

AGENDA



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
OCTOBER 13, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

(I) CALL TO ORDER

(II) OPEN FORUM

(III) CONSENT AGENDA

(1) Approval of Minutes for the September 29, 2020 Planning and Zoning Commission meeting.

(2) **P2020-036 (DAVID GONZALES)**

Discuss and consider a request by T. Zachary Grimes of Cross Engineering Consultants, Inc. on behalf of Russell Phillips of Harbor LakePointe Investors, LLC for the approval of a Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition being a 7.538-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and all of Lots 3 & 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill Way, and take any action necessary.

(3) **P2020-037 (DAVID GONZALES)**

Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

(4) **P2020-039 (DAVID GONZALES)**

Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Master Plat and Open Space Master Plan for the Discovery Lakes Subdivision consisting of 428 single-family residential lots on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochellee Road, and take any action necessary.

(5) **P2020-040 (DAVID GONZALES)**

Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Preliminary Plat for Phase 1 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 36.42-acre tract of land identified as a portion of Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District, generally located on the northside of SH-276 east of the intersection of SH-276 and Rochelle Road, and take any action necessary.

(IV) PUBLIC HEARING ITEMS

(6) **Z2020-039 (RYAN MILLER)**

Hold a public hearing to discuss and consider approval of a Text Amendment to Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of amending the accessory structure standards, and take any action necessary.

(7) **Z2020-040 (RYAN MILLER)**

Hold a public hearing to discuss and consider approval of a Text Amendment to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan for the purpose of changing the alignment and designation of Pecan Valley Drive, and take any action necessary.

(V) ACTION ITEMS

(8) **MIS2020-011 (HENRY LEE)**

Discuss and consider a request by J. W. Jones for the approval of a Miscellaneous Case for a special request in accordance with the requirements of Planning Development District 75 (PD-75) [*Ordinance No. 16-01*] for a 0.33-acre parcel of land identified as a

portion of Lot 1050 and all of Lot 1051, Rockwall Lake 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 247 Chris Drive, and take any action necessary.

(VI) DISCUSSION ITEMS

(9) Director's Report of post City Council meeting outcomes for development cases **(RYAN MILLER)**.

- P2020-035: Replat for Lot 3, Block A, Woods at Rockwall Addition **(APPROVED)**
- P2020-038: Replat for Lots 10 & 11, Block A, Stone Creek Retail Addition **(APPROVED)**
- P2020-041: Final Plat for Lot 1, Block A, Bacon Addition **(APPROVED)**
- P2020-035: Final Plat for Lots 1 & 2, Block A, K. U. Ranch and Rec Addition **(APPROVED)**
- Z2020-033: SUP for a *Residential Infill in an Established Subdivision* for 210 Wade Drive **(APPROVED; 2ND READING)**
- Z2020-037: SUP for a *Restaurant, Less Than 2,000 SF, with Drive-Through* for 150 Pecan Valley Drive **(DENIED)**
- Z2020-038: SUP for a *Residential Infill in an Established Subdivision* for 257 & 269 Russell Drive **(APPROVED; 2ND READING)**
- MIS2020-012: Special Request for 840 & 848 Lakeside Drive **(APPROVED)**

(VII) ADJOURNMENT

The City of Rockwall Planning and Zoning Commission reserves the right to adjourn into executive session at any time to discuss any matters listed on the agenda above, as authorized by Texas Local Government Code §55.071 (Consultation with City Attorney) or any other exception allowed under Chapter 551 of the Texas Local Government Code.

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) 772-6406 for further information.

I, Angelica Gamez, Planning and Zoning Coordinator 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 October 9, 2020 at 5:00 PM, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
SEPTEMBER 29, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Chodun called the meeting to order at 6:03 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas,
5 Mark Moeller, Jean Conway, and Vice-Chairman Jerry Welch. Staff present were Director of Planning and Zoning Ryan Miller, Planning
6 Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil
7 Engineers Sarah Johnston and Jeremy White.

8
9 II. OPEN FORUM
10

11 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There
12 being no one coming forward, Chairman Chodun closed the open forum.

13
14 III. APPOINTMENTS
15

- 16 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments
17 for items on the agenda requiring architectural review.

18
19 Director of Planning and Zoning Ryan Miller advised the Commission that the cases submitted did not require review by the Architectural
20 Review Board.

21
22 IV. CONSENT AGENDA
23

- 24 2. Approval of Minutes for the September 15, 2020 Planning and Zoning Commission meeting.

25
26 3. **P2020-035 (DAVID GONZALES)**

27 Consider a request by Brad Williams of Winstead PC on behalf of Brian Thornton of Mountainprize, Inc. for the approval of a Replat for Lot 3,
28 Block A, Woods at Rockwall Addition being a 2.46-acre parcel of land identified as a portion of Lots 1 & 2, Block A, Woods at Rockwall Addition,
29 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at
30 the intersection of Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

31
32 4. **P2020-038 (HENRY LEE)**

33 Consider a request by Clay Cristy of ClayMoore Engineering on behalf of Grey Stogner of Metroplex Acquisition Fund, LP for the approval of a
34 Replat for Lots 10 & 11, Block A, Stone Creek Retail Addition being an eight (8) acre parcel of land identified as Lot 8, Block A, Stone Creek Retail
35 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses,
36 situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located north of the intersection of Stone Creek Drive and Bordeaux
37 Drive, and take any action necessary.

38
39 5. **P2020-041 (HENRY LEE)**

40 Consider a request by Brad Bacon of Bacon Property, LLC for the approval of a Final Plat for Lot 1, Block A, Bacon Addition being a 3.57-acre
41 tract of land identified as Lot 1-M of the Bodin Industrial Tract, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-
42 30 Overlay (IH-30 OV) District, addressed as 2055 Kristy Lane, and take any action necessary.

43
44 6. **P2020-042 (DAVID GONZALES)**

45 Discuss and consider a request by Wesley & Carlee Kuenstler and Bandon & Pare Underwood for the approval of a Final Plat for Lots 1 & 2, Block
46 A, K. U. Ranch and Rec Addition being a 6.83-acre tract of land identified as Tract 26 of the J. P. Davis Survey, Abstract No. 249, Collin County,
47 Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), address 11644 County Road 536, and take any action necessary.

48
49 Commissioner Sedric Thomas made a motion to approve the consent agenda. Commissioner Derek Deckard seconded the motion which
50 passed by a vote of 7-0.

51
52 V. ACTION ITEMS
53

54 7. **MIS2020-012 (HENRY LEE)**

55 Discuss and consider a request by Harold D. Fetty III on behalf of Robert Avalos and Latonia Baker for the approval of a Miscellaneous Case for
56 a special request in accordance with the requirements of Planned Development District 75 (PD-75) [Ordinance No. 16-01] for a 0.179-acre tract
57 of land identified as Lots 280 & 281, Block B, Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
58 Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 840 & 848 Lakeside Drive, and take any action
59 necessary.

60
61 Planner Henry Lee provided a brief summary in regards to the request. Based on aerial imagery from 2005, the driveway on the on 848
62 Lakeside appears to slightly be on property 840 Lakeside Drive. According to the applicant, the property was about to be sold and the
63 encroachment was discovered by the surveyor. This issue needs to be corrected on the replat in order to be considered complete. Right
64 now, both of the properties are considered non-conforming to the Planned Development 75 (PD-75) District requirements. The
65 applicant's request would increase the size of 848 Lakeside to 4,576 square feet but reduce the size of 840 to 3,238 square feet. This

66 change would bring 848 Lakeside closing to conforming to the lot size requirements for PD-75; however, it increases the non-
67 conformance of 840 Lakeside. This comes before the Planning and Zoning Commission because in PD-75 allows City Council to
68 consider all special requests for all issues not relating to land use. With this, City Council would be considering the request to allow
69 840 Lakeside Drive to a minimum lot size of 3,238 square feet. All other requirements concerning this request deem to be legally
70 conforming or non-conforming. Staff does want to point out that Lake Rockwall Estates Subdivision has other similar non-conformities
71 that have been documented in this area. Any special request is a discretionary for City Council pending a recommendation from the
72 Planning and Zoning Commission. If this is approved, then the item must come back for approval of the replat.
73

74 Vice-Chairman Welch asked if both parties were in agreement and Chairman Chodun asked how this issue came about.
75

76 Vice-Chairman Welch made a motion to approve item MIS2020-012 with staff recommendations. Commissioner Womble seconded the
77 motion which passed by a vote of 7-0.
78

79 VI. PUBLIC HEARING ITEMS
80

81 8. Z2020-037 (RYAN MILLER)

82 Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad
83 Holdings, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-
84 acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned
85 Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as
86 150 Pecan Valley Drive, and take any action necessary.
87

88 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He advised the Commission that they
89 had voted to deny this request twice in the past. The first time it was withdrawn and returned and the second time it was taken to City
90 Council, where the applicant submitted changes last minute that reduced the square footage of the building. The reason why the change
91 is important is that it reduced the number of variances requested. According to the Unified Development Code (UDC), new matters of
92 evidence not presented to the Planning and Zoning Commission are required to be remanded back to the Commission for consideration.
93 In this case, the only thing that has changed is the reduction of the building by 200 square feet, which does reduce the parking variance,
94 but the applicant is still requesting variances to the land use requirements, the driveway spacing requirements, and the dumpster
95 orientation. Staff would like to add that there was an additional notice received in opposition to the request. The Commission is required
96 to hold a public hearing tonight and Mr. Miller advised that he was present and available to answer questions.
97

98 Commissioner Deckard asked if this was considered to go through a floodplain study or if there were any other engineering issues
99 involved.
100

101 Chairman Chodun asked the applicant to come forward but the applicant was not present.
102

103 Chairman Chodun opened the public hearing and asked anybody who wished to speak to come forward at this time.
104

105 Bob Wacker
106 309 Featherstone
107 Rockwall, TX 75032
108

109 Mr. Wacker came forward and provided his opinion and summary in regards to the request.
110

111 Mr. Miller added that the applicant had not provided any additional information in regards to the case.
112

113 Chairman Chodun asked if anyone else wished to speak to come forward at this time; there being no one indicating such, Chairman
114 Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
115

116 Vice-Chairman Welch made a motion to approve item Z2020-037 with staff recommendations. Deckard seconded the motion and a brief
117 discussion took place.
118

119 Commissioner Moeller expressed his disapproval in regards to the request as did Commissioner Womble and Commissioner Thomas.
120 Commissioner Conway found the turn onto Pecan Valley to be dangerous and could not support the request either. Chairman Chodun
121 then indicated they would take a vote on the item.
122

123 After a vote, item Z2020-037 was denied by a vote of 5-2 with Commissioner Deckard and Vice-Chairman Welch dissenting.
124

125 VII. DISCUSSION ITEMS
126

127 9. Z2020-039 (RYAN MILLER)

128 Hold a public hearing to discuss and consider approval of a Text Amendment to Article 05, District Development Standards, of the Unified
129 Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the accessory structure standards, and take any action necessary.
130

131 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He explained that two weeks ago, Staff
132 held a work session with City Council concerning accessory structures and specifically the data based on how many cases Staff has
133 recently received without having the proper permits and how building standards were vague. Ultimately, it was decided that there

134 **wasn't a problem with the ordinance but they wanted Staff to bring forward some clarifications to the ordinance. Since then, Staff has**
135 **worked with the Plans Examiner to reexamine the ordinance further and Staff will later provide visual images of how or where accessory**
136 **structures can fit. A finalized copy of the ordinance will be brought to the next meeting. As of right now, most of the clarifications deal**
137 **with detached garages and what constitutes a driveway. This will also breakdown covered porches, carports, and pergolas into separate**
138 **sections as well as explain the different standards for each. In addition, City Council also directed Staff to make changes to the Building**
139 **Permit application, the building permit fee schedule, and Staff has already put in place a penalty for contractors who do work without a**
140 **permit. At the moment, all contractors who do work within the City are required to register with us and are charged a \$100.00 fee. Any**
141 **contractor that does work without a permit in the City of Rockwall will have their contractor's license revoked and will have to reapply**
142 **for it. The fully developed amendment for the Unified Development Code will be presented at the next meeting. Mr. Miller advised the**
143 **Commission that Staff sent out a 15-day notice as required by State law and he was available to answer questions.**
144

145 Vice-Chairman Welch asked if the contractor registration fee was in place now or was it recently added. Commissioner Womble asked
146 if there was any discussion in regards to the size of the accessory structures.
147

148 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to
149 the Commission for action at the next scheduled meeting on October 13, 2020.
150

151 10. Z2020-040 (RYAN MILLER)

152 Hold a public hearing to discuss and consider approval of a Text Amendment to the Master Thoroughfare Plan contained in the OURHometown
153 Vision 2040 Comprehensive Plan for the purpose of changing the alignment and designation of Pecan Valley Drive, and take any action necessary.
154

155 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. Mr. Miller explained that the City recently
156 got some land by Pecan Valley and was dedicated to the City by the owner of that property. As of right now, the City does not have any
157 plans for the land but they are looking for ways to put the properties on the south side of West Quail Run on the City sewer system. In
158 order to do that, one of the ideas was to take a portion of the property and adding on two (2) lots to facilitate that purchase in the future.
159 **Under the City's guidelines, it is believed that that piece of property will be a part of the Pettinger Preserve in the future or used in some**
160 **similar manner. The roadway extending from Pecan Valley to Random Oaks is no longer in need of being a minor collector. What is**
161 **being requested is potentially removing Random Oaks, Bending Oaks Trail, and Pecan Valley from the Master Thoroughfare Plan. That**
162 **will allow Staff to move the two (2) lots over and put them outside of the flood plain before they are put out to bid. Mr. Miller then advised**
163 **that he was available to answer questions.**
164

165 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
166 Commission for action at the next scheduled meeting on October 13, 2020.
167

168 11. P2020-036 (DAVID GONZALES)

169 Discuss and consider a request by T. Zachary Grimes of Cross Engineering Consultants, Inc. on behalf of Russell Phillips of Harbor LakePointe
170 Investors, LLC for the approval of a Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition being a 7.538-acre tract of land identified as Lots
171 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and all of Lots 3 & 4, Block 18, Moton Addition, City of Rockwall, Rockwall
172 County, Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill Way, and
173 take any action necessary.
174

175 Planning Manager David Gonzales advised the Commission that the only reason why the case was coming before them tonight was
176 because it had to be presented at the Park Board meeting as well. It will be under the Consent Agenda portion at the next meeting.
177

178 Vice-Chairman Welch asked what the path was that ran by the cemetery and over into Summer Lee. Mr. Miller stated that it was dedicated
179 as right-of-way at one point but it was never developed.
180

181 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
182 Commission for action at the next scheduled meeting on October 13, 2020.
183

184 12. P2020-037 (DAVID GONZALES)

185 Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat
186 for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland
187 Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the
188 terminus of Farm Lane east of Anna Cade Road, and take any action necessary.
189

190 Planning Manager David Gonzales explained that the property was in the Extraterritorial Jurisdiction (ETJ) and will go to Rockwall
191 County for their review as well prior to approval. This is a request for a development of nine (9) 5-acre lots and once it goes thru all the
192 technical requirements then it will return to the Commission for approval.
193

194 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
195 Commission for action at the next scheduled meeting on October 13, 2020.
196

197 13. P2020-039 (DAVID GONZALES)

198 Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC
199 for the approval of a Master Plat and Open Space Master Plan for the Discovery Lakes Subdivision consisting of 428 single-family residential lots
200 on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract
201 No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-

202 Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action
203 necessary.
204

205 Planning Manager David Gonzales advised the Commission that the only reason why the case was coming before them tonight was
206 because it had to be presented at the Park Board meeting as well.
207

208 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
209 Commission for action at the next scheduled meeting on October 13, 2020.
210

211 14. P2020-040 (DAVID GONZALES)

212 Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC
213 for the approval of a Preliminary Plat for Phase 1 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 36.42-acre
214 tract of land identified as a portion of Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned
215 Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District, generally located on the northside of SH-276 east of the intersection
216 of SH-276 and Rochelle Road, and take any action necessary.
217

218 Planning Manager David Gonzales advised the Commission that the only reason why the case was coming before them tonight was
219 because it had to be presented at the Park Board meeting as well. It will be under the Consent Agenda portion at the next meeting if
220 they present a Master Plan of the project on time.
221

222 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
223 Commission for action at the next scheduled meeting on October 13, 2020.
224

225 15. SP2020-025 (HENRY LEE)

226 Discuss and consider a request Harper J. Kuper of SVEA Industrial II, LLC for the approval of a Site Plan for the *expansion of an existing industrial*
227 *facility* on a 1.915-acre tract of land being identified as a portion of Lot 3 and all of Lot 3A-R, Block C, Ellis Centre #2 Addition, City of Rockwall,
228 Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1203 Sigma Court, and take any action necessary.
229

230 Planner Henry Lee provided a brief summary in regards to the request. This case is coming before the Commission due to Staff finding
231 issues on their photometric plan. If the issues are resolved then the request will be approved administratively. If they are not resolved
232 then the case will be presented again at the next meeting.
233

234 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
235 Commission for action at the next scheduled meeting on October 13, 2020.
236

237 16. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
238

- 239 • P2020-034: Final Plat for Lot 1, Block A, Pecan Valley Retail Addition [APPROVED]
- 240 • Z2020-033: SUP for a *Residential Infill in an Established Subdivision* for 210 Wade Drive [APPROVED; 1st READING]
- 241 • Z2020-035: SUP for a *Restaurant, 2,000 SF or More, with Drive-Through* for 902 & 906 S. Goliad Street [WITHDRAWN]
- 242 • Z2020-036: SUP for a *Structure that Exceeds 60-Feet in a Light Industrial (LI) District* for 1540 E. IH-30 [DENIED]
- 243 • Z2020-037: SUP for a *Restaurant, Less Than 2,000 SF, with Drive-Through* for 150 Pecan Valley Drive [REMANDED BACK TO THE
244 PLANNING AND ZONING COMMISSION]
- 245 • Z2020-033: SUP for a *Residential Infill in an Established Subdivision* for 257 & 269 Russell Drive [APPROVED; 1st READING]

246
247 Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council
248 meeting. Mr. Miller also mentioned that the city of Rockwall was recognized as the #4 Best Place to Live in the US by Money Magazine.
249 He also recognized both of the new Commissioners, Derek Deckard and Dr. Jean Conway, and welcomed them to the Commission.
250

251 VIII. ADJOURNMENT

252
253 Chairman Chodun adjourned the meeting at 6:41 PM.
254

255 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
256 _____ day of _____, 2020.
257

258
259 _____
Eric Chodun, Chairman

260 Attest:

261 _____
262 Angelica Gamez, Planning and Zoning Coordinator
263



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: October 13, 2020
APPLICANT: T. Zachary Grimes; *Cross Engineering Consultants, Inc.*
CASE NUMBER: P2020-036; *Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition*

SUMMARY

Discuss and consider a request by T. Zachary Grimes of Cross Engineering Consultants, Inc. on behalf of Russell Phillips of Harbor LakePointe Investors, LLC for the approval of a Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition being a 7.538-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and all of Lots 3 & 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill Way, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a final plat for a 7.538-acre tract of land for purpose of creating three (3) lots (*i.e. Lots 1, 2, & 3, Block A, Harbor Hills Addition*) and dedicating firelane, public access, drainage, & utility easements, and abandoning certain easements (*i.e. water & access easements*) to facilitate the development of the subject property. Additionally, the final plat will dedicate the 50-foot wide public right-of-way for Glen Hill Way, which will bisect the subject property and connect to the existing roadway adjacent to the eastern and southern property lines.
- ☑ On February 17, 2003, the City Council approved a zoning change for the subject property from an Agricultural (AG) District to a General Retail (GR) District by *Ordinance No. 03-08 [Case No. PZ2002-095-01]*. This designation was changed to Planned Development District 32 (PD-32) on September 20, 2010 by *Ordinance No. 10-21*. On March 10, 2015, the Planning and Zoning Commission approved a site plan for a 265-unit condominium building [*Case No. SP2015-004*] on the 7.58-acre subject property. On March 16, 2015, the City Council approved waivers to the building height and variances to the material requirements. On December 11, 2018, the Planning and Zoning Commission approved an amended site plan [*Case No. SP2018-037*] that exhibited minor changes to the building's exterior. On September 15, 2020, the Planning and Zoning Commission approved and amended site plan [*Case No. SP2020-018*] for the purpose of changing the exterior color of the building.
- ☑ On October 6, 2020 the Parks and Recreation Board reviewed the Final Plat and made the following recommendations concerning the proposed project (*which is located within Park District No. 17*):
 - (1) The developer shall pay pro-rata equipment fees of \$58,300.00 (*i.e. \$220.00 x 265 lots*) to be paid at the time of final plat.
 - (2) The developer shall pay cash in lieu of land fees of \$61,480.00 (*i.e. \$232.00 x 265 lots*) to be paid at the time of final plat.
- ☑ 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 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 Planning and Zoning Commission chooses to recommend approval of the Final Plat for *Lots 1, 2, & 3, Block A, Harbor Hills 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;
- (2) The development shall adhere to the recommendations of the Parks and Recreation Board;
- (3) A *Treescape Plan* depicting the full property and all trees being removed for this development will be required prior to the issuance of a grading permit. In addition, all tree mitigation balances will need to be satisfied prior to the removal of any trees on-site;
- (4) The construction of Glen Hill Way will need to be completed and accepted by the City of Rockwall prior to the building receiving final approval from the Building Inspections and Engineering Departments; and,
- (5) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-036

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address Summer Lee Drive

Subdivision Harbor Hills Addition Lot 1, 2, & 3 Block A

General Location South of the intersection of Summer Lee Dr. and Sunset Ridge Dr.

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD Current Use Vacant

Proposed Zoning PD Proposed Use Multifamily

Acreage 7.538 Lots [Current] N/A Lots [Proposed] 3

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]

<input type="checkbox"/> Owner	<u>Harbor Lake Pointe Investors, LLC</u>	<input type="checkbox"/> Applicant	<u>Cross Engineering Consultants, Inc.</u>
Contact Person	<u>Russell Phillips</u>	Contact Person	<u>T. Zachary Grimes</u>
Address	<u>2701 Sunset Ridge Drive, Suite 607</u>	Address	<u>1720 W Virginia St</u>
City, State & Zip	<u>Rockwall, Texas 75032</u>	City, State & Zip	<u>McKinney, Texas 75069</u>
Phone	<u>469-446-7734</u>	Phone	<u>972-562-4409</u>
E-Mail	<u>Russell@sterlingone.us</u>	E-Mail	<u>zgrimes@crossengineering.biz</u>

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Russell B. Phillips [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 \$ 450.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 16 day of September, 20 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 16 day of September, 20 20.

Owner's Signature

Russell B. Phillips

Notary Public in and for the State of Texas

Colorado

STERLING KYLE FARNSWORTH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184031897
MY COMMISSION EXPIRES 08/09/2022
 My Commission Expires 8-9-2022

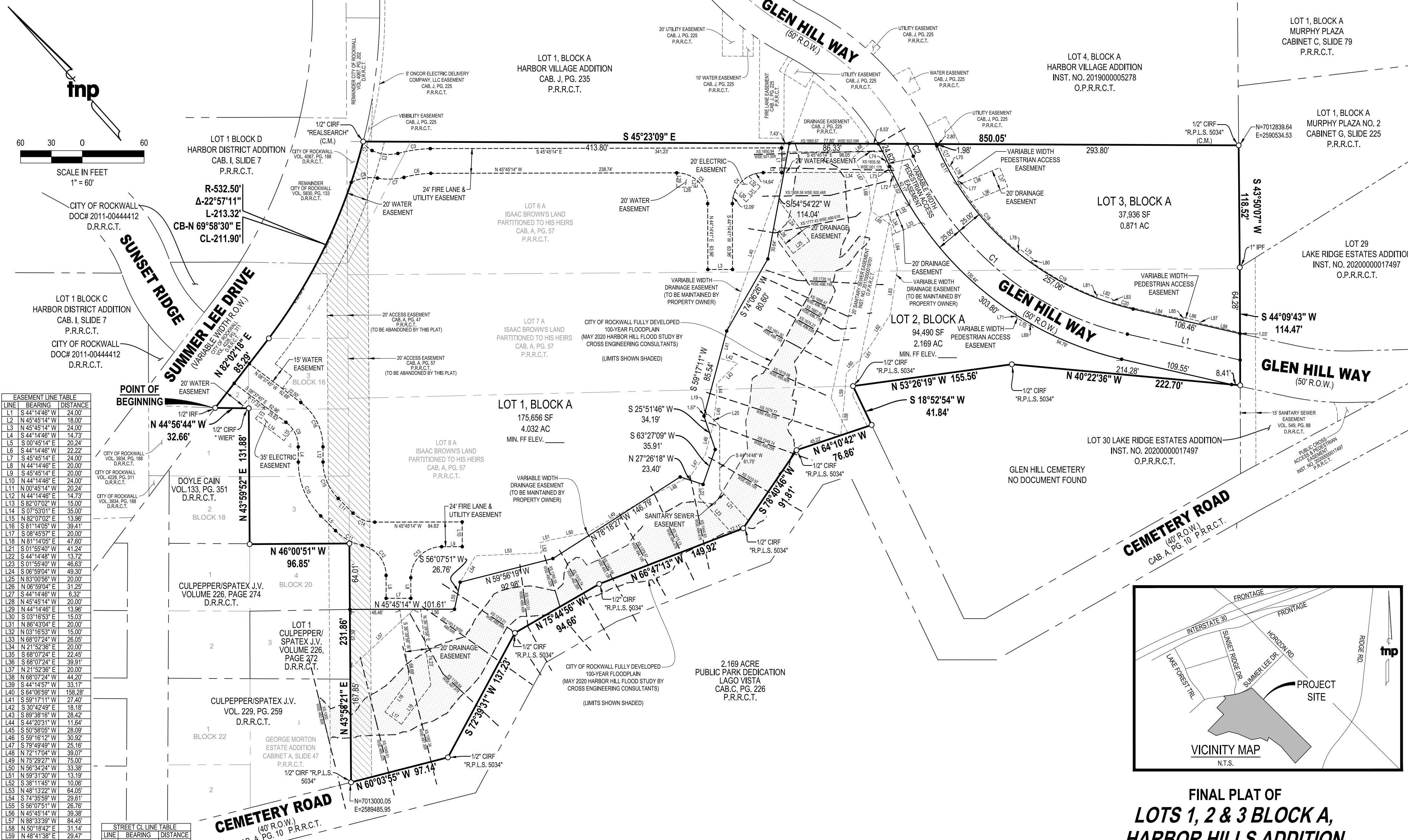


City of Rockwall

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.





EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	S 44°14'45" W	24.00'
L2	N 45°45'14" W	18.00'
L3	N 45°45'14" W	24.00'
L4	S 44°14'46" W	14.73'
L5	S 00°45'14" E	20.24'
L6	S 44°14'46" W	22.22'
L7	S 45°45'14" E	24.00'
L8	N 44°14'46" E	20.00'
L9	S 45°45'14" E	20.00'
L10	N 44°14'46" E	24.00'
L11	N 00°45'14" W	20.24'
L12	N 44°14'46" E	14.73'
L13	S 82°07'02" W	15.00'
L14	S 07°53'01" E	35.00'
L15	N 82°07'02" E	13.96'
L16	S 81°14'05" W	39.41'
L17	S 08°45'57" E	20.00'
L18	N 81°14'05" E	47.60'
L21	S 01°55'40" W	41.24'
L22	S 44°14'48" W	13.72'
L23	S 01°55'40" W	46.63'
L24	S 06°59'04" W	49.30'
L25	N 83°00'56" W	20.00'
L26	N 08°59'04" E	31.25'
L27	S 44°14'46" W	6.32'
L28	N 45°45'14" W	20.00'
L29	N 44°14'46" E	13.96'
L30	S 03°16'53" E	15.03'
L31	N 86°43'04" E	20.00'
L32	N 03°16'53" W	15.00'
L33	N 68°07'24" W	26.05'
L34	N 21°52'36" E	20.00'
L35	S 68°07'24" E	22.45'
L36	S 68°07'24" E	39.91'
L37	N 21°52'36" E	10.00'
L38	N 68°07'24" W	44.20'
L39	S 44°14'57" W	33.17'
L40	S 64°06'59" W	158.28'
L41	S 59°17'11" W	27.40'
L42	S 30°42'49" E	18.18'
L43	S 89°38'16" W	28.42'
L44	S 44°20'31" W	11.64'
L45	S 50°58'05" W	28.09'
L46	S 59°16'12" W	30.92'
L47	S 78°49'49" W	25.16'
L48	N 72°17'04" W	39.07'
L49	N 75°29'27" W	15.00'
L50	N 56°34'24" W	33.38'
L51	N 59°31'30" W	13.19'
L52	S 38°11'45" W	10.06'
L53	N 48°13'22" W	64.05'
L54	S 74°35'59" W	29.61'
L55	S 56°07'51" W	26.76'
L56	N 45°46'14" W	39.38'
L57	N 88°33'39" W	84.45'
L58	N 50°18'42" E	31.14'
L59	N 48°41'38" E	29.47'
L60	N 89°34'41" E	16.93'
L61	N 81°48'25" E	18.83'
L62	N 77°01'04" E	35.40'
L63	N 53°18'41" E	44.30'
L64	N 35°58'45" E	44.01'
L65	N 10°09'27" W	23.35'
L66	N 39°06'27" E	24.60'
L67	N 15°43'15" E	31.48'
L68	S 85°16'07" E	20.51'
L69	S 74°03'09" W	2.01'
L70	N 41°33'19" W	16.16'
L71	N 76°46'24" E	2.01'
L72	N 70°49'38" W	2.01'
L73	N 20°04'44" E	16.00'
L74	S 70°30'57" E	1.99'
L75	S 74°08'05" E	1.83'
L76	S 14°16'56" W	15.97'
L77	N 77°18'02" W	2.07'
L78	N 83°32'54" E	3.00'
L79	S 08°02'04" E	15.97'
L80	S 80°22'57" W	3.08'
L81	N 85°10'17" E	3.15'
L82	S 26°32'49" E	15.81'
L83	S 81°53'15" W	3.10'
L84	S 32°40'47" E	49.94'
L85	N 58°19'15" E	2.13'
L86	S 31°40'45" E	16.00'
L87	S 58°19'15" W	1.85'
L88	S 32°40'47" E	40.29'

STREET CL LINE TABLE

LINE	BEARING	DISTANCE
L1	N 32°40'47" W	112.31'

STREET CL CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	300.00'	53°33'28"	280.43'	N 05°54'15" W	270.33'
C2	240.00'	3°04'15"	13.13'	N 19°20'22" E	13.13'

EASEMENT CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	30.14'	22°47'08"	11.99'	S 03°33'19" E	11.91'
C2	38.04'	38°39'09"	25.66'	S 39°18'07" E	25.18'
C3	137.59'	13°16'58"	31.90'	S 54°04'39" E	31.83'
C4	30.00'	90°00'05"	47.12'	S 89°14'43" W	42.43'
C5	30.00'	89°59'55"	47.12'	N 00°45'17" W	42.43'
C6	113.11'	13°25'08"	26.49'	N 54°12'46" W	26.43'
C7	62.04'	23°55'33"	25.91'	N 47°08'16" W	25.72'
C8	41.84'	35°58'27"	26.27'	N 54°59'31" W	25.84'
C9	30.00'	52°52'31"	27.69'	S 17°48'30" W	26.71'
C10	74.00'	45°00'00"	58.12'	S 21°44'46" W	56.64'
C11	54.00'	31°48'25"	29.98'	S 16°39'27" E	29.59'
C12	30.00'	78°48'25"	40.22'	S 05°50'33" W	37.27'
C13	30.00'	90°00'00"	47.12'	N 89°14'48" E	42.43'
C14	30.00'	45°00'00"	23.56'	N 23°15'14" W	22.96'
C15	50.00'	45°00'00"	39.27'	N 21°44'46" E	38.27'
C16	54.00'	52°52'31"	49.83'	N 17°48'30" E	48.08'
C17	266.98'	5°11'30"	24.19'	S 19°27'38" W	24.18'
C18	266.98'	19°24'46"	90.46'	S 03°42'23" W	90.03'
C19	266.98'	15°33'47"	72.52'	S 17°14'45" W	72.30'
C20	266.98'	4°35'02"	21.36'	S 30°44'57" E	21.35'

LEGEND

(C.M.) - CONTROLLING MONUMENT
 IRF - IRON ROD FOUND
 CIRF - CAPPED IRON ROD FOUND
 NTS - NOT TO SCALE
 R.O.W. - RIGHT OF WAY
 INST. - INSTRUMENT
 CAB. - CABINET
 VOL. - VOLUME
 NO. - NUMBER
 PG. - PAGE
 SF - SQUARE FEET
 AC - ACRES
 XS - CROSS SECTION
 WSE - WATER SURFACE ELEVATION
 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

EASEMENT TO BE ABANDONED BY THIS PLAT

NOTES:

- BEARINGS ARE REFERENCED TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE 4202; NAD83(2011) EPOCH 2010) AND TIED TO THE CITY OF ROCKWALL GPS MONUMENT NETWORK
- UNLESS OTHERWISE NOTED ALL CORNERS ARE A 5/8 INCH IRON ROD SET WITH CAP STAMPED "TNP"
- BY GRAPHIC SCALE ONLY THE SUBJECT PROPERTY APPEARS TO LIE WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) NO. 48397C0040L DATED SEPTEMBER 26, 2008 OF THE NATIONAL INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
- THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.
- 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
 CITY OF ROCKWALL
 385 S. Goliad Street
 Rockwall, TX 75087

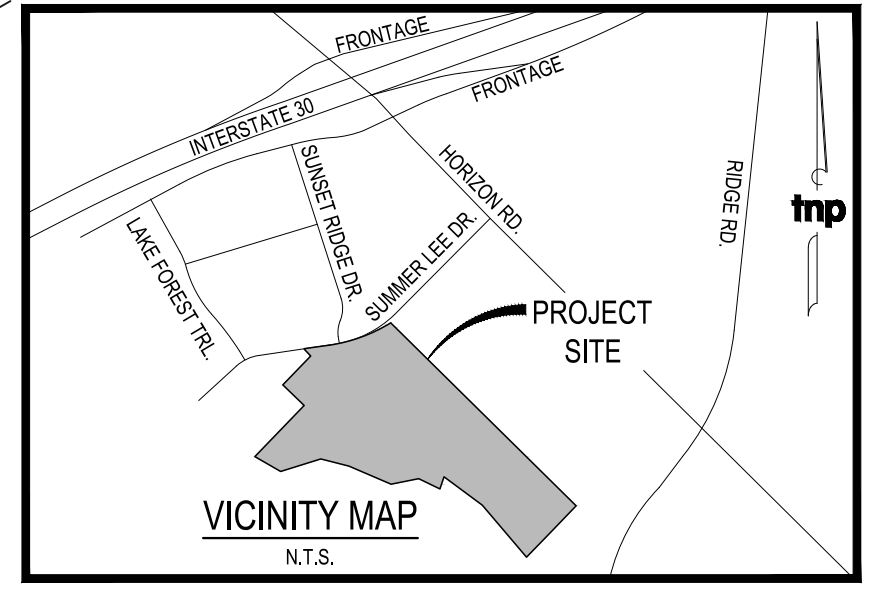
OWNER
 HARBOR LAKE POINTE INVESTORS, LLC.
 2701 Sunset Ridge Drive Suite 607
 Rockwall, TX 75032

PROJECT INFORMATION
 Project No.: HHI 18363
 Date: October 07, 2020
 Drawn By: JM
 Scale: 1"=60'



SURVEYOR
 TEAGUE NALL AND PERKINS, INC.
 825 Watters Creek Boulevard, Suite M300
 Allen, Texas 75013
 214.461.9867 ph 214.461.9864 fx
 T.B.P.L.S. Registration No. 10194381
 www.tnpsc.com

FINAL PLAT OF
LOTS 1, 2 & 3 BLOCK A,
HARBOR HILLS ADDITION
 328,373 SQUARE FEET OR 7.538 ACRES
 SITUATED IN THE EDWARD TEAL SURVEY, ABSTRACT 207
 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



OWNERS CERTIFICATION

STATE OF TEXAS}
COUNTY OF ROCKWALL}

WHEREAS Harbor Lake Pointe Investors, LLC., and the City of Rockwall are the owners a tract of land situated in the Edward Teal Survey, Abstract 207 and being all of three tracts of land described by deed to Harbor Lake Pointe Investors, LLC. as recorded in Instrument Number 20170000002427, Instrument Number 20170000003548 and Instrument Number 20150000011879 of the Official Public Records of Rockwall County, Texas, and a portion of two tracts of land to the City of Rockwall as recorded in Volume 4067, Page 188 and Volume 5830, Page 133 of the Deed Records of Rockwall County, Texas, also being all of Lot 3 and 4, Block 18 and a portion of Lot 2 and 4 and all of Lot 3, Block 16 of George Morton Estate as recorded in Cabinet A, slide 47 of the Plat Records of Rockwall County, Texas, also being a portion of Lot 6A, Lot 7A and Lot 8A of Isaac Brown's Land Partitioned to his Heirs as recorded in Cabinet A, Page 57 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found the northwest corner of said Harbor Heights tract recorded in Instrument Number 20170000002427 also lying on the southerly line of Summer Lee Drive, a variable width right-of-way;

THENCE North 82 degrees 02 minutes 18 seconds East, along the southerly line of said Summer Lee Drive, a distance of 85.29 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the beginning of a curve to the left;

THENCE along the southerly line of said Summer Lee Drive with said curve to the left having a radius of 532.50 feet, a central angle of 22 degrees 57 minutes 11 seconds, an arc length of 213.32 feet, a chord bearing of North 69 degrees 58 minutes 30 seconds East, a distance of 211.90 feet to a 5/8 inch iron rod with cap stamped "RESEARCH" found for the west corner of Lot 1, Block A, Harbor Village Addition, an addition to the City of Rockwall as recorded in Cabinet J, Page 225 of the Plat Records of Rockwall County, Texas;

THENCE South 45 degrees 23 minutes 09 seconds East, along the southwest line of said Lot 1, Block A, a distance of 850.05 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034" found for the south corner of Lot 29, Lake Ridge Estates, an addition to the City of Rockwall as recorded in Instrument Number 20200000017497 of the Official Public Records of Rockwall County, Texas;

THENCE South 43 degrees 50 minutes 07 seconds West, along the northwest line of said Murphy Plaza, a distance of 118.52 feet to a 1 inch iron pipe found for the west corner of same, also for the north corner of Lot 29, Lake Ridge Estates, an addition to the City of Rockwall as recorded in Instrument Number 20200000017497 of the Official Public Records of Rockwall County, Texas;

THENCE South 44 degrees 09 minutes 43 seconds West, along the northwest line of said Lake Ridge Estates, a distance of 114.47 feet to a 5/8 inch iron rod with cap stamped "TNP" set for the southeast corner of the aforementioned Harbor Lake Pointe Investors, LLC. tract as recorded in Instrument Number 20150000011879;

THENCE along the southerly line of said Harbor Lake Point Investors tract recorded in Instrument Number 20150000011879 the following courses and distances:

North 40 degrees 22 minutes 36 seconds West, a distance of 222.70 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034 found for corner;

North 53 degrees 26 minutes 19 seconds West, a distance of 155.56 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034 found for corner;

South 18 degrees 52 minutes 54 seconds West, a distance of 41.84 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

North 64 degrees 10 minutes 42 seconds West, a distance of 76.86 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034 found for corner;

South 78 degrees 40 minutes 46 seconds West, a distance of 91.81 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034 found for corner;

North 66 degrees 47 minutes 13 seconds West, a distance of 149.92 feet to a 5/8 inch iron rod with cap stamped "TNP" set for corner;

North 75 degrees 44 minutes 56 seconds West, a distance of 94.66 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034 found for corner;

South 72 degrees 39 minutes 31 seconds West, a distance of 137.23 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034 found for corner;

North 60 degrees 03 minutes 55 seconds West, a distance of 97.14 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 5034 found for corner lying on the southeast line of the aforementioned George Morton Estate;

THENCE North 43 degrees 58 minutes 21 seconds East along the southeast line of said George Morton Estate, a distance of 231.86 feet to 5/8 inch iron rod with cap stamped "TNP" set for corner for the south corner of the aforementioned Harbor Lake Point Investors tract recorded in Instrument Number 20170000003548;

THENCE North 46 degrees 00 minutes 51 seconds West, along the southwest line of last mentioned Harbor Lake Point Investors tract, a distance of 96.85 feet to 5/8 inch iron rod with cap stamped "TNP" set for corner at the west corner of same;

THENCE North 43 degrees 59 minutes 52 seconds East, a distance of 131.88 feet to a 1/2 inch iron rod with cap stamped "WIER" found for ell corner of the aforementioned Harbor Lake Point Investors tract recorded in Instrument Number 20170000002427;

THENCE North 44 degrees 56 minutes 44 seconds West, along a southwest line of last mentioned Harbor Lake Point Investors tract, a distance of 32.66 feet to the POINT OF BEGINNING containing 328,373 square feet, or 7.538 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 HARBOR HILLS ADDITION 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 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 [HARBOR HILLS ADDITION subdivision have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following;

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City 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
7. Property owner shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements.

