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Z2020-001	82
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Z2020-002 - Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary (1st Reading).	
Z2020-002	106
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Z2020-003 - Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue, and take any action necessary (1st Reading).	
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Z2020-004	206
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Z2020-005 - Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of an ordinance for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Peters Colony, and take any action necessary (1st Reading).	
Z2020-005	234
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Z2020-007 - Hold a public hearing to discuss and consider a request for the approval of an ordinance for a Text Amendment to amend Article 08, Landscape and Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-family and duplex properties, and take any action necessary (1st Reading).	
Z2020-007	288

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Z2020-008 - Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of an ordinance for a Specific Use Permit (SUP) to allow the Rental, Sales and Service of Heavy Machinery and Equipment in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary (1st Reading).	
Z2020-008	293
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Discuss and consider repealing Resolution No. 19-23 to adopt a new resolution to increase the number of members on the Comprehensive Plan Advisory Committee, and take any action necessary.	
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AGENDA

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 16, 2020 - **5:00 PM**

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

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

- 1.** Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
- 2.** Discussion regarding a Temporary Access License Agreement for Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney).
- 3.** Discussion regarding possible acquisition of real property in the vicinity of the municipal airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
- 4.** Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters).
- 5.** Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

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

V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER HOHENSHELT

VI. PROCLAMATIONS

pg.10 1. Hometown Hero - Marilyn King

pg.12 2. Autism Awareness Day

pg.14 3. Medal of Honor Day

VII. OPEN FORUM

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

IX. CONSENT AGENDA

- pg.16 1.** Consider approval of the minutes from the March 2, 2020 regular City Council meeting, and take any action necessary.

- pg.24 2.** Consider approval of an **ordinance** cancelling the May 2, 2020 General Election, and take any action necessary. **(2nd Reading)**
- pg.28 3.** Consider approval of a professional engineering services contract with Birkhoff, Hendricks, & Carter, L.L.P., to perform the Risk and Resilience Analysis and the Emergency Response Plan for the City of Rockwall's water system in an amount not to exceed \$79,570.00, to be funded out of the Water and Sewer Fund, and take any action necessary.
- pg.47 4.** Consider approval of a professional engineering services contract with Volkert, Inc., to perform the utility relocation analysis for the construction of Interstate 30 in an amount not to exceed \$52,315.00, to be funded out of the Water and Sewer Fund, and take any action necessary.
- pg.64 5.** Consider awarding a bid to Magnum Manhole and authorizing the City Manager to execute a contract for the Manhole Rehabilitation Project totaling \$125,000 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.
- pg.66 6. P2020-010** - Consider a request by Rob Whittle for the approval of a Replat for Lot 24, Block E, Chandlers Landing, Phase 16 Addition being a 0.16-acre parcel of land identified as Lot 16, Block E, Chandlers Landing, Phase 16 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 295 Victory Lane, and take any action necessary.
- pg.72 7. P2020-011** - Consider a request by Jim Ziegler of Pegasus Ablon for the approval of a Replat for Lots 10, 11, & 12, Block A, Harbor-Rockwall Addition being a 6.119-acre parcel of land identified as Lot 9, Block A, Harbor-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of Lakefront Trail and the IH-30 frontage road, and take any action necessary.

X. APPOINTMENT ITEMS

1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.
- pg.79 2.** Appointment with Kevin Post of the NRA Foundation regarding waiving a the fees for renting The Lone Star Room at The Center on July 18th for their 3rd annual fundraising event, and take any action necessary.

XI. PUBLIC HEARING ITEMS

- pg.82 1. Z2020-001** - Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle, and take any action necessary **(1st Reading)**.
- pg.106 2. Z2020-002** - Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary **(1st Reading)**.
- pg.155 3. Z2020-003** - Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue, and take any action necessary **(1st Reading)**.
- pg.206 4. Z2020-004** - Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 705 Peters Colony, and take any action necessary **(1st Reading)**.
- pg.234 5. Z2020-005** - Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7)

District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Peters Colony, and take any action necessary **(1st Reading)**.

pg.281 6. Z2020-006 - Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2308 Saddlebrook Lane, and take any action necessary **(1st Reading)**.

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pg.293 8. Z2020-008 - Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of an **ordinance** for a Specific Use Permit (SUP) to allow the Rental, Sales and Service of Heavy Machinery and Equipment in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary **(1st Reading)**.

XII. ACTION ITEMS

pg.317 1. Discuss and consider repealing Resolution No. 19-23 to adopt a new resolution to increase the number of members on the Comprehensive Plan Advisory Committee, and take any action necessary.

XIII. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

- 1.** Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
- 2.** Discussion regarding a Temporary Access License Agreement for Breezy Hill Road pursuant to § Section 551.071 (Consultation with Attorney).

3. Discussion regarding possible acquisition of real property in the vicinity of the municipal airport pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Discussion regarding appointment of city council subcommittees and board liaisons pursuant to Section, §551.074 (Personnel Matters).
5. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XV. ADJOURNMENT

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

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

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of March, 2020 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

Date Removed

Rockwall,



Texas

Proclamation

Whereas, upon moving here in 1996, Marilyn King brought her passion for patriotism to the City of Rockwall; and

Whereas, the same year, Marilyn joined the local Rock Wall Chapter of Daughters of the American Revolution (DAR) and became a vocal advocate for educating the public about the U.S. Constitution; and

Whereas, as a dedicated member of DAR, Marilyn celebrates Constitution Day annually by sharing American flags and copies of the Constitution so that residents may have a greater understanding of our freedoms and the blessings bestowed upon this great country; and

Whereas, Marilyn's passion for patriotism and commitment to veterans began when her late husband, Lt. Col. John King served for decades as a pilot with the U.S. Air Force, and has grown exponentially ever since; and

Whereas, as the local DAR chapter's Veteran's Administration Voluntary Services Representative, Marilyn works tirelessly to make life better for area veterans.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim March 16, 2020 as

Hometown Hero Marilyn King Day

in the City of Rockwall and urge all citizens to applaud Marilyn for her unfettered patriotism, service to veterans, and going above and beyond to be a role model for others.

In Witness Whereof, I hereunto set my hand and official seal this the 16th day of March, 2020



Jim Pruitt, Mayor

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Rockwall, Texas Proclamation

Whereas, autism is a developmental disability that affects the brain functions of an individual; and

Whereas, autism is a lifelong neurological condition that manifests during early childhood, irrespective of gender, race or socio-economic status; and

Whereas, children with autism are mainly characterized by their unique social interactions, non-standard ways of learning, keen interests in specific subjects, inclination to routines, challenges in typical communications and particular ways of processing sensory information; and

Whereas, autistic children have a limited number of activities to engage in or a limited number of interests and may demonstrate repetitive or restrictive behavior; and

Whereas, for children with Autism, accurate, early diagnosis and the resulting appropriate education and intervention are vital to the future growth and development of the individual so they can enjoy equal opportunity and full and effective participation in society; and

Whereas, all over the world, major events are organized on this day to raise the profile of autism in the public's eye, including panel discussions with health organizations, autism-specific organizations, autism experts, and politicians.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **April 2, 2020** as:

Autism Awareness Day

in the City of Rockwall and urge all citizens to better educate themselves about this lifelong disorder and offer support to families who work to overcome its challenges.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of March, 2020.

Jim Pruitt, Mayor

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Rockwall, Texas Proclamation

Whereas, the Medal of Honor is the highest award for valor in combat awarded across all branches of the United States military, and

Whereas, President Abraham Lincoln signed legislation from congress creating the Medal of Honor in 1861 with the first medal being awarded in 1863, and

Whereas, approximately thirty-five hundred individuals, eighty-six of whom are laid to rest in the great state of Texas, have received this highest honor, and

Whereas, our country has celebrated National Medal of Honor Day on March 25 since the holiday was first created by congress in 1990 and signed into law by President George HW Bush, and

Whereas, Texans are deeply patriotic and have a strong history of supporting the men and women of the Armed Forces, and

Whereas, the National Medal of Honor Museum Foundation has selected Texas as the official home for the National Medal of Honor Museum, and

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim **March 25, 2020** as

Medal of Honor Day

in the City of Rockwall and encourage all citizens to observe a Moment of Honor at 3:25PM on March 25 as a time of remembrance for Medal of Honor recipients who've passed on and to honor the living recipients of this most prestigious award.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of March, 2020.



Jim Pruitt, Mayor

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MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 02, 2020 - 5:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. with the following council members and staff being present: Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik, Council Members Patrick Trowbridge, John Hohenshelt, Kevin Fowler, Trace Johannesen, and Bennie Daniels, City Manager Rick Crowley, Assistant City Managers Joey Boyd and Mary Smith and City Attorney Frank Garza.

Mayor Pruitt read the following discussion items into the record and then recessed the public meeting to go into Executive Session at 5:01 p.m.

II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

III. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 5:50 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m.

V. INVOCATION AND PLEDGE OF ALLEGIANCE – PRO TEM MACALIK

Mayor Pro Tem Macalik delivered the invocation and led the Pledge of Allegiance.

VI. PROCLAMATIONS

1. Census Day Proclamation

Mayor Pruitt read the proclamation for Census Day, which is April 1, 2020. He encouraged everyone in Rockwall to take part and be sure to be counted in the Census numbers.

35 **VII. OPEN FORUM**

36 Mayor Pruitt asked if anyone would like to come forth and speak during this time.

37

38 Peter Flores
39 2080 Belfry Court
40 Rockwall, TX

41

42 Mr. Flores came forth and generally indicated that he and his friend, Mr. Clark, are here to encourage
43 the city to take a closer look at local cemeteries and their upkeep.

44

45 Dick Clark
46 2090 Birkdale Lane
47 Rockwall, TX

48

49 He explained that eight of the twenty-five cemeteries in Rockwall County are located within the city
50 limits of Rockwall. He went on to individually speak about these cemeteries and the status and
51 condition of each one.

52 Mayor Pruitt shared that Council is not allowed to have dialogue about this topic because it is not listed
53 as a discussion item on tonight's public meeting agenda. He indicated that a discussion item will be
54 placed on the next city council meeting agenda to discuss these matters further.

55

56 **VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

57 Indication was given that no action was needed as a result of the pre-meeting Executive Session. See
58 below for action taken as a result of an Executive Session that took place towards the end of the
59 meeting.

60 **IX. CONSENT AGENDA**

- 61 1. Consider approval of the minutes from the February 18, 2020 regular City Council meeting,
62 and take any action necessary.
- 63 2. Consider approval of an **ordinance** cancelling the May 2, 2020 General Election, and take any
64 action necessary. **(1st Reading)**
- 65 3. Consider awarding a bid to Caldwell Country Chevrolet and Pursuit Safety and authorizing the
66 City Manager to execute Purchase Orders for a new Police Pursuit Tahoe in the amount of
67 \$54,625 to be funded out of the General Fund, Police Patrol Operations Budget, and take any
68 action necessary.
- 69 4. **P2020-007** - Consider a request by John Arnold of BH Phase XI, LTD on behalf of the owners
70 Cory Knowlton and Chuck Sinks for the approval of a Final Plat for Lots 1-4, Block A, Breezy
71 Hill Lane Addition being a 23.13-acre tract of land identified as Tract 33-1 & 33-02 of the J.
72 Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned
73 Agricultural (AG) District, situated at the terminus of Breezy Hill Road, and take any action
74 necessary.

- 75 **5. P2020-008** - Consider a request by Tom Martin of the Skorburg Co. on behalf of Tom Lynch of
76 Pacesetter Homes, LLC for the approval of an Amending Plat for the Gideon Grove Subdivision
77 consisting of 71 single-family residential lots on a 29.182-acre tract of land identified as
78 Gideon Grove – North Addition, Abstract No. 13, City of Rockwall, Rockwall County, Texas,
79 zoned Planned Development District 77 (PD-77), situated within the 205 By-Pass Corridor
80 Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail
81 Run Road and John King Boulevard, and take any action necessary.
- 82 **6. P2020-009** - Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of
83 John Hammerbeck and Tony Scalise of Rockway Partners, LLC for the approval of an
84 Conveyance Plat for Lots 22 & 23, Block A, La Jolla Pointe Addition, Phase 2 being a 9.941-acre
85 tract of land identified as Lots 6, 7 & 20, Block A, La Jolla Pointe Addition, Phase 2, City of
86 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic
87 Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated south of the
88 intersection of Carmel Circle and Laguna Drive, and take any action necessary.

89
90 **Mayor Pruitt indicated that items #3 and #5 were being pulled for further discussion.**

91
92 **Councilmember Trowbridge moved to approve Consent Agenda items #1, 2, 4 and 6. Mayor Pro Tem**
93 **Macalik seconded the motion. The ordinance was read as follows:**

94
95 **CITY OF ROCKWALL, TEXAS**
96 **ORDINANCE NO. 20-**

97
98 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
99 **TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF**
100 **CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND**
101 **CITY COUNCILMEMBER PLACE 6, AS ELECTED; PROVIDING THAT THE**
102 **MAY 2, 2020 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD;**
103 **REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT**
104 **THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A**
105 **SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE**
106 **MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE**
107 **PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.**

108
109 **The motion passed by a vote of 7 ayes to 0 nays.**

110
111 **Councilmember Trowbridge asked for and received clarification regarding Consent Agenda items #3 and**
112 **#5. Following the questions and answers, Councilman Trowbridge moved to approve Consent Agenda**
113 **items #3 and #5. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 7 ayes to 0**
114 **nays.**

115
116 **X. PUBLIC HEARING ITEMS**

- 117 **1. A2019-001** - Hold a public hearing to discuss and consider an **ordinance** regarding a petition
118 from more than 50% of the property owners for the annexation of a 41.39-acre tract of land
119 situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), and generally located

on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [FM-3549], and take any action necessary **(2nd Reading)**.

Ryan Miller, Planning Director, provided brief background information concerning this agenda item. Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Trowbridge moved to approve A2019-001. Councilman Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 20-03**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, GRANTING A PETITION FOR ANNEXATION AND PROVIDING FOR THE EXTENSION OF MUNICIPAL BOUNDARY LIMITS TO INCORPORATE SUCH PROPERTY INTO THE CITY OF ROCKWALL, TEXAS WITH THE ANNEXATION OF A 41.39-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1-19, MAYTONA RANCH ESTATES ADDITION AND TRACTS 22-01, 22-02, 22-6 & 22-07 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously of those present (7 ayes to 0 nays).

- 2. Hold a public hearing to discuss and consider extending a moratorium on accepting and reviewing subdivision plats for residential property situated within the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary.**

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time.

**Mr. Glen Hinkley
12300 Park Central Drive
Dallas, TX 75251**

Mr. Hinkley shared that TX Local Gov't Code Chapter 212 subdivision regulation authority does not allow cities to regulate subdivisions in the ETJ in a manner that is different than they regulate subdivisions in the city limits. He indicated that treating ETJ owners different than in-city owners lacks both due process and equal protection and – in doing so – runs afoul of important constitutional principles. He believes cities have no authority to make ETJ platting more difficult than in-city platting by adopting a moratorium on accepting and reviewing plats on ETJ property. He cautioned that if Rockwall continues down this path, no one should be surprised if those state legislators who are focused on protecting property rights further restrict municipal authority. Mr. Hinkley stated that Rockwall's moratorium is an attempted end-run around the state's limitation of annexation authority that should not be tolerated. If Rockwall's city council votes to treat ETJ owners differently than in-city

owners, they are acting outside the scope of their authority and inconsistent with their oath of office that requires them to honor Texas law.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt then closed the public hearing.

At 6:27 p.m., Mayor Pruitt called for a brief break and recessed the meeting. He then called it back to order at 6:29 p.m.

Mayor Pruitt indicated that the council would like to ask several questions to the city attorney regarding this topic (in Executive Session). For now, however, Council will address Action Item #1. (See notes below for action taken out of Executive Session).

XI. ACTION ITEMS

1. Discuss and consider a request by Peg Pannell Smith of the Coldwell Banker Commercial NRT on behalf of the owner of the property David Lowrey of Lowalk, LLC for the approval of an exception and/or exemption to the temporary commercial moratorium in accordance with the requirements of Ordinance No. 19-44, and take any action necessary.

Planning Director, Ryan Miller provided background information pertaining to this agenda item. The applicant and her representative then came forth and addressed the Council.

**Peg Pannell Smith
Coldwell Banker Realtors
Rockwall, TX**

**Robert LaCroix
4517 Scenic Drive
Rowlett, TX**

Ms. Smith indicated that the seller is retaining 2 acres, and the buyer is purchasing just over 10 acres. The buyer wants to build warehouses on the property. Mr. LaCroix shared that this property is currently being utilized as a wrecking / salvage yard. So, the sale of this land would actually result in this property being cleaned up.

Following additional, brief discussion, Councilman Johannesen moved to approve this exception/exemption. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes with 1 nay (Trowbridge).

2. Discuss and consider an update regarding the Complete Count Committee for the U.S. 2020 Census and take any action necessary.

Assistant City Manager Joey Boyd briefed the Council on this agenda item, reminding everyone that Census Day is April 1, 2020. Councilman Daniels shared that the Census is called for by the U.S. Constitution, and it occurs once every ten years (in years that end in a zero). Councilman Daniels provided several facts related to the Census. No action was taken as a result of this brief discussion.

208 **XII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO**
209 **CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED**
210 **MATTERS.**

211

212 **1. Departmental Reports**

213 Building Inspections Monthly Report - January 2020

214 Fire Department Monthly Report - January

215 Parks & Recreation Department Monthly Report - January 2020

216 Sales Tax Historical Collections -January 2020

217 Water Consumption Statistics - January 2020

218 **2. City Manager's Report**

219

220 Brief comments took place concerning some upcoming events in the community. No action was taken
221 regarding these agenda items.

222

223 **XIII. EXECUTIVE SESSION**

224 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE**
225 **FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

226 **1. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071**
227 **(Consultation with Attorney).**

228 **2. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland,**
229 **Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD)**
230 **regarding water rates pursuant to Section §551.071 (Consultation with Attorney)**

231

232 **Mayor Pruitt shared that Council needs to adjourn into Executive Session to discuss Public Hearing Item**
233 **#2 (regarding extending a moratorium). Council then convened in Ex. Session from 6:49 p.m. until 7:07**
234 **p.m.**

235

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

237 **Mayor Pruitt called the meeting back to order and moved to extend the City's residential moratorium**
238 **for a period of 120 days, requesting that the County give the City an answer by April 14 regarding the**
239 **county's subdivision regulations and that if the County fails to do so by April 14, then the City will decide**
240 **whether or not it is going to either take this property out of its ETJ or make those regulations ourselves.**
241 **Councilmember Trowbridge seconded the motion, which passed unanimously of those present.**

242

243 **XV. ADJOURNMENT**

244 **Mayor Pruitt adjourned the meeting at 7:10 p.m.**

245

246 PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16th DAY OF
247 MARCH, 2020.

248

249

250

251 ATTEST:

252

JIM PRUITT, MAYOR

253

254 _____
KRISTY COLE, CITY SECRETARY

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**CITY OF ROCKWALL, TEXAS
ORDINANCE NO. 20-04**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6, AS ELECTED; PROVIDING THAT THE MAY 2, 2020 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas adopted Resolution No. 20-01 on February 3, 2020, ordering a general election to be held on May 2, 2020, for the purpose of electing three city officials - City Councilmember Place 2, City Councilmember Place 4, and City Councilmember Place 6; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's general election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election code, has certified in writing, attached hereto as Exhibit 'A', to the City Council that John Hohenshelt is unopposed for election to the office of Councilmember Place 2; Trace Johannesen is unopposed for election to the office of Councilmember Place 4, and Patrick Trowbridge is unopposed for election to the office of Councilmember Place 6; and

WHEREAS, the City Council hereby finds and determines that the candidates whose names were to appear on the ballot in said election are unopposed, that there are no declared write-in candidates, and that no propositions are to appear on the ballot for said election.

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct;

Section 2. In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective offices for a term of two years and shall be issued a certificate of election following the date on which the general election for Councilmembers would have otherwise been held:

- John Hohenshelt - Councilmember, Place 2
- Trace Johannesen - Councilmember, Place 4
- Patrick Trowbridge - Councilmember, Place 6

Section 3. Pursuant to Section 2.053(b), Texas Election code, the general municipal election for City Councilmember Place 2, Councilmember Place 4, and Councilmember Place 6 called and ordered by Resolution No. 20-01, for May 2, 2020, shall not be held and is hereby cancelled.

Section 4. The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 2, 2020, at all posting places that would have been used in said election.

Section 5. Term of office for the unopposed Councilmembers shall commence on May 18, 2020 after the Oath of Office has been administered and executed.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Section 8. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

Section 9. It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

Section 10. This ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

**PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS THIS 16th DAY OF MARCH, 2020.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

1ST Reading: 03/02/2020

2nd Reading: 03/16/2020

“EXHIBIT A”

**CERTIFICATION OF UNOPPOSED CANDIDATES
CERTIFICACIÓN DE CANDIDATOS ÚNICOS**

To: Presiding Officer of the City Council

Al: Alcalde del Consejo de la ciudad

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held May 2, 2020:

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 2 de mayo de 2020:

John Hohenshelt - Councilmember, Place 2
Trace Johannesen - Councilmember, Place 4
Patrick Trowbridge - Councilmember, Place 6

John Hohenshelt – *Miembro del Consejo, Puesto 2*
Trace Johannesen – *Miembro del Consejo, Puesto 4*
Patrick Trowbridge – *Miembro del Consejo, Puesto 6*



Signature (*Firma*)

Kristy Cole

Printed name (*Nombre en letra de molde*)

City Secretary

Title (*Puesto*)

March 2, 2020

Date of signing (*Fecha de firma*)



(Seal) (*sello*)

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: March 5, 2020

SUBJECT: Risk and Resilience Analysis and Emergency Response Plan

On October 23, 2018, the America's Water Infrastructure Act (AWIA) was signed into law. Section 2013 of the AWIA amends section 1433 of the Safe Drinking Water Act to require water systems serving over 3,300 people to improve the overall sustainability of the water system through a two-step process. Step 1 is to conduct a Risk and Resilience Analysis (RRA) of how malevolent acts and natural hazards could affect the water system. Malevolent acts include cyber intrusion, contamination, and vandalism. Tornadoes, droughts, ice storms, and earthquakes are some examples of the natural hazards that will also be included in the analysis. For cities serving a population over 3,300 people (e.g. the City of Rockwall), the RRA must be complete no later than December 31, 2020. Step 2 requires updating the City's Emergency Response Plan (ERP) with strategies and resources intended to improve the resilience of the water system with physical and cyber security improvements that can aid in the response to malevolent acts and natural hazards. The AWIA requires the ERP update for the City of Rockwall to be complete no later than June 30, 2021.

Staff requests that the City Council consider approving the professional engineering services contract for Birkhoff, Hendricks & Carter, L.L.P. to perform the RRA and ERP in an amount not to exceed \$79,570.00, which will be paid for out of Water and Sewer Funds, and take any action necessary.

AJW:jmw
Attachments

Cc: Joey Boyd, Assistant City Manager
Mary Smith, Assistant City Manager
Jeremy White, P.E., CFM, Civil Engineer
Rick Sherer, Water/Wastewater Manager
File

STATE OF TEXAS

COUNTY OF ROCKWALL



PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Birkhoff, Hendricks and Carter, L.L.P., ("ENGINEER"), located at 11910 Greenville Avenue, Suite 600, Dallas, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for the Water system Risk and Resilience Analysis and Emergency Response Plan Update project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and defined in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an amount not to exceed Seventy Nine Thousand Five-Hundred Seventy dollars (\$79,570.00) and billed in accordance with the payment schedule provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "C". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at re-user's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – \$100,000
Bodily Injury by Disease - \$500,000 (policy limits)
Bodily Injury by Disease - \$100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

\$2,000,000 General aggregate limit

\$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

\$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars (\$1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. INDEMNIFICATION

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS (\$1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY

Amy Williams, P.E.

Director of Public Works/City Engineer

City of Rockwall

385 S. Goliad Street

Rockwall, Texas 75087

ENGINEER

Matt Hickey, P.E.

Partner

Birkhoff, Hendricks & Carter, L.L.P.

11910 Greenville Ave., #600

Dallas, Texas 75243

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least a thirty (30) day notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between CITY and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as CITY may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish CITY periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees

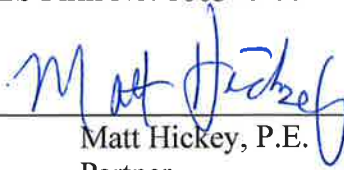
If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 4th day of March 2020.

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
A Texas Limited Liability Partnership
TPBE Firm No. 526
TBPLS Firm No. 100318-00

By: 
Matt Hickey, P.E.
Partner

EXECUTED in triplicate originals on this ____ day of _____ 2020.

ATTEST:

City of Rockwall, Texas

Richard Crowley
City Manager

ATTACHMENT “A”

ENGINEERING SERVICES

Water System Risk & Resilience Analysis

In October 2018 the America’s Water Infrastructure Act (AWIA) was signed into law. The act requires systems serving over 3,300 persons to improve the overall sustainability their water system involving a two-step process. For Cities with populations greater than 50,000-persons such as the City of Rockwall, the Risk and Resilience Analysis (RRA) must be completed no later than December 31, 2020 to avoid a \$50,000 per day fine. Step 1 is to conduct an RRA for malevolent acts and natural hazards of the City’s water infrastructure. Step 2 is to update the City’s Emergency Response Plan (ERP) with strategies and resources to improve the resilience of the system with physical security and cyber security to aid in the detection of malevolent acts and natural hazards. The AWIA requires the ERP update for Rockwall to be completed no later than June 30, 2021. The American Water Works Association J100-10(R13) First Edition standards for Risk and Resilience Management of Water and Wastewater Systems Risk Analysis and Management Critical Asset Protection (RAMCAP) methodology will be utilized on the RRA process with the aid of the Environmental Protection agency (EPA) VSAT Web 2.0 software and the AWWA Cybersecurity Tool spreadsheet. For each step of the process outlined below, the Engineer will prepare an agenda, attend and run a workshop with the City’s RRA committee and the engineer’s subconsultants, if applicable. All tasks summarized below include input and participation from the City’s RRA Committee.

PART A:

I. Project Kickoff

- a. Provide a summary of the steps required to complete the Risk and Resilience Analysis (RRA).
- b. With City input, form the City’s RAA committee.
- c. Gather information – Provide a request for information on system assets, system controls and operational management of the water system.
- d. Develop a water system diagram exhibit showing locations of critical assets for workshops.
- e. Initiate the City to begin work with our SCADA subconsultant, RLC Controls, Inc. to introduce Cybersecurity questions that will need to be answered about the City’s existing SCADA controls and protective measures that will be required for the Cybersecurity portion of the RRA.
- f. Once the Committee is formed, prepare an RRA mission statement based on guidance from the Engineer.

II. Conduct Asset Characterization

- a. Identify assets and which are critical, that if compromised, can result in widespread service interruptions or degradation , injuries, fatalities, detrimental economic impact.
 - i. Identify mission or critical functions.
 - ii. Identify list of potentially critical assets.

- iii. Identify internal and external supporting infrastructures.
- iv. Identify and document protective countermeasures and mitigation measures.
- v. Estimate worst reasonable consequences resulting from destruction or loss of each asset without regard to the threat.
- vi. Prioritize critical assets from consequences in EPA VSAT 2.0 Program.

III. Conduct Threat Characterization

- a. Identify threats to be considered (General and specific threat Scenarios with attacks by insiders (current or past employees), outsiders (adversaries, criminals & vandals) and natural (hurricanes, floods, tornadoes, earthquakes, wildfires & dependency hazards).
- b. Utilize a uniform and consistent reference of threats to evaluate vulnerability and consequence for cross-asset comparisons.
 - i. Describe malevolent threats – Numbers and capabilities of adversaries.
 - 1. Weapons, equipment, tools, explosives, tactics & delivery/transport.
 - ii. Describe Natural Hazards
 - 1. Hurricanes, floods, tornadoes, earthquakes, wildfires & dependency hazards that have occurred or could occur in the location of the facility.
 - 2. Define range of magnitude from smallest that could cause harm to the largest reasonable case.
 - iii. Describe dependency hazards
 - 1. Interruptions of utilities, suppliers, employees, customers, transportation or dangerous neighboring sites.
 - iv. Evaluate and rank threat-asset pairs.
 - v. Identify all threats included in the analysis and which threats apply to which assets.
 - vi. Select critical threat-asset pairs to be included in the analysis.

IV. Conduct Consequence Analysis

- a. Determine what happens to assets from threat or hazard.
- b. Estimate the results of the threat analysis using quantitative metrics.
 - i. Number of fatalities.
 - ii. Number of serious injuries.
 - iii. Financial losses to City.
 - iv. Economic losses to community.
- c. Employ 5-step procedure for the Consequence Analysis.
 - i. Apply worst-reasonable-case assumptions for each threat scenario.
 - 1. For malevolent threats, assume adversary is intelligent, adaptive and knowledgeable of utility structure and will attempt to maximize consequences.
 - ii. Estimate consequences in terms of loss of life, serious injuries and financial losses to City and economic losses to the community.

- iii. Evaluate additional consequences such as loss of public confidence or environmental degradation.
- iv. Document specific assumptions and procedures utilized for preparation of the Consequence Analysis.
- v. Record consequence values from **Appendix B** of AWWA J-100 estimated ranges for use in RRA.

V. Conduct Vulnerability Analysis

- a. Determine vulnerabilities that would allow a threat or hazard to cause the consequences.
- b. Conduct 4-step procedure for the Vulnerability Analysis.
 - i. Review details of facility construction, systems and layout, including countermeasures, mitigation measures and impediments that provide detection, delay and response measures. Identify weaknesses in the protection system.
 - ii. Analyze the vulnerability of each critical asset and estimate the likelihood the threat consequences in 3. Will result.
 - 1. Methods – Fault – Event Tree, path analysis, logic diagrams or rules of thumb.
 - iii. Document the method used for performing Vulnerability Analysis.
 - iv. Record the vulnerability estimates from the RAMCAP scales.
 - 1. Attack success can be measured as a fraction, a probability or number of successes among the attempts.

VI. Conduct Threat Analysis

- a. Determine likelihood a terrorist, natural hazard or dependency hazard will strike an asset
 - i. Malevolent Threats – Three approaches for estimating malevolent threat likelihood.
 - 1. Proxy Measure – based on attractiveness of utility size, area - **Appendix F** of AWWA J-100.
 - 2. Best Estimate – Based on informed experience of City, federal, state and local law enforcement (L, M, H, VT) or a probability number between 0.0 and 1.0.
 - 3. Conditional Assignment – Use Likelihood of 1.0 (Good for Worst Case Scenario).
 - *- Use same method between analysis for a comparison to be valid.
 - ii. Natural Hazards — Estimate probability of natural hazards from historical records or optionally, **Appendix G** of AWWA J-100.
 - iii. Dependency and Proximity Hazards – Likelihood of incurring collateral damage from attack on a nearby asset is based on local situation.
 - iv. Record the method utilized and whether they are single value estimates or ranges.

VII. Conduct Risk and Resilience Analysis

- a. Combines results from Consequence Analysis (CA), Threat Characterization (TC), Vulnerability Analysis (VA) and Threat Analysis (TA).

b. Using the Following Equations Determine City's Risk:

i. RISK = Consequences X Vulnerability X Threat Likelihood.

1. Consequences - from CA for each TA pair in terms of fatalities, serious injuries financial loss of City and economic losses of the community.
2. Vulnerability - Likelihood when the threat occurs to a particular asset, results in the estimated consequences.
3. Threat Likelihood – Probability of a specific threat occurring to the asset in question. Unit of measure is the probability or frequency of occurrence over a given time period (1-Year).

*- When estimates are utilized, they shall be used directly in the calculations. When RAMCAP ranges are utilized, the midpoint of the range shall be used in the calculations.

ii. RESILIENCE = Duration X Severity X Vulnerability X Threat Likelihood; At the threat-asset pair level, estimate asset and economic metrics of resilience of the estimated consequences **Appendix H** of AWWA J-100.

1. Duration – time period of service denial, in days.
2. Severity – the amount of daily service denied in gallons per day.
3. Vulnerability - Vulnerability - Likelihood when the threat occurs to a particular asset, results in the estimated consequences.
4. Threat Likelihood – Probability of a specific threat occurring to the asset in question. Unit of measure is the probability or frequency of occurrence over a given time period (1-Year).
5. *- Perfect asset resilience is a value of zero.

** - Anything greater than zero is an opportunity for asset resilience enhancement.

6. City's economic resilience is lost revenue due to the threat-asset pair. Lost revenue is the asset resilience times the unit price of the pre-disruption service.
7. Community Economic Resilience is the lost economic activity to the community served by the City.

VIII. Review Risk and Resilience Management Strategies

- a. Risk and Resilience management is the deliberate process of deciding whether improvements are needed to enhance all-hazards security or resilience or both, and if needed implementing one or more options such as security countermeasures, improving consequence mitigation tactics, providing redundancy, entering into mutual aid pacts, creating ERP's, training and exercises in business continuity to achieve an acceptable risk and resilience level at an acceptable cost to the utility and community.

b. Utility Shall:

- i. Decide if risk and resilience levels are acceptable by examining results for each threat asset pair. For threat-asset pair not within acceptable risk to the City shall:

1. Define countermeasures and mitigation / resilience options for the threat-asset pairs that are not acceptable.

2. Estimate the investment and O & M costs for each item. Adjust future costs to present value.
3. Assess the options with an analysis of the asset or facility the option has been implemented by revisiting Sections III through V of this outline. Re-estimate Risk and resilience calculations. Difference between the risk with and without the new options in place = Resilience.
4. Identify the options that have benefits that apply to multiple threat-asset pairs.
5. Calculate the benefits and benefit-cost ratio that are relevant to the City to estimate the total value and risk reduction efficiency of each option.
6. Review the options considering fatalities, serious injuries, financial losses to the City and economic losses to the community. Allocate resources to the selected options that are favored that have the highest net benefits.
7. Monitor and Evaluate the performance of the selected options. Manage the operation of the selected options, evaluate their effectiveness and make mid-course adjustments for maximum effectiveness.

IX. Conduct Cybersecurity Analysis

- a. Prepare and run a Cybersecurity workshop with City and our Subconsultant RLC Controls, Inc. during two meetings.
- b. Input Cybersecurity questions into the “AWWA Cybersecurity Tool” spreadsheet (Tool).
- c. Review the Tool recommended controls and identify the recommended controls current status (Fully Implemented and Maintained, Partially Implemented, Planned and Not Implemented or Not Planned and/or Not implemented – Risk Accepted.
- d. Add notes in the column of the Tool to document answers of the control status.
- e. Review the Tools’ recommended priority of controls implementation status summary.
- f. Prepare opinions of probable cost to implement improvements in the Tool provided format.
- g. Assist the City with completing the Tools’ optional Declaration of Due Diligence form if the committee prefers the form to be completed.
- h. Develop a formal Cybersecurity Improvement Plan. Based on RRA Committee Input:
 - i. Assign roles and responsibilities to implement the program.
 - ii. Establish budget and implantation schedule.
 - iii. Prioritize projects based on available time, budget and City’s objectives.
- i. Utilize Cybersecurity Tool output and improvement plan in Sections II though VIII of this scope.

X. Risk and Resilience Analysis Summary

- a. Prepare Summary of RRA analysis.
- b. Prepare EPA Certification letter for City execution.
- c. Submit the EPA Certification letter electronically though the EPA website.

PART B:

I. Kick-off meeting and data gathering:

- a. Prepare agenda and lead one workshop with the ERP committee
- b. In conjunction with the City, develop ERP team.
- c. Review existing City ERP and validate its contents comply with regulations.
- d. Determine “Gaps” in the ERP that need further development for compliance with the AWIA.
- e. Review mutual aid programs available for inclusion into the ERP
- f. Research FEMA accounting requirements for Federal assistance following an incident.
- g. Explore interdependencies with critical customers and suppliers.
- h. Explore partnership opportunities with adjacent communities.

II. Update ERP to include AWIA requirements:

- a. Prepare agenda and lead one workshop with the ERP committee.
- b. Develop and list interdependences.
- c. Review emergency power requirements and resilience.
- d. Establish strategies to ensure critical resources are available.
- e. Explore and identify emergency water supplies.
- f. Develop mutual aid partnerships.
- g. Develop a crisis communication plan, if not provided in the existing ERP
- h. Assist the City with preparing updated contact information lists.
- i. Prepare hazard specific plans for critical water system assets identified in the RRA.
- j. Assist the City with updating Standard Operating Procedures (SOP).
- k. Review the City’s current ERP testing and exercise plan. Provide recommendations for improvements. Coordination will be with a workshop to discuss the “Gaps”.

III. Update Existing ERP document:

- a. Prepare agenda and lead two workshops with the ERP committee.
- b. Review RRA results.
- c. Coordinate with partner agencies to update contact information and procedures.
- d. Update the ERP report body and appendices.
- e. One loose final paper copy and one pdf copy of the report will be provided to the City for reproduction.

Part C: Terms and Conditions For Electronic File Transfers

Electronic files are transmitted on the terms and conditions below:

By opening, accessing, copying or otherwise using the transmitted electronic files, these terms and conditions are accepted by the user.

- A. The electronic files are compatible with the following software packages operating on a PC using Windows operating systems:
 - AutoCAD 2017
 - Microsoft Office 365
 - Adobe Acrobat (PDF)
- B. Birkhoff, Hendricks & Carter, L.L.P. does not make any warranty as to the compatibility of these files beyond the specified release of the above stated software.
- C. Because data stored on electronic media can deteriorate undetected or be modified, Birkhoff, Hendricks & Carter, L.L.P. will not be held liable for completeness or correctness of electronic media.
- D. The electronic files are instruments of our service. Where there is a conflict between the hard copy drawings and the electronic files, Birkhoff, Hendricks & Carter, L.L.P.'s hard copy file will govern in all cases.
- E. Electronic files may only be modified in accordance with the Texas Engineering Practice Act for modifying another Engineer's design.

Part D: Exclusions

The intent of this scope of services is to include only the services specifically listed herein and no others. Services specifically excluded from this scope of services include, but are not necessarily limited to the following:

- A. Consulting services by others not included in Scope of Services.
- B. Fiduciary responsibility to the Client.

ATTACHMENT “B”

PAYMENT SCHEDULE

Payment for Professional Services described under Part A (I through Part X) and Part B (I Through III) shall be on the basis of salary cost times a multiplier of 2.45 for time expended on the task; mileage charged at the current IRS established rate. Expenses shall be at invoice cost times a multiplier of 1.15. It is our understanding Part B of the scope and Payment schedule will be funded in the City’s 2021 fiscal year. Part B shall not be started without notification from the City.

The maximum overall fee established herein shall not be exceeded without written authorization from the City, based on increased scope of services.

The following is a summary of the estimated charges for the various elements of the proposed services:

PART A – RISK AND RESILIENCE ANALYSIS (RRA)

I - Kickoff / Data Collection	\$4,300.00
II - Asset Characterization	\$3,410.00
III – Threat Characterization	\$3,150.00
IV - Consequence Analysis	\$4,190.00
V - Vulnerability Analysis	\$4,190.00
VI – Threat Analysis	\$2,110.00
VII – Risk & Resilience Analysis	\$3,150.00
VIII – Risk Management Strategies	\$5,425.00
IX – Cybersecurity Analysis	\$8,755.00
X – Project Summary Report & Certification	<u>\$2,110.00</u>
SUBTOTAL:	\$40,790.00

PART B – EMERGENCY RESPONSE PLAN (ERP)

I - Kickoff / Data Collection	\$5,750.00
II – AWIA ERP Requirements	\$11,225.00
III – Update ERP	\$3,775.00
SUBTOTAL:	\$38,780.00

NOT TO EXCEED TOTAL: \$79,570.00

ATTACHMENT “C”

MEETING SCHEDULE

All Meetings are on Monday unless otherwise noted and should be scheduled for one and one-half hours. City shall schedule all meetings, meeting time and conference room upon Notice to Proceed.

PART A – RISK AND RESILIENCE ANALYSIS (RRA)

Notice to Proceed	June 1, 2020
Part I - Kick Off / Begin Cybersecurity Analysis	June 8, 2020
Part II – Asset Characterization	June 22, 2020
Part III – Threat Characterization	June 29, 2020
Part IV – Consequence Analysis.....	July 13, 2020
Part V – Vulnerability Analysis	July 27, 2020
Part VI – Threat Analysis	August 10, 2020
Part VII – Risk & Resilience Analysis	August 24, 2020
Part VIII – Risk & Resilience Management Strategy	September 14, 2020
Part IX – Cybersecurity Analysis	Sept. 28 & Oct. 5, 2020
Part X – RRA summary and Report	November 2, 2020
Submit Certification of RRA Completion to EPA	Wed., December 30, 2020

PART B – EMERGENCY RESPONSE PLAN (ERP)

Notice to Proceed	January 11, 2021
Part I - Kick Off / Data Gathering	February 8, 2021
Part II – Update ERP to Include AWIA Provisions	March 8, 2021
Part III – Update ERP Document	April 12 & April 26, 2021
Submit Certification of ERP Completion to EPA	June 28, 2021

ATTACHMENT “D”

SUB-CONSULTANTS

Cyber Security

Mr. Saul Sanchez
RLC Controls, Inc.
8115 Hicks Hollow
McKinney, Texas 75071
(972) 542-7375

CIP Opinions of Cost for Proposed Improvements

Mr. Joe Mr. Joe Swinnea
Axis Construction, LP
1331 Maxwell Rd.
Haslet, Texas 76052
(817) 439-0709

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MEMORANDUM

TO: Rick Crowley, City Manager

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

DATE: March 6, 2020

SUBJECT: IH-30 Construction – Utility Conflict Analysis

The Texas Department of Transportation (TXDOT) is designing the expansion of Interstate 30 (IH-30) from Bass Pro Drive to the Hunt County Line. Before construction begins on IH-30, the City will need to relocate any existing City maintained water and wastewater lines that will be in conflict with the proposed construction. In order to determine which lines need to be relocated, a utility conflict analysis will need to be performed within the IH-30 corridor in the city limits of Rockwall.

Staff requests that the City Council consider approving the professional engineering services contract for Volkert, Inc., to perform the utility conflict analysis in an amount not to exceed \$52,315.00, to be paid out of the Water and Sanitary Sewer Fund.

If you have any questions, please advise.

AJW:jmw

Attachments

Cc:

Amy Williams, Assistant City Engineer
Jeremy White, Civil Engineer
File

STATE OF TEXAS

COUNTY OF ROCKWALL

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This Agreement is made and entered into in Rockwall County, Texas, between City of Rockwall, Texas ("CITY"), a municipal corporation and political subdivision of the State of Texas, acting by and through its City Manager and Volkert, Inc., ("ENGINEER"), located at 2850 Shoreline Trail, Suite 303, Rockwall, TX 75032, Texas, Engineers duly licensed and practicing under the laws of the State of Texas.

WHEREAS, CITY desires to engage Engineer as an independent contractor to render certain technical and professional services necessary for performing:

PROFESSIONAL ENGINEERING SERVICES for IH 30 Utility Conflict Analysis

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the Parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services as specifically defined in this Contract as Attachment "A" and as authorized by CITY. Specifically, Engineer shall perform Professional services as requested by CITY and detailed in Attachment "A".

The Parties by mutual agreement through contract amendments may provide for additional technical and professional services to be performed under the basic general terms and conditions of this Contract. CITY reserves the right to enter into another agreement with other engineering firms to provide the same or similar professional services during the term of this Contract for different projects.

2. Compensation & Term of Agreement

Cost for such services will be an annual amount not to exceed Fifty-two thousand and three hundred and fifteen dollars (\$52,315.00) and billed as a lump sum and/or hourly (labor fee plus expense) basis per rates provided in Attachment "B". Engineer is not authorized to perform any work beyond the limited not to exceed amount without authorized written approval by CITY.

The term of this Agreement shall commence upon execution of this agreement and follow the schedule described in Attachment "B". In the event of termination, Engineer will assist the CITY in arranging a smooth transition process. However, Engineer's obligation to provide services to the CITY will cease upon the effective date of termination, unless otherwise agreed in writing.

3. Method of Payment

CITY shall pay Engineer its fees based on the presentation by Engineer to CITY of a correct monthly statement for all the amounts earned under the Contract together with reasonable supporting documentation verifying the accuracy of the fees and expenses. CITY shall then pay Engineer its fee within thirty (30) days after presentation of the accurate monthly statement by Engineer to CITY. CITY is a State sales and use tax exempt political subdivision of the State of Texas. All records supporting payment shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to CITY for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional Engineer under similar circumstances for a similar project. Engineer represents that it has the capability, experience, available personnel, and means required to perform the services contemplated by this Contract. Services will be performed using personnel and equipment qualified and/or suitable to perform the work requested by the CITY. CITY retains the right to report to Engineer any unsatisfactory performance of Engineer personnel for appropriate corrective action. Engineer shall comply with applicable federal, state, and local laws in connection with any work performed hereunder.

Engineer will seek written CITY approval to accept any contract or perform any services for any person, entity, or business working on this project. CITY may waive this potential conflict, but such waiver is at CITY's sole discretion and its decision shall be final.

5. Ownership of Documents

As part of the total compensation which CITY has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that hard copies of all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, preliminary reports, reports, bid packet/construction contract documents/advertisement for bids incorporating any CITY standard provisions provided by Engineer, will remain the property of the CITY. Engineer will furnish CITY with paper and electronic copies, to the extent they are available, of all of the foregoing to facilitate coordination, however, ownership of the underlying work product shall remain the intellectual property of the Engineer. Engineer shall have the right to use such work products for Engineer's purposes. However, such documents are not intended to be suitable for reuse by CITY or others on extension of the Project or on any other project. Any reuse without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and CITY to the extent allowed by law, shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the reuse of said documents without the Engineer's consent. The granting of such consent will entitle the Engineer to further compensation at rates to be agreed upon by CITY and the Engineer. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant

to this Contract, whether or not such proprietary information was modified during the course of providing the services.

6. Insurance

A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for CITY under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – \$100,000
Bodily Injury by Disease - \$500,000 (policy limits)
Bodily Injury by Disease - \$100,000 (each employee)

B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in not less than the following amounts:

\$2,000,000 General aggregate limit

\$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred all in one occurrence

\$1,000,000 each occurrence sub-limit for Personal Injury and Advertising

C. Engineer shall add CITY, its City Council members and employees, as an additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy.

D. Engineer shall furnish CITY with an Insurance Certificate on the date this Contract is executed and accepted by CITY, which confirms that all above required insurance policies are in full force and effect.

E. Engineer agrees to maintain errors and omissions professional liability insurance in the amount of not less than one million dollars (\$1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. INDEMNIFICATION

ENGINEER SHALL INDEMNIFY AND SAVE HARMLESS THE CITY AND ITS CITY COUNCIL MEMBERS AND EMPLOYEES FROM SUITS, ACTIONS, LOSSES, DAMAGES, CLAIMS, OR LIABILITY, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, ALL EXPENSES OF LITIGATION, COURT COSTS, AND REASONABLE ATTORNEY'S FEES FOR INJURY OR DEATH TO ANY

PERSON, OR INJURY TO ANY PROPERTY, RECEIVED OR SUSTAINED BY ANY PERSON OR PERSONS OR PROPERTY, TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS OF ENGINEER OR ITS AGENTS OR EMPLOYEES, IN THE EXECUTION OF PERFORMANCE OF THIS CONTRACT.

ENGINEER'S TOTAL LIABILITY TO CITY FOR ANY LOSS OR DAMAGES FROM CLAIMS ARISING OUT OF, OR IN CONNECTION WITH, THIS CONTRACT FROM ANY CAUSE INCLUDING ENGINEER'S STRICT LIABILITY, BREACH OF CONTRACT, OR PROFESSIONAL NEGLIGENCE, ERRORS AND OMISSIONS SHALL NOT EXCEED ONE MILLION DOLLARS (\$1,000,000). NEITHER PARTY TO THIS AGREEMENT SHALL BE LIABLE TO THE OTHER PARTY OR ANY THIRD PARTY CLAIMING THROUGH THE OTHER RESPECTIVE PARTY, FOR ANY SPECIAL, INCIDENTAL, INDIRECT, PUNITIVE, LIQUIDATED, DELAY OR CONSEQUENTIAL DAMAGES OF ANY KIND INCLUDING BUT NOT LIMITED TO LOST PROFITS OR USE OF PROPERTY, FACILITIES OR RESOURCES, THAT MAY RESULT FROM THIS AGREEMENT, OR OUT OF ANY GOODS OR SERVICES FURNISHED HEREUNDER.

8. Addresses for Notices and Communications

CITY

Amy Williams, P.E.
Director of Public Works/City Engineer
City of Rockwall
385 S. Goliad Street
Rockwall, Texas 75087

ENGINEER

Travis Falls, P.E.
Vice President
Volkert, Inc.
2850 Shoreline Trail
Suite 303
Rockwall, TX 75032

All notices and communications under this Contract shall be mailed or delivered to **CITY** and **Engineer** at the above addresses.

9. Successors and Assigns

CITY and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither CITY nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, council member, employee or agent of any public body which is a

party hereto.

10. Termination for Convenience of the Parties

Engineer and CITY may terminate this Contract for their convenience at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by CITY and/or Engineer as provided herein, Engineer will be paid for the Work provided and expenses incurred up to the termination date, if such final compensation is approved by CITY, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply.

11. Changes

CITY may, from time to time, request changes in the Scope of Work of **Engineer** to be performed hereunder. Such changes, including any increase or decrease in the amount of **Engineer's** compensation, or time for performance, which are mutually agreed upon by and between CITY and **Engineer**, shall be incorporated in written amendments to this Contract. Any subsequent contract amendments shall be executed by the City Manager or other authorized representative as designated by the City Manager or City Council.

Any alterations, additions or deletions to the terms of this Contract, including the scope of work, shall be by amendment **in writing** executed by both CITY and Engineer.

13. Reports and Information

Engineer, at such times and in such forms as CITY may reasonably require, and as specified in the Scope of Work or in additional Contract Amendments shall furnish CITY periodic reports pertaining to the Work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Entire Agreement

This Contract and its Attachments and any future Contract Amendments constitute the entire agreement, and supersede all prior agreements and understandings between the parties concerning the subject matter of this Contract.

15. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

16. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

17. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it.

18. Governing Powers and Law

Both Parties agree and understand that the City does not waive or surrender any of its governmental powers by execution of this Agreement. To that end, the parties further understand that this agreement shall not be considered a contract for goods or services under Texas Local Government Code, Section 271.151 and Contractor waives any right or entitlement granted said provisions. This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Rockwall County, Texas.

19. Attorney's Fees


If it is necessary for either Party herein to file a cause of action at law or in equity against the other Party due to: (a) a breach of this Contract by the other Party and/or (b) any intentional and/or negligent act or omission by the other Party arising out of this Contract, the non-breaching or non-negligent Party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

20. State or Federal Laws

This Contract is subject to all applicable federal and state laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

EXECUTED in triplicate originals on this 5th day of March 2020.

Volkert, Inc.

By: 
Name: Travis Falls
Title: Vice President

EXECUTED in triplicate originals on this ____ day of _____ 2020.

ATTEST:

City of Rockwall, Texas

Richard Crowley
City Manager

ATTACHMENT “A”

Scope of Service

See attached

Attachment "A"
IH 30 Widening – Water & Wastewater Conflict Analysis
(City of Rockwall Limits – Lake Ray Hubbard to FM 3549)

For
City of Rockwall

Scope of Services

Project Understanding

The City of Rockwall (City) wishes to relocate existing water and wastewater facilities in conflict with the proposed IH 30 widening project, approximately 4.30 miles (23,900 ft) in length. The roadway lies within an incorporated area of the City of Rockwall. The proposed project will evaluate and identify all water and wastewater facilities in conflict with the proposed widening of the TxDOT IH 30 Project

Design will include conceptual 30% sanitary sewer and water main improvements plans as special services. Sanitary sewer will be evaluated for capacity and will be relocated outside the proposed pavement limits. Water lines will be evaluated to be placed outside the limits of pavement and within the right-of-way line/existing easements where possible.

Volkert will provide a conflict analysis and conceptual 30% plans for the relocation project.

BASIC SERVICES

1. Schematic Conceptual Design (30%)

1.1. Project Management

- 1.1.1. Conduct Volkert internal project kickoff meeting with entire project team and City Staff.
- 1.1.2. Prepare and send Project Status Update (PSU) to City's Project Manager and City Engineer on monthly basis. PSU will address work completed in previous period, work in progress and/or anticipated to be completed in next period, actions or information needed from City, and a schedule update.
- 1.1.3. Develop design criteria and design decisions tables.
- 1.1.4. Prepare project correspondence and invoicing documents.
- 1.1.5. Prepare and submit project schedule to City staff and provide general project management activities.
- 1.1.6. Project Administration
 - Prepare project correspondence and invoicing documents

1.2. Project stakeholder coordination & conflict analysis

- Develop project stakeholder contact list including but not limited to franchise utilities, City's water and sewer department, street department, and other governmental entity stakeholders etc.
- Evaluate proposed TxDOT plans for widening of IH 30 and determine points of conflict with existing water and wastewater utilities
 - Evaluate for vertical and horizontal conflicts
 - Review proposed drainage patterns and structures
 - Coordinate with TxDOT for potential roadway alignments
- Conduct progress meetings to monitor the development of the project. During this phase of the project, conduct up to two (2) meetings with the City staff regarding project status and

coordination issues. The first meeting will be the project kick-off meeting, and the second meeting will be the conceptual design presentation and review.

1.3. Schematic Roll Plot and Graphics (30%) – Base Files

The following services will be provided as part of the Conceptual Design Phase (30%):

- Review and research previously prepared construction plans record documents, and other pertinent information related to proposed project.
- Review City master plans, design standards, specifications, construction details, and other pertinent information that may impact the design. Review of documents will include but not limited to:
 - City of Rockwall Master Thoroughfare Plan
 - City of Rockwall Water/Wastewater Master Plan
 - City of Rockwall Standards of Design and Construction
 - City of Rockwall Trail Master Plan
- Develop complete and accurate base map showing all existing Right-of-Way (ROW), easements, and utilities based on available TxDOT Survey data (provided by TxDOT)

SPECIAL SERVICES

For the following scope items defined as special services the Volkert shall receive written approval from the City for each service separately before proceeding with this work. These services are to be used at the discretion of the City. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of these special services.

1.3 Schematic Conceptual Design Special Services

Additional Services for 1.3 Schematic Roll Plot and Graphics to be used as needed

- 1.3.1 Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.
- 1.3.2 Prepare 30% schematic horizontal alignment of proposed water lines and sewer lines.
- 1.3.3 Prepare sheets illustrating areas of conflict requiring relocation.

As part of the IH 30 project, the Texas Department of Transportation (TxDOT) has developed Survey and Subsurface Utility Engineering (SUE) data pertaining to the limits of the project. Use of this data is assumed as the baseline available topographic data and existing utility information and may be used for design of the Water and Wastewater effort. The Special Services detailed below are intended for supplemental Survey and SUE services that may be needed to capture additional information not provided in the TxDOT available data. Supplemental Survey and SUE services are limited to the overall level of effort contained in the attached fee estimate.

2. Supplemental Subsurface Utility Engineering (S.U.E.) Services

- 2.1. Provide supplemental S.U.E. Services for the purpose of locating horizontal and vertical locations of underground city and franchise utilities, in conjunction with and /or prior to the field survey.
 - S.U.E. Level 'B' Services will be provided to determine horizontal location of utilities (up to 2 days of field effort with two 1-person crews as needed).
 - S.U.E. Level 'A' Services will be provided as follows:
 - Up to Five (5) test holes of 0-5 ft depth will be provided
 - Up to Five (5) test holes of 5-8 ft depth will be provided

- Up to three (3) test holes of 8-13 ft depth will be provided
- Up to one (1) test holes of 13-20 ft depth will be provided
- Test holes in addition to those listed above will be provided at the rate per test hole agreed to by the City of Rockwall.
- Up to one (1) day of traffic control will be provided to perform test hole excavation.

2.2. Survey and Mapping, Inc. shall arrange and make provisions for access to perform the services specified within this scope. The surveyor shall provide the City with the name and address of the property owners.

3. Additional Services – NOT INCLUDED IN ESTIMATE

Services not specifically identified in the Scope of Services above shall be considered additional and shall be performed on an individual basis upon authorization by the City of Rockwall. Such services shall include, but are not limited to the following:

- 3.1. _____
- 3.2. _____
- 3.3. _____

-End of Scope of Service-

ATTACHMENT "B"

Payment Schedule

Compensation for Basic Services in Tasks 1 shall be on a lump sum basis. The tabulation below establishes the not to exceed amount for each category of contract service:

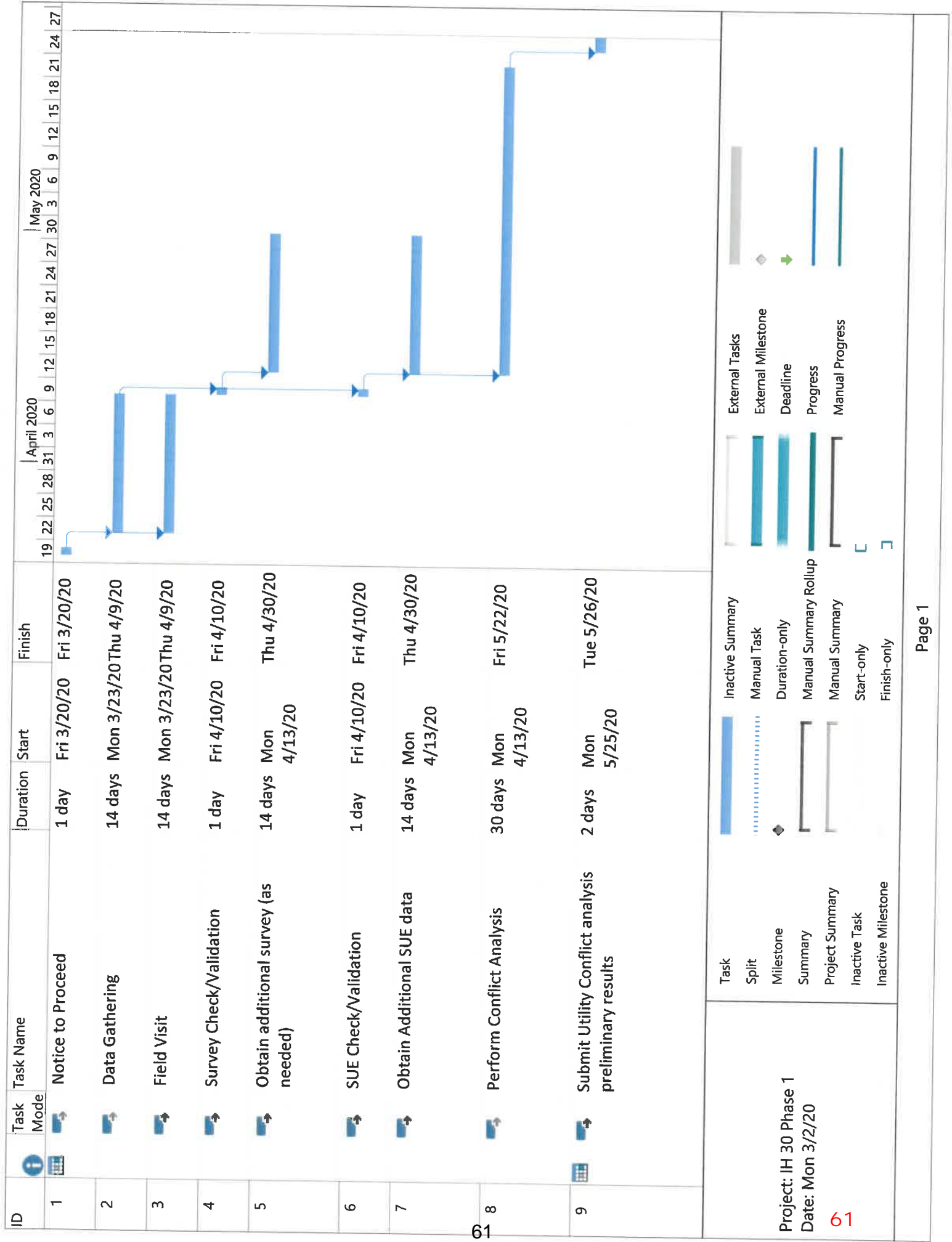
	<u>Task</u>	<u>Fee</u>
	<u>BASIC SERVICES</u>	
1.	Schematic Conceptual Design (30%)	
1.1	Project Management	\$3,973
1.2	Coordination and Conflict Analysis	\$6,983
1.3	Schematic Roll Plot and Graphics – Base Files	\$5,000
	Basic Services Subtotal:	\$ 15,956.00
Compensation for special services under Tasks 1.3.1-2.1 shall be a labor fee plus expense (reimbursable) basis with the max fee shown below.		
	<u>SPECIAL SERVICES</u>	
1.3	Schematic Conceptual Design Special Services	
1.3.1	Develop and evaluate up to two (2) alignments for proposed water lines and wastewater lines.	\$5,628
1.3.2	Prepare 30% schematic horizontal alignment of proposed water lines and sewer lines.	\$4,000
1.3.3	Prepare sheets illustrating areas of conflict requiring relocation.	\$3,000
2.	Subsurface Utility Engineering (S.U.E.) Services	
2.1	Quality Level 'A' S.U.E. Services (0 to 5 ft) (5 @ \$1010/hole)	\$5050
2.1	Quality Level 'A' S.U.E. Services (5 to 8 ft) (5 @ \$1325/hole)	\$6625
2.1	Quality Level 'A' S.U.E. Services (8 to 13 ft) (3 @ \$1675/hole)	\$5025
2.1	Quality Level 'A' S.U.E. Services (13 to 20 ft) (1 @ \$2275/hole)	\$2275
	Special Services Subtotal*	\$ 31,603.00
	ENGINEERING SERVICES CONTINGENCY** (To be 10% of Services)	\$ 4756.00
	<i>** (This service is a miscellaneous amount to be used at the discretion of the City for additional Services outside of the scope of the contract. This item will be controlled by the City and will only be used if the City chooses. The Engineer has no right or guarantee to the use of this Contingency)</i>	
	Project Total*	\$ 52,315.00

Fees that are Lump Sum for each task and will be invoiced monthly based upon the overall percentage of services performed.

ATTACHMENT “C”

Project Schedule

See attached Schedule



ATTACHMENT "D"

Sub-Consultants

1. Sub-Consultant: N/A

Company Name: _____
Services of the Scope Being Provided: Geotechnical
Contact Person: _____ Title: _____
Email: _____ Phone: _____

2. Sub-Consultant:

Company Name: Survey and Mapping (SAM), Inc.
Services of the Scope Being Provided: Design Survey/ROW/Easement Docs
Contact Person: Eric Kreiner Title: RPLS/PM
Email: Ekreiner@sam.biz Phone: 214-635-0364

3. Sub-Consultant: N/A

Company Name: _____
Services of the Scope Being Provided: Traffic Analysis
Contact Person: _____ Title: _____
Email: _____ Phone: _____

4. Sub-Consultant:

Company Name: Survey and Mapping (SAM), Inc.
Services of the Scope Being Provided: Subsurface Utility Engineering (S.U.E.)
Contact Person: Garret Stapp Title: SUE Project Manager
Email: gstapp@sam.biz Phone: 214-635-0302

5. Sub-Consultant:

Company Name: _____
Services of the Scope Being Provided: Pipeline TV Services
Contact Person: _____ Title: _____
Email: _____ Phone: _____

6. Sub-Consultant: N/A

Company Name: _____
Services of the Scope Being Provided: ROW Negotiation and Acquisition
Contact Person: _____ Title: _____
Email: _____ Phone: _____

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City of Rockwall
The New Horizon

MEMORANDUM

To: Rick Crowley, City Manager
From: Lea Ann Ewing, Purchasing Agent
Date: March 12, 2020
Subject: Manhole Rehabilitation Project

Approved in the Water Sewer Fund, Wastewater operating budget is \$125,000 to rehab approximately 36 manholes. Project involves cleaning, remove debris, remove existing lining (coating) and concrete, prepare all surfaces and recoat the manholes. Sealed competitive bids were solicited for this project. Bids received from Magnum Manhole \$211,214, T Gray Utility \$276,805, Ace Pipe \$321,889 and BCAC Underground \$1,500,000. Apparent low bidder is Magnum Manhole.

The budget of \$125,000 for this project was calculated based on one inch of concrete replacement. When the bidders more closely evaluated the manholes, the bid numbers were submitted for most of the manholes on a three-inch concrete replacement. The manholes were in worse condition than originally assessed a year ago for budget purposes. In addition, the coating product manufacturer had a significant price increase since April 2019.

Staff would like to move forward with this project by rehabbing approximately 16 manholes to stay within budget of \$125,000. The remaining manholes included in the bid will be budgeted for rehab in FY 2021 for approximately \$86,214.

For Council consideration is the bid award to Magnum Manhole for \$125,000 and authorize the City Manager to execute a contract for this project.

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 16, 2020
APPLICANT: Rob Whittle
CASE NUMBER: P2020-010; *Lot 24, Block E, Chandlers Landing, Phase 16 Addition*

SUMMARY

Discuss and consider a request by Rob Whittle for the approval of a Replat for Lot 24, Block E, Chandlers Landing, Phase 16 Addition being a 0.16-acre parcel of land identified as Lot 16, Block E, Chandlers Landing, Phase 16 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 295 Victory Lane, and take any action necessary.

PLAT INFORMATION

- ☒ The applicant is requesting the approval of a replat of one (1) lot (*i.e. Lot 24, Block E, Chandlers Landing, Phase 16 Addition*) for the purpose of establishing a 12-inch sanitary sewer easement necessary in order to develop a single-family home on the site.
- ☒ 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 the Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the replat for *Lot 24, Block E, Chandlers Landing, Phase 16 Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Zoning, and Fire Departments shall be addressed prior to the filing of this plat;
- (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.

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's conditions of approval passed by a vote of 5-0 with Commissioners Fishman and Logan absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. P2020-010

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 295 Victory Lane
Subdivision Chandlers Landing
General Location

Lot 16 Block E

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD 8
Proposed Zoning PD 8

Current Use Residential
Proposed Use Residential

Acreage _____ Lots [Current] 16 Lots [Proposed] 16

☐ **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 Whittle & Johnson
Contact Person Rob Whittle
Address P.O. Box 369

☐ Applicant
Contact Person
Address

City, State & Zip Rockwall TX 75087
Phone 214 725 9115
E-Mail whittle@airmail.net

City, State & Zip
Phone
E-Mail

NOTARY VERIFICATION [REQUIRED]

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

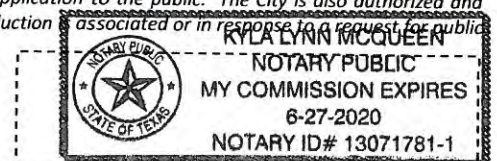
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 320.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 21 day of February, 20 20. By signing this application, 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 21 day of February, 20 20.

Owner's Signature

[Signature]
RLA LYN MCQUEEN

Notary Public in and for the State of Texas



My Commission Expires 6-27-2020

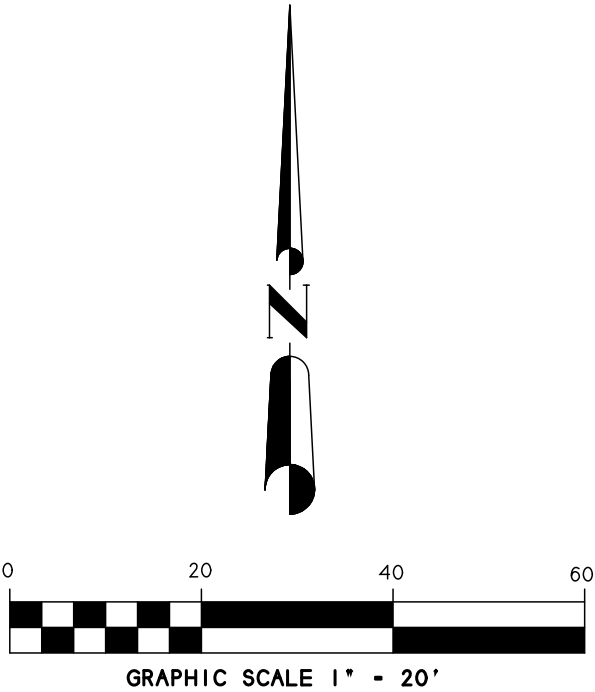
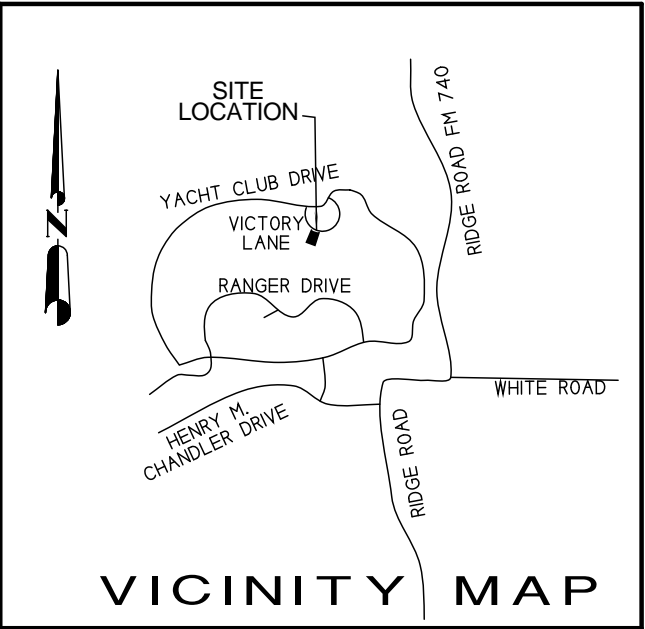
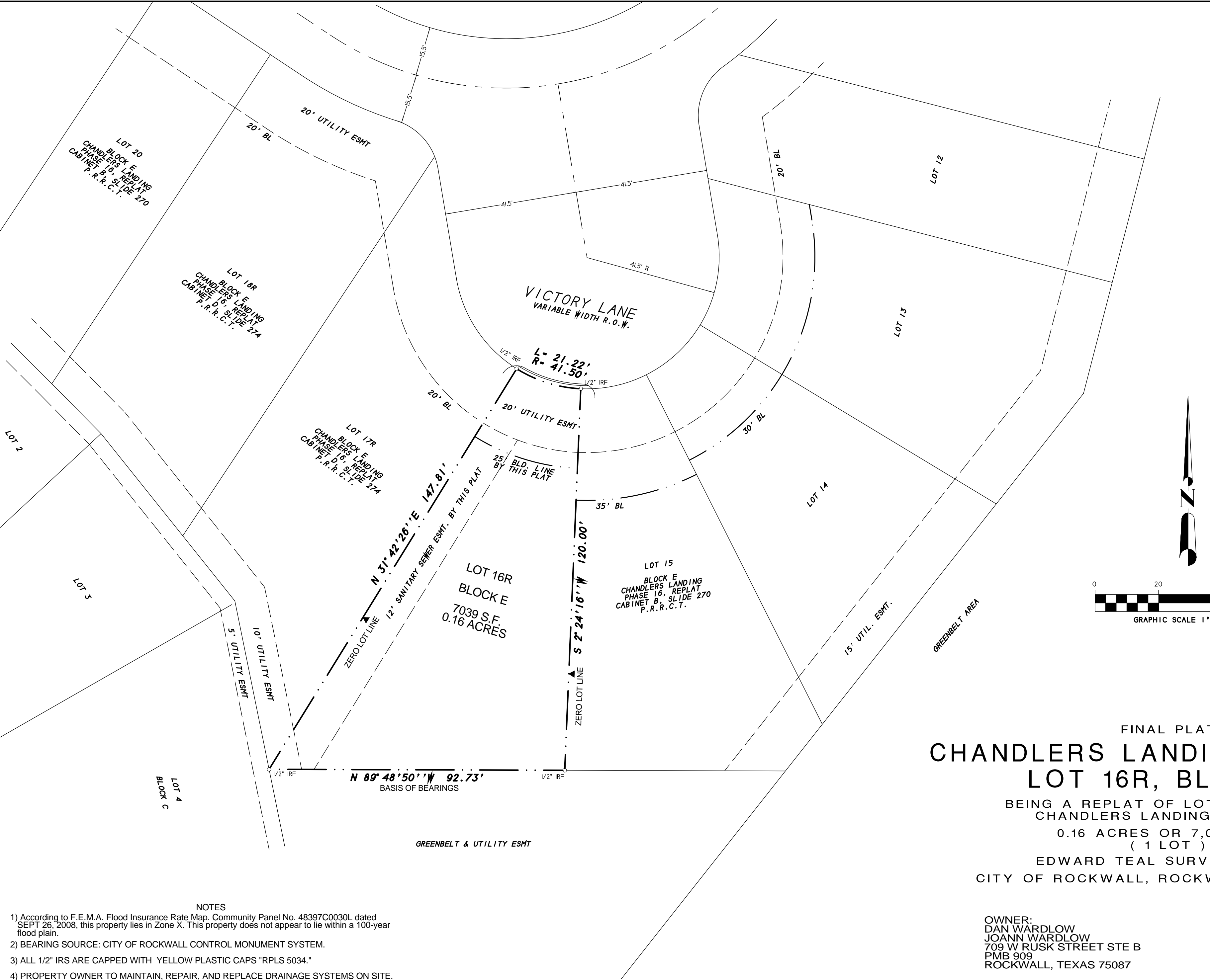


City of Rockwall

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.





