

## ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, February 21, 2023 - 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 legal advice associated with Special Improvement Districts, pursuant to Section 551.071 (Consultation with Attorney)

III. Adjourn Executive Session

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

V. Invocation and Pledge of Allegiance - Councilmember Lewis

VI. Proclamations / Awards / Recognitions

1. Teen Dating Violence Awareness Month

VII. Open Forum

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

VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

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

1. Consider approval of the minutes from the February 6, 2023 regular city council meeting, and take any action necessary.
2. **P2023-001** - Consider a request by Ryan Moorman of Truman Heights, LLC for the approval of a *Replat* for Lot 26, Rainbo Acres Addition being a 1.222-acre parcel of land identified as Lot 24, Rainbo Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 & 263 Ranch Trail, and take any action necessary.
3. **P2023-003** - Consider a request by Nick Hobbs of BGE Engineering on behalf of USEF Rockwall Owner, LLC for the approval of a *Replat* for Lots 4 & 5, Block A, Rockwall Park 30 Addition being a 22.275-acre tract of land identified as Lots 1 & 2, Block A, Rockwall Park 30, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located on the southside of the IH-30 Frontage Road east of the intersection of Corporate Crossing and IH-30, and take any action necessary.

4. **P2023-004** - Consider a request by Bryan Connally of CBG Surveying on behalf of Todd and Whitney Abbott for the approval of a *Final Plat* for Lot 1, Block A, Abbott Addition being a 1.25-acre tract of land identified as Tract 52 of the R. Ballard Survey, Abstract No. 29 and Lot 2 of the Renfro Place South Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 619 Renfro Street, 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. **Z2022-060** - Hold a public hearing to discuss and consider approval of an **ordinance** for a *Text Amendment* to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of making changes to the *Solar Collector Panels and Systems* requirements for residential properties, and take any action necessary (**1st Reading**).
2. **Z2022-057** - Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary (**1st Reading**).
3. **Z2022-059** - Hold a public hearing to discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant with 2,000 SF or more with a Drive-Through (i.e. Smoothie King)* on a 0.579-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary (**1st Reading**).
4. **Z2023-001** - Hold a public hearing to discuss and consider a request by Ali Abedini on behalf of John Fenianos for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.20-acre parcel of land identified as Lot 16, Block C, Harborview Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for Single-Family 7 (SF-7) District, addressed as 310 Harborview Drive, and take any action necessary (**1st Reading**).
5. **Z2023-002** - Hold a public hearing to discuss and consider a request by Matthew J. Peterson of DB Constructors, Inc. on behalf of Jeff Fleming for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on a 1.99-acre portion of a larger 3.853-acre tract of land identified as Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development 46 (PD-46) District for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located on the southside of Springer Road east of the intersection of Springer Road and Corporate Crossing, and take any action necessary (**1st Reading**).
6. **Z2023-003** - Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary (**1st Reading**).

7. **Z2023-004** - Hold a public hearing to discuss and consider a request by Mike Pizzola of Designhaus Architecture on behalf of Viper Development for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow a *Mini-Warehouse* on a 3.15-acre tract of land identified as Lots 1 & 2, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68) for Commercial (C) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located on the eastside of S. Goliad Street [SH-205] south of the intersection of Community Lane and S. Goliad Street [SH-205], and take any action necessary (**1st Reading**).
8. **Z2023-005** - Hold a public hearing to discuss and consider a request by Peter and Janyce Gardner for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and take any action necessary (**1st Reading**).
9. **Z2023-006** - Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary (**1st Reading**).
10. **Z2023-007** - Hold a public hearing to discuss and consider a request by Urbano Fernandez for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.27-acre parcel of land identified as Lot 905A of the Lake Rockwall Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District, addressed as 124 Lynne Drive, 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 approval of a request by the City’s Art Commission for the *Picture This* public art project, authorizing \$6,000 to be paid from the city's Art in Public Places fund, and take any action necessary.

**XII. 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 Teague, 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 17th day of February 2023 and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

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Date Removed

Rockwall,



Texas

# Proclamation

*Whereas*, according to the National Coalition Against Teen Dating Violence:

- Each year, around 12 percent of American high schoolers experience physical or sexual violence at the hands of an intimate partner;
- Dating violence can also occur on social media, online, and through other electronic communication in the form of cyberstalking, nonconsensual distribution of intimate images, and other technology-facilitated harms; and
- Teen dating violence is defined as “physical, sexual, or psychological / emotional abuse within a dating relationship among adolescents;” and

*Whereas*, if teenagers are instructed and shown proper relationships, the risk of violence in youth dating will go down; and

*Whereas*, if teenagers are educated on the consequences of actions that are classified as violence, the result will be awareness of dating violence and how to avoid it; and

*Whereas*, teen violence can easily occur through the use of technology and can greatly affect a teen's mental state and harm them without ever physically talking to the offender; and

*Whereas*, those who are abused often don't leave the relationship for many reasons, such as fear that the abuser's violent behavior will escalate if he or she tries to leave; the hope that the abuser may change; or religious or cultural beliefs that prevent a person from leaving;

*Now, Therefore*, I, Kevin Fowler, Mayor of the City of Rockwall, Texas, do hereby proclaim the month of **February** as **Teen Dating Violence Awareness Month** in the City of Rockwall and encourage all citizens to help raise awareness about teen dating violence in our community, to support organizations that aim to eradicate this crime and to assist those affected.

*In Witness Whereof*, I hereunto set my hand and official seal this 21<sup>st</sup> day of February, 2023.

A handwritten signature in black ink, appearing to read 'Kevin Fowler', written over a horizontal line.

Kevin Fowler, Mayor

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**ROCKWALL CITY COUNCIL REGULAR MEETING**  
**Monday, February 06, 2023 - 5:00 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 5:00 p.m. Present were Mayor Kevin Fowler, Mayor Pro Tem Trace Johannesen, and Councilmember Dennis Lewis, Clarence Jorif, Anna Campbell, and Bennie Daniels. Assistant City Manager Joey Boyd was also present. City Attorney Frank Garza joined Ex. Session via video teleconference (ZOOM). Councilmember Mark Moeller and City Manager Mary Smith were absent from the meeting.

Mayor Fowler then read the below-listed discussion item 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 legal advice associated with Special Improvement Districts, pursuant to Section 551.071 (Consultation with Attorney)

**III. ADJOURN EXECUTIVE SESSION**

**Council adjourned from Ex. Session at 5:20 p.m.**

**IV. RECONVENE PUBLIC MEETING (5:30 P.M.)**

**Mayor Fowler reconvened the public meeting at 5:30 p.m.**

**V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JORIF**

**Councilmember Jorif delivered the invocation and led the Pledge of Allegiance.**

**VI. PROCLAMATIONS / AWARDS / RECOGNITIONS**

1. Life Saving Award - Jason Blackwood - Rockwall Police Department
2. Outstanding Unit Citation - Rockwall Fire Department, Engine 4 Shift C
  - o Brad Vallance - Captain
  - o Justin Barker - Driver Engineer
  - o Bogdan Rusmanica - Firefighter

Mayor Fowler called forth Fire Chief, Kenneth Cullins and Police Captain, David Valliant along with Police Officer Blackwood and Fire personnel Brad Vallance, Justin Barker and Bogdan Rusmanica. City Secretary Kristy Teague then read a write-up concerning a medical emergency

that took place back in November at the Ralph M. Hall Municipal Airport when a man was passed out and unresponsive. These police and fire personnel rendered aid via chest compressions, defibrillations, administration of medications and performance of other forms of advanced care, directly contributing to saving the man's life. As a result, these gentlemen were each recognized for their heroic actions that evening.

VII. OPEN FORUM

Mayor Fowler explained how Open Forum is conducted, asking 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

Council took no action as a result of Executive Session.

IX. CONSENT AGENDA

1. Consider approval of the minutes from the January 17, 2023 regular City Council meeting, and take any action necessary
2. **Z2022-056** - Consider a request by Matthew Benedetto for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Detached Garage* on a three (3) acre parcel of land identified as Lot 19, Block A, Northgate Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, addressed as 835 Clem Road, and take any action necessary **(2nd Reading)**
3. **Z2022-058** - Consider a request by Asher Hamilton on behalf of RIV Properties, Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, and Kathy Moton for the approval of an **ordinance** for a *PD Development Plan* for a 176-unit condominium building on a 3.59-acre tract of land identified as Lots 1 & 2, Block1; Lots 1, 2, 3, & 4, Block 2; Lots 1, 2, 3, & 4, Block 3; Lots 1, 2, 3, & 4, Block 5; Lots 1 & 2 and a portion of Lots 3 & 4, Block 6; Lots 2, 3, & 4, Block 7; Lots 1 & 2, Block 8; and Lots 1, 2, 3, & 4, Block 9, Moton Addition, City of Rockwall, Rockwall County, Texas, situated within the *Hillside Mixed Use Subdistrict* and the *Horizon/Summer Lee Subdistrict* of Planned Development District 32 (PD-32), generally located at the southwest corner of the intersection of Horizon Road and Summer Lee Drive, and take any action necessary **(2nd Reading)**.
4. Consider approval of a resolution calling a General Election to be held on May 6, 2023 for the purpose of electing the following Rockwall City Council Member positions: Mayor, Place 1, Place 3, and Place 5 (each for two-year terms), and take any action necessary.

Councilmember Lewis moved to approve the Consent Agenda (#s 1, 2, 3, and 4). Councilmember Jorif seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 23-04  
SPECIFIC USE PERMIT NO. S-292

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 88 (PD-88) [ORDINANCE NO. 19-26] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *DETACHED GARAGE* ON A THREE (3)

ACRE PARCEL OF LAND, IDENTIFIED AS LOT 19, BLOCK A, NORTHGATE 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.

CITY OF ROCKWALL  
ORDINANCE NO. 23-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A CONDOMINIUM BUILDING ON A 3.59-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1 & 2, BLOCK 1; LOTS 1, 2, 3, & 4, BLOCK 2; LOTS 1, 2, 3, & 4, BLOCK 3; LOTS 1, 2, 3, & 4, BLOCK 5; LOTS 1 & 2 AND A PORTION OF LOTS 3 & 4, BLOCK 6; LOTS 2, 3, & 4, BLOCK 7; LOTS 1 & 2, BLOCK 8; AND LOTS 1, 2, 3, & 4, BLOCK 9, MOTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve the Consent Agenda items passed by a vote of 6 ayes to 0 nays (Moeller absent).

X. 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 Department Monthly Report - December 2022
2. Fire Department Monthly Report - December 2022
3. Police Department Monthly Report - December 2022
4. Parks & Rec. Department Monthly Report - December 2022
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

Assistant City Manager Joey Boyd provided brief comments, thanking city staff members for all their hard work on keeping the local roadways safe during last week's ice storm. He also reported that the city's Youth Advisory Council (YAC) students enjoyed attending a statewide YAC Summit this past weekend in Dallas. Council took no action concerning this agenda item.

XI. 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 legal advice associated with Special Improvement Districts, pursuant to Section 551.071 (Consultation with Attorney)

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

**Council did not convene in Ex. Session following the close of the public meeting agenda.**

**XIII. ADJOURNMENT**

**Mayor Fowler adjourned the meeting at 5:48 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 21<sup>st</sup>  
DAY OF FEBRUARY, 2023.**

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**KEVIN FOWLER, MAYOR**

**ATTEST:**

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**KRISTY TEAGUE, CITY SECRETARY**





## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** P2023-001; REPLAT FOR LOT 26, RAINBO ACRES ADDITION

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### Attachments

Case Memo  
Development Application  
Location Map  
Replat

### Summary/Background Information

Consider a request by Ryan Moorman of Truman Heights, LLC for the approval of a *Replat* for Lot 26, Rainbo Acres Addition being a 1.222-acre parcel of land identified as Lot 24, Rainbo Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 & 263 Ranch Trail, and take any action necessary.

### Action Needed

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



# 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

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**TO:** Mayor and City Council  
**DATE:** February 21, 2023  
**APPLICANT:** Ryan Moorman; *Truman Heights, LLC*  
**CASE NUMBER:** P2023-001; *Replat for Lot 26, Rainbo Acres Addition*

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### SUMMARY

Consider a request by Ryan Moorman of Truman Heights, LLC for the approval of a Replat for Lot 26, Rainbo Acres Addition being a 1.222-acre parcel of land identified as Lot 24, Rainbo Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 & 263 Ranch Trail, and take any action necessary.

### PLAT INFORMATION

- The applicant is requesting the approval of a Replat for a 1.222-acre parcel of land (*i.e. Lot 24 and Lot 25, Rainbo Acres Addition*) for the purpose of creating one (1) parcels of land (*i.e. Lots 26, Rainbo Acres Addition*) and establishing the fire lanes and utility easements necessary to convert an existing single-family home into an *office building* on the subject property.
- On May 17, 2004, the subject property was annexed by *Ordinance No. 04-34 [Case No. A2004-001]*. On December 4, 2017, the City Council approved a Replat [*Case No. P2017-050*] to subdivide the subject property (*i.e. Lots 22 and 23*) from the adjacent property in order for it to be developed for the construction of a mini-warehouse facility on Lot 23. On September 10, 2019, the Planning and Zoning Commission approved a *Site Plan [Case No. SP2019-031]* for a 4,950 SF *Office Building*.
- 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 Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

### CONDITIONS OF APPROVAL

If the City Council chooses to approve the Replat for Lot 26, *Rainbo Acres Addition* staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and,
- (2) Any construction resulting from the approval of this Replat 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 February 7, 2023, the Planning and Zoning Commission approved a motion to approve the Replat with a vote of 6-0, with Commissioner Womble 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) <sup>1</sup>

PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>

FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>

REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>

AMENDING OR MINOR PLAT (\$150.00)

PLAT REINSTATEMENT REQUEST (\$100.00)

**SITE PLAN APPLICATION FEES:**

SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>

AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

**ZONING APPLICATION FEES:**

ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>

SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1&2</sup>

PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

**OTHER APPLICATION FEES:**

TREE REMOVAL (\$75.00)

VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

**NOTES:**

<sup>1</sup> 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.

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS **259 and 263 RANCH TRAIL DRIVE**

SUBDIVISION **RAINBO ACRES LOT 24 AND 25** LOT **24** BLOCK

GENERAL LOCATION **EAST SIDE RANCH TRAIL NORTH OF HORIZON**

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **COMMERCIAL** CURRENT USE **OFFICE WAREHOUSE**

PROPOSED ZONING **SAME** PROPOSED USE **SAME**

ACREAGE **1.222 AC.** LOTS [CURRENT] **2** 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 **TRUMAN HEIGHTS LLC**  APPLICANT **SAME AS OWNER**

CONTACT PERSON **RYAN MOORMAN** CONTACT PERSON

ADDRESS **259 RANCH TRAIL** ADDRESS

CITY, STATE & ZIP **ROCKWALL TX 75032** CITY, STATE & ZIP

PHONE **972-722-2408** PHONE

E-MAIL **RYAN@RDMOORMANINC.COM** E-MAIL

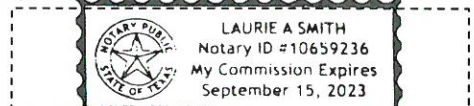
## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RYAN MOORMAN [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 \$324.40 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 4th DAY OF JANUARY, 2023, 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 4th DAY OF January, 2023

OWNER'S SIGNATURE *Ryan Moorman*



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS *Laurie A. Smith*

MY COMMISSION EXPIRES



# City of Rockwall

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

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



**SURVEYOR'S CERTIFICATE & DEDICATION**

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS TRUMAN HEIGHTS, LLC BEING THE OWNER OF 1.222 acres of land situated in the William W. Ford Survey, Abstract 80, City of Rockwall, Rockwall County, Texas, and being all of Lot 24 of Rainbo Acres, Lot 24 & Lot 25, an addition to the City of Rockwall, according to the plat recorded as Instrument number 2021000007850, Plat Records of Rockwall County, Texas, (P.R.R.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner at the southwest corner of said Lot 24, common to the northwest corner of said Lot 25, and being in the east right-of-way line of Ranch Trail (a 55' right-of-way);

THENCE N 12 degrees 09 minutes 51 seconds E, along the west line of said Lot 24, and the east line of said right-of-way, a distance of 199.51 feet, to a point for corner, at the northwest corner of said Lot 24 and being in the south line of Tract 16 of Rainbo Acres Addition, an addition to the City of Rockwall, according to the plat recorded in Cabinet A, Slide 20, (PRRCT), from which a PK nail found bear S 69 degrees 4 minutes 12 seconds E, a distance of 1.38 feet;

THENCE S 85 degrees 36 minutes 59 seconds E, along the north line of said Lot 24, and the south line of said Tract 16, a distance of 331.09 feet, to a 1/2" iron rod found for corner;

THENCE S 89 degrees 37 minutes 02 seconds E, along said north line of Lot 24, and the south line of said Tract 16, a distance of 21.59 feet, to a 5/8" iron rod found for corner, at a common corner of said Lot 24 and Lot 25;

THENCE S 45 degrees 31 minutes 21 seconds W, along a common line of said Lot 24 and Lot 25, a distance of 240.56 feet, to a 60d nail found for corner;

THENCE S 89 degrees 44 minutes 01 seconds W, along a common line of said Lot 24 and Lot 25, a distance of 222.11 feet, to the POINT OF BEGINNING and containing 53,211 Square Feet or 1.222 Acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this replat, and designated herein as the RAINBO ACRES, LOT 24R, an addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in RAINBO ACRES, LOT 24R, subdivision have been notified and signed this plat. I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

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

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

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

FOR: TRUMAN HEIGHTS, LLC

STATE OF TEXAS  
COUNTY OF ROCKWALL

BY: *[Signature]*

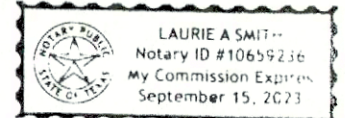
Before me, the undersigned authority, on this day personally appeared *[Signature]* known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purpose and consideration therein stated.

Name: RAY MOORMAN

Given under my hand and seal of office this 9<sup>th</sup> day of JAN, 2022

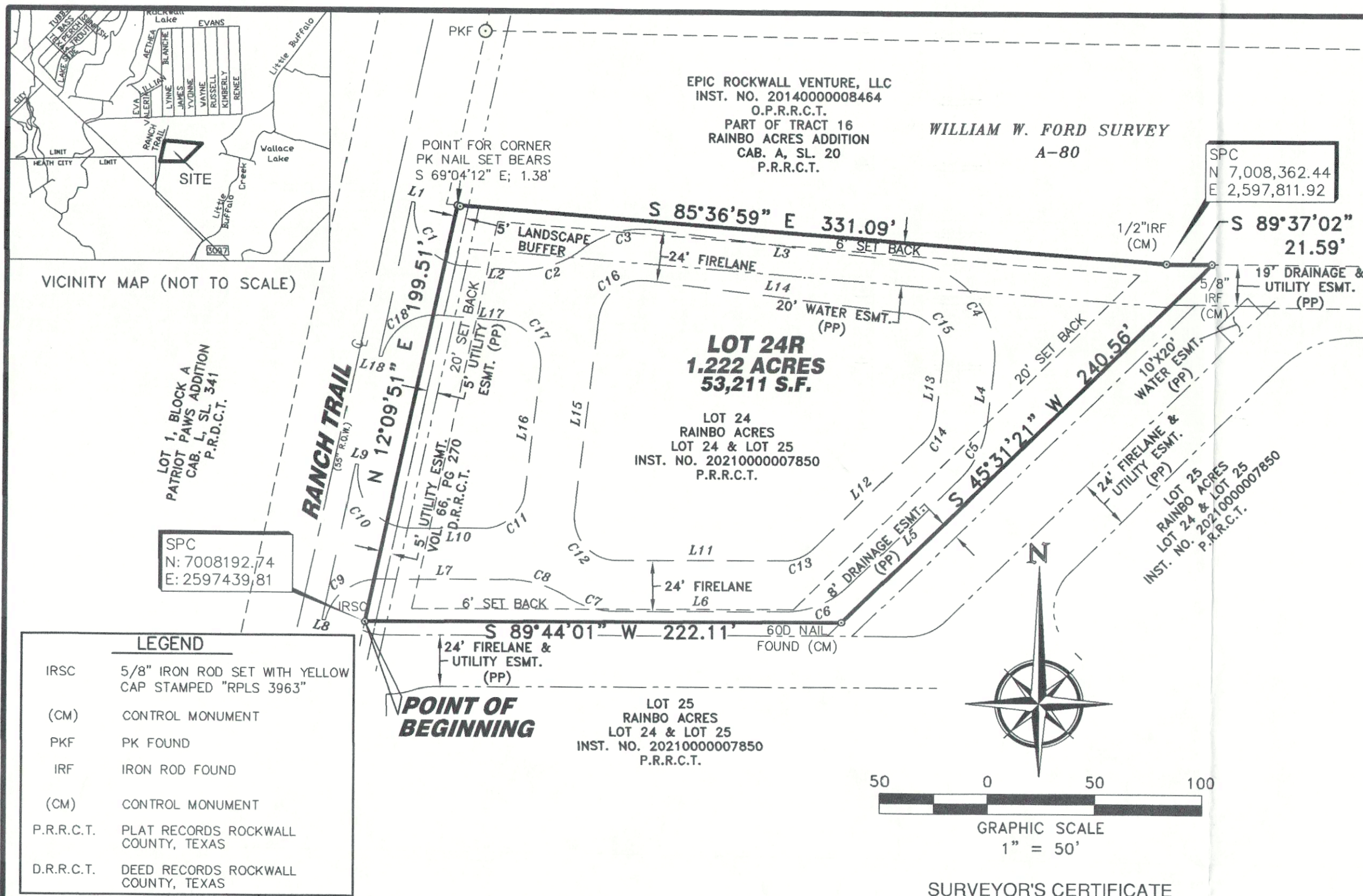
Title: PRESIDENT

*[Signature]*  
Notary Public in and for the State of Texas  
My Commission Expires: SEPTEMBER 15, 2023



**REPLAT OF  
LOT 24R  
RAINBO ACRES**  
BEING A REPLAT OF  
RAINBO ACRES  
LOT 24 & LOT 25  
INSTRUMENT NUMBER  
2021000007850 (P.R.R.C.T.)  
**1.222 ACRES  
1 LOT**  
SITUATED IN THE  
**WILLIAM W. FORD SURVEY, A-80**  
**CITY OF ROCKWALL,  
ROCKWALL COUNTY, TEXAS**

OWNERS  
**TRUMAN HEIGHTS, LLC**  
4741 PARKWOOD DR.  
ROCKWALL, TX 75032-2037  
(972) 722-3666  
LAND SURVEYOR  
**R.C. MYERS SURVEYING, LLC**  
488 ARROYO COURT  
SUNNYVALE, TX 75182  
(214) 532-0636  
FAX (972) 412-4875  
EMAIL: rcmsurveying@gmail.com  
FIRM NO. 10192300 JOB NO. 428 DATE: DECEMBER 20, 2022 CASE NUMBER:



**SURVEYOR'S CERTIFICATE**

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

GIVEN UNDER MY SEAL OF OFFICE THIS THE \_\_\_ DAY OF \_\_\_, 2022.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. This Replat is released on 12/19/2022 for review by the City Rockwall and other parties for comments and progression to an approved Replat.

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

STATE OF TEXAS  
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this date personally appeared Robert C. Myers, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein stated.

GIVEN UNDER MY SEAL OF OFFICE THIS THE \_\_\_ DAY OF \_\_\_, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES:

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	41.99'	37.22'	S 37°28'46" E	96°13'22"
C2	50.00'	36.77'	35.95'	N 73°18'57" E	42°08'08"
C3	44.00'	34.17'	33.32'	N 74°29'53" E	44°30'01"
C4	44.00'	69.12'	62.23'	S 38°15'06" E	90°00'00"
C5	44.00'	29.78'	29.21'	N 26°08'07" E	38°46'27"
C6	44.00'	33.95'	33.12'	S 67°37'41" W	44°12'40"
C7	44.00'	25.06'	24.72'	S 73°56'57" E	32°38'03"
C8	50.00'	28.48'	28.10'	N 73°56'57" W	32°38'03"
C9	25.00'	33.56'	31.10'	S 51°15'22" W	76°55'06"
C10	44.00'	43.94'	38.50'	S 39°53'24" E	100°41'51"
C11	20.00'	28.97'	26.50'	N 48°14'27" E	82°59'07"
C12	20.00'	33.86'	29.96'	S 41°45'33" E	97°00'53"
C13	20.00'	15.43'	15.05'	S 67°37'41" W	44°12'40"
C14	20.00'	13.53'	13.28'	N 26°08'07" E	38°46'27"
C15	20.00'	31.42'	28.28'	N 38°15'06" W	90°00'00"
C16	20.00'	31.42'	28.28'	S 51°44'54" W	90°00'00"
C17	20.00'	32.24'	28.86'	N 39°26'03" W	92°21'53"
C18	25.00'	35.51'	32.60'	S 53°40'01" W	81°23'37"

LINE	BEARING	DISTANCE
L1	S 78°11'45" E	1.50
L2	N 85°36'59" W	21.82
L3	S 83°15'06" E	121.43
L4	S 06°44'54" W	26.66
L5	S 45°31'21" W	71.19
L6	S 89°44'01" W	77.43
L7	S 89°44'01" W	60.93
L8	S 78°20'34" E	1.53
L9	S 78°18'53" E	1.49
L10	N 89°44'01" E	33.39
L11	N 89°44'01" E	77.43
L12	N 45°31'21" E	71.18
L13	S 06°44'54" W	26.68
L14	N 83°15'06" W	121.43
L15	S 06°44'54" W	91.63
L16	S 06°44'54" W	57.59
L17	S 85°36'59" E	29.47
L18	S 78°11'45" E	1.50

**RECOMMENDED FOR FINAL APPROVAL**

Planning and Zoning Commission, Chairman Date \_\_\_\_\_

APPROVED \_\_\_\_\_

I hereby certify that the above and foregoing replat of RAINBO ACRES, LOT 24, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_ day of \_\_\_, 20\_\_.

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

WITNESS OUR HANDS, this \_\_\_ day of \_\_\_, 20\_\_.

Mayor, City of Rockwall City Secretary City Engineer

- GENERAL NOTES:
- Basis of Bearings = State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983. Adjustment Realization (CORS2011). Fixed to City of Rockwall Monument #5
  - According to my interpretations of the Rockwall County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 4839C0040L, dated September 26, 2008, as published by the Federal Emergency Management Agency. The subject property lies within flood Zone "X" and is not shown to be within a Special Flood Hazard Area. This statement does not imply that the property and/or structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the surveyor.
  - Surveyor has made no investigation or independent search for easements of record, restrictive covenants, ownership, title evidence or any other facts that an abstract of title would disclose.
  - It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
  - Property owners shall be responsible for all maintenance, repair, and reconstruction of all systems within drainage and detention easements on site.
  - (PP) indicates building lines, easements, right-of-ways, dimensions, etc. are per plat referenced from Instrument Number 2021000007850.



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** P2023-003; REPLAT FOR LOTS 4 & 5, BLOCK A, ROCKWALL PARK 30 ADDITION

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### Attachments

Case Memo  
Development Application  
Location Map  
Final Plat

### Summary/Background Information

Consider a request by Nick Hobbs of BGE Engineering on behalf of USEF Rockwall Owner, LLC for the approval of a *Replat* for Lots 4 & 5, Block A, Rockwall Park 30 Addition being a 22.275-acre tract of land identified as Lots 1 & 2, Block A, Rockwall Park 30, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located on the southside of the IH-30 Frontage Road east of the intersection of Corporate Crossing and IH-30, and take any action necessary.

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL 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  
**DATE:** February 21, 2023  
**APPLICANT:** Nick Hobbs, *BGE Engineering*  
**CASE NUMBER:** P2023-003; *Replat for Lots 4 & 5, Block A, Rockwall Park 30 Addition*

---

### SUMMARY

Consider a request by Nick Hobbs of BGE Engineering on behalf of USEF Rockwall Owner, LLC for the approval of a Final Plat for Lots 4 & 5, Block A, Rockwall Park 30 Addition being a 22.275-acre tract of land identified as Lots 1, 2, Block A, Rockwall Park 30 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located on the southside of the IH-30 Frontage Road east of the intersection of Corporate Crossing and IH-30, and take any action necessary.

### PLAT INFORMATION

- The applicant is requesting the approval of a Replat for a 22.275-acre parcel of land (*i.e. Lots 1 & 2, Block A, Rockwall Park 30 Addition*) for the purpose of establishing the easements and fire lanes necessary for the development of two (2) *Warehouse/Distribution Facilities* on two (2) parcels of land (*i.e. Lots 4 & 5, Block A, Rockwall Park 30 Addition*).
- The subject property was annexed by the City Council on July 21, 1997 by *Ordinance No. 97-14*. On July 5, 2005 the City Council approved a zoning change [*Case No. Z2005-021*] for the subject property, rezoning it from an Agricultural (AG) District to a Light Industrial (LI) District. On November 9, 2021, the Planning and Zoning Commission approved a site plan [*Case No. SP2021-027*] to allow the construction of two (2) ~157,720 SF *Warehouse/Distribution Facilities*. Following this approval, the City Council approved a preliminary plat [*Case No. P2021-049*] for Lots 1 & 2, Block A, Seefried Addition on November 19, 2021. On February 7, 2022, the City Council approved a conveyance plat [*Case No. P2022-001*] that establish the subject property as Lots 1 & 2, Block A, Rockwall Park 30 Addition. Since the time of annexation, the subject property has remained vacant.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Replat -- *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 Replat 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 Replat for *Lots 4 & 5, Block A, Rockwall Park 30 Addition*, 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;



- (2) Any construction resulting from the approval of this Replat 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 February 7, 2023, the Planning and Zoning Commission approved a motion to recommend approval the Replat by a vote of 6-0, with Commissioner Womble absent.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

2023-003

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) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

### NOTES:

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1220 DATA DRIVE & 1280 DATA DRIVE

SUBDIVISION ROCKWALL PARK 30

LOT

1&2

BLOCK

A

GENERAL LOCATION SE CORNER OF IH 30 & DATA DRIVE

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING LIGHT INDUSTRIAL

CURRENT USE VACANT

PROPOSED ZONING LIGHT INDUSTRIAL

PROPOSED USE INDUSTRIAL

ACREAGE 22.275

LOTS [CURRENT] 2

LOTS [PROPOSED] 2

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

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

OWNER USEF ROCKWALL OWNER, LLC

APPLICANT BGE, INC

CONTACT PERSON

CONTACT PERSON NICK HOBBS

ADDRESS

ADDRESS 2595 DALLAS PKWY, SUITE 101

CITY, STATE & ZIP

CITY, STATE & ZIP FRISCO, TX 75034

PHONE

PHONE 469-644-1664

E-MAIL

E-MAIL NHOBBS@BGEINC.COM

## 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

see attached

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES

[Signature Page to Development Application]

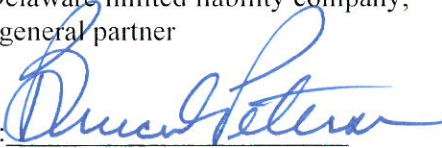
USEF ROCKWALL OWNER, LLC,  
a Delaware limited liability company

By: USEF Whisper Pooling 4, LP,  
a Delaware limited partnership,  
its sole member

By: USEF Whisper Pooling 4 Investor, LLC,  
a Delaware limited liability company,  
its general partner

By: US Eagle Real Estate Multi-Sector Operating Partnership, LP,  
a Delaware limited partnership,  
its sole member

By: US Eagle OP GP, LLC,  
a Delaware limited liability company,  
its general partner

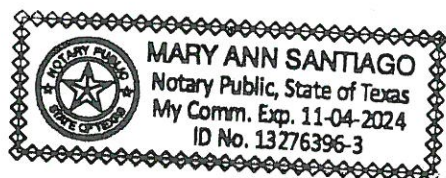
By:   
Name: Bruce C. Petersen  
Title: Executive Managing Director

STATE OF TEXAS                    )  
  ) ss.  
COUNTY OF BEXAR                )

This instrument was acknowledged before me this 19 day of January, 2023, by Bruce C. Petersen, Sr. Managing Dir. of US Eagle OP GP, LLC, a Delaware limited liability company, general partner of US Eagle Real Estate Multi-Sector Operating Partnership, LP, a Delaware limited partnership, sole member of USEF Whisper Pooling 4 Investor, LLC, a Delaware limited liability company, general partner of USEF Whisper Pooling 4, LP, a Delaware limited partnership, sole member of USEF Rockwall Owner, LLC, a Delaware limited liability company, on behalf of said entities.

[SEAL]

  
\_\_\_\_\_  
Notary Public in and for the State of Texas





Case Location Map = 

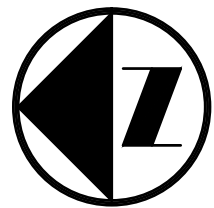


# City of Rockwall

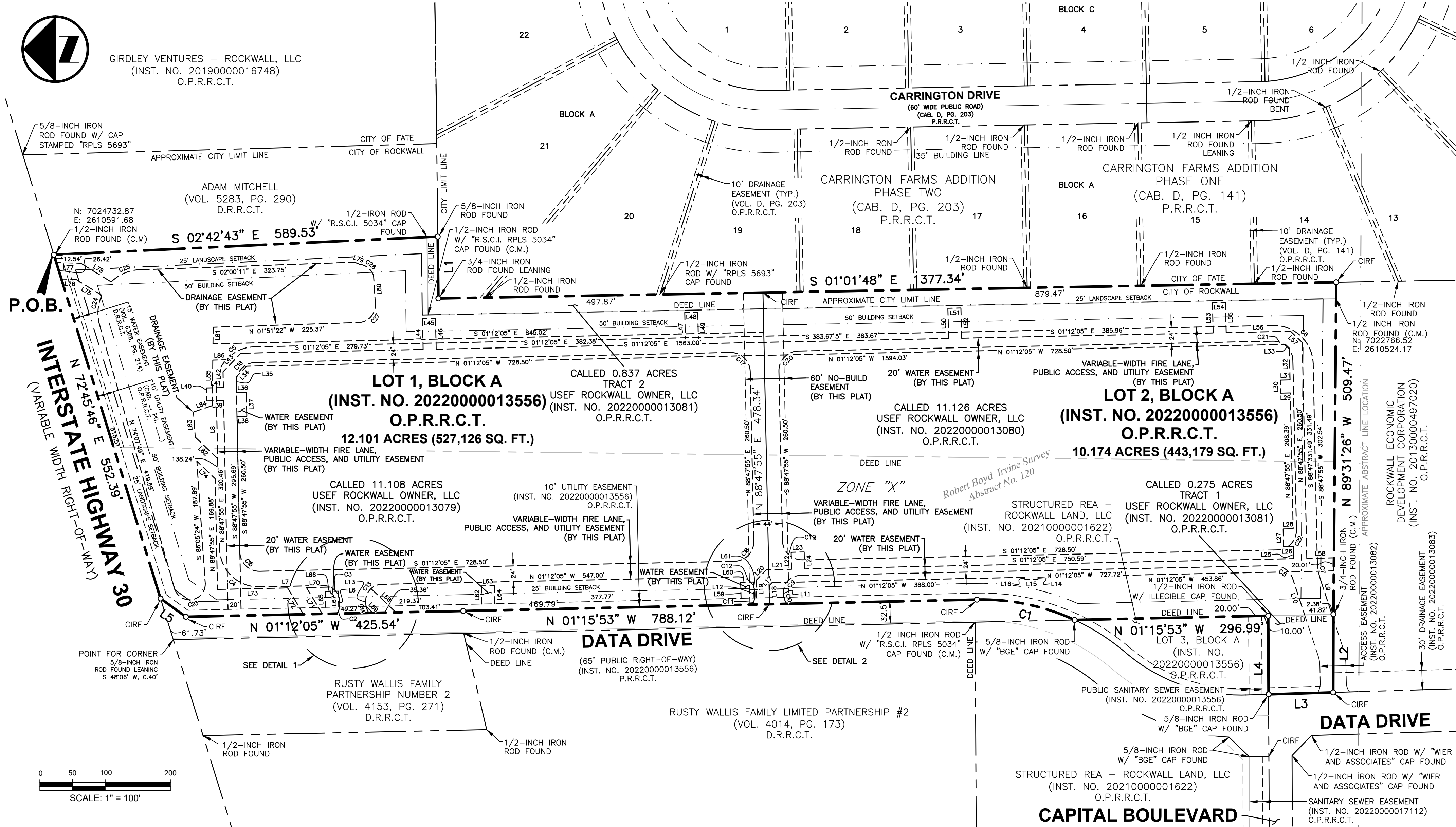
Planning & Zoning Department  
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(W): www.rockwall.com

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.



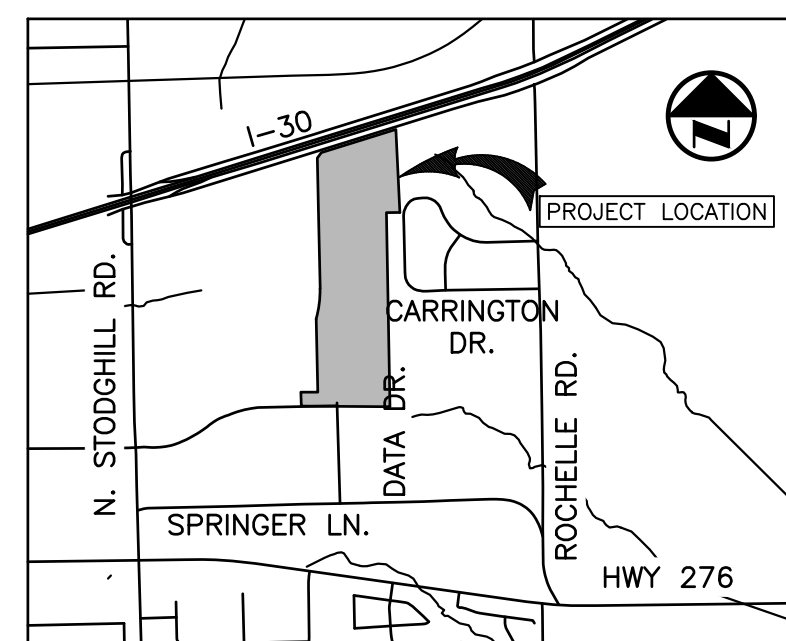


GIRDLEY VENTURES - ROCKWALL, LLC  
(INST. NO. 2019000016748)  
O.P.R.R.C.T.



INTERSTATE HIGHWAY 30  
(VARIABLE WIDTH RIGHT-OF-WAY)

POINT FOR CORNER  
5/8-INCH IRON ROD FOUND LEANING  
S 48°06' W, 0.40'



**VICINITY MAP**  
(NOT TO SCALE)

LEGEND	
CAB.	CABINET
CIRF	5/8-INCH IRON ROD WITH "BGE" CAP FOUND
(C.M.)	CONTROLLING MONUMENT
NO.	NUMBER
PG.	PAGE
P.O.B.	POINT OF BEGINNING
VOL.	VOLUME
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
---	PROPERTY LINE
- - - -	EASEMENT LINE

**GENERAL NOTES:**

- Bearing system for this survey is based on the Texas State Plane Coordinate System - NAD 83, North Central Zone 4202, based on observations made on July 14, 2021 with an applied combined scale factor of 1.000146135.
- Coordinates shown are Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on grid coordinate values, no scale and no projection. Project tied to City of Rockwall Geodetic Control Monument No. 9.
- The floodplain boundaries shown hereon are approximate and are not depicted as a result of an on-the-ground survey. The subject tract lies with Zone X as delineated on Flood Insurance Rate Map for Rockwall County, Texas and Incorporated Areas, Map Number 48397C0045L with Map Revised September 28, 2008.  
Zone X - Areas determined to be outside the 0.2% annual chance floodplain
- The square footage value shown hereon is a mathematical value calculated from the boundary data shown hereon. This value in no way represents the precision of closure of this survey or the accuracy of corner monuments found or placed.
- It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
- Property owner shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements created by this plat.
- The location of easements shown hereon that are created by separate instrument are approximate and such easements and their location are governed by the terms, provisions, and conditions of the separate instrument.

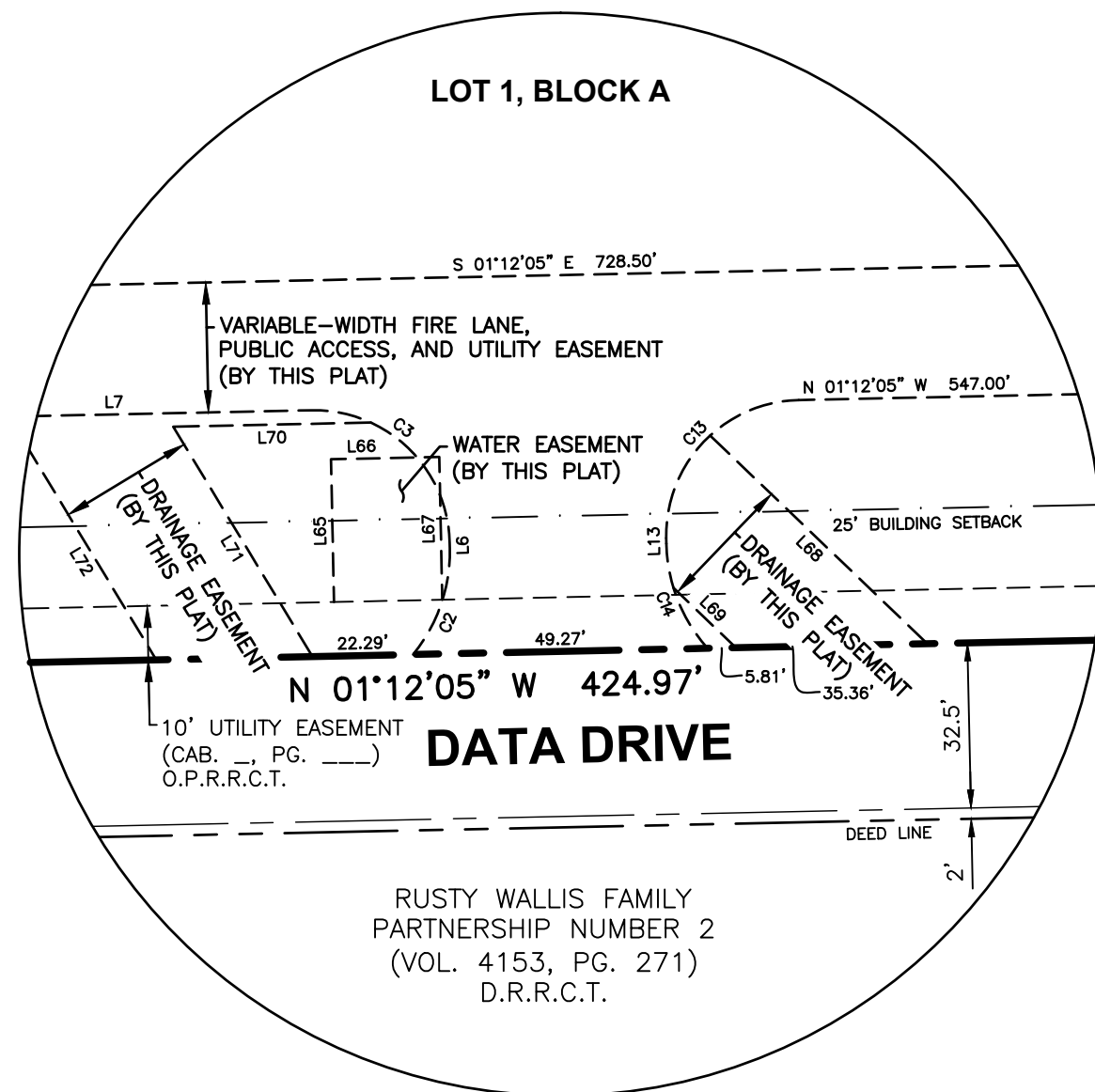
**FINAL PLAT**  
**ROCKWALL PARK 30**  
**LOTS 1 AND 2, BLOCK A**  
2 LOTS - 22.275 ACRES (970,305 SQUARE FEET)  
BEING SITUATED IN  
TRACTS 25 & 25-1 OF THE  
ROBERT BOYD IRVINE SURVEY, ABSTRACT NO. 120  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS  
NOVEMBER 2022  
SHEET 1 OF 3

**DEVELOPER**  
**SEEFRIED INDUSTRIAL PROPERTIES, INC.**  
3030 LBJ Freeway, Suite 1650  
Dallas, TX 75234

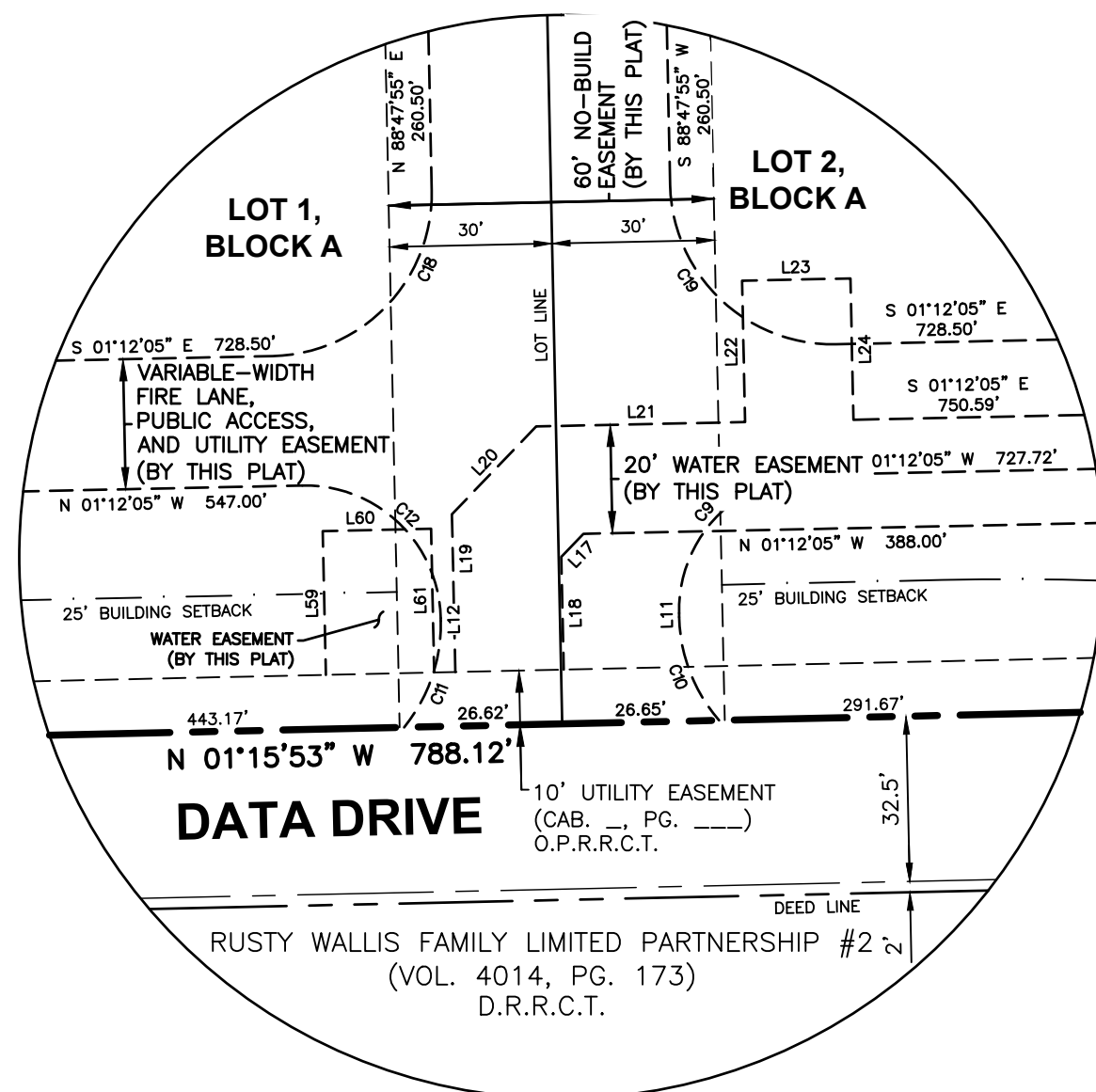


**SURVEYOR**  
**BGE, Inc.**  
2595 Dallas Parkway, Suite 101, Frisco, TX 75034  
Tel: 972-464-4800 • www.bgeinc.com  
TBPELS Registration No. 10193953

Contact: Mark Peace, R.P.L.S.  
Telephone: 972-464-4884 • Email: mpeace@bgeinc.com



**DETAIL 1**  
(N.T.S.)



**DETAIL 2**  
(N.T.S.)

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 89°23'19" W	94.92'
L2	N 89°49'29" W	119.95'
L3	N 01°41'18" W	99.16'
L4	N 89°43'35" E	120.66'
L5	N 35°46'50" E	47.93'
L6	N 88°47'55" E	4.00'
L7	N 01°12'05" W	97.50'
L8	N 88°47'55" E	248.50'
L9	S 71°46'41" W	55.65'
L10	N 71°46'41" E	57.89'
L11	S 88°47'55" W	3.43'
L12	N 88°47'55" E	3.53'
L13	S 88°47'55" W	4.00'
L14	S 88°47'55" W	3.25'
L15	N 01°12'05" W	20.00'
L16	N 88°47'55" E	3.25'
L17	N 46°12'05" W	5.89'
L18	S 88°43'42" W	18.82'
L19	N 88°43'50" E	27.11'
L20	S 46°12'05" E	22.47'
L21	S 01°12'05" E	38.55'
L22	N 88°47'55" E	26.09'
L23	S 01°12'05" E	20.00'
L24	S 88°47'55" W	26.09'
L25	N 88°47'55" E	18.57'
L26	N 01°12'05" W	15.31'
L27	N 88°47'55" E	27.45'
L28	S 01°12'05" E	15.31'
L29	N 01°12'05" W	15.00'
L30	N 88°47'55" E	20.00'
L31	S 01°12'05" E	15.00'
L32	N 88°47'55" E	48.79'
L33	N 43°47'55" E	8.22'
L34	N 46°12'05" W	22.85'
L35	S 88°47'55" W	23.67'
L36	S 01°12'05" E	15.08'
L37	S 88°47'55" W	37.00'
L38	N 01°12'05" W	15.08'
L39	N 01°12'05" W	26.00'
L40	N 88°47'55" E	20.00'
L41	S 01°12'05" E	26.00'
L42	N 88°47'55" E	24.18'
L43	S 46°12'05" E	39.42'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L44	N 88°47'55" E	47.48'
L45	S 01°12'05" E	20.00'
L46	S 88°47'55" W	47.48'
L47	N 88°47'55" E	48.48'
L48	S 01°12'05" E	20.00'
L49	S 88°47'55" W	48.48'
L50	N 88°47'55" E	46.31'
L51	S 01°12'05" E	20.00'
L52	S 88°47'55" W	46.31'
L53	N 88°47'55" E	46.31'
L54	S 01°12'05" E	20.00'
L55	S 88°47'55" W	46.31'
L56	S 01°12'05" E	98.86'
L57	S 43°47'55" W	24.79'
L58	S 01°12'05" E	41.59'
L59	N 88°43'48" E	24.52'
L60	S 01°15'53" E	20.00'
L61	S 88°43'48" W	24.52'
L62	N 88°43'50" E	27.81'
L63	S 01°15'53" E	20.00'
L64	S 88°38'39" W	27.81'
L65	N 88°47'55" E	24.38'
L66	S 01°12'05" E	20.00'
L67	S 88°47'55" W	24.38'
L68	N 43°47'55" E	52.74'
L69	S 43°47'55" W	13.16'
L70	S 01°12'05" E	36.49'
L71	N 58°47'55" E	47.34'
L72	N 58°47'55" E	47.34'
L73	N 01°12'05" W	107.54'
L74	N 43°47'55" E	38.84'
L75	N 31°38'07" E	46.40'
L76	N 01°38'07" E	22.51'
L77	S 01°38'07" W	37.76'
L78	S 31°38'07" W	54.58'
L79	S 21°18'25" W	8.11'
L80	S 86°24'08" W	41.74'
L81	N 89°30'37" W	25.36'
L82	N 43°47'55" E	47.69'
L83	N 86°05'24" E	38.52'
L84	S 18°49'30" E	30.66'
L85	S 89°30'37" E	69.83'
L86	S 01°12'05" E	20.46'

CURVE TABLE					
NUMBER	DELTA	RADIUS	CHORD BEARING	CHORD DISTANCE	ARC LENGTH
C1	26°03'15"	339.50'	N 11°45'44" E	153.05'	154.38'
C2	35°27'02"	25.00'	S 73°28'34" E	15.22'	15.47'
C3	90°00'00"	25.00'	N 43°47'55" E	35.36'	39.27'
C4	90°00'00"	60.00'	N 43°47'55" E	84.85'	94.25'
C5	90°00'00"	60.00'	S 46°12'05" E	84.85'	94.25'
C6	90°00'00"	60.00'	S 43°47'55" W	84.85'	94.25'
C7	17°01'13"	100.00'	S 80°17'18" W	29.60'	29.71'
C8	72°58'47"	30.00'	N 35°17'18" E	35.68'	38.21'
C9	90°00'00"	25.00'	N 46°12'05" W	35.36'	39.27'
C10	35°30'50"	25.00'	S 71°02'30" W	15.25'	15.50'
C11	35°23'14"	25.00'	S 73°30'28" E	15.20'	15.44'
C12	90°00'00"	25.00'	N 43°47'55" E	35.36'	39.27'
C13	90°00'00"	25.00'	N 46°12'05" W	35.36'	39.27'
C14	35°27'02"	25.00'	S 71°04'24" W	15.22'	15.47'
C15	90°00'00"	30.00'	S 43°47'55" W	42.43'	47.12'
C16	90°00'00"	30.00'	N 46°12'05" W	42.43'	47.12'
C17	90°00'00"	30.00'	N 43°47'55" E	42.43'	47.12'
C18	90°00'00"	30.00'	S 46°12'05" E	42.43'	47.12'
C19	90°00'00"	30.00'	S 43°47'55" W	42.43'	47.12'
C20	90°00'00"	30.00'	N 46°12'05" W	42.43'	47.12'
C21	90°00'00"	30.00'	N 43°47'55" E	42.43'	47.12'
C22	90°00'00"	30.00'	S 46°12'05" E	42.43'	47.12'
C23	166°14'16"	24.03'	N 09°56'18" W	47.71'	69.72'
C24	41°02'21"	66.83'	S 86°17'22" E	46.85'	47.87'
C25	46°46'38"	66.83'	S 20°47'01" E	53.06'	54.56'
C26	64°55'04"	26.10'	S 38°50'32" W	28.01'	29.57'
C27	89°10'11"	27.29'	N 52°09'14" W	38.31'	42.46'

**FINAL PLAT**  
**ROCKWALL PARK 30**  
**LOTS 1 AND 2, BLOCK A**  
 2 LOTS - 22.275 ACRES (970,305 SQUARE FEET)  
 BEING SITUATED IN  
 TRACTS 25 & 25-1 OF THE  
 ROBERT BOYD IRVINE SURVEY, ABSTRACT NO. 120  
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS  
 NOVEMBER 2022  
 SHEET 2 OF 3

**DEVELOPER**  
**SEEFRIED INDUSTRIAL**  
**PROPERTIES, INC.**  
 3030 LBJ Freeway, Suite 1650  
 Dallas, TX 75234



**SURVEYOR**  
**BGE, Inc.**  
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**OWNER'S CERTIFICATE**

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS, USEF Rockwall Owner, LLC is the owner of a 22.275-acre (970,305-square-foot) tract of land situated in the Robert Boyd Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas; said tract being all of Lots 1 and 2, Block A, Rockwall Park 30, an addition to the City of Rockwall, Rockwall County, Texas according to the plat recorded in Instrument No. 20220000013556 of the Official Records of Rockwall County, Texas; said tract being all of that called 11.126-acre tract of land described in Special Warranty Deed to USEF Rockwall Owner, LLC as recorded in 20220000013080 of said Official Public Records, part of that called 11.108-acre tract of land described in Special Warranty Deed to USEF Rockwall Owner, LLC as recorded in 20220000013079 of said Official Public Records, and all of that called 0.275-acre tract of land and that called 0.837-acre tract of land described as Tract 1 and Tract 2 respectively in Special Warranty Deed to USEF Rockwall Owner, LLC as recorded in 20220000013081 of said Official Public Records; said 22.275-acre tract being more particularly described by metes and bounds as follows:

BEGINNING, at a 1/2-inch iron rod found for corner in the southeast right-of-way line of Interstate Highway 30 (a variable-width public right-of-way); said point being the northeast corner of said Lot 1 and the northwest corner of that certain tract of land described in General Warranty Deed to Adam Mitchell as recorded in Volume 5283, Page 290 of said Deed Records;

THENCE, South 02 degrees 42 minutes 43 seconds East, departing the said southeast right-of-way line of Interstate Highway 30 and with the east line of said Lot 1 and the west line of said Mitchell tract, at a distance of 573.12 feet passing a 1/2-inch iron rod with "R.S.C.I. 5034" cap found and continuing for a total distance of 589.53 feet to a 5/8-inch iron rod found for corner in the north line of Carrington Farms Addition Phase Two, an addition to the City of Fate according to the plat recorded in Cabinet D, Page 203 of the Plat Records of Rockwall County, Texas; said point being the northernmost southeast corner of said Lot 1 and the southwest corner of said Adam Mitchell tract;

THENCE, South 89 degrees 23 minutes 19 seconds West, with the northernmost south line of said Lot 1 and the said north line of Carrington Farms Phase Two, a distance of 94.92 feet to a leaning 3/4-inch iron rod found for corner; said point being an interior corner of said Lot 1 and the northwest corner of said Carrington Farms Phase Two;

THENCE, South 01 degrees 01 minutes 48 seconds East, with the westernmost east line of said Lot 1, the east line of said Lot 2, and the west line of said Carrington Farms Phase Two, at a distance of 497.87 feet passing the southeast corner of said Lot 1 and the northeast corner of said Lot 2, continuing for a total distance of 1,377.34 feet to a 5/8-inch iron rod with "BGE" cap found for corner; said point being the southeast corner of said Lot 2;

THENCE, North 89 degrees 31 minutes 26 seconds West, departing the said west line of Carrington Farms Phase Two and with the south line of said Lot 2 and a north line of that certain tract of land described in Special Warranty Deed to Rockwall Economic Development Corporation as recorded in Instrument No. 20130000497020 of said Official Public Records, at a distance of 25.22 feet passing a 1/2-inch iron rod found and continuing for a total distance of 509.47 feet to a 3/4-inch iron rod found for corner;

THENCE, North 89 degrees 49 minutes 29 seconds West, continuing with the said south line of Lot 2 and the said north line of Rockwall Economic Development Corporation tract, a distance of 119.95 feet to a 5/8-inch iron rod with "BGE" cap found for corner in the east right-of-way line of Data Drive (a 65-foot public right-of-way according to the plat recorded in Instrument No. 20140000003305 of said Official Public Records); said point being the southwest corner of said Lot 2;

THENCE, North 01 degrees 41 minutes 18 seconds West, with the said east right-of-way line of Data Drive and the westernmost west line of said Lot 2, a distance of 99.16 feet to a 5/8-inch iron rod with "BGE" cap found for corner; said point being the southernmost northwest corner of said Lot 2 and the southwest corner of Lot 3, Block A of said Rockwall Park 30 Addition;

THENCE, North 89 degrees 43 minutes 35 seconds East, departing the said east right-of-way line of Data Drive and with a north line of said Lot 2 and the south line of said Lot 3, a distance of 120.66 feet to a 1/2-inch iron rod with illegible cap found for corner; said point being and interior corner of said Lot 2 and the southeast corner of said Lot 3;

THENCE, North 01 degrees 15 minutes 53 seconds West, with the west line of said Lot 2 and the east line of said Lot 3, a distance of 296.99 feet to a 5/8-inch iron rod with "BGE" cap found for corner in the east right-of-way line of Data Drive; said point being the north corner of said Lot 3 and the beginning of a non-tangent curve to the left;

THENCE, with the said north right-of-way line of Data Drive, the said west line of Lot 2, and the west line of said Lot 1, the following three (3) calls:

In a northerly direction, with said non-tangent curve to the left, having a central angle of 26 degrees 03 minutes 15 seconds, a radius of 339.50 feet, a chord bearing and distance of North 11 degrees 45 minutes 44 seconds East, 153.05 feet, and an arc length of 154.38 feet to a 5/8-inch iron rod with "BGE" cap found for corner at the end of said curve;

North 01 degrees 15 minutes 53 seconds West, at a distance of 318.32 feet passing a 5/8-inch iron rod with "BGE" cap found at the northwest corner of said Lot 2 and the southwest corner of said Lot 1 and continuing for a total distance of 788.12 feet to a 5/8-inch iron rod with "BGE" cap found for an angle point;

North 01 degrees 12 minutes 05 seconds West, a distance of 425.54 feet to a 5/8-inch iron rod with "BGE" cap found for corner at the southwest end of a corner clip at the intersection of the said north right-of-way line of Data Drive and the said south right-of-way line of Interstate Highway 30; said point being the westernmost northwest corner of said Lot 1;

THENCE, North 35 degrees 46 minutes 50 seconds East, with said corner clip, a distance of 47.93 feet to a 5/8-inch iron rod with "BGE" cap found for corner in the said south right-of-way line of Interstate Highway 30; said point being the northeast end of said corner clip and the northernmost northwest corner of said Lot 1;

THENCE, North 72 degrees 45 minutes 46 seconds East, with the said south right-of-way line of Interstate Highway 30 and the north line of said Lot 1, a distance of 552.39 feet to the POINT OF BEGINNING and containing 22.275 acres or 970,305 square feet of land, more or less.

**OWNER'S DEDICATION**

STATE OF TEXAS §
COUNTY OF ROCKWALL §

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the ROCKWALL PARK 30, LOTS 1 AND 2, BLOCK A subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements (except for easements created by separate instrument, which shall be governed by the terms of such separate instrument(s)) and public places thereon shown, and hereby dedicate as public right-of-way the portions of the land so designated thereon, on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the ROCKWALL PARK 30, LOTS 1 AND 2, BLOCK A subdivision have been notified and signed this plat. I (we) understand and do hereby reserve the easement areas created by this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

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

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

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

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

Witness, my hand this the \_\_\_\_ day of \_\_\_\_\_, 2022.

**RECOMMENDED FOR FINAL APPROVAL**

Planning and Zoning Commission Date

**APPROVED**

I hereby certify that the above and foregoing plat of ROCKWALL PARK 30, LOTS 1 AND 2, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the day of \_\_\_\_\_, 2022. This approval shall be invalid unless the approved plat for such addition is recorded in the office of the county clerk, within 180 days from said date of final approval by the city engineer. Said addition shall be subject to all the requirements of these subdivision regulations.

WITNESS OUR HANDS, this day of \_\_\_\_\_, 2022.

Mayor, City of Rockwall City Secretary, City of Rockwall

City Engineer, City of Rockwall

**SURVEYOR'S CERTIFICATE**

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I Gregory Mark Peace, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

Gregory Mark Peace, RPLS No. 6608



STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared Gregory Mark Peace, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this day of \_\_\_\_\_, 2022.

Notary Public in and for the State of Texas

My Commission Expires:

By: USEF Rockwall Owner, LLC, a Delaware limited liability company

By: USEF Whisper Pooling 4, LP, a Delaware limited partnership, its sole member

By: USEF Whisper Pooling 4 Investor, LLC, a Delaware limited liability company, its general partner

By: US Eagle Real Estate Multi-Sector Operating Partnership, LP a Delaware limited partnership, its sole member

By: US Eagle OP GP, LLC, a Delaware limited liability company, its general partner

Name:
Title:

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_, \_\_\_\_\_ of US Eagle OP GP, LLC, a Delaware limited liability company, general partner of US Eagle Real Estate Multi-Sector Operating Partnership, LP, a Delaware limited partnership, sole member of USEF Whisper Pooling 4 Investor, LLC, a Delaware limited liability company, general partner of USEF Whisper Pooling 4, LP, a Delaware limited partnership, sole member of USEF Rockwall Owner, LLC, a Delaware limited liability company, on behalf of said entities.

Notary Public in and for the State of Texas

My Commission Expires:

FINAL PLAT
ROCKWALL PARK 30
LOTS 1 AND 2, BLOCK A
2 LOTS - 22.275 ACRES (970,305 SQUARE FEET)
BEING SITUATED IN
TRACTS 25 & 25-1 OF THE
ROBERT BOYD IRVINE SURVEY, ABSTRACT NO. 120
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
NOVEMBER 2022
SHEET 3 OF 3

DEVELOPER
SEEFRIED INDUSTRIAL
PROPERTIES, INC.
3030 LBJ Freeway, Suite 1650
Dallas, TX 75234



SURVEYOR
BGE, Inc.
2595 Dallas Parkway, Suite 101, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPELS Registration No. 10193953

Contact: Mark Peace, R.P.L.S.
Telephone: 972-464-4884 • Email: mpeace@bgeinc.com



## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** P2023-004; FINAL PLAT FOR LOT 1, BLOCK A, ABBOTT ADDITION

---

### Attachments

Case Memo  
Development Application  
Location Map  
Final Plat

### Summary/Background Information

Consider a request by Bryan Connally of CBG Surveying on behalf of Todd and Whitney Abbott for the approval of a *Final Plat* for Lot 1, Block A, Abbott Addition being a 1.25-acre tract of land identified as Tract 52 of the R. Ballard Survey, Abstract No. 29 and Lot 2 of the Renfro Place South Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 619 Renfro Street, and take any action necessary.

### Action Needed

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





# CITY OF ROCKWALL

## CITY COUNCIL 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  
**DATE:** February 21, 2023  
**APPLICANT:** Bryan Connally; *Truman Heights, LLC*  
**CASE NUMBER:** P2023-004; *Final Plat for Lot 1, Block A, Abbott Addition*

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### SUMMARY

Consider a request by Bryan Connally of CBG Surveying on behalf of Todd and Whitney Abbott for the approval of a Final Plat for Lot 1, Block A, Abbott Addition being a 1.25-acre tract of land identified as Tract 52 of the R. Ballard Survey, Abstract No. 29 and Lot 2 of the Renfro Place South Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 619 Renfro Street, and take any action necessary.

### PLAT INFORMATION

- The applicant is requesting the approval of a Final Plat for a 1.25-acre tract of land (*i.e. Tract 52 of the R. Ballard Survey, Abstract No. 29 and Lot 2 of the Renfro Place South Addition*) for the purpose of creating one (1) parcel of land (*i.e. Lot 1, Block A, Abbott Addition*). Currently, there is an existing 1,567 SF single-family home, situated on Lot 2 of the Renfro Place South Addition that was constructed in 2002.
- The subject property was annexed prior to 1934 based on the April 1934 Sanborn Maps. According to the January 3, 1972 zoning map, the subject property was zoned Commercial (C) District. The zoning designation of the subject property changed from a Commercial (C) District to a Single-Family 7 (SF-7) District sometime between January 3, 1972 and December 7, 1983 based on the City's historic zoning maps. The subject property has remained zoned Single-Family 7 (SF-7) District since this change.
- 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 Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Final Plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

### CONDITIONS OF APPROVAL

If the City Council chooses to approve the Final Plat for *Lot 1, Block A, Abbott Addition* staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and,
- (2) Any construction resulting from the approval of this Final Plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

## **PLANNING AND ZONING COMMISSION**

On February 7, 2023, the Planning and Zoning Commission approved a motion to approve the Final Plat with a vote of 6-0, with Commissioner Womble absent.



# DEVELOPMENT APPLICATION

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

STAFF ONLY  
PLANNING DIVISION CASE NO. 2023-004

**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) <sup>1</sup>

PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>

FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>

REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>

AMENDING OR MINOR PLAT (\$150.00)

PLAT REINSTATEMENT REQUEST (\$100.00)

**SITE PLAN APPLICATION FEES:**

SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>

AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

**ZONING APPLICATION FEES:**

ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>

SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1&2</sup>

PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

**OTHER APPLICATION FEES:**

TREE REMOVAL (\$75.00)

VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

**NOTES:**

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS **619 RENFRO STREET**

SUBDIVISION **ABBOTT ADDITION**

LOT **2A** BLOCK **1**

GENERAL LOCATION **1.25 ACRES LOCATED IN THE REUBEN BALLARD SURVEY, ABSTRACT NO. 29**

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **SF-7**

CURRENT USE **RESIDENTIAL**

PROPOSED ZONING **SF-7**

PROPOSED USE **RESIDENTIAL**

ACREAGE **1.25**

LOTS [CURRENT] **2**

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 **TODD ABBOTT & WHINEY ABBOTT**

APPLICANT **CBG SURVEYING**

CONTACT PERSON **TODD ABBOTT**

CONTACT PERSON **BRYAN CONNALLY**

ADDRESS **619 RENFRO STREET**

ADDRESS **1413 E. I-30, STE. 7**

CITY, STATE & ZIP **ROCKWALL, TX, 75087**

CITY, STATE & ZIP **GARLAND, TX, 75048**

PHONE **903-949-5255**

PHONE **214-349-9485**

E-MAIL \_\_\_\_\_

E-MAIL **BRYANC@CBGTXLLC.COM**

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED WHITNEY ABBOTT [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 \$ January, 2023 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 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, P.C. State of Texas

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 5<sup>th</sup> DAY OF JANUARY, 2023.

OWNER'S SIGNATURE Whitney Abbott

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Jamie Warner



MY COMMISSION EXPIRES 3-9-2025

0 62.5 125 250 375 500 Feet

P2023-004: Final Plat for Lot 1, Block A, Abbot Addition



Case Location Map = 

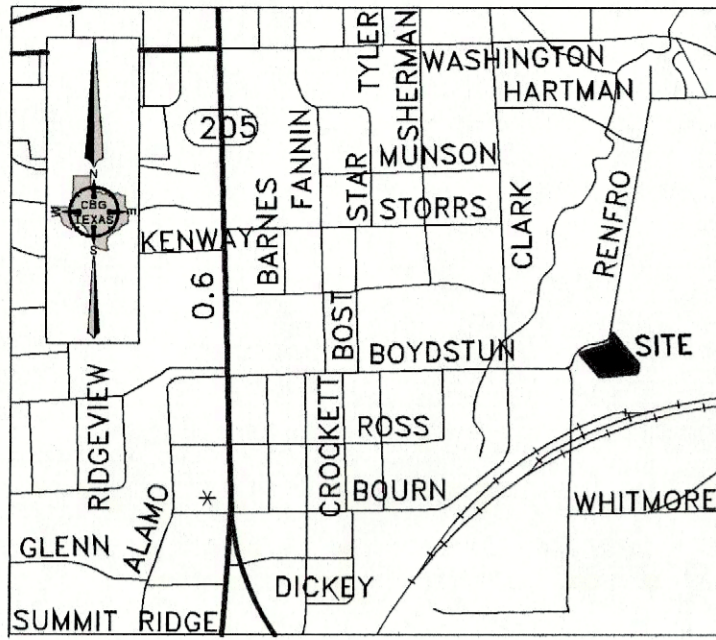


# City of Rockwall

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

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



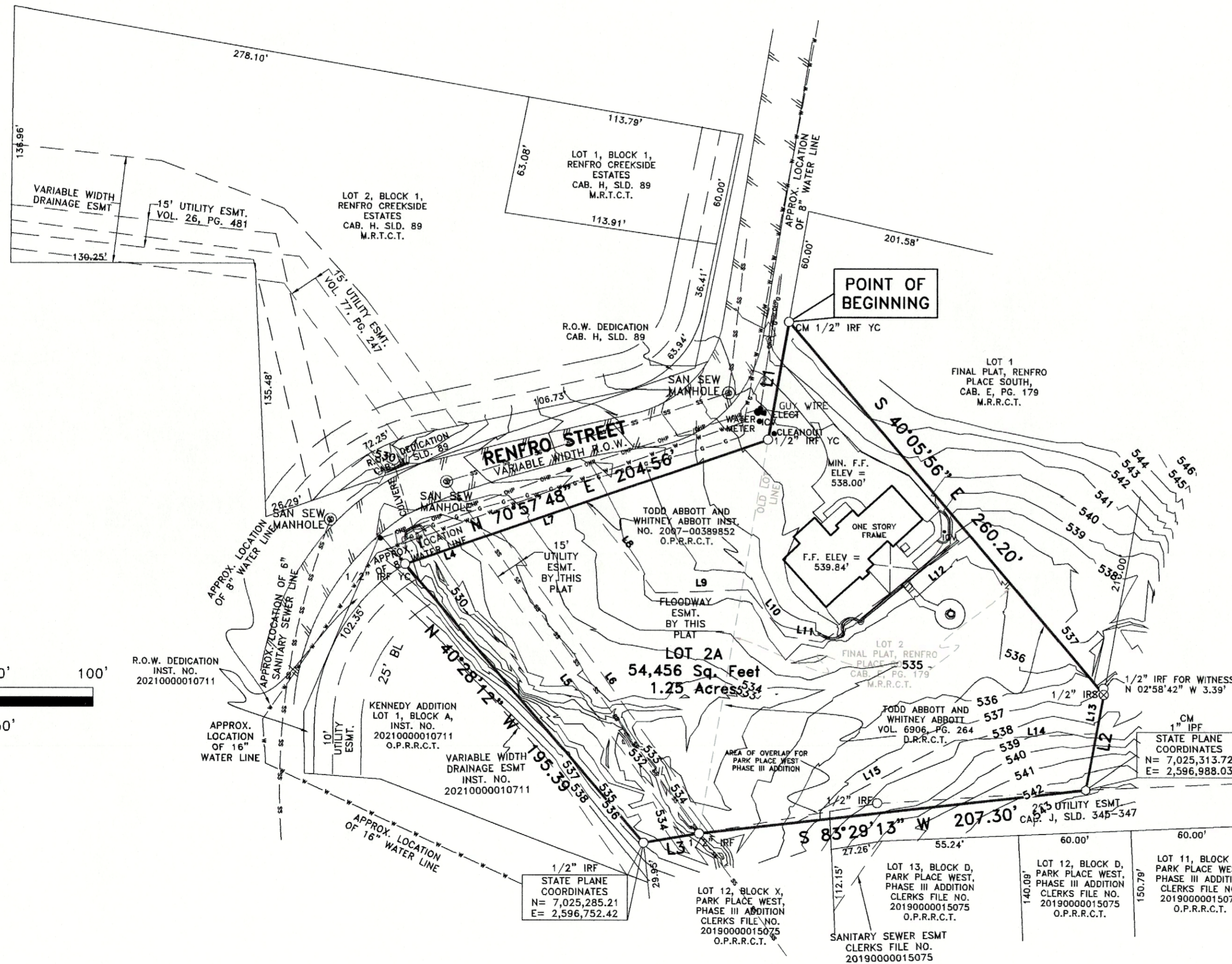


VICINITY MAP  
NOT TO SCALE

LINE	BEARING	DISTANCE
L1	N 09°58'36" E	64.07'
L2	S 10°46'45" W	51.86'
L3	S 80°26'56" W	29.96'
L4	N 70°57'48" E	37.85'
L5	N 35°32'11" W	193.41'
L6	S 35°32'11" E	196.79'
L7	N 70°57'48" E	48.78'
L8	S 37°03'31" E	60.92'
L9	N 87°56'18" E	48.98'
L10	S 38°59'28" E	31.74'
L11	S 80°54'35" E	19.83'
L12	N 54°20'25" E	97.17'
L13	S 10°46'45" W	21.00'
L14	S 87°07'40" W	75.25'
L15	S 62°31'30" W	95.22'

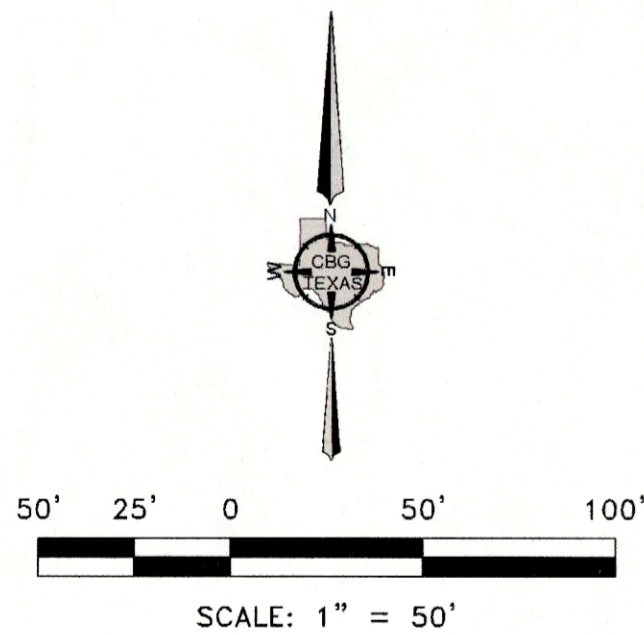
**LEGEND:**

- 1" IPF = 1" IRON PIPE FOUND
- 1/2" IRF = 1/2 INCH IRON ROD FOUND
- 1/2" IRF YC = 1/2 INCH IRON ROD FOUND WITH YELLOW CAP
- 1/2" IRS = 1/2 INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "CBG SURVEYING"
- 60D NF = 60D NAIL FOUND
- CM = CONTROLLING MONUMENT
- VOL. = VOLUME
- PG. = PAGE
- CAB. = CABINET
- R.O.W. = RIGHT-OF-WAY
- SQ. FT. = SQUARE FEET
- INST. NO. = INSTRUMENT NUMBER
- O.P.R.R.C.T. = OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- M.R.R.C.T. = MAP RECORDS, ROCKWALL COUNTY, TEXAS
- D.R.R.C.T. = DEED RECORDS, ROCKWALL COUNTY, TEXAS
- B.F.E. = BASE FLOOD ELEVATION
- MIN. F.F. ELEV = MINIMUM FINISH FLOOR ELEVATION



**GENERAL NOTES:**

- 1) THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS.
- 2) THE PURPOSE OF THIS PLAT IS TO CREATE 1 LOT OUT OF LOT 2 AND A TRACT OF LAND.
- 3) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- 4) ACCORDING TO THE F.I.R.M. IN MAP NO. 48397C0040L, THIS PROPERTY DOES LIE IN ZONE X & ZONE AE AND DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE BY LOMR 20-06-3796P EFFECTIVE 11/1/2021.
- 5) PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE, REPAIR, AND RECONSTRUCTION OF ALL DRAINAGE AND DETENTION SYSTEMS ON SITE.
- 6) NO IMPROVEMENTS OR STRUCTURES ALLOWED IN THE FLOODPLAIN OR DRAINAGE EASEMENT WITHOUT CITY APPROVED FLOOD STUDY.



SHEET 1 OF 2

**PRELIMINARY REPLAT**  
**LOT 2A, BLOCK 1,**  
**ABBOTT ADDITION**  
**54,456 SQ. FT. / 1.25 ACRES**  
**1 LOT**  
**SITUATED IN REUBEN BALLARD SURVEY, ABSTRACT NO. 29**  
**CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS**

PLANNING & SURVEYING  
 Main Office  
 1413 E. I-30, Ste. 7  
 Garland, TX 75048  
 P 214.349.9485  
 F 214.349.2216  
 Firm No. 10168800  
 www.cbgtllc.com

**OWNER: TODD ABBOTT & WHITNEY ABBOTT**  
 619 RENFRO STREET,  
 ROCKWALL, TEXAS 75087  
 PHONE: (903) 949-5255  
 EMAIL: TABBOTTMX25@YAHOO.COM

SCALE: 1"=50' / DATE: 11/11/2022 / JOB NO. 2210661-01 / DRAWN BY: ANR

CASE NO. \_\_\_\_\_

**OWNER'S DEDICATION**

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS Todd Abbott and Whitney Abbott are the owners of a tract of land situated in the Reuben Ballard Survey, Abstract No. 29, and being Lot 2, by deed recorded in Volume 6906, Page 264, Deed Records, Rockwall County, Texas, same being in the Final Plat of Renfro Place South, as shown by map thereof recorded in Cabinet E, Page 179, in the Map Records, Rockwall County, Texas, also being a tract of land conveyed to Todd Abbott and Whitney Abbott by deed recorded in Instrument No. 2007-00389852, in the Official Public Records, Rockwall County, Texas:

BEGINNING at a 1/2 inch iron rod found for corner, said corner being the North corner of said Lot 2, same being an East corner of Lot 1, of said Final Plat of Renfro Place South, same also lying along the East Right-of-Way line of Renfro Street (a variable width Right-of-Way);

THENCE South 40 degrees 05 minutes 56 seconds East, along the Southwest line of said Lot 1, a distance of 260.20 feet to a 1/2 inch iron rod set, with a yellow cap stamped "CBG Surveying" for corner, said corner being the South corner of said Lot 1, same lying along the West line of Lot 11, Block X, of Park Place West, Phase III Addition, as shown by plat thereof recorded in Clerk's File No. 20190000015075, Official Public Records, Rockwall County, Texas, from which a 1/2 inch iron rod found bears North 02 degrees 58 minutes 42 seconds West, a distance of 3.39 feet, for witness;

THENCE South 10 degrees 46 minutes 45 seconds West, along the West line of Lot 11 of said Park Place West Addition, a distance of 51.86 feet, to a 1 inch iron pipe found for corner;

THENCE South 83 degrees 29 minutes 13 seconds West, a distance of 207.30 feet, to a 1/2 inch iron rod found for corner;

THENCE South 80 degrees 26 minutes 56 seconds West, a distance of 29.96 feet to a 1/2 inch iron rod found for corner, said corner being the Northwest corner of Lot 12, of said Park Place West Addition, same being the East corner of Lot 1, Block A, Kennedy Addition, as shown by Plat thereof recorded in Instrument No. 20210000010711, Official Public Records, Rockwall County, Texas;

THENCE North 40 degrees 28 minutes 12 seconds West, along the Northeast line of Lot 1, of said Kennedy Addition, a distance of 195.39 feet to a 1/2 inch iron rod found for corner, said corner being the Northeast corner of Lot 1, of said Kennedy Addition, same lying along the Southeast Right-of-Way line of said Renfro Street;

THENCE North 70 degrees 57 minutes 48 seconds East, along the Southeast Right-of-Way line of said Renfro Street, a distance of 204.56 feet to a 1/2 inch iron rod found for corner;

THENCE North 09 degrees 58 minutes 36 seconds East, along the East Right-of-Way line of said Renfro Street, a distance of 64.07 feet to the POINT OF BEGINNING, containing 54,456 square feet or 1.25 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

We the undersigned owner(s) of the land shown on this plat, and designated herein as the LOT 2A, BLOCK 1, ABBOTT ADDITION, an addition to Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the LOT 2A, BLOCK 1, ABBOTT ADDITION, have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

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

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

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

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

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

By: \_\_\_\_\_  
Todd Abbott, Owner

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Todd Abbott, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_day of\_\_\_\_\_, 2023.

By: \_\_\_\_\_  
printed name: \_\_\_\_\_  
Notary Public in and for the State of Texas

By: \_\_\_\_\_  
Whitney Abbott, Owner

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Whitney Abbott, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_day of\_\_\_\_\_, 2023.

By: \_\_\_\_\_  
printed name: \_\_\_\_\_  
Notary Public in and for the State of Texas

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

**OWNER: TODD ABBOTT & WHITNEY ABBOTT**  
619 RENFRO STREET,  
ROCKWALL, TEXAS 75087  
PHONE: (903) 949-5255  
EMAIL: TABBOTTMX25@YAHOO.COM

**SURVEYOR'S CERTIFICATE:**

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Bryan Connally, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

RELEASED FOR REVIEW 01/19/2023 PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connally  
Texas Registered Professional Land Surveyor No. 5513

STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Bryan Connally, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

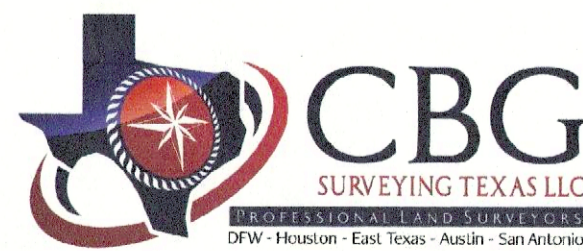
Given upon my hand and seal of office this \_\_\_\_day of\_\_\_\_\_, 2023.

By: \_\_\_\_\_

printed name: \_\_\_\_\_  
Notary Public in and for the State of Texas

**(SHEET 2 OF 2)**

**PRELIMINARY REPLAT  
LOT 2A, BLOCK 1,  
ABBOTT ADDITION**  
54,456 SQ. FT. / 1.25 ACRES  
1 LOT  
SITUATED IN REUBEN BALLARD SURVEY, ABSTRACT NO. 29  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



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P 214.349.9485  
F 214.349.2216  
Firm No. 10168800  
[www.cbgtxl.com](http://www.cbgtxl.com)

SCALE: 1"=50' / DATE: 11/11/2022 / JOB NO. 2210661-01 / DRAWN BY: ANR

CASE NO. \_\_\_\_\_



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2022-060; AMENDMENT TO SUBSECTION 02.03(K)(7), SOLAR ENERGY COLLECTOR PANELS AND SYSTEM, OF ARTICLE 04, PERMISSIBLE USES, OF THE UDC

---

### Attachments

Memorandum  
Proposed Text Amendment  
SB398  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider approval of an **ordinance** for a *Text Amendment* to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of making changes to the *Solar Collector Panels and Systems* requirements for residential properties, and take any action necessary (**1st Reading**).

### Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed Text Amendment.



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

**PLANNING AND ZONING DEPARTMENT**  
385 S. GOLIAD STREET • ROCKWALL, TX 75087  
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

---

**TO:** Mayor and City Council  
**CC:** Mary Smith, *City Manager*  
Joey Boyd, *Assistant City Manager*  
**FROM:** Ryan Miller, *Director of Planning and Zoning*  
**DATE:** February 21, 2023  
**SUBJECT:** Z2022-060; *Amendment to Subsection 02.03(K)(7), Solar Energy Collector Panels and System, of Article 04, Permissible Uses, of the UDC*

---

On January 10, 2023, the Planning and Zoning Commission approved a motion to recommend approval of a text amendment to Subsection 02.03(K)(7), *Solar Energy Collector Panels and System*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) by a vote of 6-0 (*with Commissioner Hustings absent*). This text amendment proposed making changes to how the City of Rockwall regulates *Solar Energy Collector Panels and Systems* for residential and commercial structures. Prior to taking this case to the City Council, on January 17, 2023, staff identified SB398/HB3696 -- *effective on September 1, 2021 --*, which adopted changes to the Texas Business & Commerce Code. Contained within this bill was a preemption clause restricting a municipality's ability to regulate *Solar Energy Devices* for residential and small commercial customers. Based on this, staff requested that the case be remanded back to the Planning and Zoning Commission to allow time to review SB398/HB3696, and make necessary changes to the text amendment. In accordance with staff's request, the City Council approved a motion to remand *Case No. Z2022-060* back to the Planning and Zoning Commission by a vote of 7-0.

SB398/HB3696 states that "(a) municipality may not prohibit or restrict the installation of a solar energy device by a residential or small commercial customer ...". After conferring with the City Attorney concerning this statement, it is clear that this bill preempts a City's ability to regulate *Solar Energy Devices*, which would include *Solar Energy Collector Panels and Systems* on residential and certain commercial properties. In accordance with this, staff has made the following changes to the proposed text amendment:

- (1) Provided a statement that *Residential and Small Commercial* installations of *Solar Energy Collector Panels and Systems* are to conform to meet the requirements of the International Building Code (IBC) and require a building permit.
- (2) Provided a statement that defines *Small Commercial* in accordance with the requirements of SB398/HB3696.
- (3) Provided a statement that puts the burden of proving that a business meets the definition of a *Small Commercial Customer* on the property owner. The reason for this provision is that the criteria provided by SB398/HB3696 (*i.e. refers to the meaning assigned by Section 39.202(o) of the Texas Utilities Code*) relates to energy consumption, and is not something that staff has the ability to verify.

**NOTE:** The definition contained in Section 39.202(o) of the Texas Utilities Code states "(i)n this section, 'small commercial customer' means a commercial customer having a peak demand of 1,000 kilowatts or less."

- (4) Provides that *Commercial* users adhere to the requirements previously reviewed by the Planning and Zoning Commission with the original text amendment.

Staff has provided a redlined copy of the proposed changes in the attached packet. Staff has also included an excerpt from SB398/HB3696 -- *with the applicable sections highlighted* -- for the City Council's review.



Based on the requirements of the Unified Development Code (UDC), staff is bringing the remanded case back to the Planning and Zoning Commission for review, public hearing, and a recommendation to the City Council. In accordance with Subsection 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), staff brought the proposed text amendment to the Planning and Zoning Commission for a recommendation to the City Council, and on January 31, 2023 the Planning and Zoning Commission approved a motion to recommend approval by a vote of 6-0 (*with Commissioner Womble absent*). In addition, staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the City Council have any questions staff will be available at the meeting on February 21, 2023.



(7) The antenna will meet all applicable requirements of [Subsection 03.06. Antennas](#).

(7) Solar Energy Collector Panels and System.

(a) Residential. Solar Energy Collector Panels and Systems installed on a residential structure shall be required to meet the requirement of the International Building Code (IBC), and be required to apply for and receive a building permit from the Building Inspections Department.

(b) Small Commercial. Solar Energy Collector Panels and Systems installed on a *Small Commercial* structure shall be required to meet the requirement of the International Building Code (IBC), and be required to apply for and receive a building permit from the Building Inspections Department. *Small Commercial* shall mean a *Small Commercial Customer* as defined by [Section 202, Price to Beat, of Chapter 39, Restructuring of Electrical Utility Industry, of the Texas Utilities Code](#). It shall be the burden of a property owner to show that a particular property meets the definition of a *Small Commercial Customer*.

(c) Commercial. Solar Energy Collector Panels and Systems installed on a *Commercial* structure shall be required to meet the following:

(a)(1) Solar Energy Collector Panels on a Pitched Roof. ~~Solar energy-Energy collector Collector panels-Panels~~ installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:

- (A) *Solar Energy Collector Panels* shall not extend beyond the roofline or eave lines of a roof.
- (B) *Solar Energy Collector Panels* shall not exceed more than 45.00% of the total roof area.
- (C) Configuration of *Solar Energy Collector Panels* on a pitched roof ~~solar energy collector panels~~ shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.

(D) The surface of the ~~solar-Solar energy-Energy collector-Collector panel-Panel~~ shall not be more than six (6) inches above the surface of the pitched roof.