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; 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.

HARBOR HILLS POINTE INVESTORS, LLC.

Representative:

STATE OF TEXAS}
COUNTY OF ROCKWALL}

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

Given upon my hand and seal of office this _____ day of _____, 2020.

Notary Public in and for the State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian J. Maddox, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2020

BRIAN J. MADDOX, R.P.L.S. NO. 5430

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED
I hereby certify that the above and foregoing plat of HARBOR HILLS ADDITION, an addition to the City of Rockwall, Texas, was

approved by the City Council of the City of Rockwall on the _____ day of _____, 2020.

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 _____, 2020.

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

FINAL PLAT OF
LOTS 1, 2 & 3 BLOCK A,
HARBOR HILLS ADDITION

328,373 SQUARE FEET OR 7.538 ACRES

SITUATED IN THE EDWARD TEAL SURVEY, ABSTRACT 207
IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING ALL OF A THREE TRACTS OF LAND DESCRIBED BY DEED TO HARBOR LAKE POINTE INVESTORS, LLC. AS RECORDED IN INSTRUMENT NUMBER 20170000002427, INSTRUMENT NUMBER 20170000003548, AND INSTRUMENT NUMBER 20150000011879 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS AND A PORTION OF TWO TRACTS OF LAND TO THE CITY OF ROCKWALL AS RECORDED IN VOLUME 4067, PAGE 188 AND VOLUME 5830, PAGE 133 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS

OWNER
CITY OF ROCKWALL
385 S. Goliad Street
Rockwall, TX 75087

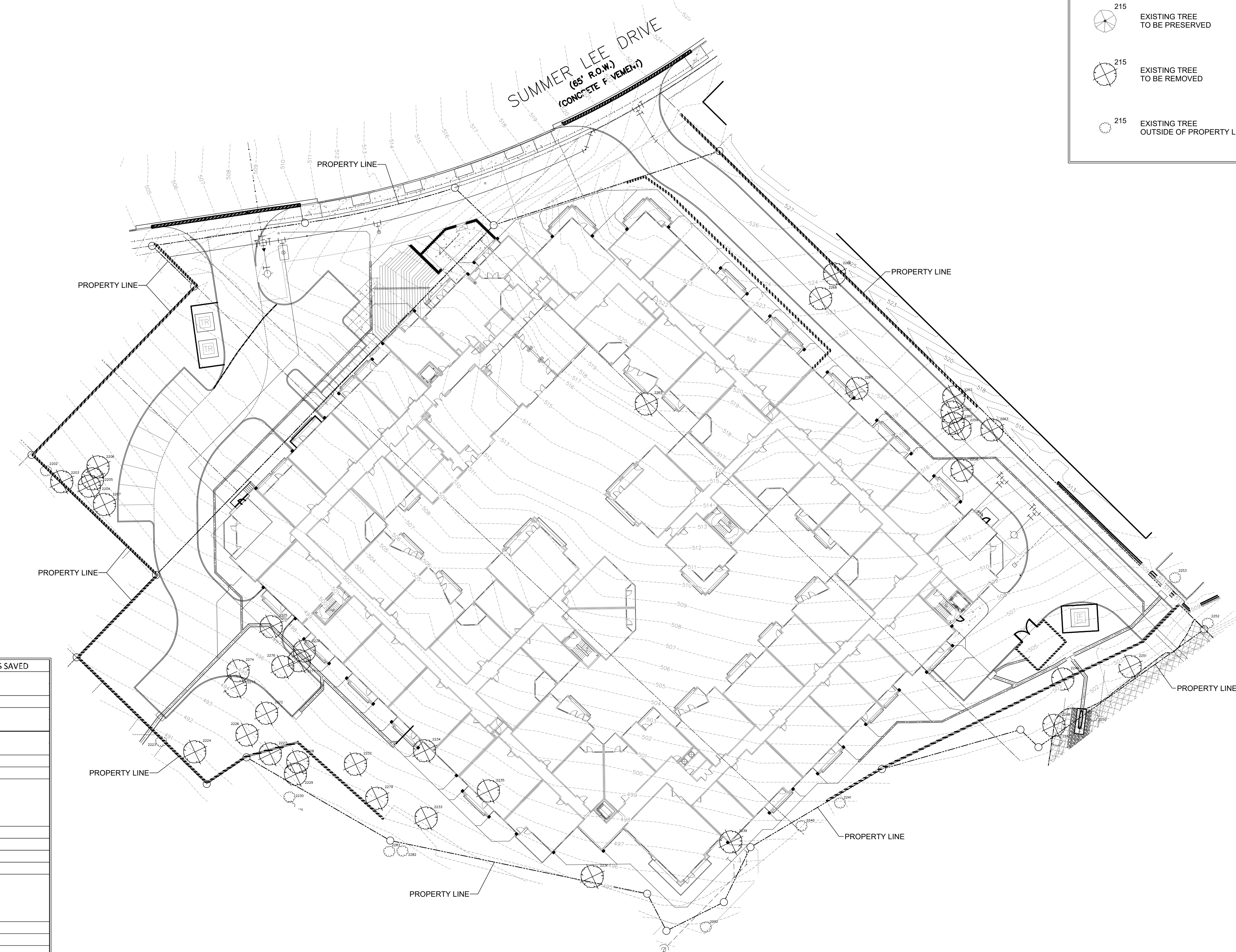
OWNER
HARBOR LAKE POINTE INVESTORS, LLC.
2701 Sunset Ridge Drive Suite 607
Rockwall, TX 75032

PROJECT INFORMATION
Project No.: HHI 18363
Date: October 07, 2020
Drawn By: JM
Scale: 1"=60'
SHEET 2 of 2






SURVEYOR
TEAGUE NALL AND PERKINS, INC.
825 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
T.B.P.L.S. Registration No. 10194381
www.tnpsc.com

CASE NO. P2020-036



TREE LEGEND

-  215 EXISTING TREE TO BE PRESERVED
-  215 EXISTING TREE TO BE REMOVED
-  215 EXISTING TREE OUTSIDE OF PROPERTY LINE

TREE MITIGATION CALCULATIONS

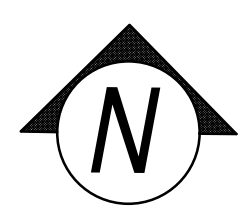
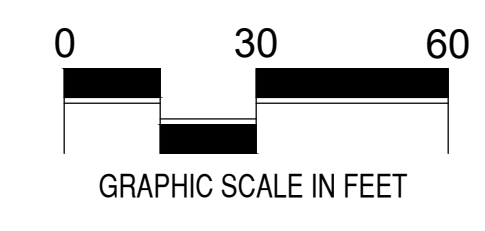
TREE PRESERVATION	
TOTAL INCHES ON SITE:	499 INCHES
TOTAL INCHES TO BE REMOVED:	499 INCHES
TOTAL INCHES TO BE PRESERVED:	0 INCHES
TOTAL PRESERVATION CREDITS:	0 INCHES
USABLE CREDITS (MAX 20% OF MITIGATION):	(0 INCHES)
TREE MITIGATION	
REQUIRED: 398 INCHES TO BE MITIGATED	
PROVIDED: (65) 4" CANOPY TREES = 260 INCHES PROVIDED	
REMAINING INCHES TO BE PLANTED ON SITE OR PAID TO THE TREE FUND	

GENERAL NOTES

NO TREES WITHIN 5' OF UTILITIES.

TREE TAG #	DIAMETER (in)	TREE TYPE	SAVE/REMOVE	INCHES MITIGATED	INCHES SAVED
203	5	Elm	R		5
204	8	Elm	R		8
205	6	Elm	R		6
206	6	Elm	R		6
207	12	Cedar	R		6
224	12	Cedar	R		6
226	18	Pecan	R		18
227	24	Pecan	R		24
228	18	Pecan	R		18
229	12	Cedar	R		6
232	20	Pecan	R		20
233	16	Cedar	R		8
234	20	Cedar	R		10
235	20	Pecan	R		20
236	12	Cedar	R		6
239	16	Oak	R		16
248	12	Pecan	R		12
249	12	Cedar	R		6
251	16	Pecan	R		16
258	20	Cedar	R		10
259	18	Cedar	R		9
260	18	Cedar	R		9
261	12	Cedar	R		6
262	24	Cedar	R		12
263	30	Cedar	R		60
265	12	Cedar	R		6
266	12	Cedar	R		6
267	12	Cedar	R		6
268	12	Cedar	R		6
272	14	Cedar	R		7
273	8	Oak	R		8
274	10	Oak	R		10
275	12	Cedar	R		6
276	6	Oak	R		6
277	4	Oak	R		4
278	6	Oak	R		6
279	4	Oak	R		4
TOTAL:				398	0

1 TREE SURVEY/MITIGATION
SCALE: 1" = 30'-0"



ISSUES:

01-09-20	ISSUE FOR PERMIT

REVISIONS:

02-14-20	
09-17-20	ADDENDUM #2

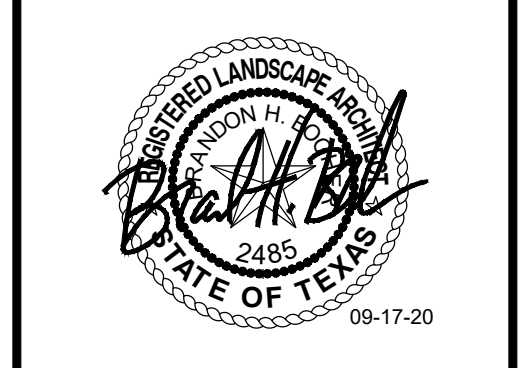
CLIENT:
DBA Architects
111 S. KENTUCKY
SUITE 210
MCKINNEY, TX 75069

CONTACT:
REUBEN MENDIOLA
(800) 900-4905
reuben@dba-architects.com

**HARBOR HILL
LUXURY RESIDENCES**
ROCKWALL, TEXAS

mgt
landscape architects

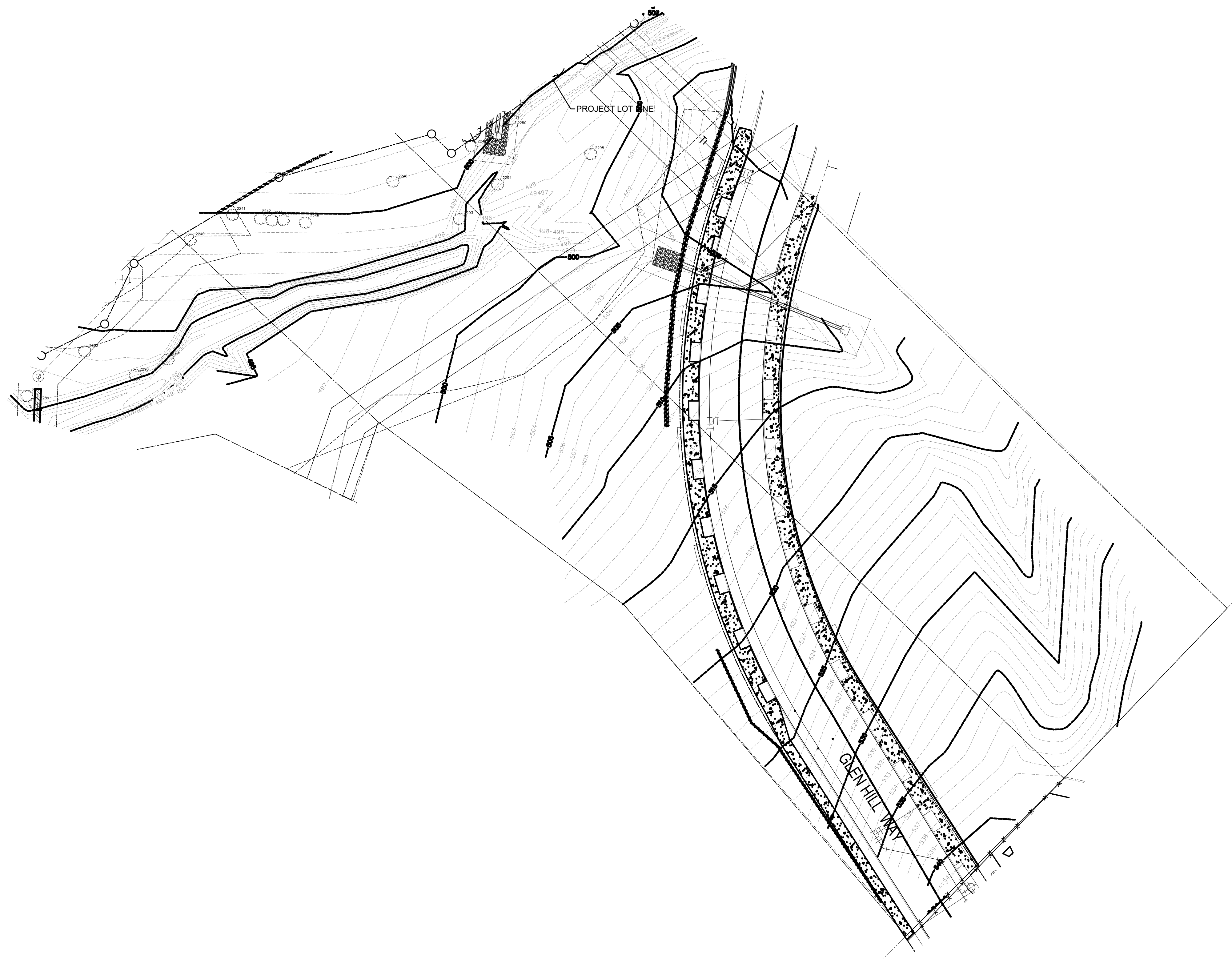
MEEKS DESIGN GROUP, INC.
1755 N. COLLINS BLVD., SUITE 300
RICHARDSON, TX 75080
PH (972) 690-7474
F (972) 690-7878



ISSUE FOR PERMIT

HARBOR HILL LUXURY RESIDENCES
ROCKWALL, TEXAS
JOB NUMBER: DBA-1804

TREE SURVEY/MITIGATION
TS-1



TREE LEGEND	
	215 EXISTING TREE TO BE PRESERVED
	215 EXISTING TREE TO BE REMOVED
	215 EXISTING TREE OUTSIDE OF PROPERTY LINE

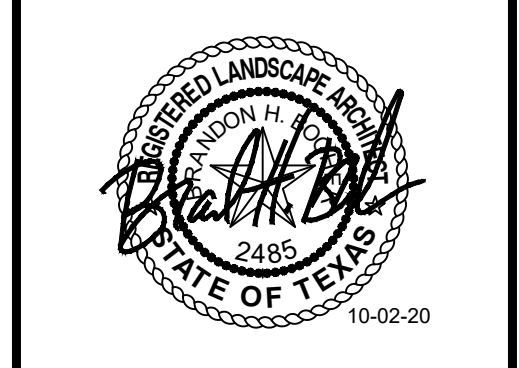
ISSUES:	
	11-15-18 ISSUE FOR PERMIT
	11-22-19 ISSUE FOR PERMIT REVIEW
REVISIONS:	
	12-04-18 PER CITY COMMENTS
	05-27-20 PER CITY COMMENTS
	10-02-20 GLENN HILL WAY REVISION

CLIENT:
 DBA Architects
 111 S. KENTUCKY
 SUITE 210
 MCKINNEY, TX 75069

CONTACT:
 REUBEN MENDIOLA
 (800) 900-4905
 reuben@dba-architects.com

HARBOR HILL
 ROCKWALL, TEXAS

mgt
 landscape architects
 MEEKS DESIGN GROUP, INC.
 1755 N. COLLINS BLVD., SUITE 300
 RICHARDSON, TX 75080
 PH (972) 690-7474
 F (972) 690-7878



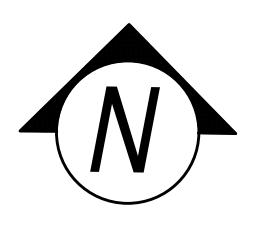
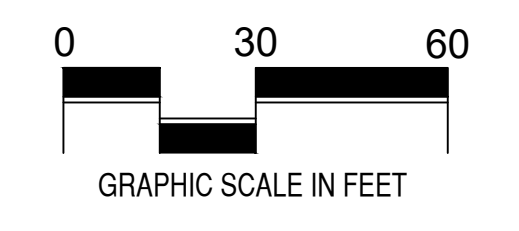
ISSUE FOR PERMIT REVIEW

HARBOR HILL LUXURY RESIDENCES
 ROCKWALL, TEXAS
 JOB NUMBER: DBA-1601

TREE SURVEY/ MITIGATION

TS-2

1 TREE SURVEY/MITIGATION
 SCALE: 1" = 30'-0"



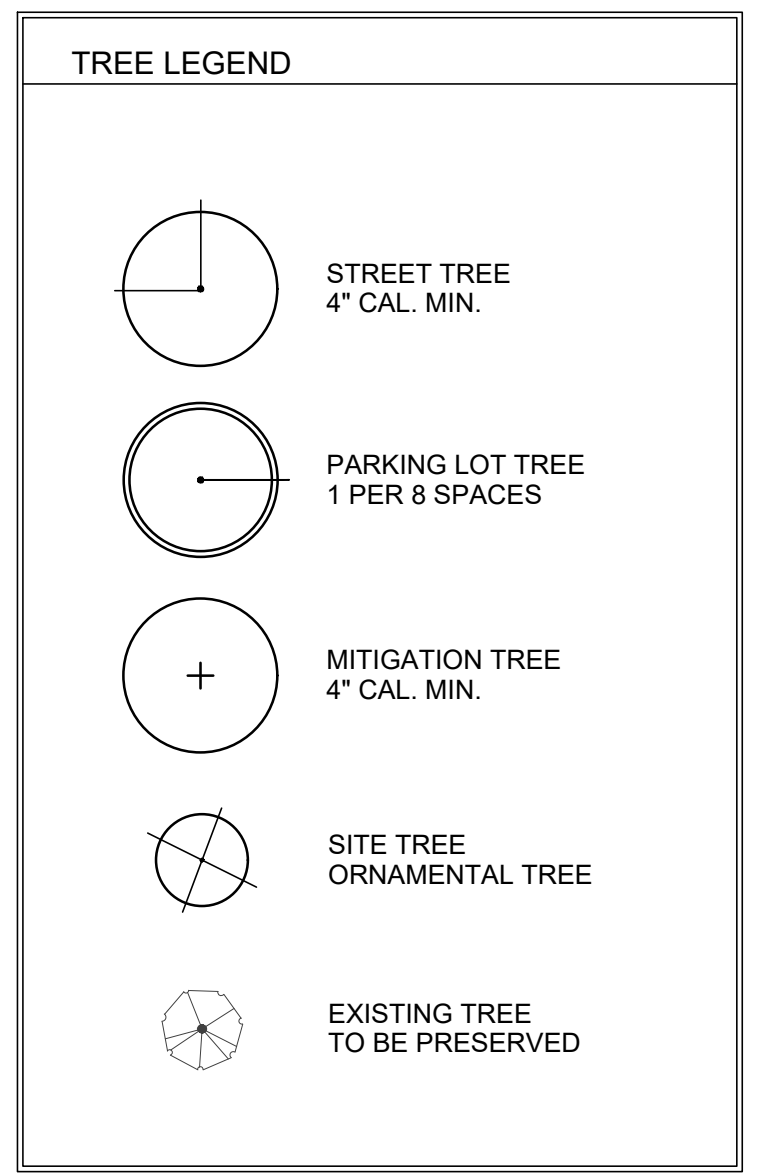
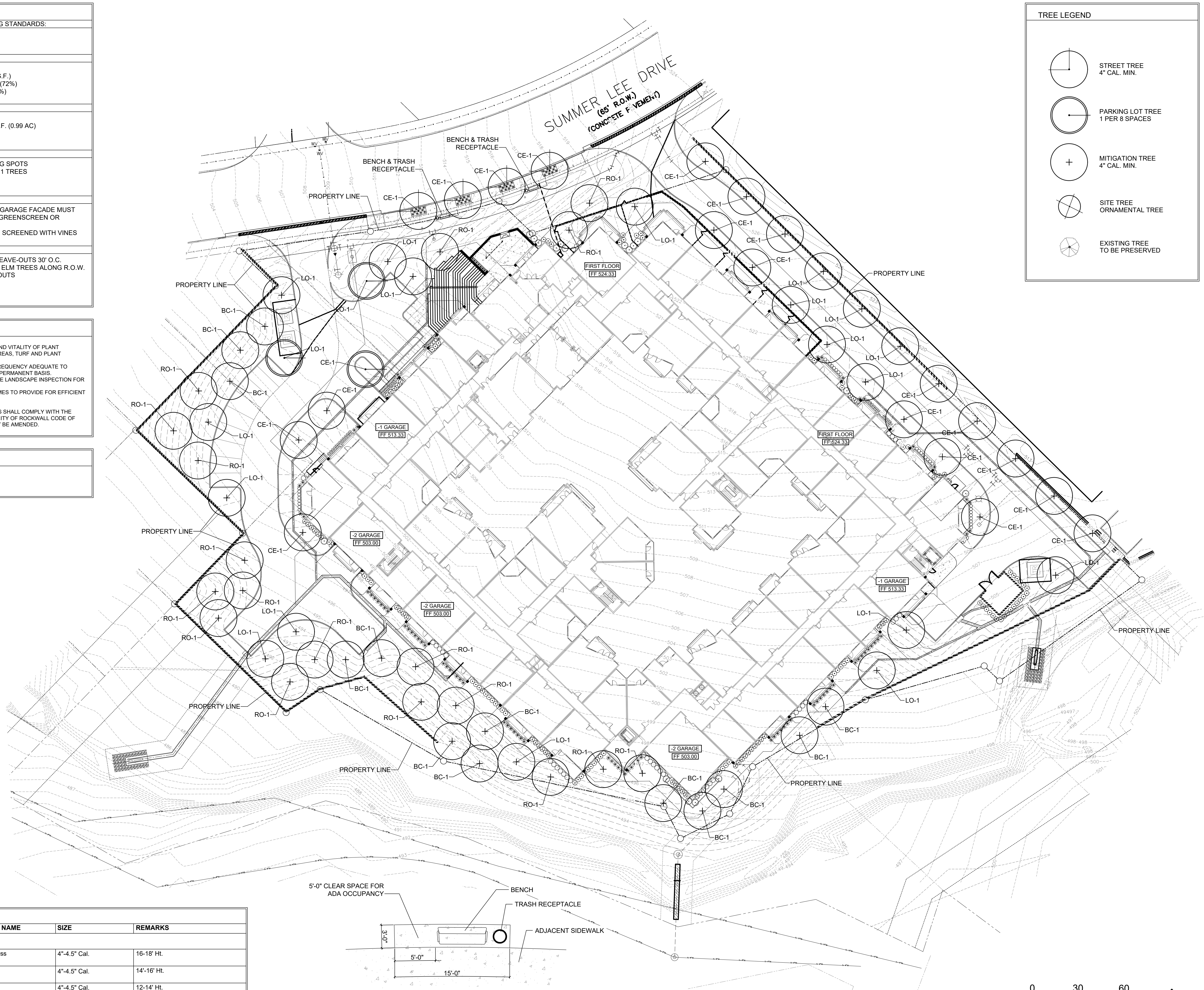
LANDSCAPE REQUIREMENTS	
THIS PLAN MEETS OR EXCEEDS THE FOLLOWING STANDARDS:	
PD-32 HARBOR DISTRICT INTERIOR SUBDISTRICT	
LOT INFO	
TOTAL SITE AREA: 3.97 AC (173,010 S.F.)	
TOTAL DEVELOPED AREA: 3.97 AC (173,010 S.F.)	
TOTAL IMPERVIOUS SURFACE: 123,980 S.F. (72%)	
TOTAL PERVIOUS SURFACE: 49,030 S.F. (28%)	
LANDSCAPE PERCENTAGE	
REQUIRED: 25% LANDSCAPE PERCENTAGE	
173,010 S.F. X 25% = 43,252 S.F. (0.99 AC)	
PROVIDED: 49,030 S.F. (28%)	
PARKING LOT LANDSCAPE	
REQUIRED: (1) TREE PER 8 SURFACE PARKING SPOTS	
17 SURFACE PARKING / 8 = 2.1 TREES	
PROVIDED: (4) TREES	
PARKING GARAGES	
REQUIRED: A MINIMUM OF 25% OF EXPOSED GARAGE FACADE MUST BE SCREENED WITH VINES ON A GREENSCREEN OR CABLE TYPE SYSTEM	
PROVIDED: 25%+ EXPOSED GARAGE FACADE SCREENED WITH VINES	
STREET FRONTAGE	
REQUIRED: 8' SIDEWALK WITH 5' X 10' TREE LEAVE-OUTS 30' O.C. SUMMER LEE DR. TO USE CEDAR ELM TREES ALONG R.O.W.	
PROVIDED: (4) TREES IN 5' X 10' TREE LEAVEOUTS	

IRRIGATION NOTES	
THE OWNER SHALL BE RESPONSIBLE FOR THE HEALTH AND VITALITY OF PLANT MATERIALS, AND SHALL:	
1. PROVIDE A MOISTURE LEVEL IN AN AMOUNT AND FREQUENCY ADEQUATE TO SUSTAIN GROWTH OF THE PLANT MATERIALS ON A PERMANENT BASIS.	
2. BE IN PLACE AND OPERATIONAL AT THE TIME OF THE LANDSCAPE INSPECTION FOR CERTIFICATE OF OCCUPANCY.	
3. BE MAINTAINED AND KEPT OPERATIONAL AT ALL TIMES TO PROVIDE FOR EFFICIENT WATER DISTRIBUTION.	
COMPLIANCE WITH STATE LAW: ALL IRRIGATION SYSTEMS SHALL COMPLY WITH THE IRRIGATION CODE OF CHAPTER 10, ARTICLE XVI OF THE CITY OF ROCKWALL CODE OF ORDINANCES, AND ALL APPLICABLE STATE LAWS, AS MAY BE AMENDED.	

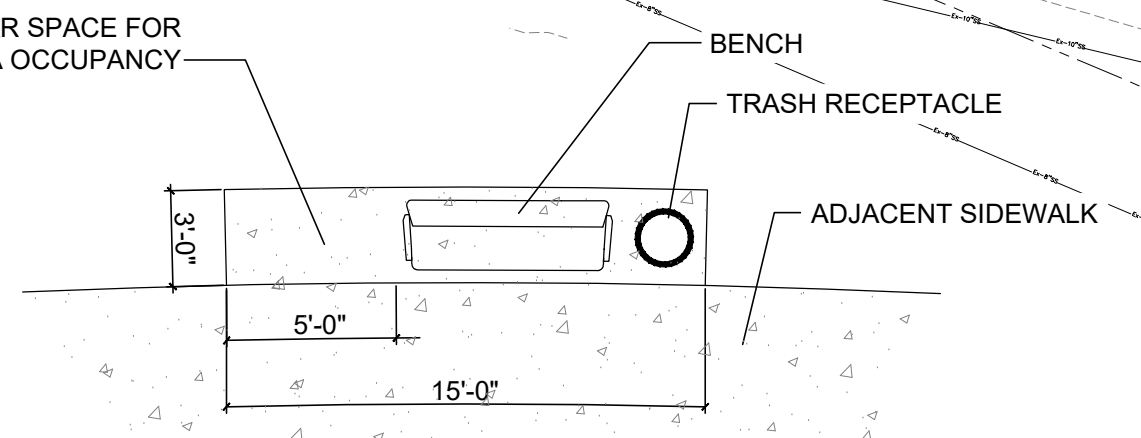
GENERAL NOTES	
NO TREES WITHIN 5' OF UTILITIES.	

FURNITURE SCHEDULE	
6" BENCH	
COLLECTION: SCARBOROUGH	
MODEL: 72" WITH CENTER ARM	
COLOR: BLACK	
QUANTITY: (2)	
TRASH RECEPTACLE	
COLLECTION: SCARBOROUGH	
MODEL: SIDE OPENING / VERTICAL STRAP	
COLOR: BLACK	
QUANTITY: (2)	
*Surface mount all equipment per manufacturer's specifications	
LANDSCAPE FORMS WWW.LANDSCAPEFORMS.COM	

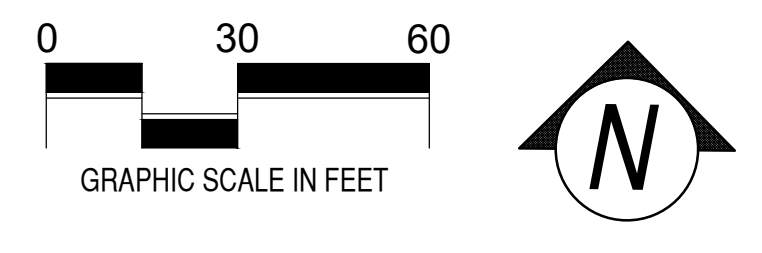
PLANT LIST					
SYM.	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
SHADE TREES					
BC	13	Taxodium distichum	Bald Cypress	4"-4.5" Cal.	16'-18' Ht.
LO	21	Quercus virginiana	Live Oak	4"-4.5" Cal.	14'-16' Ht.
CE	21	Ulmus crassifolia	Cedar Elm	4"-4.5" Cal.	12'-14' Ht.
RO	17	Quercus shumardii	Red Oak	4"-4.5" Cal.	14'-16' Ht.



2 TYPICAL STREET FURNITURE LAYOUT
SCALE: NTS



1 LANDSCAPE PLAN
SCALE: 1" = 30'-0"



ISSUES:	
(1)	01-09-20 ISSUE FOR PERMIT
REVISIONS:	

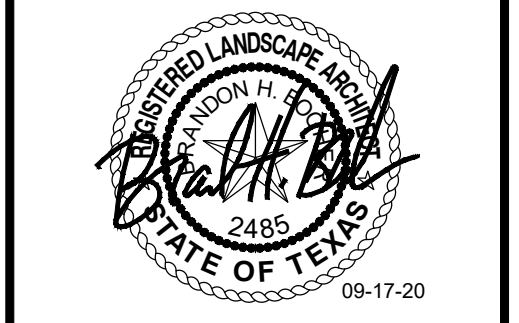
CLIENT:
DBA Architects
111 S. KENTUCKY
SUITE 210
MCKINNEY, TX 75069

CONTACT:
REUBEN MENDIOLA
(800) 900-4905
reuben@dba-architects.com

HARBOR HILL LUXURY RESIDENCES

ROCKWALL, TEXAS

mgd
landscape architects
MEEKS DESIGN GROUP, INC.
1755 N. COLLINS BLVD., SUITE 300
RICHARDSON, TX 75080
PH (972) 690-7474
F (972) 690-7878



ISSUE FOR PERMIT

HARBOR HILL LUXURY RESIDENCES

ROCKWALL, TEXAS

JOB NUMBER: DBA-1804

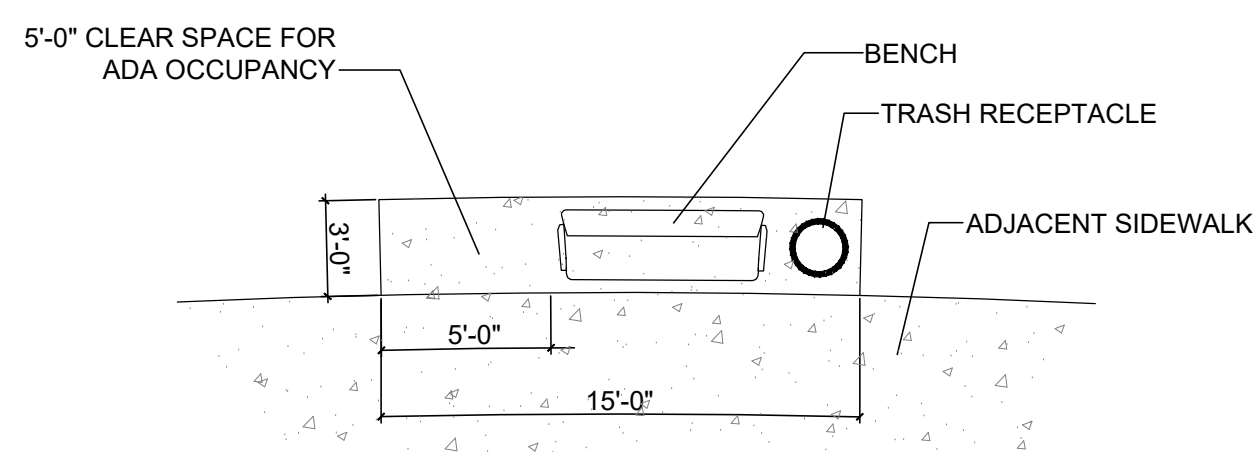
LANDSCAPE PLAN

LPO.01

LANDSCAPE REQUIREMENTS
THIS PLAN MEETS OR EXCEEDS THE FOLLOWING STANDARDS:
PD-32 HARBOR DISTRICT INTERIOR SUBDISTRICT
STREET FRONTAGE
REQUIRED: 8' SIDEWALK WITH 5' X 10' TREE LEAVE-OUTS 30' O.C. TREES 30' O.C. ADJACENT SIDE OF R.O.W. GLEN HILL WAY TO USE CEDAR ELM TREES ALONG R.O.W. PROVIDED: (25) STREET TREES SPACED 30' O.C.

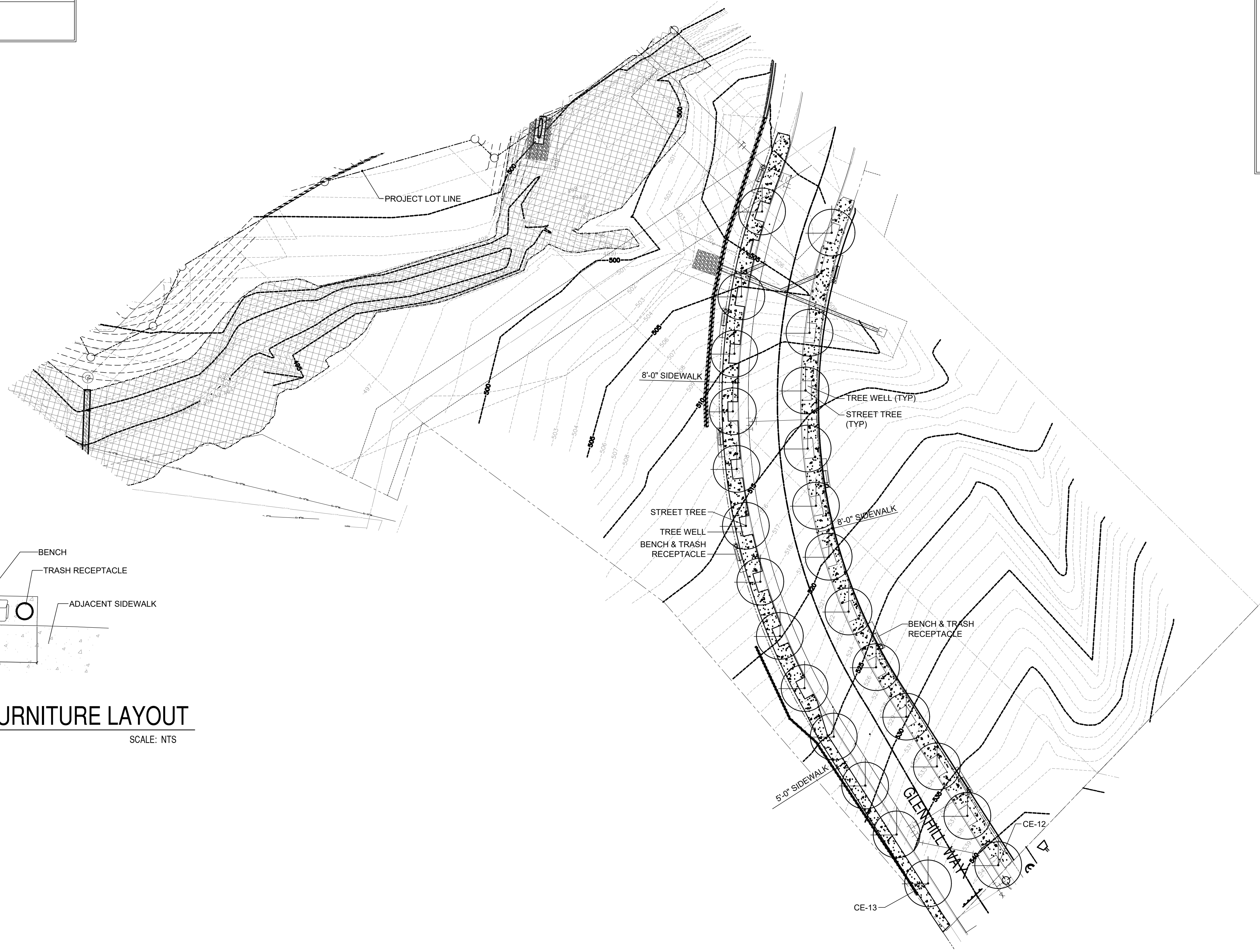
GENERAL NOTES
NO TREES WITHIN 5' OF UTILITIES.

FURNITURE SCHEDULE
6' BENCH
COLLECTION: SCARBOROUGH MODEL: 72" WITH CENTER ARM COLOR: BLACK QUANTITY: (8)
TRASH RECEPTACLE
COLLECTION: SCARBOROUGH MODEL: SIDE OPENING / VERTICAL STRAP COLOR: BLACK QUANTITY: (8)
*Surface mount all equipment per manufacturer's specifications
LANDSCAPE FORMS WWW.LANDSCAPEFORMS.COM



2 TYPICAL STREET FURNITURE LAYOUT
SCALE: NTS

PLANT LIST					
SYM.	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
SHADE TREES					
BC	00	Taxodium distichum	Bald Cypress	4"-4.5" Cal.	16-18' Ht.
LO	00	Quercus virginiana	Live Oak	4"-4.5" Cal.	14'-16' Ht.
CE	25	Ulmus crassifolia	Cedar Elm	4"-4.5" Cal.	12-14' Ht.
RO	00	Quercus shumardii	Red Oak	4"-4.5" Cal.	14'-16' Ht.



