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## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 18, 2020 - 5:00 PM

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

THE ROCKWALL CITY COUNCIL MEETING WILL BE HELD "IN PERSON" AT ROCKWALL CITY HALL. HOWEVER, IN LIEU OF ATTENDING IN PERSON, CITIZENS MAY JOIN REMOTELY USING ZOOM VIRTUAL MEETING (BY AUDIO ONLY). ALSO, CITIZENS MAY SUBMIT COMMENTS BY EMAIL. SPECIFIC DETAILS ARE AS FOLLOWS:

### **Submit Comments Via E-Mail**

Citizens are encouraged to submit public comments at least 30 minutes in advance of the meeting by emailing them to: [PublicComments@rockwall.com](mailto:PublicComments@rockwall.com). Please include your name and address when submitting comments. Also, please be concise, and limit your comments to those that may be read within 3 mins. or less.

### **Participate In the Meeting Remotely Via 'Zoom'**

Alternatively, citizens may wish to participate in the meeting virtually by joining with ZOOM, either via their computer, mobile device or telephone.

**Special Notes:** Only the two-way 'audio' feature of ZOOM will be utilized during the meeting - no ZOOM video will be used. If you are WATCHING remotely via our city website's "Live Stream," please note there is a notable delay, whereas, ZOOM is more "real time." Therefore, you should decide to do one or the other – choose either ZOOM OR "Live Video Streaming." Please do NOT try to do both at once, as the timing of the two services conflicts.

### **Zoom Remote Conferencing Instructions**

**Register in advance** to participate in the City Council meeting.

When: May 18, 2020

6:00 PM Central Time (Us and Canada)

Topic: Rockwall City Council Meeting

Register in advance for this webinar:

[https://us02web.zoom.us/webinar/register/WN\\_NR1Lu\\_8zT\\_WhoopiBf-Z5g](https://us02web.zoom.us/webinar/register/WN_NR1Lu_8zT_WhoopiBf-Z5g)

After registering, you will receive a confirmation email containing information about joining the meeting.

**NOTE:** If calling in, press \* 9 to request to speak or to cancel your request. You will be acknowledged to provide comments during the meeting. Please limit comments to 3 mins. or less.

### **Watch the Meeting 'Live Stream' Online**

The public may watch the meeting 'live' online by visiting:

<http://www.rockwall.com/meetings/video.asp>

Again, please do not try and do BOTH the 'Live Stream' AND ZOOM at the same time, as the timing of the two services conflicts. If you feel you must watch the 'Live Stream' while also on listening in on ZOOM, please MUTE the live stream's audio (as it is delayed, as compared to ZOOM).

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## **I. Call Public Meeting to Order (5:00 P.M.)**

## **II. Executive Session.**

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

1. Discussion regarding 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)

2. Discussion regarding filling vacancy for City Council Member Place 6, pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding City of Rockwall vs. Richard Brooks 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 Johannesen**

**VI. Proclamations**

1. Swearing in of Newly Elected City Council Members - Place 2 and Place 4
2. Public Works Week
3. Live Saving Bar - Police Sergeant Michael Noland
4. Police Commendation Bar - Police Officer Heather McAuley
5. Meritorious Conduct Bar - Police Officer Mathew Joseph

**VII. Open Forum**

**VIII. Take any Action as a Result of Executive Session**

**IX. Consent Agenda**

1. Consider approval of the minutes from the May 4, 2020 regular city council meeting, and take any action necessary.

**X. Appointment Items**

1. Appointment with members of City of Rockwall's Youth Advisory Council (YAC) to hear year end report and recognize graduating Seniors, and take any action necessary.

**XI. Public Hearing Items**

1. **Z2020-011** - Hold a public hearing to discuss and consider a request by Marlyn Roberts for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for an *accessory building that exceeds the maximum square footage and height* on an 0.1865-acre parcel of land identified as Lot 5, Block D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 323 Julian Drive, and take any action necessary **(1st Reading)**.
2. **Z2020-016** - 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 Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, and take any action necessary **(1st reading)**.

**XII. Action Items**

1. Discuss and consider a request for street closure in downtown related to Rockwall Farmer's Market, and take any action necessary.
2. **MIS2020-008** - Discuss and consider a request by David Booth of DR Horton for variances to the City's Standards of Design and Construction Manual in accordance with the City's Interlocal Cooperation Agreement with Rockwall County for Subdivision Regulations in the City's Extraterritorial Jurisdiction (ETJ) on a ~1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located between FM-550 and S. FM-548, and take any action necessary.

3. Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 26 'Motor Vehicles & Traffic,' Article VII. 'Stopping, Standing or Parking,' Section 26-505 'Prohibited in Specific Places' to include the prohibition of parking in the Rockwall Technology Park, including on Corporate Crossing and streets in the vicinity of Discovery Boulevard, and to allow for an exception during construction of construction-related vehicles, and take any action necessary. **(1st Reading)**
4. **2020-009** - Discuss and consider a request by Brian Parsons on behalf of J. R. Fleming Investments for the approval of an **ordinance** for a Specific Use Permit (SUP) for a New and/or Used Indoor Motor Vehicle Dealership/Showroom on an 11.153-acre parcel of land identified as Lot 9, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2635 Observation Trail, Suite 110, and take any action necessary **(2nd Reading)**.
5. **2020-010** - Discuss and consider a request by Edwin Echols for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage and height on an 0.28-acre parcel of land identified as Lot 17, Block B, Lakeridge Park Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 204 Lakehill Drive, and take any action necessary **(2nd Reading)**.
6. **2020-012** - Discuss and consider a request by Ryszard M. Waszczuk of Richard Expo on behalf of Vartan Jizmejjan 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 0.1030-acre parcel of land identified as Lot 4, Block 111, B. F. Boydston 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 706 Sherman Street, and take any action necessary **(2nd Reading)**.
7. **2020-014** - Discuss and consider a request by Alejandro Portocarrero 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 0.23-acre parcel of land identified as Lot 24, Block C, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 328 Harborview Drive, and take any action necessary **(2nd Reading)**.
8. Discuss and consider participating with Rockwall County in the cost of design and construction of off-site sanitary sewer improvements, and take any action necessary.

#### **XIII. Executive Session.**

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

1. Discussion regarding 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)
2. Discussion regarding filling vacancy for City Council Member Place 6, pursuant to Section 551.074 (Personnel Matters)
3. Discussion regarding City of Rockwall vs. Richard Brooks 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 15th day of May, 2020 at 5:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

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Date Removed



## **MEMORANDUM**

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Kristy Cole, City Secretary / Assistant to the City Manager

**DATE:** May 18, 2020

**SUBJECT:** SWEARING IN OF (UNOPPOSED) NEWLY ELECTED COUNCIL MEMBERS

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### **Attachments**

#### **Summary/Background Information**

Matthew Scott (Associate Municipal Court Judge) will be here to administer the Oath of Office to Councilmember John Hohenshelt (Place 2) and Councilmember Johannesen (Place 4). Both councilmen have been reelected to office after having not drawn any opponents in the May 2020 election.

#### **Action Needed**

N/A

Rockwall,



Texas

## Proclamation

*Whereas*, Public works services provided in our community are an integral part of our citizens' everyday lives; and

*Whereas*, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sanitary and storm sewers, streets and alleys, as well as providing support for various City Departments; and

*Whereas*, the health, safety and comfort of this community greatly depends on these facilities and services; and

*Whereas*, the quality and effectiveness of these facilities, as well as their planning, design and construction, is vitally dependent upon the efforts and skill of public works officials; and

*Whereas*, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

*Whereas*, National Public Works Week is a celebration of the tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively know as public works.

*Now, Therefore*, I, Jim Pruitt, Mayor of the City of Rockwall, do hereby proclaim the week of **May 17-23, 2020**, as:

### **PUBLIC WORKS WEEK**

in the City of Rockwall, and encourage all citizens to acquaint themselves with the issues involved in providing our public works and recognize the contributions public works officials make every day to our health, safety, comfort and quality of life.

*In Witness Whereof*, I hereunto affix my hand and official seal this 18<sup>th</sup> day of May, 2020.



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Jim Pruitt, Mayor

## **Rockwall Police Department Life Saving Bar (Award)**

On Tuesday, April 23, 2019 at 6:52pm Sergeant Michael Noland responded to a medical emergency call in the 1000 Block of North Fannin Street. Sgt. Noland was informed that a 63 year old male named Robert Robinson was unconscious at the location possibly due to a cardiac arrest. His daughter said that her father had finished mowing the lawn and was sitting in his chair when his eyes rolled back in his head and he became unresponsive. Sgt. Noland arrived prior to any other first responders, located the Mr. Robinson and after assessing his condition, finding that he was not breathing and did not have a pulse he immediately began Cardiopulmonary Resuscitation or CPR in an attempt to revive him.

Rockwall County Emergency Medical Services (EMS) arrived after Sgt. Noland and took over critical care of the patient. EMS Chief Mitch Ownby who was on the scene said that “the defibrillator was applied and a lethal, shockable rhythm was noted, which is indicative of effective chest compressions” which were applied by Sgt. Noland. Chief Ownby would go on to state, “If not for the quick actions and professional and effective CPR administration by Sgt. Noland, the outcome would have most certainly been gravely different.”

Sgt. Noland’s actions were in keeping with the highest standards of the law enforcement community and resulted in a combined effort to save Mr. Robinson’s life. For his actions on April 23, 2019 he is award the Rockwall Police Department’s Life Saving Bar (Award).



City of Rockwall  
*The New Horizon*

**MEMORANDUM**

**TO: Max Geron, Chief of Police**

**FROM: Larry Blunt, Sergeant**

**DATE: April 28, 2020**

**Subject: Police Commendation Bar**

On Sunday, April 19, 2020, at approximately 11:40 a.m., the Rockwall Police Department was notified that the Richardson Police Department and multiple police agencies were in pursuit of a hijacked DART bus with a hostage on board. The information specified that the assailant on the bus was armed and firing multiple rounds at police vehicles who were in pursuit. Our department was requested to assist in the by deploying stop sticks in an attempt to immobilize the bus.

The bus was travelling eastbound on State Highway 66 from Rowlett and before entering the city limits of Rockwall, Officer Heather McAuley responded to the area to assist. She positioned her patrol unit at the intersection of State Highway 66 and Lakeshore Drive and exited her patrol unit and began to direct traffic. Officer McAuley prohibited traffic from going westbound on State Highway 66 while running throughout the intersection instructing motorists to shelter in place inside their motor vehicle by lying down. Officer McAuley took this actions all the time knowing that the bus was approaching her location and the assailant was actively shooting at police units as he passed them.

Due to Officer McAuley's outstanding performance that involved great risk to her personal safety, I recommend Officer Heather McAuley receive the department's Police Commendation Bar.

*Ploncus*  
*PL*  
*5-1-2020*



City of Rockwall  
*The New Horizon*

## MEMORANDUM

TO: Max Geron, Chief of Police

FROM: Larry Blunt, Sergeant

DATE: April 28, 2020

Subject: Meritorious Conduct Bar

On Sunday, April 19, 2020, at approximately 11:40 a.m., the Rockwall Police Department was notified that the Richardson Police Department and multiple police agencies were in pursuit of a hijacked DART bus with a hostage on board. The information specified that the assailant on the bus was armed and firing multiple rounds at police vehicles who were in pursuit. Our department was requested to assist in the pursuit by deploying stop sticks in an attempt to immobilize the bus.

The bus was travelling eastbound on State Highway 66 from Rowlett into the City of Rockwall with police units from various agencies in pursuit. Officer Mathew Joseph responded to the area and strategically positioned his patrol unit in the West Lanes of State Highway 66, before deploying the stop sticks onto the East lanes of State Highway 66. Officer Joseph then sought protection behind a concrete barrier while an unidentified Rowlett Police Officer provided cover for him.

The sounds of sirens and multiple gun shots could be heard as the pursuit advanced towards Officer Joseph's location. It was at this time that Officer Joseph noticed that the stop sticks were in the wrong lane of traffic and moved back to the eastbound lanes of the roadway and repositioned the stop sticks. Officer Joseph then returned to his position of cover as the bus drove over the stop sticks and punctured the right front tire. The bus then turned around at Willow Bend and started travelling westbound on State Highway 66. Officer Joseph immediately took cover and as the bus approached his location the assailant fired two rounds and a third after passing Officer Joseph's position. It was unclear if the suspect was firing at the police units positioned on the eastside of State Highway 66 or the officers on the westbound side of the roadway. Once the bus cleared his location Officer Joseph ran back to the east lanes of traffic and removed the stop sticks so that those police units that had been stopped could continue with their pursuit.

Officer Joseph's exceptional courage while risking his personal safety in a dangerous situation resulted in a successful deployment of stop sticks that helped facilitated the end of the pursuit and stop the unlawful assault on law enforcement officers, civilians and potentially saved the lives of two individuals on the bus. Officer Joseph's actions were in keeping with the highest standards in the law enforcement community and it is my recommendation that he be award the Meritorious Conduct Bar.

*[Handwritten signature]*

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, May 04, 2020 - 5:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER (5:00 PM)

Mayor Pruitt called the council meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Dana Macalik and Council Members John Hohenshelt, Kevin Fowler, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Manager Joey Boyd. City Attorney Frank Garza joined Ex. Session by phone. (Note: City Council Place 6 is currently a vacant seat).

Mayor Pruitt read the below listed discussion items into the record before recessing the 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 filling vacancy for City Council Member Place 6, pursuant to Section 551.074 (personnel matters)
2. Discussion regarding City's nomination associated with filling current vacancy on the Rockwall Central Appraisal District Board of Directors, pursuant to Section 551.074 (personnel matters)
3. Discussion regarding legal issues on enforcement of Governor's Emergency Order and options on local Declaration, pursuant to Section §551.071 (Consultation with Attorney).
4. 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 pre-meeting Ex. Session at 5:58 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 PM)

Mayor Pruitt reconvened the public meeting at 6:00 p.m. All six council members were present (Note: Place 6 was a vacant Council seat at this time).

### V. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER DANIELS

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

### VI. PROCLAMATIONS

38           **1. Apraxia Awareness Day**

39   **Mayor Pruitt read this proclamation. Adam Halkuff, local Rockwall resident, then came forth and shared that he and**  
40 **his wife have a child who has Apraxia. He briefly explained some of the challenges the disorder has caused for their**  
41 **child and family. He thanked Mayor Pruitt for the proclamation, which helps spread awareness and a greater**  
42 **understanding.**

44           **2. Chief Benny Gracy Memorial Day**

45   **Mayor Pruitt called forth current Fire Chief, Kenneth Cullins. He then read the proclamation. Chief Cullins and Mayor**  
46 **Pruitt expressed their gratitude for former Rockwall Fire Chief, Benny Gracy, whose bravery resulted in him losing his**  
47 **life thirty-five years ago while attempting to save citizens trapped in a car in high flood waters.**

48           **3. National Day of Prayer**

49   **Mayor Pruitt explained that, while typically countywide prayer events are held in person to commemorate the National**  
50 **Day of Prayer on May 7, those events have unfortunately been cancelled due to the COVID-19 pandemic. However,**  
51 **some events will take place via "ZOOM." He then read the proclamation and encouraged everyone to pray for our city,**  
52 **state and nation every day, but in particular on May 7.**

53 **VII. OPEN FORUM**

54   **Mayor Pruitt explained how Open Forum is conducted and asked if anyone was present, either in person or virtually on**  
55 **"ZOOM," who would like to address the Council at this time. There being no one indicating such, Mayor Pruitt then**  
56 **closed Open Forum.**

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

58   **Council took no action as a result of Executive Session.**

59 **IX. CONSENT AGENDA**

- 60           **1. Consider approval of the minutes from the April 20, 2020 regular City Council meeting, and take any action**  
61           **necessary.**
- 62           **2. Consider a resolution denying approval of an amendment to the Distribution Cost Recovery Factor increase in**  
63           **distribution rates filed by Oncor Electric Delivery, approving cooperation with the Steering Committee of Cities**  
64           **served by Oncor to evaluate the filing, to negotiate with Oncor on the City's behalf, and take any action**  
65           **necessary.**
- 66           **3. P2020-018 - Consider a request by Matthew Gardner of Halff Associates on behalf of Reid Caldwell for the**  
67           **approval of a Replat for Lots 2 & 3, Block D, Ellis Centre, Phase Two Addition being a 0.7.02-acre parcel of land**  
68           **identified as Lot 1, Block D, Ellis Centre, Phase Two Addition, City of Rockwall, Rockwall County, Texas, zoned**  
69           **Light Industrial (LI) District, located at the terminus of Alpha Drive, and take any action necessary.**

71   **Councilmember Hohenshelt moved to approve the entire Consent Agenda as presented (#s 1, 2, and 3). Councilman**  
72 **Johannesen seconded the motion, which passed unanimously of those present (6 ayes with Place 6 being vacant).**

**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.

**The Chairman was not present, and this item was not addressed by Council.**

**XI. PUBLIC HEARING ITEMS**

1. **Z2020-009** - Hold a public hearing to discuss and consider a request by Brian Parsons on behalf of J. R. Fleming Investments for the approval of an **ordinance** for a Specific Use Permit (SUP) for a New and/or Used Indoor Motor Vehicle Dealership/Showroom on an 11.153-acre parcel of land identified as Lot 9, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2635 Observation Trail, Suite 110, and take any action necessary **[1st Reading]**.

Planning Director, Ryan Miller, provided background information concerning this agenda item. The applicant's letter requesting the SUP indicates the indoor motor vehicle showroom includes a private collection of antique and/or special interest vehicles. The business model is generally internet based -- *not traditional auto sales* -- with on hand inventory that is limited to the interior of the buildings showroom floor. In addition, the applicant has indicated that only five (5) to ten (10) vehicles will be sold per year. Additionally, the applicant's letter submitted with the SUP request indicates the area to be ~10,000 S.F. within a ~250,000 S.F. building. If approved, the SUP would be limited to the enclosed ~10,000 SF building area designated in the ordinance and addressed as 2610 Observation Trail, Suite 110. Per the Specific Use Permit (SUP) ordinance the proposed land use could not expand beyond Suite 110, within the ~228,000 SF building. On April 8, 2020, staff mailed 23 notices to property owners and residents within 500-feet of the subject property. As a note, there are no Homeowner's Associations (HOA's) or Neighborhood Organizations located within 1,500-feet of the subject property participating in the notification program. At the time this case memo was drafted staff had not received any notices regarding the applicant's request.

Mayor Pruitt called up on the applicant to speak, and he then provided brief comments. Pruitt then opened the public hearing, asking if anyone would like to speak at this time. There being no one indicating such, Mayor Pruitt closed the public hearing.

Following brief comments by Councilman Johannesen, who pointed out that this is not a 'traditional' car dealership, Councilmember Hohenshelt moved to approve Z2020-009. Mayor Pro Tem Macalik seconded the motion, and the ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-\_\_\_\_\_  
SPECIFIC USE PERMIT NO. S-\_\_\_\_\_**

**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 FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR A NEW AND/OR USED INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM ON A 11.153-ACRE PARCEL OF LAND IDENTIFIED AS LOT 9, BLOCK D, ROCKWALL TECHNOLOGY PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE;**

PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 to 0 (Place 6 was vacant).

2. **Z2020-010** - Hold a public hearing to discuss and consider a request by Edwin Echols for the approval of an ordinance for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage and height on an 0.28-acre parcel of land identified as Lot 17, Block B, Lakeridge Park Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 204 Lakehill Drive, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller, provided background information concerning this agenda item. He explained that the property owner and applicant -- Edwin Echols -- is requesting the approval of a Specific Use Permit (SUP) to construct an accessory building that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC). The applicant has submitted an application, letter, and drawings requesting to build a 14-foot by 24-foot (*i.e.* 336 SF) accessory building with a six (6) foot by 14-foot (*i.e.* 84 SF) porch. The total building footprint of the accessory building will be 14-feet by 30-feet or 420 SF, and an additional parking space will be incorporated adjacent to the rear of the accessory building measuring six (6) feet by 14-feet. Per the drawings provided by the applicant the accessory building will have a pitched roof with a total height of 17-feet, 7-inches. The exterior of the accessory building will be clad in wood siding and the roof will utilize an asphalt shingle that is complimentary to the asphalt shingle used on the primary structure. The building will be situated at the rear of the subject property, 14-feet from the adjacent alleyway along the eastern property line, and six (6) feet from the northern property line. The accessory building will not be visible from any public right-of-way with the exception of the adjacent alleyway. On April 8, 2020, staff mailed 41 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lakeside Village and Turtle Cove Homeowner's Associations (HOA), which are the only HOA/Neighborhood Organizations that are within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was drafted, staff received three (3) notices and two (2) online input forms (from the same address) in favor of the applicant's request and one (1) notice opposed to the applicant's request. In addition, on April 28, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 6-1, with Commissioner Logan dissenting.

Mayor Pruitt called upon the applicant, who briefly came forth and addressed the Council. Mayor Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, Mayor Pruitt then closed the public hearing.

Councilman Daniels asked for clarification regarding if this current property owner or a future property owner could come forth at a later date and request to build an additional, 600+ square foot detached garage on the property. Mr. Miller replied that, no -- the SUP will limit the property to only just the one accessory structure since it exceeds the 144 square feet.

Councilmember Fowler moved to approve Z2020-010. Mayor Pro Tem Macalik seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 20-\_\_\_\_\_  
SPECIFIC USE PERMIT NO. S-\_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.28-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 17, BLOCK B, LAKERIDGE PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 in favor with 1 against (Place 6 is currently vacant).

3. **Z2020-012** - Hold a public hearing to discuss and consider a request by Ryszard M. Waszczuk of Richard Expo on behalf of Vartan Jizmejian 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 0.1030-acre parcel of land identified as Lot 4, Block 111, B. F. Boydston 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 706 Sherman Street, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information related to this agenda item. He shared that this proposed home is located within an established subdivision that is 90% or more developed at this point. On April 8, 2020, staff mailed 87 notices to property owners and occupants within 500-feet of the subject property. There were no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program to notify. At the time this report was drafted, staff had received one (1) response in favor of the request and one (1) response in opposition to the request. On April 28, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.

The applicant joined the meeting remotely / virtually by ZOOM. He indicated that this house has been designed with existing homes in mind. Following the applicant's brief comments, 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. Councilmember Johannesen moved to approve Z2020-012. Councilmember Daniels seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-\_\_\_\_\_  
SPECIFIC USE PERMIT NO. S-\_\_\_\_\_

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 0.1030-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 111, B. F. BOYDSTUN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes to 1 nay (Fowler) – (Place 6 is a vacant seat).

4. **Z2020-014** - Hold a public hearing to discuss and consider a request by Alejandro Portocarrero 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 0.23-acre parcel of land identified as Lot 24, Block C, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 328 Harborview Drive, and take any action necessary (**1st Reading**).

Planning Director Ryan Miller provided background information for this agenda item. This proposed home is located within the Chandlers Landing subdivision, which is considered to be an 'existing subdivision' that is 90% or more built out. The applicant is proposing a more modern architecture, which is not uncommon within this subdivision – several are modern and many have an eclectic feel. The home does meet all the density and dimensional requirements of the city. One hundred fifteen (115) notices were sent out to adjacent property owners within 500' of the subject property. Four notices have been received in opposition to the request, which reasons having generally been stated as density, drainage and height related concerns. Miller explained that a city ordinance controls the height of these SF home structures, and this proposed home does meet those height restriction requirements. The Planning & Zoning Commission did vote (7-0) to recommend approval of this SUP by the City Council.

Mayor Pruitt then called upon the applicant, who joined virtually by ZOOM and indicated he is happy to answer any questions that may arise. Pruitt then opened the public hearing, asking if anyone would like to come forth and speak at this time.

Jeff Macalik, resident and homeowner who lives in Chandler's Landing, came forth to address the Council. He indicated he wanted to point out the "hold harmless agreement" that was included in the city council meeting packet for tonight's meeting. He shared that this property will have drainage challenges, and it will require an electrically powered sump pump in order to keep this home from flooding. He pointed out that if the pump fails, this house will flood.

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

Councilmember Daniels asked for clarification and received affirmation from Mr. Miller that Council is only considering 'architecture' this evening and not 'drainage.'

Council then called upon City Engineer/Director of Public Works, Amy Williams, who came forth and clarified that the 'hold harmless' documentation is for the protection of the city. The homeowner will need to install a sump pump for drainage purposes, and the homeowner essentially acknowledges that they are fully aware they are building a home below the curb line, which the City does not generally allow. She generally explained that the owner wants to build a two-story home, so – in order to meet the height restrictions – they are building the home down below the curb.

Otherwise, if they were building a one-story home, they could construct it higher up. Councilman Daniels asked who would receive damage if the pump(s) failed. Ms. Williams indicated that the only damage that would result would be damage to this particular home itself – no adjacent homes or properties would be impacted. Lengthy, extensive discussion ensued pertaining to drainage concerns and the ‘hold harmless’ documentation. Ms. Williams mentioned that this particular neighborhood was initiated in the 1970s and many homes within Chandler’s Landing are built below the curb line. Mr. Crowley gave indication that the ‘hold harmless’ documentation is important so that this current homeowner and any future home owners (should the property be sold and change hands) are aware that the city is not guaranteeing them that their house is not going to flood if the sump pump fails. Indication was given that this document could be filed with the County so that it is part of the official record of this property.

Following lengthy discussion, Councilmember Johannesen moved to approve Z2020-014. Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-\_\_\_\_  
SPECIFIC USE PERMIT NO. S-\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK C, HARBOR LANDING, PHASE 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.

The motion passed by a vote of 4 ayes to 2 nays (Macalik and Pruitt) (Place 6 is currently vacant).

**XII. ACTION ITEMS**

1. Hold a Show Cause Hearing to discuss and consider repair, removal or demolition of a dangerous building located at 304 Shamrock Circle, legally described as Lot 12, in Block A, replat of the revised final plat of Chandlers Landing and take any action necessary.

Building Official Jeffrey Widmer provided brief background information concerning this agenda item, indicating that the current owner of the property – Loan Ranger Capital (LRC) - has been ordered to appear to show cause why the structure should not be repaired, removed or demolished. Loan Ranger Capital has lent money to two different builders to try and build this home. The original builder was foreclosed on and the deed was transferred back to Loan Ranger. At one time, the city had received calls from multiple builders and met several onsite to discuss what it would take to finish the home. Loan Ranger eventually sold the home to a realty group thereafter; however, the deed ended up being

transferred back to Loan Ranger Capital again in November of 2019. Since November 1, city staff has been in close communication with LRC. LRC has now chosen to contract with a builder to have him obtain HOA approval and a city building permit and to move forward with complete the home entirely (landscaping and all), and then put the home on the market to sell it. Due to the considerable amount of time that has passed since the original building permit was issued, adjacent neighbors have concerns about if the home actually will end up being completed this time around.

Mayor Pruitt explained that this will be handled as a quasi-judicial process where evidence will be presented and evaluated prior to the Council making its determination regarding what will happen with this property. The city attorney, Frank Garza, briefed the Council on examples of what options the council has to consider related to the property (i.e. order it to be torn down; order that construction move forward and be completed within a certain amount of time). Mr. Garza shared that he is not sure the city has an ordinance in place that would allow fines to be assessed for failure to have the structure built. It could be deemed an 'unsafe' structure and ordered to be torn down, though. Or, Council could allot them a certain amount of time to get the construction completed. Council has quite a variety of options at its disposal.

Nik Petrik indicated that he and Zack Lofton from Loan Ranger Capital were present this evening (virtually / remotely by ZOOM).

Loan Ranger Capital, LLC  
2235 E. 6th ST. Suite 103  
Austin, TX. 78702

Mr. Petrik shared that his company has taken back this property at this point a couple of times already. So, at this point, they have hired a builder (AAA Home Builders) to move forward with construction and completion of this home. They indicated they are confident they can get the home complete in a matter of months once the plans are submitted and approved and HOA approval is obtained. He shared that his company has invested a lot of money in the property at this point, and they are anxious to get it completed and in a condition where it can be sold. Discussion took place related to Loan Ranger Capital's anticipated timeline associated with getting the home completed and on the market. Mr. Petrik indicated that they submitted plans to the HOA's Environmental Committee on Friday and have been trying to get on the HOA's May agenda; however, it does not seem like that is going to be possible at this point. So they may not be on the HOA's agenda until June.

Randy Linnstaedter  
321 Harbor Landing  
Rockwall, TX

He indicated that he currently serves on the Chandlers Landing HOA Board. A little over three years ago, the Chandler's HOA approved construction of this home, and it was supposed to have been completed within a twelve month period. Plans for completion have been submitted five times in the last few months related to completion of this home; however, despite very clear communication regarding what is needed in order for the plans to be approved, many items are still lacking. The property has undergone two foreclosures and is now owned (again) by Loan Ranger Capital. Total fines assessed on this property by the HOA over the last three years are \$11,881.89 with about half of it being collected

and about ¼ of it being lost during the two foreclosures and about ¼ of it “running up the meter” with Loan Ranger Capital as the current owner. The HOA’s Environmental Committee and staff have spent literally hundreds of hours on this property over the last three years, with a lot of it being redundant and unnecessary due to the lack of organization and preparedness of the applicant. Mr. Linnstaedter stated that he and his HOA board are completely unanimous in their request that the Council order the total removal of this blight within the community.

Jeff Macalik  
6102 Volunteer  
Rockwall, TX

Mr. Macalik indicated that he is the current Chairman of the Chandlers Landing HOA’s Environmental Committee. He did receive a submission late Friday evening from Sam Nassar, the builder that Loan Ranger Capital has engaged, and he has had an opportunity to do only a cursory review of the submission so far. One area that has not been detailed is what will be done to resolve the left corner of the house because the eave of the house actually extends past the property line onto the neighbor’s property, which is a fire hazard. Mr. Macalik shared that he met with the builder on-site about two weeks ago and went over, in detail, what all would be needed for the next submission to the Committee. The submission generally did not give any sort of indication regarding what the exterior of the home is proposed to look like, even though Mr. Macalik requested such information as part of the submission. He indicated that brick is proposed to be utilized on the home, however, he is not sure how this will happen because there are no brick friezes present. The colors of the windows on the second story are different than the color of the windows on the lower floor (at the front of the home). Also, A/C vents and return lines are visible in an open area of the large basement patio; however, no indication of plans to enclose all of this were submitted. He stressed that these findings were arrived at just with a cursory review; however, he does still need to look at the submission in more detail. He went on to explain that the structure currently has no roofing material, doors or windows on the existing 3-story garage (with a living area on the 2<sup>nd</sup> and 3<sup>rd</sup> floors). There is decking on the roof but no roof materials. The water damage to the decking and flooring is extensive. Also, there is a very strong animal and / or mold odor emitting from the home (both buildings on the property). The zip wall sheathing has deteriorated on the outside of the property because large areas were never taped. So, there is swelling at a lot of the joints. Regarding the timeline for this property getting on the agenda, Mr. Macalik generally indicated that the soonest this will be able to appear on the HOA Environmental Committee’s agenda would be for the first Wednesday in June. Brief discussion ensued pertaining to the eave of the house extending over onto the adjacent property by about 4 – 6 inches and the smell that is emitting from the structures.

