along Ridge Road, any individual building will not to exceed 320,000 sq. ft. and we will provide 20% of open space.**

Our Congregate Care Facility will foster a close sense of community where our elderly residents can be surrounded by friends where they can come together for planned experiences and use our exceptional amenities.

Demand In 2021 the average age of baby boomers is 57-75. With the continued increase of the size of the population over the age of 62 there is a large need to increase availability of Congregate Care/Elderly Housing. Many older adults no longer want the burden of living in an oversized home, many times isolated from their loved ones, while having all the headaches of house maintenance.

Security and Care Loved ones can rest at ease that their parents and grand parents will be looked after by our staff and monitored using our best in class emergency monitoring systems.

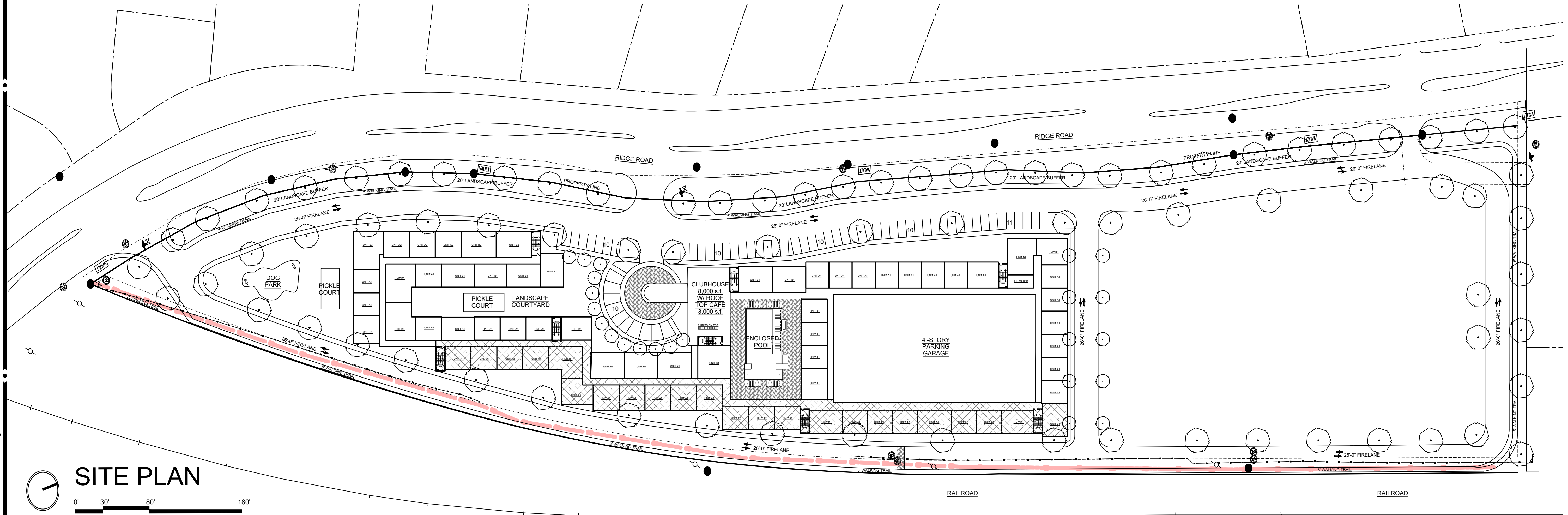
Dedicated Areas for Indoor and Outdoor Recreation and Activities Our amenities will include Pool, Meditation garden, Outdoor grilling area Walking Trail, Fitness Center, Food Truck area, Picnic Tables Yoga, Community Room, Kitchen, Rooftop deck.

Apartment Amenities Large master bedroom suites Expansive walk-in closets Vinyl flooring. Oversized soaking tubs. Modern slate GE appliances.

Thank you for your time and consideration,

Robert Weinstein





PROJECT DATA FOR PHASE # 1

300 TOTAL UNITS: - 4 /5 split stories
Approx. 60% "A-units" - 180 units
 Approx. 40% "B-units" - 120 units

PARKING REQUIRED:

1 for 1- Bedroom = $180 \times 1 = 180$ spaces
 1 for 2- Bedroom = $120 \times 1 = 120$ spaces
 Restaurant = $1/300 = 10$ spaces
(310 Total parking spaces required)

PARKING PROVIDED:

Parking Garage - 51 spaces per tier / 4 stories
(Approx. 205 spaces)
(Surface) = 116 spaces
Total Spaces provided : 320

SITE AMENITIES:

Landscaped Pool courtyard
Roof top restaurant - Residents Only
- Approx. 13,000 s.f.
Open Space - Approx. 20%
Community Dog Park
(2) Sport Courts - Pickle Ball

The Edge at Rockwall

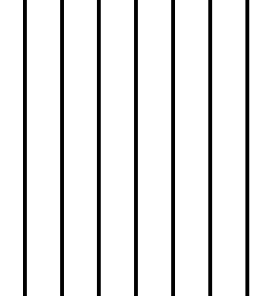
ACTIVE SENIOR LIVING APARTMENTS
ROCKWALL, TEXAS

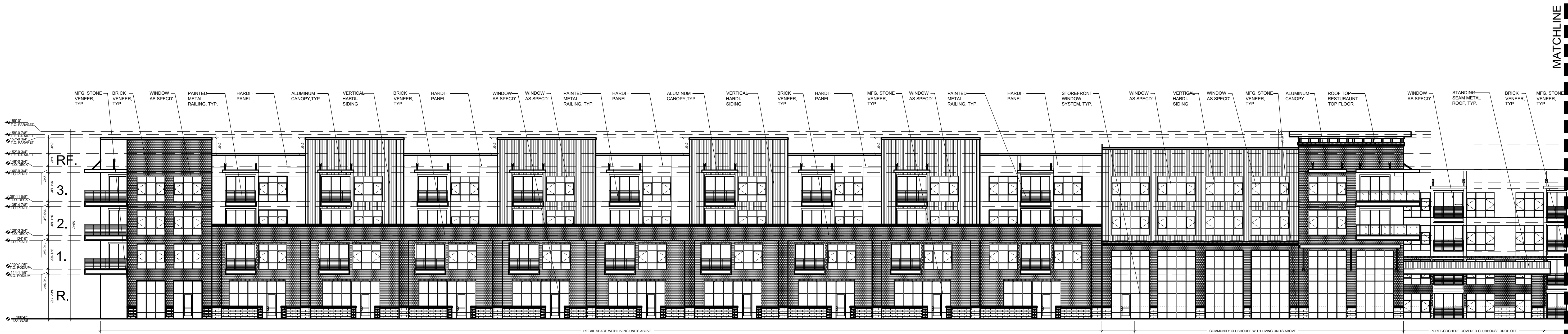
ARRIVE
ARCHITECTURE GROUP

Architecture
Planning
Project Management

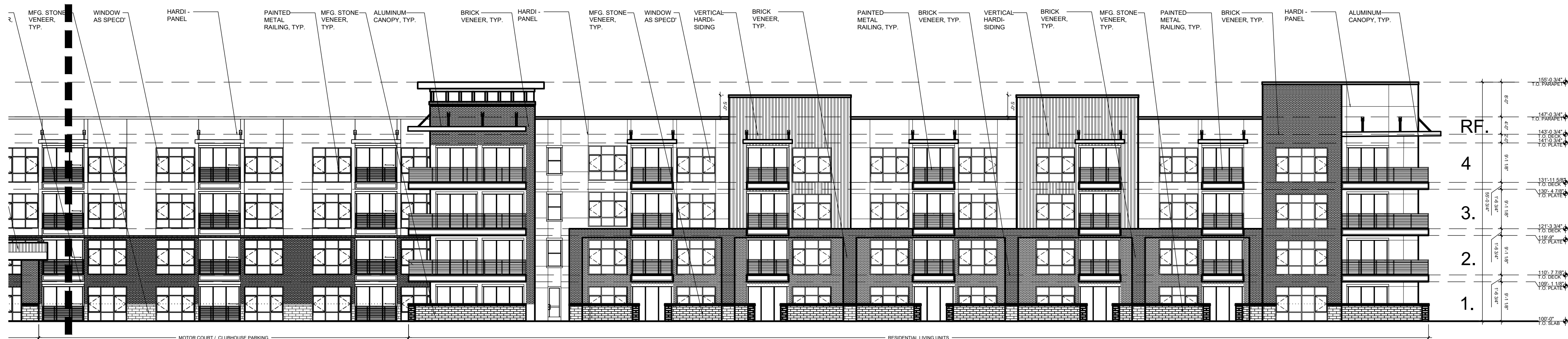
2344 Highway 121 • Suite 100 • Bedford, Texas 76021 • www.arrivegroup.com
Ph 817/514.0584 • Fx 817/514.0694

SEAL

									
DRAWN BY: AAG					CHECKED BY: JMT				
SUBMITTED FOR: CONCEPT PLAN									
SUBMITTAL DATE: 2/06/21					SHEET NO. <div style="border: 1px solid black; height: 30px; width: 100%;"></div>				
SCALE: <div style="border: 1px solid black; height: 30px; width: 100%;"></div>					<div style="border: 1px solid black; height: 30px; width: 100%;"></div>				

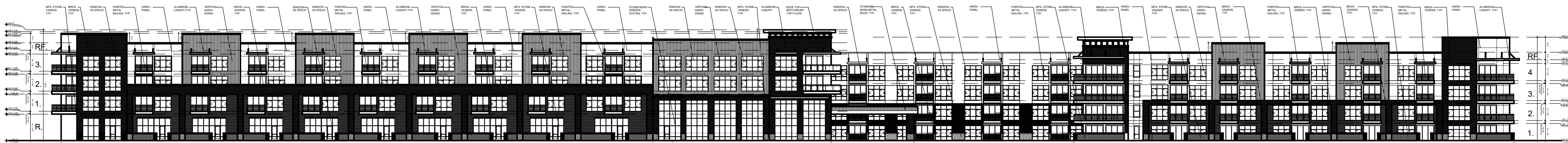


01 RIDGE ROAD ELEVATION (LEFT SIDE)
SCALE 1/16" = 1'-0"



02 RIDGE ROAD ELEVATION (RIGHT SIDE)
SCALE 1/16" = 1'-0"

ELEVATION MATERIALS	
STOREFRONT	8%
STONE VENEER	20%
BRICK VENEER	22%
HARDI-SIDING/ PANEL	50%
TOTAL	100%



01

02

ELEVATION

The Edge at Rockwall

ACTIVE SENIOR LIVING APARTMENTS
ROCKWALL, TEXAS

ARRIVE1
ARCHITECTURE GROUP
Architecture
Planning
Project Management

2344 Highway 121 - Suite 100 - Bedford, Texas 76021 - www.ArriveAG.com
Ph 817/514-0584 - Fx 817/514-0694

DRAWN BY: AAG
CHECKED BY: JMT
ISSUED FOR: CONCEPT PLAN
SUBMITTAL DATE: 12/06/21
SHEET NO.:
SCALE:

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 4 (PD-4) [*ORDINANCE NO.'S 72-03 & 01-26*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *CONGREGATE CARE FACILITY THAT EXCEEDS 36-FEET IN HEIGHT IN THE SCENIC OVERLAY (SOV) DISTRICT* ON A 12.1148-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 2 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND 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 Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a Specific Use Permit (SUP) for a *Congregate Care Facility that Exceeds 36-Feet in Height in the Scenic Overlay (SOV) District* on a 12.1148-acre tract of land described as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [*FM-740*] and being more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 4 (PD-4) [*Ordinance No.'s 72-03 & 01-26*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] 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 (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Congregate Care Facility that Exceeds 36-Feet in Height in the Scenic Overlay (SOV) District* as stipulated by Subsection 01.02, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 06.02, *General Overlay District Standards*, of Article 05,

District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 4 (PD-4) [Ordinance No.'s 72-03 & 01-26] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Congregate Care Facility* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The proposed development of a *Congregate Care Facility* on the subject property shall generally adhere to the *Concept Plan* contained in *Exhibit 'C'* and the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance.
- (2) The height of the proposed *Congregate Care Facility* shall be less than 60-feet in total height and conform to the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance.
- (3) The proposed *Congregate Care Facility* shall be limited to a maximum of 300-units.
- (4) All amenities depicted in the *Concept Plan* contained in *Exhibit 'C'* of this ordinance shall be provided generally as depicted. The exact size and location of these amenities shall be provided with the site plan.
- (5) A maximum of two (2) units shall be permitted to have full kitchen facilities and shall be used for on-site managers only. All other units shall not incorporate kitchen facilities (e.g. *dishwasher, oven, etc.*) in any capacity.
- (6) All units shall be designed to have a maximum occupancy of two (2) adults.
- (7) Fulltime medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (e.g. *visiting nurse or home health care professional*).
- (8) This facility shall incorporate special safety, accessibility, and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.
- (9) The restaurant shall not be open to the general public; however, guests that are visiting an resident of the facility shall be permitted to use the restaurant.
- (10) The *Congregate Care Facility* shall be a non-smoking facility.

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Certificate of Occupancy*, should the property owner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

DRAFT
ORDINANCE
01.18.2022

BEING two (2) tracts out of that certain lot, tract or parcel of land lying in and situated in the City of Rockwall, Rockwall County, Texas, a part of the Daniel Atkins Survey, and being Tracts 4 & 5 out of a subdivision of that certain 49.56-acres of land in the B. J. T. Lewis and Daniel Atkins survey as subdivided by C. F. Rhoades and wife, and conveyed to Al I. Folsom and Arthur A. Folsom by five (5) separate deeds, being numbered in Tracts 1-5 inclusive, the above described two (2) tracts being Numbers 4 & 5 of said subdivision, and being the same property conveyed by Al I. Folsom and wife, Ita H. Folsom, and Arthur A. Folsom and wife, Betty S. Folsom, to the Folsom Company by deed dated May 2, 1953, of record in *Volume 49, Page 249*, Deed of Records of Rockwall County, Texas, less a strip off the west ride of said two (2) tracts conveyed to the State of Texas for right-of-way purposes for FM-740; said two (2) tracts described as follows:

TRACT NO. 1:

BEGINNING at a stake in the west right-of-way of M.K.T. Railroad 1032-feet South 18 Degree 43' West of the northeast survey line of D. Atkins Survey;

THENCE South 13 Degrees 3' 16" West 29.37-feet for a point;

THENCE South 18 Degrees 43' West 666.5-feet to point of curve along Railroad Right-of-Way, following a curve having a radius of 2143.786 feet, a chord distance of 458.124 feet, chord bearing of S 21° 56' 54" for a corner;

THENCE North 71 Degrees 17' West 321-feet to a stake in the east margin of said FM-740;

THENCE along the east right-of-way line of said road as follows:

North 18 Degrees 29' East 125.4-feet;

North 15 Degrees 17' East 825-feet;

North 13 Degrees 53' East 99.4-feet;

North 12 Degrees 26' East 107.8-feet to a stake for a corner;

THENCE South 71 Degree 17' East 339.5-feet to the *PLACE OF BEGINNING* containing 9.52-acres.

TRACT NO. 2:

BEGINNING at a stake in the southwest intersection of the M.K.T. Railroad right-of-way and the northeast intersection of FM-740;

THENCE along the east right-of-way line of said road as follows:

North 10 Degrees 30' West 48-feet;

North 6 Degrees 34' East 100-feet;

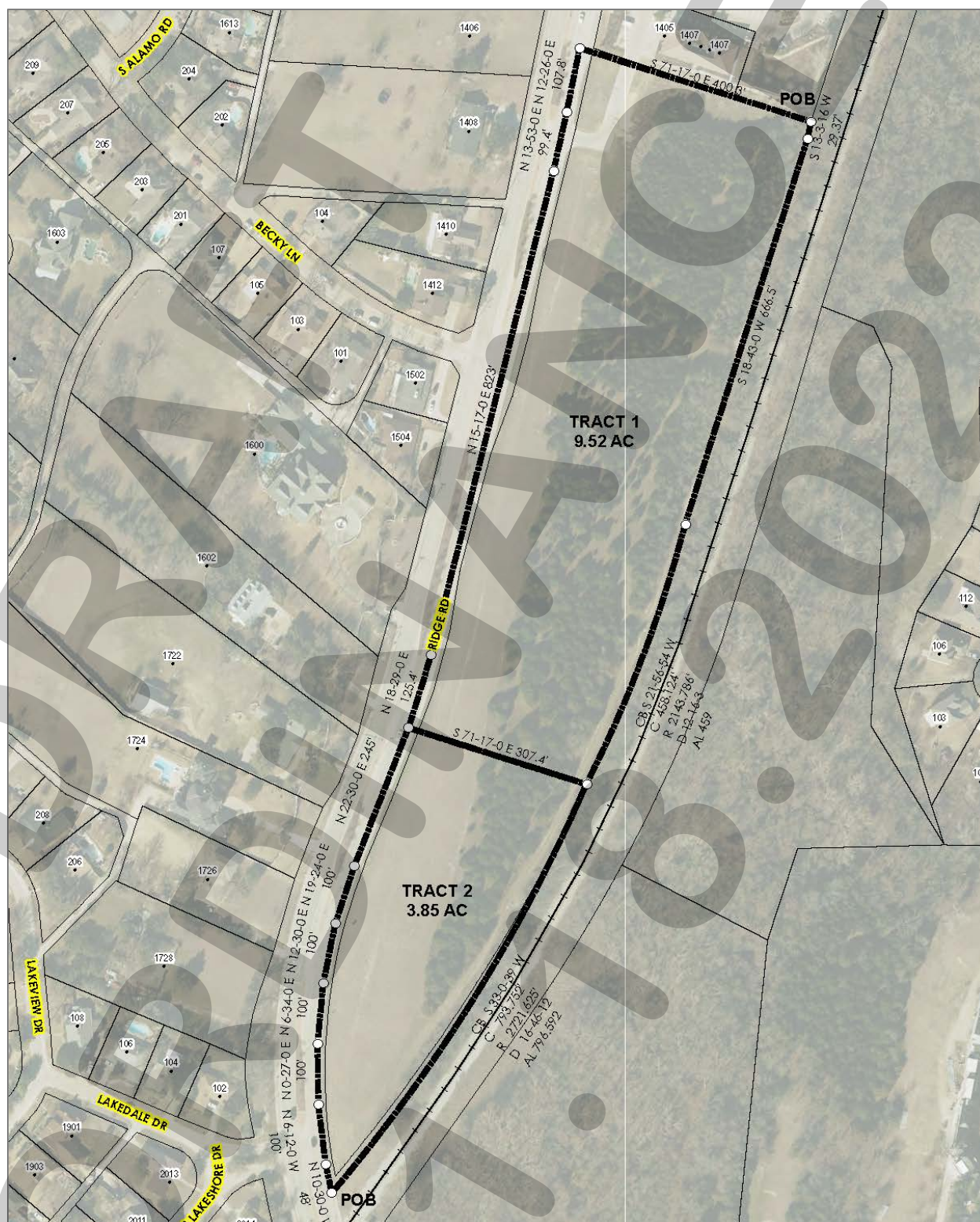
North 12 Degrees 30' East 100-feet;

North 19 Degrees 24' East 100 feet;

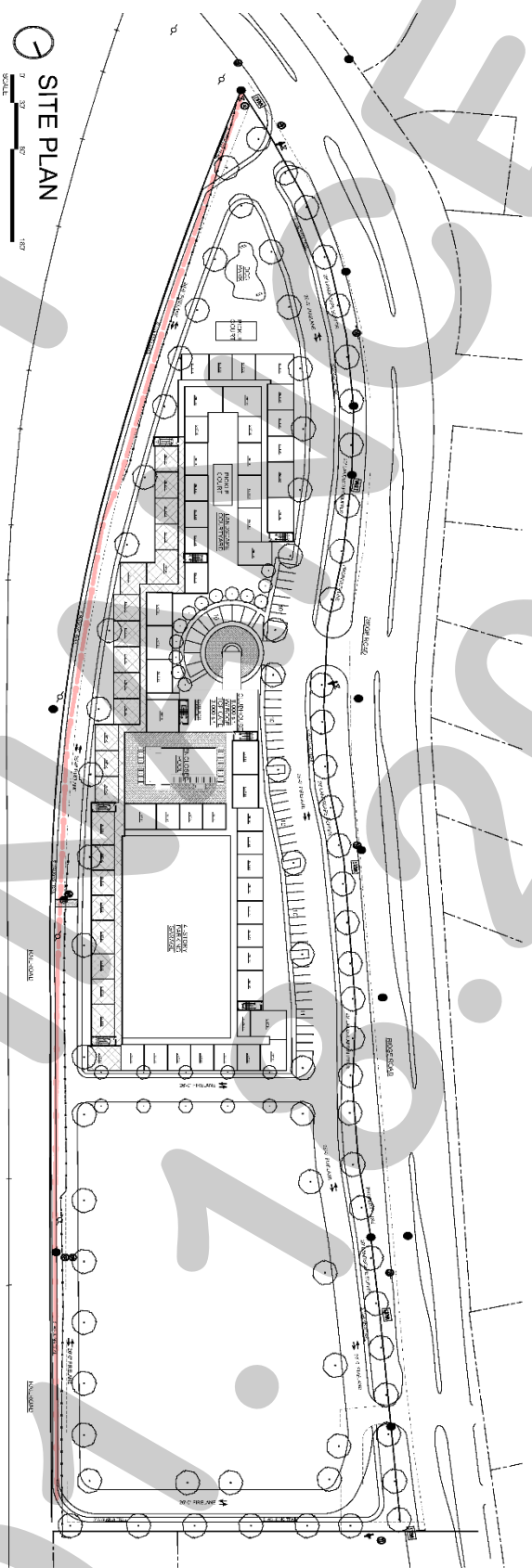
North 22 Degrees 30' East 245-feet to a stake for a corner;

THENCE South 71 Degrees 17' East 321-feet to a stake in the west right-of-way of said railroad;

THENCE along the west right-of-way of said Railroad Right-of-Way, following a curve having a radius of 2,721.625 feet, a chord distance of 793.752 feet, chord bearing of S 33° 0' 39" W to the *PLACE OF BEGINNING* containing 3.85 acres.