TREE LEGEND	
	STREET TREE 4" CAL. MIN.
	PARKING LOT TREE 1 PER 8 SPACES
	MITIGATION TREE 4" CAL. MIN.
	SITE TREE ORNAMENTAL TREE
	EXISTING TREE TO BE PRESERVED

ISSUES:	
①	11-15-18 ISSUE FOR PERMIT
②	11-22-19 ISSUE FOR PERMIT REVIEW
REVISIONS:	
▲	12-04-18 PER CITY COMMENTS
▲	05-27-20 PER CITY COMMENTS
▲	10-02-20 GLEN HILL WAY REVISION

CLIENT:
DBA Architects
111 S. KENTUCKY
SUITE 210
MCKINNEY, TX 75069

CONTACT:
REUBEN MENDIOLA
(800) 900-4905
reuben@dba-architects.com

HARBOR HILL
ROCKWALL, TEXAS

mgg
landscape architects
MEEKS DESIGN GROUP, INC.
1755 N. COLLINS BLVD., SUITE 300
RICHARDSON, TX 75080
PH (972) 690-7474
F (972) 690-7878



ISSUE FOR PERMIT REVIEW

HARBOR HILL LUXURY RESIDENCES

ROCKWALL, TEXAS

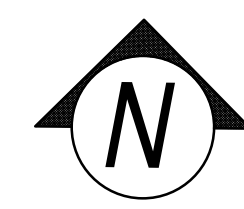
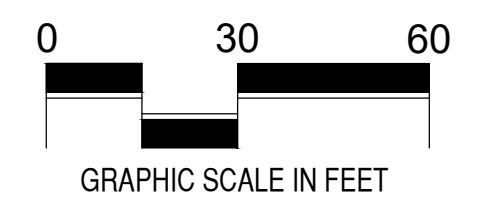
JOB NUMBER: DBA-1601

LANDSCAPE PLAN

LP0.02

1 LANDSCAPE PLAN

SCALE: 1" = 30'-0"





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: October 13, 2020
APPLICANT: Bart Carroll; *Carroll Consulting Group*
CASE NUMBER: P2020-037; *Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition*

SUMMARY

Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a preliminary plat for a single-family residential subdivision (*i.e. Avery Farm Addition*), which will be set on a 48.583-acre tract of land situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). According to the preliminary plat, the development will consist of nine (9) single-family residential lots that will be a minimum of five (5) acres in size and be accessible via a 20-foot wide private gravel roadway (*i.e. Lot 1, Block X*). It should be noted that on July 1, 2020, the applicant was granted a variance to the paving standards contained in the *Interim Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality* by the City Council [*Case No. MIS2020-009*] to allow the 20-foot wide private gravel roadway.
- ☑ On January 18, 2005, the then owner of the subject property (*i.e. Patrick Acker on behalf of Loyd Acker Family Partnership, LTD*) entered into a 212 Development Agreement that stated that the subject property would not be developed without first being annexed into the City of Rockwall; however, *Section 4* of this *Agreement* allows the subject property to be subdivided "...in parts being greater than or equal to five (5) acres having adequate public street access and facilities where no new street or public facilities are required to be provided by the City." In this case, the applicant's request conforms to the allowances of this agreement.
- ☑ The preliminary plat is required to meet all of the requirements of the *Interim Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality* between Rockwall County and the City of Rockwall, the City of Rockwall's *Standards of Design and Construction Manual*, and Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.
- ☑ The purpose of the *preliminary plat* is to provide sufficient information to evaluate and review the general design of the development ensuring compliance with Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A', Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall*, of the *Interim Interlocal Agreement between Rockwall County and the City of Rockwall*. With the exception of the 20-foot wide gravel roadway to be constructed for the proposed development, the preliminary plat does meet the intent and stated purpose for the preliminary plat to be approved.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the *Preliminary Plat* for *Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition*, staff would propose the following conditions of approval:

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



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-037

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre) ¹
- Preliminary Plat (\$200.00 + \$15.00 Acre) ¹
- Final Plat (\$300.00 + \$20.00 Acre) ¹
- Replat (\$300.00 + \$20.00 Acre) ¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre) ¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre) ¹
- Specific Use Permit (\$200.00 + \$15.00 Acre) ¹
- PD Development Plans (\$200.00 + \$15.00 Acre) ¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 534 FARM LANE

Subdivision AVERY FARM ADDITION Lot _____ Block _____

General Location FARM ROAD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG Current Use AG

Proposed Zoning _____ Proposed Use _____

Acreage 48.583 Lots [Current] 1 Lots [Proposed] 9

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>Kurt Avery</u>	<input type="checkbox"/> Applicant <u>CARROLL CONSULTING GROUP</u>
Contact Person <u>Kurt Avery</u>	Contact Person <u>BART CARROLL RACS</u>
Address <u>1043 ANNA CADE RD</u>	Address <u>PO BOX 11</u>
City, State & Zip <u>Rockwall TX 75087</u>	City, State & Zip <u>LAVON TX 75146</u>
Phone <u>214 771 1090</u>	Phone <u>972 742 444</u>
E-Mail <u>KurtAvery@yahoo.com</u>	E-Mail <u>bart.carroll@yahoo.com</u>

NOTARY VERIFICATION [REQUIRED]

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

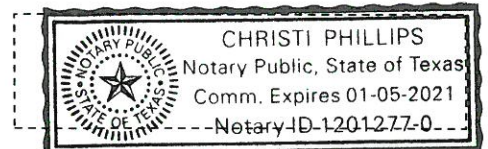
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 928.75, to cover the cost of this application, has been paid to the City of Rockwall on this the 18th day of September, 20 20. By signing this 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 18th day of September, 20 20.

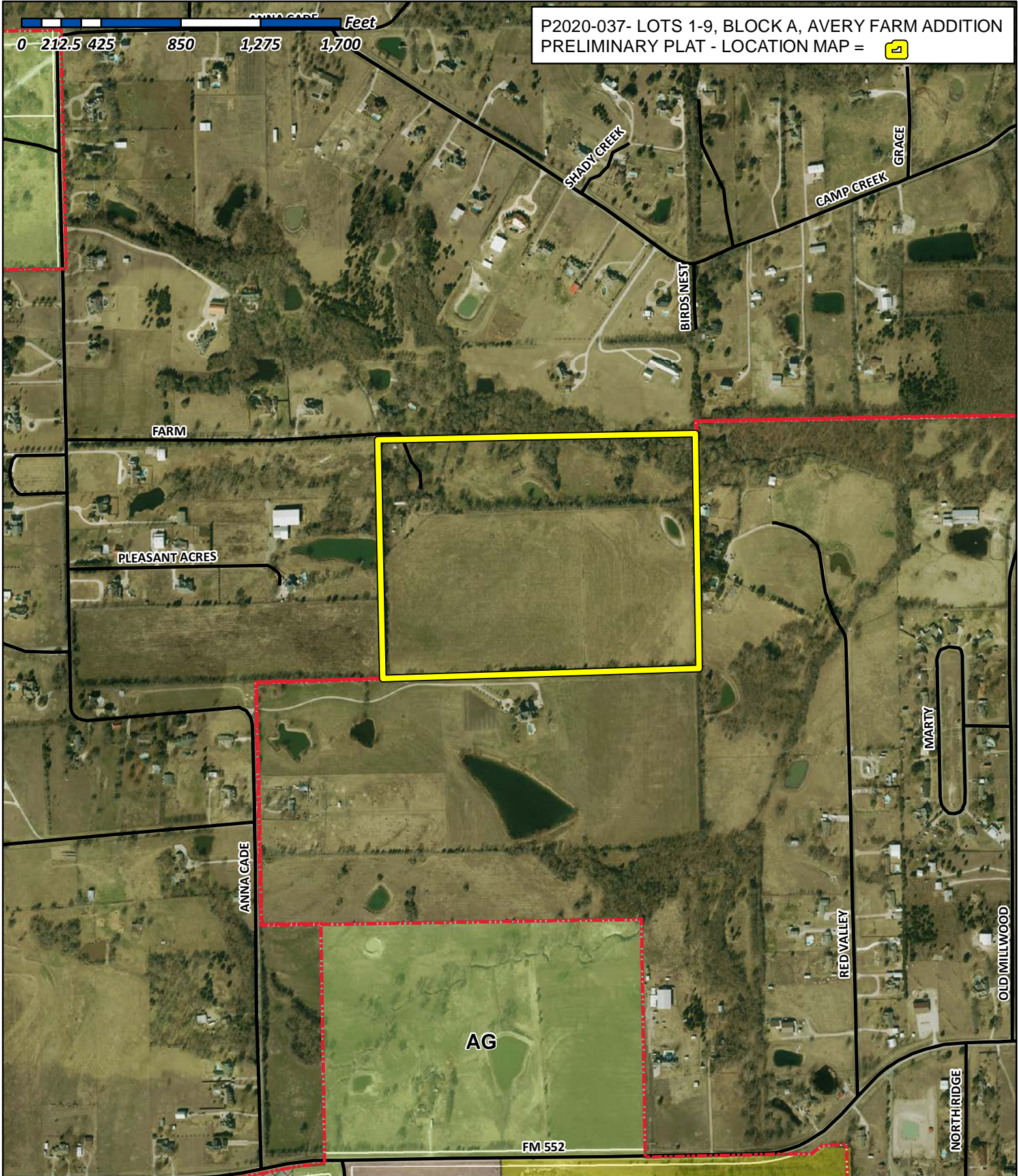
Owner's Signature

[Handwritten Signature]

Notary Public in and for the State of Texas



My Commission Expires 01-05-2021



P2020-037- LOTS 1-9, BLOCK A, AVERY FARM ADDITION
 PRELIMINARY PLAT - LOCATION MAP = [icon]

0 212.5 425 850 1,275 1,700 Feet



City of Rockwall

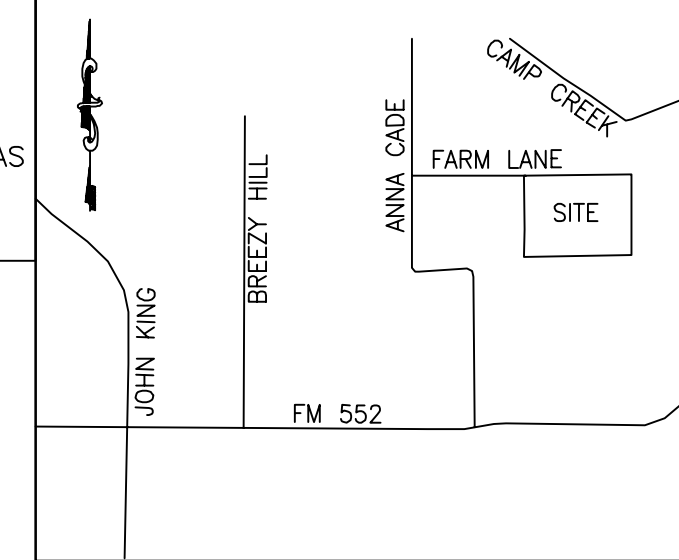
Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

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.

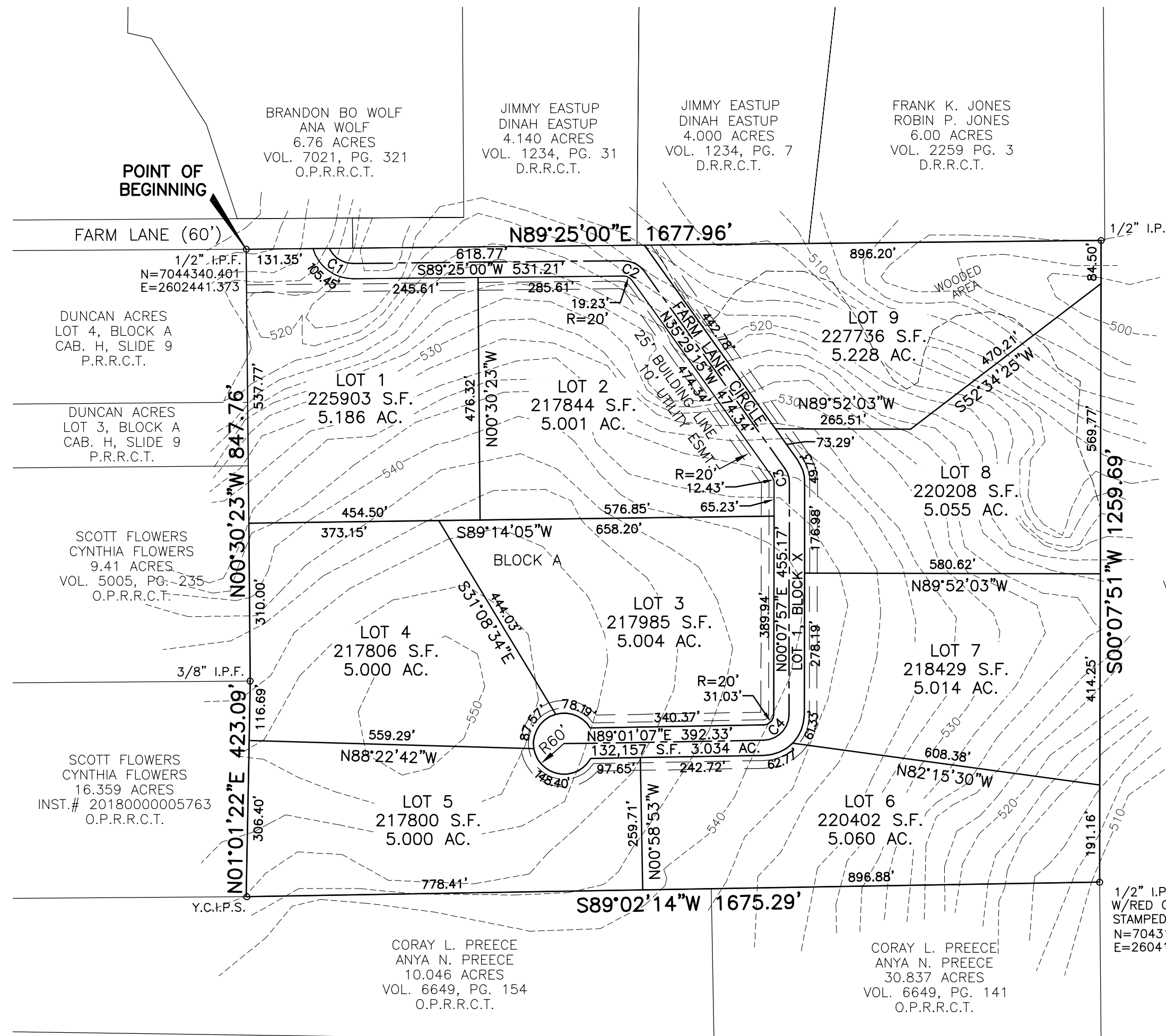


LEGEND

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



Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	57.96'	50.00'	66°25'19"	S57°22'20"E, 54.77'
C2	48.08'	50.00'	55°05'45"	S63°02'07"E, 46.25'
C3	31.08'	50.00'	35°37'12"	S17°40'39"E, 30.59'
C4	77.57'	50.00'	88°53'09"	S44°34'32"W, 70.02'



NOTES:

1. Located in the City of Rockwall, Texas E.T.J.
2. This lot utilizes alternative type On-Site Sewage Facility.

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

Bearings based on the north line of deed recorded in Instrument No. 20170000018520, O.P.R.R.C.T. (N89°25'00"E)

FLOOD NOTE:

ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48397C0035L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, TEXAS, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1-9, Block A and Lot 1, Block X
 Being 48.583 - Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
 Situated within the Extraterritorial Jurisdiction (ETJ)
 of the City of Rockwall, Rockwall County, Texas

Case No.: P2020-037

CARROLL CONSULTING GROUP, INC.

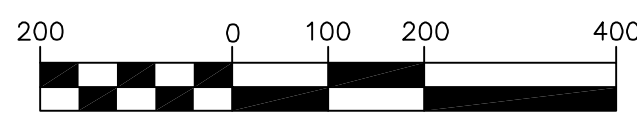
P.O. BOX 11
 LAVON, TEXAS 75166

972-742-4411
 TEXAS FIRM REGISTRATION NO.: 10007200
 TBPELS REGISTRATION NO.: F-21608

OWNER:
 KURT AVERY
 1043 ANNA CADE ROAD
 ROCKWALL, TEXAS 75087
 PHONE: (214) 771-1090

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	OCTOBER 5, 2020	CP

GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Kurt Avery is the owner of a tract of land situated in the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, and being the same called 47.451 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018520, Official Public Records, Rockwall County, Texas and being the same called 1.0331 acre tract of land conveyed to Kurt Avery by deed recorded in Instrument No. 20170000018521, Official Public Records, Rockwall County, Texas and being more particularly described as follows:

Beginning at a 1/2" iron pin found on the south line of Farm Lane for the northwest corner of said 47.451 acre tract and the northeast corner of Duncan Acres, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Slide 9, Plat Records, Rockwall County, Texas;

Thence, North 89°25'00" East, along the north line of said 47.451 acre tract, the south line of a 4.140 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 31, Deed Records, Rockwall County, Texas, the south line of a 4.000 acre tract of land conveyed to Jimmy Eastup and Dinah Eastup by deed recorded in Volume 1234, Page 7, Deed Records, Rockwall County, Texas and the south line of a 6.00 acre tract of land conveyed to Frank K. Jones and Robin P. Jones by deed recorded in Volume 2259, Page 3, Deed Records, Rockwall County, Texas, a distance of 1677.96 feet to a 1/2" iron pin found for the northeast corner of said 47.451 acre tract and being on the west line of a tract of land conveyed to Carl E. Glaze and Dixon A. Glaze by deed recorded in Volume 190, Page 493, Deed Records, Rockwall County, Texas;

Thence, South 00°07'51" West, along the east line of said 47.451 acre tract and the west line of said Glaze tract, a distance of 1259.69 feet to a 1/2" iron pin found with red cap stamped "5427" for the southeast corner of said 47.451 acre tract and the northeast corner of a 30.837 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 141, Official Public Records, Rockwall County, Texas;

Thence, South 89°02'14" West, along the south line of said 47.451 acre tract, the north line of said 30.837 acre tract and the north line of a 10.046 acre tract of land conveyed to Coray L. Preece and Anya N. Preece by deed recorded in Volume 6649, Page 154, Official Public Records, Rockwall County, Texas, a distance of 1675.29 feet to a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129" for the southwest corner of said 47.451 acre tract and the southeast corner of a 16.359 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Instrument No. 20180000005763, Official Public Records, Rockwall County, Texas;

Thence, North 01°01'22" East, along the west line of said 47.451 acre tract and the east line of said 16.359 acre tract, a distance of 423.09 feet to a 3/8" iron pin found for the northeast corner of said 16.359 acre tract and the southeast corner of a 9.41 acre tract of land conveyed to Scott Flowers and Cynthia Flowers by deed recorded in Volume 5005, Page 235, Official Public Records, Rockwall County, Texas;

Thence, North 00°30'23" West, along the west line of said 47.451 acre tract, the east line of said 9.41 acre tract and the east line of said Duncan Acres, a distance of 847.76 feet to the Point of Beginning and containing 2,116,269 square feet or 48.583 acres of land.

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

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

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.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

NOTARY CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James Bart Carroll, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same in the capacity therein stated.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas.
My commission expires: _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

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

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

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

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

(7) Property Owner shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements.

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

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

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

WITNESS, my hand, this the ____ day of _____, 2020.

Kurt Avery, Owner

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2020.

Notary Public for the State of Texas
My Commission expires _____

OWNER:
KURT AVERY
1043 ANNA CADE ROAD
ROCKWALL, TEXAS 75087
PHONE: (214) 771-1090

Planning & Zoning Commission, Chairman

Date

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

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

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

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

PRELIMINARY PLAT

AVERY FARM ADDITION

Lots 1-9, Block A and Lot 1, Block X
Being 48.583 - Acres of Land

Out of the J. Strickland Survey, Abstract No. 187
Situated within the Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall, Rockwall County, Texas
Case No.: P2020-037

CARROLL CONSULTING GROUP, INC.			
P.O. BOX 11		972-742-4411	
LAVON, TEXAS 75166		TEXAS FIRM REGISTRATION NO.: 10007200 TBPELS REGISTRATION NO.: F-21608	
JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2709-20	1"=200'	OCTOBER 5, 2020	CP

MT ZION WATER SUPPLY CORPORATION

PO Box 2034, 5763 SH 205 South, Rockwall, Texas 75032 (972) 722-3203

www.mtzionwater.com

September 9, 2020

Kurt Avery

To Whom It May Concern:

Mt. Zion WSC has committed to serving the proposed development on Farm Lane after the necessary improvements are made. If you have any questions, please call our office at the above number.

Robin Baley

Robin E. Baley
Mt. Zion Water Supply Company



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: October 13, 2020
APPLICANT: Cameron Slown, PE; *Teague, Nall & Perkins, Inc.*
CASE NUMBER: P2020-039; *Master Plat for Discovery Lakes Subdivision*

SUMMARY

Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Master Plat and Open Space Master Plan for the Discovery Lakes Subdivision consisting of 428 single-family residential lots on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting approval of a *Master Plat/Open Space Master Plan* for the Discovery Lakes Subdivision. The Discovery Lakes Subdivision is a nine (9) phase, master planned community that will consist of 428 single-family residential lots on a 307.18-acre tract of land. The proposed *Master Plat* delineates the timing and phasing for the proposed development in order to determine compliance with the OURHometown Vision 2040 Comprehensive Plan, and the availability and capacity of the public improvements needed to serve the development. The *Master Plat* also indicates the location of the 9.129-acre tract of land zoned for General Retail (GR) District land uses, which will allow for neighborhood service type land uses. Additionally, the applicant is requesting approval of an *Open Space Master Plan*, which indicates 102.9-acres (*i.e.* 33.5%) of open space for the development and a ~2.6-mile walking trail for the community. A summary of the proposed lot composition is as follows:

LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	80' x 200'	32,670 SF	45	10.51%
B	70' x 110'	7,700 SF	177	41.36%
C	60' x 110'	6,600 SF	206	48.13%

Maximum Permitted Units: 428 100.00%

- The subject property was annexed by the City Council on June 15, 1998 by *Ordinance No. 98-20*. On July 5, 2005, the City Council approved *Ordinance No. 05-29 [Case No. Z2005-021]* changing the zoning from an Agricultural (AG) District to a Light Industrial (LI) District. On August 17, 2015, the zoning designation of the subject property was again changed by *Ordinance No. 15-24 [Case No. Z2015-016]* from a Light Industrial (LI) District to Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District and limited General Retail (GR) District land uses. On August 3, 2020, the City Council approved an amendment to Planned Development District 78 (PD-78) through *Ordinance No. 20-27 [Case No. Z2020-024]* allowing for the reduction in the number of single-family residential lots from 507 to 428 (*i.e.* a decrease of the Type 'A' Lots by 76 and Type 'C' Lots by 53, and an increase in the Type 'B' Lots by 50), which represented a reduction in the overall density from 1.65 dwelling units per acre to 1.40 dwelling units per acre. This zoning change also changed the Type 'A' Lots from a minimum of 9,600 SF to 32,670 SF.

- ☑ On October 6, 2020, the Parks and Recreation Board approved pro-rata fees of \$155,364.00 (*i.e.* 428 lots @ \$363.00 per lot) and cash-in-lieu of land fees of \$163,924.00 (*i.e.* 428 lots @ \$383.00 per lot) for the Discovery Lakes Addition by a vote of 6-0, with Board Member Denny absent.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for master 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 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 Planning and Zoning Commission chooses to recommend approval of the Master Plat/Open Space Master Plan for the *Discovery Lakes Subdivision*, 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;
- (2) The development shall adhere to the recommendations of the Parks and Recreation Board; and,
- (3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

P2020-039

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹ (100+307.18*15=\$4707.70)
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address	none		
Subdivision	none	Lot	Block
General Location	307 Acre Tract near the NE corner of the intersection of SH 276 and Rochelle Road		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	PD-78	Current Use	None	
Proposed Zoning	PD-78	Proposed Use	Single Family Residential	
Acreage	307.18	Lots [Current]	1	Lots [Proposed]
				428

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	Discovery Lakes, LLC	<input checked="" type="checkbox"/> Applicant	Teague, Nall & Perkins, Inc.	
Contact Person	Nick DiGiuseppe	Contact Person	Cameron Slown	
Address	15400 Knoll Trail Drive Suite 230	Address	825 Watters Creek Blvd. Suite M300	
City, State & Zip	Dallas, Texas 75248	City, State & Zip	Allen, Texas 75013	
Phone	972-960-9941	Phone	817-889-5050	
E-Mail	southbrookinvestments@outlook.com	E-Mail	cslown@tnpinc.com	

NOTARY VERIFICATION [REQUIRED]

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

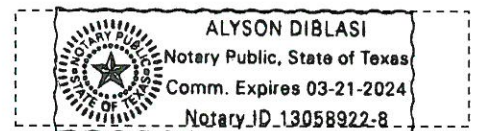
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \$4,707.70, to cover the cost of this application, has been paid to the City of Rockwall on this the 17th day of September, 20 20. By signing 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 17th day of September, 20 20

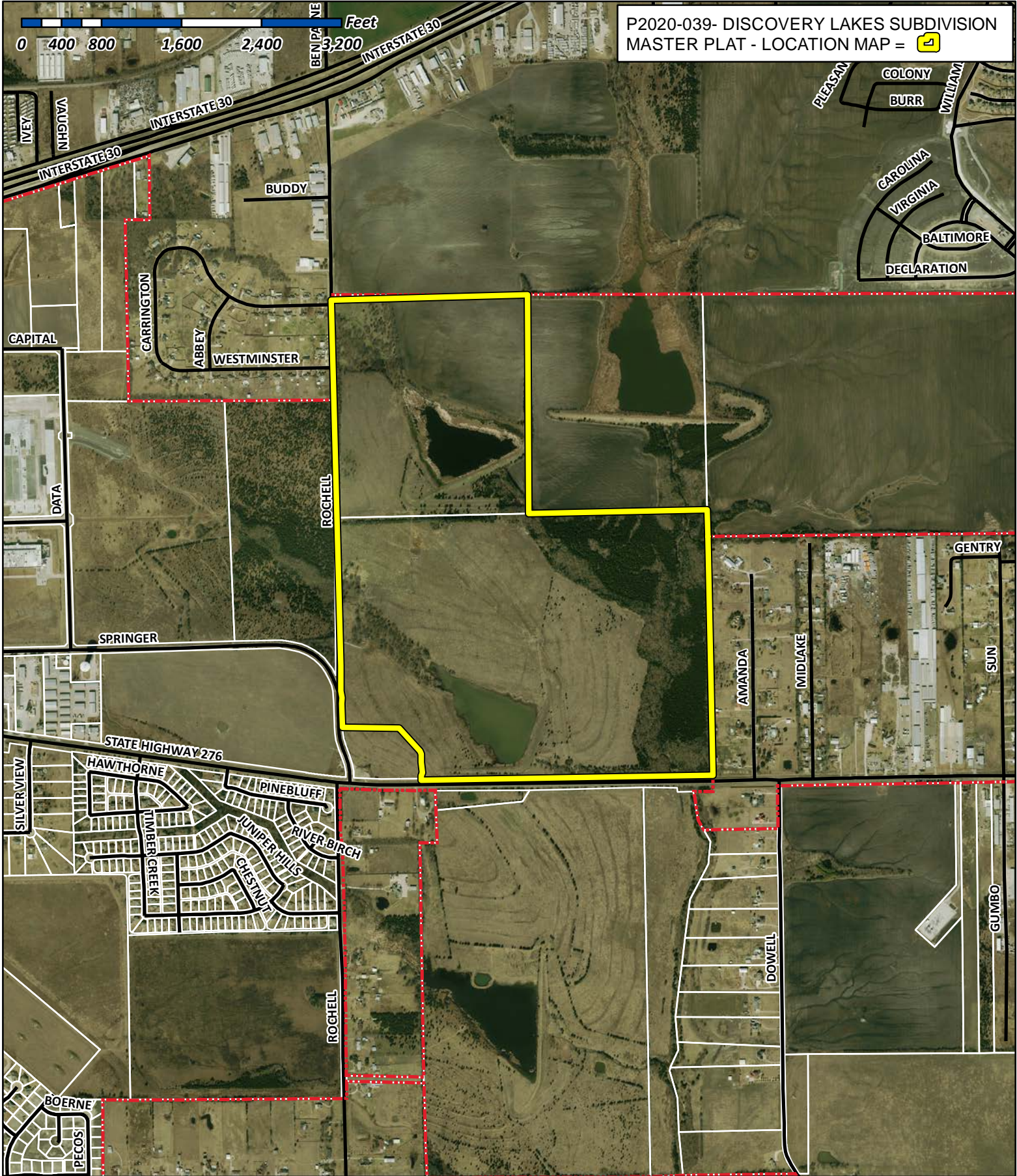
Owner's Signature

Nick DiGiuseppe
Alyson DiBlasi

Notary Public in and for the State of Texas



My Commission Expires 03-21-2024



City of Rockwall

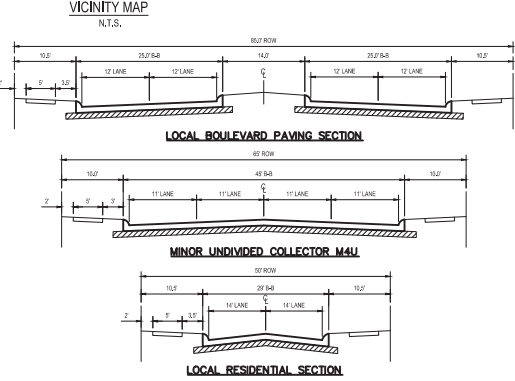
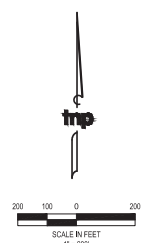
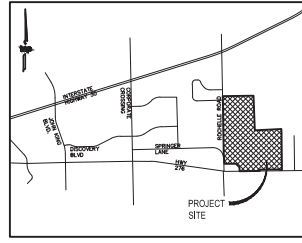
Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

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



ROCKWALL FUND I.L.L.C.
CALLED 29,100 ACRES
TRACT 1
VOL. 1110, PG. 90 O.P.R.C.T.

DR. HORTON TEXAS LTD
CALLED 298,042 ACRES
INST. NO. 2018000000497
O.P.R.C.T.



COMPLIANCE WITH PD ORDINANCE 20-27	
PD REQUIREMENT	PROVIDED BY MASTER PLAN
TOTAL NUMBER OF RESIDENTIAL LOTS	MAX. 428 LOTS 428 LOTS
AVERAGE LOT SIZE	MIN. 9,700 SF PER LOT AVERAGE OF 11,137 SF PER LOT
LOT COMPOSITION	TYPE A: MIN. 40 LOTS TYPE B: MIN. 38% OF TOTAL LOTS TYPE C: MAX. 55% OF TOTAL LOTS
RESIDENTIAL DENSITY	MAX. 1.40 LOTS PER GROSS ACRE 1.39 LOTS PER GROSS ACRE
OPEN SPACE	MIN. 20% OF GROSS LAND AREA 102.97/307.18 = 33.5%

NOTES:

1. DRAINAGE FACILITIES: STORM SEWER SYSTEM WILL BE INSTALLED UNDERNEATH THE ROADWAYS ON THE PROPERTY FOR EACH PHASE. DETENTION WILL BE PROVIDED FOR ENTIRE SITE, IF NEEDED.
2. SANITARY SEWER FACILITIES: TEMPORARY ON-SITE SANITARY SEWER SYSTEMS WILL BE INSTALLED FOR TYPE A LOTS CONTAINING A MINIMUM OF 32,670 SQUARE FEET PER PD ORDINANCE 20-27. SANITARY SEWER MAIN LINES AND SERVICES TO EACH LOT WILL BE INSTALLED WITH EACH PHASE OF DEVELOPMENT AND WILL BE CONNECTED IN THE FUTURE TO THE PROPOSED BRUSHY CREEK LIFT STATION. SANITARY SEWER LINE THROUGH THE PROPERTY WILL BE A MINIMUM PIPE SIZE OF 8", 18" AND 10" GRAVITY TRUNK SANITARY SEWER LINES WILL BE INSTALLED ON THE PROPERTY PER THE CITY'S WASTEWATER MASTER PLAN.
3. WATER FACILITIES: THERE ARE NO EXISTING WATER LINES IMMEDIATELY ADJACENT TO THE PROPERTY. A 16" WATER LINE WILL BE INSTALLED ALONG STATE HIGHWAY NO. 276 IN PHASE 1 TO PROVIDE WATER FOR THE PROPERTY. PHASE 1 WILL INCLUDE AN 8" LOOPED WATER LINE ON SITE. PHASES 3-9 WILL INCLUDE INSTALLATION OF A 12" WATER LINE ALONG ROCHELLE ROAD PER THE CITY'S WATER MASTER PLAN. PHASES 4-9 WILL INCLUDE INSTALLATION OF A 12" WATER LINE ALONG DISCOVERY BOULEVARD PER THE CITY'S WATER MASTER PLAN.
4. ROADWAY FACILITIES: THE SOUTH SIDE OF THE PROPERTY IS BOUNDED BY STATE HIGHWAY NO. 276 AND THE WEST SIDE IS BOUNDED BY SPRINGER LANE AND ROCHELLE ROAD.
5. BETWEEN CONSTRUCTION OF PHASES TEMPORARY TURNAROUNDS WILL BE PROVIDED AS NEEDED TO SATISFY FIRE PROTECTION REQUIREMENTS.
6. ACCORDING TO THE FLOOD INSURANCE RATE MAP NUMBER 4839700045L DATED SEPTEMBER 26, 2008 AND PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THIS PROPERTY INCLUDES ZONES A, AE, AND X.
7. PROPERTY IS ZONED AS PLANNED DEVELOPMENT DISTRICT 78 (PD-78) ORDINANCE NUMBER 20-27.

PHASE #	AREA (AC.)	PROPOSED PHASING TABLE				TOTAL UNITS
		TYPE A	TYPE B	TYPE C	COMMUNITY CENTER	
		MIN. 0.75 AC.	MIN. 2,700 S.F.	MIN. 6,600 S.F.		
1	36.42	31			31	
2	22.14	14			14	
3	71.42	27	11		38	
4	21.31	29	52		80	
5	8.56	35			35	
6	18.12	8	47	1	71	
7	13.85	30	13		43	
8	33.46	40			40	
9	81.9	76	76		152	
TOTAL	307.18	40	265	218	628	

PHASE #	AREA (AC.)	CAPITAL IMPROVEMENTS TABLE		STREETS
		WATER	SEWER	
1	36.42	36" FROM ROCHELLE RD. TO EASTERN LIMIT OF PH. 1		
2	22.14	36" FROM EASTERN SIDE OF THE CREEK TO EAST PROP. LIMITS	30" SS TRUNK LINE TO SH 276	
3	71.42	32" ALONG ROCHELLE RD. FROM PH. 2 TO ALONG FRONTAGE OF PH. 3	30" AND 36" SS LINE TO PROPOSED PH. 2 LIFT STATION PER MASTER PLAN	ROCHELLE RD. WIDENING ALONG PH. 3 FRONTAGE
4	21.31	32" ALONG ROCHELLE RD. ALONG FRONTAGE OF PH. 4 & 12"	30" SS TRUNK LINE	WIDEN ROCHELLE RD. ALONG PH. 4 FRONTAGE DISCOVERY BLVD. CONSTRUCTION
5	8.56			
6	18.12	32" ALONG DISCOVERY BLVD		DISCOVERY BLVD. CONSTRUCTION ALONG PH. 6 FRONTAGE
7	13.85	32" ALONG ROCHELLE RD. ALONG FRONTAGE OF PH. 7		ROCHELLE RD. WIDENING ALONG PH. 7 FRONTAGE
8	33.46	32" ALONG DISCOVERY BLVD	30" SS TRUNK LINE	DISCOVERY BLVD. CONSTRUCTION ALONG PH. 8 FRONTAGE
9	81.9	32" ALONG ROCHELLE RD. ALONG FRONTAGE OF PH. 9	30" SS TRUNK LINE	ROCHELLE RD. WIDENING ALONG PH. 9 FRONTAGE

LEGEND

- 1 OPEN SPACE NUMBER
- TYPE A LOT - MIN. 80' X 200' (45 LOTS)
- TYPE B LOT - MIN. 70' X 110' (165 LOTS)
- TYPE C LOT - MIN. 60' X 110' (218 LOTS)
- PUBLIC OPEN SPACE/ LANDSCAPE BUFFER
- COMMUNITY CENTER
- WALKING TRAIL

MASTER PLAT
428 Residential Lots

Discovery Lakes

OWNER:
DISCOVERY LAKES, LLC.
15400 Knoll Trail Drive, Suite 230
Dallas, Texas 75248



league nall & perkins
825 Waters Creek Blvd., Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
TBE Registration No. F-230
www.lnpinc.com

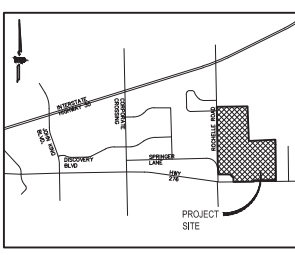
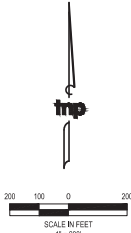
PROJECT INFORMATION
Project No.: SB020370
Date: October 6, 2020
Drawn By: TS
Scale: 1"=200'

Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas



LEGEND

- 1 OPEN SPACE NUMBER
- TYPE A LOT - MIN. 80' X 200' (45 LOTS)
- TYPE B LOT - MIN. 70' X 110' (165 LOTS)
- TYPE C LOT - MIN. 60' X 110' (218 LOTS)
- PUBLIC OPEN SPACE/ LANDSCAPE BUFFER
- COMMUNITY CENTER
- WALKING TRAIL (42.6 MILES)



LOT NO.	AREA (SQ. FT.)	AREA (ACRES)	PERCENT OPEN SPACE	PERCENT TYPE A	PERCENT TYPE B	PERCENT TYPE C
1	10,000	0.23	100%	0%	0%	0%
2	15,000	0.34	100%	0%	0%	0%
3	20,000	0.46	100%	0%	0%	0%
4	25,000	0.57	100%	0%	0%	0%
5	30,000	0.69	100%	0%	0%	0%
6	35,000	0.80	100%	0%	0%	0%
7	40,000	0.92	100%	0%	0%	0%
8	45,000	1.03	100%	0%	0%	0%
9	50,000	1.15	100%	0%	0%	0%
10	55,000	1.26	100%	0%	0%	0%
11	60,000	1.38	100%	0%	0%	0%
12	65,000	1.50	100%	0%	0%	0%
13	70,000	1.61	100%	0%	0%	0%
14	75,000	1.73	100%	0%	0%	0%
15	80,000	1.84	100%	0%	0%	0%
16	85,000	1.96	100%	0%	0%	0%
17	90,000	2.07	100%	0%	0%	0%
18	95,000	2.19	100%	0%	0%	0%
19	100,000	2.30	100%	0%	0%	0%
20	105,000	2.42	100%	0%	0%	0%
21	110,000	2.53	100%	0%	0%	0%
22	115,000	2.65	100%	0%	0%	0%
23	120,000	2.76	100%	0%	0%	0%
24	125,000	2.88	100%	0%	0%	0%
25	130,000	3.00	100%	0%	0%	0%
26	135,000	3.11	100%	0%	0%	0%
27	140,000	3.23	100%	0%	0%	0%
28	145,000	3.34	100%	0%	0%	0%
29	150,000	3.46	100%	0%	0%	0%
30	155,000	3.57	100%	0%	0%	0%
31	160,000	3.69	100%	0%	0%	0%
32	165,000	3.80	100%	0%	0%	0%
33	170,000	3.92	100%	0%	0%	0%
34	175,000	4.03	100%	0%	0%	0%
35	180,000	4.15	100%	0%	0%	0%
36	185,000	4.26	100%	0%	0%	0%
37	190,000	4.38	100%	0%	0%	0%
38	195,000	4.50	100%	0%	0%	0%
39	200,000	4.61	100%	0%	0%	0%
40	205,000	4.73	100%	0%	0%	0%
41	210,000	4.84	100%	0%	0%	0%
42	215,000	4.96	100%	0%	0%	0%
43	220,000	5.07	100%	0%	0%	0%
44	225,000	5.19	100%	0%	0%	0%
45	230,000	5.30	100%	0%	0%	0%
46	235,000	5.42	100%	0%	0%	0%
47	240,000	5.53	100%	0%	0%	0%
48	245,000	5.65	100%	0%	0%	0%
49	250,000	5.76	100%	0%	0%	0%
50	255,000	5.88	100%	0%	0%	0%
51	260,000	6.00	100%	0%	0%	0%
52	265,000	6.11	100%	0%	0%	0%
53	270,000	6.23	100%	0%	0%	0%
54	275,000	6.34	100%	0%	0%	0%
55	280,000	6.46	100%	0%	0%	0%
56	285,000	6.57	100%	0%	0%	0%
57	290,000	6.69	100%	0%	0%	0%
58	295,000	6.80	100%	0%	0%	0%
59	300,000	6.92	100%	0%	0%	0%
60	305,000	7.03	100%	0%	0%	0%
61	310,000	7.15	100%	0%	0%	0%
62	315,000	7.26	100%	0%	0%	0%
63	320,000	7.38	100%	0%	0%	0%
64	325,000	7.50	100%	0%	0%	0%
65	330,000	7.61	100%	0%	0%	0%
66	335,000	7.73	100%	0%	0%	0%
67	340,000	7.84	100%	0%	0%	0%
68	345,000	7.96	100%	0%	0%	0%
69	350,000	8.07	100%	0%	0%	0%
70	355,000	8.19	100%	0%	0%	0%
71	360,000	8.30	100%	0%	0%	0%
72	365,000	8.42	100%	0%	0%	0%
73	370,000	8.53	100%	0%	0%	0%
74	375,000	8.65	100%	0%	0%	0%
75	380,000	8.76	100%	0%	0%	0%
76	385,000	8.88	100%	0%	0%	0%
77	390,000	9.00	100%	0%	0%	0%
78	395,000	9.11	100%	0%	0%	0%
79	400,000	9.23	100%	0%	0%	0%
80	405,000	9.34	100%	0%	0%	0%
81	410,000	9.46	100%	0%	0%	0%
82	415,000	9.57	100%	0%	0%	0%
83	420,000	9.69	100%	0%	0%	0%
84	425,000	9.80	100%	0%	0%	0%
85	430,000	9.92	100%	0%	0%	0%
86	435,000	10.03	100%	0%	0%	0%
87	440,000	10.15	100%	0%	0%	0%
88	445,000	10.26	100%	0%	0%	0%
89	450,000	10.38	100%	0%	0%	0%
90	455,000	10.50	100%	0%	0%	0%
91	460,000	10.61	100%	0%	0%	0%
92	465,000	10.73	100%	0%	0%	0%
93	470,000	10.84	100%	0%	0%	0%
94	475,000	10.96	100%	0%	0%	0%
95	480,000	11.07	100%	0%	0%	0%
96	485,000	11.19	100%	0%	0%	0%
97	490,000	11.30	100%	0%	0%	0%
98	495,000	11.42	100%	0%	0%	0%
99	500,000	11.53	100%	0%	0%	0%
100	505,000	11.65	100%	0%	0%	0%