~~(3)~~

(2) Solar Shingle on a Pitched Roof. *Solar Shingles* may be installed on a pitched roof; however, *Solar Shingles* are subject to the following requirements:

(A) *Solar Shingles* shall be installed on 100.00% of the total roof area -- *excluding accent roof materials (e.g. metal roofs over gabled windows, porches, entryways, and etcetera) --*, and shall not be installed alongside another roof mounted *Solar Energy Collector System*.

(b)(3) Solar Energy Collector Panels on a Flat Roof. ~~Solar energy-Energy collector-Collector panels~~

*Panels* installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view, and meet the following requirements:-

~~(A)~~ The height of such screening, at the minimum, shall be the height of the ~~solar-Solar energy Energy collector-Collector panel-Panel~~.

(A)

~~(2)(B)~~ The screening may be by a parapet or screening wall replicating the materials of the building.

~~(e)(4)~~ Reflective ~~flare-glare~~ of ~~solar-Solar energy Energy collector-Collector panels-Panels~~ shall be minimized by the positioning of the ~~solar-Solar energy collector-Collector panels-Panels~~ or by the use of non-glare glazing.

~~(d)(5)~~ Piping, wiring and other mechanical accessories shall be concealed within a roof mounted ~~solar-Solar energy-Energy collector Collector panel-Panel~~. If some portion of the piping, wiring or other mechanical accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.

~~(e)(6)~~ Ground mounted or pole mounted ~~solar Solar energy-Energy collector-Collector panels Panels~~ shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the ~~city~~City of Rockwall.

~~(f)(7)~~ The maximum overall height of ground mounted or pole mounted ~~solar-Solar energy-Energy collector Collector panels-Panels~~ shall not exceed ~~12-eight (8)~~ feet.

~~(g)~~ In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 1,000 SF on a single lot.

~~(h)(8)~~ Any ~~solar-Solar energy-Energy collector Collector panels-Panels~~ or ~~systems-Systems~~ not meeting these requirements, or any installation of ~~solar-Solar energy-Energy systems-Systems~~ as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

SECTION 03 | OTHER SPECIAL USE STANDARDS

SUBSECTION 03.01: FARM ANIMALS AND HORSES

(A) Grazing Animals. In the SF-E and SF-1 Districts, grazing animals 500 pounds or greater, including horses and cattle must have a minimum fenced or enclosed area of 40,000 square feet per animal. Grazing animals of less than 500 pounds, including sheep and goats, must have a minimum fenced or enclosed area of 15,000 square feet per animal.

(B) Other Animals. An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#)), and for a reduction in the land area required for grazing farm animals. The city shall not grant a SUP for any farm



- (7) The antenna will meet all applicable requirements of [Subsection 03.06. Antennas](#).
- (7) Solar Energy Collector Panels and System.
- (a) Residential. *Solar Energy Collector Panels and Systems* installed on a residential structure shall be required to meet the requirement of the International Building Code (IBC), and be required to apply for and receive a building permit from the Building Inspections Department.
- (b) Small Commercial. *Solar Energy Collector Panels and Systems* installed on a *Small Commercial* structure shall be required to meet the requirement of the International Building Code (IBC), and be required to apply for and receive a building permit from the Building Inspections Department. *Small Commercial* shall mean a *Small Commercial Customer* as defined by [Section 202, Price to Beat, of Chapter 39, Restructuring of Electrical Utility Industry, of the Texas Utilities Code](#). It shall be the burden of a property owner to show that a particular property meets the definition of a *Small Commercial Customer*.
- (c) Commercial. *Solar Energy Collector Panels and Systems* installed on a *Commercial* structure shall be required to meet the following:
- (1) Solar Energy Collector Panels on a Pitched Roof. *Solar Energy Collector Panels* installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:
- (A) *Solar Energy Collector Panels* shall not extend beyond the roofline or eave lines of a roof.
- (B) *Solar Energy Collector Panels* shall not exceed more than 45.00% of the total roof area.
- (C) Configuration of *Solar Energy Collector Panels* on a pitched roof shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.
- (D) The surface of the *Solar Energy Collector Panel* shall not be more than six (6) inches above the surface of the pitched roof.
- (2) Solar Shingle on a Pitched Roof. *Solar Shingles* may be installed on a pitched roof; however, *Solar Shingles* are subject to the following requirements:
- (A) *Solar Shingles* shall be installed on 100.00% of the total roof area -- *excluding accent roof materials (e.g. metal roofs over gabled windows, porches, entryways, and etcetera)* --, and shall *not* be installed alongside another roof mounted *Solar Energy Collector System*.
- (3) Solar Energy Collector Panels on a Flat Roof. *Solar Energy Collector Panels* installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view, and meet the following requirements:

- (A) The height of such screening, at the minimum, shall be the height of the *Solar Energy Collector Panel*.
- (B) The screening may be by a parapet or screening wall replicating the materials of the building.
- (4) Reflective glare of *Solar Energy Collector Panels* shall be minimized by the positioning of the *Solar Collector Panels* or by the use of non-glare glazing.
- (5) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted *Solar Energy Collector Panel*. If some portion of the piping, wiring or other mechanical accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.
- (6) Ground mounted or pole mounted *Solar Energy Collector Panels* shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the City of Rockwall.
- (7) The maximum overall height of ground mounted or pole mounted *Solar Energy Collector Panels* shall not exceed eight (8) feet.
- (8) Any *Solar Energy Collector Panels or Systems* not meeting these requirements, or any installation of *Solar Energy Systems* as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

## SECTION 03 | OTHER SPECIAL USE STANDARDS

### SUBSECTION 03.01: FARM ANIMALS AND HORSES

- (A) Grazing Animals. In the SF-E and SF-1 Districts, grazing animals 500 pounds or greater, including horses and cattle must have a minimum fenced or enclosed area of 40,000 square feet per animal. Grazing animals of less than 500 pounds, including sheep and goats, must have a minimum fenced or enclosed area of 15,000 square feet per animal.
- (B) Other Animals. An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#)), and for a reduction in the land area required for grazing farm animals. The city shall not grant a SUP for any farm animal unless it is convinced that the presence of such animals will not injure the use and enjoyment of neighboring properties, including the impact of dust, flies and odor.
- (C) General Conditions. Notwithstanding the conditions above,
- (1) Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals;
- (2) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal; and

1 applicable warranty or maintenance agreement is transferable to a  
2 subsequent purchaser of the property where the distributed  
3 renewable generation resource is installed.

4 Sec. 113.005. DISCLOSURES FOR POWER PURCHASE AGREEMENTS. A  
5 residential or small commercial customer who enters into a power  
6 purchase agreement is entitled to receive in writing:

7 (1) the disclosures required under Sections  
8 113.003(1), (2), (5), and (6);

9 (2) the term and rate of the power purchase agreement,  
10 including any payment escalators or other terms that affect the  
11 customer's payments; and

12 (3) whether the power purchase agreement and any  
13 applicable warranty or maintenance agreement is transferable to a  
14 subsequent purchaser of the property where the distributed  
15 renewable generation resource is installed.

16 SECTION 2. Chapter 229, Local Government Code, is amended  
17 by adding Subchapter C to read as follows:

18 SUBCHAPTER C. REGULATION OF SOLAR ENERGY DEVICES

19 Sec. 229.101. REGULATION OF SOLAR ENERGY DEVICES. (a) In  
20 this section:

21 (1) "Municipally owned utility" has the meaning  
22 assigned by Section 11.003, Utilities Code.

23 (2) "Small commercial customer" has the meaning  
24 assigned by Section 39.202(o), Utilities Code.

25 (3) "Solar energy device" has the meaning assigned by  
26 Section 171.107, Tax Code.

27 (b) A municipality may not prohibit or restrict the

1 installation of a solar energy device by a residential or small  
2 commercial customer except to the extent:

3 (1) a property owner's association may prohibit the  
4 installation under Sections 202.010(d)(1) through (7), Property  
5 Code; or

6 (2) the interconnection guidelines and  
7 interconnection agreement of a municipally owned utility serving  
8 the customer's service area, the rules of the Public Utility  
9 Commission of Texas, or the protocols of an independent  
10 organization certified under Section 39.151, Utilities Code, limit  
11 the installation of solar energy devices due to reliability, power  
12 quality, or safety of the distribution system.

13 SECTION 3. Subchapter B, Chapter 35, Utilities Code, is  
14 amended by adding Section 35.037 to read as follows:

15 Sec. 35.037. INTERCONNECTION AND OPERATION OF CERTAIN  
16 DISTRIBUTED GENERATION FACILITIES FOR FOOD SUPPLY CHAIN. (a) In  
17 this section:

18 (1) "Customer" means a retail electric customer:

19 (A) with a distributed generation facility  
20 installed on the retail electric customer's side of the meter; and

21 (B) that has a primary purpose of or derives a  
22 material source of revenue from:

23 (i) retail grocery sales; or

24 (ii) food manufacturing or distribution for  
25 retail grocery sales.

26 (2) "Distributed generation facility" means a  
27 facility installed on the customer's side of the meter but

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 02.03(K)(7), SOLAR ENERGY COLLECTOR PANELS AND SYSTEMS, OF ARTICLE 04, PERMISSIBLE USES, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 20-02*] has been initiated by the City Council of the City of Rockwall to amend Subsection 02.03(K)(7), *Solar Energy Collector Panels and Systems*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*]; and,

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

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

**SECTION 1.** That Subsection 02.03(K)(7), *Solar Energy Collector Panels and Systems*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

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

**SECTION 3.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 20-02*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 4.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6<sup>TH</sup> DAY OF FEBRUARY, 2023.**

---

Kevin Fowler, *Mayor*

**ATTEST:**

---

Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

---

Frank J. Garza, *City Attorney*

*1<sup>st</sup> Reading:* January 17, 2023

*2<sup>nd</sup> Reading:* February 6, 2023

DRAFT  
ORDINANCE  
02.21.2023

DRAFT  
ORDINANCE  
02.27.2023

See Next Page ...





(7) The antenna will meet all applicable requirements of [Subsection 03.06. Antennas](#).

(7) Solar Energy Collector Panels and System.

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(A) ~~The height of such screening, at the minimum, shall be the height of the solar-Solar energy Energy collector-Collector panel-Panel.~~

(A)

(2)(B) The screening may be by a parapet or screening wall replicating the materials of the building.

(e)(4)

Reflective ~~flare-glare of solar-Solar energy Energy collector-Collector panels-Panels~~ shall be minimized by the positioning of the ~~solar-Solar collector-Collector panels-Panels~~ or by the use of non-glare glazing.

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(f)(7)

The maximum overall height of ground mounted or pole mounted ~~solar-Solar energy-Energy collector Collector panels-Panels~~ shall not exceed ~~12-eight (8)~~ feet.

~~(g) In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 1,000 SF on a single lot.~~

(h)(8)

Any ~~solar-Solar energy-Energy collector Collector panels-Panels or systems-Systems~~ not meeting these requirements, or any installation of ~~solar-Solar energy-Energy systems-Systems~~ as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

SECTION 03 | OTHER SPECIAL USE STANDARDS

SUBSECTION 03.01: FARM ANIMALS AND HORSES

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(B) Other Animals. An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#)), and for a reduction in the land area required for grazing farm animals. The city shall not grant a SUP for any farm



## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2022-057; ZONING CHANGE FROM AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT

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### 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  
Applicant's Letter  
Concept Plan  
Legal Description  
Comprehensive Plan Excerpts  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary (**1st Reading**).

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** February 21, 2023  
**APPLICANT:** Dub Douphrate; *Douphrate & Associates, Inc.*  
**CASE NUMBER:** Z2022-057; *Zoning Change from Agricultural (AG) District to Planned Development District*

---

### **SUMMARY**

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

### **BACKGROUND**

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation the subject property was zoned Agricultural (AG) District. This designation has not changed since annexation, and the subject property has remained vacant.

### **PURPOSE**

On December 12, 2022 the applicant -- *Dub Douphrate of Douphrate & Associates, Inc.* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 10 (SF-10) District land uses.

### **ADJACENT LAND USES AND ACCESS**

The subject property is generally located in between N. John King Boulevard and N. Stodghill Road, south of SH-66. The land uses adjacent to the subject property are as follows:

**North:** Directly north of the subject property is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 55.08-acre tract of land zoned Agricultural (AG) District. Following this is a 14.219-acre tract of land zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses.

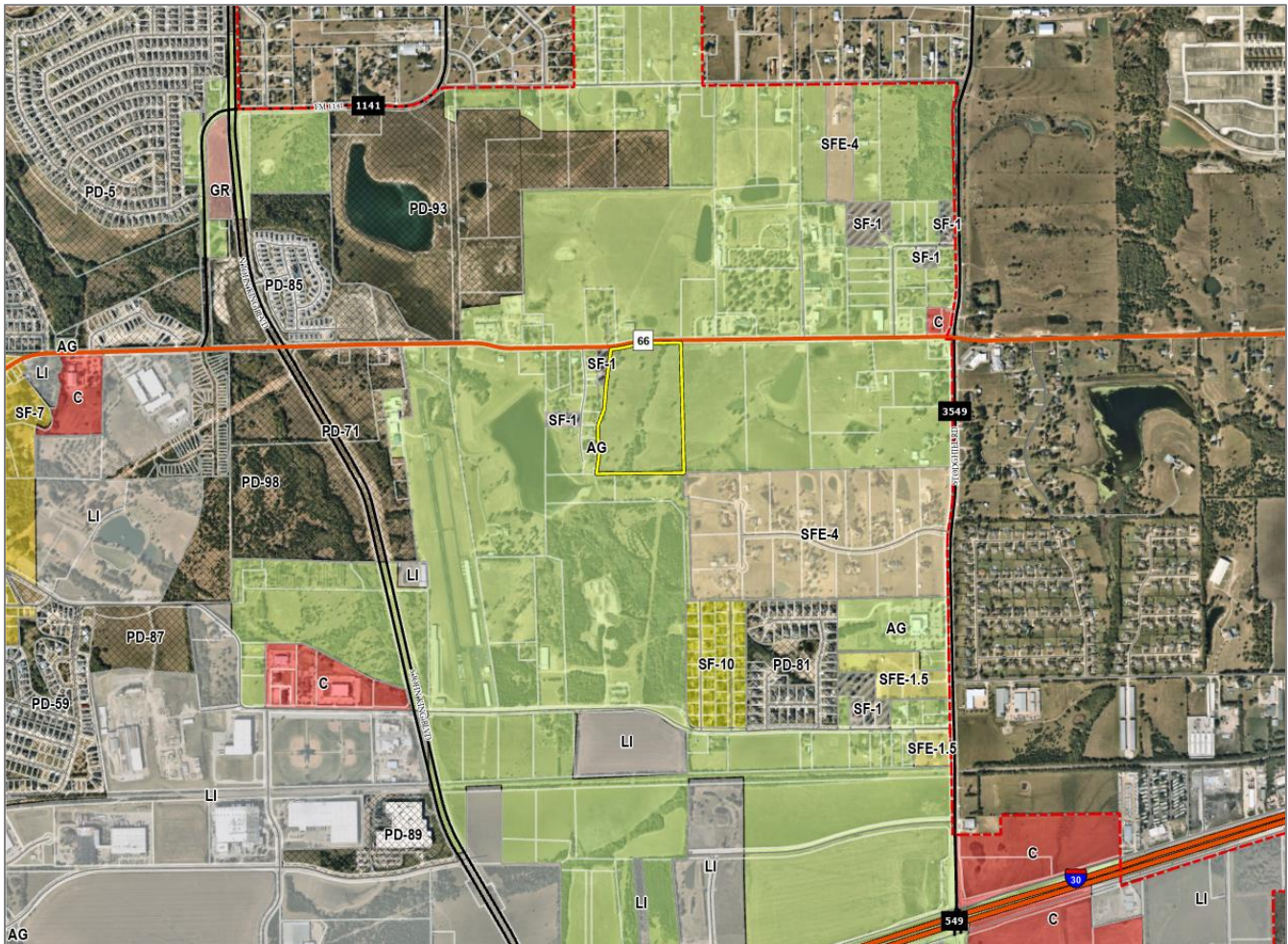
**South:** Directly south of the subject property are two (2) vacant tracts of land [*i.e. Tracts 17 & 17-1 of the D. H. Survey Abstract No. 102*] zoned Agricultural District. Beyond this is a 64.514-acre tract of land developed with the City of Rockwall's Animal Shelter and Gun Range, which is zoned Agricultural (AG) District.

**East:** Directly east of the subject property are two (2) vacant tracts of land [*i.e. Tracts 9 & 9-01 of the E. M. E. Survey Abstract No. 77*] zoned Agricultural (AG) District. Beyond this are six (6) tracts of land, four (4) of which are developed with single-family homes [*i.e. 2755 E. SH-66 and 1110 and 1226 N. Stodghill Road*], one (1) of which is vacant [*i.e. Tract 29-2 of the E. M. E. Survey Abstract 77*], and is the last tract being developed with an *Animal Clinic* [*i.e. 2897 E. SH-66*]. All of these properties are zoned Agricultural (AG) District.

West: Directly west of the subject property are several properties developed with single-family homes that are zoned Agricultural (AG) District and Single-Family 1 (SF-1) District. Beyond this is a 47.89-acre parcel of land developed with the Ralph M. Hall Airport, which is zoned Agricultural (AG) District.

**MAP 1: LOCATION MAP**

**YELLOW: SUBJECT PROPERTY**



**CHARACTERISTICS OF THE REQUEST**

The applicant has submitted a concept plan and development standards for the proposed residential subdivision and non-residential tracts of land. The concept plan shows that the 25.87-acre subject property will consist of six (6) residential lots on 9.49-acres and a 1.68-acre *General Retail* lot. The applicant has submitted a letter requesting that the City Council approve *On-Site Sewage Facilities (OSSF) [or septic systems]* for all lots (i.e. both the residential lots and general retail lot). The purpose of this request is due to the proximity of the subject property to the City's existing sanitary sewer facilities, and the fact that five (5) of the six (6) lots are less than 1.50-acres in size. The proposed number of residential lots translates to a gross density of 0.23 dwelling units per gross acre (i.e. six [6] lots/25.87-acres = 0.2319 dwelling units per gross acre). The minimum dwelling unit size will be 3,000 SF (i.e. air-condition space). With regard to the proposed housing product, staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance; however, the applicant has indicated that these lots will most likely be custom homes built on an individual lot basis. With regard to the anti-monotony and masonry standards, the ordinance will require a minimum of 90% masonry, and be subject to the City's upgraded anti-monotony standards. In addition, the Planned Development District ordinance will incorporate a provision that allows up to 50.00% cementitious fiberboard utilized in a horizontal lap-siding, *board-and-batten* siding, or decorative pattern to allow a variation in the materials throughout the six (6) residential lots. The following are some of the examples showing horizontal lap-siding, *board-and-batten* siding, or decorative patterns that are contained within the Planned Development District ordinance:

**FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD**



**FIGURE 2: EXAMPLES OF BOARD AND BATTEN**



**FIGURE 3: EXAMPLES OF HORIZONTAL LAP**



Looking at the garage orientation proposed for the development, the garage doors will be oriented in a *J-Swing* (or a *Traditional Swing*) configuration or *Recessed Front Entry* configuration (i.e. where the garage door is situated a minimum of 20-feet behind the front façade). In addition, the applicant is proposing to incorporate upgraded finishes on all garage doors that include: [1] divided garage bay doors, [2] carriage style hardware and lighting, and [3] decorative wood doors or wood overlays on insulated metal doors. On the following page are some of the examples of the upgrades required in the Planned Development District ordinance.

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



DIVIDED BAYS



CARRIAGE HARDWARE



CEDAR CLADDING



ORNAMENTAL PAVING

FIGURE 6: EXAMPLES OF UPGRADED GARAGES



The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 1 (SF-1) District unless otherwise specified in the Planned Development District ordinance. The following

is a summary of the lot composition and density and dimensional standards contained in the proposed Planned Development District ordinance:

**TABLE 1: RESIDENTIAL LOT DIMENSIONAL REQUIREMENTS**

Minimum Lot Width <sup>(1)</sup>	70'
Minimum Lot Depth	100'
Minimum Lot Area (SF)	43,560 SF
Minimum Front Yard Setback <sup>(2)</sup>	20'
Minimum Side Yard Setback	6'
Minimum Side Yard Setback (Adjacent to a Street)	20'
Minimum Length of Driveway Pavement	25'
Maximum Height <sup>(3)</sup>	36'
Minimum Rear Yard Setback <sup>(4)</sup>	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	3,000 SF
Maximum Lot Coverage	45%

**General Notes:**

- <sup>1:</sup> The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- <sup>2:</sup> The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- <sup>3:</sup> The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4:</sup> The location of the *Rear Yard Building Setback* as measured from the rear property line.

The proposed concept plan shows that the development will consist of a total of 10.93-acres of open space (*i.e.* 4.78-acres outside of the floodplain and 6.15-acres situated within the floodplain), which equates to an open space percentage of 30.38% (*i.e.*  $[6.15\text{-acres}/2] + 4.78\text{-acres}/25.87\text{-acres} = 0.30382$  or 30.38%). In addition, the applicant has incorporated a trail system on the concept plan that shows a six (6) foot hike and bike trail will be provided that will bisect the subject property from north to south. Staff should note that this trail is currently indicated on the City’s Master Trail Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

With regard to the proposed 1.68-acre *General Retail* lot depicted on the concept plan, this property will be subject to the density and development standards required for the General Retail (GR) District and the East SH-66 Overlay (E. SH-66 OV) District. These standards are summarized as follows:

**TABLE 2: GENERAL RETAIL (GR) DISTRICT LOT DIMENSIONAL REQUIREMENTS**

<i>Ordinance Provisions</i>	<i>Zoning District Standards</i>
Minimum Lot Area	6,000 SF
Minimum Lot frontage	60-Feet
Minimum Lot Depth	100-Feet
Minimum Front Yard Setback	15-Feet
Minimum Rear Yard Setback	20-Feet
Minimum Side Yard Setback	10-Feet
Maximum Building Height <sup>(1)</sup>	36-Feet
Max Building/Lot Coverage	40%
Minimum Landscaping Percentage	20%
Maximum Impervious Coverage	85%-90%

**General Notes:**

- <sup>1:</sup> The *Maximum Height* permitted through a Specific Use Permit (SUP) shall be 110-feet for a *Commercial Freestanding Antenna*.

In addition to the residential and commercial land uses proposed by the applicant, the applicant has included a proposed cell tower easement within the General Retail (GR) District lot. The applicant has requested the *Commercial Freestanding Antenna* land use be permitted through a Specific Use Permit (SUP). Staff should point out that the proposed location for the *Commercial Freestanding Antenna* has direct adjacency to an existing single-family home, which is located directly west of the subject property. Staff has included a note within the General Retail (GR) District *Density and Dimensional Requirements*, contained in the draft ordinance, that a *Commercial Freestanding Antenna* can only be approved by Specific Use Permit (SUP) and is capped at 110-feet in height. Typically, these types of facilities are discouraged from locating directly adjacent to or within the City’s

residential areas; however, this aspect of the applicant's request will be discretionary to the City Council pending a recommendation from the Planning and Zoning Commission.

## **INFRASTRUCTURE**

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

- (1) Roadways. According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan SH-66 is required to be a TXDOT4D (*i.e. a Texas Department of Transportation, four [4] lane, divided roadway*), which requires a 120-foot right-of-way. The applicant will be required to dedicate a minimum of 60-feet of right-of-way from the current centerline of SH-66 and provide a reserve for any additional ROW above and beyond the 120-feet for the future expansion of SH-66.
- (2) Water. The applicant will be required to construct a 12-inch waterline in the future right-of-way of SH-66.
- (3) Wastewater. Each lot will be required to be at a minimum of 1.50-acres for *On-Site Sanitary Facilities (OSSF)* unless the City Council grants the applicant's request to allow these facilities on lots less than 1.50-acres. A 20-foot wide sewer easement must be dedicated per the Master Wastewater Plan.
- (4) Drainage. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Flood Study and a Wetlands and Waters of the United States (WOTUS) Study for the existing ponds and floodplain 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) On-Site Sewage Facility (OSSF). Section 44-243, *On-Site Sewage Facility*, of Chapter 44, *Utilities*, of the Municipal Code of Ordinances states that, "(n)o permit for the installation of an on-site sewage facility (OSSF) will be issued for property of less than 1½ acres."

Applicant's Response to (1) & (2): According to the applicant's letter they are requesting the waiver to the alleyways due to the size of the proposed lots. The applicant is also requesting to allow OSSF on lots less than 1.50-acres in size due to the availability of sewer to the subject property.

Staff Response to (1) & (2): The City Council and Planning and Zoning Commission have granted a waiver to the alleyway requirements on similar projects that have incorporated similar concessions (*i.e. conforming garage configurations, upgraded garage doors, and other improvements*) with regard to garage orientation. The City Council has granted *On-Site Sewage Facilities (OSSF)* for residential projects that have incorporated lot sizes less than 1.50-acres, but typically that are larger than one (1) acre. The City Council has not granted OSSF for any non-residential lots in a Planned Development District; however, this is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**



According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Central District and is designated for Low Density Residential land uses. The plan defines Low Density Residential land uses as "... residential subdivisions that are greater than 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 this case, the applicant is proposing a total density of 0.23 dwelling units per acre. In addition, the applicant is proposing to incorporate 10.93-acres of open space, a 50-foot landscape buffer between the proposed *General Retail* and residential land uses, and a hike and bike trail. Based on this, the applicant's request is in conformance with the Low Density Residential designation indicated for the subject property; however, the proposed *General Retail* land use will require the City Council to change the future land use map from a Low Density Residential designation to a Commercial/Retail land use designation for the 1.68-acre portion of the subject property. Based on this the applicant's request is discretionary to the City Council and Planning and Zoning Commission.

According to the *District Strategies for Suburban Residential* in the Central District, "... 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* lots in this district, but should be comparable in size to newer developments ..." In this case, the proposed residential lots are large lots that are comparable to the existing surrounding housing. Based on this, the applicant's request appears to be in conformance with the *District Strategies* for the Central District.

With regard to the policies and goals for residential development contained in the Comprehensive Plan, the applicant's request incorporates the majority of these policies and goals; however, staff did identify the following non-conformities on the original concept plan. Based on these non-conformities, staff provided the below recommendations to the applicant. These recommendations are followed by the applicant's response to each recommendation.

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) CH. 7; Goal #2 | Policy #3 (Page 7-1). Continue to develop and plan for an interconnected trail and sidewalk system that promotes connectivity and access to all areas of the City.
- (2) CH. 1; Section 2.03; Goal #2 | Policy #4 (Page 1-2). Commercial developments should be constructed with logical connections and extensions to the City's existing and proposed hike and bike trail.

Staff Response: Staff requested the applicant provide a hike and bike trail to connect the commercial and residential land uses. The applicant has shown a six (6) foot hike/bike trail along the east side of the proposed subdivision that extends the entire length of the subject property.

- (3) CH. 1; Section 2.03; Goal #2 | Policy #2 (Page 1-2). Commercial/retail shopping centers should be screened from residential areas utilizing landscape buffers that are composed of berms, landscaping, and trees.

Staff Response: Staff requested that the applicant provide a 50-foot landscape buffer with a berm, ground cover, shrubs, and canopy trees. The applicant has shown a 50-foot landscape buffer that will include three (3) tiered landscaping. This includes a berm, shrubs, accent trees, and canopy trees.

Taking all of this into account, the applicant's concept plan and proposed density and development standards appear to conform with the majority of the OURHometown Vision 2040 Comprehensive Plan; however, the addition and location of the proposed *Commercial Freestanding Antenna* and the proposed changes to the *Future Land Use Map* make this request a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On December 14, 2022, staff mailed 36 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadows Estates Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization 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) Five (5) property owner notifications from three (3) property owners who are in favor of the applicant's request. Staff should note that two (2) of the notices are from the property owner of the subject property for this zoning case.

### **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 Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The approval of this case will change the area of the proposed General Retail (GR) District and the *Commercial Freestanding Antenna* on the Future Land Use Map from a Low Density Residential land use designation to a Commercial/Retail land use designation.
- (3) The 50-foot landscape buffer that incorporates the three (3) tiered landscaping shall be extended along the western property line of the General Retail (GR) District lot adjacent to the adjoining residential property.
- (4) 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 February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Zoning Change by a vote of 7-0.



# 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) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1&2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

### NOTES:

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS *Parcel situated in David Harr Survey Abs. 102*

SUBDIVISION *25.41 Cain Revocable Trust Property*

LOT

BLOCK

GENERAL LOCATION *located east of W.D Boom Add. adjacent to and south of SH 66 centered between J. King Blvd. & 9549*

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING *AG*

CURRENT USE *AG*

PROPOSED ZONING *PD*

PROPOSED USE *PD*

ACREAGE *25.41*

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER *Dewayne Cain*

APPLICANT *Douphrate & Assoc. Inc*

CONTACT PERSON  
ADDRESS *305 Stonebridge Dr*

CONTACT PERSON  
ADDRESS *2235 Ridge Rd*

CITY, STATE & ZIP *Rockwall, TX 75087*

CITY, STATE & ZIP *Rockwall, TX 75087*

PHONE *214.533.8641*

PHONE *972.742.2210*

E-MAIL *dewaynecain25@outlook.com*

E-MAIL *wldouphrate@douphrate.com*

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED *Dewayne Cain* [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 \$ *581.15* TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE *16* DAY OF *December*, 20*12* 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."

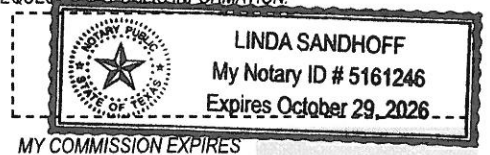
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE *12* DAY OF *Dec*, 20*21*.

OWNER'S SIGNATURE

*Dewayne Cain*

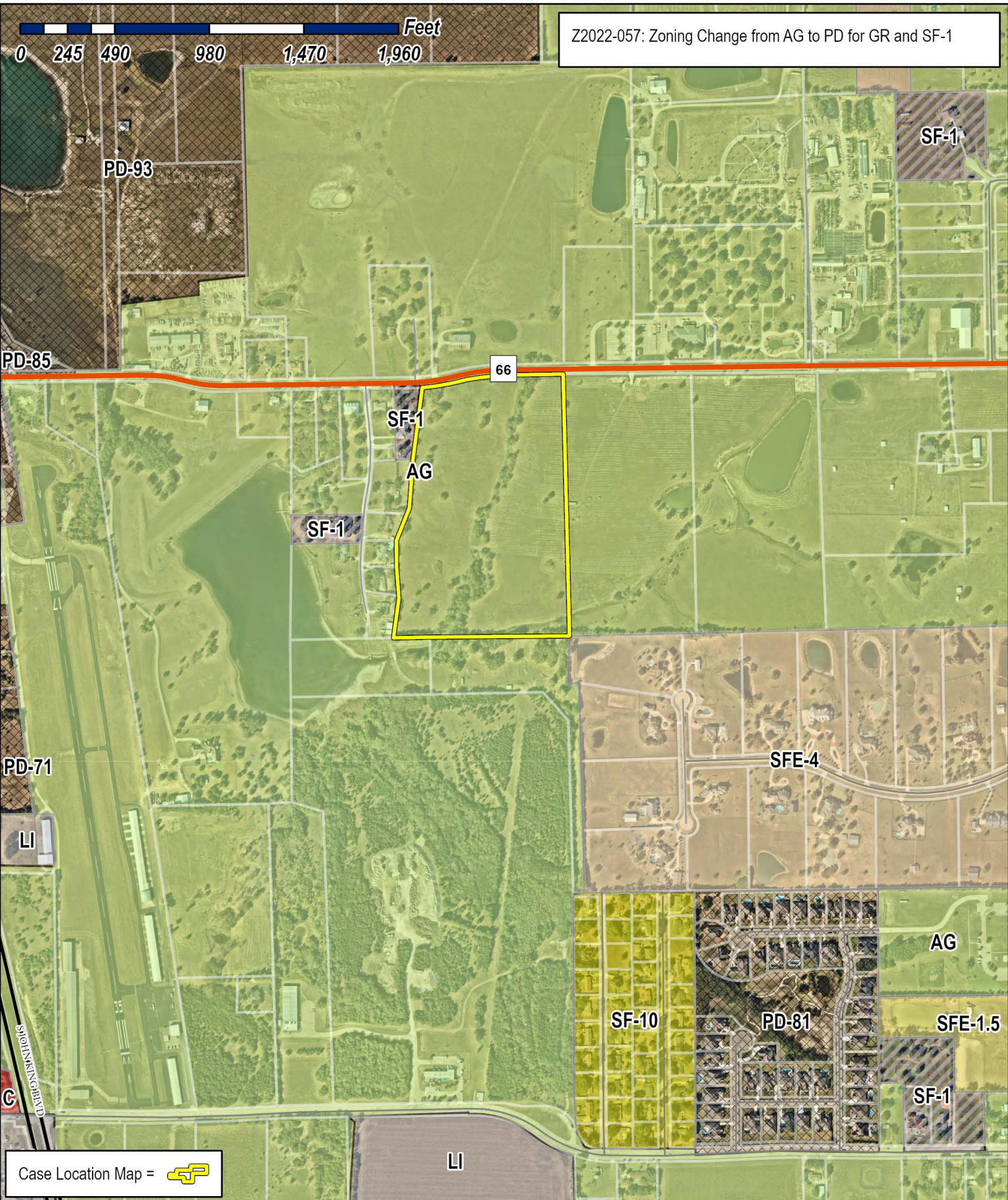
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

*Linda Sandhoff*



MY COMMISSION EXPIRES

Z2022-057: Zoning Change from AG to PD for GR and SF-1



Case Location Map = 



# City of Rockwall

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

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

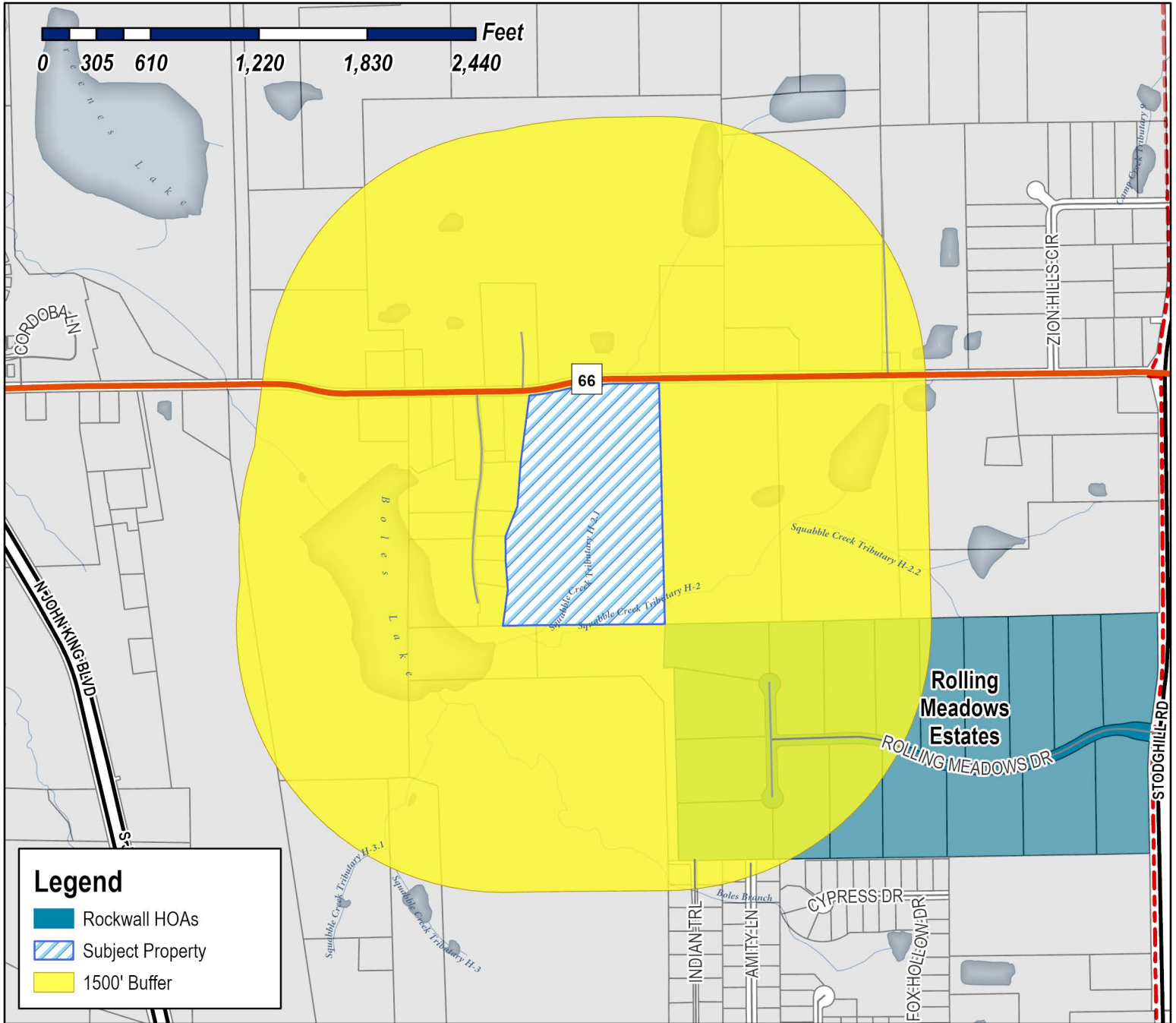




# City of Rockwall

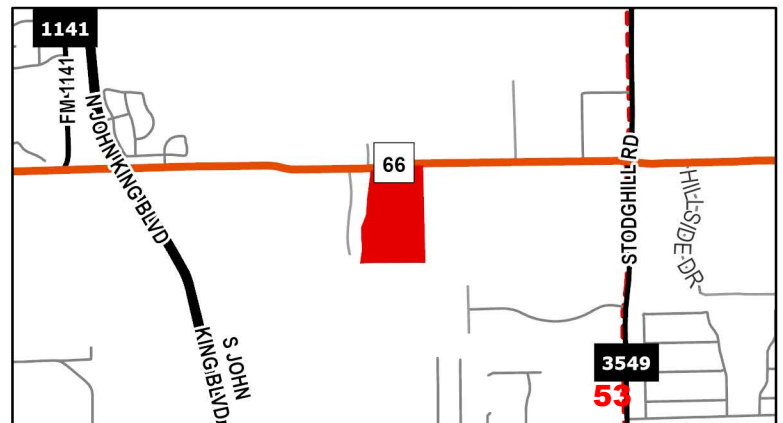
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**Case Number:** Z2022-057  
**Case Name:** Zoning Change from AG to PD  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SE of HWY 66 & John King Blvd

**Date Saved:** 12/12/2022  
 For Questions on this Case Call (972) 771-7745



## Lee, Henry

---

**From:** Guevara, Angelica  
**Sent:** Wednesday, December 14, 2022 3:02 PM  
**Cc:** Miller, Ryan; Ross, Bethany; Chapin, Sarah; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2022-057]  
**Attachments:** Public Notice Z2022-057.pdf; HOA Map (12.12.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 16, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 17, 2023 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](mailto: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>.

### **Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses**

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

Thank you,

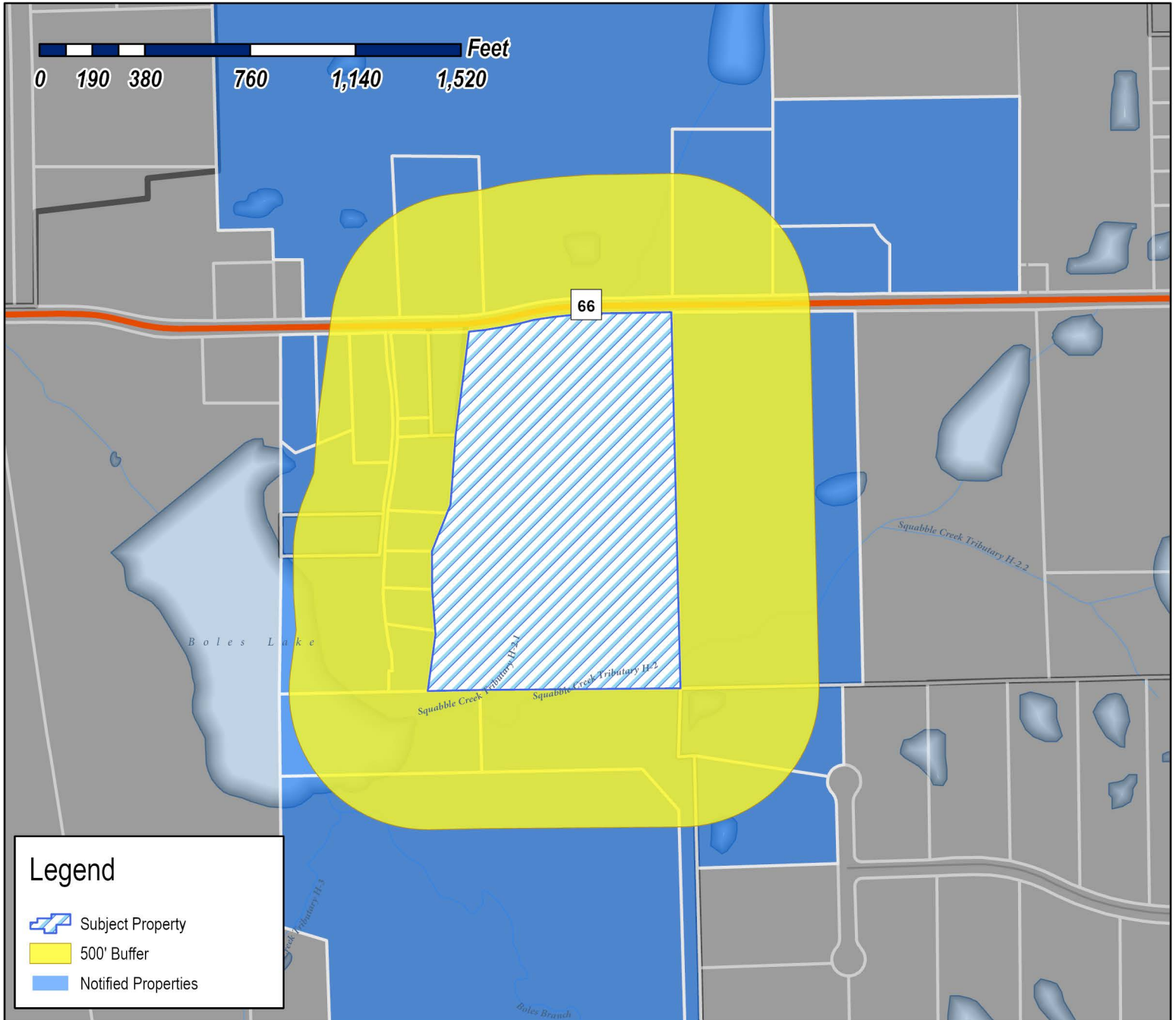
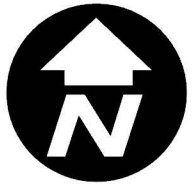
*Angelica Guevara*  
Planning Technician  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-772-6438



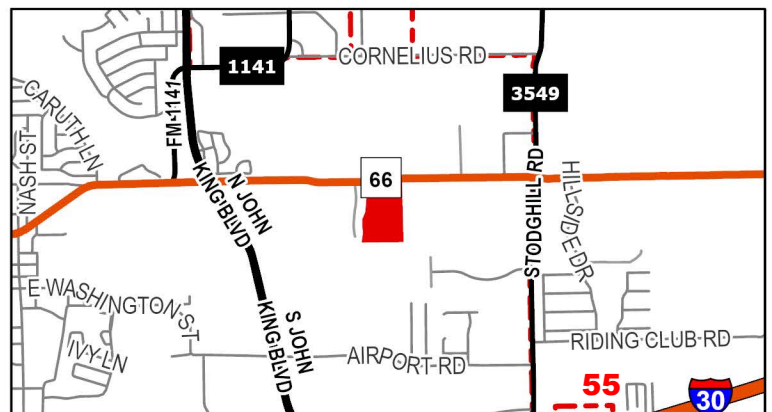
# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
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**Case Number:** Z2022-057  
**Case Name:** Zoning Change from AG to PD  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SE of HWY 66 & John King Blvd



**Date Saved:** 12/12/2022

For Questions on this Case Call: (972) 771-7746

NELSON MARC J & MICHELLE L  
135 ROLLING MEADOWS CIR  
ROCKWALL, TX 75087

152 HILL LN  
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI  
1770 E HWY66  
ROCKWALL, TX 75087

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

MCILRATH PROPERTIES LLC  
1790 WILLIAMS ST  
ROCKWALL, TX 75087

RYAN BILL K  
1800 WILLIAMS ST  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
1815 AIRPORT RD  
ROCKWALL, TX 75087

SULLIVAN BRETT D & EDNA  
195 ROLLING MEADOWS CIR  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
205 W RUSK ST  
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD  
2294 E STATE HIGHWAY 66  
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC  
2500 HWY66  
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC  
3040 POST OAK BLVD SUITE 300  
HOUSTON, TX 77056

CARRIAGE MANAGEMENT INC  
3040 POST OAK BLVD SUITE 300  
HOUSTON, TX 77056

CAIN FAMILY PARTNERSHIP LTD  
305 STONEBRIDGE DR  
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD  
305 STONEBRIDGE DR  
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI  
308 STONEBRIDGE DR  
ROCKWALL, TX 75087

RYAN BILL K  
330 VZ CR 2207  
CANTON, TX 75103

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

MCILRATH PROPERTIES LLC  
636 GRISHAM DR  
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE  
700 DAVIS DR  
ROCKWALL, TX 75087

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700 DAVIS DR  
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE  
700 DAVIS DR  
ROCKWALL, TX 75087

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

MOCK ALYSSA  
720 DAVIS DR  
ROCKWALL, TX 75087

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

DAILEY MARK L  
730 DAVIS DR  
ROCKWALL, TX 75087

SARACAY JOSELIN E LANDAVERDE AND  
JOSE ANTONIO LANDAVERDE  
735 DAVIS DRIVE  
ROCKWALL, TX 75087

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

RAINES SHERYL  
745 DAVIS DR  
ROCKWALL, TX 75087

COOK SHERRY LYNN  
760 DAVIS DRIVE  
ROCKWALL, TX 75087



WIDBOOM ROBBY AND KYLIE  
770 DAVIS DR  
ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND  
CREDIT SHELTER TRUST AND SURVIVORS TRUST  
DEWAYNE CAIN TRUSTEE 305 STONEBRIDGE DR  
ROCKWALL, TX 75087

CAIN CEMETARY CORP  
N/A HWY66  
ROCKWALL, TX 75087

CAIN CEMETARY CORP  
PO BOX 1119  
ROCKWALL, TX 75087

RAINES SHERYL  
PO BOX 412  
ROCKWALL, TX 75087

, 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:

**Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses**

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 17, 2023 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. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses**

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 comment 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

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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.

Name: Cain Family Partnership (Across St. Hwy 66 From The Zoning Change)  
Address: 305 Stonebridge Dr.

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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**Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses**

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.

Blank area for handwritten comments or reasons.

Name: Cain Family Partnership (Property Adjacent To Zoning Change)  
Address: 305 Stonebridge Dr.

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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## Chapin, Sarah

---

**From:** Donya Sellers >  
**Sent:** Wednesday, January 4, 2023 11:57 AM  
**To:** Planning  
**Subject:** Case Z2022-057 Zoning Change

I am in favor of the request as this SF land division is the least intrusive to my property

Donya Sellers-Horton  
700 Davis Dr, Rockwall TX 75087

[Sent from Yahoo Mail on Android](#)

**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.**

Case No. Z2022-057: Zoning Change from AG to PD for GR and SF-1 District land uses

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: *Hesli Johnson, Rest Haven Funeral Home*

Address: *2500 State Hwy 66 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 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: *Lesli Johnson, Rest Haven Memorial Park*  
Address: *2500 Stat Hwy Leb 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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## Lee, Henry

---

**From:** Miller, Ryan  
**Sent:** Monday, February 6, 2023 1:46 PM  
**To:** Lee, Henry  
**Subject:** FW: Zoning Change

For Dewayne's case. Thanks.



**RYAN C. MILLER, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6441 OFFICE  
RMILLER@ROCKWALL.COM  
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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[HELPFUL LINKS](#) | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)  
[GIS DIVISION WEBSITE](#) | [UNIFIED DEVELOPMENT CODE](#)

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**NOTES:**

- 1) **APPOINTED AND ELECTED OFFICIALS:** BY REPLYING ALL TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
- 2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD.

---

**From:** David Rakow < >  
**Sent:** Monday, February 6, 2023 1:43 PM  
**To:** Miller, Ryan <RMILLER@rockwall.com>  
**Subject:** Zoning Change

Mr. Miller,

My name is David Rakow and I live at 152 Hill LN in Rockwall. I am in favor of the proposed residential development, which includes a retail zoned area where a cell tower would be constructed, directly across the street from my personal residence. I am happy to see that the residential lots are much larger than are currently being approved in our area. My only request is that the cell tower is no higher than the Oncor transmission tower that is on my property and that proper screening is provided. The tower is needed because currently our cell reception is minimal and calls are frequently dropped in this area. It would be great if whichever company installs a cell tower would provide 5G cellular home internet. Currently, everyone in this area can only receive DSL although Spectrum ran a fiber optic line to accommodate the city court building but no one else. AT&T has fiber optic up to the funeral home then stopping and not starting up again until John King Boulevard intersection. Verizon has recently allowed some to use their 5G home cellular internet but it is limited due to the amount of towers they currently have. Needless to say I'm very frustrated that living in the city limits of Rockwall and the best internet I can get is 2 mbps on DSL.

Thanks,  
David Rakow

**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.**



November 10, 2022

City of Rockwall

Planning and Zoning Department

385 S. Goliad Street

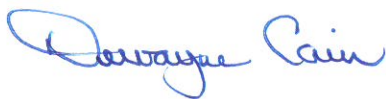
Rockwall, TX 75087

Dear Sirs:

I am requesting a Planned Development on a 25.41-acre tract of land my family trust owns. The property is in the David Harr Survey Abstract #102 and is adjacent to State Highway 66. The property falls within the Rockwall City Limits. The PD will be a mixed-use development consisting of residential lots that are larger than most currently being developed in Rockwall. As a buffer, the front of the property adjacent to State Highway 66 will be zoned commercial.

Respectfully submitted,

Cain Family Revocable Trust



Dewayne Cain, Trustee

December 5, 2022

Ryan Miller  
Director of Planning  
City of Rockwall, Texas

Re: Request for On-Site Sewage Facilities for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to allow on-site sewage facilities for the proposed residential and general retail lots since all the lots exceed the minimum 1.5-acre requirement. We request this waiver due to the size of the general retail and residential estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

*W.L. Douphrate II*

W.L. Douphrate II, P.E.

December 2, 2022

Ryan Miller  
Director of Planning  
City of Rockwall, Texas

Re: Request for Waiver of Alleys for the SH -66 Cain PD Zoning Case Z2022-053

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to waive the residential alley requirements as outlined in the City of Rockwall's Standards of Design and Construction Manual. We request this waiver due to the size of the estate size lots proposed in this zoning application.

Should you have any questions regarding this request please let me know.

Sincerely,

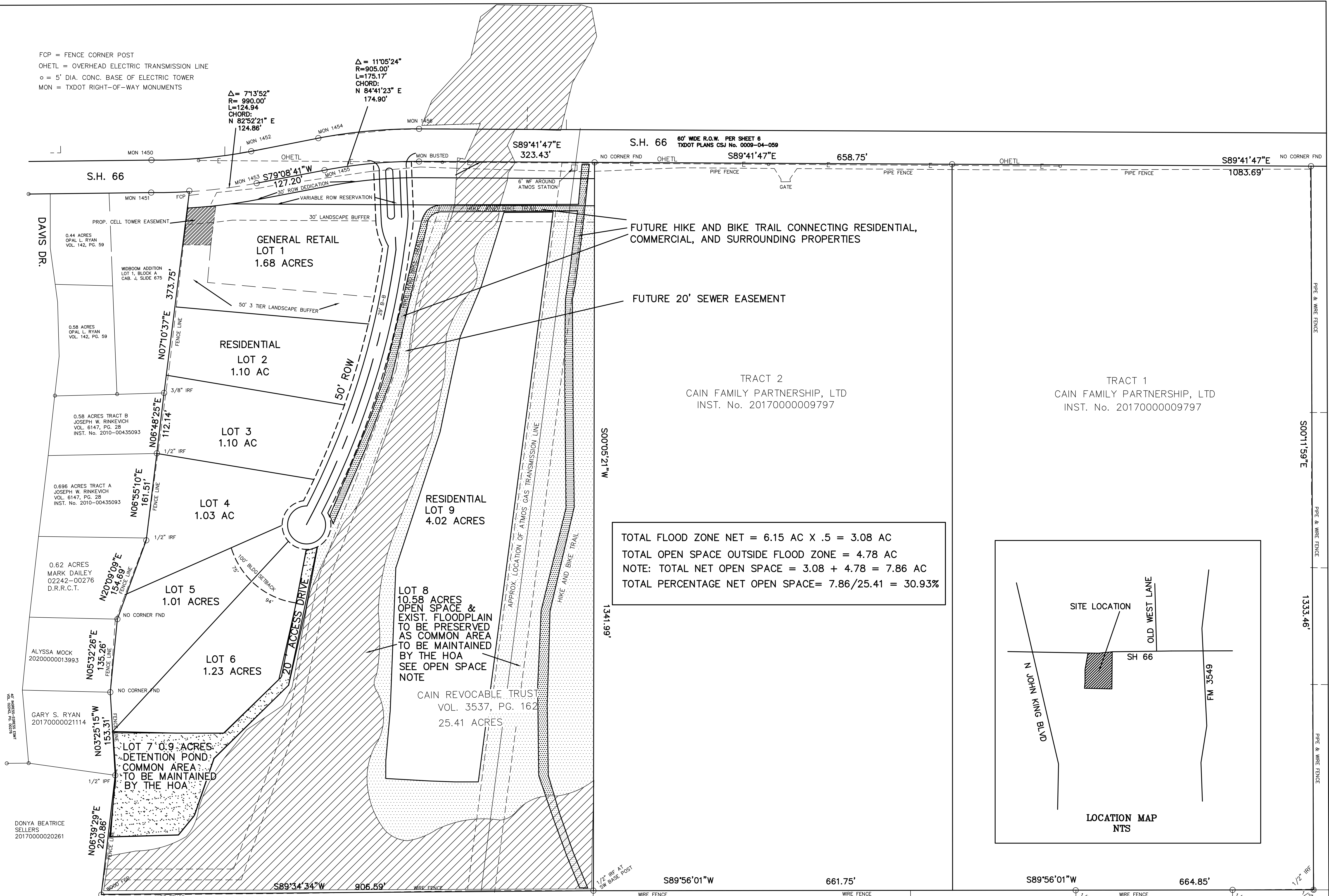
*W.L. Douphrate II*

W.L. Douphrate II, P.E.

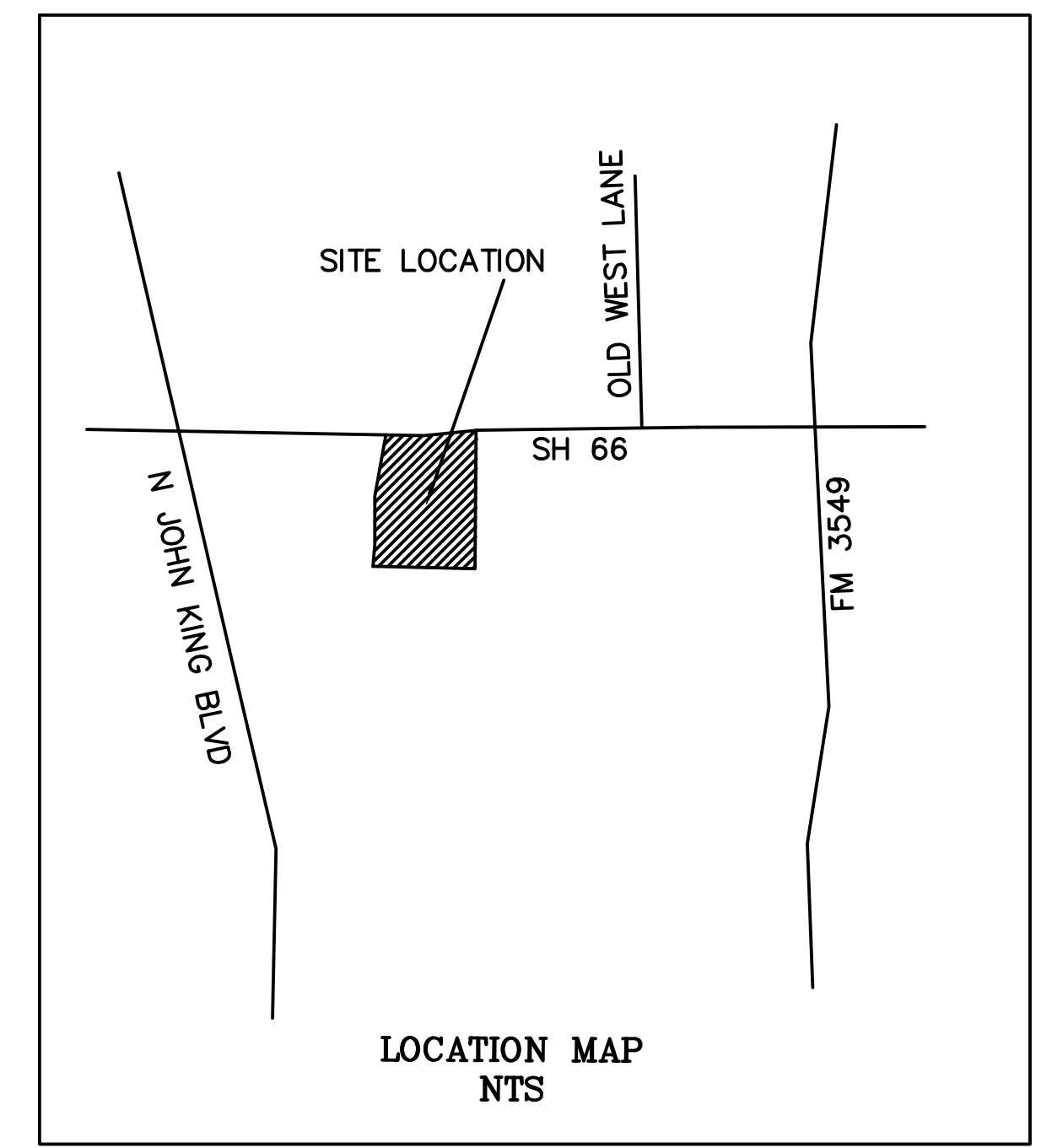
FCP = FENCE CORNER POST  
 OHETL = OVERHEAD ELECTRIC TRANSMISSION LINE  
 o = 5' DIA. CONC. BASE OF ELECTRIC TOWER  
 MON = TXDOT RIGHT-OF-WAY MONUMENTS

$\Delta = 713'52"$   
 $R = 990.00'$   
 $L = 124.94'$   
 CHORD:  
 $N 82'52'21" E$   
 $124.86'$

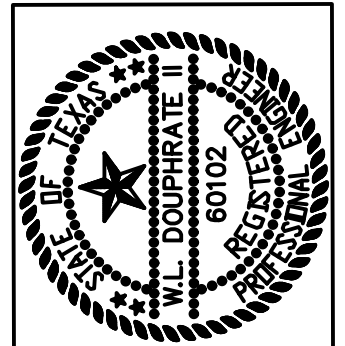
$\Delta = 11'05'24"$   
 $R = 905.00'$   
 $L = 175.17'$   
 CHORD:  
 $N 84'41'23" E$   
 $174.90'$



TOTAL FLOOD ZONE NET = 6.15 AC X .5 = 3.08 AC  
 TOTAL OPEN SPACE OUTSIDE FLOOD ZONE = 4.78 AC  
 NOTE: TOTAL NET OPEN SPACE = 3.08 + 4.78 = 7.86 AC  
 TOTAL PERCENTAGE NET OPEN SPACE = 7.86/25.41 = 30.93%



ROLLING MEADOWS ESTATES  
 CABINET D, SLIDE 59  
 P.R.R.C.T. 10



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE II TEXAS P.E. NO. 60102, EXPIRES ON DATE: NOV 2, 2022.

**DOUPHRATE & ASSOCIATES, INC.**  
 ENGINEERING PROJECT MANAGEMENT SURVEYING  
 2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087  
 PHONE: (972)771-9004 FAX: (972)771-9005

**CONCEPT PLAN W/ LOT LAYOUT**  
**CAIN SH 66 25 ACRE PLANNED DEVELOPMENT**  
 CITY OF ROCKWALL  
 ROCKWALL COUNTY, TEXAS

REVISION	W.L.D.
CHECKED	Q.C.W.
DRAWN	
SCALE	1" = 80' H 1" = 40' V
DATE	NOV 4, 2022
PROJECT	2007 SITE PL
	20

CASE NO. Z2022-053

STATE OF TEXAS:

COUNTY OF ROCKWALL:

FIELD NOTES:

BEING a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

BEGINNING at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

THENCE along the south line of said S.H. 66 and along a curve to the left having a central angle of  $7^{\circ}13'52''$ , a radius of 990.00' and a chord that bears North  $82^{\circ}52'21''$  East a distance of 124.86';

THENCE along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

THENCE North  $79^{\circ}08'41''$  East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of  $11^{\circ}05'24''$ , a radius of 905.00' and a chord that bears North  $84^{\circ}41'23''$  East a distance of 174.90';

THENCE along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

THENCE South  $89^{\circ}41'47''$  East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 20170000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

THENCE South  $00^{\circ}05'21''$  West along the west line of said Tract 2, a distance of 1341.99' to a  $\frac{1}{2}$ " iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

THENCE South  $89^{\circ}34'34''$  West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

THENCE North  $06^{\circ}39'29''$  East along the east line of said Sellers Tract, a distance of 220.86' to a  $\frac{1}{2}$ " iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

THENCE North  $03^{\circ}25'15''$  West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

THENCE North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

THENCE North 20°09'09" East a distance of 154.69' to a ½" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

THENCE North 06°55'10" East a distance of 161.51' to a ½" iron rod found for a corner;

THENCE North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

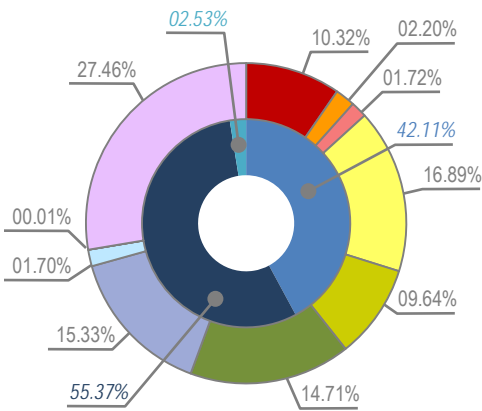
THENCE North 07°10'37" East a distance of 373.75' to the POINT OF BEGINNING and containing 25.41 acres or 1,107,008 square feet of land.

# 01 CENTRAL DISTRICT DISTRICT STRATEGIES

## DISTRICT DESCRIPTION

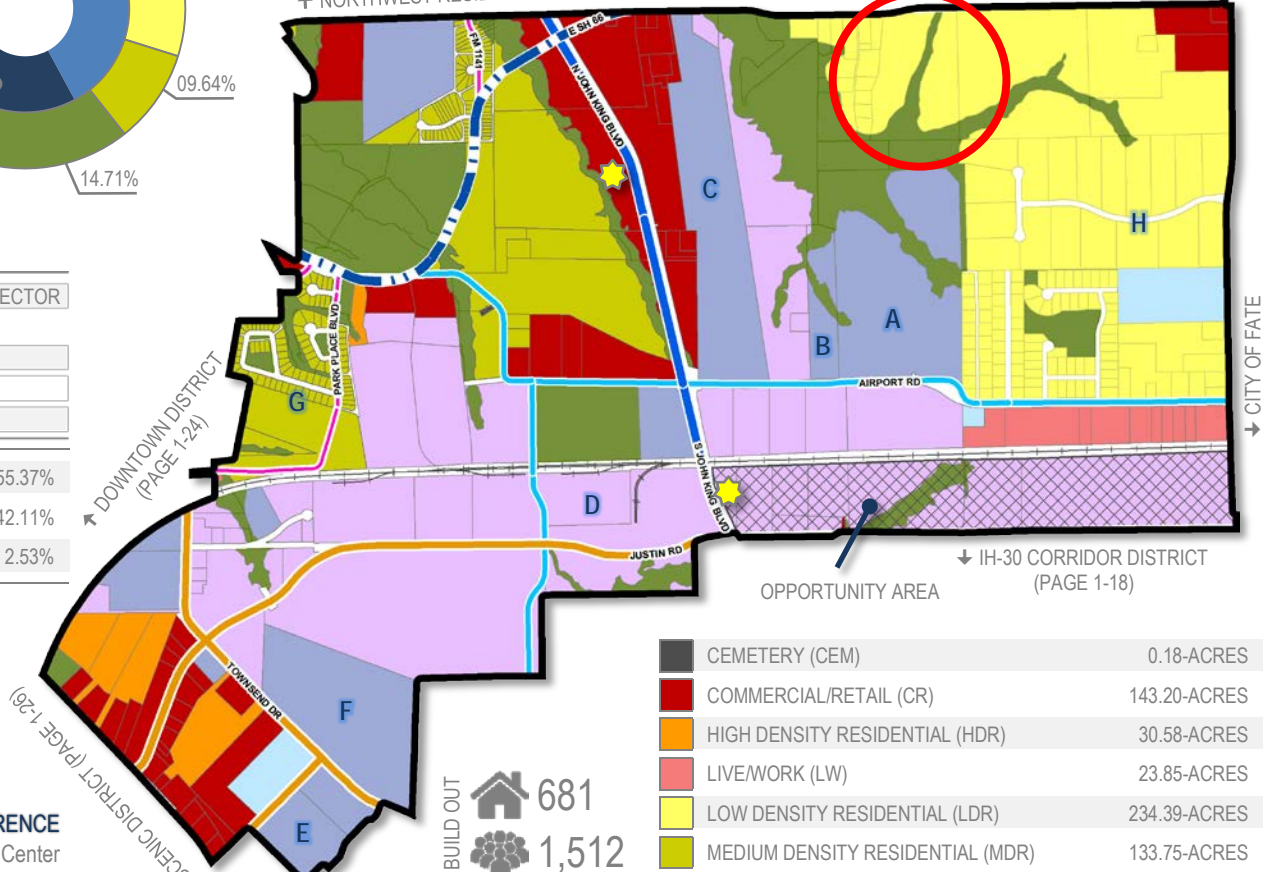
The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (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.

John King Boulevard Trail Plan  
Rest Stop/Trailblazer Pylon



Category	Percentage
MINOR COLLECTOR	
M4U	
M4D	
P6D	
TXDOT 4D	
COMMERCIAL	55.37%
RESIDENTIAL	42.11%
MIXED USE	2.53%

↑ NORTHWEST RESIDENTIAL DISTRICT (PAGE 1-25)    ↑ NORTHEAST RESIDENTIAL DISTRICT (PAGE 1-23)



## 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**  
 220  
 71  
 488

**BUILD OUT**  
 681  
 1,512  
**% OF ROCKWALL**  
 1.10%  
 3.91%  
 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

- 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.

CITY OF ROCKWALL

ORDINANCE NO. 23-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 GENERAL RETAIL (GR) DISTRICT AND SINGLE-FAMILY 1 (SF-1) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 25.87-ACRE TRACT OF LAND IDENTIFIED AS TRACT 14 OF THE D. HARR SURVEY, ABSTRACT NO. 102, 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 Dub Douphrate of Douphrate and Associates, Inc. on behalf of Dewayne Cain for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses, on a 25.87-acre tract of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located on the southside of SH-66 east of the intersection of SH-66 and Davis Drive, 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 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 3.** That development of the *Subject Property* shall generally be in accordance with



the *Density and Development Standards*, outlined 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 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 'B'* 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 (Residential Only)*
  - (2) *Master Plat (Residential Only)*
  - (3) *Preliminary Plat (Residential Only)*
  - (4) *PD Development Plan (Non-Residential Only)*
  - (5) *PD Site Plan*
  - (6) *Final Plat*
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'B'* 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 'B'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with 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 'B'* 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 'B'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks,

trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.

- (g) *Final Plat*. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, 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 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023

**Exhibit 'A':**  
**Survey**

*BEING* a 25.41 acre tract of land situated in the David Harr Survey, Abstract No. 102 and being the same tract of land as described in a Warranty Deed from J. Diane Folzenlogen to the Cain Revocable Family Trust as recorded in Volume 3537, Page 162 of the Deed Records of Rockwall, County, Texas and being more particularly described as follows:

*BEGINNING* at the northeast corner of the Lot 1, Block A of the Widboom Addition, an addition to the City of Rockwall as recorded in Cabinet J, Slide 375 of the Plat Records of Rockwall County, Texas, said point being on the south right-of-way line of S.H. 66 (a 60' wide right-of-way);

*THENCE* along the south line of said S.H. 66 and along a curve to the left having a central angle of 7°13'52", a radius of 990.00' and a chord that bears North 82°52'21" East a distance of 124.86';

*THENCE* along said curve an arc distance of 124.94' to a TXDOT concrete monument with an aluminum cap stamped "1453";

*THENCE* North 79°08'41" East a distance of 127.20' to a TXDOT concrete monument with an aluminum cap stamped "1455", said point being the beginning of a curve to the right having a central angle of 11°05'24", a radius of 905.00' and a chord that bears North 84°41'23" East a distance of 174.90';

*THENCE* along said right-of-way line an arc distance of 175.17' to a busted TXDOT monument found;

*THENCE* South 89°41'47" East along said right-of-way line, a distance of 323.43' to a point for a corner, said point being the northwest corner of Tract 2 of a tract of land conveyed to Cain Family Partnership, Ltd. as recorded in Rockwall File Clerk's No. 2017000009797 of the Real Property Records of Rockwall County, Texas (R.P.R.R.C.T.);

*THENCE* South 00°05'21" West along the west line of said Tract 2, a distance of 1341.99' to a ½" iron rod found at the southwest base of a wood fence corner post, said point being the northwest corner of Lot 10 of the revised Final Plat of Rolling Meadows Estates addition, an addition to Rockwall County, Texas as recorded in Cabinet D, Slide 59 of the Plat Records of Rockwall, County, Texas, said point also being the easterly northeast corner of a tract of land conveyed to Donya Beatrice Sellers as recorded in Instrument No. 20170000020261 of the Real Property Records of Rockwall County, Texas;

*THENCE* South 89°34'34" West along the north line of said Sellers Tract, a distance of 906.59' to a wooden fence corner post being an "ell" corner of said Sellers tract;

*THENCE* North 06°39'29" East along the east line of said Sellers Tract, a distance of 220.86' to a ½" iron pipe found, said point being the southeast corner of a tract of land conveyed to Gary S. Ryan as recorded in Instrument No. 20170000021114 R.P.R.R.C.T.;

*THENCE* North 03°25'15" West a distance of 153.31' to a point for a corner, said point being the northeast corner of said Ryan Tract and the southeast corner of a tract of land conveyed to Alyssa Mock as recorded in Instrument No. 20200000013993 R.P.R.R.C.T.;

*THENCE* North 05°32'26" East a distance of 135.26' to a point for a corner, said point being the northeast corner of said Mock Tract and the southeast corner of a tract of land conveyed to Mark Dailey as recorded in Volume 2242, Page 276 of the Deed Records of Rockwall County, Texas;

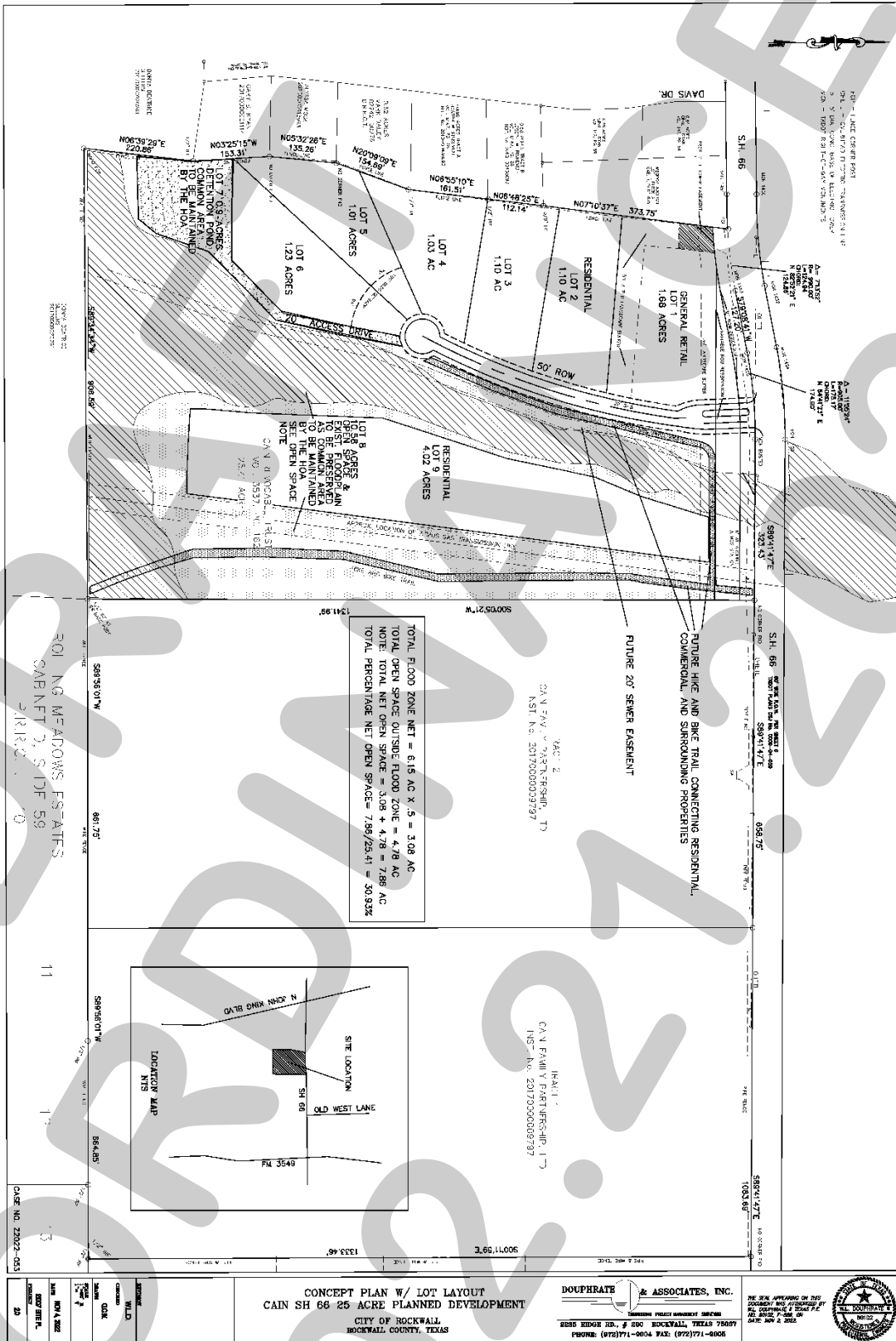
*THENCE* North 20°09'09" East a distance of 154.69' to a ½" iron rod found for the northeast corner of said Dailey Tract and the southeast corner of a tract of land conveyed to Joseph W. Rinkevich as recorded in Volume 6147, Page 28 of the Deed Records of Rockwall County, Texas;

*THENCE* North 06°55'10" East a distance of 161.51' to a ½" iron rod found for a corner;

*THENCE* North 06°48'25" East a distance of 112.14' to a 3/8" iron rod found for the northeast corner of said Rinkevich Tract and the southeast corner of said Widboom Addition;

*THENCE* North 07°10'37" East a distance of 373.75' to the *POINT OF BEGINNING* and containing 25.41 acres or 1,107,008 square feet of land.

Exhibit 'B':  
Concept Plan



**Exhibit 'C':**  
*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 General Retail (GR) District and Single-Family 1 (SF-1) 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*.

(a) Residential Land Uses. Residential land uses shall be allowed only within the area designated for residential lots as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permit by-right or by Specific Use Permit (SUP) for the Single-Family 1 (SF-1) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

(b) Non-Residential Land Uses. Non-residential land uses shall be allowed only within the area designated for *General Retail* land uses as depicted on the *Concept Plan* in *Exhibit 'B'* of this ordinance. These areas are limited to those uses permitted *by-right* or by Specific Use Permit (SUP) for the General Retail (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) and subject to the approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Article 10, *Planned Development District Regulations*, of the Unified Development Code (UDC); however, the subject property shall be subject to the following:

(1) The following land uses shall be allowed through a Specific Use Permit (SUP):

- Freestanding Commercial Antenna (*a Maximum of 110-Feet in Total Height*)

(2) The following land uses shall be expressly prohibited:

- Animal Boarding/Kennel without Outside Pens
- Animal Hospital or Clinic
- Convent, Monastery, or Temple
- Commercial Parking Garage
- Limited-Service, Full-Service, and/or Residence Hotel
- Motel
- Cemetery/Mausoleum
- Church/House of Worship
- Congregate Care Facility/Elderly Housing
- Emergency Ground Ambulance Services
- Hospital
- Mortuary or Funeral Chapel
- Financial Institution with Drive-Through
- Temporary Carnival, Circus, or Amusement
- Outdoor Commercial Amusement/Recreation
- Private Country Club
- Golf-Driving Range
- Temporary Fundraising Events by Non-Profit
- Indoor Gun Club with Skeet or Target Range
- Private Club, Lodge or Fraternal Organization
- Tennis Courts
- Banquet Facility/Event Hall

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

- Brew Pub
- Private Sports Arena, Stadium, and or Track
- Portable Beverage Service Facility
- Temporary Christmas Tree Sales Lot and/or Similar Uses
- Copy Center
- Incidental Display
- Food Trucks/Trailers
- Garden Supply/Plant Nursery
- Self Service Laundromat
- Night Club, Discotheque, or Dance Hall
- Pawn Shop
- Restaurant with less/more than 2,000 SF with a Drive-Through or Drive-In
- Rental Store without Outside Storage and/or Display
- Retail Store with Gasoline Sales that has less/more than Two (2) Dispensers
- Trade School
- Minor Auto Repair Garage
- Full Service Car Wash and Auto Detail
- Self Service Car Wash
- Non-Commercial Parking Lot
- Service Station
- Temporary Asphalt or Concrete Batch Plant
- Mining and Extraction of Sand, Gravel, Oil and/or Other Materials
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

(2) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development District ordinance, the development standards stipulated for the *Subject Property* shall be as follows:

(a) *Residential.* Except as provided by this Planned Development District ordinance, the residential land uses on the *Subject Property* shall be required to meet the development standards for the Single-Family 1 (SF-1) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The maximum permissible density for the *Subject Property* shall not exceed 0.23 dwelling units per gross acre of land; however, in no case should the proposed development exceed 6 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

<i>Lot Type (see Concept Plan) ►</i>	
<i>Minimum Lot Width</i> <sup>(1)</sup>	70'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	43,560 SF
<i>Minimum Front Yard Setback</i> <sup>(2)</sup>	20'
<i>Minimum Side Yard Setback</i>	6'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height</i> <sup>(3)</sup>	36'
<i>Minimum Rear Yard Setback</i> <sup>(4)</sup>	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	3,000 SF
<i>Maximum Lot Coverage</i>	45%

General Notes:

- <sup>1</sup>: The *Minimum Lot Width* shall be measured from the *Front Yard Setback*.
- <sup>2</sup>: The location of the *Front Yard Building Setback* as measured from the front property line. The front yard building setback shall be increased to a minimum of 50-feet adjacent to homes along SH-66.
- <sup>3</sup>: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4</sup>: The location of the *Rear Yard Building Setback* as measured from the rear property line.

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

- (b) *Non-Residential.* Except as modified by this Planned Development District ordinance, the non-residential land uses on the *Subject Property* shall be required to meet the development standards stipulated by the *General Overlay District Standards*, *General Commercial District Standards*, and the standards required for the General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, the *Commercial* area shall be designed to be pedestrian-oriented and easily accessible to the adjacent residential neighborhoods, and be constructed to be integrated with the adjacent uses, not be separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from the adjacent development into the *Commercial* area and through the use of landscaping buffers utilizing a berm and three (3) tiered screening (*i.e.* [1] *a small to mid-sized shrub*, [2] *large shrubs or accent trees*, and [3] *canopy trees on 20-foot centers*), and building design and other urban design elements to create compatibility with the surrounding residential neighborhood.
- (3) *Building Standards for Residential.* 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 90.00% (*excluding dormers and walls over roof areas*). 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 20.00% of the total exterior of the home; however, administrative approval from the Director of Planning and Zoning may be requested for housing plans that utilize cementitious fiberboard in excess of 20.00% of the masonry requirement on a *case-by-case* basis.

**FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD**



*Continued on Next Page ...*

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

**FIGURE 2: EXAMPLES OF BOARD AND BATTEN**



**FIGURE 3: EXAMPLES OF HORIZONTAL LAP**



- (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) or recessed front entry (i.e. the garage door may be oriented toward the street as long as it is setback a minimum of 20-feet behind the front façade of the primary structure). All garage doors shall be required to have upgraded finishes (e.g. divided garage bay doors, carriage style hardware and lighting elements, cedar clad garage doors, or a similar alternative -- to be approved by staff):

*Continued on Next Page ...*



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

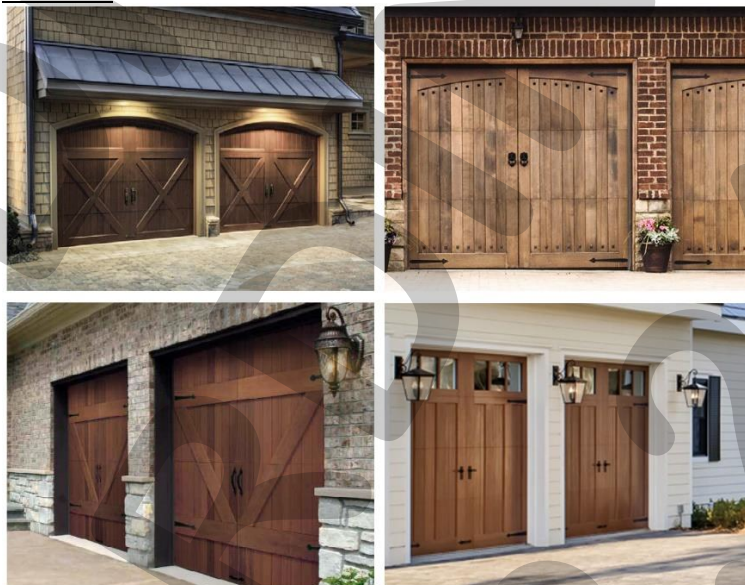
**FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR**



**FIGURE 5: EXAMPLES OF UPGRADED FINISHES**



**FIGURE 6: EXAMPLES OF UPGRADED GARAGES**



- (4) 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

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

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. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
    - (1) Number of Stories
    - (2) Roof Type and Layout
    - (3) Articulation of the Front Façade
  - (c) 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*).
- (5) 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) Wrought Iron/Tubular Steel. All lots shall utilize fencing materials that shall be open in nature and not to exceed six (6) feet in height. Fences that extend beyond the front building line of any structure shall be required to be pipe-rail or similar fencing. No chain-link or wooden fencing shall be allowed.
  - (b) Lots with Floodplain. No fences shall be permitted within the floodplain.
- (6) 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. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional 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 Buffer and Sidewalks (State Highway 66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-linear feet of frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
  - (c) Landscape Buffer (Adjacent to Residential Properties). A minimum of a 50-landscape buffer with a minimum of a 48-inch berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*) along the entire adjacency.

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

- (d) 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 that are less than ten (10) inches and ten (10) feet from public water, sanitary sewer and storm lines that are greater than ten (10) inches. All street trees shall be reviewed with the *PD Site Plan*.
- (e) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'B'* shall be landscaped with a minimum of two (2), four (4) 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), four (4) 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.
- (f) 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).
- (g) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (7) Street. All streets (excluding drives, fire lanes and private parking areas) shall be built according to the City's standards.
- (8) 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.
- (9) 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.
- (10) 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.
- (11) 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*. 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*.

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

- (12) 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. These areas are required to be delineated on the *PD Site Plan*.
- (13) On-Site Sewage Facilities. Septic Systems are permitted on all lots within this subdivision pending conformance to the following standards:
- (a) All *Septic Systems* shall be designed by a licensed *On-Site Sewage Facility (OSSF)* professional (e.g. *licensed engineer, sanitarian, and etcetera*).
  - (b) A stamped and signed copy of the *Septic System* plans indicating the full limits of the septic field shall be submitted to the city at the time of building permit on a *lot-by-lot* basis.
  - (c) All *Septic Systems* shall be inspected and approved by the City's chosen inspector.
- (14) 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

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2022-059; SUP FOR A SMOOTHIE KING AT 150 PECAN VALLEY DRIVE

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### 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  
Concept Plan  
Conceptual Building Elevations  
Concept Landscape Plan  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant with 2,000 SF or more with a Drive-Through (i.e. Smoothie King)* on a 0.579-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary (**1st Reading**).

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** February 21, 2023  
**APPLICANT:** Dwayne Zinn; Cross Engineering Consultants, Inc.  
**CASE NUMBER:** Z2022-059; *SUP for a Smoothie King at 150 Pecan Valley Drive*

---

### **SUMMARY**

Hold a public hearing to discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant with 2,000 SF or more with a Drive-Through (i.e. Smoothie King) on a 0.579-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary.

### **BACKGROUND**

The subject property was annexed on February 3, 1961 by *Ordinance No. 61-02 [i.e. Case No. A1960-002]*. According to the City's historic zoning maps, the subject property was zoned Single-Family 10 (SF-10) District on May 16, 1983. On January 3, 2006, the subject property was rezoned to Planned Development District 65 (PD-65) for limited General Retail (GR) District land uses by *Ordinance No. 06-02*. Since the time of annexation the subject property has remained vacant.

Staff should note that the same request for a *Restaurant with a Drive-Through or Drive-In* has previously been submitted twice (2) by the owner of the subject property. On July 19, 2019, Jake Fears, PE of Weir & Associates, Inc., submit an application for a Specific Use Permit (SUP) [i.e. *Case No. Z2019-014*] for a *Restaurant, Less than 2,000 SF, with a Drive-Through or Drive-In*. The applicant of this case ultimately requested to withdraw the request after failing to address staff comments. This withdraw request was granted by the Planning and Zoning Commission on August 13, 2019 by a vote of 7-0. Following this request, on June 19, 2020, Jake Fears, PE of Weir & Associates, Inc. submitted a subsequent application for a Specific Use Permit (SUP) [i.e. *Case No. Z2020-026*] for a *Restaurant, Less than 2,000 SF, with a Drive-Through or Drive-In*. On July 14, 2020, the Planning and Zoning Commission recommended denial by a vote of 5-1, with Commissioner Welch dissenting and Commissioner Moeller absent. The Planning and Zoning Commission based the recommendation for denial on: [1] traffic concerns, [2] concerns about access to the property, and [3] public opposition. Ultimately the applicant requested that the City Council withdraw the case, and the City Council granted this request on July 20, 2020.

### **PURPOSE**

On December 12, 2022, the applicant -- *Dewayne Zinn of Cross Engineering Consultants, Inc.* -- submitted an application requesting approval of a Specific Use Permit (SUP) for the purpose of constructing a *Restaurant with a Drive-Through or Drive-In* on the subject property. The site is subject to the requirements and land uses stipulated for the General Retail (GR) District as stated in Planned Development District 65 (PD-65) and the Unified Development Code (UDC).

### **ADJACENT LAND USES AND ACCESS**

The subject property is generally located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

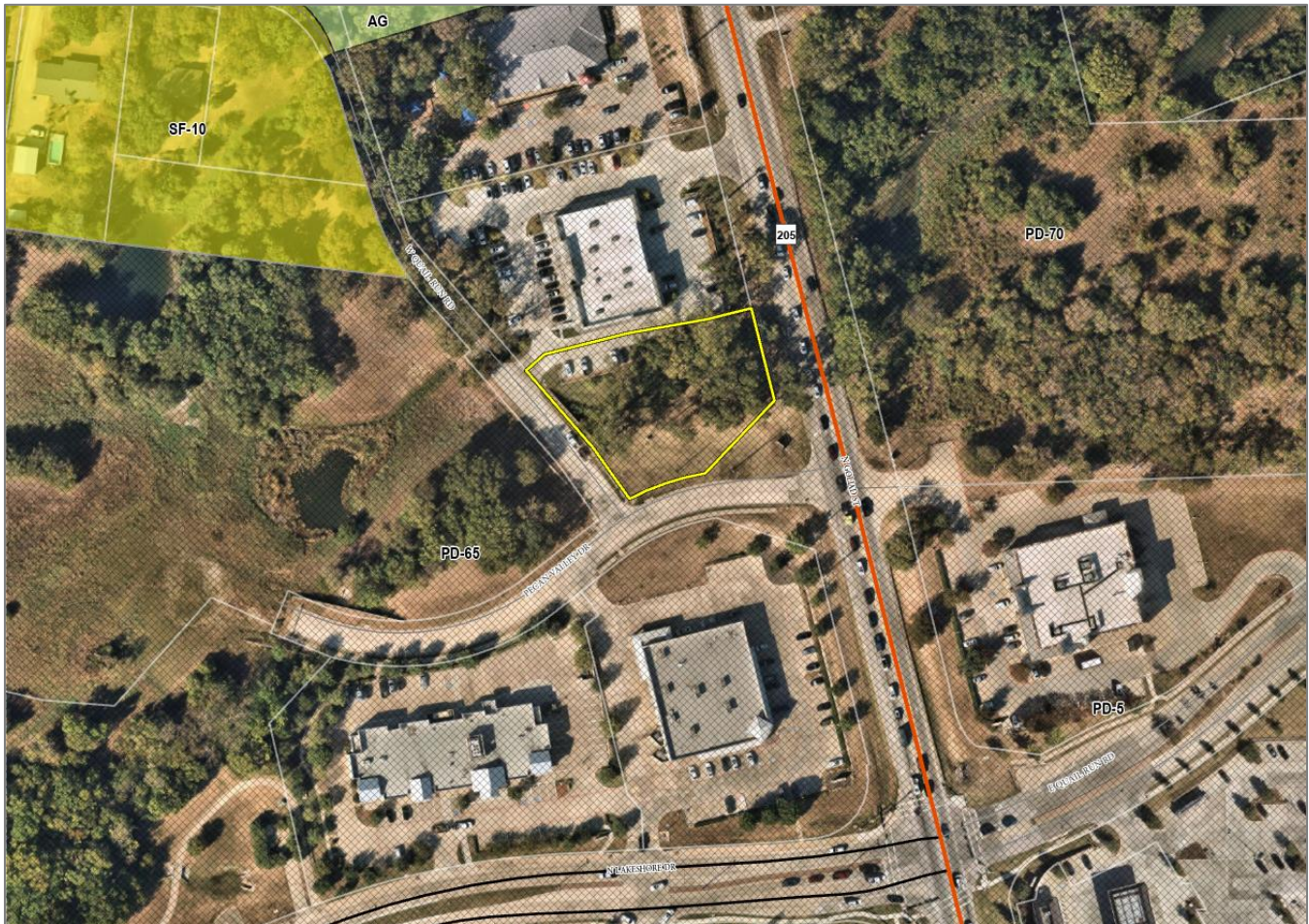
North: Directly north of the subject property is a ~10,900 SF multi-tenant retail facility on a ~1.96-acre parcel of land. Beyond this land use is the Children's Lighthouse Daycare, which is located on a 3.543-acre parcel of land. Both parcels are zoned Planned Development District 65 (PD-65), with a portion of the Children's Lighthouse being zoned Agricultural (AG) District. Continuing north from these properties are additional single-family residential homes zoned Single-Family Estate 1.5 (SFE-1.5) District, Single-Family 16 (SF-16) District, and Agricultural (AG) District.