FINAL PLAT
CHANDLERS LANDING PHASE 16
LOT 16R, BLOCK E
BEING A REPLAT OF LOT 16, BLOCK E
CHANDLERS LANDING PHASE 16
0.16 ACRES OR 7,039 S.F.
(1 LOT)
EDWARD TEAL SURVEY, ABST. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
SHEET 1 OF 2

- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
 - 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
 - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
 - 4) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.
 - 5) THE PURPOSE OF THIS REPLAT IS ADD THE 12 FOOT SANITARY SEWER EASEMENT AND CHANGE THE FRONT BUILDING LINE TO 25 FEET.

OWNER:
DAN WARDLOW
JOANN WARDLOW
709 W RUSK STREET STE B
PMB 909
ROCKWALL, TEXAS 75087

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

SYMBOL LEGEND	
TELEVISION CABLE RISER	GAS METER
ELEC. BOX	ELEC. METER
SUBSURFACE JUNCTION BOX	WATER METER
FENCE	EASEMENT LINE
PROPERTY LINES	A/C UNIT
PROPANE TANK	PUMP
FIRE HYDRANT	POWER POLE
PHASE METER	UP
LIGHT POLE	

SURVEY DATE FEBRUARY 14, 2020
SCALE 1" = 20' FILE # 20190429-RP
CLIENT WARDLOW

CITY CASE NO. P2020-

OWNER'S CERTIFICATE
(Public Dedication)
STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS DAN WARDLOW and JOANN WARDLOW, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the EDWARD TEAL SURVEY, ABSTRACT NO. 207, City of Rockwall, Rockwall County, Texas, and being Lot 16, Block E, Replat of Part of Chandlers Landing Phase 16, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet B, Slide 270, Plat Records, Rockwall County, Texas. and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the curving south right-of-way line of Victory Lane, at the northeast corner of Lot 16 and the northwest corner of Lot 15, Block E;

THENCE S. 02 deg. 24 min. 16 sec. W. along the common line between Lot 15 and Lot 16, a distance of 119.83 feet to a 1/2" iron rod found for corner;

THENCE N. 89 deg. 48 min. 50 sec. W. a distance of 92.73 feet to a 1/2" iron rod found for corner at the southeast corner of Lot 17R, Block E, Replat Chandlers Landgin Phase 16, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 274 of the Plat Records of Rockwall County, Texas;

THENCE N. 31 deg. 42 min. 26 sec. E. along the southeast boundary of Lot 17R, Block E, a distance of 147.74 feet to a 1/2" iron rod found for corner at the northeast corner of Lot 17R and northwest corner of Lot 16, Block E and in the curving couth right-of-way line of Victory Lane;

THENCE in a southeasterly direction along a curve to the left having a central angle of 29°24'05", a radius of 41.50 feet, a tangent of 10.88 feet, a chord of S 72°41'20" E, 21.06 feet and along said right-of-way line, an arc distance of 21.30 feet to the POINT OF BEGINNING and containing 7,039 square feet or 0.16 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as CHANDLERS LANDING PHASE 16, LOT 16R, BLOCK E, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in CHANDLERS LANDING PHASE 16, LOT 16R, BLOCK E, 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.

We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of th eir 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, maint aining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Roc kwall 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, sto rm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer an d/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 p rogress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

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

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

DAN WARDLOW

JOANN WARDLOW

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared DAN WARDLOW 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 _____, _____.

Notary Public in and for the State of Texas

My Commission Expires:

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared JOANN WARDLOW 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 _____, _____.

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



Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission

Date

APPROVED

I hereby certify that the above and foregoing plat of CHANDLERS LANDING PHASE 16, LOT 16R, BLOCK E, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, _____.

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.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

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

Mayor, City of Rockwall

City Secretary City of Rockwall

City Engineer

Date

FINAL PLAT
CHANDLERS LANDING PHASE 16
LOT 16R, BLOCK E
BEING A REPLAT OF LOT 16, BLOCK E
CHANDLERS LANDING PHASE 16
0.16 ACRES OR 7,039 S.F.
(1 LOT)
EDWARD TEAL SURVEY, ABST. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
SHEET 2 OF 2

OWNER:
DAN WARDLOW
JOANN WARDLOW
709 W RUSK STREET STE B
PMB 909
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SYMBOL LEGEND											
TV TELEVISION CABLE RISER	⊗ GAS METER	⊗ TEL PHONE RISER	⊕ FH HYDRANT	⊗ PP POWER POLE	⊗ O 1/2" IRF NEW CORNER	⊗ ELEC ELECTRIC JUNCTION BOX	⊗ ELEC ELECTRIC METER	⊗ BOX SUBSURFACE METER	⊗ RM WATER METER	⊗ LP LIGHT POLE	⊗ A/C AIR COND UNIT
—X— FENCE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE	— PROPERTY LINE
SURVEY DATE FEBRUARY 14, 2020 SCALE 1" = 20' FILE # 20190429-RP CLIENT WARDLOW											

CITY CASE NO. P2020-

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 16, 2020
APPLICANT: Jim Ziegler; *Pegasus Ablon*
CASE NUMBER: P2020-011; *Replat for Lots 10, 11, & 12, Block A, Harbor-Rockwall Addition*

SUMMARY

Discuss and consider a request by Jim Ziegler of Pegasus Ablon for the approval of a Final Plat for Lots 10, 11, & 12, Block A, Harbor-Rockwall Addition being a 6.119-acre parcel of land identified as Lot 9, Block A, Harbor-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of Lakefront Trail and the IH-30 frontage road, and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a replat for a 6.119-acre tract of land for the purpose of subdividing the property into three (3) lots [*i.e. Lots 10, 11, & 12, Block A, Harbor-Rockwall Addition*], and to establish the necessary easements [*i.e. 24-foot firelane, detention, drainage, and utility easements*] for the construction of 375-unit condominium development and a parking garage with 180 public parking spaces.
- ☑ On January 15, 2019, the Planning and Zoning Commission approved a site plan for a 375-unit condominium development [*Case No. SP2018-043*] on the subject property. Prior to this approval, on June 17, 2013, the City Council approved *Ordinance No. 13-16*, which allocated 399 urban residential units (*i.e. condominiums*) to a concept plan that showed two (2) condominium buildings being constructed on the subject property (*i.e. one [1] adjacent to Lakefront Trail consisting of 349-units and one [1] adjacent to the Harbor Fountain consisting of 50-units*). This approval was later amended on December 18, 2017, when the City Council approved *Ordinance No. 17-64*. The new amendment allocated an additional 51-units to the previously entitled 399-units, bringing the total number of entitled units to 450 urban residential units.
- ☑ 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 the Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the *Lots 10, 11, & 12, Block A, Harbor-Rockwall 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 conform the recommendations made by the Parks and Recreation Board at the January 3, 2019 meeting. The fees calculated for the development shall be the fees in place at the time of the approval of the final plat.
- (3) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission made a motion to recommend approval of the replat with staff conditions. The motion was approved by a vote of 5-0, with Commissioners Fishman and Logan absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request (Resolution No. 05-22) [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 **\$447.16**
☐ 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)

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, only the "base fee" is required.

PROPERTY INFORMATION [PLEASE PRINT]

Address

Subdivision **TRACT 16 ABST. NO 11 & HARBOR ROCKWALL ADD.** Lot **9** Block **A**

General Location **S.E.C. LAKEFRONT TR. AT IH-30**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning **PD-32 ORD. NO 17-64**

Current Use **VACANT & PARKING LOT**

Proposed Zoning

Proposed Use **M.F. & PARKING GARAGE**

Acreage **7.358**

Lots [Current] **2**

Lots [Proposed] **3**

- ☐ Required for Plats: By checking the box at the left you agree to waive the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code.

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

☐ Owner **ROCKWALL RENTAL PROPERTIES LP** ☒ Applicant **PEGASUS ABLOM**

Contact Person

Contact Person **JIM ZIEGLER**

Address **1600 WEST MORE
DRAWER B**

Address **8222 DOUGLAS AVE.
SUITE 390**

City, State & Zip **TERRELL, TX 75160**

City, State & Zip **DALLAS, TX 75225**

Phone **972-210-0331**

Phone **214-389-6195**

E-Mail **—**

E-Mail **JZiegler@PegasusAblo.com**

NOTARY VERIFICATION [REQUIRED]

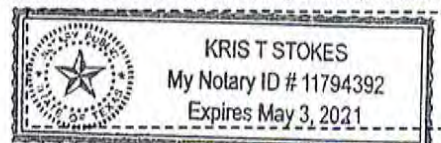
Before me, the undersigned authority, on this day personally appeared James Ziegler [Owner/Applicant Name] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the _____ day of _____, 20 _____. By signing this application I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 20 day of December, 20 19.

Owner's/Applicant's Signature

Notary Public in and for the State of Texas



My Commission Expires May 3, 2021

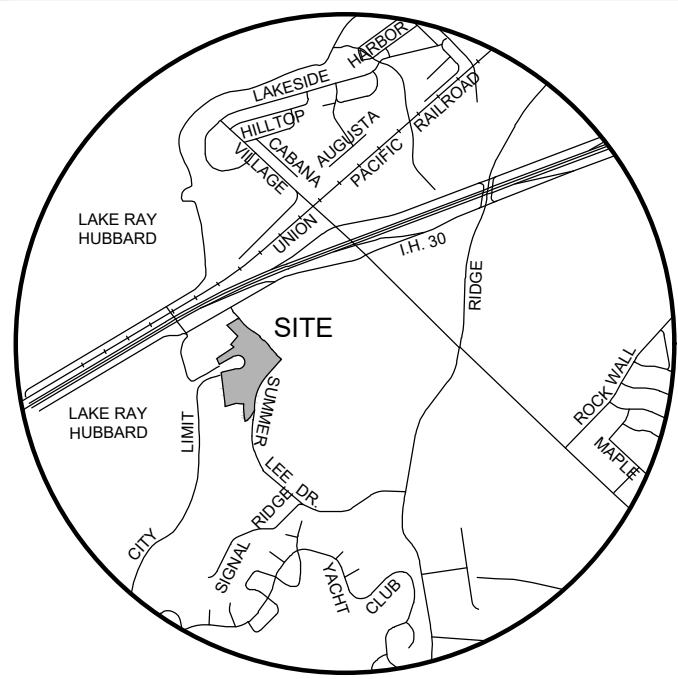


City of Rockwall

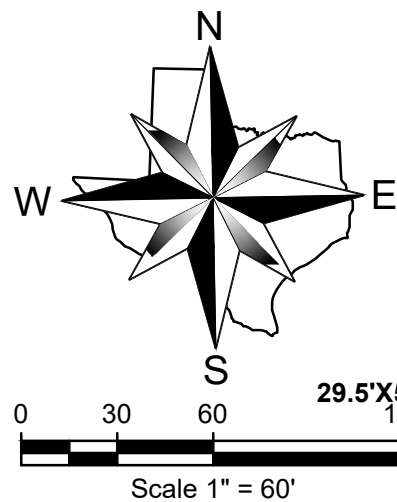
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

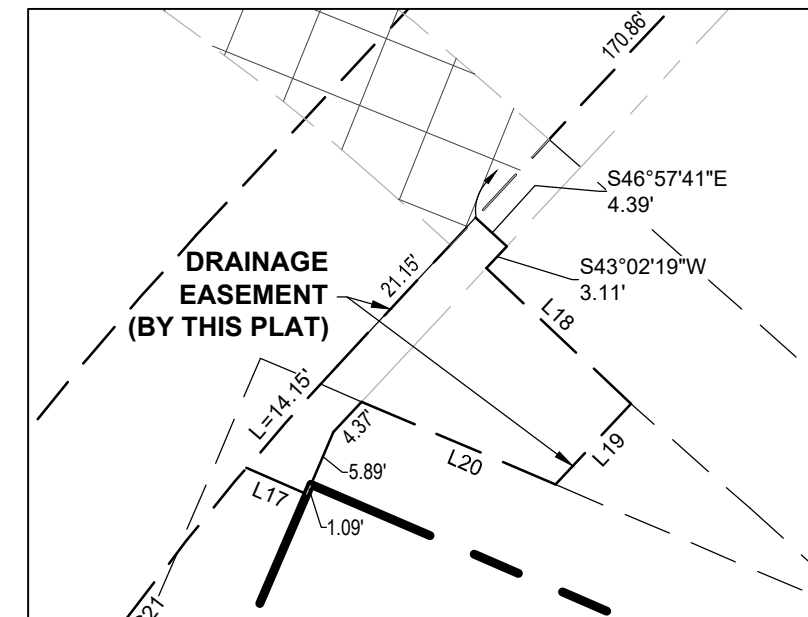




VICINITY MAP
NOT TO SCALE



DETAIL "A"



Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 215
DALLAS, TEXAS 75230
TEL: 972-490-7090
FAX: 972-490-7099
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M. J. BARKSDALE, ABSTRACT NO. 11
ROCKWALL, ROCKWALL

ROCKWALL RENTAL PROPERTIES, L.P.
1608 WEST MORE, DRAWER B
ROCKWALL

REPLAT
HARBOR-ROCKWALL ADDITION
LOTS 10-12, BLOCK A
7.358 ACRES

Date : 12.03.19

Scale : 1" = 60'

File : 59809.0A-FPLT

Project No. : 59809.0A

SHEET
1
2

- Notes:
- 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.

DEVELOPER:
PEGASUS ABLON
JIM ZIEGLER
8222 DOUGLAS AVENUE,
SUITE 390
DALLAS, TX 75225
ph# 214-389-6195

OWNER:
ROCKWALL RENTAL
PROPERTIES, L.P.
1608 WEST MORE, DRAWER B
TERREL, TX 75160
ph# 972-210-0331

SURVEYOR/ENGINEER:
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive
Suite 215
Dallas, Texas 75230
ph# 972-490-7090

REPLAT
HARBOR-ROCKWALL ADDITION
LOTS 10-12, BLOCK A
BEING A REPLAT OF LOT 9, BLOCK A,
HARBOR-ROCKWALL ADDITION AND BEING 7.358 ACRES
OUT OF THE M. J. BARKSDALE SURVEY, ABSTRACT NO. 11
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. _____

PROPERTY DESCRIPTION
TRACT 1

STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEING a tract of land situated in the M. J. BARKSDALE SURVEY, ABSTRACT NO. 11, in the City of Rockwall, Rockwall County, Texas, and being all of Lot 9, Block A, Harbor Rockwall Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet J, Slide 191, (County Clerk's Instrument No. 20170000015993), Official Public Records, Rockwall, County, Texas, and a portion of the same tract of land described in deed to Rockwall Rental Properties, L.P. as recorded in Volume 6846, Page 315, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "RPLS 1830" found for the most Northerly corner of said Lot 9, Block A and being the intersection of the Southwesterly right-of-way of Lakefront Trail, a variable width right-of-way, with the Southeasterly right-of-way of Interstate Highway 30, a variable width right-of-way;

THENCE departing said Southeasterly right-of-way and along said Southwesterly right-of-way, the following courses and distances:

South 29 deg 37 min 52 sec East, a distance of 9.98 feet to a 1/2-inch iron pipe found for corner and the beginning of a curve to the left having a radius of 680.00 feet, a central angle of 28 deg 28 min 30 sec, a chord bearing of South 43 deg 52 min 07 sec East, and a chord length of 334.48 feet;

Along said curve to the left, an arc distance of 337.95 feet to a 5/8-inch iron rod found for corner and the beginning of a curve to the right having a radius of 620.00 feet, a central angle of 12 deg 35 min 10 sec, a chord bearing of South 51 deg 48 min 46 sec East and a chord length of 135.92 feet;

Along said curve to the right, an arc distance of 136.19 feet to an "X" cut in concrete found for corner;

South 45 deg 31 min 13 sec East, a distance of 84.59 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner and the beginning of a curve to the right having a radius of 680.00 feet, a central angle of 09 deg 44 min 28 sec, a chord bearing of South 40 deg 10 min 38 sec East and a chord length of 115.47 feet;

Along said curve to the right, an arc distance of 115.61 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

South 34 deg 50 min 04 sec East, a distance of 89.41 feet to a 5/8-inch iron rod with plastic cap stamped "RPLS 1830" found for corner and the beginning of a curve to the left having a radius of 680.00 feet, a central angle of 02 deg 30 min 40 sec, a chord bearing of South 36 deg 05 min 23 sec East and a chord length of 29.80 feet;

Along said curve to the left, an arc distance of 29.80 feet to an "X" cut in concrete found for corner, said "X" cut being the most Easterly Southeast corner of said Lot 9, Block A;

THENCE departing the Southeasterly right-of-way of said Lakefront Trail and along the Southerly line of said Lot 9, Block A, the following courses and distances:

South 53 deg 33 min 15 sec West, a distance of 47.25 feet to an "X" cut in concrete found for corner;

North 89 deg 32 min 04 sec West, a distance of 208.59 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

South 79 deg 07 min 41 sec West, a distance of 7.21 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

North 23 deg 10 min 29 sec East, a distance of 32.93 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

North 66 deg 36 min 24 sec West, a distance of 31.00 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

North 23 deg 10 min 29 sec East, a distance of 27.95 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

North 66 deg 47 min 29 sec West, a distance of 102.00 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

South 23 deg 10 min 29 sec West, a distance of 102.04 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

North 82 deg 38 min 15 sec West, a distance of 11.76 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

South 68 deg 52 min 14 sec West, a distance of 13.20 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

South 75 deg 08 min 27 sec West, a distance of 12.97 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

South 36 deg 32 min 06 sec West, a distance of 17.64 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

South 52 deg 53 min 12 sec West, a distance of 79.47 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner and the beginning of a non-tangent curve to the left having a radius of 116.35 feet, a central angle of 78 deg 02 min 10 sec, a chord bearing of North 77 deg 25 min 32 sec West and a chord length of 146.50 feet;

Along said non-tangent curve to the left, an arc distance of 158.47 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner;

THENCE South 63 deg 41 min 36 sec West, continuuing along said south line, a distance of 286.13 feet to a 5/8-inch iron rod with plastic cap stamped ""RPLS 1830" found for the most Westerly Southwest corner of said Lot 9, Block A;

THENCE North 22 deg 25 min 53 sec West, along a west line of said Lot 9, Block A, a distance of 109.69 feet to a 5/8-inch iron rod with plastic cap stamped "RPLS 1830" found for corner, and being a Northwest corner of said Lot 9, Block A and the southwest corner of a tract of land as described in deed to DRZW Holdings, Ltd., recorded in Volume 6905, Page 195, Official Public Records, Rockwall County, Texas;

THENCE North 59 deg 47 min 55 sec East, along a north line of said Lot 9, Block A and the southeasterly line of said DRZW Holdings tract, a distance of 346.78 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner, said iron rod being the Southeast corner of said DRZW Holdings, tract;

THENCE North 45 deg 34 min 27 sec West, along the Westerly line of said Rockwall Rental Properties tract, a distance of 383.71 feet to a 1/2-inch iron rod with red plastic cap stamped "WAI" set for corner, said iron rod being situated in the Southeasterly right-of-way of said Interstate Highway 30;

THENCE North 60 deg 22 min 08 sec East, along said Southeasterly right-of-way, a distance of 426.90 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 7.358 acres or 320,524 square feet of land, more or less. Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 8th day of January, 2018, utilizing a G.P.S. measurement (NAD 83) from the City of Rockwall, Texas - Control Monumentation, established May 6, 1999, Monument Nos. Reset #1 and R014.

DEVELOPER:
PEGASUS ABLON
JIM ZIEGLER
8222 DOUGLAS AVENUE,
SUITE 390
DALLAS, TX 75225
ph# 214-389-6195

OWNER:
ROCKWALL RENTAL
PROPERTIES, L.P.
1608 WEST MORE, DRAWER B
TERREL, TX 75160
ph# 972-210-0331

SURVEYOR/ENGINEER:
Winkelmann & Associates, Inc.
6750 Hillcrest Plaza Drive
Suite 215
Dallas, Texas 75230
ph# 972-490-7090

OWNERS CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

WE, ROCKWALL RENTAL PROPERTIES, L.P., the undersigned ownerS of the land shown on this plat, and designated herein as the **HARBOR-ROCKWALL 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-ROCKWALL 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. We also understand the following;

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

Property Owner Signature

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared ROCKWALL RENTAL PROPERTIES, L.P., 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 _____, 20__.

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, Leonard J. Lueker, 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.

Surveyor Signature

Registered Public Surveyor No

STANDARD CITY SIGNATURE BLOCK

Planning & Zoning Commission, Chairman

Date

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20__.

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

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

Mayor, City of Rockwall

City Secretary

City Engineer

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S79°07'41"W	7.21'
L2	N23°10'29"E	32.93'
L3	N66°36'24"W	31.00'
L4	N23°10'29"E	27.95'
L5	N82°38'15"W	11.76'
L6	S68°52'14"W	13.20'
L7	S75°08'27"W	12.97'
L8	S36°32'06"W	17.64'
L9	S19°31'45"W	20.19'
L10	S34°50'04"E	89.53'
L11	S36°05'23"E	30.10'
L12	S26°18'24"E	39.48'
L13	S26°56'19"E	3.47'
L14	N52°53'12"E	14.60'
L15	S29°37'52"E	50.19'
L16	N59°47'55"E	2.94'
L17	N66°27'49"W	6.83'
L18	S46°57'41"E	20.62'
L19	S43°02'19"W	11.54'
L20	N66°47'29"W	21.92'
L21	N47°16'43"W	8.50'
L22	N42°43'17"E	20.00'
L23	S47°16'43"E	8.50'
L24	N42°34'28"W	15.00'
L25	N47°25'32"E	10.00'
L26	S42°34'28"E	15.00'
L27	S34°50'04"E	63.70'
L28	S06°21'17"E	6.21'
L29	S83°38'43"W	20.00'
L30	N06°21'17"W	6.21'
L31	S45°34'02"E	4.39'
L32	S43°02'19"W	19.89'
L33	N46°57'41"W	4.39'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CH. L	CH. B
C1	12°35'10"	620.00'	136.19'	135.92'	S51°48'46"E
C2	7°43'48"	30.00'	4.05'	4.04'	S25°45'58"E
C3	11°21'44"	30.00'	5.95'	5.94'	N35°18'44"W
C4	15°56'35"	42.00'	11.69'	11.65'	N37°36'10"W
C5	19°16'03"	42.00'	14.12'	14.06'	N35°56'26"W
C6	34°14'54"	87.00'	52.00'	51.23'	N09°10'57"W
C7	34°52'48"	43.00'	26.18'	25.77'	N09°29'55"W
C8	27°44'27"	40.00'	19.37'	19.18'	N40°48'33"W
C9	17°08'12"	697.50'	208.62'	207.84'	S49°32'16"E
C10	12°35'10"	602.50'	132.35'	132.08'	S51°48'46"E
C11	9°43'43"	662.50'	112.49'	112.36'	N40°10'38"W
C12	15°56'35"	30.00'	8.35'	8.32'	S37°36'10"E
C13	19°16'03"	54.00'	18.16'	18.07'	N35°56'26"W
C14	35°45'40"	99.00'	61.79'	60.79'	N08°25'34"W
C15	36°23'35"	31.00'	19.69'	19.36'	S08°44'31"E
C16	52°48'24"	30.00'	27.65'	26.68'	S53°20'31"E
C17	22°18'25"	137.35'	53.47'	53.14'	N68°35'30"W
C18	69°40'31"	30.00'	36.48'	34.28'	N87°43'27"E
C19	21°40'44"	320.00'	121.08'	120.36'	N42°02'50"E
C20	11°49'51"	330.00'	68.14'	68.02'	S37°07'24"W
C21	11°49'51"	310.00'	64.01'	63.90'	S37°07'24"W
C22	21°40'44"	340.00'	128.64'	127.88'	N42°02'50"E
C23	75°00'13"	30.00'	39.27'	36.53'	S89°36'41"E
C24	31°24'19"	117.35'	64.32'	63.52'	N67°48'44"W
C25	56°34'35"	30.00'	29.62'	28.43'	S55°13'36"E
C26	18°12'18"	55.00'	17.48'	17.40'	S17°50'10"E
C27	107°34'24"	30.00'	56.33'	48.41'	N62°31'12"W
C28	109°16'03"	30.00'	57.21'	48.93'	N09°03'34"E
C29	15°56'35"	54.00'	15.03'	14.98'	S37°36'10"E
C30	63°51'08"	30.00'	33.43'	31.73'	S84°22'50"E
C31	2°28'21"	710.00'	30.64'	30.64'	S36°04'15"E
C32	31°19'30"	2.00'	1.09'	1.08'	S58°42'04"W
C33	2°46'54"	30.00'	1.46'	1.46'	N41°38'52"E
C34	30°00'00"	187.50'	98.17'	97.06'	N48°41'36"E
C35	30°00'00"	212.50'	111.26'	110.00'	N48°41'36"E

REPLAT
HARBOR-ROCKWALL ADDITION
LOTS 10-12, BLOCK A
BEING 7.358 ACRES OUT OF THE
M. J. BARKSDALE SURVEY, ABSTRACT NO. 11
ROCKWALL, ROCKWALL
CASE NO. _____

Winkelmann & Associates, Inc.



CONSULTING CIVIL ENGINEERS ■ SURVEYORS
(972) 490-7090
6750 HILLCREST PLAZA DRIVE, SUITE 215
DALLAS, TEXAS 75230
Texas Engineers Registration No. 89 (2020)
Texas Surveyors Registration No. 10000
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M. J. BARKSDALE; ABSTRACT NO. 11
ROCKWALL, ROCKWALL

ROCKWALL RENTAL PROPERTIES, L.P.
1608 WEST MORE, DRAWER B
TERREL, TX 75160

REPLAT
HARBOR-ROCKWALL ADDITION
LOTS 10-12, BLOCK A
7.358 ACRES

Date : 12.03.19

Scale : N/A

File : 59809.0A-FPLT

Project No : 59809.0A

SHEET

2

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Delaney, Margaret

From: Post, Kevin <KPost@nrahq.org>
Sent: Thursday, February 27, 2020 5:02 PM
To: Delaney, Margaret
Subject: The Lone Star Room
Attachments: 501C3letter.pdf

Follow Up Flag: Follow up
Due By: Sunday, March 22, 2020 8:00 AM
Flag Status: Flagged

Categories: Council Mtgs

Margaret,

Per our conversation today, I am reaching out to you regarding renting The Lone Star Room on July 18, 2020. This is our 3rd annual fundraising banquet and we have had the event in two different locations since we started. We are looking for a permanent home to host the event each year and we believe your facility would be that home. It is centrally located for people coming in from Dallas, Terrell, and other surrounding counties.

As a 501c3 nonprofit our mission is to raise funds for the NRA Foundation Grant Program. We respect and appreciate our attendees support and want to be good stewards with our attendees money. When someone spends a \$1000 on a table at our event, they believe \$1000 is going towards our mission. We do our best to keep expenses low to be able to keep as much as their money spent going to our grant program. This is why we are asking if we can get a discounted rate on renting the facility. Attached is our 501c3 letter showing our nonprofit status.

Here is the North Texas region we given out over 2.6 million dollars in grants to organizations such as 4H, JROTC, Law Enforcement agencies, and many others. Here are some examples of how the grants effect local communities. We have given grants to the Sulphur Springs PD for their police dog, purchased practice ammo for many PD's, did out NRA School Shield at high schools in Terrell, Ellis, Hood and many other counties, and sent JROTC teams to the Junior Olympics and one 4H kid is going to the Olympics for the US. The banquets are the sole fundraising apparatus for funding these programs.

Thank you in advance for your consideration.



Kevin Post

Field Representative, North Texas

Field Operations - Office of Advancement ▪ friendsofnra.org

t: 210-429-0309 ▪ e: kpost@nrahq.org

National Rifle Association ▪ 11250 Waples Mill Rd, Fairfax, VA 22030

More information [HERE](#) on **The NRA Foundation**

More information [HERE](#) on **NRA Youth Education Summit**

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this e-mail in error, please notify the sender immediately, delete the message from your computer, and do not forward it.



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

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

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

DATE: March 16, 2020

SUBJECT: Appointment Item #3 (Kevin Post with NRA Foundation)

The Lone Star Room at The Center can be reserved for the following fees and currently non-profit fees are not offered.

Deposit: \$200.00

Rate: \$200.00 per hour

Cleaning Fee: \$300.00

A typical 8-hour reservation is \$2,100.00 with \$200.00 deposit refunded, as long as the room was not damaged during the reservation. Staff will be available to answer any questions.

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

DATE: March 16, 2020

APPLICANT: Chris Kehrer; *Titan Contractors*

CASE NUMBER: Z2020-001; *Zoning Change from Agricultural (AG) District to Single-Family (SF-1) District for 844 Zion Hill Circle*

SUMMARY

Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No. 10-01*, annexing the subject property on January 4, 2010. According to Rockwall Central Appraisal District (RCAD) records, the primary structure on the subject property was constructed in 1978, and has a 1,988 SF main living area, a 483 SF attached garage, and two (2) covered porches (*i.e. 240 SF & 160 SF*). On November 27, 2019, the applicant -- *who is the contractor and not the property owner* -- submitted a building permit proposing the construction of a ~4,812 SF accessory structure that consists of a 1,620 SF carport, a 792 SF covered porch, and a 2,400 SF detached garage. During the permit review process, the applicant was informed that the size of the carport and detached garage would require a Specific Use Permit (SUP), unless the plans were revised to reduce the size of the carport to 500 SF or less and either [1] reduce the detached garage to 620 SF or less, or [2] attach the entire structure to the primary structure. In late January 2020, the applicant submitted revised plans proposing to remove the carport and add an eight (8) foot awning attaching the structure to the primary structure. On February 7, 2020, the Building Inspections Department issued a building permit based on the revised plans; however, later the same day a Building Inspector reported that the applicant had already constructed the majority of the building based on the plans that were provided with the original building permit (*i.e. a 2,400 SF detached garage with a 1,620 SF carport*), and a *Stop Work Order* was issued by the Building Inspections Department. It should be noted, that at the time the *Stop Work Order* was issued, the Building Inspector noted that the detached garage was built as a secondary guest quarters (*i.e. it incorporated air-conditioned space and plumbing*). Staff should also note that the property owner was unaware that a building permit had not been issued for the structure. Based on these events the Building Inspections Department issued three (3) citations to the contractor (*i.e. the applicant*) on the grounds of failure to comply with the construction standards.

Based on the events that transpired, the Planning and Zoning Department has recommended that the applicant adhere to the following chronological steps to request approval of the structure as it was built: [1] the property needs to be rezoned from an Agricultural (AG) District to a Single-Family One (SF-1) District, and [2] the property owner needs to request a Specific Use Permit (SUP) for a secondary living unit/guest quarters, and an enlarged carport and detached garage. Alternatively, the applicant can choose to redesign the structure to attach it to the primary structure. Regardless of how this is remedied the applicant will be required to submit updated plans to the Building Inspections Department that reflect exactly what was and will be constructed on the property.

PURPOSE

On February 12, 2020, the applicant -- *Chris Kehrer* -- submitted an application requesting to change the zoning on the *subject property* from an Agricultural (AG) District to a Single-Family One (SF-1) District.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 844 Zion Hill Circle. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are single-family homes located within the Zion Hills Subdivision followed by a vacant tract of land. These properties are zoned Agricultural (AG) District with the exception of two (2) of the properties, which are zoned Single Family 1 (SF-1) District. Beyond this is Cornelius Road, which is identified as an M4U (*major collector, four [4] lane, undivided roadway*) according to the City's Master Thoroughfare Plan. This roadway delineates the corporate limits of the City of Rockwall.

South: Directly south of the subject property are single-family homes located within the Zion Hills Subdivision that are zoning Agricultural (AG) District. Beyond the single-family homes is SH-66, which is identified as a TXDOT4D (*Texas Department of Transportation, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan.

East: Directly east of the subject property is a single-family home located within the Zion Hills Subdivision followed by FM-3549 [i.e. *N. Stodghill Road*], which is identified as a TXDOT4D (*Texas Department of Transportation, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan. This roadway delineates the corporate boundaries of the City of Rockwall. All of these properties are zoned Agricultural (AG) District.

West: Directly west of the subject property are single-family homes located within the Zion Hills Subdivision followed by two (2) landscaping businesses (i.e. *North Texas Lawns & Landscape and Landscape Source*) located along SH-66. These properties are zoned Agricultural (AG) District.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the subject property from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for the purpose of facilitating the ability to submit an application to request a Specific Use Permit (SUP) for a secondary living unit/guest quarters and an enlarged carport and detached garage. Currently, the Agricultural (AG) District does allow the *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* land use, but does not allow the *Residential Accessory Building or Structure* land use. The reason for this exclusion is to incentivize smaller properties (i.e. *properties less than ten [10] acres*) to rezone in accordance to the Future Land Use Plan.

INFRASTRUCTURE

The primary structure on the subject property was constructed with an on-site sanitary sewer facility (OSSF) and is served water by Mt. Zion Water Supply Corporation; therefore, the applicant's request does not require any infrastructure improvements.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family 1 (SF-1) District is the proper zoning classification for larger, single-family lots that are a minimum of one (1) acre in size ... (t)hese developments are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas, where they will serve as a logical transition to an estate or rural area." In this case, the Zion Hills Subdivision was annexed into the City in 2010 and consists of lots that are one (1) acre or greater. Staff should note that the majority of the properties in the Zion Hills Subdivision are still zoned Agricultural (AG) District; however, two (2) properties (i.e. *825 & 853 Zion Hills Circle*) have been rezoned to Single-Family 1 (SF-1) District. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for a Single Family 1 (SF-1) District, and which are summarized as follows:

Development Standards	Single Family 1 (SF-1) District
Dwelling Units/Lot	1.0
Dwelling Units/Acre	1.0
Minimum Dwelling Unit	2,500 SF
Minimum Lot Area	8,400 SF

Minimum Lot Width	70-Feet
Minimum Lot Depth	100-Feet
Minimum Front Yard Setback	20-Feet
Minimum Rear Yard Setback	10-Feet
Minimum Side Yard Setback	6-Feet
Between Buildings	10-Feet
Building Height	36-Feet
Maximum Lot Coverage	45%
Required Parking Spaces	2

In addition, the applicant will be required to bring the accessory structure referenced in the *Background* section of this case memo into conformance.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the *Northeast Residential District* and is designated for Low Density Residential (LDR) land uses. The applicant's request, to change the zoning of the subject property from an Agricultural (AG) District to a Single Family 1 (SF-1) District, is in conformance with the Low Density Residential (LDR) designation. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "...(p)reserve the City's current residential to non-residential land use ratio (i.e. 80% Residential; 20% Commercial) in order to maintain a balance mix of land uses for fiscal sustainability ..." [*Section 02.01; CH. 1; Page 1-1*]. The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Currently, the land use balance is at 75.90% residential to 24.10% non-residential. Since this request is in conformance with the *Land Use Plan*, the land use ratio will remain unchanged if approved.

NOTIFICATIONS

On February 28, 2020, staff notified 33 property owners and occupants within 500-feet of the subject property. Additionally, there are no Homeowners Association's (HOA's)/Neighborhood Associations within 1,500-feet of the subject property participating in the HOA/Neighborhood Notification Program. At the time this report was written, staff had received one (1) notice in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from Agricultural (AG) District to Single-Family One (SF-1) District, then staff would propose the following conditions of approval:

- (1) The applicant will be required to request a Specific Use Permit (SUP) for or remove the illegal structure from the property to bring it into compliance with the construction standards required by the City's codes.; and
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission made a motion to recommend approval of the zoning change from Agricultural (AG) District to Single-Family 1 (SF-1) District with staff conditions. The motion was approved by a vote of 5-0, with Commissioners Fishman and Logan absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-001

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre)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 844 Zion Hill Circle

Subdivision Zion Hill

Lot 8 Block B

General Location Near Hwy 66 & CR 3549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Agricultural

Current Use Residential Private

Proposed Zoning SF-1

Proposed Use Residential Private

Acreage 1

Lots [Current]

Lots [Proposed]

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

☐ Owner David Choate

☒ Applicant Titan Contractors

Contact Person Chris Kehrer

Contact Person Chris Kehrer

Address 844 Zion Hill Circle

Address 410 Normandy LN

City, State & Zip Rockwall, TX 75087

City, State & Zip Heath, TX 75032

Phone 214-869-3318

Phone 214-900-2517

E-Mail Alertdrain@yahoo.com

E-Mail Chris@TitanContractors.net

NOTARY VERIFICATION [REQUIRED]

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

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 215.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 12 day of Feb, 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."

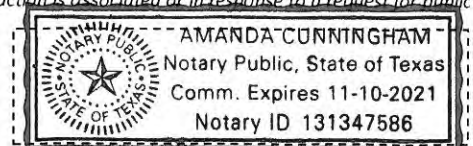
Given under my hand and seal of office on this the 12 day of Feb, 2020

Owner's Signature

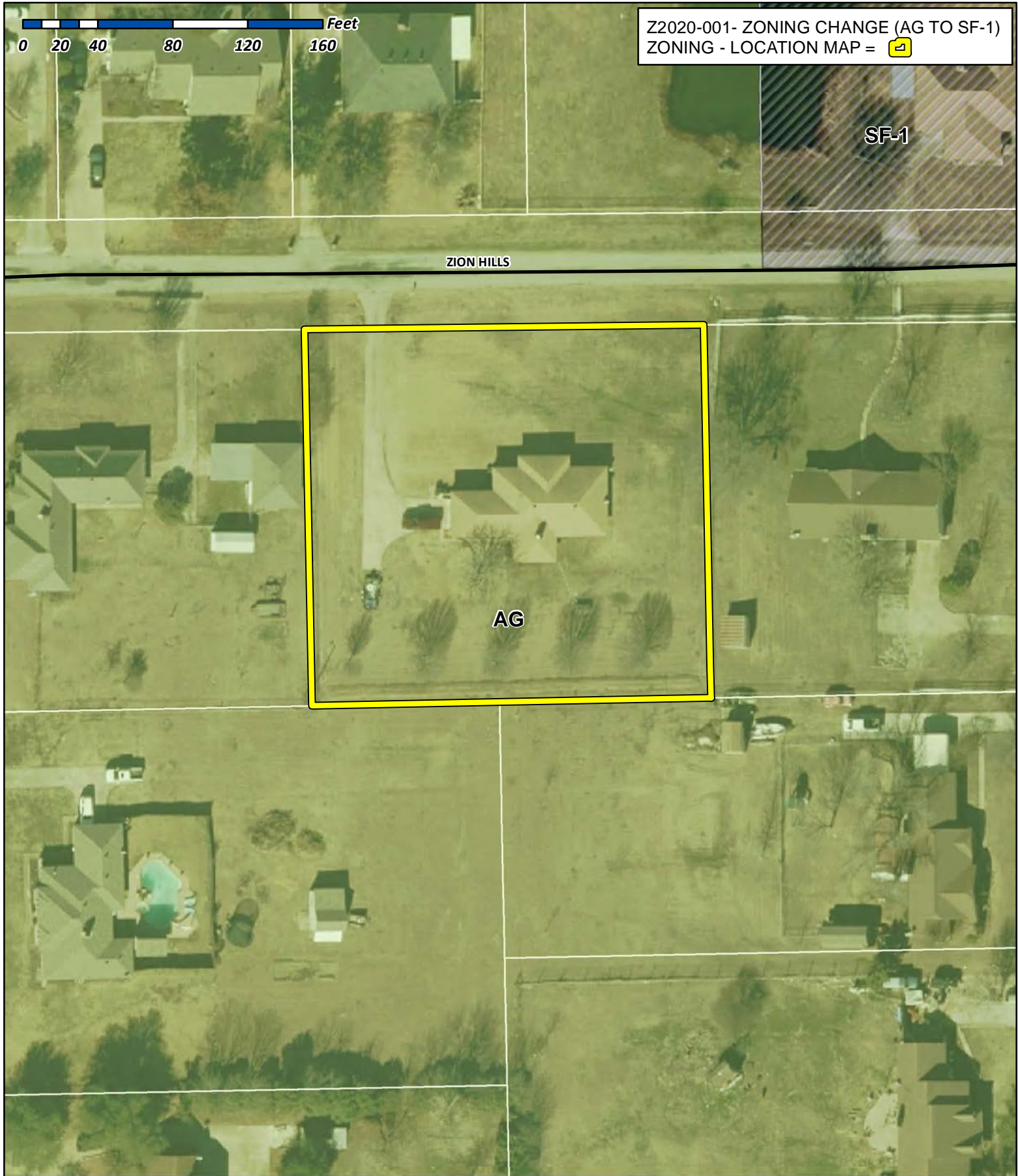
David Choate

Notary Public in and for the State of Texas

Notary Signature



My Commission Expires 11-10-21



City of Rockwall

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

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

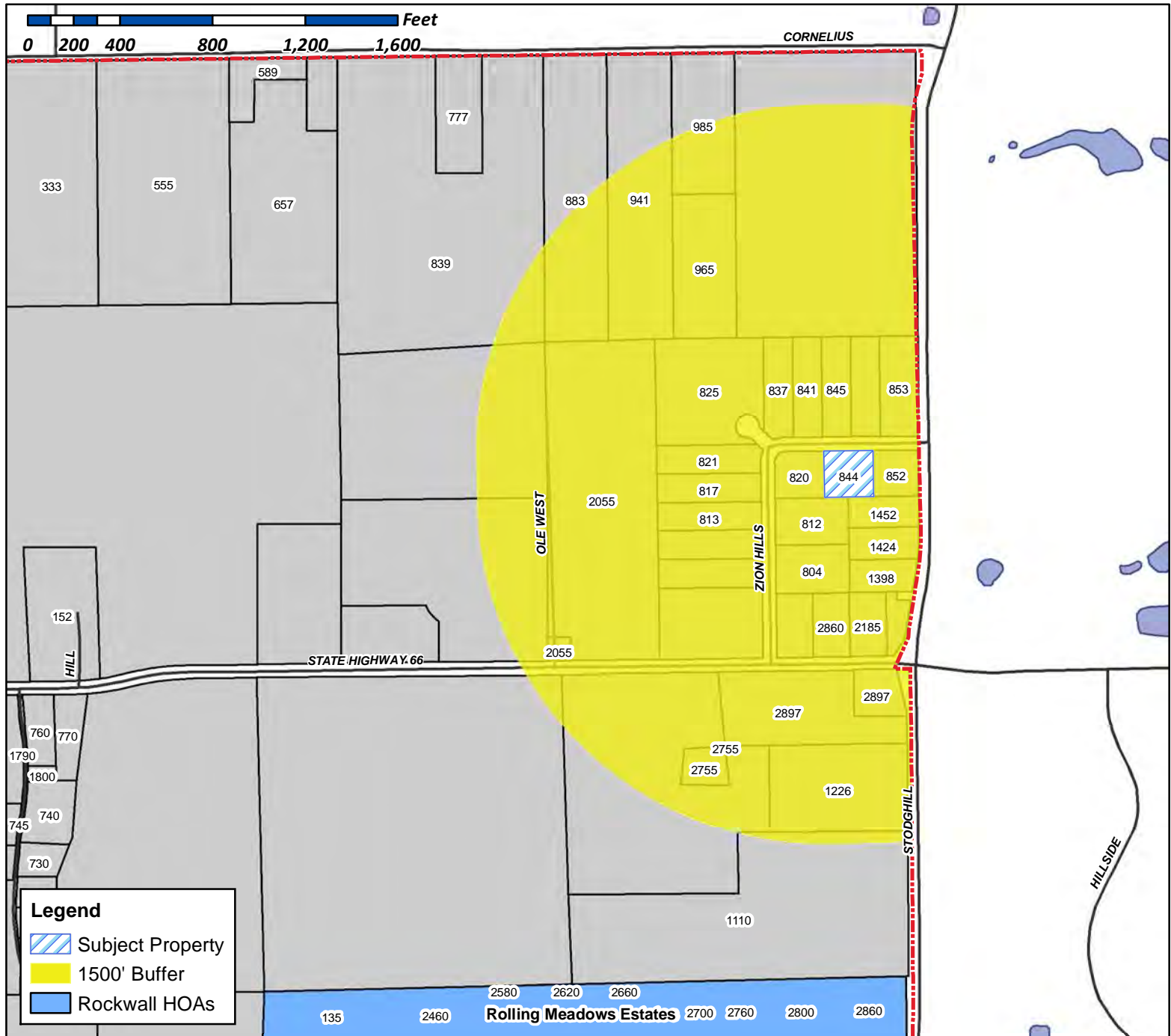




City of Rockwall

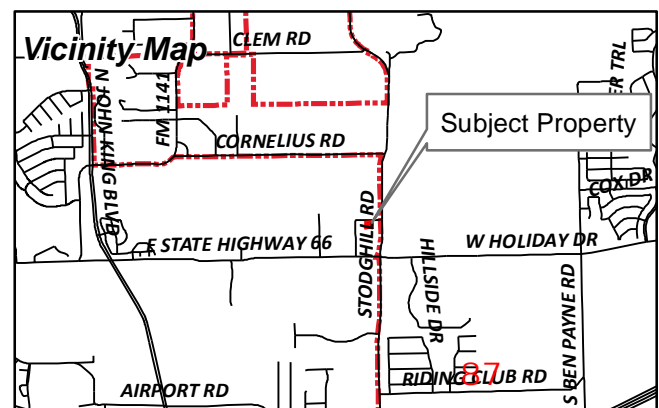
Planning & Zoning Department
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Case Number: Z2020-001
Case Name: Zoning Change AG to SF-1
Case Type: Zoning
Zoning: AG
Case Address: 844 Zion Hill Circle

Date Created: 2/19/2020
For Questions on this Case Call (972) 771-7745

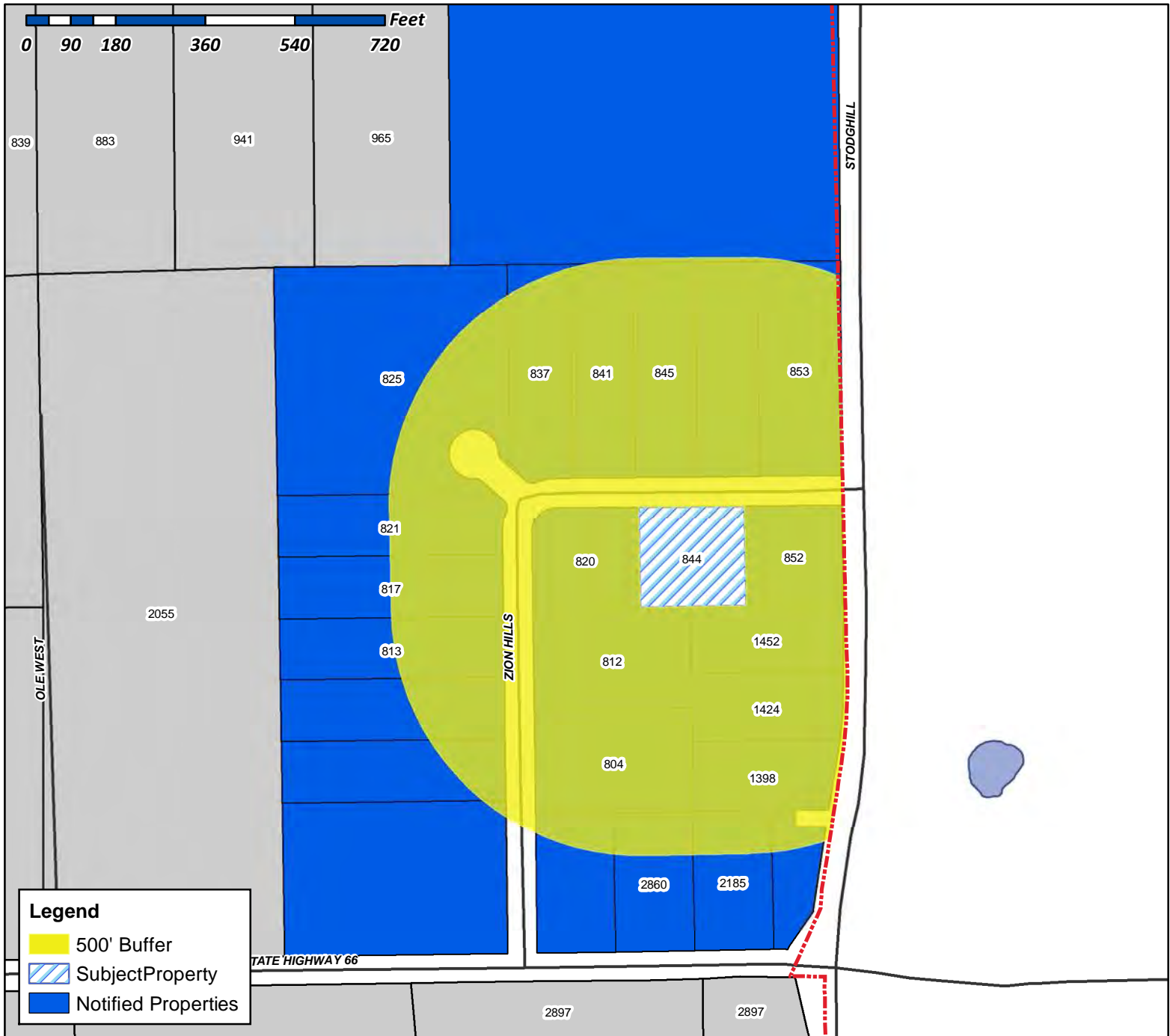




City of Rockwall

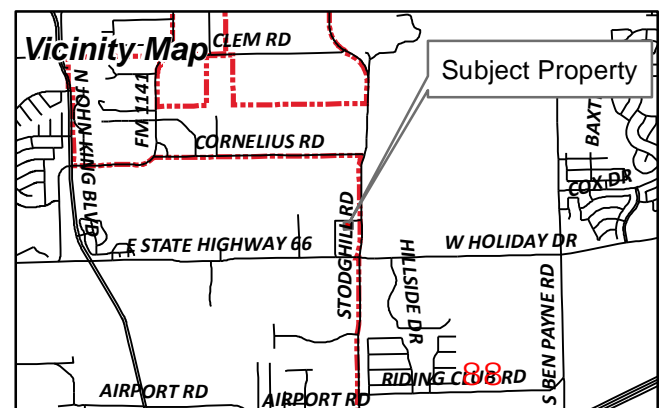
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CURRENT RESIDENT
CORNELIUS
ROCKWALL, TX 75087

CURRENT RESIDENT
HWY66
ROCKWALL, TX 75087

CURRENT RESIDENT
ZION HILL
ROCKWALL, TX 75087

CURRENT RESIDENT
ZION HILLS
ROCKWALL, TX 75087

CURRENT RESIDENT
1398 FM3549 STODGHILL
ROCKWALL, TX 75087

CURRENT RESIDENT
1424 FM3549 STODGHILL
ROCKWALL, TX 75087

WEYGANDT DIANE M AND
MEGAN WOOD
1424 N FM 3549 STODGHILL ROAD
ROCKWALL, TX 75087

BROWN JEFFREY C & LISA
1452 FM 3549 STODGHILL RD
ROCKWALL, TX 75087

VECELLIO FRANCIS
1470 S JOHN KING BLVD #3210
ROCKWALL, TX 75032

CURRENT RESIDENT
2185 WILLIAMS
ROCKWALL, TX 75087

CURRENT RESIDENT
2860 HWY66
ROCKWALL, TX 75087

TA LAND HOLDINGS LLC
2897 STATE HIGHWAY 66
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

KEMP MARY CAYCE ERSKINE WILLIAMS
4501 EDMONDSON AVE
DALLAS, TX 75205

LAKE RAY HUBBARD BIBLE CHURCH
INC
801 ZION HILL CIR
ROCKWALL, TX 75087

ROCKWALL BIBLE CHURCH
801 ZION HILL CIR
ROCKWALL, TX 75087

WHITE CHRISTOPHER AND CLAUDIA
804 ZION HILL CIR
ROCKWALL, TX 75087

KIRK JEREMY C AND STEPHANIE A
812 ZION HILL CIR
ROCKWALL, TX 75087

LE THAO THI PHUONG HONG
813 ZION HILL CIR
ROCKWALL, TX 75087

CODY OLIVIA L & STEPHEN H
817 ZION HILL CIR
ROCKWALL, TX 75087

FITZPATRICK ORAL L & BARBARA
820 ZION HILL CIR
ROCKWALL, TX 75087

MILLER CHARLES E & BETTY M
821 ZION HILL CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
825 ZION HILL
ROCKWALL, TX 75087

MURPHY ROCKY SR & DEBRA J
837 ZION HILL CIR
ROCKWALL, TX 75087

HOLCOMB FRED G & CAROL
841 ZION HILL CIR
ROCKWALL, TX 75087

CHOATE DAVID E ET UX
844 ZION HILL CIR
ROCKWALL, TX 75087

AKARD DANNY AND CATHY
845 ZION HILL CIR
ROCKWALL, TX 75087

BROWN DAVID C & LINDA K
852 ZION HILL CIR
ROCKWALL, TX 75087

CURRENT RESIDENT
853 ZION HILL
ROCKWALL, TX 75087

WOODY JESSYE JEAN
PO BOX 315
FATE, TX 75132

WOODY JESSYE JEAN
PO BOX 315
FATE, TX 75132

LAKE RAY HUBBARD CHURCH
PO BOX 698
ROCKWALL, TX 75087

HARLE REUBIN E
PO BOX 912
ROCKWALL, TX 75087



NOTICE OF PUBLIC HEARING

CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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

Case No. Z2020-001: 844 ZION HILL CIRCLE

Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/16/2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **3/16/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

— — — PLEASE RETURN THE BELOW FORM — — —

Case No. Z2020-001: 844 ZION HILL CIRCLE

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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



NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

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Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



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--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2020-001: 844 ZION HILL CIRCLE

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

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

I support the homeowner in his request to build the building addition to his home.

Name: *REUBIN E. HARLE*

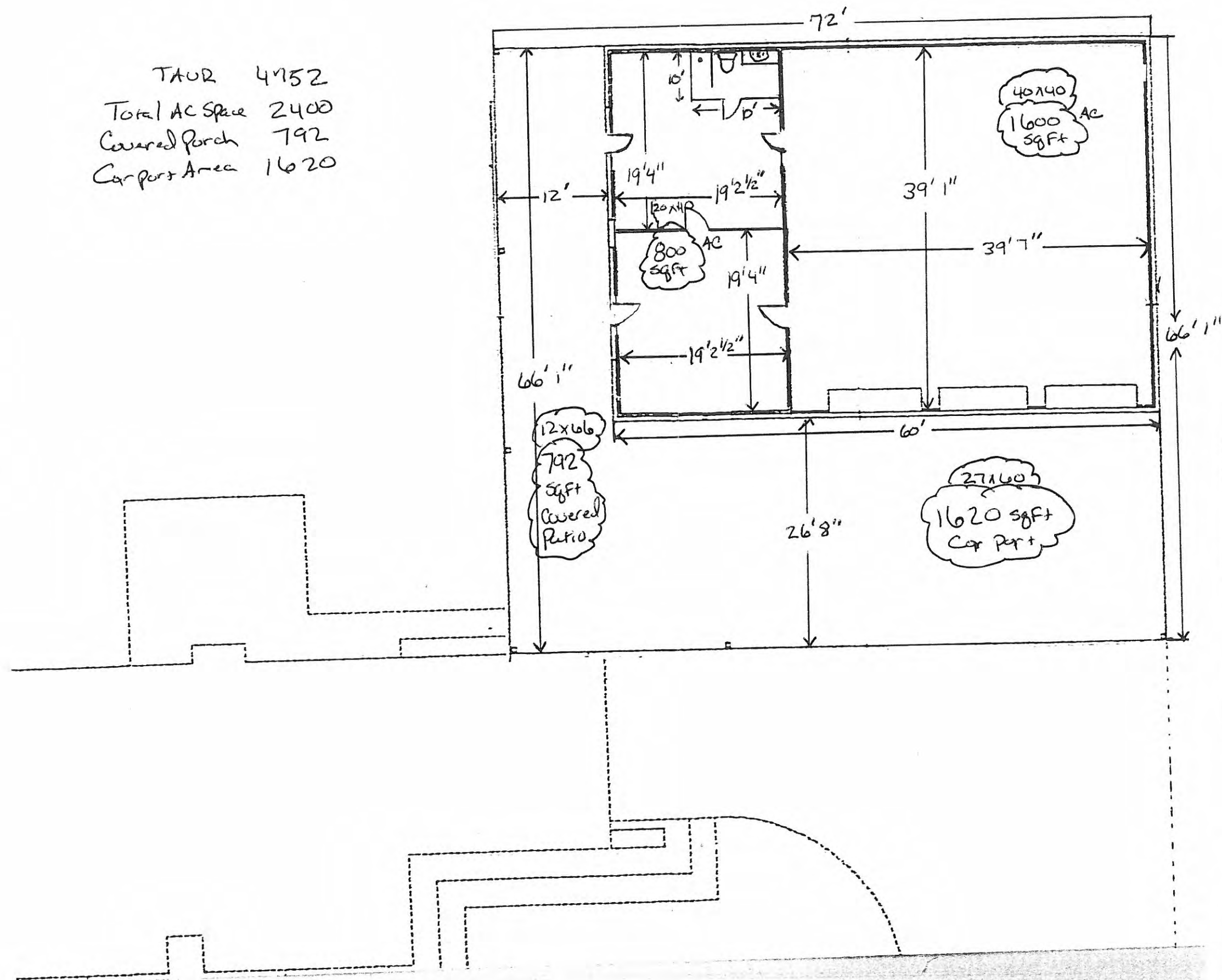
Address: *825 ZION HILL CIRCLE, ROCKWALL TX. 75087*
214 808-5769

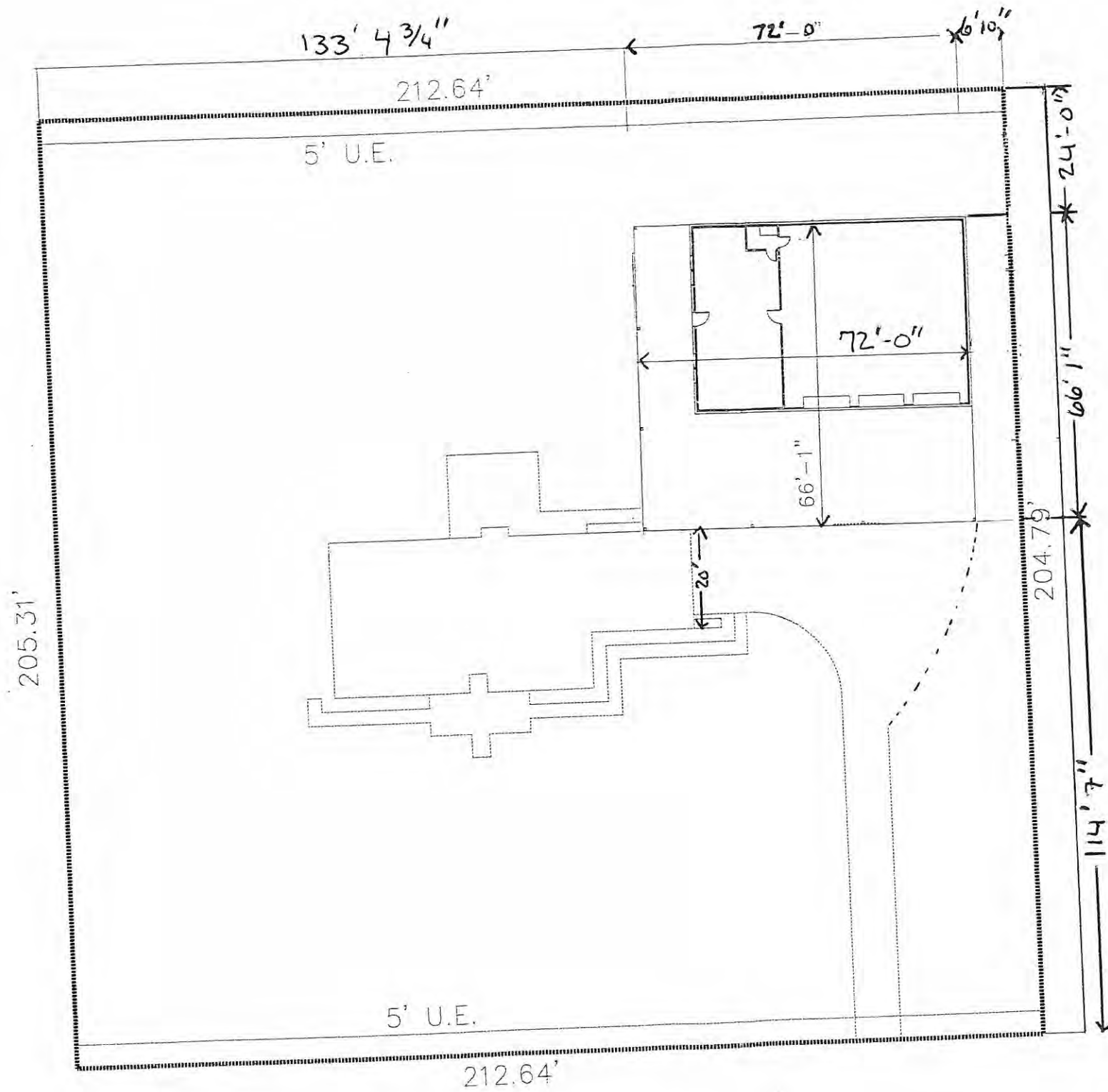
Reubin E. Harle
10 MAR 2020

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

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

TAUR 4752
 Total AC Space 2400
 Covered Porch 792
 Carport Area 1620





ZION HILLS CIRCLE

Setbacks

These plans are intended to provide the basic construction information necessary to construct the project. The engineer is not responsible for the accuracy of the information provided by the owner. The engineer is not responsible for the accuracy of the information provided by the owner. The engineer is not responsible for the accuracy of the information provided by the owner.

CENTERLINE
214-563-3127

A RESIDENCE FOR THE:
CHQA 114:
LOT 8 / BLOCK B
ZION HILLS CIRCLE
ROCKWALL COUNTY, TX

ISSUED DATE
7-29-13
DRAWN BY
CENTERLINE
REVISIONS

COPYRIGHT
2013
PP
3 of 3

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:—

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No.

Zion Hills Circle in the City of Rockwall, being described

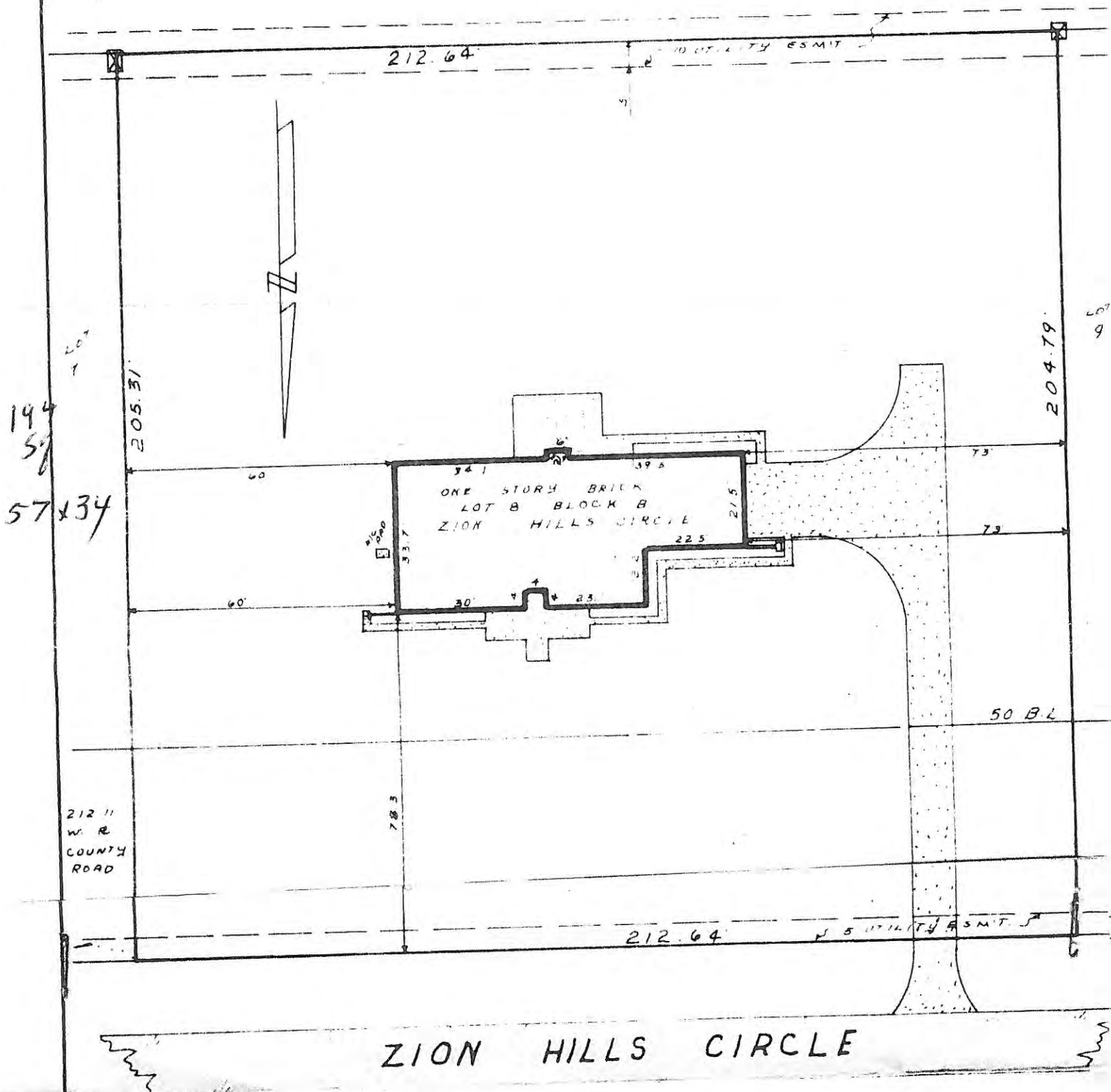
as follows:

Lot No. 8, Block No. 10, City Block No. 10

of Zion Hill Estates, an addition to the City of Rockwall

Texas, according to the Plat thereof recorded in Vol. 23 of the Plat

Map Deed Records of Rockwall County, Texas

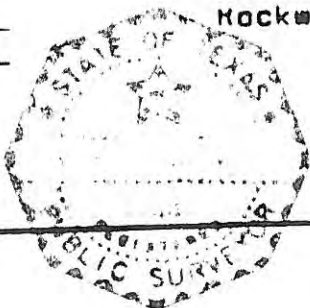


The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN

SCALE: 1" = 30'
DATE: 5-10-79
RE-SURVEY:

Bob O. Brown Land Surveyor
302 sk Rockwall, Texas 75087
Rockwall 722-3036 Dallas 226-7522



Bob O. Brown
Registered Public Surveyor

DRAWN	CHECKED
<u> </u>	<u> </u>

Z2020-001

FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



SURROUNDING NEIGHBORS



SURROUNDING NEIGHBORS



The purpose of the zoning application is to accommodate the attached garage with the desired layout that will allow for a large covered area. Mr. Choate is an avid fisherman and outdoorsman in his free time and will retire in the next 5 years. This area is where he will spend most of his free time. Mr. Choate has one boat, one car, two trucks and one small trailer. They will all be stored in the garage area along with his lawn equipment, tool boxes and miscellaneous personal power tools. This is for private use and he will store personal belongings inside as well. Many homes in the area have multiple storage buildings scattered around. Our goal was to create a nice area where everything is contained inside one building and add value to the existing property.

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, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY 1 (SF-1) DISTRICT FOR A ONE (1) ACRE PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK B, ZION HILL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ADDRESSED AS 844 ZION HILL CIRCLE AND BEING MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Chris Kehrer of Titan Contractors on behalf of the owner David Choate for a change in zoning from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle and more fully depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family 1 (SF-1) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.05, *Single-Family 1 (SF-1) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future.

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF APRIL, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 16, 2020

2nd Reading: April 6, 2020

Exhibit 'A'
Zoning Exhibit

Address: 844 Zion Hill Circle

Legal Description: Lot 8, Block B, Zion Hill Addition



Exhibit 'B'
Survey

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:—
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. _____
_____ Zion Hills Circle in the City of _____ County of Rockwall, being described
as follows:
Lot No. 8, Block No. _____, City Block No. _____
of _____ Zion Hills Estates, an addition to the City of _____ County of Rockwall
Texas, according to the _____ plat thereof recorded in Vol. _____, at page _____ of the _____
Map Deed Records of _____.

