

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, June 21, 2021 - 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 a 212 Development Agreement and the possible annexation of land in the vicinity of FM-1141 and Clem Road pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding city regulatory boards and commissions (re)appointments, pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding a 212 Development Agreement on land in the vicinity of County Road 483 and SH-205 pursuant to Section §551.072 (Real Property) and 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. 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.

VII. Take any Action as a Result of Executive Session

VIII. 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 June 07, 2021 regular city council meeting, and take any action necessary.
2. Consider an **ordinance** granting a Franchise Agreement to Si Energy, L.P. to provide natural gas service in the City of Rockwall, and take any action necessary. **(2nd reading)**

3. **P2021-026** - Consider a request by Humberto Johnson of the Skorburg Co. on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a Preliminary Plat for the Winding Creek Subdivision consisting of 56 single-family residential lots on a 38.012-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

IX. Appointment Items

1. Appointment with Michael Mittman, Owner/Operator of DFWboatRide.com to hear update regarding the 'Harbor Lights' boat operations on Lake Ray Hubbard, and take any action necessary.
2. Appointment with Russell Phillips with Harbor Lake Pointe Investors, LLC for the purpose of requesting a waiver of the roadway impact fees associated with the Harbor Heights Condominium project, and take any action necessary.
3. Appointment with Paul Field to discuss and consider his request regarding development of a skate park within the City of Rockwall, and take any action necessary.

X. 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. **Z2021-014** - Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary **(1st Reading)**.
2. **Z2021-015** - Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary **(1st Reading)**.
3. **Z2021-016** - Hold a public hearing to discuss and consider a request by Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a detached garage that does not conform to the maximum square footage requirements on a 1.948-acre parcel of land identified as Lot 23 of the Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, and take any action necessary **(1st Reading)**.
4. **Z2021-017** - Hold a public hearing to discuss and consider a request by Tyler Wood of Intrepid Equity Investments, LLC on behalf of Robert B. Baldwin III of RBB/GCF Properties, LP for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the south side of Airport Road east of the intersection of Airport Road and John King Boulevard, and take any action necessary **(1st Reading)**.
5. **Z2021-018** - Hold a public hearing to discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard, and take any action necessary **(1st Reading)**.

6. **Z2021-019** - Hold a public hearing to discuss and consider the approval of an **ordinance** adopting the annual update to the OURHometown Vision 2040 Comprehensive Plan (i.e. 2019 & 2020 Comprehensive Plan Update), and take any action necessary (**1st Reading**).

XI. 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 authorizing the Interim City Manager to enter into a 212 Development Agreement with Allen and Lisa Stevenson and the Skorburg Company concerning the annexation and zoning of a 20.83-acre tract of land identified as Tract 22 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction, addressed as 427 Clem Road, and take any action necessary.

XII. 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 a 212 Development Agreement and the possible annexation of land in the vicinity of FM-1141 and Clem Road pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
2. Discussion regarding city regulatory boards and commissions (re)appointments, pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding a 212 Development Agreement on land in the vicinity of County Road 483 and SH-205 pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

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

XIV. 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 18th day of June, 2021 at 4:00 p.m. 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 CITY COUNCIL REGULAR MEETING

Monday, June 07, 2021 - 4:30 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Fowler called the meeting to order at 4:30 p.m. with the following Council and staff being present: Mayor Kevin Fowler, Mayor Pro Tem John Hohenshelt, and Council Members Clarence Jorif, Dana Macalik, Trace Johannesen, Bennie Daniels, and Anna Campbell. Also present were Interim City Manager, Mary Smith and Assistant City Manager, Joey Boyd. City Attorney, Frank Garza arrived to the meeting and joined Ex. Session at 5:31 p.m.

Mayor Fowler then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

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 appointment of Presiding Judge and Associate Judge of the Rockwall Municipal Court, including conducting associated interviews, pursuant to Section, §551.074 (Personnel Matters)
2. Discussion regarding city council subcommittees and board liaison designations, pursuant to Section, §551.074 (Personnel Matters)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 6:00 p.m.

IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Fowler reconvened the public meeting at 6:03 p.m. with all seven council members being present.

V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JOHANNESSEN

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

VI. PROCLAMATIONS

1. Certificate of Merit - Rockwall Police Officer Michael Manuel

Mayor Fowler and Chief Geron called forth Officer Manuel and his guest. They then presented him with this Certificate of Merit in recognition of the "anonymous tips sharing" program he created at Utley Middle School called, "Thought You Should Know, SRO."

2. "2020 Large Partner of the Year" - City Award from Rockwall Area Chamber of Commerce

Darby Burkey, Director of the Chamber of Commerce, came forth and provided the City and its leaders with various compliments, especially pertaining to how the city responded to and handled the COVID-19 pandemic that was so prevalent last year. She shared details of the process associated with how it came to be that the City of Rockwall was chosen as

the Chamber's "Large Partner of the Year" for 2020. She then congratulated the city and its leaders for receiving this honor.

VII. OPEN FORUM

Mayor Fowler explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed Open Forum.

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Hohenshelt moved to appoint Matt Scott as Presiding Municipal Court Judge. Councilmember Daniels seconded the motion, which passed by a vote of 6 in favor with 1 against (Campbell). Hohenshelt move to appoint Ryan Lee as Associate Municipal Court Judge. Councilmember Johannesen seconded the motion, which passed by a vote of 5 in favor with 2 against (Campbell and Jorif).

IX. CONSENT AGENDA

1. Consider approval of the minutes from the May 17, 2021 regular city council meeting, and take any action necessary.
2. **P2021-022** - Consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a *Final Plat* for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM549, and take any action necessary.
3. **P2021-023** - Consider a request by Cameron Slown, PE of Teague, Nall & Perkins on behalf of Rockwall Rental Properties, LP for the approval of a *Replat* for Lot 12 & 13, Block 1, Alliance Addition, Phase 2 being a 4.992-acre tract of land identified as Lots 8, 9, 10, & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, located at the southeast corner of Horizon Road [FM-3097] and Andrews Drive, and take any action necessary.
4. **P2021-024** - Consider a request by Scott H. Johnson for the approval of a *Replat* for Lot 1, Block A, Johnson Addition being an 0.24-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 505 E. Bourne Street, and take any action necessary.
5. **P2021-025** - Consider a request by Austin McDaniel of Landev Engineers on behalf of Josh Kirby for the approval of a *Replat* for Lot 2, Block 1, Our Savior Lutheran Church Addition being a 4.0152-acre parcel of land identified as Lot 1, Block 1, Our Savior Lutheran Church Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 13 (PD-13), addressed as 3003 Horizon Road [FM-3097], and take any action necessary.
6. **P2021-027** - Consider a request by Keaton Mai of the Dimension Group on behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval of a *Preliminary Plat* for Lots 1-14, Block A, Creekside Commons being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.
7. **P2021-028** - Consider a request by Akhil D. Vats for the approval of a *Replat* for Lot 9, Block A, Ellis Centre, Phase Two Addition being a 0.70-acre parcel of land identified as Lot 6, Block A, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located at the western corner of the intersection of Alpha Drive and Beta Drive, and take any action necessary.
8. **Z2021-008** - Consider a request by Lance Tyler on behalf of the owner Mike Worster for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing *Residential Infill Adjacent to an Established Subdivision*, an *Accessory Building*, and a *Guest Quarters/Secondary Living Unit* for the purpose of

constructing a single-family home, accessory building, detached garage, and guest quarters/secondary living unit on a 8.011-acre tract of land identified as Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 550 E. Quail Run Road, and take any action necessary **(2nd Reading)**.

9. **Z2021-009** - Consider a request by Michael Morgan on behalf of the owner Gary Scott Barron for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.16-acre parcel of land identified as Lot 9, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 704 Parks Avenue, and take any action necessary **(2nd Reading)**.
10. Consider approving an amendment to the professional engineering services contract with Birkhoff, Hendricks and Carter, LLP, to prepare the engineering design and construction plan for the FM-552 Utility Relocation Project in an additional amount not to exceed \$244,310.00, to be paid out of the Water and Sanitary Sewer Fund, and taken any action necessary.
11. Consider approval of the funding recommendation from the Hotel Occupancy Tax subcommittee for the 2021 Texas Canine Workshop in the amount of \$13,600 and authorize the Interim City Manager to execute a contract for the conference funding, and take any action necessary.
12. Consider an amendment to the operating budget for fiscal year 2021 in the amount of \$289,283.54 for electric ancillary services charges to Gexa Energy to be paid from General Fund Reserves, and take any action necessary.

Councilmember Macalik moved to approve the Consent Agenda, as presented. Councilmember Jorif seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-19
SPECIFIC USE PERMIT NO. S-246**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 5 (PD-5) [ORDINANCE NO. 19-38] 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 ADJACENT TO AN ESTABLISHED SUBDIVISION, A GUEST QUARTERS/SECONDARY LIVING UNIT, AND AN ACCESSORY STRUCTURE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME, ACCESSORY STRUCTURE, DETACHED GARAGE, AND GUEST QUARTERS/SECONDARY LIVING UNIT ON AN 8.011-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 19-2 OF THE S. S. MCCURRY SURVEY, ABSTRACT NO. 146, 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.

**CITY OF ROCKWALL
ORDINANCE NO. 21-20
SPECIFIC USE PERMIT NO. S-247**

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 0.16-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 9, BLOCK D, FOREE 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.

The motion passed by a vote of 7 ayes to 0 nays.

X. ACTION ITEMS

1. **Z2021-011** - Discuss and consider a request by Kristi Bryant for the approval of an ordinance for a *Specific Use Permit (SUP)* for an *Accessory Building* to allow an existing greenhouse on a 0.496-acre tract of land identified as Lot 5 & 6, Block A, Highridge Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 710 & 804 S. Alamo Road, and take any action necessary (**2nd Reading**).

Mr. Miller shared that this was placed as an "Action Item" because it did not receive a unanimous vote of approval at the last council meeting (4 ayes to 3 nays last time, upon 1st reading). Mayor Fowler pointed out that this property is located on a 'double lot,' so the scale is a little bit improved in this regard. Following brief comments, Councilmember Macalik moved to approve Z2021-011 and the associated ordinance. Mayor Fowler seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-21
SPECIFIC USE PERMIT NO. S-248**

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 AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.496-ACRE TRACT OF LAND, IDENTIFIED AS LOTS 5 & 6, BLOCK A, HIGHRIDGE ESTATES 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 failed by a vote of 3 ayes with 4 nays (Jorif, Hohenshelt, Daniels, Campbell voted against).

2. **Z2021-013** - Discuss and consider approval of an ordinance for a *Text Amendment* to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of clarifying the requirements for temporary structures on leased property within the takeline area (**2nd Reading**).

Mayor Pro Tem Fowler recused himself from this agenda item, so Mayor Pro Tem Hohenshelt facilitated this item. Councilmember Johannesen moved to approve Z2021-013. Councilmember Jorif seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-22**

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 06.15, LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, 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.

The motion passed by a vote of 6 in favor with 1 recusal (Fowler).

3. Discuss and consider a resolution approving a Multiple Use Agreement with the Texas Department of Transportation (TXDOT) for the City flagpole project on State right-of-way located between the Interstate 30 service road and Laguna Drive, including project update and associated budget, and take any action necessary.

Councilmember Bennie Daniels began discussion of this item, providing a history of this topic up until this point in time. He then called upon Assistant City Manager, Joey Boyd, to provide additional details concerning this project. Councilmember Johannesen went into a bit of detail concerning how incredibly tall and large this flagpole and flag will be, explaining that it will be an incredible display of patriotism for Rockwall and this community. Daniels went on to explain that benches and landscaping will eventually be installed, and this will be a place where folks will be able to gather for “Flag Day” and other important, patriotic type holidays to hold brief ceremonies / events.

Jim Pruitt
110 S. Goliad
Rockwall, TX

Mr. Pruitt (recent, former Mayor) came forth and provided brief comments concerning this topic, in part, thanking Councilmember Daniels for all of his persistency and hard work on this flag-related project. He believes this will be a large benefit to the City of Rockwall.

Councilmember Daniels made a motion to approve the resolution and the Multiple Use Agreement with TXDOT, including approval of the associated budget. Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider the "Discovery" Sculpture Project, including authorizing the project budget in the amount of \$324,800, and take any action necessary.

Mayor Fowler explained that this is a project that has been ongoing for a long number of years. Lorne Leichty recently contacted Fowler, explaining that he is willing to champion this project and move it forward in order to finally get it completed. This life size rendering of “Discovery,” which commemorates in a cast bronze statue / piece of artwork the

founding of “Rockwall” by early settlers who discovered the wall for which the city and county are named, would be placed on the downtown square on the corner of the courthouse property (diagonally across from where Zanata restaurant is currently located). He went on to explain that the city’s fund balance is healthy, and – in light of pricing that continues to increase more and more as time passes – the City would like to get this project funded and moving along in time for an unveiling by “Founders Day” of next year (2022).

Councilmember Macalik moved to approve the “Discovery” sculpture project, including authorizing the funding in the amount of \$324,800. Mayor Fowler seconded the motion, which passed by a vote of 7 ayes to 0 nays.

5. Discuss and consider an ordinance granting a Franchise Agreement to Si Energy, L.P. to provide natural gas service in the City of Rockwall, and take any action necessary.

Two gentleman from Si Energy – Daniel Pope, Vice President of Business Development and David Oliva, Director of N. TX Business Development - came forth and provided a brief presentation to Council concerning this agenda item. The stated business address was as follows: 13215 Bee Cave Pkwy, Suite B250 Bee Cave, TX 78738. Mr. Pope then proceeded to provide Council with details concerning the company, new infrastructure the company will put in, how the business is run, etc. They have just over 33k active customers and an additional 164k+ residential lots under contract for service. They provide services from NW Fort Worth to SW Houston.

Mayor Fowler shared that Atmos is the only competitor to this energy company. Indication was given that a 5% franchise fee will be collected by the City, as reflected in the proposed Franchise Agreement.

Following brief comments, Councilmember Johannesen moved to approve the ordinance and authorize execution of the franchise agreement. Councilmember Jorif seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-__**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, GRANTING TO SIENERGY, L.P. A NON-EXCLUSIVE FRANCHISE FOR A PERIOD OF TEN (10) YEARS TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND TO TRANSPORT, DELIVER, SELL, AND DISTRIBUTE GAS IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

XI. 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 - April 2021
2. Fire Department Monthly Report - April 2021
3. Parks & Rec. Monthly Report - April 2021
4. Police Department Monthly Report - April 2021

5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

Mayor Fowler thanked the city's Parks and Rec Department and staff for all their hard work on a successful Founders Day Festival.

XII. 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 appointment of Presiding Judge and Associate Judge of the Rockwall Municipal Court, including conducting associated interviews, pursuant to Section, §551.074 (Personnel Matters)
2. Discussion regarding city council subcommittees and board liaison designations, pursuant to Section, §551.074 (Personnel Matters)

XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene in Ex. Session following the close of the public meeting agenda. See action taken at the start of the 6:00 p.m. portion of the meeting for action taken at that time.

XIV. ADJOURNMENT

Mayor Fowler adjourned the meeting at 6:51 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS 21st
DAY OF JUNE, 2021.**

KEVIN FOWLER, MAYOR

ATTEST:

KRISTY COLE, CITY SECRETARY

CITY OF ROCKWALL

ORDINANCE NO. 21-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, GRANTING TO SIENERGY, L.P. A NON-EXCLUSIVE FRANCHISE FOR A PERIOD OF TEN (10) YEARS TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND TO TRANSPORT, DELIVER, SELL, AND DISTRIBUTE GAS IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, currently there are property owners and residents within the geographical boundaries of the City of Rockwall and a potential for future economic and population growth, which require or will require a supply of natural gas for their respective needs; and

WHEREAS, the introduction of the availability of a natural gas supply will be an incentive for the City to attract new development, as well as to provide additional gas service to existing property owners and residents; and

WHEREAS, the City, for the considerations provided by this Ordinance, and subject to the terms and conditions therein, has determined and finds that it is in the public interest of the City and its current property owners and residents to award a non-exclusive franchise to SiEnergy, L.P., (“SiEnergy” or “Company”), for the transmission, distribution and sale of natural gas as provided in this Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THAT:

SECTION I. Grant of Franchise, Term, and Use

(A) City hereby grants to Company and its successors and assigns, subject to Section XIV herein, the non-exclusive right, privilege and franchise, and City’s consent, to use and occupy the present and future Public Right-of-Way of the City for the purpose of constructing, operating, maintaining, removing and replacing therein and thereon the System needed and necessary to transport, deliver, sell and distribute gas in, out of, and through the City, and to sell gas to persons, firms, and corporations, including all the general public, within the City’s corporate limits.

(B) The term of this Ordinance begins on the Effective Date (as defined herein) and ends on December 31, 2031; provided that, unless written notice is given by either party hereto to the other not less than six (6) months before the expiration of this Ordinance, it shall be automatically renewed for up to two (2) additional terms of five (5) years each on the same terms and conditions as set forth herein.

(C) The terms and conditions set forth in this Ordinance represent the terms and conditions under which the Company shall construct, operate, maintain, remove and replace the System within the City.

(D) By entering into this Ordinance, the City does not in any manner surrender or waive its regulatory or other authority or rights pursuant to the Constitution and statutes of the State of Texas as the same may be amended, nor any of its rights and powers pursuant to present or future ordinances of the City. Likewise, Company's acceptance of the terms of this Ordinance shall in no way affect or impair Company's rights, obligations or remedies under any federal, state or local law or regulation, nor shall such acceptance be deemed a waiver, release or relinquishment of Company's rights to contest, appeal or file suit with respect to any action or inaction of the City, including adoption of ordinances by the City, that Company believes is contrary to this Ordinance or any federal, state or local law or regulation.

SECTION II. Definitions

(A) "City" shall mean the City of Rockwall, Texas

(B) "Company" shall mean SiEnergy, L.P. and its successors and assigns, but does not include a SiEnergy affiliate, which shall have no rights hereunder except by succession or assignment in accordance with Section XIV herein.

(C) "City Engineer" shall mean the City Engineer of the City or such other officer of the City designated to approve engineering plans and designs for construction within Public Right-of-Way.

(D) "City Manager" shall mean the City Manager of the City or his or her designee.

(E) "Customer" shall mean any individual person, corporation, company, partnership, firm, unincorporated association, trust, municipality, or public or private entity located within the municipal corporate limits of the City and serviced by the Company through any use of the Public Right-of-Way.

(F) "Gross Revenues" shall mean the operating revenue for the sale of gas after the Effective Date to the Company's customers within the corporate boundaries of the City pursuant to the accounting principles established by the Federal Energy Regulatory Commission, including specifically Accounts 480, 481 and 482, as amended, except as modified herein, including:

- (1) all revenues derived, directly or indirectly, from the sale of gas to all classes of customers in the City (excluding gas sold to another gas utility in the City for resale to its customers within the City);
- (2) all revenues derived from the transportation of gas through the System of Company within the City to customers located within the City (excluding gas transported to another gas utility in the City for resale to its customers within the City);
- (3) the purchase price or, if the purchase price is not disclosed to the Company by the Transport Customer, the value of gas transported by Company for Transport Customers through the System of Company within the City ("Third Party Sales") (excluding the value of any gas transported to another gas utility in the City for resale to its customers within the City). Company shall request that each Transport Customer of the Company disclose to the Company the purchase price of said gas. Should the Transport Customer fail or refuse to disclose such purchase price to Company, the value of such

gas shall be established by utilizing 110% of the Houston Ship Channel index of prices for large package of gas as published each month in "Inside FERC's Gas Market Report" under "Delivered Spot-Gas Prices" (or a successor publication or another publication agreed upon by City and Company) as reasonably near the time as the transportation service is performed;

- (4) franchise fees paid pursuant to Section X of this Ordinance, revenues from non-utility and non-regulated services or products, revenues billed but not ultimately collected or received by Company, and the following "miscellaneous charges:"
 - (a) charges to connect, disconnect, or reconnect gas,
 - (b) charges to handle returned checks from consumers within the City, and
 - (c) State gross receipts fees.

"Gross Revenues" shall not include:

- (i) the revenue of any Affiliate or subsidiary of Company;
- (ii) other than fees specifically included within the definition of Gross Revenues and franchise fees payable pursuant to Section X below, any taxes or fees required to be remitted to a third party including the City;
- (iii) interest or investment income earned by Company;
- (iv) monies received from the lease or sale of real or personal property;
- (v) amounts billed or collected from Company's customers for refundable fees and deposits;
- (vi) State or federal grants, credits or reimbursements;
- (vii) sales of gas for resale or to wholesale customers;
- (viii) reimbursements for damage to, or relocation of, any part of the System;
- (ix) amounts billed or collected by the Company from its customers for charitable contributions such as Operation Roundup;
- (x) revenues billed but not ultimately collected or received by the Company; and
- (xi) payments received for contributions in aid of construction performed within the City, including but not limited to, builder contributions, under contracts entered into after the Effective Date.

(G) "Person" shall mean any natural person, or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for-profit, but shall not, unless the context explicitly requires otherwise, include the City or any employee, agent, servant, representative, or official of the City.

(H) "Public Right-of-Way" shall mean public streets, alleys, highways, bridges, public easements, public places, thoroughfares and sidewalks of the City, as they now exist or may be hereafter constructed or extended within the corporate limits of the City.

(I) "System" or "System Facilities" shall mean Company's system of mains, pipelines, conduits, valves, feeders, regulator stations, laterals, service lines, measuring devices, and all other necessary plants, attachments, land, structures, facilities and appurtenances for the purpose of selling, storing, supplying, conveying, transmitting, distributing, and/or transporting natural gas and any gas, including the equivalent substitutes, for all other lawful purposes in, through, upon, under, and along the present and future streets, avenues, alleys, bridges, sidewalks, parks, easements, highways, and any other public place within the municipal corporate limits of the City.

(J) "Transport Customer" shall mean any Person for which Company delivers gas through the System of Company within the City for delivery or consumption within the City.

(I) "Affiliate" shall mean any individual, partnership, association, joint stock company, limited liability company, trust, corporation, or other Person or entity who owns or controls, or is owned or controlled by, or is under common ownership or control with, the entity in question.

SECTION III. Construction, Maintenance, Operation & Relocation of Company System Facilities

(A) Company's System shall be constructed and maintained so as not to unreasonably interfere with any existing water and wastewater lines, electric facilities, storm sewer lines, open drainage areas, cable, fiber optic cable, roadways, sidewalks, alleys, traffic control devices, public signs, or any other publicly owned or publicly franchised facility. Company shall promptly clean-up, repair, and restore all thoroughfares and other surfaces which it may disturb.

(B) Permits

(1) Company's facilities shall not unreasonably interfere with City-owned public works facilities and with vehicular and pedestrian use of Public Right-of-Way.

(2) Company shall not be required to submit a permit application for the placement of facilities outside of the Public Right-of-Way, however, Company shall provide detailed drawings to City Engineer, in accordance with Company's customary practice, reflecting Company's installations on private property to the extent necessary for City Engineer to verify compliance with City ordinances related to zoning, development, building regulations, and setbacks, and for easement verification.

(3) Company shall submit a permit application to City Engineer for the placement of new facilities, for upgrade or augmentation of existing

facilities, or for replacement of existing facilities in the Public Right-of-Way. Such permit application shall include:

- (a) complete plans and detailed drawings reflecting compliance with all applicable zoning, development, and building requirements of the City; and
 - (b) all additional information requested by City Engineer reasonably related to the permit request.
- (4) Except as otherwise provided in this Section III(B), following the submission of a permit application described herein, notice of City Engineer's approval or denial of Company's request for a permit shall be provided in accordance with City's usual procedures for processing of permit applications.
- (5) City Engineer shall endeavor to complete its review of Company's application within thirty (30) days after City's receipt of the permit application. Prior to the expiration of the said thirty (30) day period, City Engineer shall request any additional information that is necessary to complete its review of Company's application. City Engineer shall issue a decision regarding Company's permit application within fifteen (15) days after receipt of the additional information. If the additional information is not sufficient to complete the review of Company's application, the City Engineer may request additional information. City Engineer shall issue a decision regarding the application within fifteen (15) days after receipt of all additionally requested information.
- (6) If City Engineer has not approved or denied Company's request for a permit within:
- (a) Thirty (30) days after receipt by City of the permit application (if no additional information was requested by City), or
 - (b) The timeline established in Section III(B)(5) after receipt by City of all additional information requested by City reasonably related to the permit request,

then upon written request by Company, the City Engineer shall, within fifteen (15) days after such written request, approve (and issue) the permit or deny the permit application in question.

- (7) Company may proceed with the placement of the facilities described in its permit application if written notice of City Engineer's approval or denial of Company's request for a permit is not provided within the timeline pursuant to Section III(B)(6) above. Company may not proceed with the placement of the facilities described in its permit application if Company has failed to provide the additional information pursuant to Section III(B)(5).
- (8) A permit application approved by the City shall be valid for a period of time consistent with the amount of time reasonably required and submitted in the permit application for the Company to perform the work described in

the permit application. City shall grant an extension of such time as reasonably required to complete such work upon City's receipt of Company's request in writing for such an extension, but in no case shall the extended period exceed six (6) months from the date of such written request.

(C) Company shall install, maintain, construct, operate, remove and replace its facilities in accordance with applicable City ordinances and to not unreasonably interfere with traffic. In determining the location of new facilities of the City and other users of Public Right-of-Way within City, City shall minimize interference with then-existing System Facilities of Company and agrees to work with Company and other users of Public Right-of-Way to minimize, to the extent reasonably possible, interference with existing System Facilities of Company by other users of the Public Right-of-Way. In determining the location of the Company's new facilities in the City, the Company shall minimize interference with then-existing or documented planned underground structures of the City or with existing facilities of other users of the Public Right-of-Way. In the event of a conflict between the location of the proposed System Facilities of Company and the location of the existing facilities of City or other users of Public Right-of-Way within Public Right-of-Way which the parties involved have been unable to resolve through their good faith efforts, City or an authorized agent of City shall resolve the conflict and determine the location of the respective facilities within the Public Right-of-Way, subject however to the terms and conditions of this Ordinance and giving effect to generally accepted industry operational and safety practices.

(D) Company's property and operations within the Public Right-of-Way of the City shall be subject to such reasonable rules and regulations of the City as may be authorized by applicable law from time to time for the protection of the general public. The City shall endeavor to provide Company with reasonable notice and opportunity to review and comment upon any new or revised City laws, rules, or regulations that impact Company's use of the Public Right-of-Way, but the failure to do so shall not affect the applicability of such laws, rules, or regulations to Company.

(E) The City's annual and long-range capital improvements plans, as well as any updates or changes thereto, will be made available to Company upon request. City shall notify Company as soon as reasonably possible of any projects that will affect Company's System Facilities located in the Public Right-of-Way.

(F) Any and all excavations and obstructions in and upon the Public Right-of-Way caused by the Company's operations under this Ordinance shall be repaired and removed as quickly as is reasonably possible under the circumstances. All excavations shall be repaired in a good and workmanlike manner and restored to the approximate condition that existed prior to the excavation. Replacement of sod is to be of like kind, and smoothed, shaped, rolled, and compacted for proper landscape maintenance. The public shall be protected by barriers and lights placed, erected, marked, and maintained by the Company in accordance with the standards set forth in the current Texas Manual on Uniform Traffic Control Devices, as well as any other applicable local, state, and federal requirements. Company warrants that any such restoration work performed in the Public Right-of-Way shall be in satisfactory condition for a period not to exceed two (2) years, to the extent that such restoration work has not been disturbed by other users of the Public Right-of-Way or by acts of God. In the event that the Company fails to repair or restore an excavation site within fourteen (14) days after receipt of written notice from the City of a deficiency, the City may, at its option, perform the needed repair or restoration and the Company shall promptly reimburse the City for the reasonable cost of such repair or restoration. Except for repairs, day-to-day maintenance, or in cases of emergency conditions, work conducted

within the Public Right-of-Way shall require an approved permit issued by the City Engineer prior to commencement of work. In no instance shall Company be required to pay fees or bonds related to its use of the Public Right-of-Way.

(G) The City reserves the right to lay, and permit to be laid, any City-owned facilities, such as storm water, sewer, gas, water, wastewater and other pipe lines, cable, and conduits, or other improvements, and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under Public Right-of-Way occupied by Company. The City also reserves the right to change in any manner any City-owned curb, sidewalk, highway, alley, public way, street, and City-owned utility lines, storm sewers, drainage basins, drainage ditches, and other City facilities.

(H) If City, in constructing, reconstructing, improving, widening, or straightening its Public Right-of-Way, roadways, alleys, sewers, drainage, water lines, or other utilities, including modifications to sidewalks or other Public Right-of-Way required by the Americans with Disabilities Act, should request that Company remove or relocate its mains, laterals, and other System Facilities lying within Public Right-of-Way, Company shall do so at its own expense for System Facilities that are in conflict, unless such work is for the primary purpose of beautification or to accommodate a private developer. Company and City shall jointly determine whether System Facilities are in conflict and the extent that the proposed City facilities are determined by City and Company to be inconsistent with gas distribution industry standard safe operating practices for existing facilities. All such relocations shall be performed in accordance with applicable City ordinances. Company shall not be required to relocate System Facilities to a depth of greater than four (4) feet unless prior agreement is obtained from Company or required by all applicable state and federal rules and regulations establishing minimum safety standards. Depth shall be measured from the lower of existing grade or proposed future grade as set forth on plans or other specifications existing at the time such lines are installed or replaced.

(I) When Company is required by City to remove or relocate its mains, laterals, and other facilities lying within Public Right-of-Way to accommodate a request by City, and costs of utility removals or relocations are eligible under federal, state, county, local, or other programs for reimbursement of costs and expenses incurred by Company as a result of such removal or relocation, and such reimbursement is required to be handled through City, Company costs and expenses shall be included by City in any application by City for reimbursement if Company submits its cost and expense documentation to City prior to the filing of the application. City shall make all reasonable efforts to provide reasonable written notice to Company of the deadline for Company to submit documentation of the costs and expenses of such relocation to City for City to be able to submit its application for reimbursement to such program in a timely manner. Upon receipt of an amount of reimbursement intended for utility relocation including, but not limited to, gas utilities, City shall remit to Company, within sixty (60) days of receipt, the portion of reimbursement related to the relocation or removal of Company's facilities. If Company is required by City to remove or relocate its mains, laterals, or other System Facilities lying within Public Right-of-Way to accommodate a private developer or for projects whose primary purpose is beautification or for any reason other than the construction, reconstruction, improving, widening, or straightening of its Public Right-of-Way, roadways, alleys, sewers, drainage, water lines, or other utilities by City, Company shall be entitled to reimbursement from City or others of the cost and expense of such removal or relocation.

(J) When Company is required to remove or relocate its mains, laterals or other System Facilities to accommodate construction by City without reimbursement from City, Company shall have the right to seek recovery of relocation costs as provided for in applicable

state and/or federal law. Nothing herein shall be construed to prohibit, alter, or modify in any way the right of Company to seek or recover a surcharge from customers for the cost of relocation pursuant to applicable state and/or federal law. City shall not oppose recovery of relocation costs when Company is required by City to perform relocation. City shall not require that Company document request for reimbursement as a pre-condition to recovery from customers of such relocation costs pursuant to applicable state and/or federal law. Notwithstanding the foregoing, the City shall have the right to request other project documentation to the full extent provided by state law.

(K) If City abandons any portion of the Public Right-of-Way in which Company has System Facilities, for public safety reasons or in furtherance of a public project, City shall determine whether it is appropriate to retain a public utility easement in such Public Right-of-Way for use by Company. If City determines, in its sole discretion, that the continued use of the Public Right-of-Way by Company is compatible with the abandonment of the Public Right-of-Way, then in consideration of the compensation set forth in Section XX, and to the maximum extent of its right to do so, City shall grant Company an easement for such use, and the abandonment of the Public Right-of-Way shall be subject to the right and continued use of Company. If City determines, in its sole reasonable discretion, that it is not appropriate to retain a public utility easement in such Public Right-of-Way, Company shall be responsible, subject to the provisions of Section III, for relocating its System from such Public Right-of-Way, as directed by City. If Public Right-of-Way is sold, conveyed, abandoned, or surrendered by City to a third party, such action shall be conditioned upon Company's right to maintain use of the former Public Right-of-Way. If the third-party requests Company to relocate its System from the former Public Right-of-Way, and if such relocation is agreed to by Company, such relocation shall be at the expense of the party requesting same. In addition, in the event of a third party requesting the relocation, if the relocation cannot practically be made to another Public Right-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

(L) Upon request by City made no more often than once in any 12-month period, Company shall provide maps showing the location of its primary System Facilities. In addition, Company shall cooperate in locating its System Facilities when necessary to avoid conflict and protect the health and safety of the public.

(M) In permitting such work to be done, the Company shall be liable to the City and/or other utility owners for any damage to such pipelines and facilities caused by Company or its agents or contractors.

SECTION IV. Laying of Lines in Advance of Paving

(A) Whenever City shall conclude to pave any Public Right-of-Way in which Company's System Facilities already exist or in which Company may propose to install its System Facilities, Company will be provided the opportunity, at no expense to City, in advance of such paving to modify such System Facilities, if defective or inadequate in size, and to lay new System Facilities, or modify same, if inadequate in size or defective, next to the property lines where buildings are already located.

(B) At least ninety (90) calendar days prior to the planned paving or repaving of Public Right-of-Way, City Engineer shall give Company written notice of the intention of City to pave any such Public Right-of-Way. Upon receipt of such notice, Company shall initiate its review process to determine the need to modify its System Facilities, and the need to lay or modify service lines

underneath the portions of the Public Right-of-Way to be paved. If Company determines such a need, Company shall promptly initiate such work and shall thereafter proceed in a good faith and workmanlike manner to completion of the necessary work within ninety (90) calendar days after receipt of the notice from the City Engineer. Company's failure to complete the necessary work within the ninety (90) day period may be excused at the City Manager's discretion, if Company has promptly notified the City of the circumstances that have caused the delay and has requested an extension of the construction period. City shall grant the extension unless withheld for good cause.

SECTION V. Indemnification and Liability Insurance

(A) COMPANY SHALL DEFEND, INDEMNIFY AND SAVE WHOLE AND HARMLESS THE CITY AND ALL OF ITS OFFICERS, AND EMPLOYEES AGAINST ANY AND ALL CLAIMS, LAWSUITS, JUDGMENTS, COSTS AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH) , PROPERTY DAMAGE OR OTHER HARM FOR WHICH RECOVERY OF DAMAGES IS SOUGHT SUFFERED BY ANY PERSON OR PERSONS THAT MAY BE OCCASIONED BY, OR ARISE OUT OF COMPANY'S BREACH OF ANY OF THE TERMS OR PROVISIONS OF THIS AGREEMENT, OR BY ANY NEGLIGENT OR STRICTLY LIABLE ACT, OR OMISSION BY COMPANY, ITS OFFICERS, AGENTS, EMPLOYEES, SUBCONTRACTORS, AFFILIATES AND SUBSIDIARIES, IN THE CONSTRUCTION, MAINTENANCE, OPERATION, OR REPAIR OF THE GAS DISTRIBUTION SYSTEM, OR BY THE CONDUCT OF COMPANY'S BUSINESS IN THE CITY PURSUANT TO THIS ORDINANCE/FRANCHISE AGREEMENT; OR LITIGATION EXPENSES INCLUDING DISCOVERY COSTS AND EXPENSES INCLUDING ATTORNEYS' FEES AND EXPENSES INVOLVING THE FRANCHISE AGREEMENT OR THE COMPANY REGARDLESS OF THE IDENTITY OF PARTIES EXCEPT THAT THE INDEMNITY PROVIDED FOR IN THIS SECTION SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE SOLE NEGLIGENCE OR FAULT OF THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES OR SEPARATE CONTRACTORS, AND IN THE EVENT OF JOINT AND CONCURRENT NEGLIGENCE OR FAULT OF BOTH THE COMPANY AND THE CITY, RESPONSIBILITY AND INDEMNITY, IF ANY, SHALL BE APPORTIONED COMPARATIVELY IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY OF THE DEFENSES OF THE PARTIES UNDER TEXAS LAW. IT IS UNDERSTOOD THAT IT IS NOT THE INTENTION OF THE PARTIES HERETO TO CREATE LIABILITY FOR THE BENEFIT OF THIRD PARTIES, BUT THAT THIS SECTION SHALL BE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND SHALL NOT CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY PERSON OR ENTITY.

(B) Company shall, at its sole cost and expense, obtain, maintain, or cause to be maintained, and provide, throughout the term of this Ordinance, insurance in the amounts, types and coverages in accordance with the following requirements. Such insurance may be in the form of self-insurance to the extent permitted by applicable law or by obtaining insurance, as follows:

(I) Commercial general or excess liability on an occurrence or claims made form with minimum limits of five million dollars (\$5,000,000) per occurrence and ten million dollars (\$10,000,000) aggregate. This coverage shall include the following:

- (1) Products/completed operations to be maintained for a warranty period of 2 years,
- (2) Personal and advertising injury,
- (3) Contractual liability, and
- (4) Explosion, collapse, or underground (XCU) hazards.

(II) Automobile liability coverage with a minimum policy limit of one million dollars (\$1,000,000) combined single limit each accident. This coverage shall include all owned, hired, and non-owned automobiles.

(III) Workers' compensation and employer's liability coverage. Statutory workers' compensation benefits in accordance with the statutes and regulations of the State of Texas. Company must provide the City with a waiver of subrogation for workers' compensation claims.

(IV) Upon request, the Company will provide proof of insurance in accordance with this Ordinance within thirty (30) days after such request. Company will not be required to furnish separate proof when applying for permits.

SECTION VI. Installation of Meter

If a meter is to be installed in or near the Public Right-of-Way, Company agrees to discuss with the City's representative the aesthetics of the meter placement and to accommodate the request of City to the maximum extent possible. If City requests a meter upgrade, Company will comply so long as City reimburses Company for the reasonable costs incurred by Company in changing meters. In no event, however, shall underground meters be required.

SECTION VII. Rates

Company shall furnish reasonably adequate service to the public at reasonable rates and charges therefor, and Company shall maintain its System in good order and condition. Such rates shall be established in accordance with all applicable statutes and ordinances. Company shall maintain on file with the City copies of its current tariffs, schedules, or rates, and charges and service rules and regulations applicable to the City. The rates and charges collected from its customers in the City shall be subject to revision and change by either the City or Company in the manner provided by law.

SECTION VIII. Extensions of Mains

Company shall not be required to extend mains on any Public Right-of-Way more than one hundred (100) feet for any one consumer of gas; provided, however, Company is not required

to extend its mains or facilities if the customer will not use gas for space heating and water heating, or the equivalent load, at a minimum.

SECTION IX. Non-Exclusive Use

The rights and privileges granted to Company by this Ordinance are not to be considered exclusive and City hereby expressly reserves the right to grant, at any time, like privileges and rights as it may see fit to any other person or corporation for the purpose of furnishing gas for, but not limited to, light, heat, and power to and for City and the inhabitants thereof.

SECTION X. Franchise Fee and Payment

(A) In consideration of the privilege granted by the City to Company to use and occupy the Public Right-of-Way in the City for the purposes stated herein, Company and its successors and assigns agree to deliver and pay to City, and City agrees to accept, a franchise fee in an amount equivalent to five percent (5%) of the Company's Gross Revenues as defined in Section II(D). The initial payment shall be paid to the City by Company on or before the Due Date for the Quarter, as set forth below, in which the Effective Date occurs, and shall include Gross Revenues received by Company from the Effective Date of this Ordinance. Thereafter the Company shall pay the franchise fee quarterly as follows:

<u>Due Date</u>	<u>Quarter</u>
May 15	First (January 1 - March 31)
August 15	Second (April 1 - June 30)
November 15	Third (July 1 - September 30)
February 15	Fourth (October 1 - December 31)

(B) Each payment due during the term of this Ordinance will be made on or before the close of business on the payment due date. If any payment due date required by this Ordinance falls on a weekend or declared bank holiday, payment shall be made by the close of business on the next working day.

(C) It is expressly agreed that the franchise fee payments shall be in lieu of any and all other and additional occupation taxes, easement, franchise taxes or charges (whether levied as a special or other character of tax or charge), municipal license, permit, and inspection fees, bonds, street taxes, and street or alley rentals or charges, and all other and additional municipal taxes, charges, levies, fees, and rentals of whatsoever kind and character, including, without limitation, any charges under Chapter 182 of the Texas Tax Code (collectively, the "Other Charges") that City may now impose or hereafter levy and collect from Company or Company's agents, excepting only the usual general or special ad valorem taxes that City is authorized to levy and impose upon real and personal property and Company's separate obligation to reimburse the City for street repairs in accordance with this Ordinance. Should City not have the legal power to agree that the payment of the franchise fees shall be in lieu of the Other Charges, then City agrees that it will apply so much of said franchise fee payments as may be necessary to satisfy Company's obligations, if any, to pay such Other Charges.

(D) If Company fails to pay when due any payment provided for in this Section X, Company shall pay such amount plus interest consistent with the rate for customer deposits under Texas Utilities Code Section 183.003 from such due date until payment is received by City.

(E) SiEnergy Franchise Fee Recovery Tariff.

(1) The Company may from time-to-time file with the City a tariff amendment(s) to provide for the recovery of the franchise fees payable by the Company under this Ordinance.

(2) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by the Company.

(F) In order to determine the Gross Revenues received by Company, Company agrees that quarterly, on the same date that payment is made as provided in the preceding paragraphs of this Section X, it will provide a statement showing the amount of Gross Revenues for the period covered by the payments.

(G) Within thirty (30) days after receipt of a request by Company following the effective date of this Ordinance, the City shall provide Company (at the notice address specified in Section XV) with maps clearly showing the location of the boundaries of the City. Within thirty (30) days after City annexes property into, or de-annexes property from, the territory of City, City shall provide Company (at the notice address specified in Section XV) with maps clearly showing the location of the boundaries of such annexed or de-annexed property. Within sixty (60) days, or such additional time as mutually agreed to by the City and Company, after Company's receipt of (i) written notice from the City that the City has annexed territory into the City and (ii) maps showing clearly the areas annexed, the Company shall revise its accounting records to include the annexed territory, and Company's customers therein, within the City. After such time period, Gross Revenues related to Company's customers whose consuming facilities' points of delivery are located within such annexed area shall be included in the calculation of the franchise fee payable under this Ordinance. Likewise, Gross Revenues related to Company's customers whose consuming facilities' points of delivery are in any area de-annexed by City shall cease to be included in the calculation of the franchise fee payable under this Ordinance upon the effective date of such disannexation.

SECTION XI. Retention, Accessibility and Confidentiality of Records

(A) Company shall maintain the fiscal records and supporting documentation for payments of Gross Revenues associated with this Ordinance for not less than five years.

(B) Company gives City, its designee, or any of their duly authorized representatives, access to and the right to examine relevant books, accounts, records, audit reports, reports, files, documents, written material, and other papers belonging to or in use by Company pertaining to the franchise fee payable under this Ordinance (the "Records") during the Company's regular business hours and at the Company's principal offices upon receipt of five (5) business days written notice from the City. The City's access to the Records will be limited to information needed to verify that, within the five (5) year period prior to such access to the Records, Company is and has been complying with the terms of this Ordinance. If such an examination reveals that Company has underpaid the franchise fee to City, then upon receipt of written notification from City regarding the existence of such underpayment, Company shall undertake a review of City's claim and, if said underpayment is confirmed, remit the amount of underpayment to City, including any interest calculated in accordance with Section X(D). The cost of the audit shall be borne by

City unless the Company is finally determined to have underpaid the franchise fee by five percent (5%) or more, in which case the reasonable costs of the audit shall be immediately reimbursed to the City by Company. The rights to access the Records shall terminate two (2) year(s) after the termination or expiration of this Ordinance. Company agrees to maintain the Records in an accessible location.

(C) City agrees, to the extent allowed by law, to maintain any information that is not required to be made public shall be kept confidential by City. The City shall provide notice to Company of any request for release of information previously designated by Company as proprietary or confidential non-public information prior to releasing the information to allow Company adequate time to pursue available remedies for protection. If the City receives a request under the Texas Public Information Act that includes Company's previously designated proprietary or confidential information, City will request an opinion from the Texas Attorney General as to the confidential or the proprietary nature of the information. The City also will provide Company with notice of the request, and thereafter Company is responsible for establishing that an exception under the Texas Public Information Act allows the City to withhold the information.

SECTION XII. Renegotiation

If either the City or Company requests renegotiation of any term of this Ordinance, Company and City agree to renegotiate in good faith revisions to all terms of this Ordinance. If the parties cannot come to agreement upon any provisions being renegotiated, then the existing provisions of this Ordinance will continue in effect for the remaining term of the Ordinance.

SECTION XIII. Termination

(A) The City, in accordance with subsection (B) below, may terminate this Ordinance and all rights and privileges pertaining thereto, in the event that the Company violates any material provision of this Ordinance (an "Event of Default").

(B) Uncured Events of Default.

- (1) Upon the occurrence of an Event of Default which can be cured by the immediate payment of money to City or a third party, Company shall have thirty (30) days (or such additional time as may be agreed to by the City) after receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies pursuant to Section XIII(C).
- (2) Upon the occurrence of an Event of Default by Company which cannot be cured by the immediate payment of money to City or a third party, Company shall have sixty (60) days (or such additional time as may be agreed to by the City) after receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies pursuant to Section XIII(C).
- (3) If the Event of Default is not cured within the time period allowed for curing the Event of Default as provided for herein, such Event of Default shall, without additional notice, become an Uncured Event of Default, which shall entitle City to exercise the remedies pursuant to Section XIII(C).

(C) Remedies. Upon receipt of a notice of an alleged Uncured Event of Default as described in Section XIII(B), which notice shall specify the alleged failure with reasonable particularity, the Company shall, within the time periods specified in Section XIII(B) or such longer period of time as may be agreed to by the City, either cure such alleged failure or, in a written response to the City, present facts and arguments in refuting or defending such alleged failure, or state that such alleged failure will be cured and set forth the method and time schedule for accomplishing such cure. In the event that such cure is not forthcoming or the City determines that an unexcused "Uncured Event of Default" has occurred, City shall be entitled to exercise any and all of the following cumulative remedies:

- (1) The commencement of an action against Company at law for monetary damages.
- (2) The commencement of an action in equity seeking injunctive relief or the specific performance of any of the provisions, which as a matter of equity, are specifically enforceable.
- (3) The termination of the franchise granted herein.

(D) Remedies Not Exclusive. The rights and remedies of City and Company set forth in this Ordinance shall be in addition to, and not in limitation of, any other rights and remedies provided by law or in equity. City and Company understand and intend that such remedies shall be cumulative to the maximum extent permitted by law and the exercise by a party of any one or more of such remedies shall not preclude the exercise by such party, at the same or different times, of any other such remedies for the same failure to cure. However, notwithstanding this Section or any other provision of this Ordinance, City shall not recover both liquidated damages and actual damages for the same violation, breach, or noncompliance, either under this Section or under any other provision of this Ordinance.

(E) Termination. The franchise granted herein may be terminated only in accordance with the provisions of Section XIII(C). City shall notify Company in writing at least thirty (30) business days in advance of the City Council meeting at which the questions of termination shall be considered, and Company shall have the right to appear before the City Council in person or by counsel and raise any objections or defenses Company may have that are relevant to the proposed forfeiture or termination. The final decision of the City Council may be appealed to any court or regulatory authority having jurisdiction. Upon timely appeal by Company of the City Council's decision terminating the franchise granted herein, the effective date of such termination shall be either when such appeal is withdrawn or a court order upholding the termination becomes final and unappealable. If no appeal is filed, the effective date of such termination shall be the thirtieth (30th) day following the date of the final termination decision of the City Council. Until the termination becomes effective, the provisions of this Ordinance shall remain in effect for all purposes.

SECTION XIV. Successors and Assigns

Company's rights under this Ordinance shall not be assigned or transferred without the written consent of the City, which consent shall not be unreasonably withheld; provided, however, that Company may assign its rights under this Ordinance to a parent, subsidiary, affiliate or successor entity without such consent, so long as such parent, subsidiary, affiliate or successor (i) assumes all obligations of Company hereunder, and (ii) is bound to the same extent as Company hereunder. Company shall give the City sixty (60) days prior written notice of any

assignment to a parent, subsidiary, affiliate or successor entity. Any required consent shall be expressed by an ordinance that fully recites the terms and conditions, if any, upon which such consent is given. Any assignment or transfer effected prior to the City's approval thereof, if required, shall authorize the City to treat such assignment or transfer as an Uncured Event of Default and immediately implement the provisions of Section XIII, including the right to terminate the franchise granted herein.

SECTION XV. Notices

Any notice required or permitted to be delivered hereunder shall be deemed received if: (i) delivered in person to the applicable address set forth below; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the applicable address set forth below; or (iii) delivered to such party by courier receipted delivery to the applicable address set forth below. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is deemed received by the other party as provided above, the last address of such party designated for notice shall remain such party's address for notice.

If intended for the City:

City of Rockwall
Attention: City Manager
385 S. Goliad
Rockwall, Texas 75087
(972) 771-7700

If intended for the Company:

SiEnergy, L.P.
Attention: Chief Executive Officer
13215 Bee Cave Pkwy, Suite B-250
Bee Cave, Texas 78738
Travis County, Texas

SECTION XVI. Severability; Amendment; Ordinance Controlling

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance. Both the Company and the City expressly recognize that this Ordinance creates a binding and enforceable contract between them, which contract may not be amended without written consent of both the Company and the City. Should any inconsistency or conflict exist now or in the future between the provisions of this Ordinance and the City's charter or another ordinance or ordinances, then the provisions of this Ordinance shall control to the extent of such inconsistency or conflict to the extent not prohibited by law.

SECTION XVII. Governing Law

This Ordinance shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Exclusive venue for any action concerning this Ordinance, the transactions contemplated hereby, or the liabilities or obligations imposed hereunder shall be in the State District Court of Rockwall County, Texas.

SECTION XVIII. No Waiver

Either City or Company shall have the right to waive any requirement contained in this Ordinance, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Ordinance shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or a different type of breach or violation.

SECTION XIX. Paragraph Headings; Construction

The paragraph headings contained in this Ordinance are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the preparation of this Ordinance and this Ordinance shall not be construed either more or less strongly against or for either party.

SECTION XX. Acceptance; Effective Date

To accept the franchise granted herein, the Company must evidence its written acceptance of the terms and conditions of this Ordinance by executing and delivering to the City, within thirty (30) days after the City provides written notice to Company of the final adoption of this Ordinance by the City, a letter in the form of Exhibit A attached hereto and incorporated herein. Upon and subject to such written acceptance, this Ordinance shall become effective as of the first day of the calendar month that is not less than sixty (60) days after the final adoption of this Ordinance by the City (such date being the "Effective Date").

SECTION XXI. Repealer

Each and every other ordinance or part thereof which is directly in conflict with any provision herein as to the grant of a franchise for natural gas services and the regulation thereof is hereby repealed.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS ON THIS THE 21st DAY OF JUNE, 2021.**

**CITY OF ROCKWALL, TEXAS
APPROVED:**

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: June 7, 2021

2nd Reading: June 21, 2021

EXHIBIT "A"

SiEnergy, L.P. Acceptance of Franchise Ordinance

June 22, 2021

City of Rockwall, Texas
Attention: City Secretary

RE: SiEnergy, L.P. Gas franchise; Rockwall, TX Ordinance No. 21-23

This document certifies that SiEnergy, L.P. accepts and agrees to be contractually bound by the terms and conditions of Ordinance No. 21-23, a copy of which is attached hereto.

SIENERGY, L.P.

By: _____

Printed Name: _____

Title: _____

Date: _____



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: P2021-026; PRELIMINARY PLAT FOR THE WINDING CREEK
SUBDIVISION

Attachments

Case Memo
Development Application
Location Map
Preliminary Plat
Preliminary Drainage Plans
Preliminary Utility Plans
Preliminary Treescape Plan

Summary/Background Information

Consider a request by Humberto Johnson of the Skorburg Co. on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a *Preliminary Plat* for the Winding Creek Subdivision consisting of 56 single-family residential lots on a 38.012-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the 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: June 21, 2021
APPLICANT: Humberto Johnson; *Skorburg Co.*
CASE NUMBER: P2021-026; *Preliminary Plat for the Winding Creek Subdivision*

SUMMARY

Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a Preliminary Plat for the Winding Creek Subdivision consisting of 56 single-family residential lots on a 38.012-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

PLAT INFORMATION

- ☑ The purpose of the applicant's request is to Preliminary Plat the Winding Creek Subdivision. This subdivision is comprised of 56 single-family residential lots on a 38.012-acre tract of land. The proposed development will incorporate 9.80-acres (or 25.7%) of open space and will consist of lots constructed utilizing the Single-Family 16 (SF-16) District density and dimensional standards. Each lot will consist of a minimum size of 16,000 SF (i.e. a minimum of 90' x 100'). In addition to the Preliminary Plat, the applicant has also submitted preliminary drainage and utility plans showing how the development can be adequately served. With this submittal, the applicant also submitted a preliminary treescape plan; however, these plans will not be finalized until the submittal of the PD Site Plan.
- ☑ On January 18, 2011, the City Council annexed the subject property by adopting *Ordinance No. 11-03 [Case No. A2010-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On April 15, 2021, the City Council approved a request to rezone the subject property from Agricultural (AG) District to Planned Development District 91 (PD-91) [i.e. *Ordinance No. 21-17*] for Single-Family 16 (SF-16) District land uses.
- ☑ On April 6, 2021, the Parks and Recreation Board reviewed the Preliminary Plat and made the following recommendations concerning the proposed subdivision:
 - (1) The property owner shall pay pro-rata equipment fees of \$32,312.00 (i.e. \$577.00 x 56 Lots), which will be due prior to the issuance of a building permit.
 - (2) The property owner shall pay cash-in-lieu of land fees of \$34,104.00 (i.e. \$609.00 x 56 Lots), which will be due prior to the issuance of a building permit.
- ☑ 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 *Winding Creek Subdivision*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) shall be addressed prior to submittal of civil engineering plans; and,
- (2) The development shall adhere to the recommendations of the Parks and Recreation Board; and
- (3) Any construction resulting from the approval of this 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 June 15, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat with the conditions of approval by a vote of 6-0, with Commissioner Moeller absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-026

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 **237 Clem Rd, Rockwall, TX 75087**

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION **SE corner of Clem Rd and FM1141**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	PD 21-17	CURRENT USE	Farm
PROPOSED ZONING	PD 21-17	PROPOSED USE	Single Family
ACREAGE	Approx 39	LOTS [CURRENT]	0
		LOTS [PROPOSED]	56

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB316Z 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	Mark Taylor	<input checked="" type="checkbox"/> APPLICANT	Humberto Johnson Jr, PE - Skorburg Company
CONTACT PERSON	Mark Taylor	CONTACT PERSON	Humberto Johnson Jr., PE
ADDRESS	100 N Central Expy 237 Clem Rd	ADDRESS	8214 westchester Dr STE 900
CITY, STATE & ZIP	Rockwall TX 75087	CITY, STATE & ZIP	Dallas, Tx 75225
PHONE	972-772-4171	PHONE	214-522-4945
E-MAIL	mtaylor1045@gmail.com	E-MAIL	jrjohnson@skorburgcompany.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Mark Taylor [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 \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____ 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.

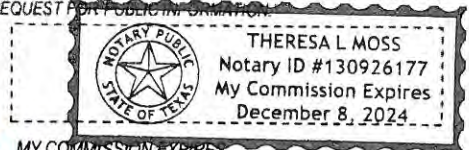
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 10 DAY OF May, 2021

OWNER'S SIGNATURE Mark Taylor

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

DEVELOPMENT APPLICATION

Theresa L Moss



MY COMMISSION EXPIRES



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2021-026

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)

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- 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 **CLEM RD @ FM1141 WM Dalton, Tract 17-01**

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION **SE corner of Clem Rd and FM1141**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **PD 21-17** CURRENT USE **Farm**

PROPOSED ZONING **PD 21-17** PROPOSED USE **Single Family**

ACREAGE **Approx 39** LOTS [CURRENT] **0** LOTS [PROPOSED] **56**

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 Alex Freeman	<input checked="" type="checkbox"/> APPLICANT Humberto Johnson Jr, PE - Skorborg Company
CONTACT PERSON Alex Freeman	CONTACT PERSON Humberto Johnson Jr., PE
ADDRESS 100 N Central Expy STE 1008	ADDRESS 8214 westchester Dr STE 900
CITY, STATE & ZIP Richardson, TX 75080	CITY, STATE & ZIP Dallas, Tx 75225
PHONE 469-233-4774	PHONE 214-522-4945
E-MAIL afreeman@pinnclmontessori.com	E-MAIL jrjohnson@skorborgcompany.com

NOTARY VERIFICATION [REQUIRED]

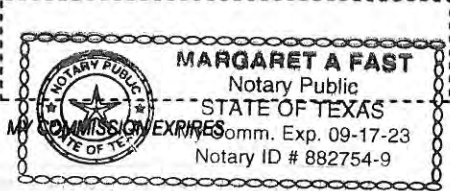
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Alex Freeman [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

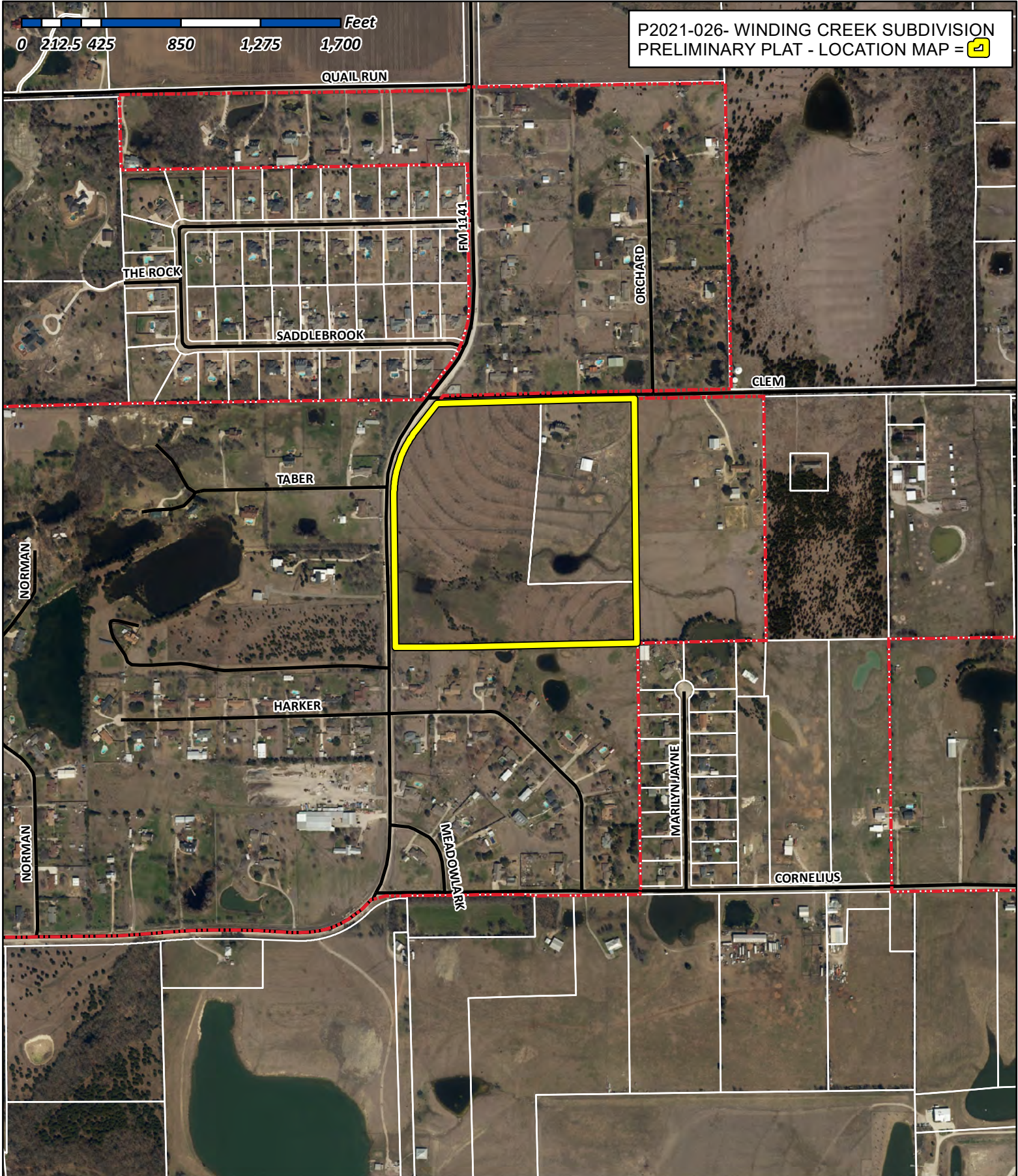
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____ BY SIGNING THIS APPLICATION, 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 May, 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.



LINE TABLE

LINE NO.	BEARING	DISTANCE
1.	N 44°03'56" E	42.68'
2.	N 45°56'04" W	42.18'
3.	N 45°29'10" W	42.51'
4.	S 44°30'50" W	42.35'

$\Delta = 39^{\circ}09'00''$
 $R = 533.14'$
 $L = 364.29'$
 $C = 357.25'$
 $B = N18^{\circ}58'55''E$



CITY OF ROCKWALL GRID SYSTEM COORDINATES
 X = 2602549.504
 Y = 7034878.084
 ELEV = 0.0

CITY OF ROCKWALL GRID SYSTEM COORDINATES
 X = 2602305.80
 Y = 7034878.337
 ELEV = 0.0

Reviewed for preliminary Approval:

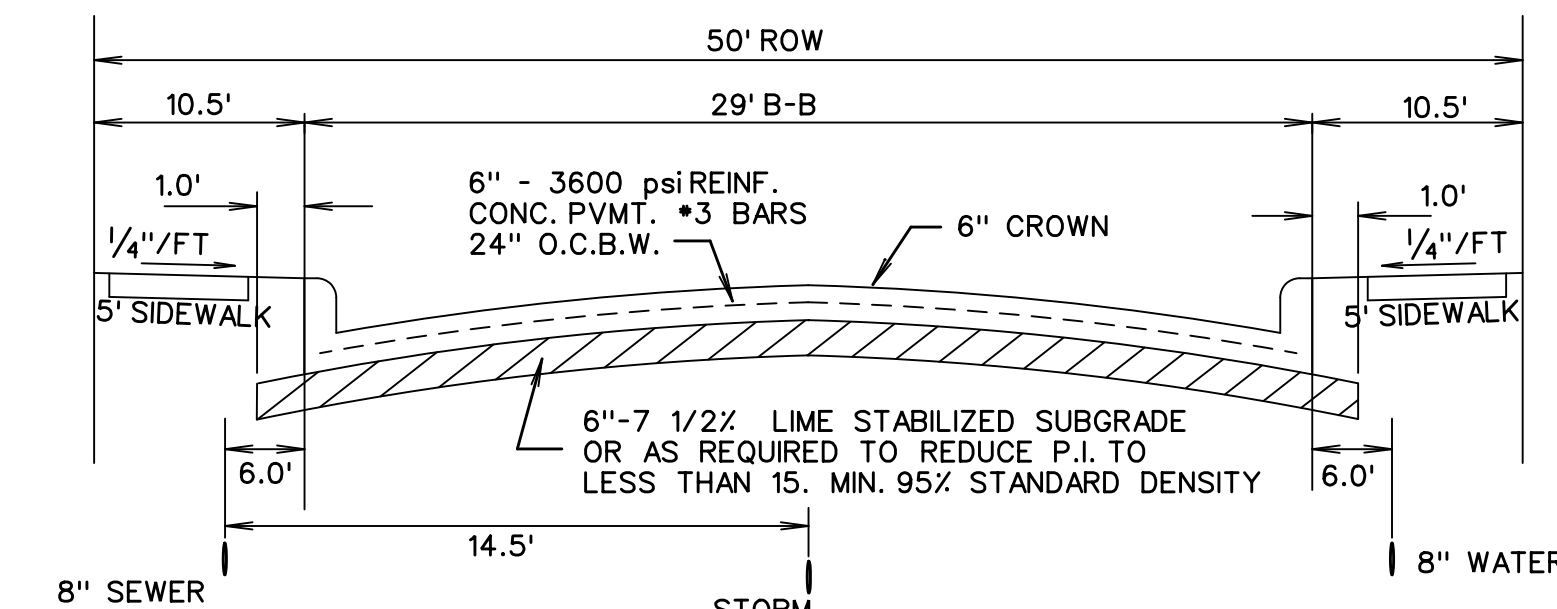
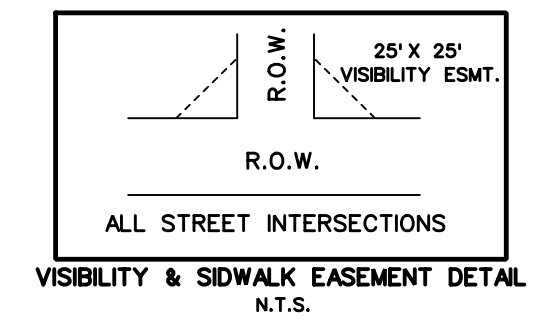
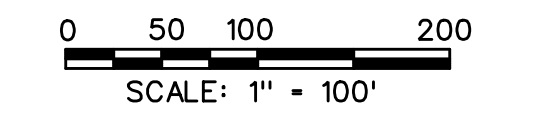
Planning & Zoning Commission Chairman _____ Date _____

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 _____ of _____, 2021.

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.

Mayor, City of Rockwall _____ City Secretary _____ City Engineer _____

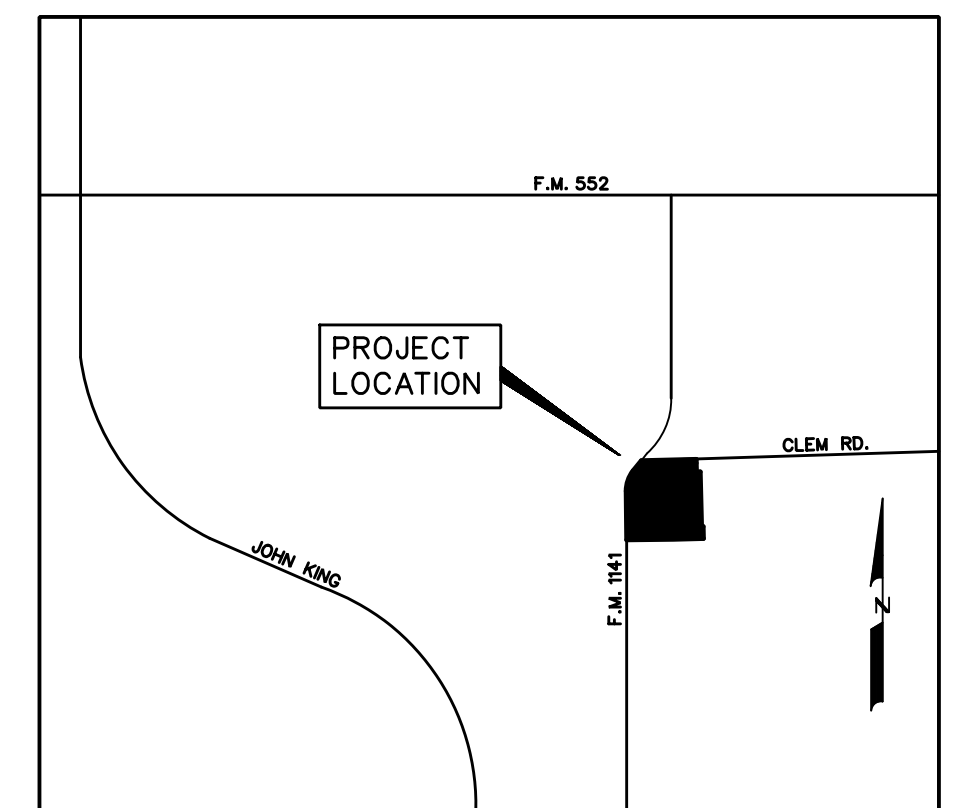
NOTES:
 ALL OPEN SPACE AREAS WILL BE MAINTAINED BY THE HOA.
 HOA/PROPERTY OWNER TO MAINTAIN, REPLACE AND REPAIR ALL DRAINAGE, DETENTION, AND OPEN SPACE EASEMENTS AND LOTS.



TYPICAL PAVEMENT SECTION (25' B-B)
 N.T.S.

Block A		Block B		Block C		Block D		Block E	
Lot	SF	Lot	SF	Lot	SF	Lot	SF	Lot	SF
1*	70040	1*	244944	1*	136708	1	17351	1	16295
2	16122	2	16000	2	16159	2	16134	2	16000
3	16011	3	16082	3	16054	3	16015	3	16000
4	16083	4	16727	4	19383	4	16012	4	16000
5	16049	5	16026	5	16083	5	16030	5	16000
6	16016	6	17068	6	16007	6	17796	6	16000
7	16018	7	18980	7	17461	7	18783	7	16000
8	16086	8	16066	8	16084	8	16002	8	16601
9	16053	9	16106	9	16000	9	16000		
		10	16015	10	16000	10	16036		
		11	16000	11	16000	11	16500		
		12	16004	12	16000	12	17352		
		13	16241	13	16000				
		14	16595	14	16000				
		15	16418						
		16	16081						

* denotes open space



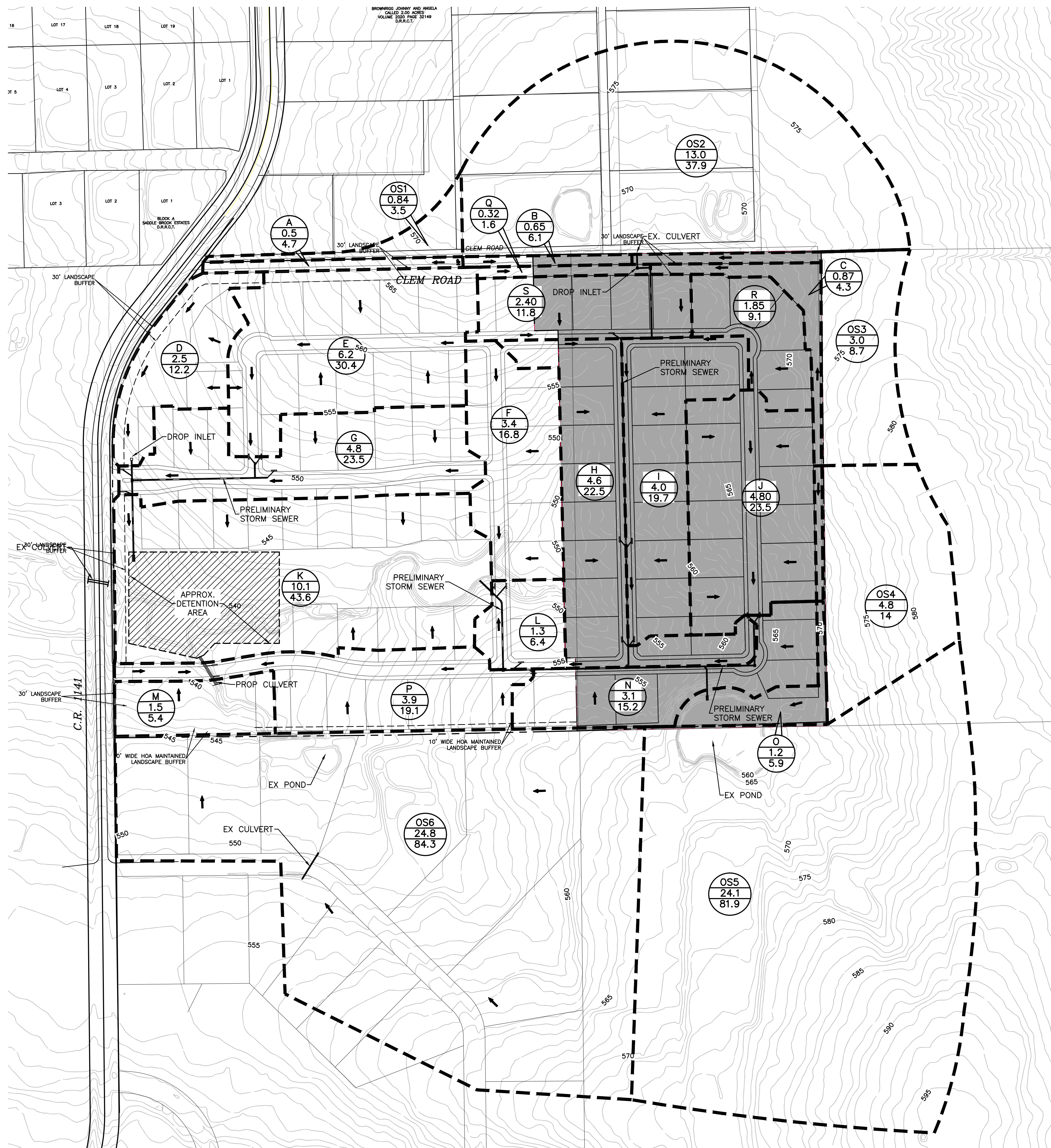
LEGEND
 B.L. - BUILDING LINE
 D.E. - DRAINAGE EASEMENT
 U.E. - UTILITY EASEMENT
 R.O.W. - RIGHT OF WAY
 H.O.A. - HOMEOWNERS ASSOCIATION

TOTAL ACRES 38.026
 TOTAL RESIDENTIAL LOTS 56
 DENSITY 1.473
 EX. ZONING PD-91
 LAND USE SINGLE FAMILY DEVELOPMENT

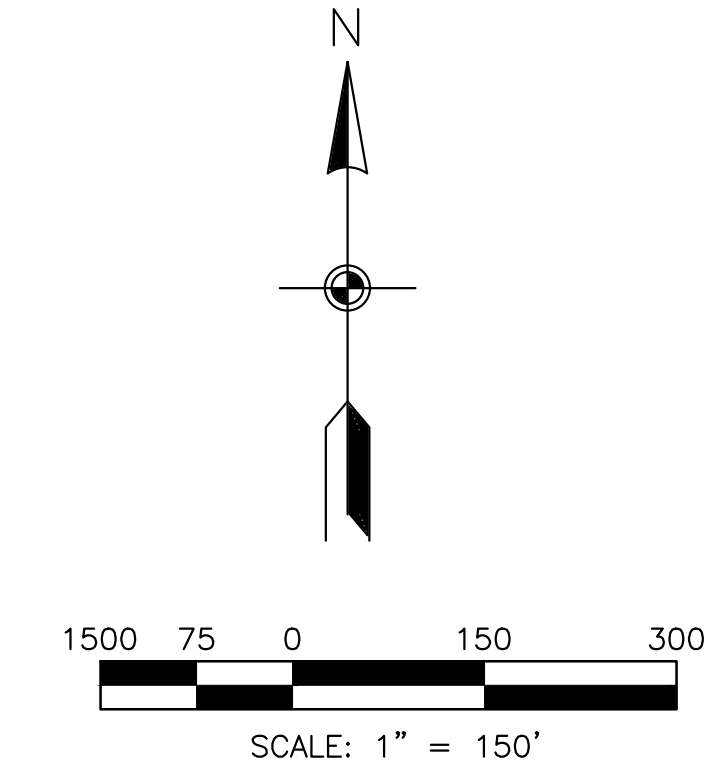
PRELIMINARY PLAT
 OF
WINDING CREEK
 LOTS 1-11, BLOCK A
 LOTS 1-16, BLOCK B
 LOTS 1-14, BLOCK C
 LOTS 1-12, BLOCK D
 LOTS 1-8, BLOCK E
 TOTAL ACRES 38.026
 TOTAL RESIDENTIAL LOTS 56
 TOTAL OPEN SPACE LOTS 3
 OUT OF THE
 J.M. GLASS SURVEY, ABSTRACT NO. 88
 IN THE
 CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS
 OWNERS
 REDDY K. VASUNDHARA &
 ALEX R. FREEMAN
 100 N. CENTRAL EXPRESSWAY, STE. 108
 DALLAS, TEXAS 75080
 M.G. & J.K. TAYLOR LIVING TRUST
 237 CLEM ROAD
 ROCKWALL, TEXAS 75087

APPLICANT
SKORBURG COMPANY, LTD.
 8214 WESTCHESTER DRIVE., SUITE 710
 DALLAS, TEXAS 75225
 214-522-4945

MAY 2021 SCALE 1" = 100'



PROPOSED RUNOFF CALCULATIONS					
AREA	ACRES	Tc (min)	C	1100	Q100
A	0.50	10	0.95	9.8	4.7
B	0.65	10	0.95	9.8	6.1
C	0.87	10	0.5	9.8	4.3
D	2.50	10	0.5	9.8	12.3
E	6.20	10	0.5	9.8	30.4
F	3.40	10	0.5	9.8	16.7
G	4.80	10	0.5	9.8	23.5
H	4.60	10	0.5	9.8	22.5
I	4.00	10	0.5	9.8	19.6
J	4.80	10	0.5	9.8	23.5
K	10.10	10	0.44	9.8	43.6
L	1.30	10	0.5	9.8	6.4
M	1.50	10	0.37	9.8	5.4
N	3.10	10	0.5	9.8	15.2
O	1.20	10	0.5	9.8	5.9
P	3.90	10	0.5	9.8	19.1
Q	0.32	10	0.5	9.8	1.6
R	1.85	10	0.5	9.8	9.1
S	2.40	10	0.5	9.8	11.8
OS1	0.84	20	0.5	8.33	3.5
OS2	13.00	20	0.5	8.33	54.1
OS3	3.00	20	0.35	8.33	8.7
OS4	4.80	20	0.35	8.33	14.0
OS5	24.10	31	0.5	6.8	81.9
OS6	24.80	32	0.5	6.8	84.3



PROPOSED STORM SEWER LOCATIONS ARE CONCEPTUAL AND SUBJECT TO CHANGE DURING DESIGN

LEGEND

- 544 - EXISTING 1 FOOT CONTOUR INTERVAL
- DRAINAGE DIVIDE
- (X / X.X / X.X) DRAINAGE AREA ACRES, RUNOFF IN CFS (100yr)
- DIRECTION OF RUNOFF
- PHASE 2

WEIGHTED "C" CALCULATION FOR AREA K

$$C = \frac{(5.2Ac \times 0.5) + (4.8 \times 0.35) + (0.14 \times 0.95)}{10.14} = 0.44$$

WEIGHTED "C" CALCULATION FOR AREA M

$$C = \frac{(0.17Ac \times 0.5) + (1.03Ac \times 0.35)}{1.2} = 0.37$$

USE	"C"
HOMES	0.5
OPEN SPACE	0.35
SIDEWALK / PARKING	0.95

PRELIMINARY FOR REVIEW ONLY
DAYTON C. MACATEE, P.E., 65028

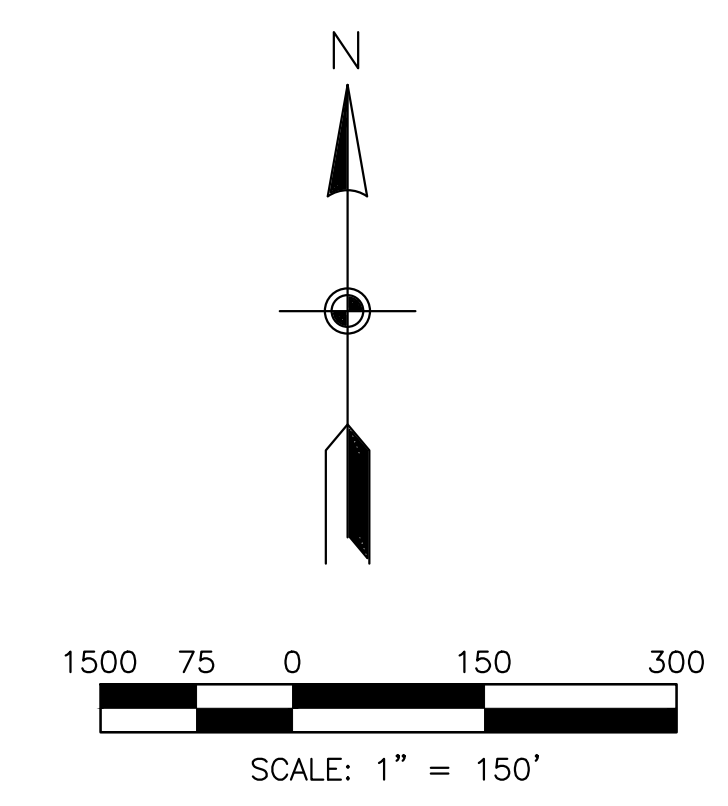
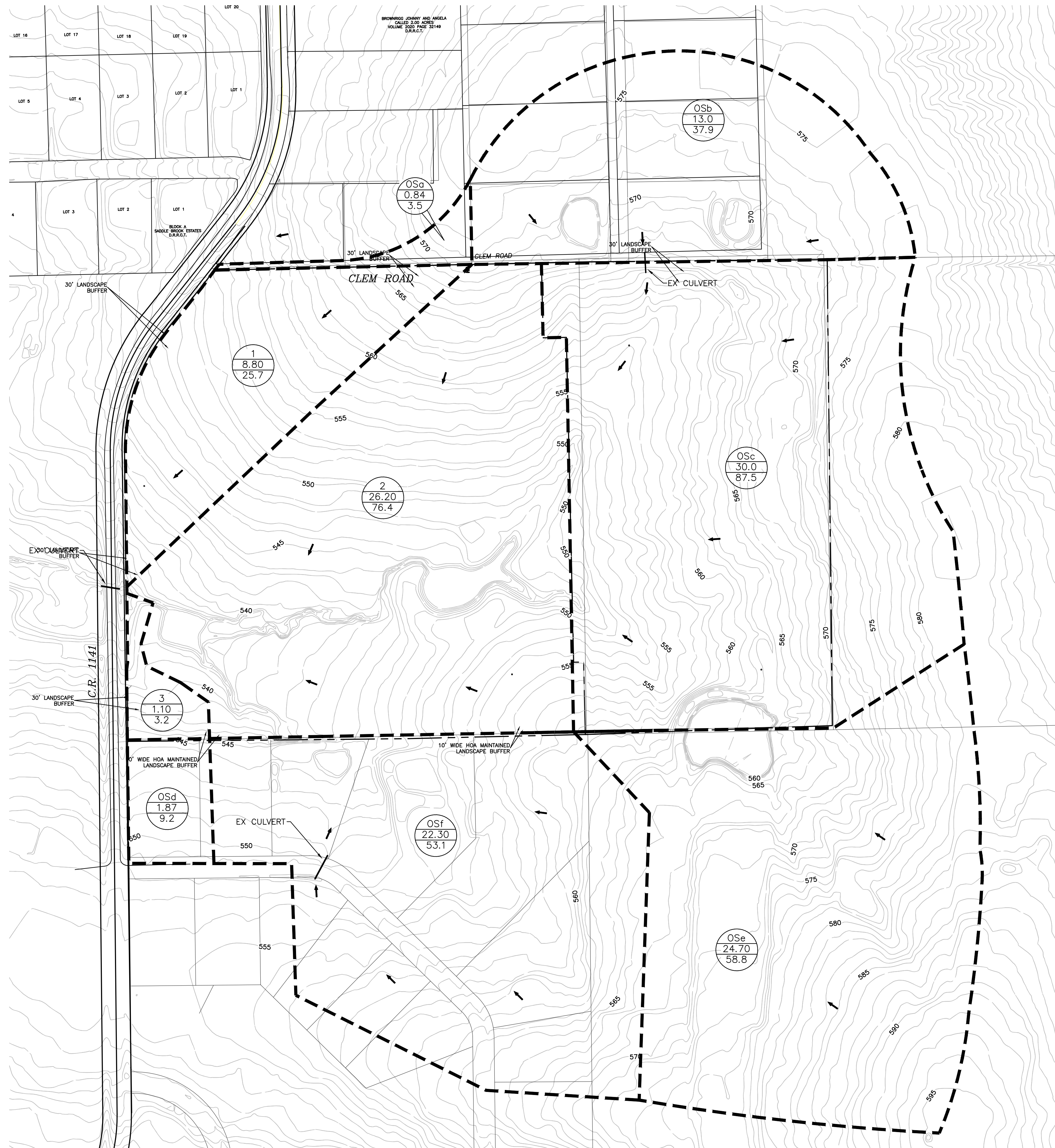
CONCEPTUAL DRAINAGE AREA MAP - POST DEVELOPMENT

WINDING CREEK

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CIVIL ENGINEERING DESIGN & CONSULTING
(Tex. Reg. No. F-456)
12655 N. CENTRAL EXPWY, SUITE 420
DALLAS, TEXAS 75243
TEL 214-373-1180 * FAX 214-373-6580
daytonm@macatee-engineering.com
phillipf@macatee-engineering.com

DESIGNED	CHECKED	DATE	DWG FILE	PROJECT #	SHEET NO.
		05/28/2021			5 OF 5

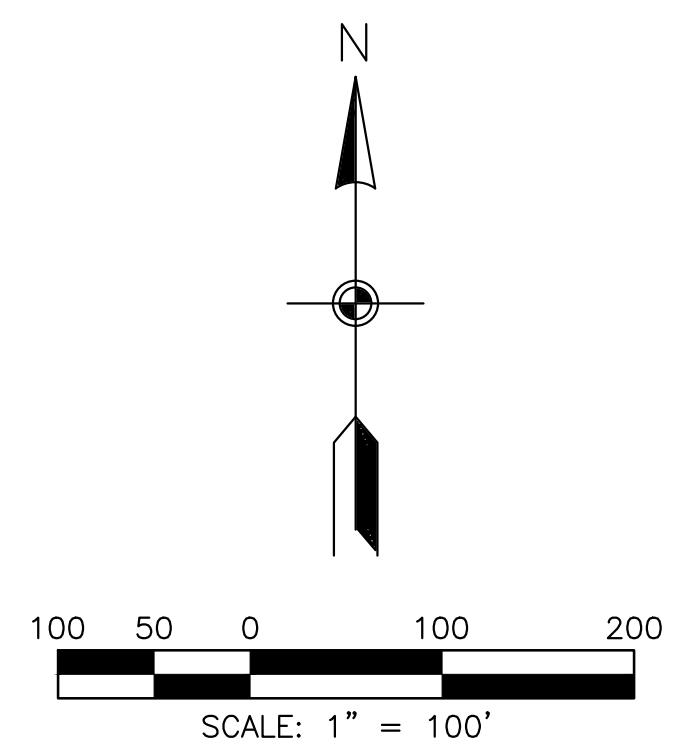
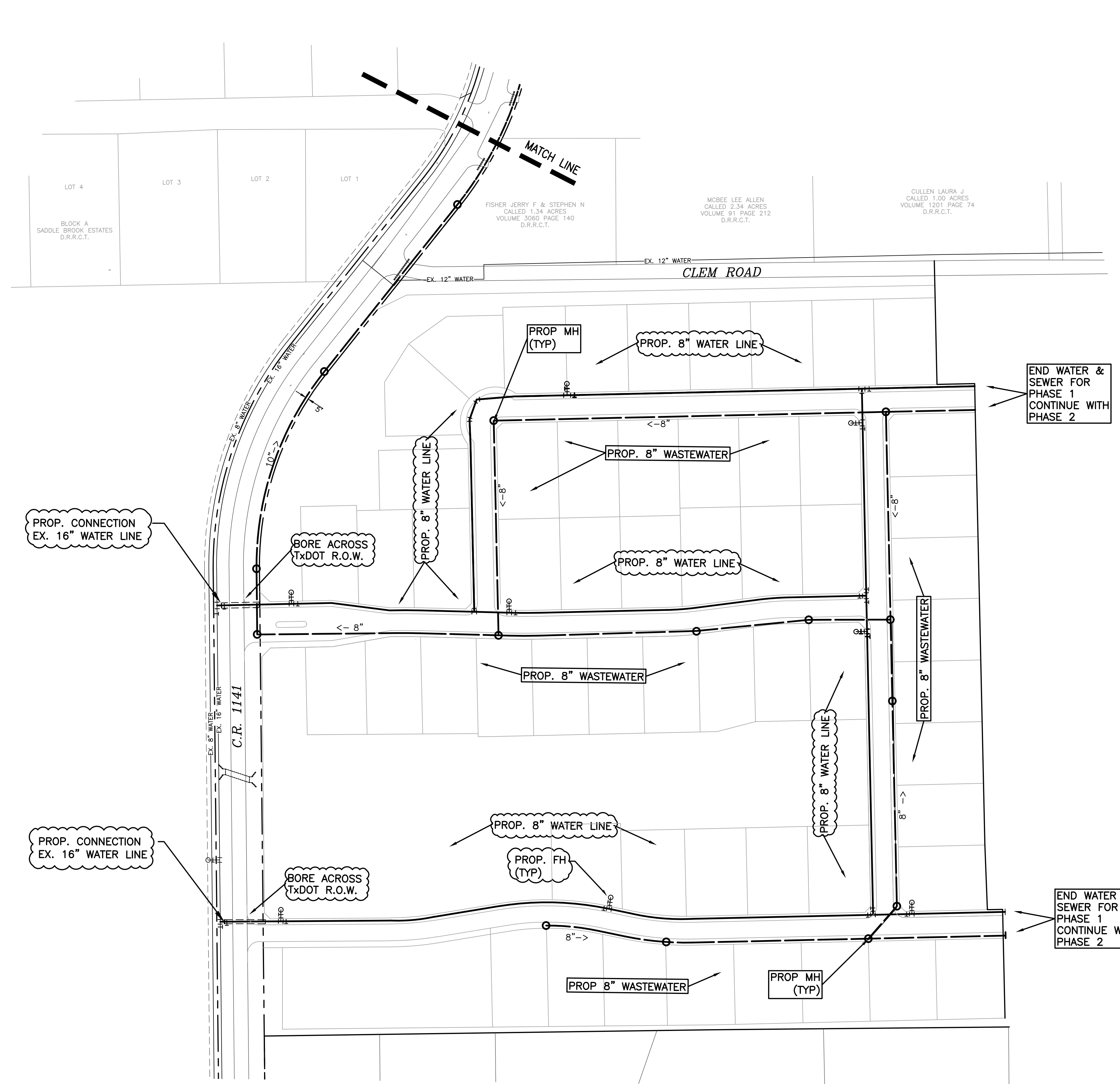


EXISTING RUNOFF CALCULATIONS					
AREA	ACRES	Tc (min)	C	I100	Q100
1	8.80	20	0.35	8.33	25.7
2	26.20	20	0.35	8.33	76.4
3	1.10	20	0.35	8.33	3.2
Osa	0.84	20	0.5	8.33	3.5
Osb	13.00	20	0.5	8.33	54.1
Osc	30.00	20	0.35	8.33	87.5
Osd	1.87	10	0.5	9.8	9.2
Ose	24.70	31	0.35	6.8	58.8
Osf	22.30	32	0.35	6.8	53.1

LEGEND	
	EXISTING 1 FOOT CONTOUR INTERVAL
	DRAINAGE DIVIDE
	DRAINAGE AREA ACRES RUNOFF IN CFS (100yr)
	DIRECTION OF RUNOFF

PRELIMINARY
FOR REVIEW ONLY
DAYTON C. MACATEE, P.E., 65028

CONCEPTUAL DRAINAGE AREA MAP -- PRE DEVELOPMENT					
WINDING CREEK					
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS					
			CIVIL ENGINEERING DESIGN & CONSULTING (Tex. Reg. No. F-456) 12655 N. CENTRAL EXPWY, SUITE 420 DALLAS, TEXAS 75243 TEL 214-373-1180 * FAX 214-373-6580 daytonm@macatee-engineering.com phillipf@macatee-engineering.com		
			DESIGNED	CHECKED	DATE
		05/28/2021			4 OF 5



PROP. CONNECTION
EX. 16" WATER LINE

BORE ACROSS
TXDOT R.O.W.

PROP. 8" WATER LINE

PROP MH
(TYP)

PROP. 8" WATER LINE

PROP. 8" WASTEWATER

PROP. 8" WATER LINE

PROP. 8" WASTEWATER

PROP. 8" WASTEWATER

PROP. CONNECTION
EX. 16" WATER LINE

BORE ACROSS
TXDOT R.O.W.

PROP. 8" WATER LINE

PROP. FH
(TYP)

PROP. 8" WATER LINE


PROP 8" WASTEWATER

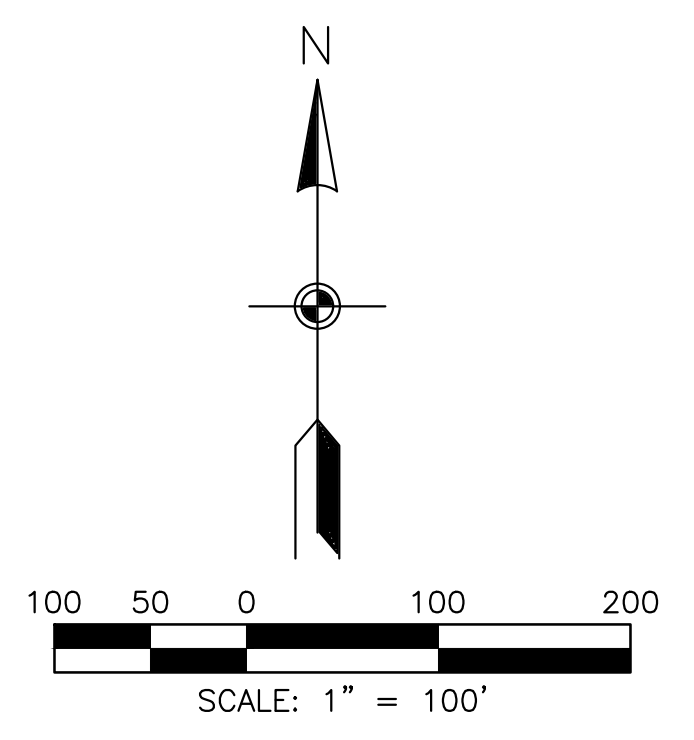
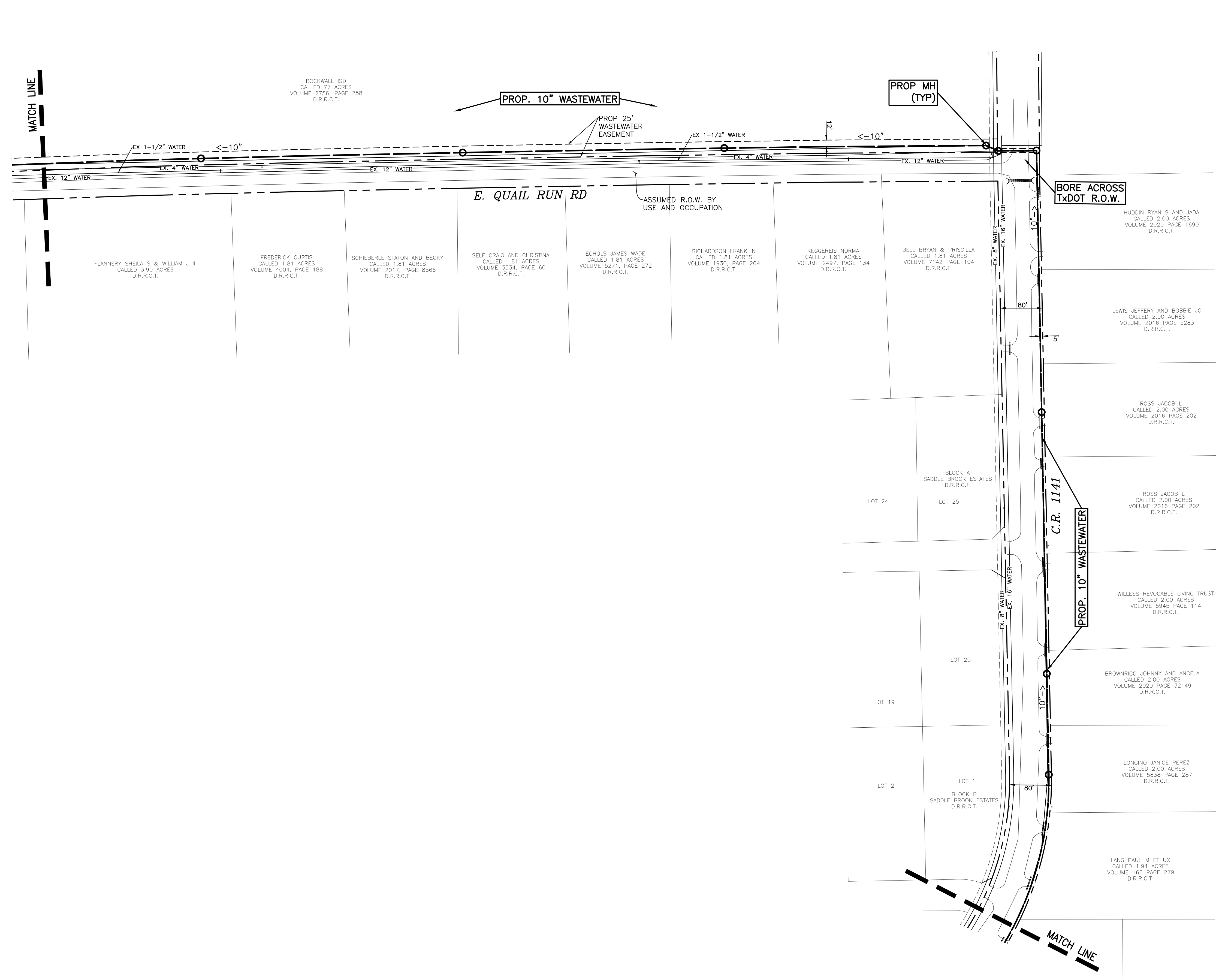
PROP MH
(TYP)

END WATER &
SEWER FOR
PHASE 1
CONTINUE WITH
PHASE 2


END WATER &
SEWER FOR
PHASE 1
CONTINUE WITH
PHASE 2

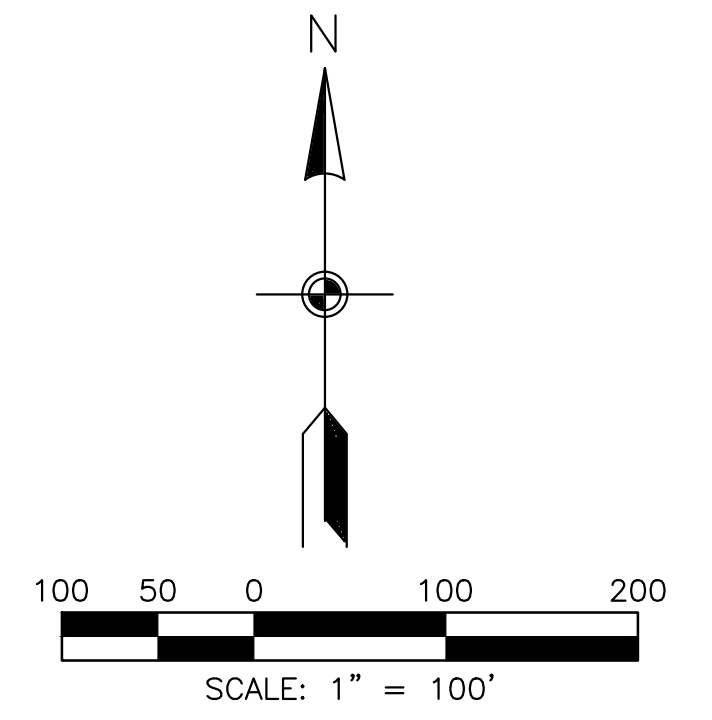
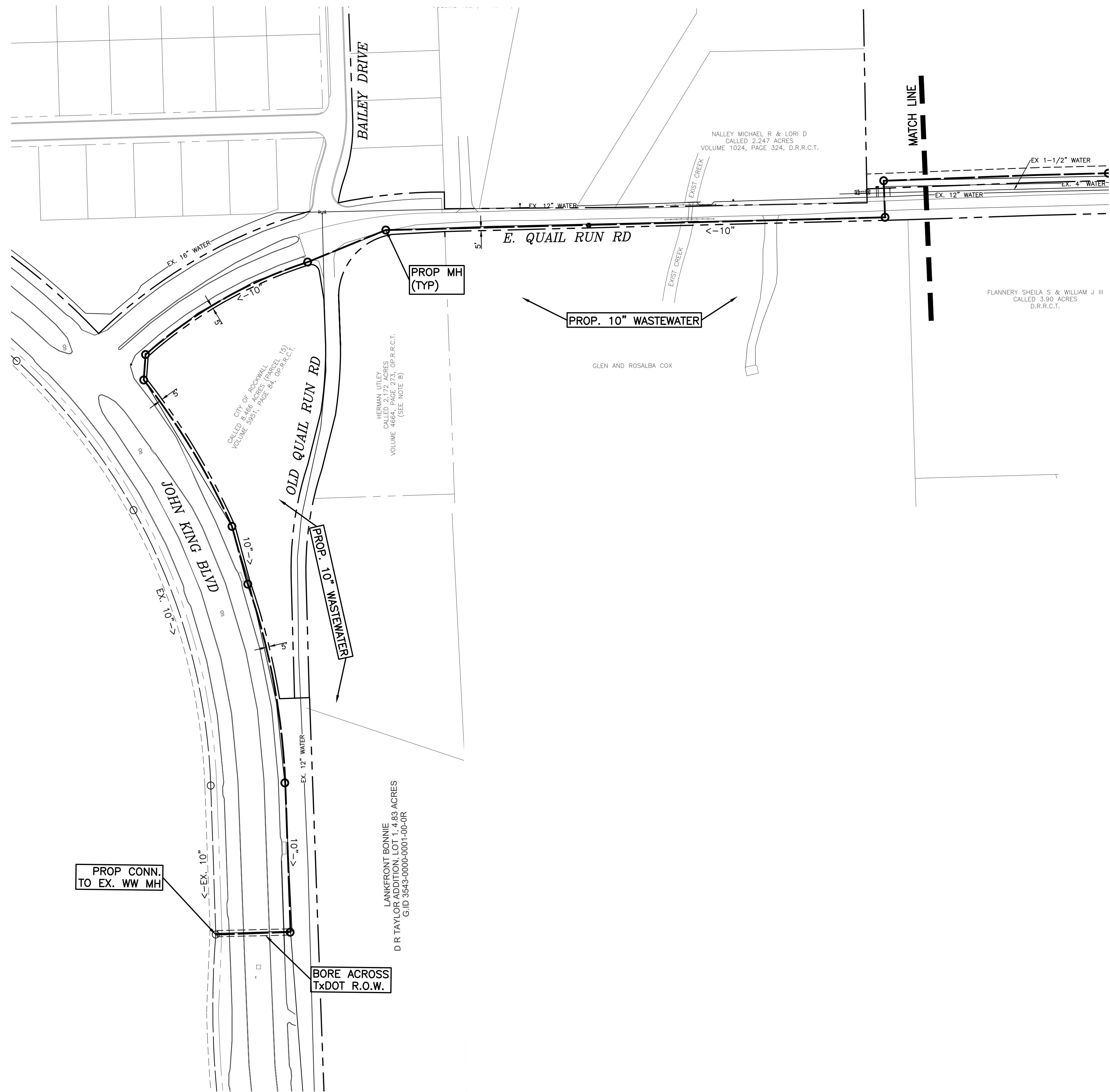
PRELIMINARY
FOR REVIEW ONLY
DAYTON C. MACATEE, P.E., 65028

CONCEPTUAL WATER & WASTEWATER PLAN				
WINDING CREEK				
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS				
		CIVIL ENGINEERING DESIGN & CONSULTING (Tex. Reg. No. F-456) 12655 N. CENTRAL EXPWY, SUITE 420 DALLAS, TEXAS 75243 TEL 214-373-1180 * FAX 214-373-6580 daytonm@macatee-engineering.com phillipf@macatee-engineering.com		
		DESIGNED	CHECKED	DATE
		05/28/2021		PROJECT #
				SHEET NO.
				1 OF 5
				38




PRELIMINARY
FOR REVIEW ONLY
DAYTON C. MACATEE, P.E., 65028

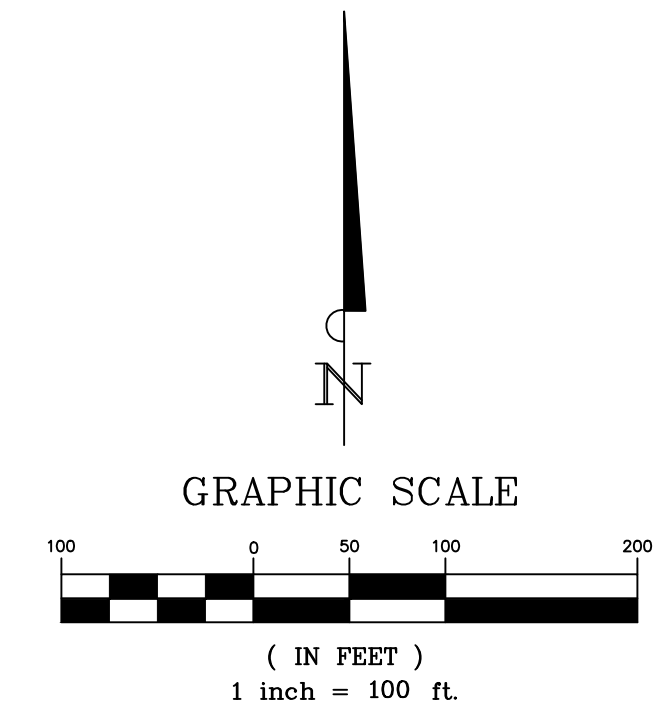
CONCEPTUAL WATER & WASTEWATER PLAN				
WINDING CREEK				
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS				
		CIVIL ENGINEERING DESIGN & CONSULTING <small>(Tex. Reg. No. F-456)</small> 12655 N. CENTRAL EXPWY, SUITE 420 DALLAS, TEXAS 75243 TEL 214-373-1180 * FAX 214-373-6580 daytonm@macatee-engineering.com phillipf@macatee-engineering.com		
DESIGNED	CHECKED	DATE	DWG FILE	PROJECT #
		05/28/2021		
				SHEET NO. 2 OF 5 39



PRELIMINARY
 FOR REVIEW ONLY
 DAYTON C. MACATEE, P.E., 65028

CONCEPTUAL WATER & WASTEWATER PLAN				
WINDING CREEK				
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS				
		CIVIL ENGINEERING DESIGN & CONSULTING (Tex. Reg. No. F-456) 12655 N. CENTRAL EXPWY, SUITE 420 DALLAS, TEXAS 75243 TEL 214-373-1180 * FAX 214-373-6580 daytonm@macatee-engineering.com phillipf@macatee-engineering.com		
DESIGNED	CHECKED	DATE	DWG FILE	PROJECT #
		05/28/2021		
				SHEET NO.
				3 OF 5
				40

File: B:\Clients\090 (Skorburg Development)\090-21-006 (Winding Creek LS - Rockwall)\Civ\Sheet Set\L-1.0 Tree Preservation Plan.dwg | Date Plotted: 6/1/2021 9:11 AM | Plotted By: mwilson



- TREE LEGEND**
- PRESERVED EXISTING TREE
 - REMOVED EXISTING TREE

SITE DATA
 ACREAGE: 36.567
 LOT COUNT: 59
 (56 RESIDENTIAL,
 3 OPEN SPACE)

OWNERS
 REDDY K VASUNDHARA & ALEX R. FREEMAN
 100 N. CENTRAL EXPRESSWAY, STE. 108
 DALLAS, TEXAS 75080

M.G. & J.K. TAYLOR LIVING TRUST
 237 CLEM ROAD
 ROCKWALL, TEXAS 75087

APPLICANT
 SKORBURG COMPANY, LTD.
 8214 WESTCHESTER DRIVE, SUITE 710
 DALLAS, TEXAS 75225

INFORMATION ON THIS SHEET IS PERTINENT TO ALL OTHER DESIGN SHEETS IN THIS SET OF DRAWINGS. THE CONTRACTOR SHALL NOT SEPARATE DRAWINGS FROM THE SET FOR DISTRIBUTION TO SPECIFIC DISCIPLINES. EACH SUBCONTRACTOR SHALL BE PROVIDED WITH ALL SHEETS WITHIN THIS PLAN SET.