SITE PLAN



PROJECT DATA FOR PHASE #1

300 TOTAL UNITS - 4 1/2 SPLIT STORIES
 APPROX. 60% A-UNITS - 180 UNITS
 APPROX. 40% B-UNITS - 120 UNITS

PARKING REQUIRED:

1 for 1 - Bedroom = 180 x 1 = 180 spaces
 1 for 1 - Bedroom = 120 x 1 = 120 spaces
 Restaurant = 1,000 = 10 spaces
 (310 Total parking spaces required)

PARKING PROVIDED:

Parking Garage - 51 spaces per tier / 4 stories
 (Approx. 205 spaces)
 Surface = 116 spaces
 Total Spaces provided - 320

SITE AMENITIES:

Landscape Pool courtyard
 Rooftop restaurant - Residents Only
 - Approx. 13,000 sq. ft.
 Open Space - Approx. 20%
 Community Dog Park
 (2) Sport Courts - Pickle Ball



01 RIDGE ROAD ELEVATION (LEFT SIDE)
SCALE: 1/8" = 1'-0"



02 RIDGE ROAD ELEVATION (RIGHT SIDE)
SCALE: 1/8" = 1'-0"

ELEVATION MATERIALS	
CONCRETE	50%
BRICK VENEER	22%
WOOD SHINGLED PANEL	5%
TOTAL	100%



01

02



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: Z2021-055; SPECIFIC USE PERMIT FOR A RESTAURANT WITH LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Applicant's Letter
Survey
Concept Plan
Concept Landscape Plan
Line of Sight Study
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In* for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary **(1st Reading)**.

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed *Specific Use Permit (SUP)*.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

DATE: January 18, 2022

APPLICANT: Patrick Filson; *Kirkman Engineering*

CASE NUMBER: Z2021-055; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In*

SUMMARY

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on September 16, 1974 by *Ordinance No. 74-22 [Case No. A1974-002]*. The City's historic zoning map indicates the subject property was zoned Office (OF) District as of May 16, 1983. Sometime between May 16, 1983 and April 5, 2005 the zoning of the subject property was changed from an Office (OF) District to a Commercial (C) District. On December 27, 2005, the City Council approved a final plat [*Case No. P2005-047*] that established the subject property as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition. The subject property has remained vacant since it was annexed in 1974.

PURPOSE

The applicant -- *Patrick Filson of Kirkman Engineering* -- is requesting the approval of a Specific Use Permit (SUP) to allow for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject are two (2) parcels of land zoned Commercial (C) District and developed with commercial land uses (*i.e. Your Cleaners, PPG Paints, Carnation Nail Spa, Donut Station, Bad Ace Vapor Lounge, and RaceTrak Gas Station*). Beyond this is the old alignment of SH-276 (*unofficially Caddo Ridge Road*), which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 20.2904-acre parcel, zoned Commercial (C) District, that is currently developed with a Costco Wholesale.

South: Directly south of the subject property is S. Goliad Street [SH-205], which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is are two (2) parcels of land, zoned Commercial (C) District, that are developed with commercial land uses (*i.e. Mathnasium, Embroidery and More, Cute Nails and Spa, Rockwall Foot Spa, McNew Dentistry, Hacienda Car Wash, and The Vault Self Storage*).

East: Directly east of the subject property a vacant eight (8) acre parcel of land located entirely within the floodplain and zoned Commercial (C) District. Beyond this is the Meadowcreek Park, which is situated on a 17.1937-acre parcel of land. Beyond this is Phases 1 & 2 of the Meadowcreek Estates Subdivision. This subdivision is zoned Planned Development District 10 (PD-10) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway. S. Goliad Street [SH-205] is identified as a P6D (i.e. *principal arterial, six [6] lane, divided roadway*) and Ralph Hall Parkway is identified as a M4D (i.e. *major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several parcels of land zoned Commercial (C) District that are developed with commercial land uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, letter, and a concept plan requesting a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In*. The proposed concept plan depicts a 5,130 SF restaurant/retail building that faces onto S. Goliad Street [SH-205]. The applicant has indicated that the drive through restaurant is less than 2,000 SF, which is the purpose for requesting the Specific Use Permit (SUP). The concept plan indicates that the drive through for the restaurant will wrap around the building, extending from the northeast side of the building to the northwest side of the building, and incorporate a maximum stacking capacity of seven (7) vehicles. The proposed concept plan also shows that a bail out lane, running parallel to the drive through, will be included. In addition, headlight screening will be provided adjacent to the northwest property line.

CONFORMANCE WITH THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC), defines a *Restaurant with Drive Through or Drive-In* as "(a) place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises.." In this case, the applicant's proposed concept plan falls under this classification. According to *Permissible Use Charts* contained in Article 04, *Permitted Uses*, of the Unified Development Code (UDC), a *Restaurant with less than 2,000 SF with Drive Through or Drive-In* requires a Specific Use Permit (SUP) in a Commercial (C) District. The purpose of this requirement is to acknowledge that not all *Restaurants* of this size are appropriate within all of the City's commercial areas, and that the City Council should have discretionary oversight with regard to the types of *Restaurants* and their impacts on adjacent land uses within these areas. In addition, Subsection 02.03(f)(9) places the following additional conditions on this land use:

- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles.

The applicant's request does appear to conform to the requirements stipulated by the Unified Development Code (UDC).

STAFF ANALYSIS

The Commercial (C) District zoning classification allows for most types of commercial development, which includes most types of office and retail activity; however, the Commercial (C) District limits land uses that are not compatible with retail shopping, particularly uses that generate high traffic not associated with retail land uses. Given this, the land use for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* is not a permitted *by-right* land use and requires a Specific Use Permit (SUP). With this being said the subject property is located along a major roadway (i.e. SH-205) that is capable of carrying the additional traffic generated by the proposed land use. Based on this, the proposed land use does appear to be appropriate for this location; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 21, 2021, staff mailed 18 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Meadowcreek Estates Homeowner's Associations (HOAs), which is the only HOAs/Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had not received any notices.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the SUP ordinance.
 - (b) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 6-0, with Commissioner Thomas absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

22021-055

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE)¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE)¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE)¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE)¹
- ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- ☒ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)¹
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST (\$100.00)

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2325 S Goliad Street

SUBDIVISION Meadowcreek Business Park Center

LOT 2 BLOCK 1

GENERAL LOCATION The intersection of S Goliad Street and Ralph Hall Parkway

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING C-Commercial

CURRENT USE Undeveloped

PROPOSED ZONING C-Commercial - SUP

PROPOSED USE Multi Tenant Retail / Restaurant with DT

ACREAGE 0.799ac

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

- ☐ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

☐ OWNER Marlyn Roberts

☒ APPLICANT Kirkman Engineering

CONTACT PERSON

CONTACT PERSON Patrick Filson

ADDRESS 323 Julian Drive

ADDRESS 5200 State Highway 121

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Colleyville, TX 76034

PHONE

PHONE 817-488-4960

E-MAIL

E-MAIL patrick.filson@trustke.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Marlyn Roberts [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$200 + 15.00 Acre TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF November, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

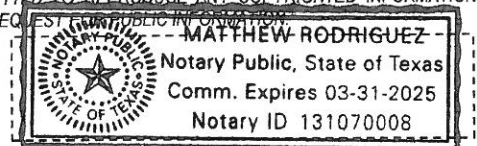
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF November, 2021.

OWNER'S SIGNATURE

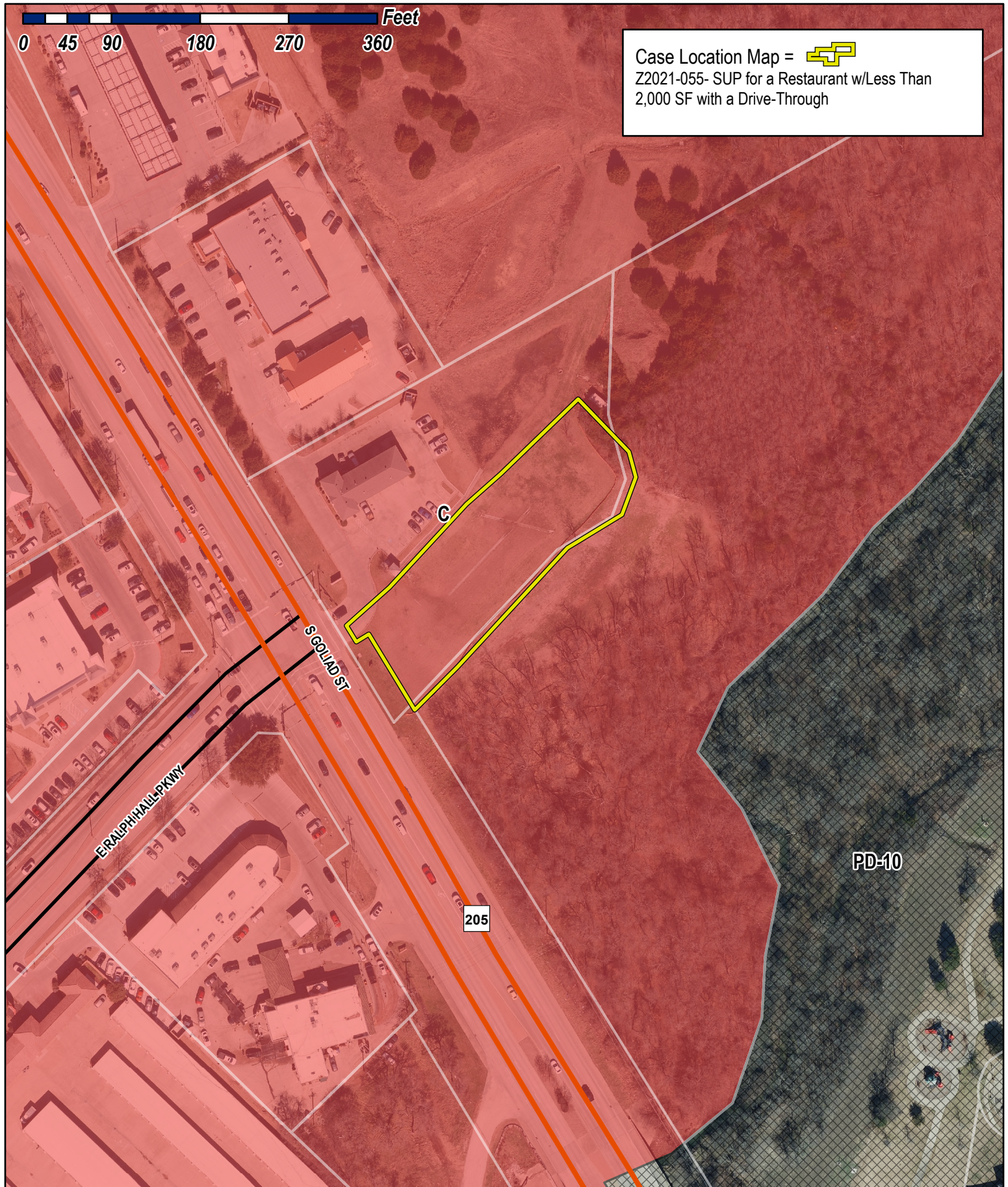
Marlyn R. Roberts


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Matthew Rodriguez
Rockwall, Texas



MY COMMISSION EXPIRES 3-31-25



Case Location Map = 
Z2021-055- SUP for a Restaurant w/Less Than
2,000 SF with a Drive-Through



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

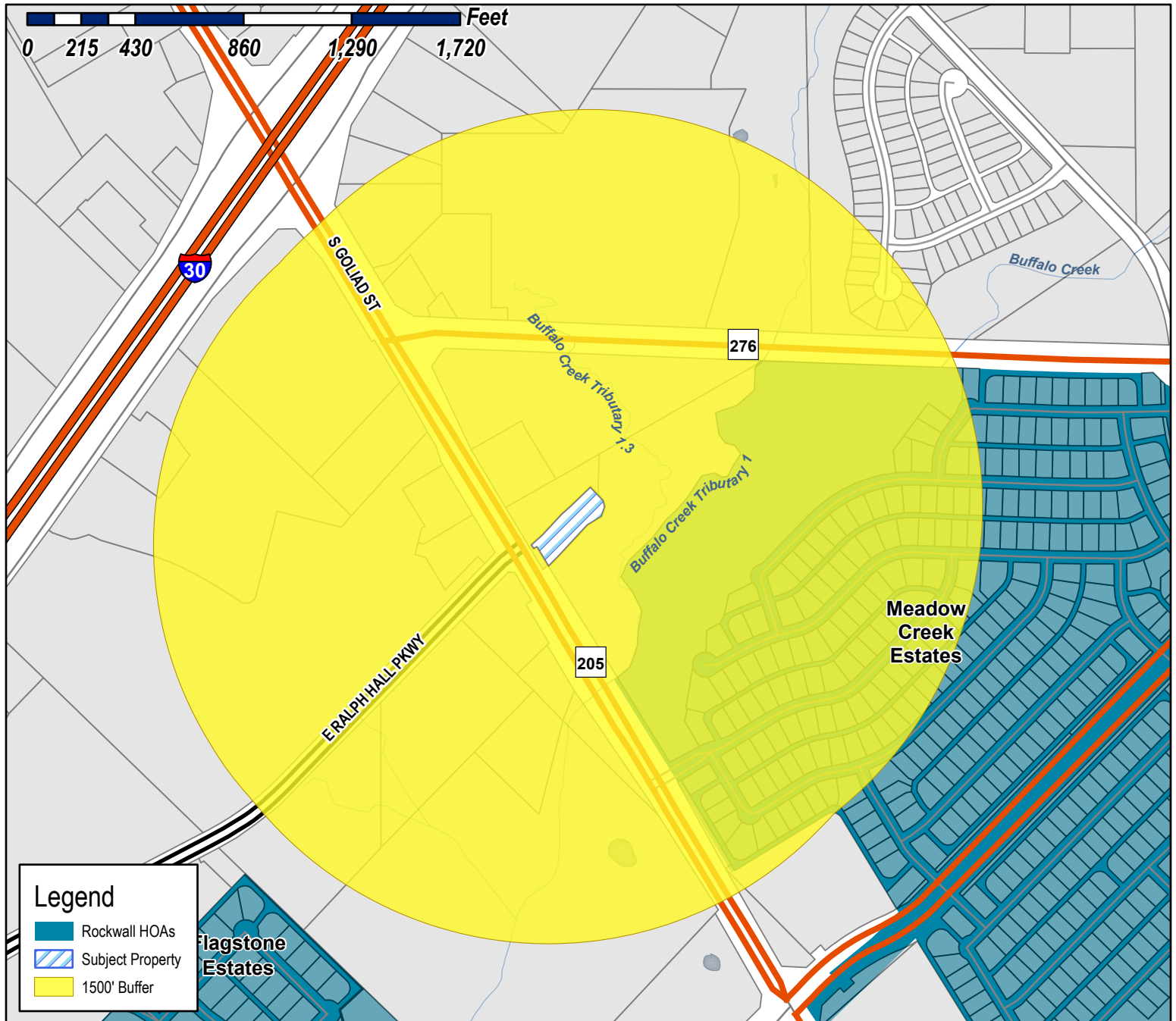
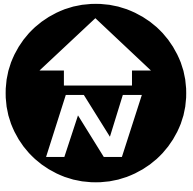




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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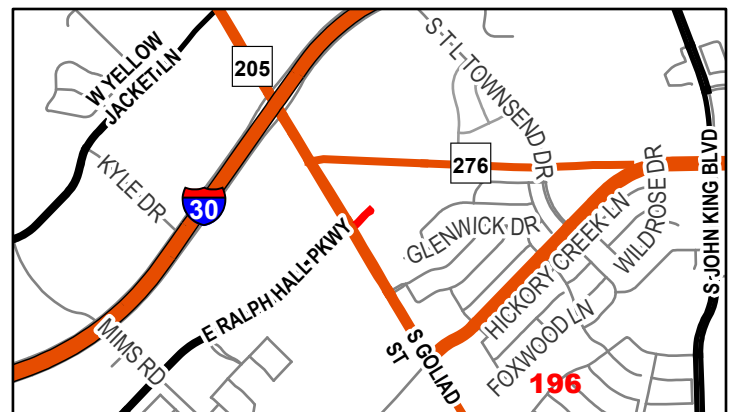
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Case Number: Z2021-05
Case Name: SUP for Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021

For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-055]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.17.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

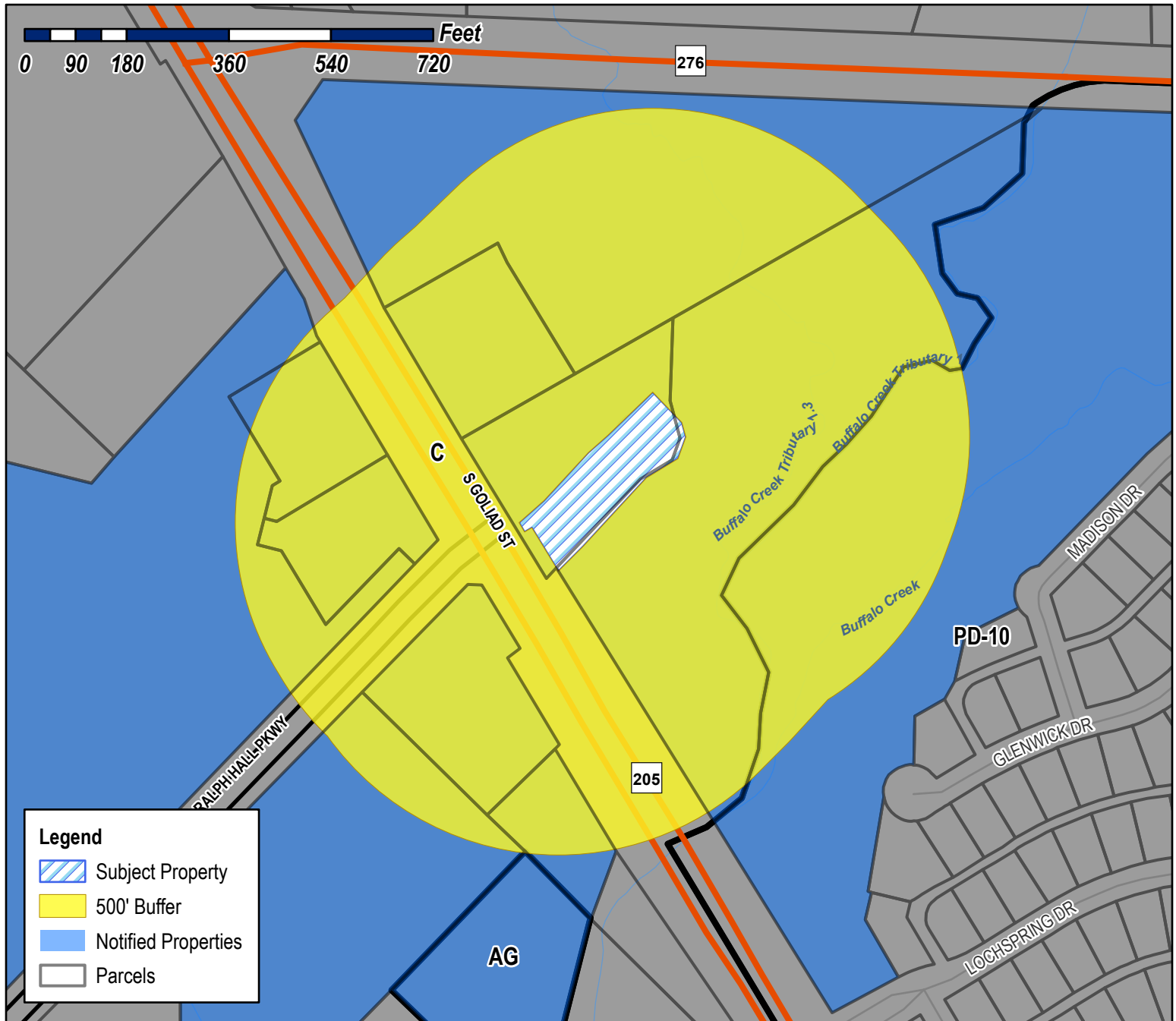
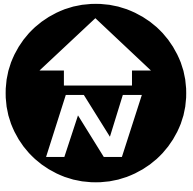
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City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