ZION HILLS CIRCLE

The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location, and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street, or road, is as shown on said plat.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN

SCALE: _____
DATE: _____
RE-SURVEY: _____

Bob D. Brown Land Surveyor
Rockwall, Texas 75087
Rockwall 722-3036 Dallas 226-7522

Bob D. Brown
Registered Public Surveyor

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 16, 2020
APPLICANT: Reese Baez
CASE NUMBER: Z2020-002; *Specific Use Permit (SUP) for a Residential Infill for 702 Parks Avenue*

SUMMARY

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary.

BACKGROUND

The *subject property* is located within the Foree Subdivision, which was filed with Rockwall County on February 7, 1913. According to Rockwall Central Appraisal District (RCAD), a single-family home was constructed on Lots 7, 8, and 9, Block D, of the Foree Addition in 1980; however, these properties were never assembled or replatted. Currently, the single-family home and two (2) accessory buildings are the only structures situated across these three (3) lots (Addendum [03.11.2020]: demolition permit [*i.e. BLD2019-3321*] approved on December 27, 2019). Staff should note that these three (3) parcels of land are considered to be *Lots of Record* or "...parcel[s] of land which is [*are*] part of a subdivision, the map or plat of which has been recorded in the office of the County Clerk of Rockwall County ... prior to the adoption date of the ordinance [*1983*] from which this [*the*] Unified Development Code is derived which has not been divided [*or assembled*] since recording." This means that if the current single-family home and both accessory structures are removed from the property, each of the three (3) parcels could be conveyed individually and developed in accordance with the Single-Family 7 (SF-7) District standards.

PURPOSE

The applicant, *Reese Baez*, is requesting the approval of a Specific Use Permit (SUP) for the purpose of construction a single-family home on Lot 8 (*i.e. 702 Parks Avenue*) in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC). This request is being made in conjunction with *Case No. Z2020-003*, which is a request for a Specific Use Permit (SUP) for the purpose of constructing a single-family home on Lot 7 (*i.e. 610 Parks Avenue*).

ADJACENT LAND USES AND ACCESS

The subject property is located at 702 Parks Avenue. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is 704 Parks Avenue (*i.e. Lot 9, Block D, Foree Addition*). North of this are three (3) single-family homes followed by Heath Street, which is designated as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond Heath Street are three (3) residential subdivisions (*i.e. Pecan Grove, Stark, & Wade*). All of these areas are zoned Single-Family 7 (SF-7) District.

South: Directly south of the subject property is 610 Parks Avenue (*i.e. Lot 7, Block D, Foree Addition*). South of this are three (3) residential homes followed by Lillian Street, which is designated as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond this are four (4) more residential homes followed by Williams Street, which is identified as a *Minor Collector* on the Master Thoroughfare Plan. Williams Street is the

boundary to the Old Town Rockwall (OTR) Historic District, which consists of several residential subdivisions (*e.g. F&M, Kathleen's and Crawford, Autumn*). All of these areas are zoned Single-Family 7 (SF-7) District.

East: Directly east of the subject property is N. Clark Street followed by two (2) rows of single-family homes fronting on to Nash Street. Both of these streets are designated as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond this is a 6.210-acre parcel of land that is occupied with a house of worship (*i.e. Rockwall Assembly of God*). All of these properties are zoned Single-Family 7 (SF-7) District.

West: Directly west of the subject property are eight (8) houses fronting onto Park Avenue, and the continuation of the Foree and F&M Subdivisions. All of these properties are zoned Single-Family 7 (SF-7) District.

CHARACTERISTICS OF THE REQUEST

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as "...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years." As stated above the Foree Subdivision has been in existence since February 7, 1913 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property being in a Single-Family 7 (SF-7) District requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Parks Street Between Lillian Street and Heath Street	Proposed Housing
Building Height Building Orientation	One (1) Story All homes face towards Parks Street with the exception of 601 Parks Street, which faces onto Lillian Street.	Two (2) Stories (<i>i.e. ~27-feet at the Midpoint of Roof</i>) The front elevations of the home will face on to Parks Street.
Year Built	1929-1995	N/A
Building SF on Property	1,264 SF – 3,912 SF	3,450 SF
Building Architecture	Various [<i>Minimal Traditional, Tudor, Ranch, etc.</i>]	<i>Comparable Architecture</i>
Building Setbacks:		
Front	The front setbacks range from 20-feet to 25-feet along Parks Street.	20-Feet
Side	The side yard setbacks appear to be between five (5) and six (6) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet, with the exception of accessory structures which appear to be between zero (0) and three (3) feet.	10-Feet
Building Materials	Wood, Masonite, and/or Aluminum Siding and Brick	HardiBoard and Stone
Paint and Color	Pink, Yellow, White, and Tan	White (with Black Trim)
Roofs	Composite Shingles and Standing Seam Metal	Composite Shingle
Driveways	A mixture of front entry garages/driveways. Some houses do not have a garage and one (1) house has a carport.	Rear Entry Garage Accessible from N. Clark Street

Staff should note that the proposed single-family meets all of the density and dimensional requirements for the Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Parks Avenue and the proposed building elevations in the attached packet. The approval of this request is discretion to the Planning and Zoning Commission and City Council pending a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On February 28, 2020, staff notified 115 property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowners Association (HOA), which is the only HOA/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had received two (2) notices and one (1) email in favor of, and two (2) notices and four (4) emails in opposition of the applicant's request.

CONDITIONS OF APPROVAL

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

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

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission made a motion to recommend approval of the Specific Use Permit (SUP) to allow for the construction of a single-family home as a *Residential Infill within an Established Subdivision* with staff conditions. The motion was approved by a vote of 3-2, with Commissioners Womble and Moeller against, and Commissioners Fishman and Logan absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

Platting Application Fees:

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

Site Plan Application Fees:

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

Zoning Application Fees:

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

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address

702 PARKS AVE ROCKWALL, TX 75087

Subdivision

Forees Addition Vol. 12 Pg 568

Lot

8

Block

D

General Location

Parks Ave

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning

Residential SF-7

Current Use

Residential

Proposed Zoning

N/A

Proposed Use

Residential

Acreage

0.16

Lots [Current]

Lots [Proposed]

0.16

☒ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

☐ Owner

☒ Applicant

Contact Person

Contact Person

Address

Address

City, State & Zip

City, State & Zip

Phone

Phone

E-Mail

E-Mail

Rose Baez

1025 Goliad St #108

↓

Rockwall TX 75087

rbac2@tritongc.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared [Signature] this application to be true and certified the following:

[Owner] the undersigned, who stated the information on

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$215.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 11 day of FEBRUARY, 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 11 day of FEBRUARY, 2020.

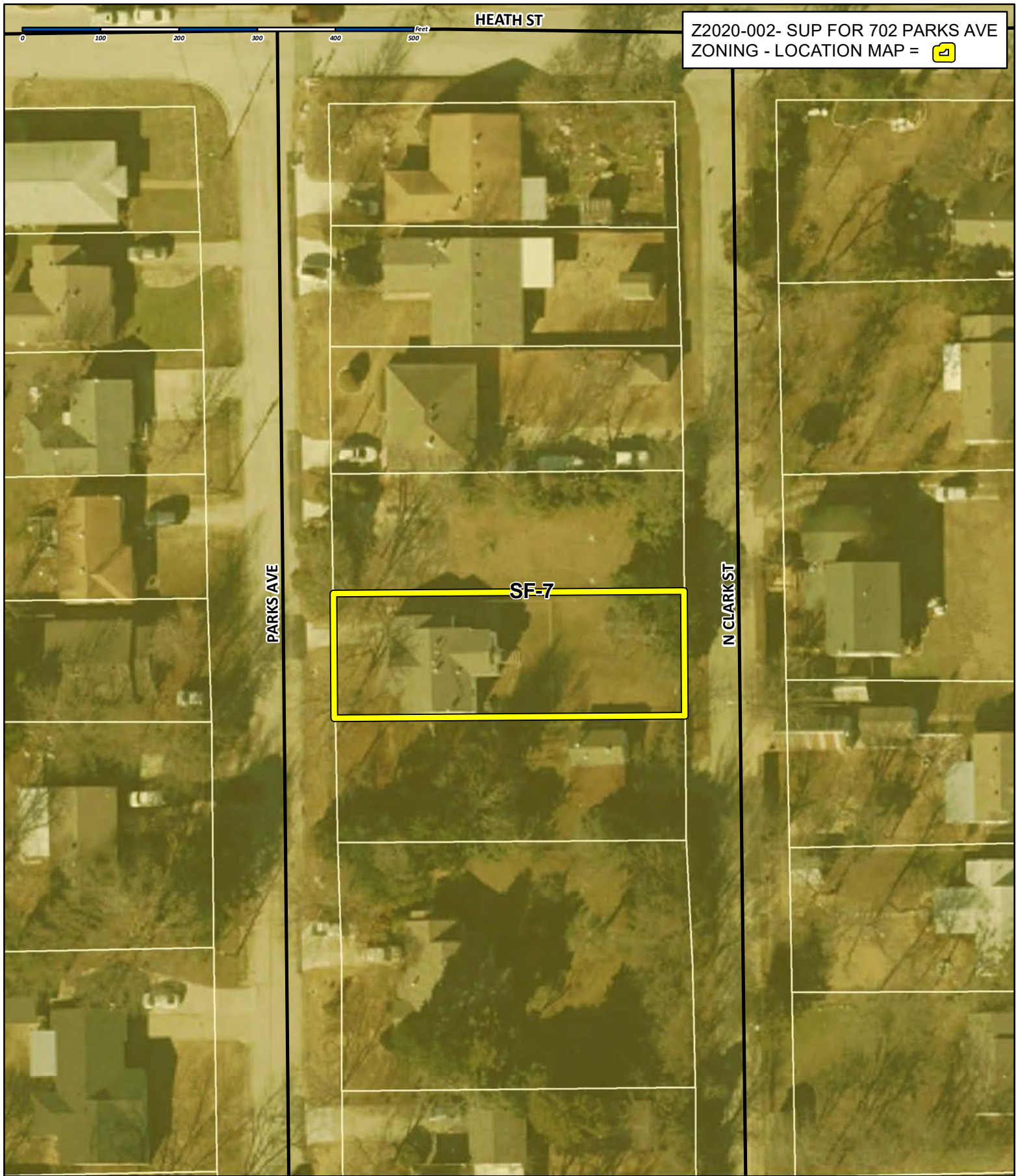
Owner's Signature

Notary Public in and for the State of Texas

[Signature]

DEVELOPMENT APPLICATION





Z2020-002- SUP FOR 702 PARKS AVE
ZONING - LOCATION MAP = 



City of Rockwall

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

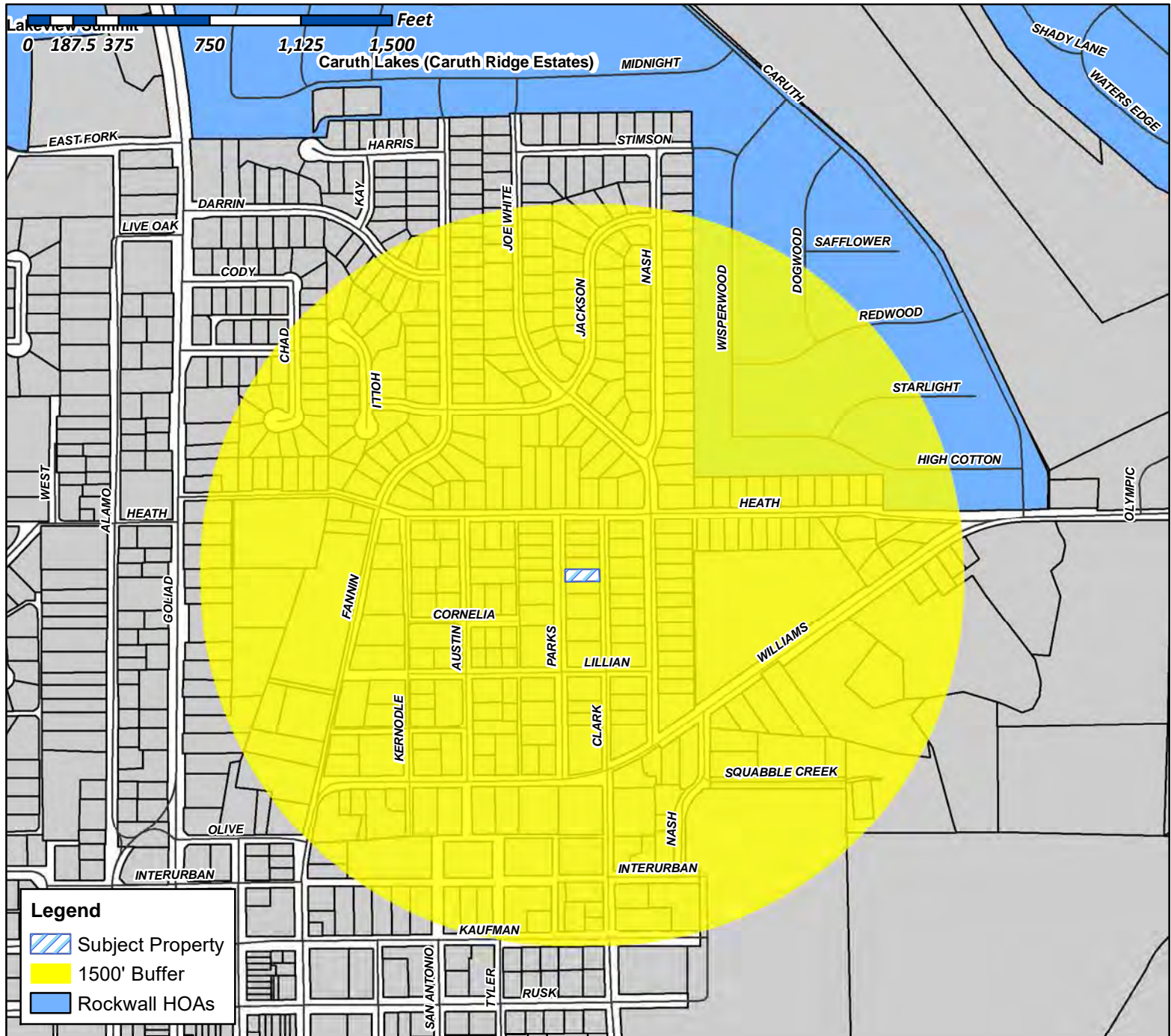
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



City of Rockwall

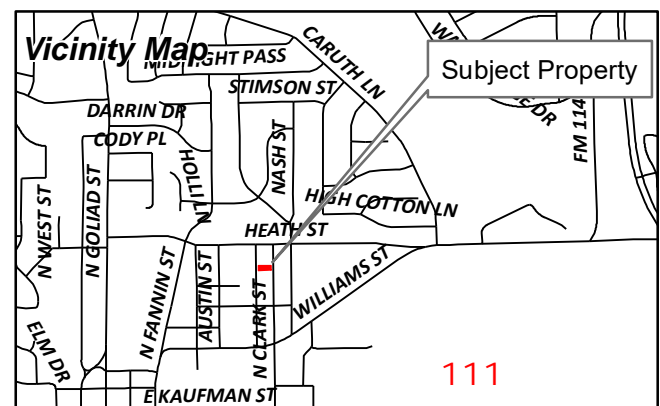
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2020-002
Case Name: SUP for 702 Parks Ave
Case Type: Specific Use Permit
Zoning: SF-7
Case Address: 702 Parks Ave.

Date Created: 2/19/2020
For Questions on this Case Call (972) 771-7745



Gamez, Angelica

From: Gamez, Angelica
Sent: Friday, February 28, 2020 10:30 AM
Subject: Neighborhood Notification program
Attachments: PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner **February 28, 2020**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, March 10, 2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, March 16, 2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <https://sites.google.com/site/rockwallplanning/development-cases>.

Z2020-001 Zoning Change from Agricultural (AG) District to a Single Family 1 (SF-1) District

Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle.

Z2020-002 SUP for Residential Infill for 702 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue.

Z2020-003 SUP for Residential Infill for 610 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue.

Z2020-004 SUP for Residential Infill for 705 Peters Colony

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 705 Peters Colony.

Z2020-005 SUP for Residential Infill for 703 Peters Colony

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for

the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Peters Colony.

Z2020-006 SUP for an Accessory Building

Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2308 Saddlebrook Lane.

Z2020-007 Text Amendment to Article VIII, Landscape and Screening

Hold a public hearing to discuss and consider a request for the approval of a Text Amendment to amend Article 08, Landscape and Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-family and duplex properties.

Z2020-008 SUP to allow Rental, Sales and Service of Heavy Machinery and Equipment

Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of a Specific Use Permit (SUP) to allow the Rental, Sales and Service of Heavy Machinery and Equipment in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30.

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at <http://www.rockwall.com/planning/hoa.asp>.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

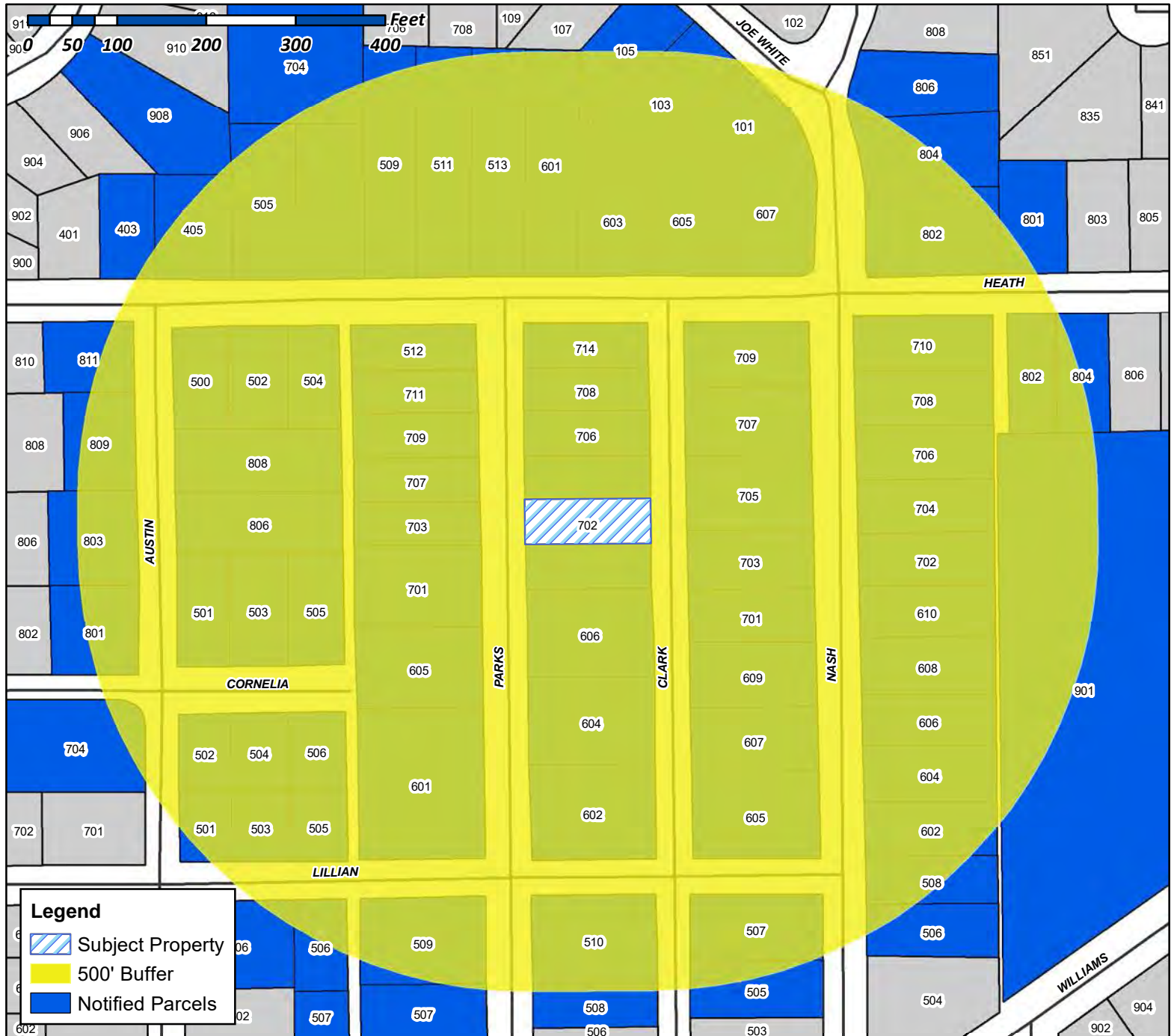
<http://www.rockwall.com/planning/>



City of Rockwall

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

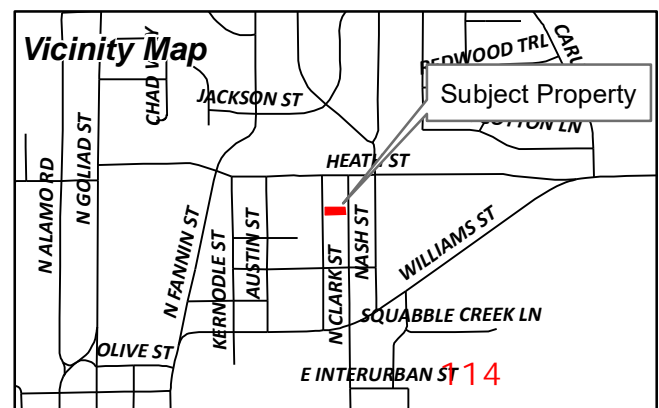
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Case Number: Z2020-002
Case Name: SUP for 702 Parks Ave.
Case Type: Specific Use Permit
Zoning: SF-7
Case Address: 702 Parks Ave.

Date Created: 2/19/2020

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



CURRENT RESIDENT
EHEATH
ROCKWALL, TX 75087

ROLAND RANDY C AND ANDREA B
101 JOE WHITE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
103 JOE WHITE
ROCKWALL, TX 75087

SILVA MANUEL
1041 E FM 552
ROCKWALL, TX 75087

CURRENT RESIDENT
105 JOE WHITE
ROCKWALL, TX 75087

BREWER SHERI RENEE
119 SUNRISE VISTA WAY
PONTE VEDRA, FL 32081

SABRSULA MELISSA
1571 ANNA CADR RD
ROCKWALL, TX 75087

KENNEDY HAYLEY
201 CHAMPION DR
WYLIE, TX 75095

RIPSTOP PROPERTIES LLC
205 S CLARK STREET
ROCKWALL, TX 75087

RIJU LTD PARTNERSHIP A TEXAS LTD
PARTNERSHIP
210 GLENN AVE
ROCKWALL, TX 75087

HARRIS RICHARD D & JUDY A
210 GLENN AVE
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES
213 SOVEREIGN CT
ROCKWALL, TX 75032

GRIFFIN PATTY JEAN CORNELIUS
2140 AIRPORT RD
ROCKWALL, TX 75087

PARK ALLEN
2301 LAFAYETTE DR
HEATH, TX 75032

KAUFMANN EVAN J
2312 BAHAMA RD
AUSTIN, TX 78733

GLASS JERRY R
301 MEADOWDALE DR
ROCKWALL, TX 75087

ZYLKA JOE AND BONNIE
3021 RIDGE RD STE A-66
ROCKWALL, TX 75032

VANHORN PENNI AND
JOE ZYLKA AND BONNIE ZYLKA
3021 RIDGE RD STE A-66
ROCKWALL, TX 75032

CURRENT RESIDENT
403EHEATH
ROCKWALL, TX 75087

CURRENT RESIDENT
405EHEATH
ROCKWALL, TX 75087

HODGES PATRICK L
481 ARCADIA WAY
ROCKWALL, TX 75087

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

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

GREENAWALT PATRICK ALAN
501 LILLIAN ST
ROCKWALL, TX 75087

BARNETT GEORGE S
502 CORNELIA ST
ROCKWALL, TX 75087

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

CURRENT RESIDENT
503 CORNELIA
ROCKWALL, TX 75087

CURRENT RESIDENT
503 LILLIAN
ROCKWALL, TX 75087

CURRENT RESIDENT
504 CORNELIA
ROCKWALL, TX 75087

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

ALSOBROOK HAROLD DAVID JR
505 CARRIAGE TRAIL
ROCKWALL, TX 75087

SCHMIDT JERRY LEE AND BARBARA JEAN
505 CORNELIA
ROCKWALL, TX 75087

BARRON GILDARDO
505 LILLIAN ST
ROCKWALL, TX 75087

DAVIS JUDY
505 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
505EHEATH
ROCKWALL, TX 75087

CURRENT RESIDENT
506 CORNELIA
ROCKWALL, TX 75087

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

BLESSING RUSSELL BENNETT
506 NASH
ROCKWALL, TX 75087

BUTLER JOSEPH DAVID AND ROSE LOUISE
507 NASH ST
ROCKWALL, TX 75087

TOLMAN BROOKS
507 PARKS AVE
ROCKWALL, TX 75087

CAWTHON RICK
508 NASH ST
ROCKWALL, TX 75087

FREEMAN WILLIAM B JR
508 PARKS AVE
ROCKWALL, TX 75087

DOROTIK DAVID W
509 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
509EHEATH
ROCKWALL, TX 75087

RICHARDSON PATRICE
510 COVE RIDGE RD
HEATH, TX 75032

CURRENT RESIDENT
510 PARKS
ROCKWALL, TX 75087

CURRENT RESIDENT
511EHEATH
ROCKWALL, TX 75087

COATS LOIS LOUISE
512 E HEATH ST
ROCKWALL, TX 75087

DENNIS KIMBERLY
513 E HEATH ST
ROCKWALL, TX 75087

TROWBRIDGE PATRICK A & ELIZABETH
601 PARKS AVE
ROCKWALL, TX 75087

STEGALL VENTURES LLC
601 SUNSET HILL DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
601EHEATH
ROCKWALL, TX 75087

SIMMONS APRIL R
602 NASH STREET
ROCKWALL, TX 75087

LEAL ROLAND & CAROL
602 PARKS AVENUE
ROCKWALL, TX 75087

SUTTON JUDITH A
603 E HEATH ST
ROCKWALL, TX 75087

HOWARD DEBORAH K
604 NASH ST
ROCKWALL, TX 75087

FUQUA MATTHEW
604 PARKS AVE
ROCKWALL, TX 75087

LINDSAY WILLIAM & JULIA
605 NASH ST
ROCKWALL, TX 75087

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

DAVIS SUSAN ELAINE BYRD
605 STORRS
ROCKWALL, TX 75087

CURRENT RESIDENT
605EHEATH
ROCKWALL, TX 75087

DANIEL RODNEY
606 AUSTIN ST
ROCKWALL, TX 75087

GALASSI TORI D
606 NASH ST
ROCKWALL, TX 75087

WALLS JEFFREY V & NATALIE ANN
606 PARKS AVE
ROCKWALL, TX 75087

SPERLING SANDY
607 E HEATH ST
ROCKWALL, TX 75087

BHATIA SACHIT S AND
LAURA NICOLE JONES
607 NASH STREET
ROCKWALL, TX 75087

STARK ROBERT S & TINA J
607 SAINT MARY ST
ROCKWALL, TX 75087

OGDEN BRANDON & LIDIA
608 NASH ST
ROCKWALL, TX 75087

TORRES ROSIE
609 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
610 NASH
ROCKWALL, TX 75087

BLAZEK ALVIN F & DOROTHY H
6634 DAVIS DR
ROYSE CITY, TX 75189

CASTRO RENE & BETSY
700 WINDSONG LN
ROCKWALL, TX 75032

CURRENT RESIDENT
701 NASH
ROCKWALL, TX 75087

CASTILLO AGAPITO & ESTELA
701 PARKS AVE
ROCKWALL, TX 75087

TEMPLETON LORRAINE BIEGLER
702 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
702 PARKS
ROCKWALL, TX 75087

ELLISTON REBECCA S
703 NASH STREET
ROCKWALL, TX 75087

HANSON BRANDON R
703 PARKS AVE
ROCKWALL, TX 75087

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

THOMAS TRACY
704 KERNODLE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
704 NASH
ROCKWALL, TX 75087

RUSHING BRIAN AND
CHANEL KENTOPP
705 NASH ST
ROCKWALL, TX 75087

ARELLANO JESUS L &
CYNTHIA A HERRERA
706 NASH ST
ROCKWALL, TX 75087

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

CURRENT RESIDENT
707 NASH
ROCKWALL, TX 75087

CURRENT RESIDENT
707 PARKS
ROCKWALL, TX 75087

CURRENT RESIDENT
708 NASH
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D
708 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
709 NASH
ROCKWALL, TX 75087

BARRON ARMANDO
709 PARKS AVE
ROCKWALL, TX 75087

STARK ROBERT C
710 AGAPE ST
ROCKWALL, TX 75087

KING MISTY
710 NASH STREET
ROCKWALL, TX 75087

NIXON ALBERT
711 PARKS AVE
ROCKWALL, TX 75087

PALMER LINDA C
714 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
801 AUSTIN
ROCKWALL, TX 75087

CURRENT RESIDENT
801EHEATH
ROCKWALL, TX 75087

COLUNGA MAXIMO & MARGARITA
802 E HEATH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
802 NASH
ROCKWALL, TX 75087

CURRENT RESIDENT
803 AUSTIN
ROCKWALL, TX 75087

BROWN REBECCA AND THOMAS
804 E HEATH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
804 NASH
ROCKWALL, TX 75087

AUSTIN TRENTON C
806 AUSTIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
806 NASH
ROCKWALL, TX 75087

CURRENT RESIDENT
808 AUSTIN
ROCKWALL, TX 75087

CURRENT RESIDENT
809 AUSTIN
ROCKWALL, TX 75087

JENNINGS AMANDA L
811 AUSTIN ST
ROCKWALL, TX 75087

MCCLAIN LOUETTA
8309 TURNBERRY ST
ROWLETT, TX 75089

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

CURRENT RESIDENT
901 WILLIAMS
ROCKWALL, TX 75087

BIRT PAUL G & CHRISTI ANA
908 NORTH FANNIN STREET
ROCKWALL, TX 75087

BELANGER CORKY
921 N ALAMO RD
ROCKWALL, TX 75087

WIMPEE JANIE K LIFE ESTATE
RICHARD D WIMPEE AND JUDY A HARRIS AND
JOE E WIMPEE AND JERRY M WIMPEE 704 E
MAPLE ST
FAYETTEVILLE, AR 72701

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

ROCKWALL ASSEMBLY OF GOD
C/O DAVID SPIEGEL
PO BOX 33
ROCKWALL, TX 75087

AWAJA PROPERTIES LLC
PO BOX 811
ROYSE CITY, TX 75189

To Whom It May Concern:

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

Case No. Z2020-002: 702 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/16/2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **3/16/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

— . . . PLEASE RETURN THE BELOW FORM —

Case No. Z2020-002: 702 Parks Avenue

Please place a check mark on the appropriate line below:

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

Name:	
Address:	

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

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

Case No. Z2020-002: 702 Parks Avenue

Please place a check mark on the appropriate line below:

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

A 2-STORY HOUSE IS FINE

Name: LOUIS LOUISE COATS Lois Louise Coats

Address: 512 E. HEATH ST. ROCKWALL, TX 75087-2221

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

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

120

120



NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745

EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

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

Case No. Z2020-002: 702 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary.

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

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

Case No. Z2020-002: 702 Parks Avenue

Please place a check mark on the appropriate line below:

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

IT IS OK TO HAVE A SINGLE-FAMILY HOME IN A RESIDENTIAL AREA

Name: GUILLERMO LOPEZ

Address: 605 E. HEATH ST. ROCKWALL TX 75087

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

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

Gonzales, David

From: Brooks Tolman [REDACTED]
Sent: Tuesday, March 10, 2020 5:25 PM
To: Gonzales, David
Subject: Fwd: 702 Parks Z2020-002

Mr Gonzales:

>

> I will be unable to attend tonight's meeting, so I would like to take this opportunity to express my support for the above mentioned zoning request. Please feel free to call or write with any questions.

>

> Thanks,

>

> Brooks Tolman

> 507 Parks Ave

> 214-454-7070 cell

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Case No. Z2020-002: 702 Parks Avenue

Please place a check mark on the appropriate line below:

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

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

We need to control our density. It should be single-family homes on larger lots. it will maintain proper values & not turn into Rental Properties.

Name:

Tyler Wimpee

Address:

801 E Heath St Rockwall, Tx 75087

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

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JEY BOWES
10.50⁰
03 2020
DE 75087



NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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Case No. Z2020-002: 702 Parks Avenue

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2020-002: 702 Parks Avenue

Please place a check mark on the appropriate line below:

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

We are opposed to 2 story houses exceeding 2000 ft² on a single 0.161 AC lot. This overwhelms both the lot and houses in the area.

Name: DAVID DOROTIK DD - 3/8/2020
Address: 508 PARKS AVE, ROCKWALL

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

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

Gonzales, David

From: Planning
Sent: Monday, March 9, 2020 9:51 AM
To: Gonzales, David
Subject: FW: 702 Parks and 610 Parks

From: Alison Odom [REDACTED]
Sent: Friday, March 6, 2020 8:54 PM
To: Planning <planning@rockwall.com>
Subject: 702 Parks and 610 Parks

Hello,

I am writing to express my concern about items (7) Z2020-002 and (8) Z2020-003 on the planning agenda for Tuesday, March 10, 2020. The addresses are 702 Parks and 610 Parks. I won't be able to speak at the meeting on Tuesday, so I'm writing this letter. I think it's important to point out to the Planning and Zoning board that the two homes in these items are to be placed on two of three lots that comprise the old address of 702 Parks. These are especially skinny lots and the size of the homes proposed will fill the entire width of the lot. While there are two SUPs requested at this time, there is a 3rd lot that is either currently for sale, or will be sold, and a third home will likely be built. It's important to remember how this will look when all three homes are built. I fear these three large homes will be squeezed onto these lots and loom over the existing smaller homes on either side. The reason the owners have to get the Special Use Permit is because the Unified Development Code was recently updated to protect established neighborhoods with no HOA to make sure that any infill would be "architecturally and visually similar or complementary to existing housing in the established subdivision". I think the two homes applying for the SUP will be, however, they will be squished onto 2/3 of the available space and a third large home will likely be built on the last lot. The size of the homes would NOT be visually similar or complementary to existing homes on the street. The homes being proposed are beautiful and match our neighborhood. One is two story and one is a single story. The single story is about 2200 square feet and the two story is about 2600 square feet. If it were just the two homes on the triple lot, this would be visually similar and complimentary to existing homes on the street. To add a third home is too much and would not look like the rest of the neighborhood. If three homes need to go on the three lots, they need to be the same size as the surrounding homes, which are about 1600 square feet or less. For your reference, the two story green home at 506 Parks (on the same street) is on the same size lot and is only 1600 square feet.

To approve these SUPs 'as-is' will set a precedence that investors can come in and mow down homes and trees in Old Town Rockwall in order to squeeze as many homes as possible into small spaces to sell and make a profit. This is very dangerous for our neighborhood and could become a slippery slope. This is not the burden of the land owner, she cannot control what happens in our neighborhood. This is the burden of the city to protect our downtown neighborhood. Our Old Town neighborhood is especially susceptible to exploitation with investors purchasing at least 4 properties that I know of in the past few months. The City must help preserve the integrity of what is allowed to be built in our neighborhood. The updated UDC is a wonderful step in the right

direction. If we approve these huge homes on small lots, we could end up with the McMansion effect that has destroyed many old Dallas neighborhoods. Again, I like the plans of the homes that are being proposed, but I do not think they will be visually similar and complement the other homes on the street and in the neighborhood. For this reason I am asking you to deny the SUP, or ask the owner to tweak the size to match the rest of the neighborhood.

Thank you,

Alison Odom

405 N Fannin St.

Rockwall, TX 75087

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Gonzales, David

From: Planning
Sent: Tuesday, March 3, 2020 4:54 PM
To: Gonzales, David
Subject: FW: Case No Z2020-003

From: Elizabeth Trowbridge [REDACTED]
Sent: Tuesday, March 3, 2020 3:22 PM
To: Planning <planning@rockwall.com>
Subject: Case No Z2020-003

Attn: David Gonzales

Rockwall Planning and Zoning Dept.

385 S. Goliad St.

Rockwall, TX 75087

From: Elizabeth Trowbridge

601 Parks Ave

Rockwall, TX 75087

I am unable to attend the March 10 meeting regarding Case No. Z2020-003: 610 Parks Avenue.

I AM OPPOSED to the request for the reasons listed below:

- **DENSITY:** They are building 3 huge houses on what will be 3 tiny lots.
- **IT DOES NOT ALIGN** with the Architectural Integrity of the neighborhood
- Large two-story houses **do not fit** in the neighborhood.

- (Reference the house on the 400 block of Clark St. that looms over the neighboring houses.) Hideous!
- This new build will ruin the **integrity** of neighborhood.
- **This is the “historic” old town of Rockwall and with that comes a certain charm, aesthetic and characteristics of the homes and the neighborhood.**
- We don’t want teardowns and big builds. I am afraid this will set a precedent for other small houses to be torn down and oversized houses to be built.

What is great about our neighborhood is that it is truly a melting pot of new and old Rockwall. There are families that have lived here for more than 40 years than can tell stories about the neighborhood. The people that live here are invested in improving the neighborhood and enhancing their homes – not tearing down and building huge eyesores. I am afraid that if this passes, the smaller houses/homeowners on our street will be preyed upon to try to sell for more “investors” to tear down and change our wonderful neighborhood. They have already torn down 100-year-old trees when they could have easily kept them.

Please do not approve this as is.

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Gonzales, David

From: Planning
Sent: Wednesday, March 4, 2020 7:45 AM
To: Gonzales, David
Subject: FW: 600 Block on Parks Ave

From: Maggie Dingwell [REDACTED]
Sent: Tuesday, March 3, 2020 9:11 PM
To: Planning <planning@rockwall.com>
Cc: [REDACTED]
Subject: 600 Block on Parks Ave

To whom it may concern,

My husband and I are residents at 605 Parks Ave - right across the street from the projected 610 and 702 Parks Ave lot where a single family home was recently torn down. When we heard the plan that the area was being zoned for three homes, we were shocked and disappointed. Not to mention, we were also made aware that these “two-story homes”, will be more like three-story as the roof lines will not be synonymous with the other two-story homes on our street. In addition, all the trees were destroyed making the space look desolate and totally out of place.

The downtown Rockwall area is a special place - full of character where each home takes on its own unique look. To learn that the new owner is projecting to have three, “three-story” homes is a devastating. The current houses on the street have space between one another, one of the many features that makes this neighborhood so wonderful. This is not a new area, like Fate, where there are no trees and houses look identical. We take pride, as all of the residents do, in enhancing our homes to make it a beautiful place to live.

I pray that the city respects this area and does not pass this plan - to build three mansions just feet away from one another. Think about the neighbors on either side of these homes. These new builds will tower over them, twice as high, taking away the charm of the neighborhood. If this is passed, it will set a precedent for when other homes on the block go up for sale, and an owner comes in, tears it down, and chooses to build a ridiculously massive house - a style that doesn't belong here.

This isn't your typical neighborhood. The history and the families making memories, makes it a place where people want to make it their forever home. We have a one year old daughter who we are blessed to have grow up on this street. We take her on wagon rides and go on our family walks up and down Parks Ave - I would hate to see the look of our neighborhood change because a person who doesn't live here wants to make a pretty penny on the land. We are absolutely for making the homes better, fixing them up - but not in this way.

Please don't build “three-story” homes. Respect this neighborhood and those that live here.

Thank you for your time.
Maggie and Adam Dingwell

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Gonzales, David

From: Planning
Sent: Monday, March 9, 2020 3:13 PM
To: Gonzales, David
Subject: FW: items (7) Z2020-002 and (8) Z2020-003

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

From: Taylor Pointer [REDACTED]
Sent: Monday, March 9, 2020 2:45 PM
To: Planning <planning@rockwall.com>
Subject: items (7) Z2020-002 and (8) Z2020-003

Dear planning and zoning,

I am writing to regarding items (7) Z2020-002 and (8) Z2020-003 on the planning agenda for Tuesday, March 10, 2020. The addresses are 702 Parks and 610 Parks. We are out of town for spring break so will be unable to attend the meeting so we are writing to express our concern about the two homes to be placed on two of three lots on the old address of 702 Parks. We ask that the owner of the land build only the two houses on the three lots so that, just as the Unified Development Code which was recently updated to protect established neighborhoods with no HOA, the two houses would remain "architecturally and visually similar or complementary to existing housing in the established subdivision".

If three houses must be approved, we ask that they match the surrounding houses by decreasing the sq ft to about 1600 sq ft to again match the neighborhood.

This is such an important precedence as investors have started to buy properties in Old Town Rockwall likely with the plan to mow them down along with their beautiful trees in order to squeeze as many homes as possible into small spaces to sell and make a profit. Please protect our neighborhood from this! The City MUST help preserve the integrity of Old Town and make careful consideration on what is allowed to be built. We are grateful for the updated UDC. Huge homes on small lots, do NOT preserve the integrity of Old Town. Please deny the SUP, or request the owner to build three smaller homes.

Thank you!

Sincerely,
Taylor and Price Pointer
602 Williams St
Rockwall, TX 75087

Sent from my iPhone

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Henry House Plans

702 PARKS AVE. • ROCKWALL • TEXAS • 75087



THIS ELEVATION MAY NOT MATCH THE CONSTRUCTION DRAWINGS

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LIABILITY

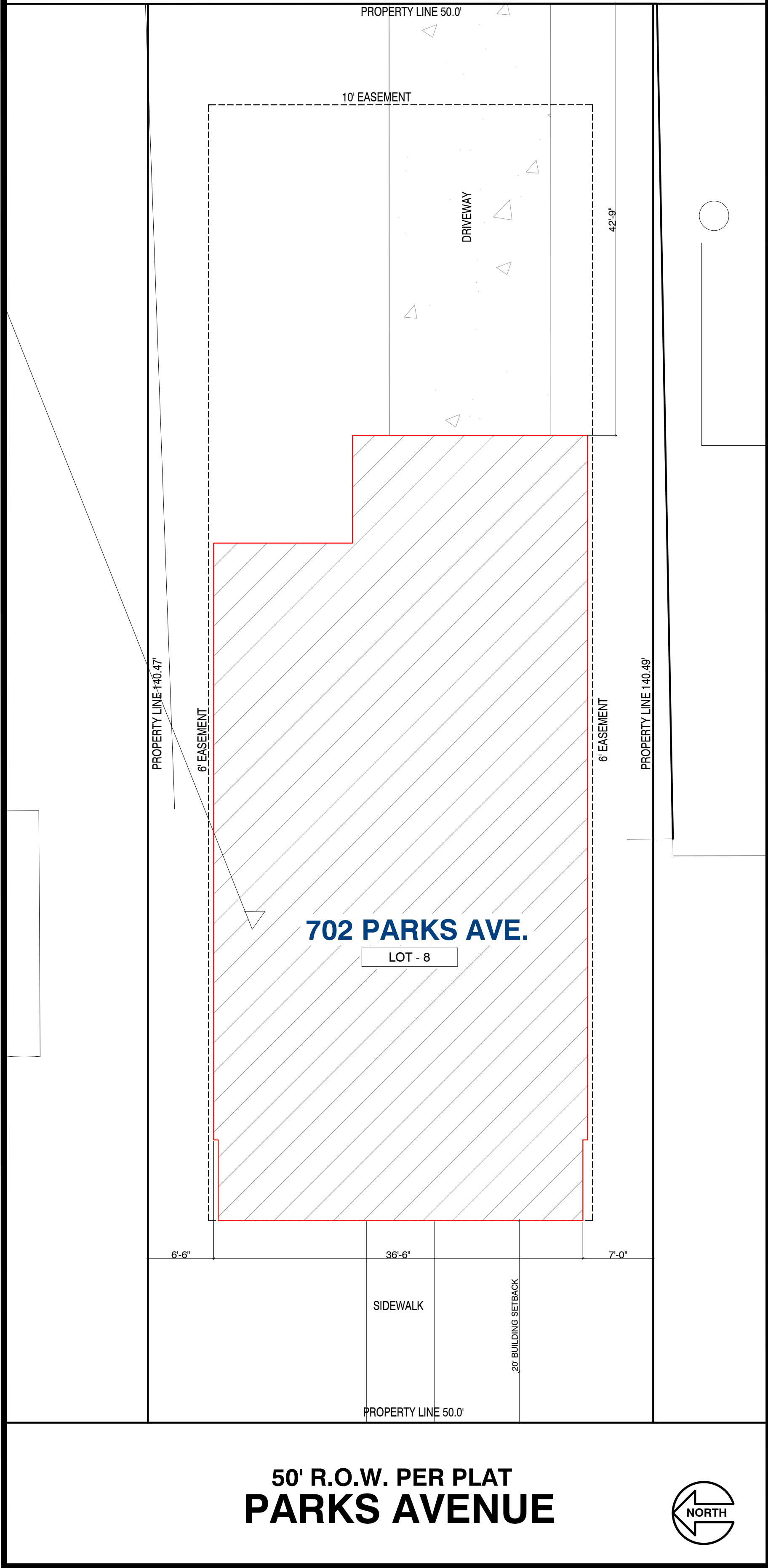
LATIMER DESIGNS, INC. ASSUMES NO LIABILITY FOR ANY STRUCTURE CONSTRUCTED FROM THIS SET OF PLANS. IT IS THE RESPONSIBILITY OF THE PURCHASER OF THE PLANS AND/OR CONTRACTOR TO OBTAIN THE FOLLOWING PRIOR TO CONSTRUCTION:

- CONSULT WITH A STRUCTURAL ENGINEER TO VERIFY:
 - DESIGN, SIZE, AND REINFORCEMENT LOADS.
 - ALL SITE CONDITIONS, TO INCLUDE SOIL TESTING FOR BEST LOCATION OF FOUNDATION.
 - FOUNDATION DESIGN
- CONSULT/VERIFY ALL ASPECTS OF PLANS FOR LOCAL CODES AND ORDINANCES FOR THE CONSTRUCTION LOCATION.

LIMIT OF DESIGNERS LIABILITY IS NOT TO EXCEED PRICE PAID FOR SET OF PLANS. LATIMER DESIGNS, INC. IS NOT LIABLE FOR ANY CHANGES MADE TO THIS SET OF PLANS NOR ASSUMES ANY LIABILITY FOR WORK/ADVICE PROVIDED BY THE CONTRACTOR OR OTHERS INVOLVED IN THE CONSTRUCTION PROCESS.

LATIMER DESIGNS, INC. IS NOT A REGISTERED ARCHITECT.

CLARK STREET 40' R.O.W. PER PLAT



SITE PLAN
SCALE: 1/8" = 1' - 0"

GENERAL NOTES

- THIS SET OF CONSTRUCTION PLANS IS INTENDED TO PROVIDE THE NECESSARY INFORMATION TO COMPLETE THE CONSTRUCTION OF THIS PROJECT.
- ALL NECESSARY PERMITS, INSPECTIONS, AND CERTIFICATES OF APPROVAL SHALL BE PAID FOR BY EITHER THE GENERAL CONTRACTOR OR THE HOME OWNER.
- ALL BUILDING CODES (NATIONAL, STATE, AND LOCAL) ARE TO COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE - LATEST EDITION. THE BUILDING CODES TO SUPERSEDE ANY NOTES OR SPECS ON THESE PLANS. ALL SUBCONTRACTORS ARE RESPONSIBLE FOR APPLYING TO THEIR RESPECTIVE CODES.
- ALL JOBSITE CHANGES AND DECISIONS ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- FIELD VERIFICATIONS FOR ALL MEASUREMENTS ARE TO BE DONE BY EACH SUBCONTRACTOR IN RELATION TO THEIR TRADE FOR VERIFICATION OF MEASUREMENTS, DIMENSIONS, AND EXISTING CONDITIONS.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY AND CHECK THE PLANS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES, ERRORS, OR OMISSIONS FOUND WITHIN THE PLANS ARE TO BE BROUGHT TO THE ATTENTION OF LATIMER DESIGNS, INC. PRIOR TO ANY WORK BEING DONE.
- THE GENERAL CONTRACTOR SHALL PROVIDE NECESSARY ENERGY CALCULATIONS TO COMPLY WITH LOCAL ENERGY CODES.
- ALL DIMENSIONS ARE FOR ROUGH FRAMING. ALL STUD WALLS ARE DIMENSIONED AT 4" NOMINAL, BRICK LEDGES AT 5.5" NOMINAL, METAL SIDING LEDGES AT 1.5" NOMINAL, AND THIN WALLS AT 2" NOMINAL.
- ALL DIMENSIONS ARE TO BE FIELD VERIFIED.
- FOUNDATION PLAN, ROOF PLAN, AND FLOOR FRAMING PLANS ARE SCHEMATIC ONLY. REFER TO STRUCTURAL ENGINEER'S DRAWINGS FOR NOTES AND SPECS. (IF REQUIRED, TO BE PROVIDED BY GENERAL CONTRACTOR).
- ALL EXTERIOR WINDOW AND DOOR INSTALLATIONS TO BE IN STRICT COMPLIANCE WITH MANUFACTURER'S SPECIFICATIONS.
- ALL CARPENTRY WORK SHALL BE ERECTED PLUMB AND TRUE, FOLLOWING BEST PRACTICES OF THE TRADE. TRIM WORK SHALL BE NEATLY CUT AND FIT.
- ALL LUMBER SHALL BE S4S UNO
- FRAMER TO PROVIDE BACKING FOR ALL APPROPRIATE FINISH MATERIALS.
- GENERAL CONTRACTOR AND PRODUCT SUPPLIER ARE RESPONSIBLE FOR ALL SAFETY GLASS WHERE REQUIRED BY CODE.
- ALL SHOWER DOORS TO BE CHOSEN BY HOME OWNER.
- ALL OF THE FOLLOWING APPLIANCES TO BE CHOSEN BY THE HOME OWNER: REFRIGERATOR, RANGE, EXHAUST HOOD, MICROWAVE, GARBAGE DISPOSAL, DISHWASHER, WASHER & DRYER.
- PLUMBER TO PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT FOR THE COMPLETE INSTALLATION OF THE PLUMBING SYSTEM, INCLUDING ALL HOT AND COLD WATER DISTRIBUTION AND ALL NECESSARY WASTE SYSTEMS.
- PLUMBER TO PROVIDE A COLD WATER LINE TO THE REFRIGERATOR & FREEZER.
- THE HVAC CONTRACTOR SHALL PROVIDE A LAYOUT SHOWING DUCT AND VENT LOCATION, AS WELL AS EQUIPMENT SPECS. THE HEATING SYSTEM SHALL BE INSTALLED TO ALL CODE REQUIREMENTS.
- CONTRACTOR TO VERIFY HOUSE/SLAB LOCATION WITH OWNER PRIOR TO CONSTRUCTION.

ABBREVIATIONS

AB	ANCHOR BOLT	FD	FLOOR DRAIN	R	RADIUS
ADJ	ADJUSTABLE	FDN	FOUNDATION	R&S	ROD & SHELF
AFF	ABOVE FINISH FLOOR	FF	FINISH FLOOR	SH	SHELF(S)
BLDG	BUILDING	FLR	FLOOR	SHWR	SHOWER
BLK	BLOCK	FT	FEET	SIM	SIMILAR
BM	BEAM	FTG	FOOTING	SQ	SQUARE
CAB	CABINET	GL	GLASS	STL	STEEL
CLG	CEILING	H	HIGH	TBD	TO BE DETERMINED
CLR	CLEAR	LC	LAUNDRY CHUTE	TOJ	TOP OF JOIST
CONC	CONCRETE	LG	LONG	TOS	TOP OF SLAB
DBL	DOUBLE	ML	MICROLAM	TR	TRANSOM
DIA	DIAMETER	MTL	METAL	TYP	TYPICAL
DN	DOWN	OC	ON CENTER	UNO	UNLESS NOTED OTHERWISE
DWG	DRAWING	PT	PRESSURE TREATED	V	VERTICAL
EA	EACH	PTB	PARTICLE BOARD	WD	WOOD
EQ	EQUAL				

DRAWING INDEX

A - 1.01	COVER SHEET
A - 1.02	FRONT & LEFT ELEVATION
A - 1.03	BACK & RIGHT ELEVATION
A - 1.04	FLOOR PLAN
A - 1.05	FOUNDATION/PLUMBING PLAN
A - 1.06	ROOF PLAN
A - 1.07	ELECTRICAL PLAN

SQUARE FOOTAGE

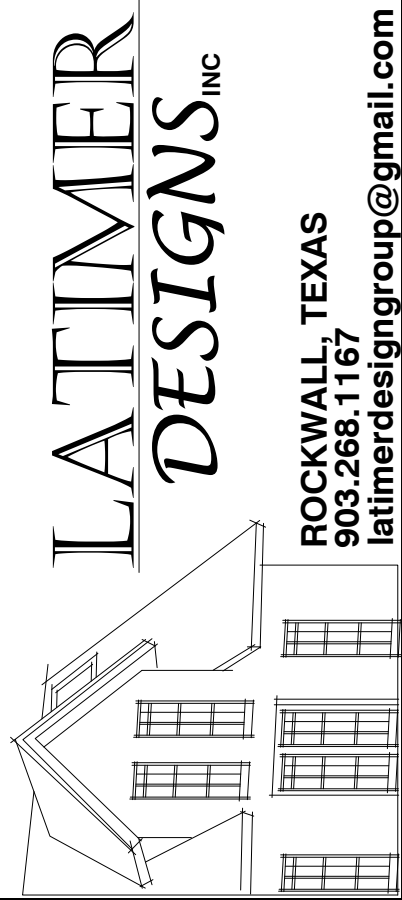
LIVING SPACE	2660
GARAGE	500
FRONT PORCH	290
BACK PORCH	186

BUILDING DEVELOPEMENT

OWNER	AMANDA HENRY 972.896.1538 mhennytx@me.com
GENERAL CONTRACTOR	TRITON GENERAL CONTRACTING REESE BAEZ 214.738.8752 RBAEZ@TRITONGC.COM
DESIGN FIRM	LATIMER DESIGNS INC. LEE ANN LATIMER 903.268.1167 LATIMERDESIGNGROUP@GMAIL.COM

PROPERTY DESCRIPTION

CASE #	Z2020-002
LOCATION	702 PARKS AVE. ROCKWALL, TX 75087 BLK D - LT 8
NEIGHBORHOOD	N3600-3-19
PROPERTY ID	16619
LEGAL DESCRIPTION	FOREE, BLOCK D, LOT 7,8,9
ZONING	SF3
GEOGRAPHIC ID	3710-000D-0008-00-0R



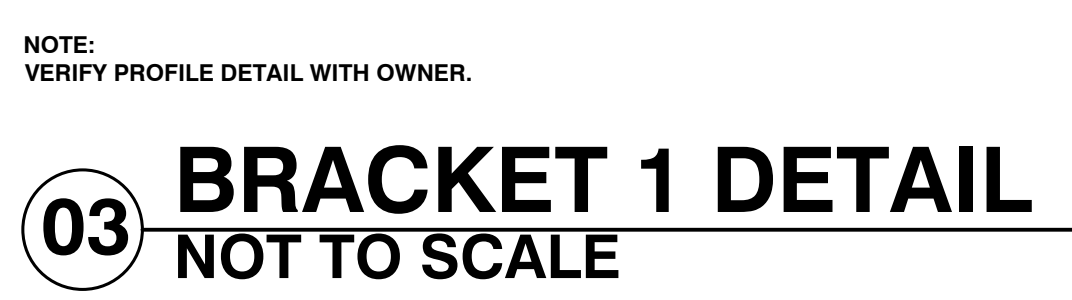
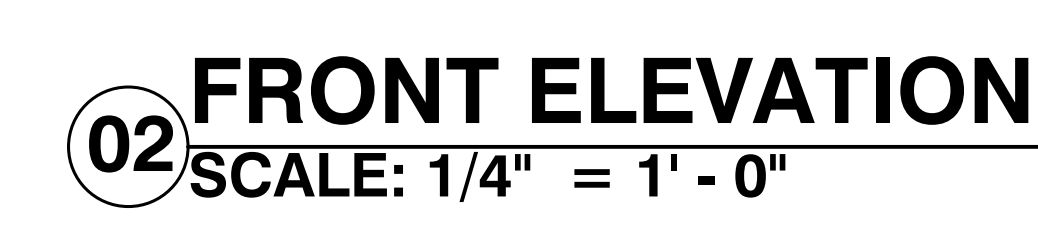
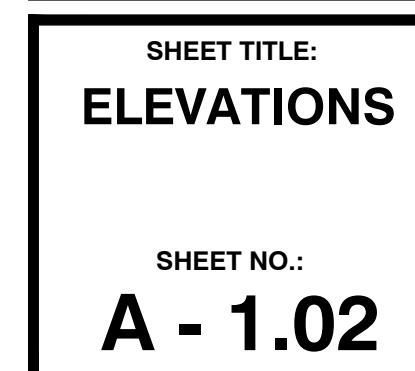
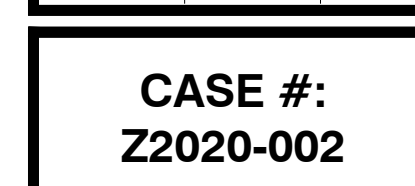
DRAWN BY:
CHECKED BY:
DATE:
ISSUED FOR PERMIT:
ISSUED FOR CONSTRUCTION:
REVISIONS:
11.17.2019: KITCHEN - FLIP SINK & RANGE. ADDED WINDOW
12.04.2019: LAUNDRY ROOM LAYOUT PLUMBING ELECT.: DIM. SWITCHES & ADDED RCL'S

PROJECT/CLIENT:	MANDY HENRY
LOCATION:	702 PARKS AVE. • ROCKWALL • TX • 75087
DATE:	06.06.2019

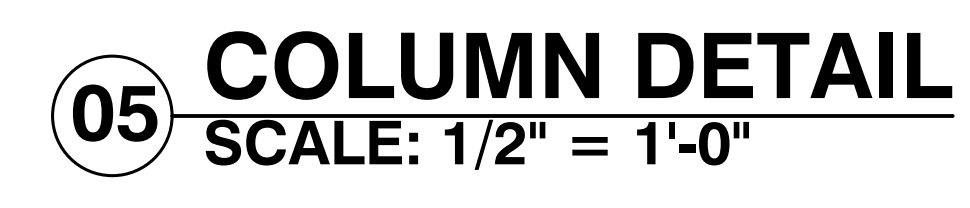
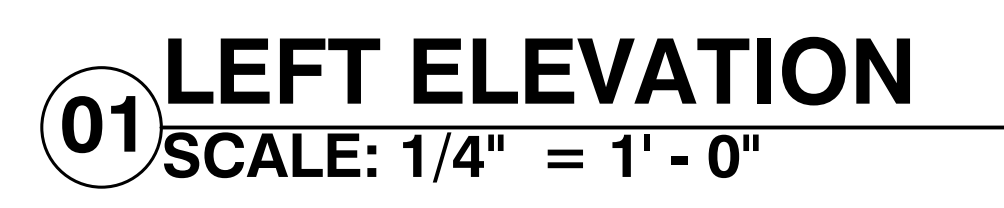
CASE #:
Z2020-002

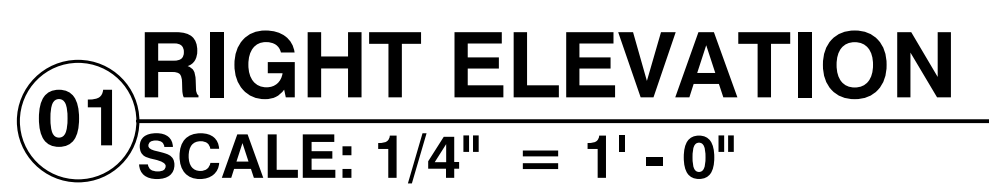
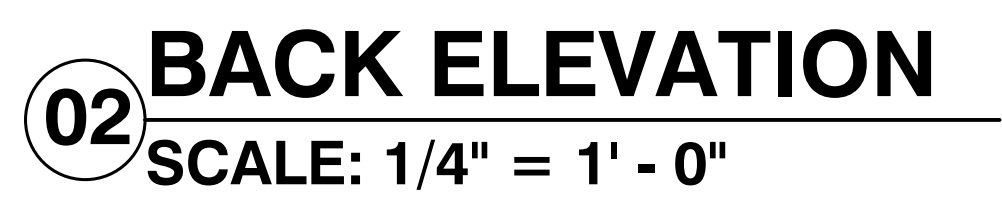
SHEET TITLE:
COVER SHEET

SHEET NO.:
A - 1.01



- ## NOTES
-
1. OWNER TO SELECT ALL WINDOW & DOOR STYLES.
 2. ALL GROUND LINES ARE APPROXIMATE.
 3. VERIFY ALL EXTERIOR MATERIALS WITH OWNER PRIOR TO CONSTRUCTION.
 4. VERIFY WINDOW SURROUND MATERIAL & STYLE WITH OWNER.



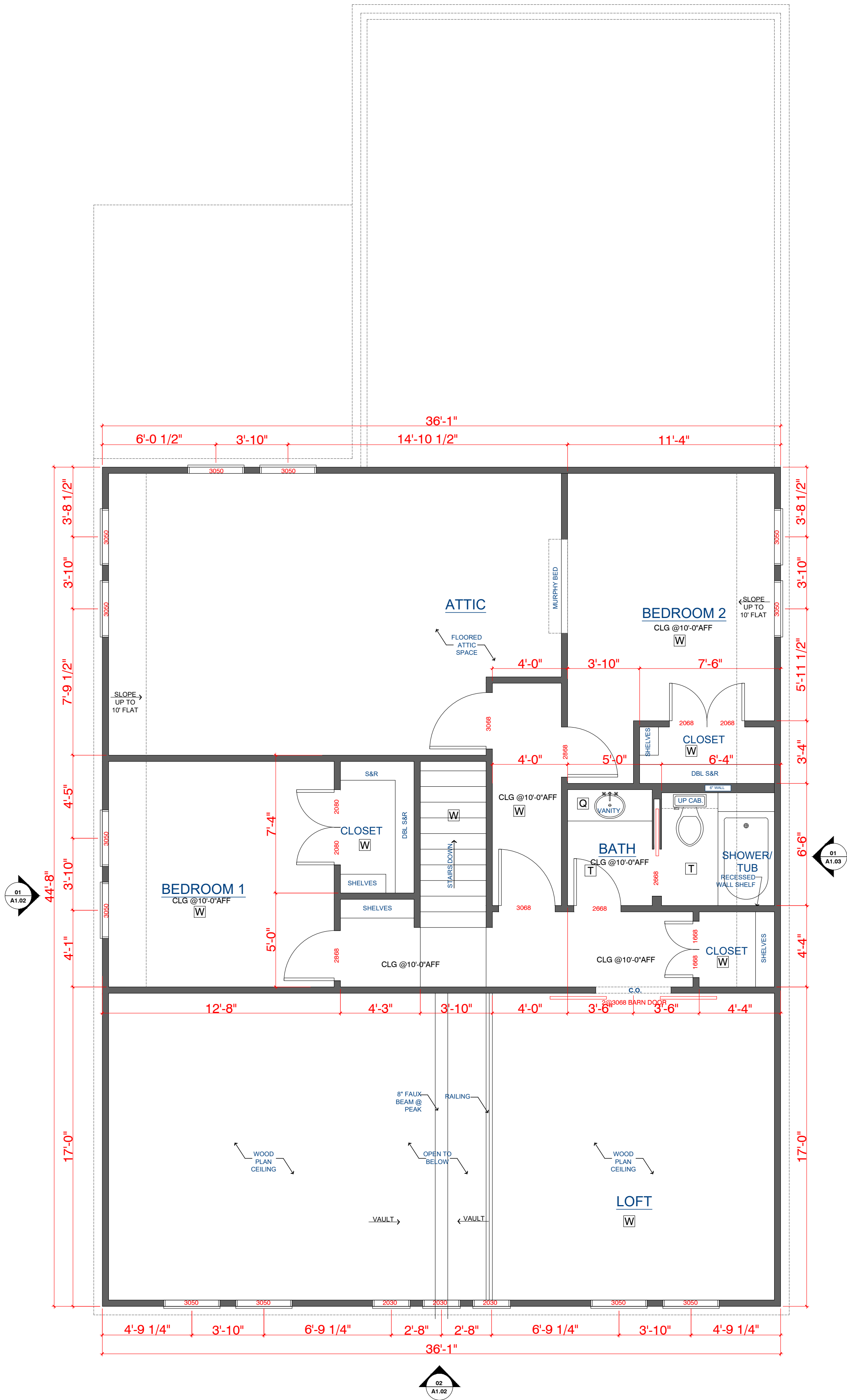
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PROJECT/CLIENT:	MANDY HENRY
LOCATION:	702 PARKS AVE. • ROCKWALL • TX • 75087
DATE:	06.06.2019

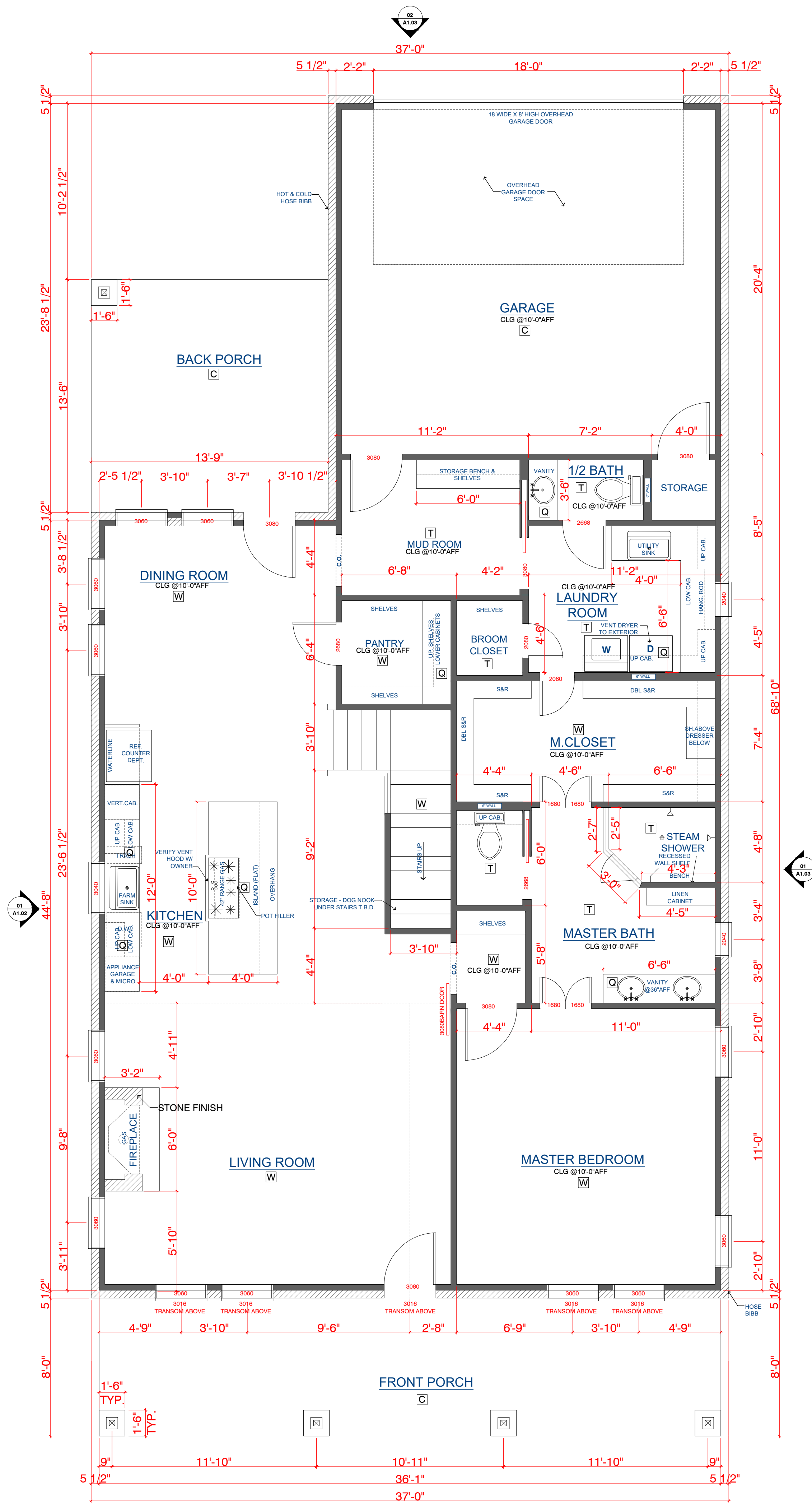
CASE #:
Z2020-002

SHEET TITLE:
ELEVATIONS

SHEET NO.:
A - 1.03



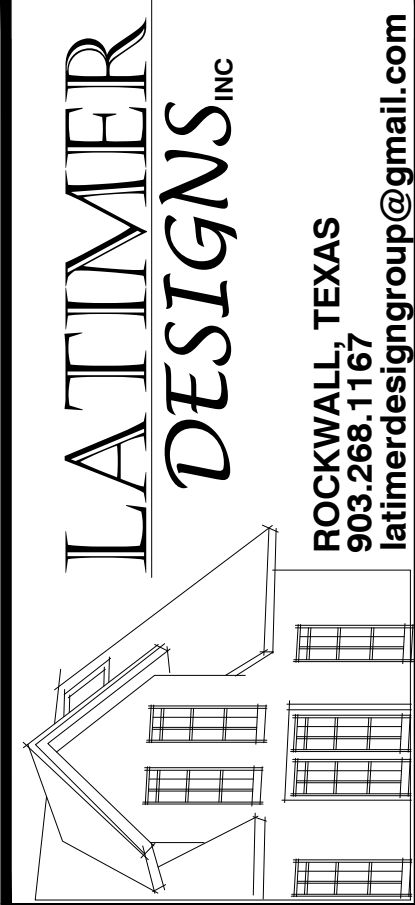
02 FLOOR PLAN - 2ND FLOOR
SCALE:1/4" = 1' - 0"



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

FINISH SCHEDULE	
W	WOOD PLANK
C	CONCRETE
Q	QUARTZ
T	TILE
ALL DOORS, CASED OPENINGS, & WINDOWS TO HAVE TRIMMED CASEMENT.	