BANNISTER
 ENGINEERING
 240 North Mitchell Road | Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
 REGISTRATION # F-10599 (TEXAS)

Clem Development FM 1141/Clem Rd
 ROCKWALL, TEXAS
 TREESCAPE PLAN

No.	Date	Revision	Description



SHEET NUMBER
L-1.0



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: APPOINTMENT WITH RUSSELL PHILLIPS

Attachments
Applicant's Letter

Summary/Background Information

On June 17, 2021, Russell Phillips of Harbor Lake Pointe Investors, LLC requested an appointment with the City Council to discuss waiving the roadway impact fees associated with the Harbor Hill Condominiums. This 265-unit condominium building was originally approved in 2015 [Case No. SP2015-004] and amended in 2020 [Case No. SP2020-018]. As part of this project, the applicant is required to construct a portion of Glen Hill Way, which will connect Summer Lee Drive and Ridge Road. The construction of this roadway was agreed to by the applicant through the original site plan case in 2015. Recently, the applicant completed the civil engineering plans and was provided a fee memo stating that the roadway impact fees associated with this development are \$150,096.00. Based on the attached email, the applicant is requesting that the City Council apply the roadway impact fees to his construction cost for Glen Hill Way, which would effectively waive the impact fees since Glen Hill Way is not currently on the City's Capital Improvement (CIP) program.

Action Needed

The City Council is being asked to waive the roadway impact fees for the project in the amount of \$150,096.00.

Miller, Ryan

From: Smith, Mary
Sent: Thursday, June 17, 2021 4:36 PM
To: Miller, Ryan
Subject: FW: Road fee

Follow Up Flag: Follow up
Flag Status: Flagged

From: RUSSELL PHILLIPS < >
Sent: Monday, April 26, 2021 12:01 PM
To: Smith, Mary <MSmith@rockwall.com>
Subject: Fwd: Road fee

Mary, I have left a message and sent email below and have not heard back. Would you look into this or have you already?
Thanks, Russell

-----Original Message-----

From: RUSSELL PHILLIPS <msmith@rockwall.com>
To: msmith@rockwall.com <msmith@rockwall.com>
Sent: Mon, Apr 19, 2021 1:35 pm
Subject: Road fee

Mary, I appreciate all the help on the Harbor Hill project. The staff has been great to work!. I wanted to ask about a road impact fee that we are paying on the Harbor Hill project which is \$150,000+. We have been asked by the City to pay for a road from where the neighboring property stopped construction up towards Ridge Road through the property at the Harbor Hill site. We have agreed to do this and have not asked for any proportionality to limit our costs. This road is going to cost us about \$675,000. Harbor Hill is being charged the road impact fee and I feel as though we are being asked to handle more than we should on the road impact. We are happy to build the road as discussed and even pay the impact fee but can the fee apply to the cost of the road we have to put in? Thanks, Russell

This email was scanned by Bitdefender

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This email was scanned by Bitdefender



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: Z2021-014; ZONING CHANGE (AG TO PD) FOR THE KLUTTS FARM

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Applicant's Letter
Survey
Concept Plan
South Central Residential District
Harry Myers Park Exhibit
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of an ordinance for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, 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 change.



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: June 21, 2021

APPLICANT: Kevin Harrell; *Skorburg Company*

CASE NUMBER: Z2021-014; *Zoning Change (AG to PD) for the Klutts Farm*

SUMMARY

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

BACKGROUND

A 103.142-acre portion of the subject property was annexed on June 15, 1998 by *Ordinance No. 98-20*. The remainder of the subject property was annexed on October 4, 2010 by *Ordinance No. 10-27*. At the time of annexation both of these portions of the subject property were zoned Agricultural (AG) District. Currently situated on the subject property is an old farmhouse, which is 1,860 SF in size and was constructed in 1889 by William Lawson Lawhorn (*known as the Lawhorn Farm House*). In addition, -- based on current aerial images -- there appears to be two (2) agricultural accessory buildings (*of an undetermined size*) on the property. No additional changes or improvements have been made to the subject property since its annexation, and the property has remained zoned Agricultural (AG) District.



FIGURE 1: LAWHORN FARM HOUSE.

On March 19, 2021, the applicant -- *Kevin Harrell of the Skorburg Company* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 7 (SF-7) District land uses. Specifically, the applicant was proposing to entitle the subject property for a 526-lot single-family, residential subdivision that would incorporate four (4) lot types (*i.e. 62' x 120', 72' x 120', 82' x 120', and 100' x 120'*). More specifically, the development proposed incorporating 408, 62' x 120' lots (*i.e. a minimum of 7,440 SF*); 95, 72' x 120' lots (*i.e. a minimum of 8,640 SF*); 13, 82' x 120' lots (*i.e. a minimum of 9,840 SF*); and 10, 100' x 120' lots (*i.e. minimum of 12,000 SF*), which equated to an average lot size of 7,802.74 SF and a density of 2.68 dwelling units per acre. This request went before the Planning and Zoning Commission on April 13, 2021, and a motion to approve the case was approved by a vote of 5-2, with Commissioners Chodun and Moeller dissenting. Following this action -- *on April 19, 2021* --, the City Council failed to approve a motion to approve the zoning change by a vote of 3-4, with Mayor Pruitt and Councilmembers Daniels, Campbell, and Macalilik dissenting. Since the motion to approve failed and no subsequent motion was made, the failure was considered to be a denial with prejudice.

In conformance with Subsection 02.05(C), *Reapplication*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) the applicant submitted a written request outlining changes to the density, lot mix, open space, fencing, trails and amenities, and monumentation signage. In accordance with the procedures of the Unified Development Code (UDC), the Director of Planning and Zoning forwarded the request to the Planning and Zoning Commission for consideration, and on May 11, 2021 the Planning and Zoning Commission approved a motion to allow the applicant to

resubmit an application by a vote of 4-1, with Commissioner Chodun dissenting, and Commissioners Moeller and Conway absent.

PURPOSE

On May 14, 2021, the applicant -- *Kevin Harrell of the Skorburg Company* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses. Specifically, the applicant is proposing to entitle the subject property for a 490-lot single-family, residential subdivision that will consists of three (3) lot sizes (*i.e. [A] 226, 62' x 120'; [B] 249, 72' x 120'; and [C] 15, 100' x 120'*).

ADJACENT LAND USES AND ACCESS

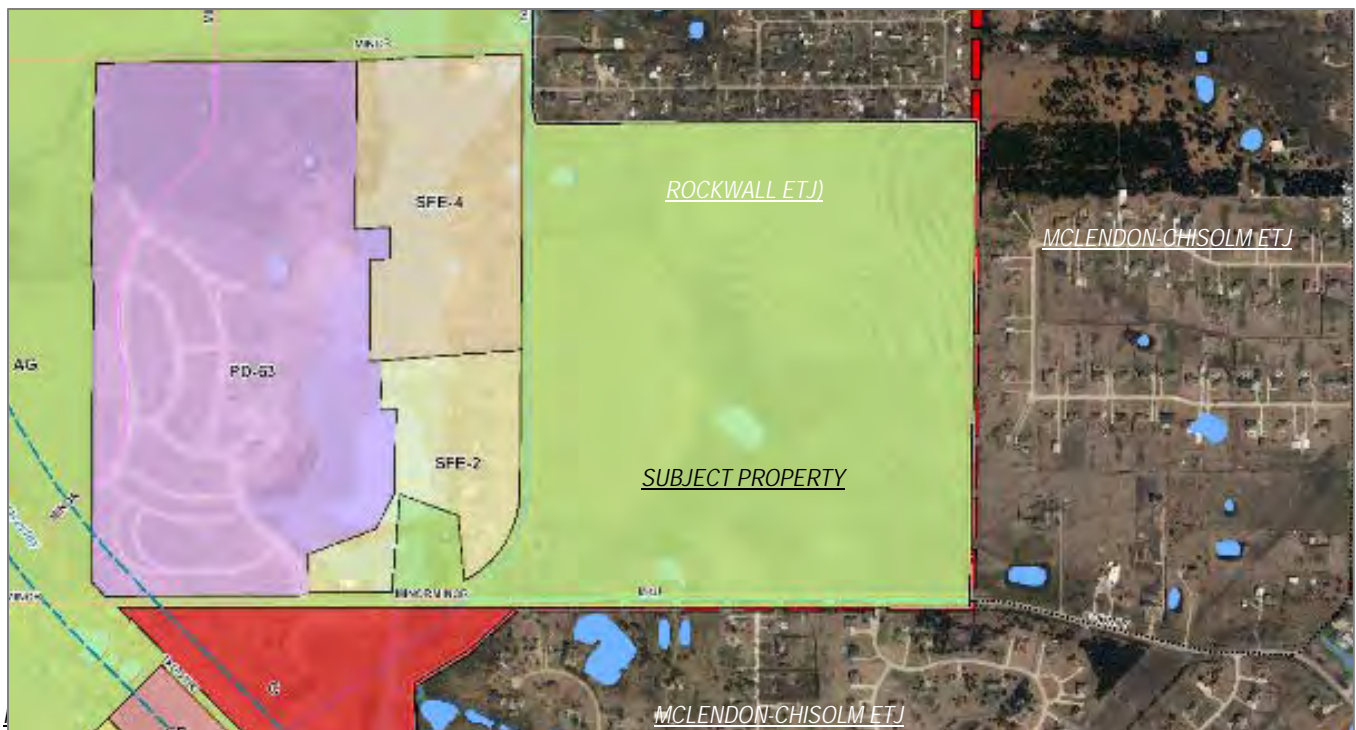
The subject property is located northeast of the intersection of FM-549 and FM-1139. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are the corporate limits of the City of Rockwall followed by residential properties situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall. This area includes the Woolridge Estates and Willow Ridge Subdivisions. Beyond this is the corporate limits of the City of Rockwall followed by Phase 3 of the Fontanna Ranch Subdivision, which is zoned Planned Development District 67 (PD-67) for Single-Family 16 (SF-16) District land uses.

South: Directly south of the subject property is FM-1139, which is identified as a M4U (*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 corporate limits of the City of Rockwall followed by residential properties situated within the City of McLendon-Chisolm's Extraterritorial Jurisdiction (ETJ).

East: Directly east of the subject property are the corporate limits of the City of Rockwall. Beyond this are the corporate limits of the City of Rockwall followed by residential properties situated within the City of McLendon-Chisolm's Extraterritorial Jurisdiction (ETJ).

West: Directly west of the subject property is FM-549, which is identified as a TXDOT4D (*i.e. a Texas Department of Transportation [TXDOT], four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are eight (8) single-family residential homes zoned



Single-Family Estate 2.0 (SFE-2.0) District, and eight (8) single-family residential homes zoned Single-Family Estate 4.0 (SFE-4.0) District. East of these properties is Phase 1 of the Somerset Park Subdivision, which consists of 152 single-family residential homes on 56.43-acres. This subdivision is zoned Planned Development District 63 (PD-63) for Single-Family 10 (SF-10) District land uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows that the 196.009-acre subject property will be broken down into 490 single-family residential lots that will consist of three (3) lot types (i.e. 62' x 120', 72' x 120', and 100' x 120'). More specifically, the development will incorporate 226, 62' x 120' lots (i.e. a minimum of 7,440 SF); 249, 72' x 120' lots (i.e. a minimum of 8,640 SF); and 15, 100' x 120' lots (i.e. minimum of 12,000 SF), which equates to an average lot size of 8,189.38 SF. This would translate to a density of 2.50 dwelling units per acre for the total development. The minimum dwelling unit size (i.e. air-condition space) will range from 2,200 SF to 2,800 SF. According to the applicant, the proposed housing product will be of the same quality as the Breezy Hill and Stone Creek Subdivisions, but will incorporate updated floor plans. Staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance. Specifically, the ordinance will require a minimum of 90% masonry (with a minimum of 85% masonry on each façade), and be subject to the City's upgraded anti-monotony standards; however, the Planned Development District ordinance will also incorporate provisions that allow up to 50% cementitious fiberboard utilized in a horizontal lap-siding, board-and-batten siding, or decorative pattern to allow a more *Traditional Neighborhood Design* product (also referred to as *Gingerbread*). The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 8.4 (SF-8.4) District. The following is a summary of the lot composition and density and dimensional standards contained in the proposed Planned Development District ordinance:

TABLE 1: LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	62' x 120'	7,440 SF	226	46.12%
B	72' x 120'	8,640 SF	249	50.82%
C	100' x 120'	12,000 SF	15	03.06%
<i>Maximum Permitted Units:</i>			490	100.00%

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ►	A	B	D
<i>Minimum Lot Width</i> ⁽¹⁾	62'	72'	100'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,440 SF	8,640 SF	12,000 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	25'	25'	25'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,600 SF	2,800 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

General Notes:

- ¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁵: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

- 6: *Type 'A' Lots* that incorporate a *flat-front entry* garage configuration shall be required to have a minimum setback of 25-feet.

The proposed concept plan shows that the development will consist of 13.6-acres of open space (*which includes a dog park*), a 1.606-acre amenity center, and a 50.8-acre public park. This represents a total of 66.006-acres (*or 33.67%*) of the site being dedicated to open space/amenity. This exceeds the total required open space of 20.00% (*or 39.20-acres*) by 13.68% (*or 26.806-acres*). In addition, the applicant has indicated that the proposed development will provide a six (6) foot meandering trail along the frontage of FM-549 and from the amenity center to the proposed public park. Situated adjacent to the trail in the central greenspace will be a trail head that will be designed at the time of site plan. The applicant has also indicated that the building materials for the amenity center will incorporate materials from the old farmhouse currently on the subject property. All of these items have been included into the proposed Planned Development District ordinance and will be requirements of the proposed subdivision.

INFRASTRUCTURE

Based on the applicant's concept plan and the proposed density, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

- (1) Roadways. All of the residential streets will need to have a minimum of 50-feet of right-of-way with a 29-foot *back-to-back* concrete street; however, any roadway adjacent to the proposed public park will need to have a minimum of 60-feet of right-of-way with a 41-foot *back-to-back* concrete street. Since the Texas Department of Transportation (TXDOT) will be widening and improving FM-549 in July of 2021, no improvements are necessary for this roadway.
- (2) Water. The applicant shall be required to provide a letter from Blackland Water Supply Corporation -- *the holder of the Certificate of Convenience and Necessity (CCN) for a portion of the subject property* -- stating that they can serve domestic and fire protection meeting the City's minimum standards for the portion of the property that is located within their CCN. As an alternative, the applicant can pursue opting out of the Blackland Water Supply Corporation's CCN. Any water system utilized to provide water to the site will be required to utilize a minimum of an eight (8) inch line that is to be looped through the subject property.
- (3) Wastewater. The applicant will need to connect the subdivision to the City's existing sanitary sewer system. This includes extending a minimum of an eight (8) inch wastewater line connecting the subject property to the existing *Long Branch Lift Station*. Existing pro-rata agreements will also need to be paid for the *Long Branch* and both *FM-3097 Lift Stations* in the amount of \$545.38/acre and \$432.74/acre. In addition, both of the *FM-3097 Lift Stations* will need to be upgraded to ultimate capacity (*i.e. pumps, electrical equipment, generators, and any other appurtenances*) if more than 242 lots are constructed. Since the applicant is proposing to increase the densities that are called for on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, an infrastructure study will need to be performed to determine the impact to the existing system, and the capacity and necessary improvements to all lift stations needed to sufficiently serve the development.
- (4) Drainage. The applicant shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Wetlands and Waters of the United States (WOTUS) study for the existing ponds on the subject property.

CONFORMANCE TO THE CITY'S CODES

The proposed Planned Development District conforms to the majority of the City's code requirements; however, it should be noted that the development standards contained within the Planned Development District ordinance deviate from the requirements of the Unified Development Code (UDC), the Municipal Code of Ordinances, and the Engineering Department's *Standards of Design and Construction Manual* in the following ways:

- (1) Alleyways. The Engineering Department's *Standards of Design and Construction Manual* stipulates that "(a)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete..." The code does grant the City Council

the ability to "... waive the residential alley requirement, if it is in the best interest of the City." [Page 14; Section 2.11 of the Standards of Design and Construction Manual]

- (2) Garage Configuration. The Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages unless it is a *J-Swing* [or *traditional swing*] garage where the garage door is perpendicular to the street."

Applicant's Response to (1) & (2): In lieu of providing the required alleyways, the applicant is proposing to provide 80% *J-Swing* or *Traditional Swing* garages and 20% *Flat Front Entry* garages (i.e. where the garage is even with the front façade). This translates to 43.36% (i.e. 98) of the *Type 'A' Lots* (i.e. 62' x 120' lots) being *Flat Front Entry* with all of the *Type 'B' & 'C' Lots* (i.e. *Type 'B': 72' x 120' lots and Type 'C': 100' x 120' lots*) being in a *J-Swing* or *Traditional Swing* garage configuration. As a compensatory measure the applicant is proposing to increase the front yard building setback from 20-feet to 25-feet for homes that have a *Flat Front Entry* garage configuration. The applicant is also proposing to provide decorative wood garage doors or garage doors that incorporate a wood overlay on an insulated metal door. All garage doors will also incorporate carriage style hardware. In addition, the applicant will still have the ability to provide *Recessed Front Entry* garages (i.e. where the front of the garage is setback a minimum of 20-feet from the front façade of the house) on all lots.

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 South Central Residential District and is designated for Low Density Residential land uses on the Future Land Use Plan. According to the Comprehensive Plan, Low Density Residential land uses are defined as "... residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ...". In addition, the Comprehensive Plan defines amenity as, "... developments that provide some of the following: [1] open space beyond the required 20%, [2] a golf course and/or other comparable recreation facilities, [3] amenity/recreation facilities, [4] school site integration, [5] dedication or development of park land beyond the required park land dedication, [6] additional development of trails, [7] other amenities deemed appropriate by the City Council." In this case, the applicant is requesting a 2.50 dwelling units per gross acre, and is proposing to construct [1] an amenity center, [2] open space in excess of 20% (i.e. 33.67% or 66.006-acres of open space), [3] a trail system and trail head, and [4] the dedication of a 50.08-acre public park. The proposed amenities do appear to justify the requested density; however, density under any Planned Development District request is a discretionary decision for the City Council; however, staff should note that (since the proposed zoning change is in conformance with the Future Land Use Plan) the zoning change would not change the desired land use ratio of residential to commercial, which is targeted at providing a ratio of 80% residential/ 20% commercial land uses per the Comprehensive Plan [Goal 01, Policy 1; Section 02.01 of Chapter 1].

With regard to the policies for residential development contained in the Comprehensive Plan, the applicant's request appears to be in substantial conformance with this section of the OURHometown Vision 2040 Comprehensive Plan; however, the approval of any zoning change is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

PARKS AND RECREATION BOARD

Per the Planning and Zoning Commission's request with *Case No. Z2021-007*, staff brought the original concept plan to the Parks and Recreation Board for their review and recommendation concerning locating a regional public park on the subject property. On April 6, 2021, the Parks and Recreation Board approved a motion to recommend approval of the proposed public park as a regional park by a vote of 6-0, with Board Member Dodd absent.

As part of the newly submitted case, the Klutts Family has requested that the City consider naming the proposed regional public park after Mayor Ben Klutts. Based on this request, staff brought the proposal back to the Parks and Recreation Board on June 1, 2021. At this meeting, the Parks and Recreation Board approved a motion stating that -- if the land was dedicated to the City -- the Parks and Recreation Board and the Parks Naming Subcommittee would consider the name in accordance with the *Park Naming Guidelines* of the City of Rockwall. This motion was approved by a vote of 6-0 with Board Member Hasenyager absent.

For comparison purposes staff has provided an exhibit of Harry Meyers Park for the Planning and Zoning Commission's review. Harry Meyers Park is a regional park that consists of a total of 66.29-acres of land (*consisting of 22.76-acres of floodplain and 43.53-acres of land outside of the floodplain*).

NOTIFICATIONS

On May 21, 2021, staff mailed 23 notices to property owners and occupants within 500-feet of the subject property. There were no Homeowner's Associations (HOAs) 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 received the following:

- (1) Two (2) emails from two (2) property owners within the 500-foot notification buffer in favor of the applicant's request.
- (2) Six (6) property owner notifications from six (6) property owners within the 500-foot notification buffer in opposition to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the conditions contained in the Planned Development District ordinance; and,
- (2) Any construction resulting from the approval of this Zoning Change 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 June 15, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the zoning change by a vote of 5-1, with Commissioner Chodun dissenting and Commissioner Moeller absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-014

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 S FM 549, Rockwall, TX

Subdivision Ramsey Survey Abstract-186

Lot N/A Block N/A

General Location NEC of S FM 549 and FM 1139

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG

Current Use Agricultural

Proposed Zoning PD - Single Family

Proposed Use Single Family Residential Subdivision

Acreage 198.52

Lots [Current] N/A

Lots [Proposed] 565

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 Klutts Farm, LLC

Applicant Skorburg Company

Contact Person Ben Klutts, Jr

Contact Person Kevin Harrell

Address 1604 N Hills Dr

Address 8214 Westchester Suite 900

City, State & Zip Rockwall, TX 75087

City, State & Zip Dallas, TX 75225

Phone 972-771-5755

Phone 214-888-8859

E-Mail BKluttsjr@att.net

E-Mail KHarrell@SkorburgCompany.com

NOTARY VERIFICATION [REQUIRED]

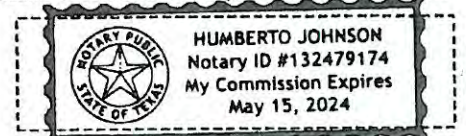
Before me, the undersigned authority, on this day personally appeared Ben Klutts [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 18th day of March, 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."

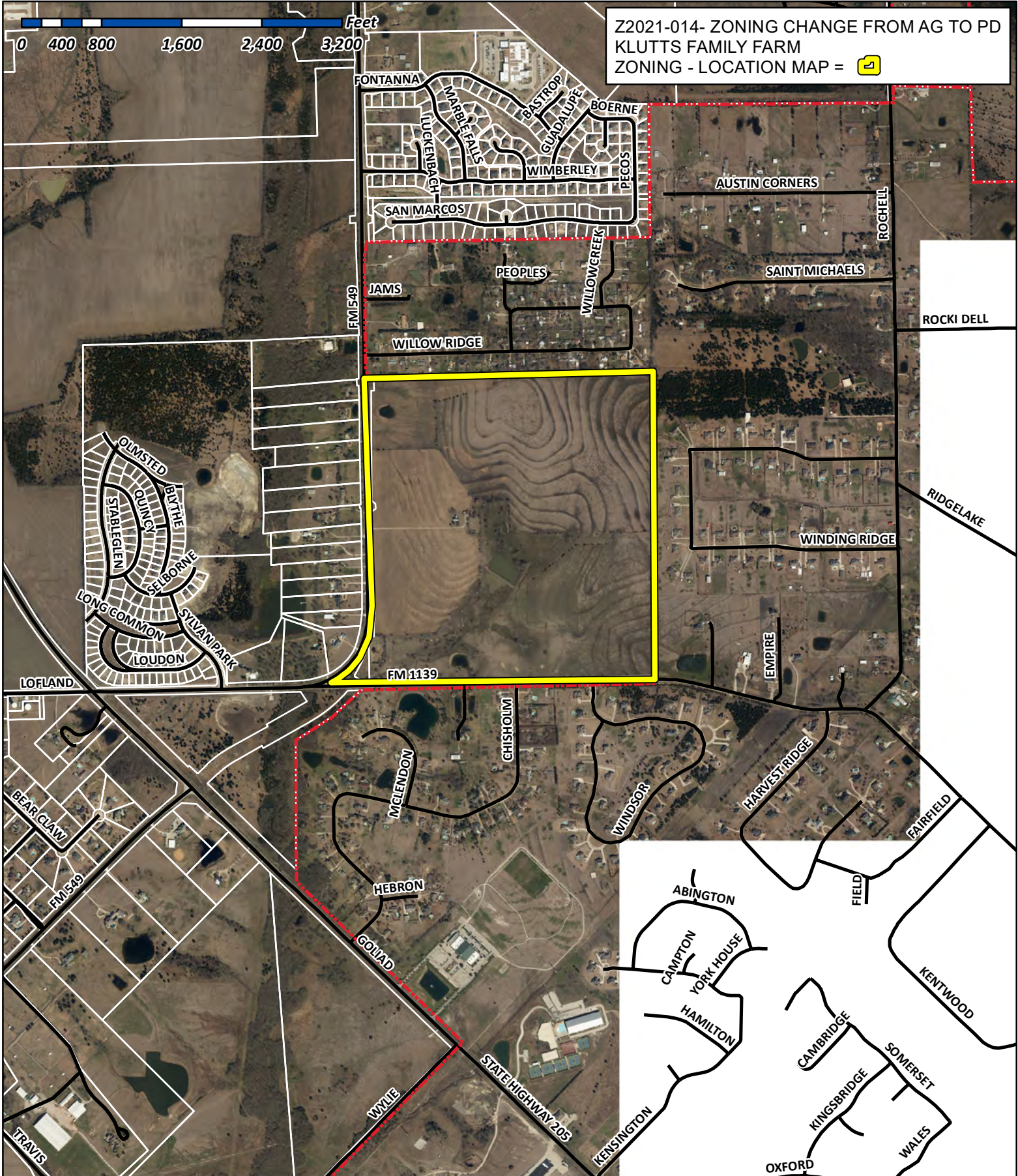
Given under my hand and seal of office on this the 18th day of March, 20 21.

Owner's Signature

Notary Public in and for the State of Texas



My Commission Expires



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.

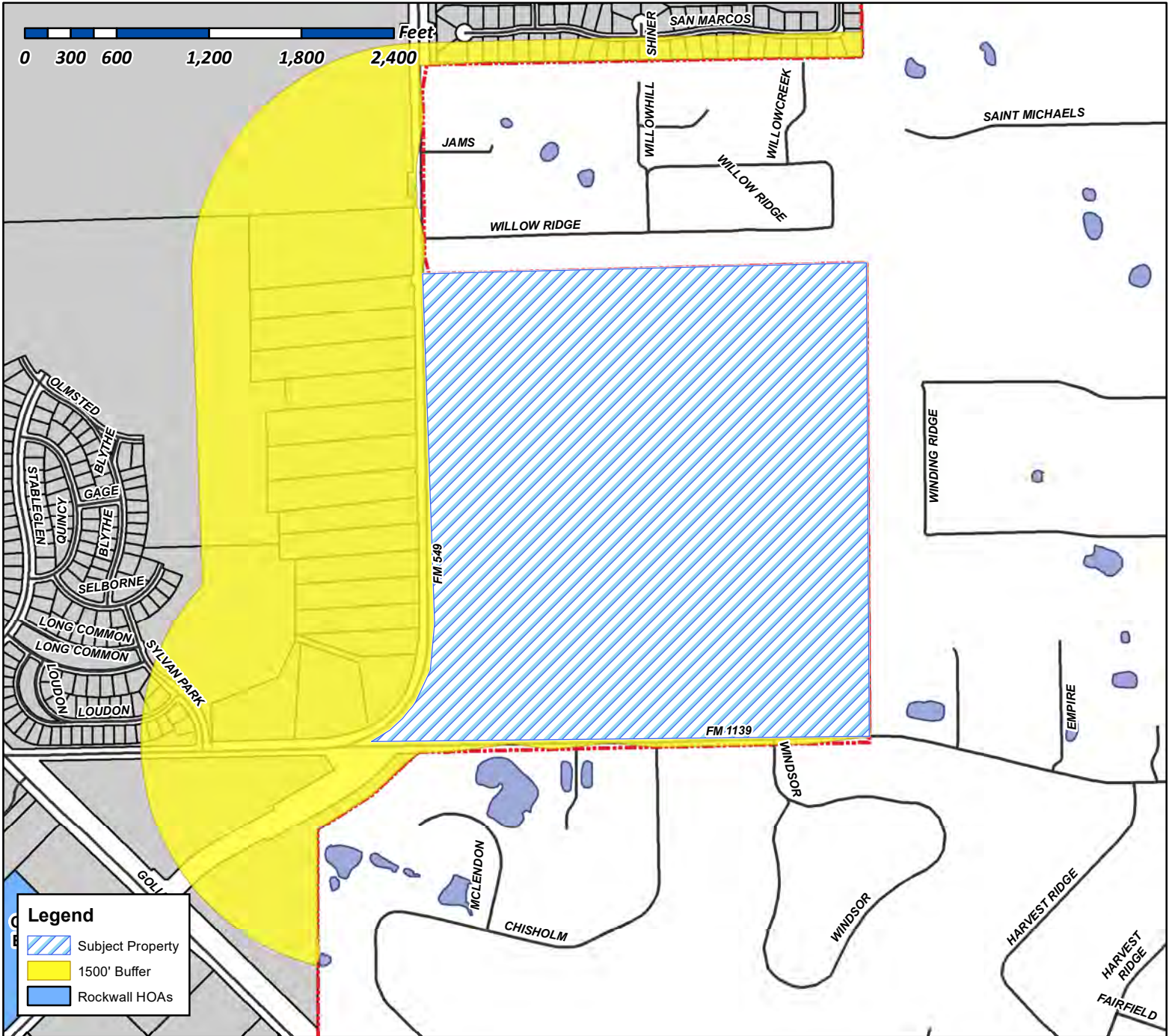




City of Rockwall

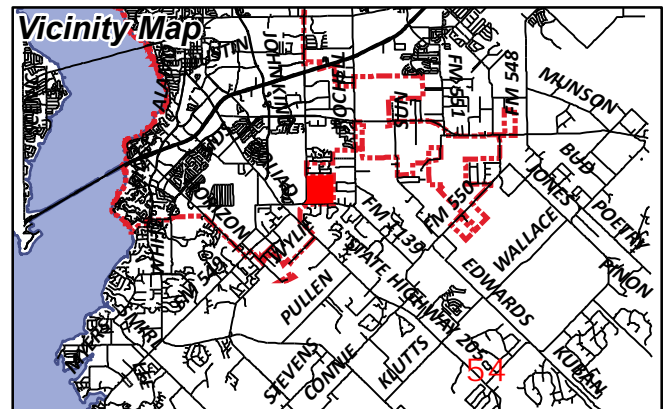
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2021-014
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: FM 549 and FM 1139

Date Created: 5/13/2021
For Questions on this Case Call (972) 771-7745



ROCKWALL 205 INVESTORS LLC
1 CANDLELITE TRAIL
HEATH, TX 75032

LOFLAND N L EST
1 CARMARTHEN CT
DALLAS, TX 75225

CHERRY BRUCE
1111 CAMBRIDGE CT
ROCKWALL, TX 75032

NELLER GARY K & HELEN COMEAU
148 HARVEST HILL DR
ROCKWALL, TX 75032

KLUTTS FARM LLC
1604 NORTH HILLS DR
ROCKWALL, TX 75087

NELLER GARY K & HELEN COMEAU
2380 FM 549
ROCKWALL, TX 75032

HENSON RICHARD W & SHARON ES
2424 FM5 49
ROCKWALL, TX 75032

ACOSTA ANTHONY
2480 S FM 549
ROCKWALL, TX 75032

DUGGAN CHRISTOPHER W & SHERRI L
2516 S FM 549
ROCKWALL, TX 75032

DUGGAN CHRISTOPHER W & SHERRI L
2548 FM 549
ROCKWALL, TX 75032

CHERRY BRUCE
2592 FM 549
ROCKWALL, TX 75032

LEE RICHARD V & GLORIA J
2638 S FM 549
ROCKWALL, TX 75032

MCCANN KEVIN J AND ERIN M
2676 FM 549
ROCKWALL, TX 75032

POWERS FAMILY TRUST
JAMES DWAIN & PATRICIA ANNETTE POWERS
CO TRUSTEES
2716 FM549
ROCKWALL, TX 75032

OHMANN THOMAS J & CAROL J
2744 S FM 549
ROCKWALL, TX 75032

HOLLON GREGORY D
2778 S FM 549
ROCKWALL, TX 75032

HERRERA AARON J AND JENNIFER R AND
FOREHAND DALE A AND AMELIA A
2816 FM 549
ROCKWALL, TX 75032

WELCH CASEY K AND CATHARINE
2844 S FM 549
ROCKWALL, TX 75032

PETTIFORD SEAN AND BRANDI
2884 FM 549
ROCKWALL, TX 75032

SOLIS CARLOS HERIBERTO AND CRYSTAL GARZA-
SOLIS
2914 FM 549
ROCKWALL, TX 75032

JONES DOUGLAS A
2994 FM 549
ROCKWALL, TX 75032

HENSON RICHARD W & SHARON ES
PO BOX 1091
ROCKWALL, TX 75087

POWERS FAMILY TRUST
JAMES DWAIN & PATRICIA ANNETTE POWERS
CO TRUSTEES
PO BOX 850
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. Z2021-014: Zoning Change from AG to PD

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, 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, June 15, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 21, 2021 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 Monday, June 21, 2021 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. Z2021-014: Zoning Change from AG to PD

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.

Four horizontal grey bars for providing reasons for support or opposition.

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

Miller, Ryan

From: Katie Welch <katie@welcheducation.com>
Sent: Tuesday, June 15, 2021 4:11 PM
To: Miller, Ryan
Subject: public record comments - Case #Z2021-014

Ryan,

Attached are my public comments for Case #Z2021-014. Could you please see that these are added to the record?

Thanks!

Katie Welch

6-15-2021

To the Rockwall Planning & Zoning Commission and City Council,

My husband Casey and I are impacted property owners for Case #Z2021-014, the request to rezone the Klutts Farm from agricultural to residential. We support this proposal for the reasons listed below.

This case is a rare win-win-win-win in which all of the stakeholders involved, including the City of Rockwall, the landowner, the developer, and the 16 impacted properties along FM549, ALL stand to benefit greatly from this proposal. While it's fairly obvious what the landowner and developer gain from this planned development, I'd like to detail for you how the City of Rockwall and the impacted homeowners likewise benefit.

Being an academic, my first instinct when facing a new challenge is to consider what research has been conducted on the issue and to gather the facts from experts. In looking at academic journals on urban development, I found an overwhelming number of nationwide studies that state that homes which reside within 500 feet of a municipal park generally see a 9-20% increase in property value as a result. Assuming that the homes along FM549 are worth on average \$500,000, our proximity to this new park means that we stand to gain somewhere between \$50,000-100,000 in equity as a result of this planned development. That's a win.

(An important caveat to those studies is that the parks must not be amenitized "problematically", which is why we are going to insist that we homeowners have a strong voice as the City makes plans on how to amenitize the park.)

Additionally, this boost in equity doesn't take into account the fact that, across the street from us, we will now have quality-constructed, comparable-sized homes on significantly smaller lots, which will make our multi-acreage properties much more desirable in comparison. That's another win.

Property values are only one part of the equation. As I mentioned to you during the previous proposal process, we need infrastructure. Initially, the Skorburg company told us that they would not be providing any off-site improvements for our neighborhood. They have since, however, amended their viewpoint and have offered to provide our neighborhood with an \$86,000 natural gas line that will accomodate all 16 of our homes. Because Atmos' line runs on the opposite side of the road from us, they must tunnel underneath FM549 eight different places in order to bring natural gas service to our side. We have been talking with Atmos for years about getting natural gas to our side of the road, and it's never been feasible. It is now. This is a huge win.

As much as we homeowners seek to gain, the biggest winner of all in this planned development is not us. It's the City of Rockwall. While unquestionably the City stands to significantly increase its revenue in property taxes from this development and its ricochet impact to surrounding homes such as ours, it also gains in other ways as well.

OurHomeTown Vision 2040 -- a plan that had public input and was given your stamp of approval in December 2018 -- states that "The Low Density Residential land use category consists of residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses." With 490 homes being requested on 200 gross acres, this proposal falls within the 2.5 units per acre requirement. So, what amenities does the City get in return for the additional half unit per acre? Plenty.

In addition to the trail heads, meandering sidewalks, large amenity center, etc. that will all be maintained by an HOA, the city will receive a multi-million dollar gorgeous piece of property in southern Rockwall. This property will not only allow the City to accomplish the comprehensive plan goal of bringing a regional park to southern Rockwall, it will also free up the \$1 million dollars currently set aside for such a park to be immediately deployed to amenitize it. This is in addition to the hundreds of thousands of dollars in matching funds that will be available as a result of the land dedication.

Just as with us homeowners, the City will also receive much-needed infrastructure. Amy Williams, City Engineer, said in the 4/19/2021 City Council meeting that the sewer lift station upgrades being provided by the Skorborg Company are sufficient for not just the Klutts tract, but "will open up everything in the south for sewer." The City of Rockwall has significant sewer infrastructure needs and a lack of funding options to remedy them--including to our own neighborhood, which continues to be denied sewer services. The upgrades being provided as a part of this plan alleviate some of the City's infrastructure burden so they can hopefully begin fulfilling their obligations to neighborhoods such as ours.

To get to this win-win-win-win, it has taken an inordinate amount of collaboration, cooperation, and conversation between all of the involved stakeholders. And like most good compromises, we have all had to give up something in the process. Our neighborhood is giving up a lot. We are losing our quiet, country lifestyle, our prairie views, and any prayer of being able to exit our driveways in the morning in a good mood. But, we also gain home equity we wouldn't have otherwise, infrastructure that we have been trying to secure for years, and an opportunity to have input on how the park is amenitized--something we would not have if it were an HOA-maintained green space.

We have ALL come together in good faith, have played by the rulebook you have provided us (i.e. the comprehensive plan), and have found a scenario where everyone wins. Your vote of "yes" on Case #Z2021-014 not only signifies that this proposal meets the comprehensive plan you have set forth but also honors the collaborative process by which we arrived at this proposal.

Katie (& Casey) Welch
2844 FM 549
Rockwall, TX 75032

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Miller, Ryan

From: Jennifer Herrera <aandj_forever@hotmail.com>
Sent: Tuesday, June 15, 2021 3:16 PM
To: Miller, Ryan
Subject: Case #: Z2021-014

My name is Jennifer Herrera. I live at 2816 FM 549. I am writing to support the Skoburg company's proposed development at the Klutts Farm. I believe that this developer is bringing in quality homes and a regional park, both of which should have a positive impact on my property value. Given the large number of homes coming to the area, I expect that the city will now be running a city sewer line to my property and the other existing properties on FM 549 that will face this housing development. I am also aware of the opportunity to get natural gas as well. We have been waiting patiently for city infrastructure to finally reach us. Thank you for your time.

Aaron and Jennifer Herrera

Sent from my iPhone

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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. Z2021-014: Zoning Change from AG to PD

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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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.

SOG EMAIL

Name: DOUGLAS & SHERI JONES
Address: 2994 FM 549 ROCKWALL, TX 75032

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.

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PUBLIC NOTICE



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

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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.

The density of the housing development, increased traffic, reduction in property value, and opposed to a Regional Park at this location.

Name: *Gloria Lee*
Address: *2638 FM 549, Rockwall, Tx. 75032*

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.

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Letter from the Property Owners at Lofland Lakes Estates - City of Rockwall:
SUP # Z2021-014 (Klutts Family Farm)

June 14, 2021

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

RE:
Case Number: SUP # Z2021-014
Case Name: Zoning
Case Type: Special Use Permit ("Proposed SUP")
Zoning: Agricultural (AG) District
Case Address: Klutts Family Farm

We are **OPPOSED to the SUP, as proposed**, for the following reasons:

1. **Density** – Too many 62' & 72' wide lots
2. **Infrastructure** - The city and county of Rockwall does not currently have the roads infrastructure to accommodate the traffic associated to SUP.
3. **Water run-off** – We will likely have to make capital investments to our property to accommodate the associated additional water run-off.
4. **50 acres Regional City Park** – We do not want a Regional Park at this location.

Gloria Lee Gloria Lee, 2638 FM 549, 972-772-6908 gjlee7175@sbeglobal.net

Signature	Print Name	Address	Phone #	E-Mail
_____	_____	_____	_____	_____
Signature	Print Name	Address	Phone #	E-Mail
_____	_____	_____	_____	_____
Signature	Print Name	Address	Phone #	E-Mail
_____	_____	_____	_____	_____
Signature	Print Name	Address	Phone #	E-Mail
_____	_____	_____	_____	_____
Signature	Print Name	Address	Phone #	E-Mail
_____	_____	_____	_____	_____
Signature	Print Name	Address	Phone #	E-Mail
_____	_____	_____	_____	_____

More signatures – Next Page

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:

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



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Case No. Z2021-014: Zoning Change from AG to PD

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.

resist the density. Like to see a minimum of 22 ft lots

Name:

Greg Hollon

Address:

2278 S FM 549

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- I am opposed to the request for the reasons listed below.

HIGH CONCENTRATION OF 62' x 72' LOTS; DO NOT WANT REGIONAL PARK AT THIS LOCATION; CONCERNED ABOUT WATER RUN-OFF

Name: *RICHARD & SHARON HENSON*

Address: *2424 S. FM 549 ROCKWALL*

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 not 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 a 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 change and extending 200 feet from that area.

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Director of Planning & Zoning



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Case No. Z2021-014: Zoning Change from AG to PD

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.

The lot sizes are small. The added traffic congestion onto FM 549. Opposed to a regional park. The drop in our property values.

Name: Tom & Carol Ohmann 214-288-2162
Address: 2744 S. FM 549 Rockwall, TX 75032

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.

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SUP # Z2021-014 (Klutts Family Farm)

June 14, 2021

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

RE:
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Case Name: Zoning
Case Type: Special Use Permit ("Proposed SUP")
Zoning: Agricultural (AG) District
Case Address: Klutts Family Farm

We are **OPPOSED** to the SUP, as proposed, for the following reasons:

1. **Density** – Too many 62' & 72' wide lots
2. **Infrastructure** - The city and county of Rockwall does not currently have the roads infrastructure to accommodate the traffic associated to SUP.
3. **Water run-off** – We will likely have to make capital investments to our property to accommodate the associated additional water run-off.
4. **50 acres Regional City Park** – We do not want a Regional Park at this location.

Tom & Carol Ohmann
Tom & Carol Ohmann 27445 FM 5492, 14288-2162, Rockwall TX 75032 TomO@ATdetail.net

Signature	Print Name	Address	Phone #	E-Mail
_____	_____	_____	_____	_____
Signature	Print Name	Address	Phone #	E-Mail
_____	_____	_____	_____	_____
Signature	Print Name	Address	Phone #	E-Mail
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Signature	Print Name	Address	Phone #	E-Mail
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_____	_____	_____	_____	_____

More signatures – Next Page

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

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Case No. Z2021-014: Zoning Change from AG to PD

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Name: TONY ACOSTA & GRACIE RODRIGUEZ

Address: 2480 SOUTH F.M. 549

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[Handwritten signatures of Tony Acosta and Gracie Rodriguez]



Skorburg Company
8214 Westchester Dr., Ste.
900
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244

May 14, 2021

City of Rockwall
Attn: Ryan Miller, AICP
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Miller,

Upon receiving a 4-1 favorable vote from the Planning & Zoning Commission on May 11, 2021 that our revised concept plan fulfills the requirements of a Substantial Change, the Skorburg Company is submitting a revised zoning application and respectfully requests that our project (the "Homestead") be taken to the May 25, 2021 Planning & Zoning Commission Meeting (Work Session) and June 15th, 2021 Planning and Zoning Commission Meeting (Action Meeting). The Homestead consists of ±196 Acres in the J. A. Ramsey Survey, City of Rockwall, Rockwall County, located at the Northeast corner of F.M. 549 and FM 1139.

The property is currently zoned AG. Our proposed development allows for a maximum of 490 single-family detached residential homes on lots ranging from a minimum of 7,440 SF to 12,000 SF, which equates to a maximum density of 2.49 units per acre (compliant with the City's Comprehensive Plan). This community will feature high quality homes as featured in other high quality Skorburg communities like Stone Creek Estates, Breezy Hill Estates, and Gideon Grove.

This zoning request fully conforms to the City's Comprehensive Plan with no variances being requested. Over and above complying with the City's Comprehensive Plan, this ordinance also makes voluntary commitments to high quality construction materials such as a 90% minimum masonry requirement and enhanced garaged doors.

Featuring an extensive 33% open space (well over the 20% open space requirement), this unique development also includes an extensive list of amenities:

- an amenity center with an enclosed clubhouse with restrooms, pool, and parking
- enhanced entry monumentation
- strategically located trails with high quality trail head in a centralized open space
- a dog park; and
- a proposed 50-acre contiguous tract of land to be dedicated to the City of Rockwall for a Regional City Park that will add beauty, quality of life, and increase property values for future and existing residents of the surrounding area, which has been affirmed as being desired by the City's Park Board and would fulfill a need of the Park Board's Comprehensive Plan.

From the onset of this zoning process, the Skorburg Company and landowner have worked collaboratively, professionally, and in good faith and taken to heart the desires and inputs of adjacent residents, particularly from the neighbors to the west along FM 549. To illustrate this, **Exhibit “A”** attached to this letter contains an e-mail from Mr. Richard Henson to Adam Buczek dated April 16, 2021. While we tried, we were unable to satisfy his demands at the April 19, 2021 council meeting.

However, after being denied by City Council at the April 19, 2021 meeting on the basis of density (which has now been satisfied as this revised zoning request conforms to the Comprehensive Plan), the property owner and Skorburg went back to the drawing board pivoting off of Mr. Henson’s commitment which required enormous concessions from us and our landowner. In comparing Mr. Henson’s counter proposal on Page 4 of Exhibit “A”, it is evident that our revised Concept Plan materially conforms to his expectations to not oppose our zoning request, and in fact, our plan contains ten (10) fewer lots than he requested.

We look forward to working with the City to make The Homestead a reality and an asset for the Rockwall community to enjoy for many decades to come.

Cordially Yours,

Kevin Harrell
Land Acquisition Manager

EXHIBIT 'A' (p. 1 of 4)

Adam Buczek

From: Richard Henson <hendad4@yahoo.com>
Sent: Friday, April 16, 2021 12:55 AM
To: txsharon1@yahoo.com; Adam Buczek
Subject: Re: Updates / revised Homestead (Klutts Farm) Concept Plan zoning request
Attachments: Plat revised 4-15-21.pdf

Adam
Please see attached

- Your most recent plat of the development; and
- Our counter proposed plat (2nd page)

I do not have the appropriate software for this type of map manipulation (just Power Point). You can easily see where I manipulated the map (NW part of development)

If you will agree to these edits, along with your previous concessions, we will not protest the development at next week at city hall.

Best
Richard W Henson
214-288-3084

On Thursday, April 15, 2021, 07:30:19 PM CDT, Adam Buczek <abuczek@skorburgcompany.com> wrote:

Good evening, Richard & Sharon.

I wanted to provide you with the latest updated / revised Homestead layout that incorporates the changes as required by the P&Z Commission's recommendation on Monday night (plus I was able to provide some additional enhancement of a larger average lot size in the mix as I explain below).

This will be our final layout that I present to city council next Monday night.

Nothing changed except we incorporated the recommendation of the P&Z Commission to intermix the 72' wide lots with the 62' wide lots to create a more mix of product types within the streets (hence you see the mixing of the yellow and orange colored lots).

EXHIBIT "A" (p. 2 of 4)

Interestingly, in doing this work with my engineer since the P&Z Meeting and due to us having extensive curvilinear streets – we were actually able to convert 14 of the 62' wide lots into 72' wide lots as part of the intermixing of lot types (so this revised layout actually goes above and beyond P&Z's recommendation by increasing the # of 72' wide lots without any change to the total # of lots).

I hope these changes make the plan more to your liking. I am happy to discuss any other questions you or your neighbors may have. Thank you.

Best Regards,

Adam J. Buczek

Development Partner

Skorburg Company

8214 Westchester Drive, Suite 900

Dallas, Texas 75225

Ph: (214) 888-8843

Cell: (817) 657-5548

Fax: (214) 888-8861

EXHIBIT "A" (p. 364)

Skorburg
 Proposal as of 4/16/21



EXHIBIT "A" (p. 4 of 4)

Counter proposal
From Henson
4/16/21

Stone Creek quality entrance

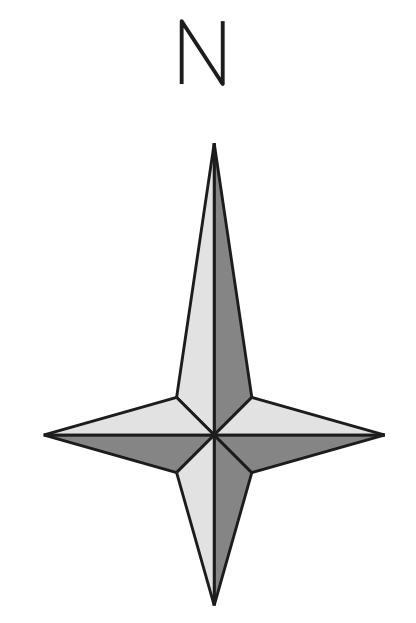


Entrance set back like Stone Creek with a median, curves in street & significant monument
Add green space around entrance
Add 72' lots on streets around club house
It appears to be 26 fewer lots

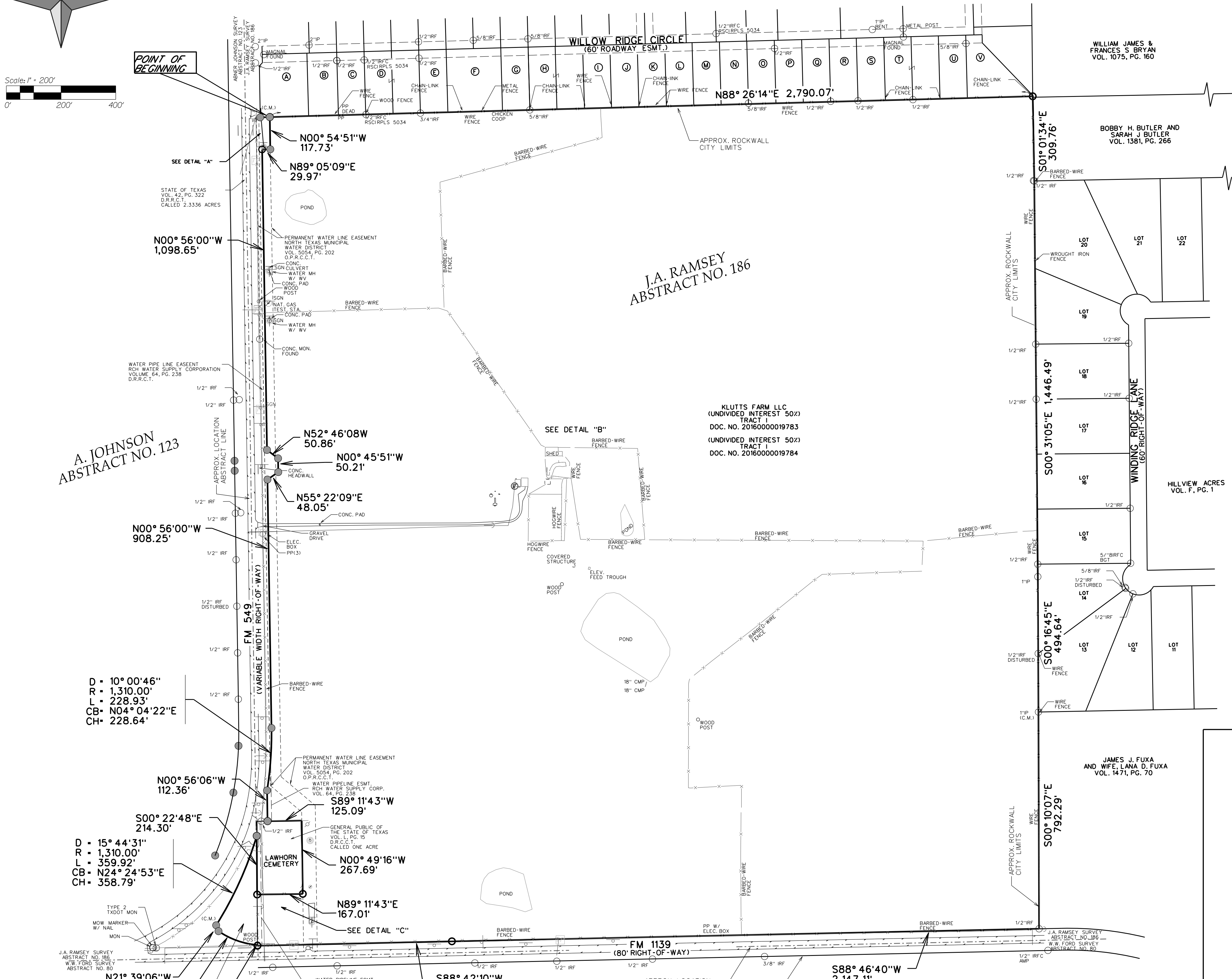
A



A This revised zoning request has 36 fewer lots.
(10 fewer lots than suggested by Mr. Henson)



A TOMAS JIMENEZ VOL. 2673, PG. 62 D.R.R.C.T.
 B DONNE PEOPLES VOL. 7390, PG. 128 D.R.R.C.T.
 C ANDRADE MARTIN VOL. 1200, PG. 140 D.R.R.C.T.
 D JOEL SOLIS VOL. 329, PG. 287 D.R.R.C.T.
 E DON & CINDY LAREY VOL. 1400, PG. 140 D.R.R.C.T.
 F HECTOR T. CHAVEZ VOL. 204000018513 O.P.R.R.C.T.
 G SAUL G. PACHECO VOL. 6754, PG. 127 D.R.R.C.T.
 H JONATHAN H. & LAUREN N. HULLETT VOL. 2017000002690 O.P.R.R.C.T.
 I JONATHAN H. HULLETT VOL. 6737, PG. 21 D.R.R.C.T.
 J HARRY CRUMP VOL. 3105, PG. 319 D.R.R.C.T.
 K JAMES & ELVIRA MATTEWS VOL. 7061, PG. 106 D.R.R.C.T.
 L WILLIE CLARK VOL. 120, PG. 767 D.R.R.C.T.
 M ANNETTE MARY WEY-MASS DOCUMENT NO. 2018000003567 O.P.R.R.C.T.
 N FLOR ALEY SECUNDINO DOC. NO. 201900000270 O.P.R.R.C.T.
 O RAIL MEDINA DOC. NO. 20170000009503 O.P.R.R.C.T.
 P CLARITA B. ZAMARRIPA DOC. NO. 2020000022842 O.P.R.R.C.T.
 Q ROSEL R. REYNA VOL. 1123, PG. 31 D.R.R.C.T.
 R JORGE ACOSTA DOC. NO. 20170000019604 O.P.R.R.C.T.
 S DOMINGO GRIMALDI VOL. 6017, PG. 203 D.R.R.C.T.
 T WILLIAM JAMES & FRANCES S. BRYAN VOL. 1075, PG. 160

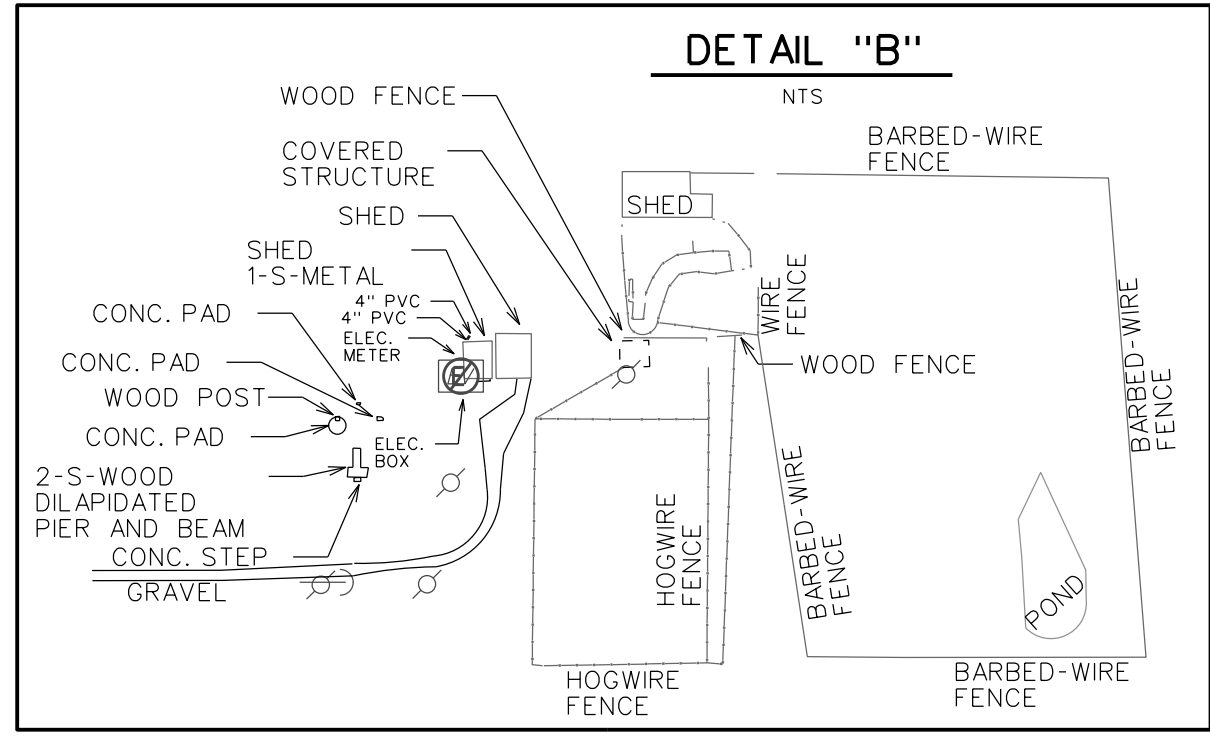
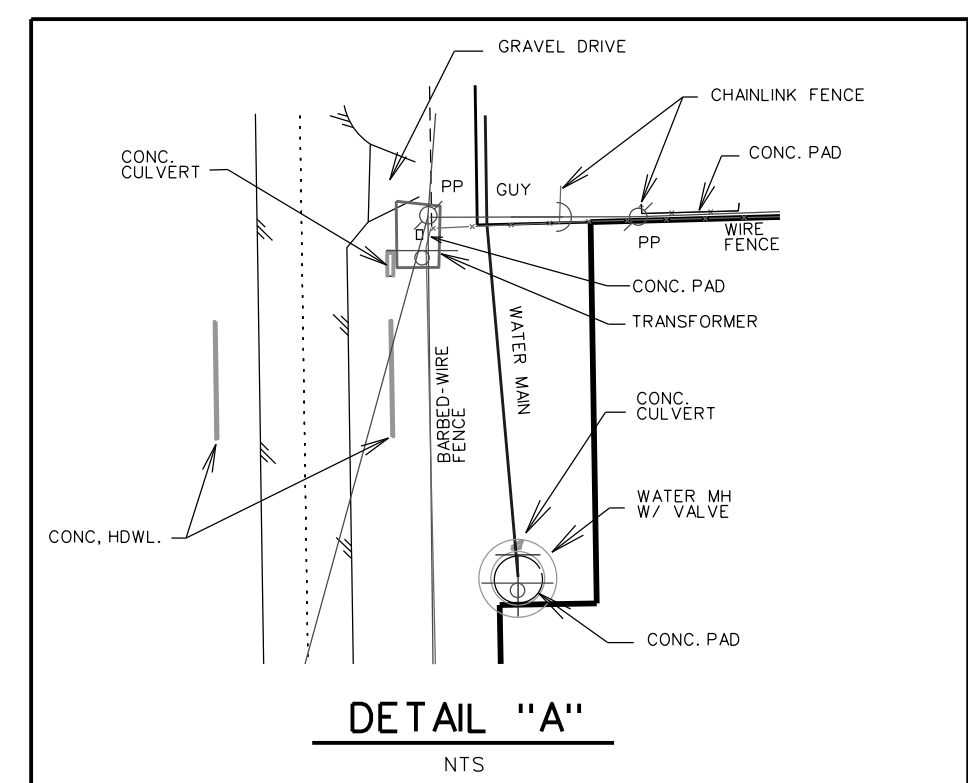


U BEING a tract of land situated in the John A. Ramsey Survey, Abstract No. 186 and in the Amber Johnson Survey, Abstract No. 123, in the City of Rockwall, Rockwall County, Texas, being part of a called 200 acre tract described as Tract 1 and part of a called 1417 acre tract described as Tract 2, in a deed to Klutts Farm, LLC, (50% undivided interest), as recorded in Document No. 2016000019783, of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), and being part of a called 200 acre tract described as Tract 1 and part of a called 1417 acre tract described as Tract 2, in a deed to Klutts Farm, LLC, (50% undivided interest), as recorded in Document No. 2016000019784, O.P.R.R.C.T., said tract being more particularly described as follows:
 BEGINNING at a 5/8-inch iron rod with TxDOT cap found at the northeast corner of a tract of land conveyed to the State of Texas, as recorded in Document No. 2020000013574, O.P.R.R.C.T., being in the east line of FM 549 (variable width right-of-way) and in the north line of said Klutts Farm;
 THENCE North 88 degrees 26 minutes 14 seconds East, with the north line of said Klutts Farm, a distance of 2,790.07 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set the northeast corner of said Klutts Farm;
 THENCE South 01 degree 01 minute 34 seconds East, with the east line of said Klutts Farm and the west line of a called 17.07 acre tract described in a deed to Bobby H. Butler and Sarah J. Butler, as recorded in Volume 1381, Page 266, in the Deed Records of Rockwall County, Texas (D.R.R.C.T.), a distance of 309.76 feet to a 1/2-inch iron rod found at the southwest corner of said Butler tract and the northwest corner of Hillview Acres, an addition to Rockwall County, as recorded in Volume F, Page 1, of the Plat Records of Rockwall County, Texas;
 THENCE South 00 degrees 21 minutes 05 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Hillview Acres, a distance of 1,446.49 feet to a 1-inch iron pipe found;
 THENCE South 00 degrees 16 minutes 45 seconds East, continuing with the east line of said Klutts Farm and west line of said Hillview Acres, a distance of 494.64 feet to a 1-inch iron pipe found at the southwest corner of said Hillview Acres, being the northwest corner of a called 15.00 acre tract described in a deed to James J. Fuxa and Deborah A. Fuxa, as recorded in Volume 1471, Page 70, D.R.R.C.T.;
 THENCE South 00 degrees 10 minutes 07 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Fuxa tract, a distance of 792.29 feet to a 1/2-inch iron rod found at the southwest corner of said Fuxa tract, being in the north line of FM 1139 (80-foot right-of-way);
 THENCE South 88 degrees 46 minutes 40 seconds West, with the north line of said FM 1139, a distance of 2,147.11 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;
 THENCE North 00 degrees 22 minutes 42 seconds West, continuing with the north line of said FM 549, a distance of 2.76 feet to a wood post found on a curve to the right, having a radius of 293.00 feet and a central angle of 29 degrees 52 minutes 15 seconds;
 THENCE with said curve to the right, an arc distance of 152.75 feet (Chord Bearing North 70 degrees 30 minutes 42 seconds West 131.03 feet), to a 5/8-inch iron rod with TxDOT cap found at the point of tangency;
 THENCE North 21 degrees 39 minutes 06 seconds West, continuing with the east line of said FM 549, a distance of 23.19 feet to a 5/8-inch iron rod with TxDOT cap found on a non-tangent curve to the left, having a radius of 1,310.00 feet and a central angle of 15 degrees 44 minutes 31 seconds;
 THENCE continuing with the east line of said FM 549 and with said curve to the left, an arc distance of 359.92 feet (Chord Bearing North 24 degrees 24 minutes 53 seconds East 358.79 feet) to a 5/8-inch iron rod with TxDOT cap found in the west line of a called one acre tract described in a deed to General Public of the State of Texas, as recorded in Volume L, Page 15, D.R.R.C.T.;
 THENCE South 00 degrees 22 minutes 48 seconds East, departing the east line of said FM 549 and with the west line of said one acre tract, a distance of 214.30 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said one acre tract;

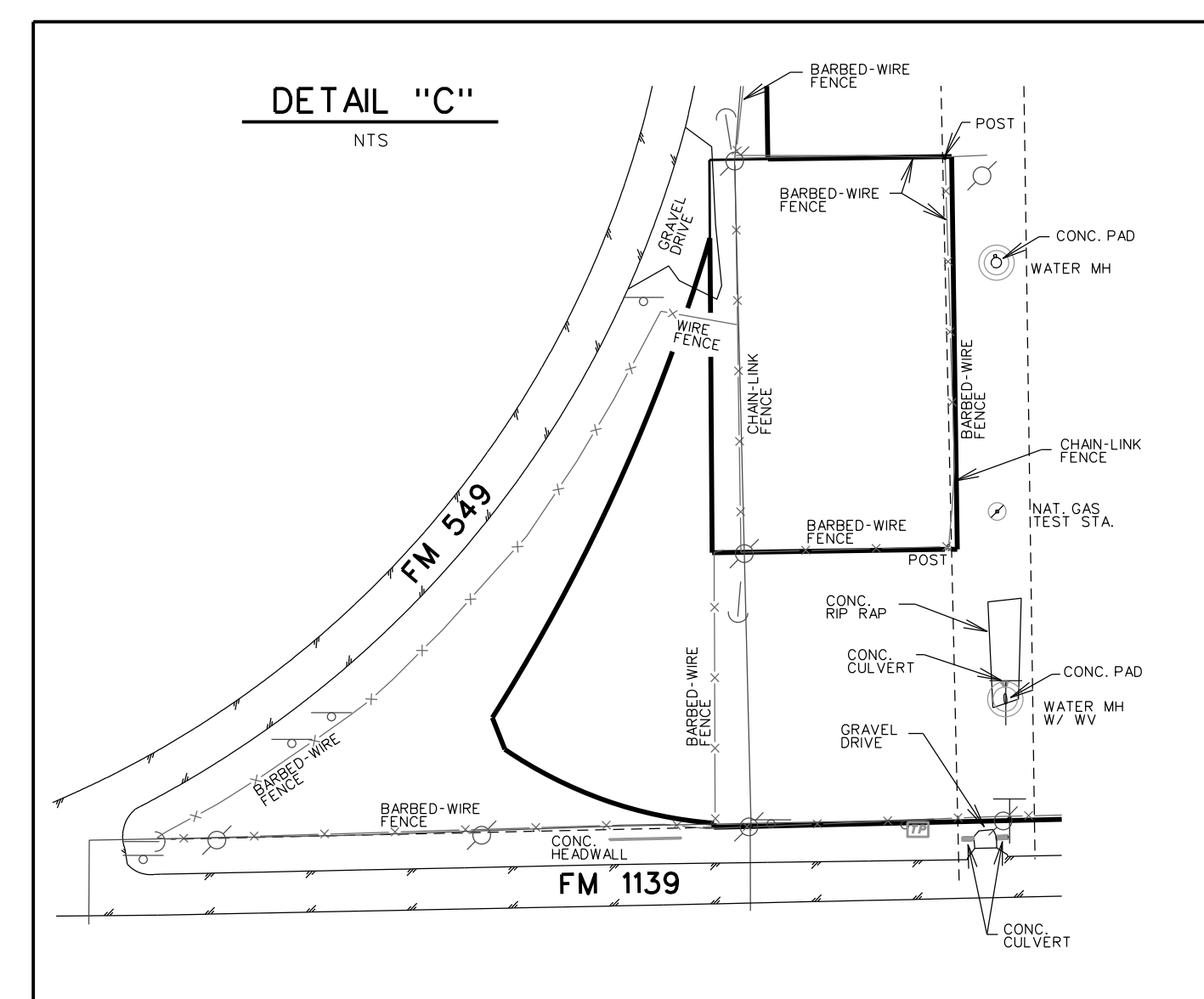
LEGAL DESCRIPTION
 BEGINNING at a 5/8-inch iron rod with TxDOT cap found at the northeast corner of a tract of land conveyed to the State of Texas, as recorded in Document No. 2020000013574, O.P.R.R.C.T., being in the east line of FM 549 (variable width right-of-way) and in the north line of said Klutts Farm;
 THENCE North 88 degrees 26 minutes 14 seconds East, with the north line of said Klutts Farm, a distance of 2,790.07 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set the northeast corner of said Klutts Farm;
 THENCE South 01 degree 01 minute 34 seconds East, with the east line of said Klutts Farm and the west line of a called 17.07 acre tract described in a deed to Bobby H. Butler and Sarah J. Butler, as recorded in Volume 1381, Page 266, in the Deed Records of Rockwall County, Texas (D.R.R.C.T.), a distance of 309.76 feet to a 1/2-inch iron rod found at the southwest corner of said Butler tract and the northwest corner of Hillview Acres, an addition to Rockwall County, as recorded in Volume F, Page 1, of the Plat Records of Rockwall County, Texas;
 THENCE South 00 degrees 21 minutes 05 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Hillview Acres, a distance of 1,446.49 feet to a 1-inch iron pipe found;
 THENCE South 00 degrees 16 minutes 45 seconds East, continuing with the east line of said Klutts Farm and west line of said Hillview Acres, a distance of 494.64 feet to a 1-inch iron pipe found at the southwest corner of said Hillview Acres, being the northwest corner of a called 15.00 acre tract described in a deed to James J. Fuxa and Deborah A. Fuxa, as recorded in Volume 1471, Page 70, D.R.R.C.T.;
 THENCE South 00 degrees 10 minutes 07 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Fuxa tract, a distance of 792.29 feet to a 1/2-inch iron rod found at the southwest corner of said Fuxa tract, being in the north line of FM 1139 (80-foot right-of-way);
 THENCE South 88 degrees 46 minutes 40 seconds West, with the north line of said FM 1139, a distance of 2,147.11 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;
 THENCE North 00 degrees 22 minutes 42 seconds West, continuing with the north line of said FM 549, a distance of 2.76 feet to a wood post found on a curve to the right, having a radius of 293.00 feet and a central angle of 29 degrees 52 minutes 15 seconds;
 THENCE with said curve to the right, an arc distance of 152.75 feet (Chord Bearing North 70 degrees 30 minutes 42 seconds West 131.03 feet), to a 5/8-inch iron rod with TxDOT cap found at the point of tangency;
 THENCE North 21 degrees 39 minutes 06 seconds West, continuing with the east line of said FM 549, a distance of 23.19 feet to a 5/8-inch iron rod with TxDOT cap found on a non-tangent curve to the left, having a radius of 1,310.00 feet and a central angle of 15 degrees 44 minutes 31 seconds;
 THENCE continuing with the east line of said FM 549 and with said curve to the left, an arc distance of 359.92 feet (Chord Bearing North 24 degrees 24 minutes 53 seconds East 358.79 feet) to a 5/8-inch iron rod with TxDOT cap found in the west line of a called one acre tract described in a deed to General Public of the State of Texas, as recorded in Volume L, Page 15, D.R.R.C.T.;
 THENCE South 00 degrees 22 minutes 48 seconds East, departing the east line of said FM 549 and with the west line of said one acre tract, a distance of 214.30 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said one acre tract;

THENCE North 89 degrees 11 minutes 43 seconds West, with the east line of said one acre tract and west line of said 50 foot Easement, a distance of 267.69 feet to a point at the base of a tree (furniture to set) at the northeast corner of said one acre tract, as recorded in Volume 5054, Page 202, O.P.R.R.C.T.;
 THENCE North 00 degrees 49 minutes 16 seconds West, with the east line of said one acre tract and west line of said 50 foot Easement, a distance of 267.69 feet to a point at the base of a tree (furniture to set) at the northeast corner of said one acre tract, as recorded in Volume 5054, Page 202, O.P.R.R.C.T.;
 THENCE South 89 degrees 11 minutes 43 seconds West, departing said west line and with the north line of said one acre tract, a distance of 163.09 feet to a 5/8-inch iron rod with TxDOT cap found in the east line of said FM 549;
 THENCE North 00 degrees 56 minutes 06 seconds West, with the east line of said FM 549, a distance of 112.36 feet to a 5/8-inch iron rod with TxDOT cap found on a curve to the left, having a radius of 1,310.00 feet and a central angle of 10 degrees 00 minutes 46 seconds;
 THENCE continuing with the east line of said FM 549 and with said curve to the left, an arc distance of 228.93 feet (North 04 degrees 04 minutes 22 seconds East 228.64 feet), to a 5/8-inch iron rod with TxDOT cap found at the point of tangency;
 THENCE North 00 degrees 56 minutes 06 seconds West, continuing with the east line of said FM 549, a distance of 908.25 feet to a 5/8-inch iron rod with TxDOT cap found;
 THENCE North 55 degrees 22 minutes 09 seconds East, continuing with the east line of said FM 549, a distance of 48.05 feet to a 5/8-inch iron rod with TxDOT cap found;
 THENCE North 00 degrees 45 minutes 51 seconds West, continuing with the east line of said FM 549, a distance of 50.21 feet to a 5/8-inch iron rod with TxDOT cap found;
 THENCE North 00 degrees 45 minutes 51 seconds West, continuing with the east line of said FM 549, a distance of 50.86 feet to a 5/8-inch iron rod with TxDOT cap found;
 THENCE North 00 degrees 56 minutes 06 seconds West, continuing with the east line of said FM 549, a distance of 1,098.65 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;
 THENCE North 89 degrees 05 minutes 09 seconds East, continuing with the east line of said FM 549, a distance of 29.97 feet to a 5/8-inch iron rod with TxDOT cap found;
 THENCE North 00 degrees 54 minutes 51 seconds West, continuing with the east line of said FM 549, a distance of 117.73 feet to the POINT OF BEGINNING and containing 196.008 acres of land.

CERTIFICATION
 I do hereby certify that this survey was prepared from an on the ground survey under my supervision on March 9, 2021. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.
PRELIMINARY - FOR REVIEW PURPOSES ONLY
 Patrick J. Baldaano
 Registered Professional Land Surveyor 5504



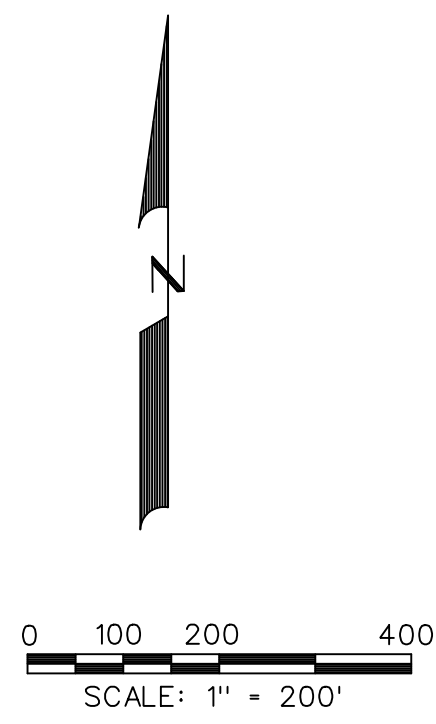
- LEGEND**
- POWER POLE
 - OVERHEAD ELECTRIC
 - GUY WIRE
 - ELECTRIC METER
 - ELECTRIC BOX
 - FENCE LINE
 - CONTROLLING MONUMENT
 - TXDOT TYPE II MON. FOUND
 - 5/8" IRON ROD W/ TXDOT CAP FOUND
 - IRON ROD FOUND
 - IRON PIPE FOUND
 - 1/2" IRON ROD SET W/ RED "PJB SURVEYING" CAP
 - SIGN
 - TELEPHONE PEDESTAL
 - WATER MANHOLE
 - WATER VALVE



- Notes:**
1. Bearing are based on the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983.
 2. Survey was prepared with the benefit of a Title Commitment issued by Chicago Title Insurance Company, GF No. PL20-28395, effective date December 27, 2020. Schedule B items are as follows:
 - 10 f. Easement granted to North Texas Municipal Water District, Vol. 4825, Page 148 - cannot be located, no description
 - 10 g. Easement granted to North Texas Municipal Water District, Vol. 5054, Page 202 - shown on survey, referred to as Doc. No. 2007 0377475
 - 10 h. Easement to RCH Water Supply Corporation, recorded in Volume 64, Page 238 - shown on survey

BOUNDARY SURVEY
 OF A
196.008 ACRE TRACT
 OUT OF THE
A. JOHNSON, ABST. NO. 123
 AND THE
J.A. RAMSEY, ABST. NO. 186
 IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

PREPARED BY
PJB SURVEYING, LLC
 TBPBLS NO. 10194303
 200 W. BELMONT, SUITE D
 ALLEN, TEXAS 75013
 972-649-6669



LEGEND

TYPICAL LOT SIZES

	- TYPE A LOTS 62' X 120' - 226 LOTS
	- TYPE B LOTS 72' X 120' - 249 LOTS
	- TYPE C LOTS 100' X 120' - 15 LOTS
	- OPEN SPACE - 13.6 Ac.
	- AMENITY CENTER - 1,606 Ac.
	- PARKLAND (REGIONAL PARK) - 50.8 Ac.



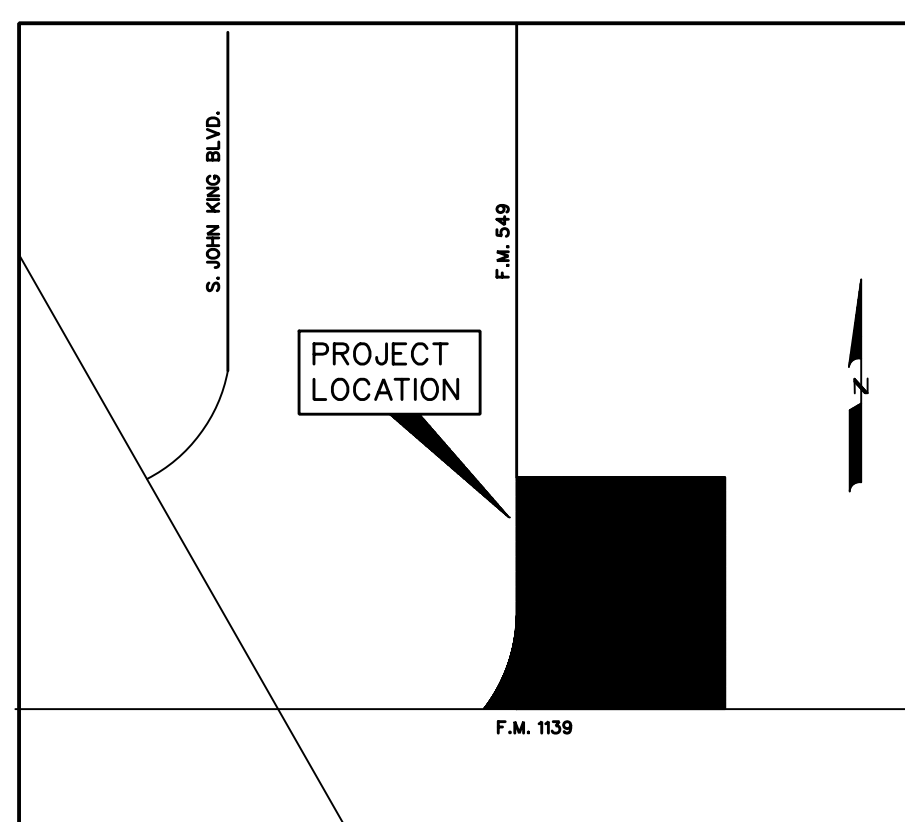
REPRESENTATIVE TRAIL HEAD



REPRESENTATIVE PRIMARY ENTRY MONUMENT



REPRESENTATIVE SECONDARY ENTRY MONUMENT





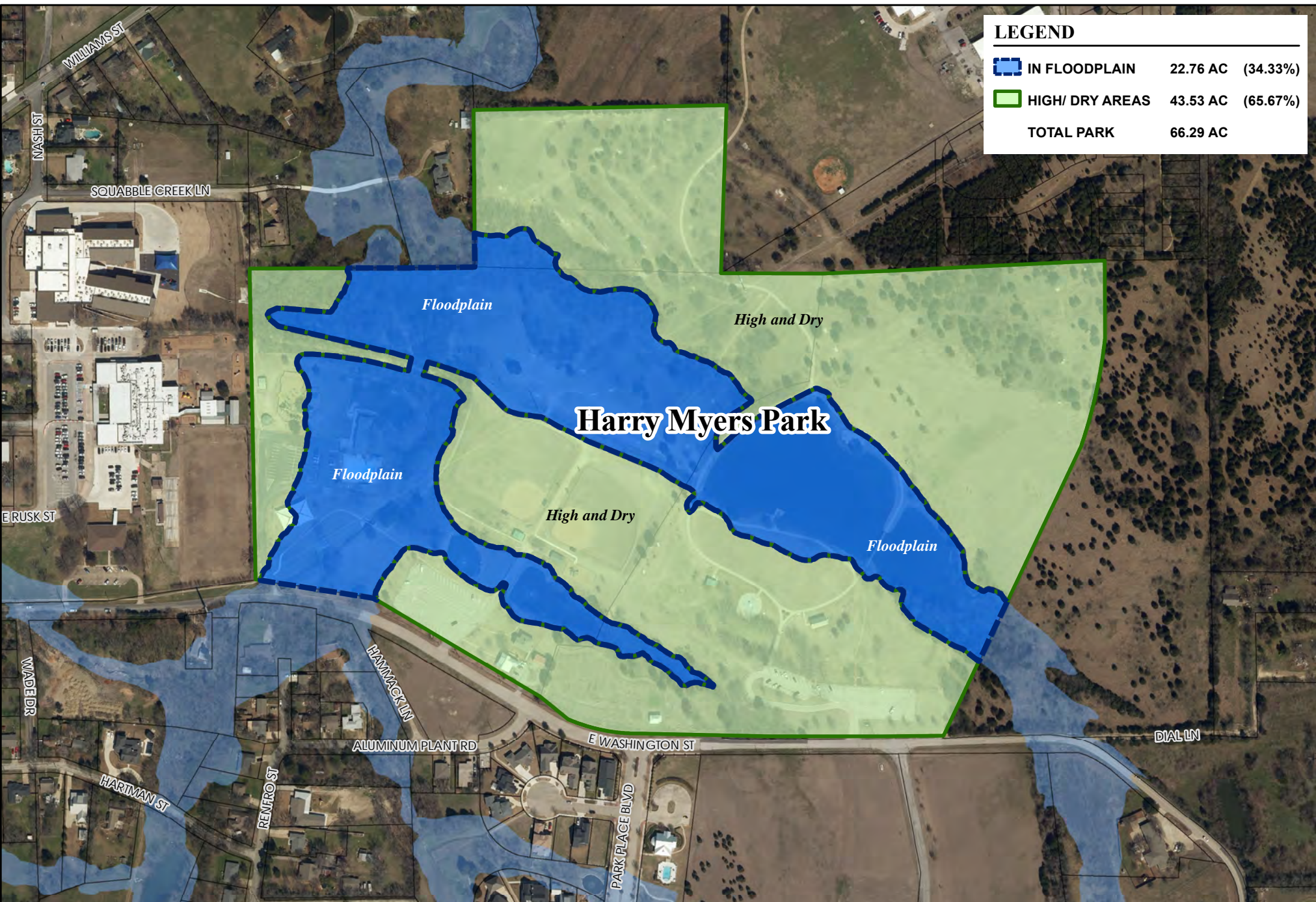
LOCATION MAP
N.T.S.

TOTAL ACRES	196.009
TOTAL RESIDENTIAL LOTS	490
RESIDENTIAL DENSITY	2.499

CONCEPT PLAN
OF
HOMESTEAD
SITUATED IN THE
J.A. RAMSEY SURVEY, ABSTRACT NO. 186
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
OWNER
KLUTTS FARM, LLC.
1604 NORTH HILLS DR.
ROCKWALL, TX 75087
APRIL 2021 SCALE 1" = 200'

LEGEND

 IN FLOODPLAIN	22.76 AC	(34.33%)
 HIGH/ DRY AREAS	43.53 AC	(65.67%)
TOTAL PARK	66.29 AC	



**City of
Rockwall**



Feet
0 100 200

Date: 4/1/2021

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

HARRY MYERS PARK

CITY OF ROCKWALL

ORDINANCE NO. 21-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, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 196.009-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE J. A. RAMSEY SURVEY, ABSTRACT NO. 186, 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.

WHEREAS, the City has received a request by Kevin Harrell of the Skorburg Co. on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses, on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*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 *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 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted 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 3. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a

condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* 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(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (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 a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Master Parks and Open Space Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Master Parks and Open Space Plan.* A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, 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 'C'* 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 a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* 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*, 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 6TH DAY OF JULY, 2021.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: June 21, 2021

2nd Reading: July 6, 2021

Exhibit 'A':
Legal Description

Being a tract of land situated in the John A. Ramsey Survey, Abstract No. 186 and in the Abner Johnson Survey, Abstract No. 123, in the City of Rockwall, Rockwall County, Texas, being part of a called 200 acre tract described as Tract 1 and part of a called 1.417 acre tract described as Tract 2, in a deed to Klutts Farm, LLC, (50% undivided interest), as recorded in *Document No. 20160000019783*, of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), and being part of a called 200 acre tract described as Tract 1 and part of a called 1.417 acre tract described as Tract 2, in a deed to Klutts Farm, LLC, (50% undivided interest), as recorded in *Document No. 20160000019784*, O.P.R.R.C.T., said tract being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of a tract of land conveyed to the State of Texas, as recorded in *Document No. 20200000013574*, O.P.R.R.C.T., being in the east line of FM-549 (*variable width right-of-way*) and in the north line of said Klutts Farm;

THENCE North 88 degrees 26 minutes 14 seconds East, with the north line of said Klutts Farm, a distance of 2,790.07-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set the northeast corner of said Klutts Farm;

THENCE South 01 degree 01 minute 34 seconds East, with the east line of said Klutts Farm and the west line of a called 17.07 acre tract described in a deed to Bobby H Butler and Sarah J. Butler, as recorded in *Volume 1381, Page 266*, in the Deed Records of Rockwall County, Texas (D,R,R,C,T.), a distance of 309.76-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set the southwest corner of said Butler tract and the northwest corner of Hillview Acres, an addition to Rockwall County, as recorded in *Volume F, Page 1*, of the Plat Records of Rockwall County, Texas;

THENCE South 00 degrees 31 minutes 05 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Hillview Acres, a distance of 1,446.49-feet to a 1-inch iron pipe found at the southwest corner of said Hillview Acres, being the northwest corner of a called 15.00 acre tract described in a deed of trust for James J. Fuxa and Deborah A. Fuxa, as recorded in *Volume 1741, Page 70, D.R.R.C.T.*;

THENCE South 00 degrees 10 minutes 07 seconds East, continuing with the east line of said Klutts Farm and with the west line of said Fuxa tract, a distance of 792.29-feet to a 1/2-inch iron rod found at the southwest corner of said Fuxa tract, being in the north line of FM-1139 (80-foot right-of-way);

THENCE South 88 degrees 46 minutes 40 seconds West, with the north line of said FM-1139, a distance of 2,230.29-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE South 88 degrees 42 minutes 10 seconds West, continuing with the north line of said FM-1139, a distance of 710.99-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said FM-549;

THENCE North 00 degrees 22 minutes 42 seconds West, with the east line of said FM-549, a distance of 2.77-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set on a curve to the right, having a radius of 293.00-feet and a central angle of 29 degrees 52 minutes 15 seconds;

THENCE with said curve to the right, an arc distance of 152.75-feet (Chord Bearing North 70 degrees 30 minutes 42 seconds West – 151.03 feet), to a 5/8-inch iron rod with TXDOT cap found at the point of tangency;

THENCE North 55 degrees 34 minutes 29 seconds West, continuing with the east line of said FM-549, a distance of 6.30-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 10 degrees 34 minutes 29 seconds West, continuing with the east line of said FM-549, a distance of 18.30-feet to a 5/8-inch iron rod with TXDOT cap found on a non-tangent curve to the left, having a radius of 1,310.00-feet and a central angle of 15 degrees 44 minutes 31 seconds;

**Exhibit 'A':
Legal Description**

THENCE continuing with the east line of said FM-549 and with said curve to the left, an arc distance of 359.92-feet (*Chord Bearing North 24 degrees 24 minutes 53 seconds East – 358.79 feet*), to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the west line of a called one acre tract described in a deed to General Public of the State of Texas, as recorded in *Volume L, Page 15, D.R.R.C.T.*;

THENCE South 00 degrees 22 minutes 48 seconds East, departing the east line of said FM-549 and with the west line of said one (1) acre tract, a distance of 214.30-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southwest corner of said one (1) acre tract;

THENCE North 89 degrees 11 minutes 43 seconds East, with the south line of said one (1) acre tract, a distance of 167.02-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the southeast corner of said one (1) acre tract, being in the west line of a 50-foot Easement for Right-Of-Way to North Texas Municipal Water District, as recorded in Volume 5054, Page 202, O.P.R.R.C.T.;

THENCE North 00 degrees 49 minutes 16 seconds West, with the east line of said one (1) acre tract and west line of said 50-foot Easement, a distance of 267.69-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northeast corner of said one (1) acre tract;

THENCE South 89 degrees 11 minutes 43 seconds West, departing said west line and with the north line of said one (1) acre tract, a distance of 125.09-feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set in the east line of said FM-549;

THENCE North 00 degrees 56 minutes 06 seconds West, with the east line of said FM-549, a distance of 112.36-feet to a 5/8-inch iron rod with TXDOT cap found on a curve to the left, having a radius of 1,310.00-feet and a central angle of 10 degrees 00 minutes 46 seconds;

THENCE continuing with the east line of said FM-549 and with said curve to the left, an arc distance of 228.93-feet (*North 04 degrees 04 minutes 22 seconds East – 228.64 feet*), to a 5/8-inch iron rod with TXDOT cap found at the point of tangency;

THENCE North 00 degrees 56 minutes 00 seconds East, continuing with the east line of said FM-549, a distance of 908.25-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 55 degrees 22 minutes 09 seconds East, continuing with the east line of said FM-549, a distance of 48.05-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 00 degrees 45 minutes 51 seconds East, continuing with the east line of said FM-549, a distance of 50.21-feet to a 5/8-inch iron rod with TXDOT cap found;

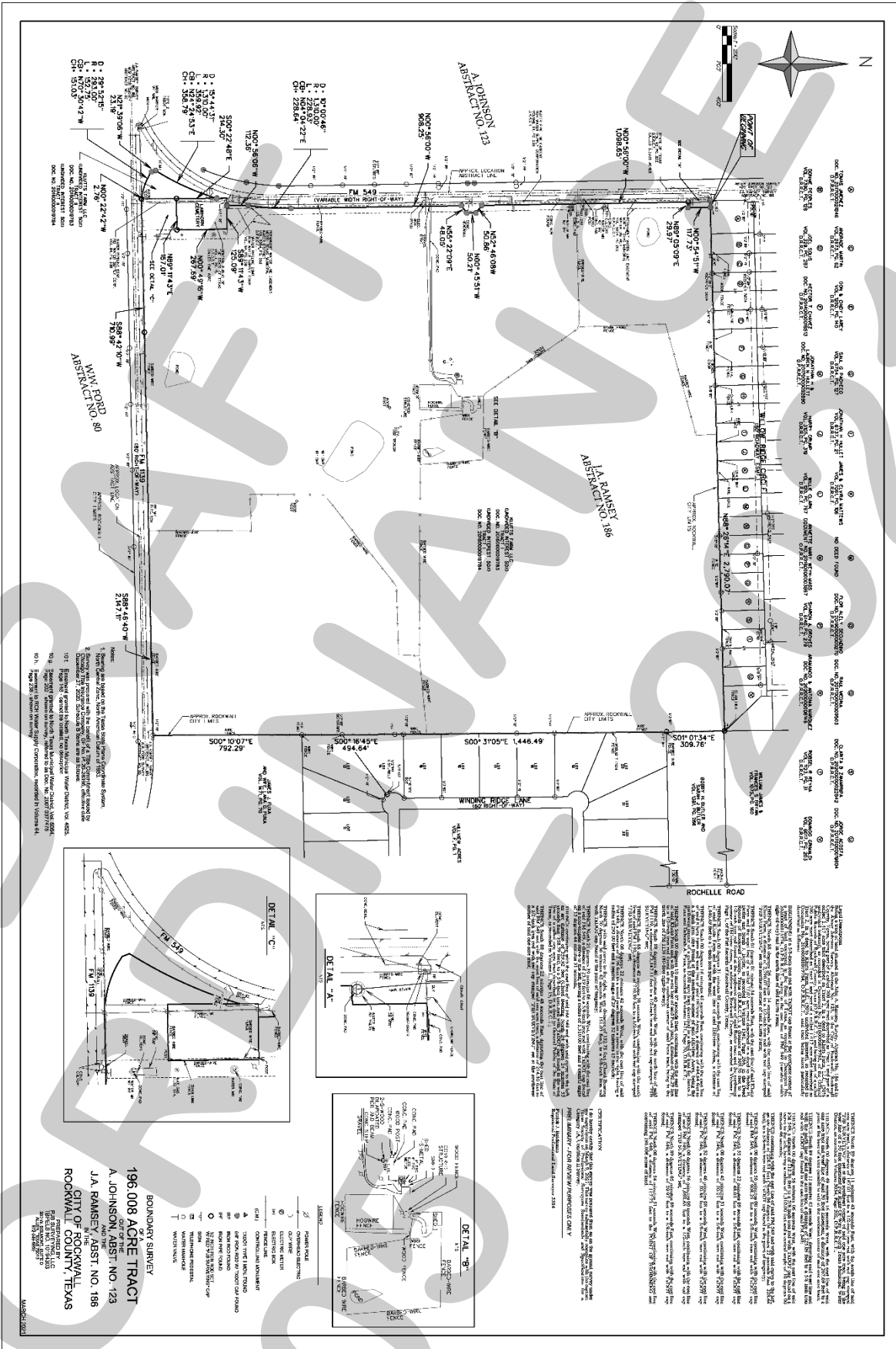
THENCE North 52 degrees 46 minutes 08 seconds West, continuing with the east line of said FM-549, a distance of 50.86-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 00 degrees 56 minutes 00 seconds West, continuing with the east line of said FM-549, a distance of 1,098.56-feet to a 5/8-inch iron rod with TXDOT cap found;

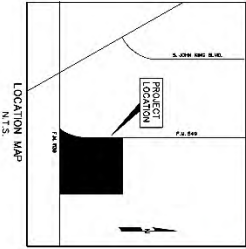
THENCE North 89 degrees 05 minutes 09 seconds East, continuing with the east line of said FM-549, a distance of 29.97-feet to a 5/8-inch iron rod with TXDOT cap found;

THENCE North 00 degrees 54 minutes 51 seconds West, continuing with the east line of said FM-549, a distance of 48.05-feet to the *POINT OF BEGINNING* and containing 196.008 acres of land.

Exhibit 'B':
Survey

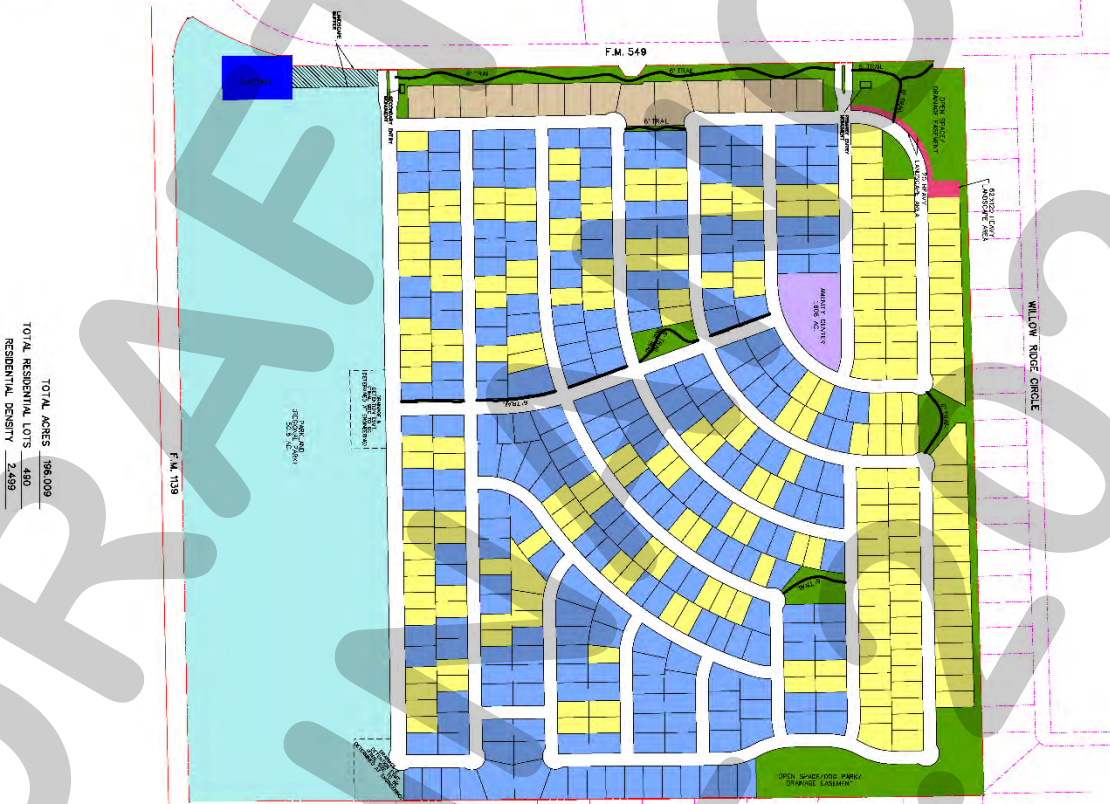


**Exhibit 'C':
Concept Plan**



LEGEND

Track lot sites	- TYPE A LOTS 62' X 109' - 228 LOTS
	- TYPE B LOTS 72' X 120' - 249 LOTS
	- TYPE C LOTS 109' X 120' - 19 LOTS
	- OPEN SPACE - 13.6 AC.
	- AMENITY CENTER - 1,809 AC.
	- PARKING AND RECREATIONAL PARK - 50.8 AC.



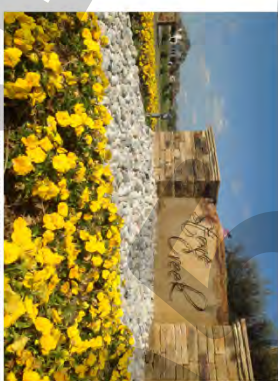
TOTAL ACRES 198.009
TOTAL RESIDENTIAL LOTS 490
RESIDENTIAL DENSITY 2.499



REPRESENTATIVE TRAIL HEAD



REPRESENTATIVE PRIMARY ENTRY MONUMENT



REPRESENTATIVE SECONDARY ENTRY MONUMENT

CONCEPT PLAN
HOME STEAD
SUBMITTED IN THE CITY OF ROCKWALL, TEXAS
A/A RAMSEY SURVEY, ABSTRACT NO. 186
PREPARED BY CORWIN ENGINEERING, INC.
OWNER: KLUTTS FARM, L.L.C.
APRIL 22ND SCALE 1" = 200'
CASE NO. XXXX

**Exhibit 'D':
Density and Development Standards**

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single-Family 8.4 (SF-8.4) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	62' x 120'	7,440 SF	226	46.12%
B	72' x 120'	8,640 SF	249	50.82%
C	100' x 120'	12,000 SF	15	03.06%
<i>Maximum Permitted Units:</i>			490	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single-Family 8.4 (SF-8.4) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.49 dwelling units per gross acre of land; however, in no case should the proposed development exceed 490 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ►	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	62'	72'	100'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	7,440 SF	8,640 SF	12,000 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	25'	25'	25'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,600 SF	2,800 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%

General Notes:

- ¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁵: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

Exhibit 'D':
Density and Development Standards

⁶: *Type 'A' Lots* that incorporate a *flat-front entry* garage configuration shall be required to have a minimum setback of 25-feet.