Open Space Master Plan
428 Residential Lots

Discovery Lakes

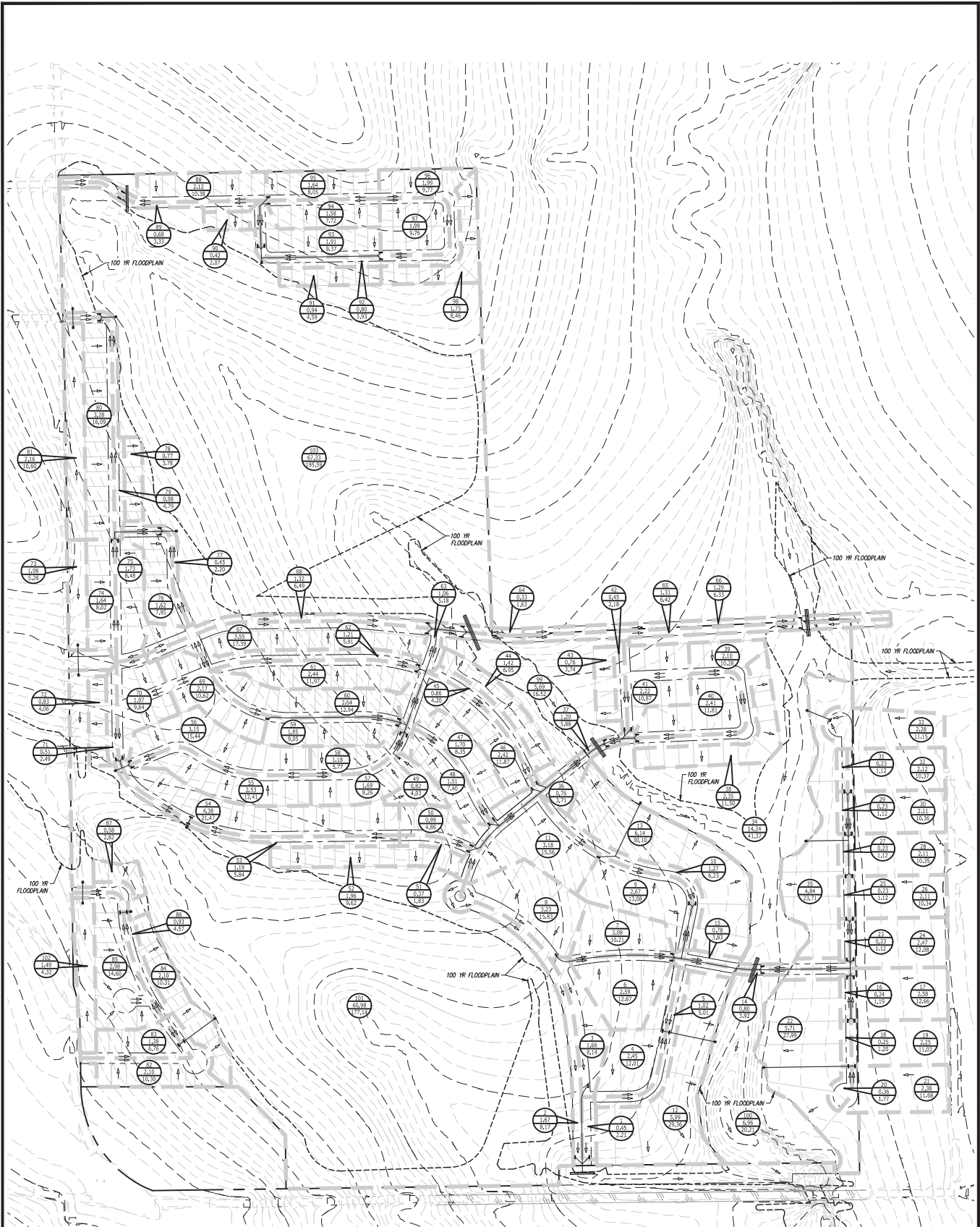
OWNER:
DISCOVERY LAKES, LLC.
15400 Knoll Trail Drive, Suite 230
Dallas, Texas 75248

Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas












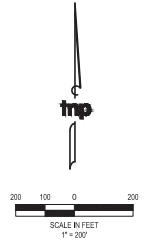
teague nall & perkins
825 Watters Creek Blvd., Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
TBP Registration No. F-230
www.tnpinc.com

PROJECT INFORMATION
Project No.: SBD20370
Date: Oct. 6, 2020
Drawn By: TS
Scale: 1"=200'
SHEET 1 of 1



LEGEND

-  DRAINAGE DIVIDE
-  100 YR FLOODPLAIN
-  DRAINAGE AREA
AREA, ACRES
100 YR RUNOFF, CFS
-  FLOW DIRECTION
-  EX CONTOURS
-  PROPOSED DROP INLET
-  PROPOSED CURB INLET
-  PROPOSED REINFORCED CONCRETE PIPE
-  PROPOSED REINFORCED CONCRETE BOX



OWNER:
DISCOVERY LAKES, LLC.
 15400 Knoll Trail Drive, Suite 230
 Dallas, Texas 75248



teague nall & perkins
 823 Walters Creek Blvd., Suite M300
 Allen, Texas 75013
 214.461.9867 ph 214.461.9864 fx
 TBPE Registration No. F-230
 www.tnpsc.com

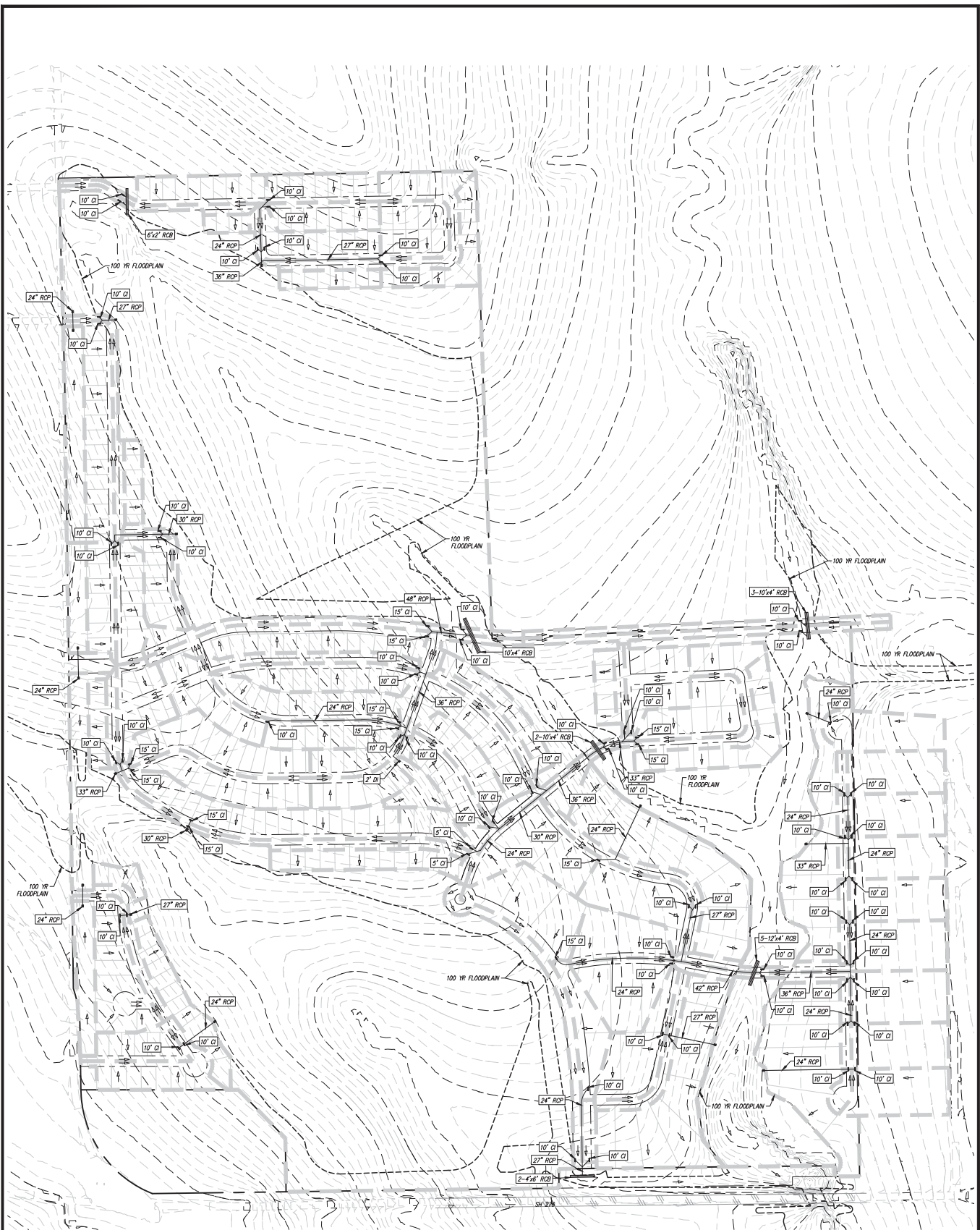
PROJECT INFORMATION
 Project No.: SBD20370
 Date: Oct. 6, 2020
 Drawn By: JH
 Scale: 1"=200'
 SHEET 1 of 3

Master Drainage Plan
 428 Residential Lots

Discovery Lakes

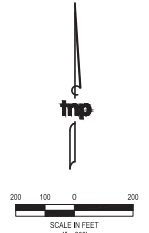
Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas

Drawing: P:\PROJECTS\2020\039 P2200\DWG\MASTER DRAINAGE PLAN\DISCOVERY LAKES_428 Residential Lots.dwg, 10/6/2020, 10:58:10 AM, JH



LEGEND

- DRAINAGE DIVIDE
- 100 YR FLOODPLAIN
- DRAINAGE AREA
- AREA, ACRES
- 100 YR RUNOFF, CFS
- FLOW DIRECTION
- EX CONTOURS
- PROPOSED DROP INLET
- PROPOSED CURB INLET
- PROPOSED REINFORCED CONCRETE PIPE
- PROPOSED REINFORCED CONCRETE BOX



Master Drainage Plan
428 Residential Lots

Discovery Lakes

OWNER:
DISCOVERY LAKES, LLC.
15400 Knoll Trail Drive, Suite 230
Dallas, Texas 75248

Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas



teague nall & perkins
823 Walters Creek Blvd., Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
TBP Registration No. F-230
www.tnpsc.com

PROJECT INFORMATION
Project No.: SBD20370
Date: Oct. 6, 2020
Drawn By: JH
Scale: 1"=200'
SHEET 2 of 3

Drawing #: P:\PROJECTS\2020\039\DRAWING\DWG\MASTER PLAN\DISCOVERY LAKES_MASTER PLAN\DISCOVERY LAKES_MASTER PLAN.dwg, 10/6/2020, 10:50am, JH



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

DATE: October 13, 2020

APPLICANT: Cameron Slown; *Teague, Nall & Perkins, Inc.*

CASE NUMBER: P2020-040; *Preliminary Plat for Phase 1 of the Discover Lakes Addition*

SUMMARY

Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Preliminary Plat for Phase 1 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 36.42-acre tract of land identified as a portion of Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District, generally located on the north side of SH-276 east of the intersection of SH-276 and Rochelle Road, and take any action necessary.

PLAT INFORMATION

- The purpose of the applicant's submittal is to Preliminary Plat the first phase of the Discovery Lakes Subdivision, which will consist of 31 single-family residential lots on an approximately 36.42-acre tract of land. The Discovery Lakes Subdivision as a whole is a master planned community that will be comprised 428 single-family residential lots on a 307.18-acres tract of land, of which 102.9-acres (*i.e.* 33.5%) will be reserved for open space. This development is to be constructed in nine (9) phases and will consist of three (3) lot types (*outline in the Lot Composition table below*). Phase 1 will consist of 31, *Type 'A' Lots* that will be a minimum 80' x 200' or 32,670 SF. In addition to the preliminary plat, the applicant has also submitted preliminary drainage, water, sewer, and a treescape plans showing how the development can be adequately served. The following is the proposed lot composition of the Discovery Lakes Subdivision:

LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	80' x 200'	32,670 SF	45	10.51%
B	70' x 110'	7,700 SF	177	41.36%
C	60' x 110'	6,600 SF	206	48.13%

Maximum Permitted Units: 428 100.00%

- The subject property was annexed by the City Council on June 15, 1998 by Ordinance No. 98-20. On July 5, 2005, the City Council approved Ordinance No. 05-29 [*Case No. Z2005-021*] changing the zoning from an Agricultural (AG) District to a Light Industrial (LI) District. On August 17, 2015, the zoning designation of the subject property was again changed by Ordinance No. 15-24 [*Case No. Z2015-016*] from a Light Industrial (LI) District to Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District and limited General Retail (GR) District land uses. On August 3, 2020, the City Council approved an amendment to Planned Development District 78 (PD-78) through Ordinance No. 20-27 [*Case No. Z2020-024*] allowing for the reduction in the number of single-family residential lots from 507 to 428 (*i.e.* a decrease of the *Type 'A' Lots* by 76 and *Type 'C' Lots* by 53, and an increase in the *Type 'B' Lots* by 50), which represented a reduction in the overall density from 1.65 dwelling units per acre to 1.40 dwelling units per acre. This zoning change also changed the *Type 'A' Lots* from a minimum of 9,600 SF to 32,670 SF.
- On October 6, 2020 the Parks and Recreation Board reviewed the preliminary plat and made the following recommendations concerning the proposed project (*which is located within Park District No. 31*):

- (1) The developer shall pay pro-rata equipment fees of \$11,253.00 (*i.e.* \$363.00 x 31 lots) to be paid at the time of final plat.
 - (2) The developer shall pay cash in lieu of land fees of \$11,873.00 (*i.e.* \$383.00 x 31 lots) to be paid at the time of final plat.
- The purpose of the preliminary plat is to provide sufficient information to evaluate and review the general design of the development ensuring compliance with the OURHometown Vision 2040 Comprehensive Plan, the Unified Development Code (UDC), the Master Thoroughfare Plan, and the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances. The proposed preliminary plat appears to meet the intent of these requirements.
 - The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
 - Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
 - With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of a preliminary plat for *Phase 1* of the *Discover Lakes Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e.* *Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.
- (2) The development shall adhere to the recommendations of the Parks and Recreation Board; and
- (3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-040

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre) ¹
- Preliminary Plat (\$200.00 + \$15.00 Acre) ¹ (200+36.42*15=\$746.30)
- Final Plat (\$300.00 + \$20.00 Acre) ¹
- Replat (\$300.00 + \$20.00 Acre) ¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre) ¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre) ¹
- Specific Use Permit (\$200.00 + \$15.00 Acre) ¹
- PD Development Plans (\$200.00 + \$15.00 Acre) ¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address	none		
Subdivision	Discovery Lakes, Phase 1	Lot	Block
General Location	36.42 Acres out of the 307 Acre Tract near the NE corner of SH 276 and Rochelle Road		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	PD-78	Current Use	None	
Proposed Zoning	PD-78	Proposed Use	Single Family Residential	
Acreage	36.42	Lots [Current]	1	Lots [Proposed]
				31

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	Discovery Lakes, LLC	<input checked="" type="checkbox"/> Applicant	Teague, Nall & Perkins, Inc.
Contact Person	Nick DiGiuseppe	Contact Person	Cameron Slown
Address	15400 Knoll Trail Drive Suite 230	Address	825 Watters Creek Blvd. Suite M300
City, State & Zip	Dallas, Texas 75248	City, State & Zip	Allen, Texas 75013
Phone	972-960-9941	Phone	817-889-5050
E-Mail	southbrookinvestments@outlook.com	E-Mail	cslown@tnpinc.com

NOTARY VERIFICATION [REQUIRED]

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

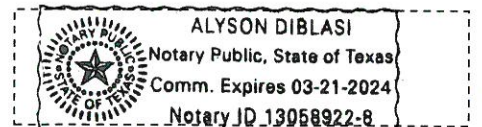
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ \$746.30, to cover the cost of this application, has been paid to the City of Rockwall on this the 17th day of September, 20 20. By signing this 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 17th day of September, 20 20.

Owner's Signature


[Signature]
Alyson DiBlasi

Notary Public in and for the State of Texas



My Commission Expires 03-21-2024

0 200 400 800 1,200 1,600 Feet

P2020-040- PHASE 1 OF THE DISCOVERY LAKES ADDITION
PRELIMINARY PLAT - LOCATION MAP = 

CARRINGTON

WESTMINSTER

LI

AG

PD-78

S. ROCHELL
S. SPRINGER

AMANDA

STATE HIGHWAY 276

PINEBLUFF

SF-10

ROCHELL

PD-66

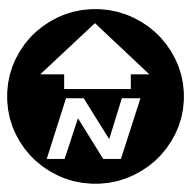
DOWELL

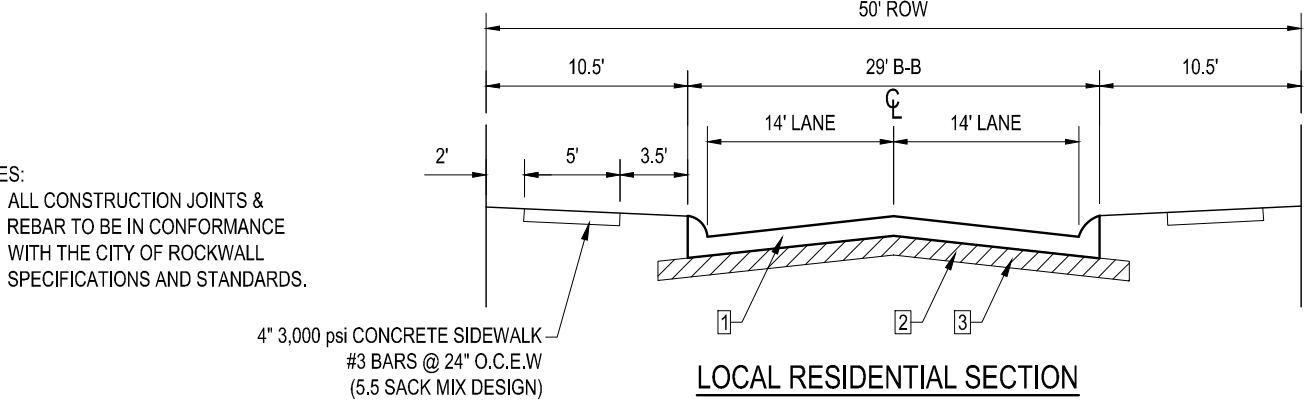
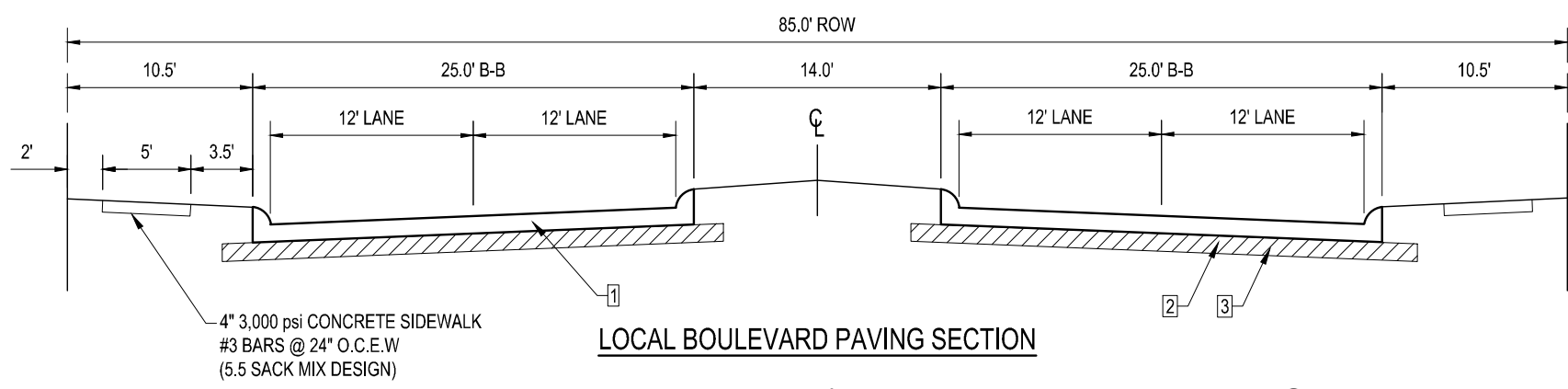


City of Rockwall

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.





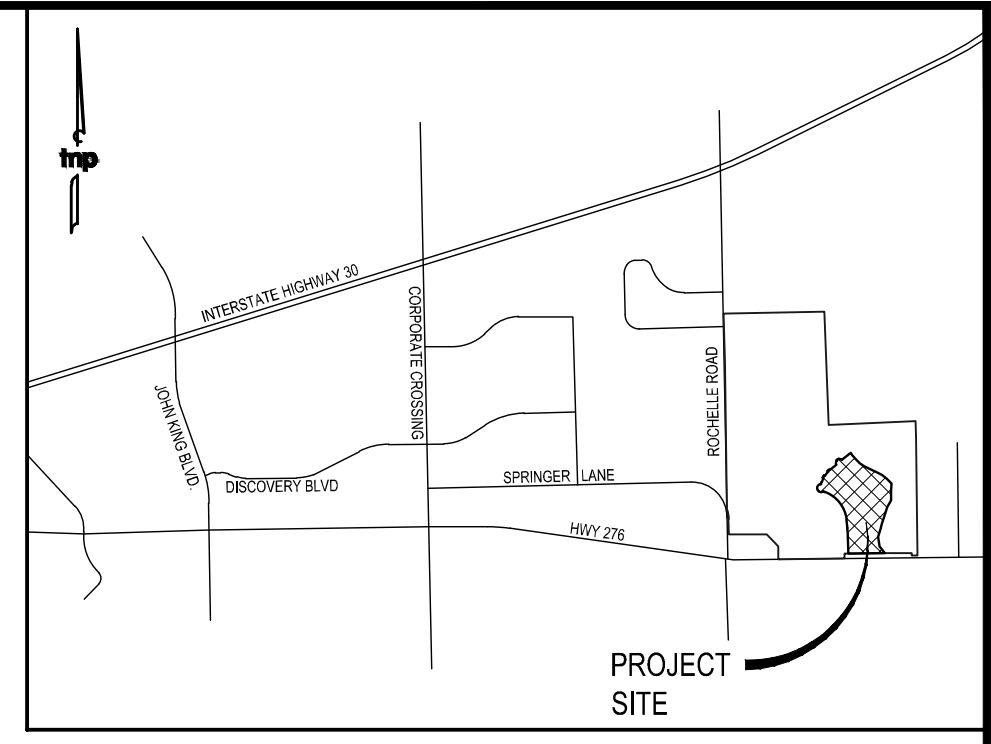
NOTES:
1. ALL CONSTRUCTION JOINTS & REBAR TO BE IN CONFORMANCE WITH THE CITY OF ROCKWALL SPECIFICATIONS AND STANDARDS.

- ① 6\"/>
- ② WHERE THE PLASTICITY INDEX OF THE NATURAL SOIL IS EQUAL TO OR EXCEEDS 15, LIME STABILIZATION SHALL BE REQUIRED. A MINIMUM OF 6% BY WEIGHT OF LIME TO A DEPTH OF 6\"/>
- ③ SUBGRADE SHALL BE 6\"/>

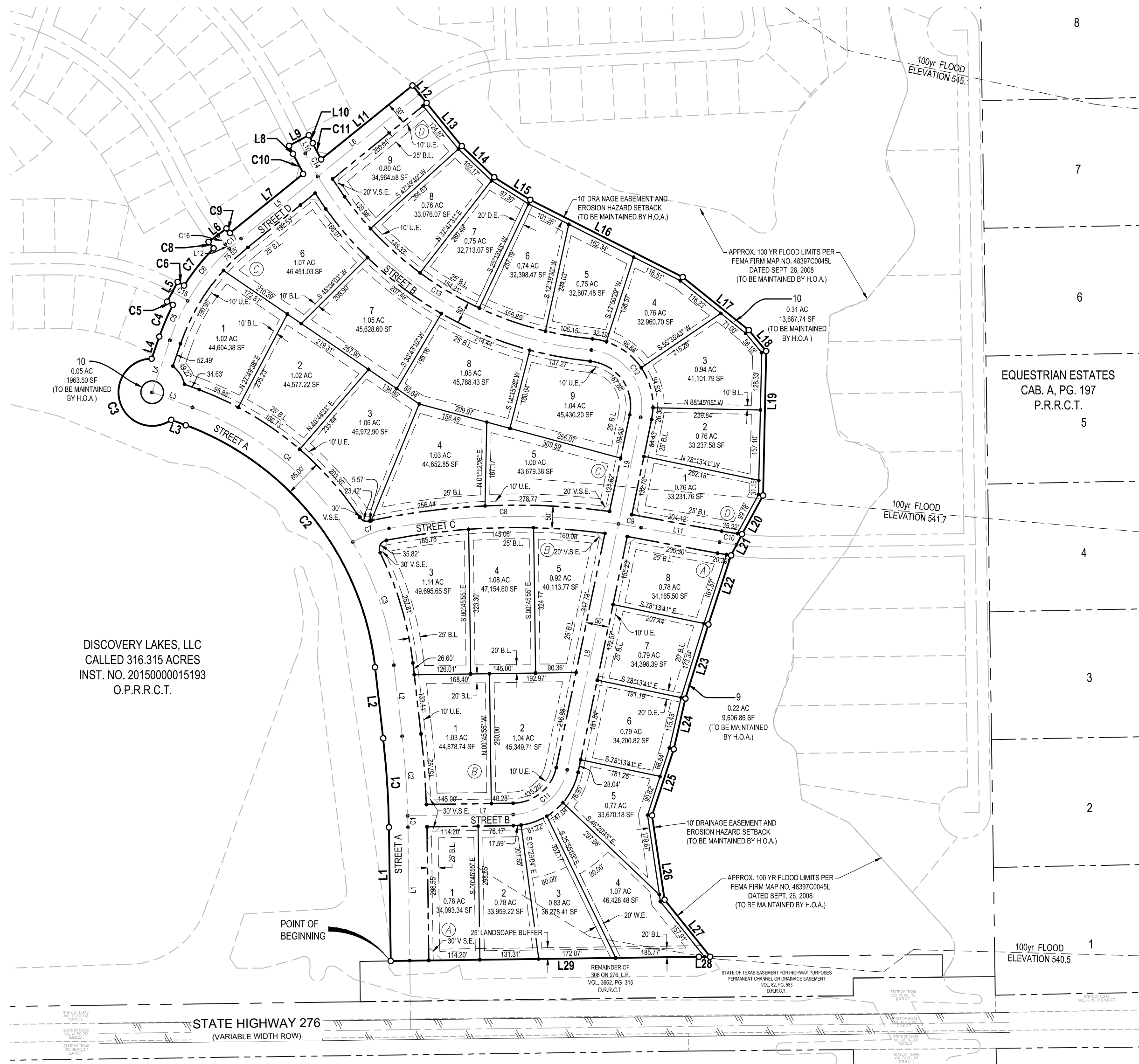
LINE #	BEARING	LENGTH
L1	N00°45'55\"/>	
L2	N06°34'23\"/>	
L3	N69°28'25\"/>	
L4	N18°53'58\"/>	
L5	N28°21'37\"/>	
L6	N52°57'47\"/>	
L7	N51°02'57\"/>	
L8	N26°30'25\"/>	
L9	N61°45'29\"/>	
L10	S26°30'25\"/>	
L11	N51°02'57\"/>	
L12	S39°13'45\"/>	
L13	S39°13'45\"/>	
L14	S46°12'41\"/>	

LINE #	BEARING	LENGTH
L15	S57°49'57\"/>	
L16	S63°08'31\"/>	
L17	S51°14'19\"/>	
L18	S39°33'27\"/>	
L19	S01°14'55\"/>	
L20	S28°27'00\"/>	
L21	S27°15'07\"/>	
L22	S18°13'31\"/>	
L23	S17°10'03\"/>	
L24	S13°02'35\"/>	
L25	S18°04'38\"/>	
L26	S08°26'04\"/>	
L27	S38°38'00\"/>	
L28	S89°29'06\"/>	

CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1967.50'	5°48'28\"/>			
C2	657.50'	62°54'02\"/>			
C3	75.00'	214°23'01\"/>			
C4	520.84'	8°28'11\"/>			
C5	500.00'	1°41'50\"/>			
C6	550.00'	1°42'58\"/>			
C7	503.20'	12°05'31\"/>			
C8	800.00'	1°18'35\"/>			
C9	750.00'	0°59'45\"/>			
C10	825.00'	2°41'12\"/>			
C11	775.00'	2°03'01\"/>			



VICINITY MAP
N.T.S.



CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2043.92'	0°42'16\"/>			
C2	2002.49'	5°06'38\"/>			
C3	700.00'	23°52'32\"/>			
C4	700.00'	39°01'30\"/>			
C5	500.00'	11°03'56\"/>			
C6	500.00'	17°07'35\"/>			
C7	250.00'	19°54'26\"/>			
C8	1525.00'	19°20'58\"/>			
C9	1525.00'	1°55'29\"/>			
C10	725.00'	3°01'22\"/>			
C11	125.00'	77°27'46\"/>			
C12	125.00'	96°13'37\"/>			
C13	800.00'	53°45'20\"/>			
C14	800.00'	4°11'32\"/>			
C15	525.00'	4°21'38\"/>			
C16	250.00'	5°43'53\"/>			
C17	500.00'	3°57'29\"/>			

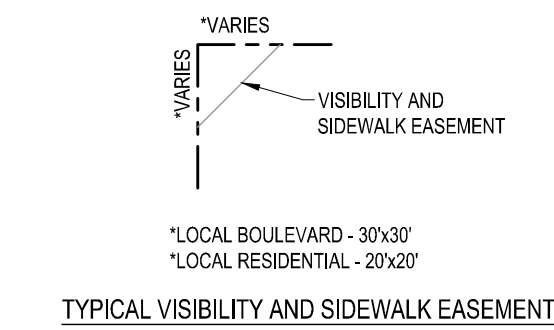
LOT NO.	BLOCK	LOT AREA (SF)	LOT AREA (ACRES)
1	A	34093.34	0.78
2	A	33959.22	0.78
3	A	36278.41	0.83
4	A	46428.48	1.07
5	A	33670.18	0.77
6	A	34200.82	0.79
7	A	34396.39	0.79
8	A	34165.50	0.78
9	A	9606.86	0.22

LOT NO.	BLOCK	LOT AREA (SF)	LOT AREA (ACRES)
1	B	44878.74	1.03
2	B	45349.71	1.04
3	B	49845.42	1.14
4	B	47154.60	1.08
5	B	40113.77	0.92

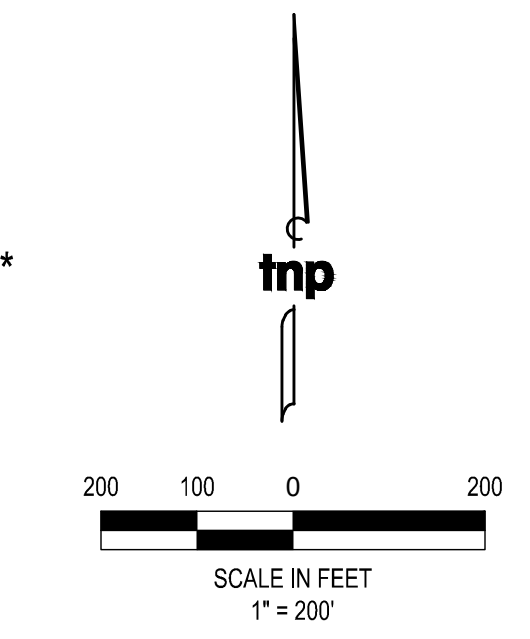
LOT NO.	BLOCK	LOT AREA (SF)	LOT AREA (ACRES)
1	C	44604.38	1.02
2	C	44577.22	1.02
3	C	46005.76	1.06
4	C	44652.85	1.03
5	C	43679.38	1.00
6	C	46451.03	1.07
7	C	45628.60	1.05
8	C	45788.43	1.05
9	C	45430.20	1.04
10	C	1936.50	0.05

LOT NO.	BLOCK	LOT AREA (SF)	LOT AREA (ACRES)
1	D	33231.76	0.76
2	D	33237.58	0.76
3	D	41101.79	0.94
4	D	32960.70	0.76
5	D	32807.48	0.75
6	D	32398.47	0.74
7	D	32713.07	0.75
8	D	33076.07	0.76
9	D	34964.58	0.80
10	D	13687.74	0.31

LINE #	LENGTH	BEARING
L1	298.42'	N00°45'55\"/>
L2	159.71'	N06°34'23\"/>
L3	96.43'	N69°28'25\"/>
L4	123.20'	N18°53'58\"/>
L5	220.91'	N28°21'37\"/>
L6	291.98'	N51°02'57\"/>
L7	235.32'	N89°14'05\"/>
L8	561.29'	N11°46'19\"/>
L9	243.60'	N11°46'19\"/>
L10	32.19'	S26°30'25\"/>
L11	178.52'	S79°35'02\"/>
L12	13.20'	S42°54'31\"/>



	COMPLIANCE WITH PD ORDINANCE 20-27	
	PD REQUIREMENT	PROVIDED BY MASTER PLAN
TOTAL NUMBER OF RESIDENTIAL LOTS	MAX. 428 LOTS	428 LOTS
AVERAGE LOT SIZE	MIN. 9,700 SF PER LOT	AVERAGE OF 11,137 SF PER LOT
LOT COMPOSITION	TYPE A: MIN. 40 LOTS TYPE B: MIN. 38% OF TOTAL LOTS TYPE C: MAX. 55% OF TOTAL LOTS	TYPE A: 45 LOTS TYPE B: 165/428 = 39% OF TOTAL LOTS TYPE C: 218/428 = 51% OF TOTAL LOTS
RESIDENTIAL DENSITY	MAX. 1.40 LOTS PER GROSS ACRE	1.39 LOTS PER GROSS ACRE
OPEN SPACE	MIN. 20% OF GROSS LAND AREA	102.9/307.18 = 33.5%



LEGEND
NTS - NOT TO SCALE
R.O.W. - RIGHT OF WAY
INST. - INSTRUMENT
CAB. - CABINET
VOL. - VOLUME
NO. - NUMBER
PG. - PAGE
SF - SQUARE FEET
AC - ACRES
* B.L. - BUILDING LINE
D.E. - DRAINAGE EASEMENT
W.E. - WATER EASEMENT
U.E. - UTILITY EASEMENT
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS ROCKWALL COUNTY TEXAS
P.R.R.C.T.-PLAT RECORDS ROCKWALL COUNTY TEXAS

PRELIMINARY PLAT

Discovery Lakes Phase 1

31 RESIDENTIAL LOTS
1,586,455.20 SQUARE FEET
36.42 ACRES GROSS

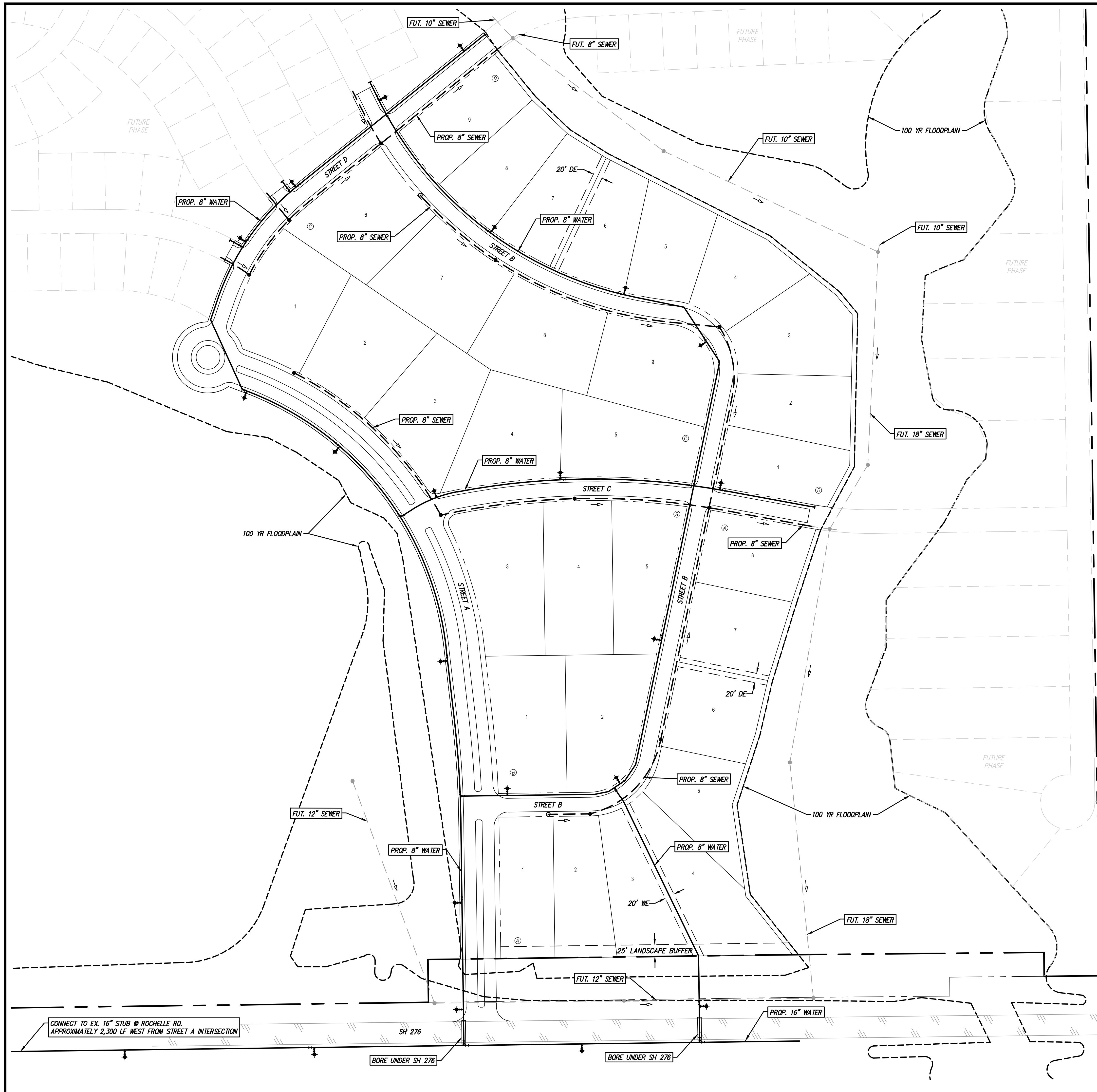
BEING A PORTION OF A TRACT OF LAND SITUATED IN THE M.E. HAWKINS SURVEY, ABSTRACT NO. 100 AND THE ROBERT K. BRISCOE SURVEY, ABSTRACT NO. 16 IN THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS

OWNER
DISCOVERY LAKES, LLC.
15400 Knoll Trail Drive, Suite 230
Dallas, Texas 75248

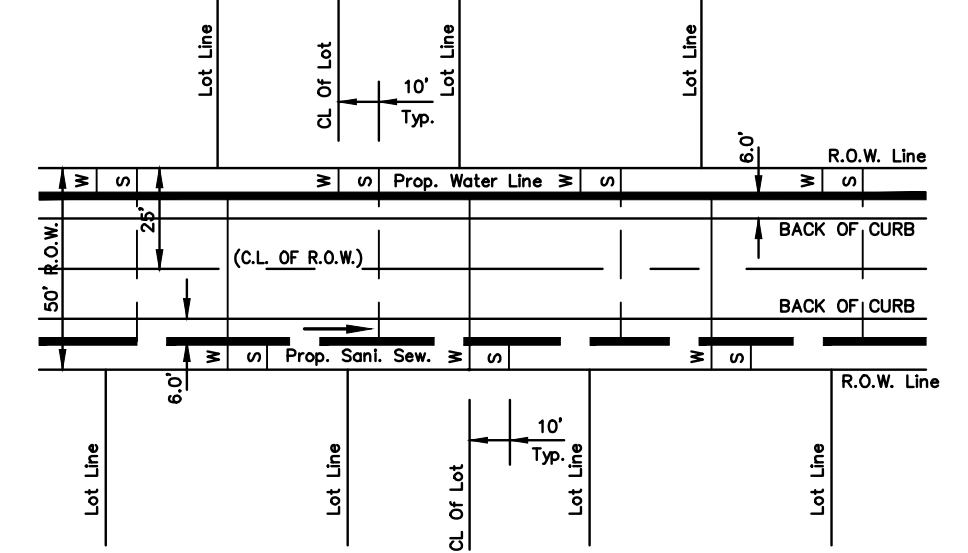
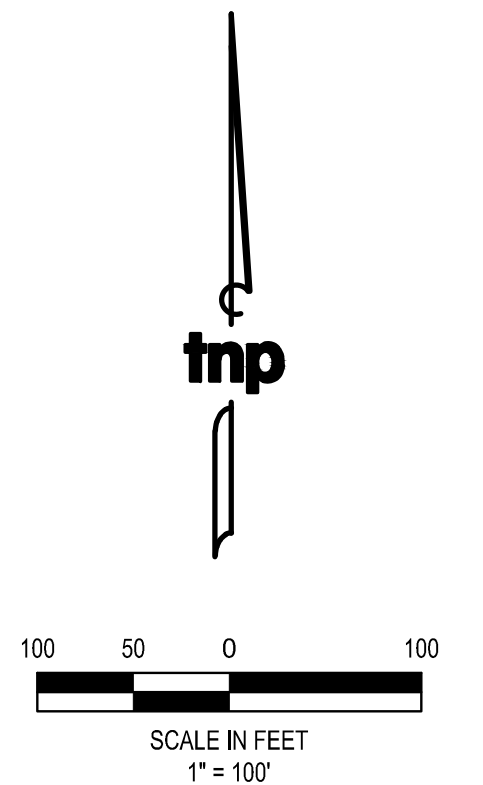
PROJECT INFORMATION
Project No.: SBD20370
Date: October 6, 2020
Drawn By: GS9
Scale: 1\"/>



ENGINEER
TEAGUE NALL AND PERKINS, INC.
825 Waters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
www.tnppinc.com
TBPELS: ENGR F-230; SURV 10011600, 10011601, 10194381
GBPE: PEF007431; TBAE: BR 2673



NOTE: PER PD-78 ALL TYPE A LOTS W/ MIN 32,670 SF (0.75 AC.) SHALL HAVE TEMPORARY OSSF THAT CONFORM TO TCEQ STANDARDS. SANITARY SEWER MAINS, LATERALS AND LOT SERVICES WILL BE PROVIDED DURING CONSTRUCTION OF PHASE 1 AS SHOWN. ALL LOTS WILL DISCONNECT FROM OSSF AND CONNECT TO LOT SERVICES WHEN FUTURE OFFSITE SANITARY SEWER IS MADE AVAILABLE.