- | GENERAL NOTES | |
|---------------|--|
| 1. | ALL BEAM SIZES TO BE VERIFIED BY STRUCTURAL ENGINEER. |
| 2. | WINDOW EXAMPLE: 2850, 2'-8" WIDE BY 5'-0" TALL, DOOR EXAMPLE: 3080, 3'-0" WIDE BY 8'-0" TALL, DOOR & WINDOW SIZES ARE GIVEN IN INCHES IN WIDTH & HEIGHT RESPECTIVELY. |
| 3. | IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY CLEARANCES OF THE ITEMS MENTIONED ABOVE PRIOR TO CONSTRUCTION. |
| 4. | CONTRACTOR SHALL VERIFY ALL INTERIOR FINISHES, FLOOR COVERINGS, & TRIM SIZES & CONFIGURATIONS WITH OWNER PRIOR TO CONSTRUCTION. |
| 5. | CONTRACTOR TO VERIFY ALL DIMENSIONS & EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION. |
| 6. | REFER TO EXTERIOR ELEVATIONS FOR EXTERIOR WALL FINISHES. |
| 7. | REFER TO MANUFACTURERS SPECS FOR ROUGH OPENING DIMENSIONS, FOR DOORS & WINDOWS. |
| 8. | CONTRACTOR SHALL MAKE ALL NECESSARY MODIFICATIONS DURING CONSTRUCTION PROCESS TO COMPLY WITH I.R.C. (INTERNATIONAL RESIDENTIAL CODE), LATEST EDITION, OR APPLICABLE CODES AT SITE. |
| 9. | CEILING AS NOTED ON DRAWING. |
| 10. | FRAMED WALLS TO BE 2X4 STUDS @16"O.C. |
| 11. | CONTRACTOR TO ADD FLOORING FOR ATTIC SPACE. |
| 12. | CONTRACTOR TO LOCATE HVAC UNITS & WATER HEATER - TANK UNIT |
| 13. | ALL CABINET DIMENSIONS TO BE VERIFIED ON SITE BY GENERAL CONTRACTOR, PRIOR TO ORDERING OR BUILDING OF CABINETS. |
| 14. | ALL CABINET FINISHES & HARDWARE TO BE SELECTED BY OWNER. |
| 15. | ALL FINISHED, DESIGN DETAILS (I.E.: MILLWORK, FIREPLACE STYLE, ETC.), & APPLIANCES TO BE SELECTED BY OWNER. |
| 16. | CONTRACTOR TO INSTALL BLOCKING IN WALLS FOR ALL BATHROOMS FOR FURTHER GRAB BARS. |



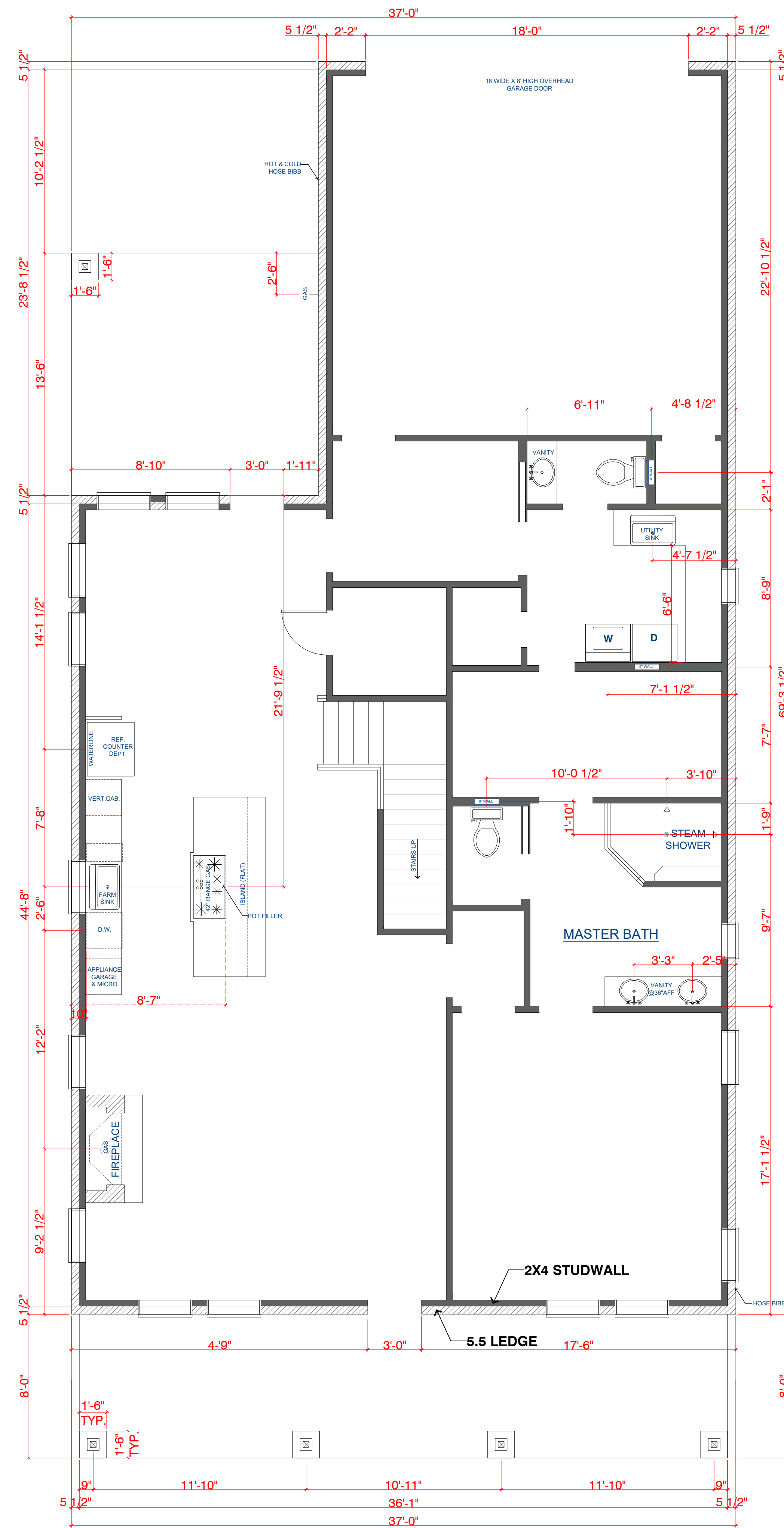
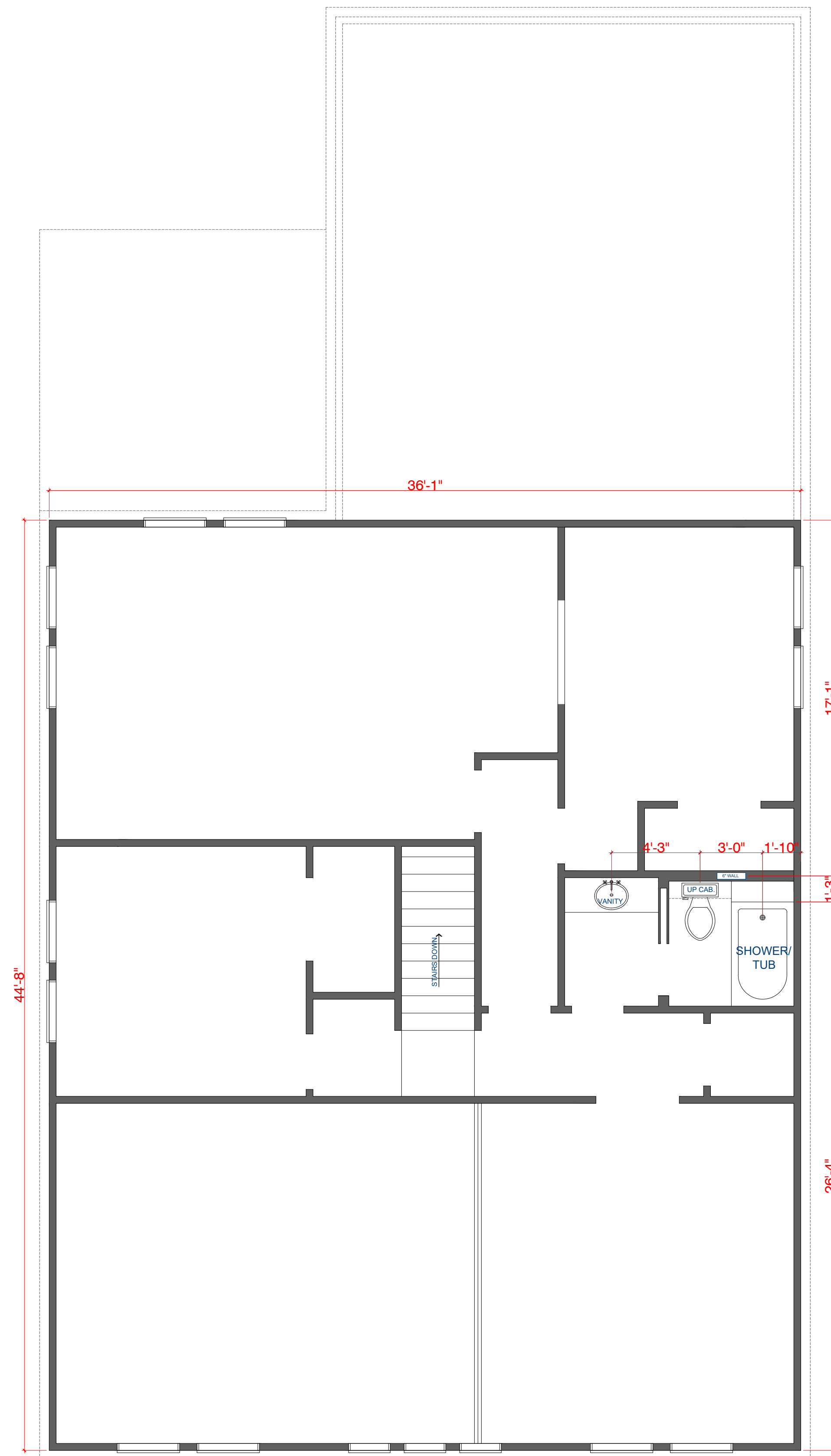
DRAWN BY:
CHECKED BY:
DATE:
ISSUED FOR PERMIT:
ISSUED FOR CONSTRUCTION:
REVISIONS:

PROJECT/CLIENT:
MANDY HENRY
LOCATION:
702 PARKS AVE. • ROCKWALL • TX • 75087
DATE:
06.06.2019

CASE #:
Z2020-002

SHEET TITLE:
FLOOR PLAN

SHEET NO.:
A - 1.04



NOTES

ALL JOIST, BEAMS, POST, & HEADERS TO BE SIZED BY STRUCTURAL ENGINEER. LATIMER DESIGNS LLC IS NOT RESPONSIBLE FOR ANY OF THE ABOVE SPECIFICATIONS. IT IS THE GENERAL CONTRACTORS RESPONSIBILITY TO OBTAIN ALL NECESSARY ENGINEERED DRAWINGS OR MANUFACTURES LAYOUTS FOR THE EXACT LOCATIONS REQUIRED FOR BUILDING. FOUNDATION TO BE SLAB ON GRADE.

WATER HEATERS TO BE TANKLESS: QTY - 1: GAS

ALL PLUMBING DIMENSIONS TO BE VERIFIED WITH SELECTED FIXTURE PER
MANUFACTURERS SPECIFICATIONS; SELECTIONS BY OWNER.
ALL PLUMBING DIMENSIONS ARE MARKED ON CENTER LINES OF FIXTURE TO
EXTERIOR WALL FACE.

PLUMBER TO VERIFY FILTRATION SYSTEM WITH OWNER.

DRAWN BY:

CHECKED BY:

DATE: _____

ISSUED FOR PERMIT:

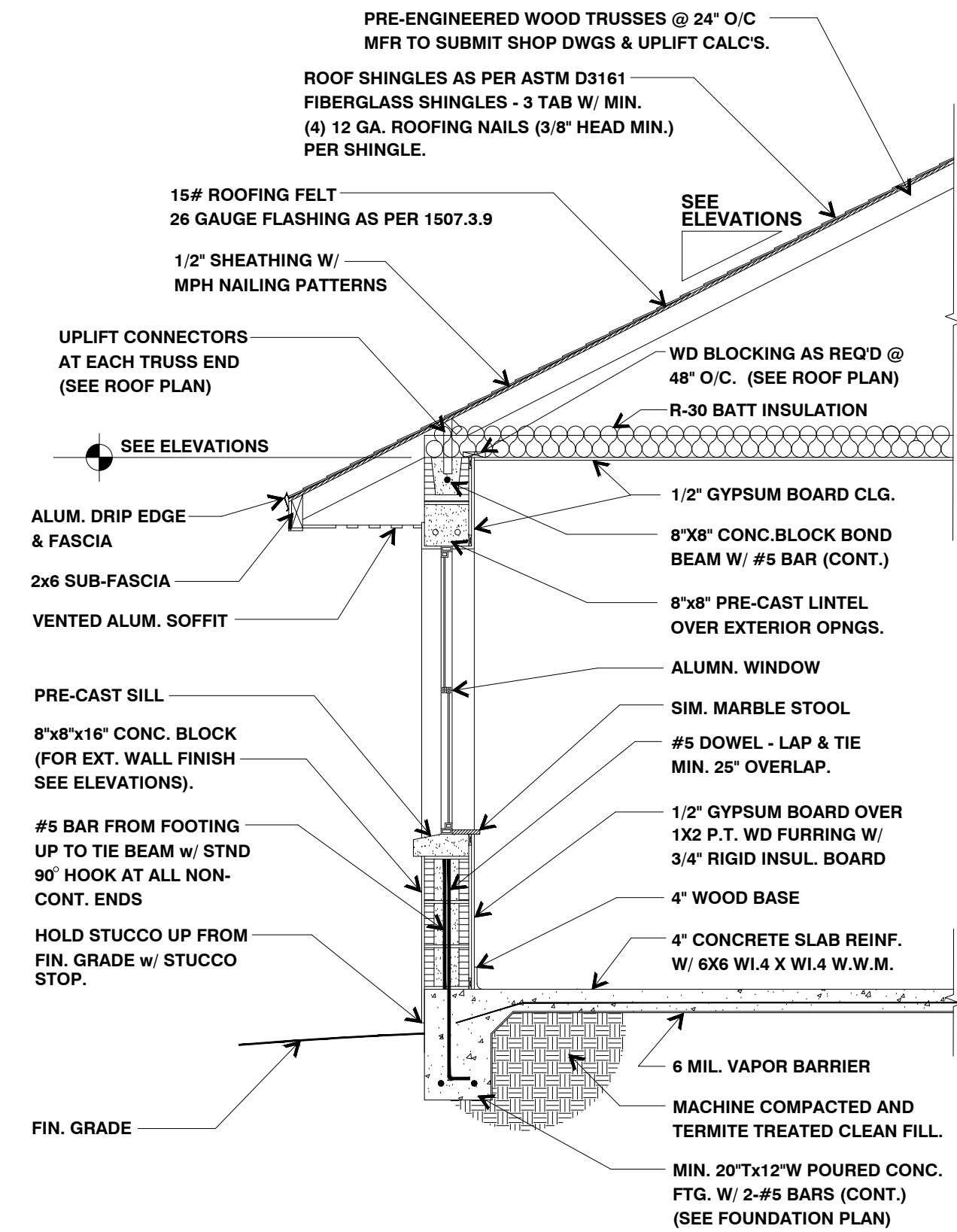
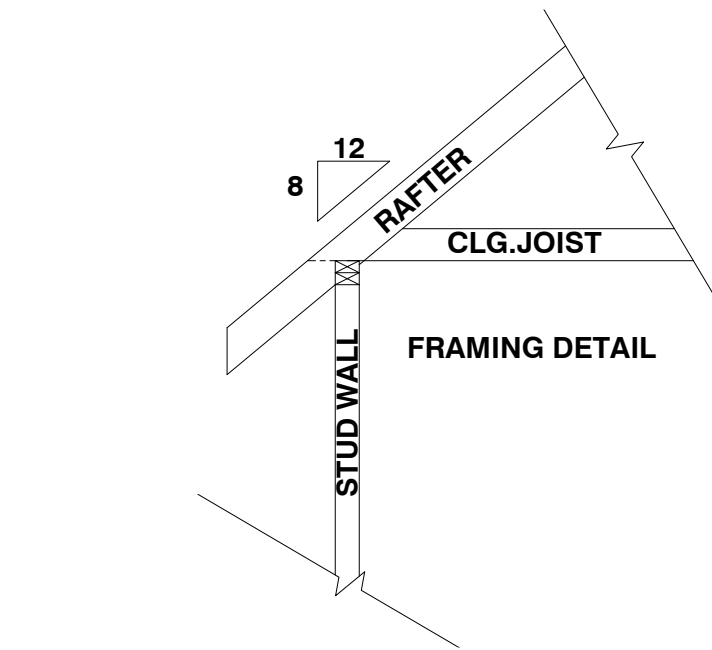
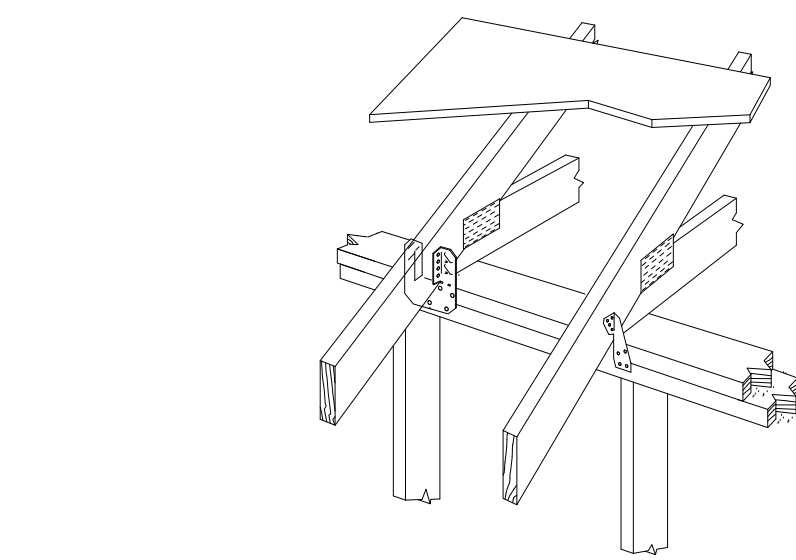
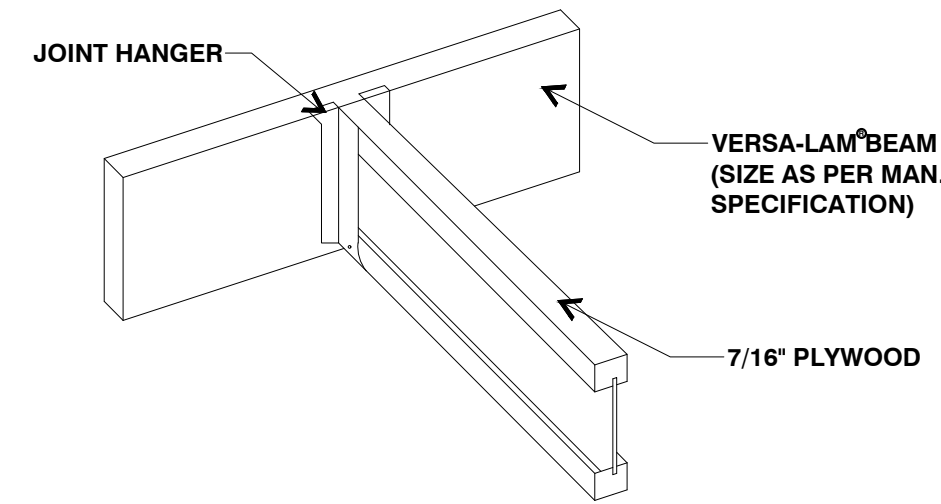
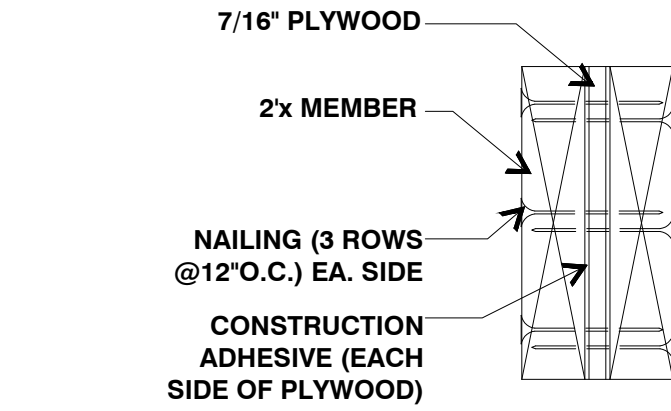
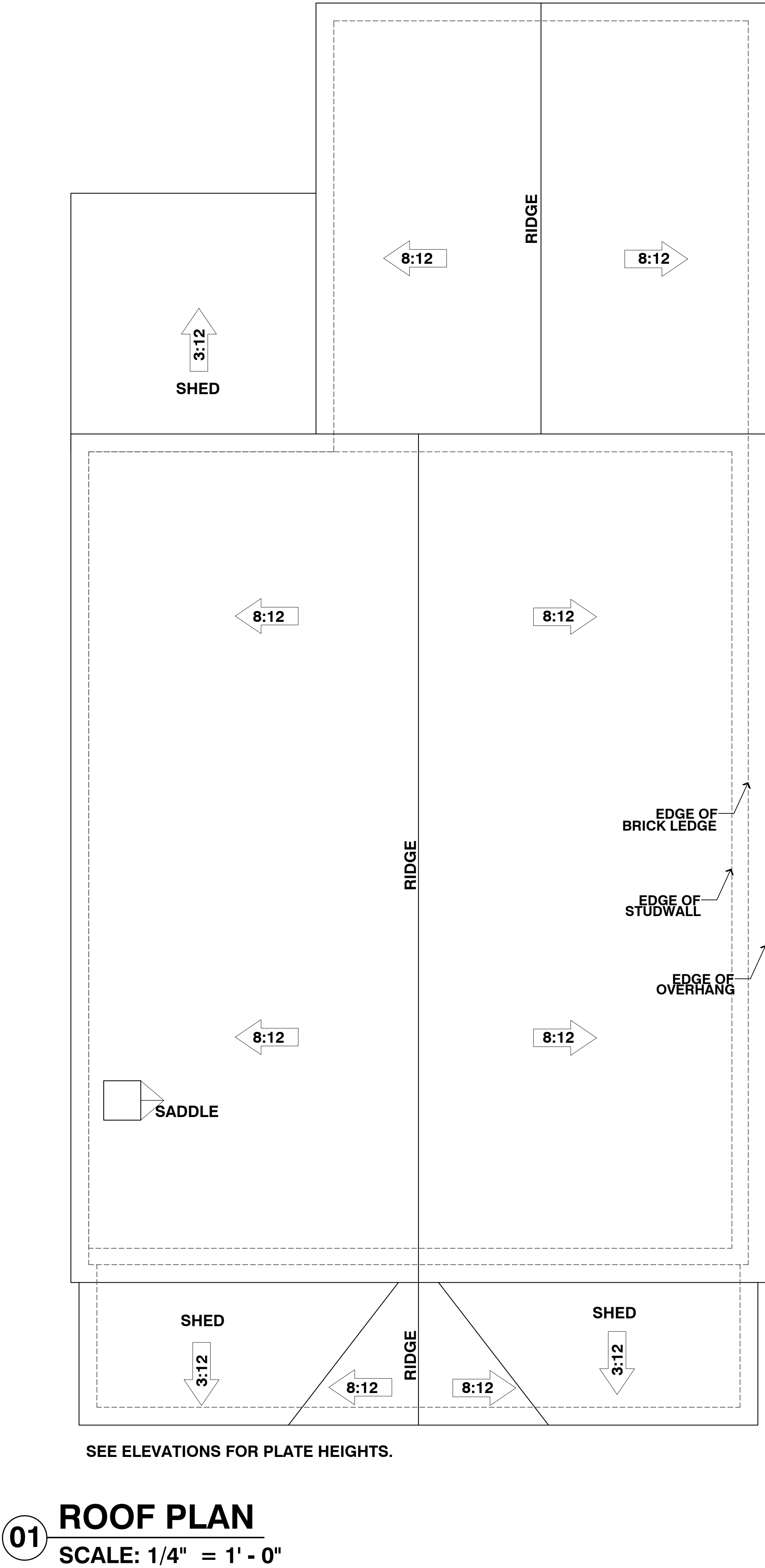
**ISSUED FOR
CONSTRUCTION:**

REVISIONS:

PROJECT/CLIENT:
MANDY HENRY

CASE #:
Z2020-002

SHEET TITLE:
**FOUNDATION
& PLUMBING
PLAN**
SHEET NO.:
A - 1.05

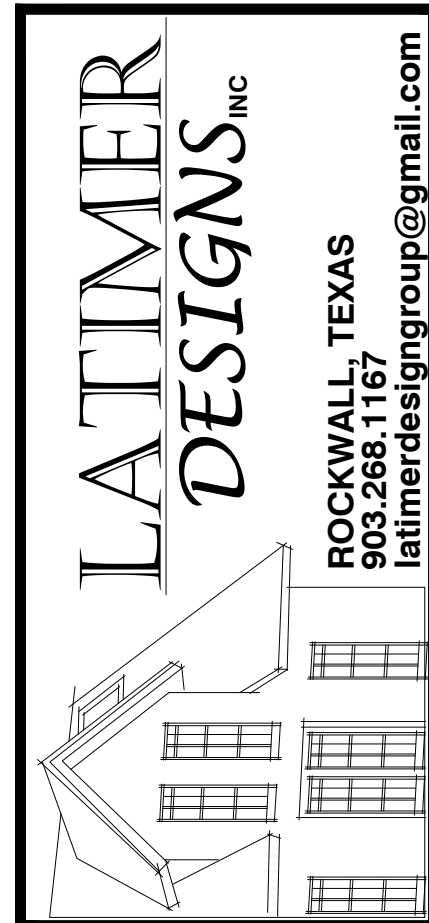


FRAMING NOTES

1. WALL FRAMING TO BE METAL STRUCTURE WITH INTERIOR WALLS TO BE 2X4 STUDS @ 16" O.C. FRAMED ON THE INSIDE OF METAL COLUMNS.
2. CONTRACTOR TO PROVIDE 2" BLOCKING BETWEEN ALL CEILING JOIST.
3. ALL LUMBER TO BE #2 S.Y.P. OR GREATER.
4. CONTRACTOR TO VERIFY ALL LUMBER SIZES & SPACING TO MEET ALL LOCAL & NATIONAL CODES APPLICABLE @ BUILDING SITE. ALL BEAM SIZES TO BE VERIFIED BY STRUCTURAL ENGINEER.
5. ALL CEILING JOISTS SIZED TO MEET "SOUTHERN PINE COUNCIL" 2003 ED. ALL CEILING JOISTS ARE SIZED TO: 10 PSF (LIVE LOAD), 5 PSF (DEAD LOAD), WITH L/240 DEFLECTION. IF ATTIC STORAGE IS REQUIRED, CEILING JOISTS TO BE SIZED 20 PSF (LIVE LOAD), 10 PSF (DEAD LOAD).
6. ALL SITE BUILT BEAMS TO HAVE 7/16" PLYWOOD BETWEEN EACH 2"x. GLUED & NAILED UNLESS NOTED OTHERWISE.
7. ALL CEILING JOISTS ARE 2"x6" SHOWN AT 24" O.C. UNLESS NOTED OTHERWISE.
8. ALL BEAM SIZES & LOCATIONS TO BE VERIFIED BY A LICENSED STRUCTURAL ENGINEER.
9. ALL OVERHANGS TO BE 1'-0" FROM OUTSIDE FACE OF STUDWALL, UNLESS NOTED OTHERWISE.
10. ALL RIDGE BEAMS, HIP RAFTERS, & VALLEY RAFTERS ARE TO BE CUT FROM 2" X 10", NO. 2, S.Y.P.
11. ALL RAFTERS SHOWN ARE TO BE CUT FROM 2" X 6", NO. 2, S.Y.P.
12. ALL WORK SHALL BE IN COMPLIANCE WITH ALL APPLICABLE BUILDING CODES, AT SITE.
13. ALL ROOF/WALL INTERSECTIONS & VALLEYS TO BE THOROUGHLY FLASHED W/ 22 GA., G.I., 24" WIDE MINIMUM.
14. CONTRACTOR TO PROVIDE PROPER BRACING AS REQUIRED TO MEET ALL LOCAL & NATIONAL CODES.

ROOF NOTES

1. ALL ROOF PITCHED TO BE VERIFIED WITH EXTERIOR ELEVATIONS.
2. PROVIDE ALL FLASHING NECESSARY FOR WATERPROOFING.
3. ALL OVERHANGS ARE TO BE 1'-0" FROM FACE OF STUD UNLESS NOTED OTHERWISE.
4. CONTRACTOR TO PROVIDE PROPER ROOF VENTILATION TO MEET ALL LOCAL & NATIONAL CODES.
5. CONTRACTOR TO PROVIDE PROPER BRACING AS REQUIRED TO MEET ALL LOCAL & NATIONAL CODES.
6. INTERIOR CEILING PITCH AT SLOPES TO BE DETERMINED BY FRAMER.
7. SEE ELEVATIONS FOR PLATE HEIGHT.



DRAWN BY: _____

CHECKED BY: _____

DATE: _____

ISSUED FOR PERMIT: _____

ISSUED FOR CONSTRUCTION: _____

REVISIONS: _____

PROJECT/CLIENT: **MANDY HENRY**

LOCATION: **702 PARKS AVE. • ROCKWALL • TX • 75087**

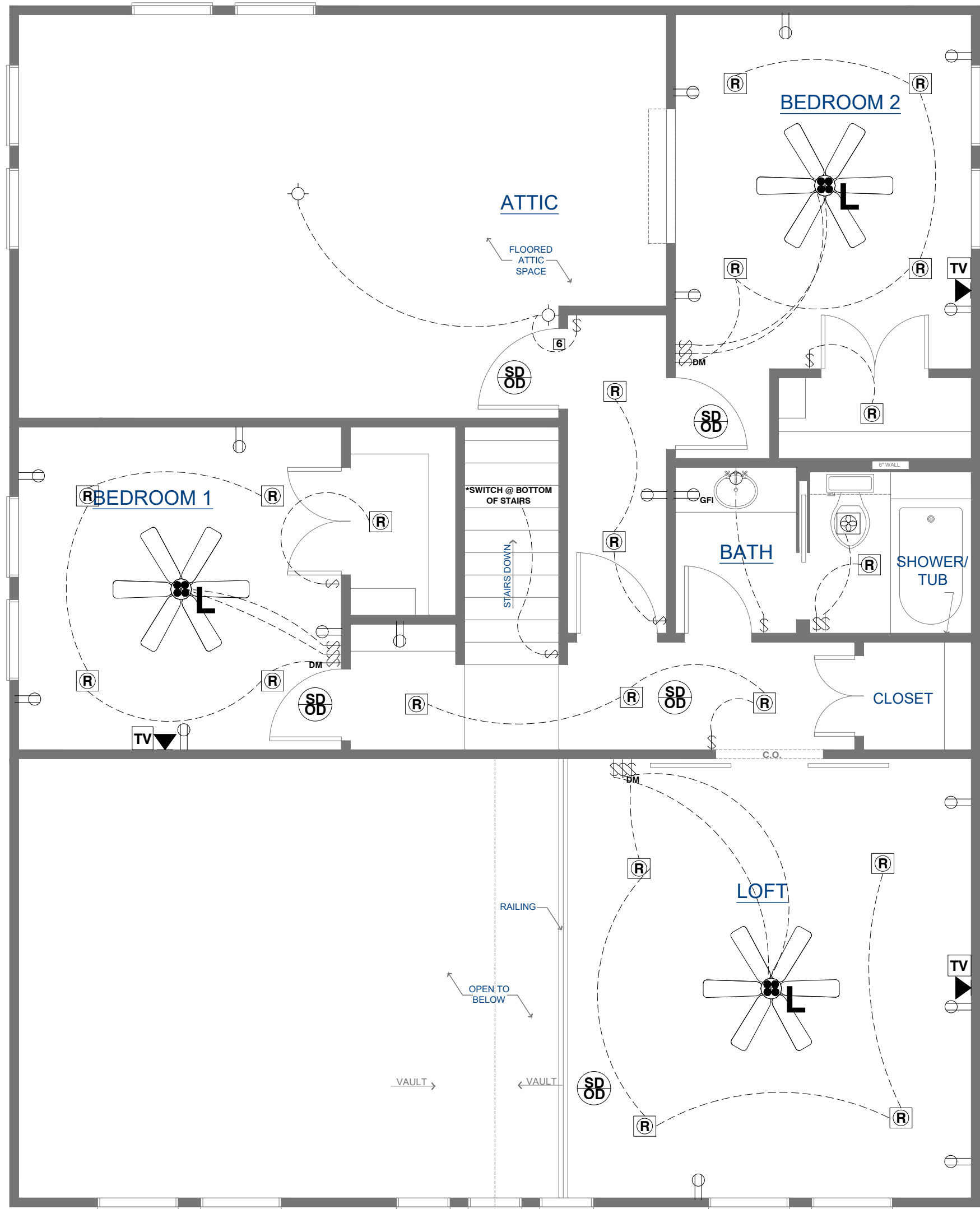
DATE: **06.06.2019**

CASE #: **Z2020-002**

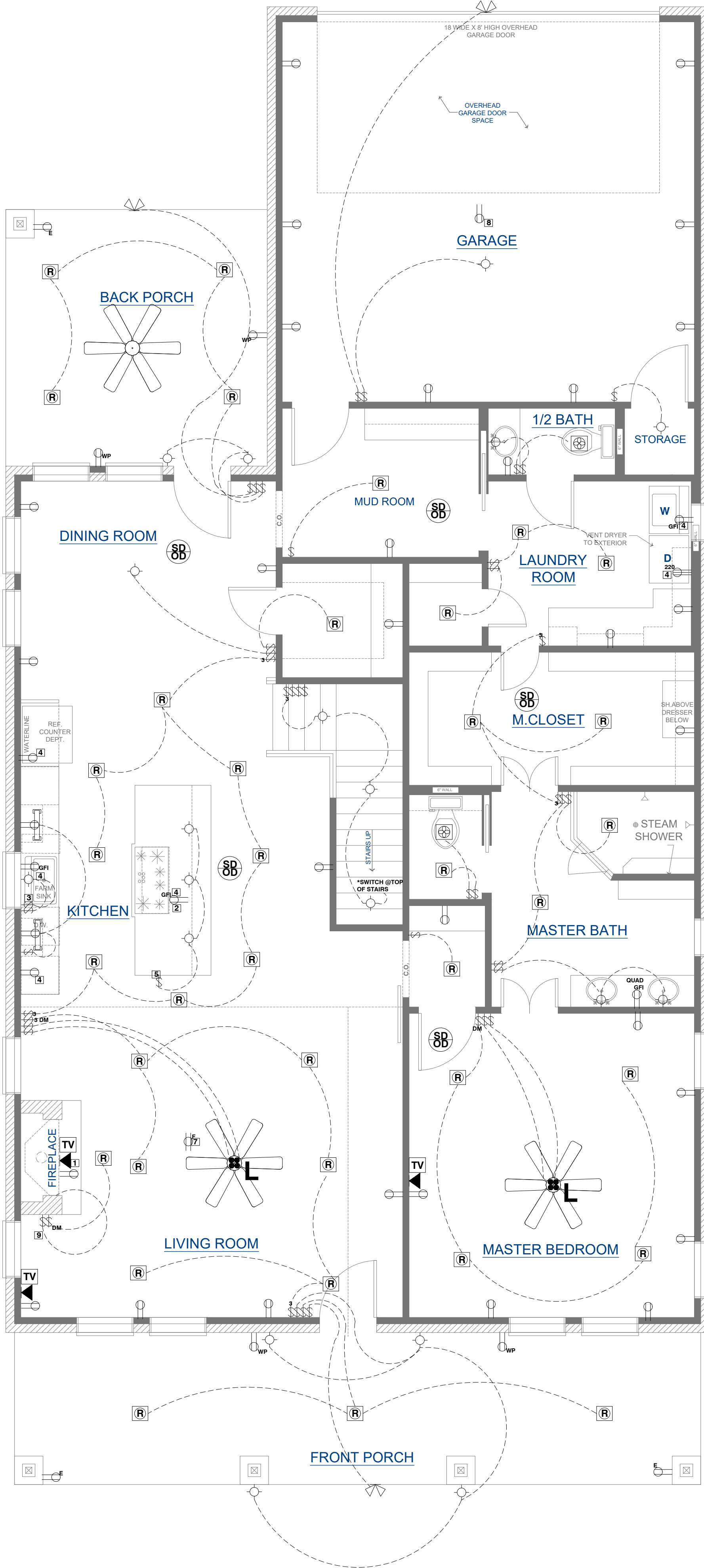
SHEET TITLE: **ROOF PLAN**

SHEET NO.: **A - 1.06**

01 ELECTRICAL PLAN - 2ND FLOOR
SCALE: 1/4" = 1'-0"



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



ELECTRICAL LEGEND

ELECTRICAL	SYM.
CABLE TV OUTLETS	TV
TELEPHONE	▼
UNDER MOUNT LIGHTS	□
DOUBLE SPOTLIGHT	△
LIGHT FIXTURE	○
RECESSED CAN LIGHT (VERIFY LOCT.W/OWNER)	R
ELECT.& MOUNT KIT FOR FUTURE FAN	⊗
CEILING FAN W/LIGHT	⊗
CEILING FAN W/OUT LIGHT	⊗
EXHAUST FAN W/O LIGHT	⊗
WATERPROOF OUTLET	WP
EXTERIOR OUTLET@EAVE	E
110 VOLT OUTLET	110
220 VOLT OUTLET	220
GROUND FAULT PROTECTED OUTLET	GFI
FLOOR OUTLET W/AV	F
SWITCH	⊞
SWITCH - 3 WAY	3
SWITCH - DIMMER	DM
SMOKE & CO DETECTOR	⊞

KEYED NOTES

- 1 OUTLET & TV AT MANTEL
- 2 OUTLET FOR DISPOSAL & DW UNDER SINK
- 3 SWITCH FOR DISPOSAL
- 4 OUTLET FOR APPLIANCES
- 5 OUTLET/SWITCH HIGH ON ISLAND
- 6 ATTIC LIGHT & SWITCH
- 7 FLOOR OUTLET
- 8 OUTLET @ CEILING
- 9 FIREPLACE VENT FAN

ELECTRICAL NOTES

1. FLOOR BOXES TO HAVE 110 QUAD OUTLETS
2. ALL LIGHT SWITCHES TO BE CONFIRMED WITH OWNER.
3. ELECTRICAL CONTRACTOR TO VERIFY ALL EXISTING SITE CONDITIONS & MAKE ANY NECESSARY ADJUSTMENTS
4. SMALLEST WIRE SIZE TO BE 12-2.
5. ALL WORK SHALL COMPLY WITH THE NATIONAL ELECTRIC CODE & ANY OTHER APPLICABLE REGULATIONS OR CODES, AT THE SITE.
6. ALL SMOKE DETECTORS TO BE HARD-WIRED TOGETHER WITH BATTERY BACKUP.
7. CONTRACTOR TO LOCATE PHONE, CABLE, ETC. AS PER OWNERS SPECIFICATIONS.
8. ALL LIGHTING LOCATIONS ARE APPROXIMATE & SHOULD BE BALANCED BY FOOT CANDLES PER LICENSED ELECTRICIANS & VERIFIED WITH OWNER.
9. SMOKE DETECTORS & CO DETECTORS TO BE COMBO U.N.O.
10. VERIFY SECURITY SYSTEM & SPECIFICATIONS WITH OWNER.

DRAWN BY:

CHECKED BY:

DATE:

ISSUED FOR PERMIT:

ISSUED FOR CONSTRUCTION:

REVISIONS:

PROJECT/CLIENT:
MANDY HENRY

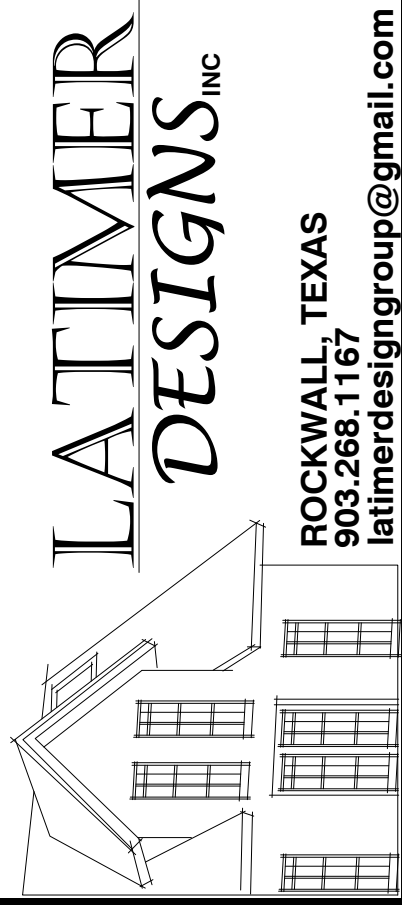
LOCATION:
702 PARKS AVE. • ROCKWALL • TX • 75087

DATE:
06.06.2019

CASE #:
Z2020-002

SHEET TITLE:
ELECTRICAL
PLAN

SHEET NO.:
A - 1.07





















February 13, 2020

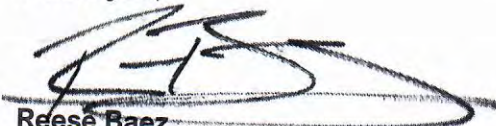
City of Rockwall
Planning & Zoning Department
385 S. Goliad St.
Rockwall, TX 75087

Dear Planning & Zoning Department,

We are requesting a Special Use Permit (SUP) for **702 Parks Ave. Rockwall, TX 75087** due to the new City ordinance on September 1, 2019 to address the changes imposed by HB2439 to protect existing neighborhoods that don't have the same protections as Planned Development Districts.

Please consider our proposal for requesting a zoning application.

Thank you,



Reese Baez
Triton General Contractor
469-931-2267

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.161-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 8, BLOCK D, FOREE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.161-acre parcel of land being described as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home in an established subdivision in accordance with *Subsection 02.03(B)(11), Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02]; and,

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

2.1. OPERATIONAL CONDITIONS

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

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

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02] will require the *Subject Property* to comply with the following:

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF APRIL, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 16, 2020

2nd Reading: April 6, 2020

Exhibit 'A':
Survey

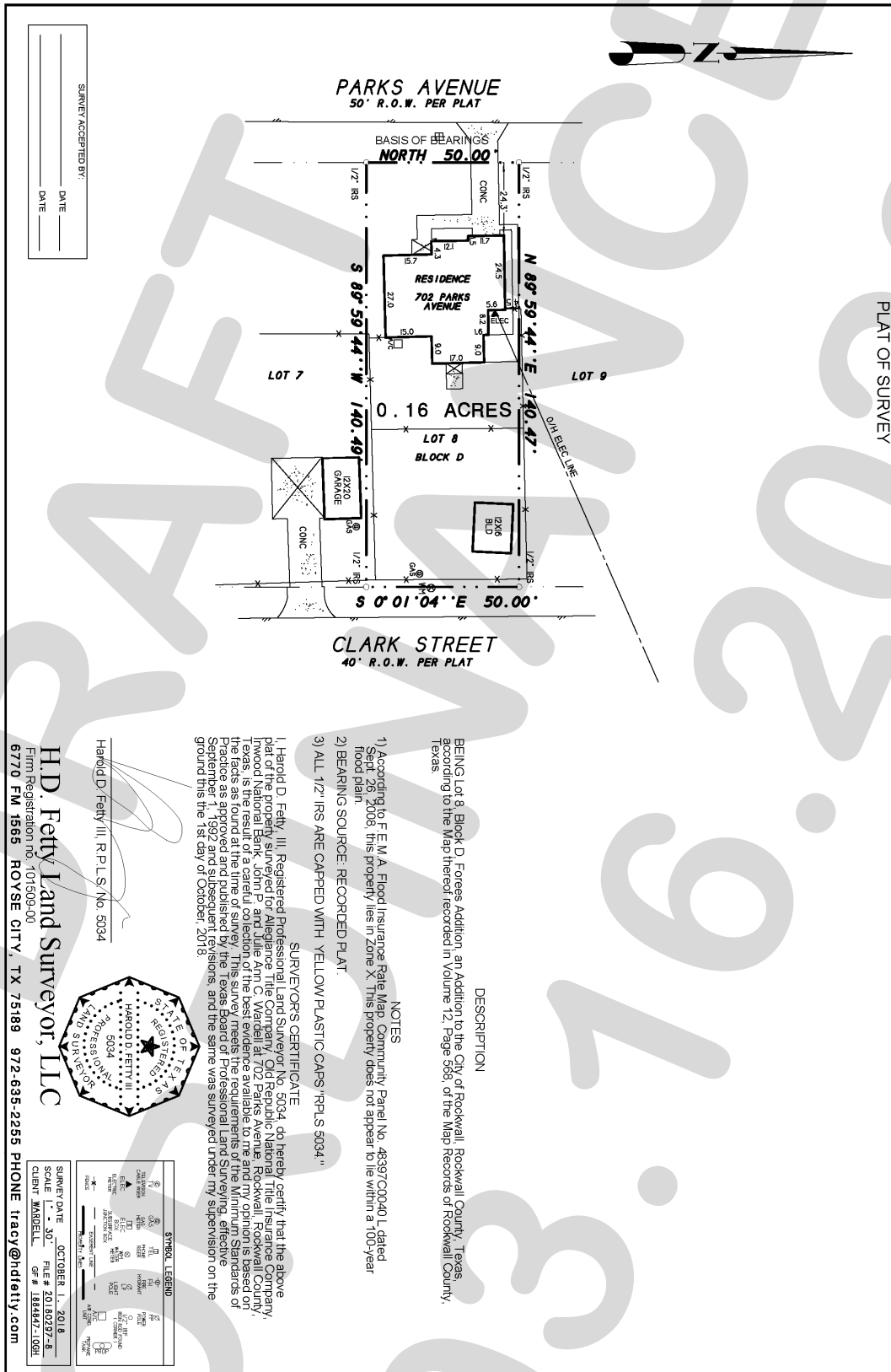
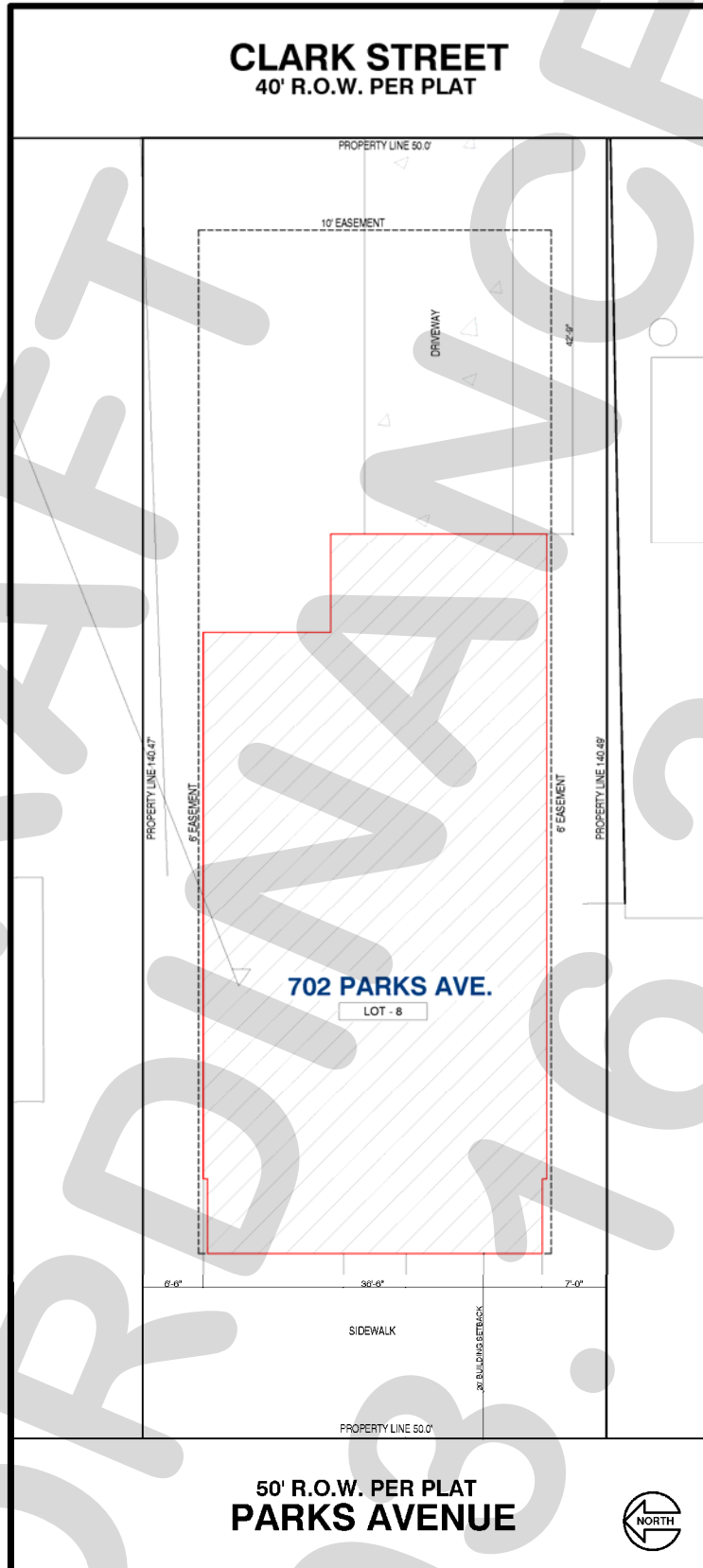


Exhibit 'B':
Residential Plot Plan



SITE PLAN
SCALE: 1/8" = 1' - 0"

Exhibit 'C': Building Elevations

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

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

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

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

03 BRACKET 1 DETAIL
NOT TO SCALE

04 BRACKET 2 DETAIL
NOT TO SCALE

- NOTES**
- OWNER TO SELECT ALL WINDOW & DOOR STYLES.
 - ALL UNFINISHED LINES ARE APPROXIMATE.
 - VERIFY ALL EXTERIOR MATERIALS WITH OWNER PRIOR TO CONSTRUCTION.
 - VERIFY WINDOW SURROUND MATERIAL & STYLE WITH OWNER.

05 COLUMN DETAIL
SCALE: 1/2" = 1'-0"

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 16, 2020
APPLICANT: Reese Baez
CASE NUMBER: Z2020-003; *Specific Use Permit (SUP) for a Residential Infill for 610 Parks Avenue*

SUMMARY

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary.

BACKGROUND

The *subject property* is located within the Foree Subdivision, which was filed with Rockwall County on February 7, 1913. According to Rockwall Central Appraisal District (RCAD), a single-family home was constructed on Lots 7, 8, and 9, Block D, of the Foree Addition in 1980; however, these properties were never assembled or replatted. Currently, the single-family home and two (2) accessory buildings are the only structures situated across these three (3) lots (Addendum [03.11.2020]: demolition permit [*i.e. BLD2019-3321*] approved on December 27, 2019). Staff should note that these three (3) parcels of land are considered to be *Lots of Record* or "...parcel[s] of land which is [*are*] part of a subdivision, the map or plat of which has been recorded in the office of the County Clerk of Rockwall County ... prior to the adoption date of the ordinance [*1983*] from which this [*the*] Unified Development Code is derived which has not been divided [*or assembled*] since recording." This means that if the current single-family home and both accessory structures are removed from the property, each of the three (3) parcels could be conveyed individually and developed in accordance with the Single-Family 7 (SF-7) District standards.

PURPOSE

The applicant, *Reese Baez*, is requesting the approval of a Specific Use Permit (SUP) for the purpose of construction a single-family home on Lot 7 (*i.e. 610 Parks Avenue*) in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC). This request is being made in conjunction with *Case No. Z2020-002*, which is a request for a Specific Use Permit (SUP) for the purpose of constructing a single-family home on Lot 7 (*i.e. 702 Parks Avenue*).

ADJACENT LAND USES AND ACCESS

The subject property is located at 610 Parks Avenue. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are 702 & 704 Parks Avenue (*i.e. Lots 8 & 9, Block D, Foree Addition*). North of this are three (3) single-family homes followed by Heath Street, which is designated as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond Heath Street are three (3) residential subdivisions (*i.e. Pecan Grove, Stark, & Wade*). All of these areas are zoned Single-Family 7 (SF-7) District.

South: Directly south of the subject property are three (3) residential homes followed by Lillian Street, which is designated as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond this are four (4) more residential homes followed by Williams Street, which is identified as a *Minor Collector* on the Master Thoroughfare Plan. Williams Street is the boundary to the Old Town Rockwall (OTR) Historic District, which

consists of several residential subdivisions (*e.g. F&M, Kathleen's and Crawford, Autumn*). All of these areas are zoned Single-Family 7 (SF-7) District.

East: Directly east of the subject property is N. Clark Street followed by two (2) rows of single-family homes fronting on to Nash Street. Both of these streets are designated as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond this is a 6.210-acre parcel of land that is occupied with a house of worship (*i.e. Rockwall Assembly of God*). All of these properties are zoned Single-Family 7 (SF-7) District.

West: Directly west of the subject property are eight (8) houses fronting onto Park Avenue, and the continuation of the Foree and F&M Subdivisions. All of these properties are zoned Single-Family 7 (SF-7) District.

CHARACTERISTICS OF THE REQUEST

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as "...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years." As stated above the Foree Subdivision has been in existence since February 7, 1913 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property being in a Single-Family 7 (SF-7) District requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Parks Street Between Lillian Street and Heath Street	Proposed Housing
Building Height	One (1) Story	One (1) Stories (<i>i.e. ~17-feet at the Midpoint of Roof</i>)
Building Orientation	All homes face towards Parks Street with the exception of 601 Parks Street, which faces onto Lillian Street.	The front elevations of the home will face on to Parks Street.
Year Built	1929-1995	N/A
Building SF on Property	1,264 SF – 3,912 SF	2,726 SF
Building Architecture	Various [<i>Minimal Traditional, Tudor, Ranch, etc.</i>]	<i>Comparable Architecture</i>
Building Setbacks:		
Front	The front setbacks range from 20-feet to 25-feet along Parks Street.	20-Feet
Side	The side yard setbacks appear to be between five (5) and six (6) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet, with the exception of accessory structures which appear to be between zero (0) and three (3) feet.	10-Feet
Building Materials	Wood, Masonite, and/or Aluminum Siding and Brick	HardiBoard Siding
Paint and Color	Pink, Yellow, White, and Tan	Gray (with White Trim)

Roofs	Composite Shingles and Standing Seam Metal	Composite Shingle with Standing Seam Metal Roof Element at front entry – Color: Zinc Grey
Driveways	A mixture of front entry garages/driveways. Some houses do not have a garage and one (1) house has a carport.	Rear Entry Garage Accessible from N. Clark Street

Staff should note that the proposed single-family home meets all of the density and dimensional requirements for the Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Parks Avenue and the proposed building elevations in the attached packet. The approval of this request is discretion to the Planning and Zoning Commission and City Council pending a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On February 28, 2020, staff notified 115 property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowners Association (HOA), which is the only HOA/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had received two (2) notices in favor of, and one (1) notice and four (4) emails in opposition of the applicant's request.

CONDITIONS OF APPROVAL

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

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

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission made a motion to recommend approval of the Specific Use Permit (SUP) to allow for the construction of a single-family home as a *Residential Infill within an Established Subdivision* with staff conditions. The motion was approved by a vote of 5-0, with Commissioners Fishman and Logan absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

Platting Application Fees:

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

Site Plan Application Fees:

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

Zoning Application Fees:

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

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address 4610 PARKS AVE. ROCKWALL, TX 75087

Subdivision FOREST ADDITION VOL 12. PG. 568 Lot 7 Block D

General Location PARKS AVE

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning RESIDENTIAL SF-7

Current Use RESIDENTIAL

Proposed Zoning N/A

Proposed Use RESIDENTIAL

Acreage 0.16

Lots [Current]

Lots [Proposed] 0.16

☒ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

☐ Owner

☒ Applicant

Contact Person

Contact Person

Address

Address

City, State & Zip

City, State & Zip

Phone

Phone

E-Mail

E-Mail

NOTARY VERIFICATION [REQUIRED]

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

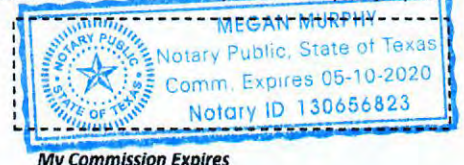
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 215.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 11 day of FEBRUARY, 20 20. By signing this application, 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 11 day of FEBRUARY, 20 20.

Owner's Signature


Notary Public in and for the State of Texas

[Signature]



My Commission Expires



Z2020-003- SUP FOR 610 PARKS AVE
ZONING - LOCATION MAP = 

PARKS AVE

SF-7

N CLARK ST



City of Rockwall

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

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

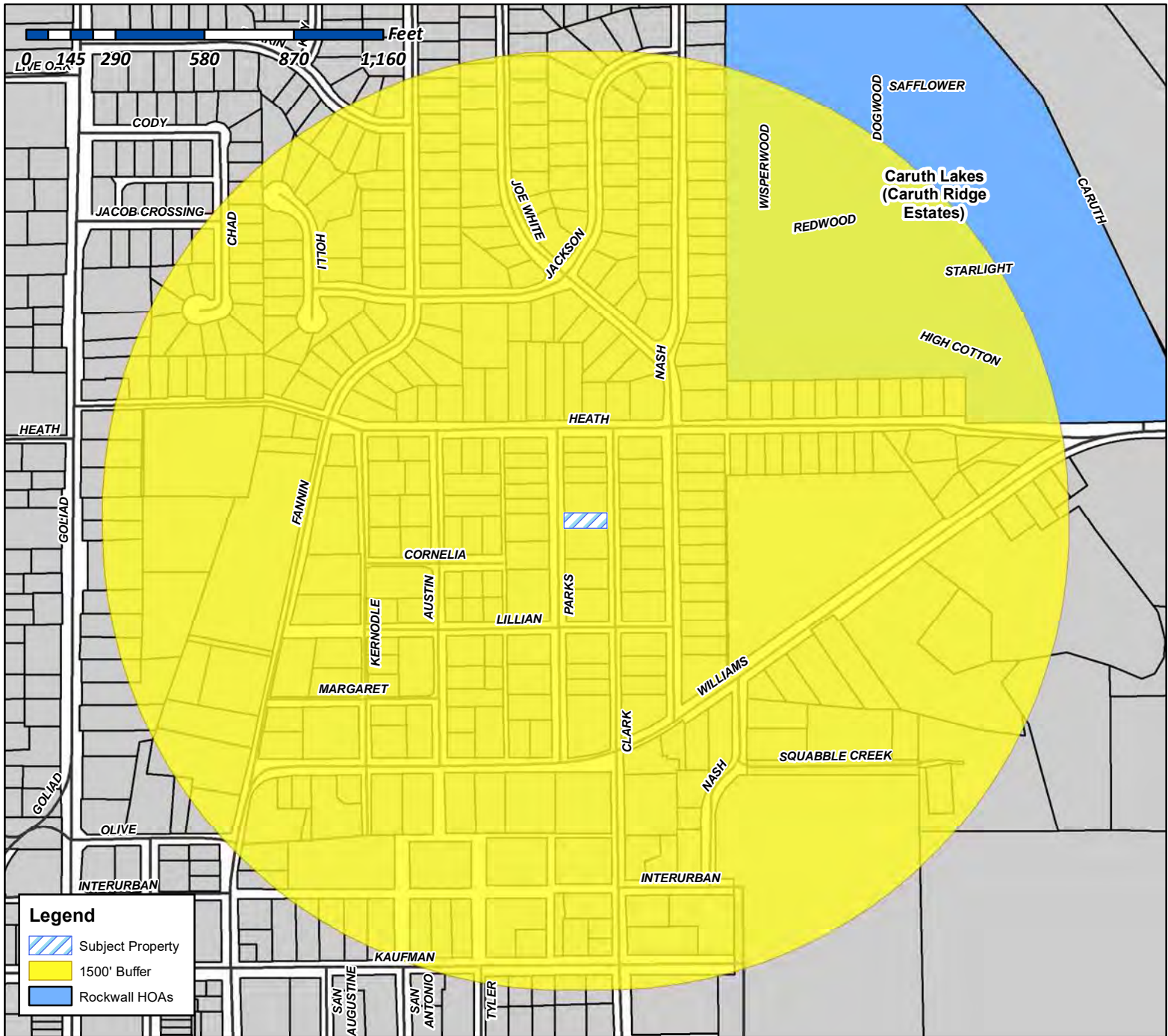




City of Rockwall

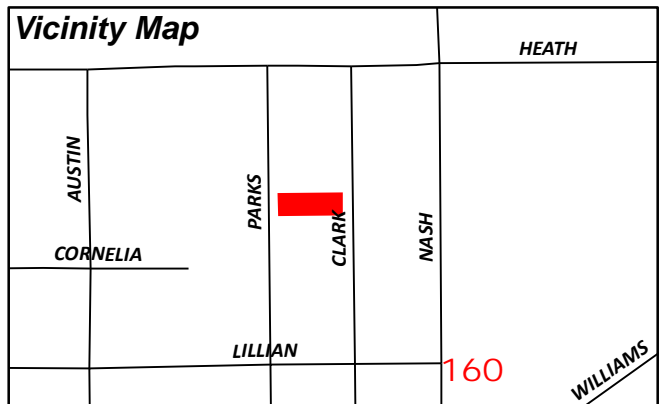
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2020-003
Case Name: SUP for 610 Parks Ave.
Case Type: Specific Use Permit
Zoning: SF-7
Case Address: 610 Parks Ave.

Date Created: 2/19/2020
For Questions on this Case Call (972) 771-7745



Gamez, Angelica

From: Gamez, Angelica
Sent: Friday, February 28, 2020 10:30 AM
Subject: Neighborhood Notification program
Attachments: PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner **February 28, 2020**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, March 10, 2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, March 16, 2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <https://sites.google.com/site/rockwallplanning/development-cases>.

Z2020-001 Zoning Change from Agricultural (AG) District to a Single Family 1 (SF-1) District

Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle.

Z2020-002 SUP for Residential Infill for 702 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue.

Z2020-003 SUP for Residential Infill for 610 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue.

Z2020-004 SUP for Residential Infill for 705 Peters Colony

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 705 Peters Colony.

Z2020-005 SUP for Residential Infill for 703 Peters Colony

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for

the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Peters Colony.

Z2020-006 SUP for an Accessory Building

Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2308 Saddlebrook Lane.

Z2020-007 Text Amendment to Article VIII, Landscape and Screening

Hold a public hearing to discuss and consider a request for the approval of a Text Amendment to amend Article 08, Landscape and Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-family and duplex properties.

Z2020-008 SUP to allow Rental, Sales and Service of Heavy Machinery and Equipment

Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of a Specific Use Permit (SUP) to allow the Rental, Sales and Service of Heavy Machinery and Equipment in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30.

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at <http://www.rockwall.com/planning/hoa.asp>.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator
City of Rockwall

972.771.7745 Office

972.772.6438 Direct

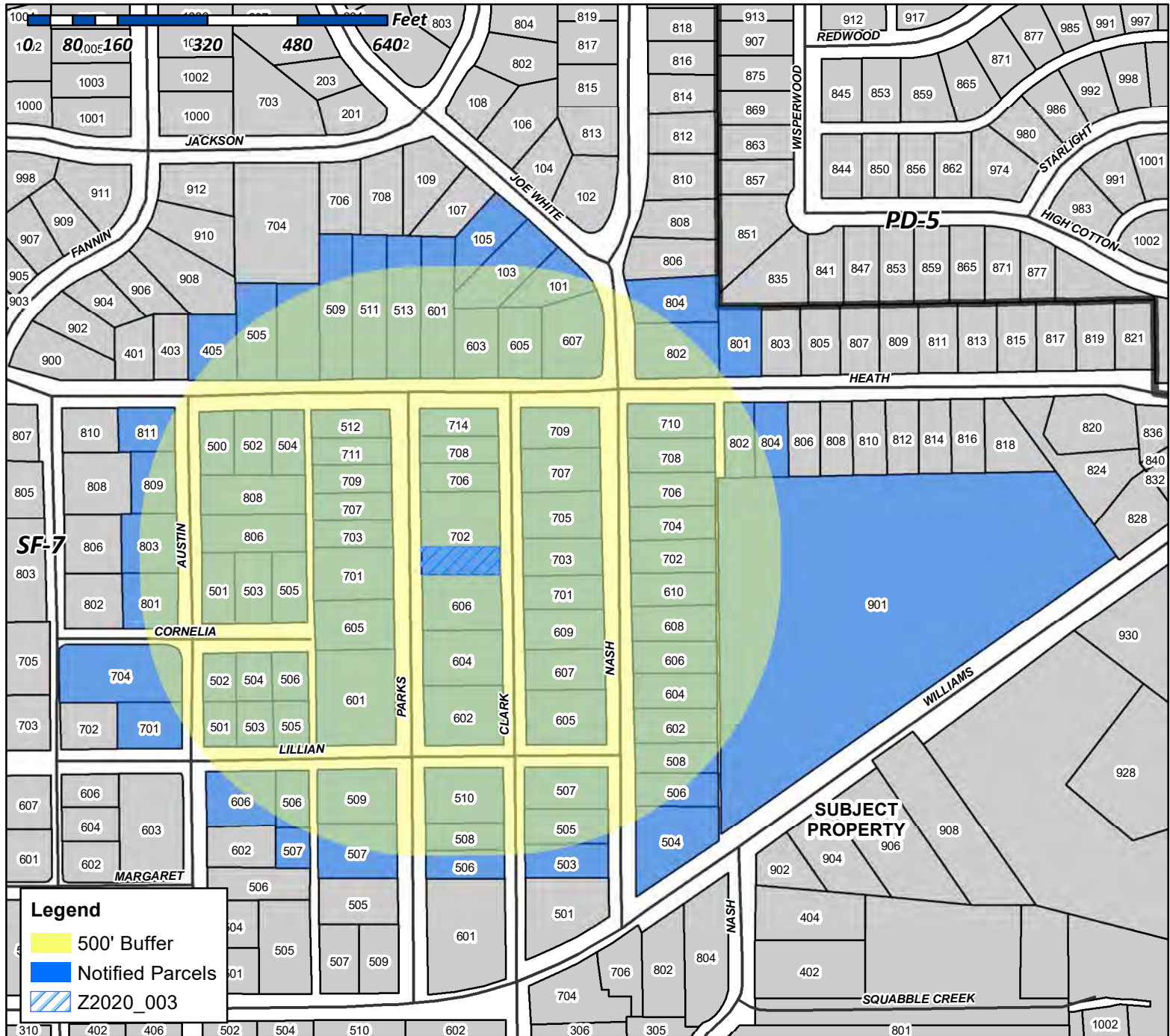
<http://www.rockwall.com/planning/>



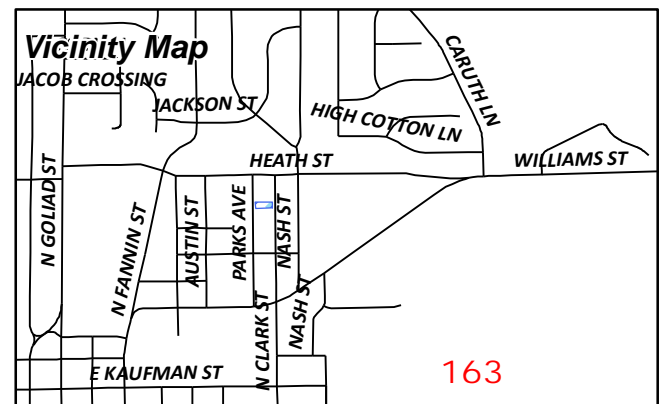
City of Rockwall

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

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Case Number: Z2020-003
Case Name: SUP for 610 Parks Ave.
Case Type: Zoning
Zoning: SUP
Case Address: 610 Parks Ave.