(4) **Building Standards**. All development shall adhere to the following building standards:

(a) **Masonry Requirement**. The minimum masonry requirement for the exterior façade of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 50% of the masonry requirement; however, a Specific Use Permit (SUP) may be requested for housing plans that utilize cementitious fiberboard in excess of 50% of the masonry requirement.

Examples of Cementitious Fiberboard



(b) **Roof Pitch**. A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.

(c) **Garage Orientation and Garage Doors**. This development shall adhere to the following garage design and orientation requirements

(1) **Type 'A' Lots**. The *Type 'A' Lots* (*i.e. the yellow lots depicted in Exhibit 'C'*) may be oriented in a *traditional swing* (or *j-swing*) garage configuration -- *where the two (2) car garage is stated facing the side property line and the driveway swings into the garage in a 'J' configuration*. In a *traditional swing* (or *j-swing*) garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the *traditional swing* (or *j-swing*) configuration. A maximum of 43.40% of these lots (*i.e. 98 Lots or 20.00% of the total lots*) shall be permitted to be oriented in a *flat-front entry configuration* -- *allowing the garage to be flush with the front façade of the primary structure* -- pending the front yard setback is increased to a minimum setback of 25-feet.

(2) **Type 'B' & 'C' Lots**. The *Type 'B' & 'C' Lots* (*i.e. blue and tan lots depicted in Exhibit 'C'*) may be oriented in a *traditional swing* (or *j-swing*) garage configuration -- *where the two (2) car garage is stated facing the side property*

**Exhibit 'D':
Density and Development Standards**

line and the driveway swings into the garage in a 'J' configuration. In a traditional swing (or j-swing) garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the traditional swing (or j-swing) configuration.

All garage configurations not conforming to the aforementioned garage configurations shall meet the requirements stipulated by Article 09, *Parking and Loading*, of the Unified Development Code (UDC). In addition, all garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Wood Garage Door



- (5) *Anti-Monotony Restrictions*. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (for spacing requirements see *Figures 3 & 4* below).

Table 3: Anti-Monotony Matrix

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	62' x 120'	(1), (2), (3), (4)
B	72' x 120'	(1), (2), (3), (4)
C	100' x 120'	(1), (2), (3), (4)

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces or FM-549 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

Exhibit 'D':
Density and Development Standards

- (1) Number of Stories
 - (2) Permitted Encroachment Type and Layout
 - (3) Roof Type and Layout
 - (4) Articulation of the Front Façade
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 3: Properties line up on the opposite side of the street. Where **RED** is the subject property.



Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



- (6) **Fencing Standards.** All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
- (a) **Front Yard Fences.** Front yard fences shall be prohibited.
 - (b) **Wood Fences.** All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is

Exhibit 'D':
Density and Development Standards

constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

- (c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. FM-549*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.
- (d) *Corner Lots*. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-foot off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
- (e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) *Landscape and Hardscape Standards*.

- (a) *Landscape*. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
- (b) *Landscape Buffers*. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
 - (1) *Landscape Buffer and Sidewalks (FM-549)*. A minimum of a 30-foot landscape buffer shall be provided along FM-549 (*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. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer to the edge of the *Public Park*. This landscape buffer shall terminate at the *Longhorn Cemetery*, which is identified as *Cemetery on Exhibit 'C'*. The general location of this landscape buffer

Exhibit 'D':
Density and Development Standards

permitted on the *Public Park* is depicted in the crosshatched area on *Exhibit 'C'*.

- (2) *Landscape Buffers (Northern Property Line)*. A minimum of a 30-foot landscape buffer shall be provided along the northern property boundary. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning --*, a minimum of four (4) caliper inches in size, that will be planted on ten (10) foot centers along the entire northern property boundary. An alternative screening plan proposing the use of existing trees, for the area directly adjacent to northern property line, may be submitted by the developer with the PD Site Plan. This alternative plan can be approved at the discretion of the Planning and Zoning Commission upon a finding that the proposed plan will provide adequate screening that is equal to or exceeds the standards stated in this section.
- (3) *Landscape Buffer (Adjacent to the Properties Along the Northern Boundary)*. A heavy landscape area (*i.e. indicated in dark pink in Exhibit 'C' and labeled as a "62' x 120' Heavy Landscape Area" and "20' Heavy Landscape Area"*) shall be provided adjacent to the northern properties. This landscape area shall consist of a minimum of canopy trees, accent trees, and shrubs and shall be reviewed for conformance with the *PD Site Plan*.
- (c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) *Residential Lot Landscaping*. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), three (3) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), three (3) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the side yard facing the street.
- (e) *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).
- (f) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (8) *Street*. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.

Exhibit 'D':
Density and Development Standards

- (9) 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 contain all light within the development area.
- (10) Sidewalks. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (11) 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. 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.
- (12) Open Space/Public Park. The development shall consist of a minimum of 20% open space (*or a minimum of 39.2018-acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the Concept Plan contained in *Exhibit 'C'* of this ordinance. In addition, the following shall apply to the proposed open space and public park areas:
- (a) Public Park. The development shall incorporate a minimum of a 50-acre contiguous tract of land to the City of Rockwall -- *identified as "Regional Park" in Exhibit 'C'* -- for the provision of a public park. The proposed dedication of land shall be in lieu of the required cash-in-lieu of land fees required by Article II, *Parkland Dedication*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances; however, the developer shall be required to pay the pro-rata equipment fees as required by the ordinance, which shall be used to amenitized the proposed public park. To accommodate the development, the City shall grant temporary grading and permanent drainage and detention easements as necessary to develop the residential portions of the property in accordance with City requirements. The City shall have the right to relocate said easements granted in connection with the residential development -- *at no cost to the residential developer* -- such that the City may develop the public park in accordance with the City's desired use. Performance of the obligations under this subparagraph shall be deemed fully to satisfy the City's open space requirements stipulated by the OURHometown Vision 2040 Comprehensive Plan.
- (b) Open Space. All open space areas not dedicated as part of the public park (*including landscape buffers*) shall be included in the open space calculation, and maintained by the Homeowner's Association (HOA).
- (13) Amenity Center. An amenity center shall be constructed in generally the same area as depicted in *Exhibit 'C'* of this ordinance, and shall be maintained by the Homeowner's Association (HOA). The design and layout of the amenity center shall be approved with the *PD Site Plan* and may incorporate materials from the historic farmhouse -- *which currently situated on the property* -- without requiring variances to the material requirements contained in this ordinance or the Unified Development Code (UDC).

Exhibit 'D':
Density and Development Standards

- (14) *Dog Park*. The proposed dog park shall provide two (2) separate areas for large dogs and small dogs. A six (6) foot, vinyl coated chain link fence shall be required around the perimeter of the dog park and separating the two (2) areas. A double gate system shall be installed to reduce the chance of dogs escaping owners when leaving or entering the off-leash area. Self-closing gates shall be used to aid in keeping dogs from escaping owners. Waste disposal stations shall be provided for the two (2) separate areas. All areas of the dog park including restocking the waste disposal stations shall be the responsibility of the Homeowner's Association (HOA). In addition, all activities in the proposed dog park shall be subject to Article X, *Dog Parks*, of Chapter 6, *Animals*, of the Municipal Code of Ordinances.
- (15) *Trails and Trailhead*. A concrete trail system and trailhead shall be constructed generally in the same location as the trail system depicted in *Exhibit 'C'* of this ordinance, and shall provide connectivity to the proposed *Public Park*. The proposed trailhead should be of a similar design and quality as the trailhead depicted in *Exhibit 'C'*.
- (16) *Neighborhood Signage and Enhancements*. Permanent subdivision identification signage shall be required 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*; however, the signage should be equal to or better than the representative signage depicted in *Exhibit 'C'*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (17) *Homeowner's Association (HOA)*. A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. In addition, the HOA shall be responsible for maintaining any drainage areas on the public park that are necessary to provide sufficient stormwater detention for the residential lots. These areas are required to be delineated on the *PD Site Plan*.
- (18) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: Z2021-015; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL FOR 511 S. CLARK STREET

Attachments

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
Site Plan
Residential Plot Plan
Building Elevations
Floor Plan
Survey
Applicant's Letter
Explanation of Variances
Topographic Survey
Housing Analysis
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing *Residential Infill in an Established Subdivision* on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary (1st Reading).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the 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: June 21, 2021
APPLICANT: Jason Castro
CASE NUMBER: Z2021-015; *Specific Use Permit (SUP) for a Residential Infill for 511 S. Clark Street*

SUMMARY

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary.

BACKGROUND

The subject property was annexed prior to 1934 based on the August 25, 1934 Sanborn Map. On April 13, 1960, the subject property was platted as Lot 6 of the Harris Addition. According to the City's historic zoning maps, the subject property was zoned Commercial (C) District as of January 5, 1972 and remained a commercially zoned property until at least December 6, 1993. Based on the December 7, 1993 historic zoning map, the subject property had been changed to Heavy Commercial (HC) District. On April 5, 2005, the historic zoning map indicates a change in zoning from Heavy Commercial (HC) District to Two-Family (2F) District. This is the current zoning designation of the subject property. The subject property is currently vacant.

PURPOSE

The applicant is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a duplex 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 located at 511 S. Clark Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is 509 S. Clark Street (*i.e. Lot 7 of the Harris Addition*), which is zoned Two-Family (2F) District. This property has an existing single-family home. Adjacent to 509 S. Clark Street are several parcels of land that contain single-family homes that are zoned Single-Family 7 (SF-7) District. Beyond this are five (5) single-family homes on five (5) parcels of land (*i.e. Lots 49A, 49B, 50, 51 105A-1 of the B. F. Boydston Addition*) zoned Single-Family 7 (SF-7) District. All of these properties are within the Old Town Rockwall Historic District. Beyond this is Hartman Street, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property are several existing single-family homes sites (*i.e. Lot 1-6A of the Harris Addition*), which are zoned Two-Family (2F) District. Adjacent to the Harris Addition is 703 S. Clark Street (*i.e. Lot 1, Block 1, Allen Hogue Subdivision*), which is zoned Planned Development District 52 (PD-52) for Two-Family (2F) district land uses. Beyond this is E. Boydston Street, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is a 1.50-acre vacant tract of land (i.e. Block 108 of the B F Boydston Addition) zoned Two-Family (2F) District. Continuing east are two (2) tracts of land: [1] a 1.792-acre tract of land (i.e. Tract 44-01 of the R. Ballard Survey, Abstract No. 29) and [2] a 2.6-acre tract of land (i.e. Tract 65 of the R. Ballard Survey, Abstract No. 29). Both of these tracts are zoned Single-Family 7 (SF-7) District. Beyond this is Renfro Street, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is S. Clark Street, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are six (6) properties that contain legal non-conforming land uses and that are zoned Commercial (C) District. These properties are located within the Mill Co. Subdivision. Adjacent to these non-conforming land uses are eight (8) single-family homes zoned Two-Family (2F) District. Beyond this is Tyler Street, which is classified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

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." In this case, the subject property is located within the Harris Addition and within 500-feet of the Mill Co. and Integrity Additions. All of these subdivisions are considered to be established subdivisions and have been in existence for more than ten (10) years, consist of more than five (5) lots, and are greater 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 zoned Two-Family (2F) 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 S. Clark Street and Storrs Street compared to the duplex proposed by the applicant:

Housing Design and Characteristics	Existing Housing on S. Clark Street, Storrs Street, and the Subject Property	Proposed Duplex
Building Height	One (1) Story	Two (2) Story
Building Orientation	All of the homes are oriented toward the street they are built along.	The front elevation of the duplex will face S. Clark Street
Year Built	1945-2006	N/A
Building SF on Property	696 SF – 2,049 SF	Unit #1, 1,408 SF & Unit #2, 1,8921 SF (A/C Area)
Building Architecture	Single Family Homes	Duplex – Farm House Architecture
Building Setbacks:		
Front	Estimated Between 20-Feet and 35-Feet	20-Feet
Side	Estimated between zero (0) and greater than ten (10) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	10-Feet
Building Materials	Brick and Siding	Fiber Cement: Lap Siding and Board & Batten
Paint and Color	Red, White, Grey, Green, Blue and Brown	Unknown
Roofs	Composite and Asphalt Shingles	Asphalt Shingle
Driveways/Garages	Driveways all front the same street the single-family home faces. Front-facing and no garages.	A one (1) car garage will be attached to Unit #2, and is 6' 8" behind the front façade. Unit #1 will have a carport that is flush with the front façade.

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 addition, Section 07.01, *Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) states, "(t)wo off-street parking spaces plus one (1) garage parking space for each dwelling unit is required." In this case, the applicant is proposing a flat front-entry garage (*i.e. one [1] single-car garage for Unit #2*) that sets back approximately 6' 8" from the front façade. Unit #1 will have a carport that is integrated with the front porch and is flush with the front façade of the duplex. According to the applicant's architect, the carport is to provide a visually similar appearance to the existing housing stock, which have front facing one (1) car garages (*or no garage*). With this being said, if approved the Planning and Zoning Commission and City Council will be waiving the following: [1] no garage being provided for *Unit #1*, [2] a garage that does not meet the required garage orientation requirements (*i.e. that is not setback 20-feet from the front façade [Unit #2]*), and [3] a carport that does not meet the required carport orientation requirements (*i.e. that is not setback 20-feet from the front façade [Unit #1]*). Staff should note that this garage & carport orientation are not uncharacteristic of the neighborhood. Some of the single-family homes in the neighborhood have a garage that is in front of, flush or behind the front façade of the single-family home. In some cases, there is not a garage, but a front entry driveway; however, these are single-family homes and no other duplexes exist without garages in the general area. With the exception of the aforementioned waivers, the proposed duplex meets all of the density and dimensional requirements stipulated for a property in a Two-Family (2F) District as required by the Unified Development Code (UDC). For the purpose of comparing the proposed duplex 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 S. Clark Street, Storrs Street, and the proposed building elevations in the attached packet. The approval of the architecture and waivers for 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 duplex will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On May 20, 2021, staff mailed 71 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Park Place 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 received the following:

- (1) Three (3) property owner notifications from property owners within the notification area (*i.e. within the 500-foot buffer*) opposed 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 *Residential Infill in 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) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
 - (b) The construction of a duplex on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
 - (c) Once construction of the duplex 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) 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 June 15, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) for a *Residential Infill in an Established Subdivision* with the conditions of approval by a vote of 5-1, with Commissioner Welch dissenting and Commissioner Moeller 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 **511 S. Clark Street Rockwall, TX 75087**

SUBDIVISION **J.E. HARRIS SUBDIVISION**

LOT

6

BLOCK

GENERAL LOCATION **DOWNTOWN 2 NEIGHBORHOOD**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **TWO-FAMILY (2F)**

CURRENT USE **VACANT**

PROPOSED ZONING

PROPOSED USE **TWO-FAMILY (DUPLEX)**

ACREAGE **0.165**

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 **Castro Development LLC**

APPLICANT

CONTACT PERSON **Jason Castro**

CONTACT PERSON

ADDRESS **16424 FALLKIRK DRIVE**

ADDRESS

CITY, STATE & ZIP **DALLAS, TX 75248**

CITY, STATE & ZIP

PHONE **214.232.2750**

PHONE

E-MAIL **jason@castropropertygroup.com**

E-MAIL

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ [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 \$ _____, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. 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 _____ DAY OF _____, 20____.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES



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.

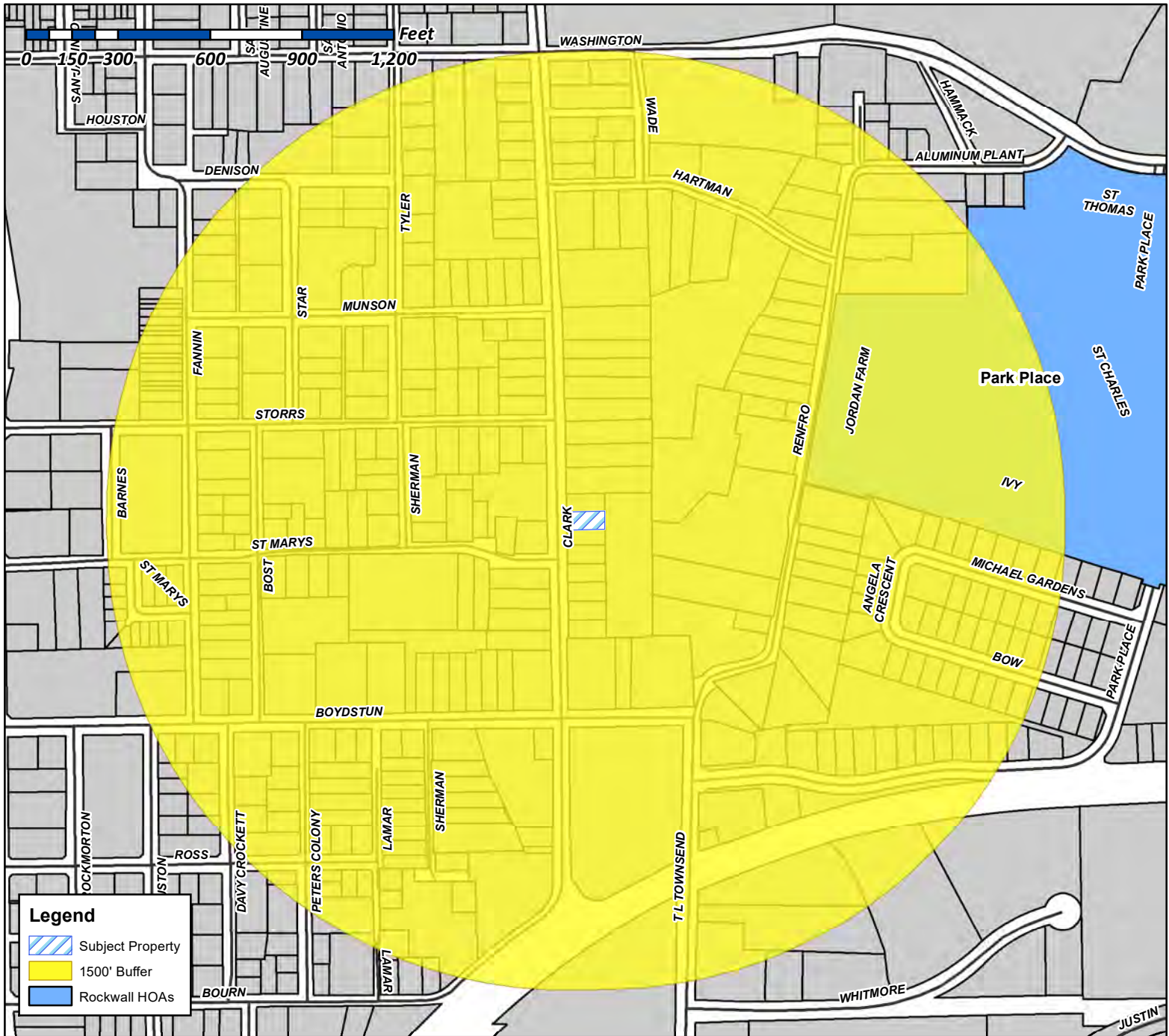




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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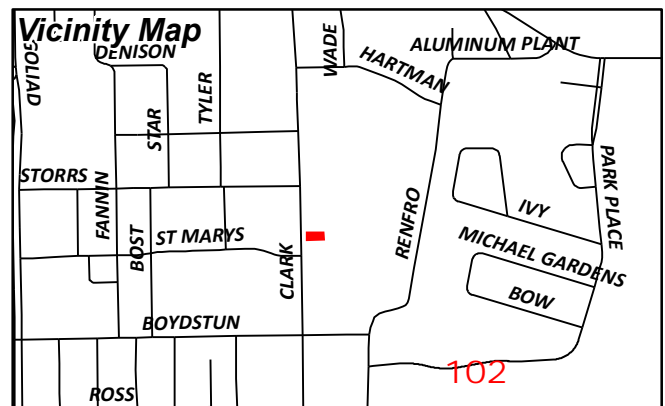
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Case Number: Z2021-015
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Two-Family (2F) District
Case Address: 511 S. Clark Street

Date Created: 5/13/2021

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



Miller, Ryan

From: Gamez, Angelica
Sent: Thursday, May 20, 2021 10:49 AM
Cc: Miller, Ryan; Gonzales, David; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-015]
Attachments: HOA Map Z2021-015.pdf; Public Notice (05.20.2021).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 *May 21, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, June 15, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, June 21, 2021 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>.

Z2021-015 SUP for Residential Infill at 511 S. Clark Street

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark 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/>

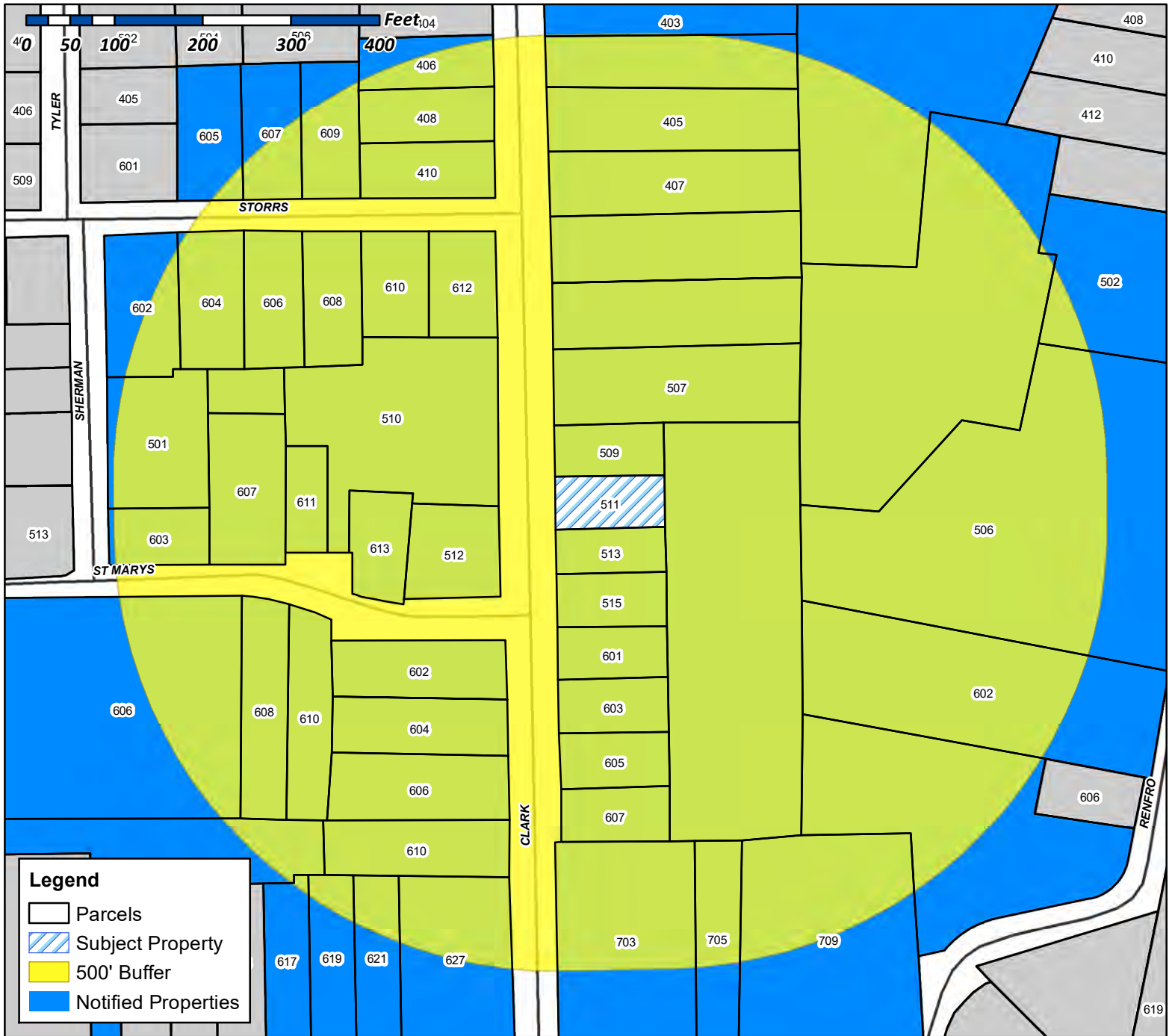
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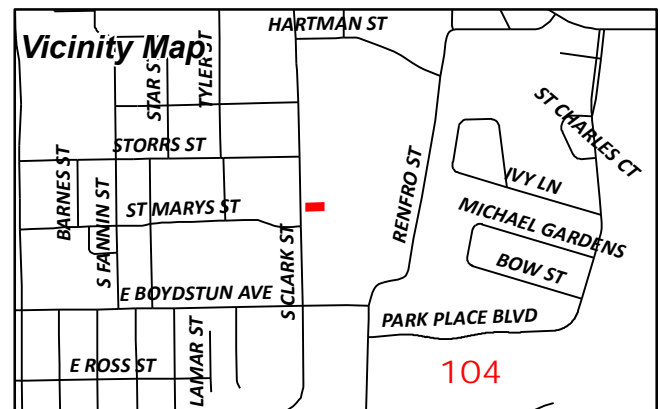
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2021-015
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Two-Family (2F) District
Case Address: 511 S. Clark Street



Date Created: 5/13/2021

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



= RESPONSE RECEIVED

MCCALLUM DARRELL
1 SOAPBERRY LN
ROCKWALL, TX 75087

ANGEL NADA
11014 ITASCA DR
DALLAS, TX 75228

GADDIS DANNY E
12922 EPPS FIELD RD
FARMERS BRANCH, TX 75234

GROOVYS BUSINESS PROPERTIES, LLC - SERIES
602 S CLARK
143 STONELEIGH DRIVE
HEATH, TX 75032

HOGUE MIKE AND VICKY
1498 HUBBARD DR
FORNEY, TX 75126

LOWREY DAVID D
2070 PONTCHARTRAIN
ROCKWALL, TX 75087

J&M WARDELL HOLDINGS LLC
215 GRIFFIN AVENUE
FATE, TX 75189

BOWEN CHASE AND
PERRY BOWEN
230 MYERS ROAD
HEATH, TX 75032

GLASS JO KAY HARRIS
301 MEADOWDALE
ROCKWALL, TX 75087

HAMANN KRISTIE M
315 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

COWAN JAMES MICHAEL AND PHYLLIS DIANE
3299 ROCHELLE RD
ROCKWALL, TX 75032

BRYAN KYLE & HALEY BROOKE
401 E KAUFMAN ST
ROCKWALL, TX 75087

PITTMAN MICHAEL J JR & JANIS
401 S CLARK ST
ROCKWALL, TX 75087

PITTMAN MICHAEL J JR & JANIS
403 S CLARK ST
ROCKWALL, TX 75087

LIVINGSTON JUSTIN AND BROOKE
405 S CLARK STREET
ROCKWALL, TX 75087

SOLID ROCK HOLDINGS LLC
406 S CLARK ST
ROCKWALL, TX 75087

BOWEN CHASE AND
PERRY BOWEN
407 S CLARK ST
ROCKWALL, TX 75087

BOSS MORRIS E AND
DEBRA K BOSS
408 RIDGEVIEW
ROCKWALL, TX 75087

GADDIS CAMILLE D
408 SOUTH CLARK STREET
ROCKWALL, TX 75087

SIMS CHRIS AND TERESA
410 S CLARK ST
ROCKWALL, TX 75087

STARK ROBERT CLAYTON
501 SHERMAN ST
ROCKWALL, TX 75087

BRYAN KYLE & HALEY BROOKE
501 S CLARK
ROCKWALL, TX 75087

SAMPLES ELVA NELL
502 RENFRO ST
ROCKWALL, TX 75087

BRYAN KYLE & HALEY BROOKE
503 S CLARK
ROCKWALL, TX 75087

WARDELL JOHN P AND JULIE ANN C
506 RENFRO ST
ROCKWALL, TX 75087

LECOUR DAVID & RENEE
507 S CLARK ST
ROCKWALL, TX 75087

HAMANN KRISTIE M
509 S CLARK ST
ROCKWALL, TX 75087

DEL BOSQUE RODOLFO
510 S CLARK
ROCKWALL, TX 75087

HAMANN KRISTIE M
511 S CLARK ST
ROCKWALL, TX 75087

DEL BOSQUE RODOLFO
512 S CLARK
ROCKWALL, TX 75087

HOGUE ALLEN
513 RIDGEVIEW DR
ROCKWALL, TX 75087

JIMENEZ ANTONIO P CRUZ AND
NORMA L CRUZ HERNANDEZ
513 S CLARK ST
ROCKWALL, TX 75087

GLASS JO KAY HARRIS
515 S CLARK ST
ROCKWALL, TX 75087

GLASS JO KAY HARRIS
601 S CLARK ST
ROCKWALL, TX 75087

HOGUE CAROLYN SUE
602 RENFRO
ROCKWALL, TX 75087

JAMGOCHIAN MICHAEL W
602 STORRS STREET
ROCKWALL, TX 75087

GROOVYS BUSINESS PROPERTIES, LLC - SERIES
602 S CLARK
602 S CLARK ST
ROCKWALL, TX 75087

COWAN JAMES MICHAEL AND PHYLLIS DIANE
603 ST MARYS ST
ROCKWALL, TX 75087

RIVERA SARA ELIA
603 S CLARK ST
ROCKWALL, TX 75087

JONES PEGGY
604 STORRS ST
ROCKWALL, TX 75087

J&M WARDELL HOLDINGS LLC
604 S CLARK ST
ROCKWALL, TX 75087

CASTILLO JUAN JAIME
605 S CLARK ST
ROCKWALL, TX 75087

DAVIS JIMMY JACK
605 STORRS ST
ROCKWALL, TX 75087

WILKERSON CLAUDE JR
606 SAINT MARY ST
ROCKWALL, TX 75087

DAVIS AMY M AND WESLEY D
606 STORRS STREET
ROCKWALL, TX 75087

HOGUE MIKE & VICKY
606 S CLARK ST
ROCKWALL, TX 75087

STARK ROBERT SCOTT
607 SAINT MARY ST
ROCKWALL, TX 75087

OLIVO DANIELA AND ALFRED
607 SOUTH CLARK STREET
ROCKWALL, TX 75087

HALDEMAN MICHAEL
607 STORRS ST
ROCKWALL, TX 75087

BOSS MORRIS E AND
DEBRA K BOSS
608 ST MARYS ST
ROCKWALL, TX 75087

LOWREY DAVID D
608 STORRS ST
ROCKWALL, TX 75087

GADDIS DANNY E
609 STORRS ST
ROCKWALL, TX 75087

FARRELL KIMBERLY A
610 SAINT MARY ST
ROCKWALL, TX 75087

JOHNSTON SHERRI A
610 STORRS ST
ROCKWALL, TX 75087

HOGUE MIKE & VICKY
610 S CLARK ST
ROCKWALL, TX 75087

SMITH CHARLES
611 E BOYDSTUN
ROCKWALL, TX 75087

H & M TOOL AND DIE CO
611 SAINT MARY ST
ROCKWALL, TX 75087

ANGEL NADA
612 STORRS ST
ROCKWALL, TX 75087

MCCALLUM DARRELL
613 ST MARYS PL
ROCKWALL, TX 75087

WOOD JORDAN AND ERIN
615 E BOYDSTUN AVENUE
ROCKWALL, TX 75087

WOOD JORDAN AND ERIN
617 E BOYDSTUN AVE
ROCKWALL, TX 75087

WOODARD JENNIFER
619 E BOYDSTUN AVE
ROCKWALL, TX 75087

RANDOLPH JAMES R JR
621 E. BOYDSTUN AVE
ROCKWALL, TX 75087

KNOWLES CHRISTOPHER RICHARD AND
VICTORIA NGOC TRAN-KNOWLES
627 EAST BOYDSTUN AVENUE
ROCKWALL, TX 75087

HOGUE ALLEN
703 E BOYSTUN AVE
ROCKWALL, TX 75087

HOGUE ALLEN
705 E BOYDSTUN AVE
ROCKWALL, TX 75087

HOGUE MIKE AND VICKY
709 E BOYDSTUN AVE
ROCKWALL, TX 75087

STARK ROBERT CLAYTON
710 AGAPE ST
ROCKWALL, TX 75087

WARDELL JOHN P & JULIE C
880 IVY LN
ROCKWALL, TX 75087

SOLID ROCK HOLDINGS LLC
904 CAMPTON CT
ROCKWALL, TX 75032

DEL BOSQUE RODOLFO
PO BOX 2437
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. Z2021-015: Specific Use Permit for Residential Infill

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark 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, June 15, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 21, 2021 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:

David Gonzales
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 Monday, June 21, 2021 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. Z2021-015: Specific Use Permit for Residential Infill

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.

Four horizontal grey bars for providing reasons for support or opposition.

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

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. Z2021-015: Specific Use Permit for Residential Infill

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark 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, June 15, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 21, 2021 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:

David Gonzales
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 Monday, June 21, 2021 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. Z2021-015: Specific Use Permit for Residential Infill

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.

We are opposed to the request for building more duplexes in our neighborhood. We have several new homes in our neighborhood and others that are being renovated. Duplexes and more rental properties will not be a good decision for this area.

Name: *Amy & Wes Davis*
Address: *606 Storrs Street Rockwall TX 75087*

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

PUBLIC NOTICE



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

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Sincerely,

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Director of Planning & Zoning



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----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2021-015: Specific Use Permit for Residential Infill

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.

ALL HOUSES ON CLACK ARE SINGLE FAMILY HOMES. LOT DOES NOT SEEM TO BE OF A SIZE TO ACCOMODATE A DUPLEX. ALREADY TOO MANY DUPLEXES IN THIS AREA OF OLD TOWN.

Name: MICHAEL JANGOCHIAPU
Address: 602 STORRS ST ROCKWALL TX 75087

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.

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PLEASE RETURN THE BELOW FORM

Case No. Z2021-015: Specific Use Permit for Residential Infill

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.

I don't think a duplex would help the property values in this area so I am opposed to this sub.

Name:

Sherrri Johnston

Address:

610 Storr Street Rockwall 75087

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.

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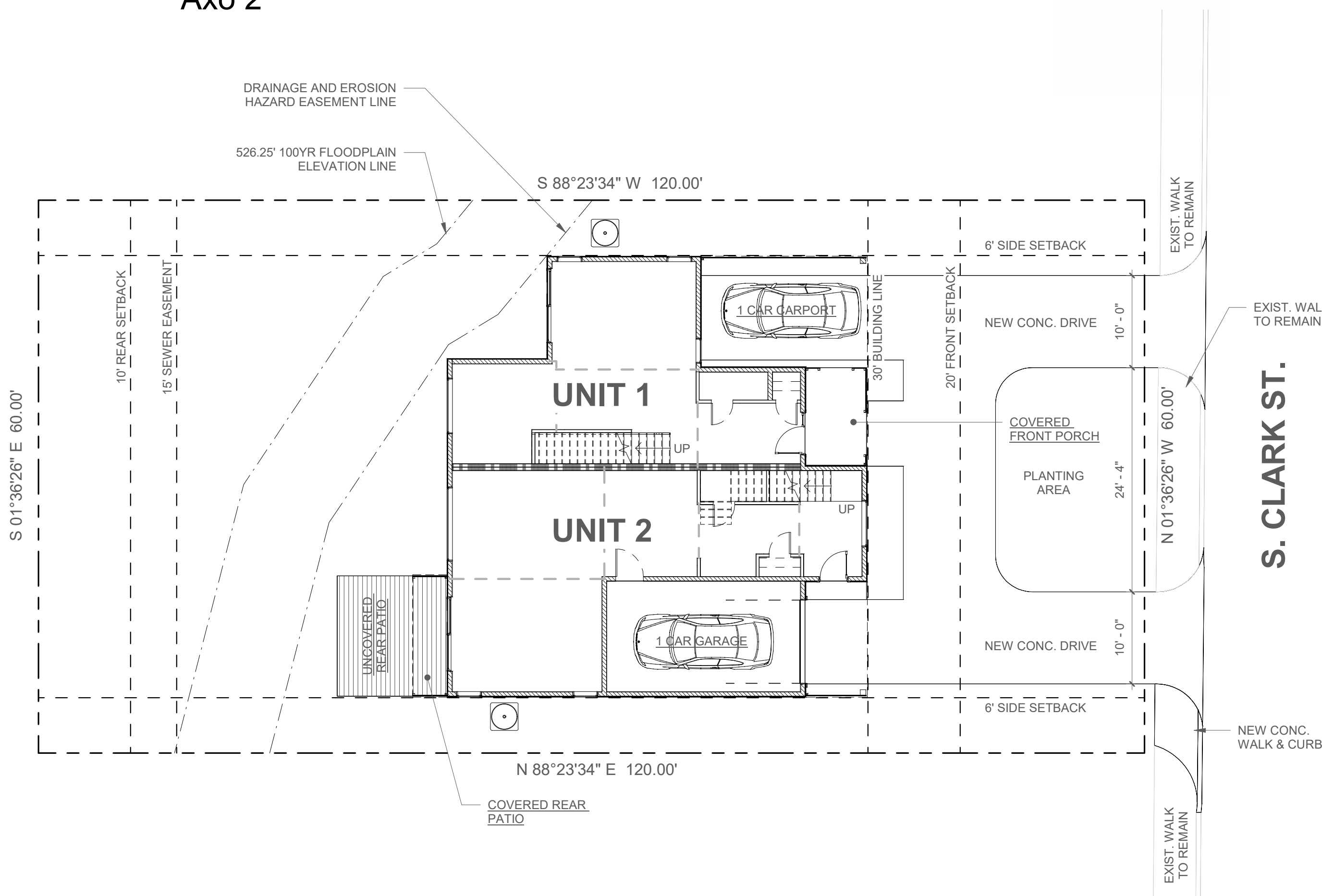
CITY OF ROCKWALL • PLANNING AND ZONING DEPARTMENT • 385 S. GOLIAD STREET • ROCKWALL, TEXAS 75087 • P: (972) 771-7745 • E: PLANNING@ROCKWALL.COM



Axo 1



Axo 2

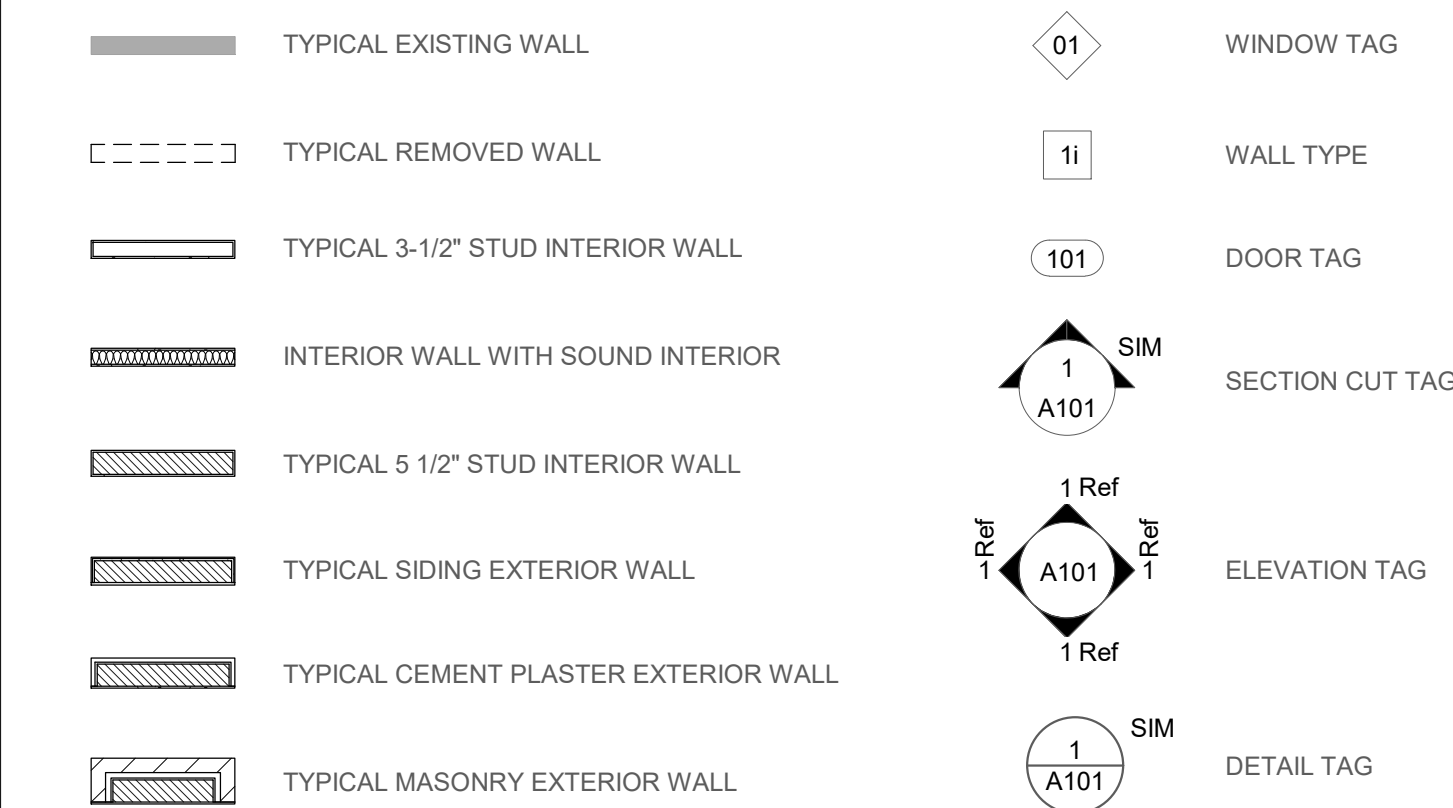


1 SITE PLAN
1" = 10'-0"

GENERAL PROJECT NOTES

- THE CONTRACTOR SHALL VISIT THE PROJECT SITE, INVESTIGATE AND BECOME FAMILIAR WITH ALL EXISTING CONDITIONS PRIOR TO BIDDING THE PROJECT. ADDITIONAL COSTS WILL NOT BE AWARDED FOR EXISTING CONDITIONS WHICH ARE VISIBLE AND/OR CAN BE REASONABLY ANTICIPATED.
- THE GC IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS, SITE GRADES, ETC. PRIOR TO CONSTRUCTION. NOTIFY THE ARCHITECT ON ANY DISCREPANCIES THAT COULD AFFECT THE DESIGN AND COMPLETION OF THE PROJECT. BUILDING LAYOUT SHALL BE VERIFIED BY A LICENSED SURVEYOR.
- ALL CONSTRUCTION SHALL COMPLY WITH ALL CITY AND STATE CODES AND STANDARDS.
- THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE WORK OF ALL UTILITY COMPANIES AND PERFORMING ALL WORK REQUIRED BY THEM.
- THE CONTRACTOR IS RESPONSIBLE FOR INSURING THE PROPER COMPACTION OF ALL UTILITY COMPANY TRENCHES.
- DIMENSIONS ARE PROVIDED FOR THE LOCATION OF PROJECT ELEMENTS. DRAWINGS SHALL NOT BE SCALED.
- AS REQUIRED BY THE IRVING/CITY BUILDING CODE THE CONTRACTOR SHALL PERMANENTLY IDENTIFY ANY WALL OR ASSEMBLY REQUIRED TO HAVE PROTECTED OPENINGS. THIS INCLUDES ALL FIRE WALLS, FIRE BARRIERS, FIRE PARTITIONS AND SMOKE BARRIERS. IDENTIFICATION SHALL BE ACHIEVED BY SIGN OR STENCILING AT SIZES AND LOCATIONS REQUIRED BY CODE.
- ALL PENETRATIONS AT GYPSUM BOARD PARTITION WALLS ARE TO BE THOROUGHLY SEALED IN A MANNER APPROPRIATE TO THE WALL TYPE THAT IS BEING PENETRATED, I.E. WEATHER TIGHT, ACOUSTICAL, NON-RATED, AND FIRE RATED. EXPOSED GYPSUM BOARD IS TO BE SEALED, TAPED AND FLOATED FOR BEST QUALITY APPEARANCE.
- PROVIDE ADEQUATE BLOCKING AS REQUIRED IN WALLS AND ROOF STRUCTURE TO SUPPORT ELECTRIC WATER COOLER, LAVATORIES, TOILET FIXTURES AND ACCESSORIES, GRAB BARS, ELECTRICAL PANELS, ACCESS ROOF LADDER, HANDRAILS, ETC.
- MOUNTING HEIGHTS: WHERE MOUNTING HEIGHTS ARE NOT INDICATED, INSTALL COMPONENTS AT MOUNTING HEIGHTS REQUIRED BY THE MOST RECENTS ISSUE OF THE TEXAS ACCESSIBILITY STANDARDS FOR ANY PARTICULAR APPLICATION INDICATED; REFER ANY QUESTIONABLE MOUNTING HEIGHT DECISIONS TO THE OWNER FOR FINAL DECISION.
- CONTRACTOR IS TO REFER TO MEP DRAWINGS AND PROJECT MANUAL FOR ANY HINGED ACCESS PANELS NOT INDICATED IN THE ARCH. DRAWINGS. CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL ACCESS PANEL LOCATIONS WITH DRYWALL, TILE, E.I.F.S. AND PLASTER WORK.
- PENETRATIONS INTO OR THROUGH VERTICAL OR HORIZONTAL FIRE RATED ASSEMBLIES SHALL BE PROTECTED BY A SYSTEM LISTED BY A RECOGNIZED TESTING AGENCY. PROVIDE A DETAIL AND LISTING NUMBER.
- PRIOR TO LAYING OUT AND FRAMING WALLS VERIFY THERE IS SUFFICIENT SPACE FOR ALL PLUMBING FIXTURES, EQUIPMENT, APPLIANCES AND ELECTRICAL FIXTURES WITH THE MANUFACTURER'S CUT SHEETS. CONFIRM THERE IS SUFFICIENT SPACE FOR THE OPERATION OF ALL EQUIPMENT INCLUDING DOOR SWINGS AND THROW AS WELL AS REQUIRED CLEAR SPACE FOR VENTILATION, ETC.
- WINDOWS WITH A SILL MORE THAN 6'-0" ABOVE THE ADJACENT EXTERIOR GRADE SHALL HAVE THEIR SILL SET AT A MINIMUM OF 2'-0" ABOVE THE FINISHED FLOOR OR HAVE HARDWARE MEETING SECTION R132 REQUIREMENTS.
- THE GC SHALL VERIFY SIZE, LOCATION, AND CHARACTERISTICS OF ALL WORK AND EQUIPMENT TO BE PROVIDED BY OWNER OR OTHERS WITH THE MANUFACTURER OR SUPPLIER BEFORE WORK IS STARTED.
- ERRORS OR OMISSIONS IN SCHEDULES SUCH AS ROOM FINISH, DOOR, WINDOW, ETC. DO NOT RELIEVE THE GC FROM PERFORMING THE WORK AS SHOWN ON THE DRAWINGS OR CALLED FOR IN THE SPECIFICATIONS.
- VERIFY ALL SIZE AND LOCATIONS FOR ALL OPENINGS FOR MECHANICAL, ELECTRICAL AND PLUMBING WORK WITH THE TRADES INVOLVED. COORDINATE LOCATIONS NOT INDICATED ON DRAWINGS WITH DESIGN TEAM AND OWNER.
- PRIOR TO CONSTRUCTING STAIRS AND OTHER ELEMENTS THE CONTRACTOR SHALL VERIFY THE BUILT FLOOR TO FLOOR CONDITION IN THE FIELD. CONTRACTOR SHALL CONFIRM WITH THE OWNER FINISHED FLOOR MATERIALS AND TAKE THEIR THICKNESS INTO ACCOUNT WHEN DETERMINING RISER AND TREAD DIMENSIONS. RISERS SHALL BE NO TALLER THAN 7.75" OR AS LIMITED BY CODE.
- PRIOR TO ELECTRICAL AND PLUMBING ROUGH-IN, THE CONTRACTOR SHALL CONFIRM REQUIRED LOCATIONS FOR THESE SERVICES WITH CUTSHEETS FOR THE FIXTURES, APPLIANCES AND EQUIPMENT THAT WILL BE INSTALLED.

DRAWING SYMBOL LEGEND



LOCATION MAP



SHEET LIST

SHEET NUMBER	SHEET TITLE	SHEET ISSUE DATE	REV #	REV DATE
02 - GENERAL				
G-100	COVER SHEET & SITE PLAN	01/15/2021		
08 - ARCHITECTURAL				
A-100	LEVEL 1 FLOOR PLAN	01/15/2021		
A-101	LEVEL 2 FLOOR PLAN	01/15/2021		
A-200	OVERALL BUILDING ELEVATIONS	01/15/2021		
A-201	OVERALL BUILDING ELEVATIONS	01/15/2021		

APPLICABLE BUILDING CODES

- 2015 INTERNATIONAL PLUMBING CODE WITH ROCKWALL AMENDMENTS
- 2015 INTERNATIONAL MECHANICAL CODE WITH ROCKWALL AMENDMENTS
- 2014 NATIONAL ELECTRICAL CODE WITH ROCKWALL AMENDMENTS
- 2015 INTERNATIONAL RESIDENTIAL CODE WITH ROCKWALL AMENDMENTS
- 2015 INTERNATIONAL EXISTING BUILDING CODE WITH ROCKWALL AMENDMENTS
- 2015 INTERNATIONAL ENERGY CONSERVATION CODE WITH ROCKWALL AMENDMENTS
- 2015 INTERNATIONAL FUEL & GAS CODE WITH ROCKWALL AMENDMENTS

PROJECT DIRECTORY

OWNER
CASTRO DEVELOPMENT
1006 CLERMONT ST.
DALLAS, TX 75223

ARCHITECT
OBJECT & ARCHITECTURE
4815 TERRY STREET
DALLAS, TX 75223

CONTACT:
JASON CASTRO
214.232.2750
JASON@CASTROPROPERTYGROUP.COM

CONTACT:
RYAN M. WITHROW
214.240.1995
RYAN@OBJ-ARC.COM

PROJECT INFORMATION

DESCRIPTION: NEW TWO STORY TWO FAMILY (DUPLX) RESIDENCE

ADDRESS: 511 S. CLARK STREET
ROCKWALL, TX 75087

CITY: ROCKWALL
COUNTY: ROCKWALL COUNTY

LOT: 6
BLOCK: J.E. HARRIS SUBDIVISION

SITE INFORMATION

ZONING REGULATIONS
ZONE: TWO-FAMILY (2F)
MAIN USE: TWO FAMILY RESIDENCE (DUPLX)

FRONT SETBACK: 20 FT.
SIDE SETBACKS: 6 FT.
REAR SETBACK: 10 FT. FOR SINGLE FAMILY, 10 FT. OTHER STRUCTURES

UNIT DENSITY: NO MAXIMUM DWELLING UNIT DENSITY.
MAX ALLOWED HT: 32 FT.
LOT COVERAGE: 45% MAX

AREA CALCULATIONS

CONDITIONED AREAS:
UNIT 1 FIRST FLOOR A/C AREA: 636 SQ.FT.
UNIT 1 SECOND FLOOR A/C AREA: 772 SQ.FT.
UNIT 1 TOTAL A/C AREA: 1,408 SQ.FT.

UNIT 2 FIRST FLOOR A/C AREA: 786 SQ.FT.
UNIT 2 SECOND FLOOR A/C AREA: 1,106 SQ.FT.
UNIT 2 TOTAL A/C AREA: 1,892 SQ.FT.

UNCONDITIONED AREAS:

UNIT 1 FRONT PORCH/CARPORT AREA: 287 SQ.FT.
UNIT 2 FRONT PORCH COVERED AREA: 83 SQ.FT.
UNIT 2 GARAGE AREA: 271 SQ.FT.
UNIT 2 REAR PATIO COVERED AREA: 49 SQ.FT.

TOTAL UNCONDITIONED AREAS: 690 SQ.FT.

LOT AREA: 7,200 SQ.FT. (PER SURVEY)
LOT COVERED AREA: 2,112 SQ.FT.
COVERAGE: 29.3 %

CONDITIONED AREAS CALCULATED PER ANSI Z765 STANDARDS

THESE DRAWINGS ARE THE INSTRUMENT AND PROPERTY OF OWAN WITHROW AND ARE NOT TO BE REPRODUCED OR USED WITHOUT PERMITS

SHEET ISSUE DATE:
01/15/2021

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ARCHITECT

Object &
Architecture

4815 Terry Street
Dallas, Texas 75223
www.obj-arc.com

00703-01

CLARK
DUPLEX

511 S. Clark Street
Rockwall, TX 75087

SUP APPROVAL

COVER SHEET &
SITE PLAN



G-100
112

S 01°36'26" E 60.00'

DRAINAGE AND EROSION HAZARD EASEMENT LINE

526.25' 100YR FLOODPLAIN ELEVATION LINE

10' REAR SETBACK

15' SEWER EASEMENT

UNCOVERED REAR PATIO

S 88°23'34" W 120.00'

N 88°23'34" E 120.00'

COVERED REAR PATIO

UNIT 2

UNIT 1



UP

UP

30' BUILDING LINE

20' FRONT SETBACK

6' SIDE SETBACK

NEW CONC. DRIVE

10' - 0"

COVERED FRONT PORCH

PLANTING AREA

24' - 4"

NEW CONC. DRIVE

10' - 0"

6' SIDE SETBACK

N 01°36'26" W 60.00'

EXIST. WALK TO REMAIN

EXIST. WALK TO REMAIN

S. CLARK ST.

NEW CONC. WALK & CURB

EXIST. WALK TO REMAIN



1 01-EAST
1/4" = 1'-0"



2 04-WEST
1/4" = 1'-0"

SHEET ISSUE DATE
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ARCHITECT
**Object &
Architecture**
4815 Terry Street
Dallas, Texas 75223
www.obj-arc.com

00703-01

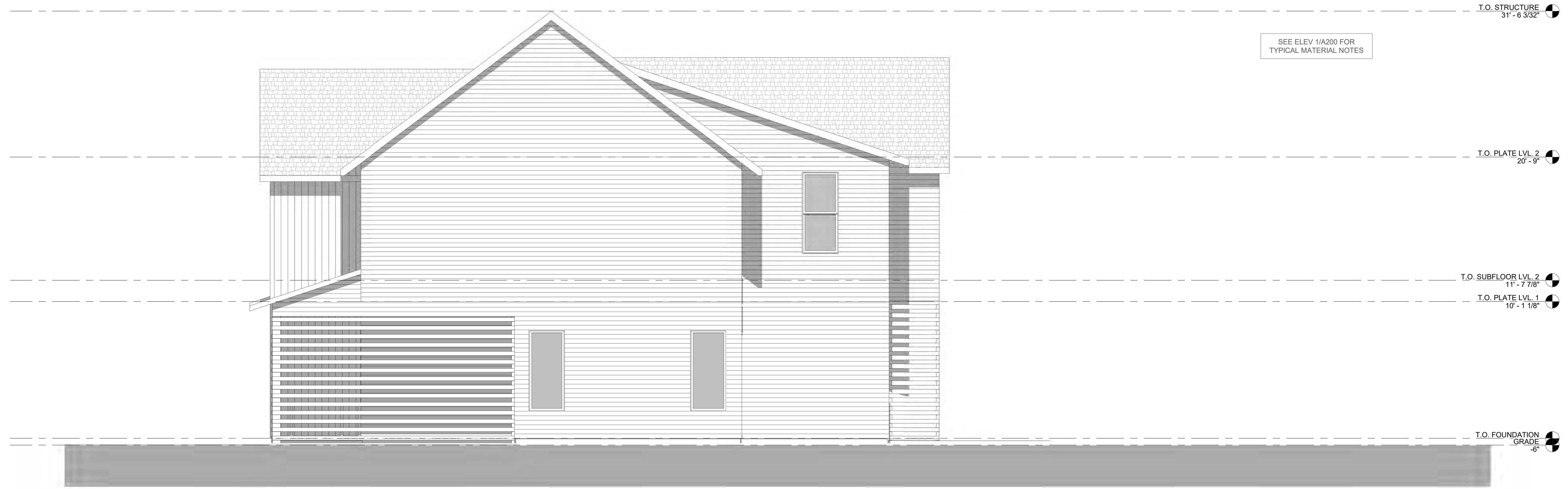
**CLARK
DUPLEX**

511 S. Clark Street
Rockwall, TX 75087

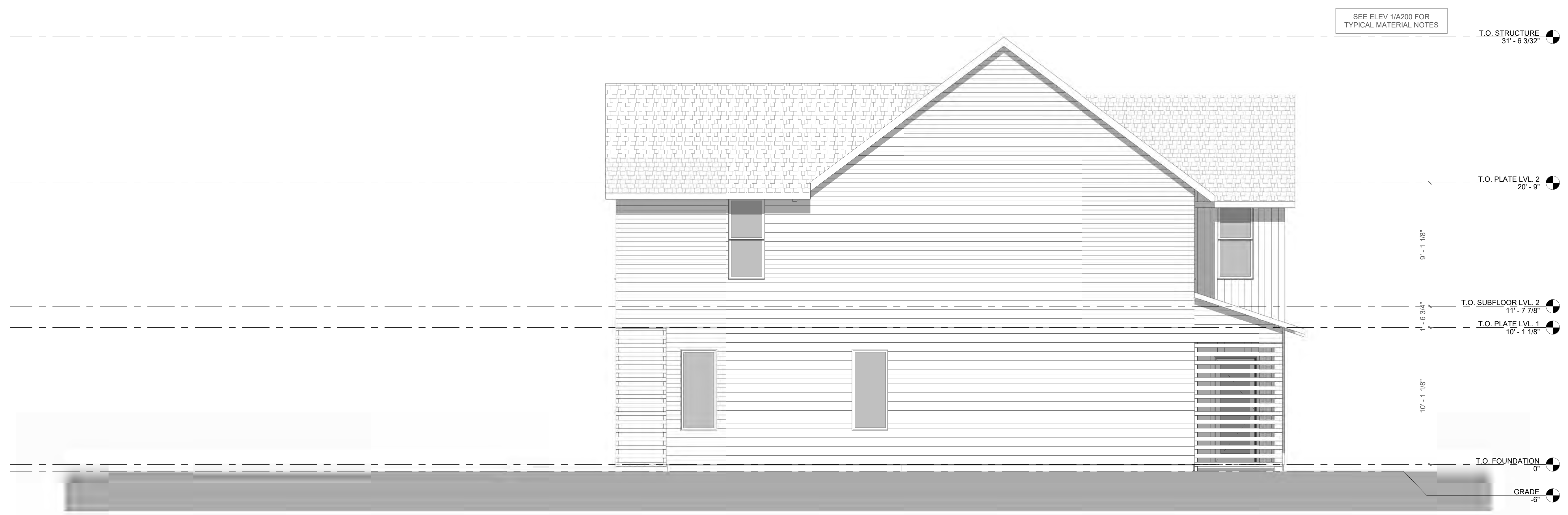
SUP APPROVAL

OVERALL
BUILDING
ELEVATIONS

A-200
1/14



1 02-NORTH
1/4" = 1'-0"



2 03-SOUTH
1/4" = 1'-0"

SHEET ISSUE DATE
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SUP APPROVAL

OVERALL
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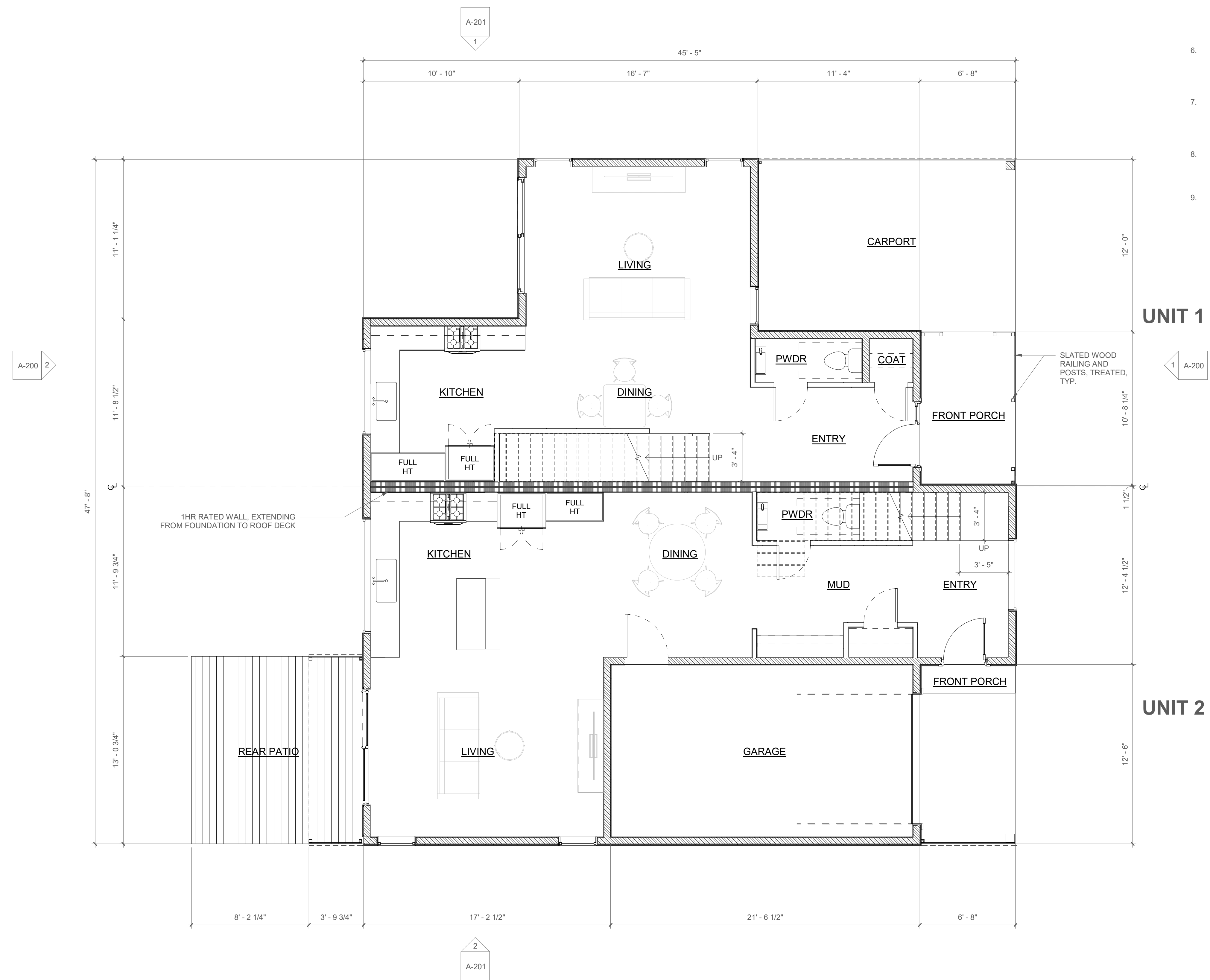
GENERAL FLOOR PLAN NOTES

1. PLAN DIMENSIONS ARE TO THE FACE OF THE STUD, UNLESS NOTED OTHERWISE SUCH AS TO FACE OF MASONRY (MASRY) OR BRICK. DIMENSIONS TO DOORS ARE TO THE FACE OF THE OPENING AND NOT OUTSIDE OF FRAME. DOORS MARKED WITH "FLUSH" ARE TO BE LOCATED SO THAT THE OPENING IS FLUSH WITH THE INDICATED WALL. WINDOWS NOT DIMENSIONED ARE TO BE LOCATED CENTERED WITHIN THE INDICATED OPENING.
2. U.N.O. ALL NEW WALLS TO RECEIVE 1/2" GYP BD SHEATHING EXCEPT IN WET LOCATIONS. WET LOCATIONS TO RECEIVE TILE ON 1/2" CEMENTITIOUS TILE BACKER OVER #15 TAR PAPER. ALL SHEATHING IN DAMP LOCATIONS SHALL RECEIVE WATER RESISTANT GYP BD.
3. WINDOWS MARKED "EGRESS" ON THE PLAN SHALL ADHERE TO THE 2015 DALLAS BUILDING CODE REQUIREMENTS FOR EGRESSIBLE OPENINGS.
4. PRIOR TO THE PURCHASE OF ANY PLUMBING FIXTURES OR APPLIANCES REFER TO THE DALLAS GREEN CODE PHASE 2 TO CONFIRM THAT FIXTURE/APPLIANCE WILL MEET ALL FLOW RATE/WATER USAGE AND ENERGY EFFICIENCY REQUIREMENTS.
5. U.N.O. EXTERIOR WALLS ARE 2X6 STUD WALLS WITH CONTINUOUS SHEATHING (CONFIRM WITH STRUCTURAL DWGS). U.N.O. INTERIOR WALLS ARE 2X4 WOOD STUD WALLS WITH 1/2" GYP BD BOTH SIDES EXCEPT IN WET AND DAMP LOCATIONS.
6. BEFORE CONSTRUCTING STAIRS VERIFY ACTUAL BUILT FLOOR-TO-FLOOR HEIGHT IN THE FIELD. NOTIFY DESIGN TEAM OF ANY NECESSARY CHANGES. MAXIMUM ALLOWABLE RISER HEIGHT IS 7.6". MINIMUM HEADROOM AT STAIRS IS 8'-0".
7. MAINTAIN MINIMUM OF 24" CLEAR IN FRONT OF TOILETS. SELECT TOILET FIXTURES SUCH THAT DISTANCE FROM EDGE OF TOILET TO WALL IS MINIMUM OF 2'-0" ESPECIALLY IN BATHROOM LESS THAN 5'-0" WIDE.
8. AT ALL ENCLOSED STAIRS WITH ACCESS TO SPACE BENEATH STAIRS INSTALL 5/8" TYPE X GYP BD AT UNDERSIDE OF STAIRS AND SMOKE AND FIRE BLOCK AS REQUIRED BY CODE.
9. REFER TO SHEET A2.2 FOR TYPICAL FLASHING AT WINDOWS AND DOORS.

SHEET ISSUE DATE:
01/15/2021

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OBJECT & Architecture
4815 Terry Street
Dallas, Texas 75223
www.obj-arc.com



1 FIRST FLOOR PLAN
1/4" = 1'-0"

00703-01

CLARK DUPLEX

511 S. Clark Street
Rockwall, TX 75087

SUP APPROVAL

LEVEL 1 FLOOR PLAN



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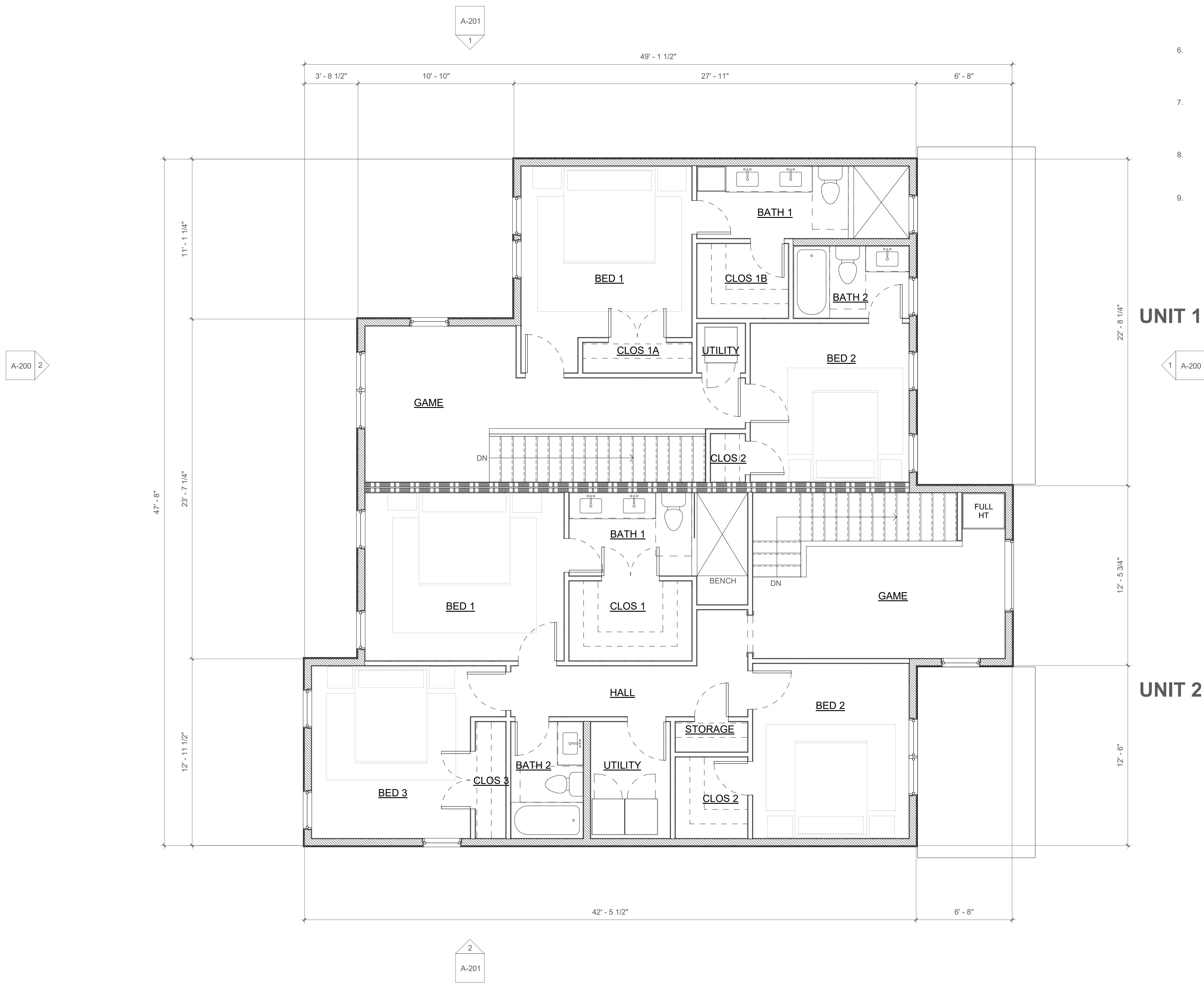
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ARCHITECT
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Dallas, Texas 75223
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UNIT 1

UNIT 2





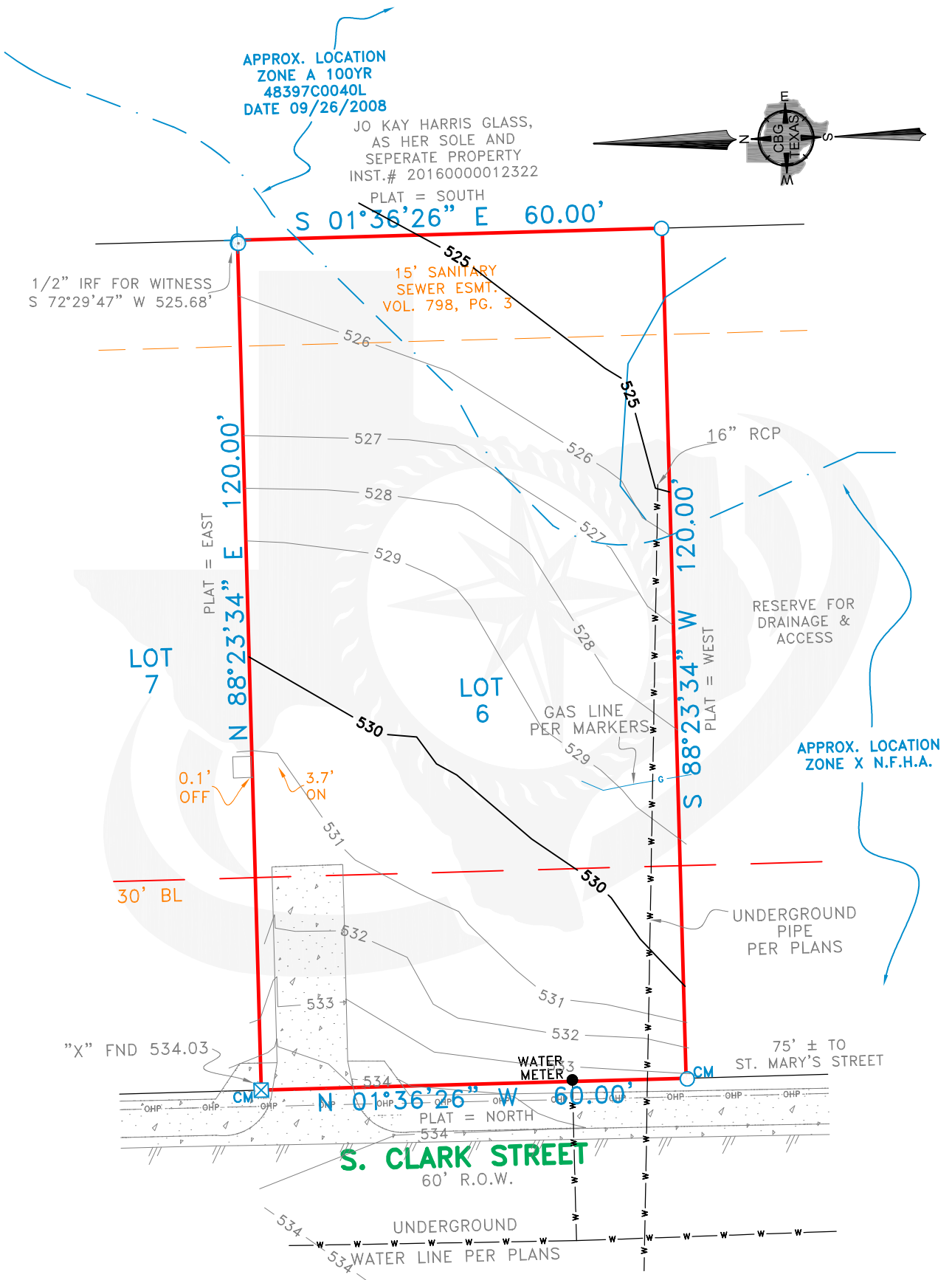
511 S. Clark Street

Lots 6, J.E. HARRIS SUBDIVISION OUT OF THE B.F. BOYDSTUN SURVEY, an Addition in Rockwall County, Texas, according to the Map or Plat recorded in Volume 1, Page 7 now in Cabinet A, Slide 7, Plat Records of Rockwall County, Texas.



LEGEND

- 1/2" ROD FOUND
- ⊗ 1/2" ROD SET
- 1" PIPE FOUND
- ⊠ "X" FOUND/SET
- ⊗ 5/8" ROD FOUND
- ◆ POINT FOR CORNER
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL EQUIPMENT
- TE TRANSFORMER PAD
- COLUMN
- POWER POLE
- ▲ UNDERGROUND ELECTRIC
- △ OVERHEAD ELECTRIC
- OHP— OVERHEAD ELECTRIC POWER
- OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- |— IRON FENCE
- X— BARBED WIRE
- DOUBLE SIDED WOOD FENCE
- //— EDGE OF ASPHALT
- ▲— EDGE OF GRAVEL
- ▨ CONCRETE
- ▨ COVERED AREA
- ▨ BRICK
- ▨ STONE



EXCEPTIONS:

NOTE: GF NO. DERIVED FROM PRIOR TITLE WORK ISSUED = 07/28/2020

ELEVATIONS DERIVED FROM TBM ROCKWALL MON. NO. 2884

BEARINGS ARE BASED OFF OF NAD 83 TEXAS NORTH CENTRAL

NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No. 48397C0040L, this property does lie in Zone A and DOES lie within the 100 year flood zone. EXCEPT AS SHOWN

This survey is made in conjunction with the information provided by Castro Property Group. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

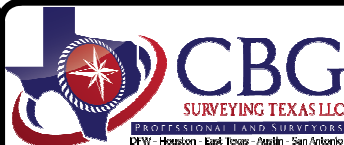
Drawn By: EAN

Scale: 1" = 20'

Date: 03/17/2021

GF No.: 20-509065-RL

Job No. 2013905-01



12025 Shiloh Road, Ste. 240
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtxl.com



Accepted by: _____
Date: _____
Purchaser

Accepted by: _____
Date: _____
Purchaser

Object & Architecture

Ryan Withrow, Architect
4815 Terry Street
Dallas, Texas 75223
214 240 1995
ryan@obj-arc.com
www.obj-arc.com

May 13, 2021

Castro - Clark Duplex
511 S. Clark Street
Rockwall, TX 75087

City of Rockwall,

We are proposing the development of a duplex residence (two single family units separated by a 1-hour rated wall running from foundation to the underside of the roof decking) on a vacant lot within a district that is currently zoned for two-family residences.

The new duplex residence is proposed to be a total of 3,300 sqft of conditioned area with a two car garage. Unit One is 1,408 sqft of conditioned area and Unit Two is 1,892 sqft of conditioned area. Unit One will have two bedrooms, two full bathrooms, a powder bath, an open living/kitchen/dining area, a game/landing area, and a utility room. Unit Two will have three bedrooms, two full bathrooms, a powder bath, an open living/kitchen/dining area, a game room, and a utility room.

The residence will have a modern farmhouse style utilizing durable fiber cement lap siding and fiber cement board and batten siding and asphalt shingle roofing. The dwellings will meet the 2015 IECC with a minimum of R-19 batt insulation in the exterior walls, R-38 insulation at the roof, and windows with proposed U-value of 0.33 and an SHGC of 0.26.

This property has a portion of the lot which is within the 100yr floodplain. Our topographic survey is included in the application package and has been reviewed by City of Rockwall engineers. On the following page I have included their markups which we have taken into consideration when designing this duplex residence.

I hope that you find this application to be complete and satisfactory. If you have any questions about the information above, please feel free to contact me.

Sincerely,

Ryan Withrow, Architect
Object & Architecture PLLC
TBAE License #26945

Explanation of Site Hardships

Request

We are requesting two ordinance requirements be waived for the development of a two-family residence at 511 S. Clark Street so that the site may be developed to its highest and best use and to develop the site commensurately with the surrounding area. The first ordinance requirement we are requesting to be waived is a required 20 ft. setback from the front facade of the residence to the front facing garage. The second ordinance requirement we are requesting to be waived is the requirement that two off-street parking spaces be located in a garage.

Context

The property is located in a Two-Family Zoning district and the lot size is 7,200 sqft per the survey submitted with this application packet. The site slopes gradually away from Clark Street to the rear of the site. A large portion of the site is located within the 100-yr floodplain. We have worked with P&Z and Engineering during our design and SUP process and Engineering set the floodplain line as well as the additional 10' erosion control setback line. We re-designed our initial submittal to conform to this setback line.

Explanations

1. The size of the 100-yr floodplain line and the erosion control setback line significantly affects the ability of the lot to be developed commensurate with the surrounding area and to the standard size of residence that today's market expects. The 100-yr floodplain plus the erosion control setback line covers 31.6% of the lot. This lot also requires a 30' Building Line setback from the front property line. The front setback (including the 30' Building Line) plus the side yard setbacks not within the floodplain or erosion control setback covers 33.0% of the lot. This leaves the lot with only 35.3% of the lot leftover as buildable area.
2. The irregular shape of the floodplain significantly affects the ability of the lot to be developed, especially when considering the most efficient and effective way of configuring the required fire separation walls for two family dwellings is to build the separation wall in a straight line. As can be seen in Image 1 below, the shape of the floodplain and erosion control setback line affect our ability to adequately design an L-shaped driveway which would obscure the garage door from view of the street. Therefore, front facing garages create the most efficient layout to develop this lot. However, the requirement of setting the garage 20' from the front facade is not possible in the garage layout shown in Image 1.

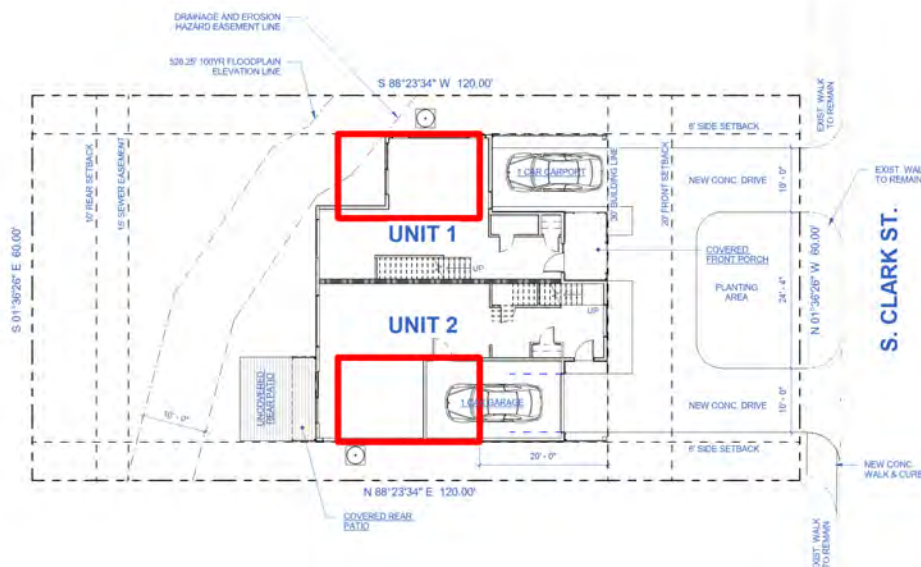


Image 1

In Image 2 below we've shown that grouping both garages together would comply with the 20' garage setback requirement and not be within the erosion control setback line, but due to the shape of the floodplain line a two car garage eats up a significant amount of the buildable area and is highly restrictive for creating an efficient and useful two family residence layout.

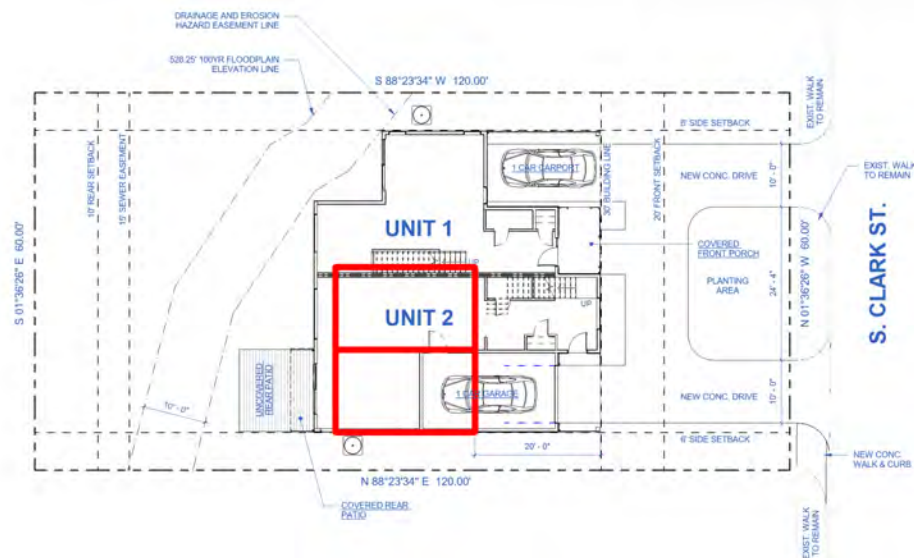


Image 2

- This proposed two-family residence has the visual look of being a single family residence. We believe this creates the most desirable outcome for both this lot as well as the surrounding properties. Providing two separate one-car garages on either side of the fire separation wall would visually make this development look like a duplex. A front-facing two-car garage with a 20' setback from the front facade of the house significantly restricts the buildable area and prevents an efficient and regular layout.

Conclusion

For the above stated reasons we believe reducing the requirements for two garage parking spaces and waiving the 20' garage setback for the front facing garage allows this site to overcome the hardships presented by the floodplain, allows us to develop a two-family residence that reflects the spirit of the zoning ordinance, and respects the surrounding neighbors by creating a visually appealing residence that meets current market standards of development.

Thank you for your input and consideration.

Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
402 S Clark Street	Single-Family Home	1987	1,090	216	Brick
403 S Clark Street	Single-Family Home	1966	720	N/A	Siding
404 S Clark Street	Single-Family Home	1983	1,097	N/A	Brick
405 S Clark Street	Single-Family Home	2006	1,682	N/A	Brick
406 S Clark Street	Single-Family Home	1990	1,348	144	Brick
408 S Clark Street	Single-Family Home	2006	2,049	N/A	Brick
410 S Clark Street	Single-Family Home	1989	1,112	N/A	Siding
501 S Clark Street	Single-Family Home				
503 S Clark Street	Other	1975	N/A	600	Metal
507 S Clark Street	Single-Family Home	1975	884	670	Brick
509 S Clark Street	Single-Family Home	1945	768	240	Siding
510 S Clark Street	Other	1970		N/A	Metal
511 S Clark Street	Vacant		Subject Property		
512 S Clark Street	Other	1960		N/A	Siding
513 S Clark Street	Single-Family Home	1966	744	N/A	Siding
402 & 404 Storrs Street	Duplex	N/A	N/A	N/A	Brick
406, 500, & 502 Storrs Street	Tri-Plex	N/A	N/A	N/A	Brick
504-A & 504-B Storrs Street	Duplex	1999	1,260	N/A	Brick
518 & 520 Storrs Street	Duplex	1999	1,260	N/A	Brick
514 & 516 Storrs Street	Duplex	1989	1,270	N/A	Brick
510 & 512 Storrs Street	Duplex	1985	1,218	N/A	Brick
602 Storrs Street	Single-Family Home	1890	3,222	N/A	Siding
604 Storrs Street	Single-Family Home	1990	1,262	48	Siding
605 Storrs Street	Single-Family Home	1980	1,554	370	Siding
606 Storrs Street	Single-Family Home	1990	929	N/A	Siding
607 Storrs Street	Single-Family Home	1993	1,170	N/A	Siding
608 Storrs Street	Single-Family Home	1950	735	196	Siding
609 Storrs Street	Single-Family Home	1990	1,168	N/A	Siding
610 Storrs Street	Single-Family Home	1985	1,130	100	Siding
612 Storrs Street	Single-Family Home	1960	696	320	Siding
Averages:		1978	1,233		



402 S Clark Street



403 S Clark Street



404 S Clark Street



405 S Clark Street



406 S Clark Street



408 S Clark Street



410 S Clark Street



501 S Clark Street



503 S Clark Street



507 S Clark Street



509 S Clark Street



510 S Clark Street



511 S Clark Street



512 S Clark Street



513 S Clark Street



601 S Clark Street



604 Storrs Street



605 Storrs Street



606 Storrs Street



607 Storrs Street



608 Storrs Street



609 Storrs Street



610 Storrs Street



612 Storrs Street

402 & 404 Storrs Street
Write a description for your map.

Legend



Google Earth

©2020 Google
©2021 Google



136

5.55 ft

406, 500, & 502 Storrs Street
Write a description for your map.

Legend



Google Earth

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137

5.81 ft

504-A & 504-B Storrs Street

Legend



Google Earth

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138

4.85 ft



510 & 512 Storrs Street

Legend



Google Earth

©2020 Google
©2021 Google

5.46 ft

139



518 & 520 Storrs Street

Legend



Google Earth

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140

4.17 ft



514 & 516 Storrs Street

Legend



Google Earth

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©2021 Google

4.13 ft

141



CITY OF ROCKWALL

ORDINANCE NO. 21-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 DUPLEX ON A 0.165-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, HARRIS 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 Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a duplex on a 0.165-acre parcel of land being described as Lot 6 of the Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark 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 duplex 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 03.11, *Two-Family (2F) 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 duplex 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 duplex on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the duplex 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 6th DAY OF JULY, 2021.

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: June 21, 2021

2nd Reading: July 6, 2021

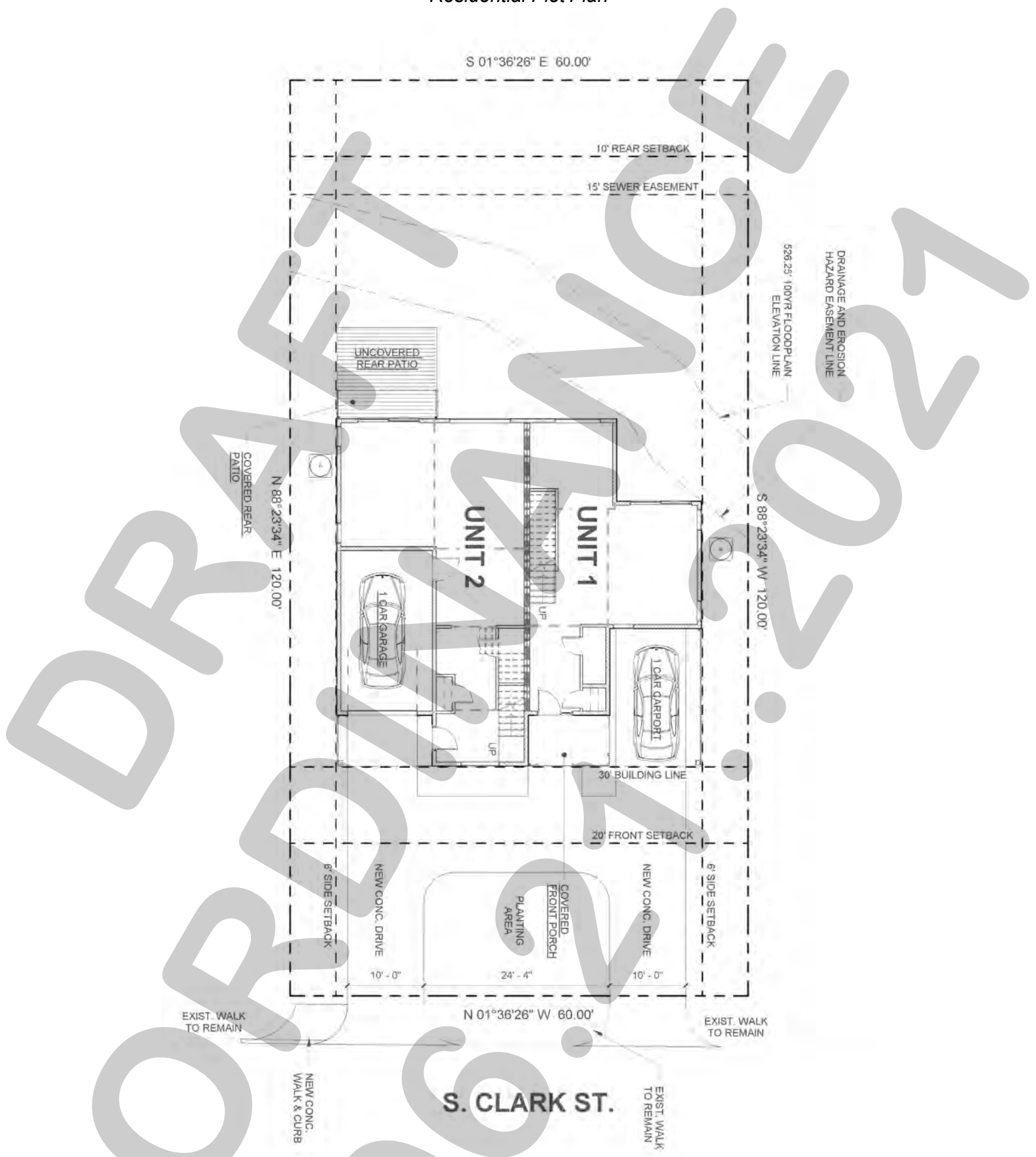
Exhibit 'A'
Location Map and Survey

Address: 511 S. Clark Street

Legal Description: Lot 6, Harris Addition



**Exhibit 'B':
Residential Plot Plan**



**Exhibit 'C':
Building Elevations**





MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: Z2021-016; SPECIFIC USE PERMIT FOR AN ACCESSORY BUILDING AT 361 WILLOWCREST

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Applicant's Letter
Public Notice
Site Plan
Floor Plan
Building Elevations
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing a detached garage that does not conform to the maximum square footage requirements on a 1.948-acre parcel of land identified as Lot 23 of the Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, and take any action necessary (1st Reading).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the 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: June 21, 2021
APPLICANT: Mike Mishler; *Mishler Builders, Inc.*
CASE NUMBER: Z2021-016; *Specific Use Permit for an Accessory Building at 361 Willowcrest*

SUMMARY

Hold a public hearing to discuss and consider a request by Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of a Specific Use Permit (SUP) allowing a detached garage that does not conform to the maximum square footage requirements on a 1.948-acre parcel of land identified as Lot 23 of the Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, and take any action necessary.

BACKGROUND

On June 10, 1996, the City Council approved a preliminary plat and a final plat for the Willowcrest Estates Subdivision [*Case No. PZ1996-028-01*]. At the time of approval, the Willowcrest Estates Subdivision was outside of the City's corporate limits, and was approved in accordance with an Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall concerning the approval of subdivision plats. The approval of this subdivision plat established the subject property as Lot 23 of the Willowcrest Estates Subdivision. The subject property was annexed into the City of Rockwall on July 21, 1997 by *Ordinance No. 97-14*. According to the Rockwall County Appraisal District (RCAD) a 5,641 SF single-family home was constructed on the subject property in 1999, and a 345 SF detached covered porch and swimming pool was constructed on the subject property in 2013. On May 6, 2002, the City Council approved a zoning case [*Case No. PZ2001-108-01; Ordinance No. 02-22*] that rezoned the subject property from Agricultural (AG) District to Single-Family Estate 1.5 (SFE-1.5) District.

PURPOSE

The applicant -- *Mike Mishler of Mishler Builders, Inc.* -- is requesting the approval of a Specific Use Permit (SUP) to allow for the construction of an accessory building that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 361 Willowcrest. 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. 401 and 421 Willowcrest*), developed with single-family residential homes that are zoned Single-Family Estate 1.5 (SFE-1.5) District. Beyond this is an approximately 7.48-acre vacant tract of land designated as open space for the Oaks of Buffalo Way Subdivision. Beyond this is Winding Oaks Court, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property are five (5) single-family residential homes (*i.e. 321, 281, 241, 201, and 165 Willowcrest*) that are within the Willowcrest Estates Subdivision and zoned Single-Family Estate 1.5 (SFE-1.5) District. Beyond this is FM-549, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is the Oaks of Buffalo Way Subdivision, which was established on July 15, 1997 and consists of 61 single-family residential homes on 107.68-acres of land. This subdivision is zoned Single-Family Estate 1.5 (SFE-1.5) District.

West: Directly west of the subject property is Willowcrest, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are 16 single-family residential homes that are zoned Single-Family Estate 1.5 (SFE-1.5) District. Beyond this is Wallace Lance, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, survey, floor plan, and building elevations requesting to permit a 62-foot by 48-foot (*or 2,976 SF*) accessory building that will be 15-feet, 2-inches in total height. The proposed elevations indicate the façade of the accessory building will be a brick veneer. At the Planning and Zoning Work Session the applicant indicated that the brick veneer will match the existing single-family home. The proposed accessory structure will have a roof pitch of 2:12 and be constructed utilizing standing seam, metal *R-Panel*. The applicant has also indicated that the only utility to be provided to the accessory building will be electricity. The accessory structure will be situated at the rear of the subject property approximately 25-feet from the rear (*or eastern*) property line and 25-feet from the side yard (*or northern*) property line.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family Estate 1.5 (SFE-1.5) District allows a total of two (2) accessory structures. For accessory buildings, the Single-Family Estate 1.5 (SFE-1.5) District allows either one (1) accessory building at 400 SF and one (1) detached garage at 625 SF, or a single accessory building at 1,000 SF. In addition, accessory buildings are limited to a maximum height of 15-feet and a minimum roof pitch of 3:12. The setbacks for accessory structures in a Single-Family Estate 1.5 (SFE-1.5) District are ten (10) feet from the rear property line and 25-feet from the side property line. Accessory buildings are also required to have a minimum of ten (10) feet of separation from any other primary or accessory structure. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)." In addition, the section states that "(a)ll accessory buildings that are not portable accessory buildings require a permanent concrete foundation."

STAFF ANALYSIS

In this case, the applicant's request conforms with the setback requirements for accessory buildings; however, the accessory building does not adhere to the [1] maximum size permitted for accessory building, [2] the maximum permissible height for accessory buildings, and [3] the minimum roof pitch for a residential structure. The proposed accessory building exceeds the maximum permissible size by 2,576 SF, the maximum permissible height by two (2) inches, and incorporates a 2:12 roof pitch as opposed to the required 3:12 roof pitch. Staff performed a review of the homes in the surrounding subdivision using aerial imagery (*a total of 28 single-family homes are in the Willowcrest Estate Subdivision*), and determined that there does not appear to be any accessory buildings in the area of a similar size as to what the applicant is proposing. Staff should note that eight (8) of the 28 homes surveyed had accessory structures, with the largest accessory structure observed being a detached garage that is 960 SF. The average size of all accessory structures analyzed was 640 SF. With all of this being said, the approval of a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On May 21, 2021, staff mailed 30 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Oaks of Buffalo Way Homeowner's Association (HOA), which is the only HOA/Neighborhood Organizations that is 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 no notices in regard 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 an accessory building that exceeds the maximum permissible size, 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 SUP ordinance and which are detailed as follows:
 - (a) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of the Specific Use Permit (SUP) ordinance; and
 - (b) The *Accessory Building* shall not exceed a maximum size of 3,000 SF; and
 - (c) The *Accessory Building* shall not exceed a maximum height of 15'-2"; and
 - (d) The subject property shall not have more than two (2) accessory structures.
- (2) Any construction resulting from the approval of this zoning change 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 June 15, 2021, 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 Deckard and Thomas dissenting and Commission Moeller absent. According to Subsection 02.03(G), Protest of Zoning Change, of Article 11, of the Unified Development Code (UDC), "if such change 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. a 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. 22021-016

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 361 Willowcrest

SUBDIVISION Willowcrest Estates

LOT 23 BLOCK _____

GENERAL LOCATION _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING _____

CURRENT USE SFH

PROPOSED ZONING _____

PROPOSED USE SFH

ACREAGE 1.948

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 John Curanovic

APPLICANT Mishler Builders, Inc.

CONTACT PERSON _____

CONTACT PERSON Mike Mishler

ADDRESS 361 Willowcrest

ADDRESS 1009 Ivy Ln.

CITY, STATE & ZIP Rockwall, TX 75082

CITY, STATE & ZIP Rockwall, TX 75087

PHONE 214-938-1171

PHONE 214-502-3895

E-MAIL drcuranovic@yahoo.com

E-MAIL mishlerbuilders@scglobe.net

NOTARY VERIFICATION [REQUIRED]

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

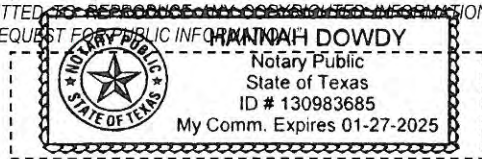
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 229.22 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14TH DAY OF May, 2021 BY SIGNING THIS APPLICATION. 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 UNASSIGNED 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 14 DAY OF May, 2021.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Hannah Dowdy



MY COMMISSION EXPIRES 01-27-2025



Z2021-016- SUP FOR DETACHED GARAGE AT 361 WILLOWCREST ZONING - LOCATION MAP =



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.

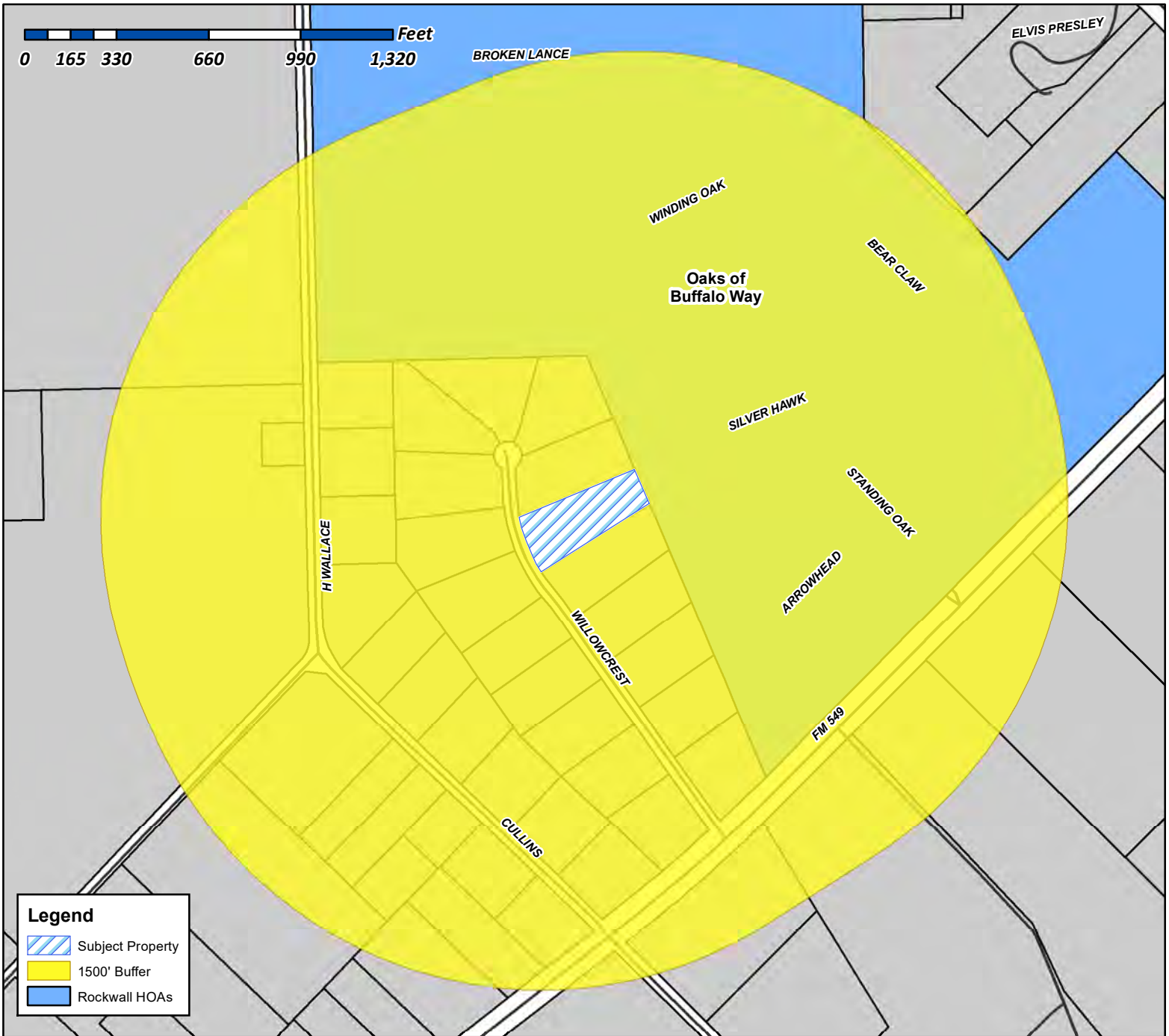
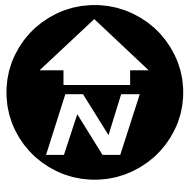




City of Rockwall

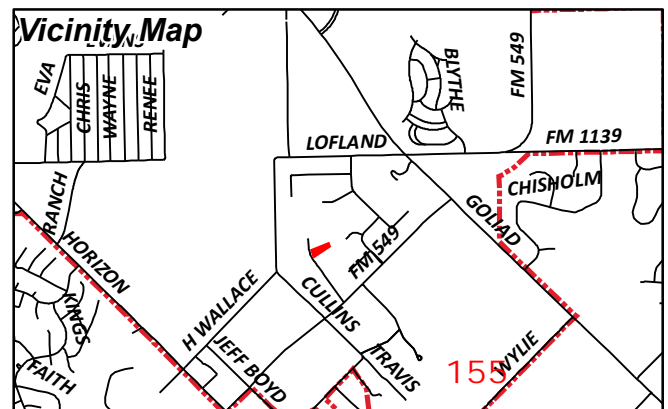
Planning & Zoning Department
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Case Number: Z2021-016
Case Name: SUP for Detached Garage
Case Type: Zoning
Zoning: Single-Family Estates 1.5 (SFE-1.5) District
Case Address: 361 Willowcrest

Date Created: 5/14/2021
 For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Thursday, May 20, 2021 10:49 AM
Cc: Miller, Ryan; Gonzales, David; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-016]
Attachments: HOA Map Z2021-016.pdf; Public Notice (05.19.2021).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 *May 21, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, June 15, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, June 21, 2021 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>.