South: Directly south of the subject property is Pecan Valley Drive, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of this roadway is Walgreens Pharmacy, which is situated on a 1.9894-acre parcel of land zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is North Lakeshore Drive, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan.

East: Directly east of the subject property is N. Goliad Street [SH-205], which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is CVS Pharmacy, which is situated on a 2.519-acre parcel of land zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses. East of the pharmacy is a 62.484-acre vacant tract of land, which is zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses.

West: Directly west of the subject property is W. Quail Run Road, which is designated as a R2U (*residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan. Follow this is an 11.723-acre vacant tract of land zoned Planned Development District 65 (PD-65) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses. In addition, there are five (5) single-family homes zoned Single-Family 10 (SF-10) District.

MAP 1: LOCATION MAP  
YELLOW: SUBJECT PROPERTY



## **CHARACTERISTICS OF THE REQUEST**

The applicant is requesting the approval of a Specific Use Permit (SUP) to allow for *Restaurant with less than 2,000 SF with a Drive-Through or Drive-In* on a 0.579-acre portion of a larger 2.542-acre parcel of land. If approved, the development will be located on the northern portion of the parcel where the existing floodplain is located. The concept plan submitted by the applicant indicates that the floodplain on the subject property, that is part Squabble Creek tributary, will be piped across the property.

## **CONFORMANCE WITH THE CITY'S CODES AND STAFF ANALYSIS**

According to Planned Development District 65 (PD-65) the subject property is subject to the land uses permitted for the General Retail (GR) District, and according to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) a *Restaurant with less than 2,000 SF with a Drive-Through or Drive-In* requires a Specific Use Permit (SUP) in the General Retail (GR) District. In addition, the conditional use section of this article requires the following additional requirements for this land use:

- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles.

The concept plan provided by the applicant shows that the proposed drive-through lane will be able to accommodate exactly six (6) standard sized motor vehicles from the point of order, which conforms to the above requirements. To access the proposed development the applicant is proposing taking access off of an existing drive constructed with *retail center* located north of the subject property. The concept plan also indicates a landscape buffer along N Goliad Street, Pecan Valley Drive, and Quail Run Road, where a note indicates the proper headlight screening will be provided.

Looking at the City's parking requirements, the proposed land use would be considered a full-service restaurant (*i.e. provides indoor or on-site dining facilities*). Based on this designation, the minimum parking requirement would be one (1) parking space per 100 SF of building area, which would translate to a minimum parking requirement of 22 parking spaces. Currently, the concept plan also shows a retail tenant as well. According to the concept plan the retail tenant will require an additional nine (9) parking spaces; for a total of 31 required parking spaces. The proposed concept plan indicates that 27 parking spaces will be provided, with the note that a shared parking agreement will be acquired between the subject property and the retail center to the north. Staff reviewed the parking for the adjacent property to the north and determined that with the shared parking agreement both properties will meet the parking requirements.

With this being said, this request does require a Specific Use Permit (SUP), granting the City Council discretion pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On December 13, 2022, staff mailed 20 notices to property owners and residents within 500-feet of the subject property. Staff also notified The Shores on Lake Ray Hubbard, Random Oaks/Shores, Stone Creek, Quail Run Valley, and Lakeview Summit Homeowners Associations (HOA's), which are the only Homeowners Associations (HOA's) or Neighborhood Organizations located within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received one (1) notice in opposition to the applicant's request.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request to allow for a *Restaurant with 2,000 SF or more with a Drive-Through or Drive-In*, then staff would propose the following conditions of approval:



- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) That the development and operation of a *Restaurant with 2,000 SF or more with Drive-Through or Drive-In* land use shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the draft ordinance; and,
  - (b) That the development and operation of the proposed drive-through restaurant meet the minimum staking lane requirement of six (6) vehicle for each lane from the service window; and,
  - (c) That the development and operation of the proposed drive-through restaurant provide additional landscape screening to impair the visibility of headlights from motor vehicles.
- (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 February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Specific Use Permit (SUP) by a vote of 5-2, with Commissioners Deckard and Hustings dissenting.



# 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)<sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE)<sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)<sup>2</sup>

#### NOTES:

<sup>1</sup>: 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.

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	150 Pecan Valley Drive			
SUBDIVISION	Pecan Valley Retail	LOT	2	BLOCK A
GENERAL LOCATION	NW corner of Pecan Valley Drive and SH 205			

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	PD-65	CURRENT USE	Vacant	
PROPOSED ZONING	PD-65	PROPOSED USE	Retail/Restaurant	
ACREAGE	0.579	LOTS [CURRENT]	1	LOTS [PROPOSED] 1

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

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

<input type="checkbox"/> OWNER	JCDB Goliad Holdings, LLC	<input checked="" type="checkbox"/> APPLICANT	Cross Engineering Consultants, Inc.
CONTACT PERSON	Chad Dubose	CONTACT PERSON	Dwayne Zinn
ADDRESS	8350 N. Central Expressway Suite 1300	ADDRESS	1720 W. Virginia St.
CITY, STATE & ZIP	Dallas, TX 75206	CITY, STATE & ZIP	McKinney, TX 75069
PHONE	214-561-6522	PHONE	972-562-4409
E-MAIL	chad@foremark.com	E-MAIL	Dwayne@crossengineering.biz

## NOTARY VERIFICATION [REQUIRED]

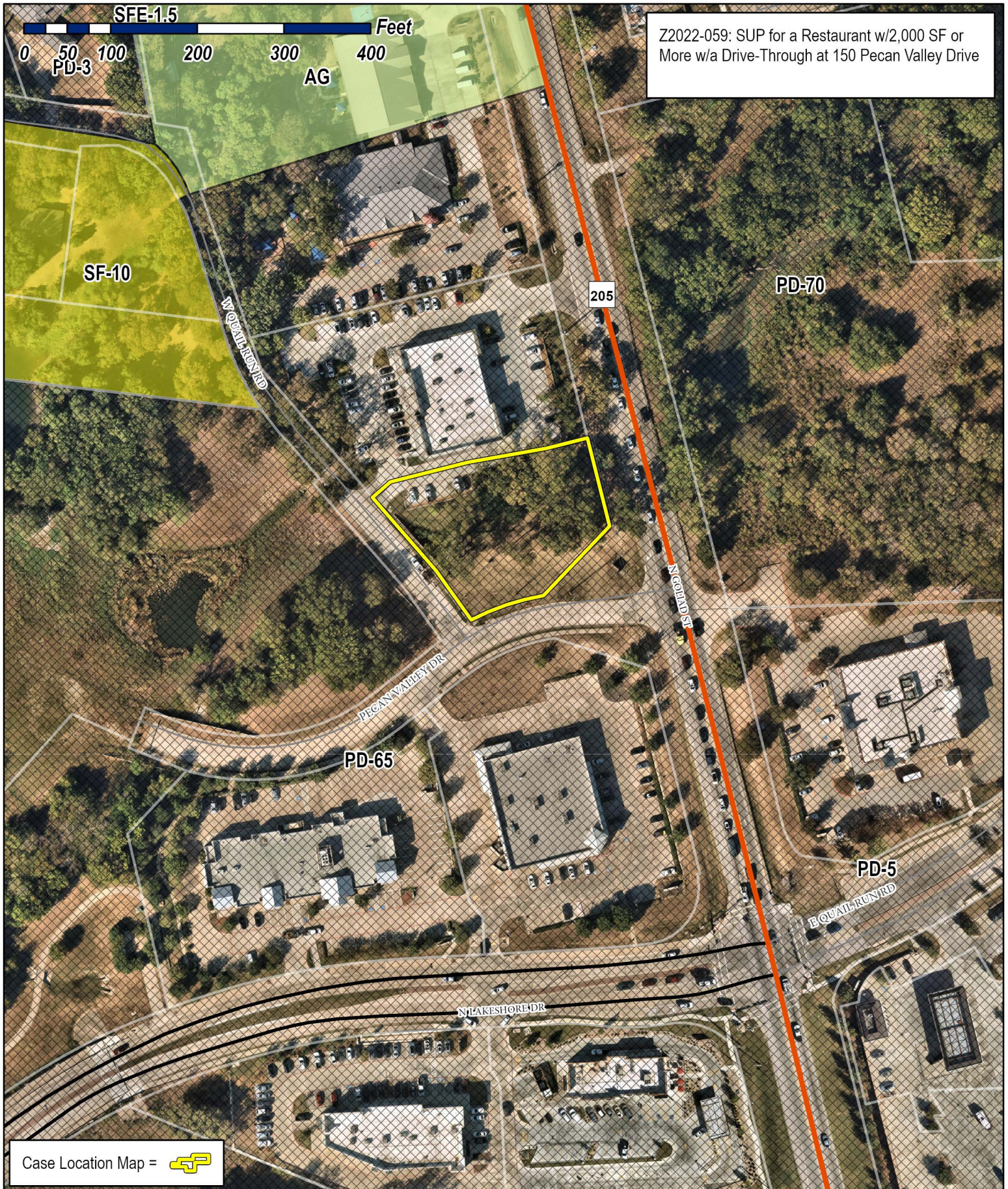
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Chad Dubose [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12th DAY OF December, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."


GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF December 2022  
OWNER'S SIGNATURE Chad Dubose

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]





Z2022-059: SUP for a Restaurant w/2,000 SF or More w/a Drive-Through at 150 Pecan Valley Drive

Case Location Map = 



# City of Rockwall

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

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

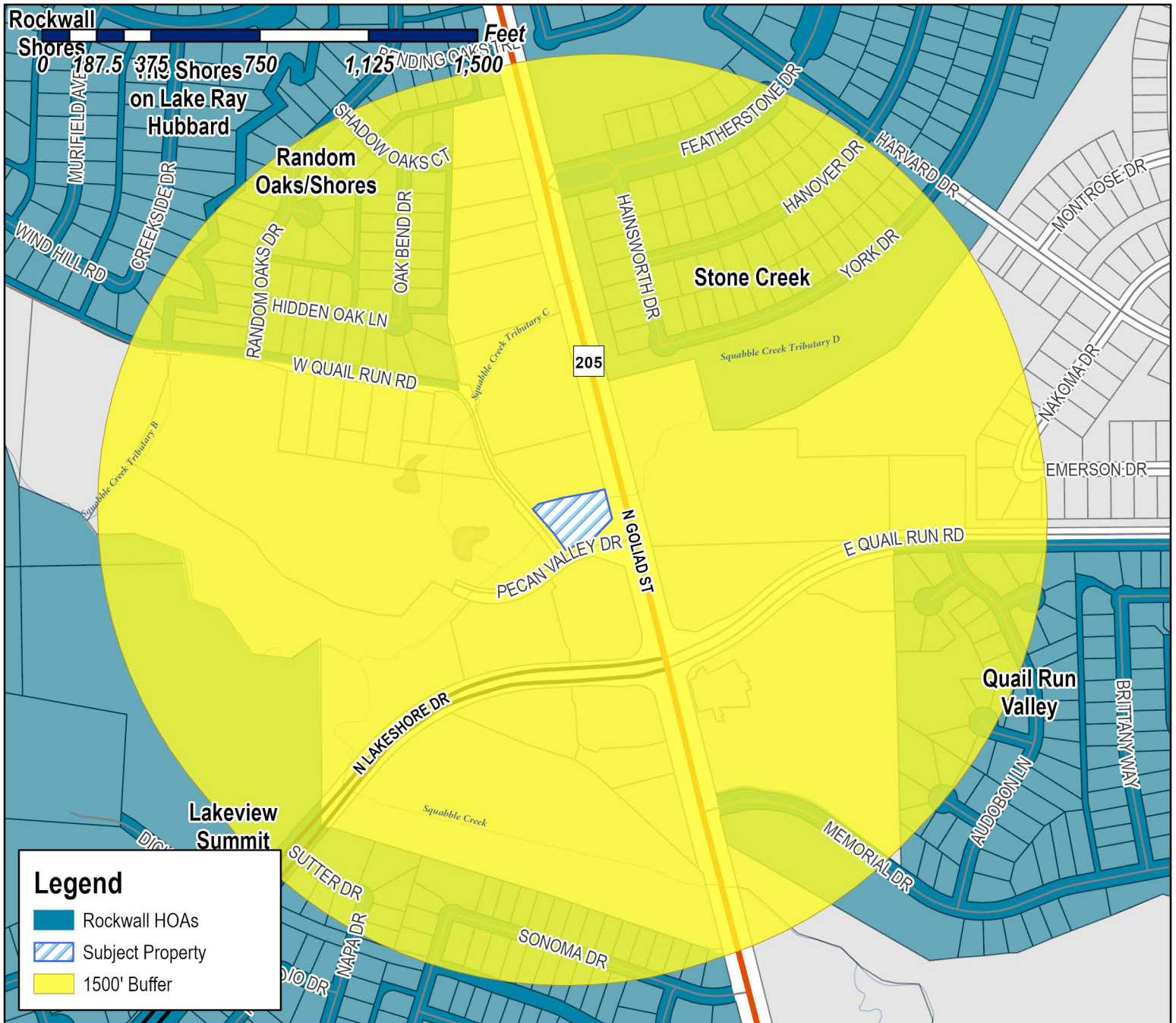




# City of Rockwall

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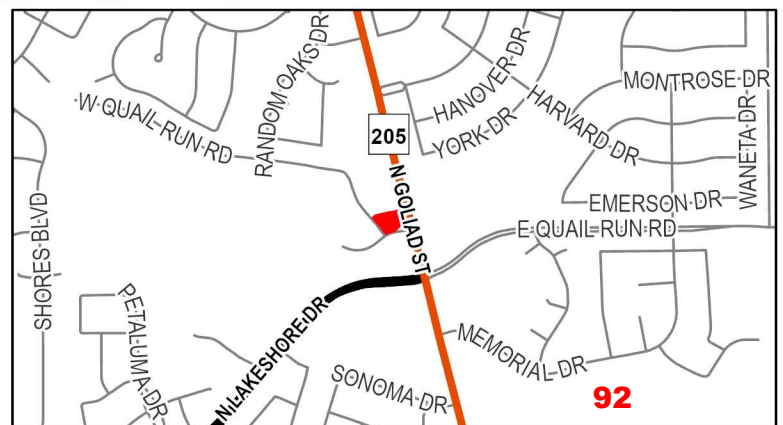
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**Case Number:** Z2022-059  
**Case Name:** SUP for Restaurant w/2,000 SF or More w/a Drive Through  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Saved:** 12/13/2022

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



## Lee, Henry

---

**From:** Guevara, Angelica  
**Sent:** Wednesday, December 14, 2022 3:03 PM  
**Cc:** Miller, Ryan; Ross, Bethany; Chapin, Sarah; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2022-059]  
**Attachments:** Public Notice Z2022-059.pdf; HOA Map (12.13.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 16, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 17, 2023 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](mailto: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>.

### **Z2022-059: SUP for a Restaurant w/2,000 SF or More w/a Drive-Through**

Hold a public hearing to discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the approval of a *Specific Use Permit (SUP)* for a *Restaurant with 2,000 SF or more with a Drive-Through (i.e. Smoothie King)* on a 0.579-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary.

Thank you,

*Angelica Guevara*

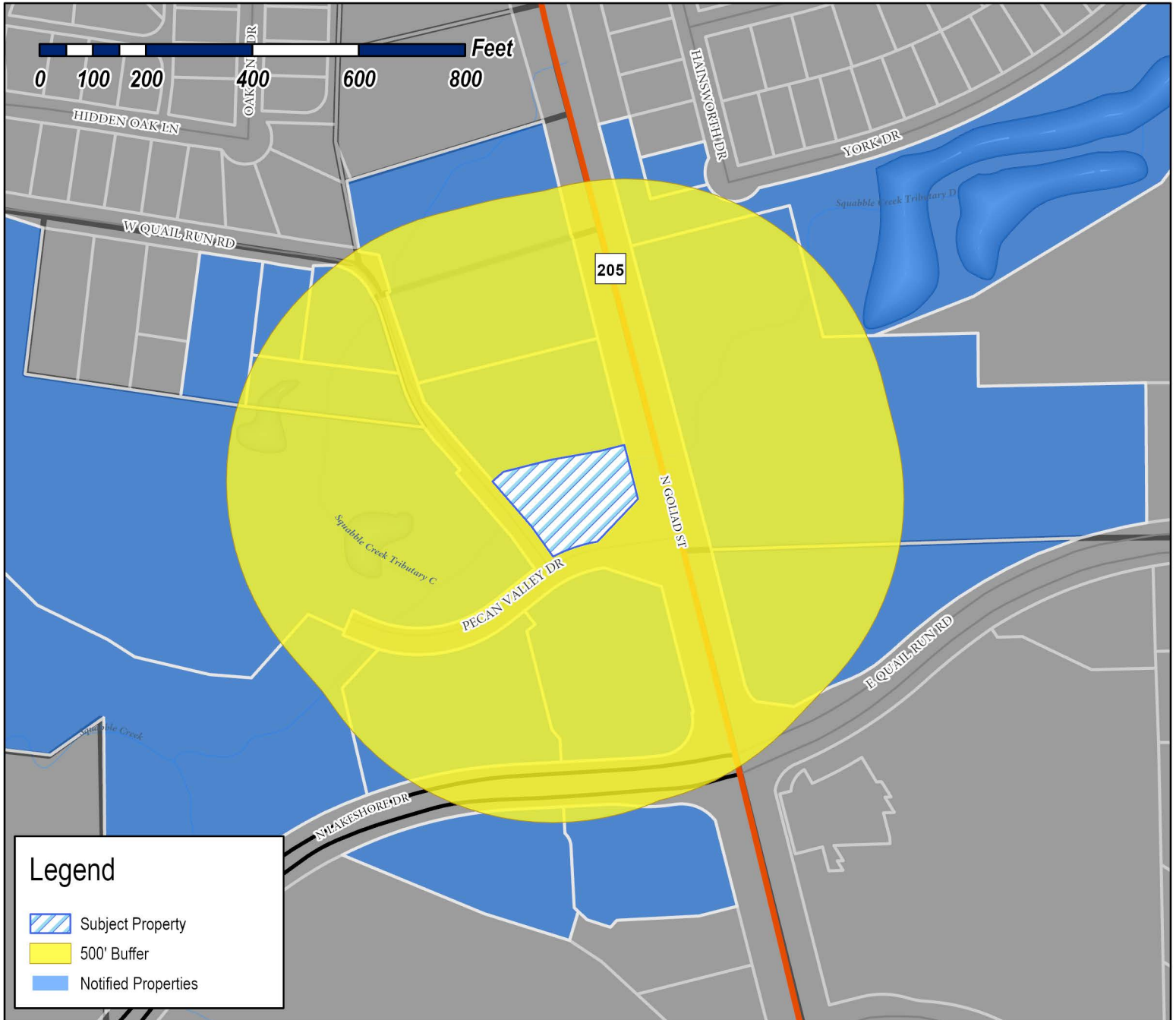
Planning Technician  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-772-6438




# 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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**Legend**

-  Subject Property
-  500' Buffer
-  Notified Properties

**Case Number:** Z2022-059  
**Case Name:** SUP for Restaurant w/2,000 SF or More w/a Drive-Through  
**Case Type:** Zoning  
**Zoning:** Planned Development District 65 (PD-65)  
**Case Address:** 150 Pecan Valley Drive

**Date Saved:** 12/13/2022

For Questions on this Case Call: (972) 771-7746



ROCKWALL STONE CREEK ESTATES  
HOMEOWNERS ASSOCIATION INC  
C/O NEIGHBORHOOD MANAGEMENT INC  
1024 S GREENVILLE AVE SUITE 230  
ALLEN, TX 75002

RESIDENT  
165 E QUAIL RUN RD  
ROCKWALL, TX 75087

CHAPMAN BOBBY E II AND AMY L CHAMPMAN  
1821 HAINSWORTH DRIVE  
ROCKWALL, TX 75087

RESIDENT  
1979 N GOLIAD  
ROCKWALL, TX 75087

RESIDENT  
2004 N GOLIAD  
ROCKWALL, TX 75087

RESIDENT  
2007 N GOLIAD  
ROCKWALL, TX 75087

DEAN LANTY W & MARY F  
216 W QUAIL RUN RD  
ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A  
218 W QUAIL RUN RD  
ROCKWALL, TX 75087

RESIDENT  
2265 NORTH LAKESHORE DR  
ROCKWALL, TX 75087

RESIDENT  
2268 N Lakeshore  
ROCKWALL, TX 75087

RESIDENT  
3005 N GOLIAD ST  
ROCKWALL, TX 75087

RESIDENT  
3009 N GOLIAD  
ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC  
C/O ROCKWALL REGIONAL HOSPITAL, LLC; ATTN  
LEGAL DEPT.  
3150 HORIZON RD  
ROCKWALL, TX 75032

CH RETAIL FUN II/DALLAS LAKESHORE LP  
3819 MAPLE AVENUE  
DALLAS, TX 75219

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

JAVKER REALTY CORP  
42 BOND ST  
NEW YORK, NY 10012

ROCKWALL BROXY LLC  
C/O KABATECK LLP  
633 WEST FIFTH STREET SUITE 3200  
LOS ANGELES, CA 90071

STONE CREEK BALANCE LTD  
8214 WESTCHESTER STE 900  
DALLAS, TX 75225

JCDB GOLIAD HOLDINGS LLC C/O DA GOLIAD  
PARTNERS LP AND  
DAVID R NELSON-ROTH IRA AND DAVID NELSON  
8350 N CENTRAL EXPRESSWAY SUITE 1300  
DALLAS, TX 75206

MOORE WORTH INVESTMENTS LLC  
8445 FREEPORT PKWY SUITE 175  
IRVING, TX 75063

# 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:

**Z2022-059: SUP for a Restaurant w/2,000 SF or More w/ A Drive-Through**

Hold a public hearing to discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant with 2,000 SF or more with a Drive-Through (i.e. Smoothie King) on a 0.579-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 17, 2023 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. Z2022-059: SUP for a Restaurant w/2,000 SF or More w/ A Drive-Through**

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 comment 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



# 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:

## Z2022-059: SUP for a Restaurant w/2,000 SF or More w/ A Drive-Through

Hold a public hearing to discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant with 2,000 SF or more with a Drive-Through (i.e. Smoothie King) on a 0.579-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, January 17, 2023 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. Z2022-059: SUP for a Restaurant w/2,000 SF or More w/ A Drive-Through

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.

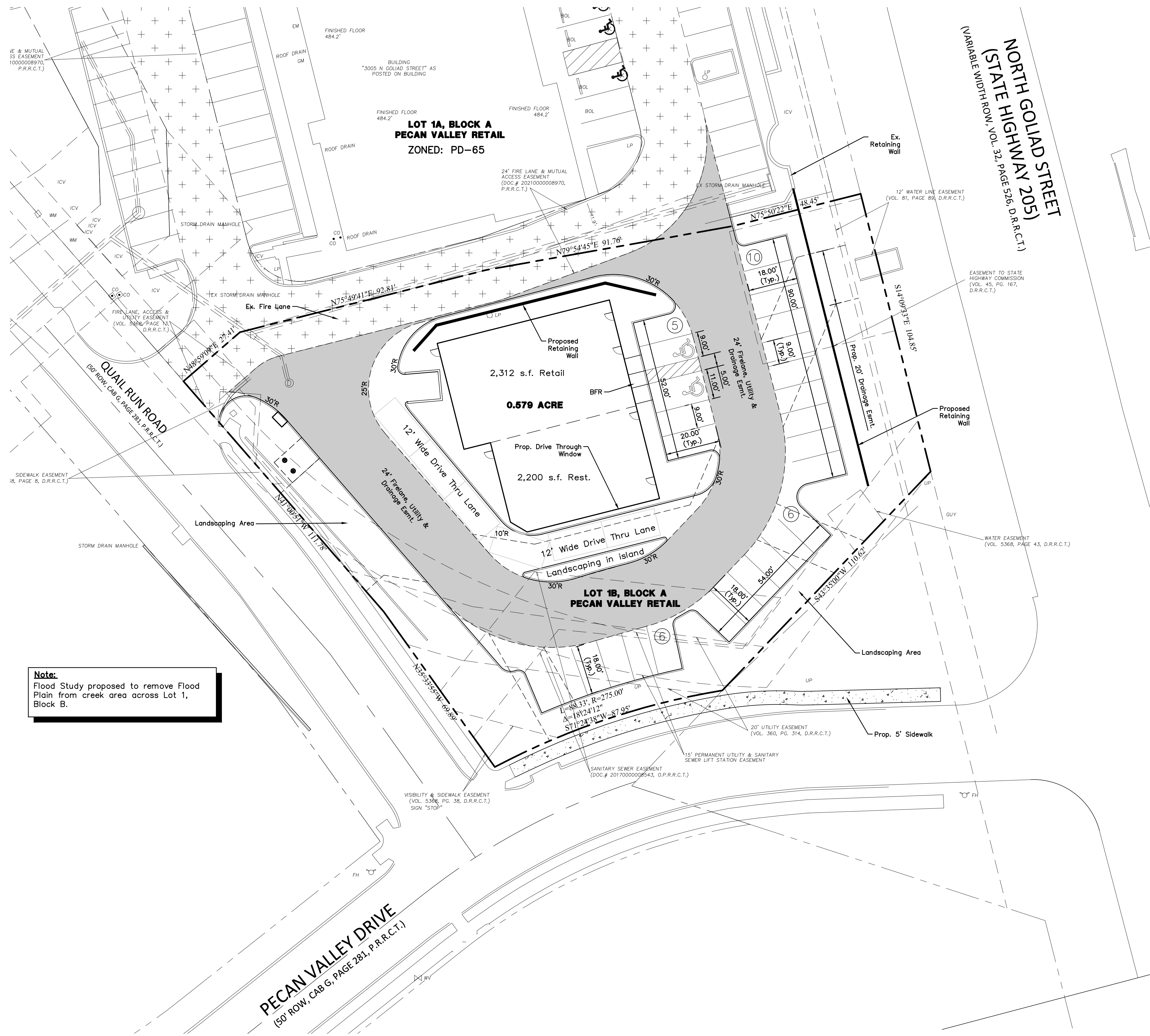
*too much traffic - dangerous! going in or coming out - will be dangerous!  
not much green area left in Rockwall and this is a small lot that will destroy area*

Name: *MARY F. and LANTY DEAN*

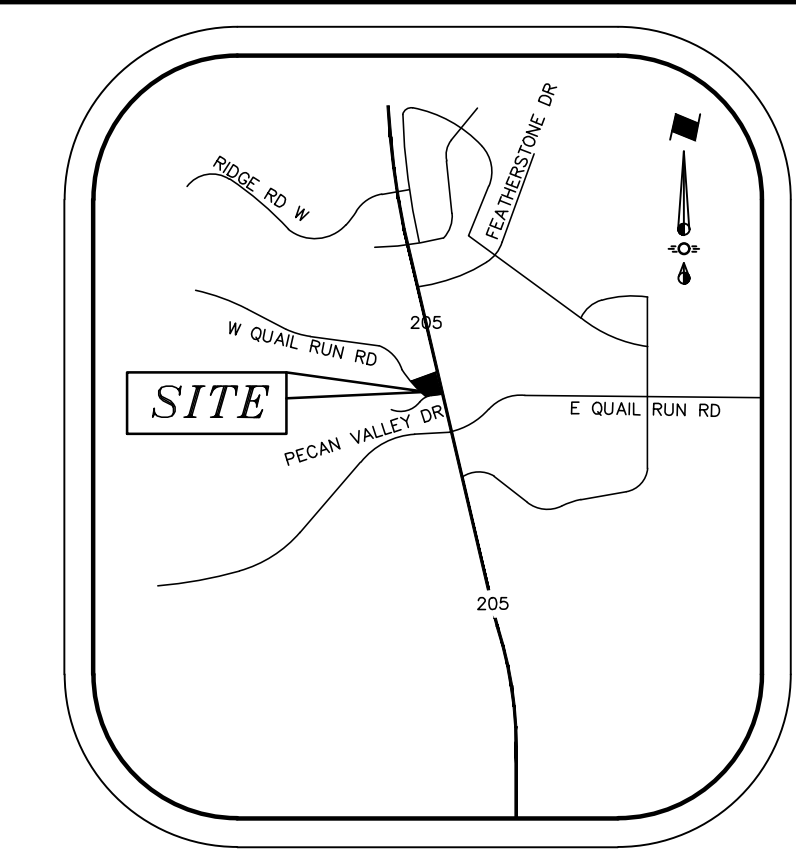
Address: *216 W. Quail Run Rd.*

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.

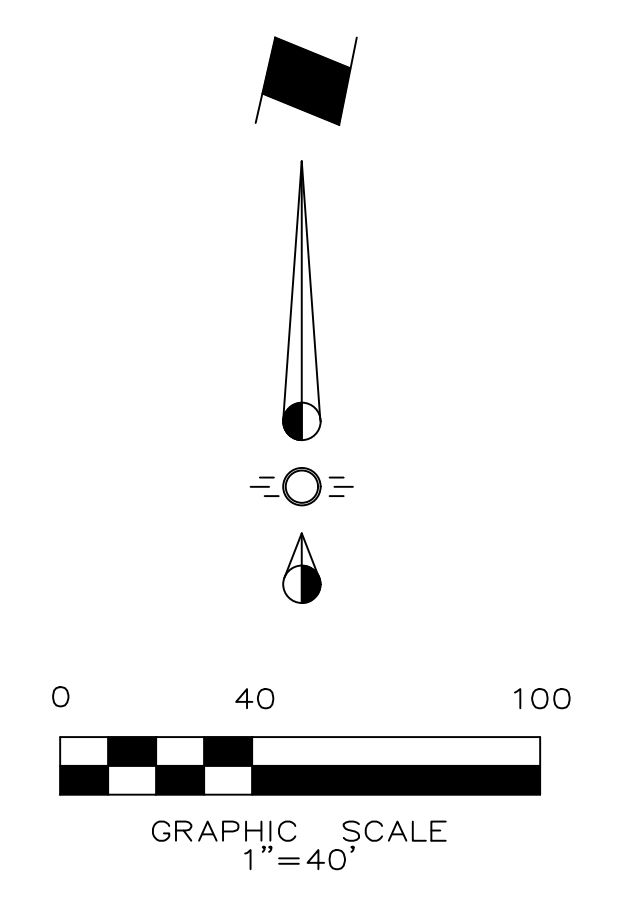
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



**Note:**  
Flood Study proposed to remove Flood Plain from creek area across Lot 1, Block B.



**VICINITY MAP**  
NTS



- LEGEND**
- Proposed Firelane
  - Proposed Sidewalk
  - Ex. Firelane
  - Proposed Retaining Wall
  - Proposed Wheel Stop Typical
  - Existing Fire Hydrant
  - Proposed Fire Hydrant
  - BFR Barrier Free Ramp

**SYNOPSIS**

Zoning: PD-65 w/ N. SH 205 Overlay  
 Proposed Use: Retail/Restaurant  
 Lot Area: 0.7621 Acres (33,198 sf)  
 Building Areas: Building 4,512 sf  
 Lot Coverage: 13.59% (Total Bldg Area 4,512 sf)  
 Floor Area Ratio: 0.14 : 1  
 Building Height: 25'

Required Parking: Retail 1:250 (2,312/250) = 9 Spcs.  
 Restaurant 1:100 (2200/100) = 22 Spcs

Parking Required Total:	31 Parking Spaces
Parking Provided Total:	27 Parking Spaces (2 HC)

Note: 4 Parking Spaces to be provided by Lot 1A, Block A, via a shared parking agreement, to be effective after plat has been recorded.

**Note:**  
Proposed grades on site at location of parking stalls, facing the adjacent streets, will be on average 2-3 feet below the adjacent streets, except at the intersection of Pecan Valley and Quail Run. The areas that are lower will provide evergreen shrubs for screening headlights, with no berm needed. Where the parking is level with the adjacent grades, excess fill material to create a berm is not allowed by Engineering, due to the depth of the existing sanitary sewer. Evergreen shrubs will be planted as high as allowed, and planted as densely as feasible for proper growth.

**ENGINEER:**  
Cross Engineering Consultants, Inc.  
1720 W. Virginia Street  
McKinney, Texas 75069  
Phone (972) 562-4409  
Fax (972) 562-4471  
Contact: Jon David Cross, P.E.

**ARCHITECT:**  
Matt King Architect  
4308 Cherry Lane  
Melissa, Tx 75454  
Phone (469) 742-0678  
Contact: Matt King

**SURVEYOR:**  
Barton Chapa Surveying  
5200 SH 121  
Colleyville, TX. 76034  
Phone (817) 864-1957  
Contact: Jack Barton

NOTE: THIS IS NOT A CONSTRUCTION DOCUMENT.  
THIS DOCUMENT IS FOR CONCEPTUAL PLANNING PURPOSES ONLY.

CASE NO. Z2022-059

Issue Dates:	Revision & Date:	<b>CROSS ENGINEERING CONSULTANTS</b>		
1	1	1720 W. Virginia Street McKinney, Texas 75069 972.562.4409		
2	2	McKinney, Texas 75069 Texas P.E. Firm No. F-5935		
3	3	Drawn By:	Checked By:	Scale:
4	4	C.E.C.I.	C.E.C.I.	1"=40'
5	5			
6	6			

<b>SUP SITE PLAN</b>	Sheet No. <b>SUP</b>
SMOOTHIE KING ROCKWALL	
DA Goliad Partners, LP	
CITY OF ROCKWALL, TEXAS	
Project No. 20089	

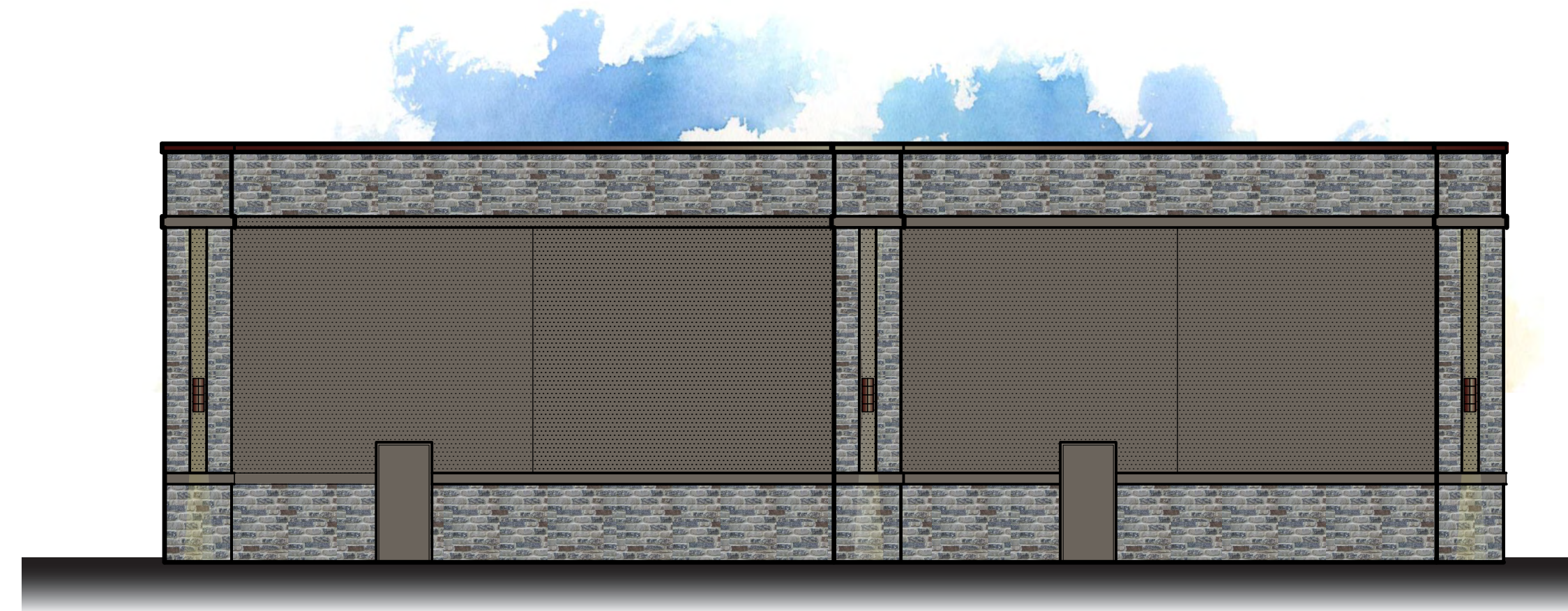
SMOOTHIE KING ROCKWALL

PRELIMINARY NOT  
 FOR REGULATORY APPROVAL,  
 PERMITTING OR CONSTRUCTION.  
 FOR INTERIM REVIEW ONLY.  
 MATTHEW P. KING  
 ARCHITECT  
 TX REGISTRATION  
 NO. 17957  
 9-15-22

DO NOT SCALE  
 THESE PLANS



**1 east elevation**  
 scale: 3/16" = 1'-0"



**2 west elevation**  
 scale: 1/8" = 1'-0"



**2 south elevation**  
 scale: 1/8" = 1'-0"



**4 north elevation**  
 scale: 1/8" = 1'-0"

EXTERIOR MATERIALS:  
 1. STOREFRONT, AWNINGS & ROOFING; DARK BRONZE ANODIZED ALUMINUM.  
 2. THREE STEP STUCCO COLOR: SW 7047 PORPOISE  
 3. STONE: 1 1/2" THICK SILVER MIST LIMESTONE; RANDOM ASHLAR PATTERN. CALL CARTER LYON AT SPECIFIED PRODUCTS  
 MITERED OUTSIDE CORNER RETURNS  
 SUBMIT SAMPLES TO OWNER TO CONFIRM

Owner:  
 DA 3009 Goliad Partners, LP  
 14114 Dallas Parkway #670  
 Dallas, Texas 75254

Project:  
**Shell Building**  
 3005 N. Goliad  
 Rockwall, Texas 75087

Scale: as noted  
 Issue For:  
 submittal 9-15-22

Sheet Number:

**A1**  
 Exterior Elevations

**LANDSCAPE NOTES:**

- ALL LANDSCAPE REQUIREMENTS AND UNDERGROUND IRRIGATION SYSTEM WILL CONFORM TO THE LOCAL CITY ORDINANCE AND DESIGN STANDARDS AND ANY REQUIREMENTS OF THE STATE, IF APPLICABLE.
- NO PLANT MATERIAL SHALL BE PLANTED UNTIL THE LANDSCAPE IRRIGATION SYSTEM HAS BEEN INSTALLED AND IS OPERATING WITH 100% COVERAGE OF PROPOSED LANDSCAPE AREAS.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES, CABLES, STRUCTURES AND LINE RUNS.
- THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF ALL QUANTITIES BASED ON THE DRAWING(S) AND ACTUAL FIELD DIMENSIONS. PLANT QUANTITIES HAVE BEEN PROVIDED AS A CONVENIENCE ONLY TO THE OWNER(S) AND SHALL NOT BE CONSIDERED ABSOLUTE. CONTRACTOR SHALL FOLLOW DESIGN INTENT.
- NOTIFY THE OWNER OF ANY DISCREPANCIES THAT ARISE DURING THE CONSTRUCTION PERIOD. FAILURE TO MAKE SUCH DISCREPANCIES KNOWN TO OWNER WILL RESULT IN THE CONTRACTOR'S LIABILITY TO REDO WORK AS NECESSARY TO ACHIEVE THE DESIGN INTENT.
- PROTECT EXISTING VEGETATION, EQUIPMENT, STRUCTURES, UTILITIES, AND OTHER IMPROVEMENTS AT THE PROJECT SITE AND ON ADJACENT PROPERTIES, EXCEPT THOSE INDICATED TO BE REMOVED OR ALTERED. ALL AREAS DISTURBED BY DEMOLITION AND CONSTRUCTION ACTIVITIES SHALL BE REPAIRED AND RESTORED TO THEIR PRE-CONSTRUCTION CONDITION INCLUDING: PAVEMENTS, LANDSCAPE AREAS, IRRIGATION AND LIGHTING.
- PROVIDE MEASURES AS REQUIRED TO PREVENT EROSION AND DISCHARGE OF SOIL-BEARING RUNOFF AND AIRBORNE DUST TO UNDISTURBED AREAS AND ADJACENT PROPERTIES, SIDEWALKS, STREETS, AND OTHER PAVED SURFACES.
- ALL PROPOSED SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR INSTALLATION.
- NOTIFY THE LANDSCAPE ARCHITECT IF LAYOUT OF TREES, BEDS AND/OR PLANTS REQUIRE ALTERATION FROM THE LANDSCAPE PLAN. NOTIFICATION WILL BE REQUIRED PRIOR TO ALTERING THE LAYOUT.
- TREES SHALL BE HANDLED BY ROOT BALLS ONLY. DO NOT DAMAGE BALL, TRUNK, OR LOOSE TRUNK FROM BALL. TREE TRUNKS ARE TO BE PLANTED STRAIGHT AND MAY BE REQUIRED BY THE OWNER AND/OR THE LANDSCAPE ARCHITECT TO BE STAKED.
- WHERE NEWLY PLANTED TREES ARE NOT ABLE TO STAND ON THEIR OWN, TREES SHALL BE STAKED WITH AN AT-GRADE ROOT BALL SECURING SYSTEM. THE SYSTEM SHALL SECURELY ANCHOR THE ROOT BALL, WHILE ALLOWING THE TRUNK AND CROWN TO MOVE NATURALLY. THE SYSTEM SHALL NOT USE MATERIALS AND METHODS THAT PENETRATE OR DAMAGE THE ROOT BALL. ABOVE GRADE STAKING SYSTEMS SUCH AS "T" POSTS WITH WIRES, HOSES, STRAPS, OR GUY WIRES WRAPPED AROUND THE TREE TRUNK SHALL NOT BE ALLOWED UNLESS AUTHORIZED BY THE LANDSCAPE ARCHITECT.
- ALL TREES TO BE UNIFORM BY SPECIES WITH STRAIGHT TRUNKS AND MATCHING CHARACTER AND BRANCHING STRUCTURE.
- ALL TREE LOCATIONS SHALL BE APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE PRIOR TO PLANTING.
- FINAL LOCATIONS OF PLANT MATERIAL IS SUBJECT FOR REVIEW AND APPROVAL BY OWNER PRIOR TO PLANTING.
- PROVIDE POSITIVE DRAINAGE THROUGHOUT THE PROJECT AREA. NO PONDING OR STANDING WATER IS ACCEPTABLE.
- CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL BUILDINGS.
- AT NO TIME WILL ANY PLANT MATERIAL BE ALLOWED TO SETTLE BEYOND THE TOP OF THE ROOT FLARE OR POTTED SOIL LINE. SHOULD PLANT MATERIAL SETTLE, THE PLANT(S) WILL BE REPLANTED AT THE PROPER HEIGHT AND/OR REPLACED IF NECESSARY AT THE CONTRACTOR'S COST.
- ALL PROPOSED BED AREAS SHALL BE TILLED TO A DEPTH OF SIX INCHES (6"), ADDING A THREE INCH (3") MINIMUM LAYER OF ORGANIC COMPOST DURING THE PROCESS. THE LEVEL OF THE BED AREAS SHOULD BE LEFT THREE INCHES (3") ABOVE THE PROPOSED FINISHED GRADE TO ALLOW FOR COMPACTION AND SETTLEMENT.
- ALL BED AREAS SHALL BE SEPARATED FROM TURF AREAS USING 1/8" X 4" STEEL EDGING, PAINTED GREEN. ALL ENDS OF STEEL EDGE RUNS SHALL HAVE A RADIUS OR 45 DEGREE ANGLE TO ELIMINATE SHARP EDGES. HAND FILING MAY BE REQUIRED TO ACHIEVE A SMOOTH EDGE.
- TRIM STEEL EDGING AT A 45 DEGREE ANGLE WHEN EDGING INTERSECTS WITH A WALK OR CURB. DO NOT INSTALL EDGING ALONG CURBS OR WALKS.
- ALL LANDSCAPE BEDS SHALL RECEIVE A TWO INCH (2") TOP DRESS LAYER OF HARDWOOD MULCH AND ALL TREE WELLS SHALL RECEIVE A THREE INCH (3") LAYER OF SHREDDED HARDWOOD MULCH. DO NOT COVER ROOT FLARE.
- TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
- TURF AREAS SHALL BE CLEAN OF DEBRIS AND RAKED (GRADED) SMOOTH PRIOR TO HYDROMULCH OR SOD INSTALLATION. LANDSCAPE CONTRACTOR TO RECEIVE GRADE WITHIN APPROX. 1/10th OF FINAL GRADE.
- OWNER RESPONSIBLE TO PROVIDE ELECTRICAL SERVICE FOR THE IRRIGATION SYSTEM, WHICH INCLUDES A HARDWARE OF 110 VOLTS AT MINIMUM FOR THE CONTROLLER.
- ALL LANDSCAPING LOCATED WITHIN THE VISIBILITY TRIANGLES SHALL COMPLY WITH THE VISIBILITY TRIANGLE REQUIREMENTS AS PER THE CITY STANDARDS.
- ALL LIGHT POLES MAY NOT BE SHOWN ON THE PROJECT SITE OR ADJACENT PROPERTIES. IF A PROPOSED TREE IS IN CONFLICT WITH ANY LIGHT OR UTILITY POLE, THE CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT, TO DETERMINE OPTIONS, PRIOR TO PLANTING.
- ALL PLANTS AND TREES ARE TO CONFORM TO AMERICAN ASSOCIATION OF NURSERYMEN AND TEXAS ASSOCIATION OF NURSERYMEN STANDARDS.
- THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REFUSE ANY LANDSCAPE MATERIAL ON SITE.

**EXISTING TREE SCHEDULE**

NUMBER	SIZE & TYPE	STATUS
2561	22" PECAN	MITIGATE
2562	16" PECAN	MITIGATE
2563	24" PECAN	MITIGATE
2596	8" PECAN	MITIGATE
2597	24" PECAN	UTILITY
2598	20" PECAN	UTILITY
2599	24" PECAN	MITIGATE
2655	6" CHINABERRY	NOT PROTECTED
2656	9" CHINABERRY (MT)	OFF PROPERTY
2676	5" CHINABERRY	OFF PROPERTY
2677	15" CHINABERRY (MT)	OFF PROPERTY
2701	19" PECAN	OFF PROPERTY
2707	24" PECAN	OFF PROPERTY
2708	16" PECAN	OFF PROPERTY
2709	24" PECAN	OFF PROPERTY
2710	7" PECAN	OFF PROPERTY
2714	17" PECAN	MITIGATE
2716	27" BOIS D'ARC (MT)	NOT PROTECTED
2750	12" ELM	UTILITY
2751	16" ELM	UTILITY
2752	16" ELM	UTILITY
2753	16" ELM	UTILITY
2806	40" ELM (MT)	MITIGATE 2:1
2834	48" ELM	UTILITY

(7) PROTECTED TREES TO MITIGATE- TOTAL = 191 INCHES

(17) 5" NEW TREES TO PLANT- TOTAL = 85 INCHES  
106 INCHES

106" x 20% = 21" x \$200 = \$4,200 PAID INTO TREE FUND.

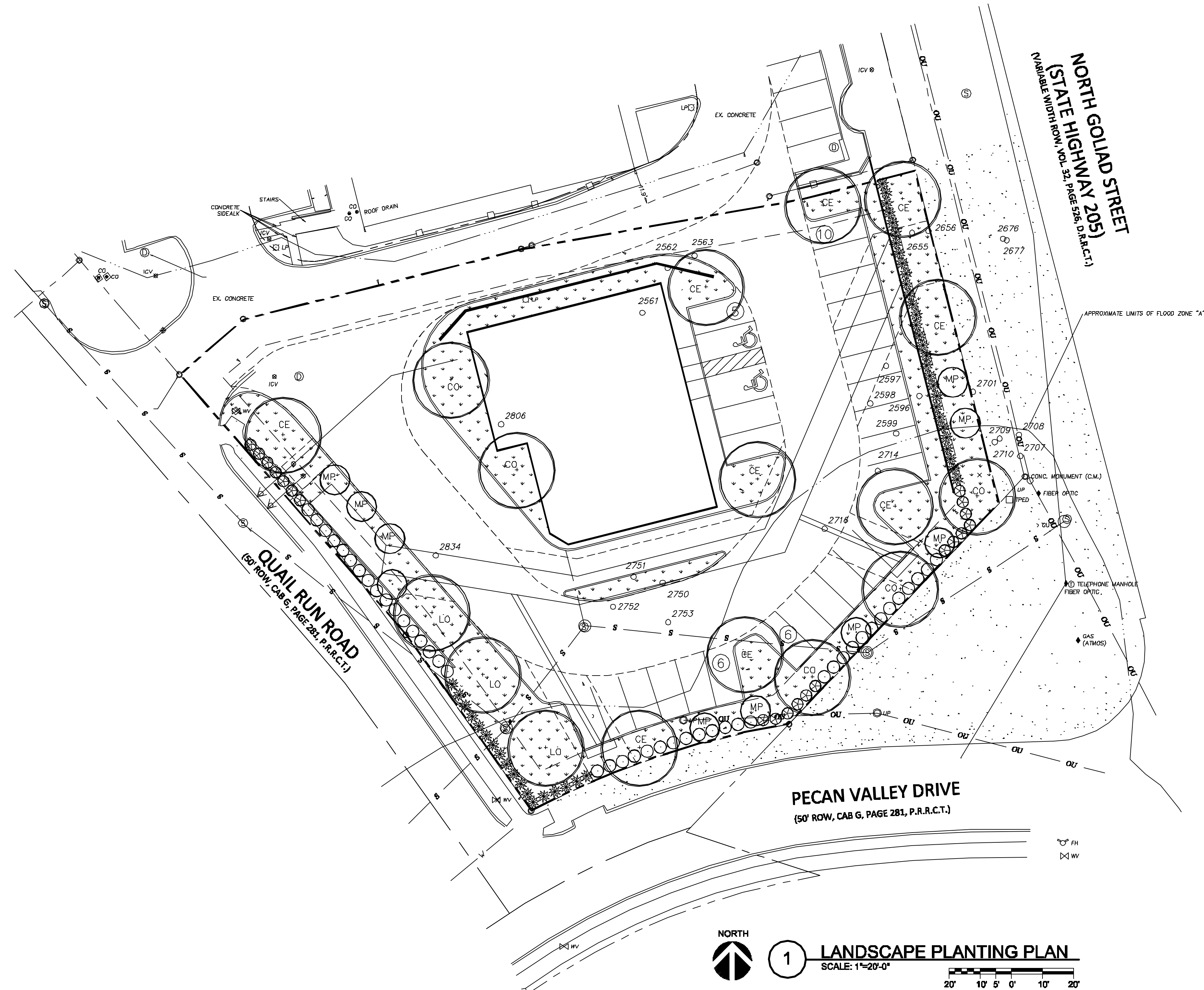
REMAINING INCHES TO MITIGATE = 85

**LANDSCAPE CALCULATIONS**

ZONING - COMM (20%) LANDSCAPE AREA REQUIRED.  
LOT AREA = 32,676 SF  
20% = 6,535 SF  
LANDSCAPE AREA PROVIDED = 9,308 SF = 28.4%  
WITH 7,513 SF = IN FRONT YARD.

LANDSCAPE BUFFER AT STREET R.O.W. =  
10' WITH 1-CANOPY TREE & 1-ACCENT TREE/50'  
AND A ROW OF SHRUBS.  
QUAIL RUN = 180' 180'/50' = 4+4  
PECAN VALLEY = 185' 185'/50' = 4+4  
N. GOLIAD ST. = 110' 110'/50' = 2+2

10 CANOPY TREES REQUIRED. 10-PROVIDED.  
10 ACCENT TREES REQUIRED. 10-PROVIDED.  
111 SHRUBS PROVIDED.  
INTERIOR PARKING LOT LANDSCAPING:  
4,374 SF PARKING LOT AREA  
1,120 SF LANDSCAPE AREA PROVIDED = 25%



KEY	QUAN.	COMMON NAME	BOTANICAL NAME	SPECIFICATIONS
<b>CANOPY TREES</b>				
CE	9	CEDAR ELM	Ulmus crassifolia	5" cal. 10'-12' tall, b&b.
CO	5	CHINQUAPIN OAK	Quercus muhlenbergi	5" cal. 10'-12' tall, b&b.
LO	3	LIVE OAK	Quercus virginiana	5" cal. 10'-12' tall, b&b.
<b>ORNAMENTAL TREES</b>				
MP	10	MEXICAN PLUM	Prunus mexicana	2" cal., 6'-8' tall, container
<b>SHRUBS</b>				
CTS	43	COMPACT TEXAS SAGE	Leucophyllum frutescens "Compacta"	5 gallon, 48" on center.
RM	20	ROSEMARY	Rosemary officinalis	5 gallon, 48" on center.
RY	48	RED YUCCA	Hesperaloe parvifolia	5 gallon, 48" on center.
<b>GROUND COVER</b>				
PW	-	PURPLE WINTERCREEPER	Euonymus fortunei 'Coloratus'	1 gallon, 18" on center.
<b>TURF GRASS</b>				
BG	-	BERMUDA GRASS	Cynodon dactylon	solid sod

REVISION	No.	DATE	<p><b>Don C. Wheeler</b> Landscape Architect Planning Irrigation Design P.O. Box 470865 Office 817.335.1405 Fort Worth, Texas 76147 don@dcwla.com</p>	<p>FOR REVIEW ONLY</p> <p>THESE DOCUMENTS ARE FOR INTERIM REVIEW AND ARE NOT INTENDED FOR REGULATORY PERMITTING, BIDDING, OR CONSTRUCTION PURPOSES.</p> <p>DON C. WHEELER - TEXAS LANDSCAPE ARCHITECT # 787</p>	<p><b>CONCEPT LANDSCAPE PLAN</b></p> <p><b>SMOOTHIE KING ROCKWALL</b></p> <p><b>DA Goliad Partners. L.P.</b></p> <p><b>CITY OF ROCKWALL, TEXAS</b></p>	<p>Sheet No.</p> <p><b>L1</b></p>
PROJECT NO.	DATE:					
2K22-45	11/15/22					

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [ORDINANCE NO. 17-03] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT WITH 2,000 SF OR MORE WITH A DRIVE-THROUGH OR DRIVE-IN ON A 0.579-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, PECAN VALLEY RETAIL 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 Dewayne Zinn of Cross Engineering Consultants, Inc. for the approval of a Specific Use Permit (SUP) for a *Restaurant with 2,000 SF or more with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 0.579-acre parcel of land described as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) [Ordinance No. 17-03] for General Retail (GR) District land uses, addressed as 150 Pecan Valley Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 65 (PD-65) [Ordinance No. 17-03] 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 Planned Development District 65 (PD-65) [Ordinance No. 17-03] and the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant with 2,000 SF or more with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 65 (PD-65) [*Ordinance No. 17-03*]; and, Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and the following conditions:

### 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant with 2,000 SF or more with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the *Concept Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) Additional landscaping and a berm or masonry wall shall be required along *Pecan Valley Drive* and *N. Goliad Street* at the time of site plan to provide headlight screening for vehicles traveling along *N. Goliad Street* from vehicles in the drive-through and cueing lanes of the proposed *Restaurant with 2,000 SF or more with a Drive-Through or Drive-In*.

### 2.2 COMPLIANCE

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

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

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

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS, THIS THE 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023

**Exhibit 'A'**  
*Location Map and Legal Description*

Address: 150 Pecan Valley Drive

Legal Description: Lot 1, Block A, Pecan Valley Retail Addition





**Exhibit 'A'**  
*Location Map and Legal Description*

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 20190000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "STOVALL", BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

(1) N 35°33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";

(2) N 41°00'51" W, 69.59 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND BEARS N 41°00'51" W, 95.11 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION FOR QUAIL RUN ROAD AS SHOWN ON THE PLAT RECORDED IN CABINET G, PAGE 281, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 48°59'09" E, DEPARTING THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD, 20.79 FEET TO A POINT;

THENCE N 75°49'41" E, 102.18 FEET TO A POINT; THENCE N 49°16'23" E, 59.99 FEET TO A POINT;

THENCE 75°50'22" E, 51.98 FEET TO A POINT;

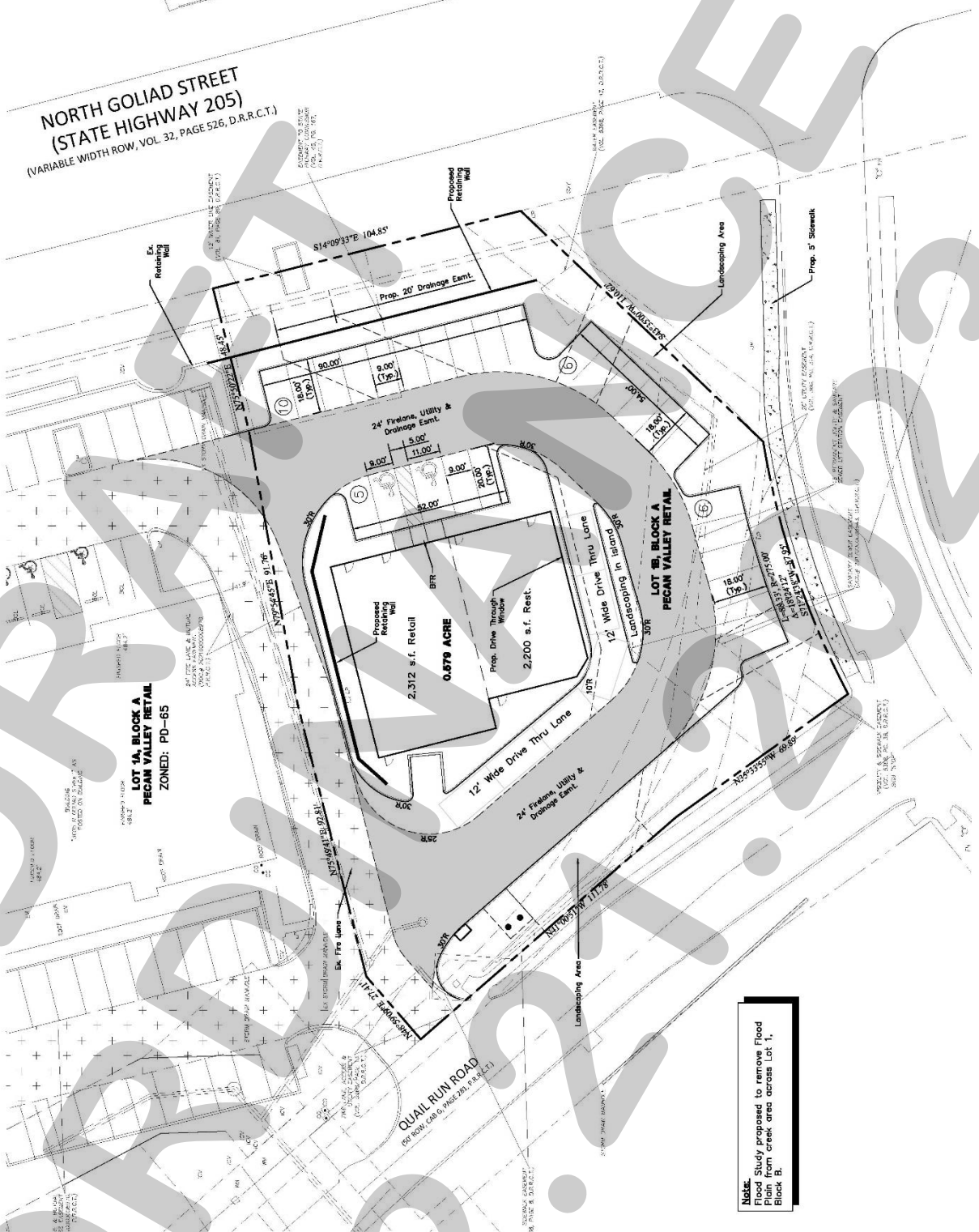
THENCE S 14°09'38" E, 100.31 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH A CONCRETE MONUMENT FOUND BEARS N 43°35'00" E, 11.82 FEET;

THENCE S 43°35'00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET WITH THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18°24'13", AND A CHORD BEARING S 71°24'37" W, 87.95 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 0.579 ACRES (25,233 SQUARE FEET) OF LAND, MORE OR LESS.

**Exhibit 'B':  
Concept Plan**

**NORTH GOLIAD STREET  
(STATE HIGHWAY 205)**  
(VARIABLE WIDTH ROW, VOL. 32, PAGE 526, D.R.R.C.T.)



**LOT 1A, BLOCK A  
PECAN VALLEY RETAIL**  
ZONED: PD-65

**LOT 1B, BLOCK A  
PECAN VALLEY RETAIL**

**Note:**  
Flood Study proposed to remove Flood Plain from creek area across Lot 1, Block B.



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2023-001; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION

---

### 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  
Residential Plot Plan  
Building Elevations  
Building Rendering  
Floor Plan  
Roof Plan  
Door and Windows Details  
Housing Analysis  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Ali Abedini on behalf of John Fenianos for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.20-acre parcel of land identified as Lot 16, Block C, Harborview Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for Single-Family 7 (SF-7) District, addressed as 310 Harborview Drive, and take any action necessary (**1st Reading**).

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** February 14, 2023  
**APPLICANT:** Ali Abedini  
**CASE NUMBER:** Z2023-001; *Specific Use Permit (SUP) for a Residential Infill in an Established Subdivision*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Ali Abedini on behalf of John Fenianos for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.20-acre parcel of land identified as Lot 16, Block C, Harborview Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for Single-Family 7 (SF-7) District, addressed as 310 Harborview Drive, and take any action necessary.

### BACKGROUND

The subject property was annexed into the City of Rockwall on October 30, 1973, by *Ordinance No. 73-43 (Case No. A1973-005)*. At the time of annexation, the property was zoned Agricultural (AG) District. The subject property was rezoned to Planned Development District 8 (PD-8) by *Ordinance No. 73-48* on November 12, 1973. Phase 2 of Harborview Landing was later amended by *Ordinance No. 84-16* on April 2, 1984. A Preliminary Plat (*Case No. PZ1987-022-01*) and Final Plat (*Case No. PZ1987-030-01*) were approved on January 1, 1987. A resolution authorizing the settlement of a lawsuit regarding maximum rooftop elevation, maximum pad elevation, and maximum house height was adopted by *Ordinance No. 87-19* on June 15, 1987. A resolution of the City Council of the City of Rockwall clarifying the content of *Ordinance No. 84-16* was adopted on June 15, 1987. The subject property remains zoned Planned Development District 8 (PD-8) and has been vacant since it was annexed.

### PURPOSE

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

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 310 Harborview Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the rest of Phase 2 of Harbor Landing, which was established on June 15, 1987, and consists of 32 residential lots. North of this is Phase 1 of Harbor Landing, which was established on December 22, 1986, and consists of 38 residential lots. Beyond that is an open space area owned and maintained by the Chandler's Landing Community Homeowner's Association. All of these properties are zoned Planned Development District 8 (PD-8).

South: Directly south of the subject property is the rest of Phase 2 of Harbor Landing. Beyond this is the Lake Ray Hubbard Takeline and the Chandler's Landing Marina. Beyond this is the corporate limits of the City of Rockwall followed by Lake Ray Hubbard which is owned and maintained by the City of Dallas.

East: Directly east of the subject property is Henry M. Chandler Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Spyglass Hill Phase 3, which was established on January 15, 1985, and consists of 47 residential lots. All of these

properties are zoned Planned Development District 8 (PD-8). Beyond that is corporate limits of the City of Rockwall followed by several residential homes situated within the City of Heath.

West: Directly west of the subject property is Cutter Hill Phase 2, which was established on November 11, 1977, and consists of 27 residential lots. West of this is Cutter Hill Phase 3, which was established on June 15, 1981 and consists of 16 residential lots. All of these properties are zoned Planned Development District 8 (PD-8). Beyond this is the corporate limits of the City of Rockwall followed by Lake Ray Hubbard which is owned and maintained by the City of Dallas.

**CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY’S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is part of the Harbor Landing Subdivision, which has been in existence since December 22, 1986 and consists of 70 residential lots (*five [5] of which are vacant*), and is considered to be more than 90% developed (*i.e. 92.86% developed*). The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Planned Development District for single-family land uses, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Harborview Drive, Harbor Landing Drive, and Portview Place	Proposed Housing
Building Height	One (1) & Two (2) Story.	Two (2) Story
Building Orientation	Most of the homes are oriented towards their front property line.	The front elevation of the home will face onto Harborview Drive
Year Built	1988-2017	N/A
Building SF on Property	2,021 SF – 5,343 SF	4,896 SF
Building Architecture	Townhomes & Traditional Brick Suburban Residential	Comparable Architecture to the Existing Homes
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot front yard setback.	25-Feet
Side	The side yard setbacks appear to conform to the required five (5) foot side yard setback.	7.9-Feet
Rear	The rear yard setbacks appear conform to the required ten (10) feet rear yard setback.	20-Feet
Building Materials	Brick, Stone, Stucco	Stucco, Hardi-Board Siding
Paint and Color	Blue, Red, Tan, Brown, Grey	Brown, White
Roofs	Composite Shingles	Composite Shingle
Driveways	Driveways are all in the front with the orientations being <i>flat front entry</i> , <i>side entry</i> , and <i>'J' or traditional swing entry</i> .	The garage is proposed to be situated 12' 9" beyond the front façade of the home. <b>[VARIANCE REQUESTED]</b>

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), “(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry garages ...” In this case, the applicant’s proposed garage is oriented 12-feet, nine (9) inches beyond the front façade of the

home. Staff should point out that since the construction for housing in this area ranges from 1988-2017, the houses already have several garage configurations that would be deemed to be legally non-conforming (*i.e. they were conforming when they were constructed; however, due to changes in the code they are no longer conforming and would not be permitted to be built in this configuration today*). A waiver to the garage orientation is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. If approved as part of the Specific Use Permit (SUP) request, the City Council will be waiving the garage orientation requirement. With this being said, staff should point out -- *that with the exception of the garage orientation* -- the proposed single-family home meets all of the density and dimensional requirements stipulated by Planned Development District 8 (PD-8) [*Ordinance No. 73-48*] and the Unified Development Code (UDC).

For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Harborview Drive, Harbor Landing Drive, and Portview Place and the proposed building elevations in the attached packet.

## **NOTIFICATIONS**

On January 27, 2023, staff mailed 86 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Chandler's Landing, The Cabana at Chandler's Landing, Match Point Homes, Cutter Hill Phase 1, Cutter Hill Phase 2, Cutter Hill Phase 3, Spyglass Phases 2 & 3, and Spyglass Phase 1 Homeowner's Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices back with 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) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

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

## **PLANNING AND ZONING COMMISSION**

On February 14, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit, with a vote of 7-0.



# DEVELOPMENT APPLICATION

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

**STAFF USE ONLY**

PLANNING & ZONING CASE NO. 22023-001

**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) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

**SITE PLAN APPLICATION FEES:**

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

**ZONING APPLICATION FEES:**

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

**OTHER APPLICATION FEES:**

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

**NOTES:**

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

**PROPERTY INFORMATION** [PLEASE PRINT]

ADDRESS **310 Harborview Dr., Rockwall, TX 75032**

SUBDIVISION **Harbor Landing Phase 2**

LOT **16** BLOCK **C**

GENERAL LOCATION

**ZONING, SITE PLAN AND PLATTING INFORMATION** [PLEASE PRINT]

CURRENT ZONING **PD-8**

CURRENT USE **Residential**

PROPOSED ZONING

PROPOSED USE **Residential**

ACREAGE **0.2**

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 Fenianos**

APPLICANT

CONTACT PERSON

CONTACT PERSON **Ali Abedini**

ADDRESS **1314 Wendell way,**

ADDRESS **6363 San Felipe St.**

CITY, STATE & ZIP **Garland, TX 75043**

CITY, STATE & ZIP **Houston, TX, 77057**

PHONE **321-246-2431**

PHONE **832-938-3133**

E-MAIL **john@jrhbuidler.com**

E-MAIL **aabedini@buildengllc.com**

**NOTARY VERIFICATION** [REQUIRED]

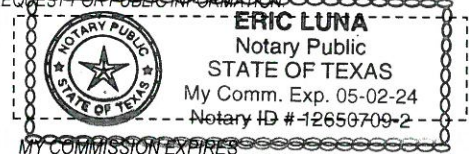
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED John Fenianos [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 1/7/2023 DAY OF \_\_\_\_\_, 2023. 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 17th DAY OF January, 2023


OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS







Case Location Map = 



# 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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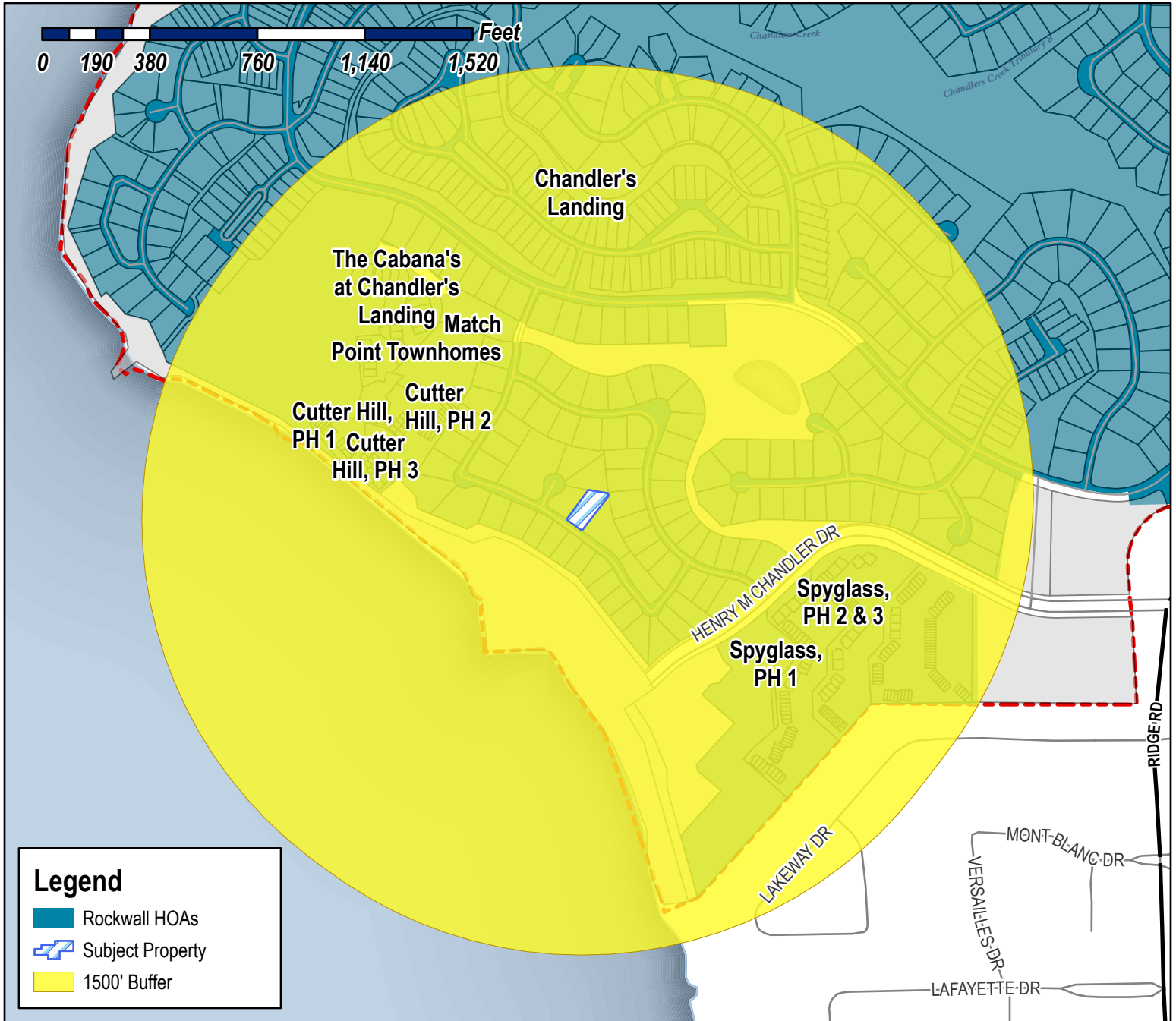




# City of Rockwall

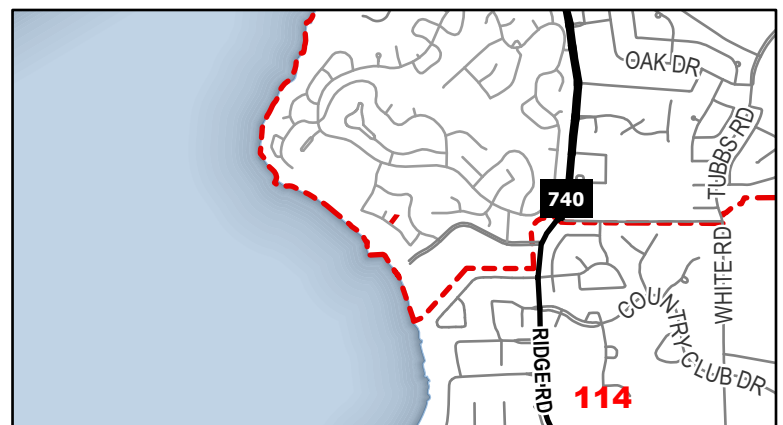
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**Case Number:** Z2023-001  
**Case Name:** SUP for Residential Infill in an Established Subdivision  
**Case Type:** Zoning  
**Zoning:** Planned Development 08 (PD-08)  
**Case Address:** 310 Harborview Drive

**Date Saved:** 1/18/2023  
 For Questions on this Case Call (972) 771-7745



## Ross, Bethany

---

**From:** Chapin, Sarah  
**Sent:** Thursday, January 26, 2023 12:24 PM  
**Cc:** Miller, Ryan; Lee, Henry; Ross, Bethany  
**Subject:** Neighborhood Notification Program [Z2023-001]  
**Attachments:** HOA Map (01.21.2023).pdf; Public Notice Z2023-001.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 *January 27, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, February 14, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, February 21, 2023 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](mailto: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>.

### **Z2023-001: SUP for Residential Infill in an Established Subdivision**

Hold a public hearing to discuss and consider a request by Ali Abedini on behalf of John Fenianos for the approval of a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* on a 0.20-acre parcel of land identified as Lot 16, Block C, Harborview Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for Single-Family 7 (SF-7) District, addressed as 310 Harborview Drive, and take any action necessary.

Thank you,

*Sarah Chapin*

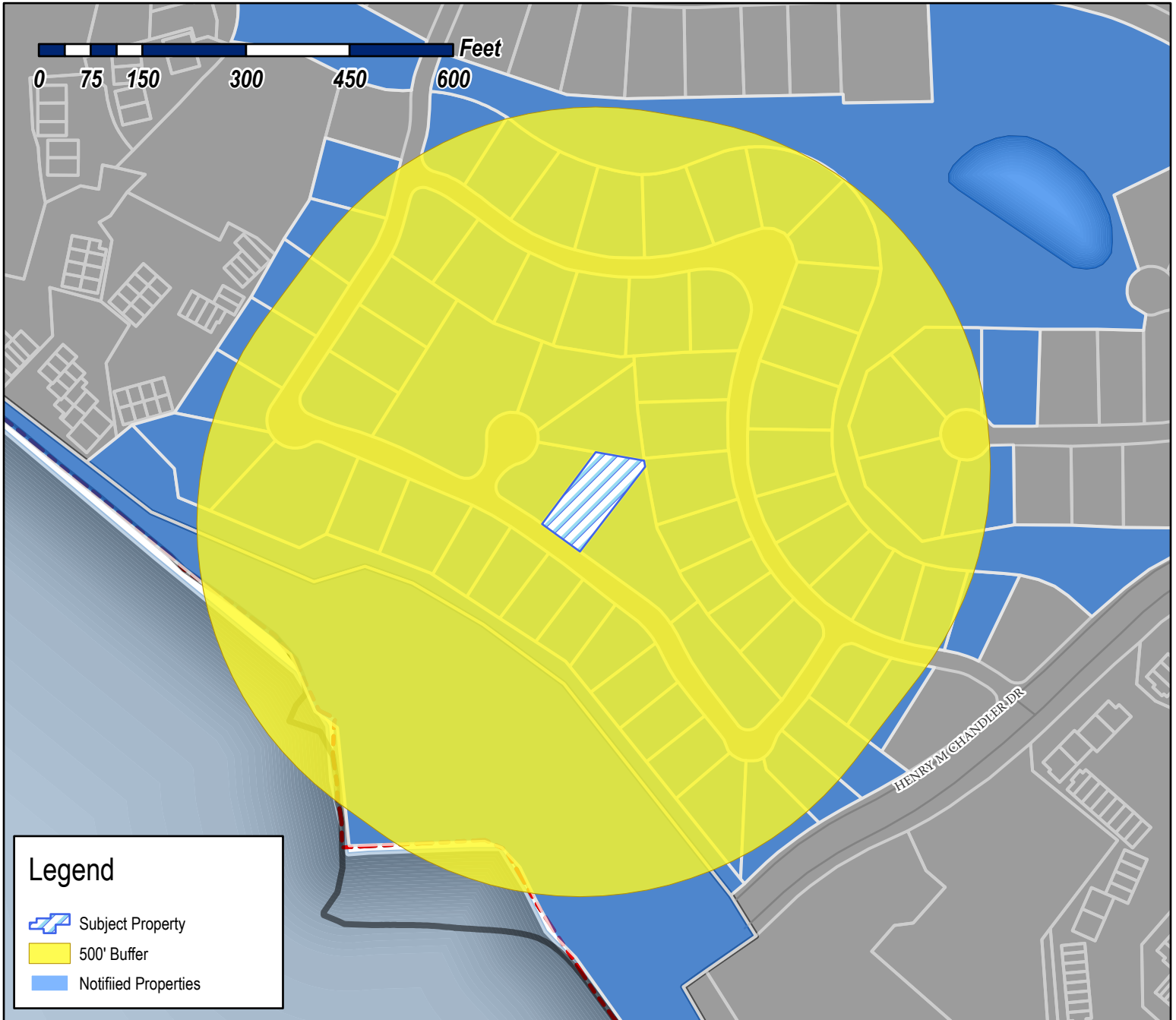
Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-772-6568



# City of Rockwall

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

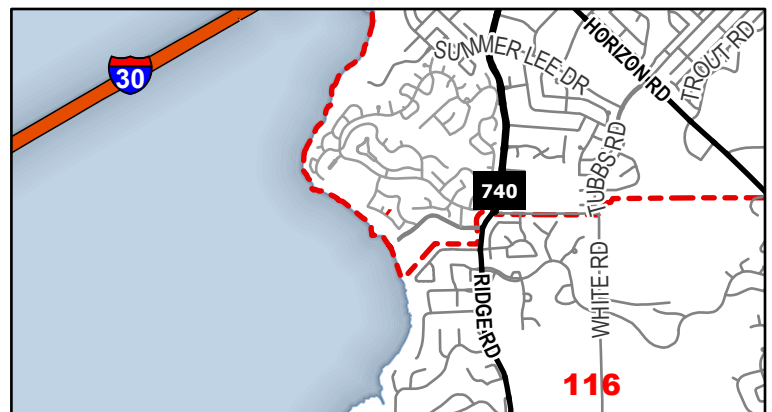
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**Case Number:** Z2023-001  
**Case Name:** SUP for Residential Infill within an established Subdivision  
**Case Type:** Zoning  
**Zoning:** Planned Development 08 (PD-08)  
**Case Address:** 310 Harborview Drive

**Date Saved:** 1/18/2023

For Questions on this Case Call: (972) 771-7746



DENIKE SARAH  
326 HARBOR LANDING DR  
ROCKWALL, TX 75032

OCCUPANT  
324 HARBOR LANDING DR  
ROCKWALL, TX 75032

BRADSHAW MARCKUS LEWIS AND  
VANESSA RIZZARI  
1857 SIGNAL RIDGE PL  
ROCKWALL, TX 75032

WOOD GEORGE & EVELYN  
322 HARBOR LANDING DR  
ROCKWALL, TX 75032

OCCUPANT  
316 HARBOR LANDING DR  
ROCKWALL, TX 75032

JUDD MANO  
508 MARIAH BAY DR  
ROCKWALL, TX 75032

GRAY RUSSELL LEE  
325 HARBOR LANDING DR  
ROCKWALL, TX 75032

OCCUPANT  
313 HARBOR LANDING DR  
ROCKWALL, TX 75032

TCHAKAROV SVETLIN G AND  
ROSSITZA I POPOVA  
313 HARBOR LANDING DRIVE  
ROCKWALL, TX 75032

THOMPSON JIM B AND LEIGH A  
315 HARBOR LANDING DR  
ROCKWALL, TX 75032

RENTFROW CHRISTOPHER  
309 HARBORVIEW DR M/R  
ROCKWALL, TX 75032

CROMEENS SHAN  
307 HARBORVIEW DR  
ROCKWALL, TX 75032

OCCUPANT  
305 HARBORVIEW DR  
ROCKWALL, TX 75032

OCCUPANT  
303 HARBORVIEW DR  
ROCKWALL, TX 75032

NGUYEN ANGELINA  
1025 LAKE RIDGE DR  
RICHARDSON, TX 75081

OCCUPANT  
301 HARBORVIEW DR  
ROCKWALL, TX 75032

KIM SEOK H  
2516 WOODHAVEN DR  
FLOWER MOUND, TX 75028

O'DELL CLAUDETTE & KENNETH  
299 HARBORVIEW DR  
ROCKWALL, TX 75032

BAILEY WAYNE & JACQUELINE  
319 HARBOR LANDING DR  
ROCKWALL, TX 75032

TAYLOR ANTHONY  
311 HARBOR LANDING DR  
ROCKWALL, TX 75032

TURCHI ARLENE S  
314 HARBOR LANDING DR  
ROCKWALL, TX 75032

OCCUPANT  
312 HARBOR LANDING DR  
ROCKWALL, TX 75032

OIWA TAKAAKI  
C/O OPEN HOUSE CO LTD  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

LEWIS DENNIS & CLARISSA  
310 HARBOR LANDING DR  
ROCKWALL, TX 75032

WHETSELL BETTY R  
328 HARBOR LANDING DR  
ROCKWALL, TX 75032

NADEAU JESSICA & STEPHEN  
318 HARBOR LANDING DR  
ROCKWALL, TX 75032

MAZUR MELISSA  
6112 VOLUNTEER PL  
ROCKWALL, TX 75032

OCCUPANT  
313 HARBORVIEW DR  
ROCKWALL, TX 75032

MASSEY MICHAEL J AND CHERYL R  
313 HARBORVIEW DR  
HEATH, TX 75032

RECINOS ARNOLDO AND RUTH LIMA  
311 HARBORVIEW DR  
ROCKWALL, TX 75032

CLEATON JERRY LEE  
306 HARBOR LANDING DR  
ROCKWALL, TX 75032

BERNAL LIBIA AMAYA AND  
204 HARBOR LANDING DR  
ROCKWALL, TX 75032

OCCUPANT  
CARLOS AUGUSTO MOSQUERA  
329 HARBORVIEW DR  
ROCKWALL, TX 75032

BOHORQUEZ DAVID  
1397 GLENWICK DRIVE  
ROCKWALL, TX 75032

MARSH ELIZABETH AND JACK  
6109 VOLUNTEER PL  
ROCKWALL, TX 75032

IMRIE DONALD M & CHERYL K  
323 HARBOR LANDING DR  
ROCKWALL, TX 75032

LINNSTAEDTER RANDALL AND KIMBERLY  
321 HARBOR LANDING DR  
ROCKWALL, TX 75032

MUSSER CRAIG AND SHEILA  
303 HARBOR LANDING DR  
ROCKWALL, TX 75032

OCCUPANT  
205 HARBOR LANDING DR  
ROCKWALL, TX 75032

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

PETERSON LELAND D & JANET  
203 HARBOR LANDING DR  
ROCKWALL, TX 75032

BROWN BRYAN K  
6111 VOLUNTEER PL  
ROCKWALL, TX 75032

HENDRICKSON PATSY A  
317 HARBOR LANDING DR  
ROCKWALL, TX 75032

CARRINGTON BRADLEY T AND KARI  
307 HARBOR LANDING DR  
ROCKWALL, TX 75032

MERCKLING BRYAN S AND STACY D  
331 HARBORVIEW DR  
ROCKWALL, TX 75032

MARTIN AND LISA MANASCO LIVING TRUST  
335 HARBORVIEW DR  
ROCKWALL, TX 75032

TMCC TRUST  
333 HARBORVIEW DR  
ROCKWALL, TX 75032

MATTES JOHN AND TONG  
330 HARBOR LANDING DR  
ROCKWALL, TX 75032

DE LA GARZA DOLLY ANNE  
308 HARBOR LANDING DR  
ROCKWALL, TX 75032

CRIDER MICHAEL & LINDA C  
304 HARBOR LANDING DR  
ROCKWALL, TX 75032

GENTLE BILL  
302 HARBOR LANDING DR  
ROCKWALL, TX 75032

MCNAMES JOSEPH AND KIRSTEN  
208 HARBOR LANDING DR  
ROCKWALL, TX 75032

D'AMBROSIA DEAN AND MUSTAFA OMAR  
206 HARBOR LANDING DR  
ROCKWALL, TX 75032

NEAL RYAN & ALLYSON  
6110 VOLUNTEER PL  
ROCKWALL, TX 75032

DRAPER CHARLES E & JANICE M  
6108 VOLUNTEER PL  
ROCKWALL, TX 75032

LOHR JAMES A & MARGARET P  
320 HARBOR LANDING DR  
ROCKWALL, TX 75032

GRIFFIN DAVID L ET UX  
309 HARBOR LANDING DR  
ROCKWALL, TX 75032

OCCUPANT  
297 HARBORVIEW DR  
ROCKWALL, TX 75032

ARA MANAGEMENT LLC  
9906 LINCOLNSHIRE LN  
ROCKWALL, TX 75087

OCCUPANT  
295 HARBORVIEW DR  
ROCKWALL, TX 75032

ARCE JAIME G  
315 VICTORY LN  
ROCKWALL, TX 75032

AMERSON GARY W AND DEBRA J  
293 HARBORVIEW DR  
ROCKWALL, TX 75032

LUCIA LODEMA S TRUSTEE  
326 HARBORVIEW DR  
ROCKWALL, TX 75032

OCCUPANT  
328 HARBORVIEW DR  
ROCKWALL, TX 75032

VELASCO ALEJANDRO PORTOCARRERO AND  
STEPHANIE G ARAMAYO  
7205 STONE MEADOW CIR  
ROWLETT, TX 75088

MARTIN SERGIO ROBLEDO AND ANDRESSA  
HENDLER  
330 HARBORVIEW DR  
ROCKWALL, TX 75032

RAY HUBBARD SMI JV LLC  
17330 PRESTON ROAD SUITE 220A  
DALLAS, TX 75252

WAGONER SHANNON AND JAMES  
327 HARBORVIEW DR  
ROCKWALL, TX 75032

CULLEN GREGORY L & JEAN C  
325 HARBORVIEW DR  
ROCKWALL, TX 75032

SELF BILLY & KATIE  
C/O PRO SOAP  
321 HARBORVIEW DR  
ROCKWALL, TX 75032

OCCUPANT  
317 HARBORVIEW DR  
ROCKWALL, TX 75032

COFFEY JAMES & DEBORAH  
316 PORTVIEW PL  
ROCKWALL, TX 75032

SELF JANET  
319 HARBORVIEW DR  
ROCKWALL, TX 75032

ROSS THOMAS AND VICKIE  
315 HARBORVIEW DR  
ROCKWALL, TX 75032

OCCUPANT  
7 GREENBELT <Null>  
ROCKWALL, TX 75032

CHANDLERS LANDING COMMUNITY ASSOC  
PO BOX 638  
ROCKWALL, TX 75087

CAMACHO MARC AND JARITA  
306 HARBORVIEW DR  
ROCKWALL, TX 75032

BARHAM ARTHUR LLOYD JR AND ANITA L  
312 PORTVIEW PL  
ROCKWALL, TX 75032

MARTIN TREVOR ANDREW AND PAULA  
JEANNETTE  
310 HARBORVIEW DR  
ROCKWALL, TX 75032

OCCUPANT  
308 HARBORVIEW DR  
ROCKWALL, TX 75032

FRONTERA JOSE ANTONIO & CAROLINE  
4241 BUENA VISTA #18  
DALLAS, TX 75205

MILLER RICHARD & SHELLAYNE  
301 HARBOR LANDING DR  
ROCKWALL, TX 75032

PENCE DENNIS AND DIANNA  
314 PORTVIEW PL  
ROCKWALL, TX 75032

COFFEY JAMES & DEBORAH  
316 PORTVIEW PL  
ROCKWALL, TX 75032

POTISKA ANDREA  
305 HARBOR LANDING DR  
ROCKWALL, TX 75032

POTTS JASON AND ANNA  
320 PORTVIEW PL  
ROCKWALL, TX 75032

# 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:

**Z2023-001: Specific Use Permit for a Residential Infill in an Established Subdivision**

*Hold a public hearing to discuss and consider a request by Ali Abedini on behalf of John Fenianos for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.20-acre parcel of land identified as Lot 16, Block C, Harborview Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for Single-Family 7 (SF-7) District, addressed as 310 Harborview Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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:

**Bethany Ross**  
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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-001: Specific Use Permit for a Residential Infill in an Established Subdivision**

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 the response.