Date Created: 2/18/2020

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

ROLAND RANDY C AND ANDREA B
101 JOE WHITE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
103JOE WHITE
ROCKWALL, TX 75087

SILVA MANUEL
1041 E FM 552
ROCKWALL, TX 75087

CURRENT RESIDENT
105JOE WHITE
ROCKWALL, TX 75087

BREWER SHERI RENEE
119 SUNRISE VISTA WAY
PONTE VEDRA, FL 32081

SABRSULA MELISSA
1571 ANNA CADR RD
ROCKWALL, TX 75087

KENNEDY HAYLEY
201 CHAMPION DR
WYLIE, TX 75095

RIPSTOP PROPERTIES LLC
205 S CLARK STREET
ROCKWALL, TX 75087

HARRIS RICHARD D & JUDY A
210 GLENN AVE
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES
213 SOVEREIGN CT
ROCKWALL, TX 75032

GRIFFIN PATTY JEAN CORNELIUS
2140 AIRPORT RD
ROCKWALL, TX 75087

PARK ALLEN
2301 LAFAYETTE DR
HEATH, TX 75032

KAUFMANN EVAN J
2312 BAHAMA RD
AUSTIN, TX 78733

GLASS JERRY R
301 MEADOWDALE DR
ROCKWALL, TX 75087

ZYLKA JOE AND BONNIE
3021 RIDGE RD STE A-66
ROCKWALL, TX 75032

VANHORN PENNI AND
JOE ZYLKA AND BONNIE ZYLKA
3021 RIDGE RD STE A-66
ROCKWALL, TX 75032

CURRENT RESIDENT
405EHEATH
ROCKWALL, TX 75087

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

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

GREENAWALT PATRICK ALAN
501 LILLIAN ST
ROCKWALL, TX 75087

BARNETT GEORGE S
502 CORNELIA ST
ROCKWALL, TX 75087

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

SHERMAN PATRICIA AND MARK
503 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
503CORNELIA
ROCKWALL, TX 75087

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

CURRIE DUNCAN & JOETTA
504 NASH STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
504CORNELIA
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR
505 CARRIAGE TRAIL
ROCKWALL, TX 75087

SCHMIDT JERRY LEE AND BARBARA JEAN
505 CORNELIA
ROCKWALL, TX 75087

BARRON GILDARDO
505 LILLIAN ST
ROCKWALL, TX 75087

DAVIS JUDY
505 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
505EHEATH
ROCKWALL, TX 75087

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

BLESSING RUSSELL BENNETT
506 NASH
ROCKWALL, TX 75087

CURRENT RESIDENT
506CORNELIA
ROCKWALL, TX 75087

CURRENT RESIDENT
506PARKS
ROCKWALL, TX 75087

BUTLER JOSEPH DAVID AND ROSE LOUISE
507 NASH ST
ROCKWALL, TX 75087

TOLMAN BROOKS
507 PARKS AVE
ROCKWALL, TX 75087

CAWTHON RICK
508 NASH ST
ROCKWALL, TX 75087

FREEMAN WILLIAM B JR
508 PARKS AVE
ROCKWALL, TX 75087

DOROTIK DAVID W
509 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
509EHEATH
ROCKWALL, TX 75087

RICHARDSON PATRICE
510 COVE RIDGE RD
HEATH, TX 75032

CURRENT RESIDENT
510PARKS
ROCKWALL, TX 75087

COATS LOIS LOUISE
512 E HEATH ST
ROCKWALL, TX 75087

DENNIS KIMBERLY
513 E HEATH ST
ROCKWALL, TX 75087

TROWBRIDGE PATRICK A & ELIZABETH
601 PARKS AVE
ROCKWALL, TX 75087

STEGALL VENTURES LLC
601 SUNSET HILL DRIVE
ROCKWALL, TX 75087

CURRENT RESIDENT
601EHEATH
ROCKWALL, TX 75087

SIMMONS APRIL R
602 NASH STREET
ROCKWALL, TX 75087

LEAL ROLAND & CAROL
602 PARKS AVENUE
ROCKWALL, TX 75087

SUTTON JUDITH A
603 E HEATH ST
ROCKWALL, TX 75087

HOWARD DEBORAH K
604 NASH ST
ROCKWALL, TX 75087

FUQUA MATTHEW
604 PARKS AVE
ROCKWALL, TX 75087

LINDSAY WILLIAM & JULIA
605 NASH ST
ROCKWALL, TX 75087

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

DAVIS SUSAN ELAINE BYRD
605 STORRS
ROCKWALL, TX 75087

CURRENT RESIDENT
605EHEATH
ROCKWALL, TX 75087

CURRENT RESIDENT
605PARKS
ROCKWALL, TX 75087

DANIEL RODNEY
606 AUSTIN ST
ROCKWALL, TX 75087

GALASSI TORI D
606 NASH ST
ROCKWALL, TX 75087

WALLS JEFFREY V & NATALIE ANN
606 PARKS AVE
ROCKWALL, TX 75087

SPERLING SANDY
607 E HEATH ST
ROCKWALL, TX 75087

BHATIA SACHIT S AND
LAURA NICOLE JONES
607 NASH STREET
ROCKWALL, TX 75087

STARK ROBERT S & TINA J
607 SAINT MARY ST
ROCKWALL, TX 75087

OGDEN BRANDON & LIDIA
608 NASH ST
ROCKWALL, TX 75087

TORRES ROSIE
609 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
610NASH
ROCKWALL, TX 75087

BLAZEK ALVIN F & DOROTHY H
6634 DAVIS DR
ROYSE CITY, TX 75189

CASTRO RENE & BETSY
700 WINDSONG LN
ROCKWALL, TX 75032

MOONEY BEULAH CHRISTINE
701 AUSTIN ST
ROCKWALL, TX 75087

CASTILLO AGAPITO & ESTELA
701 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
701NASH
ROCKWALL, TX 75087

TEMPLETON LORRAINE BIEGLER
702 NASH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
702PARKS
ROCKWALL, TX 75087

ELLISTON REBECCA S
703 NASH STREET
ROCKWALL, TX 75087

HANSON BRANDON R
703 PARKS AVE
ROCKWALL, TX 75087

THOMAS TRACY
704 KERNODLE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
704NASH
ROCKWALL, TX 75087

RUSHING BRIAN AND
CHANEL KENTOPP
705 NASH ST
ROCKWALL, TX 75087

ARELLANO JESUS L &
CYNTHIA A HERRERA
706 NASH ST
ROCKWALL, TX 75087

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

CURRENT RESIDENT
707NASH
ROCKWALL, TX 75087

CURRENT RESIDENT
707PARKS
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D
708 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
708NASH
ROCKWALL, TX 75087

BARRON ARMANDO
709 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
709NASH
ROCKWALL, TX 75087

STARK ROBERT C
710 AGAPE ST
ROCKWALL, TX 75087

KING MISTY
710 NASH STREET
ROCKWALL, TX 75087

NIXON ALBERT
711 PARKS AVE
ROCKWALL, TX 75087

CONAWAY SUE ANN
7123 OCONNELL ST
ROCKWALL, TX 75087

PALMER LINDA C
714 PARKS AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
801AUSTIN
ROCKWALL, TX 75087

COLUNGA MAXIMO & MARGARITA
802 E HEATH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
802NASH
ROCKWALL, TX 75087

CURRENT RESIDENT
803AUSTIN
ROCKWALL, TX 75087

BROWN REBECCA AND THOMAS
804 E HEATH ST
ROCKWALL, TX 75087

CURRENT RESIDENT
804NASH
ROCKWALL, TX 75087

AUSTIN TRENTON C
806 AUSTIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
808AUSTIN
ROCKWALL, TX 75087

CURRENT RESIDENT
809AUSTIN
ROCKWALL, TX 75087

JENNINGS AMANDA L
811 AUSTIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
811AUSTIN
ROCKWALL, TX 75087

MCCLAIN LOUETTA
8309 TURNBERRY ST
ROWLETT, TX 75089

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

CURRENT RESIDENT
901WILLIAMS
ROCKWALL, TX 75087

BELANGER CORKY
921 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
EHEATH
ROCKWALL, TX 75087

WIMPEE JANIE K LIFE ESTATE
RICHARD D WIMPEE AND JUDY A HARRIS AND
JOE E WIMPEE AND JERRY M WIMPEE 704 E
MAPLE ST
FAYETTEVILLE, AR 72701

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

ROCKWALL ASSEMBLY OF GOD
C/O DAVID SPIEGEL
PO BOX 33
ROCKWALL, TX 75087

AWAJA PROPERTIES LLC
PO BOX 811
ROYSE CITY, TX 75189

CURRENT RESIDENT
ROCKWALL, TX 75087

CURRENT RESIDENT
ROCKWALL, TX 75087

CURRENT RESIDENT
ROCKWALL, TX 75087

To Whom It May Concern:

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

Case No. Z2020-003: 610 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/16/2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **3/16/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

— . . . PLEASE RETURN THE BELOW FORM —

Case No. Z2020-003: 610 Parks Avenue

Please place a check mark on the appropriate line below:

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

Name:	
Address:	

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

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



NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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

Case No. Z2020-003: 610 Parks Avenue

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2020-003: 610 Parks Avenue

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

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

No problem having a house there

Name: *Ciena Lopez*

Address: *605 E Heath St. Rockwall TX 75087*

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

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

Case No. Z2020-003: 610 Parks Avenue

Please place a check mark on the appropriate line below:

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

I DO NOT OBJECT TO A 2-STORY HOUSE.

Name: LOIS LOUISE COATS Lois Louise Coats

Address: 512 E. HEATH ST. ROCKWALL, TX 75087-2221

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

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NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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

Case No. Z2020-003: 610 Parks Avenue

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

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Your comments must be received by **3/16/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2020-003: 610 Parks Avenue

Please place a check mark on the appropriate line below:

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

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

We are opposed to a 2 story house exceeding 2000 ft² on a single 0.161 ac lot. This overwhelms both the lot and the surrounding homes.

Name: *DAVID DOROTIK DD 3/8/2020*

Address: *509 PARKS AVE, ROCKWALL*

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

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

Gonzales, David

From: Planning
Sent: Monday, March 9, 2020 9:51 AM
To: Gonzales, David
Subject: FW: 702 Parks and 610 Parks

From: Alison Odom [REDACTED]
Sent: Friday, March 6, 2020 8:54 PM
To: Planning <planning@rockwall.com>
Subject: 702 Parks and 610 Parks

Hello,

I am writing to express my concern about items (7) Z2020-002 and (8) Z2020-003 on the planning agenda for Tuesday, March 10, 2020. The addresses are 702 Parks and 610 Parks. I won't be able to speak at the meeting on Tuesday, so I'm writing this letter. I think it's important to point out to the Planning and Zoning board that the two homes in these items are to be placed on two of three lots that comprise the old address of 702 Parks. These are especially skinny lots and the size of the homes proposed will fill the entire width of the lot. While there are two SUPs requested at this time, there is a 3rd lot that is either currently for sale, or will be sold, and a third home will likely be built. It's important to remember how this will look when all three homes are built. I fear these three large homes will be squeezed onto these lots and loom over the existing smaller homes on either side. The reason the owners have to get the Special Use Permit is because the Unified Development Code was recently updated to protect established neighborhoods with no HOA to make sure that any infill would be "architecturally and visually similar or complementary to existing housing in the established subdivision". I think the two homes applying for the SUP will be, however, they will be squished onto 2/3 of the available space and a third large home will likely be built on the last lot. The size of the homes would NOT be visually similar or complementary to existing homes on the street. The homes being proposed are beautiful and match our neighborhood. One is two story and one is a single story. The single story is about 2200 square feet and the two story is about 2600 square feet. If it were just the two homes on the triple lot, this would be visually similar and complimentary to existing homes on the street. To add a third home is too much and would not look like the rest of the neighborhood. If three homes need to go on the three lots, they need to be the same size as the surrounding homes, which are about 1600 square feet or less. For your reference, the two story green home at 506 Parks (on the same street) is on the same size lot and is only 1600 square feet.

To approve these SUPs 'as-is' will set a precedence that investors can come in and mow down homes and trees in Old Town Rockwall in order to squeeze as many homes as possible into small spaces to sell and make a profit. This is very dangerous for our neighborhood and could become a slippery slope. This is not the burden of the land owner, she cannot control what happens in our neighborhood. This is the burden of the city to protect our downtown neighborhood. Our Old Town neighborhood is especially susceptible to exploitation with investors purchasing at least 4 properties that I know of in the past few months. The City must help preserve the integrity of what is allowed to be built in our neighborhood. The updated UDC is a wonderful step in the right

direction. If we approve these huge homes on small lots, we could end up with the McMansion effect that has destroyed many old Dallas neighborhoods. Again, I like the plans of the homes that are being proposed, but I do not think they will be visually similar and complement the other homes on the street and in the neighborhood. For this reason I am asking you to deny the SUP, or ask the owner to tweak the size to match the rest of the neighborhood.

Thank you,

Alison Odom

405 N Fannin St.

Rockwall, TX 75087

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Gonzales, David

From: Planning
Sent: Tuesday, March 3, 2020 4:54 PM
To: Gonzales, David
Subject: FW: Case No Z2020-003

From: Elizabeth Trowbridge [REDACTED]
Sent: Tuesday, March 3, 2020 3:22 PM
To: Planning <planning@rockwall.com>
Subject: Case No Z2020-003

Attn: David Gonzales

Rockwall Planning and Zoning Dept.

385 S. Goliad St.

Rockwall, TX 75087

From: Elizabeth Trowbridge

601 Parks Ave

Rockwall, TX 75087

I am unable to attend the March 10 meeting regarding Case No. Z2020-003: 610 Parks Avenue.

I AM OPPOSED to the request for the reasons listed below:

- **DENSITY:** They are building 3 huge houses on what will be 3 tiny lots.
- **IT DOES NOT ALIGN** with the Architectural Integrity of the neighborhood
- Large two-story houses **do not fit** in the neighborhood.

- (Reference the house on the 400 block of Clark St. that looms over the neighboring houses.) Hideous!
- This new build will ruin the **integrity** of neighborhood.
- **This is the “historic” old town of Rockwall and with that comes a certain charm, aesthetic and characteristics of the homes and the neighborhood.**
- We don’t want teardowns and big builds. I am afraid this will set a precedent for other small houses to be torn down and oversized houses to be built.

What is great about our neighborhood is that it is truly a melting pot of new and old Rockwall. There are families that have lived here for more than 40 years than can tell stories about the neighborhood. The people that live here are invested in improving the neighborhood and enhancing their homes – not tearing down and building huge eyesores. I am afraid that if this passes, the smaller houses/homeowners on our street will be preyed upon to try to sell for more “investors” to tear down and change our wonderful neighborhood. They have already torn down 100-year-old trees when they could have easily kept them.

Please do not approve this as is.

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Gonzales, David

From: Planning
Sent: Wednesday, March 4, 2020 7:45 AM
To: Gonzales, David
Subject: FW: 600 Block on Parks Ave

From: Maggie Dingwell [REDACTED]
Sent: Tuesday, March 3, 2020 9:11 PM
To: Planning <planning@rockwall.com>
Cc: [REDACTED]
Subject: 600 Block on Parks Ave

To whom it may concern,

My husband and I are residents at 605 Parks Ave - right across the street from the projected 610 and 702 Parks Ave lot where a single family home was recently torn down. When we heard the plan that the area was being zoned for three homes, we were shocked and disappointed. Not to mention, we were also made aware that these “two-story homes”, will be more like three-story as the roof lines will not be synonymous with the other two-story homes on our street. In addition, all the trees were destroyed making the space look desolate and totally out of place.

The downtown Rockwall area is a special place - full of character where each home takes on its own unique look. To learn that the new owner is projecting to have three, “three-story” homes is a devastating. The current houses on the street have space between one another, one of the many features that makes this neighborhood so wonderful. This is not a new area, like Fate, where there are no trees and houses look identical. We take pride, as all of the residents do, in enhancing our homes to make it a beautiful place to live.

I pray that the city respects this area and does not pass this plan - to build three mansions just feet away from one another. Think about the neighbors on either side of these homes. These new builds will tower over them, twice as high, taking away the charm of the neighborhood. If this is passed, it will set a precedent for when other homes on the block go up for sale, and an owner comes in, tears it down, and chooses to build a ridiculously massive house - a style that doesn't belong here.

This isn't your typical neighborhood. The history and the families making memories, makes it a place where people want to make it their forever home. We have a one year old daughter who we are blessed to have grow up on this street. We take her on wagon rides and go on our family walks up and down Parks Ave - I would hate to see the look of our neighborhood change because a person who doesn't live here wants to make a pretty penny on the land. We are absolutely for making the homes better, fixing them up - but not in this way.

Please don't build “three-story” homes. Respect this neighborhood and those that live here.

Thank you for your time.
Maggie and Adam Dingwell

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Gonzales, David

From: Planning
Sent: Monday, March 9, 2020 3:13 PM
To: Gonzales, David
Subject: FW: items (7) Z2020-002 and (8) Z2020-003

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

From: Taylor Pointer [REDACTED]
Sent: Monday, March 9, 2020 2:45 PM
To: Planning <planning@rockwall.com>
Subject: items (7) Z2020-002 and (8) Z2020-003

Dear planning and zoning,

I am writing to regarding items (7) Z2020-002 and (8) Z2020-003 on the planning agenda for Tuesday, March 10, 2020. The addresses are 702 Parks and 610 Parks. We are out of town for spring break so will be unable to attend the meeting so we are writing to express our concern about the two homes to be placed on two of three lots on the old address of 702 Parks. We ask that the owner of the land build only the two houses on the three lots so that, just as the Unified Development Code which was recently updated to protect established neighborhoods with no HOA, the two houses would remain "architecturally and visually similar or complementary to existing housing in the established subdivision".

If three houses must be approved, we ask that they match the surrounding houses by decreasing the sq ft to about 1600 sq ft to again match the neighborhood.

This is such an important precedence as investors have started to buy properties in Old Town Rockwall likely with the plan to mow them down along with their beautiful trees in order to squeeze as many homes as possible into small spaces to sell and make a profit. Please protect our neighborhood from this! The City MUST help preserve the integrity of Old Town and make careful consideration on what is allowed to be built. We are grateful for the updated UDC. Huge homes on small lots, do NOT preserve the integrity of Old Town. Please deny the SUP, or request the owner to build three smaller homes.

Thank you!

Sincerely,
Taylor and Price Pointer
602 Williams St
Rockwall, TX 75087

Sent from my iPhone

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PROPOSED RESIDENCE FOR
MURPHY
610 Parks Ave.
Rockwall, Texas 75087

MURPHY
610 Parks Ave.
Rockwall, Texas 75087

MR. SAM &
MEGAN MURPHY

Wild Oak
Rockwall TX 75087



750 E. Interstate 30
Suite 110
Rockwall, TX 75087
t: 972-732-6085
f: 972-732-8058

COVER PAGE

DATE: OCT 2019 SHEET NO. 1

PROJECT NO: 2019060

DRAWN BY: CC

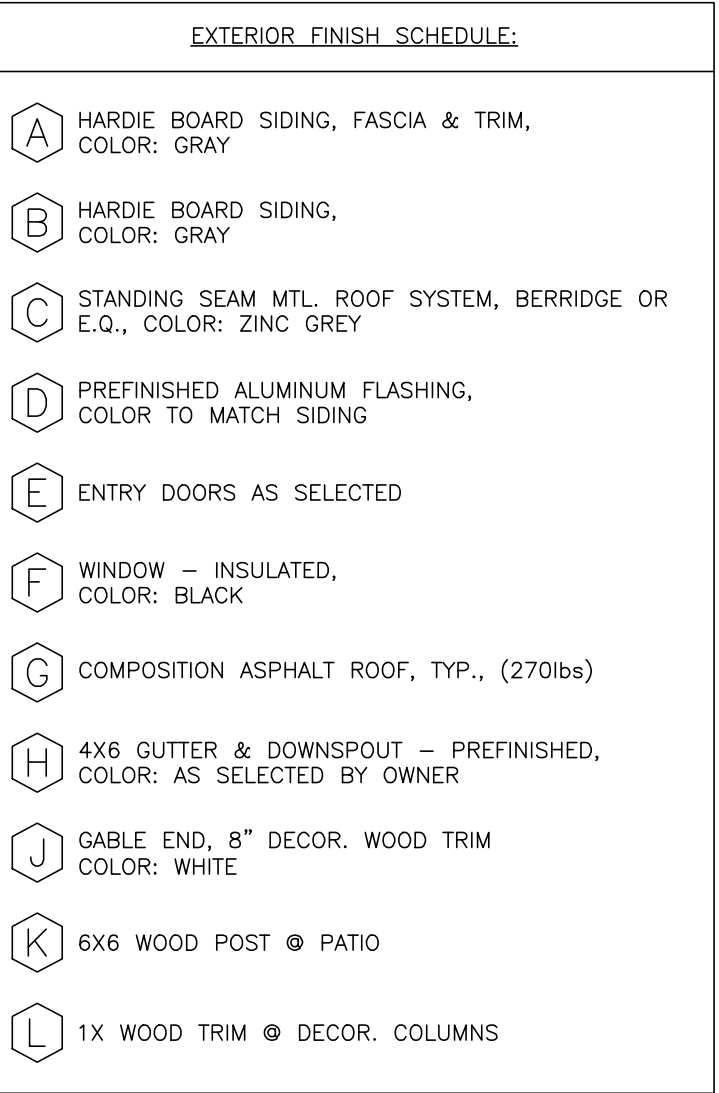
CHECKED BY:

COVER

CHECKED BY _____

179

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A detailed architectural line drawing of a single-story house. The house features a prominent gabled roof with a central entrance. The roof is divided into three sections by a central ridge. The left and right sections have a 12/8 pitch, indicated by a triangle with a horizontal base of 12 and a vertical height of 8. The central section has a steeper pitch. The front facade includes a central entrance with a small gabled porch supported by two columns. To the left of the entrance is a large window with a decorative frame, and to the right is another large window. The house is shown from a perspective view, with a set of steps leading up to the central entrance.

123'-4 1/2"
T.O. ROOF

110'-1"
T.O. PLATE

107'-0"
T.O. DOOR

102'-6"
T.O. COLUMN BASE

100'-0"
FINISH FLOOR

123'-4 1/2"
T.O. ROOF

120'-11"
T.O. ROOF

116'-8 1/2"
T.O. ROOF

114'-6"
T.O. ROOF

110'-1"
T.O. PLATE

108'-
T.O. PLATE + PATIO

106'-5"
T.O. WINDOW

102'-6"
T.O. COLUMN BASE

100'-0"
FINISH FLOOR

MURPHY
610 W. Parks Ave.
Rockwall, Texas 75087

MR. SAM &
MEGAN MURPHY

Wild Oak
Rockwall, TX. 75087



**750 E. Interstate 30
Suite 110
Rockwall, TX 75087
t: 972-732-6085
f: 972-732-8058**

DATE: OCT 2019

OCT 2019

PROJECT NO: 0010000

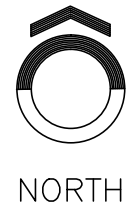
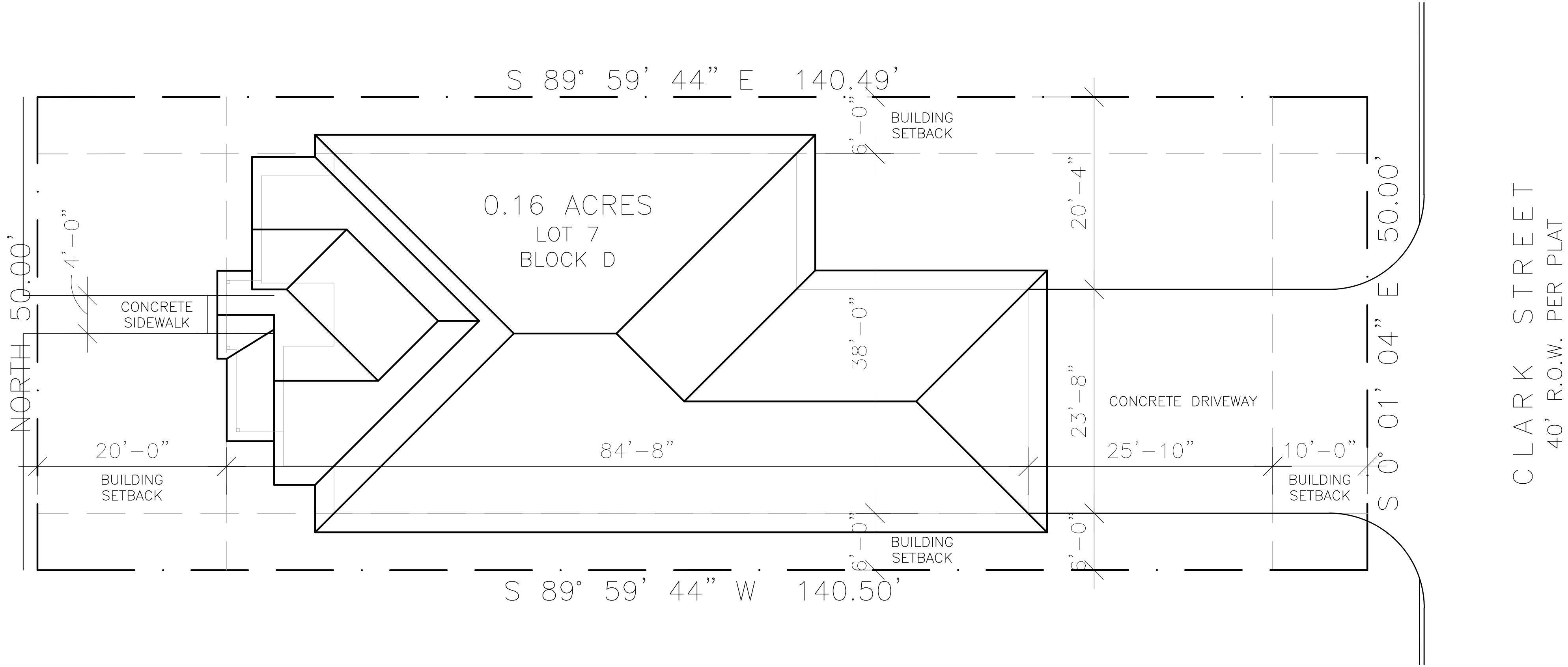
2019060

DRAWN BY:

CHECKED BY: _____

A501

PARKS AVENUE
50' R.O.W. PER PLAT



1 ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"

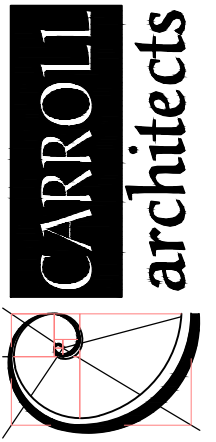
TABULATIONS:	
A/C AREA	= 1,870 SF
GARAGE	= 553 SF
FRONT PORCH	= 167 SF
BACK PATIO	= 136 SF
TOTAL COVERED	
= 2,726 SF	

MURPHY RESIDENTIAL	
LEGAL DESCRIPTION AND OR ADDRESS:	
LOT 7 Block D Foree tract 610 Park Avenue City of Rockwall, Rockwall County, Texas	
OWNER Mr. Sam & Megan Murphy Wild Oak Rockwall, TX 75032	APPLICANT Carroll Architects, INC. 750 E. Interstate 30 #110 Rockwall, TX 75087 P: 972-732-6085 E: jc@carrollarch.com
CITY OF ROCKWALL CASE NUMBER 22020-003	

PROPOSED RESIDENCE FOR
MURPHY
610 W. Parks Ave.
Rockwall, Texas 75087

MR. SAM &
MEGAN MURPHY

Wild Oak
Rockwall, TX, 75087



750 E. Interstate 30
Suite 110
Rockwall, TX 75087
t: 972-732-6085
f: 972-732-8058

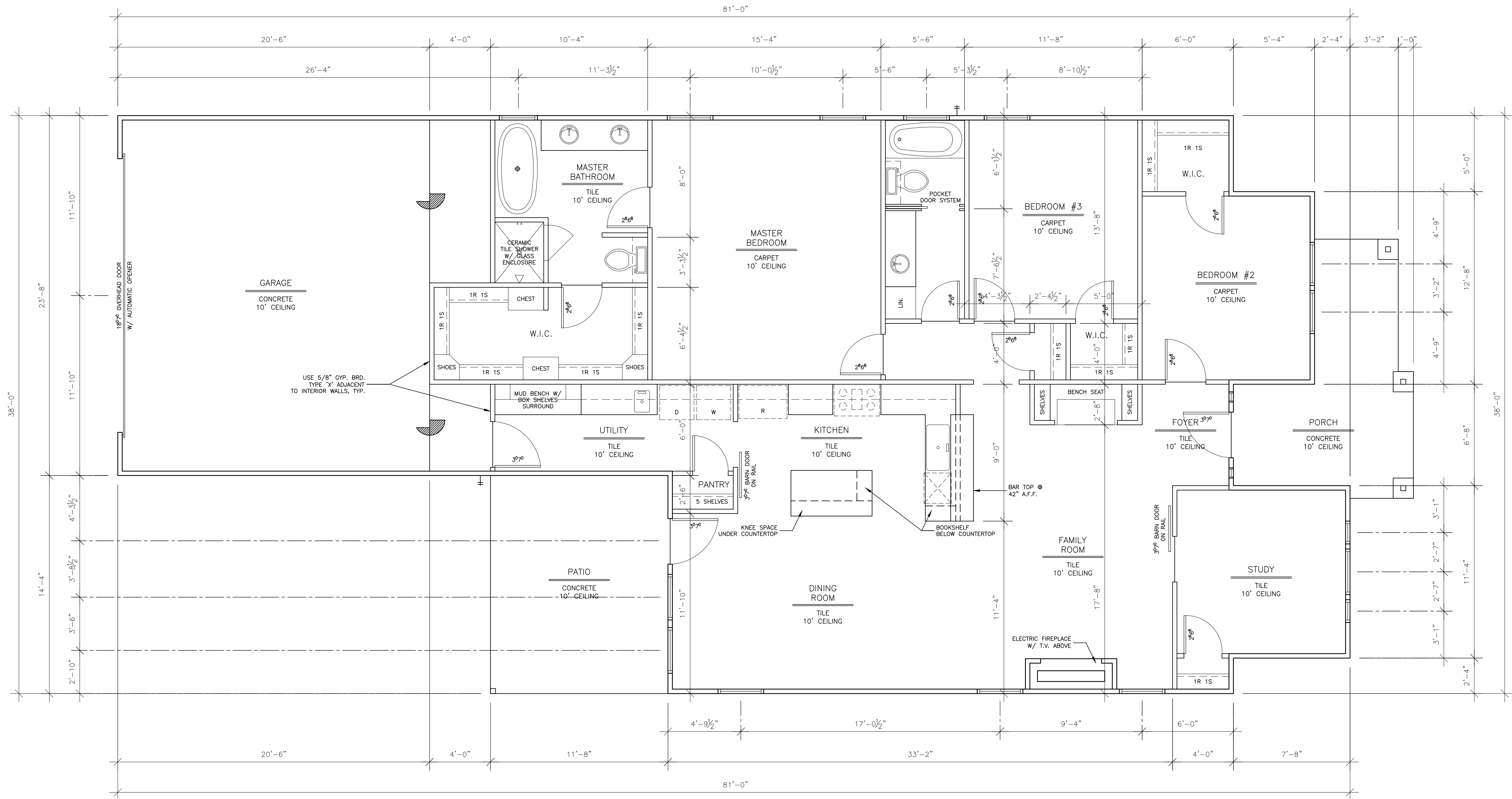
ARCHITECTURAL SITE PLAN

DATE: OCT 2019
PROJECT NO: 2019060
DRAWN BY:
CHECKED BY:

A100

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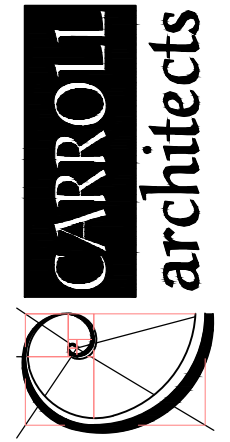
ISSUE:	OWNER REVIEW:	10-25-2019
	OWNER REVIEW:	11-12-2019
	CITY COMMENTS:	02-24-2020



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

PROPOSED RESIDENCE FOR
MURPHY
610 Parks Ave.
Rockwall, Texas 75087

MR. SAM &
MEGAN MURPHY



750 E. Interstate 30
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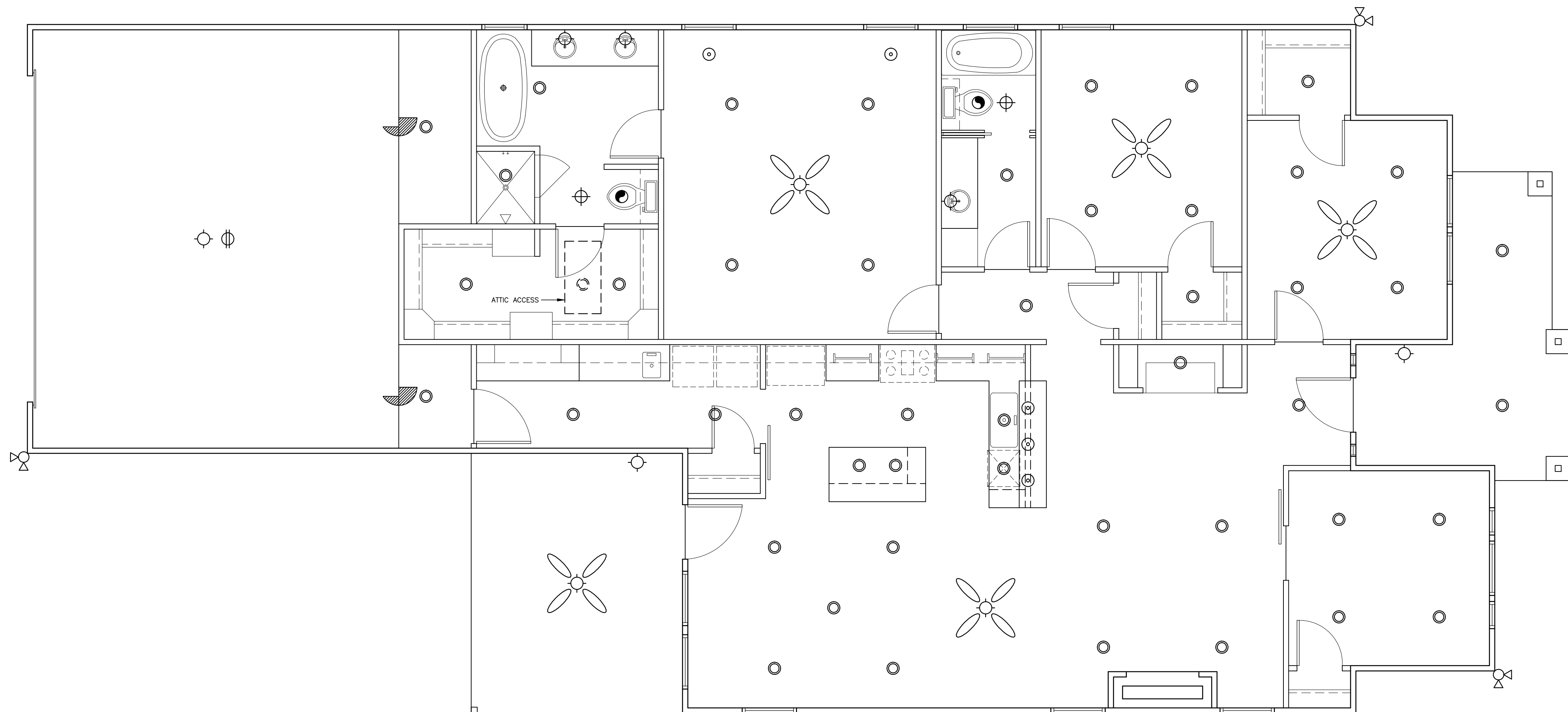
FLOOR PLAN

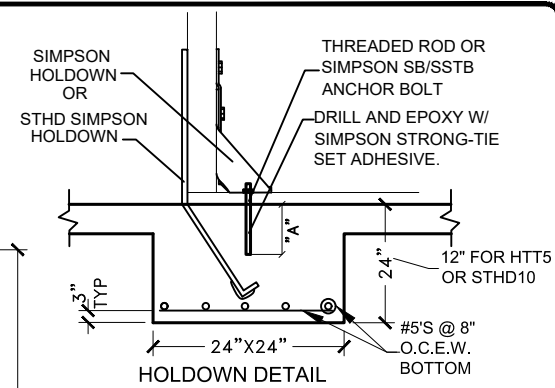
DATE: OCT 2019
PROJECT NO: 2019060
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A201






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ISSUE:	OWNER REVIEW:
	10-25-2019
OWNER REVIEW:	11-12-2019

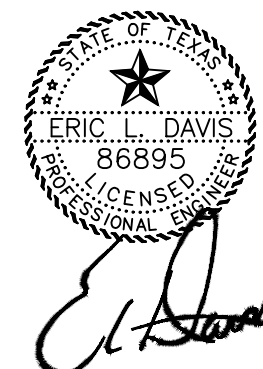




HOLDOWN LOCATION IS APPROXIMATE. EACH INTERIOR HOLDOWN SHALL HAVE A SPREADFOOTING. VERIFY LOCATION SIZE WITH ARCHITECTURALS & SHEARWALL PLAN

SYMBOL	TYPE	NOMINAL DIA. THREADED ROD	"A"
	SIMPSON HTT5 OR SIMPSON STHD10	5/8" N/A	6"
	SIMPSON STHD14	N/A	N/A
	SIMPSON HDQ8	7/8"	18"
	SIMPSON HHDQ11	1"	18"
	SIMPSON HHDQ14	1"	18"










1. IF USING STHD10 OR STHD14 HOLDDOWNS, CONTRACTOR SHALL PLACE HOLDDOWNS AT CONCRETE POUR STAGE.
2. SSW ANCHORING SHALL BE PLACED AT CONCRETE POUT STAGE.
3. SIMPSON PRODUCTS MAY BE SUBSTITUTED WITH APPROVED EQUAL



THE SEAL APPEARING ON THIS DOCUMENT WAS
AUTHORIZED BY ERIC L. DAVIS, P.E. 86895 ON
1/10/2020

- NOTE:**
1. SLAB THICKNESS $T = 4"$
 2. BEAM DEPTH $H = 32"$
 3. BEAM WIDTH $W = 10"$
 4. SXX DENOTES SLAB STRAND
 5. BSXX DENOTES BEAM STRAND

PLAN LEGEND

- | | | |
|----|---|---|
| 1. |  | DENOTES ONE STRAND TO BE STRESSED. |
| 2. |  | DENOTES TWO STRANDS TO BE STRESSED. |
| 3. |  | DENOTES THREE STRANDS TO BE STRESSED. |
| 4. |  | DENOTES FACTORY SEATED END. |
| 5. |  | DENOTES CONCRETE CHAIR. |
| 6. |  | DENOTES DIMENSION TO BE VERIFIED. |
| 7. |  | DENOTES DIFFERENCE IN FINISH FLOOR ELEVATIONS. |
| 8. |  | DENOTES 3-#4 BARS X 6'-8" TYPICAL INTERIOR CORNER 2'-0". |
| 9. |  | BARS SHALL BE 4'-0" X (LENGTH = TO CORNER DEPTH) WHERE NOTED ON PLAN. |

NOTE: SITE PREPARATION SHOULD
CONSIST OF REMOVING ALL EXISTING
FOUNDATIONS, PAVED AREAS AND
UNDESIRABLE MATERIALS. THE
EXPOSED SUBGRADE SHOULD BE
PROOF-ROLLED TO DETECT WEAK
AREAS WHICH SHOULD BE EXCAVATED,
PROCESSED AND RECOMPACTED WITH
SELECT FILL IN ACCORDANCE WITH THE
PROVISIONS IN HOOPER GEOTECHNICAL
REPORT NO. 19.386 DATED
12/3/2019.

CONTRACTOR SHALL WATER PAD 72
HOURS CONTINUOUS PRIOR TO
CONSTRUCTION OF FOUNDATION

1. ALL DRILLED PIERS SHALL BE 12" IN DIAMETER WITH 2-#5 BARS VERTICAL.
2. PIERS SHALL BE PLACED TO A MINIMUM DEPTH OF 7 FEET INTO FIRM GRAY MARL FOUND AT AN APPROXIMATE DEPTH OF 12 FEET BELOW NATURAL GRADE.
3. PIERS SHALL NOT BE STRUCTURALLY TIED TO FOUNDATION UNLESS NOTED OTHERWISE.
4. TEMPORARY CASING MAY BE REQUIRED.

DRILLED PIERS



ERIC L. DAVIS ENGINEERING, INC.
F-3987
120 East Main Street
Forney, Texas 75126
972/564-0592 Fax 972/564-6523
E-Mail ericdavis@eldengineering.com

FOUNDATION PLAN
ENGINEERED FOR:

FOUNDATION P
ENGINEERED FOR:

TRITON GENERAL
CONTRACTOR

BUILDER: TRITON GENERAL CONTRACTOR	PLAN: MURPHY
ADDITION: 702 PARKS AVENUE - PR - ROCKWALL, TX	ELD JOB NO: DIF19-1546
ADDRESS: 610 PARKS AVENUE	DRAWN BY: RWK
LOT: 7 BLOCK: D	CHECKED BY: ELD
CITY: ROCKWALL, TX	AREA: 2,726 SQFT

SCALE: 1/8" = 1'-0"

185

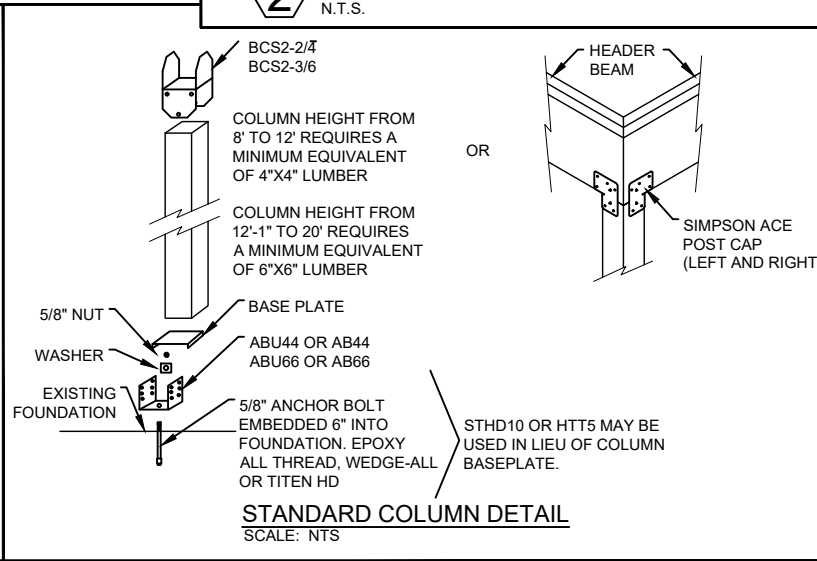
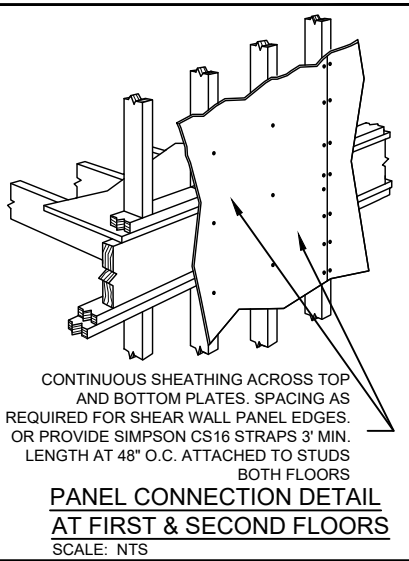
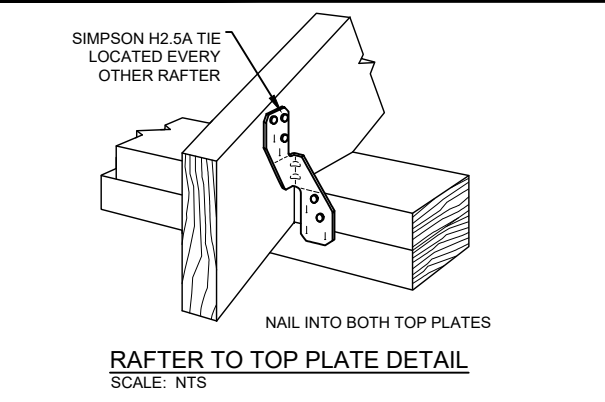
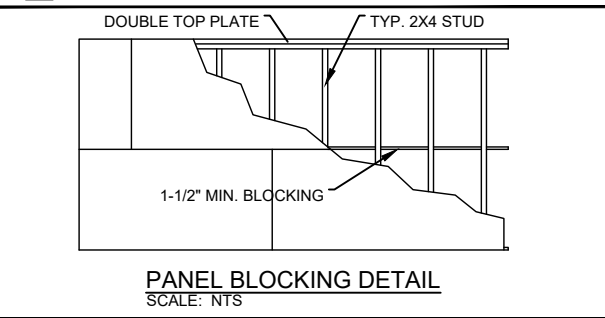
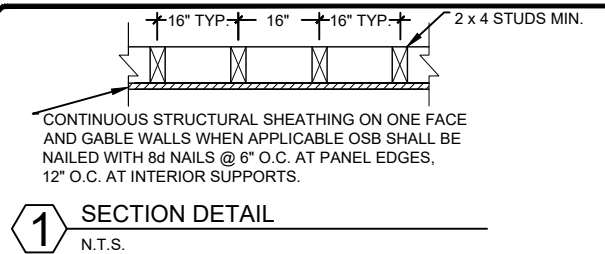
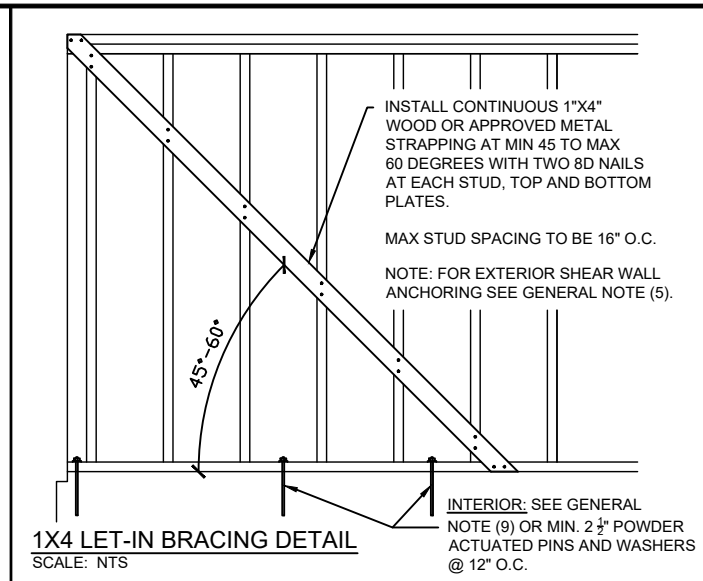
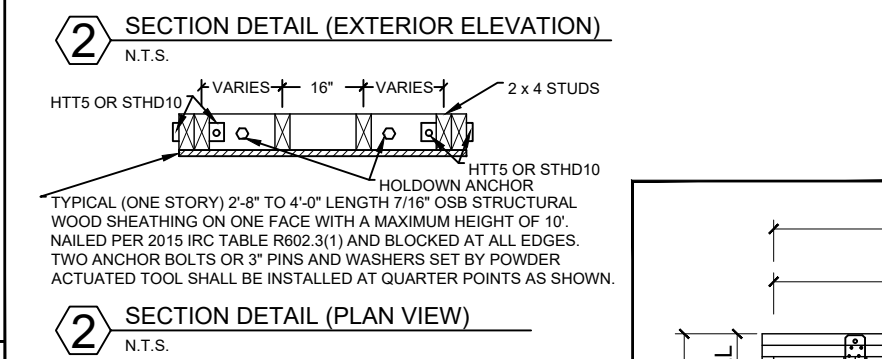
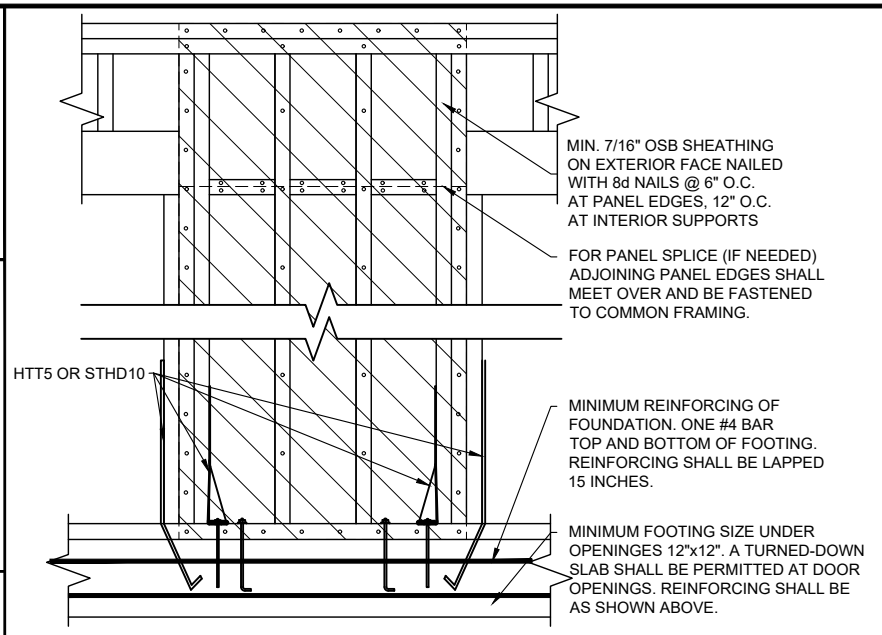


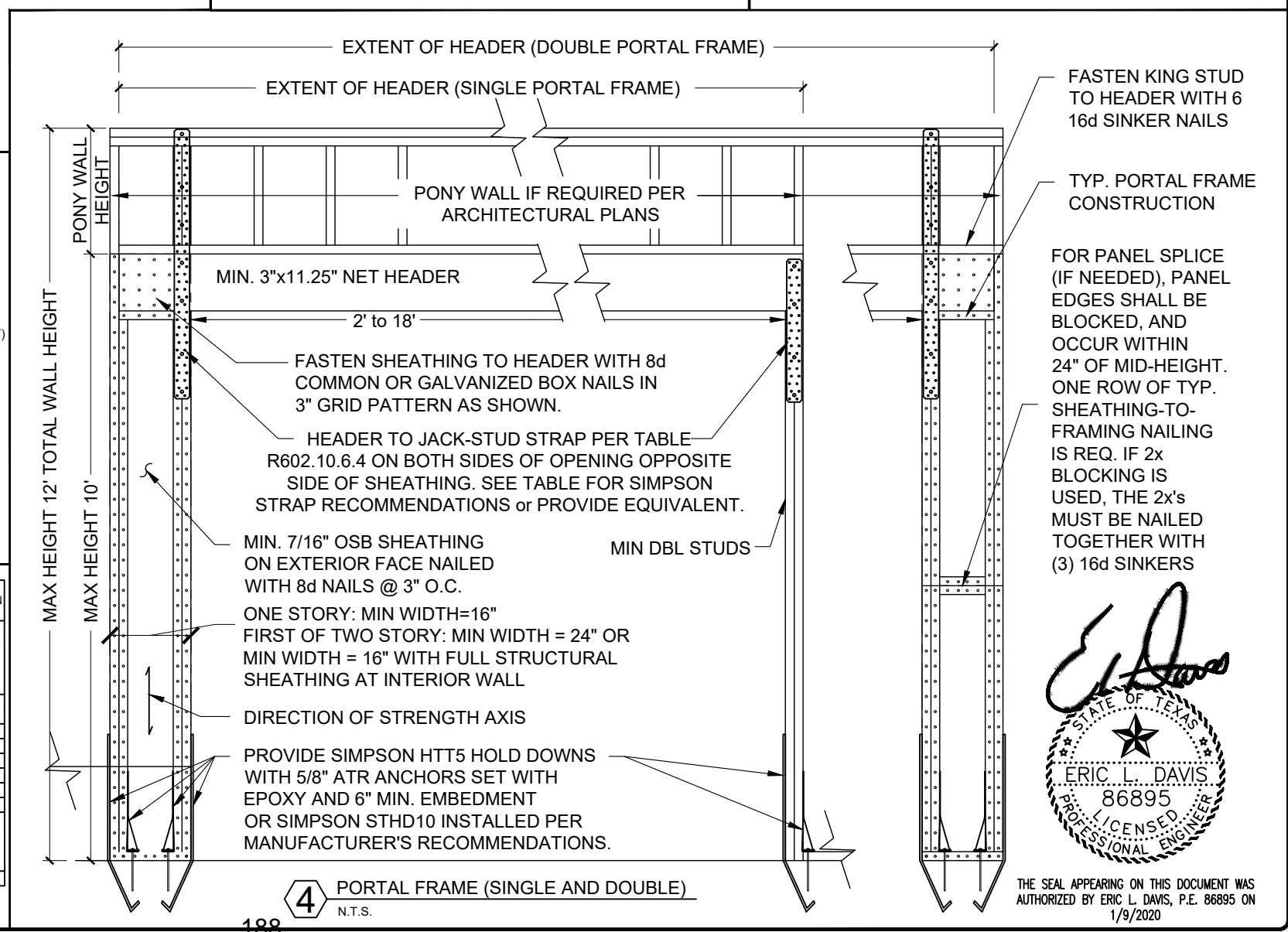
TABLE R602.10.6.4					
MINIMUM WALL STUD FRAMING NOMINAL SIZE AND GRADE	MAXIMUM PONY WALL HEIGHT (FEET)	MAXIMUM TOTAL WALL HEIGHT (FEET)	MAXIMUM OPENING WIDTH (FEET)	TENSION STRAP CAPACITY REQUIRED (POUNDS) ^a V = 115 mph EXPOSURE B	RECOMMENDED OR APPROVED EQUAL SIMPSON STRAP MODEL No. ^b
2x4 No. 2 Grade	0	10	18	1000	(1) CS16
	1	10	9	1000	
			16	1025	
			18	1275	
	2	10	9	1000	(2) CS16
			16	2175	
			18	2500	
	2	12	9	1500	(1) CS16
			16	3375	(2) CS16
			18	3975	MSTC52 w/44-16d SINKERS
	4	12	9	2750	(2) CS16
			12	3775	MSTC52 w/44-16d SINKERS
2x6 Stud Grade	2	12	9	1000	(1) CS16
			16	2150	
			18	2550	
			9	1750	
	4	12	16	2400	(2) CS16
			18	2400	
			18	3800	
			18	3800	MSTC52 w/44-16d SINKERS

For SI: 1 inch = 25.4 mm, 1 mile per hour = 0.447 m/s.
a. STRAPS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
b. STRAP MODEL MAY BE SUBSTITUTED w/ APPROVED EQUAL.



STRUCTURAL SHEATHING
IS CONSIDERED ONE OF THE FOLLOWING:

- MIN 7/16" OSB
- RED THERMOPLY
- BLUE THERMOPLY



- ### GENERAL NOTES
- REFERENCE ARCHITECTURAL DRAWINGS FOR STUD SIZES AND DIMENSIONS.
 - ALL RAFTERS/LEDGERS, STUDS, HEADERS AND SHEATHING SHALL BE NAILED IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL BUILDING CODE TABLE R602.3(1), UNLESS OTHERWISE NOTED.
 - SHEARWALL SEGMENTS SHALL BE CONTINUOUS FROM THE MUDDSILL THROUGH THE DOUBLE TOP PLATE.
 - BRACE WALLS LESS THAN 2' IN WIDTH DO NOT REQUIRE BOLTS & WASHERS BETWEEN THE 2 INSTALLED HOLD DOWN STRAPS (HTT5/STHD10). PROVIDE 1-ANCHOR BOLT C/L OR 2-3" PINS AND WASHERS (SET @ 1/3 POINTS BY A POWDER ACTUATED TOOL) FOR BRACED WALLS FROM 2' TO 2'-8" OVERALL LENGTH.
 - MUDDSILL AT ALL EXTERIOR WALLS SHALL BE ANCHORED TO THE FOUNDATION SLAB WITH 1/2" ANCHOR BOLTS EMBEDDED 7" INTO THE SLAB AND SPACED 6'-0" O.C. MAX. OR SIMPSON STRONG-TIE MASA MUDDSILL ANCHORS @ 6'-0" O.C..
 - WHERE RAFTERS MEET THE TOP PLATE OF EXTERIOR WALLS, INSTALL SIMPSON STRONG-TIE H2.5 ANCHORS AT EVERY OTHER RAFTER. ANCHORS WITH 445 LB. CAPACITY OR GREATER MAY BE USED AS AN ALTERNATE.
 - ALL INTERIOR WALLS TO BE 1/2" SHEETROCK NAILED PER TABLE R602.3(1) OF THE 2015 IRC.
 - LET-IN BRACING MAY BE SUBSTITUTED WITH 4X8 STRUCTURAL SHEATHING (RED T-PLY OR OSB) FROM TOP TO BOTTOM PLATE OR CS16 X-BRACING.
 - ALL INTERIOR BRACED WALLS MUST BE ANCHORED TO THE FOUNDATION USING SIMPSON TITEN HD 1/2" ANCHOR BOLTS OR APPROVED EQUAL.
 - INSTALL TITEN HD ANCHOR BOLTS AT MAXIMUM SIX FEET ON CENTER, WITH MINIMUM 2-3/4" EMBEDMENT INTO FOUNDATION.
 - MINIMUM TWO BOLTS PER BRACED WALL SECTION, WITH ONE BOLT LOCATED NOT MORE THAN 12" OR LESS THAN SEVEN BOLT DIAMETERS FROM EACH END OF BRACED WALL SECTION.
- NOTE:** SIMPSON STHD10 OR HTT5 CAN BE ROTATED 90°
- NOTE:** ALL SIMPSON PRODUCTS MAY BE SUBSTITUTED WITH APPROVED EQUAL

01/08/2020

ERIC L. DAVIS ENGINEERING, INC.
F-3987
120 East Main Street
Forney, Texas 75126
972/564-0592 Fax 972/564-6523
E-Mail ericdavis@eldengineering.com

SHEAR WALL NOTES
ENGINEERED FOR

TRITON GENERAL
CONTRACTOR

PLAN: MURPHY	ELD JOB NO: DIF19-1546
BUILDER: TRITON GENERAL CONTRACTOR	DRAWN BY: RC
ADDITION: 702 PARKS AVENUE - PR - ROCKWALL, TX	CHECKED BY: ELD
ADDRESS: 610 PARKS AVENUE	LOT: 7
	BLOCK: D
	CITY: ROCKWALL, TX

SCALE: 1/8"=1'-0"

188

SW-02

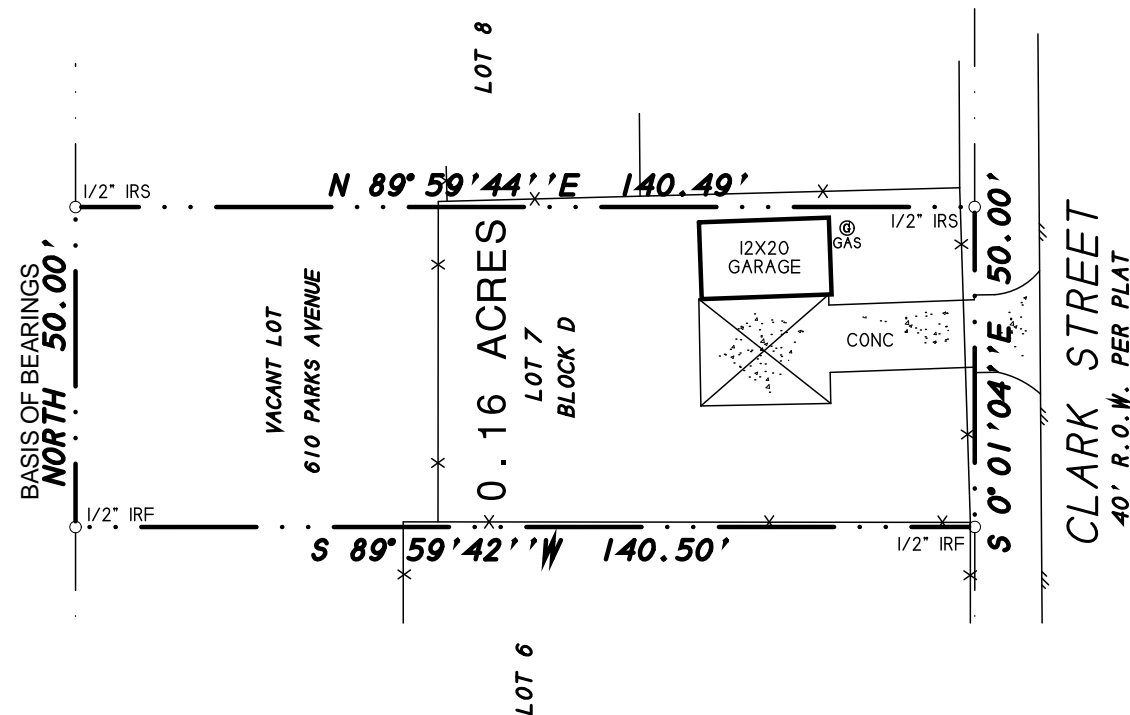


THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY ERIC L. DAVIS, P.E. 86895 ON 1/9/2020

PLAT OF SURVEY



PARKS AVENUE
50' R.O.W. PER PLAT



DESCRIPTION

BEING Lot 7, Block D, Forees Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Map thereof recorded in Volume 12, Page 568, of the Map Records of Rockwall County, Texas.

NOTES
















- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Allegiance Title Company, Old Republic National Title Insurance Company, Inwood National Bank, John P. and Julie Ann C. Wardell at 610 Parks Avenue, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 1st day of October, 2018.

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



SYMBOL LEGEND				
				
TELEVISION CABLE RISER	GAS METER	PHONE RISER	FIRE HYDRANT	POWER POLE
				
ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (CORNER)
				
FENCE	EASEMENT LINE		A/C UNIT	PROPANE TANK
		PROPERTY LINES		

SURVEY DATE		<u>OCTOBER 1, 2018</u>	
SCALE	<u>1" = 30'</u>	FILE #	<u>20180297-7</u>
CLIENT	<u>WARDELL</u>	GF #	<u>1884847-10GH</u>

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY ACCEPTED BY:

DATE

DATE



















February 13, 2020

**City of Rockwall
Planning & Zoning Department
385 S. Goliad St.
Rockwall, TX 75087**

Dear Planning & Zoning Department,

We are requesting a Special Use Permit (SUP) for **610 Parks Ave. Rockwall, TX 75087** due to the new City ordinance on September 1, 2019 to address the changes imposed by HB2439 to protect existing neighborhoods that don't have the same protections as Planned Development Districts.

Please consider our proposal for requesting a zoning application.

Thank you,

A handwritten signature in black ink, appearing to be "Reese Baez", written over a horizontal line.

**Reese Baez
Triton General Contractor
469-931-2267**

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.161-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 7, BLOCK D, FOREE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.161-acre parcel of land being described as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home in an established subdivision in accordance with *Subsection 02.03(B)(11), Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02]; and,

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

2.1. OPERATIONAL CONDITIONS

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

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

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02] will require the *Subject Property* to comply with the following:

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF APRIL, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 16, 2020

2nd Reading: April 6, 2020

Exhibit 'A':
Survey

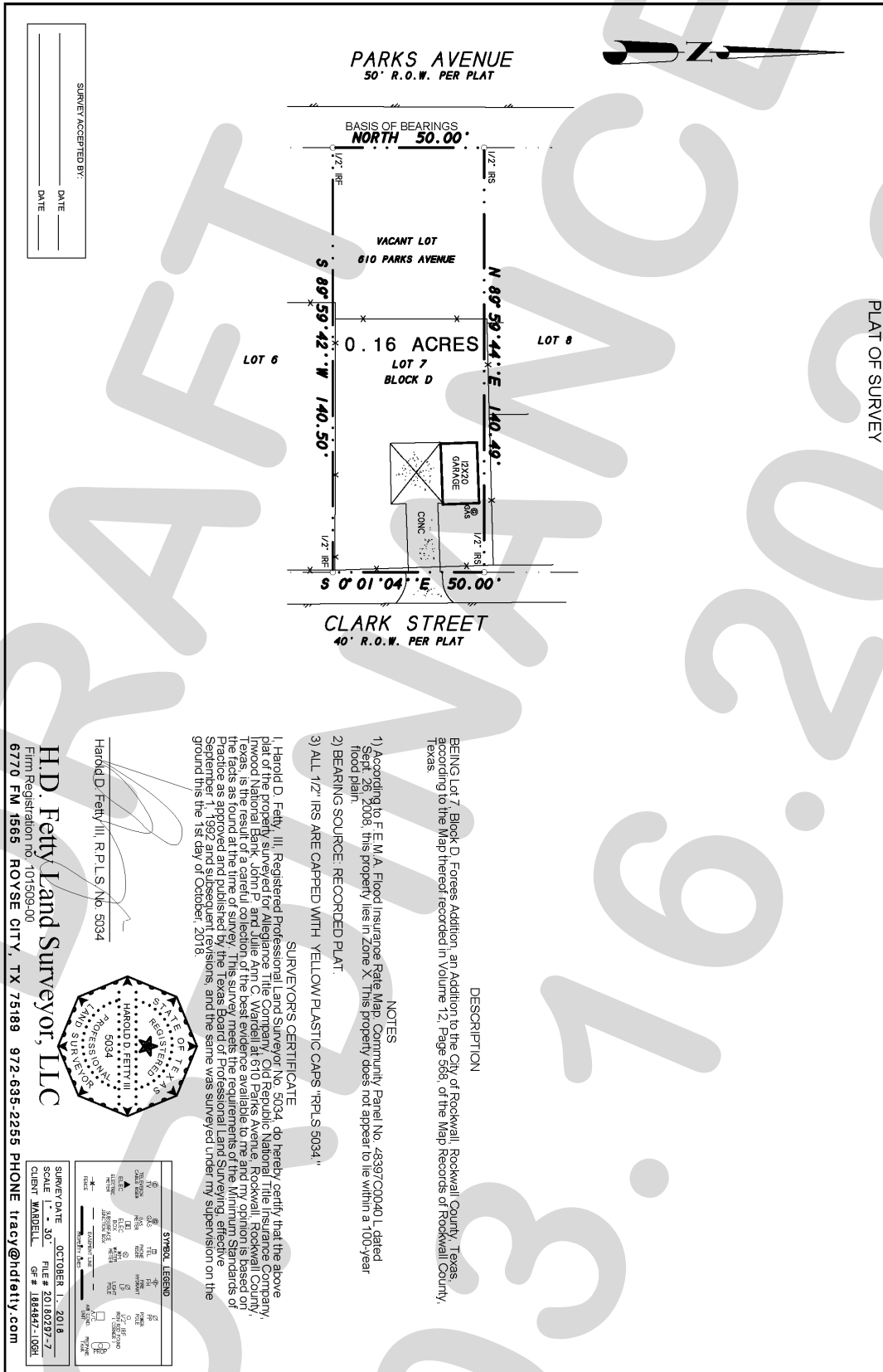


Exhibit 'B':
Residential Plot Plan

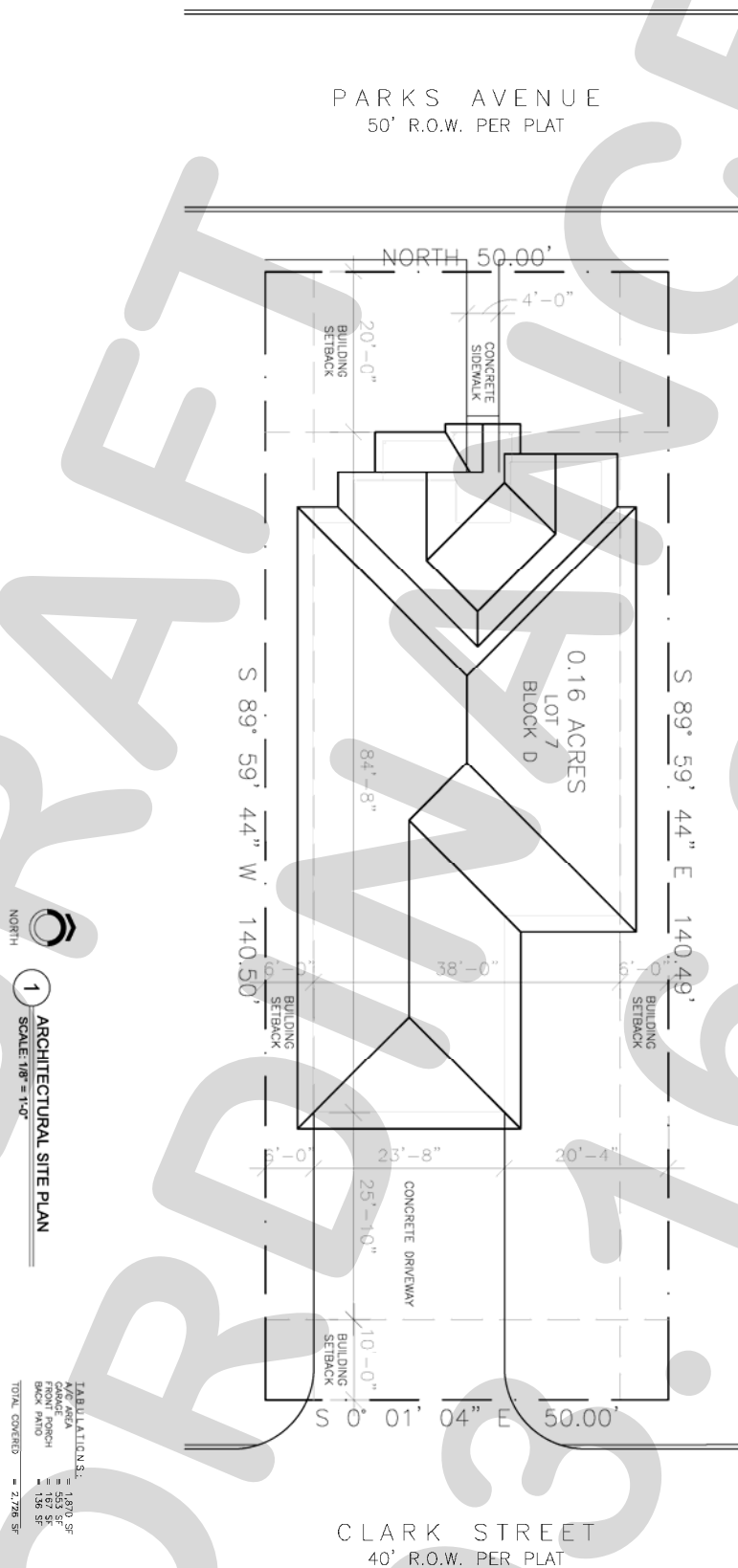


Exhibit 'C':
Building Elevations



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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

DATE: March 16, 2020

APPLICANT: Ambrocio Ibarra

CASE NUMBER: Z2020-004; *Specific Use Permit (SUP) for Residential Infill for 705 Peters Colony*

SUMMARY

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 705 Peters Colony, and take any action necessary.

BACKGROUND

The subject property was annexed prior to 1959, is zoned Single-Family 7 (SF-7) District, and is situated within the Southside Residential Neighborhood Overlay (SRO) District. On March 18, 2019, the City Council approved a replat for Lot 1, Block A, N. E. & J. O. Addition subdividing one (1) lot into two (2) lots for the construction of two (2) single-family homes. The subject property is currently vacant.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for the purpose of construction a single-family home on Lot 1 (*i.e. 705 Peters Colony*) in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC). This request is being made in conjunction with *Case No. Z2020-005*, which is a request for a Specific Use Permit (SUP) for the purpose of constructing a single-family home on Lot 2 (*i.e. 703 Peters Colony*).

ADJACENT LAND USES AND ACCESS

The subject property is located 705 Peters Colony. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 703 Peters Colony (*i.e. Lot 2, Block A, N. E. & J. O. Addition*), which is currently a vacant lot. North of this are three (3) single-family homes followed by E. Boydston Street, which is designated as a *Minor Collector* on the Master Thoroughfare Plan. Beyond Boydston Street there are several businesses (*i.e. Hello Gorgeous Salon, Children's Relief International, etc.*). These areas are zoned Single-Family 7 (SF-7) District and Planned Development District 42 (PD-42) for Residential-Office (RO) District land uses.

South: Directly south of the subject property there are several single-family homes followed by E. Ross Street, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond this, there are several single-family homes that are zoned Single-Family 7 (SF-7) District.

East: Directly east of the subject property is Lamar Street, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. This street is followed by two (2) single-family homes. Beyond this is Sherman Street, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the

Master Thoroughfare Plan, and beyond this are two (2) single-family homes. All of these areas are zoned Single-Family 7 (SF-7) District.

West: Directly west of the subject property is Peters Colony, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. This street is followed by several single-family homes. Beyond this, is Davy Crockett Street, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. All of these areas are zoned Single-Family 7 (SF-7) District.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as **“(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.”** An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as **“...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.”** The subject property is part of the Sanger Addition, which has been in existence since before 1959 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Single-Family 7 (SF-7) District, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Peters Colony Between Boydston Street and E. Ross Street	Proposed Housing
Building Height	One (1) Story	One (1) Story
Building Orientation	All of the homes located in the mid-block face towards Peters Colony and have a front-facing garages. The homes at the north end of Peters Colony which face E. Boydston Avenue.	The front elevation of the home will face on to Peters Colony Street.
Year Built	1957-2005	N/A
Building SF on Property	823 SF – 1,375 SF	2,450 SF
Building Architecture	Various	Comparable Architecture to the Homes Built in 2005
Building Setbacks:		
Front	20-Feet	20-Feet (House Setback 30-Feet)
Side	The side yard setbacks appear to be between five (5) and six (6) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	10-Feet
Building Materials	Wood, Masonite, and Cementitious Lap Siding and Brick	100% Brick
Paint and Color	White, Green, Blue, and Tan	Red with White Trim
Roofs	Composite Shingles	Composite Shingle
Driveways	The majority of the homes have front entry garages with two (2) of the homes having carports instead of garages.	Front entry Garage with front façade of the home being recessed 20-feet behind the garage door.

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), **“(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry garages ...”** In this case, the applicant is proposing to put the garage 20-feet in front of the front façade of the single-family home, and if approved the Planning and Zoning Commission and City Council will be waiving this requirement. Staff should

note that this waiver has been approved in the Southside Residential Neighborhood Overlay (SRO) District in the past and that the two (2) properties south of the subject property are configured in the same configuration. With the exception of the garage orientation, the proposed single-family home meets all of the density and dimensional requirements for the Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Peters Colony and the proposed building elevations in the attached packet. The approval of this request is discretion to the Planning and Zoning Commission and City Council pending a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On February 25, 2020, staff notified 121 property owners and occupants within 500-feet of the subject property. There are no Homeowners Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had received one (1) notice in opposition of this request.