TYPICAL WATER & SEWER DETAIL
M.T.A.

Preliminary Water & Sewer Plan
31 Residential Lots

Discovery Lakes Phase 1

OWNER:
DISCOVERY LAKES, LLC.
15400 Knoll Trail Drive, Suite 230
Dallas, Texas 75248

Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas



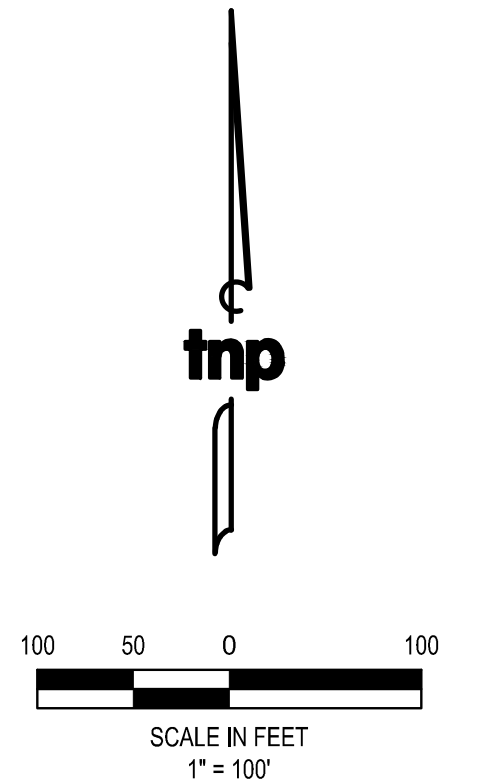
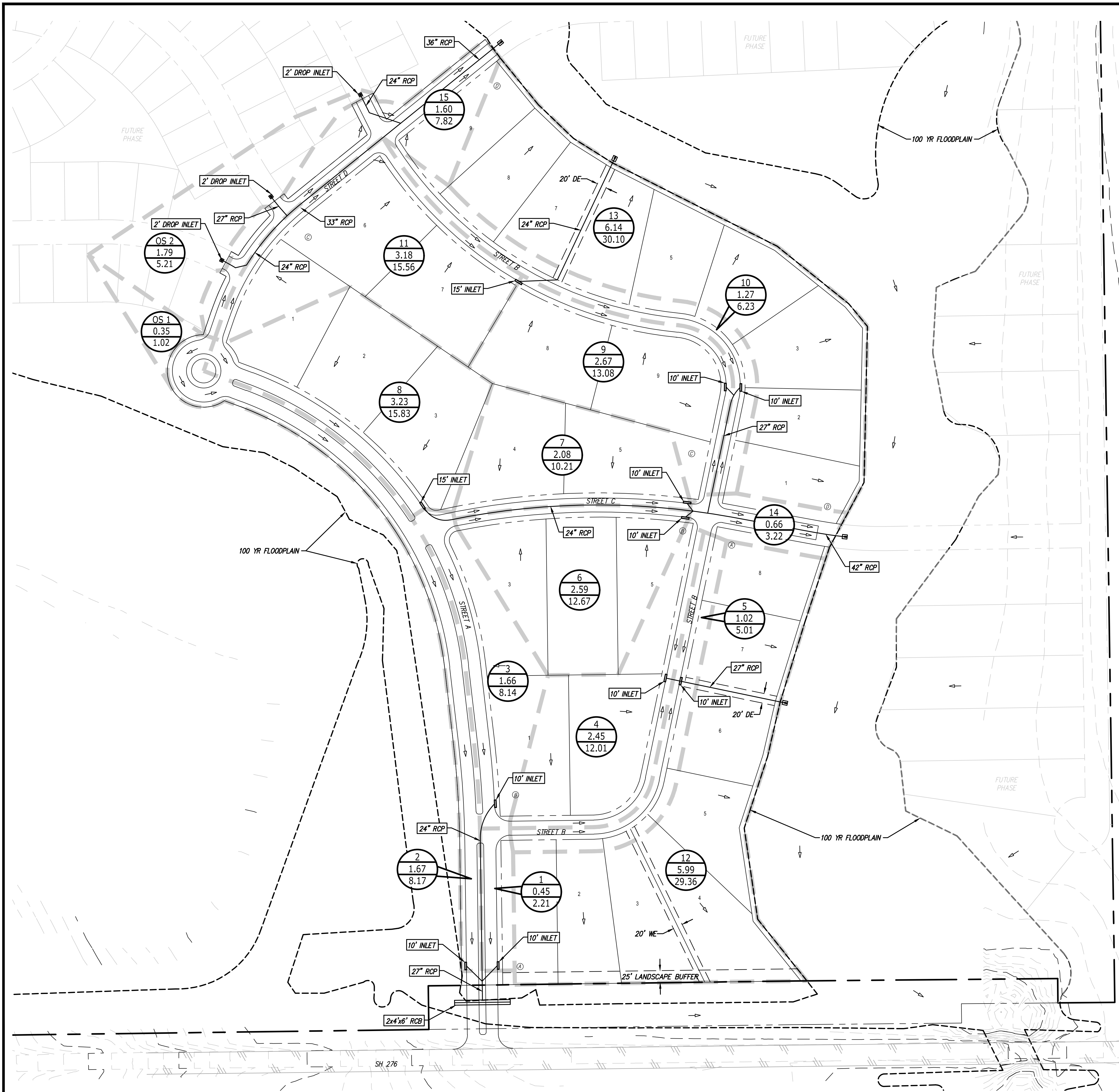
teague nall & perkins
825 Watters Creek Blvd., Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
TBPE Registration No. F-230
www.tnpsc.com

PROJECT INFORMATION
Project No.: SBD20370
Date: Oct. 6, 2020
Drawn By: CAS
Scale: 1"=100'

SHEET 1 of 1

CASE NO. P2020-040

Drawing: P:\PROJECTS\SBD20370\040\PRELIMINARY DESIGN\Sheets\SBD20370-040-PRE-WATER & SEWER PLAN.dwg at Oct 06, 2020 9:22am by casdm



LEGEND

- DRAINAGE DIVIDE
- 100 YR FLOODPLAIN
- DRAINAGE AREA
- AREA, ACRES
- 100 YR RUNOFF, CFS
- FLOW DIRECTION
- EX CONTOURS

DRAINAGE AREA CALCULATIONS						
Drainage Area No.	Time of Conc. (min.)	Intensity I ₁₀₀ (in/hr)	Runoff Coefficient C	Area (ac.)	Q ₁₀₀ (cfs)	Remarks
1	10	9.80	0.50	0.45	2.21	FLOWS TO STORM INLET
2	10	9.80	0.50	1.67	8.17	FLOWS TO STORM INLET
3	10	9.80	0.50	1.66	8.14	FLOWS TO STORM INLET
4	10	9.80	0.50	2.45	12.01	FLOWS TO STORM INLET
5	10	9.80	0.50	1.02	5.01	FLOWS TO STORM INLET
6	10	9.80	0.50	2.59	12.67	FLOWS TO STORM INLET
7	10	9.80	0.50	2.08	10.21	FLOWS TO STORM INLET
8	10	9.80	0.50	3.23	15.83	FLOWS TO STORM INLET
9	10	9.80	0.50	2.67	13.08	FLOWS TO STORM INLET
10	10	9.80	0.50	1.27	6.23	FLOWS TO STORM INLET
11	10	9.80	0.50	3.18	15.56	FLOWS TO STORM INLET
12	10	9.80	0.50	5.99	29.36	FLOWS TO CREEK
13	10	9.80	0.50	6.14	30.10	FLOWS TO CREEK
14	10	9.80	0.50	1.57	7.71	FLOWS TO CREEK
15	10	9.80	0.50	1.60	7.82	FLOWS TO CREEK
OS 1	20	8.30	0.35	1.79	5.21	FLOWS TO DRAINAGE AREA 2
OS 2	20	8.30	0.35	0.35	1.02	FLOWS TO DROP INLETS
TOTAL				39.72	190.34	

Preliminary Drainage Area Map
31 Residential Lots

Discovery Lakes Phase 1

OWNER:
DISCOVERY LAKES, LLC.
15400 Knoll Trail Drive, Suite 230
Dallas, Texas 75248

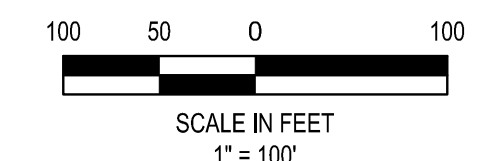
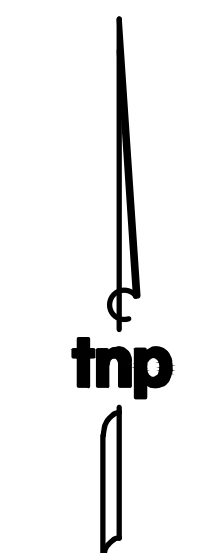
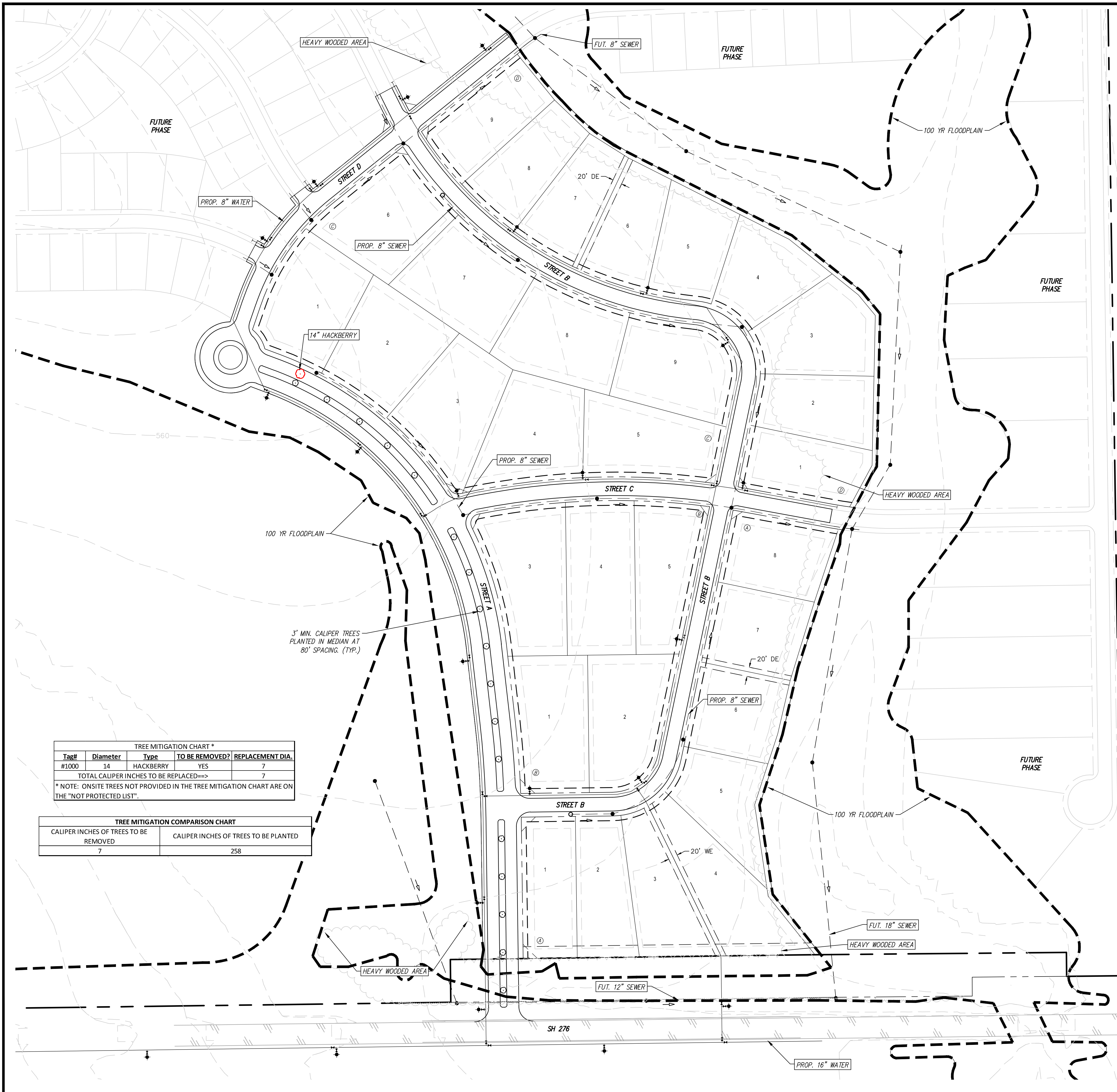
Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas



teague nall & perkins
825 Watters Creek Blvd., Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
TBPE Registration No. F-230
www.tnperc.com

PROJECT INFORMATION
Project No.: SBD20370
Date: Oct. 6, 2020
Drawn By: CAS
Scale: 1"=100'
SHEET 1 of 1

Drawing: P:\PROJECTS\SBD20370\AD\PRELIMINARY DESIGN\Sheets\SBD20370-PRDRAINAGE.dwg at Oct 06, 2020 11:43am by calwin



LEGEND	
—●—	PROP. WATER LINE
⊕	PROP. FIRE HYDRANT ASSEMBLY
⊕	PROP. VALVE
—x—	PROP. SANITARY SEWER LINE
●	PROP. SANITARY SEWER MANHOLE
---	MAJOR CONTOUR
- - -	BUILDING SETBACKS
- - -	FLOOD PLAN
- - -	TREE LINE
○	PROP. TREES
⊖	TREES TO BE REMOVED

TREE MITIGATION NOTE

- THERE WILL BE A MINIMUM OF TWO, THREE INCH (3") CALIPER TREES PLANTED ON EACH RESIDENTIAL LOT IN ADDITION TO TWO, THREE INCH (3") CALIPER TREES PLANTED IN EACH CORNER LOT FOR A SUM TOTAL OF (2*3*31=186") + (2*3*12=72) 258" TO BE PLANTED WITHIN PHASE 1 OF THE DEVELOPMENT. ALL TREES PLANTED ARE TO BE FROM THE LIST OF CANOPY AND ACCENT TREES PROVIDED IN ARTICLE 8, LANDSCAPE STANDARDS, OF THE UNIFIED DEVELOPMENT CODE (UDC).
- EXISTING ONSITE TREES NOT PROVIDED IN THE TREE MITIGATION CHART ARE ON THE "NOT PROTECTED LIST".
- ALL LOT PADS WITHIN PHASE 1 ADJACENT TO THE FLOOD PLAIN WILL BE CUSTOM AND CONSTRUCTED BY THE BUILDER. DRAINAGE PLANS WILL BE DESIGNED TO PREVENT GRADING WITHIN THE HEAVY WOODED AREA.

TREE MITIGATION CHART *				
Tag#	Diameter	Type	TO BE REMOVED?	REPLACEMENT DIA.
#1000	14	HACKBERRY	YES	7
TOTAL CALIPER INCHES TO BE REPLACED=>				7

* NOTE: ONSITE TREES NOT PROVIDED IN THE TREE MITIGATION CHART ARE ON THE "NOT PROTECTED LIST".

TREE MITIGATION COMPARISON CHART	
CALIPER INCHES OF TREES TO BE REMOVED	CALIPER INCHES OF TREES TO BE PLANTED
7	258

Treescape Plan
31 Residential Lots

Discovery Lakes Phase 1

OWNER:
DISCOVERY LAKES, LLC.
15400 Knoll Trail Drive, Suite 230
Dallas, Texas 75248

Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas



teague nall & perkins
825 Watters Creek Blvd., Suite M300
Allen, Texas 75013
214.461.9867 ph 214.461.9864 fx
TBPE Registration No. F-230
www.tnpsc.com

PROJECT INFORMATION
Project No.: SBD20370
Date: Oct. 6, 2020
Drawn By: CAS
Scale: 1"=100'
SHEET 1 of 1



CITY OF ROCKWALL
PLANNING AND ZONING COMMISSION MEMORANDUM

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

TO: Planning and Zoning Commission
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: October 13, 2020
SUBJECT: Z2020-039; *Amendment to the Accessory Structure Standards in Article 05, District Development Standards, of the Unified Development Code (UDC)*

On September 8, 2020, staff held a work session with the City Council to discuss the accessory structure standards contained in Article 05, *District Development Standards*, of the Unified Development Code (UDC). The purpose of this work session was to review the current standards, and see if any changes or clarifications were needed to improve the current ordinance. After reviewing the information provided by staff, the City Council directed staff to make the following changes to the standards, processes, and procedures for accessory structures:

- (1) *Ordinance Changes*. Change the current accessory structure standards to incorporate the following changes [1] provide a definition of standard size motor vehicle (*i.e. a vehicle that is a minimum of nine [9] feet by 18-feet*), [2] provide clarification to the requirements for detached garages that specifically state that a motor vehicle needs to be able to access a detached garage via a standard width, concrete residential driveway that is a minimum of 20-feet in length, and [3] provide additional minor clarifications. *Attached to this memorandum is a copy of the proposed changes.*
- (2) *Building Permit Application*. Changes to the format and presentation of the *Building Permit Application* were made. This included removing several sections from the old application that were deemed to be unnecessary or confusing, and changing the *Permit Description* field to *Project Description*. In addition, the fee schedule was consolidated from two (2) pages to one (1) page and incorporated on the backside of the *Building Permit Application*. *This change has already been implemented. Attached to this memorandum is a copy of the updated application form.*
- (3) *Penalty Fees for Construction without a Permit*. The City of Rockwall requires all contractors in the City to register and pay a \$100.00 registration fee to apply for permits and do work within the City (*with the exception of plumbers and electricians who are required to register but are exempted from the registration fee per State Law*). As a deterrent the City Council directed staff to implement a penalty for contractors who do work without obtaining a building permit or that do work under false pretenses (*i.e. work that was not on an approved permit*), that stipulates that the City can expire their contractor's registration and make them reapply. This would cost the contractor both time and money when they try to pull a subsequent permit from the City. *This change was implemented with the changes to the consolidated fee schedule and is currently in use.*
- (4) *Educational Tools*. Staff has created a one (1) page handout that includes the ordinance (*which was consolidated into a one [1] page chart with Ordinance No. 18-47*), and shows a graphical depiction of the dimensional requirements for accessory structures. *This is being provided for the Planning and Zoning Commission's review as part of this proposed text amendment case.*

Since the City Council's direction, staff has made a few additional changes (*i.e. yellow depicts changes presented to the City Council and green depicts new changes*) the biggest of which is breaking out the accessory structure standards from *Covered Porches, Pergolas, and Carports* into individual sections (*i.e. [1] Carports, [2] Attached and Detached Covered Porches, and [3] Pergolas*). Attached to this memorandum is a copy of the information provided to the City Council, the proposed changes to the accessory structure standards, a copy of the proposed one (1) page handout referenced above, and the draft ordinance. In accordance, with Section 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code, staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. The schedule for this text amendment is as follows:

Planning and Zoning Commission Work Session: September 29, 2020
Planning and Zoning Commission Public Hearing: October 13, 2020
City Council Public Hearing/1st Reading: October 19, 2020
City Council 2nd Reading: November 2, 2020

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on October 13, 2020.



SUBSECTION 07.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE →		ACCESSORY BUILDINGS 1, 3, 5, 8 & 12							ACCESSORY STRUCTURES 1, 3, 5 & 8		
		SINGLE FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	ALL OTHER SINGLE-FAMILY ZONING DISTRICTS (I.E. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	TWO FAMILY (2F) DISTRICT AND ZERO LOT LINE (ZL-5) DISTRICT	PORTABLE ACCESSORY BUILDING 0 SF – 120 SF	DETACHED GARAGE ⁹	CARPORTS	ATTACHED AND DETACHED COVERED PORCHES	PERGOLAS
DEVELOPMENT STANDARDS ↓											
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE PERMITTED		2 ²	2 ²	2 ²	2 ⁶	1	1	1	1	1	N/A ¹¹
MAXIMUM SF OF ACCESSORY STRUCTURE		1,000 ²	1,000 ²	1,250 ²	144 ⁶	100	120	625	500	500 ¹⁰	500 ¹⁰
MINIMUM	REAR (FEET)	10	10	10	3	3	3	10	10	10 ¹⁰	10 ¹⁰
	REAR W/ ALLEYWAY (FEET)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20	3 ¹⁰	3 ¹⁰
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3 ¹⁰
BETWEEN BUILDINGS (FEET)		10	10	10	6	3 ⁶	3 ⁶	10	10	3	3
BUILDING HEIGHT (FEET) ⁸		15	15	15	15	10	10	15	15	15	12

ADDITIONAL REQUIREMENTS:

- ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES SHALL BE ACCESSORY TO A RESIDENTIAL USE AND LOCATED ON THE SAME LOT. UNLESS STIPULATED ABOVE, ONLY TWO (2) ACCESSORY STRUCTURES ARE PERMITTED PER SINGLE-FAMILY LOT; EXCLUDING CARPORTS/COVERED PORCHES/PERGOLAS THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE AND WHICH ARE INCLUDED IN THE SQUARE FOOTAGE OF THE OVERALL STRUCTURE.
- IF MORE THAN ONE (1) ACCESSORY BUILDING IS PROPOSED OR IF AN ACCESSORY BUILDING, 625 SF OR LESS, IS EXISTING THEN THE MAXIMUM ACCESSORY BUILDING THAT CAN BE CONSTRUCTED IS 400 SF. IF THERE IS AN EXISTING ACCESSORY BUILDING GREATER THAN 625 SF NO ADDITIONAL ACCESSORY BUILDINGS OR STRUCTURES ARE PERMITTED.
- ACCESSORY BUILDINGS AND STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE PRIMARY STRUCTURE, AND BE SITUATED BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- IF THE ACCESSORY BUILDING DOES NOT HAVE GARAGE DOORS FACING THE ALLEYWAY THE SETBACK IS THE SAME AS THE BASE ZONING DISTRICT.
- ACCESSORY BUILDINGS AND STRUCTURES (EXCLUDING PORTABLE BUILDINGS) NOT MEETING THE SIZE OR HEIGHT REQUIREMENTS STIPULATED BY THIS SECTION SHALL REQUIRE A SPECIFIC USE PERMIT (SUP). IN REVIEWING A SPECIFIC USE PERMIT (SUP), THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL SHALL CONSIDER: [1] IF THE STRUCTURE WAS CONSTRUCTED WITHOUT A PERMIT OR UNDER FALSE PRETENSES, [2] THE SIZE OF THE PROPOSED ACCESSORY STRUCTURE COMPARED TO THE SIZE OF OTHER ACCESSORY STRUCTURES IN THE AREA/NEIGHBORHOOD/SUBDIVISION, AND [3] THE SIZE, ARCHITECTURE AND BUILDING MATERIALS PROPOSED FOR THE STRUCTURE COMPARED TO THOSE OF THE PRIMARY STRUCTURE.
- EACH PROPERTY SHALL BE PERMITTED ONE (1) DETACHED GARAGE UP TO 625 SF AND ONE (1) ACCESSORY BUILDING UP TO 144 SF OR TWO (2) ACCESSORY BUILDINGS UP TO 144 SF EACH. IF A PROPERTY HAS AN EXISTING ACCESSORY BUILDING GREATER THAN 144 SF, NO ADDITIONAL ACCESSORY BUILDINGS OR DETACHED GARAGES SHALL BE PERMITTED.
- IN RESIDENTIAL DISTRICTS, CARPORTS MUST BE OPEN ON AT LEAST TWO (2) SIDES, ARCHITECTURALLY INTEGRATED INTO THE PRIMARY STRUCTURE, AND BE LOCATED 20-FEET BEHIND THE CORNER OF THE FRONT FAÇADE AND MEET THE GARAGE SETBACK ADJACENT TO AN ALLEY. PORTE-COCHERES ARE NOT CONSIDERED CARPORTS, AND ARE ALLOWED, IF THEY ARE ATTACHED AND INTEGRAL WITH THE DESIGN OF THE HOUSE.
- TWO (2) STORY ACCESSORY BUILDINGS OR STRUCTURES SHALL BE PROHIBITED.
- SHALL INCLUDE A MINIMUM OF ONE (1) GARAGE BAY DOOR LARGE ENOUGH TO PULL AND PARK A STANDARD SIZE MOTOR VEHICLE (I.E. A VEHICLE THAT IS A MINIMUM OF NINE [9] FEET BY 18-FEET) THROUGH INSIDE THE STRUCTURE. IN ADDITION, A DETACHED GARAGE MUST BE ACCESSIBLE FROM THE FRONT, REAR OR SIDE YARD BY A STANDARD WIDTH, CONCRETE DRIVEWAY THAT HAS MINIMUM LENGTH OF 20-FEET OF DRIVEWAY PAVEMENT. DETACHED GARAGES ACCESSIBLE FROM THE FRONT SHALL BE A MINIMUM OF 20-FEET BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- COVERED PORCHES AND PERGOLAS THAT ARE DETACHED OR NOT CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE PERMITTED TO BE LOCATED WITHIN FEET OF THE REAR (OR REAR WITH ALLEYWAY) AND SIDE YARD PROPERTY LINE.
- COVERED PORCHES AND PERGOLAS THAT ARE ATTACHED OR CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE EXEMPTED FROM THE SIZE RESTRICTIONS BUT SHALL BE REQUIRED TO MEET THE SAME SETBACKS AS THE PRIMARY STRUCTURE.
- PERGOLAS ARE NOT SUBJECT TO THE NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS, BUT DO COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.
- PORTABLE ACCESSORY BUILDINGS ARE DEFINED AS AN ACCESSORY BUILDING THAT DOES NOT HAVE A PERMANENT FOUNDATION. ALL ACCESSORY BUILDINGS THAT ARE NOT PORTABLE ACCESSORY BUILDINGS REQUIRE A PERMANENT CONCRETE FOUNDATION.



ACCESSORY STRUCTURE STANDARDS

City of Rockwall
 Building Inspections Department
 385 S. Goliad Street
 Rockwall, Texas 75087

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE →		ACCESSORY BUILDINGS ^{1, 3, 5, 8 & 12}							ACCESSORY STRUCTURES ^{1, 3, 5 & 8}		
		SINGLE FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	ALL OTHER SINGLE-FAMILY ZONING DISTRICTS (I.E. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	TWO FAMILY (2F) DISTRICT AND ZERO LOT LINE (ZL-5) DISTRICT	PORTABLE ACCESSORY BUILDING 0 SF – 120 SF	DETACHED GARAGE ⁹	CARPORTS ⁷	ATTACHED AND DETACHED COVERED PORCHES	PERGOLAS
DEVELOPMENT STANDARDS ↓											
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE PERMITTED		2 ²	2 ²	2 ²	2 ⁶	1	1	1	1	1	N/A ¹¹
MAXIMUM SF OF ACCESSORY STRUCTURE		1,000 ²	1,000 ²	1,250 ²	144 ⁶	100	120	625	500	500 ¹⁰	500 ¹⁰
MINIMUM SETBACKS	REAR (FEET)	10	10	10	3	3	3	10	10	3 ¹⁰	3 ¹⁰
	REAR W/ ALLEYWAY (FEET)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20	3 ¹⁰	3 ¹⁰
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT ¹⁰	SEE ZONING DISTRICT ¹⁰	3 ¹⁰
BETWEEN BUILDINGS (FEET)		10	10	10	6	6	6	10	10	6	6
BUILDING HEIGHT (FEET) ⁸		15	15	15	15	10	10	15	15	15	12

ADDITIONAL REQUIREMENTS:

- 1: ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES SHALL BE ACCESSORY TO A RESIDENTIAL USE AND LOCATED ON THE SAME LOT. UNLESS STIPULATED ABOVE, ONLY TWO (2) ACCESSORY STRUCTURES ARE PERMITTED PER SINGLE-FAMILY LOT; EXCLUDING CARPORTS/COVERED PORCHES/PERGOLAS THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE.
- 2: IF MORE THAN ONE (1) ACCESSORY BUILDING IS PROPOSED OR IF AN ACCESSORY BUILDING, 625 SF OR LESS, IS EXISTING THEN THE MAXIMUM ACCESSORY BUILDING THAT CAN BE CONSTRUCTED IS 400 SF. IF THERE IS AN EXISTING ACCESSORY BUILDING GREATER THAN 625 SF NO ADDITIONAL ACCESSORY BUILDINGS OR STRUCTURES ARE PERMITTED.
- 3: ACCESSORY BUILDINGS AND STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE PRIMARY STRUCTURE, AND BE SITUATED BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- 4: IF THE ACCESSORY BUILDING DOES NOT HAVE GARAGE DOORS FACING THE ALLEYWAY THE SETBACK IS THE SAME AS THE BASE ZONING DISTRICT.
- 5: ACCESSORY BUILDINGS AND STRUCTURES (*EXCLUDING PORTABLE BUILDINGS*) NOT MEETING THE SIZE OR HEIGHT REQUIREMENTS STIPULATED BY THIS SECTION SHALL REQUIRE A SPECIFIC USE PERMIT (SUP). IN REVIEWING A SPECIFIC USE PERMIT (SUP), THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL SHALL CONSIDER: [1] IF THE STRUCTURE WAS CONSTRUCTED WITHOUT A PERMIT OR UNDER FALSE PRETENSES, [2] THE SIZE OF THE PROPOSED ACCESSORY STRUCTURE COMPARED TO THE SIZE OF OTHER ACCESSORY STRUCTURES IN THE AREA/NEIGHBORHOOD/SUBDIVISION, AND [3] THE ARCHITECTURE AND BUILDING MATERIALS PROPOSED FOR THE STRUCTURE COMPARED TO THOSE OF THE PRIMARY STRUCTURE.
- 6: EACH PROPERTY SHALL BE PERMITTED ONE (1) DETACHED GARAGE UP TO 625 SF AND ONE (1) ACCESSORY BUILDING UP TO 144 SF OR TWO (2) ACCESSORY BUILDINGS UP TO 144 SF EACH. IF A PROPERTY HAS AN EXISTING ACCESSORY BUILDING GREATER THAN 144 SF, NO ADDITIONAL ACCESSORY BUILDINGS OR DETACHED GARAGES SHALL BE PERMITTED.
- 7: IN RESIDENTIAL DISTRICTS, CARPORTS MUST BE OPEN ON AT LEAST TWO (2) SIDES, ARCHITECTURALLY INTEGRATED INTO THE PRIMARY STRUCTURE, AND BE LOCATED 20-FEET BEHIND THE CORNER OF THE FRONT FAÇADE AND MEET THE GARAGE SETBACK ADJACENT TO AN ALLEY. PORTE-COCHERES ARE NOT CONSIDERED CARPORTS, AND ARE ALLOWED, IF THEY ARE ATTACHED AND INTEGRAL WITH THE DESIGN OF THE HOUSE.
- 8: TWO (2) STORY ACCESSORY BUILDINGS OR STRUCTURES SHALL BE PROHIBITED.
- 9: SHALL INCLUDE A MINIMUM OF ONE (1) GARAGE BAY DOOR LARGE ENOUGH TO PULL AND PARK A STANDARD SIZE MOTOR VEHICLE (*I.E. A VEHICLE THAT IS A MINIMUM OF NINE (9) FEET BY 18-FEET*) INSIDE THE STRUCTURE. IN ADDITION, A DETACHED GARAGE MUST BE ACCESSIBLE FROM THE REAR OR SIDE YARD BY A STANDARD WIDTH, CONCRETE DRIVEWAY THAT HAS MINIMUM LENGTH OF 20-FEET OF DRIVEWAY PAVEMENT.
- 10: COVERED PORCHES AND PERGOLAS THAT ARE ATTACHED OR CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE EXEMPTED FROM THE SIZE RESTRICTIONS BUT SHALL BE REQUIRED TO MEET THE SAME SETBACKS AS THE PRIMARY STRUCTURE.
- 11: PERGOLAS ARE NOT SUBJECT TO THE *NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS*, BUT DO COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.
- 12: PORTABLE ACCESSORY BUILDINGS ARE DEFINED AS AN ACCESSORY BUILDING THAT DOES NOT HAVE A PERMANENT FOUNDATION. ALL ACCESSORY BUILDINGS THAT ARE NOT PORTABLE ACCESSORY BUILDINGS REQUIRE A PERMANENT CONCRETE FOUNDATION.



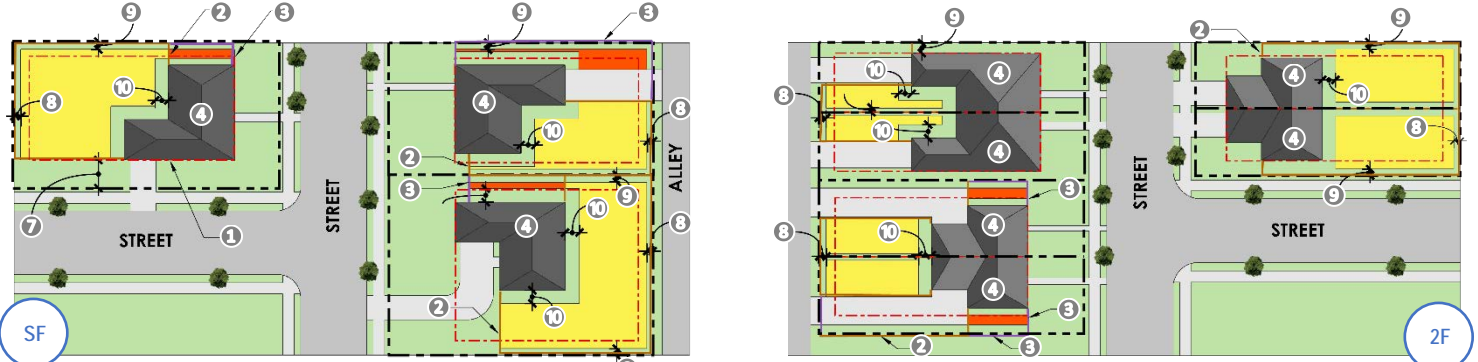
ACCESSORY STRUCTURE STANDARDS

City of Rockwall
 Building Inspections Department
 385 S. Goliad Street
 Rockwall, Texas 75087

KEY: **YELLOW:** BUILDABLE AREA; **ORANGE:** ADDITIONAL BUILDABLE AREA IF A FENCE IS CONSTRUCTED OR MOVED; ① OR - - - BUILDING SETBACKS FOR THE PRIMARY STRUCTURE; ② OR - - - EXISTING FENCE; ③ OR - - - NEW FENCE REQUIRED; - - - GARAGE OR CARPORT SETBACK; ④ PRIMARY STRUCTURE; ⑤ DETACHED GARAGE; ⑥ CARPORT; ⑦ FRONT YARD SETBACK

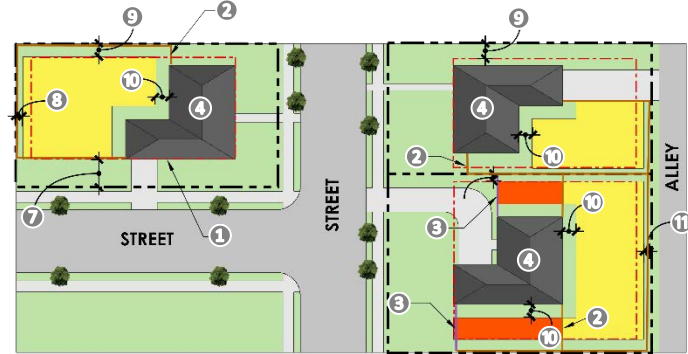
PORTABLE ACCESSORY BUILDINGS | PERMITTED: SFE 4.0, SFE 2.0, SFE 1.5, SF-7, SF-8.4, SF-10, SF-16, SF-1 & 2F

⑧ MINIMUM REAR YARD SETBACK: 3'; ⑨ MINIMUM SIDE YARD SETBACK: 3'; ⑩ MINIMUM DISTANCE BETWEEN BUILDINGS: 6'



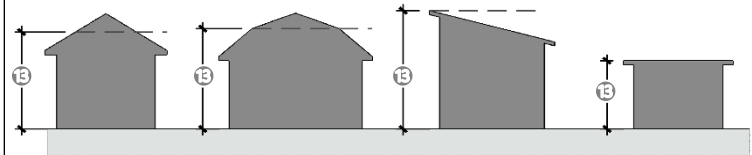
ACCESSORY BUILDINGS | PERMITTED: SFE 4.0, SFE 2.0, SFE 1.5, SF-7, SF-8.4, SF-10, SF-16, SF-1, ZL-5 & 2F

⑧ MINIMUM REAR YARD SETBACK: 3' [SFE: 10']; ⑨ MINIMUM SIDE YARD SETBACK: 3' [SFE: SEE ZONING DISTRICT]; ⑩ MINIMUM DISTANCE BETWEEN BUILDINGS: 6'; ⑪ MINIMUM REAR YARD WITH ALLEY SETBACK: 3' [SFE: 20']



ACCESSORY STRUCTURE HEIGHT | ALL ZONING DISTRICTS

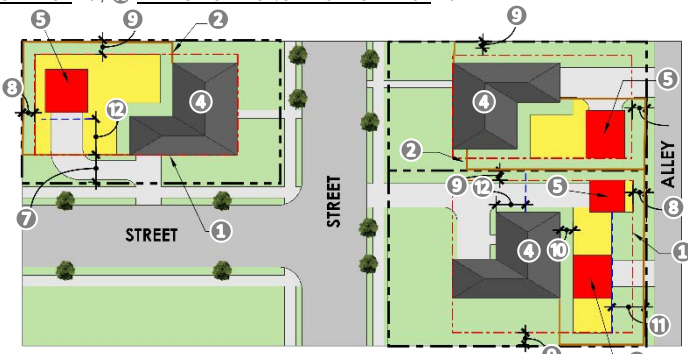
⑬ ACCESSORY STRUCTURE BUILDING HEIGHT



BUILDING HEIGHT: THE HEIGHT OF THE BUILDING SHALL BE MEASURED FROM THE AVERAGE ELEVATION OF THE FINISHED GRADE ALONG THE FRONT OF THE BUILDING TO THE HIGHEST POINT OF THE ROOF OR PARAPET OF THE BUILDING IF IT IS FLAT, MANSARD OR SHED ROOF; OR TO THE MIDPOINT OF THE ROOF IF IT IS GABLE, HIP OR GAMBREL.