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



## Ross, Bethany

---

**From:** jacqui bailey < >  
**Sent:** Wednesday, February 8, 2023 7:59 AM  
**To:** Planning  
**Cc:** baileywf11  
**Subject:** Case #Z2023-001: Specific Use Permit for a Residential Infill in an Established Subdivision

Hello Ms. Ross,

My husband Wayne Bailey and I are the owners at 319 Harbor Landing Dr, Rockwall TX 75032. We have received the public notice for case #Z2023-001 regarding Specific Use Permit for a Residential Infill in an Established Subdivision for Lot 16, Block C, Harborview Landing (310 Harborview Dr.). Our response to this request is that we are OPPOSED to the request for the following reasons:

- 1) This proposed house will completely block any view that we currently have of Lake Ray Hubbard which was one of the main reasons for purchasing in the development.
- 2) Should the time come that we wish to sell our property, having the view blocked would significantly reduce the value of the property.

We hope that our comments and opposition to this request will be heard at the February 14th Planning & Zoning meeting along with the February 21st City Council meeting.

Thank you for your time and submission of this opposition response.

Sincerely,  
Wayne & Jacqueline Bailey  
319 Harbor Landing Dr.  
Rockwall, TX 75032

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.

Case No. Z2023-001: Specific Use Permit for a Residential Infill in an Established Subdivision

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.

CURRENT PLANS SUBMITTED TO CHANDLERS LANDING COMMUNITY ASSN. DO NOT COMPLY WITH COURT ORDERED PAD AND ROOF HEIGHT RESTRICTIONS

Name:

CHIP LMRIE

Address:

323 HARBOR LANDING DRIVE

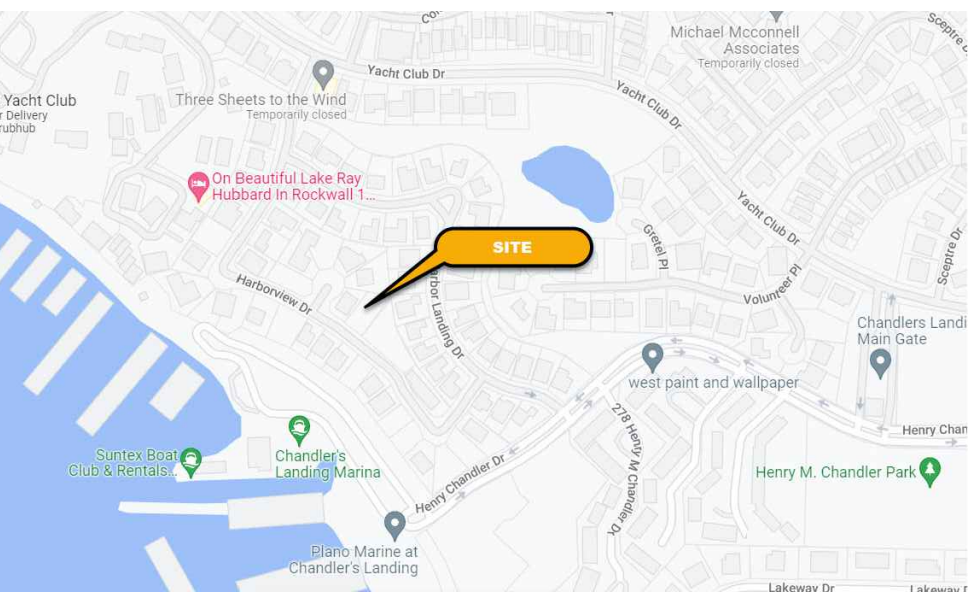
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written 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

PLOTTED 2/9/2023

X-22-011-GRADING.DWG

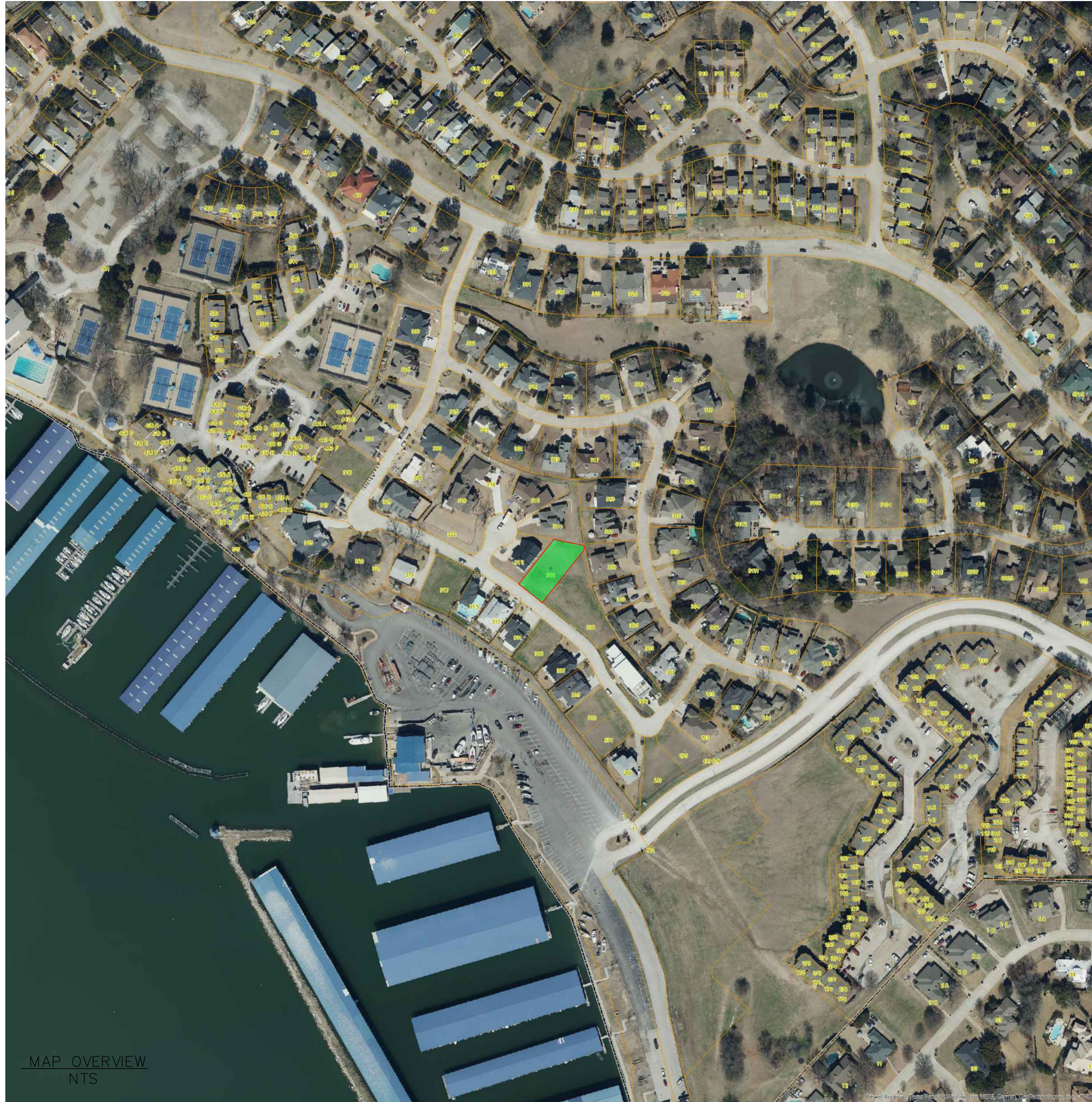
CREATED 2/9/2023



LOCATION MAP  
NTS

# SITE DEVELOPMENT PLAN FOR RESIDENTIAL HOUSE

310 HARBORVIEW DR, ROCKWALL, TX 75032

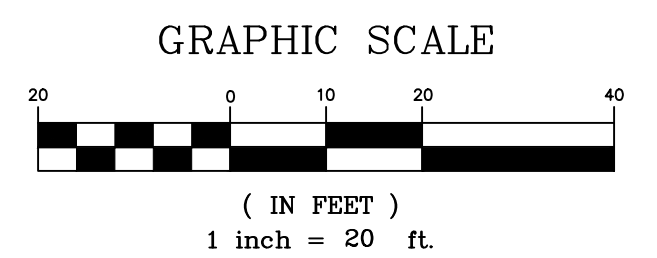


MAP OVERVIEW  
NTS



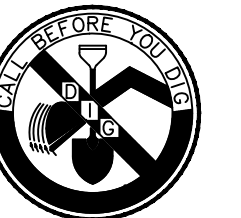
CITY ZONING MAP  
NTS

SHEET INDEX	
C000	COVER SHEET
C100	SITE PLAN
C200	LANDSCAPE PLAN
C300	GRADING AND DRAINAGE PLAN



LOCATES (2 WORKING DAYS NOTICE REQUIRED PRIOR TO EXCAVATION)  
LOCAL CALLING NUMBERS  
ROCKWALL COUNTY

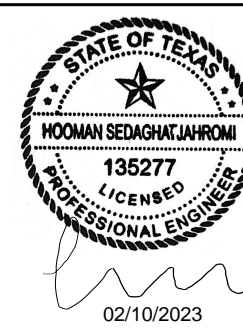
8-1-1



DATE: 2/9/2023					
SCALED: AS NOTED					
DRAWN: ---					
DESIGN: ---					
ENGINEER: ---					
MANAGER: ---	NO	BY	DATE	REVISIONS	



WWW.BUILDENGLLC.COM  
INFO@BUILDENGLLC.COM  
TEL: 713 623 1827  
TX F# 20409



APN: ---

CITY OF ROCKWALL

## COVER SHEET

ROCKWALL COUNTY

310 HARBORVIEW DR, ROCKWALL, TX 75032

TEXAS

SHEET NO.

C000

1 of 4 SHEETS 123

PLOTTED 2/9/2023

X-22-011-SITE.DWG

CREATED 2/9/2023

BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, NAD83 NORTH ZONE.

SUBTOP

NO	BY	DATE	REVISIONS



WWW.BUILDENGLLC.COM  
 INFO@BUILDENGLLC.COM  
 TEL: 713 623 1827  
 TX F# 20409



APN: ----

# SITE PLAN

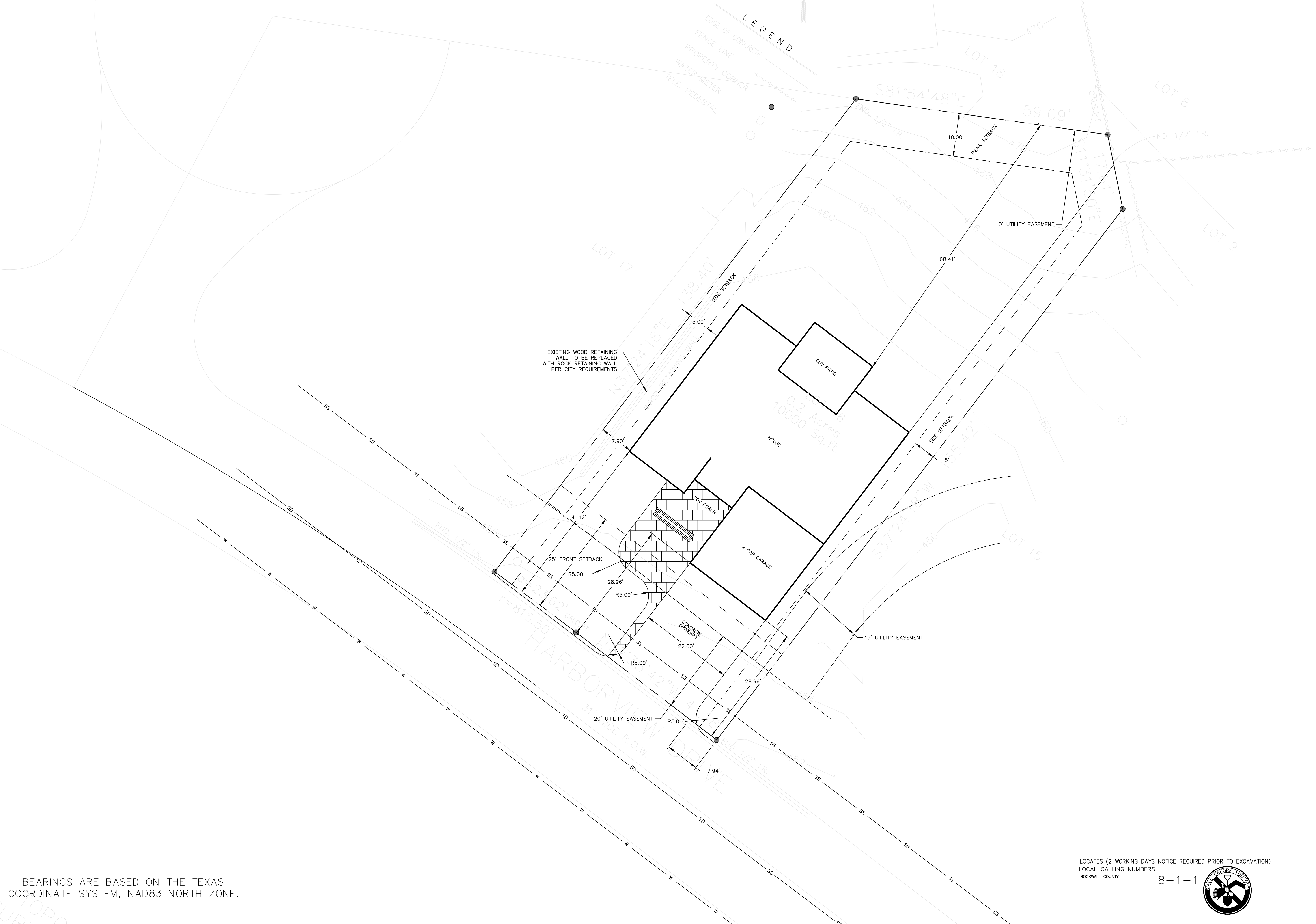
310 HARBORVIEW DR, ROCKWALL, TX 75032

CITY OF ROCKWALL ROCKWALL COUNTY TEXAS

SHEET NO.

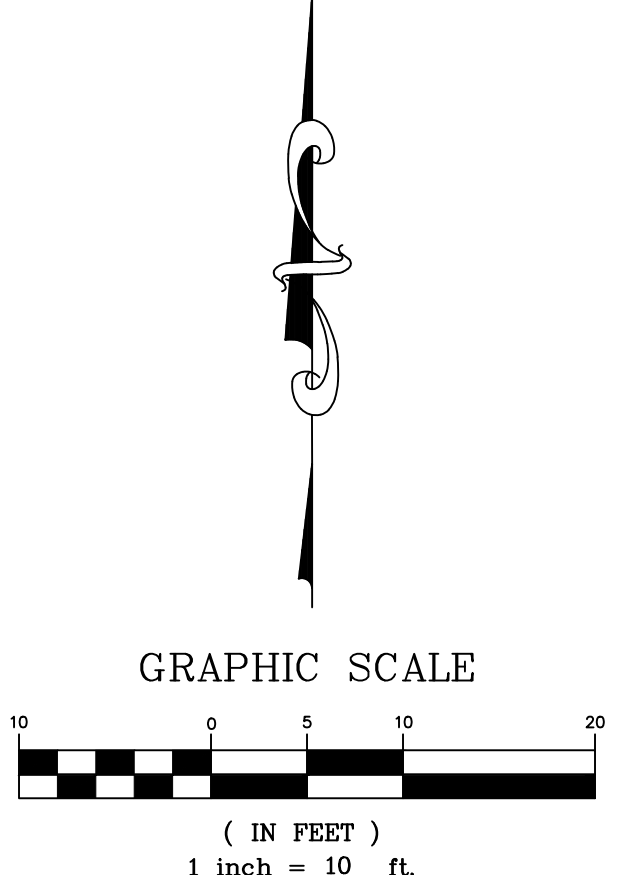
C100

2 of 4 SHEETS 124



LEGEND  
 EDGE OF CONCRETE  
 FENCE LINE  
 PROPERTY CORNER  
 WATER METER  
 TELE. PEDESTAL

LOCATES (2 WORKING DAYS NOTICE REQUIRED PRIOR TO EXCAVATION)  
 LOCAL CALLING NUMBERS 8-1-1  
 ROCKWALL COUNTY



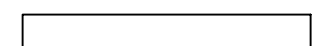
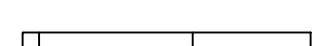

PLOTTED 1/29/2023  
X-22-011-LANDSCAPE.DWG  
CREATED 1/29/2023

BEARINGS ARE BASED ON THE TEXAS  
COORDINATE SYSTEM, NAD83 NORTH ZONE.

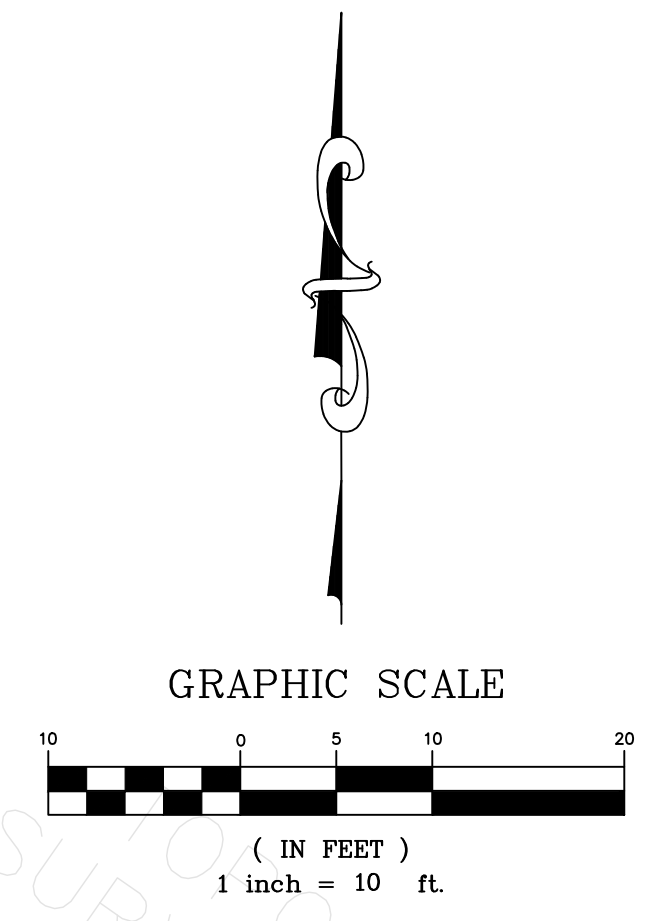


LEGEND  
EDGE OF CONCRETE  
FENCE LINE  
PROPERTY CORNER  
WATER METER  
TELE. PEDESTAL

LEGENDS:

-  CONCRETE
-  PAVER
-  GRASS

CONCRETE DRIVEWAY : 637 SF  
PAVER : 409 SF  
BUILDING : 2430 SF  
GRASS : 6488 SF



LOCATES (2 WORKING DAYS NOTICE REQUIRED PRIOR TO EXCAVATION)  
LOCAL CALLING NUMBERS  
ROCKWALL COUNTY

8-1-1



DATE: 1/29/2023					
SCALED: AS NOTED					
DRAWN: ---					
DESIGN: ---					
ENGINEER: ---					
MANAGER: ---	NO	BY	DATE	REVISIONS	

**BuildEng**  
WWW.BUILDENGLLC.COM  
INFO@BUILDENGLLC.COM  
TEL: 713 623 1827  
TX F# 20409

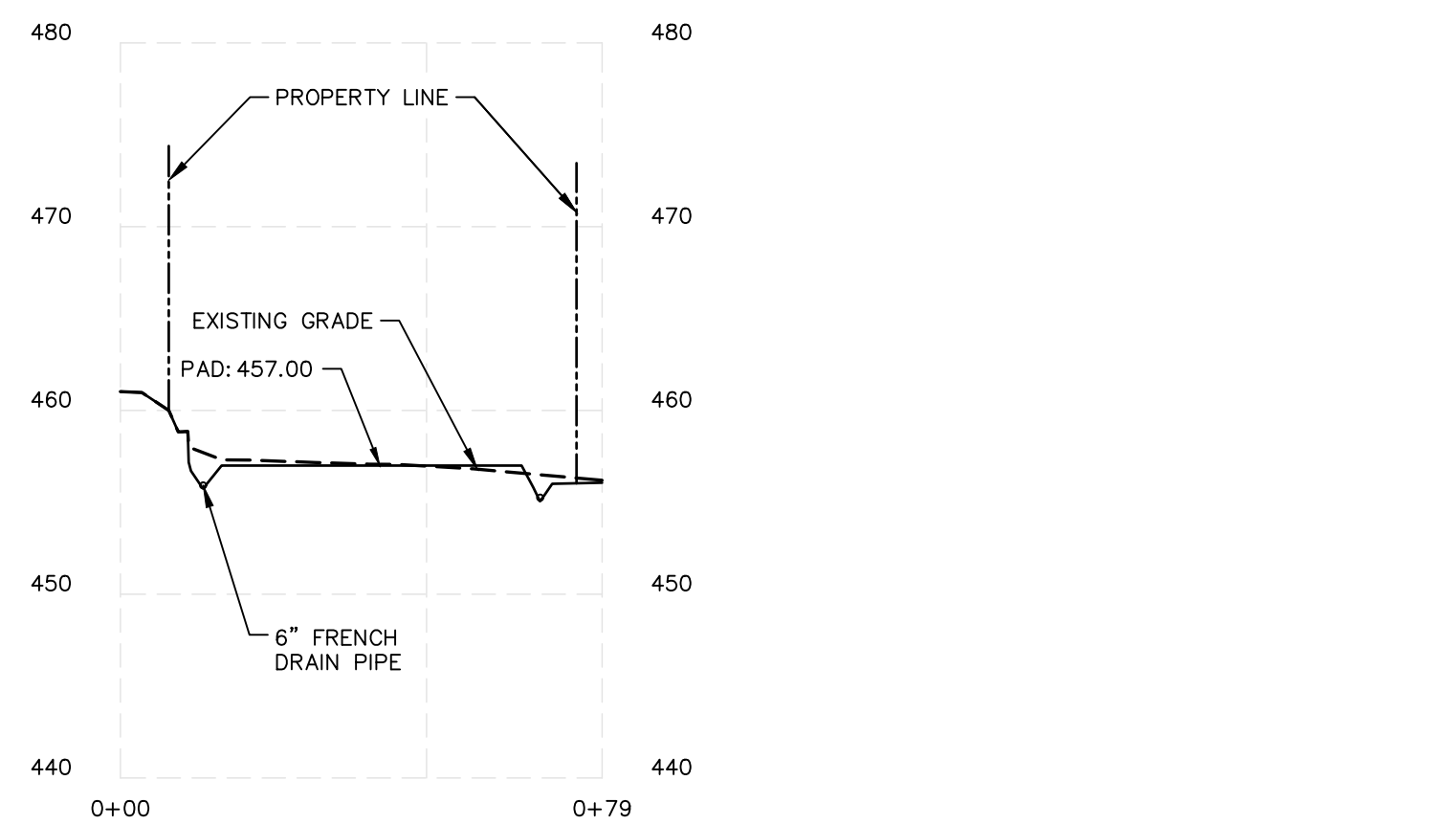
STATE OF TEXAS  
MOHAMMAD SEDAGHEIAN  
136277  
LICENSED PROFESSIONAL ENGINEER  
02/10/2023

APN: ----  
310 HARBORVIEW DR, ROCKWALL, TX 75032  
**LANDSCAPE PLAN**  
CITY OF ROCKWALL  
ROCKWALL COUNTY  
TEXAS

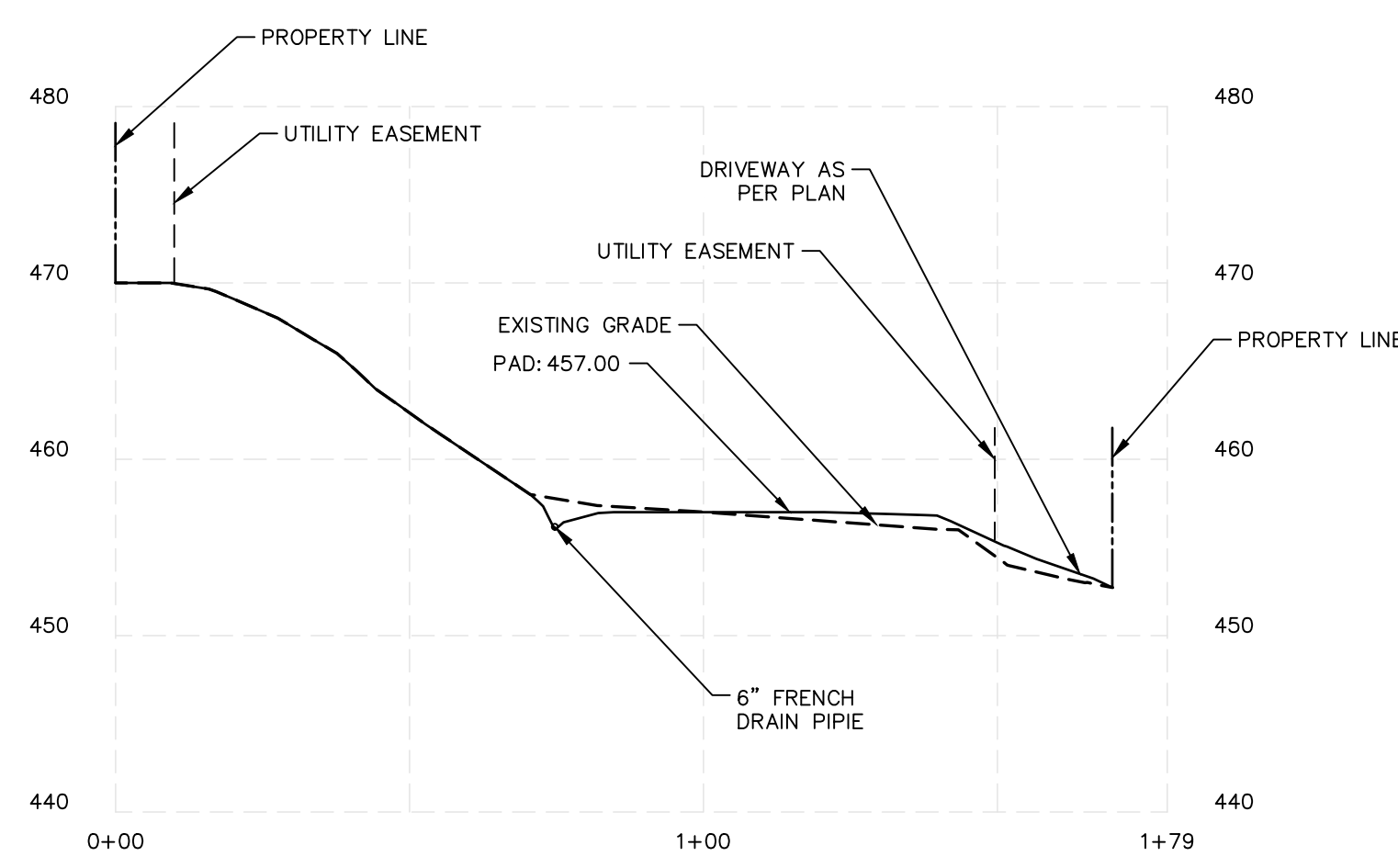
SHEET NO.  
C200  
3 of 4 SHEETS  
125

LEGENDS:

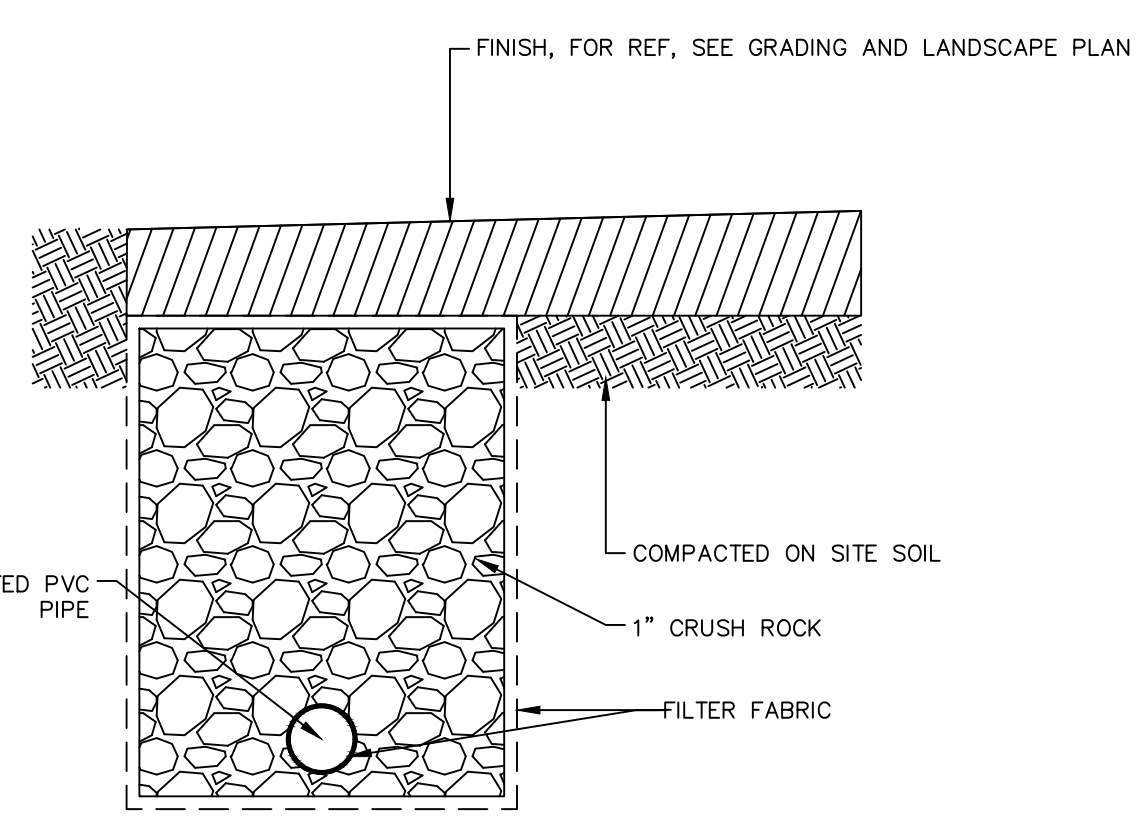
- 457 — PROPOSED CONTOURS
- - - 466 - - - EXISTING CONTOURS
- ▲ 457 FINISHED GRADE ELEVATION



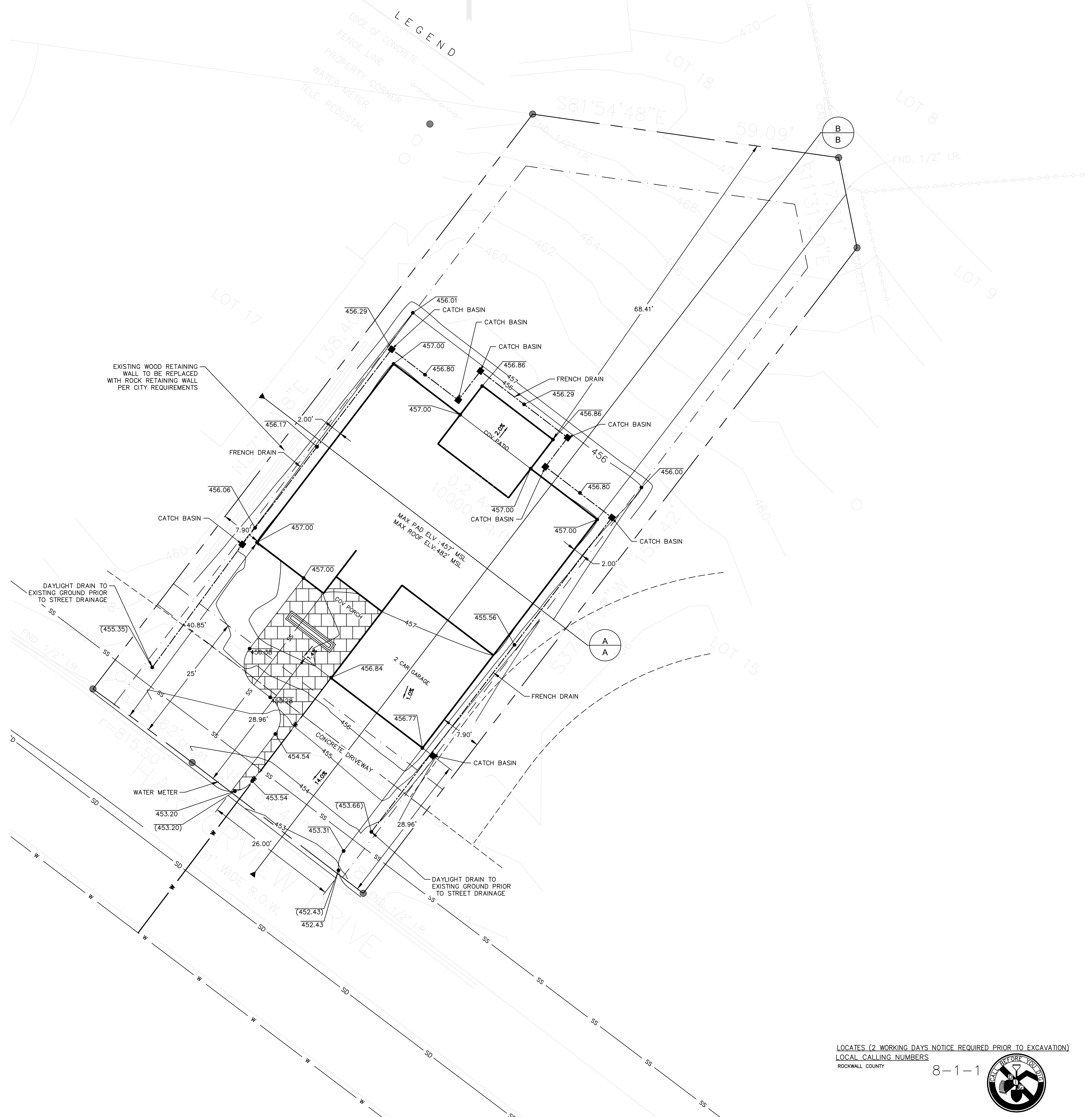
SEC A-A  
HORIZ. SCALE 1" = 30'  
VERT. SCALE 1" = 10'



SEC B-B  
HORIZ. SCALE 1" = 30'  
VERT. SCALE 1" = 10'



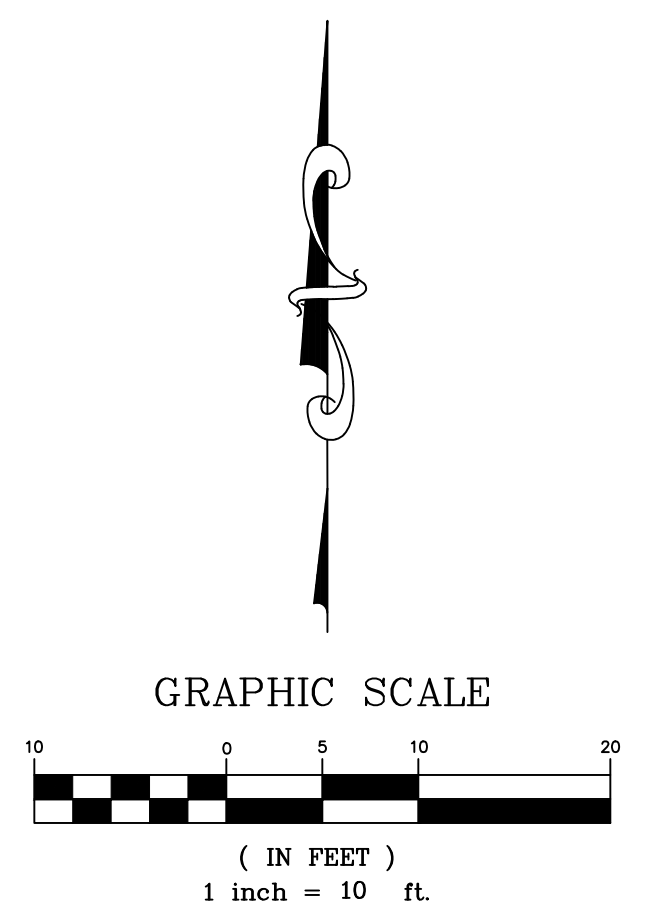
TYPICAL FRENCH DRAIN



BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, NAD83 NORTH ZONE.

LOCATES (2 WORKING DAYS NOTICE REQUIRED PRIOR TO EXCAVATION)  
LOCAL CALLING NUMBERS  
ROCKWALL COUNTY

8-1-1



PLOTTED 2/9/2023  
X-22-011-GRADING.DWG  
CREATED 2/9/2023

DATE: 2/9/2023					
SCALED: AS NOTED					
DRAWN: ---					
DESIGN: ---					
ENGINEER: ---					
MANAGER: ---	NO	BY	DATE	REVISIONS	

**BuildEng**  
[WWW.BUILDENGLLC.COM](http://WWW.BUILDENGLLC.COM)  
[INFO@BUILDENGLLC.COM](mailto:INFO@BUILDENGLLC.COM)  
 TEL: 713 623 1827  
 TX F# 20409

STATE OF TEXAS  
 MOHAMMAD SEDAGHEIAN  
 136277  
 LICENSED PROFESSIONAL ENGINEER  
 02/10/2023

APN: ---  
 310 HARBORVIEW DR, ROCKWALL, TX 75032  
**GRADING AND DRAINAGE PLAN**  
 CITY OF ROCKWALL  
 ROCKWALL COUNTY  
 TEXAS

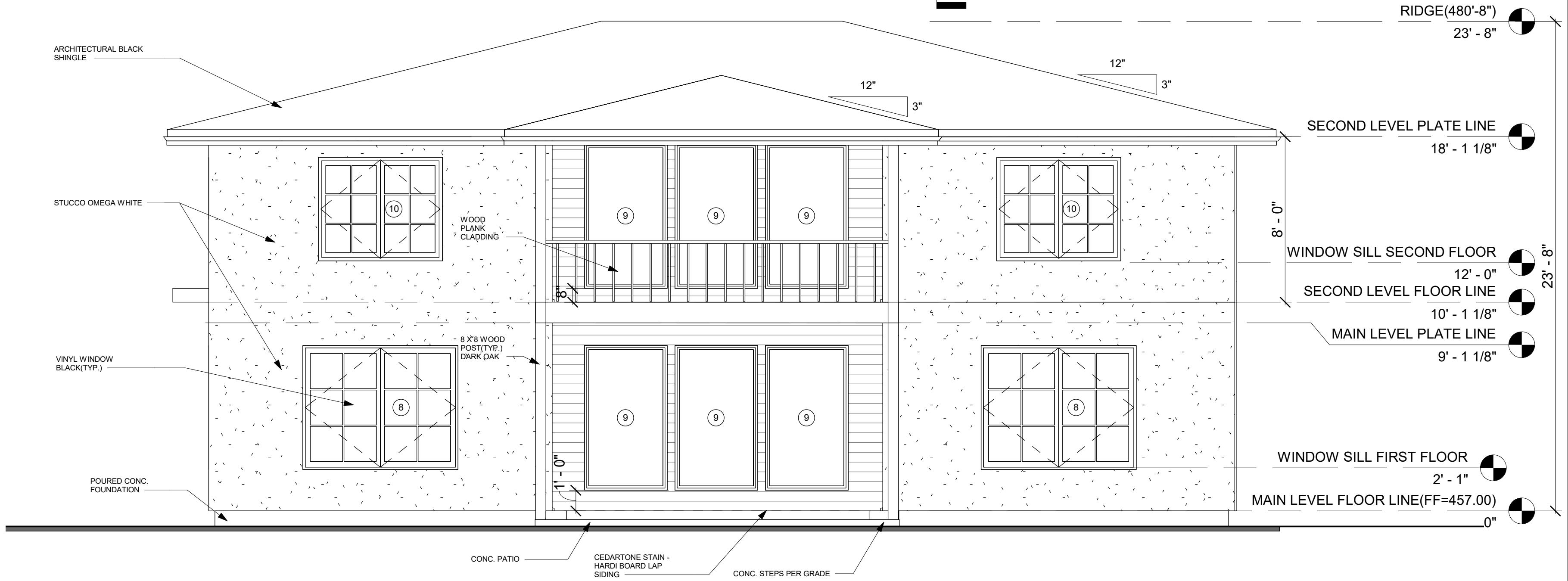
SHEET NO.  
**C300**  
 4 of 4 SHEETS  
 126



EXTERIOR MATERIAL SCHEDULE						
MATERIAL / MFG.	COLOR / NO.	AREA(SF) / PERCENTAGE(%)				TOTAL (2,832 SF)
		FRONT	REAR	RIGHT	LEFT	
WOOD PLANK CLADDING - LAP SIDING	THERMOASH	217 / 37%	109 / 20%	45 / 5%	137 / 16%	508 / 18%
STUCCO	OMEGA WHITE	287 / 49%	415 / 80%	822 / 95%	675 / 79%	2324 / 82%



**1** Front Elevation  
1/4" = 1'-0"



**2** Rear Elevation  
1/4" = 1'-0"

310 HARBORVIEW DR,  
ROCKWALL, TX 75032



WWW.BUILDINGLLC.COM  
INFO@BUILDINGLLC.COM  
TEL: 512-537-6364  
TX F# 20409

Seal:

Project Number:	
Drawn By: AA	
Checked By: SLP	

NO	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		

Project: Harborview Drive Residence

**A 201**

SCALE: **127**

310 HARBORVIEW DR,  
ROCKWALL, TX 75032



WWW.BUILDINGLLC.COM  
INFO@BUILDINGLLC.COM  
TEL: 512-537-6364  
TX F# 20409

Seal:

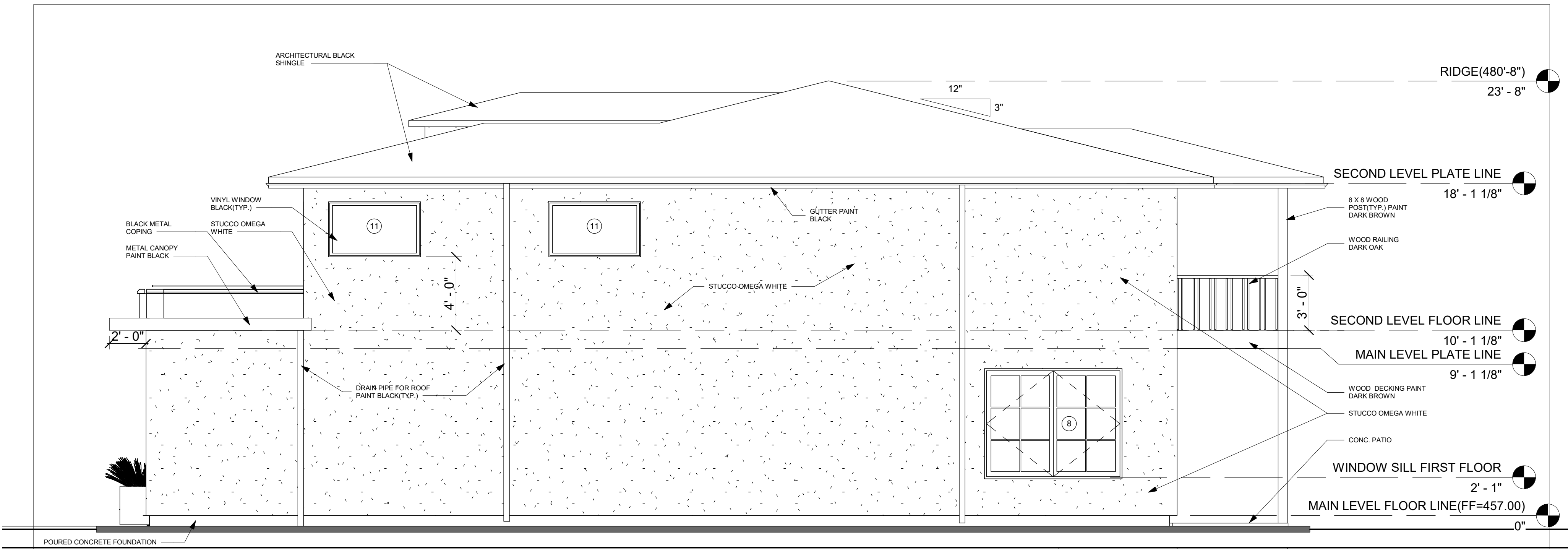
Project Number:  
Drawn By: AA  
Checked By: SLP

NO	DATE	REVISION
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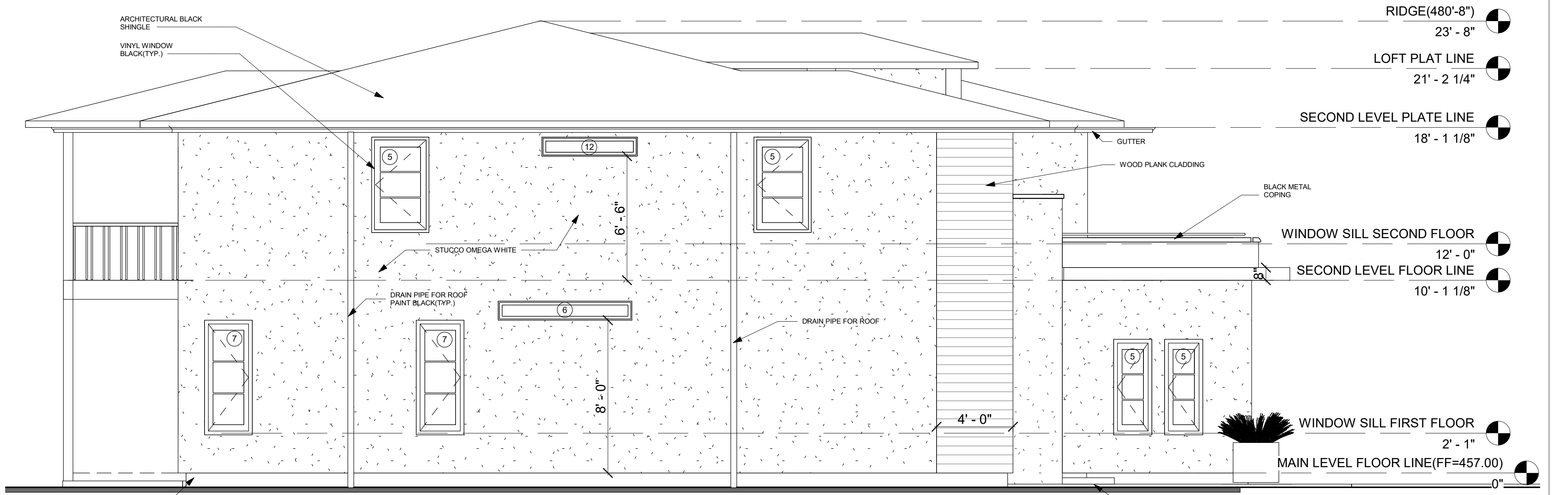
Project: Harborview Drive Residence

A 202

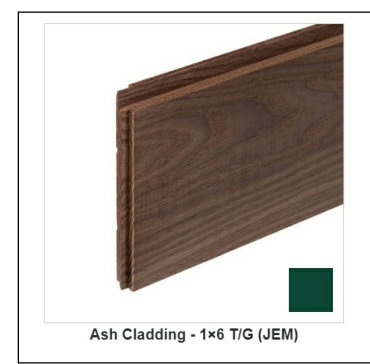
SCALE: 128



1 Right Elevation  
1/4" = 1'-0"



2 Left Elevation  
1/4" = 1'-0"

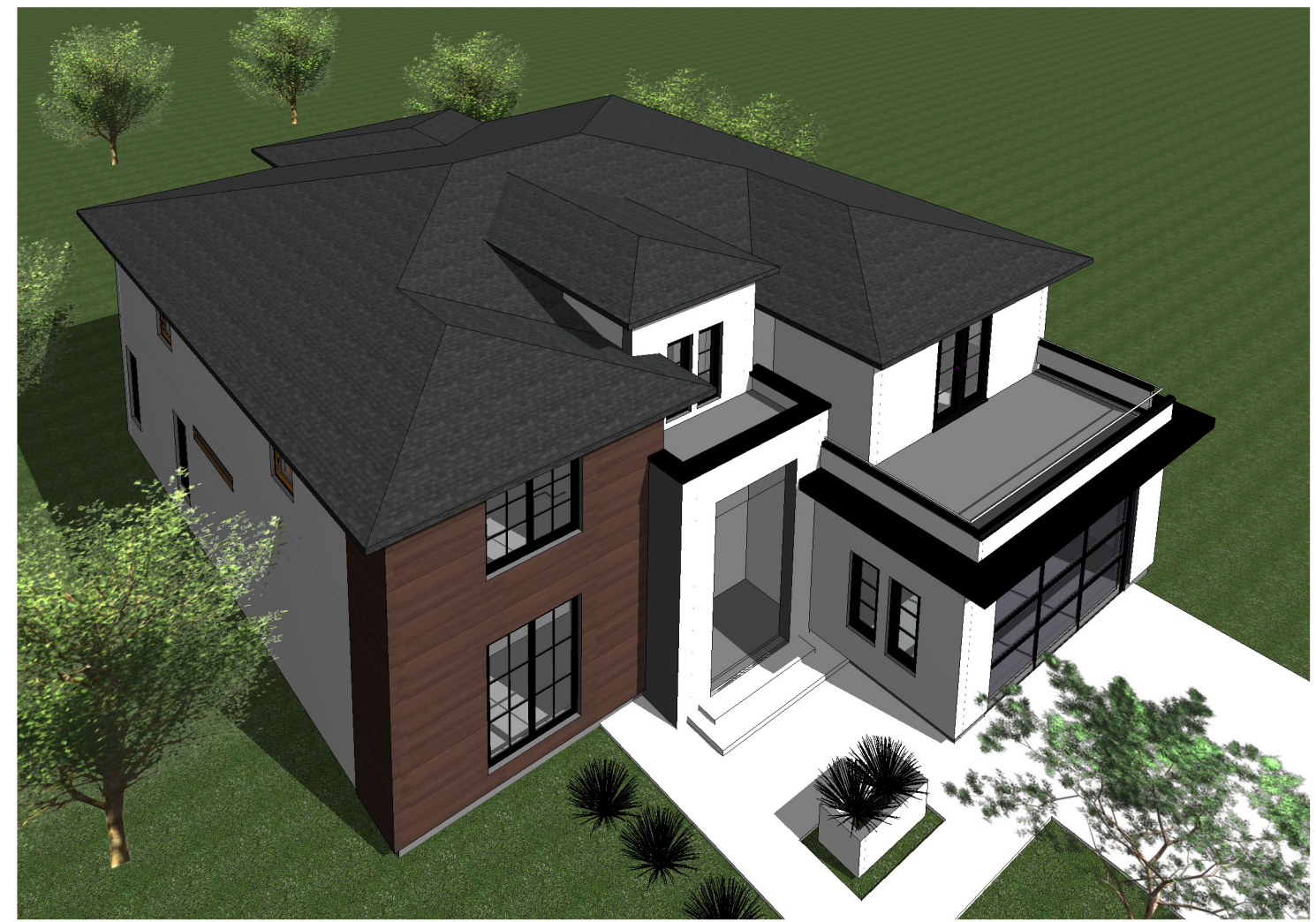


MATERIAL / MFG.	COLOR / NO.	AREA(SF) / PERCENTAGE(%)				TOTAL (2,632 SF)
		FRONT	REAR	RIGHT	LEFT	
WOOD PLANK CLADDING - LAP SIDING	THERMOASH	217 / 37%	109 / 20%	45 / 5%	137 / 16%	508 / 18%
STUCCO	OMEGA WHITE	287 / 49%	415 / 80%	822 / 95%	675 / 79%	2324 / 82%

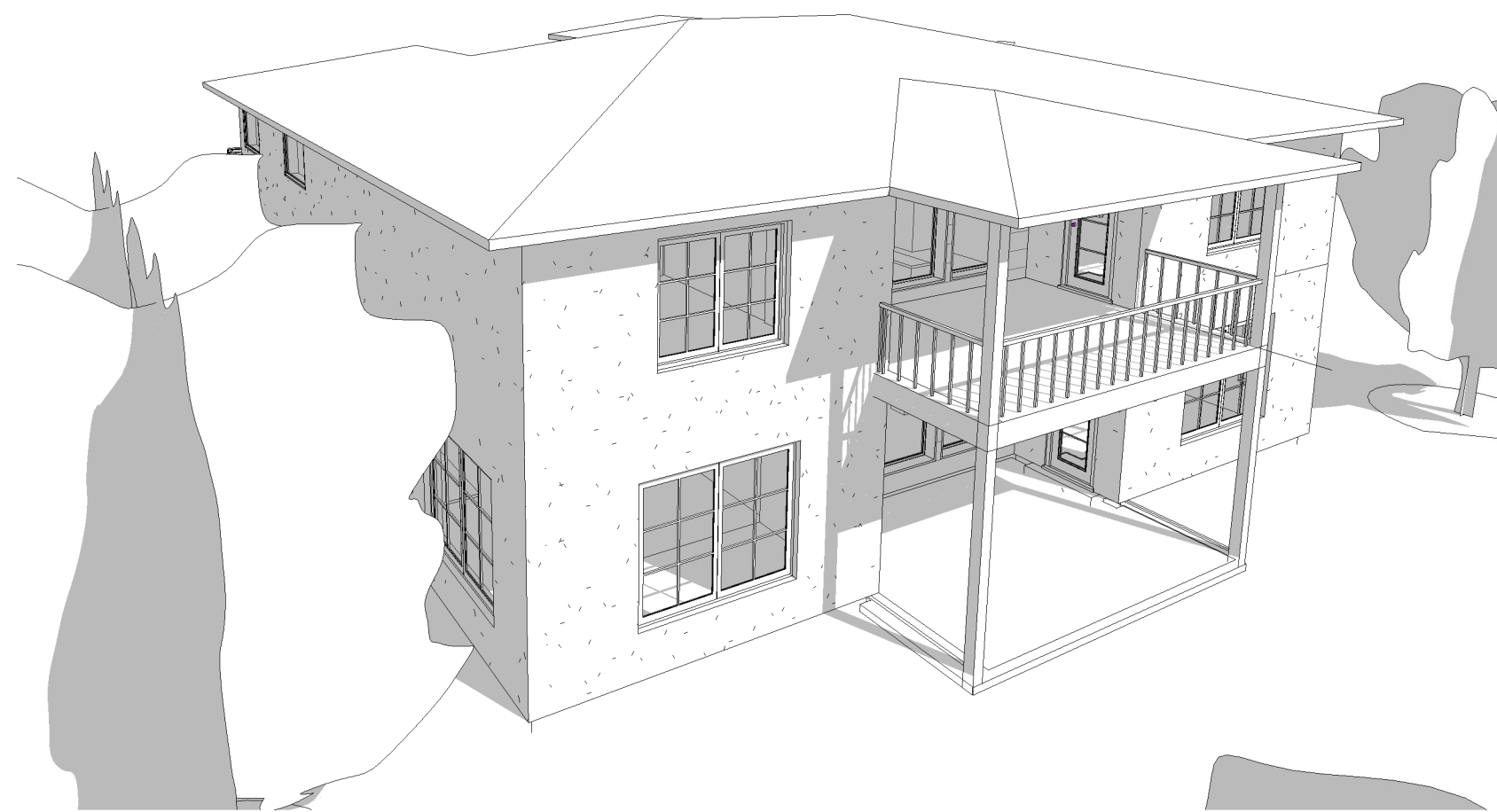




2 3D View 1



1 3D View 2



3 3D View 3



4 3D View 4

310 HARBORVIEW DR,  
ROCKWALL, TX 75032



WWW.BUILDINGLLC.COM  
INFO@BUILDINGLLC.COM  
TEL: 512-537-6364  
TX F# 20409

Seal:

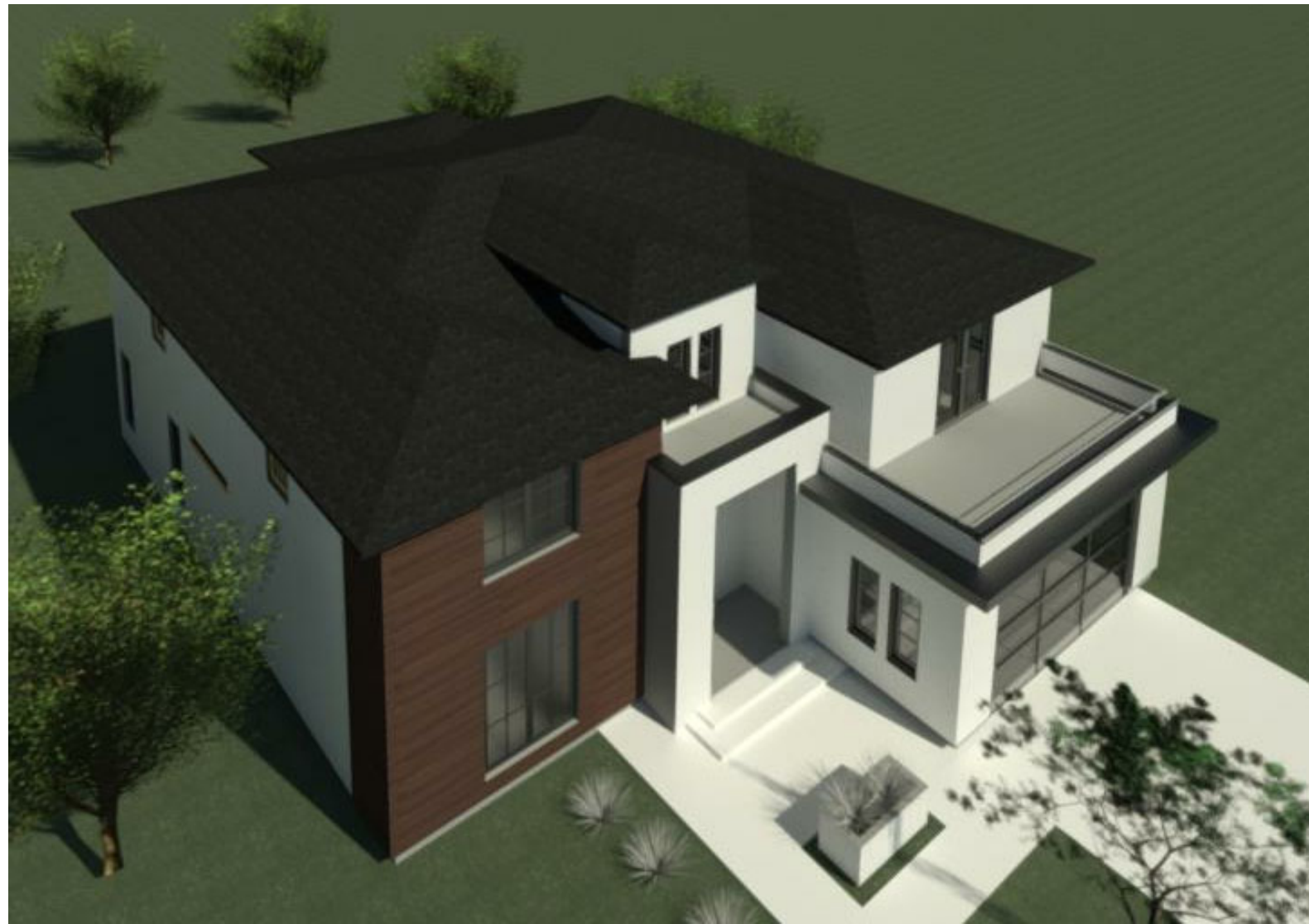
Project Number:  
Drawn By: AA  
Checked By: SLP

NO	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		

Project:  
Harborview Drive  
Residence

A 000

SCALE: 129



310 HARBORVIEW DR,  
ROCKWALL, TX 75032



WWW.BUILDINGLLC.COM  
INFO@BUILDINGLLC.COM  
TEL: 512-537-6364  
TX F# 20409

Seal:

Project Number:  
Drawn By: AA  
Checked By: SLP

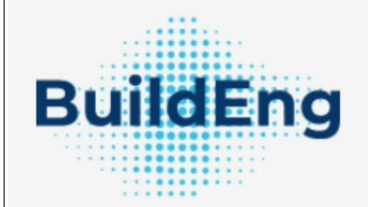
NO	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		

Project:  
Harborview Drive  
Residence

A 001

SCALE: **130**

310 HARBORVIEW DR,  
ROCKWALL, TX 75032



WWW.BUILDINGLLC.COM  
INFO@BUILDINGLLC.COM  
TEL: 512-537-6364  
TX F# 20409

Seal:

Project Number:  
Drawn By: AA  
Checked By: SLP

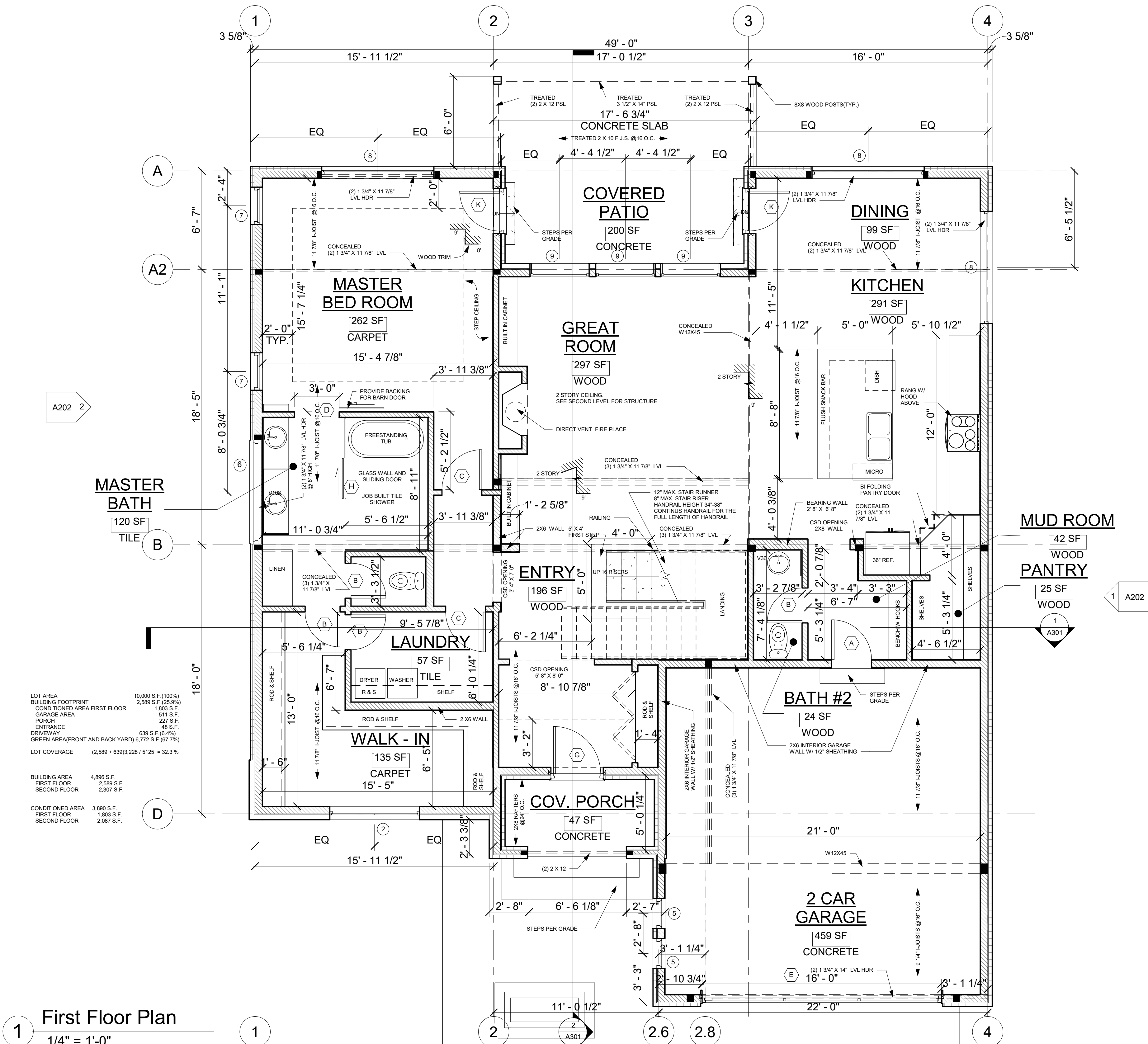
NO	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		

Project:  
Harborview Drive  
Residence

A 101

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

CASE NUMBER : Z2023-001



1 First Floor Plan

1/4" = 1'-0"

LOT AREA 10,000 S.F. (100%)  
BUILDING FOOTPRINT 2,589 S.F. (25.9%)  
CONDITIONED AREA FIRST FLOOR 1,803 S.F.  
GARAGE AREA 511 S.F.  
PORCH 227 S.F.  
ENTRANCE 48 S.F.  
DRIVEWAY 639 S.F. (6.4%)  
GREEN AREA (FRONT AND BACK YARD) 6,772 S.F. (67.7%)  
LOT COVERAGE (2,589 + 639) / 10,000 = 32.3%

BUILDING AREA 4,896 S.F.  
FIRST FLOOR 2,589 S.F.  
SECOND FLOOR 2,307 S.F.

CONDITIONED AREA 3,890 S.F.  
FIRST FLOOR 1,803 S.F.  
SECOND FLOOR 2,087 S.F.



WWW.BUILDINGLLC.COM  
INFO@BUILDINGLLC.COM  
TEL: 512-537-6364  
TX F# 20409

Seal:

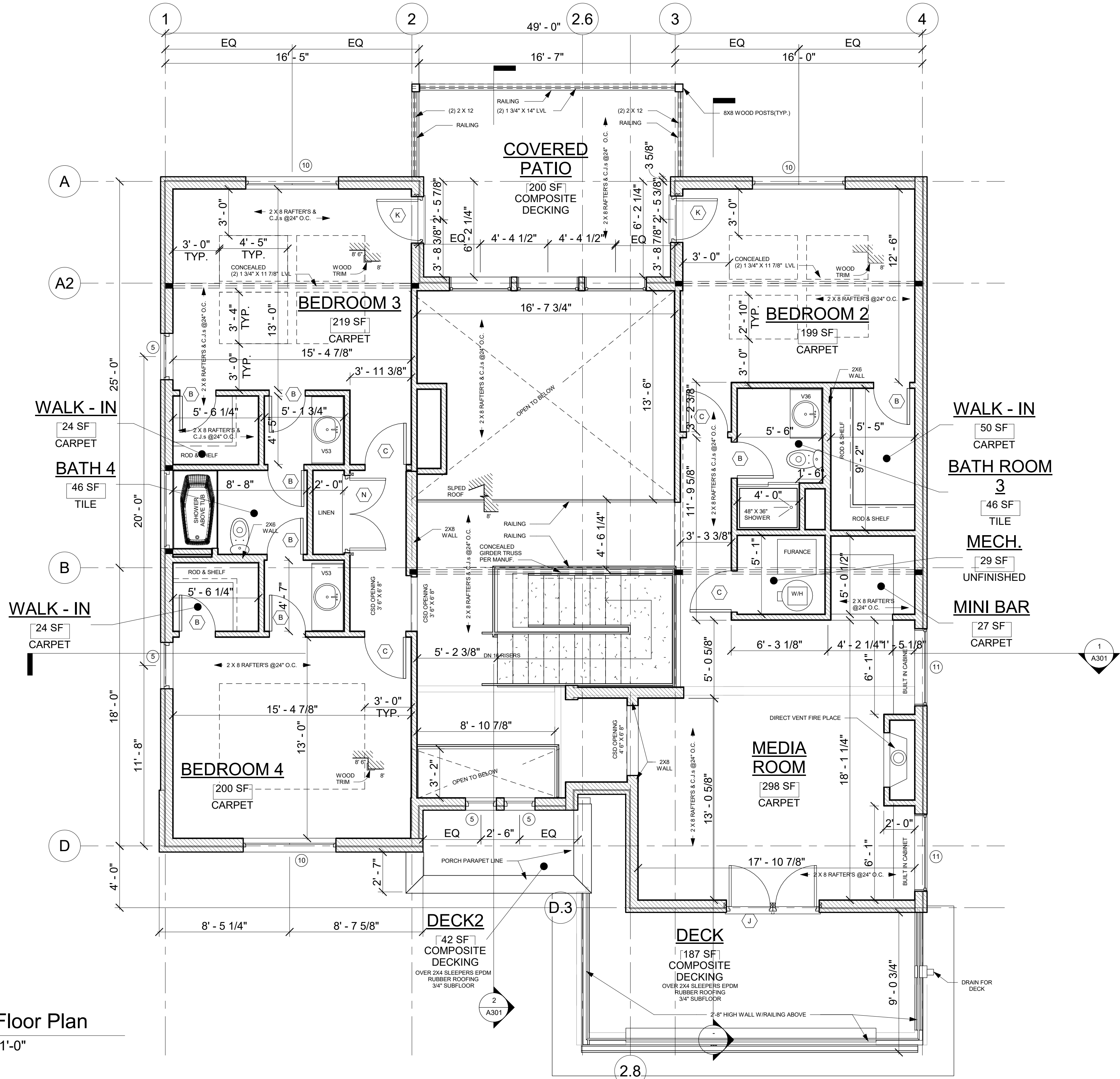
Project Number:  
Drawn By: AA  
Checked By: SLP

NO	DATE	REVISION
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8		

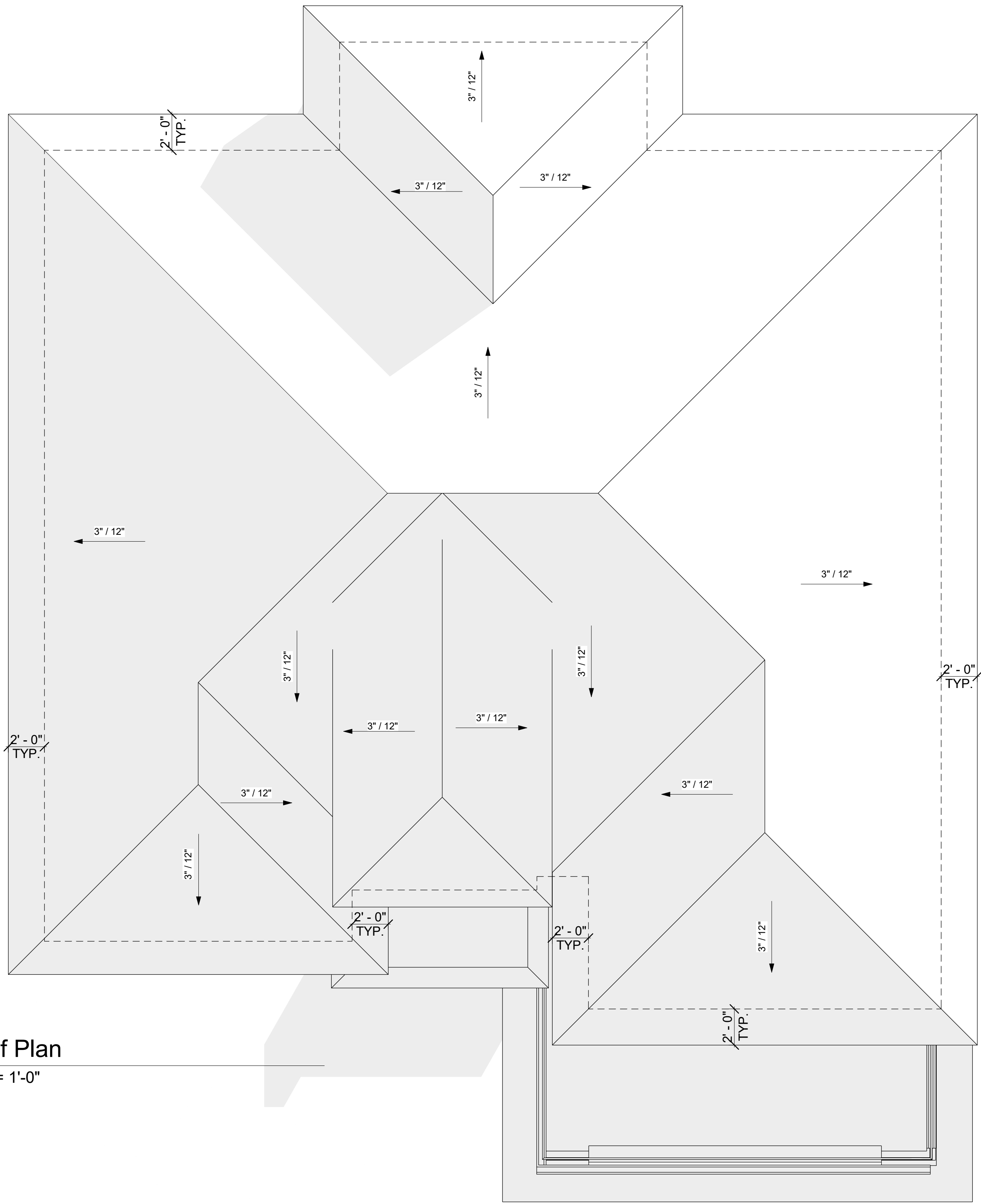
Project: Harborview Drive Residence

A 102

SCALE: 1/32



**1** 2nd Floor Plan  
1/4" = 1'-0"



1 Roof Plan  
 1/4" = 1'-0"

BED ROOM2  
 BED ROOM1

310 HARBORVIEW DR,  
 ROCKWALL, TX 75032



WWW.BUILDINGLLC.COM  
 INFO@BUILDINGLLC.COM  
 TEL: 512-537-6364  
 TX F# 20409

Seal:

Project Number:  
 Drawn By: AA  
 Checked By: SLP

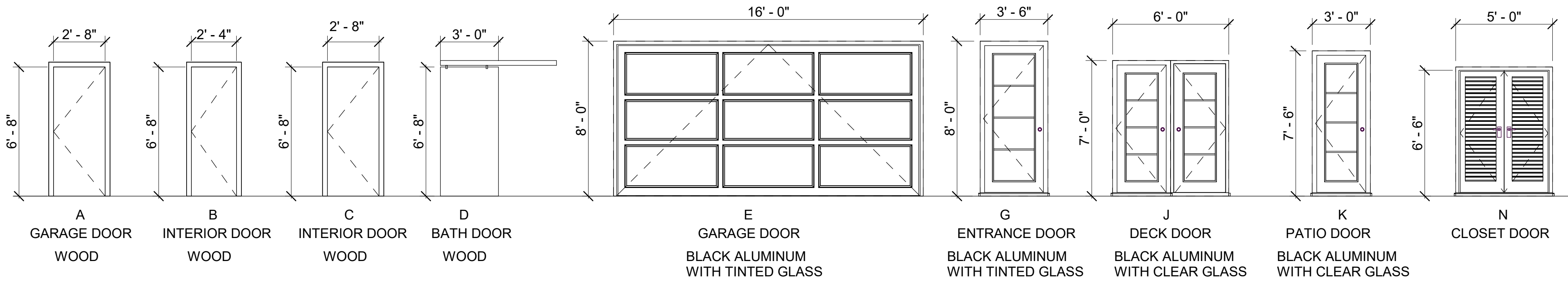
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Project: Harborview Drive Residence

A 103

SCALE: 133

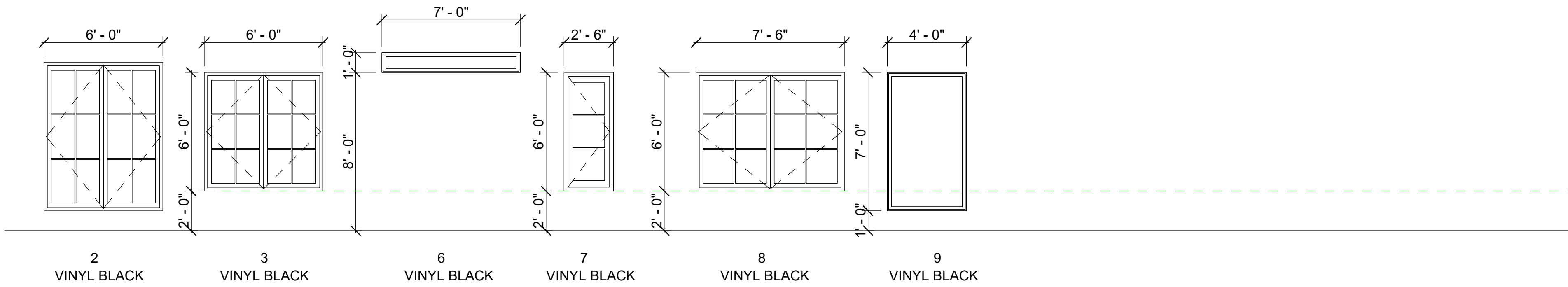
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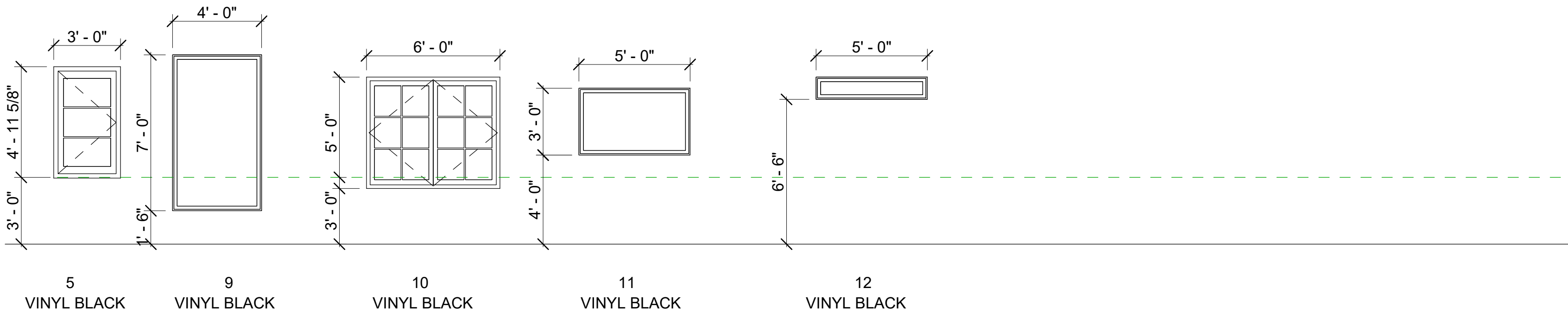
# WINDOW SCHEDULE

FIRST FLOOR

MAX. U FACTOR : 0.3  
 MAX. SHGC : 0.32  
 MAX. VT: 0.51  
 FRAME MATERIAL : WOOD



SECOND FLOOR



310 HARBORVIEW DR,  
ROCKWALL, TX 75032



WWW.BUILDINGLLC.COM  
 INFO@BUILDINGLLC.COM  
 TEL: 512-537-6364  
 TX F# 20409

Seal:  
  
 Project Number:  
 Drawn By: AA  
 Checked By: SLP

NO	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		

Project: Harborview Drive Residence

**A 601**  
 SCALE: **134**

ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	EXTERIOR MATERIALS	ACCESSORY BUILDING
325 Harbor Landing Drive	Single-Family Home	1994	2934	Stucco	N/A
313 Harbor Landing Drive	Single-Family Home	2001	5343	Brick	N/A
315 Harbor Landing Drive	Single-Family Home	1994	2253	Brick	N/A
319 Harbor Landing Drive	Single-Family Home	1993	3265	Brick	N/A
311 Harbor Landing Drive	Single-Family Home	1995	2866	Stucco	N/A
323 Harbor Landing Drive	Single-Family Home	1994	3301	Brick	N/A
321 Harbor Landing Drive	Single-Family Home	1998	2982	Brick, Stone	N/A
303 Harbor Landing Drive	Single-Family Home	1994	2548	Brick	N/A
317 Harbor Landing Drive	Single-Family Home	1995	2974	Brick	N/A
307 Harbor Landing Drive	Single-Family Home	1993	2021	Brick	N/A
309 Harbor Landing Drive	Single-Family Home	1993	2936	Brick	168 SF ; 24 SF
326 Harbor Landing Drive	Single-Family Home	1994	2737	Hardi-Board	96 SF
328 Harbor Landing Drive	Single-Family Home	1994	3521	Wood Paneling, Stucco, and Stone	N/A
330 Harborview Drive	Single-Family Home	1994	2252	Brick, Stone	N/A
306 Harborview Drive	Single-Family Home	1994	2035	Wood Paneling, Stucco, and Tile	N/A
312 Portview Place	Single-Family Home	2017	2919	Stone, Hardi-Board	253 SF
310 Harborview Drive	Subject Property	N/A	N/A	N/A	N/A
308 Harborview Drive	Vacant	N/A	N/A	N/A	N/A
301 Harbor Landing Drive	Single-Family Home	1994	2676	Brick	N/A
314 Portview Place	Single-Family Home	2017	2629	Stone	N/A
316 Portview Place	Single-Family Home	2009	3128	Stone, Stucco	N/A
305 Harbor Landing Drive	Single-Family Home	1988	2060	Brick	N/A
320 Portview Place	Single-Family Home	2012	3616	Brick	N/A
Averages		1998	2916		135



325 Harbor Landing Drive



313 Harbor Landing Drive





315 Harbor Landing Drive



319 Harbor Landing Drive



311 Harbor Landing Drive



323 Harbor Landing Drive



321 Harbor Landing Drive



303 Harbor Landing Drive



317 Harbor Landing Drive



307 Harbor Landing Drive



309 Harbor Landing Drive



326 Harbor Landing Drive



328 Harbor Landing Drive



330 Harborview Drive



306 Harborview Drive



312 Portview Place



310 Harborview Drive



308 Harborview Drive





301 Harbor Landing Drive



314 Portview Place



316 Portview Place



305 Harbor Landing Drive



320 Portview Place

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) [*ORDINANCE NO. 84-30*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.20-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 16, BLOCK C, HARBORVIEW LANDING, PHASE 2 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 by Ali Abedini on behalf of John Fenianos for the approval of a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.20-acre parcel of land identified as Lot 16, Block C, Harborview Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for Single-Family 7 (SF-7) District land uses, addressed as 310 Harborview Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 8 (PD-8) [*Ordinance No. 84-30*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 8 (PD-8) [*Ordinance No. 84-30*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, 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 Planned Development District 8 (PD-8) [*Ordinance No. 84-30*] and Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and with the following conditions:

### **2.1 OPERATIONAL CONDITIONS**

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

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

### **2.2 COMPLIANCE**

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

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

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

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full

force and effect.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

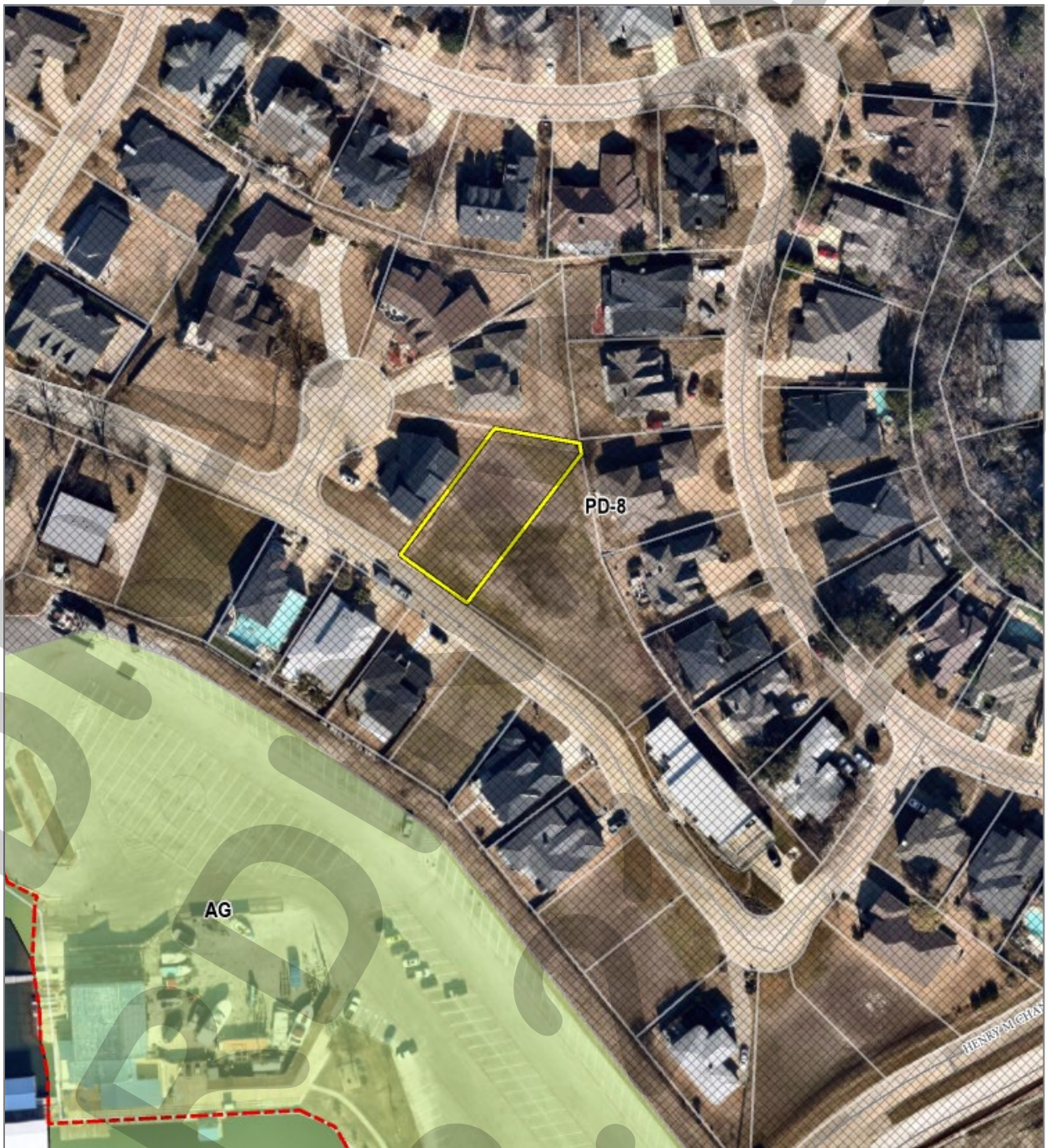
\_\_\_\_\_  
Frank J. Garza, *City Attorney*

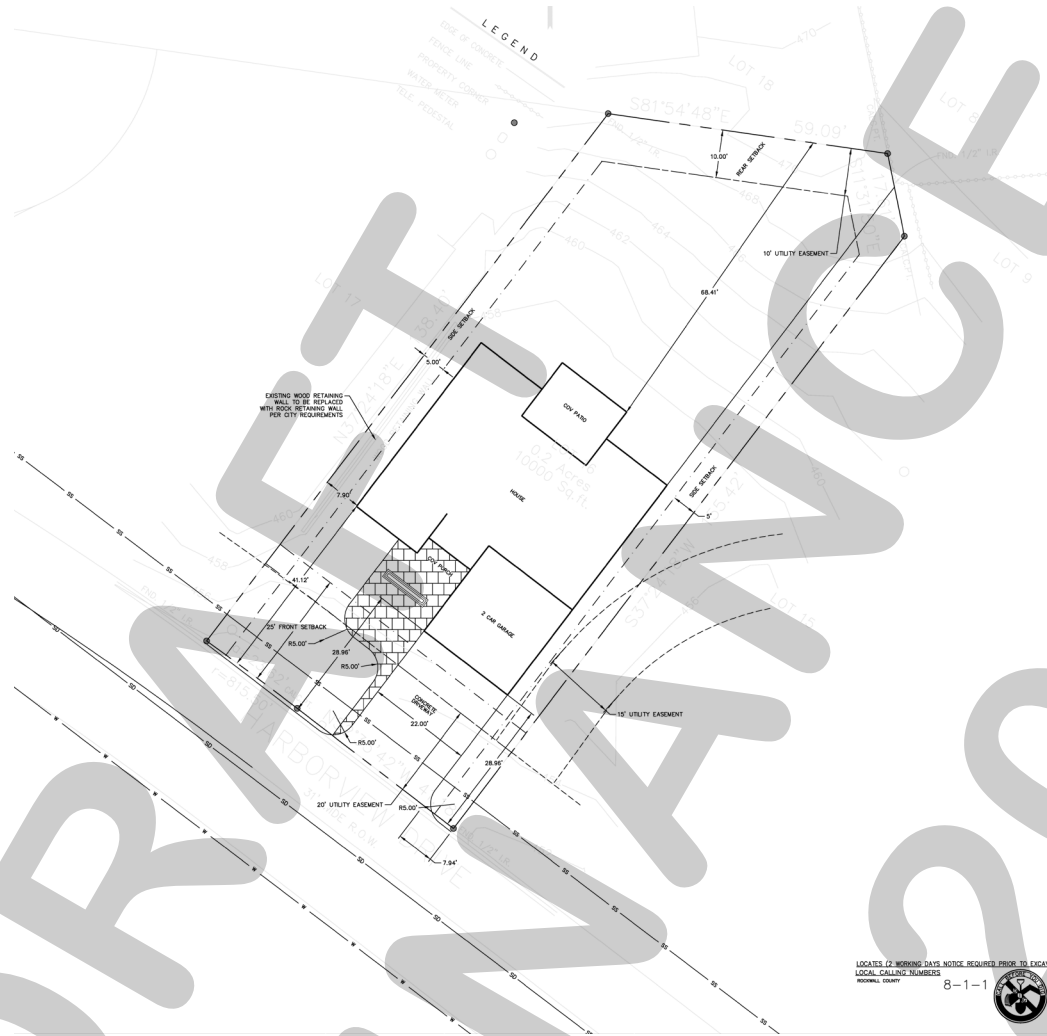
1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023