Mark Rangel  
306 Shamrock  
Rockwall, TX

Mr. Rangel shared that his home is right next door to this property. He spoke about “quality of life” living next to this dilapidated structure. He indicated that at least two bobcats have been living in the structure for about the last year or so. The roofline of this neighboring structure was built 18” too close to his own house. So, this is a fire danger, and there is no doubt that if the structure caught fire, it would jump to his own home and endanger it too. He generally expressed frustration with the builder not taking things seriously and seemingly not caring about submitting good, solid plans for approval. He is embarrassed when friends and family come to visit his home and have to see this same, unfinished, unsightly structure sitting in the same condition as it has been for the past three years right next door to his home. He went on to indicate that the property owner doesn’t do basic things like mow the grass or rake the leaves. When the grass is high, Mr. Rangel indicated that he personally has to initiate contact with the city’s code enforcement staff, city manager, and/or the mayor to request that the grass be mowed at this property. He continually has to do so about

once every two weeks or so. He has no confidence that the property owner and builder will actually finish construction of the home and that it will aesthetically look good. If the property owner is allowed by Council to proceed with building, he encouraged Council to place a timeline on it and then impose heavy, heavy fines if the owner does not meet the timeline obligations associated with completing the build. He is frustrated because there has been no work done on the house since April 6, 2018. Mr. Rangel generally urged the Council to consider how they would feel if their own home were located next to this structure.

Mayor Pruitt and Mr. Widmer expressed empathy for Mr. Rangel and the circumstances he has had to deal with over the last three years related to this structure.

Mr. Petrik expressed regret and frustration over the prolonged timeline up until this point; however, he assured that they have personally been working diligently on this project ever since they took the property over again this past November (2019). He generally assured that they are taking this seriously and they are extremely motivated to get this construction completed as soon as possible. He also expressed confidence in his builder's ability to get things corrected, addressed, and finished in an expeditious amount of time once plans and paperwork get approved.

Following additional, lengthy discussion regarding plan submissions, timelines, expectations, options related to Council options, etcetera, Councilmember Hohenshelt made a motion to declare that the home at 304 Shamrock Circle is a "dangerous building" and ordered that it require demolition. Mayor Pro Tem Macalik seconded the motion, which passed by a unanimous vote of Council (6 ayes to 0 nays with Place 6 being a vacant seat).

2. Discuss and consider a request by Tom Kirkland of Tekmak Development Company for the approval of an amendment to an existing facilities agreement allowing further delay of the construction of Harbor Heights Drive in between Shoreline Drive and Lakefront Trail until January 2021, and take any action necessary.

Planning Director Ryan Miller provided background information regarding this agenda item. On October 2, 2015, the City Council approved a Facilities Agreement proposed by Tom Kirkland of TEKMAK Development Company allowing him to delay the construction of Harbor Heights Drive between Shoreline Drive and Lakefront Trail (see Exhibit 'A'). The construction of this roadway was required as part of the development of the Springhill Suites Hotel, which is located at 2601 Lakefront Trail. The terms of the agreement allowed Mr. Kirkland to delay the construction of the roadway until either [1] 2600 Lakefront Trail (i.e. Lot 7, Block A, The Harbor – Rockwall Addition) was developed, or [2] until October 4, 2018 (i.e. a period of 36-months from the execution of the facilities agreement). The agreement also stated that if the applicant failed to comply with the timeframes established in the agreement that it would result in the loss of the Hotel/Motel Tax Rebate granted to the property. This rebate was granted for a total of five (5) years, and will expire in July of 2022. To date, Harbor Heights Drive has not been constructed, no plans have been approved, and no permit has been issued for the roadway. Mr. Kirkland is now seeking approval from Council for an extension related to construction of said roadway.

Tom Kirkland  
613 Willow Springs  
Heath, TX

Mr. Kirkland came forth and provided clarification to Council regarding several factors that have contributed to his request to have more time to construct and finish the roadway. He shared that his revenue stream has dramatically dropped due to the COVID-19 pandemic, but he is hopeful that their occupancy will eventually bounce back and recover. He shared that at one point, he discovered the general contractor who was hired to complete construction of

the hotel had stolen somewhere between \$500k to \$750k of money that had been wired to them for completion of the project. So, essentially, he was tied up in litigation for quite some time (almost two years), and – because of that distraction – he had forgotten about the facility agreement related to construction of this roadway. He generally asked Council to consider allowing him more time to complete the road.

Following additional discussion, Mayor Pruitt made a motion to approve a one year extension on the facilities agreement. Mayor Pro Tem Macalik seconded the motion, which passed by a vote of 6 ayes (Place 6 seat was vacant).

Mr. Crowley then told Mr. Kirkland that he does need to get with the city's Engineering Department to discuss where he stands on the engineering plans and what the next steps are in that regard. Mr. Kirkland generally indicated that he will do so.

3. Discuss and consider an **ordinance** amending the Code of Ordinances in Ch. 26 "Motor Vehicles & Traffic," Article VII. "Stopping, Standing or Parking," Section 26-505 "Prohibited in Specific Places" to include the prohibition of parking on Corporate Crossing and streets in the vicinity of Discovery Boulevard, and take any action necessary. **(1st reading)**

Phil Wagner, President / CEO of the Rockwall Economic Development Corporation spoke regarding this agenda item. He generally indicated that street parking within the Rockwall Technology Park is problematic. This ordinance would essentially prohibit all street parking within the park. Mr. Crowley, City Manager, clarified that, although the City does sometimes have vehicles towed, the City will not be towing vehicles that violate these 'no parking' provisions within the Tech Park – the city will only issue citations for parking violations.

Councilmember Hohenshelt moved to approve the ordinance, as presented. Councilman Johannesen seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE ORDINANCES OF THE CITY OF ROCKWALL, BY AMENDING SECTION 26-505, *PROHIBITED IN SPECIFIC PLACES*, OF ARTICLE VII, *STOPPING, STANDING OR PARKING*, OF CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, TO INCORPORATE ADDITIONAL STREETS SUBJECT TO PROHIBITED PARKING AS DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes to 0 nays (with Place 6 being vacant).

4. Discuss and consider approving an **ordinance** repealing Ordinance No. 19-44 and lifting the temporary moratorium on the acceptance and approval of residential and commercial subdivision plats in the City's Extraterritorial Jurisdiction (ETJ), and take any action necessary. **(1st, only reading)**

Planning Director Ryan Miller and Mayor Pruitt provided brief comments pertaining to this agenda item. Indication was given that the ordinance only requires one reading. This is being repealed since the City and County recently signed an interlocal agreement to address this matter.

Councilmember Hohenshelt moved to approve the ordinance as presented. Councilmember Fowler seconded the motion. The ordinance was read as follows:

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REPEALING *ORDINANCE NO. 19-44* AND RETIRING THE TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF SUBDIVISION PLAT APPLICATIONS IN THE CITY OF ROCKWALL'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

The motion passed by a vote of 6 ayes to 0 nays (Place 6 seat was a vacant seat).

5. Discuss and consider approval of a resolution to nominate a candidate to fill a vacancy on the Rockwall Central Appraisal District Board of Directors, and take any action necessary.

Mayor Pro Tem Macalik moved to submit the resolution, naming Lou Johnson as the city's nominee for filling the current vacancy. Councilmember Hohenshelt seconded the motion, which passed by a vote of 6 ayes to 0 nays (with Place 6 being a vacant seat).

6. Discuss and consider parking concerns at SH-66 boat ramp, and take any action necessary.

General discussion took place pertaining to parking at the SH-66 boat ramp. Indication was given that these concerns are likely occurring because our boat ramp is one of the only ones that is open, while other Lake Ray Hubbard boat ramps are closed. Councilmember Johannesen generally indicated that he does not want to be in the business of 'traffic coping' at the boat ramp. City Manager Rick Crowley talked about the possibility of installing a split rail fence over near the residential area of the boat ramp, which may help with some of the concerns. He shared that there is a gravel area that is actually state right-of-way that the city received permission to be utilized for parking. Making this area a hard surface and striping it for parking will be a little more costly. He shared that he has observed vehicles with boats/trailers parking in the area that's designed for 'cars only,' and he's seen cars/vehicles without boat trailers parked in the areas designed for vehicles with boat trailers. He is not sure if these issues will be temporary or if they will be more permanent in nature.

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

**1. Departmental Reports**

Building Inspections Monthly Report - March 2020

Finance Department Quarterly Report - Period Ended March 31, 2020

Fire Department Monthly Report - March 2020

Parks & Recreation Department Monthly Report - March 2020

Police Department Monthly Report - March 2020

Sales Tax Historical Collections - March 2020

Water Consumption Statistics - March 2020

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

Mayor Pruitt shared that there will be free State provided COVID-19 testing for grocery workers, first responders, or health care workers at Lake Pointe Church on Wednesday between 6 – 10 p.m. This is 'by appointment' only.

Assistant City Manager Joey Boyd provided an update on the Census efforts. He shared details of the City of Rockwall's self response rate and the County's response rate. Rockwall County is currently ranked #1 as far as the response rate, statewide. When the Census workers are able to get out and start knocking on doors, the numbers are expected to rise even more. A final date for Census number collection will likely be in October.

Mr. Crowley shared that the Governor has begun a phased approach to reopening businesses related to COVID-19. The city has been diligently working to comply with the governor's orders, and the city had very few complaints over the weekend as some businesses began to reopen.

Mayor Pruitt shared that there is currently a vacancy on the Rockwall City Council (Place 6). Applications related to filling the vacancy will be accepted thru Friday, May 15 at 5:00 p.m. on the city's website. Thereafter, the Council will go through an interview process with prospective candidates.

At 8:47 p.m., Mayor Pruitt recessed the public meeting to go into Executive Session again to address the following items.

## **XIV. 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 filling vacancy for City Council Member Place 6, pursuant to Section 551.074 (personnel matters)
- 2.** Discussion regarding City's nomination associated with filling current vacancy on the Rockwall Central Appraisal District Board of Directors, pursuant to Section 551.074 (personnel matters)
- 3.** Discussion regarding legal issues on enforcement of Governor's Emergency Order and options on local Declaration, pursuant to Section §551.071 (Consultation with Attorney).
- 4.** 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)

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

Mayor Pruitt reconvened the public meeting at 9:15 p.m. No action was taken as a result of Executive Session.

## **XVI. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 9:15 p.m.

574

575 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18<sup>th</sup> DAY OF MAY, 2020.**

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**JIM PRUITT, MAYOR**

578 **ATTEST:**

579

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580 **KRISTY COLE, CITY SECRETARY**



## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Kristy Cole, City Secretary / Asst. to the City Manager

**DATE:** May 18, 2020

**SUBJECT:** YAC YEAR END REPORT & SENIOR RECOGNITIONS

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### Attachments

YAC Presentation

### Summary/Background Information

Members of the Rockwall Youth Advisory Council (YAC) will give a presentation to City Council at Monday evening's Council meeting to recap the various activities they participated in over the course of this school year.

We would also like to recognize and acknowledge our seven graduating high school seniors, which include the following:

- Mary Claire Weible (Home Schooled)
- Susie Wilson (RHS)
- Parker Yarbrough (Home Schooled)
- Kavya Venogupalan (RHS)
- Chloe Davis (Home Schooled)
- Madison Melcher (RHS)
- Matt Kianpour (RHS)

### Action Needed

Mayor Pruitt and Councilman Fowler are asked to hand out certificates to all twelve YAC students and allow each graduating senior an opportunity to share his / her plans following graduation.

# City of Rockwall Youth Advisory Council 2019-2020



# 2019-2020 Membership

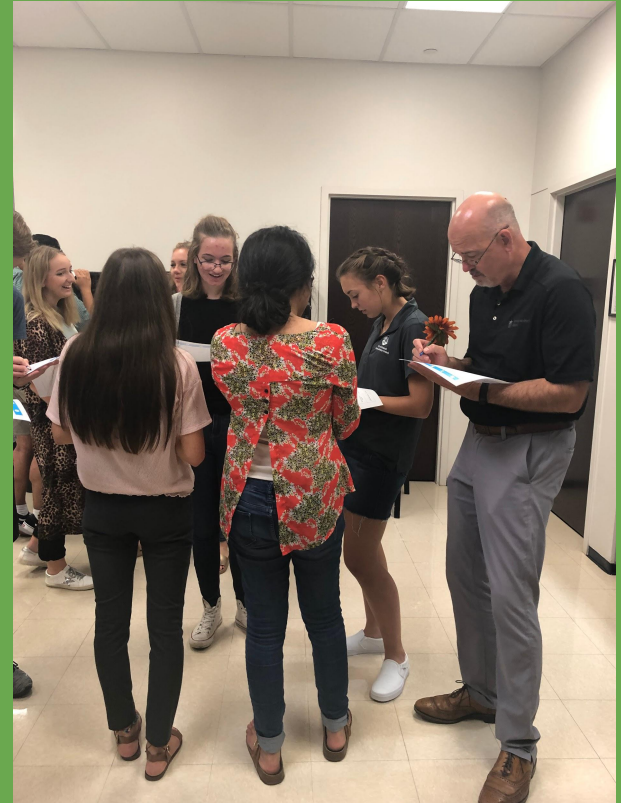
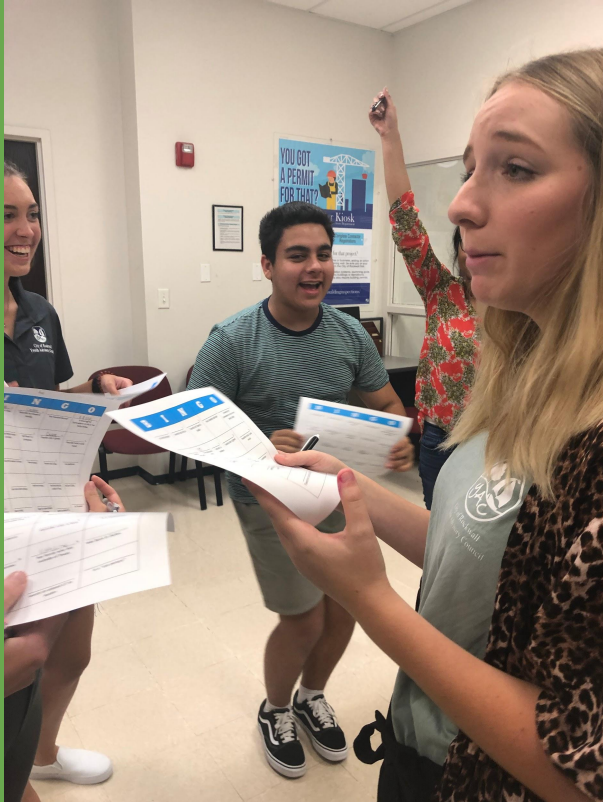
- **Chair** Mary Claire Weible - Homeschool, Senior
- **Vice Chair** Susie Wilson - RHS, Senior
- **Secretary** Katharine Castro - Poetry Christian, Junior
- **Historian** Mazie Johnson - RHS, Sophomore
- **Treasurer** Peyton Nielsen - RHS, Sophomore
- Chloe Davis - Homeschool, Senior
- Matt Kianpour - RHS, Senior
- Madison Melcher - RHS, Senior
- Parker Yarbrough - Homeschool, Senior
- Kavya Venugopalan - RHS, Senior
- Marvin Villalobos - RHS, Freshman
- Jaxson Stuart- RHS, Freshman

# YAC Meetings at a Glance . . .

- September Meeting - Orientation, Ice Breakers
- October Meeting - Getting to Know Your City
- November Meeting - Rockwall Police SWAT with Officers Donaldson & Williamson
- December Meeting: Rockwall's Historic Downtown & Main Street with Mrs. Bethany Browning
- January Meeting: Parks & Rec. with Mr. Travis Sales
- February - YAC Summit in Kyle
- March Meeting: Table Manners, Interview Etiquette, and Constructing Resumes
- April Meeting - ZOOM Virtual Mtg.
- May - Presentation to City Council



# First YAC Meeting



Swearing in  
Orientation  
Ice Breaker Games



## GET TO KNOW YOUR CITY

OCTOBER 3, 2019

REGULAR  
**YAC MTG.**



WHAT WAS THE COST OF THIS MURAL?

- a) \$50,000
- b) \$20,000
- c) \$10,000
- d) Nothing -  
The artist did it for free

TRUE

OR

FALSE?

YOUR TOILET WATER EVENTUALLY  
BECOMES YOUR DRINKING WATER.

- a) True
- b) False

WHICH SOURCE PRODUCES THE MOST TAX REVENUE  
FOR THE CITY OF ROCKWALL?



- A) ALCOHOL (BEER & WINE) SALES
- B) PROPERTY TAXES
- C) (GENERAL) SALES TAXES
- D) AUTOMOBILE SALES TAXES

WHEN ARE CITY COUNCIL MEMBER  
ELECTIONS HELD IN ROCKWALL?

- a) January
- b) November
- c) April
- d) May

# October : Team Building

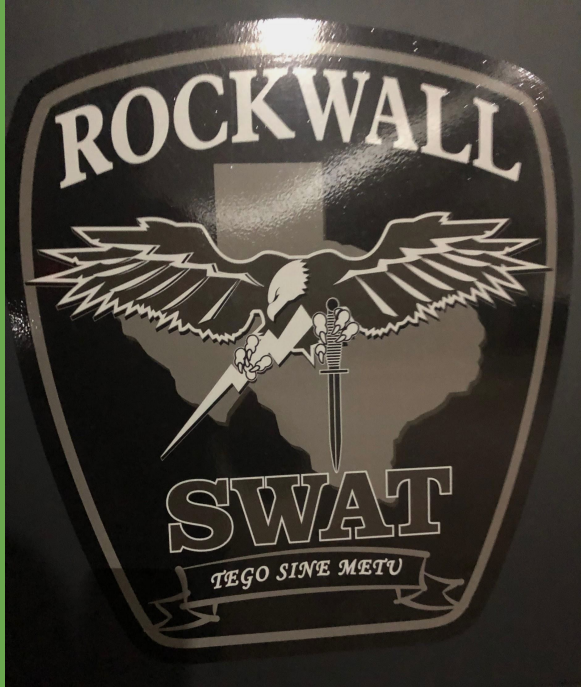
## *PAINTBALL*



# November : Tour of the Wetlands in Seagoville



# November : SWAT at the Rockwall Police Station





**“Thank you,” RPD and  
Officers John Donaldson & Troy Williamson**

# YAC Attended the November City Council Meeting and Shadowed Council and Staff Members



# February : YAC SUMMIT

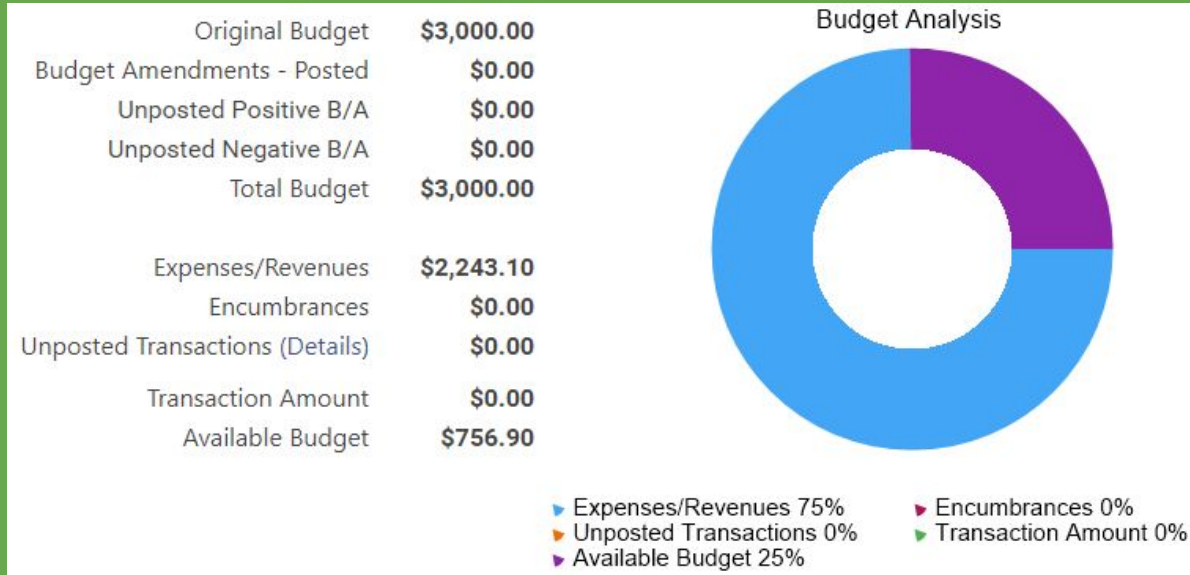
## Hosted by the City of Kyle Youth Advisory Council



# February Meeting: Tour of the SPR Packaging Facility



# Rockwall YAC Budget Breakdown



## HIGH POINTS

- Half of the budget is for YAC Summit expenses (approx. \$1500-1600)
- We did not get an 'end of year' social event this school year due to COVID-19
- Other misc. expenses: YAC shirts, paintball (social event(s))

# Recognition of Graduating Seniors

- Mary Claire Weible
- Susie Wilson
- Chloe Davis
- Matt Kianpour
- Madison Melcher
- Parker Yarbrough
- Kavya Venugopalan





## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** May 18, 2020

**SUBJECT:** Z2020-011; SPECIFIC USE PERMIT FOR AN ACCESSORY BUILDING AT 323 JULIAN DRIVE

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### Attachments

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

### Summary/Background Information

The subject property was originally annexed into the City of Rockwall on September 5, 1960 by *Ordinance No. 60-02*. According to the City's historic zoning maps the subject property was zoned Multi-Family 1 (MF-1) District as of January 3, 1972. By May 16, 1983, this designation had changed to Multi-Family 15 (MF-15) District. On July 11, 1994, the City Council approved a zoning change [*Case No. PZ1994-002-01; Ordinance No. 94-24*] changing the zoning from Multi-Family 15 (MF-15) District to a Single-Family 7 (SF-7) District. Following this approval, a final plat [*Case No. PZ1994-011-01*] was approved by the City Council for the Waterstone Estates Subdivision, which was filed with Rockwall County on November 30, 1994. This plat established the subject property as Lot 5, Block D, Waterstone Estates Addition. According to the Rockwall Central Appraisal District (RCAD), a 2,179 SF single-family home --with 1,779 SF of conditioned space -- was constructed on the subject property in 1997.

On March 30, 2020, the applicant's builder -- *Ulrich Barn Builders, LLC*-- submitted a building permit requesting to build a 12-foot by 16-foot (or 192 SF) accessory building.

This permit was denied on April 7, 2020 by the Building Inspections Department, and an email was sent to Ulrich Bard Builders, LLC notifying them that the proposed accessory building would require a Specific Use Permit (SUP). According to the applicant's letter the building was delivered and installed on April 9, 2020. The applicant has indicated that he was unaware that the builder had not obtained a building permit. The applicant goes on to state that Ulrich Barn Builders, LLC contacted him on April 15, 2020 to let him know that he needed to apply for a Specific Use Permit (SUP).

#### **PURPOSE**

The property owner and applicant -- *Marlyn Roberts* -- is requesting the approval of a Specific Use Permit (SUP) to permit a previously constructed accessory building that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

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

The subject property is addressed as 323 Julian Drive. The land uses adjacent to the subject property are as follows:

***North:*** Directly north of the subject property is the remainder of the Waterstone Estates Subdivision, which is zoned Single-Family 7 (SF-7) District. Beyond this is a greenbelt followed by railroad right-of-way owned by the *M. K. & T. Railroad*. North of the railway is a mixed-use development (*i.e. Rockwall Commons*) zoned Planned Development District 1 (PD-1) for General Retail (GR) District and Multi-Family 14 (MF-14) District land uses.

***South:*** Directly south of the subject property is W. Yellow Jacket Lane, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a congregate care facility (*i.e. Liberty Heights Retirement Community*) and a multi-family apartment complex (*i.e. the Missions Rockwall Apartments*). These properties are zoned General Retail (GR) District and Multi-Family 14 (MF-14) District.

***East:*** Directly east of the subject property is the remainder of the Waterstone Estates Subdivision, which is zoned Single-Family 7 (SF-7) District. Beyond this are two (2) multi-family apartment complexes (*i.e. Sonoma Court and Pebblebrook Apartment Complexes*). These properties are zoned Multi-Family 14 (MF-14) District and Planned Development District 39 (PD-39) for Multi-Family 15 (MF-15) District land uses.

***West:*** Directly west of the subject property is the remainder of the Waterstone Estate Subdivision, which is zoned Single-Family 7 (SF-7) District. Beyond this is the *Spring Sports Complex*, which is owned by the Rockwall Independent School District (RISD). These properties are zoned Single Family 7 (SF-7) District.

#### **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, letter, and drawings requesting to permit a previously constructed 12-foot by 16-foot (*i.e. 192 SF*) accessory building. Per the drawings provided by the applicant the accessory building has a gambrel roof with a total height of ~11-feet, 8-inches. The exterior of the accessory building is clad in a composite siding and the roof utilizes an asphalt shingle that is similar to the asphalt

shingle used on the primary structure. The building is situated at the rear of the subject property, adjacent to the alleyway, behind a six (6) foot tall wood fence. The building is setback approximately five (5) feet from the southern and eastern property lines. The accessory building is slightly visible from W. Yellow Jacket Lane; however, it should be pointed out that the property located directly east of the subject property (*i.e.* 327 Julian Drive) has an accessory building that is approximately the same size, and has the same visibility as the accessory building on the subject property.

#### **CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family 7 (SF-7) District allows a total of two (2) accessory buildings each being 144 SF in size or one (1) accessory building at 144 SF in size and one (1) detached garage at 625 SF in size. In addition, accessory buildings are limited to a maximum height of 15-feet and a minimum setback of three (3) feet from all property lines. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)."

#### **STAFF ANALYSIS**

In this case, the applicant's request conforms with the setback and height requirements for accessory buildings; however, the proposed size of the accessory building exceeds the maximum permissible size by 48 SF. Staff should note that, while it is debatable whether the accessory building is architecturally compatible with the primary structure, it will be situated behind the primary structure and only slightly visible from W. Yellow Jacket Lane. Additionally, there is a similar structure on the adjacent property, which has similar visibility to the accessory structure on the subject property. With this being said, approval of a Specific Use Permit (SUP) request is discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

#### **NOTIFICATIONS**

On April 28, 2020, staff mailed 61 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Waterstone Estates Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization that is within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had received five (5) response in favor of the applicant's request.

#### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum permissible size, then staff would propose the following conditions of approval:

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

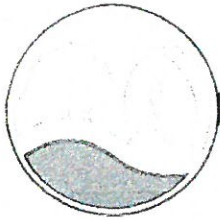
- (a) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of the Specific Use Permit (SUP) ordinance; and
  - (b) The *Accessory Building* shall not exceed a maximum size of 192 SF; and
  - (c) The subject property shall not have more than one (1) accessory building.
- (2) The applicant will need to apply for a building permit from the Building Inspections Department; and
- (3) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

**PLANNING AND ZONING COMMISSION**

On May 12, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.

**Action Needed**

The City Council is being asked to make a decision on the Specific Use Permit (SUP). This request will require a motion to approve, approve with conditions, or deny and requires passage by a simple majority vote.



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

**STAFF USE ONLY**

PLANNING & ZONING CASE NO. 22020-011

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

**Platting Application Fees:**

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

**Site Plan Application Fees:**

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

**Zoning Application Fees:**

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

**Other Application Fees:**

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

**Notes:**

: 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 323 Julian dr. 323

Subdivision Water Stone

Lot 5 Block D

General Location 323 Julian dr.

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

Current Zoning

Current Use

Proposed Zoning

Proposed Use

Acreage

Lots [Current]

Lots [Proposed]

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

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

☒ Owner Marlyn Roberts

☒ Applicant Marlyn Roberts

Contact Person Marlyn Roberts

Contact Person same as owner

Address 323 Julian dr.

Address same as owner

City, State & Zip Rockwall, Texas 75087 City, State & Zip

Phone 214-926-7494 Phone

E-Mail mbr@att.net E-Mail

**NOTARY VERIFICATION [REQUIRED]**

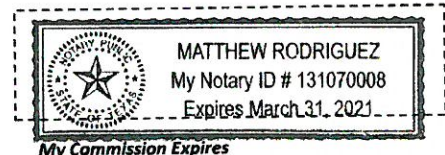
Before me, the undersigned authority, on this day personally appeared Marlyn Roberts [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 215.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 04 day of April, 20 20. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 16<sup>th</sup> day of April, 20 20.