Z2021-016 SUP for a Detached Garage at 361 Willowcrest

Hold a public hearing to discuss and consider a request by Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of a *Specific Use Permit (SUP)* allowing a detached garage that does not conform to the maximum square footage requirements on a 1.948-acre parcel of land identified as Lot 23 of the Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, 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/>

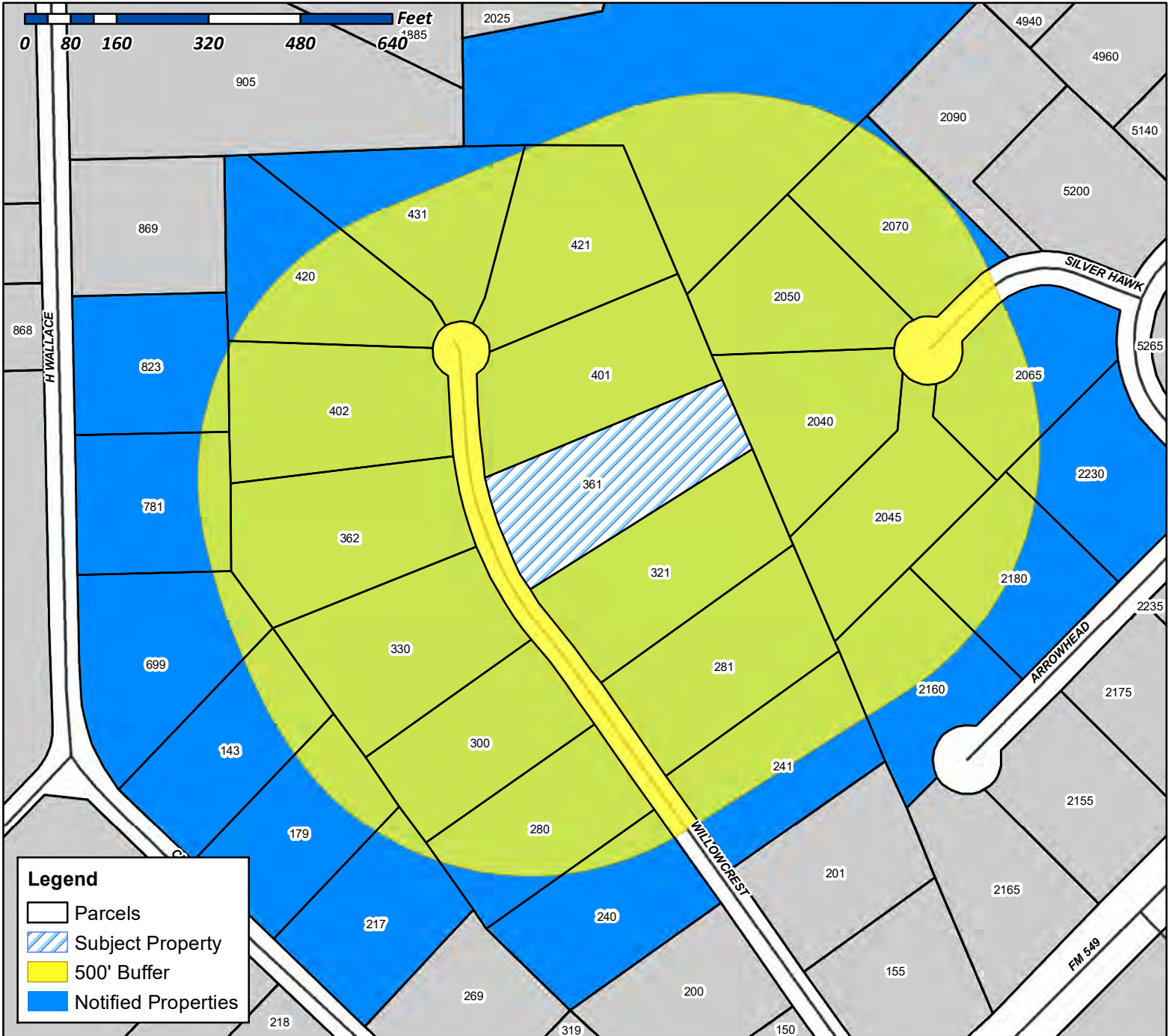
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City of Rockwall

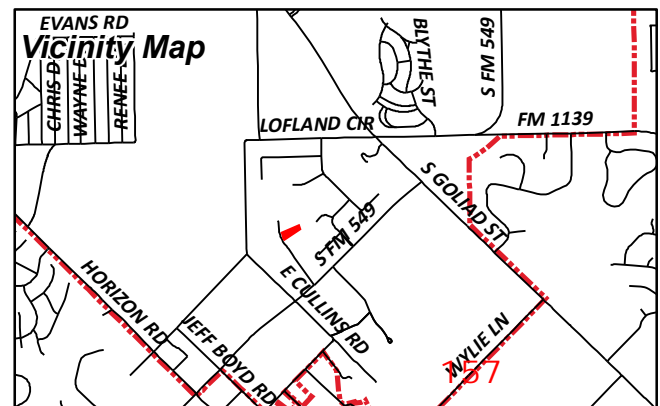
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2021-016
Case Name: SUP for Detached Garage
Case Type: Zoning
Zoning: Single-Family Estates 1.5 (SFE-1.5) District
Case Address: 361 Willowcrest

Date Created: 5/14/2021
 For Questions on this Case Call (972) 771-7745



PINKSTON RONALD L & KAREN L
143 CULLINS RD
ROCKWALL, TX 75032

SWINFORD TYSON AND JENNIVEE
179 CULLINS ROAD
ROCKWALL, TX 75032

CALLAHAN CHRISTOPHER S & SHARILYN K
2040 SILVER HAWK CT
ROCKWALL, TX 75032

KISSELBURGH JULIANNE J
2045 SILVER HAWK CT
ROCKWALL, TX 75032

BEARER WILLIAM DOUGLAS AND ANDREA JEAN
2050 SILVER HAWK COURT
ROCKWALL, TX 75032

LEE JAMES D & FONN C
2065 SILVER HAWK CT
ROCKWALL, TX 75032

JOHNSTON MARGARITA
2070 SILVER HAWK CT
ROCKWALL, TX 75032

GRAHAM M TODD AND SHANNA R
2160 ARROWHEAD COURT
ROCKWALL, TX 75032

THRASH MARTHA
217 W CULLINS ROAD
ROCKWALL, TX 75032

GREEN JACKIE & TAMI
2180 ARROWHEAD CT
ROCKWALL, TX 75032

RUMMEL STEVEN DAVID AND JANET L
2230 ARROWHEAD CT
ROCKWALL, TX 75032

SWIERCINSKY CAPRICE
240 WILLOWCREST
ROCKWALL, TX 75032

NICHOLS JAMES AND
LYNNE HOANG
241 WILLOWCREST DR
ROCKWALL, TX 75032

HARMAN STEPHEN SCOTT & REBECCA A
280 WILLOWCREST
ROCKWALL, TX 75032

KOZIOL JOHN C & VIRGINIA R
281 WILLOWCREST
ROCKWALL, TX 75032

PRATT DAVID
300 WILLOWCREST
ROCKWALL, TX 75032

SULLIVAN DAVID W & SHAWNA
321 WILLOWCREST
ROCKWALL, TX 75032

ADAMS JEFFREY BLAKE & CATHY
330 WILLOWCREST
ROCKWALL, TX 75032

CURANOVIC JOHN
361 WILLOWCREST
ROCKWALL, TX 75032

BAUGHER JAMES M AND
MARY BETH BAUGHER
362 WILLOWCREST
ROCKWALL, TX 75032

ATHERTON PETER JOHN
401 WILLOWCREST
ROCKWALL, TX 75032

LEE ARON AND CARLIE HENDRICKSON-LEE
402 WILLOWCREST DRIVE
ROCKWALL, TX 75032

MILLER JASON D & JANITH L
420 WILLOWCREST
ROCKWALL, TX 75032

REZAZADEH SEYED M & MAHIN
421 WILLOWCREST
ROCKWALL, TX 75032

SWAIN BRENT MERRICK
431 WILLOWCREST
ROCKWALL, TX 75032

STEVENS DWAYNE ETUX
699 H WALLACE LN
ROCKWALL, TX 75032

GREGG RODNEY P
781 H WALLACE LN
ROCKWALL, TX 75032

MERRITT PAUL C & LOUISE
823 H WALLACE LN
ROCKWALL, TX 75032

OAKS OF BUFFALO WAY LLC
C/O HOMEOWNERS ASSOC.
PO BOX 1633
ROCKWALL, TX 75087

ATHERTON PETER JOHN
PO BOX 2402
ROCKWALL, TX 75087

Re: 361 Willowcrest Dr, Rockwall, TX 75032

We are proposing to construct a 48' x 62' metal building with brick veneer to match existing home at the rear of the property. Roof will be metal R-panel. Height not to exceed 15'.

A 10' wide concrete drive will be constructed from the existing garage pad to the new garage.

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. Z2021-016: Specific Use Permit for a Detached Garage

Hold a public hearing to discuss and consider a request by Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of a Specific Use Permit (SUP) allowing a detached garage that does not conform to the maximum square footage requirements on a 1.948-acre parcel of land identified as Lot 23 of the Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, 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, June 15, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 21, 2021 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 Monday, June 21, 2021 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. Z2021-016: Specific Use Permit for a Detached Garage

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.

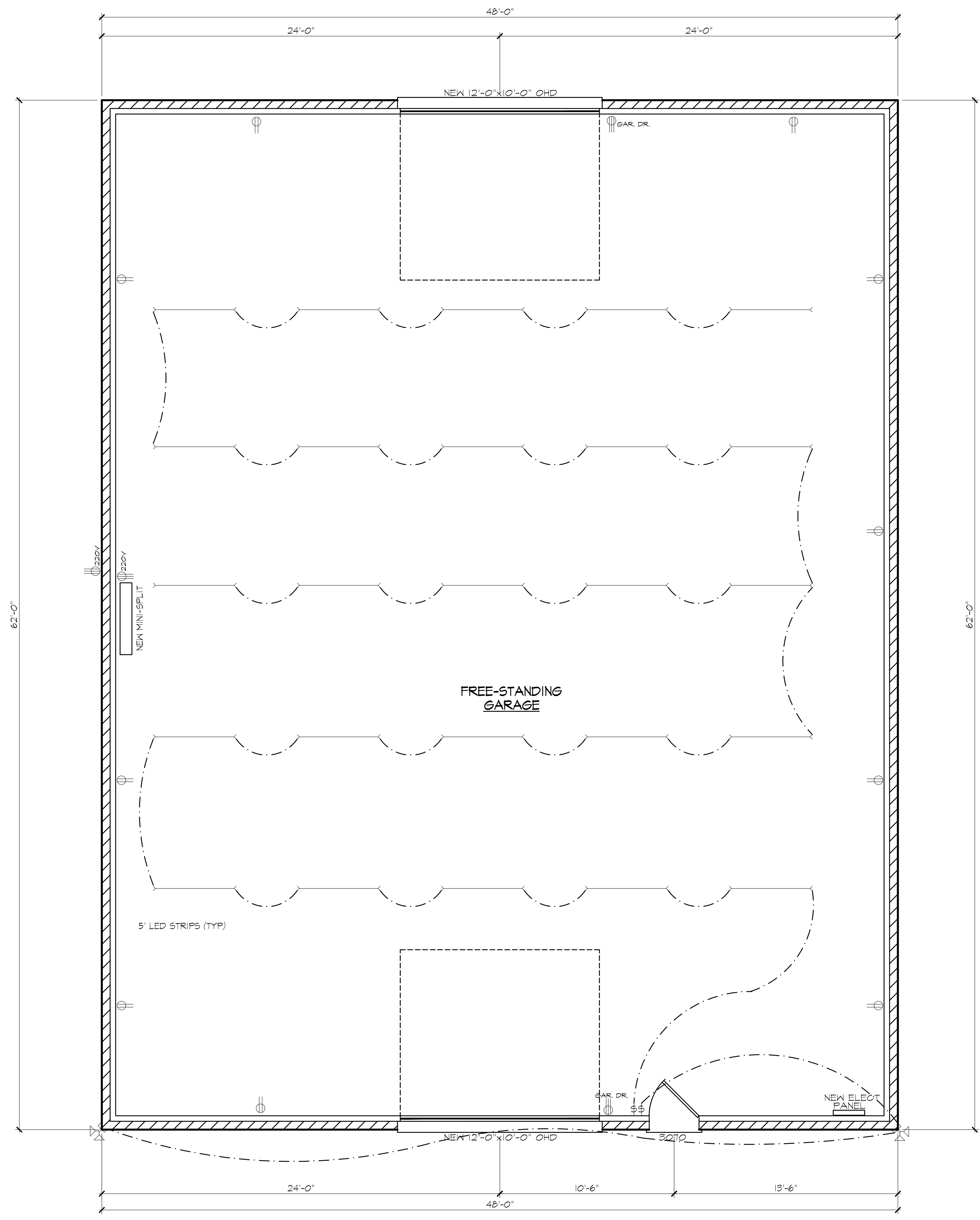
[Redacted area]

Name: [Redacted]
Address: [Redacted]

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

AREA CALCULATIONS
 GARAGE ADDITION = 2,913 S.F.



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

ELECTRICAL LEGEND

- SWITCH
- THREE-WAY SWITCH
- FOUR-WAY SWITCH
- RHEOSTAT
- DUPLEX
- COUNTERTOP DUPLEX
- SPLIT WIRED DUPLEX
- QUADRUPLEX
- WATER PROOF
- FLOOR DUPLEX
- GFI DUPLEX
- PHONE OUTLET
- TV OUTLET
- THERMOSTAT
- SMOKE DETECTOR
- JUNCTION
- 220 VOLT OUTLET
- CEILING LIGHT
- RECESSED CEILING LIGHT
- FLOODLIGHT
- WALL HUNG LIGHT
- EYEBALL LIGHT
- RECESSED EYEBALL LIGHT
- VENT
- VENT AND LIGHT
- HEAT AND LIGHT
- HEAT AND VENT
- HEAT, VENT AND LIGHT
- OUTDOOR SPEAKER
- 3' FLUORESCENT
- 4' FLUORESCENT
- 4' FLUORESCENT DBL
- CEILING FAN WITH LIGHT
- WALL MOUNT
- BAR LIGHT
- GARAGE LIGHT

PLANS
 MICHAEL V. LAND
 EMAIL: plans@mvland.com
 11 COLLING BLVD
 ROCKY HILLS, CT 06067
 PHONE: 860.262.0205
 FAX: 860.262.0205

361 WILLOWCREST
 MISHLER BUILDERS

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION/DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. FIELD VERIFY THE ACCURACY OF THESE PLANS PRIOR TO CONSTRUCTION. MISHLER BUILDERS ASSUMES NO LIABILITY FOR ERRORS OR OMISSIONS. THE OWNER AGREES TO HOLD MISHLER BUILDERS HARMLESS FROM AND AGAINST ALL LOCAL, STATE, FEDERAL, AND INTERNATIONAL ORDINANCES, REGULATIONS, AND RESTRICTIONS APPLICABLE TO THIS PROJECT. LIMIT OF DESIGNER'S LIABILITY: NOT TO EXCEED PRICE PAID FOR THESE PLANS.

BUILDERS NOTES:

COMMON ANGLE 45 UNLESS NOTED

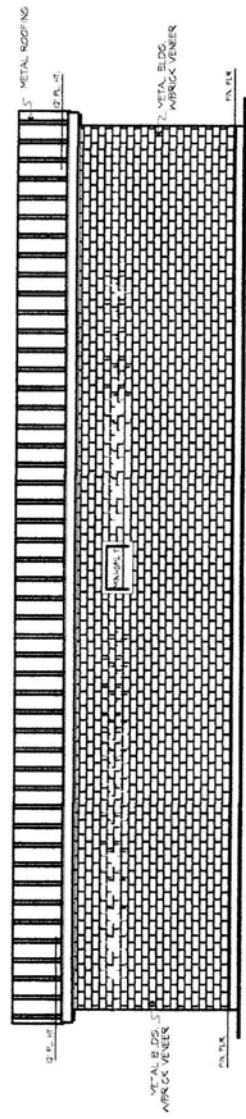
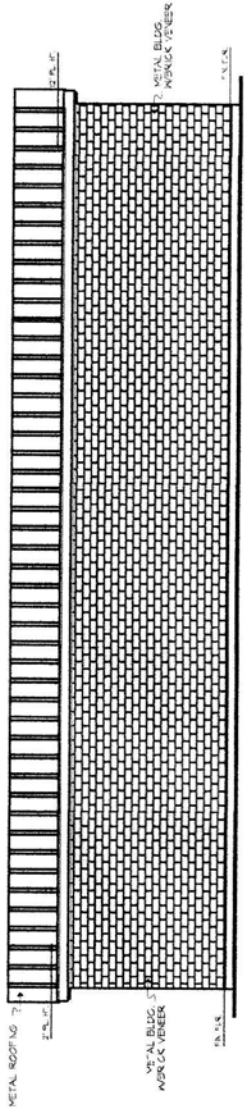
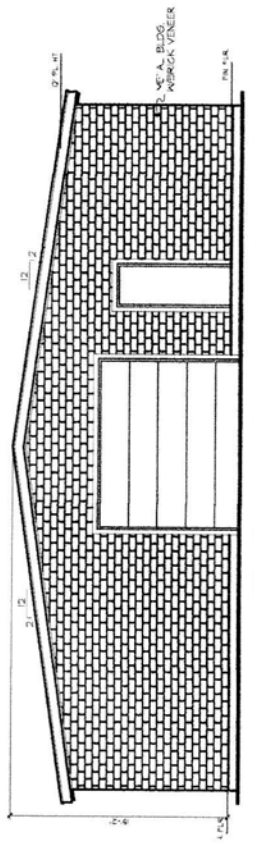
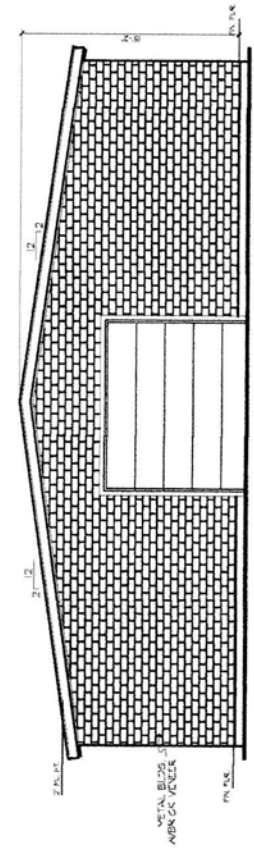
NOTE:

ALL FIXTURES NOTED IN THIS LEGEND ARE TO BE SPECIFIED BY OWNER/BUILDER. VERIFY ALL LOCATIONS.

PLAN NO.	-
DATE	04/22/2021
	04/26/2021
	05/13/2021
	05/17/2021
	-
	-

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION
 NECESSARY TO COMPLETE THE STRUCTURE. FIELD VERIFY THE ACCURACY OF THESE PLANS
 PRIOR TO CONSTRUCTION.
 DESIGNER MAKES NO WARRANTY AS TO THE ACCURACY OF THESE PLANS.
 DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM
 LOCAL CODES OFFICIALS, AND RESTRICTIONS THEREAS AS REQUIRED IN THE FIELD.
 DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM
 DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM
 DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM

PLAN NO.	0321318A
DATE	04/22/2021
	04/26/2021
	09/03/2021
	09/17/2021



CITY OF ROCKWALL

ORDINANCE NO. 21-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 AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 1.948-ACRE TRACT OF LAND, IDENTIFIED AS LOT 23, WILLOWCREST ESTATES 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.

WHEREAS, the City has received a request from Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of a Specific Use Permit (SUP) to allow an *Accessory Building* that exceeds the maximum allowable size on a 1.948-acre tract of land described as Lot 23 Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, 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 an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development 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 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- 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 an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 3,000 SF.
- (3) The *Accessory Building* shall not exceed a maximum height of 15'-2".
- (4) The *Subject Property* shall not have more than two (2) accessory structures.

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 6TH DAY OF JULY, 2021.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: June 21, 2021

2nd Reading: July 6, 2021

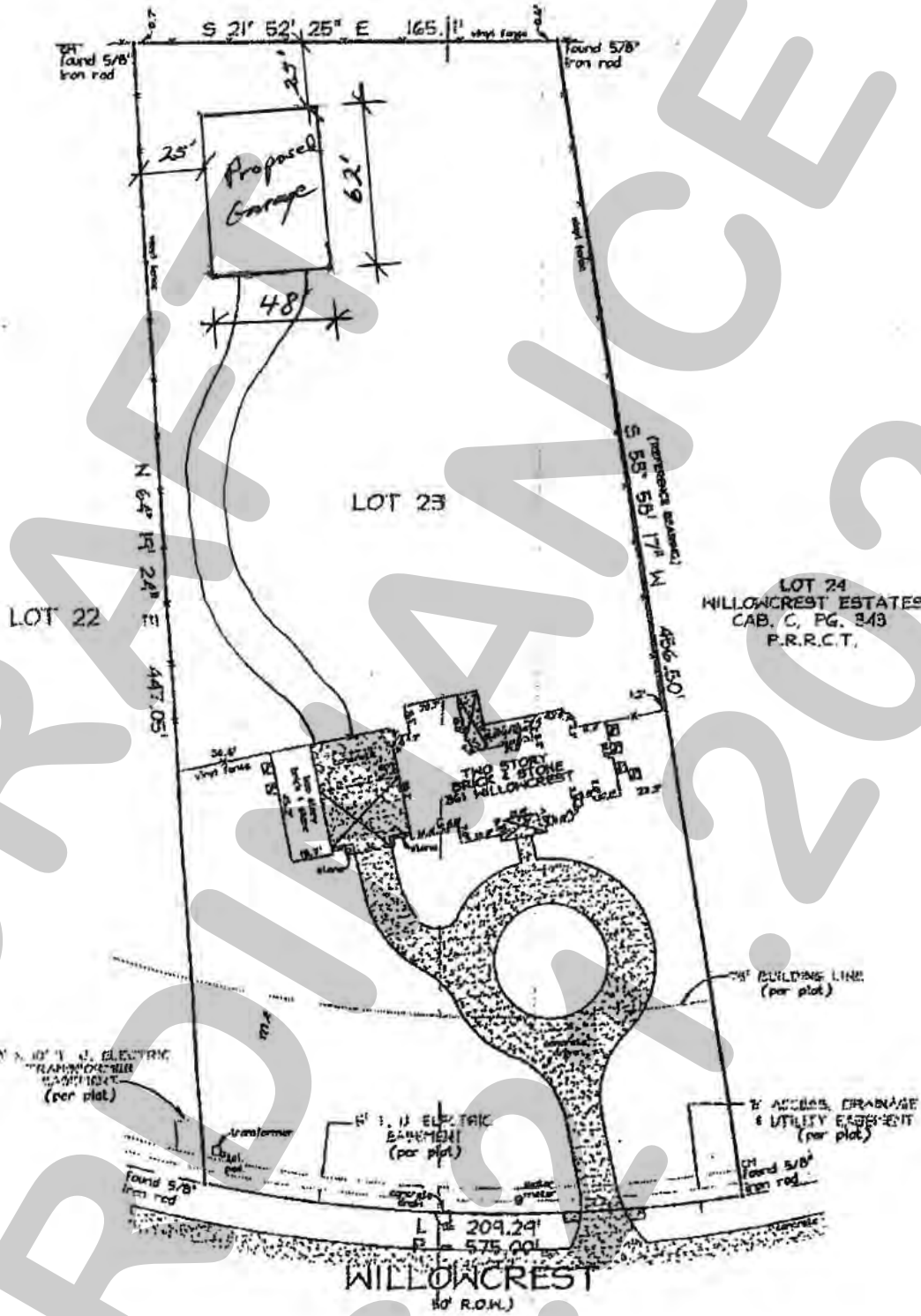
Exhibit 'A'
Zoning Exhibit

Address: 361 Willowcrest

Legal Description: Lot 23, Willowcrest Estates Subdivision



Exhibit 'B':
Residential Plot Plan





MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: Z2021-017; ZONING CHANGE FROM AGRICULTURAL (AG) DISTRICT TO LIGHT INDUSTRIAL (LI) DISTRICT AT THE INTERSECTION OF AIRPORT ROAD AND JOHN KING BOULEVARD

Attachments

Case Memo
Development Application
Location Map
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Concept Plan
Survey
Legal Description
Applicant's Letter
Central District
Permitted Use Charts for the Light Industrial (LI) District
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Tyler Wood of Intrepid Equity Investments, LLC on behalf of Robert B. Baldwin III of RBB/GCF Properties, LP for the approval of an ordinance for a *Zoning Change* from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the south side of Airport Road east of the intersection of Airport Road 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 change.



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: June 21, 2021

APPLICANT: Tyler Wood; *Intrepid Equity Investments, LLC*

CASE NUMBER: Z2021-017; *Zoning Change from Agricultural (AG) District to Light Industrial (LI) District at the intersection of Airport Road and John King Boulevard*

SUMMARY

Hold a public hearing to discuss and consider a request by Tyler Wood of Intrepid Equity Investments, LLC on behalf of Robert B. Baldwin III of RBB/GCF Properties, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the south side of Airport Road east of the intersection of Airport Road and John King Boulevard, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No. 98-10*, annexing the subject property into the City of Rockwall on March 16, 1998. At the time of annexation, the subject property was zoned as Agricultural (AG) District. No portion of the subject property has been rezoned or developed since the subject property was annexed, and the subject property is currently vacant.

PURPOSE

On May 14, 2021, the applicant -- *Tyler Wood of Intrepid Equity Investments* -- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Light Industrial (LI) District. The applicant has stated that the purpose of the zoning request is to facilitate the construction of a multi-tenant office/warehouse/distribution facility.

ADJACENT LAND USES AND ACCESS

The subject property is generally located on the south side of Airport Road, east of the intersection of Airport Road and John King Boulevard. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Airport Road, which is identified as a *MAU (i.e. major collector, four [4] lane, undivided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of Airport Road is a 64.514-acre tract of land (*i.e. Tract 15, of the D. Harr Survey, Abstract No. 102*), which is owned by the City of Rockwall (*i.e. Animal Adoption Center*). Continuing north are several tracts of properties, zoned Agricultural (AG) District, that have single-family homes situated on them. One (1) of the properties is a vacant tract of land (*i.e. Tract 14, of the D. Harr Survey, Abstract No. 102*) containing 25.87-acres. Beyond this is SH-66, which is identified as a *TXDOT4D (i.e. a Texas Department of Transportation [TXDOT], four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. All of these properties are zoned Agricultural (AG) District.

South: Directly south of the subject property is the right-of-way for the *Union Pacific Dallas/Garland Northeast Railroad*. Continuing south, and adjacent to the *Union Pacific Dallas/Garland Northeast Railroad*, is a 21.554-acre portion (*i.e. Tract 20, of the D. Harr Survey, Abstract No. 102*) of a larger 44.0779-acre tract of land that is vacant. South of this property are several vacant tract of land that are zoned Agricultural (AG) and Light Industrial (LI) Districts.

East: Directly east of the subject property are several properties zoned Agricultural (AG) District that have single-family homes situated on them. Continuing east is a 3.128-acre tract of land zoned Single-Family Estate 1.5 (SF-1.5) District, which is occupied by a single-family residence. Beyond this is N. Stodghill Road, which is identified as a *TXDOT4D* (i.e. a Texas Department of Transportation [TXDOT], four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This thoroughfare is adjacent to the corporate limits of the City of Rockwall.

West: Directly west of the subject property are four (4) vacant tracts of land, which are identified as Tract 2 (6.177-acres), Tract 2-01 (6.177-acres), Tract 2-03 (5.784-acres), and Tract 2-06 (5.07-acres), D. Harr Survey, Abstract No. 102 and are zoned Agricultural (AG) District. Beyond this is John King Boulevard, which is identified as a *P6D* (i.e. principle arterial, six [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

INFRASTRUCTURE

Based on the applicant's submittal the following infrastructure is required:

- (1) Water Improvements. The development will be required to tie to the existing 12-inch waterline on the northside of Airport Road.
- (2) Sewer Improvements. The development will be required to tie to the existing 12-inch sanitary sewer line located along the eastern property line of the subject property.
- (3) Roadways. The Master Thoroughfare Plan contained in the Comprehensive Plan indicates Airport Road is identified as a *Minor Collector*, which requires a minimum of a 60-foot right-of-way with a 41-foot, *back-to-back* roadway. The applicant is responsible for dedicating any additional right-of-way (i.e. as measured 30-feet from the centerline of the roadway) necessary for this roadway at the time final plat.
- (4) Drainage. Detention will be required and sized per the Engineering Department's *Standards of Design and Construction Manual*.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses ... [and, in which] (l)imitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities." The Light Industrial (LI) District is also intended to facilitate the development of industrial parks and larger, cleaner types of industries. This section of the code goes on to state that "(s)ince this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (e.g. *IH-30 and SH-276*) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space."

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the Central District and is designated for Technology/Employment Center land uses. According to the Comprehensive Plan, the Central District is "...composed of a wide range of uses that vary from single-family to industrial ... [and] (t)he Central District also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Railroad* line that bisects the district." The applicant's request to change the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District, is in conformance with the Technology/Employment Center land use designation and appears to be in conformance with the *District Strategies* for the Central District. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "...(p)reserve the City's current residential to non-residential land use ratio (i.e. *80% Residential; 20% Commercial*) in order to maintain a balance mix of land uses for fiscal sustainability ..." [Section 02.01; CH. 1; Page 1-1]. The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential

land use balance. Since the proposed zoning change is in conformance to the Future Land Use Plan, the proposed zoning change does not change the mix of residential to non-residential land uses. This balance remains at 75.90% residential land uses to 24.10% non-residential land uses. With this being said, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On May 20, 2021, staff mailed 26 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadow 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 received the following:

- (1) One (1) property owner notification from property owners within the notification area (*i.e. within the 500-foot buffer*) that are in favor of the applicant's request.
- (2) Two (2) property owner notifications from property owners that are not within the notification area (*i.e. outside of the 500-foot buffer*) that are in favor of the applicant's request.
- (3) One (1) letter from a property owner that is within the notification area (*i.e. within the 500-foot buffer*) that is opposed to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District to a Light Industrial (LI) District, then staff would propose the following conditions of approval:

- (1) Any construction resulting from the approval of this zoning change 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 June 15, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Light Industrial (LI) District by a vote of 6-0, with Commissioner Moeller absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-017

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 Airport Road (Rockwall CAD Property ID: 11011)

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION South Side of Airport Road East of S. John King

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	<u>AG</u>	CURRENT USE	<u>Agricultural</u>
PROPOSED ZONING	<u>LI</u>	PROPOSED USE	<u>Warehouse/Distribution Center</u>
ACREAGE	<u>17.03</u>	LOTS [CURRENT]	<u>1</u>
		LOTS [PROPOSED]	<u>4</u>

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	<u>RBB/GCF Properties, LP</u>	<input checked="" type="checkbox"/> APPLICANT	<u>Intrepid Equity Investments, LLC</u>
CONTACT PERSON	<u>Robert B. Baldwin III</u>	CONTACT PERSON	<u>Tyler Wood</u>
ADDRESS	<u>4500 Christopher Drive</u>	ADDRESS	<u>4131 Spicewood Springs Rd. Suite E4</u>
CITY, STATE & ZIP	<u>Austin, TX 78746</u>	CITY, STATE & ZIP	<u>Austin, TX 78759</u>
PHONE	<u>512-751-4500</u>	PHONE	<u>214-909-9202</u>
E-MAIL	<u>rbbaldwin3@me.com</u>	E-MAIL	<u>twood@intrepid-equity.com</u>

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Tyler Wood Owner's Representative ~~[OWNER]~~ THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

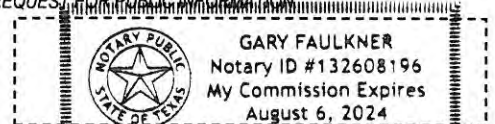
Owner's Representative

"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 \$ 455.45 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF May, 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."

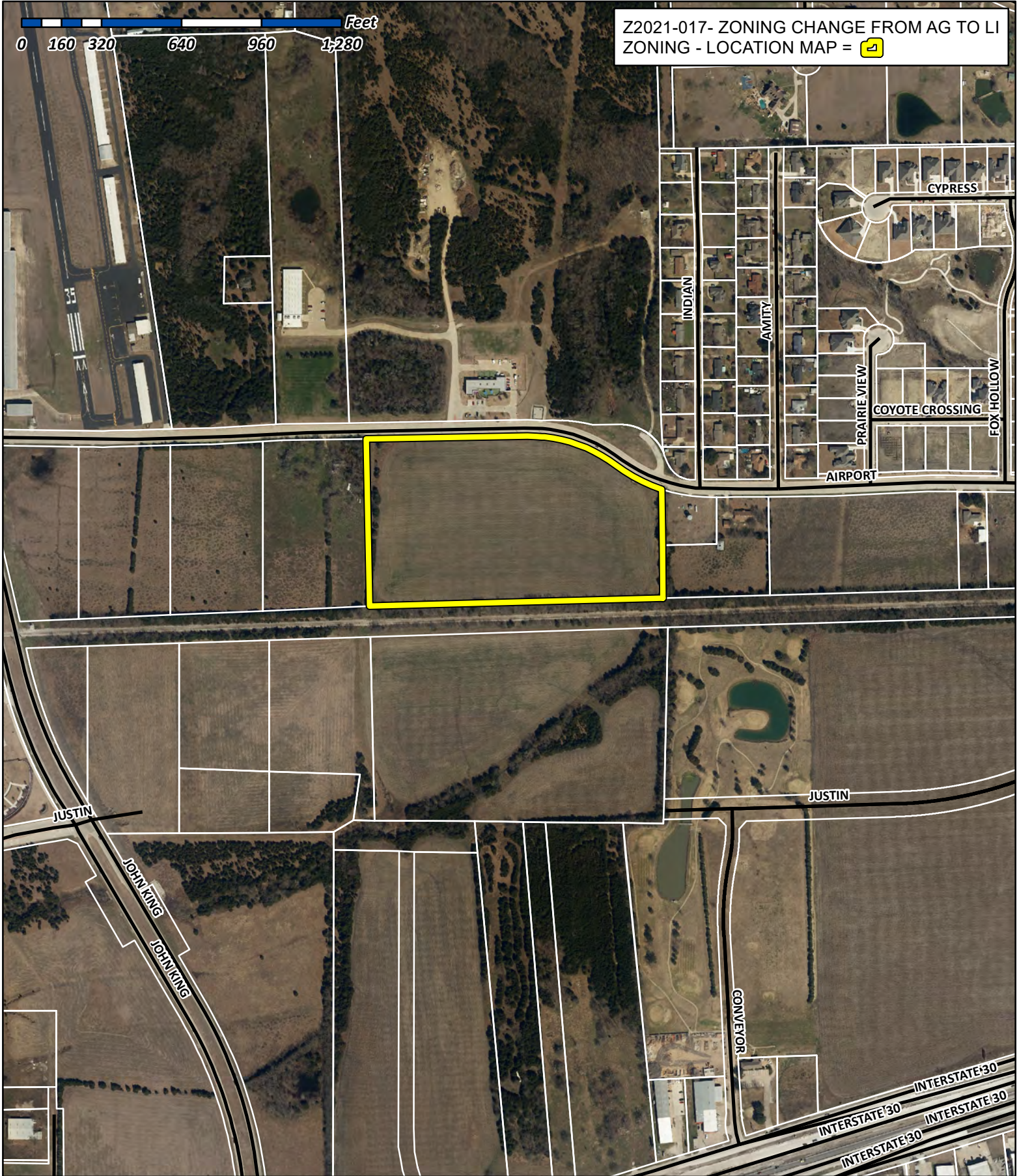
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14 DAY OF May, 2021.

Owner's Representative _____
OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES Aug. 6, 2024



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.

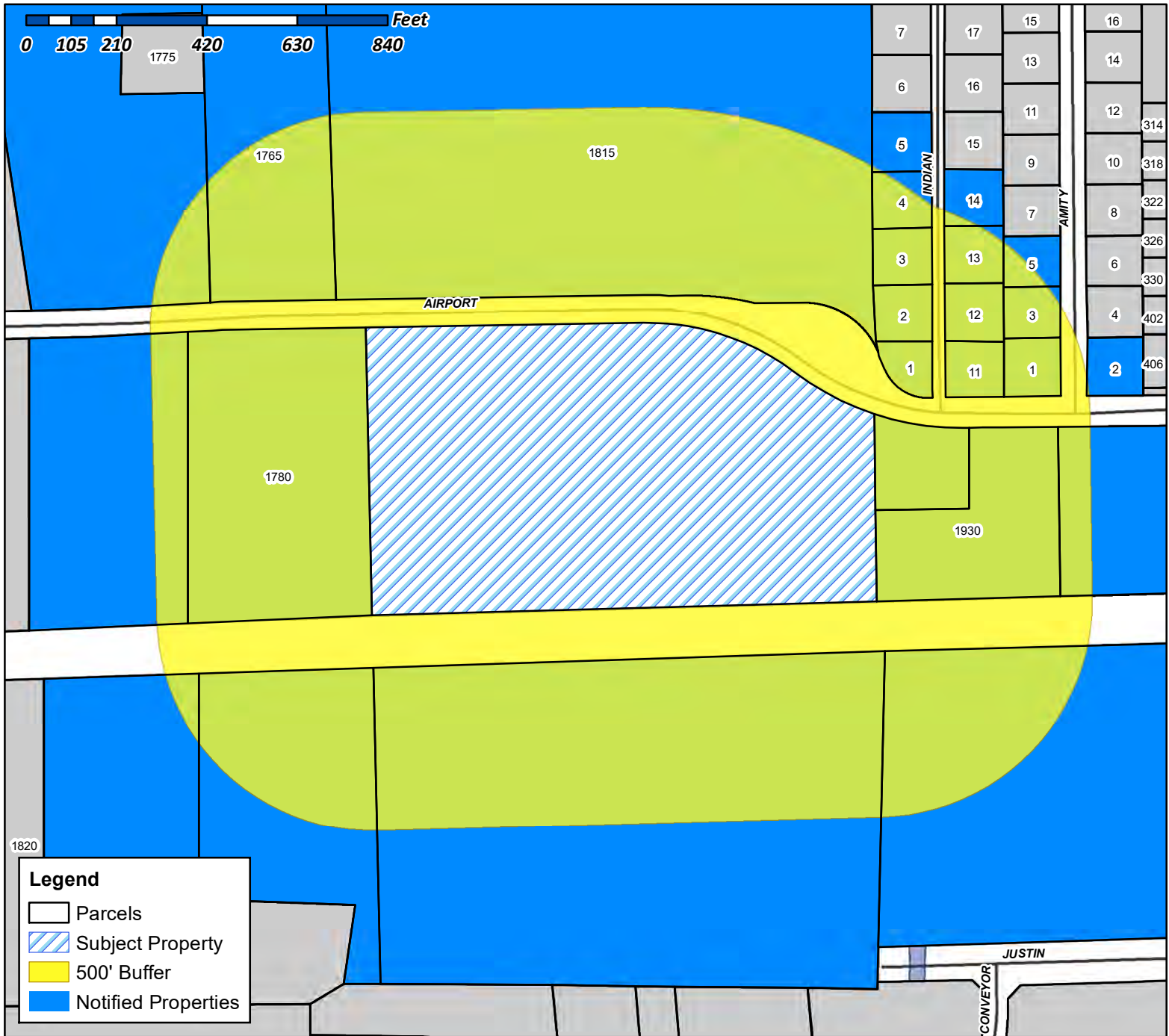




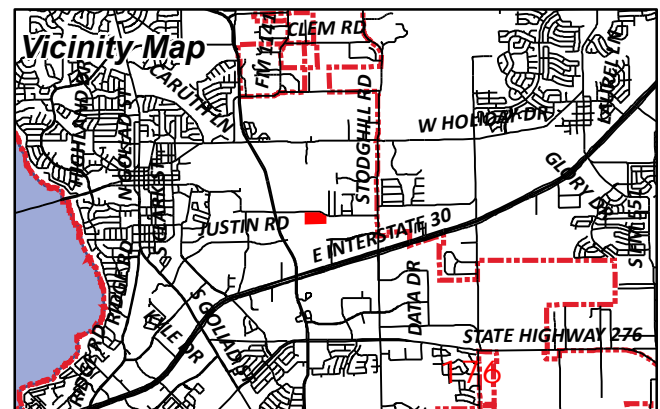
City of Rockwall

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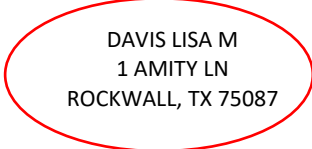


Case Number: Z2021-017
Case Name: Zoning Change from AG to LI
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: South of Airport Rd. East of John King



Date Created: 5/17/2021
For Questions on this Case Call (972) 771-7745

 = RESPONSES RECEIVED


DAVIS LISA M
1 AMITY LN
ROCKWALL, TX 75087

GRIFFIN PATTY CORNELIUS
1 INDIAN TRL
ROCKWALL, TX 75087

HERRERA SARAH E AND DANIEL O
11 INDIAN TR
ROCKWALL, TX 75087

FINK JAMI
12 INDIAN TRL
ROCKWALL, TX 75087

KIMBRELL MIKE
13 INDIAN TRL
ROCKWALL, TX 75087

TOVAR JULIAN AND ERIKA
14 INDIAN TRAIL
ROCKWALL, TX 75087

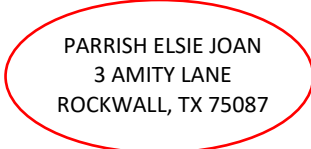
ATHEY JACKIE RAY
1780 AIRPORT RD
ROCKWALL, TX 75087

GARRETT RANDY SCOTT
1930 AIRPORT RD
ROCKWALL, TX 75087

KHAN ZIAUR RASHID
2 AMITY LN
ROCKWALL, TX 75087

WACK LINDSEY P & DONNETTE
2 INDIAN TRL
ROCKWALL, TX 75087

SPRINGER OUIDA R MRS
2000 AIRPORT RD
ROCKWALL, TX 75087


PARRISH ELSIE JOAN
3 AMITY LANE
ROCKWALL, TX 75087

MIXON DEMPSEY W JR & DEANNA
3 INDIAN TRL
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH
306 EAST RUSK ST
ROCKWALL, TX 75087

BACKWARDS L LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

JCP 11029 LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

TABIRA JACOB M & MARIA A
4 INDIAN TRL
ROCKWALL, TX 75087

DAVIS LISA M
402 S GOLIAD ST
ROCKWALL, TX 75087

STEPHENS MARK B & JULIANNE S
5 AMITY LN
ROCKWALL, TX 75087

HOWLAND JERRY
5 INDIAN TRL
ROCKWALL, TX 75087

TABIRA JACOB M & MARIA A
574 GARRETT DR
ROCKWALL, TX 75087

RBB/GCF PROPERTIES LP
P O BOX 1526
AUSTIN, TX 78767

ATHEY JACKIE RAY
P.O. BOX 219
LAVON, TX 75166

BLACKLAND WATER CORP
ATTN ADA JO PHILLIPS
PO BOX 215
FATE, TX 75132

WACK LINDSEY P & DONNETTE
PO BOX 2545
ROCKWALL, TX 75087

GRIFFIN PATTY CORNELIUS
PO BOX 511
FATE, 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. Z2021-017: Zoning Change from AG to LI

Hold a public hearing to discuss and consider a request by Tyler Wood of Intrepid Equity Investments, LLC on behalf of Robert B. Baldwin III of RBB/GCF Properties, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the south side of Airport Road east of the intersection of Airport Road 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, June 15, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 21, 2021 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:

David Gonzales
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 Monday, June 21, 2021 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. Z2021-017: Zoning Change from AG to LI

Please place a check mark on the appropriate line below:

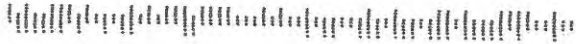
- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

[Redacted area]

Name: [Redacted]
Address: [Redacted]

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



75087-373705



PLEASE RETURN ONLY THE BELOW FORM

Case No. Z2021-017: Zoning Change from AG to LI

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.

THIS REQUEST & PROPOSAL ALIGNS WITH THE CITY'S
FUTURE LAND USE PLAN.

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 • PLANNING AND ZONING DEPARTMENT • 385 S. GOLIAD STREET • ROCKWALL, TEXAS 75087 • P: (972) 771-7745 • E: PLANNING@ROCKWALL.COM

TX
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Sea
16
RE
A
C

PLEASE RETURN THE BELOW FORM

Case No. Z2021-017: Zoning Change from AG to LI

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.

[Redacted area for comments or reasons]



Name: LISA M. DAVIS

Address: 1 Amity LN.

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.

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CITY OF ROCKWALL • PLANNING AND ZONING DEPARTMENT • 385 S. GOLIAD STREET • ROCKWALL, TEXAS 75087 • P: (972) 771-7745 • E: PLANNING@ROCKWALL.COM

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:

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David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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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. Z2021-017: Zoning Change from AG to LI

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.

[Large blank area for handwritten comments]

Name: ROBERT B. BALDWIN III 512/263-1506

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

June 7, 2021

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad St.
Rockwall, TX 75087

Dear Mr. Gonzales,

I am writing to express my opposition to the proposed zoning change from Agricultural to Light Industrial, for the 17.03 acre tract of land identified as Tract 4 of the D Harr Survey, Abstract No. 102, City of Rockwall, County of Rockwall, Texas. This tract is located on the south side of Airport Rd. east of the intersection of Airport Rd. and John King Blvd.

My family and I have lived in our home, located in the immediate vicinity of the above-mentioned parcel since 1974. Over the years, the city of Rockwall has grown up around us with residential, commercial and industrial development. I have particular concerns regarding the industrialization of the land down the road from my home for several reasons. An industrial development will increase the traffic, noise and pollution from trucks traveling on the roads. This will be seriously detrimental to the quality of life for those of us residents who live in the area, including presenting a safety hazard to children who live and play in the neighborhood.

Another direct consequence of this building will be the devaluation of my home and property, as our neighborhood will become a less desirable place to live, even in spite of the "buffer zones" that are being proposed around the project. Additionally, my home could likely be subject to increased property taxes as a result of the rezoning.

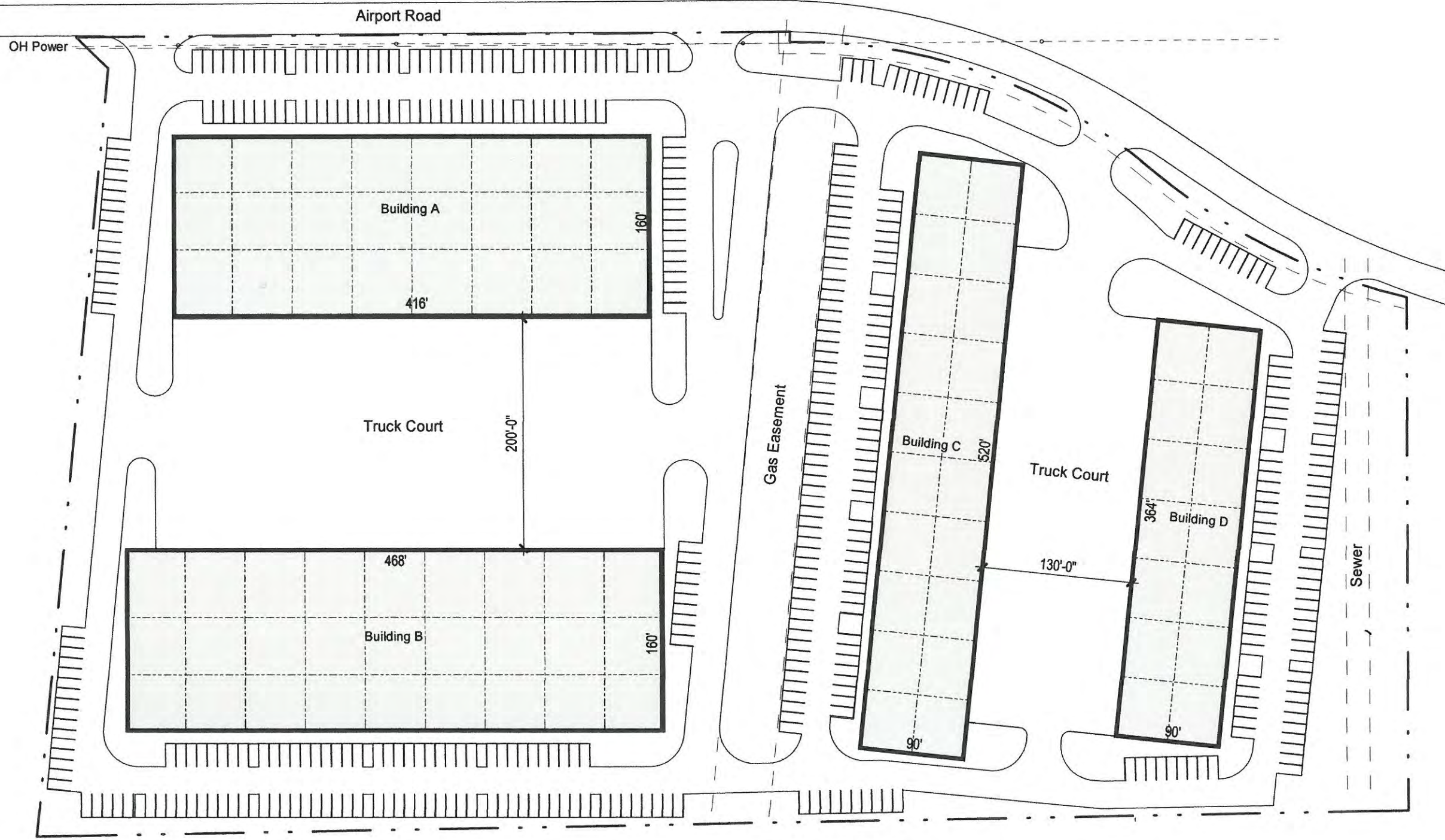
The City of Rockwall sent an official letter and map to notify residents of this proposed zoning change. As a recipient of this letter, I noticed that the city failed to provide an indicator on the legend of the project map for potential project impacts for the surrounding areas marked in green on the map. I am one of the residents who live in the green area of the map. It was only when I called the Planning and Zoning department that I was informed that the areas in green (such as myself) may be subject to increased property taxes as a result of the rezoning. This should have been directly stated in the community letter so as to allow residents to make an informed decision about their support or opposition to the project before the community hearing to be held Monday, June 21, 2021.

I urge the city to reconsider the zoning change from Agricultural to Light Industrial for this property. Please forward this letter to the City Council to consider at the hearing to be held on June 21, 2021.

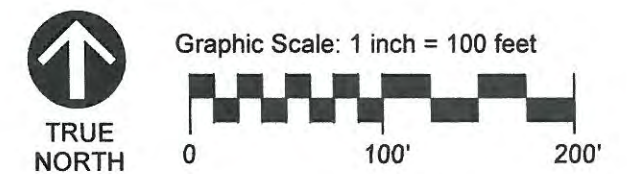
Sincerely,



Mrs. Elsie Joan Parrish
3 Amity Ln.
Rockwall, TX 75087



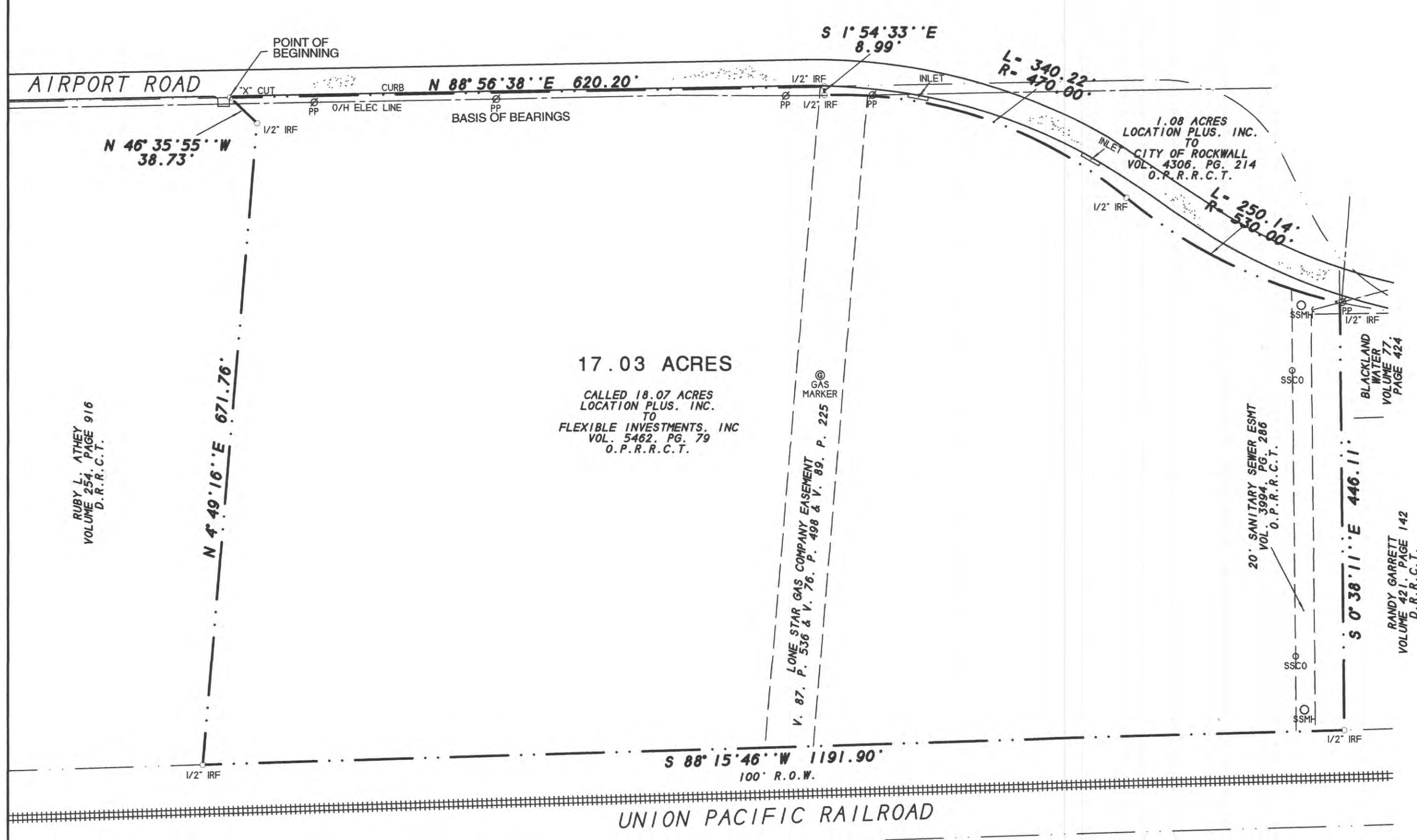
Entire Site	17.03 ac
Building A	66,560 SF
Building A Parking	110
Building B	74,880 SF
Building B Parking	116
Building C	46,800 SF
Building C Parking	119
Building D	32,760 SF
Building D Parking	90



Airport Road, Rockwall
OPTION 1



DATE: 20XX-XX-XX



17.03 ACRES
 CALLED 18.07 ACRES
 LOCATION PLUS, INC.
 TO
 FLEXIBLE INVESTMENTS, INC
 VOL. 5462, PG. 79
 O.P.R.R.C.T.

1.08 ACRES
 LOCATION PLUS, INC.
 TO
 CITY OF ROCKWALL
 VOL. 4306, PG. 214
 O.P.R.R.C.T.

RUBY L. ATHEY
 VOLUME 254, PAGE 916
 D.R.R.C.T.

LOVE STAR GAS COMPANY EASEMENT
 V. 87, P. 536 & V. 76, P. 498 & V. 89, P. 225
 GAS MARKER

20' SANITARY SEWER EASEMENT
 VOL. 3094, PG. 266
 O.P.R.R.C.T.

RANDY GARRETT
 VOLUME 421, PAGE 142
 D.R.R.C.T.

DESCRIPTION

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

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

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

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

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

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

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

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

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

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

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0045 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PER DEED IN VOLUME 5462, PAGE 79, O.P.R.R.C.T.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Flexible Investments, Inc. at Airport Road, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 4th day of September, 2019.

Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND

⊙ TELEPHONE CABLE RISER	⊙ GAS METER	⊙ TEL. POLE	⊙ FIRE HYDRANT	⊙ POWER POLE
⊙ ELEC. BOX	⊙ ELEC. METER	⊙ WATER METER	⊙ LIGHT POLE	⊙ 1/2" IRON ROD FOUND
⊙ ELEC. JUNCTION BOX	⊙ SUBSURFACE JUNCTION BOX	⊙ 1/2" IRON ROD FOUND	⊙ 1/2" IRON ROD FOUND	⊙ 1/2" IRON ROD FOUND
⊙ EASEMENT LINE	⊙ EASEMENT LINE	⊙ EASEMENT LINE	⊙ EASEMENT LINE	⊙ EASEMENT LINE

SURVEY ACCEPTED BY:
 _____ DATE _____
 _____ DATE _____

H.D. Fetty Land Surveyor, LLC
 Firm Registration no. 10150900
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE September 4, 2019
 SCALE 1" = 100' FILE # 2019/20000606
 CLIENT FLEXIBLE GF # NONE

DESCRIPTION

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BALDWIN INTERESTS

April 29, 2021

Ryan Miller
Director of Planning
385 S. Goliad Street
Rockwall, TX 75087

Re: Letter of Authorization for the submission and processing of a zoning application for approximately 17.03 acres located on Airport Road, Rockwall, TX (the "Property") legally described as: A0102.D HARR TRACT 4, 17.923 ACRES

Mr. Miller:

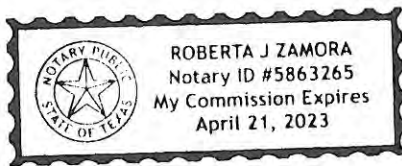
I, Robert B Baldwin III, own the Property. I have contracted to sell the Property with Intrepid Equity Investments, LLC ("Applicant") and do hereby authorize Applicant to file and process a zoning application on the Property and to address related land use matters. This authorization shall remain valid until expressly revoked in writing.


Robert B Baldwin III, Owner

State of Texas

County of Travis

This instrument was acknowledged before me on this 29th day of April, 2021, by Robert B Baldwin III.




Notary Public in and for the State of Texas

Summary of Explanation

This application requests Light Industrial (LI) zoning on the subject property to facilitate the eventual development and construction of approximately 220,000 square feet of warehouse and distribution buildings, delivered in multiple phases. These buildings will be built to flexibly accommodate both regional warehouse users and local office/warehouse requirements that are under-served in Rockwall county area.

Intrepid Equity Investments, which focuses on enabling targeted economic development by developing thoughtful, functional spaces for commerce, or platforms for growth. With that goal, the Applicant appreciates of the opportunity to work with the City of Rockwall on this request and the project. Intrepid's core investment strategy is focused on suburban growth markets similar to that of Rockwall. The goal is always to work in tandem with local authorities to enable projects that cater to businesses that are intentional in creating long-term locations that are beneficial to business, their employees, and the City alike.

Applicant believes that the approval of this request and the subsequent construction of the Project will be additive to the notable and increasing velocity of job creation occurring in Rockwall. Based on initial market reactions to this potential development, Intrepid is confident the Project will be successful.

01 CENTRAL DISTRICT

DISTRICT DESCRIPTION

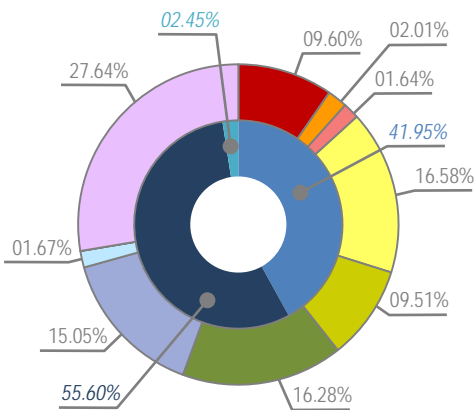
The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.

John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon

DISTRICT STRATEGIES

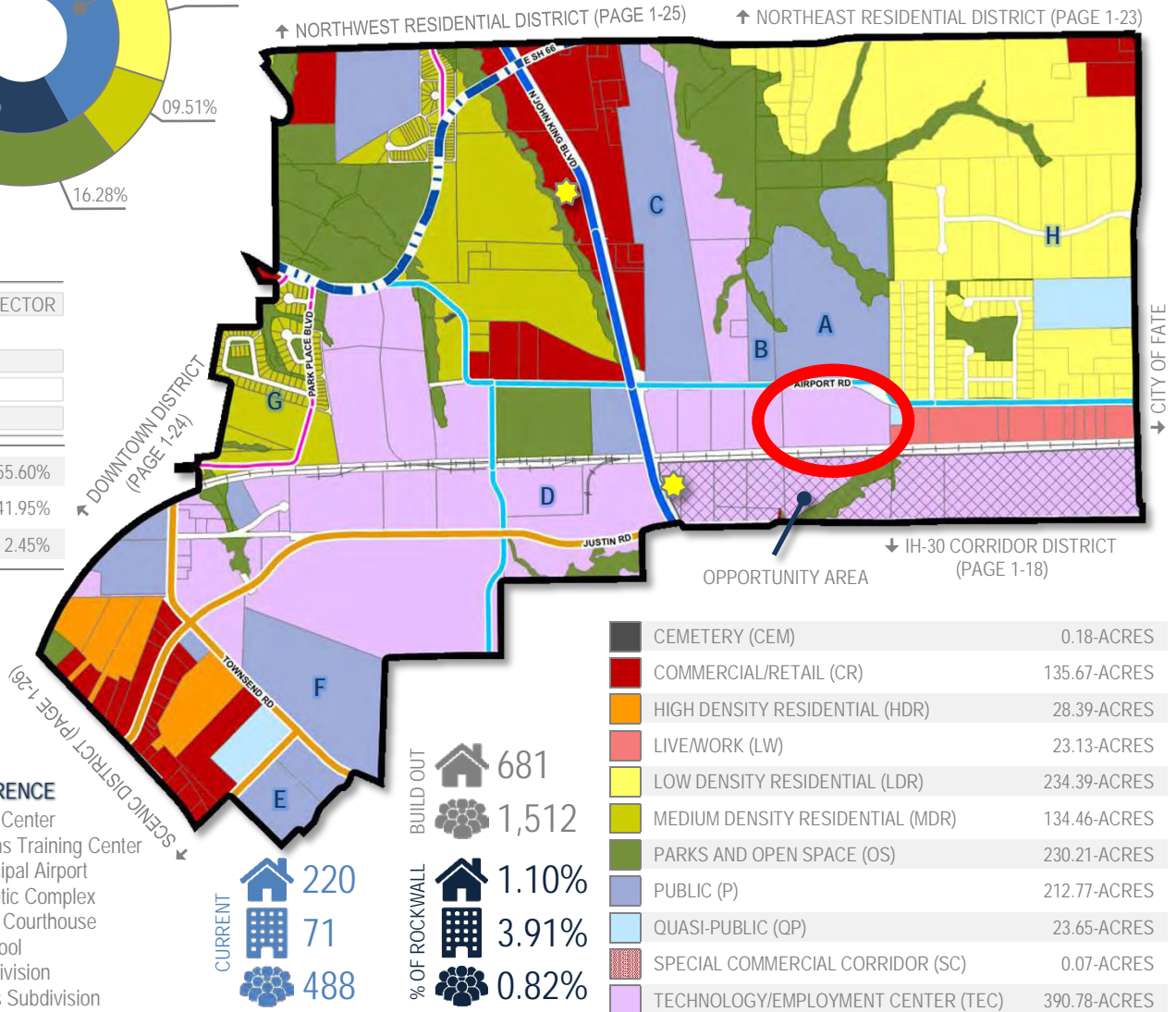
The *Central District* still has some key vacant and underutilized tracts of land that are anticipated to shape the area moving forward. Taking these areas into consideration the following are the strategies for this district:

- 1 Live/Work.** The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
- 2 Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should *not* be smaller than existing *Suburban Residential* lots in this district, but should be comparable in size to newer developments (i.e. *Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (e.g. *larger lots or a large landscape buffer*) adjacent to the existing subdivision.
- 3 Commercial/Retail Centers.** The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (i.e. *are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (e.g. *berms, landscaping and large buffers*) to transition uses.
- 4 Industrial/Special Commercial Corridor Opportunity Area.** The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor*.
- 5 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



Line Style	Description
Thin solid line	MINOR COLLECTOR
Thick solid line	M4U
Thick dashed line	M4D
Thick solid line	P6D
Thick dashed line	TXDOT 4D

Dark Blue	COMMERCIAL	55.60%
Light Blue	RESIDENTIAL	41.95%
Light Green	MIXED USE	2.45%



LEGEND: <div style="display: flex; flex-direction: column; gap: 5px;"> <div style="display: flex; align-items: center; gap: 5px;"> Land Use <i>NOT</i> Permitted</div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Permitted <i>By-Right</i></div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Permitted with Conditions</div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Permitted Specific Use Permit (SUP)</div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Prohibited by Overlay District</div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Permitted as an Accessory Use</div> </div>		<h2 style="margin: 0;">PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT</h2>		
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT	
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)		
Agricultural Uses on Unplatted Land	(1)		P	
Animal Boarding/Kennel without Outside Pens	(2)	(2)	P	
Animal Clinic for Small Animals without Outdoor Pens	(3)	(3)	P	
Animal Hospital or Clinic	(4)		P	
Animal Shelter or Loafing Shed	(6)		P	
Community Garden	(11)	(7)	S	
Urban Farm	(12)	(8)	S	
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)		
Caretakers Quarters/Domestic or Security Unit	(3)		P	
Commercial Parking Garage	(6)		A	
Limited-Service Hotel	(10)		S	
Full-Service Hotel	(11)	(8)	S	
Residence Hotel	(12)		S	
Motel	(13)		S	
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)		
Assisted Living Facility	(1)	(1)	S	
Blood Plasma Donor Center	(2)		P	
Cemetery/Mausoleum	(3)		P	
Church/House of Worship	(4)	(2)	S	
College, University, or Seminary	(5)		P	
Convalescent Care Facility/Nursing Home	(6)		S	
Congregate Care Facility/Elderly Housing	(7)	(3)	S	
Crematorium	(8)		S	
Daycare with Seven (7) or More Children	(9)	(4)	S	
Emergency Ground Ambulance Services	(10)		P	
Government Facility	(12)		P	
Hospice	(14)		S	
Hospital	(15)		P	
Public Library, Art Gallery or Museum	(16)		P	
Mortuary or Funeral Chapel	(17)		P	
Local Post Office	(18)		P	
Regional Post Office	(19)		P	
Prison/Custodial Institution	(20)		P	
Public or Private Primary School	(21)	(7)	P	
Public or Private Secondary School	(22)	(8)	P	
Rescue Mission or Shelter for the Homeless	(24)		P	
Social Service Provider (Except Rescue Mission or Homeless Shelter)	(25)		P	
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)		
Financial Institution with Drive-Through	(1)	(1)	P	

LEGEND:		PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT		
	Land Use <i>NOT</i> Permitted			
P	Land Use Permitted <i>By-Right</i>			
P	Land Use Permitted with Conditions			
S	Land Use Permitted Specific Use Permit (SUP)			
X	Land Use Prohibited by Overlay District			
A	Land Use Permitted as an Accessory Use			
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT	
Financial Institution without Drive-Through	(1)		P	
Office Building less than 5,000 SF	(2)		P	
Office Building 5,000 SF or Greater	(2)		P	
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)		
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)	P	
Indoor Commercial Amusement/Recreation	(2)	(2)	P	
Outdoor Commercial Amusement/Recreation	(3)	(3)	S	
Public or Private Community or Recreation Club as an Accessory Use	(4)		P	
Private Country Club	(5)		P	
Golf Driving Range	(6)		P	
Temporary Fundraising Events by Non-Profit	(7)	(4)	P	
Indoor Gun Club with Skeet or Target Range	(8)	(5)	P	
Health Club or Gym	(9)		P	
Private Club, Lodge or Fraternal Organization	(10)	(6)	P	
Private Sports Arena, Stadium, and/or Track	(11)		P	
Public Park or Playground	(12)		P	
Sexually Oriented Businesses [Art. XI: CH. 12: Municipal Code]	(13)	(7)	S	
Tennis Courts (<i>i.e. Not Accessory to a Public or Private Country Club</i>)	(14)		P	
Theater	(15)		P	
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)		
Portable Beverage Service Facility	(4)	(1)	S	
Brew Pub	(5)		P	
Business School	(6)		P	
Catering Service	(7)		P	
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)	P	
Copy Center	(9)		P	
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)	P	
Incidental Display	(11)	(4)	P	
Food Trucks/Trailers	(12)	(5)	P	
Garden Supply/Plant Nursery	(13)		P	
General Personal Service	(14)	(6)	S	
General Retail Store	(15)		S	
Hair Salon and/or Manicurist	(16)		S	
Laundromat with Dropoff/Pickup Services	(17)		P	
Self Service Laundromat	(18)		P	
Private Museum or Art Gallery	(20)		P	
Night Club, Discotheque, or Dance Hall	(21)		S	
Pawn Shop	(22)		P	
Permanent Cosmetics	(23)	(7)	A	

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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT	
Temporary Real Estate Sales Office	(25)		P	
Rental Store without Outside Storage and/or Display	(26)	(8)	P	
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)	S	
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)		P	
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)	P	
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)		P	
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (<i>i.e. a Maximum of Four [4] Vehicles</i>)	(29)		P	
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)		P	
Secondhand Dealer	(30)		P	
Art, Photography, or Music Studio	(31)		P	
Taxidermist Shop	(34)		P	
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)		
Bail Bond Service	(1)		P	
Building and Landscape Material with Outside Storage	(2)	(1)	P	
Building and Landscape Material with Limited Outside Storage	(2)	(2)	P	
Building Maintenance, Service, and Sales with Outside Storage	(3)	(3)	P	
Building Maintenance, Service, and Sales without Outside Storage	(3)		P	
Commercial Cleaners	(4)		P	
Custom and Craft Work	(5)		P	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)		P	
Feed Store or Ranch Supply	(7)		S	
Furniture Upholstery/Refinishing and Resale	(8)	(4)	P	
Gunsmith Repair and Sales	(9)		P	
Rental, Sales and Service of Heavy Machinery and Equipment	(10)	(5)	S	
Locksmith	(11)		P	
Machine Shop	(12)		P	
Medical or Scientific Research Lab	(13)		P	
Research and Technology or Light Assembly	(15)		P	
Trade School	(17)		P	
Temporary On-Site Construction Office	(18)	(6)	P	
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)		
Major Auto Repair Garage	(1)	(1)	S	
Minor Auto repair garage	(2)	(2)	S	
Automobile Rental	(3)		S	
New or Used Boat and Trailer Dealership	(4)	(3)	S	
Full Service Car Wash and Auto Detail	(5)	(4)	P	
Self Service Car Wash	(5)	(4)	P	
New and/or Used Indoor Motor Vehicle Dealership/Showroom	(6)	(5)	S	
New Motor Vehicle Dealership-for Cars and Light Trucks	(7)	(6)	S	

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LAND USE SCHEDULE		LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE [Reference Article 04, Permissible Uses]	LIGHT INDUSTRIAL (LI) DISTRICT
Used Motor Vehicle Dealership for Cars and Light Trucks}		(7)	(7)	A
Commercial Parking		(8)		P
Non-Commercial Parking Lot		(9)		P
Recreational Vehicle (RV) Sales and Service		(10)		S
Service Station		(11)	(8)	P
Towing and Impound Yard		(12)	(9)	S
Towing Service without Storage		(13)	(10)	P
Truck Rental		(14)		S
Truck Stop with Gasoline Sales and Accessory Services		(15)	(11)	S
INDUSTRIAL AND MANUFACTURING LAND USES		2.02(I)	2.03(I)	
Asphalt or Concrete Batch Plant		(1)	(1)	S
Temporary Asphalt or Concrete Batch Plant		(2)	(2)	P
Bottle Works for Milk or Soft Drinks		(3)		P
Brewery or Distillery		(4)	(3)	P
Carpet and Rug Cleaning		(5)		P
Environmentally Hazardous Materials		(6)	(4)	S
Food Processing with No Animal Slaughtering		(7)		P
Light Assembly and Fabrication		(8)		P
Heavy Manufacturing		(9)		S
Light Manufacturing		(10)		P
Metal Plating or Electroplating		(11)		S
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)		(12)	(5)	S
Printing and Publishing		(13)		P
Salvage or Reclamation of Products Indoors		(14)		P
Salvage or Reclamation of Products Outdoors		(15)		S
Sheet Metal Shop		(16)		P
Tool, Dye, Gauge and/or Machine Shop		(17)		P
Welding Repair		(18)		P
Winery		(19)	(6)	P
WHOLESALE, DISTRIBUTION AND STORAGE LAND USES		2.02(J)	2.03(J)	
Cold Storage Plant		(1)		P
Heavy Construction/Trade Yard		(2)		P
Mini-Warehouse		(4)	(1)	P
Outside Storage and/or Outside Display		(5)	(2)	P
Recycling Collection Center		(6)		P
Warehouse/Distribution Center		(7)		P
Wholesale Showroom Facility		(8)		P
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES		2.02(K)	2.03(K)	
Airport, Heliport or Landing Field		(1)		S
Antenna, as an Accessory		(2)	(1)	P

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT
Commercial Antenna	(3)	(2)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Commercial Freestanding Antenna	(6)	(5)	P
Mounted Commercial Antenna	(7)	(6)	P
Bus Charter Service and Service Facility	(8)		P
Helipad	(9)		S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Radio Broadcasting	(13)		P
Railroad Yard or Shop	(14)		S
Recording Studio	(15)		P
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Transit Passenger Facility	(18)		S
Trucking Company	(19)		P
TV Broadcasting and Other Communication Service	(20)		P
Utilities Holding a Franchise from the City of Rockwall	(21)		P
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

CITY OF ROCKWALL

ORDINANCE NO. 21-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, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 17.03-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Tyler Wood of Intrepid Equity Investments, LLC for a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the south side of Airport Road, east of the intersection of Airport Road and John King Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Light Industrial (LI) District;

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

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

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

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (UDC) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable; and

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

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

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

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: June 21, 2021

2nd Reading: July 6, 2021

Exhibit 'A'
Legal Description

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

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

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

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

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

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

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

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

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

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



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: Z2021-018; ZONING CHANGE FROM AGRICULTURAL (AG) DISTRICT TO LIGHT INDUSTRIAL (LI) DISTRICT AT THE INTERSECTION OF CORPORATE CROSSING [FM-549] AND CAPITAL BOULEVARD

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Survey
Legal Description
Technology District
Permitted Use Charts for the Light Industrial (LI) District
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of an ordinance for a *Zoning Change* from an Agricultural (AG) District to a Light Industrial (LI) District for a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital 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 change.



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: June 21, 2021

APPLICANT: Dan Gallagher, PE; *Kimley-Horn and Associates, Inc.*

CASE NUMBER: Z2021-018; *Zoning Change from Agricultural (AG) District to Light Industrial (LI) District at the intersection of Corporate Crossing [FM-549] and Capital Boulevard*

SUMMARY

Hold a public hearing to discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No.85-69* annexing the subject property on December 3, 1985. At the time of annexation, the subject property was zoned as Agricultural (AG) District. No portion of the subject property has been rezoned or developed since it was annexed.

PURPOSE

On May 14, 2021, the applicant -- *Dan Gallagher, PE of Kimley-Horn and Associates* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District. The purpose of the zoning request is to facilitate the future development of the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is generally located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are several properties zoned Agricultural (AG) and Light Industrial (LI) Districts (*i.e. Service King, Rockwall Kia, Lakeside Auto Auction, Pro Soap, Cavender's Boot City, Love's, etc.*), which are adjacent to IH-30 Frontage Road. Beyond this are the eastbound frontage roads for IH-30, followed by the main lanes for IH-30, and the westbound frontage roads for IH-30.

South: Directly south of the subject property is the Phase 1, of the Rockwall Technology Park Addition, which is zoned Light Industrial (LI) District. This area includes several existing industrial and manufacturing businesses (*e.g. Rockwall Economic Development Corporation (REDC), Pegasus Foods, Interstate Wire Company, Lime Media, L-3 Communications, and etc.*). Adjacent to this portion of the Phase 1, Rockwall Technology Park Addition is Discovery Boulevard, 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 the continuation of the Phase 1, Rockwall Technology Park Addition, which includes several existing industrial and manufacturing businesses (*e.g. Fine Wire, Hatfield and Company, Specialty Products, and etc.*). Following this is SH-276, which is identified as a *TXDOT6D (i.e. a Texas Department of Transportation [TXDOT], six [6] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is Corporate Crossing [FM-3549], which is identified as a TXDOT4D (i.e. a Texas Department of Transportation [TXDOT], four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. East of and adjacent to Corporate Crossing [FM-3594] is Phase 4, of the Rockwall Technology Park Addition. This phase of the Technology Park includes a few tracts of vacant land and two (2) manufacturing businesses (i.e. Lollipup and Pratt Industries). These properties are zoned Light Industrial (LI) District. Beyond this are two (2) vacant tracts of land owned by the Rockwall Economic Development Corporation (i.e. Tract 6 [77.148-acres] and Tract 5 [60.3-acres], of the J. H. B. Jones Survey, Abstract No. 125) zoned Light Industrial (LI) District.

West: Directly west of the subject property is Rockwall Mini Storage (9.90-acres) and Park Place RV (4.9784-acres). Both properties are zoned Light Industrial (LI) District. Continuing east is Nissan of Rockwall (14.70-acres), which is zoned Commercial (C) District. Beyond this is John King Boulevard, which is identified as a P6D (i.e. principle arterial, six [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

INFRASTRUCTURE

Based on the applicant's submittal the following infrastructure is required:

- (1) Water Improvements. The development will be required to tie to the existing 16-inch waterline on the west side of Corporate Crossing [FM-3549].
- (2) Sewer Improvements. The development will be required to tie to the existing ten (10) inch sanitary sewer line located along the northern property line of the subject property.
- (3) Roadways. The Master Thoroughfare Plan contained in the Comprehensive Plan indicates Corporate Crossing [FM-3549] is identified as a TXDOT4D (i.e. a Texas Department of Transportation [TXDOT], four [4] lane, divided roadway), which requires a minimum of a 120-foot right-of-way. The applicant is responsible for dedicating any additional right-of-way (i.e. as measured 60-feet from the centerline of the roadway) necessary for this roadway at the time final plat.
- (4) Drainage. Detention will be required and sized per the Engineering Department's *Standards of Design and Construction Manual*.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses ... [and, in which] (l)imitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities." The Light Industrial (LI) District is also intended to facilitate the development of industrial parks and larger, cleaner types of industries. This section of the code goes on to state that "(s)ince this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (e.g. IH-30 and SH-276) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space...(a)reas should not be zoned to Light Industrial (LI) District unless they are located on or close to an arterial capable of carrying commercial truck traffic." In this case, the applicant's adjacency is next to Corporate Crossing [FM-3549], which is defined as a TXDOT4D (i.e. a Texas Department of Transportation, four [4] lane, divided roadway), which is capable of carrying the anticipated traffic volumes for any industrial development of the subject property. In addition, the adjacencies of the subject property are all already zoned Light Industrial (LI) District with the exception of a few parcels of land adjacent to IH-30 that are zoned Agricultural (AG) District. These properties and the majority of the IH-30 frontage is separated from the subject property by a large floodplain that has large mature trees. This property appears to conform with the intent of the Light Industrial (LI) District.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the Technology District and is designated for Technology/Employment Center land uses. According to the Comprehensive Plan, the Technology District is "...characterized as an employment heavy district containing all phases of the Rockwall Economic Development Corporation's (REDC's) Technology Park, which supports a wide range of clean industrial businesses that help to diversify the City's tax base. This area benefits from easy access to IH-30 from John King Boulevard, Corporate Crossing, and SH-276 via SH-205." The applicant's request to change the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District, is in conformance with the Technology/Employment Center land use designation and appears to be in conformance with the District Strategies for the Technology District. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "...(p)reserve the City's current residential to non-residential land use ratio (i.e. 80% Residential; 20% Commercial) in order to maintain a balance mix of land uses for fiscal sustainability ..." [Section 02.01; CH. 1; Page 1-1]. The Land Use Plan contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Since the proposed zoning change is in conformance to the Future Land Use Plan, the proposed zoning change does not change the mix of residential to non-residential land uses. This balance remains at 75.90% residential land uses to 24.10% non-residential land uses. With this being said, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On May 20, 2021, staff mailed 26 notices to property owners and occupants within 500-feet of the subject property. 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). There are no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was drafted, staff had received the following:

- (1) Two (2) property owner notifications from property owners within the notification area (i.e. within the 500-foot buffer) that are in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District to a Light Industrial (LI) District, then staff would propose the following conditions of approval:

- (1) Any construction resulting from the approval of this zoning change 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 June 15, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Light Industrial (LI) District by a vote of 6-0, with Commissioner Moeller absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-018

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 1515 Corporate Crossing

SUBDIVISION Unplatted - John Lockhard Survey Abstract No. 134

LOT N/A (unplatted) BLOCK N/A

GENERAL LOCATION West of intersection of Corporate Crossing and Capital Blvd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING AG

CURRENT USE Undeveloped

PROPOSED ZONING LI

PROPOSED USE Warehouse

ACREAGE 43.237 AC

LOTS [CURRENT] N/A

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 Hitt Family, L.P.

APPLICANT Kimley-Horn and Associates, Inc.

CONTACT PERSON L.R. Tipton

CONTACT PERSON Dan Gallagher, P.E.

ADDRESS 3412 S. FM 548

ADDRESS 13455 Noel Road
Suite 700

CITY, STATE & ZIP Royse City Tx 75181

CITY, STATE & ZIP Dallas, TX 75240

PHONE 214 213 5087

PHONE 972-776-1780

E-MAIL lrtip@yahoo.com

E-MAIL dan.gallagher@kimley-horn.com

NOTARY VERIFICATION [REQUIRED]

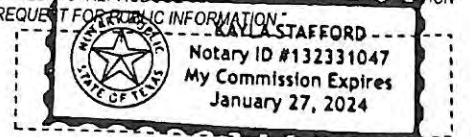
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED L.R. Tipton [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ 800 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF MAY, 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 PROVIDE ANY AND ALL 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 5th DAY OF MAY, 2021.


OWNER'S SIGNATURE

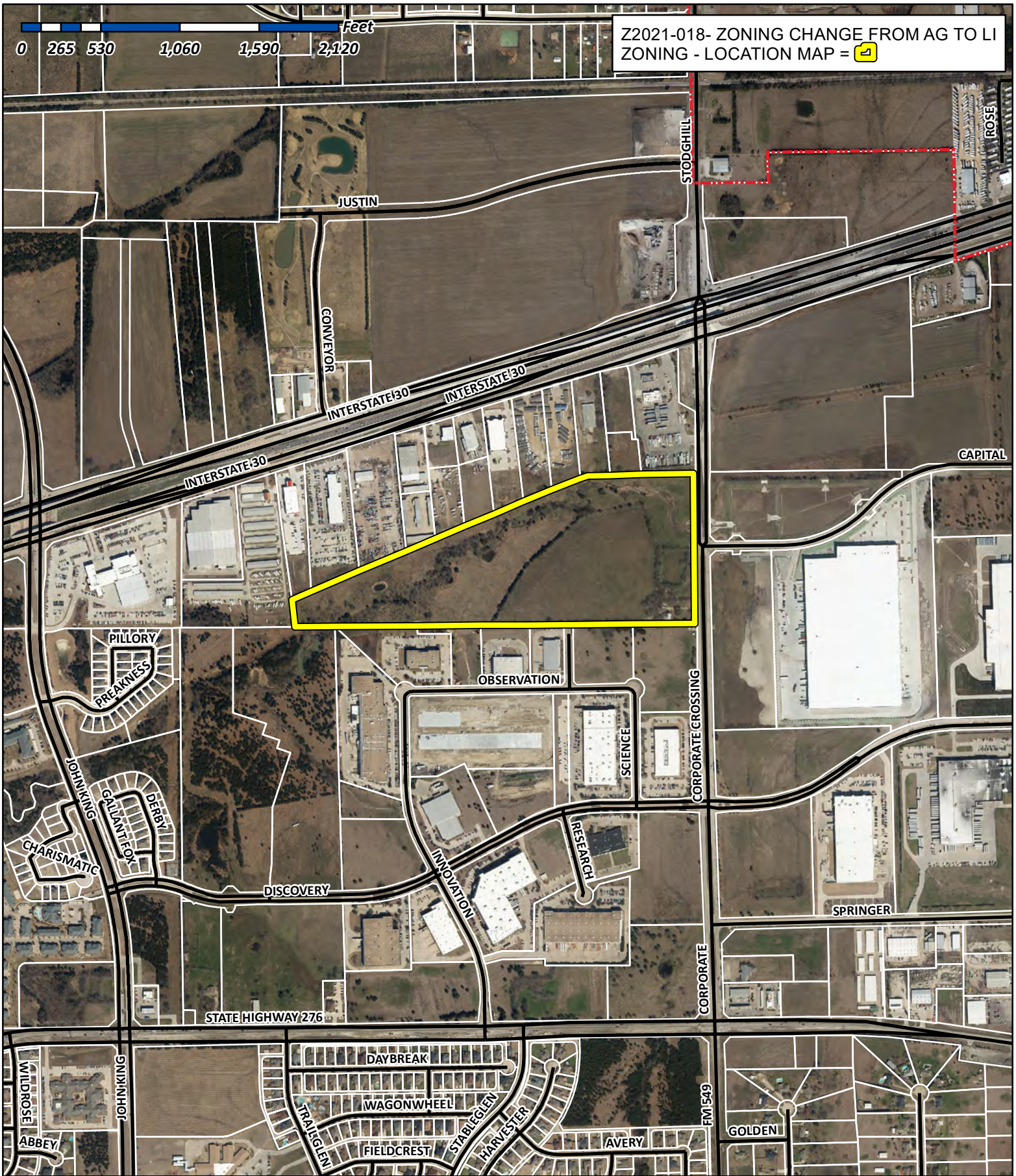
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES JAN 27 2024

0 265 530 1,060 1,590 2,120 Feet

Z2021-018- ZONING CHANGE FROM AG TO LI
ZONING - LOCATION MAP = 



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.

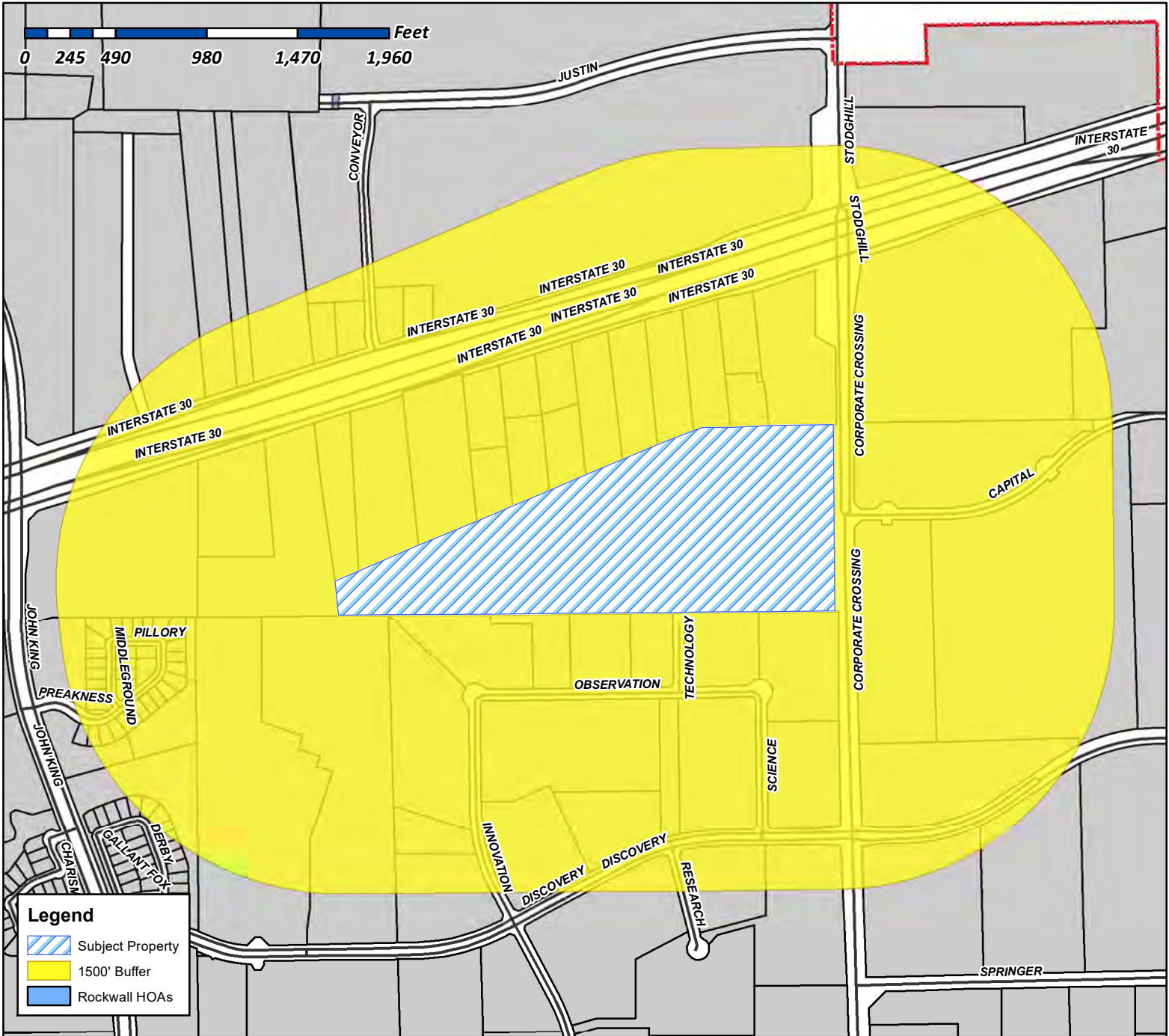




City of Rockwall

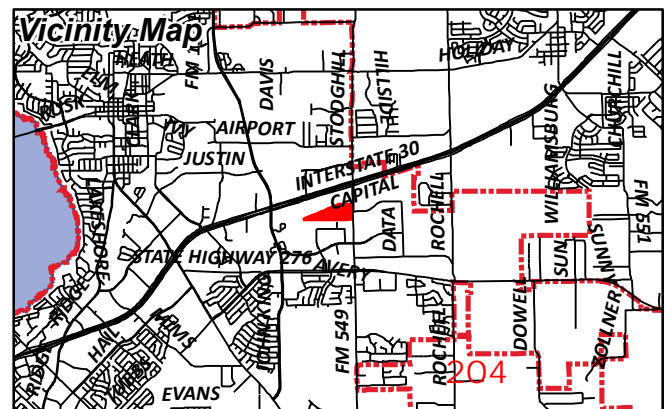
Planning & Zoning Department
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Case Number: Z2021-018
Case Name: Zoning Change from AG to LI
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: West of Intersection of Capital Blvd. & Corporate Crossing

Date Created: 5/17/2021
For Questions on this Case Call (972) 771-7745

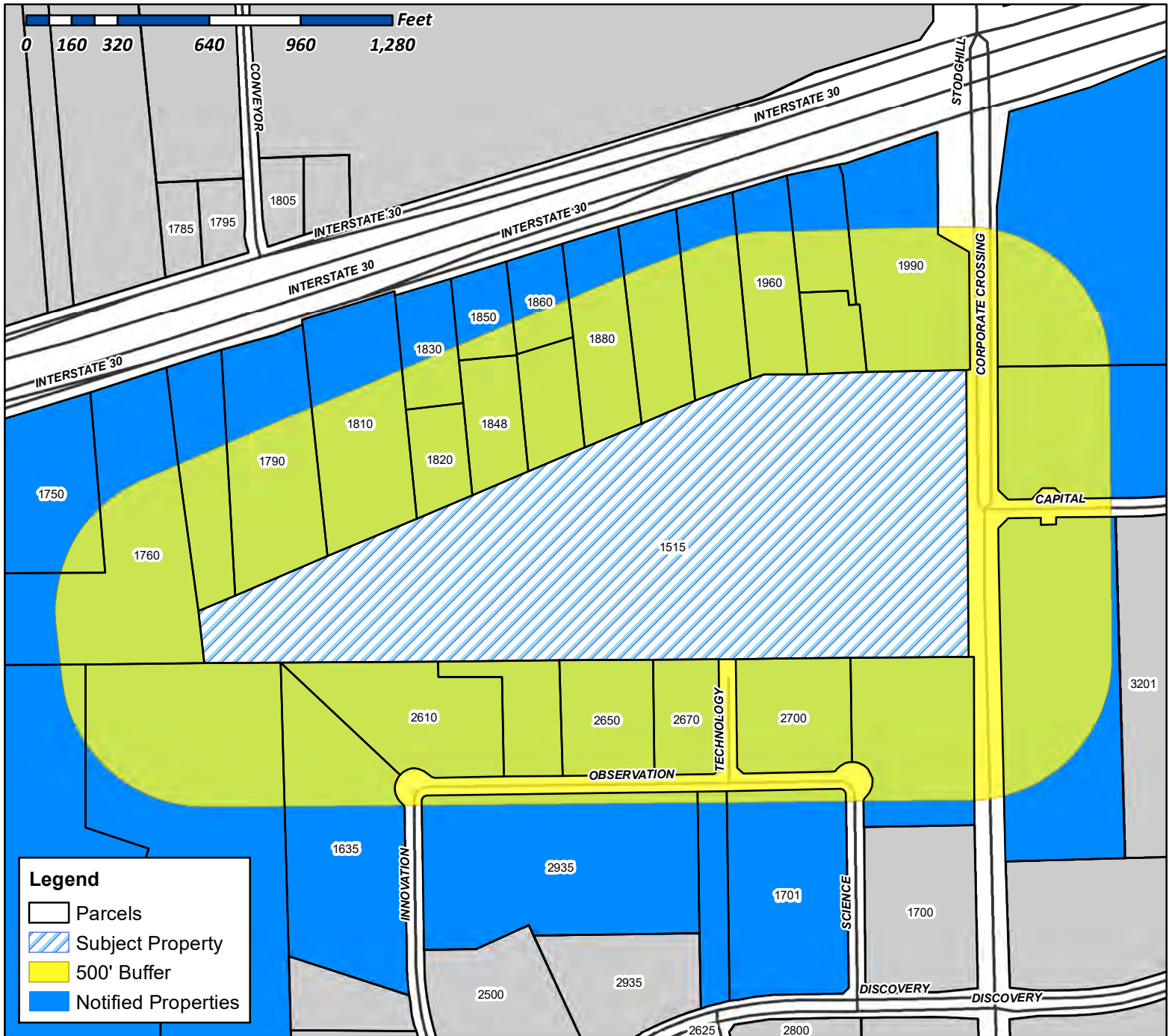




City of Rockwall

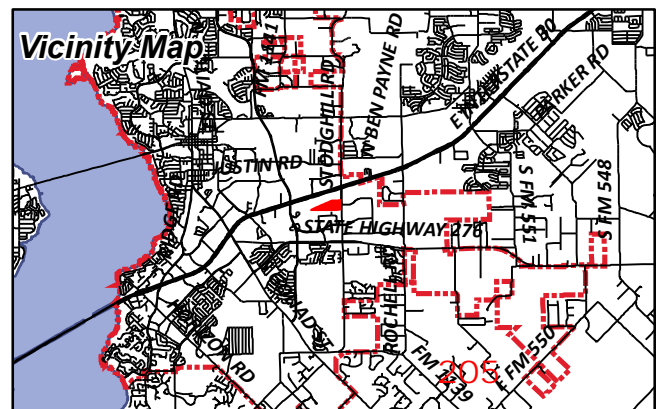
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Date Created: 5/17/2021
 For Questions on this Case Call (972) 771-7745



 = RESPONSE

BROWN MICHAEL
10661 FM 1565
TERRELL, TX 75160

LINE 5 HOLDINGS LP
1201 N RIVERFRONT BLVD SUITE 100
DALLAS, TX 75207

DEN-MAR ENTERPRISES INC
124 MONT BLANC DR
HEATH, TX 75032

HITT FAMILY LIMITED PARTNERSHIP
1515 CORPORATE CROSSING
ROCKWALL, TX 75032

AMBATIELOS EVANGELOS & VASILIKI
JAMES E ZAFERIS & JOANNA ZAFERIS
1635 INNOVATIONDR
ROCKWALL, TX 75032

BELLE HAVEN REALTY CO
A CALIFORNIA CORPORATION
1690 WOODSIDE RD STE 120
REDWOOD CITY, CA 94061

BELLE HAV/TEX LP
1701 SCIENCE PLACE
ROCKWALL, TX 75032

DEN-MAR ENTERPRISES INC
1750 E I30
ROCKWALL, TX 75032

THACKER DENNIS ALAN TESTAMENTARY TRUST
AND
LINDA THACKER LAHOOD AND JOSHUA ALAN
THACKER
1760 E I30
ROCKWALL, TX 75032

SALEHOUN FAMILY LIMITED PARTNERSHIP
1790 E I30
ROCKWALL, TX 75032

ROCKWALL AA RE LLC
1810 S I30
ROCKWALL, TX 75032

ROCKWALL STORAGE SOLUTIONS LLC
1820 E I30
ROCKWALL, TX 75032

SELF SCOTT
1830 E INTERSTATE 30 STE 100
ROCKWALL, TX 75087

SELF SCOTT
1848 E I30
ROCKWALL, TX 75032

GENESTA PARTNERSHIP
1850 E INTERSTATE 30
ROCKWALL, TX 75087

MYASIN INVESTMENTS LLC
1860 EAST INTERSTATE 30
ROCKWALL, TX 75087

CAVENDER INVESTMENT PROPERTIES E LTD
1880 I30 RD
ROCKWALL, TX 75032

BROWN MICHAEL
1960 E I30
ROCKWALL, TX 75032

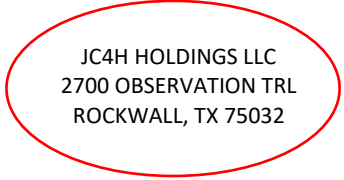
LOVE'S COUNTRY STORES INC
1990 E I30
ROCKWALL, TX 75032

ROBINO GIANLUCA & MARY C GOSS
2036 STRADELLA RD
LOS ANGELES, CA 90077

JBC LAND & CATTLE COMPANY LLC
2610 OBSERVATION TRL
ROCKWALL, TX 75032

PRECISION SHEET METAL SHOP INC
2650 OBSERVATION TRL
ROCKWALL, TX 75032

KRT ENTERPRISES INC
2670 OBSERVATION TRL
ROCKWALL, TX 75032

 JC4H HOLDINGS LLC
2700 OBSERVATION TRL
ROCKWALL, TX 75032

JBC LAND & CATTLE COMPANY LLC
2905 DUBLIN
PARKER, TX 75002

J R FLEMING INVESTMENTS LLC
2935 OBSERVATION TRAIL
ROCKWALL, TX 75032

SALEHOUN FAMILY LIMITED PARTNERSHIP
39650 LYNDON B JOHNSON FWY
DALLAS, TX 75237

ROCKWALL STORAGE SOLUTIONS LLC
447 STEVENS RD
ROCKWALL, TX 75032

JC4H HOLDINGS LLC
4951 GRISHAM DRIVE
ROWLETT, TX 75088

CAPSTAR HOLDINGS CORPORATION
C/O CSW INDUSTRIALS
5420 LYNDON B JOHNSON FREEWAY SUITE 500
DALLAS, TX 75240

MOORE MICHAEL F
557 MARIAH BAY DR
HEATH, TX 75032

SWBC ROCKWALL LP
5949 SHERRY LN SUITE 750
DALLAS, TX 75225

CAVENDER INVESTMENT PROPERTIES E LTD
7820 SOUTH BROADWAY
TYLER, TX 75703

HITT FAMILY LIMITED PARTNERSHIP
7836 YAMINI DR
DALLAS, TX 75230

ROCKWALL ECONOMIC DEVELOPMENT
CORPORATION
P O BOX 968
ROCKWALL, TX 75087

AMBATIELOS EVANGELOS & VASILIKI
JAMES E ZAFERIS & JOANNA ZAFERIS
P. O. BOX 86404
LOS ANGELES, CA 90086

KRT ENTERPRISES INC
PO BOX 1103
ROCKWALL, TX 75087

LOVE'S COUNTRY STORES INC
PO BOX 26210
OKLAHOMA CITY, OK 73126

J R FLEMING INVESTMENTS LLC
PO BOX 489
ROCKWALL, TX 75087

ROCKWALL AA RE LLC
PO BOX 775
ROYSE CITY, TX 75189

THACKER DENNIS ALAN TESTAMENTARY TRUST
AND
LINDA THACKER LAHOOD AND JOSHUA ALAN
THACKER
PO BOX 8693
GREENVILLE, TX 75404

ROCKWALL ECONOMIC DEVELOPMENT
PO BOX 968
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. Z2021-018: Zoning Change from AG to LI

Hold a public hearing to discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital 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, June 15, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, June 21, 2021 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:

David Gonzales
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 Monday, June 21, 2021 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. Z2021-018: Zoning Change from AG to LI

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.

[Redacted area]

Name: [Redacted]
Address: [Redacted]

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

Case No. Z2021-018: Zoning Change from AG to LI

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: *BRAD Peters Lime Media Group (JCHH Holdings)*
Address: *2700 Observation Trail*

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.

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CITY OF ROCKWALL • PLANNING AND ZONING DEPARTMENT • 385 S. GOLIAD STREET • ROCKWALL, TEXAS 75087 • P: (972) 771-7745 • E: PLANNING@ROCKWALL.COM

PUBLIC NOTICE



CITY OF ROCKWALL
PLANNING AND ZONING DEPARTMENT
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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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----- PLEASE RETURN THE BELOW FORM -----

Case No. Z2021-018: Zoning Change from AG to LI

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.

I believe this will be in the best interest of the community and will raise property tax revenue for the county.