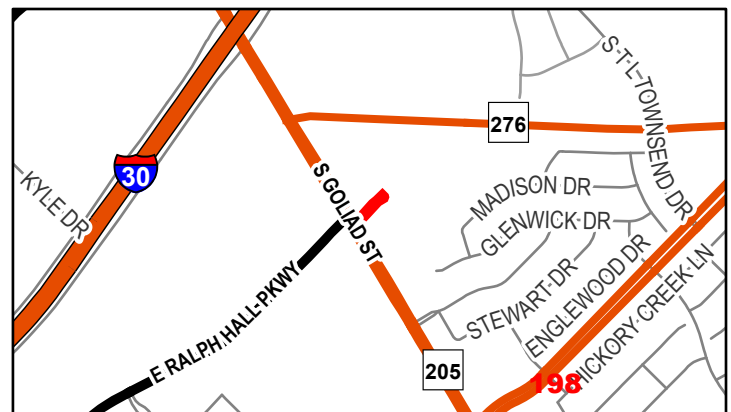
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Case Number: Z2021-055
Case Name: SUP for a Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021

For Questions on this Case Call (972) 771-7745



EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
10920 VIA FRONTERA SUITE 220
SAN DIEGO, CA 92127

LEVO GROUP LLC
11 HAWTHORNE CIR
ALLEN, TX 75002

DALLAS EAST
ATTN; JIM VAUDAGNA
1280 E RALPH HALL PKWY
ROCKWALL, TX 75032

CITY OF ROCKWALL
1430 MADISON DR
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
1445 W SAN CARLOS ST
SAN JOSE, CA 95126

GINGERCREST INC
2301 S GOLIAD
ROCKWALL, TX 75032

LEVO GROUP LLC
2309 S GOLIAD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
2325 S GOLIAD
ROCKWALL, TX 75032

GOLIAD EXPRESS LLC
2360 S.GOLIAD
ROCKWALL, TX 75032

REA-TRA LLC
2380 S GOLIAD SUITE 100
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
2400 S GOLIAD
ROCKWALL, TX 75032

STROTHER, CATHY
2410 S GOLIAD
ROCKWALL, TX 75032

BACKUS WAYNE E
278 CORNSTALK RD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
323 JULIAN DRIVE
ROCKWALL, TX 75087

GOLIAD EXPRESS LLC
700 PARKER SQUARE SUITE 145
FLOWER MOUND, TX 75028

STROTHER, CATHY
8935 CR 589
NEVADA, TX 75173

EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
991-1027EI-30
ROCKWALL, TX 75032

GINGERCREST INC
P.O. BOX 2437
SMYRNA, GA 30081

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Kirkman Engineering
5200 State Highway 121
Colleyville, TX 76034
817.488.4960



11/17/2021

City of Rockwall
385 S Goliad Street

Dear to whom this may concern,

Please accept this as a Letter of Intent for the first formal SUP submittal for the project Victory at Rockwall. This lot is a total of 0.7992 acres. This development's proposed land use will be for restaurant and retail. The building is 5,130 square feet total. Retail will be 2,600 square feet and restaurant will be 2,200 square feet in floor space. There will be a total of 25 parking spaces provided for this development. Please feel free to reach out to me by phone or email if you have any questions.

Sincerely, *Patrick Filson*

Patrick Filson
O: (817) 488-4960

SURVEYOR'S NOTES:

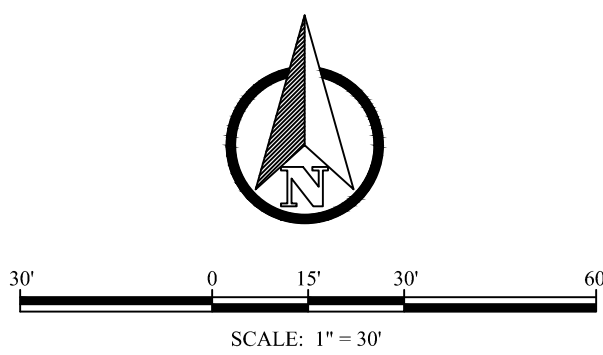
- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.000146135.
- This property lies within Zone "X" & Zone "AE" of the Flood Insurance Rate Map for Rockwall County, Texas and Incorporated Areas, map no. 48397C0040L, with an effective date of September 26, 2008, via scaled map location and graphic plotting.
- Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

NOTE REGARDING UTILITIES

Source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

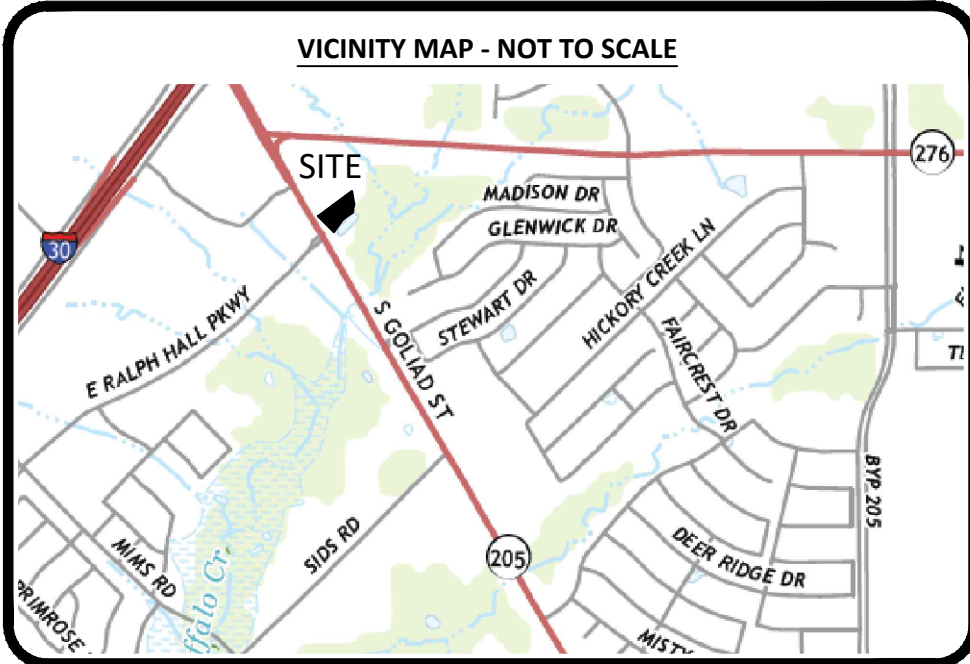
Utility locations are per observed evidence and the below sources

Maps/Plans: Utility Maps provided by the City of Rockwall



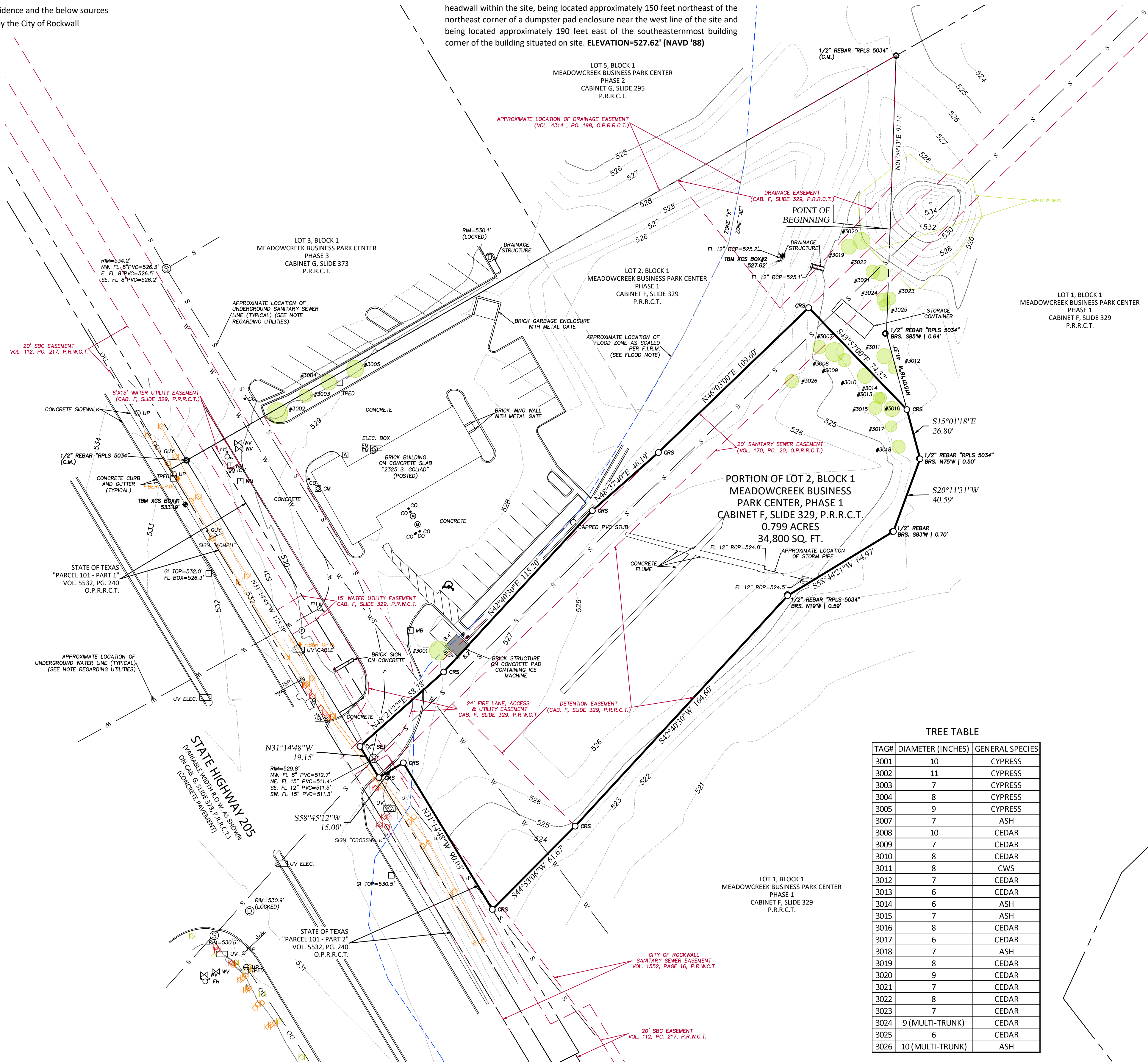
LEGEND OF ABBREVIATIONS

- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET



SITE BENCHMARKS:

- The site benchmark is an "X" cut set in the northeast line of a concrete sidewalk adjacent to the north line of State Highway 205, being located approximately 22 feet north of a street sign posted "40 MPH SPEED LIMIT", and being approximately 17 feet south of a power pole in the north line of said State Highway 205. **ELEVATION=533.19' (NAVD '88)**
- The site benchmark is an "X" cut set at the northeast corner of a concrete headwall within the site, being located approximately 150 feet northeast of the northeast corner of a dumpster pad enclosure near the west line of the site and being located approximately 190 feet east of the southeasternmost building corner of the building situated on site. **ELEVATION=527.62' (NAVD '88)**



PROPERTY DESCRIPTION

BEING a portion of Lot 2 in Block 1 of Meadowcreek Business Park Center, Phase 1, an addition in the City of Rockwall, Rockwall County, Texas, according to the plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas, (P.R.R.C.T.), said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set") for the northernmost northeast corner of the herein described tract, said point being in the northeast line of said Lot 2, from which a re-entrant corner thereof bears North 15 degrees 01 minutes 18 seconds West, from said point a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 85 degrees West, a distance of 0.64 feet;

THENCE with the perimeter and to the corners of said Lot 2, the following calls:

- South 15 degrees 01 minutes 18 seconds East, a distance of 26.80 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 75 degrees West, a distance of 0.50 feet;
- South 20 degrees 11 minutes 31 seconds West, a distance of 40.59 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 83 degrees West, a distance of 0.70 feet;
- South 58 degrees 44 minutes 21 seconds West, a distance of 64.97 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 19 degrees West, a distance of 0.59 feet;
- South 42 degrees 40 minutes 30 seconds West, a distance of 164.60 feet to a capped rebar set;
- South 44 degrees 53 minutes 06 seconds West, a distance of 61.67 feet to a capped rebar set in the north line of "Parcel 101 - Part 2" described by deed to the State of Texas as recorded under Volume 5532, Page 240, Official Public Records, Rockwall County, Texas, [O.P.R.R.C.T.];

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 - Part 2", a distance of 90.03 feet to a capped rebar set at the northeast corner thereof;

THENCE South 58 degrees 45 minutes 12 seconds West, with the west line of said "Parcel 101 - Part 2", a distance of 15.00 feet to a capped rebar set for the northwest corner thereof, same being in the west line of said Lot 2;

THENCE North 31 degrees 14 minutes 48 seconds West, with the west line of said Lot 2, a distance of 19.15 feet to a capped rebar set;

THENCE through the interior of said Lot 2, the following calls:

- North 48 degrees 21 minutes 22 seconds East, a distance of 58.78 feet to a capped rebar set;
- North 42 degrees 40 minutes 30 seconds East, a distance of 115.20 feet to a capped rebar set;
- North 48 degrees 37 minutes 40 seconds East, a distance of 46.19 feet to a capped rebar set;
- North 46 degrees 03 minutes 00 seconds East, a distance of 109.60 feet to a capped rebar set;
- South 43 degrees 57 minutes 00 seconds East, a distance of 74.32 feet to the **POINT OF BEGINNING** and enclosing 0.7992 acres (34,800 square feet) of land, more or less.

TITLE COMMITMENT NOTES

This survey was prepared with the benefit of a commitment for title insurance provided by North American Title Insurance Company, G.F. Number 782102653, Effective Date August 25, 2021. This commitment was relied upon for encumbrance research, and the surveyor has performed no independent title search. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey. The following exceptions from Schedule "B" were addressed as follows:

Item 10(f): Easements and building lines as shown on plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas. (easements and building line as shown on plat crossing or abutting the subject property are shown hereon)

Item 10(g): Easement as recorded under Volume 112, Page 214, Deed Records, Rockwall County, Texas. (easement is blanket in nature, document contains a description which includes the subject property)

Item 10(h): Easement as recorded under Volume 170, Page 20, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

Item 10(i): Easement as recorded under Volume 212, Page 438, Deed Records, Rockwall County, Texas. (easement is centered on utility lines unable to be specifically identified at time of survey)

Item 10(j): Easement as recorded under Volume 1552, Page 16, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

Item 10(k): Agreement as recorded under Volume 4314, Page 183, Deed Records, Rockwall County, Texas. (document contains a description which includes the subject property)

Item 10(l): Easement as recorded under Volume 4314, Page 198, Deed Records, Rockwall County, Texas. (easement does not cross or abut the subject property, shown hereon)

SURVEYOR'S CERTIFICATE

This is to certify that I, John H. Barton III, a Registered Professional Land Surveyor of the State of Texas, have prepared this map from an actual survey on the ground, and that this map correctly represents that survey made by me or under my direction and supervision. This survey meets the minimum requirements for a Category 1A, Condition II Land Title Survey. Fieldwork was completed on October 14, 2021.

Date of Plat/Map: **October 29, 2021**



John H. Barton III
John H. Barton III, RPLS# 6737

TERMS OF ACCEPTANCE OF SURVEY

This survey is issued pursuant to a real estate transaction and is appurtenant to the title commitment referenced in the "Title Commitment Notes". This survey is issued for use in such transaction. Notwithstanding any of the above statements, the surveyor has a contractual relationship with one client or entity. Review/requested revisions by other parties must be received by or through such entity. Client is responsible for reviewing survey (including, but not limited to: notations; existence or lack of spelling/grammatical/typographical errors; certified parties; dates; instruments) within thirty (30) days of the date of plat or map. After such time has passed, client accepts survey as issued, and further revisions are not embraced by the above certification. Additional or altered commitments for title insurance will require an new or re-issued survey. Please feel free to request pricing for this at info@bcsdfw.com, or call (817) 864-1957.

TREE TABLE

TAG#	DIAMETER (INCHES)	GENERAL SPECIES
3001	10	CYPRESS
3002	11	CYPRESS
3003	7	CYPRESS
3004	8	CYPRESS
3005	9	CYPRESS
3007	7	ASH
3008	10	CEDAR
3009	7	CEDAR
3010	8	CEDAR
3011	8	CWS
3012	7	CEDAR
3013	6	CEDAR
3014	6	ASH
3015	7	ASH
3016	8	CEDAR
3017	6	CEDAR
3018	7	ASH
3019	8	CEDAR
3020	9	CEDAR
3021	7	CEDAR
3022	8	CEDAR
3023	7	CEDAR
3024	9 (MULTI-TRUNK)	CEDAR
3025	6	CEDAR
3026	10 (MULTI-TRUNK)	ASH

LEGEND OF SYMBOLS

- air conditioning unit
- irrigation control valve
- cable tv
- electric meter
- fence or guardrail
- fire dept. connection
- fire hydrant
- bollard
- area drain
- grate inlet
- gas valve
- gas meter
- gas well
- sign
- sanitary sewer manhole
- storm water manhole
- telephone manhole
- tank fill lid
- telephone pedestal
- traffic signal pole
- utility clean out
- comm. utility cabinet
- electric utility cabinet
- comm. utility vault
- elect. utility vault
- water utility vault
- utility/service pole
- utility sign
- water shutoff
- water valve
- well
- water meter
- cable tv riser
- air release valve
- utility markings
- tree
- shrub/decorative tree or tree with diameter < 4 in.
- contour lines

CATEGORY 1A, CONDITION II
LAND TITLE SURVEY

PORTION OF LOT 2, BLOCK 1
MEADOWCREEK BUSINESS PARK CENTER
PHASE 1
ROCKWALL
ROCKWALL COUNTY, TEXAS

BCS
BARTON CHAPA
SURVEYING
5200 State Highway 121
Colleyville, TX 76034
Phone: 817-864-1957
info@bcsdfw.com
TBPLS Firm #10194474

JOB NO. 2021.001.224
DRAWN: BCS
CHECKED: JHB

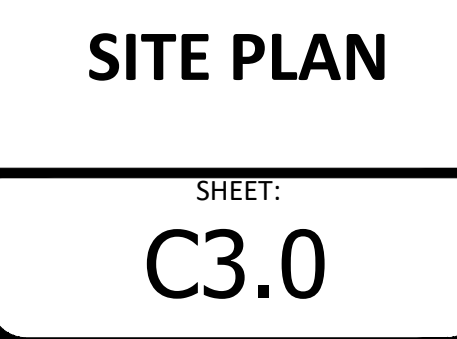
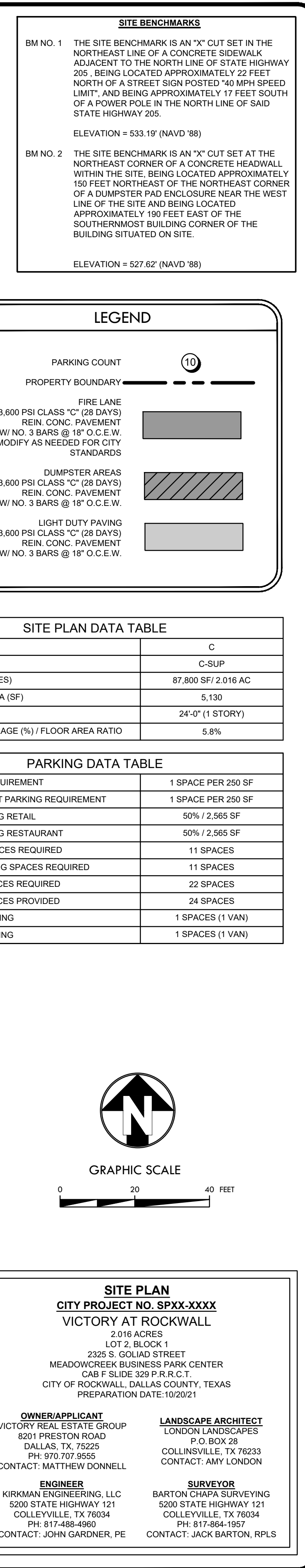
TABLE OF REVISIONS	
DATE	SUMMARY