Owner's Signature

Notary Public in and for the State of Texas





## City of Rockwall

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

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

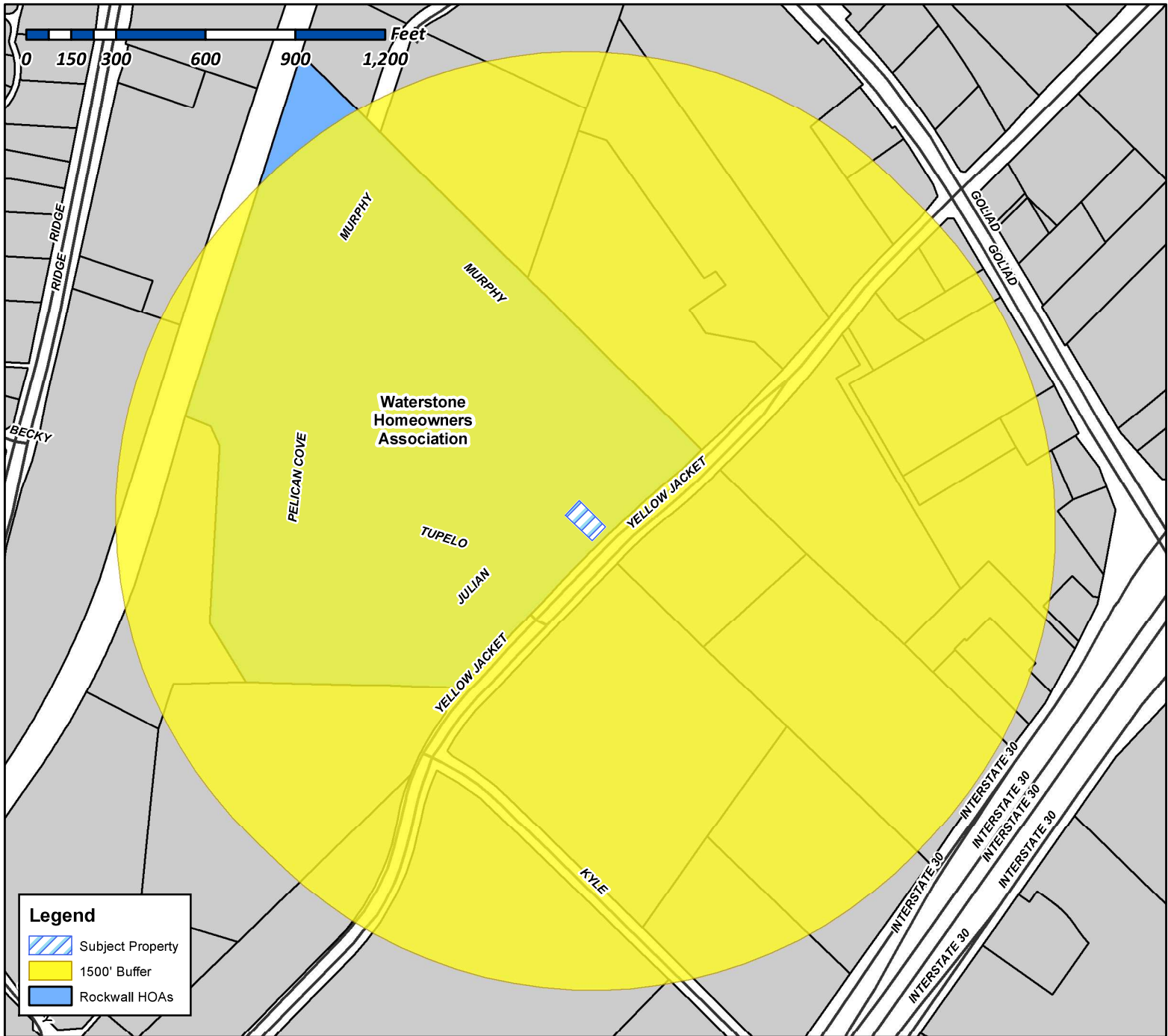




# City of Rockwall

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

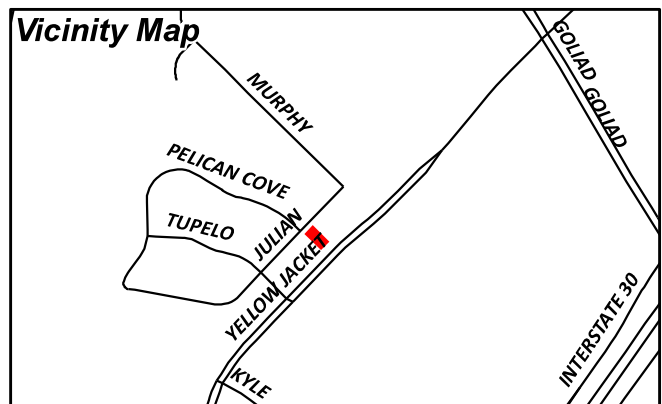
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**Case Number:** Z2020-011  
**Case Name:** SUP for 323 Julian Drive  
**Case Type:** Specific Use Permit  
**Zoning:** Single-Family (SF-7) District  
**Case Address:** 323 Julian Drive

**Date Created:** 4/17/2020

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



**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Wednesday, April 22, 2020 10:10:30 AM  
**Attachments:** [HOA Map \(04.20.2020\).pdf](#)  
[Public Notice \(04.20.2020\).pdf](#)

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HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on May 1, 2020. The Planning and Zoning Commission will hold a virtual public meeting on Tuesday, May 12, 2020 at 6:00 PM, and the City Council will hold a virtual public meeting on Monday, May 18, 2020 at 6:00 PM. Both hearings will take place virtually at 6:00 PM and be available for viewing online via "Zoom".

In compliance with CDC recommendations regarding social distancing and in accordance with state and local proclamations limiting the size of public gatherings, these meetings will be held virtually and not in person. All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Alternatively, interested parties may participate in the meeting virtually through "Zoom". For instructions on how to participate please email [Planning@rockwall.com](mailto:Planning@rockwall.com). For all questions concerning these cases or the City's new virtual meeting format, please contact the City of Rockwall Planning and Zoning Department staff at (972) 771-7745. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Case No. Z2020-011: SUP for 323 Julian Drive

Hold a public hearing to discuss and consider a request by Marlyn Roberts for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage and height on an 0.1865-acre parcel of land identified as Lot 5, Block D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 323 Julian Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

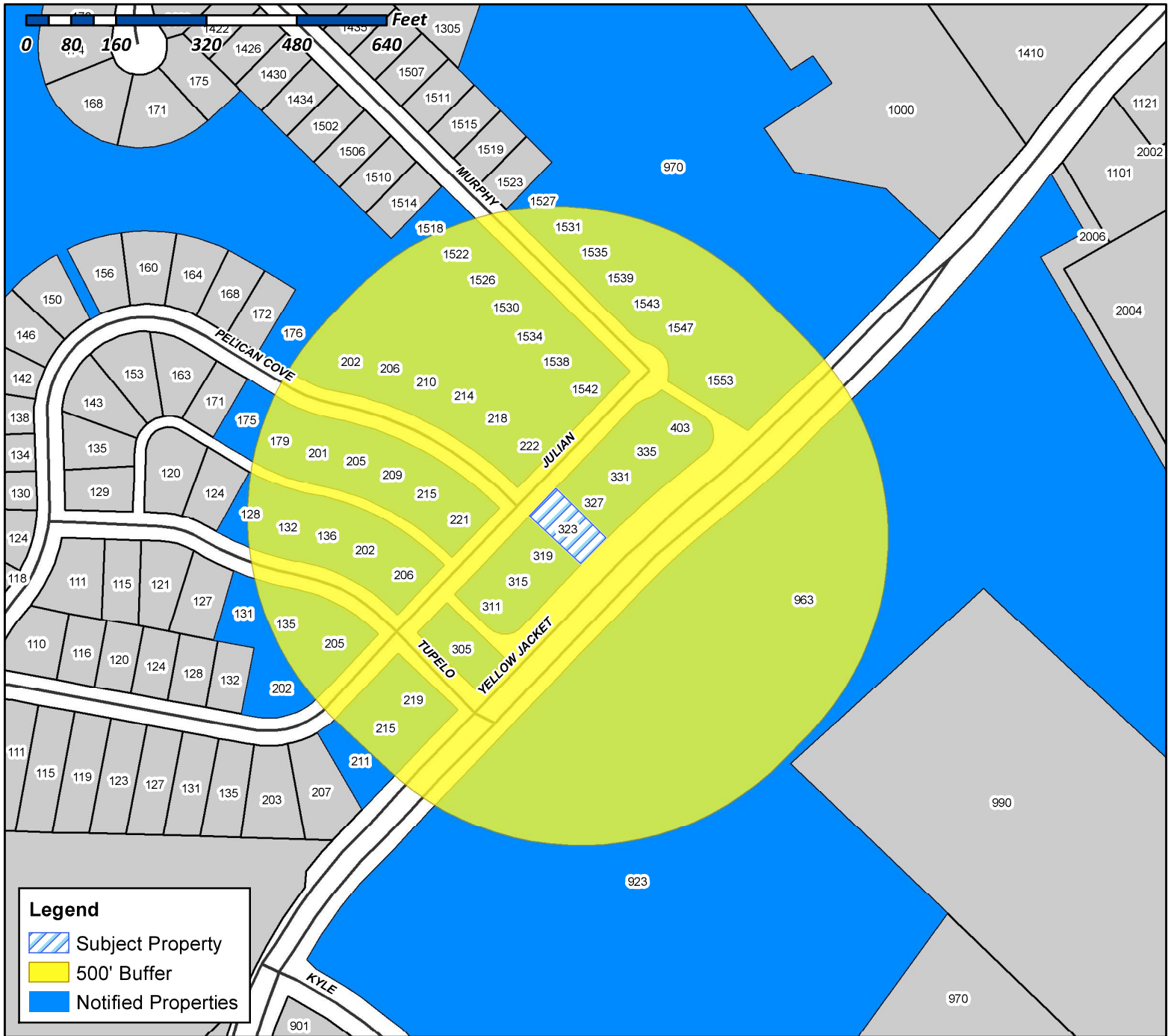
<http://www.rockwall.com/planning/>



# City of Rockwall

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Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

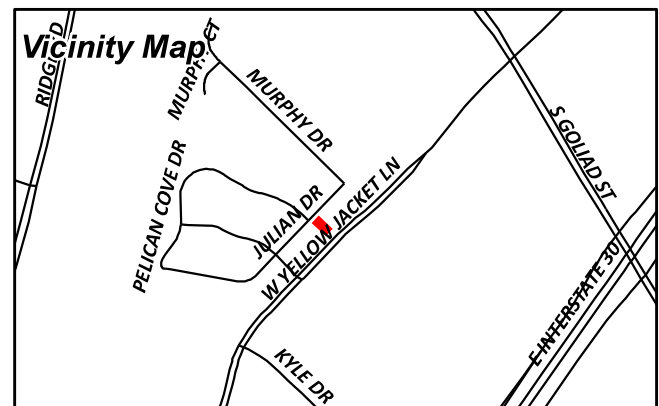
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**Case Number:** Z2020-011  
**Case Name:** SUP for 323 Julian Drive  
**Case Type:** Specific Use Permit (SUP)  
**Zoning:** Single-Family (SF-7) District  
**Case Address:** 323 Julian Drive

**Date Created:** 4/21/2020

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



WHITEHEAD DARRY M & KELLI D  
128 TUPELO DR  
ROCKWALL, TX 75087

FOLSOM JERRY L & JACQUELINE  
13 NW 69TH ST  
LAWTON, OK 73505

WILLIAMS CELIA  
131 TUPELO DR  
ROCKWALL, TX 75087

ANDERSON STEVEN  
132 TUPELO DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
135 TUPELO  
ROCKWALL, TX 75087

LANE JAMES DALE  
136 TUPELO DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1518 MURPHY  
ROCKWALL, TX 75087

PENNELL CHRISTOPHER D  
1522 MURPHY DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1526 MURPHY  
ROCKWALL, TX 75087

CHARLES WILLIAM FOX TRUST  
C/O WANDA E FOX  
1527 MURPHY  
ROCKWALL, TX 75087

JONCZAK LAWRENCE J & REBECCA  
1530 MURPHY DR  
ROCKWALL, TX 75087

ALLEN CHRISTINE D  
1531 MURPHY DR  
ROCKWALL, TX 75087

ALVAREZ KENETH & JO ANNA  
1534 MURPHY DR  
ROCKWALL, TX 75087

BARBIERI MARTHA JO  
1535 MURPHY DR  
ROCKWALL, TX 75087

HOUSE MICHAEL  
1538 MURPHY DR  
ROCKWALL, TX 75087

JODAN JASON T  
1539 MURPHY DRIVE  
ROCKWALL, TX 75087

BIERSTEDT MARK A  
1542 MURPHY DR  
ROCKWALL, TX 75087

WARDELL CHASE AND KRYSTA  
1543 MURPHY RD  
ROCKWALL, TX 75087

JACKSON SHERAH  
1547 MURPHY DR  
ROCKWALL, TX 75087

NOP SOPHA  
1553 MURPHY DR  
ROCKWALL, TX 75087

SONOMA COURT LTD  
1603 LBJ FWY SUITE 300  
DALLAS, TX 75234

EUBANKS RANDALL S & MARY K  
175 PELICAN COVE DR  
ROCKWALL, TX 75087

CUMMINGS MATTHEW L AND AMANDA L  
176 PELICAN COVE DRIVE  
ROCKWALL, TX 75087

2018 R C HUFFMAN REVOCABLE TRUST  
ROBERT CURTIS HUFFMAN AND CATARINA  
MARIA HUFFMAN-TRUSTEES  
179 PELICAN COVE DRIVE  
ROCKWALL, TX 75087

STRADMANN IVO MOYANO  
1918 STERLING CT  
ROCKWALL, TX 75032

STEINBERGER DANE &  
SHANNON HOLTON  
201 PELICAN COVE DR  
ROCKWALL, TX 75087

IADANZA LIVING TRUST  
THOMAS JOHN IADANZA AND SUSANNE MARIE  
IADANZA-TRUSTEES  
202 JULIAN DR  
ROCKWALL, TX 75087

NANCARROW GREGORY J & LYNN G  
202 PELICAN COVE DR  
ROCKWALL, TX 75087

COLBERT MICHAEL DON & KELLY J  
202 TUPELO DRIVE  
ROCKWALL, TX 75087

MURPHY STEVEN D AND ELIZABETH R  
205 PELICAN COVE DR  
ROCKWALL, TX 75087

VEGA JOHN & PAM  
205 TUPELO DR  
ROCKWALL, TX 75087

JEFFREY BRUCE & LOUISE  
206 PELICAN COVE DR  
ROCKWALL, TX 75087

CASTRO ERNESTO & KATHARINA  
206 TUPELO DR  
ROCKWALL, TX 75087

BRAMAN BRIAN K & ELIZABETH T  
209 PELICAN COVE DR  
ROCKWALL, TX 75087

JOHNSON STEVE  
210 PELICAN COVE DR  
ROCKWALL, TX 75087

WHITTAKER SANDRA  
211 JULIAN DR  
ROCKWALL, TX 75087

LUEB KEVIN J & AMANDA M &  
LYNNE M LUEB  
214 PELICAN COVE DR  
ROCKWALL, TX 75087

HARPER EMILY ERIN  
215 JULIAN DR  
ROCKWALL, TX 75087

BERRY W A & MARIFLOYD  
215 PELICAN COVE DR  
ROCKWALL, TX 75087

CRAWFORD GAIL LYNN  
218 PELICAN COVE DR  
ROCKWALL, TX 75087

SHIELDS GREGORY GILBERT AND  
CHARLENE SHIELDS  
219 JULIAN DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
221 PELICAN COVE  
ROCKWALL, TX 75087

CHILES LARRY & KAY  
222 PELICAN COVE DR  
ROCKWALL, TX 75087

ROBERTS MARLYN & BARBARA  
2325 S. GOLIAD ST  
ROCKWALL, TX 75032

GRAHAM STEVEN W & JACQUELYNN  
305 JULIAN DR  
ROCKWALL, TX 75087

GEIGER DONALD M  
311 JULIAN DRIVE  
ROCKWALL, TX 75087

LEWIS ROCIE L  
315 JULIAN  
ROCKWALL, TX 75087

CHABROL JASON A  
319 JULIAN DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
323 JULIAN  
ROCKWALL, TX 75087

STEVENS MARK R  
327 JULIAN DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
331 JULIAN  
ROCKWALL, TX 75087

PATEL MUKESH & MINAL  
335 JULIAN DR  
ROCKWALL, TX 75087

FALLS DAVID & TERRI  
3608 LAKESIDE DR  
ROCKWALL, TX 75087

BEDFORD LUKE FOSTER AND KYLEE  
403 JULIAN DRIVE  
ROCKWALL, TX 75087

IX MC 923 YELLOW JACKET LANE LP  
C/O STARWOOD CAPITAL GROUP GLOBAL LP  
591 W PUTNAM AVE  
GREENWICH, CT 6830

IOSIFESCU SORIN  
820 GRAY FOX DR  
MCKINNEY, TX 75071

CURRENT RESIDENT  
923 YELLOW JACKET  
ROCKWALL, TX 75087

ROCKWALL RETIREMENT RESIDENCE LLC  
C/O HAWTHORN DEVELOPMENT LLC  
9310 NE VANCOUVER MALL DR SUITE 200  
VANCOUVER, WA 98662

CURRENT RESIDENT  
963 W. YELLOWJACKET  
ROCKWALL, TX 75087

CURRENT RESIDENT  
970 W .YELLOW JACKET  
ROCKWALL, TX 75087

GONZALES LISA BROOKS  
PO BOX 23  
KEMP, TX 75143



# NOTICE OF PUBLIC HEARING

## CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto: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. Z2020-011: SUP for 323 Julian Drive**

*Hold a public hearing to discuss and consider a request by Marlyn Roberts for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage and height on an 0.1865-acre parcel of land identified as Lot 5, Block D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 323 Julian Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/12/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 5/18/2020 at 6:00 p.m.** Both hearings will take place virtually and be available for viewing online via "Zoom".

In compliance with CDC recommendations regarding social distancing and in accordance with state and local proclamations limiting the size of public gatherings, these meetings will be held virtually and not in person. As an interested property owner, you are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. Alternatively, you may fill out and return this form to:

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

All comments received by staff will be read into the record during each of the public hearings. Alternatively, interested parties may participate in the meeting virtually through "Zoom". For instructions on how to participate please email [Planning@rockwall.com](mailto:Planning@rockwall.com). For all questions concerning these cases or the City's new virtual meeting format, please contact the City of Rockwall Planning and Zoning Department staff at (972) 771-7745.

Your comments must be received by **5/18/2020** 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. Z2020-011: SUP for 323 Julian Drive**

Please place a check mark on the appropriate line below:

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

<b>Name:</b>	
<b>Address:</b>	

**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 RETURN THE DEED

Case No. Z2020-011: SUP for 323 Julia.

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 think it will be unobstructed

Name:

Amanda & Matthew Cummings

Address:

176 Pelican Cove Dr 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.

*Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748*



# NOTICE OF PUBLIC HEARING

## CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto: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. Z2020-011: SUP for 323 Julian Drive

*Hold a public hearing to discuss and consider a request by Marlyn Roberts for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage and height on an 0.1865-acre parcel of land identified as Lot 5, Block D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 323 Julian Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/12/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 5/18/2020 at 6:00 p.m.** Both hearings will take place virtually and be available for viewing online via "Zoom".

In compliance with CDC recommendations regarding social distancing and in accordance with state and local proclamations limiting the size of public gatherings, these meetings will be held virtually and not in person. As an interested property owner, you are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. Alternatively, you may fill out and return this form to:

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

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Your comments must be received by **5/18/2020** 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. Z2020-011: SUP for 323 Julian Drive

Please place a check mark on the appropriate line below:

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

Name: Steve Anderson

Address: 132 Tupelo Drive 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.

Case No. Z2020-011: SUP for 323 Julian Drive

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below. **Official Position Waterstone Estates Homeowners Association (WHOA)**

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

The Official Position of the Waterstone Estates Homeowners Association (WHOA) is to Approve the Request for the Special Use Permit (SUP).

The WHOA Architectural Committee and the WHOA Board of Directors Have Both Voted, Unanimously, to Approve the Oversized Shed at 323

Julian Drive. The Shed as Built, does Not Violate the WHOA Declaration of Covenants, Conditions-and Restrictions (DCCR) nor the Bylaws.

A Request for Comment to the WHOA Homeowners was Also for Approval with One (1) Exception, the Homeowner at 179 Pelican Cove.

Name: Harold L. Snyder, Jr., WHOA Board Chairperson, Waterstone Estates Homeowners Association

Address: P.O. Box 1956, Rockwall, Texas 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.

Case No. Z2020-011: SUP for 323 Julian Drive

Please place a check mark on the appropriate line below:

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

Nice Constructed Building on a well maintained lot.  
Not visible from the front of the property on Julian.  
HAS no effect on me at my location. No issue  
at all.

Name:

Dana Vega

Address:

205 Tupelo Dr 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.

Case No. Z2020-011: SUP for 323 Julian Drive

Please place a check mark on the appropriate line below:

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

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

The bldg. is already there and it is not offensive  
or unsightly

Name: Wanda Fox

Address: 1527 Murphy Dr.

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

*On or about March 7, 2020 I agreed to purchase a storage building Ulrich barn builders, llc. During the sale conversation it was agreed that Ulrich would get the permit from the city and I would pay the permit fee and pay the management fee to pull permits at city I paid \$175.00 for them to do this. The discussion about them getting the permit was discussed a lot.*

*The building was to be delivered on or about April 1, 2020. I called on March 31, 2020 to check on delivery was told that Ulrich did not have the permit at that time and would have to reschedule would call me at a later date. They called and said that it would deliver on 4/09/2020. It was delivered that day after the building was set up and leveled and everything was completed the driver said due to cov-19 rather than sign the paper at that time they said it would be done by email I did ask him if I could get a copy of the permit he said it would be email to me with the rest of the paper work I received an email on about 04/15/2020 I received an email telling me that had received an email from the city that I had to get an sup. I replied*

---

***building was delivered. Not happy about but here I am.***

***I hope planning will help me move forward and have to  
remove the fences again will help anyway I can***

***Thank you for your time.***

***Marlyn Roberts***

*Marlyn Roberts*

---



# 12x16 Premier Lofted Barn

Customer: Marlyn Roberts

Due Date:

Sale Date: 03/07/2020

Ship Via: Truck Delivery

## BUILD ORDER

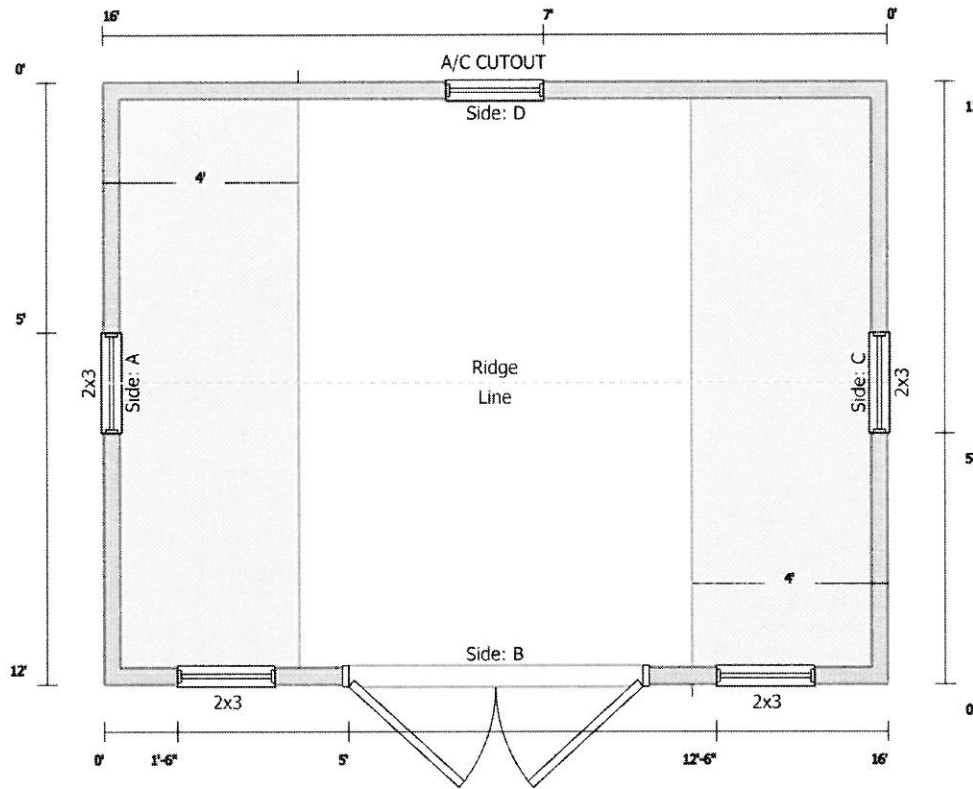
Serial:

Siding Color: Deep Walnut  
Trim Color: Cream Delight  
Roofing: Weathered Wood Shingle  
(1) 5x5 Metal Frame Ramp with Cedar Treads  
Wood Fence Removal (up to 2 panels - 1 post)  
Position A1: 2x3 Bronze Window  
Position B1: 2x3 Bronze Window  
Position B2: 72" Double Shed Doors  
Position B3: 2x3 Bronze Window  
Position C1: 2x3 Bronze Window  
Position D1: 24 in. Wide x 24 in. Tall AC Cutout

### Inspection Report

Nailing pattern
Nails clipped
No cull studs showing
Roof fasteners properly installed
Siding fasteners properly installed
Paint Touchup
Doors squared and spaced
Building swept out
Serial plates installed

By:

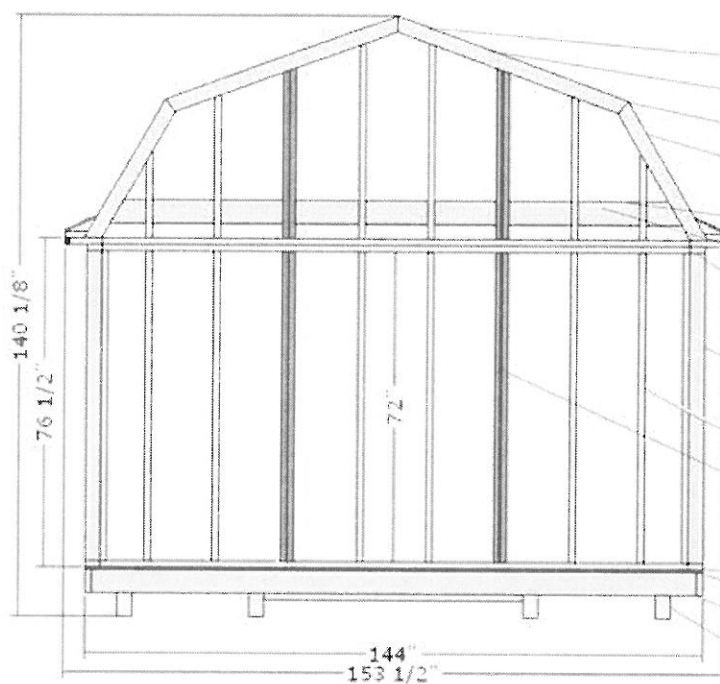


By signing this document, I agree that the above layout is correct, and I understand there will be additional charges for any changes or extra features.

x Marlyn Roberts  
Customer Signature

Marlyn Robert  
Print Name

03 / 09 / 2020  
Date



## 12' WIDE LOFTED BARN

- 30 YR SHINGLES
- 7/16" OSB ROOF DECKING
- 2X4 TRUSS PLATES
- 2X4 SPF RAFTERS 16" OC
- 7/16" LOFT DECKING
- 2X6 SPF LOFT JOISTS 16" OC
- 2X8 SYP TOP PLATE
- 2X4 SPF PLATES
- 5/8" PT T1-11 OR  
3/8" LOUISIANA PACIFIC  
SMART SIDING
- 2X4 SPF STUD 16" OC
- DOUBLE STUD EVERY 4'
- 2X4 SPF WALL PLATES
- 5/8" BC PINE PLYWOOD
- 2X6 PT SYP FLOOR JOISTS 12" OC
- 4X6 PT SYP SKIDS



Ulrich Barn Builders, LLC  
ulrichbarns.com | (817) 645-1122

# SALES ORDER

## CUSTOMER

Marlyn Roberts  
323 Julian Dr  
Rockwall, TX 75087  
214-926-7494  
972-771-9342  
mbrr@att.net

## SHIP TO

323 Julian Dr  
Rockwall, TX 75087  
VIA: Truck Delivery  
FROM WH: MAIN  
TYPE: New Build  
SERIAL:

DATE: 03/07/2020

ORDER: 12238

ORDER TYPE: Cash Sale

STORE: Ft Worth - Corporate Store

SALES REP: Greg Stubbs

EMAIL: greg.stubbs@ulrichbarns.com

Configuration	Amount	Pricing	Amount
12x16 Premier Lofted Barn	\$7,943.68	BASE PRICE:	\$7,943.68
Standard Features: 6'6" Sidewalls, Easy Access Wrap Loft, Exclusive Ulrich Heavy Duty Hardware, Heavy Duty Diamond Plate Door Threshold, Standard 72" Double Doors, Premium Ridge and Eave Vent System.	\$0.00	TOTAL OPTIONS:	\$1,265.00
Credit for Included Options: (1) 72" Double Shed Door	(\$295.00)	PROMO DISCOUNT:	(\$238.00)
Position A1: 2x3 Bronze Window	\$150.00	CASH DISCOUNT:	(\$556.06)
Position B1: 2x3 Bronze Window	\$150.00	CREDIT TOWARD UPGRADES:	(\$397.00)
Position B2: 72" Double Shed Doors	\$295.00	MGR DISC:	(\$397.00)
Position B3: 2x3 Bronze Window	\$150.00	EMP DISC:	(\$397.00)
Position C1: 2x3 Bronze Window	\$150.00	RGF ADJUSTMENT	(\$296.00)
Position D1: 24 in. Wide x 24 in. Tall AC Cutout	\$50.00	TOTAL DISCOUNTS:	(\$2,281.06)
Siding Color: Deep Walnut	\$0.00	SUBTOTAL:	\$6,927.62
Trim Color: Cream Delight	\$0.00	TAX:	\$571.53
Roofing: Weathered Wood Shingle	\$0.00	TOTAL ORDER:	\$7,499.15
(1) 5x5 Metal Frame Ramp with Cedar Treads	\$295.00	Payment	Amount
Management fee to pull permits at city (DOES NOT include actual permit fees which the Customer agrees to pay directly to the city or reimburse the Company)	\$175.00	PAYMENT 880011347	(\$3,749.58)
Wood Fence Removal (up to 2 panels - 1 post)	\$145.00	DUE UPON DELIVERY:	\$3,749.57
		AMT DUE TO PLACE ORDER:	\$3,749.58

**Terms & Conditions - Permits and Restrictions:** Ulrich Barn Builders, LLC and its agents are not responsible for permits, setbacks, restrictions, easements, or covenants. Please contact your local codes department and/or Homeowners. Customer is responsible to comply with all codes, setbacks, restrictions, easements, covenants, codes, or any other restrictions that may apply. Delivery: We reserve the right to reschedule delivery due to unsuitable weather and/or ground conditions, or other unforeseeable circumstances. Customer is responsible for adequate access to the building site and the path to the site free and clear of sprinkler systems, septic systems, etc. Ulrich Barn Builders, LLC is not responsible for yard or driveway damage. Delivery includes one trip; additional trips may incur charges to the customer. **Change Order Policy:** Any changes made to this order after submission will be billed at regular upgrade/change costs if applicable plus a \$100.00 change order fee. **Cancellation Policy:** Cancelled orders will be handled in the following manner. New build items if cancelled before construction begins or in stock inventory items 24 hours before delivery, will have a full refund, otherwise there will be a 15% cancellation fee on cash orders and no refund of down payment on rent to own sales. Ulrich Barn Builders, LLC reserves the right to cancel an order. I, the customer, have read the disclosure(s) above and fully accept the terms provided therein.