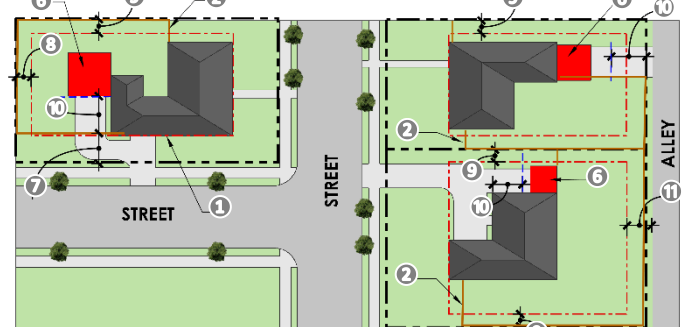
DETACHED GARAGES | PERMITTED: ALL RESIDENTIAL DISTRICTS

⑧ MINIMUM REAR YARD SETBACK: 10'; ⑨ MINIMUM SIDE YARD SETBACK: SEE ZONING DISTRICT; ⑩ MINIMUM DISTANCE BETWEEN BUILDINGS: 10'; ⑪ MINIMUM REAR YARD WITH ALLEY SETBACK: 20'; ⑫ MINIMUM GARAGE/CARPORT SETBACK: 20'



CARPORTS | PERMITTED: ALL RESIDENTIAL DISTRICTS

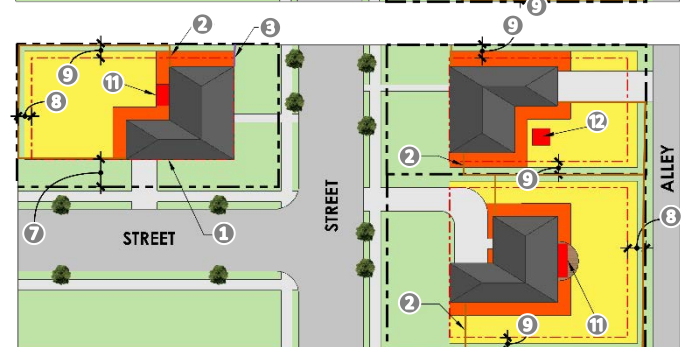
⑧ MINIMUM REAR YARD SETBACK: 10'; ⑨ MINIMUM SIDE YARD SETBACK: SEE ZONING DISTRICT; ⑩ MINIMUM DISTANCE BETWEEN BUILDINGS: 10'; ⑪ MINIMUM REAR YARD WITH ALLEY SETBACK: 20'; ⑫ MINIMUM GARAGE/CARPORT SETBACK: 20'



COVERED PORCHES & PERGOLAS | PERMITTED: ALL RESIDENTIAL DISTRICT

⑧ MINIMUM REAR YARD SETBACK: 3'; ⑨ MINIMUM SIDE YARD SETBACK: 3'; ⑩ MINIMUM DISTANCE BETWEEN BUILDINGS: 6' (UNLESS ATTACHED/CONTIGUOUS WITH THE PRIMARY STRUCTURE); ⑪ ATTACHED COVERED PORCH OR PERGOLA; ⑫ DETACHED COVERED PORCH OR PERGOLA; **YELLOW:** BUILDABLE AREA FOR DETACHED COVERED PORCHES AND PERGOLAS; **ORANGE:** BUILDABLE AREA FOR DETACHED COVERED PORCHES AND PERGOLAS.

NOTE: THE ATTACHED COVERED PORCHES AND PERGOLAS MAY EXTEND INTO THE YELLOW AREA; HOWEVER, THEY ARE SUBJECT TO THE SAME BUILDING SETBACKS AS THE PRIMARY STRUCTURE.



CITY OF ROCKWALL

ORDINANCE NO. 20-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 SECTION 07.04, ACCESSORY STRUCTURE DEVELOPMENT STANDARDS, OF ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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 Section 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, 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 Section 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

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

SECTION 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [*Ordinance No. 04-38*], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 2ND DAY OF NOVEMBER, 2020.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: October 19, 2020

2nd Reading: November 2, 2020

Exhibit 'A'

Section 07.04, Accessory Structure Development Standards, of
Article 05, Development Standards, of the
Unified Development Code (UDC)

Additions: Highlighted

Deletions: Highlighted, Strikeout

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE ▯		ACCESSORY BUILDINGS ^{1, 3, 5, 8 & 12}							ACCESSORY STRUCTURES ^{1, 3, 5 & 8}		
		SINGLE FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	ALL OTHER SINGLE-FAMILY ZONING DISTRICTS (I.E. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	TWO FAMILY (2F) DISTRICT AND ZERO LOT LINE (ZL-5) DISTRICT	PORTABLE ACCESSORY BUILDING 0 SF – 120 SF	DETACHED GARAGE ⁹	CARPORTS ⁷	ATTACHED AND DETACHED COVERED PORCHES	PERGOLAS
DEVELOPMENT STANDARDS ▯											
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE PERMITTED		2 ²	2 ²	2 ²	2 ⁶	1	1	1	1	1	N/A ¹¹
MAXIMUM SF OF ACCESSORY STRUCTURE		1,000 ²	1,000 ²	1,250 ²	144 ⁶	100	120	625	500	500 ¹⁰	500 ¹⁰
MINIMUM SETBACKS	REAR (FEET)	10	10	10	3	3	3	10	10	3 ¹⁰	3 ¹⁰
	REAR W/ ALLEYWAY (FEET)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20	3 ¹⁰	3 ¹⁰
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT ¹⁰	SEE ZONING DISTRICT ¹⁰	3 ¹⁰
BETWEEN BUILDINGS (FEET)		10	10	10	6	3 ⁶	3 ⁶	10	10	6	6
BUILDING HEIGHT (FEET) ⁸		15	15	15	15	10	10	15	15	15	12

ADDITIONAL REQUIREMENTS:

- ¹: ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES SHALL BE ACCESSORY TO A RESIDENTIAL USE AND LOCATED ON THE SAME LOT. UNLESS STIPULATED ABOVE, ONLY TWO (2) ACCESSORY STRUCTURES ARE PERMITTED PER SINGLE-FAMILY LOT; EXCLUDING CARPORTS/COVERED PORCHES/PERGOLAS THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE AND WHICH ARE INCLUDED IN THE SQUARE FOOTAGE OF THE OVERALL STRUCTURE.
- ²: IF MORE THAN ONE (1) ACCESSORY BUILDING IS PROPOSED OR IF AN ACCESSORY BUILDING, 625 SF OR LESS, IS EXISTING THEN THE MAXIMUM ACCESSORY BUILDING THAT CAN BE CONSTRUCTED IS 400 SF. IF THERE IS AN EXISTING ACCESSORY BUILDING GREATER THAN 625 SF NO ADDITIONAL ACCESSORY BUILDINGS OR STRUCTURES ARE PERMITTED.
- ³: ACCESSORY BUILDINGS AND STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE PRIMARY STRUCTURE, AND BE SITUATED BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- ⁴: IF THE ACCESSORY BUILDING DOES NOT HAVE GARAGE DOORS FACING THE ALLEYWAY THE SETBACK IS THE SAME AS THE BASE ZONING DISTRICT.
- ⁵: ACCESSORY BUILDINGS AND STRUCTURES (EXCLUDING PORTABLE BUILDINGS) NOT MEETING THE SIZE OR HEIGHT REQUIREMENTS STIPULATED BY THIS SECTION SHALL REQUIRE A SPECIFIC USE PERMIT (SUP). IN REVIEWING A SPECIFIC USE PERMIT (SUP), THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL SHALL CONSIDER: [1] IF THE STRUCTURE WAS CONSTRUCTED WITHOUT A PERMIT OR UNDER FALSE PRETENSES, [2] THE SIZE OF THE PROPOSED ACCESSORY STRUCTURE COMPARED TO THE SIZE OF OTHER ACCESSORY STRUCTURES IN THE AREA/NEIGHBORHOOD/SUBDIVISION, AND [3] THE SIZE, ARCHITECTURE AND BUILDING MATERIALS PROPOSED FOR THE STRUCTURE COMPARED TO THOSE OF THE PRIMARY STRUCTURE.
- ⁶: EACH PROPERTY SHALL BE PERMITTED ONE (1) DETACHED GARAGE UP TO 625 SF AND ONE (1) ACCESSORY BUILDING UP TO 144 SF OR TWO (2) ACCESSORY BUILDINGS UP TO 144 SF EACH. IF A PROPERTY HAS AN EXISTING ACCESSORY BUILDING GREATER THAN 144 SF, NO ADDITIONAL ACCESSORY BUILDINGS OR DETACHED GARAGES SHALL BE PERMITTED.
- ⁷: IN RESIDENTIAL DISTRICTS, CARPORTS MUST BE OPEN ON AT LEAST TWO (2) SIDES, ARCHITECTURALLY INTEGRATED INTO THE PRIMARY STRUCTURE, AND BE LOCATED 20-FEET BEHIND THE CORNER OF THE FRONT FAÇADE AND MEET THE GARAGE SETBACK ADJACENT TO AN ALLEY. PORTE-COCHERES ARE NOT CONSIDERED CARPORTS, AND ARE ALLOWED, IF THEY ARE ATTACHED AND INTEGRAL WITH THE DESIGN OF THE HOUSE.
- ⁸: TWO (2) STORY ACCESSORY BUILDINGS OR STRUCTURES SHALL BE PROHIBITED.
- ⁹: SHALL INCLUDE A MINIMUM OF ONE (1) GARAGE BAY DOOR LARGE ENOUGH TO PULL AND PARK A STANDARD SIZE MOTOR VEHICLE (I.E. A VEHICLE THAT IS A MINIMUM OF NINE [9] FEET BY 18-FEET) THROUGH INSIDE THE STRUCTURE. IN ADDITION, A DETACHED GARAGE MUST BE ACCESSIBLE FROM THE FRONT, REAR OR SIDE YARD BY A STANDARD WIDTH, CONCRETE DRIVEWAY THAT HAS MINIMUM LENGTH OF 20-FEET OF DRIVEWAY PAVEMENT. DETACHED GARAGES ACCESSIBLE FROM THE FRONT SHALL BE A MINIMUM OF 20-FEET BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- ¹⁰: COVERED PORCHES AND PERGOLAS THAT ARE DETACHED OR NOT CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE PERMITTED TO BE LOCATED WITHIN FEET OF THE REAR (OR REAR WITH ALLEYWAY) AND SIDE YARD PROPERTY LINE.

Exhibit 'A'

*Section 07.04, Accessory Structure Development Standards, of
Article 05, Development Standards, of the
Unified Development Code (UDC)*

- 10: COVERED PORCHES AND PERGOLAS THAT ARE ATTACHED OR CONTIGUOUS WITH THE PRIMARY STRUCTURE SHALL BE EXEMPTED FROM THE SIZE RESTRICTIONS BUT SHALL BE REQUIRED TO MEET THE SAME SETBACKS AS THE PRIMARY STRUCTURE.
- 11: PERGOLAS ARE NOT SUBJECT TO THE *NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS*, BUT DO COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.
- 12: PORTABLE ACCESSORY BUILDINGS ARE DEFINED AS AN ACCESSORY BUILDING THAT DOES NOT HAVE A PERMENEANT FOUNDATION. ALL ACCESSORY BUIDLINGS THAT ARE NOT PORTABLE ACCESSORY BUILDINGS REQUIRE A PERMANENT CONCRETE FOUNDATION.

DRAFT
ORDINANCE
10.13.2020



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: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: September 8, 2020
SUBJECT: *Work Session on Accessory Structure Requirements*

At the last City Council meeting, the City Council directed staff to bring back a work session to discuss the accessory structure standards contained in the Unified Development Code (UDC). As the City Council may recall, the current accessory structure standards were adopted as part of the legislative update on September 3, 2019, and were intended to give the City Council oversight of accessory structures *not* conforming to the requirements to ensure that the proposed accessory structure would be [1] compatible with the existing and adjacent housing, and [2] that the request would not set a precedence that could change the essential character of a neighborhood. Based on the City Council's direction for a work session, staff has prepared the following information:

History of Accessory Structure Requirements: June 21, 2004 – Present Day

Prior to *Ordinance No. 18-47 [Case No. Z2018-042]* -- which the City Council passed on November 19, 2018 -- the accessory structure standards were in two (2) different places in the code (*i.e. in Article 04, Permissible Uses, and in Article 05, District Development Standards*). These standards were originally adopted in 2004 and amended in 2006-2007, but had not changed from 2007 until *Ordinance No. 18-47* in 2018. A summary of the standards in place prior to *Ordinance No. 18-47* is depicted in *Exhibit 'A'* of this memorandum.

Ordinance No. 18-47 [Case No. Z2018-042] was the result of the City Council asking staff to reduce requests relating to variances, waivers, and exceptions. For accessory structure standards, this ordinance consolidated all of the standards into a single chart, and removed the duplicated and conflicting references in the code. This ordinance also changed the approval process for non-conforming accessory structures (*i.e. accessory structures not meeting the minimum requirements*) from a Specific Use Permit (SUP) approval to a two (2) stage approval process. For structures not conforming to the material standards an exception would need to be requested from the Planning and Zoning Commission, and for those structures that exceeded the size requirements a variance would need to be requested from the Board of Adjustments (BOA). This change effectively made it so that the City Council would no longer see accessory structure cases unless there was an appeal to the Planning and Zoning Commission's decision on a material exception. The standards for accessory buildings as changed by *Ordinance No. 18-47* are depicted in *Exhibit 'B'* of this memorandum.

On September 3, 2019, the City Council adopted *Ordinance No. 19-32 [Case No. Z2019-016]*. This ordinance was the result of changes made to the Texas Local Government Code as part of the 86th Legislative Session. For accessory buildings this meant reintroducing the Specific Use Permit (SUP) process to grant oversight of the architecture of accessory structures to the City Council. This was mostly in response to HB2439 (*i.e. the building materials bill*) and the City Council's desire to protect existing subdivisions -- *not under the protection of a Homeowner's Association* -- from inconsistent development that could have a negative impact on property values. The standards for accessory buildings as changed by *Ordinance No. 19-32* are depicted in *Exhibit 'C'* of this of this memorandum.

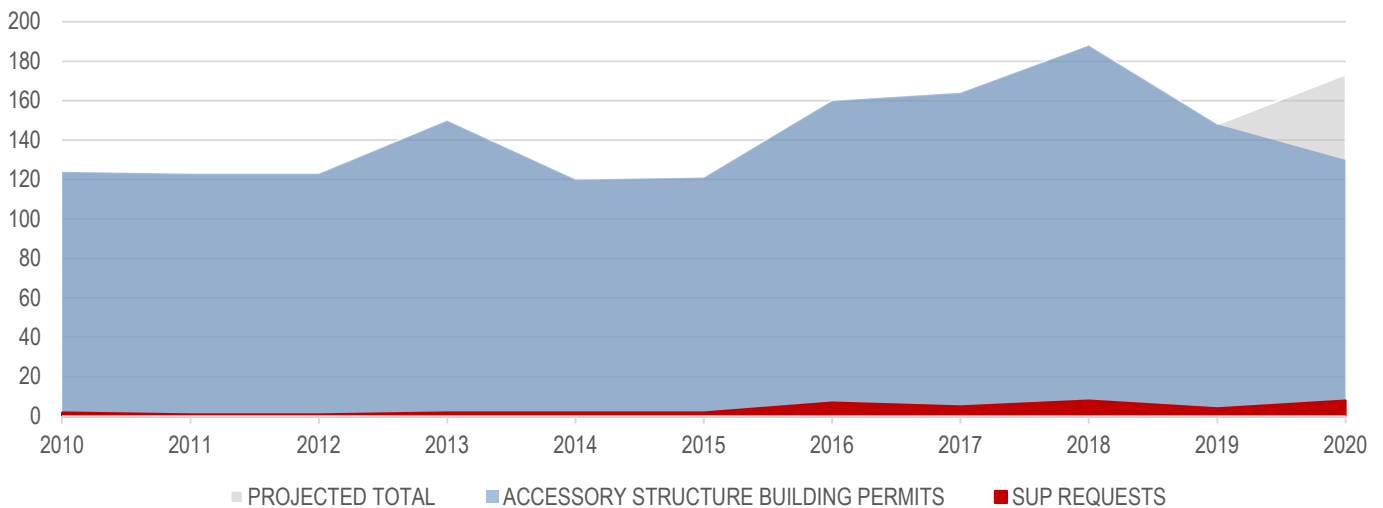
Continued on Next Page

Accessory Structure Cases by the Numbers: January 1, 2010 to August 14, 2020

In the last ten (10) years, the City Council has presided over 194 Specific Use Permit (SUP) requests, 43 of which have dealt with accessory structures. This means that approximately 22.16% of all SUP cases dealt with accessory buildings, detached garages, pergolas, covered porches, carports, and secondary living units. These 43 cases represent 2.77% of all building permits issued for *Residential Accessory Structures* (i.e. 1,551) and 0.14% of all building permits issued (i.e. 31,019) in the last ten (10) years (also see Exhibit 'E'). On average, the City issues ~141 *Residential Accessory Structure* building permits per year, with an average of ~4.3 of these permits requiring a SUP. On the right-hand side of this page is a breakdown of the total SUP cases versus the number of accessory structure cases requiring a SUP by year over the last ten (10) years (also see Exhibit 'D').

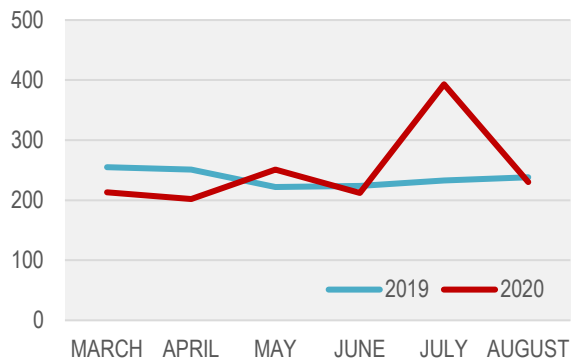
Year	Total SUP's	Total Acc. Structure SUP Cases	% of SUP Acc. Structure Cases
2010	3	2	66.67%
2011	5	1	20.00%
2012	10	1	10.00%
2013	20	2	10.00%
2014	19	2	10.53%
2015	15	2	13.33%
2016	18	8	44.44%
2017	29	5	17.24%
2018	32	8	25.00%
2019	14	4	28.57%
2020	29	8	27.59%
	194	43	22.16%

ACCESSORY BUILDING PERMITS VS. ACCESSORY BUILDING SUP REQUESTS, 2010-2020



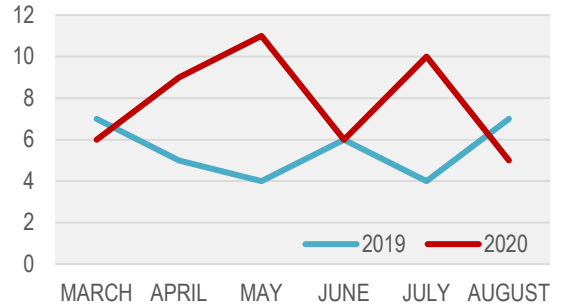
Breaking down the SUP cases, the majority of the cases deal specifically with accessory buildings -- 37 out of the 43--, with the two (2) largest issues requiring a SUP being [1] the exterior building materials (i.e. 29.73%) and [2] the square footage (i.e. 89.19%). The next biggest issue was the overall height (i.e. 21.62%) of the accessory structure. Staff should note that accessory buildings in this case include storage sheds, detached garages, and secondary living units. Of the 37 SUP cases requested for accessory buildings, four (4) cases were withdrawn before they got to City Council (i.e. 10.81%), five (5) cases (i.e. 16.22%) were denied by the City Council, and 28 cases (i.e. 72.97%) were approved by the City Council. In addition, five (5) of the 37 SUP cases dealt with violations relating to building permits (i.e. three [3] structures were built without permits, one [1] began demolition without a permit, and one [1] received a permit but did not follow the approved design). Of these cases, one (1) case was withdrawn before it got to the City Council, one (1) case was denied by the City Council, and three (3) cases were approved by the City Council. Staff should point out that four (4) of these cases were submitted in back-to-back submittal periods (i.e. in April 17, 2020 & May 14, 2020), and the City Council ultimately saw three (3) of the four (4) cases submitted. A breakdown of all 37 accessory building cases submitted in the last ten (10) years is depicted in Exhibit 'F' of this memorandum.

RESIDENTIAL BUILDING PERMITS ISSUED: MARCH - AUGUST 2019 VS. MARCH - AUGUST 2020



The chart on the right-hand side of the previous page shows issued residential building permits from March through August 2019 versus March through August 2020 (*Note: these numbers are for all residential building permits only*). The aberration seen in July of 2020 is tied to building permits that were submitted in June of 2020 and issued in July of 2020. Staff is of the opinion that the aberration seen in July's permitting numbers can be attributed to the current COVID-19 situation, which has more homeowners at home during the typical work week. Staff has noticed a trend in recent months of more projects being initiated by homeowners than contractors. The increased permitting trend is even more apparent in the chart of *Accessory Building Permits* issued between March through August 2019 versus March through August 2020, which is depicted on the right-hand side of this page.

ACCESSORY BUILDING PERMITS ISSUED: MARCH - AUGUST 2019 VS. MARCH - AUGUST 2020



This chart shows a significant increase in the number of accessory building permits being issued during this time period in 2020 compared to the same time period in 2019.

Questions Raised by the City Council at the City Council Meeting on August 17, 2020

Q: Why do we have the current size requirements for accessory buildings and detached garages?

A: Based on the information provided in the *History* section above, the size requirements adopted with the original Unified Development Code (UDC), the changes adopted with *Ordinance No. 18-47*, and the changes adopted with *Ordinance No. 19-32* are as follows:

June 21, 2004 to November 19, 2018	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	2,000 SF	900 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,500 SF	900 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,250 SF	900 SF	120 SF
All Other Single-Family Districts	225 SF	900 SF	120 SF
Two Family (2F) District	100 SF	900 SF	120 SF

November 20, 2018 – September 3, 2019	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	2,000 SF	900 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,500 SF	900 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,250 SF	900 SF	120 SF
All Other Single-Family Districts	225 SF	900 SF	120 SF
Two Family (2F) District	100 SF	900 SF	120 SF

September 4, 2019 – Present	Accessory Buildings	Detached Garage	Portable Accessory Building
Single-Family Estate 4.0 (SFE-4.0) District	1,250 SF	625 SF	120 SF
Single-Family Estate 2.0 (SFE-2.0) District	1,000 SF	625 SF	120 SF
Single-Family Estate 1.5 (SFE-1.5) District	1,000 SF	625 SF	120 SF
All Other Single-Family Districts	144 SF	625 SF	120 SF
Two Family (2F) District	100 SF	625 SF	120 SF

The size requirements prior to September 4, 2019 had remained the same since June 21, 2004 when all of the City's development ordinances were codified into the Unified Development Code (UDC). The reason the sizes were reduced in 2019 was tied to the adoption of HB2439. The following is an excerpt from the City Council memo with this amendment:

“...Based on the changes of HB2439, staff changed the zoning code back to requiring SUP's for these types of structures [*accessory structures*]. In addition, staff reduced the size requirements for all accessory buildings/structures that can be permitted without a SUP. Staff should reiterate that this strategy is not tied to building materials, but is tied to ensuring that [1] any development within an existing subdivision is aesthetically similar to existing development within the subdivision, and [2] to ensure that a public hearing process is retained in approving structures that do not conform to the permitted standards. Staff anticipates based on the previous case volumes ... that this will add an additional five (5) to ten (10) SUP cases per year.” (*this page from the case memo has been included in full in Exhibit 'G' of this memorandum for the City Council's review*)

Q: How does the City's current size requirements compare to other cities?

A: At the City Council's direction staff has reviewed other cities' accessory structure requirements for accessory buildings and detached garages. The following is a summary of the findings:

City	Maximum SF for Accessory Buildings	Maximum SF for Detached Garages	Is the City Still Regulating Building Materials?
Carrollton	Differing Lot Coverage Requirements and Material Requirements for 120SF/240SF/600+ SF ^{4 & 6}		Yes
Colleyville ¹	1,200 SF Maximum but Must be Less than 50% of Primary Structure and 4% of Lot		No
Frisco ²	Lot Coverage is Used to Control Accessory Structures		Yes
Garland ²	Limited to 30% of the SF or the Primary Structure		No
Grand Prairie ²	450 SF ⁷	750 SF	Yes
Mesquite ²	500 SF ⁸	500 SF ⁸	Yes ¹⁰
Richardson	Reduced Lot Coverage Capped at a % of Primary Structure SF		Yes
Rowlett ¹	500 SF	500 SF	Yes
South Lake ³	% of Lot Area but Differs by Zoning District ⁵		Yes
Wylie ³	5% of Lot Area or 60% of Lot Coverage whichever is Less		Yes ¹¹

NOTES:

- ¹: Specific Use Permit (SUP) for non-conforming structures.
- ²: Board of Adjustments (BOA) for non-conforming structures.
- ³: City Council approval for non-conforming structures.
- ⁴: Allows unlimited size but must meeting the same architecture and building materials as the primary structure.
- ⁵: Allows percentage of lot area for all accessory structures (e.g. 3% of lot area for SF-2 District).
- ⁶: Limited to one (1) accessory building and one (1) detached garage.
- ⁷: Not to exceed 50% of the primary structure.
- ⁸: Only allows a ten (10) percent increase in building SF by the BOA.
- ⁹: Limited to three (3) accessory structures.
- ¹⁰: In the process of changing the code.
- ¹¹: Ignoring local code and complying with State Law.

Based on staff's research there appears to be four (4) methods of regulating accessory structures: [1] by square footage, [2] by lot coverage, [3] by percentage of square footage of the primary structure, or [4] a combination of these methods; however, after review staff should point out that all four (4) methods yield very similar results. For example:

Example 1: 1,600 SF House on a 7,000 SF Lot

Lot Coverage of 5%: 350 SF
30% of the Primary Structure: 480 SF

Example 2: 2,500 SF House on a 10,000 SF Lot

Lot Coverage of 5%: 500 SF
30% of the Primary Structure: 750 SF

Example 3: 3,000 SF House on a 16,000 SF Lot

Lot Coverage of 5%: 800 SF
30% of the Primary Structure: 900 SF

Most of the above ordinances from other cities would limit the sum total of all accessory structure square footages (e.g. detached garages, carports, accessory buildings, pergolas, etc.) to the lesser of the lot coverage or percentage of the primary structure's square footage, which would be 350 SF on a 7,000 SF lot, 500 SF on a 10,000 SF lot, and 800 SF on a 16,000 SF lot. In Rockwall's case, a person on any of these lot sizes would be permitted to build a detached garage of 625 SF and an accessory building at 144 SF for a total of 769 SF, or two (2) accessory buildings at 144 SF for a total of 288 SF.

Staff should also address the use of lot coverage as a means to regulate accessory structures. The reason staff has not proposed using lot coverage as a means of regulating accessory structures in the past is: [1] some of these formulas can be punitive to houses that have a larger building footprint, and [2] staff is of the opinion that a simply stated square footage requirement is easier for the general public to understand than a percentage of lot coverage. When *Ordinance No. 18-47* was drafted, one (1) of staff's objectives was to make the code easier to understand for the general public. This is why staff incorporated the chart format for accessory structure requirements as opposed to the multiple written

references that were previously in the code. This is also why charts were incorporated for not just accessory structures, but for all density and dimensional requirements for each zoning district.

Another thing to point out is that many of these cities' ordinances still contain material requirements and use material requirements as a way to control the size of accessory structures, which the City Attorney has determined are not enforceable in residential districts based on HB2439. As far as relief mechanisms for structures not meeting the requirements, the majority of these ordinances appear to use a Zoning Board of Adjustments and Appeals (ZBA) – *which is similar to the City's Board of Adjustments (BOA)* -- as a way to request something that is not permitted; however, two (2) other cities use a Specific Use Permit (SUP) process and two (2) cities use a variance process which is granted by the City Council. Staff should point out that *Ordinance No. 18-47* made use of the City's Board of Adjustments (BOA) to grant size variances; however, with the passage of HB2439 the process was changed back to a Specific Use Permit (SUP) process with *Ordinance No. 19-32*. One of the major reasons for this change is the City Attorney ruled that the City Council can regulate building materials through architecture as part of a Specific Use Permit (SUP) in the interest of protecting the essential character of a neighborhood.

Q: Can a staff member contact each applicant for a building permit and speak with them about their request?

A: Currently, the City has two (2) permit technicians that answer internal and external customer questions about permits and assist with the intake, processing, and issuance of all permits and Certificates of Occupancy (CO). As was stated in the meeting, City staff has recently implemented an online permitting system that helps streamline the permitting process; however, each permit that is submitted still needs to be reviewed by the proper departments and the plans examiner, and all comments need to be assembled and sent out to the applicant or a permit/CO needs to be prepared and issued to the applicant. As seen in *Exhibit 'E'* of this memorandum the City has done anywhere from 2,059 to 4,541 building permits in a year, with 2,907 permits being the average number of permits issued per year over the last nine (9) years (*i.e. 2020 was excluded because it does not represent a full year of permitting*). Assuming there are ~252 working days in a year, less the 11 city holidays, this means that a staff member would need to make between 9-19 phone calls per day each day; however, permitting is sporadic and does not happen on a linear basis. This means that a staff member may have a period where the City receives 200 permits in a week, and -- *according to the Texas Local Government Code and City policy* -- those permits would all need to be responded to or issued within ten (10) business days. This would leave limited time for making the required phone calls necessary to speak to each applicant about each project. This is why the City has a blank on the current building permit application that requests information about the proposed building permit; however, -- *as was also discussed in the meeting* -- this section is not always filled out. Staff should note, that many homeowners engage with staff (*both in person and by phone*) prior to submitting a permit, and only a very low percentage of permits are submitted where an applicant has not had a conversation with a city representative.

City Council Considerations

The following recommendations are changes to either the Unified Development Code (UDC), the fee schedule for building permits or the building permit process that may help to better clarify the requirements for permitting and regulating accessory structures. The City Council, at their discretion, may direct staff to proceed with adopting any of these amendments or changes in policy, or provide any other direction necessary.

- (1) Ordinance Changes. (See *Exhibit 'H'* of this memorandum) *Exhibit 'H'* lays out an amendment to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) that would make the following changes: [1] allow a third option of having a single accessory structure up to 256 SF (*i.e. 256 SF equals a 16-foot by 16-foot building footprint*), [2] provide a definition of standard size motor vehicle (*i.e. a vehicle that is a minimum of nine [9] feet by 18-feet*), [3] provide clarification to the requirements for detached garages that specifically states that a motor vehicle needs to be able to access a detached garage by a standard width, concrete residential driveway that is a minimum of 20-feet in length, and [4] provide additional minor clarifications.
- (2) Building Permit Application. Staff has talked with the permitting technicians and the plans examiner to see if there are ways to simplify the current building permit application. Included as an attachment to this memorandum is the current building permit application form and an updated building permit application form. The new form removes several sections of the old application that were deemed to be unnecessary or confusing, and changes Permit Description to Project Description.

(3) Penalty Fees for Construction without a Permit. The following are potential deterrents that can be used to discourage homeowners and contractors from building without obtaining a building permit:

(a) Double Permit Fees. To discourage building without a building permit, some cities have employed a double permitting fee for projects that involve construction without a permit. This could easily be employed for *Residential Building Permits* that involve construction without a building permit. The following information shows what these costs would look like for residential accessory buildings constructed without a building permit:

Residential Accessory Building Permit Fee Amount

\$0.80/SF up to 250 SF + \$0.45/SF over 225 SF with a \$50.00 minimum

Examples:

Accessory Building Size	Building Permit Fee	Doubled Building Permit Fee
144 SF	\$115.20	\$230.40
256 SF	\$202.25	\$404.50
1,200 SF	\$618.75	\$1,237.50
2,000 SF	\$978.75	\$1,957.50

(b) Contractor Registration. The City of Rockwall requires all contractors in the City to register and pay a \$100.00 registration fee to apply for permits and do work within the City (*with the exception of plumbers and electricians who are required to register but are exempted from the registration fee per State Law*). As a deterrent for contractors who do work without obtaining a building permit or that do work under false pretenses (*i.e. work that was not on an approved permit*), the City can expire their contractor's registration and make them reapply. This would cost the contractor both time and money when they try to pull a subsequent permit from the City.

NOTE: Examples of the changes to the fee schedule to establish these two (2) policies are on the back of the new building permit application in the attached packet.

(4) Educational Tools. With *Ordinance No. 18-47*, the accessory structure requirements were consolidated into a one (1) page chart that could also serve as a handout. Staff has also prepared an exhibit that can be included on the backside of this hand out that graphically depicts the density and dimensional requirements for accessory structures. In addition, staff will continue to contact homeowners and contractors when necessary to clarify ambiguities in a submitted permit.

Article 04, Permissible Uses, of the Unified Development Code (UDC)

Subsection 01.01, *Use of Land and Buildings*

AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Residential and Lodging	DT	R-O	N-S	GR	C	HC	RT	LI	HI
	P	P	P	P	P	P	P	P	P	Accessory building +		P	P	P	P	P	P	P	P

Subsection 02.01.02, *Residential Lodging Use Conditions*

Accessory Building (Accessory to Residential Use)

1. The accessory building shall be accessory to a residential use and located on the same lot.
2. In all residential districts, one detached garage shall be allowed provided that it does not exceed 900 square feet in area or 15 feet in height, provided that it is located on the same lot as the residential use and that the exterior cladding contains the same materials, excluding glass, as found on the main structure and is generally in the same proportion.
3. In SF-E: a. No more than two accessory buildings shall be allowed which are up to 625 square feet (each) in area and 15 feet or less in height; or b. In SF-E/1.5, a single building which is up to 1,250 square feet in area and 15 feet or less in height, provided the exterior cladding contains the same materials, excluding glass, as is found on the main structure and generally in the same proportion. In SF-E/2.0 the single accessory building may be up to 1,500 square feet, and in SF-E/4.0, up to 2,000 square feet in area.
4. In SF-7, SF-8.4, SF-10, SF-16, and SF-1, no more than two accessory buildings shall be allowed which are up to 225 square feet (each) in area and 15 feet or less in height, provided the exterior cladding contains only materials found on the main structure. (Greenhouses are exempt from the materials requirement.)
5. In 2F, no more than two accessory buildings shall be allowed which is up to 100 square feet (each) in area and ten feet or less in height, provided the exterior cladding contains only materials found on the main structure. (Greenhouses are exempt from the materials requirement.)
6. Accessory buildings not meeting these standards shall require approval of a SUP.

Article 05, District Development Standards, of the Unified Development Code (UDC)

Subsection 03.01.(A), *Construction Materials.*

2. Buildings less than 120 square feet and under ten feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.

NOTE: This standard was appealable to the Planning and Zoning Commission and City Council.

Subsection 03.01.(B), *Residential Garages.*

See Article VI.4, *Residential Parking*, for residential parking and garage standards.

Subsection 03.01.(C), *Residential Portable and Accessory Building Setbacks.*

1. Portable buildings zero to 120 square feet and up to ten feet in height:
 - a. Rear setback: three feet.
 - b. Side setback: three feet.
 - c. Separation from other structures: three feet.
2. Accessory buildings 121 to 225 square feet and up to 15 feet in height:
 - a. Rear setback: three feet.
 - b. Side setback: required zoning district setback.
 - c. Separation from other structures: six feet.
3. Detached garages 226 to 900 square feet and up to 15 feet in height:
 - a. Rear setback:

With alley:

Exhibit A: Accessory Structure Standards Prior to November 19, 2018

1. 20 feet with garage doors facing alley;
2. Three feet without garage doors facing alley;

Without alley: ten feet.

- b. Side setback: required zoning district setback.
 - c. Separation from other structures: ten feet.
4. Accessory buildings not meeting these standards shall require approval of a SUP.

Article 05, District Development Standards, of the Unified Development Code (UDC)

Subsection 7.04, Accessory Structure Development Standards

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings ^{1, 8, & 9}					Portable Accessory Building 0 SF – 120 SF ⁸	Detached Garage ⁸	Carports ^{7 & 8}
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Zoning Districts or Accessory Structure Type →									
Development Standards ↓									
Number of Accessory Structures or Number of Specific Accessory Structure		2 ²	2 ²	2 ²	2	1	1	1	1
Maximum SF of Accessory Structure ²		1,250 ²	1,500 ²	2,000 ²	225 ⁶	100	120	900	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet)		15	15	15	15	10	10	15	15
Minimum Masonry Content (%) ³		80 ⁵	80 ⁵	80 ⁵	80 ⁵	80 ⁵	0	80 ⁵	80 ⁵

ADDITIONAL REQUIREMENTS:

- 1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- 2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 625 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- 3: Greenhouses are exempt from the minimum masonry requirements.
- 4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- 5: The exterior of the accessory building or structure shall be clad in the same materials in roughly the same proportions as the primary structure; however, accessory buildings or structures that are less than 120 SF and under ten (10) feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on pre-painted surface.
- 6: Each property shall be permitted one (1) detached garage up to 900 SF and one (1) accessory building up to 225 SF.
- 7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- 8: Accessory buildings and accessory structures not meeting the masonry requirements shall require the approval of an exception from the Planning and Zoning Commission.
- 9: Barns used for agricultural and/or farm animal purposes, on sites ten (10) acres or more that are zoned Agricultural (AG) District, are excluded from this masonry requirement.