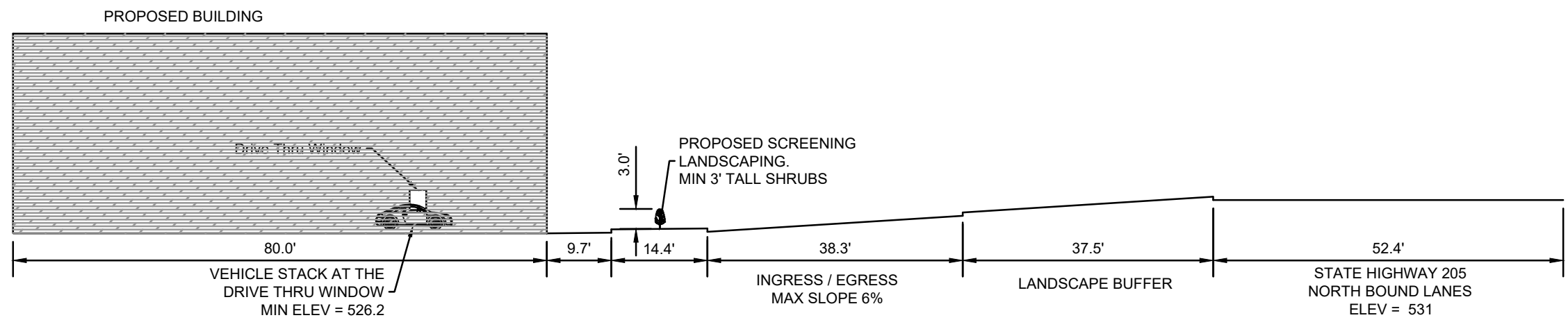
2325 S GOLIAD
STREET

ROCKWALL,
TEXAS

SHEET:

VO1





CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN* ON A 2.02-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK 1, MEADOWCREEK BUSINESS CENTER PHASE 1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED 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 Patrick Filson for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* for the purpose of constructing a restaurant with drive-through on a 2.02-acre parcel of land described as Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] 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. The Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.05, *Commercial (C) District*, and Subsection 06.07, *SH-205 Overlay (SH-205 OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC)

[Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Revision Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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 or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

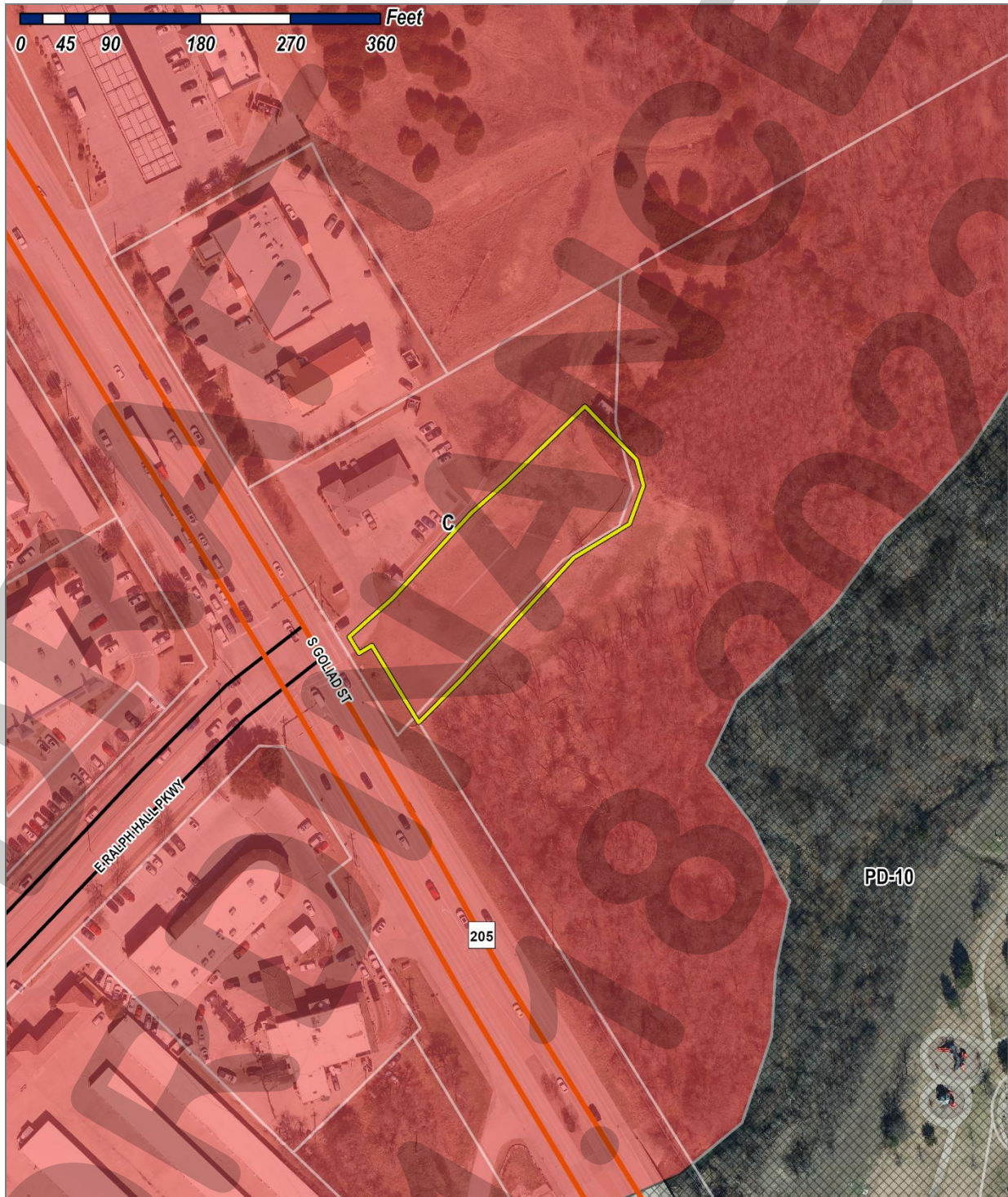
Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Location Map

Location: East of the Intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway
Legal Description: Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition





MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 18, 2022

SUBJECT: Z2021-056; AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 85 (PD-85)

Attachments

Case Memo
Development Application
Location Map
Property Owner Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Concept Plan
Planned Development District 85 (PD-85) [Ordinance No. 18-32]
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an **ordinance** for a *Zoning Amendment* to Planned Development District 85 (PD-85) [Ordinance No. 18-32] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed *Zoning Amendment* to Planned Development District 85 (PD-85).



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council

DATE: January 18, 2022

APPLICANT: John Delin; *Integrity Group, LLC*

CASE NUMBER: Z2021-056; *Amendment to Planned Development District 85 (PD-85)*

SUMMARY

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [*Ordinance No. 18-32*] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

BACKGROUND

The majority of the subject property was annexed into the City of Rockwall and zoned Agricultural (AG) District on March 16, 1998 by *Case No. A1998-001 (Ordinance No. 98-10)*. The remainder of the property was annexed on March 2, 1960 by *Case No. A1960-001 (Ordinance No. 60-01)*. In 2007-2008, the City of Rockwall acquired a portion of the property for the future right-of-way for John King Boulevard. This divided the property into two (2) tracts of land, a 9.894-acre tract of land on the west side of John King Boulevard (*i.e. Tract 1*) and a 28.011-acre tract of land on the east side of John King Boulevard (*i.e. Tract 2*).

On October 16, 2017, the City Council approved Planned Development District 85 (PD-85) [*Ordinance No. 17-55*] establishing limited General Retail (GR) District land uses on *Tract 1*, and Single-Family 7 (SF-7) District land uses on *Tract 2*. As part of this approval, *Tract 2* was approved for an age restricted, senior living community that consisted of 84-89 single-family homes setup in a condominium regime (*i.e. the single-family homes were individually owned but were situated on a single lot owned and maintained by the homeowner's association*). This plan also laid out 12.80-acres of open space, and provided for a ten (10) foot hike/bike trail along John King Boulevard and an intersection enhancement at the corner of John King Boulevard and SH-66 in accordance with the *John King Boulevard Design Concept Plan*.

After receiving approval for the Planned Development District, the applicant -- *John Delin of Integrity Group, LLC* -- contacted staff to notify them that the title company had missed locating a 30' North Texas Municipal Water District (NTMWD) easement on the survey that runs parallel to SH-66. This inhibited the applicant's ability to provide the required landscape and hardscape elements required by *Ordinance No. 17-55*. In response to this, the applicant filed an application requesting a variance to these requirements and proposing an alternative landscape plan. This was approved by the City Council on February 19, 2018.

On June 15, 2018, the applicant submitted an application proposing to amend Planned Development District 85 (PD-85) for the purpose of incorporating an additional 9.789-acre tract of land into *Tract 2* and expanding the total single-family lot count to a maximum of 122 single-family homes. This was approved by the City Council on August 6, 2018 through the adoption of *Ordinance No. 18-32*.

In November of 2021, staff contacted the applicant to inform him that a portion of the lots proposed for Phase 2 of the Ladera Subdivision were situated within the Runway Protection Zone of the Ralph Hall Municipal Airport. This was discovered by staff when working with Aviation Division of the Texas Department of Transportation (TXDOT) on a proposed project in the southern RPZ. To remedy this issue, staff and the applicant have been working with the TXDOT Aviation Division to revise the concept plan to conform to the Federal Aviation Administration's (FAA's) guidelines.

PURPOSE

On December 18, 2021, the applicant -- *John Delin of Integrity Group, LLC* -- submitted an application requesting to amend Planned Development District 85 (PD-85) to incorporate a new concept plan that would reduce the number of lots from 122 to 117 and remove all proposed units from the Runway Protection Zone of the Ralph Hall Municipal Airport.

ADJACENT LAND USES AND ACCESS

The subject property is located on both sides of John King Boulevard north of SH-66. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property on the east side of John King Boulevard is a vacant, 15.935-acre parcel of land zoned Agricultural (AG) District. Beyond this is FM-1141, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's *Master Thoroughfare Plan* contained in the OURHometown Vision 2040 Comprehensive Plan. North of this thoroughfare is a single-family subdivision, which is situated outside the corporate limits of the City of Rockwall. On the east side of John King Boulevard north of the subject property is a 1.837-acre tract of land zoned Agricultural (AG) District. Beyond this parcel is a one (1) acre tract of land followed by a 5.702-acre tract of land. Both of these tracts of land are owned by the City of Rockwall and zoned Agricultural (AG) District.

South: Directly south of the subject property is Williams Street (*i.e. the current alignment of SH-66*), which is identified as a *Minor Collector* on the City's *Master Thoroughfare Plan* contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare is a portion of a 28.8836-acre tract of land, which is vacant and zoned Planned Development District 71 (PD-71) for limited Commercial (C) District land uses. Adjacent to this property and south of the western boundary of the subject property is a vacant 17.861-acre tract of land that was subdivided into 78 duplex lots in 1984. This property is zoned Two-Family (2F) District. Adjacent to this property is an undefined portion of Planned Development District 71 (PD-71), which allows for limited Commercial (C) District land uses.

East: Directly east of the subject property is the remainder of the 65.274-acre tract of land (*i.e. less the 9.789-acres of land being incorporated into Planned Development District 85 [PD-85]*) that is a portion of a larger 148.825-acre tract of land that is zoned Agricultural (AG) District. Situated on the property is an accessory building. Beyond this are various tracts of land zoned Agricultural (AG) District.

West: Directly west of the subject property is FM-1141, which is identified as a *Minor Collector* on the City's *Master Thoroughfare Plan* contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Highlands Subdivision, which consists of 36 single-family lots on 11.00-acres. This subdivision is zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an updated concept plan and Planned Development District ordinance detailing the proposed changes to *Tract 1*. Currently, Planned Development District 85 (PD-85) [*Ordinance No. 18-32*] allows the following lot mix on *Tract 1*:

TABLE 2: PROPOSED LOT MIX

<i>Unit Type</i>	<i>Unit Dimensions</i>	<i>Minimum Unit Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units</i>
1	44.5' x 80'	1,600 SF	20	16.39%
2	42' x 77'	1,600 SF	29	23.77%
3	42' x 72'	1,600 SF	2	01.64%
4	42' x 70'	1,600 SF	41	33.61%
5	54' x 60'	1,600 SF	24	19.67%
6	64' x 50'	2,100 SF	6	04.92%
<i>Total Units:</i>			122	

Under the proposed ordinance the lot mix would be changed as following:

TABLE 2: PROPOSED LOT MIX

<i>Unit Type</i>	<i>Unit Dimensions</i>	<i>Minimum Unit Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units</i>
1	44.5' x 80'	1,600 SF	11	09.40%
2	42' x 77'	1,600 SF	27	23.07%
3	42' x 72'	1,600 SF	10	08.55%
4	42' x 70'	1,600 SF	26	22.22%
5	54' x 60'	1,600 SF	21	17.95%
6	64' x 50'	2,100 SF	6	05.13%
7	36' x 59'	1,325 SF	16	13.68%
<i>Total Units:</i>			117	

This new lot mix and the updated concept plan show that the total number of homes will be reduced from 122 to 117. This reduces the density of the development from 3.20 dwelling units per acre to 3.10 dwelling units per acre, and increases the open space from 47.88% to 52.19%. Staff should point out that the applicant is proposing to incorporate a new lot product (*i.e. Unit Type 7*) that will include a unit dimension of 36' x 59' and require a minimum unit size of 1,325 SF. All other aspects of the proposed development including the dimensional requirements will remain the same as to what was approved under *Ordinance No. 18-32*.

INFRASTRUCTURE

Since the applicant's request decreases the residential and the proposed building footprint of the development, no additional infrastructure improvements -- beyond was approved with *Ordinance No. 18-32* -- are necessary to adequately serve the development.

CONFORMANCE TO THE CITY'S CODES

Since the applicant's request does not change the *Development Standards* contained within Planned Development District 85 (PD-85), the amendment does not change the plans conformance to the City's codes.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northeast Residential District and is designated for High Density Residential land uses. The High Density Residential land use designation "...consists of single-family residential homes, duplexes, townhomes, apartments, lofts, condominiums or other forms of housing that exceed three and one-half (3½) units per gross acre." Prior to the OURHometown Vision 2040 Comprehensive Plan, the OURHometown 2000 Comprehensive Plan -- *which this development was adopted under* -- defined High Density Residential as any development that exceeded three (3) units per gross acre. Based on the applicants request to decrease residential density from 3.20 dwelling units per acre to 3.10 dwelling units per acre, the subject property can be reclassified as Medium Density Residential. This land use designation "...consists of residential subdivisions greater than two and one-half (2½) units per gross acre, but not higher than three (3) units per gross acre; however, a density of up to three and one-half (3½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In this case, Planned Development District 85 (PD-85) already incorporates limited General Retail (GR) District land uses and Single-Family 7 (SF-7) District land uses, and amenities that include: [1] an amenities center, [2] pickle ball courts, [3] a swimming pool, and [4] open space in excess of 20%. Based on this staff has included a condition of approval that would change the designation of the subject property from High Density Residential to Medium Density Residential should the City Council choose to grant the applicant's request.

Since the proposed amendment [1] increases the open space from 47.88% to 52.19%, [2] decreases the residential density from 3.20 dwelling units per acre to 3.10 dwelling units per acre, and [3] provides the ability to change the land use designation of the subject property from High Density Residential to Medium Density Residential, the applicant's request to amend Planned Development District 85 (PD-85) brings the development in to better compliance with the OURHometown Vision 2040 Comprehensive Plan.

NOTIFICATIONS

On December 16, 2021, staff mailed 84 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Association (HOA), which is the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices concerning this case.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to amend Planned Development District 85 (PD-85) [*Ordinance No. 18-32*], then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance; and,
- (2) By approving this Zoning Amendment, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a High Density Residential designation to a Medium Density Residential designation; and,
- (3) Any construction resulting from the approval of this Zoning Amendment shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the amendment to Planned Development District 85 (PD-85) by a vote of 6-0, with Commissioner Thomas absent.



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

PLANNING & ZONING CASE NO.

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST (SELECT ONLY ONE BOX):

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- ☒ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹ IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS NE CORNER OF SH-66 AND N JOHN KING BLVD

SUBDIVISION LADERA ROCKWALL

LOT 1 BLOCK A

GENERAL LOCATION NE CORNER OF SH-66 AND N JOHN KING BLVD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	PD	CURRENT USE	SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING	PD	PROPOSED USE	SINGLE FAMILY RESIDENTIAL
ACREAGE	37.8	LOTS [CURRENT]	1
		LOTS [PROPOSED]	1

☐ **SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

<input type="checkbox"/> OWNER	RW LADERA, LLC	<input type="checkbox"/> APPLICANT	McADAMS CO.
CONTACT PERSON	JOHN DELIN	CONTACT PERSON	ALEC BIDWELL
ADDRESS	361 W. BYRON NELSON BLVD. STE 104	ADDRESS	201 COUNTRY VIEW DR.
CITY, STATE & ZIP	ROCKWALL, TX 76262	CITY, STATE & ZIP	ROCKWALL, TX 76262
PHONE	817-430-3318	PHONE	469-496-2043
E-MAIL	JOHN@INTEGRITYGROUPS.COM	E-MAIL	ABIDWELL@MCADAMSCO.COM

NOTARY VERIFICATION [REQUIRED]

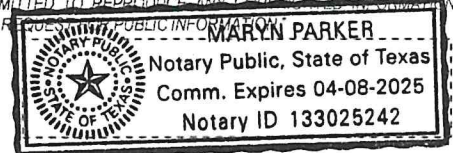
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN DELIN [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE SIXTEENTH DAY OF DECEMBER, 2021 BY SIGNING THIS APPLICATION. I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPIES OF INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

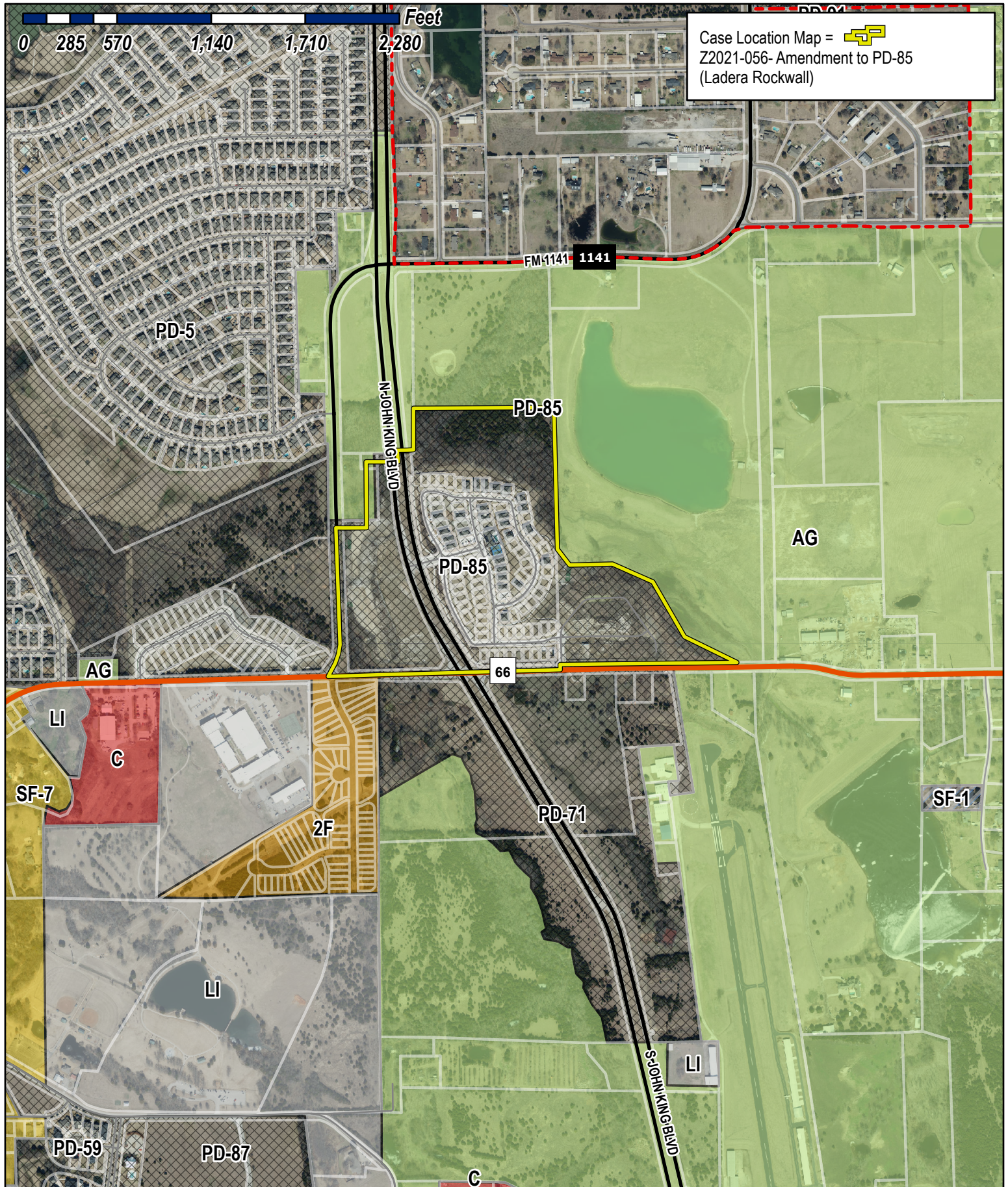
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16th DAY OF DECEMBER, 2021.


OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES



Case Location Map = 
 Z2021-056- Amendment to PD-85
 (Ladera Rockwall)



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

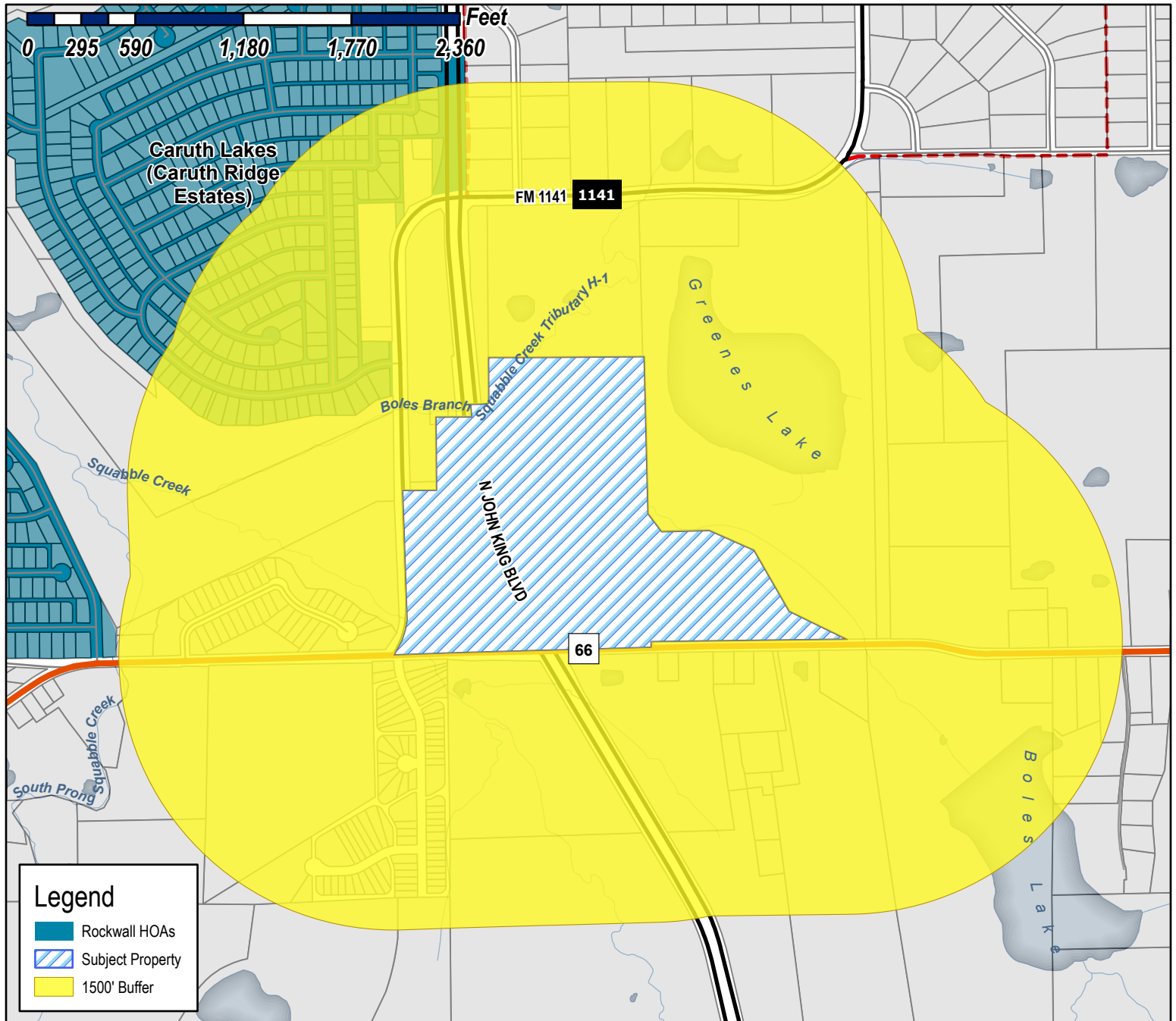
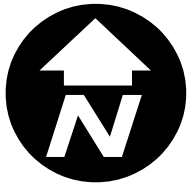




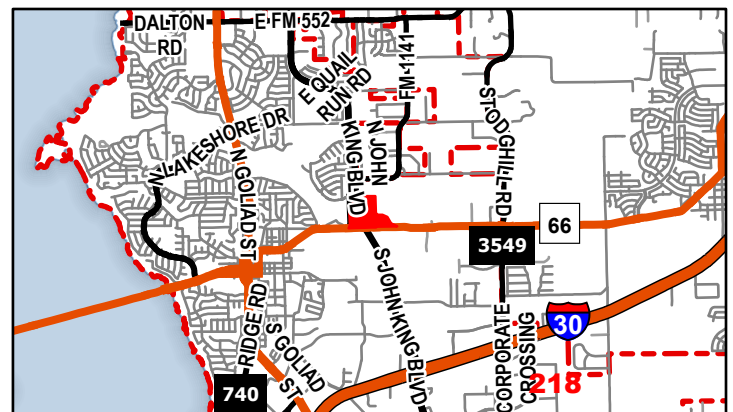
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2021-056
Case Name: Amendment to PD-85
(Ladera Rockwall)
Case Type: Zoning
Zoning: Planned Development District 85
(PD-85)
Case Address: Corner of N. John King & SH66
Date Saved: 12/16/2021
For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-056]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-056: Zoning Amendment to PD-85

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [*Ordinance No. 18-32*] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

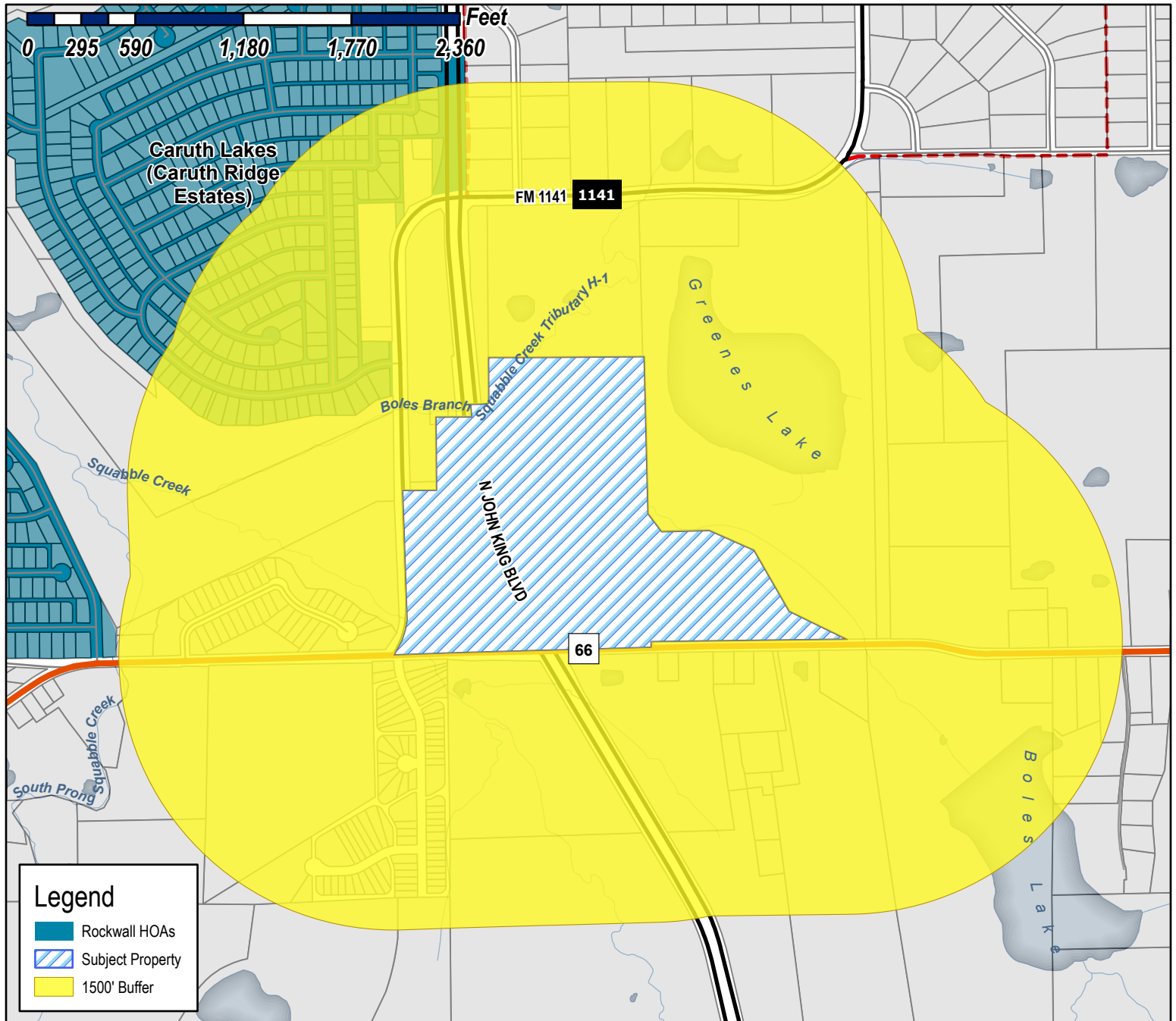
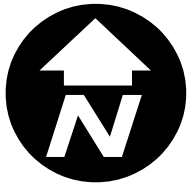
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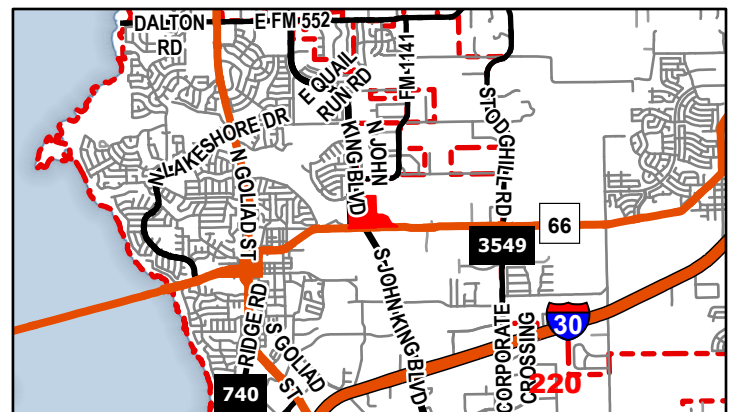
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2021-056
Case Name: Amendment to PD-85
(Ladera Rockwall)
Case Type: Zoning
Zoning: Planned Development District 85
(PD-85)
Case Address: Corner of N. John King & SH66
Date Saved: 12/16/2021
For Questions on this Case Call (972) 771-7745



KEHM NATALIE & DONAVON
1050 HIDDEN LAKES WAY
ROCKWALL, TX 75087

ROCKWALL I S D
1050 WILLIAMS
ROCKWALL, TX 75087

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

RYDER HEATH JAMES AND MELANIE ANN
1383 WATER EDGE DRIVE
ROCKWALL, TX 75087

WOODUL GREG C AND NETA J
1389 WATERS EDGE DR
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R
1395 WATERS EDGE DRIVE
ROCKWALL, TX 75087

GROGAN DANIEL R
1405 WATERS EDGE DRIVE
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
150 TURTLE CREEK SUITE 104-E
DALLAS, TX 75207

RW LADERA LLC
1605 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1609 MADRID WAY
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1612 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1613 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1616 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1617 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1620 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1621 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1624 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1625 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1628 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1629 MADRID WAY
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORPORATION
ATTN BILL BRICKER
1630 WILLIAMS
ROCKWALL, TX 75087

RW LADERA LLC
1632 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1633 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1636 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1637 MADRID WAY
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORPORATION
ATTN BILL BRICKER
1673 HWY 66
ROCKWALL, TX 75087

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
1700 STATE HIGHWAY 66
ROCKWALL, TX 75087

PEOPLES MIKE L
1936 HWY 66
ROCKWALL, TX 75087

PEOPLES MICHAEL L
2026 HWY 66
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORP
ATTN:BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

CTDIGLAND LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RWLADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

HONZELL DAVID AND PATRICIA
414 E. COACHLIGHT TRAIL
ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

STONEFIELD HOMES LLC
802 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
804 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
806 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
806 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
809 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
809 MARATHON CT
ROCKWALL, TX 75087

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RW LADERA LLC
810 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
811 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
814 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
814 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
815 BELLA CT
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
815 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
816 SENDERA LN
ROCKWALL, TX 75087

RW LADERA LLC
817 BELLA CT
ROCKWALL, TX 75087

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ROCKWALL, TX 75087

STONEFIELD HOMES LLC
818 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
818 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
819 RIO VISTA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
820 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
820 SENDERA LN
ROCKWALL, TX 75087

RW LADERA LLC
821 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
821 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
822 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
822 RIO VISTA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
824 SENDERA LN
ROCKWALL, TX 75087

RW LADERA LLC
825 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
825 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
826 MARATHON CT
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
826 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
828 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
829 BELLA CT
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
830 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
831 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
832 SENDERA LN
ROCKWALL, TX 75087

RW LADERA LLC
833 BELLA CT
ROCKWALL, TX 75087

RW LADERA LLC
836 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
837 BELLA CT
ROCKWALL, TX 75087

RW LADERA LLC
840 SENDERA LN
ROCKWALL, TX 75087

SEE BETTY
880 FM 1141
ROCKWALL, TX 75087

DIMISSEW SAMUEL
956 S WEATHERRED DR
RICHARDSON, TX 75080

WHITTLE ROBERT S
PO BOX 369
ROCKWALL, TX 75087

WHITTLE HIGHLANDS, LLC
PO BOX 369
ROCKWALL, TX 75087

PEOPLES MIKE L
PO BOX 41
ROCKWALL, TX 75087

RW LADERA LLC
361 W BYRON NELSON BLVD
SUITE 104
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
361 W BYRON NELSON BLVD
SUITE 104
ROANOKE, TX 76262

RILEY RODNEY H & JANET E
802 RIO VISTA LN
ROCKWALL, TX 75087

WALLACE MARTHA G
826 BELLA DRIVE
ROCKWALL, TX 75087

HOPKINS TEENA
834 BELLA DR
ROCKWALL, TX 76262

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

Case No. Z2021-056: Zoning Amendment to PD-85

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [Ordinance No. 18-32] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2021-056: Zoning Amendment to PD-85

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

CITY OF ROCKWALL

ORDINANCE NO. 18-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 85 (PD-85) [ORDINANCE NO. 17-55] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO INCORPORATE A 9.762-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT INTO PLANNED DEVELOPMENT DISTRICT 85 (PD-85) CREATING A 47.694-ACRE PLANNED DEVELOPMENT DISTRICT IDENTIFIED AS TRACTS 4-01 & 5 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; 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 by the John Delin of Integrity Group, LLC for the approval of a zoning change amending Planned Development District 85 (PD-85) [*Ordinance No. 17-55*] for the purpose of incorporating a 9.762-acre tract of land zoned Agricultural (AG) District into Planned Development District (PD-85), allowing limited General Retail (GR) District and Single Family 7 (SF-7) District land uses on a 47.694-acre tract of land identified as Tract 4-01 & 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas and more fully 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 Planned Development District 85 (PD-85) [*Ordinance No. 17-55*] and 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 approval of this ordinance shall superseded all requirements stipulated in *Ordinance No. 17-55*; and,

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plans*, contained in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That development of *Tract 1* of the *Subject Property* -- as described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance -- shall be in conformance with the schedule listed below (except as set forth below with regard to simultaneous processing and approvals).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (including Subsections 5(b) through 5(f) below), shall be the exclusive procedures applicable to the subdivision and platting of *Area 3* as depicted in *Exhibit 'B'* of this ordinance.
- (b) The following plans and plats shall be required in the order listed below (except as set forth below with regard to simultaneous processing and approvals). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) *Open Space Master Plan*
 - (2) *Master Plat*
 - (3) *Preliminary Plat*
 - (4) *PD Site Plan*
 - (5) *Final Plat*
- (c) *Open Space Master Plan*. An *Open Space Master Plan* for the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance, prepared in accordance with this ordinance, and shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat*. A *Master Plat* for the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with an *Open Space Master Plan* for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* covering all of the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *Master Plat* and an *Open Space Master Plan Application* for the development.
- (f) *PD Site Plan*. A *PD Site Plan* covering all of the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat Application* for the development.
- (g) *Final Plat*. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance shall be submitted for approval.

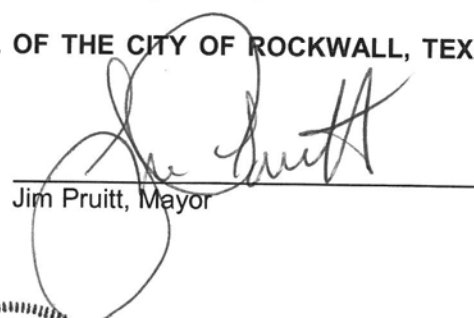
SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That 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, 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 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. 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
THE 6TH DAY OF AUGUST, 2018.**


Jim Pruitt, Mayor

ATTEST:


Kristy Cole, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



1st Reading: July 16, 2018

2nd Reading: August 6, 2018

Exhibit 'A':
Legal Description

Legal Description for Tract 1:

Tract 1 9.894 acres M. B. Jones Survey, Abstract No. 122 B. Jones Survey, Abstract No. 122 City of Rockwall Rockwall County, Texas

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921 acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the north line of U. G&A CONSULTANTS", being in the north line of U. , being in the north line of U. S. Highway 66, from which a 1/2 inch rebar found at the southeast corner of said 41.921 acres bears N 88°18'19" E, a distance 724.55 feet; E, a distance 724.55 feet;

THENCE S 88°18'19" W, with the north line of U. S. Highway 66, a distance of 553.89 feet to a wooden W, with the north line of U. S. Highway 66, a distance of 553.89 feet to a wooden right-of-way monument found at the southwest corner of said 41.921 acre tract, and being in the east line of F. M. 1141;

THENCE N 02°39'30" W, with the east line of F. M. 1141, a distance of 601.94 to a 1/2 inch rebar W, with the east line of F. M. 1141, a distance of 601.94 to a 1/2 inch rebar found;

THENCE N 01°20'56" W, continuing with the east line of F. M. 1141, a distance of 314.19 feet to a 1/2 W, continuing with the east line of F. M. 1141, a distance of 314.19 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a called 1.837 G&A CONSULTANTS", being the southwest corner of a called 1.837 , being the southwest corner of a called 1.837 acre tract of land described as Tract 1 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Denton County, Texas;

THENCE N 89°26'01" E, with the south line of said 1.837 acre tract, a distance of 200.01 feet to a 1/2 E, with the south line of said 1.837 acre tract, a distance of 200.01 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof, and being at G&A CONSULTANTS", being the southeast corner thereof, and being at , being the southeast corner thereof, and being at an inner ell corner of said 41.921 acre tract;

THENCE N 01°20'56" W, with the east line of said 1.837 acre tract, a distance of 400.02 feet to a 1/2 W, with the east line of said 1.837 acre tract, a distance of 400.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of a 10.942 acre tract of G&A CONSULTANTS", being in the south line of a 10.942 acre tract of , being in the south line of a 10.942 acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942 acre tract, a distance of 65.39 feet to a 1/2 E, with the south line of said 10.942 acre tract, a distance of 65.39 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most northwesterly corner of a called G&A CONSULTANTS", being the most northwesterly corner of a called , being the most northwesterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins

Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Southeasterly with the west line of said 3.989 acre tract and John King Boulevard, the following eight (8) calls:

S 05°14'42" E, a distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A E, a

Exhibit 'A':
Legal Description

distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

S 05°14'42" E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 2060.00 feet, a central angle of 23°19'48", and , and an arc length of 838.80 feet, whose chord bears S 16°54'36" E, a distance of 833.02 feet to a 1/2 E, a distance of 833.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

Southeasterly with a curve to the right having a radius of 586.00 feet, a central angle of 07°34'10", and an arc length of 77.42 feet, whose chord bears S 24°47'26" E, a distance of 77.36 feet to a 1/2 E, a distance of 77.36 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 314.00 feet, a central angle of 09°39'36", and , and an arc length of 52.94 feet, whose chord bears S 25°50'09" E, a distance of 52.88 feet to a 1/2 inch E, a distance of 52.88 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

S 30°39'57" E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

S 28°49'11" W, a distance of 32.25 feet to the *POINT OF BEGINNING* and containing approximately 9.894 acres of land.