X Marlyn Roberts  
Customer Signature

Marlyn Robert  
Print Name

03 / 09 / 2020  
Date

# Premier Building Features

## Floor System:

- 4x6 Treated Runners
- Floor joists - 2x6 Treated 12" on center
- 12" black plastic on plywood seams
- 5/8 BC Plywood Floor on all sheds
- 3/4 Treated Plywood on all garages
- Hurricane Ties on outer skids

## Wall System:

- 2x4 for wall plates
- 2x4 for wall studs 16" O.C
- 2x8 top plate. (Cottage Shed only gets 2x8 on back. Double 2x4 on the front)
- 50 year 3/8" Smart Panel © 8" O.C. Siding

## Roof system:

- 2x4 for all trusses
- 2x4 truss plates on all truss joints
- 7/16" OSB for Roof Decking
- Premium full-length Ridge and Eave vents
- Brown Drip edge
- Dimensional Weathered Wood Shingles
- Hurricane Ties at truss/top plate
- Roof pitch 5/12

## Loft System *(Lofted Barns only)*

- Loft Joists:
- 8', 10', 12' and 14' wide use 2x6
- 16' wide use 2x8
- 7/16" OSB for Loft Decking

## Trim/Windows/Doors:

- 1x Smart© Trim
- 6'x6' Double Barn doors
- Shutters and Flower Boxes on Windows
- Loft door trim only (nonfunctional)
- Black Powder Coated Heavy duty strap hinges (4 bolts and 2 lags per hinge)
- Black Powder Coated Heavy-duty handle
- The building is painted with Sherwin Williams Duration Satin Paint

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 AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.1865-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 5, BLOCK D, WATERSTONE ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Marlyn Roberts for the approval of a Specific Use Permit (SUP) to allow an *Accessory Building* that exceeds the maximum allowable size on a 0.1865-acre parcel of land being described as Lot 5, Block D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 323 Julian Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- 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 an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 192 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## 2.2. COMPLIANCE

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

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

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1<sup>ST</sup> DAY OF JUNE, 2020.**

---

Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: May 18, 2020

2<sup>nd</sup> Reading: June 1, 2020

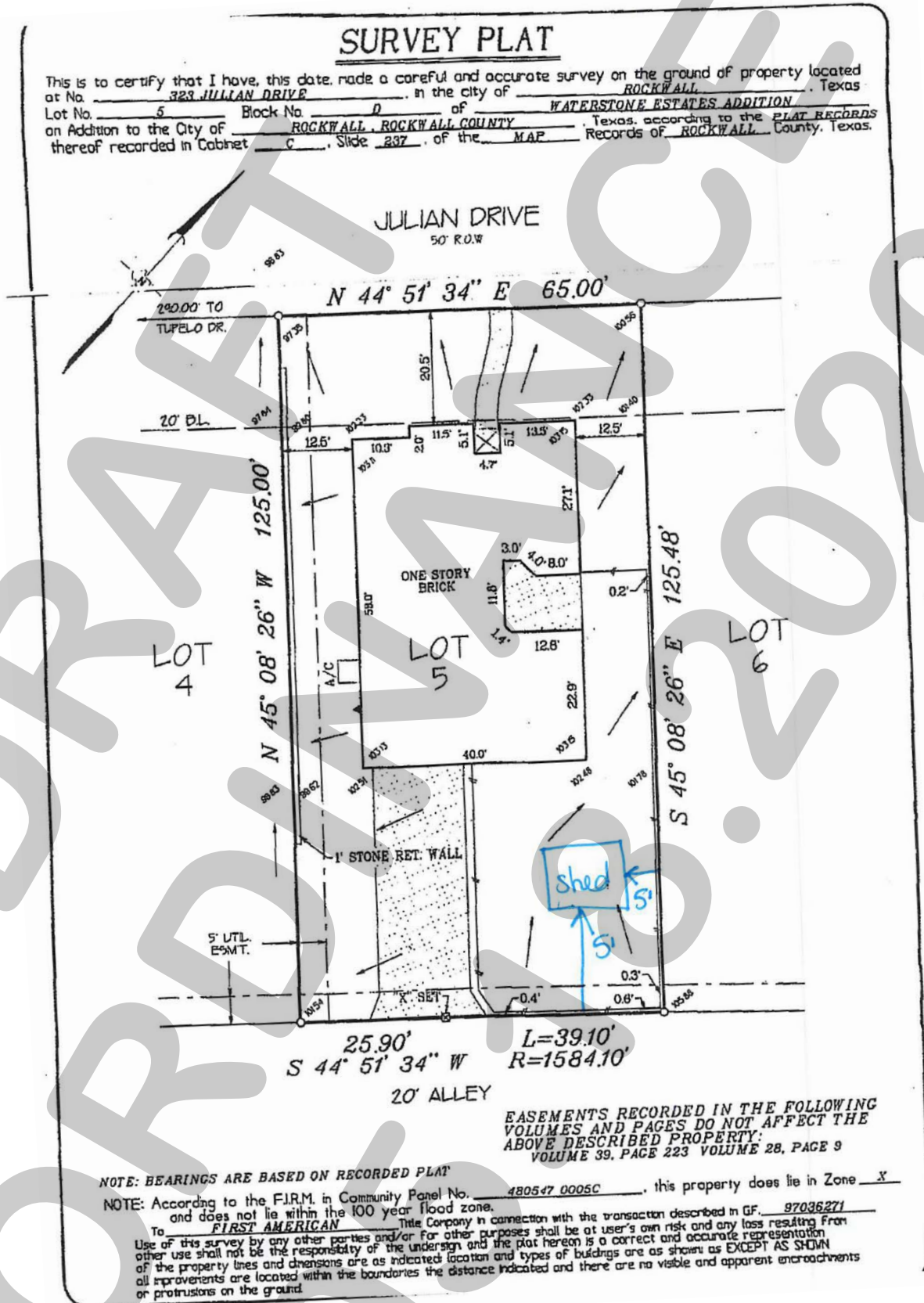
**Exhibit 'A'**  
**Zoning Exhibit**

Address: 323 Julian Drive

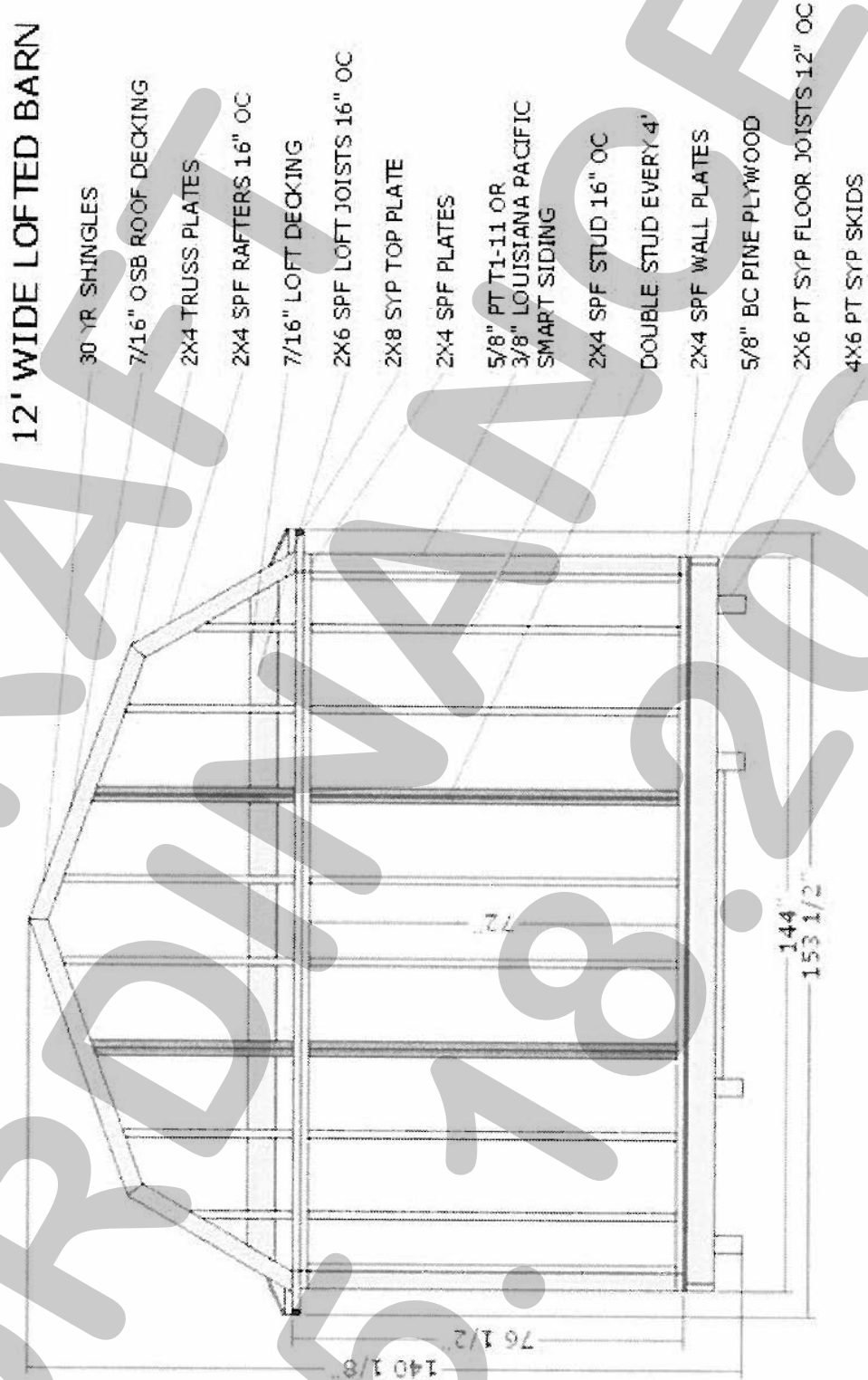
Legal Description: Lot 5, Block D, Waterstone Estates Addition



**Exhibit 'B':**  
**Concept Plan**



**Exhibit 'C':**  
*Conceptual Building Elevations*





## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** May 18, 2020

**SUBJECT:** Z2020-016; SUP FOR A SECONDARY LIVING UNIT/GUEST  
QUARTERS/ACCESSORY DWELLING UNIT AND CARPORT AT 844 ZION  
HILL CIRCLE

---

### Attachments

Development Application  
Location Map  
HOA Notification Map  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Survey  
Site Plan  
Floor Plan  
Applicant's Photos of Structure  
Applicant's Photos of Structure  
Draft Ordinance

### Summary/Background Information

The City Council approved *Ordinance No. 10-01*, annexing the subject property on January 4, 2010, and assigning the property a classification of Agricultural (AG) District. According to Rockwall Central Appraisal District (RCAD) records, the primary structure on the subject property was constructed in 1978, 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 consisted 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 625 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. The Planning and Zoning Department had recommended that the applicant request approval of the structure as it was built by adhering to the following steps by: [1] that the property be rezoned from an Agricultural (AG) District to a Single-Family One (SF-1) District, and [2] the applicant request a Specific Use Permit (SUP) for an oversized carport and secondary living unit/guest quarters/accessory dwelling unit. On April 6, 2020, the City Council approved *Ordinance No. 20-06* that rezoned the subject property from an AG to SF-1 District, completing step [1]. On April 7, 2020, the applicant submitted an application requesting a SUP in accordance with the Planning and Zoning Department's recommendation, and has provided photos of the proposed structure and nearby structures within the neighborhood. It should be noted that the applicant was allowed to install windows on the proposed structure since the rezoning in order to protect the interior from any weather events.

#### **PURPOSE**

On April 7, 2020, the applicant -- *Chris Kehrer* -- submitted an application requesting a Specific Use Permit (SUP) to allow for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport* that does not conform to the requirements of the Unified Development Code (UDC). The subject property is zoned Single-Family One (SF-1) District for residential land uses.

#### **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 zoned Agricultural (AG) District. Beyond the single-family homes is SH-66, which is identified as a TXDOT4D (*Texas Department of Transportation, four [4] lane, divided 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, divided 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**

**In April of this year, the applicant rezoned the subject property from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for the purpose of requesting a Specific Use Permit (SUP) for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport*. This was the result of the applicant not pulling a building permit prior to constructing an accessory structure. Staff should note that the size of the addition (i.e. 4,752 SF) exceeds the size of the primary structure (i.e. 2,871 SF); however, the applicant can choose to redesign the structure and integrally attach it to the primary structure through a breezeway, which would alleviate the need for a SUP for the secondary living unit/guest quarters/accessory dwelling unit (a SUP would still be required for the carport). 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/or will be constructed on the property.**

#### **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. The purpose for rezoning these two (2) properties was to allow the addition of accessory structures on the properties (i.e. *one [1] accessory building by SUP -- 825 Zion Hills Circle; and, one [1] guest quarters/secondary living unit by right -- 853 Zion Hills Circle*).**

**According to the Subsection 07.04, of Article 05, of the Unified Development Code (UDC), accessory building and accessory structures shall be accessory to a residential use and located on the same lot, and only two (2) accessory structures are permitted per single-family lot, with the exception of carports that are integrated into the main accessory structure. In addition, if there is an existing accessory building greater than 625 SF, no additional accessory buildings or structures are permitted. Should the SUP be approved, this will be the only accessory building allowed on the subject property. In the Single-Family 1 (SF-1) District, an accessory structure is limited to 144 SF and a detached garage limited to 625 SF with a maximum height of 15-feet, without the need to obtain a**

Specific Use Permit (SUP). Additionally, a carport is limited to 500 SF and a maximum of 15-feet in height. In this case, the applicant is proposing one (1), ~4,812 SF structure that incorporates a living quarters, detached garage, carport, and covered patio that do not conform to the requirements of the Unified Development Code (UDC) and requires approval of a Specific Use Permit (SUP). It should be known that covered porches that are attached to the primary structure are exempt from the size restrictions, but are required to meet the same setbacks as the primary structure. In this case, the covered patio (i.e. 792 SF) is in conformance with the UDC.

#### **STAFF ANALYSIS**

When analyzing the applicant's request to allow for the ~4,812 SF *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport*, staff should note that the existing primary structure equals 2,871 SF under roof, which means that overall the new accessory structure is ~68% greater in size than the existing primary structure. According to the Unified Development Code (UDC), the maximum allowable size for an accessory structure in a Single-Family 1 (SF-1) District is 625 SF for a detached garage, 144 SF for an accessory structure, and 500 SF for a carport without requiring a SUP; however, the applicant is exceeding the size limitation for all of these by incorporating multiple accessory uses into a single building (i.e. a living quarters, detached garage, carport, and covered patio).. Based on the information provided to staff, this requires approval of a Specific Use Permit (SUP) to allow for the accessory structure, secondary living unit/guest quarters/accessory dwelling unit, and carport. Staff should point out that if the applicant had tied in and integrally attached the structure to the primary structure as depicted in the second building permit that had been submitted to the City, the only item requiring a SUP would be the 1,620 SF carport. As a note, if the structure is not integrally tied in with the primary structure, the applicant will be required to submit an application to appear before the Board of Adjustment (BOA) requesting a variance to the ten (10) foot separation requirement between structures. This has been added as a condition of approval of the SUP. With that being said, the approval of this request is a discretionary decision for the City Council, pending a recommendation by the Planning and Zoning Commission.

#### **NOTIFICATIONS**

On April 28, 2020, staff notified 29 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 HOA/Neighborhood Notification Program. At the time this report was written, staff had not received any notices regarding the applicant's request.

#### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) that allows for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport*, 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 *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport*

shall generally conform to the site plan and building elevations depicted in *Exhibits 'B' & 'C'* of the draft ordinance.

(b) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* shall be ancillary to the existing single-family home and not be utilized for a non-residential land use.

(c) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* shall not exceed 2,345 SF.

(d) The *Carport* shall not be exceed 1,620 SF.

(e) The accessory structure shall not exceed 4,755 SF in total size.

(f) No additional accessory structures shall be permitted on the *Subject Property*.

(g) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).

(h) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* are subject to administrative review in the event that the *Subject Property* is sold, conveyed, or altered in any manner.

(2) Within 60 days of approval of the Specific Use Permit (SUP), the applicant must revised and obtain a building permit from the Building Inspections Department prior to commencing any work on the structure;

(3) Within 60 days of approval of the Specific Use Permit (SUP), if the applicant does not revise and/or obtain a building permit that integrally tie's in the *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* with the existing primary structure, the applicant will be required to obtain a written order from the Board of Adjustment (BOA) that will allow for the structure to be within the 10-feet of the primary structure as constructed.

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

#### **PLANNING AND ZONING COMMISSION**

On May 18, 2020, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 5-2, with Commissioners Welch and Thomas dissenting. According to Subsection 02.03(G), *Protest of Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "...if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

**Action Needed**

The City Council is being asked to make a decision on the Specific Use Permit (SUP). This request will require a motion to approve, approve with conditions, or deny and requires passage by a super majority vote.



# DEVELOPMENT APPLICATION

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

## STAFF USE ONLY

PLANNING & ZONING CASE NO. 22020-016

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

### Platting Application Fees:

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

### Site Plan Application Fees:

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

### Zoning Application Fees:

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

### Other Application Fees:

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

### Notes:

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

## PROPERTY INFORMATION [PLEASE PRINT]

Address 844 Zion Hill Circle  
Subdivision Zion Hill  
General Location Hwy 66 & CR 3549

Lot B Block B

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

Current Zoning SF 1

Current Use

Proposed Zoning NA

Proposed Use

Acreage 1 Acre

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 Cheate  
Contact Person David Cheate  
Address 844 Zion Hill Circle

☒ Applicant Titan Contractors  
Contact Person Chris Kehrer  
Address 410 Normandy Ln

City, State & Zip Rockwall, TX 75087  
Phone 214-869-3318  
E-Mail Alertdrain@yahoo.com

City, State & Zip Heath, TX 75032  
Phone 214-900-2517  
E-Mail Chris@TitanContractors.net

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared David Cheate [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 7 day of April, 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 requested or in response to a public information request."

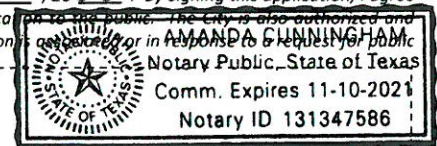
Given under my hand and seal of office on this the 7 day of April, 2020.

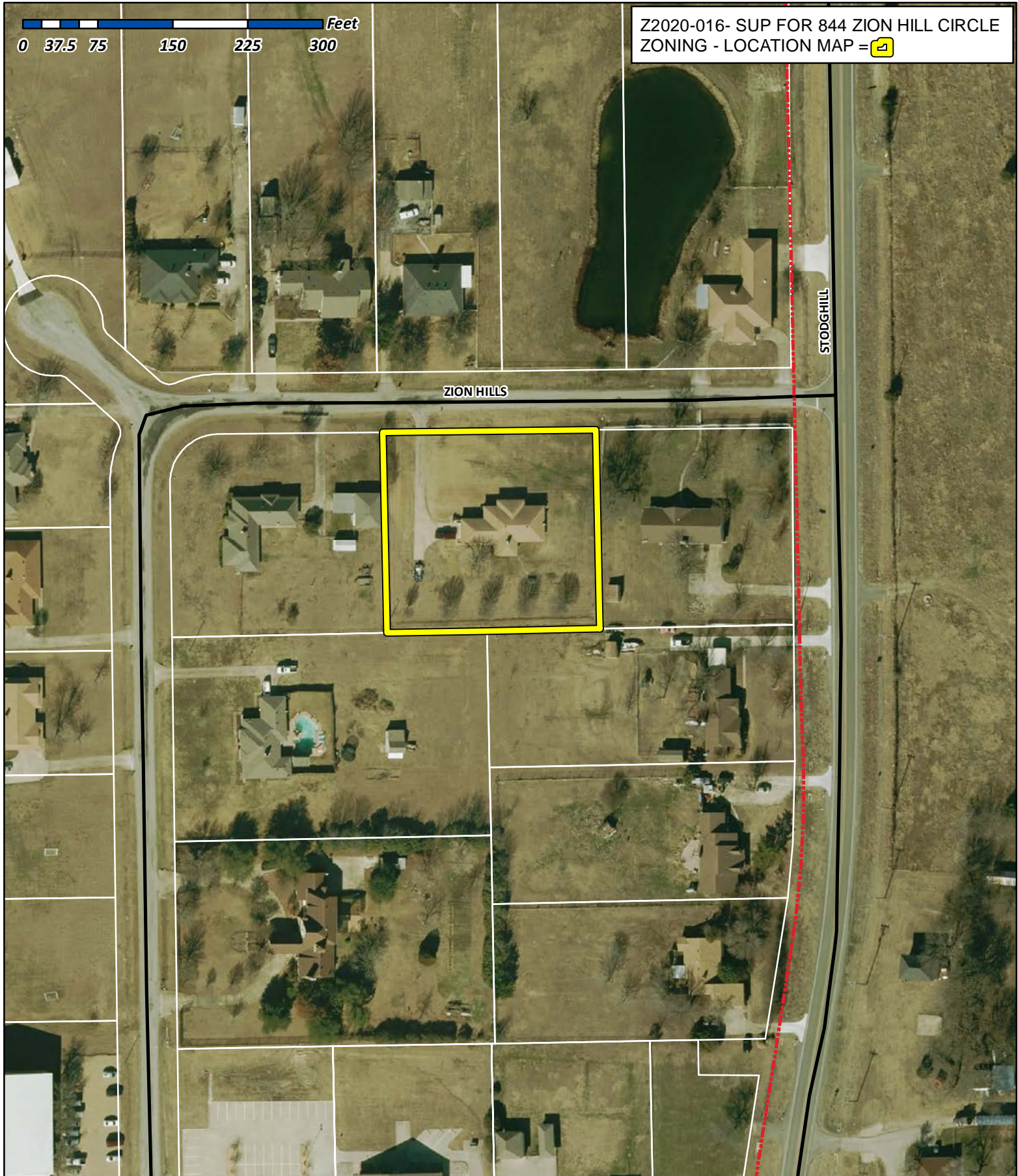
Owner's Signature David E. Cheate

Notary Public in and for the State of Texas

Amanda Cunningham

My Commission Expires 11-10-2021

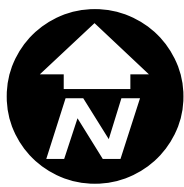




## City of Rockwall

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

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

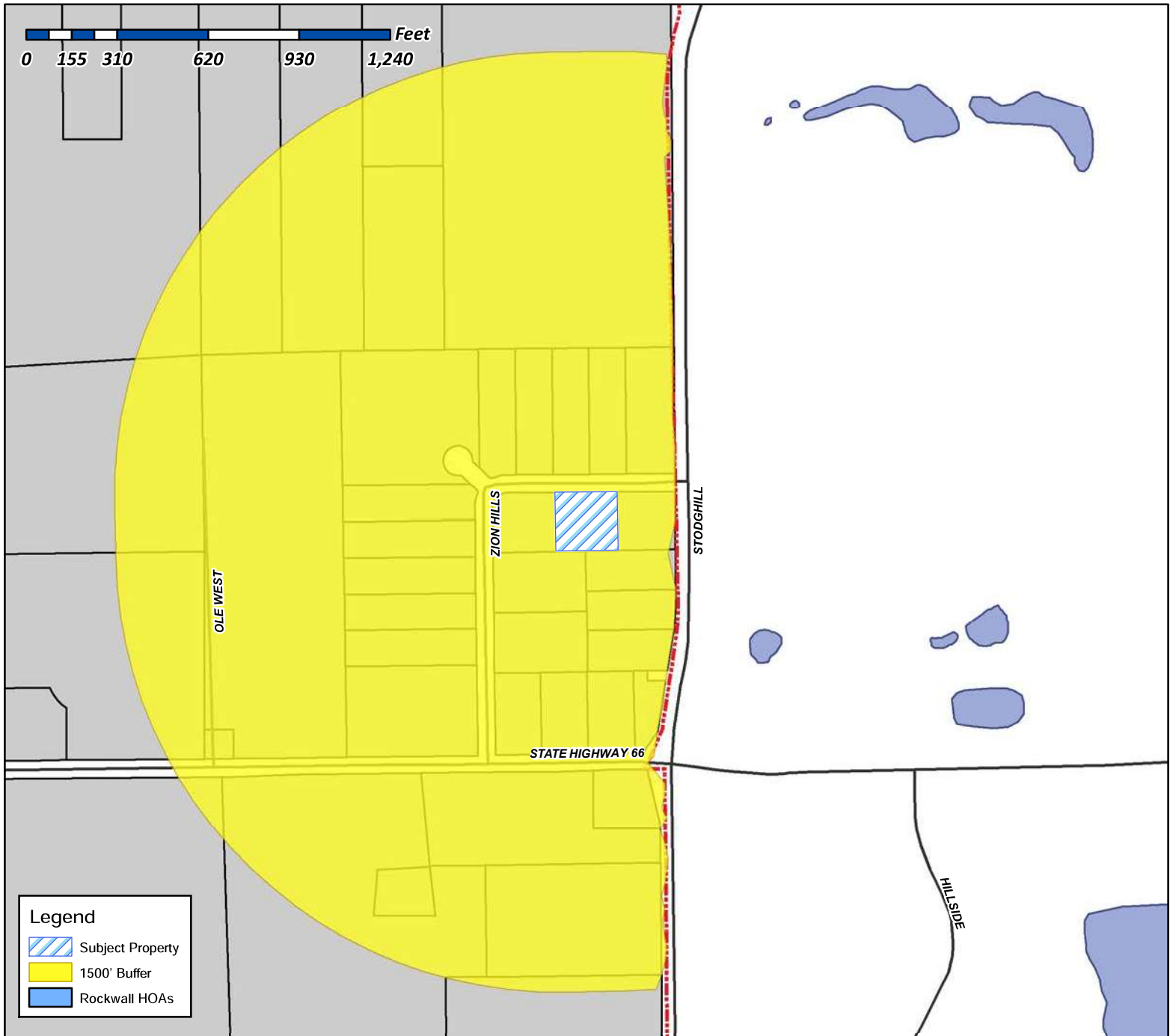
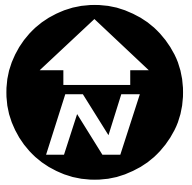




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Rockwall, Texas 75087  
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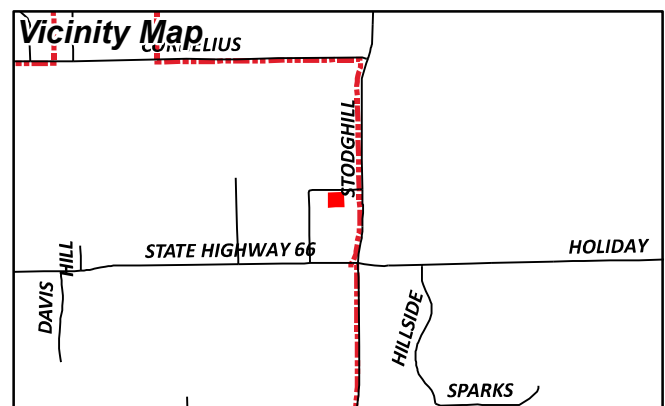
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Case Number: Z2020-016  
Case Name: SUP for 844 Zion Hill Circle  
Case Type: Zoning  
Zoning: Single-Family 1 (SF-1) District  
Case Address: 844 Zion Hill Circle

**Date Created: 4/20/2020**

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

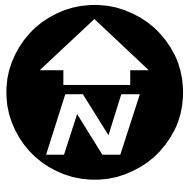




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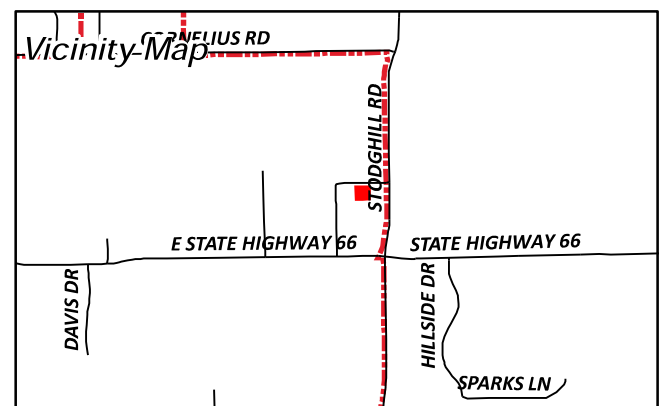
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Case Number: Z2020-016  
Case Name: SUP for 844 Zion Hill Circle  
Case Type: Zoning  
Zoning: Single-Family 1 (SF-1) District  
Case Address: 844 Zion Hill Circle

Date Created: 4/20/2020

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



CURRENT RESIDENT  
1398 FM 3549 STODGHILL #3210  
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 HWY 66  
ROCKWALL, TX 75087

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

TA LAND HOLDINGS LLC  
2897 STATE HIGHWAY 66  
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

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

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](mailto: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. Z2020-016: SUP for 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 Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) 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, 5/12/2020 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 5/18/2020 at 6:00 p.m.** Both hearings will take place virtually and be available for viewing online via "Zoom".

In compliance with CDC recommendations regarding social distancing and in accordance with state and local proclamations limiting the size of public gatherings, these meetings will be held virtually and not in person. As an interested property owner, you are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. Alternatively, you may fill out and return this form to:

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

All comments received by staff will be read into the record during each of the public hearings. Alternatively, interested parties may participate in the meeting virtually through "Zoom". For instructions on how to participate please email [Planning@rockwall.com](mailto:Planning@rockwall.com). For all questions concerning these cases or the City's new virtual meeting format, please contact the City of Rockwall Planning and Zoning Department staff at (972) 771-7745.