Article 05, District Development Standards, of the Unified Development Code (UDC)

Subsection 7.04, Accessory Structure Development Standards

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings ^{1 & 3}					Portable Accessory Building 0 SF – 120 SF ⁸	Detached Garage ^{8 & 9}	Carports ^{7 & 8}
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	Two Family (2F) District			
Zoning Districts or Accessory Structure Type →									
Development Standards ↓									
Number of Accessory Structures or Number of Specific Accessory Structure		2 ²	2 ²	2 ²	2	1	1	1	1
Maximum SF of Accessory Structure ⁵		1,000 ²	1,000 ²	1,250 ²	144 ⁶	100	120	625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet) ⁸		15	15	15	15	10	10	15	15

ADDITIONAL REQUIREMENTS:

- ^{1:} Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- ^{2:} If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- ^{3:} Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.
- ^{4:} If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- ^{5:} Accessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP).
- ^{6:} Each property shall be permitted one (1) detached garage up to 625 SF and one (1) accessory building up to 144 SF.
- ^{7:} In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- ^{8:} Two (2) story accessory buildings or structures shall be prohibited.
- ^{9:} Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

Exhibit 'D': Accessory Structure SUP Cases 2010-2020

Active
Acc. SUP's: 46

Year	Total SUP's	Total Acc. Cases	% of Acc. Cases	Accessory Buildings		Carports		Covered Patio	
				No. of Cases [1]	Cases #s	No. of Cases	Cases #s	No. of Cases	Cases #s
2010	3	2	66.67%	2	Z2010-002, Z2010-005	0		0	
2011	5	1	20.00%	1	Z2011-001	0		0	
2012	10	1	10.00%	1	Z2012-009	0		0	
2013	20	2	10.00%	2	Z2013-021, Z2013-033	0		0	
2014	19	2	10.53%	1	Z2014-015	1	Z2014-020	0	
2015	15	2	13.33%	2	Z2015-009, Z2015-033	0		0	
2016	18	8	44.44%	5	Z2016-002, Z2016-008, Z2016-023, Z2016-030, Z2016-038	3	Z2016-002, Z2016-006, Z2016-020	0	
2017	29	5	17.24%	5	Z2017-013, Z2017-047, Z2017-053, Z2017-064, Z2017-066	0		0	
2018 [2]	32	8	25.00%	6	Z2018-005, Z2018-020, Z2018-035, Z2018-044, Z2018-048, Z2018-053	1	Z2018-004	1	Z2018-050
2019 [3]	14	4	28.57%	4	Z2019-004, Z2019-010, Z2019-022, Z2019-025	0		0	
2020 [4]	29	8	27.59%	8	Z2020-006, Z2020-010, Z2020-011, Z2020-016, Z2020-017, Z2020-020, Z2020-022, Z2020-030	0		0	
	<u>194</u>	<u>43</u>	<u>22.16%</u>	<u>37</u>		<u>5</u>		<u>1</u>	

NOTES:

[1] Includes all detached accessory buildings (i.e. storage buildings, living units, detached garages).

[2] On November 19, 2018 the City Council adopted *Ordinance No. 18-47 [Case No. Z2018-042]*, which consolidated the accessory building standards -- which were in multiple sections of the code -- into a single chart. This also made all variances to the size, height or setbacks go to the Board of Adjustments (BOA), and material exceptions go to Planning and Zoning Commission (i.e. this made the City Council only an appeals board for decision of the Planning and Zoning Commission on materials).

[3] Accessory Structure standards were changed back to requiring a SUP by Z2019-016 on September 3, 2019 to address the legislative update.

[4] As of the August 14, 2020 application deadline (i.e. includes all in process cases). There are 3 more application deadlines in the current year.

Exhibit 'E': Residential Building Permits 2010-2020

Year	Total Building Permits Submitted	Accessory Structure Permits	% of Accessory Structure Permits	Accessory Structure Permits Conforming to Ordinances	Accessory Building Permits Not Conforming to Ordinance (i.e. Requiring a SUP) [1]	% of Accessory Building Permits Requiring a SUP	% of Building Permits Requiring a SUP for Accessory Buildings
2010	2,059	126	6.12%	124	2	1.61%	0.10%
2011	2,152	124	5.76%	123	1	0.81%	0.05%
2012	3,093	124	4.01%	123	1	0.81%	0.03%
2013	2,528	152	6.01%	150	2	1.33%	0.08%
2014	2,652	122	4.60%	120	2	1.67%	0.08%
2015	2,609	123	4.71%	121	2	1.65%	0.08%
2016	3,214	167	5.20%	160	7	4.38%	0.22%
2017	3,259	169	5.19%	164	5	3.05%	0.15%
2018 [2]	4,541	196	4.32%	188	8	4.26%	0.18%
2019 [3]	2,966	152	5.12%	148	4	2.70%	0.13%
2020 [4]	1,946	138	7.09%	130	8	6.15%	0.41%
	31,019	1,593	5.14%	1,551	43	2.77%	0.14%

NOTES:

[1] Includes all detached accessory buildings (i.e. storage buildings, living units, detached garages).

[2] On November 19, 2018 the City Council adopted *Ordinance No. 18-47 [Case No. Z2018-042]*, which consolidated the accessory building standards -- which were in multiple sections of the code -- into a single chart. This also made all variances to the size, height or setbacks go to the Board of Adjustments (BOA), and material exceptions go to Planning and Zoning Commission (i.e. this made the City Council only an appeals board for decision of the Planning and Zoning Commission on materials).

[3] Accessory Structure standards were changed back to requiring a SUP by Z2019-016 on September 3, 2019 to address the legislative update.

[4] As of the August 14, 2020 application deadline (i.e. includes all in process cases). There are 3 more application deadlines in the current year.

Exhibit 'F': Accessory Building Specific Use Permits (SUP) 2010-2020

= Permitting Issues

Case	Project Type	Action	Requested Size	Approved Size	Requested Height	Approved Height	Reason for SUP
Z2010-002	Accessory Building	Approved	2,000	2,000	15	15	Exterior Materials
Z2010-005	Gazebo	Withdrawn	240	-	15	-	Size Requirements
Z2011-001	Cabana	Approved	930	930	15	15	Size Requirements
Z2012-009	Accessory Building	Approved	140	140	15	15	Exterior Materials
Z2013-021	Accessory Building	Approved	480	480	15	15	Exterior Materials
Z2013-033	Accessory Building	Approved	660	660	15	15	Exterior Materials
Z2014-015	Accessory Building	Approved	240	240	15	15	Size Requirements
Z2015-009	Detached Garage	Approved	1,235	1,235	25	25	Size Requirements, Height Requirements
Z2015-033	Accessory Building	Approved	288	288	15	15	Size Requirements, Exterior Materials
Z2016-002	/Secondary Living Unit	Approved	2,441	2,441	27	27	Size Requirements, Height Requirements
Z2016-008	Detached Garage	Approved	864	864	15	15	Size Requirements
Z2016-023	Accessory Building	Approved	1,364	1,364	15	15	Size Requirements
Z2016-030	Accessory Building	Approved	1,200	1,200	20	20	Size Requirements, Height Requirements
Z2016-038	Accessory Building	Approved	1,250	1,250	15	15	Size Requirements, Exterior Materials
Z2017-013	Accessory Building	Approved	1,800	1,800	15	15	Size Requirements, Exterior Materials
Z2017-047	Accessory Building	Denied	700	-	20	-	Size Requirements, Height Requirements
Z2017-053	Accessory Building	Approved	1,092	2,000	15	15	Size Requirements, Exterior Materials
Z2017-064	Detached Garage	Approved	900	900	20	20	Size Requirements, Height Requirements
Z2017-066	Accessory Building	Approved	700	900	15	15	Size Requirements, Exterior Materials
Z2018-005	Detached Garage	Approved	2,400	2,400	15	15	Size Requirements
Z2018-020	Detached Garage	Denied	1,500	-	15	-	Size Requirements, Exterior Materials
Z2018-035	Detached Garage	Approved	1,200	1,500	17	17	Size Requirements, Height Requirements
Z2018-044	Detached Garage	Denied	3,000	-	15	-	Size Requirements
Z2018-048	Accessory Building	Approved	910	910	15	15	Size Requirements
Z2018-053	Detached Garage	Denied	2,500	-	16	-	Size Requirements, Exterior Materials, Height Requirements
Z2019-004	Secondary Living Unit	Withdrawn	568	-	15	-	Size Requirements
Z2019-010	Secondary Living Unit	Approved	4,950	4,050	15	15	Size Requirements
Z2019-022	Detached Garage	Denied	1,200	-	15	-	Size Requirements
Z2019-025	Detached Garage	Withdrawn	980	-	15	-	Size Requirements
Z2020-006	Detached Garage	Denied	1,600	-	18	-	Size Requirements
Z2020-010	Accessory Building	Approved	420	340	18	18	Size Requirements, Height Requirements
Z2020-011	Accessory Building	Approved	192	192	15	15	Size Requirements
Z2020-016	Secondary Living Unit	Approved	4,755	1,134	15	15	Size Requirements
Z2020-017	Accessory Building	Withdrawn	400	-	15	-	Size Requirements
Z2020-020	Secondary Living Unit	Approved	588	588	15	15	Size Requirements
Z2020-022	Detached Garage	Approved	1,200	1,200	15	15	Size Requirements
Z2020-030	Accessory Building	Approved	359	359	15	15	Size Requirements

Case Count 37

SUP Requests

Size Requirements	33	89.19%
Exterior Materials	11	29.73%
Height Requirements	8	21.62%

Action

Approved	27	72.97%
Denied	6	16.22%
Withdrawn	4	10.81%

- (2) Established Subdivisions. A new land use -- *Residential Infill in or Adjacent to an Established Subdivision* -- was created in Article IV, *Permissible Uses*, of the UDC to require all residential infill development be required to apply for a Specific Use Permit (SUP). This will only affect subdivisions that [1] consist of five (5) or more lots, [2] are 90% developed, and [3] that have been in existence for a period greater than ten (10) years. The strategy behind this change in the code is to protect subdivisions that are [1] not protected under a Planned Development District or [2] that are not covered by deed restrictions (*typically the City's older subdivisions*) from potential infill development that is not aesthetically similar to existing development within the subdivision. Staff should note that the City Attorney has ruled that Specific Use Permits (SUP's) are exempt from the material requirement exemptions of HB2439. For the City Council's reference staff has included a map showing all residential subdivisions in the City that have: [1] deed restrictions with material requirements, [2] deed restrictions with no material requirements, and [3] subdivisions that staff was unable to find deed restrictions or that have no deed restrictions. Staff should point out that these neighborhoods would not be covered by any building material requirements in cases where an addition is being proposed for an existing structure or where the exterior of an existing structure is being re-cladded in a new exterior material. Staff anticipates that this strategy will add an estimated 15-25 additional Specific Use Permit (SUP) cases each year based on previous permitting numbers (*i.e. in 2018 the City issued 23 infill permits and in 2019 the City issued 14 infill permits to date that meet the new requirements*).
- (3) Residential Accessory Buildings. In 2018, the UDC was amended to no longer require Specific Use Permits (SUPs) for accessory buildings/structures. In replacement of this requirement the Planning and Zoning Commission was charged with approving material exceptions for accessory buildings/structures, and the Board of Adjustments (BOA) was charged with approving variances to the density and dimensional requirements (*i.e. size and height*) for accessory buildings/structures. Based on the changes of HB2439, staff changed the zoning code back to requiring SUPs for these types of structures. In addition, staff reduced the size requirements for all accessory buildings/structures that can be permitted without a SUP. Staff should reiterate that this strategy is not tied to building materials, but is tied to ensuring that [1] any development within an existing subdivision is aesthetically similar to existing development within the subdivision, and [2] to ensure that a public hearing process is retained in approving structures that do not conform to the permitted standards. Staff anticipates based on previous case volumes (*i.e. the code previously required SUP's for accessory buildings prior to changes in 2018*) that this will add an additional five (5) to ten (10) SUP cases per year. This was based on the number of SUP's that were processed in 2016 (*ten [10] cases*) and 2017 (*four [4] cases*) for accessory buildings
- (4) Development Review Procedures. Staff moved all references relating to the City's development processes to Article XI, *Development Applications and Review Process*, of the UDC (*formerly Zoning Related Applications*). In addressing the requirements of HB3167 staff reviewed all of the City's development processes for compliance to the approved legislative bill. Upon review staff noticed that the zoning code had multiple sections duplicated through out the document (*with some inconsistencies from section to section*), and that the majority of the processes were divided between Article II, *Authority and Administrative Procedures*, and Article XI, *Zoning Related Applications*, of the UDC. In addition, Article XI, *Zoning Related Applications*, -- *despite the name of the article* -- did not contain information relating to zoning cases. Based on this staff consolidated the City's processes relating to development applications in Article XI, *Zoning Related Applications*, removed duplicated sections, and renamed the Article XI, *Development Applications and Review Process*. Article II, *Authority and Administrative Procedures*, was also renamed to Article II, *Development Review Authority*, and only contains information relating to the authority of boards, commissions, the City Council, and administrative staff.
- (5) Residential Standards. Staff increased the *General Residential District Standards* contained in Article V, *District Development Standards*, of the UDC not pertaining to building material requirements. Specifically, staff increased the *Anti-Monotony* standards contained in this section

Exhibit 'H': Proposed Changes to the Accessory Structure Requirements

ADDITIONS = **HIGHLIGHTED**
 SUBTRACTIONS = **HIGHLIGHT, STRIKE THROUGH**

ZONING DISTRICTS OR ACCESSORY STRUCTURE TYPE → DEVELOPMENT STANDARDS ↓		ACCESSORY STRUCTURES & ACCESSORY BUILDINGS 1, 3, 5, & 13					PORTABLE ACCESSORY BUILDING 0 SF – 120 SF 8 & 13	DETACHED GARAGE 5, 8, & 9	COVERED PORCHES, PERGOLAS, AND CARPORTS 5, 7, & 8
		SINGLE FAMILY ESTATE 1.5 (SFE-1.5) DISTRICT	SINGLE FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT	SINGLE FAMILY ESTATE 4.0 (SFE-4.0) DISTRICT	ALL OTHER SINGLE-FAMILY ZONING DISTRICTS (I.E. SF-7, SF-8.4, SF-10, SF-16 & SF-1)	TWO FAMILY (2F) DISTRICT			
NUMBER OF ACCESSORY STRUCTURES OR NUMBER OF SPECIFIC ACCESSORY STRUCTURE		2 ²	2 ²	2 ²	2	1	1	1	1 ¹²
MAXIMUM SF OF ACCESSORY STRUCTURE		1,000 ²	1,000 ²	1,250 ²	144 ⁶	100	120	625	500 ¹¹
MINIMUM SETBACKS	REAR (FEET)	10	10	10	3	3	3	10	10 ^{10 & 11}
	REAR W/ ALLEYWAY (FEET)	20 ⁴	20 ⁴	20 ⁴	3	3	3	20 ⁴	20 ^{10 & 11}
	SIDE (FEET)	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	SEE ZONING DISTRICT	3	3	SEE ZONING DISTRICT	SEE ZONING DISTRICT 10 & 11
BETWEEN BUILDINGS (FEET)		10	10	10	6	3	3	10	10
BUILDING HEIGHT (FEET) ⁸		15	15	15	15	10	10	15	15

ADDITIONAL REQUIREMENTS:

- 1: ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES SHALL BE ACCESSORY TO A RESIDENTIAL USE AND LOCATED ON THE SAME LOT. UNLESS STIPULATED ABOVE, ONLY TWO (2) ACCESSORY STRUCTURES ARE PERMITTED PER SINGLE-FAMILY LOT; EXCLUDING CARPORTS **COVERED PORCHES/PERGOLAS** THAT ARE INTEGRATED INTO THE MAIN ACCESSORY STRUCTURE.
- 2: IF MORE THAN ONE (1) ACCESSORY BUILDING IS PROPOSED OR IF AN ACCESSORY BUILDING, 625 SF OR LESS, IS EXISTING THEN THE MAXIMUM ACCESSORY BUILDING THAT CAN BE CONSTRUCTED IS 400 SF. IF THERE IS AN EXISTING ACCESSORY BUILDING GREATER THAN 625 SF NO ADDITIONAL ACCESSORY BUILDINGS OR STRUCTURES ARE PERMITTED.
- 3: ACCESSORY BUILDINGS AND STRUCTURES SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE PRIMARY STRUCTURE, AND BE SITUATED BEHIND THE FRONT FAÇADE OF THE PRIMARY STRUCTURE.
- 4: IF THE ACCESSORY BUILDING DOES NOT HAVE GARAGE DOORS FACING THE ALLEYWAY THE SETBACK IS THE SAME AS THE BASE ZONING DISTRICT.
- 5: ACCESSORY BUILDINGS AND STRUCTURES **(EXCLUDING PORTABLE BUILDINGS)** NOT MEETING THE SIZE OR HEIGHT REQUIREMENTS STIPULATED BY THIS SECTION SHALL REQUIRE A SPECIFIC USE PERMIT (SUP). **IN REVIEWING A SPECIFIC USE PERMIT (SUP), THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL SHALL CONSIDER: [1] IF THE STRUCTURE WAS CONSTRUCTED WITHOUT A PERMIT OR UNDER FALSE PRETENSES, [2] THE SIZE OF THE PROPOSED ACCESSORY STRUCTURE COMPARED TO THE SIZE OF OTHER ACCESSORY STRUCTURES IN THE AREA/NEIGHBORHOOD/SUBDIVISION, AND [3] THE ARCHITECTURE AND BUILDING MATERIALS PROPOSED FOR THE STRUCTURE COMPARED TO THOSE OF THE PRIMARY STRUCTURE.**
- 6: EACH PROPERTY SHALL BE PERMITTED ONE (1) DETACHED GARAGE UP TO 625 SF AND ONE (1) ACCESSORY BUILDING UP TO 144 SF **OR TWO (2) ACCESSORY BUILDINGS UP TO 144 SF EACH OR ONE (1) ACCESSORY BUILDING UP TO 256 SF. IF A PROPERTY HAS AN EXISTING ACCESSORY BUILDING 256 SF OR GREATER NO ADDITIONAL ACCESSORY BUILDINGS OR DETACHED GARAGES SHALL BE PERMITTED.**
- 7: IN RESIDENTIAL DISTRICTS, CARPORTS MUST BE OPEN ON AT LEAST TWO (2) SIDES, ARCHITECTURALLY INTEGRATED INTO THE PRIMARY STRUCTURE, AND BE LOCATED 20-FEET BEHIND THE CORNER OF THE FRONT FAÇADE AND MEET THE GARAGE SETBACK ADJACENT TO AN ALLEY. PORTE-COCHERES ARE NOT CONSIDERED CARPORTS, AND ARE ALLOWED, IF THEY ARE ATTACHED AND INTEGRAL WITH THE DESIGN OF THE HOUSE.
- 8: TWO (2) STORY ACCESSORY BUILDINGS OR STRUCTURES SHALL BE PROHIBITED.
- 9: SHALL INCLUDE A MINIMUM OF ONE (1) GARAGE BAY DOOR LARGE ENOUGH TO PULL **AND PARK** A STANDARD SIZE MOTOR VEHICLE **(I.E. A VEHICLE THAT IS A MINIMUM OF NINE (9) FEET BY 18-FEET)** ~~THROUGH~~ INSIDE THE STRUCTURE. IN ADDITION, A DETACHED GARAGE MUST BE ACCESSIBLE FROM THE REAR OR SIDE YARD BY A STANDARD SIZE WIDTH, CONCRETE DRIVEWAY THAT HAS MINIMUM LENGTH OF 20-FEET **OF DRIVEWAY PAVEMENT.**
- 10: COVERED PORCHES AND PERGOLAS THAT ARE DETACHED OR NOT CONTIGOUS WITH THE PRIMARY STRUCTURE SHALL BE PERMITTED TO BE LOCATED WITHIN THREE (3) FEET OF THE REAR **(OR REAR WITH ALLEYWAY)** AND SIDE YARD PROPERTY LINE.
- 11: COVERED PORCHES AND PERGOLAS THAT ARE ATTACHED OR CONTIGOUS WITH THE PRIMARY STRUCTURE SHALL BE EXEMPTED FROM THE SIZE RESTRICTIONS BUT SHALL BE REQUIRED TO MEET THE SAME SETBACKS AS THE PRIMARY STRUCTURE.
- 12: PERGOLAS ARE NOT SUBJECT TO THE **NUMBER OF ACCESSORY STRUCTURE REQUIREMENTS**, BUT **DO** COUNT AGAINST THE RESIDENTIAL LOT COVERAGE REQUIREMENTS FOR THE ZONING DISTRICT.
- 13: **PORTABLE ACCESSORY BUILDINGS ARE DEFINED AS AN ACCESSORY BUILDING THAT DO NOT HAVE A PERMENEANT FOUNDATION. ALL ACCESSORY BUILDINGS THAT ARE NOT PORTABLE ACCESSORY BUILDINGS REQUIRE A CONCRETE FOUNDATION.**



CITY OF ROCKWALL
BUILDING PERMITS
 BUILDING INSPECTION DEPT.
 385 S. Goliad St.,
 Rockwall, TX 75087

Phone #: (972)771-7709

Permit # _____

To schedule an inspection go to: www.rockwall.com/buildinginspections/inspectionreq.asp

CONSTRUCTION ADDRESS				TYPE OF PERMIT				
SUBDIVISION			ZONING	LOT	BLOCK			
BUILDING OWNER		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #		
PERSON TO BE CONTACTED REGARDING PERMIT				E-MAIL ADDRESS		PHONE #		
<u>EMAIL ADDRESS FOR INSPECTION REPORT</u>								
GENERAL CONTRACTOR		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #		
ELECTRICAL CONTRACTOR		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #		
PLUMBING CONTRACTOR		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #		
MECHANICAL CONTRACTOR		MAIL ADDRESS		CITY, STATE, ZIP		PHONE #		
BUILDING INFORMATION								
1 st floor SF	2 nd floor SF	Garage	Covered Porch	Covered Patio	Total SF	Height	Lot Size	Plan #:
Permit Description:								
<small>NOTICE TO APPLICANT: THIS PERMIT IS ISSUED ON THE BASIS OF INFORMATION FURNISHED IN THIS APPLICATION AND ON ANY SUBMITTED PLANS, AND IS SUBJECT TO THE PROVISIONS IN ADDITION, REQUIREMENTS OF THE CITY OF ROCKWALL CODE OF ORDINANCES AND ANY OTHER APPLICABLE ORDINANCE. THIS PERMIT IS ISSUED ONLY FOR THE PURPOSE OF ALLOWING CONSTRUCTION OF A BUILDING OR STRUCTURE CONFORMING TO THE CODES AND ORDINANCES OF THE CITY, REGARDLESS OF INFORMATION AND/OR PLANS SUBMITTED.</small>								
<small>SCOPE OF PERMIT: FOR NEW BUILDINGS AND FOR ADDITIONS TO EXISTING BUILDINGS, THIS PERMIT AUTHORIZES STRUCTURAL, PLUMBING, ELECTRICAL, MECHANICAL, AND WORK TO BE PERFORMED IN THE CONSTRUCTION OF THE BUILDING OR STRUCTURE AT THIS ADDRESS, IF DONE AT THE SAME TIME OF INITIAL CONSTRUCTION. NO SEPARATE SUBCONTRACTOR PERMITS ARE NEEDED FOR THOSE TRADES. HOWEVER, THE PERMIT HOLDER IS REQUIRED TO USE ONLY SUBCONTRACTORS LICENSES, REGISTERED, OR BONDED BY THE CITY OF ROCKWALL WHERE SUCH REQUIREMENT IS APPLICABLE.</small>								
I HEREBY ACCEPT ALL CONDITIONS HEREIN ABOVE MENTIONED AND CERTIFY That ALL STATEMENTS HEREIN RECORDED BY ME ARE TRUE: _____ AGENT OR APPLICANT _____ (DATE) _____ CITY APPROVAL _____ (DATE)				ESTIMATED VALUE:				
				Building Permit	\$ _____			
		Water Meter Deposit	\$ _____					
		Meter Installation	\$ _____					
		Sewer Service	\$ _____					
		Water Impact Fees	\$ _____					
		Sewer Impact Fees	\$ _____					
		Siren Fee	\$ _____					
		Contractor Registration	\$ _____					
		Certificate of Occupancy	\$ _____					
		Total Fees	\$ _____					

City of Rockwall

Schedule of Building Permit and Misc. Fees

<u>Building Permits</u>	<u>Fee Amount</u>
1. Residential	
a. Accessory Building	.80 per sq. ft. up to 225 sq. ft. + .45 per sq. ft. over 225 sq. ft./ \$50.00 min.
b. Single Family - New	.48 per sq. ft. up to 5000 sq. ft. / .40 per sq. ft. if home is > 5000 sq. ft.
c. Single Family – Alteration / Addition	.48 per sq. ft. (scope of work) / \$125.00 min.
d. Electrical – Panel replacement / re-wire / service- meter base replacement	\$ 125.00
e. Electrical – other / repair	\$ 75.00
f. Plumbing – Slab leaks / tunneling / sewer main replacement	\$ 125.00
g. Plumbing – Water Heater / other / repair	\$ 75.00
h. Mechanical – New system installation	\$ 125.00
i. Mechanical – other / repair	\$ 75.00
j. Patio covers / decks / carports	\$ 75.00
2. Commercial	
a. Commercial – New	Table 1A
b. Commercial – Remodel	Table 1A
c. Certificate of Occupancy	\$ 75.00
d. Temporary Certificate of Occupancy	\$ 300.00
e. Mechanical, Electrical, Plumbing	Table 1A
3. Board of Adjustments City Council Sign Variances, Sign Plans / Construction Advisory and Appeals Board	\$ 200.00
4. Solar Panel Systems	.65 per sq. ft.
5. Concrete	.20 per sq. ft. / \$50 min.
6. Demolition of Structures	\$ 50.00
7. Fence	\$ 50.00
Screening Wall	\$ 75.00
8. Inspection Fees	
a. After Hours Inspection	\$ 50.00 per hr. (min. 2 hrs.)
b. Re-inspection	\$ 50.00
9. Irrigation	\$75.00
10. Moving of Structures	Refer To Chapter 10, Article XIV of the Code of Ordinances
11. Permit Bag Replacement	\$ 20.00
12. Pools/Hot Tub/Spa	
a. Pool – above ground	\$ 75.00
b. Pool – in ground	\$150.00
c. Hot Tub/Spa	\$100.00
13. Roofing	\$ 75.00
14. Sign	\$75.00
15. Temporary Construction/Sales Trailer	\$100.00
16. Miscellaneous Permits	\$ 50.00 (includes windows, retaining wall, storm shelter, etc.)

Commercial Building Permit Fees

Table 1A

Total Valuation	Fee
\$1.00 to \$500.00	\$50.00
\$501.00 to \$2,000.00	\$50.00 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2000.00
\$2,001.00 to \$25,000.00	\$80.75 for the first \$2000.00 plus \$14.00 for each additional \$1000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$402.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$655.25 for the first \$50,000.00 plus \$7.00 for each additional \$1000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1005.25 for the first \$100,000.00 plus \$5.60 for each additional \$1000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3245.25 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5620.25 for the first \$1,000,000.00 plus \$3.65 for each additional \$1000.00, or fraction thereof
For use of outside consultants for plan review or inspections	Actual costs

Contractor Registrations Expire when State License Expires

Back Flow	\$100.00
Fence	\$100.00
General Contractor	\$100.00
Irrigation	\$100.00
Mechanical Contractor	\$100.00
Demo Contractor	\$100.00
Sign Contractor	\$100.00



BUILDING PERMIT APPLICATION

City of Rockwall
Building Inspections Department
385 S. Goliad Street
Rockwall, Texas 75087

APPLICANT OR AGENT SIGNATURE REQUIRED

CERTIFICATION: I HEREBY ACCEPT ALL CONDITIONS ON THIS APPLICATION FORM AND CERTIFY THAT ALL STATEMENTS RECORDED HEREIN BY ME ARE TRUE.

AGENT OR APPLICANT

DATE

NOTICE TO APPLICANTS. This permit is issued on the basis of information furnished in this application and on any submitted plans, and is subject to the provisions in addition, requirements of the City of Rockwall code of ordinances and any other applicable ordinance. This permit is issued only for the purpose of allowing construction of a building or structure conforming to the codes and ordinances of the city, regardless of information and/or plans submitted.

SCOPE OF PERMIT. For new buildings and for additions to existing buildings, this permit authorizes structural, plumbing, electrical, mechanical, and work to be performed in the construction of the building or structure at this address, if done at the same time of initial construction. No separate subcontractor permits are needed for those trades. However, the permit holder is required to use only subcontractors' licenses, registered, or bonded by the City of Rockwall where such requirement is applicable.

INSPECTION. To schedule an inspection, go to www.rockwall.com/buildinginspections/inspectionreq.asp.

PROPERTY INFORMATION [PLEASE PRINT]

Construction Address		Zoning	
Subdivision		Lot	Block
General Location			

PROPERTY OWNER INFORMATION PRIMARY CONTACT []

Name		Phone	
Mailing Address		City	State Zip Code
Email			

GENERAL CONTRACTOR INFORMATION PRIMARY CONTACT []

Name		Phone	
Mailing Address		City	State Zip Code
Email			

ELECTRICAL CONTRACTOR INFORMATION

Name		Phone	
Mailing Address		City	State Zip Code
Email			

PLUMBING CONTRACTOR INFORMATION

Name		Phone	
Mailing Address		City	State Zip Code
Email			

MECHANICAL CONTRACTOR INFORMATION

Name		Phone	
Mailing Address		City	State Zip Code
Email			

BUILDING PERMIT INFORMATION

1 ST Floor	SF	2 ND Floor	SF	Garage	SF	Covered Porch	SF	Covered Patio	SF
Total SF	SF	Height	FT	Lot Size	SF	Plan #			

Estimated Value \$ Commercial Value ONLY; Residential is NOT required to provide estimated value.

Project Description

Is the subject property located with the flood hazard area? Yes [] No [] Required lowest floor elevation is:



BUILDING PERMIT FEE SCHEDULE

City of Rockwall
Building Inspections Department
385 S. Goliad Street
Rockwall, Texas 75087

RESIDENTIAL BUILDING PERMITS (SEE ADDITIONAL NOTES [1] & [2] BELOW)

[1] ACCESSORY BUILDING	\$0.80/SF UP TO 225 SF + \$0.45/SF OVER 225 SF (MINIMUM FEE: \$50.00)
[2] SINGLE-FAMILY [NEW CONSTRUCTION]	\$0.48/SF UP TO 5,000 SF + \$0.40/SF OVER 5,000 SF
[3] SINGLE-FAMILY [REMODEL/ADDITION]	\$0.48/SF (MINIMUM FEE: \$125.00)
[4] ELECTRICAL [PANEL REPLACEMENT, REWIRE, SERVICE METER BASE REPLACEMENT]	\$125.00
[5] ELECTRICAL [OTHER, REPAIR]	\$75.00
[6] PLUMBING [SLAB LEAKS, TUNNELING, SEWER MAIN REPLACEMENT]	\$125.00
[7] PLUMBING [WATER HEATER, OTHER, REPAIR]	\$75.00
[8] MECHANICAL [NEW SYSTEM INSTALLATION]	\$125.00
[9] MECHANICAL [OTHER, REPAIR]	\$75.00
[10] PATIO COVERS/DECKS/CARPORTS	\$75.00

COMMERCIAL BUILDING PERMITS

[1] CERTIFICATE OF OCCUPANCY (CO)	\$75.00
[2] TEMPORARY CERTIFICATE OF OCCUPANCY (TCO)	\$300.00
[3] COMMERCIAL [NEW CONSTRUCTION, REMODEL, OR ADDITION]	SEE TABLE 1A BELOW
[4] MECHANICAL, ELECTRICAL, PLUMBING	SEE TABLE 1A BELOW

TABLE 1A: COMMERCIAL BUILDING PERMIT FEES

TOTAL PROJECT VALUATION	FEE
\$1.00 - \$500.00	\$50.00
\$500.01 - \$2,000.00	\$50.00 FOR THE FIRST \$500.00 + \$3.05 FOR EACH ADDITIONAL \$100.00 UP TO \$2,000.00 ²
\$2,000.01 - \$25,000.00	\$80.75 FOR THE FIRST \$2,000.00 + \$14.00 FOR EACH ADDITIONAL \$1,000.00 UP TO \$25,000.00 ²
\$25,000.01 - \$50,000.00	\$402.75 FOR THE FIRST \$25,000.00 + \$10.10 FOR EACH ADDITIONAL \$1,000.00 UP TO \$50,000.00 ²
\$50,000.01 - \$100,000.00	\$655.25 FOR THE FIRST \$50,000.00 + \$7.00 FOR EACH ADDITIONAL \$1,000.00 UP TO \$100,000.00 ²
\$100,000.01 - \$500,000.00	\$1,005.25 FOR THE FIRST \$100,000.00 + \$5.60 FOR EACH ADDITIONAL \$1,000.00 UP TO \$500,000.00 ²
\$500,000.01 - \$1,000,000.00	\$3,245.25 FOR THE FIRST \$500,000.00 + \$4.75 FOR EACH ADDITIONAL \$1,000.00 UP TO \$1,000,000.00 ²
\$1,000,000.01 - \$1,000,000.01+	\$5,620.25 FOR THE FIRST \$1,000,000.00 + \$3.65 FOR EACH ADDITIONAL \$1,000.00 UP TO THE VALUATION COST ²

NOTES: [1] COSTS FOR THE USE OF AN OUTSIDE CONSULTANT FOR PLAN REVIEW OR INSPECTION SHALL BE PAID BY THE APPLICANT; [2] OR FRACTION THERE OF

OTHER BUILDING PERMITS

[1] BOARD OF ADJUSTMENTS APPLICATION	\$200.00
[2] CONSTRUCTION ADVISORY BOARD APPLICATION	\$200.00
[3] CITY COUNCIL SIGN VARIANCE	\$200.00
[4] SIGN PLAN	\$200.00
[5] SOLAR PANEL SYSTEMS	\$0.65/SF
[6] CONCRETE	\$0.20/SF (MINIMUM FEE: \$50.00)
[7] DEMOLITION OF STRUCTURES	\$50.00
[8] FENCE	\$50.00
[9] SCREENING WALL	\$75.00
[10] INSPECTION FEES	
[A] AFTER HOURS INSPECTION	\$50.00/HOUR (2 HOUR MINIMUM)
[B] RE-INSPECTION	\$50.00/HOUR
[11] IRRIGATION	\$75.00
[12] MOVING OF STRUCTURES	REFER TO ARTICLE XIV, CHAPTER 10 OF THE MUNICIPAL CODE OF ORDINANCES
[13] PERMIT BAG REPLACEMENT	\$20.00
[14] POOLS, HOT TUBS, & SPAS	
[A] ABOVE GROUND POOLS	\$75.00
[B] IN-GROUND POOLS	\$150.00
[C] HOT TUBS & SPAS	\$100.00
[15] ROOFING	\$75.00
[16] SIGN	\$75.00
[17] TEMPORARY CONSTRUCTION OR SALES TRAILER	\$100.00
[18] MISCELLANEOUS PERMITS [INCLUDES WINDOWS, RETAINING WALLS, STORM SHELTERS, ETC]	\$50.00

CONTRACTOR REGISTRATIONS (SEE ADDITIONAL NOTE [2] BELOW)

[1] EXPIRE WHEN STATE LICENSE EXPIRE: BACKFLOW, IRRIGATION & MECHANICAL CONTRACTOR	\$100.00
[2] EXPIRE ANNUALLY: FENCE, GENERAL CONTRACTOR, DEMO CONTRACTOR, & SIGN CONTRACTOR	\$100.00

ADDITIONAL NOTES

[1] BUILDING WITHOUT A VALID BUILDING PERMIT OR UNDER FALSE PRETENSES WILL CAUSE THE BUILDING PERMIT FEE TO DOUBLE
[2] CONTRACTORS IN VIOLATION FOR BUILDING WITHOUT A BUILDING PERMIT OR UNDER FALSE PRETENSES WILL HAVE THEIR CONTRACTOR REGISTRATIONS REVOKED, AND WILL BE REQUIRED TO RESUBMIT FOR A NEW CONTRACTOR REGISTRATION.



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

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

DATE: October 13, 2020

SUBJECT: Z2020-040; *Amendment to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan*

On December 31, 2019, Arkoma Development, LLC deeded an 11.723-acre tract of land (*i.e. Tract 5 of the S. King Survey, Abstract No. 137*) to the City of Rockwall. This property is zoned Planned Development District 65 (PD-65) for Single-Family 10 (SF-10) and limited General Retail (GR) District land uses, and is located at the terminus of Pecan Valley Drive. North of and adjacent to this property are five (5) single-family homes that front onto Quail Run Road and which were constructed between 1980 and 1988. Currently, all of these properties make use of on-site sanitary sewer facilities (OSSF's) or septic systems. Recently, the City of Rockwall extended and improved the sanitary sewer system located on the southside of the 11.723-acre tract land bringing sanitary sewer facilities within ~524.00-feet of the closest of the five (5) residential properties. At the bequest of one (1) of these property owners, staff brought a proposal to the City Council suggesting the creation and conveyance of two (2) additional lots -- *west of the existing single-family properties fronting onto W. Quail Run Road* -- to fund the necessary sewer improvements to convert these seven (7) properties (*i.e. the five [5] existing residential properties plus the two [2] newly established lots*) to sanitary sewer customers. The City Council directed staff to proceed with this endeavor on July 20, 2020.

Based on this direction, staff engaged a surveyor and engineering consultants to prepare a final plat of the two (2) properties and a cost estimate of the sanitary sewer improvements. After examining the final plat and determining that one (1) of the two (2) proposed properties (*i.e. the western most lot of the two [2] proposed lots*) would be encumbered by the adjacent floodplain, staff started to examine ways to move the lots so that they could be established free of any encumbrances. One of the possibilities explored by staff was to abandon the proposed *Minor Collector* connecting Pecan Valley Road and Random Oaks Drive, which is scheduled to run through the proposed 11.723-acre tract of land. The reasoning behind this proposal was tied to the City assuming the ownership of the 11.723-acre tract of land, and the fact that this property is no longer anticipated to be developed with commercial or residential land uses. Additionally, -- *without the added development* -- W. Quail Run Road right-of-way appears to be sufficiently sized to handle the residential traffic volumes created by the Random Oaks and Creekside Subdivisions (*i.e. the right-of-way is sufficient to support the traffic volumes that exist today*). Taking this into consideration, staff would like to propose abandoning this *Minor Collector* to the Planning and Zoning Commission and City Council. In order to facilitate this proposal, staff is required to bring forward an amendment to the OURHometown Vision 2040 Comprehensive Plan. According to Section 213.003 of the Texas Local Government Code, "(a) comprehensive Plan may be adopted or amended by ordinance following:

- (1) A hearing at which the public is given the opportunity to give testimony and present written evidence; and
- (2) Review by the municipality's planning commission or department, if one exists."