Exhibit 'A':
Legal Description

Legal Description for Tract 2:

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921 acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being part of a called 73.2744 acre tract of land described in deed to Mike L. People, recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar found at the southeast corner of said 41.921 acre tract, and the southwest corner of said 73.2744 acre tract and being in the north line of U. S. Highway 66;

THENCE S 88°18'19"W, with the north line of U. S. Highway 66, a distance of 490.46 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most southeasterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Northwesterly with the east line of said 3.989 acre tract and John King Boulevard, the following seven (7) calls:

N 30°39'57" W, a distance of 19.44 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 59°20'03" W, a distance of 21.30 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 30°39'57" W, a distance of 211.63 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

Northwesterly with a curve to the right having a radius of 1940.00 feet, a central angle of 25°25'15", and an arc length of 860.73 feet, whose chord bears N 17°57'20" W, a distance of 853.69 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 158.73 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 136.88 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS" in the south line of a called 10.942 acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942 acre tract, a distance of 15.52 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof;

THENCE N 00°10'47" W, with the east line of said 10.942 acre tract, a distance of 271.63 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a 16.000 acre tract of land described as Tract 2 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Rockwall County, Texas;

THENCE N 89°54'11" E, with the south line of said 16.000 acres, a distance of 842.15 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof and being in the west line of said 73.2744 acre tract;

Exhibit 'A':
Legal Description

THENCE S 01°28'09" E, with the west line of said 73.2744 acre tract of land, a distance of 845.72 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

THENCE over, across, and through said 73.2744 acre tract the following five (5) courses and distances:

S 37°47'00" E, a distance of 135.09 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 88°31'51" E, a distance of 259.75 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 66°00'00" E, a distance of 266.78 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 30°00'00" R, a distance of 384.58 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 64°00'00" E, a distance of 352.92 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of said 73.2744 acre tract and the north line of U.S. Highway 66;

THENCE S 89°18'14" W, with the south line of said 73.2744 acre tract, and the north line of U.S. Highway 66, a distance of 1077.53 feet to the *POINT OF BEGINNING* and containing approximately 37.800 acres of land.

Exhibit 'B': Concept Plan: Tract 1

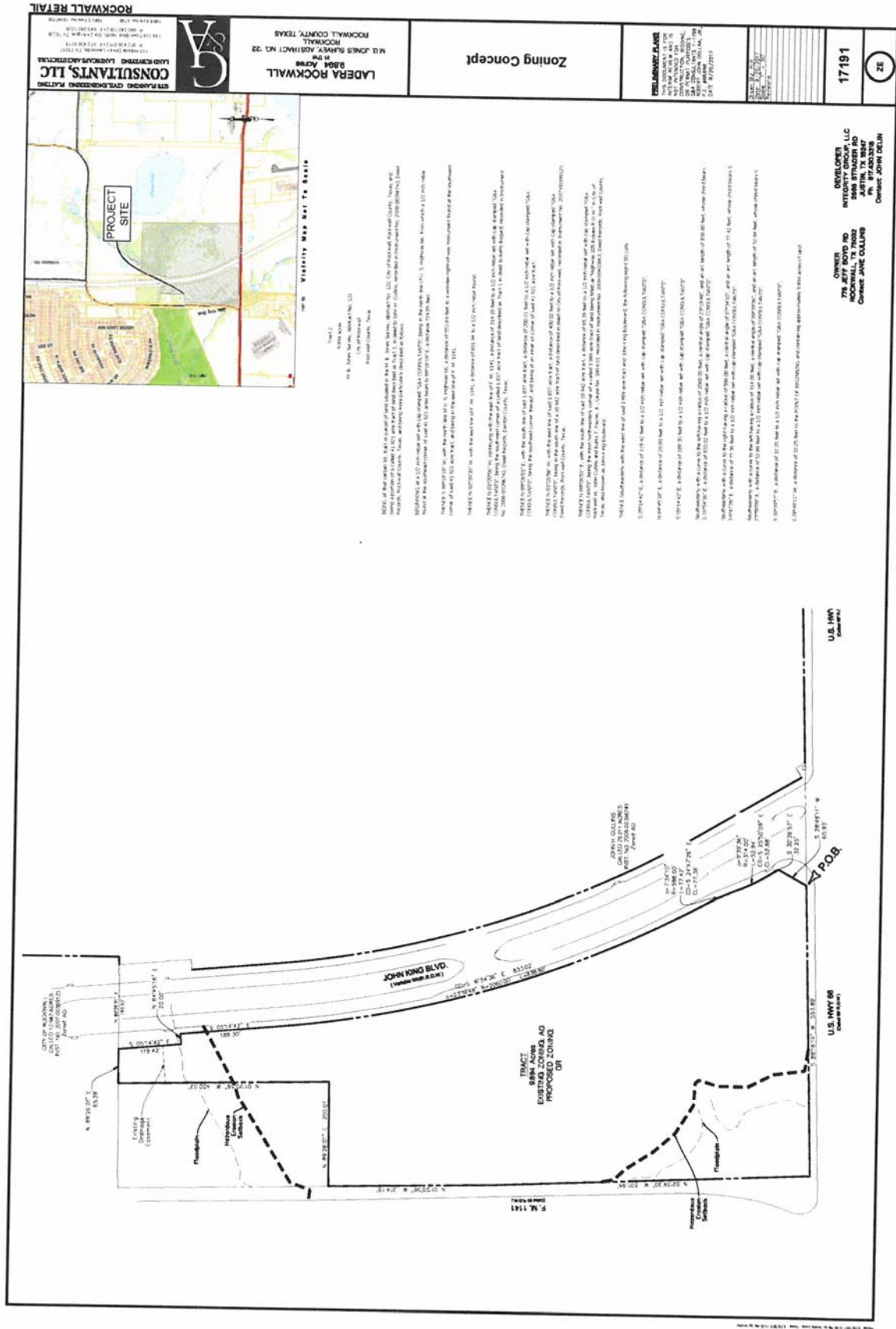


Exhibit 'B':
Concept Plan: Tract 2

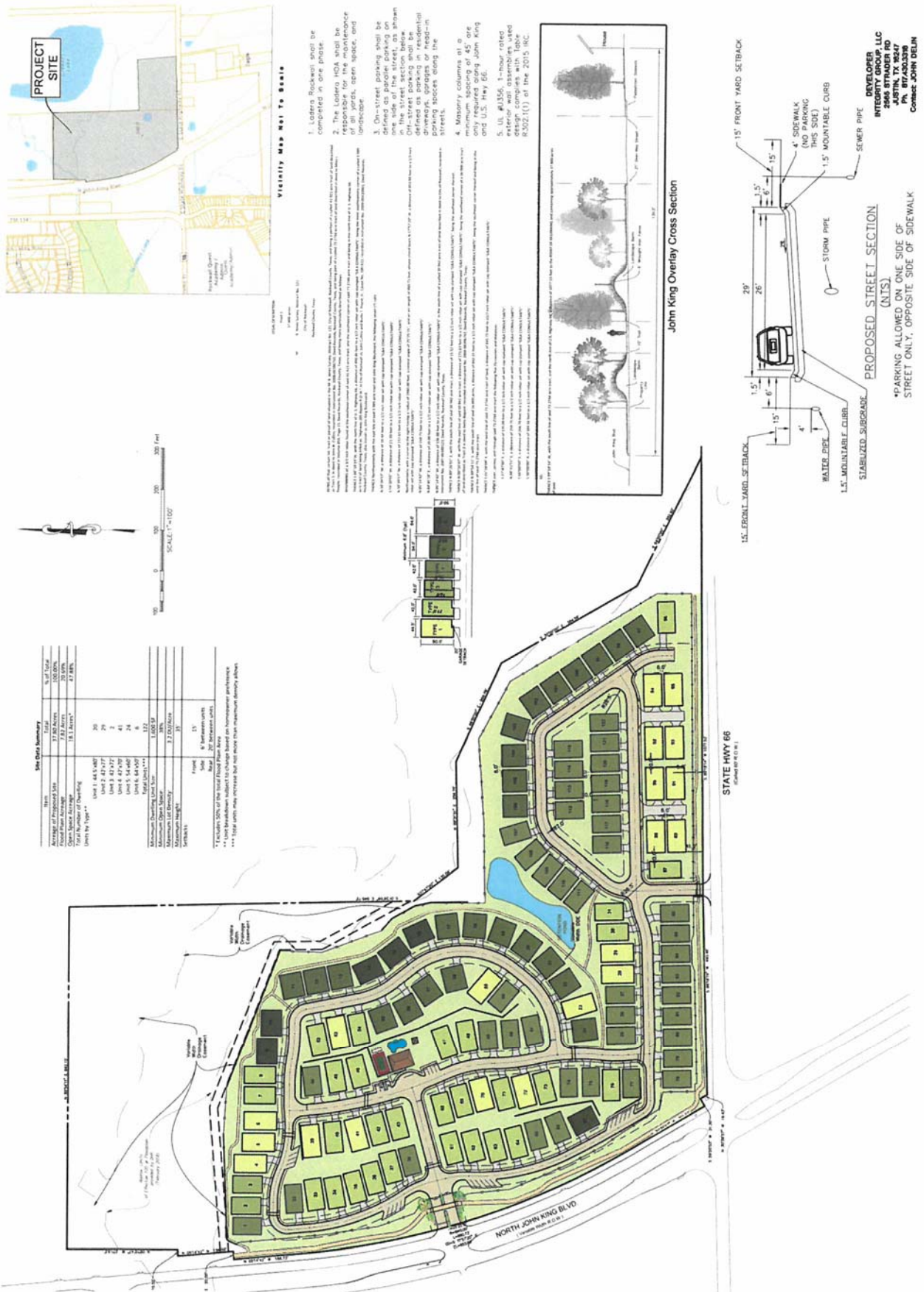


Exhibit 'C':
PD Development Standards

PD Development Standards.

Tract 1: 9.894-Acres of Non-Residential Property

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on *Tract 1* of the *Subject Property*; however, the following additions and conditions shall apply:

The following land uses shall be expressly prohibited on the *Subject Property*:

- ☒ Convent or Monastery
- ☒ Hotel or Motel
- ☒ Hotel, Residence
- ☒ Cemetery/Mausoleum
- ☒ Mortuary or Funeral Chapel
- ☒ Social Service Provider
- ☒ Billiard Parlor or Pool Hall
- ☒ Carnival, Circus, or Amusement Ride
- ☒ Commercial Amusement/Recreation (*Outside*)
- ☒ Gun Club, Skeet or Target Range (*Indoor*)
- ☒ Astrologer, Hypnotist, or Psychic Art and Science
- ☒ Night Club, Discotheque, or Dance Hall
- ☒ Secondhand Dealer
- ☒ Car Wash, Self Service
- ☒ Retail Store with Gasoline Product Sales (*Any Amount of Dispensers*)
- ☒ Service Station
- ☒ Mining and Extraction (*Sand, Gravel, Oil & Other*)
- ☒ Helipad
- ☒ Railroad Yard or Shop
- ☒ Transit Passenger Facility

The following additional use shall be permitted through a Specific Use Permit (SUP) on the *Subject Property*:

- ☒ Garden Supply/Plant Nursery

- (2) *Density and Dimensional Requirements.* Any development on *Tract 1* of the *Subject Property* shall be subject to the development standards required for properties in a General Retail (GR) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.
- (3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall adhere to the following:
- (a) *Landscape Buffer (SH-66).* A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 15-foot landscape buffer adjacent to SH-66.

Exhibit 'C':
PD Development Standards

- (b) *Landscape Buffer and Sidewalks (John King Boulevard)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 15-foot landscape buffer adjacent to John King Boulevard.
- (c) *Landscape Buffer (FM-1141)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of FM-1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 15-foot landscape buffer adjacent to FM-1141.
- (4) *Intersection Enhancements*. In accordance with the *John King Boulevard Design Concept Plan* the applicant shall be required to provide an intersection enhancement at the corner of the intersection of Williams Street (SH-66) and John King Boulevard that generally conforms to the following design:

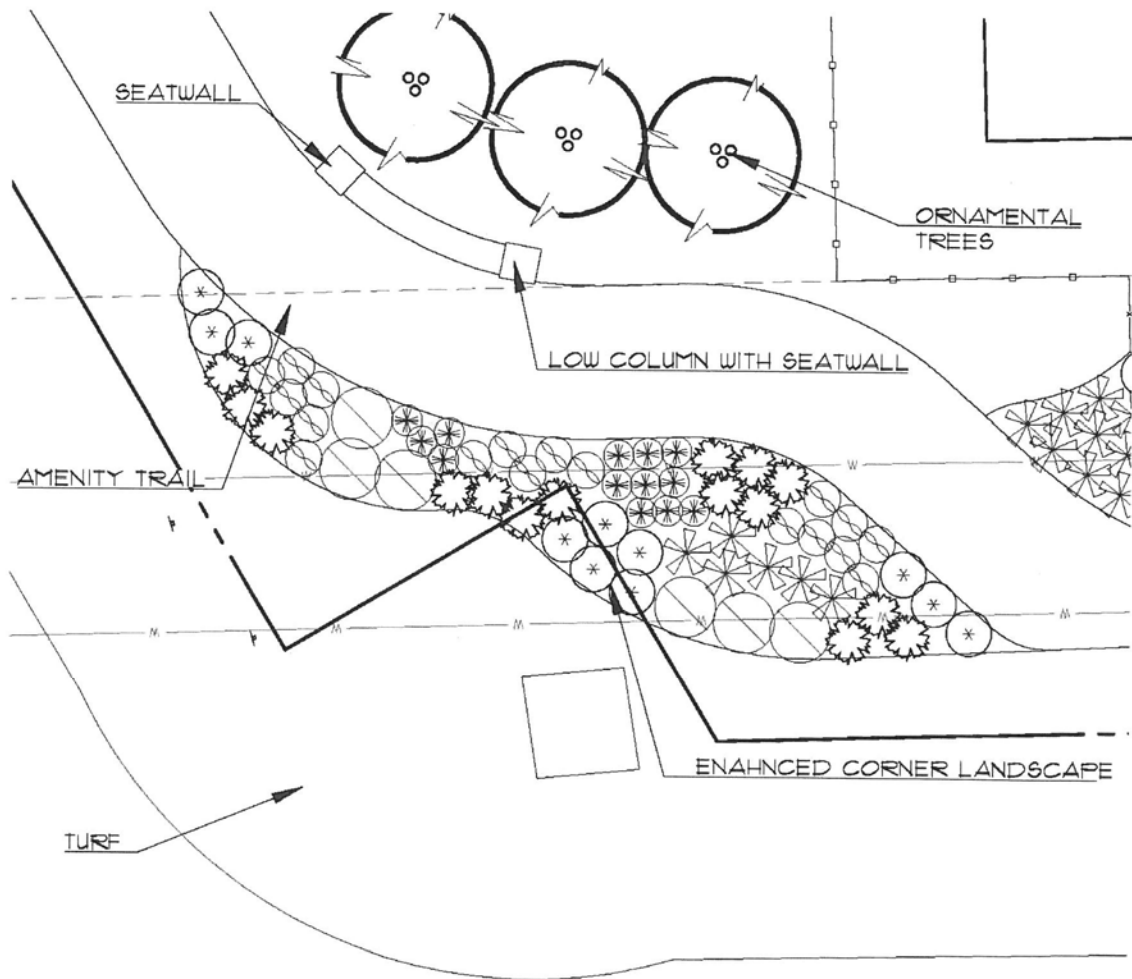


Exhibit 'C':
PD Development Standards

Tract 2: 28.011-Acres of Residential Property

- (1) **Permitted Uses.** Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 7 (SF-7) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on *Tract 2* of the *Subject Property*; however, the following additional land uses shall be permitted *by-right*:

- ☒ Activity Center
- ☒ Community Pool
- ☒ Gazebos/Pavilions
- ☒ Sports Courts

- (2) **Unit Composition and Layout.** The unit composition and layout shall generally conform to the *Concept Plan* for *Tract 2* depicted in *Exhibit 'B'* and stated as follows:

<i>Unit Type</i>	<i>Unit Dimensions</i>	<i>Minimum Unit Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units</i>
1	44.5' x 80'	1,600 SF	20	15.48%
2 & 3	42' x 77'	1,600 SF	31	59.52%
4	54' x 60'	1,600 SF	41	16.67%
5	64' x 50'	2,100 SF	6	08.33%
<i>Total Units:</i>			122	

- (3) **Density and Dimensional Requirements.** The maximum permissible density for the *Subject Property* shall not exceed 3.2-units/acre; however, in no case should the proposed development exceed 122 single-family, residential units. The *Subject Property* shall maintain conformance with the following requirements:

- (a) **Condominium Requirement.** The property shall be established as a condominium development pursuant to the requirements of *Chapter 82* of the *Texas Property Code*, and platted as a single lot.

- (b) **Lot Dimensional Requirements.** The proposed condominium lot shall adhere to the following setbacks:

<i>Minimum Lot Width</i>	1,500'
<i>Minimum Lot Depth</i>	490'
<i>Minimum Lot Area</i>	28.0-Acres
<i>Minimum Setback Adjacent to John King Boulevard</i>	95'
<i>Minimum Setback Adjacent to SH-66</i>	20'
<i>Minimum Setback Adjacent to the Eastern & Northern Property Lines</i>	10'

Continued on next page ...

Exhibit 'C':
PD Development Standards

- (c) *Internal Artificial Lot Requirements.* The units constructed on the proposed condominium lot shall adhere to the following dimensional requirements for artificial lots:

Minimum Setback from a Private Street ^{(1) (2) (3)}	15'
Minimum Side Yard Distance Between Units	6'
Minimum Side Yard Setback from a Private Street ^{(1) (2)}	10'
Minimum Rear Yard Distance Between Units	20'
Maximum Height	35'

General Notes:

- ¹: This setback shall be measured from the back of curb.
- ²: Variances of up to five (5) feet may be granted by the Director of Planning and Zoning on a case-by-case basis for artificial lots on curve-linear streets.
- ³: The minimum length of a driveway shall be 20-feet as measured from the edge of the approach to the garage door.

- (4) *Building Standards.* All development shall adhere to the following building standards:

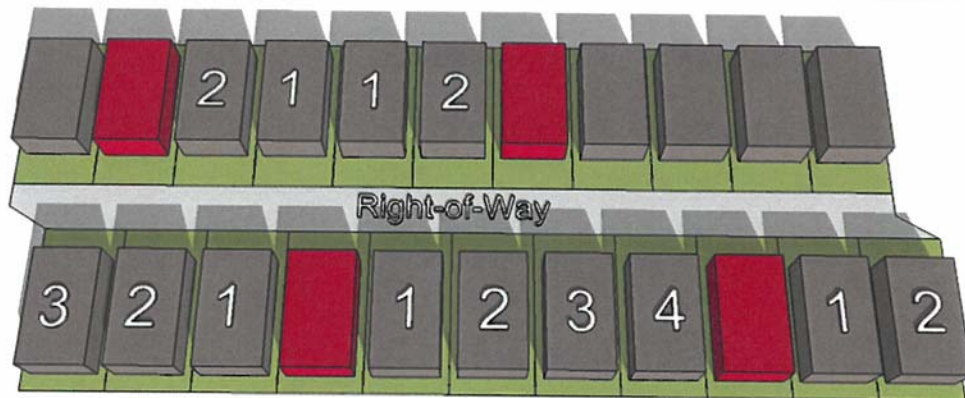
- (A) *Masonry Requirement.* The minimum masonry requirement for the exterior façades -- excluding doors and windows -- of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted to be used to meet up to 40% of the masonry requirement.
- (B) *Roof Pitch.* A minimum of an 8:12 roof pitch is required on the front elevation of all structures. Porches and rear elevations shall have a minimum of a 4:12 roof pitch.
- (C) *Garage Orientation.* Garages shall oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized it shall face the street and shall be located even with the front building façade of the primary structure. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door.
- (D) *Anti-Monotony Restrictions.* The development shall adhere to the following Anti-Monotony requirements (for spacing requirements see the illustration on the following page):
 - (1) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
 - (2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (a) Number of Stories
 - (b) Brick Color
 - (c) Roof Type and Layout
 - (d) Articulation of the Front Façade
 - (3) All roof shingles shall be an architectural or dimensional shingle, and have a 30-year rating. (*3-Tab Roofing Shingles are prohibited*).