Name: *Sue Matthias, Independent Co-Executor*
Address: *7836 Yamini Dr., Dallas, TX 75230*

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 DESCRIPTION

"ROCKWALL HITT TRACT"

BEING a tract of land situated in the John Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, and being a part of a called 44.5 acre tract described as the "Second Tract" in the Warranty Deed from H.M. Gray to F.D. Hitt, recorded in Volume 42, Page 569 of the Deed Records of Rockwall County, Texas, and conveyed to the Hitt Family Limited Partnership by deed recorded in Volume 1875, Page 238 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a point in the west right-of-way line of F.M. 549 (Corporate Crossing - a variable width right-of-way) and being the northwest corner of a called 0.373 acre tract of land described as a Right-of Way Dedication in the Warranty Deed to the City of Rockwall recorded in Instrument No. 2011-00451623, Official Public Records, Rockwall County, Texas;

THENCE with said west right-of-way line, the following courses and distances:

South 0°45'31" West, a distance of 54.87 feet;

South 0°42'48" East, a distance of 948.61 feet to the southwest corner of said 0.373 acre tract;

THENCE South 89°29'36" West, passing at a distance of 15.00 feet the northeast corner of Lot 2 Block E of Rockwall Technology Park, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet G, Slide 377, Plat Records, Rockwall County, Texas; continuing with the common line of said 44.5 acre tract and the following tracts of land; said Lot 2, Block E, Lot 4, Block E; of Rockwall Technology Park, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Instrument No. 20200000008932, Plat Records, Rockwall County, Texas; the north terminus line of Technology Way (a 50-foot right-of-way), as shown on plat recorded under Cabinet D, Slide 175, Plat Records, Rockwall County, Texas; Lot 1, Block C, of Nolan Power Building, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet H, Slide 259, Plat Records, Rockwall County, Texas; Lots 2, 3R, and 4, Block C, of Rockwall Technology Park, an addition to the City of Rockwall, Texas; according to the plat thereof recorded in Cabinet E, Slide 329, Plat Records, Rockwall County, Texas; and a called 21.280 acre tract of land described in the Special Warranty Deed to SWBC Rockwall, LP, recorded in Instrument No. 20180000000613, Official Public Records, Rockwall County, for a total distance of 2689.40 feet to the southwest corner of said 44.5 acre tract of land;

THENCE North 3°00'29" West, a distance of 184.74 feet to the south line of Lot 1, Block 1, of Service King IH-30, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet J, Slide 109, Plat Records, Rockwall County, Texas;

THENCE North 67°13'27" East, with the common line of said 44.5 acre tract and the following tracts of land; Lot 1, Block 1 of said Service King IH-30 addition; Lot 1, Block 1, of Rockwall Kia, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet G, Slide 279, Plat Records, Rockwall County, Texas; a called 6.01 acre tract of land described in the

Special Warranty Deed to Rockwall AA RE LLC, recorded in Instrument No. 20190000011194, Official Public Records, Rockwall County, Texas; a called 1.6291 acre tract of land described in the Warranty Deed with Vendor's Lien to Rockwall Storage Solutions, LLC, recorded in Instrument No. 20140000010313, Official Public Records, Rockwall County, Texas; Lot 2, DBK Addition, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet D, Slide 241, Plat Records, Rockwall County, Texas; a called 1.86 acre tract of land described in the Warranty Deed to Myasin Investments, LLC, recorded in Instrument No. 20180000016565, Official Public Records, Rockwall County, Texas; Lot 1, Block 1, Cavender's Addition, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Instrument No. 2015000003652, Official Public Records, Rockwall County, Texas; a called 6.2475 acre tract of land described in the Warranty Deed to Michael F. Moore, recorded in Instrument No. 20030000275494, Official Public Records, Rockwall County, Texas; and Lot 1, Block 1, YA-HOO Subdivision, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet B, Slide 342, Plat Records, Rockwall County, Texas; for a total distance of 2144.85 feet to an angle point in the common line of said 44.5 acre tract of land and said YA-HOO Subdivision;

THENCE North 89°00'12" East, with the common line of said 44.5 acre tract and the following tracts of land; said Lot 1, Block 1, YA-HOO Subdivision; a called 3.195 acre tract of land described in the Warranty Deed in lieu of foreclosure, to Ginaluca Robino and Mary C. Goss, recorded in Instrument No. 2007-00374776, Official Public Records, Rockwall County, Texas, and Lot 1, Block A, of Love's Addition No. 1, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet C, Slide 377, Plat Records, Rockwall County, Texas; passing at a distance of 695.41 feet the southeast corner of Lot 1, Block A of said Loves Addition, for a total distance of 710.41 feet to the **POINT OF BEGINNING** and containing 43.24 acres of land more or less.

NOTES:

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

This document was prepared under 22 TAC §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

19 TECHNOLOGY DISTRICT

DISTRICT DESCRIPTION

The *Technology District* is primarily characterized as an employment heavy district containing all phases of the Rockwall Economic Development Corporation's (REDC's) Technology Park, which supports a wide range of clean industrial businesses that help to diversify the City's tax base. This area benefits from easy access to IH-30 from John King Boulevard, Corporate Crossing, and SH-276 via SH-205. The district also contains a mixture of high to medium density residential land uses and several additional large vacant tracts of land that are entitled for low density residential land uses. The commercial areas adjacent to SH-276 contain a mixture of transitional uses and land uses targeted at supporting the existing and anticipated residential land uses. In the future, the *Technology District* is anticipated to continue to provide a mix of non-retail commercial and an assortment of housing options that will provide a balance with regard to the City's economic base and population.

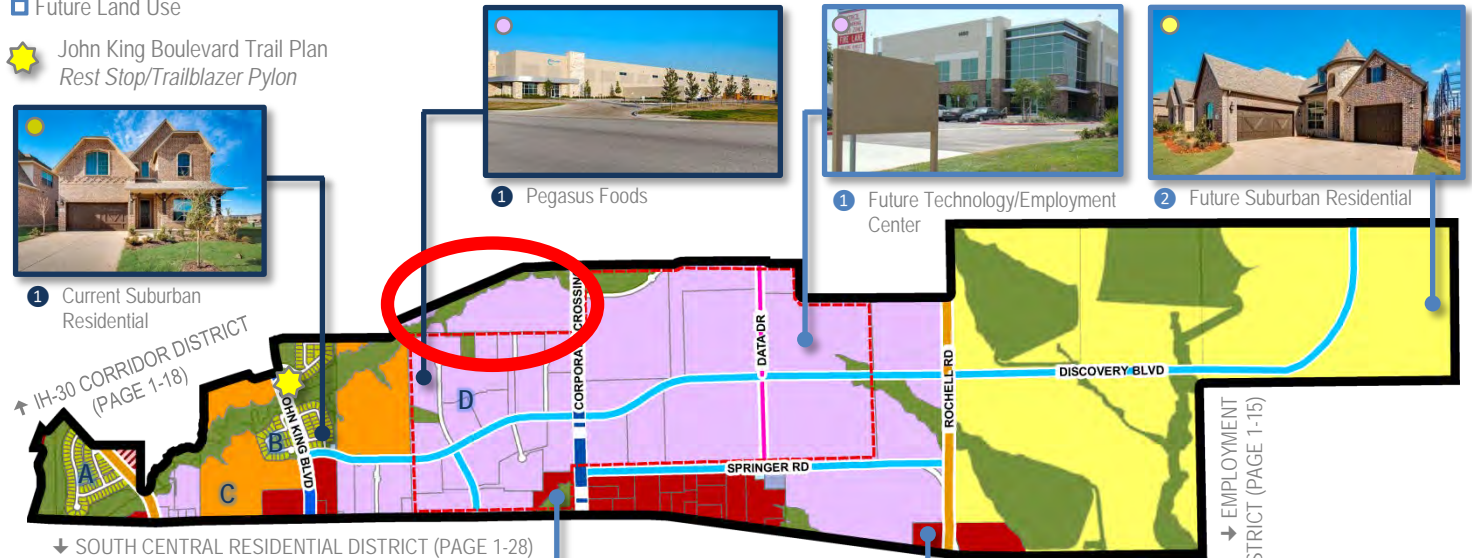
POINTS OF REFERENCE

- A. Townsend Village Subdivision
- B. Rockwall Downes Subdivision
- C. Sixteen 50 @ Lake Ray Hubbard Apartment Complex
- D. Rockwall Economic Development Corporation's Technology Park

LAND USE PALETTES

- Current Land Use
- Future Land Use

★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon



COMMERCIAL	53.90%	MINOR COLLECTOR
RESIDENTIAL	46.10%	M4D
MIXED USE	0.00%	M4U
		P6D
		TXDOT 4D

COMMERCIAL/RETAIL (CR)	78.42-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	74.61-ACRES
LOW DENSITY RESIDENTIAL (LDR)	425.14-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	27.22-ACRES
PARKS AND OPEN SPACE (OS)	287.78-ACRES
PUBLIC (P)	1.95-ACRES
QUASI-PUBLIC (QP)	0.61-ACRES
SPECIAL COMMERCIAL CORRIDOR (SC)	6.76-ACRES
TECHNOLOGY/EMPLOYMENT CENTER (TEC)	530.85-ACRES

DISTRICT STRATEGIES

Considering the existing composition and future intent of the *Technology District*, the following are the strategies for this district:

- 1 **Technology/Employment Center.** Taking into consideration the City's desire to preserve the current residential to non-residential land use ratio, encroachment of incompatible land uses (e.g. residential, commercial, etc.) should be discouraged in areas designated for *Technology/Employment Center* land uses. This is especially important in the City's Technology Park, which is denoted in a red dashed line (---). These areas should be preserved for larger clean industrial businesses that can help to diversify the City's tax base. The areas adjacent to Rochelle Road should utilize large buffers, berms and landscaping to off-set adjacency to the residential areas on the east side of Rochelle Road.
- 2 **Suburban Residential.** The low density residential land uses on the east side of Rochelle Road should be large master planned communities that incorporate a mixture of lot types and housing products to create unique subdivisions of enduring value. These areas should be highly amenitized and utilize the existing floodplain/ponds for a robust trail and park system.
- 3 **Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing and proposed residential developments and should be compatible in scale with the adjacent residential structures. In addition, these properties should use berms, landscaping and large buffers to transition to residential land uses. The existing transitional areas adjacent to SH-276 should be transition to neighborhood/convenience centers in the future.
- 4 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'A'* of this Comprehensive Plan.



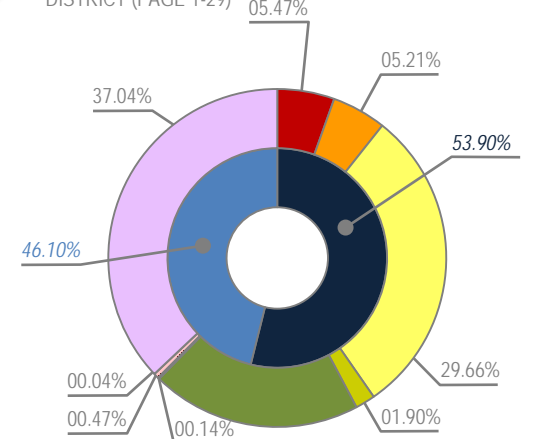
3 Future Neighborhood/Convenience Centers

% OF ROCKWALL
 3.51% (House icon)
 3.52% (Apartment icon)
 2.61% (Cluster icon)

CURRENT
 701 (House icon)
 64 (Apartment icon)
 1,556 (Cluster icon)

BUILD OUT
 2,376 (House icon)
 6,414 (Cluster icon)

= SUBJECT PROPERTY



LEGEND: <div style="display: flex; flex-direction: column; gap: 5px;"> <div style="display: flex; align-items: center; gap: 5px;"> Land Use <i>NOT</i> Permitted</div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Permitted <i>By-Right</i></div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Permitted with Conditions</div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Permitted Specific Use Permit (SUP)</div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Prohibited by Overlay District</div> <div style="display: flex; align-items: center; gap: 5px;"> Land Use Permitted as an Accessory Use</div> </div>		<h2 style="margin: 0;">PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT</h2>		
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT	
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)		
Agricultural Uses on Unplatted Land	(1)		P	
Animal Boarding/Kennel without Outside Pens	(2)	(2)	P	
Animal Clinic for Small Animals without Outdoor Pens	(3)	(3)	P	
Animal Hospital or Clinic	(4)		P	
Animal Shelter or Loafing Shed	(6)		P	
Community Garden	(11)	(7)	S	
Urban Farm	(12)	(8)	S	
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)		
Caretakers Quarters/Domestic or Security Unit	(3)		P	
Commercial Parking Garage	(6)		A	
Limited-Service Hotel	(10)		S	
Full-Service Hotel	(11)	(8)	S	
Residence Hotel	(12)		S	
Motel	(13)		S	
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)		
Assisted Living Facility	(1)	(1)	S	
Blood Plasma Donor Center	(2)		P	
Cemetery/Mausoleum	(3)		P	
Church/House of Worship	(4)	(2)	S	
College, University, or Seminary	(5)		P	
Convalescent Care Facility/Nursing Home	(6)		S	
Congregate Care Facility/Elderly Housing	(7)	(3)	S	
Crematorium	(8)		S	
Daycare with Seven (7) or More Children	(9)	(4)	S	
Emergency Ground Ambulance Services	(10)		P	
Government Facility	(12)		P	
Hospice	(14)		S	
Hospital	(15)		P	
Public Library, Art Gallery or Museum	(16)		P	
Mortuary or Funeral Chapel	(17)		P	
Local Post Office	(18)		P	
Regional Post Office	(19)		P	
Prison/Custodial Institution	(20)		P	
Public or Private Primary School	(21)	(7)	P	
Public or Private Secondary School	(22)	(8)	P	
Rescue Mission or Shelter for the Homeless	(24)		P	
Social Service Provider (Except Rescue Mission or Homeless Shelter)	(25)		P	
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)		
Financial Institution with Drive-Through	(1)	(1)	P	

LEGEND: Land Use <i>NOT</i> Permitted P Land Use Permitted <i>By-Right</i> P Land Use Permitted with Conditions S Land Use Permitted Specific Use Permit (SUP) X Land Use Prohibited by Overlay District A Land Use Permitted as an Accessory Use		<h2 style="margin: 0;">PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT</h2>		
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Financial Institution without Drive-Through	(1)		P	
Office Building less than 5,000 SF	(2)		P	
Office Building 5,000 SF or Greater	(2)		P	
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)		
Temporary Carnival, Circus, or Amusement Ride	(1)	(1)	P	
Indoor Commercial Amusement/Recreation	(2)	(2)	P	
Outdoor Commercial Amusement/Recreation	(3)	(3)	S	
Public or Private Community or Recreation Club as an Accessory Use	(4)		P	
Private Country Club	(5)		P	
Golf Driving Range	(6)		P	
Temporary Fundraising Events by Non-Profit	(7)	(4)	P	
Indoor Gun Club with Skeet or Target Range	(8)	(5)	P	
Health Club or Gym	(9)		P	
Private Club, Lodge or Fraternal Organization	(10)	(6)	P	
Private Sports Arena, Stadium, and/or Track	(11)		P	
Public Park or Playground	(12)		P	
Sexually Oriented Businesses [Art. XI: CH. 12: Municipal Code]	(13)	(7)	S	
Tennis Courts <i>(i.e. Not Accessory to a Public or Private Country Club)</i>	(14)		P	
Theater	(15)		P	
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)		
Portable Beverage Service Facility	(4)	(1)	S	
Brew Pub	(5)		P	
Business School	(6)		P	
Catering Service	(7)		P	
Temporary Christmas Tree Sales Lot and/or Similar Uses	(8)	(2)	P	
Copy Center	(9)		P	
Craft/Micro Brewery, Distillery and/or Winery	(10)	(3)	P	
Incidental Display	(11)	(4)	P	
Food Trucks/Trailers	(12)	(5)	P	
Garden Supply/Plant Nursery	(13)		P	
General Personal Service	(14)	(6)	S	
General Retail Store	(15)		S	
Hair Salon and/or Manicurist	(16)		S	
Laundromat with Dropoff/Pickup Services	(17)		P	
Self Service Laundromat	(18)		P	
Private Museum or Art Gallery	(20)		P	
Night Club, Discotheque, or Dance Hall	(21)		S	
Pawn Shop	(22)		P	
Permanent Cosmetics	(23)	(7)	A	

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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT	
Temporary Real Estate Sales Office	(25)		P	
Rental Store without Outside Storage and/or Display	(26)	(8)	P	
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(27)	(9)	S	
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)		P	
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(27)	(10)	P	
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(28)		P	
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (<i>i.e. a Maximum of Four [4] Vehicles</i>)	(29)		P	
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29)		P	
Secondhand Dealer	(30)		P	
Art, Photography, or Music Studio	(31)		P	
Taxidermist Shop	(34)		P	
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)		
Bail Bond Service	(1)		P	
Building and Landscape Material with Outside Storage	(2)	(1)	P	
Building and Landscape Material with Limited Outside Storage	(2)	(2)	P	
Building Maintenance, Service, and Sales with Outside Storage	(3)	(3)	P	
Building Maintenance, Service, and Sales without Outside Storage	(3)		P	
Commercial Cleaners	(4)		P	
Custom and Craft Work	(5)		P	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	(6)		P	
Feed Store or Ranch Supply	(7)		S	
Furniture Upholstery/Refinishing and Resale	(8)	(4)	P	
Gunsmith Repair and Sales	(9)		P	
Rental, Sales and Service of Heavy Machinery and Equipment	(10)	(5)	S	
Locksmith	(11)		P	
Machine Shop	(12)		P	
Medical or Scientific Research Lab	(13)		P	
Research and Technology or Light Assembly	(15)		P	
Trade School	(17)		P	
Temporary On-Site Construction Office	(18)	(6)	P	
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)		
Major Auto Repair Garage	(1)	(1)	S	
Minor Auto repair garage	(2)	(2)	S	
Automobile Rental	(3)		S	
New or Used Boat and Trailer Dealership	(4)	(3)	S	
Full Service Car Wash and Auto Detail	(5)	(4)	P	
Self Service Car Wash	(5)	(4)	P	
New and/or Used Indoor Motor Vehicle Dealership/Showroom	(6)	(5)	S	
New Motor Vehicle Dealership-for Cars and Light Trucks	(7)	(6)	S	

LEGEND:		PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT		
	Land Use <i>NOT</i> Permitted			
P	Land Use Permitted <i>By-Right</i>			
P	Land Use Permitted with Conditions			
S	Land Use Permitted Specific Use Permit (SUP)			
X	Land Use Prohibited by Overlay District			
A	Land Use Permitted as an Accessory Use			
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE [Reference Article 04, Permissible Uses]	LIGHT INDUSTRIAL (LI) DISTRICT	
Used Motor Vehicle Dealership for Cars and Light Trucks}	(7)	(7)	A	
Commercial Parking	(8)		P	
Non-Commercial Parking Lot	(9)		P	
Recreational Vehicle (RV) Sales and Service	(10)		S	
Service Station	(11)	(8)	P	
Towing and Impound Yard	(12)	(9)	S	
Towing Service without Storage	(13)	(10)	P	
Truck Rental	(14)		S	
Truck Stop with Gasoline Sales and Accessory Services	(15)	(11)	S	
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)		
Asphalt or Concrete Batch Plant	(1)	(1)	S	
Temporary Asphalt or Concrete Batch Plant	(2)	(2)	P	
Bottle Works for Milk or Soft Drinks	(3)		P	
Brewery or Distillery	(4)	(3)	P	
Carpet and Rug Cleaning	(5)		P	
Environmentally Hazardous Materials	(6)	(4)	S	
Food Processing with No Animal Slaughtering	(7)		P	
Light Assembly and Fabrication	(8)		P	
Heavy Manufacturing	(9)		S	
Light Manufacturing	(10)		P	
Metal Plating or Electroplating	(11)		S	
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	(12)	(5)	S	
Printing and Publishing	(13)		P	
Salvage or Reclamation of Products Indoors	(14)		P	
Salvage or Reclamation of Products Outdoors	(15)		S	
Sheet Metal Shop	(16)		P	
Tool, Dye, Gauge and/or Machine Shop	(17)		P	
Welding Repair	(18)		P	
Winery	(19)	(6)	P	
WHOLESALE, DISTRIBUTION AND STORAGE LAND USES	2.02(J)	2.03(J)		
Cold Storage Plant	(1)		P	
Heavy Construction/Trade Yard	(2)		P	
Mini-Warehouse	(4)	(1)	P	
Outside Storage and/or Outside Display	(5)	(2)	P	
Recycling Collection Center	(6)		P	
Warehouse/Distribution Center	(7)		P	
Wholesale Showroom Facility	(8)		P	
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)		
Airport, Heliport or Landing Field	(1)		S	
Antenna, as an Accessory	(2)	(1)	P	

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT
Commercial Antenna	(3)	(2)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Commercial Freestanding Antenna	(6)	(5)	P
Mounted Commercial Antenna	(7)	(6)	P
Bus Charter Service and Service Facility	(8)		P
Helipad	(9)		S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Radio Broadcasting	(13)		P
Railroad Yard or Shop	(14)		S
Recording Studio	(15)		P
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Transit Passenger Facility	(18)		S
Trucking Company	(19)		P
TV Broadcasting and Other Communication Service	(20)		P
Utilities Holding a Franchise from the City of Rockwall	(21)		P
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		S

CITY OF ROCKWALL

ORDINANCE NO. 21-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, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 43.237-ACRE TRACT OF LAND IDENTIFIED AS TRACT 11 OF THE J. LOCKHART SURVEY, ABSTRACT NO. 134, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Dan Gallagher, PE of Kimley-Horn and Associates, Inc. for a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District for a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Light Industrial (LI) District;

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

future;

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

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

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (UDC) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable; and

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

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

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

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: June 21, 2021

2nd Reading: July 6, 2021

Exhibit 'A'
Legal Description

BEING a tract of land situated in the John Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, and being a part of a called 44.5-acre tract described as the "Second Tract" in the Warranty Deed from H.M. Gray to F.D. Hitt, recorded in Volume 42, Page 569 of the Deed Records of Rockwall County, Texas, and conveyed to the Hitt Family Limited Partnership by deed recorded in Volume 1875, Page 238 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows;

BEGINNING at a point in the west right-of-way line of F.M. 549 (Corporate Crossing - a variable width right-of-way) and being the northwest corner of a called 0.373-acre tract of land described as a Right-of Way Dedication in the Warranty Deed to the City of Rockwall recorded in Instrument No. 2011-00451623, Official Public Records, Rockwall County, Texas;

THENCE with said west right-of-way line, the following courses and distances:

South 0°45'31" West, a distance of 54.87-feet;

South 0°42'48" East, a distance of 948.61-feet to the southwest corner of said 0.373-acre tract;

THENCE South 89°29'36" West, passing at a distance of 15.00-feet the northeast corner of Lot 2 Block E of Rockwall Technology Park, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet G, Slide 377, Plat Records, Rockwall County, Texas; continuing with the common line of said 44.5-acre tract and the following tracts of land; said Lot 2, Block E, Lot 4, Block E; of Rockwall Technology Park, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Instrument No. 2020000008932, Plat Records, Rockwall County, Texas; the north terminus line of Technology Way (a 50-foot right-of-way), as shown on plat recorded under Cabinet D, Slide 175, Plat Records, Rockwall County, Texas; Lot 1, Block C, of Nolan Power Building, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet H, Slide 259, Plat Records, Rockwall County, Texas; Lots 2, 3R, and 4, Block C, of Rockwall Technology Park, an addition to the City of Rockwall, Texas; according to the plat thereof recorded in Cabinet E, Slide 329, Plat Records, Rockwall County, Texas; and a called 21.280-acre tract of land described in the Special Warranty Deed to SWBC Rockwall, LP, recorded in Instrument No. 2018000000613, Official Public Records, Rockwall County, for a total distance of 2689.40-feet to the southwest corner of said 44.5-acre tract of land;

THENCE North 3°00'29" West, a distance of 184.74-feet to the south line of Lot 1, Block 1, of Service King IH-30, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet J, Slide 109, Plat Records, Rockwall County, Texas;

THENCE North 67°13'27" East, with the common line of said 44.5-acre tract and the following tracts of land; Lot 1, Block 1 of said Service King IH-30 addition; Lot 1, Block 1, of Rockwall Kia, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet G, Slide 279, Plat Records, Rockwall County, Texas; a called 6.01-acre tract of land described in the Special Warranty Deed to Rockwall AA RE LLC, recorded in Instrument No. 20190000011194, Official Public Records, Rockwall County, Texas; a called 1.6291-acre tract of land described in the Warranty Deed with Vendor's Lien to Rockwall Storage Solutions, LLC, recorded in Instrument No. 20140000010313, Official Public Records, Rockwall County, Texas; Lot 2, DBK Addition, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet D, Slide 241, Plat Records, Rockwall County, Texas; a called 1.86-acre tract of land described in the Warranty Deed to Myasin Investments, LLC, recorded in Instrument No. 20180000016565, Official Public Records, Rockwall County, Texas; Lot 1, Block 1, Cavender's Addition, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Instrument No.

Exhibit 'A'
Legal Description

2015000003652, Official Public Records, Rockwall County, Texas; a called 6.2475-acre tract of land described in the Warranty Deed to Michael F. Moore, recorded in Instrument No. 20030000275494, Official Public Records, Rockwall County, Texas; and Lot 1, Block 1, YA-HOO Subdivision, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet B, Slide 342, Plat Records, Rockwall County, Texas; for a total distance of 2144.85-feet to an angle point in the common line of said 44.5-acre tract of land and said YA-HOO Subdivision;

THENCE North 89°00'12" East, with the common line of said 44.5-acre tract and the following tracts of land; said Lot 1, Block 1, YA-HOO Subdivision a called 3.195-acre tract of land described in the Warranty Deed in lieu of foreclosure, to Ginaluca Robino and Mary C. Goss, recorded in Instrument No. 2007-00374776, Official Public Records, Rockwall County , Texas, and Lot 1, Block A, of Love's Addition No. 1, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet C, Slide 377, Plat Records, Rockwall County, Texas; passing at a distance of 695.41-feet the southeast corner of Lot 1, Block A of said Loves Addition, for a total distance of 710.41-feet to the **POINT OF BEGINNING** and containing 43.24-acres of land more or less.



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: Z2021-019; 2019-2020 ANNUAL UPDATE TO THE OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

Attachments

Memorandum
CPAC Memorandum
Proposed Changes to the Comprehensive Plan
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider the approval of an ordinance adopting the annual update to the OURHometown Vision 2040 Comprehensive Plan (*i.e.* 2019 & 2020 *Comprehensive Plan Update*), and take any action necessary (1st Reading).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed amendment to the OURHometown Vision 2040 Comprehensive Plan.



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, *Interim City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: June 21, 2021
SUBJECT: Z2021-019; 2019-2020 Annual Update to the OURHometown Vision 2040 Comprehensive Plan

On December 3, 2018 the City Council adopted the OURHometown Vision 2040 Comprehensive Plan (*Ordinance No. 18-48*). The new Comprehensive Plan was designed to be a *living document* or a plan that could be updated to account for changes in the community as the community continues to experience growth over the next 20-years. In order to achieve this the City Council adopted *Resolution No. 19-23*, which established a standing Comprehensive Plan Advisory Committee (CPAC). This committee is intended to review the plan on an annual basis and provide recommendations to the City Council aimed at addressing changes to the goals and policy statements and land use plan necessary to ensure the plans continued relevance.

In 2019, the first annual update was initiated on February 28, 2020; however, due to COVID-19 the CPAC was unable to meet until June 3, 2020. At this meeting, staff proposed several changes and received feedback and direction from the CPAC. Unfortunately, a follow up meeting was delayed due to an increase in development cases, and staff choose to incorporate the 2019 changes into the 2020 update. On April 21, 2021, the CPAC again met with staff to discuss the proposed changes to the plan, and after reviewing the changes voted 7-0 [*with Board Member Michael Hunter being absent at the time of voting*] to recommend approval of the changes to the Planning and Zoning Commission and City Council. A memorandum provided to the CPAC outlining the proposed changes is in the attached packet for the City Council's review.

In response to the CPAC's recommendation, staff brought the draft ordinance to the Planning and Zoning Commission for consideration, and at the June 15, 2021 Planning and Zoning Commission meeting the Planning and Zoning Commission approved a motion to recommend approval of the proposed changes by a vote of 6-0, with Commissioner Moeller absent. In addition -- *and in accordance with the City's Charter* --, the City Manager has reviewed the proposed changes and is in agreement with the CPAC's recommendation. Staff has also 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 City Council have any questions staff and a member of the CPAC will be available at the meeting on June 21, 2021.



CITY OF ROCKWALL

COMPREHENSIVE PLAN ADVISORY COMMITTEE (CPAC) MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Comprehensive Plan Advisory Committee (CPAC)
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: April 21, 2021
SUBJECT: 2019/2020 Annual Update of the OURHometown Vision 2040 Comprehensive Plan

On October 21, 2019, the City Council adopted a resolution (*i.e. Resolution No. 19-23*), which established a standing Comprehensive Plan Advisory Committee (CPAC). The City Council also directed staff to invite all members of the original CPAC back to fill the seven (7) vacancies for the new committee. This updated CPAC committee will be responsible for reviewing all changes at the annual review and providing direction for staff moving forward. A copy of the approved resolution has been included in the attached packet for the CPAC's review.

UPDATE (March 16, 2020): On March 16, 2020, the City Council adopted *Resolution No. 20-02*, which changed the wording of *Resolution No. 19-23* to state that the "...Comprehensive Plan Advisory Committee (CPAC) shall consist of a minimum of seven (7) members ...". At the same meeting the City Council added Michael Hunter. Mr. Hunter is a Rockwall resident and the Executive Director of the North Texas Community Development Corporation.

UPDATE (April 21, 2021): At the last Comprehensive Plan Advisory Committee (CPAC) meeting on June 3, 2020, the CPAC discussed the proposed updates and asked staff to [1] review the requirements for SCS Ponds in the City (*i.e. stormwater carrying capacity goals*), [2] review the possibility of decommissioning the Squabble Creek and Buffalo Creek Wastewater Treatment Plants, and [3] looking into a plan for the SH-205 corridor. With regard to these items, staff has asked the Amy Williams, City Engineer/Director of Public Works to come speak to the CPAC to help address the CPAC's questions. Staff has also prepared updates concerning the changes approved by the City Council regarding Future Land Use designations and boundary changes that have been approved since the adoption the plan. Recently, two (2) members of the CPAC have resigned and the City Council has appointed Jim Turner -- a *Rockwall resident* -- to the Committee.

ACTION NEEDED AT THE APRIL 21, 2021: Staff is requesting the CPAC review the proposed changes to the Comprehensive Plan, outlined below and contained in the attached packet, and provide a recommendation to the Planning and Zoning Commission and City Council.

2019-2020 ACHIEVEMENTS CONCERNING IMPLEMENTATION STRATEGIES

Over the last year, staff has been able to achieve all of the 2019 implementation strategies and a number of the implementation strategies for subsequent years. Below is a list of all of staff's achievements for this review period:

2019: Completed Strategies

- (1) Action Plan. Create an online version of the plan that can be used to track staff's progress, update the community of any changes to the plan through the review process, and allow for continued community interaction.

Action: Planning and Zoning Department staff have created an online version of the Comprehensive Plan that shows staff's progress with regard to the implementation of the strategies identified in the plan. In addition, a full *PDF* version of the plan has been made available through the City's website.

Resources:

- (a) <https://sites.google.com/site/rockwallplanning/comprehensive-planning/ourhometown-vision-2040-comprehensive-plan>
- (b) <http://www.rockwall.com/pz/Planning/Documents/Comprehensive%20Plan.pdf>

- (2) Regulations. Review the City's residential and commercial screening requirements contained in the Unified Development Code to ensure conformance to the policies contained within this Comprehensive Plan.

Action: On September 3, 2019 the City Council approved *Ordinance No. 19-32*, which was drafted to address actions taken by the Legislature as part of the 86th Legislative Session. This ordinance contained information attempting to address changes made to

the City's ability to regulate buildings materials (*i.e.* HB2439) and changes made to the City's development process (*i.e.* HB3167). As part of this amendment, staff imposed changes to Article 08, *Landscape and Fencing Standards*, of the Unified Development Code that mirrored the changes indicated in the Comprehensive Plan regarding fencing and screening. Specifically, staff incorporated increased screening standards allowing the Planning and Zoning Commission the ability to increase landscape buffers, and require three (3) tiered screening with a wrought iron fences in lieu of a masonry wall. These changes addressed the goals and policies contained in Chapter 01, *Land Use and Growth Management*, and Chapter 09, *Non-Residential*, of the OURHometown Vision 2040 Comprehensive Plan.

Resources:

(a) [http://www.rockwall.com/pz/Planning/Documents/Unified%20Development%20Code%20\(UDC\).pdf](http://www.rockwall.com/pz/Planning/Documents/Unified%20Development%20Code%20(UDC).pdf) [Section 05; Article 08]

- (3) Policies & Actions. Incorporate a representative from the Police Department in the development review process to ensure that development is being planned in accordance with Crime Prevention through Environmental Design (CPTED) guidelines.

Action: Shortly after the adoption of the Comprehensive Plan, Captain Ed Fowler of the Rockwall Police Department started to attend pre-application meetings to convey CPTED guidelines to applicants looking to develop in the City of Rockwall. In addition, the Police Department has been added to the development review process, and has been making comments concerning CPTED and safety guidelines as a part of the review of development submittals. Staff has found that this free, new program has been welcomed by the development community, and Captain Fowler has met many willing developers on-site to evaluate their proposed developments with regard to CPTED guidelines. Per Captain Fowler, the biggest achievement of this new program has been the expanded knowledge conveyed to the development community concerning construction site safety and the prevention of construction site theft.

- (4) Capital & Finance. Review and revise the Water and Wastewater Master Plans and the Impact Fee Study every five (5) years to account for changes to the Future Land Use Map and population projections.

Action: On November 4, 2019, the City Council adopted updated impact fees for roadway, water, and wastewater facilities. In addition, the Water and Wastewater Master Plans were adopted by the City Council on December 2, 2019.

- (5) Capital & Finance. Incorporate an infrastructure section into staff's development case memorandums to account for potential impacts/needs for zoning changes that propose more intense land uses.

Action: After the adoption of the Comprehensive Plan, Planning and Zoning Department staff incorporated an infrastructure section into their zoning case memos. This section conveys to the City Council the anticipated infrastructure necessary to serve a proposed development. In addition, the City of Rockwall is now requiring an infrastructure study be performed on all properties tied to zoning requests that propose a zoning classification that is more intense than what is depicted on the Future Land Use Map contained in the Comprehensive Plan.

2021: Completed Strategies

- (1) Guidelines. Create a long-term plan for the IH-30 Corridor that provides recommendations and implementation strategies targeted at protecting, supporting and adapting land uses situated within the corridor. This plan can be incorporated in Appendix 'B', *Corridor Plans*, of this Comprehensive Plan during the annual update.

Action: On March 18, 2019, the City Council reviewed the IH-30 Commercial Corridor Planning Study and identified the elements of the Planning Framework and Implementation Strategies that needed to be incorporated into the Comprehensive Plan. Based on the City Council's findings staff has integrated these items into Appendix 'B', *Corridor Plans*, and revised the *IH-30 Corridor District's* District Strategies.

Resources:

(a) <http://www.rockwall.com/pz/Planning/Documents/IH-30%20Corridor%20Planning%20Study.pdf>

2023: Completed Strategies

- (1) Policies & Actions. Develop a model that can be used to analyze future zoning and land use decisions that are associated with new development. This model should create a rational link between the Future Land Use designation of a property and the resulting impact of a proposed development, and further assist elected and appointed officials in making informed decisions that will benefit the community.

Action: Planning and Zoning Department staff have created a model that estimates the potential costs or fiscal impacts of a proposed zoning change compared to the existing and anticipated costs associated with a property's current zoning. This model is currently

being utilized on all development submittals for zoning changes, and the output sheet from the model is being incorporated into the Planning and Zoning Commission's and City Council's development packets.

2024: Completed Strategies

- (1) Policies & Actions. Utilize Fiscal Impact Analysis (FIA) to create a fiscal impact model for the purpose of relating cost of service, assessed value and taxable value to potential changes in land uses for the purpose of assisting elected and appointed officials in making informed decisions that will benefit the community.

Action: As stated above, Planning and Zoning Department staff have created a model that estimates the potential costs or fiscal impacts of a proposed zoning change compared to the existing and anticipated costs associated with a property's current zoning. This model uses cost of service, assessed value and taxable value to forecast the potential changes of a zoning change.

2019/2020 PROPOSED CHANGES TO THE OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The following are the changes that are recommended by staff based on the changes in the City's development patterns and cases approved by the City Council over the last year.

Future Land Use Changes

- (1) Zoning Changes. Since the implementation of the OURHometown Vision 2040 Comprehensive Plan the City has had three (3) zoning changes that require changes to the Future Land Use Map. These changes are as follows:

- (A) Z2018-032. This zoning change involved the property at 1100 & 1300 E. Washington Street adjacent to the Park Place Subdivision. The zoning change involved changing the zoning from a Light Industrial (LI) District to a Planned Development District for commercial, light industrial, and townhome land uses (see the *Concept Plan below*). The property is located within the *Central District*, and the approved zoning change changed the Future Land Use Map from a *Commercial/Industrial* designation to a *High Density Residential, Commercial/Retail, and Technology/Employment Center* designation. This zoning change was adopted prior to the adoption of the Comprehensive Plan, but was not incorporated into the document because it was already in the process of being reviewed for approval.

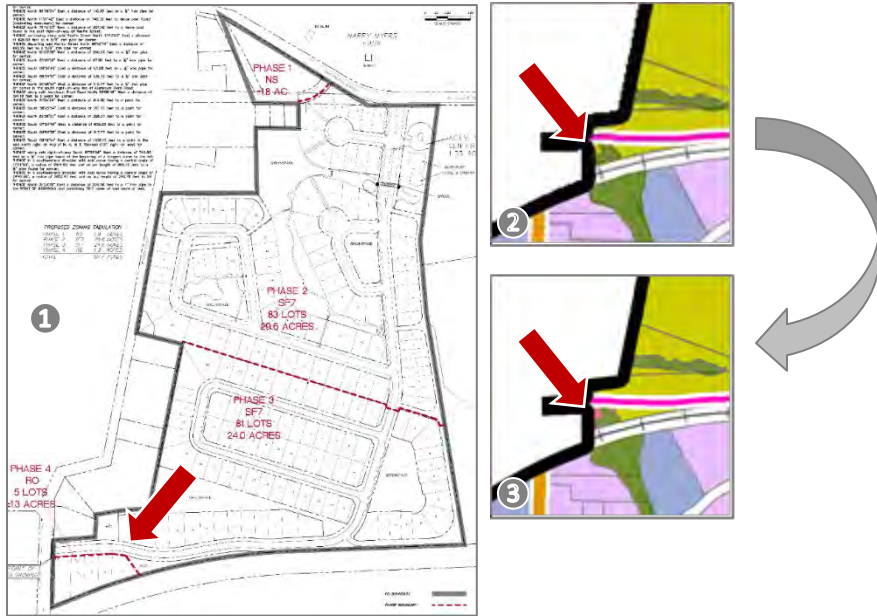
Figure 1: Zoning Exhibits for Z2018-032



1: Zoning Concept Plan; 2: Future Land Use Map prior to Z2018-032; 3: Future Land Use Map with changes adopted with Z2018-032.

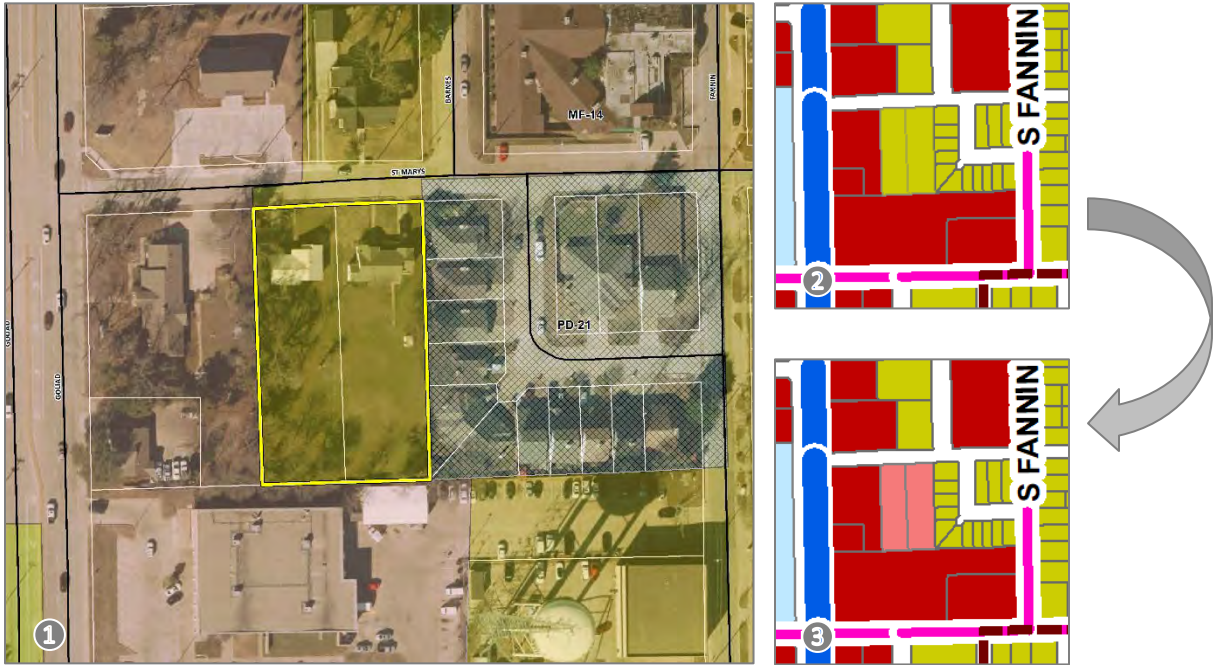
- (B) Z2018-057. This zoning change involved a portion of the Park Place Subdivision adjacent to Townsend Drive. The zoning change involved amending Planned Development District 59 (PD-59) to incorporate a 0.786-acre tract of land zoned Heavy Commercial (HC) District into the concept plan and re-designated it Residential-Office (RO) District -- which was allowed in Area 3 under the existing plan -- to only this area. Area 3 was then re-designated to Single-Family 7 (SF-7) District land uses (see the *Concept Plan below*). The property is located within the *Central District*, and the approved zoning change changed the Future Land Use Map from a *Medium Density Residential* designation to a *Live/Work* designation.

Figure 2: Zoning Exhibits for Z2018-057



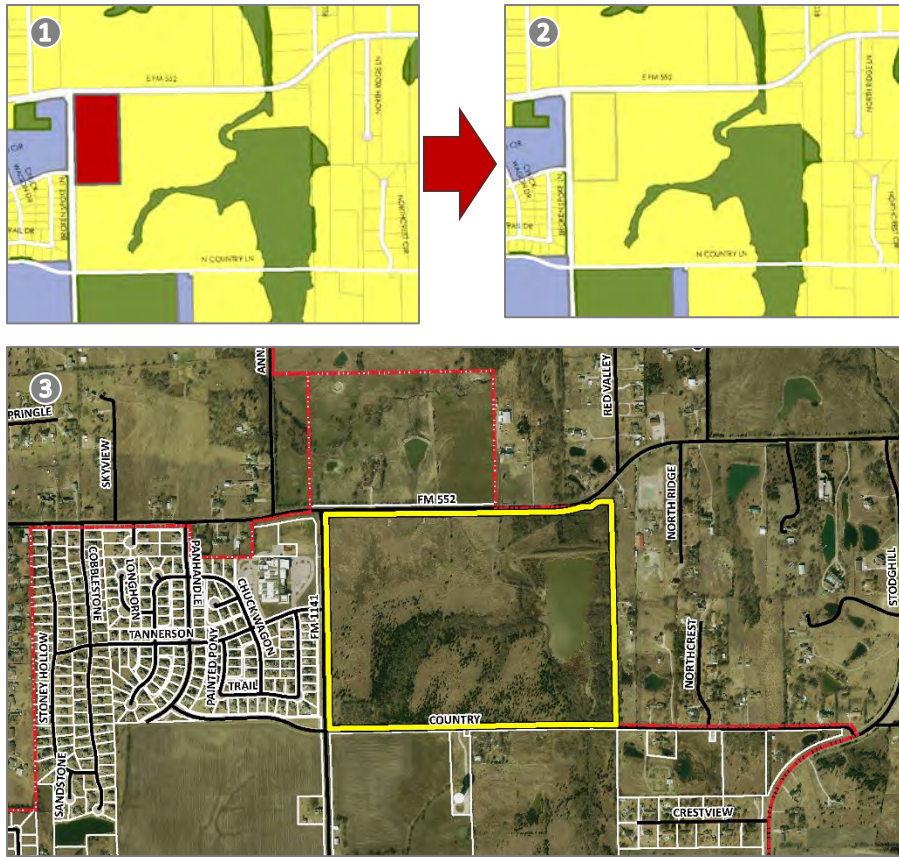
①: Zoning Concept Plan; ②: Future Land Use Map prior to Z2018-057; ③: Future Land Use Map with changes adopted with Z2018-057; RED ARROW: Area Affected by Z2018-057.

- (C) Z2018-006 & Z2018-007. This zoning change involved rezoning two (2) residential properties (i.e. 106 & 108 St. Mary's Street) from a Single Family 7 (SF-7) District to a Residential-Office (RO) District. These properties are located within the *Downtown*



①: Location Map with Zoning Prior to the Zoning Change; ②: Future Land Use Map prior to Z2018-006 & Z2018-007; ③: Future Land Use Map with changes adopted with Z2018-006 & Z2018-007.

- (D) Z2020-056. This zoning change involved rezoning a 121.16-acre tract of land from Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District to allow a 260-lot residential subdivision. The zoning change also necessitated a change to the Future Land Use Map, re-designating a 16.36-acre portion of the property from *Commercial Retail* to *Low Density Residential*.

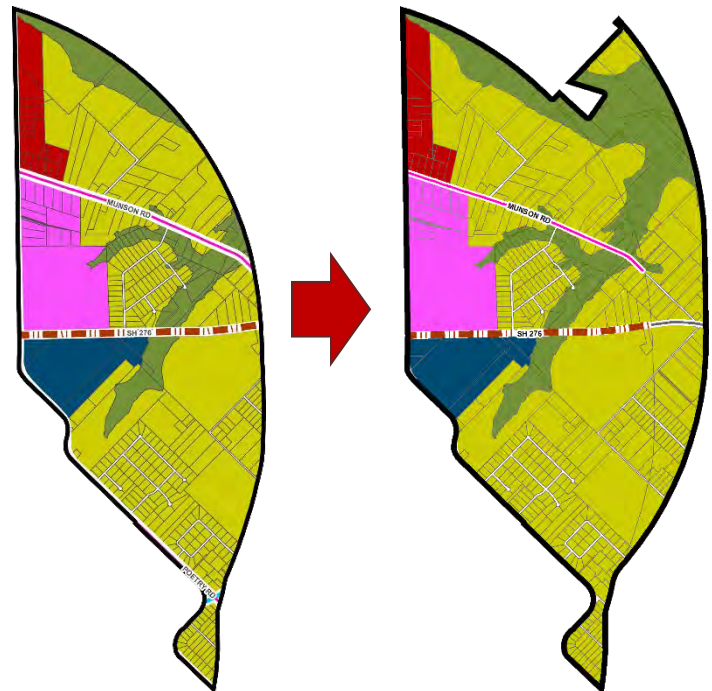
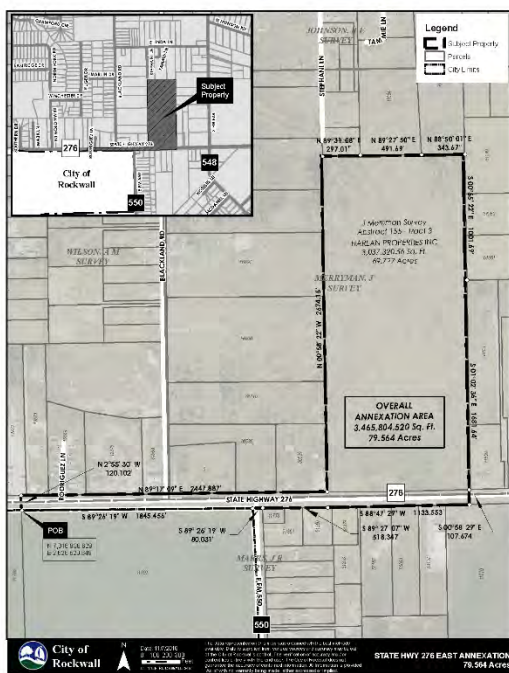


1: Future Land Use Map Prior to the Zoning Change; 2: Future Land Use Map after Z2020-056; 3: Location Map

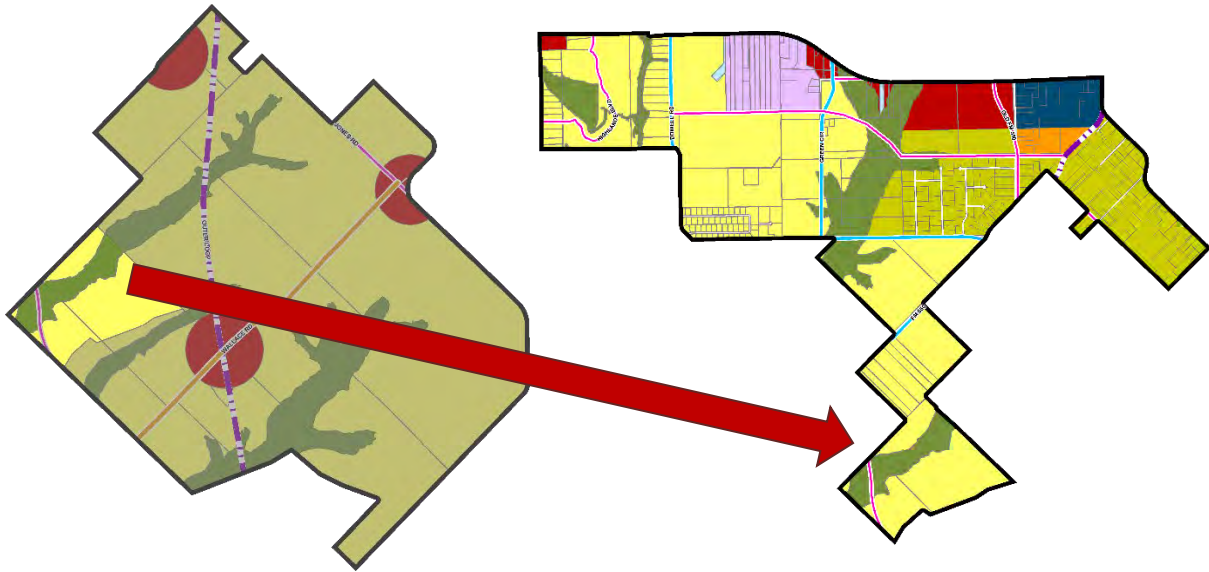
(2) Annexation Changes. Since the implementation of the OURHometown Vision 2040 Comprehensive Plan the City has had one (1) annexation that has affected changes to the Future Land Use Map. This change is as follows:

(A) A2018-005. This annexation case involved annexing a 79.564-acre tract of land on the north side of SH-276. The annexation of this property increased the City's Extraterritorial Jurisdiction (ETJ) to the east (see exhibit below).

Figure 3: Annexation Exhibits and Changes



- (3) Extraterritorial Jurisdiction (ETJ) Changes. Since the implementation of the OURHometown Vision 2040 Comprehensive Plan the City has had one (1) change to the Extraterritorial Jurisdiction (ETJ) that affects changes to the Future Land Use Map. This change involved removing 3,775.8-acres of the 4,088.09-acres that the City Council brought into the ETJ on July 10, 2017. This effectively removes the Southeast Estates District from the Future Land Use Plan. The remaining acreage of 312.29-acres was added to the South Central Estates District, and increased the acreage of this district from 2,825.49-acres to 3,137.78-acres. This change is depicted below:



Land Use District Strategy Changes

- (1) Overview Map. The overview map was updated to show the new corporate boundaries of the City and the resulting expanded Extraterritorial Jurisdiction (ETJ).
- (2) Central District. The *Central District* land use district was amended to reflect the zoning change referenced in Section (1)(A) of the Future Land Use section of this memorandum.
- (3) Downtown District. The *Downtown District* land use district was amended to reflect the zoning change referenced in Section (1)(B) of the Future Land Use section of this memorandum.
- (4) Harbor District. The *District Strategies* contained within the *Harbor District* were amended to incorporate a new strategy that addressed the incorporation of *Pocket Parks/Pedestrian Features and Trails*. This new strategy outlines the plan to incorporate various public and private pocket parks, greenspaces, trails, and pedestrian features that can create unique spaces within the district. The strategy also highlights how these spaces should create a logical transition to the Harbor Fountain and Park adjacent to the waterfront. Some of the examples that have recently been included in approved site plans and projects are: [1] the pedestrian mall adjacent to Summer Lee Drive included with the TRU Hilton Hotel project, [2] the play cubes and private park/greenspace that was included adjacent to Harbor Heights Drive, [3] the entry signage and public park incorporated with the Ridge Road Retail Center along Glen Hill Way at the entry to the Harbor adjacent to Ridge Road, and [4] the pedestrian mall leading down to the Harbor Fountain that was incorporated into the Harbor Village Condominiums adjacent to Lakefront Trail. Building off the entry signage off of Ridge Road that was established by the City Council as part of the Ridge Road Retail tree mitigation settlement agreement, staff has identified additional potential locations where entry signage could be incorporated into the Harbor District.
- (5) IH-30 Corridor District. The *IH-30 Corridor District* was taken out of *Reserve* and the recommendations from the *IH-30 Corridor Planning Study* were incorporated into this section. This consisted of adding *District Strategies* that included [1] Corridor Strategies, [2] Regional Center, [3] Open Space, and [4] John King Boulevard. Staff also incorporated a *Corridor Zones Map* that outlines the intent of each of the corridor zones and identifies the strategic properties recognized in the *IH-30 Corridor Planning Study*.
- (6) Innovation District. The inset map and land use acreages and percentages were updated to reflect the annexation referenced in Section (2)(A) of the Future Land Use section of this memorandum.

- (7) Land Use Plan Summary. The *Summary of Land Use Plan in Acres by District, Land Use Designation and Land Use* chart was updated with the new acreages for the *Innovation District* resulting from the annexation referenced in Section (2)(A) of the Future Land Use section of this memorandum. Based on this change, the percentages at the bottom of the chart were also updated.

Changes to the Chapters

- (1) Chapter 01, Land Use and Growth Management. The *Technology/Employment Centers (TEC)* and *Business Centers (BC)* Land Use Plan Designations were changed to remove the Research/Technology (RT) District from the *Zoning Districts* section. The purpose of this change is the Research/Technology (RT) District was removed as a zoning district from the Unified Development Code (UDC).

Master Thoroughfare Plan Changes

- (1) Principal Arterial, Three (3) Lane, Undivided Roadway (P3U). On the Master Thoroughfare Plan there is a designation for a P3U (*principal arterial, three [3] lane, undivided roadway*) that is located on the north/south and east/west couplets through the downtown; however, there was no corresponding street cross section for this roadway. To correct this staff has created a cross section that can be incorporated with the other street cross sections in Chapter 04, *Infrastructure*.

Appendix Changes

- (1) IH-30 Corridor Planning Study. The Planning Framework, Corridor Strategies, and Implementation Plan approved by the City Council has been integrated into Appendix 'B', *Corridor Plans*, of the Comprehensive Plan. These sections provide additional complementary information contained in the *IH-30 Corridor District* Land Use District pages in Chapter 01, *Land Use and Growth Management*.
- (2) Map Updates. The maps contained in Appendix 'C', *Maps*, of the Comprehensive Plan need to be updated to show the adopted changes to the City's Extraterritorial Jurisdiction (ETJ). In addition, the Future Land Use Map needs to be amended to show the changes detailed above in the *Future Land Use Changes* section of this case memo.

Implementation Schedule Changes

- (1) Regulations Implementation Schedule; IS#1. Due to the approval of SB2/HB347 in the 86TH Legislative Session, the City of Rockwall no longer has the ability to unilaterally annex property located within the City's Extraterritorial Jurisdiction (ETJ). This change alleviates the need for an annexation plan; however, staff and management are rethinking how this affects the City's strategies with regard to growth management. It is anticipated that this *Implementation Strategy* will be updated as part of the 2022 update.
- (2) Date Changes to the Implementation Plan Schedules. Attached to this memorandum is an updated *Implementation Schedule*. The changes are being proposed to allow staff more time to bring forward the proposed deliverables. The reasons for the delay are tied to the events that have transpired over the past 18-months and an increase in the number of development cases being processed by the Planning and Zoning Department.
 - (a) Regulations Implementation Schedule
 - (1) *IS#2; Review of Parking Standards*: From 2020 to 2022.
 - (2) *IS#8; Review of the Mandatory Parkland Dedication Ordinance*: From 2021 to 2022.
 - (3) *IS#17; Review of the Residential Adjacency Standards*: From 2020 to 2022.
 - (b) Guidelines Implementation Schedule
 - (1) *IS#8; Visual Preference Survey*: From 2020 to 2023.
 - (c) Capital & Financial Implementation Schedule
 - (1) *IS#7; Vacant Property Infrastructure Study*: From 2021 to 2023.

● COMMERCIAL/RETAIL (CR)

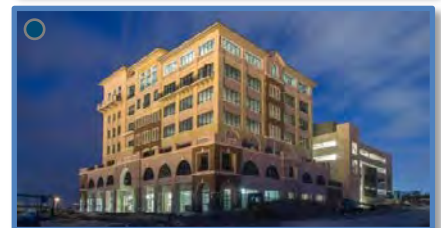
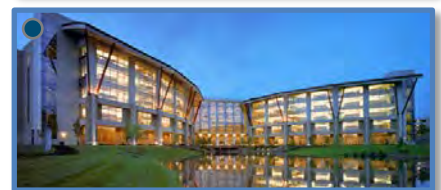
The *Commercial/Retail* land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and service adjacent residential subdivisions. Zoning in conformance with the Commercial/Retail land uses category can be incorporated into a Planned Development (PD) District as part of a larger mix-use master planned community, and may vary in size depending on the adjacent service area. In certain cases where commercial land uses are eminent, it may be appropriate to incorporate zoning in conformance to the Commercial land use category on all four (4) corners of an intersection; however, this is not necessary in all cases. These areas should be designed with the pedestrian in mind, and provide connections between the commercial land use and the adjacent residential subdivision.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Commercial Retail Buildings, Restaurants/Brew Pubs, Multi-Tenant Commercial Centers, Neighborhood Centers and Convenience Centers
- 2 Secondary Land Uses: Office/Financial Institutions, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Neighborhood Services (NS) District, General Retail (GR) District, Commercial (C) District and certain mixed-use Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 Shops at Stone Creek
- 2 Corner of the Intersection of N. Lakeshore Drive and N. Goliad Street [SH-205]
- 3 Walmart Neighborhood Market Shopping Center



● COMMERCIAL/INDUSTRIAL (CI)

The *Commercial/Industrial* land use category typically is characterized by smaller business and industrial land uses that are focused around assembly, manufacturing and fabrication. This designation may also accommodate land uses that require outside storage. These areas are also appropriate for small business and business incubator arrangements. Land uses under this designation should be heavily screened by landscaping and should be separated from other land uses using large buffers and roadways. These areas are not appropriate adjacent to residential land use designations and should be separated from these areas using transitional land uses.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Small Scale Manufacturing, Assembly, and Fabrication Businesses, Business Incubators, Contractors Shops, and Heavy Equipment/Truck Rental Businesses
- 2 Secondary Land Uses: Warehouse and Outside Storage
- 3 Zoning Districts: Heavy Commercial (HC) District and Heavy Industrial (HI) District

EXISTING LAND USE EXAMPLES

- 1 Areas Adjacent to National Drive
- 2 Areas Adjacent to Sids Road

● BUSINESS CENTERS (BC)

The Business Center land use designation is intended to provide areas with a variety of employment options. While focusing on employment land uses, these areas may also incorporate limited supporting land uses (*e.g. restaurants and commercial-retail*) that complement the primary land uses. These areas should be designed with public amenities and greenspaces, increased landscaping, and unique design features that will help create a sense of place.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Professional Offices, Corporate Offices, General Offices, Institutional Land Uses, Research and Design/Development Businesses, and Technology/Data Centers.
- 2 Secondary Land Uses: Supporting Restaurants and Commercial-Retail Land Uses, Hotels, Parks, Open Space and Civic Uses
- 3 Zoning Districts: Commercial (C) District, Light Industrial (LI) District, and Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 Trend Tower

● TECHNOLOGY/EMPLOYMENT CENTERS (TEC)

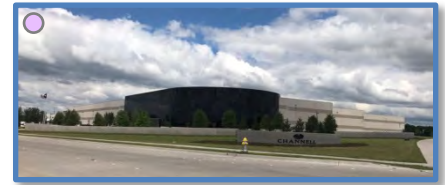
The *Technology/Employment Centers* land use category is characterized by employment-oriented businesses, which are generally situated in larger centers (e.g. *Rockwall Technology Park*) with access to key transportation networks. These uses should utilize large setbacks, campus style green spaces and large berms/buffers to shrink the scale of the buildings and provide park-like amenities that are complementary to the City's other land use districts. Generally, these areas should not be directly adjacent to Low or Medium Density Residential land use designations and should be buffered from low-density single-family subdivisions utilizing transitional land uses.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Clean Manufacturing Centers, Technology/Data Centers, Research and Design/Development Businesses, General Office Land Uses, Flexible Space (i.e. Office/Warehouse Combinations Land Uses), and Light Assembly Businesses
- 2 Secondary Land Uses: Parks, Open Space, Civic/Institutional and Certain Complementary Commercial Land Uses (e.g. Office/Showroom)
- 3 Zoning Districts: Light Industrial (LI) District and Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 Rockwall Technology Park
- 2 Channell Commercial Corporation



SPECIAL DISTRICTS ● ● ● ●

● LIVE/WORK (LW)

The *Live/Work* land use designation is characterized by the reuse of single-family properties as low-intensity office or retail land uses. These areas are considered to be transitional and require added flexibility for the purpose of maintaining a specific small town aesthetic along major roadways. These areas are used to buffer residential areas from major roadways or more intense commercial land uses. This designation also allows live/work arrangements where a single-family structure may continue to serve as residence, while also supporting a low-intensity office or retail store.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Professional Offices, Boutiques, Art/Music Studios, and Antique and Collectable Shops.
- 2 Secondary Land Uses: Banquet Facilities, Small Restaurants, Veterinarian Clinics for Small Animals, and Open Space
- 3 Zoning Districts: Residential-Office (RO) District and Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 N. Goliad Street Between East Fork Road and the Downtown
- 2 West Side of Ridge Road after the SH-205/Ridge Road Split
- 3 N. Goliad Street Across from the YMCA



● MIXED-USE (MU)

The *Mixed-Use* land use designation is characterized by mixed-use developments that typically offer a mix of housing types and residential densities with integrated retail, personal services and/or office. These areas can be both vertically and horizontally integrated with a mix of land uses, and are generally designed as walkable/pedestrian friendly developments. The residential component can include single-family homes, townhouses, condominiums, urban housing, lofts, or multi-family. Vertically integrated mixed-use developments typically incorporate structured parking at the center of the block, recreational and pedestrian amenities and have ground floor commercial/retail, office or personal services.

DESIGNATION CHARACTERISTICS

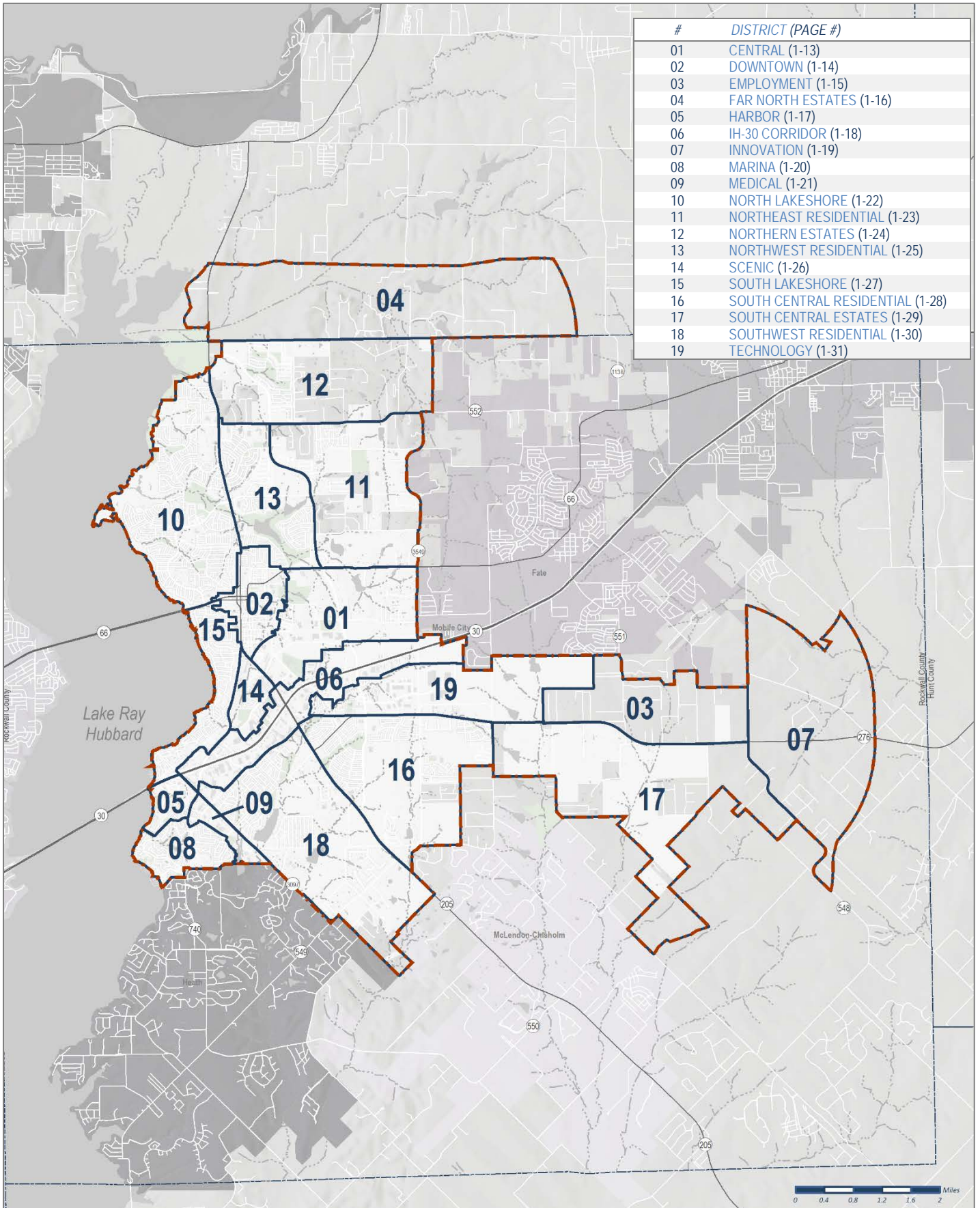
- 1 Primary Land Uses: Retail, Office, Restaurant and Residential Land Uses
- 2 Secondary Land Uses: Parks, Open Space, Trails, and Institutional/Civic Land Uses
- 3 Zoning Districts: Downtown (DT) District and Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 Rockwall Commons
- 2 Harbor District

● DOWNTOWN (DT)

00 OVERVIEW MAP



01 CENTRAL DISTRICT

DISTRICT STRATEGIES

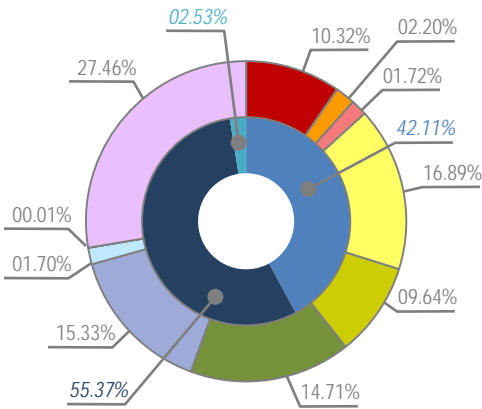
DISTRICT DESCRIPTION

The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.

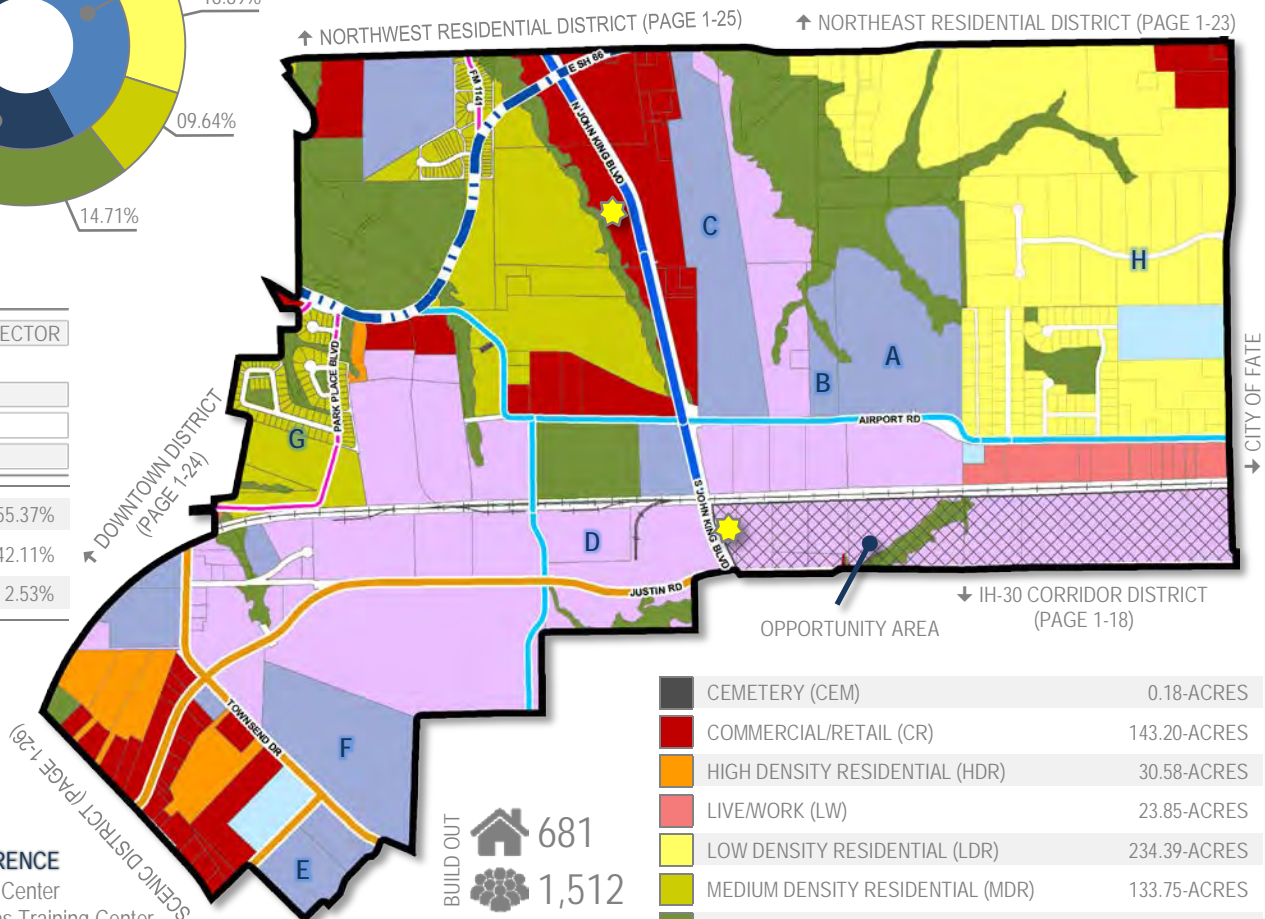
The *Central District* still has some key vacant and underutilized tracts of land that are anticipated to shape the area moving forward. Taking these areas into consideration the following are the strategies for this district:

 John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon

- 1 Live/Work.** The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
- 2 Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should *not* be smaller than existing *Suburban Residential* lots in this district, but should be comparable in size to newer developments (i.e. *Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (e.g. *larger lots or a large landscape buffer*) adjacent to the existing subdivision.
- 3 Commercial/Retail Centers.** The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (i.e. *are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (e.g. *berms, landscaping and large buffers*) to transition uses.
- 4 Industrial/Special Commercial Corridor Opportunity Area.** The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor*.
- 5 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



Color	Category	Percentage
Black	COMMERCIAL	55.37%
Blue	RESIDENTIAL	42.11%
Light Blue	MIXED USE	2.53%
Light Green	MINOR COLLECTOR	
Light Blue	M4U	
Light Green	M4D	
Light Blue	P6D	
Light Green	TXDOT 4D	



POINTS OF REFERENCE

- A. Animal Adoption Center
- B. Regional Firearms Training Center
- C. Ralph Hall Municipal Airport
- D. Leon Tuttle Athletic Complex
- E. Rockwall County Courthouse
- F. Utley Middle School
- G. Park Place Subdivision
- H. Rolling Meadows Subdivision

CURRENT

- House icon: 220
- Building icon: 71
- Flower icon: 488

BUILD OUT

- House icon: 681
- Flower icon: 1,512

% OF ROCKWALL

- House icon: 1.10%
- Building icon: 3.91%
- Flower icon: 0.82%

Black	CEMETERY (CEM)	0.18-ACRES
Red	COMMERCIAL/RETAIL (CR)	143.20-ACRES
Orange	HIGH DENSITY RESIDENTIAL (HDR)	30.58-ACRES
Light Red	LIVE/WORK (LW)	23.85-ACRES
Yellow	LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
Light Green	MEDIUM DENSITY RESIDENTIAL (MDR)	133.75-ACRES
Dark Green	PARKS AND OPEN SPACE (OS)	204.05-ACRES
Light Blue	PUBLIC (P)	212.77-ACRES
Light Green	QUASI-PUBLIC (QP)	23.65-ACRES
Light Blue	SPECIAL COMMERCIAL CORRIDOR (SC)	0.08-ACRES
Light Green	TECHNOLOGY/EMPLOYMENT CENTER (TEC)	381.07-ACRES

02 DOWNTOWN DISTRICT

DISTRICT DESCRIPTION

The *Downtown District* is the cultural heart of the community and embodies the small town atmosphere that is characteristic of the City of Rockwall. Being the original town area, this district is significantly developed and contains the City's oldest residential and commercial buildings. This district also includes the City's Old Town Rockwall (OTR) Historic District, which is composed of housing that dates back to the late 1800's. The *North Goliad Corridor* -- also identified by its zoning classification (i.e. PD-50) -- is a unique *Live/Work* corridor that supports a range of small boutiques (with a SUP) and offices, and represents a successful adaptive reuse effort by the City. In the future, the City will need to balance the attractiveness of redevelopment in the Downtown area with the small town atmosphere that makes Rockwall unique to its residents.

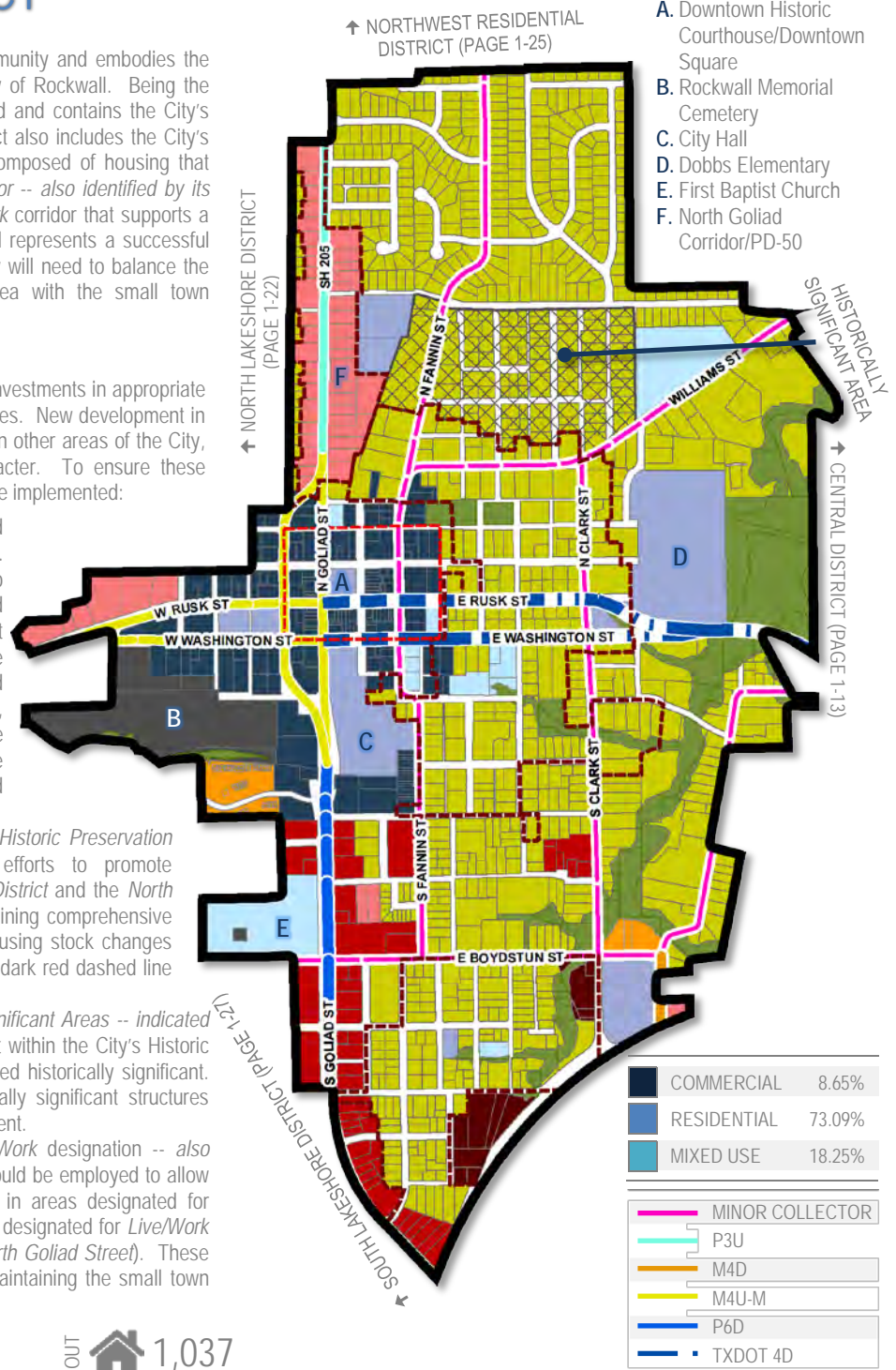
DISTRICT STRATEGIES

The *Downtown District* will continue to prosper through investments in appropriate infill development and adaptive reuse of existing structures. New development in this area should be held to a higher level of scrutiny than other areas of the City, to ensure that the district retains its small-town character. To ensure these objectives are achieved, the following strategies should be implemented:

- 1 Downtown Square.** The *Downtown Square* should be preserved as a historical mixed-use area. Adaptive reuse strategies should be employed to protect and preserve the historic architecture and significance in the district, and redevelopment should be discouraged. In cases where redevelopment is appropriate, architecture and design standards that take into account the form, function and time-period of the existing of the downtown square should be implemented. The downtown square is indicated by the red dashed line (---).
- 2 Historic District and North Goliad Corridor.** The *Historic Preservation Advisory Board (HPAB)* should continue its efforts to promote preservation and appropriate infill in the *Historic District* and the *North Goliad Corridor* (i.e. PD-50). This includes maintaining comprehensive and accurate records of how this area and its housing stock changes over time. The Historic District is indicated by the dark red dashed line on the district map (---).
- 3 Historically Significant Areas.** The *Historically Significant Areas* -- indicated in the crosshatched area --- are areas that are not within the City's Historic District, but contain housing stock that is considered historically significant. This area should look to preserve these historically significant structures while continuing to allow appropriate infill development.
- 4 Live/Work.** The flexibility provided by the *Live/Work* designation -- also allowed in the *Downtown (DT)* zoning district -- should be employed to allow for adaptive reuse of the existing housing stock in areas designated for *Downtown (DT)* District land uses and in the areas designated for *Live/Work* land uses (i.e. adjacent to *W. Rusk Street* and *North Goliad Street*). These districts are important to allowing change while maintaining the small town atmosphere of the Downtown area.

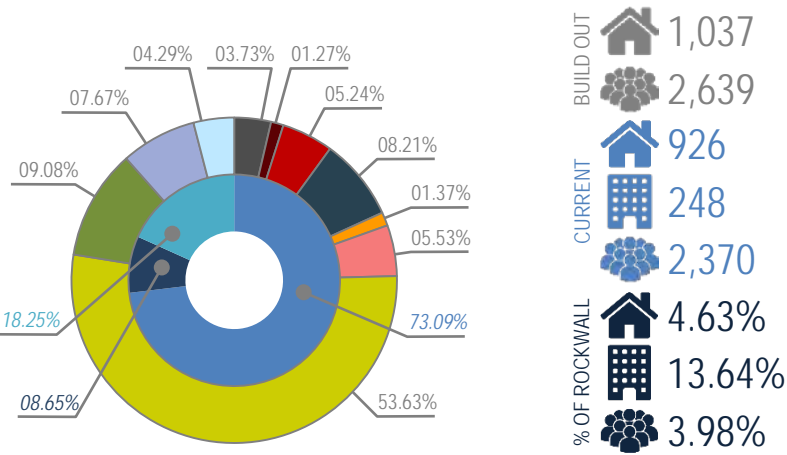
POINTS OF REFERENCE

- A. Downtown Historic Courthouse/Downtown Square
- B. Rockwall Memorial Cemetery
- C. City Hall
- D. Dobbs Elementary
- E. First Baptist Church
- F. North Goliad Corridor/PD-50



COMMERCIAL	8.65%
RESIDENTIAL	73.09%
MIXED USE	18.25%

MINOR COLLECTOR	
P3U	
M4D	
M4U-M	
P6D	
TXDOT 4D	



CEMETERY (CEM)	17.11-ACRES
COMMERCIAL/INDUSTRIAL (CI)	5.82-ACRES
COMMERCIAL/RETAIL (CR)	24.06-ACRES
DOWNTOWN (DT)	37.67-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	6.27-ACRES
LIVE/WORK (LW)	25.38-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	246.20-ACRES
PARKS AND OPEN SPACE (OS)	41.69-ACRES
PUBLIC (P)	35.21-ACRES
QUASI-PUBLIC (QP)	19.70-ACRES

05 HARBOR DISTRICT

DISTRICT DESCRIPTION

Being an entry portal into the City of Rockwall, the *Harbor District* is intended to provide a pedestrian oriented, mixed-use district that accommodates residential, non-residential, and public spaces. This district is characterized by the live, work and play environment that will be provided through professional offices, scenic condominiums, and an abundance of shopping, restaurants, entertainment, and recreational opportunities. The Harbor District is intended to act as a regional commercial center that offers a unique alternative to the small town, local shopping options provided in the City's *Downtown Square*.

POINTS OF REFERENCE

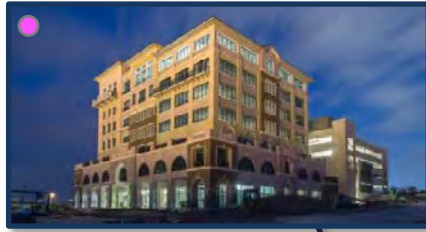
- A. Harbor Fountain
- B. Hilton Hotel & Resort
- C. Trend Tower
- D. Lago Vista Subdivision
- E. Signal Ridge Condominiums

LAND USE PALETTES

- Current Land Use
- Future Land Use

★ Entry Portals/Monumentation for the Harbor District

● Pocket Parks and Pedestrian Features



1 Trend Tower Office Building

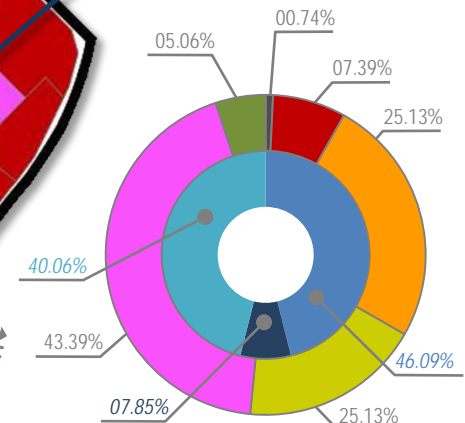
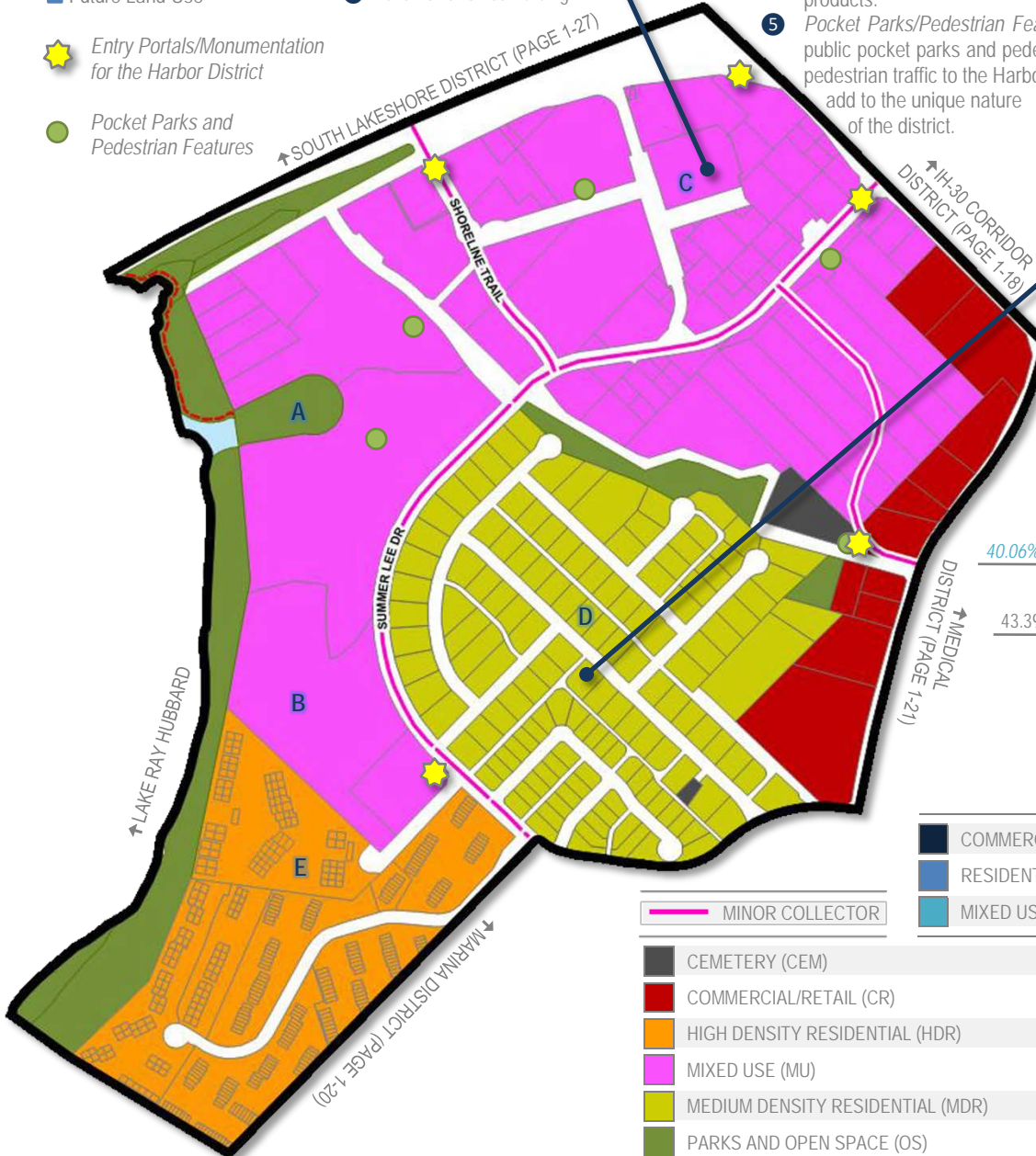
DISTRICT STRATEGIES

With the majority of the urban residential and townhome units being entitled and much of the vacant land planned in accordance with the regulating Planned Development District ordinance, the Harbor District's vision is starting to be realized. To continue to support the growth experienced over the last few years the following strategies should be implemented:

- 1 **Mixed Use.** The areas identified as mixed-use on the district map should generally be developed in accordance with the concept plan contained in Planned Development District 32 (PD-32), and be targeted at providing a pedestrian friendly, walkable, mixed-use district.
- 2 **Lake Access.** The City should continue to explore opportunities for public access to the waterfront for the creation of public parks, passive greenway spaces, and trails. This is specifically important in the areas indicated by the red dashed line (---).
- 3 **Neighborhood/Convenience Centers.** The commercial in this district is intended to provide a transition from the adjacent mixed-use district and should include small offices and uses intended to support the residential developments in the area. These areas should focus on connectivity and walkability.
- 4 **Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for medium density, suburban housing products.
- 5 **Pocket Parks/Pedestrian Features and Trails.** A series of private and public pocket parks and pedestrian features connected by trails leading pedestrian traffic to the Harbor Fountain/Park should be established to add to the unique nature of the district.



3 Current Suburban Residential



Land Use Category	Acres
CEMETERY (CEM)	1.43-ACRES
COMMERCIAL/RETAIL (CR)	14.25-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	48.42-ACRES
MIXED USE (MU)	83.60-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	35.22-ACRES
PARKS AND OPEN SPACE (OS)	9.75-ACRES

Category	Value
CURRENT (House icon)	1,292
CURRENT (Apartment icon)	119
CURRENT (Total icon)	3,915
% OF ROCKWALL (House icon)	6.46%
% OF ROCKWALL (Apartment icon)	6.55%
% OF ROCKWALL (Total icon)	6.58%
BUILD OUT (House icon)	1,921
BUILD OUT (Total icon)	5,821

06 IH-30 CORRIDOR DISTRICT

DISTRICT DESCRIPTION

The IH-30 Corridor is the primary retail corridor for the City of Rockwall. Currently the corridor is approximately 55% developed, with the remaining 45% being vacant or raw land. The Corridor acts as the western gateway for both the City and County of Rockwall, and has land uses that include retail, personal services, medical, and industrial. In the future the health of the IH-30 corridor is vital to maintaining a high per capita sales tax for the City of Rockwall.

POINTS OF REFERENCE

- A. Lake Point Church
- B. Rochell Elementary School
- C. Walmart
- D. Costco

LAND USE PALETTES

- Current Land Use
- Future Land Use
- ★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon
- ★ IH-30 Corridor Plan Eastern Entry Portals



2/3 Future Regional Center



2 Future Regional Center

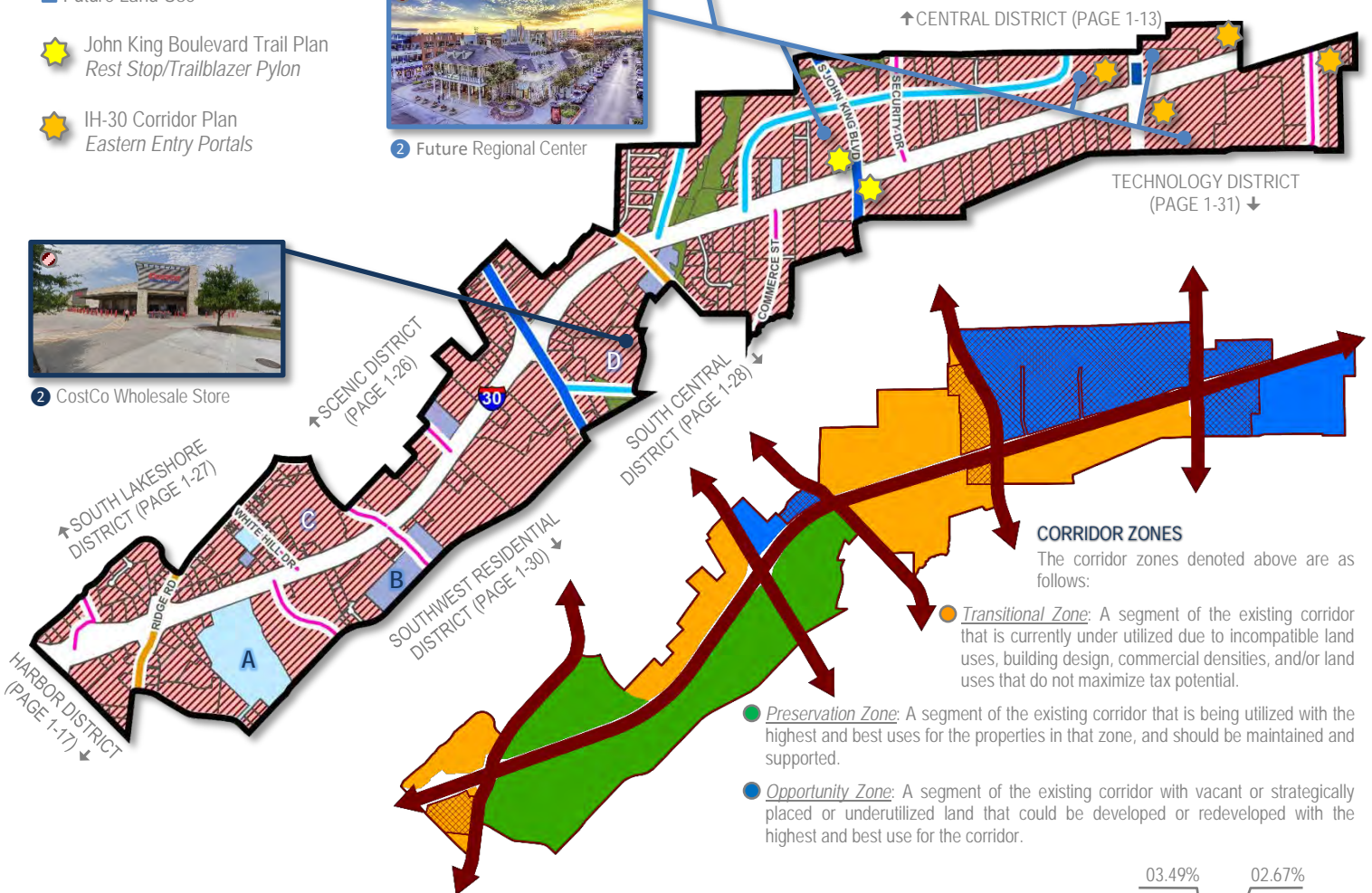


2 Costco Wholesale Store

DISTRICT STRATEGIES

The IH-30 Corridor District will continue to be the City's primary retail corridor in the future. Based on this the following strategies should be employed:

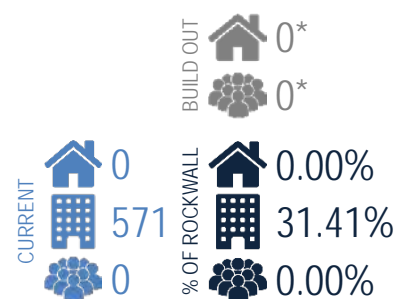
- 1 **Corridor Strategies.** The specific goals and policies contained in Section 02.01, *IH-30 Corridor Plan*, of Appendix 'B', *Corridor Plans*, of this Comprehensive Plan should be considered when reviewing new development within the IH-30 Corridor.
- 2 **Regional Center.** In accordance with the *IH-30 Corridor Plan*, a regional center should be located on each of the properties denoted in the red cross hatch (⊠) in the Corridor Zones map below. These regional centers should generally follow one (1) of the four (4) models identified in the *IH-30 Corridor Plan* (i.e. *Strip Retail Center, Mixed-Use Center, Town Center, or Regional Designation Center* models).
- 3 **Open Space.** Large commercial centers should incorporate green space or open space at the center of the development that can be used to provide amenity or break up large parking fields.
- 4 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



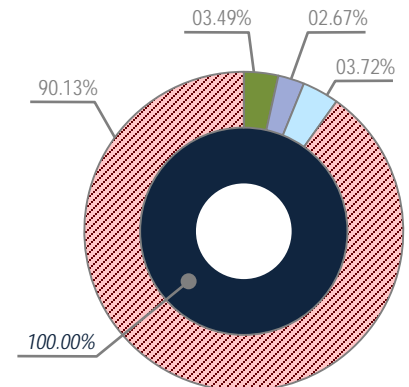
CORRIDOR ZONES

The corridor zones denoted above are as follows:

- **Transitional Zone:** A segment of the existing corridor that is currently under utilized due to incompatible land uses, building design, commercial densities, and/or land uses that do not maximize tax potential.
- **Preservation Zone:** A segment of the existing corridor that is being utilized with the highest and best uses for the properties in that zone, and should be maintained and supported.
- **Opportunity Zone:** A segment of the existing corridor with vacant or strategically placed or underutilized land that could be developed or redeveloped with the highest and best use for the corridor.



	MINOR COLLECTOR	
	M4U	
	M4D	
	P6D	
	TXDOT 4D	
	PARKS AND OPEN SPACE (OS)	37.03-ACRES
	PUBLIC (P)	28.31-ACRES
	QUASI-PUBLIC (QP)	39.49-ACRES
	SPECIAL COMMERCIAL CORRIDOR (SC)	957.15-ACRES



07 INNOVATION DISTRICT

DISTRICT DESCRIPTION

The *Innovation District* is located at the eastern most point of the City's Extraterritorial Jurisdiction (ETJ). This district currently has several existing medium density residential subdivisions, including Alexander Ranch, Wanda Ridge Estates, Bent Trail Estates and portions of the Chisholm Trail Subdivision. Currently, the district is bisected by SH-276, which acts as the districts primary east/west access. The *Innovation District* is intended to build on the possibilities of the future Outer Loop, which could dramatically reshape land use in this area. In addition, this district could provide the potential for a second major commercial/retail and office corridor that could complement the existing IH-30 corridor.

DISTRICT STRATEGIES

With the possibility of the future Outer Loop following the current alignment of FM-548, the *Innovation District's* land use pattern is anticipated to change at the intersection of FM-548 and SH-276. Taking this possibility into consideration the following strategies should be implemented in this district:

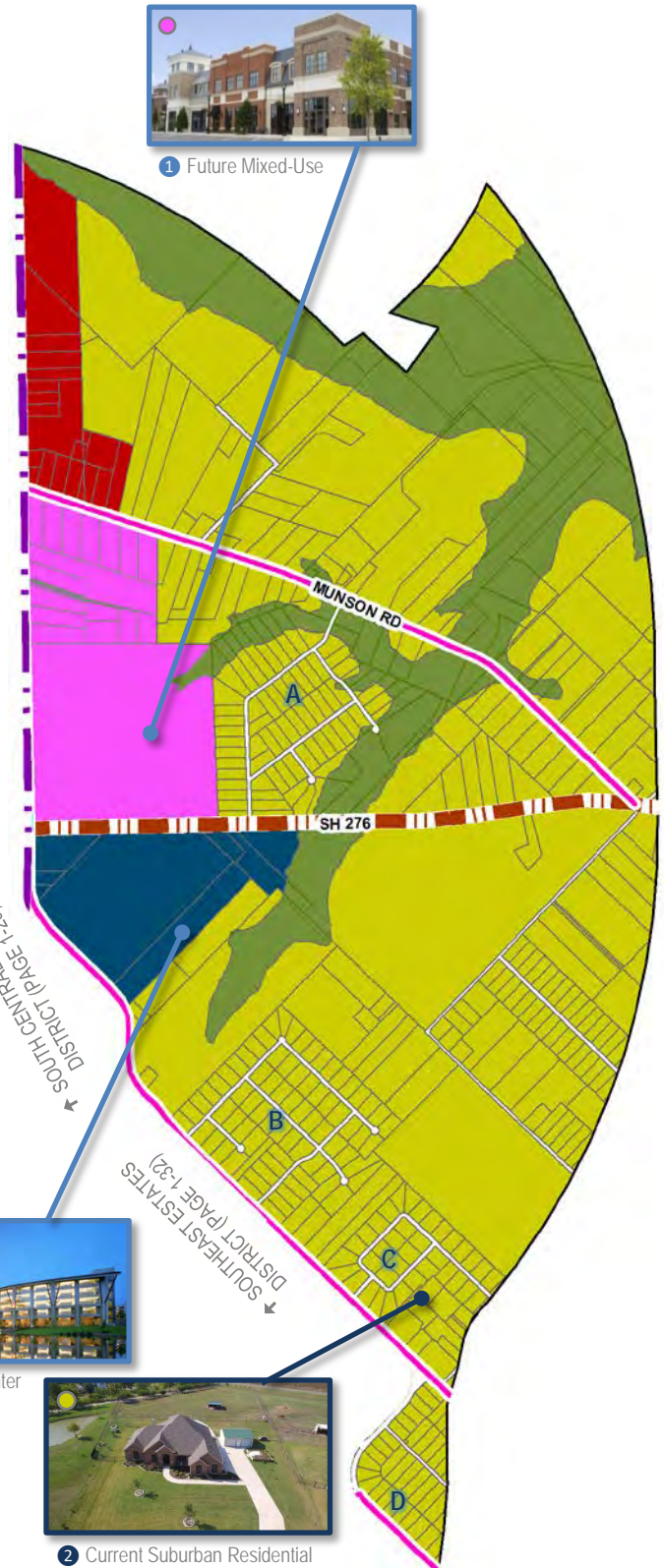
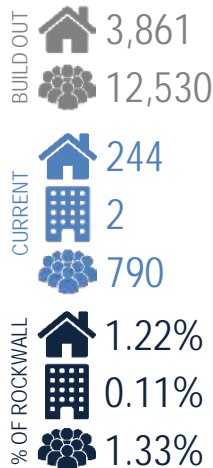
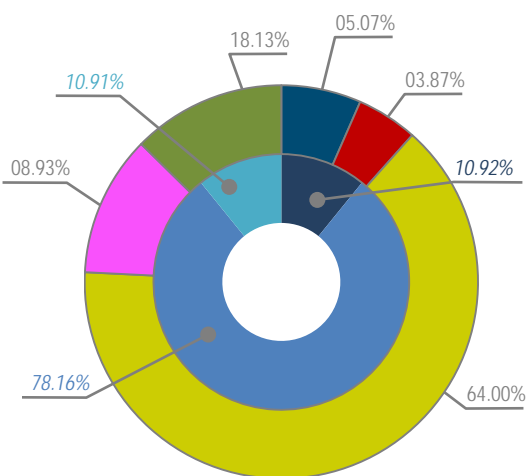
- 1 Opportunity Zone (Intersection of SH-276 & FM-548).** When constructed this intersection will be a major land use node in the district and have the potential to provide employment and professional campus land uses mixed with entertainment, restaurant and retail land uses. These uses that can create an "18-Hour" environment (i.e. an environment that provides the ability to live, work, shop, and dine) in the area.
- 2 Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community, any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in the district. In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (e.g. larger lots or a large landscape buffer) adjacent to the existing subdivision.
- 3 Commercial/Retail Centers.** Due to the anticipated alignment of the Outer Loop (current alignment of FM-548), the commercial/retail centers along FM-548 and SH-276 are ideal for larger scale retail businesses and restaurants that could support office or residential development in the area. These areas could also provide neighborhood service uses intended or smaller commercial uses that can support adjacent residential land uses. All commercial developments should incorporate appropriate screening (e.g. berms, landscaping, and large buffers) to transition uses.
- 4 Business Center.** The areas designated as *Business Center* are intended to provide space for larger office facilities and combination manufacturing/warehouse and office facilities (e.g. corporate headquarters). This area is also suitable for mixed office/commercial land uses.