CONDITIONS OF APPROVAL

If the **City Council chooses to approve the applicant's request** then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in ***Exhibit 'B'*** of the draft ordinance.
 - (b) Construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in ***Exhibit 'C'*** of the draft ordinance; and,
 - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
 - (d) The single-family home shall not have the same brick color as the proposed home on 703 Peters Colony.
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's conditions of approval passed by a vote of 5-0 with Commissioners Fishman and Logan absent.



City of Rockwall

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

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

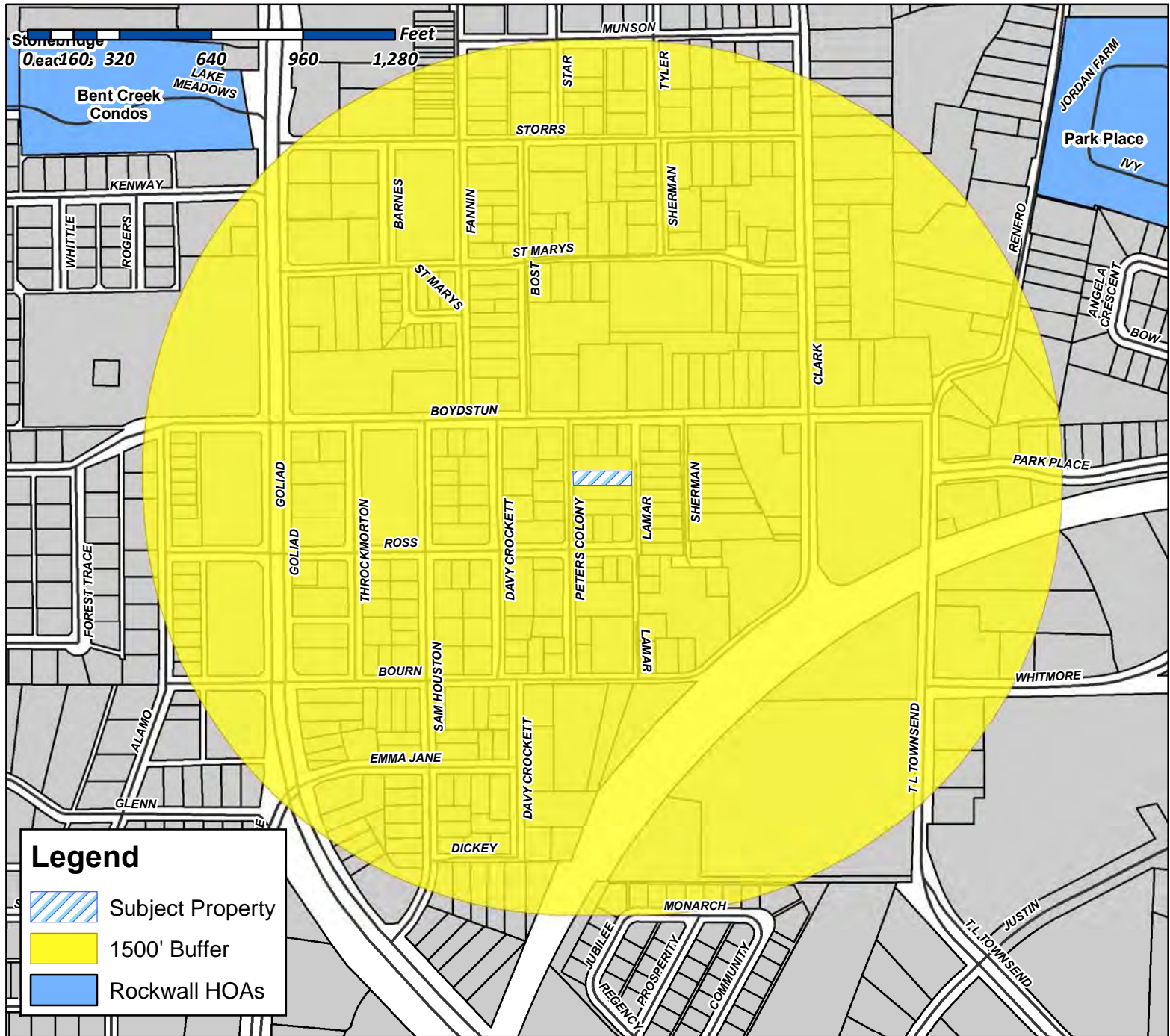




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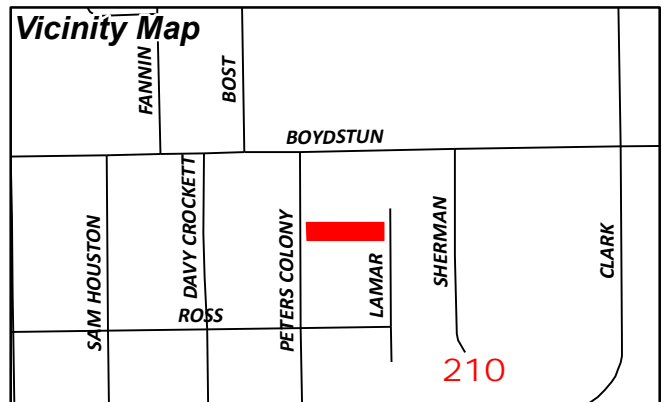
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Case Number: Z2020-004
Case Name: SUP for 705 Peters Colony
Case Type: Specific Use Permit
Zoning: SF-7
Case Address: 705 Peters Colony

Date Created: 2/19/2020

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

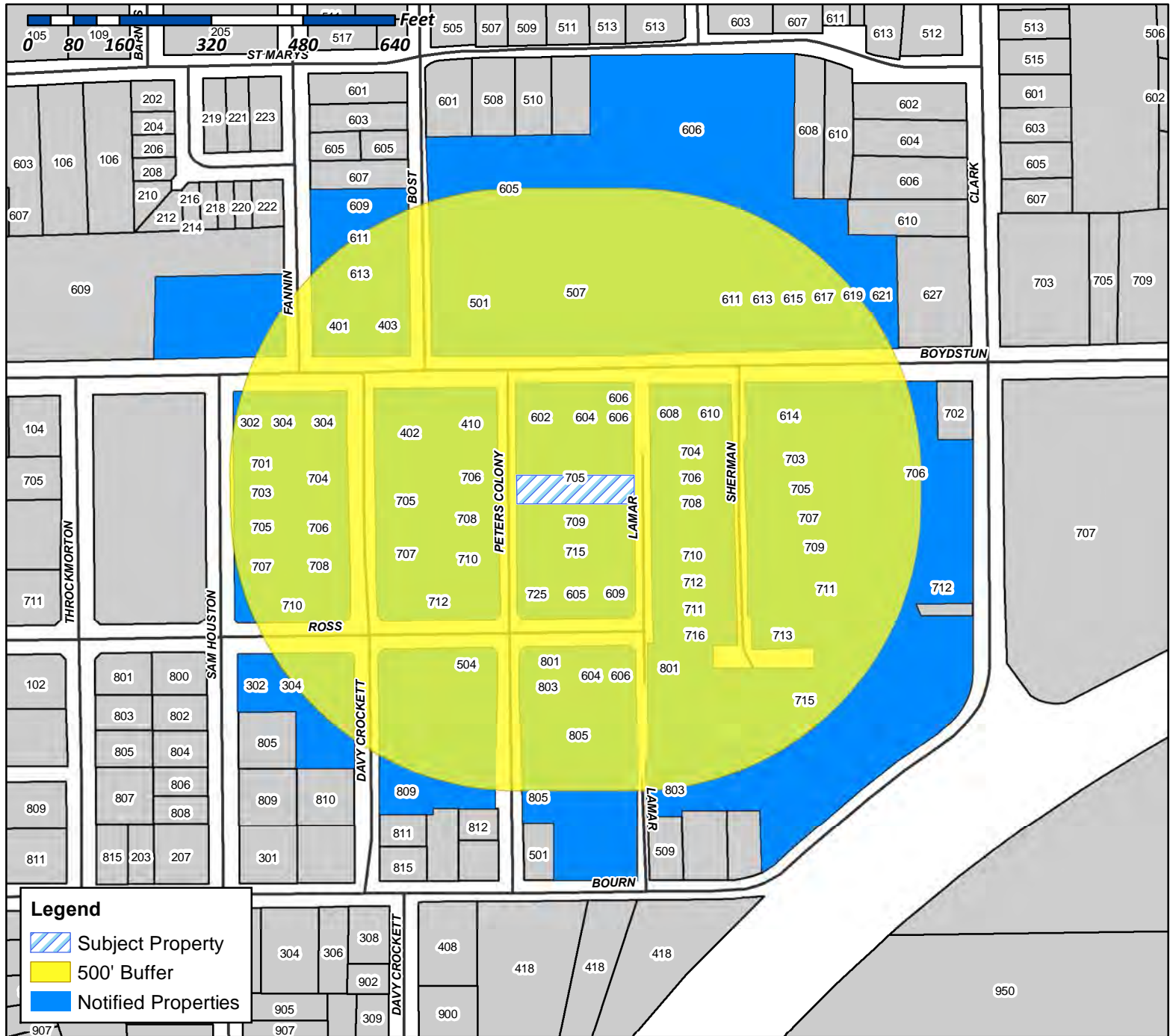




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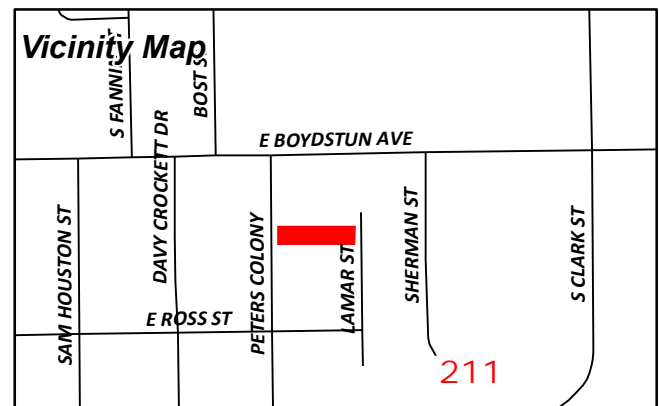
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Case Name: SUP for 705 Peters Colony
Case Type: Specific Use Permit
Zoning: SF-7
Case Address: 705 Peters Colony

Date Created: 2/19/2020

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



CITY OF ROCKWALL , 0	SLIGER S T MRS , 0	CITY OF ROCKWALL , 0
CURRENT RESIDENT ROCKWALL, TX 75087	CURRENT RESIDENT 709 N SHERMAN ROCKWALL, TX 75087	CURRENT RESIDENT BOURN ROCKWALL, TX 75087
CURRENT RESIDENT CLARK ROCKWALL, TX 75087	CURRENT RESIDENT DAVEY CROCKETT ROCKWALL, TX 75087	CURRENT RESIDENT DAVEY CROCKETT ROCKWALL, TX 75087
CURRENT RESIDENT DAVEY CROCKETT ROCKWALL, TX 75087	CURRENT RESIDENT PETERS COLONY ROCKWALL, TX 75087	CURRENT RESIDENT PETERS COLONY ROCKWALL, TX 75087
CURRENT RESIDENT SHERMAN ROCKWALL, TX 75087	CURRENT RESIDENT EBOURN ROCKWALL, TX 75087	CURRENT RESIDENT EBOYDSTUN ROCKWALL, TX 75087
CURRENT RESIDENT EBOYDSTUN ROCKWALL, TX 75087	CURRENT RESIDENT EBOYDSTUN ROCKWALL, TX 75087	WRIGHT ALVIN (MR) MAIL RETURNED BY POST OFFICE
PEREZ MARIA D 1002 E WOODIN BLVD DALLAS, TX 75126	GOSSEAUX KEVIN 1005 SPRINGFIELD LANE ALLEN, TX 75002	SRIVEN VISTA LLC 10401 JACKSON HOLE LN MCKINNEY, TX 75070
JOHNSON PAMELA 1310 COLONY DR GARLAND, TX 75040	SMITH CHARLES ELLIOT 1421 COASTAL DR ROCKWALL, TX 75087	STRANGE EMERSON JR 1521 NOVEL CT GARLAND, TX 75040
PIERATT ALAN & MELODY 1540 MEADOWS CIR ROCKWALL, TX 75087	NASUFI ZIKRI 1885 HILLCROFT DR ROCKWALL, TX 75087	DALLAS-GARLAND & NORTHEASTERN RAILROAD C/O GENESEE & WYOMING RAILROAD 1940 ENCHANTED WAY 201 GRAPEVINE, TX 76051
BALL JUSTIN 2155 CLUBVIEW DR ROCKWALL, TX 75087	LEW AND LIN INVESTING LLC 2289 CR 643 NEVADA, TX 75173	OSORNIO JEANNIFFER AND NOHEMA ESTRADA MACHARIGUE 2307 WHITE ROAD HEATH, TX 75032

HANEY W
2824 MISTY RIDGE
ROCKWALL, TX 75032

WILLIAMS FREDDIE R & JO ANN
302 E BOYDSTUN AVE
ROCKWALL, TX 75087

VILLALOBOS JOSE MARVIN & JACKELIN IZELA
302 E ROSS
ROCKWALL, TX 75087

LANIER FAMILY TRUST
ROSA P LANIER TRUSTEE
304 E BOYDSTUN AVE
ROCKWALL, TX 75087

DAVIDSON JEFFREY LEE & MELIZA IBARRA
304 E ROSS AVE
ROCKWALL, TX 75087

KATELY CHARLES LEE & THELMA S
309 ANDERSON ST
OAKDALE, LA 71463

HAMANN BRENT
315 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

RANDOLPH JAMES R JR
3314 ANNA CADE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
401EBOYDSTUN
ROCKWALL, TX TX

TAYLOR THOMAS M & KAY D
402 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
403EBOYDSTUN
ROCKWALL, TX TX

JONES MARGARINE ESTATE
410 E BOYDSTUN AVE
ROCKWALL, TX 75087

HONZELL DAVID AND PATRICIA
414 E. COACHLIGHT TRAIL
ROCKWALL, TX 75087

UPPER ROOM TEMPLE HOLYNESS
CHURCH
423 WILLOW RIDGE CIRCLE
ROCKWALL, TX 75032

GRUBBS JOHN W
501 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
504 ROSS
ROCKWALL, TX TX

CURRENT RESIDENT
507EBOYDSTUN
ROCKWALL, TX TX

HEAD TIM
510 MARIPOSA
ROCKWALL, TX 75087

JONES ELTON E & LINDA M
512 TERRY LN
ROCKWALL, TX 75032

INNER URBAN HOMES INC
519 I30 #110
ROCKWALL, TX 75087

ALLEN DONNA ANETTE AND
JACQUELINE YVETTE JACOBS AND JEFFREY
DWAYNE JACOBS
5961 CONNIE LANE
ROCKWALL, TX 75032

NIX NICHOLAS & ROSALIA
602 E BOYDSTUN AVE
ROCKWALL, TX 75087

ESPINOZA SYLVIA AND
JOSEPH FABIAN PEREZ
604 ROSS STREET
ROCKWALL, TX 75087

MOORE JAMES L
604 S CLARK
ROCKWALL, TX 75087

GENTRY GENEVA
605 BOST ST
ROCKWALL, TX 75087

BOUAS MARAYA D & JEFFREY D
605 E ROSS STREET
ROCKWALL, TX 75087

GAMEZ DAVID & PETRA
606 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
606 ROSS
ROCKWALL, TX TX

WILKERSON CLAUDE JR
606 SAINT MARY ST
ROCKWALL, TX 75087

CURRENT RESIDENT
608EBOYDSTUN
ROCKWALL, TX TX

HUBBARD ALPHINEEZES
609 E ROSS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
609SFANNIN
ROCKWALL, TX TX

SCHUMANN LAURIE A
610 E BOYDSTUN AVE
ROCKWALL, TX 75087

SMITH CHARLES
611 E BOYDSTUN
ROCKWALL, TX 75087

NONUS SHELLY REYNA AND THOMAS
611 FANNIN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
611EBOYDSTUN
ROCKWALL, TX TX

CARPENTER KATHRYN ANN
613 E BOYDSTUN AVE
ROCKWALL, TX 75087

TANNER TRUDY LEANN
613 S FANNIN
ROCKWALL, TX 75087

GAMEZ DAVID
614 E BOYDSTUN AVE
ROCKWALL, TX 75087

WOOD JORDAN AND ERIN
615 E BOYDSTUN AVENUE
ROCKWALL, TX 75032

CURRENT RESIDENT
617EBOYDSTUN
ROCKWALL, TX TX

WOODARD JENNIFER
619 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
621 BOYDSTUNAVE
ROCKWALL, TX TX

KAUFMANN DOUGLAS A
627 SORITA CIRCLE
HEATH, TX 75032

CURRENT RESIDENT
701 SAM HOUSTON
ROCKWALL, TX TX

CURRENT RESIDENT
703 SAM HOUSTON
ROCKWALL, TX TX

ROSS LESLIE
703 SHERMAN ST
ROCKWALL, TX 75087

HEARD OLLIE FAYE
704 DAVY CROCKETT ST
ROCKWALL, TX 75087

SCROGGINS MURRAY
704 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
705 DAVY CROCKETT
ROCKWALL, TX TX

STRANGE ANTHONY I SR & LISA D
705 N SHERMAN
ROCKWALL, TX 75087

CURRENT RESIDENT
705 PETERS COLONY
ROCKWALL, TX TX

MILLER ANNE
705 SAM HOUSTON ST
ROCKWALL, TX 75087

WILLIAMS SHIRLEY B ETAL
706 DAVY CROCKETT ST
ROCKWALL, TX 75087

DABNEY AUDRY
706 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
706 SHERMAN
ROCKWALL, TX TX

CURRENT RESIDENT
706SCLARK
ROCKWALL, TX TX

CRENSHAW LORENZA
707 DAVY CROCKETT ST
ROCKWALL, TX 75087

CURRENT RESIDENT
707 SAM HOUSTON
ROCKWALL, TX TX

ABARCA JOANNE
707 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
708 DAVY CROCKETT
ROCKWALL, TX TX

CURRENT RESIDENT
708 PETERS COLONY
ROCKWALL, TX TX

CURRENT RESIDENT
708 SHERMAN
ROCKWALL, TX TX

HEJI PAUL M
709 PETERS COLONY
ROCKWALL, TX 75087

HOLLAND ROBIN
709 SHERMAN ST
ROCKWALL, TX 75087

HEARD RHODA MAE
710 DAVY CROCKETT ST
ROCKWALL, TX 75087

CURRENT RESIDENT
710 PETERS COLONY
ROCKWALL, TX TX

SANCHEZ FATIMA L
710 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
711 LAMAR
ROCKWALL, TX TX

ALLEN ETHEL JEAN
711 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
712 CLARK
ROCKWALL, TX TX

BENNETT A L EST
C/O OLIVER LINVELL
712 PETERS COLONY
ROCKWALL, TX 75087

LINVEL MELBA RUTH ESTATE
712 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
712 SHERMAN
ROCKWALL, TX TX

DENSON PATRICIA STRANGE
713 SHERMAN ST
ROCKWALL, TX 75087

CABERA JUAN R & NOEMI E
715 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
715 SHERMAN
ROCKWALL, TX TX

CURRENT RESIDENT
716 SHERMAN
ROCKWALL, TX TX

CURRENT RESIDENT
725 PETERS COLONY
ROCKWALL, TX TX

ROCKWALL HOUSING DEV CORP
A TEXAS NON-PROFIT CORP OF RW
787 HAIL DR
ROCKWALL, TX 75032

MATHIS MALCOLM AND CHRISTIE
801 LAMAR ST
ROCKWALL, TX 75087

HASS DANIEL & AMBER
801 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
801 PETERS COLONY
ROCKWALL, TX TX

SHAW JERRY GAIL
803 LAMAR ST
ROCKWALL, TX 75087

FISHER JESSICA
803 PETERS COLONY
ROCKWALL, TX 75087

ST PAUL AFRICAN METHODIST
EPISCOPAL CHURCH
805 PETERS COLONY
ROCKWALL, TX 75087

JOHNSON MELDRIA
809 DAVY CROCKETT
ROCKWALL, TX 75087

CANALES ZAMORA FAMILY TRUST
ROMAN FRANCISCO CANALES & ROSA MARIA
ZAMORA MIRANDA-TRUSTEE
P O BOX 291
FATE, TX 75132

ROCKWALL SOUTHSIDE NEIGHBORHOOD
COALITION
C/O TONY RIOS
PO BOX 1262
ROCKWALL, TX 75087

ROCKWALL HABITAT FOR HUMANITY
PO BOX 4
ROCKWALL, TX 75087

SMITH TIMOTHY
PSC 3 BOX 5631
APO, AP 96266

To Whom It May Concern:

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

Case No. Z2020-004: 705 Peters Colony

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 705 Peters Colony, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/16/2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

**Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087**

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

Your comments must be received by **3/16/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

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

Case No. Z2020-004: 705 Peters Colony

Please place a check mark on the appropriate line below:

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

Name:	
Address:	

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

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

Case No. Z2020-004: 705 Peters Colony

Please place a check mark on the appropriate line below:

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

Do not want my Property Value to go down

Name:

Rosalie Nix

Address:

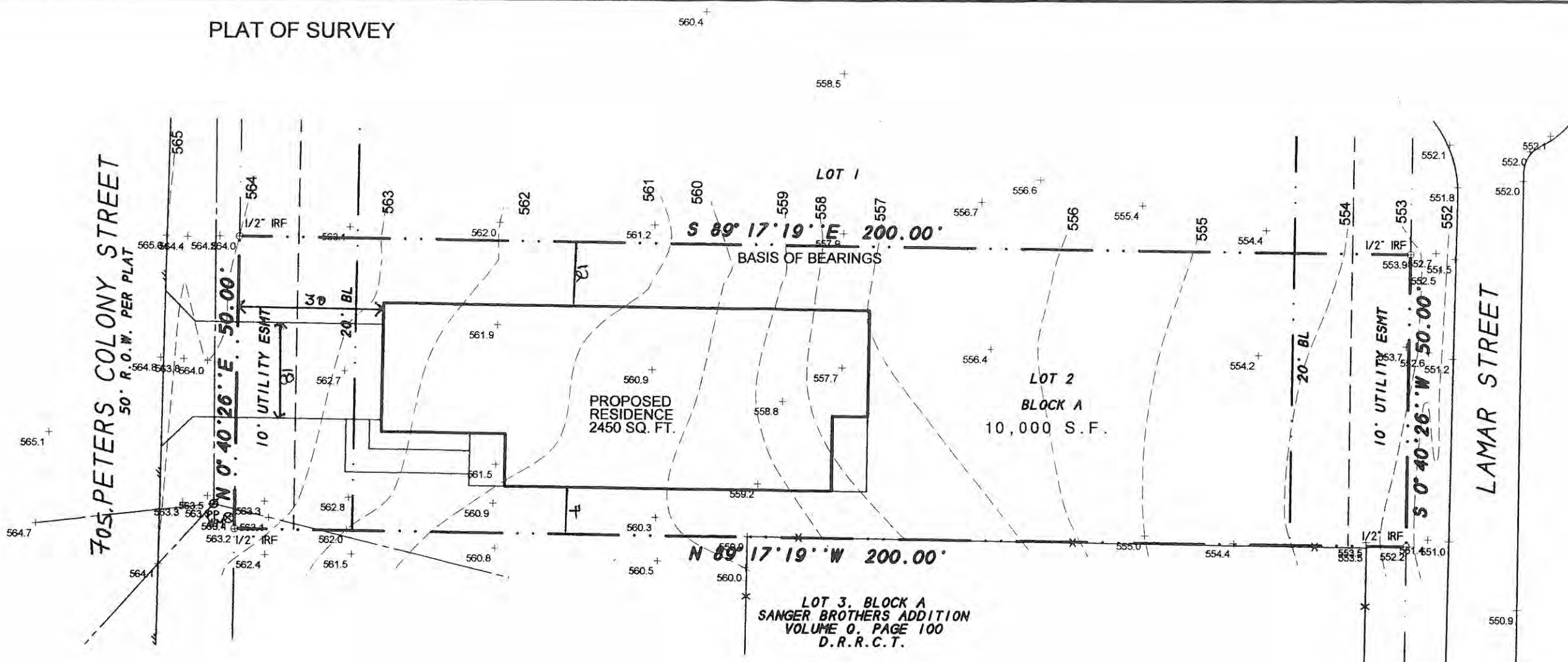
602 E Bardston

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

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

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

PLAT OF SURVEY



DESCRIPTION

BEING Lot 2, Block A, of N.E. & J.O. Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Document No. 20190000015067, of the Official Property Records of Rockwall County, Texas.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEY ACCEPTED BY:

_____	DATE _____
_____	DATE _____

PLAT PLAN

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Jeaniffer Osornio and Nohema Estrada at Peters Colony Street, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 14th day of November, 2019.

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



H.D. Fetty Land Surveyor, LLC

Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SYMBOL LEGEND					
TV	GAS	TEL	PH	PP	
TELEVISION CABLE RISER	GAS METER	PHONE RISER	FIRE HYDRANT	POWER POLE	
ELEC	ELEC BOX	WM WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND (1 CORNER)	
ELECTRIC METER	SUBSURFACE JUNCTION BOX				
FENCE	EASEMENT LINE	A/C UNIT	PROPANE TANK		
	PROPERTY LINE				

SURVEY DATE NOVEMBER 14, 2019
SCALE 1" = 20' FILE # 20190047-2
CLIENT OSORNIO GF # NONE

- NOTE:
1. SITE PREPARATION MUST COMPLY WITH PROJECT GEOTECHNICAL REPORT SPECIFICATIONS.
 2. REMOVE AND DISCARD ALL VEGETATION WHERE GRADING IS PROPOSED
 3. SITE DRAINAGE MUST BE WELL DEVELOPED AND DIRECTED AWAY FROM THE FOUNDATION. GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET. FLOWLINE SLOPES OF SWALES AND SIDE YARDS SHALL NOT BE LESS THAN 1.25%. NO PONDING OF SURFACE WATER SHALL BE ALLOWED NEAR THE STRUCTURE.
 4. BACKFILL AROUND THE FOUNDATION SHALL BE WITH COHESIVE SOIL.
 5. ROOF DOWNSPOUTS AND DRAINS SHALL BE EXTENDED AND DRAIN AWAY FROM FOUNDATION.
 6. PAVING AND STRUCTURAL DESIGN BY OTHERS.

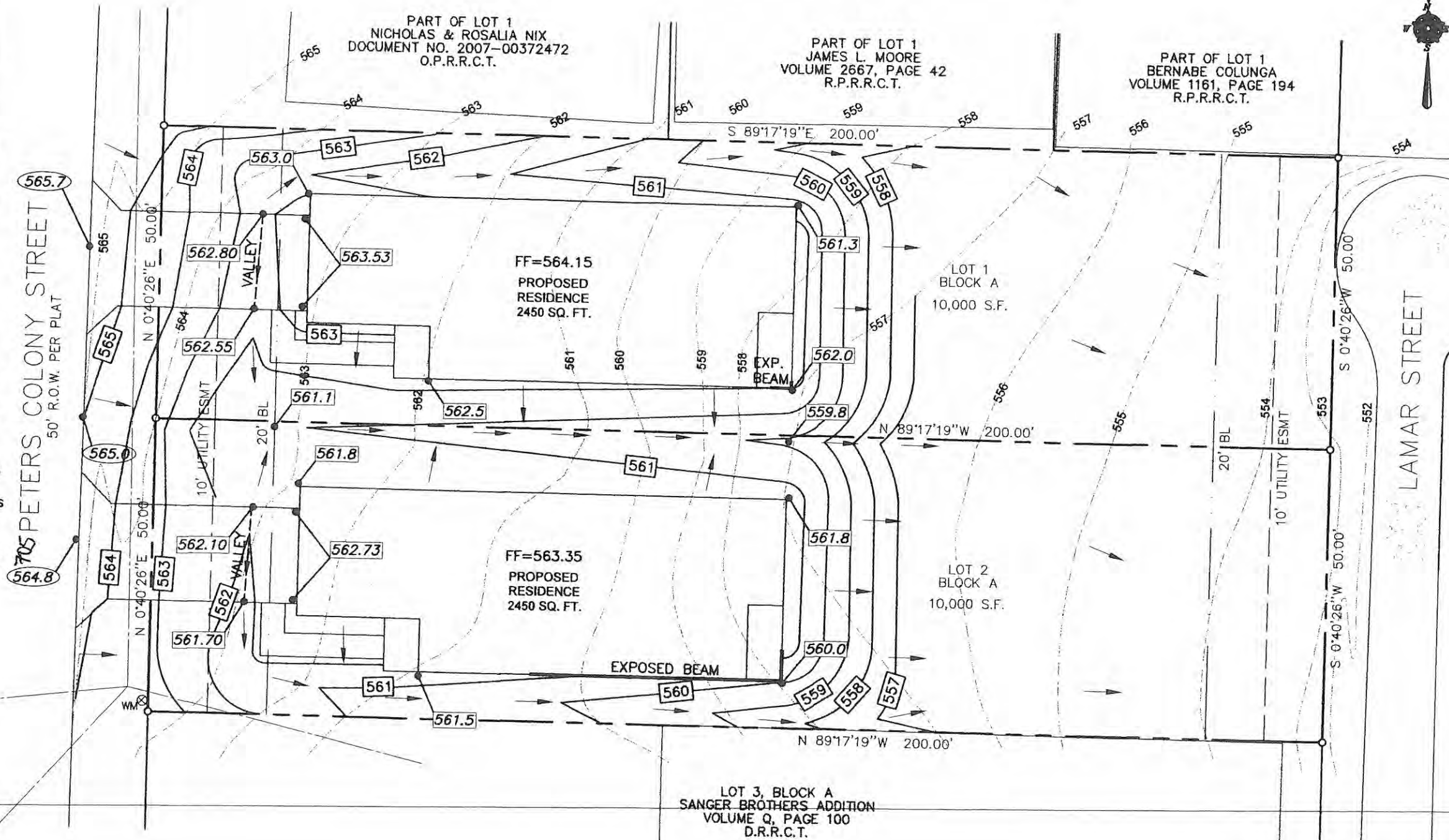
ALL ELEVATIONS ARE BASED ON SURVEY DATA PROVIDED BY THE OWNER AND/OR SURVEYOR. DESIGN ENGINEER ASSUMES NO RESPONSIBILITY FOR DISCREPANCIES RESULTING FROM SURVEY DATA.

CAUTION!!!
CALL: TEXAS ONE CALL @
1-800-245-4545
48 HRS PRIOR TO CONSTRUCTION

III CAUTION III
EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS OWNERS OF THE FACILITIES. THE ENGINEER DOES NOT ACCEPT THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY BOTH HORIZONTALLY AND VERTICALLY THE LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION, TO TAKE NECESSARY PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED, AND TO NOTIFY THE ENGINEER PROMPTLY OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION, AND DAMAGE BY THE CONTRACTOR TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR AT HIS OR HER EXPENSE.

LEGEND

---	EASEMENT
XXX	EXISTING SPOT ELEVATION
XXX	PROPOSED SPOT ELEVATION
---	PROPERTY LINE
XXX	PROPOSED CONTOURS
XXX	EXISTING CONTOURS
→	PROPOSED FLOW DIRECTION
⊠	12" x 12" AREA DRAIN



STATE OF TEXAS
MITCHELL K. LEMMOND
92714
LICENSED PROFESSIONAL ENGINEER

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MITCHELL K. LEMMOND, P.E. 92714 ON 1/8/2020

1/8/2020

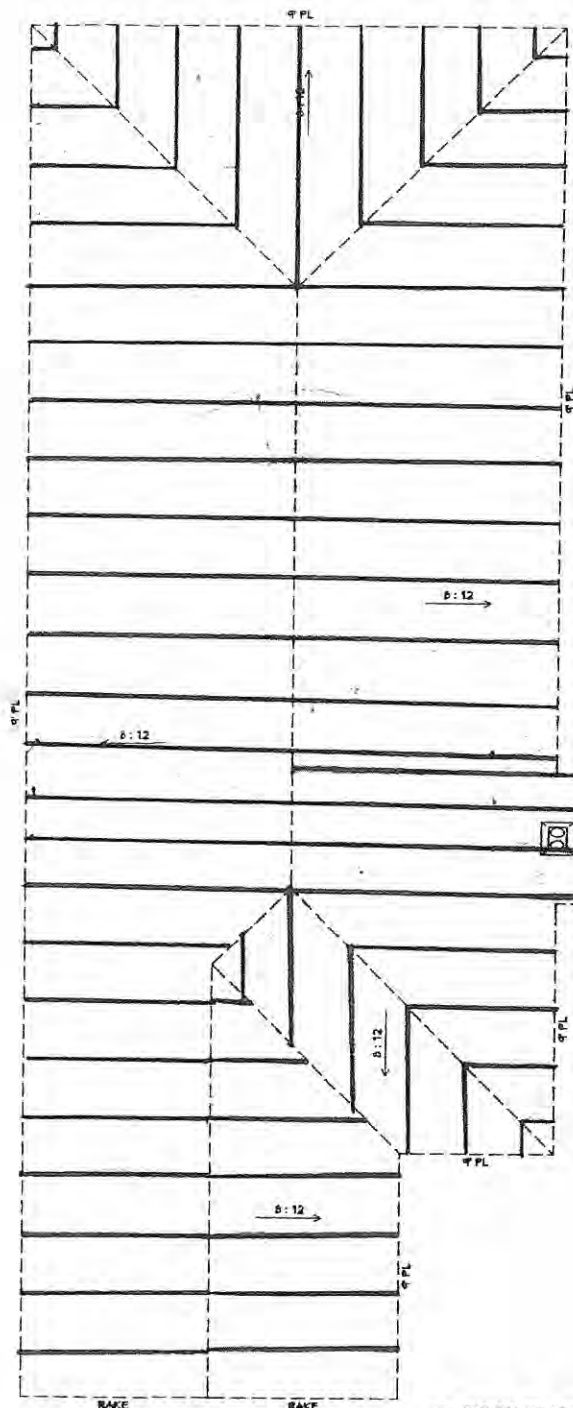
ERIC L. DAVIS ENGINEERING, INC.
F-3987
120 EAST MAIN STREET
Forsyth, Texas 75126
972/564-0592 Fax 972/564-6523
E-Mail ericldavis@eldengineering.com

GRADING PLAN
ENGINEERED FOR
KEVIN OSORNIO

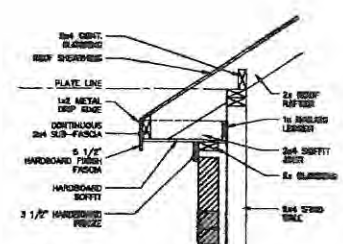
BUILDER: KEVIN OSORNIO	PLAN: GRADING
ADDITION: N.E. & J.O. ADDITION	ELD JOB NO: DIF19-1527 & 1530
ADDRESS: 703 & 705 PETERS COLONY	DRAWN BY: BW
LOT: 1 & 2	CHECKED BY: ML
CITY: ROCKWALL, TX	

SCALE: 1" = 20'

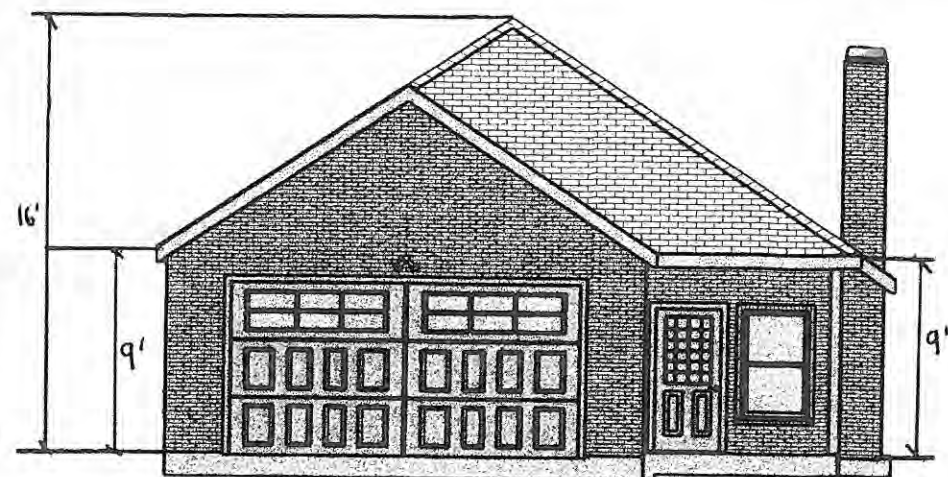
220
SHEET 01



1 ROOF PLAN
SCALE: 3/16"=1'



01 TYP. EAVE @ 12:12 PITCH

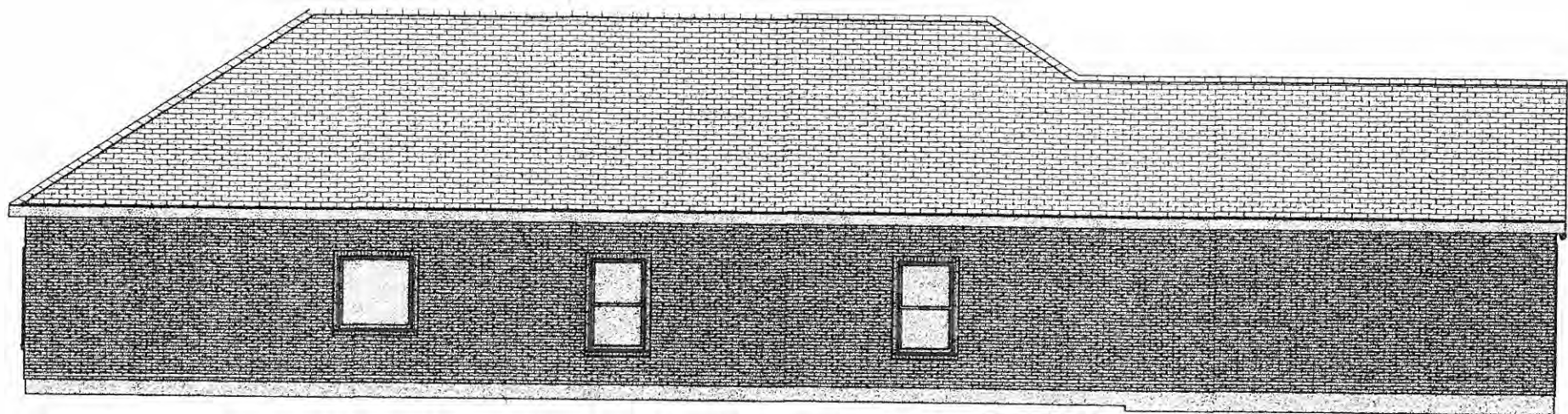


2 FRONT ELEVATION
SCALE: 1/4"=1'

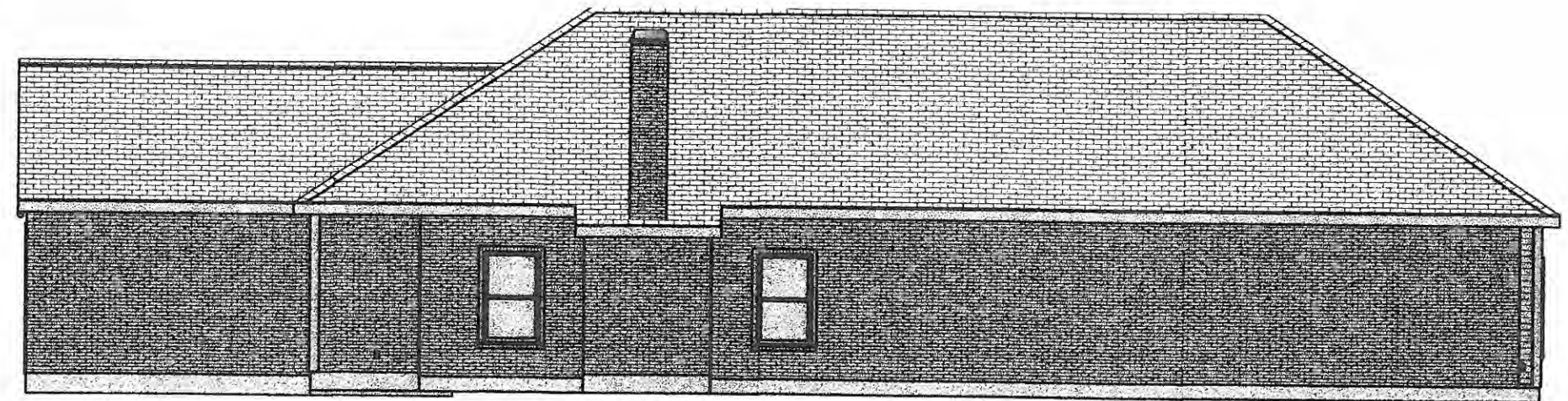


3 REAR ELEVATION
SCALE: 1/4"=1'

NOTE
100% Brick House



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



5 RIGHT ELEVATION
SCALE: 1/4"=1'

PLANS FOR: 705 Peters Colony St

Rockwall Tx

TITLE:
ROOF PLAN / ELEVATIONS

SHANNON NEWSON MARK NEWSON
CADAZIGN
3709 CR 2022
ROYSE CITY, TEXAS 75770
409-530-9865

DATE:
5/7/2019

SCALE:
AS SHOWN

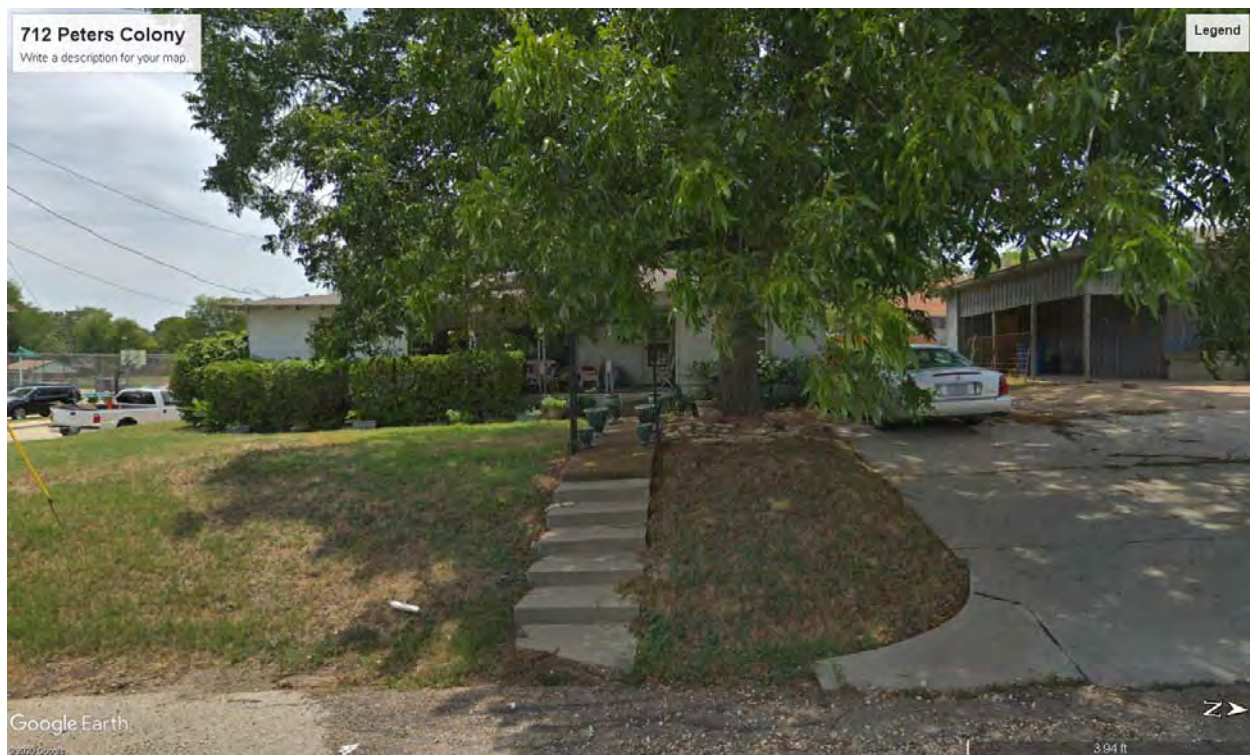
SHEET:

A-1











CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.11-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, SANGER ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Ambrocio Ibarra for the approval of a Specific Use Permit (SUP) to allow *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.11-acre parcel of land being described as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 705 Peters Colony, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home in an established subdivision in accordance with Article 4, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards* and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 5, *District Development Standards*, of the Unified Development Code

(UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

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

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

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the Subject Property to comply with the following:

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF APRIL, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

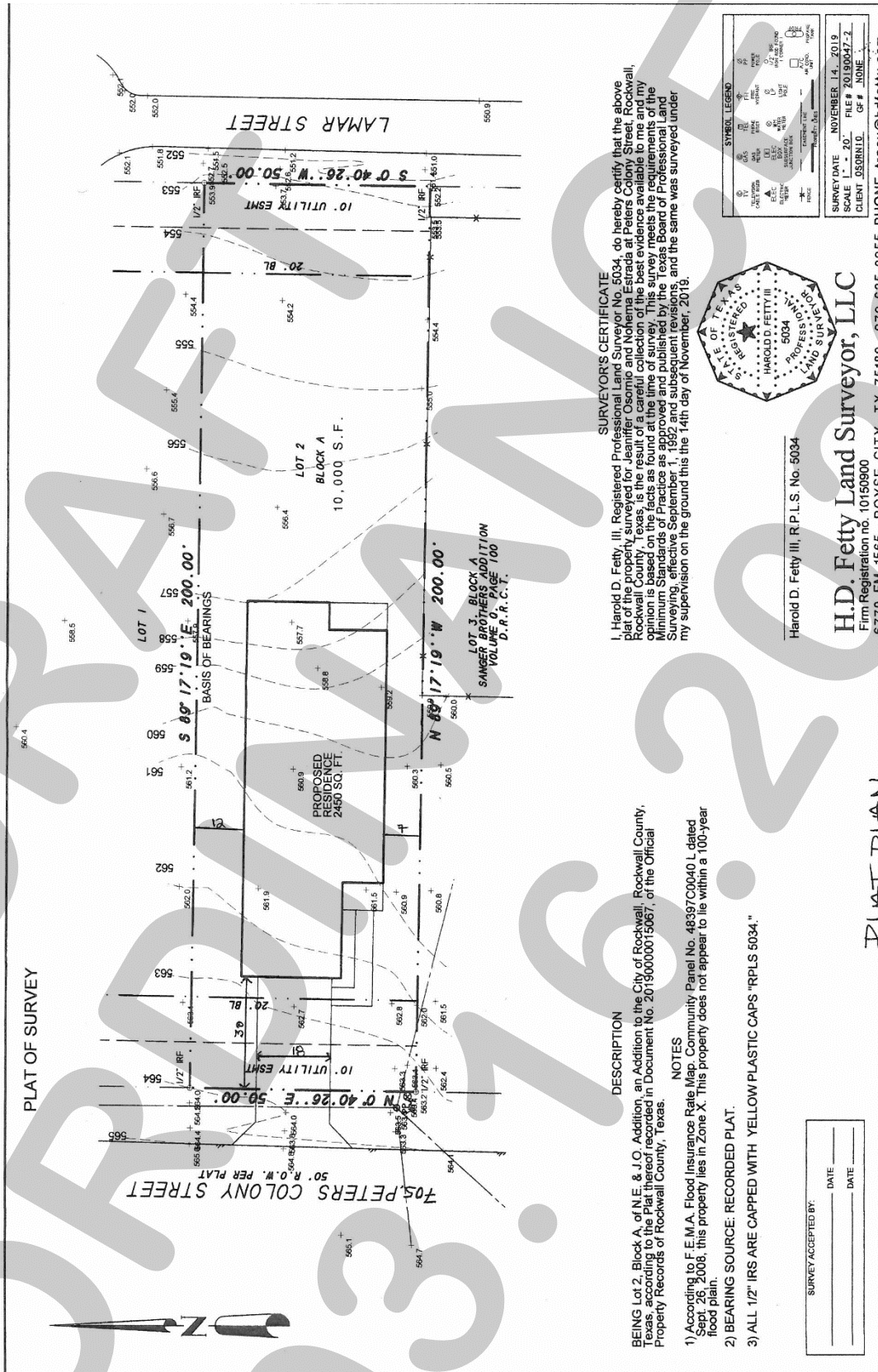
1st Reading: March 16, 2020

2nd Reading: April 6, 2020

Address: 705 Peters Colony

Legal Description: Lot 1, Block A, Sanger Addition





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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 16, 2020
APPLICANT: Ambrocio Ibarra
CASE NUMBER: Z2020-005; *Specific Use Permit (SUP) for Residential Infill for 703 Peters Colony*

SUMMARY

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Peters Colony, and take any action necessary.

BACKGROUND

The subject property was annexed prior to 1959, is zoned Single-Family 7 (SF-7) District, and is situated within the Southside Residential Neighborhood Overlay (SRO) District. On March 18, 2019, the City Council approved a replat for Lot 2, Block A, N. E. & J. O. Addition subdividing one (1) lot into two (2) lots for the construction of two (2) single-family homes. The subject property is currently vacant.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for the purpose of construction a single-family home on Lot 2 (*i.e. 703 Peters Colony*) in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC). This request is being made in conjunction with *Case No. Z2020-004*, which is a request for a Specific Use Permit (SUP) for the purpose of constructing a single-family home on Lot 1 (*i.e. 705 Peters Colony*).

ADJACENT LAND USES AND ACCESS

The subject property is located 703 Peters Colony. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property there are three (3) single-family homes followed by E. Boydston Street, which is designated as a *Minor Collector* on the Master Thoroughfare Plan. Beyond Boydston Street there are several businesses (*i.e. Hello Gorgeous Salon, Children's Relief International, etc.*). These areas are zoned Single-Family 7 (SF-7) District and Planned Development District 42 (PD-42) for Residential-Office (RO) District land uses.

South: Directly south of the subject property there are several single-family homes followed by E. Ross Street, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. Beyond this, there are several single-family homes that are zoned Single-Family 7 (SF-7) District.

East: Directly east of the subject property is Lamar Street, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. This street is followed by two (2) single-family homes. Beyond this is Sherman Street, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan, and beyond this are two (2) single-family homes. All of these areas are zoned Single-Family 7 (SF-7) District.

West: Directly west of the subject property is Peters Colony, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. This street is followed by several single-family homes. Beyond this, is Davy Crockett Street, which is identified as a *R2 (residential, two [2] lane, undivided roadway)* on the Master Thoroughfare Plan. All of these areas are zoned Single-Family 7 (SF-7) District.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as **“(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.”** An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as **“...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.”** The subject property is part of the Sanger Addition, which has been in existence since before 1959 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Single-Family 7 (SF-7) District, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Peters Colony Between Boydston Street and E. Ross Street	Proposed Housing
Building Height	One (1) Story	One (1) Story
Building Orientation	All of the homes located in the mid-block face towards Peters Colony and have a front-facing garages. The homes at the north end of Peters Colony which face E. Boydston Avenue.	The front elevation of the home will face on to Peters Colony Street.
Year Built	1957-2005	N/A
Building SF on Property	823 SF – 1,375 SF	2,450 SF
Building Architecture	Various	Comparable Architecture to the Homes Built in 2005
Building Setbacks:		
Front	20-Feet	20-Feet (House Setback 30-Feet)
Side	The side yard setbacks appear to be between five (5) and six (6) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	10-Feet
Building Materials	Wood, Masonite, and Cementitious Lap Siding and Brick	100% Brick
Paint and Color	White, Green, Blue, and Tan	Red with White Trim
Roofs	Composite Shingles	Composite Shingle
Driveways	The majority of the homes have front entry garages with two (2) of the homes having carports instead of garages.	Front entry Garage with front façade of the home being recessed 20-feet behind the garage door.

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), **“(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry garages ...”** In this case, the applicant is proposing to put the garage 20-feet in front of the front façade of the single-family home, and if approved the Planning and Zoning Commission and City Council will be waiving this requirement. Staff should note that this waiver has been approved in the Southside Residential Neighborhood Overlay (SRO) District in the past and that the two (2) properties south of the subject property are configured in the same configuration. With the exception of the

garage orientation, the proposed single-family home meets all of the density and dimensional requirements for the Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Peters Colony and the proposed building elevations in the attached packet. The approval of this request is discretion to the Planning and Zoning Commission and City Council pending a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On February 25, 2020, staff notified 121 property owners and occupants within 500-feet of the subject property. There are no Homeowners Associations (HOA's)/Neighborhood Associations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was written, staff had not received any notices concerning this case.

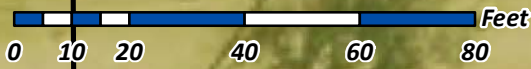
CONDITIONS OF APPROVAL

If the City **Council chooses to approve the applicant's request** then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
 - (b) Construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
 - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
 - (d) The single-family home shall not have the same brick color as the proposed home on 705 Peters Colony.
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's conditions of approval passed by a vote of 5-0 with Commissioners Fishman and Logan absent. Included with the motion was a condition that the single-family home incorporates a brick color that is complimentary to, yet different from the proposed single-family home at 705 Peters Colony.



PETERS COLONY



LAMAR



City of Rockwall

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

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

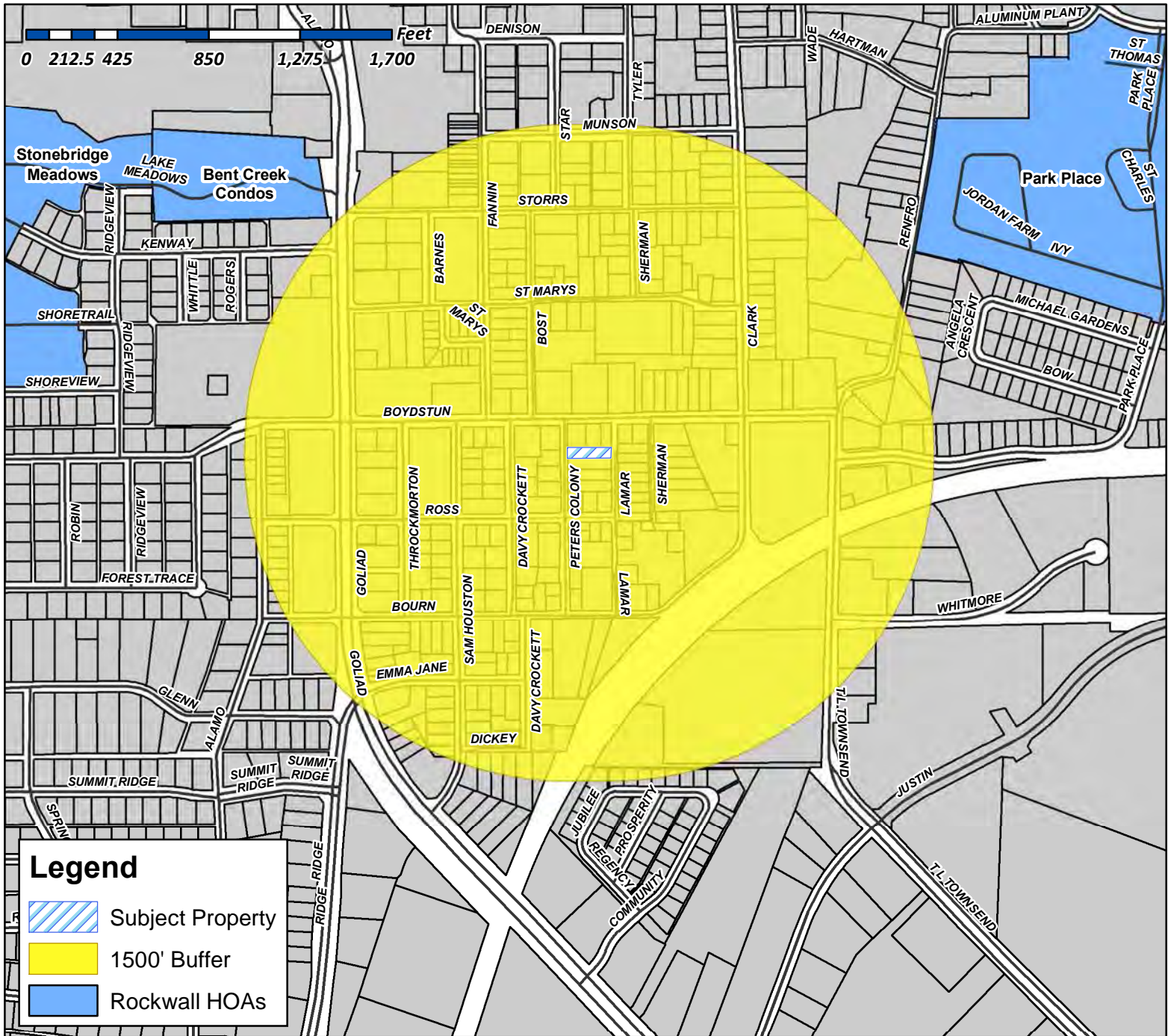




City of Rockwall

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

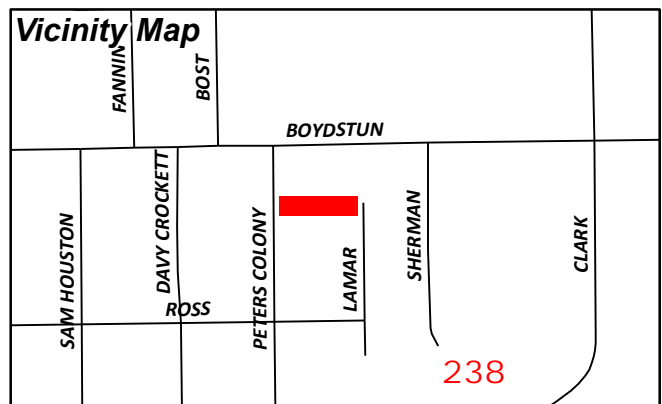
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Case Number: Z2020-005
Case Name: SUP for 703 Peters Colony
Case Type: Specific Use Permit
Zoning: SF-7
Case Address: 703 Peters Colony

Date Created: 2/19/2020

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

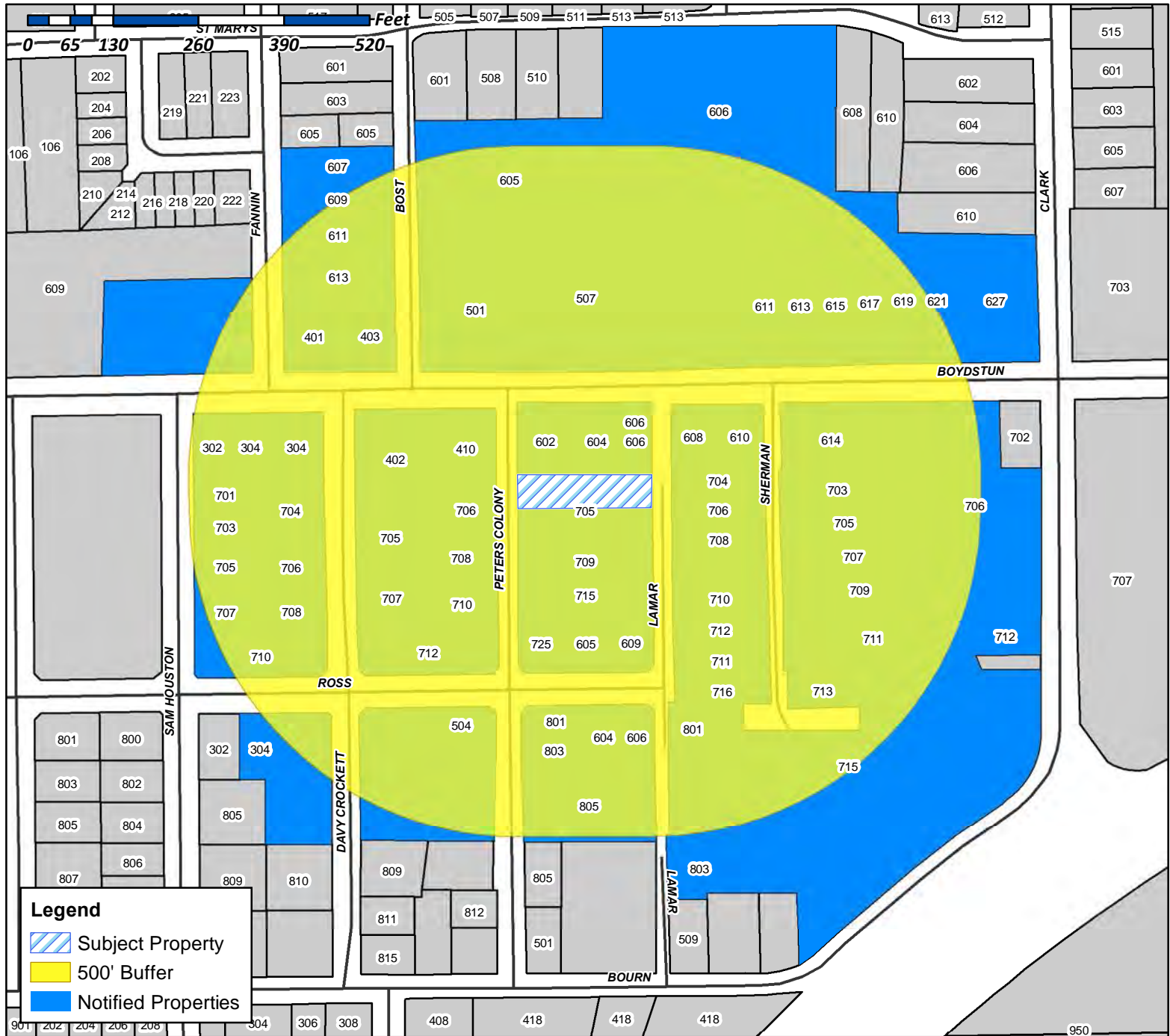




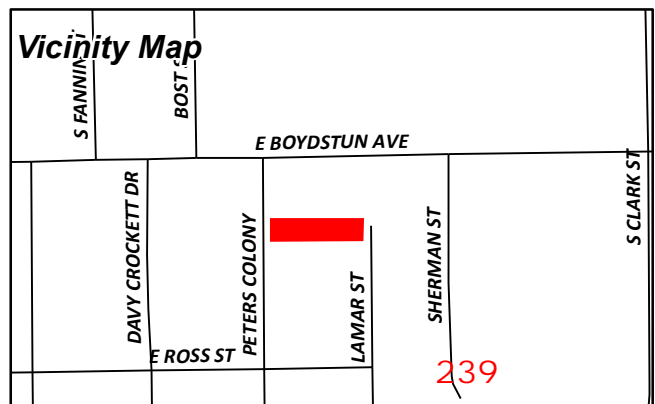
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2020-005
Case Name: SUP for 703 Peters Colony
Case Type: Zoning
Zoning: SUP
Case Address: 703 Peters Colony



Date Created: 2/19/2020

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

CURRENT RESIDENT
ROCKWALL, TX 75087

WRIGHT ALVIN
(MR) MAIL RETURNED BY POST OFFICE

PEREZ MARIA D
1002 E WOODIN BLVD
DALLAS, TX 75126

GOSSEAU KEVIN
1005 SPRINGFIELD LANE
ALLEN, TX 75002

SRIVEN VISTA LLC
10401 JACKSON HOLE LN
MCKINNEY, TX 75070

JOHNSON PAMELA
1310 COLONY DR
GARLAND, TX 75040

SMITH CHARLES ELLIOT
1421 COASTAL DR
ROCKWALL, TX 75087

STRANGE EMERSON JR
1521 NOVEL CT
GARLAND, TX 75040

PIERATT ALAN & MELODY
1540 MEADOWS CIR
ROCKWALL, TX 75087

NASUFI ZIKRI
1885 HILLCROFT DR
ROCKWALL, TX 75087

DALLAS-GARLAND & NORTHEASTERN RAILROAD
C/O GENESEE & WYOMING RAILROAD
1940 ENCHANTED WAY 201
GRAPEVINE, TX 76051

BALL JUSTIN
2155 CLUBVIEW DR
ROCKWALL, TX 75087

LEW AND LIN INVESTING LLC
2289 CR 643
NEVADA, TX 75173

OSORNIO JEANNIFFER AND
NOHEMA ESTRADA MACHARIGUE
2307 WHITE ROAD
HEATH, TX 75032

HANEY W
2824 MISTY RIDGE
ROCKWALL, TX 75032

WILLIAMS FREDDIE R & JO ANN
302 E BOYDSTUN AVE
ROCKWALL, TX 75087

LANIER FAMILY TRUST
ROSA P LANIER TRUSTEE
304 E BOYDSTUN AVE
ROCKWALL, TX 75087

DAVIDSON JEFFREY LEE & MELIZA IBARRA
304 E ROSS AVE
ROCKWALL, TX 75087

KATELY CHARLES LEE & THELMA S
309 ANDERSON ST
OAKDALE, LA 71463

HAMANN BRENT
315 ROLLING MEADOWS CIR
ROCKWALL, TX 75087

RANDOLPH JAMES R JR
3314 ANNA CADE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
401EBOYDSTUN
ROCKWALL, TX 75087

TAYLOR THOMAS M & KAY D
402 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
403EBOYDSTUN
ROCKWALL, TX 75087

JONES MARGARINE ESTATE
410 E BOYDSTUN AVE
ROCKWALL, TX 75087

UPPER ROOM TEMPLE HOLYNESS
CHURCH
423 WILLOW RIDGE CIRCLE
ROCKWALL, TX 75032

GRUBBS JOHN W
501 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
504ROSS
ROCKWALL, TX 75087

CURRENT RESIDENT
507EBOYDSTUN
ROCKWALL, TX 75087

HEAD TIM
510 MARIPOSA
ROCKWALL, TX 75087

JONES ELTON E & LINDA M
512 TERRY LN
ROCKWALL, TX 75032

INNER URBAN HOMES INC
519 I30 #110
ROCKWALL, TX 75087

ALLEN DONNA ANETTE AND
JACQUELINE YVETTE JACOBS AND JEFFREY
DWAYNE JACOBS
5961 CONNIE LANE
ROCKWALL, TX 75032

NIX NICHOLAS & ROSALIA
602 E BOYDSTUN AVE
ROCKWALL, TX 75087

ESPINOZA SYLVIA AND
JOSEPH FABIAN PEREZ
604 ROSS STREET
ROCKWALL, TX 75087

MOORE JAMES L
604 S CLARK
ROCKWALL, TX 75087

GENTRY GENEVA
605 BOST ST
ROCKWALL, TX 75087

BOUAS MARAYA D & JEFFREY D
605 E ROSS STREET
ROCKWALL, TX 75087

GAMEZ DAVID & PETRA
606 E BOYDSTUN AVE
ROCKWALL, TX 75087

WILKERSON CLAUDE JR
606 SAINT MARY ST
ROCKWALL, TX 75087

CURRENT RESIDENT
606ROSS
ROCKWALL, TX 75087

CURRENT RESIDENT
607SFANNIN
ROCKWALL, TX 75087

CURRENT RESIDENT
608EBOYDSTUN
ROCKWALL, TX 75087

HUBBARD ALPHINEEZES
609 E ROSS ST
ROCKWALL, TX 75087

CURRENT RESIDENT
609SFANNIN
ROCKWALL, TX 75087

SCHUMANN LAURIE A
610 E BOYDSTUN AVE
ROCKWALL, TX 75087

SMITH CHARLES
611 E BOYDSTUN
ROCKWALL, TX 75087

NONUS SHELLY REYNA AND THOMAS
611 FANNIN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
611EBOYDSTUN
ROCKWALL, TX 75087

CARPENTER KATHRYN ANN
613 E BOYDSTUN AVE
ROCKWALL, TX 75087

TANNER TRUDY LEANN
613 S FANNIN
ROCKWALL, TX 75087

GAMEZ DAVID
614 E BOYDSTUN AVE
ROCKWALL, TX 75087

WOOD JORDAN AND ERIN
615 E BOYDSTUN AVENUE
ROCKWALL, TX 75032

CURRENT RESIDENT
617EBOYDSTUN
ROCKWALL, TX 75087

WOODARD JENNIFER
619 E BOYDSTUN AVE
ROCKWALL, TX 75087

CURRENT RESIDENT
621BOYDSTUNAVE
ROCKWALL, TX 75087

KAUFMANN DOUGLAS A
627 SORITA CIRCLE
HEATH, TX 75032

CURRENT RESIDENT
627EBOYDSTUN
ROCKWALL, TX 75087

CURRENT RESIDENT
701SAM HOUSTON
ROCKWALL, TX 75087

ROSS LESLIE
703 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703SAM HOUSTON
ROCKWALL, TX 75087

HEARD OLLIE FAYE
704 DAVY CROCKETT ST
ROCKWALL, TX 75087

SCROGGINS MURRAY
704 SHERMAN ST
ROCKWALL, TX 75087

STRANGE ANTHONY I SR & LISA D
705 N SHERMAN
ROCKWALL, TX 75087

MILLER ANNE
705 SAM HOUSTON ST
ROCKWALL, TX 75087

CURRENT RESIDENT
705DAVY CROCKETT
ROCKWALL, TX 75087

CURRENT RESIDENT
705PETERS COLONY
ROCKWALL, TX 75087

WILLIAMS SHIRLEY B ETAL
706 DAVY CROCKETT ST
ROCKWALL, TX 75087

DABNEY AUDRY
706 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
706SCLARK
ROCKWALL, TX 75087

CURRENT RESIDENT
706SHERMAN
ROCKWALL, TX 75087

CRENSHAW LORENZA
707 DAVY CROCKETT ST
ROCKWALL, TX 75087

ABARCA JOANNE
707 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
707SAM HOUSTON
ROCKWALL, TX 75087

CURRENT RESIDENT
708DAVY CROCKETT
ROCKWALL, TX 75087

CURRENT RESIDENT
708PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
708SHERMAN
ROCKWALL, TX 75087

CURRENT RESIDENT
709 N SHERMAN
ROCKWALL, TX 75087

HEJI PAUL M
709 PETERS COLONY
ROCKWALL, TX 75087

HOLLAND ROBIN
709 SHERMAN ST
ROCKWALL, TX 75087

HEARD RHODA MAE
710 DAVY CROCKETT ST
ROCKWALL, TX 75087

SANCHEZ FATIMA L
710 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
710PETERS COLONY
ROCKWALL, TX 75087

ALLEN ETHEL JEAN
711 SHERMAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
711LAMAR
ROCKWALL, TX 75087

BENNETT A L EST
C/O OLIVER LINVELL
712 PETERS COLONY
ROCKWALL, TX 75087

LINVEL MELBA RUTH ESTATE
712 PETERS COLONY
ROCKWALL, TX 75087

CURRENT RESIDENT
712CLARK
ROCKWALL, TX 75087

CURRENT RESIDENT
712SHERMAN
ROCKWALL, TX 75087

DENSON PATRICIA STRANGE
713 SHERMAN ST
ROCKWALL, TX 75087

CABERA JUAN R & NOEMI E 715 PETERS COLONY ROCKWALL, TX 75087	CURRENT RESIDENT 715 SHERMAN ROCKWALL, TX 75087	CURRENT RESIDENT 716 SHERMAN ROCKWALL, TX 75087
CURRENT RESIDENT 725 PETERS COLONY ROCKWALL, TX 75087	ROCKWALL HOUSING DEV CORP A TEXAS NON-PROFIT CORP OF RW 787 HAIL DR ROCKWALL, TX 75032	MATHIS MALCOLM AND CHRISTIE 801 LAMAR ST ROCKWALL, TX 75087
HASS DANIEL & AMBER 801 PETERS COLONY ROCKWALL, TX 75087	SHAW JERRY GAIL 803 LAMAR ST ROCKWALL, TX 75087	FISHER JESSICA 803 PETERS COLONY ROCKWALL, TX 75087
ST PAUL AFRICAN METHODIST EPISCOPAL CHURCH 805 PETERS COLONY ROCKWALL, TX 75087	C SCOTT LEWIS HOMES INC 900 HEATHLAND CROSSING HEATH, TX 75032	CURRENT RESIDENT BOURN ROCKWALL, TX 75087
CURRENT RESIDENT CLARK ROCKWALL, TX 75087	CURRENT RESIDENT DAVEY CROCKETT ROCKWALL, TX 75087	CURRENT RESIDENT DAVEY CROCKETT ROCKWALL, TX 75087
CURRENT RESIDENT DAVEY CROCKETT ROCKWALL, TX 75087	CURRENT RESIDENT EBOYDSTUN ROCKWALL, TX 75087	CURRENT RESIDENT EBOYDSTUN ROCKWALL, TX 75087
CURRENT RESIDENT EBOYDSTUN ROCKWALL, TX 75087	CANALES ZAMORA FAMILY TRUST ROMAN FRANCISCO CANALES & ROSA MARIA ZAMORA MIRANDA-TRUSTEE P O BOX 291 FATE, TX 75132	CURRENT RESIDENT PETERS COLONY ROCKWALL, TX 75087
ROCKWALL SOUTHSIDE NEIGHBORHOOD COALITION C/O TONY RIOS PO BOX 1262 ROCKWALL, TX 75087	PEOPLES BILLY W SR PO BOX 35 ROCKWALL, TX 75087	ROCKWALL HABITAT FOR HUMANITY PO BOX 4 ROCKWALL, TX 75087
SMITH TIMOTHY PSC 3 BOX 5631 APO, AP 96266	CITY OF ROCKWALL , 0	SLIGER S T MRS , 0
CITY OF ROCKWALL , 0		

To Whom It May Concern:

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

Case No. Z2020-005: 703 Peters Colony

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Peters Colony, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/16/2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

**Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087**

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

Your comments must be received by **3/16/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

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

Case No. Z2020-005: 703 Peters Colony

Please place a check mark on the appropriate line below:

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

Name:	
Address:	

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

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

November 15, 2019

To whom it may concern:

The foundation plan, accompanied by this letter, for used only upon property described below:

Address: 703 Peters Colony St
 Rockwall Tx

Foundation design criteria was formulated based on modifications of recommendations as set forth in criteria for selection and design of slab-on-ground (BRAB REPORT), WRI-CRSI-96, ACI 318-99, the 2006,2009,2012, and 2015 IRC, 2006, 2009,2012, and 2015 IBC, ACI 318, ASTM C94 and recognized engineering practices.