Exhibit 'C':
PD Development Standards

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



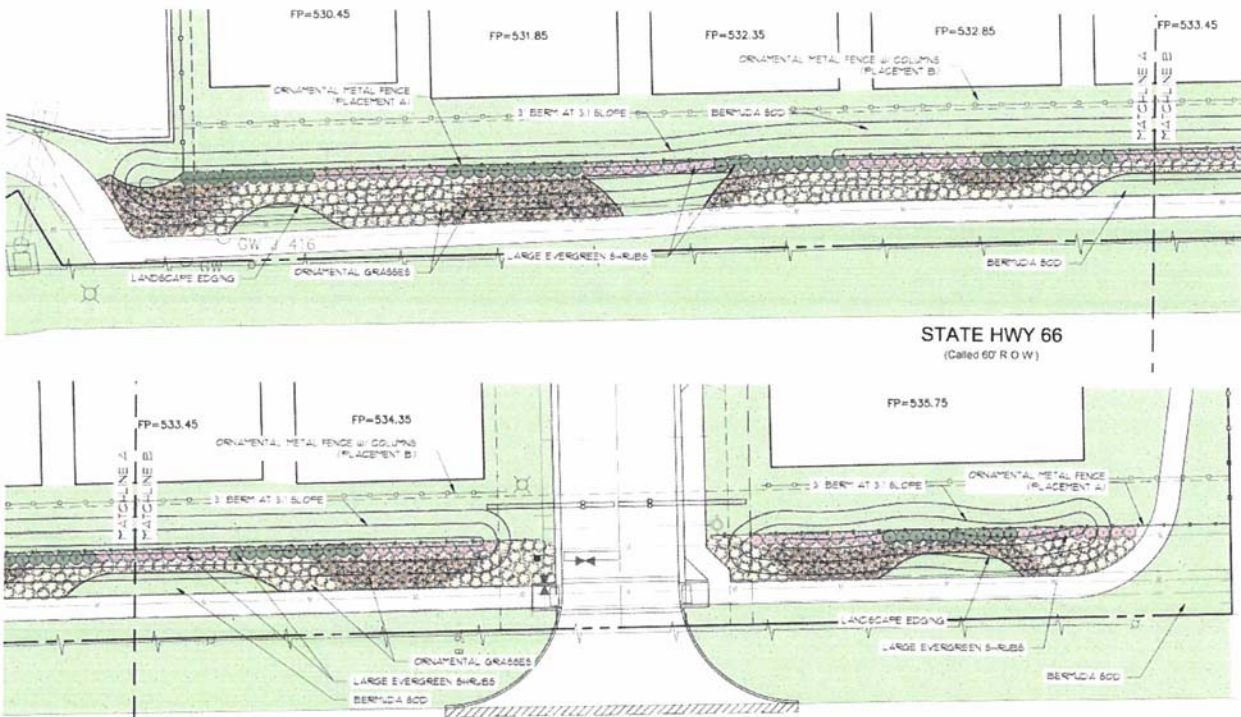
Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



- (E) *Fencing Standards.* All residential privacy fencing shall be six (6) foot wrought iron/tubular steel fencing for transparent fencing and six (6) foot Simtek (or a similar product) fencing for non-transparent fencing. Fencing located along the exterior of the condominium lot shall be a minimum of six (6) foot wrought iron/tubular steel fencing with masonry columns a maximum of 45-feet on center. The masonry columns shall only be required adjacent to John King Boulevard and SH-66.
- (F) *Landscape and Hardscape Standards.*
- (1) *Residential Landscape.* All canopy trees planted within the condominium lot and not situated within a required landscape buffer shall be a minimum of three (3) inches in caliper and accent trees shall be a minimum of four (4) feet in height. All tree plantings shall conform to the City's tree planting guidelines and requirements stipulated in Appendix F, *Landscaping Guidelines and Requirements*, of the Unified Development Code.
 - (2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA) and shall conform to the following:
 - (a) *Landscape Buffer (SH-66).* A minimum of a 20-foot landscape buffer shall be provided along the frontage of SH-66 (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. The landscaping shall be generally as depicted below. The developer shall also be

Exhibit 'C':
PD Development Standards

responsible for the construction of a five (5) foot sidewalk situated within the 20-foot landscape buffer adjacent to SH-66.



- (b) *Landscape Buffer and Sidewalks (John King Boulevard).* A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard. The required wrought iron fence along John King Boulevard may be situated within 40-feet of the right-of-way line. In addition, the design of the buffer shall generally conform to the following cross section:

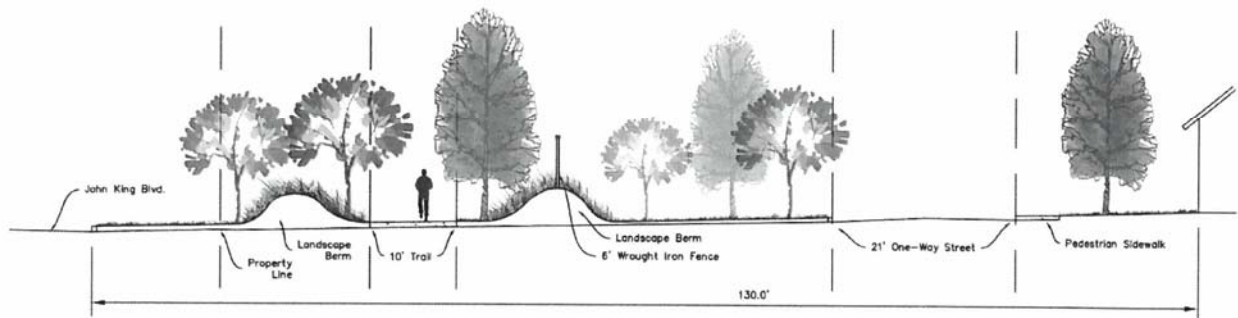
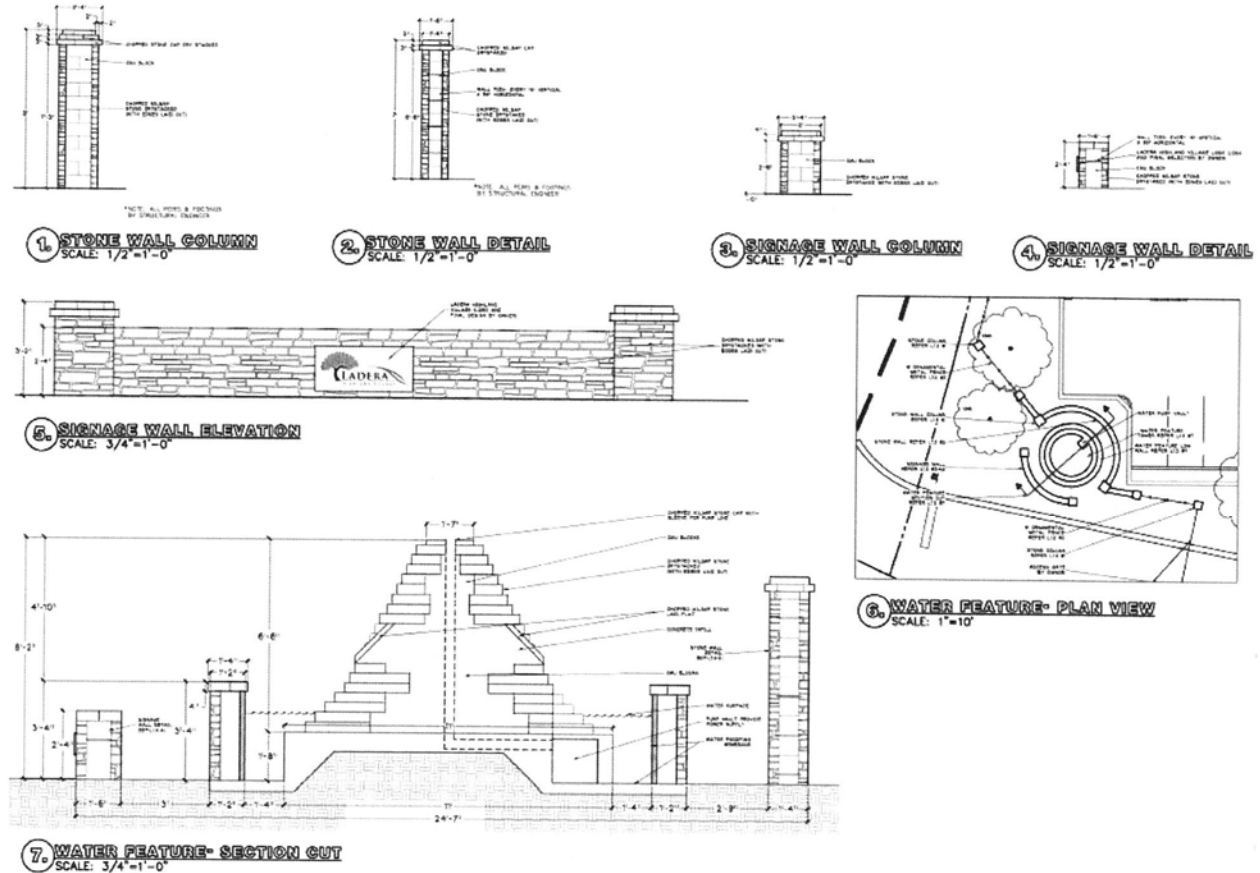


Exhibit 'C':
PD Development Standards

- (3) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (4) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (G) *Trail Enhancements.* In accordance with the *John King Boulevard Design Concept Plan* the applicant shall be required to provide a trail enhancement element that generally conforms to the following design:

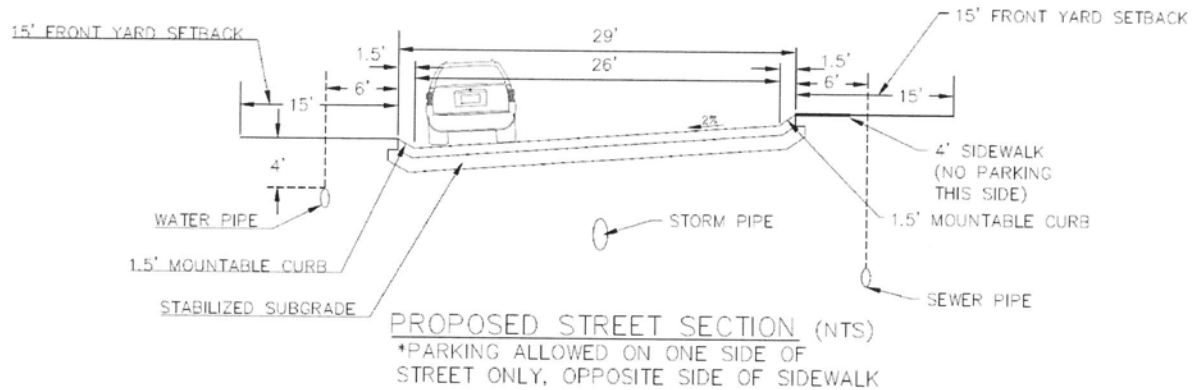


- (H) *Lighting.* Light poles shall not exceed 20-feet in total height (i.e. base and lighting standard). All fixtures shall be directed downward and be positioned to concentrate light within the development area.

Continued on next page ...

Exhibit 'C':
PD Development Standards

- (I) *Private Streets.* With the exception of the 21-foot, one-way street situated adjacent to John King Boulevard the street cross sections for this development should conform to the following cross section:



- (J) *Open Space.* The development shall consist of a minimum of 47.88% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. The Homeowner's Association (HOA) shall maintain all common open space areas. For the purposes of this Planned Development District open space shall include all front yards, rear yards, common areas, buffers and floodplain installed by the developer, but does not include any landscaping, trees, patios and other improvements installed by the homeowner. Floodplain shall be calculated at a rate of 50% (e.g. ½-acre for every acre provided).
- (K) *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
- (L) *Condominium Owner's Association (COA).* A Condominium Owner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Chapter 82, Uniform Condominium Act*, of the *Texas Property Code*. The COA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, and screening fences associated with this development, but it is not required to maintain additional landscaping or improvements added by the homeowner.
- (M) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

Exhibit 'C':
PD Development Standards

- (N) *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code [*Ordinance No. 04-38*] shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 85 (PD-85) [ORDINANCE NO. 18-32] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO INCORPORATE A 9.762-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT INTO PLANNED DEVELOPMENT DISTRICT 85 (PD-85) CREATING A 47.694-ACRE PLANNED DEVELOPMENT DISTRICT IDENTIFIED AS TRACTS 4-01 & 5 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; 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 by the John Delin of Integrity Group, LLC for the approval of a zoning change amending Planned Development District 85 (PD-85) [Ordinance No. 18-32] for the purpose of changing the *Concept Plan* for the *Subject Property* being a 47.694-acre tract of land identified as Tract 4-01 & 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas and more fully 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 Planned Development District 85 (PD-85) [Ordinance No. 18-32] and the Unified Development Code [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 approval of this ordinance shall superseded all requirements stipulated in *Ordinance No. 18-32*; and,

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plans*, contained in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of

approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That development of the *Subject Property* shall be in accordance with the *Development Standards*, described in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That development of *Tract 1* of the *Subject Property* -- as described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance -- shall be in conformance with the schedule listed below (except as set forth below with regard to simultaneous processing and approvals).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance (*including Subsections 5(b) through 5(f) below*), shall be the exclusive procedures applicable to the subdivision and platting of *Area 3* as depicted in *Exhibit 'B'* of this ordinance.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Open Space Master Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Open Space Master Plan.* An *Open Space Master Plan* for the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance, prepared in accordance with this ordinance, and shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat.* A *Master Plat* for the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with an *Open Space Master Plan* for the development.
- (e) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat Application* may be processed by the City concurrently with a *Master Plat* and an *Open Space Master Plan Application* for the development.
- (f) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat Application* for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* as depicted in *Exhibit 'B'* of this ordinance shall be submitted for approval.

SECTION 6. That 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 offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That 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, 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 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. 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 7TH DAY OF FEBRUARY, 2022.**

ATTEST:

Kevin Fowler, *Mayor*

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Legal Description for Tract 1:

Tract 1 9.894 acres M. B. Jones Survey, Abstract No. 122 B. Jones Survey, Abstract No. 122 City of Rockwall Rockwall County, Texas

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921 acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the north line of U. G&A CONSULTANTS", being in the north line of U. , being in the north line of U. S. Highway 66, from which a 1/2 inch rebar found at the southeast corner of said 41.921 acres bears N 88°18'19" E, a distance 724.55 feet; E, a distance 724.55 feet;

THENCE S 88°18'19" W, with the north line of U. S. Highway 66, a distance of 553.89 feet to a wooden W, with the north line of U. S. Highway 66, a distance of 553.89 feet to a wooden right-of-way monument found at the southwest corner of said 41.921 acre tract, and being in the east line of F. M. 1141;

THENCE N 02°39'30" W, with the east line of F. M. 1141, a distance of 601.94 to a 1/2 inch rebar W, with the east line of F. M. 1141, a distance of 601.94 to a 1/2 inch rebar found;

THENCE N 01°20'56" W, continuing with the east line of F. M. 1141, a distance of 314.19 feet to a 1/2 W, continuing with the east line of F. M. 1141, a distance of 314.19 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a called 1.837 G&A CONSULTANTS", being the southwest corner of a called 1.837 , being the southwest corner of a called 1.837 acre tract of land described as Tract 1 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Denton County, Texas;

THENCE N 89°26'01" E, with the south line of said 1.837 acre tract, a distance of 200.01 feet to a 1/2 E, with the south line of said 1.837 acre tract, a distance of 200.01 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof, and being at G&A CONSULTANTS", being the southeast corner thereof, and being at , being the southeast corner thereof, and being at an inner ell corner of said 41.921 acre tract;

THENCE N 01°20'56" W, with the east line of said 1.837 acre tract, a distance of 400.02 feet to a 1/2 W, with the east line of said 1.837 acre tract, a distance of 400.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of a 10.942 acre tract of G&A CONSULTANTS", being in the south line of a 10.942 acre tract of , being in the south line of a 10.942 acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942 acre tract, a distance of 65.39 feet to a 1/2 E, with the south line of said 10.942 acre tract, a distance of 65.39 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most northwesterly corner of a called G&A CONSULTANTS", being the most northwesterly corner of a called , being the most northwesterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins

Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Southeasterly with the west line of said 3.989 acre tract and John King Boulevard, the following eight (8) calls:

S 05°14'42" E, a distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A E, a

distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

S 05°14'42" E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 2060.00 feet, a central angle of 23°19'48", and , and an arc length of 838.80 feet, whose chord bears S 16°54'36" E, a distance of 833.02 feet to a 1/2 E, a distance of 833.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

Southeasterly with a curve to the right having a radius of 586.00 feet, a central angle of 07°34'10", and an arc length of 77.42 feet, whose chord bears S 24°47'26" E, a distance of 77.36 feet to a 1/2 E, a distance of 77.36 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 314.00 feet, a central angle of 09°39'36", and , and an arc length of 52.94 feet, whose chord bears S 25°50'09" E, a distance of 52.88 feet to a 1/2 inch E, a distance of 52.88 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

S 30°39'57" E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

S 28°49'11" W, a distance of 32.25 feet to the *POINT OF BEGINNING* and containing approximately 9.894 acres of land.

Legal Description for Tract 2:

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921-acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being part of a called 73.2744-acre tract of land described in deed to Mike L. People, recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch rebar found at the southeast corner of said 41.921-acre tract, and the southwest corner of said 73.2744-acre tract and being in the north line of U. S. Highway 66;

THENCE S 88°18'19"W, with the north line of U. S. Highway 66, a distance of 490.46 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most southeasterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Northwesterly with the east line of said 3.989-acre tract and John King Boulevard, the following seven (7) calls:

N 30°39'57" W, a distance of 19.44-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

S 59°20'03" W, a distance of 21.30-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 30°39'57" W, a distance of 211.63 feet-to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

Northwesterly with a curve to the right having a radius of 1940.00 feet, a central angle of 25°25'15", and an arc length of 860.73-feet, whose chord bears N 17°57'20" W, a distance of 853.69 feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 158.73-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 136.88-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS" in the south line of a called 10.942-acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942-acre tract, a distance of 15.52-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof;

THENCE N 00°10'47" W, with the east line of said 10.942-acre tract, a distance of 271.63-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a 16.000-acre tract of land described as Tract 2 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Rockwall County, Texas;

THENCE N 89°54'11" E, with the south line of said 16.000-acres, a distance of 842.15 feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof and being in the west line of said 73.2744-acre tract;

THENCE S 01°28'09" E, with the west line of said 73.2744 acre tract of land, a distance of 845.72 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

THENCE over, across, and through said 73.2744-acre tract the following five (5) courses and distances:

S 37°47'00" E, a distance of 135.09-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 88°31'51" E, a distance of 259.75-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

S 66°00'00" E, a distance of 266.78-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

S 30°00'00" R, a distance of 384.58-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

S 64°00'00" E, a distance of 352.92 feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of said 73.2744-acre tract and the north line of U.S. Highway 66;

THENCE S 89°18'14" W, with the south line of said 73.2744-acre tract, and the north line of U.S. Highway 66, a distance of 1077.53-feet to the *POINT OF BEGINNING* and containing approximately 37.800-acres of land.



PD Development Standards.