Additionally, Section 9.03 of the City's *Home Rule Charter* states that "(r)ecommended changes to the Master Plan shall be submitted to the City Manager after the Planning and Zoning Commission holds at least one [1] public hearing on the proposed change." Furthermore, Section 9.04 states that the "...City Manager shall submit the proposed changes to the Council, together with any recommendations. The Council, after a public hearing, shall adopt or reject such proposed revision or any part thereof as submitted within sixty (60) days following its submission by the City Manager. If the proposed revision or part thereof should be rejected by the Council, the Planning and Zoning Commission may make modifications and again forward it to the City Manager for submission to the Council." The projected meeting/public hearing dates for this case are as follows:

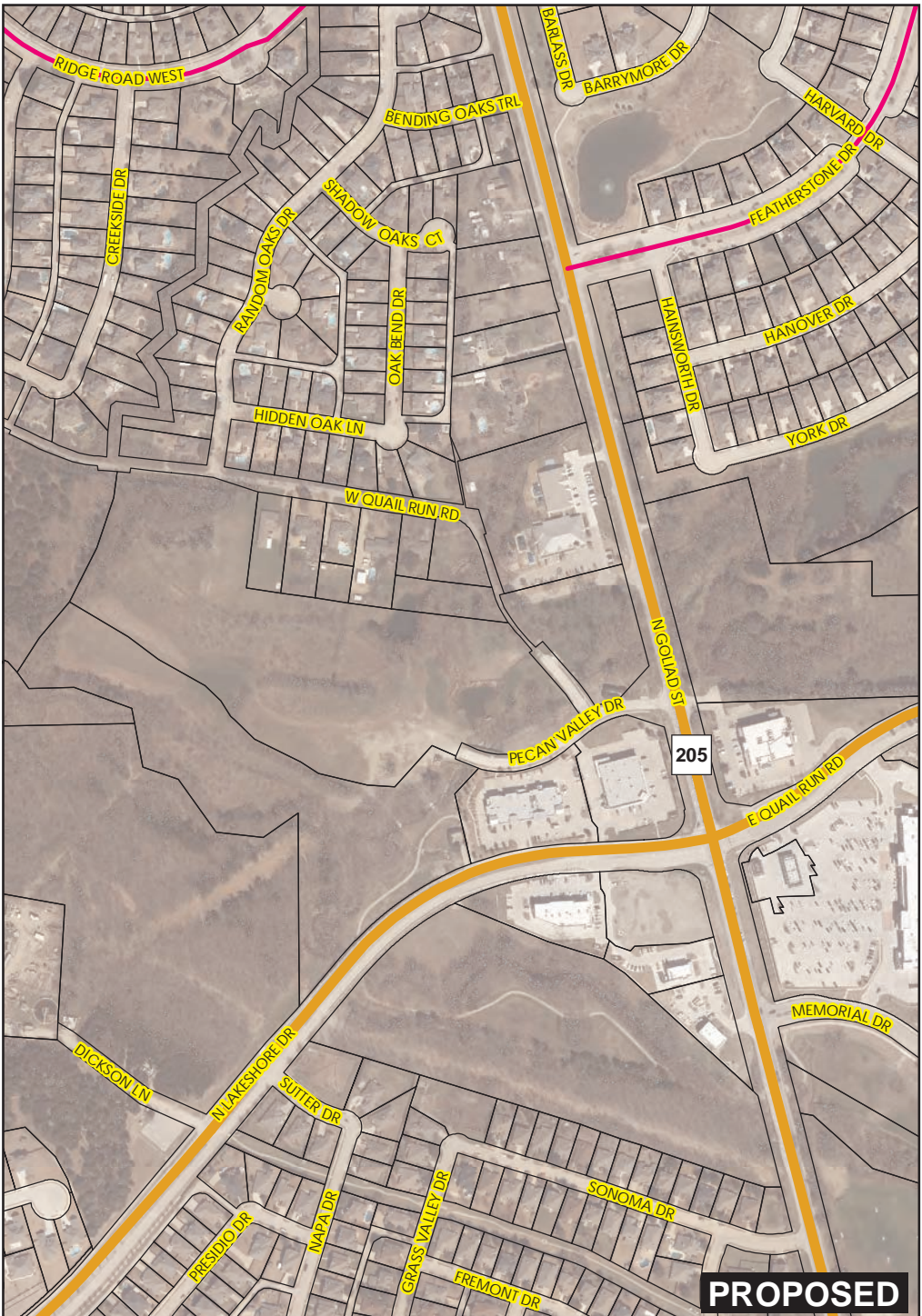
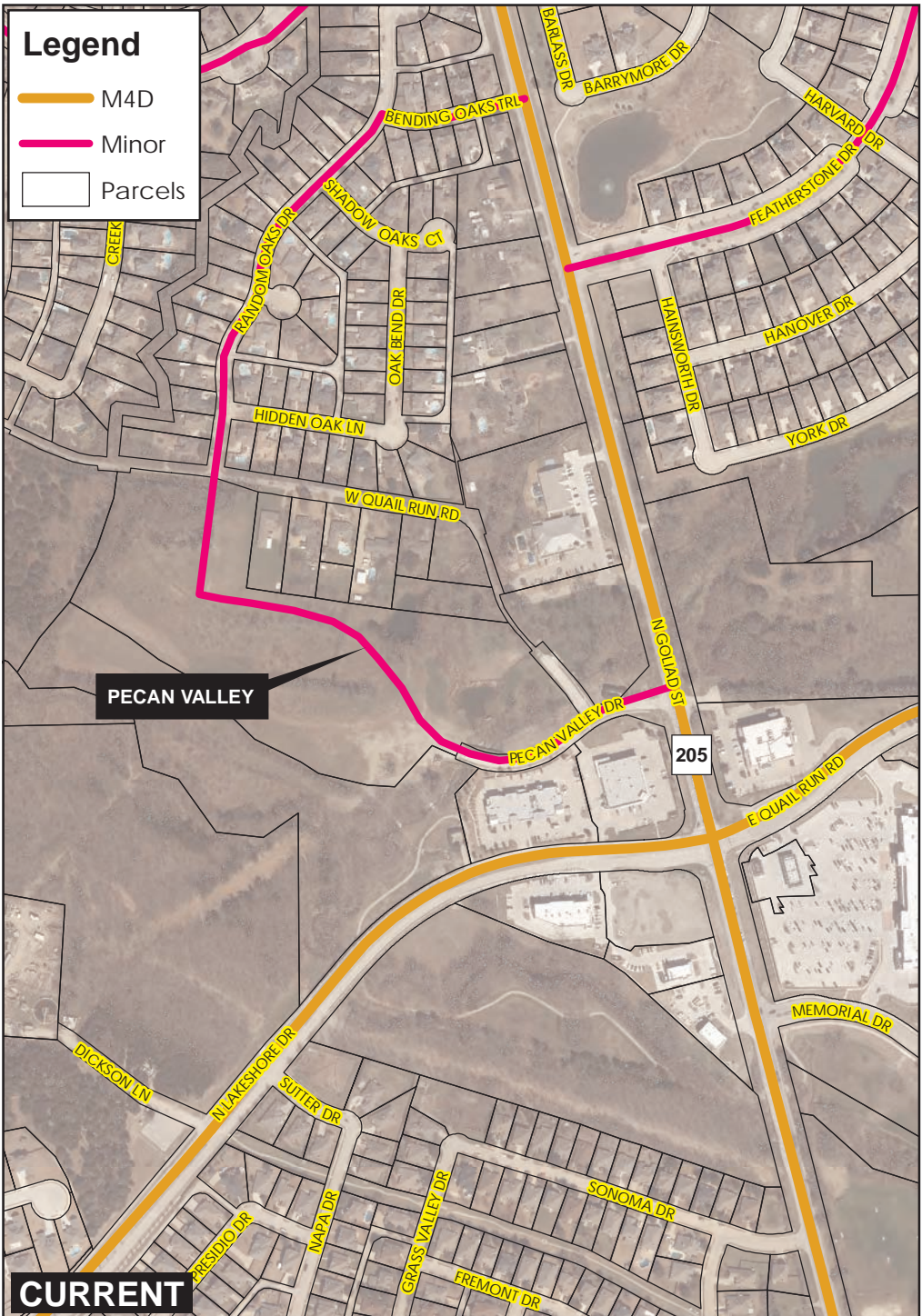
Planning and Zoning Commission Work Session: September 29, 2020

Planning and Zoning Commission Public Hearing: October 13, 2020
City Council Public Hearing/1st Reading: October 19, 2020
City Council 2nd Reading: November 2, 2020

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 ultimately adopt this amendment to the OURHometown Vision 2040 Comprehensive Plan, staff will have the surveyor update the final plat to remove the right-of-way in order to bring the plat forward for action, and -- *if approved* -- proceed with putting these properties out for bid. If the Planning and Zoning Commission have any questions staff will be available at the meeting on October 13, 2020.

Legend

- M4D
- Minor
- Parcels



CURRENT

PROPOSED



0 150 300 Feet
Date: 9/22/2020

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

PROPOSED MASTER THOROUGHFARE CHANGES

10 NORTH LAKESHORE DISTRICT

DISTRICT DESCRIPTION

The North Lakeshore District is an established district that is significantly developed with medium density, suburban housing. Many of the subdivisions in this district are considered established and it is not anticipated that this district's development patterns will drastically change moving forward.

DISTRICT STRATEGIES

Currently, the North Lakeshore District is nearing its buildout capacity with only a few parcels of vacant land left in the northern areas of the district. Considering this, the following are the recommended strategies for this district moving forward:

- 1 Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for medium density, suburban housing products. Non-residential infill development should be designed utilizing an architectural style and scale that will complement the adjacent residential structures.
- 2 Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 3 Live/Work.** The live/work designations in this district are intended to provide a low intensity transition from residential properties to N. Goliad Street [SH-205]. These centers should be constructed to a similar residential scale as the adjacent residential properties.
- 4 Land Use Scenarios.** Depending on adjacent development this area could also transition to a Live/Work or Commercial designation.
- 5 Northern Lake Access.** The City should continue to explore opportunities for public access to the waterfront for the creation of public parks, passive greenway spaces, and trails. This is specifically important in the areas indicated by the red dashed line (---).

POINTS OF REFERENCE

- A. Nebbie Williams Elementary School
- B. Rockwall Golf & Athletic Club
- C. Grace Hartman Elementary School
- D. Virginia Reinhardt Elementary School
- E. SH-66 Boat Ramp

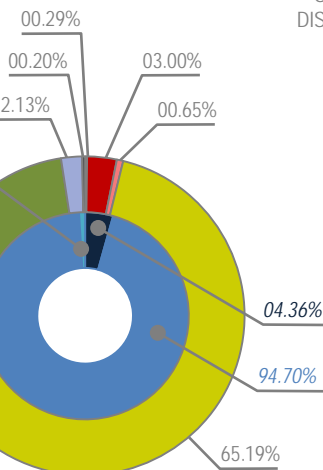
LAND USE PALETTES

- Current Land Use
- Future Land Use

BUILD OUT
 4,358
 13,135

% OF ROCKWALL
 20.26%
 3.58%
 20.50%

CURRENT
 4,052
 65
 12,206



1 Current Suburban Residential



1 Current Suburban Residential



1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential

1 Current Suburban Residential



Land Use Category	Percentage
COMMERCIAL	4.36%
RESIDENTIAL	94.70%
MIXED USE	0.94%

Land Use Category	Percentage
MINOR COLLECTOR	
M4U	
M4D	

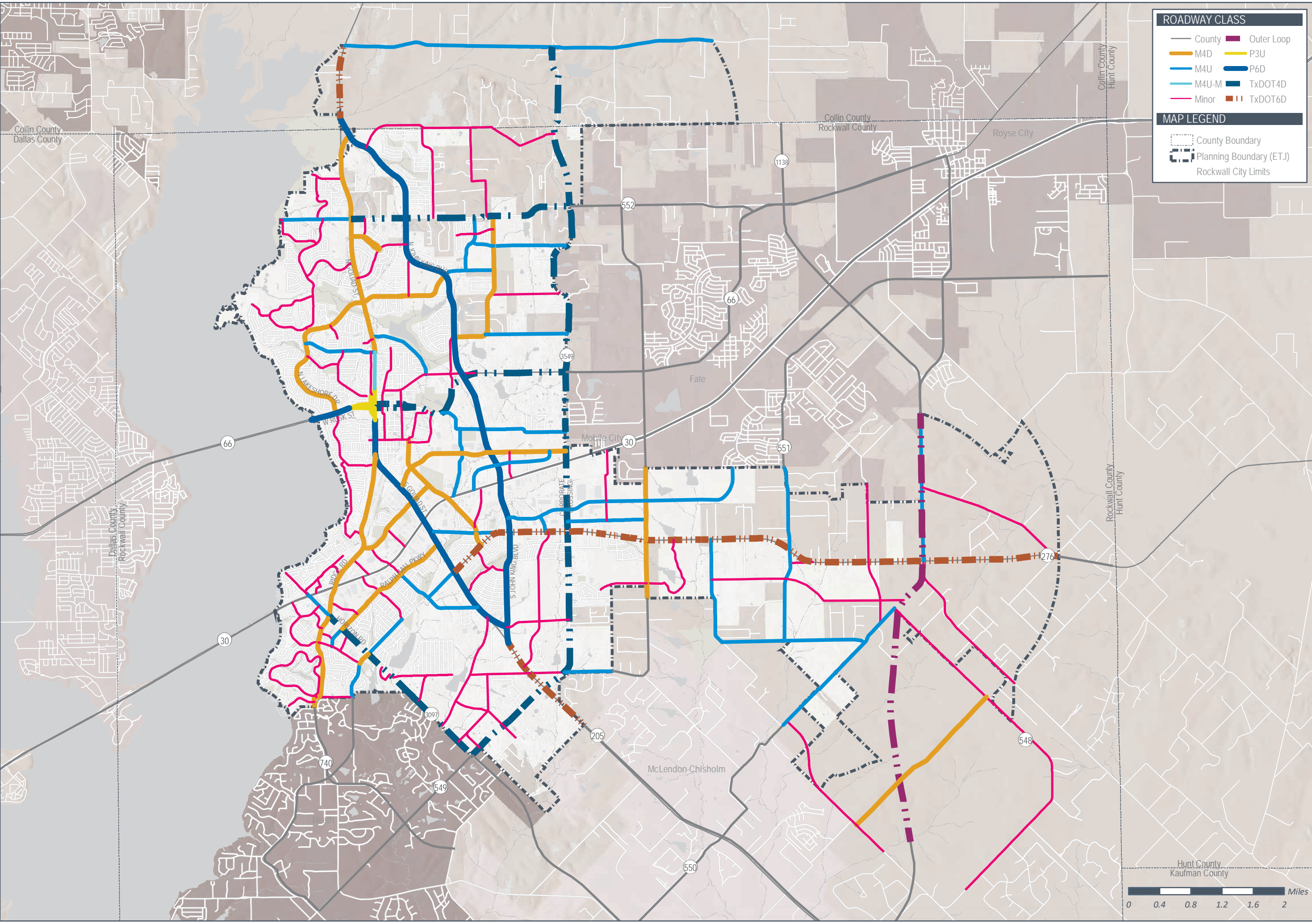
CEMETERY (CEM)	3.76-ACRES
COMMERCIAL/RETAIL (CR)	56.94-ACRES
LIVE/WORK (LW)	12.29-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	1,237.76-ACRES
PARKS AND OPEN SPACE (OS)	541.83-ACRES
PUBLIC (P)	40.53-ACRES
QUASI-PUBLIC (QP)	5.58-ACRES



MASTER THOROUGHFARE PLAN

COMPREHENSIVE PLAN 04 | INFRASTRUCTURE

3



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED IN THE OURHOMETOWN 2040 COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

WHEREAS, the *Home Rule Charter* of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

WHEREAS, the City Council of the City of Rockwall has previously authorized a study to update the Comprehensive Plan, also referred to as the Comprehensive Plan; and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in committee and public meetings; and

WHEREAS, the Comprehensive Plan shall serve as a guide to all future Council action concerning land use and development regulations and expenditures for capital improvements; and

WHEREAS, Section 213.003, *Adoption or Amendment of Comprehensive Plan*, of Chapter 213, *Municipal Comprehensive Plans*, of the *Texas Local Government Code* states that the adoption of or amendment to a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence and as required by the *Home Rule Charter of the City of Rockwall* a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body in the exercise of its legislative discretion, has concluded that the Comprehensive Plan should be amended as follows:

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

SECTION 1. That the *North Lakeshore District* contained within Subsection 05.02, *Land Use Districts*, of Chapter 01, *Land Use and Growth Management*, of the OURHometown Vision 2040 Comprehensive Plan be amended to change the classification of Random Oaks Drive and Pecan Valley Drive from a *Minor Collector* to a *R2 (i.e. residential, two [2] lane, undivided roadway)* and to realign Pecan Valley Drive as depicted in *Exhibit 'A'* of this ordinance; and

SECTION 2. That the *Master Thoroughfare Plan* contained within Appendix 'C', *Maps*, of the OURHometown Vision 2040 Comprehensive Plan be amended as depicted in *Exhibit 'B'* of this ordinance; and

SECTION 3. That the Comprehensive Plan shall be used by the City Staff in the planning and as a guide for the future development of the City of Rockwall; and

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 2ND DAY OF NOVEMBER, 2020.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: October 19, 2020

2nd Reading: November 2, 2020

DRAFT
ORDINANCE
10.13.2020

Exhibit 'A'
10 North Lakeshore District
Subsection 05.02, Land Use Districts

10 NORTH LAKESHORE DISTRICT

DISTRICT DESCRIPTION

The *North Lakeshore District* is an established district that is significantly developed with medium density, suburban housing. Many of the subdivisions in this district are considered established and it is not anticipated that this district's development patterns will drastically change moving forward.

DISTRICT STRATEGIES

Currently, the *North Lakeshore District* is nearing its buildout capacity with only a few parcels of vacant land left in the northern areas of the district. Considering this, the following are the recommended strategies for this district moving forward:

- 1 Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for medium density, suburban housing products. Non-residential infill development should be designed utilizing an architectural style and scale that will complement the adjacent residential structures.
- 2 Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 3 Live/Work.** The live/work designations in this district are intended to provide a low intensity transition from residential properties to N. Goliad Street [SH-205]. These centers should be constructed to a similar residential scale as the adjacent residential properties.
- 4 Land Use Scenarios.** Depending on adjacent development this area could also transition to a *Live/Work* or *Commercial* designation.
- 5 Northern Lake Access.** The City should continue to explore opportunities for public access to the waterfront for the creation of public parks, passive greenway spaces, and trails. This is specifically important in the areas indicated by the red dashed line (---).

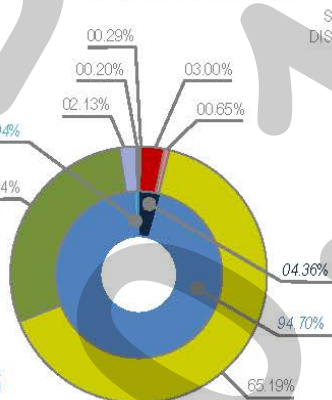
POINTS OF REFERENCE

- A. Nebbie Williams Elementary School
- B. Rockwall Golf & Athletic Club
- C. Grace Hartman Elementary School
- D. Virginia Reinhardt Elementary School
- E. SH-66 Boat Ramp

LAND USE PALETTES

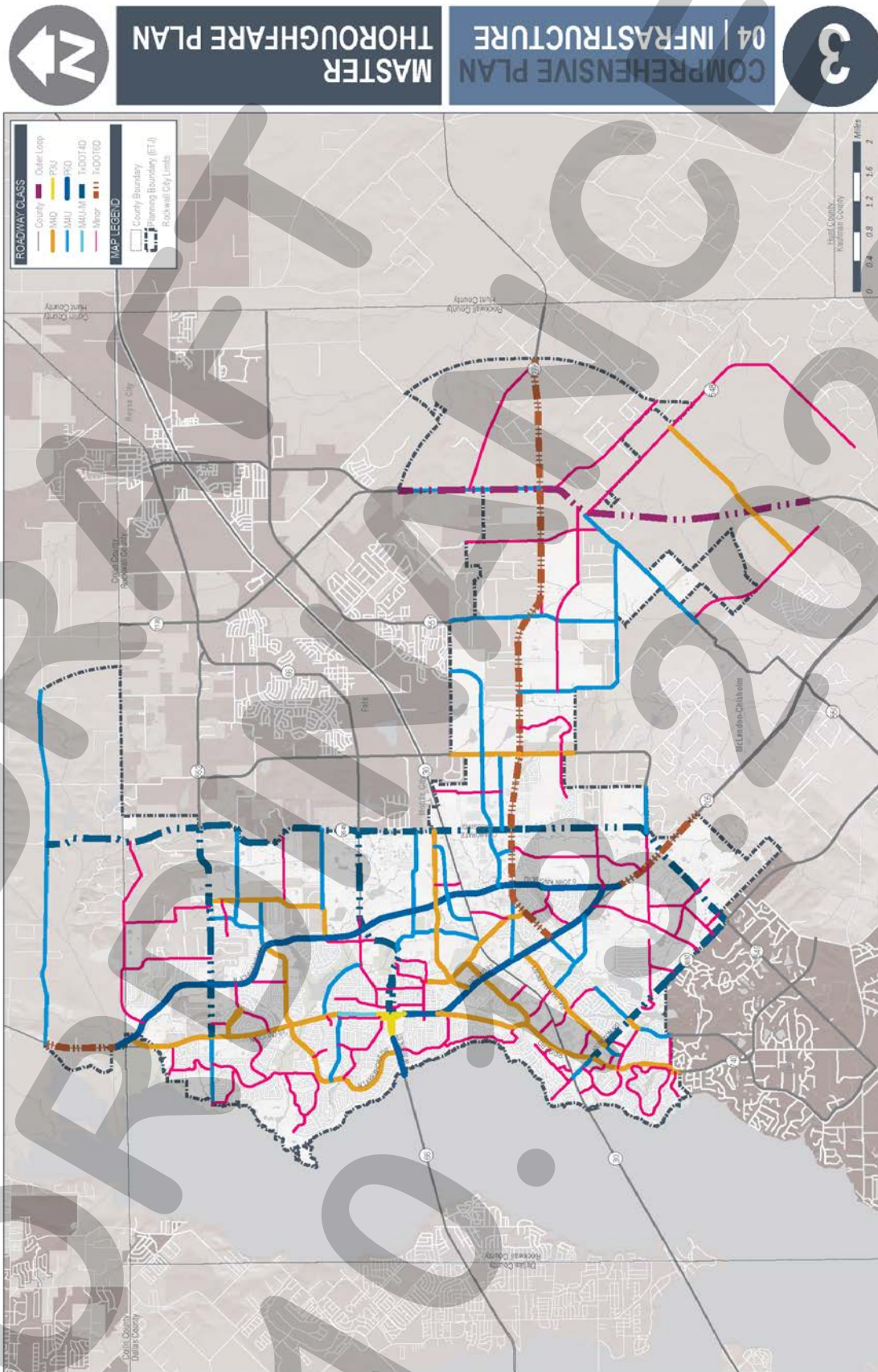
- Current Land Use
- Future Land Use

BUILD OUT	4,358	CURRENT	4,052
	13,135		12,206
% OF ROCKWALL	20.26%	CURRENT	65
	3.58%		20.50%



Land Use Category	Percentage	Acres
COMMERCIAL	4.36%	3.76-ACRES
RESIDENTIAL	94.70%	56.94-ACRES
MXED USE	0.94%	12.29-ACRES
CEMETERY (CEM)		541.83-ACRES
COMMERCIAL/RETAIL (CR)		40.53-ACRES
LIVE/WORK (LW)		5.58-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)		
PARKS AND OPEN SPACE (OS)		
PUBLIC (P)		
QUASI-PUBLIC (QP)		

Exhibit 'B'
Master Thoroughfare Plan
 Appendix 'C', Maps



MASTER THOROUGHFARE PLAN

04 | INFRASTRUCTURE



ROADWAY CLASS

- County
- Outer Loop
- PDU
- RDU
- MAJU
- MAJAM
- FLOODID
- Major

MAP LEGEND

- County Boundary
- Planning Boundary (PL)
- Rockwall City Limits

0 0.4 0.8 1.2 1.6 2 Miles
 Harris County
 Kaufman County



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: October 13, 2020
APPLICANT: J. W. Jones
CASE NUMBER: MIS2020-011; *Special Request for 247 Chris Drive*

SUMMARY

Discuss and consider a request by J. W. Jones for the approval of a Miscellaneous Case for a special request in accordance with the requirements of Planning Development District 75 (PD-75) [Ordinance No. 16-01] for a 0.33-acre parcel of land identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake 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 247 Chris Drive, and take any action necessary.

BACKGROUND

The subject property was originally platted as Lots 1050 & 1051 of the Rockwall Lake Properties Development No. 2 Addition, which was filed with Rockwall County on April 23, 1968. At some point prior to 2006, Lot 1050 was subdivided by metes and bounds into two (2) equal tracts of land, and one-half was combined with Lot 1051 and one-half was combined with a portion of Lot 1049 by common ownership. According to the Rockwall Central Appraisal District (RCAD), the subject property has a ~1,280 SF mobile home that was installed in 1984 and a ~130 SF accessory structure that was constructed in 1998. 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 subject property 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. On July 6, 2020, at the request of the applicant the City Council approved a Specific Use Permit (SUP) [Ordinance No. 20-23; S-225] for Residential Infill in an Established Subdivision to allow the construction of a ~2,624 SF single-family home on the subject property.

PURPOSE

On September 18, 2020, the applicant -- J. W. Jones -- submitted an appeal for a special request in accordance with the requirements of Planned Development 75 (PD-75) [Ordinance No. 16-01] for the purpose of allowing a single-family home to encroach into the front yard building setback adjacent to Chris Drive.

ADJACENT LAND USES AND ACCESS

The subject property is located at 247 Chris Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile homes, with some of the lots being developed with single-family homes. Beyond this is Evans Road, which is classified as a R2 (*residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile homes, with some of the

lots being developed with single-family homes. Beyond this is County Line Road, which is classified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile homes, with some of the lots being developed with single-family homes. Beyond this is Yvonne Drive, which is classified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Chris Drive, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond this are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are mostly developed with mobile homes, with some of the lots being developed with single-family homes.

CHARACTERISTICS OF THE REQUEST:

According to the letter submitted by the applicant, when the plans for the house were originally designed it was believed that there was a sewer line running adjacent to the southern, side yard property line; however, upon performing a dig test on the property it was determined that the sewer line actually existed adjacent to the eastern, rear yard property line approximately 3'-6" from the location of the proposed home. To ensure that there is sufficient space to service a sewer line, it is recommended that a structure be a minimum of five (5) feet from the sewer line. In this case, this would require the house to be shifted forward a minimum of 1'-6". According to Planned Development District 75 (PD-75) [Ordinance No. 16-07] the subject property is subject to a minimum front yard building setback of 20-feet, and -- based on the plan approved by the City Council as part of S-225 -- the proposed home is situated at the front yard building setback. This means that the applicant would need to encroach into the front yard building setback by a minimum of 1'-6", which translates to a reduced front yard building setback of 18'-6". After reviewing the request internally, staff believes that a minimum of a three (3) foot encroachment should be requested to ensure that the home is far enough away from the sewer line to not cause any future issues if the City needs to service the line. This means that the applicant would need to request a minimum of a 17-foot front yard building setback, and if approved the rear of the home would be 6'-6". Typically, these types of request are sent to the Board of Adjustments (BOA), however, Planned Development District 75 (PD-75) allows the City Council to consider a special request not relating to land use. According to Planned Development District 75 (PD-75), "(t)he City Council may consider special requests in the Lake Rockwall Estates Subdivision (i.e. Area 1 and Area 2 as depicted in Exhibit 'B' [the concept plan] of this ordinance). Such requests may include, but not necessarily be limited to the use of alternate building materials, reductions in the building setbacks, exceptions to the fencing requirements, or other requests submitted for consideration to the Planning and Zoning Department." When reviewing this request staff should point out: [1] the request does appear to create a hardship for the applicant, and [2] by approving the request the City Council would not change the essential character of the neighborhood (i.e. there are other non-conforming structures in the subdivision that encroach front yard building line); however, special requests are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission. Staff should note that if the City Council chooses to approve this request, a condition of approval requiring the subject property be replatted to adjust the utility easement at the rear of the property has been included in the Recommendation section of this case memo.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's appeal for a *special request*, then staff would propose the following conditions of approval:

- (1) The subject property will need to be replatted to adjust the utility easement at the rear of the property to ensure that the existing sewer line is located within a ten (10) foot utility easement; and,
- (2) Any construction resulting from the approval of this case 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.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. MIS2020-011

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 247 Chris Dr.

Subdivision Rockwall Lake Properties Development No. 2 Lot 1051 Block _____

General Location _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Residential

Current Use Residential

Proposed Zoning N/A

Proposed Use Residential

Acreage N/A

Lots [Current] 1-1/2

Lots [Proposed] 1-1/2

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 Lupe Guardiola

Applicant J.W. JONES

Contact Person

Contact Person J.W. Jones

Address 247 Chris Dr.

Address 555 N. 5th St.
Suite 113

City, State & Zip Rockwall

City, State & Zip Garland, TX 75040

Phone

Phone 214-535-2850

E-Mail

E-Mail jayjones1941@hotmail.com

NOTARY VERIFICATION [REQUIRED]

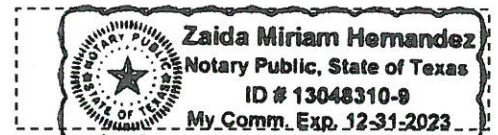
Before me, the undersigned authority, on this day personally appeared Lupe Guardiola [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 17 day of September, 2020. 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 day of September, 2020.

Owner's Signature Guadalupe Guardiola

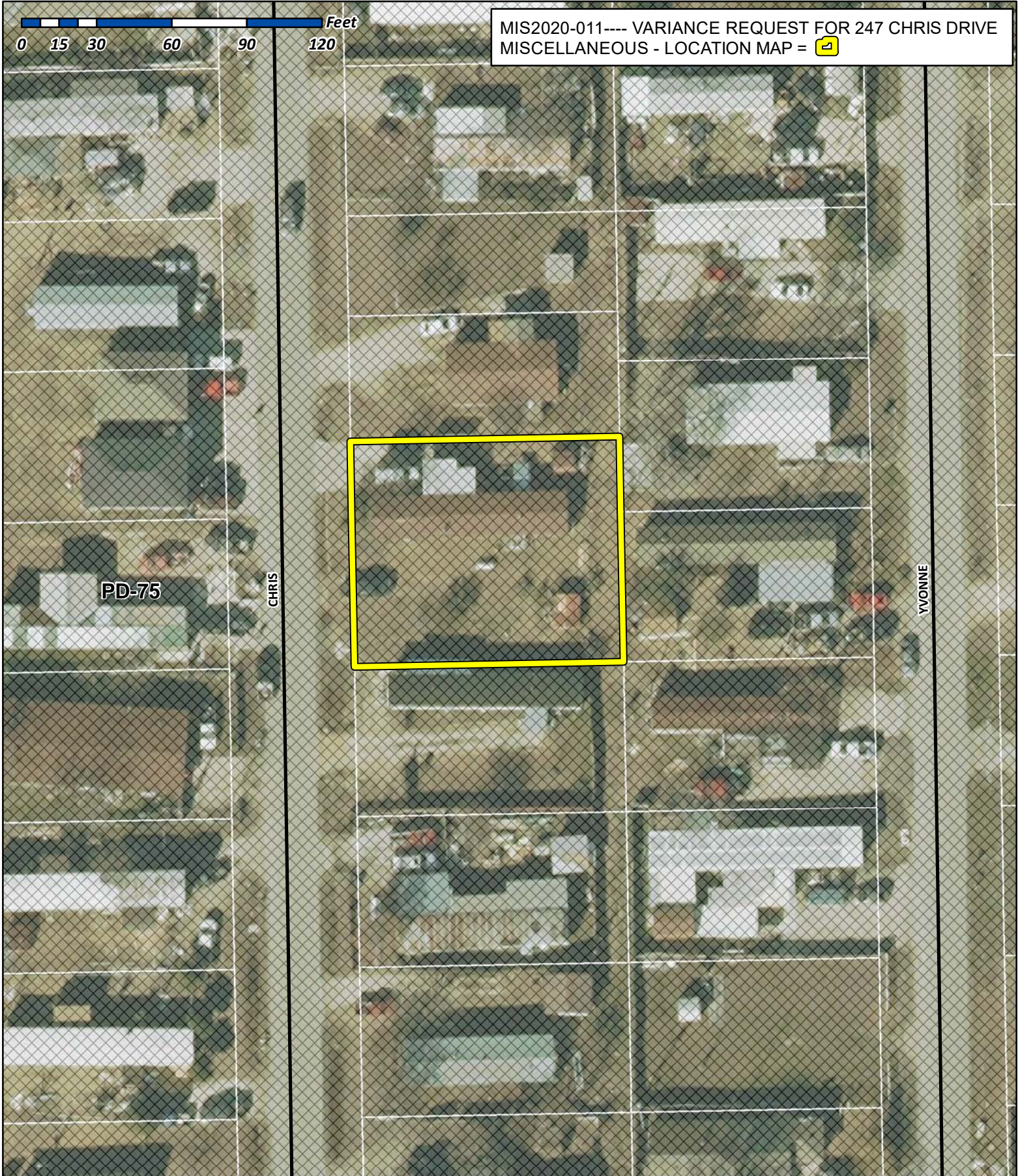
Notary Public in and for the State of Texas



My Commission Expires 12-31-2023

0 15 30 60 90 120 Feet

MIS2020-011---- VARIANCE REQUEST FOR 247 CHRIS DRIVE
MISCELLANEOUS - LOCATION MAP = 



PD-75

CHRIS

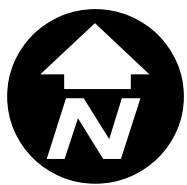
YVONNE



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.



Miller, Ryan

From: jay jones <jwjones1491@gmail.com>
Sent: Wednesday, August 19, 2020 2:24 PM
To: Miller, Ryan
Subject: Project 22020-019, 247 Chris Dr.

Mr. Miller, On May 15 I received an email with an update from building, engineering, fire and planning. Sarah Johnston's 5 comments included one that said, "Must dedicate a 10' utility easement along the south property line. There is a sewer line running along the....." The remainder of this sentence did not print out and I've erased the email. I'm pretty sure that you will still have a copy of this May 15 update.

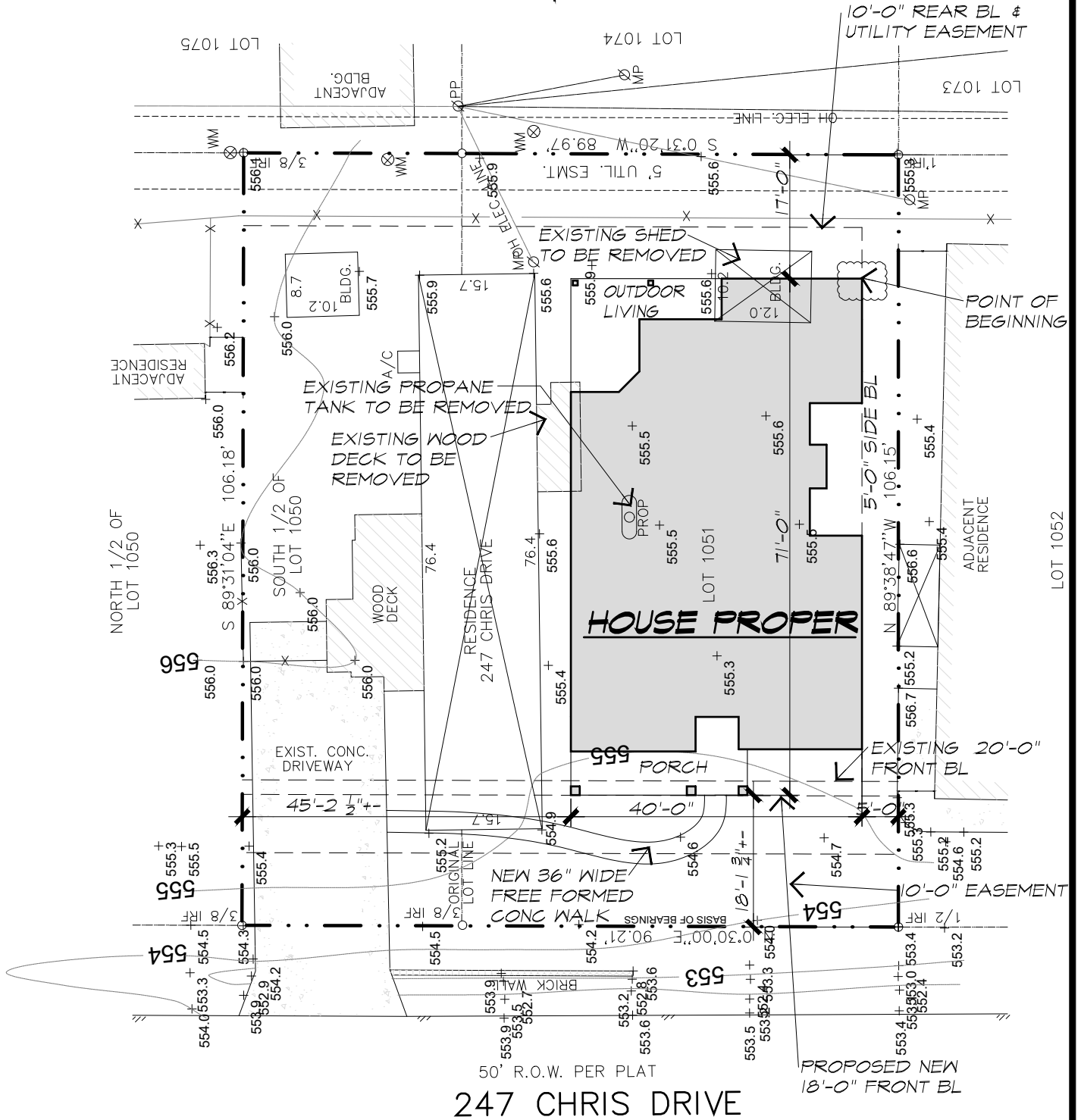
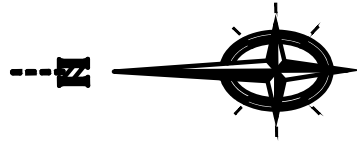
There is a 5' set-back along the south property line. A 10' easement along the south property line would require us to move the house north 5'. Mr. Guardiola, the owners of 647 Chris Dr. who is also building the house, wanted to see if the owner of the house next door would dedicate 5' off his north property line and the owner of 647 Chris Dr. would dedicate 5' off of his south property line, which would give the City a 10' utility easement.

To determine the exact location of the sewer line I asked the City's sewer overseer, Steve Clawson, if he would send a crew out to Chris Dr. to locate the sewer line, which he did. A few days later we found out the sewer line was not along the south property line. The sewer line was 3'-6" from what would be the rear of Mr. Guardiola's proposed house. Mr. Clawson said the sewer line needed to be at least 5'-6" from the house, which means that we would need to move the house west 2'. The house would then be 18' from the front property line instead of 20'. Could the City Council grant a 2' front yard variance?

If we can't move the house 2' closer to the front property line we will have to make changes to the building plans as well as the foundation plan. I am glad I asked Mr. Clawson to locate the sewer line. If we had moved the location of the house north 5' to establish the 10' utility easement along the south property line and then plumbed the house to run the sewer line towards the south property line where we thought the sewer line was located could have been disastrous. Mr. Clawson said working on the sewer line if it was 3'-6" from the house would cause a failure to the house foundation, and that it might not happen for a few years, but it would definitely happen. Moving the house 2' forward would put the sewer line 5'-6" from the house foundation. Jay Jones

This email was scanned by Bitdefender

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



NOTE:
EXISTING ITEMS NOT NOTED
TO BE REMOVED ARE TO
REMAIN

REVISED: 8/31/2020
PLAN #PG 2244
DATE: 12/20/2019

LOT AREA = 9563.87 SF
LOT COVERAGE = 27.44%

SITE PLAN

SCALE: 1" = 20'-0"

1/2 OF LOT 1050 & ALL OF LOT 1051
ROCKWALL LAKE PROPERTIES DEVELOPMENT NO. 2
ROCKWALL, TEXAS

M. Rouse Designs
2307 HIGH RIDGE
SACHSE, TEXAS 75048
(214) 801-9944
mrousedesigns.com
"WHERE DESIGN EXCELLENCE BEGINS"
COPYRIGHT 2019 - M. Rouse Designs - ALL RIGHTS RESERVED

PRIOR TO ANY CONSTRUCTION, BUILDER, CONTRACTORS, & ENGINEERS SHALL CHECK THIS JOB & VERIFY ALL DIMS., PROPERTY LINES, BUILDING LINES, EASEMENTS & UTILITIES, CIVIL & SOIL ENGINEERING, GRADE & DRAINAGE, FENCES & RETAINING WALLS, LANDSCAPE & POOL REQUIREMENTS, TREE LOCATION AND REMOVAL, & DEED RESTRICTIONS TO COMPLY WITH ALL FEDERAL, STATE, & LOCAL CODES, ORDINANCES, & RESTRICTIONS.