POINTS OF REFERENCE

- A. Alexander Ranch Subdivision
- B. Wanda Ridge Estates Subdivision
- C. Bent Trail Estates Subdivision
- D. Chisholm Trail Subdivision

LAND USE PALETTES

- Current Land Use
- Future Land Use



Land Use Type	Percentage
COMMERCIAL	10.92%
RESIDENTIAL	78.16%
MIXED USE	10.91%

Land Use Type	Acres
BUSINESS CENTER (BC)	140.62-ACRES
COMMERCIAL/RETAIL (CR)	107.49-ACRES
MIXED USE (MU)	247.86-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	1,775.24-ACRES
PARKS AND OPEN SPACE (OS)	502.86-ACRES

11 NORTHEAST RESIDENTIAL DISTRICT

↑ NORTHERN ESTATES DISTRICT (PAGE 1-24)

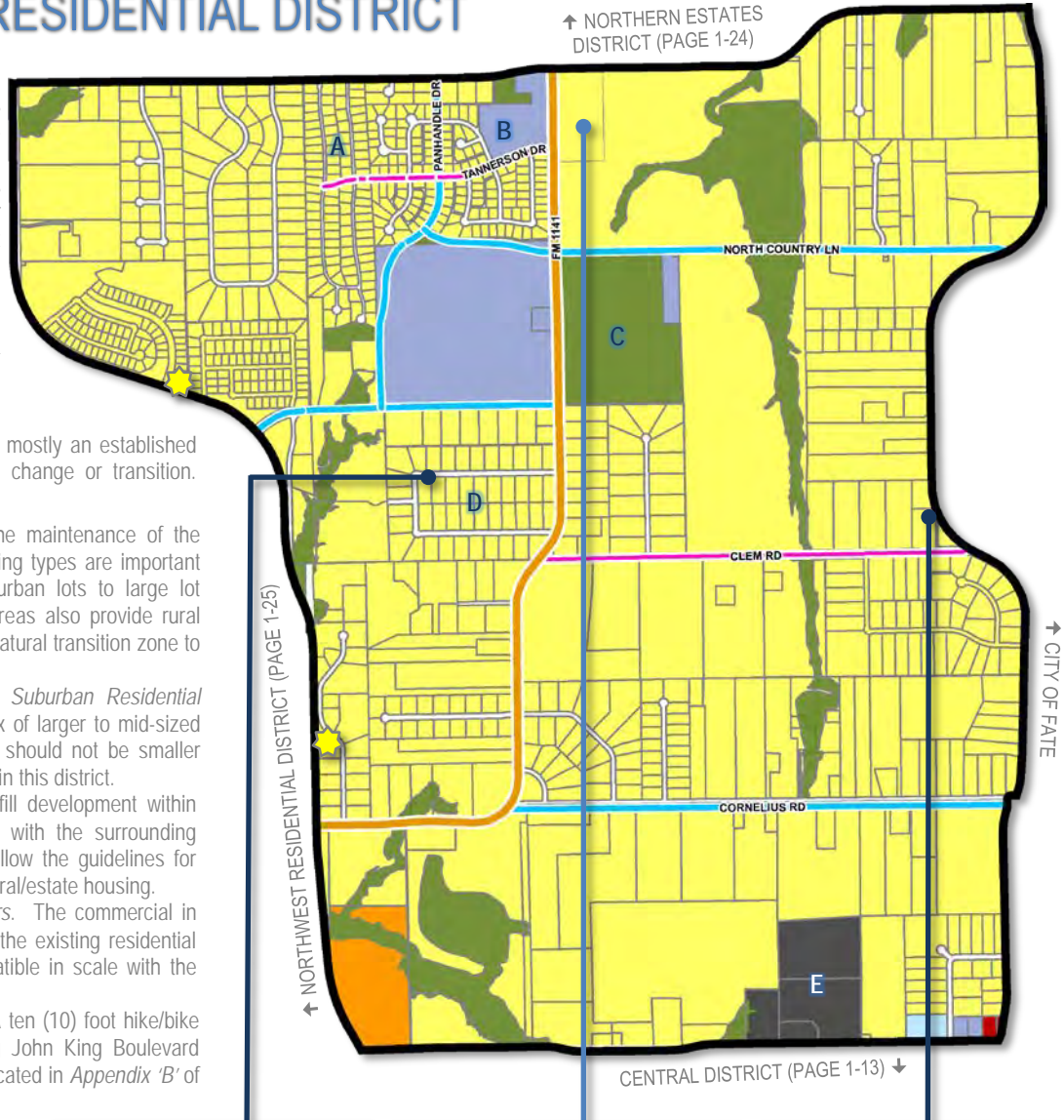
DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- 1 **Estate and Rural Residential.** The maintenance of the *Estate and Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- 2 **Suburban Residential.** Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
- 3 **Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- 4 **Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 5 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home



2 Current Suburban Residential



2 Future Suburban Residential



1 Current Rural Residential

LAND USE PALETTES

- Current Land Use
- Future Land Use

★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

BUILD OUT 1,964

5,794

% OF ROCKWALL 3.13%

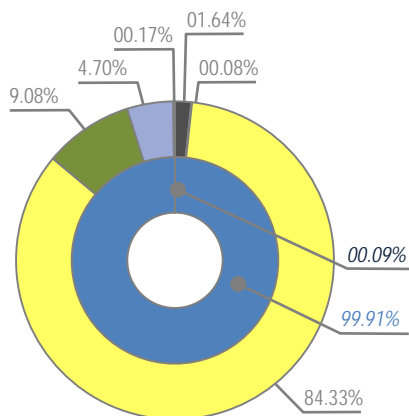
0.99%

3.10%

CURRENT 625

18

1,844



■ MINOR COLLECTOR	0.00%
■ M4U	0.00%
■ M4D	0.00%
■ COMMERCIAL	0.09%
■ RESIDENTIAL	99.91%
■ MIXED USE	0.00%
■ CEMETERY (CEM)	32.34-ACRES
■ COMMERCIAL/RETAIL (CR)	1.52-ACRES
■ LOW DENSITY RESIDENTIAL (LDR)	1,658.33-ACRES
■ PARKS AND OPEN SPACE (OS)	178.54-ACRES
■ PUBLIC (P)	92.45-ACRES
■ QUASI-PUBLIC (QP)	3.25-ACRES

17 SOUTH CENTRAL ESTATES DISTRICT

DISTRICT DESCRIPTION

The *South Central Estates District* has the potential to have a mixture of land uses, but is currently relatively undeveloped. The district does have a low density (i.e. *Equestrian Meadows*) and a medium density (i.e. *West View*) subdivision situated within the southern portions of the district. Along SH-276, there are currently some transitional commercial land uses and residential homes situated on long narrow lots. This district is projected to transition to more intense commercial land uses along SH-276, but still maintain estate and rural residential land uses south of SH-276. Much of the areas along SH-276 will depend on the viability and alignment of the future Outer Loop.

POINTS OF REFERENCE

- A. Equestrian Meadows Subdivision
- B. Westhaven Subdivision

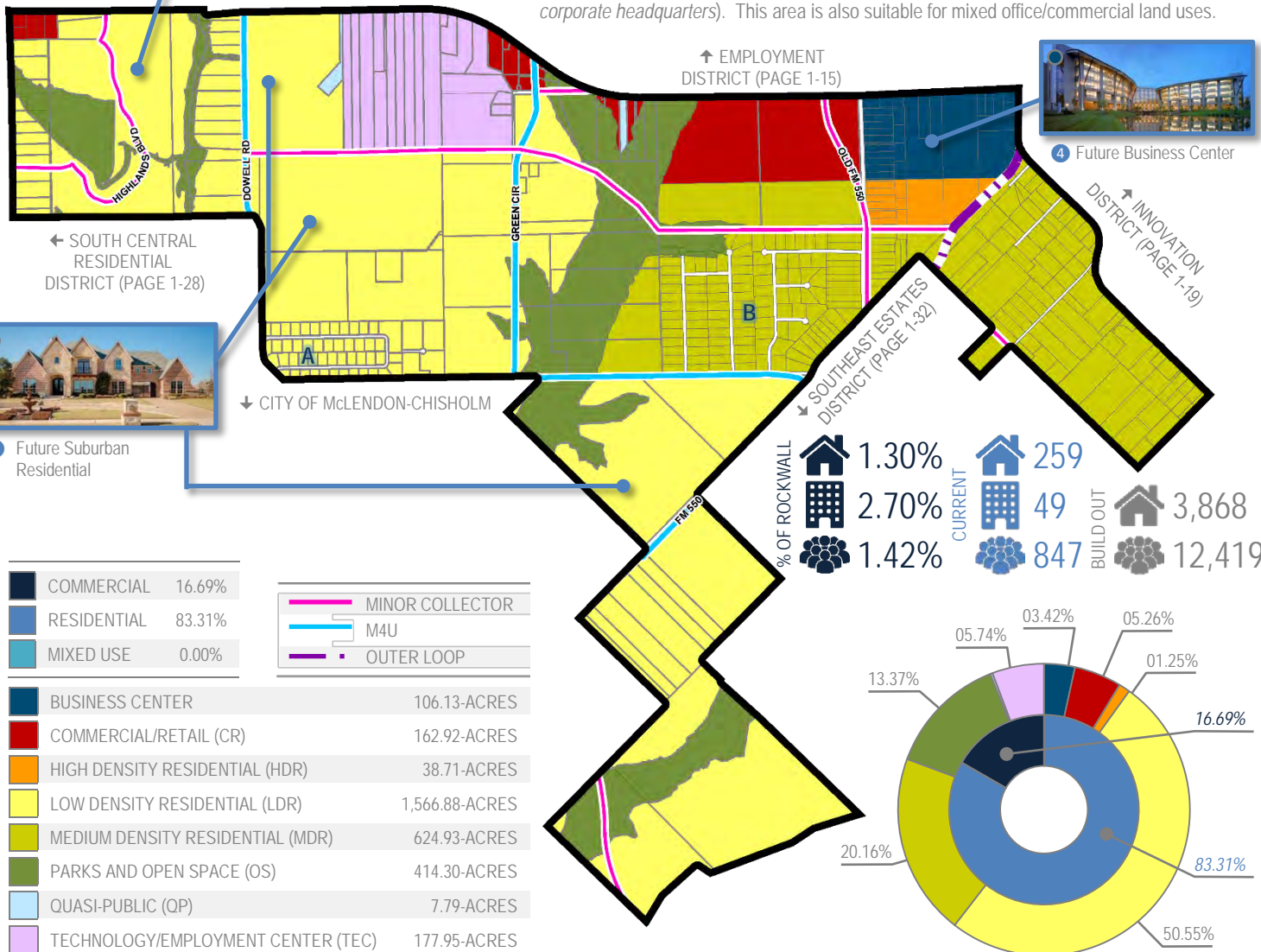
LAND USE PALETTES

- Current Land Use
- Future Land Use



2 Future Suburban Residential

↑ TECHNOLOGY DISTRICT (PAGE 1-31)



4 Future Business Center

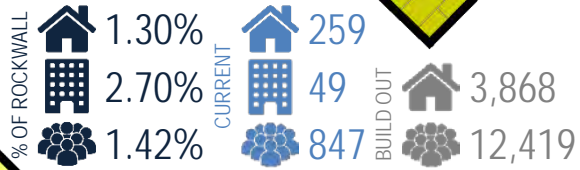


2 Future Suburban Residential

← SOUTH CENTRAL RESIDENTIAL DISTRICT (PAGE 1-28)

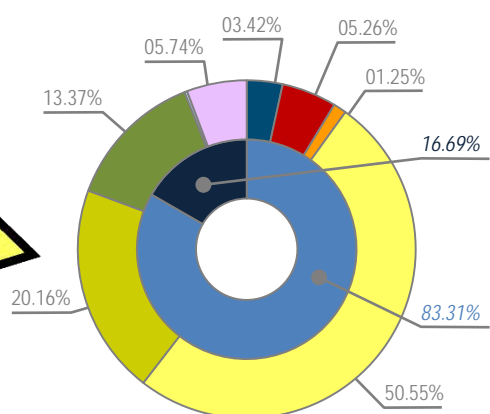
↑ EMPLOYMENT DISTRICT (PAGE 1-15)

↑ INNOVATION DISTRICT (PAGE 1-19)



■ COMMERCIAL	16.69%	— MINOR COLLECTOR
■ RESIDENTIAL	83.31%	— M4U
■ MIXED USE	0.00%	— OUTER LOOP

■ BUSINESS CENTER	106.13-ACRES
■ COMMERCIAL/RETAIL (CR)	162.92-ACRES
■ HIGH DENSITY RESIDENTIAL (HDR)	38.71-ACRES
■ LOW DENSITY RESIDENTIAL (LDR)	1,566.88-ACRES
■ MEDIUM DENSITY RESIDENTIAL (MDR)	624.93-ACRES
■ PARKS AND OPEN SPACE (OS)	414.30-ACRES
■ QUASI-PUBLIC (QP)	7.79-ACRES
■ TECHNOLOGY/EMPLOYMENT CENTER (TEC)	177.95-ACRES



DISTRICT STRATEGIES

Taking into account that the *South Central Estates District* has a large amount of mostly vacant or raw land with limited access to infrastructure (i.e. *water and wastewater facilities*), the following are the recommended strategies for this district:

- 1 **Opportunity Zone** (*Intersection of SH-276 & FM-548*). When constructed this intersection will be a major land use node in the district and have the potential to provide employment and professional campus land uses mixed with entertainment, restaurant and retail land uses that can create an "18-Hour" environment (i.e. *an environment that provides the ability to live, work, shop and dine*).
- 2 **Suburban Residential**. The district has several large tracts of land that can support highly amenitized master planned communities. Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (e.g. *larger lots or a large landscape buffer*) adjacent to the existing subdivision. Due to the availability of infrastructure residential in this area may also be suitable for 1½-acre lots with septic systems.
- 3 **Commercial/Retail Centers**. Due to the anticipated alignment of the Outer Loop (i.e. *current alignment of FM-548*), the commercial/retail centers along SH-276 are ideal for larger scale retail businesses and restaurants that could support any office or residential development in the area. These areas could also provide neighborhood service uses intended to allow smaller commercial uses that can support adjacent residential land uses. All commercial developments should incorporate appropriate screening (e.g. *berms, landscaping and large buffers*) to transition uses.
- 4 **Business Center**. The areas designated as *Business Center* are intended to provide space for larger office facilities and combination manufacturing/warehouse and office facilities (e.g. *corporate headquarters*). This area is also suitable for mixed office/commercial land uses.

20 SUMMARY LAND USE PLAN

SUMMARY OF LAND USE PLAN IN ACRES BY DISTRICT, LAND USE DESIGNATION AND LAND USE

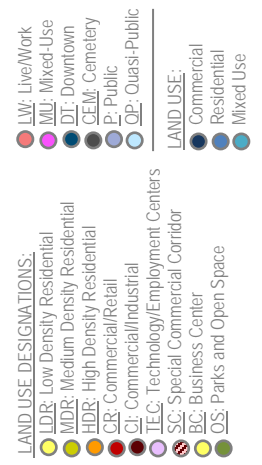
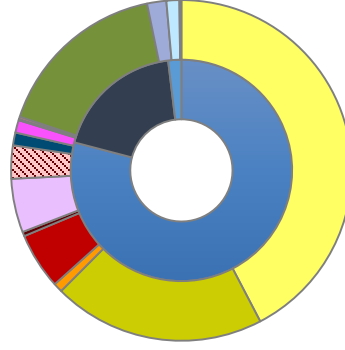
The following is a summary of the total acreage by Land Use District for each Land Use Designation and the corresponding land use breakdown at the time of the adoption of the Comprehensive Plan:

#	DISTRICT (PAGE #)	RESIDENTIAL: 77.17%				COMMERCIAL: 20.63%				MIXED USE: 2.20%				CEM	
		LDR	MDR	HDR	CR	CI	TEC	SC	BC	MU	DT	LW	OS		P
1	CENTRAL (1-13)	234.39	133.75	30.58	143.20		381.07	0.08				204.05	212.77	23.65	0.18
2	DOWNTOWN (1-14)		246.20	6.27	24.06	5.82				37.67	23.85	41.69	35.21	19.70	17.11
3	EMPLOYMENT (1-15)	0.03	355.53		67.72		640.37		86.38			106.27	14.31	39.12	
4	FAR NORTH ESTATES (1-16)	2,265.23	131.27	48.50								981.02			
5	HARBOR (1-17)		35.22	48.42	14.25					83.60		9.97			1.43
6	IH-30 CORRIDOR (1-18)							957.15				37.03	28.31	39.49	
7	INNOVATION (1-19)		1,775.24		107.49				140.62		502.86				
8	MARINA (1-20)		317.63	14.04	2.80						100.71			5.18	0.03
9	MEDICAL (1-21)		1,237.77		65.95				36.01					26.14	
10	NORTH LAKESHORE (1-22)		0.04		56.94									5.58	3.76
11	NORTHEAST RESIDENTIAL (1-23)	1,658.33			1.52						12.29	178.54	40.53	3.25	32.34
12	NORTHERN ESTATES (1-24)	1,643.65		68.87								341.15	92.45	7.33	
13	NORTHWEST RESIDENTIAL (1-25)		581.43	60.20	20.89							315.22	38.11	9.66	
14	SCENIC (1-26)		28.04	54.77	34.92					33.21		2.63	52.63	14.31	
15	SOUTH LAKESHORE (1-27)		381.87		144.84							123.68	2.93	0.75	
16	SOUTH CENTRAL RESIDENTIAL (1-28)	1,102.26	200.85									283.44	40.36	161.33	0.99
17	SOUTH CENTRAL ESTATES (1-29)	1,566.88	624.93	38.71	162.92	7.79			106.13			414.30	7.79		
18	SOUTHWEST RESIDENTIAL (1-30)	566.88	481.39		277.44	120.50						570.30	8.67		
19	TECHNOLOGY (1-31)	425.14	27.22	74.61	78.42	530.85	6.76					1.95	0.61		
		9,462.79	6,558.38	267.40	1,380.93	126.32	1,560.08	963.99	369.14	364.67	67.81	4,828.84	557.90	374.74	56.59
		35.08%	24.31%	0.99%	5.12%	0.47%	5.78%	3.57%	1.37%	1.35%	0.25%	17.90%	2.07%	1.39%	0.21%

SUMMARY OF HOUSING, BUSINESSES AND POPULATION BY DISTRICT

The following is a summary of the number of housing units, businesses and total population broken out by the Land Use Plan District at the time of the adoption of the Comprehensive Plan and at the projected build out for the City:

#	DISTRICT (PAGE #)	CURRENT			BUILD OUT		
		Houses	%	Population	Houses	%	Population
01	CENTRAL (1-13)	220	1.10%	488	681	1.61%	1,512
02	DOWNTOWN (1-14)	926	4.63%	2,370	1,037	2.44%	2,639
03	EMPLOYMENT (1-15)	202	1.01%	644	987	2.33%	3,149
04	FAR NORTH ESTATES (1-16)	256	1.28%	791	4,269	10.06%	13,191
05	HARBOR (1-17)	1,292	6.46%	3,915	1,921	4.53%	5,821
06	IH-30 CORRIDOR (1-18)	0	0.00%	0	0	0.00%	0
07	INNOVATION (1-19)	244	1.22%	790	3,861	9.10%	12,530
08	MARINA (1-20)	1,536	7.68%	3,923	1,624	3.83%	4,146
09	MEDICAL (1-21)	0	0.00%	0	0	0.00%	0
10	NORTH LAKESHORE (1-22)	4,052	20.26%	12,206	4,358	10.27%	13,135
11	NORTHEAST RESIDENTIAL (1-23)	625	3.13%	1,844	1,964	4.63%	5,794
12	NORTHERN ESTATES (1-24)	904	4.52%	2,671	2,395	5.65%	7,114
13	NORTHWEST RESIDENTIAL (1-25)	1,782	8.91%	5,328	2,347	5.53%	7,018
14	SCENIC (1-26)	1,040	5.20%	2,309	1,092	2.57%	2,424
15	SOUTH LAKESHORE (1-27)	1,618	8.09%	5,501	1,638	3.86%	5,569
16	SOUTH CENTRAL RESIDENTIAL (1-28)	2,153	10.77%	6,911	3,757	8.86%	12,060
17	SOUTH CENTRAL ESTATES (1-29)	259	1.30%	847	3,868	9.12%	12,419
18	SOUTHWEST RESIDENTIAL (1-30)	2,190	10.95%	7,437	4,251	10.02%	14,108
19	TECHNOLOGY (1-31)	701	3.51%	1,556	2,376	5.60%	6,414
		20,000	100.00%	59,531	42,426	100.00%	129,043



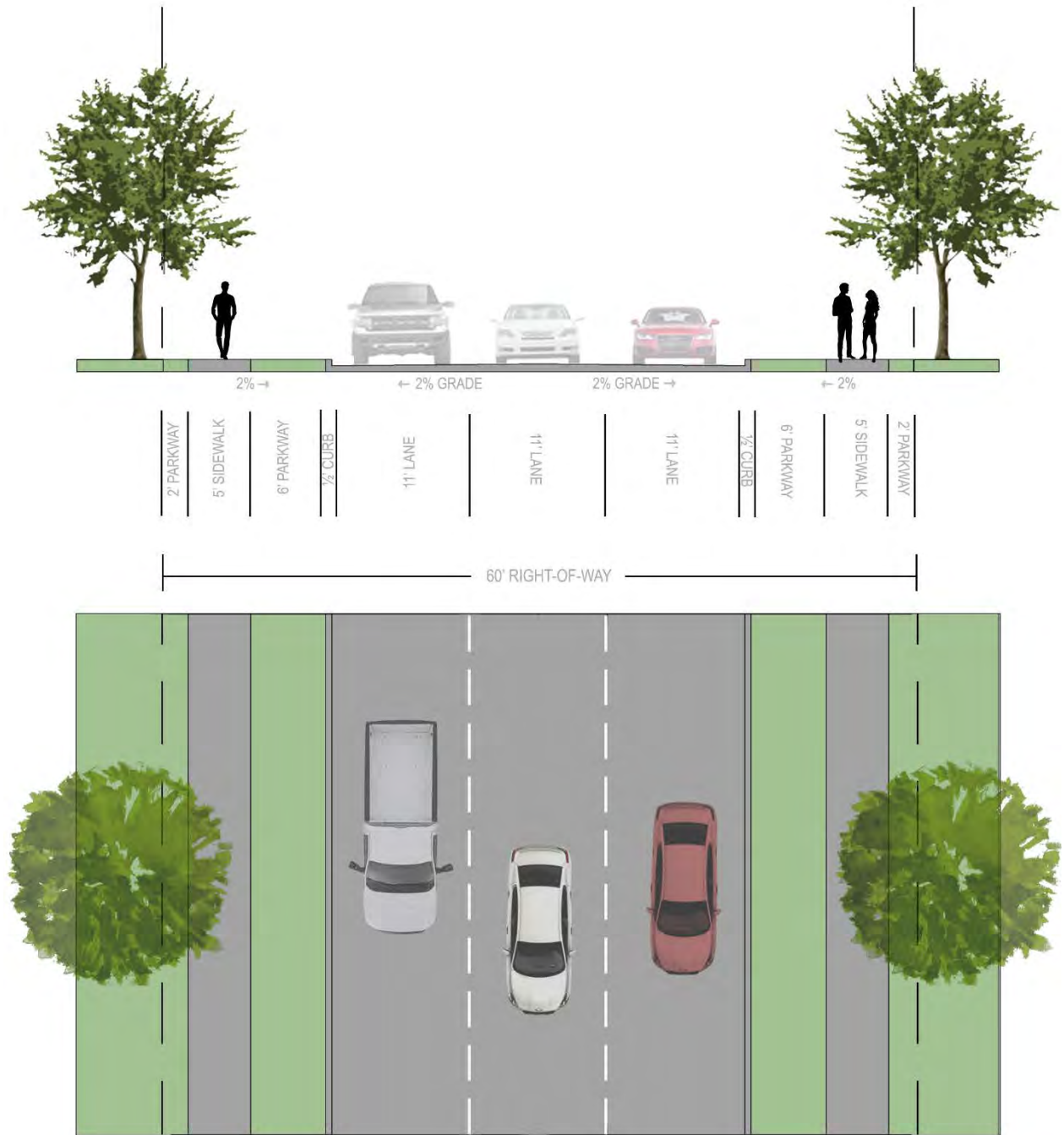
05 STREET CROSS SECTIONS

05 PRINCIPLE ARTERIALS

ROAD TYPE: PRINCIPAL ARTERIAL, THREE (3) LANE, UNDIVIDED ROADWAY

ABBREVIATION: P3U

DESIGN STANDARDS: [1] 60' ROW, [2] NO ON-STREET PARKING, & [3] 45 MPH DESIGN SPEED



04 IMPLEMENTATION PLAN

01 ACTION PLAN

		IMPLEMENTATION TIME PERIOD									
		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
ACTION PLAN	AS # <i>Action Plan Strategy</i>										
	1 <i>Annual Review Process.</i> The <i>Annual Review Process</i> is a review of the previous year's actions and their corresponding effect on the Comprehensive Plan. Through this review City staff, the Comprehensive Plan Advisory Committee (CPAC) and the City Council can make minor changes to the plan to ensure that it continues to be an effective tool for decision-making and accurate representation of the City's vision.	✓	✓								
	2 <i>5 Year Review Process.</i> The <i>5-Year Review Process</i> is a more in-depth review of the goals, policies and implementation strategies contained in the plan. Through this review the City staff, the Comprehensive Plan Advisory Committee (CPAC) and the City Council have the ability adjust or add goals, policies and implementation strategies.										
	3 <i>10 Year Review Process.</i> The <i>10-Year Review Process</i> is intended to allow the Comprehensive Plan Advisory Committee (CPAC) and the City Council set new goals, policies and implementation strategies, and make any changes to the vision necessary to meet that vision over the next ten (10) years.										
	4 Review all development applications for consistency with this Comprehensive Plan.										
	5 Ensure that all proposed Capital Improvement Projects are consistent with the recommendations of the plan.										
	6 In an effort to make the plan available to all Rockwall citizens, staff should ensure that the plan is available in paper copies at City Hall and various electronic formats through the City's website.	✓									
	7 Create an online version of the plan that can be used to track staff's progress, update the community of any changes to the plan through the review process, and allow for continued community interaction.	✓									
8 Revise and update the <i>Existing Conditions Report</i> on a five (5) year basis.											

KEY: ONGOING ACTION REQUIRED: [Blue Box] | REVIEW PERIOD: [Orange Box] | IMPLEMENTATION YEAR: [Dark Blue Box] | EVALUATION OF ONGOING PROGRAMS: [Red Box] | COMPLETED TASKS: ✓ AND 1

04 IMPLEMENTATION PLAN

02 REGULATIONS IMPLEMENTATION SCHEDULE

Schedule	IS #	Implementation Strategy	Chapter Reference	Department Lead	Strategy Priority	IMPLEMENTATION TIME PERIOD												
						2019	2020	2021	2022	2023	2024	2025	2026	2027	2028			
REGULATIONS	1	Work with City Administrators and the City Council to create an Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code to address the possibility of future annexation of land within the City's Extraterritorial Jurisdiction (ETJ). NOTE: On hold due to SB2/HB347 approved in the 86TH Legislative Session.	1	PLANNING AND ZONING DEPARTMENT	HIGH			*				*						
	2	Review the parking standards contained in Article 06, <i>Parking and Loading</i> , of the Unified Development Code to establish a maximum parking ratio and ensure current parking ratios are appropriate for each specified land use, and consider flexibility in cases of redevelopment. In addition, provide incentives for shopping centers to provide shared parking to reduce the overall parking for retail centers.	2 6 7 9	PLANNING AND ZONING DEPARTMENT	MEDIUM													
	3	Review the Unified Development Code and Municipal Code of Ordinances to ensure that these documents incorporate policies and design standards for public safety.	5	POLICE AND FIRE DEPARTMENTS	LOW													
	4	Review the City's residential and commercial screening requirements contained in the Unified Development Code to ensure conformance to the policies contained within this Comprehensive Plan.	1 9	PLANNING AND ZONING DEPARTMENT	LOW	✓												
	5	Review the residential and non-residential development standards and regulations contained in the Unified Development Code to ensure compliance with the policies contained within this Comprehensive Plan.	1 8	PLANNING AND ZONING DEPARTMENT	MEDIUM													
	6	Review the corridor overlay district standards contained in Section 6, <i>Overlay Districts</i> , of Article 05, <i>District Development Standards</i> , of the Unified Development Code to ensure that each corridor overlay district contains requirements that convey the community's character, while continuing to provide unique design standards tailored to the geography and land use of the corridor. In addition, these standards should be reviewed to see if the design standards from the various overlay districts are suitable to apply to development citywide.	7 9	PLANNING AND ZONING DEPARTMENT	MEDIUM			✓										
	7	Review the City's development, landscape and tree mitigation requirements contained in the Unified Development Code to ensure that a sufficient amount of open space is being required with all developments (<i>i.e. residential and non-residential</i>), and that the expansion of any non-residential development requires trees to be planted proportionally to the proposed scope of work.	2	PLANNING AND ZONING DEPARTMENT	LOW													
	8	Review the Mandatory Parkland Dedication Ordinance to incorporate requirements relating to the dedication of trails for all residential and non-residential developments in accordance with the <i>Master Trail Plan</i> contained within this Comprehensive Plan.	3	PARKS AND RECREATION DEPARTMENT	LOW													
	9	Review the Mandatory Parkland Dedication Ordinance for the purpose of creating Community Park Districts.	3	PARKS AND RECREATION DEPARTMENT	LOW													
	10	Review the City's zoning map to identify inconsistencies in land use with the Future Land Use Map for properties in the IH-30 Corridor, and work with stakeholders to resolve these issues.	1	PLANNING AND ZONING DEPARTMENT	MEDIUM													

KEY: PRIORITY LEVELS: HIGH, MEDIUM & LOW | ONGOING ACTION REQUIRED: [Pattern] | REVIEW PERIOD: [Color] | IMPLEMENTATION YEAR: [Color] | EVALUATION OF ONGOING PROGRAMS: [Pattern] | REGULATORY TIME PERIOD: [Pattern] | COMPLETED TASKS: ✓ AND 1 | REVISED TARGET DATE: [Color] | NOTES: RED

04 IMPLEMENTATION PLAN

02 REGULATIONS IMPLEMENTATION SCHEDULE

						IMPLEMENTATION TIME PERIOD											
Schedule	IS #	Implementation Strategy	Chapter Reference	Department Lead	Strategy Priority	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028		
REGULATIONS	11	Review the City's Agricultural (AG) District standards to ensure that land can remain agriculturally zoned and designated until development of a site is eminent.	1	PLANNING AND ZONING DEPARTMENT	LOW		✓										
	12	Ensure that the City's <i>Standards of Design and Construction Manual</i> allows for the implementation of Traditional Neighborhood Development (TND) principles.	4	ENGINEERING DEPARTMENT	LOW												
	13	Review the City's Permitted Land Use Charts contained in the Unified Development Code to ensure that the employment land use designation on the Future Land Use Map is compatible with the City's zoning districts and the permitted land uses within those zoning districts, make any changes necessary.	1	PLANNING AND ZONING DEPARTMENT	LOW												
	14	Review the City's development requirements contained in the Unified Development Code to ensure that they do not discourage green building practices and principals.	2	PLANNING AND ZONING DEPARTMENT	LOW												
	15	Review the existing density, development and design standards contained in the Unified Development Code to ensure the requirements support and encourage the creation of vibrant public spaces built around social interaction.	7	PLANNING AND ZONING DEPARTMENT	LOW												
	16	Draft model standards for areas zoned for alternative forms of housing (<i>i.e. Townhouses, Condominiums, and Apartments</i>) that can be incorporated in to Article 10, <i>Planned Development Regulations</i> , of the Unified Development Code. These policies will ensure the City has development standards targeted at encouraging the best product available.	8	PLANNING AND ZONING DEPARTMENT	HIGH												
	17	Review the City's residential adjacency standards to ensure that building height and design are addressed in conformance to the policies and procedures of this Comprehensive Plan.	9	PLANNING AND ZONING DEPARTMENT	LOW												
	18	Review Article 06, <i>Permissible Uses</i> , of the Unified Development Code to ensure conformance with the policies and procedures of this Comprehensive Plan.	9	PLANNING AND ZONING DEPARTMENT	LOW												

KEY: PRIORITY LEVELS: HIGH, MEDIUM & LOW | ONGOING ACTION REQUIRED: [diagonal lines] | REVIEW PERIOD: [orange] | IMPLEMENTATION YEAR: [blue] | EVALUATION OF ONGOING PROGRAMS: [checkered] | REGULATORY TIME PERIOD: [orange with border] | COMPLETED TASKS: ✓ AND 1 | REVISED TARGET DATE: [red] | NOTES: RED

04 IMPLEMENTATION PLAN

03 POLICIES & ACTIONS IMPLEMENTATION SCHEDULE

Schedule	IS #	Implementation Strategy	Chapter Reference	Department Lead	Strategy Priority	IMPLEMENTATION TIME PERIOD												
						2019	2020	2021	2022	2023	2024	2025	2026	2027	2028			
POLICIES & ACTIONS	1	Utilize Fiscal Impact Analysis (FIA) to create a fiscal impact model for the purpose of relating cost of service, assessed value and taxable value to potential changes in land uses for the purpose of assisting elected and appointed officials in making informed decisions that will benefit the community.	1 6	PLANNING AND ZONING DEPARTMENT	MEDIUM	✓												
	2	Review the Future Land Use Map on an annual basis to ensure conformance to the policies contained within this Comprehensive Plan and to account for annual changes in [1] growth/development patterns, [2] residential and non-residential zoning changes, [3] and changes in the Parks, Recreation and Open Space Master Plan.	1 2 3	PLANNING AND ZONING DEPARTMENT	LOW													
	3	Develop an Economic Development Strategic Plan that focuses on providing a unified approach to addressing proactive recruitment of commercial businesses (i.e. industrial, office and retail).	6	ADMINISTRATION	HIGH													
	4	Develop a model that can be used to analyze future zoning and land use decisions that are associated with new development. This model should create a rational link between the Future Land Use designation of a property and the resulting impact of a proposed development, and further assist elected and appointed officials in making informed decisions that will benefit the community.	1 6	PLANNING AND ZONING DEPARTMENT	MEDIUM													
	5	Review the Master Trail Plan on an annual basis to ensure that trails and floodplain conform to the policies contained in this Comprehensive Plan. In addition, the plan should be reviewed and revised to account for changes in the City's Master Thoroughfare Plan, and to ensure that plan provides public access points and connectivity and access to all areas in the City.	2 4 7	PARKS & RECREATION DEPARTMENT	LOW													
	6	Review the Parks, Recreation and Open Space Plan and this Comprehensive Plan on a five (5) year basis to ensure the documents goals and policies conform.	3	PARKS & RECREATION DEPARTMENT	LOW													
	7	Work to create an Annual Parks and Recreation Business Plan that can guide programming and events on a yearly basis.	5	PARKS & RECREATION DEPARTMENT	LOW													
	8	Review these residential policies on a five (5) year basis to ensure that they adjust to changes in the market, and continue to provide a long-term vision for the community.	8	PLANNING AND ZONING DEPARTMENT	LOW													
	9	Review and revise the Master Drainage Study on an as needed basis (i.e. upon the annexation of new land or changing of land use).	4	ENGINEERING DEPARTMENT	LOW													

KEY: PRIORITY LEVELS: HIGH, MEDIUM & LOW | ONGOING ACTION REQUIRED: [diagonal lines] | REVIEW PERIOD: [orange] | IMPLEMENTATION YEAR: [blue] | EVALUATION OF ONGOING PROGRAMS: [red with diagonal lines] | COMPLETED TASKS: ✓ AND 1 | REVISED TARGET DATE: [red] | NOTES: RED

04 IMPLEMENTATION PLAN

03 POLICIES & ACTIONS IMPLEMENTATION SCHEDULE

Schedule	IS #	Implementation Strategy	Chapter Reference	Department Lead	Strategy Priority	IMPLEMENTATION TIME PERIOD											
						2019	2020	2021	2022	2023	2024	2025	2026	2027	2028		
POLICIES & ACTIONS	10	Review Drainage Utility Districts (DUD) in other cities and create a feasibility report on DUD's to report to the City Manager and City Council.	4	ENGINEERING DEPARTMENT	MEDIUM	■	■	■	■	■	■						
	11	Incorporate a representative from the Police Department in the development review process to ensure that development is being planned in accordance with Crime Prevention through Environmental Design (CPTED) guidelines.	5	POLICE DEPARTMENT	LOW	✓	■	■	■	■	■	■	■	■	■	■	■
	12	Evaluate residential initiated enforcement cases for each subdivision and put together an Inspection Efficiency Analysis that can help increase the efficiency of the Neighborhood Improvement Services (NIS) Department in the future.	5	NEIGHBORHOOD IMPROVEMENT SERVICES	LOW	■	■	■	■	■	■	■	■	■	■	■	■
	13	Review and update the Downtown Plan (i.e. <i>Downtown Plan: Blue Print for a Downtown Village</i>) and incorporate the findings into this Comprehensive Plan.	1	PLANNING AND ZONING DEPARTMENT	MEDIUM	■	■	■	■	■	■	■					

KEY: PRIORITY LEVELS: HIGH, MEDIUM & LOW | ONGOING ACTION REQUIRED: ■ | REVIEW PERIOD: ■ | IMPLEMENTATION YEAR: ■ | EVALUATION OF ONGOING PROGRAMS: ■ | COMPLETED TASKS: ✓ AND 1 | REVISED TARGET DATE: ■ | NOTES: RED

04 IMPLEMENTATION PLAN

07 CAPITAL & FINANCIAL IMPROVEMENTS IMPLEMENTATION SCHEDULE

Schedule	IS #	Implementation Strategy	Chapter Reference	Department Lead	Strategy Priority	IMPLEMENTATION TIME PERIOD														
						2019	2020	2021	2022	2023	2024	2025	2026	2027	2028					
CAPITAL & FINANCIAL IMPROVEMENTS	1	Review and revise the Master Thoroughfare Plan on an annual basis to ensure conformance to the policies contained within this Comprehensive Plan, and to account for annual changes in land use patterns and transportation needs.	4	PLANNING AND ZONING DEPARTMENT	LOW															
	2	Review and revise the Paving Assessment on a five (5) year basis to account for changes in roadway conditions.	4	ENGINEERING DEPARTMENT	HIGH															
	3	Review and revise the Water and Wastewater Master Plans and the Impact Fee Study every five (5) years to account for changes to the Future Land Use Map and population projects.	4	ENGINEERING DEPARTMENT	HIGH	✓														
	4	Review the City's existing thoroughfares to look for opportunities to redevelop existing right-of-ways utilizing the goals and policies contained in this Comprehensive Plan.	4	PLANNING AND ZONING DEPARTMENT	LOW															
	5	Develop a long-term strategy for the replacement of City facilities that includes potential adaptive reuses of the existing facilities.	5	INTERNAL OPERATIONS	MEDIUM															
	6	Consider creating a capital project and amenity life-cycle replacement plan that includes projected budget needs.	3	PARKS & RECREATION DEPARTMENT	MEDIUM															
	7	Perform an assessment of all vacant land suitable for non-residential development within the City and anticipate the possible infrastructure required to effectively develop these areas with non-residential development.	6	PLANNING AND ZONING DEPARTMENT	LOW															
	8	Utilize the City's Geographic Information Systems (GIS) software to track and evaluate existing waterlines, and create a replacement program.	4	PLANNING AND ZONING DEPARTMENT	MEDIUM															
	9	Utilize CityWorks Asset Management System software to evaluate the existing water/wastewater system and streamline reoccurring maintenance.	4	PLANNING AND ZONING DEPARTMENT	MEDIUM															
	10	Camera all existing wastewater lines to evaluate the structure integrity and capacity of each segment and log into the Asset Management System.	4	ENGINEERING DEPARTMENT	MEDIUM															
	11	Incorporate an infrastructure section into staff's development case memorandums to account for potential impacts/needs for zoning changes that propose more intense land uses.	4	PLANNING AND ZONING DEPARTMENT	LOW	✓														

KEY: PRIORITY LEVELS: HIGH, MEDIUM & LOW | ONGOING ACTION REQUIRED: [diagonal lines] | REVIEW PERIOD: [orange] | IMPLEMENTATION YEAR: [blue] | EVALUATION OF ONGOING PROGRAMS: [red with diagonal lines] | COMPLETED TASKS: ✓ AND 1 | REVISED TARGET DATE: [red]



01 PURPOSE

This appendix is intended to focus on the City's various major corridors and the relationship of the roadway to the adjacent land, land uses, and aesthetics of these areas. Each corridor study is intended to provide a framework and design guidelines that can assist the decision making process of City staff, the City's various boards and commissions, and the City Council.

02 CORRIDOR PLANS

02.01 IH-30 CORRIDOR PLAN

- ① Background and Introduction
- ② Plan Framework
- ③ Corridor Strategies
- ④ Implementation Plan

02.02 JOHN KING BOULEVARD CORRIDOR PLAN

- ① Background and Introduction
- ② Issues and Opportunities
- ③ Design Concept and Palette
- ④ Design Elements
- ⑤ Access Policies
- ⑥ Implementation

02.03 SH-276 CORRIDOR PLAN

RESERVED.

LEFT: The image depicts TXDOT contractors working in the IH-30 Corridor along the eastern most boundary of the City.

ACKNOWLEDGEMENTS

CITY COUNCIL

Jim Pruitt, *Mayor*
John Hohenshelt, *Mayor Pro-Tem*
Kevin Fowler
Bennie Daniels
Dana Macalik
Trace Johannesen
Patrick Trowbridge

FORMER CITY COUNCIL

Scott Milder
David White
Mike Townsend
Dennis Lewis

PLANNING AND ZONING COMMISSION

Johnny Lyons, *Chairman*
Eric Chodun, *Vice Chairman*
Tracey Logan
Jerry Welch
Mark Moeller
Annie Fishman
John Womble

STAFF PLANNING COMMITTEE

Ryan Miller, *Director of Planning and Zoning*
David Gonzales, *Planning Manager*
Korey Brooks, *Senior Planner*
Amy Williams, *City Engineer/Director of Public Works*
Ariana Hargrove, *Fire Marshal*
John Ankrum, *[Former] Building Inspections Supervisor*
Lance Singleton, *GIS Supervisor*
Lindsay Gnan, *GIS Analyst*
Laura Perez, *Executive Secretary*
Lauri Dodd, *Public Information Officer*

ADMINISTRATION

Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Brad Griggs, *Assistant City Manager*

1 BACKGROUND AND INTRODUCTION

The Interstate Highway 30 (IH-30) Corridor serves as the City of Rockwall's principal commercial/retail and transportation corridor. Retail and commercial businesses along this passageway are responsible for a large majority of the sales tax generated within the city. Since Rockwall has become the main commercial/retail generator for the county, IH-30 has served as the primary east/west roadway and acts as not only the gateway for traffic entering and exiting the city, but also the county. In addition, Rockwall's businesses

have greatly benefited from the high volumes of traffic carried by IH-30 on a daily basis; however, as the region grows so do the cities situated east of Rockwall, and as demand for commercial/retail grows in these communities, businesses will be attracted to these areas. To maintain the City's competitiveness in the region, Rockwall's City Council directed staff to study the IH-30 Corridor and provide potential strategies that will: (1) address retail/business retention in the corridor, (2) provide strategies to target regional land uses, and (3) provide a plan for strategically located vacant land along IH-30. The following plan framework, corridor strategies, and implementation plan were drafted as part of a larger corridor plan that was approved by the City Council on March 18, 2019. This document is intended to act as a roadmap for planning the IH-30 Corridor's land uses and development characteristics to ensure the future prosperity of the community.

2 PLAN FRAMEWORK

PLAN FRAMEWORK

Broad planning ideas, goals and objectives form the framework used to develop strategies intended to support existing land uses and to target and attract new regional land uses. From the existing conditions analysis, the retail trade area analysis, the benchmark analysis and the stakeholder engagement workshop, prepared with the IH-30 Corridor Plan, the Staff Planning Committee (SPC) created the broad framework depicted in *Figure 1: Plan Framework*. This framework was used to identify strategies for business retention/attraction in the corridor and to draft an implementation plan. This framework includes:

CORRIDOR ZONES

The *Corridor Zones* (i.e. *Preservation, Transition and Opportunity Zones*) -- which were established by citizens and stakeholders as part of *Station 3: Plan Framework of the stakeholder engagement workshop and reviewed by the SPC* -- are as follows (and depicted in *Figure 1: Plan Framework*):

☑ Corridor Zone #1: This zone is situated between Horizon Road (FM-3097) and Ridge Road (FM-740) on the north side of IH-30 and is designated as a *Transitional Zone*. This designation is due to the large amount of vacant property that currently exists in this area, and the uncertainty of how the development of this land will affect adjacent/existing land uses.

☑ Corridor Zone #2: This triangular shaped zone is situated within the bounds of Ridge Road (FM-740), Horizon Road (FM-3097), and IH-30, and is identified as a *Transition Zone*. This area contains an older shopping center (i.e. *Carlisle Plaza*) that is currently in the process of transitioning. The public also identified this area as a *Strategically Located Property* in the stakeholder engagement meeting. Due to its redevelopment opportunity.

☑ Corridor Zone #3: This zone is divided between two (2) designations due to discrepancies between the public's map and the SPC's map. The portion from Ridge Road (FM-740) to Greencrest Boulevard is identified as a *Preservation Zone*, and the area between Greencrest Boulevard and N. Goliad Street (SH-205) is identified as a *Transition Zone*. The split designation indicates a difference in the development of these two (2) areas, and of how these businesses have changed overtime. This split is also attributed to the new development currently taking place in the area between Greencrest Boulevard and S. Goliad Street (SH-205).

☑ Corridor Zone #4: This zone is directly south of *Corridor Zone #3* and extends from Ridge Road (FM-740) to N. Goliad Street (SH-205). This area is identified as a *Preservation Zone*, which is primarily attributed to recently developed shopping centers in this zone. These properties are currently considered highly performing commercial/retail properties.

☑ Corridor Zone #5: This zone extends from N. Goliad Street (SH-205) to T. L. Townsend Drive and is identified as an *Opportunity Zone*. The purpose of this designation is tied to the large vacant property in front of the County Courthouse, and to other potential redevelopment opportunities within this area.

☑ Corridor Zone #6: This zone extends from S. Goliad Street (SH-205) to T. L. Townsend Drive and is identified as a *Preservation Zone*. This area includes newer development in the IH-30 corridor (i.e. *the CostCo shopping center and adjacent land uses*) that should be preserved moving forward.

☑ Corridor Zone #7: This zone is identified as a *Transition Zone* and extends from T. L. Townsend Drive to John King Boulevard. This area incorporates industrial and interim land uses that are considered to be

transitioning. In addition, this land also incorporates strategically located vacant property adjacent to the John King Boulevard.

- ☑ Corridor Zone #8: This zone is also situated between T. L. Townsend Drive and John King Boulevard, south of IH-30. The area is identified as a *Transition Zone*, due to the large amount of transitional or interim land uses along the IH-30 frontage road. In addition, the property has several large tracts of land that are currently vacant. When developed these properties could change the land use pattern for the area. This zone also has a strategically located, vacant property at the southwest corner of John King Boulevard and IH-30.
- ☑ Corridor Zone #9: This corridor zone extends from John King Boulevard to Stodghill Road (FM-3549). Since the majority of these tracts are currently vacant, this zone is identified as an *Opportunity Zone* and all property in this area is identified as strategically located property.
- ☑ Corridor Zone #10: This zone is situated between John King Boulevard and Corporate Crossing, and is identified as a

Transitional Zone. The purpose of this designation is tied to the existing land uses and parcelization pattern of the area (i.e. the way the property has been subdivided over time).

- ☑ Corridor Zone #11: This corridor zone is identified as an *Opportunity Zone* and is located north of IH-30, east of Stodghill Road (FM-3549). This zone is vacant and is directly adjacent to the City's eastern City limit line. This entire zone is considered to be a strategically located property.
- ☑ Corridor Zone #12: The final corridor zone is south of IH-30, east of Corporate Crossing. This zone is primarily vacant and only contains a few interim land uses. Due to the largely undeveloped area in this zone, it is identified as an *Opportunity Zone*. In addition, the zone contains strategically located property at the southeast corner of the intersection of John King Boulevard and IH-30.

STRATEGICALLY LOCATED PROPERTIES
Using the findings from the *Benchmark Analysis -- detailed in Chapter 3, Benchmark Analysis for Strategically Located Properties,*

of the *IH-30 Corridor Plan* -- the SPC identified potentially appropriate developments for each of the strategically located properties. The models used in this exercise were as follows:

- (1) Strip Retail Center Model
- (2) Mixed-Use Center Model
- (3) Town Center Model
- (4) Regional Destination Center Model

NOTE: See Section 3, Benchmark Analysis Findings, of Chapter 3, Benchmark Analysis for Strategically Located Properties, of the IH-30 Corridor Plan for definitions/characteristics of each model.

The findings by the SPC are as follows (and depicted in Figure 1: Plan Framework):

- ☑ Strategically Located Property #1: The first strategically located property represents the only redevelopment possibility that was identified by the SPC and/or the public, and could benefit from an adaptive reuse or redevelopment plan. Taking this into consideration the SPC did not apply any of the models to this property. It was simply identified as a *redevelopment opportunity*.
- ☑ Strategically Located Property #2: This strategically located property is situated at the southwest corner of T. L. Townsend

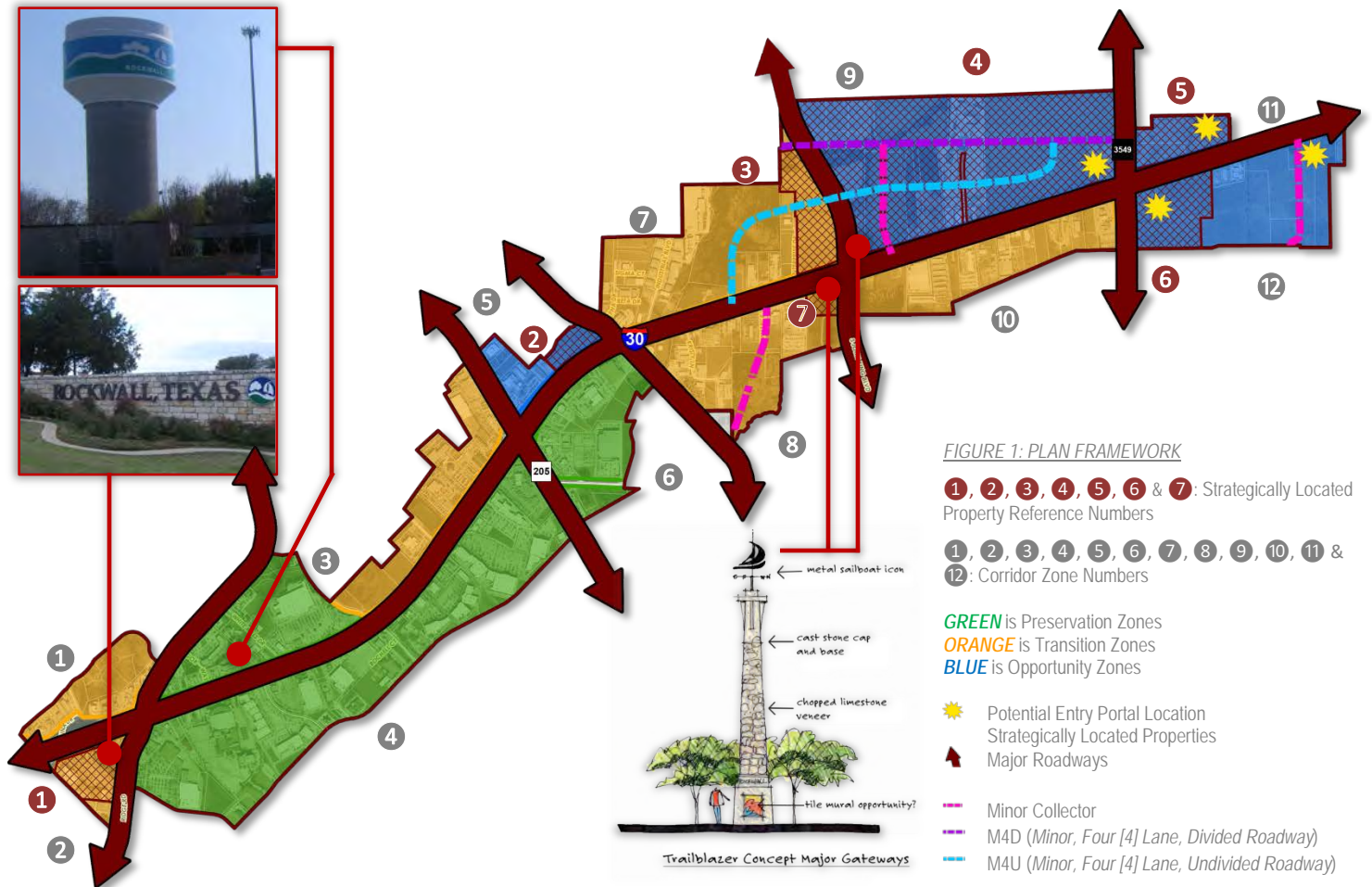


FIGURE 1: PLAN FRAMEWORK

1, 2, 3, 4, 5, 6 & 7: Strategically Located Property Reference Numbers

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12: Corridor Zone Numbers

GREEN is Preservation Zones
ORANGE is Transition Zones
BLUE is Opportunity Zones

☀ Potential Entry Portal Location
➔ Strategically Located Properties
➔ Major Roadways

— Minor Collector
— M4D (Minor, Four [4] Lane, Divided Roadway)
— M4U (Minor, Four [4] Lane, Undivided Roadway)

Drive and the IH-30 frontage road, and is currently owned by Rockwall County. The SPC unanimously identified this property as being suitable for a *Strip Retail Center*. It should also be pointed out that this property is currently entitled for this type of development under the Commercial (C) District as defined by the UDC. The SPC felt that despite being a highly visible site this model was appropriate due to the limited access caused by the location of the on/off ramps at John King Boulevard and S. Goliad Street (SH-205).

- ☑ Strategically Located Property #3: This strategic area is located adjacent to the western right-of-way line of John King Boulevard, and is partially zoned Commercial (C) District with the remainder being zoned Light Industrial (LI) District. The SPC identified this property as being suitable for a *Mixed-Use Center* or a *Town Center*. This designation is due to the location and visibility of the property, and that it is located near and accessible from two (2) major roadways (i.e. *John King Boulevard and Justin Road*) and a major highway (i.e. *IH-30*). With this being said the property is situated below the highway overpass and as a result the site has limited visibility for a single-story structure. Structures that are two (2) to three (3) stories in height would be better suited for this property.
- ☑ Strategically Located Property #4: This area is located between John King Boulevard and Stodghill Road (FM-3549), north of IH-30. The properties in this area are zoned as Commercial (C), Light Industrial (LI) and Agricultural (AG) Districts. Due to the large acreage of these strategic properties, the SPC broke the designation of this area into three (3) zones. The first was directly adjacent to John King Boulevard and was identified as being suitable for *Strip Retail Center* by the SPC. The second area was located between Security Drive and the golf course (i.e. *A1 Golf*) and was identified as being suitable for a *Town Center* development. The third area was the remainder of the property and was identified as being suitable for a *Regional Destination Center*. These designations stem from the good visibility and close proximity to major roadways. In addition, this property is in an ideal location for a large commercial/retail development/regional center.
- ☑ Strategically Located Property #5: This property is located at the northeast corner

of Stodghill Road (FM-3549) and IH-30 and is zoned Commercial (C) District. Due to the linear nature of this strategically located property, the SPC identified the *Mixed-Use Center* and *Strip Retail Center* as being potentially appropriate models for development. This property does have limited access and poor visibility from east bound traffic, but is located directly adjacent to *Strategic Located Property # 4* making the possibility for a major intersection at IH-30 and Stodghill Road (FM-3549) highly likely.

- ☑ Strategically Located Property #6: This strategically located property is situated at the southeast corner of Corporate Crossing and IH-30 and is currently zoned Commercial (C) District. The SPC identified this property as being appropriate for both a *Mixed-Use Center* or a *Town Center* based on the location, acreage and its relation to the highway and Corporate Crossing. A *Strip Retail Center* and *Regional Destination Center* were also identified by the SPC as being viable alternatives for this property.
- ☑ Strategically Located Property #7: The final strategically located property is situated at the southwest corner of John King Boulevard and IH-30. The SPC identified this property as predominantly being suitable for a *Strip Retail Center*; however, it was also thought to be a suitable location for a *Mixed-Use Center*. It was ultimately decided by the SPC that this property has the acreage and carrying capacity for both types of centers, but is probably best suited for a *Strip Retail Center* that incorporates a grocery store or other large neighborhood service retailer as a primary anchor. The purpose of this designation is due to the poor visibility caused by the highway overpass and the close proximity to a large amount of residential homes and apartment units. The property is currently zoned Commercial (C) District.

ENTRY PORTALS

Entry portals are an essential element to creating a sense of place and distinguishing a City's boundaries. Currently, the City's western boundary is well defined by Lake Ray Hubbard and the Harbor District. The portals create a defined natural and built edge to the City. The eastern boundary of the City, on the other hand, is undefined. When the SPC examined this area, it was decided that an entry portal was an important element in the plan moving forward; however, the SPC was of

the opinion that it was somewhat difficult to define what an entry portal in this area should look like since these properties remain largely undeveloped. With this the SPC choose several locations where an eastern entry portal could be incorporated at the time the adjacent properties develop. The thinking behind this was that the portal would match the architecture of future development if constructed at the same time as the properties. *Figure 1: Plan Framework* shows the four (4) possible portal locations identified by the SPC along with all existing and proposed monumentation throughout the corridor.

TRANSPORTATION FACILITIES

Looking at the existing and proposed roadway facilities, the corridor is already well circulated, and the future facilities are a good approximation of what will be needed to circulate any future development; however, without knowing exactly what will be developed on these parcels the SPC felt that the current number of roadways depicted on the property between John King Boulevard and Stodghill Road (FM-3549) could be a deterrent to development. With Justin Road extending through the property from east to west and a M4U (minor, four [4] lane, undivided roadway) curving through the property from east to west, two (2) Minor Collectors extending north to south were deemed unnecessary. The SPC was also of the opinion that Commerce Street should be continue in a southwardly direction connecting the IH-30 Frontage Road to T. L. Townsend Drive. These were the only changes to the existing and proposed transportation facilities that appeared to be necessary as a result of this study. *Figure 1: Plan Framework* depicts the proposed roadway amendments.

Staff should point out that these changes were incorporated into the revised Master Thoroughfare Plan contained in this Comprehensive Plan, and that no additional actions would be required with regard to transportation facilities. This was incorporated after the Comprehensive Plan Advisory Committee (CPAC) made similar findings about these areas.

LAND USE PLAN

Looking at the current Future Land Use Plan for the IH-30 Corridor, only about 37.56% of the corridor is identified as a *Special Commercial Corridor*. The remainder of the corridor is scheduled for *Commercial* (38.35%), *Technology/Light Industrial* (13.33%), *Special District* (4.70%), and to a lesser degree *Parks and Open Space, High*

Density Residential, Public Uses and Quasi-Public Uses. After reviewing the goals and objectives of this study, the SPC recommended that the majority of the corridor should be designated as a *Special Commercial Corridor*. The only area that the SPC wanted to deviate from this land use scheme, was the area directly adjacent to the railroad tracks between John King Boulevard and Stodghill Road (FM-3549). The SPC felt that this area should be flexible in nature and be designated for either *Technology/Employment Center* and/or *Special Commercial Corridor*. The purpose of this flexibility was to allow industrial or technology firms the ability to locate within the corridor, adjacent to the existing railroad facilities; however, the flexibility would provide for an easy transition to commercial uses should a regional land use be identified for this area. This change was incorporated into *Map 1: Future Land Use Plan* contained in *Appendix C, Maps* of this Comprehensive Plan.

SUMMARY OF PLAN FRAMEWORK

The assemblage of all this information forms the *Plan Framework* of this study. A map of this framework is depicted in *Figure 1: Plan Framework*. A summary of the recommendations provided by this framework are as follows:

- (1) The corridor zones that were established as part of this study are intended to guide policy decisions for the final recommendations contained in Chapter 6, *Corridor Strategies & Implementation Plan*, of the *IH-30 Corridor Plan* and which are outlined in Subsection 02.01(3), *Corridor Strategies*, of this section of Appendix B, *Corridor Plans*.
- (2) The strategically located properties identified by the SPC were classified based on their potential carrying capacity for retail/regional land uses. This part of the plan framework was to draw attention to these properties and provide various possibilities that would fit the City's desire for regional development.
- (3) Monumentation locations were identified for the purpose of creating an eastern entry portal. The design of these monumentation markers should be incorporated into the site plan approval process to allow for review by the Architectural Review Board (ARB) prior to adoption by the City's Planning and Zoning Commission and City Council.
- (4) The SPC identified potential changes to two (2) roadways on the Master Thoroughfare Plan. This involves an

extension of Commerce Street and the removal of a proposed street running parallel to Security Drive.

- (5) Finally, a coherent land use plan that is tied to the goals of this study was laid out. This plan primarily promotes the future of the corridor being zoned and developed in accordance with the *Special Commercial Corridor* designation of this Comprehensive Plan; however, it does make some allowances for flexible land use (*i.e. office/industrial*).

3 CORRIDOR STRATEGIES

The final objective of the Staff Planning Committee (SPC) was to assemble a list of strategies that could be utilized as part of the implementation plan of this study. In doing this the SPC talked about *Offensive* and *Defensive Strategies*. In this case, the *Defensive Strategies* were thought to be pre-emptive strategies centered on regulation or policy actions that the City could implement for the purpose of addressing potential or perceived issues. *Offensive Strategies*, on the other hand, included proactive actions that involved activities like offering incentives, waivers and assistance. In doing this, the SPC also talked about what zone each strategy would affect and who would be responsible for implementing the strategy. A key to the corridor zones and implementation organizations is as follows:

DEPARTMENTS, BOARDS & COMMISSIONS

- City Council: CC
- Planning and Zoning Commission: PZC
- Architecture Review Board: ARB
- City Manager/Administration: M
- City Attorney: CA
- Building Inspections Department: BI
- Fire Marshals Division: FM
- Planning and Zoning Department: PZD
- Engineering Department: E
- Neighborhood Improvement Services: NIS

CORRIDOR ZONES

- Transitional Zone
- Preservation Zone
- Opportunity Zone

On March 18, 2019, the City Council approved the following *Offensive* and *Defensive* strategies for use within the IH-30 Corridor:

DEFENSIVE STRATEGIES

STRATEGY 1 PREVENT THE OVERSATURATION OF CERTAIN LAND USES IN THE CORRIDOR ●●

Prevent the oversaturation of certain land uses in the corridor by prohibiting and/or requiring discretionary approvals of these land uses.

Currently, the IH-30 Corridor has a high percentage of automotive (8.99%) and industrial (8.37%) land uses, which are typically incompatible with higher end retail users. In addition, these land uses -- *specifically automotive land uses* -- consume a large portion of the current frontage along IH-30 (~26.69%), which means these uses also have high visibility in the corridor. If the intent of the City is to create a commercial/retail corridor, special attention needs to be paid to what land uses are established on the remaining 45.35% vacant land. This is specifically important with the remaining 28.77% of vacant land with frontage on IH-30. To achieve this staff can review Article 04, *Permissible Uses*, of the Unified Development Code to look for possibilities to incorporate discretionary approvals or limit undesirable land uses along IH-30. In addition, staff can look to prohibit certain land uses (*e.g. outside storage*) that are currently allowed through discretionary approval, but may not be desirable for attracting and establishing a regional retail use.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): Since this is a policy change, there are no anticipated hard costs to be incurred by the City as a result of implementing this strategy. In addition, this strategy can be implemented without assistance from outside consultants.

Estimated Implementation Time: This is estimated to take between 20 to 40-hours of staff time to review the Unified Development Code and draft an ordinance addressing the proposed changes for the City Council's review. This text amendment would be required to be advertised and adopted in accordance with the procedures of the Unified Development Code (*i.e. approximately eight [8] weeks*).

STATUS: ONGOING

STRATEGY 2 INCONSISTENT ZONING REQUESTS ●●●

Zoning approvals that are inconsistent with the *Future Land Use Plan* contained in the Comprehensive Plan should be limited. The *Future Land Use Plan* is a document intended to guide zoning in the City of Rockwall. In addition, zoning approvals not consistent with the *Future Land Use Plan* could have a negative impact on existing land uses, and could have an undesirable effect on the economic stability of the corridor (*i.e. create*

conditions not conducive for retail land uses). Moreover, inconsistent zoning approvals change the *Future Land Use* mix, which is designed to yield an 80% Residential/20% Commercial mix (i.e. intended to yield a 67% residential value/33% commercial value tax base) per this Comprehensive Plan. To better address inconsistent changes in zoning, staff should develop a process to convey how the approval of inconsistent zoning would change the *Future Land Use Plan*. This should be provided with or in staff's case memos to the Planning and Zoning Commission and City Council.

Implementation Responsibility: PZD, CA, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: The Planning Division can implement this policy amendment through changes in the current procedures and through the creation and implementation of a tool that will clearly convey the desired information. It should be pointed out that the creation of this process is currently a *strategic goal* on the City's *Strategic Plan* and included in this Comprehensive Plan as an *Implementation Strategy*.

STATUS: ONGOING

STRATEGY ③ DISCOURAGE STRIP DEVELOPMENT ●●

The City of Rockwall has several *Strip Retail Centers* as defined in the findings from the benchmark analysis contained in Chapter 3, *Benchmark Analysis*, of the *IH-30 Corridor Plan*. The establishment of new strip retail centers could have the effect of cannibalizing the businesses that are currently located in the City's existing strip retail centers. This could also create a larger problem for the existing centers due to the transient nature of small businesses that tend to locate in these areas (i.e. *businesses in these shopping centers tend to move to newer developments as they progress along the highway*). To combat this possibility, the City could take steps to discourage strip retail centers by amending the design standards contained in the Unified Development Code. Examples of these changes would include policies targeted at requiring shared facilities (i.e. *parking, access, drive facilities, etc.*), limiting parking fields in the fronts of buildings, requiring the provision

of open space, restricting signage, etc. This would also require provisions that target mixed-used development (e.g. *office land uses mixed with retail/commercial land uses*). It should be noted that while the SPC did identify some of the strategically located properties as being ideal for *Strip Retail Centers*, this would ultimately depend on the carrying capacity of the corridor (i.e. *to avoid cannibalizing existing businesses the demand of the community would need to increase to justify an additional strip retail center*).

Implementation Responsibility: PZD, ARB, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change requires a comprehensive review of the City's commercial design standards, and would take time to prepare the necessary text amendments. The total time necessary to complete this strategy will vary depending on the extent staff will have to amend the ordinances. Staff estimates this could take between 30 to 40-hours to complete. In addition, it may be advantageous to use the Planning and Zoning Commission and/or Architectural Review Board (ARB) as design committees to assist staff in drafting the desired changes. Any ordinance changes would need to be adopted in accordance with the procedures contained in the Unified Development Code (i.e. *approximately eight [8] weeks*).

STATUS: ONGOING

STRATEGY ④ LIMIT SINGLE USE BIG-BOX DEVELOPMENT ●●●

Single use big-boxes can have an immediate and positive effect on a City's ad valorem tax value; however, if abandoned they can also have an effect on the perception of economic health in an area. Currently, the City's big-boxes appear to be economically sound with little to no risk of being abandoned; however, it is a good idea to take a pro-active approach to this issue. Single use big-boxes are typically attractive to businesses that are considered to be category killers and/or discount warehouse stores (e.g. *Wal-Mart, Home Depot, Costco, etc.*). Developing a single big-box is also the typical suburban model for these types of stores. By creating policies that force co-location and mixed-uses the City ensures that

these businesses adapt their models to meet the vision of the community, as opposed to allowing these businesses to dictate the community's appearance. By limiting single use big-boxes moving forward, it also has the added effect of protecting the City's current big-boxes, and perhaps staving off the possibility of having ghost boxes (i.e. *empty big-boxes*) in the future.

To achieve this, the City Council could look at development standards that discourage single use big-box users. These types of policies would include regulations like imposing size caps on single use big-box developments (i.e. *limit individual users to discretionary approvals on buildings that are greater than 20,000 – 30,000 SF*), drafting requirements that provide for roof and façade modulation to allow the buildings to be broken up in the case of abandonment, adopting parking requirements that require parking to be located behind the front façade of the buildings, creating a window requirement, and etcetera.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change would require staff to review the City's current *General Commercial Building Standards*, and draft an ordinance with the necessary text amendments. The total time necessary to complete this strategy could vary; however, staff estimates a completion time of 30 to 40-hours with an additional eight (8) weeks for the adoption of an ordinance change to the Unified Development Code.

STATUS: ONGOING

STRATEGY ⑤ ADAPTIVE REUSE ORDINANCE OR STRATEGY ●●

Building on the previous strategy, one of the main reasons that City's end up with vacant big-box developments are changes in the economics of a property's location (i.e. *the site can no longer support/sustain a larger retail user*). This may mean that a particular site or location is no longer viable as a large retailer. *Adaptive Reuse* ordinances, also referred to as *Ghost Box* ordinances, are ordinances intended to address this common problem. As previously stated, the City of Rockwall has not had issues with empty big-boxes; however, a

proactive approach to this issue could prove to be valuable in the future. Below is a picture of the vacant *Sports Authority* building, which is a single user big-box that was vacated in 2016. Luckily, this building was quickly replaced with an *Academy Sports and Outdoors*; however, this quick replacement may not always be the case.

The City's current ordinance does incorporate an accountability clause that states that "(f)or those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants." This language could be strengthened and the requirement for this accountability clause could be lowered to buildings greater than 30,000 SF. In addition, the City Council could look into establishing ordinances that: (1) creates a fee waiver program for the adaptive reuse of buildings greater than 30,000 SF (*i.e. creating a waiver for building permit fees*), (2) establish a bonding program that is tied to the demolition of the big-box, (3) creates a program that stipulates companies building big-boxes be required to pay into a *Land Conservation Fund*, which can be used for re-greening or converting an abandoned big-box to allow for infill development (*these ordinances are referred to as White Elephant Ordinances*), and/or (4) creates an incentive zone that deals with alternative use/requirements for conversion/redevelopment efforts.



Figure 6.1: Vacant Sports Authority building prior to being converted to an Academy this year.

Implementation Responsibility: PZD, CA, CM, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The time necessary to create an *Adaptive Reuse Ordinance* or policy will depend on the scope

that the City Council chooses. These programs also would need to be vetted by the City Attorney. In this case, it may take several months to prepare and adopt an ordinance creating each of these programs.

STATUS: *IN PROCESS*

STRATEGY 6 PROMOTE THE INCORPORATION OF OPEN SPACE IN LARGER DEVELOPMENTS

As was seen in the *Benchmark Analysis* in Chapter 3, *Benchmark Analysis*, of the *IH-30 Corridor Plan*, nearly all of the regional developments surveyed by the SPC contained open/green space. The importance of incorporating open/green space in commercial developments was further validated through the stakeholder engagement process. In both exercises requesting participants to identify their preferred development choice -- *with the choices being those reviewed by the SPC as part of the benchmark analysis* -- the top results were developments incorporating large amounts of open/green space (*e.g. Grandscapes at 26% open space and Toyota Stadium at 5% open space and 35% sports fields*). In addition, the exercise asking participants to prioritize issues/priorities in the corridor indicated that open/green space was important. Both *Parks/Trail/Walkability* and *Increased Open Space* scored in the top five (5) items identified by the public as priorities and issues. Moving forward provisions requiring a percentage of functional open space -- *above and beyond the required landscape buffer and detention ponds* -- could be incorporated into the design standards for large commercial developments. This would need to be scaled to the development and would not be applicable across the board (*i.e. would not be appropriate for developments with less than 20-acres*).

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): Since this strategy would affect future development the implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The implementation of this policy could be completed with an estimated ten (10) to 20-hours of staff time required to prepare an ordinance amendment to the Unified Development Code (*i.e. approximately eight [8] weeks for approval*).

STATUS: *ONGOING*

STRATEGY 7 REVAMP THE CITY'S PARKING STANDARDS

Commercial developments along the corridor are exclusively made up of surface parking lots situated in the fronts of buildings. Often times these parking areas are two (2) to three (3) times larger than the building it services (*see image below*).



Figure 6.2: Kohl's Parking Lot, which recently was subdivided to incorporate a Cracker Barrel restaurant at the northeast corner.

In most of these cases the parking lot is rarely if ever full. To address this issue the City Council could choose to establish parking maximums that would limit inefficient uses of land within the corridor. These policies could also promote shared parking agreements and structured parking.

Typically, the argument against structured parking is the high initial cost to establish these facilities; however, if a district wide approach that discourages single use big-boxes is taken by the City, it is not inconceivable to expect more efficient parking solutions. In addition, the City should, where possible, promote shared parking arrangements that are mutually beneficial to developers, property owners and tenants by accounting for varying peak demand. This should have the benefit of increasing the buildable land within the corridor.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The implementation of this policy change is anticipated to take between ten (10) to 20-hours of staff time to research and prepare an

ordinance amending the parking requirements contained in the Unified Development Code. The ordinance would take approximately eight (8) weeks for approval/adoption.

STATUS: IN PROCESS

STRATEGY 8 CREATE MODEL ZONING ORDINANCE FOR REGIONAL MIXED-USE DEVELOPMENT

Article 05, *District Development Standards*, of the Unified Development Code contained standards for a Mixed-Use Overlay (MUO) District (*these standards were recently removed*); however, this district has not been applied to the zoning map. Building off the current standards contained in this section of the code, staff could create a model zoning ordinance for either an overlay district that can be applied to the strategic properties in the corridor or model regulations for a planned development district ordinance -- *similar to the residential standards contained in Article 10, Planned Development Regulations, of the Unified Development Code* -- intended to regulate mixed-use development in the corridor. This could include the information observed by the SPC as part of the *Benchmark Analysis*. This type of ordinance would also layout the City's desired site and building design standards, as well as, address any *incentive zoning* practices intended to incentivize regional development.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: Staff estimates that a model zoning ordinance could be drafted in two (2) to three (3) weeks. The ordinance would take approximately eight (8) weeks for approval.

STATUS: IN PROCESS

STRATEGY 9 ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES

As part of the *Benchmark Analysis*, the SPC noticed that many of the regional centers they surveyed (*specifically mixed-use centers*) were built with a larger focus on smaller lease spaces. This is directly opposed to the classic

anchor model, which is prevalent in *Strip Retail Centers* and until recently was the preferred model for suburban development by developers. This shift, however, signifies the importance that developers are now placing on small businesses. This may be due to the idea that small businesses have several understated benefits that extend beyond a City's bottom line. For example, small businesses that are successful in a community can shape a unique identity, create a sense of place and enhance community character. In addition, small businesses also have the added benefit of being well suited for adaptive reuse situations, which could play a major role in the economic vitality of the corridor in the future. Rockwall, as a whole, has a healthy history of supporting small businesses -- *especially in the downtown area* -- and there is no reason for this not to continue in the City's primary commercial/retail corridor. To ensure that small businesses are supported in the corridor, staff should look to remove any unintentional barriers in the zoning code that might hinder a small business' ability to open in Rockwall. The majority of these barriers will be in the City's land-use categories, which are somewhat outdated for many of the new types of uses that have been established recently. Addressing this subject, the July 2016 issue of *Zoning Practice* (a periodical released by the *American Planning Association*) identifies four (4) examples of new land uses that have emerged as small businesses recently: (1) specialty food production, (2) industrial design, (3) artisan industrial, and (4) local alcohol production facilities. Under our current use charts these uses, in most cases, would be classified under an *Industrial and Manufacturing* label allowing them to locate in Heavy Commercial (HC), Light Industrial (LI) and Heavy Industrial (HI) Districts; however, these uses typically depend on the foot traffic generated by commercial-retail areas and would not fare well in the City's industrial districts. An example of this dilemma was recently addressed by the City Council with the text amendment incorporating the *Craft Brewery, Distillery and/or Winery* land use. Prior to the amendment, the code treated all breweries the same, and did not make a distinction between large industrial breweries and small-scale craft brewers. As a result, these uses were relegated to only being permitted in a Light Industrial (LI) or Heavy Industrial (HI) District, when in reality they operate more as a retail/restaurant type of business. By changing the code to allow this use by a Specific Use Permit (SUP), the City Council created discretionary flexibility that allows this land use into areas of the City that

could be better suited to the long-term viability of the business. This flexibility could be beneficial to other land use categories that have undergone fundamental changes in the way they operate. This can be achieved by not only reviewing the City's *Permissible Use Charts*, but also the design standards in the corridor to ensure there are no unreasonable barriers of entry for small businesses.

Another approach the City could take to support small businesses is the continued release of information pertaining to demographics and market analysis. Many small businesses and startups have limited capital to spend on expensive reports and demographic breakdowns of the City. Staff can support these businesses by making reports and studies (e.g. *2017 Existing Conditions Report and this report*) available online to the public. An example of this effort includes the *Retail Shopping Destinations* interactive map, which contains demographic information for the City and its shopping centers. This tool is intended to help small businesses looking to locate in the community.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: Staff estimates that a comprehensive look into the City's *Permissible Use Charts* and commercial design standards could take between 60 to 70-hours to prepare an ordinance making the necessary amendments. The ordinance would take eight (8) weeks for adoption.

With regard to making reports and demographic information online, this has become standard operating procedure for staff and unless directed otherwise staff will continue to make these items available.

STATUS: IN PROCESS | ONGOING

STRATEGY 10 RESIDENTIAL DENSITY BONUSES FOR PROJECTS THAT INCORPORATE A MIXTURE OF LAND USES

The City Council could choose to implement policies that would allow high-density residential land uses along IH-30 pending the project incorporate a mix of land uses (e.g. *hotel, restaurant, retail, entertainment, etc.*).

Through the public survey, many citizens indicated a want for higher end retailers and specialty grocers. These uses typically are attracted to areas with high intensity developments that incorporate a higher density residential component. The City Council could use the City's high demand for multi-family, to incentivize a developer proposing a regional mixed-use development along IH-30 by granting density bonuses. This would involve granting densities greater than the current 14 dwelling units per acre permitted in the City's Multi-Family 14 (MF-14) District. It should be noted that this type of strategy would depend on the residential units being integrated into the overall development (*i.e. structured or block styled apartments above retail or office use, which is common in traditional mixed-use developments, would be more desirable under this strategy than garden style apartments – similar to the condominiums constructed at the Harbor*). This strategy depends on the City's demand for multi-family remaining high, which may require other land use strategies moving forward (*e.g. balancing the City's mix of housing units and limiting multi-family development to areas along the IH-30 corridor, away from other single-family neighborhoods, and from any other areas in the city*). Under the City's current housing mix, this policy would only be viable if the multi-family percentage were decreased below an estimated 12%. Currently, this percentage is around 18%. By reducing the percentage and not approving subsequent projects, the City ensures that a high level of demand exists, and that this demand can be leveraged to attract the desired commercial/retail development. It should also be noted that this could be done under an ownership model as opposed to a rental model by using townhomes and/or condominiums.

Implementation Responsibility: PZD, M, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: This policy change would have implications on the policies contained in this Comprehensive Plan. The implementation of this strategy would require staff to review the procedures and design standards in the Unified Development Code to ensure compatibility with the intended objective. Staff estimates this could take between 50 to 60-hours to complete, and would need to be adopted in accordance with the procedures contained in the Unified

Development Code (*i.e. approximately eight [8] weeks*). In addition, since this policy is driven by the demand of multi-family, its implementation would depend on the current multi-family percentage being decreased to a level that can be leveraged for the desired commercial/retail development.

STATUS: **IN PROCESS** | ONGOING

STRATEGY 11 WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS ●●●

Intergovernmental cooperation between the City, Rockwall Economic Development Corporation (REDC) and the Chamber Commerce to create a Community Business Retention and Recruitment Program may be advantageous to retaining the businesses we have while targeting a regional commercial retail user. In addition, this cooperation ensures that all agencies are aware of the strategies and efforts of other agencies.

Implementation Responsibility: M

Anticipated Cost(s): This strategy is not anticipated to have any additional costs to any of the agencies listed above.

Estimated Implementation Time: Since this strategy requires coordination between a government, a quasi-government and a private service organization it is difficult to establish a implementation timeline.

STATUS: ONGOING

STRATEGY 12 WORK WITH TXDOT ●●●

Work with the Texas Department of Transportation (TxDOT) to improve circulation and connectivity in the corridor, and to regulate traffic patterns and speed limits. This could also include plans for improved multi-modal mobility and pedestrian access in the corridor.

Implementation Responsibility: E & M

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and will not require the assistance of outside consultants.

Estimated Implementation Time: The City currently works closely with TxDOT, and is in the process of planning the IH-30 corridor for the proposed IH-30 improvements scheduled for 2021.

STATUS: ONGOING

OFFENSIVE STRATEGIES

STRATEGY 1 SMALL AREA PLANS ●

Using the strategically located properties depicted in *Figure 1: Plan Framework*, staff could create small area plans for each of the properties using the findings from the benchmark analysis of this document. By providing small area plans for each of these properties, the City would better convey to the development community the desired outcome for each of these areas. This could help to facilitate a regional development.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: The time frame for the completion of the small area plans will vary. Staff estimates that each plan could be completed in approximately one (1) week to one (1) month depending on the scope and detail of the small area plan.

STATUS: **IN PROCESS**

STRATEGY 2 DEMOLITION PERMIT FEE WAIVER ●

A program creating an administrative waiver of demolition fees could be implemented to assist property owners along IH-30 interested in redeveloping an existing property. While this will not have a major or immediate impact on corridor redevelopment, it is a program that can be implemented easily and can be administered at the staff level (*i.e. as opposed to discretionary oversight of the City Council or other boards or commissions*).

Implementation Responsibility: BI & CC

Anticipated Cost(s): The implementation of this program is not anticipated to have a significant effect on the city's revenues, nor will it be costly to implement. For example, a demolition permit application costs \$50.00, and of the 18 demolition permits issued in 2016, six (6) were in the IH-30 corridor. This would represent a total cost to the City of \$300.00 for a one-year period.

Estimated Implementation Time: It is estimated that this program could be implemented with five (5) to ten (10) hours staff time to research and prepare an ordinance or resolution outlining the process that can be taken to the

City Council for approval. This ordinance can be approved by the City Council without being subject to the requirements of the Unified Development Code (i.e. approximately four [4] weeks for adoption).

STATUS: ONGOING

STRATEGY 3 EXISTING BUILDING CODE ●

Property owners in the IH-30 corridor interested in redevelopment could be allowed to use the 2015 International Existing Building Code, which is generally less restrictive than the 2015 International Building Code (IBC) and 2015 International Fire Code (IFC). The 2015 International Existing Building Code is a code that is intended to provide model regulation for existing buildings and is generally less prohibitive than the City's other codes. Currently, the City only utilizes this code in certain circumstances; however, this use could be expanded to ease regulations on existing rehabilitation work. Implementing this strategy would also help to address one (1) of the comments that was expressed at the stakeholder meeting, and which stated that "(e)xisting and older buildings need to grandfathered from any retroactive zoning/building requirements that may be added." While the City does not retroactively apply zoning requirements, new work on existing buildings is typically subject to the building code that is in place at the time of the permit. In this case, it would ease requirements and allow for a code that is expressly intended to regulate existing buildings.

Implementation Responsibility: BI & FM

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change can be implemented at an administrative level by changing the City's policy and defining when the 2015 International Existing Building Code can be used.

STATUS: ONGOING

STRATEGY 4 CIP PROJECTS ●●

Capital Improvement Projects (CIP) scheduled for the study area and intended to support

existing businesses could be approached with a higher priority than other projects. Currently, there are no anticipated projects intended for the study area; however, this strategy could be used when projects are identified in the future.

Implementation Responsibility: E, M & CC

Anticipated Cost(s): This strategy is not anticipated to have any additional costs associated with it since it deals with the future prioritization of projects on the CIP.

Estimated Implementation Time: This strategy is not anticipated to require a great deal of staff time to implement; however, it would require the foresight and consideration of staff when planning the CIP in the future.

STATUS: ONGOING

STRATEGY 5 CITY INITIATED ZONING OF THE CORRIDOR ●

To avoid undesired and unplanned land uses in the corridor the City Council could consider a City initiated action rezoning all property in the corridor to a Commercial (C) District designation. This strategy would ensure that the corridor develops in accordance with the uses permitted in the targeted zoning district; however, this would need to be carefully evaluated and vetted by the City Attorney to avoid any legal hurdles associated with this method. As an alternative strategy, the City could offer the change in zoning classification to property owners on a mass and voluntary basis. This strategy would allow many of the Agricultural (AG) properties within the district the ability to secure Commercial (C) District zoning without having to pay the fees for initiating a zoning case. In addition, this would allow people to market their properties as commercial property.

While the voluntary method is the most desirable, it does not ensure 100% participation from property owners in the corridor. This method could also have the negative effect of entitling property for Commercial (C) District land uses, while not incentivizing a regional mixed-use center. To prevent this, the City Council could consider establishing a new zoning district or planned development district that would have the effect of limiting certain land uses. Under this method, if any residential component was incorporated into the zoning it could fall under upzoning (i.e. allowing a greater range of land uses), which could make the request more difficult to challenge. Staff should note that any City initiated zoning request should be

approached under the advisement of the City Attorney.

Implementation Responsibility: CA, M, PZD, PZC & CC

Anticipated Cost(s): All the anticipated costs for this strategy will vary depending on the involvement of the City Attorney.

Estimated Implementation Time: The implementation time of this strategy will depend on the approach of the City Council.

STATUS: INCOMPLETE

4 IMPLEMENTATION PLAN

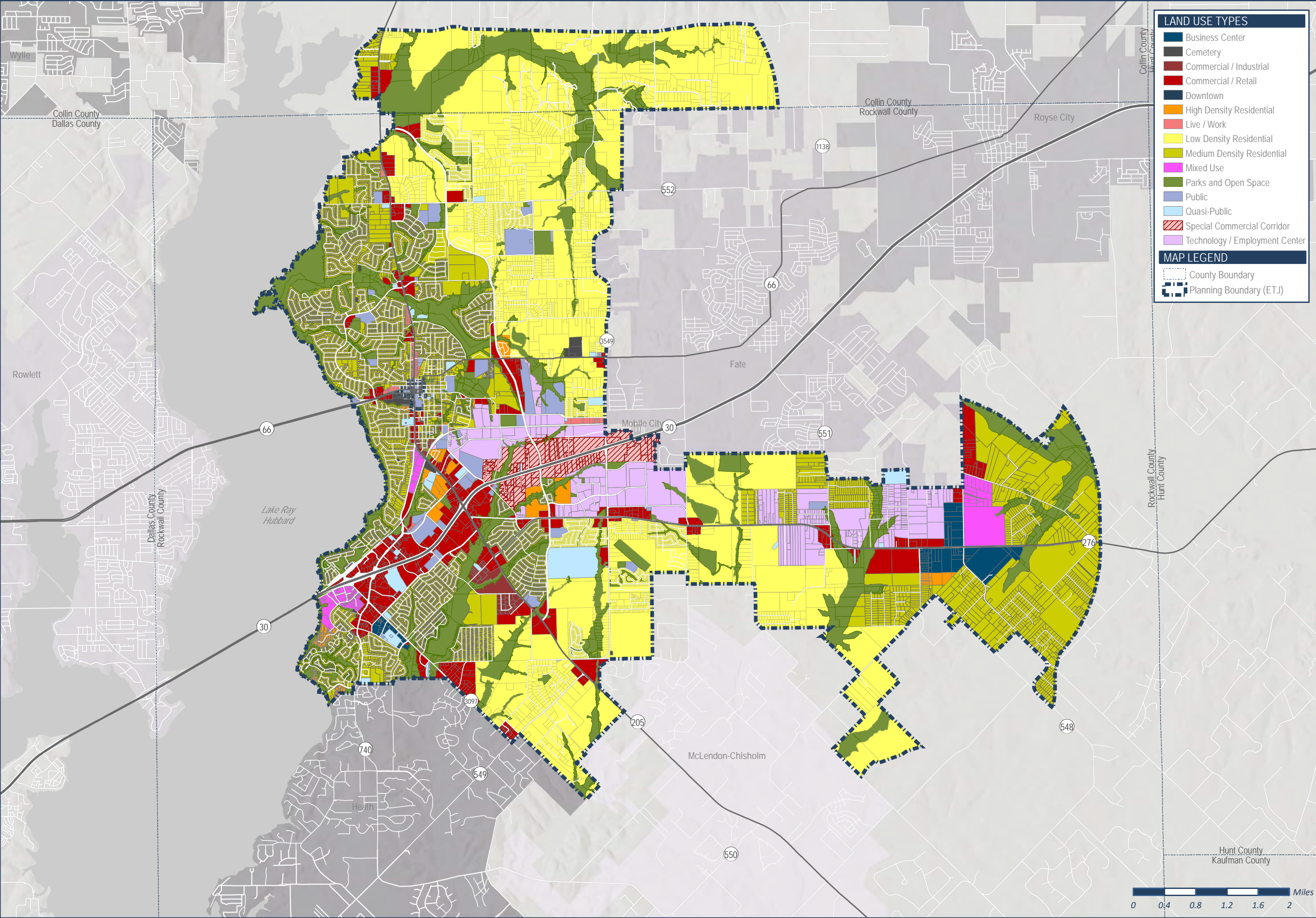
Perhaps the most important thing to point out is that markets are not static, and have a substantial potential to change. This is especially true with regard to commercial/retail development trends. It will be necessary to update the information in this study on a regular basis and to make sure that the direction of this study is still in-line with the community's vision. This is specifically important with regard to the market analysis contained in the *IH-30 Corridor Plan*.

Finally, when making future decisions in the corridor all parties will need to make sure that development requests, policy decisions, discretionary approvals and any other action affecting the study area are looked at in a global sense. Taking a district wide approach to how the corridor develops in the future will ensure that the community is developing in accordance to its vision and not letting individual developments dictate the community's appearance. This will be especially important for staff to relay to applicants looking to develop and/or establish themselves in the IH-30 corridor.



FUTURE LAND USE PLAN

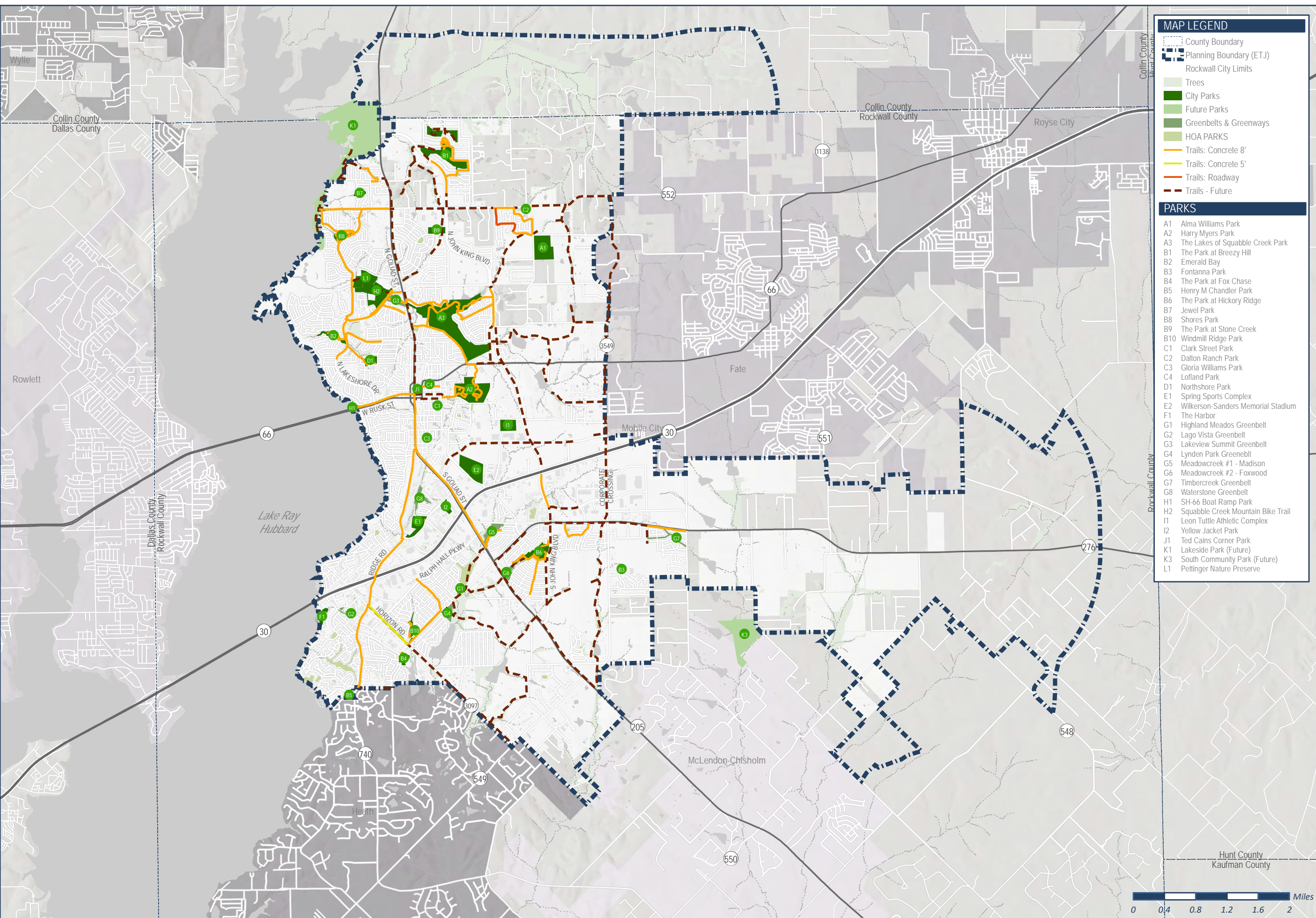
COMPREHENSIVE PLAN 01 | LAND USE & GROWTH MANAGEMENT





MASTER TRAIL PLAN

COMPREHENSIVE PLAN 03 | PARKS, OPEN SPACE AND TRAILS



MAP LEGEND

- County Boundary
- Planning Boundary (ETJ)
- Rockwall City Limits
- Trees
- City Parks
- Future Parks
- Greenbelts & Greenways
- HOA PARKS
- Trails: Concrete 8'
- Trails: Concrete 5'
- Trails: Roadway
- Trails - Future

PARKS

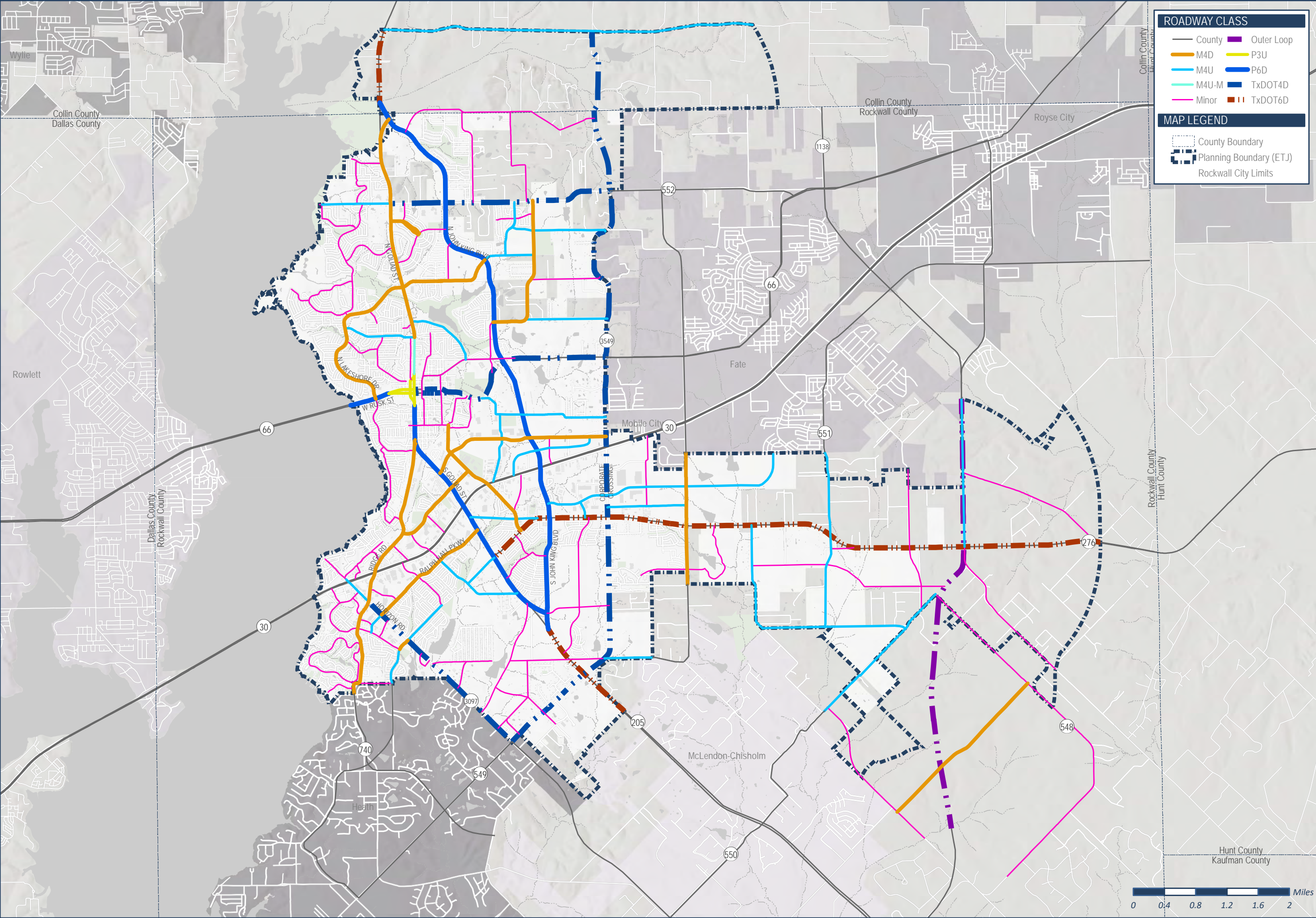
- A1 Alma Williams Park
- A2 Harry Myers Park
- A3 The Lakes of Squabble Creek Park
- B1 The Park at Breezy Hill
- B2 Emerald Bay
- B3 Fontanna Park
- B4 The Park at Fox Chase
- B5 Henry M Chandler Park
- B6 The Park at Hickory Ridge
- B7 Jewel Park
- B8 Shores Park
- B9 The Park at Stone Creek
- B10 Windmill Ridge Park
- C1 Clark Street Park
- C2 Dalton Ranch Park
- C3 Gloria Williams Park
- C4 Lofland Park
- D1 Northshore Park
- E1 Spring Sports Complex
- E2 Wilkerson-Sanders Memorial Stadium
- F1 The Harbor
- G1 Highland Meadows Greenbelt
- G2 Lago Vista Greenbelt
- G3 Lakeview Summit Greenbelt
- G4 Lynden Park Greenbelt
- G5 Meadowcreek #1 - Madison
- G6 Meadowcreek #2 - Foxwood
- G7 Timbercreek Greenbelt
- G8 Waterstone Greenbelt
- H1 SH-66 Boat Ramp Park
- H2 Squabble Creek Mountain Bike Trail
- I1 Leon Tuttle Athletic Complex
- I2 Yellow Jacket Park
- J1 Ted Cains Corner Park
- K1 Lakeside Park (Future)
- K3 South Community Park (Future)
- L1 Pettinger Nature Preserve

0 0.4 0.8 1.2 1.6 2 Miles



MASTER THOROUGHFARE PLAN

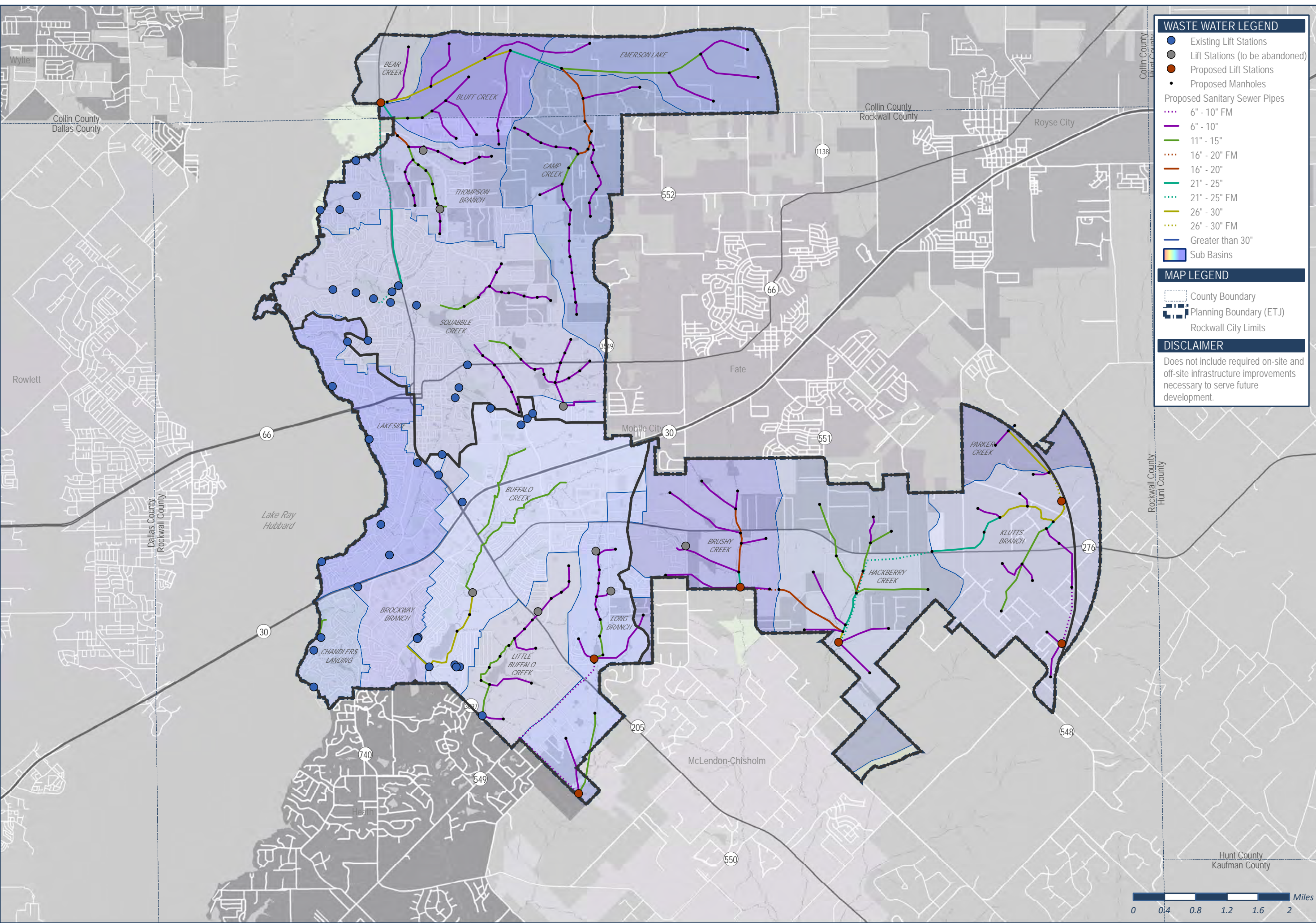
COMPREHENSIVE PLAN 04 | INFRASTRUCTURE





MASTER WASTE WATER PLAN

COMPREHENSIVE PLAN 04 | INFRASTRUCTURE

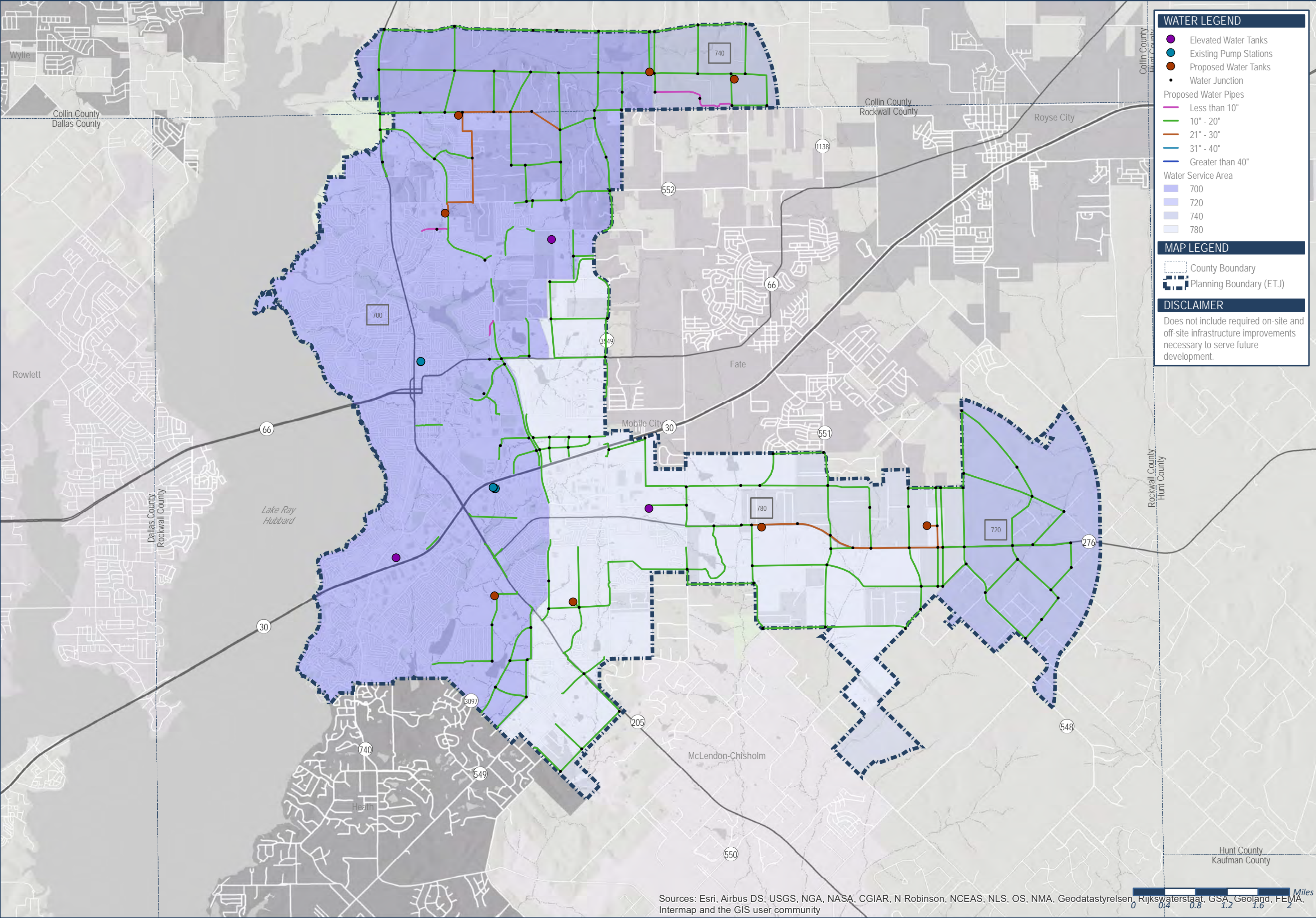




MASTER WATER PLAN

COMPREHENSIVE PLAN 04 | INFRASTRUCTURE

5



WATER LEGEND

- Elevated Water Tanks
- Existing Pump Stations
- Proposed Water Tanks
- Water Junction

Proposed Water Pipes

- Less than 10"
- 10" - 20"
- 21" - 30"
- 31" - 40"
- Greater than 40"

Water Service Area

- 700
- 720
- 740
- 780

MAP LEGEND

- County Boundary
- - - Planning Boundary (ETJ)

DISCLAIMER

Does not include required on-site and off-site infrastructure improvements necessary to serve future development.