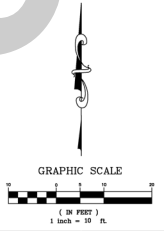
Address: 310 Harborview Drive

Legal Description: Lot 16, Block C, Harborview Landing, Phase 2 Addition





LOCATES (2 WORKING DAYS NOTICE REQUIRED PRIOR TO EXCAVATION)  
 LOCAL CALLING NUMBERS  
 8-1-1



DRAWING NO. 2021.2023



310 - ARBOR AVE DR.  
ROCKWALL, TX 75082



310 - ARBOR AVE DR.  
ROCKWALL, TX 75082  
TEL: 972.937.5344  
3.1.17 2023.03

Scale

Drawn By: AA  
Checked By: SLP

DATE

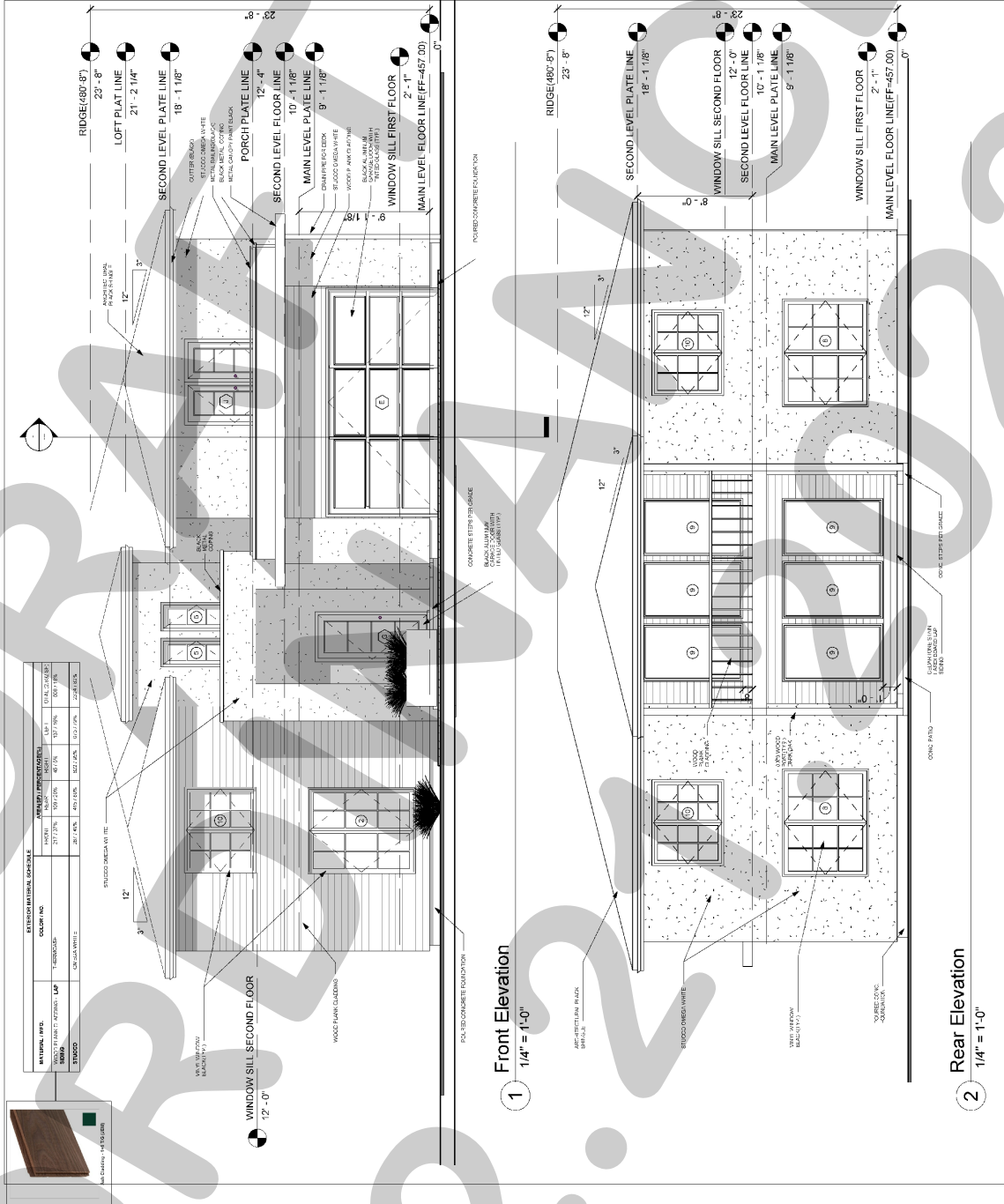
REVIS ON

NO

Project: HarborView Drive  
Residence

A 201

SCALE



CASE NUMBER: ZC223-001

310 - ARBORVIEW DR,  
ROCKWALL, TX 75087



WORK PREPARED BY:  
DATE: 08/10/2018 10:51 AM  
PROJECT NO: 1537-5364  
DATE: 8/12/2018

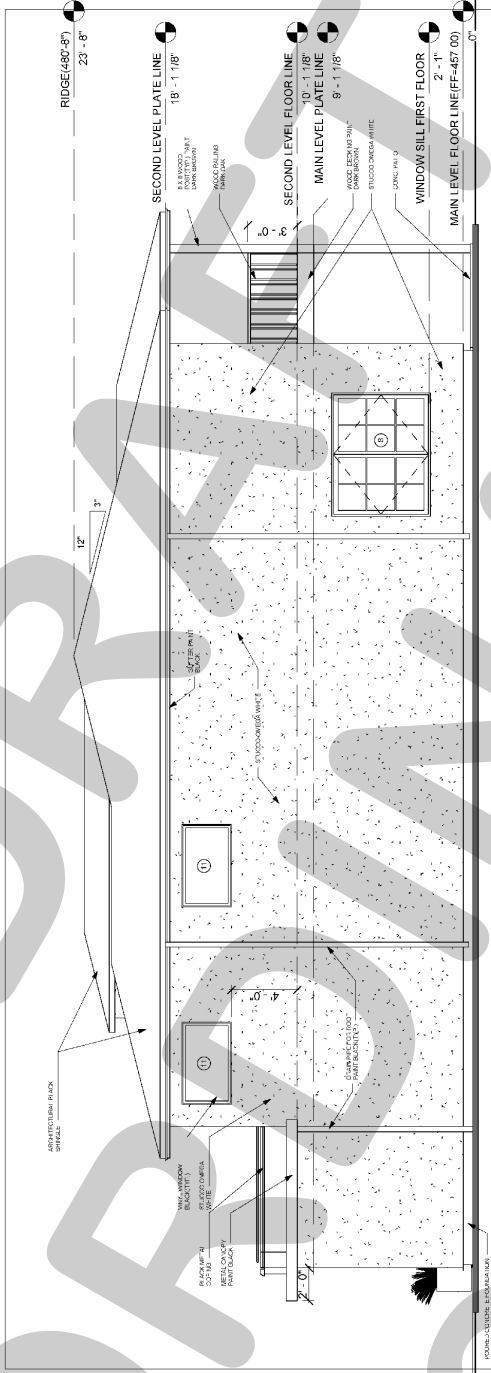
Drawn By: AA  
Checked By: SUP

NO.	1	2	3	4	5	6	7	8	9	10
DATE										
REVISION										

Project: HarborView Drive Residence

A 202

SCALE



1 Right Elevation  
1/4" = 1'-0"

1

1/4" = 1'-0"

Right Elevation

1/4" = 1'-0"

1

1/4" = 1'-0"

1

1/4" = 1'-0"

1

1/4" = 1'-0"

1

1/4" = 1'-0"

1

1/4" = 1'-0"

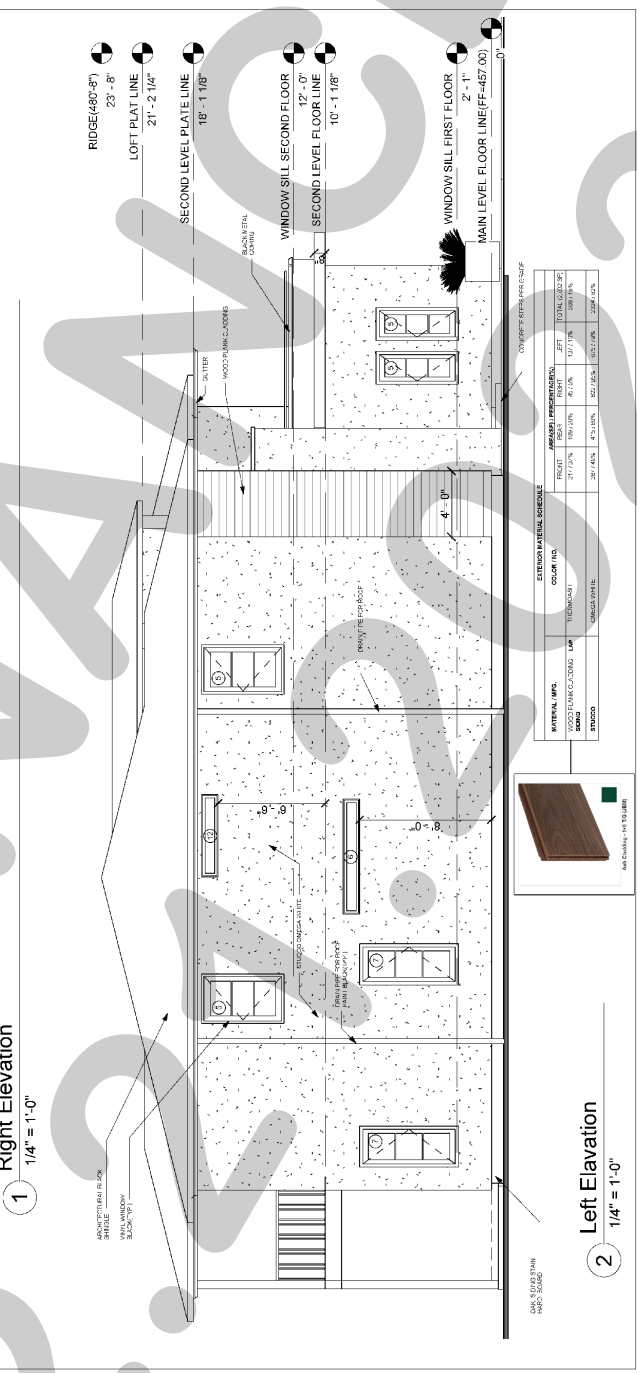
1

1/4" = 1'-0"

1

1/4" = 1'-0"

1



2 Left Elevation  
1/4" = 1'-0"

2

1/4" = 1'-0"

Left Elevation

1/4" = 1'-0"

2

1/4" = 1'-0"

2

1/4" = 1'-0"

2

1/4" = 1'-0"

2

1/4" = 1'-0"

2

1/4" = 1'-0"

2

1/4" = 1'-0"

2

1/4" = 1'-0"

2

MATERIALS		EXTENSION MATERIALS SCHEDULE		ANNUAL PRESENTATIONS		TOTALS	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
1	WOOD	1	WOOD	1	WOOD	1	WOOD
2	BRICK	2	BRICK	2	BRICK	2	BRICK
3	GLASS	3	GLASS	3	GLASS	3	GLASS
4	ROOFING	4	ROOFING	4	ROOFING	4	ROOFING
5	PAINT	5	PAINT	5	PAINT	5	PAINT
6	LANDSCAPE	6	LANDSCAPE	6	LANDSCAPE	6	LANDSCAPE
7	MECHANICAL	7	MECHANICAL	7	MECHANICAL	7	MECHANICAL
8	ELECTRICAL	8	ELECTRICAL	8	ELECTRICAL	8	ELECTRICAL
9	PLUMBING	9	PLUMBING	9	PLUMBING	9	PLUMBING
10	CONCRETE	10	CONCRETE	10	CONCRETE	10	CONCRETE
11	FOUNDATION	11	FOUNDATION	11	FOUNDATION	11	FOUNDATION
12	ROOFING	12	ROOFING	12	ROOFING	12	ROOFING
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15	PLUMBING	15	PLUMBING	15	PLUMBING	15	PLUMBING
16	CONCRETE	16	CONCRETE	16	CONCRETE	16	CONCRETE
17	FOUNDATION	17	FOUNDATION	17	FOUNDATION	17	FOUNDATION
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34	CONCRETE	34	CONCRETE	34	CONCRETE	34	CONCRETE
35	FOUNDATION	35	FOUNDATION	35	FOUNDATION	35	FOUNDATION
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75	PLUMBING	75	PLUMBING	75	PLUMBING	75	PLUMBING
76	CONCRETE	76	CONCRETE	76	CONCRETE	76	CONCRETE
77	FOUNDATION	77	FOUNDATION	77	FOUNDATION	77	FOUNDATION
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89	FOUNDATION	89	FOUNDATION	89	FOUNDATION	89	FOUNDATION
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112	CONCRETE	112	CONCRETE	112	CONCRETE	112	CONCRETE
113	FOUNDATION	113	FOUNDATION	113	FOUNDATION	113	FOUNDATION
114	ROOFING	114	ROOFING	114	ROOFING	114	ROOFING
115	MECHANICAL	115	MECHANICAL	115	MECHANICAL	115	MECHANICAL
116	ELECTRICAL	116	ELECTRICAL	116	ELECTRICAL	116	ELECTRICAL
117	PLUMBING	117	PLUMBING	117	PLUMBING	117	PLUMBING
118	CONCRETE	118	CONCRETE	118	CONCRETE	118	CONCRETE
119	FOUNDATION	119	FOUNDATION	119	FOUNDATION	119	FOUNDATION
120	ROOFING	120	ROOFING	120	ROOFING	120	ROOFING
121	MECHANICAL	121	MECHANICAL	121	MECHANICAL	121	MECHANICAL
122	ELECTRICAL	122	ELECTRICAL	122	ELECTRICAL	122	ELECTRICAL
123	PLUMBING	123	PLUMBING	123	PLUMBING	123	PLUMBING
124	CONCRETE	124	CONCRETE	124	CONCRETE	124	CONCRETE
125	FOUNDATION	125	FOUNDATION	125	FOUNDATION	125	FOUNDATION
126	ROOFING	126	ROOFING	126	ROOFING	126	ROOFING
127	MECHANICAL	127	MECHANICAL	127	MECHANICAL	127	MECHANICAL
128	ELECTRICAL	128	ELECTRICAL	128	ELECTRICAL	128	ELECTRICAL
129	PLUMBING	129	PLUMBING	129	PLUMBING	129	PLUMBING
130	CONCRE						



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2023-002; SPECIFIC USE PERMIT FOR NEW AND/OR USED INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM

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### Attachments

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

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Matthew J. Peterson of DB Constructors, Inc. on behalf of Jeff Fleming for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on a 1.99-acre portion of a larger 3.853-acre tract of land identified as Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development 46 (PD-46) District for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located on the southside of Springer Road east of the intersection of Springer Road and Corporate Crossing, and take any action necessary (**1st Reading**).

### Action Needed

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



**CITY OF ROCKWALL**  
CITY COUNCIL COMMISSION 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:** February 21, 2023  
**APPLICANT:** Matthew Peterson; *DB Constructors*  
**CASE NUMBER:** Z2023-002; *Specific Use Permit for New and/or Used Indoor Motor Vehicle Dealership/Showroom*

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**SUMMARY**

Hold a public hearing to discuss and consider a request by Matthew J. Peterson of DB Constructors, Inc. on behalf of Jeff Fleming for the approval of a Specific Use Permit (SUP) to allow a New and/or Used Indoor Motor Vehicle Dealership/Showroom on a 1.99- acre portion of a larger 3.853-acre tract of land identified as Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development 46 (PD-46) District for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located on the southside of Springer Road east of the intersection of Springer Road and Corporate Crossing, and take any action necessary.

**BACKGROUND**

The subject property was originally annexed into the City of Rockwall on July 21, 1997 by *Ordinance No. 97-14*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On March 1, 1999, the City Council approved a zoning change [*Case No. PZ1998-087-01; Ordinance No. 99-05*] for the subject property changing the zoning from an Agricultural (AG) District to Planned Development District 46 (PD-46) for Commercial (C) District land uses. On August 2, 2021, the City Council amended Planned Development District 46 (PD-46) [*Case No. Z2020-024; Ordinance No. 21-32*]; however, the approved amendment did not affect the subject property. The subject property has remained vacant since the time of annexation.

**PURPOSE**

The applicant -- *Matthew J. Peterson of DB Constructors* -- is requesting the approval of a Specific Use Permit (SUP) to allow the *New and/or Used Indoor Motor Vehicle Dealership/Showroom* in a Commercial (C) District for the purpose of constructing a 22,726 SF *Office and Indoor Motor Vehicle Dealership/Showroom* on the subject property.

**ADJACENT LAND USES AND ACCESS**

The subject property is generally located at the southeast corner of Corporate Crossing and Springer Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Springer Road, which is classified 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 are two (2) parcels of land, one (1) parcel is vacant (*i.e. Lot 1, Block B, Rockwall Technology Park Phase 2 Addition*), and the other parcel (*i.e. Lot 3, Block B, Rockwall Technology Park Phase 2 Addition*) is developed with an industrial building. Both properties are zoned Light Industrial (LI) District. Following this is Discovery Boulevard, which is classified 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.

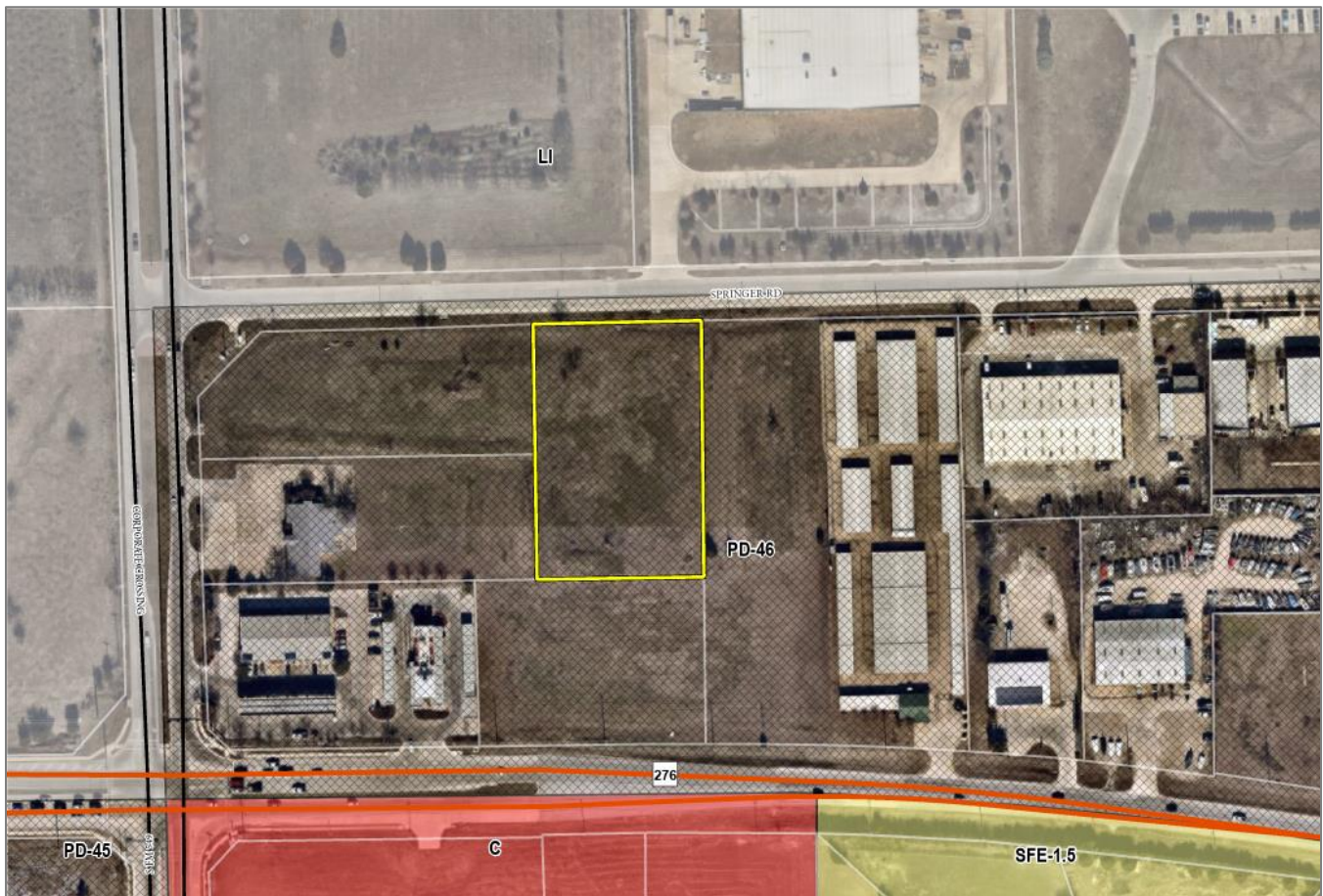
South: Directly south of the subject property is a vacant 1.836-acre tract of land (*i.e. Tract 2-11, Abstract 186 of the J. A. Ramsey Survey*) that is zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses.

Beyond this is SH-276, which is classified as a TXDOT6D (i.e. a Texas Department of Transportation, six [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Following this are two (2) vacant tracks of land (i.e. Tracts 2-12 & 2-14, Abstract 186 of the J. A. Ramsey Survey) that are zoned Commercial (C) District. Beyond this is the Sterling Farms Subdivision, which consists 48 single-family residential lots on 77.74-acres. This subdivision was established on April 28, 1997 and is zoned Single-Family Estates 1.5 (SFE-1.5) District.

East: Directly east of the subject property is a five (5) acre tract of land (i.e. Tract 2-6, Abstract 186 of the J. A. Ramsey Survey) developed with a *Mini-Warehouse Facility*. Beyond this is a 2.50-acre tract of land (i.e. Tract 2-3, Abstract 186 of the J. A. Ramsey Survey) developed with an *Office Building*. Following this is a 1.095-acre parcel of land (i.e. Lot 4, Block A, Sharp Addition) developed with two (2) *Office Buildings*. Following this is a vacant 1.914-acre parcel of land (i.e. Lot 5, Block A, Sharp Addition). All of these properties are zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses.

West: Directly west of the subject property is a two (2) acre parcel of land (i.e. Lot 1, Block A, Pannell Subdivision) that is zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses. Beyond this is Corporate Crossing, which is classified as a TXDOT4D (i.e. a Texas Department of Transportation, four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Following this is a vacant 8.405-acre parcel of land (i.e. Lot 8, Block A, Rockwall Technology Park Addition) that is zoned Light Industrial (LI) District.

MAP 1: LOCATION MAP  
**YELLOW:** SUBJECT PROPERTY



### **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, letter, and a zoning exhibit requesting a Specific Use Permit (SUP) for a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on the subject property. According to the applicant's letter, the

proposed 22,726 SF facility will be used as "...a car showroom, office pertaining to Mr. Fleming's [the owner] businesses, and a separate area for storage outside of the showroom." The applicant has included a floor plan showing how the business will be laid out, and staff has included this in the attached packet for the Planning and Zoning Commission and City Council's review.

**CONFORMANCE WITH THE CITY'S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC), defines a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* as "(t)he indoor storage of operable automobiles in a fully enclosed building for the purpose of holding such vehicles for sale, lease, distribution, or storage." In this case, the applicant's proposed use -- *which is to store a private car collection*-- falls under this classification. According to the *Permissible Use Charts* contained in Article 04, *Permitted Uses*, of the Unified Development Code (UDC), a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* requires a Specific Use Permit (SUP) in a Commercial (C) District. The purpose of this requirement is to acknowledge that not all car dealerships are appropriate within the City's commercial areas, and that the City Council should have discretionary oversight with regard to car dealerships and their impacts within these types of districts. In addition, Section 02, *Conditional Land Use Standards and Definitions*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) also requires the following *Conditional Land Use Standards* as part of the establishment of this land use [for reference staff has provided a summary of the applicant's proposal adjacent to the standards and its compliance to the requirements]:

**TABLE 1: CONDITIONAL LAND USE STANDARDS FOR THE NEW AND/OR USED INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM LAND USE**

CONDITIONAL LAND USED REQUIREMENTS	PROPOSED CONCEPT PLAN	COMPLIANCE TO THE REQUIREMENTS
THE SALES/STORAGE FACILITY MUST BE A COMPLETELY ENCLOSED BUILDING.	ALL OPERATIONS WILL BE COMPLETELY ENCLOSED WITHIN THE BUILDING.	IN CONFORMANCE
OUTSIDE DISPLAY OR STORAGE OF VEHICLES SHALL BE PROHIBITED. THIS INCLUDES STORING VEHICLES UNDER CANOPIES, AWNINGS OR SIMILAR COVERED STRUCTURES/	THERE SHALL BE NO OUTSIDE STORAGE OR DISPLAY.	IN CONFORMANCE
ALL ACTIVITIES SHALL REMAIN INSIDE THE BUILDING.	ALL OPERATIONS WILL BE COMPLETELY ENCLOSED WITHIN THE BUILDING.	IN CONFORMANCE

**STAFF ANALYSIS**

In this case, the proposed concept plan shows conformance with the *Conditional Land Use Standards*, density and dimensional requirements, and *General Overlay District Standards* for the *New and/or Used Indoor Motor Vehicle Dealership/Showroom* land use in Planned Development District 46 (PD-46) as stipulated by the Unified Development Code (UDC). According to Table 5, *Parking Requirement Schedule*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), the proposed building should be parked to accommodate the indicated *Office* and *Warehouse* land uses. Based on the provided concept plan the applicant is required to provide 34 parking spaces ( $5,003/300 + 17,723/1,000 = 34$ ); however, the concept plan indicates 29 parking space will be provided. At the time of site plan staff will work with the applicant to ensure the proposed development is parked in conformance with the UDC. Based on the requested land use, concept plan, and conceptual building elevations the applicant's request does not appear to create a negative impact on any adjacent properties; however, approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

**OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject is situated within the *Technology District* and is designated for *Commercial/Retail* land uses. According to the *District Strategies* this land use designation should "... support the existing and proposed residential developments and should be compatible in scale with the adjacent residential structures." That being said, the subject property is between the Rockwall Technology Park to the north and several transitional light industrial properties -- that are designated for *Commercial/Retail* land uses -- to the south,

with no direct residential adjacency. Additionally, the *District Strategies* state that the properties near SH-276 are transitioning and should "...transition to neighborhood/convenience centers in the future." In this case, the proposed *New and/or Used Indoor Motor Vehicle Dealership/Showroom* provides a transition between the industrial land uses in the Rockwall Technology Park north of Springer Road and the transitional land uses along SH-276.

## **NOTIFICATIONS**

On January 27, 2023, staff mailed 27 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lofland Farms Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization 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). Staff has received no notices in favor or 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 a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* within a Commercial (C) District, 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 development and operation of a New and/or Used Indoor Motor Vehicle Dealership/Showroom shall generally conform to the Concept Plan depicted in Exhibit 'B' and Concept Building Elevations depicted in Exhibit 'C' of this ordinance.
  - (b) The sales/storage facility must be in a completely enclosed building; and,
  - (c) Outside display and/or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures; and,
  - (d) All activities shall remain inside the building (i.e. no detailing, washing, sales activities, etcetera shall be performed outside the building); and,
  - (e) Accessory uses may be allowed in compliance with the Land Use Schedule contained in Article 04, Permissible Uses, of the Unified Development Code (UDC); and,
  - (f) The New and/or Used Indoor Motor Vehicle Dealership/Showroom shall be restricted to the sale of motor vehicles only (i.e. cars and/or light trucks); and,
  - (g) The subject property shall comply with all standard of the City of Rockwall Fire Department for such use.
- (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 February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Specific Use Permit (SUP) by a vote of 7-0.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY  
PLANNING & ZONING CASE NO. 22023-002  
**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) <sup>1</sup>

PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>

FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>

REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>

AMENDING OR MINOR PLAT (\$150.00)

PLAT REINSTATEMENT REQUEST (\$100.00)

**SITE PLAN APPLICATION FEES:**

SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>

AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

**ZONING APPLICATION FEES:**

ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>

SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>

PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

**OTHER APPLICATION FEES:**

TREE REMOVAL (\$75.00)

VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

**NOTES:**

<sup>1</sup>: 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.

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS CORPORATE CROSSING

SUBDIVISION REMAINDER OF MAK SPOT REAL ESTATE LLC LOT BLOCK

GENERAL LOCATION LOT ON SPRINGER ROAD JUST EAST OF THE INTERSECTION AT CORPORATE CROSSING

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-46 CURRENT USE VACANT LOT

PROPOSED ZONING PROPOSED USE OFFICE + INDOOR VEHICLE SHOWROOM

ACREAGE 1.99 ACRES LOTS [CURRENT] LOTS [PROPOSED]

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

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

OWNER  APPLICANT DB CONSTRUCTORS, INC

CONTACT PERSON MATTHEW J PETERSON, AIA

ADDRESS 2400 GREAT SOUTHWEST PARKWAY

CITY, STATE & ZIP FORT WORTH, TX 76106

PHONE 972.837.6244

E-MAIL MATTHEW@DBCONSTRUCTORS.COM

## NOTARY VERIFICATION [REQUIRED]

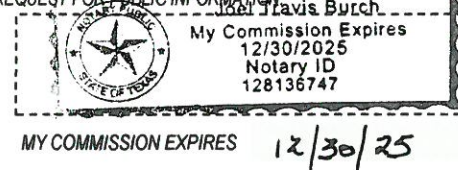
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JEFF R FLEMING [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ 2300 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17<sup>th</sup> DAY OF JAN, 2023 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."

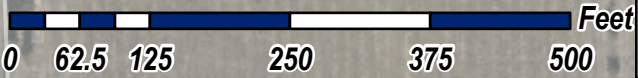
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17<sup>th</sup> DAY OF January, 2023

OWNER'S SIGNATURE [Signature]

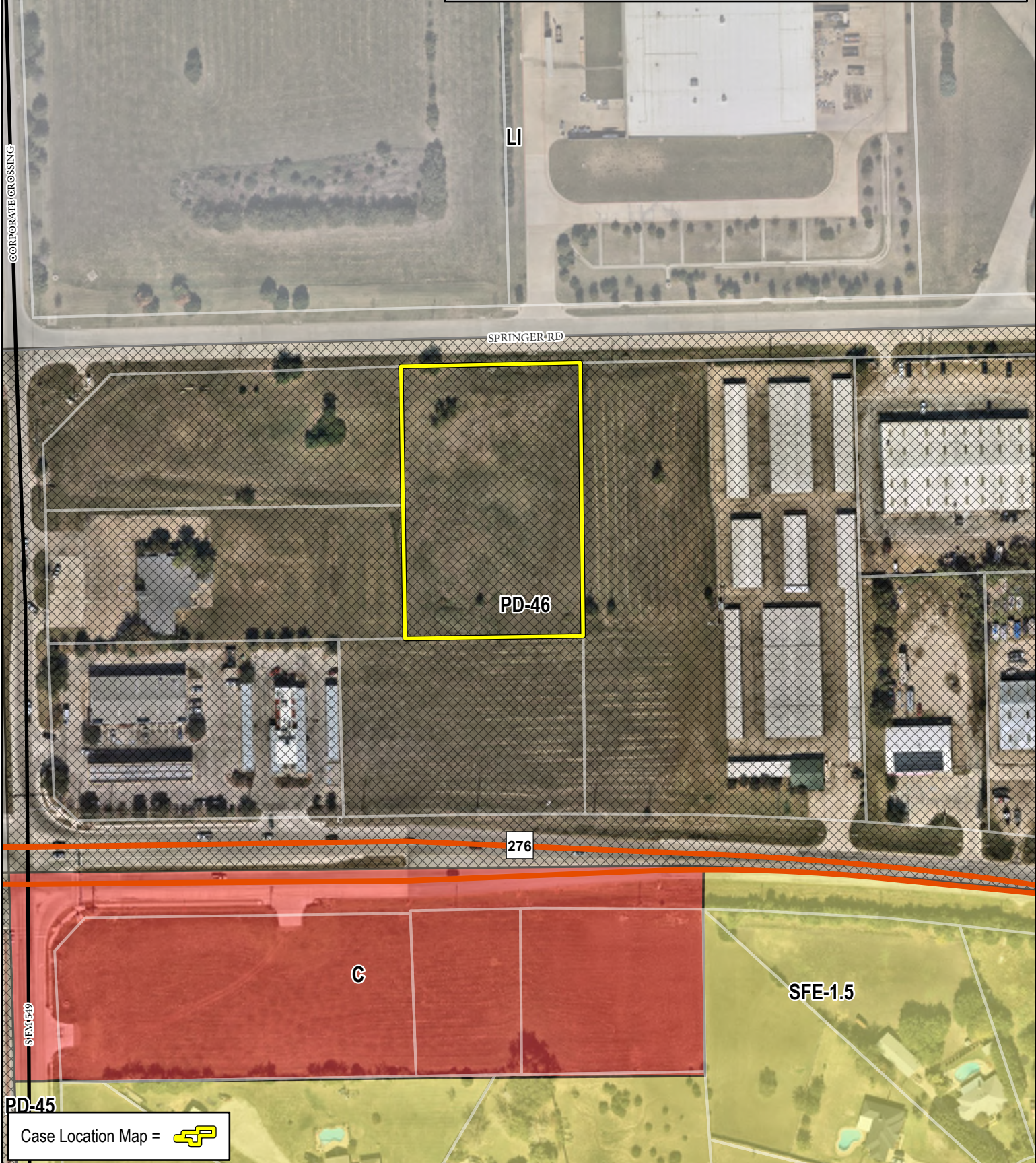
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]







Z2023-002: SUP for a New and/or Used Indoor Motor Vehicle Dealership/Showroom



Case Location Map =



# City of Rockwall

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

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

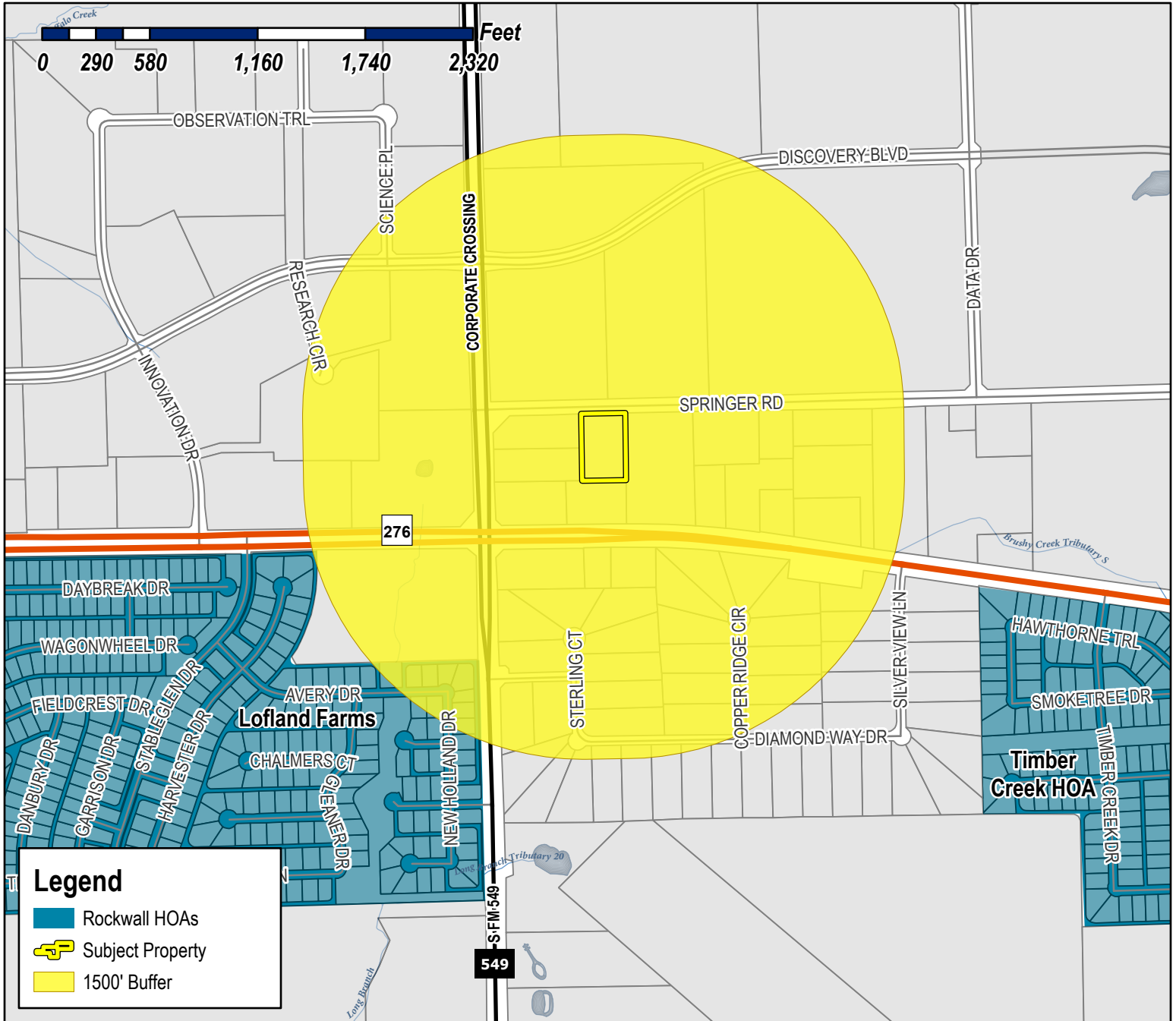




# City of Rockwall

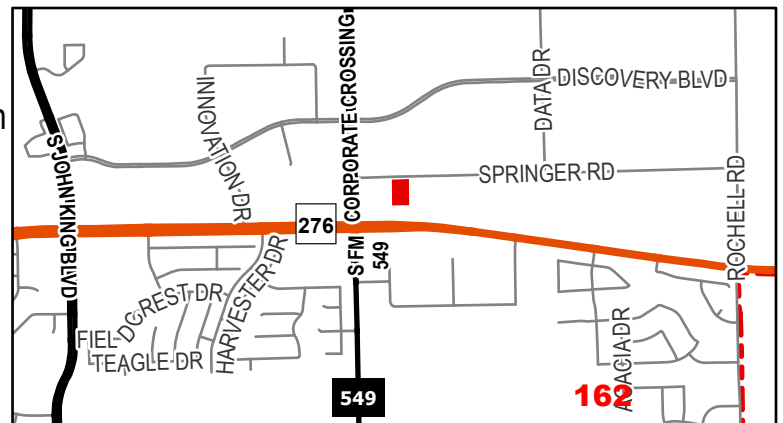
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**Case Number:** Z2023-002  
**Case Name:** SUP for a New and/or Used Indoor Motor Vehicle Dealership/Showroom  
**Case Type:** Zoning  
**Zoning:** Planned Development 46 (PD-46)  
**Case Address:** East of the Intersection of Springer Road and Corporate Crossing

**Date Saved:** 1/19/2023  
 For Questions on this Case Call (972) 771-7745



## Lee, Henry

---

**From:** Chapin, Sarah  
**Sent:** Thursday, January 26, 2023 12:24 PM  
**Cc:** Miller, Ryan; Ross, Bethany; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2023-002]  
**Attachments:** HOA Map (01.20.2023).pdf; Public Notice Z2023-002.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 *January 27, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, February 14, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, February 21, 2023 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](mailto: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>.

### **Z2023-002: SUP for a New and/or Used Motor Vehicle Dealership/Showroom**

Hold a public hearing to discuss and consider a request by Matthew J. Peterson of DB Constructors, Inc. on behalf of Jeff Fleming for the approval of a *Specific Use Permit (SUP)* to allow a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on a 1.99-acre portion of a larger 3.853-acre tract of land identified as Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located on the southside of Springer Road east of the intersection of Springer Road and Corporate Crossing, and take any action necessary.

Thank you,

*Sarah Chapin*

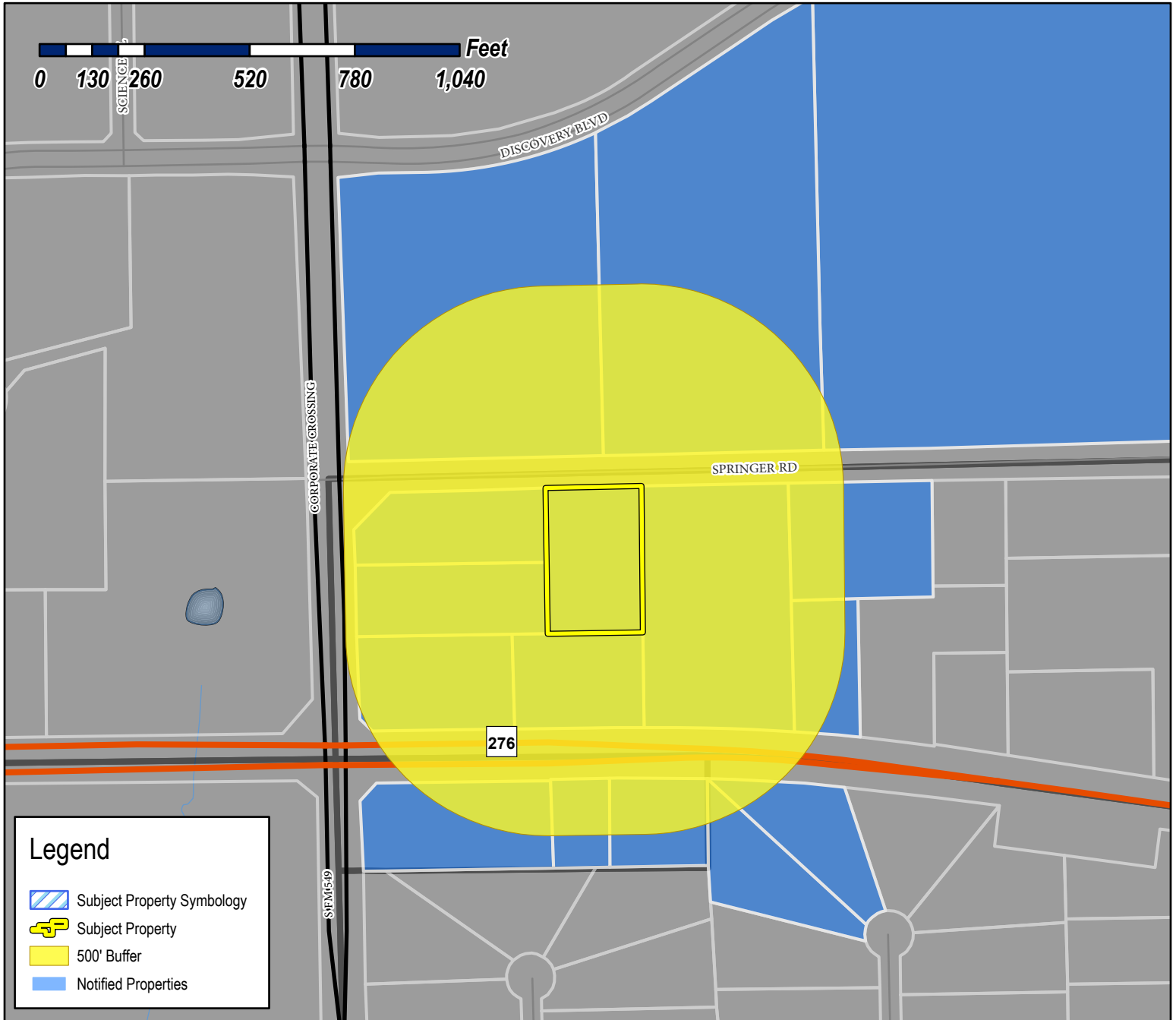
Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-772-6568



# City of Rockwall

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

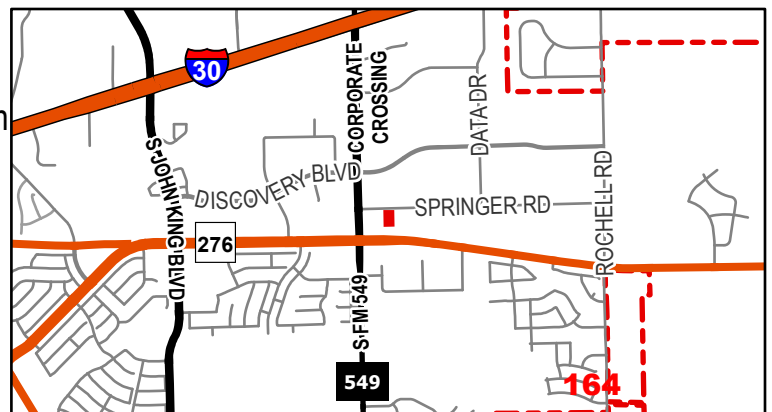
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**Case Number:** Z2023-002  
**Case Name:** SUP for a New and/or Used Indoor Motor Vehicle Dealership/Showroom  
**Case Type:** Zoning  
**Zoning:** Planned Development 46 (PD-46)  
**Case Address:** East of the Intersection of Springer Road and Corporate Crossing

**Date Saved:** 1/19/2023

For Questions on this Case Call: (972) 771-7746



OCCUPANT  
2210 STATE HWY 276  
ROCKWALL, TX 75032

DFW DISTRIBUTOR,  
PETROLEUM INC.  
1111 N BELTLINE RD STE #100  
GARLAND, TX 75040

ARCHER RANDY G & YOWAREE  
1900 COPPER RIDGE CIR  
ROCKWALL, TX 75032

JOHNSON DAVID A AND PHYLLIS D  
1890 COPPER RIDGE CIR  
ROCKWALL, TX 75032

OCCUPANT  
HWY276  
ROCKWALL, TX 75032

XCELON DEVELOPEMENT LLC  
3225 MCLEOD DR SUITE 100  
LAS VEGAS, NV 89121

OCCUPANT  
HWY276  
ROCKWALL, TX 75032

DFW DISTRIBUTOR PETROLEUM INC  
1111 N BELTLINE RD STE #100  
GARLAND, TX 75040

OCCUPANT  
2205 HWY 276  
ROCKWALL, TX 75032

ALMO INVESTMENT II LTD  
PO BOX 2599  
WAXAHACHIE, TX 75168

OCCUPANT  
1275 CORPORATE CROSSING  
ROCKWALL, TX 75032

KELLER JACQUELYN  
8522 GARLAND RD  
DALLAS, TX 75218

OCCUPANT  
2301 HWY276  
ROCKWALL, TX 75032

PRISM LEASING LTD  
A TEXAS LIMITED PTNRSHIP  
625 SUNSET HILL DR  
ROCKWALL, TX 75087

CONNOLLY SQUARED LLC  
2305 HWY276  
ROCKWALL, TX 75032

OCCUPANT  
3225 SPRINGER LN  
ROCKWALL, TX 75032

NBN COMMERCIAL GROUP LLC  
2040 N BELT LINE RD STE 400  
MESQUITE, TX 75150

OCCUPANT  
CORPORATE CROSSING  
ROCKWALL, TX 75032

MAK SPOT REAL ESTATE LLC  
PO BOX 496585  
GARLAND, TX 75049

OCCUPANT  
2245 HWY276  
ROCKWALL, TX 75032

PRBS PROPERTIES LLC  
3216 HUNTER LANE  
PLANO, TX 75093

OCCUPANT  
3055 DISCOVERY BLVD  
ROCKWALL, TX 75032

ALLEN FOODS INC  
C/O RYAN LLC  
AGENT FOR BIMBO BAKERIES USA 13155 NOEL  
RD #100 LB73  
DALLAS, TX 75240

OCCUPANT  
DISCOVERY BLVD  
ROCKWALL, TX 75032

ROCKWALL ECONOMIC DEVELOPMENT  
PO BOX 968  
ROCKWALL, TX 75087

OCCUPANT  
2975 DISCOVERY BLVD  
ROCKWALL, TX 75032

EXETER 2975 DISCOVERY, LP  
101 WEST ELM STREET SUITE 600  
CONSHOHOCKEN, PA 19428

# 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:

## Z2023-002: SUP for a New and/or Used Motor Vehicle Dealership/Showroom

Hold a public hearing to discuss and consider a request by Matthew J. Peterson of DB Constructors, Inc. on behalf of Jeff Fleming for the approval of a Specific Use Permit (SUP) to allow a New and/or Used Indoor Motor Vehicle Dealership/Showroom on a 1.99-acre portion of a larger 3.853-acre tract of land identified as Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located on the southside of Springer Road east of the intersection of Springer Road and Corporate Crossing, 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, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-002: SUP for a New and/or Used Motor Vehicle Dealership/Showroom

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



Bethany Ross  
Planner  
City of Rockwall

15 Jan 2023

RE : Interstate Classic Cars, Springer Road, Rockwall, TX | SUP

Ms. Ross,

Pursuant to our communication concerning the property on Springer Road (referred to as J. A. Ramsey Survey Lot : 1.99 acres of Tract 2-09 Block : Abstract No. 186), we are requesting an SUP on behalf of Jeff Fleming with JR Fleming Investments, LLC for a ground up new construction building on that vacant parcel.

The uses of the building are essentially a car showroom, offices pertaining to Mr. Fleming's businesses, and a separate area for storage outside of the showroom. We have included a floor plan illustrating size and allocation of spaces.

We understand that Conditional Land use standards for New and/or Used Indoor Motor Vehicle Dealership/Showroom is the closest "use" to this request and as such we will complete with the those standards. As we have discussed, those standards are :

- a. The sales/storage facility must be a completely enclosed building.
- b. Outside display or storage of vehicles shall be prohibited. This includes storing vehicles under canopies / awnings or similar covered structures.
- c. All activities shall remain inside the building (i.e. no detailing, sales activities, etcetera shall be performed outside the building).
- d. Accessory used may be allowed in compliance with Land Use Schedule.

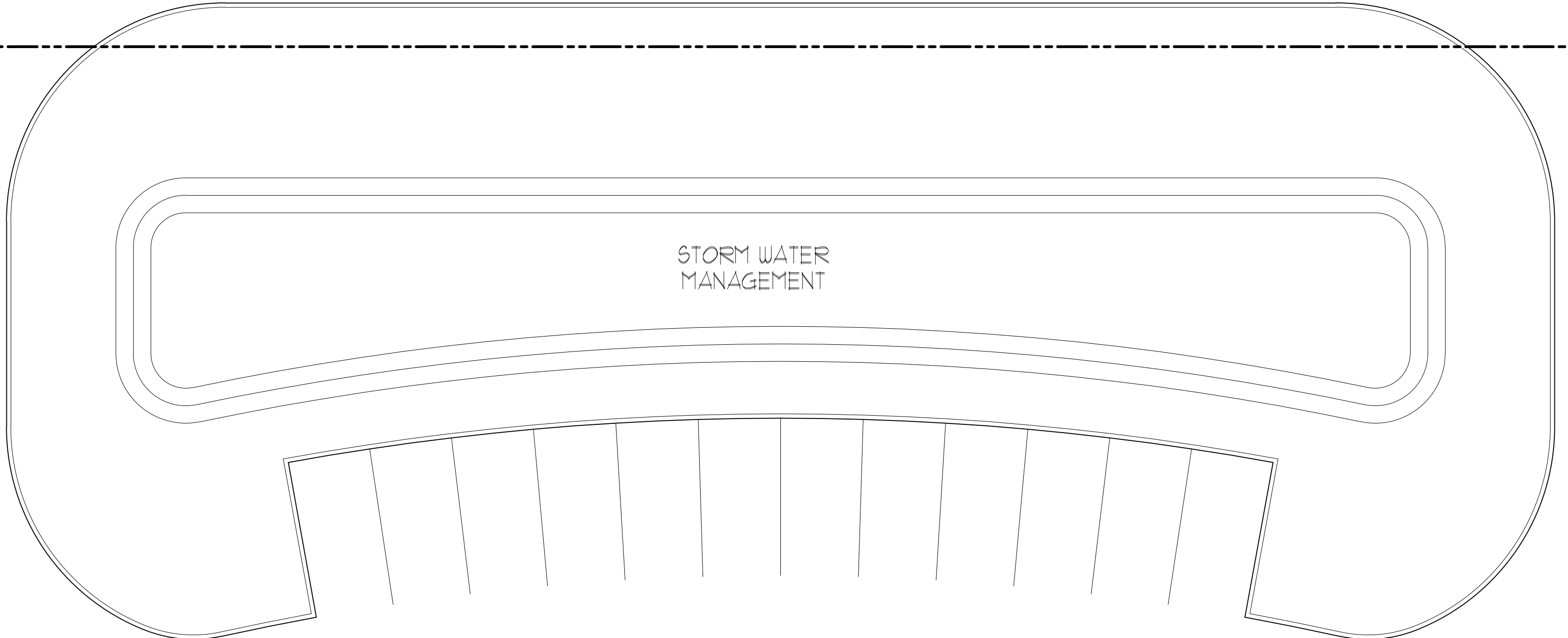
We have worked with Mr. Fleming and our design team to put together a building that we feel meets the needs of our Client and will be a good addition to the City of Rockwall. We look forward to the hearings and we are here to answer any and all questions you all have for us.

Thank you for all the time you have taken to help us with this submittal and we thank you in advance for next steps. We look forward to another successful project in Rockwall!

Sincerely,

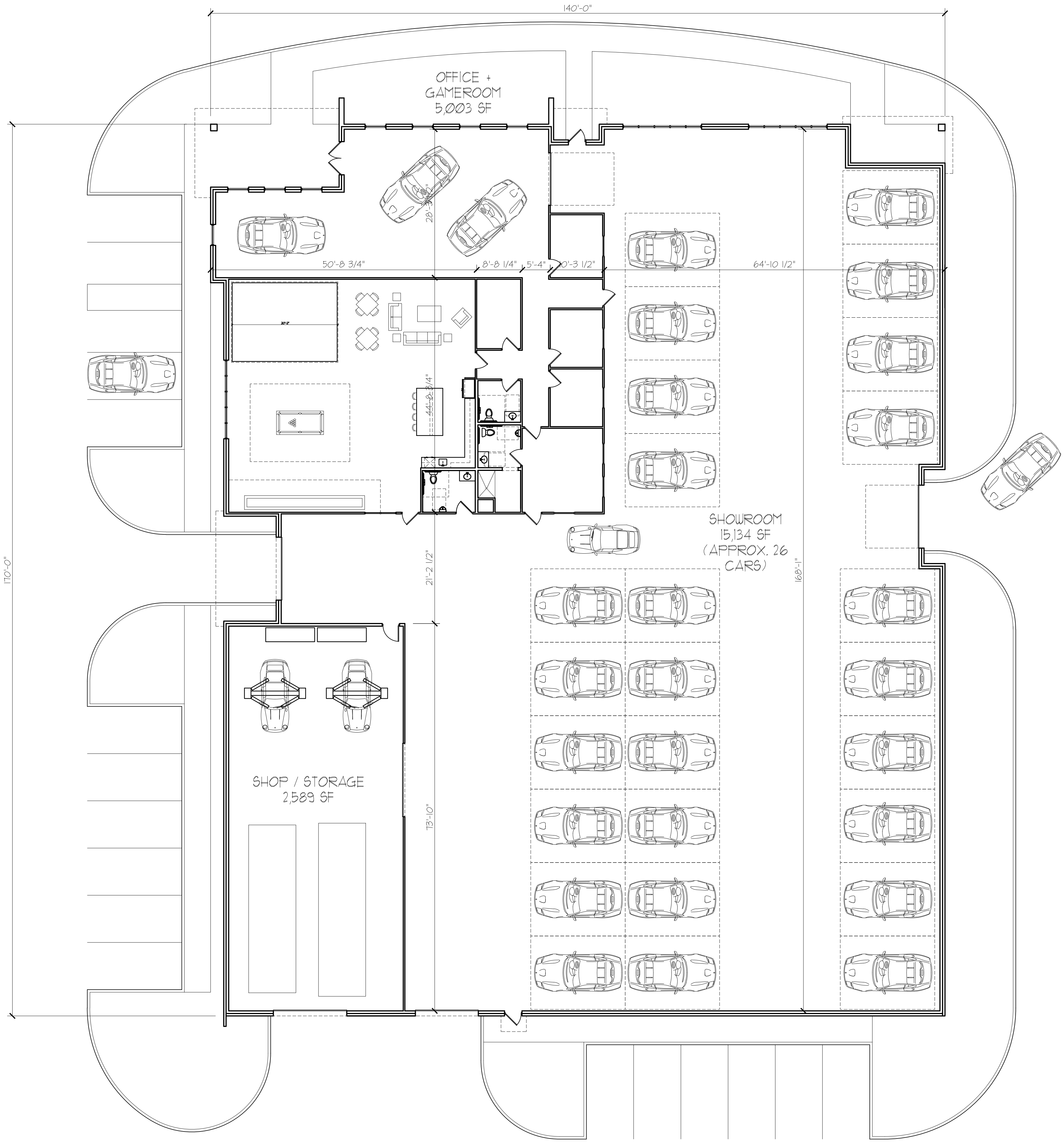
A handwritten signature in blue ink, appearing to read 'Matthew J Peterson', with a long horizontal flourish extending to the right.

Matthew J Peterson, AIA  
Vice-President of Design and Development



STORM WATER  
MANAGEMENT

OVERALL BUILDING : 22,126 SF  
CANOPIES : 655 SF

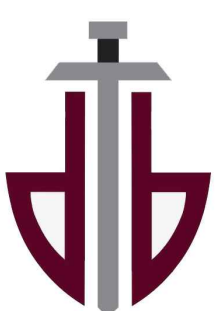


110'-0"

140'-0"

1 PROPOSED BUILDING + SITE PLAN

SCALE: 3/32" = 1'-0"

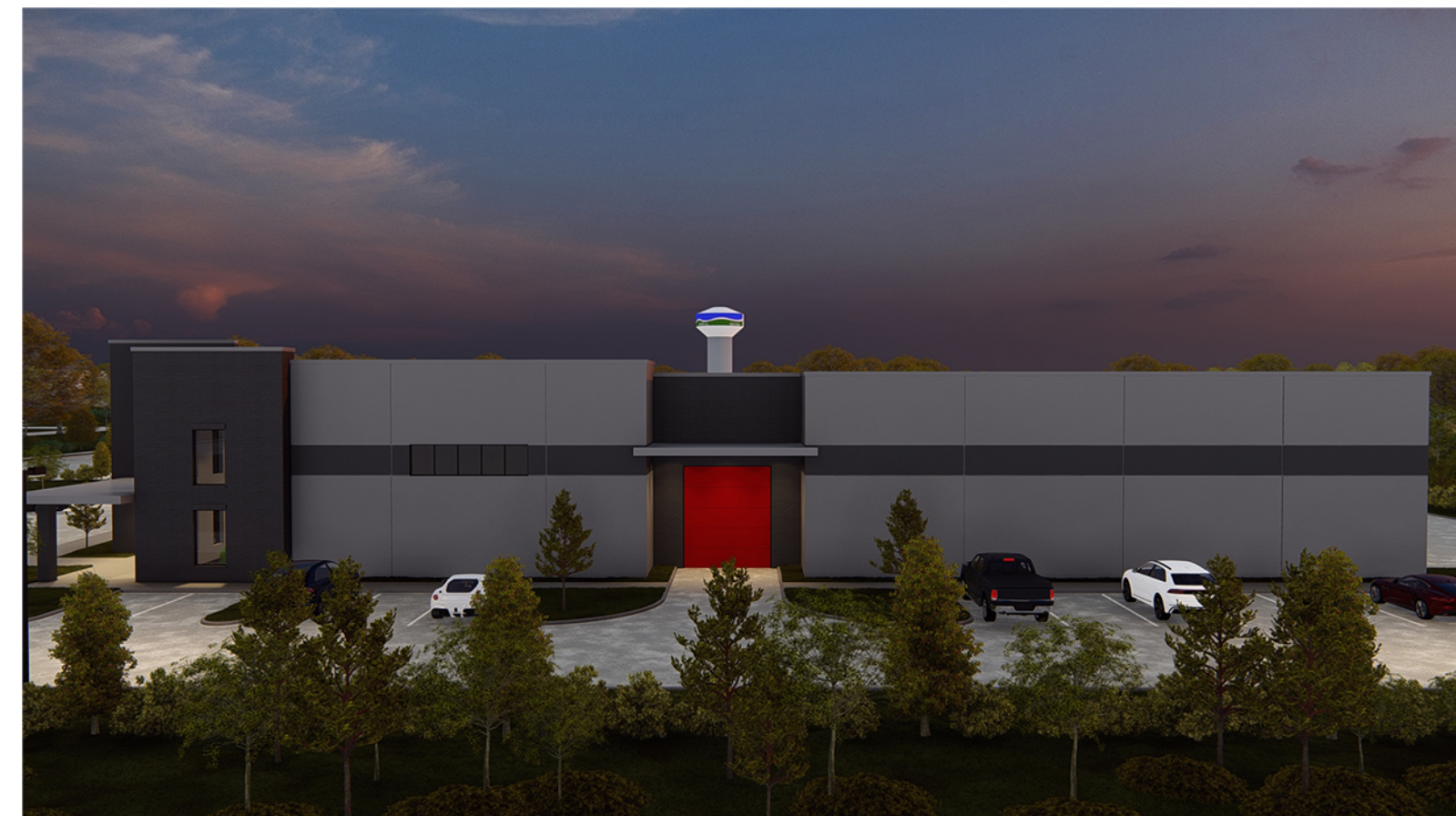


db constructors, inc.

0 8' 16' 24'  
Scale: 3/32" = 1'-0"







CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 46 (PD-46) [*ORDINANCE NO. 21-32*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *NEW AND/OR USED INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM* ON A 1.99-ACRE PORTION OF A LARGER 3.853-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-09 OF THE J. A. RAMSEY SURVEY, ABSTRACT NO 186, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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**, a request has been made by Matthew J. Peterson of DB Constructors on behalf of Jeff Fleming for the approval of a *Specific Use Permit (SUP)* for a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on a 1.99-acre portion of a larger 3.853-acre tract of land identified as Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located on the southside of Springer Road east of the intersection of Springer Road and Corporate Crossing, and being more specifically 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 Planned Development District 46 (PD-46) [*Ordinance No. 21-32*] and the Unified Development Code [*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 Planned Development District 46 (PD-46) [*Ordinance No. 21-32*] and the Unified Development Code [*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 for the establishment of a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] on the *Subject Property*; and

**SECTION 2.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth

in Planned Development District 46 (PD-46) [Ordinance No. 21-32] and Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*; Subsection 04.05, *Commercial (C) District*, and Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and *Concept Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 2) The sales/storage facility must be in a completely enclosed building; and,
- 3) Outside display and/or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures; and,
- 4) All activities shall remain inside the building (*i.e. no detailing, washing, sales activities, etcetera shall be performed outside the building*); and,
- 5) Accessory uses may be allowed in compliance with the *Land Use Schedule* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC); and,
- 6) The *New and/or Used Indoor Motor Vehicle Dealership/Showroom* shall be restricted to the sale of motor vehicles only (*i.e. cars and/or light trucks*); and,
- 7) The subject property shall comply with all standard of the City of Rockwall Fire Department for such use.

## 2.2 COMPLIANCE

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

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review 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 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023



**Exhibit 'B':  
Concept Plan**

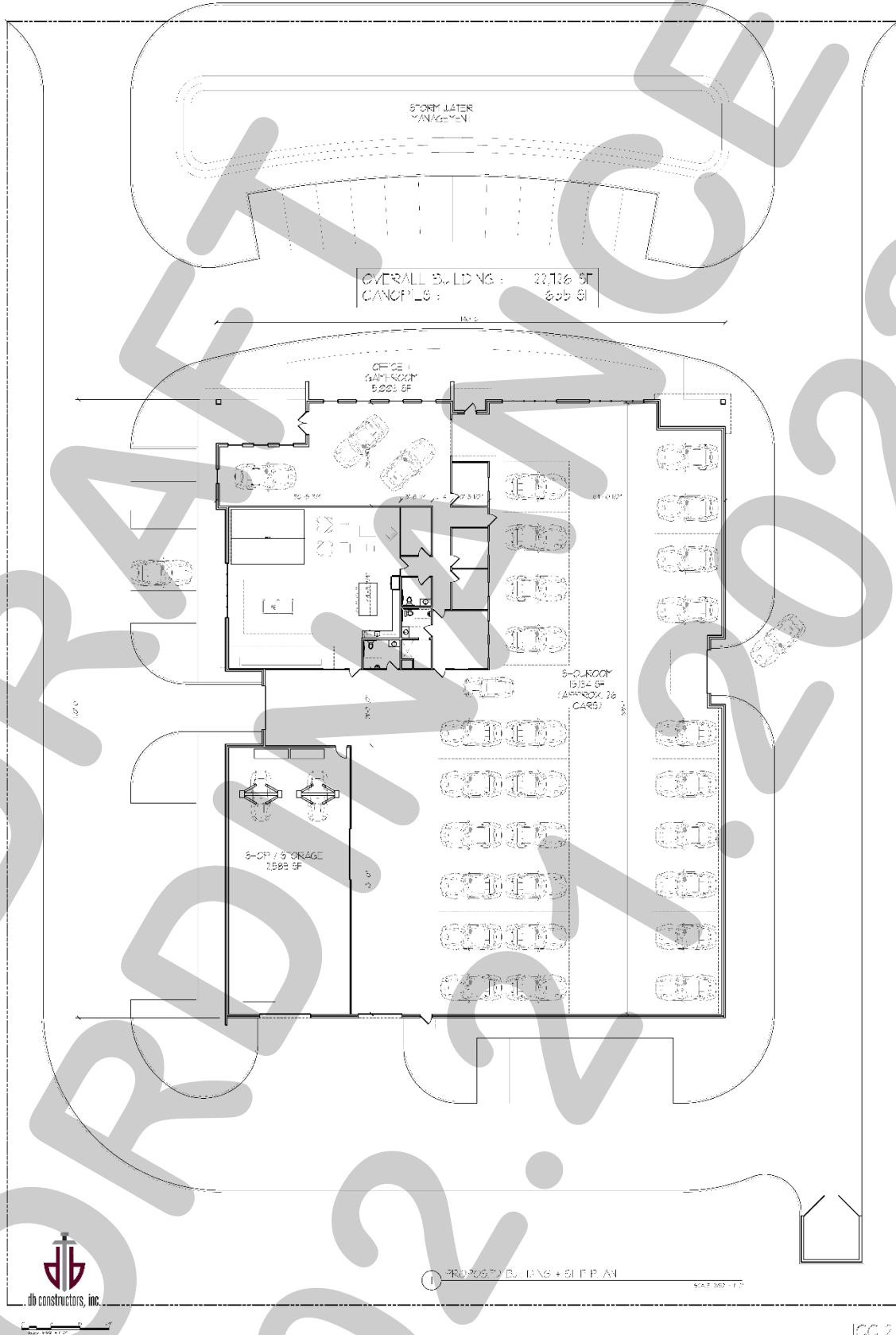


Exhibit 'C':  
Concept Building Elevations



dh construction, inc. 

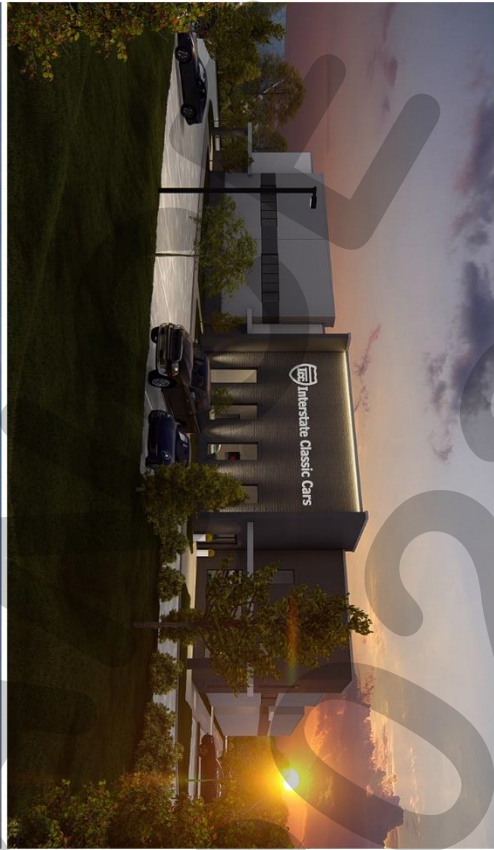
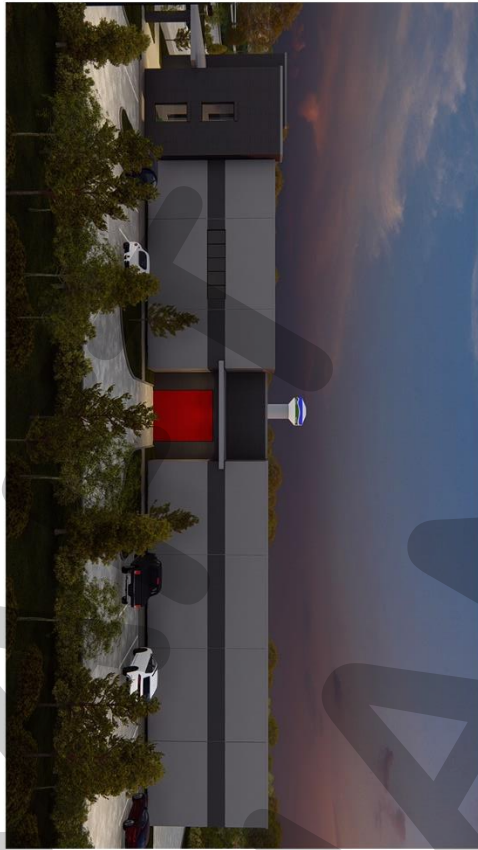
 Interstate Classic Cars



Exhibit 'C':  
Concept Building Elevations

dh construction, inc. 

 ICC Interstate Classic Cars





## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2023-003; ZONING CHANGE (AG TO PD) FOR THE PEACHTREE MEADOWS SUBDIVISION

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### 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  
Survey  
Concept Plan  
Comprehensive Plan Excerpts  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary (**1st Reading**).

### Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed 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

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**TO:** Mayor and City Council  
**DATE:** February 21, 2023  
**APPLICANT:** Ryan Joyce; *Michael Joyce Properties*  
**CASE NUMBER:** Z2023-003; *Zoning Change (AG to PD) for the Peachtree Meadows Subdivision*

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### **SUMMARY**

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

### **BACKGROUND**

The subject property was annexed by the City Council on December 20, 1999 through the adoption of *Ordinance No. 99-33*. At the time of annexation, the subject property was zoned Agricultural (AG) District. This designation has not changed and the subject property has remained vacant since annexation.

### **PURPOSE**

On January 20, 2023 the applicant -- *Ryan Joyce of Michael Joyce Properties* -- 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 10 (SF-10) District land uses. Specifically, the applicant is proposing to entitle the subject property for a 292-lot single-family, residential subdivision that will consist of four (4) lot sizes (*i.e. [A] 32, 82' x 120' lots; [B] 98, 72' x 120' lots; [C] 105, 62' x 120' lots; and [D] 57, 52' x 120' lots*).

### **ADJACENT LAND USES AND ACCESS**

The subject property is generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Mims Road, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a vacant 58.72-acre tract of land (*i.e. Tract 3 of the W. H. Barnes Survey, Abstract No. 26*) that is zoned Heavy Commercial (HC) District.

South: Directly south of the subject property is Phase 2 of the Lake Rockwall Estates Subdivision, which consists of 156.18-acres and was established on June 15, 1956. This subdivision is zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. Beyond this is County Line Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

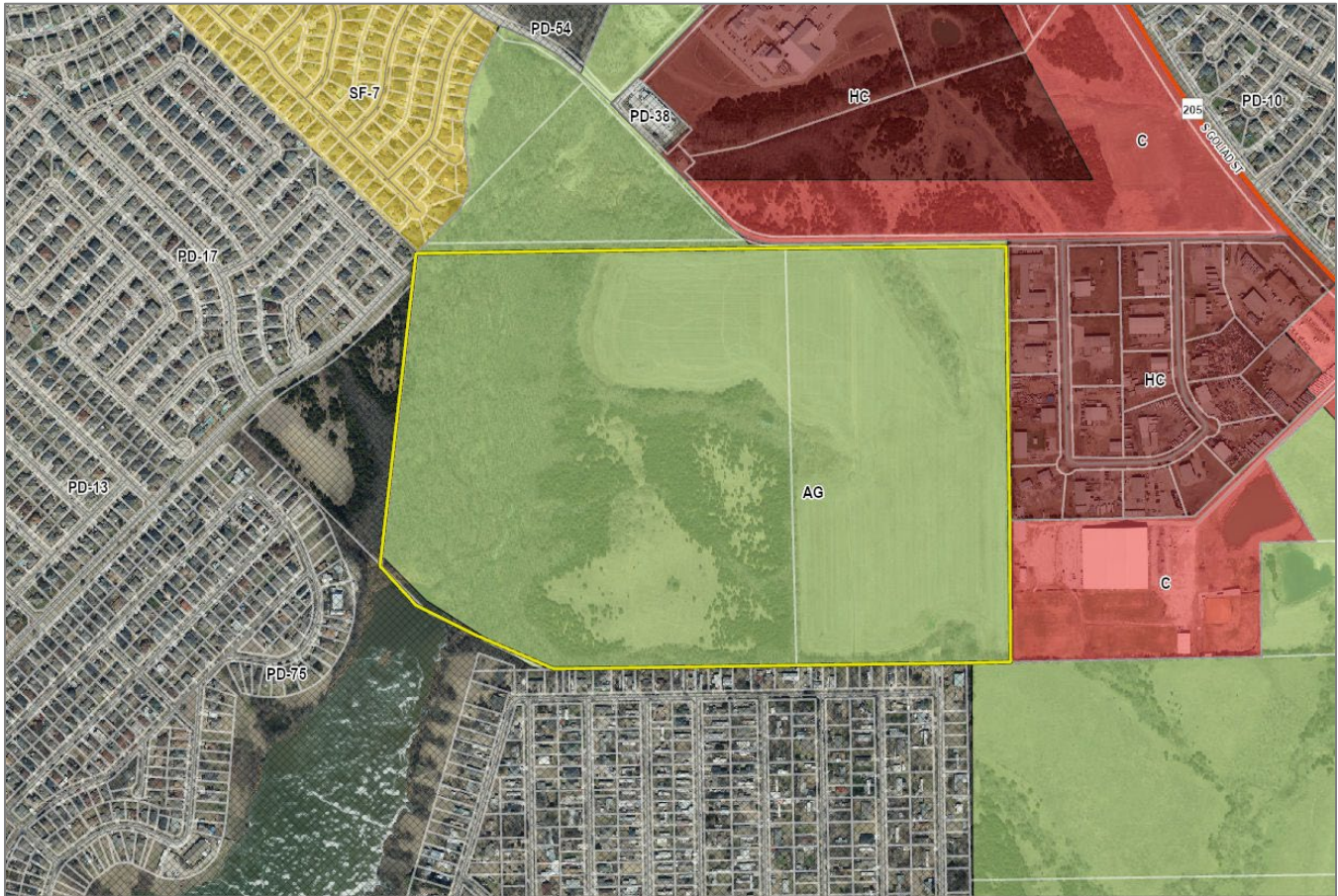
East: Directly east of the subject property are multiple parcels of land with industrial land uses that are zoned Heavy Commercial (HC) District. Also, east of the subject property is a 23.27-acre tract of land (*i.e. Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128*) that currently has a *Recreation Facility (i.e. the RISE)* situated on it. This

property is zoned Commercial (C) District. Beyond these land uses is S. Goliad Street [SH-205], which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Phase 4 of the Lynden Park Estates Subdivision, which consists of 84 single-family residential lots on 34.90-acres. This phase of the Lynden Park Estates Subdivision was established on January 5, 2004. Beyond this is Phase 3 of the Lynden Park Estates Subdivision, which consists of 71 single-family residential lots on 18.13-acres. This phase of the Lynden Park Estates Subdivision was established on December 28, 2001. Both of these phases of the subdivision are zoned Planned Development District 17 (PD-17) for single-detached residential land uses.

#### MAP 1: LOCATION MAP

**YELLOW:** SUBJECT PROPERTY



#### 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 140.50-acre subject property will consist of 292 residential lots. These lots will consist of four (4) lot types: [1] 32, Type 'A' lots that are a minimum of 82' x 120' (or 9,000 SF), [2] 98, Type 'B' lots that are a minimum of 72' x 120' (or 8,400 SF), [3] 105, Type 'C' lots that are a minimum of 62' x 120' (or 7,200 SF), and [4] 57, Type 'D' lots that are a minimum of 52' x 120' (or 6,000 SF). This translates to a gross density of 2.08 dwelling units per gross acre (*i.e. 292 lots/140.50-acres = 2.078 dwelling units per gross acre*). The minimum dwelling unit size (*i.e. air-condition space*) will range from 2,000 SF to 2,500 SF. With regard to the proposed housing product, 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 materials be used on the exterior 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 80% cementitious fiberboard utilized in a horizontal lap-siding, *board-and-batten* siding, or decorative pattern to allow a variation of materials throughout the subdivision; however, the approval of the ability to use over 20% cementitious materials will be an

administrative approval from the Director of Planning and Zoning. The following are some of the examples provided by the applicant showing horizontal lap-siding, *board-and-batten* siding, or decorative patterns that are contained within the Planned Development District ordinance:

**FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD**



**FIGURE 2: EXAMPLES OF BOARD AND BATTEN**



**FIGURE 3: EXAMPLES OF HORIZONTAL LAP**



Looking at the garage orientation proposed for the development, the applicant is requesting to allow all of the *Type 'D'* lots (*i.e. the 52' x 120' lots*) or a total of 19.59% of the 292 lots (*equating to a total of 57 lots*) to be orientated toward the street in a *Front Entry* garage configuration; however, the applicant is proposing to require an additional five (5) foot setback from the front façade of the home for *Front Entry* garage configurations, which will create a 25-foot separation from the garage to the front property line. The applicant has stated that this is necessary due to the inability to provide a *J-Swing* or *Traditional Swing* garage orientation on a 52' x 120' lot. In addition, the applicant has stated that setting the garage back 20-feet behind the front façade of the home would shrink the building pad, and is making the request for *Front Entry* garages based on this rationale. The remaining garage doors will be orientated in a *J-Swing* (*or a Traditional Swing*) configuration or *Recessed Entry* configuration (*i.e. where the garage door is situated a minimum of 20-feet behind the front façade*). In addition, the applicant is proposing to incorporate upgraded finishes on all garage doors that include: [1] coach lighting, [2] carriage style hardware and lighting, [3] decorative wood doors or wood overlays on insulated metal doors, and [4] driveways that are constructed with

ornamental stamped concrete brick pavers, stained finish, or salt finished. The following are some of the examples of the upgrades required in the Planned Development District ordinance:

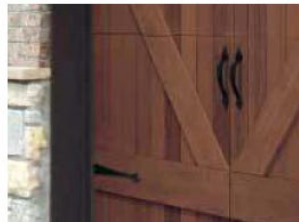
*FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR*



*FIGURE 5: EXAMPLES OF UPGRADED FINISHES*



*DIVIDED BAYS*



*CARRIAGE HARDWARE*



*CEDAR CLADDING*



*ORNAMENTAL PAVING*

*FIGURE 6: EXAMPLES OF UPGRADED GARAGES*



The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 10 (SF-10) District unless otherwise specified in the Planned Development District ordinance. 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	82' x 120'	9,000 SF	32	10.96%
B	72' x 120'	8,400 SF	98	33.56%
C	62' x 120'	7,200 SF	105	35.96%
D	52' x 120'	6,000 SF	57	19.52%
<i>Maximum Permitted Units:</i>			292	100.00%

**TABLE 2: LOT DIMENSIONAL REQUIREMENTS**

Lot Type (see Concept Plan) ►	A	B	C	D
Minimum Lot Width <sup>(1)</sup>	82'	72'	62'	52'
Minimum Lot Depth	120'	120'	120'	120'
Minimum Lot Area (SF)	9,000 SF	8,400 SF	7,200 SF	6,000 SF
Minimum Front Yard Setback <sup>(2), (5) &amp; (6)</sup>	20'	20'	20'	20'
Minimum Side Yard Setback	6'	6'	6'	6'
Minimum Side Yard Setback (Adjacent to a Street) <sup>(2) &amp; (5)</sup>	20'	20'	20'	20'
Minimum Length of Driveway Pavement <sup>(7)</sup>	20'	20'	20'	20'
Maximum Height <sup>(3)</sup>	35'	35'	35'	35'
Minimum Rear Yard Setback <sup>(4)</sup>	10'	10'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	2,500 SF	2,200 SF	2,200 SF	2,000 SF
Maximum Lot Coverage	65%	65%	65%	65%

**General Notes:**

- <sup>1:</sup> 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*.
- <sup>2:</sup> The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3:</sup> The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4:</sup> The location of the *Rear Yard Building Setback* as measured from the rear property line.
- <sup>5:</sup> 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.
- <sup>6:</sup> *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a maximum of five (5) feet.

The proposed concept plan shows that the development will consist of a total of 65.90-acres of open space that includes a 0.90-acre amenity site, 21.10-acres of private open space, and 43.90-acres of floodplain. This translates to an open space percentage of 31.28% (*i.e.* 21.10-acres of private open space + 0.90-acre amenity site + [43.90-acres of floodplain/2]/140.50-acres gross = 43.95-acres or 31.2811%). In addition, the applicant has incorporated a trail system on the concept plan that shows an eight (8) foot trail will be provided throughout the proposed subdivision. These trails will also provide access into the *Recreational Facility (i.e. the RISE)*, which is situated east 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.** According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan Mims Road is required to be a M4D (*i.e. major collector, four [4] lane divided roadway*), which requires a 65-foot right-of-way with a 45-foot *back-to-back* concrete street; however, the new unadopted Master Thoroughfare Plan shows

this road being decreased to a *Minor Collector*, which requires a 60-foot right-of-way with a 41-foot *back-to-back* concrete street. Based on this, the applicant will be required to dedicate a minimum of 30-feet of right-of-way from the centerline of Mims Road and construct a minimum of a 24-foot concrete road section along the entire adjacency of the subject property. In addition, the applicant will be required to construct a minimum of a five (5) foot sidewalk along Mims Road. Staff is also requiring a Traffic Impact Analysis (TIA) to be submitted with this request.

- (2) Water. The applicant will be required to construct a minimum of an eight (8) inch waterline -- *that will be looped through the subject property* --, and a 12-inch waterline along the eastern property line from the northern property line to the southern property line. The applicant will also need to dedicate a 20-foot wide waterline easement along a portion of Mims Road in accordance with the Master Water Plan contained in the OURHometown Vision 2040 Comprehensive Plan. An *Infrastructure Study* will be required to determine if the applicant will be required to construct the 20-inch waterline that is required within this easement, and any additional offsite water improvements that will be necessary to adequately serve the development.
- (3) Wastewater. The applicant will be required to dedicate a 50-foot wastewater easement along the western property line in accordance with the Master Wastewater Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This easement will be used to locate a *future* 30-inch wastewater line. In addition, the applicant will also be required to pay a \$401.89 per acre pro-rata fee for previous wastewater improvements that benefit the subject property. An *Infrastructure Study* will be required to determine if any offsite wastewater improvements will be necessary to adequately serve the development.
- (4) Drainage. Detention will be required and sized per the required detention study, which will be required to utilize the *Unit Hydrograph Method*. The applicant will also be required to perform a *Flood Study* and a *Wetlands and Waters of the United States (WOTUS) Study* for the existing ponds, creeks, and floodplain on the subject property. The applicant will also be required to get a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA).

### **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* stipulate 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 16; Section 2.11 of the *Standards of Design and Construction Manual*]
- (2) Garage Configuration. Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of 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 80.31% *J-Swing (or Traditional Swing)* or *Recessed Front Entry* garages (*i.e. where the garage is setback a minimum of 20-feet behind the front façade of the home*) and 19.59% *Front Entry* garages with a five (5) foot recess of the garage door from the front façade of the single-family home. This will create a minimum of 25-feet from the front property line and the garage. As a compensatory measure the applicant is proposing to provide additional architectural elements into all garage configurations: [A] divided garage bay doors (*i.e. for two [2] car garages two [2] individual entrances and for three [3] car garages a standard two [2] bay garage door with a single bay garage door adjacent*), [B] carriage style hardware and lighting, [C] decorative wood doors or wood overlays on insulated metal doors, and [D] driveways constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished.



- (3) Relation to Adjoining Streets. The Engineering Department's *Standards of Design and Construction Manual* stipulates that "(t)he system of streets designed for the development, except in unusual cases, must connect with streets already dedicated in adjacent developments." [Page 115; Section 2.09 of the *Standards of Design and Construction Manual*]

Applicant's Response to (3): Currently, the right-of-way for Renee Drive abuts the southern property line of the subject property; however, the applicant's concept plan does not show the proposed street network connecting to this public right-of-way. Based on this, staff requested that the subdivision connect to and extend Renee Drive through the proposed subdivision. The applicant has stated that they would like to keep this development separate from the existing subdivision to the south of the subject property (i.e. *Phase 2 of the Lake Rockwall Estates Subdivision*). As a compensatory measure the applicant has proposed extending a 24-foot emergency access lane -- which will have removal bollards at either end - - to [1] provide emergency access and [2] to provide pedestrian connectivity between the two (2) residential developments. Since this is a requirement of the Engineering Department's *Standards of Design and Construction Manual*, this aspect of this request will require discretionary approval from the City Council.

- (4) Fences for New Subdivisions. According to Subsection 08.03, *Residential Fences*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), "(t)ransparent fencing is required adjacent to all perimeter roadways (i.e. along the perimeter of the subdivision), abutting open spaces, greenbelts, and parks."

Applicant's Response to (4): The applicant is requesting to allow wood *board-on-board* fencing for all of the *Type 'D'* lots (i.e. the 52' x 120' lots). These lots are located along the southern and eastern boundaries of the subject property; however, all of the lots back to open space. The applicant has stated that the wood fences are being requested to screen the adjacent land uses along these boundaries (i.e. *Phase 2 of the Rockwall Estates Subdivision and the industrial properties adjacent to National Drive*). As a compensatory measure the applicant has proposed to incorporate a 30-foot tree preservation easement along the southern property boundary, which will preserve several large clusters of trees on the subject property. In addition, -- and in accordance with the *Unified Development Code (UDC)* -- staff has included requirements in the Planned Development District ordinance that will require a 50-foot landscape buffer, berm, and two (2) staggered rows of cedar trees along the eastern boundary of the subject property. The purpose of this requirement is to further provide screening of the non-residential land uses from the proposed residential land uses.

- (5) Open Space. According to Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC), "(i)n a residential Planned Development (PD) District, all lots less than 12,000 SF shall be located within 800-feet of a neighborhood-oriented park or open space (i.e. private or public). All open space areas shall be landscaped and serve as a visual amenity and/or gathering place for socializing with neighbors."

Applicant's Response to (5): The applicant has failed to submit an exhibit showing conformance with this requirement or address this comment. Based on this, staff has included a conditional of approval for this case requiring that all lots less than 12,000 SF be located within 800-feet of a public or private open space.

## **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 Southwest Residential District and is designated for Medium Density Residential land uses. The plan defines Medium Density Residential land uses as "... residential subdivisions that are greater than two (2) and one-half (2½) units per gross acre, but not higher than three (3) units per gross acre; however, a density of up to three and one-half (3½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In this case, the applicant is proposing a total density of 2.08 dwelling units per acre. The proposed density is more characteristic of the Low Density Residential land use designation, which is 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 applicant is proposing to incorporate an eight (8) foot trail system, a 0.90-acre amenity site, and 31.28% open space (which exceeds the required open space by 11.28%). Based on this, the applicant's request is in substantial conformance with the Medium Density Residential designation indicated for the subject property.

With regard to the policies and goals for residential development contained in the Comprehensive Plan, the applicant's request incorporates the majority of these policies and goals (e.g. *minimum of six [6] side yard setbacks on all lot types, etc.*);

however, staff did identify the following non-conformities on the original concept plan. Based on these non-conformities, staff provided the below recommendations to the applicant. These recommendations are followed by the applicant's response to each recommendation.

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) CH. 8; Section 2.02; Goal #4 | Policy #2 (Page 8-3). Use berms and buffers to transition land uses as opposed to walls. This creates a natural transition in which trails can be incorporated to connect residential areas with non-residential areas.

Staff Response: Staff recommended to the applicant that a 50-foot landscape buffer with berms and three (3) tiered landscaping be incorporated adjacent to the southern and eastern property lines. The applicant has agreed to put a 50-foot landscape buffer along the eastern property line incorporating a berm and two (2) staggered rows of cedar trees. In addition, the applicant has agreed to put a 30-foot landscape buffer adjacent to the southern property line with a tree preservation easement to preserve the existing tree line. This appears to meet the intent of the Comprehensive Plan.

- (2) CH. 8; Section 2.03; Goal #1 | Policy #2 (Page 8-3). To maximize the value of properties that are directly adjacent to or across the street from a park and/or public open space, the house on the property should face onto the park and/or public open space, and should not back or side to the park and/or open space. If homes face onto a park and/or public open space and there is no public street, then the homes should be accessed via a mew-type street design.

Staff Response: Staff recommended that the applicant consider adjusting the lot layout to incorporate more single-loaded streets fronting onto the floodplain situated on the westside of the subject property to better conform to this requirement. The applicant has not changed the plan in accordance with staff's recommendation.

- (3) CH. 8; Section 2.03; Goal #1 | Policy #5 (Page 8-3). Design neighborhoods utilizing the *Housing Tree Model*.

Staff Response: Staff recommended that the applicant consider relocating the larger Type 'A' lot product -- currently adjacent to the floodplain -- to northern property line adjacent to Mims Road. The remaining Type 'C' lot product located in this area can be relocated adjacent to the floodplain. This will better adhere to the *Housing Tree Model*. The applicant has not made the requested changes.

- (4) CH. 08 | Section 02.03 | Goal 03; Policy 2: Require rear-entry garages and alleyways on all lots that have a lot width of 55-feet or less; however, alleyways should be prohibited on all lots greater than 55-feet. These lots should incorporate *J-Swing* or *Recessed Front Entry* garages.

Staff Response: The applicant is proposing to incorporate a 52' x 120' lot product (i.e. Type 'D' lots) that will incorporate a *Front Entry* garage. With this being said, these lots back up to existing non-residential properties and existing residential properties, and the use of alleyways may not be the most appropriate garage configuration in these areas. Based on this, staff is of the opinion that the applicant's plan conforms with the intent of this requirement; however, this does remain a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

- (5) CH. 08 | Sec. 02.03 | Goal 03; Policy 3: In cases where *Flat Front Entry* garages (i.e. even with the front façade of the primary structure) are requested as part of a development no greater than 20% should be incorporated into the development. In addition, *Flat Front Entry* garages should have a minimum of a 25-foot front yard building setback to allow vehicles to be parked in the driveway without overhanging public right-of-way. This type of garage may not be appropriate for all developments and should be generally discouraged.

Staff Response: If a *Front Entry* garage configuration with a recess of five (5) feet is being requested it should be limited to 20% and relegated to only the Type 'D' lot product (i.e. the 52' x 120' lots). The applicant is requesting that 19.59% or all of the Type 'D' lots (i.e. the 52' x 120' lots) incorporate Front Entry garage orientations; however, they are proposing a five (5) foot off-set between the front façade of the home and the garage, which will create a 25-foot building setback for the garage.