Your comments must be received by **5/18/2020** 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. Z2020-016: SUP for 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

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

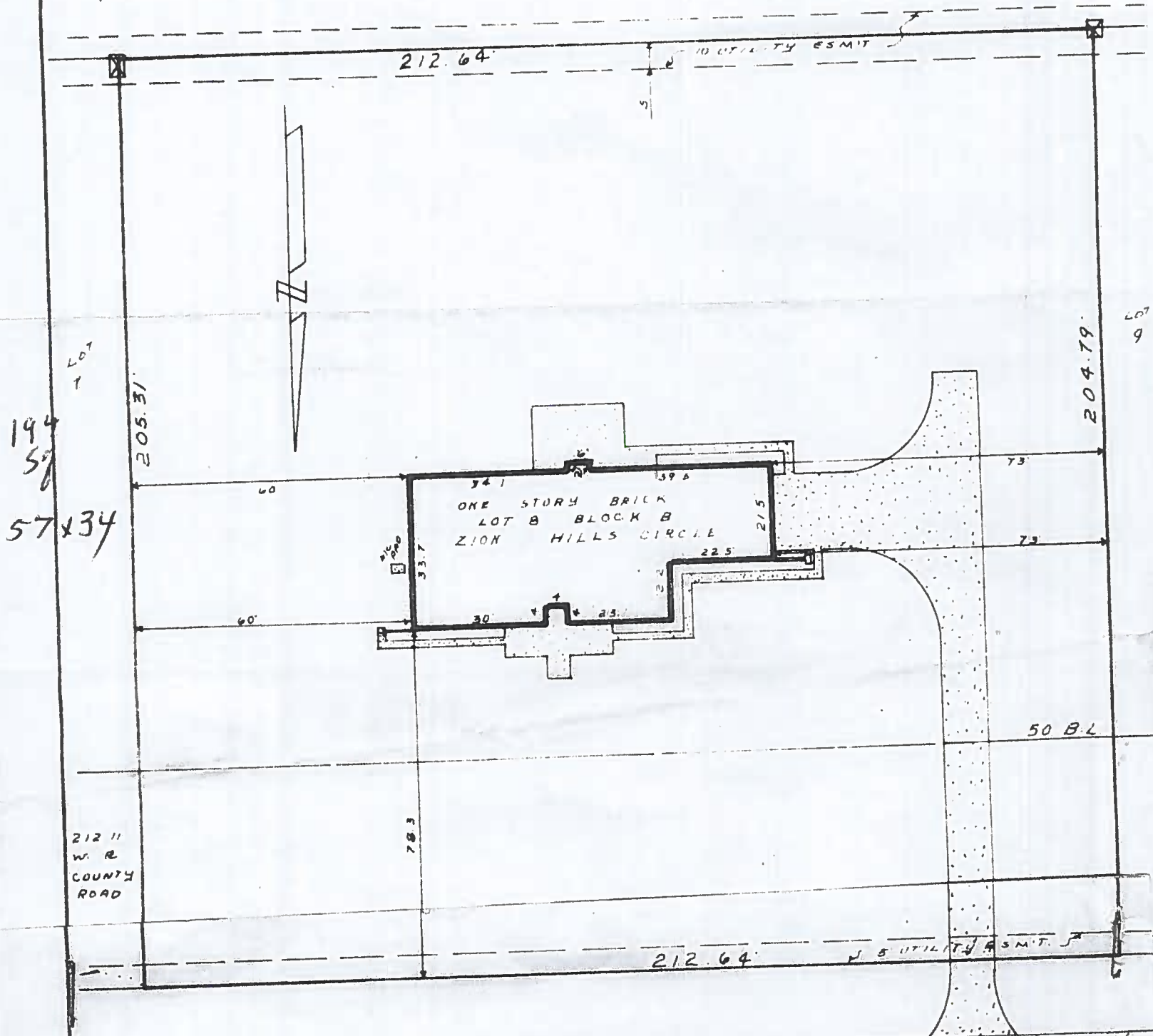
as follows:

Lot No. 8, Block No. P, City Block No. \_\_\_\_\_

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

Texas, according to the Filed plat thereof recorded in Vol. \_\_\_\_\_, at page 23 of the Plat

Map Deed Records of Rockwall County, Texas



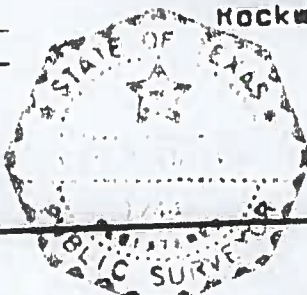
ZION HILLS CIRCLE

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

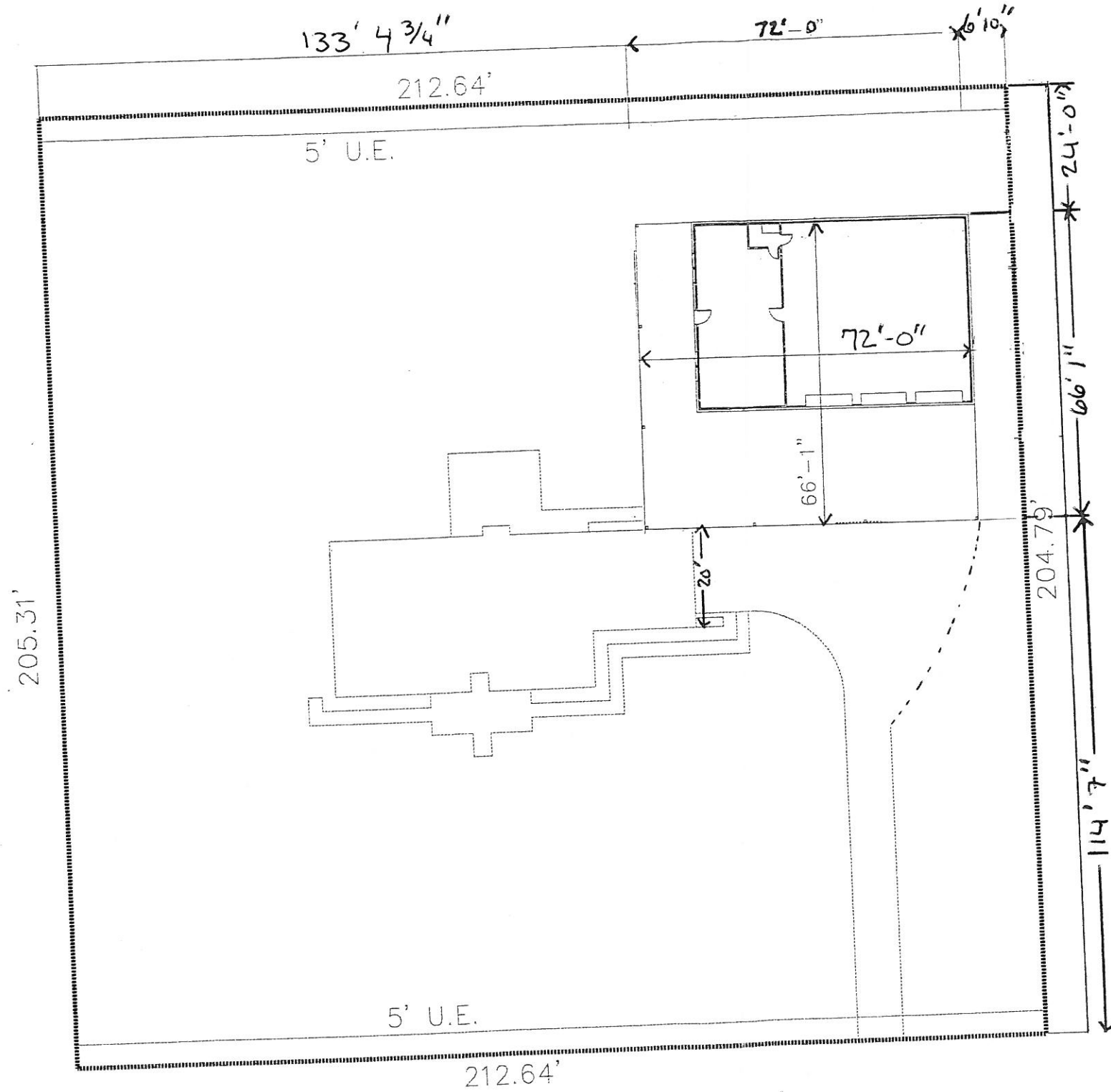
SCALE: 1" = 30'  
DATE: 5-10-79  
RE-SURVEY: \_\_\_\_\_

Bob O. Brown Land Surveyor  
302 W. 3rd St. Rockwall, Texas 75087  
Rockwall 722-3036 Dallas 226-7522



Bob O. Brown  
Registered Public Surveyor

DRAWN	CHECKED
<u>W. L.</u>	



ZION HILLS CIRCLE

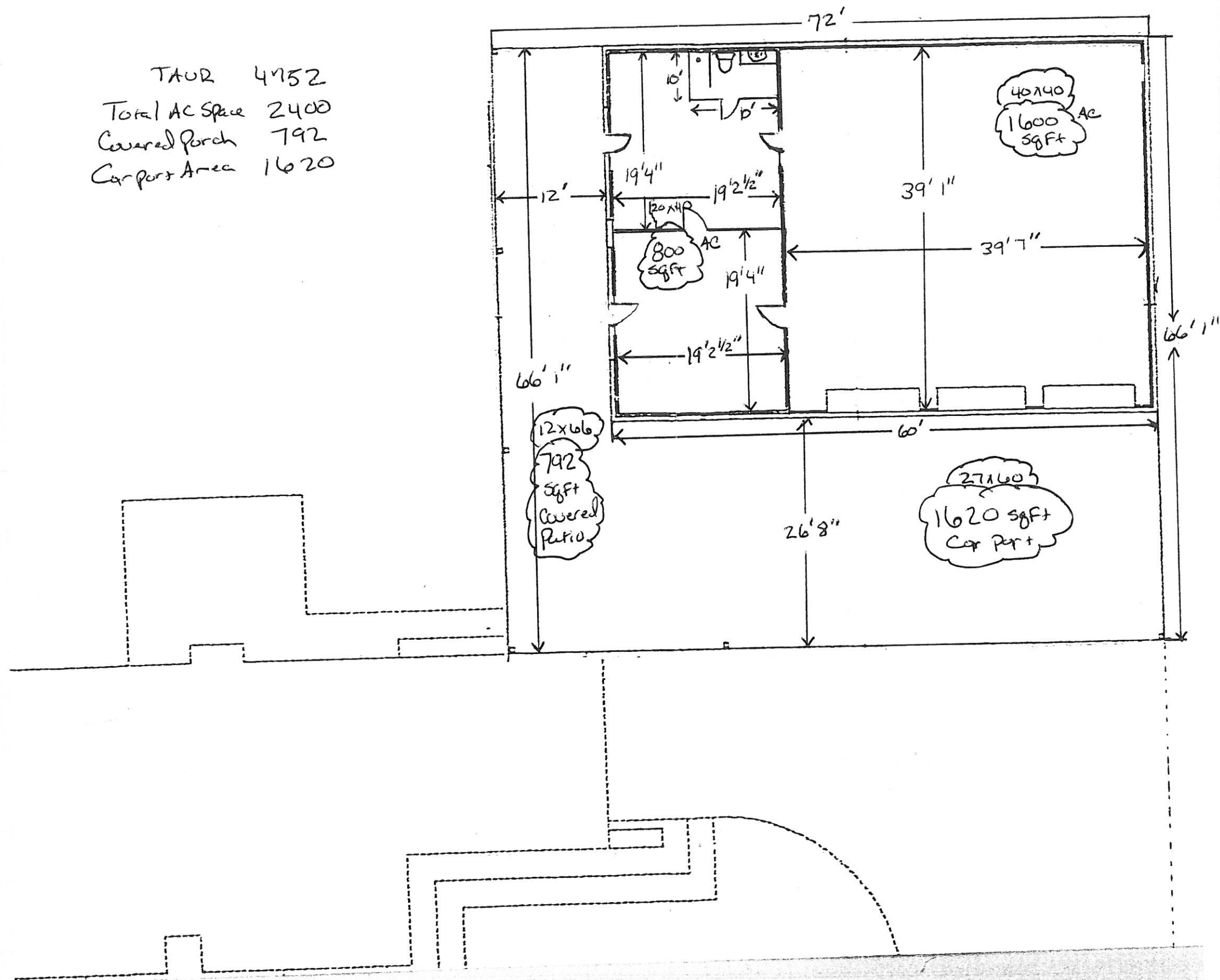
Setbacks

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 on these plans. The engineer is not responsible for the accuracy of the information provided on these plans. The engineer is not responsible for the accuracy of the information provided on these plans.

CENTERLINE  
214-563-3127

A RESIDENCE FOR THE:	
CHOCATEE	
LOT 8 / BLOCK B	
ZION HILLS CIRCLE	
ROCKWALL, TEXAS, 75087	
ISSUED DATE	7-29-13
DRAWN BY	CENTERLINE
REVISIONS	
COPYRIGHT	2013
PP	3 of 3

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



















CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A GUEST QUARTERS/SECONDARY LIVING UNIT/ACCESSORY DWELLING UNIT AND CARPORT 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, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; 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 Kris Kehrer of Titan Contractors for the approval of a Specific Use Permit (SUP) to allow a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* on a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 844 Zion Hill Circle, 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 *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport*, as stipulated by Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Section 07, *District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02], on the *Subject Property*; and,

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

in Subsection 03.01, *General Residential District Standards*, and Subsection 03.05, *Single-Family 1 (SF-1) 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 --, with the following additional conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* on the *Subject Property* and conformance to these conditions is required for continued use of the structure:

- 1) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* shall generally conform to the site plan and building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- 2) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* shall be ancillary to the existing single-family home and not be utilized for a non-residential land use.
- 3) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* shall not exceed 2,345 SF.
- 4) The *Carport* shall not be exceed 1,620 SF.
- 5) The accessory structure shall not exceed 4,755 SF in total size.
- 6) No additional accessory structures shall be permitted on the *Subject Property*.
- 7) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* shall not be sold or conveyed separately without meeting the requirements of the Unified Development Code (UDC).
- 8) The *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* and *Carport* are subject to administrative review in the event that the *Subject Property* is sold, conveyed, or altered in any manner.

## 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 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 1<sup>ST</sup> DAY OF JUNE, 2020.**

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

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

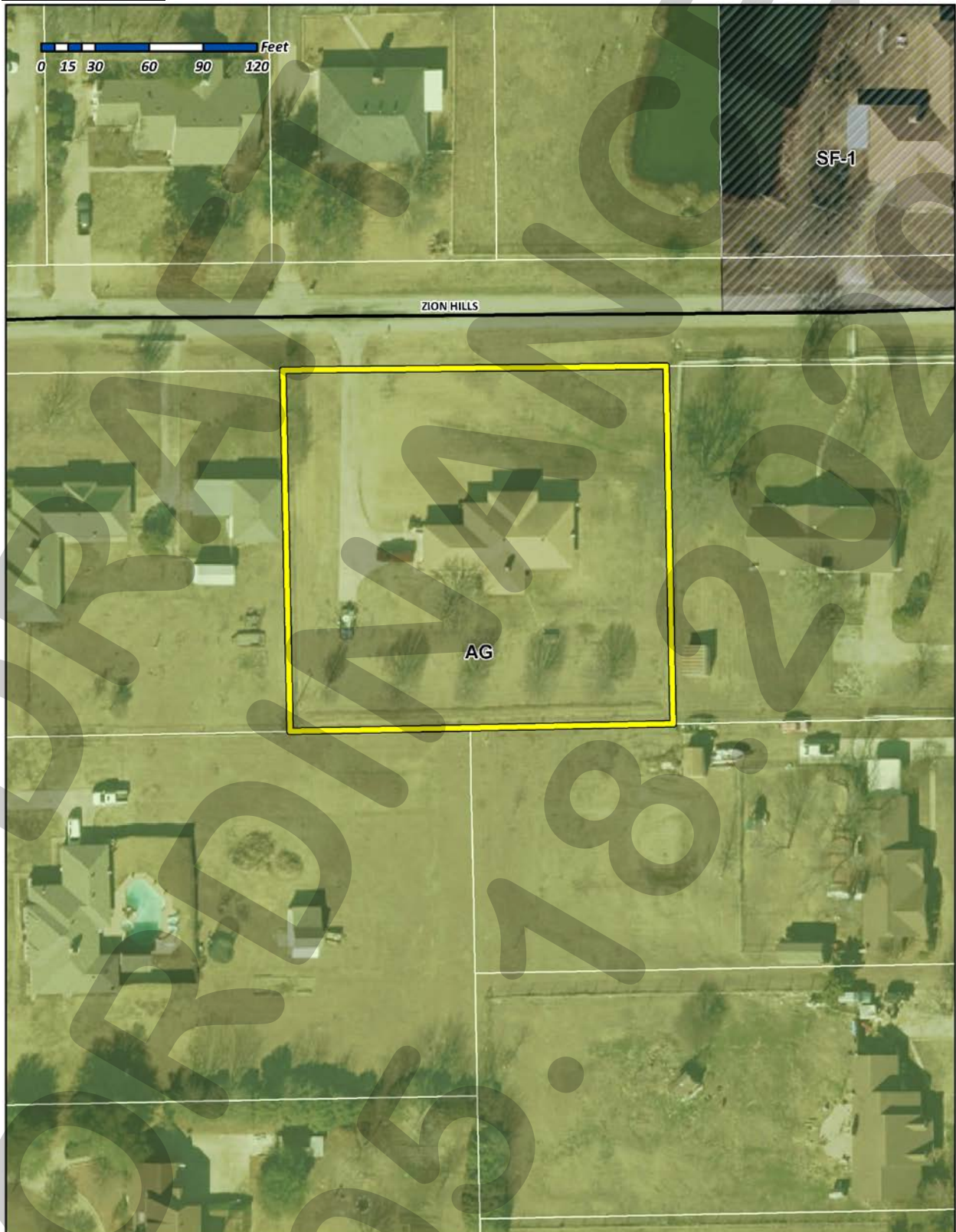
1<sup>st</sup> Reading: May 18, 2020

2<sup>nd</sup> Reading: June 1, 2020

**Exhibit 'A'**  
**Zoning Exhibit**

Address: 844 Zion Hill Circle

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



Hand-drawn floor plan of a building with dimensions and area calculations. The plan shows a rectangular building with a total width of 72' and a total depth of 66' 1". The layout includes a central corridor (19' 4" wide) and several rooms. A large room on the right is labeled '1620 sqft Car port'. A smaller room on the left is labeled '800 sqft AC'. A central room is labeled '792 sqft Covered Patio'. The plan also shows a '12x166' area and a '19' 4" x 19' 4" area. Dimensions for the rooms and corridors are provided in feet and inches.

Dimensions and Areas:

- Total Width: 72'
- Total Depth: 66' 1"
- Room 1 (Top Left): 40' x 40' AC, 1600 sqft
- Room 2 (Top Right): 27' x 60', 1620 sqft Car port
- Room 3 (Bottom Left): 19' 4" x 19' 4", 800 sqft AC
- Room 4 (Bottom Right): 12' x 166', 792 sqft Covered Patio
- Corridor: 19' 4" wide
- Other Dimensions: 39' 7", 19' 1/2", 19' 1/2", 26' 8", 12', 66' 1"

Summary of Areas:

Area	Value
TOTAL	4152
Total AC Space	2400
Covered Patio	792
Car port Area	1620

Hand-drawn floor plan of a building with dimensions and area calculations. The plan shows a rectangular building with a total width of 72' and a total depth of 66' 1". The layout includes a central corridor (19' 4" wide) and several rooms. A large room on the right is labeled '1620 sqft Car port'. A smaller room on the left is labeled '800 sqft AC'. A central room is labeled '792 sqft Covered Patio'. The plan also shows a '12x166' area and a '19' 4" x 19' 4" area. Dimensions for various sections are provided, such as 39' 7", 19' 1/2", and 26' 8".

Handwritten calculations on the left side of the plan:

Area	Value
TOTAL	4152
Total AC Space	2400
Covered Porch	792
Car port Area	1620

**Exhibit 'C'**  
*Building Elevations*



**Exhibit 'C'**  
*Building Elevations*





## **CITY OF ROCKWALL, TEXAS**

### **MEMORANDUM**

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**TO: Mayor and City Councilmembers**  
**FROM: Bethany Browning, Main Street Manager**  
**DATE: May 18, 2020**  
**SUBJECT: Rockwall Farmers Market Update – Request for Street Closure**

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The Rockwall Farmers Market was set to open Saturday, May 2 but was postponed to June 6 due to Covid-19. Farmers Market organizers have been working diligently on a plan to open the market, ensuring both vendors and patrons are comfortable and safe.

As in years past, the pop-up market will be staged in the parking areas surrounding the Historic Courthouse. In an effort to provide ample separation between vendor booths, market organizers are requesting closure of the 100 block of E. Kaufman Street during the market. Organizers have reduced the number of booths at the market this year by asking vendors offering duplicate products to alternate weeks. Even with the reduction in the number of booths, more space is needed to support the additional separation between vendors and allow for social distancing of patrons visiting the market.

City staff has discussed the street closure with Book Club Café owner Jeremy Standifer, as he is the only storefront located in this block that is open for business during the market hours. Mr. Standifer stated he supports closing E. Kaufman each Saturday through September in order to open the market. The closure will result in the loss of 12 parking spaces.

Organizers will have additional volunteers working during the month of June. Hand washing stations are required at all vendor booths. Two hand washing stations will also be set up at each end of Kaufman Street for patrons. In addition, vendors will be required to wear face masks and gloves. Customers are able to order online for pick-up. Farmers Market organizers will encourage spacing and crowd control to maintain safe distancing of all those visiting while the market is open.

Included in the packet is a layout of the downtown square showing how further social distancing can be achieved by using this additional space. The City Council is requested to consider giving permission to close the 100 block of E. Kaufman on each Saturday through September between sunrise and 1:00 PM.

The following area markets are currently in operation:

Coppell Farmers Market  
McKinney's Chestnut Square Market  
Dallas Farmers Market  
White Rock Lake Market  
Lakewood Village Farmers Market  
Cowtown Farmers Market  
Frisco Fresh Market  
Richardson Farmers Market  
The Market Place Mesquite  
Greenville Farmers Market  
Celina Friday Night Market

The markets listed above have safety precautions defined on their respective websites; related to social distancing, pre-ordering, sampling, etc. Market organizers have had extensive conversations with vendors regarding new policies related to sampling, hand-washing, masks, etc. The Rockwall Farmers Market website will be updated with applicable public information upon approval for reopening.

 Booths (25 Total)

KAUFMAN

STREET CLOSED

STREET CLOSED

Single Single Single Single Single Single Double

Single Single Single Single Single Double

Single

Single

Single

Single

Single

Single

CLOSED

Single Single Single Single Single

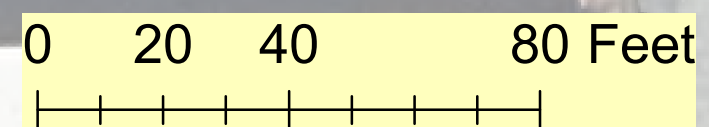
Double

CLOSED

RUSK

SAN JACINTO

All booths set 10 ft apart



PLAN A - Downtown





## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** May 18, 2020

**SUBJECT:** MIS2020-008; EXCEPTION TO THE SUBDIVISION REQUIREMENTS FOR RIVERROCK TRAILS SUBDIVISION

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### Attachments

Development Application

Applicants Letter

Concept Plan

Excerpts from the Interim Interlocal Cooperation Agreement

Excerpts from the City's Standards of Design and Construction Manual

### Summary/Background Information

On July 10, 2017, the City Council approved a boundary adjustment with the City of McClendon-Chisolm bringing approximately ~4,110.00-acres of land into the City of Rockwall's Extraterritorial Jurisdiction (ETJ) [*Ordinance No. 17-35*]. Included within this area was the ~1,225.721-acre subject property.

### PURPOSE

On May 5, 2020, the applicant -- *David Booth of DR Horton*-- submitted a request for variances to the City's *Standards of Design and Construction Manual* in accordance with the City's *Interim Interlocal Cooperation Agreement* with Rockwall County for *Subdivision Regulations* in the City's Extraterritorial Jurisdiction (ETJ). The purpose of this request is to facilitate the subdivision of ~1,225.721-acres of land situated within the City's ETJ in Rockwall County. The proposed subdivision of land will be for the Riverrock Trails Subdivision, which -- *according to the exhibit provided by the applicant* -- will consist of ~3,249 single-family lots broken up over 20 phases.

### ADJACENT LAND USES AND ACCESS

The subject property is located in between FM-550 and S. FM-548 in the City of Rockwall's Extraterritorial Jurisdiction (ETJ). The land uses adjacent to the subject property are as follows:

**North:** Directly north of the subject property is a 72.68-acre tract of land (*i.e. Tract 4 of the J. T. Spillers Survey, Abstract No. 203*), which is located within the corporate limits of the City of Rockwall. Also, north of the subject property is a 191.49-acre tract of

land (*i.e. Tract 2 of the J. T. Spillers Survey, Abstract No. 203*), which is located within the City of Rockwall's ETJ. Beyond these tracts is FM-550, which is identified as a *M4U (major collector, four [4] lane, undivided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

***South:*** Directly south of the subject property is S. FM-549, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the High Point Ranch Subdivision, which is located in Rockwall County (*i.e. it is not within any cities' ETJ*).

***East:*** Directly east of the subject property is a 1,640.897-acre tract of land (*i.e. Tract 13 of the F. Baugess Survey, Abstract No. 7*), which is located within the City of Rockwall's ETJ. Beyond this are Jones Road and S.FM-548, which are identified as *Minor Collectors* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

***West:*** Directly west of the subject property are four (4) large tracts of vacant land (*i.e. Tracts 1, 2, 3 & 4 of the F. Baugess Survey, Abstract No. 7*) followed by four (4) more large tracts of vacant land (*i.e. i.e. Tracts 1-1, 2-1, 3-1 & 4-1 of the F. Baugess Survey, Abstract No. 7*). Beyond this is Edwards Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

#### **CHARACTERISTICS OF THE REQUEST**

On April 23, 2020, the City of Rockwall and Rockwall County entered into an *Interim Interlocal Cooperation Agreement* for the review of subdivision plats in the City's Extraterritorial Jurisdiction (ETJ). According to this agreement, in reviewing subdivision plats "... the City shall enforce: [1] the subdivision procedures stipulated by Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances; [2] the standards of design and construction as outlined by the City's *Standards of Design and Construction Manual*; and [3] the subdivision regulations contained in *Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) ...*" of the *Interim Interlocal Cooperation Agreement*. The agreement goes on to allow the City Council of the City of Rockwall to grant exemptions, exceptions, or variances to the requirements of the agreement prior to the submittal of an application for a subdivision plat. In accordance with the terms of the agreement, the applicant has submitted a letter requesting two (2) variances: [1] to the City's *Standards of Design and Construction* requiring all residential subdivisions be constructed with alleyways, and [2] to the right-of-way requirements of *Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ)* of the *Interim Interlocal Cooperation Agreement*. In addition to the letter, the applicant has submitted an exhibit showing the Riverrock Trails Subdivision, which will consist of ~3,249 single-family homes broken out over 20 phases.

#### **INTERIM INTERLOCAL AGREEMENT REQUIREMENTS**

According to the Section 2.11, *Alleys and Alley Widths*, of the City's *Standards of Design and Construction*, "(a)lleys shall be provided in all residential areas ... (t)he City Council may waive this requirement where other definite and assured provisions are made for service access such as off-street loading, unloading and parking consistent with and

adequate for the uses proposed.” In this case, the applicant’s letter cites the reason for the requested variance is due to: [1] the cost of providing alleyways, [2] safety and policing concerns, and [3] the homebuyer’s preference for front entry garages. The letter goes on to state that trash and utility services will be accessible from the front of properties. It should be noted that the City Council has waived the alleyway requirements for other subdivisions in the City; however, these requests were typically done as part of a Planned Development District with lots greater than 55-feet in which applicants provided compensatory measures that could off-set the requested variance (e.g. *increasing the front setback of the house, setting the garage a minimum of 20-feet behind the front façade of the home, increasing the minimum driveway length, and ect.*). When incorporated into a Planned Development District, these compensatory measures are zoning requirements. Unfortunately, zoning requirements are not permitted to be placed on properties in the City’s Extraterritorial Jurisdiction (ETJ). This means that the City Council *cannot* condition the approval of this variance. It also means that even if a compensatory measure is proposed by an applicant, the requirement would not enforceable through the variance approval process.

The *Interim Interlocal Cooperation Agreement* incorporates requirements for the minimum right-of-way width for roadways in the City’s Extraterritorial Jurisdiction (ETJ). These requirements were incorporated from the findings contained in the *Rockwall County Thoroughfare Plan* and are summarized in Section (3)(a), *Right-of-Way*, of Exhibit ‘A’: *Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ)* of the agreement. For a standard residential street (*identified as a Local Residential, Two (2) Lane, Undivided Roadway*) a minimum of 60-feet of right-of-way is required. According to the applicant’s letter, they are requesting to reduce the right-of-way width to 50-feet. The purpose of this request is because their “...development will have curb and gutter streets with underground drainage, which can be accommodated in a 50-foot right-of-way.” Per the City’s *Standards of Design and Construction* the proposed street cross section will be required to incorporate curb and gutter with proper drainage facilities regardless of this request. The letter goes on to state that this right-of-way width is consistent with the City’s standards. The City’s standard residential street section does fit into a 50-foot of right-of-way and consists of a 29-foot *back-to-back* street section (*i.e. two [2] 14-foot lanes with curb and gutter*) with five (5) foot sidewalks and five (5) feet of parkway on either side. This street section has proven to be sufficient in residential subdivisions within the City. Staff should point out, the applicant has not indicated if these streets will be public or private in the letter submitted to staff, and that if they are to be dedicated to the public they will be maintained by Rockwall County.

According to the *Interim Interlocal Cooperation Agreement*, “(w)hen reviewing requests for exceptions or variances, the City Council should take into consideration the unique or extraordinary circumstances or hardship that prevents the developer or property owner from meeting the stated requirements.” In this case, the applicant has provided a letter outlining the requests and reasons for the requests; however, any request for a variance to the requirements of the *Interim Interlocal Cooperation Agreement* is a discretionary decision for the City Council.

#### **CONDITIONS OF APPROVAL**

As previously indicated in this case memo, the City Council *cannot* establish additional conditions above and beyond the technical requirements associated with the approval of

any variance.

**Action Needed**

The City Council is being asked to make a decision on variances to the City's *Standards of Design and Construction Manual* and the requirements of *Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ)* of the *Interim Interlocal Cooperation Agreement* being requested to plat a residential subdivision. This request will require a motion to approve or deny and passage by a simple majority vote.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 17152070-008

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

## Platting Application Fees:

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

## Site Plan Application Fees:

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

## Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☐ Specific Use Permit (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre) <sup>1</sup>

## Other Application Fees:

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

## Notes:

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

## PROPERTY INFORMATION [PLEASE PRINT]

Address 17335 WALLACE RD Rockwall Tx 75089  
Subdivision N/A Lot Block  
General Location S. FM 548 AT CR 255

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

Current Zoning N/A ETJ Current Use AG  
Proposed Zoning N/A ETJ Proposed Use SF RESIDENTIAL  
Acreage 1.237 ACRES Lots [Current] Lots [Proposed]

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

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

<input type="checkbox"/> Owner	DM DS LAND COMPANY LLC	<input checked="" type="checkbox"/> Applicant	DR HORTON - TEXAS, LTD
Contact Person	RYAN HORTON	Contact Person	DAVID BOOTH
Address	1501 ALTA DR FORT WORTH, TX 76107	Address	4306 MILLER RD RAWLETT TX 75088
City, State & Zip		City, State & Zip	
Phone	682 540 1122	Phone	214 607 4244
E-Mail	ryanhorton@gmail.com	E-Mail	dbooth@drhorton.com

## NOTARY VERIFICATION [REQUIRED]

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

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 100, to cover the cost of this application, has been paid to the City of Rockwall on this the 5<sup>th</sup> day of May, 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 5<sup>th</sup> day of May, 20 20

Owner's Signature

Notary Public in and for the State of Texas

DEVELOPMENT APPLICATION



JUDITH HOWELL  
My Notary ID # 130685542  
Expires June 2, 2024

My Commission Expires



May 5, 2020

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

Re: Variance request for RiverRock Trails as described on the property shown in attached "Exhibit A".