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



CITY OF ROCKWALL
ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

WHEREAS, the *Home Rule Charter* of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

WHEREAS, the City Council of the City of Rockwall adopted the *OURHometown Vision 2040 Comprehensive Plan* on December 3, 2018 by *Ordinance No. 18-48* after holding the required public meetings as stipulated by Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code*; and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the *OURHometown Vision 2040 Comprehensive Plan* through participation in a citizen action committee (*i.e. the Comprehensive Plan Advisory Committee [CPAC]*) and public meetings; and

WHEREAS, the City Council of the City of Rockwall realizes that the *OURHometown Vision 2040 Comprehensive Plan* is intended to be a *living document* that requires annual updates to account for changes in the community resulting from growth; and

WHEREAS, the *OURHometown Vision 2040 Comprehensive Plan* serves as a guide to all future City Council action concerning land use and development regulations, and expenditures for capital improvements; and

WHEREAS, Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code* states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence, and as required by the *Home Rule Charter of the City of Rockwall* a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body -- *in the exercise of its legislative discretion* -- has concluded that the Comprehensive Plan should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

Section 1. The *OURHometown Vision 2040 Comprehensive Plan* as approved is hereby amended in accordance with *Exhibit 'A'* of this ordinance, and the resulting document shall be the Comprehensive Plan for the City of Rockwall;

Section 2. The *OURHometown Vision 2040 Comprehensive Plan* shall be used by City Staff in planning and as a guide for future development of the City of Rockwall; and,

Section 3. This ordinance shall take effect immediately from and after its passage.

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

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: June 21, 2021

2nd Reading: July 6, 2021

DRAFT
ORDINANCE
05.25.2021

DRAFT
ORDINANCE
05.25.2021

Exhibit 'A'
2019/2020 Updates to the
OURHometown Vision 2040 Comprehensive Plan

● **COMMERCIAL/RETAIL (CR)**

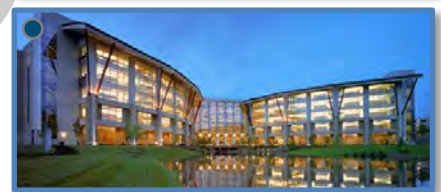
The *Commercial/Retail* land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and service adjacent residential subdivisions. Zoning in conformance with the Commercial/Retail land uses category can be incorporated into a Planned Development (PD) District as part of a larger mix-use master planned community, and may vary in size depending on the adjacent service area. In certain cases where commercial land uses are eminent, it may be appropriate to incorporate zoning in conformance to the Commercial land use category on all four (4) corners of an intersection; however, this is not necessary in all cases. These areas should be designed with the pedestrian in mind, and provide connections between the commercial land use and the adjacent residential subdivision.

DESIGNATION CHARACTERISTICS

- 1 *Primary Land Uses:* Commercial Retail Buildings, Restaurants/Brew Pubs, Multi-Tenant Commercial Centers, Neighborhood Centers and Convenience Centers
- 2 *Secondary Land Uses:* Office/Financial Institutions, Parks, Open Space, and Institutional/Civic Land Uses
- 3 *Zoning Districts:* Neighborhood Services (NS) District, General Retail (GR) District, Commercial (C) District and certain mixed-use Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 Shops at Stone Creek
- 2 Corner of the Intersection of N. Lakeshore Drive and N. Goliad Street [SH-205]
- 3 Walmart Neighborhood Market Shopping Center



● **COMMERCIAL/INDUSTRIAL (CI)**

The *Commercial/Industrial* land use category typically is characterized by smaller business and industrial land uses that are focused around assembly, manufacturing and fabrication. This designation may also accommodate land uses that require outside storage. These areas are also appropriate for small business and business incubator arrangements. Land uses under this designation should be heavily screened by landscaping and should be separated from other land uses using large buffers and roadways. These areas are not appropriate adjacent to residential land use designations and should be separated from these areas using transitional land uses.

DESIGNATION CHARACTERISTICS

- 1 *Primary Land Uses:* Small Scale Manufacturing, Assembly, and Fabrication Businesses, Business Incubators, Contractors Shops, and Heavy Equipment/Truck Rental Businesses
- 2 *Secondary Land Uses:* Warehouse and Outside Storage
- 3 *Zoning Districts:* Heavy Commercial (HC) District and Heavy Industrial (HI) District

EXISTING LAND USE EXAMPLES

- 1 Areas Adjacent to National Drive
- 2 Areas Adjacent to Sids Road

● **BUSINESS CENTERS (BC)**

The Business Center land use designation is intended to provide areas with a variety of employment options. While focusing on employment land uses, these areas may also incorporate limited supporting land uses (e.g. *restaurants and commercial-retail*) that complement the primary land uses. These areas should be designed with public amenities and greenspaces, increased landscaping, and unique design features that will help create a sense of place.

DESIGNATION CHARACTERISTICS

- 1 *Primary Land Uses:* Professional Offices, Corporate Offices, General Offices, Institutional Land Uses, Research and Design/Development Businesses, and Technology/Data Centers.
- 2 *Secondary Land Uses:* Supporting Restaurants and Commercial-Retail Land Uses, Hotels, Parks, Open Space and Civic Uses
- 3 *Zoning Districts:* Commercial (C) District, Light Industrial (LI) District, and Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 Trend Tower

TECHNOLOGY/EMPLOYMENT CENTERS (TEC)

The *Technology/Employment Centers* land use category is characterized by employment-oriented businesses, which are generally situated in larger centers (e.g. *Rockwall Technology Park*) with access to key transportation networks. These uses should utilize large setbacks, campus style green spaces and large berms/buffers to shrink the scale of the buildings and provide park-like amenities that are complementary to the City's other land use districts. Generally, these areas should not be directly adjacent to Low or Medium Density Residential land use designations and should be buffered from low-density single-family subdivisions utilizing transitional land uses.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Clean Manufacturing Centers, Technology/Data Centers, Research and Design/Development Businesses, General Office Land Uses, Flexible Space (i.e. Office/Warehouse Combinations Land Uses), and Light Assembly Businesses
- 2 Secondary Land Uses: Parks, Open Space, Civic/Institutional and Certain Complementary Commercial Land Uses (e.g. Office/Showroom)
- 3 Zoning Districts: Light Industrial (LI) District and Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 Rockwall Technology Park
- 2 Channell Commercial Corporation



SPECIAL DISTRICTS



LIVE/WORK (LW)

The *Live/Work* land use designation is characterized by the reuse of single-family properties as low-intensity office or retail land uses. These areas are considered to be transitional and require added flexibility for the purpose of maintaining a specific small town aesthetic along major roadways. These areas are used to buffer residential areas from major roadways or more intense commercial land uses. This designation also allows live/work arrangements where a single-family structure may continue to serve as residence, while also supporting a low-intensity office or retail store.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Professional Offices, Boutiques, Art/Music Studios, and Antique and Collectable Shops.
- 2 Secondary Land Uses: Banquet Facilities, Small Restaurants, Veterinarian Clinics for Small Animals, and Open Space
- 3 Zoning Districts: Residential-Office (RO) District and Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 N. Goliad Street Between East Fork Road and the Downtown
- 2 West Side of Ridge Road after the SH-205/Ridge Road Split
- 3 N. Goliad Street Across from the YMCA



MIXED-USE (MU)

The *Mixed-Use* land use designation is characterized by mixed-use developments that typically offer a mix of housing types and residential densities with integrated retail, personal services and/or office. These areas can be both vertically and horizontally integrated with a mix of land uses, and are generally designed as walkable/pedestrian friendly developments. The residential component can include single-family homes, townhouses, condominiums, urban housing, lofts, or multi-family. Vertically integrated mixed-use developments typically incorporate structured parking at the center of the block, recreational and pedestrian amenities and have ground floor commercial/retail, office or personal services.

DESIGNATION CHARACTERISTICS

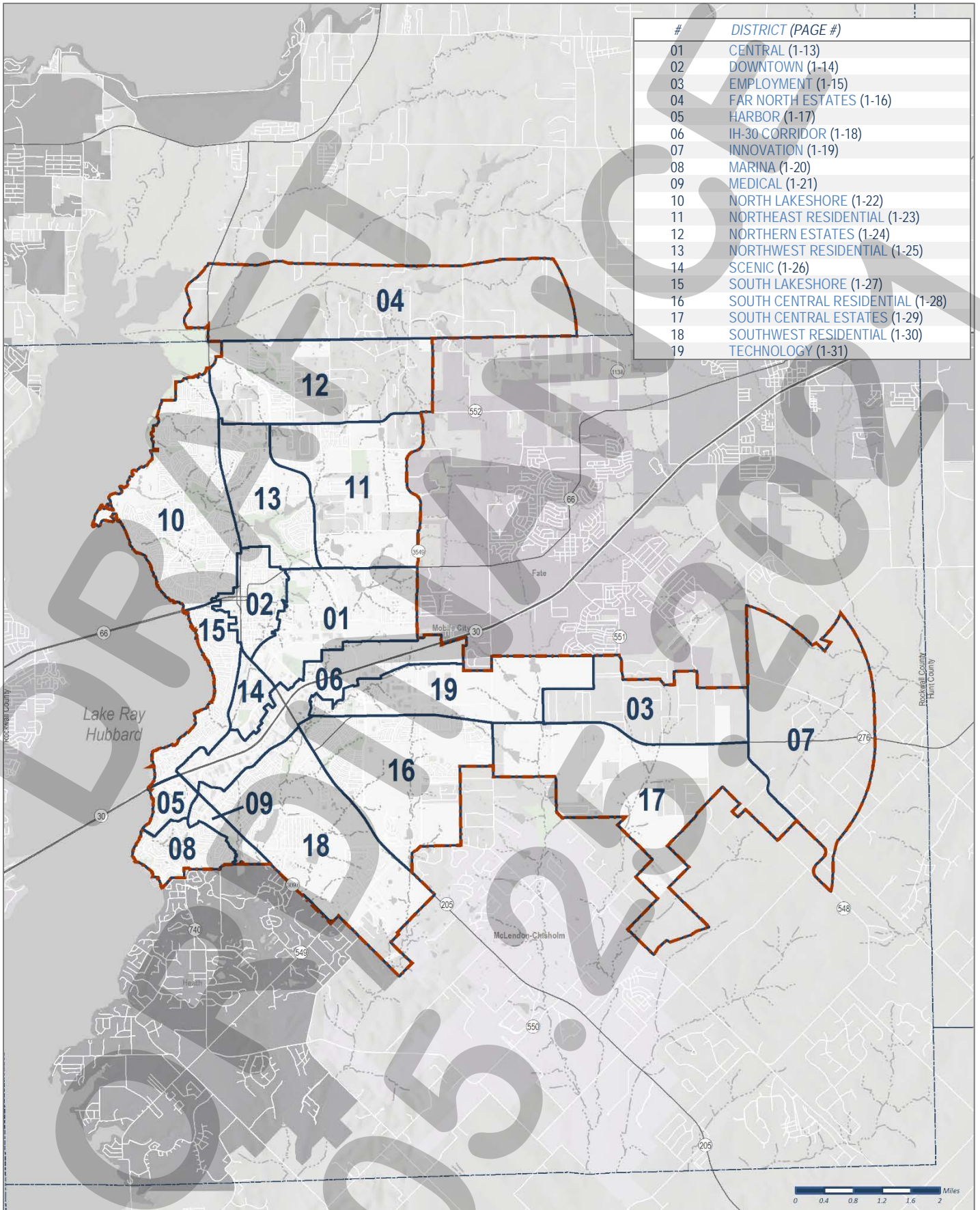
- 1 Primary Land Uses: Retail, Office, Restaurant and Residential Land Uses
- 2 Secondary Land Uses: Parks, Open Space, Trails, and Institutional/Civic Land Uses
- 3 Zoning Districts: Downtown (DT) District and Planned Development (PD) Districts

EXISTING LAND USE EXAMPLES

- 1 Rockwall Commons
- 2 Harbor District

DOWNTOWN (DT)

00 OVERVIEW MAP



01 CENTRAL DISTRICT

DISTRICT STRATEGIES

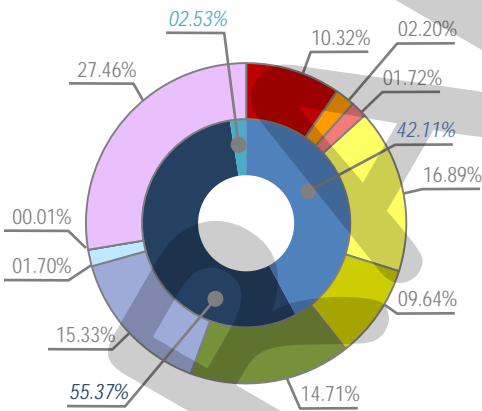
DISTRICT DESCRIPTION

The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.

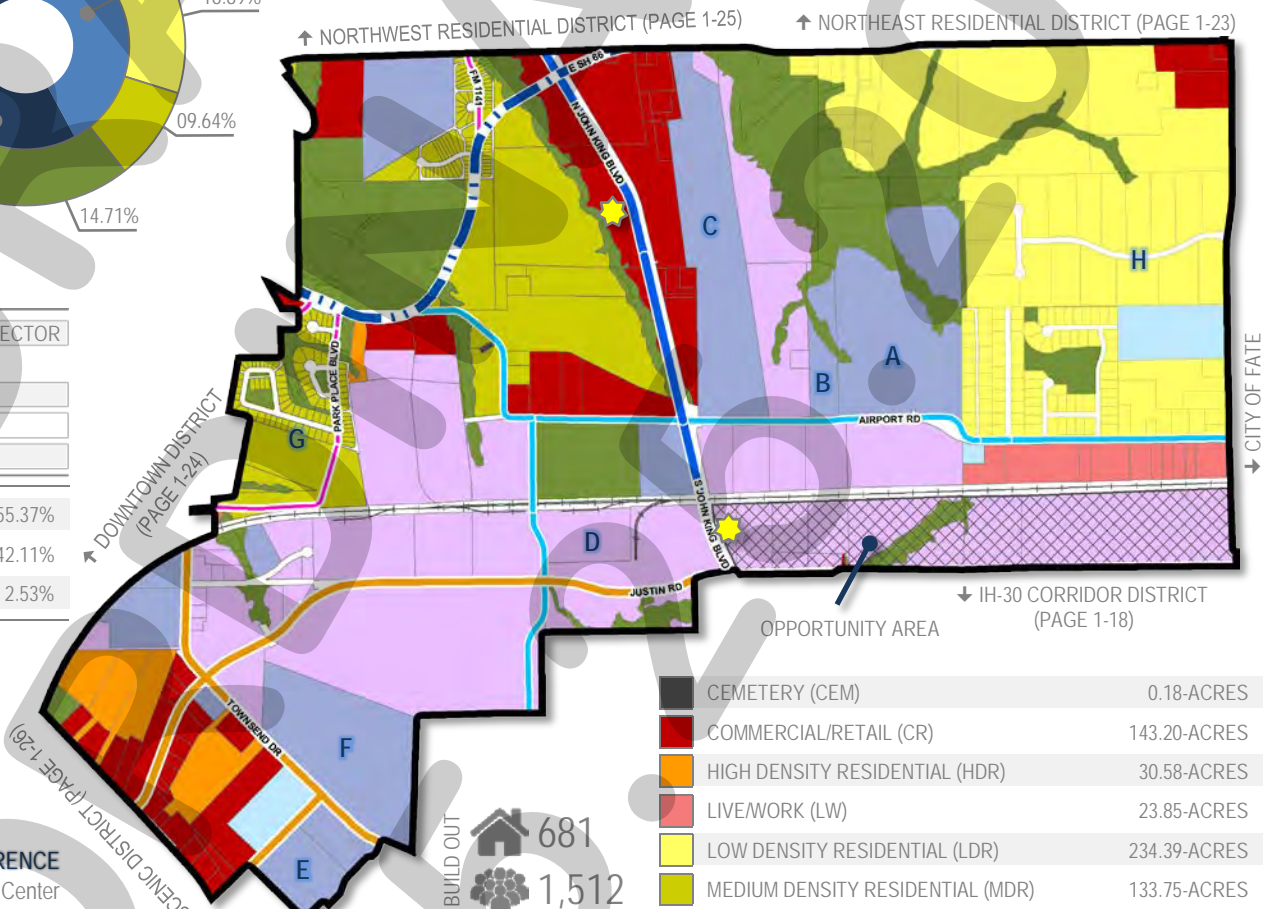
The *Central District* still has some key vacant and underutilized tracts of land that are anticipated to shape the area moving forward. Taking these areas into consideration the following are the strategies for this district:

- 1 Live/Work.** The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
- 2 Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should *not* be smaller than existing *Suburban Residential* lots in this district, but should be comparable in size to newer developments (*i.e. Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (*e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision.
- 3 Commercial/Retail Centers.** The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (*i.e. are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
- 4 Industrial/Special Commercial Corridor Opportunity Area.** The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor*.
- 5 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon



Category	Percentage
COMMERCIAL	55.37%
RESIDENTIAL	42.11%
MIXED USE	2.53%



POINTS OF REFERENCE

- A. Animal Adoption Center
- B. Regional Firearms Training Center
- C. Ralph Hall Municipal Airport
- D. Leon Tuttle Athletic Complex
- E. Rockwall County Courthouse
- F. Utley Middle School
- G. Park Place Subdivision
- H. Rolling Meadows Subdivision

CURRENT
 HOUSES: 71
 TREES: 488

BUILD OUT
 HOUSES: 681
 TREES: 1,512

% OF ROCKWALL
 HOUSES: 1.10%
 TREES: 3.91%
 OTHER: 0.82%

CEMETERY (CEM)	0.18-ACRES
COMMERCIAL/RETAIL (CR)	143.20-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	30.58-ACRES
LIVE/WORK (LW)	23.85-ACRES
LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	133.75-ACRES
PARKS AND OPEN SPACE (OS)	204.05-ACRES
PUBLIC (P)	212.77-ACRES
QUASI-PUBLIC (QP)	23.65-ACRES
SPECIAL COMMERCIAL CORRIDOR (SC)	0.08-ACRES
TECHNOLOGY/EMPLOYMENT CENTER (TEC)	381.07-ACRES

02 DOWNTOWN DISTRICT

DISTRICT DESCRIPTION

The *Downtown District* is the cultural heart of the community and embodies the small town atmosphere that is characteristic of the City of Rockwall. Being the original town area, this district is significantly developed and contains the City's oldest residential and commercial buildings. This district also includes the City's Old Town Rockwall (OTR) Historic District, which is composed of housing that dates back to the late 1800's. The *North Goliad Corridor* -- also identified by its zoning classification (i.e. PD-50) -- is a unique *Live/Work* corridor that supports a range of small boutiques (with a SUP) and offices, and represents a successful adaptive reuse effort by the City. In the future, the City will need to balance the attractiveness of redevelopment in the Downtown area with the small town atmosphere that makes Rockwall unique to its residents.

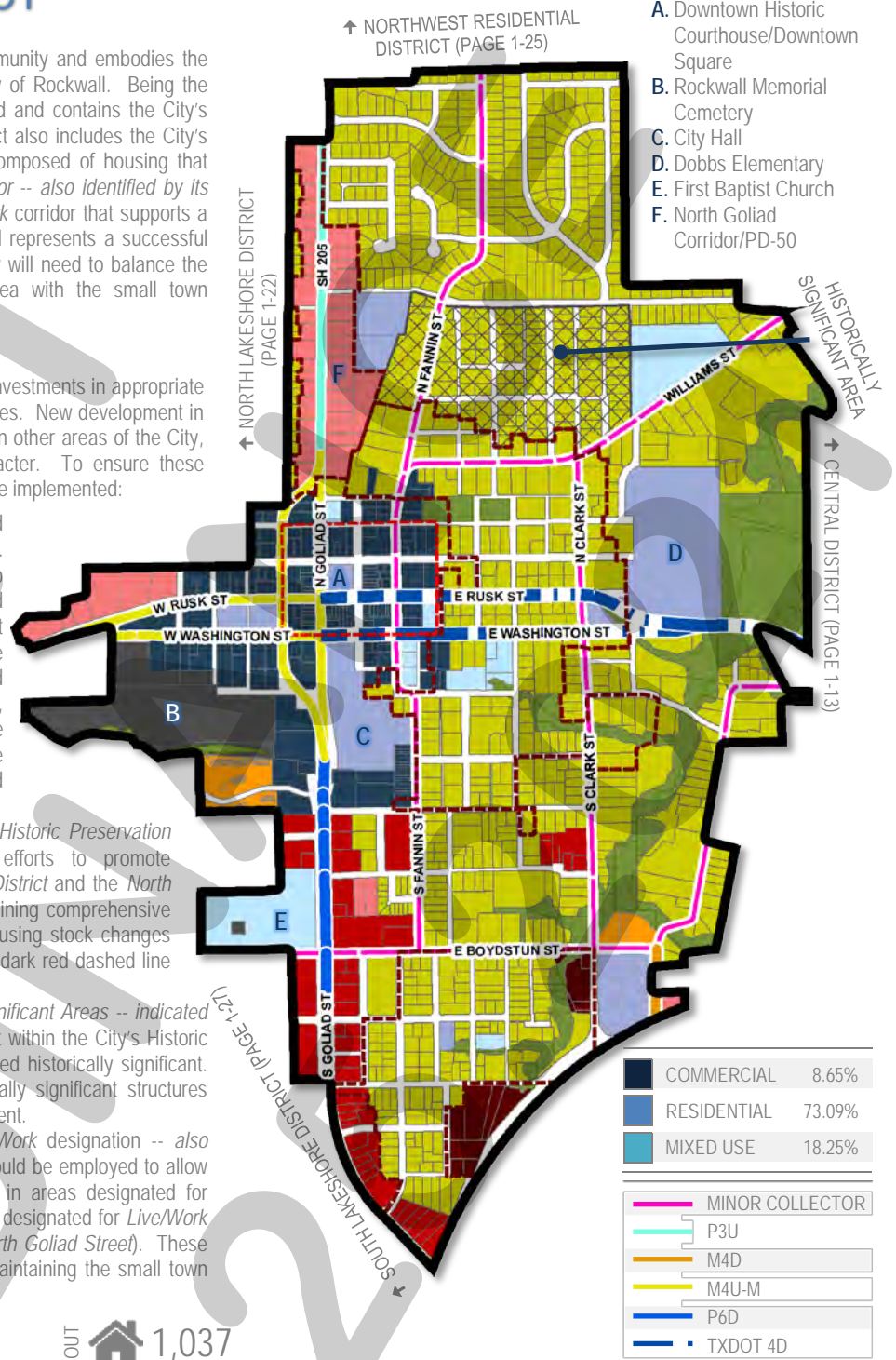
DISTRICT STRATEGIES

The *Downtown District* will continue to prosper through investments in appropriate infill development and adaptive reuse of existing structures. New development in this area should be held to a higher level of scrutiny than other areas of the City, to ensure that the district retains its small-town character. To ensure these objectives are achieved, the following strategies should be implemented:

- 1 Downtown Square.** The *Downtown Square* should be preserved as a historical mixed-use area. Adaptive reuse strategies should be employed to protect and preserve the historic architecture and significance in the district, and redevelopment should be discouraged. In cases where redevelopment is appropriate, architecture and design standards that take into account the form, function and time-period of the existing of the downtown square should be implemented. The downtown square is indicated by the red dashed line (---).
- 2 Historic District and North Goliad Corridor.** The *Historic Preservation Advisory Board (HPAB)* should continue its efforts to promote preservation and appropriate infill in the *Historic District* and the *North Goliad Corridor* (i.e. PD-50). This includes maintaining comprehensive and accurate records of how this area and its housing stock changes over time. The Historic District is indicated by the dark red dashed line on the district map (---).
- 3 Historically Significant Areas.** The *Historically Significant Areas* -- indicated in the crosshatched area --- are areas that are not within the City's Historic District, but contain housing stock that is considered historically significant. This area should look to preserve these historically significant structures while continuing to allow appropriate infill development.
- 4 Live/Work.** The flexibility provided by the *Live/Work* designation -- also allowed in the *Downtown (DT)* zoning district -- should be employed to allow for adaptive reuse of the existing housing stock in areas designated for *Downtown (DT)* District land uses and in the areas designated for *Live/Work* land uses (i.e. adjacent to *W. Rusk Street* and *North Goliad Street*). These districts are important to allowing change while maintaining the small town atmosphere of the Downtown area.

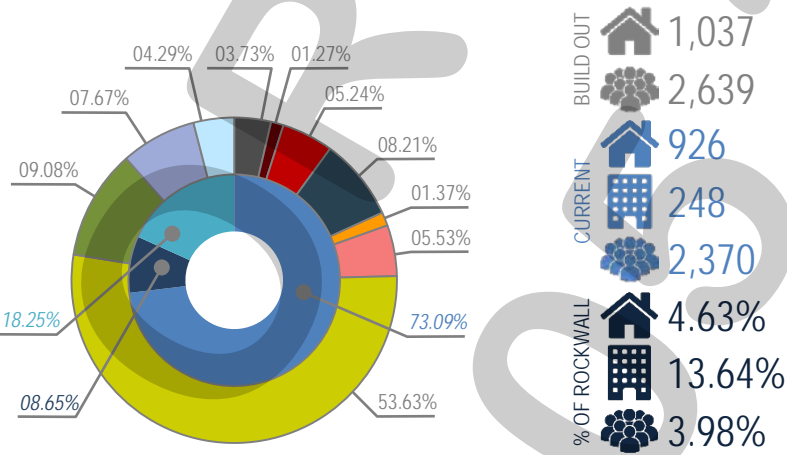
POINTS OF REFERENCE

- A. Downtown Historic Courthouse/Downtown Square
- B. Rockwall Memorial Cemetery
- C. City Hall
- D. Dobbs Elementary
- E. First Baptist Church
- F. North Goliad Corridor/PD-50



COMMERCIAL	8.65%
RESIDENTIAL	73.09%
MIXED USE	18.25%

MINOR COLLECTOR	
P3U	
M4D	
M4U-M	
P6D	
TXDOT 4D	



CEMETERY (CEM)	17.11-ACRES
COMMERCIAL/INDUSTRIAL (CI)	5.82-ACRES
COMMERCIAL/RETAIL (CR)	24.06-ACRES
DOWNTOWN (DT)	37.67-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	6.27-ACRES
LIVE/WORK (LW)	25.38-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	246.20-ACRES
PARKS AND OPEN SPACE (OS)	41.69-ACRES
PUBLIC (P)	35.21-ACRES
QUASI-PUBLIC (QP)	19.70-ACRES

05 HARBOR DISTRICT

DISTRICT DESCRIPTION

Being an entry portal into the City of Rockwall, the *Harbor District* is intended to provide a pedestrian oriented, mixed-use district that accommodates residential, non-residential, and public spaces. This district is characterized by the live, work and play environment that will be provided through professional offices, scenic condominiums, and an abundance of shopping, restaurants, entertainment, and recreational opportunities. The Harbor District is intended to act as a regional commercial center that offers a unique alternative to the small town, local shopping options provided in the City's *Downtown Square*.

POINTS OF REFERENCE

- A. Harbor Fountain
- B. Hilton Hotel & Resort
- C. Trend Tower
- D. Lago Vista Subdivision
- E. Signal Ridge Condominiums

LAND USE PALETTES

- Current Land Use
- Future Land Use

- ★ Entry Portals/Monumentation for the Harbor District
- Pocket Parks and Pedestrian Features



1 Trend Tower Office Building

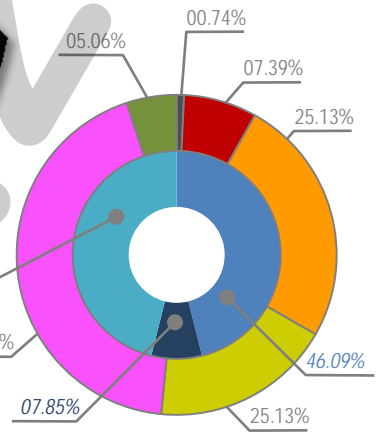
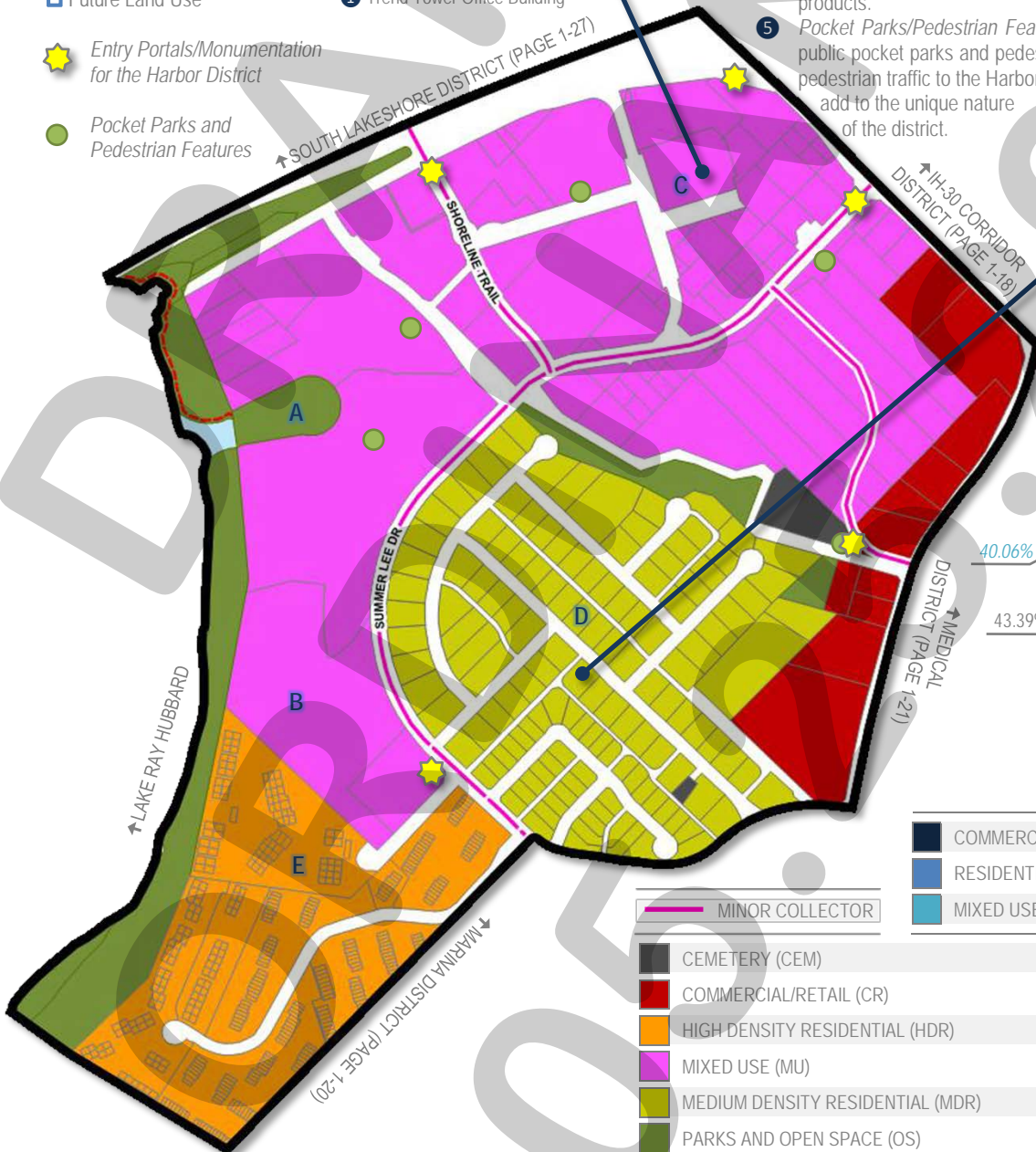
DISTRICT STRATEGIES

With the majority of the urban residential and townhome units being entitled and much of the vacant land planned in accordance with the regulating Planned Development District ordinance, the Harbor District's vision is starting to be realized. To continue to support the growth experienced over the last few years the following strategies should be implemented:

- 1 **Mixed Use.** The areas identified as mixed-use on the district map should generally be developed in accordance with the concept plan contained in Planned Development District 32 (PD-32), and be targeted at providing a pedestrian friendly, walkable, mixed-use district.
- 2 **Lake Access.** The City should continue to explore opportunities for public access to the waterfront for the creation of public parks, passive greenway spaces, and trails. This is specifically important in the areas indicated by the red dashed line (---).
- 3 **Neighborhood/Convenience Centers.** The commercial in this district is intended to provide a transition from the adjacent mixed-use district and should include small offices and uses intended to support the residential developments in the area. These areas should focus on connectivity and walkability.
- 4 **Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for medium density, suburban housing products.
- 5 **Pocket Parks/Pedestrian Features and Trails.** A series of private and public pocket parks and pedestrian features connected by trails leading pedestrian traffic to the Harbor Fountain/Park should be established to add to the unique nature of the district.



3 Current Suburban Residential



COMMERCIAL	7.85%
RESIDENTIAL	46.09%
MIXED USE	46.06%

MINOR COLLECTOR	
CEMETERY (CEM)	1.43-ACRES
COMMERCIAL/RETAIL (CR)	14.25-ACRES
HIGH DENSITY RESIDENTIAL (HDR)	48.42-ACRES
MIXED USE (MU)	83.60-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	35.22-ACRES
PARKS AND OPEN SPACE (OS)	9.75-ACRES

CURRENT

- 1,292
- 119
- 3,915

% OF ROCKWALL

- 6.46%
- 6.55%
- 6.58%

BUILD OUT

- 1,921
- 5,821

06 IH-30 CORRIDOR DISTRICT

DISTRICT DESCRIPTION

The IH-30 Corridor is the primary retail corridor for the City of Rockwall. Currently the corridor is approximately 55% developed, with the remaining 45% being vacant or raw land. The Corridor acts as the western gateway for both the City and County of Rockwall, and has land uses that include retail, personal services, medical, and industrial. In the future the health of the IH-30 corridor is vital to maintaining a high per capita sales tax for the City of Rockwall.

POINTS OF REFERENCE

- A. Lake Point Church
- B. Rochell Elementary School
- C. Walmart
- D. Costco



2/3 Future Regional Center



2 Future Regional Center

LAND USE PALETTES

- Current Land Use
- Future Land Use

★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

★ IH-30 Corridor Plan Eastern Entry Portals

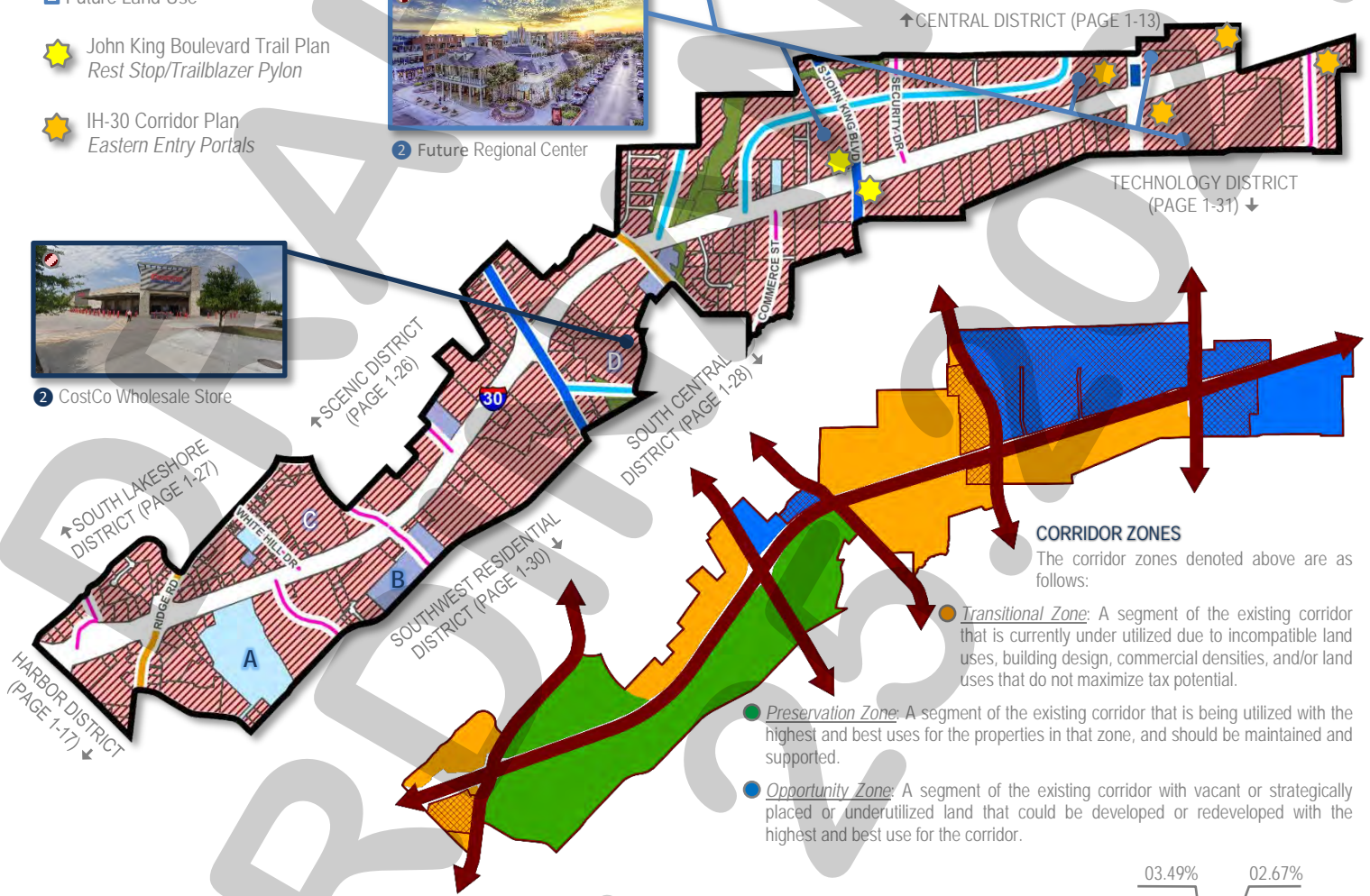


2 Costco Wholesale Store

DISTRICT STRATEGIES

The IH-30 Corridor District will continue to be the City's primary retail corridor in the future. Based on this the following strategies should be employed:

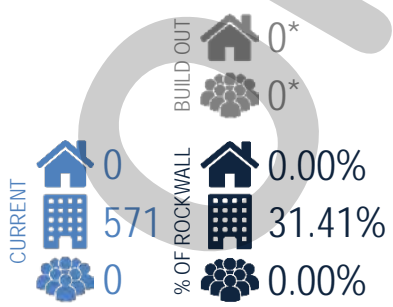
- 1 **Corridor Strategies.** The specific goals and policies contained in Section 02.01, *IH-30 Corridor Plan*, of Appendix 'B', *Corridor Plans*, of this Comprehensive Plan should be considered when reviewing new development within the IH-30 Corridor.
- 2 **Regional Center.** In accordance with the *IH-30 Corridor Plan*, a regional center should be located on each of the properties denoted in the red cross-hatch (⊠) in the Corridor Zones map below. These regional centers should generally follow one (1) of the four (4) models identified in the *IH-30 Corridor Plan* (i.e. *Strip Retail Center, Mixed-Use Center, Town Center, or Regional Designation Center* models).
- 3 **Open Space.** Large commercial centers should incorporate green space or open space at the center of the development that can be used to provide amenity or break up large parking fields.
- 4 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in Appendix 'B' of this Comprehensive Plan.



CORRIDOR ZONES

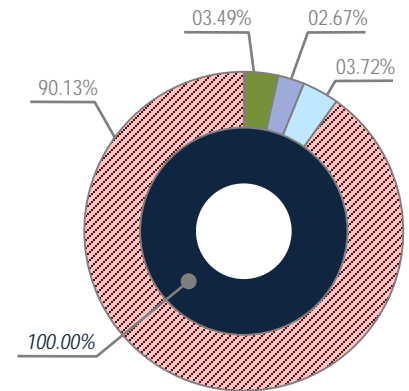
The corridor zones denoted above are as follows:

- **Transitional Zone:** A segment of the existing corridor that is currently under utilized due to incompatible land uses, building design, commercial densities, and/or land uses that do not maximize tax potential.
- **Preservation Zone:** A segment of the existing corridor that is being utilized with the highest and best uses for the properties in that zone, and should be maintained and supported.
- **Opportunity Zone:** A segment of the existing corridor with vacant or strategically placed or underutilized land that could be developed or redeveloped with the highest and best use for the corridor.



LAND USE	PERCENTAGE	ACRES
COMMERCIAL	100.00%	
RESIDENTIAL	0.00%	
MIXED USE	0.00%	
PARKS AND OPEN SPACE (OS)		37.03-ACRES
PUBLIC (P)		28.31-ACRES
QUASI-PUBLIC (QP)		39.49-ACRES
SPECIAL COMMERCIAL CORRIDOR (SC)		957.15-ACRES

ROAD TYPE	ACRES
MINOR COLLECTOR	
M4U	
M4D	
P6D	
TXDOT 4D	



07 INNOVATION DISTRICT

DISTRICT DESCRIPTION

The *Innovation District* is located at the eastern most point of the City's Extraterritorial Jurisdiction (ETJ). This district currently has several existing medium density residential subdivisions, including Alexander Ranch, Wanda Ridge Estates, Bent Trail Estates and portions of the Chisholm Trail Subdivision. Currently, the district is bisected by SH-276, which acts as the districts primary east/west access. The *Innovation District* is intended to build on the possibilities of the future Outer Loop, which could dramatically reshape land use in this area. In addition, this district could provide the potential for a second major commercial/retail and office corridor that could complement the existing IH-30 corridor.

DISTRICT STRATEGIES

With the possibility of the future Outer Loop following the current alignment of FM-548, the *Innovation District's* land use pattern is anticipated to change at the intersection of FM-548 and SH-276. Taking this possibility into consideration the following strategies should be implemented in this district:

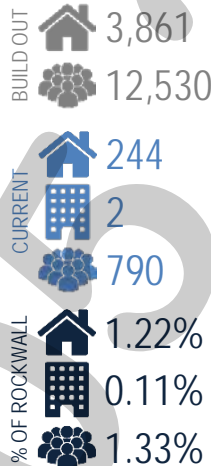
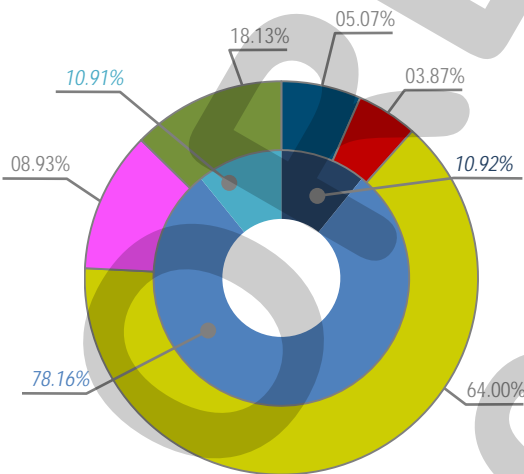
- 1 Opportunity Zone (Intersection of SH-276 & FM-548).** When constructed this intersection will be a major land use node in the district and have the potential to provide employment and professional campus land uses mixed with entertainment, restaurant and retail land uses. These uses that can create an "18-Hour" environment (i.e. an environment that provides the ability to live, work, shop, and dine) in the area.
- 2 Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community, any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in the district. In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (e.g. larger lots or a large landscape buffer) adjacent to the existing subdivision.
- 3 Commercial/Retail Centers.** Due to the anticipated alignment of the Outer Loop (current alignment of FM-548), the commercial/retail centers along FM-548 and SH-276 are ideal for larger scale retail businesses and restaurants that could support office or residential development in the area. These areas could also provide neighborhood service uses intended or smaller commercial uses that can support adjacent residential land uses. All commercial developments should incorporate appropriate screening (e.g. berms, landscaping, and large buffers) to transition uses.
- 4 Business Center.** The areas designated as *Business Center* are intended to provide space for larger office facilities and combination manufacturing/warehouse and office facilities (e.g. corporate headquarters). This area is also suitable for mixed office/commercial land uses.

POINTS OF REFERENCE

- Alexander Ranch Subdivision
- Wanda Ridge Estates Subdivision
- Bent Trail Estates Subdivision
- Chisholm Trail Subdivision

LAND USE PALETTES

- Current Land Use
- Future Land Use



Land Use Type	Percentage
COMMERCIAL	10.92%
RESIDENTIAL	78.16%
MIXED USE	10.91%

Land Use Type	Acres
BUSINESS CENTER (BC)	140.62-ACRES
COMMERCIAL/RETAIL (CR)	107.49-ACRES
MIXED USE (MU)	247.86-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	1,775.24-ACRES
PARKS AND OPEN SPACE (OS)	502.86-ACRES

11 NORTHEAST RESIDENTIAL DISTRICT

↑ NORTHERN ESTATES DISTRICT (PAGE 1-24)

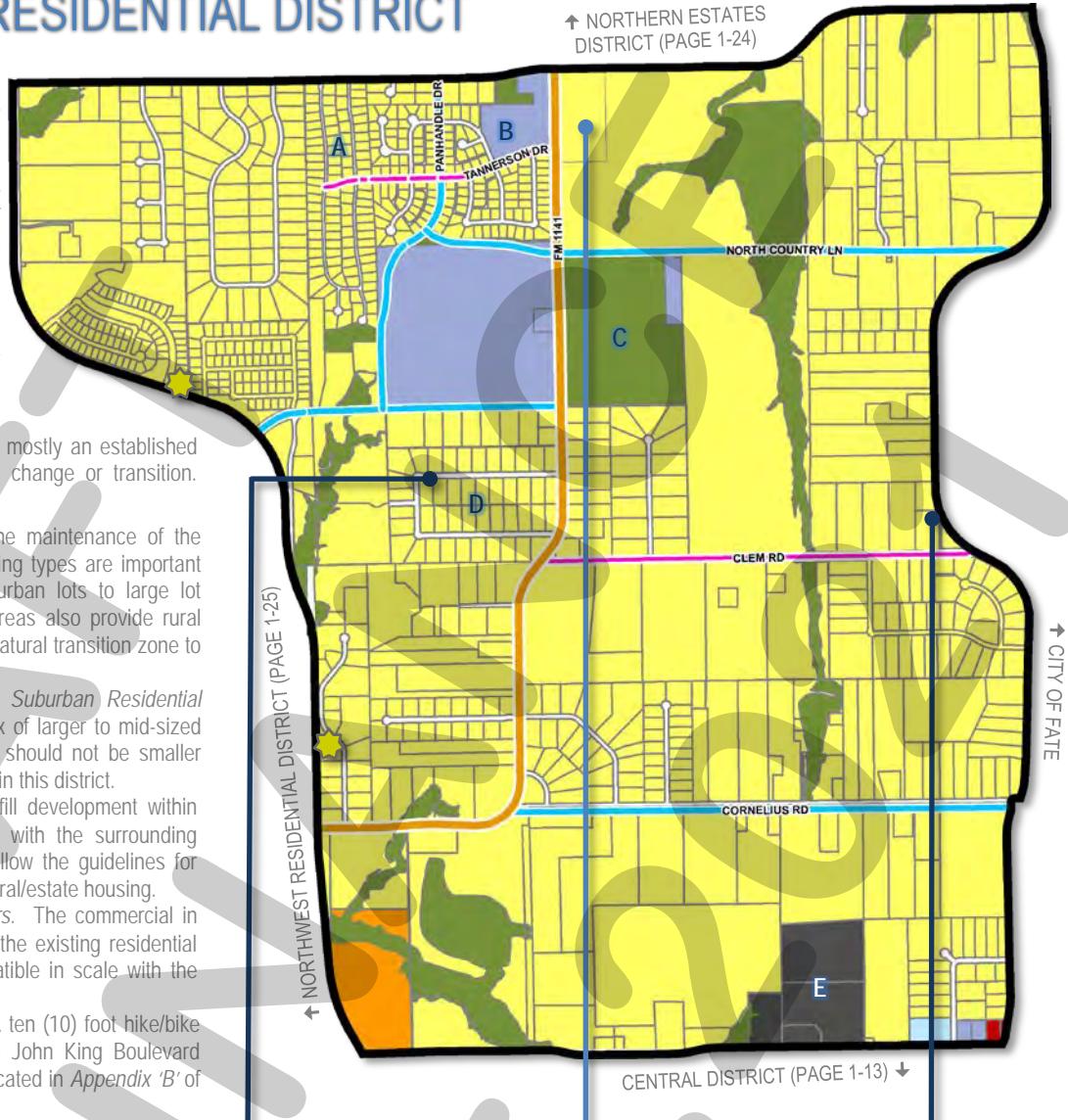
DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- 1 **Estate and Rural Residential.** The maintenance of the *Estate and Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- 2 **Suburban Residential.** Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
- 3 **Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- 4 **Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 5 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home



2 Current Suburban Residential



2 Future Suburban Residential



1 Current Rural Residential

LAND USE PALETTES

- Current Land Use
- Future Land Use

★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

BUILD OUT 1,964

5,794

% OF ROCKWALL 3.13%

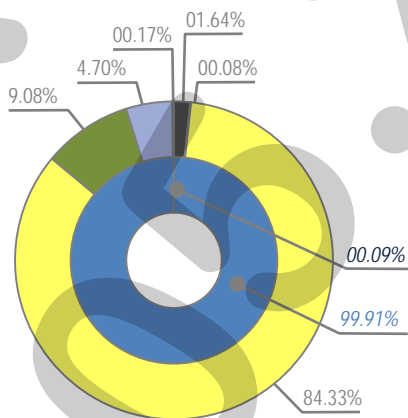
0.99%

3.10%

CURRENT 625

18

1,844



—	MINOR COLLECTOR
—	M4U
—	M4D

■	COMMERCIAL	0.09%
■	RESIDENTIAL	99.91%
■	MIXED USE	0.00%
■	CEMETERY (CEM)	32.34-ACRES
■	COMMERCIAL/RETAIL (CR)	1.52-ACRES
■	LOW DENSITY RESIDENTIAL (LDR)	1,658.33-ACRES
■	PARKS AND OPEN SPACE (OS)	178.54-ACRES
■	PUBLIC (P)	92.45-ACRES
■	QUASI-PUBLIC (QP)	3.25-ACRES

17 SOUTH CENTRAL ESTATES DISTRICT

DISTRICT DESCRIPTION

The *South Central Estates District* has the potential to have a mixture of land uses, but is currently relatively undeveloped. The district does have a low density (*i.e. Equestrian Meadows*) and a medium density (*i.e. West View*) subdivision situated within the southern portions of the district. Along SH-276, there are currently some transitional commercial land uses and residential homes situated on long narrow lots. This district is projected to transition to more intense commercial land uses along SH-276, but still maintain estate and rural residential land uses south of SH-276. Much of the areas along SH-276 will depend on the viability and alignment of the future Outer Loop.

POINTS OF REFERENCE

- A. Equestrian Meadows Subdivision
- B. Westhaven Subdivision

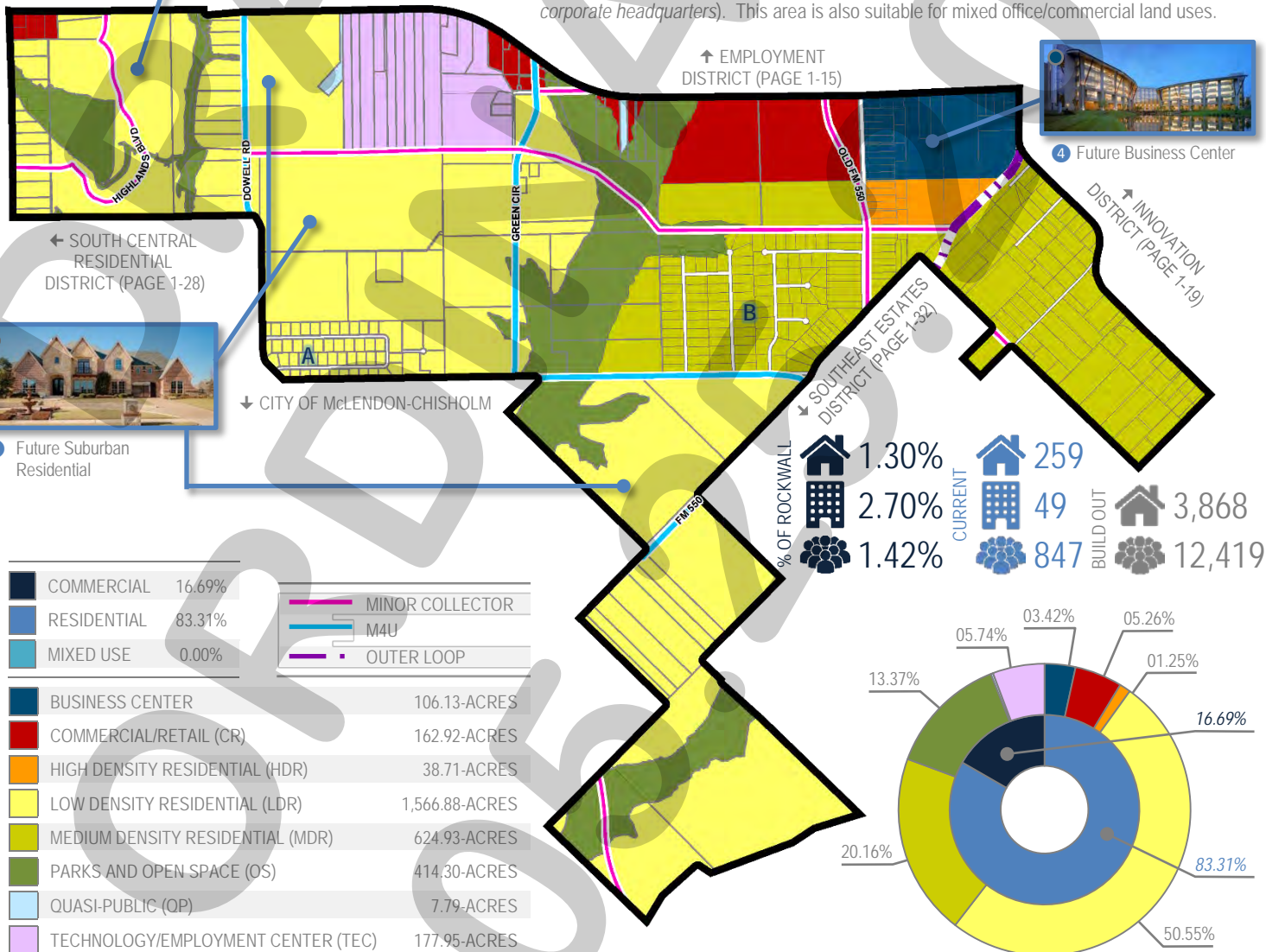
LAND USE PALETTES

- Current Land Use
- Future Land Use



2 Future Suburban Residential

↑ TECHNOLOGY DISTRICT (PAGE 1-31)



DISTRICT STRATEGIES

Taking into account that the *South Central Estates District* has a large amount of mostly vacant or raw land with limited access to infrastructure (*i.e. water and wastewater facilities*), the following are the recommended strategies for this district:

- 1 **Opportunity Zone** (*Intersection of SH-276 & FM-548*). When constructed this intersection will be a major land use node in the district and have the potential to provide employment and professional campus land uses mixed with entertainment, restaurant and retail land uses that can create an "18-Hour" environment (*i.e. an environment that provides the ability to live, work, shop and dine*).
- 2 **Suburban Residential**. The district has several large tracts of land that can support highly amenitized master planned communities. Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (*e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision. Due to the availability of infrastructure residential in this area may also be suitable for 1½-acre lots with septic systems.
- 3 **Commercial/Retail Centers**. Due to the anticipated alignment of the Outer Loop (*i.e. current alignment of FM-548*), the commercial/retail centers along SH-276 are ideal for larger scale retail businesses and restaurants that could support any office or residential development in the area. These areas could also provide neighborhood service uses intended to allow smaller commercial uses that can support adjacent residential land uses. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
- 4 **Business Center**. The areas designated as *Business Center* are intended to provide space for larger office facilities and combination manufacturing/warehouse and office facilities (*e.g. corporate headquarters*). This area is also suitable for mixed office/commercial land uses.

20 SUMMARY LAND USE PLAN

SUMMARY OF LAND USE PLAN IN ACRES BY DISTRICT, LAND USE DESIGNATION AND LAND USE

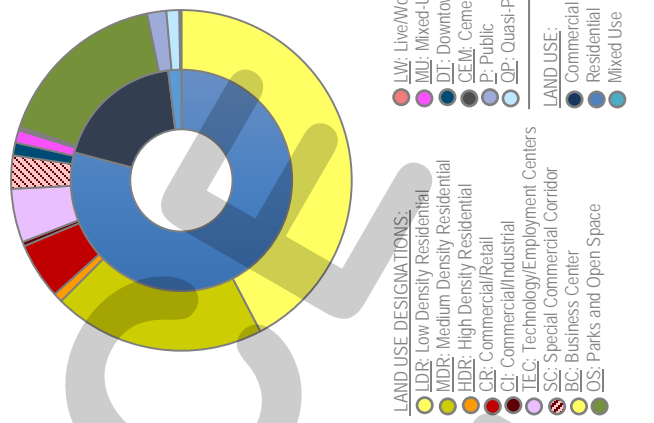
The following is a summary of the total acreage by Land Use District for each Land Use Designation and the corresponding land use breakdown at the time of the adoption of the Comprehensive Plan:

#	DISTRICT (PAGE #)	RESIDENTIAL: 77.17%			COMMERCIAL: 20.63%			MIXED USE: 2.20%			CEM				
		LDR	MDR	HDR	CR	CI	TEC	SC	BC	MU		DT	LW	OS	P
1	CENTRAL (1-13)	234.39	133.75	30.58	143.20		381.07	0.08				23.85	204.05	212.77	37.33
2	DOWNTOWN (1-14)		246.20	6.27	24.06	5.82						25.38	41.69	35.21	19.70
3	EMPLOYMENT (1-15)	0.03	355.53		67.72		640.37					106.27	106.27	14.31	39.12
4	FAR NORTH ESTATES (1-16)	2,265.23	131.27	48.50	14.25							981.02	981.02		
5	HARBOR (1-17)		35.22	48.42								9.97	9.97	28.31	39.49
6	IH-30 CORRIDOR (1-18)		1,775.24		107.49							502.86	502.86		
7	INNOVATION (1-19)		317.63	14.04	2.80							100.71	100.71	5.18	0.03
8	MARINA (1-20)		1,237.77		65.95							38.65	38.65	1.27	26.14
9	MEDICAL (1-21)		0.04		56.94							12.29	12.29	40.53	5.58
10	NORTH LAKESHORE (1-22)		581.43	68.87	1.52							178.54	178.54	92.45	3.25
11	NORTHEAST RESIDENTIAL (1-23)	1,658.33										341.15	341.15	7.33	32.34
12	NORTHERN ESTATES (1-24)	1,643.65			60.20							315.22	315.22	38.11	9.66
13	NORTHWEST RESIDENTIAL (1-25)		28.04	54.77	20.89							2.63	2.63	52.63	14.31
14	SCENIC (1-26)		381.87		34.92							3.66	3.66	2.93	0.75
15	SOUTH LAKESHORE (1-27)		1,102.26		144.84							123.68	123.68	161.33	0.99
16	SOUTH CENTRAL RESIDENTIAL (1-28)		1,566.88	624.93	38.71		7.79					283.44	283.44	40.36	7.79
17	SOUTH CENTRAL ESTATES (1-29)		566.88	481.39					106.13			414.30	414.30	8.67	
18	SOUTHWEST RESIDENTIAL (1-30)		425.14	27.22	74.61	78.42		530.85	6.76			570.30	570.30	1.95	0.61
19	TECHNOLOGY (1-31)		9,462.79	6,558.38	267.40	1,380.93	126.32	1,560.08	963.99	369.14	364.67	67.81	4,828.84	557.90	374.74
			35.08%	24.31%	0.99%	5.12%	0.47%	5.78%	3.57%	1.37%	1.35%	0.25%	17.90%	2.07%	1.39%
															0.21%

SUMMARY OF HOUSING, BUSINESSES AND POPULATION BY DISTRICT

The following is a summary of the number of housing units, businesses and total population broken out by the Land Use Plan District at the time of the adoption of the Comprehensive Plan and at the projected build out for the City:

#	DISTRICT (PAGE #)	CURRENT			BUILD OUT						
		Houses	%	Population	Houses	%	Population				
01	CENTRAL (1-13)	220	1.10%	71	3.91%	488	0.82%	681	1.61%	1,512	1.77%
02	DOWNTOWN (1-14)	926	4.63%	248	13.64%	2,370	3.98%	1,037	2.44%	2,639	2.05%
03	EMPLOYMENT (1-15)	202	1.01%	105	5.78%	644	1.08%	987	2.33%	3,149	2.44%
04	FAR NORTH ESTATES (1-16)	256	1.28%	5	0.28%	791	1.33%	4,269	10.06%	13,191	10.22%
05	HARBOR (1-17)	1,292	6.46%	119	6.55%	3,915	6.58%	1,921	4.53%	5,821	4.51%
06	IH-30 CORRIDOR (1-18)	0	0.00%	571	31.41%	0	0.00%	0	0.00%	0	0.00%
07	INNOVATION (1-19)	244	1.22%	2	0.11%	790	1.33%	3,861	9.10%	12,530	9.71%
08	MARINA (1-20)	1,536	7.68%	6	0.33%	3,923	6.59%	1,624	3.83%	4,146	3.21%
09	MEDICAL (1-21)	0	0.00%	173	9.52%	0	0.00%	0	0.00%	0	0.00%
10	NORTH LAKESHORE (1-22)	4,052	20.26%	65	3.58%	12,206	20.50%	4,358	10.27%	13,135	10.18%
11	NORTHEAST RESIDENTIAL (1-23)	625	3.13%	18	0.99%	1,844	3.10%	1,964	4.63%	5,794	4.49%
12	NORTHERN ESTATES (1-24)	904	4.52%	1	0.06%	2,671	4.49%	2,395	5.65%	7,114	5.51%
13	NORTHWEST RESIDENTIAL (1-25)	1,782	8.91%	25	1.38%	5,328	8.95%	2,347	5.53%	7,018	5.44%
14	SCENIC (1-26)	1,040	5.20%	71	3.91%	2,309	3.88%	1,092	2.57%	2,424	1.88%
15	SOUTH LAKESHORE (1-27)	1,618	8.09%	32	1.76%	5,501	9.24%	1,638	3.86%	5,569	4.32%
16	SOUTH CENTRAL RESIDENTIAL (1-28)	2,153	10.77%	5	0.28%	6,911	11.61%	3,757	8.86%	12,060	9.35%
17	SOUTH CENTRAL ESTATES (1-29)	259	1.30%	49	2.70%	847	1.42%	3,868	9.12%	12,419	9.62%
18	SOUTHWEST RESIDENTIAL (1-30)	2,190	10.95%	188	10.34%	7,437	12.49%	4,251	10.02%	14,108	10.93%
19	TECHNOLOGY (1-31)	701	3.51%	64	3.52%	1,556	2.61%	2,376	5.60%	6,414	4.97%
		20,000	100.00%	1,818	100.00%	59,531	100.00%	42,426	100.00%	129,043	100.00%



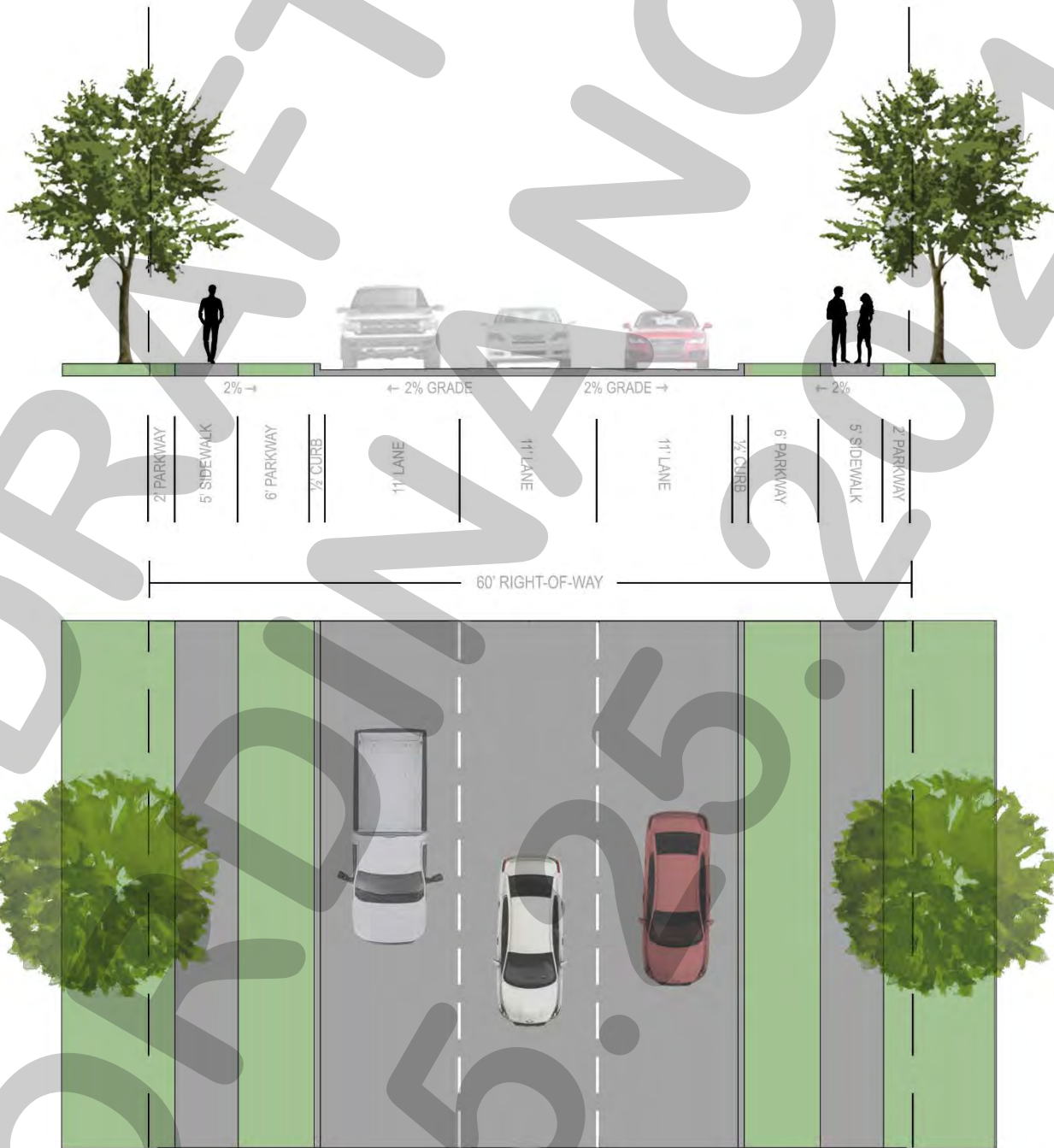
05 STREET CROSS SECTIONS

05 PRINCIPLE ARTERIALS

ROAD TYPE: PRINCIPAL ARTERIAL, THREE (3) LANE, UNDIVIDED ROADWAY

ABBREVIATION: P3U

DESIGN STANDARDS: [1] 60' ROW, [2] NO ON-STREET PARKING, & [3] 45 MPH DESIGN SPEED



04 IMPLEMENTATION PLAN

01 ACTION PLAN

		IMPLEMENTATION TIME PERIOD										
		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	
ACTION PLAN	AS # <i>Action Plan Strategy</i>											
	1	<i>Annual Review Process.</i> The <i>Annual Review Process</i> is a review of the previous year's actions and their corresponding effect on the Comprehensive Plan. Through this review City staff, the Comprehensive Plan Advisory Committee (CPAC) and the City Council can make minor changes to the plan to ensure that it continues to be an effective tool for decision-making and accurate representation of the City's vision.										
	2	<i>5 Year Review Process.</i> The <i>5-Year Review Process</i> is a more in-depth review of the goals, policies and implementation strategies contained in the plan. Through this review the City staff, the Comprehensive Plan Advisory Committee (CPAC) and the City Council have the ability adjust or add goals, policies and implementation strategies.										
	3	<i>10 Year Review Process.</i> The <i>10-Year Review Process</i> is intended to allow the Comprehensive Plan Advisory Committee (CPAC) and the City Council set new goals, policies and implementation strategies, and make any changes to the vision necessary to meet that vision over the next ten (10) years.										
	4	Review all development applications for consistency with this Comprehensive Plan.										
	5	Ensure that all proposed Capital Improvement Projects are consistent with the recommendations of the plan.										
	6	In an effort to make the plan available to all Rockwall citizens, staff should ensure that the plan is available in paper copies at City Hall and various electronic formats through the City's website.										
	7	Create an online version of the plan that can be used to track staff's progress, update the community of any changes to the plan through the review process, and allow for continued community interaction.										
8	Revise and update the <i>Existing Conditions Report</i> on a five (5) year basis.											

KEY: ONGOING ACTION REQUIRED: [Blue Hatched] | REVIEW PERIOD: [Orange] | IMPLEMENTATION YEAR: [Dark Blue] | EVALUATION OF ONGOING PROGRAMS: [Red Hatched] | COMPLETED TASKS: ✓ AND ①

04 IMPLEMENTATION PLAN

02 REGULATIONS IMPLEMENTATION SCHEDULE

Schedule	IS#	Implementation Strategy	Chapter Reference	Department Lead	Strategy Priority	IMPLEMENTATION TIME PERIOD											
						2019	2020	2021	2022	2023	2024	2025	2026	2027	2028		
REGULATIONS	11	Review the City's Agricultural (AG) District standards to ensure that land can remain agriculturally zoned and designated until development of a site is eminent.	1	PLANNING AND ZONING DEPARTMENT	LOW		✓										
	12	Ensure that the City's <i>Standards of Design and Construction Manual</i> allows for the implementation of Traditional Neighborhood Development (TND) principles.	4	ENGINEERING DEPARTMENT	LOW												
	13	Review the City's Permitted Land Use Charts contained in the Unified Development Code to ensure that the employment land use designation on the Future Land Use Map is compatible with the City's zoning districts and the permitted land uses within those zoning districts, make any changes necessary.	1	PLANNING AND ZONING DEPARTMENT	LOW												
	14	Review the City's development requirements contained in the Unified Development Code to ensure that they do not discourage green building practices and principals.	2	PLANNING AND ZONING DEPARTMENT	LOW												
	15	Review the existing density, development and design standards contained in the Unified Development Code to ensure the requirements support and encourage the creation of vibrant public spaces built around social interaction.	7	PLANNING AND ZONING DEPARTMENT	LOW												
	16	Draft model standards for areas zoned for alternative forms of housing (<i>i.e. Townhouses, Condominiums, and Apartments</i>) that can be incorporated in to Article 10, <i>Planned Development Regulations</i> , of the Unified Development Code. These policies will ensure the City has development standards targeted at encouraging the best product available.	8	PLANNING AND ZONING DEPARTMENT	HIGH												
	17	Review the City's residential adjacency standards to ensure that building height and design are addressed in conformance to the policies and procedures of this Comprehensive Plan.	9	PLANNING AND ZONING DEPARTMENT	LOW												
	18	Review Article 06, <i>Permissible Uses</i> , of the Unified Development Code to ensure conformance with the policies and procedures of this Comprehensive Plan.	9	PLANNING AND ZONING DEPARTMENT	LOW												

KEY: PRIORITY LEVELS: HIGH, MEDIUM & LOW | ONGOING ACTION REQUIRED: [diagonal lines] | REVIEW PERIOD: [orange] | IMPLEMENTATION YEAR: [blue] | EVALUATION OF ONGOING PROGRAMS: [checkered] | REGULATORY TIME PERIOD: [orange with border] | COMPLETED TASKS: ✓ AND 1 | REVISED TARGET DATE: [red] | NOTES: RED

04 IMPLEMENTATION PLAN

03 POLICIES & ACTIONS IMPLEMENTATION SCHEDULE

Schedule	IS #	Implementation Strategy	Chapter Reference	Department Lead	Strategy Priority	IMPLEMENTATION TIME PERIOD												
						2019	2020	2021	2022	2023	2024	2025	2026	2027	2028			
POLICIES & ACTIONS	1	Utilize Fiscal Impact Analysis (FIA) to create a fiscal impact model for the purpose of relating cost of service, assessed value and taxable value to potential changes in land uses for the purpose of assisting elected and appointed officials in making informed decisions that will benefit the community.	1 6	PLANNING AND ZONING DEPARTMENT	MEDIUM	✓												
	2	Review the Future Land Use Map on an annual basis to ensure conformance to the policies contained within this Comprehensive Plan and to account for annual changes in [1] growth/development patterns, [2] residential and non-residential zoning changes, [3] and changes in the Parks, Recreation and Open Space Master Plan.	1 2 3	PLANNING AND ZONING DEPARTMENT	LOW													
	3	Develop an Economic Development Strategic Plan that focuses on providing a unified approach to addressing proactive recruitment of commercial businesses (i.e. industrial, office and retail).	6	ADMINISTRATION	HIGH													
	4	Develop a model that can be used to analyze future zoning and land use decisions that are associated with new development. This model should create a rational link between the Future Land Use designation of a property and the resulting impact of a proposed development, and further assist elected and appointed officials in making informed decisions that will benefit the community.	1 6	PLANNING AND ZONING DEPARTMENT	MEDIUM													
	5	Review the Master Trail Plan on an annual basis to ensure that trails and floodplain conform to the policies contained in this Comprehensive Plan. In addition, the plan should be reviewed and revised to account for changes in the City's Master Thoroughfare Plan, and to ensure that plan provides public access points and connectivity and access to all areas in the City.	2 4 7	PARKS & RECREATION DEPARTMENT	LOW													
	6	Review the Parks, Recreation and Open Space Plan and this Comprehensive Plan on a five (5) year basis to ensure the documents goals and policies conform.	3	PARKS & RECREATION DEPARTMENT	LOW													
	7	Work to create an Annual Parks and Recreation Business Plan that can guide programming and events on a yearly basis.	5	PARKS & RECREATION DEPARTMENT	LOW													
	8	Review these residential policies on a five (5) year basis to ensure that they adjust to changes in the market, and continue to provide a long-term vision for the community.	8	PLANNING AND ZONING DEPARTMENT	LOW													
	9	Review and revise the Master Drainage Study on an as needed basis (i.e. upon the annexation of new land or changing of land use).	4	ENGINEERING DEPARTMENT	LOW													

KEY: PRIORITY LEVELS: HIGH, MEDIUM & LOW | ONGOING ACTION REQUIRED: [diagonal lines] | REVIEW PERIOD: [orange] | IMPLEMENTATION YEAR: [blue] | EVALUATION OF ONGOING PROGRAMS: [red] | COMPLETED TASKS: ✓ AND 1 | REVISED TARGET DATE: [red] | NOTES: RED

04 IMPLEMENTATION PLAN

07 CAPITAL & FINANCIAL IMPROVEMENTS IMPLEMENTATION SCHEDULE

Schedule	IS #	Implementation Strategy	Chapter Reference	Department Lead	Strategy Priority	IMPLEMENTATION TIME PERIOD																		
						2019	2020	2021	2022	2023	2024	2025	2026	2027	2028									
CAPITAL & FINANCIAL IMPROVEMENTS	1	Review and revise the Master Thoroughfare Plan on an annual basis to ensure conformance to the policies contained within this Comprehensive Plan, and to account for annual changes in land use patterns and transportation needs.	4	PLANNING AND ZONING DEPARTMENT	LOW																			
	2	Review and revise the Paving Assessment on a five (5) year basis to account for changes in roadway conditions.	4	ENGINEERING DEPARTMENT	HIGH																			
	3	Review and revise the Water and Wastewater Master Plans and the Impact Fee Study every five (5) years to account for changes to the Future Land Use Map and population projects.	4	ENGINEERING DEPARTMENT	HIGH	✓																		
	4	Review the City's existing thoroughfares to look for opportunities to redevelop existing right-of-ways utilizing the goals and policies contained in this Comprehensive Plan.	4	PLANNING AND ZONING DEPARTMENT	LOW																			
	5	Develop a long-term strategy for the replacement of City facilities that includes potential adaptive reuses of the existing facilities.	5	INTERNAL OPERATIONS	MEDIUM																			
	6	Consider creating a capital project and amenity life-cycle replacement plan that includes projected budget needs.	3	PARKS & RECREATION DEPARTMENT	MEDIUM																			
	7	Perform an assessment of all vacant land suitable for non-residential development within the City and anticipate the possible infrastructure required to effectively develop these areas with non-residential development.	6	PLANNING AND ZONING DEPARTMENT	LOW																			
	8	Utilize the City's Geographic Information Systems (GIS) software to track and evaluate existing waterlines, and create a replacement program.	4	PLANNING AND ZONING DEPARTMENT	MEDIUM																			
	9	Utilize CityWorks Asset Management System software to evaluate the existing water/wastewater system and streamline reoccurring maintenance.	4	PLANNING AND ZONING DEPARTMENT	MEDIUM																			
	10	Camera all existing wastewater lines to evaluate the structure integrity and capacity of each segment and log into the Asset Management System.	4	ENGINEERING DEPARTMENT	MEDIUM																			
	11	Incorporate an infrastructure section into staff's development case memorandums to account for potential impacts/needs for zoning changes that propose more intense land uses.	4	PLANNING AND ZONING DEPARTMENT	LOW	✓																		

KEY: PRIORITY LEVELS: HIGH, MEDIUM & LOW | ONGOING ACTION REQUIRED: [diagonal lines] | REVIEW PERIOD: [orange] | IMPLEMENTATION YEAR: [blue] | EVALUATION OF ONGOING PROGRAMS: [red with diagonal lines] | COMPLETED TASKS: ✓ AND 1 | REVISED TARGET DATE: [red]



01 PURPOSE

This appendix is intended to focus on the City's various major corridors and the relationship of the roadway to the adjacent land, land uses, and aesthetics of these areas. Each corridor study is intended to provide a framework and design guidelines that can assist the decision making process of City staff, the City's various boards and commissions, and the City Council.

02 CORRIDOR PLANS

02.01 IH-30 CORRIDOR PLAN

- 1 Background and Introduction
- 2 Plan Framework
- 3 Corridor Strategies
- 4 Implementation Plan

02.02 JOHN KING BOULEVARD CORRIDOR PLAN

- 1 Background and Introduction
- 2 Issues and Opportunities
- 3 Design Concept and Palette
- 4 Design Elements
- 5 Access Policies
- 6 Implementation

02.03 SH-276 CORRIDOR PLAN

RESERVED.

LEFT: The image depicts TXDOT contractors working in the IH-30 Corridor along the eastern most boundary of the City.

ACKNOWLEDGEMENTS

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1 BACKGROUND AND INTRODUCTION

The Interstate Highway 30 (IH-30) Corridor serves as the City of Rockwall's principal commercial/retail and transportation corridor. Retail and commercial businesses along this passageway are responsible for a large majority of the sales tax generated within the city. Since Rockwall has become the main commercial/retail generator for the county, IH-30 has served as the primary east/west roadway and acts as not only the gateway for traffic entering and exiting the city, but also the county. In addition, Rockwall's businesses

have greatly benefited from the high volumes of traffic carried by IH-30 on a daily basis; however, as the region grows so do the cities situated east of Rockwall, and as demand for commercial/retail grows in these communities, businesses will be attracted to these areas. To maintain the City's competitiveness in the region, Rockwall's City Council directed staff to study the IH-30 Corridor and provide potential strategies that will: (1) address retail/business retention in the corridor, (2) provide strategies to target regional land uses, and (3) provide a plan for strategically located vacant land along IH-30. The following plan framework, corridor strategies, and implementation plan were drafted as part of a larger corridor plan that was approved by the City Council on March 18, 2019. This document is intended to act as a roadmap for planning the IH-30 Corridor's land uses and development characteristics to ensure the future prosperity of the community.

2 PLAN FRAMEWORK

PLAN FRAMEWORK

Broad planning ideas, goals and objectives form the framework used to develop strategies intended to support existing land uses and to target and attract new regional land uses. From the existing conditions analysis, the retail trade area analysis, the benchmark analysis and the stakeholder engagement workshop, prepared with the IH-30 Corridor Plan, the Staff Planning Committee (SPC) created the broad framework depicted in Figure 1: Plan Framework. This framework was used to identify strategies for business retention/attraction in the corridor and to draft an implementation plan. This framework includes:

CORRIDOR ZONES

The Corridor Zones (i.e. Preservation, Transition and Opportunity Zones) -- which were established by citizens and stakeholders as part of Station 3: Plan Framework of the stakeholder engagement workshop and reviewed by the SPC -- are as follows (and depicted in Figure 1: Plan Framework):

Corridor Zone #1: This zone is situated between Horizon Road (FM-3097) and Ridge Road (FM-740) on the north side of IH-30 and is designated as a Transitional Zone. This designation is due to the large amount of vacant property that currently exists in this area, and the uncertainty of how the development of this land will affect adjacent/existing land uses.

Corridor Zone #2: This triangular shaped zone is situated within the bounds of Ridge Road (FM-740), Horizon Road (FM-3097), and IH-30, and is identified as a Transition Zone. This area contains an older shopping center (i.e. Carlisle Plaza) that is currently in the process of transitioning. The public also identified this area as a Strategically Located Property in the stakeholder engagement meeting. Due to its redevelopment opportunity.

Corridor Zone #3: This zone is divided between two (2) designations due to discrepancies between the public's map and the SPC's map. The portion from Ridge Road (FM-740) to Greencrest Boulevard is identified as a Preservation Zone, and the area between Greencrest Boulevard and N. Goliad Street (SH-205) is identified as a Transition Zone. The split designation indicates a difference in the development of these two (2) areas, and of how these businesses have changed overtime. This split is also attributed to the new development currently taking place in the area between Greencrest Boulevard and S. Goliad Street (SH-205).

Corridor Zone #4: This zone is directly south of Corridor Zone #3 and extends from Ridge Road (FM-740) to N. Goliad Street (SH-205). This area is identified as a Preservation Zone, which is primarily attributed to recently developed shopping centers in this zone. These properties are currently considered highly performing commercial/retail properties.

Corridor Zone #5: This zone extends from N. Goliad Street (SH-205) to T. L. Townsend Drive and is identified as an Opportunity Zone. The purpose of this designation is tied to the large vacant property in front of the County Courthouse, and to other potential redevelopment opportunities within this area.

Corridor Zone #6: This zone extends from S. Goliad Street (SH-205) to T. L. Townsend Drive and is identified as a Preservation Zone. This area includes newer development in the IH-30 corridor (i.e. the CostCo shopping center and adjacent land uses) that should be preserved moving forward.

Corridor Zone #7: This zone is identified as a Transition Zone and extends from T. L. Townsend Drive to John King Boulevard. This area incorporates industrial and interim land uses that are considered to be

transitioning. In addition, this land also incorporates strategically located vacant property adjacent to the John King Boulevard.

- ☑ **Corridor Zone #8:** This zone is also situated between T. L. Townsend Drive and John King Boulevard, south of IH-30. The area is identified as a *Transition Zone*, due to the large amount of transitional or interim land uses along the IH-30 frontage road. In addition, the property has several large tracts of land that are currently vacant. When developed these properties could change the land use pattern for the area. This zone also has a strategically located, vacant property at the southwest corner of John King Boulevard and IH-30.
- ☑ **Corridor Zone #9:** This corridor zone extends from John King Boulevard to Stodghill Road (FM-3549). Since the majority of these tracts are currently vacant, this zone is identified as an *Opportunity Zone* and all property in this area is identified as strategically located property.
- ☑ **Corridor Zone #10:** This zone is situated between John King Boulevard and Corporate Crossing, and is identified as a

Transitional Zone. The purpose of this designation is tied to the existing land uses and parcelization pattern of the area (i.e. the way the property has been subdivided over time).

- ☑ **Corridor Zone #11:** This corridor zone is identified as an *Opportunity Zone* and is located north of IH-30, east of Stodghill Road (FM-3549). This zone is vacant and is directly adjacent to the City's eastern City limit line. This entire zone is considered to be a strategically located property.
- ☑ **Corridor Zone #12:** The final corridor zone is south of IH-30, east of Corporate Crossing. This zone is primarily vacant and only contains a few interim land uses. Due to the largely undeveloped area in this zone, it is identified as an *Opportunity Zone*. In addition, the zone contains strategically located property at the southeast corner of the intersection of John King Boulevard and IH-30.

STRATEGICALLY LOCATED PROPERTIES
Using the findings from the *Benchmark Analysis -- detailed in Chapter 3, Benchmark Analysis for Strategically Located Properties,*

of the *IH-30 Corridor Plan* -- the SPC identified potentially appropriate developments for each of the strategically located properties. The models used in this exercise were as follows:

- (1) Strip Retail Center Model
- (2) Mixed-Use Center Model
- (3) Town Center Model
- (4) Regional Destination Center Model

NOTE: See Section 3, Benchmark Analysis Findings, of Chapter 3, Benchmark Analysis for Strategically Located Properties, of the IH-30 Corridor Plan for definitions/characteristics of each model.

The findings by the SPC are as follows (and depicted in Figure 1: Plan Framework):

- ☑ **Strategically Located Property #1:** The first strategically located property represents the only redevelopment possibility that was identified by the SPC and/or the public, and could benefit from an adaptive reuse or redevelopment plan. Taking this into consideration the SPC did not apply any of the models to this property. It was simply identified as a *redevelopment opportunity*.
- ☑ **Strategically Located Property #2:** This strategically located property is situated at the southwest corner of T. L. Townsend

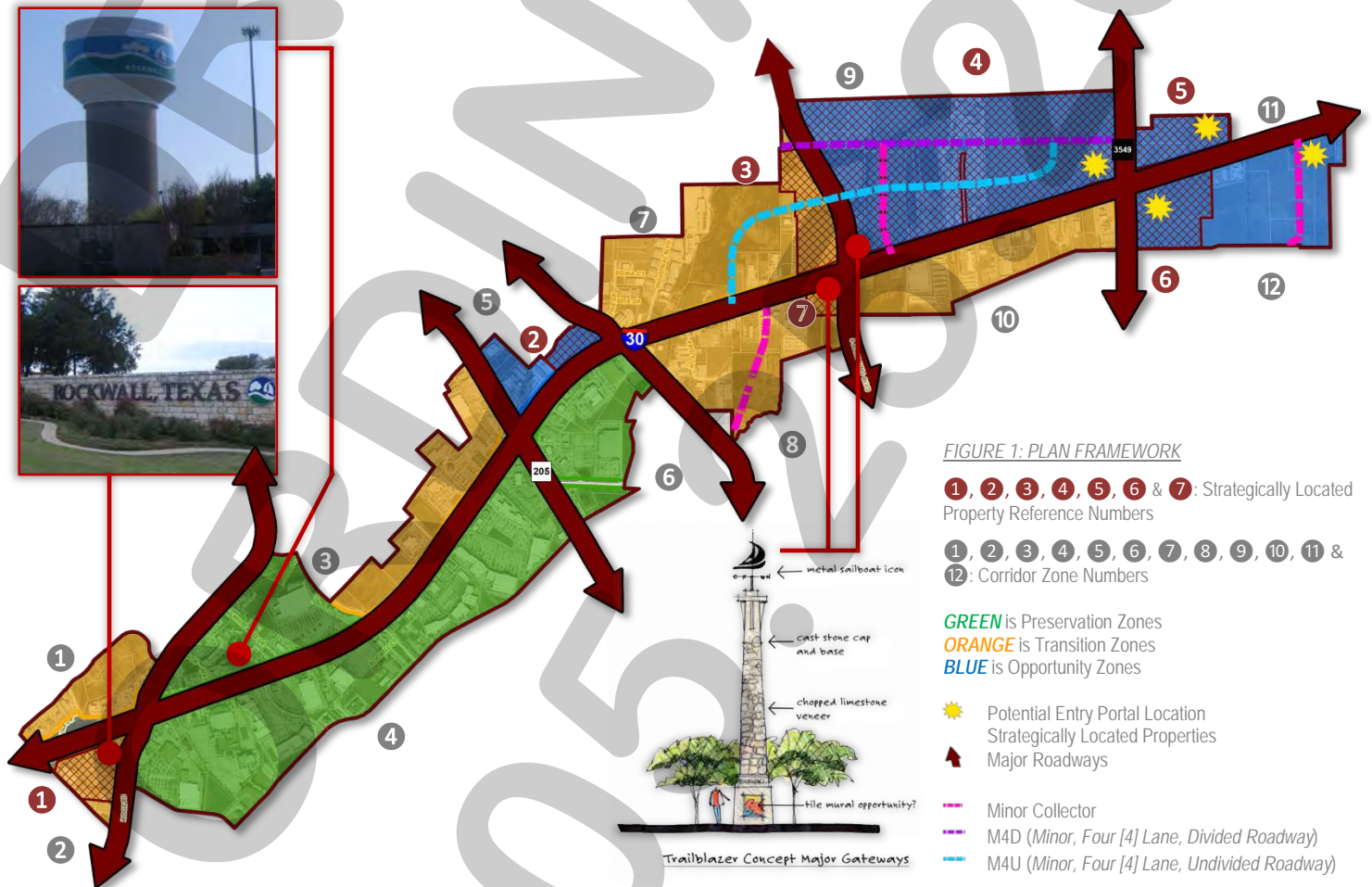


FIGURE 1: PLAN FRAMEWORK

1, 2, 3, 4, 5, 6 & 7: Strategically Located Property Reference Numbers

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12: Corridor Zone Numbers

GREEN is Preservation Zones
ORANGE is Transition Zones
BLUE is Opportunity Zones

Potential Entry Portal Location
 Strategically Located Properties
 Major Roadways

Minor Collector
 M4D (Minor, Four [4] Lane, Divided Roadway)
 M4U (Minor, Four [4] Lane, Undivided Roadway)

Drive and the IH-30 frontage road, and is currently owned by Rockwall County. The SPC unanimously identified this property as being suitable for a *Strip Retail Center*. It should also be pointed out that this property is currently entitled for this type of development under the Commercial (C) District as defined by the UDC. The SPC felt that despite being a highly visible site this model was appropriate due to the limited access caused by the location of the on/off ramps at John King Boulevard and S. Goliad Street (SH-205).

- ☑ Strategically Located Property #3: This strategic area is located adjacent to the western right-of-way line of John King Boulevard, and is partially zoned Commercial (C) District with the remainder being zoned Light Industrial (LI) District. The SPC identified this property as being suitable for a *Mixed-Use Center* or a *Town Center*. This designation is due to the location and visibility of the property, and that it is located near and accessible from two (2) major roadways (i.e. *John King Boulevard and Justin Road*) and a major highway (i.e. *IH-30*). With this being said the property is situated below the highway overpass and as a result the site has limited visibility for a single-story structure. Structures that are two (2) to three (3) stories in height would be better suited for this property.
- ☑ Strategically Located Property #4: This area is located between John King Boulevard and Stodghill Road (FM-3549), north of IH-30. The properties in this area are zoned as Commercial (C), Light Industrial (LI) and Agricultural (AG) Districts. Due to the large acreage of these strategic properties, the SPC broke the designation of this area into three (3) zones. The first was directly adjacent to John King Boulevard and was identified as being suitable for *Strip Retail Center* by the SPC. The second area was located between Security Drive and the golf course (i.e. *A1 Golf*) and was identified as being suitable for a *Town Center* development. The third area was the remainder of the property and was identified as being suitable for a *Regional Destination Center*. These designations stem from the good visibility and close proximity to major roadways. In addition, this property is in an ideal location for a large commercial/retail development/regional center.
- ☑ Strategically Located Property #5: This property is located at the northeast corner

of Stodghill Road (FM-3549) and IH-30 and is zoned Commercial (C) District. Due to the linear nature of this strategically located property, the SPC identified the *Mixed-Use Center* and *Strip Retail Center* as being potentially appropriate models for development. This property does have limited access and poor visibility from east bound traffic, but is located directly adjacent to *Strategic Located Property # 4* making the possibility for a major intersection at IH-30 and Stodghill Road (FM-3549) highly likely.

- ☑ Strategically Located Property #6: This strategically located property is situated at the southeast corner of Corporate Crossing and IH-30 and is currently zoned Commercial (C) District. The SPC identified this property as being appropriate for both a *Mixed-Use Center* or a *Town Center* based on the location, acreage and its relation to the highway and Corporate Crossing. A *Strip Retail Center* and *Regional Destination Center* were also identified by the SPC as being viable alternatives for this property.
- ☑ Strategically Located Property #7: The final strategically located property is situated at the southwest corner of John King Boulevard and IH-30. The SPC identified this property as predominantly being suitable for a *Strip Retail Center*; however, it was also thought to be a suitable location for a *Mixed-Use Center*. It was ultimately decided by the SPC that this property has the acreage and carrying capacity for both types of centers, but is probably best suited for a *Strip Retail Center* that incorporates a grocery store or other large neighborhood service retailer as a primary anchor. The purpose of this designation is due to the poor visibility caused by the highway overpass and the close proximity to a large amount of residential homes and apartment units. The property is currently zoned Commercial (C) District.

ENTRY PORTALS

Entry portals are an essential element to creating a sense of place and distinguishing a City's boundaries. Currently, the City's western boundary is well defined by Lake Ray Hubbard and the Harbor District. The portals create a defined natural and built edge to the City. The eastern boundary of the City, on the other hand, is undefined. When the SPC examined this area, it was decided that an entry portal was an important element in the plan moving forward; however, the SPC was of

the opinion that it was somewhat difficult to define what an entry portal in this area should look like since these properties remain largely undeveloped. With this the SPC choose several locations where an eastern entry portal could be incorporated at the time the adjacent properties develop. The thinking behind this was that the portal would match the architecture of future development if constructed at the same time as the properties. *Figure 1: Plan Framework* shows the four (4) possible portal locations identified by the SPC along with all existing and proposed monumentation throughout the corridor.

TRANSPORTATION FACILITIES

Looking at the existing and proposed roadway facilities, the corridor is already well circulated, and the future facilities are a good approximation of what will be needed to circulate any future development; however, without knowing exactly what will be developed on these parcels the SPC felt that the current number of roadways depicted on the property between John King Boulevard and Stodghill Road (FM-3549) could be a deterrent to development. With Justin Road extending through the property from east to west and a M4U (minor, four [4] lane, undivided roadway) curving through the property from east to west, two (2) Minor Collectors extending north to south were deemed unnecessary. The SPC was also of the opinion that Commerce Street should be continue in a southwardly direction connecting the IH-30 Frontage Road to T. L. Townsend Drive. These were the only changes to the existing and proposed transportation facilities that appeared to be necessary as a result of this study. *Figure 1: Plan Framework* depicts the proposed roadway amendments.

Staff should point out that these changes were incorporated into the revised Master Thoroughfare Plan contained in this Comprehensive Plan, and that no additional actions would be required with regard to transportation facilities. This was incorporated after the Comprehensive Plan Advisory Committee (CPAC) made similar findings about these areas.

LAND USE PLAN

Looking at the current Future Land Use Plan for the IH-30 Corridor, only about 37.56% of the corridor is identified as a *Special Commercial Corridor*. The remainder of the corridor is scheduled for *Commercial* (38.35%), *Technology/Light Industrial* (13.33%), *Special District* (4.70%), and to a lesser degree *Parks and Open Space, High*

Density Residential, Public Uses and Quasi-Public Uses. After reviewing the goals and objectives of this study, the SPC recommended that the majority of the corridor should be designated as a *Special Commercial Corridor*. The only area that the SPC wanted to deviate from this land use scheme, was the area directly adjacent to the railroad tracks between John King Boulevard and Stodghill Road (FM-3549). The SPC felt that this area should be flexible in nature and be designated for either *Technology/Employment Center* and/or *Special Commercial Corridor*. The purpose of this flexibility was to allow industrial or technology firms the ability to locate within the corridor, adjacent to the existing railroad facilities; however, the flexibility would provide for an easy transition to commercial uses should a regional land use be identified for this area. This change was incorporated into *Map 1: Future Land Use Plan* contained in *Appendix C, Maps* of this Comprehensive Plan.

SUMMARY OF PLAN FRAMEWORK

The assemblage of all this information forms the *Plan Framework* of this study. A map of this framework is depicted in *Figure 1: Plan Framework*. A summary of the recommendations provided by this framework are as follows:

- (1) The corridor zones that were established as part of this study are intended to guide policy decisions for the final recommendations contained in Chapter 6, *Corridor Strategies & Implementation Plan*, of the *IH-30 Corridor Plan* and which are outlined in Subsection 02.01(3), *Corridor Strategies*, of this section of Appendix B, *Corridor Plans*.
- (2) The strategically located properties identified by the SPC were classified based on their potential carrying capacity for retail/regional land uses. This part of the plan framework was to draw attention to these properties and provide various possibilities that would fit the City's desire for regional development.
- (3) Monumentation locations were identified for the purpose of creating an eastern entry portal. The design of these monumentation markers should be incorporated into the site plan approval process to allow for review by the Architectural Review Board (ARB) prior to adoption by the City's Planning and Zoning Commission and City Council.
- (4) The SPC identified potential changes to two (2) roadways on the Master Thoroughfare Plan. This involves an

extension of Commerce Street and the removal of a proposed street running parallel to Security Drive.

- (5) Finally, a coherent land use plan that is tied to the goals of this study was laid out. This plan primarily promotes the future of the corridor being zoned and developed in accordance with the *Special Commercial Corridor* designation of this Comprehensive Plan; however, it does make some allowances for flexible land use (i.e. office/industrial).

3 CORRIDOR STRATEGIES

The final objective of the Staff Planning Committee (SPC) was to assemble a list of strategies that could be utilized as part of the implementation plan of this study. In doing this the SPC talked about *Offensive* and *Defensive Strategies*. In this case, the *Defensive Strategies* were thought to be pre-emptive strategies centered on regulation or policy actions that the City could implement for the purpose of addressing potential or perceived issues. *Offensive Strategies*, on the other hand, included proactive actions that involved activities like offering incentives, waivers and assistance. In doing this, the SPC also talked about what zone each strategy would affect and who would be responsible for implementing the strategy. A key to the corridor zones and implementation organizations is as follows:

DEPARTMENTS, BOARDS & COMMISSIONS

- City Council: CC
- Planning and Zoning Commission: PZC
- Architecture Review Board: ARB
- City Manager/Administration: M
- City Attorney: CA
- Building Inspections Department: BI
- Fire Marshals Division: FM
- Planning and Zoning Department: PZD
- Engineering Department: E
- Neighborhood Improvement Services: NIS

CORRIDOR ZONES

- Transitional Zone
- Preservation Zone
- Opportunity Zone

On March 18, 2019, the City Council approved the following *Offensive* and *Defensive* strategies for use within the IH-30 Corridor:

DEFENSIVE STRATEGIES

STRATEGY 1 PREVENT THE OVERSATURATION OF CERTAIN LAND USES IN THE CORRIDOR ●●

Prevent the oversaturation of certain land uses in the corridor by prohibiting and/or requiring discretionary approvals of these land uses.