In addition to these recommendations, staff also suggested that the applicant consider preserving some of the *Blackland Prairie* as open space in accordance with the Comprehensive Plan; however, this is not currently depicted in their current concept plan. Taking all of this into account, the applicant's concept plan and proposed density and development standards appear to conform with the majority of the OURHometown Vision 2040 Comprehensive Plan; however, there are areas of non-conformance, and -- *as with all zoning cases* -- this request remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

### **NOTIFICATIONS**

On January 27, 2023, staff mailed 288 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lynden Park, Flagstone Estates, and Hickory Ridge Homeowner's Associations (HOA's), which are the only Neighborhood Organizations or Homeowners Associations (HOA's) within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) One (2) property owner notifications from one (2) property owners within the 500-foot notification buffer in opposition to the applicant's request.
- (2) One (1) notice from the City's Zoning & Specific Use Permit Input Form from a property owner outside of the 500-foot notification buffer in opposition to the applicant's request.
- (3) Two (2) property owner notifications in favor that did not indicate a name or address. In addition, the returned envelop did not have a return address. Based on this, these notices cannot be counted for this case because staff cannot verify the ownership.

### **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 Planned Development District for Single-Family 10 (SF-10) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) All residential lots, less than 12,000 SF in size, are required to be located within 800-feet of a public or private open space. At the time of *Master Plat*, the applicant will be required to provide an exhibit showing conformance to this requirement.
- (3) 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 February 14, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 7-0.



# 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) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

#### SITE PLAN APPLICATION FEES:

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

#### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

#### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

#### NOTES:

<sup>1</sup>: 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.

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

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS Mims Rd, TX

SUBDIVISION A0219 G Wells, Tract 3, Acres 90.5 & A0128 J R Johnson, Tract 5, Acres 50

LOT

BLOCK

GENERAL LOCATION Southeast of Intersection Mims Road & National Dr

### ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE Agricultural

PROPOSED ZONING Planned Development District

PROPOSED USE Single Family

ACREAGE 140.5 Acres

LOTS [CURRENT] 2

LOTS [PROPOSED]

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

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

OWNER Vicmar I Ltd & (76195)

APPLICANT Michael Joyce Properties

CONTACT PERSON

CONTACT PERSON Meredith Joyce

ADDRESS 105 Kaufman St

ADDRESS 767 Justin Road

CITY, STATE & ZIP Rockwall, Tx 75087

CITY, STATE & ZIP Rockwall, Tx 75087

PHONE

PHONE 512-694-6394

E-MAIL

E-MAIL meredith@michaeljoyceproperties.com

### NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Virginia W. Petersen [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 \$ 2,307.50 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17<sup>th</sup> DAY OF January, 2023 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."

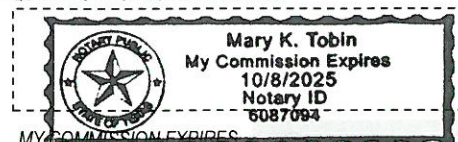
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17<sup>th</sup> DAY OF January, 2023

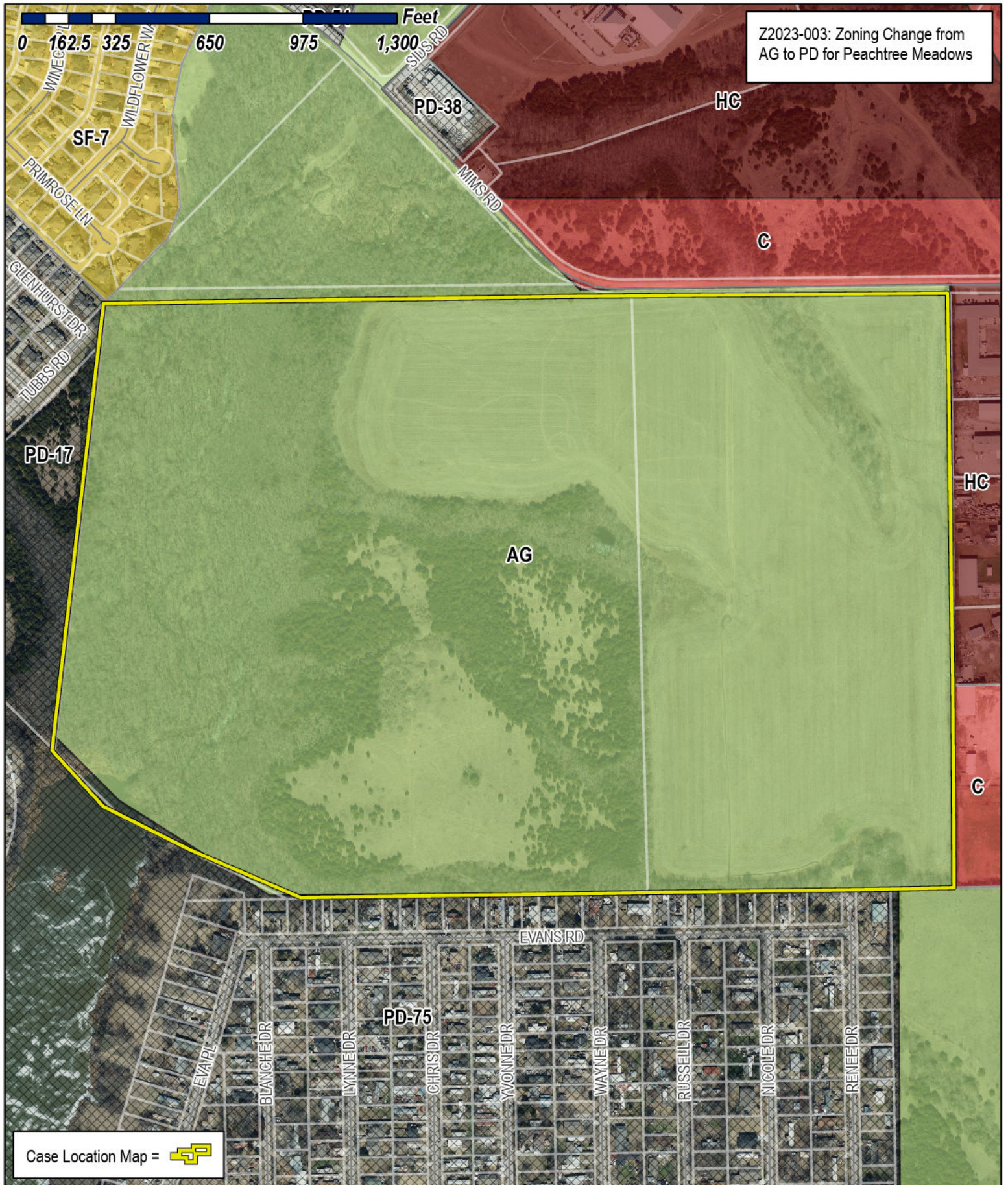
OWNER'S SIGNATURE

*Virginia W. Petersen*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

*Mary K. Tobin*





Z2023-003: Zoning Change from AG to PD for Peachtree Meadows

Case 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.

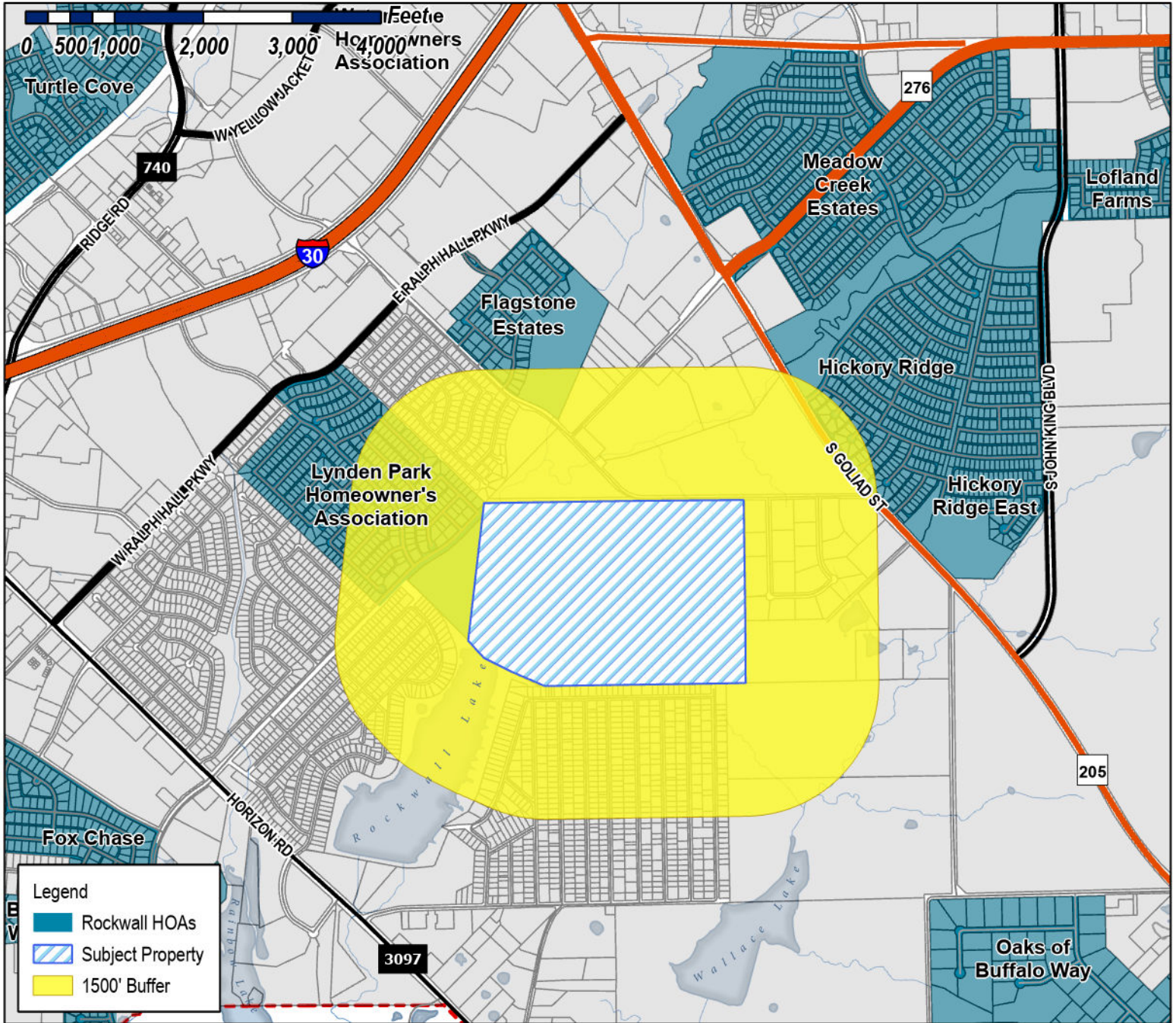




# City of Rockwall

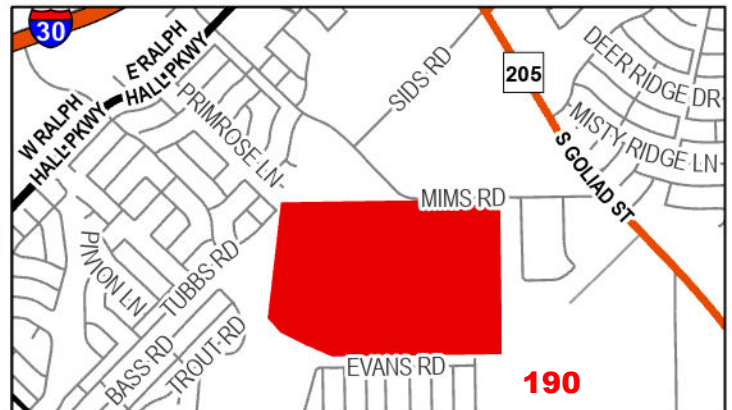
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**Case Number:** Z2023-003  
**Case Name:** Zoning Change from AG to PD for Peachtree Meadows  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SW of Mims Road and S Goliad Street

**Date Saved:** 1/20/2023  
 For Questions on this Case Call (972) 771-7745



**From:** [Chapin, Sarah](#)  
**Cc:** [Miller, Ryan](#); [Lee, Henry](#); [Ross, Bethany](#)  
**Subject:** Neighborhood Notification Program [Z2023-003]  
**Date:** Thursday, January 26, 2023 12:24:12 PM  
**Attachments:** [HOA Map \(01.20.2023\).pdf](#)  
[Public Notice Z2023-003.pdf](#)

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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 [January 27, 2023](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, February 14, 2023 at 6:00 PM](#), and the City Council will hold a public hearing on [Tuesday, February 21, 2023 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](mailto: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>.

Z2023-003: Zoning Change for AG to a PD for SF-10 District Land Uses

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of a [Zoning Change](#) from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

Thank you,

*Sarah Chapin*

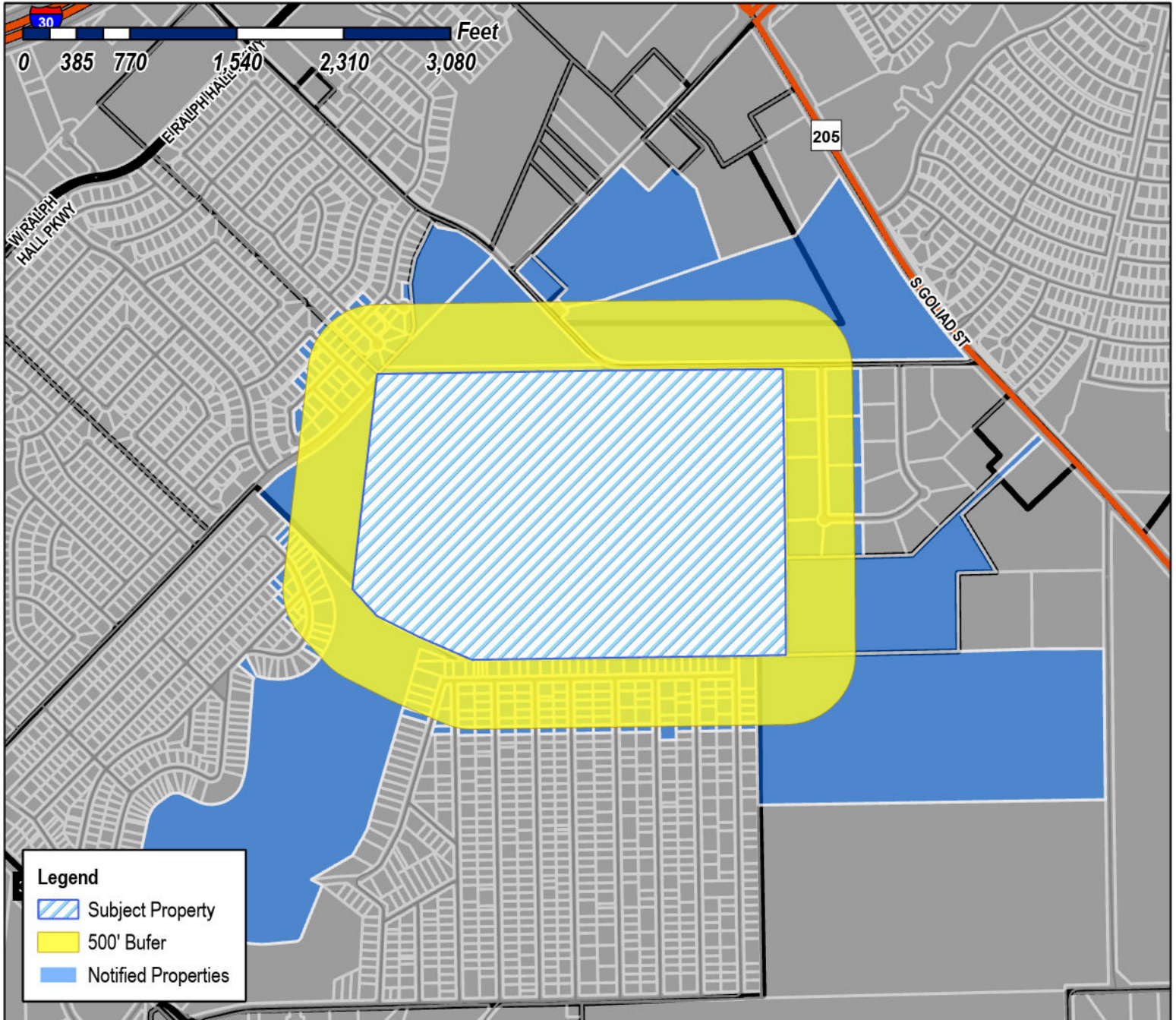
Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-772-6568



# City of Rockwall

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

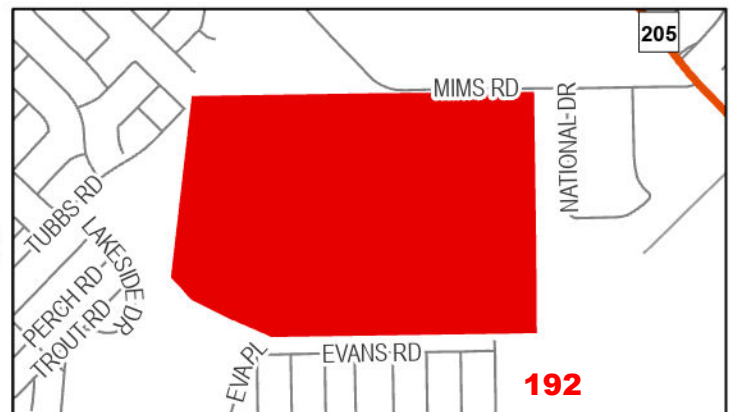
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**Case Number:** Z2023-003  
**Case Name:** Zoning Change from AG to PD for Peachtree Meadows  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SW of Mims Road and S Goliad Street

**Date Saved:** 1/20/2023

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





OCCUPANT  
599 TROUT RD  
ROCKWALL, TX 75032

FRANKS SHERI DENISE  
401 FOREST TRCE  
ROCKWALL, TX 75087

OCCUPANT  
609 TROUT RD  
ROCKWALL, TX 75032

JANG TO LIVING TRUST  
WILLIAM JANG AND STEFANIE TO- TRUSTEES  
11515 205TH STREET  
LAKEWOOD, CA 90715

HERNANDEZ BENJAMIN  
509 YVONNE DR  
ROCKWALL, TX 75032

MARTINEZ DAVID  
516 WAYNE DR  
ROCKWALL, TX 75032

OCCUPANT  
485 RENEE DR  
ROCKWALL, TX 75032

SIERRA ZACARIAS RAMIREZ  
1244 COUNTY ROAD 2278  
QUINLAN, TX 75474

OCCUPANT  
532 LYNNE DR  
ROCKWALL, TX 75032

ANAYA JUAN C & RAUL  
439 PERCH RD  
ROCKWALL, TX 75032

SANCHEZ GERARDO RAFAEL AND LILIA  
GALLEGOS  
516 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
513 CHRIS DR  
ROCKWALL, TX 75032

SILVA JORGE & ELIZABETH  
3078 S FM 551  
ROYSE CITY, TX 75189

VASQUEZ JAVIER AND LILIANA  
524 YVONNE DR  
ROCKWALL, TX 75032

OCCUPANT  
521 YVONNE DR  
ROCKWALL, TX 75032

MAZARIEGOS EDGAR A AND SONIA I  
3248 BLACKLAND RD  
ROYSE CITY, TX 75189

GONZALEZ NORMA PATRICIA SOLIS  
388 EVANS RD  
ROCKWALL, TX 75032

MENDOZA FIDEL & ALEJANDRINA  
400 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
498 EVANS RD  
ROCKWALL, TX 75032

TORRES ALONSO G & MARIA  
441 LYNNE DR  
ROCKWALL, TX 75032

GUEVARA CRUZ & LIZ  
522 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
557 RENEE DR  
ROCKWALL, TX 75032

GUEVARA CRUZ & LIZ  
522 EVANS DR  
ROCKWALL, TX 75032

OCCUPANT  
917 LAKESIDE DR  
ROCKWALL, TX 75032

LORENZO JOSE LUIS &  
ANA MARIA GRANDOS  
8937 WHISHERS RD  
QUINLAN, TX 75474

GUTIERREZ NELSON ANTONIO  
933 LAKESIDE DR  
ROCKWALL, TX 75032

MARTINEZ PEDRO & MARIA CELIA  
506 RUSSELL DR  
ROCKWALL, TX 75032

OCCUPANT  
548 NICOLE DR  
ROCKWALL, TX 75032

CERVANTES HECTOR AND  
ERIKA MOLINA  
548 NICOLE DRIVE  
ROCKWALL, TX 75032

OCCUPANT  
496 NICOLE DR  
ROCKWALL, TX 75032

GONZALES BALTAZAR & LUZ MARIA ZUNIGA  
C/O LAKE POINTE CHURCH  
701 I-30  
ROCKWALL, TX 75087

OCCUPANT  
485 RUSSELL DR  
ROCKWALL, TX 75032

TELL MARK ALLEN  
M/R  
, TX

DELGADO JUAN E & MARIA L  
541 YVONNE DR  
ROCKWALL, TX 75032

ARRIAGA GREGORIA  
548 WAYNE DR  
ROCKWALL, TX 75032

ANDREWS TRESIA AND KENNETH  
547 WAYNE DR  
ROCKWALL, TX 75032

ALVAREZ MARIA G GALLEGOS  
552 RUSSELL DR  
ROCKWALL, TX 75032

OBRIEN ELLEN K  
537 RUSSELL DR  
ROCKWALL, TX 75032

GALLARDO RENE AND  
MARIBEL GALLARDO  
547 NICOLE DR  
ROCKWALL, TX 75087

VALDEZ EUSEBIO  
505 EVANS RD  
ROCKWALL, TX 75032

AYALA FRANCISCO & MARIA  
513 RUSSELL DR  
ROCKWALL, TX 75032

OCCUPANT  
534 YVONNE DR  
ROCKWALL, TX 75032

MARTINEZ MARIO CRUZ  
461 YVONNE DR  
ROCKWALL, TX 75032

OCCUPANT  
517 LYNNE DR  
ROCKWALL, TX 75032

DIAZ JOSE LUIS  
494 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
513 CHRIS DR  
ROCKWALL, TX 75032

SILVA JORGE & ELIZABETH  
3078 S FM 551  
ROYSE CITY, TX 75189

OCCUPANT  
488 BLANCHE DR  
ROCKWALL, TX 75032

HERNANDEZ DANIEL CONTRERAS AND  
PATRICIA CARREON DE CONTRERAS  
488 BLANCHE DRIVE  
ROCKWALL, TX 75032

RAMIREZ MARGARITO VALDEZ  
525 WAYNE DR  
ROCKWALL, TX 75032

OCCUPANT  
499 WAYNE DR  
ROCKWALL, TX 75032

PARRISH KENNETH LEE JR AND  
JUDITH GAIL WOOD  
499 WAYNE DR  
ROCKWALL, TX 75032

OCCUPANT  
612 TROUT RD  
ROCKWALL, TX 75032

PHAM DAN Q  
5158 COUNTY ROAD 3115  
CAMPBELL, TX 75422

OCCUPANT  
508 RENEE DR  
ROCKWALL, TX 75032

VALDEZ JOSE G  
1311 PRATO AVE  
MCLENDON CHISHOLM, TX 75032

OCCUPANT  
594 EVA  
ROCKWALL, TX 75032

ALVARES FLORINA GUTIERREZ &  
ENRIQUE RENE ORTIZ GARCIA  
594 EVA PL  
ROCKWALL, TX 75032

OCCUPANT  
602 EVA  
ROCKWALL, TX 75032

QUEVEDO LUIS & FELIZA  
3326 BURNING TREE LN  
GARLAND, TX 75042

DEJESUS SANTOS  
616 EVA  
ROCKWALL, TX 75032

OCCUPANT  
582 EVA  
ROCKWALL, TX 75032

GARCIA HUGO IVAN DEL AND  
JUANA GUZMAN  
582 EVA PLACE  
ROCKWALL, TX 75032

FAVIAN IGNACIO  
620 TROUT RD  
ROCKWALL, TX 75032

JONES JAMES & MARY  
721 BLUEBELL CT  
ROCKWALL, TX 75032

OCCUPANT  
481 BLANCHE DR  
ROCKWALL, TX 75032

MENDOZA ERICK CRUZ  
4100 ANDYS LANE  
PARKER, TX 75002

DIAZ JOSE LUIS & MARICELA  
494 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
491 LYNNE DR  
ROCKWALL, TX 75032

DIAZ JOSE LUIS  
494 LYNNE DR  
ROCKWALL, TX 75032

SMITH HELEN A  
486 CHRIS DR  
ROCKWALL, TX 75032

NEVAREZ LUIS E & ALMA  
479 CHRIS DR  
ROCKWALL, TX 75032

GUEVARA MARIA  
482 YVONNE DR  
ROCKWALL, TX 75032

VIERA EUSEVIO ZAPATA AND FELICITAS  
MARTINEZ-AGUILAR  
485 YVONNE DR  
ROCKWALL, TX 75032

OCCUPANT  
488 WAYNE DR  
ROCKWALL, TX 75032

YANEZ SANDRA R TORRES  
441 LYNNE DRIVE  
ROCKWALL, TX 75032

PAYNE MILDRED IRENE  
487 WAYNE DR  
ROCKWALL, TX 75032

GONZALEZ HIPOLITO CANTU AND FANIA GARCIA  
494 RUSSELL DR  
ROCKWALL, TX 75032

OCCUPANT  
489 NICOLE DR  
ROCKWALL, TX 75032

OCCUPANT  
466 RENEE DR  
ROCKWALL, TX 75032

FLORES ALEJANDRO  
1070 N BEN PAYNE RD  
ROCKWALL, TX 75087

MAYHALL DANIEL J  
463 RENEE DR  
ROCKWALL, TX 75032

SUAREZ ERIKA & ALFREDO ESTRADA  
497 BLANCHE DR  
ROCKWALL, TX 75032

OCCUPANT  
498 LYNNE DR  
ROCKWALL, TX 75032

LICEA JOSE DELFINO  
448 LYNNE DR  
ROCKWALL, TX 75032

DIAZ MARIA L FLORES  
503 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
514 YVONNE DR  
ROCKWALL, TX 75032

BLACK TORO CUSTOM HOMES LLC  
1210 CREEK VALLEY  
MESQUITE, TX 75181

GAMEZ PETRA K MARTINEZ  
406 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
412 EVANS RD  
ROCKWALL, TX 75032

KOURINIAN MIKAEL  
6924 VALMONT STREET UNIT #9  
TUJUNGA, CA 91042

OCCUPANT  
418 EVANS RD  
ROCKWALL, TX 75032

VINE CONSTRUCTION AND ROOFING LLC  
7331 WESTER WAY  
DALLAS, TX 75248

OCCUPANT  
452 EVANS RD  
ROCKWALL, TX 75032

COLUNGA MARIA CRISTINA  
C/O BERNABE COLUNGA  
807 N JOSEPHINE ST  
ROYSE CITY, TX 75189

OCCUPANT  
464 EVANS RD  
ROCKWALL, TX 75032

ROCKWALL HOUSING DEVELOPMENT  
CORPORATION  
787 HAIL DRIVE  
ROCKWALL, TX 75032

OCCUPANT  
486 EVANS RD  
ROCKWALL, TX 75032

TORRES ALONSO G & MARIA  
441 LYNNE DR  
ROCKWALL, TX 75032

RETANA JUAN & YENY RUBIO  
535 CHRIS DR  
ROCKWALL, TX 75032

LACAZE DARRYL AND ALLISON  
503 NICOLE DR  
ROCKWALL, TX 75032

CERVANTES-OSORNIO HECTOR AND ERIKA J  
MOLINA-OLVERA  
526 NICOLE DR  
ROCKWALL, TX 75032

DIAZ MANUEL & ROSARIO  
528 WAYNE DR  
ROCKWALL, TX 75032

OCCUPANT  
518 RUSSELL DR  
ROCKWALL, TX 75032

GRANADOS CASTULO & NANCY  
530 RUSSELL DR  
ROCKWALL, TX 75032

ROSAS LAURA PATRICIA  
523 NICOLE DR  
ROCKWALL, TX 75032

OCCUPANT  
503 RENEE DR  
ROCKWALL, TX 75032

SIERRA ZACARIAS RAMIREZ  
1244 COUNTY ROAD 2278  
QUINLAN, TX 75474

OCCUPANT  
538 LYNNE DR  
ROCKWALL, TX 75032

GONZALEZ LUIS ENRIQUE VALDEZ  
552 LYNNE DRIVE  
ROCKWALL, TX 75032

OCCUPANT  
541 LYNNE DR  
ROCKWALL, TX 75032

DIAZ JOSE LUIS  
494 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
528 CHRIS DR  
ROCKWALL, TX 75032

SILVA BERTHA  
1041 E FM 552  
ROCKWALL, TX 75087

OCCUPANT  
531 YVONNE DR  
ROCKWALL, TX 75032

SAFRA PROPERTIES INC  
PO BOX 69  
ROCKWALL, TX 75087

STRICKLAND TARA  
536 WAYNE DR  
ROCKWALL, TX 75032

GRANADOS CASTULO & NANCY  
530 RUSSELL DR  
ROCKWALL, TX 75032

OCCUPANT  
535 NICOLE DR  
ROCKWALL, TX 75032

GALLARDO RENE AND  
MARIBEL GALLARDO  
547 NICOLE DR  
ROCKWALL, TX 75087

OCCUPANT  
520 RENEE DR  
ROCKWALL, TX 75032

VALDEZ EUSEBIO  
505 EVANS  
ROCKWALL, TX 75032

OCCUPANT  
535 BLANCHE DR  
ROCKWALL, TX 75032

RANGEL JUAN  
4427 FM 550  
ROYSE CITY, TX 75187

GONZALEZ LUIS ENRIQUE VALDEZ  
552 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
551 LYNNE DR  
ROCKWALL, TX 75032

THELWELL LINDA  
1013 BLACKBERRY TRL  
LANCASTER, TX 75134

RODRIGUEZ ROMAN  
540 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
544 YVONNE DR  
ROCKWALL, TX 75032

ALVARADO HERALD DAVID CORDOVA  
5112 WOLVERTON CT  
GARLAND, TX 75043

RAMIREZ GABRIELA & JOSE MENDOZA JR  
579 PERCH RD  
ROCKWALL, TX 75032

DIAZ-ALMARAZ CARLOS OMAR  
514 NICOLE  
ROCKWALL, TX 75032

OCCUPANT  
491 YVONNE DR  
ROCKWALL, TX 75032

CARMONA JOSE ROBERTO  
397 CHRIS DR  
ROCKWALL, TX 75032

RODRIGUEZ ANDRES M  
715 PRIMROSE LN  
ROCKWALL, TX 75032

LEBLANC BRIAN AND AARON SALAZAR  
709 PRIMROSE LN  
ROCKWALL, TX 75032

OCCUPANT  
3129 WILDFLOWER WAY  
ROCKWALL, TX 75032

PROGRESS DALLAS LLC  
PO BOX 4090  
SCOTTSDALE, AZ 85261

PRICE TIMOTHY F & DIANA M  
3137 WILDFLOWER WAY  
ROCKWALL, TX 75032

OCCUPANT  
496 CHRIS DR  
ROCKWALL, TX 75032

SILVA JORGE & ELIZABETH  
3078 S FM 551  
ROYSE CITY, TX 75189

ALONSO ELEASAR & BENITO GAMEZ  
482 WAYNE DR  
ROCKWALL, TX 75032

CASTILLO SIXTO & MARIA  
491 CHRIS DR  
ROCKWALL, TX 75032

HERNANDEZ CARMELITA NOEMI  
500 YVONNE DR  
ROCKWALL, TX 75032

MOORE VIVIAN  
811 LAKESIDE DR  
ROCKWALL, TX 75032

RIDDLE LINDA K  
715 BLUEBELL CT  
ROCKWALL, TX 75032

GEORGE POLLY A & BENJAMIN E  
709 BLUEBELL CT  
ROCKWALL, TX 75032

BRIDGMAN SHAWN AND RENEE  
728 PRIMROSE LN  
ROCKWALL, TX 75032

DIBA ABBAS & RAZIEHALSADAT YAHYAZADEH  
MASHHADI  
152 WESTON CT  
ROCKWALL, TX 75032

OCCUPANT  
714 GLENHURST DR  
ROCKWALL, TX 75032

DO DAVID KIM  
2206 OAK GROVE CIR  
GARLAND, TX 75040

ORAVSKY JAMES S & GINGER L  
746 BRAEWICK DR  
ROCKWALL, TX 75032

WINTERS KEVIN R & STELIANA V  
745 GLENHURST DR  
ROCKWALL, TX 75032

PIERCE SYLVIA JO  
152 HAVEN RIDGE DR  
ROCKWALL, TX 75032

BROWN GREGORY J II AND BARBARA J  
112 WESTON CT  
ROCKWALL, TX 75032

REYES GALIA OLAZABAL & FRANK ALVAREZ  
MOYA  
945 LAKESIDE DR  
ROCKWALL, TX 75032

OCCUPANT  
957 LAKESIDE DR  
ROCKWALL, TX 75032

RAMIREZ MARTIN AND ALMA DELIA  
8250 COLQUITT ROAD  
TERRELL, TX 75160

MUPPALA VENKATANARAYANA AND  
CHANDRIKA KONDUR  
801 LAKESIDE DR  
ROCKWALL, TX 75032

CARMONA-SANCHEZ CARLOS FRANCISCO  
532 BLANCHE DR  
ROCKWALL, TX 75032

ARROYO REYES  
499 RUSSELL DR  
ROCKWALL, TX 75032

MAYHALL DANIEL J  
473 RENEE DR  
ROCKWALL, TX 75032

AGUILAR ROSALINA  
507 BLANCHE DR  
ROCKWALL, TX 75032

FLORES JAIME W & MARLENE CASTRO  
520 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
506 CHRIS DR  
ROCKWALL, TX 75032

SILVA JORGE & ELIZABETH  
3078 S FM 551  
ROYSE CITY, TX 75189

VELASQUEZ LORENA  
501 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
495 NATIONAL DR  
ROCKWALL, TX 75032

PEOPLES MIKE  
PO BOX 41  
ROCKWALL, TX 75087

OCCUPANT  
433 NATIONAL DR  
ROCKWALL, TX 75032

FARRAR SECURITY SYSTEMS INC  
PO BOX 2199  
ROCKWALL, TX 75087

OCCUPANT  
627 NATIONAL DR  
ROCKWALL, TX 75032

D & A REAL ESTATE PARTNERS LTD  
PO BOX 850  
ROCKWALL, TX 75087

EISENSTEIN JENNIPHER D AND MICHAEL J  
157 WESTON CT  
ROCKWALL, TX 75032

OCCUPANT  
708 GLENHURST DR  
ROCKWALL, TX 75032

CHEN CHAI  
825 HARLAN CT  
MURPHY, TX 75094

OCCUPANT  
118 NATIONAL DR  
ROCKWALL, TX 75032

SCOTTFREE INVESTMENTS LP  
519 E INTERSTATE 30 #511  
ROCKWALL, TX 75087

OCCUPANT  
496 NATIONAL DR  
ROCKWALL, TX 75032

BIG BUCK PROPERTIES LLC  
PO BOX 2107  
ROCKWALL, TX 75087

SITTER KAREEN RUTH  
743 PRIMROSE LN  
ROCKWALL, TX 75032

TIPPING DORA MARIA  
735 PRIMROSE LN  
ROCKWALL, TX 75032

OCCUPANT  
727 PRIMROSE LN  
ROCKWALL, TX 75032

FALLS DAVID & TERRI  
309 ROOKERY CT  
MARCO ISLAND, FL 34145

HARRIS CHAD & MISTY PIERCE  
721 PRIMROSE LN  
ROCKWALL, TX 75032

OCCUPANT  
156 WESTON CT  
ROCKWALL, TX 75032

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
ATTN: PROPERTY TAX DEPARTMENT  
23974 PARK SORRENTO Suite 300  
CALABASAS, CA 91302

ALLMANN CHRISSEY J  
126 WESTON CT  
ROCKWALL, TX 75032

OCCUPANT  
134 WESTON CT  
ROCKWALL, TX 75032

RONALD J AND EILEEN P BOTT LIVING TRUST  
RONALD J BOTT AND EILEEN P BOTT-  
COTRUSTEES  
12172 GAY RIO DRIVE  
LAKESIDE, CA 92040

STANCIOIU MARIAN & OANA  
138 WESTON CT  
ROCKWALL, TX 75032

SCARNATI TAMMY AND JAMES T JR  
156 HAVEN RIDGE DR  
ROCKWALL, TX 75032

OCCUPANT  
449 NATIONAL DR  
ROCKWALL, TX 75032

FRAUSTO MICKEY & LISA L  
PO BOX 928  
ROYSE CITY, TX 75189

GULICK ANNA C  
734 PRIMROSE LN  
ROCKWALL, TX 75032

BUSH BLAKE & LARRY  
740 PRIMROSE LN  
ROCKWALL, TX 75032

OCCUPANT  
718 BLUEBELL CT  
ROCKWALL, TX 75032

GREGORY COREY ALAN  
25881 SOUTH 655 RD  
GROVE, OK 74344

BEASLEY MOLLIE & MEAGAN NUGENT  
727 BLUEBELL CT  
ROCKWALL, TX 75032

OCCUPANT  
626 NATIONAL DR  
ROCKWALL, TX 75032

SCOTTFREE INVESTMENT LP  
519 E INTERSTATE 30 #511  
ROCKWALL, TX 75087

HEFFLER MICHAEL A  
744 PRIMROSE LN  
ROCKWALL, TX 75032

HOLLAND JON E  
747 PRIMROSE LN  
ROCKWALL, TX 75032

CZARNOPYS BENJAMIN J & ROBIN K  
746 GLENHURST DR  
ROCKWALL, TX 75032

STEWART EMILY D AND BRYON STEWART JR  
738 GLENHURST DR  
ROCKWALL, TX 75032

SOAITA MARIUS & DANIELA M  
732 GLENHURST DR  
ROCKWALL, TX 75032

TATEVOSIAN BARKEV S & GUENDOLI  
726 GLENHURST DR  
ROCKWALL, TX 75032

OCCUPANT  
720 GLENHURST DR  
ROCKWALL, TX 75032

RENDON NOEL & CHRISTIE  
607 W BROAD ST  
MANSFIELD, TX 76063

BYERS MARY E TRESPACES- AND JAMES  
MICHAEL  
745 BRAEWICK DR  
ROCKWALL, TX 75032

ROTEN STEVEN NEIL  
141 WESTON CT  
ROCKWALL, TX 75032

OCCUPANT  
145 WESTON CT  
ROCKWALL, TX 75032

CSH PROPERTY ONE LLC  
1717 MAIN STREET SUITE 2000  
DALLAS, TX 75201

LOFGREN STEVE G  
149 WESTON CT  
ROCKWALL, TX 75032

OCCUPANT  
153 WESTON CT  
ROCKWALL, TX 75032

SN DFW LLC  
8390 E VIA DE VENTURA F-110 #303  
SCOTTSDALE, AZ 85258

PEACOCK JAY C & ROBYN M  
148 WESTON CT  
ROCKWALL, TX 75032

RODRIGUEZ FLORENCIO GOMEZ  
630 EVA  
ROCKWALL, TX 75032

PERDOMO WILFREDO  
100 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
150 EVANS RD  
ROCKWALL, TX 75032

CITY OF ROCKWALL  
ATTN;MARY SMITH  
385 S GOLIAD ST  
ROCKWALL, TX 75087

OCCUPANT  
160 EVANS RD  
ROCKWALL, TX 75032

ALVARADO HERALD DAVID CORDOVA  
5112 WOLVERTON CT  
GARLAND, TX 75043

MEJIA RAMIRO  
244 EVANS ST  
ROCKWALL, TX 75032

OCCUPANT  
266 EVANS RD  
ROCKWALL, TX 75032

HUERTA JOSE AND MARIA  
848 SMITH ACRES DR  
ROYSE CITY, TX 75189

PEREZ MARCOS AND MARIA ELVA GACHUZO  
VELAZQUEZ  
290 EVANS RD  
ROCKWALL, TX 75032

BALDERAS GREGORY  
310 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
302 EVANS RD  
ROCKWALL, TX 75032

VAZQUEZ MARCOS PEREZ  
1806 13TH STREET  
GALENA PARK, TX 77547

ACOSTA FABIAN AND GLADYS CELENE  
QUINONEZ  
322 EVANS RD  
ROCKWALL, TX 75032

RAMIRES RAUL  
358 EVANS RD  
ROCKWALL, TX 75032

PERDOMO WILFREDO  
100 EVANS RD  
ROCKWALL, TX 75032

GARCIA JUAN  
519 BLANCHE DR  
ROCKWALL, TX 75032

OCCUPANT  
515 RENEE DR  
ROCKWALL, TX 75032

SIERRA ZACARIAS RAMIREZ  
1244 COUNTY ROAD 2278  
QUINLAN, TX 75474

LUMPKINS JOHN E & STEPHANIE L  
376 EVANS RD  
ROCKWALL, TX 75032

PERALES OSCAR F AND DIANA A  
106 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
114 EVANS RD  
ROCKWALL, TX 75032

LICEA JOSE DELFINO  
448 LYNNE DR  
ROCKWALL, TX 75032



HERREROS BERTOLDO  
180 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
MIMS RD  
ROCKWALL, TX 75032

VICMAR I LTD &  
E LOFLAND  
105 KAUFMAN ST  
ROCKWALL, TX 75087

OCCUPANT  
MIMS RD  
ROCKWALL, TX 75032

VICMAR I LTD &  
E LOFLAND  
105 KAUFMAN ST  
ROCKWALL, TX 75087

OCCUPANT  
LOFLAND CIR  
ROCKWALL, TX 75032

SMARTT LOFLAND & BOND  
1 CARMARTHEN CT  
DALLAS, TX 75225

OCCUPANT  
2922 S HWY205  
ROCKWALL, TX 75032

LAYZA & LUNA REAL ESTATE LLC  
6310 LEMMON AVE STE 202  
DALLAS, TX 75209

OCCUPANT  
791 LAKESIDE DR  
ROCKWALL, TX 75032

KUBIS CINDY  
281 N LARAMIE CIR  
PILOT POINT, TX 76258

RODRIGUEZ ROMAN  
220 EVANS RD  
ROCKWALL, TX 75032

BAKER LATONIA  
840 LAKESIDE DR  
ROCKWALL, TX 75032

TUAZON LINCOLN AND DIVINA  
848 LAKESIDE DR  
ROCKWALL, TX 75032

PETREY MELODIE A  
806 LAKESIDE DR  
ROCKWALL, TX 75032

DEL ROSARIO VICTOR & LETICIA  
813 LAKESIDE DR  
ROCKWALL, TX 75032

OCCUPANT  
905 LAKESIDE DR  
ROCKWALL, TX 75032

LOERA SERGIO A  
588 PERCH RD  
ROCKWALL, TX 75032

OCCUPANT  
891 LAKESIDE DR  
ROCKWALL, TX 75032

LOERA SERGIO A  
588 PERCH RD  
ROCKWALL, TX 75032

ROJAS MARCOS & ROSALINDA  
234 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
855 LAKESIDE DR  
ROCKWALL, TX 75032

TURNER DANNY AND NANCY  
829 LAKESIDE DR  
ROCKWALL, TX 75032

OCCUPANT  
877 LAKESIDIE DR  
ROCKWALL, TX 75032

OLORTEGUI CLAUDIA  
610 ARCADIA WAY  
ROCKWALL, TX 75087

BOLEN LORNA L &  
ROSALIO O SANCHEZ  
861 LAKESIDE DR  
ROCKWALL, TX 75032

OCCUPANT  
869 LAKESIDE DR  
ROCKWALL, TX 75032

OLORTEGUI CLAUDIA  
610 ARCADIA WAY  
ROCKWALL, TX 75087

TURNER DANNY  
829 LAKESIDE DR  
ROCKWALL, TX 75032

OCCUPANT  
MIMS RD  
ROCKWALL, TX 75032

RAYBURN COUNTRY ELECTRIC CORP INC  
PO BOX 37  
ROCKWALL, TX 75087

OCCUPANT  
900 SIDS RD  
ROCKWALL, TX 75032

SLAUGHTER RICHARD E JR  
PO BOX 1717  
ROCKWALL, TX 75087

RAMIREZ MARIO  
908 LAKESIDE DR  
ROCKWALL, TX 75032

OCCUPANT  
EVANS RD  
ROCKWALL, TX 75032

GANUS HUGH  
524 SESAME DR  
MESQUITE, TX 75149

OCCUPANT  
140 EVANS RD  
ROCKWALL, TX 75032

LICEA JOSE DELFINO  
448 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
950 SIDS RD  
ROCKWALL, TX 75032

RAYBURN COUNTRY ELECTRIC CORP INC  
PO BOX 37  
ROCKWALL, TX 75087

HERREROS BERTOLDO  
196 EVANS RD  
ROCKWALL, TX 75032

OCCUPANT  
170 EVANS RD  
ROCKWALL, TX 75032

DIAZ JOSE LUIS &  
MARICELA ARREDONDO  
494 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
510 BLANCHE DR  
ROCKWALL, TX 75032

SANCHEZ CARLOS FRANSISCO CARMONA  
532 BLANCHE DRIVE  
ROCKWALL, TX 75032

OCCUPANT  
125 NATIONAL DR  
ROCKWALL, TX 75032

RACK HOLDINGS LLC- 125 NATIONAL SERIES  
3021 RIDGE ROAD SUITE A-131  
ROCKWALL, TX 75032

BOWERS TAMMY GAIL  
630 TROUT RD  
ROCKWALL, TX 75032

# 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:

### Z2023-003: Zoning Change from AG to a PD for SF-10 District Land Uses

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-003: Zoning Change from AG to a PD for SF-10 District Land Uses

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

**Case No. Z2023-003: Zoning Change from AG to a PD for SF-10 District Land Uses**

**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 specifically bought our home because it is on a greenbelt!  
We enjoy our privacy. Rezoning this area will result in the  
wildlife having to find a new area to relocate to for their  
home and we do not want to impact the wildlife here!

Name: Ben + Robin Czarnopys

Address: 746 Glenhurst Dr

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 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.

UNWanted Traffic, overpopulation

Name:

Gregory Brown

Address:

112 Weston Ct 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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**Case No. Z2023-003: Zoning Change from AG to a PD for SF-10 District Land Uses**

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]

Name:

[Redacted name field]

Address:

[Redacted address field]

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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**Case No. Z2023-003: Zoning Change from AG to a PD for SF-10 District Land Uses**

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 comment area]

Name:

[Redacted name field]

Address:

[Redacted address field]

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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# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Case No. Z2023-003: Zoning Change from AG to a PD for SF-10 District Land Uses

Please place a check mark on the appropriate line below: \*

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Lots of wildlife reside in that area. You will destroy their habitat and destroy many trees which help the ecosystem.

## Respondent Information

Please provide your information.

## First Name \*

Shelly



Last Name \*

McWilliams

Address \*

107 Weston Ct

City \*

Rockwall

State \*

Tx

Zip Code \*

75032

Please check all that apply: \*

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: \_\_\_\_\_

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*

I received a property owner notification in the mail.

I read about the request on the City's website.

I saw a zoning sign on the property.

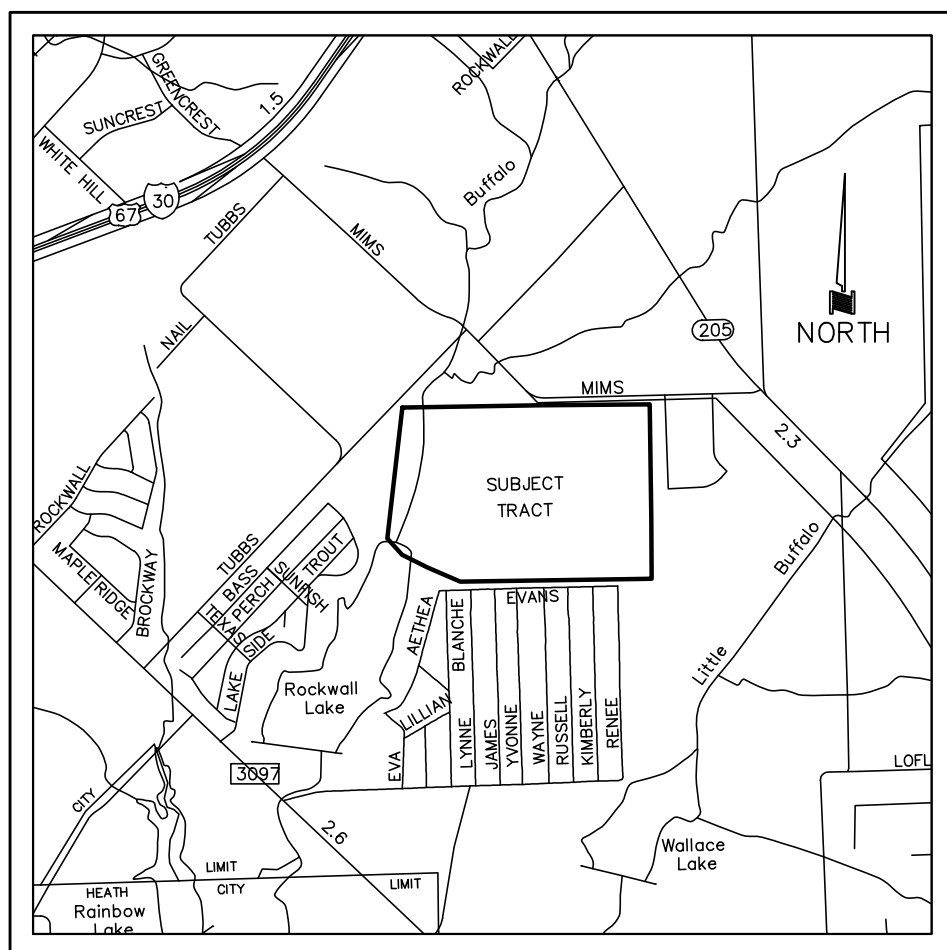
I read about the request in the Rockwall Herald Banner.

My neighbors told me about the request.

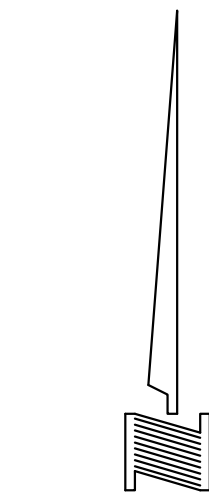
Other: .....

This content is neither created nor endorsed by Google.

Google Forms



LOCATION MAP  
NOT TO SCALE



GRAPHIC SCALE

( IN FEET )  
1 inch = 100 ft.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. ALL DIMENSIONS SHOWN ARE GROUND DISTANCES. TO OBTAIN A GRID DISTANCE, MULTIPLY THE GROUND DISTANCE BY THE PROJECT COMBINED FACTOR (PCF) OF 0.9998800144.

2. ACCORDING TO MAP NO. 48397-0040L OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, DATED SEPTEMBER 26, 2008, THE SUBJECT TRACT IS SITUATED WITHIN: UNSHADED ZONE "X"; DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN, ZONE "A"; DEFINED AS SPECIAL FLOOD HAZARD AREA INUNDATED BY THE 100-YEAR FLOOD WITH NO BASE ELEVATIONS DETERMINED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

3. SURVEYOR ADDRESSED ONLY THOSE ITEMS LISTED IN OLD REPUBLIC TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE, G.F. NO. 2254424-ATDA, EFFECTIVE DATE DECEMBER 7, 2022. NO FURTHER RESEARCH WAS PERFORMED BY SURVEYOR.

4. VISIBLE IMPROVEMENTS/UTILITIES WERE LOCATED WITH THIS SURVEY, NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY.

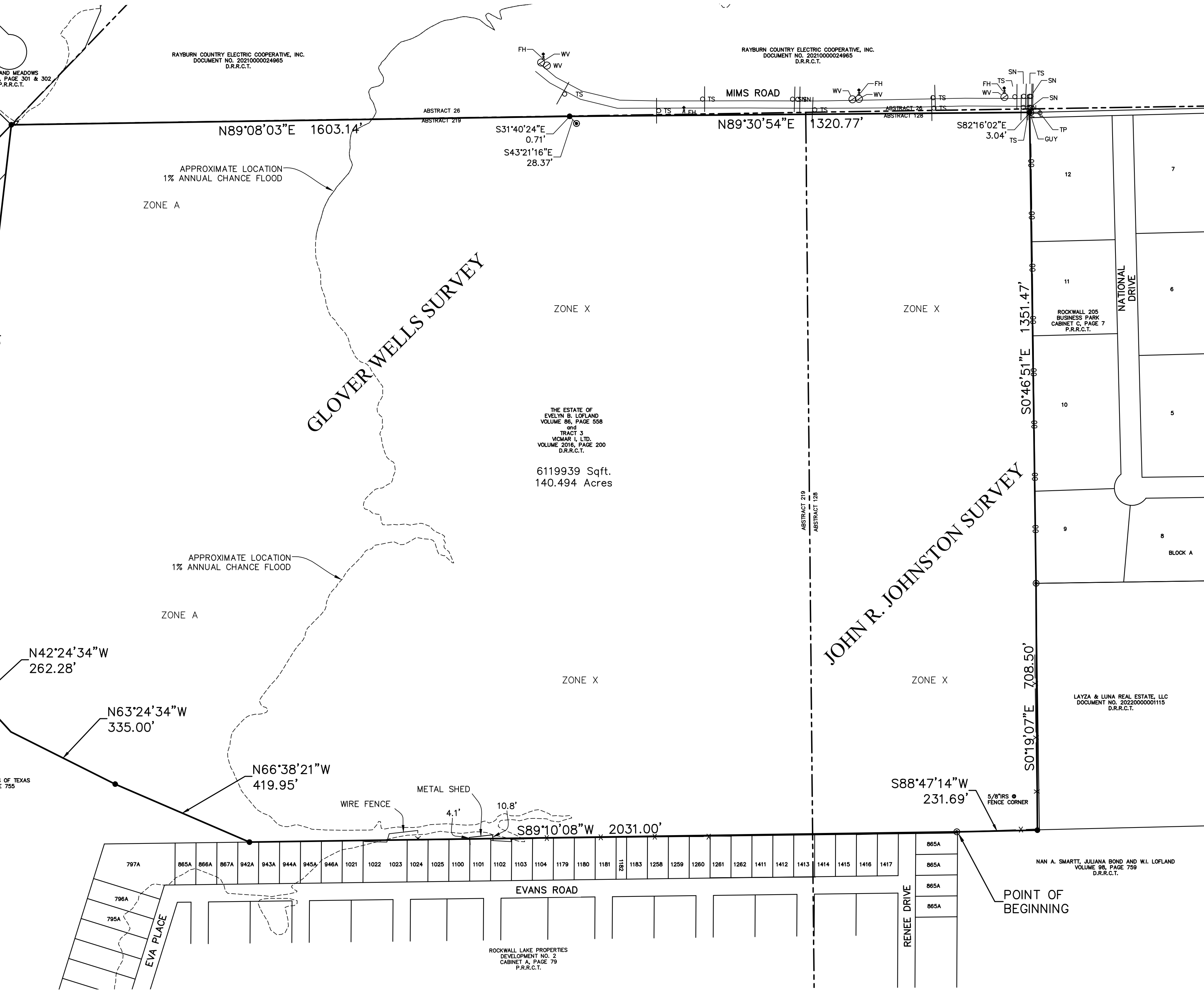
5. FENCES SHOWN HEREON ARE GRAPHIC ONLY AND MAY MEANDER BETWEEN MEASURED LOCATIONS.

6. THE ACREAGE TOTALS AS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THIS SURVEY. THEY DO NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.

7. THIS SURVEY DOES NOT PROVIDE ANY DETERMINATION CONCERNING WETLANDS, FAULT LINES, TOXIC WASTE OR ANY OTHER ENVIRONMENTAL ISSUES. SUCH MATTERS SHOULD BE DIRECTED BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN EXPERT CONSULTANT.

8. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR THE PARTIES CERTIFIED TO HEREON AND REMAINS THE PROPERTY OF THE SURVEYOR. THE UNAUTHORIZED USE OR REUSE OF THIS SURVEY WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE SURVEYOR IS NOT PERMITTED. THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE CERTIFIED PARTIES OR FOR ANY UNINTENDED USE WILL REMOVE SURVEYOR FROM BURDEN OF ANY DAMAGES INCURRED.

9. THE TERM "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON INDICATES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED, AND IS EXCLUSIVELY TO THE PARTIES INVOLVED IN AND LIMITED TO THE TRANSACTION CLOSING AT THE TITLE COMPANY INDICATED HEREON.



SCHEDULE B NOTES

g. TERMS AND PROVISIONS CONTAINED IN EASEMENT AGREEMENT FOR IMPOUNDING WATER AS SET OUT IN INSTRUMENT RECORDED IN VOLUME 51, PAGE 116, OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS. (SUBJECT TO-NON PLOTTABLE)

LEGEND

- IRON ROD OR IRON PIPE FOUND
- 1/2" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "JVC" (UNLESS OTHERWISE NOTED)
- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- TS — TRAFFIC SIGN
- UGCM — UNDERGROUND CABLE MARKER
- FH — FIRE HYDRANT
- GUY — GUY WIRE ANCHOR
- PP — POWER POLE
- TPED — TELEPHONE PEDESTAL
- WV — WATER VALVE
- CHAIN LINK FENCE
- X— WIRE FENCE

FIELD NOTE DESCRIPTION

140.494 ACRES

BEING A 140.494 ACRE TRACT OF LAND SITUATED IN THE GLOVER WELLS SURVEY, ABSTRACT NUMBER 219 AND THE JOHN R. JOHNSTON SURVEY, ABSTRACT NUMBER 128 OF ROCKWALL COUNTY, TEXAS, BEING THAT TRACT OF LAND CONVEYED TO THE ESTATE OF EVELYN B. LOFLAND ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 86, PAGE 558, DEED RECORDS ROCKWALL COUNTY, TEXAS AND VICMAR I, LTD. ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 2016, PAGE 200, DEED RECORDS ROCKWALL COUNTY, TEXAS (D.R.R.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" IRON PIPE FOUND IN THE SOUTH LINE OF SAID VICMAR I TRACT, SAME BEING THE COMMON NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO HAPPY COUNTRY HOMES OF TEXAS, ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 157, PAGE 755 (D.R.R.C.T.) AND BEING THE COMMON NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO NAN A. SMARTT, JULIANA BOND AND W.I. LOFLAND ACCORDING TO THE DOCUMENT FILED OF RECORD IN VOLUME 98, PAGE 759 (D.R.R.C.T.);

THENCE S 89° 10' 08" W WITH THE SOUTH LINE OF SAID VICMAR I TRACT, SAME BEING THE COMMON NORTH LINE OF SAID HAPPY COUNTRY HOMES TRACT, FOR A DISTANCE OF 2031.00 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JVC" SET FOR A CORNER OF THIS TRACT;

THENCE LEAVING SAID COMMON LINE, CONTINUING WITH THE SOUTH LINE OF SAID VICMAR I TRACT THE FOLLOWING THREE (3) COURSES AND DISTANCES:  
 N 66° 38' 21" W, A DISTANCE OF 419.95 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JVC" SET FOR A CORNER OF THIS TRACT;  
 N 63° 24' 34" W, A DISTANCE OF 335.00 FEET TO A POINT FOR CORNER OF THIS TRACT, LOCATED WITHIN THE LIMITS OF THE CURRENT WATER LEVEL OF A LARGE POND;  
 N 42° 24' 34" W, A DISTANCE OF 262.28 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JVC" SET FOR A CORNER OF THIS TRACT;

THENCE N 06° 34' 13" E, PASSING AT A DISTANCE OF 40.96 FEET A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF LOT 1, BLOCK D, LYNDEN PARK ESTATES, PHASE 4, AN ADDITION TO THE CITY OF ROCKWALL ACCORDING TO THE PLAT FILED OF RECORD IN CABINET E, SLIDE 396 PLAT RECORDS ROCKWALL COUNTY, TEXAS (P.R.R.C.T.), CONTINUING WITH THE EAST LINE OF SAID LYNDEN PARK ESTATES, PHASE 4 FOR A DISTANCE OF 1558.91 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JVC" SET FOR THE NORTHEAST CORNER OF SAID LYNDEN PARK ESTATES, PHASE 4, AN ADDITION TO THE CITY OF ROCKWALL ACCORDING TO THE PLAT FILED OF RECORD IN CABINET C, PAGE 301/302 (P.R.R.C.T.), ALSO BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC. ACCORDING TO THE DOCUMENT FILED OF RECORD IN DOCUMENT NUMBER 2021000024965 (D.R.R.C.T.) AND BEING THE COMMON NORTHWEST CORNER OF THIS TRACT;

THENCE N 89° 08' 03" E WITH THE SOUTH LINE OF SAID RAYBURN COUNTRY ELECTRIC COOPERATIVE, INC. TRACT, SAME BEING COMMON WITH THE NORTH LINE OF THIS TRACT, A DISTANCE OF 1603.14 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JVC" SET FOR A COMMON CORNER OF SAID TRACT AND THIS TRACT, FROM WHICH A FOUND 60-D NAIL FOUND FOR A REFERENCE TO SAID CORNER BEARS S 31° 40' 24" E, 0.71 FEET, ALSO FROM SAID CORNER, A 5/8" IRON ROD FOUND FOR REFERENCE TO SAID CORNER BEARS S 43° 21' 16" E, 28.37 FEET;

THENCE N 89° 30' 54" E, CONTINUING WITH SAID COMMON LINE, FOR A DISTANCE OF 1320.77 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JVC" SET FOR THE NORTHEAST CORNER OF THIS TRACT, FROM WHICH A 3/8" IRON ROD FOUND FOR REFERENCE TO SAID CORNER BEARS S 82° 16' 02" E, 3.04 FEET;

THENCE S 00° 46' 51" E, LEAVING SAID COMMON LINE, WITH THE WEST LINE OF ROCKWALL 205 BUSINESS PARK, AN ADDITION TO THE CITY OF ROCKWALL, ACCORDING TO THE PLAT FILED OF RECORD IN CABINET C, PAGE 7 (P.R.R.C.T.) FOR A DISTANCE OF 1351.47 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID ADDITION, THE NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO LAYZA & LUNA REAL ESTATE, LLC ACCORDING TO THE DOCUMENT FILED OF RECORD IN DOCUMENT NUMBER 2022000001115 (D.R.R.C.T.) AND COMMON CORNER OF THIS TRACT;

THENCE S 00° 19' 07" E WITH THE WEST LINE OF SAID LAYZA & LUNA REAL ESTATE, LLC TRACT, FOR A DISTANCE OF 708.50 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "JVC" SET IN THE NORTH LINE OF THE ABOVE-MENTIONED NAN A. SMARTT, JULIANA BOND AND W.I. LOFLAND TRACT, FOR THE SOUTHWEST CORNER OF SAID LAYZA & LUNA REAL ESTATE, LLC TRACT AND COMMON SOUTHEAST CORNER OF THIS TRACT;

THENCE S 88° 47' 14" W, WITH SAID NORTH LINE, A DISTANCE OF 231.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 6,119,939 SQUARE FEET OR 140.494 ACRES OF LAND.

SURVEYOR'S CERTIFICATE:

To QUALICO DEVELOPMENTS (U.S.), INC., A DELAWARE CORPORATION, INDEPENDENCE TITLE, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND THE ESTATE OF EVELYN B. LOFLAND AND VICMAR I, LTD., A TEXAS CORPORATION:

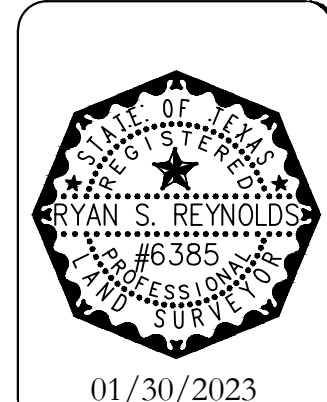
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE SUBSTANTIALLY IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2021, AND INCLUDES ITEMS 1-4, 7(A), 8, 9, 11, 13 AND 14 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR IN THE STATE OF TEXAS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

RYAN S. REYNOLDS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6385

SURVEYED ON THE GROUND: JANUARY 9, 2023

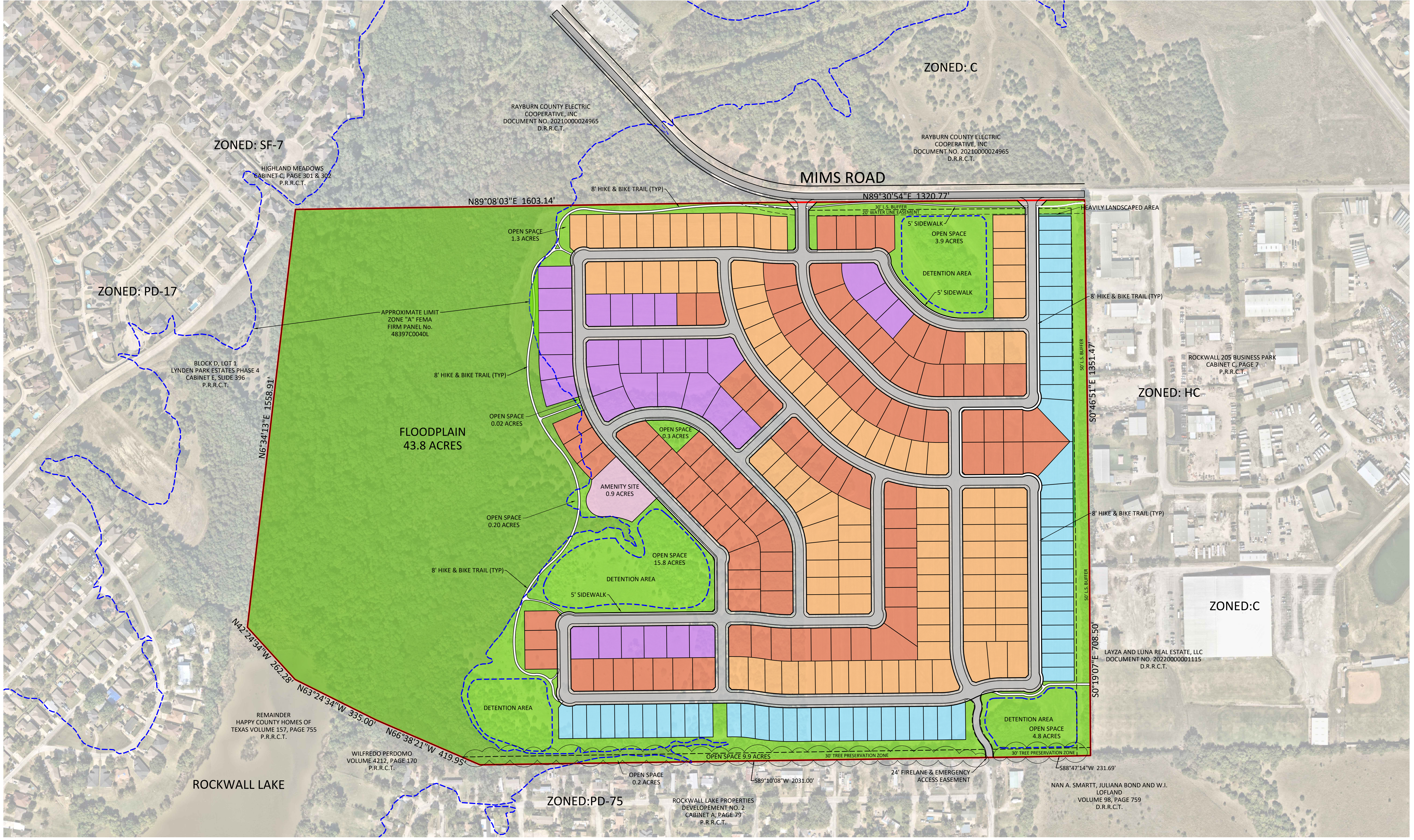


ALTA/NSPS LAND TITLE SURVEY  
140.494 Acres, Glover Wells Survey, Abstract 219  
and the John R. Johnston Survey, Abstract 128  
Rockwall County, Texas



SCALE:  
200'  
One Inch  
JVC No Q00501

SHEET 1 OF 1



ALL LOTS LESS THAN 12,000 SF ARE LOCATED WITHIN 800 FT OF A PUBLIC OR PRIVATE OPEN SPACE AREA.



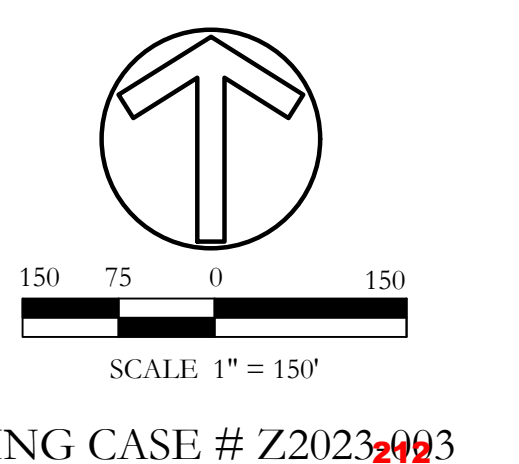
LOT TYPE	A	B	C	D
LOT COUNT	32	98	105	57
MINIMUM LOT AREA (SF)	9,000	8,400	7,200	6,000
MINIMUM LOT WIDTH (FT)	82	72	62	52
MINIMUM LOT DEPTH (FT)	120	120	120	120
FRONT BUILDING SETBACK (FT)	20	20	20	20
REAR BUILDING SETBACK (FT)	20	20	20	20
SIDE BUILDING SETBACK INTERIOR (FT)	6	6	6	6
SIDE BUILDING SETBACK CORNER (FT)	15	15	15	15
MAXIMUM BUILDING HEIGHT	35 FEET / 2.5 STORIES			
MAXIMUM LOT COVERAGE (%)	45%	45%	65%	65%
TYPICAL PAD SIZE*	70' x 80'	60' x 80'	50' x 80'	40' x 80'

\*MEASURED AT FRONT BUILDING SETBACK

CONCEPT PLAN  
**Peachtree Meadows**  
 292 SINGLE-FAMILY RESIDENTIAL LOTS  
 140.50 ACRES  
 ROCKWALL, TEXAS

LAND USE	AREA (AC)	PERCENT OF TOTAL
RESIDENTIAL	75.3	53.6%
OPEN SPACE		
Private Open Space	20.5	14.6%
Amenity Center	0.9	0.6%
Floodplain	43.8	31.2%
OPEN SPACE TOTAL	65.2	46.4%
TOTAL ACRES	140.5	100.0%

Open Space Required (20%) = 140.5 x 20% = 28.1 acres  
 Open Space Provided (Including 1/2 of floodplain) = 43.3



ZONING CASE # Z2023-003

# 18 SOUTHWEST RESIDENTIAL DISTRICT

 = SUBJECT PROPERTY

## DISTRICT DESCRIPTION

The *Southwest Residential District* contains a mixture of land uses that include existing medium and low density residential, heavy commercial/retail land uses (i.e. *National Drive, Sids Road, and Mims Road*) and commercial land uses. In the future, this district is expected to continue to function as it does today with additional low-density master planned communities filling in the vacant land remaining in the central and southern areas of the district. In addition, the areas that are in transition are expected to continue to improve adding additional value to the City.

## DISTRICT STRATEGIES

The strategies for the *Southwest Residential District* are as follows:

- 1 **Suburban Residential.** This district has several large tracts of land that can support highly amenitized master planned communities. Areas adjacent to the Oaks of Buffalo Way Subdivision should utilize larger lots adjacent to the subdivision to transition to a smaller lot sizes; however, these areas should incorporate a mix of larger to mid-sized lots.

- 2 **Commercial/Industrial Land Uses.** The areas around Sids Road, National Drive, and Mims Road are some of the only areas in the City that are designated for *Commercial/Industrial* land uses. As a result, these areas should be protected from the encroachment of incompatible land uses (i.e. *residential land uses -- higher density or otherwise*). This should protect the businesses that currently exist in these areas.

- 3 **Transitional Areas.** The areas designated as *Transitional Areas* are currently transitioning from interim land uses and building types to more permanent structures with conforming land uses. These areas should be given special consideration with regard to requests that further the establishment of uses and structures that will improve the property values of the adjacent properties; however, the City should look to continue to discourage uses and structures that are situated within established floodplains.

- 4 **Intersection of SH-276 and S. Goliad Street (Sids Road and S. Goliad Street).** The intersection at Sids Road and S. Goliad Street [SH-205] -- also identified as the future intersection of SH-276 and S. Goliad Street -- is anticipated to be a major commercial intersection due to the high traffic volumes carried by both SH-276 and S. Goliad Street [SH-205]. This intersection will most likely have commercial at all four (4) corners and will create a major node along both highways.



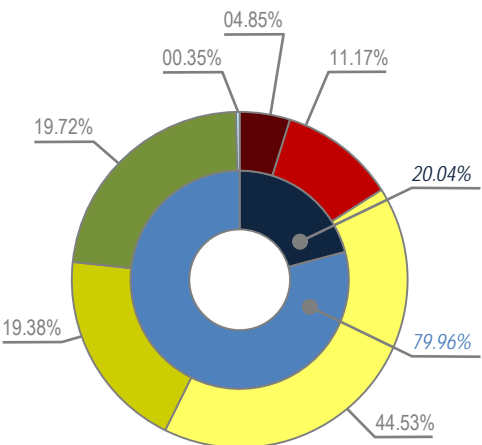
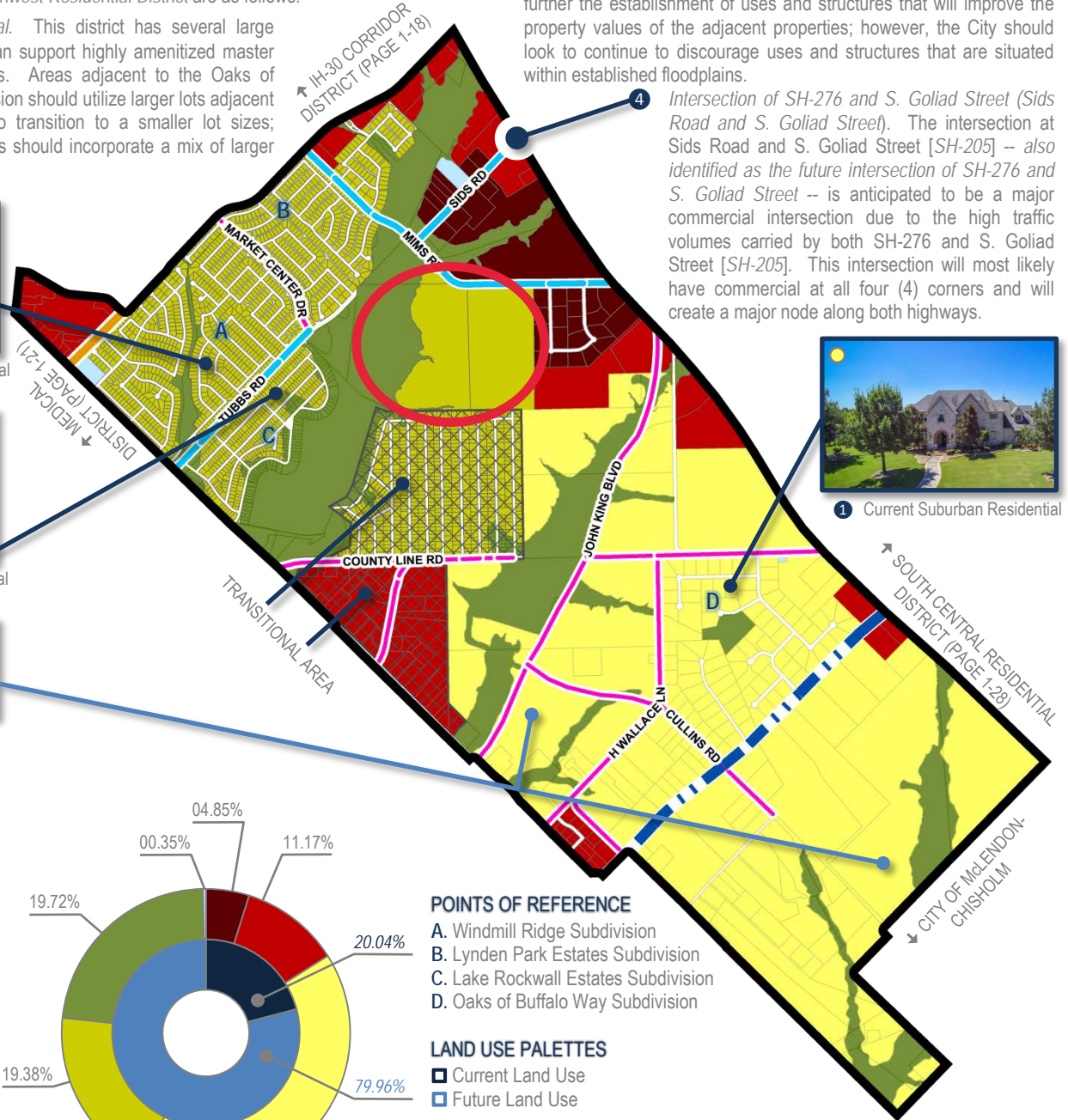
1 Current Suburban Residential



1 Current Suburban Residential



1 Future Suburban Residential



### POINTS OF REFERENCE

- A. Windmill Ridge Subdivision
- B. Lynden Park Estates Subdivision
- C. Lake Rockwall Estates Subdivision
- D. Oaks of Buffalo Way Subdivision

### LAND USE PALETTES

- Current Land Use
- Future Land Use

COMMERCIAL/INDUSTRIAL (CI)	120.50-ACRES
COMMERCIAL/RETAIL (CR)	277.44-ACRES
LOW DENSITY RESIDENTIAL (LDR)	1,106.20-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	481.39-ACRES
PARKS AND OPEN SPACE (OS)	489.99-ACRES
QUASI-PUBLIC (QP)	8.67-ACRES

BUILD OUT	4,251
	14,108
% OF ROCKWALL	10.95%
	10.34%
	12.49%
CURRENT	2,190
	188
	7,437

COMMERCIAL	20.04%
RESIDENTIAL	79.96%
MIXED USE	0.00%
MINOR COLLECTOR	
M4D	
M4U	
TXDOT 4D	

CITY OF ROCKWALL

ORDINANCE NO. **23-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 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 140.50-ACRE TRACT OF LAND IDENTIFIED AS TRACT 5 OF THE J. R. JOHNSON SURVEY, ABSTRACT NO. 128 AND TRACT 3 OF THE G. WELLS SURVEY, ABSTRACT NO. 219, 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 Ryan Joyce of Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses, on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, 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* depicted 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 on 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 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

*1<sup>st</sup> Reading: February 21, 2023*

*2<sup>nd</sup> Reading: March 6, 2023*



*BEING* a 140.494-acre tract of land situated in the Glover Wells Survey, Abstract Number 219 and the John R. Johnston Survey, Abstract Number 128 of Rockwall County, Texas, being that tract of land conveyed to VICMAR I, LTD. According to the document filed of record in Volume 2016, Page 200, Deed Records Rockwall County, Texas (D.R.R.C.T.) and being more particularly described as follows:

*BEGINNING* at a 1" iron pipe found in the south line of said VICMAR I tract, same being the common northeast corner of that tract of land conveyed to Happy Country Homes of Texas, according to the document filed of record in Volume 157, Page 755 (D.R.R.C.T.) and being the common northwest corner of that tract of land conveyed to Nan A. Smartt, Juliana Bond and W.I. Lofland according to the document filed of record in Volume 98, Page 759 (D.R.R.C.T.);

*THENCE* S 89° 10' 08" W with the south line of said VICMAR I tract, same being the common north line of said Happy Country Homes tract, for a distance of 2031.00 feet to a ½" iron rod with yellow plastic cap stamped "JVC" set for a corner of this tract;

*THENCE* leaving said common line, continuing with the south line of said VICMAR I tract the following three (3) courses and distances:

N 66° 38' 21" W, a distance of 419.95 feet to a ½" iron rod with yellow plastic cap stamped "JVC" set for a corner of this tract;

N 63° 24' 34" W, a distance of 335.00 feet to a point for corner of this tract, located within the limits of the current water level of a large pond;

N 42° 24' 34" W, a distance of 262.28 feet to a ½" iron rod with yellow plastic cap stamped "JVC" set for a corner of this tract;

*THENCE* N 06° 34' 13" E, passing at a distance of 40.96 feet a ½" iron rod found for the southeast corner of Lot 1, Block D, Lynden Park Estates, Phase 4, an addition to the City of Rockwall according to the plat filed of record in Cabinet E, Slide 396 Plat Records Rockwall County, Texas (P.R.R.C.T.), continuing with the east line of said Lynden Park Estates, Phase 4 for a distance of 1558.91 feet to a ½" iron rod with yellow plastic cap stamped "JVC" set for the northeast corner of said Lynden Park Estates, same being the southeast corner of Highland Meadows, an addition to the City of Rockwall according to the plat filed of record in Cabinet C, Page 301/302 (P.R.R.C.T.), also being the southwest corner of that tract of land conveyed to

Rayburn Country Electric Cooperative, Inc. according to the document filed of record in Document Number 20210000024965 (D.R.R.C.T.) and being the common northwest corner of this tract;

*THENCE* N 89° 08' 03" E with the south line of said Rayburn Country Electric Cooperative, Inc. tract, same being common with the north line of this tract, a distance of 1603.14 feet to a ½" iron rod with yellow plastic cap stamped "JVC" set for a common corner of said tract and this tract, from which a found 60-D Nail found for a reference to said corner bears S 31° 40' 24" E, 0.71 feet, also from said corner, a 5/8" iron rod found for reference to said corner bears S 43° 21' 16" E, 28.37 feet;

*THENCE* N 89° 30' 54" E, continuing with said common line, for a distance of 1320.77 feet to a ½" iron rod with yellow plastic cap stamped "JVC" set for the northeast corner of this tract, from which a 3/8" iron rod found for reference to said corner bears S 82° 16' 02" E, 3.04 feet;

*THENCE* S 00° 46' 51" E, leaving said common line, with the west line of Rockwall 205 Business Park, an addition to the City of Rockwall, according to the plat filed of record in Cabinet C, Page 7 (P.R.R.C.T.) for a distance of 1351.47 feet to a ½" iron rod found for the southwest corner of said addition, the northwest corner of that tract of land conveyed to Layza & Luna Real Estate, LLC according to the document filed of record in Document Number 20220000001115 (D.R.R.C.T.) and common corner of this tract;

*THENCE* S 00° 19' 07" E with the west line of said Layza & Luna Real Estate, LLC tract, for a distance of

708.50 feet to a ½" iron rod with yellow plastic cap stamped "JVC" set in the north line of the above-mentioned Nan A. Smartt, Juliana Bond and W.I. Lofland tract, for the southwest corner of said Layza & Luna Real Estate, LLC tract and common southeast corner of this tract;

*THENCE* S 88° 47' 14" W, with said north line, a distance of 231.69 feet to the *POINT OF BEGINNING* and containing 6,119,939 square feet or 140.494 acres of land.

DRAFT  
ORDINANCE  
02.21.2023





- (1) **Permitted Uses.** Unless specifically provided by this Planned Development District ordinance, only those land uses permitted within the Single-Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).
- (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	82' x 120'	9,000 SF	32	10.96%
B	72' x 120'	8,400 SF	98	33.56%
C	62' x 120'	7,200 SF	105	35.96%
D	52' x 120'	6,000 SF	57	19.52%
<i>Maximum Permitted Units:</i>			292	100.00%

- (3) **Density and Dimensional Requirements.** Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single-Family 10 (SF-10) 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 2.08 dwelling units per gross acre of land; however, in no case should the proposed development exceed 292 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	D
<i>Minimum Lot Width</i> <sup>(1)</sup>	82'	72'	62'	52'
<i>Minimum Lot Depth</i>	120'	120'	120'	120'
<i>Minimum Lot Area (SF)</i>	9,000 SF	8,400 SF	7,200 SF	6,000 SF
<i>Minimum Front Yard Setback</i> <sup>(2), (5) &amp; (6)</sup>	20'	20'	20'	20'
<i>Minimum Side Yard Setback</i>	6'	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> <sup>(2) &amp; (5)</sup>	20'	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i> <sup>(7)</sup>	20'	20'	20'	20'
<i>Maximum Height</i> <sup>(3)</sup>	35'	35'	35'	35'
<i>Minimum Rear Yard Setback</i> <sup>(4)</sup>	10'	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,500 SF	2,200 SF	2,200 SF	2,000 SF
<i>Maximum Lot Coverage</i>	65%	65%	65%	65%

**General Notes:**

- <sup>1</sup>: 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*.
- <sup>2</sup>: The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3</sup>: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- <sup>4</sup>: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- <sup>5</sup>: 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.
- <sup>6</sup>: *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a maximum of five (5) 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 90.00% (*excluding dormers and walls over roof areas*). 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*) shall be considered masonry and may be used on 20.00% of the total exterior façade of the home; however, administrative approval from the Director of Planning and Zoning may be requested for housing plans that utilize cementitious fiberboard for architectural purposes (*as seen below in Figures 1 & 2*) in excess of 80.00% total exterior façade of the home on a *case-by-case* basis.

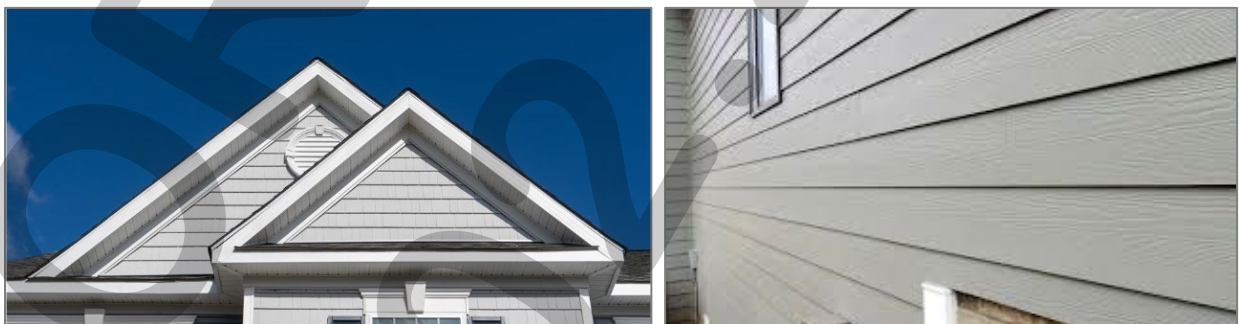
**FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD**



**FIGURE 2: EXAMPLES OF BOARD AND BATTEN**



**FIGURE 3: EXAMPLES OF HORIZONTAL LAP**



- (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. All of the Type 'D' lots (being a total of 19.59% or 57 of the 292 lots) may have garages that are oriented toward the street in a *Front Entry* garage configuration; however, the front façade of the garage must be situated a minimum of five (5) feet behind the front façade of the primary structure. The remaining Type 'A', 'B' & 'C' lots (being 80.31% or 235 lots) shall have garages that are oriented in a *J-Swing* (or *Traditional Swing*) configuration or be situated a minimum of 20-feet behind the front façade of the home. In addition, the following architectural elements must be incorporated into all garage configurations: [1] divided garage bay doors (i.e. for two (2) car garages two (2) individual entrances and for three (3) car garages a standard two (2) bay garage door with a single bay garage door adjacent), [2] carriage style hardware and lighting, [3] decorative wood doors or wood overlays on insulated metal doors, and [4] driveways must be constructed with ornamental stamped concrete brick pavers, broom finished, or salt finish. An example of a garage door meeting these standards is depicted in *Figure 4*.

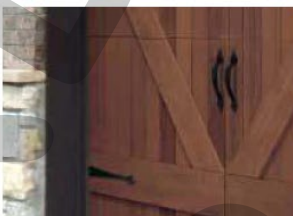
*Figure 4. Examples of Enhanced Wood Garage Door*



**FIGURE 5: EXAMPLES OF UPGRADED FINISHES**



**DIVIDED BAYS**



**CARRIAGE HARDWARE**

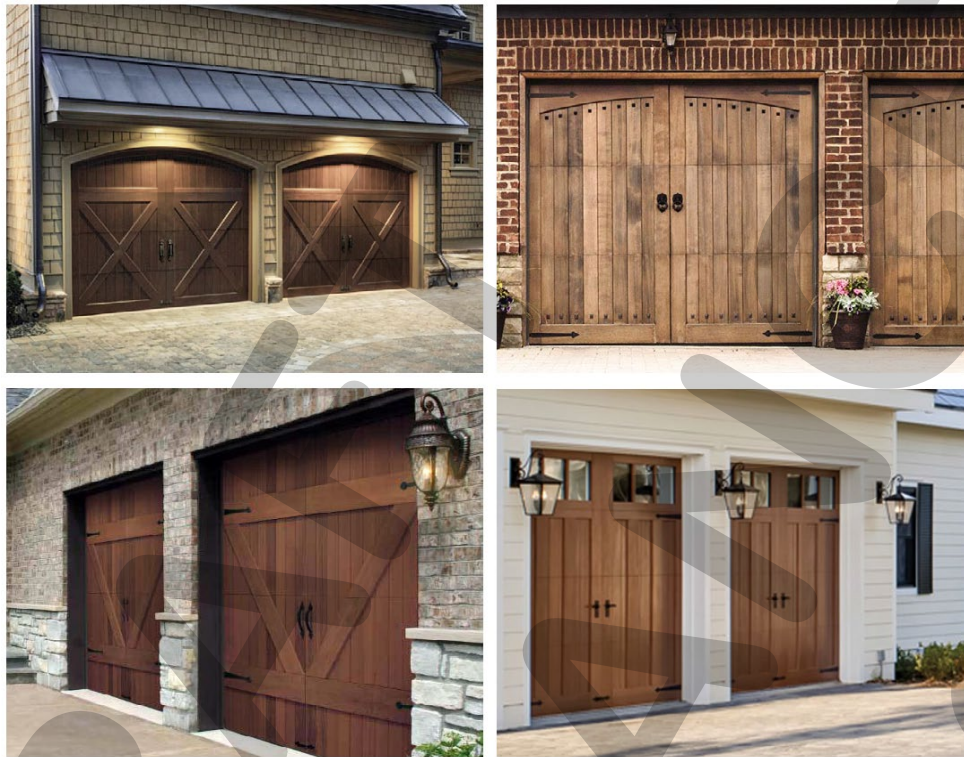


**CEDAR CLADDING**



**ORNAMENTAL PAVING**

FIGURE 6: EXAMPLES OF UPGRADED GARAGES



- (5) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in Table 3 below (for spacing requirements see Figures 7 & 8 below).