Dear Mr. Miller,

We are in the process of preparing a preliminary plat for the subject property and plan on submitting it to the City soon. As required by the Interim ICA between the City and County, we are requesting the following variances:

1. **Alley Requirement.** We are requesting a waiver of alleys as required by the City's subdivision ordinance. Our request to eliminate alleys is: expense in long term maintenance costs; safety and policing concerns; and homebuyer preferences of garages access from the front. We will still abide by no lot to lot drainage requirements with the elimination of alleys. Trash and utility services will be from the streets.
2. **Street Right-of-way Width.** We are requesting 50' ROW for local streets in lieu of the 60' ROW shown in the Interim ICA. Our development will have curb and gutter streets with underground drainage, which can be accommodated in a 50' right-of-way. Our street and right-of-way widths proposed are consistent with City standards.

Although not a variance request, we want confirmation the Minimum Lot Frontage on a Street requirement shown on Exhibit A, Section (C)(2), of the Interim Interlocal Agreement only applies to lots platted on an existing county road. Chapter 232.103 of the Texas Local Government Code specifically states "reasonable standards for minimum lot frontages on existing county roads". We will not have lots on existing county roads as our lots will face and access roads we build with our development. No lots within our development will face an existing county road.

Mr. Ryan Miller, AICP  
May 5, 2020  
Page 2

If there is any other information the City needs in review of our variance requests, please let us know. Submittal of these variance requests does not waive or impact our legal rights and remedies.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. L. Booth", with a long horizontal flourish extending to the right.

David L. Booth  
Land Manager  
D.R. Horton, Inc.

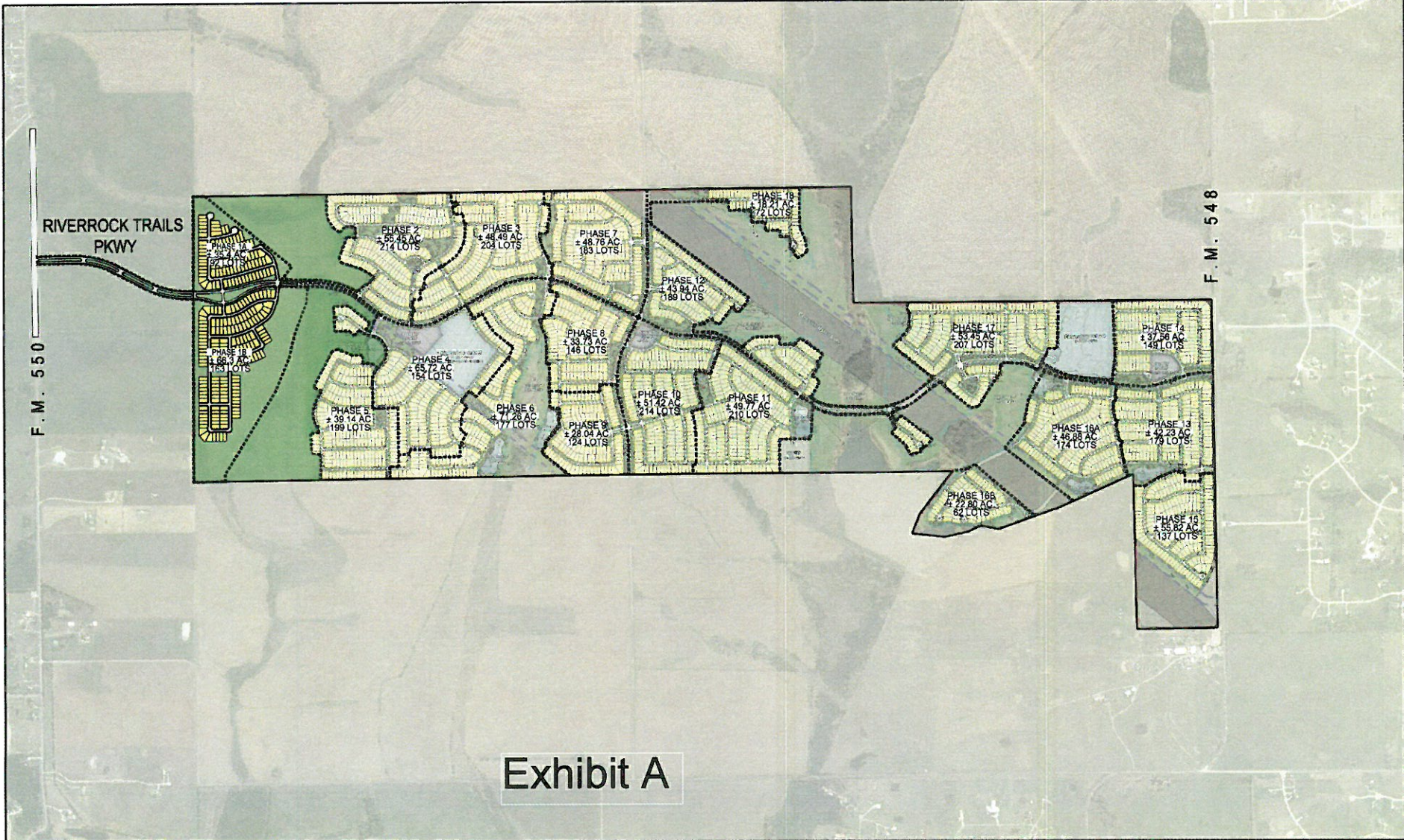


Exhibit A

- (3) Map of the City's Extraterritorial Jurisdiction (ETJ). A map of the City's Extraterritorial Jurisdiction (ETJ) as of the effective date of this Agreement is contained in Exhibit 'B': City of Rockwall's Extraterritorial Jurisdiction (ETJ) of this Agreement.

## ARTICLE 5: COUNTY AUTHORITY AND RESPONSIBILITIES.

The County agrees to the following:

- (1) Authority. The City will have the authority to approve subdivision plats and to issue related permits under Chapter 212, *Municipal Regulation of Subdivisions and Property Development*, and Chapter 232, *County Regulation of Subdivisions*, of the Texas Local Government Code within the City's Extraterritorial Jurisdiction (ETJ), pursuant to Section 242.001(d) of the Texas Local Government Code, for the purpose, unless otherwise stated in this Agreement, granting the City the exclusive jurisdiction to regulate subdivision plats and approve related permits in the City's Extraterritorial Jurisdiction (ETJ) utilizing the City's subdivision procedures, which are outlined in Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances. The County shall not accept any application requesting approval of a subdivision plat within the City's Extraterritorial Jurisdiction (ETJ) following the effective date of this Agreement. In addition, the County Clerk's Office shall not allow any plat to be filed in the City's Extraterritorial Jurisdiction (ETJ) without the City's authorization.
- (2) Comments on Subdivision Plats or Engineering Plans. Upon receipt from the City of an application and subdivision plat or engineering plans [referenced in Subsection (5); Article 6], the County may prepare and send comments (if any) to the City within ten (10) days.
- (3) On-Site Sewage Facilities (OSSF). The County retains exclusive jurisdiction to administer and enforce the County's on-site sewage facility (OSSF) regulations on property in the City's Extraterritorial Jurisdiction (ETJ); provided that the County reject as incomplete any application for an on-site sewage facility (OSSF) that is not accompanied by an approved subdivision plat or a statement from the City that a subdivision plat is not required for the development of a property.
- (4) Floodplain. The County will continue to be responsible for the enforcement of floodplain within the City's Extraterritorial Jurisdiction (ETJ) in accordance with the County's Flood Damage Prevention Order; however, any plans or subdivision plats submitted to the City for review and approval shall be required to meet the City's *Standards of Design and Construction* manual.
- (5) Public Improvements. The County will continue to be responsible for accepting all public improvements that are located in the City's Extraterritorial Jurisdiction (ETJ), and that will be maintained by the County. The dedication and acceptance of any public improvements by the County shall adhere to the County's *Road Acceptance Procedures* as set forth in the County's *Subdivision Rules and Regulations* and as stipulated by Section (C)(3)(b) of Exhibit A: *Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of this Agreement*.

## ARTICLE 6: CITY AUTHORITY AND RESPONSIBILITIES.

The City agrees to the following:

- (1) Authority. For properties requesting approval of a subdivision plat in the City's Extraterritorial Jurisdiction (ETJ), the City shall enforce: [1] the subdivision procedures stipulated by Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances; [2] the standards of design and construction as outline by the City's *Standards of Design and Construction Manual*; and [3] the subdivision regulations contained in Exhibit A: *Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of this Agreement*.

- (2) Subdivision Regulations. The City and County agree that the subdivision regulations contained in *Exhibit A: Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of this Agreement* shall be applied exclusively in the review of subdivision plats in the City's Extraterritorial Jurisdiction (ETJ). Should the City or County desire to amend the subdivision regulations contained in this Agreement, the two (2) entities will cooperate to determine if changes are necessary, and will adopt changes agreed upon by both entities through their respective governing bodies.
- (3) Subdivision Construction Plan Review. The City's Engineering Department shall be responsible for the review and approval of all subdivision construction plans (e.g. *engineering and/or civil plans*) in accordance with the requirements of this Agreement. All costs shall be accrued in accordance with the City's Engineering Department's standard fees. Any cost incurred through the review of the subdivision construction plans shall be the responsibility of the developer and/or property owner (i.e. *the applicant*).
- (4) Dedication of Right-of-Way. The City agrees to require developers to dedicate public right-of-way pursuant to the Rockwall County Thoroughfare Plan and the requirements of *Exhibit A: Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of this Agreement -- in existence at the time of the effective date of this Agreement and as may be amended in the future --* subject to applicable constitutional and statutory limitations for subdivision plats. When it appears to the City that a right-of-way dedication requirement [1] may exceed an applicable constitutional or statutory requirement or [2] if there is a conflict between the Rockwall County Thoroughfare Plan and the City's Master Thoroughfare Plan, the City will notify the County of the discrepancy. The City and County will cooperate to determine the extent of the right-of-way dedication to be requested, or establish an alternative method of securing the necessary right-of-way.
- (5) Proportionality Appeals. When a proportionality appeal is requested by a developer or property owner, the City -- *in consultation with the County* -- will make an initial determination of proportionality in accordance with the requirements for proportionality appeals stipulated by Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances.
- (6) Notification of Application for a Subdivision Plat or Engineering Plans. The City will notify the County upon receiving an application for the approval of a subdivision plat or engineering plans by sending a digital copy of the application and the subdivision plat or engineering plans to the County within ten (10) days of acceptance.
- (7) Approval or Denial of a Subdivision Plat or Engineering Plans. The City shall contact the County concerning the status of a subdivision plat or engineering plans no later than 15-days after the City Council acts on a subdivision plat or staff takes administrative action on engineering plans. If a subdivision plat is approved and subsequently filed by the City, then the City shall provide the County with [1] two (2) copies of the signed and filed mylars and [2] a digital file of the subdivision plat tying it to a minimum of two (2) GPS points in a County approved digital format within ten (10) working days.
- (8) Exemptions, Exceptions, or Variances to the Subdivision Regulations. If requested by a developer or property owner -- *and prior to accepting an application for a subdivision plat or engineering plans* -- , the City shall bring any request for an exemption, exception, or variance to the standards contained in [1] the City's *Standards of Design and Construction* manual, [2] Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, or [3] *Exhibit A: Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of this Agreement* before the City Council for review and action. If an application for a subdivision plat or engineering plans is submitted and accepted, and it is determined -- *through review* -- by the City's Engineering Department and/or Planning and Zoning Department that the subdivision plat will require an exception and/or a variance, then the subdivision plat shall be denied and the applicant will be required to follow the procedures outlined in this section. The denial of an application will not require the City or County to refund any application fees or costs incurred through the review of the subdivision plat.

If a developer or property owner submits a request for an exemption, exception, or variance, the City shall provide

a written recommendation to the City Council prior to the Council's review and subsequent action on the request. When reviewing requests for exceptions or variances, the City Council should take into consideration the unique or extraordinary circumstance or hardship that prevents the developer or property owner from meeting the stated requirement. When reviewing requests for exemptions, the City Council should take into consideration the exceptions allowed under Section 232.0015, *Exemptions to Plat Requirements*, of the Texas Local Government Code and the exemptions listed under Subsection (D), *Exemptions*, of Exhibit A: *Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of this Agreement*.

- (9) *Inspections*. The County shall be responsible for designating a chosen third-party inspector that will be responsible for the inspection and approval over public improvements within the right-of-way and/or public easements for all construction projects subject to the terms of this *Agreement*. The third-party inspector may issue a stop-work order if the applicable construction standards are not being met, or as deemed necessary by the City and/or County. The third-party inspector shall submit *as-built* drawings and provide notice to both the City and the County when construction of all public improvements have been completed. The developer and/or property owner (*i.e. the applicant*) shall be responsible for all cost incurred by the County's third-party inspector. The City shall be responsible for collecting all costs incurred and compensating the third-party inspector on behalf of the County.

## ARTICLE 7: GENERAL PROVISIONS.

- (1) *General Administration*. The City and County shall be responsible for designating their respective representatives to generally administer the requirements of this *Agreement*.
- (2) *Alteration, Amendment, and/or Modification*. This *Agreement* may not be altered, amended, and/or modified unless both the City or County notify the other entity in writing and both entities agree to the alteration, amendment, and/or modification.
- (3) *Notice*. All notices sent pursuant to the requirements of this *Agreement* shall be in writing and must be sent by registered or certified mail, postage prepaid, by hand delivery, or commercial delivery service. Notices sent pursuant to this *Agreement* will be sent to the following:

*Rockwall County Judge's Office*

Rockwall County Judge  
Rockwall County Judge's Office  
101 Rusk Street, Room 202  
Rockwall, Texas 75087

*City Manager's Office*

City Manager  
City of Rockwall  
385 S. Goliad Street  
Rockwall, Texas 75087

*Note*: When notices sent pursuant to this *Agreement* are mailed via registered or certified mail, notices shall be deemed effective three (3) days after deposit in a US mailbox or at a US post office.

- (4) *Severability*. If any provision of this *Agreement* is found to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability will not affect the remaining provisions of the *Agreement*.
- (5) *Breach*. The failure of either party to comply with the terms and conditions of this *Agreement* will constitute a breach of this *Agreement*. Either the City or County will be entitled to any and all rights and remedies allowed under the State of Texas law for any breach of this *Agreement* by the other entity.

**Exhibit 'A':**  
*Subdivision Regulations for Review of Plats in the  
 Extraterritorial Jurisdiction (ETJ) of the City*

Lot Size <sup>1</sup>	Equation	Frontage
Lots One (1) Acre or Less <sup>2</sup>	$X \leq 1\text{-AC}$	80'
Lots Greater Than One (1) Acre but Less Than Three (3) Acres	$1\text{-AC} < X < 3\text{-AC}$	150'
Lots Three (3) Acres or More but Less Than Five (5) Acres	$3\text{-AC} \leq X < 5\text{-AC}$	200'
Lots Five (5) Acres or More but Less Than Ten (10) Acres	$5\text{-AC} \leq X < 10\text{-AC}$	300'
Lots Ten (10) Acres or Greater	$X \geq 10\text{-AC}$	450'

**Notes:**

<sup>1</sup>: On curvilinear lots, the lots size shall be measured by the cord length along a curve.

<sup>2</sup>: In cul-de-sacs the minimum lot frontage may be equal to 80-feet.

(3) Streets and Roadways.

(a) Right-of-Way. Street and road right-of-way shall conform to the Rockwall County Thoroughfare Plan, which is summarized as follows:

Roadway Classification	Cross Section	Right-of-Way <sup>1 &amp; 2</sup>
<b>Local</b>	<b>Residential, Two (2) Lanes, Undivided, Roadway</b>	<b>60'</b>
Collector	Rural, Two (2) Lanes, Undivided, Roadway	60'
Collector	Urban, Two (2) Lanes, Undivided, Roadway	60'
Collector	Rural, Three (3) Lanes, Undivided, Roadway	65'
Collector	Urban, Three (3) Lanes, Undivided, Roadway	80'
Minor Arterial	Rural, Two (2) Lanes, Undivided, Roadway	65'
Minor Arterial	Urban, Three (3) Lanes, Undivided, Roadway	80'
Minor Arterial	Rural, Four (4) Lanes, Undivided, Roadway	100'
Minor Arterial	Urban, Four (4) Lanes, Undivided, Roadway	100'
Minor Arterial	Rural, Four (4) Lanes, Divided, Roadway	100'
Principal Arterial	Rural, Two (2) Lanes, Divided Roadway	100'
Principal Arterial	Rural, Four (4) Lanes, Divided Roadway	100'
Principal Arterial	Urban, Four (4) Lanes, Divided Roadway	120'
Principal Arterial	Rural, Six (6) Lanes, Divided Roadway	120'
Principal Arterial	Urban, Six (6) Lanes, Divided Roadway	120'

**Notes:**

<sup>1</sup>: Private streets shall be subject to the same right-of-way and classification requirements as public streets.

<sup>2</sup>: In accordance with Sec. 232.003(1) & Sec. 232.003(2) of the TLGC, a maximum of 100' of right-of-way will be required on a main artery for a subdivision and 70' for all other roads in a subdivision.

(b) Street and Roadway Acceptance. Once a street or roadway construction project has been completed, the developer shall be responsible for notifying the City's Engineering Department and the County in writing. All conditions of the final plat must be met. Acceptance of streets and alley improvements shall be evidence of approval by the City's Engineering Department and by an instrument approved by the Rockwall County Commissioner's Court in accordance with the Rockwall County *Subdivision Rules and Regulations*.

(4) Adequate Public Utilities/Facilities. It shall be the responsibility of the developer or applicant to ensure that all easements are of the proper width and location to serve the appropriate utility companies. In addition, the following documentation will be required for subdivision plats:

(a) Preliminary Plats. The developer shall submit preliminary plans for the provision of adequate public utilities (*i.e. water, wastewater, and drainage*) necessary to serve the property. In addition, the developer shall submit the following:

Planning Director or City Engineer. When such access is needed to maintain permanent City owned utilities, the roadway will be an improved right-of-way. If the utilities are temporary, an improved easement may be approved.

## 2.10 Dead End Streets, Cul-de-Sacs and Courts

Cul-de-sacs are permitted and encouraged within residential subdivisions. Use of this design shall provide proper access to all lots and shall not exceed six hundred (600) feet in length, measured from the center of the cul-de-sac to the center of the intersecting street (not a dead end street). Cul-de-sac shall have a minimum paving radius of forty-seven and half (47 ½) feet and a minimum right-of-way radius of fifty-seven and half (57 ½) feet. Specific aspects of the standard cul-de-sac design are given in Figure 2.1C. In lieu of the typical design shown, the City may approve alternative concepts for a specific application.

## 2.11 Alleys and Alley Widths

Alleys shall be provided in all residential areas and shall be paved with steel reinforced concrete. No alley may be over 1,000 feet long. The City Council may waive the residential alley requirement, if it is in the best interest of the City. Alleys may be required in commercial and industrial districts. The City may waive this requirement where other definite and assured provisions are made for service access such as off-street loading, unloading and parking consistent with and adequate for the uses proposed. The minimum right-of-way width of an alley shall be twenty (20) feet. Dead-end alleys shall not be permitted. The City may waive this requirement where such dead-end alleys are unavoidable and where adequate turnaround facilities have been provided. Adequate provisions shall be made at all intersections in order that equipment, such as garbage collection vehicles and maintenance vehicles, can maneuver the corners. The interior edge of the pavement, at the corners, shall have a minimum radius of thirty (30) feet. The exterior edge of the pavement, at the corners, shall have a minimum radius of twenty (20) feet. The alley paving is to be flared at the street intersection. The right-of-way limits shall be expanded, if necessary, beyond the minimum requirement in order to include all of the paved section and utilities within the right-of-way of the alley. Alley turnouts shall be paved to the property line and shall be fifteen (15) feet wide at that point. All alleys shall have a minimum of twelve (12) feet of steel reinforced paved concrete roadway. Alley shall have a minimum thickness of seven (7) inches on the exterior edges and five (5) inches in the center sections.

## 2.12 Street Grades

Arterial streets may have a maximum grade of seven and one-half (7 ½) percent, for a maximum continuous distance of two hundred (200) feet. Collector streets may have a maximum grade of seven and one-half (7 ½) percent. Residential streets may have a maximum grade of ten (10) percent, unless otherwise



## **MEMORANDUM**

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Kristy Cole

**DATE:** May 18, 2020

**SUBJECT:** ORDINANCE PROHIBITING PARKING IN TECH PARK

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### **Attachments**

Frank Garza E-mail  
Ordinance (1st Reading)

### **Summary/Background Information**

This ordinance went for first reading at the last council meeting, and it received unanimous approval. However, thereafter, Phil Wagner of the REDC contacted staff to say he would like Council to consider including language within the ordinance that will provide an exemption for construction-related parking. City Attorney, Frank Garza has indicated that if the Council agrees to include said prohibition, appropriate language may be added to the ordinance between first and second reading. So I am placing the draft ordinance in the packet for FIRST reading at the May 18, 2020 meeting.

Staff will be available to answer any questions Council may have Monday evening.

### **Action Needed**

Council is asked to consider the possibility of adding language to the draft ordinance to create an exemption for construction-related parking.

**Cole, Kristy**

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**Subject:** FW: Draft Ord.

**From:** Frank Garza  
**Sent:** Friday, May 15, 2020 4:28 PM  
**To:** Cole, Kristy <KCole@rockwall.com>  
**Cc:** Smith, Mary <MSmith@rockwall.com>  
**Subject:** RE: Draft Ord.

Kristy

The more I think about it, the caption from the last meeting should not change because its going for the second reading. However, if staff and EDC want to move forward with the construction exception, then here is the proposed caption:

Discuss and consider an ordinance amending the Code of Ordinances in Ch. 26 "Motor Vehicles & Traffic," Article VII. "Stopping, Standing or Parking," Section 26-505 "Prohibited in Specific Places" to include the prohibition of parking in the Rockwall Technology Park, including on Corporate Crossing and streets in the vicinity of Discovery Boulevard and to allow for an exception during construction of construction vehicles, and take any action necessary. (1<sup>st</sup> Reading)

So Council will have the option to adopt without the exception and it will go into effect since it will be the second reading. If Council wants to adopt this exception, it will be the first reading and will have to come back with the specific language to the exception for the second reading.

Francisco J. Garza



[www.dtrglaw.com](http://www.dtrglaw.com)

## CITY OF ROCKWALL

### ORDINANCE NO. 20-19

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE MUNICIPAL CODE ORDINANCES OF THE CITY OF ROCKWALL, BY AMENDING SECTION 26-505, *PROHIBITED IN SPECIFIC PLACES*, OF ARTICLE VII, *STOPPING, STANDING OR PARKING*, OF CHAPTER 26, *MOTOR VEHICLES AND TRAFFIC*, TO INCORPORATE ADDITIONAL STREETS SUBJECT TO PROHIBITED PARKING AS DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Rockwall Economic Development Corporation (REDC) has requested the City Council of the City of Rockwall, Texas incorporate no parking on the streets in the Rockwall Technology Park (*i.e. Discovery Boulevard, Innovation Drive, Observation Trail, Science Place, Technology Way, Research Circle, Data Drive, Capital Boulevard, Springer Road, and Corporate Crossing*) which are more specifically depicted in *Exhibit 'A'* of this ordinance and incorporated by reference herein; and,

**WHEREAS**, the City of Rockwall, Texas, a *Home Rule City*, by State Law and the City's Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and,

**WHEREAS**, the City has exclusive control and power over the streets, alleys, and public grounds and highways of the City pursuant to Transportation Code §311.001, as it may be amended; and,

**WHEREAS**, the City Council of the City of Rockwall, Texas has directed staff to prepare an ordinance establishing prohibited parking limits on the streets in and adjacent to the Rockwall Technology Park;

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

**SECTION 1. Findings.** The recitals are hereby found to be true and correct and are hereby incorporated as part of this Ordinance.

**SECTION 2.** That the Section 26-505, *Prohibited in Specified Places*, of Article VII, *Stopping, Standing or Parking*, of Chapter 26, *Motor Vehicles and Traffic*, of the Code of Ordinances be hereby amended to henceforth to read in its entirety as follows:

#### ***SECTION 26-505: Prohibited in specified places***

(a) An operator may not stop, stand, or park a vehicle:

- (1) On the roadway side of a vehicle stopped or parked at the edge or curb of a street;
- (2) On a sidewalk;
- (3) In an intersection;
- (4) On a crosswalk;
- (5) Between a safety zone and the adjacent curb or within 30 feet of a place on the curb immediately opposite the ends of a safety zone, unless the governing body of a municipality designates a different length by signs or markings;
- (6) Alongside or opposite a street excavation or obstruction if stopping, standing or parking the vehicle would obstruct traffic;
- (7) On a bridge or other elevated structure on a highway or in a highway tunnel;
- (8) On a railroad track;
- (9) Where an official sign prohibits stopping;
- (10) On Clark Street, between Williams and E. Boydston, or Fannin Street, between Washington and E. Boydston, except within the parking niches outside the main roadway lanes;

- (11) On either side of Summer Lee Drive from FM 740 (Ridge Road) west to the western right-of-way line of Bourbon Street Circle; or
  - (12) On either side of Springer Road, Corporate Crossing, Discovery Boulevard, Data Drive, Capital Boulevard, Research Circle, Observation Trail, Science Place, Technology Way, and Innovation Drive.
- (b) All emergency vehicles shall be exempt from the restrictions set forth in subsection (a) of this section. Emergency vehicles shall include ambulances, fire trucks and equipment, paramedic vehicles, police vehicles and all governmental vehicles used for necessary governmental purposes.
- (c) The City Manager or his designee shall provide for appropriate notice and signage for the parking restrictions as contained in this section. The City Manager or his designee shall also be authorized to issue citations and perform other enforcement provisions in accordance with this chapter.
- (d) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

**SECTION 3.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict;

**SECTION 4.** That 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 5.** That 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 6.** That this ordinance shall take effect immediately from and after its publication of the caption of said ordinance as the law in such cases provides and upon the installation of signs designating the Two Hour Parking Limitation. .

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1st DAY OF JUNE, 2020.**

\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, City Secretary

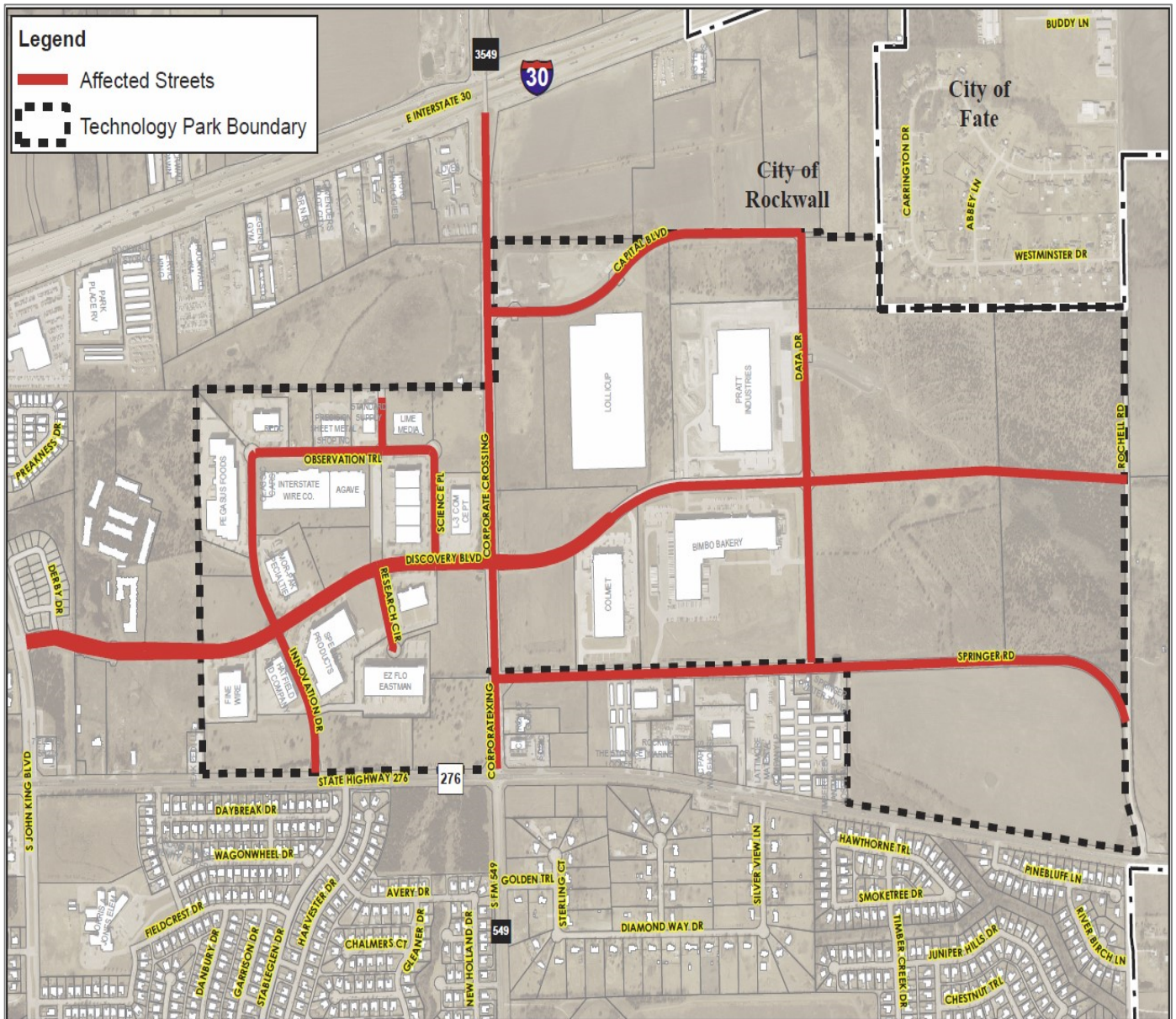
**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: 05/18/2020

2<sup>nd</sup> Reading: 06/01/2020

**Exhibit 'A'**  
Location Map of Affected Streets



**CITY OF ROCKWALL**

**ORDINANCE NO. 20-15**

**SPECIFIC USE PERMIT NO. S-218**

**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 FURTHER AMEND THE ZONING MAP TO ADOPT A SPECIFIC USE PERMIT (SUP) WITHIN A LIGHT INDUSTRIAL (LI) DISTRICT ALLOWING FOR A *NEW AND/OR USED INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM* ON A 11.153-ACRE PARCEL OF LAND IDENTIFIED AS LOT 9, BLOCK D, ROCKWALL TECHNOLOGY PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has received a request from Brian Parsons on behalf of Jeff Fleming of J. R. Fleming Investments for the approval of a Specific Use Permit (SUP) to allow for a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* to be located on an 11.153 acre parcel of land identified as Lot 9, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2635 Observation Trail, Suite 110, and more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*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 [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for an *Indoor Motor Vehicle Dealership/Showroom* within a Light Industrial (LI) District, as stipulated by Subsection 02.03.H.5, *Auto and Marine-Related Land Uses*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] for the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit shall be subject to the conditions set forth in Subsection 02.03.H.5, *Auto and Marine-Related Land Uses*, of Article 04, *Permissible Uses*, and Subsection 05.01, *General Industrial District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, and shall be subject to the following additional conditions:

**2.1 OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* on the *Subject Property*, and conformance to these operational conditions is required for continued operations:

- (1) The area designated for a *New and/or Used Indoor Motor Vehicle Dealership/Showroom* shall be restricted to Suite 110 (*i.e. ~10,000 SF*) of 2635 Observation Trail as depicted in Exhibit 'B' of this ordinance; and,
- (2) The sales/storage facility must be in a completely enclosed building; and,
- (3) Outside display and/or storage of vehicles shall be prohibited. This includes storing vehicles under canopies/awnings or similar covered structures; and,
- (4) All activities shall remain inside the building (*i.e. no detailing, washing, sales activities, etcetera shall be performed outside the building*); and,
- (5) Accessory uses may be allowed in compliance with the *Land Use Schedule* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC); and,
- (6) The *New and/or Used Indoor Motor Vehicle Dealership/Showroom* shall be restricted to the sale of motor vehicles only (*i.e. cars and/or light trucks*); and,
- (7) The subject property shall comply with all standard of the City of Rockwall Fire Department for such use.