Tract 1: 9.894-Acres of Non-Residential Property

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on *Tract 1* of the *Subject Property*; however, the following additions and conditions shall apply:

The following land uses shall be expressly prohibited on the *Subject Property*:

- ☒ Convent or Monastery
- ☒ Hotel or Motel
- ☒ Hotel, Residence
- ☒ Cemetery/Mausoleum
- ☒ Mortuary or Funeral Chapel
- ☒ Social Service Provider
- ☒ Billiard Parlor or Pool Hall
- ☒ Carnival, Circus, or Amusement Ride
- ☒ Commercial Amusement/Recreation (*Outside*)
- ☒ Gun Club, Skeet or Target Range (*Indoor*)
- ☒ Astrologer, Hypnotist, or Psychic Art and Science
- ☒ Night Club, Discotheque, or Dance Hall
- ☒ Secondhand Dealer
- ☒ Car Wash, Self Service
- ☒ Retail Store with Gasoline Product Sales (*Any Amount of Dispensers*)
- ☒ Service Station
- ☒ Mining and Extraction (*Sand, Gravel, Oil & Other*)
- ☒ Helipad
- ☒ Railroad Yard or Shop
- ☒ Transit Passenger Facility

The following additional use shall be permitted through a Specific Use Permit (SUP) on the *Subject Property*:

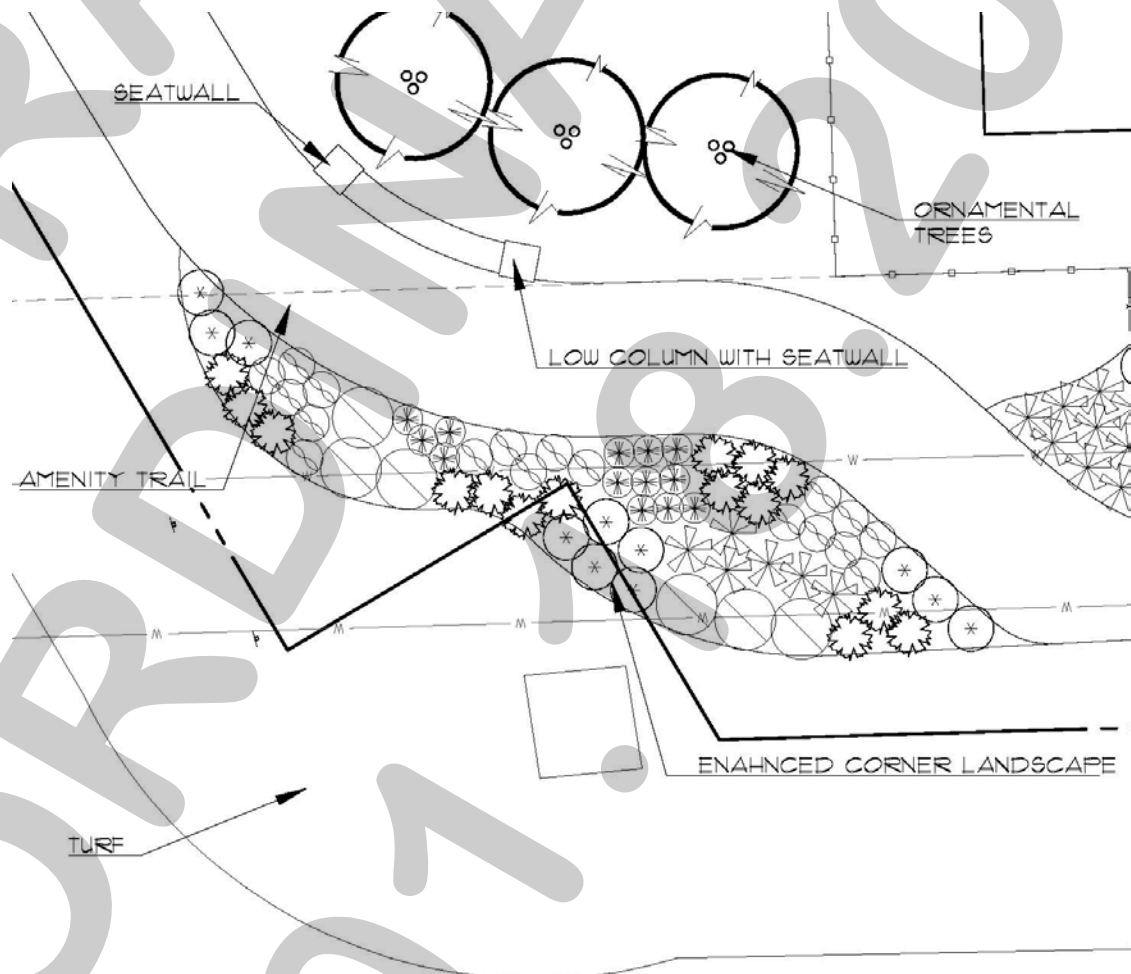
- ☒ Garden Supply/Plant Nursery

- (2) *Density and Dimensional Requirements.* Any development on *Tract 1* of the *Subject Property* shall be subject to the development standards required for properties in a General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

- (3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall adhere to the following:

- (a) *Landscape Buffer (SH-66).* A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 15-foot landscape buffer adjacent to SH-66.

- (b) *Landscape Buffer and Sidewalks (John King Boulevard)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 15-foot landscape buffer adjacent to John King Boulevard.
- (c) *Landscape Buffer (FM-1141)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of FM-1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 15-foot landscape buffer adjacent to FM-1141.
- (4) *Intersection Enhancements*. In accordance with the *John King Boulevard Design Concept Plan* the applicant shall be required to provide an intersection enhancement at the corner of the intersection of Williams Street (SH-66) and John King Boulevard that generally conforms to the following design:



Tract 2: 28.011-Acres of Residential Property

- (1) Permitted Uses. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 7 (SF-7) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on *Tract 2* of the *Subject Property*; however, the following additional land uses shall be permitted *by-right*:

- ☒ Activity Center
- ☒ Community Pool
- ☒ Gazebos/Pavilions
- ☒ Sports Courts

- (2) Unit Composition and Layout. The unit composition and layout shall generally conform to the *Concept Plan* for *Tract 2* depicted in *Exhibit 'B'* and stated as follows:

Unit Type	Unit Dimensions	Minimum Unit Size (SF)	Dwelling Units (#)	Dwelling Units
1	44.5' x 80'	1,600 SF	11	09.40%
2	42' x 77'	1,600 SF	27	23.07%
3	42' x 72'	1,600 SF	10	08.55%
4	42' x 70'	1,600 SF	26	22.22%
5	54' x 60'	1,600 SF	21	17.95%
6	64' x 50'	2,100 SF	6	05.13%
7	36' x 59'	1,325 SF	16	13.68%
Total Units:			117	

NOTES REGARDING LOT VARIATIONS TO THE UNIT COMPOSITION:

Regardless of the above unit mix the following variations shall be permitted:

- (1) Lot 1 as depicted on the concept plan in *Exhibit 'B'* of this ordinance may be developed with interchange *Unit Types* 2, 3 & 4.
- (2) Lot 2 as depicted on the concept plan in *Exhibit 'B'* of this ordinance may be developed with interchange *Unit Types* 3 & 4.
- (3) Lot 3 as depicted on the concept plan in *Exhibit 'B'* of this ordinance may be developed with interchange *Unit Types* 3 & 4.
- (3) Density and Dimensional Requirements. The maximum permissible density for the *Subject Property* shall not exceed 3.1-units/acre; however, in no case should the proposed development exceed 117 single-family, residential units. The *Subject Property* shall maintain conformance with the following requirements:

- (a) Condominium Requirement. The property shall be established as a condominium development pursuant to the requirements of *Chapter 82* of the *Texas Property Code*, and platted as a single lot.
- (b) Lot Dimensional Requirements. The proposed condominium lot shall adhere to the following setbacks:

Minimum Lot Width	1,000'
Minimum Lot Depth	490'
Minimum Lot Area	37.80-Acres
Minimum Setback Adjacent to John King Boulevard	95'
Minimum Setback Adjacent to SH-66	20'
Minimum Setback Adjacent to the Eastern & Northern Property Lines	10'
Minimum Setback Adjacent to the RPZ	0'
Minimum Lot Setback for the Eastern Property Adjacent to the RPZ	5'

- (c) Internal Artificial Lot Requirements. The units constructed on the proposed condominium lot shall adhere to the following dimensional requirements for artificial lots:

Minimum Setback from a Private Street ^{(1), (2) & (3)}	15'
Minimum Side Yard Distance Between Units	6'
Minimum Side Yard Setback from a Private Street ^{(1) & (2)}	10'
Minimum Rear Yard Distance Between Units	20'
Maximum Height	35'

General Notes:

- ¹: This setback shall be measured from the back of curb.
²: Variances of up to five (5) feet may be granted by the Director of Planning and Zoning on a case-by-case basis for artificial lots on curve-linear streets.
³: The minimum length of a driveway shall be 20-feet as measured from the edge of the approach to the garage door.

- (4) Building Standards. All development shall adhere to the following building standards:

- (A) Masonry Requirement. The minimum masonry requirement for the exterior façades -- *excluding doors and windows* -- of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or stucco (i.e. *three [3] part stucco* or a *comparable* -- to be determined by staff) shall be permitted to be used to meet up to 40% of the masonry requirement.
- (B) Roof Pitch. A minimum of an 8:12 roof pitch is required on the front elevation of all structures. Porches and rear elevations shall have a minimum of a 4:12 roof pitch.
- (C) Garage Orientation. Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized it shall face the street and shall be located even with the front building façade of the primary structure. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door.
- (D) Anti-Monotony Restrictions. The development shall adhere to the following Anti-Monotony requirements (for spacing requirements see the illustration on the following page):
- (1) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
 - (2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (a) Number of Stories
 - (b) Brick Color
 - (c) Roof Type and Layout
 - (d) Articulation of the Front Façade
 - (3) All roof shingles shall be an architectural or dimensional shingle, and have a 30-year rating. (3-Tab Roofing Shingles are prohibited).

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



- (E) Fencing Standards. All residential privacy fencing shall be six (6) foot wrought iron/tubular steel fencing for transparent fencing and six (6) foot Simtek (or a similar product) fencing for non-transparent fencing. Fencing located along the exterior of the condominium lot shall be a minimum of six (6) foot wrought iron/tubular steel fencing with masonry columns a maximum of 45-feet on center. The masonry columns shall only be required adjacent to John King Boulevard and SH-66.

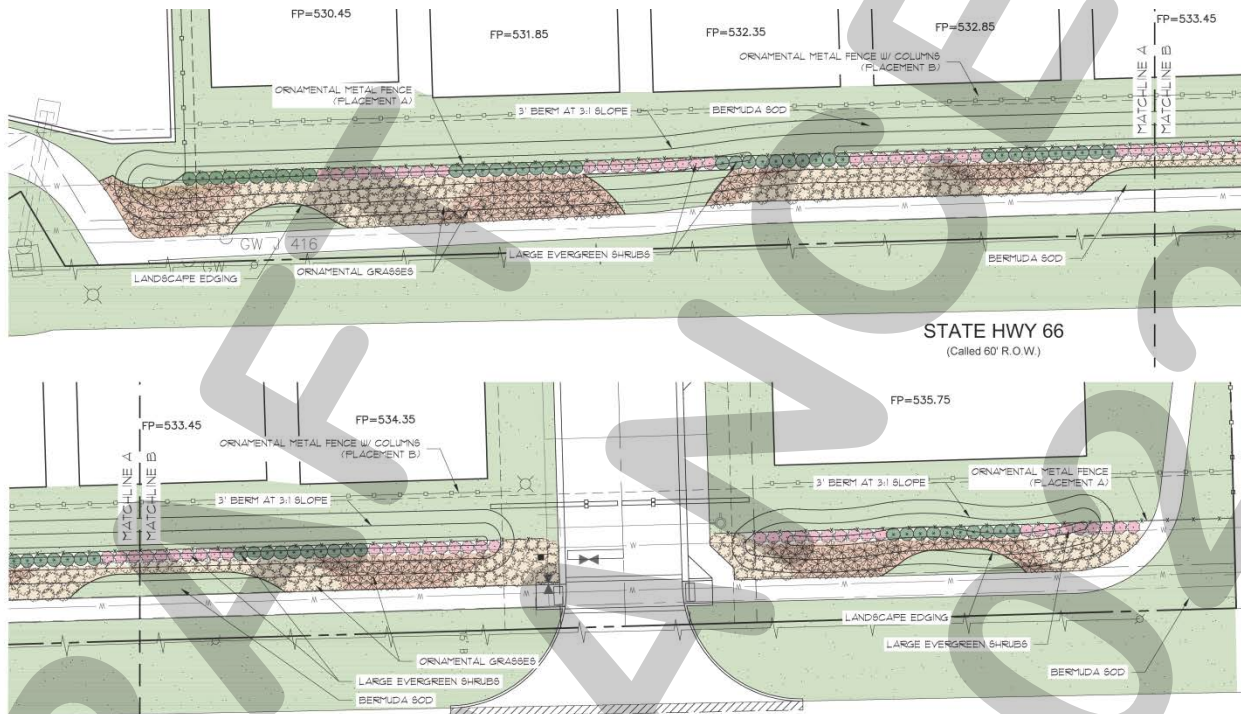
- (F) Landscape and Hardscape Standards.

- (1) Residential Landscape. All canopy trees planted within the condominium lot and not situated within a required landscape buffer shall be a minimum of three (3) inches in caliper and accent trees shall be a minimum of four (4) feet in height. All tree plantings shall conform to the City's tree planting guidelines and requirements stipulated in Appendix F, *Landscaping Guidelines and Requirements*, of the Unified Development Code.

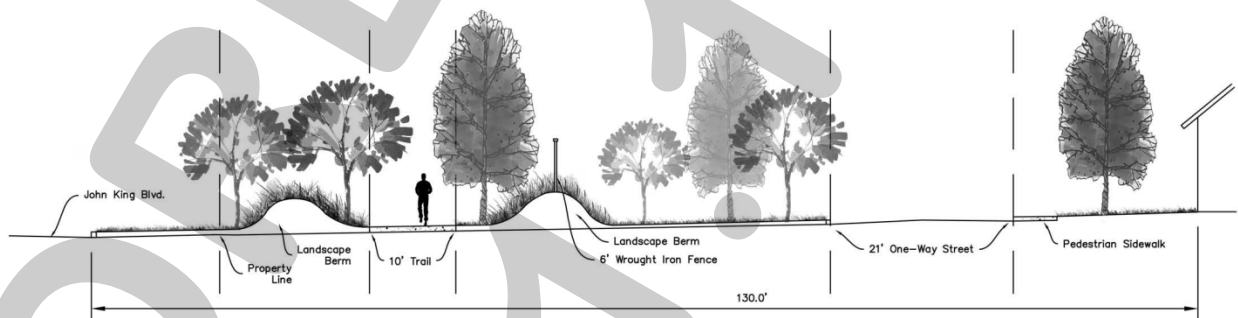
- (2) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA) and shall conform to the following:

- (a) Landscape Buffer (SH-66). A minimum of a 20-foot landscape buffer shall be provided along the frontage of SH-66 (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. The landscaping shall be generally as depicted below. The developer shall also be

responsible for the construction of a five (5) foot sidewalk situated within the 20-foot landscape buffer adjacent to SH-66.



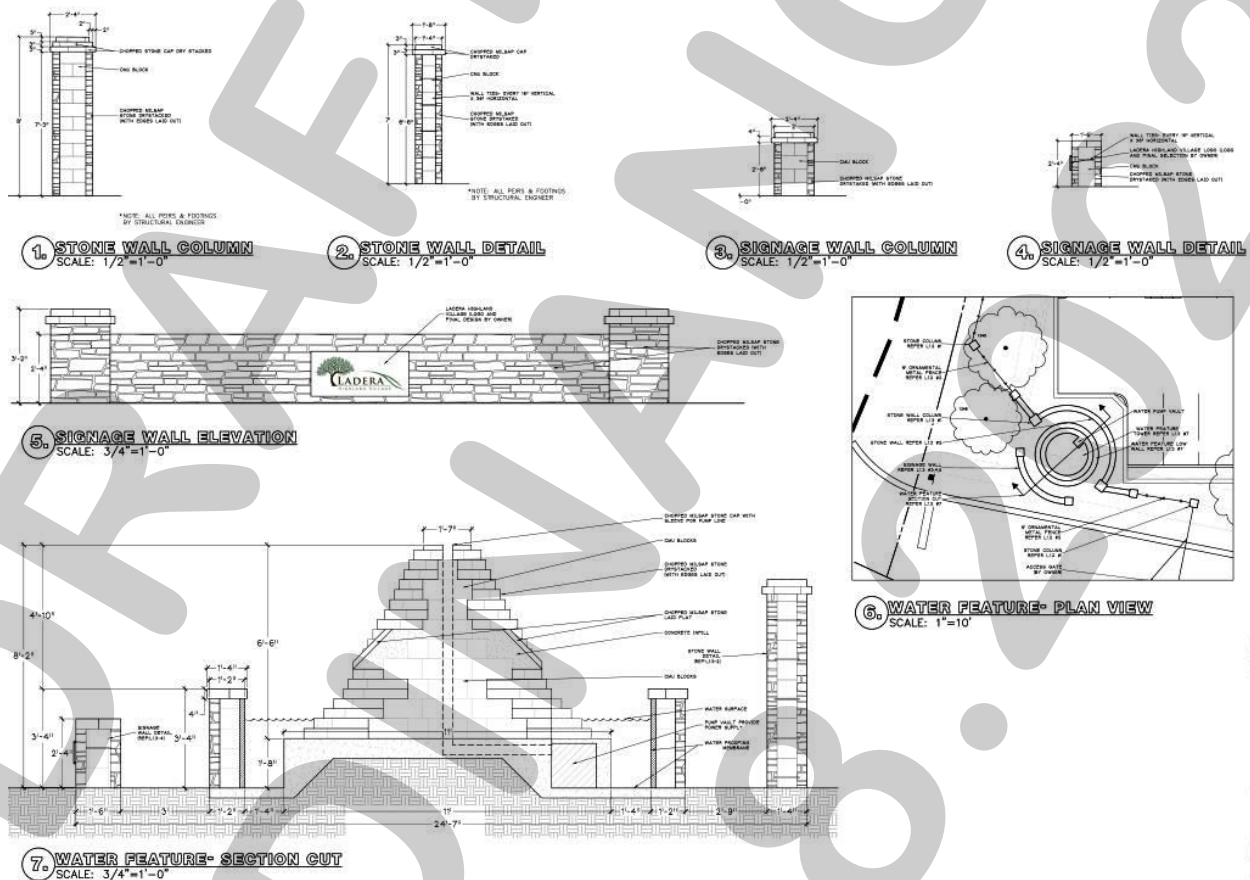
- (b) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard. The required wrought iron fence along John King Boulevard may be situated within 40-feet of the right-of-way line. In addition, the design of the buffer shall generally conform to the following cross section:



(3) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

(4) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

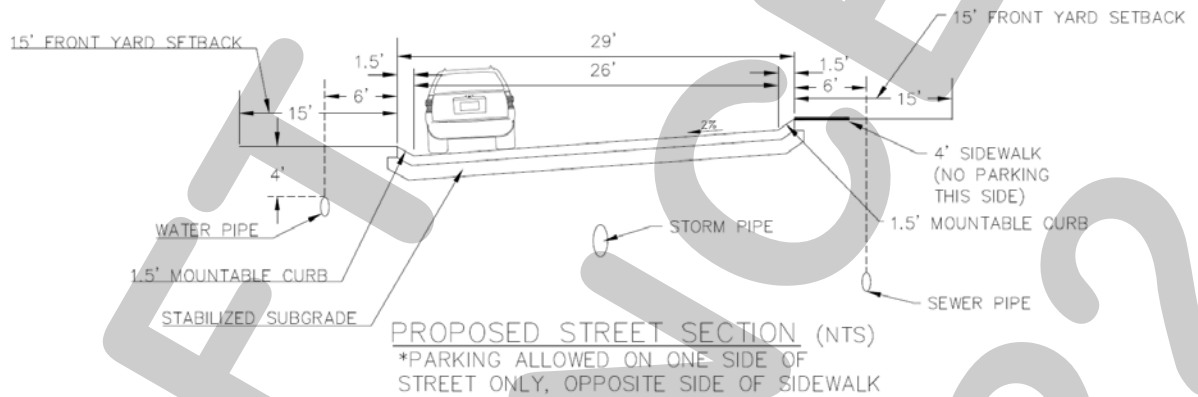
(G) Trail Enhancements. In accordance with the *John King Boulevard Design Concept Plan* the applicant shall be required to provide a trail enhancement element that generally conforms to the following design:



(H) Lighting. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to concentrate light within the development area.

Continued on next page ...

- (I) Private Streets. With the exception of the 21-foot, one-way street situated adjacent to John King Boulevard the street cross sections for this development should conform to the following cross section:



- (J) Open Space. The development shall consist of a minimum of 38.00% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. The Homeowner's Association (HOA) shall maintain all common open space areas. For the purposes of this Planned Development District open space shall include all front yards, rear yards, common areas, buffers and floodplain installed by the developer, but does not include any landscaping, trees, patios and other improvements installed by the homeowner. Floodplain shall be calculated at a rate of 50% (e.g. ½-acre for every acre provided).
- (K) Neighborhood Signage. Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
- (L) Condominium Owner's Association (COA). A Condominium Owner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Chapter 82, Uniform Condominium Act*, of the *Texas Property Code*. The COA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, and screening fences associated with this development, but it is not required to maintain additional landscaping or improvements added by the homeowner.
- (M) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

(N) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code [Ordinance No. 20-02] shall apply to any application for variances to this ordinance.

DRAFT
ORDINANCE
01.18.2022



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Kristy Cole, City Sect./Asst. to the City Manager

DATE: January 18, 2022

SUBJECT: MAIN STREET ADVISORY BOARD (RE)APPTS.

Attachments

Summary/Background Information

- Eva Cannon
- Jennifer Hoffman and
- Jeremy Standifer

The above-listed board members are all eligible for reappointment to an additional two-year term on the city's Main Street Advisory Board. In addition to these reappointments, one existing board member - Craig Stoddart - has recently resigned. So his seat will also need to be filled soon.

Action Needed