Table 3: Anti-Monotony Matrix

Lot Type	Minimum Lot Size	Elevation Features
A	82' x 120'	(1), (2), (3), (4), (5)
B	72' x 120'	(1), (2), (3), (4), (5)
C	62' x 120'	(1), (2), (3), (4), (5)
D	52' 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 and Mims 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 three (3) items deviate:
- (1) Number of Stories
  - (2) Permitted Encroachment Type and Layout
  - (3) Roof Type and Layout
  - (4) Articulation of the Front Façade
  - (5) Garage Orientation



- (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 7: Properties line up on the opposite side of the street. Where RED is the subject property.*



*Figure 8: 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.

- (c) Wrought Iron/Tubular Steel. Lots located along Mims Road, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence; however, all *Type 'D'* lots (*i.e. the lots directly adjacent to the eastern and southern boundaries of the Subject Property*) shall be permitted to have wood fences in accordance with the requirements of this ordinance regardless of adjacency. 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.
- (f) Fence in Easements. No fencing shall be constructed in or across the City of Rockwall's easements.

(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 mature shrubs (*i.e. a minimum of seven [7] gallons in size*) adjacent to the wrought iron/tubular steel 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 (Mims Road). A minimum of a 30-foot landscape buffer shall be provided along Mims Road (*outside of and beyond the required 20-foot utility easement required to be provided adjacent to this roadway*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height of 48-inches each. 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. In addition, two (2) increased landscape areas shall be provided, adjacent to the lots that side to Mims Road. The purpose of these areas is to screen the permitted wood fencing that will be adjacent to Mims Road. These increased landscape areas shall incorporate accent trees and large shrubs and will be reviewed for compliance to the stated intent at the time of *PD Site Plan*.

- (2) Landscape Buffer (Adjacent to Eastern Property Boundary). A minimum of a 50-landscape buffer shall be provided along the *Type 'D'* lots adjacent to the non-residential properties along the eastern property boundary, and shall incorporate a *built-up* berm and two (2) staggered row of cedar trees. Berms shall have a minimum height of 48-inches each. The staggered row of cedar trees should create a solid screening from the adjacent non-residential land uses.
- (3) Tree Preservation Easement (Adjacent to the Southern Property Boundary). A minimum of a 30-foot tree preservation easement shall be provided along the southern property boundary as depicted in *Exhibit 'C'* of this ordinance. This area shall be established to preserve the existing natural tree line and vegetation, which shall remain undisturbed and serve as screening between the proposed development and the property adjacent to this southern property line.
- (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 that are less than ten (10) inches and ten (10) feet from public water, sanitary sewer and storm lines that are greater than ten (10) inches. 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), four (4) 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), four (4) 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 detention areas, 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) Streets. 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 a minimum of 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 28.10-acres -- as calculated using the formula stipulated in the *Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance.
- (13) *Amenity Site*. An amenity site shall generally be located in 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 site shall be approved with the *PD Site Plan*.
- (14) *Trails*. A minimum of an eight (8) foot concrete trail system shall be constructed generally in the same location as the trail system depicted in *Exhibit 'C'* of this ordinance.
- (15) *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*. 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*.
- (16) *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*), detention and drainage easements, floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. These areas are required to be delineated on the *PD Site Plan*.
- (17) *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

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2023-004; SPECIFIC USE PERMIT (SUP) FOR A MINI-WAREHOUSE

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### 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  
Concept Plan  
Conceptual Building Elevations  
Concept Rendering  
Mini-Warehouse Map  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Mike Pizzola of Designhaus Architecture on behalf of Viper Development for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow a *Mini-Warehouse* on a 3.15-acre tract of land identified as Lots 1 & 2, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68) for Commercial (C) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located on the eastside of S. Goliad Street [SH-205] south of the intersection of Community Lane and S. Goliad Street [SH-205], and take any action necessary (**1st Reading**).

### Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed Specific Use Permit (SUP). This case will require a supermajority vote of the City Council for approval.



# 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

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**TO:** Mayor and City Council  
**DATE:** February 21, 2023  
**APPLICANT:** Mike Pizzola; *Designhaus Architecture*  
**CASE NUMBER:** Z2023-004; *Specific Use Permit (SUP) for a Mini-Warehouse*

---

### **SUMMARY**

Hold a public hearing to discuss and consider a request by Mike Pizzola of Designhaus Architecture on behalf of Viper Development for the approval of a *Specific Use Permit (SUP)* to allow a *Mini-Warehouse* on a 3.15-acre tract of land identified as Lots 1 & 2, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68) for Commercial (C) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located on the eastside of S. Goliad Street [SH-205] south of the intersection of Community Lane and S. Goliad Street [SH-205], and take any action necessary.

### **BACKGROUND**

The subject property was annexed by the City Council on June 20, 1959 by *Ordinance No. 59-02 [Case No. A1959-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. Based on the City's *Historic Zoning Maps*, at some point between annexation and January 3, 1972 the subject property was rezoned to a Light Industrial (LI) District. This zoning designation was again changed to a Commercial (C) District at some point between December 7, 1993 and April 5, 2005. On August 21, 2006 the City Council approved Planned Development District 68 (PD-68) [*Ordinance No. 06-32; Z2006-013*] changing the zoning of the subject property to allow limited Commercial (C) District land uses. Following this approval, the City Council approved a *Master Plat [Case No. P2006-043]* and a *Preliminary Plat [Case No. P2006-044]* on October 16, 2006. These cases were followed by the approval, of a *Final Plat [Case No. P2006-056]* designating the subject property as Lots 1 & 2, Block A, Eastshore Addition. This subdivision plat was filed with Rockwall County on December 28, 2006. Regardless of these approvals, the subject property has remained vacant since annexation.

### **PURPOSE**

On January 20, 2023, the applicant -- *Mike Pizzola of Designhaus Architecture* -- submitted an application requesting a Specific Use Permit (SUP) for the *Mini-Warehouse* land use for the purpose of constructing two (2) climate controlled *Mini-Warehouse* buildings on the subject property.

### **ADJACENT LAND USES AND ACCESS**

The subject property is located north of the intersection of Justin Road and S. Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

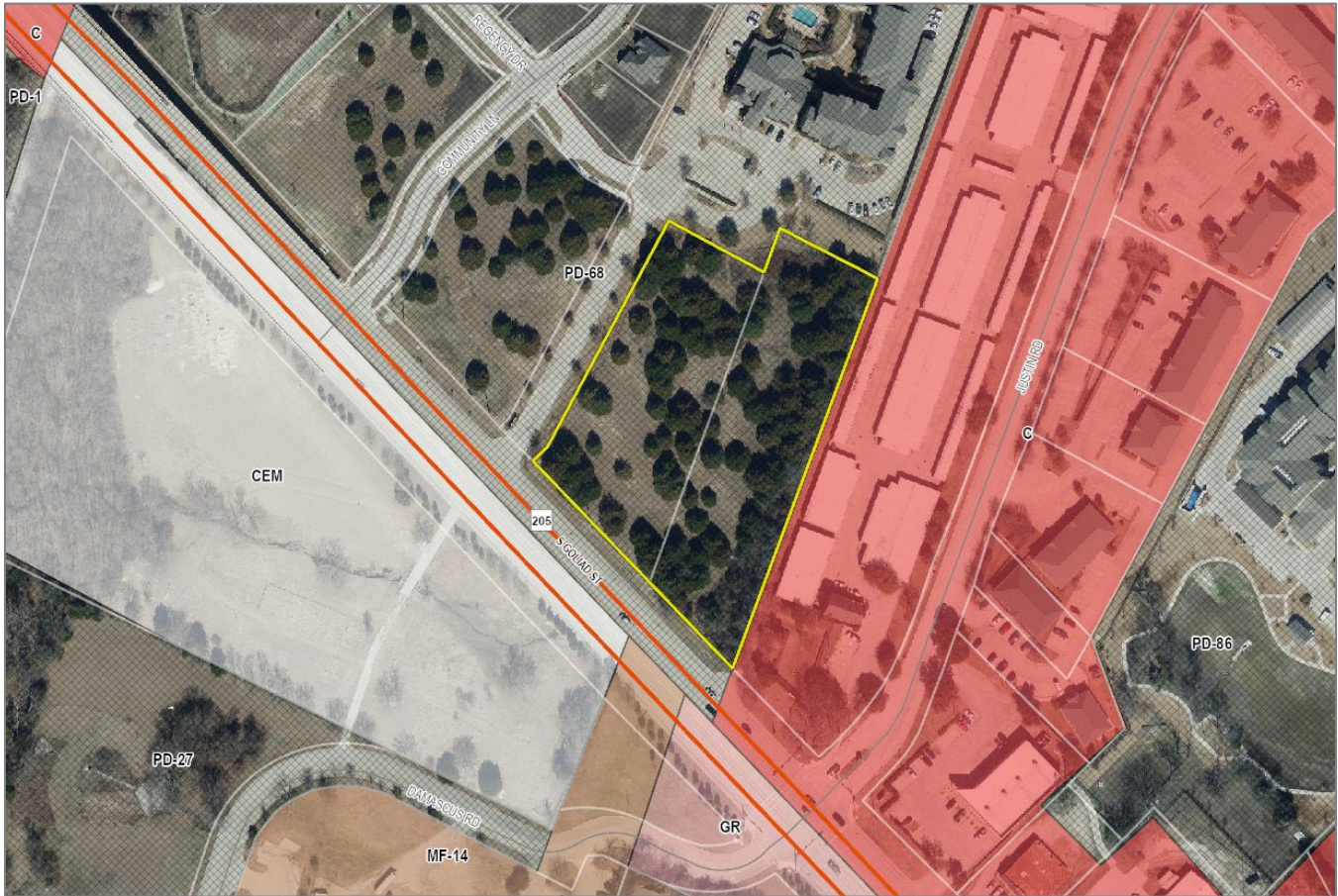
North: Directly north of the subject property is an *Age Restricted Apartment Complex (i.e. Evergreen Apartments)* on a 6.579-acre parcel of land (*i.e. Lot 3, Block A, Eastshore Addition*). Beyond this is the Standard of Rockwall an *Age Restricted Residential Subdivision* that was established on October 28, 2018 that consists of 47 single-family residential lots. Both of these properties are zoned Planned Development District 68 (PD-68).

South: Directly south of the subject property is S. Goliad Street [SH-205], which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of this roadway is a *Cemetery* owned by the City of Rockwall and zoned Cemetery (CEM) District.

East: Directly east of the subject property is a *Mini-Warehouse* facility (i.e. *Advantage Self-Storage*), which consists of 555 units on a 4.8164-acre parcel of land (i.e. *Lot 2R-A, Block B, Lofland Industrial Park Addition*). This property is zoned Commercial (C) District. Beyond this is Justin Road, which is identified as a M4U (i.e. *major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. East of this, are six (6) *Offices* (i.e. *Airrostri Rehab Center, Nation Wide Insurance, K&S Insurance Agency, etc.*) and a *General Retail Store* (i.e. *AutoZone*). All of these properties are zoned Commercial (C) District.

West: Directly west of the subject property is S. Goliad Street [SH-205], which is identified as a P6D (i.e. *principal arterial, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. West of this roadway is a *Cemetery* owned by the City of Rockwall and zoned Cemetery (CEM) District.

MAP 1: LOCATION MAP  
YELLOW: SUBJECT PROPERTY



### **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted a concept plan and conceptual building elevations detailing the anticipated layout of the proposed *Mini-Warehouse* facility. According to the concept plan the proposed facility will be composed of two (2) buildings -- one (1) being 61,000 SF and one (1) being 30,560 SF -- with a total building foot print of 61,000 SF and a gross building area of 91,560 SF. The proposed facility will consist of 600 climate-controlled storage units with limited drive-up access. The subject property is situated directly adjacent to an existing *Mini-Warehouse* facility that has 555 storage units, and two (2) residential land uses (i.e. *the Standard of Rockwall and Evergreen Apartments*). The proposed facility will take access off of an existing cross access easement that serves as the primary ingress/egress for the *Evergreen Apartments*, and will have direct adjacency to S. Goliad Street [SH-205].

**CONFORMANCE WITH THE CITY'S CODES**

Planned Development District 68 (PD-68) [Ordinance No. 17-05] designates the subject property for limited Commercial (C) District land uses, and -- according to the Permissible Use Charts contained in Article 04, Permissible Uses, of the Unified Development Code (UDC) -- the Mini-Warehouse land use requires a Specific Use Permit (SUP) in a Commercial (C) District. The purpose of requiring a Specific Use Permit (SUP) in a Commercial (C) District for this land use is tied to the fact that the Commercial (C) District zoning designation is typically located along the City's major roadways on properties that are highly visible. In addition, the Specific Use Permit (SUP) allows the City Council to review these types of requests on a case-by-case basis to: [1] ensure that the proposed product is appropriate for the existing (and future) land uses, and [2] to prevent a proliferation of this type of land use in the City's commercial/retail corridors. More simply stated, this land use may not be appropriate on all properties zoned Commercial (C) District. In addition, Section 02, Conditional Land Use Standards and Definitions, of Article 04, Permissible Uses, of the Unified Development Code (UDC) also requires the following Conditional Land Use Standards as part of the establishment of this land use [for reference staff has provided a summary of the applicant's proposal adjacent to the standards and its compliance to the requirements]:

**TABLE 1: CONDITIONAL LAND USE STANDARDS FOR THE MINI-WAREHOUSE LAND USE**

CONDITIONAL LAND USED REQUIREMENTS	PROPOSED CONCEPT PLAN	COMPLIANCE TO THE REQUIREMENTS
THE MAXIMUM SITE AREA SHALL NOT EXCEED FIVE (5) ACRES.	3.15-ACRES	IN CONFORMANCE
THE MAXIMUM NUMBER OF STORAGE UNITS SHALL NOT EXCEED 125 UNITS/ACRE.	393 UNITS ARE PERMITTED BY-RIGHT. THE APPLICANT HAS INDICATED THE FACILITY WILL CONSIST OF 600 UNITS OR 207 MORE THAN WHAT IS PERMITTED.	NOT IN COFORMANCE
THE MAXIMUM HEIGHT SHALL NOT EXCEED ONE (1) STORY.	BUILDING 'A' IS TWO (2) STORIES IN HEIGHT.	NOT IN COFORMANCE
THE MINIMUM NUMBER OF PARKING SPACES REQUIRED IS TWO (2). PARKING REQUIREMENT IS THREE (3) SPACES PLUS ONE (1) SPACE PER 100 UNITS.	TEN (10) PARKING SPACES SHOWN ON THE CONCEPT PLAN; HOWEVER ONLY FOUR (4) ARE ACCESSIBLE TO THE PUBLIC. THIS FACILITY REQUIRES A MINIMUM OF 11 PARKING SPACES.	NOT IN CONFORMANCE
NO DIRECT ACCESS FROM FM-740, SH-205, SH-66, SH-276, FM-3097, FM-552, FM-549, AND/OR JOHN KING BOULEVARD.	THE PROPERTY TAKES ACCESS FROM AN EXISTING CROSS ACCESS EASEMENT; HOWEVER, THE SITE IS ACCESSED DIRECTLY FROM SH-205.	NOT IN COFORMANCE
OVERHEAD DOORS SHALL NOT FACE ADJACENT TO A STREET.	THE UNITS ARE INTERNAL TO THE BUILDING AND ARE NOT VISIBLE FROM A STREET.	IN CONFORMANCE
ALL EXTERIOR WALLS FACING THE FRONT, SIDE, AND REAR PROPERTY LINES SHALL BE 100% BRICK CONSTRUCTION.	THE CONCEPTUAL BUILDING ELEVATIONS PROVIDED BY THE APPLICANT ARE NOT IN COMPLIANCE WITH THIS REQUIREMENT.	NOT IN CONFORMANCE
THE FRONT, SIDE, AND REAR YARD BUILDING SETBACK SHALL INCORPORATE CLUSTERED LANDSCAPING.	THE APPLICANT'S CONCEPT PLAN DOES SHOW LANDSCAPING IN ALL SETBACKS; HOWEVER, THIS IS A REQUIREMENT OF THE SUP ORDINANCE.	IN CONFORMANCE
GATES SHALL BE INCORPORATED LIMITING ACCESS TO THE FACILITY.	THE CONCEPT PLAN INDICATES THAT THE PROPOSED FACILITY WILL BE GATED.	IN CONFORMANCE
SCREENING FENCES SHALL BE WROUGHT IRON OR MASONRY.	THE PLAN INDICATES THAT THE FACILITY WILL BE ENCLOSED BY A SIX (6) FOOT WROUGHT IRON FENCE.	IN CONFORMANCE
CONCRETE SHALL BE USED FOR ALL PAVING.	ALL DRIVEWAYS, FIRE LANES, AND APPROACHES WILL BE REQUIRED TO BE CONCRETE.	IN CONFORMANCE



ROOF SHALL HAVE A MINIMUM ROOF PITCH OF 1:3 AND BE CONSTRUCTED OF STANDING SEAM METAL.	THE ROOF PITCH FOR THE PITCHED ROOF ELEMENTS IS 1:4, WHICH IS IN CONFORMANCE; HOWEVER, THE BUILDING ALSO INCORPORATES A FLAT ROOF DESIGN.	NOT IN COFORMANCE
LIGHTING STANDARDS SHALL BE LIMITED TO A MAXIMUM OF 20-FEET.	LIGHT STANDARDS WILL BE REQUIRED TO BE A MAXIMUM OF 20-FEET PER THE OVERLAY DISTRICT STANDARDS.	IN CONFORMANCE
A SINGLE RESIDENTIAL UNIT NOT EXCEEDING 1,600 SF IN SIZE IS PERMITTED.	NO RESIDENTIAL UNIT IS BEING PROPOSED.	IN CONFORMANCE
OUTSIDE STORAGE IS PROHIBITED.	NO OUTSIDE STORAGE WILL BE PERMITTED.	IN CONFORMANCE

Due to the residential adjacency along the northern and western property lines (*i.e. Evergreen Apartments*), this property is subject to the screening requirements stipulated by Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC). These standards state that any non-residential land use that is adjacent to a residentially zoned or used property is required to construct a six (6) foot masonry fence with canopy trees along the entire length of the adjacency; however, “ (a) as an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (*i.e. [1] small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or [2] evergreen trees and canopy trees*) along the entire length of the adjacency.” Staff has included an *Operational Condition* in the Specific Use Permit (SUP) that requires this screening along the northern and western boundaries of the subject property.

In addition to the *Conditional Land Use Standards* and the residential adjacency standards, the proposed *Mini-Warehouse* facility will be subject to the requirements of Planned Development District 68 (PD-68), and the *General Overlay District Standards* and the *General Commercial District Standards* of the Unified Development Code (UDC). These requirements and the conformance of the applicant’s request are summarized as follows:

**TABLE 2: DENSITY AND DIMENSIONAL REQUIREMENTS FOR THE SUBJECT PROPERTY**

ORDINANCE PROVISIONS	ZONING DISTRICT STANDARDS	CONFORMANCE TO THE STANDARDS
MINIMUM LOT AREA	10,000 SF	3.15-ACRES; IN CONFORMANCE
MINIMUM LOT FRONTAGE	60-FEET	~371.88-FEET; IN CONFORMANCE
MINIMUM LOT DEPTH	100-FEET	~333.05-FEET; IN CONFORMANCE
MINIMUM FRONT YARD SETBACK	15-FEET	20-FEET; IN CONFORMANCE
MINIMUM REAR YARD SETBACK (ADJACENT TO RESIDENTIAL)	20-FEET + 1/2H>36	~20-FEET; IN CONFORMANCE
MINIMUM SIDE YARD SETBACK (ADJACENT TO RESIDENTIAL)	20-FEET + 1/2H>36	32’ 1”-FEET; IN CONFORMANCE
MINIMUM SIDE YARD SETBACK	10-FEET	13-FEET; IN CONFORMANCE
MAXIMUM BUILDING HEIGHT	60-FEET	47’ 7½”; IN CONFORMANCE
BETWEEN BUILDINGS	15-FEET	40’ 5”; IN CONFORMANCE
MAX BUILDING/LOT COVERAGE	60%	44.50%; IN CONFORMANCE
MASONRY REQUIREMENT	90%	X<90%; NOT CONFORMANCE
NATURAL STONE REQUIREMENT	20% ON EACH FAÇADE	X<20%; NOT CONFORMANCE
MINIMUM LANDSCAPING PERCENTAGE	20%	X>20%; IN CONFORMANCE
MAXIMUM IMPERVIOUS COVERAGE	85-90%	X<85%; IN CONFORMANCE

**NOTES**

H: BUILDING HEIGHT; 1/2H>36: ONE-HALF THE BUILDING HEIGHT OVER 36-FEET.

Staff should point out that the building elevations provided by the applicant do not meet the *General Commercial District Standards* or the *General Overlay District Standards*. Specifically, the required materials, form, architectural elements, and articulation of the building all appear to be deficient. In response to staff pointing this out, the applicant has provided a letter indicating that it is their intent to meet the architectural requirements of the Unified Development Code (UDC). Based on this, staff has included an *Operational Condition* in the Specific Use Permit (SUP) ordinance stating that the approval of this case does not grant any variances associated with the design standards and that these will be reviewed for compliance by the Planning and Zoning Commission and Architectural Review Board (ARB) at the time of *Site Plan*.

## **OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject is situated within the *Central District* and is designated for *Commercial/Retail* land uses. This land use designation is defined as being "... 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." According to the *District Strategies* for the *Central District*, properties designated for *Commercial/Retail* land uses "... 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*); ..."

### **STAFF ANALYSIS**

In this case, the applicant's request does not conform with the *Conditional Land Use Standards*, density and dimensional requirements, and *General Overlay District Standards* for the *Mini-Warehouse* land use in Planned Development District 68 (PD-68) as stipulated by the Unified Development Code (UDC). As staff has stated in previous cases requesting Specific Use Permits (SUP) for the *Mini-Warehouse* land use, the *Conditional Land Use Standards* contained in the Unified Development Code (UDC) were intended to regulate "... campus style facilities that incorporate several buildings, generally being one (1) story in height, and have storage units that are accessible from the exterior of the building ..." [Case No. Z2014-012]; however, in this case the applicant is proposing a different type of product that is enclosed and climate controlled. With this being said, the applicant's proposal exceeds the number of units permitted by 207 units, is deficient in parking by seven (7) parking spaces, and does not conform to the material requirements or roof pitch requirements as stipulated by the *Conditional Land Use Standards*. In addition, it is worth noting that adding 600 units adjacent to the existing 555 unit *Mini-Warehouse Facility* south of the subject property will create one of the highest density nodes of *Mini-Warehouse* units in the City. For reference staff has included a map of all of the existing (*and proposed*) *Mini-Warehouse Facilities* and their unit counts in the attached packet. Staff should also note, that based on the *District Strategies* contained in the OURHometown Vision 2040 Comprehensive Plan, the applicant's request does not appear to conform to the Comprehensive Plan. Specifically, the *Mini-Warehouse* land use is not looked at as a convenience shopping center for the adjacent residential, and the scale of the building is *not* compatible with the adjacent residential land uses. With this being said, a request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

### **NOTIFICATIONS**

On January 27, 2023, staff mailed 55 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Waterstone Estates Homeowner's Association (HOA), which is the only Homeowners' Association (HOAs) and/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 two (2) property owner notifications from two (2) non-residential properties in the 500-foot notification buffer in favor of the applicant's request.

### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a *Mini-Warehouse* facility, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the *Operational Conditions* contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (A) The proposed *Mini-Warehouse Facility* shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
  - (B) The proposed *Mini-Warehouse Facility* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance; however, this operational condition *does not* waive or grant variances or exceptions to any requirements associated with the *General Overlay District Standards* and/or *General Commercial*

*District Standards* as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC), which will be reviewed and acted upon by the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of *Site Plan*.

- (C) The maximum number of storage units permitted on the *Subject Property* shall be limited to 600 storage units.
  - (D) All transparent fencing shall be wrought iron, and -- *where necessary* -- incorporate a berm, three (3) tiered landscaping, and a landscape buffer (*i.e. adjacent to any residentially zoned or used property*).
  - (E) Outside storage of any kind shall be prohibited.
  - (F) Businesses shall not be allowed to operate within individual storage units.
  - (G) The commercial operation of rental trucks or trailers shall be prohibited.
  - (H) All signage shall be required to conform to the requirements stipulated by the Municipal Code of Ordinances. In addition, pole signage shall be prohibited on the *Subject Property*.
- (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 February 14, 2023, the Planning and Zoning Commission approved a motion to recommend denial of the applicant's request by a vote of 6-1 with Commissioner Llewelyn. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

**NOTE:** *As a general note, staff should point out that the applicant failed to address staff's comments by the comment deadline, and sent concept plan revisions to staff after the Planning and Zoning Commission packets were sent out. Staff did adjust the case prior to the Planning and Zoning Commission meeting for the resubmitted materials; however, at the meeting on February 14, 2023, the applicant indicated they had additional revisions and revised building elevations. While indicating this in the meeting, the applicant failed to provide these revisions to the Planning and Zoning Commission and/or staff, and as of the date of this case memo has not submitted these revisions to staff. Staff is pointing this out to bring attention to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), which states "(n)ew matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council with relation to public hearing for zoning changes, Specific Use Permits (SUP), or text amendments." In the event the applicant brings forward new materials/revisions for this case at the City Council meeting, the City Council would have the choice of the following actions: [1] remanding this case back to the Planning and Zoning Commission, [2] allowing the applicant to withdraw and resubmit a new application, or [3] acting on the original request.*



# 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) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1&2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

#### NOTES:

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	Not Established		
SUBDIVISION		LOT	BLOCK
GENERAL LOCATION	North side S Goliad St. Between Community Lane and Justin Rd.		

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	PD-68	CURRENT USE	Vacant		
PROPOSED ZONING	Commercial	PROPOSED USE	Climate Controlled Self-Storage		
ACREAGE	3.15 Acres	LOTS [CURRENT]	1	LOTS [PROPOSED]	1

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

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

<input type="checkbox"/> OWNER	Viper Development	<input checked="" type="checkbox"/> APPLICANT	Designhaus Architecture
CONTACT PERSON		CONTACT PERSON	Mike Pizzola
ADDRESS	2785 N Bogus Basin Rd.	ADDRESS	3300 Auburn Rd. #300
CITY, STATE & ZIP	Boise, ID 83702	CITY, STATE & ZIP	Auburn Hills, MI 48326
PHONE	208.629.2952	PHONE	248.601.4422 x204
E-MAIL		E-MAIL	mike@designhaus.com

## 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 9 DAY OF January, 2023

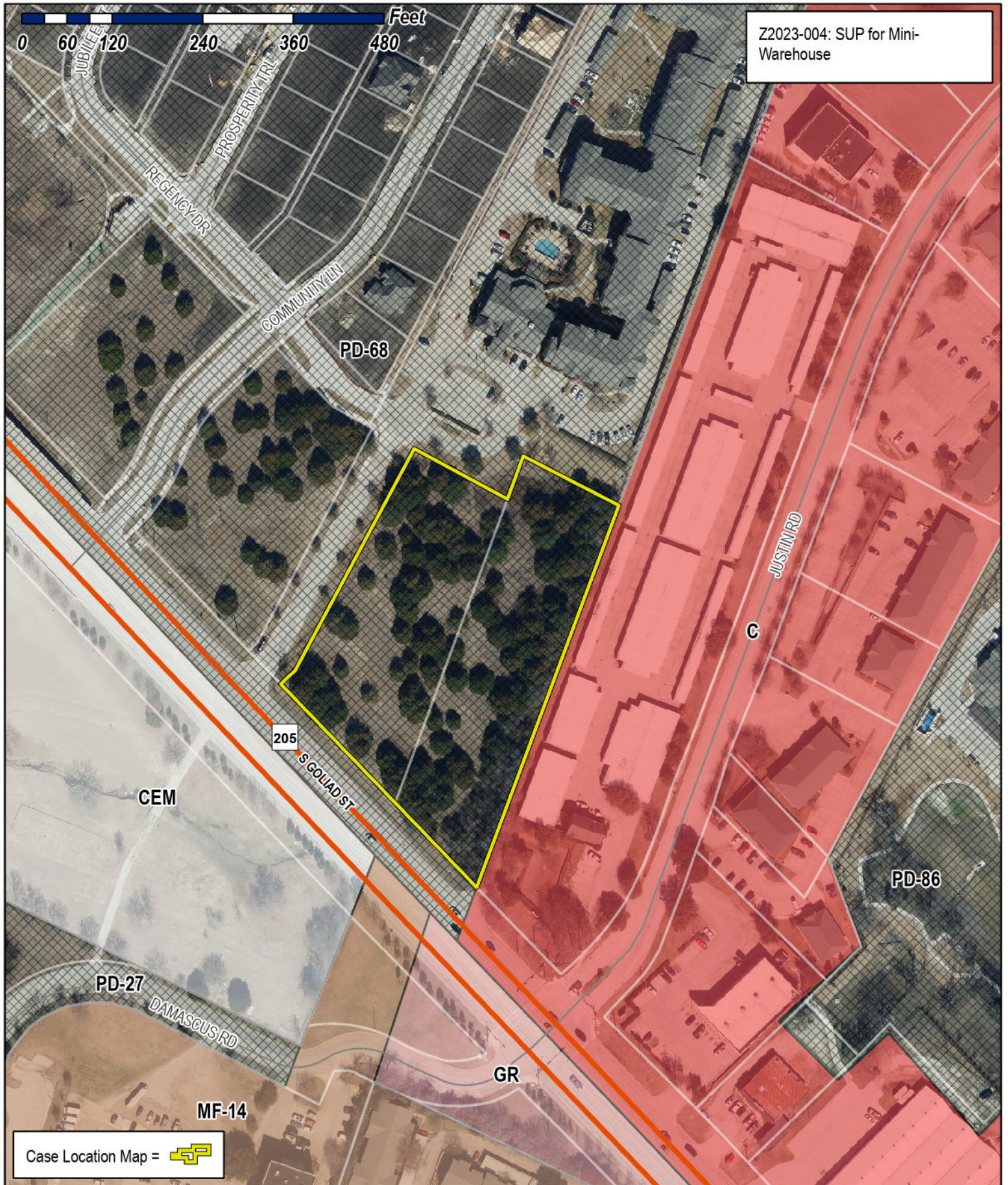
OWNER'S SIGNATURE

*[Handwritten Signature]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

*[Handwritten Signature]*  
Idaho





Z2023-004: SUP for Mini-Warehouse

Case 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.

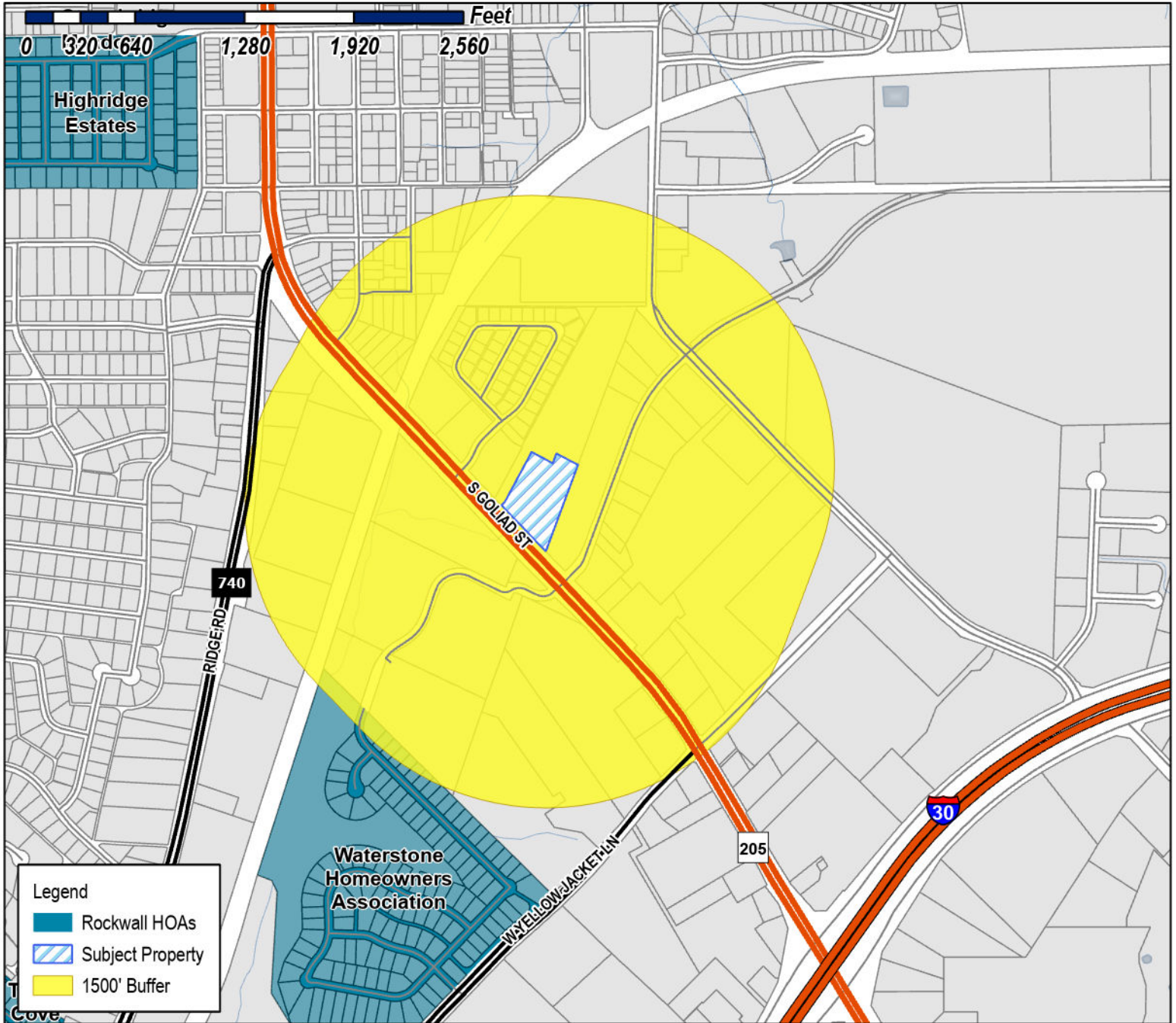




# City of Rockwall

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

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**Case Number:** Z2024-004  
**Case Name:** SUP for Mini-Warehouse  
**Case Type:** Zoning  
**Zoning:** Planned Development District 68 (PD-68)  
**Case Address:** N Corner of S Goliad Street and Justin Road

**Date Saved:** 1/20/2023  
 For Questions on this Case Call (972) 771-7745



**From:** [Chapin, Sarah](#)  
**Cc:** [Miller, Ryan](#); [Ross, Bethany](#); [Lee, Henry](#)  
**Subject:** Neighborhood Notification Program [Z2023-004]  
**Date:** Thursday, January 26, 2023 12:24:08 PM  
**Attachments:** [HOA Map \(01.20.2023\).pdf](#)  
[Public Notice Z2023-004.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 [January 27, 2023](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, February 14, 2023 at 6:00 PM](#), and the City Council will hold a public hearing on [Tuesday, February 21, 2023 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](mailto: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>.

Z2023-004: SUP for a Mini-Warehouse

Hold a public hearing to discuss and consider a request by Mike Pizzola of Designhaus Architecture on behalf of Viper Development for the approval of a [Specific Use Permit \(SUP\)](#) to allow a Mini-Warehouse on a 3.15-acre tract of land identified as Lots 1 & 2, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development 68 (PD-68) District for Commercial (C) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located on the eastside of S. Goliad Street [SH-205] south of the intersection of Community Lane and S. Goliad Street [SH-205], and take any action necessary.

Thank you,

*Sarah Chapin*

Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-772-6568





# 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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**Legend**

-  Subject Property
-  500' Buffer
-  Notified Properties

**Case Number:** Z2024-004  
**Case Name:** SUP for Mini-Warehouse  
**Case Type:** Zoning  
**Zoning:** Planned Development District 68 (PD-68)  
**Case Address:** N Corner of S Goliad Street and Justin Road

**Date Saved:** 1/20/2023  
 For Questions on this Case Call (972) 771-7745





OCCUPANT  
1407 S GOLIAD  
ROCKWALL, TX 75087

LEGACY 316 BJJ HOLDINGS LLC  
519 E INTERSTATE 30 #605  
ROCKWALL, TX 75087

HERITAGE CHRISTIAN ACADEMY  
1408 S GOLIAD ST  
ROCKWALL, TX 75087

OCCUPANT  
651 JUSTIN RD  
ROCKWALL, TX 75087

AUTO ZONE INC  
DEPARTMENT #8088  
PO BOX 2198  
MEMPHIS, TN 38101

OCCUPANT  
761 JUSTIN DR  
ROCKWALL, TX 75087

DAIKER PARTNERS LTD  
PO BOX 1059  
ROCKWALL, TX 75087

EAST SHORE J/V  
5499 GLEN LAKES DR STE 110  
DALLAS, TX 75231

OCCUPANT  
1325 S GOLIAD  
ROCKWALL, TX 75087

ROCKWALL SENIOR COMMUNITY LP  
C/O LIFENET COMMUNITY BEHAVIORAL  
HEALTHCARE  
5605 N MACARTHUR BLVD, SUITE 580  
IRVING, TX 75038

EAST SHORE J/V  
5499 GLEN LAKES DR STE 110  
DALLAS, TX 75231

OCCUPANT  
721 JUSTIN DR  
ROCKWALL, TX 75087

DAIKER PARTNERS LTD  
PO BOX 1059  
ROCKWALL, TX 75087

OCCUPANT  
701 JUSTIN DR  
ROCKWALL, TX 75087

DAIKER PARTNERS LTD  
PO BOX 1059  
ROCKWALL, TX 75087

OCCUPANT  
677 JUSTIN RD  
ROCKWALL, TX 75087

COUCH AND DAVIS PROPERTIES LLC  
685 JUSTIN RD  
ROCKWALL, TX 75087

OCCUPANT  
660 JUSTIN RD  
ROCKWALL, TX 75087

PS LPT PROPERTIES INVESTORS  
C/O PUBLIC STORAGE (PS #26644)  
ATTN: IRMA PIMENTEL REAL ESTATE PARALEGAL  
701 WESTERN AVENUE  
GLENDALE, CA 91201

OCCUPANT  
750 JUSTIN RD  
ROCKWALL, TX 75087

1996 OSPREY LLC  
PO BOX 1688  
ROCKWALL, TX 75087

BREEN & MCKEON LLP  
661 JUSTIN RD  
ROCKWALL, TX 75087

HERITAGE CHRISTIAN ACADEMY  
1408 S GOLIAD ST  
ROCKWALL, TX 75087

HERITAGE CHRISTIAN ACADEMY  
1408 S GOLIAD ST  
ROCKWALL, TX 75087

WDC PEBBLEBROOK APARTMENTS LLC  
M/R  
1410 S GOLIAD  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
1300 S GOLIAD  
ROCKWALL, TX 75087

ATTN;MARY SMITH  
385 S GOLIAD ST  
ROCKWALL, TX 75087

OCCUPANT  
DAMASCUS RD  
ROCKWALL, TX 75087

HERITAGE CHRISTIAN ACADEMY  
1408 S GOLIAD ST  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
8235 DOUGLAS AVENUE SUITE 1030  
DALLAS, TX 75225

OCCUPANT  
1301 S GOLIAD ST  
ROCKWALL, TX 75087

EAST SHORE J/V  
5499 GLEN LAKES DR STE 110  
DALLAS, TX 75231

OCCUPANT  
604 PROSPERITY TR  
ROCKWALL, TX 75087

OCCUPANT  
1275 S GOLIAD ST  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
601 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
623 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
619 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
615 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
611 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
607 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
605 COMMUNITY LN  
ROCKWALL, TX 75087

OCCUPANT  
606 COMMUNITY LN  
ROCKWALL, TX 75087

PAMELA K BEERS REVOCABLE TRUST  
PAMELA K BEERS- TRUSTEE  
606 COMMUNITY LANE  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
602 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
610 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
614 COMMUNITY LN  
ROCKWALL, TX 75087

GARCIA ROY AND JENIFER  
618 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
622 COMMUNITY LN  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
601 PROSPERITY TR  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
613 PROSPERITY TR  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
609 PROSPERITY TR  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
605 PROSPERITY TR  
ROCKWALL, TX 75087

THE STANDARD MCP LTD  
ROCKWALL, TX 75087

OCCUPANT  
1196 N T L TOWNSEND DR  
ROCKWALL, TX 75087

ALDERS AT ROCKWALL PROPERTY LLC  
5925 FOREST LANE STE 502  
DALLAS, TX 75230

# PUBLIC NOTICE



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

## Z2023-004: SUP for a Mini-Warehouse

*Hold a public hearing to discuss and consider a request by Mike Pizzola of Designhaus Architecture on behalf of Viper Development for the approval of a Specific Use Permit (SUP) to allow a Mini-Warehouse on a 3.15-acre tract of land identified as Lots 1 & 2, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development 68 (PD-68) District for Commercial (C) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located on the eastside of S. Goliad Street [SH-205] south of the intersection of Community Lane and S. Goliad Street [SH-205], 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, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-004: SUP for a Mini-Warehouse

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

Case No. Z2023-004: SUP for a Mini-Warehouse

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.

Already storage there - no objection -

Name:

Elizabeth Branch

Address:

721 Justin, Suite A 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

**Case No. Z2023-004: SUP for a Mini-Warehouse**

**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.

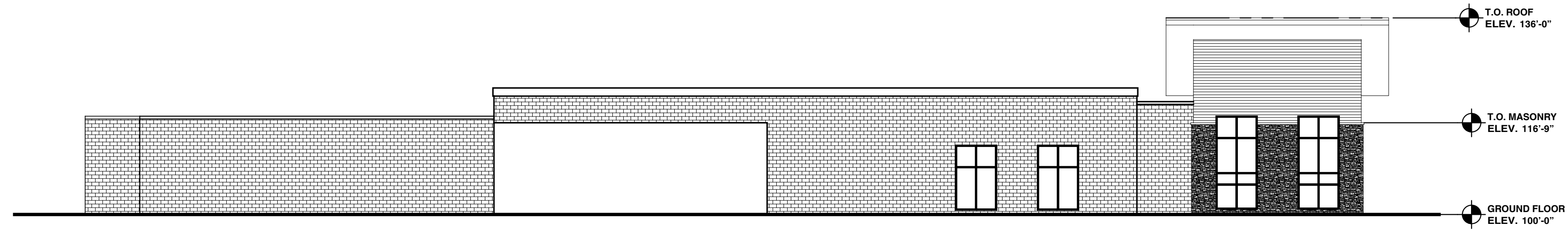
[Redacted area]

Name: *Brad Helmer for Heritage Christian Academy*  
Address: *1408 S. Goliad St. Rockwall 75087*

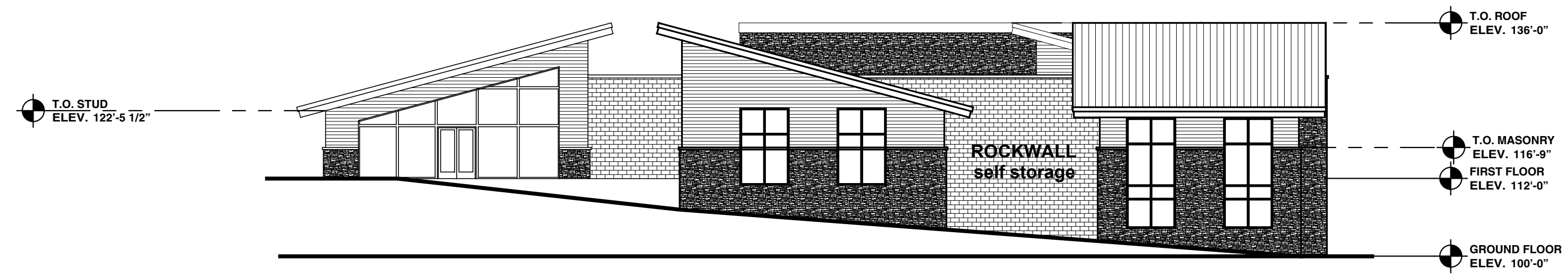
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written 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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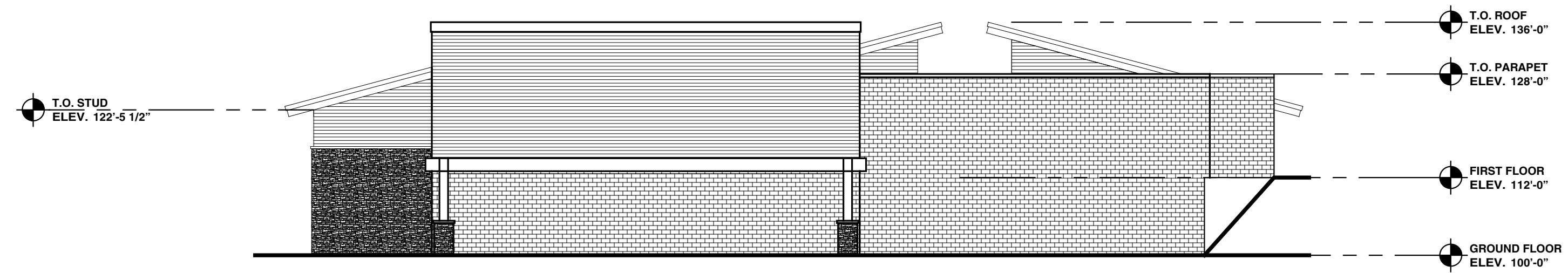




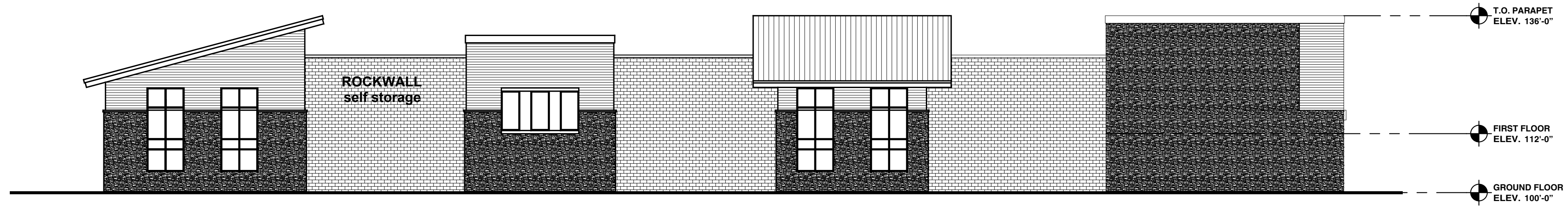
4 Building A East Elevation  
SCALE: 1/16" = 1'



3 Building A North Elevation  
SCALE: 1/16" = 1'



2 Building A South Elevation  
SCALE: 1/16" = 1'



1 Building A West Elevation  
SCALE: 1/16" = 1'

EST  
1998

**DESIGNHAUS**  
ARCHITECTURE

3300 AUBURN RD., SUITE 300  
AUBURN HILLS, MI 48326  
T: 248.601.4422 F: 248.453.5854  
WWW.DESIGNHAUS.COM  
INFO@DESIGNHAUS.COM

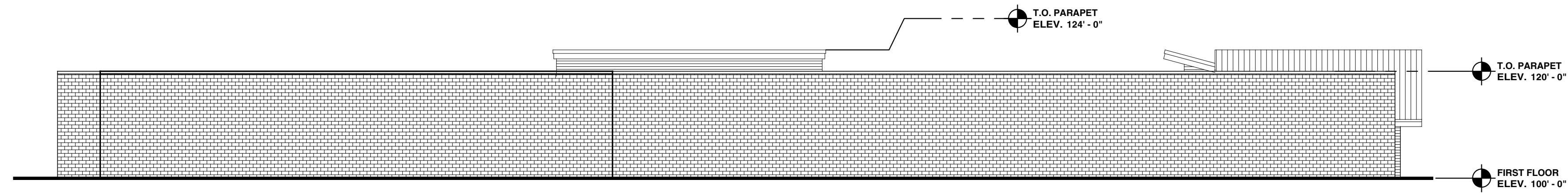
Revision/Issue	Date
Revised S.U.P.	23.02.07
S.U.P.	23.01.18

Revision/Issue	Date

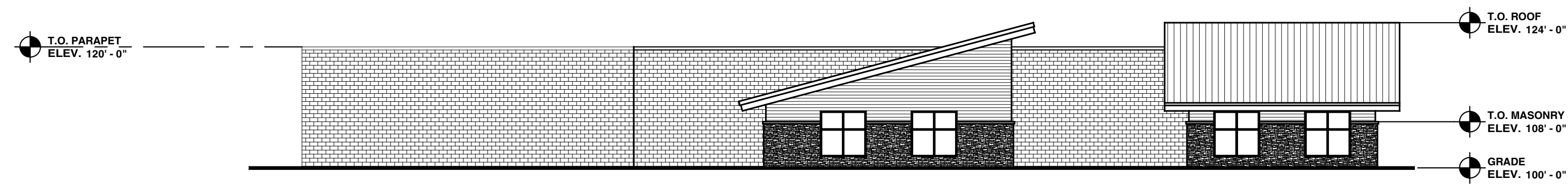
**Goliad St. Rockwall, TX Storage**  
Parcel: 70573 & 70574  
Rockwall, TX 75087  
Case Number: Z2023-004

**Building A**  
Elevations

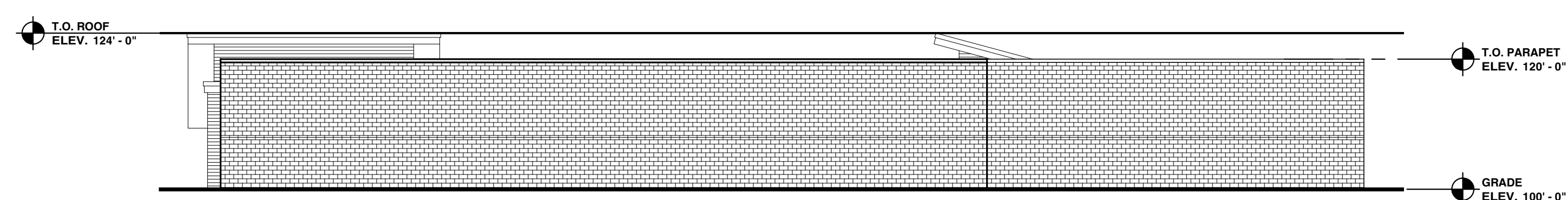
022074  
**A200**



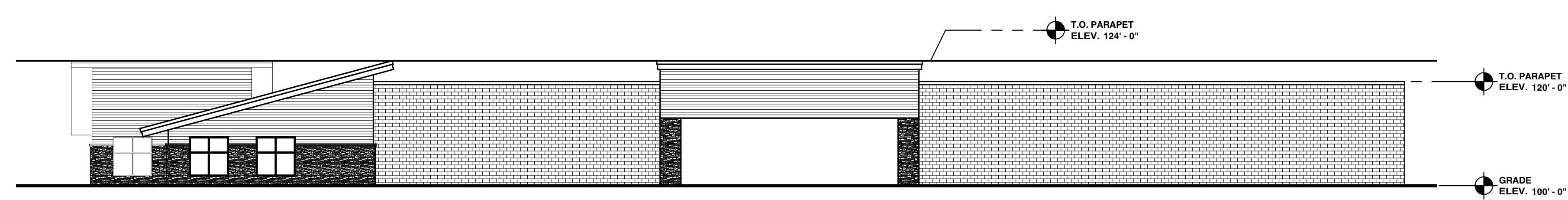
4 Building B East Elevation  
SCALE: 1/16" = 1'



3 Building B North Elevation  
SCALE: 1/16" = 1'



2 Building B South Elevation  
SCALE: 1/16" = 1'



1 Building B West Elevation  
SCALE: 1/16" = 1'

EST 1998  
**DESIGNHAUS**  
ARCHITECTURE

3300 AUBURN RD., SUITE 300  
AUBURN HILLS, MI 48326  
T:248.601.4422 F:248.453.5854  
WWW.DESIGNHAUS.COM  
INFO@DESIGNHAUS.COM

Revision/Issue	Date
Revised S.U.P.	23.02.07
S.U.P	23.01.18

**Goliad St. Rockwall, TX Storage**  
Parcel: 70573 & 70574  
Rockwall, TX 75087  
Case Number: Z2023-004

**Building B Elevations**

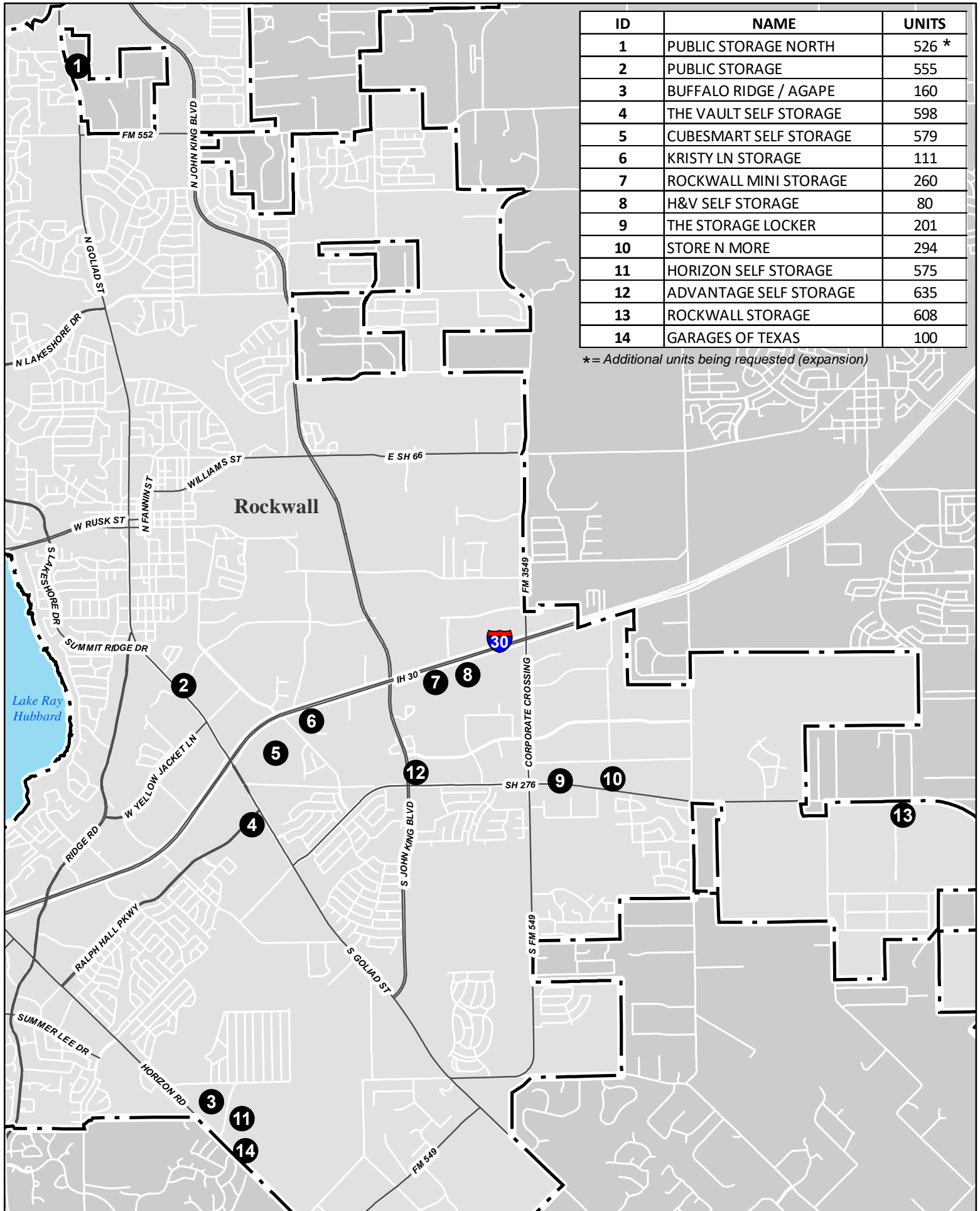
022074  
**A201**





ID	NAME	UNITS
1	PUBLIC STORAGE NORTH	526 *
2	PUBLIC STORAGE	555
3	BUFFALO RIDGE / AGAPE	160
4	THE VAULT SELF STORAGE	598
5	CUBESMART SELF STORAGE	579
6	KRISTY LN STORAGE	111
7	ROCKWALL MINI STORAGE	260
8	H&V SELF STORAGE	80
9	THE STORAGE LOCKER	201
10	STORE N MORE	294
11	HORIZON SELF STORAGE	575
12	ADVANTAGE SELF STORAGE	635
13	ROCKWALL STORAGE	608
14	GARAGES OF TEXAS	100

\*= Additional units being requested (expansion)



CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 68 (PD-68) [*ORDINANCE NO. 17-05*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *MINI-WAREHOUSE FACILITY* ON A 3.15-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1 & 2, BLOCK A, EASTSHORE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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**, a request has been made by Mike Pizzola of Designhaus Architecture on behalf of Viper Development for the approval of a *Specific Use Permit (SUP)* for a *Mini-Warehouse Facility* on a 3.15-acre tract of land identified as Lots 1 & 2, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68) for Commercial (C) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located on the eastside of S. Goliad Street [*SH-205*] south of the intersection of Community Lane and S. Goliad Street [*SH-205*], and being more specifically 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 Planned Development District 68 (PD-68) [*Ordinance No. 17-05*] and the Unified Development Code [*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 Planned Development District 68 (PD-68) [*Ordinance No. 17-05*] and the Unified Development Code [*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 for the establishment of a *Mini-Warehouse Facility* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] on the *Subject Property*; and

**SECTION 2.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Planned Development District 68 (PD-68) [*Ordinance No. 17-05*] and Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial*

*District Standards*; Subsection 04.05, *Commercial (C) District*; and Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

## **2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of a *Mini-Warehouse Facility* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The proposed *Mini-Warehouse Facility* shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
- 2) The proposed *Mini-Warehouse Facility* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance; however, this operational condition does not waive or grant variances or exceptions to any requirements associated with the *General Overlay District Standards* and/or *General Commercial District Standards* as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC), which will be reviewed and acted upon by the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of *Site Plan*.
- 3) The maximum number of storage units permitted on the *Subject Property* shall be limited to 600 storage units.
- 4) All transparent fencing shall be wrought iron, and -- *where necessary* -- incorporate a berm, three (3) tiered landscaping, and a landscape buffer (*i.e. adjacent to any residentially zoned or used property*).
- 5) Outside storage of any kind shall be prohibited.
- 6) Businesses shall not be allowed to operate within individual storage units.
- 7) The commercial operation of rental trucks or trailers shall be prohibited.
- 8) All signage shall be required to conform to the requirements stipulated by the Municipal Code of Ordinances. In addition, pole signage shall be prohibited on the *Subject Property*.

## **2.2 COMPLIANCE**

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

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review 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 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023





**Goliad St.  
Rockwall, TX 75087**  
Proposed S.U.P. Request

Parcel: 70573 & 70574

+3.15 Acres (137,486 +/- Sq.Ft.)

Zoning: PD-68 Planned Development

Max. Height: 36' Single Story

Lot Coverage: Max. 45%

Setbacks: Front 35'  
Side 13'  
Rear 10'

**Proposed Project Information**  
2 Climate Controlled Storage Buildings with Limited Drive-Up Access

Building A: 30,500 GSF

Lower Level: 30,500 GSF

Building B: 30,560 GSF

Total: 91,560 GSF

Proposed Coverage: 61,000 Sq. Ft. (+/- 44-50%)

Proposed Units: 600 units total

Proposed Parking: 12 parking spaces total

Proposed Utilities to be Buried

No Outside Storage Permitted

No Rental Truck Service Proposed

	3300 ALBURN RD, SUITE 300 AUBURN HILLS, MI 48326 T: 248.601.4222 F: 248.453.8844 INFO@DESIGNHAUS.COM WWW.DESIGNHAUS.COM
	1998 EST

Goliad St. Rockwall, TX Storage Parcel: 70573 & 70574 Rockwall, TX 75087 City Number: 2023-004
10/20/24 \$100



- SCREENING ALTERNATIVE 1: BLACK ORNAMENTAL FENCE AND 3' TIER LANDSCAPE SCREENING
- 6' DECORATIVE METAL FENCE
- EXISTING 7' CONCRETE SIDEWALK
- EVERGREEN TREES
- DECIDUOUS TREES
- ORNAMENTAL LANDSCAPE PLANTINGS
- BERM WITH ORNAMENTAL PLANTINGS
- 50' LANDSCAPE BUFFER/SH-205 SIDE BACK
- EXISTING VEGETATION TO REMAIN

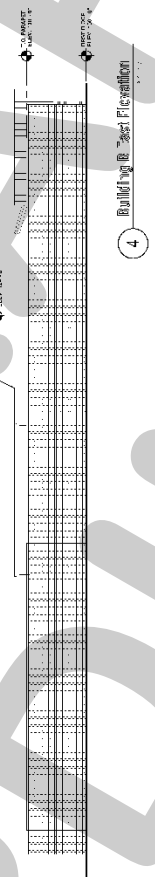
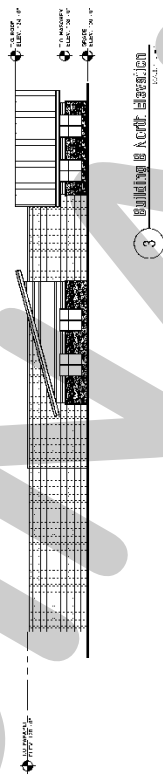
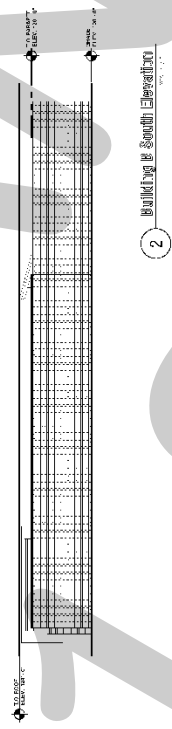
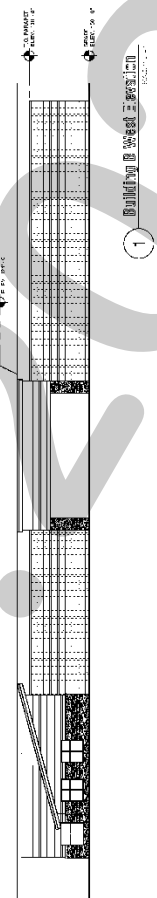
1 Site and Landscape Plan



<b>Building A</b>		<b>Elevations</b>		<b>A200</b>	
P2214		P2214		P2214	
Balied St Rockwall, TX Storage		Case Number: 22023-004		Rockwall, TX 75087	
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DRAFT ORDNANCE 2023

<b>A201</b>	02/20/24	<b>Elevations</b>	<b>Building B</b>	Gothic St Rockwall, TX Storage Project: 2202-004 Rockwall, TX 75087 Client Number: 2202-004	3900 AUBURN RD, SUITE 300 AUBURN HILLS, MI 48326 T: 248.901.4422 F: 248.453.5654 WWW.DESIGNHAUS.COM INFO@DESIGNHAUS.COM
DESIGNHAUS EST. 1998 ARCHITECTURE					





## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2023-005; ZONING CHANGE FROM AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE- 2.0) DISTRICT

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### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Permitted Use Charts for the Single-Family Estates (SFE) District  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Peter and Janyce Gardner for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, 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:** February 21, 2023

**APPLICANT:** Peter and Janyce Gardner

**CASE NUMBER:** Z2023-005; *Zoning Change from Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Peter and Janyce Gardner for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and take any action necessary.

### BACKGROUND

On September 12, 1994 a final plat for the Dowell Road Addition was filed with Rockwall County. This established the subject property as Lot 11 of the Dowell Road Addition. On December 22, 2008, the City Council approved *Ordinance No. 08-65 [i.e. Case No. A2008-003]* annexing the subject property into the City of Rockwall. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1,838 SF home that was constructed in 1997, and a ~576 SF detached garage that was constructed in 2000.

### PURPOSE

On January 20, 2023, the applicants -- *Peter and Janyce Gardner*-- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District. The purpose of this request is to facilitate the construction of a future accessory building on the subject property.

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 548 Dowell Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are six (6) parcels of land (*i.e. Lots 3, 4, 5R, 6R, 7R, & 8R of the Dowell Road Addition*) developed with single-family homes and zoned Agricultural (AG) District. Beyond this is the corporate limits for the City of Rockwall. Following this are two (2) parcels of land (*i.e. Lot 1 & 2 of the Dowell Road Addition*) that are located within Rockwall County and developed with single-family homes. North of these parcels is SH-276, which is classified as a TXDOT6D (*i.e. a Texas Department of Transportation, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is one (1) parcel of land (*i.e. Lot 12 of the Dowell Road Addition*) developed with a single-family home and zoned Agricultural (AG) District. Beyond this are three (3) tracts of land (*i.e. Tracts 1-2, 1-4, & 1-5, Abstract 182 of the J. H. Robnett Survey*) developed with single-family homes and zoned Agricultural (AG) District. Following this is the corporate limits for the City of Rockwall.

East: Directly east of the subject property is Dowell Road, which is classified as a M4U (*i.e. major collector, four [4] Lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040

Comprehensive Plan. Beyond this is a 106.4403-acre tract of land (i.e. *Tract 1, Abstract 34 of the J. H. Bailey Survey*) zoned Agricultural (AG) District.

West: Directly west of the subject property is a 32.102-acre tract of land (i.e. *Tract 1-1, Abstract 182 of the J. H. Robnett Survey*). Beyond this is a 194.9439-acre tract of land (i.e. *Tract 2-1, Abstract 182 of the J. H. Robnett Survey*). Both properties are zoned Planned Development District 66 (PD-66) for Single-Family 8.4 (SF-8.4) District land uses

### **CHARACTERISTICS OF THE REQUEST**

The applicant is requesting to rezone the 6.019-acre parcel of land from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District. The applicant has indicated to staff that this request is being made to facilitate the future construction of an accessory building that will store animal feed and property maintenance equipment.

### **CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size ... (t)hese lots are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas." In this case, the properties adjacent to Dowell Road are zoned Agricultural (AG) District, and in the future they are anticipated to transition to being zoned under the Single-Family Estate (SFE) District zoning designation. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family Estate 2.0 (SFE-2.0) District, which are summarized as follows:

TABLE 1: SINGLE-FAMILY ESTATE 2 (SFE-2) DISTRICT DEVELOPMENT STANDARDS

NUMBER OF DWELLING UNITS/LOT	1.0
NUMBER OF DWELLING UNITS/ACRE	0.5
MINIMUM DWELLING UNIT	2,200 SF
MINIMUM LOT AREA	87,120 SF
MINIMUM LOT WIDTH	150-FEET
MINIMUM LOT DEPTH	250-FEET
MINIMUM FRONT YARD SETBACK	50-FEET
MINIMUM REAR YARD SETBACK	10-FEET
MINIMUM SIDE YARD SETBACK	25-FEET
BETWEEN BUILDINGS	10-FEET
BUILDING HEIGHT	36-FEET
MAXIMUM LOT COVERAGE	35%
REQUIRED PARKING SPACES	2

### **CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the South Central Estates District and is designated for Low Density Residential land uses. The Low Density Residential land use designation is defined as "...residential subdivisions that are two (2) units per gross acre or less ..." Based on this the proposed zoning change conforms to the Comprehensive Plan. 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]. In this case, the proposed zoning change conforms to the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, which was designed around the desired 80%/20% land use ratio. Based on this the proposed zoning change does not affect the current residential to non-residential land use ratio percentage.

### **NOTIFICATIONS**

On January 27, 2023, staff notified 14 property owners and occupants within 500-feet of the subject property. There were no Homeowner's Associations (HOAs) or Neighborhood Groups 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 written, staff had not received any notices regarding the applicant's request.

### **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a Zoning Change to rezone the subject property from an Agricultural (AG) District to a Single-Family Estate 2 (SFE-2) 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 February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Zoning Change by a vote of 7-0.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22023-005

**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)<sup>1</sup>
- Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

### Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

### Notes:

<sup>1</sup>: 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 548 Powell Road Rockwall Tx. 75032

Subdivision

Lot

Block

General Location

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG

Current Use Residential Single Family/AG

Proposed Zoning Single Family Estate 4

Proposed Use

Acreage 6

Lots [Current]

Lots [Proposed]

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3162 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 Peter & Janyce Gardner

Applicant

Contact Person

Contact Person

Address 548 Powell Rd.

Address

City, State & Zip Rockwall Tx. 75032

City, State & Zip

Phone 469-267-0560, 214-709-1780

Phone

E-Mail

E-Mail

## NOTARY VERIFICATION [REQUIRED]

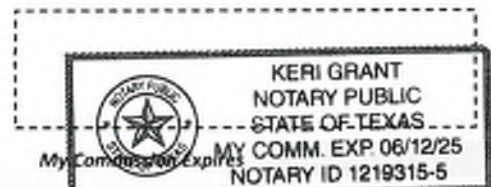
Before me, the undersigned authority, on this day personally appeared Peter Gardner & Janyce Gardner [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 17th day of November, 2022. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 17th day of November, 2022

Owner's Signature

Notary Public in and for the State of Texas



0 50 100 200 300 400 Feet

Z2023-005: Zoning Change from AG to SFE-2.0

PD-66

AG

LOWELL RD

Case Location Map = 



## City of Rockwall

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

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



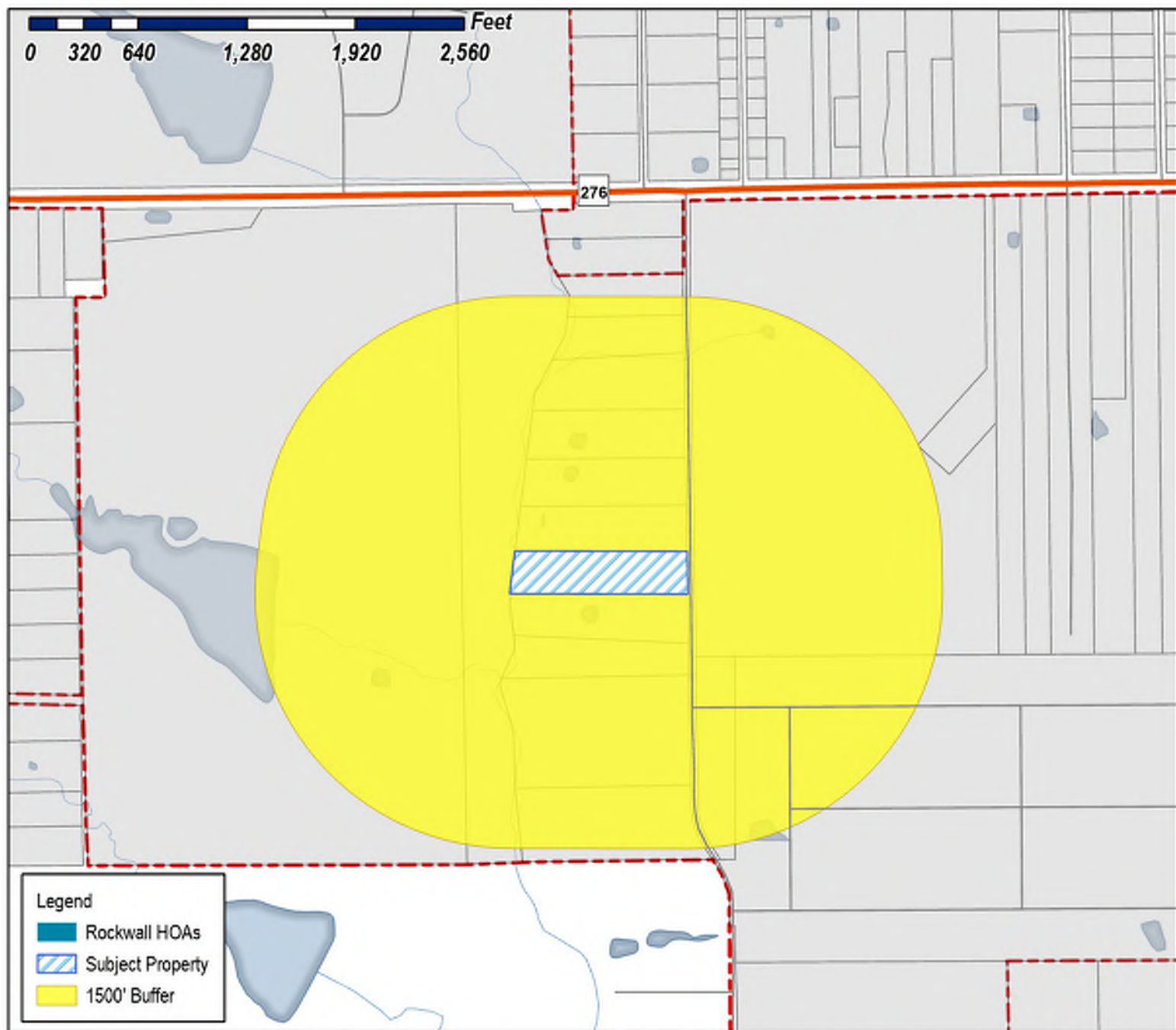




# City of Rockwall

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

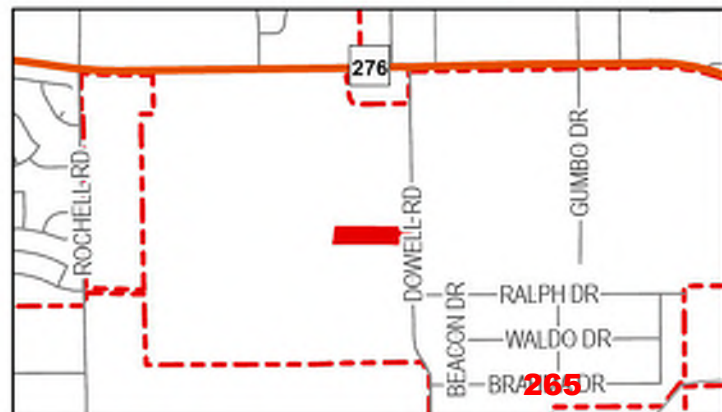
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**Case Number:** Z2023-005  
**Case Name:** Zoning Change from AG to SFE-2.0  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 548 Dowell Road

**Date Saved:** 1/20/2023

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

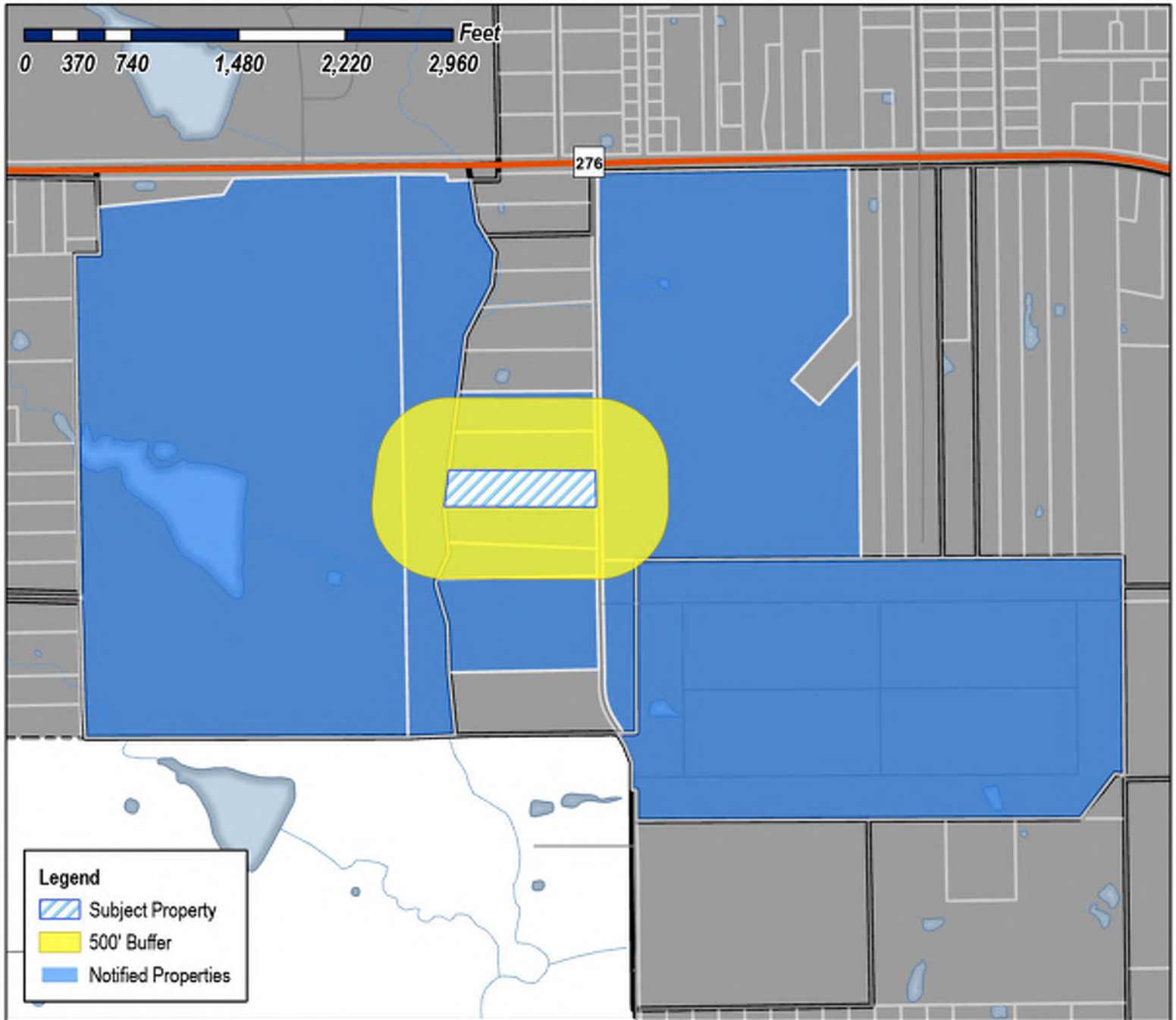




# City of Rockwall

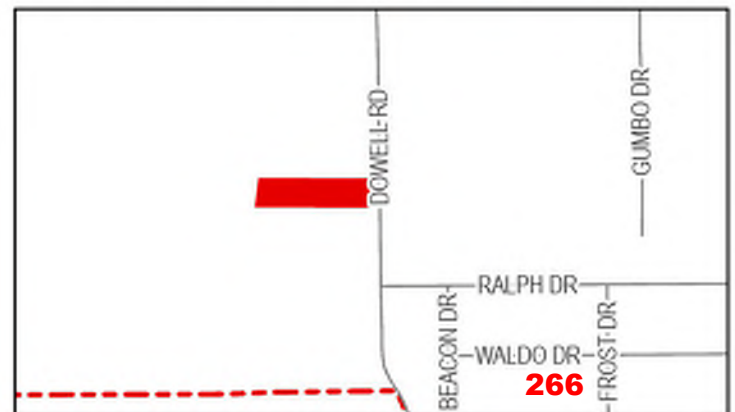
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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 For Questions on this Case Call (972) 771-7745



OCCUPANT  
HWY276  
ROCKWALL, TX 75032

HARLAN PROPERTIES INC  
2404 TEXAS DR STE 103  
IRVING, TX 75062

TRENTACOSTA AARON L & NIKOLE L  
648 DOWELL ROAD  
ROCKWALL, TX 75032

SANTOYO AGUSTIN  
2300 DOWELL RD  
ROCKWALL, TX 75032

SPAFFORD SARAH  
494 DOWELL RD  
ROCKWALL, TX 75032

SMITH TERRANCE LYNDLE AND MISHAWN  
WILSON-SMITH  
442 DOWELL ROAD  
ROCKWALL, TX 75032

OCCUPANT  
548 DOWELL RD  
ROCKWALL, TX 75032

MI CASA REAL LLC  
2940 BROADWAY BLVD STE 102  
GARLAND, TX 75041

HARLAN PROPERTIES INC  
2404 TEXAS DR STE 103  
IRVING, TX 75062

MCINTIRE PRESTON G AND  
SANDY M LOMELI  
598 DOWELL RD  
ROCKWALL, TX 75032

HARLAN PROPERTIES INC  
2404 TEXAS DR STE 103  
IRVING, TX 75062

SUMEER HOMES INC  
DOWELL RD  
ROCKWALL, TX 75189

OCCUPANT  
2404 TEXAS DR STE 103  
IRVING, TX 75062

SORRELLS ROBERT  
8731 REXFORD DR  
DALLAS, TX 75209

# 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:

### Z2023-005: Zoning Change from AG to SFE-2.0

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-005: Zoning Change from AG to SFE-2.0

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: [Grey bar]

Address: [Grey bar]

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

**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 SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a> ]	SINGLE FAMILY ESTATE DISTRICTS
<b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	<a href="#">(1)</a>		P
Animal Boarding/Kennel with Outside Pens	<a href="#">(2)</a>	<a href="#">(1)</a>	S
Animal Boarding/Kennel without Outside Pens	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Commercial Horse Corral or Stable	<a href="#">(9)</a>	<a href="#">(5)</a>	S
Private Horse Corral or Stable	<a href="#">(10)</a>	<a href="#">(6)</a>	P
Community Garden	<a href="#">(11)</a>	<a href="#">(7)</a>	S
Urban Farm	<a href="#">(12)</a>	<a href="#">(8)</a>	S
Wholesale Nursery ( <i>i.e. without Retail Sale On-Site</i> )	<a href="#">(13)</a>		S
<b>RESIDENTIAL AND LODGING LAND USES</b>	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Bed and Breakfast	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Residential Garage	<a href="#">(7)</a>	<a href="#">(4) &amp; (5)</a>	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	<a href="#">(8)</a>	<a href="#">(6)</a>	A
Home Occupation	<a href="#">(9)</a>	<a href="#">(7)</a>	P
Portable Building	<a href="#">(15)</a>	<a href="#">(10)</a>	P
Residential Infill in an Established Subdivision	<a href="#">(16)</a>	<a href="#">(11)</a>	S
Single-Family Detached Structure	<a href="#">(18)</a>	<a href="#">(13)</a>	P
Private Swimming Pool	<a href="#">(20)</a>		A
Private Tennis Court	<a href="#">(21)</a>		S
<b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>	2.02(C)	2.03(C)	
Church/House of Worship	<a href="#">(4)</a>	<a href="#">(2)</a>	S
Daycare with Seven (7) or More Children	<a href="#">(9)</a>	<a href="#">(4)</a>	S
Group or Community Home	<a href="#">(11)</a>	<a href="#">(5)</a>	P
Public or Private Primary School	<a href="#">(21)</a>	<a href="#">(7)</a>	S
Public or Private Secondary School	<a href="#">(22)</a>	<a href="#">(8)</a>	S
Temporary Education Building for a Public or Private School	<a href="#">(23)</a>	<a href="#">(9)</a>	S
<b>RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES</b>	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	<a href="#">(4)</a>		S
Private Country Club	<a href="#">(5)</a>		S
Temporary Fundraising Events by Non-Profit	<a href="#">(7)</a>	<a href="#">(4)</a>	P
Public Park or Playground	<a href="#">(12)</a>		P
Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> )	<a href="#">(14)</a>		S
<b>RETAIL AND PERSONAL SERVICES LAND USES</b>	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	<a href="#">(25)</a>		P
<b>COMMERCIAL AND BUSINESS SERVICES LAND USES</b>	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	<a href="#">(18)</a>	<a href="#">(6)</a>	P
<b>INDUSTRIAL AND MANUFACTURING LAND USES</b>	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	<a href="#">(2)</a>	<a href="#">(2)</a>	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	<a href="#">(12)</a>	<a href="#">(5)</a>	S

**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
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## PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a>	SINGLE FAMILY ESTATE DISTRICTS
<b>UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES</b>	<b>2.02(K)</b>	<b>2.03(K)</b>	
Antenna, as an Accessory	<a href="#">(2)</a>	<a href="#">(1)</a>	S
Antenna, for an Amateur Radio	<a href="#">(4)</a>	<a href="#">(3)</a>	A
Antenna Dish	<a href="#">(5)</a>	<a href="#">(4)</a>	A
Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	<a href="#">(10)</a>		S
Municipally Owned or Controlled Facilities, Utilities and Uses	<a href="#">(11)</a>		P
Private Streets	<a href="#">(12)</a>		S
Railroad Yard or Shop	<a href="#">(14)</a>		S
Satellite Dish	<a href="#">(16)</a>		A
Solar Energy Collector Panels and Systems	<a href="#">(17)</a>	<a href="#">(7)</a>	A
Utilities Holding a Franchise from the City of Rockwall	<a href="#">(21)</a>		S
Utility Installation Other than Listed	<a href="#">(22)</a>		S
Utility/Transmission Lines	<a href="#">(23)</a>		S
Wireless Communication Tower	<a href="#">(24)</a>		S

CITY OF ROCKWALL

ORDINANCE NO. 23-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 SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 6.019-ACRE PARCEL OF LAND IDENTIFIED AS LOT 11 OF THE DOWELL ROAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *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 Peter and Janyce Gardner for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and more fully described and depicted in *Exhibit 'A'* and *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 Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*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 offense 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 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023



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

Addressed: 548 Dowell Road

Legal Description: Lot 11 of the Dowell Road Addition







## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2023-006; ZONING CHANGE FROM AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 4.0 (SFE- 4.0) DISTRICT

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### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Permitted Use Charts for the Single-Family Estates (SFE) District  
Zoning Exhibit  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, 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:** February 21, 2023  
**APPLICANT:** Harold Fetty; *HD Fetty Land Surveyor*  
**CASE NUMBER:** Z2023-006; *Zoning Change from Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary.

### BACKGROUND

The City Council approved *Ordinance No. 04-34* annexing the subject property into the City of Rockwall on May 17, 2004 [*i.e. Case No. A2004-001*]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1,849 SF single-family home that was constructed in 1994, a 462 SF detached garage also constructed in 1994, a 210 SF storage shed constructed in 1999, and a 378 SF attached carport that was constructed in 2006. No other changes or improvements have been made to the subject property since it was annexed.

### PURPOSE

On January 20, 2023, the applicant -- *Harold Fetty of HD Fetty Land Surveyor*-- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District. The purpose of this request is to facilitate the submittal of a final plat to expand the subject property.

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 626 Cullins Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Cullins Road, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 43.30-acre tract of land (*i.e. Tract 17-16 of the W. W. Ford Survey, Abstract No. 80*) developed with a *Commercial Horse Stable*, that is zoned Planned Development District 99 (PD-99) for Single-Family 10 (SF-10) District land uses. Following this is a 5.697-acre tract of land (*i.e. Tract 17-9 of the W. W. Ford Survey, Abstract No. 80*) developed with a single-family home that is zoned Agricultural (AG) District.

South: Directly south of the subject property is Cullins Road, which is classified as an 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 the City limits of the City of Rockwall, and a 10.484-acre tract of land (*i.e. Tract 40-3, Abstract 80 of the W. W. Ford Survey*) developed with a single-family home that is zoned Agricultural (AG) District.

East: Directly east of the subject property is the intersection of Cullins Road and Travis Lane, which are classified as a *Minor Collector* and 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 is a 43.30-acre tract of land (*i.e. Tract 17-16 of the W. W. Ford Survey, Abstract No. 80*) developed with a *Commercial Horse Stable* that is zoned Planned Development District 99 (PD-99) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is a 3.00-acre tract of land (*i.e. Tract 4-4, Abstract 80 of the W. W. Ford Survey*) developed with single-family home and zoned Agricultural (AG) District. Beyond this is a 2.921-acre tract of land (*i.e. 4-5, Abstract 80 of the W. W. Ford Survey*) developed with a single-family home and is zoned Agricultural (AG) District. Following this is a vacant 25.513-acre tract of land (*i.e. Tract 4-01, Abstract 80 of the W. W. Ford Survey*) zoned Agricultural (AG) District. West of this is S. FM-549, which is classified as a TXDOT4D (*i.e. a Texas Department of Transportation, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

**MAP 1: LOCATION MAP**  
**YELLOW: SUBJECT PROPERTY**



**CHARACTERISTICS OF THE REQUEST**

The applicant is requesting to rezone the 5.41 tract of land from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District. The applicant has indicated to staff that this request is being made in order to facilitate the expansion and final platting of the subject property.

**CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 03.04, *Single-Family Estate 4.0 (SFE-4.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family Estate 4.0 (SFE-4.0) District is the proper zoning classification for rural, estate lots that are a minimum of four (4) acres in size... (t)hese lots are typically in areas that are located in the City's hinterland,

away from higher density residential developments and non-residential development.” In this case, the properties adjacent to E. Cullins Road are zoned either Agricultural (AG) District or Single-Family Estate 2.0 (SFE-2.0) District. In the future it is anticipated all of these properties will transition to a Single-Family Estate (SFE) District zoned designation. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family Estate 4.0 (SFE-4.0) District, which are summarized as follows:

**TABLE 1: SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT DEVELOPMENT STANDARDS**

NUMBER OF DWELLING UNITS/LOT	1.0
NUMBER OF DWELLING UNITS/ACRE	0.25
MINIMUM DWELLING UNIT	2,500 SF
MINIMUM LOT AREA	174,240 SF
MINIMUM LOT WIDTH	200-FEET
MINIMUM LOT DEPTH	250-FEET
MINIMUM FRONT YARD SETBACK	50-FEET
MINIMUM REAR YARD SETBACK	10-FEET
MINIMUM SIDE YARD SETBACK	25-FEET
BETWEEN BUILDINGS	10-FEET
BUILDING HEIGHT	36-FEET
MAXIMUM LOT COVERAGE	35%
REQUIRED PARKING SPACES	2

**CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Southwest Residential District and is designated for Low Density Residential land uses. The Low Density Residential land use designation is defined as “...residential subdivisions that are two (2) units per gross acre or less ...” Based on this the proposed zoning change conforms to the Comprehensive Plan. 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]. In this case, the proposed zoning change conforms to the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, which was designed around the desired 80%/20% land use ratio. Based on this the proposed zoning change does not affect the current residential to non-residential percentage.

**NOTIFICATIONS**

On January 27, 2023, staff notified 13 property owners and occupants within 500-feet of the subject property. In addition, staff notified the Oaks of Buffalo Way Homeowner’s Association (HOA), which is the only Homeowner’s Association (HOA) or Neighborhood Group 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 written, staff had not received any notices regarding 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 Single-Family Estate 4.0 (SFE-4.0) 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 February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Zoning Change by a vote of 7-0.