## 2.2 COMPLIANCE

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

- 1) Upon obtaining or maintaining a Certificate of Occupancy (CO), should any business or establishment 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).

**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 18<sup>TH</sup> DAY OF MAY, 2020.**

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Jim Pruitt, Mayor

**ATTEST:**

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Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

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Frank J. Garza, City Attorney

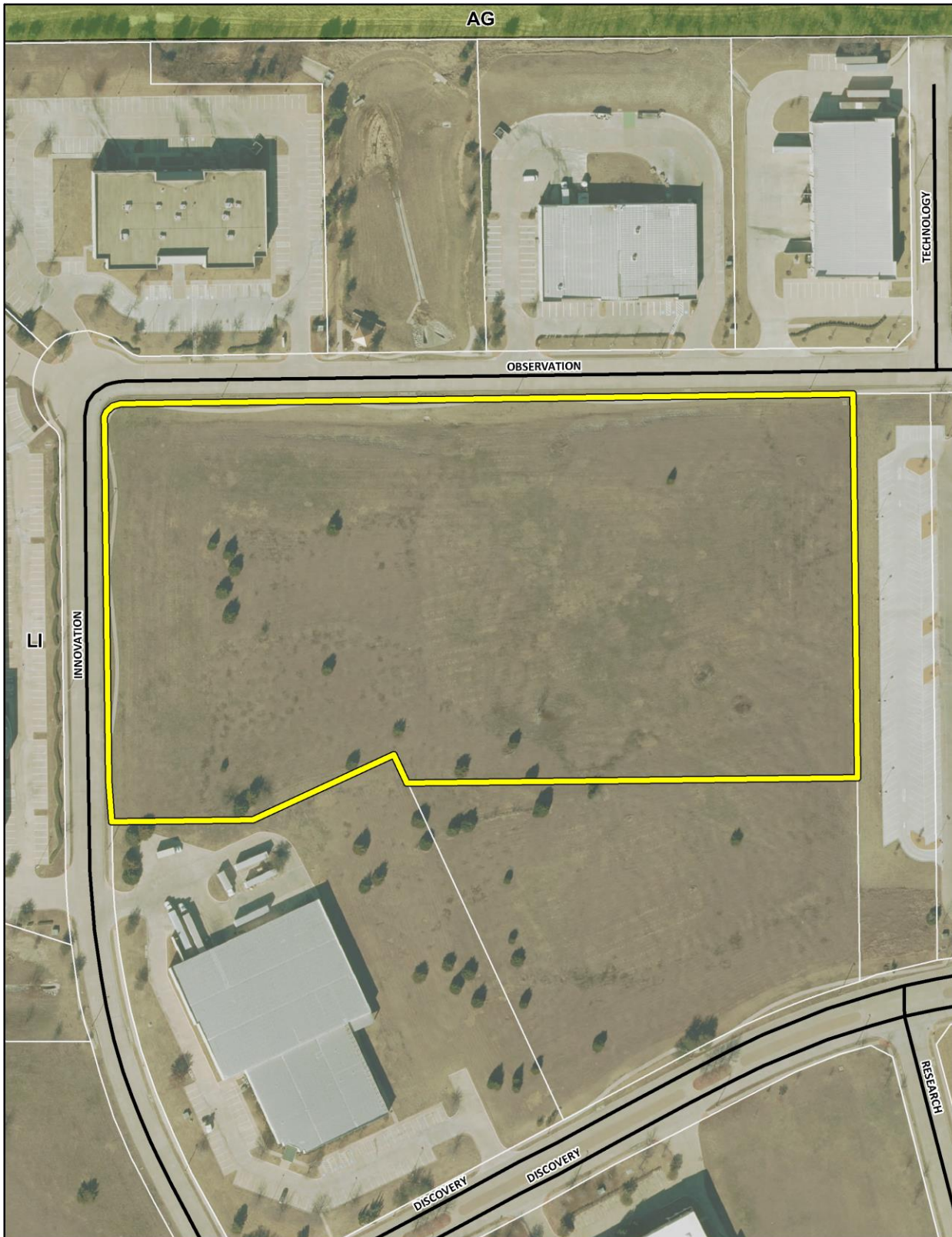
1<sup>st</sup> Reading: May 4, 2020

2<sup>nd</sup> Reading: May 18, 2020

**Exhibit 'A':**  
**Zoning Exhibit**

Location: 2635 Observation Trail

Legal Description: Lot 9, Block D, Technology Park Addition



[illegible]

CITY OF ROCKWALL

ORDINANCE NO. 20-16

SPECIFIC USE PERMIT NO. S-219

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.28-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 17, BLOCK B, LAKERIDGE PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Edwin Echols for the approval of a Specific Use Permit (SUP) to allow an *Accessory Building* that exceeds the maximum allowable size on a 0.28-acre parcel of land being described as Lot 17, Block B, Lakeridge Park Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 204 Lakehill Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- 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 an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 340 SF.
- (3) The *Accessory Building* shall not exceed an overall height of 18-feet.
- (4) The subject property shall not have more than one (1) accessory building.

## **2.2. COMPLIANCE**

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

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

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18<sup>TH</sup> DAY OF MAY, 2020.**

---

Jim Pruitt, Mayor

**ATTEST:**

---

Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

---

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: May 4, 2020

2<sup>nd</sup> Reading: May 18, 2020

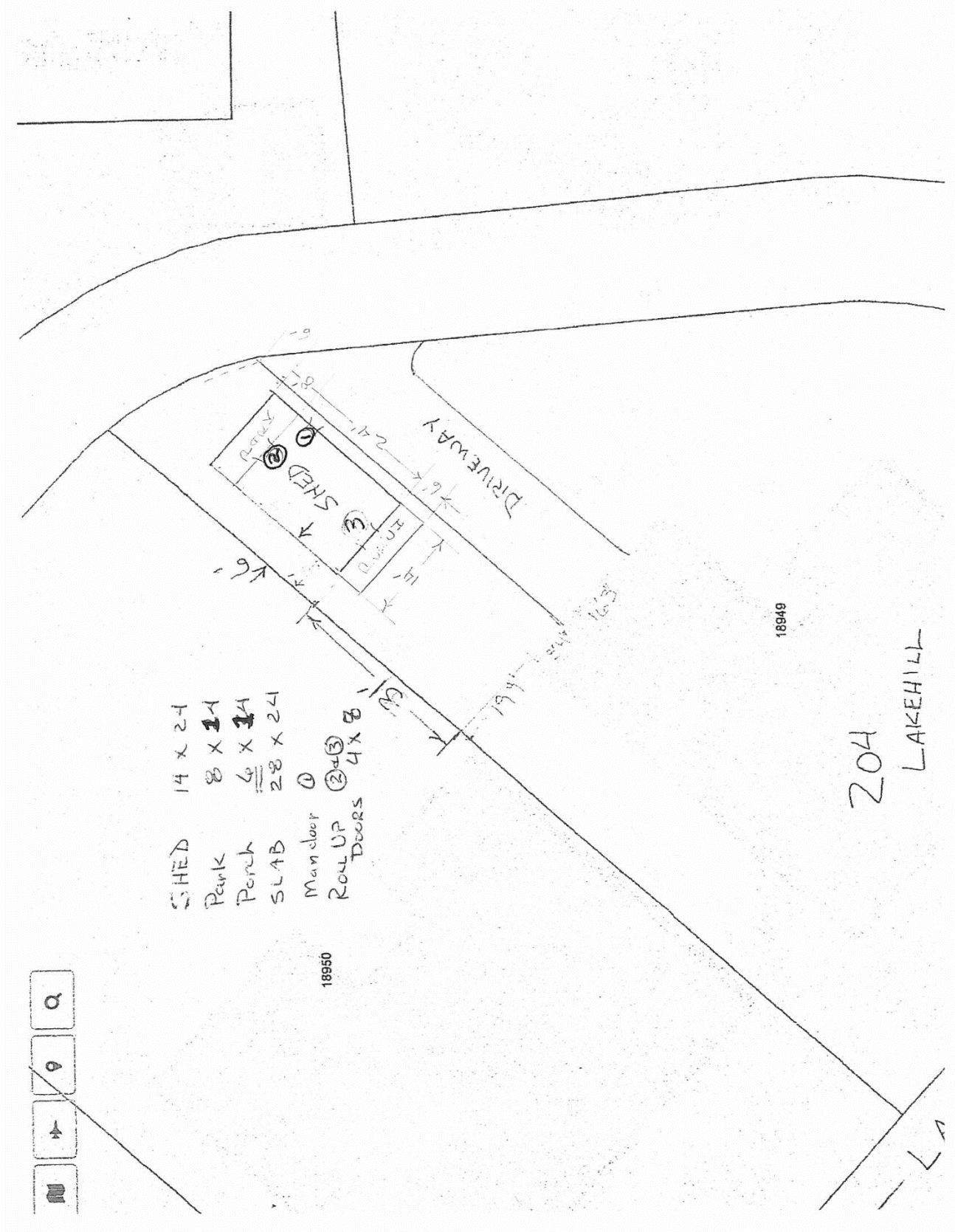
**Exhibit 'A'**  
**Zoning Exhibit**

Address: 204 Lakehill Drive

Legal Description: Lot 17, Block B, Lakeridge Park Addition

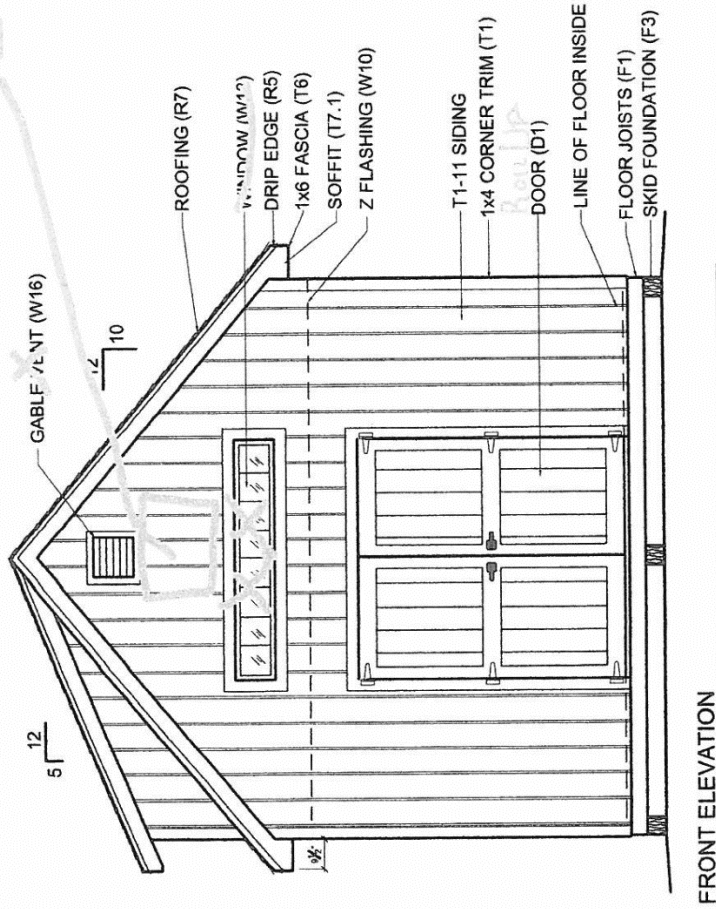


**Exhibit 'B':**  
**Concept Plan**



**Exhibit 'C':**  
**Conceptual Building Elevations**

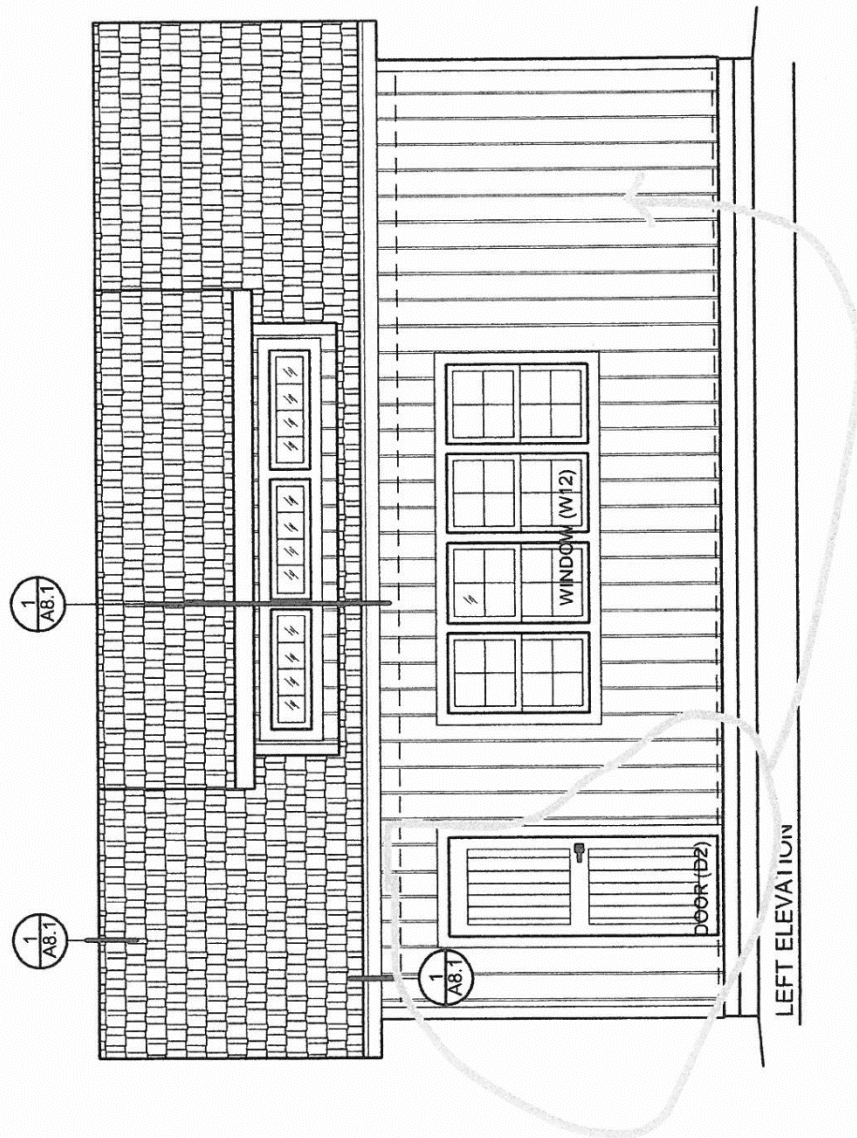
*2x3 window  
center  
Gable  
Both End Walls (Mea.)*



SIDING AND ROOFING MATERIALS		
CODE	DESCRIPTION	QTY.
W7	4ft. x 8ft. T1-11	27
W7.1	4ft. x 8ft. Textured ply. Soffit	3
T4	1x4 Wood Trim	16
T6	1x6 Trim Fascia	9
R5	Roof Drip Edge	15
R6	15lb. Roofing Felt	6 sq.
R7	Shingles	8
W10	"Z" Metal Flashing	4
W12	2036 SH Window	3
W13	3016 Fixed Window	2
W14	3016 Fixed Window	1
D1	2688 Door	1
D2	6000 door	1

Ramp or stair materials are not shown

**Exhibit 'C':**  
*Conceptual Building Elevations*



**Exterior Elevations 3.1**  
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CITY OF ROCKWALL

ORDINANCE NO. 20-16

SPECIFIC USE PERMIT NO. S-219

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.28-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 17, BLOCK B, LAKERIDGE PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Edwin Echols for the approval of a Specific Use Permit (SUP) to allow an *Accessory Building* that exceeds the maximum allowable size on a 0.28-acre parcel of land being described as Lot 17, Block B, Lakeridge Park Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 204 Lakehill Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- 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 an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 340 SF.
- (3) The *Accessory Building* shall not exceed an overall height of 18-feet.
- (4) The subject property shall not have more than one (1) accessory building.

## **2.2. COMPLIANCE**

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

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

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18<sup>TH</sup> DAY OF MAY, 2020.**

---

Jim Pruitt, Mayor

**ATTEST:**

---

Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

---

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: May 4, 2020

2<sup>nd</sup> Reading: May 18, 2020

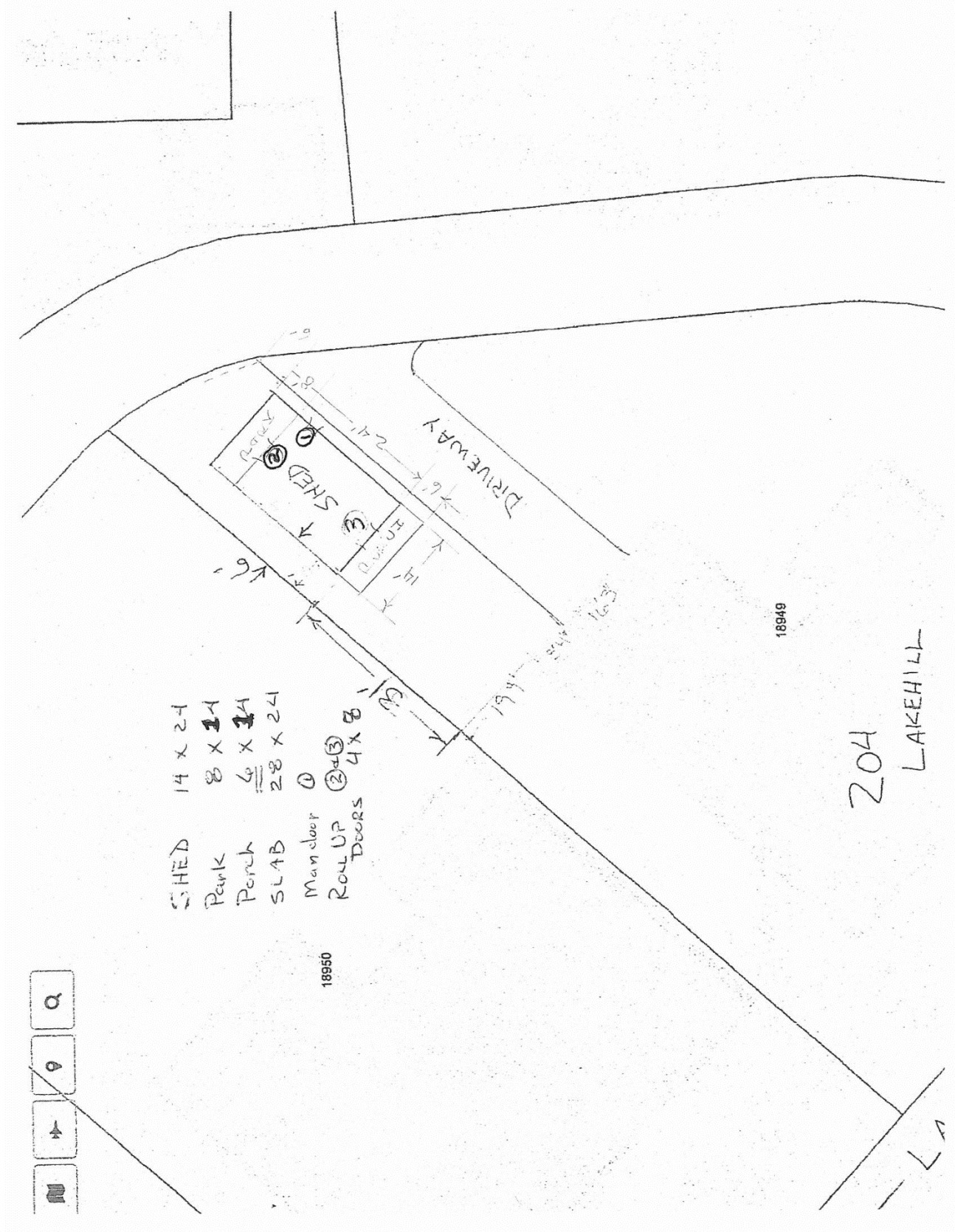
**Exhibit 'A'**  
**Zoning Exhibit**

Address: 204 Lakehill Drive

Legal Description: Lot 17, Block B, Lakeridge Park Addition

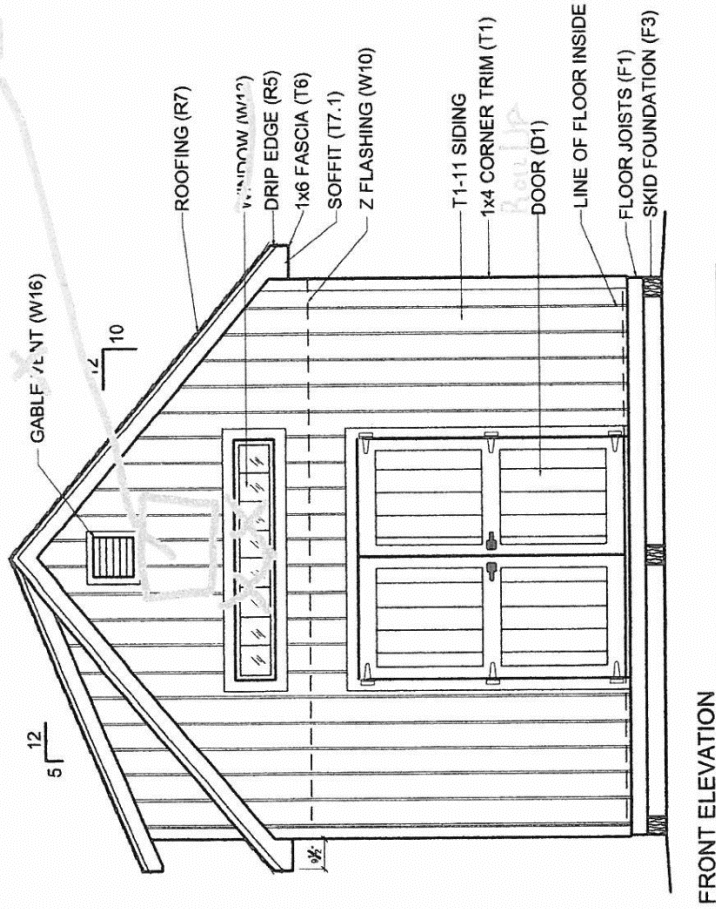


**Exhibit 'B':**  
**Concept Plan**



**Exhibit 'C':**  
**Conceptual Building Elevations**

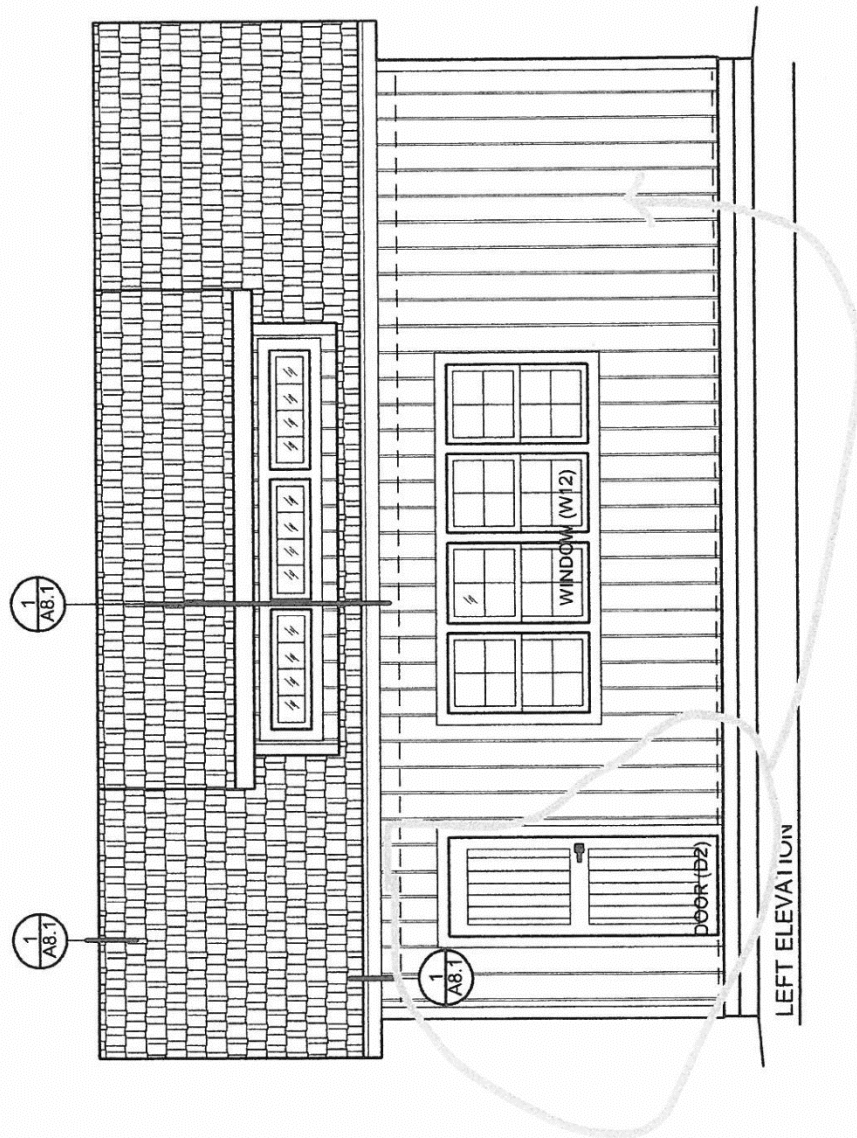
*2x3 window center*  
*Gable Both End Walls (Mea.)*



SIDING AND ROOFING MATERIALS		
CODE	DESCRIPTION	QTY.
W7	4ft. x 8ft. T1-11	27
W7.1	4ft. x 8ft. Textured ply. Soffit	3
T4	1x4 Wood Trim	16
T6	1x6 Trim Fascia	9
R5	Roof Drip Edge	15
R6	15lb. Roofing Felt	6 sq.
R7	Shingles	8
W10	"Z" Metal Flashing	4
W12	2036 SH Window	3
W13	3016 Fixed Window	2
W14	3016 Fixed Window	1
D1	2688 Door	1
D2	6000 door	1

Ramp or stair materials are not shown

**Exhibit 'C':**  
*Conceptual Building Elevations*



**Exterior Elevations 3.1**  
 Copyright 2020 Big Idea Designs. www.icreatables.com

**CITY OF ROCKWALL**

**ORDINANCE NO. 20-17**

**SPECIFIC USE PERMIT NO. S-220**

**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 0.1030-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK 111, B. F. BOYDSTUN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has received a request Ryszard M. Waszczuk 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 0.1030-acre parcel of land being described as Lot 4, Block 111, B. F. Boydstud 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 706 Sherman Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards* and Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and 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 02.02, *Specific Use Permits (SUP)* of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the Subject Property to comply with the following:

- 1) Upon obtaining a Building Permit, should the contractor operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and 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 18<sup>TH</sup> DAY OF MAY, 2020.**