Sincerely,



J.S Barton, P.E.
(F-10832)



- NOTE:
1. SITE PREPARATION MUST COMPLY WITH PROJECT GEOTECHNICAL REPORT SPECIFICATIONS.
 2. REMOVE AND DISCARD ALL VEGETATION WHERE GRADING IS PROPOSED.
 3. SITE DRAINAGE MUST BE WELL DEVELOPED AND DIRECTED AWAY FROM THE FOUNDATION. GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET. FLOWLINE SLOPES OF SWALES AND SIDE YARDS SHALL NOT BE LESS THAN 1.25%. NO PONDING OF SURFACE WATER SHALL BE ALLOWED NEAR THE STRUCTURE.
 4. BACKFILL AROUND THE FOUNDATION SHALL BE WITH COHESIVE SOIL.
 5. ROOF DOWNSPOUTS AND DRAINS SHALL BE EXTENDED AND DRAIN AWAY FROM FOUNDATION.
 6. PAVING AND STRUCTURAL DESIGN BY OTHERS.

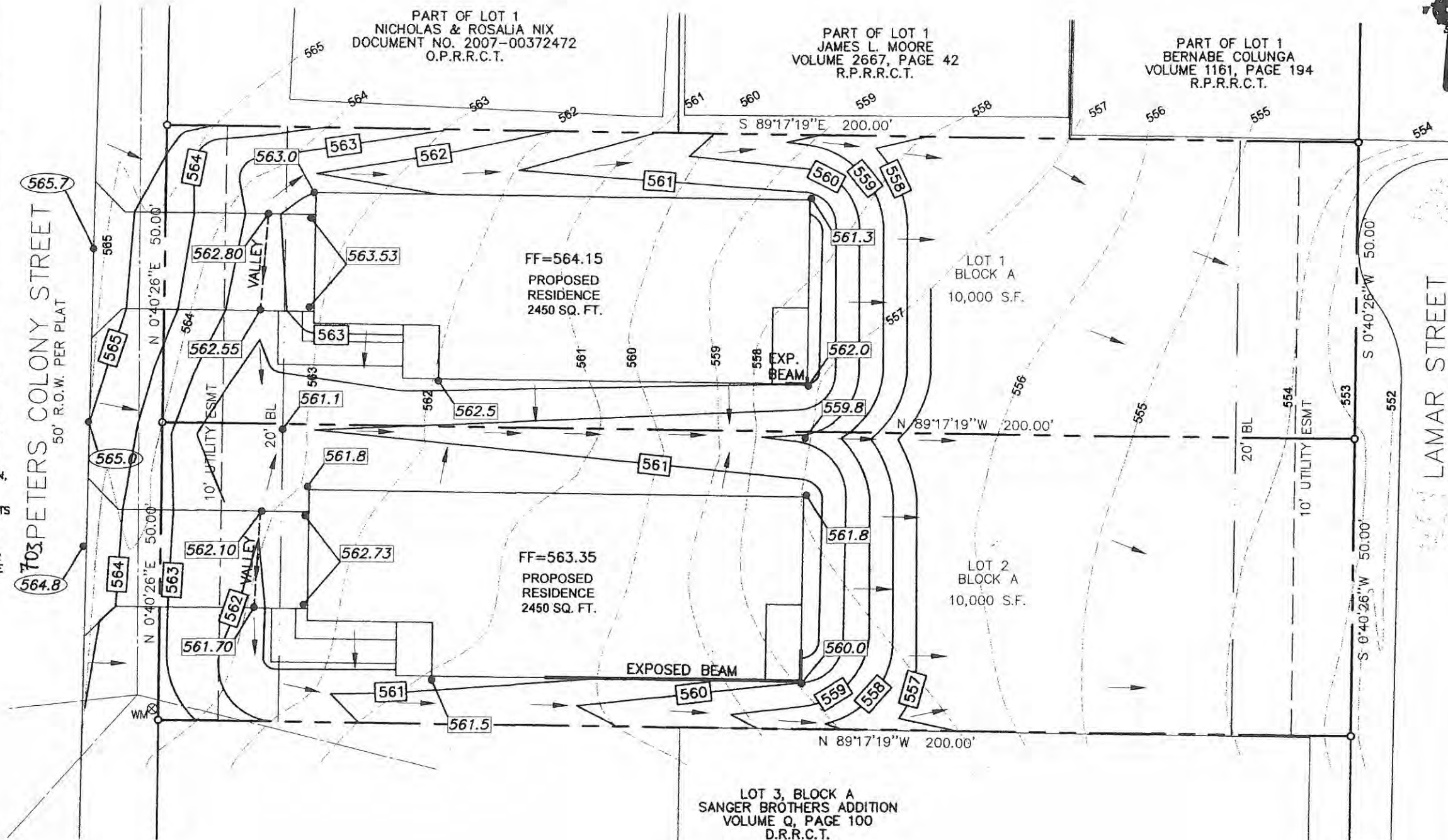
ALL ELEVATIONS ARE BASED ON SURVEY DATA PROVIDED BY THE OWNER AND/OR SURVEYOR. DESIGN ENGINEER ASSUMES NO RESPONSIBILITY FOR DISCREPANCIES RESULTING FROM SURVEY DATA.

CAUTION!!!
CALL: TEXAS ONE CALL @
1-800-245-4545
48 HRS PRIOR TO CONSTRUCTION

III CAUTION III
EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS OWNERS OF THE FACILITIES. THE ENGINEER DOES NOT ACCEPT THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY BOTH HORIZONTALLY AND VERTICALLY THE LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION, TO TAKE NECESSARY PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED, AND TO NOTIFY THE ENGINEER PROMPTLY OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION, AND DAMAGE BY THE CONTRACTOR TO EXISTING UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR AT HIS OR HER EXPENSE.

LEGEND

---	EASEMENT
XXX	EXISTING SPOT ELEVATION
XXX	PROPOSED SPOT ELEVATION
---	PROPERTY LINE
XXX	PROPOSED CONTOURS
XXX	EXISTING CONTOURS
→	PROPOSED FLOW DIRECTION
⊠	12" x 12" AREA DRAIN



THE SEAL APPEARING ON THIS DOCUMENT WAS
AUTHORIZED BY MITCHELL K. LENAMOND, P.E. 92714 ON
1/8/2020

1/8/2020

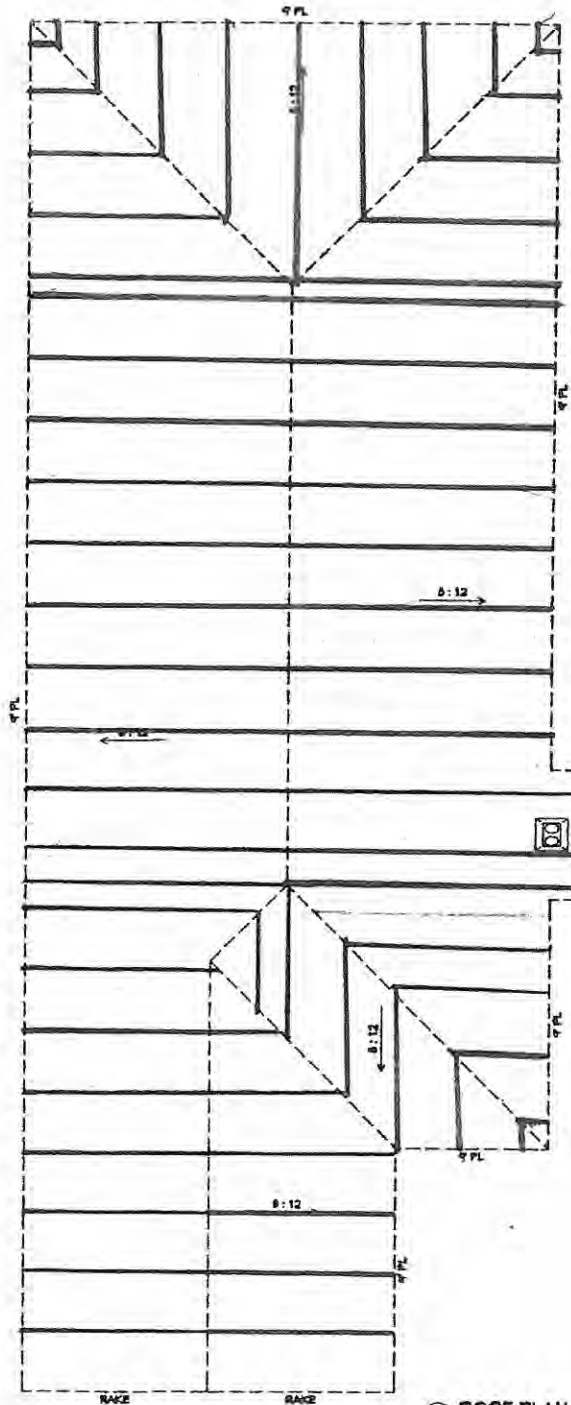
ERIC L. DAVIS ENGINEERING, INC.
F-3987
120 EAST MAIN STREET
Forney, Texas 75126
972/564-0592 Fax 972/564-6523
E-Mail ericdavis@eldengineering.com

GRADING PLAN
ENGINEER FOR
KEVIN OSORNIO

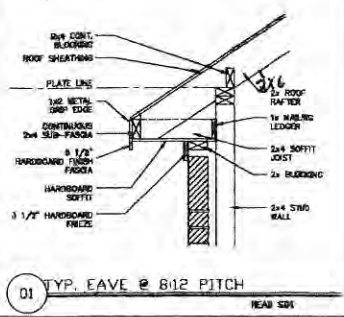
BUILDER: KEVIN OSORNIO	PLAN: GRADING
ADDITION: N.E. & J.O. ADDITION	ELD JOB NO: DIF19-1527 & 1530
ADDRESS: 703 & 705 PETERS COLONY	DRAWN BY: BW
LOT: 1 & 2	CHECKED BY: ML
CITY: ROCKWALL, TX	BLOCK: A

SCALE: 1" = 20'

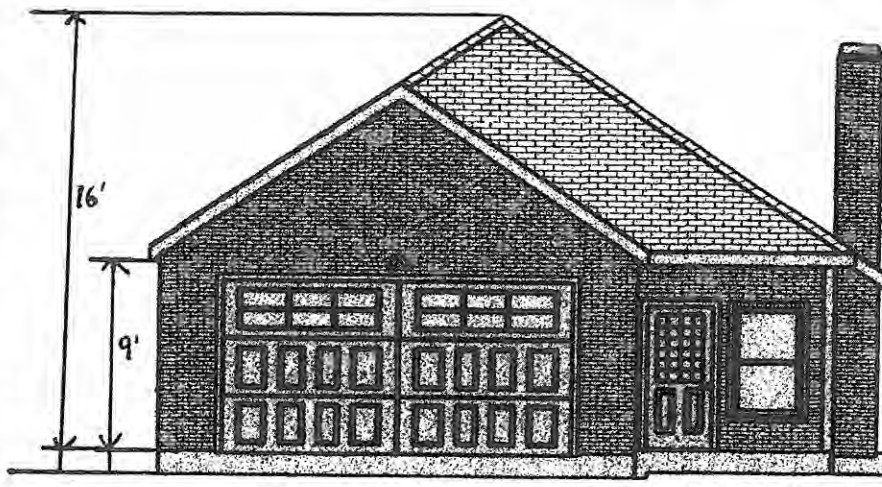
SHEET 16



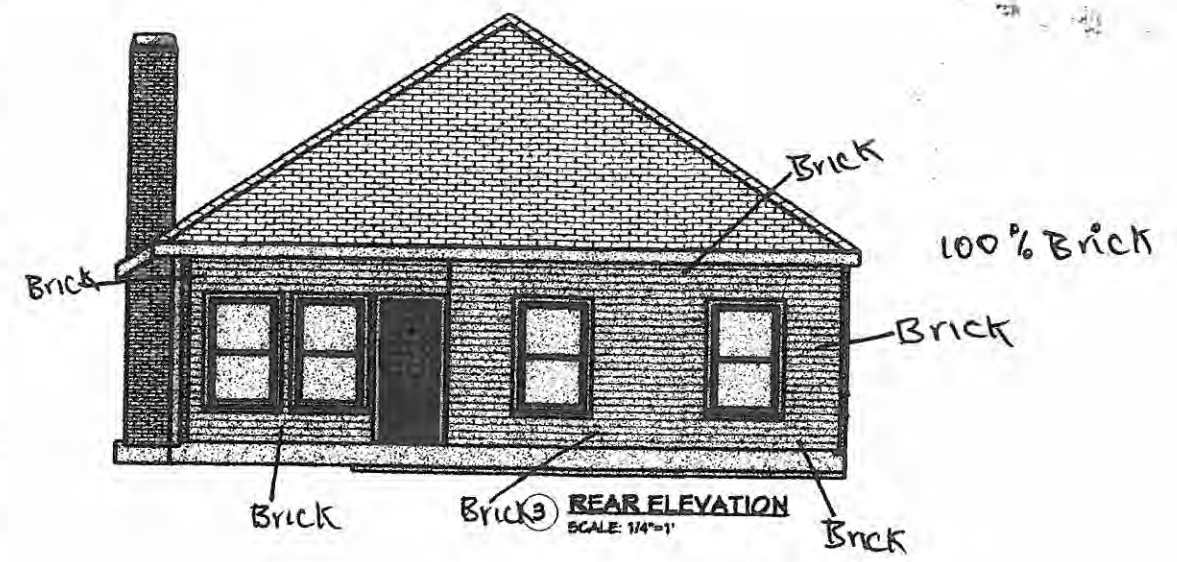
1 ROOF PLAN
SCALE: 3/8"=1'



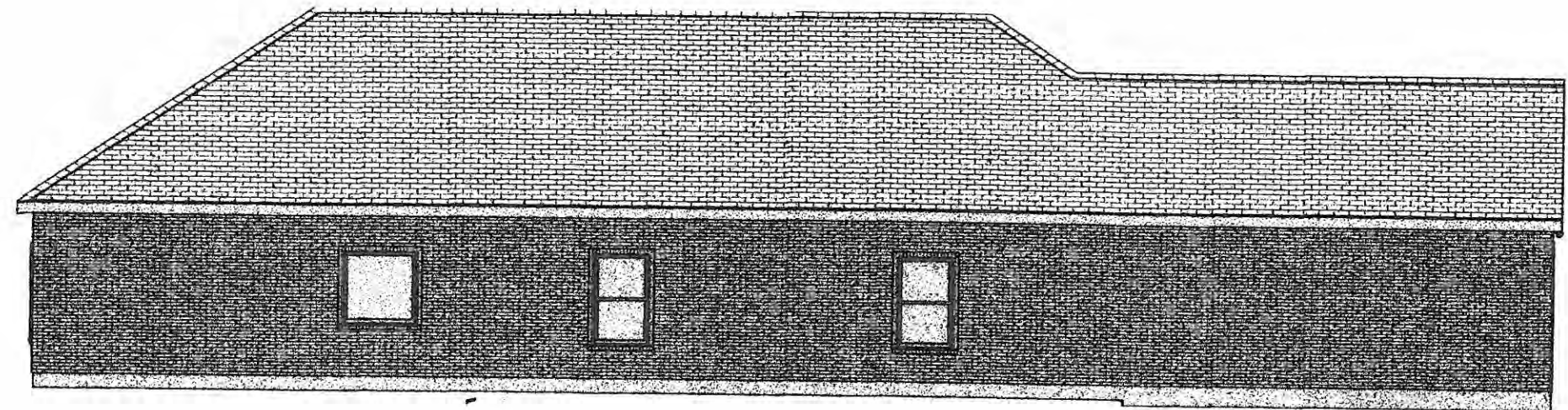
01 TYP. EAVE @ 8:12 PITCH
REAR SIDE



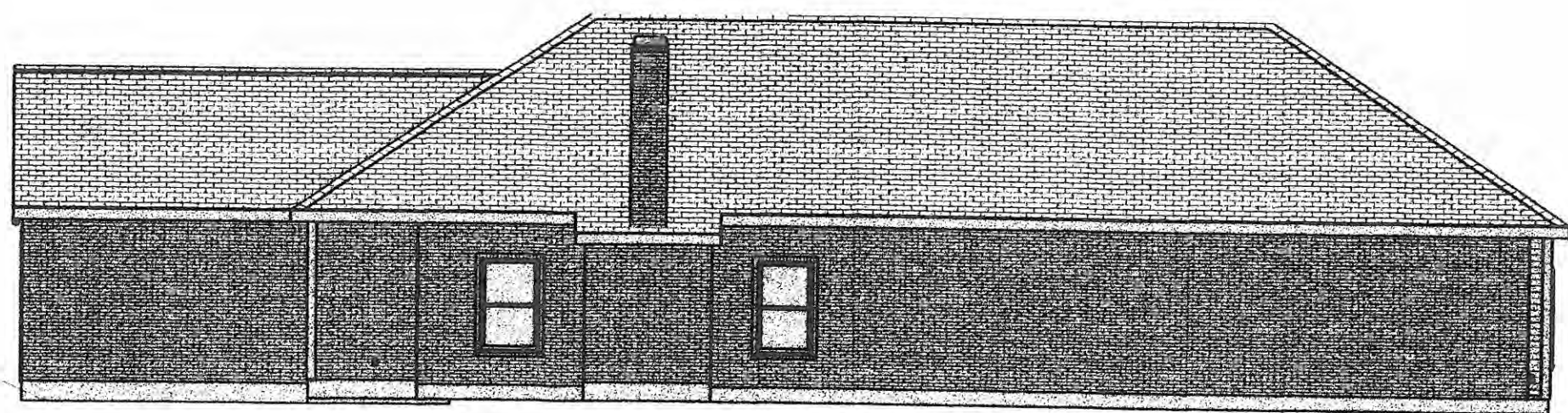
2 FRONT ELEVATION
SCALE: 1/4"=1'



3 REAR ELEVATION
SCALE: 1/4"=1'



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



5 RIGHT ELEVATION
SCALE: 1/4"=1'

PLANS FOR:
703 Peters Colony St
Rockwall Tx

TITLE:
ROOF PLAN / ELEVATIONS

SHANNON NEWBOM MARK NEWBOM
CADAZIGN
3704 CR 2532
ROYSSE CITY, TEXAS 75170
409.433.9999

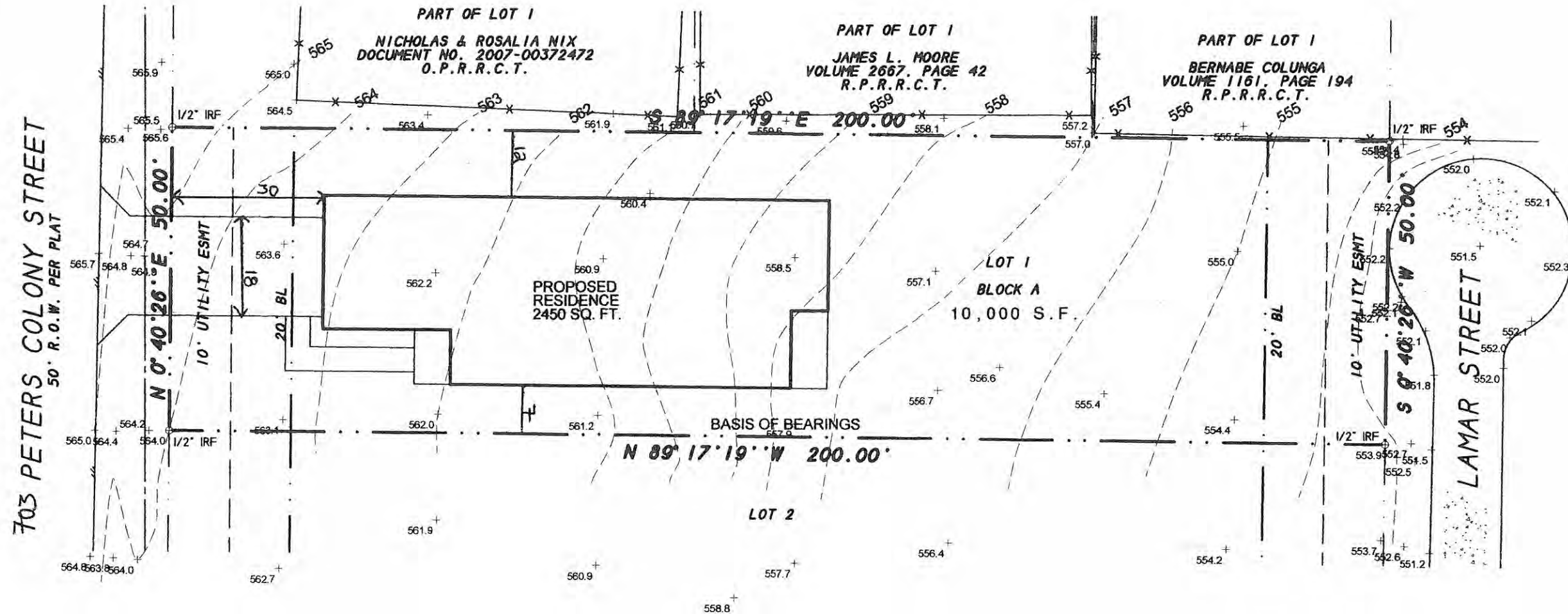
DATE:
5/7/2019

SCALE:
AS SHOWN

SHEET:

A-1

247



BEING Lot 1, Block A, of N.E. & J.O. Addition, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Document No. 20190000015067, of the Official Property Records of Rockwall County, Texas.

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0040 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Jeaniffer Osornio and Nohema Estrada at Peters Colony Street, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 14th day of November, 2019.


















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

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 10150900

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SYMBOL LEGEND

				
TELEVISION CABLE RISER	GAS METER	PHONE RISER	FIRE HYDRANT	POWER POLE
				
ELEC ELECTRIC METER	ELEC BOX SUBSURFACE JUNCTION BOX	WT WATER METER	LP LIGHT POLE	1/2" IRF IRON ROD FOUND IN CORNER
				
FENCE	BASELINE LINE			A/C COND UNIT
				
	PROPRIETARY LINES			PROPANE TANK

SURVEY DATE NOVEMBER 14, 2019
SCALE 1" = 20' FILE # 20190047-1
CLIENT OSORNIO GF# NONE

SURVEY ACCEPTED BY:

DATE _____

DATE _____

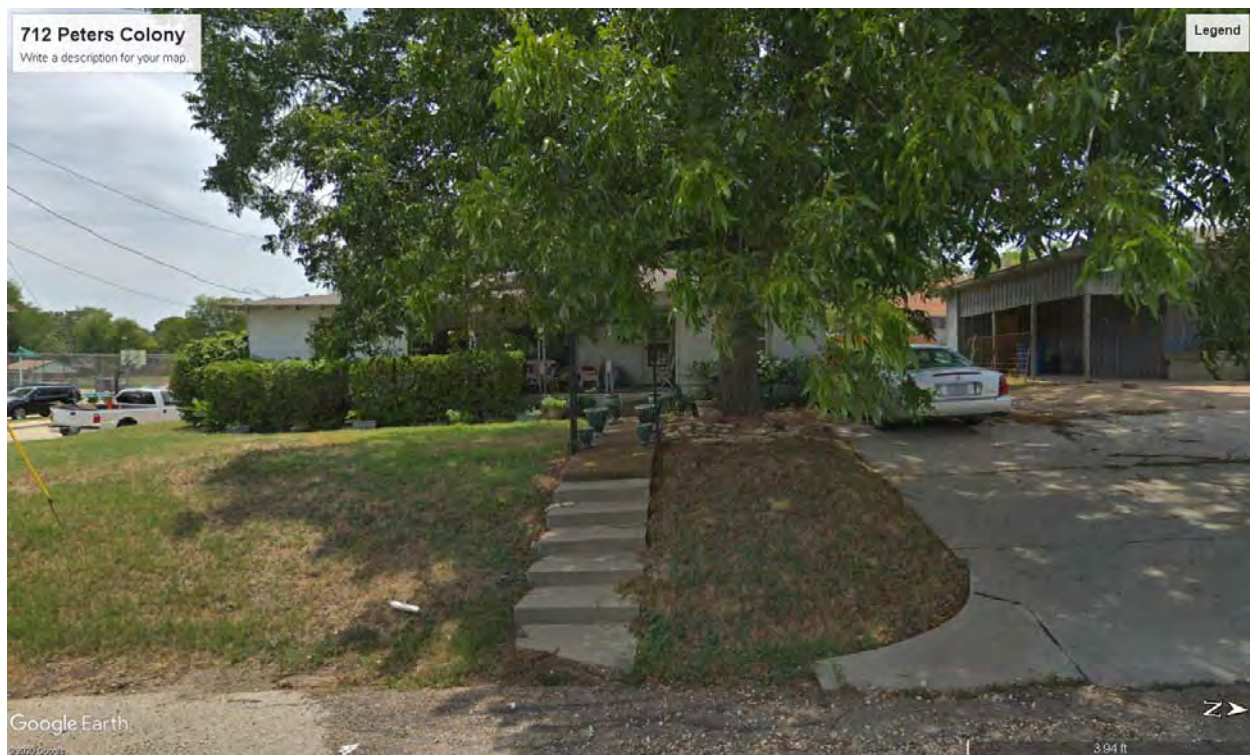
PLAT PLAN

72020-004











CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.11-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, SANGER ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Ambrocio Ibarra for the approval of a Specific Use Permit (SUP) to allow *Residential infill in an Established Subdivision* to allow the construction of a single-family home on a 0.11-acre parcel of land being described as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 703 Peters Colony, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home in an established subdivision in accordance with Article 4, *Permissible Uses*, the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards* and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 5, *District Development Standards*, of the Unified Development Code

(UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

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

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

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the Subject Property to comply with the following:

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF APRIL, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

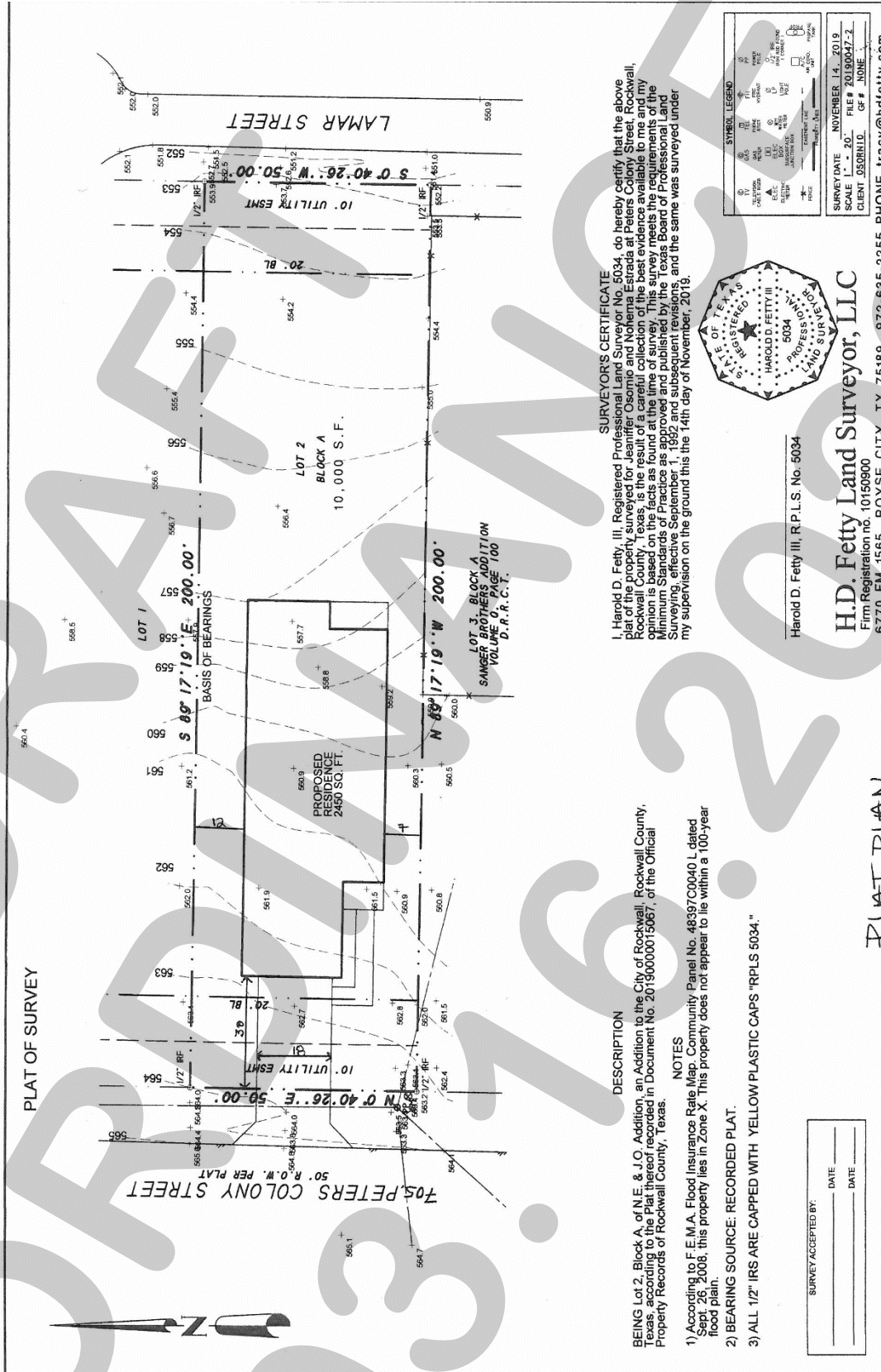
1st Reading: March 16, 2020

2nd Reading: April 6, 2020

Address: 703 Peters Colony

Legal Description: Lot 2, Block A, Sanger Addition





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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 16, 2020
APPLICANT: Greg Givens
CASE NUMBER: Z2020-006; *Specific Use Permit for Detached Garage at 2308 Saddlebrook Drive*

SUMMARY

Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2308 Saddlebrook Lane, and take any action necessary.

BACKGROUND

The subject property was annexed in 1999 [Ordinance No. 99-33], is zoned Single-Family 16 (SF-16) District, and is addressed as 2308 Saddlebrook Lane. On November 11, 2001, the City Council approved a change in zoning [Case No. PZ2008-102; Ordinance No. 01-102] from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for the Saddlebrook Estates #2 Addition. On October 21, 2002, the City Council approved a replat [Case No. PZ2002-71-01] for the Saddlebrook Estates #2 Addition.

PURPOSE

The applicant is requesting approval of a Specific Use Permit (SUP) to allow a detached garage that exceeds the maximum allowable size and number of accessory buildings for a property in a Single-Family 16 (SF-16) District.

ADJACENT LAND USES AND ACCESS

The subject property is located 2308 Saddlebrook Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property there are several single-family homes located within the Saddlebrook Estates #2 Addition, followed by the corporate limits of the City of Rockwall. These homes are zoned Single-Family 16 (SF-16) District. Beyond this is E. Quail Run Road, which is identified as a M4U (*major collector, four [4] lane, undivided roadway*) **on the City's Master Thoroughfare Plan. Following this, there is a large** vacant tract of land zoned Agricultural (AG) District.

South: Directly south of the subject property, are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District, followed by the corporate limits of the City of Rockwall. Beyond this is FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) **on the City's Master Thoroughfare Plan.**

East: Directly east of the subject property there are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District. Beyond this is FM-1141, which is identified as a M4D (*major collector, four [4] lane, divided roadway*) **on the City's Master Thoroughfare Plan and delineates** the corporate limits of the City of Rockwall.

West: Directly west of the subject property are several single-family homes within the Saddlebrook Estates #2 Addition, which are zoned Single-Family 16 (SF-16) District. Beyond this are several single-family homes zoned

Agricultural (AG) District followed by John King Boulevard, which is identified as a P6D (*principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting approval of a Specific Use Permit (SUP) for a detached garage that exceeds the maximum allowable size for properties located within a Single-Family 16 (SF-16) District. Currently situated on the subject property, there is a 3,400 SF brick single-family home and two (2) metal accessory buildings that are both approximately 200 SF each. The proposed building will be situated behind the main structure, will be 18-feet in height, and will be constructed of metal. The building will be a 24' x 40' (*i.e. 1200 SF*) detached garage and a 10' x 40' (*i.e. 400 SF*) porch that will be on the side of the building. The total footprint of the building will be 1,600 SF (*i.e. 35% of the size of the home*). The building will have one (1) roll-up door and two windows, and the applicant has stated that detached garage will be utilized to store vehicles (*i.e. will not be used for commercial uses*). Currently, there are two (2) metal accessory buildings on the subject property and the applicant has indicated that the intent is to remove one (1) of the buildings.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), in a Single-Family 16 (SF-16) District a detached garage is permitted by-right provided that it is no larger than 625 SF. A detached garage shall include a minimum of one (1) garage bay door large enough to accommodate a standard size motor vehicle, and shall be architecturally compatible with the primary structure. In addition, this section of the UDC limits the total number of accessory structures permitted in a Single-Family 16 (SF-16) District to two (2). In this case, the proposed detached garage will be 1,600 SF -- which exceeds the maximum allowable size of a detached garage by 975 SF -- and if approved will be the third accessory structure permitted on the property. The proposed detached garage will incorporate a roll-up door that appears to be large enough to accommodate a standard passenger vehicle; however, the proposed building will be constructed out of metal as opposed to utilizing similar or complimentary materials as the primary structure. In this case, the Planning and Zoning Commission and City Council are tasked with determining if the proposed building will be architecturally compatible with the primary structure, and if the size of the detached garage is appropriate on the subject property. Another consideration will be the proposed number of accessory structures compared to what has been constructed on other properties in the subdivision.

STAFF ANALYSIS

When looking at the applicant's request, it was observed that a large majority of property owners (*i.e. 26 of the 44 homes or roughly 60%*) currently have a detached garages and/or accessory buildings on their properties. Of the existing accessory buildings within the Saddlebrook Estates #2 Addition, several are roughly the same size or larger than (*i.e. 900-1,300 SF*) the proposed detached garage. It should be noted that most of the accessory buildings that are visible from the street utilize exterior materials similar to the main structure (*i.e. a combination of brick and cementitious lap siding*). Staff was able to determine that 30 building permits have been issued for accessory buildings within the Saddlebrook Estates #2 Addition and 27 of the permits are still active (*i.e. not expired, voided, or withdrawn*). A vast majority of the permits were issued between 2002 (*i.e. shortly after this area was annexed*) and 2009. Given that a majority of the surrounding homes have a detached garage, an accessory building, and/or a portable building approval of this request does not appear to negatively impact the subject property or surrounding properties. With that being said, when looking at this request the Planning and Zoning Commission should consider the number of existing buildings on the property along with the size and architecture of the proposed detached garage. Specifically, the proposed accessory building will be nearly ½ the size (*i.e. 47%*) of the existing home on the subject property and the Planning and Zoning Commission could request that the applicant provide compensatory measures such as additional architectural elements, providing masonry matching the main structure, or additional landscaping. Staff should also point out that a similar request in terms of size and material was made by the property owner at 2340 Saddlebrook Lane (*Case No. Z2019-022*) that was denied under the same rules. With all of this being said, approval of a Specific Use Permit (SUP) is a discretionary decision on a case-by-case basis for the City Council, pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On February 24, 2020, staff mailed 21 notices to owners and occupants within 500-feet of the subject property. There are no **Homeowner's Associations (HOA's)/Neighborhood Associations within 1,500 of the subject property** that are participating in the Neighborhood Notification Program. At the time this report was written, staff had received three (3) notices and two (2) emails in opposition to this request.

CONDITIONS OF APPROVAL


If the **City Council chooses to approve the applicant's request** then staff would propose the following conditions of approval:

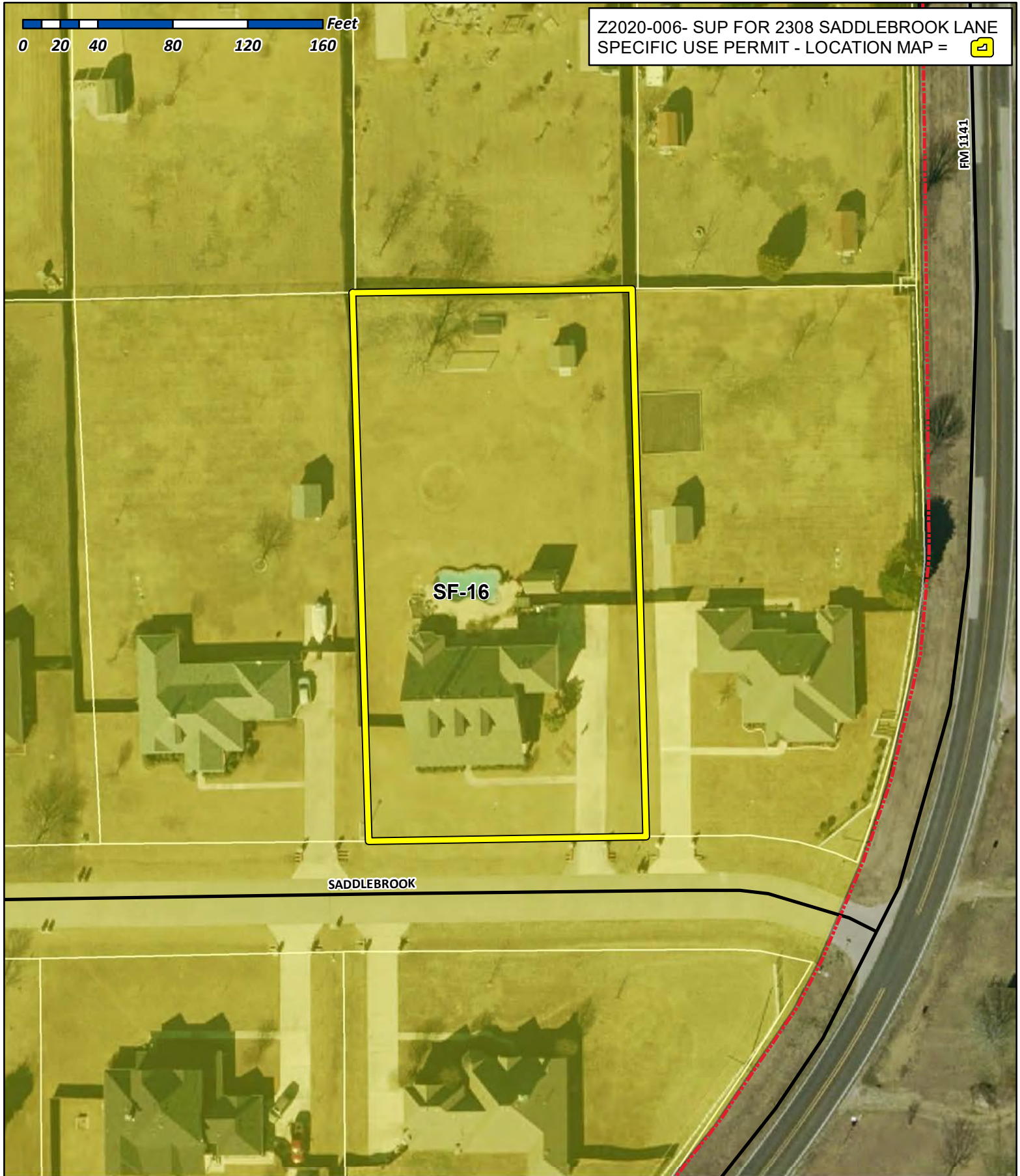
- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
 - (a) The detached garage shall generally conform to the concept plan and the conceptual building elevations depicted in ***Exhibits 'B' & 'C'*** of the attached ordinance.
 - (b) The detached garage shall not exceed a maximum size of 1,600 SF.
 - (c) The detached garage shall not exceed an overall height of 18-feet.
 - (d) The two existing accessory buildings shall be removed within 30 days of completion of the new building.
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission's motion to recommend denial of the applicant's request passed by a vote of 5-0 with Commissioners Fishman and Logan absent. According to Section 2.03(G), Protest of a Zoning Change, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), "(i)f such change [zoning change or Specific Use Permit (SUP)] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (i.e. a three-fifths vote of those members present), with a minimum of four (4) votes in the affirmative required for approval."

0 20 40 80 120 160 Feet

Z2020-006- SUP FOR 2308 SADDLEBROOK LANE
SPECIFIC USE PERMIT - LOCATION MAP = 



City of Rockwall

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

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

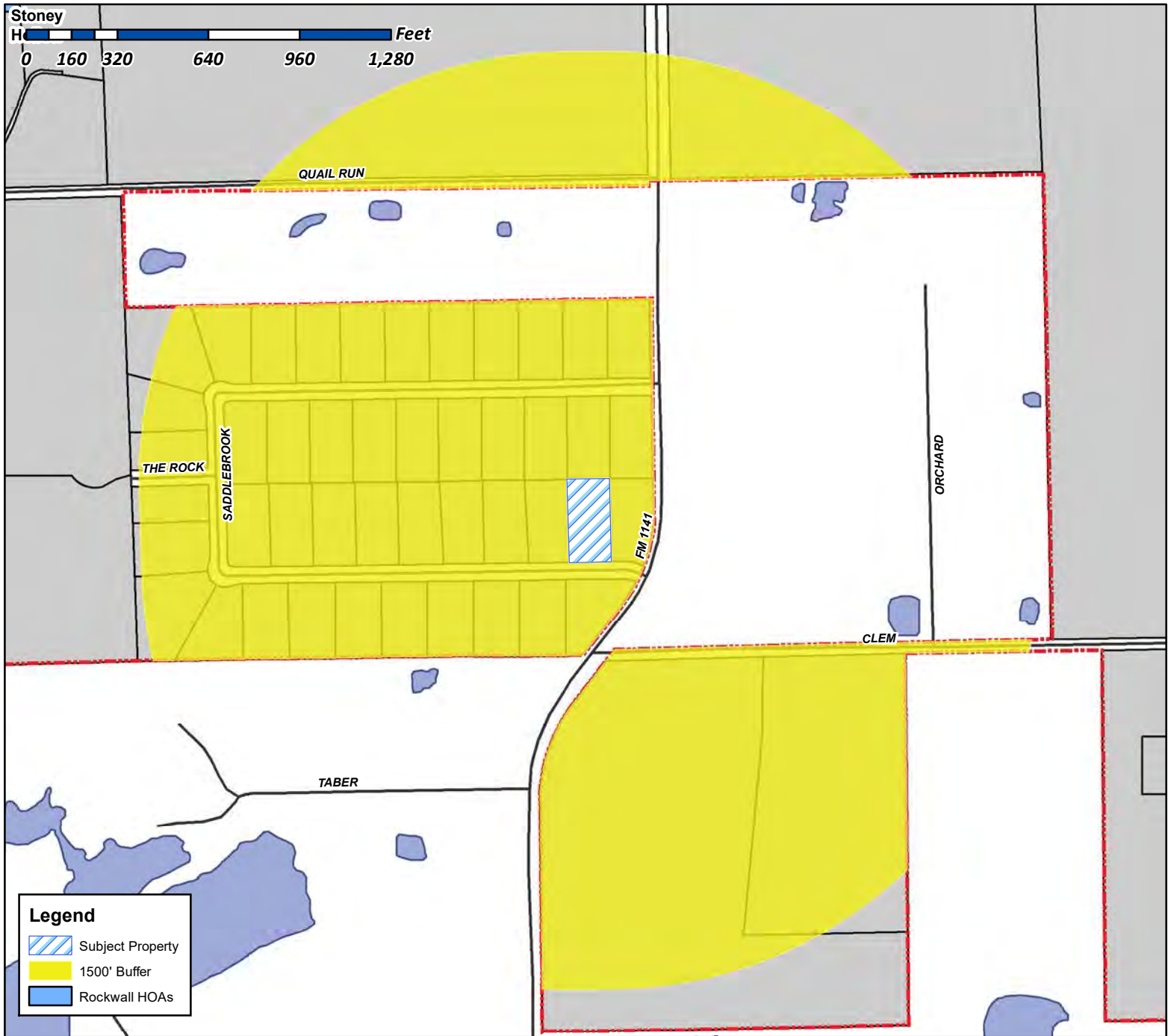




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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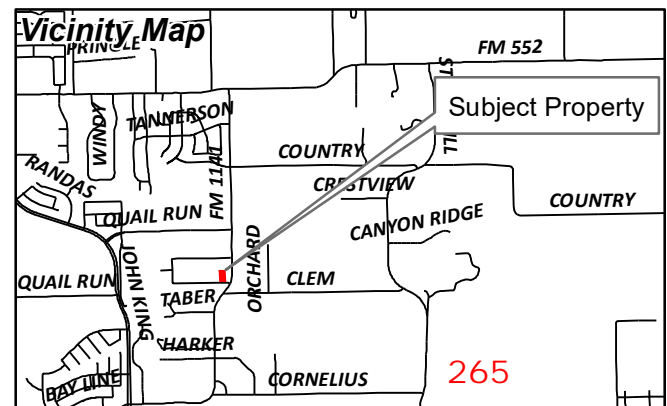
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Case Number: Z2020-006
Case Name: 2308 Saddlebrook Lane
Case Type: Specific Use Permit
Zoning: SF-10
Case Address: 2308 Saddlebrook Lane

Date Created: 2/19/2020

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





City of Rockwall

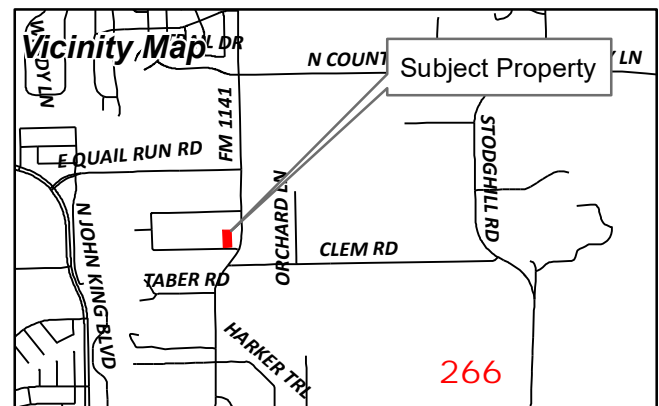
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2020-006
Case Name: SUP for 2308 Saddlebrook Lane
Case Type: Specific Use Permit
Zoning: SF-16
Case Address: 2308 Saddlebrook Lane

Date Created: 2/19/2020
For Questions on this Case Call (972) 771-7745



DUNCAN BRYAN AND BEVERLY
2389 SADDLEBROOK LN
ROCKWALL, TX 75087

DIETRICH SHELLEY L & DAROLD T
2393 SADDLEBROOK LN
ROCKWALL, TX 75087

ARENAS SEVERIANO & KRISTI L
2377 SADDLEBROOK LN
ROCKWALL, TX 75087

WHISENHUNT BARRY I & JOYCE D
2381 SADDLEBROOK LN
ROCKWALL, TX 75087

ROMERO MARGARET ALLEN-
2313 SADDLEBROOK LANE
ROCKWALL, TX 75087

SMITH WILLIAM CLEVE JR &
EDITH LILLIAN
2312 SADDLEBROOK LN
ROCKWALL, TX 75087

NOTEWISE INVESTMENTS LLC
3615 BROADWAY BLVD SUITE B
GARLAND, TX 75043

TAYLOR BRANDON G & AMANDA H
2320 SADDLEBROOK LN
ROCKWALL, TX 75087

JONES JAMES E
2309 SADDLEBROOK LN
ROCKWALL, TX 75087

DEFEBAGH WALTER W & DAWN A
2380 SADDLEBROOK LN
ROCKWALL, TX 75087

GRAY RYAN D AND MARISA C
2384 SADDLEBROOK LN
ROCKWALL, TX 75087

OSBORNE AARON & BARBARA
2305 SADDLEBROOK LANE
ROCKWALL, TX 75087

BARON JEFFREY MICHAEL & JEANNE MARIE
2324 SADDLEBROOK LANE
ROCKWALL, TX 75087

PUTCHINSKI PAUL & SHANNON
2385 SADDLEBROOK LANE
ROCKWALL, TX 75087

CALLICOATT GEORGE & JUDY
2388 SADDLEBROOK LN
ROCKWALL, TX 75087

THORMAHLEN KARL M SR & ETUX
2392 SADDLEBROOK LN
ROCKWALL, TX 75087

MINNICH SHAWN C & WENDY A
2396 SADDLEBROOK LN
ROCKWALL, TX 75087

CULP TERRI L
2301 SADDLEBROOK LN
ROCKWALL, TX 75087

FLEMING DONALD CHARLES LIV TR
DONALD CHARLES FLEMING TRUSTEE
2397 SADDLEBROOK LN
ROCKWALL, TX 75087

MURPHEY HARVEY W & BETTY J
2304 SADDLEBROOK LN
ROCKWALL, TX 75087

VASUNDHARA REDDY K AND
ALEX R FREEMAN
100 N CENTRAL EXPWY SUITE 1008
RICHARDSON, TX 75080

To Whom It May Concern:

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

Case No. Z2020-006: 2308 Saddlebrook Lane

Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2308 Saddlebrook Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/16/2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

**Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087**

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

Your comments must be received by **3/16/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

— . . . PLEASE RETURN THE BELOW FORM —

Case No. Z2020-006: 2308 Saddlebrook Lane

Please place a check mark on the appropriate line below:

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

Name:

--

Address:

--

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

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

Brooks, Korey

From: Planning
Sent: Monday, March 9, 2020 9:53 AM
To: Brooks, Korey
Subject: FW: Reference Z2020-006/2308 Saddlebrook Lane

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

From: Jeanne [REDACTED]
Sent: Friday, March 6, 2020 5:58 PM
To: Planning <planning@rockwall.com>
Subject: Reference Z2020-006/2308 Saddlebrook Lane

March 6, 20320

Attention: Korey Brooks and Rockwall Planning and Zoning Department

We received a letter in the mail in in the reference to 2308 Saddlebrook Lane. I do have concerns with their request. I feel the building is way too big 30' x 40' and the fact it's detached and metal only. We don't think it will fit into our neighborhood and will degrade our property value. Right now all the buildings have brick on them which looks classy. In a storm something that size could fly away.

Another house in our neighborhood, 2340 Saddlebrook Lane, wanted to build an over sized metal building and we're denied so I don't think it's fair to turn one person down and let another go on with their plans.

I have only lived here for 3 years and when my husband went to P & Z we were told the building material had to be like the main structure and it could not be metal per code.

Therefore we do not give anyone our permission to build a large oversized building without brick siding.

Thank You,

Jeff and Jeanne Baron
2324 Saddlebrook Lane
[REDACTED]

Sent from my iPad

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Brooks, Korey

From: Berger, Kevin [REDACTED]
Sent: Tuesday, March 10, 2020 1:56 PM
To: Brooks, Korey
Cc: [REDACTED]
Subject: Z2020-006 SUP for Accessory Building in Saddlebrook Estates

Hello Korey,

We just wanted to go on record regarding the above mentioned SUP application ahead of tonight's meeting. Please put us down as AGAINST this application.

We believe that the Rockwall Planning and Zoning department was correct in regulating the materials used in construction of accessory buildings and are disappointed that the Texas legislature decided to limit cities' powers to do so.

Thanks,
Kevin & Debbie Berger
2364 Saddlebrook Lane

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Case No. Z2020-006: 2308 Saddlebrook Lane

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

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

We can build metal buildings per law. Our lot sizes are big enough to fit buildings larger than 625 sqft. There are already detached buildings from 900 to 1200 sqft on multiple lots. This is a good thing since 625 sqft hardly fits today's vehicles. Our main garage is 600 sqft & I can't only fit 1 of out 4 cars in it.

Name: Brandon Taylor

Address: 2320 Saddlebrook Ln

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

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

Case No. Z2020-006: 2308 Saddlebrook Lane

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

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

We have no problem with this.

Name:

Donald C. Fleming

Address:

2397 Saddlebrook Lane

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

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

Case No. Z2020-006: 2308 Saddlebrook Lane

Please place a check mark on the appropriate line below:

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

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

its just because that is
county & we are city.
all starts to look bad -

Do not want metal buildings in
our neighborhood, already have a
house on corner of 1141 & Quail Run that
is a junk man. Behind our neighborhood
Name: Dawn DeTebaugh
Address: 2380 Saddlebrook Lane Rockwall

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

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

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

Case No. Z2020-006: 2308 Saddlebrook Lane

Please place a check mark on the appropriate line below:

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

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

- 1) A metal bldg. of that size would be visible from front of house even behind an 8 ft fence & also visible from FM1141.
- 2) A metal bldg. of that size would be unsightly in a residential neighborhood located in the city.
- 3) Fear that it would hurt property values of not only neighbors but also whole neighborhoods.
- 4) All other neighbors that have built detached garages have made them out of brick, one made out of metal would not be consistent with others in our neighborhood.

Name: BARRY & JOYCE Whisenhunt

Address: 2381 Saddlebrook, Rockwall, TX 75087

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

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

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

Case No. Z2020-006: 2308 Saddlebrook Lane

Please place a check mark on the appropriate line below:

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

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

We think it will affect our property values. We also feel that having metal buildings around our houses will take away from the look of our neighborhood.

Name: Shawn & Wendy Minnich

Address: 2396 Saddlebrook Lane, Rockwall 75087

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

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

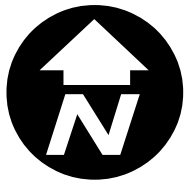
Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748



City of Rockwall

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

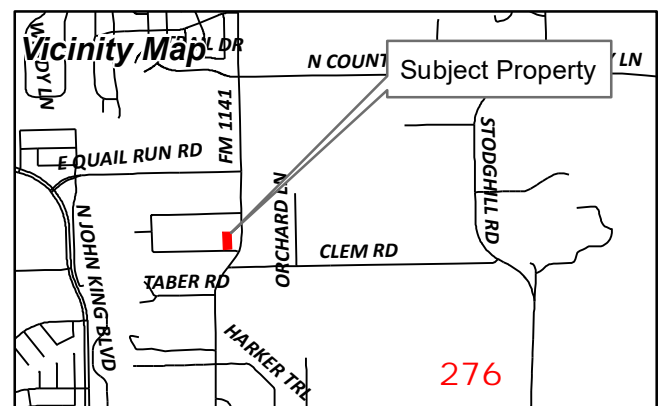
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2020-006
Case Name: SUP for 2308 Saddlebrook Lane
Case Type: Specific Use Permit
Zoning: SF-16
Case Address: 2308 Saddlebrook Lane

Date Created: 2/19/2020

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



From: Greg & Jennifer Givens [REDACTED]
Sent: Friday, February 14, 2020 12:16 PM
To: Brooks, Korey
Subject: Detached garage

Good morning Korey, My name is Greg Givens I live at 2308 Saddlebrook Lane within the City of Rockwall. I am also employed by the Rockwall Fire Department email ggivens@rockwall.com. I spoke with Rusty and you about building a detached garage on my property, oversized 30x40 1,200 sq. feet and height of 18 feet. I will be submitting my pre-application today to begin the process.

I wanted to give you some information regarding the materials I plan to use on the project.

10 inch I beams

8 inch I beams

Broke eve strut 11 gauge

8 inch purling 14 gauge

8 inch C purling

All exterior walls, roof and trim 26 gauge R panel with 30 year paint warranty.

1 inch closed cell spray on installation.

The building will be sitting on a concrete foundation with a concrete driveway leading up to the building.

The building will also be sitting behind a 6 foot wooden fence with a sliding gate.

If any further information is needed please contact me either by phone ,text or email.

I also have dropped off the following:

Conceptual drawing

Site Plan

Wiring and lighting drawing

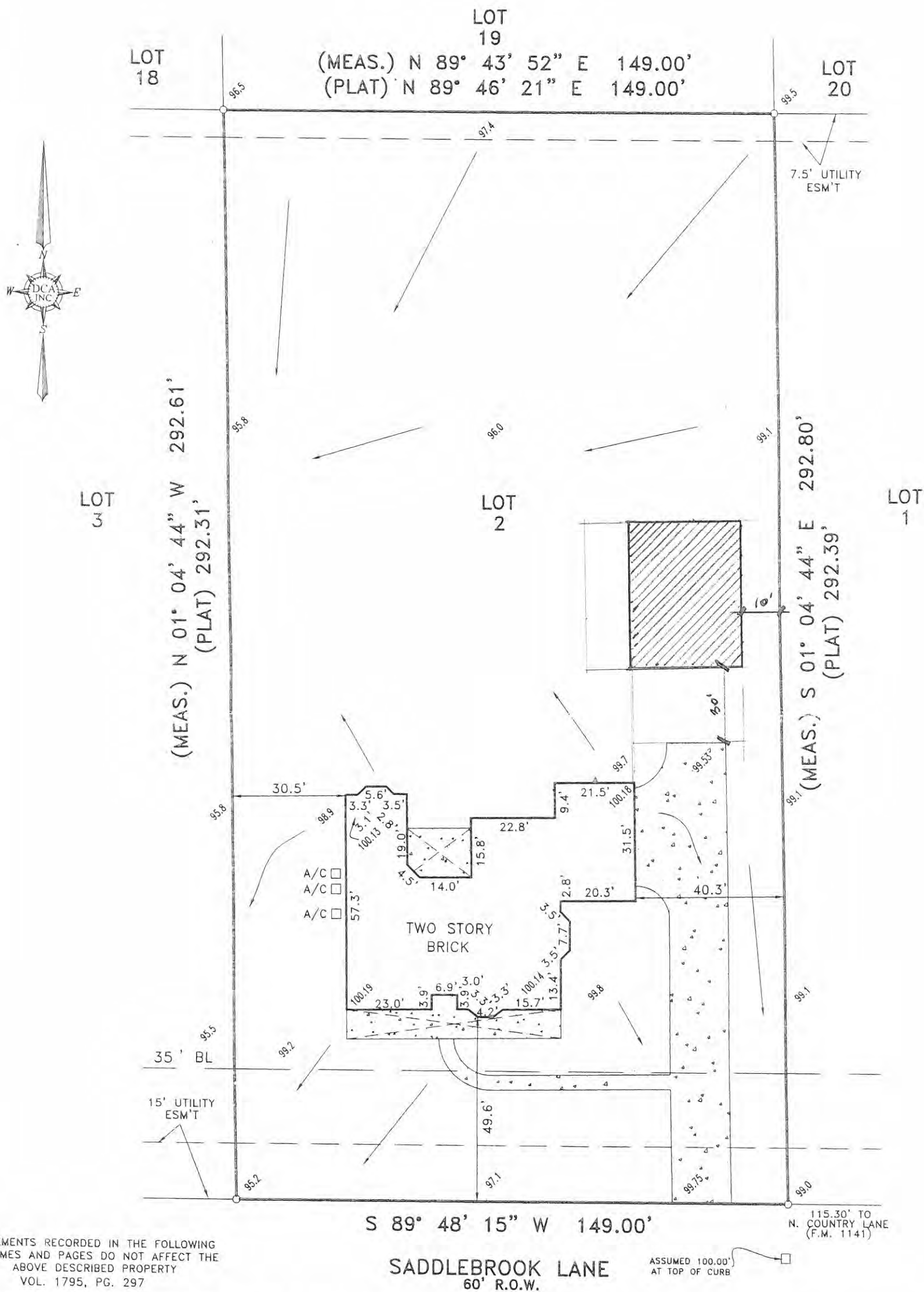
Thank you in advance for the Cities time and the Planning and zonings time to consider my project.

Thanks,

Greg Givens

SURVEY PLAT

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 2308 SADDLEBROOK LANE, in the city of ROCKWALL, Texas, Lot No. 2 Block No. B of SADDLEBROOK ESTATES II an addition to the City of ROCKWALL, ROCKWALL COUNTY, Texas, according to the MAP THEREOF recorded in VOLUME B at PAGE 238 of the MAP Records of ROCKWALL County, Texas.



EASEMENTS RECORDED IN THE FOLLOWING VOLUMES AND PAGES DO NOT AFFECT THE ABOVE DESCRIBED PROPERTY
VOL. 1795, PG. 297

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

NOTE: According to the F.I.R.M. in Map No. 4805430035B, this property does lie in Zone C and does not lie within the 100 year flood zone.

This survey is made relying upon the information provided by DRH Title Company in connection with the transaction described in G.F. 17810-R3-01-E. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, all improvements are located within the boundaries and the distances indicated, and there are no visible and apparent encroachments or protrusions on the ground.

ACCEPTED BY:

SIGNATURE

DATE

SIGNATURE

DATE

Drawn By: G.M.

Scale: 1"=30'

Date: 01-27-03

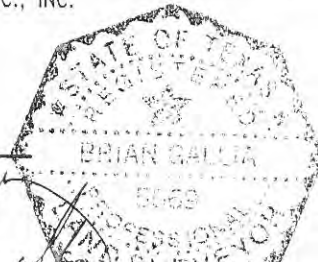
Borrower: GIVENS

Job No. 0107226-3

LEGEND

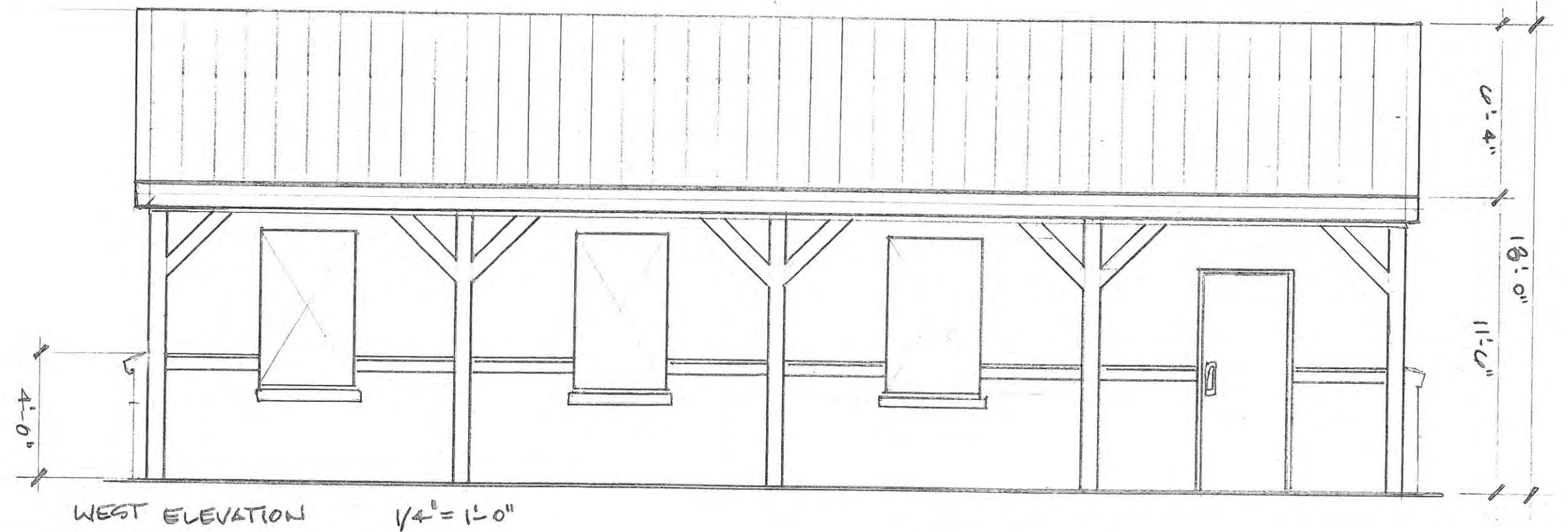
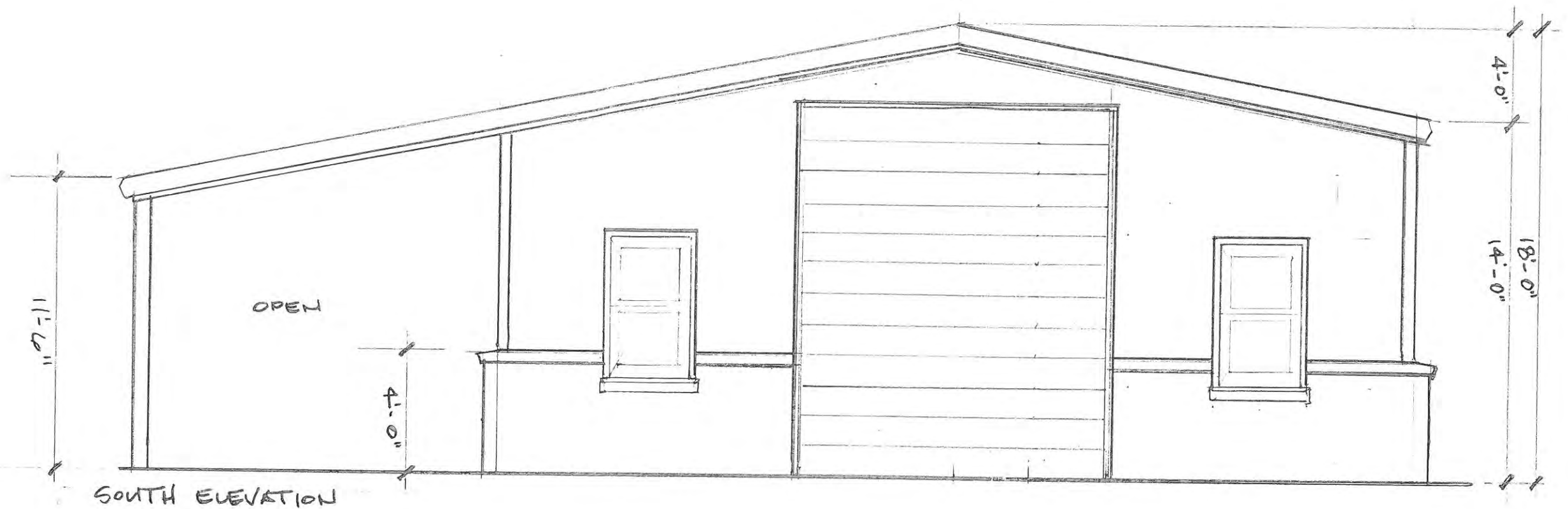
- 1/2" IRON ROD FOUND
- 5/8" IRON ROD SET
- 1" IRON PIPE FOUND
- FENCE POST CORNER
- "X" FOUND IN CONCRETE
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- POWER POLE
- BRICK COLUMN
- A/C - AIR CONDITIONING
- CHAIN LINK FENCE
- WOOD FENCE
- BARBED WIRE
- IRON FENCE
- PIPE FENCE
- COVERED PORCH, DECK OR CARPORT
- OVERHEAD ELECTRIC SERVICE
- OVERHEAD POWER LINE
- ASPHALT PAVING
- GRAVEL/ROCK ROAD OR DRIVE
- CONCRETE PAVING

DOUG CONNALLY & ASSOC., INC.
9754 SKILLMAN STREET
DALLAS, TEXAS 75243
PHONE: (214) 349-9485
FAX: (214) 349-2216
www.dcasurveying.com

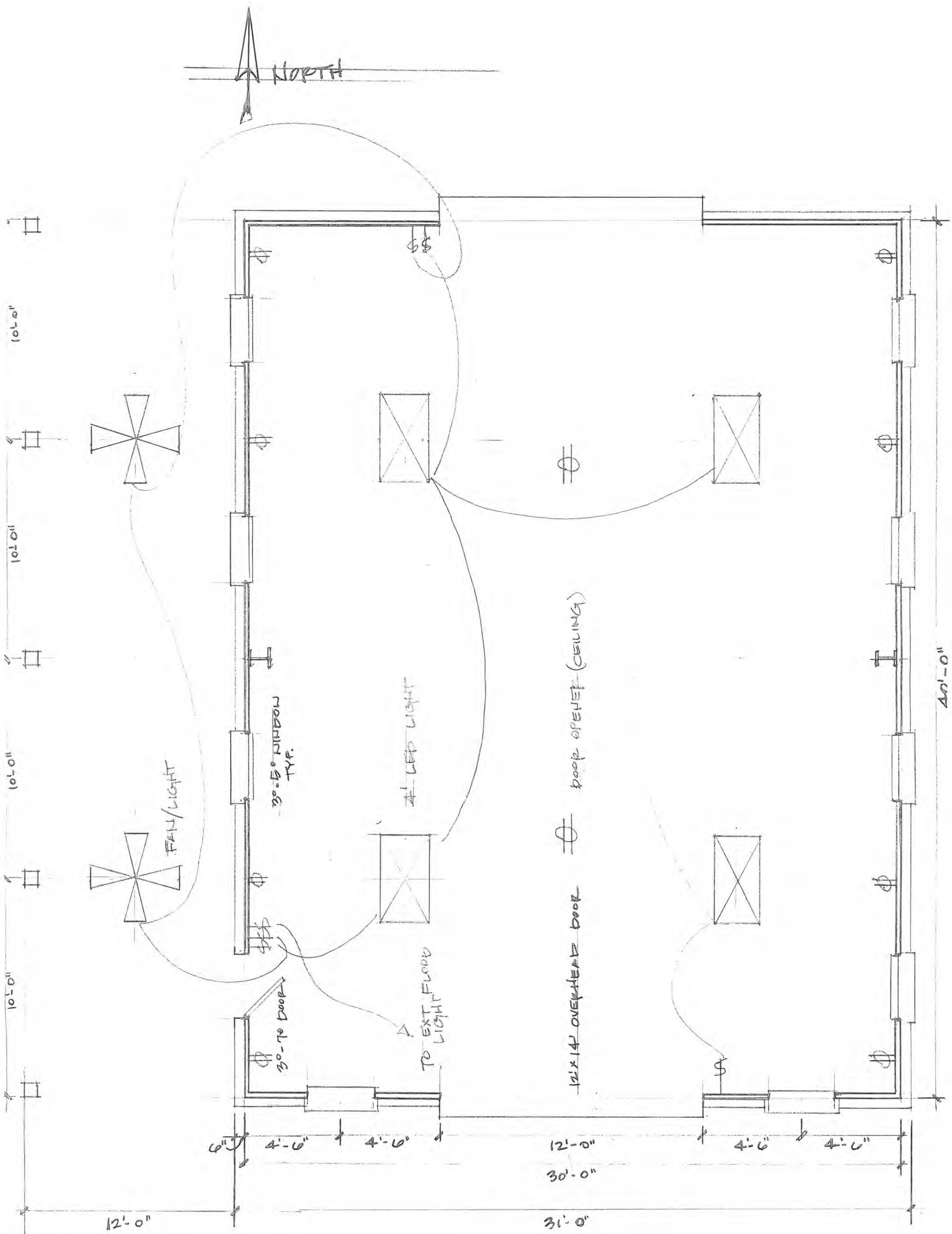


NOTES:

- METAL BUILDING
- R-PANEL 280K.
- METAL ROOF
- MAINSCOT 4'
- PAINT TO MATCH RESIDENCE



22020-006



FLOOR PLAN 30' x 40'
2308 SADDLE BROOK LANE

SCALE 1/4" = 1'-0"
ROCKWALL, TX

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *DETACHED GARAGE* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE AND HEIGHT ON A ONE (1) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK B, SADDLEBROOK ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Greg Givens for the approval of a Specific Use Permit (SUP) to allow a *detached garage* that exceeds the maximum allowable size and height on a one (1) acre parcel of land being described as Lot 2, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2308 Saddlebrook Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *detached garage* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-20*] -- as heretofore amended and as may be amended in the future --, and the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *detached garage* on the *Subject Property* and conformance to these conditions are required for continued operations:

- 1) The detached garage shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- 2) The detached garage shall not exceed a maximum size of 1,200 SF.
- 3) The detached garage shall not exceed an overall height of 18-feet.
- 4) The subject property shall not have more than four (4) accessory buildings.