# DEVELOPMENT APPLICATION

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

**USE ONLY**  
 PLANNING & ZONING CASE NO. 22023-006  
**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) <sup>1</sup>  
 PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>  
 FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>  
 REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>  
 AMENDING OR MINOR PLAT (\$150.00)  
 PLAT REINSTATEMENT REQUEST (\$100.00)  
**SITE PLAN APPLICATION FEES:**  
 SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>  
 AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

**ZONING APPLICATION FEES:**  
 ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>  
 SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>  
 PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>  
**OTHER APPLICATION FEES:**  
 TREE REMOVAL (\$75.00)  
 VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>  
**NOTES:**  
<sup>1</sup>: 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.  
<sup>2</sup>: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 626 CULLINS ROAD  
 SUBDIVISION W.W. FORD SURVEY A-B0 LOT BLOCK  
 GENERAL LOCATION CULLINS + FM 549

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING CURRENT USE  
 PROPOSED ZONING PROPOSED USE  
 ACREAGE 5.41 ACRES LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

<input checked="" type="checkbox"/> OWNER <u>GENE and BROOKE ROGERS</u>	<input type="checkbox"/> APPLICANT <u>HO FETTY LAND SURVEYOR</u>
CONTACT PERSON	CONTACT PERSON <u>Harold Fetty</u>
ADDRESS <u>626 CULLINS ROAD</u>	ADDRESS <u>6770 FM 1565</u>
CITY, STATE & ZIP <u>Rockwall, TX 75087</u>	CITY, STATE & ZIP <u>Royse City TX 75189</u>
PHONE	PHONE <u>972-635-2255</u>
E-MAIL	E-MAIL <u>tracyendfetty.com</u>

## NOTARY VERIFICATION [REQUIRED]

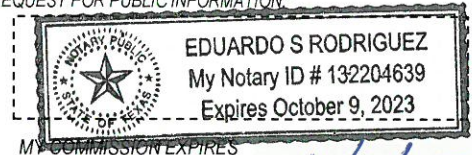
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GENE ROGERS [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ 286.77 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20th DAY OF January, 2023 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 20th DAY OF January, 2023  
 OWNER'S SIGNATURE [Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

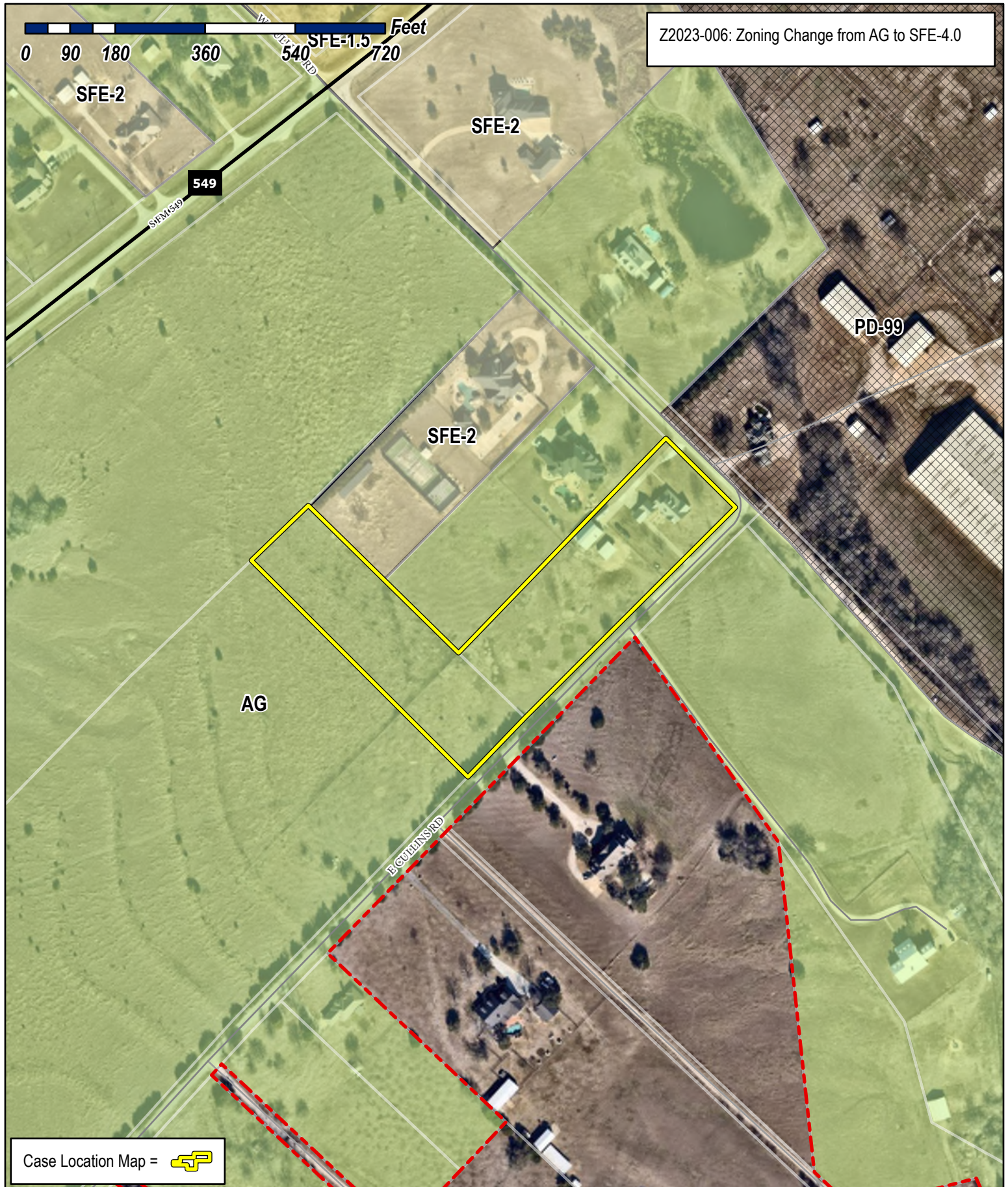
[Signature]



MY COMMISSION EXPIRES

10/9/2023





Z2023-006: Zoning Change from AG to SFE-4.0

0 90 180 360 540 720 Feet

SFE-2

SFE-2

SFE-2


PD-99

AG

BOULINSRD

549

SFM-549

Case Location Map = 



# City of Rockwall

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

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

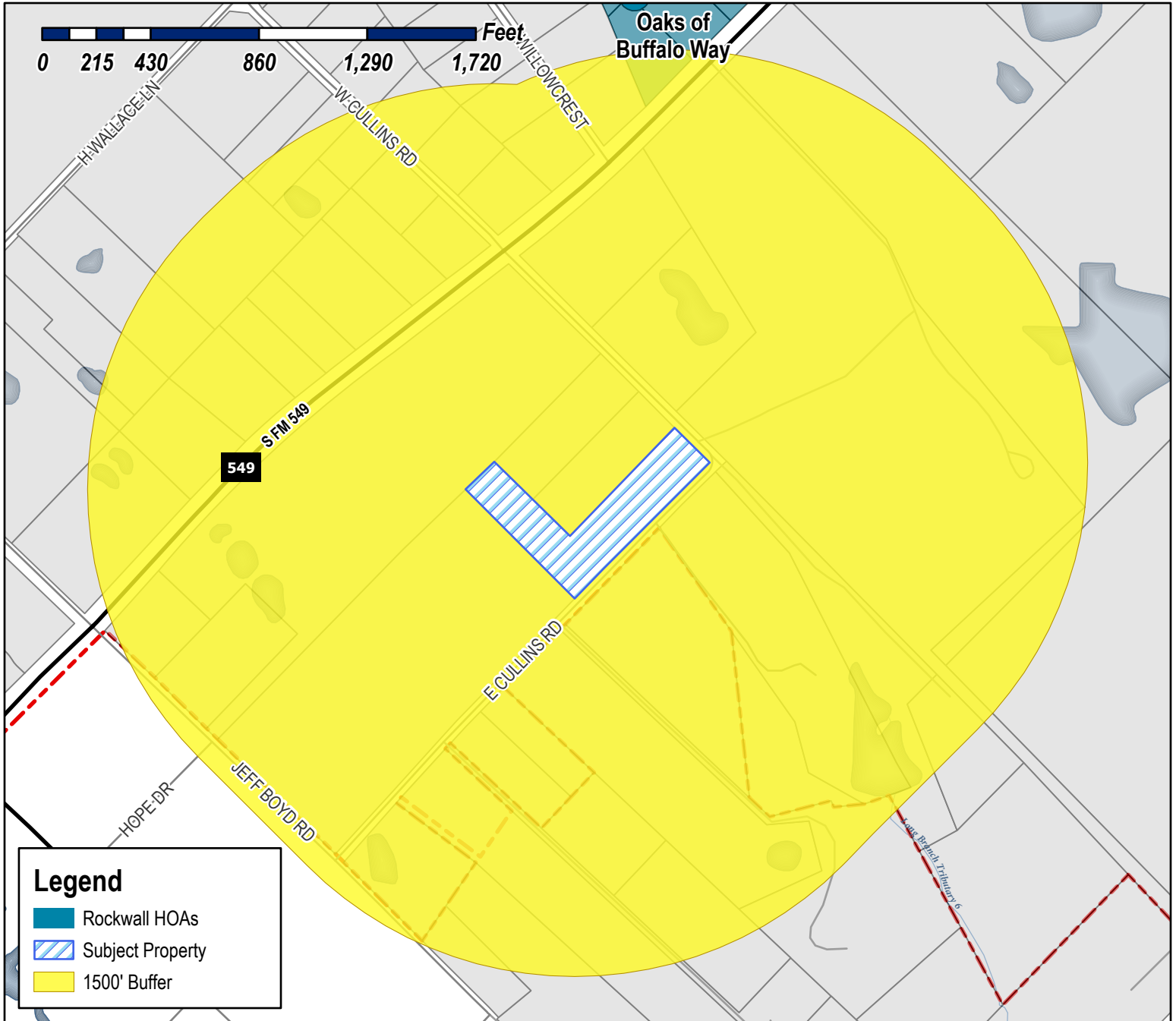




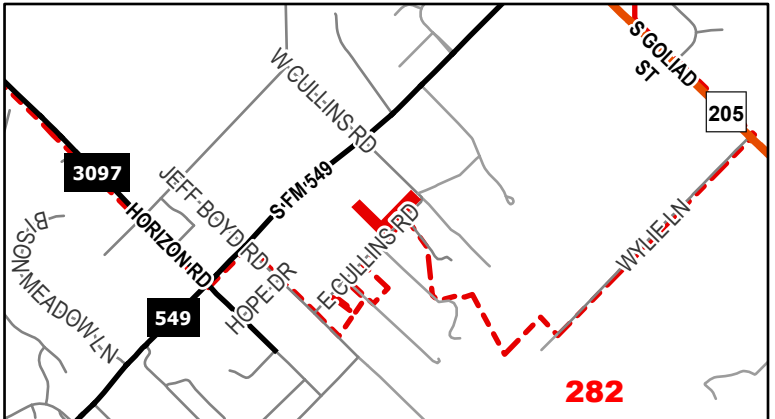
# City of Rockwall

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**Case Number:** Z2023-006  
**Case Name:** Zoning Change From AG to SFE-4.0  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 626 Cullins Road



**Date Saved:** 1/21/2023  
 For Questions on this Case Call (972) 771-7745

## Lee, Henry

---

**From:** Chapin, Sarah  
**Sent:** Thursday, January 26, 2023 12:24 PM  
**Cc:** Miller, Ryan; Lee, Henry; Ross, Bethany  
**Subject:** Neighborhood Notification Program [Z2023-006]  
**Attachments:** HOA Map (01.21.2023).pdf; Public Notice Z2023-006.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 *January 27, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, February 14, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, February 21, 2023 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](mailto: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>.

### **Z2023-006: Zoning Change for AG to SFE-4.0**

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and take any action necessary.

Thank you,

*Sarah Chapin*

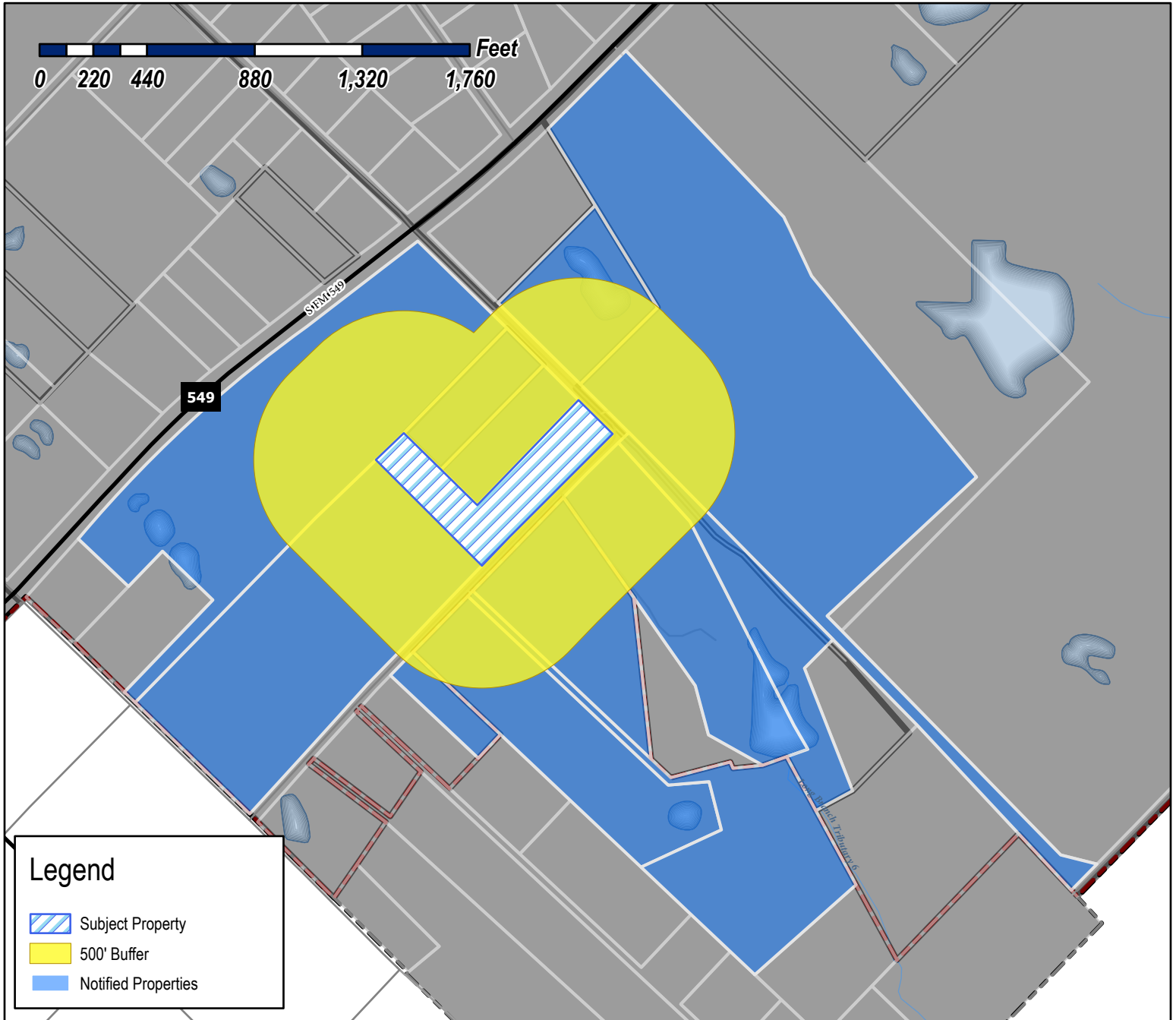
Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7145  
Direct: 972-772-6568



# City of Rockwall

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

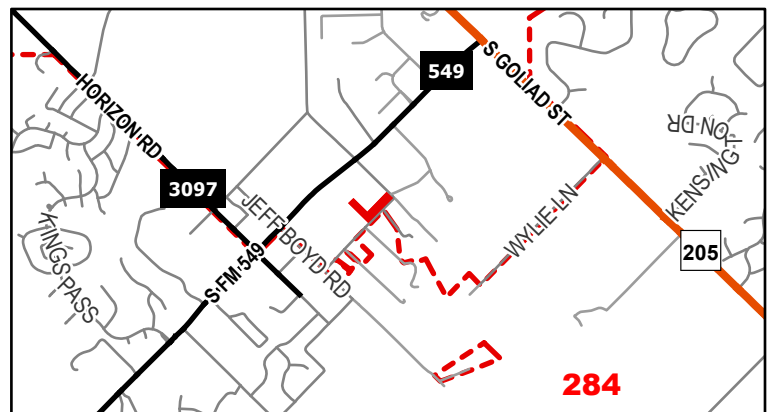
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**Case Number:** Z2023-006  
**Case Name:** Zoning Change from AG to SFE-4.0  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 626 Cullins Road

**Date Saved:** 1/20/2023

For Questions on this Case Call: (972) 771-7746



ABREU JORGE AND TASHA  
570 CULLINS RD  
ROCKWALL, TX 75032

POPE TONY & KAREN  
626 E CULLINS RD  
ROCKWALL, TX 75032

HOPE LESLIE AND DARYL  
530 CULLINS  
ROCKWALL, TX 75032

HOLLAND SAUNDRA G  
909 E CULLINS RD  
ROCKWALL, TX 75032

WILSON BRET A & LESLIE  
535 E CULLINS RD  
ROCKWALL, TX 75032

BYRD GARY ETUX  
707 E CULLINS RD  
ROCKWALL, TX 75032

ROCKWALL HIGHGATE LTD  
C/O SCOTT ASBURY  
13155 NOEL RD # 900  
DALLAS, TX 75240

OCCUPANT  
326 CULLINS RD  
ROCKWALL, TX 75032

FOLEY-TRAVIS LE'ARDEN J  
403 TRAVIS LANE  
ROCKWALL, TX 75032

KOHRST ED & OLIVIA CASEY  
831 CULLINS RD  
ROCKWALL, TX 75032

KEELING GEORGE W & BONNIE C  
C/O MARTHA YELLE  
3025 EVENING BREEZE WAY  
PFLUGERVILLE, TX 78660

POPE TONY W & KARREN L  
626 E CULLINS ROAD  
ROCKWALL, TX 75032

BOYD WILKIE HUGH  
489 JEFF BOYD RD  
ROCKWALL, TX 75032

# 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:

**Z2023-006: Zoning Change from AG to SFE-4.0**

Hold a public hearing to discuss and consider a request by Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rogers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on a 5.41-acre parcel of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, 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, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-006: Zoning Change from AG to SFE-4.0**

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: [Grey box]  
Address: [Grey box]

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

**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 SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a>	SINGLE FAMILY ESTATE DISTRICTS
<b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	<a href="#">(1)</a>		P
Animal Boarding/Kennel with Outside Pens	<a href="#">(2)</a>	<a href="#">(1)</a>	S
Animal Boarding/Kennel without Outside Pens	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Commercial Horse Corral or Stable	<a href="#">(9)</a>	<a href="#">(5)</a>	S
Private Horse Corral or Stable	<a href="#">(10)</a>	<a href="#">(6)</a>	P
Community Garden	<a href="#">(11)</a>	<a href="#">(7)</a>	S
Urban Farm	<a href="#">(12)</a>	<a href="#">(8)</a>	S
Wholesale Nursery ( <i>i.e. without Retail Sale On-Site</i> )	<a href="#">(13)</a>		S
<b>RESIDENTIAL AND LODGING LAND USES</b>	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Bed and Breakfast	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Residential Garage	<a href="#">(7)</a>	<a href="#">(4) &amp; (5)</a>	A
Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit	<a href="#">(8)</a>	<a href="#">(6)</a>	A
Home Occupation	<a href="#">(9)</a>	<a href="#">(7)</a>	P
Portable Building	<a href="#">(15)</a>	<a href="#">(10)</a>	P
Residential Infill in an Established Subdivision	<a href="#">(16)</a>	<a href="#">(11)</a>	S
Single-Family Detached Structure	<a href="#">(18)</a>	<a href="#">(13)</a>	P
Private Swimming Pool	<a href="#">(20)</a>		A
Private Tennis Court	<a href="#">(21)</a>		S
<b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>	2.02(C)	2.03(C)	
Church/House of Worship	<a href="#">(4)</a>	<a href="#">(2)</a>	S
Daycare with Seven (7) or More Children	<a href="#">(9)</a>	<a href="#">(4)</a>	S
Group or Community Home	<a href="#">(11)</a>	<a href="#">(5)</a>	P
Public or Private Primary School	<a href="#">(21)</a>	<a href="#">(7)</a>	S
Public or Private Secondary School	<a href="#">(22)</a>	<a href="#">(8)</a>	S
Temporary Education Building for a Public or Private School	<a href="#">(23)</a>	<a href="#">(9)</a>	S
<b>RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES</b>	2.02(E)	2.03(E)	
Public or Private Community or Recreation Club as an Accessory Use	<a href="#">(4)</a>		S
Private Country Club	<a href="#">(5)</a>		S
Temporary Fundraising Events by Non-Profit	<a href="#">(7)</a>	<a href="#">(4)</a>	P
Public Park or Playground	<a href="#">(12)</a>		P
Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> )	<a href="#">(14)</a>		S
<b>RETAIL AND PERSONAL SERVICES LAND USES</b>	2.02(F)	2.03(F)	
Temporary Real Estate Sales Office	<a href="#">(25)</a>		P
<b>COMMERCIAL AND BUSINESS SERVICES LAND USES</b>	2.02(G)	2.03(G)	
Temporary On-Site Construction Office	<a href="#">(18)</a>	<a href="#">(6)</a>	P
<b>INDUSTRIAL AND MANUFACTURING LAND USES</b>	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	<a href="#">(2)</a>	<a href="#">(2)</a>	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	<a href="#">(12)</a>	<a href="#">(5)</a>	S

**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 SINGLE FAMILY ESTATES (SFE) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a>	SINGLE FAMILY ESTATE DISTRICTS
<b>UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES</b>	<b>2.02(K)</b>	<b>2.03(K)</b>	
Antenna, as an Accessory	<a href="#">(2)</a>	<a href="#">(1)</a>	S
Antenna, for an Amateur Radio	<a href="#">(4)</a>	<a href="#">(3)</a>	A
Antenna Dish	<a href="#">(5)</a>	<a href="#">(4)</a>	A
Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	<a href="#">(10)</a>		S
Municipally Owned or Controlled Facilities, Utilities and Uses	<a href="#">(11)</a>		P
Private Streets	<a href="#">(12)</a>		S
Railroad Yard or Shop	<a href="#">(14)</a>		S
Satellite Dish	<a href="#">(16)</a>		A
Solar Energy Collector Panels and Systems	<a href="#">(17)</a>	<a href="#">(7)</a>	A
Utilities Holding a Franchise from the City of Rockwall	<a href="#">(21)</a>		S
Utility Installation Other than Listed	<a href="#">(22)</a>		S
Utility/Transmission Lines	<a href="#">(23)</a>		S
Wireless Communication Tower	<a href="#">(24)</a>		S



NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0110 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: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOA and the owner are responsible for drainage and detention systems in easements.

27.87 ACRES  
WILKIE HUGH BOYD  
V. 4804, PG. 254

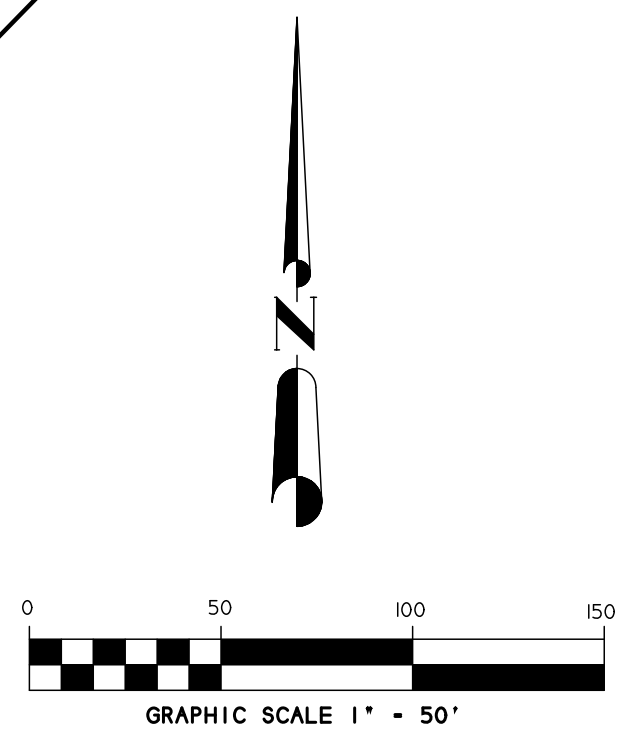
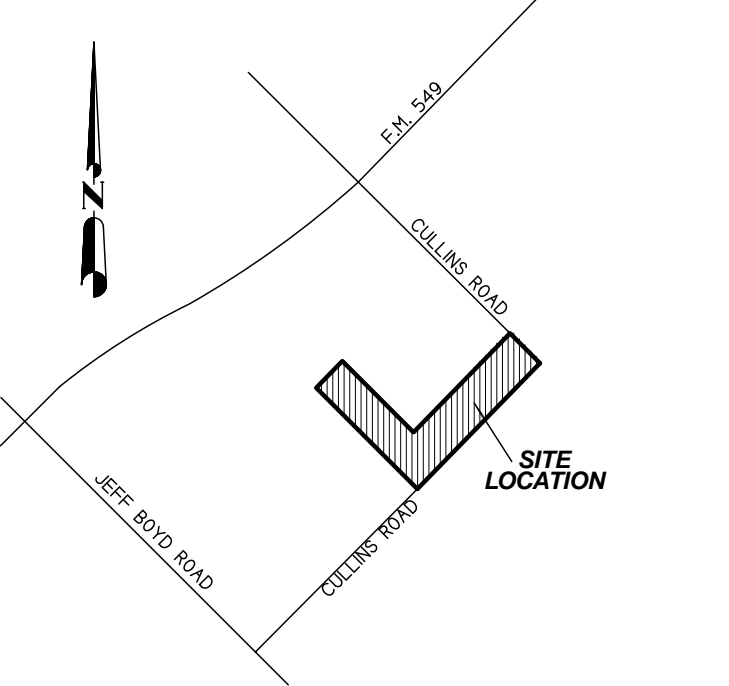
3.00 ACRES  
LESLIE HOPE  
DARYL HOPE  
DOC#20160000016212  
O.P.R.R.C.T.

3.00 ACRES  
JORGE ABREU  
TAHSA ABREU  
DOC#20210000014188  
O.P.R.R.C.T.

TONY POPE  
KAREN POPE  
V. 7050, PG. 91

LOT 1  
BLOCK A  
5.41 ACRES  
235,559 SQ. FT.

VICINITY MAP



FINAL PLAT  
**G & B ROGERS ADDITION**  
**LOT 1, BLOCK A**

5.41 ACRES 235,559 S.F.  
W.W. FORD SURVEY, ABSTRACT NO. 80  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER:  
GENE ROGERS  
BROOKE ROGERS  
626 CULLINS ROAD  
ROCKWALL, TEXAS 75087

SYMBOL LEGEND							
⊗	TV	⊗	TEL	⊗	CH	⊗	FF
⊗	GAS	⊗	PHONE	⊗	FIRE	⊗	POWER
⊗	CABLE RISER	⊗	METER	⊗	RISER	⊗	HYDRANT
⊗	ELEC	⊗	BOX	⊗	LP	⊗	1/2" IRF
⊗	SUBSURFACE	⊗	METER	⊗	LIGHT	⊗	POLE
⊗	JUNCTION BOX	⊗	POLE	⊗	NON ASD FOUND	⊗	1" CORNER
---	EASEMENT LINE	---	PROPERTY LINE				

H.D. Fetty Land Surveyor, LLC  
Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE NOVEMBER 29, 2022  
SCALE 1" = 50' FILE # 20220159-FP  
CLIENT ROGERS

CITY CASE P2023-



CITY OF ROCKWALL

ORDINANCE NO. 23-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 SINGLE-FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT FOR A 5.41-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4-06 AND ALL OF TRACT 4-2 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *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 Harold Fetty of HD Fetty Land Surveyor on behalf of Gene and Brooke Rodgers for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District for a 5.41-acre tract of land identified as a portion of Tract 4-06 and all of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 626 Cullins Road, and more fully described and depicted in *Exhibit 'A'* and *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 Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 4.0 (SFE-4.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.04, *Single-Family Estate 4.0 (SFE-4.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*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 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023

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

Addressed: 626 Cullins Road

Legal Description: A Portion of Tract 4-06 and All of Tract 4-2 of the W. W. Ford Survey, Abstract No. 80









## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** February 21, 2023

**SUBJECT:** Z2023-007; SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION

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### Attachments

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

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Urbano Fernandez for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.27-acre parcel of land identified as Lot 905A of the Lake Rockwall Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District, addressed as 124 Lynne Drive, and take any action necessary (**1st Reading**).

### Action Needed

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





# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council  
**DATE:** February 21, 2023  
**APPLICANT:** Urbano Fernandez  
**CASE NUMBER:** Z2023-007; *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Urbano Fernandez for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* on a 0.27-acre parcel of land identified as Lot 905A of the Lake Rockwall Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District, addressed as 124 Lynne Drive, and take any action necessary.

### BACKGROUND

The subject property was originally platted as Lot 905A of the Rockwall Lake Estates #2 Addition on April 23, 1968. On February 17, 2009, the subject property -- *along with the rest of the Lake Rockwall Estates Subdivision* -- was annexed into the City of Rockwall by *Ordinance No. 09-07*. On September 21, 2009, the City Council rezoned the Lake Rockwall Estates Subdivision from an Agricultural (AG) District to Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] for Single-Family 7 (SF-7) District land uses. On January 4, 2016, the City Council amended Planned Development District 75 (PD-75) with *Ordinance No. 16-01*, which made minor changes to the *Consideration of a Special Request* section of the ordinance.

### PURPOSE

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

### ADJACENT LAND USES AND ACCESS

The subject property is located at 124 Lynne Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are several residential lots developed with traditional single-family homes and modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond that is Evans Road, which is identified as a R2U (*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 is County Line Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Big League Sports Academy Inc. (*i.e. Tract 26-1 of the W.W. Ford Survey, Abstract No. 80*) which is zoned Commercial (C) District, and addressed as 505 County Line Road.

East: Directly east of the subject property are several residential lots developed with traditional single-family homes and modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond that is Chris Drive, which is identified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property are several residential lots developed with traditional single-family homes and modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond this is Blanche Drive, which is identified as a R2U (*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 Lake Rockwall Estates #2 Addition in the Lake Rockwall Estates Subdivision. This subdivision has been in existence since prior to 1968, consists of more than five (5) lots, and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in Planned Development District 75 (PD-75) and designated for Single-Family 7 (SF-7) District land uses, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Lynne Drive in a Close Proximity to the Subject Property	Proposed House
Building Height	One (1) and two (2) story	One (1) Story
Building Orientation	Orientation differs.	The front elevation of the home will face onto County Line Road.
Year Built	1970-2021	N/A
Building SF on Property	720 SF – 3,025 SF	3,141 SF
Building Architecture	Single-Family and Modular Homes	Comparable Architecture to the Surrounding Newer Single-Family Homes
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot front yard setback.	25-Feet
Side	The side yard setbacks appear to conform to the required five (5) foot side yard setback.	5-Feet
Rear	The rear yard setbacks appear conform to the required ten (10) feet rear yard setback.	20-Feet
Building Materials	Brick, Vinyl Siding, and Modular Panels	Brick
Paint and Color	Brown, Tan, Blue, White, Green & Red	N/A
Roofs	Composite Shingles & Metal	N/A
Driveways/Garages	Flat-Front Entry, Carports, and Single-Family Homes without Garages	N/A

The proposed single-family home meets all of the density and dimensional requirements for a property situated within a Single-Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Lynne Drive, and the proposed building elevations in the attached packet.

**NOTIFICATIONS**

On January 27, 2022, staff mailed 111 notices to property owners and occupants within 500-feet of the subject property. There are 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 not received any notices with 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 *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) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
  - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On February 14, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit by a vote of 7-0.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22023 -

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) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) <sup>2</sup>

### NOTES:

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 124 Lynne DR Rockwall TX 75087  
 SUBDIVISION Rockwall Lake Properties LOT 905A BLOCK  
 GENERAL LOCATION Rockwall, TX

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	CURRENT USE	
PROPOSED ZONING	PROPOSED USE	
ACREAGE	LOTS [CURRENT]	LOTS [PROPOSED]

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

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

OWNER	APPLICANT
<input checked="" type="checkbox"/> <u>Urbano Fernandez</u>	<input type="checkbox"/>
CONTACT PERSON	CONTACT PERSON
ADDRESS 1235 W CR 3423 Wills Point TX 75169	ADDRESS
CITY, STATE & ZIP	CITY, STATE & ZIP
PHONE 469 474 4213	PHONE (469) 474-4213
E-MAIL Urbano	E-MAIL cfc.homes75@gmail.com

## NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20th DAY OF January, 2023. 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."

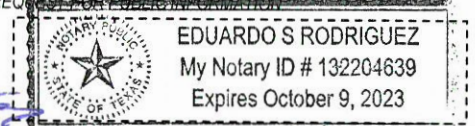
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 20th DAY OF January, 2023

OWNER'S SIGNATURE

Urbano Fernandez

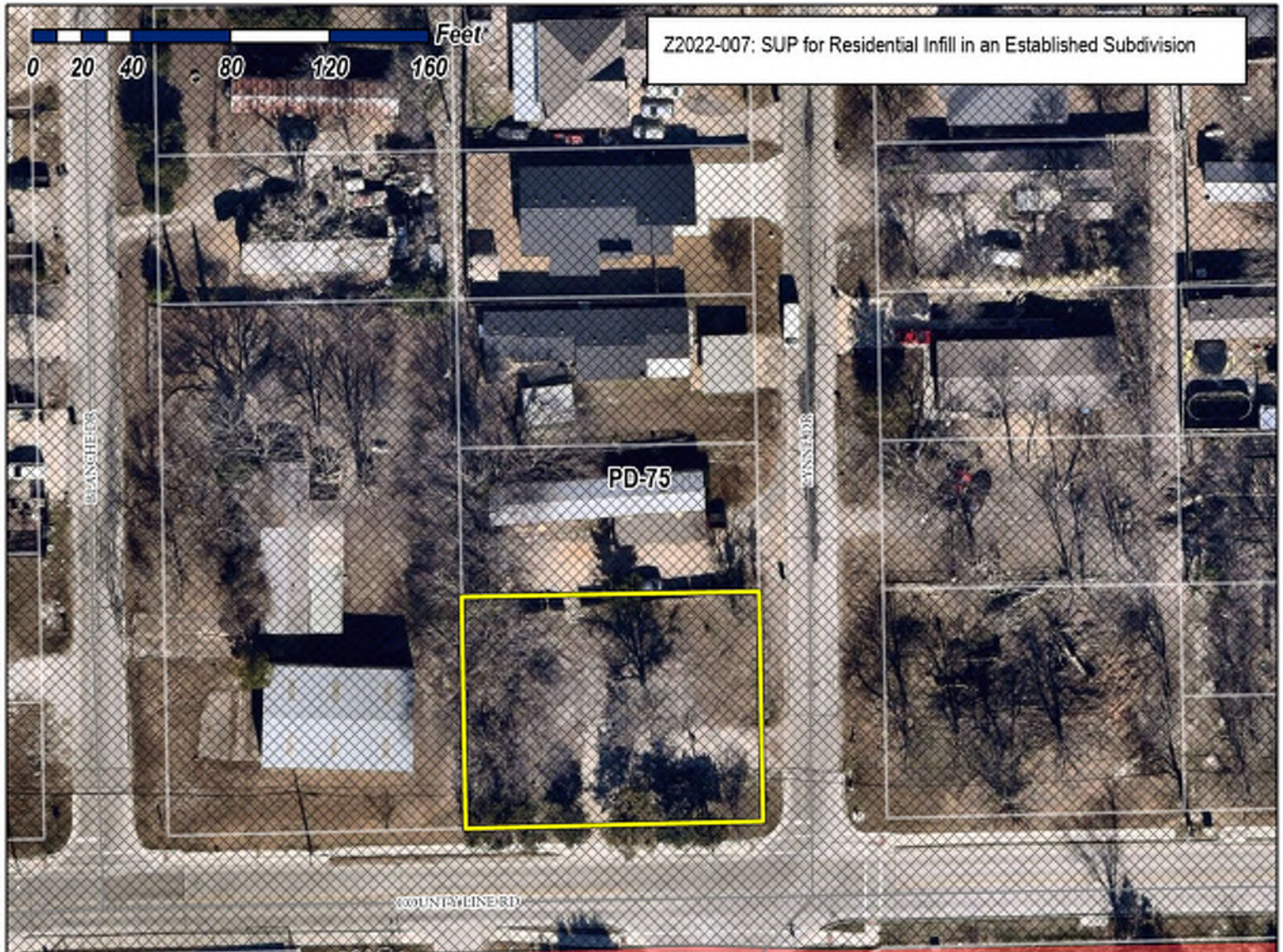
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Eduardo S. Rodriguez



MY COMMISSION EXPIRES

10/9/2023



# City of Rockwall

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

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

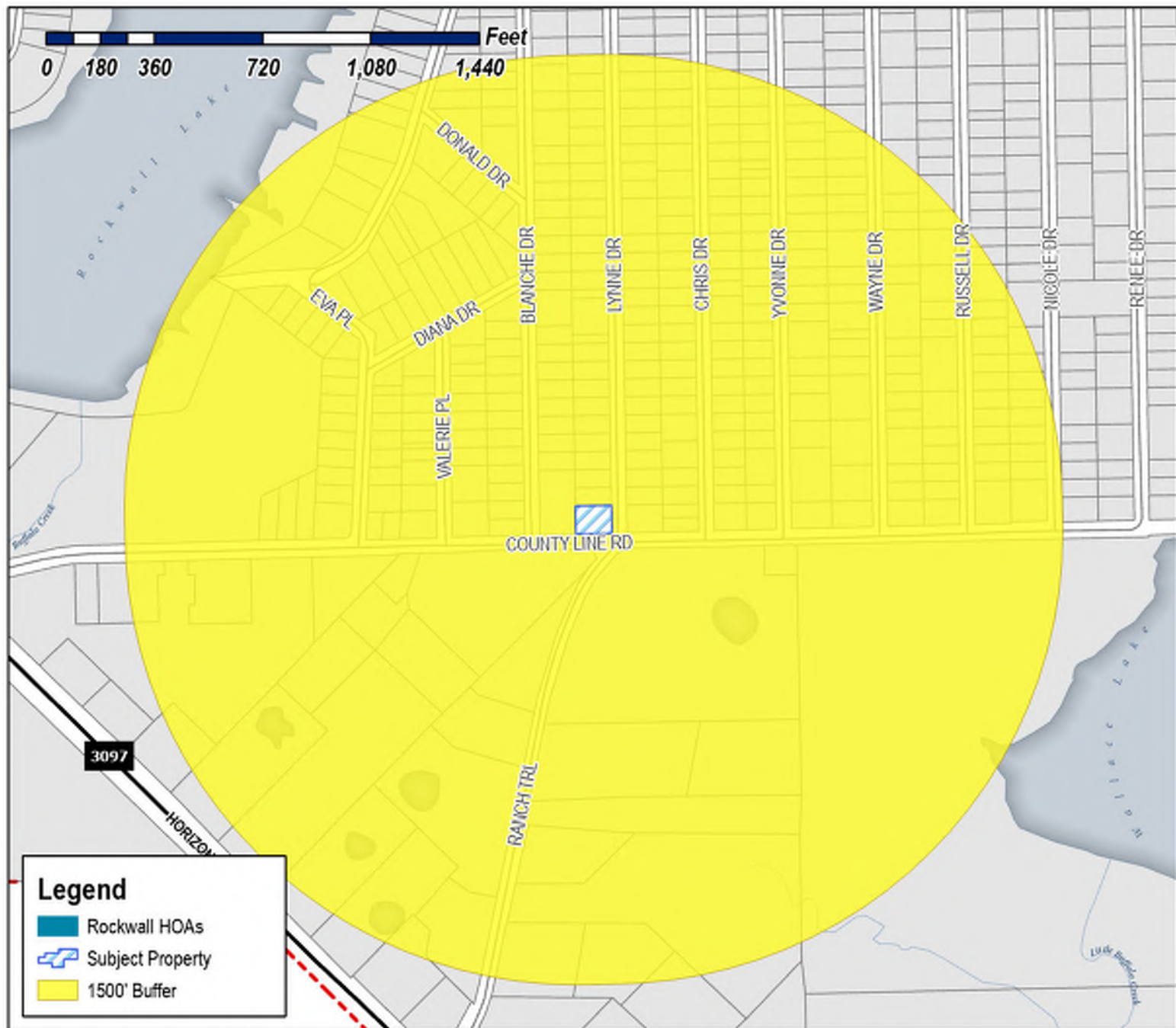




# City of Rockwall

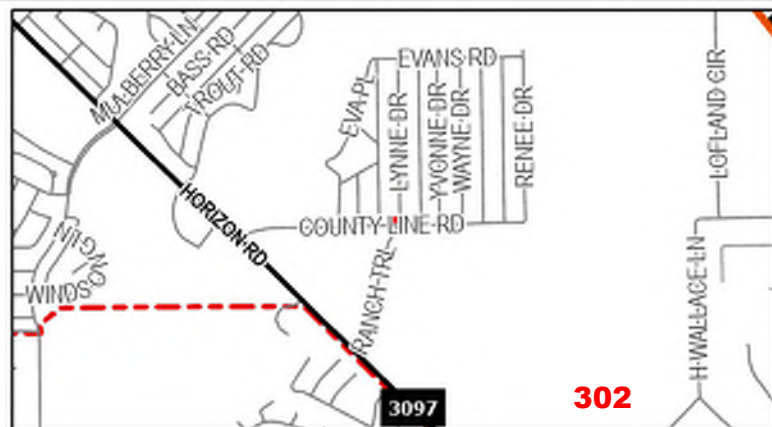
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**Case Number:** Z2023-007  
**Case Name:** SUP for Residential Infill in an Established Subdivision  
**Case Type:** Zoning  
**Zoning:** Planned Development 75 (PD-75)  
**Case Address:** 124 Lynne Drive

**Date Saved:** 1/21/2023  
 For Questions on this Case Call (972) 771-7745

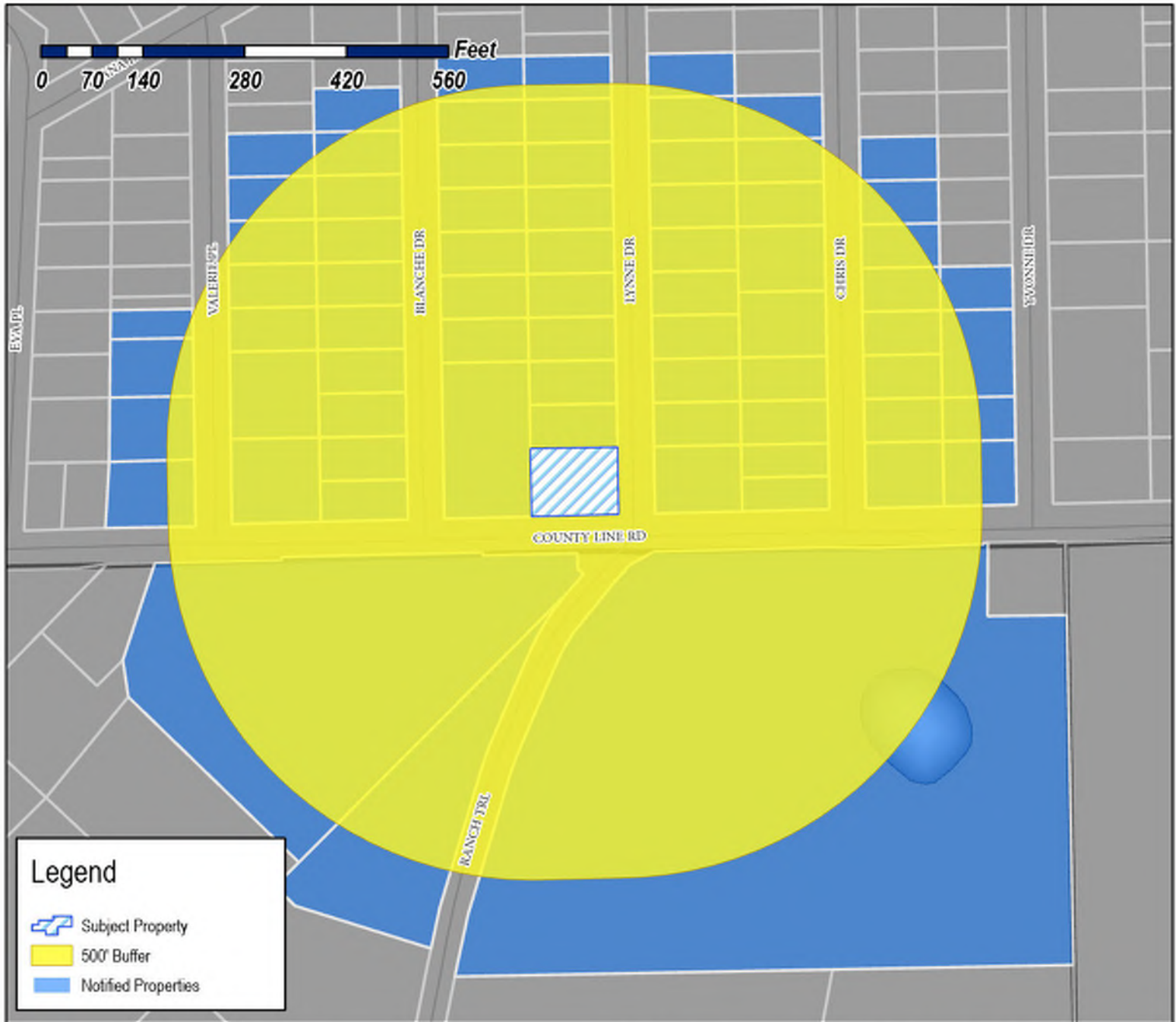




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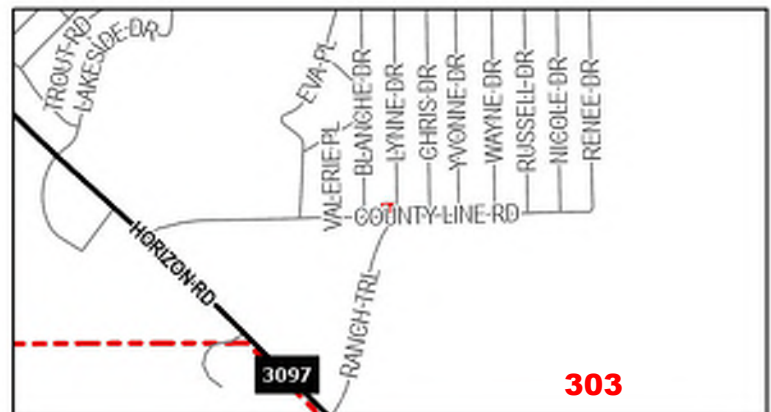
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**Case Number:** Z2023-007  
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**Case Type:** Zoning  
**Zoning:** Planned Development 75 (PD-75)  
**Case Address:** 124 Lynne Drive

**Date Saved:** 1/21/2023

For Questions on this Case Call: (972) 771-7746



OCCUPANT  
121 LYNNE DR  
ROCKWALL, TX 75032

MAYES CHRISTOPHER  
210 CARRIAGE HILL LN  
HEATH, TX 75032

OCCUPANT  
112 CHRIS DR  
ROCKWALL, TX 75032

ROCKWALL HOUSING DEVELOPMENT  
CORPORATION  
787 HAIL DRIVE  
ROCKWALL, TX 75032

CANIZALES ELIDA VILLAREAL  
115 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
124 YVONNE DR  
ROCKWALL, TX 75032

JIMENEZ RICARDO  
2847 TANGLEGLEN DR  
ROCKWALL, TX 75032

OCCUPANT  
131 LYNNE DR  
ROCKWALL, TX 75032

DIAZ JOSE LUIS  
494 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
130 CHRIS DR  
ROCKWALL, TX 75032

CARES HOME BUILDER INC  
705 LAKESIDE DR  
ROCKWALL, TX 75032

RANGEL ADELA  
125 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
144 LYNNE DR  
ROCKWALL, TX 75032

MBA CUSTOM HOMES LLC  
430 RENEE DRIVE  
ROCKWALL, TX 75032

OCCUPANT  
143 LYNNE DR  
ROCKWALL, TX 75032

DIAZ JOSE LUIS  
494 LYNNE DR  
ROCKWALL, TX 75032

SANCHEZ ROSA & ISMAEL PALACIOS  
140 CHRIS DR  
ROCKWALL, TX 75032

VARGAS RICARDO  
149 BLANCHE DR  
ROCKWALL, TX 75032

OCCUPANT  
154 LYNNE DR  
ROCKWALL, TX 75032

MBA CUSTOM HOMES LLC  
430 RENEE DRIVE  
ROCKWALL, TX 75032

PEREZ GILBERTO AND  
JUANITA PEREZ  
157 LYNNE DR  
ROCKWALL, TX 75032

ALMARAZ JUAN V DIAZ  
147 CHRIS DR  
ROCKWALL, TX 75032

URBINA ARACELI C  
209 BLANCHE DR  
ROCKWALL, TX 75032

CRUZ MARIA D AND IGNACIO D  
212 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
215 LYNNE DR  
ROCKWALL, TX 75032

UNDERWOOD TAMMY M AND  
CAITLIN A DAVIS-WILSON  
203 LYNNE DRIVE  
ROCKWALL, TX 75032

OCCUPANT  
204 CHRIS DR  
ROCKWALL, TX 75032

REYES MARIA ISABEL AND RAMIRO M  
603 S CREEK DR  
ROYSE CITY, TX 75189

OCCUPANT  
225 LYNNE DR  
ROCKWALL, TX 75032

ESPARZA JUANA  
15047 SE 152ND DR  
CLACKAMAS, OR 97015



OCCUPANT  
219 BLANCHE DR  
ROCKWALL, TX 75032

GUADALUPE JOSE AND  
ANGELA ANN GUTIERREZ  
229 BLANCHE DR  
ROCKWALL, TX 75032

PEREZ FERMIN  
230 LYNNE DR  
ROCKWALL, TX 75032

TEPOX FABIOLA DOMINGUEZ  
159 VALERIE PL  
ROCKWALL, TX 75032

OCCUPANT  
149 VALERIE PL  
ROCKWALL, TX 75032

HERNANDEZ SONIA BETANCOURT  
134 YVONNE DR  
ROCKWALL, TX 75032

GARCIA JOSE  
195 BLANCHE DR  
ROCKWALL, TX 75032

OCCUPANT  
204 LYNNE DR  
ROCKWALL, TX 75032

CRUZ MARIA D AND IGNACIO D  
212 LYNNE DR  
ROCKWALL, TX 75032

UNDERWOOD TAMMY M AND CAITLIN A DAVIS-  
WILSON  
203 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
196 CHRIS DR  
ROCKWALL, TX 75032

CARMONA JOEL  
221 NICOLE DR  
ROCKWALL, TX 75032

OCCUPANT  
193 CHRIS DR  
ROCKWALL, TX 75032

RANGEL JUAN  
4427 FM 550  
ROYSE CITY, TX 75187

OCCUPANT  
132 VALERIE PL  
ROCKWALL, TX 75032

PAVON MARISOL  
810 E. DOUGHERTY DR  
GARLAND, TX 75041

OCCUPANT  
420 COUNTY LINE RD  
ROCKWALL, TX 75032

NAVA GUILLIERMO & VANESSA  
1167 SMITH ACRES DR  
ROYSE CITY, TX 75189

HERNANDEZ JOSE O AND MIRIAM G SALAZAR  
AND  
JESUS HERNANDEZ SALAZAR  
164 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
159 CHRIS DR  
ROCKWALL, TX 75032

BETETA RUTH E  
1452 GREENBROOK DR  
ROCKWALL, TX 75032

ZAVALA HUMBERTO & IMELDA  
160 YVONNE DR  
ROCKWALL, TX 75032

GOMEZ ALEJANDRO  
175 BLANCHE DR  
ROCKWALL, TX 75032

PALACIOS ARIEL  
178 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
179 LYNNE DR  
ROCKWALL, TX 75032

CRUZ IGNACIO  
212 LYNNE DR  
ROCKWALL, TX 75032

CARRILLO JORGE  
173 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
185 BLANCHE DR  
ROCKWALL, TX 75032

GUTIERREZ DONATILO & BLANCA  
6514 BUNKER HILL CT  
ROWLETT, TX 75089

GUTIERREZ DONATILO & BLANCA  
192 LYNNE DR  
ROCKWALL, TX 75032

RETANA JOSE L  
187 LYNNE DR  
ROCKWALL, TX 75032

ESQUIVEL ZAIDA  
186 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
187 VALERIE PL  
ROCKWALL, TX 75032

CARMONA JOSE ROBERTO &  
MARIA BLANCA RESENDIZ  
397 CHRIS DR  
ROCKWALL, TX 75032

ALVAREZ FRANCISCO J  
190 BLANCHE DR  
ROCKWALL, TX 75032

CANADY JERRY ANN  
199 VALERIE PL  
ROCKWALL, TX 75032

ARROYO MARGARITO &  
LUCIA ARROYO-ESPINOSA  
202 BLANCHE DR  
ROCKWALL, TX 75032

OCCUPANT  
109 BLANCHE DR  
ROCKWALL, TX 75032

VARGAS RICARDO  
149 BLANCHE DR  
ROCKWALL, TX 75032

OCCUPANT  
124 LYNNE DR  
ROCKWALL, TX 75032

FERNANDEZ URBANO  
1235 VZ CR3425  
WILLS POINT, TX 75169

JIMENEZ ALMA RODRIGUEZ  
181 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
163 BLANCHE DR  
ROCKWALL, TX 75032

VARGAS RICARDO  
149 BLANCHE DR  
ROCKWALL, TX 75032

OCCUPANT  
144 BLANCHE DR  
ROCKWALL, TX 75032

GARCIA MARTIN  
590 SUN VALLEY DR  
ROYSE CITY, TX 75189

VAZQUEZ RAMON LOPEZ  
156 BLANCHE DR  
ROCKWALL, TX 75032

OCCUPANT  
168 BLANCHE DR  
ROCKWALL, TX 75032

PALICIOS MARIA  
365 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
137 VALERIE PL  
ROCKWALL, TX 75032

MOONEY GERALD M & JEWELL F REV LIV TR  
6379 KLONDIKE RD  
RIPLEY, NY 14775

SALAS ALBERTO R & ADELA A  
109 VALERIE PL  
ROCKWALL, TX 75032

OCCUPANT  
118 BLANCHE DR  
ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE  
212 LYNNE DR  
ROCKWALL, TX 75032

OCCUPANT  
120 BLANCHE DR  
ROCKWALL, TX 75032

ROCKWALL LAKE PROPERTIES  
5713 SECREST CT  
GOLDEN, CO 80403

OCCUPANT  
132 BLANCHE DR  
ROCKWALL, TX 75032

FLORES DAYANARA &  
JAMES GLEASON  
611 MEADOW DR  
ROCKWALL, TX 75032

OCCUPANT  
214 BLANCHE DR  
ROCKWALL, TX 75032

SALAS HECTOR JABIER & CAROLINA ORTIZ  
1000 W YELLOWJACKET LANE APT 2507  
ROCKWALL, TX 75087

OCCUPANT  
175 VALERIE PL  
ROCKWALL, TX 75032

LOC PHU AND VINCENT TONG  
1414 BUFFALO WOODS CT  
KATY, TX 77494

OCCUPANT  
178 BLANCHE DR  
ROCKWALL, TX 75032

OLIVARES JAIME  
1209 QUAIL DR  
GARLAND, TX 75040

HERNANDEZ SONIA BETANCOURT  
134 YVONNE DR  
ROCKWALL, TX 75032

HOLGUIN CECILIA  
140 YVONNE DR  
ROCKWALL, TX 75032

HILTON THOMAS  
135 CHRIS DR  
ROCKWALL, TX 75032

OCCUPANT  
150 CHRIS DR  
ROCKWALL, TX 75032

MEZA FRANCISCO J AND YOLANDA S  
3778 PR 3843  
QUINLAN, TX 75474

CHEPETLA ANTHONY  
167 LYNNE DR  
ROCKWALL, TX 75032

LOREDO SUSANA  
166 CHRIS DR  
ROCKWALL, TX 75032

VALDEZ MARY ESTHER  
148 VALERIE PL  
ROCKWALL, TX 75032

DURAN ROCIO  
160 VALERIE PL  
ROCKWALL, TX 75032

OCCUPANT  
505 COUNTY LINE RD  
ROCKWALL, TX 75032

BIG LEAGUE SPORTS ACADEMY INC  
5508 FOREST LANE  
DALLAS, TX 75230

OCCUPANT  
382 RANCH TRL  
ROCKWALL, TX 75032

ARMS OF AMERICA LLC AND  
C2LA LLC  
525 E CENTERVILLE RD  
GARLAND, TX 75041

OCCUPANT  
405 RANCH TRL  
ROCKWALL, TX 75032

RANCH TRAIL VENTURES LLC  
315 RANCH TRAIL  
ROCKWALL, TX 75032

OCCUPANT  
124 CHRIS DR  
ROCKWALL, TX 75032

ROCKWALL HOUSING DEVELOPMENT  
CORPORATION  
787 HAIL DRIVE  
ROCKWALL, TX 75032

# 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:

**Z2023-007: SUP for Residential Infill in an Established Subdivision**

Hold a public hearing to discuss and consider a request by Urbano Fernandez for the approval of a *Specific Use Permit (SUP)* for Residential Infill in an Established Subdivision on a 0.27-acre parcel of land identified as Lot 905A of the Lake Rockwall Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District, addressed as 124 Lynne Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 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:

**Bethany Ross**  
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](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Tuesday, February 21, 2023 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. Z2023-007: SUP for Residential Infill in an Established Subdivision**

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]

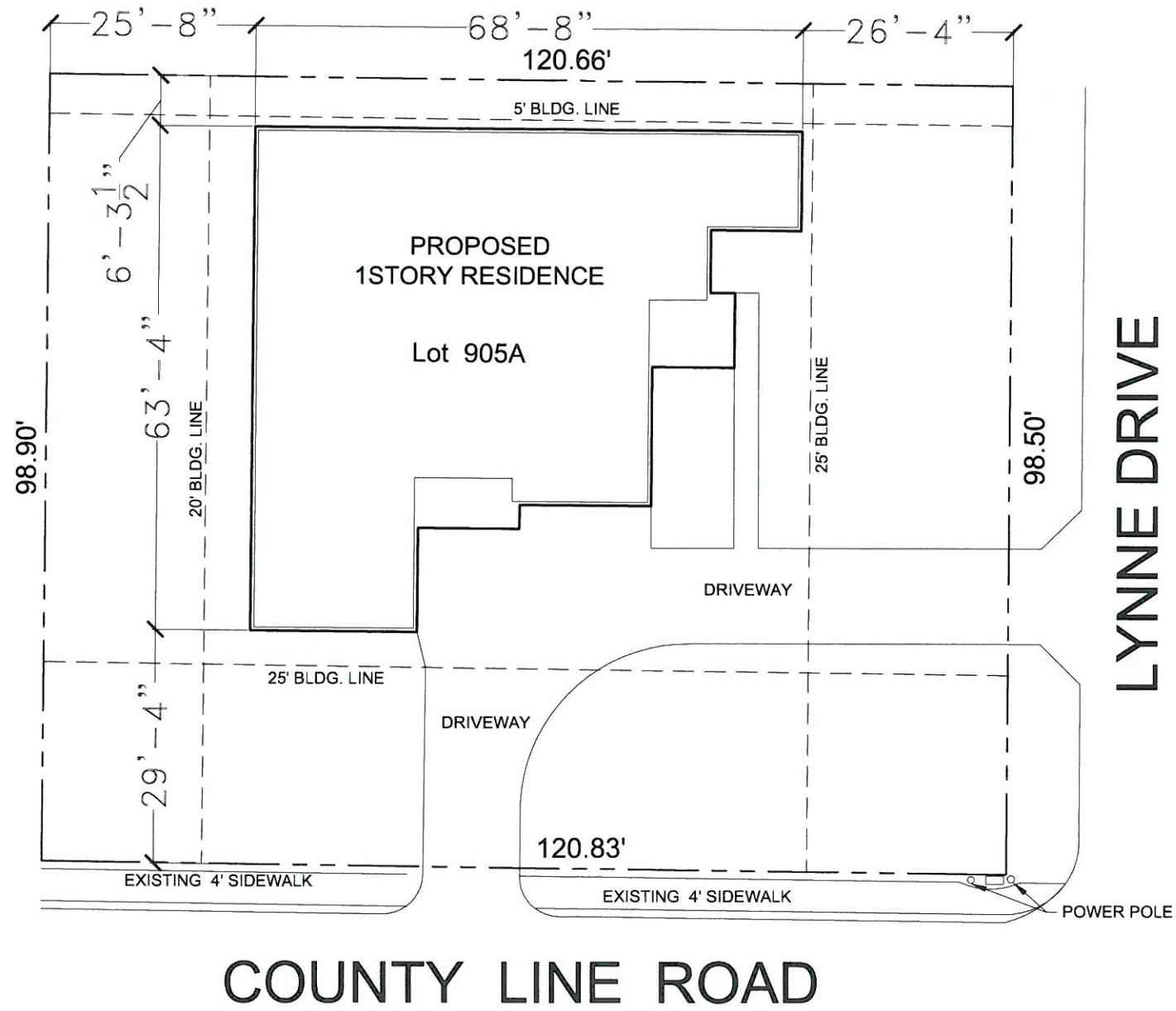
Name: [Redacted]  
Address: [Redacted]

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



SCALE: 1" = 20' - 0"



REVISIONS:



NEW REISIDENCE  
 540 County Line Road  
 124 LYNNE DR.  
 Rockwall, Texas

DRAWN BY:

vg

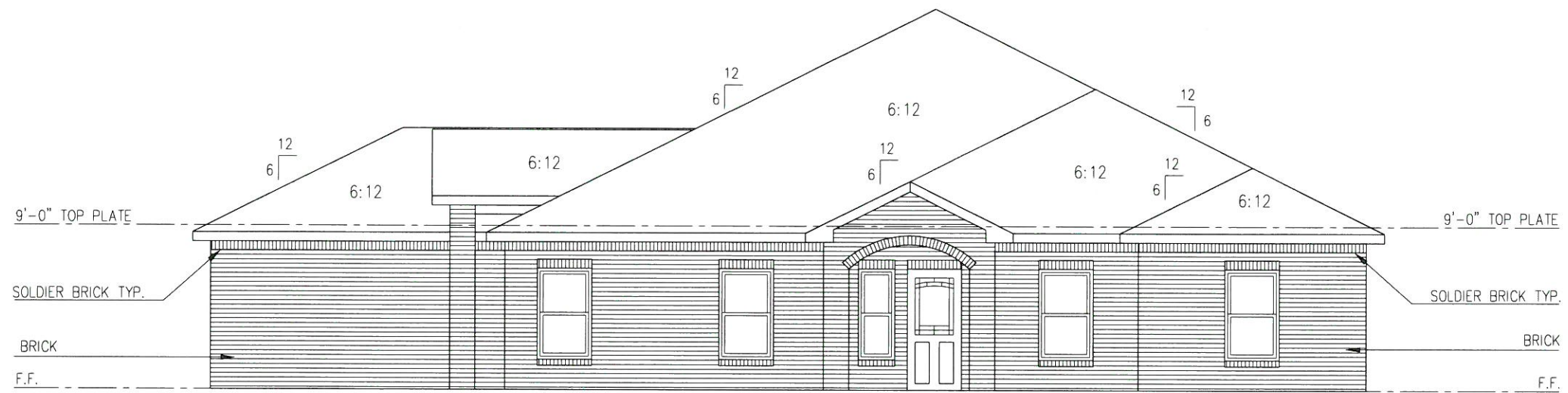
ISSUED ON:

10/14/2022

PLAN NAME:

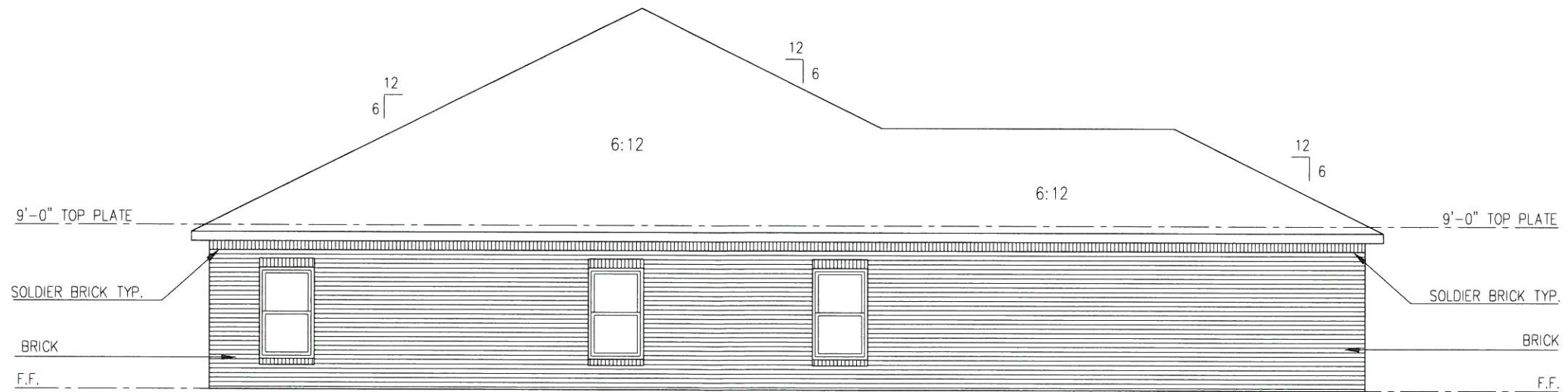
custom

SHEET  
PL1



**FRONT ELEVATION**

SCALE: 1/8" = 1'-0"



**REAR ELEVATION**

SCALE: 1/8" = 1'-0"

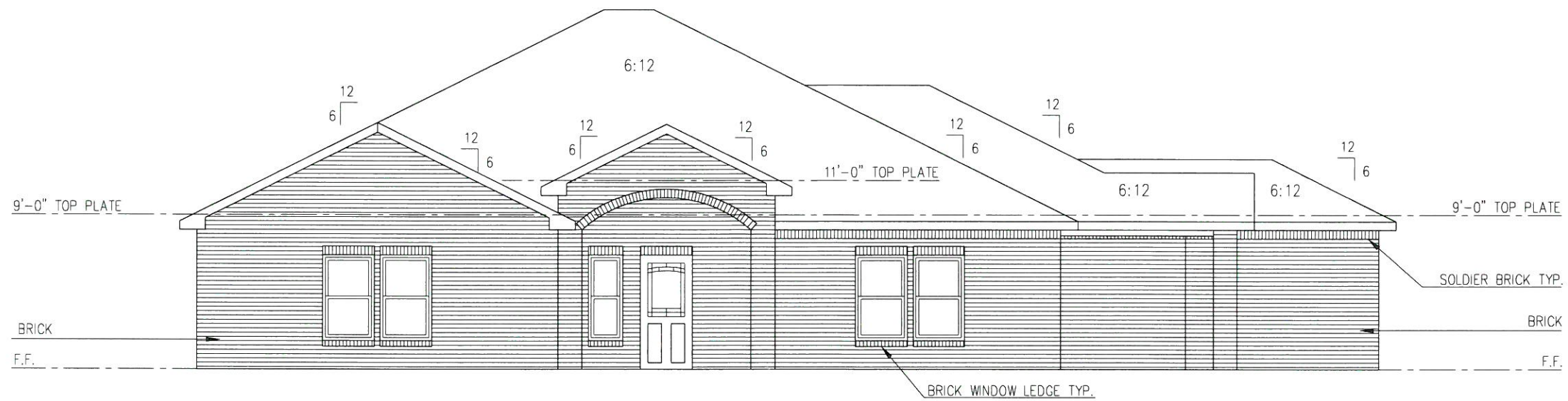
REVISIONS:

- 1
- 2
- 3
- 4

NEW REISDENCE  
 540 County Line Road  
 124 LYNN DR.  
 Rockwall, Texas

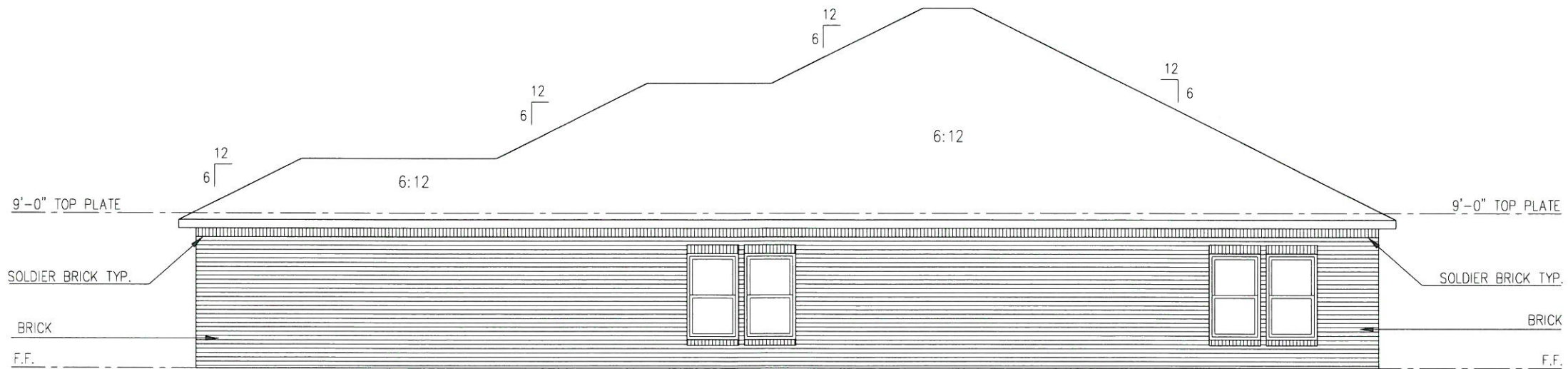
DRAWN BY:  
 vg  
 ISSUED ON:  
 10/14/2022  
 PLAN NAME:  
 custom

**SHEET  
 A1**



**LEFT ELEVATION**

SCALE: 1/8" = 1'-0"



**RIGHT ELEVATION**

SCALE: 1/8" = 1'-0"

REVISIONS:



NEW REISDENCE  
 540 County Line Road  
 124 LYNNIE DR  
 Rockwall, Texas

DRAWN BY:

vg

ISSUED ON:

10/14/2022

PLAN NAME:

custom

**SHEET  
 A2**

ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	EXTERIOR MATERIALS	ACCESSORY BUILDING
124 Lynne Drive	Subject Property	N/A	N/A	N/A	N/A
144 Lynne Drive	Modular Home	N/A	N/A	Metal	N/A
154 Lynne Drive	Single-Family home	2021	1396	N/A	N/A
164 Lynne Drive	Single-Family home	2004	2,542	Brick, Stone	N/A
178 Lynne Drive	Modular Home	1974	1064	Vinyl	192
192 Lynne Drive	Modular Home	1982	924	Metal	140
204 Lynne Drive	Modular Home	1985	728	Metal	N/A
212 Lynne Drive	Single-Family home	2007	3025	Brick, Stucco, Siding	N/A
230 Lynne Drive	Modular Home	1997	1568	Metal	N/A
254 Lynne Drive	Modular Home	1978	1120	Metal	80
266 Lynne Drive	Storage	N/A	N/A	N/A	160
276 Lynne Drive	Vacant	N/A	N/A	N/A	N/A
288 Lynne Drive	Storage	N/A	N/A	N/A	200
302 Lynne Drive	Storage	N/A	N/A	N/A	120
310 Lynne Drive	Modular Home	1997	756	Metal	N/A
316 Lynne Drive	N/A	N/A	N/A	N/A	N/A
352 Lynne Drive	Modular Home	1976	768	Metal	N/A
362 Lynne Drive	Single-Family home	2012	1328	Siding	N/A
378 Lynne Drive	Single-Family home	1996	1216	Siding	N/A
384 Lynne Drive	Modular Home	1975	1197	Vinyl	N/A
400 Lynne Drive	Modular Home	1970	1064	Wood Siding	N/A
412 Lynne Drive	Modular Home	1975	720	Metal	N/A
420 Lynne Drive	Modular Home	1997	1232	Siding	N/A
438 Lynne Drive	Modular Home	1970	952	Metal	N/A
448 Lynne Drive	Modular Home	1998	2432	Metal	N/A
472 Lynne Drive	Vacant	N/A	N/A	N/A	N/A
490 Lynne Drive	Single-Family home	2005	2188	Brick, Stone	N/A
494 Lynne Drive	Single-Family home	2004	2120	Brick, Stone	N/A
498 Lynne Drive	Single-Family home	2005	2352	Brick, Stone	N/A
520 Lynne Drive	Single-Family home	2007	2187	Brick, Stone	N/A
532 Lynne Drive	Moduar Home	1980	970	Wood Siding	100
538 Lynne Drive	Modular Home	1971	720	Metal	64
552 Lynne Drive	Modular Home	1976	1120	Metal	N/A
<b>Averages</b>		<b>1991</b>	<b>1428 SF</b>		<b>132 SF</b>





124 Lynne Drive



144 Lynne Drive



154 Lynne Drive



164 Lynne Drive



178 Lynne Drive



192 Lynne Drive



204 Lynne Drive



212 Lynne Drive



230 Lynne Drive



254 Lynne Drive



266 Lynne Drive



276 Lynne Drive



288 Lynne Drive



302 Lynne Drive



310 Lynne Drive



316 Lynne Drive





352 Lynne Drive



362 Lynne Drive



378 Lynne Drive



384 Lynne Drive



400 Lynne Drive



412 Lynne Drive



420 Lynne Drive



438 Lynne Drive



448 Lynne Drive



472 Lynne Drive



490 Lynne Drive



494 Lynne Drive



498 Lynne Drive



520 Lynne Drive



532 Lynne Drive



538 Lynne Drive





552 Lynne Drive

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.27-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 905A OF THE LAKE ROCKWALL ESTATES #2 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 by Urbano Fernandez for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.27-acre parcel of land identified as Lot 905A of the Lake Rockwall Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 125 Lynne Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, 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 Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] and Subsection 03.01, *General Residential District Standards*, and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and with the following conditions:

### **2.1 OPERATIONAL CONDITIONS**

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

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

### **2.2 COMPLIANCE**

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

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

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

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the

ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 6<sup>TH</sup> DAY OF MARCH, 2023.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

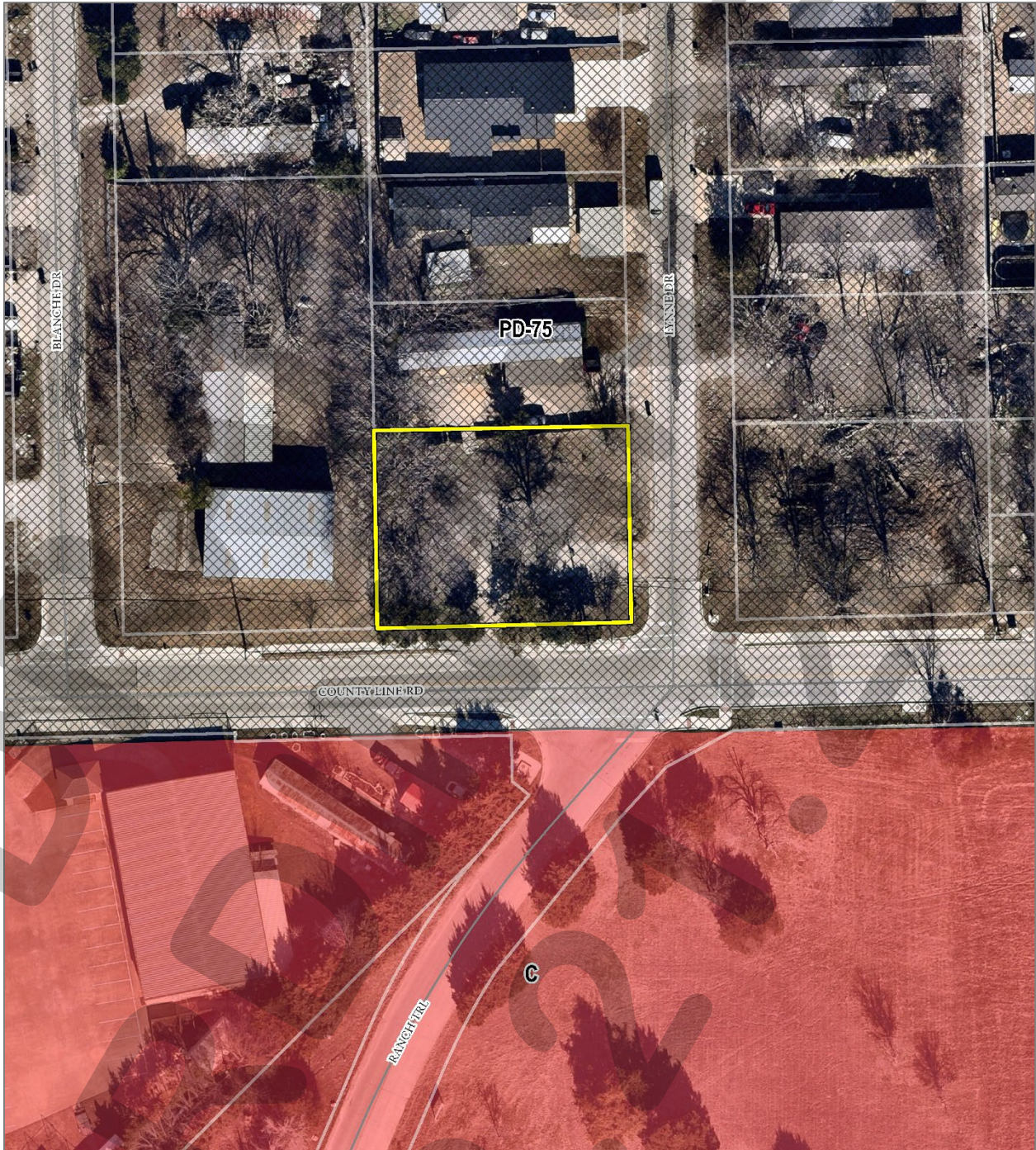
\_\_\_\_\_  
Frank J. Garza, *City Attorney*

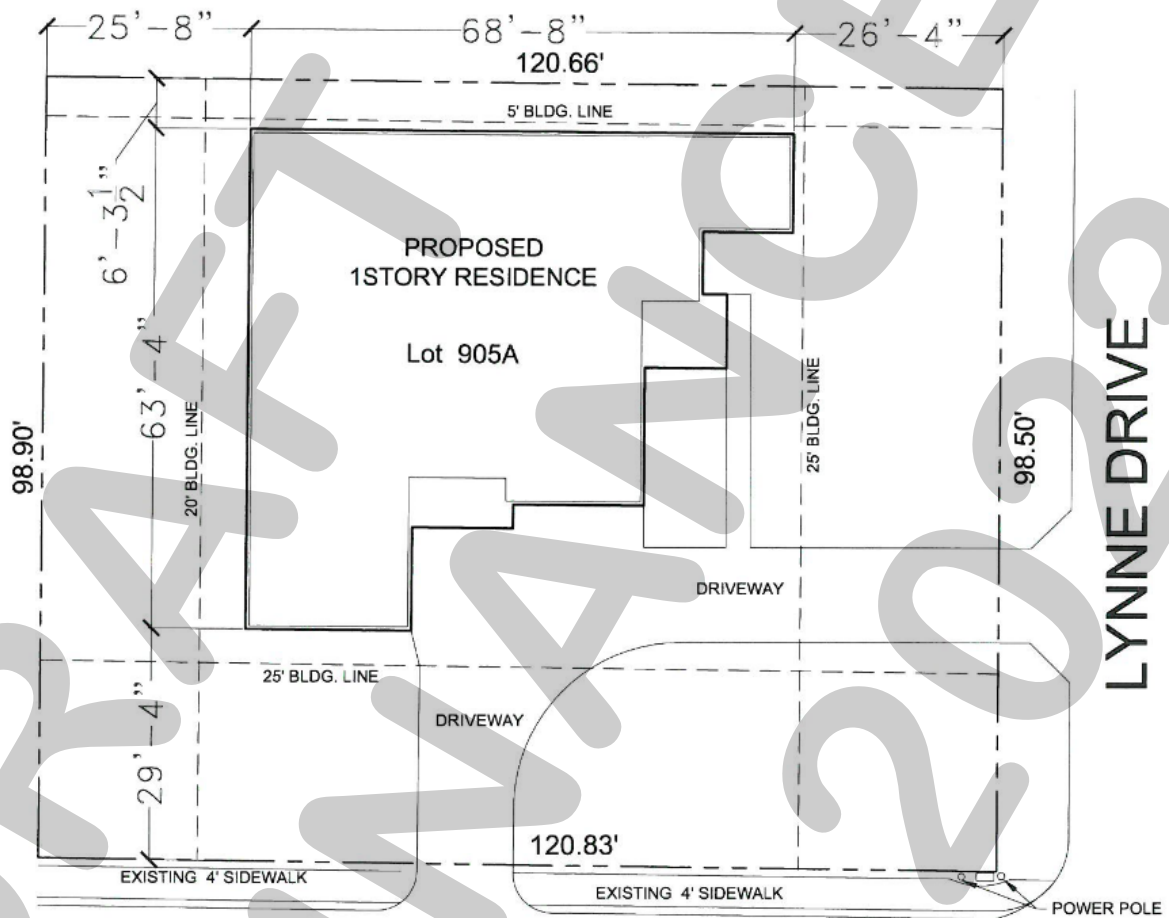
1<sup>st</sup> Reading: February 21, 2023

2<sup>nd</sup> Reading: March 6, 2023

Address: 125 Lynne Drive

Legal Description: Lot 905A of the Lake Rockwall Estates #2 Addition

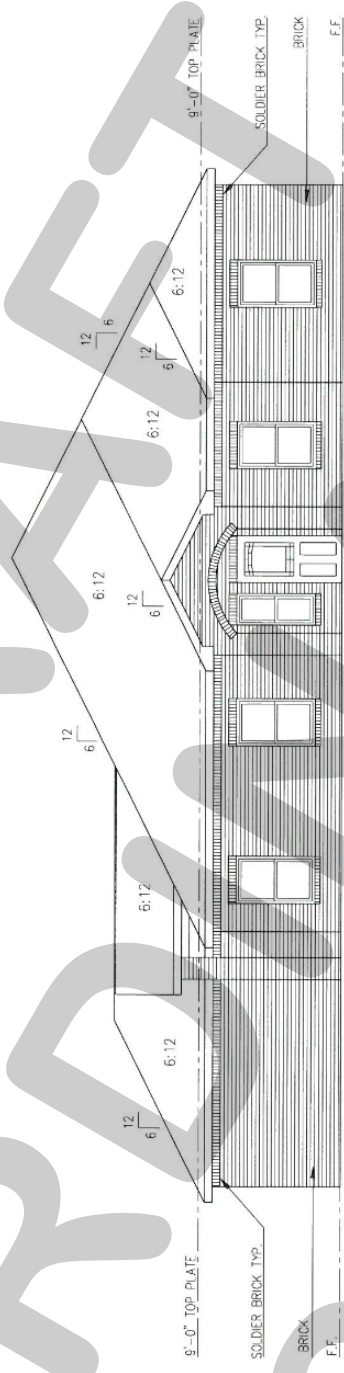




COUNTY LINE ROAD

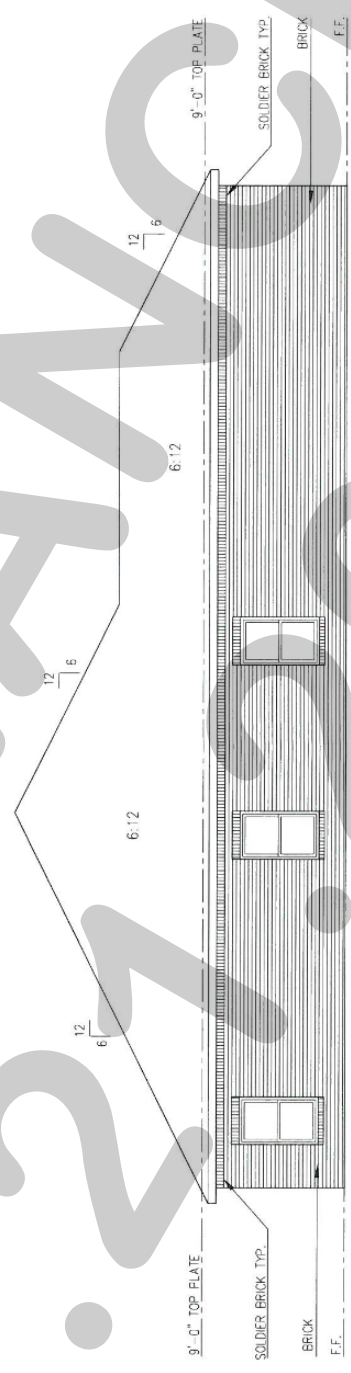
LYNNE DRIVE

DRAFT 02.27.2023



FRONT ELEVATION

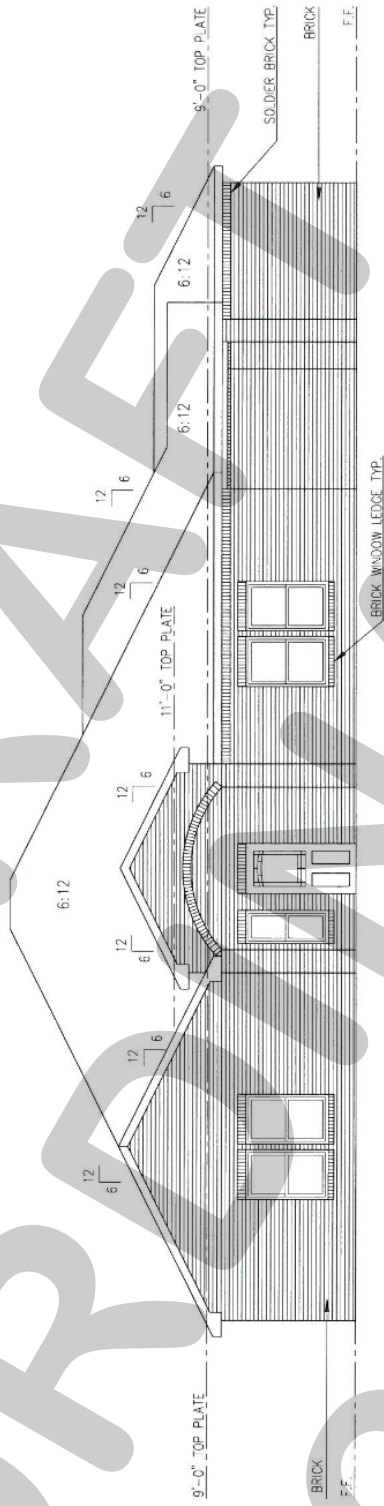
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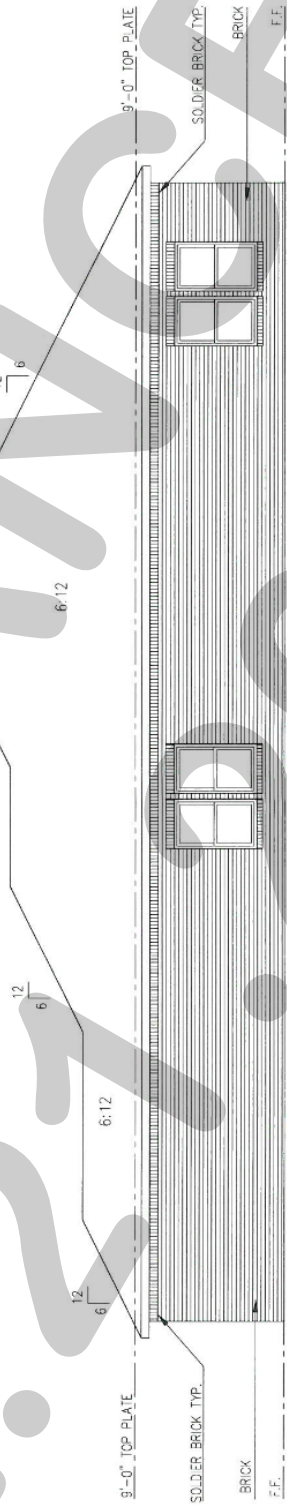
REAR ELEVATION

SCALE: 1/8" = 1'-0"

DRAFTING 02.21.2023



LEFT ELEVATION  
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION  
SCALE: 1/8" = 1'-0"





City of Rockwall  
*The New Horizon*

## MEMORANDUM

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**TO:** Mayor and Council  
**FROM:** Bethany Browning, Main Street/Art in Public Places  
**DATE:** February 16, 2023  
**SUBJECT:** Approval of Public Art Project – *Picture This*

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The *Picture This* project is a 12' wide x 8' tall metal picture frame designed as interactive art, to engage the community, as well as emphasize the natural beauty of the existing landscape of Rockwall. The Board chose the project in order to highlight the natural beauty of Rockwall and offers visitors a creative opportunity to become part of the artwork. It serves as a photo opportunity, hugely popular for social media users. Individuals can take their own photos within the frame or take photos of the frame with the landscape as the backdrop. The *Picture This* location will receive hashtags and can become part of the geocaching community. This type of interactive destination will bring residents and visitors to various locales of interest throughout the city that may have otherwise been missed. The Board's vision highlights every aspect of this project as something that can be enjoyed by the community and visitors alike.

The metal frame will be mounted on a concrete pad. It is proposed that the first frame be installed at Fox Chase Park with 3-4 additional locations TBD. The frame will be grounded and stabilized with rebar to ensure safety and stability. The frame will have a formal appearance, embellished with gold, shiny metal (see attached image). Additional project sites will incorporate frames to fit their surroundings, with each possessing a unique and complimentary design/theme. Parks and Recreation Superintendent, Brian Sartain, will be fabricating the metal frame based on the Art Commission's design. Members of his team will install the frame at Fox Chase Park this Spring. The Parks Department staff possess unique talents and skillsets, resulting in substantial project cost savings and superior quality craftsmanship.

At the November 2022 meeting, the Art Commission voted to recommend the *Picture This* project to City Council. The Commission is asking for approval to proceed with the project and funding in the amount of \$6,000.00 from the Art in Public Places funds attached to bond projects to be used for the design and construction of 1 metal picture frame, mounting

materials and concrete pad for placement. The Art Commission Chair, Ginger Womble, will be at the meeting to present the project and answer any questions.

**Picture This Frame Design Concept**