---

Jim Pruitt, *Mayor*

**ATTEST:**

---

Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

---

Frank J. Garza, *City Attorney*

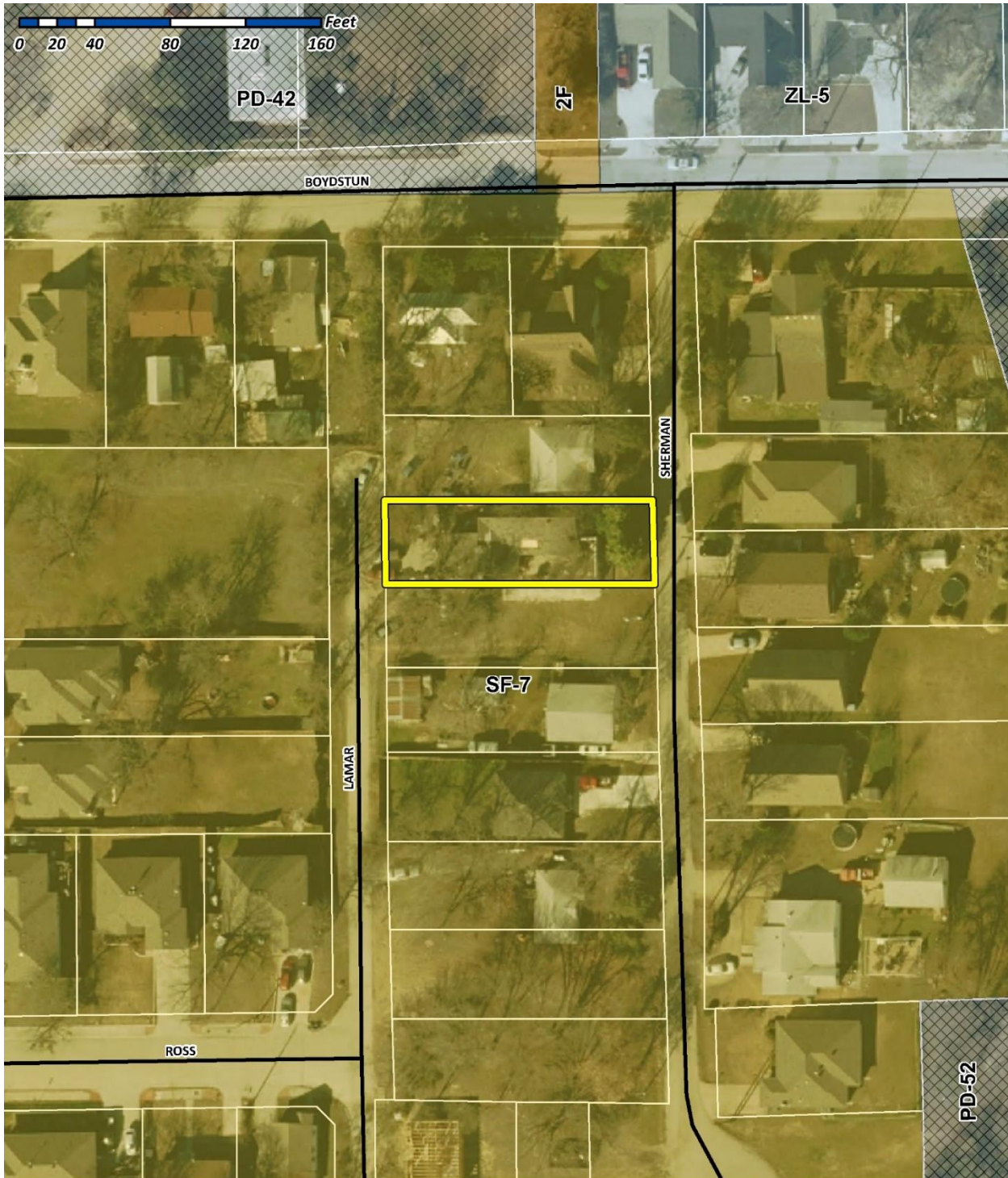
1<sup>st</sup> Reading: May 4, 2020

2<sup>nd</sup> Reading: May 18, 2020

**Exhibit 'A'**  
**Zoning Exhibit**

Address: 706 Sherman Street

Legal Description: Lot 4, Block 111, B. F. Boydstun Addition

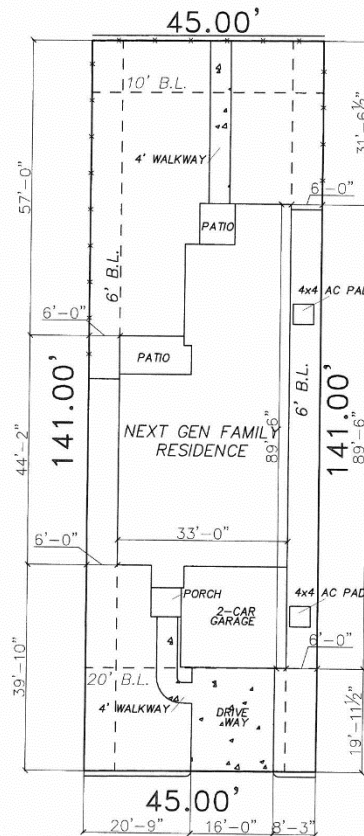


**Exhibit 'B':**  
**Residential Plot Plan**



NORTH  
SCALE: 1" = 20'-0"

**LAMAR STREET**



**SHERMAN STREET**

Z2020-012

SITE PLAN TABLE

ADDRESS: 706 SHERMAN ST.  
CITY: ROCKWALL, TX  
LOT: 4 BLOCK: N/A  
LOT SF: 6,345 SF  
PROPOSED NEXT GEN FAMILY DWELING SF: 2,424 SF  
TOTAL PROPOSED BUILDING COVERAGE %: 38.2%  
TOTAL PROPOSED IMPERVIOUS COVERAGE: 2,975 SF  
TOTAL PROPOSED IMPERVIOUS COVERAGE %: 46.8%

CUSTOMER SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

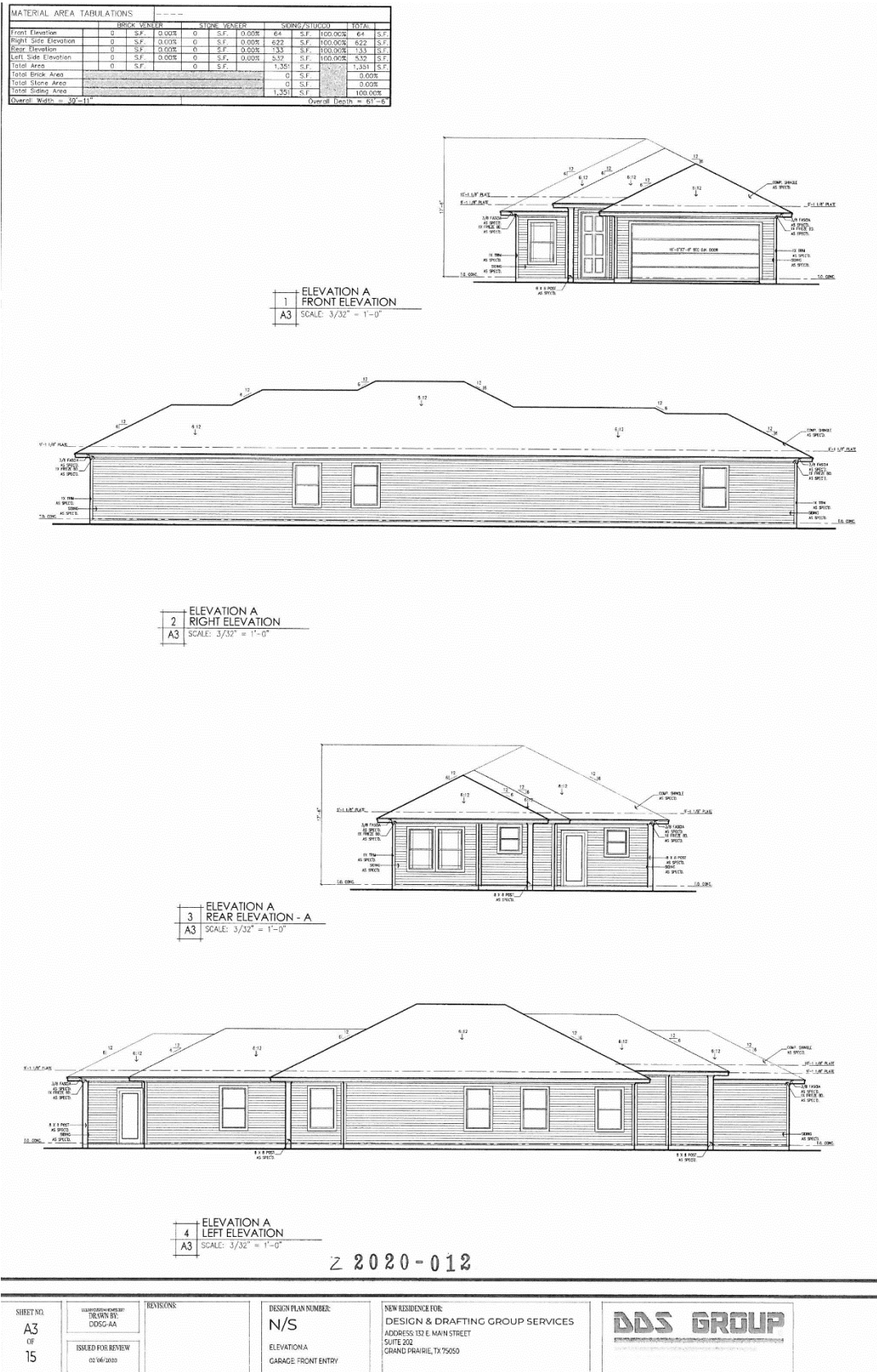
NOTES: \_\_\_\_\_

<b>LEGEND</b>	— DRAINAGE FLOW	B.L. - BUILDING LINE
	- - - PROPOSED FENCE	D.E. - DRAINAGE EASEMENT
— EXISTING FENCE	CURLEX	P.A.E. - PEDESTRIAN ACCESS EASEMENT
	RETAINING WALL	S.S.E. - SANITARY SEWER EASEMENT
● REQUIRED TREE PLANTING		T.E. - TRANSFORMER EASEMENT
■ REQUIRED BUSH		U.E. - UTILITY EASEMENT
		W.M.E. - WALL MAINT. EASEMENT
		M.E. - MAINTENANCE EASEMENT
		V.E. - VISIBILITY EASEMENT
		* - EXPOSED AGGREGATE CONCRETE

BUILDER: RICHARD EXPO.	DATE: 02/07/20	<b>DDS GROUP</b>
ADDITION: ROCKWALL	DRAWN BY: DDSG-A.A	
ADDRESS: 706 SHERMAN ST.	CITY: ROCKWALL	
LOT: 4 BLOCK: N/A	PLAN: N/A ELEVATION: A	
PHASE: N/A	SWING: RIGHT	<b>PLOT PLAN</b>
OPTION: N/A		

NOTE: ARCHITECTURAL PLANS TAKE PRECEDENCE OVER ALL DRAWINGS. ALL FINAL DECISIONS REFER TO PLANS PROVIDED BY MEGATEL. ARCHITECTURAL DEPARTMENT. PLOT PLAN IS APPROPRIATE PLACEMENT ONLY. BUILDER CAN VARY DUE TO ACTUAL BUILDING CONDITIONS. BUILDER IS FULLY RESPONSIBLE FOR ADHERING TO ANY AND ALL BUILDING LINES OR EASEMENTS OF RECORD OR THAT MAY NOT BE NOTED ON THE RECORDED PLAN. BUILDER TO CONFIRM THAT THIS LAYOUT HAS NO CONFLICTS WITH THE INLETS OF UTILITY SERVICES. FINAL SURVEY WILL SHOW PLACEMENT OF HOUSE AND ALL PLANTWORK, SUCH AS SIDEWALKS AS PRESCRIBED BY THE RULES OF PRACTICE FOR A SURVEYOR.

# Exhibit 'C': Building Elevations



CITY OF ROCKWALL

ORDINANCE NO. 20-18

SPECIFIC USE PERMIT NO. S-221

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 24, BLOCK C, HARBOR LANDING, PHASE 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 Alejandro Portocarrero for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.23-acre parcel of land being described as Lot 24, Block C, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family uses, addressed as 328 Harborview Drive, 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 Planned Development District 8 (PD-8) and Subsection 03.01, *General Residential District 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 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 18<sup>TH</sup> DAY OF MAY, 2020.**

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Jim Pruitt, *Mayor*

**ATTEST:**

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Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

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Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: May 4, 2020

2<sup>nd</sup> Reading: May 18, 2020

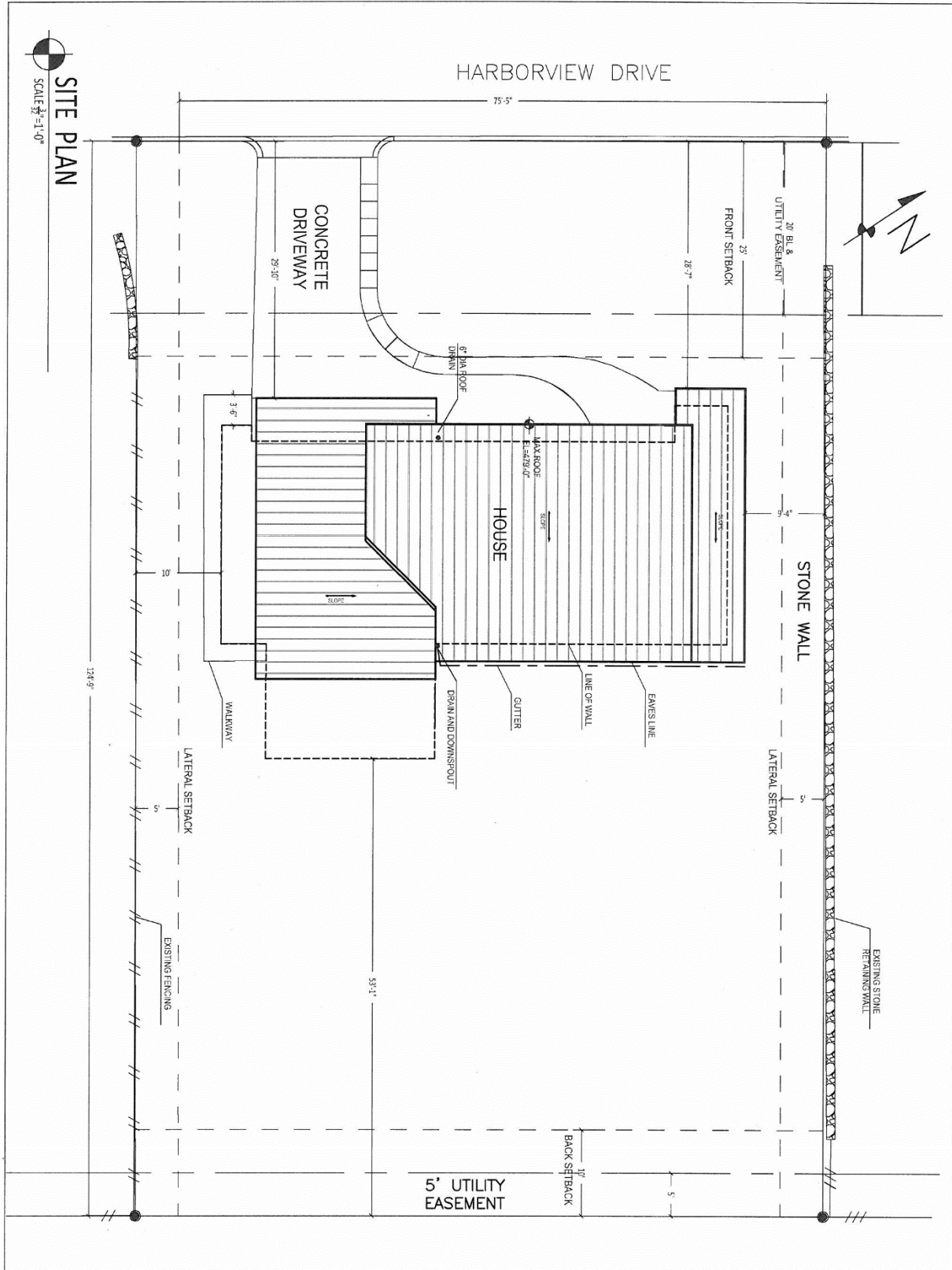
**Exhibit 'A':**  
**Legal Description**

Location: 328 Harborview Drive

Legal Description: Lot 24, Block C, Harbor Landing, Phase 2 Addition



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



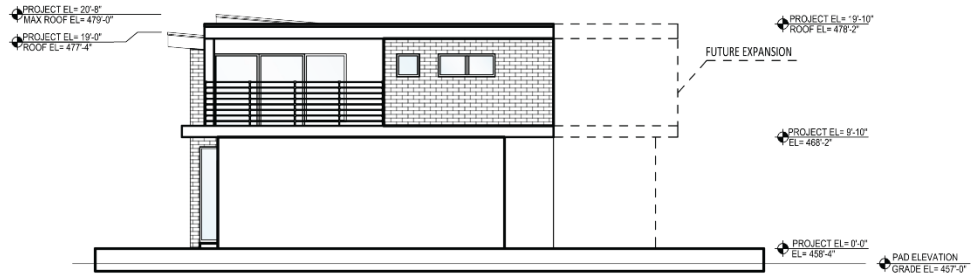
## Exhibit 'C': Building Elevations



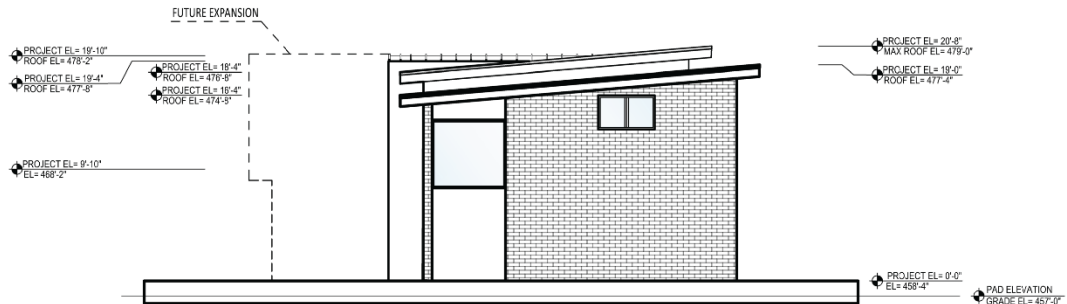
**ELEVATION 1/A.04**  
SCALE  $\frac{1}{8}$ "=1'-0"



**ELEVATION 2/A.04**  
SCALE  $\frac{1}{8}$ "=1'-0"



**ELEVATION 1/A.05**  
SCALE  $\frac{1}{8}$ "=1'-0"



**ELEVATION 2/A.05**  
SCALE  $\frac{1}{8}$ "=1'-0"



## MEMORANDUM

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**TO:** Rick Crowley, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** May 18, 2020

**SUBJECT:** ROCKWALL COUNTY JAIL OFF-SITE SANITARY SEWER UPGRADES

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**Attachments**  
**Capacity Study**

**Summary/Background Information**

In 2018, the citizens of Rockwall County approved a bond to expand the Rockwall County Jail. After the approval of the bond, the City's Engineering Department requested a sanitary sewer capacity analysis from the City's consultant, Birkhoff, Hendricks, and Carter (BHC). The focus of this analysis was to identify any capacity deficiencies in the existing sanitary sewer system that would affect its capability to support the proposed expansion of the existing jail. The limits of the study generally extended from the Rockwall County Jail site, northerly along Squabble Creek to Squabble Creek Drive.

Based on the capacity study, four segments of existing sanitary sewer system would need to be upsized to accommodate the deficiencies in the current capacity. Two of the four segments were marginally over capacity prior to the additional sewer flow proposed from the jail expansion. The results, in attached report, recommend increasing the size of the four deficient segments. The estimated cost of these improvements range from \$450,000 to \$585,000. This includes the design and construction of the off-site sanitary sewer. Rockwall County's engineering consultants will design the improvements and their construction contractors will install these improvements during the jail expansion project.

Prior to the jail expansion, on February 27, 2020, a meeting was attended by a Rockwall County representative and the City Manager to discuss the City participating in the design and construction of these improvements. This participation was discussed due to two of the four existing segments of the sanitary sewer system being over capacity prior to the jail expansion. A tentative arrangement of 50% participation by the City in cost of these improvements was agreed to pending City Council approval. These improvements will alleviate existing and future sanitary sewer surcharge issues.

**Action Needed**

**Staff requests that the City Council consider approving the cost participation for the off-site sanitary sewer improvements, which will be funded from Reserves.**

# BIRKHOFF, HENDRICKS & CARTER, L.L.P.

## PROFESSIONAL ENGINEERS

Texas Firm F526  
11910 Greenville Ave., Suite 600

RPLS Firm No. 100318-00  
Dallas, Texas 75243

Fax (214) 461-8390

Phone (214) 361-7900

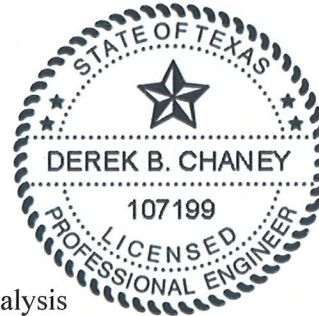
## MEMORANDUM

**To:** Ms. Amy Williams, P.E.  
Public Works Director/City Engineer, City of Rockwall

**From:** Derek B. Chaney, P.E., R.P.L.S.

**Date:** November 1, 2019

**Subject:** Rockwall County Jail Expansion - Sanitary Sewer Capacity Analysis  
*Revision 1*



### INTRODUCTION

As you requested, we have completed a capacity analysis of the City of Rockwall's existing sanitary sewer system downstream from the existing Rockwall County Jail proposed for expansion. The limits of this analysis are shown on Exhibit A, attached hereto, and generally extend from the Rockwall County Jail site, northerly along Squabble Creek to Squabble Creek Drive. The focus of this analysis was to identify any capacity deficiencies in the existing sanitary sewer system that would affect its capability to support a proposed expansion of the existing Rockwall County Jail.

The existing facility reportedly has a maximum inmate capacity of 243 persons and a maximum on-site staff of 130 persons. The maximum occupancy for the proposed Rockwall County Jail Expansion was based on a total of 477 inmates and 185 on-site staff as provided by Kimley-Horn, the Consulting Engineer for the Rockwall County Jail Expansion Project. Wastewater flows for the proposed expansion were calculated based on per capita inmate usage of 150 gallons per day and on-site staff usage of 30 gallons per day.

### ANALYSIS

For the purpose of identifying specific sections of system subject to capacity deficiencies, the studied sanitary sewer system route was divided into nine (9) system segments as outlined on Exhibit A. The diameter and slope of each controlling pipe segment was determined based on construction record drawings (when available) provided by the City. The full flow conveyance capacities for each segment were then calculated based on Manning's Equation for open channel flow, assuming a roughness coefficient of 0.013. Peak wastewater flows were calculated along the studied route under the conditions of existing development and existing development plus the proposed jail expansion based on the following wastewater design flow criteria:

- Land Use Density: 2.5-units per acre (Low Density)  
14-units per acre (High Density)
- Housing Density: 3-people per unit (Low Density)  
2-people per unit (High Density)
- Per Capita Usage: 100-gallons per person per day
- Non-Residential/Commercial Flow: 1,000-gallons per acre per day
- Peaking Factor: 5 – for Average Daily Flow less than 0.05 MGD  
4 – for Average Daily Flow between 0.05 and 1.00 MGD
- Inflow and Infiltration (I&I) Allowance: 800-gallons per acre per day

## RESULTS

The results of the capacity analysis are presented in Table 1. As noted on Exhibit A, a wastewater flow meter was installed on Pipe Segment No. 6 as part of the City's 2015 Wastewater Flow Monitoring Study. The flows observed in the 2015 study were used as a general validation for the peak design flows estimated in this analysis. It should be noted that a reduction of the inflow and infiltration (I&I) observed in the 2015 study was assumed due to reports from the City of efforts to address deficiencies in the basin, including replacement of broken or missing cleanout caps, and repair of misaligned manhole cones, rings and covers.

TABLE 1 - ROCKWALL COUNTY JAIL EXPANSION - SANITARY SEWER CAPACITY ANALYSIS

System Segment No.	Limits of System Segment		Limiting Exist. Pipe Capacity			Existing Flows		Proposed Flows		Limits of Identified Capacity Deficiency
	Upstream	Downstream	Diameter (inches)	Slope (ft/ft)	Capacity (MGD)	Q <sub>peak</sub> (MGD)	Capacity Surplus (+) or Deficiency (-)	Q <sub>peak</sub> (MGD)	Capacity Surplus (+) or Deficiency (-)	
1	Rockwall County Jail	MK&T Railroad	8	0.003	0.45	0.21	47%	0.40	88%	
2	MK&T Railroad	Bourn	6	0.005	0.25	0.26	105%	0.45	179%	~325' of 6" pipe No record drawings
3	Bourn	Ross	8	0.004	0.50	0.30	60%	0.48	97%	
4	Ross	Boydstun	8	0.003	0.45	0.41	92%	0.60	133%	81.5' 8" PVC crossing under 3-7'x3' box culverts
5	Boydstun	200' south of St Mary	10	0.010	1.40	0.44	32%	0.63	45%	
6	200' south of St Mary	Storrs	10	0.010	1.40	1.42	102%	1.61	115%	307.5' of 10" PVC
7	Storrs	Renfro	12	0.008	2.00	1.55	78%	1.74	87%	
8	Renfro	200' south of Squabble Creek	12	0.006	1.85	1.83	99%	2.02	109%	858.5' of 12" PVC
9	200' south of Squabble Creek	200' north of Squabble Creek	15	0.009	3.97	2.08	52%	2.27	57%	

As shown by the cells shaded red in Table 1, capacity deficiencies were identified in 4 of the 9 segments studied. Following is a summary the deficient segments, including the pipe size and approximate length.

- Segment No. 2: 6-inch diameter (325 linear feet)
- Segment No. 4: 8-inch diameter (82 linear feet)
- Segment No. 6: 10-inch diameter (308 linear feet)
- Segment No. 8: 12-inch diameter (859 linear feet)

The limits of the deficient pipe segments are also shown graphically on Exhibit A.

Segment No. 2 includes a deficient section of 6-inch diameter pipe with a length of approximately 325 feet. To verify the severity of the deficiency, a field survey was conducted to confirm the pipe size, manhole depths and the approximate slope of the existing 6-inch sanitary sewer. Based on the field verified pipe slopes, the 6-inch sanitary sewer is shown to be at 179% of its full-flow conveyance capacity under the condition of existing development plus the proposed jail expansion. Based on these findings, an estimated surcharge (level of flow above the top of pipe) of approximately 3 feet could be expected under peak flow conditions. The manhole depth at the downstream portion of the existing 6-inch sanitary sewer was measured at approximately 3.75-feet (from rim elevation to flowline), leaving less than 1-foot of manhole depth unfilled based on the depth of surcharge (3.75-feet minus pipe diameter of .0.5-feet minus surcharge of 2.5-feet equals 0.75-feet).

The deficiency identified for Pipe Segment No. 4 is isolated to a single segment of 8-inch diameter pipe with a length of approximately 68-feet. The pipe segment is manhole to manhole and crosses underneath an existing triple 7-foot by 3-foot concrete storm sewer box culvert.

Deficient Pipe Segment No. 6 is an existing 10-inch diameter pipe with a length in the range of 308-feet. The deficient segment is immediately downstream of a convergence of existing 10-inch and 12-inch sanitary sewers and is shown to be operating at approximately 115% of its full-flow conveyance capacity under proposed conditions.

With a length of approximately 859-feet, the longest sustained deficiency identified is the existing 12-inch sanitary sewer on Segment No. 8. However, the existing 12-inch pipe is shown to be operating at 109% of its full-flow conveyance capacity under proposed conditions. This which equates to an approximate surcharge depth in the range of 6-inches under peak wastewater flow conditions. Review of the construction record drawings for this pipe segment shows that existing manhole depths are in the range of 8-feet, leaving over 6-feet of manhole unfilled during a surcharge event.

#### **SUMMARY & RECOMMENDATIONS**

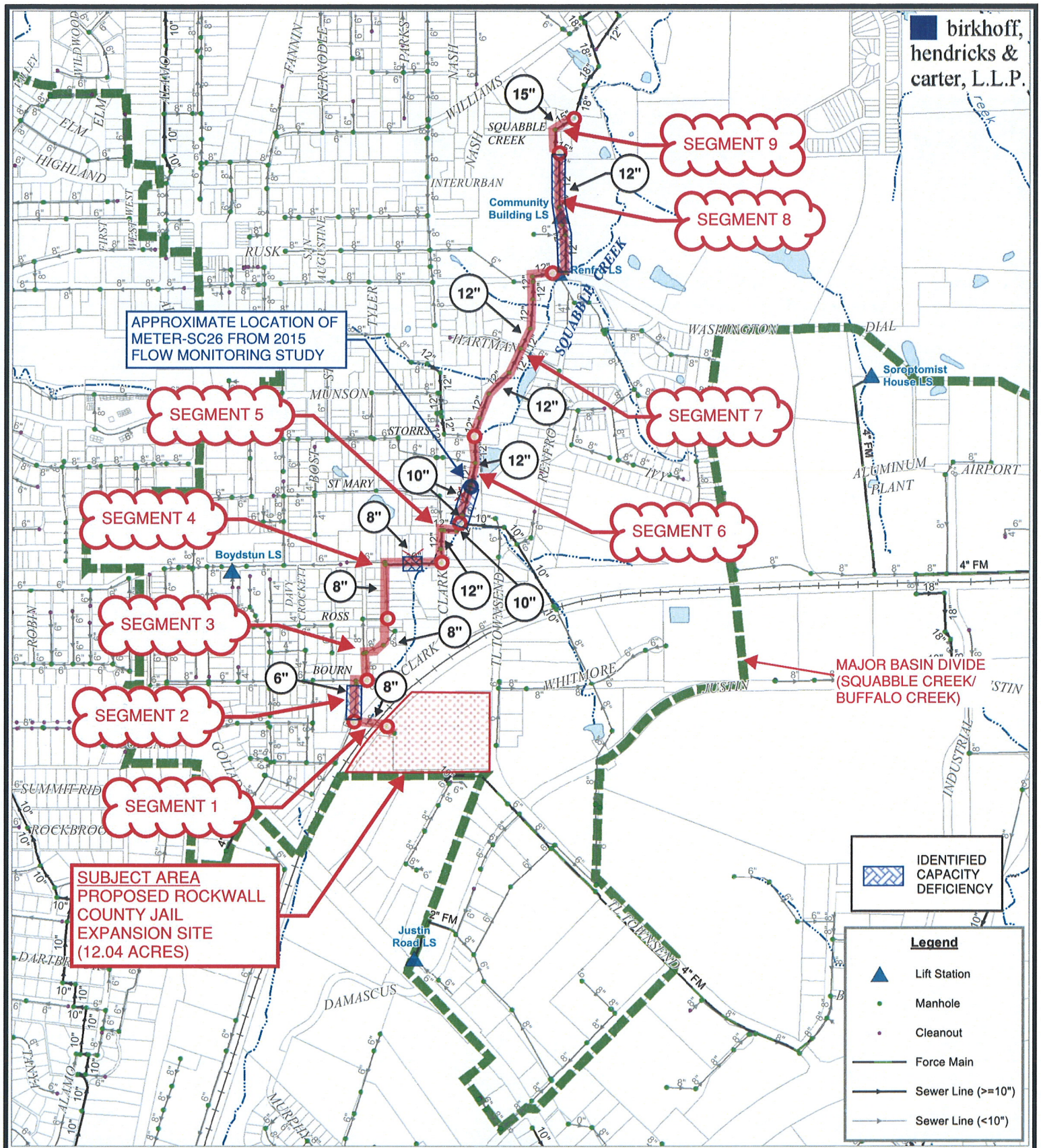
The capacity deficiencies identified on Pipe Segment 2, 4, 6, and 8 can be relieved by increasing the size of the deficient pipes to the next standard pipe diameter. We recommend upsizing the deficient segments of the collection system to accommodate conveyance of peak wastewater flows without a surcharge.

Based on the findings herein, we recommended implementing the following system improvements.

- Segment No. 2: Up-size 325 linear feet of 6-inch to 8-inch diameter
- Segment No. 4: Up-size 82 linear feet of 8-inch to 10-inch diameter
- Segment No. 6 Up-size 308 linear feet of 10-inch to 12-inch diameter
- Segment No. 8 Up-size 859 linear feet of 12-inch to 15-inch diameter

We are available to discuss this analysis further at your convenience, and we are standing by to support the City in implementing the recommended improvements.

Attachment: Exhibit A (Sanitary Sewer Capacity Map)  
cc (via email): Jeremy White, P.E., CFM, City of Rockwall



0 500 1,000  
Feet



City of Rockwall

## ROCKWALL COUNTY JAIL EXPANSION SEWER STUDY

### EXHIBIT A

### Sanitary Sewer Capacity Site Map