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF APRIL, 2020.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 16, 2020

2nd Reading: April 6, 2020

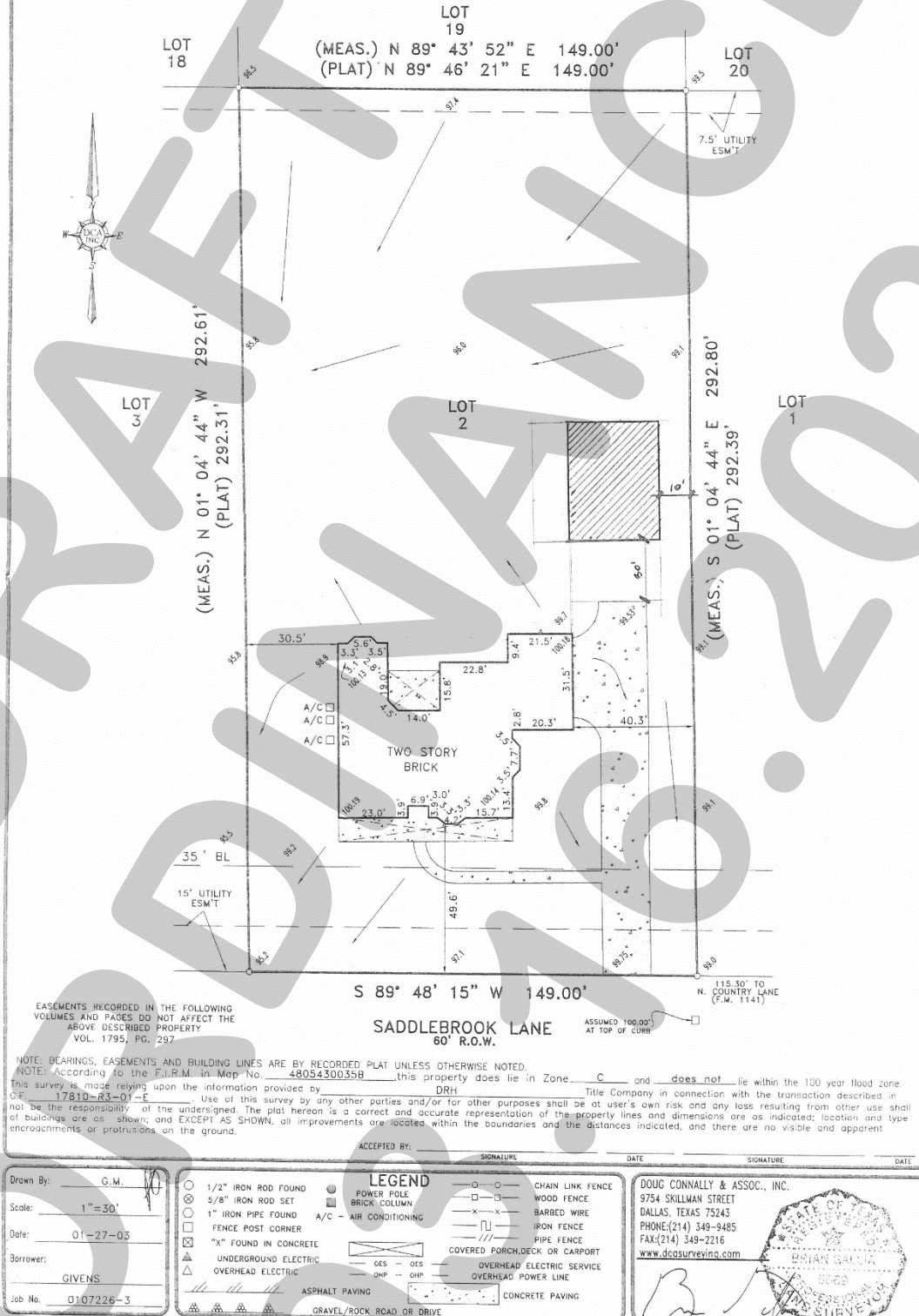
Address: 2308 Saddlebrook Lane

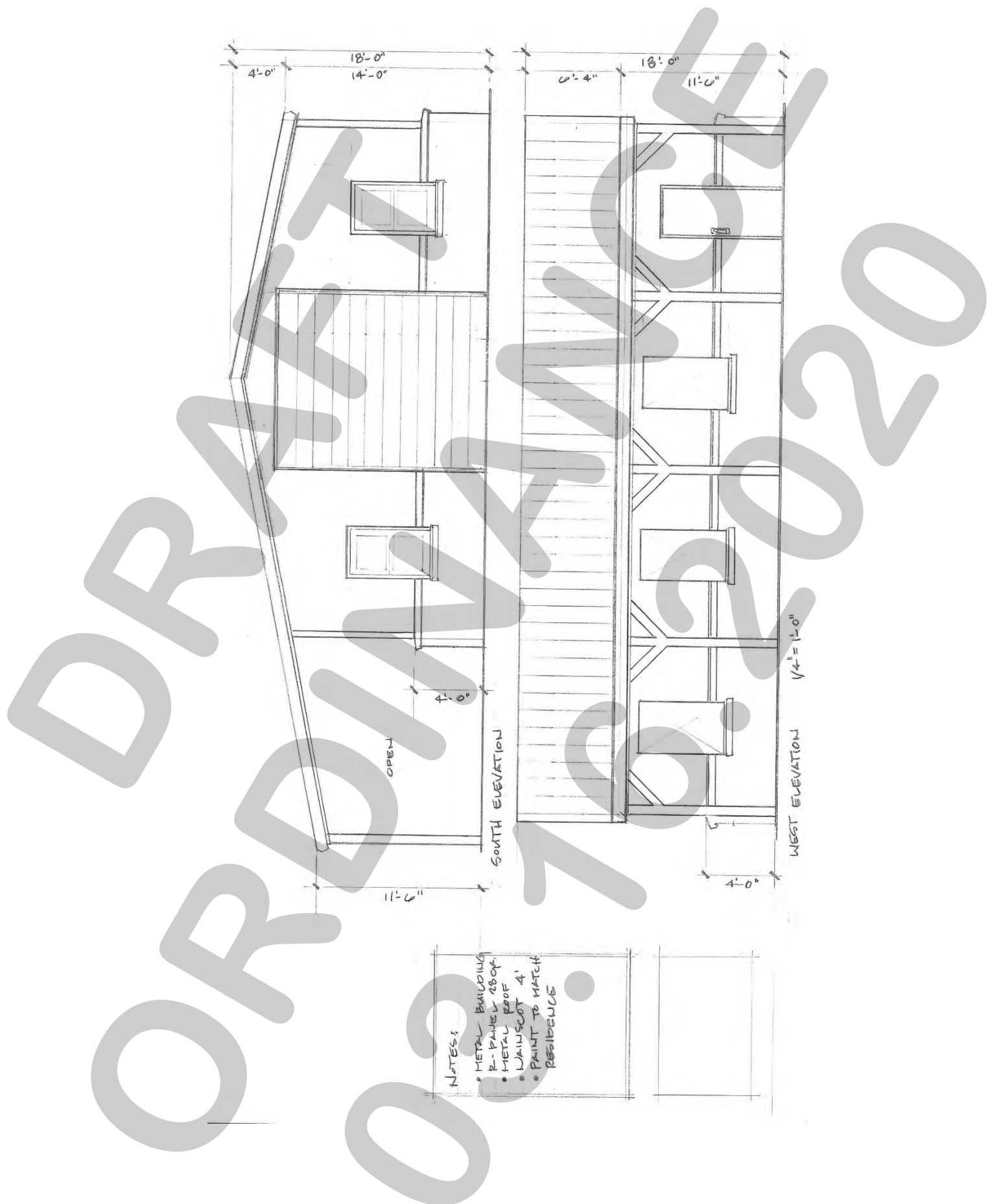
Legal Description: Lot 2, Block B, Saddlebrook Estates #2 Addition



SURVEY PLAT

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 2308 SADDLEBROOK LANE, in the city of ROCKWALL, Texas, Lot No. 2 Block No. B of SADDLEBROOK ESTATES II an addition to the City of ROCKWALL, ROCKWALL COUNTY, Texas, according to the MAP THEREOF recorded in VOLUME B at PAGE 238 of the MAP Records of ROCKWALL County, Texas.





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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: Planning and Zoning Commission

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

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

DATE: March 16, 2020

SUBJECT: Z2020-007; *Amendment to the Fence Standards for Existing and Infill Single-Family and Duplex Properties Contained in Article 08, Landscape and Fence Standards, of the UDC*

On January 21, 2020, the City Council held a work session to discuss the fence standards. At this work session the City Council directed staff to make the following changes to Section 08.03(B), *Fence Standards for Existing and Infill Single-Family and Duplex Properties*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC):

- (1) Remove the language requiring fences be constructed with a decorative top rail and/or cap.
- (2) Remove the language requiring fences be stained and sealed on both sides of the fence.
- (3) Change the standards to allow the framing to be placed on the public side when adjacent to an alleyway.
- (4) Remove the language requiring fences be free of burs and splinters.
- (5) Remove the language requiring fences be constructed with ½-inch or greater fencing material.

Based on this direction staff is proposing to change this section of the ordinance to read:

~~Removed Language~~
Addition Language

All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side and all posts and/or framing shall be placed on the private side when adjacent to a public street (*excluding alleyway*), open space, public park, and/or neighboring properties. ~~(i.e. facing streets, alleys, open space, parks, and/or neighboring properties). All posts and/or framing shall be placed on the private side (i.e. facing towards the home) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.~~

In accordance, with Section 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the UDC staff brought the amendment forward to the Planning and Zoning Commission for a recommendation to the City Council, and at the March 16, 2020 Planning and Zoning Commission meeting the Planning and Zoning Commission approved a motion to recommend approval of the text amendment by a vote of 5-0 (*with Commissioners Logan and Fishman absent*). Attached to this case memo is a draft ordinance outlining the proposed changes. 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 UDC. Should the City Council have any questions staff will be available at the meeting on March 16, 2020.

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 08.03(B), *FENCE STANDARDS FOR EXISTING AND INFILL SINGLE-FAMILY AND DUPLEX PROPERTIES*, OF ARTICLE 08, *LANDSCAPE AND FENCE 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 08.03(b), *Fence Standards for Existing and Infill Single-Family and Duplex Properties*, of Article 08, *Landscape and Fence 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 08.03(b), *Fence Standards for Existing and Infill Single-Family and Duplex Properties*, of Article 08, *Landscape and Fence 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 6TH DAY OF APRIL, 2019.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 16, 2020

2nd Reading: April 6, 2020

Additions: Highlighted

Deletions: Highlighted, Strikeout

All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side and all posts and/or framing shall be placed on the private side when adjacent to a public street (excluding alleyway), open space, public park, and/or neighboring properties. ~~(i.e. facing streets, alleys, open space, parks, and/or neighboring properties).~~ All posts and/or framing shall be placed on the private side (i.e. facing towards the home) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

DATE: March 16, 2020

APPLICANT: Scott Mommer; Lars Andersen & Associates, Inc.

CASE NUMBER: Z2020-008; *Specific Use Permit (SUP) for the Rental, Sales, and Service of Heavy Machinery and Equipment*

SUMMARY

Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of a Specific Use Permit (SUP) to allow the *Rental, Sales and Service of Heavy Machinery and Equipment* in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary.

BACKGROUND

The subject property was annexed in 1960 [*Ordinance No. 60-03*], is zoned Commercial (C) District, and is situated within the IH-30 Overlay (IH-30 OV) District. On July 21, 1997, the City Council approved a preliminary plat [*Case No. PP1997-042*] for the subject property. On August 18, 1997, the City Council approved a site plan [*Case No. PZ1997-051-01 & PZ1997-051-02*] and a final plat for a home improvement store (*i.e. Home Depot*) on the subject property. In September 2019, the applicant submitted a request for approval of a site plan to allow the expansion of the existing building. At that time, the applicant was proposing to utilize the expansion as a tool rental facility (*i.e. rental of power drills, saws, and sanders*). In addition, the applicant proposed to utilize a portion of the parking lot for the *Rental, Sales, and Service of Heavy Machinery and Equipment*, which at that time was not permitted in the Commercial (C) District. In response to this, the applicant requested that the City Council amend the Article 04, *Permissible Uses*, of the Unified Development Code (UDC) to allow the *Rental, Sales, and Service of Heavy Machinery and Equipment* in a Commercial (C) District, and on November 4, 2019 the City Council directed staff to make changes to the UDC to allow the land use by Specific Use Permit (SUP) in a Commercial (C) District. On January 6, 2020, the City Council approved *Ordinance No. 19-46* making the changes. On January 23, 2020, an administrative site plan to allow the expansion of the existing home improvement store was approved.

PURPOSE

The applicant is requesting the approval of a Specific Use Permit (SUP) to allow the *Rental, Sales, and Service of Heavy Machinery and Equipment* in conjunction with an existing home improvement store (*i.e. Home Depot*) on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located 765 E. IH-30. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is IH-30, which is identified as a *TXDOT6D (Texas Department of Transportation, six [6] lane, divided roadway) on the City's Master Thoroughfare Plan*. Beyond this, there are several commercial businesses (*i.e. Wal-Mart Supercenter, Starbucks, etc.*). Following this, is Yellow Jacket Lane, which is identified as a *M4D (major collector, four [4] lane divided roadway) on the City's Master Thoroughfare Plan*. These areas are zoned Commercial (C) District.

South: Directly south of the subject property there is a financial institution (*i.e. Home Bank*) and a minor auto repair garage (*i.e. Christian Brothers Automotive*). Following this is W. Ralph Hall Parkway, which is identified as a *M4D (major collector, four [4] lane, divided roadway)* **on the City's Master Thoroughfare plan**. **Beyond this, there** is a single-family residential subdivision (*i.e. Lynden Park Estates, Phase 1A Subdivision*) followed by Market Center Drive, which is identified as a *Minor Collector* **on the City's Master Thoroughfare Plan**. **These areas are zoned** Commercial (C) District and Planned Development District 17 (PD-17) for single-family detached land uses.

East: Directly east of the subject property, there is a veterinary clinic (*i.e. Lakeside Veterinary Clinic*), a shopping center (*i.e. Rockwall Market Center East*), and an educational institution (*i.e. Amanda Rochell Elementary School*). Following this, is Mims Road, which is identified as a *Minor Collector* **on the City's Master Thoroughfare Plan**. Beyond this, there is a shopping center (*i.e. Rockwall Crossing*). These areas are zoned Commercial (C) and Agricultural (AG) District.

West: Directly west of the subject property, there is a restaurant (*i.e. On the Border*) followed by Market Center Drive, which is identified as a *Minor Collector* **on the City's Master Thoroughfare Plan**. **Beyond this, there is a shopping center** (*i.e. Rockwall Market Center*) and a house of worship (*i.e. Lake Pointe Church*) followed by a hotel (*i.e. La Quinta Inn*) and several commercial businesses (*i.e. Soulman's Barbeque, Applebee's, etc.*). These areas are zoned Commercial (C) District.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting the approval of a Specific Use Permit (SUP) to allow the *Rental, Sales, and Service of Heavy Machinery and Equipment* in conjunction with an existing home improvement store (*i.e. Home Depot*). The applicant is proposing to utilize ten (10) parking spaces adjacent to the southern property line (*i.e. on the side of the store*). In conjunction with this request, the applicant is proposing to expand the existing store to accommodate a tool rental facility (*i.e. rental of power drills, saws, electric sanders*). The applicant is proposing to utilize a combination of a wrought-iron fence and three (3)-tiered landscape screening (*i.e. consisting of a combination of canopy trees, shrubs, and accent trees*) to screen the proposed outdoor equipment storage area.

CONFORMANCE WITH THE CITY'S CODES

According to Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) the *Rental, Sales, and Service of Heavy Machinery and Equipment* is permitted an ancillary use to a general retail store with a Specific Use Permit (SUP) in a Commercial (C) District. All outside storage of equipment and machinery shall be visibly screened from all adjacent properties utilizing one (1) of the screening alternatives stipulated by Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC). The storage areas for equipment and machinery shall not occupy any required parking spaces and the storage and/or display of machinery shall be in a stowed position so as to not extend any part of the equipment or machinery in an upward or outward manner. The Unified Development Code (UDC) prohibits maintenance or service of any equipment and machinery. Specifically, the proposed facility is an ancillary use to the existing home improvement store. The applicant is proposing to provide landscape screening consisting of a wrought iron fence completely enclosing the area and a combination of canopy trees, accent trees, and shrubs that will be adjacent to three (3) sides of the enclosure (*i.e. adjacent to the south, west and eastern sides*). The applicant has provided a concept plan that appears to conform to these requirements. Staff should also note that the removal of the parking spaces along the southern property line will not affect the properties conformance to the parking standards, and that the site will be sufficiently parked for the current land use.

STAFF ANALYSIS

When looking at the applicant's request, to allow the *Rental, Sales, and Service of Heavy Machinery and Equipment* in a Commercial (C) District, the applicant appears to be conforming with the *Conditional Land Use Standards* contained in Section 02, *Conditional Land Use Standards and Definitions*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC). The Planning and Zoning Commission is charged with determining if the proposed request will negatively impact the subject property and the surrounding properties. Additionally, staff should note that the subject property is located within the IH-30 Overlay (IH-30 OV) District, which is a heavily travelled district; however, the storage of the heavy equipment will be located at the rear of the property and should not be visible from IH-30. The location will be highly visible from Market Center Drive and

Rochell Court, but the proposed three (3) tiered screening should mitigate the negative impacts of the proposed storage. Based on this, **the applicant's request does not appear to negatively impact the subject property or surrounding properties;** however, approval of this request is a discretionary decision for the City Council, pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On February 25, 2020, staff mailed 53 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the **Lynden Park Homeowner's Association, which is the only Homeowner's Association (HOA)/Neighborhood Association** located within 1,500-feet of the subject property and is participating in the Neighborhood Notification Program. At the time this case memo was written, staff had received one (1) notice in favor of this request.

CONDITIONS OF APPROVAL

If the **City Council chooses to approve the applicant's request** then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) All outside rental, sales, and service of heavy machinery and equipment shall conform to the concept plan depicted in ***Exhibit 'B'*** of the attached ordinance.
 - (b) The outside storage area depicted in ***Exhibit 'B'*** of this ordinance shall be screened in accordance with the screening requirements stipulated by the Unified Development Code (UDC). An amended site plan showing conformance to these screening requirements shall be submitted and approved by the Planning and Zoning Commission prior to the establishment of this land use.
 - (c) The outside storage of machinery and equipment shall only be stored in the area depicted in ***Exhibit 'B'*** of this ordinance and labeled as *Proposed THD Equipment Rental (10 Stalls)*.
 - (d) The equipment and machinery stored in the outside storage area depicted in ***Exhibit 'B'*** of this ordinance be stowed in a position so as to not extend any part of the equipment or machinery in an upward or outward manner.
 - (e) This Specific Use Permit (SUP) shall not be construed to permit the outside storage of equipment and machinery for outside display, nor does it permit additional outside storage of other materials that are not associated with the *Rental, Sales, and Service of Heavy Machinery* land use.
 - (f) Maintenance and/or service of any equipment and/or machinery shall not be performed on site.
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On March 10, 2020, the Planning and Zoning Commission's motion to recommend approval of the applicant's request with staff's conditions of approval passed by a vote of 5-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

Platting Application Fees:

- ☐ Master Plat (\$100.00 + \$15.00 Acre) 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 765 East I-30, Rockwall, TX 75087

Subdivision Home Depot - Rockwall Addition

Lot 1 Block A

General Location Interstate 30 & Market Center Drive

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Commercial (C) District

Current Use Commercial

Proposed Zoning Commercial (C) District

Proposed Use Commercial

Acreage 11.390

Lots [Current] 1

Lots [Proposed] 1

☐ **SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

☐ Owner Home Depot U.S.A., Inc.

☒ Applicant Lars Andersen & Associates, Inc.

Contact Person Suzanne Russo

Contact Person Scott Mommer

Address 2455 Paces Ferry Road

Address 4694 W. Jacquelyn Avenue

City, State & Zip Atlanta, GA 30339

City, State & Zip Fresno, CA 93722

Phone +1 (770) 384-2406

Phone 559-978-7060

E-Mail Suzanne_Russo@homedepot.com

E-Mail smommer@larsandersen.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Suzanne Russo [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 4th day of February, 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."

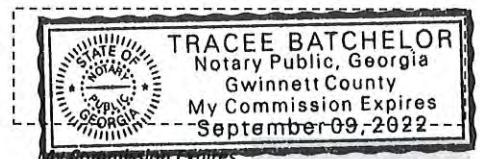
Given under my hand and seal of office on this the 4th day of February, 2020.

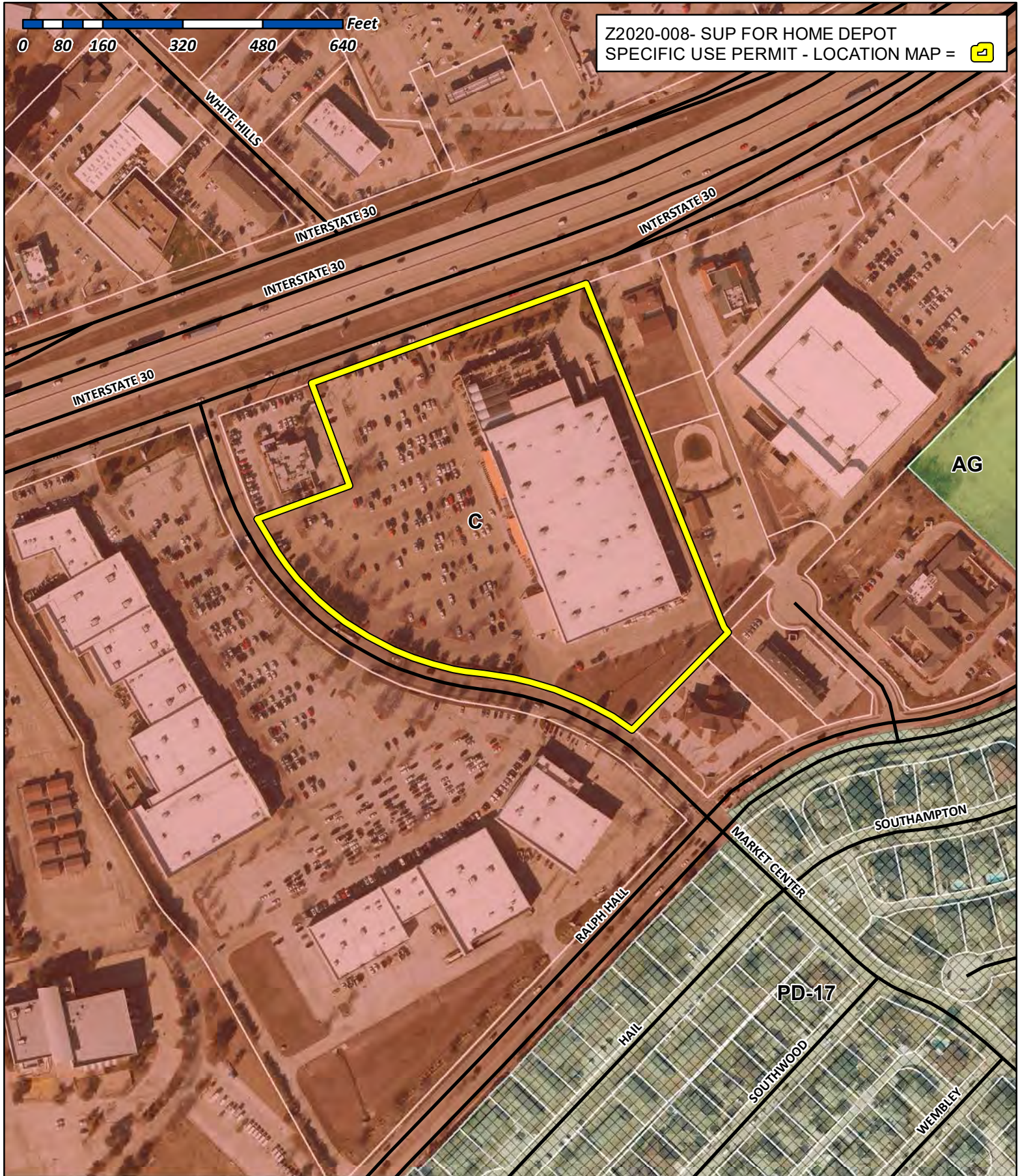
Owner's Signature

Suzanne Russo

Notary Public in and for the State of Texas

Tracee Batchelor





City of Rockwall

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

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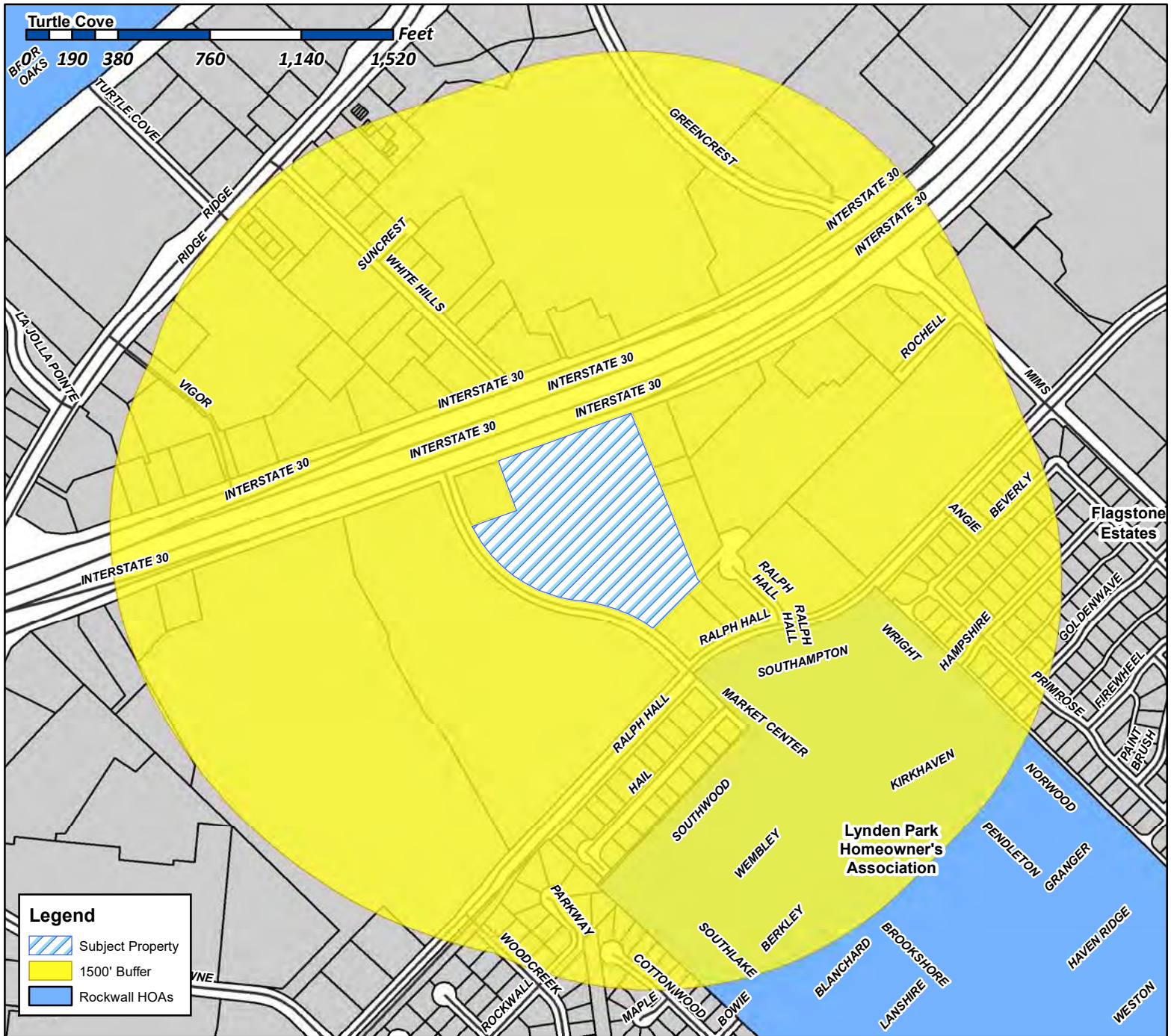




City of Rockwall

Planning & Zoning Department
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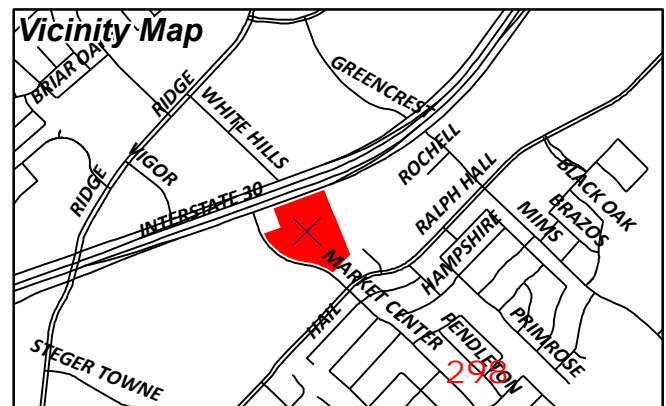
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Case Number: Z2020-008
Case Name: SUP for Home Depot
Case Type: Specific Use Permit
Zoning: Commercial (C)
Case Address: 765 E. I-30

Date Created: 2/21/2020

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



Gamez, Angelica

From: Gamez, Angelica
Sent: Friday, February 28, 2020 10:30 AM
Subject: Neighborhood Notification program
Attachments: PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf; PUBLIC NOTICE.pdf

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner **February 28, 2020**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, March 10, 2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, March 16, 2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <https://sites.google.com/site/rockwallplanning/development-cases>.

Z2020-001 Zoning Change from Agricultural (AG) District to a Single Family 1 (SF-1) District

Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle.

Z2020-002 SUP for Residential Infill for 702 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue.

Z2020-003 SUP for Residential Infill for 610 Parks Avenue

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 610 Parks Avenue.

Z2020-004 SUP for Residential Infill for 705 Peters Colony

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 705 Peters Colony.

Z2020-005 SUP for Residential Infill for 703 Peters Colony

Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for

the purpose of constructing a single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Peters Colony.

Z2020-006 SUP for an Accessory Building

Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2308 Saddlebrook Lane.

Z2020-007 Text Amendment to Article VIII, Landscape and Screening

Hold a public hearing to discuss and consider a request for the approval of a Text Amendment to amend Article 08, Landscape and Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-family and duplex properties.

Z2020-008 SUP to allow Rental, Sales and Service of Heavy Machinery and Equipment

Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of a Specific Use Permit (SUP) to allow the Rental, Sales and Service of Heavy Machinery and Equipment in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30.

If this email is reaching you in error, please forward it to your HOA or neighborhood group representative and update the contact information at <http://www.rockwall.com/planning/hoa.asp>.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

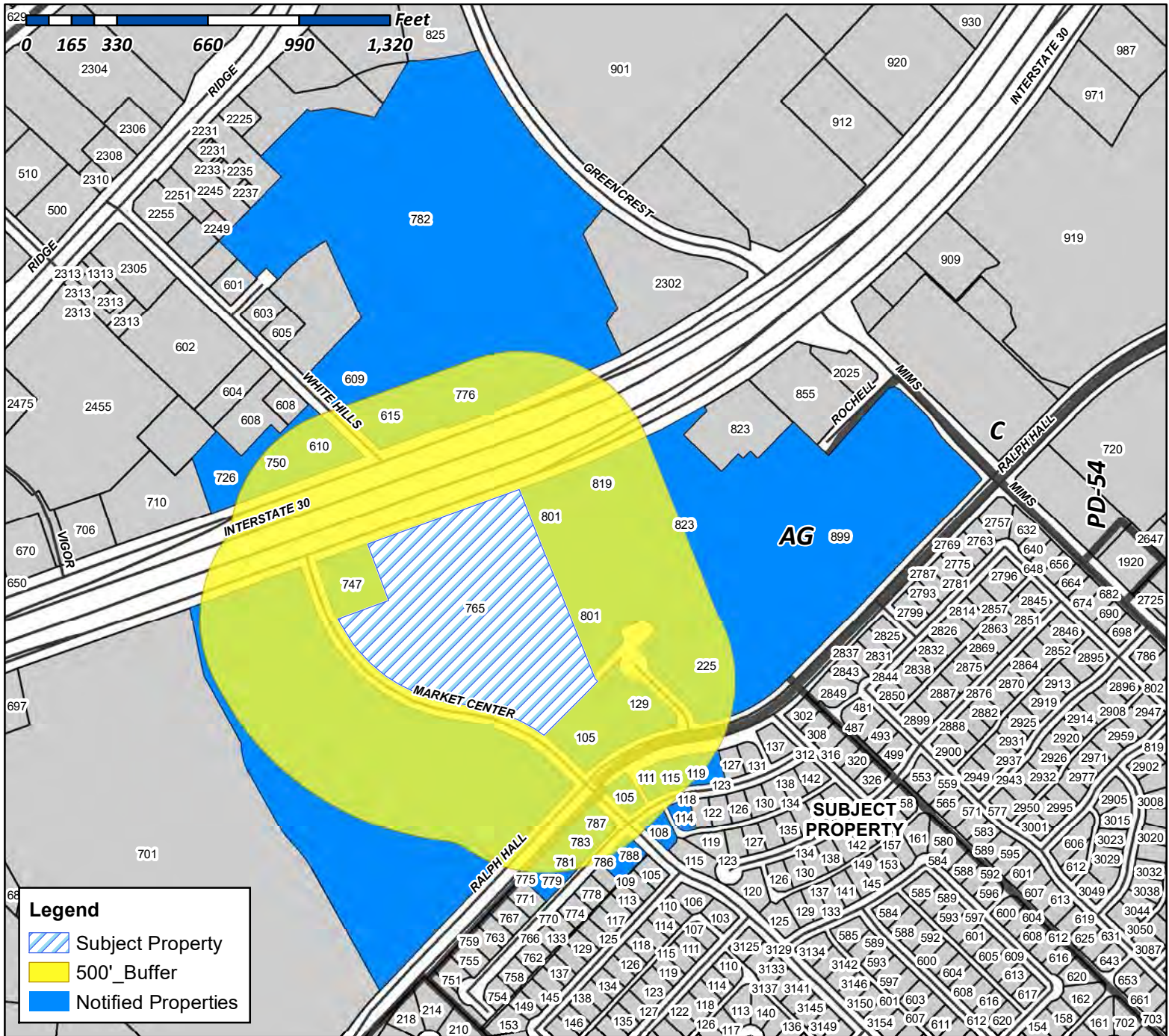
<http://www.rockwall.com/planning/>



City of Rockwall

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

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Case Number: Z2020-008
Case Name: SUP for Home Depot
Case Type: Specific Use Permit
Zoning: Commercial (C)
Case Address: 765 E. I-30

Date Created: 2/21/2020

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



ROCKWALL I S D , 0	CURRENT RESIDENT I30 ROCKWALL, TX 75032	CURRENT RESIDENT RALPH HALL ROCKWALL, TX 75032
CURRENT RESIDENT EI30 ROCKWALL, TX 75032	CURRENT RESIDENT 105 RALPH HALL ROCKWALL, TX 75032	CURRENT RESIDENT 105 SOUTHAMPTON ROCKWALL, TX 75032
CURRENT RESIDENT 108 SOUTHAMPTON ROCKWALL, TX 75032	SMITH NICHOLAS & JESSICA ESQUIVEL 111 SOUTHAMPTON DRIVE ROCKWALL, TX 75032	CURRENT RESIDENT 114 SOUTHAMPTON ROCKWALL, TX 75032
FERRARO TERESA M 115 SOUTHAMPTON DRIVE ROCKWALL, TX 75032	FADILI TONY AND NAIMA DARRAOUI 119 SOUTHAMPTON DR ROCKWALL, TX 75032	CURRENT RESIDENT 123 SOUTHAMPTON ROCKWALL, TX 75032
BT CAYMAN LLC 12801 N CENTRAL EXPY SUITE 1675 DALLAS, TX 75243	CURRENT RESIDENT 129ERALPH HALL ROCKWALL, TX 75032	UNDERWOOD ARCHIE HARBERT 15180 COUNTY ROAD 4009 MABANK, TX 75147
GREAT AMERICAN RESORTS INC 1917 ARROYO RD DALHART, TX 79022	WESTMARK HARRIS REAL ESTATE INVESTMENTS LLC ATTN: MARK FRIEDMAN 200 CONGRESS UNIT 46TX AUSTIN, TX 78701	COLE OB ROCKWALL TX LLC C/O OTB ACQUISITION LLC 2201 W ROYAL LANE SUITE 240 IRVING, TX 75063
NHI-REIT OF TX-IL LLC 222 ROBERT ROSE DRIVE MURFREESBORO, TN 37129	CURRENT RESIDENT 225ERALPH HALL ROCKWALL, TX 75032	ROCKWALL DUNHILL LLC 3100 MONTICELLO AVENUE SUITE 300 DALLAS, TX 75205
WALKER I REALTY INC C/O CHARLES F WALKER 3404 MARQUETTE ST DALLAS, TX 75225	INVEZA GROUP LLC 4400 TEMECULA CREEK TRAIL MCKINNEY, TX 75070	609 WHITE HILLS LTD C/O TACO BUENO RESTAURANTS INC 4515 LYNDON B JOHNSON FWY DALLAS, TX 75244
SCHULER JACK W TRUSTEE 5900 S. LAKE FOREST DR. STE 295 MCKINNEY, TX 75070	CURRENT RESIDENT 609 WHITE HILLS ROCKWALL, TX 75032	CURRENT RESIDENT 610 WHITE HILLS ROCKWALL, TX 75032
CURRENT RESIDENT 615 WHITE HILLS ROCKWALL, TX 75032	SHEPHERD PLACE HOMES INC 620 ROWLETT RD GARLAND, TX 75043	SAYED PROPERTY MANAGEMENT LLC 7008 MILLS BRANCH CIR PLANO, TX 75024

CURRENT RESIDENT
726 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
747EI30
ROCKWALL, TX 75032

SEVEN26 PROPERTIES LLC
750 E I-30 SUITE 105
ROCKWALL, TX 75087

CURRENT RESIDENT
765 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
775 HAIL
ROCKWALL, TX 75032

CURRENT RESIDENT
776 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
779 HAIL
ROCKWALL, TX 75032

LENA INVESTMENT INC
779 MOUNTCASTLE DR
ROCKWALL, TX 75087

CURRENT RESIDENT
781 HAIL
ROCKWALL, TX 75032

CURRENT RESIDENT
782 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
783 HAIL
ROCKWALL, TX 75032

ROCKWALL HOUSING DEV CORP
A TEXAS NON-PROFIT CORP OF RW
787 HAIL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
788 HAIL
ROCKWALL, TX 75032

CURRENT RESIDENT
801EI30
ROCKWALL, TX 75032

CURRENT RESIDENT
819EI30
ROCKWALL, TX 75032

CURRENT RESIDENT
823 I30
ROCKWALL, TX 75032

CURRENT RESIDENT
899 TUBBS
ROCKWALL, TX 75032

ARC BFRKWTX001 LLC
C/O ED RYBURN CMI SENIOR TAX SPECIALIST
BRIDGESTONE AMERICAS HOLDING INC 535
MARRIOTT DR 9TH FLOOR
NASHVILLE, TN 37214

HD DEVELOPMENT PROPERTIES LP
PROPERTY TAX DEPT #0531
PO BOX 105842
ATLANTA, GA 30348

KOHL'S ILLINOIS INC
PO BOX 2148
MILWAUKEE, WI 53201

MURPHY OIL USA INC
PO BOX 7300
EL DORADO, AR 71731

WAL-MART REAL ESTATE
BUSINESS TRUST
PO BOX 8050
BENTONVILLE, AR 72712

HOME BANK at
PO BOX 909
SEAGOVILLE, TX 75159

Case No. Z2020-008: Home Depot

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

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

Support of neighbors & community.

Name:

AMY STEHR, CHRISTIAN BROTHERS AUTOMOTIVE

Address:

129 E RALPH HALL PKWY, ROCKWALL 75032

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

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

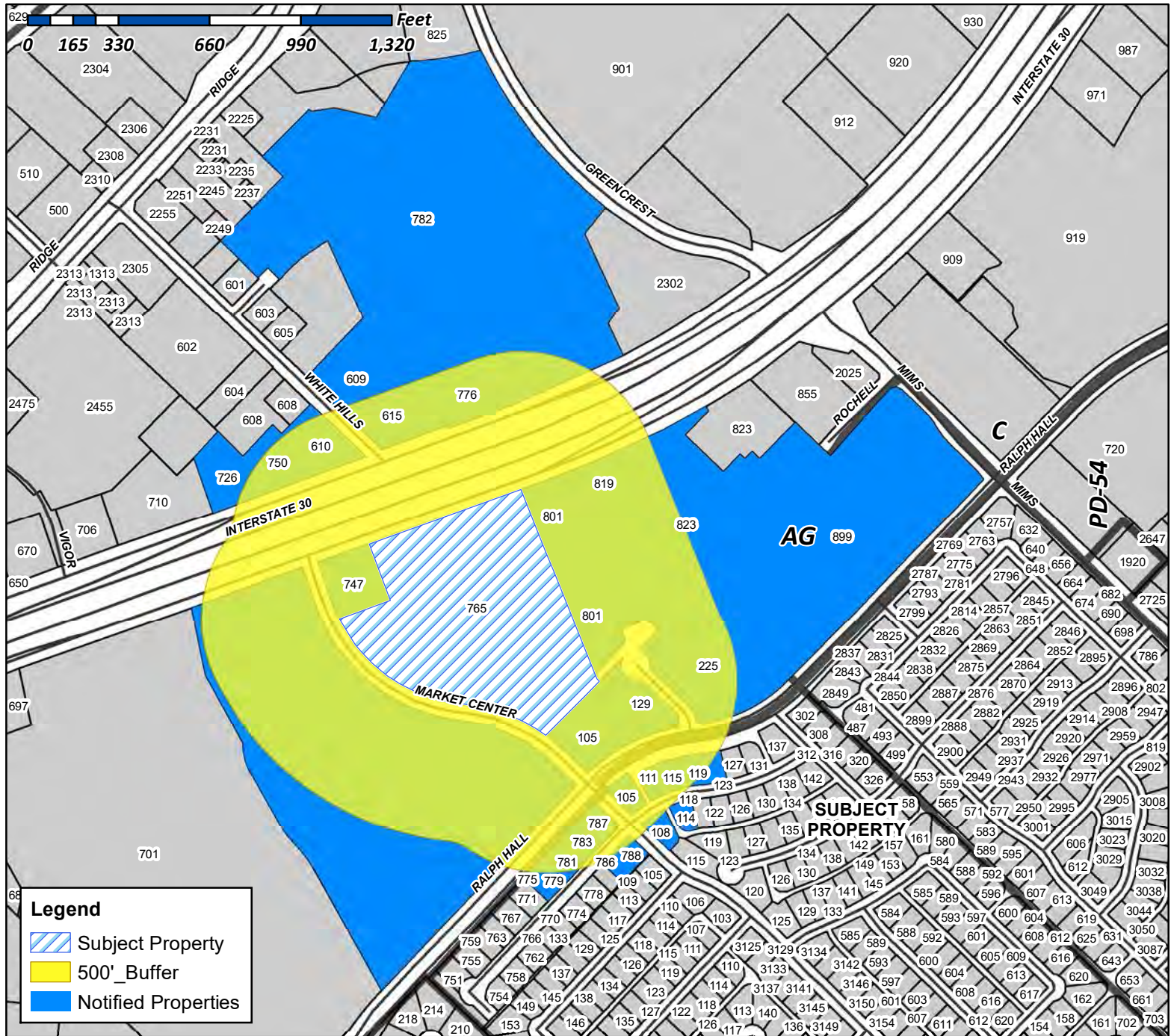
Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748



City of Rockwall

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

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Case Number: Z2020-008
Case Name: SUP for Home Depot
Case Type: Specific Use Permit
Zoning: Commercial (C)
Case Address: 765 E. I-30

Date Created: 2/24/2020

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



To Whom It May Concern:

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

Case No. Z2020-008: Home Depot

Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of a Specific Use Permit (SUP) to allow the Rental, Sales and Service of Heavy Machinery and Equipment in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 3/10/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 3/16/2020 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

**Korey Brooks
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087**

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

Your comments must be received by **3/16/2020** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases)

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

Case No. Z2020-008: Home Depot

Please place a check mark on the appropriate line below:

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

Name:	
Address:	

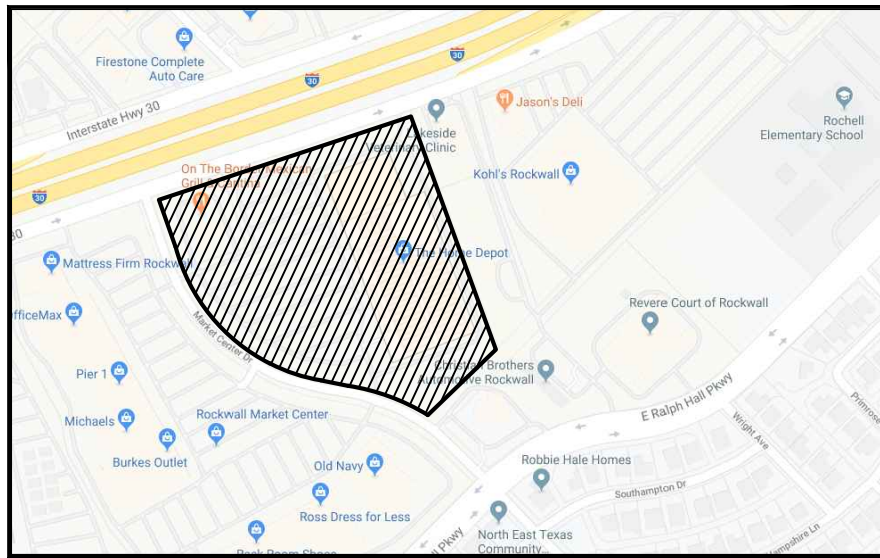
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written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

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

Legal Description

LOT 1, BLOCK A, FINAL PLAT HOME DEPOT – ROCKWELL ADDITION, A SUBDIVISION IN ROCKWALL COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN SLIDE D, PAGE 57 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS.

On behalf of Home Depot, our Firm (Lars Andersen & Associates, Inc.), is submitting a Specific Use Permit Application to allow the use of ten (10) parking stalls to display compact power Equipment Rental. The proposed compact power Equipment Rental transactions will be made through the proposed Tool Rental Center (Building Permit Case No. BLD2020-0255) during store operating hours. Such equipment are items like small trailers, see the attached file for a list of example equipment that the store could elect to rent. It should be noted that the HD Rental equipment is owned and operated by Home Depot and there are no Third-Party Entities involved with this Accessory Use. In addition, no service, repairs, or maintenance are done on THD Rental equipment at the store, as Home Depot owns various maintenance facility locations throughout the region where they are serviced. There is also no fueling of the equipment by Home Depot or its Associates, as the equipment is returned filled by the customer. The proposed Equipment Rental will be placed in the stalls for 24-hours and there would only be one (1) equipment per stall. The equipment is placed on trailers ready for customers to tow-away.



VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION

ZONING INFORMATION	
APN:	47567
ZONING:	C COMMERCIAL
EXISTING LAND USE:	COMMERCIAL
PROPOSED LAND USE:	COMMERCIAL
HOME DEPOT SITE DATA	
HOME DEPOT AREA	11.39 AC
HOME DEPOT BUILDING AREAS	
EXISTING HOME DEPOT BUILDING	111,847 SF
PROPOSED TOOL RENTAL CENTER	2,236 SF
EXISTING GARDEN CENTER	+ 17,955 SF
TOTAL HD BUILDING AREA	132,038 SF
MINIMUM SETBACKS	
FRONT:	15 FT
REAR:	10 FT
SIDE:	27 FT
PARKING REQUIRED PER CITY CODE	
HOME DEPOT (@ 1/250 SF) GFA	
(INCLUDING GARDEN CENTER)	528 STALLS
PARKING PROVIDED	
CUSTOMER	514 STALLS
OVERFLOW	+ 89 STALLS
TOTAL PROVIDED	603 STALLS
INCLUDED WITHIN PARKING PROVIDED	
ACCESSIBLE PARKING	18 STALLS

SUP SITE PLAN

DATE: 2/04/2020
REVISION DATES:

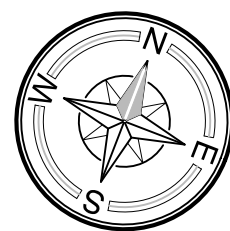
SITE PLANNER: DAVID BORSCH
SITE DEV. COORDINATOR: SCOTT MOMMER
R. E. MARKET
R. E. AGENDA NAME
R. E. MANAGER: KIM KOEING



TX - ROCKWALL STORE #0531

ADDRESS: 765 E I-30
ROCKWALL, TX 75087

LA PROJECT NUMBER: 18085.00



0' 50' 100'
SCALE 1"=50'

SHEET 1 OF 2

INTERSTATE HIGHWAY 30
(PRIMARY HIGHWAY)

Legal Description:

LOT 1, BLOCK A, FINAL PLAT HOME DEPOT – ROCKWELL ADDITION, A
SUBDIVISION IN ROCKWALL COUNTY, TEXAS, ACCORDING TO THE MAP OR
PLAT THEREOF, RECORDED IN SLIDE D, PAGE 57 OF THE PLAT
RECORDS OF ROCKWALL COUNTY, TEXAS.

ACCESS ROAD

EXISTING HOME
DEPOT PYLON SIGN

FIRE LANE 30'

EXISTING FIRE
HYDRANT

EXISTING
GARDEN CENTER
(17,995 SF)

ZONE: C COMMERCIAL

EXISTING
HOME DEPOT
(111, 847 SF)

EXISTING FIRE
HYDRANT

FIRE LANE

EXISTING FIRE
HYDRANT

ROCHELL CT.
(MINOR ARTERIAL)

APPROVED:

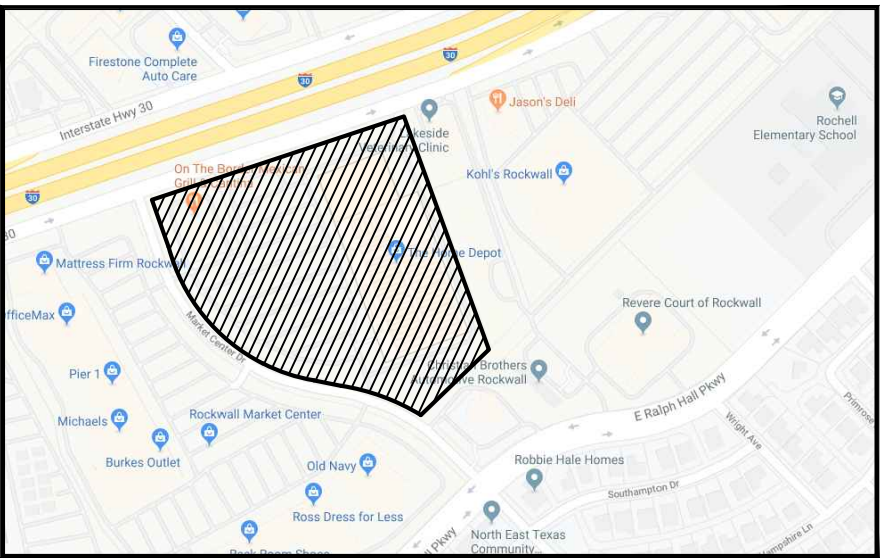
I hereby certify that the above and foregoing site plan for a development in the city of Rockwall, Texas, was approved by the Planning & Zoning
Commission of the City of Rockwall on the _____ Day of _____,
WITNESS OUR HANDS, this _____ day of _____,

Planning and Zoning Commission Chairman

Director Of Planning and Zoning

OWNER

THE HOME DEPOT U.S.A., INC.
2455 PACES FERRY ROAD
ATLANTA, GA 30339
(770) 384-2406



VICINITY MAP
NOT TO SCALE

PROJECT INFORMATION

SUP SITE PLAN

DATE: 2/04/2020
REVISION DATES:

SITE PLANNER: DAVID BORSCH
SITE DEV. COORDINATOR: SCOTT MOMMER
R. E. MARKET
R. E. AGENDA NAME
R. E. MANAGER: KIM KOEING



TX - ROCKWALL
STORE #0531

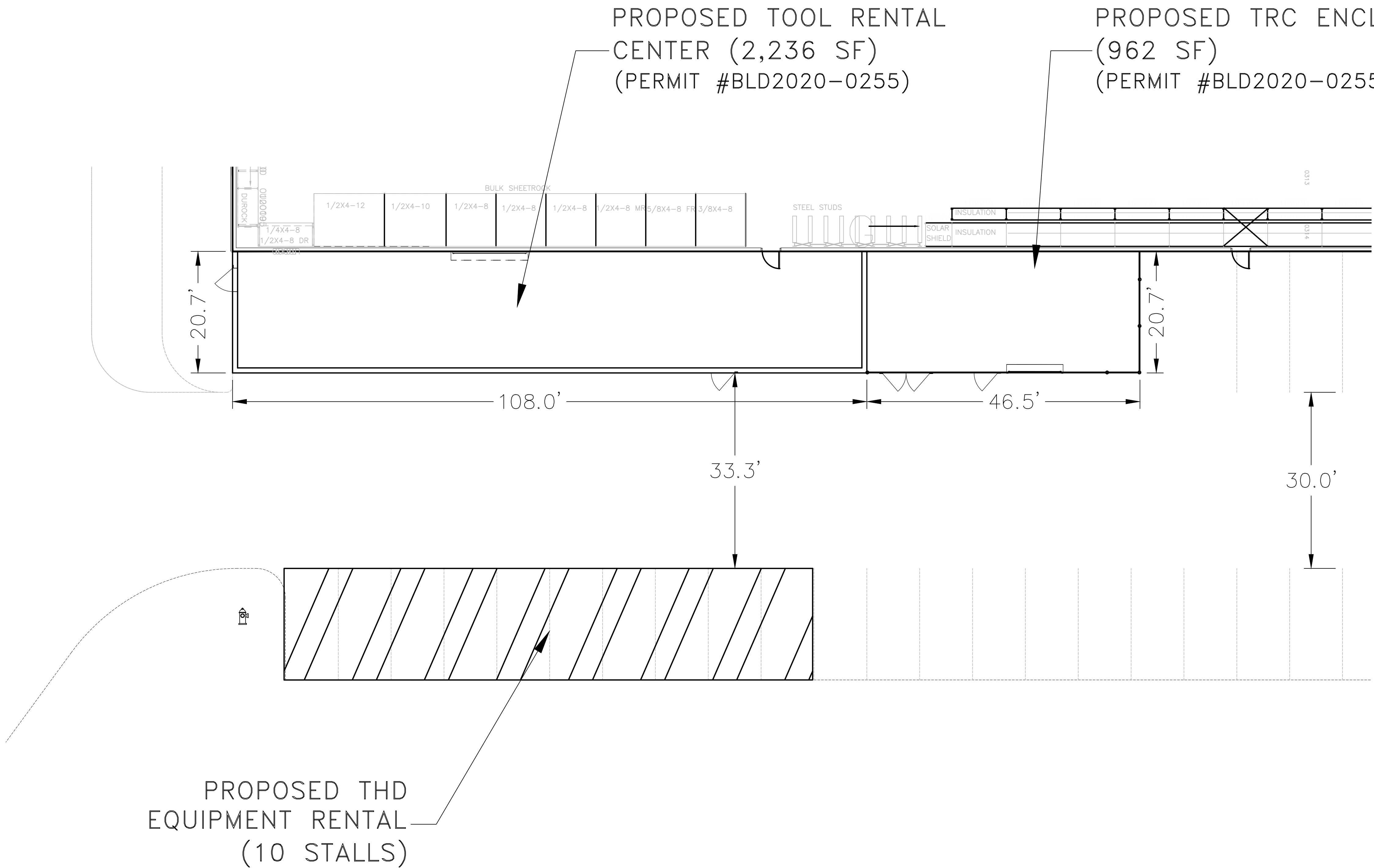
ADDRESS: 765 E I-30
ROCKWALL, TX 75087

LA PROJECT NUMBER 18085.00



0' 10' 20'
SCALE 1"=10'

SHEET 2 OF 2



CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW RENTAL, SALES, AND SERVICE OF HEAVY MACHINERY AND EQUIPMENT ON AN 11.389-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK A, HOME DEPOT-ROCKWALL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Scott Mommer of Lars Andersen & Associates for the approval of a Specific Use Permit (SUP) to allow *Rental, Sales, and Service of Heavy Machinery and Equipment* on a 11.38-acre parcel of land being described as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 765 E. IH-30, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing *Rental, Sales, and Service of Heavy Machinery and Equipment* as stipulated by Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.03, *Non-Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and as may be amended in the future --, and the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the *Rental, Sales, and Service of Heavy Machinery and Equipment* land use on the *Subject Property* and conformance to these conditions are required for continued operations:

- 1) All outside rental, sales, and service of heavy machinery and equipment shall conform to the concept plan depicted in *Exhibit 'B'* of this ordinance.
- 2) The outside storage area depicted in *Exhibit 'B'* of this ordinance shall be screened in accordance with the screening requirements stipulated by the Unified Development Code (UDC). An amended site plan showing conformance to these screening requirements shall be submitted and approved by the Planning and Zoning Commission prior to the establishment of this land use.
- 3) The outside storage of machinery and equipment shall only be stored in the area depicted in *Exhibit 'B'* of this ordinance and labeled as *Proposed THD Equipment Rental (10 Stalls)*.
- 4) The equipment and machinery stored in the outside storage area depicted in *Exhibit 'B'* of this ordinance be stowed in a position so as to not extend any part of the equipment or machinery in an upward or outward manner.
- 5) This Specific Use Permit (SUP) shall not be construed to permit the outside storage of equipment and machinery for outside display, nor does it permit additional outside storage of other materials that are not associated with the *Rental, Sales, and Service of Heavy Machinery* land use.
- 6) Maintenance and/or service of any equipment and/or machinery shall not be performed on site.

2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 2.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

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

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

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

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not

to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF APRIL, 2020.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

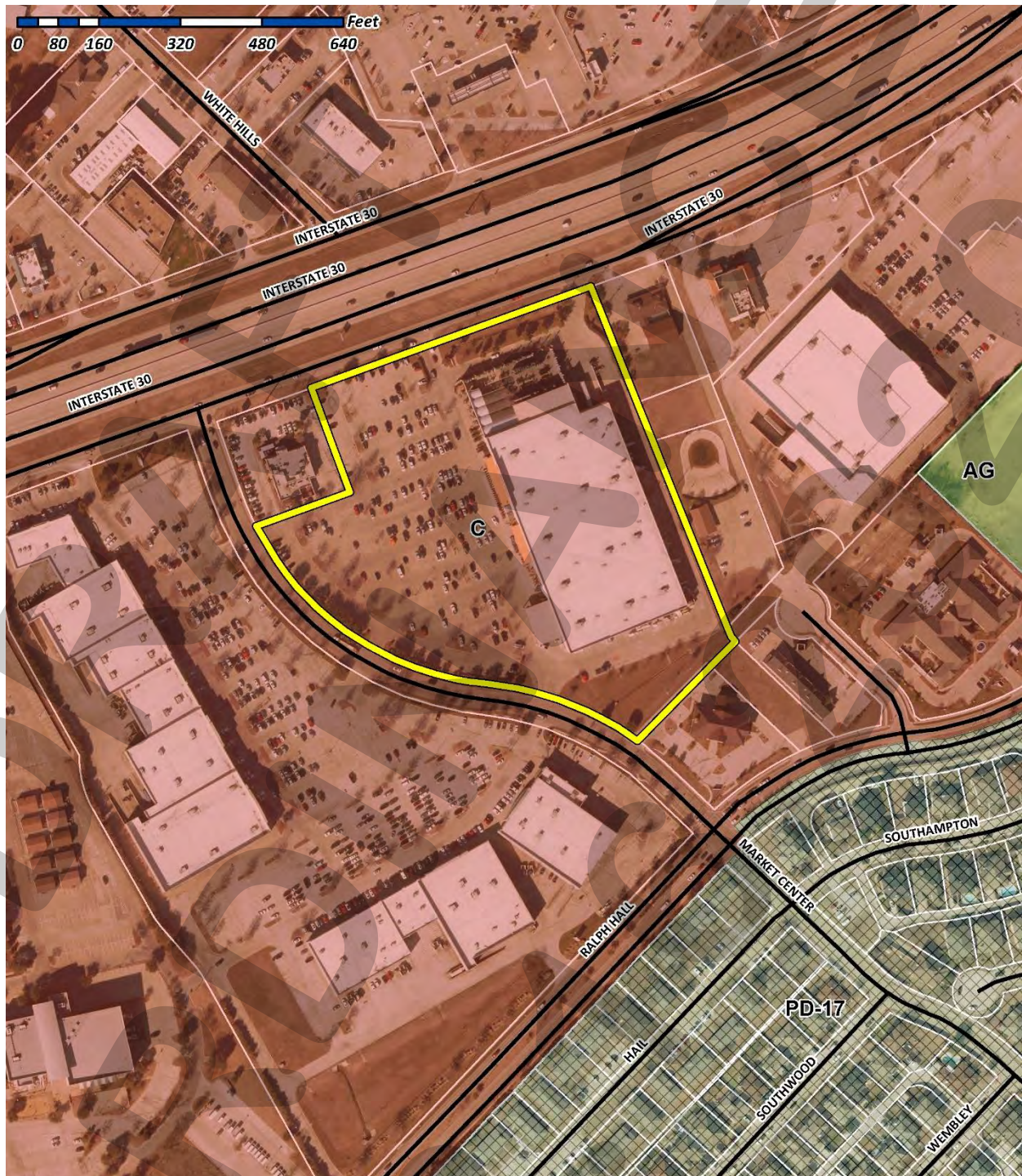
Frank J. Garza, *City Attorney*

1st Reading: March 16, 2020

2nd Reading: April 6, 2020

Address: 765 E. IH-30

Legal Description: Lot 1, Block A, Home Depot-Rockwall Addition



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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: Planning and Zoning Commission
CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: March 16, 2020
SUBJECT: *Comprehensive Plan Advisory Committee (CPAC)*

Council Member Fowler has requested that staff amend *Resolution No. 19-23* to make the following change, which is **highlighted, italicized and bolded**:

SECTION 2. *Members.* The Comprehensive Plan Advisory Committee (CPAC) shall consist of a **minimum** of seven (7) members that are appointed by the City Council. Members should be representative of the community and may consist of members of the City's other boards and commissions, community leaders, stakeholder groups and development experts; however, all appointees shall be citizens of the City of Rockwall.

This will allow the City Council the ability to appoint additional members to the Comprehensive Plan Advisory Committee (CPAC) as they deem necessary. In accordance with this request staff has attached an updated resolution that would make the requested changes. Staff should note that should the City Council nominate additional members to the CPAC, they would be eligible to participate in the annual update meeting, which is projected to take place in late March/early April of this year. Should the City Council have any questions staff will be available at the meeting on March 16, 2020 to discuss.

CITY OF ROCKWALL

RESOLUTION NO. 20-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ESTABLISHING THE COMPREHENSIVE PLAN ADVISORY COMMITTEE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a City's Comprehensive Plan -- *also known as a general plan or master plan* -- is a document intended to layout a 20-year vision for a city and guide a City Council's actions on policy decisions relating to land use and development regulations, and expenditures for capital improvements; and,

WHEREAS, the City Charter for the City of Rockwall states that "(t)he existing master plan [*Comprehensive Plan*] for the physical development of the City contains recommendations for the growth, development and beautification of the City and its extraterritorial jurisdiction ... "; and,

WHEREAS, the City of Rockwall's Comprehensive Plan was originally drafted in 1966 with major updates being approved in 1986, 1995, and 2001; and,

WHEREAS, the City Council of the City of Rockwall adopted the OURHometown Vision 2040 Comprehensive Plan on December 3, 2018 by *Ordinance No. 18-48*; and,

WHEREAS, the OURHometown Vision 2040 Comprehensive Plan calls for the establishment of a standing Comprehensive Plan Advisory Committee (CPAC) that can review the Comprehensive Plan on an annual basis to account for changes to the physical development of the City, provide accountability for the progress of the plan, and to provide a clear vision for the future growth of the community; and,

WHEREAS, in an effort to ensure transparency and to further citizen involvement in the planning process, the City Council hereby establishes an appointed board of Rockwall citizens to serve as the Comprehensive Plan Advisory Committee (CPAC); and,

WHEREAS, the Comprehensive Plan Advisory Committee (CPAC) shall serve as an advisory and recommending body to ensure that the findings, recommendations and strategies identified by City staff are in alignment with the goals and vision of the community and the City Council;

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

SECTION 1. *Repeal of Existing Resolution.* That the enactment of this resolution shall repeal and supersede *Resolution No. 19-23*;

SECTION 1. *Purpose.* The Comprehensive Plan Advisory Committee (CPAC) serves in an advisory role overseeing the preparation and annual review of the OURHometown Vision 2040 Comprehensive Plan for the purpose of achieve the following:

- 1) To provide advisory recommendations to City Staff, the City Council Development Review Committee (CCDC), and the City Council; and,
- 2) To ensure that all findings, recommendations and strategies prepared for the Comprehensive Plan are in alignment with the goals and vision of the Community and the City Council.

SECTION 2. *Members.* The Comprehensive Plan Advisory Committee (CPAC) shall consist of a minimum of seven (7) members that are appointed by the City Council. Members should be representative of the community and may consist of members of the City's other boards and commissions, community leaders, stakeholder groups and development experts; however, all appointees shall be citizens of the City of Rockwall.

SECTION 3. **Term of Membership.** The members of the Comprehensive Plan Advisory Committee (CPAC) shall be appointed for a term of five (5) years with the ability to serve two (2) consecutive terms. Any member of the Comprehensive Plan Advisory Committee (CPAC) may be removed from office for any cause deemed by the City Council to be sufficient for removal. If a vacancy should exist on the committee due to removal from office, resignation, death, refusal or inability to serve, the City Council shall appoint a new member to fill the vacancy for a new term.

SECTION 4. **Attendance.** If a member of the Comprehensive Plan Advisory Committee (CPAC) has three (3) consecutive absences that are not excused by the Comprehensive Plan Advisory Committee (CPAC), or is absent from more than 25% of the meetings, that member may be removed from the committee; however, if absent from 50% of the meetings in any calendar year, the member will automatically be removed from the Comprehensive Plan Advisory Committee (CPAC).

SECTION 3. **Officers.** At the first Comprehensive Plan Advisory Committee (CPAC) meeting, the committee shall elect a Chairman and Vice-Chairman. These positions will serve for a term of three (3) years. The Vice-Chairman is to preside in the absence of the chair.

SECTION 4. **Voting.** All recommendations and decisions of the Comprehensive Plan Advisory Committee (CPAC) shall be decided by a simple majority vote.

SECTION 5. **Meetings.** The Comprehensive Plan Advisory Committee (CPAC) shall meet on an as needed basis. Since the Comprehensive Plan Advisory Committee (CPAC) is an advisory board and not a regulatory board, its meetings shall not be subject to the requirements of the Texas Open Meetings Act as stipulated by Chapter 551 of the *Texas Local Government Code*; however, the agenda for each meeting shall be posted on the City's bulletin board, in front of City Hall, a minimum of 24-hours prior to the meeting. The agenda shall indicate the time and place of each meeting. All Comprehensive Plan Advisory Committee (CPAC) meetings shall be open to the general public.

SECTION 6. **Dissolution Date [Sunset Clause].** The Comprehensive Plan Advisory Committee (CPAC) shall serve at the discretion of the City Council and may be dissolved by the City Council at any time. Upon the dissolution of the committee the members shall be released from any further obligations with respect to the Comprehensive Plan Advisory Committee (CPAC).

SECTION 7. **Effective Date.** This resolution shall take effect immediately from and after its adoption and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ON THIS THE 16TH DAY OF MARCH, 2020.

APPROVED:

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

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