Currently, the IH-30 Corridor has a high percentage of automotive (8.99%) and industrial (8.37%) land uses, which are typically incompatible with higher end retail users. In addition, these land uses -- *specifically automotive land uses* -- consume a large portion of the current frontage along IH-30 (~26.69%), which means these uses also have high visibility in the corridor. If the intent of the City is to create a commercial/retail corridor, special attention needs to be paid to what land uses are established on the remaining 45.35% vacant land. This is specifically important with the remaining 28.77% of vacant land with frontage on IH-30. To achieve this staff can review Article 04, *Permissible Uses*, of the Unified Development Code to look for possibilities to incorporate discretionary approvals or limit undesirable land uses along IH-30. In addition, staff can look to prohibit certain land uses (e.g. *outside storage*) that are currently allowed through discretionary approval, but may not be desirable for attracting and establishing a regional retail use.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): Since this is a policy change, there are no anticipated hard costs to be incurred by the City as a result of implementing this strategy. In addition, this strategy can be implemented without assistance from outside consultants.

Estimated Implementation Time: This is estimated to take between 20 to 40-hours of staff time to review the Unified Development Code and draft an ordinance addressing the proposed changes for the City Council's review. This text amendment would be required to be advertised and adopted in accordance with the procedures of the Unified Development Code (i.e. *approximately eight [8] weeks*).

STATUS: ONGOING

STRATEGY 2 INCONSISTENT ZONING REQUESTS ●●●

Zoning approvals that are inconsistent with the *Future Land Use Plan* contained in the Comprehensive Plan should be limited. The *Future Land Use Plan* is a document intended to guide zoning in the City of Rockwall. In addition, zoning approvals not consistent with the *Future Land Use Plan* could have a negative impact on existing land uses, and could have an undesirable effect on the economic stability of the corridor (i.e. *create*

conditions not conducive for retail land uses). Moreover, inconsistent zoning approvals change the *Future Land Use* mix, which is designed to yield an 80% Residential/20% Commercial mix (i.e. intended to yield a 67% residential value/33% commercial value tax base) per this Comprehensive Plan. To better address inconsistent changes in zoning, staff should develop a process to convey how the approval of inconsistent zoning would change the *Future Land Use Plan*. This should be provided with or in staff's case memos to the Planning and Zoning Commission and City Council.

Implementation Responsibility: PZD, CA, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: The Planning Division can implement this policy amendment through changes in the current procedures and through the creation and implementation of a tool that will clearly convey the desired information. It should be pointed out that the creation of this process is currently a *strategic goal* on the City's *Strategic Plan* and included in this Comprehensive Plan as an *Implementation Strategy*.

STATUS: ONGOING

STRATEGY 3 DISCOURAGE STRIP DEVELOPMENT ●●

The City of Rockwall has several *Strip Retail Centers* as defined in the findings from the benchmark analysis contained in Chapter 3, *Benchmark Analysis*, of the *IH-30 Corridor Plan*. The establishment of new strip retail centers could have the effect of cannibalizing the businesses that are currently located in the City's existing strip retail centers. This could also create a larger problem for the existing centers due to the transient nature of small businesses that tend to locate in these areas (i.e. *businesses in these shopping centers tend to move to newer developments as they progress along the highway*). To combat this possibility, the City could take steps to discourage strip retail centers by amending the design standards contained in the Unified Development Code. Examples of these changes would include policies targeted at requiring shared facilities (i.e. *parking, access, drive facilities, etc.*), limiting parking fields in the fronts of buildings, requiring the provision

of open space, restricting signage, etc. This would also require provisions that target mixed-used development (e.g. *office land uses mixed with retail/commercial land uses*). It should be noted that while the SPC did identify some of the strategically located properties as being ideal for *Strip Retail Centers*, this would ultimately depend on the carrying capacity of the corridor (i.e. *to avoid cannibalizing existing businesses the demand of the community would need to increase to justify an additional strip retail center*).

Implementation Responsibility: PZD, ARB, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change requires a comprehensive review of the City's commercial design standards, and would take time to prepare the necessary text amendments. The total time necessary to complete this strategy will vary depending on the extent staff will have to amend the ordinances. Staff estimates this could take between 30 to 40-hours to complete. In addition, it may be advantageous to use the Planning and Zoning Commission and/or Architectural Review Board (ARB) as design committees to assist staff in drafting the desired changes. Any ordinance changes would need to be adopted in accordance with the procedures contained in the Unified Development Code (i.e. *approximately eight [8] weeks*).

STATUS: ONGOING

STRATEGY 4 LIMIT SINGLE USE BIG-BOX DEVELOPMENT ●●●

Single use big-boxes can have an immediate and positive effect on a City's ad valorem tax value; however, if abandoned they can also have an effect on the perception of economic health in an area. Currently, the City's big-boxes appear to be economically sound with little to no risk of being abandoned; however, it is a good idea to take a pro-active approach to this issue. Single use big-boxes are typically attractive to businesses that are considered to be category killers and/or discount warehouse stores (e.g. *Wal-Mart, Home Depot, Costco, etc.*). Developing a single big-box is also the typical suburban model for these types of stores. By creating policies that force co-location and mixed-uses the City ensures that

these businesses adapt their models to meet the vision of the community, as opposed to allowing these businesses to dictate the community's appearance. By limiting single use big-boxes moving forward, it also has the added effect of protecting the City's current big-boxes, and perhaps staving off the possibility of having ghost boxes (i.e. *empty big-boxes*) in the future.

To achieve this, the City Council could look at development standards that discourage single use big-box users. These types of policies would include regulations like imposing size caps on single use big-box developments (i.e. *limit individual users to discretionary approvals on buildings that are greater than 20,000 – 30,000 SF*), drafting requirements that provide for roof and façade modulation to allow the buildings to be broken up in the case of abandonment, adopting parking requirements that require parking to be located behind the front façade of the buildings, creating a window requirement, and etcetera.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change would require staff to review the City's current *General Commercial Building Standards*, and draft an ordinance with the necessary text amendments. The total time necessary to complete this strategy could vary; however, staff estimates a completion time of 30 to 40-hours with an additional eight (8) weeks for the adoption of an ordinance change to the Unified Development Code.

STATUS: ONGOING

STRATEGY 5 ADAPTIVE REUSE ORDINANCE OR STRATEGY ●●

Building on the previous strategy, one of the main reasons that City's end up with vacant big-box developments are changes in the economics of a property's location (i.e. *the site can no longer support/sustain a larger retail user*). This may mean that a particular site or location is no longer viable as a large retailer. *Adaptive Reuse* ordinances, also referred to as *Ghost Box* ordinances, are ordinances intended to address this common problem. As previously stated, the City of Rockwall has not had issues with empty big-boxes; however, a

proactive approach to this issue could prove to be valuable in the future. Below is a picture of the vacant *Sports Authority* building, which is a single user big-box that was vacated in 2016. Luckily, this building was quickly replaced with an *Academy Sports and Outdoors*; however, this quick replacement may not always be the case.

The City's current ordinance does incorporate an accountability clause that states that "(f)or those buildings over 80,000 SF in area, the applicant must demonstrate that the building can be subdivided in a reasonable manner by submitting a plan indicating potential entrances and exits and loading areas for multiple tenants." This language could be strengthened and the requirement for this accountability clause could be lowered to buildings greater than 30,000 SF. In addition, the City Council could look into establishing ordinances that: (1) creates a fee waiver program for the adaptive reuse of buildings greater than 30,000 SF (*i.e. creating a waiver for building permit fees*), (2) establish a bonding program that is tied to the demolition of the big-box, (3) creates a program that stipulates companies building big-boxes be required to pay into a *Land Conservation Fund*, which can be used for re-greening or converting an abandoned big-box to allow for infill development (*these ordinances are referred to as White Elephant Ordinances*), and/or (4) creates an incentive zone that deals with alternative use/requirements for conversion/redevelopment efforts.



Figure 6.1: Vacant Sports Authority building prior to being converted to an Academy this year.

Implementation Responsibility: PZD, CA, CM, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The time necessary to create an *Adaptive Reuse Ordinance* or policy will depend on the scope

that the City Council chooses. These programs also would need to be vetted by the City Attorney. In this case, it may take several months to prepare and adopt an ordinance creating each of these programs.

STATUS: *IN PROCESS*

STRATEGY 6 PROMOTE THE INCORPORATION OF OPEN SPACE IN LARGER DEVELOPMENTS

As was seen in the *Benchmark Analysis* in Chapter 3, *Benchmark Analysis*, of the *IH-30 Corridor Plan*, nearly all of the regional developments surveyed by the SPC contained open/green space. The importance of incorporating open/green space in commercial developments was further validated through the stakeholder engagement process. In both exercises requesting participants to identify their preferred development choice -- *with the choices being those reviewed by the SPC as part of the benchmark analysis* -- the top results were developments incorporating large amounts of open/green space (e.g. *Grandscape* at 26% open space and *Toyota Stadium* at 5% open space and 35% sports fields). In addition, the exercise asking participants to prioritize issues/priorities in the corridor indicated that open/green space was important. Both *Parks/Trail/Walkability* and *Increased Open Space* scored in the top five (5) items identified by the public as priorities and issues. Moving forward provisions requiring a percentage of functional open space -- *above and beyond the required landscape buffer and detention ponds* -- could be incorporated into the design standards for large commercial developments. This would need to be scaled to the development and would not be applicable across the board (*i.e. would not be appropriate for developments with less than 20-acres*).

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): Since this strategy would affect future development the implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The implementation of this policy could be completed with an estimated ten (10) to 20-hours of staff time required to prepare an ordinance amendment to the Unified Development Code (*i.e. approximately eight [8] weeks for approval*).

STATUS: *ONGOING*

STRATEGY 7 REVAMP THE CITY'S PARKING STANDARDS

Commercial developments along the corridor are exclusively made up of surface parking lots situated in the fronts of buildings. Often times these parking areas are two (2) to three (3) times larger than the building it services (see *image below*).



Figure 6.2: Kohl's Parking Lot, which recently was subdivided to incorporate a Cracker Barrel restaurant at the northeast corner.

In most of these cases the parking lot is rarely if ever full. To address this issue the City Council could choose to establish parking maximums that would limit inefficient uses of land within the corridor. These policies could also promote shared parking agreements and structured parking.

Typically, the argument against structured parking is the high initial cost to establish these facilities; however, if a district wide approach that discourages single use big-boxes is taken by the City, it is not inconceivable to expect more efficient parking solutions. In addition, the City should, where possible, promote shared parking arrangements that are mutually beneficial to developers, property owners and tenants by accounting for varying peak demand. This should have the benefit of increasing the buildable land within the corridor.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: The implementation of this policy change is anticipated to take between ten (10) to 20-hours of staff time to research and prepare an

ordinance amending the parking requirements contained in the Unified Development Code. The ordinance would take approximately eight (8) weeks for approval/adoption.

STATUS: IN PROCESS

STRATEGY 8 CREATE MODEL ZONING ORDINANCE FOR REGIONAL MIXED-USE DEVELOPMENT

Article 05, *District Development Standards*, of the Unified Development Code contained standards for a Mixed-Use Overlay (MUO) District (*these standards were recently removed*); however, this district has not been applied to the zoning map. Building off the current standards contained in this section of the code, staff could create a model zoning ordinance for either an overlay district that can be applied to the strategic properties in the corridor or model regulations for a planned development district ordinance -- *similar to the residential standards contained in Article 10, Planned Development Regulations, of the Unified Development Code* -- intended to regulate mixed-use development in the corridor. This could include the information observed by the SPC as part of the *Benchmark Analysis*. This type of ordinance would also layout the City's desired site and building design standards, as well as, address any *incentive zoning* practices intended to incentivize regional development.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: Staff estimates that a model zoning ordinance could be drafted in two (2) to three (3) weeks. The ordinance would take approximately eight (8) weeks for approval.

STATUS: IN PROCESS

STRATEGY 9 ADOPT POLICIES TARGETED AT SUPPORTING SMALL BUSINESSES

As part of the *Benchmark Analysis*, the SPC noticed that many of the regional centers they surveyed (*specifically mixed-use centers*) were built with a larger focus on smaller lease spaces. This is directly opposed to the classic

anchor model, which is prevalent in *Strip Retail Centers* and until recently was the preferred model for suburban development by developers. This shift, however, signifies the importance that developers are now placing on small businesses. This may be due to the idea that small businesses have several understated benefits that extend beyond a City's bottom line. For example, small businesses that are successful in a community can shape a unique identity, create a sense of place and enhance community character. In addition, small businesses also have the added benefit of being well suited for adaptive reuse situations, which could play a major role in the economic vitality of the corridor in the future. Rockwall, as a whole, has a healthy history of supporting small businesses -- *especially in the downtown area* -- and there is no reason for this not to continue in the City's primary commercial/retail corridor. To ensure that small businesses are supported in the corridor, staff should look to remove any unintentional barriers in the zoning code that might hinder a small business' ability to open in Rockwall. The majority of these barriers will be in the City's land-use categories, which are somewhat outdated for many of the new types of uses that have been established recently. Addressing this subject, the July 2016 issue of *Zoning Practice* (a periodical released by the *American Planning Association*) identifies four (4) examples of new land uses that have emerged as small businesses recently: (1) specialty food production, (2) industrial design, (3) artisan industrial, and (4) local alcohol production facilities. Under our current use charts these uses, in most cases, would be classified under an *Industrial and Manufacturing* label allowing them to locate in Heavy Commercial (HC), Light Industrial (LI) and Heavy Industrial (HI) Districts; however, these uses typically depend on the foot traffic generated by commercial-retail areas and would not fare well in the City's industrial districts. An example of this dilemma was recently addressed by the City Council with the text amendment incorporating the *Craft Brewery, Distillery and/or Winery* land use. Prior to the amendment, the code treated all breweries the same, and did not make a distinction between large industrial breweries and small-scale craft brewers. As a result, these uses were relegated to only being permitted in a Light Industrial (LI) or Heavy Industrial (HI) District, when in reality they operate more as a retail/restaurant type of business. By changing the code to allow this use by a Specific Use Permit (SUP), the City Council created discretionary flexibility that allows this land use into areas of the City that

could be better suited to the long-term viability of the business. This flexibility could be beneficial to other land use categories that have undergone fundamental changes in the way they operate. This can be achieved by not only reviewing the City's *Permissible Use Charts*, but also the design standards in the corridor to ensure there are no unreasonable barriers of entry for small businesses.

Another approach the City could take to support small businesses is the continued release of information pertaining to demographics and market analysis. Many small businesses and startups have limited capital to spend on expensive reports and demographic breakdowns of the City. Staff can support these businesses by making reports and studies (e.g. *2017 Existing Conditions Report and this report*) available online to the public. An example of this effort includes the *Retail Shopping Destinations* interactive map, which contains demographic information for the City and its shopping centers. This tool is intended to help small businesses looking to locate in the community.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: Staff estimates that a comprehensive look into the City's *Permissible Use Charts* and commercial design standards could take between 60 to 70-hours to prepare an ordinance making the necessary amendments. The ordinance would take eight (8) weeks for adoption.

With regard to making reports and demographic information online, this has become standard operating procedure for staff and unless directed otherwise staff will continue to make these items available.

STATUS: IN PROCESS | ONGOING

STRATEGY 10 RESIDENTIAL DENSITY BONUSES FOR PROJECTS THAT INCORPORATE A MIXTURE OF LAND USES

The City Council could choose to implement policies that would allow high-density residential land uses along IH-30 pending the project incorporate a mix of land uses (e.g. *hotel, restaurant, retail, entertainment, etc.*).

Through the public survey, many citizens indicated a want for higher end retailers and specialty grocers. These uses typically are attracted to areas with high intensity developments that incorporate a higher density residential component. The City Council could use the City's high demand for multi-family, to incentivize a developer proposing a regional mixed-use development along IH-30 by granting density bonuses. This would involve granting densities greater than the current 14 dwelling units per acre permitted in the City's Multi-Family 14 (MF-14) District. It should be noted that this type of strategy would depend on the residential units being integrated into the overall development (i.e. structured or block styled apartments above retail or office use, which is common in traditional mixed-use developments, would be more desirable under this strategy than garden style apartments – similar to the condominiums constructed at the Harbor). This strategy depends on the City's demand for multi-family remaining high, which may require other land use strategies moving forward (e.g. balancing the City's mix of housing units and limiting multi-family development to areas along the IH-30 corridor, away from other single-family neighborhoods, and from any other areas in the city). Under the City's current housing mix, this policy would only be viable if the multi-family percentage were decreased below an estimated 12%. Currently, this percentage is around 18%. By reducing the percentage and not approving subsequent projects, the City ensures that a high level of demand exists, and that this demand can be leveraged to attract the desired commercial/retail development. It should also be noted that this could be done under an ownership model as opposed to a rental model by using townhomes and/or condominiums.

Implementation Responsibility: PZD, M, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: This policy change would have implications on the policies contained in this Comprehensive Plan. The implementation of this strategy would require staff to review the procedures and design standards in the Unified Development Code to ensure compatibility with the intended objective. Staff estimates this could take between 50 to 60-hours to complete, and would need to be adopted in accordance with the procedures contained in the Unified

Development Code (i.e. approximately eight [8] weeks). In addition, since this policy is driven by the demand of multi-family, its implementation would depend on the current multi-family percentage being decreased to a level that can be leveraged for the desired commercial/retail development.

STATUS: **IN PROCESS** | ONGOING

STRATEGY 11 WORK WITH THE REDC AND CHAMBER OF COMMERCE TO COORDINATE BUSINESS RECRUITMENT AND RETENTION EFFORTS ●●●

Intergovernmental cooperation between the City, Rockwall Economic Development Corporation (REDC) and the Chamber Commerce to create a Community Business Retention and Recruitment Program may be advantageous to retaining the businesses we have while targeting a regional commercial retail user. In addition, this cooperation ensures that all agencies are aware of the strategies and efforts of other agencies.

Implementation Responsibility: M

Anticipated Cost(s): This strategy is not anticipated to have any additional costs to any of the agencies listed above.

Estimated Implementation Time: Since this strategy requires coordination between a government, a quasi-government and a private service organization it is difficult to establish a implementation timeline.

STATUS: ONGOING

STRATEGY 12 WORK WITH TXDOT ●●●

Work with the Texas Department of Transportation (TxDOT) to improve circulation and connectivity in the corridor, and to regulate traffic patterns and speed limits. This could also include plans for improved multi-modal mobility and pedestrian access in the corridor.

Implementation Responsibility: E & M

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and will not require the assistance of outside consultants.

Estimated Implementation Time: The City currently works closely with TxDOT, and is in the process of planning the IH-30 corridor for the proposed IH-30 improvements scheduled for 2021.

STATUS: ONGOING

OFFENSIVE STRATEGIES

STRATEGY 1 SMALL AREA PLANS ●

Using the strategically located properties depicted in Figure 1: Plan Framework, staff could create small area plans for each of the properties using the findings from the benchmark analysis of this document. By providing small area plans for each of these properties, the City would better convey to the development community the desired outcome for each of these areas. This could help to facilitate a regional development.

Implementation Responsibility: PZD, PZC & CC

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional hard costs for the City, and should be able to be implemented without assistance from outside consultants.

Estimated Implementation Time: The time frame for the completion of the small area plans will vary. Staff estimates that each plan could be completed in approximately one (1) week to one (1) month depending on the scope and detail of the small area plan.

STATUS: **IN PROCESS**

STRATEGY 2 DEMOLITION PERMIT FEE WAIVER ●

A program creating an administrative waiver of demolition fees could be implemented to assist property owners along IH-30 interested in redeveloping an existing property. While this will not have a major or immediate impact on corridor redevelopment, it is a program that can be implemented easily and can be administered at the staff level (i.e. as opposed to discretionary oversight of the City Council or other boards or commissions).

Implementation Responsibility: BI & CC

Anticipated Cost(s): The implementation of this program is not anticipated to have a significant effect on the city's revenues, nor will it be costly to implement. For example, a demolition permit application costs \$50.00, and of the 18 demolition permits issued in 2016, six (6) were in the IH-30 corridor. This would represent a total cost to the City of \$300.00 for a one-year period.

Estimated Implementation Time: It is estimated that this program could be implemented with five (5) to ten (10) hours staff time to research and prepare an ordinance or resolution outlining the process that can be taken to the

City Council for approval. This ordinance can be approved by the City Council without being subject to the requirements of the Unified Development Code (i.e. approximately four [4] weeks for adoption).

STATUS: ONGOING

STRATEGY 3 EXISTING BUILDING CODE ●

Property owners in the IH-30 corridor interested in redevelopment could be allowed to use the 2015 International Existing Building Code, which is generally less restrictive than the 2015 International Building Code (IBC) and 2015 International Fire Code (IFC). The 2015 International Existing Building Code is a code that is intended to provide model regulation for existing buildings and is generally less prohibitive than the City's other codes. Currently, the City only utilizes this code in certain circumstances; however, this use could be expanded to ease regulations on existing rehabilitation work. Implementing this strategy would also help to address one (1) of the comments that was expressed at the stakeholder meeting, and which stated that "(e)xisting and older buildings need to grandfathered from any retroactive zoning/building requirements that may be added." While the City does not retroactively apply zoning requirements, new work on existing buildings is typically subject to the building code that is in place at the time of the permit. In this case, it would ease requirements and allow for a code that is expressly intended to regulate existing buildings.

Implementation Responsibility: BI & FM

Anticipated Cost(s): The implementation of this policy change is not expected to incur any additional costs for the City, and should be able to be implemented without the assistance of outside consultants.

Estimated Implementation Time: This policy change can be implemented at an administrative level by changing the City's policy and defining when the 2015 International Existing Building Code can be used.

STATUS: ONGOING

STRATEGY 4 CIP PROJECTS ●●

Capital Improvement Projects (CIP) scheduled for the study area and intended to support

existing businesses could be approached with a higher priority than other projects. Currently, there are no anticipated projects intended for the study area; however, this strategy could be used when projects are identified in the future.

Implementation Responsibility: E, M & CC

Anticipated Cost(s): This strategy is not anticipated to have any additional costs associated with it since it deals with the future prioritization of projects on the CIP.

Estimated Implementation Time: This strategy is not anticipated to require a great deal of staff time to implement; however, it would require the foresight and consideration of staff when planning the CIP in the future.

STATUS: ONGOING

STRATEGY 5 CITY INITIATED ZONING OF THE CORRIDOR ●

To avoid undesired and unplanned land uses in the corridor the City Council could consider a City initiated action rezoning all property in the corridor to a Commercial (C) District designation. This strategy would ensure that the corridor develops in accordance with the uses permitted in the targeted zoning district; however, this would need to be carefully evaluated and vetted by the City Attorney to avoid any legal hurdles associated with this method. As an alternative strategy, the City could offer the change in zoning classification to property owners on a mass and voluntary basis. This strategy would allow many of the Agricultural (AG) properties within the district the ability to secure Commercial (C) District zoning without having to pay the fees for initiating a zoning case. In addition, this would allow people to market their properties as commercial property.

While the voluntary method is the most desirable, it does not ensure 100% participation from property owners in the corridor. This method could also have the negative effect of entitling property for Commercial (C) District land uses, while not incentivizing a regional mixed-use center. To prevent this, the City Council could consider establishing a new zoning district or planned development district that would have the effect of limiting certain land uses. Under this method, if any residential component was incorporated into the zoning it could fall under upzoning (i.e. allowing a greater range of land uses), which could make the request more difficult to challenge. Staff should note that any City initiated zoning request should be

approached under the advisement of the City Attorney.

Implementation Responsibility: CA, M, PZD, PZC & CC

Anticipated Cost(s): All the anticipated costs for this strategy will vary depending on the involvement of the City Attorney.

Estimated Implementation Time: The implementation time of this strategy will depend on the approach of the City Council.

STATUS: INCOMPLETE

4 IMPLEMENTATION PLAN

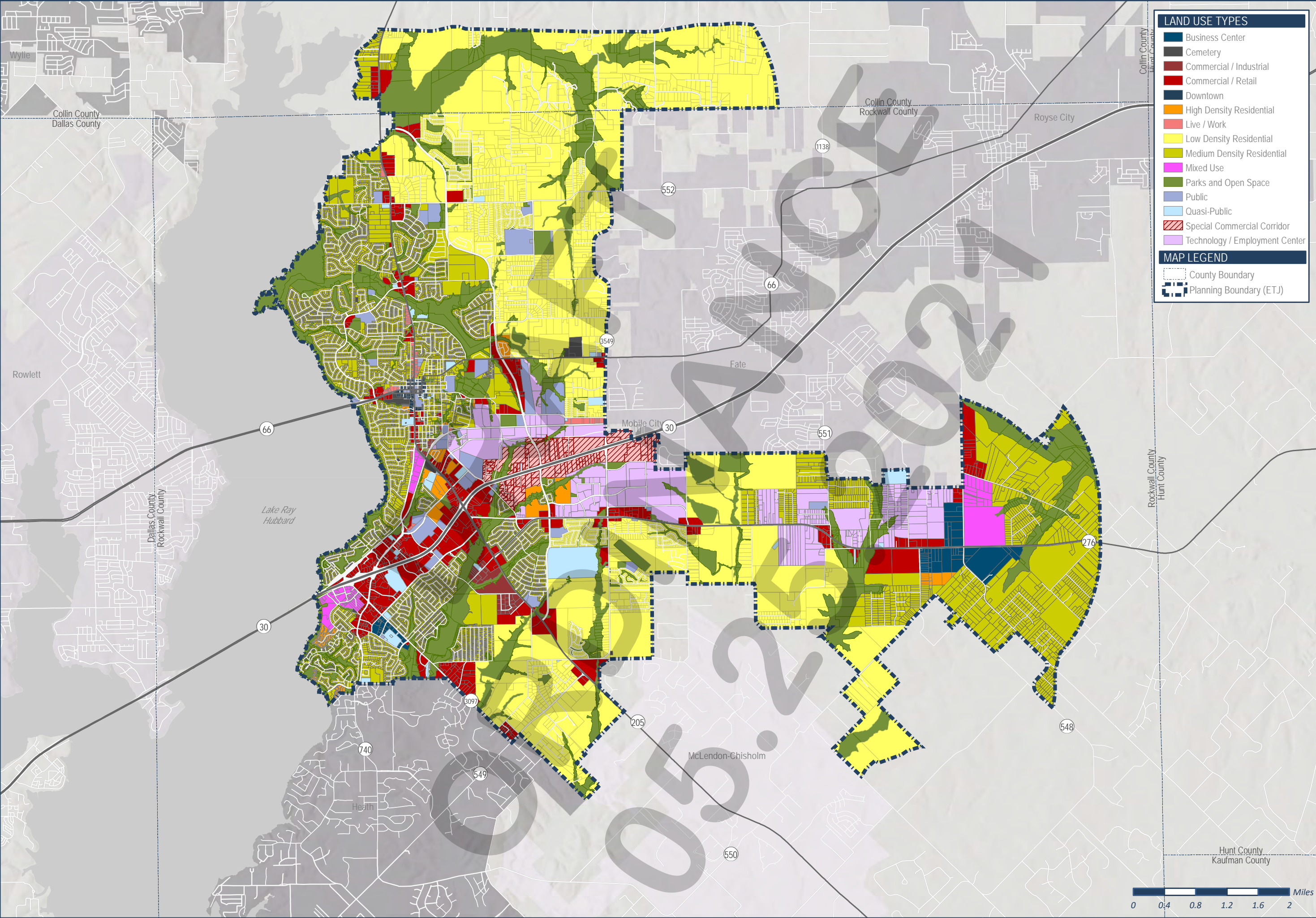
Perhaps the most important thing to point out is that markets are not static, and have a substantial potential to change. This is especially true with regard to commercial/retail development trends. It will be necessary to update the information in this study on a regular basis and to make sure that the direction of this study is still in-line with the community's vision. This is specifically important with regard to the market analysis contained in the *IH-30 Corridor Plan*.

Finally, when making future decisions in the corridor all parties will need to make sure that development requests, policy decisions, discretionary approvals and any other action affecting the study area are looked at in a global sense. Taking a district wide approach to how the corridor develops in the future will ensure that the community is developing in accordance to its vision and not letting individual developments dictate the community's appearance. This will be especially important for staff to relay to applicants looking to develop and/or establish themselves in the IH-30 corridor.



FUTURE LAND USE PLAN

COMPREHENSIVE PLAN 01 | LAND USE & GROWTH MANAGEMENT



LAND USE TYPES

- Business Center
- Cemetery
- Commercial / Industrial
- Commercial / Retail
- Downtown
- High Density Residential
- Live / Work
- Low Density Residential
- Medium Density Residential
- Mixed Use
- Parks and Open Space
- Public
- Quasi-Public
- Special Commercial Corridor
- Technology / Employment Center

MAP LEGEND

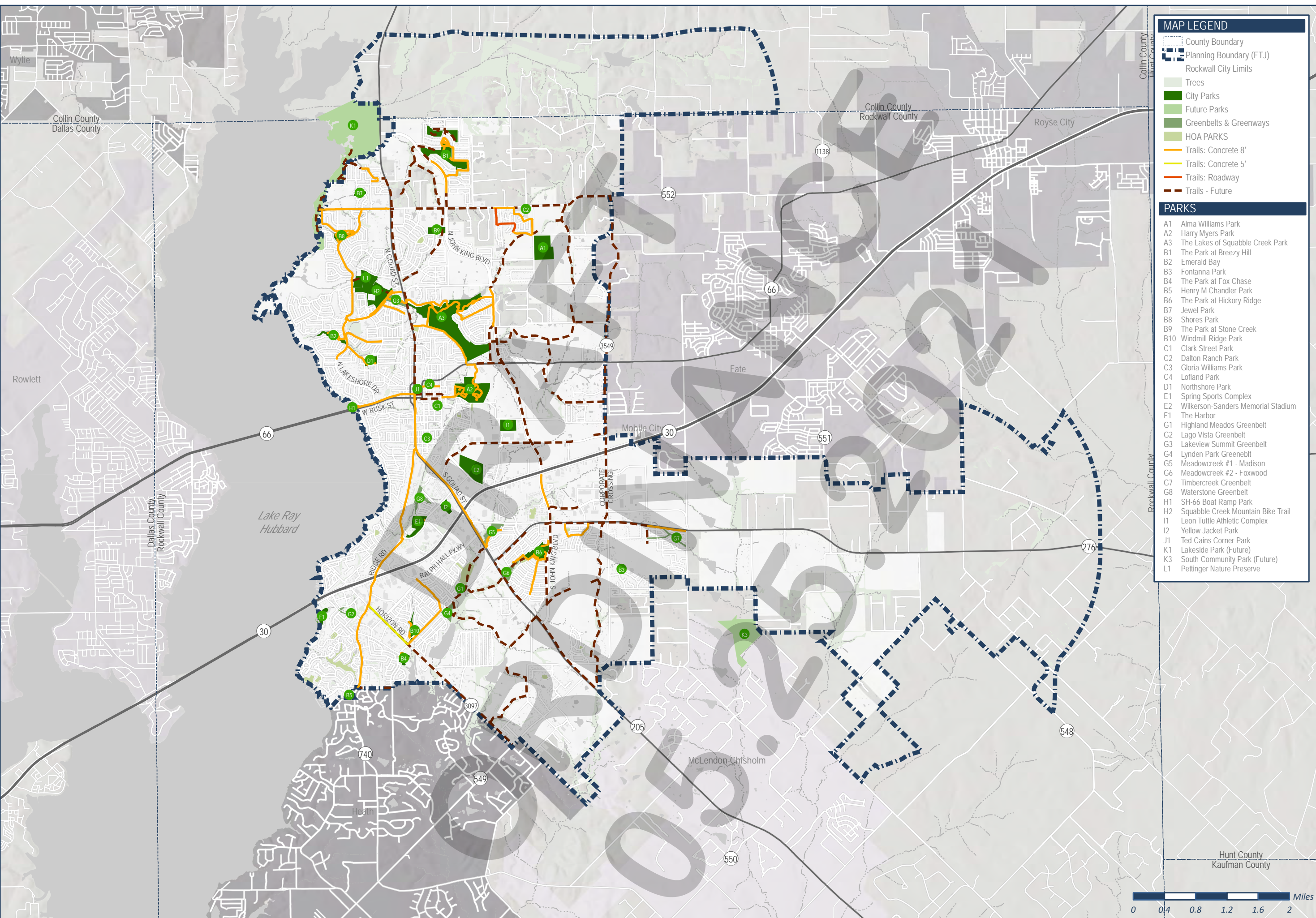
- County Boundary
- Planning Boundary (ETJ)





MASTER TRAIL PLAN

COMPREHENSIVE PLAN 03 | PARKS, OPEN SPACE AND TRAILS



MAP LEGEND

- County Boundary
- Planning Boundary (ETJ)
- Rockwall City Limits
- Trees
- City Parks
- Future Parks
- Greenbelts & Greenways
- HOA PARKS
- Trails: Concrete 8'
- Trails: Concrete 5'
- Trails: Roadway
- Trails - Future

PARKS

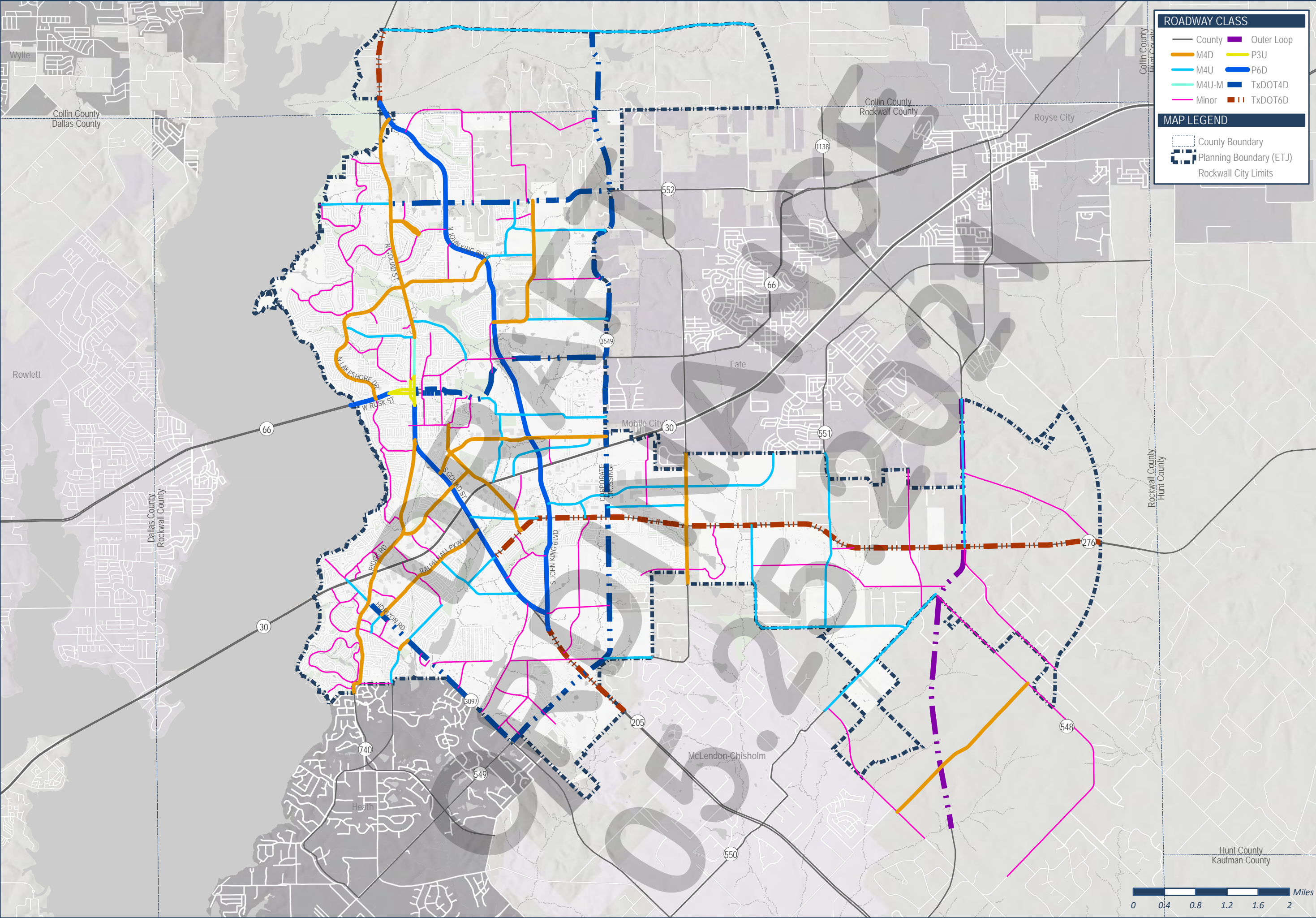
- A1 Alma Williams Park
- A2 Harry Myers Park
- A3 The Lakes of Squabble Creek Park
- B1 The Park at Breezy Hill
- B2 Emerald Bay
- B3 Fontanna Park
- B4 The Park at Fox Chase
- B5 Henry M Chandler Park
- B6 The Park at Hickory Ridge
- B7 Jewel Park
- B8 Shores Park
- B9 The Park at Stone Creek
- B10 Windmill Ridge Park
- C1 Clark Street Park
- C2 Dalton Ranch Park
- C3 Gloria Williams Park
- C4 Lofland Park
- D1 Northshore Park
- E1 Spring Sports Complex
- E2 Wilkerson-Sanders Memorial Stadium
- F1 The Harbor
- G1 Highland Meadows Greenbelt
- G2 Lago Vista Greenbelt
- G3 Lakeview Summit Greenbelt
- G4 Lynden Park Greenbelt
- G5 Meadowcreek #1 - Madison
- G6 Meadowcreek #2 - Foxwood
- G7 Timbercreek Greenbelt
- G8 Waterstone Greenbelt
- H1 SH-66 Boat Ramp Park
- H2 Squabble Creek Mountain Bike Trail
- I1 Leon Tuttle Athletic Complex
- I2 Yellow Jacket Park
- J1 Ted Cains Corner Park
- K1 Lakeside Park (Future)
- K3 South Community Park (Future)
- L1 Pettinger Nature Preserve





MASTER THOROUGHFARE PLAN

COMPREHENSIVE PLAN 04 | INFRASTRUCTURE



ROADWAY CLASS

County	Outer Loop
M4D	P3U
M4U	P6D
M4U-M	TxDOT4D
Minor	TxDOT6D

MAP LEGEND

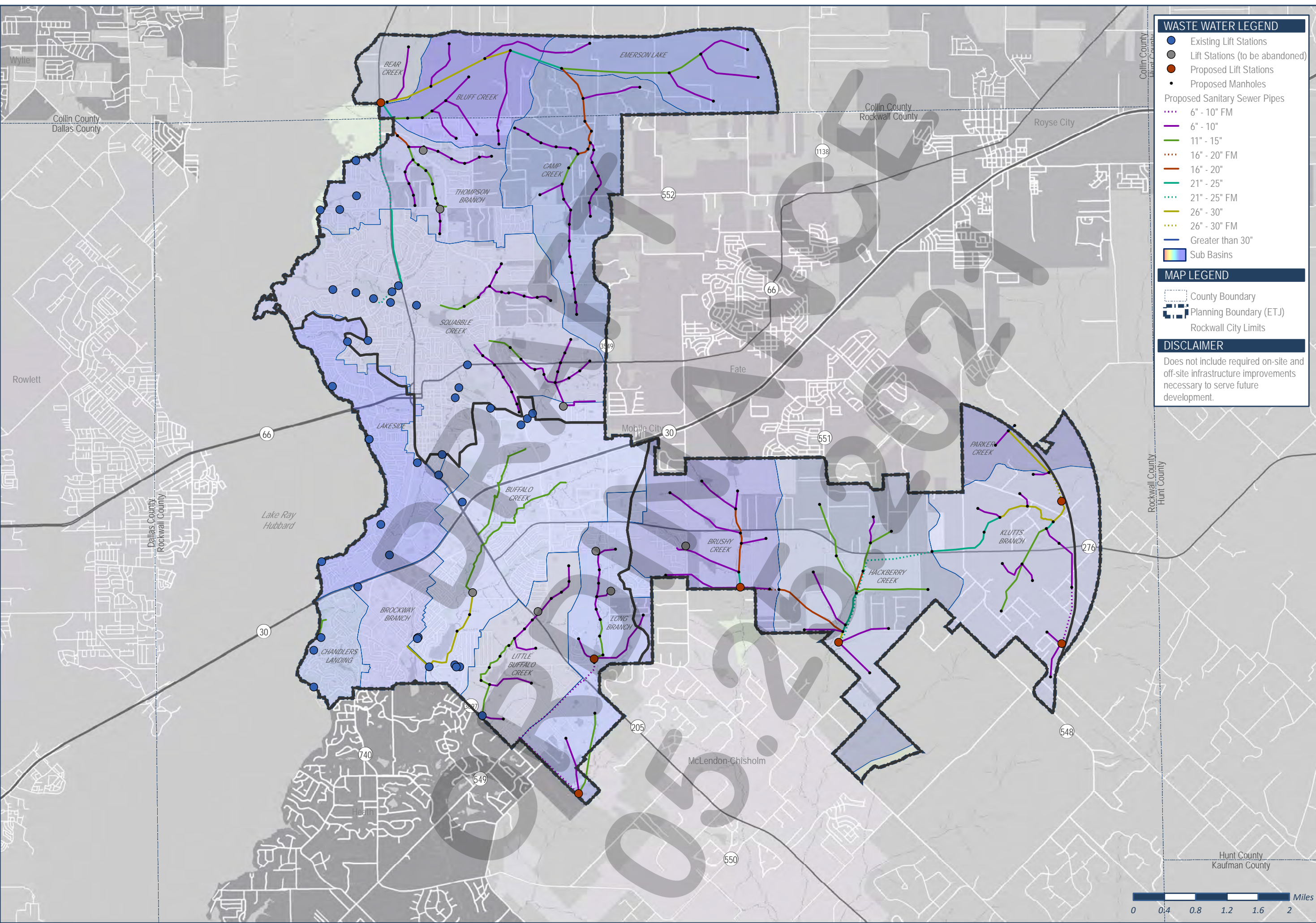
- County Boundary
- Planning Boundary (ETJ)
- Rockwall City Limits

0 0.4 0.8 1.2 1.6 2 Miles



MASTER WASTE WATER PLAN

COMPREHENSIVE PLAN 04 | INFRASTRUCTURE



WASTE WATER LEGEND

- Existing Lift Stations
- Lift Stations (to be abandoned)
- Proposed Lift Stations
- Proposed Manholes

Proposed Sanitary Sewer Pipes

- 6" - 10" FM
- 6" - 10"
- 11" - 15"
- 16" - 20" FM
- 16" - 20"
- 21" - 25"
- 21" - 25" FM
- 26" - 30"
- 26" - 30" FM
- Greater than 30"

Sub Basins

MAP LEGEND

- County Boundary
- Planning Boundary (ETJ)
- Rockwall City Limits

DISCLAIMER

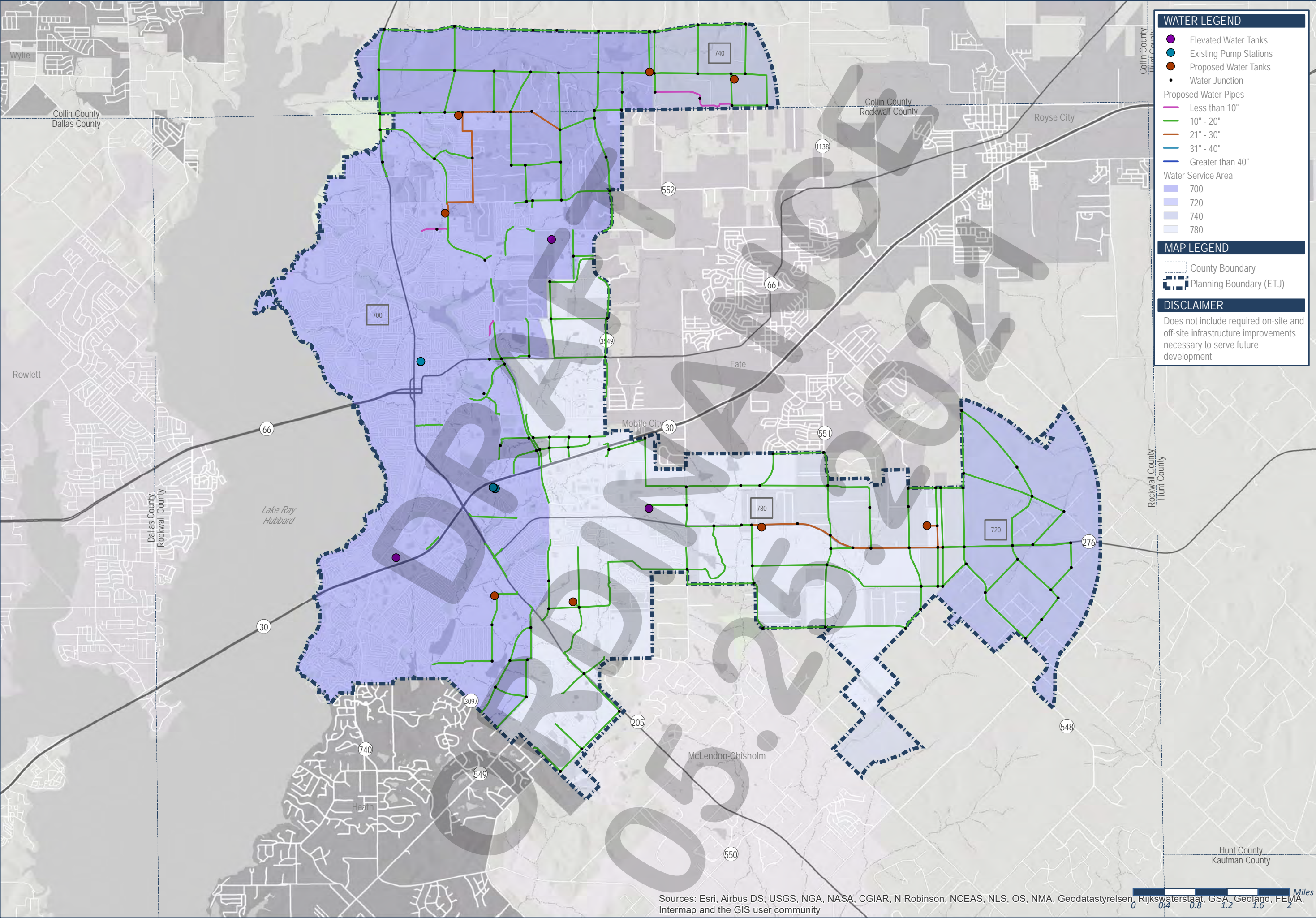
Does not include required on-site and off-site infrastructure improvements necessary to serve future development.





MASTER WATER PLAN

COMPREHENSIVE PLAN 04 | INFRASTRUCTURE



WATER LEGEND

- Elevated Water Tanks
- Existing Pump Stations
- Proposed Water Tanks
- Water Junction

Proposed Water Pipes

- Less than 10"
- 10" - 20"
- 21" - 30"
- 31" - 40"
- Greater than 40"

Water Service Area

- 700
- 720
- 740
- 780

MAP LEGEND

- County Boundary
- Planning Boundary (ETJ)

DISCLAIMER

Does not include required on-site and off-site infrastructure improvements necessary to serve future development.

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community





MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: June 21, 2021

SUBJECT: 212 DEVELOPMENT AGREEMENT FOR TRACT 22 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72

Attachments

Memorandum
Location Map
Concept Plan
212 Development Agreement

Summary/Background Information

Discuss and consider authorizing the Interim City Manager to enter into a 212 Development Agreement with Allen and Lisa Stevenson and the Skorburg Company concerning the annexation and zoning of a 20.83-acre tract of land identified as Tract 22 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction, addressed as 427 Clem Road, and take any action necessary.

Action Needed

The City Council is being asked to consider directing the Interim City Manager to enter into a 212 Development Agreement with Allen and Lisa Stevenson and the Skorburg Co. for the annexation and zoning of a 20.83-acre tract of land situated within the City's Extraterritorial Jurisdiction (ETJ).



CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

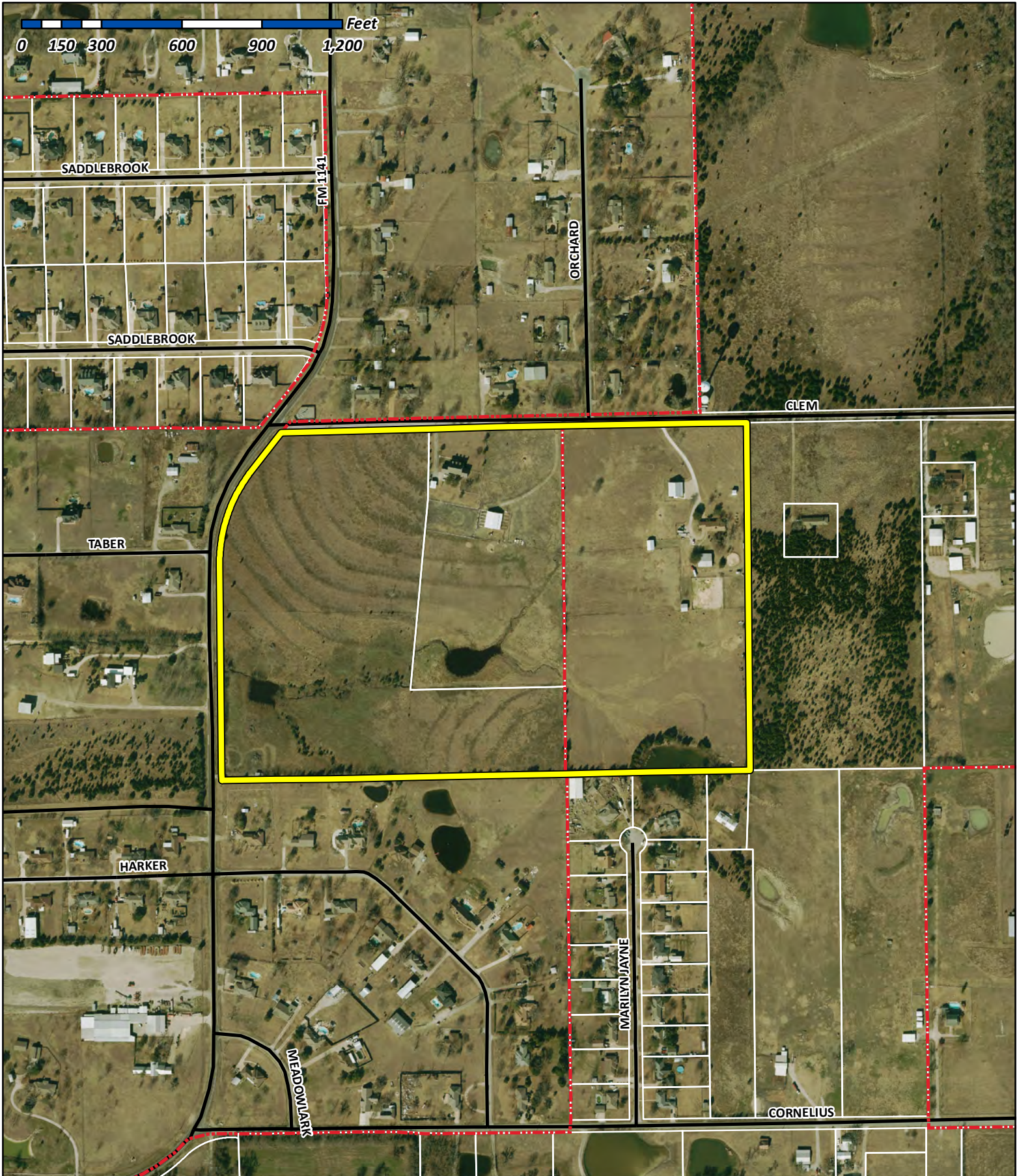
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
CC: Mary Smith, *Interim City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: June 21, 2021
SUBJECT: 212 Development Agreement for Tract 22 of the W. M. Dalton Survey, Abstract No. 72

On April 5, 2021, the City Council approved *Ordinance No. 21-17* establishing Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses on a 38.012-acre tract of land (*i.e. Tract 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72*) located at the southeast corner of the intersection of FM-1141 and Clem Road. This Planned Development District allowed 56, 16,000 SF (*i.e. a minimum of 90' x ~178' or 160' x 100'*) residential lots and proposed a maximum density of 1.48 dwelling units per acre. In addition, the Planned Development District adhered to all of the requirements stipulated by the Unified Development Code (UDC) and was in conformance with the OURHometown Vision 2040 Comprehensive Plan.

In May 2021, Adam Buzcek of the Skorborg Co. submitted a request proposing a 212 Development Agreement on the adjacent property. This request proposed annexing the adjacent 20.83-acre tract of land (*i.e. Tract 22 of the W. M. Dalton Survey, Abstract No. 72*) and rezoning it to Planned Development District 91 (PD-91). This would mean amending the Planned Development District to incorporate the attached concept plan, which proposes adding an additional 42, 16,000 SF (*i.e. a minimum of 90' x ~178' or 160' x 100'*) residential lots (*for a total of 98 residential lots*) and increasing the overall density from 1.48 dwelling units per acre to 1.67 dwelling units per acre. Staff should note that the proposed additional lots do not change the conformance of Planned Development District 91 (PD-91) with regard to the OURHometown Vision 2040 Comprehensive Plan or any other applicable codes. It should also be pointed out that the property is currently situated within the City's Extraterritorial Jurisdiction (ETJ) and is not subject to the City's zoning requirements; however, the City does have a valid 212 Development Agreement on the property that the current owner entered into on January 19, 2011 [*Case No. A2010-002*]. This agreement is more of a non-development agreement that allows the subject to remain in the City's Extraterritorial Jurisdiction (ETJ) as long as the property is continued to be used for agricultural purposes.

Based on Subchapter C-3 of Chapter 43 and Section 212.172(b) of the Texas Local Government Code (TLGC), the City Council may enter into a development agreement that allows the subject property to be annexed into the corporate limits and zoned. These processes can run simultaneously and will only require the approval of the City Council. Staff has prepared the development agreement incorporating the applicant's request. In addition, the development agreement has been reviewed by the City Attorney, City staff, the property owner, the developer, and the developer's council and all parties agree that the document can move forward for City Council consideration. Should the City Council choose to direct the Interim City Manager to enter into the development agreement with Allen and Lisa Stevenson and the Skorborg Co. then staff will proceed with the annexation and zoning request once the agreement has been signed and filed with Rockwall County. Should the City Council have any questions, staff and the City Attorney will be available at the meeting on June 21, 2021.

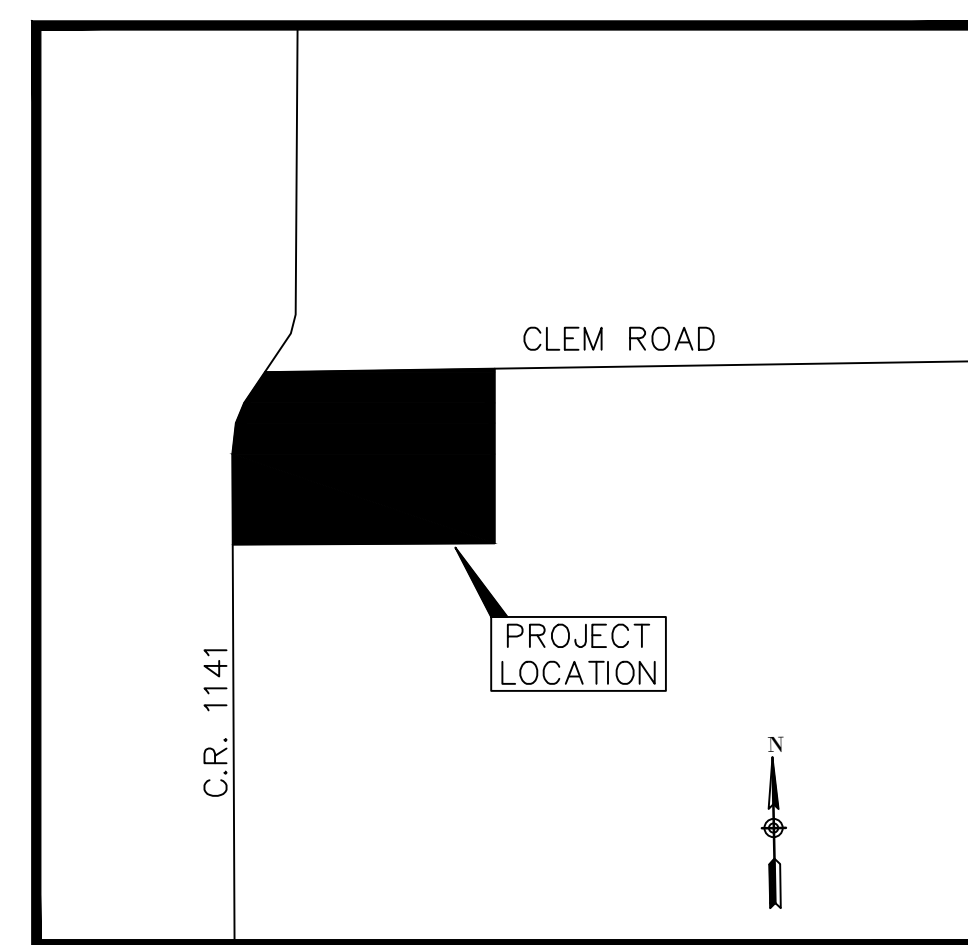


City of Rockwall

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

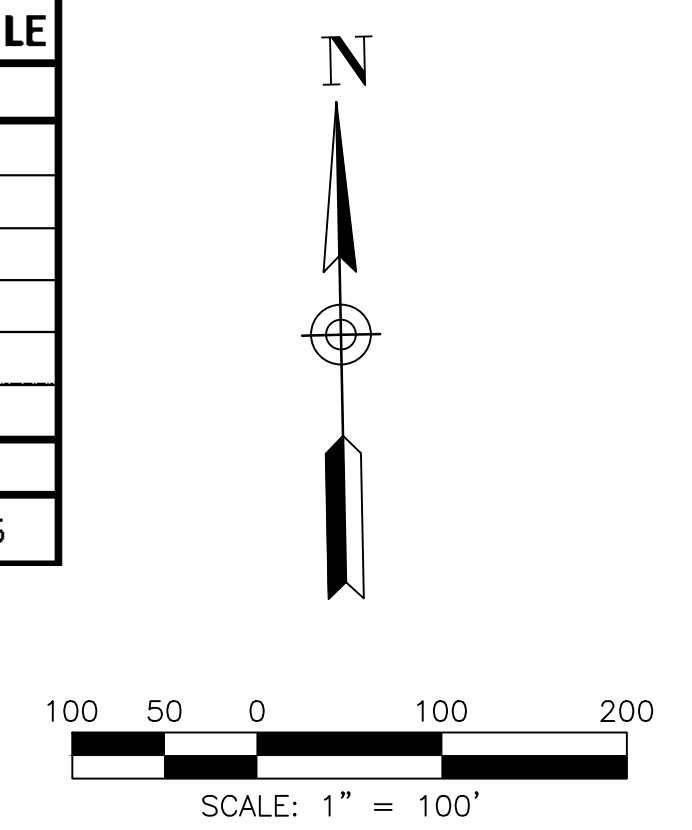
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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





LOCATION MAP
N.T.S.

HOA LOT	SF	AC
A	265179	6.08
B	63598	1.46
C	79715	1.83
D	125452	2.88
TOTAL		12.25



LEGEND

- 98 LOTS TOTAL
Min. Width = 90'
Min. Depth = 100'
Min. Square Feet = 16,000
- HOA MAINTAINED OPEN SPACE



NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 98 LOTS.
ALL OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 58.842
TOTAL OPEN SPACE: 12.25 (20.81%)
TOTAL RESIDENTIAL LOTS: 98
RESIDENTIAL DENSITY: 1.67

CONCEPT PLAN
OF
WINDING CREEK
SITUATED IN THE
WILLIAM DALTON SURVEY,
ABSTRACT NO. 72
IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
PREPARED BY
MACATEE ENGINEERING, LLC
12655 N. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1180
OWNER
REDDY K VASUNDHARA & ALEX R FREEMAN
OWNER
M G & J K TAYLOR LIVING TRUST
237 CLEM ROAD, ROCKWALL, TX 75087
OWNER
ALLEN G. STEVENSON & LISA M. STEVENSON

MAY 2021
SCALE: 1"=100'
CASE NO. Z2021-005

CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Development Agreement [the *Agreement*] is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code by and between the City of Rockwall, Texas [the *City*], the undersigned property owner(s) (*i.e. Allen and Lisa Stevenson*) [collectively known as the *Owner*], and the Skorburg Retail Corporation [the *Developer*] on the terms and conditions herein set forth. The *City*, *Owner*, and *Developer* are individually or collectively referred to herein as the *Party* or *Parties*.

WHEREAS, the *Owner* is the sole owner of a parcel of real property approximately 20.83-acres of land [the *Subject Property*] in Rockwall County, Texas, which is located within the City of Rockwall's Extraterritorial Jurisdiction (ETJ) and is more particularly and separately described in the attached *Exhibit 'A'* of this *Agreement*; and

WHEREAS, the *Developer* intends to develop the 38.012-acre tract of land -- *located directly adjacent to the Subject Property and situated within the corporate limits of the City of Rockwall* -- in accordance with the density and dimensional requirements and Concept Plan [the *Concept Plan*] -- *incorporated in draft ordinance in Exhibit 'B' of this Agreement* -- contained in Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] [the *PD Ordinance*]; and

WHEREAS, the *Parties* desire to establish certain commitments to be imposed and made in connection with the development of the *Subject Property*; to provide increased certainty to the *City* and the *Developer* concerning the development rights, entitlements, arrangements, and commitments, including the obligations and duties of the *Owner*, *Developer*, and the *City* and to identify the planned land uses and permitted intensity of the development of the *Subject Property* before and after annexation as provided in this *Agreement*, as allowed by the applicable laws including, but not limited to Section 212.172 of the Texas Local Government Code; and

WHEREAS, the *Owner* anticipates selling the *Subject Property* to the *Developer*, with the expected closing date to occur within 60-days of the completion of the annexation and zoning of the *Subject Property* in a manner acceptable to all *Parties* [the actual closing date is hereinafter referred to as the *Closing*]; and

WHEREAS, the *Owner* and *Developer* desire the *City* to annex and zone the *Subject Property*, amending the *PD Ordinance* to include the *Subject Property* [the *Zoning Change*]; and

WHEREAS, the *Parties* desire to obtain the benefits of certainty and predictability that can be provided by a Development Agreement for property that is situated within the Extraterritorial Jurisdiction (ETJ) of the *City*; and

WHEREAS, this *Agreement* is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code, in order to address the desires of all *Parties* and the procedures of the *City*; and

WHEREAS, the *Parties* acknowledge and agree that this *Agreement* constitutes a petition for the voluntary annexation of the *Subject Property* under the provisions of Subchapter C-3, Chapter 43, Texas Local Government Code, and within ten (10) calendar days of the *Effective Date* of this *Agreement*, the *Owner* shall submit a letter requesting voluntary annexation that will be subject to the *Developer* closing on the *Subject Property* [the *Annexation Request*], and the *Developer* shall bear all costs associated therewith, for the *Subject Property* in accordance with Section 212.0671 of the Texas Local Government Code, and said *Annexation Request* shall include any and all documents, signatures and/or other information required by Texas law and/or the *City's* ordinances, rules and regulations, as they exist, may be amended or in the future arising, and upon the request of the *City*, the *Owner* shall promptly execute all other applications and documentation required by Texas law to petition for annexation as required by Texas law; and

WHEREAS, the *Owner* agrees to the written agreement regarding services [the *Municipal Service Agreement*] contained in *Exhibit 'C'* of this *Agreement* that outlines the provision of municipal services as required by Section 43.0672 of the Texas Local Government Code; and

WHEREAS, after submission of a completed *Annexation Request* by the *Owner*, the *City* will place the *Annexation Request* and *Zoning Change* on the next available City Council agenda for its consideration and possible action, in accordance with Subchapter C-3, Chapter 43 and Section 212.172(b) of the Texas Local Government Code, which if approved will annex the *Subject Property* into the corporate limits of the City of Rockwall and zone it in accordance with this *Agreement* after the *City* completes all applicable procedures and public hearing(s) required by Texas law (the approved ordinance shall be known as the *Annexation Ordinance*); and

WHEREAS, the City Council has investigated and determined that it is in the best interest of the City and its citizens to enter into this *Agreement*; and

WHEREAS, this *Agreement* is to be recorded in the *Real Property Records* of Rockwall County, Texas at the expense of the *City*;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, THE PARTIES HERETO AGREE AS FOLLOWS:

SECTION 1. DEFINITIONS, PURPOSE, CONSIDERATION, AND AUTHORITY

- 1.1. Definitions. Any terms which are used herein, and which are defined in the Municipal Code of Ordinances of the City of Rockwall [the *City Code*], shall have the meaning ascribed to them in the City Code unless same are expressly defined otherwise in this *Agreement* and the definition contained herein shall control.
- 1.2. General Benefits. The *Developer* will benefit from the certainty and assurance of the approvals and development regulations applicable to the development of the *Subject Property* pursuant to the terms of this *Agreement*. The *Developer* has voluntarily elected to enter into and accept the terms and benefits of this *Agreement* and will benefit from: [1] the certainty and assurance of the development and use of the *Subject Property* in accordance with this *Agreement*, and [2] the establishment of regulations applicable to the development of the *Subject Property* pursuant to the terms of this *Agreement*. The *City* will directly benefit from this *Agreement* by virtue of its control over the development standards for the *Subject Property*. The *Parties* expressly confirm and agree that development of the *Subject Property* will be best accomplished through this *Agreement* and will substantially advance the legitimate interests of the *City*. The *City*, by approval of this *Agreement*, further find that the execution and implementation of this *Agreement* is not inconsistent or in conflict with any of the policies, plans, or ordinances of the *City*.
- 1.3. Acknowledgement of Consideration. The benefits to the *Parties* set forth above, plus the mutual promises expressed herein, are good and valuable consideration for this *Agreement*, the sufficiency of which is hereby acknowledged by the *Parties*. The *City* acknowledges that the *Developer* will proceed with the development of the *Subject Property* in reliance upon the terms of this *Agreement*. The *City* acknowledges and agrees that the enforcement of the terms of this *Agreement* would not interfere with or impede the exercise or performance of any governmental function of the *City*.
- 1.4. Authority. This *Agreement* is entered into, in part, under the statutory authority of Section 212.172 of the Texas Local Government Code, which authorizes the *City* to make written contracts with owners of land establishing lawful terms and considerations that the *Parties* agree to be reasonable, appropriate, and not unduly restrictive of business activities.

SECTION 2. ANNEXATION AND ZONING AGREEMENT

- 2.1. In exchange for the approvals and relief set forth in this *Agreement*, the *Owner* and *Developer* consent to and request the *City* approve annexation and zoning of the *Subject Property* in accordance with the *Municipal Service Agreement* and the *PD Ordinance* within 180-days of the City Council approving this *Agreement*.
- 2.2. The *City* agrees to annex the *Subject Property* into the *City's* corporate limits in accordance with the requirements of Subchapter C-3, *Annexation of Area on Request of Owners*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code, and to concurrently zone the *Subject Property* by amending the *PD Ordinance* -- in accordance with the draft ordinance depicted in Exhibit 'B' of this *Agreement* [the *Draft Ordinance*] -- and incorporating the *Subject Property* into the *PD Ordinance*.

SECTION 3. PROPERTY DEVELOPMENT ABSENT ANNEXATION AND ZONING

- 3.1. The *Parties* agree and acknowledge the following:
 - 3.1.1. The *Subject Property* is situated outside of the *City's* corporate boundaries.
 - 3.1.2. The *Subject Property* is situated within the *City's* Extraterritorial Jurisdiction (ETJ).
 - 3.1.3. The *Owner* and the *City* entered into a *Development Agreement (Instrument No. 2011-00445924)* [the *Existing Development Agreement*] on January 3, 2011. The *Existing Development Agreement* was originally adopted for a period of seven (7) years until January 3, 2018. The City Council extended this agreement for a subsequent term of seven (7) years on August 7, 2017. This approval extended the term of the *Existing Development Agreement* to January 19, 2025.
- 3.2. The *Parties* further agree and acknowledge that if the *City* elects not to annex and zone the *Subject Property* in accordance with the terms of this *Agreement*, this *Agreement* is in default and the *Subject Property* shall remain outside of the *City's* corporate boundaries and be subject to the terms of the *Existing Development Agreement*.

SECTION 4. ANNEXATION AND ZONING MATTERS

- 4.1. Within ten (10) calendar days of the *Effective Date* of this *Agreement*, the *Owner* shall submit a signed copy of the *Municipal Service Agreement* and the *Annexation Request* for the *Subject Property*. Upon the request of the *City*, the *Owner* and *Developer* shall also submit any necessary applications and/or documentation required by law to request the annexation and zoning of the *Subject Property*. The *Owner* and *Developer* represent and warrant that there are no other parties in possession of any portion of the *Subject Property* and that there will be no other parties in possession of any portion of the *Subject Property* at the time the *Municipal Service Agreement* is submitted to the *City*. The *City* shall facilitate the *Annexation Request* in a diligent and expedient manner. The *Owner* and *Developer* hereby acknowledge and agree that the *City* makes no warranties and/or guarantees with regard to the outcome of the *Annexation Request*.
- 4.2. In accordance with the requirements of this *Agreement* and Section 212.172(b)(8) of the Texas Local Government Code, the *City* shall -- concurrently with the *Annexation Request* -- consider zoning the *Subject Property* by amending the *PD Ordinance* in conformance with the *Draft Ordinance*.
- 4.3. All *Parties* agree and acknowledge that the *Subject Property* is currently used for agricultural purposes and subject to a property tax exemption under Chapter 23, *Appraisal and Assessment*, of the Texas Tax Code. Notwithstanding anything herein to the contrary, the *City* agrees that the *Owner* shall be permitted to continue such agricultural use.

SECTION 5. CLOSING AND FAILURE TO CLOSE ON THE PROPERTY

- 5.1. The *Owner* of the *Subject Property* represents and warrants to the *Developer* and *City* that as of the effective date of this agreement, the *Owner*: [1] is fully authorized to sell the *Subject Property*, without joinder of any other person or entity, and [2] has good and indefeasible fee simple title to the *Subject Property*, free of any liens, security interests, exceptions, conditions, mineral reservations or leases or encumbrances, that could in any way extinguish the *City's* priority lien on the *Subject Property*.
- 5.2. Should the *Owner* and/or *Developer* fail to consummate the sale of the *Subject Property* by the *Closing*, the *City*, *Owner* and *Developer* acknowledge and agree that this *Agreement* is in default and the *Subject Property* shall remain outside of the *City's* corporate boundaries and be subject to the terms of the *Existing Development Agreement*.

SECTION 6. LIMITATIONS OF THE AGREEMENT

- 6.1. The *Parties* hereto acknowledge that this *Agreement* is limited to the matters expressly set forth herein. Any regulations covering property taxes, utility rates, permit fees, inspection fees, development fees, impact fees, tap fees, pro-rata fees, park fees, and the like are not affected by this *Agreement*. Further this *Agreement* does not waive or limit any of the obligations of the *Developer* or *Owner* to the *City* under any of the regulations.

SECTION 7. DEFAULT; TERMINATION; REMEDIES; COOPERATION

7.1. Default and Remedies.

- 7.1.1. If the *City* defaults under this *Agreement* and fails to cure the default within thirty (30) days written notice, *Developer* may, at its sole election, [1] terminate the *Agreement* and be relieved from any and all obligations under this *Agreement*, [2] if the *City* fails to zone the *Subject Property* as required in the *Agreement* pursuant to its zoning discretion, enforce the *Agreement* by seeking specific performance and/ or a writ of mandamus from a Rockwall County District Court, as available under applicable law, and/or [3] seek any and all other remedies available at law or in equity. Prior to exercising its remedies hereunder, the *Developer* shall give notice setting forth the event of default (*as stipulated under Section 8.7, Notice, of this Agreement*) [the *Notice*] to the *City*. If the *City* fails to cure any alleged default within a reasonable period of time, not less than thirty (30) days after the date of the *Notice*, and thereafter to diligently pursue such cure to completion, the *Developer* may exercise its remedies for default.
- 7.1.2. If the *Developer* defaults under this *Agreement*, the *City* shall give written *Notice* to the *Developer*. If the *Developer* fails to commence the cure of an alleged default specified in the *Notice* within a reasonable period of time, not less than thirty (30) days after the date of the *Notice*, and thereafter to diligently pursue such cure to completion, the *City* may seek injunctive relief from a court of proper jurisdiction and/or terminate this *Agreement*.
- 7.1.3. If any *Party* defaults, the prevailing *Party* in the dispute will be entitled to recover from the non-prevailing *Party* its reasonable attorney's fees, expenses and court costs in connection with any original action, any appeals, and any post judgment proceedings to collect or enforce a judgment.

7.2. Cooperation.

- 7.2.1. The *City*, the *Owner*, and the *Developer* all agree to cooperate with each other as may be reasonably necessary to carry out the intent of this *Agreement*, including but not limited to the execution of such further documents as may be reasonably necessary.
- 7.2.2. In the event of any third-party lawsuit or other claim relating to the validity of this *Agreement*, the *City*, the *Owner*, and the *Developer* agree to use their respective best efforts to resolve the suit or claim without diminution in their respective rights and obligations under this *Agreement*.
- 7.2.3. The *Developer*, *Owner*, or *City* may initiate mediation on any issues in dispute and the other *Parties* shall participate in good faith. The cost of mediation shall be a joint expense.

7.3. Termination.

- 7.3.1. This *Agreement* shall terminate upon the earliest occurrence of any one (1) or more of the following as applicable: [1] In the event that the *Developer* fails to submit a timely petition for annexation as stipulated in Section 4.1 of this *Agreement*, the *City* may terminate the *Agreement* after thirty (30) days written notice to the *Developer*, [2] the *Developer* files for bankruptcy, [3] the *Developer* abandons the development, or [4] the development is not substantially complete within five (5) years of the effective date of this *Agreement*.

SECTION 8. GENERAL PROVISIONS

- 8.1. Severability. The provisions of this *Agreement* are severable and -- if any provision of this *Agreement* is held to be invalid for any reason by a court or agency of competent jurisdiction -- the remainder of this *Agreement* will not be affected and this *Agreement* will be construed as if the invalid portion had never been contained herein.
- 8.2. Modifications and Notifications. Any modifications to this *Agreement* must be in writing and signed by individuals authorized to represent each *Party* hereof or its successor, or they shall not be binding upon any of the *Parties* hereto.
- 8.3. Applicable Law; Venue. This *Agreement* will be construed in accordance with the laws of the State of Texas. The venue for any action arising out of this *Agreement* shall be in Rockwall County, Texas.
- 8.4. Successors and Assigns. The terms of this *Agreement* shall be binding upon and inure to the benefit of the *Parties* and their respective successors, assigns, and legal representatives.
- 8.5. No Partnership. Neither this *Agreement*, nor any part thereof, shall be construed as creating a partnership, joint venture, or other business affiliation among the *Parties* or otherwise.
- 8.6. Entire Agreement. This *Agreement* and the appendices hereto supersede any and all other prior or contemporaneous agreements (*including the Existing Agreement*), oral or written, among the *Parties* hereto with respect to the *Subject Property*.
- 8.7. Notices: All notices given with respect to this *Agreement* must be in writing and may be served by depositing same in the United States mail, addressed to the *Party* to be notified, postage pre-paid and registered or certified with return receipt requested, or by delivering the same in person to such party via electronic mail, with documentation evidencing the addressee's receipt thereof, or a hand-delivery service, Federal Express or any courier service that provides a return receipt showing the date of actual delivery of same to the addressee thereof. Notice given in accordance herewith shall be effective upon receipt at the address of the addressee. For purposes of notice, the addresses of the *Parties* shall be as follows:

TO: the City

Address: City of Rockwall
ATTN: Mary Smith, *Interim City Manager*
385 S. Goliad Street
Rockwall, Texas 75087

Phone: (972) 771-7700
Email: msmith@rockwall.com

CC: the City Attorney

Address: City Attorney for the City of Rockwall
Davidson, Troilo, Ream & Garza
ATTN: Frank J. Garza
601 N. W. Loop 410, Suite 100
San Antonio, Texas 78201

Phone: (210) 349-6484
Email: fgarza@dtgllaw.com

TO: the Owner

Address: Allen and Lisa Stevenson
427 Clem Road
Rockwall, Texas 75007

Phone: (214) 364-3944
Email: allstevenson@gmail.com

TO: the Developer

Address: Skorburg Retail Corporation
ATTN: Adam Buczek
8214 Westchester Drive, Suite 900
Dallas, Texas 75225

Phone: (214) 888-8843
Email: abuczek@sckorburgcompany.com

The *Parties* may change their respective addresses to any other address and their respective successors and assigns names and addresses within the United States of America by giving at least 30-days written notice to the other *Parties*. Any *Party* may, by giving at least 30-days written notice, designate additional parties to receive copies of notices under this *Agreement*.

- 8.8. Enforcement. As permitted by law, this *Agreement* may be enforced by any *Party* through specific performance. All *Parties* shall have the right to cure any default within 30-days after notice of said default having been provided by the non-defaulting *Party* or *Parties*. In the event legal action is necessary to enforce the terms of this *Agreement*, the prevailing *Party* or *Parties* shall be entitled to attorney's fees, court costs, as well as any other damages found by a court of competent jurisdiction to be owned as a result of the breach.
- 8.9. Default. Failure by any *Party* to timely and substantially comply with any performance requirement, duty, or covenant of this *Agreement* shall be considered an act of default if uncured within 30-days of receiving written notice from the other *Party* of *Parties*. Failure of the *Developer* or *Owner* to timely begin attempts to cure a

default will give the *City* the right to terminate this *Agreement*, as solely and finally determined by the City Council of the City of Rockwall, Texas.

- 8.10. INDEMNITY. THE *DEVELOPER* COVENANTS AND AGREES TO FULLY INDEMNIFY AND HOLD HARMLESS THE *CITY* (AND THEIR ELECTED OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS, AND REPRESENTATIVES), INDIVIDUALLY AND COLLECTIVELY, FROM AND AGAINST ANY AND ALL COSTS, CLAIMS, LIENS, DAMAGES, LOSSES, EXPENSES, FEES, FINES, PENALTIES, PROCEEDINGS, ACTIONS, DEMANDS, CAUSES OF ACTION, LIABILITY, AND SUITS OF ANY KIND AND NATURE BROUGHT BY ANY THIRD PARTY AND RELATING TO DEVELOPER'S ACTIONS IN THIS AGREEMENT, INCLUDING, BUT NOT LIMITED TO, PERSONAL INJURY OR DEATH AND PROPERTY DAMAGE, MADE UPON THE *CITY* OR DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM OR RELATED TO THE *DEVELOPER'S* NEGLIGENCE, WILLFUL MISCONDUCT OR OTHER CONDUCT IN ITS ACTIVITIES UNDER THIS AGREEMENT, INCLUDING ANY SUCH ACTS OR OMISSIONS OF THE *DEVELOPER* OR THE *DEVELOPER'S* TENANTS, ANY AGENT, OFFICER, DIRECTOR, REPRESENTATIVE, EMPLOYEE, CONSULTANT OR SUBCONSULTANTS OF THE *DEVELOPER* THE *DEVELOPER'S* TENANTS, AND ITS RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, DIRECTORS AND REPRESENTATIVES WHILE IN THE EXERCISE OR PERFORMANCE OF THE RIGHTS OR DUTIES UNDER THIS AGREEMENT, ALL WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO *CITY* UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW. THE PROVISIONS OF THIS INDEMNIFICATION ARE SOLELY FOR THE BENEFIT OF THE *CITY* AND ARE NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY. THE *DEVELOPER* SHALL PROMPTLY ADVISE *CITY* IN WRITING OF ANY CLAIM OR DEMAND AGAINST THE *CITY*, RELATED TO OR ARISING OUT OF THE *DEVELOPER* OR THE *DEVELOPER'S* TENANTS' ACTIVITIES UNDER THIS AGREEMENT AND SHALL SEE TO THE INVESTIGATION AND DEFENSE OF SUCH CLAIM OR DEMAND AT THE *DEVELOPER'S* COST TO THE EXTENT REQUIRED UNDER THE INDEMNITY IN THIS PARAGRAPH. THE *CITY* SHALL HAVE THE RIGHT, AT THEIR OPTION AND AT THEIR OWN EXPENSE, TO PARTICIPATE IN SUCH DEFENSE WITHOUT RELIEVING THE *DEVELOPER* OF ANY OF ITS OBLIGATIONS UNDER THIS PARAGRAPH.

IT IS THE EXPRESS INTENT OF THE *PARTIES* TO THIS AGREEMENT THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH, SHALL NOT BE AN INDEMNITY EXTENDED BY THE *DEVELOPER* TO INDEMNIFY, PROTECT AND HOLD HARMLESS THE *CITY* FROM THE CONSEQUENCES OF THE *CITY'S* OWN NEGLIGENCE OR INTENTIONAL MISCONDUCT. THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL APPLY ONLY, TO THE EXTENT OF ANY COMPARATIVE NEGLIGENCE STATUTES AND FINDINGS, WHEN THE NEGLIGENT ACT OF THE *CITY* IS A CONTRIBUTORY CAUSE OF THE RESULTANT INJURY, DEATH, OR DAMAGE, AND IT SHALL HAVE NO APPLICATION WHEN THE NEGLIGENT ACT OF THE *CITY* IS THE SOLE CAUSE OF THE RESULTANT INJURY, DEATH, OR DAMAGE. THE *DEVELOPER* FURTHER AGREES TO DEFEND, AT ITS OWN EXPENSE AND ON BEHALF OF THE *CITY* AND IN THE NAME OF THE *CITY* ANY CLAIM OR LITIGATION BROUGHT AGAINST THE *CITY* (AND ITS ELECTED OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS AND REPRESENTATIVES), IN CONNECTION WITH ANY SUCH INJURY, DEATH, OR DAMAGE FOR WHICH THIS INDEMNITY SHALL APPLY, AS SET FORTH ABOVE.

IT IS THE EXPRESS INTENT OF THIS SECTION THAT THE INDEMNITY PROVIDED TO THE *CITY* AND THE *DEVELOPER* SHALL SURVIVE THE TERMINATION AND OR EXPIRATION OF THIS AGREEMENT FOR THE APPLICABLE STATUTE OF LIMITATIONS AND SHALL BE BROADLY INTERPRETED AT ALL TIMES TO PROVIDE THE MAXIMUM INDEMNIFICATION OF THE *CITY* AND/OR THEIR OFFICERS, EMPLOYEES AND ELECTED OFFICIALS PERMITTED BY LAW.

- 8.11. Sovereign Immunity. Nothing contained herein shall ever be construed as a waiver of sovereign immunity or waiver of the defenses of the *Parties* provided by law which are reserved herein by the *Parties* as applicable to the fullest extent authorized by law and minimally to the same extent then and there existing prior to the execution hereof.

- 8.12. Mediation. If a dispute arises out of or relates to this *Agreement* or a breach thereof, the *Parties* shall first, in good faith, seek to resolve the dispute through negotiation between the upper management of each respective *Party*. If such dispute cannot be settled through negotiation, the *Parties* agree to try in good faith to settle the dispute by mediation before resorting to arbitration, litigation, or some other dispute resolution procedure; provided that either *Party* may not invoke mediation unless it has provided the other *Party* with written notice of the dispute and has attempted in good faith to resolve such dispute through negotiation. Notwithstanding the foregoing, any *Party* may seek immediate equitable relief, without attempting to settle a dispute through mediation, in any case where such *Party* is entitled to equitable relief by law, the terms of the *Agreement*, or otherwise. All costs of negotiation, mediation, and arbitration, collectively known as alternate dispute resolution, shall be assessed equally between the *City* and *Developer*, with each party bearing their own costs for attorney's fees, experts, and other costs of alternate dispute resolution and any ensuing litigation.
- 8.13. Interpretation. Each of the *Parties* has been represented by counsel of their choosing in the negotiation and preparation of this *Agreement*. Regardless of which *Party* prepared the initial draft of this *Agreement*, this *Agreement* shall, in the event of any dispute, whatever its meaning or application, be interpreted fairly and reasonably and neither more strongly for or against either *Party*.
- 8.14. Additional Instruments. The *City*, *Owner*, and *Developer* warrant that they have the requisite authority to enter into this *Agreement* and agree and covenant to cooperate, negotiate in good faith, and to execute such other and further instruments and documents as may be reasonably required to fulfill the public purposes provided for and included herein.
- 8.15. Authority for Execution. The *City* certifies, represents, and warrants that the execution of this *Agreement* is duly authorized and adopted in conformity with the Texas Local Government Code and all applicable ordinances of the City of Rockwall. The *Developer* and *Owner* hereby certify, represent, and warrant that the execution of this *Agreement* is duly authorized and adopted in conformity with the articles of incorporation and bylaws or partnership agreement executing on behalf of the *Developer* and/or *Owner*.
- 8.16. Recitals Incorporated. The representations, covenants and recitations set forth in the recitals to this *Agreement* are material to this *Agreement* and are hereby found and agreed to be true and correct, and are incorporated into and made a part hereof as though they were fully set forth in the sections of this *Agreement*.
- 8.17. Effective Date; Recordation. This *Agreement* shall be effective on the date upon final approval of the City Council of the City of Rockwall, Texas. This *Agreement*, or a *Memorandum of Agreement* signed by both parties, shall be recorded in the Official Public Records of Rockwall County, Texas within 30-days of the *Effective Date* at the *City's* expense.
- 8.18. Exhibits. The following exhibits are attached to this *Agreement* and incorporated herein by reference:
- (1) Exhibit 'A': *Legal Description of the Subject Property*
 - (2) Exhibit 'B': *Proposed Planned Development District 91 (PD-91)*
 - (3) Exhibit 'C': *Municipal Service Agreement*
- 8.19. Assignment. The terms of this *Agreement* will run with the *Subject Property*, will be binding upon the *Developer* and *Owner* and their permitted assigns, and shall survive judicial or non-judicial foreclosure, for so long as it remains in effect. The *Developer* and *Owner's* rights and obligations under this *Agreement* may be assigned by the *Developer* or *Owner* to one (1) or more purchasers of all or part of the *Subject Property*; provided, the City Council of the City of Rockwall must first be notified of and approve any such assignment by the *Developer* or *Owner* of this *Agreement* including the assignment of any right or duty of the *Developer* or *Owner* pursuant to this *Agreement*. Notwithstanding the foregoing sentence, the *Developer* may assign this *Agreement* to an affiliate of the *Developer* or Richard M. Skorburg Interests, Inc (*dba "Skorburg Company"*) without obtaining approval from the City Council of the City of Rockwall, but the *Developer* must provide written notice of the assignment and such notice shall represent that the assignee understands and accepts the terms and

conditions of this *Agreement*. Any assignment requires the assignee comply with all terms and conditions of this *Agreement* and such assignment must reflect that assignee agrees in writing. This *Agreement* is not intended to be binding upon, or create any encumbrance to title as to, any ultimate consumer who purchases a fully developed and improved single-family lot within the *Subject Property*, nor is it intended to confer upon such person the status of a third-party beneficiary.

- 8.20. *Term*. The term of this *Agreement* will commence on the *Effective Date* and continue for 180-days, unless terminated on an earlier date under other provisions of this *Agreement* or by written agreement of the *City*, *Owner*, and *Developer*. Following the initial term, upon the expiration of this *Agreement*, any and all rights pursuant to this *Agreement* shall expire; provided this *Agreement* will terminate if: (a) the *Developer* or *Owner* defaults in the performance of this *Agreement* and the default is not timely cured as provided in this *Agreement*; (b) the *Developer* or *Owner* defaults in the performance of any other contract or agreement between the *Parties* regarding or applicable to the development of the *Subject Property* and the default is not timely cured within the time provided for cure in this *Agreement*; or (c) the *Subject Property* is annexed and zoned in accordance with the terms of this *Agreement*.

THE CITY: THE CITY OF ROCKWALL, TEXAS

Mary Smith, *Interim City Manager*

Frank Garza, *City Attorney*

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF DALLAS/ROCKWALL §

BEFORE ME, the, undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ___ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

MY COMMISSION EXPIRES

THE OWNER: ALLEN AND LISA STEVENSON

Allen Stevenson

Lisa Stevenson

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF DALLAS/ROCKWALL §

BEFORE ME, the, undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ___ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

MY COMMISSION EXPIRES

THE DEVELOPER: SKORBURG RETAIL CORPORATION

Adam Buczek, *Authorized Signer*

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF DALLAS/ROCKWALL §

BEFORE ME, the, undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ___ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

MY COMMISSION EXPIRES

Exhibit 'A':
Legal Description of the Subject Property

BEING a tract or parcel of Land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80.00-acre tract conveyed to E. L. Adams by T. H. Adams, by deed recorded in *Volume 11, Page 475*, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the northwest corner of the above-mentioned 80.00-acre tract;

THENCE North 89 Degrees 50 Minutes 30 Seconds East, a distance of 684.33-feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 Degrees 50 Minutes 30 Seconds West, a distance of 661.40-feet from the northeast corner of said 80.00-acre tract;

THENCE South 00 Degrees 16 Minutes 03 Seconds East, a distance of 1,319.86-feet traversing said 80.00-acre tract to an iron rod for a corner;

THENCE South 89 Degrees 22 Minutes 53 Seconds West, a distance of 687.71-feet to an iron rod for a corner on the west line of said 80.00-acre tract and at the northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 00 Degrees 07 Minutes 17 Seconds West, a distance of 1,325.38 feet along the west line of said 80.00-acre tract to the *POINT OF BEGINNING* and containing 20.83-acres of land.

Exhibit 'B':

Proposed Planned Development District 91 (PD-91)

CITY OF ROCKWALL

ORDINANCE NO. 21-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, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 91 (PD-91) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 58.842-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, 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.

WHEREAS, the City has received a request by Kevin Harrell of the Skorburg Co. on behalf of Mark Taylor, Alex Freeman and Allen and Lisa Stevenson for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a 58.842-acre tract of land identified as Tract 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 91 (PD-91) [*Ordinance No. 21-17*] 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 *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 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted 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 3. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

Exhibit 'B':

Proposed Planned Development District 91 (PD-91)

SECTION 5. That development of the *Subject Property* 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(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (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 a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Master Parks and Open Space Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, 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 'C'* 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 a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan*. A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* 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*, 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

Exhibit B:
Proposed Planned Development District 91 (PD-91)

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 [] DAY OF [], 2021.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: []

2nd Reading: []

Exhibit 'B':
Proposed Planned Development District 91 (PD-91)

Exhibit 'A':
Legal Description

Tract 1 (±26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*;

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Exhibit B:
Proposed Planned Development District 91 (PD-91)

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Tract 3 (±20.83-Acres)

BEING a tract or parcel of Land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80.00-acre tract conveyed to E. L. Adams by T. H. Adams, by deed recorded in *Volume 11, Page 475*, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the northwest corner of the above-mentioned 80.00-acre tract;

THENCE North 89 Degrees 50 Minutes 30 Seconds East, a distance of 684.33-feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 Degrees 50 Minutes 30 Seconds West, a distance of 661.40-feet from the northeast corner of said 80.00-acre tract;

THENCE South 00 Degrees 16 Minutes 03 Seconds East, a distance of 1,319.86-feet traversing said 80.00-acre tract to an iron rod for a corner;

THENCE South 89 Degrees 22 Minutes 53 Seconds West, a distance of 687.71-feet to an iron rod for a corner on the west line of said 80.00-acre tract and at the northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 00 Degrees 07 Minutes 17 Seconds West, a distance of 1,325.38 feet along the west line of said 80.00-acre tract to the *POINT OF BEGINNING* and containing 20.83-acres of land.

Exhibit 'B':
Proposed Planned Development District 91 (PD-91)

Exhibit 'B':
Location Map

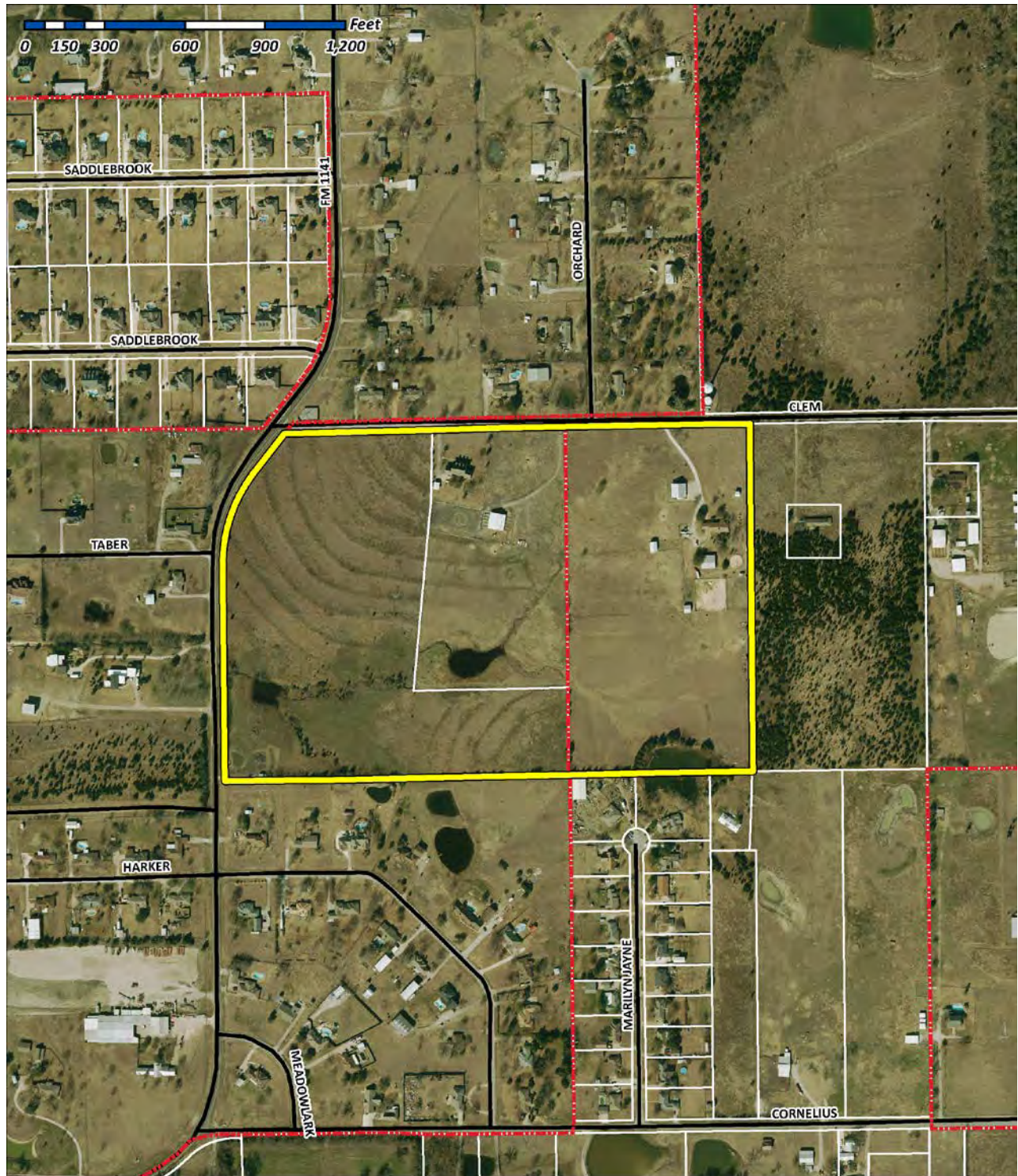


Exhibit B:
Proposed Planned Development District 91 (PD-91)

Exhibit C:
Concept Plan



Exhibit 'B':
Proposed Planned Development District 91 (PD-91)

Exhibit 'D':
Density and Dimensional Standards

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance.
- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 1.67 dwelling units per gross acre of land; however, in no case should the proposed development exceed 98 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

<i>Minimum Lot Width</i> ⁽¹⁾	90'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	16,000 SF
<i>Minimum Front Yard Setback</i> ^{(2) & (5)}	25'
<i>Minimum Side Yard Setback</i>	8'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	10'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i> ⁽⁶⁾	3,000 SF
<i>Maximum Lot Coverage</i>	60%

General Notes:

- ^{1:} Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ^{2:} The location of the *Front Yard Building Setback* as measured from the front property line.
- ^{3:} The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ^{4:} The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ^{5:} Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.
- ^{6:} A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [Air-Conditioned Space].

- (4) Building Standards. All development shall adhere to the following building standards:
 - (a) Masonry Requirement. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the masonry requirement; however, stucco (*i.e. three [3] part stucco or a comparable -- to be*

Exhibit 'B':

Proposed Planned Development District 91 (PD-91)

determined by staff) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (e.g. *HardiBoard* or *Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (i.e. *FM-1141* as shown on *Exhibit 'C'* of this ordinance).

- (b) Roof Pitch. A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) Garage Orientation and Garage Doors. Garages shall be oriented in a *traditional swing* (or *j-swing*) (i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration). On *traditional swing* (or *j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door



- (5) Anti-Monotony Restrictions. The development shall adhere to the following *Anti-Monotony* standards:
 - (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
 - (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces, *FM-1141*, or *Clem Road* shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Permitted Encroachment Type and Layout

Exhibit B:

Proposed Planned Development District 91 (PD-91)

- (3) Roof Type and Layout
- (4) Articulation of the Front Façade
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 3: Properties line up on the opposite side of the street. Where **RED** is the subject property.



Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



- (6) Fencing Standards. All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
 - (a) Front Yard Fences. Front yard fences shall be prohibited.
 - (b) Wood Fences. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

Exhibit B:

Proposed Planned Development District 91 (PD-91)

- (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem Road*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.
 - (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-foot off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
 - (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
- (7) Landscape and Hardscape Standards.
- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
 - (1) Landscape Buffer and Sidewalks (FM-1141). A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*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. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.
 - (2) Landscape Buffers (Clem Road). A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*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. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
 - (3) Landscape Buffers (Southern Property Line). A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning --*, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.
 - (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

Exhibit B:

Proposed Planned Development District 91 (PD-91)

- (d) 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).
- (e) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (8) Street. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
- (9) 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 contain all light within the development area.
- (10) Sidewalks. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (11) 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. 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.
- (12) Open Space. The development shall consist of a minimum of 20% open space (*or a minimum of 11.77 -acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (*including landscape buffers*) shall be maintained by the Homeowner's Association (HOA).
- (13) Trails. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.
- (14) Neighborhood Signage and Enhancements. 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*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (15) Homeowner's Association (HOA). A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.
- (16) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

MUNICIPAL SERVICES AGREEMENT FOR ANNEXATION

Annexation Case No. A2021-004
City and County of Rockwall, Texas

Acreage Annexed: 20.83-Acres

Survey Abstract and County: Tract 22 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas

Date of Annexation Request:

Municipal Services Agreement. In accordance with Section 43.0672 of the Texas Local Government Code, the following agreement outlines the provision and timing of municipal services that will be furnished by or on the behalf of the City of Rockwall, Texas to the subject property which is described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this agreement:

(A) Police Services.

- (1) Patrolling, responses to calls, and other routine police services, within the limits of existing personnel and equipment, will be provided within 60-days of the effective date of annexation.
- (2) As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(B) Fire Services.

- (1) Fire protection by the present personnel and the present equipment of the Fire Department, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60-days of the effective date of annexation.
- (2) As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

(C) Health and Code Compliance Services.

- (1) Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers' ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel. Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.
- (2) The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
- (3) The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.
- (4) All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that

Exhibit C:
Municipal Service Agreement

building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.

- (5) As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

(D) Planning and Zoning Services

- (1) The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Unified Development Code (UDC) [i.e. *Zoning Ordinance*], and Municipal Code of Ordinances.

(E) Recreation and Leisure Services

- (1) Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
- (2) Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

(F) Solid Waste Collection

- (1) Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately-owned solid waste management service provider. Such properties will be allowed to continue private service for a period of two (2) years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

(G) Streets

- (1) The City of Rockwall's existing policies with regard to streets, roads and street/roadway lighting maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as of the effective date of the annexation ordinance.
- (2) As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
- (3) The same level of maintenance shall be provided to public streets and roadways within this property that have been accepted by the City of Rockwall as is provided to like City streets and roadways throughout the City.

(H) Water Services

- (1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
- (2) Water mains of the City will be extended in accordance with provisions of the Municipal Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to

Exhibit C:
Municipal Service Agreement

those reasonably contemplated or projected in the annexed area.

- (3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.
- (4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) Sanitary Sewer Services

- (1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
- (2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
- (3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Municipal Code of Ordinances and engineering standards and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.
- (4) Previously granted exceptions to the requirements of connections to the City's sanitary sewer treatment system or Off-Site Sanitary Sewer Facilities (OSSF) constructed prior to annexation shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception or for systems installed prior to annexation.

(J) Public Utilities

- (1) Other public utilities will be provided by the City's franchisee or a provider holding a Certificate of Convenience and Necessity (CCN) issued by the state to serve that area.

(K) Miscellaneous. General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

Exhibit 'C':
Municipal Service Agreement

SUBJECT PROPERTY: TRACT 22 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72

ALLEN STEVENSON

LISA STEVENSON

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF DALLAS/ROCKWALL §

BEFORE ME, the, undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ___ day of _____, 2021.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

MY COMMISSION EXPIRES

Exhibit 'C':
Municipal Service Agreement

Exhibit 'A':
Legal Description

Survey, Abstract and County: Tract 22 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas

BEING a tract or parcel of Land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, and being part of an 80.00-acre tract conveyed to E. L. Adams by T. H. Adams, by deed recorded in *Volume 11, Page 475*, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in a County Road and at the northwest corner of the above-mentioned 80.00-acre tract;

THENCE North 89 Degrees 50 Minutes 30 Seconds East, a distance of 684.33-feet along said Country Road to an iron rod for a corner, said iron rod bears South 89 Degrees 50 Minutes 30 Seconds West, a distance of 661.40-feet from the northeast corner of said 80.00-acre tract;

THENCE South 00 Degrees 16 Minutes 03 Seconds East, a distance of 1,319.86-feet traversing said 80.00-acre tract to an iron rod for a corner;

THENCE South 89 Degrees 22 Minutes 53 Seconds West, a distance of 687.71-feet to an iron rod for a corner on the west line of said 80.00-acre tract and at the northeast corner of Meadowview Ranch Estates, an addition to the County of Rockwall;

THENCE North 00 Degrees 07 Minutes 17 Seconds West, a distance of 1,325.38 feet along the west line of said 80.00-acre tract to the *POINT OF BEGINNING* and containing 20.83-acres of land.

Exhibit 'C':
Municipal Service Agreement

Exhibit 'B':
Location Map

